

CITY OF NEWPORT 2060 1st Avenue Newport, MN 55055 (651) 459-5677 ci.newport.mn.us

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COUNCIL WORKSHOP AGENDA April 20, 2023- Immediately following the Regular City Council Meeting

- 1. CALL TO ORDER
- 2. ROLL CALL
- 3. LINING PROJECT
- PRELIMINARY CONCEPT PLAN REVIEW- Red Rock Vilas
- 5. FUTURE MEETING AGENDA ITEMS
- 6. ADJOURNMENT



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MEMORANDUM

Memo Date: April 14, 2023 Meeting Date: April 20, 2023

To: Newport City Council

From: Nathan Fuerst, AICP, City Planner
Subject: Concept Plan Review – Red Rock Villas

Action Requested: Review the Concept Plan and provide comments relating to the conformance of

the plan with adopted plans and policies.

Overview

Applicant: M & M Land Co, LLC **Owner:** MGM Development, LTD

PIDs: 3602822220047and 3602822220022 **Zoning:** Mx-3 General Mixed-Use District

Future Land Use: Mixed Commercial/Residential

Summary of Proposal

The City has received a PUD Concept Plan request from M & M LandCo (Developer) for a 143 unit, multifamily development on an 8.34 acre parcel along 7th Avenue. The Developer has provided a concept plan to receive feedback on the proposed development prior to compiling further applications for required entitlements.

The concept plan submitted by the developer details 4 apartment buildings, ranging from 30 to 42 units each, to be built in two phases. The first phase would include 79 units between two buildings proposed on the south of the site.



The Developer describes the proposed development in the narrative submitted with this application. The proposed market rate rental units are described in the narrative as follows:

RED ROCK VILLAS provides two different lifestyle choices in our Courtyard Villa and Promenade Villa designs. The Courtyard Villa offers one-level living with a pet friendly private courtyard. The Promenade Villa offers a much larger two-level two and three bedroom choices

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and live/work environment opportunity. These units open onto our unique pedestrian Promenade with a snow-melt system enabling year round use.

Reviewed Plans Vs. Resubmittal

Staff note that the concept plan attached to this report dated January 30, 2023 is the plan that was reviewed for this report. The Applicant submitted newly revised plans dated March 29, 2023 and April 5, 2023 to the City on April 10, 2023 which did not allow adequate time to review the revised plans.

PUD Qualifying Criteria

City Code section 36-260 states the following about parcel size

The minimum area for a PUD shall generally be ten acres in all zoning districts. The city may permit a smaller PUD area in order to meet the goals of the Comprehensive Plan.

The Developer's proposed planned unit development can be approved by the City if the City Council finds that the proejct will further the General Land Use goals articulated in the City's adopted Comprehensive Plan. Those goals are discussed below.

PUD Concept Plan Review Process

The purpose of this process is established in City Code Sec. 36-266 (2)(a) as follows:

The concept plan provides an opportunity for the applicant to submit a plan to the city showing the basic intent and the general nature of the entire development without incurring substantial cost. The process is also intended to allow the city to identify potential issues and concerns at an early stage of development. Any opinions or comments provided on the concept plan shall be considered advisory only and cannot be construed as approval or denial of the proposed plat.

Land Use and Density

Application materials submitted with this request have been reviewed by staff for conformance with the zoning code and 2040 Comprehensive Plan.

Intent of the MX-3 Zoning District

City Code section 36-237 provides the intent of the General Mixed Use Zoning District as follows:

The specific intent of the MX-3, General Mixed- Use District is to provide for a mix of residential and commercial uses that provide for a long-term transition from the auto-oriented uses that exist in the district based on past frontage on Highway 61, to uses that are compatible with adjacent residential and mixed-use districts. The city anticipates that commercial uses will cluster on and near Hastings Avenue and the Glen Road interchange, and that over the long-term redevelopment will include a variety of residential and commercial uses.

Zoning

MX-3 Zoning allows this use, multifamily apartments, as a permitted use. Residential density permitted in this zoning district is consistent with the City's comprehensive plan at 8-20 units per acre.

Comprehensive Plan

This proposed project would be consistent with the uses allowed in the Future Land Use category, and the range of allowable density in Mixed Residential Commercial areas zoned MX-3 (between 8-20 units/acre). This development has a gross density of approximately 17 units per acre.

The proposed land use is seen to be consistent with the City's long-term vision for this area, which is to generate opportunities for housing in the city, with higher density housing along the 7th avenue corridor.

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• General Land Use Goal 1: ...Support new development and redevelopment of the Red Rock Redevelopment Area and areas along 7th Avenue south of the Newport Transit Station that include jobs and housing to implement the City's vision and master plan for redevelopment of this area.

