



**CITY OF NEWPORT
PLANNING COMMISSION MEETING
NEWPORT CITY HALL
OCTOBER 11, 2012 – 7:00 P.M.**

Chairperson:	Susan Lindoo	City Administrator:	Brian Anderson
Vice-Chair:	Dan Lund	Executive Analyst:	Renee Helm
Commissioner:	Janice Anderson	Council Liaison:	Tom Ingemann
Commissioner:	Katy McElwee-Stevens		
Commissioner:	Matt Prestegaard		

AGENDA

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF PLANNING COMMISSION MINUTES

- A. Planning Commission Minutes of September 13, 2012

4. APPOINTMENTS WITH COMMISSION

- A. **Public Hearing** – To consider an application from the Washington County Regional Railroad Authority for Approval of a Station Area Plan, Station Site Plan, Conditional Use Permit, Variance and a Major Subdivision for Property Located at 2222 Maxwell Avenue

1. Memos from Sherri Buss and John Stewart
2. Application
3. Notice of Public Hearing
4. Resolution No. P.C. 2012-8

5. COMMISSION & STAFF REPORTS

6. NEW BUSINESS

7. ANNOUNCEMENTS

- A. Upcoming Meetings and Events:

- | | | |
|--------------------------------|------------------|-----------|
| 1. City Council Meeting | October 18, 2012 | 5:30 p.m. |
| 2. Buckthorn Removal Day | October 27, 2012 | 9:00 a.m. |
| 3. City Council Meeting | November 1, 2012 | 5:30 p.m. |
| 4. Planning Commission Meeting | November 8, 2012 | 7:00 p.m. |

8. ADJOURNMENT



**City of Newport
Planning Commission Minutes
September 13, 2012**

1. CALL TO ORDER

Vice Chairperson Lund called the meeting to order at 7:00 P.M.

2. ROLL CALL -

Commissioners present –Dan Lund, Janice Anderson, Katy McElwee-Stevens, Matt Prestegaard

Commissioners absent – Susan Lindoo,

Also present – Brian Anderson, City Administrator; Tom Ingemann, Council Liaison; Sherri Buss, TKDA Planner

3. APPROVAL OF PLANNING COMMISSION MINUTES

A. Planning Commission Minutes of July 12, 2012

Dan Lund – I had one minor comment, on page 2 I say “So what you’re saying is it sets a dangerous precedence?” and I believe it should be “precedent.”

Motion by Prestegaard, seconded by Anderson, to approve the July 12, 2012 minutes as amended. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

4. APPOINTMENTS WITH COMMISSION

A. Discussion Regarding the B-2 Zoning District

Sherri Buss, TKDA Planner, presented on this item as outlined in the September 13, 2012 Planning Commission Packet. The key questions for the discussion are as follows:

- The area now zoned MX-3 and the area to the east were previously one large B-2 District that straddled Highway 61. We have changed the area west of Highway 61 to MX-3. What is the appropriate zoning classification for the remaining area zoned B-2 to the east of the MX-3 District? Is B-2 the appropriate zoning classification for this area?
- We no longer have any area zoned B-1 in the City. Do we need the B-1 zoning classification in Newport? Are there areas that should be zoned for Business uses only now and for the long-term? If yes, how should we logically name the district(s)?

The Planning Commission discussed the current uses in the north B-2 District. Currently, there is a variety of uses in this district such as residential, auto body, manufacturing, and commercial uses. The residential uses are currently nonconforming as they are not allowed in the B-2 District. The Planning Commission would like to revise this district so that the residential uses are allowed. One idea that the Planning Commission had was to rezone the area south of Ford Road into MX-1. If this was done, two businesses, Fritz Candy and Johnson Auto Body, would be made nonconforming. The Planning Commission agreed that rezoning this area to MX-1 would not work because they do not want to make businesses nonconforming. Instead, they would like to make a transition district that allows for a variety of broad uses including residential, manufacturing, auto body, and commercial. The Planning Commission discussed changing the northern B-2 District to an MX-4 Transitional Mixed-Use District. The Planning Commission also decided to rezone the area in the B-2 District that is west of Highway 61 to MX-3.

The Planner will provide some options for the Planning Commission to discuss at the November 8, 2012 meeting.

The Planning Commission also discussed the south B-2 District. The Planning Commission decided that this area should be kept as a business-only district. They discussed renaming the southern B-2 District Business Park, BP District.

5. COMMISSION AND STAFF REPORTS

Admin. Anderson – There will be a public hearing at the next Planning Commission hearing to discuss and hopefully approve a Conditional Use Permit and Major Subdivision for the Transit Station.

Dan Lund – Do we have any input on the design of the building?

Ms. Buss – Yes

Dan Lund – That awning looked peculiar to me is all.

Admin. Anderson – They made the awning one level and brought the building up to the awning to make it flow better.

Ms. Buss – You do have input on that. They're bringing in the station design and site design so you can comment on it.

Admin. Anderson – That will be built next year. There has been some update on the property behind City Hall. The City received a grant to conduct an investigation of the properties and we've started that. We're hoping to get the report done by the end of September.

Janice Anderson – Is the City involved in any new businesses that move in to town?

Admin. Anderson – I talk to them quite a bit. I heard NAPA and Advanced Sportswear are doing pretty well with their new locations. We did send another letter to the BP station to get their tanks removed. We're also working with the owner of the former A & W. In regards to the old Veolia site, it doesn't look like they're operating out of there anymore. I don't think it's been on the market yet. The HRA is in the process of establishing the TIF District for the Red Rock Gateway Area.

6. NEW BUSINESS

No new business

7. ANNOUNCEMENTS

A. Upcoming Meetings and Events:

- | | | |
|-------------------------------------|--------------------|-----------|
| 1. City Council Meeting | September 20, 2012 | 5:30 p.m. |
| 2. Parks Board Meeting | September 27, 2012 | 7:00 p.m. |
| 3. Fun Walk in Bailey School Forest | September 29, 2012 | 9:00 a.m. |
| 4. City Council Meeting | October 4, 2012 | 5:30 p.m. |
| 5. Planning Commission Meeting | October 11, 2012 | 7:00 p.m. |

8. ADJOURNMENT

Motion by Anderson, seconded by Prestegaard, to adjourn the Planning Commission Meeting at 8:22 P.M. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

Signed: _____
Susan Lindoo, Chairperson

Respectfully submitted,

Renee Helm
Executive Analyst



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Memorandum

To:	Newport Planning Commission	Reference:	Newport Transit Station Planning Application
Copies To:	Brian Anderson, City Administrator Renee Helm, Executive Assistant Andy Gitzlaff, Washington County	Project No.:	15140.002
From:	Sherri Buss, RLA AICP, Planner	Routing:	
Date:	October 4, 2012		

SUBJECT: Application for a Station Area Plan, Station Site Plan, Conditional Use Permit (CUP), Variance and Major Subdivision

MEETING DATE: October 11, 2012

LOCATION: 2222 Maxwell Avenue
Newport, MN 55055

APPLICANT: Washington County Regional Rail Authority (WCRRA)
14949 62nd Street North
Stillwater, Minnesota 55082

ZONING: MX-3 Transit-Oriented Mixed Use District

ITEMS REVIEWED: Planning Application and Memos, Site Plans, Elevations submitted on September 17, and supplemental information and revised plan sheets submitted in response to staff request

BRIEF DESCRIPTION OF THE REQUEST

The applicant is requesting approval of a Station Area Plan, Station Site Plan, Conditional Use Permit (CUP), Variance and Major Subdivision to allow development of a transit station on and subdivision of the parcel at 2222 Maxwell Avenue. The site is 11.6 acres in size and is located in the MX-3 Transit-Oriented Mixed Use District. The applicant is proposing to construct a new roadway, a transit station, and a park and ride lot on a portion of the site, and is platting the remainder of the site for future private development.

The proposed use requires approval of a Station Area Plan, Site Plan, and CUP based on the requirements of the MX-3 zoning district. The applicant has requested a variance from the front setback requirements to allow construction of the transit station canopy within the required setback. The project requires approval of a Major Subdivision because the applicant is proposing a new public roadway in addition to three new lots.

BACKGROUND

In April, 2010, the WCRRA purchased the former “Knox Lumber Site” at 2222 Maxwell Avenue for a future transit station, and entered into a Memorandum of Understanding (MOU) with the City of Newport to document each agency’s interests and requirements related to future development of the transit facility and redevelopment of the surrounding area.

Development of the initial transit project on the site will include removal of the existing buildings on the site, development of the new roadway and utilities to serve the site, and construction of the new transit station building and park and ride lot. The transit station is designed to include a climate-controlled waiting area and public restrooms. The WCRRA is proposing to construct a new City street to allow buses to access the transit facility and circulate through the site. The street will also serve future development on Lot 2 and Outlot A. Future transit development on the site may include a station for commuter rail service adjacent to the rail corridor and a 450-space parking structure that will serve as a park and ride facility.

Future private development on the site may include a mixture of residential, office and retail uses.

Development of the proposed transit facility, station area concept for future development, and subdivision of the parcel require the following City approvals:

- Approval of a Station Area Plan for the site
- Approval of the Site Plan for the transit facility
- Approval of a Conditional Use Permit for the transit station and park-and-ride lot
- Approval of a major subdivision to create the new roadway, two lots and an outlot
- Approval of a variance from the required front yard setback for structures to allow the canopy of the transit station to be constructed within the setback area

The site is located in the MX-3 District. It is bordered by I-494 to the north, Maxwell Avenue to the west, a spur rail line and existing residential and commercial uses to the south, and a rail corridor and Highway 61 to the east.

The applicant is proposing to develop Lot 1 as the transit station and park and ride facility. Lot 2 and Outlot A would be reserved for future development. Lot 1 is approximately 4 acres in size; lot 2 is approximately 1.4 acres in size, and Outlot A is approximately 5 acres in size.

Municipal sewer and water services are available to the site. The applicant will need to address the City and South Washington Watershed District standards for stormwater management, analyze the potential traffic that will be generated by the site, and address the performance standards and design standards included in the City’s zoning ordinance for development in the MX-3 zoning district.



PLANNING COMMISSION MEETING AND PUBLIC MEETINGS

The Planning Commission will hold a public hearing on the Newport Transit Station application at its meeting on October 11, 2012. The applicant has been meeting with City staff to review the proposed plans for the site, and held a public meeting on the site plans at Newport City Hall on July 18, 2012 .

EVALUATION OF THE REQUEST FOR APPROVAL OF THE STATION AREA PLAN:

The applicant is requesting approval of a Station Area Plan for the entire 11.6-acre site. Section 1350.12 of the zoning ordinance identifies the criteria for approval of the Station Area Plan:

- The plan must be consistent with the intent of the MX-3 District.
- The proposed development shall not be detrimental to public health, safety or general welfare.
- The proposed development shall not be hazardous, detrimental or disturbing to surrounding land uses.
- The proposed development shall not create traffic congestion, unsafe access or parking needs that cause inconvenience to surrounding properties.
- The proposed development must be served adequately by public utilities and services, and shall not be economically detrimental to the City.
- The proposed development shall cause minimal adverse environmental impacts.
- Each phase of the station area plan can exist as an independent unit.

