



**CITY OF NEWPORT
PLANNING COMMISSION MEETING
NEWPORT CITY HALL
FEBRUARY 11, 2016 – 6:00 P.M.**

Chairperson:	Anthony Mahmood	City Administrator:	Deb Hill
Vice-Chair:	Kevin Haley	Asst. to the City Admin:	Renee Eisenbeisz
Commissioner:	Matt Prestegaard	Planner:	Sherri Buss
Commissioner:	Marvin Taylor	Council Liaison:	Tom Ingemann
Commissioner:	David Tweeten		

AGENDA

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF PLANNING COMMISSION MINUTES

A. Planning Commission Minutes of the January 14, 2016 Meeting

4. APPOINTMENTS WITH COMMISSION

A. **Public Hearing** – To consider a request from Kim Brown for an Interim Use Permit for property located at 1675 Kolff Street

1. Memo from Sherri Buss
2. Resolution No. P.C. 2016-4

B. **Public Hearing** – To consider a request from Scannell Development Company for a Conditional Use Permit and Variance for property located at 910 Hastings Avenue

1. Memo from Sherri Buss and Jon Herdegen
2. Resolution No. P.C. 2016-5

5. COMMISSION & STAFF REPORTS

6. NEW BUSINESS

7. ANNOUNCEMENTS

A. Upcoming Meetings and Events:

- | | | |
|--|-------------------|-----------|
| 1. City Offices Closed for Presidents' Day | February 15, 2016 | |
| 2. City Council Meeting | February 18, 2016 | 5:30 p.m. |
| 3. City Council Meeting | March 3, 2016 | 5:30 p.m. |
| 4. Planning Commission Meeting | March 10, 2016 | 6:00 p.m. |

8. ADJOURNMENT



**City of Newport
Planning Commission Minutes
January 14, 2016**

1. CALL TO ORDER

Chairperson Mahmood called the meeting to order at 6:03 P.M.

2. ROLL CALL -

Commissioners present – Anthony Mahmood, Kevin Haley, Matt Prestegaard, Marvin Taylor, David Tweeten

Commissioners absent –

Also present – Deb Hill, City Administrator; Renee Eisenbeisz, Asst. to the City Administrator; Sherri Buss, TKDA Planner;

3. NOMINATION AND APPOINTMENT OF CHAIRPERSON AND VICE-CHAIRPERSON FOR 2016

Vice-Chairperson Haley - I'm good with Anthony staying as Chairperson.

Chairperson Mahmood - I'm happy staying as Chairperson.

Marvin Taylor - I feel like I'm still growing.

Motion by Prestegaard, seconded by Tweeten, to appoint Anthony Mahmood as Chairperson and Kevin Haley as Vice-Chairperson for 2016. With 5 Ayes, 0 Nays, the motion carried.

4. APPROVAL OF PLANNING COMMISSION MINUTES

Motion by Haley, seconded by Prestegaard, to approve the October 8, 2015 Minutes. With 5 Ayes, 0 Nays, the motion carried.

Motion by Haley, seconded by Prestegaard, to approve the November 12, 2015 Workshop Minutes. With 5 Ayes, 0 Nays, the motion carried.

5. APPOINTMENTS WITH COMMISSION

A. Public Hearing – To consider amendments to Section 1320, Nonconforming Uses, Lots, and Structures, Section 1330 General District Regulations, and Section 1380, Signs

Sherri Buss, TKDA Planner, and Asst. to the City Admin. Eisenbeisz presented on this item as outlined in the January 14, 2016 Planning Commission packet.

Marvin Taylor - My main concern for maintenance is in regards to a particular building in a mixed use district. Chapter 8, the bar is pretty low and doesn't really apply to mixed use districts. It's more of a general blight on the City than a specific blight to the neighbors. It's vague. My question is what's the threshold. There's so much latitude on this. It seems more for residential properties and kind of jumps around. Newport is a built environment and if this is all we have. I don't know how anything in here is enforceable. I don't think I could take this and tell from the outside if a property is a nuisance. I feel like this is so vague that it can only be complaint-driven. I don't think there's any criteria in there, especially for commercial properties. Is there a higher threshold?

Vice-Chairperson Haley - Let's take it and look at it some more.

David Tweeten - I would think that something doesn't have to be a public nuisance in order to comply with the standards.

Ms. Buss - We can look at them. We'll probably have to consult with the attorney.

Vice-Chairperson Haley - I think I know which building you're referring to. How do we give enough teeth to get those cleaned up.

Ms. Buss - Do you want me to look to see what other cities require?

Admin. Hill - It's nice to have something that is more concrete.

Ms. Buss - It doesn't look like this has been updated in some time.

Asst. to the City Admin. Eisenbeisz - Municode is going to be finishing up their review of the entire code in the next month so we might want to wait to see what they come back with.

Chairperson Mahmood - Is this something where we would need to separate businesses and residential properties.

Ms. Buss - It might be. I'll have to review. Municode might not change the content. March would give me time to look at other examples.

Matt Prestegaard - That doesn't impact our resolutions?

Asst. to the City Admin. Eisenbeisz - No.

Marvin Taylor - On page two of the red-lined version in the middle it should be "Metal storage buildings cannot be used in Newport except in the Rural Estate District or as back yard sheds in Industrial Districts." You just need to add the "in."

The Public Hearing opened at 6:22 p.m.

Bill Sumner, 737 21st Street - Someone came in and asked for a variance on having an enclosure and it was decided by the Council that they needed to have one. I think there was concerns about having a top and the materials. Do they need to match the building?

Asst. to the City Admin. Eisenbeisz - That's what this amendment is doing, taking out the requirement for materials.

Ms. Buss - Maybe you can take out the "fully" as well.

Mr. Sumner - "Enclosed with no roof." For materials, is that in the amendment?

Asst. to the City Admin. Eisenbeisz - It takes out the requirement for materials.

Vice-Chairperson Haley - We would default back to approved building materials right? We're trying to avoid the steel shed look.

Ms. Buss - What do people usually use?

Asst. to the City Admin. Eisenbeisz - Like a fence.

The Public Hearing closed at 6:25 p.m.

Asst. to the City Admin. Eisenbeisz - So I will change it to "principal structure or enclosed accessory structure, no roof required.

Motion by Prestegaard, seconded by Haley, to approve Resolution No. P.C. 2016-1. With 5 Ayes, 0 Nays, the motion carried.

Motion by Prestegaard, seconded by Haley, to approve Resolution No. P.C. 2016-2 as amended. With 5 Ayes, 0 Nays, the motion carried.

Motion by Prestegaard, seconded by Haley, to approve Resolution No. P.C. 2016-3. With 5 Ayes, 0 Nays, the motion carried.

6. COMMISSION AND STAFF REPORTS

Ms. Buss - You'll get a fun application next time. It's a proposed office/warehouse use for the Raceway to Fun site. It's going to be something very nice.

Admin. Hill - It'll be two separate buildings, one at 140,000 sq. ft and one at 86,000.

Chairperson Mahmood - What's going on with the Sullivan property?

Admin. Hill - I spoke with him a little bit ago. He's trying to secure a tenant but he said that he's been approached by a hotel group as well.

Asst. to the City Admin. Eisenbeisz - Also, Kim Brown will be back for an interim use permit to increase the farm animals from 9 to 16.

Matt Prestegaard - That was a difficult one. In my past experience, you can clearly see that structure in the winter from Kolff Court. It feels like there was a question of "what's next?"

Chairperson Mahmood - We were thinking that more along the lines of commercial.

7. NEW BUSINESS

8. ANNOUNCEMENTS

A. Upcoming Meetings and Events:

- | | | |
|---|-------------------|-----------|
| 2. City Offices Closed for Martin Luther King Jr. Day | January 18, 2016 | |
| 3. City Council Meeting | January 21, 2016 | 5:30 p.m. |
| 4. City Council Meeting | February 4, 2016 | 5:30 p.m. |
| 5. Planning Commission Meeting | February 11, 2016 | 6:00 p.m. |

9. ADJOURNMENT

Motion by Haley, seconded by Tweeten, to adjourn the Planning Commission Meeting at 6:32 p.m. With 5 Ayes, 0 Nays, the motion carried.

Signed: _____
Anthony Mahmood, Chairperson

Respectfully submitted,

Renee Eisenbeisz
Executive Analyst



444 Cedar Street, Suite 1500
Saint Paul, MN 55101
651.292.4400
tkda.com

Memorandum

To:	Newport Planning Commission	Reference:	Kim L. Brown Interim Use Permit Request
Copies To:	Deb Hill, City Administrator		
	Renee Eisenbeiz, Assistant to the City Administrator		
	Kim L. Brown, Applicant	Project No.:	16020.001
From:	Sherri Buss, RLA AICP, Planner	Routing:	
Date:	February 2, 2016		

SUBJECT: Kim L. Brown Interim Use Permit (IUP) request to exceed the number of horses permitted on an 8.76-acre parcel by ordinance

MEETING DATE: February 11, 2016

LOCATION: 1675 Kolff Street

APPLICANT: Kim L. Brown
P.O. Box 25407
Woodbury, MN 55125

ZONING: Residential Estate (RE) and Bluffland Overlay District

60-DAY PERIOD: March 14, 2016

ITEMS REVIEWED: Application, as-built survey of property, aerial photo

BRIEF DESCRIPTION OF THE REQUEST

The applicant is requesting an Interim Use Permit to exceed the number of horses that are allowed on her property by City ordinance. The parcel is 8.76 acres in size. The city's ordinance 2016-1 requires at least one acre per farm animal unit. Horses are classified as 1.0 animal unit, and therefore 8 horses would be allowed. The applicant is requesting that she be permitted to house up to of 16 horses on the property. The ordinance requires that property owners obtain an Interim Use Permit in order to exceed the number of horses that the ordinance allows based on the acreage standards.

The letter that the applicant submitted with the application states that she raises and sells American Saddlebred mares. She states that 10 horses will be in the barn only. Six horses would use the pasture. The horses are fed hay and grain and do not rely on grazing for food.

The applicant obtained a Conditional Use Permit and Variance to construct a 60x156' pole building to serve as a barn, hay storage, and office space in 2013. The attached as-built survey shows the location of the building, which houses the horses. It is 73.8 feet from the northern property line, and received a variance from the required 100-foot setback in the Zoning Ordinance to be placed in that location.

The primary reason for the standard that limits properties to one animal unit per acre is to manage the manure generated by the animals so that it does not impact surface and ground water, and so that odors and flies generated by the waste and animal noise do not impact neighbors. The applicant states that manure is stored on the property and periodically removed and sold to plant nurseries in the area. The pasture is graded two or three times per week, and the barn is cleaned four times each day. The stored manure is loaded every three months into dumpsters and removed from the property.

Other jurisdictions in Washington County have similar or higher standards for livestock. Washington County's ordinance, which applies in all Townships in the County, requires that property owners have 2 acres of grazable land per horse, and that owners obtain a CUP or IUP to have animals at higher densities.

EVALUATION OF THE INTERIM USE PERMIT (CUP) REQUEST

The applicant must meet the criteria included in Ordinance 2016-1 and in the Zoning Ordinance to obtain an IUP to exceed the number of horses allowed on the property based on the acreage standard. This staff report analyzes the request based on the criteria. The Planner also contacted the University of Minnesota Extension Service, Washington County Conservation District and South Washington Watershed District to request recommendations for conditions related to manure management to protect surface waters.

Ordinance 2016-1 Criteria

Ordinance 2016-1 includes the following criteria for farm animal permits:

- *The barn, stable, housing or hive shall be located at least 150 feet from the nearest property line of adjacent property owners, and must be built according to the zoning code.*

Analysis: The applicant was granted a variance in 2013 to locate the barn 73.8 feet from the northern property boundary. The rationale for granting the variance considered that the property to the north of 1675 Kolff is a city-owned property that is 75 feet wide, and will remain in City ownership. The 73.8 setback on the Brown parcel plus the 75-foot wide city parcel separates the barn from adjacent residential property boundaries by about 149 feet. The variance previously granted by the City for the barn allows the current request to meet the setback requirement.

The applicant obtained a building permit for the barn, and it was constructed to meet code requirements.



- *The barn, stable, housing or hive shall be considered accessory structures.*

Analysis: The barn is considered an accessory structure. It meets the Zoning Code requirements for number, height, size, setbacks, and area in the RE District.

- *All farm animals shall be kept confined by a sturdy wood or metal fence for pasture. The fence shall not be located nearer than 50 feet from any building used for human habitation. Barbed wire fences shall not be permitted.*

The applicant indicated that the pasture is currently fenced with electrical fencing. The Planner has included a condition that the property shall meet the fencing requirement, as follows: The applicant shall construct and maintain a sturdy wood or metal fence around the pasture. The fence shall not be located nearer than 50 feet to any building used for human habitation. The fence shall not be constructed of barbed wire.

General Criteria for Granting an IUP

Section 1310.13 of the Zoning Ordinance indicates that the city may grant an IUP, and process the IUP in the same manner as a Conditional Use Permit. The conditions for granting a CUP, which also apply to the IUP, are listed and analyzed for this application below.

The Zoning Ordinance requires that the City establish a specific date or event that terminates the Interim Use on the property, and that the IUP shall terminate within three years of the date of approval.

The Planner has included a condition to establish the following date for termination of the IUP: The Interim Use Permit (IUP) shall terminate when a change in ownership of the parcel occurs, or three years from the date of approval of the interim use, whichever occurs first.

The city may attach additional conditions to an IUP so that the use will not have adverse effects on the public health, safety and welfare, and that it will not impose additional costs on the public. Compliance with the conditions will be reviewed at least annually within the period of the IUP, and the City Council may order the inspection and revocation of the permit through the process provided in the zoning ordinance.

The other applicable Zoning Ordinance criteria for granting the IUP include the following, and are analyzed below:

- The proposed use will not be detrimental to or endanger the public health, safety or general welfare of the City, including the factors of noise, glare, odor, electrical interference, vibration, dust, and other nuisances; fire and safety hazards; existing and anticipated traffic conditions and parking facilities on adjacent streets and land.
- The potential effects of the proposed use on surrounding properties, including valuation, aesthetics and scenic views, land uses, and character and integrity of the neighborhood.
- The potential impacts of the proposed use on governmental facilities and services, including roads, sanitary sewer, water and police and fire.
- The potential impacts on sensitive environmental features, including lakes, surface and underground water supply and quality, wetlands, slopes, floodplains and soils.



Evaluation of the General Criteria for IUP's

- *The proposed use will not be detrimental to or endanger the public health, safety or general welfare of the City, including the factors of noise, glare, odor, electrical interference, vibration, dust, and other nuisances; fire and safety hazards; existing and anticipated traffic conditions and parking facilities on adjacent streets and land.*

The potential impacts that may be generated by the additional animals on the parcel need to be managed so that the noise, odors, and nuisances do not impact adjacent properties. The Planner consulted with Washington Conservation District staff and with University of Minnesota Extension staff (Equine Extension Specialist) that are experts in manure and water quality management regarding conditions to manage the animal waste.

The Extension Equine Specialist stated that horses do not require a large pasture area, and she stated that the key issue for permitting the requested number of horses is manure management. She noted that doubling the number of animals above the number permitted has the potential to impact neighbors with odors and flies. She stated that if the manure is being managed as the applicant stated in the application, that neighbors should not experience odors or flies from the manure on the property. She recommended that the IUP include conditions related to manure storage, frequency of removal, a six-month trial period, and monthly inspections by City staff to determine if the manure is being managed as stated. She recommended that the applicant be required to document the frequency of manure hauling off the site. The WCD staff also recommended that manure be stored in a dumpster and removed regularly from the property. Based on the discussions with these experts, the Planner has proposed the following conditions for the Planning Commission to consider if it recommends approval of the IUP:

- a. The animals on the property shall not create noise, odors, or other nuisances that impact adjacent properties. The animals shall be contained within the pasture and barn. The pasture shall be fenced as required by Ordinance 2016-1, and located at least 50 feet from adjacent property boundaries.
- b. The applicant shall grade the pasture area at least two times per week and clean the barn four times daily to remove manure. The collected manure shall be stored at least 150 feet from all adjacent property boundaries, and shall be loaded at least monthly into dumpster(s) and removed from the property to prevent all odor and other impacts to adjacent properties.
- c. The applicant shall document the manure removals from the property, and have the documentation available at the time of City inspection.
- d. The City shall inspect the property at least monthly during the first six months after the IUP is approved to determine that the applicant is complying with conditions of the IUP, and that the use does not have negative impacts on surrounding properties.
- e. The City may review the IUP at the end of six months with the applicant if the conditions are not met or if adjacent properties experience negative impacts to require compliance with the conditions.
- f. The City may inspect the site annually after the first six months of operation to determine if the conditions of the IUP are being met.



- g. The applicant shall establish as escrow at the City to reimburse the City for the cost of inspections.
- *The potential effects of the proposed use on surrounding properties, including valuation, aesthetics and scenic views, land uses, and character and integrity of the neighborhood.*

The property is screened from adjacent parcels by existing vegetation. The Planning Commission should listen to public comments at the hearing on February 11, review the aerial photo and site, and determine if it has additional recommendations regarding minimizing or avoiding potential impacts to the neighborhood. If the Commission determines that the existing or proposed conditions on the property have negative impacts on neighboring properties, it may recommend denial of the request.

- *The potential impacts of the proposed use on governmental facilities and services, including roads, sanitary sewer, water and police and fire.*

The proposed use will not impact governmental facilities and services.

- *The potential impacts on sensitive environmental features, including lakes, surface and underground water supply and quality, wetlands, slopes, floodplains and soils.*

The Planner has proposed conditions for manure management to avoid impacts to surface and ground waters. The Planner has proposed an additional condition to protect the slopes on the property:

- a. The applicant shall maintain a dense, vegetated cover within the pasture and on the slopes on the property to prevent erosion and control stormwater runoff.

The findings support granting the Interim Use Permit on a six-month trial basis, with conditions.

FINDINGS--IUP

The Planner finds the following related to the Zoning Code criteria for granting a CUP:

1. The proposed use requires a IUP based on Ordinance 2016-1.
2. The City will include conditions to require that the proposed use will not create noise, glare, odor, dust or nuisances that could affect public health or welfare.
3. The conditions require that animal wastes be managed to avoid all potential impacts to ground and surface waters, other resources, and adjacent properties.
4. Existing infrastructure and City services are adequate to serve the proposed use of the property.
5. The approval of the IUP would include a six-month inspection period, inspections by the City, and City review of compliance with the IUP with the applicant. The IUP may be granted for up to three years, and after that time, the property shall return to uses allowed by the ordinance.

