



**CITY OF NEWPORT
SPECIAL PLANNING COMMISSION MEETING
NEWPORT CITY HALL
JULY 13, 2015 – 6:00 P.M.**

Chairperson:	Anthony Mahmood	City Administrator:	Deb Hill
Vice-Chair:	Kevin Haley	Executive Analyst:	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 June 11, 2015

4. APPOINTMENTS WITH COMMISSION

A. **Public Hearing** – To consider a Request from August Ventures for a Rezoning and Conditional Use Permit for Property Located Along Hastings Avenue, North of Ford Road

1. Memo from Sherri Buss
2. Resolution No. 2015-5
3. Resolution No. 2015-6

B. **Public Hearing** - To consider a Request from the City of Newport for a Minor Subdivision for Property Located at the Corner of 2nd Avenue and 9th Street

1. Memo from Sherri Buss
2. Resolution No. P.C. 2015-7

5. COMMISSION & STAFF REPORTS

6. NEW BUSINESS

7. ANNOUNCEMENTS

A. Upcoming Meetings and Events:

- | | | |
|--------------------------------|-----------------|-----------|
| 1. City Council Meeting | July 16, 2015 | 5:30 p.m. |
| 2. City Council Meeting | August 6, 2015 | 5:30 p.m. |
| 3. Pioneer Day | August 9, 2015 | |
| 4. Planning Commission Meeting | August 13, 2015 | 6:00 p.m. |

8. ADJOURNMENT



**City of Newport
Planning Commission Minutes
June 11, 2015**

1. CALL TO ORDER

Chairperson Mahmood called the meeting to order at 6:00 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, Executive Analyst; Sherri Buss, TKDA Planner;

3. APPROVAL OF PLANNING COMMISSION MINUTES

A. Planning Commission Minutes of May 14, 2015

Motion by Haley, seconded by Prestegaard, to approve the May 14, 2015 minutes as amended. With 5 Ayes, 0 Nays, the motion carried.

4. APPOINTMENTS WITH COMMISSION

A. Public Hearing - To consider a Request from Mark Gergen for a 24-Month Extension for a Variance for Property Located at 1825 4th Avenue

The Public Hearing opened at 6:00 p.m.

Sherri Buss, TKDA Planner, presented on this item as outlined in the June 11, 2015 Planning Commission packet.

Steve Olson, 8007 Rhode Island Circle, Bloomington, on behalf of Mark Gergen - We plan on starting on the 20th Street property soon and will move south from there. The permit for the next lot is ready to go and we'll be picking that up before the end of July.

David Tweeten - No changes to the property since the variance was granted?

Mr. Olson - No.

The Public Hearing closed at 6:03 p.m.

Matt Prestegaard - I remember the original variance and don't see any issues with it.

Motion by Haley, seconded by Prestegaard, to approve Resolution No. 2015-4 as presented. With 5 Ayes, 0 Nays, the motion carried.

Ms. Buss - One thing you can think about is that there are cities that allow extensions to be approved by the City Administrator instead of having to come back and do a public hearing.

Vice-Chairperson Haley - What does that take?

Ms. Buss - We'll have to change the ordinance.

Chairperson Mahmood - Next time we have a zoning amendment, can we put that on there?

Executive Analyst Eisenbeisz - Yes.

Matt Prestegaard - Does it have a fee?

Ms. Buss - Now it does because we have to do a staff report for you and the City Council.

B. Discussion Regarding Proposed Amendments to the Zoning Code, Section 1330

Sherris Buss, TKDA Planner, presented on this item as outlined in the June 11, 2015 Planning Commission packet. Public Works Superintendent Hanson requested that Section 1330.06, Subd. 1(C) include all properties, not just commercial and industrial. Supt. Hanson also provided the Pacer Manual which would be used when determining if a driveway needs to be repaired. The Ordinance will reference the Public Works Design Manual, which will reference the Pacer Manual. Ms. Buss also provided examples of the 25% requirement for parking areas in the front yard.

Chairperson Mahmood - I don't see an issue with the current ordinance.

David Tweeten - Are we going to put some greater enforcement into these issues?

Executive Analyst Eisenbeisz - I think when a property is for sale and they have parking in the front yard, we would require them to either pave it or seed it.

David Tweeten - I do see a problem with trying to enforce something other than the driveway at the point of sale because the person with the extra car is leaving the property.

Executive Analyst Eisenbeisz - So they could seed it, we give property owners the same option if they don't want to pave the entire width of the gravel driveway. I think that's the only time we'll be able to enforce it because anything that is existing now would be grandfathered in.

Vice-Chair Haley - We could easily tell with Google maps if they started parking in the front after this is passed. I differ, I don't think there's a need at all for 25% of paving in front of the house other than the driveway. I don't see it as a benefit.

Ms. Buss - The only argument I see from people is if they have kids, it's hard to get the cars off of the streets for snow emergencies.

Vice-Chair Haley - Can we write it so that we can give some administrative discretion?

Ms. Buss - Or no more than 25% total.

Vice-Chair Haley - I don't see any sense in putting cars in the front yard at all.

Matt Prestegaard - So at my house, I have a driveway and a t-shaped parking area in my front yard. How would we handle that?

Vice-Chair Haley - I have the same issue with my front yard because we're in the RE district.

Chairperson Mahmood - You have such a big yard that you wouldn't pave 25% but for some of these with little houses and little front yards, I think we have to consider something.

Executive Analyst Eisenbeisz - 25% is not a lot if it's a small lot.

Vice-Chair Haley - What if it's 25% in front of the house including the driveway?

Executive Analyst Eisenbeisz - I think that'll be more difficult to calculate for staff when checking the lot coverage.

Marvin Taylor - I drove around today and very few people have parking spaces in the front. Most of them have driveways that are widened. If you want to have something simple, maybe have 35%.

Ms. Buss - We do allow 35% lot coverage in the R-1. I would say 35% would give them at least one space. We could say 35% in the front yard and that includes the driveway.

Chairperson Mahmood - I like that.

Executive Analyst Eisenbeisz - Ok, we'll just need to be more stringent on people providing site plans.

David Tweeten - I don't understand the enforcement mechanism for something other than driveway. I see no reason for why someone wouldn't drive their car into the middle of the yard and re-sod.

Ms. Buss - They're enforceable on new construction. Generally, on any zoning issues, we don't enforce unless it's a complaint.

Matt Prestegaard - Isn't parking on the grass for a long period of time a ticketable offense?

Executive Analyst Eisenbeisz - Yes.

Vice-Chair Haley - As far as Bruce's comments, he's only talking about the first 40 feet for residential right?

Ms. Buss - Yes and we'll make that clear in here.

David Tweeten - Another question I had is what is the meaning of setback in regards to driveways?

Ms. Buss - It's typically side or rear. For parking areas, the setbacks are for front, side, and rear. So we'll change it to be 35% in the front yard, we'll change the standard in C to apply to residential as well, and I'll fix the typo in setbacks.

Marvin Taylor - In 1330.06, Subd. 1(A)(4), it says that "In residential districts, any parking or driveway surface located in the side or rear yard, and all parking surfaces draining to a public paved street," is that saying that all of those materials are allowed in the front yard?

Matt Prestegaard - I think that's the situation I was describing at my house. We have a paved driveway and there's a t-shaped parking area that doesn't have any drainage issues to the street.

Ms. Buss - I think Bruce is concerned about parking areas that do drain to the street. He wants to make sure that it's not draining a lot of gravel to the street.

Vice-Chair Haley - I think a lot of this stemmed from a particular property and we don't want to overreact.

Ms. Buss - My sense is that most of it comes from concerns about stormwater and the increasing requirements for the City.

Vice-Chair Haley - I saw it happen with one of my neighbors in another city and they ended up writing an ordinance to ban what they were doing.

Ms. Buss - Sometimes that happens. I don't think we're changing a lot here, we're just clarifying it.

Vice-Chair Haley - Everything I've heard is at the point of sale. If we have an issue with drainage, can we enforce it before the point of sale?

Executive Analyst Eisenbeisz - Yes, we have a nuisance ordinance that says if you drain to the street multiple times, the City will cite you and assess the cost of cleaning it up.

Marvin Taylor - So that section is saying two different things for parking areas draining to the street.

Executive Analyst Eisenbeisz - We could take out "parking surfaces draining to a public paved street" from the first sentence.

Marvin Taylor - Also, the last sentence is a fragment.

Ms. Buss - I'll take a look at that.

David Tweeten - Subd. 3(B) says "if at least the following conditions" should it be "if all of the following conditions?"

Ms. Buss - Yes.

David Tweeten - I noticed we added some maximum standards for shared parking.

Ms. Buss - In MX-3 only.

David Tweeten - How does that apply to shared parking?

Ms. Buss - There is more encouragement for shared parking in the MX-3 district.

David Tweeten - We're not concerned about over-paving in the case of shared parking? If they don't share parking, they can't go more than 10% over, but is there an upper limit if they're sharing?

Chairperson Mahmood - The reason you share is to have less.

Ms. Buss - Yes, so it wouldn't be an issue.

Marvin Taylor - Where did these numbers come from?

Ms. Buss - They are pretty standard numbers.

Matt Prestegaard - Can you summarize the changes one last time?

Ms. Buss - 35% impervious in the front yard, changing item C to include residential properties, change the City's Design Standards to Design Manual, changing item 4 by removing parking surfaces draining from the first sentence, and typos.

Chairperson Mahmood - I have a few typos as well that I'll just give to Renee.

Motion by Prestegaard, seconded by Tweeten, to approve Resolution No. 2015-3 as amended. With 5 Ayes, 0 Nays, the motion carried.

5. COMMISSION AND STAFF REPORTS

6. NEW BUSINESS

7. ANNOUNCEMENTS

A. Upcoming Meetings and Events:

- | | | |
|---|---------------|-----------|
| 1. City Council Meeting | June 18, 2015 | 5:30 p.m. |
| 2. City Offices Closed due to 4th of July | July 3, 2015 | |
| 3. Planning Commission Meeting | July 9, 2015 | 6:00 p.m. |
| 4. 62nd Annual Booya | July 12, 2015 | |

8. ADJOURNMENT

Motion by Tweeten, seconded by Prestegaard, to adjourn the Planning Commission Meeting at 6:46 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: Newport Business Center--
Rezoning and CUP

Copies To: Deb Hill, City Administrator
Renee Eisenbeisz, Executive Analyst
Joe Sullivan, Applicant
Jon Herdegen, MSA, City Engineer
Project No.: 15742.003

From: Sherri Buss, RLA AICP, City Planner
Routing:

Date: July 6, 2015

SUBJECT: Newport Business Center
Application for Rezoning and a Conditional Use Permit (CUP)

MEETING DATE: July 13, 2015

LOCATION: Hastings Avenue north of Ford Road
PID 25-028-22-32-0035

APPLICANT: Joe Sullivan
August Ventures, LLC
5021 Vernon Avenue Suite 202
Edina, MN 55436

CURRENT ZONING: MX-2 (Mixed Use Commercial)

60-DAY PERIOD: August 14, 2015

ITEMS REVIEWED: Application, site plan, grading and drainage plan, utility plan, landscape plan, survey and contour information, submitted June 13, 2015.

BRIEF DESCRIPTION OF THE REQUEST

The applicant, Joe Sullivan of August Ventures LLC, has submitted an application to develop two buildings and the surrounding site to include new office, warehouse, and commercial uses on a vacant parcel on Hastings Avenue, north of Ford Road. The parcel is 10.79 acres in size.

The application includes a request for rezoning and a Conditional Use Permit (CUP) for the proposed uses at the site.

REZONING REQUEST

BACKGROUND

August Ventures LLC is requesting that the City rezone the parcel where the business center would be located from its current MX-2 classification (Mixed Use – Commercial) to the B-1 Business Park/Office zoning classification. The proposed Warehouse use is not permitted in the MX-2 Classification, and is only permitted in the City's Business zoning districts.

The parcel was included in a Business zoning classification in the land use plan and zoning map included in the City's 2030 Comprehensive Plan. The City selected that zoning based on the size of the parcel, freeway and highway access and visibility, and the existing power-line easement on the parcel which makes development of residential uses on the parcel difficult. The Business district classification permitted Office, Warehouse and other Commercial uses with a Conditional Use Permit, and was similar to the current B-1 District. Several parcels to the south of the August Ventures parcel were also included in the Business classification at the time of the Comp Plan adoption in 2010.

A couple of years ago, the owner of the parcel talked with the Planning Commission about the zoning of his property as the Commission was considering the zoning for the parcels along Hastings Avenue. He expressed a preference to be included in an MX District like other parcels on Hastings Avenue to allow the maximum flexibility for the types of development that he thought might occur on his parcel, including residential uses. The Commission recommended that the parcel be included in the MX-2 Commercial classification based on the request of the landowner and assumptions about the likely use of the parcel at that time. However, no development has occurred on the parcel since the change in classification, and the City has received no inquiries indicating interest in the development of mixed residential and commercial uses on the site.

ANALYSIS OF THE REZONING REQUEST

The subject property includes one large parcel that is 10.79 acres in size. It is located on Hastings Avenue, with excellent access to Highway 61 and Interstate 494. The parcel includes an easement for a power line that restricts the use of that portion of the property and presents challenges for the development of many types of uses. The parcel is vacant, and physically separated from surrounding MX and RE districts by highways, steep topography, and an existing regional stormwater pond.

