



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

Commissioner: Brandon Leyde
Commissioner: Maria Bonilla
Commissioner: Anthony Mahmood
Commissioner: Tami Fuelling
Commissioner: Michael Kermes

City Administrator:
Asst. to the City Admin:
City Planner:
Council Liaison:

Joe Hatch
Travis Brierley
Nathan Fuerst
Marvin Taylor

PLANNING COMMISSION AGENDA
April 11, 2023 – 5:30 PM

1. CALL TO ORDER
2. ROLL CALL
3. MEETING MINUTES
A. December 13, 2022
4. CONCEPT PLAN REVIEW- Red Rock Villas
5. ADJOURNMENT



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PLANNING COMMISSION MINUTES

December 13, 2022

1. CALL TO ORDER

Chair Leyde called the Planning Commission meeting to order at 5:30 p.m. on December 13, 2022.

2. ROLL CALL

Present (5): Chairman Brandon Leyde, Commissioner Anthony Mahmood, Commissioner Maria Bonilla, Commissioner Tami Fuelling, and Commissioner Michael Kermes.

Not Present (0): None.

3. MEETING MINUTES

A. November 15, 2022

Commissioner Kermes motioned to approve the Planning Commission Meeting Minutes from November 15, 2022. Seconded by Commissioner Bonilla. Approved 5-0.

4. KELLER FENCE CUP APPLICATION

Chair Leyde stated that tonight is not a Public Hearing. The Public Hearings for both Keller Fence and Mota's Motors were held on November 15th, 2022.

City Attorney Alissa Harrington stated there is a memorandum that has been prepared regarding the conditional use permit (CUP) standards and how they work in Newport and Minnesota. In the zoning code there is a list of what is allowed in each of the different zoning districts and what things must be reviewed by the city to see if there are certain conditions that need to be met for the use to be acceptable within the city. There are some general requirements in the state of Minnesota for CUP's. It allows the Planning Commission and/or the City Council to review an application to see if the standards in the city's ordinance and state statute are met on the face of the application or with reasonable conditions. The role of the Commission is to hear from the public, study the application, and ultimately recommend to the City Council whether the CUP should be issued or denied. If it is to be issued what kind of conditions should be put on that use to make sure the use complies with the city's comprehensive plan and is not a threat to the city's safety, health, or welfare. The city code lists several factors that are to be considered by the Planning Commission and then by the City Council. The Commission will have the option to either recommend approving the CUP's if they determine the application meets the standards or could meet the standards with reasonable conditions. The alternative is to recommend denying the CUP in which case they must make findings to show that the denial is not unreasonable, arbitrary, or capricious by stating legally sufficient reasons for the denial and specific supporting facts.

City Planner Nathan Fuerst stated Keller Fence's CUP request was reviewed on November 15th. Keller Fence is looking to acquire, combine, and redevelop four subject parcels to create a new base for their business operations. This is a B-2 general business zoning district. The future land use is mixed commercial and residential, and staff believes this is consistent with the comprehensive plan. The site is approximately 3.5 acres in size. The site plan includes an office for administrative operations, a warehouse for indoor storage for equipment, an area of exterior storage, and parking. The site plan includes the proposed fencing and landscaping plans. Planner Fuerst stated at the last meeting during the Public Hearing the main concerns were traffic impacts, and a resolution was cited limiting traffic on 7th Avenue. Staff located and reviewed resolution 2004-55 which regulates vehicles traveling on 7th Avenue between 2nd Street and the Glen Road interchange to a limit of 10,000 pounds gross vehicle weight. Staff noted that the Council clarified at the meeting this resolution was passed that deliveries, such as furniture and moving vans were acceptable. Keller Fence's fleet vehicles include ten F450's and two box trucks. Keller Fence would try and limit their delivery window to one day per week, which is typically on Fridays. Planner Fuerst talked through the proposed findings and the twenty-four conditions proposed by staff. The Commission can recommend approval, approval with conditions, or denial to the City Council.

Tim Dyrhaug, owner of Keller Fence, addressed the Commission. Mr. Dyrhaug stated the business has been in his family for thirty-six years, and he has owned it for eight years. Keller Fence is not a retail operation so they will not have a heavy amount of traffic. They are also not a large company and have forty-five employees. They have twelve trucks that go out in the morning and come back in the evening and that is typically between 7:00 a.m. and 4:00 p.m. and their weekend activity is limited. They are a small family-owned business, and their proposed building would be an upgrade to the site. They are a seasonal business that operates from April to December. Outside those months, their staff goes from forty-five employees to twenty employees for one quarter of the year. Their fencing will be stored behind an eight-foot-high fence, palletized, and kept in an orderly fashion. Chair Leyde inquired if Mr. Dyrhaug is confident that a semi-trailer can turn around in their lot. Mr. Dyrhaug stated yes as they had an engineer draft a traffic plan assuming the worst-case scenario with the largest semi. Commissioner Kermes inquired if they are mainly commercial or residential. Mr. Dyrhaug stated they are 80% commercial and 20% residential and use all types of fencing materials. Chair Leyde inquired if their proposed plan includes ample parking for staff. Mr. Dyrhaug stated the field staff would park in the back northeast corner of the site, and the office staff would park in the front parking lot. Chair Leyde stated the current CUP for the towing company has a restriction on vehicles going northbound so his opinion is the proposed condition number eleven would need to be updated to require all Keller Fence's fleet and delivery vehicles to go southbound.

Mark McKenzie, residing at 999 7th Avenue, addressed the Commission. Mr. McKenzie stated there was missing information at the last Public Hearing regarding the truck ordinance on 7th Avenue so the Public Hearing should have been pushed out. Mr. McKenzie went door to door and not one person he talked to had been informed about the meeting, so the city needs to do a better job informing the citizens. Mr. McKenzie wishes Keller Fence well but does not want them in Newport. Mr. McKenzie stated Council Member Marvin Taylor informed him the City Council was discussing rezoning the west side of 7th Avenue to residential. Mr. McKenzie believes the trucks are the biggest issue as 7th Avenue is not wide enough and he does not understand how this is consistent with the future vision of Newport. He believes this will cause his taxes to go up and his property value to go down.