The Planner's evaluation of the request based on the criteria includes the following:

Comprehensive Plan and MX-3 Zoning District

Newport's 2030 Comprehensive Plan includes the following goals related to the transit station and surrounding area:

- Encourage the development of facilities for the Red Rock Commuter Rail service in the area of the WCRRA's proposed transit station.
- Develop a mix of land uses in the area around the transit station, including commercial, residential, retail, restaurant and entertainment uses, and parking facilities to support the transit station.
- Provide visual buffers from the industrial area to the west, and add attractive streetscaping and sidewalks within the area around the proposed station.

The zoning ordinance indicates that the purpose of the MX-3 Zoning District is to "encourage a safe and pleasant pedestrian environment, maximize access to transit, provide parking in an efficient and unobtrusive manner, and encourage a sense of activity and liveliness on local streets."

The Station Area Plan addresses two of the Comprehensive Plan goals: it would create a transit facility in the recommended location, and it proposes development of a mix of uses that is consistent with the recommendations of the Plan. The Site Plan includes sidewalks and boulevard trees in the station area that connect to the existing trail along Maxwell Avenue. The Station Area Plan does not address the goal to provide visual buffers, streetscaping, or other elements that would buffer the site from the industrial area to the west.



The Station Area Plan is generally consistent with the goals of the City's Comprehensive Plan, and with the purposes of the MX-3 Zoning District. The conditions include a request that Washington County work with the City on future plans for Maxwell Avenue to plan for future streetscaping and buffer elements that will support redevelopment on the Red Rock Gateway site.

Potential Impacts to Public Health and Safety and Sustainable Design

The proposed use is not expected to create impacts to public health or safety. It will not include activities that emit odors, dust or other materials that may be detrimental to the public or adjacent properties. The use will not create excessive noise or smoke that exceed state standards. The proposed site lighting will need to meet city standards so that it is not visible beyond the property line.

The applicant indicated that the project will incorporate a number of sustainable design features. The project is funded in part with State of Minnesota bond funds and must be designed using the Minnesota Sustainable Building Guidelines B3 requirements. The sustainability elements will include the following:

- Recycling existing building materials to reduce landfill impacts
- Reclaiming existing pavements to reuse as aggregate base
- LED lighting systems for parking and pedestrian lighting
- High-efficiency mechanical systems
- Water-saving plumbing fixtures
- Water-efficient irrigation systems
- Drought and salt tolerant planting materials

The Station Area Plan will not have potential negative impacts to public health and safety. The proposed sustainable design elements will provide benefits to public health by minimizing impacts to land and water resources and by recycling building and pavement materials.

Traffic, Roadway Access and Parking

The applicant indicated that the County completed a traffic analysis to estimate trips that would be generated by the uses on the site at full development. A summary of the analysis was included in the Memorandum submitted with the application. The analysis assumed full potential build-out of the site as mixed-use transit-oriented development including 300 apartment units, 30,000 square feet of office use, 10,000 square feet of retail use, and a 450 staff park and ride lot. The proposed uses are consistent with the types and intensities of uses included in the Red Rock Gateway Area Plan recently adopted by the City.

The site plan includes a new two-lane city street that will provide access to and from Maxwell Avenue (County Road 38) for the transit station, Lot 2 and Outlot A. The street includes a cul de sac at the east end that will allow buses to turn around to exit the station area. The design of the street will need to meet the City's engineering standards.

The applicant's analysis concluded that the proposed new two-lane street with left and right turn lanes for vehicles exiting the site and no traffic signal is adequate to serve the access needs and traffic that will be generated by the proposed development. The applicant suggested that the intersection should be re-evaluated in the future if the fourth leg (to the west) is constructed



and as development progresses. The applicant suggests monitoring traffic volumes at the intersection and installation of a traffic signal when it is warranted by traffic counts.

The submittals did not include a full analysis of turning movements and traffic controls at full development, and recommended that "a more detailed analysis of traffic turning movements should be pursued as future development is contemplated on the north portion of the site or on surrounding parcels.

Parking is discussed in a separate section, below.

TKDA's Traffic Engineer reviewed the applicant's initial traffic analysis, and requested additional information regarding the following:

- Information about the existing and future volumes of traffic at the intersection of the new street and Maxwell Avenue
- Analysis of the right-of-way that should be set aside to meet future needs for a north-bound right turn land or westbound through lane, particularly if the parking is expanded to serve the commuter rail station
- Access management in the corridor
- Internal intersection traffic control
- ADA-compliant connections in the bus loading area, to the existing trail, and surrounding development

Washington County and its consultant provided a supplemental analysis to address the Traffic Engineer's questions, including the following:

- The County is in negotiations with MnDOT to secure 150 of right-of-way along Maxwell Avenue. This would allow for future expansion of the roadway to the west as development occurs.
- The County has studied the access spacing issues along Maxwell. The proposed spacing was chosen during the design process based on several factors that are detailed in the County's memo.
- A signal at the new street and Maxwell is not currently needed. The county will do a more detailed analysis of traffic in the future as specific development is proposed.
- The County confirmed that the internal intersection will have stop signs.
- The site will be ADA compliant for pedestrians and bicyclists. Connections will be provided to the existing trail on Maxwell Avenue.

The memo from Washington County is attached. The responses addressed the traffic concerns related to development of the Transit Station on the site. The Planner has included a condition that the County or future developers complete a detailed analysis of traffic and traffic controls when future development applications are submitted for Outlot A.

Public Utilities and Services

Copies of the plans and materials were submitted to the City Engineer for his comments. The Engineer provided a memo dated October 1 with comments on the site plans. The comments include requests for detailed changes to the plan documents, and comments regarding the infrastructure needed on the site to accommodate the Transit Station and future uses in the station area. (A copy of the Engineer's memo is attached.)



The Engineer noted that the existing city water services that are available at the site are not adequate to accommodate the Transit Station or future uses. His comments included the following:

- The existing water main is a dead end line, which is not desirable. A looped system is the preferred configuration. The plans propose a new 6-inch line to serve the Transit Station. The Engineer recommends a minimum pipe diameter of 8 inches with a looped configuration to serve the Transit Station.
- A minimum 10-inch water main will be needed to serve the proposed future development on the entire site.

The Engineer indicated that sewer service to the site is generally adequate. His comments recommend a minimum of five feet of cover over the gravity main and a new manhole at the Unity Boulevard connection point.

Other Engineering comments that may be of interest to the Planning Commission as they consider the application include the following:

- The City should identify a name for the new street before the Final Plat is filed.
- The County could identify opportunities to incorporate permeable pavers in the concrete walks, and incorporate infiltration swales at the southwest corner of the property to aid in stormwater management.

The Planner has included a condition that the applicant must address the Engineer's comments in the Final Plan submittal.

Environmental Impacts

The applicant included a stormwater analysis and wetland information in the application. The applicant will need to meet the City's stormwater management requirements and obtain required stormwater and erosion and sediment control permits from the South Washington Watershed District and MPCA.

There are no significant trees on the site. No rare species or habitats would be impacted by the proposed development. Planning staff identified no potential adverse environmental impacts related to the proposed project.

Phasing

The applicant is proposing that the bus transit facility and park and ride be developed in 2013. Lot 2 and Outlot A are proposed for future development. The application does not propose a schedule for development, and the timing will depend on private market interest in site development. The Washington County HRA is working with the City to establish a Tax Increment Financing (TIF) District and market the site to potential developers.

The proposed phasing plan is consistent with the City's adopted plans for the Red Rock Gateway area.



EVALUATION OF THE REQUEST FOR APPROVAL OF THE SITE PLAN AND CONDITIONAL USE PERMIT (CUP):

The proposed site plan for Lot 1 is included in the plan sheets numbered CO.01-C8.01, L1, A2-A4, and E1.01-E1.03 submitted with the application.

The site plan must meet the requirements of Section 1350 of the ordinance. The plan must also meet the requirements for Conditional Use Permits included in Section 1310.10 of the zoning ordinance. Many of the requirements for the site plan and CUP are similar, and therefore this section reviews the plan in light of those requirements for both approvals.

Lot Requirements and Setbacks

Lot 1 is proposed to be developed as the Transit Station. The lot is 4.05 acres in size. The MX-3 District has no minimum lot size, width or depth requirements, or coverage requirement. The proposed lot meets the lot requirements in the ordinance.

The minimum front yard setback in the MX-3 district is 10 feet, and the maximum setback is 15 feet. The minimum side yard setback is 10 feet, and the minimum rear setback is 20 feet.

The proposed building meets the front, side and rear setbacks, but the proposed canopy encroaches approximately 4 feet into the front setback. The applicant has requested a variance from the front setback to allow the canopy in the proposed location. The building meets the other setback requirements in the ordinance. The variance request is discussed in the appropriate section, below.

Parking Standards

The applicant has proposed a 200-car park and ride facility for the bus transit station. The City's ordinance does not prescribe the number of parking spaces needed for transit facilities. The proposed parking facilities meet the Metropolitan Transit Commission's standards for bus park and ride facilities.

The City's ordinance requires that surface parking lots be located to the side or rear of buildings, and not in the front yard area. The ordinance requires that bicycle parking be provided at a ratio of one bicycle parking space per 20 auto parking spaces. The proposed facility should therefore have at least 10 bicycle parking spaces. Revised plan sheet C1.01 indicates that 20 bicycle parking spaces will be provided at the Transit Station. The location of the parking lot and the number of bicycle parking spaces meet the ordinance requirements.

The ordinance requires that screening be provided for parking lots with more than 10 spaces. The proposed parking area is screened by the transit station building, and in some locations by proposed seating walls. The plans also indicate boulevard trees and some plantings in the parking area. The Planning Commission should discuss whether the plans indicate adequate screening of the parking lot.



Uses

The proposed use on Lot 1 is a transit facility. This use is allowed in the district with a Conditional Use Permit. The proposed use is consistent with the zoning ordinance.

Dimensional Standards

The maximum height for civic buildings in the district is 48 feet. The proposed transit facility is 19'9" tall at the highest point on the canopy.

The dimensional standards also require that utilities be placed behind the minimum setback, and that driveways be perpendicular to the street. The building meets the height and dimensional standards of the ordinance.

Open Space Requirement

The ordinance requires that developers provide a minimum of 5% of non-residential sites as open space. 5% of the 11.6-acre site is .58 acres. The site includes an "open lawn" and "plaza" areas as well as landscaped green space. These open space areas total approximately .75 acres. If all green space on the site is included in the calculation, the site meets the open space requirement. The Planning Commission should discuss the site plan in relation to the open space requirement.

Design Standards

The MX-3 District includes a list of design standards that relate to connectivity and circulation, street-facing walls, corner buildings, tops of buildings, building entrances and orientation, exterior materials, screening, and buffers (Section 1350.12, Item K of the ordinance.)