• General Land Use Goal 5: Provide housing and jobs to attract younger people and young families. Provide "life cycle" housing opportunities that serve empty nesters and older residents while recycling family housing to attract younger families.

Plan Review

Application materials submitted with this request have been reviewed by staff for conformance with the zoning code's performance standards. A summary of this review is below.

Bulk (Zoning) Standards:

Durk (Zohing) Standards.							
Standard	Required	Proposed					
Minimum Lot Area	5,400 square feet	8.34 Acres (if not subdivided)					
Minimum Lot Width	40 feet minimum	1000+ feet					
Minimum Lot Depth	130 feet minimum	280+ feet					
Setbacks:							
Front	10 feet minimum	15 feet					
Side	5 feet minimum	5+ feet					
Rear	20 feet minimum	20 feet					
Height	40 feet maximum	35+ feet					
Lot Coverage	75% of the site	63.4%					

Lot Configuration and Site Control

As proposed, the concept plan shows all four structures on one lot. It is understood that the developer would prefer to keep all structures on the same lot. Staff note that this would require a PUD deviation to City Code Section 36-11 which limits each one lot to having only one principal structure. Staff are not opposed to this request given the fact that this would be a master planned development consisting of rental units.

Staff are requiring this developer to replat the development, as opposed to combining the subject parcels, to clean up the legal description of this property and to provide for drainage and utility easements as ultimately may be required by the City. It is possible that separate lots will be required for financing the project, the ultimate lot configuration will be reviewed by City Staff against City standards.

Staff note that the Developer's control of this site does not include the entire project area. The Developer has indicated the property owner at 1696 4th Avenue will be willing to sell their single family residence. Staff would not support further entitlements for the project, as proposed, until such time as the developer has control of the full extent of the project area.

Site Design

Building Location

Staff note that the placement of several of the buildings, Building B & Building D provides for inefficient use of the site. Both of those buildings should be moved closer to 7th avenue to provide more space to the interior of this site and 4th Avenue for the purposes of stormwater management, open space, or parking area. Moving those buildings closer to 7th avenue will provide for a more engaging pedestrian environment, keeping in line with the intent of the MX-3 zoning district and establishing the standard for

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development and redevelopment along the 7th Avenue corridor.

Sidewalks

Staff note an inconsistent, and in areas, inefficient use of sidewalks within this development. While internal pedestrian circulation is mostly accounted for, no sidewalks are provided for the circulation of people walking around this proposed development. Staff will strongly recommend that the City require public sidewalks around the site along 7th Avenue, 17th Street, and 4th Avenue.

Stormwater Management

Staff note that no stormwater facilities are provided on site or mentioned in the submittal. Inclusion of ponds to meet required stormwater management rules has the potential to significantly alter the proposed site plan by impacting building location, parking and circulation, or open space. If such ponds are to be utilized for stormwater control, then they should be accounted for in the concept plan. If some other method of managing stormwater is proposed, the submittal should be supplemented or revised accordingly.

Parkland Dedication

No public parks or trails are being proposed in this concept. Given the site's close proximity to existing and planned park and trail facilities, staff do not suggest that the City require land dedication through this development. Rather, to satisfy this requirement, it will be recommended that the developer pay a fee in lieu of providing such land or facilities.

Landscaping

This property will be required to include one overstory tree for every 50 feet of lot frontage and one tree for every 1000 square feet of non-impervious lot cover (excluding storm basins).

Staff note that development plans should seek to address the City's requirements for landscaping to the maximum extent possible. Should flexibility to Code requirements be necessary, it can be granted through the PUD process. This element will ultimately be reviewed for conformance at the time of preliminary plat.

Screening

Buildings proposed on site help to screen the surface parking areas. As parking areas are not fully screened from the adjacent residential uses, additional screening should be provided. Staff suggest landscaping, potentially combined with beaming where screening is required.

Trash should be stored inside buildings, if it is not, then trash enclosures must be included on future plans submittals. Such areas must be fully compliant with City design and screening requirements.

Tree Preservation

A tree preservation plan, meeting the requirements of City Code Section 18-42 will be required at the time of preliminary plat. The Developer is responsible for calculating the tree removal and detailing any associated replacement required by the City's tree preservation requirements. Tree mitigation requirements are to be in addition to any other required landscaping.

Roughly the north half of this site is vegetated with a stand of mature trees. The Developer has submitted a tree inventory which details the location and species of trees greater than 6 inches in diameter or 8 feet tall. Staff estimate that approximately 2/3 or more of the total caliper inches on this site are Siberian Elm. Anticipating the City's tree replacement requirements, the Developer has requested that the City consider

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Siberian Elm trees as invasive and therefore exempt from protections and required replacement. Staff do find that this is a reasonable interpretation on the basis that the trees are listed as invasive by the MnDNR.