Doris Kessler, residing at 636 5th Avenue, addressed the Commission. Ms. Kessler stated she is worried about the light coming out of the business and the forty-five employees generating additional traffic with the school kids. Ms. Kessler lives in a residential area and does not want more lights in that area where she believes homes should be. She wonders where the library visitors will park as they need to use both sides of the street. Ms. Kessler feels the communication is lacking from the city as she was only informed about this meeting from a flyer a resident put on her door.

Landon Kucera, residing at 940 6th Avenue, addressed the Commission. Mr. Kucera stated he is new to Newport as of two years ago and feels this meeting is very informative. He is concerned about the traffic as his driveway is on 7th Avenue and he does a lot of backing into his driveway with his trailer and boat, so he does not want more traffic. He also does not want his home value to go down.

Chad Rheault, residing at 675 10th Street, addressed the Commission. Mr. Rheault stated he submitted a letter but will reiterate it for the record. He was attracted to Newport several years ago as he thought this would be a great community with walking trails and the intention for foot traffic. He is worried that once the city opens the floodgate for allowing semis to go north and south there will be no turning back and property values will go down. Mr. Rheault stated he was concerned that not everyone impacted by the semis on 7th Avenue was notified about this potential business. Commissioner Mahmood inquired about the semi concern as Keller Fence does not have semis and they would only have one semi a week for deliveries. Mr. Rheault stated if you allow one semi, you have said to all businesses this is allowed. Chair Leyde stated we need to focus on this application, and fortunately this application does not bring semis north on 7th Avenue.

Pauline Schottmuller, residing at 97 10th Street, addressed the Commission. Ms. Schottmuller stated there was a promise made from previous Councils that 7th Avenue was not going to become a truck route. Ms. Schottmuller is concerned with the health and safety as the trucks will be operating when kids are walking and biking to the library. Ms. Schottmuller is concerned with the noise of the ten F450 vehicles as she owns a F350 diesel which is very loud. Ms. Schottmuller is concerned with the backup alarms as she is sensitive to percussive sounds which she has dealt with for years with the gun club. She stated backup alarms are anywhere from 97 to 112 decibels and recommends the city should include a measurable condition for sound standards. She stated that people are outside trying to enjoy their decks, yard, and garden during the summer months which coincides with Keller Fence's busiest season. In her opinion, health and safety is being compromised. Commissioner Mahmood inquired how many decibels the train puts off for the 10-15 trains that go by in a day. Ms. Schottmuller stated there is a difference between train noise and percussive noise. Commissioner Mahmood believes the backup sound was addressed in the staff's recommended conditions. Planner Fuerst stated the staff proposed a condition that would require broadband alarms which are more of a muted tone that still achieves the goals of safety.

A gentlemen stepped up to the podium and stated that truck traffic will increase on 7th Avenue and he believes the police should enforce it.

Peter Salazar, residing at 501 6th Street, addressed the Commission. Mr. Salazar stated the refinery and the tow company use 7th Avenue to drive back and forth. He is concerned with the increased traffic as it is already busy on 7th Avenue.

Chair Leyde stated he agrees that conditions need to be set so you can enforce a CUP when there is an issue. He feels all truck traffic needs to be routed south. Chair Leyde stated he still has the same traffic concern that the residents have. Commissioner Kermes main concerns are with enforcement, health, safety, and traffic. Commissioner Bonilla's main concern is safety as kids catch the bus a little after 7am. Commissioner Fuelling stated she understands the concerns, but also sees the benefit of a new business if the concerns are addressed through appropriate conditions. Commissioner Mahmood stated he would love to see a new business and thinks they would be a good fit in Newport. He also feels for the residents and understands their concerns.

Chair Leyde motioned to recommend denial of the Keller Fence Conditional Use Permit due to criteria concerns for health, safety, and traffic. Seconded by Commissioner Bonilla. Approved 3-2 (Mahmood, Fuelling).

Chair Leyde recessed the Planning Commission Meeting at 6:58 p.m. on December 13, 2022.

Chair Leyde resumed the Planning Commission Meeting at 7:07 p.m. on December 13, 2022.

5. MOTA'S MOTORS CUP APPLICATION

Planner Fuerst stated Mota's Motors CUP at 1545 7th Avenue was discussed at the last meeting on November 15th. The parcel is about 5.6 acres in size, the zoning is MX-3 general mixed use, and the future land use is mixed commercial/residential. The requested use is automotive services and car specialty services (not including body repair or major repair). Planner Fuerst read definitions from the city code.

Attorney Harrington stated the city code needs to be looked at following the canons of construction as they are defined in Minnesota Statute acting as if the ordinances are the statutes and the Council is the legislature. Attorney Harrington explained the process when something is ambiguous and how they do legislative interpretation in general and statutory construction. Commissioner Bonilla inquired if Attorney Harrington could clarify the Commission's role. Attorney Harrington stated when the Commission is reviewing a CUP they are acting in a quasi-judicial role. They need to look at what the law is and take the facts and apply the law to the facts.