The Planner reviewed the design standards and found that the transit station meets many of the standards. Issues identified include the following:

- No blank walls are permitted to face public streets, walkways and public open space. Blank walls should not exceed 20 continuous feet in length. While most of the transit station walls are dominated by glass and meet the ordinance requirement, the west-facing wall of the station is a blank wall. In a sense, the station "turns its back" on the street and buildings to the west. The wall is significant because it faces the street as well as future buildings to the west of the station. The applicant should consider design options for the west wall that add interest for pedestrians and adjacent buildings.
- The design standards do not allow the use of painted or unpainted concrete block as an exterior material. The applicant indicated that the exterior materials will include "burnished block." The applicant should provide samples of the proposed material for review by the City.

Lighting

The application includes a lighting plan (sheet E1.02). The City's lighting standards include a minimum of 5.0 foot candles at building entrances, 2.0 foot candles on sidewalks, 1.0 foot candles on bikeways, 1.5 foot candles on plazas, 1.0 foot candles in waiting areas, and 1.0 foot



candles within parking lots. Lighting may not exceed 0.5 foot candles on non-residential property lines.

Issues related to the lighting plan include the following:

- The plan does not appear to meet the lighting requirement at the entrances to the transit station.
- The plan does not appear to meet the lighting requirement along the sidewalk on the north side of the transit station.
- The lighting level exceeds the .5 foot candles standard in some locations along the southern property boundary.

The proposed transit station would be isolated from other uses in the surrounding area at the time that it is constructed. It is critical that this facility feel safe and be safe for transit users. The applicant should revise the lighting plan to meet the ordinance requirements.

Signs

The applicant submitted several plan sheets identifying concepts for signs identified as a trail kiosk and an entry sign.

The ordinance includes requirements for signage in the MX-3 district and the city as a whole. The Planner suggests that the trail concept sign meets the definition of an “accessory sign” and requirements for “freestanding signs” in the ordinance, because the subject matter on the sign relates to the premises and services provided on the site where it is located. The sign needs to meet the requirements for “freestanding” signs in commercial districts (Section 1380.04 of the City Code.) The entry sign best meets the definition of a “pylon sign”, which is a freestanding sign that is more than 20’ tall and intended to be visible from freeways and highways. Section 1380.04 also discusses requirements for pylon signs in commercial districts. (Commercial and business uses in Mixed-use Districts have the same sign requirements as commercial districts.)

The proposed Trail Kiosk sign meets the ordinance requirements that the base of the sign complement the design of the building and incorporate brick, stone or similar substantial materials. The sign meets the size requirements of the ordinance. Signs may not be placed within any street right-of-way or on public easements, and must be located at least five feet from the curb in commercial districts. The final sign designs will need to meet the ordinance requirements.

Illuminated signs and signs along major roadways such as I-494 and TH 61 require an administrative permit from the Zoning Administrator or Building Inspector. The Zoning Administrator is the City Administrator. The Zoning Administrator will review and approve the final plans for the signs on the site. The signs must meet the ordinance requirements for size, illumination, location, and other performance standards. The concept sign proposed in the application generally meets the requirements.

Landscaping

The ordinance requires that landscaping include ground cover, shrubs, trees, and other plantings and features that conform to the City code, and that the landscaping support the purposes of the MX-3 District. The City’s landscape standards include:



- At least one overstory tree for every 50' of frontage
- Materials shall be appropriate to the characteristics of the site
- Areas not improved must be seeded or sodded
- Parking lots must landscape 10% of the surface area. Landscape islands must be a minimum width of 16 feet and a minimum surface area of 250 square feet

The frontage of Lot 1 is approximately 500 feet, and therefore a minimum of 10 boulevard trees are required. The plan indicates 15 boulevard trees. The rain gardens and islands shown in the parking lot meet the requirements for parking lot landscaping.

The bedrock is high in many areas of the site. Adequate topsoil should be provided for plantings, and irrigation should be provided in planted areas.

The planting plan submitted with the application does not indicate the proposed tree, shrub, grass and forb species proposed. The applicant shall submit a revised plan indicating the proposed species to be planted on Lot 1 for approval by the City prior to approval of the Final Plat, indicating a minimum of 12" of topsoil in planting area, and including irrigation for planted areas.

The development agreement for the Transit Station should specify the County and City responsibilities for maintenance of plantings and other landscape features on the site.

EVALUATION OF THE VARIANCE REQUEST

The applicant is requesting a variance from the front setback to accommodate the proposed canopy that is part of the transit station design. The minimum front yard setback in the MX-3 District is 10 feet. The walls of the transit station are approximately 11 feet from the property line. The front edge of the canopy is proposed to be approximately 4 feet from the property line.

The zoning ordinance provides setback exemptions for similar situations, such as balconies, which are allowed to encroach into the setback. The applicant indicated that the canopy is important for the safety and comfort of transit users.

MN Statute (Statute 394.27, Subdivision 7) regarding variances was amended in 2011, replacing the "Hardship" standards with criteria for evaluating the "Practical Difficulties" that are the basis for the variance request and approval. The Practical Difficulty standards are printed below in italics, with the Planner's findings following each standard.

Section 1310.11 of the the City's zoning ordinance regarding variances has not yet been updated to include the "Practical Difficulties" standard, but it is advisable to use the state standard, until the City's standard is updated.

Variance Request Criteria: Evaluation and Findings

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



The purpose of the MX-3 Transit-Oriented Mixed Use District “is to encourage a mixture of residential, commercial, office and civic uses in proximity to transit facilities at densities and intensities that support and increase transit use. Development should encourage a safe and pleasant pedestrian environment, maximize access to transit, provide parking in an efficient and unobtrusive manner, and encourage a sense of activity and liveliness on local streets.” The Comprehensive Plan also supports development of a transit site and related development in the MX-3 District.

The requested variance is in harmony with the purpose of the District and the Comprehensive Plan because the canopy will make the transit station more effective in supporting transit use and development around the station by providing a safe and pleasant environment for transit users and pedestrians. It will encourage transit use on days where there are weather impacts such as rain, ice and snow or excessive heat. The Canopy’s cover will provide protection and shade from the elements. Failure to provide the canopy could increase user exposure to wet and icy surfaces that can affect rider safety, particularly for transit customers with limited mobility and senior citizens.

- *The variance request should be reasonable under the development code.*

The request is reasonable because the transit station is an allowed use and serves as the heart of a transit-oriented development district. Canopies are a common feature for transit stations, to provide safety and comfort for transit users.

Granting the variance may improve the public welfare by providing safe and effective loading and unloading areas for buses. It also minimizes unnecessary imperious pavement that would result from other alternative designs, such as constructing a parallel drive system with a canopy on the south side of the station that would comply with the setback requirements.

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

The difficulties are not created by the applicant, but are unique to the way that transit stations relate to the public right of way. Other options to incorporate a canopy could include installing a parallel drive for bus loading/unloading on the back side of the transit station, but riders would be required to cross the bus lane to access it from the parking lot. This would create unsafe conditions. The proposed design responds to the nature of the site and need to design a transit station that is safe and comfortable for transit users.

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

Transit-oriented development is the focus of the MX-3 District. Provision of a safe and comfortable transit station will support the essential character of the area and enhance the transit user experience. Canopies are encouraged for other buildings in the district. Granting the variance will help to support the essential character of the neighborhood envisioned by the ordinance.

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



The variance request is based on operational and safety concerns as well as transit user comfort, not economic factors. The practical difficulty is due to the physical location of the street and proposed building, and the need to provide a safe and comfortable facility for transit users.

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

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

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

The proposed building meets the structure setback. The proposed canopy is the minimum size needed to protect transit users standing between the building and the bus loading area. The proposed canopy size overall is the minimum needed to address the projected volume of transit users.

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

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

The findings support granting the variance. The Planning Commission should discuss the Findings and make its recommendation to the Council regarding the variance request.

EVALUATION OF THE PROPOSED SUBDIVISION

Subdivision Ordinance Requirements

The Subdivision process and requirements are described in Chapter 12 of the City's Code. The subdivision must be consistent with the City's Comprehensive Plan, Zoning Ordinance and other adopted policies. It must be suitable to the physical character of the site and not cause environmental harm. The Subdivision Ordinance requires approval of the Preliminary Plat, and subsequent approval of the Final Plat.

The sections that follow discuss the Preliminary Plat application and its relationship to each of the requirements of the City's Subdivision Ordinance.

1. Consistency with the Comprehensive Plan

Newport's 2030 Comprehensive Plan includes the following goals related to the transit station and surrounding area:



- Encourage the development of facilities for the Red Rock Commuter Rail service in the area of the WCRRA's proposed transit station
- Develop a mix of land uses in the area around the transit station, including commercial, residential, retail, restaurant and entertainment uses, and parking facilities to support the transit station
- Provide visual buffers from the industrial area to the west, and add attractive streetscaping and sidewalks within the area around the proposed station

The zoning ordinance indicates that the purpose of the MX-3 Zoning District is to "encourage a safe and pleasant pedestrian environment, maximize access to transit, provide parking in an efficient and unobtrusive manner, and encourage a sense of activity and liveliness on local streets."

The Station Area Plan addresses two of the Comprehensive Plan goals: it would create a transit facility in the recommended location, and it proposes development of a mix of uses that is consistent with the recommendations of the Plan. The Site Plan includes sidewalks and boulevard trees in the station area that connect to the existing trail along Maxwell Avenue. The Station Area Plan does not address the goal to provide visual buffers from the industrial area to the west.

The proposed subdivision is consistent with the goals of the City's Comprehensive Plan, and with the purposes of the MX-3 Zoning District. The conditions include a request that Washington County work with the City on future plans for Maxwell Avenue to plan for future streetscaping and buffer elements that will support redevelopment on the Red Rock Gateway site.

2. Zoning, Density and Lot Requirements

The MX-3 District does not have a lot size requirement. The proposed transit station use is consistent with the allowed uses in the district. The lot size and design are consistent with the requirements of Section 1200.13 of the Subdivision Ordinance. The concept plan indicates potential future uses including residential, office and retail uses. These uses are consistent with the District regulations. Future uses on Lot 2 and Outlot A will need to meet the District requirements as the area is developed.

3. Setbacks and Dimensional Requirements

As noted above, the Transit Station will meet the setback and dimensional requirements if the variance is granted for the canopy setback. The applicant is subdividing Lot 2 and Outlot A for future development. The conditions include a requirement that all buildings and structures developed in the future shall meet the setbacks, height, lot coverage and other dimensional requirements of the zoning ordinance.

4. Infrastructure

Sewer and Water

The Engineer provided a memo dated October 1 with comments on the site plans. The comments include requests for detailed changes to the plan documents, and comments regarding the infrastructure needed on the site to accommodate the Transit Station and future uses in the station area. (A copy of the Engineer's memo is attached.)



The Engineer noted that the existing city water services that are available at the site are not adequate to accommodate the Transit Station or future uses. His comments included the following:

- The existing water main is a dead end line, which is not desirable. A looped system is the preferred configuration. The plans propose a new 6-inch line to serve the Transit Station. The Engineer recommends a minimum pipe diameter of 8 inches with a looped configuration to serve the Transit Station.
- A minimum 10-inch water main will be needed to serve the proposed future development on the entire site.

The Engineer indicated that sewer service to the site is generally adequate. His comments recommend a minimum of five feet of cover over the gravity main and a new manhole at the Unity Boulevard connection point.