ACTION REQUESTED FOR THE IUP REQUEST

The Planning Commission can recommend any of the following for this application:



1. Approval
2. Approval with conditions
3. Denial with findings
4. Table the request

PLANNING STAFF RECOMMENDATIONS

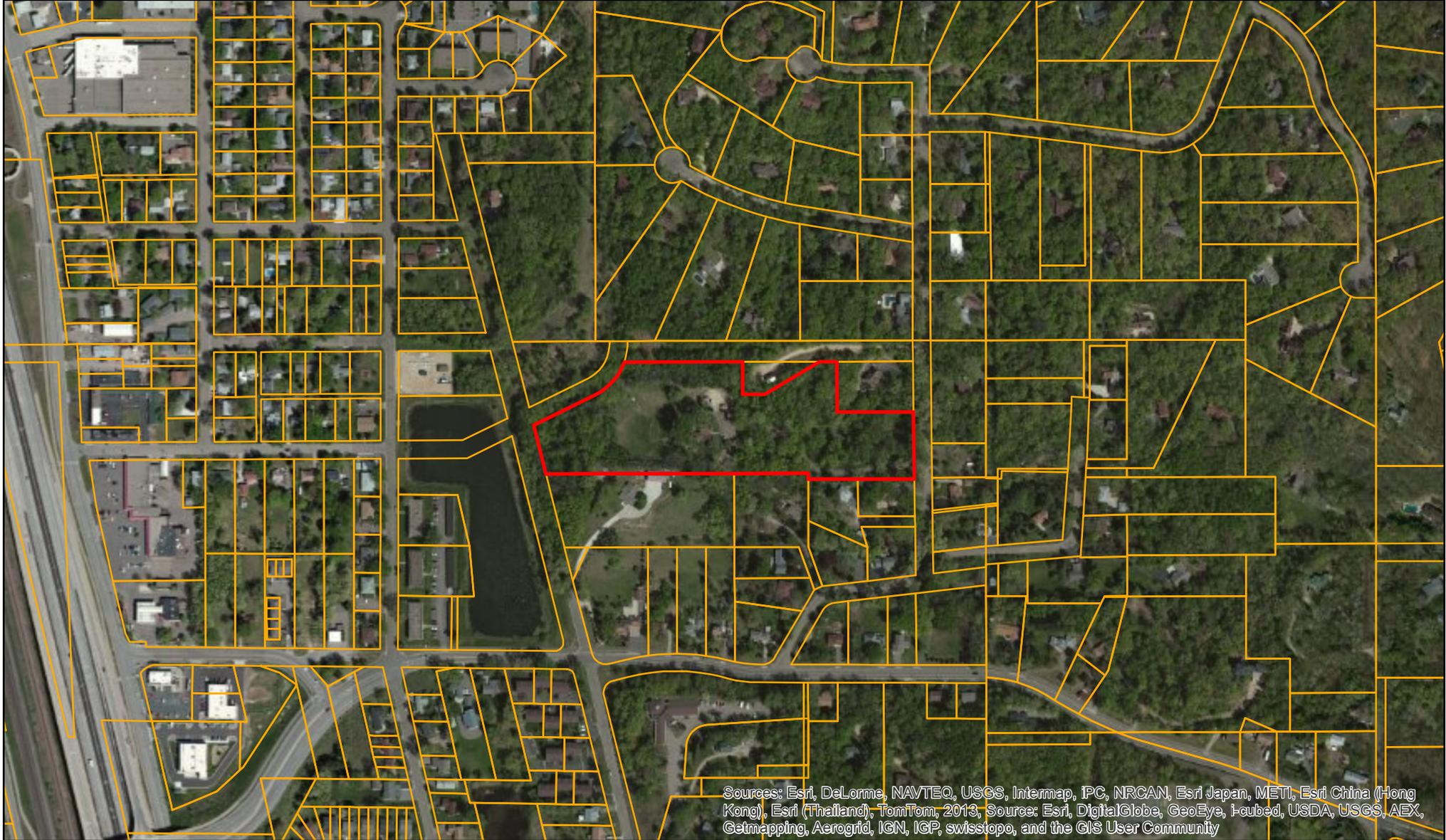
The Planner recommends that the Planning Commission listen to comments from neighbors about the impacts of the existing animals on the property on adjacent properties, and concerns about the potential doubling of the number of animals allowed by the ordinance. The Planner recommends that the Commission approve the IUP only if the applicant can demonstrate that the existing animals and proposed increase in animal population do not and will not impact adjacent parcels, and that she will comply with the proposed conditions. The Planner recommends the following conditions for approval of the request for up to sixteen horses on the parcel at 1675 Kolff Street:

1. The applicant shall be permitted to house and care for a maximum of sixteen (16) horses on the parcel at 1675 Kolff Street.
2. The applicant shall house and care for up to ten (10) horses within the existing barn structure on the parcel. No more than six (6) horses may regularly use the pasture area.
3. The applicant shall construct and maintain a sturdy wood or metal fence around the pasture. The fence shall not be located nearer than fifty (50) feet to any building used for human habitation. The fence shall not be constructed of barbed wire.
4. The animals on the property shall not create noise, odors, or other nuisances that impact adjacent properties. The animals shall be contained within the pasture and barn.
5. The applicant shall grade the pasture area at least two times per week and clean the barn four (4) times daily to remove manure. The collected manure shall be stored at least one hundred and fifty (150) feet from all adjacent property boundaries, and shall be loaded at least monthly into dumpster(s) and removed from the property to prevent all odor and impacts to adjacent properties.
6. The applicant shall document the manure removals from the property, and have the documentation available at the time of City inspections.
7. The applicant shall maintain a dense, vegetated cover within the pasture and on the slopes on the property to prevent erosion and control stormwater runoff.
8. The City shall inspect the property at least monthly during the first six months after the IUP is approved to determine that the applicant is complying with conditions of the IUP, and that the use does not have negative impacts on surrounding properties.
9. City may review the IUP at the end of six months with the applicant if the conditions are not met or if adjacent properties experience negative impacts to require compliance with the conditions.



10. The City may review the compliance with the IUP conditions at least annually after the first six months of operation.
11. The applicant shall establish an escrow account at the City to reimburse the City for the cost of inspections during the trial period and three-year IUP.
12. The IUP shall terminate when a change in ownership of the parcel occurs, or three (3) years from the date of initial approval of the Interim Use.
13. The applicant shall pay all fees and escrows related to this application.





Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013, Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Parcel ID: 3602822120002

Parcel Address:
1675 KOLFF RD, CITY OF NEWPORT

Created on 9/4/2013

**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

This drawing is the result of the compilation and reproduction of land records as they appear in various Washington County offices. The drawing should be used for reference purposes only. Washington County is not responsible for any inaccuracies.

City of NEWPORT Planning Request Application

Newport City Hall ♦ 596 7th Avenue ♦ Newport ♦ Minnesota ♦ 55055 ♦ Telephone 651-459-5677 ♦ Fax 651-459-9883

Application Date: 01/14/14 Public Hearing Date _____

Applicant Information

Name: Kim L Brown Telephone: 651-730-9803
Mailing Address: P.O. Box 25407 Telephone: 651-238-0866
City/State/Zip: Woodbury MN 55125

Property Owner Information

Name: Kim L Brown Telephone: 651-730-9803
Mailing Address: P.O. Box 25407 Telephone: 651-238-0866
City/State/Zip: Woodbury MN 55125

Project Information

Location of Property: 1675 Kolff Rd. Newport MN 55055
Legal Description of Property (Must match description on the Deed) and P.I.D. #: Block D Newport Villas Block D Being that part of block D - Newport Villas except the north 170 feet of the east 256.24 feet and except: that part of block D of Newport Villas

Zoning District: _____ Flood Plain: **AE 0.2% Annual Chance Flood Hazard**

- Comprehensive Plan Amendment \$500 or Actual Cost plus \$50 for Additional Staff Hours (10 Hr Min)
- Rezoning \$500 plus Escrow
- Zoning Amendment \$500
- Variance \$300 plus Escrow
- Conditional Use Permit
 - Residential \$300 plus Escrow
 - Commercial \$450 plus Escrow
- Subdivision Approval
 - Minor Subdivision \$300 plus Escrow and Parkland Dedication Fee
 - Major Subdivision \$500 plus Escrow, \$50 per Lot, \$200 for Final Plat, and 10% of land value or fee for Parkland Dedication Fee
- Other: Interim Use Permit
- Applicable Zoning Code Chapter: _____
- Review by Engineer Cost: _____
- Total Cost: _____

Escrow Fees

The City of Newport requires that any developer or every person, company, or corporation that is seeking a planning request must first submit detailed plans to the City. The person submitting the planning request must also submit prepayment to the City to cover any expenses that the City incurs by investing extensive amounts of time reviewing these plans. All unused escrow fees will be returned to the applicant upon completion of the request. Additionally, if actual costs are above the paid escrow, the applicant will be required to pay the additional amount. The fees are as follows:

Planning Request	Escrow Fee
Rezoning	\$500
Street/Alley Vacation	\$1,000
Residential Variance	\$500
Commercial Variance	\$1,000
Residential Conditional Use/Interim Use Permit	\$750
Commercial Conditional Use/Interim Use Permit	\$1,000
Preliminary Plat Under 10 Acres	\$3,500
Preliminary Plat Over 10 Acres	\$6,500
Residential Minor Subdivision, Major Subdivision, Site Plan Review, Final Plat, and Planned Unit Development:	
8 Units or Less	\$2,000
9 to 40 Units	\$3,200
41 Units or More	\$4,500
Commercial Minor Subdivision, Major Subdivision, Site Plan Review, Final Plat, and Planned Unit Development:	
0 to 5,000 Square Foot Building	\$2,000
5,001 to 10,000 Square Foot Building	\$3,000
10,001 to 50,000 Square Foot Building	\$3,750
50,000 Plus Square Foot Building	\$4,500

Typical escrow costs include reviewing the application to ensure that State Statutes and the City Codes are followed, preparing the staff report, findings, and recommended conditions for both the Planning Commission and City Council, and communicating with the applicant as needed to complete the staff report. The average fee is \$100 per hour for the Planner and \$70 per hour for the Engineer.

Present Use of Property: Residential horse property.

State Reason for Planning Request: To increase number of horses on premises. The horses do not graze, they eat hay. Most of the horses are housed in the barn and do not go outside. Local landscape companies come and pick up manure by the truckload.

ALL MATERIALS/DOCUMENTATION, INCLUDING A SITE-PLAN, MUST BE SUBMITTED WITH APPLICATION THAT IS APPLICABLE TO PLANNING REQUEST.

I HEREBY APPLY FOR CONSIDERATION OF THE ABOVE DESCRIBED REQUEST AND DECLARE THAT THE INFORMATION AND MATERIALS SUBMITTED WITH THE APPLICATION ARE COMPLETE AND ACCURATE. I UNDERSTAND THAT APPLICANTS ARE REQUIRED TO REIMBURSE THE CITY FOR ALL OUT-OF-POCKET COSTS INCURRED FOR PROCESSING, REVIEWING, AND HEARING THE APPLICATION. THESE COSTS SHALL INCLUDE, BUT ARE NOT LIMITED TO: PUBLICATION AND MAILING OF NOTICES, REVIEW BY THE CITY'S ENGINEERING, PLANNING AND OTHER CONSULTANTS; LEGALS COSTS, AND RECORDING FEES. AN ESCROW DEPOSIT TO COVER THESE COSTS WILL BE COLLECTED BY THE CITY AT THE TIME OF APPLICATION. ANY BALANCE REMAINING AFTER REVIEW IS COMPLETE WILL BE REFUNDED TO THE APPLICANT. NO INTEREST IS PAID ON ESCROW DEPOSITS

SIGNATURE OF APPLICANT: Ken L Brown

SIGNATURE OF OWNER (IF APPLICABLE): _____

For Office Use

Fee: \$ 1,050 Date Paid: 01/14/16 Receipt #: _____

Publication of Notice Date: _____

Public Hearing Date: February 11, 2016

P.C. Resolution #: _____

Council Action Date: _____

Council Resolution #: _____



Interim Use Permit Application Checklist

Interim Use Permits are covered under Section 1310.14 of the Zoning Code. Please provide the following information with your application for an Interim Use Permit.

GENERAL REQUIREMENTS:

INCLUDED IN SUBMITTAL

- | | | | | |
|--|-------------------------------------|-----|--------------------------|----|
| 1. Application Form, including the name, address, contact information and signatures of all parcel owners and applicant | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 2. Fees | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 3. Escrow | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 4. Complete legal description and PID number of all parcels included in the request. The legal descriptions must be copied directly from the deed and provided in a word document. | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 5. A full description of the request—proposed use of the site, activities proposed, hours of operation, etc. (either on the application form or in a letter), including a proposed date or event for termination of the IUP (up to 3 years from the date of approval). | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 6. A map, aerial photo or plan showing the parcel in question and all property within five hundred (500) feet of the parcel boundaries | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 7. Site Plan <ul style="list-style-type: none"> • One (1) 11"x17" hard copy and/or one (1) electronic copy. The City may require a larger size plan if needed to adequately review the request. | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |

Plan Sheet Requirements:

- Title block
- Name, address, phone number for owner, developer, surveyor, engineer
- Date of preparation and revision dates
- North Arrow
- Graphic scale not less than 1:100

SITE PLAN REQUIREMENTS - EXISTING AND PROPOSED:

INCLUDED IN SUBMITTAL

- | | | | | |
|--|--------------------------|-----|--------------------------|----|
| 1. Property lines and dimensions | <input type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 2. Area in acres and square feet | <input type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 3. Existing and proposed building and parking locations and dimensions | <input type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 4. Existing and proposed setbacks | <input type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 5. Buildable area and the existing and proposed area of the parcel(s) covered by impervious surfaces | <input type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 6. Existing and proposed driveways | <input type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 7. Stormwater analysis and proposed best management practices, if required by the City Engineer | <input type="checkbox"/> | YES | <input type="checkbox"/> | NO |

- | | | |
|---|------------------------------|-----------------------------|
| 8. Septic system and well (if applicable) | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 9. Vegetation and landscaping (if applicable to the request) | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 10. Wetland delineation (if applicable) | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 11. Topographic contours at 2-foot intervals, bluff line (if applicable) | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 12. Waterbodies, Ordinary High Water Level and 100 year flood elevation (if applicable) | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 13. Other proposed improvements and additional information relevant to the request | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
-

Google Maps 1675 Kolff St



Imagery ©2016 Google, Map data ©2016 Google 100 ft

1675 Kolff St
Newport, MN 55055

At this location

KLB Inc Insurance & Risk Management
Insurance Agency · Kolff St

Newport City Council-Planning Commission

1-14-16-Meeting notes:

Kim L Brown, Owner personal use and sales only.

Additional horses on property located at 1675 Kolff St. Newport MN

Ordinance increase of horses on property.

Currently the amount of horses allowed on my premise is 9 I would like to see if you will increase this to 16 total. I raise and sell American Saddlebred show horse and Thoroughbred Race horses. I have three Thoroughbred mares in foal to be delivered in April of 2016 and I also have 2 other horses that I want to purchase as 4-year-old American Saddlebred show horse to be trained and shown to be sold. There would most time not be 16 horses here.

There will be 10 horses in the barn only and not outside unless going to a horseshow. They are worked in the indoor area only. There would be no more than 6 horses in the Pasture and are fed High quality hay and grain on a daily basis and there is no grazing land needed. The pasture is graded two time per week. The barn is cleaned 4 times daily.

The manure is being sold to various nursery's around the area for an Amount of \$300 per dumpster. Training will be done in the barn on the property. I am will to pay an additional \$ 1000 per year on top of the \$25.00 permit fee for the original 6.

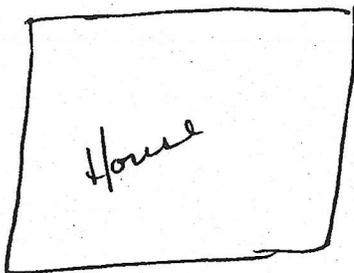
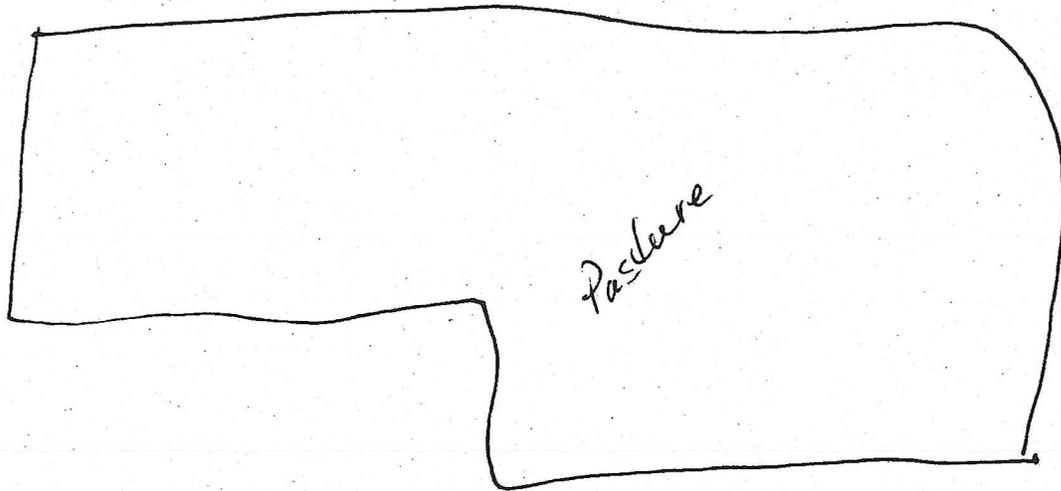
Please let me know if you have any further questions.

Kim L Brown, Owner

PO Box 25407 Woodbury MN 55125

Email: kim@klbins.com

P-651-730-9803, C-651-238-0866



February 4, 2016

To: City of Newport Planning Commission

From: Kathleen Stewart

1290 Woodbury Road

Newport

In Regard: Interim Use Permit Request by Kim Brown

The purpose of this letter is to offer support for Ms. Brown's request to increase the number of horses allowed to be stabled on her property.

I have had occasion to visit her stable and found it to be clean, neat and well maintained. The horses on the premises are well cared for and in excellent condition. My judgment of the animals and the condition of the stable is based on many years of experience in raising and caring for purebred horses before moving to Newport in 1999. Based on her locality it does not appear that the increase in the number of horses allowed should in any way inconvenience other residents in the area.

From all appearances Ms. Brown is a good citizen of our community and I would hope that she be allowed to use her property to suit her needs.