Planner Fuerst provided example definitions from communities around the metro area for major and minor automotive repair as well as car specialty services. The applicant has requested a car specialty services shop that performs unique customization, modification, and performance enhancements of current and classic vehicles and occasionally motorcycles but not body or major repair. The Planning Commission needs to discuss the proposed use and determine its findings whether it is permitted within the city code and then discuss findings to support their position. Planner Fuerst stated the applicant is not proposing any interior or exterior alterations that would change the existing conditions which are non-conforming. For parking, the applicant has not provided a site plan detailed enough to demonstrate the proposed parking areas will contain sufficient parking or meet design criteria. The traffic visiting the site is not anticipated to be considerable for this use. This site has six access points which can be concerning from a safety perspective. During the Public Hearing on November 15th, the main concerns heard by staff were accuracy of the land use that is proposed by the applicants, compatibility of the land use, traffic impacts, screening and existing nonconformities that are present on site. Staff has proposed findings for the Commission that would support a denial of this request because even with mitigating conditions, many concerns would still exist. Planner Fuerst explained the basis for discussion should the Planning Commission deny this request. Staff also proposed several conditions should the Planning Commission decide to approve this request. Attorney Harrington clarified that the current building is an allowable non-conformity that does not have to be changed at this point to be approved. There needs to be factual findings to base a denial.

Commissioner Bonilla stated at the last meeting the owner showed the Commission façade plans and inquired if those were presented to the city. Attorney Harrington stated the two-story building plans had to do with a completely different project and does not have anything to do with this CUP request. Commissioner Kermes inquired if they recommend approving this CUP with conditions, does every condition, one through twenty, need to be met for this CUP to move forward. Attorney Harrington stated if the Commission moves to recommend approval with conditions, they can decide which of the findings and which of the conditions would be included in that recommendation. Commissioner Mahmood inquired if this CUP would be restricted to the three stalls on the site plan. Planner Fuerst stated yes, there was a discussion that the use would be very limited in terms to their location within the structure. Attorney Harrington stated conditions three and four limit them to their current location proposed on the site plan.

Commissioner Mahmood inquired if the city could work with this business owner to help him get this place into compliance so he can do business in Newport. Attorney Harrington stated there has been communication with the owner and this is not the basis of the decision at hand.

City Administrator Joe Hatch stated his information is available on our website and he is happy to talk to anyone, including current business owners. He knows we need to balance the needs of the community, the neighborhoods, the residents, and the businesses. He believes there are great opportunities in Newport.

Chair Leyde motioned to recommend denial of Kube, LLC's Conditional Use Permit request to allow automotive services and car specialty services due to staff's preliminary findings as listed in the staff report. Seconded by Commissioner Fuelling. Approved 5-0.

6. COMMISSION REPORTS

No Commission reports.

7. ADJOURNMENT

Chair Leyde motioned to adjourn the Planning Commission Meeting. Seconded by Commissioner Kermes. Approved 5-0.

The Planning Commission Meeting was adjourned at 7:56 p.m. on December 13, 2022.

Respectfully submitted:

Jill Thiesfeld,

Administrative Assistant II

Signed: _____
Brandon Leyde, Chairman



Real People. Real Solutions.

12224 Nicollet Avenue
Burnsville, MN 55337-1649

Ph: (952) 890-0509
Fax: (952) 890-8065
Bolton-Menk.com

MEMORANDUM

Memo Date: April 4, 2023
Meeting Date: April 11, 2023
To: Newport Planning Commission
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: 3602822220047 and 3602822220022
Zoning: Mx-3 General Mixed-Use District
Future Land Use: Mixed Commercial/Residential

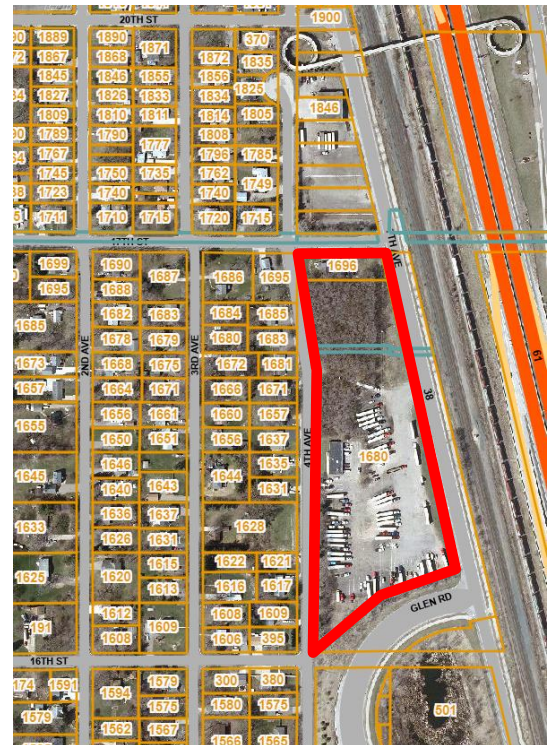
Summary of Proposal

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



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

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.

- 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:

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 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 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:

Parking Screening – 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

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
 - c. Site or building design as identified by the developer
 - d. 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 [36-260](#) 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 [36-261](#) established the qualifying criteria for a Planned Unit Development. when determination whether to approve a Conditional Use Permit request. Headings for those criteria are provided below:

... 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

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 consistent with 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)
- Zoning Code ([link only](#))
- Citywide Zoning Map ([link only](#))
- 2040 Comprehensive Plan ([link only](#) - Land Use chapter begins on pg 31)

RED ROCK VILLAS

RED ROCK VILLAS is a market-rate rental, build-to-hold multi-family project in the heart of the Southeast Metro in Newport, Minnesota. . This 8+acre re-development site is conveniently located off Highway 61/10 and I494 exits. It is approximately 10-15 minutes from Downtown St. Paul, three airports, MOA, and Wisconsin state line. We are offering competitive rents and a “healthy living” environment featuring in-floor heating, high performance A.C. equipment, and highly energy efficient living units. Additional *site amenities* include rain gardens, premium landscaping, walking and bike paths connected to City trail system, and heated elevated Promenade’s with gas grills, fire tables, bocce ball, and social areas, and handicap accessible.

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 and live/work environment opportunity. These units open onto our unique pedestrian Promenade with a snow-melt system enabling year round use. On the Promenade are gas grilles, fire tables, social seating areas, outdoor kitchen, bocce ball court, and pet friendly surfaces.