The applicant is requesting to change the zoning from MX-2 (Mixed Use – Commercial) to B-1 (Business Park/Office/Warehouse). The descriptions of the two districts in the Zoning Ordinance are as follows:

- The B-1 District is intended to provide locations for office, warehouse, and related uses in a business park setting. Some accessory commercial services may also be a part of this land use type to serve the employment base.
- The MX-2 District is intended to provide areas that integrate diverse commercial and residential uses on lots that are typically larger than those in the MX-1 District.



Section 1310.02, Subd. 3 of the City's Zoning Ordinance provides the criteria for evaluating rezoning applications:

- Compatibility with the Comprehensive Plan and the existing and proposed land uses on and around the site.
- How the proposed zoning would fit in with the general zoning pattern of the neighborhood and city.
- The conservation of property values.
- Advantages to the entire City.
- No change shall be recommended unless it is in the interest of public health, safety and welfare, and is compatible with the comprehensive plan.

The next sections include the staff evaluation of the proposed rezoning based on the criteria in the ordinance listed above.

Existing uses on and around the site

The existing zoning of areas around the parcel includes the following:

- The uses to the north and east are large-lot residential uses. They are separated from the parcel by steep topography and existing heavily-wooded areas. The existing power line on the site would make any residential development of the August Ventures parcel unlikely.
- Parcels to the west of the site are occupied by Highway 61.
- The parcels to the south are occupied by commercial land uses that are located in the MX-1 District (Downtown District).
- The only existing use on the site is a high-capacity overhead power line. The easement for the power line permits parking within the easement, but severely limits other uses.

The proposed zoning classification and potential uses will be compatible with and supported by the existing uses to the west and south. The uses will be separated from the large-lot residential uses to the north and east by topography and vegetation. The existing pond to the south provides a buffer between the parcel and the commercial and residential uses to the south. The previous zoning classification of the parcel in the Comprehensive Plan permitted commercial, warehouse, and other business uses, so the proposed classification will not change the situation for surrounding uses. The proposed use is compatible with existing and proposed land uses around the site.

Fit with the City's General Zoning Pattern

The City's general zoning patterns include classification of the areas along Highway 61 and Interstate 494 as Industrial, Business, and Mixed-Use Districts that take advantage of the roadway access and visibility, and are compatible with the high traffic on these roadways. Residential districts are located to the west and east, closer to the Mississippi River and in the bluff areas of the City. The City has generally zoned large parcels along Highway 61 for Business and Industrial uses, to encourage commercial and industrial development and job growth on the few remaining large undeveloped parcels in the City. Rezoning the parcel to the B-1 District will be compatible with the general zoning patterns of the City.

Conservation of Property Values

The change from Mixed Use to Business zoning is unlikely to reduce the property values on the parcel or adjacent parcels, and will provide the opportunity to develop a higher-value use on



parcel owned by August Ventures. The B-1 zoning will provide for the highest viable property use and greatest site utilization given the existence of the high-capacity overhead power lines that encumber approximately half of the property.

Advantages for the Whole City

Newport is actively trying to attract new development to several sites in the City, including the August Ventures site. Rezoning that will permit this development on a vacant parcel with high visibility and excellent roadway access has the potential to increase property values and property taxes, provide jobs, and improve the image of the City.

Compatibility with the Comprehensive Plan

The 2030 Comprehensive Plan update designated the August Ventures parcel for Commercial land use and Business District zoning. The proposed rezoning to the classification originally recommended in the Plan will be consistent with the goals and intent of the Comprehensive Plan.

“Spot Zoning”

Zoning a single parcel for a use that is different from surrounding parcels may raise concerns about “spot zoning.” “Spot zoning” occurs when a zoning amendment does not conform to the comprehensive plan, typically when the zoning for a small parcel is changed in an arbitrary or unreasonable way to a use that is inconsistent with the use to which the rest of the district is restricted and to the detriment of other owners.

The Planner recommends that in this case, the rezoning does not meet the definition of “spot zoning” for the following reasons:

- The rezoning is consistent with the adopted Comprehensive Plan
- The parcel is a relatively large parcel within Newport
- The parcel currently has a unique classification that is different from surrounding uses based on the specific location and physical characteristics of the parcel. The rezoning will change the classification of this parcel only; there are no other areas or owners affected within this district.

FINDINGS FOR THE REZONING REQUEST

1. The proposed rezoning from the MX-2 District to the B-1 District is consistent with the adopted land use and zoning maps in the 2030 Comprehensive Plan, and with the adjacent transportation and commercial land uses to the west and south. The use on the site will be separated from adjacent rural residential areas by steep topography and existing wooded vegetation..
2. The proposed zoning is compatible with the general zoning patterns in the City, which have zoned the areas along major roadways for Business, Industrial, and Mixed Commercial/Residential Districts.
3. Based on the consistency with surrounding land uses, the rezoning is likely to conserve property values in the City and increase the value on the parcel.
4. The rezoning will permit development of a vacant, highly-visible site and will result in positive impacts for the City by permitting development of a vacant parcel which will increase property values and taxes, provide new jobs, and improve the image of the City.



The Planner's findings for the proposed rezoning indicate that the proposed rezoning to the B-1 District is compatible with Comprehensive Plan and meets the other ordinance criteria for rezoning.

If the rezoning is approved by the City Council, the City will update the zoning map to include the parcel in the B-1 District.

CONDITIONAL USE PERMIT REQUEST

BACKGROUND

The applicant is requesting a Conditional Use Permit (CUP) to develop an office/warehouse use and commercial use on the site in two buildings. 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 100,000+ square-foot building that will house warehouse and office uses, and a second 7,000 square-foot building that is proposed for commercial use(s). The site owner estimates that the larger building will be developed with about 75% of the space occupied by warehouse uses and 25% of the space by office uses. The site map identifies the proposed parking areas and access to the site. It also notes the bluff line on the site and the easement for the power line.

The future occupants of the buildings have not been determined. The applicant sent a list of the types of uses that currently occupy his office/warehouse buildings in other Metro Area locations, indicating that the office/warehouse building is likely to have similar occupants. The list included: Fertilizer and equipment supplier, powder coating manufacturer, heavy equipment parts supplier, medical device assembly and distributor, art inventory storage, customized logo bottle water supplier, retail apparel wholesaler, commercial food preparation, metal fabrication, medical supply wholesaler, personal cosmetic manufacturer and supplier, safety equipment manufacturer, assembly equipment manufacturer, merchandise wholesaler, testing equipment manufacturer and wholesaler, merchandise re-seller, small equipment repair/warranty work, commercial cleaning supplies and equipment wholesaler, musical equipment wholesaler, restaurant equipment refurbishing and wholesale, electric motor supplier, electrical equipment refurbishing and recycling. These manufacturing and wholesaling uses are permitted in the B-1 District with a CUP.

EVALUATION OF THE REQUEST:

1. Zoning District and CUP Standards

The B-1 (Business Park/Office/Waterhouse) District is intended to provide locations for office, warehouse, and related uses in a business park setting. Some accessory commercial services may also be a part of this land use type to serve the employment base.

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 1330 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. If the City Council approves the requested rezoning, the use will be 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 include the following:

- Minimum lot area: 15,000 square feet
- Minimum lot depth: 150 feet
- Minimum lot width: 100 feet
- Maximum lot coverage (buildings): 30%
- Structure setbacks: Front yard: 50 feet (if across from a residential district); side yard 10 ft.; Rear yard, 50 ft.



Parking setbacks: Front yard: 50 feet; side and rear yard: 50 ft.
Maximum building height: 40 feet
Public utilities required, including sewer

The site plan meets the dimensional standards and setback requirements. The application states that the larger building will have a maximum height of 38 feet, and the second building will be smaller.

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 a new driveway will provide access to and from the site from Hastings Avenue.

MnDOT staff reviewed the proposed plan for the Business Center, and identified no concerns related to the proposed use of regional roadways.

The City Engineer also reviewed the design plans for Hastings Avenue, and concluded that the road is a 9-ton design for low-volume commercial traffic (capable of handling up to 150 heavy commercial vehicles per day). He stated that “assuming that the commercial vehicle traffic predominately arrives from the north (Bailey Road) so that it does not conflict with other commercial traffic for existing businesses to the south, and the proposed development does not produce an excess of 150 commercial vehicles per day, we would conclude that Hastings Avenue is sufficient in both design and cross –section to handle the proposed development.”

The Planner asked the applicant to estimate the number vehicles that would use Hastings Avenue, and daily traffic to and from the development. The applicant’s engineer estimated approximately 550 trips per day to and from the site at full occupancy. The trips include auto and truck trips; the number of truck trips cannot be estimated until the owner has more knowledge of the future occupants of the building.

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
- Retail/service uses: minimum 1 space per 250 square feet of gross floor area

Based on the site plan that indicates approximately 25,000 square feet of office use, 75,000 square feet of warehouse use, and 7,000 square feet of retail/service use, the site would need a minimum of 100 parking spaces for the office use, 38 spaces for the warehouse use, and 28 spaces for the retail/service use. 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 “The larger building will be constructed with materials adhering to the city’s material building standards, using masonry, generous glass lines and architectural accents of brick, stucco or stone. The smaller building will be constructed of brick and/or stucco and have generous glass lines appropriate for the use.”

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.

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 description of the proposed uses does not indicate that parking of vehicles will occur for more than 48 hours. If such parking will occur on the site, the location should be screened from



adjacent public streets and residential uses. The Planner has included a condition that vehicles parked for more than 48 hours must be screened from the eye-level view of public streets and adjacent residential uses.

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. 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 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 700 feet of frontage on Ford Road. The applicant is proposing 15 new evergreen trees in the area between the front of the building and the front of the parcel. The proposed species are hardy in the Metro Area, and meet the size requirement of the ordinance. The proposed parking lot landscaping also meets the ordinance requirement.

The site plan meets the landscaping requirements in the Zoning Ordinance.

14. 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 applicant has not indicated any preferred hours of operation in the application. The site plan proposes the addition of evergreen trees between the parking areas at the front of the building and adjacent uses, and on the east and west sides of the parking lots. The site plan includes preserving existing vegetation near the stormwater ponds and on the slopes in the northeast portion of the site.

The Planning Commission should discuss whether the conditions for the use should include required hours of operation, and whether the screening included in the site plan is and landscape plan are sufficient to meet the intent of the ordinance to screen adjacent properties from glare or lights. The Planner included an aerial photo of the site for this discussion.

15. Signs

The application did not include locations or plans for proposed signs. 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.

16. Infrastructure, Public Services, Health and Welfare

The City Engineer reviewed the site plans and indicated that adequate sewer and water services are available to serve the proposed uses at the site. He also provided the following comment regarding sewer and water services to the site:

“During the construction of the stormwater management facilities along Ford Road in 2011, the City installed two 18-inch casing pipes below the influent swale near the southeast corner of the property proposed for development. The purpose of these casing pipes is to provide utility service to this property. The applicant may consider utilizing one of these casing pipes for sanitary sewer service to the property should they desire a deep sewer service connection. The applicant should strongly consider utilizing the other casing pipe for a looped watermain extension around the southeast corner of the proposed building to maximize the water available for fire-flow.”

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

17. Environmental Issues

The site includes a bluff area in the north and east portions of the site. The applicant's surveyor delineated the top of the bluff based on the site contours. The site plan submittal meets the requirements of the bluff overlay ordinance, as follows:

- The application included the required site plan, including topography and delineation of the bluffline, grading plan, drainage plan, landscape plan, and location of proposed structures and paved areas.
- The City Engineer has confirmed that the existing stormwater pond to the south will provide the stormwater management facilities needed to manage runoff from the site.
- The proposed development will not impact the bluff area, and vegetation on the steep slopes will be preserved.
- Vegetation that will be removed is within the spaces that will be occupied by a structure, parking area and driveway.
- No wetlands are located on the site, and none will be impacted by the development.



No development is proposed within the bluff area. Disturbed areas near the bluffs will be seeded. The site plan meets the bluff overlay district requirements.

18. Stormwater Management

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

"We have reviewed the Planning Request Application, preliminary construction plans and survey prepared by August Ventures LLC for the Newport Business Park located north of Ford Road along the east side of Hastings Avenue, formerly the Swanlund Property. The application documents are general consistent with the applicable standards outlined in the Newport City Code and Public Work Design Manual. We offer the following comments for your review and consideration:

1. The FES S-8 shown on the Grading and Drainage Plan should be located as far east as possible to avoid short-cycling the stormwater treatment facility.
2. No stormwater runoff from pavement, buildings or other impervious surfaces shall be directed toward the infiltration basin located directly south of the retail building.
3. Applicable stormwater 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 the 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.

FINDINGS FOR THE CONDITIONAL USE PERMIT REQUEST

1. The proposed use is designated in Section 1330 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 and Commercial uses 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.

ACTION REQUESTED FOR THE REZONING AND CUP 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 Newport Business Center request for a Rezoning of parcel 2502822320035 to the Business Park/Office/Warehouse (B-1) Zoning District.