Other Engineering comments that may be of interest to the Planning Commission as they consider the application included the following:

- The City should identify a name for the new street before the Final Plat is filed.
- The County could identify opportunities to incorporate permeable pavers in the concrete walks, and incorporate infiltration swales at the southwest corner of the property to aid in stormwater management.

The Planner has included a condition that the applicant must address the Engineer's comments in the Final Plan submittal.

Streets, Sidewalks, Trails

The City Engineer's comments include comments regarding the detailed design of streets and sidewalks. The applicant noted that the plans include accessible facilities to access the transit station and the existing trail along Maxwell Avenue. The applicant will need to address the Engineer's comments regarding streets and pedestrian facilities in the Final Plan submittal.

5. Stormwater and Wetlands

The application included a stormwater analysis, and was provided to the South Washington Watershed District and the City Engineer for comments. The District requested revisions to the initial analysis, and the applicant submitted a revised stormwater analysis to the City and the District. Development of the site will need to meet both District and City standards.

The District noted on October 2 that they do not have enough information from the applicant to provide comments, and requested that the City include a condition in any approval that the applicant obtain the required permits from the District. The applicant shall obtain the required stormwater and erosion and sediment control permits for the site, and shall provide the City copies of the Watershed District comments, copies of the approved permits from the South Washington Watershed District (SWWD), and Minnesota Pollution Control Agency (MPCA NPDES Permit).



There are no wetlands on the site. There is a low area north of the project site that lies within MnDOT right-of-way. However, the WCRRA received confirmation from the Washington Conservation District (WCD) that impacts to this area have already been mitigated by MnDOT as part of the Wakota Bridge project.

6. Landscaping

The ordinance requires that landscaping include ground cover, shrubs, trees, and other plantings and features that conform to the City code, and that the landscaping support the purposes of the MX-3 District. The City's landscape standards include:

- At least one over story tree for every 50' of frontage
- Materials shall be appropriate to the characteristics of the site
- Areas not improved must be seeded or sodded
- Parking lots must landscape 10% of the surface area. Landscape islands must be a minimum width of 16 feet and a minimum surface area of 250 square feet

The frontage of Lot 1 is approximately 500 feet, and therefore a minimum of 10 boulevard trees are required. The plan indicates 15 boulevard trees. The rain gardens and islands shown in the parking lot meet the requirements for parking lot landscaping.

The planting plan submitted with the application does not indicate the proposed tree, shrub, grass and forb species proposed. The applicant shall submit a revised plan indicating the proposed species to be planted on Lot 1 for approval by the City prior to approval of the Final Plat.

The development agreement for the site should specify the County and City responsibilities for maintenance of plantings and other landscape features on the Transit Station site.

7. Tree Preservation

The Subdivision Ordinance requires that the Applicant identify the significant trees and woodland areas on the site, and indicate on the plans the significant trees that will remain after development and the methods that will be used to protect the trees and woodlands during construction.

The application indicated that no trees meeting the definition of "significant trees" exist on the site.

8. Open Space and Park Dedication

The MX-3 District standards require that developers provide a minimum 10% of residential development sites and a minimum of 5% of non-residential sites as open space. If all green space on the Transit Station site is included in the calculation, the site meets the open space requirement. The Planning Commission should discuss the plan's relationship to the open space requirement in the ordinance.

The future development on Lot 2 and Outlot A will need to meet the park and open space dedication requirements.



9. Project Phasing

The applicant is planning to remove the existing buildings on the site in 2012. Construction of the Transit Station on Lot 1 is proposed in 2013. Development on Lot 2 and Outlot A will occur based on private market demand

PLANNING COMMISSION ACTION REQUESTED FOR STATION AREA PLAN, SITE PLAN, VARIANCE, AND SUBDIVISION APPLICATION

The Planning Commission can recommend to the City Council:

1. Approval
2. Approval with conditions
3. Denial with findings
4. Table the request, if additional information is needed to make a decision

PLANNING STAFF FINDINGS AND RECOMMENDATIONS:

The Planner recommends that the Planning Commission recommend approval of the WCRRA request for a Station Area Plan, Station Site Plan, Conditional Use Permit, Variance and Major Subdivision, based on the plans submitted to the City on September 17 and revised plans submitted through October 2, based on the following findings:

Station Area Plan Findings:

1. The proposed Station Area Plan is consistent with the intent of the MX-3 Zoning District and the City's Comprehensive Plan.
2. The proposed Plan is not detrimental to public health, safety or general welfare.
3. The proposed Plan is not hazardous, detrimental or disturbing to surrounding land uses.
4. The Plan will not create traffic congestion, unsafe access or parking needs that will cause an inconvenience for surrounding properties.
5. The proposed Plan provides for adequate public utilities and services.
6. The proposed Plan will not create adverse environmental impacts.
7. Each phase of the Plan can exist as an independent unit.

Transit Site Plan and CUP Findings:

8. The proposed Site Plan is consistent with the intent of the MX-3 Zoning District, other sections of the City Code, the Comprehensive Plan, and Design Guidelines for the MX-3 District.
9. The Site Plan will not have a negative impact on public health, safety and general welfare, traffic, parking, public facilities, the environment and natural resources or surrounding land uses.



10. The proposed PUD will not compromise the health, safety and welfare of the community and residents of the PUD if the conditions proposed are addressed by the applicant;
11. Conditions for approval of the Site Plan and CUP have been included to require that the Site Plan meets all requirements of the Zoning Ordinance and protect the best interest of the surrounding area and community as a whole.

Variance Findings:

12. The proposed variance is in harmony with the general purposes of the MX-3 Zoning District and the Comprehensive Plan.
13. The variance request is reasonable because it provides for the safety and comfort of transit users and general welfare.
14. The request is due to the nature of the site and proposed use, and were not created by the landowner.
15. The variance would not alter the essential character of the area.
16. The practical difficulties are based on the site, operational and safety needs, transit user safety and comfort, and not economic factors.
17. The canopy structure will not impair an adequate supply of light and air to adjacent properties, increase congestion on public streets, increase the danger of fire or endanger public safety, or substantially diminish or impair property values within the neighborhood.
18. The variance is the minimum action required to eliminate the practical difficulty.
19. The canopy will not affect direct solar access for solar energy systems.

Major Subdivision Findings:

20. The subdivision is not in conflict with the City's Comprehensive Plan, Zoning Ordinance, Capital Improvements Program, or other policy or regulation.
21. The physical characteristics of the site are such that the site is physically suitable for the type of development or use contemplated, including topography, vegetation, susceptibility to erosion, susceptibility to flooding, and similar characteristics.
22. The design of the subdivision and the proposed improvements are not likely to cause substantial and irreversible environmental damage.
23. The design of the subdivision and the type of improvements will not be detrimental to the health, safety, or general welfare of the public.
24. The design of the subdivision or the type of improvement will not conflict with easements on record or with easements established by judgment of a court.



RECOMMENDED CONDITIONS

The Planner recommends the following conditions for the proposed Station Area Plan, Site Plan, Conditional Use Permit and Major Subdivision:

1. The Applicant shall submit a Final Plat that is substantially in conformance with the Preliminary Plans dated September 17, 2012. All elements of the Final Plans must meet the requirements of the zoning ordinance.
2. The major subdivision will be in accordance with the Preliminary Plat for the Newport Station Addition dated September 17, 2012.
3. The Final Plat shall be on file at Washington County Recorder's/Registrar's Office, Government Center, 14949 62nd Street North, P.O. Box 6, Stillwater, MN 55082.
4. The Applicant shall address the Engineer's comments.
5. The Applicant shall finalize a developer agreement for the site with the City.
6. The Applicant shall discuss the future of Maxwell Avenue with the City, including consideration of potential streetscaping and other improvements to support the City's goals for redevelopment of the Red Rock Gateway area.
7. All buildings and structures developed within the subdivision shall meet the setbacks, height requirements, other dimensional requirements and performance standards of the Zoning Ordinance.
8. The Applicant shall submit a revised design for the west wall of the Transit Station that meet the ordinance requirements for no blank walls, and that add interest for pedestrians and views from the street and adjacent buildings.
9. The Applicant shall provide samples of the proposed "burnished block" building material for review by the City.
10. The Applicant shall revise the lighting plan to meet the ordinance requirements.
11. The Applicant shall submit the final site plans for the site for review and approval by the Zoning Administrator.
12. The Applicant shall submit a revised landscaping plan that includes the species proposed for planting on the site for review and approval by City staff and addresses the items identified by City staff regarding topsoil and irrigation in planted areas.
13. The Applicant shall submit a final sign plan to the City for approval by the Zoning Administrator.
14. Outside open storage is prohibited on all properties in the MX-3 District.
15. Utilities must be placed behind the minimum setback to meet the requirements of the zoning ordinance.
16. The Applicant shall obtain the required agency permits for stormwater management, and provide the City copies of the permits approved by the South Washington Watershed District (SWWD) and Minnesota Pollution Control Agency (MPCA NPDES Permit).
17. The Applicant shall satisfy the City's park dedication requirements as development occurs on Lot 1, Lot 2 and Outlot A.



18. The Applicant or future developers shall complete a detailed analysis of traffic and traffic controls when future development applications are submitted for Outlot A.
19. The applicant shall pay all fees and escrows associated with this application.





PROFESSIONAL SERVICES

More ideas. Better solutions.®

MEMO

To: City of Newport, Administrator, Planning Commission, and City Planner
From: John Stewart, PE
Subject: Newport Transit Station
Date: October 2, 2012

We reviewed the plans submitted to the City for the purpose of evaluating the Applicants' request of the Planning Commission. Engineering comments reviewing the plans for construction that are immaterial to the planning request have not been addressed. We provide the following observations, comments and recommendations for your consideration:

G1.01 Cover sheet Add City and Small Utilities contacts for bidding purposes.

G1.02 No comment.

Alta Survey/ACSM Land Title Survey No comment (previously reviewed and approved.)

Preliminary Plat The Applicant must address the following:

1. Remove reference to Twp and Rng on Outlot A and Lot 2 (not permitted on final plat.)
2. Remove dashed lines across alleys and public street on Farmers Packing Company Addition (not permitted on final plat.)
3. The northerly and westerly line of the proposed plat are shown to be restricted by a recorded MnDOT Controlled Access Document. This means the City cannot approve the preliminary or final plat unless the applicant provides documentation from MnDOT either releasing the Controlled Access restriction or granting a permit (with accompanying description of the proposed street right-of-way (ROW).)