Respectfully,



Kathleen Stewart

651 459 0708

**PLANNING COMMISSION
RESOLUTION NO. P.C. 2016-4**

A RESOLUTION RECOMMENDING THE NEWPORT CITY COUNCIL APPROVE AN INTERIM USE PERMIT REQUESTED BY KIM BROWN, PO BOX 25407, WOODBURY, MN 55125, FOR PROPERTY LOCATED AT 1675 KOLFF ROAD, NEWPORT, MN 55055 TO EXCEED THE NUMBER OF ALLOWED FARM ANIMALS

WHEREAS, Kim Brown, PO Box 25407, Woodbury, MN 55125, has submitted a request for an Interim Use Permit to exceed the number of farm animals allowed per City Ordinance from 8 to 16 horses; and

WHEREAS, the property is located at 1675 Kolff Road, Newport, MN 55055 and is more fully legally described as follows:

PID #36.028.22.12.0002 - BLOCK D BEING THAT PART OF BLOCK D-NEWPORT VILLAS EXCEPT THE NORTH 170 FEET OF THE EAST 256.24 FEET AND EXCEPT: THAT PART OF BLOCK D OF NEWPORT VILLAS COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 36 TOWNSHIP 28 RANGE 22 THENCE EASTERLY ALONG THE NORTH LINE OF SAID SECTION A DISTANCE OF 570 FEET THENCE SOUTHERLY PERPENDICULAR TO THE NORTH LINE OF SAID SECTION A DISTANCE OF 180 FEET TO THE POINT OF BEGINNING THENCE WESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION A DISTANCE OF 75 FEET THENCE NORTHERLY PERPENDICULAR TO THE NORTH LINE OF SAID SECTION A DISTANCE OF 110 FEET THENCE EASTERLY ALONG THE NORTH LINE OF SAID SECTION A DISTANCE OF 260 FEET THENCE SOUTHWESTERLY TO THE POINT OF BEGINNING AND THERE TERMINATING CONTAINING APPROXIMATELY .42 ACRES MORE OR LESS NEWPORT CITY Block D SubdivisionCd 55045 SubdivisionName NEWPORT VILLAS

WHEREAS, The described property is zoned Residential Estate (RE); and

WHEREAS, Ordinance 2016-1 requires that property owners obtain an interim use permit if the number of animals on the property exceeds the number allowed by the ordinance, and includes standards for setbacks and management of the animals; and

WHEREAS, Section 1310.13 of the Zoning Ordinance states that the City Council may authorize an interim use permit in the same manner as a conditional use permit. The ordinance requires that the City establish a specific date or event that terminates the permit, and the permit shall terminate within three years of the date of approval; and

WHEREAS, Section 1310.14 Subd. 1 of the Zoning Ordinance includes the criteria for a conditional use permit, and states that the criteria for acting upon a Conditional Use Permit (C.U.P.) application as follows: *“In acting upon an application for a conditional use permit, the City shall consider the effect of the proposed use upon the health, safety, and general welfare of the City including but not limited to the factors of noise, glare, odor, electrical interference, vibration, dust, and other nuisances; fire and safety hazards; existing and anticipated traffic conditions; parking facilities on adjacent streets and land; the effect on surrounding properties, including valuation, aesthetics and scenic views, land uses, character and integrity of the neighborhood; consistency with the Newport comprehensive plan; impact on governmental facilities and services, including roads, sanitary sewer, water and police and fire; effect on sensitive environmental features including lakes, surface and underground water supply and quality, wetlands, slopes flood plains and soils; and other factors as found relevant by the City. The City may also consider whether the proposed use complies or is likely to comply in the future with all standards and requirements set out in other regulations or ordinances of the City or other governmental bodies having jurisdiction over the City. In permitting a new conditional use or the alteration of an existing conditional use, the City may impose, in addition to the standards and requirements expressly specified by this chapter, additional conditions which it considers necessary to protect the best interest of the surrounding area or the community as a whole.”*; and

WHEREAS, Following publication, posted, and mailed notice thereof, the Newport Planning Commission held a Public Hearing on February 11, 2016; and

WHEREAS, the Planning Commission's findings related to the request for approval of an Interim Use Permit include the following:

1. The proposed use requires an IUP based on Ordinance 2016-1.
2. The City will include conditions to require that the proposed use will not create noise, glare, odor, dust or nuisances that could affect public health or welfare.
3. The conditions require that animal wastes be managed to avoid all potential impacts to ground and surface waters, other resources, and adjacent properties.
4. Existing infrastructure and City services are adequate to serve the proposed use of the property.
5. The approval of the IUP would include a six-month inspection period, inspections by the City, and City review of compliance with the IUP with the applicant. The IUP may be granted for up to three years, and after that time, the property shall return to uses allowed by the ordinance.

NOW, THEREFORE, BE IT FURTHER RESOLVED That the Newport Planning Commission **Hereby Recommends Newport City Council Approval** for an Interim Use Permit to exceed the number of farm animals from 8 to 16 with the following conditions:

1. The applicant shall be permitted to house and care for a maximum of sixteen (16) horses on the parcel at 1675 Kolff Street.
2. The applicant shall house and care for up to ten (10) horses within the existing barn structure on the parcel. No more than six (6) horses may regularly use the pasture area.
3. The applicant shall construct and maintain a sturdy wood or metal fence around the pasture. The fence shall not be located nearer than fifty (50) feet to any building used for human habitation. The fence shall not be constructed of barbed wire.
4. The animals on the property shall not create noise, odors, or other nuisances that impact adjacent properties. The animals shall be contained within the pasture and barn.
5. The applicant shall grade the pasture area at least two times per week and clean the barn four (4) times daily to remove manure. The collected manure shall be stored at least one hundred and fifty (150) feet from all adjacent property boundaries, and shall be loaded at least monthly into dumpster(s) and removed from the property to prevent all odor and impacts to adjacent properties.
6. The applicant shall document the manure removals from the property, and have the documentation available at the time of City inspections.
7. The applicant shall maintain a dense, vegetated cover within the pasture and on the slopes on the property to prevent erosion and control stormwater runoff.
8. The City shall inspect the property at least monthly during the first six months after the IUP is approved to determine that the applicant is complying with conditions of the IUP, and that the use does not have negative impacts on surrounding properties.
9. City may review the IUP at the end of six months with the applicant if the conditions are not met or if adjacent properties experience negative impacts to require compliance with the conditions.
10. The City may review the compliance with the IUP conditions at least annually after the first six months of operation.
11. The applicant shall establish an escrow account at the City to reimburse the City for the cost of inspections during the trial period and three-year IUP.
12. The IUP shall terminate when a change in ownership of the parcel occurs, or three (3) years from the date of initial approval of the Interim Use.
13. The applicant shall pay all fees and escrows related to this application.

Adopted this 11th day of February, 2016 by the Newport Planning Commission.

VOTE: Mahmood	_____
Haley	_____
Prestegaard	_____
Taylor	_____
Tweeten	_____

Signed: _____
Anthony Mahmood, Chairperson

ATTEST: _____
Deb Hill, City Administrator



444 Cedar Street, Suite 1500
Saint Paul, MN 55101
651.292.4400
tkda.com

Memorandum

To: Newport Planning Commission

Reference: Scannell Newport Warehouses Development--
CUP and Variance Request

Copies To: Deb Hill, City Administrator
Renee Eisenbeisz, Assistant to the Administrator
Daniel Madrigal, Applicant
Jared Ward, Wenck Associates, Engineer
Jon Herdegen, MSA, City Engineer

Project No.: 16020.002

From: Sherri Buss, RLA AICP, City Planner

Routing:

Date: February 4, 2016

SUBJECT: Scannell Newport Office/Warehouse Development
Application for a Conditional Use Permit (CUP) and Variances

MEETING DATE: February 11, 2016

LOCATION: 910 Hastings Avenue

APPLICANT: Daniel Madrigal
Scannell Development Company
821 Meander Court, Suite 200
Medina, MN 55340

OWNERS: Richard and Elaine Oftedahl/Raceway Productions
1144 5th Avenue
Newport, MN 55055

CURRENT ZONING: B-1 (Business Park/Office/Warehouse)

60-DAY PERIOD: March 14, 2016

ITEMS REVIEWED: Application, site plans, and supplemental information, submitted January 14, 2016.

BRIEF DESCRIPTION OF THE REQUEST

The applicant, Scannell Properties, has submitted an application to develop an office/warehouse use that would include two buildings, parking areas, and infrastructure on the former Raceway to Fun site at 910 Hastings Avenue. The site includes two parcels that are 9.64 and 5.18 acres in size. The application includes a request for a CUP and variances needed to develop the proposed use on the site.

CONDITIONAL USE PERMIT REQUEST

BACKGROUND

The applicant is requesting a Conditional Use Permit (CUP) to develop an office/warehouse use in two buildings on the former Raceway to Fun site at 910 Hastings Avenue, located in the B-1 Zoning District. The Zoning Ordinance requires that Warehouse uses in the B-1 Districts obtain a Conditional Use Permit.

The site plan shows two proposed buildings: a 144,000-square-foot building (Building 1) and an 83,000 square-foot building (Building 2). The site owner estimates that Building 1 will be developed with about 5% office and 95% warehouse uses, and Building 2 will be developed with approximately 10% office and 90% warehouse uses. The site map identifies the proposed parking areas and three proposed access to the site from Hastings Avenue. The plans also note the existing large sanitary sewer pipe that is located between the two proposed buildings on the site.

The applicant states that the proposed use will be primarily warehouse distribution with an office component. The buildings will be constructed of precast concrete. The buildings will range from 24 to 32 feet in height. The applicant estimates that 40 to 150 people will be employed at the site when both buildings have been developed. The application indicates that the office/warehouse use will require 24 hour operations.

The applicant noted that future occupants of the building have not been determined. He provided an overview of what the market suggests to date for the two buildings.

- “Larger Building 1 (144k SF): We anticipate this building having approximately 3-10% office finish and the remainder being warehouse/distribution/light manufacturing and assembly.
- “Smaller Building 2 (83k SF): We anticipate this building having approximately 10-20% office finish and the remainder being warehouse/distribution/light manufacturing and assembly/ R & D.
- “Example of tenants would include: Food service equipment distribution, heating and cooling systems distribution, Auto parts wholesale distribution, merchandise wholesaler, tire distributor, particle coating manufacturer, medical supply distributor, beverage distributor, frozen food distribution, building materials production and distribution, biomedical manufacturing, printing companies, final product assemblage companies.”



EVALUATION OF THE REQUEST:

1. Zoning District and CUP Standards

The B-1 (Business Park/Office/Warehouse) District is intended to provide locations for office, warehouse, and related uses in a business park setting.

Section 1310.10 of the code indicates that the city may grant a CUP when the use is consistent with the Zoning Ordinance and Comprehensive Plan, and the City may impose conditions and safeguards to protect the health, safety and welfare of the community. Criteria for evaluating the proposed uses and developing conditions for the CUP include the following:

1. The proposed use is designated in Section 1350 of the development code as a conditional use in the appropriate zoning district.
2. The proposed use is consistent with the Newport Comprehensive Plan.
3. The proposed use will not be detrimental to or endanger the public health, safety or general welfare of the City, including the factors of noise, glare, odor, electrical interference, vibration, dust, and other nuisances; fire and safety hazards; existing and anticipated traffic conditions and parking facilities on adjacent streets and land.
4. The potential effects of the proposed use on surrounding properties, including valuation, aesthetics and scenic views, land uses, and character and integrity of the neighborhood.
5. The potential impacts of the proposed use on governmental facilities and services, including roads, sanitary sewer, water and police and fire.
6. The potential impacts on sensitive environmental features including lakes, surface and underground water supply and quality, wetlands, slopes, flood plains and soils.
7. The City may also consider whether the proposed use complies or is likely to comply in the future with all standards and requirements set out in other regulations or ordinances of the City and other governmental bodies having jurisdiction in the City.
8. In permitting a new conditional use, the City may impose additional conditions which it considers necessary to protect the best interest of the surrounding area or community as a whole.

This staff report evaluates the request for a Conditional Use Permit for the property located at 478 7th Avenue based on the City's zoning ordinance and related standards.

2. Proposed Use—Office/Warehouse with Commercial Use

The proposed use is permitted with a CUP in the B-1 District. The proposed use is consistent with the Zoning Ordinance.

3. Comprehensive Plan

The Comprehensive Plan supports the development of commercial and business park land uses along the Highway 61 corridor. It states that the Commercial/Business Park areas will include a variety of commercial, office, warehouse and light manufacturing uses. The plan includes goals to improve and balance the City's tax base and expand employment opportunities. It supports



the development of new business to improve the City's tax base and expand employment. The proposed use is consistent with the goals, land use and zoning maps included in the 2030 Comprehensive Plan.

4. Dimensional Standards, Setbacks, and Requirements

The dimensional standards and setbacks for the B-1 district that apply to the proposed site plan and the dimensions included in the plans are the following:

<u>Ordinance Requirement</u>	<u>Proposed Plan</u>
Minimum lot area: 15,000 square feet	5.18 and 9.64 acres
Minimum lot depth: 150 feet	690 feet and 1329 feet
Minimum lot width: 100 feet	380.22 and 100.65 feet
Maximum lot coverage (buildings): 30%	32.5%
Structure setbacks: Front yard: 20 ft.	± 90 ft. and 50 ft.
Side yard: 10 ft.	± 75 ft. and 60 ft.
Rear yard: 50 ft.	± 200 ft. and 160 ft.
Parking setbacks: Front yard: 20 ft.	± 15 and 22 ft.
Side yard: 5 ft.	± 125 ft. and 200 ft.
Rear yard: 5 ft.	± 45 ft.
Maximum building height: 40 feet	24-32 feet
Public utilities required, including sewer	Yes

The proposed site plan requires variances from the standard for lot coverage by buildings and the required front yard parking lot setback. The variance request is analyzed in the Variance section.

The sections that follow analyze the application in relation to criteria #3-6 in the zoning ordinance for evaluating Conditional Use Permit applications.

5. Traffic and Roadways

The site plan indicates that three driveways will provide access to and from the site from Hastings Avenue. The driveways are located at existing site access points. The application states that truck traffic to the site is expected to enter and exit from each of the three access points. The applicant estimated that the number of trips to and from the site could range from 400 to 1200 per day. Truck trips are expected to be 2 to 10 percent of the total trips generated.

County staff reviewed the proposed plan for the Newport Warehouses and provided the following comments:

- A Traffic Impact Study should be prepared and submitted to the City and County once businesses/tenants have been secured.
- The Developer shall continue to work with the county on any modifications to the site plan to address the sight distance issues at the southern access to the site.
- The new access points on Hastings Avenue will require a County Access Permit and a Right-of-Way permit for any grading and connections to any utilities in the roadway. Any change to the site plan must be reviewed by the county.
- The developer should provide adequate ponding on-site to ensure that post-development runoff rates do not exceed pre-development rates. A copy of the drainage



report or a statement by the developer's engineer to that effect would also be required prior to permit issuance.

The City Engineer also reviewed the design plans and provided the following comments:

1. The preferred inbound and outbound traffic route servicing the proposed warehouse should utilize the 70th Street South exit off Highway 61/10 and Hastings Avenue (County Road 38).
2. In reviewing the MnDOT construction plans for Hastings Avenue in both directions leading to the proposed development, there is not a specific statement regarding a design rating for the road. However, the pavement section and typical soils found in the area would suggest a 9-ton design for low volume commercial traffic (150 heavy commercial vehicles per day). Assuming that the commercial vehicle traffic does not produce an excess of 150 commercial vehicles per day, we would conclude that the Hastings Avenue is sufficient in both design and cross-section to handle the proposed development.
3. The applicant shall be responsible for obtaining a Washington County Right-of-way permit for the construction of proposed driveway accesses on County 38 (Hastings Avenue)

The Planner included proposed conditions for approval of the CUP that address the County and City Engineer comments.

6. *Parking Requirements and Driveways*

Parking Requirements. Section 1330.06 of the Zoning Ordinance includes standards for parking. The ordinance requires the following:

- Office uses: minimum 1 space per 250 square feet of gross floor area
- Warehouse uses: minimum 1 space per 2,000 square feet of gross floor area

Building 1

Based on the site plan that indicates approximately 7,200 square feet of office use and 136,800 square feet of warehouse use, the site would need a minimum of 29 parking spaces for the office use and 69 spaces for the warehouse use—a total of 98 spaces. The applicant is proposing 120 parking spaces for Building 1. The proposed parking shown on the site plan meets the code requirements.

Building 2

Based on the site plan that indicates approximately 8,300 square feet of office use and 74,700 square feet of warehouse use, the site would need a minimum of 34 parking spaces for the office use and 38 spaces for the warehouse use. The applicant is proposing 109 parking spaces for Building 2. The proposed parking shown on the site plan meets the code requirements.

Pavement and Driveways. The Zoning Ordinance requires that all parking, loading and service areas and driveways in Mixed-Use, Business and Industrial Districts be constructed of concrete, asphalt or similar durable and dustless surface that meets the City's Public Works Design Manual standards, and that the periphery of all parking areas and drives shall be constructed with poured-in-place concrete curbing unless otherwise approved by the City.



The site plan indicates that the parking areas will be paved with a combination of concrete and heavy-duty asphalt on truck areas. The site plan indicates that standard B 612 curb will surround the lots. The proposed paving and curb meet the ordinance requirements.

7. Building design and materials/Accessory Structures

Section 1330.05, Subd. 3 of the Zoning Ordinance lists the permitted exterior building materials that may be used in non-residential zoning districts. The applicant stated that “Building construction will be of precast concrete ranging in height from 24 feet to 32 feet typically.” The proposed material is consistent with exterior materials permitted in the Business Districts.

The exterior design of the buildings has not been completed. The applicant will complete the final design of the structures if the City approves the rezoning and conditional use permit.

No accessory structures are proposed.

The Planner included a proposed condition that the applicant shall provide the building plans, elevations and detailed building materials information to the City staff for approval prior to the approval of a building permit.

8. Exterior Storage Requirements

Section 1350.13 requires that no materials, products or equipment be stored outside of an enclosed building except for daily display of merchandise during store hours. The Planner has included a proposed condition for the CUP that no outside storage is permitted on the site. The performance standard related to “outside storage” does not include vehicle storage, which is addressed in another section of the ordinance.

9. Refuse and Recycling

Section 1350.13 requires that all refuse and recycling containers be stored in the principle structure or a fully enclosed accessory structure, and Section 1330.05 (Subd 10) further requires that dumpsters, trash, trash handling equipment and recycling equipment shall be stored within an enclosed accessory structure of the same materials as the principal structure. The site plan does not include a location for trash handling and recycling. The Planner has included a proposed condition for the CUP that refuse and recycling for the business shall meet the ordinance requirements.

10. Screening and Fencing Requirements

The ordinance requires that any vehicles parked for more than forty-eight hours shall be completely screened from residential uses, and screened from the eye-level view of public streets and from the public front and office sides of business and industrial uses.

The landscape plan (sheet L-101) identifies berms and a conifer screen on the north side of Building 1 and its parking area to provide screening from the residential properties to the north. The proposed screening meets the ordinance requirements.



11. Utility Equipment—Screening Requirements

The ordinance requires that all utility equipment (heating and ventilating equipment, meters, and similar equipment) shall be completely screened from eye-level view of adjacent properties and streets. If any utility equipment will be added to the structures, it must meet the ordinance requirement. The equipment and screening should be shown on the final building plans and elevations that the applicant submits to the City.