COURTYARD VILLAS

Smaller floor plan designs

805 SF 1BR 1-Bath

831 SF 2BR 1 1/2-Bath

One-level at grade living

One Garage Parking Space

Private Courtyard Entrance and Porch

Garage heating, Promenade snow melt system, and on-demand hot water are high efficiency hydronic heating.

All Villa HVAC are individual electric ductless heat pump system on individual smart thermostats (mini-splits).

ERV to provide healthy living and humidity control

Air Source Heat Pump Dryer/Washer

9 foot ceiling heights

Flat rate utility, sewer and water, high speed internet

Indoor heated storage available at your back door

PROMENADE VILLAS

Larger floor plan designs

1392 SF 2BR +Den 2 1/2-Bath

1545 SF 3BR +Den 2 1/2-Bath

Two-level living with 2nd Floor Deck

Two Garage Parking Spaces

Main Entrance Porch off outdoor Public Promenade

ERV to provide healthy living and humidity control

Air Source Heat Pump Dryer/Washer

9 foot ceiling heights

Flat rate utility, sewer and water, high speed internet

Spacious design for Live/Work environment

Net-Zero Energy Source Villa Amenities include photovoltaic (PV) power generation, High Performance Building Envelopes, Sustainable and Green Building Design, fully sprinkled villa homes with secure heated storage rooms and assigned parking spaces directly located at each villa’s back door, indoor bike storage and tune-up stations, indoor dog wash, Business Center, Event Room, secure mail and postal area, trash and recycle chutes, and elevator for accessibility.

High Performance Building Envelopes

- Structural Insulated Panel (SIP’s) construction provides for a stronger, safer, more efficient with better insulation and a lower carbon footprint, and better indoor air quality. SIP’s also provides long term high thermal resistance (Actual R-Value for 6 1/2” panel is R-25 and Performance Value R-38), mold resistant, air barrier, superior strength in horizontal and vertical load capabilities. SIP construction energy savings is 60-80% less than conventional stick framing, reduces air leakage by 85%, and allows for much smaller HVAC equipment design.
- Photovoltaic (PV) power generation system consisting of 720kw solar farm across the roof plane of four Red Rock Villa buildings.

- High efficiency electric boiler on a boiler board provides in-floor hydronic heating cast in lightweight concrete and on-demand hot water.
- High performance ductless mini-split heat pumps that can provide both air conditioning ratings from 22-38. Anything over 20 is in the highest efficiency group.
- Energy Recovery Ventilation (ERV) systems improve indoor air quality, save energy, control humidity, and helps downsize heating and air components.
- High performance windows, triple glazed, and black PVC frames filled with closed cell foam for both sound and thermal quality.
- Air barrier systems – liquid vapor barrier at exterior, closed cell foam, and TPO membrane.
- Daylighting, shading devices, careful selection of windows and glazing.
- Energy Star appliances – all electric cooktop/oven, refrigerator/freezer, dishwasher, disposal, microwave, and ductless stack washer/dryer.
- Efficient L.E.D. lighting systems
- Exemplary building design to minimize energy requirements.

Sustainable & Green Building Design

- SIP's uses 30% less lumber, 45% lower CO2 emissions, reduce job site waste, results in lower HERS index scores.
- Built with the highest quality materials and energy saving results. EPS, the type of foam core used inside of SIP's, is composed of 98% air and requires a minimal amount of petroleum byproduct to produce.
- Exteriors are predominantly Nichiha Architectural Wall Panels (MAS Certified Green products). A fiber cement siding product that provides multiple looks and striking exterior designs. Nichiha has a standard 15-year warranty for exposure to UV, heat, and moisture. This product is also an approved hurricane material.
- TPO Roofing (Thermoplastic Polyolefin) is a single-ply, mechanically fastened roofing membrane. TPO reflects UV rays and heat from the building and can last up to 30 years. TPO also provides both weather and air barriers.
- Exterior decks and porches are lightweight powder coated aluminum that will stand the test of time.

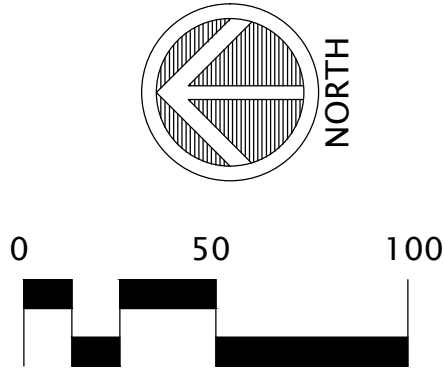
Common Area Building Features

- Outdoor Promenade Terrace with snow-melt system, gas grills, outdoor kitchen, social areas with fire tables, bocce ball court, and K-9 turf areas, all available on each building for year round use.
- Elevator to Promenades for handicap accessibility.
- Secure and surveilled Mail/Parcel Post Room.
- On location office / business center for resident use.
- Event Room with full service kitchen, large screen TV and high quality sound system, gas fireplace.
- Indoor Dog Wash.
- Indoor secure bike storage and bike tune-up area.
- Indoor Trash and Recycle Room in each Parking Garage, and Trash/Recycle Chutes from the Promenade Level.
- Secure and surveilled heated Parking Garage with in-floor heat for our Minnesota winter.

RED ROCK
VILLAS
NETZERO
COMMUNITY

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

COUNTY/CITY:
WASHINGTON
COUNTY
CITY OF
NEWPORT



REVISIONS:
DATE REVISION
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
Daniel L. Thurmes Registration Number: 25718
Date: 5-27-22

PROJECT LOCATION:
1680
4TH AVE.
PID#3602822220047
1696
4TH AVE.
PID#3602822220022

Suite #200
1970 Northwestern Ave.
Stillwater, MN 55082
Phone 651.275.8969
dan@cssurvey.net

CORNERSTONE
LAND SURVEYING, INC.