Open Space

City Code does not proscribe a specific amount of open space for developments in the MX-3 zoning district outside of requirements limiting lot coverage (impervious surface) and requiring landscaping. It is noted that the proposed buildings are unique in that they provide a shared open space in the form of a promenade designed to be available in all seasons.

Staff also note that there should be consideration towards the open space or common areas between buildings and how the site can be designed to use such spaces effectively. Such spaces should be utilized to balance stormwater management, screening or buffering, and landscaping requirements.

Parking/Loading Requirements

Parking standards are provided by City Code Section 36-161 for multifamily residential uses with more than eight units. Staff have reviewed the concept for conformance with parking and loading standards established in City Code Sections 36-161 and 36-162 for this use and have the following comments:

<u>Parking Screening</u> – The City Code requires parking areas to be screened from the street and surrounding properties with residential land uses. The proposed arrangement of buildings on the lot one way to meet this requirement. Berming and landscaping is another. This should be addressed by future submittals.

Number of stalls – The amount of parking required for this use is summarized in the following table:

	Building Makeup			Parking Stalls Required			
	Total Units	1br Units	2+br Units	Visitor	Enclosed	Unit Stalls	Total Required
Building A	37	15	22	18.5	37	66.5	85
Building B	42	18	24	21	42	75	96
Building C	34	14	20	17	34	61	78
Building D	30	12	18	15	30	54	69
TOTALS	143	59	84	71.5	143	256.5	328

Currently the Developer is compliant with the number of visitor stalls at 115 and will need a total of 328 stalls to meet the City's total minimum parking requirement. The Developer's site plan indicates two numbers for parking provided, one which is below the City's required total, and one which is above. Should the Developer ultimately need to seek flexibility to the City's ordinance, this can be done through the PUD process.

Site Access

The Concept shows a consolidation of access points to this site to just one access off of 7th Avenue and one off of 4th Avenue. Further refinement of the access off of 7th Avenue will need to be explored. That access should only include one lane entering the site and one lane exiting the site.

Traffic

The City Council may wish to require a traffic study to explore the potential traffic impacts of this development, and proposed access points, on the surrounding area.

Lighting

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The City has adopted standards for site and building lighting. This element should be incorporated into future submissions and will be reviewed for conformance at the time of preliminary plat.

Building Design

The buildings in this development should be consistent with requirements established in City Code Section 36-163(b). The following section details, generally, conformance with the standards given the level of detail submitted.

Building Materials

The exterior building materials must meet the City Code's requirements for commercial structures established in Sec. 36-162.1. At least 60% of all building facades shall be covered in Class I or II materials. Class III materials, may only account for 30% of facades. Accent materials, including door and window frames, lintels, cornices, or other similar elements may comprise the remaining 10% of building surfaces.

It is noted that fiber cement siding is not expressly included with the list of Class I or II materials.

Roof Design

The proposed flat roof is an acceptable design feature. Any mechanical equipment should be fully screened from the view, at ground level, of surrounding properties.

Building Color

The proposed building colors are acceptable. Colors should remain earth tone or muted to be compatible with surrounding development.

Building Entrances & Canopies

It appears that building entrances meet City standards. Entrances are clearly visible and delineated with elements such as canopy overhangs. Garage entries should remain positioned such that they are internal to the site.

Staff Review Comments

City Engineer & Public Works

The City Engineer's comments are provided in the memo dated February 27, 2023 and should be addressed by the developer prior to moving the project forward.

Washington County

Any required reviews and permitting required by Washington County for this project should be identified by the developer at this time.

South Washington Watershed District (SWWD)

Any required reviews and permitting required by SWWD for this project should be identified by the developer at this time.

Required Approvals and Next Steps

The Developer will need to receive the following approvals for this proposed development:

- 1. Preliminary Plat
- 2. Planned Unit Development, with deviations to be identified by the developer, but anticipated for:
 - a. Four principal structures on one lot,
 - b. Other Zoning or bulk standards as identified by the developer

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c. Site or building design as identified by the developerd. Landscaping or screening as identified by the developer

3. Final Plat

Applications 1 & 2 above can be reviewed and processed concurrently, with final revisions to the site plan made prior to a final plat approval.

Planned Unit Development (PUD)

When PUDs are Used:

City Code Section <u>36-260</u> established the criteria a project needs to meet in order to qualify as a Planned Unit Development. To determine whether this project can use the PUD process, the following should be established:

- Uses within the PUD are consistent with the Comprehensive Plan's Future Land Use category.
- The minimum area for a PUD shall generally be ten acres in all zoning districts. The city may permit a smaller PUD area in order to meet the goals of the Comprehensive Plan.