Offices in Illinois, Iowa, Minnesota, and Wisconsin

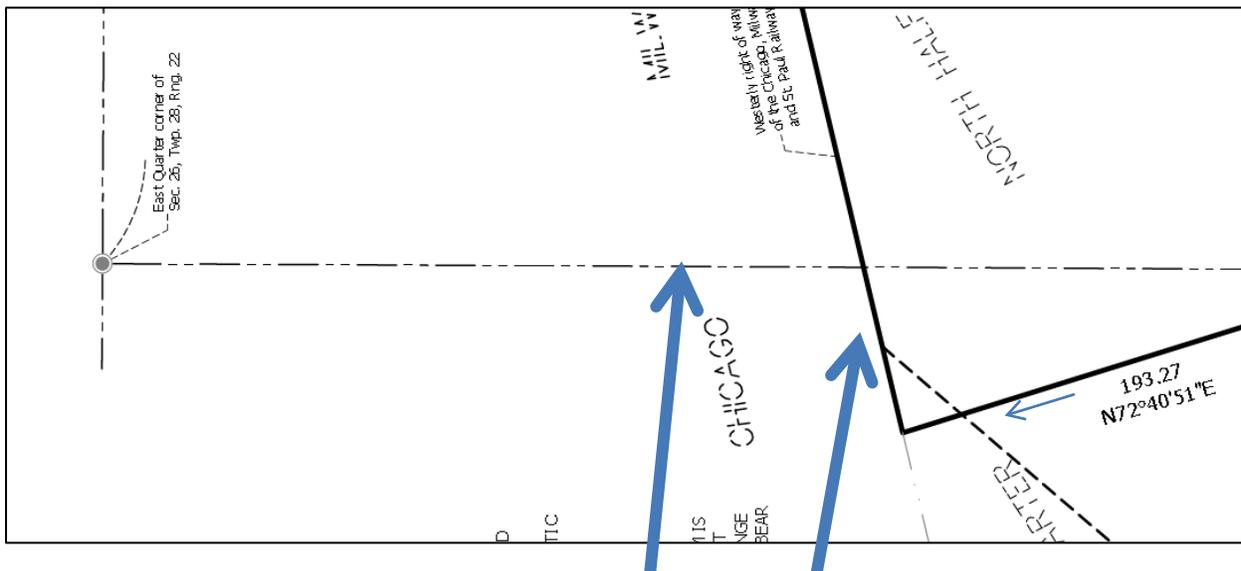
60 Plato Boulevard East, Suite 140, St. Paul, MN 55107

(612) 548-3132 (866) 452-9454

FAX: (763) 786-4574 WEB ADDRESS: www.msa-ps.com

C:\Users\rhelm.NEWPORTEMN\Desktop\Engineer's Memo for Transit Station.docx

4. The applicant should supply evidence that Washington County will issue a permit allowing connection of Street A to Maxwell Avenue.
5. Newport should designate the name of Street A it is very confusing to record a plat then later change the name of a platted street.
6. The plats should be tied into a section corner, please show lengths and bearings of ties shown below:



Provide lengths and bearings from section line anchoring the plat to the section marker.

7. Preliminary and final plat should show locations for property irons found and property irons set by the surveyor.

C0.01 Exiting Conditions

1. Please show an approximate location for the six-inch diameter watermain located under the floor of the Knox Lumber retail store.
2. Locate driveways and entrances on west side of Maxwell Avenue.

C0.02 Removal Plan

1. Please address the proposed disposition of the six-inch diameter watermain located under the floor of the Knox Lumber retail store.

2. Please address how temporary access control to the Chicago Milwaukee Saint Paul Railway will be maintained once the fencing is removed.

C1.01 Site Plan

1. Designate *No Parking* along the length of Street A and as appropriate in the parking area.
2. Show location on the site plan of entrance to the I494 ramp, Cold Storage entrance and to gravel road accessing lift station south of Maxwell Avenue. We note that the access roadway serving the lift station is used by heavy trucks as an entrance to Aggregate Industries Batch Plant.
3. We are concerned by the disparate spacing along this section of Maxwell Avenue. To alleviate the spacing issues, consideration should be given to: consolidating and aligning the Cold Storage entrance and Street A. As noted; heavy trucks are prohibited by the Batch Plant's CUP from using the graveled path to the Cold Storage lift station as a heavy vehicle access. Enforcement of the Batch Plant's CUP conditions would help assuage concerns regarding turning movement conflicts.
4. Is a 30 foot diameter inside turning radius sufficient to accommodate turning movements required by bus and semi-trailer traffic?

C1.02 Paving Plan

1. Are there opportunities to incorporate permeable pavers in the concrete walks around the building and behind the parking area curbing that abuts the plaza?
2. City of Newport Staff has indicated a preference of not using pavement markers to designate crosswalks. In the intersection of Street A and the parking lot entrance it is unclear as to whether markings are proposed.
3. We are concerned by the mixed use of concrete and bituminous pavements. There are many locations in the City that exhibit pronounced vertical heaving

movements during freeze/thaw. Might it be better to propose a concrete section on Street A from intersection of Street A and the parking lot to the turn around? Bituminous and concrete sections abut for a distance of 230 feet.

C1.03 Plaza Enlargement Plan

1. Irrigation should be incorporated in the perennial planting areas. The area lacks irrigation and it is extremely difficult to sustain plant survival. In the event irrigation is not provided please designate a surface treatment alternative to perennial and other vegetated areas.
2. Please provide an explanation of the surface finishes proposed within the curbed islands in the parking area. Without irrigation facilities sod would be impractical. Provide a legend describing surface treatments proposed.

C20.01 Temporary Erosion Control

1. Due to the prevalence of bedrock please provide a 12" minimum depth of topsoil over the rock in any area proposed to be vegetated. In the event a separation of 12" cannot be achieved alternative surfacing should be proposed.
2. Include a requirement that construction related siltation in the pond on the northern edge of the site be removed and that pond grading be returned to preconstruction conditions.
3. See item 11 add: The Contractor shall designate and maintain a concrete truck wash-down facility.
4. Please indicate which entity will obtain the SSWP permit and require that transfer of the plan and that the Contractor is to assume responsibility for permit requirements once construction begins.

C3.01 Grading Plan

1. Please add a note that sanitary service to the area north of Street A will be via the gravity sewer system

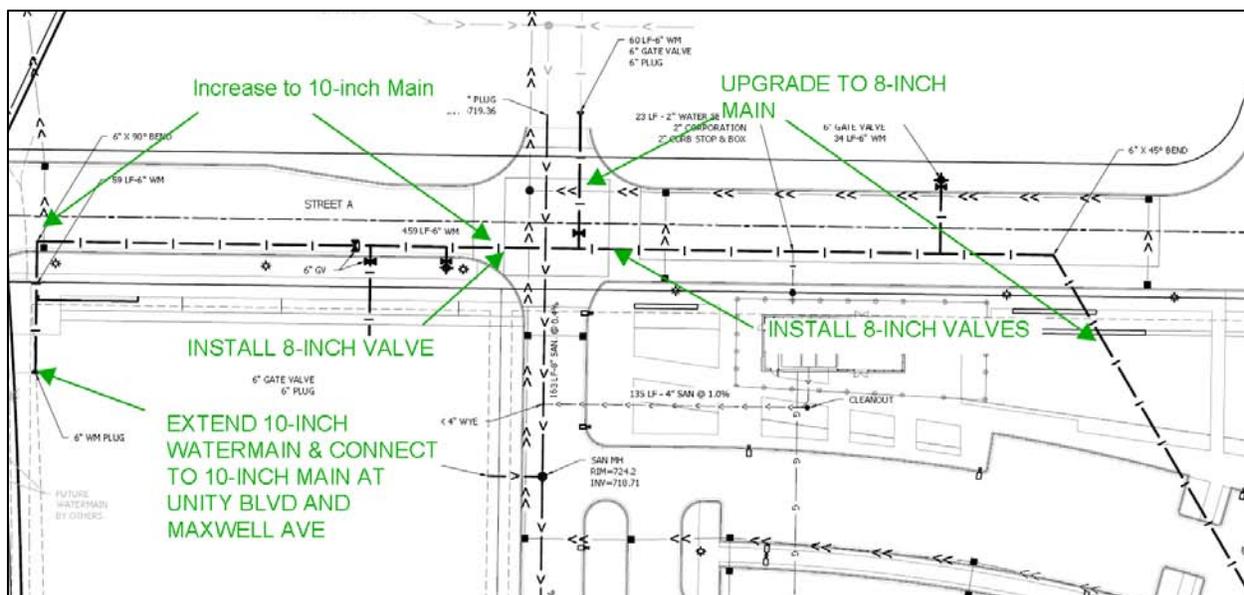
discharging to the City facilities located at the intersection of Unity Boulevard and 2nd Avenue.

2. We suggest the sheet grading on the northern boundary be configured to drain to the stormwater infiltration and treatment pond via a swale to help reduce nutrient loadings, and facilitate access of maintenance vehicles.
3. We note that the grading shows fill placed over an existing wetland. Please show evidence that the applicant has complied with remediation requirements and that a permit for such work has been obtained.
4. The applicant should show evidence of permission to accomplish off site grading on MnDOT owned property.
5. Is it possible to incorporate infiltration swales of rain gardens on the southwest corner of the property to mitigate runoff rates and remove nutrients? We understand that the storm sewer system constructed at the Intersection of Maxwell Avenue and 21st Street was designed by MnDOT with no capacity to add additional run off. Please provide stormwater calculations showing before and after conditions as required by the City's design manual.

C4.01 Utilities

Watermain

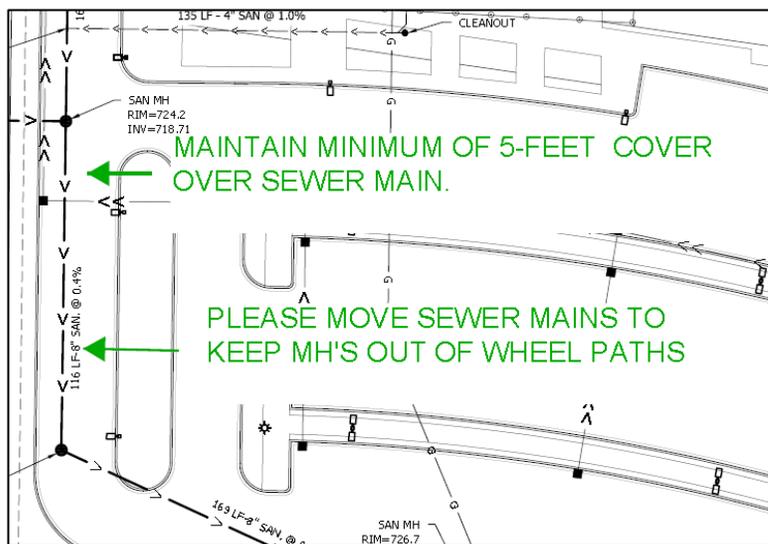
1. Please amend water main as shown:



2. The applicant may consider utilizing the existing six - inch main located under Knox Lumber retail store to provide additional looping.

Sanitary Sewer

1. Please amend sanitary sewer as shown:



MEMO – Newport Transit Station

October 2, 2012



Storm Sewer

No comment.

Landscaping

No comment.

Architectural Plans

No comment.

Photometric Plan

Lighting intensities meet engineering requirements.