FILE NAME SURVGS15A
PROJECT NO. GS06015A

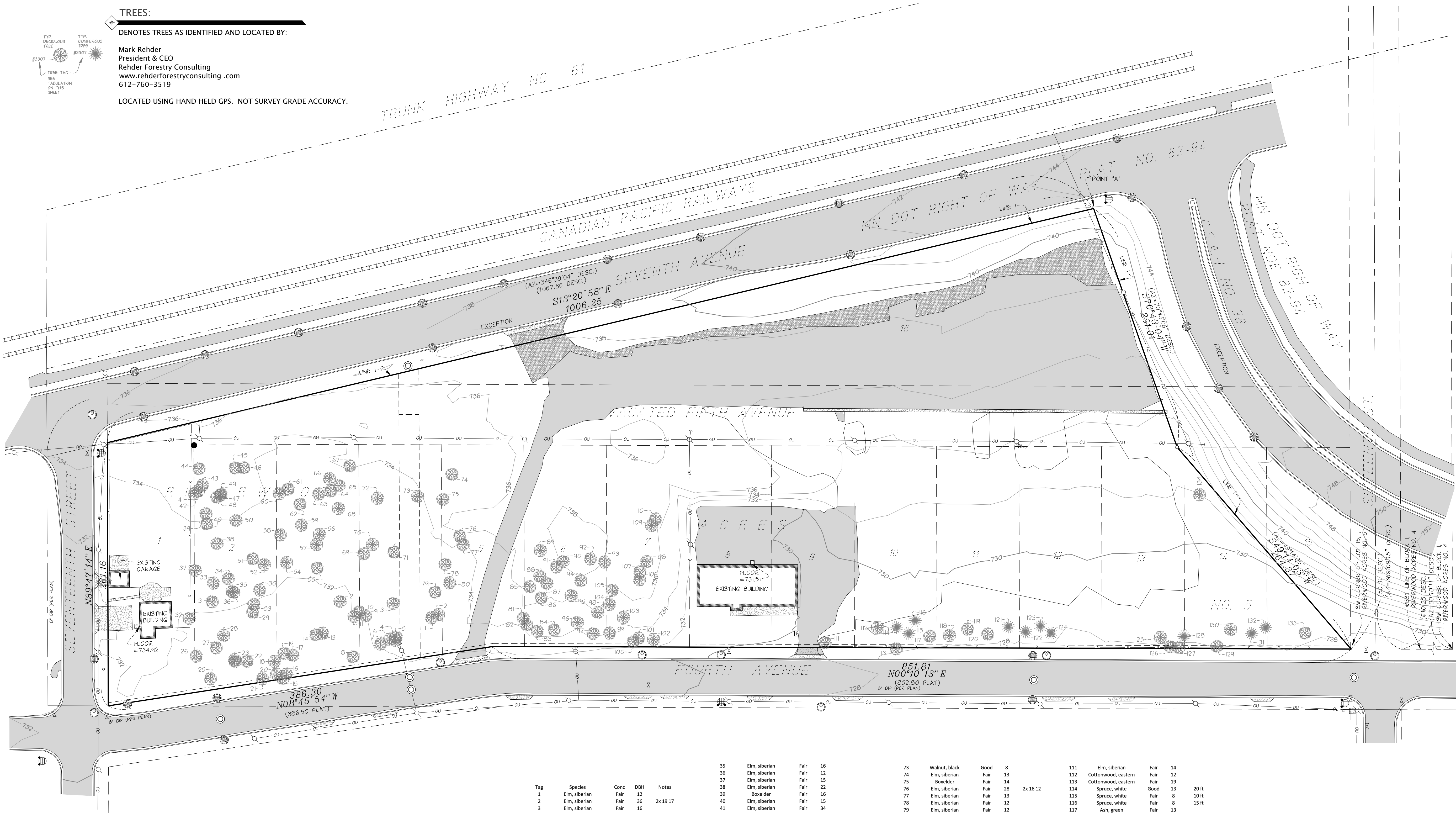
TREE
LOCATION

TREES:

DENOTES TREES AS IDENTIFIED AND LOCATED BY:

Mark Rehder
President & CEO
Rehder Forestry Consulting
www.rehderforestryconsulting.com
612-760-3519

LOCATED USING HAND HELD GPS. NOT SURVEY GRADE ACCURACY.