Staff find that this project is consistent with the above. This project will specifically further General Land Use Goals 1 & 5 of the City's adopted comprehensive plan. (Section 4.F, pg 48)

Required Standards

City Code Section <u>36-261</u> establishes considerations for a Planned Unit Development. When determining whether the PUD, the City shall adhere to the following:

... the city council shall consider the location and compatibility of buildings, parking areas and other features with respect to the topography of the area and existing natural features; the efficiency, adequacy and safety of the proposed layout of internal streets and driveways; the adequacy and location of green areas; the adequacy, location and screening of parking areas; and such other matters as the council may find to have a material bearing upon the stated standards and objectives of the comprehensive land use plan

Neighborhood Meeting

The Developer coordinated a neighborhood meeting on April 10, 2023 in order to answer questions of those in the neighborhood surrounding the project site. Property owners in the area surrounding the project site were sent a mailed notice of the meeting. The meeting was hosted at Newport city hall. There were no attendees of the meeting.

Planning Commission Review

The Planning Commission reviewed the concept plan at its regular meeting on April 11, 2023. The Commission heard an overview of the project, asked staff and the developer questions about the project and process, and took public comment from members of the public. Planning Commissioners provided the following feedback, as generally summarized by staff:

- Questions were asked about noise mitigation due to the adjacent rail line which were addressed by the developer.
- Questions were raised on the proposed stormwater of the stormwater ponding area which were addressed by the developer.
- Planning Commissioners discussed the design standards and emphasized that quality design was desired.

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• Concerns were raised about traffic impacts of the project, with a recommendation to receive a traffic study to better understand if any issues are anticipated.

• Concerns were raised about the side of the street of parking on 4th avenue, and for any existing limitations for vehicles on 17th street.

Two residents in attendance provided public comment. Concern was voiced with traffic and parking impacts from the development. Residents noted the desire to see this property developed.