12. Lighting

The application did not include a lighting plan. The lighting on the site must meet the requirements of Subdivision 13 of Section 1330.05 of the ordinance to be “of a downcast, cutoff type, concealing the light source from view and preventing glare from spilling into residential areas.” The ordinance includes standards for light levels at the property lines.

The applicant shall submit a lighting plan to the City showing the proposed lighting locations and lighting fixtures. The lighting plan shall show the light levels at the site boundaries to meet the ordinance requirements. The City shall approve the lighting plan before approval of a building permit.

13. Signs

The application states that signs will be incorporated with the building exterior. The applicant will need to submit detailed design information for the proposed signs with the final plans for the exterior, and obtain a Sign Permit if required. All signage shall meet the ordinance requirements.

14. Landscaping

Section 1330.05, Subdivision 14 includes the landscaping requirements for commercial and office uses:

- At least one over-story tree shall be provided in the front yard for each fifty feet of lot frontage
- The landscape plan materials meet the requirements for physical characteristics such as hardiness and salt-tolerance, and the required proportions of coniferous/deciduous materials.
- The proposed landscape materials must meet the planting size requirements of the ordinance.
- There shall be a minimum of one tree for every 1,000 square feet of impervious surface area of parking lots, and parking lots for more than eight cars shall landscape 10 percent of the parking lot surface area.

The parcel has approximately 1256 feet of frontage on Ford Road. At one tree per 50 feet, the site plan requires 25 trees. The applicant is proposing 31 over-story trees along the frontage area. The proposed species are hardy in the Metro Area, and meet the size requirement of the ordinance.

The ordinance would require parking lot landscaping, include 4 trees (4,141 square feet of parking), plus 410 square feet of landscaped area. The primary reason for the parking lot landscaping is to help to shade the parking surfaces and improve the parking lot aesthetics.



The Planner suggests that since the boulevard trees and grassed areas are adjacent to the parking lots, and will provide shade and improve the appearance of the parking areas, the City may determine that the proposed landscaping meets the ordinance requirement for parking lot landscaping, since the total number of trees proposed addresses the requirements for boulevard trees and parking lot trees. The Planning Commission should discuss this issue and make a recommendation for the CUP.

15. Restricted Operations (noise, odor, glare, etc.) and Hours of Operation

Based on ordinance requirements, noise, odors, smoke and particulate matter should not exceed Minnesota Pollution Control Agency standards. Any glare, direct or reflected, from spotlights or activities on the site should not be visible beyond the property boundaries.

The site plan proposes the addition of coniferous trees between the parking areas to the north of the building and adjacent residential uses. The proposed screening will protect the residential uses from headlights and glare.

The application requests that the hours of operation for the office/warehouse use be 24 hours per day, 7 days per week. The Planning Commission should discuss whether hours of operation and whether any additional screening is needed. The Planner has included a condition that all trucks must enter and leave the site from Hastings Avenue between the hours of 7 p.m. and 7 a.m. to minimize noise and potential impacts to residential areas to the north of the site.

16. Signs

The application did not include plans for proposed signs, and noted that signs will be placed on the building exterior. A freestanding entry sign is permitted for this business. Signs must meet the ordinance requirements. The conditions include a requirement that the applicant obtain any required sign permits.

17. Infrastructure, Public Services, Health and Welfare

The City Engineer reviewed the site plans and provided the following comments regarding sewer and water services to the site:

1. A private lift station has been proposed by the applicant to provide sanitary sewer service to the property. This is not the preferred method of providing sanitary sewer service to a commercial development. However, given the proximity and elevation of the City's existing sewer infrastructure and MnDOT's storm sewer infrastructure bisecting the site, the utilization of a private lift station appears to be an acceptable solution provided that the following conditions are met:
 - a. The applicant shall install an isolation valve on the forcemain immediately prior to connection to the City's sanitary sewer manhole.
 - b. The applicant shall provide a connection detail for the forcemain and the existing manhole for City approval with the final construction plans.
 - c. The applicant shall obtain a Right of Way permit from Washington County for the portion of force main constructed in the County 38 (Hastings Avenue)ROW.
 - d. The applicant shall prepare and submit for City approval a maintenance agreement for the operation of the station and ancillary infrastructure.



2. The applicant has proposed the use of an above-ground water storage facility to provide fire suppression supply for the proposed structures. Design and construction of the facility shall be in accordance with the MN Department of Health and MN Plumbing Code. The City shall retain ownership of the water distribution system including all hydrants, valve and piping. All facilities shall be constructed within an easement to the benefit of the City.

The Planner has included a condition that the applicant shall address the Engineer's comments in the final plans for the development.

18. Stormwater Management

The City Engineer reviewed the stormwater plan for the site, and provided the following comments:

1. The Stormwater System and Modeling Summary submitted for review by the applicant appears to increase the peak discharges by a marginal amount during the net 2-year rain events on the entire site while reducing the net peak runoff rates for large events (10- & 100-year). However, the peak runoff rates directed toward the existing regional treatment pond increase under each rain event modeled. Modifications to the regional pond and drain basin are subject to review and approval from MnDOT Water Resources. A copy of the applicant's report has been submitted to MnDOT and we are awaiting formal comment.
2. The Stormwater System and Modeling Summary also appears to meet the South Washington Watershed District's rules for volume reduction and total nutrient loading. The summary has been submitted to the District for their review and concurrence.
3. All stormwater treatment facilities shall be constructed within a drainage and utility easement granted to the City and include a minimum 10-foot side lot and 20-foot rear lot easements.
4. Applicable storm water BMP's shall be in-place prior to beginning any construction related activities. Particular emphasis shall be made to slopes directed toward existing stormwater management facilities.

A copy of the application was forwarded to the South Washington Watershed District for review. SWWD staff had no comment on the CUP application. The Engineer indicated that his comments do not need to be addressed prior to review by the Planning Commission and approval by the Council, and recommended that they be included in the list of conditions for approval. The Planner has included conditions that the project shall submit final stormwater plans to the City Engineer for approval, and shall obtain all required State and Local permits for stormwater management.

FINDINGS FOR THE CONDITIONAL USE PERMIT REQUEST

1. The proposed use is designated in Section 1350 of the development code as a conditional use in the B-1 Zoning District.
2. The proposed use is consistent with the Newport Comprehensive Plan, which supports the development of business and commercial uses in the areas along Highway 61.
3. The conditions for approval of the proposed use include requirements for development and operation of the site so that the proposed use will not be detrimental to or endanger the public health, safety or general welfare of the City, including the potential impacts of



noise, glare, dust, and other nuisances; fire and safety hazards; and existing and anticipated traffic conditions and parking facilities.

4. The development of the property with Office/Warehouse use will have positive results for the City.
5. The proposed use will have no negative impacts governmental facilities and services, including roads, sanitary sewer, water and police and fire.
6. In permitting a new conditional use, the City has adopted conditions which it considers necessary to protect the best interest of the surrounding area or community as a whole.

The Planner finds that with proposed conditions, the request meets the ordinance requirements for a Conditional Use Permit.

VARIANCE REQUEST

The applicant is requesting variances from two requirements of the Zoning Ordinance:

- A variance to allow buildings on the site to cover 32.5% of the site, above the 30% requirement in the Ordinance.
- A variance to permit the front parking lot for Building 1 to be setback from Hastings Avenue 15 feet rather than the 20 feet required by the Zoning Ordinance.

The applicant's rationale for the variance from the building coverage requirement notes that the stormwater pond area that will serve the property is not included within the parcel. The City will permit the applicant to utilize the adjacent pond rather than construct a new pond. Stormwater areas would typically be included within the site, and if the adjacent stormwater area serving the site were included in the calculation, the lot coverage by buildings would be 30% or less, and meet the requirement.

The applicant's rationale for the variance from the parking lot setback is based on the following:

- The need to meet the City's parking lot dimensional requirements, and
- Grades on the site that restrict the building and parking area location. The buildings cannot be moved further to the east without creating excessively-steep slopes between the parking areas and existing stormwater pond.

ORDINANCE REQUIREMENTS FOR EVALUATING A VARIANCE REQUEST

Section 1310.11 of the Zoning Ordinance states that the City may approve variances if they meet the following criteria:

- Granting the variance is consistent with the Comprehensive Plan, and in harmony with the general purposes and intent of the zoning ordinance.
- Strict enforcement of the zoning ordinance would result in "practical difficulties," which are defined as follows:
 - The property owner is proposing to use the property in a reasonable manner that is not permitted by the Zoning Ordinance.
 - The plight of the landowner is due to circumstances unique to the property and not created by the landowner.
 - Granting the variance will not alter the essential character of the locality.
 - Economic conditions alone shall not constitute the practical difficulties.



- Granting the variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of public streets, or increase the danger of fire, or endanger public safety, or substantially diminish or impair property values within the neighborhood.
- The requested variance is the minimum action required to eliminate the practical difficulty.
- Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

Findings

The following are the Planner's findings based on the request and the conditions for approving a variance:

- *Variances shall only be permitted when they are consistent with the Comprehensive Plan and in harmony with the general purposes and intent of the official control.*

The proposed use is consistent with the Comprehensive Plan goals for the Business Districts in Newport, and with the general intent of the Zoning Ordinance to permit Office/Warehouse uses in the B-1 District, manage stormwater to meet state and local requirements, to require that uses meet the City's parking lot dimensional requirements, and that owners manage the environmental impacts of proposed development, such as impacts to slopes. The requested variance is therefore consistent with the goals of the Comprehensive Plan and in harmony with the general purposes of the Zoning Ordinance.

- *The proposed use is reasonable.*

Office/Warehouse is a permitted uses with a CUP in the B-1 Zoning District. Therefore, the proposed use is a reasonable use.

- *The request is due to circumstances that are unique to the property, and were not created by the landowner.*

The practical difficulty related to the building coverage result from a unique condition to this property that the stormwater management will occur outside the parcel, and the pond and adjacent vegetated areas are not included in lot coverage calculations as they would be on most sites. The existing site is also unique in that the current coverage by impervious surfaces is nearly 100% of the parcel, so the increased coverage proposed will not create additional stormwater impacts.

The practical difficulty related to the parking lot setback is created by the existing slopes on the parcel and between the parcel and adjacent stormwater pond that make it impractical to move the buildings and parking areas further to the east in order to meet the require setback. The circumstances that create the practical difficulties are unique to the parcel, and owner/applicant did not create the practical difficulties.

- *The variance, if granted, will not alter the essential character of the area.*



The existing impervious coverage on the site is nearly 100%. The minor increase in building coverage over the 30% permitted in the Zoning Ordinance will not alter the essential character of the area. The proposed parking area is adjacent to Hastings Avenue, and the reduction in setback will not change the character of the frontage along Hastings Avenue. Granting the variance will not alter the essential commercial and impervious character of the area.

- *Economic considerations alone do not constitute practical difficulties.*

The variance request is based on difficulties and unique circumstances created by the location of the existing stormwater pond, and slopes on the site and adjacent parcel. The practical difficulties are not due to economic considerations alone.

- *The proposed variance will not impair an adequate supply of light and air to adjacent properties, substantially increase the congestion of public streets, increase the danger of fire or endanger public safety, or substantially diminish or impair property values within the neighborhood.*

Granting the variance will not impair the supply of light or air to adjacent properties, increase street congestion, increase the danger of fire or endanger public safety, or impair property values within the neighborhood.

- *The requested variance should be the minimum action required to eliminate the practical difficulty.*

Granting the variance will permit a minor increase in building coverage on the site. If the area of stormwater pond serving the site is considered in the parcel coverage, as it is on most development projects, the site would meet the coverage requirement. The variance from the parking lot setback requirement is the minimum needed for the proposed use to meet the City's parking lot dimensional standards for parking spaces and drive aisles, while maintaining existing slopes adjacent to the stormwater pond. The variance is the minimum action required to eliminate the practical difficulty.

- *Practical difficulties include, but are not limited to inadequate access to direct sunlight for solar energy systems.*

Granting the variance request will not affect access to direct sunlight for solar energy systems.

The findings support granting the variance.

ACTION REQUESTED FOR THE CUP and VARIANCE REQUEST:

The Planning Commission can recommend:

1. Approval
2. Approval with conditions
3. Denial with findings
4. Table the request



PLANNING STAFF RECOMMENDATIONS:

The Planner recommends that the Planning Commission recommend to the City Council approval of the Scannell Newport Office/Warehouse Development request for the site at 910 Hastings Avenue, with the following conditions:

1. The Applicant shall submit Final Plans that are substantially in conformance with the plans that were submitted to the City on January 14, 2016. The Plans shall include building plans, elevations, and detailed information on exterior building design and materials that are consistent with the City's performance standards, and the additional information requested by the City Engineer. The Building Plans shall be approved prior to approval of a building permit.
2. The applicant shall direct traffic to and from the site to utilize the 70th Street South exit of Highway 61/10 and Hastings Avenue (County Road 38) to access the site from the south rather than the north.
3. Maximum truck loads serving the site may not exceed nine (9) tons in weight year-round.
4. The applicant shall prepare a Traffic Impact Study and submit the study to the City and County once businesses/tenants have been secured.
5. The Developer shall continue to work with the county on any modifications to the site plan to address the sight distance issues at the southern access to the site.
6. The applicant shall obtain a County Access permit and Right-of-Way permit for the new access points on Hastings Avenue for any grading and connections to any utilities in the roadway. Any change to the site plan shall be reviewed by the county.
7. The developer shall provide adequate ponding on-site to ensure that post-development runoff rates do not exceed pre-development rates. A copy of the drainage report or a statement by the developer's engineer to that effect shall be provided to the county prior to the county Access Permit and Right-of-way permit issuance.
8. All trucks must enter and leave the site from Hastings Avenue between the hours of 7 p.m. and 7 a.m. to minimize noise and potential impacts to residential areas to the north of the site.
9. The use at the site shall be permitted to operate on a twenty-four (24)-hours per day, seven (7) days per week schedule.
10. No outside storage is permitted on the site.
11. All trash and recycling equipment shall be stored within a closed structure. The materials used to construct the trash enclosure shall be the same materials used on the exterior of the principal structure.
12. Vehicles parked for more than forty-eight (48) hours must be screened from the eye-level view of public streets and adjacent residential areas.



13. Lighting shall conform to the ordinance requirements. The applicant shall submit a lighting plan to the City for approval prior to approval of a building permit.
14. Any utility equipment installed at the site must meet the ordinance requirements.
15. The applicant shall apply to the City for a permit for sign(s) proposed as the site. All signs shall meet the ordinance requirements.
16. The applicant shall install an isolation valve on the forcemain immediately prior to the connection to the City's sanitary sewer manhole.
17. The applicant shall provide a connection detail for the forcemain and the existing manhole for City approval with the final construction plans.
18. The applicant shall obtain a Right-of-way permit from Washington County for the portion of forcemain constructed in the Hastings Avenue (County 38) right-of-way.
19. The applicant shall prepare and submit for city approval a maintenance agreement for the operation of the lift station and ancillary infrastructure.
20. Design and construction of the above-ground water storage facility to provide fire suppression supply for the structures shall be in accordance with the Minnesota Department of Health regulations and Minnesota Plumbing code. The City shall retain ownership of the water distribution system, including all hydrants, valves and piping. All facilities shall be constructed within an easement to the benefit of the City.
21. The applicant shall submit final plans and modeling for stormwater management facilities to the City Engineer for review and approval. Modifications to the existing regional pond and drainage basin are subject to review and approval from MnDOT's Water Resources staff.
22. The applicant shall obtain all required State, Watershed, and City permits for stormwater management.
23. All stormwater treatment facilities shall be constructed within a drainage and utility easement granted to the City, and include minimum 10-foot side lot and 20-foot rear lot easements.
24. Applicable stormwater Best Management Practices shall be in-place prior to beginning any construction-related activities. The applicant shall submit plans identifying any changes or impacts to slopes directing water toward the existing stormwater management facilities for review and approval by the City Engineer.
25. The applicant shall pay all fees and escrow associated with this application.





PROFESSIONAL SERVICES

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Memo

To: Ms. Deb Hill, City Administrator
Ms. Sherri Buss, City Planner

From: Jon Herdegen, P.E. – City Engineer

Subject: Newport Warehouses Development – Raceway to Fun Site

Date: February 1, 2016

We have reviewed the Planning Request Application and preliminary site plans prepared by Wenck Associates for the Newport Warehouses Development located at the existing Raceway to Fun site along the east side of Hastings Avenue. The application documents are generally consistent with the applicable standards outlined in the Newport City Code and Public Works Design Manual. We offer the following comments for your review and consideration:

1. The preferred inbound and outbound traffic route servicing the proposed warehouse should utilize the 70th Street South exit off Highway 61/10 and Hastings Avenue (County Road 38).
2. In reviewing the MnDOT construction plans for Hastings Avenue in both directions leading to the proposed development, there is not a specific statement regarding a design rating for the road. However, the pavement section and typical soils found in the area would suggest a 9-ton design for low volume commercial traffic (150 heavy commercial vehicles per day). Assuming that the commercial vehicle traffic does not produce an excess of 150 commercial vehicles per day, we would conclude that the Hastings Avenue is sufficient in both design and cross-section to handle the proposed development.
3. The applicant shall be responsible for obtaining a Washington County Right-of-way permit for the construction of proposed driveway accesses on County 38 (Hastings Avenue)
4. A private lift station has been proposed by the applicant to provide sanitary sewer service to the property. This is not the preferred method of providing sanitary sewer service to a commercial development. However, given the proximity and elevation of the City's existing sewer infrastructure and MnDOT's storm sewer infrastructure

Offices in Illinois, Iowa, Minnesota, and Wisconsin

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Page 1 of 2

MEMO

February 1, 2016

bisecting the site, the utilization of a private lift station appears to be an acceptable solution provided that the following conditions are met:

- a. The applicant shall install an isolation valve on the forcemain immediately prior to connection to the City's sanitary sewer manhole.
 - b. The applicant shall provide a connection detail for the forcemain and the existing manhole for City approval with the final construction plans.
 - c. The applicant shall obtain a Right of Way permit from Washington County for the portion of force main constructed in the County 38 (Hastings Avenue)ROW.
 - d. The applicant shall prepare and submit for City approval a maintenance agreement for the operation of the station and ancillary infrastructure.
5. The applicant has proposed the use of an above-ground water storage facility to provide fire suppression supply for the proposed structures. Design and construction of the facility shall be in accordance with the MN Department of Health and MN Plumbing Code. The City shall retain ownership of the water distribution system including all hydrants, valve and piping. All facilities shall be constructed within an easement to the benefit of the City.
 6. The Stormwater System and Modeling Summary submitted for review by the applicant appears to increase the peak discharges by a marginal amount during the net 2-year rain events on the entire site while reducing the net peak runoff rates for large events (10- & 100-year). However, the peak runoff rates directed toward the existing regional treatment pond increase under each rain event modeled. Modifications to the regional pond and drain basin are subject to review and approval from MnDOT Water Resources. A copy of the applicant's report has been submitted to MnDOT and we are awaiting formal comment.
 7. The Stormwater System and Modeling Summary also appears to meet the South Washington Watershed District's rules for volume reduction and total nutrient loading. The summary has been submitted to the District for their review and concurrence.
 8. All stormwater treatment facilities shall be constructed within a drainage and utility easement granted to the City and include a minimum 10-foot side lot and 20-foot rear lot easements.
 9. Applicable storm water BMP's shall be in-place prior to beginning any construction related activities. Particular emphasis shall be made to slopes directed toward existing stormwater management facilities.