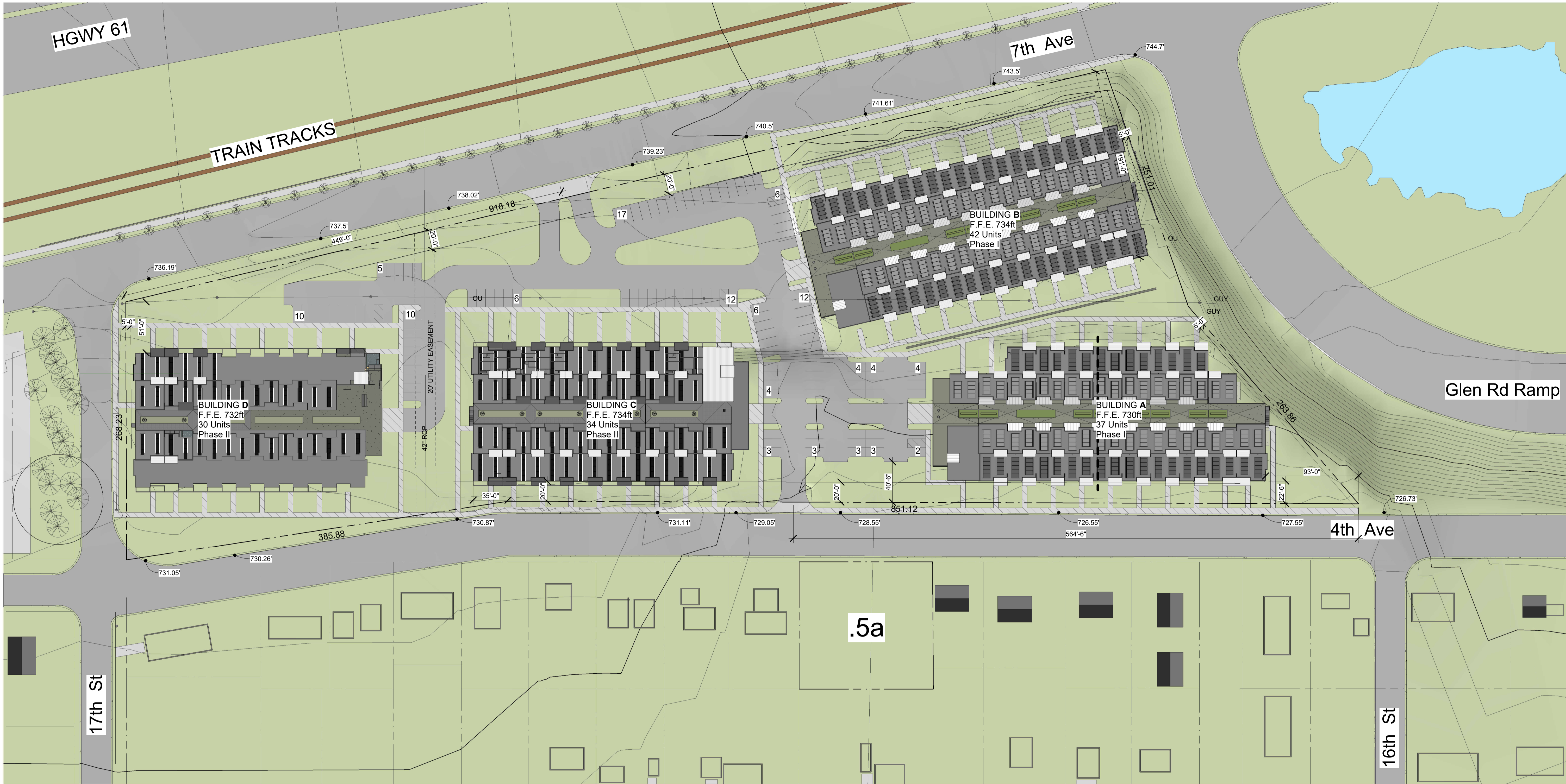
City of Newport Tree Preservation Ordinance
Sec. 18.42 - Tree protection and replacement standards for developing properties.

(b) Definitions; Significant tree means a healthy tree measuring a minimum of six inches in diameter for hardwood deciduous trees, eight inches in diameter for conifer trees, 12 inches in diameter for softwood deciduous trees, and specimen trees. Buckthorn or other invasive or noxious woody plants or trees as determined by the city are not considered a significant tree species at any diameter.

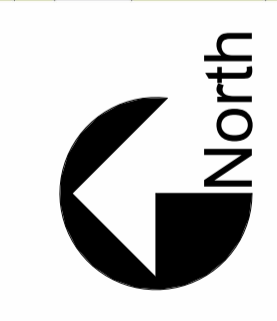
(g) 2) A tree inventory, indicating the size, species, general health, and location of all existing significant trees and woodlots located within the area to be developed or within the parcel of record. All significant trees must be tagged in the field for reference on the tree preservation plan. These significant trees should be identified on the plan sheet in both graphic and tabular form. All coordinates are in Washington County Us Survey FT. A 2X in the notes section denotes a tree with 2 stems and respective diameters