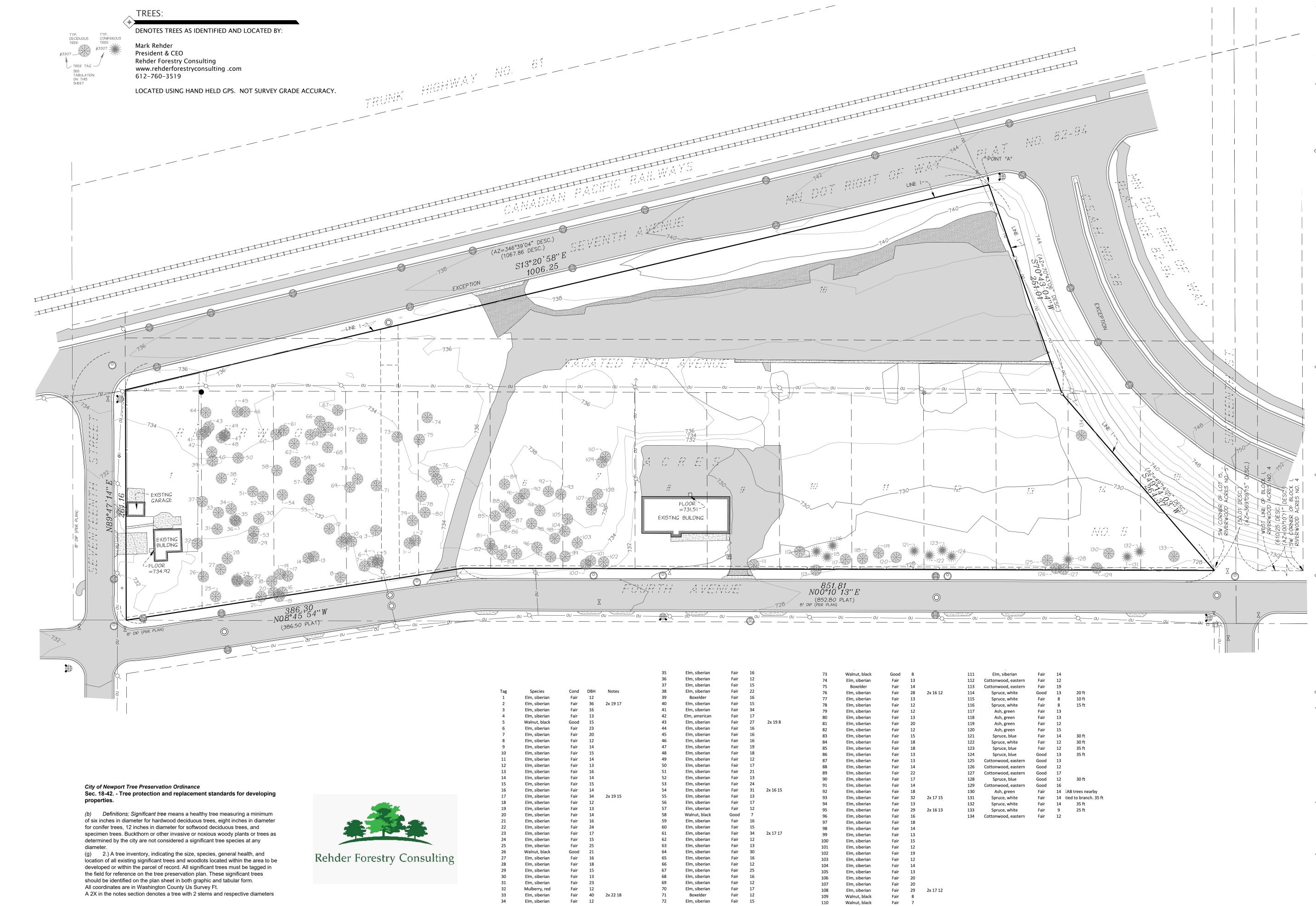
Staff Recommended Action

This is a concept plan review. No action is to be taken at this time other than to provide feedback on the request to the developer. Staff pose the following questions for discussion:

- Does the project appear to meet the goals of the Comprehensive Plan?
- Does the project appear to meet the intent of the zoning district?
- Does the project appear to meet the intent of site design, building design, and landscaping requirements?
- If deviations are required from City Code, does this project appear to be consistent with the criteria required to approve a PUD?

Resources:

- Application Documents (attached)
- April 11, 2023 Planning Commission Staff Report (link only)
- Zoning Code (<u>link only</u>)
- Citywide Zoning Map (<u>link only</u>)
- 2040 Comprehensive Plan (<u>link only</u> Land Use chapter begins on pg 31)



RED ROCK VILLAS NETZERO COMMUNITY

CONTACT:

MULARONI+CO
Michial Mularoni, A.I.A.
651-300-2688 cell
michial@mularonico.com

COUNTY/CITY:

WASHINGTON

CITY OF NEWPORT





REVISIONS:

5-27-22 PRELIMINARY ISSUE 1-26-23 CITY SUBMITAL

CERTIFICATION:

I hereby certify that this plan was prepared by me, or under my direct supervision, and that I am a duly Licensed Land Surveyor under the laws of the state of Minnesota.

Daniel L. Thurmes Registration Number: 25718

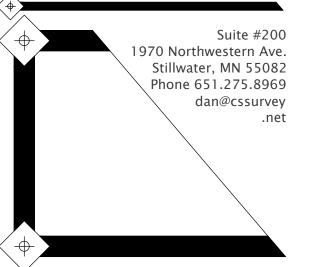
Date: 5-27-22

PROJECT LOCATION:

1680 4TH AVE. PID#3602822220047

1696

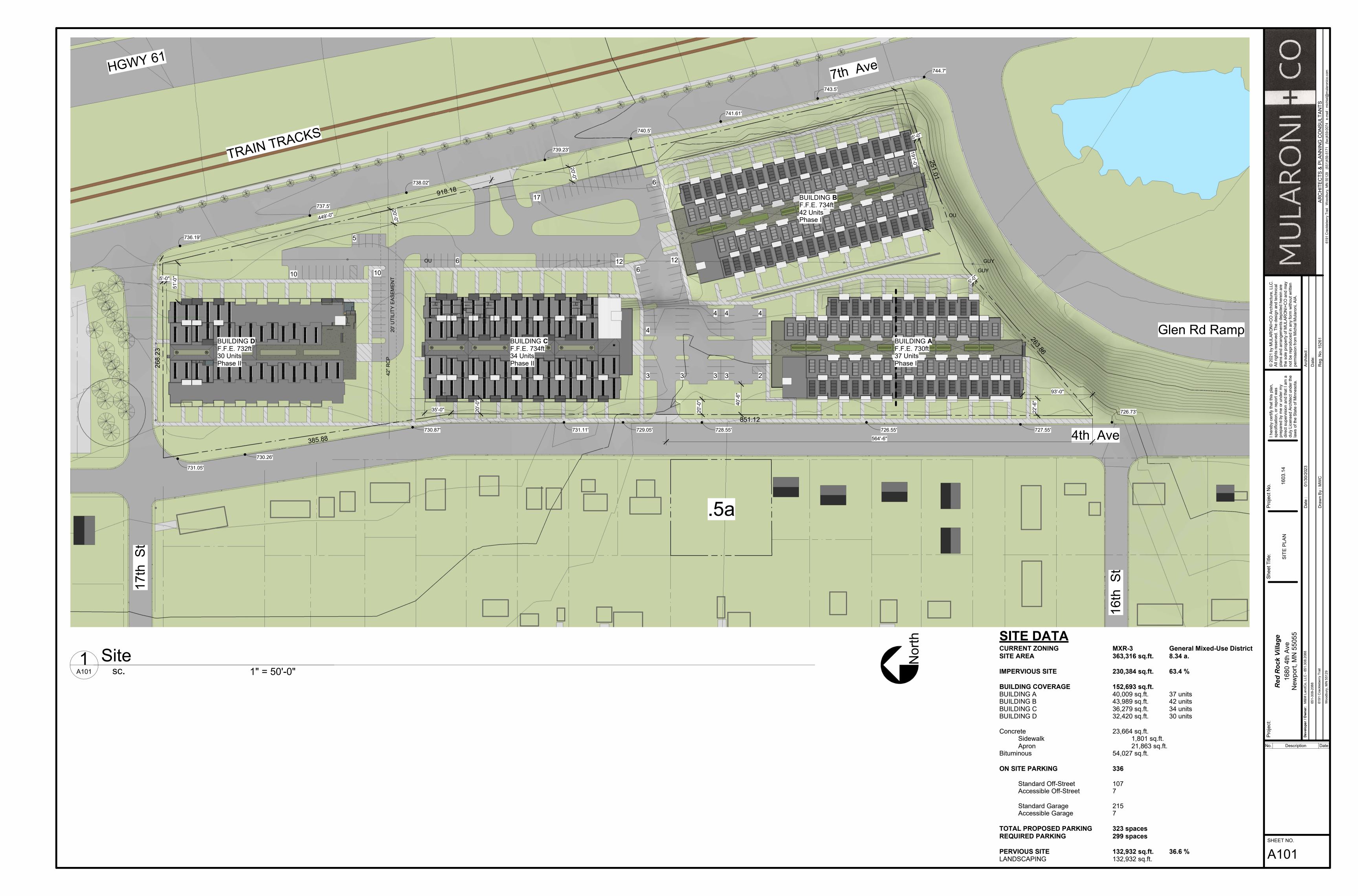
4TH AVE. PID#3602822220022

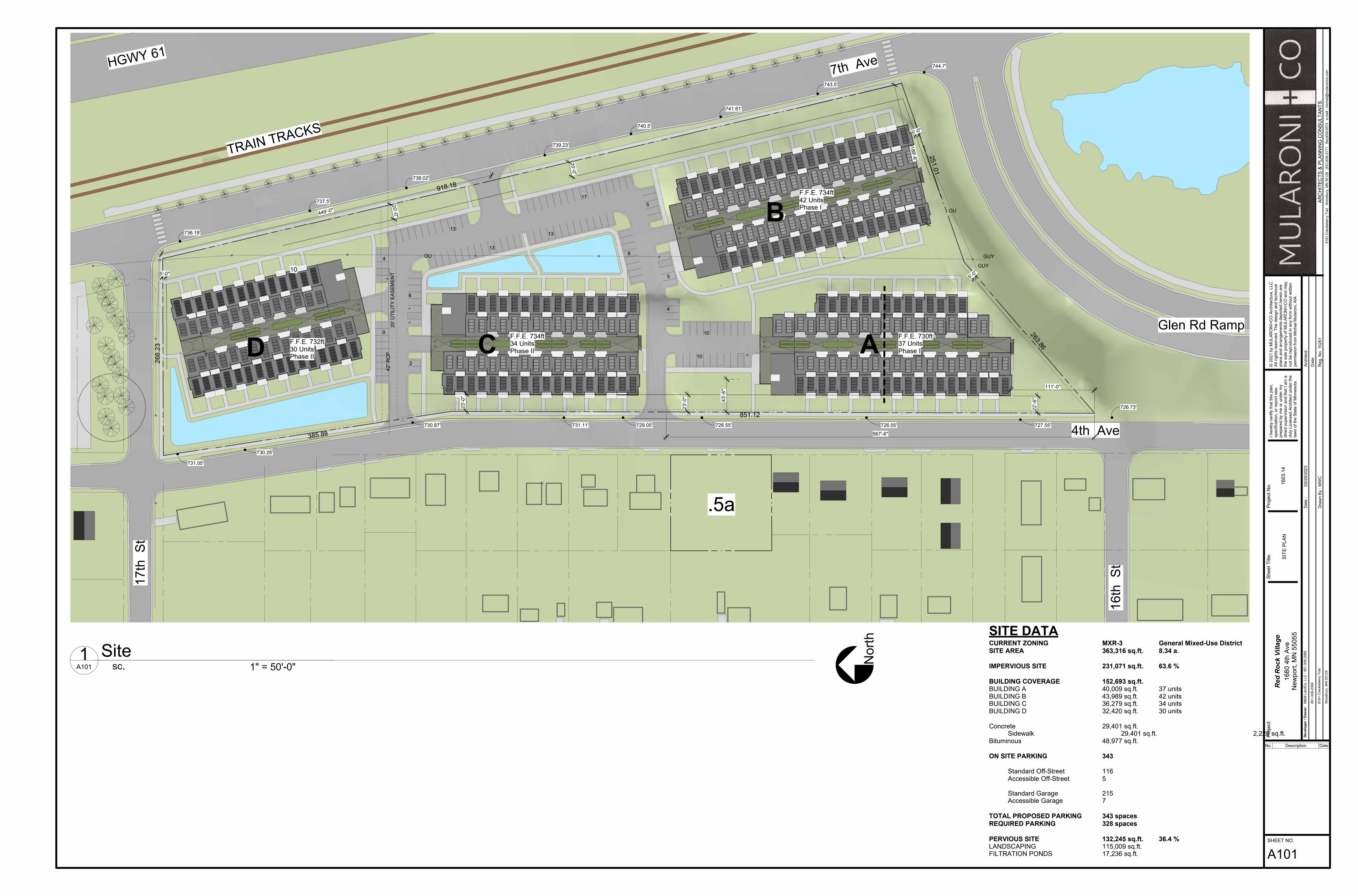


CORNERSTONE LAND SURVEYING, INC.

FILE NAME PROJECT NO. SURVGS15A GS06015A

TREE LOCATION





PROPERTY BOUNDARY

EXISTING PROPERTY LINE

BITUMINOUS PAVEMENT

CONCRETE SIDEWALK

UNDERGROUND SYSTEM

RETAINING WALL BY OTHERS

PROPOSED PARKING COUNT

PATCH BITUMINOUS PAVEMENT

HEAVY DUTY BITUMINOUS PAVEMENT