The Planner also recommends that the Planning Commission recommend that the Council approve a Conditional Use Permit for the Warehouse/Office and Commercial use of the property, with conditions. The Planner recommends the following conditions for the proposed uses:

1. The Applicant shall submit Final Plans that are substantially in conformance with the plans that were submitted to the City on June 15, 2015. 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. The Building Plans shall be approved prior to approval of a building permit.
2. The Applicant shall address the Engineer's comments regarding utilities and stormwater management and submit the final site and utility plans to the City Engineer for review prior to approval of a building permit.
3. Maximum truck loads serving the site may not exceed 9 tons in weight year-round.
4. The applicant shall provide the plans for the buildings to the City staff for approval.
5. No outside storage is permitted on the site.
6. 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.
7. Vehicles parked for more than 48 hours must be screened from the eye-level view of public streets and adjacent residential areas.
8. 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.
9. Any utility equipment installed at the site must meet the ordinance requirements.
10. The Applicant shall apply to the City for a permit for sign(s) proposed as the site. All signs shall meet the ordinance requirements.
11. The applicant shall pay all fees and escrow associated with this application.



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: 6/15/15 Public Hearing Date _____

Applicant Information

Name: August Ventures, LLC Telephone: 612-719-9999
Mailing Address: 5021 Vernon Ave, Suite 202 Telephone: _____
City/State/Zip: Edina MN 55436

Property Owner Information

Name: August Ventures, LLC Telephone: _____
Mailing Address: {same} Telephone: _____
City/State/Zip: _____

Project Information

Location of Property: SEC of Hwy 61 and I-494 on Hastings Ave.
Legal Description of Property (Must match description on the Deed) and P.I.D. #: _____
See attached legal
PID: 25-028-22-32-0035

- Zoning District: _____ 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 checked="" type="checkbox"/> Rezoning | \$500 plus Escrow |
| <input type="checkbox"/> Zoning Amendment | \$500 |
| <input 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 |
| <input type="checkbox"/> Other: _____ | |
| <input type="checkbox"/> Applicable Zoning Code Chapter: _____ | |
| <input type="checkbox"/> Review by Engineer Cost: _____ | |
| <input type="checkbox"/> 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

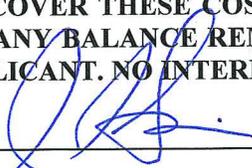
Typical escrow costs include reviewing the application to ensure that State Statutes and the City Codes are followed, preparing the staff report, findings, and recommended conditions for both the Planning Commission and City Council, and communicating with the applicant as needed to complete the staff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

Present Use of Property: Vacant land zoned MX-2 Commercial
Approximately 10.79 acres

State Reason for Planning Request: See attached letter

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: \$2,450 Date Paid: 06/15/15 Receipt #: 3439

Publication of Notice Date: _____

Public Hearing Date: _____

P.C. Resolution #: _____

Council Action Date: _____

Council Resolution #: _____

That part of the West one-half of the Southwest Quarter of Section 25, Township 28 North, Range 22 West, Washington County, Minnesota, lying North of the land covered by the plat of Red Rock Park on file and of record in the Office of the County Recorder, Washington County, Minnesota and lying East of Trunk Highway No. 61 as platted in Minnesota Department of Transportation Right of Way Plat No. 82-99, on file and of record in the Office of the County Recorder, Washington County, Minnesota, except the following described property:

1. All that part of the Northwest Quarter of the Southwest Quarter of Section 25, Township 28 North, Range 22 West, described as follows, to-wit: Beginning at the intersection of the North line of Ford Avenue with the Easterly right-of-way line of State Highway No. 61, and running thence East along said North line of Ford Avenue 117 feet to an iron pipe monument; thence North at right angles with said North line of said Ford Avenue 75 feet to an iron pipe monument, thence West on a line parallel to and 75 feet North of said North line of Ford Avenue, to the intersection of said parallel line with said Easterly line of said highway; thence Southerly along said Easterly line of said highway 75 feet to the point of beginning.

2. That part of the West Half of the Southwest Quarter of Section 25, Township 28 North, Range 22 West, shown as Parcel 219A on Minnesota Department of Transportation Right of Way Plat Numbered 82-99 as the same in on file and of record in the Office of the County Recorder in and for Washington County, Minnesota.

3. That part of the Northwest Quarter of the Southwest Quarter of Section 25, Township 28, Range 22, Washington County, Minnesota, described as follows: Commencing at the Northwest corner of the Northwest Quarter of the Southwest Quarter of Section 25, Township 28 North, Range 22 West, Washington County, Minnesota, according to the Government Survey thereof; thence North 89 degrees 55 minutes 38 seconds East assumed bearing along the North line of said Northwest Quarter of the Southwest Quarter for a distance of 1309.46 feet to the East line of said Northwest Quarter of the Southwest Quarter; thence South 00 degrees 08 minutes 42 seconds West along said the East line of the Northwest Quarter of the Southwest Quarter for a distance of 411.84 feet to the point of beginning; thence South 00 degrees 08 minutes 40 seconds West continuing along said East line of the Northwest Quarter of the Southwest Quarter for a distance of 400.04 feet plus or minus to the North right way line of Ford Place; thence South 89 degrees 13 minutes 35 seconds West along said North right way line of Ford Place for a distance of 667.19 feet; thence South 76 degrees 33 minutes 55 seconds West continuing along said North right way line of Ford Place for a distance of 50.44 feet; thence North 13 degrees 26 minutes 05 seconds West at a right angle to said North right way line of Ford Place for a distance of 75.00 feet; thence South 76 degrees 33 minutes 55 seconds West and parallel to said North right way line of Ford Place for a distance of 109.36 feet plus or minus to the Easterly right of way line of MINNESOTA DEPARTMENT OF TRANSPORTATION MAP NO. 82-99; thence North 12 degrees 56 minutes 51 seconds West along said Easterly right of way line of MINNESOTA DEPARTMENT OF TRANSPORTATION MAP NO. 82-99 for a distance of 218.46 feet; thence North 18 degrees 42 minutes 30 seconds East continuing along said Easterly right of way line of MINNESOTA DEPARTMENT OF TRANSPORTATION MAP NO. 82-99 for a distance of 194.56 feet; thence South 37 degrees 26 minutes 23 seconds East for a distance of 60.66 feet; thence North 89 degrees 47 minutes 08 seconds East for a distance of 130.45 feet; thence South 00 degrees 12 minutes 51 seconds East for a distance of 195.40 feet; thence North 89 degrees 47 minutes 09 seconds East for a distance of 403.33 feet; thence South 00 degrees 12 minutes 52 seconds East for a distance of 111.98 feet; thence South 79 degrees 19 minutes 19 seconds East for a distance of 58.31 feet; thence North 89 degrees 47 minutes 08 seconds East for a distance of 89.15 feet; thence North 63 degrees 39 minutes 19 seconds East a distance of 23.74 feet; thence North 29 degrees 38 minutes 00 seconds East for a distance of 47.30 feet; thence North 12 degrees 04 minutes 54 seconds East for a distance of 64.12 feet; thence North 00 degrees 06 minutes 52 seconds East for a distance of 156.75 feet; thence Northeasterly along a nontangential curve to the right having a radius of 125.00, a central angle of 40 degrees 05 minutes 31 seconds, an arc length of 87.47 feet, a chord distance of 85.69 feet and a chord bearing of North 36 degrees 25 minutes 14 seconds East to the point of beginning and there terminating.

June 15, 2015

City of Newport
Planning Commission and City Council
596 7th Avenue
Newport, Minnesota 55055

RE: Rezoning Request and Conditional Use Permit Application
10.79 acres of vacant land, Hasting Avenue

To whom it may concern:

Thank you for the opportunity to apply for a rezoning and conditional use permit for the vacant land owned by August Ventures on Hastings Avenue. Presently, the property is zoned MX-2 Commercial; previously, the property was zoned B-1 Business Park/Office Warehouse. I am requesting that the zoning be returned to the original B-1 zoning designation. A rezoning to B-1 is supportable for the following reasons:

- a. The site provides an excellent location with highway access/visibility for office, warehouse and related business park uses providing employment opportunities.
- b. By rezoning from MX-2, the site will not compete for the same users and tenants in the MX-3 districts.
- c. B-1 will allow for higher design standards and material control relative to the I-1 or I-2 districts. B-1 will allow a more complementary building finish with adjacent land uses and diversity of businesses within the development.
- d. Newport has a very limited supply of viable B-1 parcels. Most existing B-1 parcels are relatively small or oddly shaped, have bedrock issues or other limiting conditions.
- e. B-1 zoning provides for the highest possible viable property use and greatest site utilization given the immediate presence of high capacity overhead power lines encumbering half the property.
- f. The project layout minimizes the impact on surrounding property uses. The existing water retention area provides a natural buffer along the south and east borders of the property and the rising topography on the east and north borders of the property provide a natural buffer and distance to adjacent property uses. All trucking activities and trailer storage are on the northern portion of the property and shielded from the most immediate surrounding uses by the building and the natural buffering of the site. As a practical matter, all trucking traffic will come and go to the north along Hastings Avenue to the Highway 61/I-494 interchange and will not negatively impact traffic to the south.



Pursuant to the attached site plan, I am proposing a two building development:

With a parking capacity to provide up to 25% office build-out, the larger building will be an office/warehouse building having a clear height of 32 feet and an elevation not exceeding 38 feet. This configuration will allow for the greatest flexibility to attract prospective businesses. The building will be constructed with materials adhering to the city's material building standards using masonry, generous glass lines and architectural accents of brick, stucco or stone. I anticipate this building will be utilized by the occupying businesses during typical work week/workday hours.

The smaller building of the development be a commercial use and will be constructed of brick and/or stucco and have generous glass lines appropriate to this type of use. I anticipate the businesses occupying this building will have business hours during the typical work week/workday. However, there is some likelihood that the building will be utilized by a medical clinic or complementary retail business that may have typical retail hours.

Please call me if you have any questions regarding my rezoning request or development site plan. I look forward to presenting the development to the Planning Commission in July and the City Council in August. Thank you again.

Sincerely,

Joe Sullivan
612-719-9999



5038

August Ventures, LLC
Minneapolis, MN 55436

Bridgewater Bank
3800 American Blvd. W.
Suite 100
Bloomington, MN 55431
75-1752/910

06/14/15

PAY TO THE ORDER OF City of Newport

\$ **2,450.00

Two Thousand Four Hundred Fifty and 00/100***** DOLLARS |

City of Newport
596 7th Avenue
Newport, MN 55055



AUTHORIZED SIGNATURE

MEMO

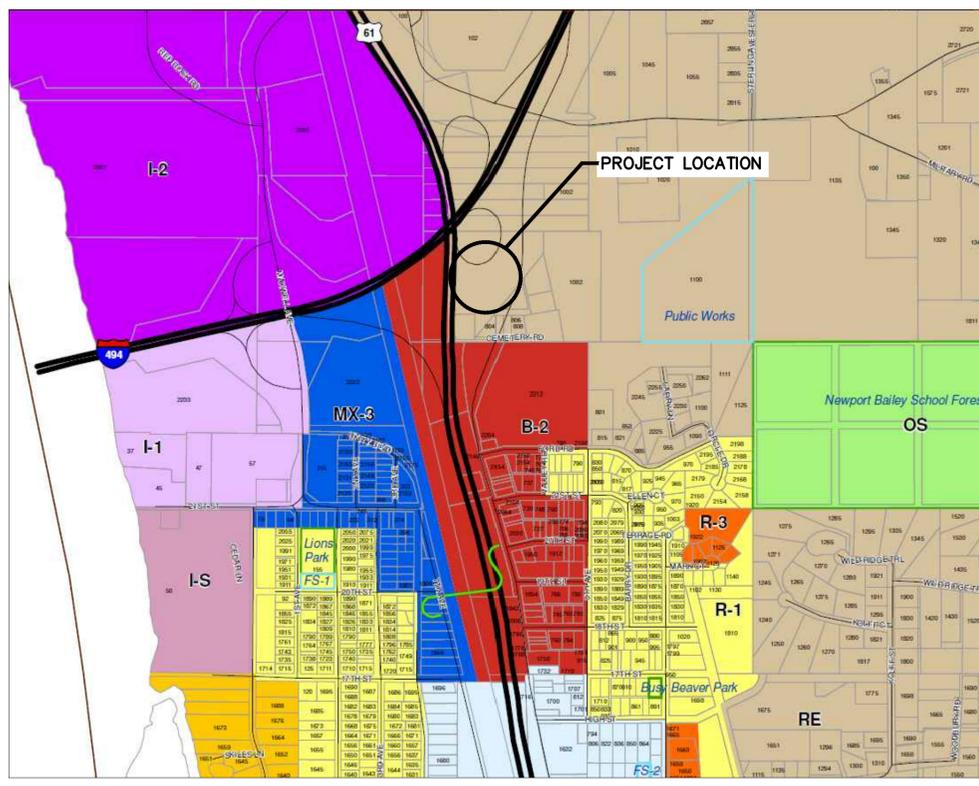
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NEWPORT BUSINESS CENTER

NEWPORT, MINNESOTA

PREPARED FOR:

AUGUST VENTURES



INDEX OF SHEETS

- C1.0 TITLE SHEET
- C2.0 SITE PLAN
- C3.0 GRADING & DRAINAGE PLAN
- C4.0 UTILITY PLAN
- C5.0 LANDSCAPE PLAN

CONTACTS:

Developer/Owner:
 August Ventures LLC
 5021 Vernon Avenue #202
 Edina, MN 55436
 Phone: (612) 719.9999
 Contact: Joe Sullivan