Tag	Species	Cond	DBH	Notes	Tag	Species	Cond	DBH	Notes	Tag	Species	Cond	DBH	Notes	Tag	Species	Cond	DBH	Notes
1	Elm, siberian	Fair	12		35	Elm, siberian	Fair	16		73	Walnut, black	Good	8		111	Elm, siberian	Fair	14	
2	Elm, siberian	Fair	36		36	Elm, siberian	Fair	12		74	Elm, siberian	Fair	13		112	Cottonwood, eastern	Fair	12	
3	Elm, siberian	Fair	16		37	Elm, siberian	Fair	15		75	Boxelder	Fair	14		113	Cottonwood, eastern	Fair	19	
4	Elm, siberian	Fair	13		38	Elm, siberian	Fair	22		76	Elm, siberian	Fair	28	2x 16 12	114	Spruce, white	Good	13	20 ft
5	Walnut, black	Good	15		39	Boxelder	Fair	16		77	Elm, siberian	Fair	13		115	Spruce, white	Fair	8	10 ft
6	Elm, siberian	Fair	23		40	Elm, siberian	Fair	15		78	Elm, siberian	Fair	12		116	Spruce, white	Fair	8	15 ft
7	Elm, siberian	Fair	20		41	Elm, siberian	Fair	34		79	Elm, siberian	Fair	12		117	Ash, green	Fair	13	
8	Elm, siberian	Fair	12		42	Elm, american	Fair	17		80	Elm, siberian	Fair	13		118	Ash, green	Fair	13	
9	Elm, siberian	Fair	14		43	Elm, siberian	Fair	27	2x 19 8	81	Elm, siberian	Fair	20		119	Ash, green	Fair	12	
10	Elm, siberian	Fair	15		44	Elm, siberian	Fair	16		82	Elm, siberian	Fair	12		120	Ash, green	Fair	15	
11	Elm, siberian	Fair	14		45	Elm, siberian	Fair	16		83	Elm, siberian	Fair	15		121	Spruce, blue	Fair	14	30 ft
12	Elm, siberian	Fair	13		46	Elm, siberian	Fair	16		84	Elm, siberian	Fair	18		122	Spruce, white	Fair	12	30 ft
13	Elm, siberian	Fair	16		47	Elm, siberian	Fair	14		85	Elm, siberian	Fair	18		123	Spruce, blue	Fair	12	35 ft
14	Elm, siberian	Fair	14		48	Elm, siberian	Fair	18		86	Elm, siberian	Fair	13		124	Spruce, blue	Good	13	35 ft
15	Elm, siberian	Fair	15		49	Elm, siberian	Fair	12		87	Elm, siberian	Fair	13		125	Cottonwood, eastern	Good	13	
16	Elm, siberian	Fair	14		50	Elm, siberian	Fair	17		88	Elm, siberian	Fair	14		126	Cottonwood, eastern	Good	12	
17	Elm, siberian	Fair	34	2x 19 15	51	Elm, siberian	Fair	21		89	Elm, siberian	Fair	22		127	Cottonwood, eastern	Good	17	
18	Elm, siberian	Fair	12		52	Elm, siberian	Fair	13		90	Elm, siberian	Fair	17		128	Spruce, blue	Good	12	30 ft
19	Elm, siberian	Fair	13		53	Elm, siberian	Fair	24		91	Elm, siberian	Fair	14		129	Cottonwood, eastern	Good	16	
20	Elm, siberian	Fair	14		54	Elm, siberian	Fair	31	2x 16 15	92	Elm, siberian	Fair	18		130	Ash, green	Fair	14	1AB trees nearby
21	Elm, siberian	Fair	16		55	Elm, siberian	Fair	13		93	Elm, siberian	Fair	32	2x 17 15	131	Spruce, white	Fair	14	tied to branch, 35 ft
22	Elm, siberian	Fair	24		56	Elm, siberian	Fair	17		94	Elm, siberian	Fair	13		132	Spruce, white	Fair	14	35 ft
23	Elm, siberian	Fair	17		57	Elm, siberian	Fair	12		95	Elm, siberian	Fair	29	2x 16 13	133	Spruce, white	Fair	9	25 ft
24	Elm, siberian	Fair	15		58	Walnut, black	Good	7		96	Elm, siberian	Fair	16		134	Cottonwood, eastern	Fair	12	
25	Elm, siberian	Fair	14		59	Elm, siberian	Fair	16		97	Elm, siberian	Fair	18						
26	Walnut, black	Good	21		60	Elm, siberian	Fair	15		98	Elm, siberian	Fair	14						
27	Elm, siberian	Fair	16		61	Elm, siberian	Fair	34	2x 17 17	99	Elm, siberian	Fair	13						
28	Elm, siberian	Fair	18		62	Elm, siberian	Fair	12		100	Elm, siberian	Fair	15						
29	Elm, siberian	Fair	15		63	Elm, siberian	Fair	13		101	Elm, siberian	Fair	12						
30	Elm, siberian	Fair	13		64	Elm, siberian	Fair	30		102	Elm, siberian	Fair	19						
31	Elm, siberian	Fair	23		65	Elm, siberian	Fair	16		103	Elm, siberian	Fair	12						
32	Mulberry, red	Fair	18		66	Elm, siberian	Fair	12		104	Elm, siberian	Fair	14						
33	Elm, siberian	Fair	20		67	Elm, siberian	Fair	25		105	Elm, siberian	Fair	13						
34	Elm, siberian	Fair	12		68	Elm, siberian	Fair	16		106	Elm, siberian	Fair	20						
					69	Elm, siberian	Fair	12		107	Elm, siberian	Fair	20						
					70	Elm, siberian	Fair	17		108	Elm, siberian	Fair	29	2x 17 12					
					71	Boxelder	Fair	12		109	Walnut, black	Fair	8						
					72	Elm, siberian	Fair	15		110	Walnut, black	Fair	7						



1 Site
A101 SC. 1" = 50'-0"



SITE DATA			
CURRENT ZONING		MXR-3	General Mixed-Use District
SITE AREA		363,316 sq.ft.	8.34 a.
IMPERVIOUS SITE		230,384 sq.ft.	63.4 %
BUILDING COVERAGE		152,693 sq.ft.	
BUILDING A	40,009 sq.ft.	37 units	
BUILDING B	43,989 sq.ft.	42 units	
BUILDING C	36,279 sq.ft.	34 units	
BUILDING D	32,420 sq.ft.	30 units	
Concrete	23,664 sq.ft.		
Sidewalk	1,801 sq.ft.		
Apron	21,863 sq.ft.		
Bituminous	54,027 sq.ft.		
ON SITE PARKING		336	
Standard Off-Street	107		
Accessible Off-Street	7		
Standard Garage	215		
Accessible Garage	7		
TOTAL PROPOSED PARKING		323 spaces	
REQUIRED PARKING		299 spaces	
PERVIOUS SITE		132,932 sq.ft.	36.6 %
LANDSCAPING		132,932 sq.ft.	

MULARONI + CO

ARCHITECTS & PLANNING CONSULTANTS

6191 Cradleberry Trail
Westbury, MN 55129 (651)456-5171 fax(651)456-0074 e-mail: mco@mularonicons.com

Project:

Red Rock Village
1880 4th Ave
Newport, MN 55055

Developer/Owner: M&M Land Co, LLC - 651.308.2088
651.308.2088
6191 Cradleberry Trail
Westbury, MN 55129

Project No.

1603.14

Sheet Title:

SITE PLAN

Date:

01/30/2023

Architect:

Reg. No. 15261

Drawn By:

MWC

No.

Description

Date

SHEET NO.