CURB AND GUTTER

- — — EASEMENT LINE



SUITE 1000 MINNEAPOLIS, MN 55402 PHONE: 763-252-6886 WWW.STANTEC.COM

CITY OF NEWPORT WASHINGTON COUNTY, MINNESOTA 55055 AILL VILL

ROCK RED

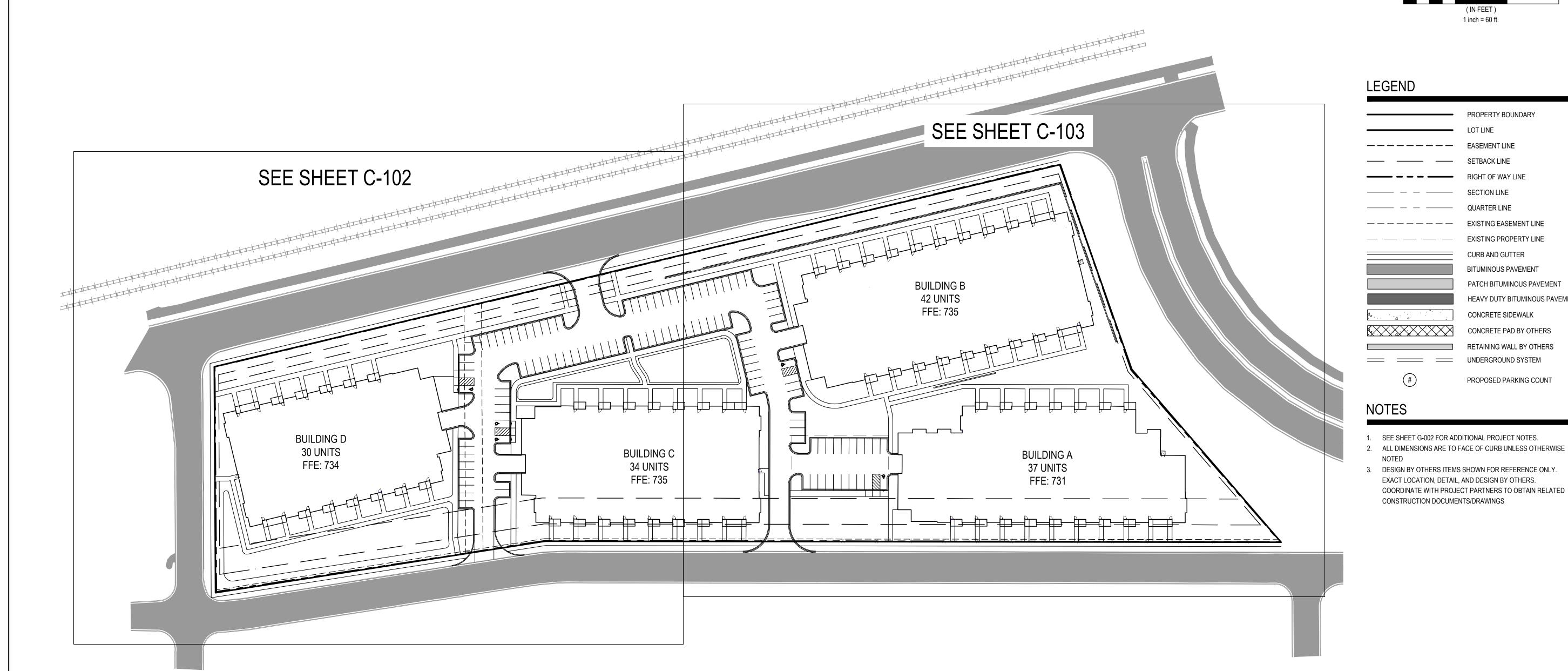
CERTIFICATION: I HEREBY CERTIFY THAT THIS PLANSPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDERWY DIRECT SUPERVISION AND WAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE STATE OF MINNES