Civil Engineering Consultant:
 Kimley-Horn
 2550 University Avenue West, Suite 238N
 St. Paul, MN 55114
 Phone: (651) 645.4197
 Contact: Brian Wurdeman

Municipality:
 City of Newport
 2550 University Avenue West, Suite 238N
 St. Paul, MN 55114
 Phone: (651) 556.4600
 Contact: Deb Hill

Surveyor:
 Advance Surveying and Engineering
 5300 County Road 101 South
 Minnetonka, MN 55345
 Phone: (651) 474.7964
 Contact: Tom Bloom

ALL CONTRACTORS MUST CONTACT
GOPHER STATE CALL ONE
 MN TOLL FREE 1-800-252-1166
 BEFORE CONSTRUCTION BEGINS
 TWIN CITY AREA 651-454-0002

ALERT TO CONTRACTOR:

- THE PRESENCE OF GROUNDWATER SHOULD BE ANTICIPATED ON THIS PROJECT. CONTRACTOR'S BID SHALL INCLUDE CONSIDERATION FOR THIS ISSUE. WHEN PERFORMING GRADING OPERATIONS DURING PERIODS OF WET WEATHER, PROVIDE ADEQUATE DEWATERING, DRAINAGE AND GROUND WATER MANAGEMENT TO CONTROL MOISTURE OF SOILS. REFER TO MASTER SITE SPECIFICATIONS.
- ALL GENERAL CONTRACTOR WORK TO BE COMPLETED (EARTHWORK, FINAL UTILITIES, AND FINAL GRADING) BY THE MILESTONE DATE IN PROJECT DOCUMENTS. OUTLOT AREA TO BE KEPT FREE OF JOB TRAILERS AND STORAGE AFTER THE CONTRACT MILESTONE DATE FOR THE OUTLOT. GENERAL CONTRACTOR TO PROVIDE CLEAR ACCESS FOR OUTLOT CONTRACTOR TO THE SPECIFIC PARCEL AT ALL TIMES AFTER MILESTONE DATE. PURCHASER OF OUTLOT TO PROVIDE PERMIT DOCUMENTS AND SWPPP REQUIRED BY STATE/LOCAL REQUIREMENTS FOR SPECIFIC OUTLOT.

K:\TWC_LDE\August Venture\Newport Industrial\3 Design\CAD\PlanSheets\C1.0 - Title Sheet.dwg June 12, 2015 - 11:41am

This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

PRELIMINARY - NOT FOR CONSTRUCTION

TITLE SHEET

NEWPORT BUSINESS CENTER
 NEWPORT, MINNESOTA

SHEET NUMBER
 C1.0

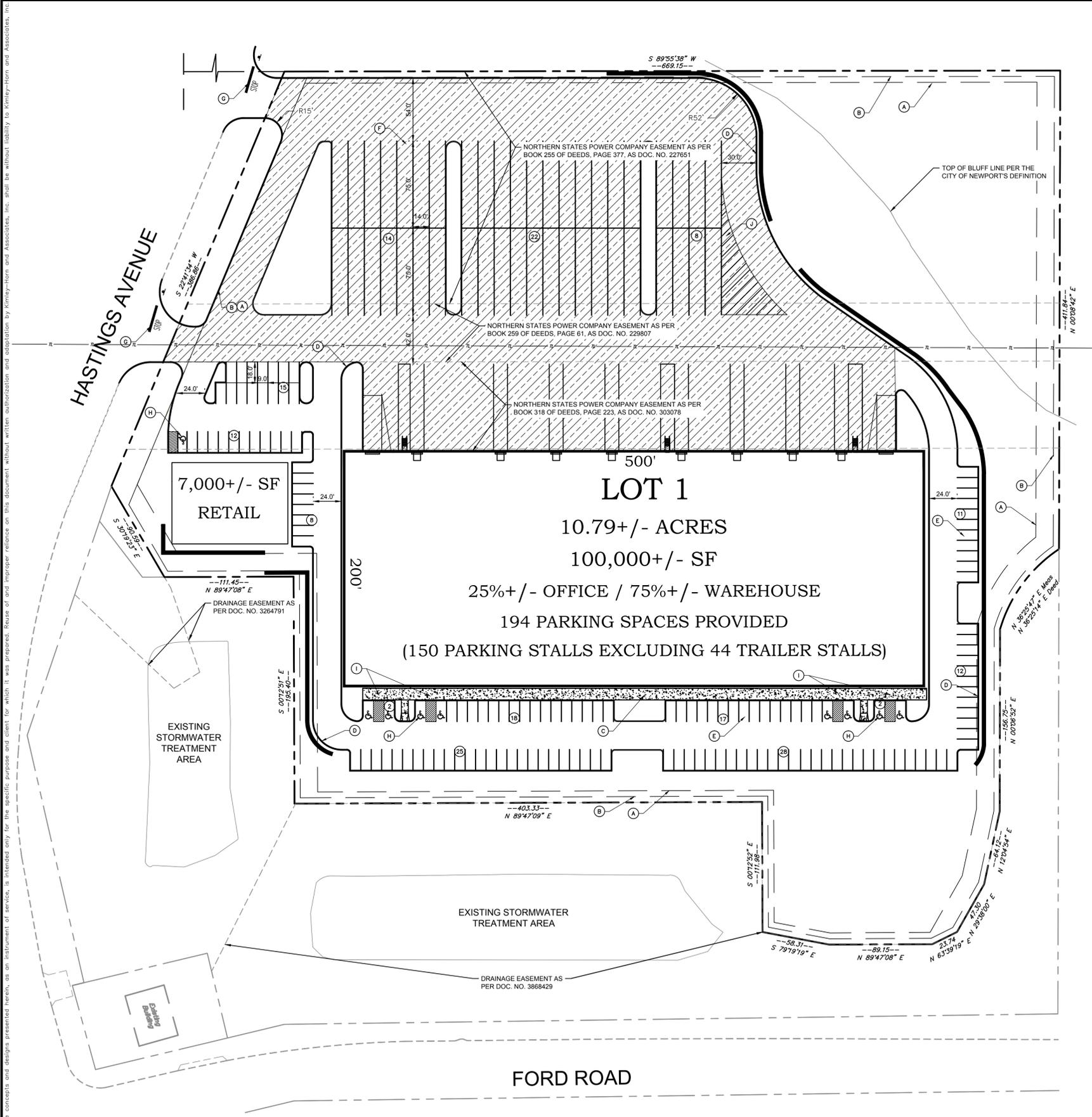
KHA PROJECT	160806000
DATE	06/15/2015
SCALE	AS SHOWN
DESIGNED BY	NEW
DRAWN BY	NEW
CHECKED BY	BMW

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATIONS OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

WILLIAM D. MATZEK
 MN LIC. NO. 2013013372
 DATE: 06/15/2015

Kimley-Horn

© 2015 KIMLEY-HORN AND ASSOCIATES, INC.
 2550 UNIVERSITY AVENUE WEST, SUITE 238N, ST. PAUL, MN 55114
 PHONE: 651-645-4197
 WWW.KIMLEY-HORN.COM



LEGEND

- PROPERTY LINE
- PROPOSED FENCE
- SETBACK LINE
- RETAINING WALL
- PROPOSED CURB AND GUTTER
- PROPOSED HEAVY DUTY ASPHALT
- PROPOSED CONCRETE PAVEMENT

SITE LEGEND

- (A) BUILDING SETBACK LINE PER ZONING ORDINANCE
- (B) PARKING SETBACK LINE PER ZONING ORDINANCE
- (C) PROPOSED CONCRETE SIDEWALK
- (D) STANDARD B612 CURB & GUTTER
- (E) STANDARD 9'X18' PARKING STALL (TYP.)
- (F) STANDARD 14'X75' TRUCK PARKING STALL (TYP.)
- (G) STOP SIGN AND PAINTED STOP BAR
- (H) ADA PARKING SPACE, 8' WIDE WITH 8' ACCESS AISLE (TYP.)
- (I) ADA RAMP
- (J) STRIPED AREA PAINTED @ 45° @ 2' O.C.

SITE DATA SUMMARY

NEWPORT BUSINESS CENTER		
ZONING	EXISTING	PROPOSED
LOT 1	MX-2	B-1
TOTAL LOT COVERAGE	10.79 ACRES	
BLDG	0 SF (0%)	100,000 SF (21.33%)
IMPERVIOUS	0 SF (0%)	222,757 SF (47.53%)
PERVIOUS	470,448 SF (100%)	147,691 SF (31.14%)
REQUIRED SETBACKS	10 FT (BUILDING)	20 FT (BUILDING)
FRONT SETBACK	N/A (PAVEMENT)	20 FT (PAVEMENT)
SIDE SETBACK	5 FT (BUILDING)	10 FT (BUILDING)
	5 FT (PAVEMENT)	5 FT (PAVEMENT)
REAR SETBACK	20 FT (BUILDING)	20 FT (BUILDING)
	5 FT (PAVEMENT)	5 FT (PAVEMENT)

PARKING SUMMARY

PARKING REQUIRED	STALLS = 166
25,000 SF - 25% OFFICE @ 1/250 SF	STALLS = 100
75,000 SF - 75% WAREHOUSE @ 1/2,000 SF	STALLS = 38
7,000 SF - 100% RETAIL @ 1/250 SF	STALLS = 28
PARKING PROVIDED	STALLS = 194

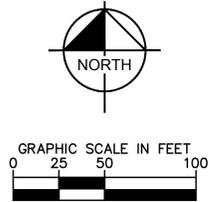
SITE NOTES

- ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY/COUNTY REGULATIONS AND CODES AND O.S.H.A. STANDARDS.
- CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
- ALL DISTURBED AREAS ARE TO RECEIVE FOUR INCHES OF TOPSOIL, SEED, MULCH AND WATER UNTIL A HEALTHY STAND OF GRASS IS ESTABLISHED.
- ALL CURBED RADII ARE TO BE 10' UNLESS OTHERWISE NOTED.
- ALL DIMENSIONS AND RADII ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
- EXISTING STRUCTURES WITHIN CONSTRUCTION LIMITS ARE TO BE ABANDONED, REMOVED OR RELOCATED AS NECESSARY. ALL COST SHALL BE INCLUDED IN BASE BID. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, (UNLESS OTHERWISE NOTED ON PLANS) INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS, TRAFFIC SIGNALS & POLES, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES REQUIREMENTS AND PROJECT SITE WORK SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COST SHALL BE INCLUDED IN BASE BID.
- SITE BOUNDARY, TOPOGRAPHY, UTILITY AND ROAD INFORMATION TAKEN FROM A SURVEY BY A LAND SURVEYOR.
- TOTAL LAND AREA IS 10.79 ± ACRES.
- ALL GENERAL CONTRACTOR WORK TO BE COMPLETED (EARTHWORK, FINAL UTILITIES, AND FINAL GRADING) BY THE MILESTONE DATE IN PROJECT DOCUMENTS. OUTLOT AREA TO BE KEPT FREE OF JOB TRAILERS AND STORAGE AFTER THE CONTRACT MILESTONE DATE FOR THE OUTLOT. GENERAL CONTRACTOR TO PROVIDE CLEAR ACCESS FOR OUTLOT CONTRACTOR TO THE SPECIFIC PARCEL AT ALL TIMES AFTER MILESTONE DATE. PURCHASER OF OUTLOT TO PROVIDE PERMIT DOCUMENTS AND SWPPP REQUIRED BY STATE/LOCAL REQUIREMENTS FOR SPECIFIC OUTLOT.
- THE PROPOSED BUILDING WILL BE A ONE-STORY BUILDING. IT WILL BE APPROXIMATELY 500' X 200'.
- THE PROPOSED BUILDING ZONING WILL BE B-1.