Transmittal



Stantec

Stantec Consulting Services Inc.
2335 West Hwy 36, St. Paul, MN 55113

To: Brian Anderson
Company: City of Newport
Address: 596 7th Avenue
Newport, MN 55055

From:
 For Your Information
 For Your Approval
 For Your Review
 As Requested

Phone: 651-459-5677
Date: September 17, 2012
File: 193802205
Delivery: Hand Delivery

Reference: Newport Transit Station City Approvals Application Materials

Attachments:

Copies	Doc Date	Pages	Description
1	9/17/2012	1	Application Fee-sent separately
1	9/17/2012	4	Application Form
1	9/17/2012	3	NTSD Submittal Narrative
6	9/17/2012	27	22" x 34" drawings for Plat, Subdivision, CUP, and Site Plan Applications
20	9/17/2012	27	11" x 17" drawings for Plat, Subdivision, CUP, and Site Plan Applications
20	9/17/2012	1	11" x 17" drawing Station Area Plan
20	9/17/2012	3	11" 17" Sign and Kiosk Concepts
1	8/31/2012	Bound	AET Geotechnical Report
1		1	Newport Addresses Map
1		1	Newport Address Excel file

Enclosed please find the planning request application materials for the Newport Station. Please contact me at 651-604-4861 or stuart.krahn@statec.com if you have any questions or need any additional information.

One Team. Infinite Solutions.

Stantec

September 17, 2012

Brian Anderson

Page 2 of 2

Reference: Newport Transit Station City Approvals Application Materials

Stantec Consulting Services Inc.



Stuart Krahn, RLA LEED-AP

Senior Associate

Tel: 651-604-4861

Fax: 651-636-1311

stuart.krahn@stantec.com

c. Andy Gitzlaff, AICP LEED-AP, Washington County

One Team. Infinite Solutions.

CITY OF NEWPORT

APPLICATION FOR CONSIDERATION OF PLANNING REQUEST

PUBLIC HEARING/DATE 10-11-12 DATE OF APPLICATION 9-17-12

APPLICANT NAME Washington County Regional Railroad Authority PHONE 651-430-4338

ADDRESS 11660 Myeron Road North Stillwater MN 55082
Street City State Zip

OWNER NAME Washington County Regional Railroad Authority PHONE 651-430-4338

ADDRESS 11660 Myeron Road North Stillwater, MN 55082
Street City State Zip

ADDRESS / LOCATION OF PROPERTY: 2222 Maxwell Avenue, Newport, MN

LEGAL DESCRIPTION OF PROPERTY & P.I.D. #

(see attached)

PLANNING REQUEST

APPLICATION FEE

- | | |
|--|---|
| <input type="checkbox"/> Comprehensive Plan Amendment | \$500 or Actual Cost Plus \$50 for Additional Staff Hours
(10 Hour Minimum) |
| <input type="checkbox"/> Rezoning | \$500 |
| <input type="checkbox"/> Zoning Amendment | \$500 |
| <input type="checkbox"/> Variance | \$300 |
| <input checked="" type="checkbox"/> Conditional Use Permit | \$300 - Residential
\$450 - Commercial |
| <input checked="" type="checkbox"/> Subdivision Approval | \$300 - Minor Subdivision
-\$2,000 Parkland Dedication Fee

\$500 - Major Subdivision (Plus \$50 Per Lot)
-Parkland Dedication Fee is 10% of
land value or a fee per lot as established
by City Council |

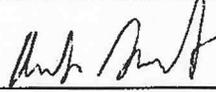
Other (Specify) Station Area Plan, Site Plan

APPLICABLE ZONING CODE CHAPTER: 12 SECTION: 1200

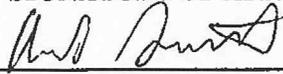
SUB-SEC: _____

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

I HEREBY DECLARE THAT ALL STATEMENTS MADE ON THIS REQUEST AND ON THE ADDITIONAL MATERIAL ARE TRUE.



SIGNATURE OF APPLICANT



SIGNATURE OF OWNER
(IF APPLICABLE)

9-17-12

DATE

RECEIVED BY

OFFICE USE ONLY	
FEE \$	
RECEIPT #	
PUBLICATION OF NOTICE DATE	
PUBLIC HEARING DATE	
P.C. RES. #	
COUNCIL ACTION DATE	COUNCIL RES. #

The City of Newport requires that any developer or every person, company, or corporation that is seeking to commence construction or major alterations of a structure, and land subdivisions or lot combinations must first submit detailed site plans to the City. The person submitting site plans must also submit prepayment to the City to cover any expenses that the City incurs by investing extensive amounts of time reviewing these plans. Any funds in excess of those actually reimbursing the City for its expenses will be returned to the applicant upon completion of the project. The fees are as follows:

SITE PLAN REVIEW – RESIDENTIAL:

8 units and under	\$2,000
9-40 units	\$3,200
41 units and greater	\$4,500

SITE PLAN REVIEW – COMMERCIAL:

0-5,000 sq. ft. bldg.	\$2,000
5,001-10,000 sq. ft. bldg.	\$3,000
10,001-50,000 sq. ft. bldg.	\$3,750
50,001 sq. ft. + bldg.	\$4,500

PRELIMINARY PLAT:

Under 10 acres	\$3,500
10 acres and greater	\$6,500

Applicant Name	<u>Washington County Regional Railroad Authority</u>
Address	<u>11660 Myeron Road North</u>
	<u>Stillwater, MN 55082</u>
Phone	<u>651-430-4338</u>
Date of Application	September 17, 2012

<u>OFFICE USE ONLY</u>	
FEE \$	_____
RECEIPT #	_____

Legal Description

All that portion of the Southeast Quarter of the Northeast Quarter of Section number twenty-six (26), in Township number twenty eight (28) North, of Range number twenty two (22) West, which lies westerly of the right of the Chicago, Milwaukee, and St. Paul Railway Company, as laid out and maintained, and which lies southerly of that portion thereof taken by the State of Minnesota for highway purposes, and except that portion thereof taken by the State of Minnesota for highway purposes.

AND

All that part of the North one-half of the Northeast Quarter of the Southeast Quarter (N 1/2 of the NE 1/4 of the SE 1/4) of Section number twenty six (26), in Township number twenty eight (28) North, of Range number twenty two (22) West, which lies westerly of the right of way of the Chicago, Milwaukee, and St. Paul Railway Company, as laid out and maintained, and which lies easterly of that portion of said property taken by the State of Minnesota for highway purposes. Except that portion taken by the State of Minnesota for highway purposes.

AND

All that part of the South one-half of the Northeast Quarter of the Southeast Quarter (S 1/2 of the NE 1/4 of the SE 1/4) of Section number twenty six (26) West, in Township number twenty eight (28) North of Range number twenty two (22) West, which lies westerly of the right of way of the Chicago, Milwaukee, and St. Paul Railway Company, as now laid out and maintained, and which lies easterly of that portion of said property taken by the State of Minnesota for highway purposes, excepting therefrom that part thereof platted as The Farmer's Terminal Packing Company's Addition to the Village of Newport, Washington County, Minnesota, as surveyed and platted and now on file in the office of the Registrar of Titles, in and for said Washington County, except the West three hundred thirty-four (334) feet of said Plat; also excepting therefrom all that part thereof platted as Packer's Addition (and which includes the West three hundred thirty-four (334) feet of the aforementioned plat of The Farmer's Terminal Packing Company's Addition, vacated) as surveyed and platted and now on file in the office of the Registrar of Titles in and for said Washington County.

Also, excepting therefrom a strip of land Five (5) feet in width, lying northerly of and adjacent to Lot lettered "A" in the Plat of The Farmer's Terminal Packing Company's Addition to the Village of Newport, Washington County, Minnesota, and extending the entire length of said Lot lettered "A".

AND

Also excepting a strip of land twenty-two (22) feet in width, adjoining said Lot lettered "A", and said five (5) foot strip above excepted, on the West, the southerly boundary of which is the southerly line of said Lot lettered "A", extended West to the east line of Lot number three (3) in said Section number twenty-six (26), and the West boundary line of which is the East line of said Lot number three (3) of said Section number Twenty-six (26) aforesaid.

Also excepting all that part of the Northeast Quarter of the Southeast Quarter of Section 26, Township 28 North, Range 22 West, Washington County, Minnesota, which is included in a strip of land 20 feet wide, having a 10 feet of such width on each side of the center line of the proposed track as now there located and staked out on the ground; which center line is more particularly described as follows, to wit: Start at a point in the north line of the present 22 foot easement, said point being distant 135 feet East of the West line of said Northeast Quarter of the Southeast Quarter of said Section 26, measured along said north line of said 22 foot easement; thence westerly on a six degree curve to the right to a point in the West line of said

Northeast Quarter of the Southeast Quarter of said Section 26, distant 645.04 feet North of the Southwest corner of said Northeast Quarter of the Southeast Quarter of said Section 26.

Subject to reservation reserving to said Harry Edmunds, Receiver of Farmers Terminal Packing Company and his successors in interest and assigns, the right to a joint use of a spur track to be placed upon said premises herein conveyed by the Cudahy Packing Company, the same as it shall exist after such track is completed or as it may hereinafter be changed or extended: provided that such use shall not involve any diminution in services or added expenses to the said Cudahy Packing Company, its successors or assigns.

The Farmers Terminal Packing Company, for itself, and its successors and assigns dedicates and grants to the public for road and highway purposes, a perpetual easement upon, over, and across a strip of land in the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4), of said Section number twenty-six (26), Township and Range aforesaid, formed by extending Unity Boulevard, as now laid out on said Plat of The Farmer's Terminal Packing Company's Addition to the Village of Newport, Washington County, Minnesota, due West to the East line of Lot number three (3), in said Section number twenty-six (26), Township and Range aforesaid.

Excepting that portion thereof taken by the State of Minnesota for highway purposes.

Except Parcel 3 of Minnesota Department of Transportation Right of Way Plat numbered 82-102.

MEMORANDUM

Date: September 17, 2012

To: Brian Anderson, City of Newport

From: Andy Gitzlaff, Washington County

Re: Newport Transit Station – Application for Consideration of Planning Request – Supportive Narrative Information

PROJECT DESCRIPTION

In April 2010, the Washington County Railroad Authority (WCRRA) purchased the, former “Knox lumber site” at 2222 Maxwell Avenue in Newport for the future transit station and entered into a Memorandum of Understanding (MOU) with the City of Newport to document the good faith understanding of each agency’s interests and requirements related to the transit facility and the redevelopment of the surrounding area.

The 11.6 acre site is zoned MX-3, Transit-Oriented Mixed Use District, and WCRRA is planning to construct a park and ride and transit station on a portion of the property, with the remainder of the site being retained for future private development. The initial transit project will include removal of the existing buildings, utilities, and paving on the site and the construction of a 200 vehicle park and ride facility, a transit station building with public restrooms and a climate controlled waiting area, and a new City street to allow buses to circulate within the site. Future transit development on the site is planned to include a parking structure to allow a total of 450 park and ride spaces and potential connections to the transit service on adjacent rail corridor. Future private development on the site is planned to include a mixture of residential, office, and retail uses consistent with the Red Rock Gateway Plan recently adopted by the City. Square footages for these future uses are shown in the Traffic Analysis section below.