If you have any questions or concerns with the comments above, please contact me directly to discuss. Thank you.



Public Works Department

Donald J. Theisen, P.E.
Director

Wayne H. Sandberg, P.E.
Deputy Director/County Engineer

February 4, 2016

Sherry Buss
Planner
City of Newport
596 Seventh Ave.
Newport, MN 55055-9798

SCANNELL PROPERTIES WAREHOUSE/OFFICE PROPOSAL, 910 HASTINGS AVENUE, NEWPORT

Dear Ms. Buss:

We have reviewed the site plan dated January 2016 and the application materials you provided for the Scannell development proposal in the City of Newport. The project includes construction of two office/warehouse structures with access along CSAH 38 (Hastings Avenue).

The applicant has indicated that there could be 40 to 150 employees, and depending on end user, vehicle trips could range from 400 per day to 1200 per day. They further state that trips generated by office/warehouse developments typically range from 2 to 10 percent of the total trip generation. Truck traffic is expected to enter and exit from each of the three access points. Since this was a broad traffic analysis, a more detailed traffic impact study (TIS) should be prepared once businesses/tenants have been secured and truck routes identified. The following condition of approval should be considered:

- A Traffic Impact Study should be prepared and submitted to the City and County once businesses/tenants have been secured.

In review of the access points on CSAH 38, there is concern regarding the sight distance at the southern access. County staff reviewed the location in the field and have notified the developer. Another condition of approval should be considered to address this issue:

- The Developer shall continue to work with the county on the any modifications to the site plan to address the site distance issues at the southern access to the site.

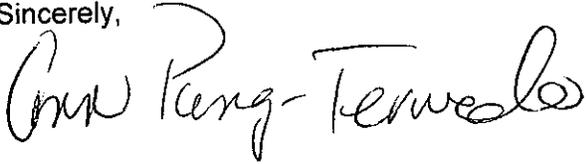
It appears that the access on Hastings Avenue is located at a point where there is currently a center left turn lane. The new access points on Hastings Avenue will require a County Access permit and a Right-of-Way permit for any grading and connections to any utilities in the roadway. Any change to the site plan must be reviewed by the county.

Scannell Development
February 4, 2016
Page 2

The developer should provide adequate ponding on-site to ensure that post-development runoff rates do not exceed pre-development rates. A copy of the drainage report or a statement by the developer's engineer to that effect would also be required prior to permit issuance.

Please contact me at 651-430-4362, or by e-mail at ann.pung-terwedo@co.washington.mn.us if you have any questions or comments.

Sincerely,

A handwritten signature in black ink that reads "Ann Pung-Terwedo". The signature is written in a cursive style with a large initial "A" and "P".

Ann Pung-Terwedo
Senior Planner

C: Carol Hanson, Office Specialist

R:\Plat Reviews\Newport

City of NEWPORT Planning Request Application

Newport City Hall ♦ 596 7th Avenue ♦ Newport ♦ Minnesota ♦ 55055 ♦ Telephone 651-459-5677 ♦ Fax 651-459-9883

Application Date: January 14, 2016 Public Hearing Date _____

Applicant Information

Name: Scannell Development Company Telephone: 763-331-8853
Mailing Address: 800 E. 96th Street, Suite 175 Telephone: _____
City/State/Zip: Indianapolis, IN 46420

Property Owner Information

Name: Richard and Elaine Oftedahl/Raceway Productions, Inc. Telephone: 651-769-8751
Mailing Address: 1144 5th Ave Telephone: _____
City/State/Zip: Newport, MN 55055

Project Information

Location of Property: 910 Hastings Avenue
Legal Description of Property (Must match description on the Deed) and P.I.D. #: _____
PID's: 3602822340034; 3602822340035; 3602822340036
See attached for legal descriptions

- Zoning District: B-1 Flood Plain: **AE 0.2% Annual Chance Flood Hazard**
- | | |
|--|---|
| <input type="checkbox"/> Comprehensive Plan Amendment | \$500 or Actual Cost plus \$50 for Additional Staff Hours (10 Hr Min) |
| <input type="checkbox"/> Rezoning | \$500 plus Escrow |
| <input type="checkbox"/> Zoning Amendment | \$500 |
| <input checked="" type="checkbox"/> Variance | \$300 plus Escrow |
| <input checked="" type="checkbox"/> Conditional Use Permit | |
| <input type="checkbox"/> Residential | \$300 plus Escrow |
| <input checked="" type="checkbox"/> Commercial | \$450 plus Escrow |
| <input type="checkbox"/> Subdivision Approval | |
| <input type="checkbox"/> Minor Subdivision | \$300 plus Escrow and Parkland Dedication Fee |
| <input type="checkbox"/> Major Subdivision | \$500 plus Escrow, \$50 per Lot, \$200 for Final Plat, and 10% of land value or fee for Parkland Dedication Fee |
- Other: _____
 Applicable Zoning Code Chapter: _____
 Review by Engineer Cost: _____
 Total Cost: _____

Escrow Fees

The City of Newport requires that any developer or every person, company, or corporation that is seeking a planning request must first submit detailed plans to the City. The person submitting the planning request must also submit prepayment to the City to cover any expenses that the City incurs by investing extensive amounts of time reviewing these plans. All unused escrow fees will be returned to the applicant upon completion of the request. Additionally, if actual costs are above the paid escrow, the applicant will be required to pay the additional amount. The fees are as follows:

Planning Request	Escrow Fee
Rezoning	\$500
Street/Alley Vacation	\$1,000
Residential Variance	\$500
Commercial Variance	\$1,000
Residential Conditional Use/Interim Use Permit	\$750
Commercial Conditional Use/Interim Use Permit	\$1,000
Preliminary Plat Under 10 Acres	\$3,500
Preliminary Plat Over 10 Acres	\$6,500
Residential Minor Subdivision, Major Subdivision, Site Plan Review, Final Plat, and Planned Unit Development:	
8 Units or Less	\$2,000
9 to 40 Units	\$3,200
41 Units or More	\$4,500
Commercial Minor Subdivision, Major Subdivision, Site Plan Review, Final Plat, and Planned Unit Development:	
0 to 5,000 Square Foot Building	\$2,000
5,001 to 10,000 Square Foot Building	\$3,000
10,001 to 50,000 Square Foot Building	\$3,750
50,000 Plus Square Foot Building	\$4,500

Typical escrow costs include reviewing the application to ensure that State Statutes and the City Codes are followed, preparing the staff report, findings, and recommended conditions for both the Planning Commission and City Council, and communicating with the applicant as needed to complete the staff report. The average fee is \$100 per hour for the Planner and \$70 per hour for the Engineer.

Present Use of Property: _____

Commercial Go-Kart Facility is located on the north most parcel and
the south and east most parcels are vacant land.

State Reason for Planning Request: _____

Pursuant to Section 1350 of the zoning ordinance, Warehousing is an allowed
use with a Conditional Use Permit (CUP) within the B-1 zoning district.

The applicant is requesting a CUP be granted for office/warehousing use on this property.

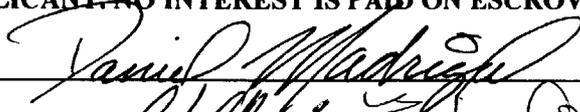
The applicant is also requesting a variance for lot coverage by building structure.

B-1 zoning allows for 30% building coverage and the applicant is requesting 32.5%.

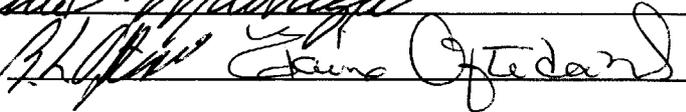
ALL MATERIALS/DOCUMENTATION, INCLUDING A SITE-PLAN, MUST BE SUBMITTED WITH APPLICATION THAT IS APPLICABLE TO PLANNING REQUEST.

I HEREBY APPLY FOR CONSIDERATION OF THE ABOVE DESCRIBED REQUEST AND DECLARE THAT THE INFORMATION AND MATERIALS SUBMITTED WITH THE APPLICATION ARE COMPLETE AND ACCURATE. I UNDERSTAND THAT APPLICANTS ARE REQUIRED TO REIMBURSE THE CITY FOR ALL OUT-OF-POCKET COSTS INCURRED FOR PROCESSING, REVIEWING, AND HEARING THE APPLICATION. THESE COSTS SHALL INCLUDE, BUT ARE NOT LIMITED TO: PUBLICATION AND MAILING OF NOTICES, REVIEW BY THE CITY'S ENGINEERING, PLANNING AND OTHER CONSULTANTS; LEGALS COSTS, AND RECORDING FEES. AN ESCROW DEPOSIT TO COVER THESE COSTS WILL BE COLLECTED BY THE CITY AT THE TIME OF APPLICATION. ANY BALANCE REMAINING AFTER REVIEW IS COMPLETE WILL BE REFUNDED TO THE APPLICANT. NO INTEREST IS PAID ON ESCROW DEPOSITS

SIGNATURE OF APPLICANT: _____



SIGNATURE OF OWNER (IF APPLICABLE): _____



For Office Use

Fee: _____ Date Paid: _____ Receipt #: _____

Publication of Notice Date: _____

Public Hearing Date: _____

P.C. Resolution #: _____

Council Action Date: _____

Council Resolution #: _____

LEGAL DESCRIPTION:

Parcel A:

That part of the Southwest Quarter of Section 36, Township 28 North, Range 22 West, Washington County, Minnesota, described as follows: Beginning at the southwest corner of Lot 10, Block 17, Newport Park Addition, according to the recorded plat thereof, Washington County, Minnesota; thence on an assumed bearing of South 89 degrees 22 minutes 01 seconds West along the westerly extension of the south line of said Lot 10 a distance of 20.65 feet to the easterly right of way line of U.S. Highway No. 10 and 61; thence South 05 degrees 52 minutes 25 seconds East along said right of way line a distance of 164.32 feet; thence continuing southeasterly along said right of way line on a tangential curve concave to the east having a radius of 2696.93 feet and a central angle of 04 degrees 47 minutes 00 seconds an arc distance of 225.15 feet; thence continuing along said right of way line on a tangent to said curve, South 10 degrees 39 minutes 25 seconds East a distance of 233.18 feet; thence North 80 degrees 00 minutes 00 seconds East a distance of 380.00 feet; thence North 08 degrees 53 minutes 08 seconds West a distance of 560.30 feet to the south line of said Newport Park Addition; thence South 89 degrees 22 minutes 01 seconds West a distance of 359.35 feet to the point of beginning.

EXCEPT that part thereof shown as Parcel 15 on Minnesota Department of Transportation Right of Way Plat No. 82-92.

Parcel B:

That part of the Southeast Quarter of the Southwest Quarter of Section 36, Township 28, Range 22, Washington County, Minnesota, described as follows: Commencing at the northeast corner of the Southeast Quarter of the Southwest Quarter of said Section 36; thence on an assumed bearing of South 89 degrees 37 minutes 28 seconds West a distance of 954.70 feet to the east right-of-way line of U.S. Highway No. 10 and No. 61; thence South 05 degrees 52 minutes 25 seconds East along said east right-of-way line a distance of 164.96 feet; thence continuing southeasterly along said right-of-way line along a tangential curve, concave to the East, having a radius of 2696.93 feet and a central angle of 4 degrees 47 minutes 00 seconds for an arc distance of 225.15 feet; thence South 10 degrees 39 minutes 25 seconds East along said east right-of-way line a distance of 233.18 feet to the point of beginning of the tract to be described; thence North 80 degrees 00 minutes 00 seconds East a distance of 380.00 feet; thence North 08 degrees 53 minutes 08 seconds West a distance of 559.21 feet to the north line of the Southeast Quarter of the Southwest Quarter of said Section 36; thence North 89 degrees 37 minutes 28 seconds East along said north line a distance of 100.65 feet to a point on said north line which lies 473.83 feet west of the northeast corner of the Southeast Quarter of the Southwest Quarter of said Section 36; thence South 11 degrees 17 minutes 43 seconds East a distance of 1341.95 feet to a point on the south line of the Southeast Quarter of the Southwest Quarter of said Section 36 which lies 216.89 feet west of the southeast corner of the Southeast Quarter of the Southwest Quarter of said Section 36; thence South 89 degrees 36 minutes 28 seconds West along said south line a distance of 475.06 feet to the east right-of-way line of U.S. Highway No. 61 and No. 10; thence northwesterly along the east right-of-way line of U.S. Highway No. 61 and No. 10 to the point of beginning and there terminating.

EXCEPT that part lying north of the south line of Newport Park Addition, according to the recorded plat thereof, Washington County, Minnesota, as monumented, and more particularly described as commencing at the northeast corner of the Southeast Quarter of the Southwest Quarter of said Section 36; thence on an assumed bearing of South 89 degrees 37 minutes 28 seconds West a distance of 954.70 feet to the east right-of-way line of U.S. Highway No. 10 and 61, also the point of beginning of the line to be described; thence South 6 degrees 31 minutes 28 seconds East along said easterly right-of-way a distance of 0.66 feet; thence North 89 degrees 22 minutes 31 seconds East a distance of 20.65 feet; thence North 89 degrees 34 minutes 47 seconds East a distance of 460.22 feet and there terminating.

AND ALSO EXCEPT that part thereof shown as Parcel 14 on Minnesota Department of Transportation Right of Way Plat No. 82-92.
Abstract Property

Parcel C:

That part of the Southeast Quarter of the Southwest Quarter of Section 36, Township 28, Range 22, Washington County, Minnesota, described as follows: Beginning at a point on the north line of said Southeast Quarter of the Southwest Quarter, distant 392.63 feet west from the northeast corner thereof; thence South 89 degrees 37 minutes 28 seconds West, along said north line, a distance of 81.20 feet, to a point distant 473.83 feet west from said northeast corner; thence South 11 degrees 17 minutes 43 seconds East a distance of 1342.04 feet to a point on the south line of said Southeast Quarter of the Southwest Quarter, distant 216.89 feet west from the southeast corner of said Southeast Quarter of the Southwest Quarter; thence North 07 degrees 51 minutes 21 seconds West a distance of 1329.05 feet to the point of beginning, Washington County, Minnesota.

(All abstract Property)



Conditional Use Permit Application Checklist

Conditional Use Permits are covered under Section 1310.10 of the Zoning Code. Please note that conditional use permits expire one year after approval if the owner or occupant does not substantially complete the erection or alteration of a building or structure as approved. Please provide the following information with your application for an Conditional Use Permit.

GENERAL REQUIREMENTS:

INCLUDED IN SUBMITTAL

- | | | | | |
|--|-------------------------------------|-----|--------------------------|----|
| 1. Application Form | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 2. Fees | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 3. Escrow | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 4. Complete legal description and PID number of all parcels included in the request. The legal descriptions must be copied directly from the deed and provided in a word document. | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 5. A full description of the request—proposed use of the site, activities proposed, hours of operation, etc. (either on the application form or in a letter) | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 6. A map, aerial photo or plan showing the parcel in question and all property within five hundred (500) feet of the parcel boundaries | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 7. Site Plan | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
- One (1) 11"x17" hard copy and/or one (1) electronic copy. The City may require a larger size plan if needed to adequately review the request.

Plan Sheet Requirements:

- Title block
- Name, address, phone number for owner, developer, surveyor, engineer
- Date of preparation and revision dates
- North Arrow
- Graphic scale not less than 1:100

SITE PLAN REQUIREMENTS - EXISTING AND PROPOSED:

INCLUDED IN SUBMITTAL

- | | | | | |
|--|-------------------------------------|-----|--------------------------|----|
| 1. Property lines and dimensions | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 2. Area in acres and square feet | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 3. Existing and proposed building and parking locations and dimensions | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 4. Existing and proposed setbacks | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 5. Buildable area and the existing and proposed area of the parcel(s) covered by impervious surfaces | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 6. Existing and proposed driveways | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |
| 7. Stormwater analysis and proposed best management practices, if required | <input checked="" type="checkbox"/> | YES | <input type="checkbox"/> | NO |

by the City Engineer

- | | | |
|---|---|--|
| 8. Septic system and well (if applicable) | <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO |
| 9. Vegetation and landscaping (if applicable to the request) | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| 10. Wetland delineation (if applicable) | <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO |
| 11. Topographic contours at 2-foot intervals, bluff line (if applicable) | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| 12. Waterbodies, Ordinary High Water Level and 100 year flood elevation (if applicable) | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| 13. Other proposed improvements and additional information relevant to the request | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |

Technical Memo



Responsive partner.
Exceptional outcomes.

To: City of Newport
From: Jared Ward, Wenck Associates
Copy: Daniel Madrigal, Scannell Properties
Date: January 14, 2016

Subject: 910 Hastings Avenue CUP Request, Newport, MN - Supplemental Information

This memo is provides additional information regarding the proposed development 910 Hastings Avenue in the City of Newport, MN

Conditional Use Permit

Scannell is proposing office/warehousing use at the subject property, which is currently zoned B-1, Business Park/Office/Warehouse. In accordance with Section 1350 of the Newport zoning ordinance, office/warehousing is an allowed use with approval of a Conditional Use Permit within the B-1 zoning district.

In accordance with the City's specific intent of the Business Park/Office/Warehouse District, Scannell is excited to provide a business park setting with office/warehouse use for this parcel.

Variance Request

Lot Coverage by Building Structure: Scannell is requesting a variance for lot coverage by a building structure. The current zoning allows for 30% building structure coverage of the lot and the request is to allow 32.5% building structure coverage.

Not included in the calculations of lot coverage for this property is the existing stormwater pond that abuts the east edge of the property. This stormwater pond currently, and in the future, provides for treatment of the stormwater runoff from the site. Including that portion of the stormwater treatment area needed for this development into the coverage calculations would reduce the building coverage to, or below 30%.

As previously discussed with Newport staff, this property is fronting Hasting's Avenue (Co. Rd. 38), with a MX-4 General use to the north, future B-1 use to the south and the Bluffland to the east significantly reduces impacts to residential districts. There is a residential district to the northeast of the property that is well screened by existing vegetation and proposed to be supplemented with additional screening with this development.