ALL CONTRACTORS MUST CONTACT
GOPHER STATE CALL ONE
MN TOLL FREE 1-800-252-1166
BEFORE CONSTRUCTION BEGINS
TWIN CITY AREA 651-454-0002

ALERT TO CONTRACTOR:

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PRELIMINARY - NOT FOR CONSTRUCTION

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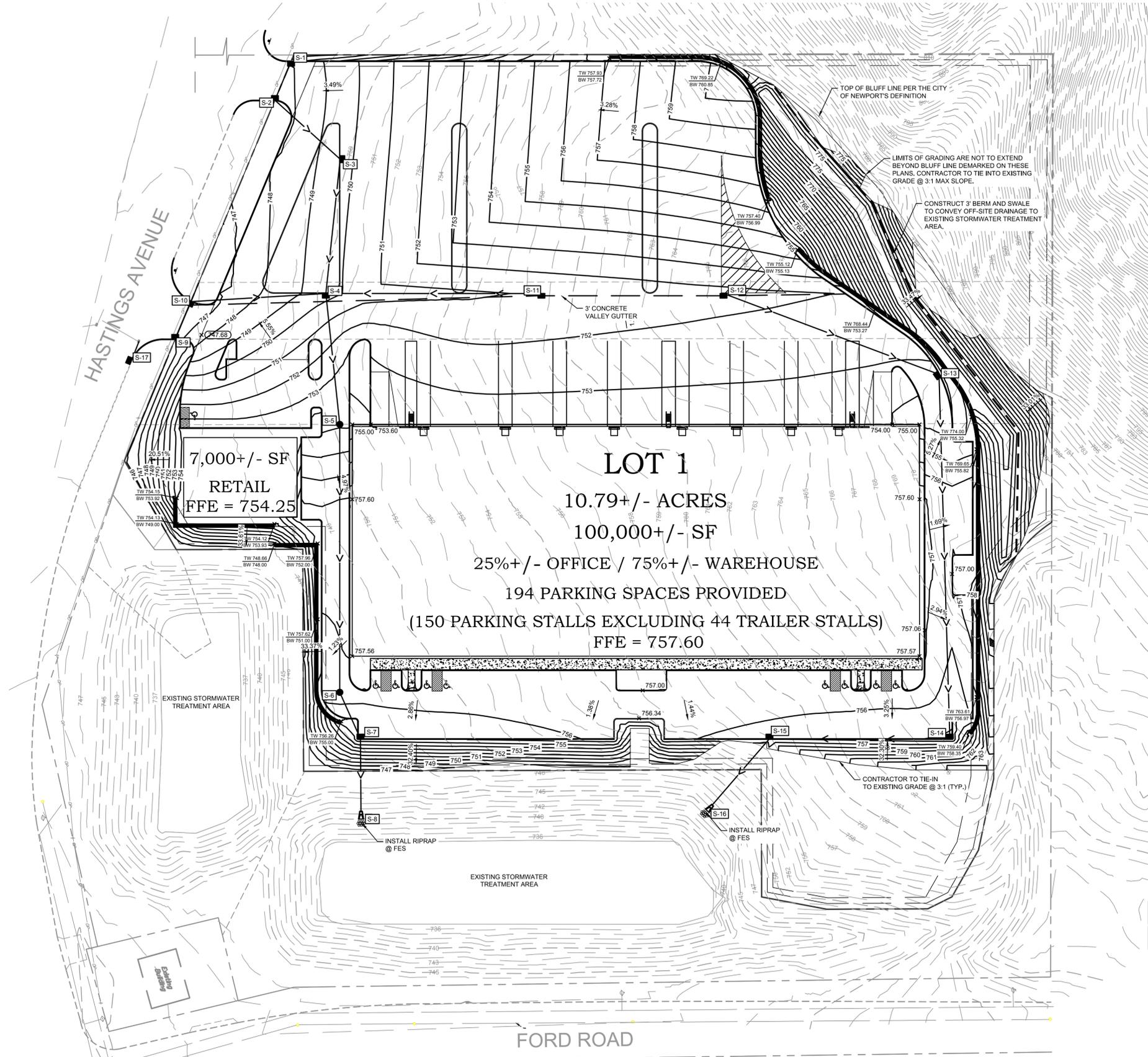
KHA PROJECT	160806000
DATE	06/15/2015
SCALE	AS SHOWN
DESIGNED BY	NEW
DRAWN BY	NEW
CHECKED BY	BM/W

SITE PLAN

NEWPORT BUSINESS CENTER
NEWPORT, MINNESOTA

SHEET NUMBER
C2.0

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LEGEND

- PROPERTY LINE
- - - - - EXISTING CONTOUR
- PROPOSED CONTOUR
- PROPOSED MANHOLE
- PROPOSED CATCH BASIN
- PROPOSED STORM SEWER
- PROPOSED STORM SEWER
- PROPOSED SPOT ELEVATION

DRAINAGE SCHEDULE

STRUCTURE NO.	STRUCTURE/CASTING TYPE	RIM/GRATE ELEVATION	INVERT ELEVATION IN	PIPE SIZE IN	PIPE SLOPE IN	INVERT ELEVATION OUT	PIPE SIZE OUT	PIPE SLOPE OUT
S-1	CB	748.83				SW 746.00	12"	0.57%
S-2	CB	748.62	NE 745.79	12"	0.57%	SE 745.79	12"	0.57%
S-3	CB	748.22	NW 745.35	12"	0.57%	S 744.85	18"	0.57%
S-4	CB	747.58	N 744.17 W 743.23 E 748.05	18" 12" 12"	0.57% 0.50% 0.50%	S 743.67	24"	0.57%
S-5	MH	746.26	N 743.01	24"	0.57%	S 743.01	24"	0.57%
S-6	MH	744.91	N 741.66	24"	0.57%	SE 741.66	24"	0.57%
S-7	CB	745.40	NW 741.40	24"	0.57%	S 740.40	36"	0.57%
S-8	FES	743.83	N 740.00	36"	0.57%			
S-9	CB	746.46				NE 744.00	12"	0.50%
S-10	CB	0.00	SW 743.82	12"	0.50%	E 743.82	12"	0.50%
S-11	CB	751.10	W 749.00	12"	0.50%			
S-12	CB	751.83				E 749.00	12"	0.52%
S-13	CB	750.82	W 747.94	12"	0.52%	S 747.44	18"	0.52%
S-14	CB	749.18	N 745.77	18"	0.52%	W 745.27	24"	0.52%
S-15	CB	748.35	E 744.44	24"	0.52%	SW 744.44	24"	0.52%
S-16	FES	746.75	NE 744.00	24"	0.52%			
S-17	CB	744.22				N 741.39	12"	1.00%

GRADING NOTES:

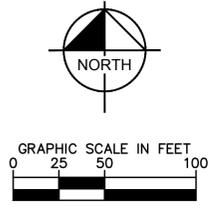
- PRECAST CONCRETE RISER SECTIONS AND APPURTENANT UNITS USED IN THE CONSTRUCTION OF MANHOLE, FLARED END SECTIONS, AND CATCH BASIN STRUCTURES SHALL CONFORM WITH THE REQUIREMENTS OF ASTM C-478, C-76 AND MN/DOT 2506.
- STORM SEWER SHALL BE REINFORCED CONCRETE PIPE WITHIN THE PUBLIC ROW. STORM SEWER NOT WITHIN THE PUBLIC ROW MAY BE RCP, PVC, OR HDPE.
 - RCP PIPE, FITTINGS, AND SPECIALS SHALL CONFORM WITH THE REQUIREMENTS OF ASTM C-76. JOINTS SHALL MEET THE REQUIREMENTS OF ASTM C-361, C-990, AND C-443.
 - PVC PIPE, FITTINGS, AND SPECIALS SHALL CONFORM WITH THE REQUIREMENTS OF ASTM D-3034. PIPE JOINTS SHALL CONFORM TO ASTM D-3212 AND ASTM F-477.
 - HDPE PIPE MAY BE EITHER AASHTO M252 TYPE S, M294 TYPE S, OR ASTM F-2306.
- ALL BRANCH FITTINGS SHALL BE CAST AS INTEGRAL PARTS OF THE PIPE. ALL FITTINGS AND SPECIALS SHALL BE OF THE SAME STRENGTH CLASS AS THE PIPE TO WHICH THEY ARE ATTACHED.

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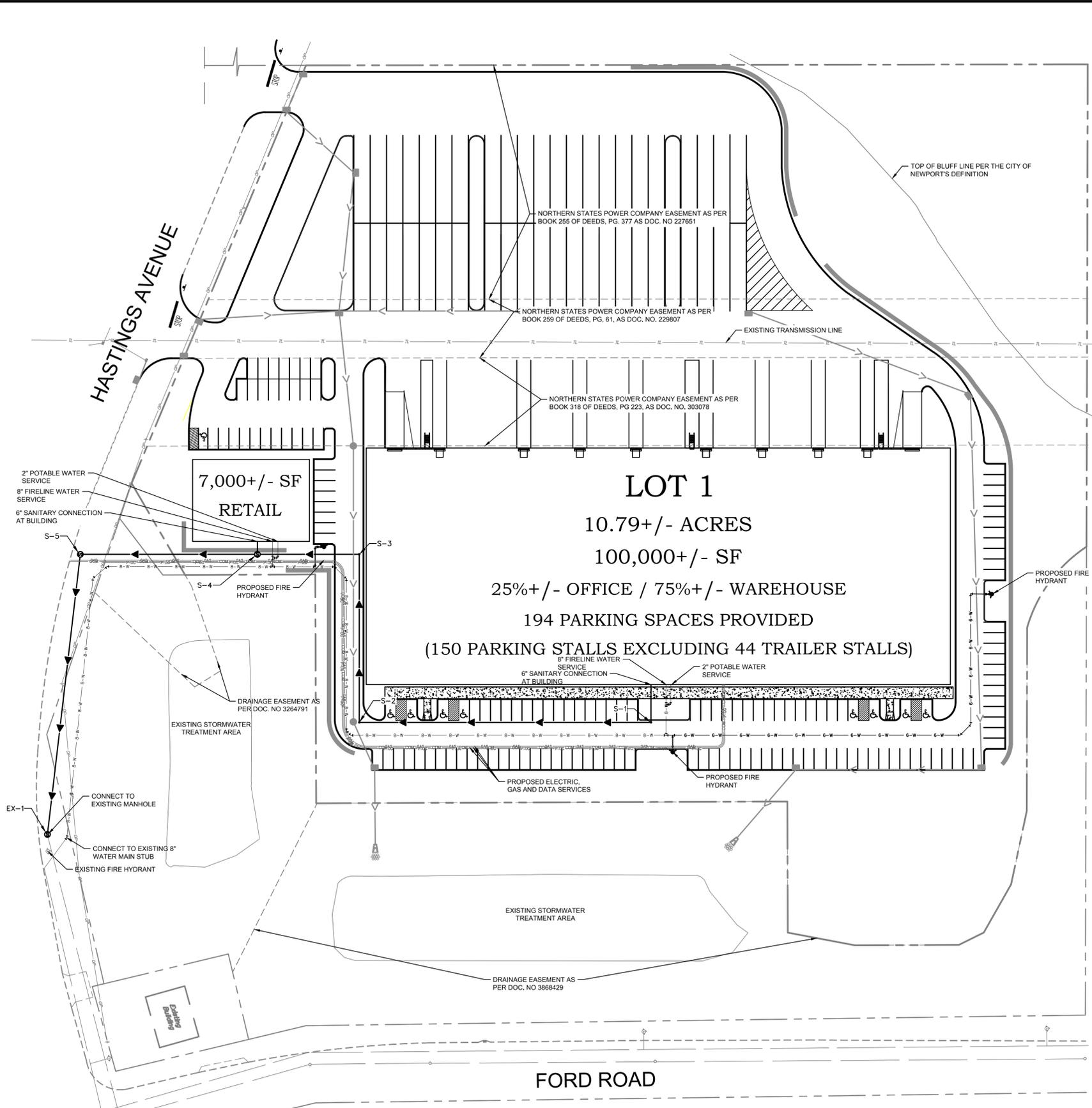


PRELIMINARY - NOT FOR CONSTRUCTION
GRADING AND DRAINAGE PLAN
 NEWPORT BUSINESS CENTER
 NEWPORT, MINNESOTA
 SHEET NUMBER
C3.0

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I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
 WILLIAM D. MATZEK
 MN LIC. NO. 2013013372
 DATE: 06/15/2015

K:\TWC_LDE\August_Venture_Newport_Industrial\3_Design\CAD\PlanSheets\C4.0 - Utility Plan.dwg June 12, 2015 - 11:43am
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LEGEND

- PROPOSED REDUCER
- PROPOSED TEE
- PROPOSED GATE VALVE
- PROPOSED HYDRANT
- PROPOSED MANHOLE (STORM OR SANITARY)
- PROPOSED CATCH BASIN
- PROPOSED WATERMAIN
- PROPOSED SANITARY SEWER
- PROPOSED STORM SEWER
- PROPOSED STORM SEWER
- PROPOSED UNDERGROUND ELECTRIC
- PROPOSED TELEPHONE
- PROPOSED GAS MAIN

SANITARY SEWER SCHEDULE

STRUCTURE NO.	STRUCTURE TYPE	RIM/GRADE ELEVATION	INVERT ELEVATION IN	PIPE SIZE IN	PIPE SLOPE IN	INVERT ELEVATION OUT	PIPE SIZE OUT	PIPE SLOPE OUT
EX-1	MH	749.80	N 740.30	8"	0.40%			
S-1	CO	755.58	N 750.23	6"	1.13%	W 750.13	6"	1.00%
S-2	CO	752.99	E 747.64	6"	1.00%	N 747.54	6"	1.03%
S-3	CO	752.62	S 746.06	6"	1.03%	W 745.96	6"	1.00%
S-4	MH	753.52	E 745.09 N 747.14	6"	1.00%	W 741.97	8"	0.40%
S-5	MH	751.17	E 741.36	8"	0.40%	S 741.26	8"	0.40%