STORMWATER MANAGEMENT

The project site has a significant amount of existing impervious surface, and the currently proposed project, combined with future development of Lot 2 and Outlot A (assuming 80% impervious cover), will result in a net reduction of 0.45 acres of impervious surface. Because of the anticipated reduction of impervious surfaces from existing conditions, the project is required to maintain existing discharge rates, but not required to provide stormwater treatment systems for pollutant removal. However, the project will provide treatment systems for phosphorus removal equivalent to 2.514 acres of new impervious surface as part of an agreement with MnDOT and will look at opportunities to improve overall water quality within the watershed along the TH61 corridor and as a demonstration of sustainable development practices. The County is

requesting that a portion of the credit for the existing impervious surface that is being removed by the current project be allocated to the lot and outlot that will be developed by private entities in the future, so that those future developers do not need to provide additional stormwater treatment systems when the lot and outlot are developed.

Existing and proposed runoff volumes are show in the table below:

Discharge Rates cfs

		1 yr	2 yr	10 yr	100 yr
Existing Conditions	North Outlet	9.18	21.3	41.82	65.01
	South Outlet	2.43	4.17	6.93	10.01
Proposed Conditions	NW Outlet	3.10	5.10	6.85	14.40
	South Outlet	1.81	3.61	6.49	9.69

WETLANDS

There are no wetlands on the site. There is a lower area north of the project site that lies within MnDOT Right of Way. However, the County has received confirmation from the Washington Conservation District (WCD) that impacts to this area have already been mitigated by MnDOT as part of the Wakota Bridge project. A copy of the wetland delineation and the determination letter from WCD is attached to this memo.

SUSTAINABLE DESIGN FEATURES

In addition to the water quality improvements mentioned above, the project will incorporate a number of sustainable design features. The project is funded in part with State of Minnesota bond funds and must be designed using the Minnesota Sustainable Building Guidelines B3 requirements. Some of the sustainability measures implemented on the project include:

- Recycling existing building materials to reduce landfill impacts
- Reclaiming existing pavements to reuse as aggregate base
- LED lighting systems for the parking and pedestrian lighting
- High-efficiency mechanical systems
- Water-saving plumbing fixtures
- Water-efficient irrigation systems
- Drought and salt tolerant planting materials

TRAFFIC ANALYSIS

An analysis was performed to estimate trips that will be generated by the proposed development of the project site. The analysis assumed the full potential build out of the site as a mixed use transit oriented development based on the following elements:

- 300 Apartment units
- 30,000SF Office
- 10,000SF Retail
- 450 Stall Park & Ride Lot

The proposed development, when fully built out, is projected to generate the numbers of daily and peak hour trips shown in the following table.

Table 1 - ITE Trip Generation

Average Weekday Driveway Volumes				AM Peak Hour		PM Peak Hour	
Land Use	Size		Daily Trips	Enter	Exit	Enter	Exit
Apartments	300	Dwelling Units	1995	30	123	120	66
General Office Building	30	Th.Sq.Ft. GLA	330	41	6	8	37
Specialty Retail Center	10	Th.Sq.Ft. GLA	443	33	35	12	15
Park and Ride Lot	450	Parking Spaces	2025	261	63	63	216
Unadjusted New Trips			4793	365	227	203	334
Internal Capture Reduction	<i>from ITE worksheet</i>			-9	-9	-4	-4
Transit Reduction	<i>10% of total</i>			-37	-23	-20	-33
Total New Peak Hour Trips				320	195	179	297

Intersection

The proposed new street width and lane configuration (in, left out, and right out) without a traffic signal is adequate to serve the proposed development. The intersection should be reevaluated in the future if a fourth leg is constructed to the west and as the development progresses, it is recommended to monitor traffic volumes at the intersection and install a traffic signal when warranted.

Maxwell Avenue

Washington County's most recent traffic count (2011) on CSAH 38 (Maxwell Avenue) just south of I-494 is 3,000 vehicles per day (vpd). Based on the 2030 Comp Plan, the projected traffic volume for this same location in 2030 is 8,100 vpd. However, that number was based on a 2005 traffic count of 7,000 vpd, which was collected prior to the Wakota Bridge Project and all of the associated traffic pattern changes. Therefore, the 8,100 vpd projection overestimates the projected volume. For the purposes of estimating 2030 traffic volumes, we have assumed a standard State Aid 20-year projection factor of 1.4, which results in a projected volume of 4,200 vpd. The current design of Maxwell Avenue as a 3-lane urban section (two one-way travel lanes and a center turn lane) is adequate to accommodate the additional demand from the proposed development. As additional development is contemplated to the south or the east the overall capacity of Maxwell Avenue should be re-evaluated.

OMITTED DOCUMENTS

The submittal document package does not include the utility profile information, or the three copies of the project specifications at this time. These drawings and specifications will be provided after the City Engineer has completed the feasibility study for the overall utility service plan for the project and the surrounding future redevelopment area.

ATTACHMENTS

Wetland Delineation
WCD Determination Letter

MEMORANDUM

Date: October 1, 2012
To: Sherri Buss and Bryant Ficek (TKDA)
From: Joe Gustafson, County Traffic Engineer
Re: **Newport Transit Station – Traffic Analysis Review Questions**

Washington County Public Works has reviewed the memo provided by Bryant Ficek of TKDA, dated September 21, 2012 regarding the traffic analysis for the Newport Transit Station in response to the Washington County Regional Railroad Authority's (WCRRA) application for Consideration of Planning Request – Supportive Narrative Information provided on September 17th.

This memo addresses the questions and follow-up items set forth by TKDA's review related to right-of-way (ROW) needs, access spacing and corridor management and lane configuration and traffic control on CSAH 38 (Maxwell Avenue).

Right-of-Way Needs

The County's Comprehensive Plan identifies a minimum need for 120 feet of right-of-way (ROW) for this portion of Maxwell Avenue. The Minnesota Department of Transportation (MnDOT) currently holds a highway easement over Maxwell Avenue. The County is in negotiations with MnDOT to secure 150 feet of right-of-way in County ownership as part of an overall turnback agreement related to the Wakota Bridge project. Current ROW holdings, both north and south of the Newport site, suggest that future expansion of the roadway would occur to the west. Therefore, the ROW would be measured from the west property line of the WCRRA owned transit station site (see attached ROW turnback sketch).

Access Spacing and Corridor Management

CSAH 38 is currently classified as a B-Minor Arterial Reliever, and present ADT's are under 4000 vehicles per day. The County's Access Spacing Guidelines for minor arterials with less than 7500 ADT limits access spacing to 1/8 mile for commercial driveways and non-continuous streets, and therefore the proposed access spacing does not meet the County guidelines.

However, the location of the proposed access was determined through the design process to be the best possible location based on several constraining factors:

1. Alternative connections via the north, east, or south sides of the site are not possible due to existing railroad and freeway infrastructure.
2. The existing 525 foot spacing between the I-494 ramp intersections already violates county spacing standards.
3. Maxwell Avenue in this area, in contrast to most county highways, is a low-speed urban roadway and is expected to remain as such.
4. The Red Rock Corridor Station Area Planning Final Report and the Red Rock Gateway Redevelopment Plan, both identify two access points onto Maxwell Ave between I-494 and 21st Street. If only one access point were provided, no access could be provided to Maxwell Ave between 21st Street and the railroad crossing.

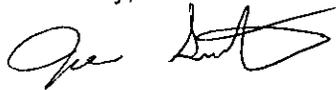
The County, through discussions with MnDOT, previously sought to secure an additional access across from the existing ramp intersection. MnDOT has asserted, based on a memo from Federal Highway Administration not specific to this project, that access across from a freeway ramp would not be allowed. The County has decided not to further pursue this additional access at this time, but may do so in the future.

Lane Configuration and Traffic Control

Although a full analysis of each turning movement has not been performed at this time, the proposed lane configuration appears adequate and traffic signal control is not necessary based on the limited size of the site and the qualitatively low number of left turns and through movements that would be expected to exit the site. A more detailed analysis of traffic turning movements should be pursued as future development is contemplated on the north portion of the site or on surrounding parcels.

If you have any questions please feel free to contact me at 651-430-4351 or joe.gustafson@co.washington.mn.us.

Sincerely,



Joe Gustafson, PE, PTOE
Traffic Engineer

Attachment: Turnback sketch dated 7.26.2012

CC: Brian Anderson, City Administrator, Newport
Andy Gitzlaff, Senior Planner, Washington County
Ted Schoenecker, Transportation Planning Manager, Washington County
Donald J. Theisen, Public Works Director, Washington County
Wayne H. Sandberg, Deputy Director/County Engineer, Washington County



Future right in/right out access or bus only road

4 STORY BUILDING

- FIRST FLOOR PARKING
- TOP FLOORS APARTMENTS
- 108 UNITS
- 122 UNDERGROUND PARKING STALLS
- 40 SURFACE PARKING STALLS

4 STORY BUILDING

- FIRST FLOOR PARKING
- TOP FLOORS APARTMENTS
- 156 UNITS
- 234 UNDERGROUND PARKING STALLS

AREA 1 - KNOX SITE REQUIREMENTS

- 300 APARTMENT UNITS (450 PARKING STALLS)
- 30,000 SF OF OFFICE (75 PARKING STALLS)
- 10,000 SF OF RETAIL (25 PARKING STALLS)

ZONING REGULATIONS

- HEIGHT LIMITATIONS
- TOWNHOUSE: 36'
 - APARTMENT/CONDO: 48'
 - MIXED USE: 48'
 - COMMERCIAL, CIVIC, ETC.: 48'
 - THE 48' LIMITATIONS CAN BE RAISED WITH A CUP

- STRUCTURE SETBACKS
- FRONT YARD SETBACK - MIN 5' MAX 15'
 - SIDE YARD SETBACK - 5'
 - REAR YARD SETBACK - 20'

- PARKING SETBACK
- NO PARKING IN FRONT YARD
 - SIDE YARD SETBACK - 5'
 - REAR YARD SETBACK - 5'

PARKING REQUIREMENTS

USE	PARKING MIN	PARKING MAX
RESIDENTIAL	1.5 PER UNIT	2.5 PER UNIT
COMMERCIAL/RETAIL	1 PER 400 SF	1 PER 200 SF
OFFICE	1 PER 400 SF	1 PER 300 SF