A101

Red Rock Villas - a NetZero Community

Newport, Minnesota

by MULARONI+CO Architecture, LLC

Red Rocks Commons Site Data

Site Area: 8.4 acres

143 units: Phase 1 - 79 units
Phase 2 - 64 units

Parking: Require - 330 spaces
Provided: garage spaces - 220
outdoor - 110
total - 330



Building D
30 units / 51 garage spaces

PHASE 2

Building C
34 units / 51 garage spaces

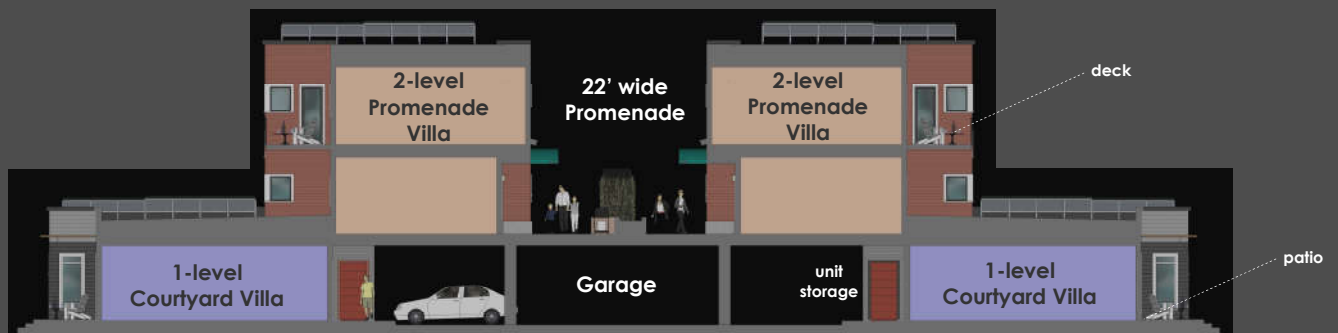
PHASE 2

Building B
42 units / 64 garage spaces

PHASE 1

Building A
37 units / 60 garage spaces

PHASE 1



Schematic Building Section



Aerial Site Images









Promenade Villa Elevation



Courtyard Villa (at grade) Elevation



Full Bldg B Villa (at grade) Elevation

Elevations



Courtyard Villa: Mid Unit 805 SF



Courtyard Villa: End Unit 831 SF



Promenade Villa Level: End Unit 746 SF

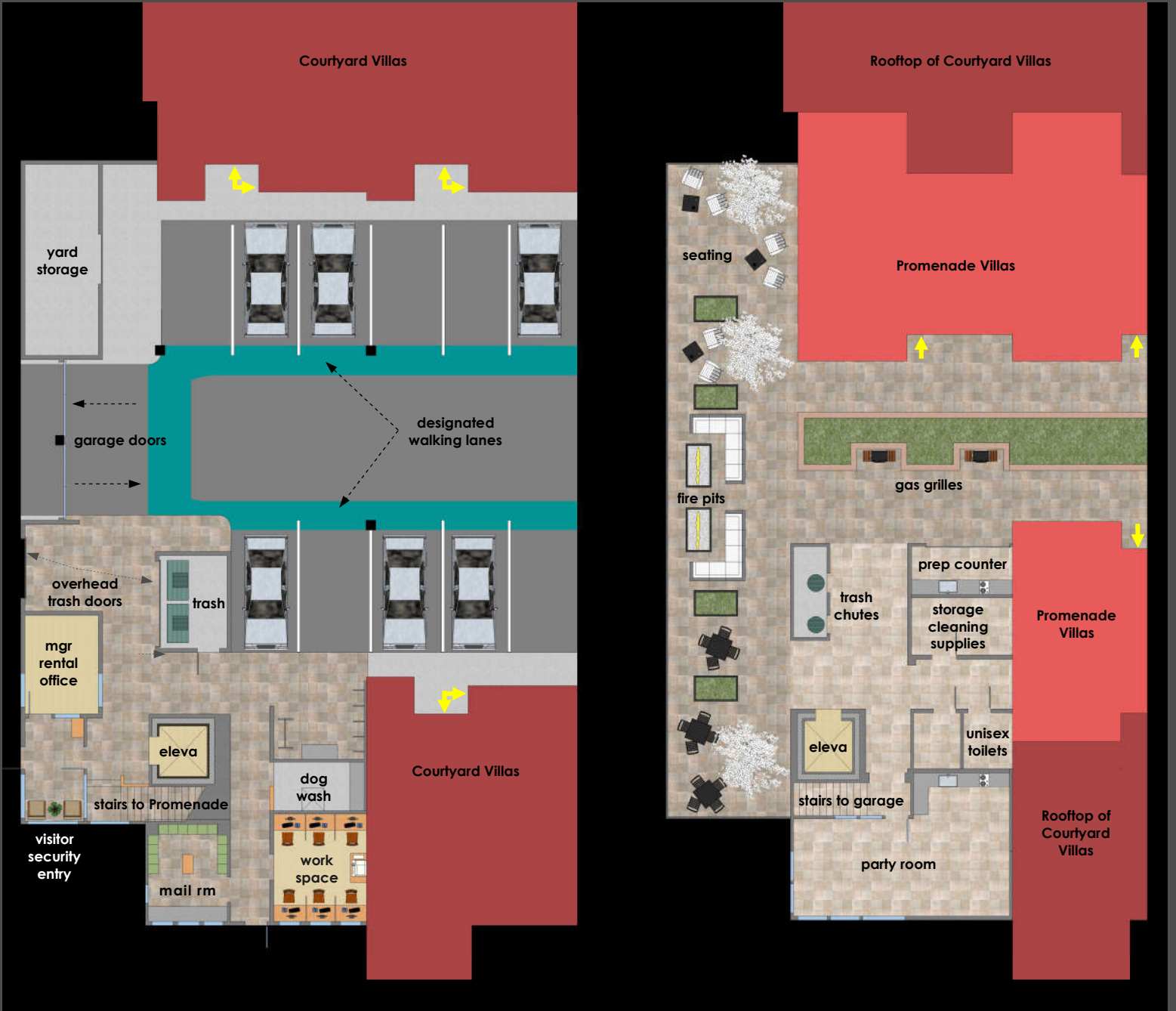
Promenade Villa Second Level: End Unit 799 SF



Promenade Villa Level: Mid Unit 746 SF



Promenade Villa Second Level: Mid Unit 646 SF



Common Spaces: Garage & Promenade Level