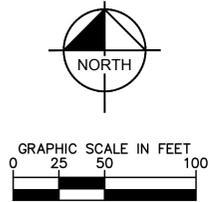
UTILITY NOTES

- CONTRACTOR TO ENSURE MATERIALS AND INSTALLATION ARE IN ACCORDANCE WITH THE CITY OF NEWPORT MOST CURRENT ENGINEERING GUIDELINES AND CITY ENGINEERS OF MINNESOTA.
- PROVIDE MINIMUM 7.5' OF COVER FOR WATERMAIN.
- WATER PIPE SIZES 3-INCHES AND SMALLER FOR INSTALLATION BELOW GRADE AND OUTSIDE THE BUILDING SHALL COMPLY WITH ONE OR A COMBINATION OF THE FOLLOWING:
 - SEAMLESS COPPER TUBING: TYPE "K" SOFT COPY, ASTM B88.
 - FITTINGS: WROUGHT COPPER (95-5 TIN ANTIMONY SOLDER JOINT), ASME B 16.22.
 - POLYVINYL CHLORIDE (PVC) WATER PIPE: PIPE, ASTM D2241, WITH SDR 21 RATING, CONTINUALLY MARKED WITH MANUFACTURER'S NAME, PIPE SIZE, CELL CLASSIFICATION, SDR RATING, AND ASTM D1784 MATERIAL CLASSIFICATION.
 - PIPE JOINTS: INTEGRALLY MOLDED BELL ENDS, ASTM D2672.
 - CEMENT PRIMER: ASTM F656.
 - SOLVENT CEMENT: ASTM D2564
- WATER PIPE SIZES 4 TO 16 INCHES FOR INSTALLATION BELOW GRADE AND OUTSIDE BUILDING SHALL BE:
 - POLYVINYL CHLORIDE (PVC) WATER PIPE: PIPE, AWWA C900, RATED DR 18 (CLASS 150), CONTINUALLY MARKED AS REQUIRED.
 - ELASTOMERIC GASKETS AND LUBRICANT: ASTM F477 FOR SMALLER PIPES.
 - PIPE JOINTS: INTEGRALLY MOLDED BELL ENDS, ASTM D3139.
 - DISINFECTION OF WATER MAIN SHALL BE IN ACCORDANCE WITH AWWA C-651. WATER SHALL BE TESTED AND FOUND TO MEET THE STANDARDS PRESCRIBED BY THE MINNESOTA DEPARTMENT OF HEALTH.
- SANITARY SEWER SHALL BE POLYVINYL CHLORIDE PIPE (PVC): ASTM 3034, RATED SDR 35 UNLESS OTHERWISE SPECIFIED BY THE UTILITY COMPANY. PIPE SHALL BE CONTINUALLY MARKED WITH MANUFACTURE'S NAME, PIPE, CELL CLASSIFICATION, SDR RATING, AND ASTM D 3034 CLASSIFICATION.
 - PIPE JOINTS: INTEGRALLY MOLDED BELL ENDS, ASTM D 3034, TABLE 2, WITH FACTORY SUPPLIED ELASTOMERIC GASKETS AND LUBRICANT.
- SANITARY SEWER LID AND FRAME: ONE OF THE FOLLOWING OR APPROVED EQUAL:
 - BASS AND HAYS FOUNDRY, DEETER FOUNDRY, INC, EAST JORDAN IRON WORKS, NEENAH FOUNDRY, U.S. FOUNDRY AND MANUFACTURING.
 - ASTM A484, CLASS 30B MINIMUM, HEAVY DUTY CAST IRON CONSTRUCTION, MACHINED FLAT BEARING SURFACE.
 - REMOVABLE LID, CLOSED OR PEN AS INDICATED ON CONSTRUCTION DRAWING, WITH SEALING GASKET.

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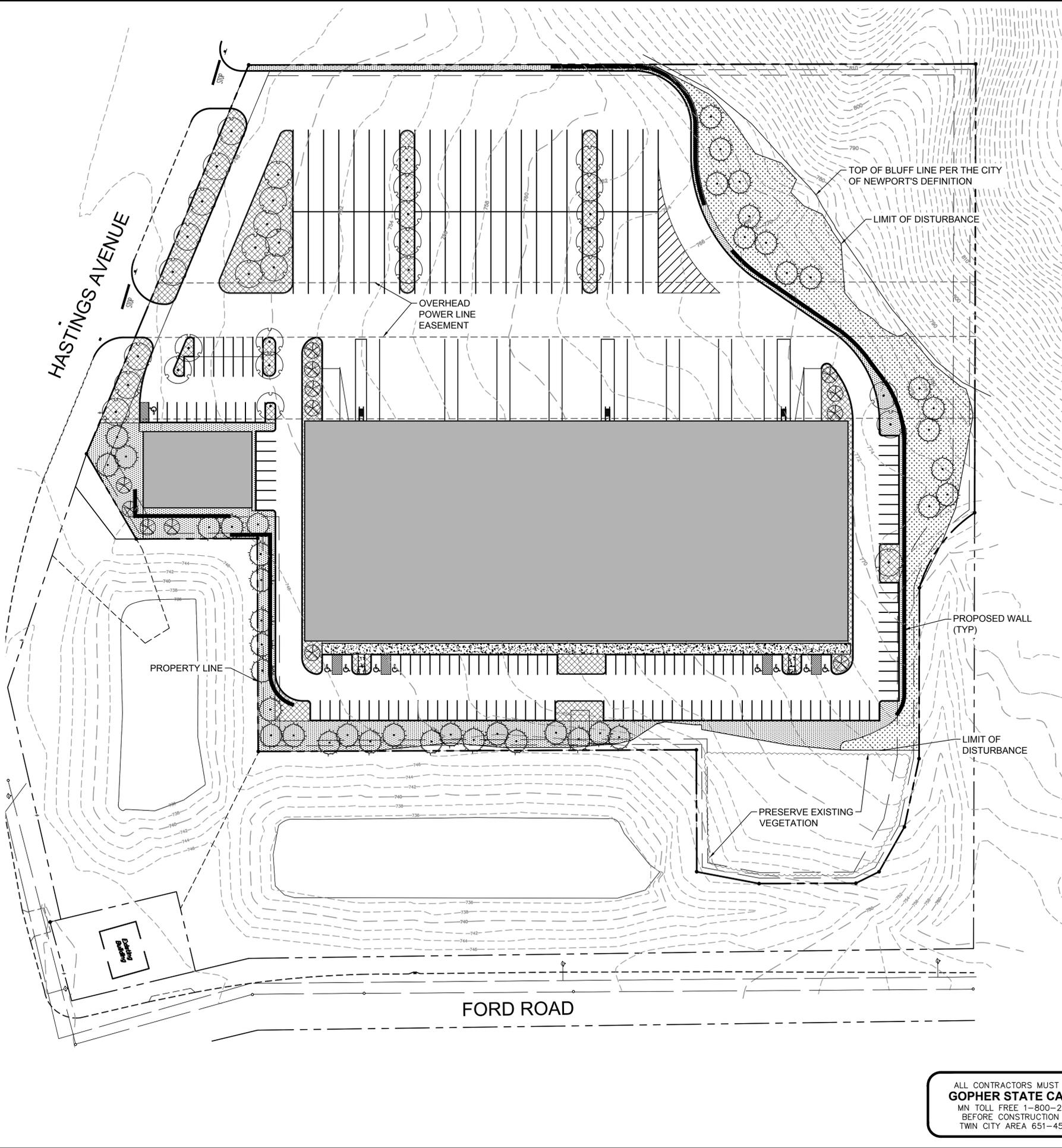
UTILITY PLAN

NEWPORT BUSINESS CENTER
 NEWPORT, MINNESOTA

SHEET NUMBER
C4.0

KHA PROJECT	160806000	DATE	06/15/2015	SCALE	AS SHOWN	DESIGNED BY	NEW	DRAWN BY	NEW	CHECKED BY	BMW
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATIONS OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.											
										WILLIAM D. MATZEK	MN LIC. NO. 2013013372
										DATE: 06/15/2015	LIC. NO. 2013013372

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PRELIMINARY PLANT SCHEDULE						
SYMBOL	QTY	COMMON NAME	SIZE	ROOT	MATURE SPREAD	
33		SWAMP WHITE OAK	2" CAL.	B & B	60'	
		COMMON HACKBERRY	2" CAL.	B & B	50'	
		HONEYLOCUST	2" CAL.	B & B	35'	
		AUTUMN BLAZE MAPLE	2" CAL.	B & B	40'	
		NEW HORIZON ELM	2" CAL.	B & B	40'	
13		BOULEVARD LINDEN	2" CAL.	B & B	30'	
		SPRING SNOW CRABAPPLE	1.5" CAL.	B & B	20'	
		AUTUMN BRILLIANCE SERVICEBERRY	1.5" CAL.	B & B	30'	
		DOGWOOD	1.5" CAL.	B & B	20'	
		HAWTHORN	1.5" CAL.	B & B	20'	
42		LILAC	1.5" CAL.	B & B	20'	
		BLACK HILLS SPRUCE	6' HT	B & B	15'	
		AUSTRIAN PINE	6' HT	B & B	40'	
		DOUGLAS FIR	6' HT	B & B	20'	
		WHITE SPRUCE	6' HT	B & B	20'	
23,626 SF		VIBURNUM	#5	CONT.	VARIES	
		HYDRANGEA	#5	CONT.	VARIES	
		JUNIPER	#5	CONT.	VARIES	
		DOGWOOD	#5	CONT.	VARIES	
		ROSE	#5	CONT.	VARIES	
		SPIREA	#5	CONT.	VARIES	
		DAYLILY	#1	CONT.	VARIES	
		KARL FOERSTER	#1	CONT.	VARIES	
	29,500 SF		SEED			
	28,900 SF		NATIVE SEED MIX			

SITE LANDSCAPE REQUIREMENTS		
AREAS	REQUIREMENTS	PROPOSED
PERVIOUS AREA 81,026 SF	1 TREE / 1,000 SF (81 TREES REQUIRED)	81 TREES
PARKING AREA 222,275 SF	10% OF LOT LANDSCAPED (22,227 SF)	23,626 SF
STREET FRONTAGE 385 LF	1 TREE / 50 LF (7 TREES REQUIRED)	7 TREES

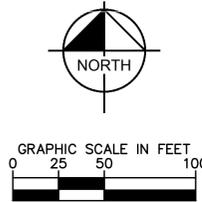
LANDSCAPE PLAN NOTES

1. PLANT MATERIAL SHALL COMPLY WITH THE CURRENT EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, ANSI Z60.1. INSTALL PLANT MATERIALS PER PLANTING DETAILS.
2. SUBSTITUTION REQUESTS FOR PLANT MATERIAL TYPE & SIZE SHALL BE SUBMITTED TO THE LANDSCAPE ARCHITECT FOR CONSIDERATION PRIOR TO BIDDING. ALL SUBSTITUTIONS AFTER BIDDING MUST BE APPROVED BY LANDSCAPE ARCHITECT AND ARE SUBJECT TO CONTRACT ADJUSTMENTS.
3. ADJUSTMENTS IN LOCATION OF PROPOSED PLANT MATERIALS MAY BE NEEDED IN FIELD. LANDSCAPE ARCHITECT MUST BE NOTIFIED PRIOR TO ADJUSTMENT OF PLANTS.
4. FERTILIZE PLANT MATERIAL UPON INSTALLATION WITH DRIED BONE MEAL, OR OTHER APPROVED FERTILIZER MIXED IN WITH THE PLANTING SOIL PER THE MANUFACTURER'S INSTRUCTIONS MAY ALSO BE TREATED FOR SUMMER AND FALL INSTALLATION WITH AN APPLICATION OF GRANULAR 10-0-5 OF 12 OZ. PER TREE AND 6 OZ. PER SHRUB WITH AN ADDITIONAL APPLICATION OF 10-0-10 THE FOLLOWING SPRING IN THE TREE AREA.
5. INSTALL 12" DEPTH OF PLANTING SOIL IN AREAS RECEIVING GROUND COVER, SHRUBS, & PERENNIALS UNLESS OTHERWISE NOTED.
6. INSTALL 4" DEEP DOUBLE SHREDDED HARDWOOD BARK MULCH IN ALL PLANTING BEDS.
7. ENSURE THAT SOIL CONDITIONS AND COMPACTION ARE ADEQUATE TO ALLOW FOR PROPER DRAINAGE AROUND THE CONSTRUCTION SITE. UNDESIRABLE CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT PRIOR TO BEGINNING WORK. IT SHALL BE THE LANDSCAPE CONTRACTOR'S RESPONSIBILITY TO ENSURE PROPER SURFACE AND SUBSURFACE DRAINAGE IN PLANTING AREAS.
8. WARRANTY NEW PLANT MATERIAL THROUGH ONE CALENDAR YEAR FROM THE DATE OF SUBSTANTIAL COMPLETION. NO PARTIAL ACCEPTANCE WILL BE CONSIDERED.
9. INSTALL SEED AS INDICATED IN PLAN. REPLACE TURF GRASS AND ANY PLANT MATERIAL DAMAGED FROM CONSTRUCTION ACTIVITIES AS NECESSARY.
10. EXISTING CONDITIONS SHOWN FOR REFERENCE ONLY. CONTRACTOR TO VERIFY ALL WORK IN FIELD PRIOR TO CONSTRUCTION.

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NEWPORT BUSINESS CENTER
NEWPORT, MINNESOTA

LANDSCAPE PLAN

SHEET NUMBER
L1.0

KHA PROJECT	1600600
DATE	6/8/2015
SCALE	AS SHOWN
DESIGNED BY	CRS
DRAWN BY	MRV
CHECKED BY	CRS
CHARLES STEWART	MIN
DATE	6/11/2015
LIC. NO.	48480



Parcel ID: 2502822320035

Parcel Address:
, CITY OF NEWPORT

0 300 600 1,200 Feet

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

Created on 7/6/2015

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.