Parking Setback: Scannell is requesting a variance for parking setback for the front yard, located along Hastings Avenue from 20 feet to 15 feet. The north building parking lot encroaches into the front yard parking setback 1 to 5 feet. Due to the location and elevation of the existing pond at the rear of the building, adjusting the building and site further to the east is not practical. The current parking stall and isle widths are provided at the minimum allowed.

Proposed Uses and Building Materials

The proposed use for the buildings is anticipated to be warehouse distribution with an office component. Building construction will be of precast concrete ranging in height from 24 feet to 32 feet typically. Signage will be incorporated with the building exterior.

The number of employees is estimated to range from 40 to 150 between the two buildings. This type of use typically calls for 24 hours of operation.

Expected Traffic

40 to 150 employees, and depending on end user, trips could range from 400 per day to 1200 per day. Truck trips generated by office/warehouse developments typically range from 2 to 10 percent of the total trip generation. Truck traffic is expected to enter and exit from each of the three access points.

Sanitary Sewer Service

Scannell has investigated options for serving the site with sanitary sewer. Due to the elevations of existing infrastructure and the shallow bedrock within the site, the current approach is to provide a private lift station contained within the site and route sanitary sewer flows through a forcemain within Hastings Avenue ROW and discharge into an existing sanitary sewer structure at the intersection of Tibbet and Hastings Avenue.

Through final design Scannell will work with the City of Newport and Washington County to conform with City and County standards and explore any other options that may be practical.

Water Supply/Service

Scannell worked with City staff to understand available water connection points and associated flows and pressures. Due to the insufficient watermain infrastructure available adjacent to the site and the current fire protection requirements, the fire flow requirements are not able to be achieved by relying strictly on City connections. Therefore supplemental tank will be required on the site to provide adequate fire flow protection to the proposed development. This tank is proposed to be located in the SE corner of the site. The tank size will be determined during the final design of the site and the structures, but is preliminarily estimated to be approximately 100,000 gallons in size. Typical dimensions for this size of tank are 30 feet in diameter, and up to 30 feet in height. Due to shallow bedrock on the site, the tank is required to be above ground.

Through final design, Scannell will work with the City of Newport to conform with City standards and explore any other options that may be practical to supply adequate fire protection.

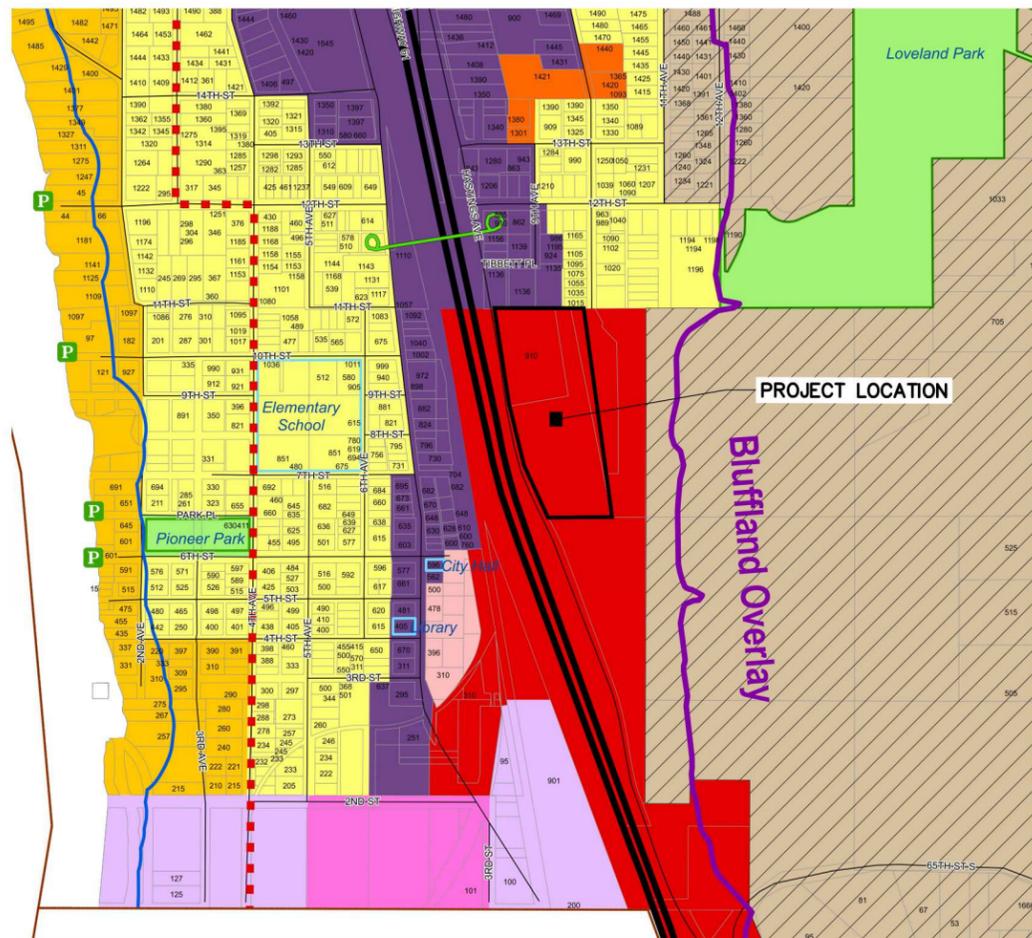
Stormwater Management

Scannell has worked with City staff and the South Washington Watershed District to understand the stormwater requirements and comply with those requirements through preliminary design of the site.

The requirements include Stormwater Peak Runoff Rate, Stormwater Runoff Volume, and Stormwater Quality. These requirements are being met through a combination of pre-treatment, filtration and ponding. Due to shallow bedrock infiltration is not an option for treatment.

Through final design, Scannell will work with the City of Newport and the South Washington Watershed District to conform with City and watershed district standards.

NEWPORT WAREHOUSES CIVIL SITE DESIGN NEWPORT, MN JANUARY 2016



INDEX OF SHEETS

- G-101 TITLE SHEET
- C-101 EXISTING CONDITIONS
- C-102 SITE PLAN
- C-103 GRADING PLAN
- C-104 UTILITY PLAN (ON-SITE)
- C-105 UTILITY PLAN (OFF-SITE SANITARY)
- L-101 LANDSCAPE PLAN

ENLARGED PROJECT LOCATION MAP

PROJECT CONTACTS

OWNER:
RICHARD AND ELAINE OFTEDAHL
RACEWAY PRODUCTIONS, INC.
1144 5TH AVE
NEWPORT, MN 55055
PHONE: 651-769-8751

CIVIL ENGINEER:
WENCK ASSOCIATES, INC.
1800 PIONEER CREEK CENTER
MAPLE PLAIN, MN 55359
PHONE: 763-479-4200
CONTACT: JARED WARD

DEVELOPER:
SCANNELL PROPERTIES
821 MEANDER COURT
MEDINA, MN 55340
PHONE: 763-331-8851
CONTACT: DANIEL MADRIGAL

SURVEYOR:
HARRY S. JOHNSON CO., INC.
9063 LYNDAL AVE SOUTH
BLOOMINGTON, MN 55437
PHONE: 952-884-5341
CONTACT: THOMAS HODORFF

WARNING:

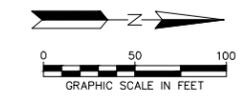
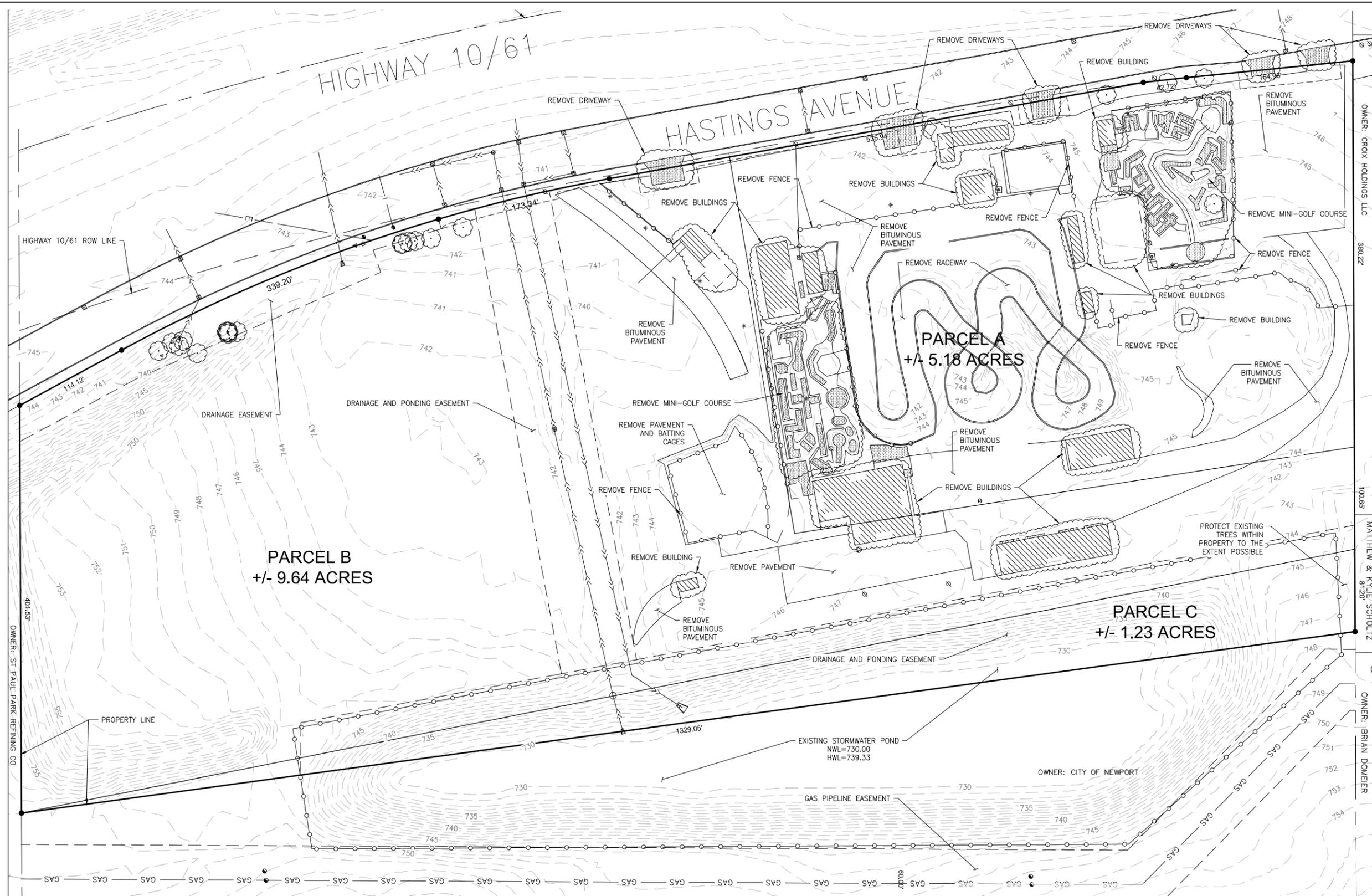
THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.

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



		SEAL	SUB CONSULTANT	PRIME CONSULTANT	PROJECT TITLE	SHEET TITLE		
		<h1>PRELIMINARY</h1>		 Responsive partner. Exceptional outcomes.	NEWPORT WAREHOUSES	TITLE SHEET		
						SCANNELL PROPERTIES	DWN BY	CHK'D
#	DESCRIPTION	XXX	XXX	XX/XX/XX		RAG		JAN 2016
REV	REVISION DESCRIPTION	DWN	APP	REV DATE			SCALE	AS SHOWN
					PROJECT NO.	SHEET NO.		REV NO.
					5024-0007	G-101		



LEGEND

- 744 --- EXISTING MINOR CONTOUR
- 745 --- EXISTING MAJOR CONTOUR
- ==== EXISTING CURB AND GUTTER
- E—E— EXISTING EDGE OF PAVEMENT
- G—G— EXISTING UNDERGROUND ELECTRIC
- G—G— EXISTING UNDERGROUND GAS
- >—>— EXISTING SANITARY SEWER
- >>—>>— EXISTING STORM SEWER
- |—|— EXISTING WATERMAIN
- — — — — PROPERTY LINE
- — — — — SECTION LINE
- — — — — ROAD CENTERLINE
- — — — — EASEMENT LINE
- ⊙ EXISTING SANITARY MANHOLE
- ⊕ EXISTING FIRE HYDRANT
- EXISTING GATE VALVE
- ⊞ EXISTING CATCH BASIN
- ⊙ EXISTING STORM MANHOLE
- ◀ EXISTING FLARED END SECTION
- * EXISTING LIGHT POLE
- ⊘ EXISTING POWER POLE
- ⊞ EXISTING ELECTRIC METER
- ⊕ EXISTING TELEPHONE PEDESTAL
- ⊙ EXISTING TREE

NOTES:
 1. EXISTING TOPOGRAPHIC FEATURES SHOWN ON DRAWINGS ARE TAKEN FROM SURVEY PERFORMED BY HARRY S. JOHNSON CO., INC. AND SUPPLEMENTED WITH LIDAR DATA. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE CONDITIONS OF THE SITE AND SHALL IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR VARIATIONS FROM THE DRAWINGS.

#	DESCRIPTION	XXX	XXX	XX/XX/XX
REV	REVISION DESCRIPTION	DWN	APP	REV DATE

SEAL

PRELIMINARY

SUB CONSULTANT

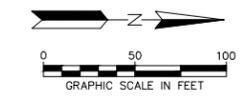
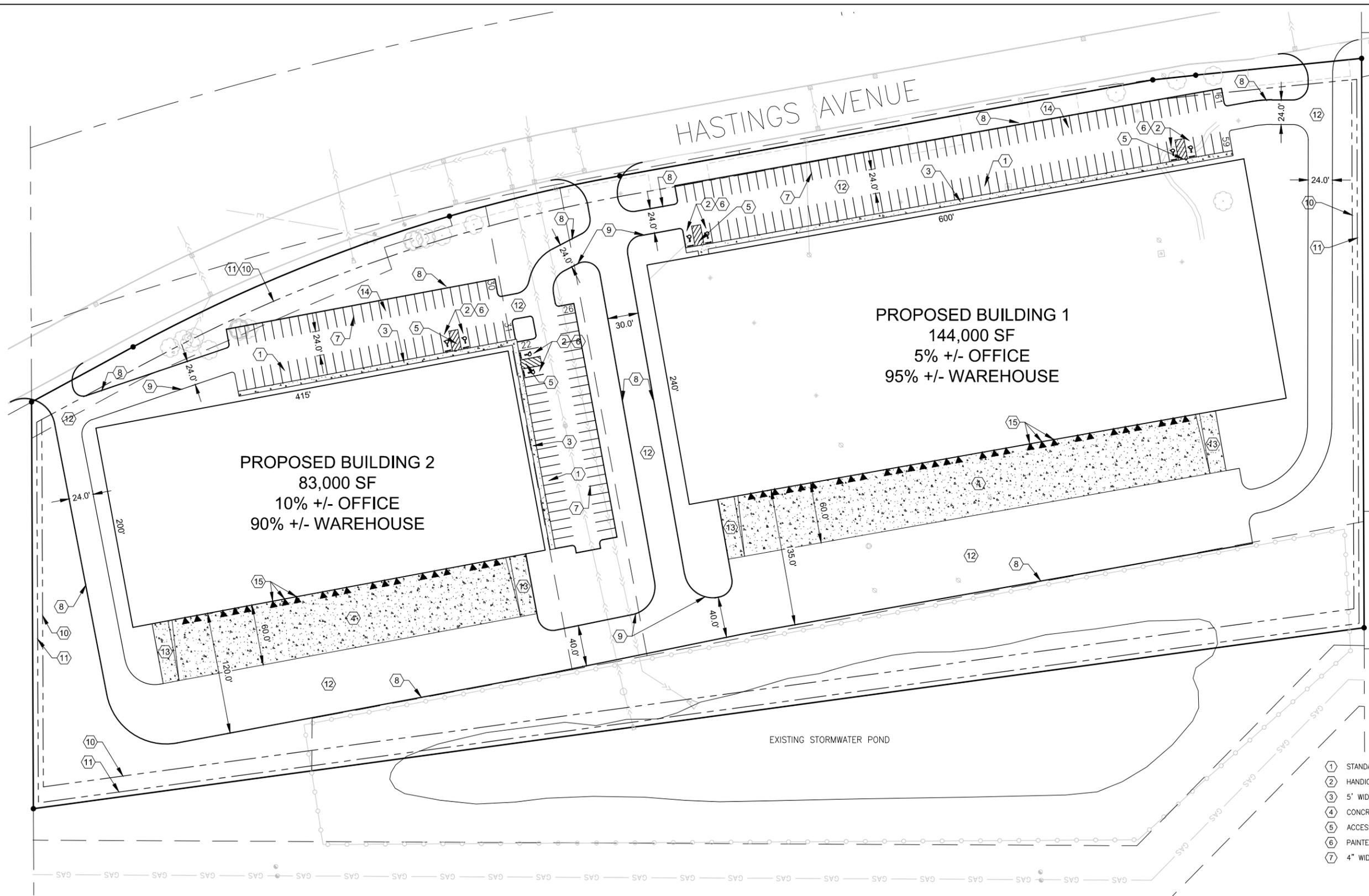
PRIME CONSULTANT

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PROJECT TITLE
 NEWPORT WAREHOUSES

SCANNELL PROPERTIES

SHEET TITLE EXISTING CONDITIONS			
DWN BY RAG	CHK'D	APP'D	DWG DATE JAN 2016
PROJECT NO. 5024-0007	SHEET NO. C-101	SCALE AS SHOWN	REV NO.