227705095 DWN BY: CHK'D BY: APP'D BY: EAD XXX DML 04/05/2023 ISSUE DATE:

ISSUE NO.: SHEET TITLE:

OVERALL SITE PLAN

C-101



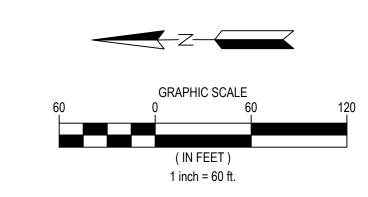
WARNING:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER. CALL BEFORE YOU DIG

GOPHER STATE ONE CALL

TWIN CITY AREA: 651-454-0002 TOLL FREE 1-800-252-1166



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CITY OF NEWPORT WASHINGTON COUNTY, MINNESOTA 55055

AS

ROCK

RED

LEGEND

EDGER, SEE TURF
RESTORATION NOTES

ROCK MULCH
SEE PLANTING NOTES

SOD - IRRIGATED

SEED TYPE 'A'
MNDOT SEED MIX 33-361;
STORMWATER NORTHEAST

SEED TYPE 'B'
NO-MOW LAWN SEED MIX
OR APPROVED EQUAL

GENERAL NOTES

- SEE CIVIL ENGINEER'S PLANS FOR SITE PLAN LAYOUT AND DIMENSIONS
- SEE CIVIL ENGINEER'S PLANS FOR PROPOSED UTILTIES
 SEE SHEETS L-801 & L-802 FOR LANDSCAPE NOTES, DETAILS, AND SCHEDULES

MUNICIPAL LANDSCAPE REQUIREMENTS

- ZONING DISTRICT: MX-3 GENERAL MIXED USE
 ONE (1) OVERSTORY TREE FOR EACH 50 FEET OF LOT FRONTAGE
- 2.1. PROPOSED LOT FRONTAGE: 2,505 LF2.2. REQUIRED FRONTAGE OVERSTORY TREES: 50
- 2.3. PROPOSED FRONTAGE OVERSTORY TREES: 50
 3. ONE TREE FOR EVERY 1,000 SF OF NON-IMPERVIOUS SURFACE
 3.1. NON-IMPERVIOUS SURFACE PROPOSED: 140,600
- 3.1. REQUIRED TREES: 141
 3.1. PROPOSED TREES: 141
- 4. SCREENING OF VEHICLE PARKING FROM ADJACENT RESIDENTIAL PROPERTY AND PUBLIC STREETS

 5. 80% ORACLE AT MATURITY
- 80% OPAQUE AT MATURITY
 EVERGREEN SHRUBS 3' HEIGHT AT INSTALLATION
 25% OVERSTORY DECIDUOUS, 25% CONIFEROUS

DATE: DESCRIPTION: ISSUE N

CERTIFICATION:

I HEREBY CERTIFY

I HEREBY CERTIFY THAT THIS PLAN SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDERMY DIRECT SUPERVISION AND WHAT I AM A DULY LICENSED LANDSCAP ARCHITECT UNDER THE LAWS OF THE STATE OF MINNES

SARAHE DARDING LIGENSE NO.: 45592

 PROJECT NO.:
 227705095

 DWN BY:
 CHK'D BY:
 APP'D BY:

 MSF
 SEH
 SEH

ISSUE DATE: 04/05/2023
ISSUE NO.: 1
SHEET TITLE:

SHEET TITLE:

OVERALL LANDSCAPE PLAN

SHEET NO.:
L-101

WARNING:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.

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GOPHER STATE ONE CALL

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