**PLANNING COMMISSION
RESOLUTION NO. P.C. 2015-5**

**A RESOLUTION RECOMMENDING CITY COUNCIL APPROVE A REZONING REQUESTED BY
AUGUST VENTURES LLC, 5021 VERNON AVE, SUITE 202, EDINA, MN 55436, FOR PROPERTY
LOCATED ON HASTINGS AVENUE NORTH OF FORD ROAD, NEWPORT, MN 55055**

WHEREAS, August Ventures LLC, 5021 Vernon Ave, Suite 202, Edina, MN 55436, has submitted a request for a rezoning; and

WHEREAS, The proposed rezoning is for property located on Hastings Avenue, north of Ford Road, Newport, MN 55055, and is more fully legally described as follows:

PID# 25.028.22.32.0035 - That part of the West one-half of the Southwest Quarter of Section 25, Township 28 North, Range 22 West, Washington County, Minnesota, lying North of the land covered by the plat of Red Rock Park on file and of record in the Office of the County Recorder, Washington County, Minnesota and lying East of Trunk Highway No. 61 as platted in Minnesota Department of Transportation Right of Way Plat No. 82-99, on file and of record in the Office of the County Recorder, Washington County, Minnesota, except the following described property:

1. All that part of the Northwest Quarter of the Southwest Quarter of Section 25, Township 28 North, Range 22 West, described as follows, to-wit: Beginning at the intersection of the North line of Ford Avenue with the Easterly right-of-way line of State Highway No. 61, and running thence East along said North line of Ford Avenue 117 feet to an iron pipe monument; thence North at right angles with said North line of said Ford Avenue 75 feet to an iron pipe monument, thence West on a line parallel to and 75 feet North of said North line of Ford Avenue, to the intersection of said parallel line with said Easterly line of said highway; thence Southerly along said Easterly line of said highway 75 feet to the point of beginning.
2. That part of the West Half of the Southwest Quarter of Section 25, Township 28 North, Range 22 West, shown as Parcel 219A on Minnesota Department of Transportation Right of Way Plat Numbered 82-99 as the same in on file and of record in the Office of the County Recorder in and for Washington County, Minnesota.
3. That part of the Northwest Quarter of the Southwest Quarter of Section 25, Township 28, Range 22, Washington County, Minnesota, described as follows: Commencing at the Northwest corner of the Northwest Quarter of the Southwest Quarter of Section 25, Township 28 North, Range 22 West, Washington County, Minnesota, according to the Government Survey thereof; thence North 89 degrees 55 minutes 38 seconds East assumed bearing along the North line of said Northwest Quarter of the Southwest Quarter for a distance of 1309.46 feet to the East line of said Northwest Quarter of the Southwest Quarter; thence South 00 degrees 08 minutes 42 seconds West along said the East line of the Northwest Quarter of the Southwest Quarter for a distance of 411.84 feet to the point of beginning; thence South 00 degrees 08 minutes 40 seconds West continuing along said East line of the Northwest Quarter of the Southwest Quarter for a distance of 400.04 feet plus or minus to the North right way line of Ford Place; thence South 89 degrees 13 minutes 35 seconds West along said North right way line of Ford Place for a distance of 667.19 feet; thence South 76 degrees 33 minutes 55 seconds West continuing along said North right way line of Ford Place for a distance of 50.44 feet; thence North 13 degrees 26 minutes 05 seconds West at a right angle to said North right way line of Ford Place for a distance of 75.00 feet; thence South 76 degrees 33 minutes 55 seconds West and parallel to said North right way line of Ford Place for a distance of 109.36 feet plus or minus to the Easterly right of way line of MINNESOTA DEPARTMENT OF TRANSPORTATION MAP NO. 82-99; thence North 12 degrees 56 minutes 51 seconds West along said Easterly right of way line of MINNESOTA DEPARTMENT OF TRANSPORTATION MAP NO. 82-99 for a distance of 218.46 feet; thence North 18 degrees 42 minutes 30 seconds East continuing along said Easterly right of way line of MINNESOTA DEPARTMENT OF TRANSPORTATION MAP NO. 82-99 for a distance of 194.56 feet; thence South 37 degrees 26 minutes 23 seconds East for a distance of 60.66 feet; thence

North 89 degrees 47 minutes 08 seconds East for a distance of 130.45 feet; thence South 00 degrees 12 minutes 51 seconds East for a distance of 195.40 feet; thence North 89 degrees 47 minutes 09 seconds East for a distance of 403.33 feet; thence South 00 degrees 12 minutes 52 seconds East for a distance of 111.98 feet; thence South 79 degrees 19 minutes 19 seconds East for a distance of 58.31 feet; thence North 89 degrees 47 minutes 08 seconds East for a distance of 89.15 feet; thence North 63 degrees 39 minutes 19 seconds East a distance of 23.74 feet; thence North 29 degrees 38 minutes 00 seconds East for a distance of 47.30 feet; thence North 12 degrees 04 minutes 54 seconds East for a distance of 64.12 feet; thence North 00 degrees 06 minutes 52 seconds East for a distance of 156.75 feet; thence Northeasterly along a nontangential curve to the right having a radius of 125.00, a central angle of 40 degrees 05 minutes 31 seconds, an arc length of 87.47 feet, a chord distance of 85.69 feet and a chord_bearing of North 36 degrees 25 minutes 14 seconds East to the point of beginning and there terminating; and

WHEREAS, The described property is zoned Commercial Mixed-Use (MX-2); and

WHEREAS, The request is to rezone the property to Business Park/Office/Warehouse (B-1); and

WHEREAS, Chapter 13, Section 1310.02, Subdivision 3, of the Code of Ordinance states; "Proceedings for amendment, which are initiated by the petition of the owner or owners of the property, shall be filed with the Zoning Administrator. All applications shall be accompanied by an administrative fee as prescribed in Subsection 1310.01 and shall include the following information:

- A. The name and address of the applicant or applicants;
- B. A description of the area proposed to be rezoned; the names and addresses of all owners of property lying within such area and a description of the property owned by each;
- C. The present zone classification of the area and the proposed zone classification;
- D. A description of the present use of each separately owned tract within the area, and the intended use of any tract of land therein;
- E. A site plan showing the location and extent of the proposed building, parking, loading, access drives, landscaping and any other improvements;
- F. A statement of how the rezoning would fit in with the general zoning pattern of the neighborhood, and the zoning plan of the entire City;
- G. A map showing the property to be rezoned, and the present zoning of the surrounding area for at least a distance of five hundred (500) feet, including the street pattern of such area, together with the names and addresses of the owners of the lands in each area; and

WHEREAS, Following publication, posted, and mailed notice thereof, the Newport Planning Commission held a Public Hearing on July 13, 2015; and

WHEREAS, the Planning Commission's findings related to the request for approval of a Rezoning included the following:

1. The proposed rezoning from the MX-2 District to the B-1 District is consistent with the adopted land use and zoning maps in the 2030 Comprehensive Plan, and with the adjacent transportation and commercial land uses to the west and south. The use on the site will be separated from adjacent rural residential areas by steep topography and existing wooded vegetation..
2. The proposed zoning is compatible with the general zoning patterns in the City, which have zoned the areas along major roadways for Business, Industrial, and Mixed Commercial/Residential Districts.
3. Based on the consistency with surrounding land uses, the rezoning is likely to conserve property values in the City and increase the value on the parcel.

4. The rezoning will permit development of a vacant, highly-visible site and will result in positive impacts for the City by permitting development of a vacant parcel which will increase property values and taxes, provide new jobs, and improve the image of the City.

NOW, THEREFORE, BE IT FURTHER RESOLVED That the Newport Planning Commission **Hereby Recommends Newport City Council Approval** for a Rezoning of the described property from MX-2 to B-1 to applicant August Ventures LLC, 5021 Vernon Ave, Suite 202, Edina, MN 55436.

Adopted this 13th day of July, 2015 by the Newport Planning Commission.

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

Signed: _____
Anthony Mahmood, Chairperson

ATTEST: _____
Deb Hill, City Administrator

**PLANNING COMMISSION
RESOLUTION NO. P.C. 2015-6**

A RESOLUTION RECOMMENDING THE NEWPORT CITY COUNCIL APPROVE A CONDITIONAL USE PERMIT REQUESTED BY AUGUST VENTURES LLC, 5021 VERNON AVE, SUITE 202, EDINA, MN 55436, FOR PROPERTY LOCATED ON HASTINGS AVENUE NORTH OF FORD ROAD, NEWPORT, MN 55055

WHEREAS, August Ventures LLC, 5021 Vernon Ave, Suite 202, Edina, MN 55436, has submitted a request for a Conditional Use Permit to allow for a new office/warehouse building, commercial building, and associated parking and site improvements; and

WHEREAS, The proposed rezoning is for property located on Hastings Avenue, north of Ford Road, Newport, MN 55055, and is more fully legally described as follows:

PID# 25.028.22.32.0035 - That part of the West one-half of the Southwest Quarter of Section 25, Township 28 North, Range 22 West, Washington County, Minnesota, lying North of the land covered by the plat of Red Rock Park on file and of record in the Office of the County Recorder, Washington County, Minnesota and lying East of Trunk Highway No. 61 as platted in Minnesota Department of Transportation Right of Way Plat No. 82-99, on file and of record in the Office of the County Recorder, Washington County, Minnesota, except the following described property:

1. All that part of the Northwest Quarter of the Southwest Quarter of Section 25, Township 28 North, Range 22 West, described as follows, to-wit: Beginning at the intersection of the North line of Ford Avenue with the Easterly right-of-way line of State Highway No. 61, and running thence East along said North line of Ford Avenue 117 feet to an iron pipe monument; thence North at right angles with said North line of said Ford Avenue 75 feet to an iron pipe monument, thence West on a line parallel to and 75 feet North of said North line of Ford Avenue, to the intersection of said parallel line with said Easterly line of said highway; thence Southerly along said Easterly line of said highway 75 feet to the point of beginning.
2. That part of the West Half of the Southwest Quarter of Section 25, Township 28 North, Range 22 West, shown as Parcel 219A on Minnesota Department of Transportation Right of Way Plat Numbered 82-99 as the same in on file and of record in the Office of the County Recorder in and for Washington County, Minnesota.
3. That part of the Northwest Quarter of the Southwest Quarter of Section 25, Township 28, Range 22, Washington County, Minnesota, described as follows: Commencing at the Northwest corner of the Northwest Quarter of the Southwest Quarter of Section 25, Township 28 North, Range 22 West, Washington County, Minnesota, according to the Government Survey thereof; thence North 89 degrees 55 minutes 38 seconds East assumed bearing along the North line of said Northwest Quarter of the Southwest Quarter for a distance of 1309.46 feet to the East line of said Northwest Quarter of the Southwest Quarter; thence South 00 degrees 08 minutes 42 seconds West along said the East line of the Northwest Quarter of the Southwest Quarter for a distance of 411.84 feet to the point of beginning; thence South 00 degrees 08 minutes 40 seconds West continuing along said East line of the Northwest Quarter of the Southwest Quarter for a distance of 400.04 feet plus or minus to the North right way line of Ford Place; thence South 89 degrees 13 minutes 35 seconds West along said North right way line of Ford Place for a distance of 667.19 feet; thence South 76 degrees 33 minutes 55 seconds West continuing along said North right way line of Ford Place for a distance of 50.44 feet; thence North 13 degrees 26 minutes 05 seconds West at a right angle to said North right way line of Ford Place for a distance of 75.00 feet; thence South 76 degrees 33 minutes 55 seconds West and parallel to said North right way line of Ford Place for a distance of 109.36 feet plus or minus to the Easterly right of way line of MINNESOTA DEPARTMENT OF TRANSPORTATION MAP NO. 82-99; thence North 12 degrees 56 minutes 51 seconds West along said Easterly right of way line of MINNESOTA DEPARTMENT OF TRANSPORTATION MAP NO. 82-99 for a distance of 218.46 feet; thence North 18 degrees 42 minutes 30 seconds East continuing along said Easterly right of way line of MINNESOTA DEPARTMENT OF TRANSPORTATION MAP NO. 82-99 for a distance of 194.56 feet;

thence South 37 degrees 26 minutes 23 seconds East for a distance of 60.66 feet; thence North 89 degrees 47 minutes 08 seconds East for a distance of 130.45 feet; thence South 00 degrees 12 minutes 51 seconds East for a distance of 195.40 feet; thence North 89 degrees 47 minutes 09 seconds East for a distance of 403.33 feet; thence South 00 degrees 12 minutes 52 seconds East for a distance of 111.98 feet; thence South 79 degrees 19 minutes 19 seconds East for a distance of 58.31 feet; thence North 89 degrees 47 minutes 08 seconds East for a distance of 89.15 feet; thence North 63 degrees 39 minutes 19 seconds East a distance of 23.74 feet; thence North 29 degrees 38 minutes 00 seconds East for a distance of 47.30 feet; thence North 12 degrees 04 minutes 54 seconds East for a distance of 64.12 feet; thence North 00 degrees 06 minutes 52 seconds East for a distance of 156.75 feet; thence Northeasterly along a nontangential curve to the right having a radius of 125.00, a central angle of 40 degrees 05 minutes 31 seconds, an arc length of 87.47 feet, a chord distance of 85.69 feet and a chord_bearing of North 36 degrees 25 minutes 14 seconds East to the point of beginning and there terminating; and

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, Following publication, posted, and mailed notice thereof, the Newport Planning Commission held a Public Hearing on July 13, 2015; and

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

1. The proposed use is designated in Section 1330 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 and Commercial uses 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.