LEGEND

- EXISTING CURB AND GUTTER
- EXISTING EDGE OF PAVEMENT
- PROPERTY LINE
- ROAD CENTERLINE
- SETBACK LINE
- EASEMENT LINE
- PROPOSED CURB AND GUTTER
- PROPOSED CONCRETE SIDEWALK
- PROPOSED BITUMINOUS PAVEMENT

SITE DATA

ZONING	B-1	
LOT SIZE	PARCEL A	5.18 ACRES
	PARCEL B	9.64 ACRES
	PARCEL C	1.23 ACRES
	TOTAL	16.05 ACRES
SETBACKS	FRONT	BUILDING 20 FT
		PAVEMENT 20 FT
	SIDE	BUILDING 10 FT
		PAVEMENT 5 FT
	REAR	BUILDING 20 FT
		PAVEMENT 5 FT
LOT COVERAGE	BUILDING 1	144,000 SF (20.6%)
	BUILDING 2	83,000 SF (11.9%)
	TOTAL IMPERVIOUS	467,730 SF (66.9%)
	TOTAL PERVIOUS	231,408 SF (33.1%)

PARKING SUMMARY

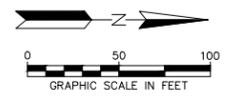
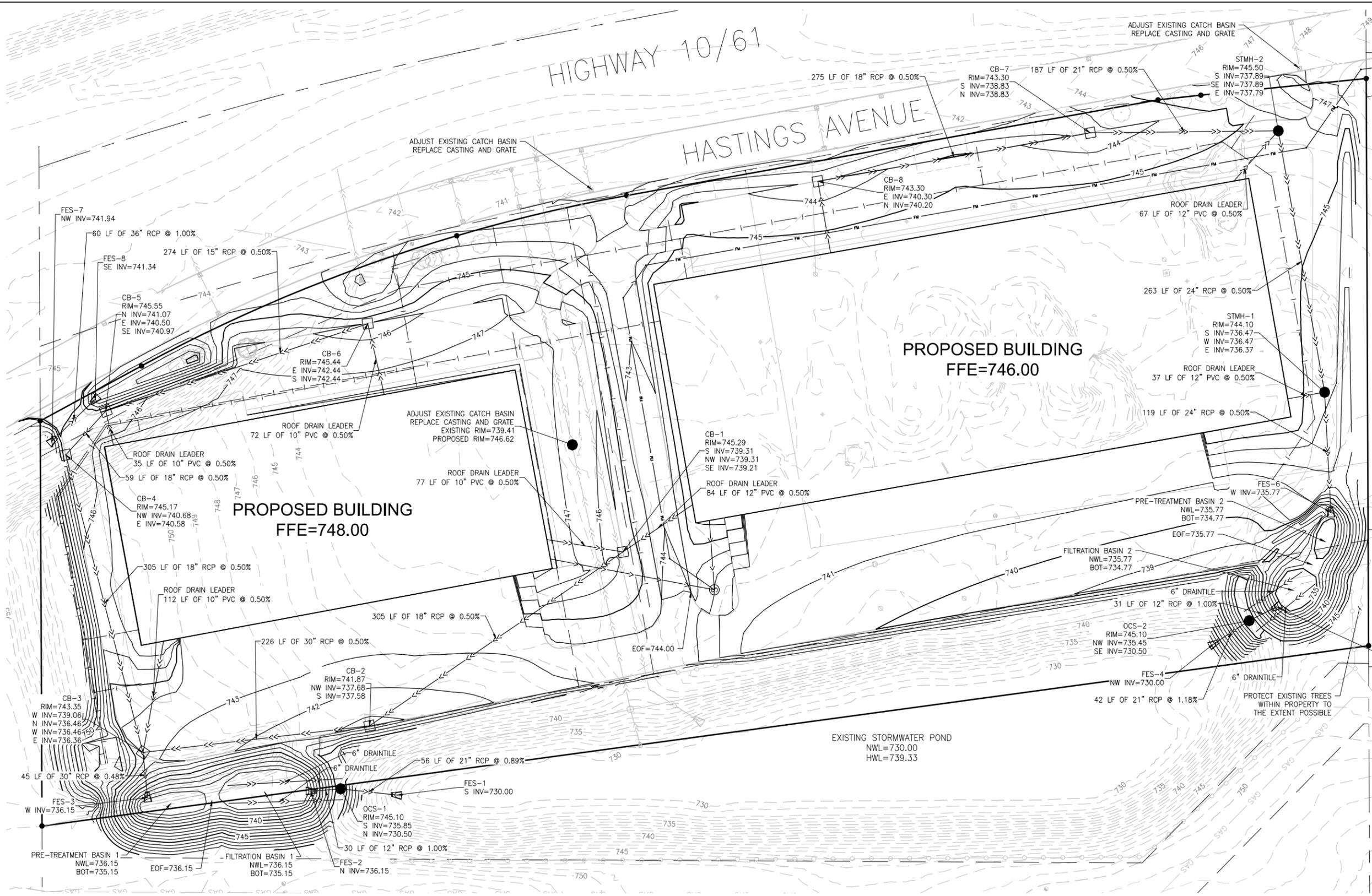
PARKING REQUIRED	BUILDING 1	OFFICE - 5% (7,200 SF)	1 STALL PER 250 SF OF GFA	29 STALLS
		WAREHOUSE - 95% (136,800 SF)	1 STALL FOR EACH 2 EMPLOYEES ON LARGEST SHIFT, OR 1 STALL PER 2,000 SF OF GFA (WHICHEVER IS GREATER)	69 STALLS
		TOTAL		98 STALLS
PARKING PROVIDED	BUILDING 2	OFFICE - 10% (8,300 SF)	1 STALL PER 250 SF OF GFA	34 STALLS
		WAREHOUSE - 90% (74,700 SF)	1 STALL FOR EACH 2 EMPLOYEES ON LARGEST SHIFT, OR 1 STALL PER 2,000 SF OF GFA (WHICHEVER IS GREATER)	38 STALLS
		TOTAL		72 STALLS
	BUILDING 1			120 STALLS
	BUILDING 2			109 STALLS

SITE KEY

- 1 STANDARD PARKING STALL (9'x20')
- 2 HANDICAP PARKING STALL (9'x20')
- 3 5' WIDE CONCRETE SIDEWALK
- 4 CONCRETE DOCK APRON
- 5 ACCESS AISLE AND ADA RAMP
- 6 PAINTED HANDICAP SYMBOL
- 7 4" WIDE WHITE PAINT STRIPE
- 8 STANDARD B612 CURB AND GUTTER
- 9 OUTFLOW B612 CURB AND GUTTER
- 10 BUILDING SETBACK
- 11 PARKING LOT SETBACK
- 12 BITUMINOUS PAVEMENT
- 13 VEHICLE RAMP
- 14 PARKING STALL (9'x18')
- 15 LOADING DOCK

NOTES:
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SEAL	SUB CONSULTANT	PRIME CONSULTANT	PROJECT TITLE	SHEET TITLE																				
		WENCK ASSOCIATES	NEWPORT WAREHOUSES	SITE PLAN																				
<p>PRELIMINARY</p>		<p>Responsive partner. Exceptional outcomes.</p>	SCANNELL PROPERTIES	<table border="1"> <tr> <td>DWN BY</td> <td>CHK'D</td> <td>APP'D</td> <td>DWG DATE</td> <td>JAN 2016</td> </tr> <tr> <td>RAG</td> <td></td> <td></td> <td>SCALE</td> <td>AS SHOWN</td> </tr> <tr> <td>PROJECT NO.</td> <td>SHEET NO.</td> <td colspan="3">REV NO.</td> </tr> <tr> <td>5024-0007</td> <td>C-102</td> <td colspan="3"></td> </tr> </table>	DWN BY	CHK'D	APP'D	DWG DATE	JAN 2016	RAG			SCALE	AS SHOWN	PROJECT NO.	SHEET NO.	REV NO.			5024-0007	C-102			
DWN BY	CHK'D	APP'D	DWG DATE	JAN 2016																				
RAG			SCALE	AS SHOWN																				
PROJECT NO.	SHEET NO.	REV NO.																						
5024-0007	C-102																							
#	DESCRIPTION	XXX	XXX	XX/XX/XX																				
REV	REVISION DESCRIPTION	DWN	APP	REV DATE																				



LEGEND

--- 744 ---	EXISTING MINOR CONTOUR
--- 745 ---	EXISTING MAJOR CONTOUR
--->>---	EXISTING STORM SEWER
---	PROPERTY LINE
- - - - -	EASEMENT LINE
--- 744 ---	PROPOSED MINOR CONTOUR
--- 745 ---	PROPOSED MAJOR CONTOUR
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--->>---	PROPOSED STORM SEWER
---	PROPOSED WATERMAIN
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⊙	EXISTING STORM MANHOLE
⊙	EXISTING FLARED END SECTION
⊙	PROPOSED SANITARY MANHOLE
⊙	PROPOSED FIRE HYDRANT
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SEAL

PRELIMINARY

SUB CONSULTANT

PRIME CONSULTANT

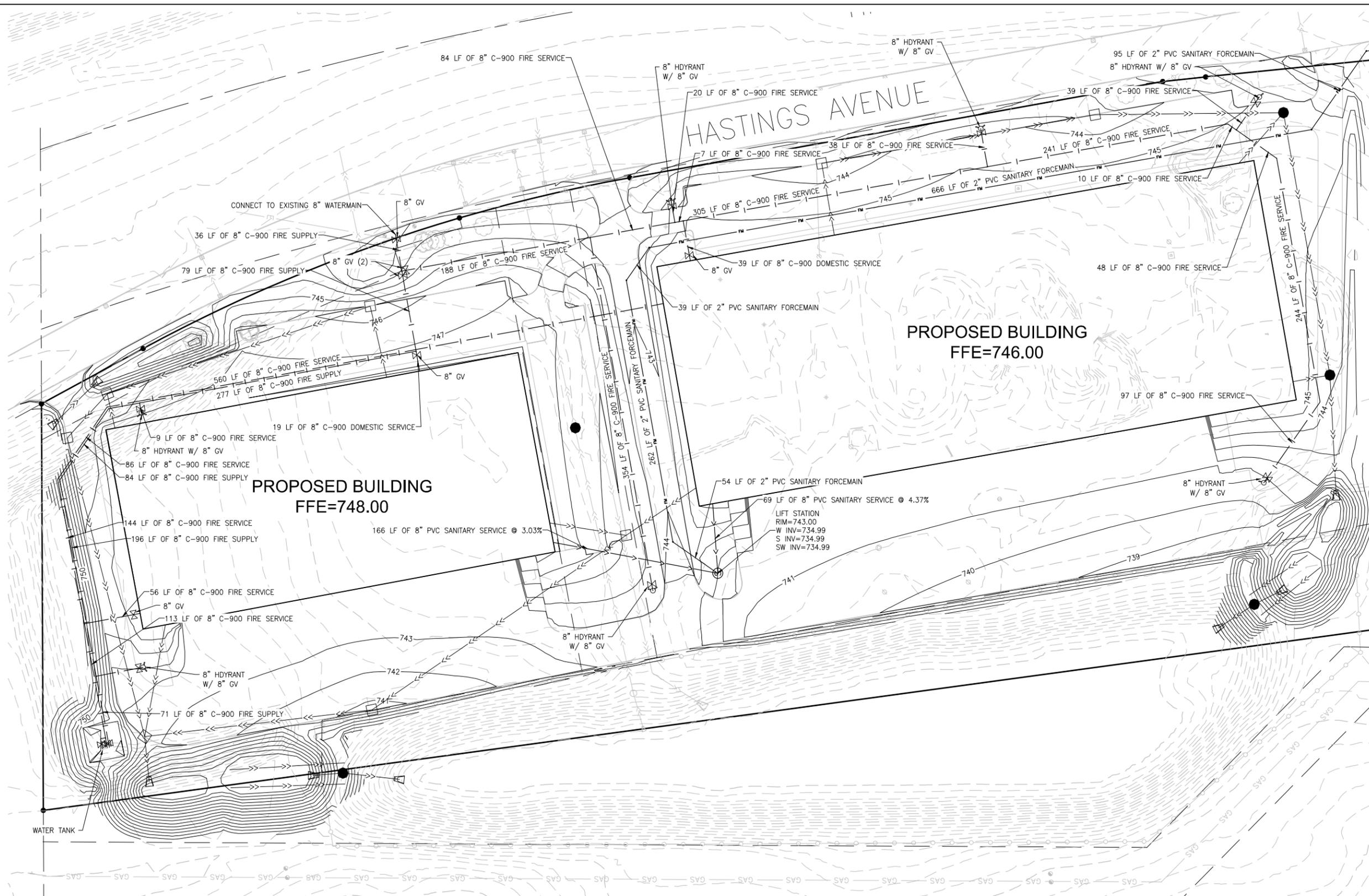
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PROJECT TITLE
 NEWPORT WAREHOUSES

SCANNELL PROPERTIES

SHEET TITLE
 GRADING PLAN

DWN BY	CHK'D	APP'D	DWG DATE	JAN 2016
RAG			SCALE	AS SHOWN
PROJECT NO.	SHEET NO.	REV NO.		
5024-0007	C-103			



LEGEND

- PROPERTY LINE
- - - EASEMENT LINE
- PROPOSED SANITARY SEWER
- PROPOSED STORM SEWER
- PROPOSED WATERMAIN
- ⊙ PROPOSED SANITARY MANHOLE
- ⊗ PROPOSED FIRE HYDRANT
- PROPOSED GATE VALVE
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PRELIMINARY

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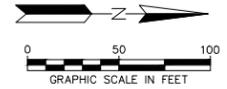
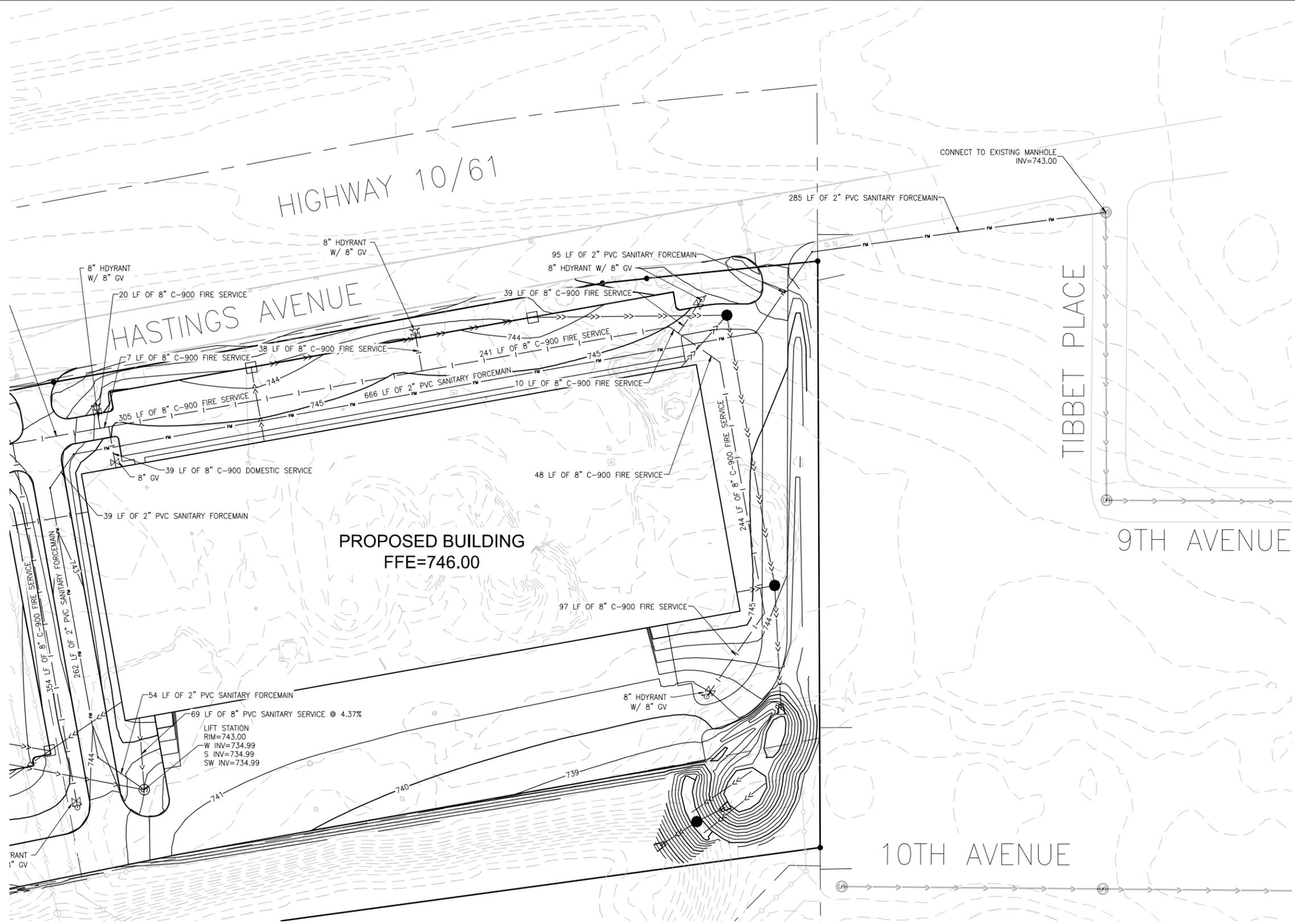
PRIME CONSULTANT

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PROJECT TITLE
NEWPORT WAREHOUSES

SCANNELL PROPERTIES

SHEET TITLE			
UTILITY PLAN			
DWN BY	CHK'D	APP'D	DWG DATE
RAG			JAN 2016
PROJECT NO.		SCALE	
5024-0007		AS SHOWN	
SHEET NO.		REV NO.	
C-104			



LEGEND

———	PROPERTY LINE
- - - - -	EASEMENT LINE
→ → →	PROPOSED SANITARY SEWER
→ → →	PROPOSED STORM SEWER
———	PROPOSED WATERMAIN
⊙	PROPOSED SANITARY MANHOLE
⊕	PROPOSED FIRE HYDRANT
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SEAL

PRELIMINARY

SUB CONSULTANT

PRIME CONSULTANT

WENCK ASSOCIATES

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PROJECT TITLE
NEWPORT WAREHOUSES