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, commercial building, and associated parking and site improvements for property located along Hastings Avenue, north of Ford Road 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 June 15, 2015. 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. The Building Plans shall be approved prior to approval of a building permit.
2. The Applicant shall address the Engineer's comments regarding utilities and stormwater management and submit the final site and utility plans to the City Engineer for review prior to approval of a building permit.
3. Maximum truck loads serving the site may not exceed 9 tons in weight year-round.
4. The applicant shall provide the plans for the buildings to the City staff for approval.
5. No outside storage is permitted on the site.
6. 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.
7. Vehicles parked for more than 48 hours must be screened from the eye-level view of public streets and adjacent residential areas.
8. 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.
9. Any utility equipment installed at the site must meet the ordinance requirements.
10. The Applicant shall apply to the City for a permit for sign(s) proposed as the site. All signs shall meet the ordinance requirements.
11. The applicant shall pay all fees and escrow associated with this application.

Adopted this 13th day of July, 2015 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:	9 th Street & 2 nd Avenue Subdivision
Copies To:	Deb Hill, City Administrator		
	Renee Eisenbeisz, Executive Analyst		
	City of Newport, owner	Project No.:	15743.000
From:	Sherri Buss, RLA, AICP, Planner	Routing:	
Date:	July 13, 2015		

SUBJECT: 9th Street and 2nd Avenue Minor Subdivision

MEETING DATE: July 13, 2015

LOCATION: 9th Street and 2nd Avenue
Newport, MN

APPLICANT: City of Newport

ZONING: Low Density Single-Family Residential (R-1) District

60-DAY PERIOD: August 30, 2015

ITEMS REVIEWED: Subdivision Sketch Plan received July 1, 2015

BRIEF DESCRIPTION OF THE REQUEST:

The City is proposing to subdivide an existing 27,204 square-foot parcel (0.62 acres) that it owns into two developable parcels. The lots are proposed to be 13,569 (Parcel A) and 13,635 (Parcel B) square feet in size. The subject property is located in the Low-Density Single-Family Residential (R-1) District. The City is also considering vacating the alley east of the proposed Parcel B, and adjusting the lot lines to add the area of half of the vacated alley to Parcel A, to provide more buildable area outside the required bluff setback. The process to vacate the alley would be completed separately to meet the requirements of State Statute, and the area added if the City Council approved the alley vacation.

The existing parcel is vacant. The City is proposing that each of the parcels will be developed with a single-family home.

DETAILED EVALUATION OF THE REQUEST:

The Subdivision Ordinance requires that subdivisions and the subdivision process meet the following standards:

- That the proposed subdivision conform to the Comprehensive Plan
- That subdivisions are consistent with applicable plans, laws and regulations
- To provide for the orderly subdivision of land and ensure proper legal descriptions
- To ensure that adequate public infrastructure, facilities and services are available concurrent with development
- To require that subdividers furnish land, install infrastructure, pay fees, and install measures needed to ensure that development provides its fair share of capital facilities
- To ensure that new subdivisions contribute toward an attractive, orderly, stable, livable and safe community through adequate design and construction
- To encourage wise use and management of land, water, and natural resources and secure the rights of the public with respect to public lands and waters
- To provide a means to provide adequate recreation areas, school sites, and other public facilities

The sections that follow review the proposed subdivision based on the ordinance requirements.

Comprehensive Plan

The Comprehensive Plan says that the intent of the R-1 District is to provide for single-family homes with a minimum lot size of approximately 9,000 square feet. The Plan specifically encourages in-fill development of new homes on vacant parcels in the “old town” area west of Highway 61. The proposed residential use is consistent with the Comprehensive Plan recommendations for uses and lot sizes in the R-1 District.

Dimensional Requirements

The Zoning Ordinance requires that lots in the R-1 District be a minimum 70 feet wide and 130 feet deep. The proposed parcels are each approximately 70 feet wide and 195 and 196 feet deep. (When the vacated alley area is added to the parcels, each will be more than 70 feet wide.)

The setback requirements include the following:

- Front yard: 30 feet
- Side yard: 10 feet
- Rear yard: 30 feet

The proposed lots and existing structures meet the dimensional requirements.

Access and Right-of-Way Requirements

Access for each of the new parcels would be developed from 9th Street. The City's Public Works Director would review the proposed access as part of the building permit review.

Maximum Lot Coverage

The maximum allowed lot coverage in the R-1 District is 35%. The City will require future development on the new parcels to meet the ordinance requirements for lot coverage.



Accessory Structures

There are no existing primary or accessory structures on the parcels.

Building Height

No new buildings are proposed on the parcels. The City will require future development on the parcels to meet the structure and dimensional requirements.

City Utilities

The parcels will have City sewer and water service.

Grading

No construction or grading is proposed with subdivision.

Wetlands and Bluffs

There are no wetlands on the parcels. The western boundary of Parcel A is near the top of the bluffline that faces the Mississippi River. The location of the required structure setback from the bluffline is noted on the parcel. Proposed buildings and driveways will need to meet the bluff setback requirement.

Park Dedication

The City requires that most subdivisions dedicate land, or cash in lieu of land, to the public as parks, playgrounds, trails or open space for all newly-created lots. The Administrator recommended that the City not charge itself for park dedication for the creation of one new parcel for this subdivision.

ACTION REQUESTED:

The Planning Commission may take the following actions:

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

PLANNING STAFF RECOMMENDATIONS:

The Planner recommends that the Planning Commission approve the proposed minor subdivision of the parcel located at 9th Street and 2nd Avenue, with the following conditions:

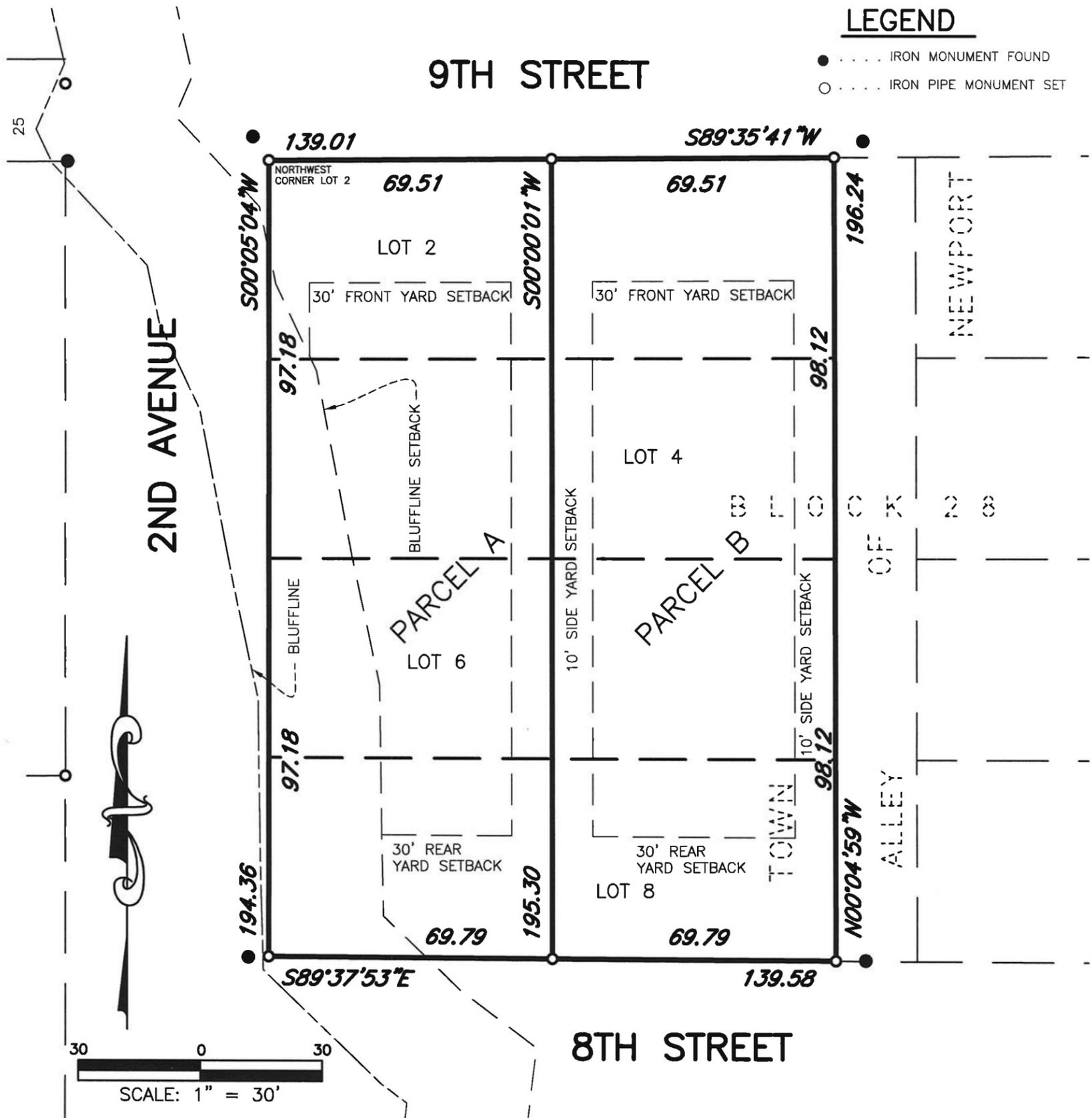
1. The Final Plat shall be substantially in conformance with the survey dated June 8, 2015.
2. All future development on Parcels A and B shall meet the requirements of the City's Ordinances.



ADMINISTRATIVE LOT SPLIT FOR: CITY OF NEWPORT

LEGEND

- IRON MONUMENT FOUND
- IRON PIPE MONUMENT SET



PROPOSED LEGAL DESCRIPTIONS:

PARCEL A:

THAT PART OF LOTS 2, 4, 6 AND 8, BLOCK 28, TOWN OF NEWPORT ACCORDING TO THE PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER, WASHINGTON COUNTY, MINNESOTA LYING WEST OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2; THENCE NORTH 89 DEGREES 35 MINUTES 41 SECONDS EAST ASSUMED BEARING ALONG THE NORTH LINE OF SAID LOT 2 A DISTANCE OF 69.51 TO THE POINT OF BEGINNING OF THE LINE TO BE DESCRIBED; THENCE SOUTH 00 DEGREES 00 MINUTES 01 SECONDS WEST FOR A DISTANCE OF 195.30 FEET TO THE SOUTH LINE OF SAID LOT 8 AND THERE TERMINATING.

CONTAINING 13,569 SQUARE FEET OR 0.31 ACRES. SUBJECT TO EASEMENTS OF RECORD.

PARCEL B:

THAT PART OF LOTS 2, 4, 6 AND 8, BLOCK 28, TOWN OF NEWPORT ACCORDING TO THE PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER, WASHINGTON COUNTY, MINNESOTA LYING EAST OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2; THENCE NORTH 89 DEGREES 35 MINUTES 41 SECONDS EAST ASSUMED BEARING ALONG THE NORTH LINE OF SAID LOT 2 A DISTANCE OF 69.51 TO THE POINT OF BEGINNING OF THE LINE TO BE DESCRIBED; THENCE SOUTH 00 DEGREES 00 MINUTES 01 SECONDS WEST FOR A DISTANCE OF 195.30 FEET TO THE SOUTH LINE OF SAID LOT 8 AND THERE TERMINATING.

CONTAINING 13,635 SQUARE FEET OR 0.31 ACRES. SUBJECT TO EASEMENTS OF RECORD.

CERTIFICATION:

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH AND DOES NOT PURPORT TO SHOW ALL EASEMENTS OF RECORD

SIGNED THE 8th OF JUNE, 2015.

Dennis M. Honsa

DENNIS M. HONSA
MINNESOTA LICENSE No. 22440
FOR: MSA PROFESSIONAL SERVICES

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**PLANNING COMMISSION
RESOLUTION NO. P.C. 2015-7**

**A RESOLUTION RECOMMENDING CITY COUNCIL APPROVE A MINOR SUBDIVISION REQUESTED
BY THE CITY OF NEWPORT, FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF 2ND
AVENUE AND 9TH STREET, NEWPORT, MN 55055**

WHEREAS, the City of Newport, has submitted a request for a Minor Subdivision; and

WHEREAS, the property is located at the southeast corner of 2nd Avenue and 9th Street, Newport, MN 55055, and is more fully legally described as follows:

PID#35.028.22.44.0044 - Lots 2, 4, 6 and 8, Block 28, Town of Newport According to the Plat on File and of Record in the Office of the County Recorder, Washington County, MN; and

WHEREAS, The described property is zoned Low Density Single-Family Residential (R-1); and

WHEREAS, Chapter 12, Section 1200.03, of the Code of Ordinances states; *“The purpose and intent of this Chapter shall be to ensure that subdivisions are consistent with all applicable provisions of all applicable plans, laws, and regulations, and to provide for the orderly subdivision of land.”* And

WHEREAS, Following publication, posted, and mailed notice thereof, the Newport Planning Commission held a Public Hearing on July 13, 2015.

NOW, THEREFORE, BE IT FURTHER RESOLVED That the Newport Planning Commission **Hereby Recommends Newport City Council Approval** for a Minor Subdivision of the described property with the following conditions:

1. The Final Plat shall be substantially in conformance with the survey dated June 8, 2015.
2. All future development on Parcels A and B shall meet the requirements of the City’s Ordinances.

Adopted this 13th day of July, 2015 by the Newport Planning Commission.

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

Signed: _____
Anthony Mahmood, Chairperson

ATTEST: _____
Deb Hill, City Administrator