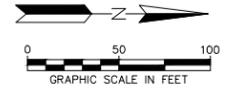
SCANNELL PROPERTIES

SHEET TITLE
UTILITY PLAN

DWN BY	CHK'D	APP'D	DWG DATE	JAN 2016
RAG			SCALE	AS SHOWN
PROJECT NO.	SHEET NO.	REV NO.		
5024-0007	C-105			

PRELIMINARY PLANT SCHEDULE

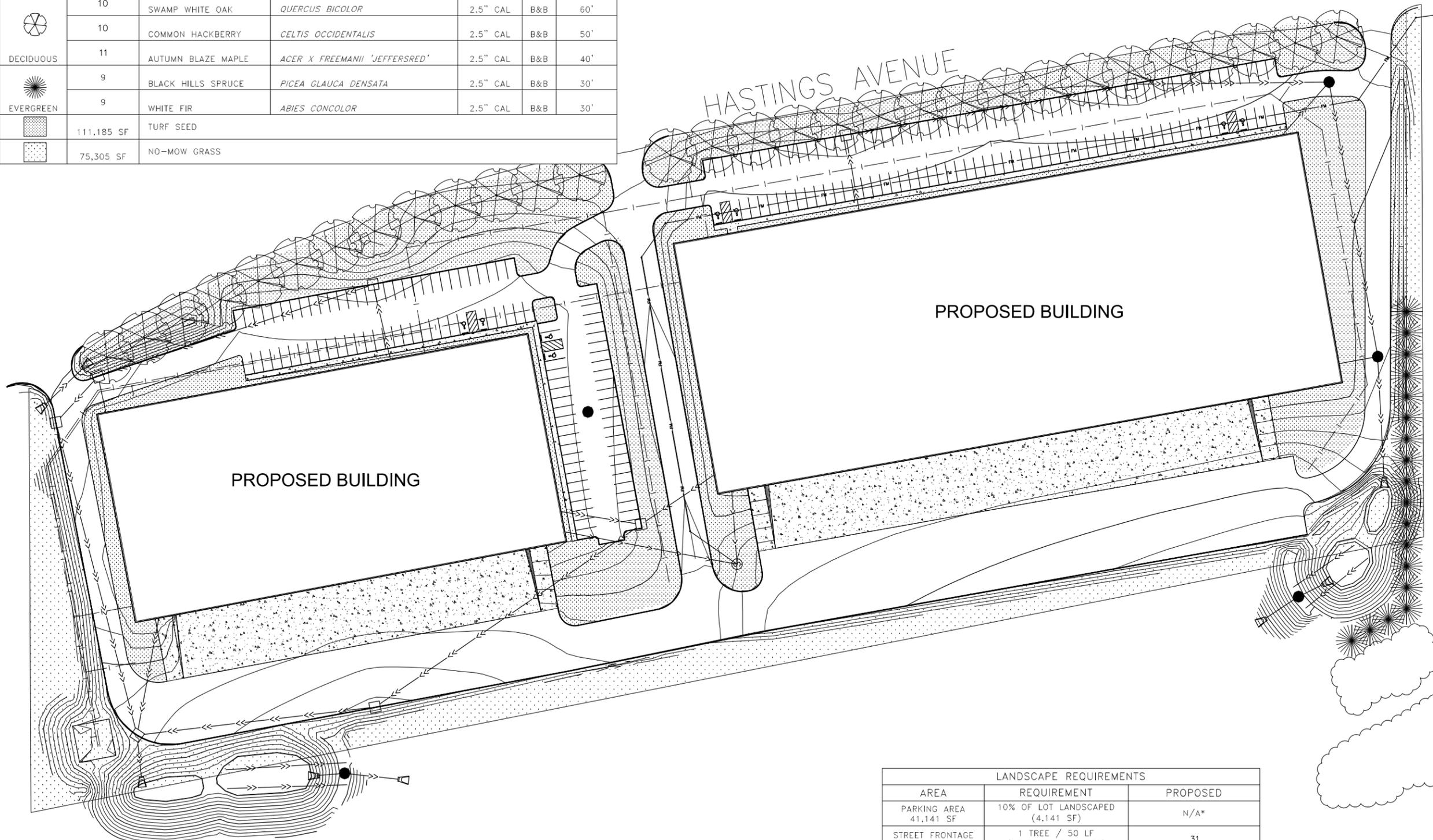
SYMBOL	QTY	COMMON NAME	SCIENTIFIC NAME	SIZE		MATURE SPREAD
 DECIDUOUS	10	SWAMP WHITE OAK	<i>QUERCUS BICOLOR</i>	2.5" CAL	B&B	60'
	10	COMMON HACKBERRY	<i>CELTIS OCCIDENTALIS</i>	2.5" CAL	B&B	50'
	11	AUTUMN BLAZE MAPLE	<i>ACER X FREEMANII 'JEFFERSRED'</i>	2.5" CAL	B&B	40'
 EVERGREEN	9	BLACK HILLS SPRUCE	<i>PICEA GLAUCA DENSATA</i>	2.5" CAL	B&B	30'
	9	WHITE FIR	<i>ABIES CONCOLOR</i>	2.5" CAL	B&B	30'
	111,185 SF	TURF SEED				
	75,305 SF	NO-MOW GRASS				



LEGEND

	EXISTING CURB AND GUTTER
	EXISTING EDGE OF PAVEMENT
	PROPERTY LINE
	ROAD CENTERLINE
	SETBACK LINE
	EASEMENT LINE
	PROPOSED CURB AND GUTTER
	PROPOSED CONCRETE SIDEWALK
	PROPOSED BITUMINOUS PAVEMENT

- NOTES:**
1. PLACE TOPSOIL SEED AND MULCH AS NOTED ON THE GRADING PLAN.
 2. IF APPROVED SOD MAY BE USED AS AN ALTERNATIVE TO TURF SEED
 3. ALL TREES SHALL BE MULCHED WITH 4" DOUBLE SHREDDED HARDWOOD MULCH



LANDSCAPE REQUIREMENTS		
AREA	REQUIREMENT	PROPOSED
PARKING AREA 41,141 SF	10% OF LOT LANDSCAPED (4,114 SF)	N/A*
STREET FRONTAGE 1,372 LF	1 TREE / 50 LF (27 TREES REQUIRED)	31
PERIMETER SCREENING	SCREENING FOR ADJACENT RESIDENTIAL	18

#	DESCRIPTION	XXX	XXX	XX/XX/XX
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SEAL

PRELIMINARY

SUB CONSULTANT

PRIME CONSULTANT



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PROJECT TITLE
NEWPORT WAREHOUSES

SCANNELL PROPERTIES

SHEET TITLE			
LANDSCAPE PLAN			
DWN BY SJB	CHK'D LNJ	APP'D LNJ	DWG DATE JAN 2016
PROJECT NO. 5024-0007	SHEET NO. L-101	SCALE AS SHOWN	REV NO.

**PLANNING COMMISSION
RESOLUTION NO. P.C. 2016-5**

A RESOLUTION RECOMMENDING THE NEWPORT CITY COUNCIL APPROVE A CONDITIONAL USE PERMIT AND VARIANCE REQUESTED BY SCANNELL DEVELOPMENT COMPANY, 800 E 96TH STREET, SUITE 175, INDIANAPOLIS, IN 46420, FOR PROPERTY LOCATED AT 910 HASTINGS AVENUE NEWPORT, MN 55055

WHEREAS, Scannell Development Company, 800 E 96th Street, Suite 175, Indianapolis, IN, has submitted a request for a Conditional Use Permit and Variance to allow for a new office/warehouse building and 32.5% building coverage; and

WHEREAS, the property is located at 910 Hastings Avenue, Newport, MN 55055 and is more fully legally described as follows:

PID# 36.028.22.34.0034 - That part of the Southwest Quarter of Section 36, Township 28 North, Range 22 West, Washington County, Minnesota, described as follows: Beginning at the southwest corner of Lot 10, Block 17, Newport Park Addition, according to the recorded plat thereof, Washington County, Minnesota; thence on an assumed bearing of South 89 degrees 22 minutes 01 seconds West along the westerly extension of the south line of said Lot 10 a distance of 20.65 feet to the easterly right of way line of U.S. Highway No. 10 and 61; thence South 05 degrees 52 minutes 25 seconds East along said right of way line a distance of 164.32 feet; thence continuing southeasterly along said right of way line on a tangential curve concave to the east having a radius of 2696.93 feet and a central angle of 04 degrees 47 minutes 00 seconds an arc distance of 225.15 feet; thence continuing along said right of way line on a tangent to said curve, South 10 degrees 39 minutes 25 seconds East a distance of 233.18 feet; thence North 80 degrees 00 minutes 00 seconds East a distance of 380.00 feet; thence North 08 degrees 53 minutes 08 seconds West a distance of 560.30 feet to the south line of said Newport Park Addition; thence South 89 degrees 22 minutes 01 seconds West a distance of 359.35 feet to the point of beginning.

EXCEPT that part thereof shown as Parcel 15 on Minnesota Department of Transportation Right of Way Plat No. 82-92.

PID# 36.028.22.34.0035 - That part of the Southeast Quarter of the Southwest Quarter of Section 36, Township 28, Range 22, Washington County, Minnesota, described as follows: Commencing at the northeast corner of the Southeast Quarter of the Southwest Quarter of said Section 36; thence on an assumed bearing of South 89 degrees 37 minutes 28 seconds West a distance of 954.70 feet to the east right-of-way line of U.S. Highway No. 10 and No. 61; thence South 05 degrees 52 minutes 25 seconds East along said east right-of-way line a distance of 164.96 feet; thence continuing southeasterly along said right-of-way line along a tangential curve, concave to the East, having a radius of 2696.93 feet and a central angle of 4 degrees 47 minutes 00 seconds for an arc distance of 225.15 feet; thence South 10 degrees 39 minutes 25 seconds East along said east right-of-way line a distance of 233.18 feet to the point of beginning of the tract to be described; thence North 80 degrees 00 minutes 00 seconds East a distance of 380.00 feet; thence North 08 degrees 53 minutes 08 seconds West a distance of 559.21 feet to the north line of the Southeast Quarter of the Southwest Quarter of said Section 36; thence North 89 degrees 37 minutes 28 seconds East along said north line a distance of 100.65 feet to a point on said north line which lies 473.83 feet west of the northeast corner of the Southeast Quarter of the Southwest Quarter of said Section 36; thence South 11 degrees 17 minutes 43 seconds East a distance of 1341.95 feet to a point on the south line of the Southeast Quarter of the Southwest Quarter of said Section 36 which lies 216.89 feet west of the southeast corner of the Southeast Quarter of the Southwest Quarter of said Section 36; thence South 89 degrees 36 minutes 28 seconds West along said south line a distance of 475.06 feet to the east right-of-way line of U.S. Highway No. 61 and No. 10; thence northwesterly along the east right-of-way line of U.S. Highway No. 61 and No. 10 to the point of beginning and there terminating.

EXCEPT that part lying north of the south line of Newport Park Addition, according to the recorded plat thereof, Washington County, Minnesota, as monumented, and more particularly described as commencing at the northeast corner of the Southeast Quarter of the Southwest Quarter of said Section 36; thence on an assumed bearing of South 89 degrees 37 minutes 28 seconds West a distance of 954.70 feet to the east right-of-way line of U.S. Highway No. 10 and 61, also the point of beginning of the line to be described; thence South 6 degrees 31 minutes 28 seconds East along said easterly right-of-way a distance of 0.66 feet; thence North 89 degrees 22 minutes 31 seconds East a distance of 20.65 feet; thence North 89 degrees 34 minutes 47 seconds East a distance of 460.22 feet and there terminating.

AND ALSO EXCEPT that part thereof shown as Parcel 14 on Minnesota Department of Transportation Right of Way Plat No. 82-92.

Abstract Property

PID# 36.028.22.34.0036 - That part of the Southeast Quarter of the Southwest Quarter of Section 36, Township 28, Range 22, Washington County, Minnesota, described as follows: Beginning at a point on the north line of said Southeast Quarter of the Southwest Quarter, distant 392.63 feet west from the northeast corner thereof; thence South 89 degrees 37 minutes 28 seconds West, along said north line, a distance of 81.20 feet, to a point distant 473.83 feet west from said northeast corner; thence South 11 degrees 17 minutes 43 seconds East a distance of 1342.04 feet to a point on the south line of said Southeast Quarter of the Southwest Quarter, distant 216.89 feet west from the southeast corner of said Southeast Quarter of the Southwest Quarter; thence North 07 degrees 51 minutes 21 seconds West a distance of 1329.05 feet to the point of beginning, Washington County, Minnesota.

WHEREAS, The described property is zoned Business Park/Office/Warehouse (B-1); and

WHEREAS, Section 1310.10 Subd. 2 Criteria states the criteria for acting upon a Conditional Use Permit (C.U.P.) application as follows: *“In acting upon an application for a conditional use permit, the City shall consider the effect of the proposed use upon the health, safety, and general welfare of the City including but not limited to the factors of noise, glare, odor, electrical interference, vibration, dust, and other nuisances; fire and safety hazards; existing and anticipated traffic conditions; parking facilities on adjacent streets and land; the effect on surrounding properties, including valuation, aesthetics and scenic views, land uses, character and integrity of the neighborhood; consistency with the Newport comprehensive plan; impact on governmental facilities and services, including roads, sanitary sewer, water and police and fire; effect on sensitive environmental features including lakes, surface and underground water supply and quality, wetlands, slopes flood plains and soils; and other factors as found relevant by the City. The City may also consider whether the proposed use complies or is likely to comply in the future with all standards and requirements set out in other regulations or ordinances of the City or other governmental bodies having jurisdiction over the City. In permitting a new conditional use or the alteration of an existing conditional use, the City may impose, in addition to the standards and requirements expressly specified by this chapter, additional conditions which it considers necessary to protect the best interest of the surrounding area or the community as a whole.”*; and

WHEREAS, Minnesota Statutes 394.27 states that the criteria for granting a variance include that variances are permitted when they are in harmony with the general purpose and intent of the official control and are consistent with the comprehensive plan; that the request shall be reasonable under the development code; the need for the variance is due to circumstances that are unique to the property and were not created by the landowner; the variance, if granted, will not alter the essential character of the area; economic considerations alone do not constitute practical difficulties; the proposed variance will not impair an adequate supply of light and air to adjacent properties, substantially increase the congestion of public streets, increase the danger of fire or endanger public safety, or substantially diminish or impair property values within the neighborhood; the requested variance should be the minimum action required to eliminate the practical difficulties; and practical difficulties include, but are not limited to inadequate access to direct sunlight for solar energy systems; and

WHEREAS, Following publication, posted, and mailed notice thereof, the Newport Planning Commission held a Public Hearing on February 11, 2016; and

WHEREAS, the Planning Commission’s findings related to the request for approval of a Conditional Use Permit and Variance include the following:

CUP

1. The proposed use is designated in Section 1350 of the development code as a conditional use in the B-1 Zoning District.
2. The proposed use is consistent with the Newport Comprehensive Plan, which supports the development of business and commercial uses in the areas along Highway 61.
3. The conditions for approval of the proposed use include requirements for development and operation of the site so that the proposed use will not be detrimental to or endanger the public health, safety or general welfare of the City, including the potential impacts of noise, glare, dust, and other nuisances; fire and safety hazards; and existing and anticipated traffic conditions and parking facilities.
4. The development of the property with Office/Warehouse use will have positive results for the City.
5. The proposed use will have no negative impacts governmental facilities and services, including roads, sanitary sewer, water and police and fire.
6. In permitting a new conditional use, the City has adopted conditions which it considers necessary to protect the best interest of the surrounding area or community as a whole.

Variance

1. The requested variance is therefore consistent with the goals of the Comprehensive Plan and in harmony with the general purposes of the Zoning Ordinance
2. The proposed use is permitted in the B-1 District with a Conditional Use Permit and is therefore a reasonable use.
3. The circumstances that create the practical difficulties are unique to the parcel, and owner/applicant did not create the practical difficulties.
4. Granting the variance will not alter the essential commercial and impervious character of the area.
5. The practical difficulties are not due to economic considerations alone.
6. Granting the variance will not impair the supply of light or air to adjacent properties, increase street congestion, increase the danger of fire or endanger public safety, or impair property values within the neighborhood.
7. The variance is the minimum action required to eliminate the practical difficulty.
8. Granting the variance request will not affect access to direct sunlight for solar energy systems.

NOW, THEREFORE, BE IT FURTHER RESOLVED That the Newport Planning Commission **Hereby Recommends Newport City Council Approval** for a Conditional Use Permit for a new office/warehouse building and Variance to Allow for 32.5% building coverage with the following conditions:

1. The Applicant shall submit Final Plans that are substantially in conformance with the plans that were submitted to the City on January 14, 2016. The Plans shall include building plans, elevations, and detailed information on exterior building design and materials that are consistent with the City’s performance standards, and the additional information requested by the City Engineer. The Building Plans shall be approved prior to approval of a building permit.
2. The applicant shall direct traffic to and from the site to utilize the 70th Street South exit of Highway 61/10 and Hastings Avenue (County Road 38) to access the site from the south rather than the north.
3. Maximum truck loads serving the site may not exceed nine (9) tons in weight year-round.

4. The applicant shall prepare a Traffic Impact Study and submit the study to the City and County once businesses/tenants have been secured.
5. The Developer shall continue to work with the county on any modifications to the site plan to address the sight distance issues at the southern access to the site.
6. The applicant shall obtain a County Access permit and Right-of-Way permit for the new access points on Hastings Avenue for any grading and connections to any utilities in the roadway. Any change to the site plan shall be reviewed by the county.
7. The developer shall provide adequate ponding on-site to ensure that post-development runoff rates do not exceed pre-development rates. A copy of the drainage report or a statement by the developer's engineer to that effect shall be provided to the county prior to the county Access Permit and Right-of-way permit issuance.
8. All trucks must enter and leave the site from Hastings Avenue between the hours of 7 p.m. and 7 a.m. to minimize noise and potential impacts to residential areas to the north of the site.
9. The use at the site shall be permitted to operate on a twenty-four (24)-hours per day, seven (7) days per week schedule.
10. No outside storage is permitted on the site.
11. All trash and recycling equipment shall be stored within a closed structure. The materials used to construct the trash enclosure shall be the same materials used on the exterior of the principal structure.
12. Vehicles parked for more than forty-eight (48) hours must be screened from the eye-level view of public streets and adjacent residential areas.
13. Lighting shall conform to the ordinance requirements. The applicant shall submit a lighting plan to the City for approval prior to approval of a building permit.
14. Any utility equipment installed at the site must meet the ordinance requirements.
15. The applicant shall apply to the City for a permit for sign(s) proposed as the site. All signs shall meet the ordinance requirements.
16. The applicant shall install an isolation valve on the forcemain immediately prior to the connection to the City's sanitary sewer manhole.
17. The applicant shall provide a connection detail for the forcemain and the existing manhole for City approval with the final construction plans.
18. The applicant shall obtain a Right-of-way permit from Washington County for the portion of forcemain constructed in the Hastings Avenue (County 38) right-of-way.
19. The applicant shall prepare and submit for city approval a maintenance agreement for the operation of the lift station and ancillary infrastructure.
20. Design and construction of the above-ground water storage facility to provide fire suppression supply for the structures shall be in accordance with the Minnesota Department of Health regulations and Minnesota Plumbing code. The City shall retain ownership of the water distribution system, including all hydrants, valves and piping. All facilities shall be constructed within an easement to the benefit of the City.
21. The applicant shall submit final plans and modeling for stormwater management facilities to the City Engineer for review and approval. Modifications to the existing regional pond and drainage basin are subject to review and approval from MnDOT's Water Resources staff.
22. The applicant shall obtain all required State, Watershed, and City permits for stormwater management.

- 23. All stormwater treatment facilities shall be constructed within a drainage and utility easement granted to the City, and include minimum 10-foot side lot and 20-foot rear lot easements.
- 24. Applicable stormwater Best Management Practices shall be in-place prior to beginning any construction-related activities. The applicant shall submit plans identifying any changes or impacts to slopes directing water toward the existing stormwater management facilities for review and approval by the City Engineer.
- 25. The applicant shall pay all fees and escrow associated with this application.

Adopted this 11th day of February, 2016 by the Newport Planning Commission.

VOTE: Mahmood	_____
Haley	_____
Prestegaard	_____
Taylor	_____
Tweeten	_____

Signed: _____
 Anthony Mahmood, Chairperson

ATTEST: _____
 Deb Hill, City Administrator