Existing trail

Access to future development

Pedestrian crosswalks

Transit Station

Bus loading/unloading

FUTURE POTENTIAL SIGNALIZED INTERSECTION

Open lawn

Overstory trees

Vertical entrance sign

Seatwall

Existing trail

Property line

4 STORY BUILDING

- FIRST TWO FLOORS 30,000 SF OF OFFICE, 10,000 SF OF RETAIL
- TOP TWO FLOORS 36 APARTMENT UNITS
- SHARED RAMP PARKING

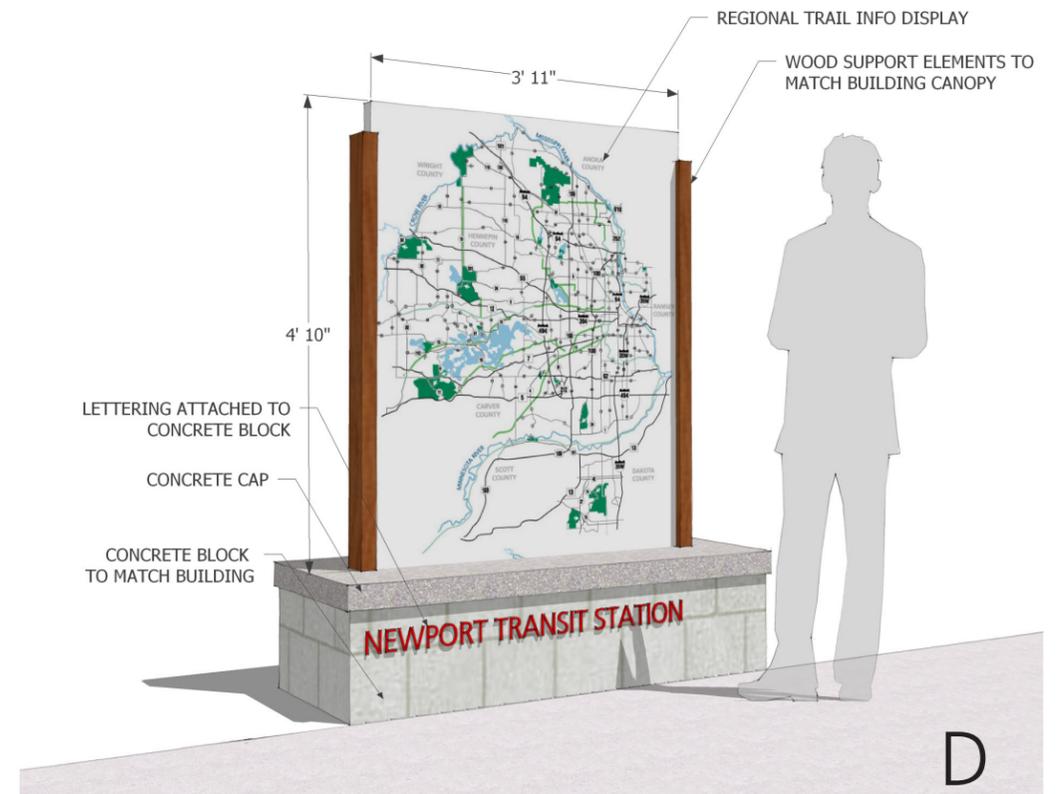
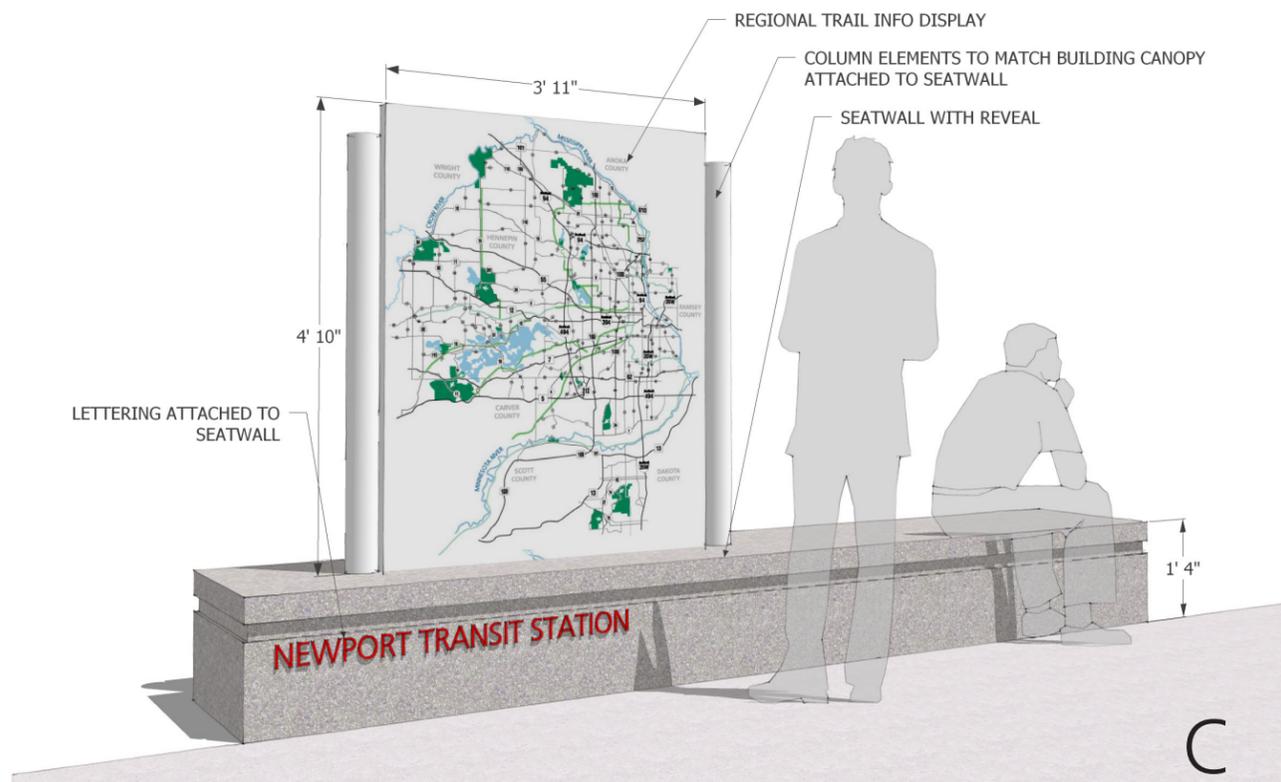
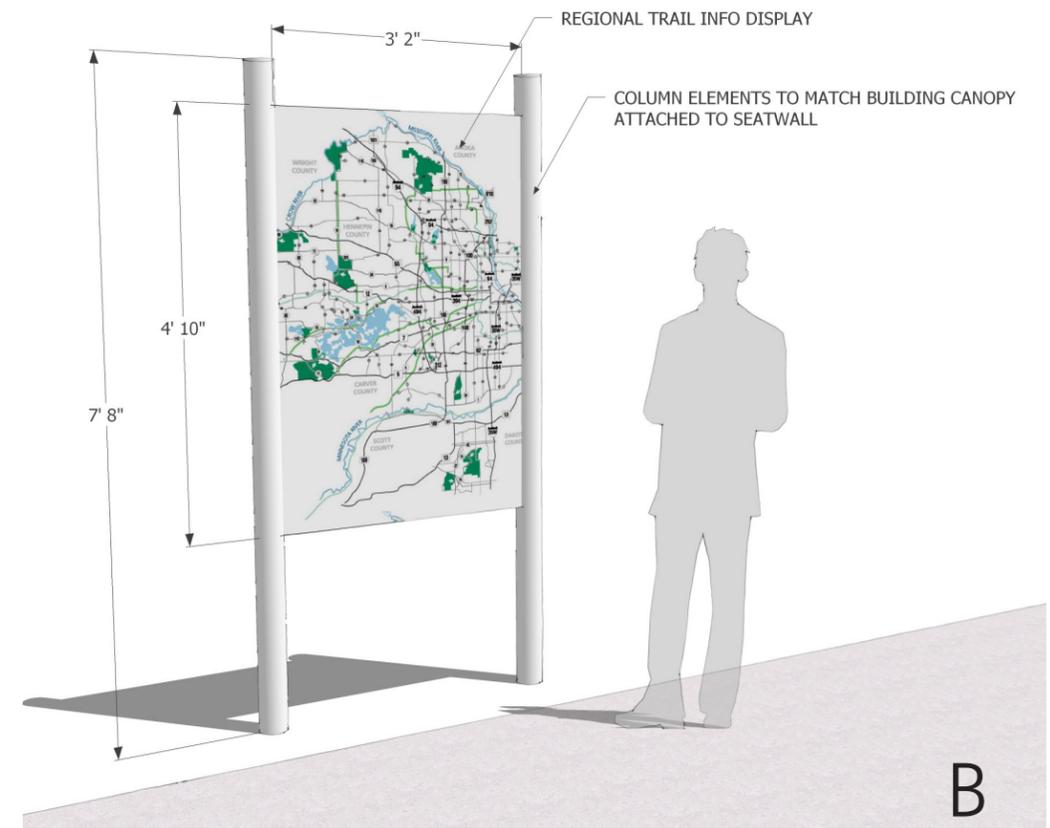
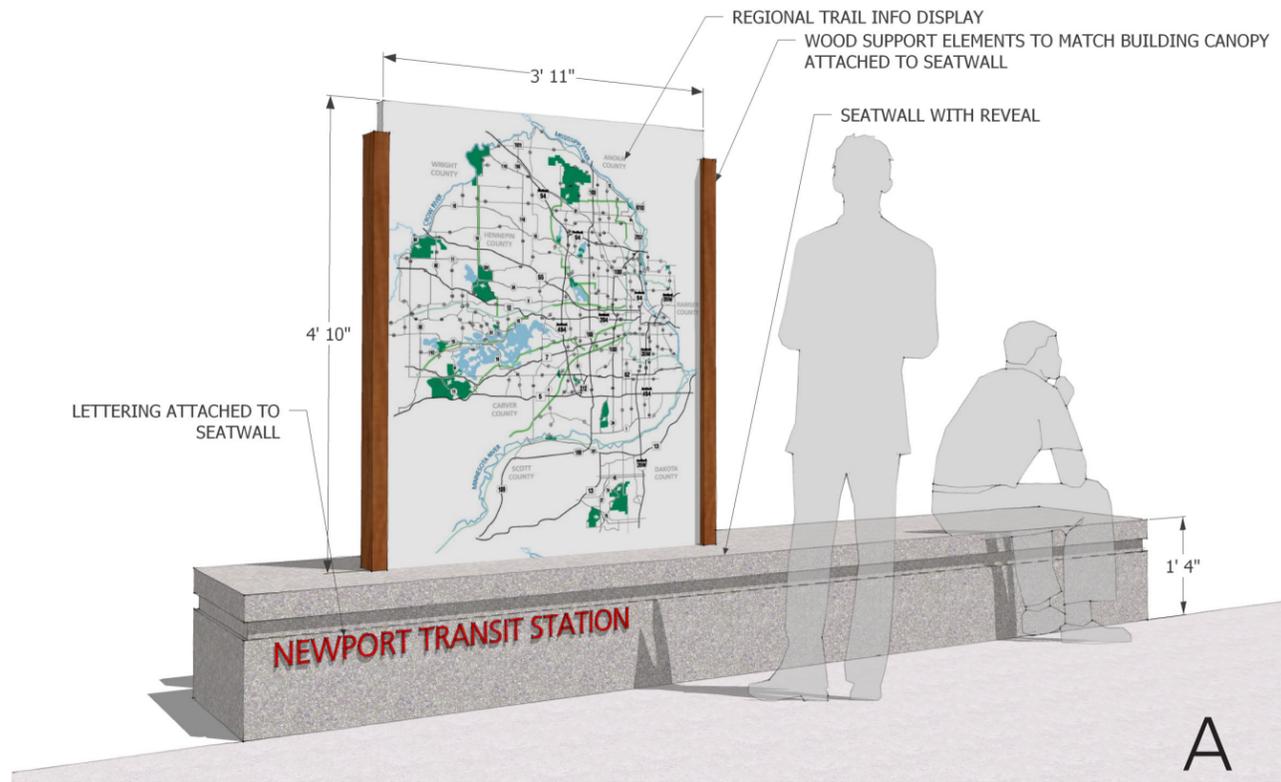
Potential library kiosk

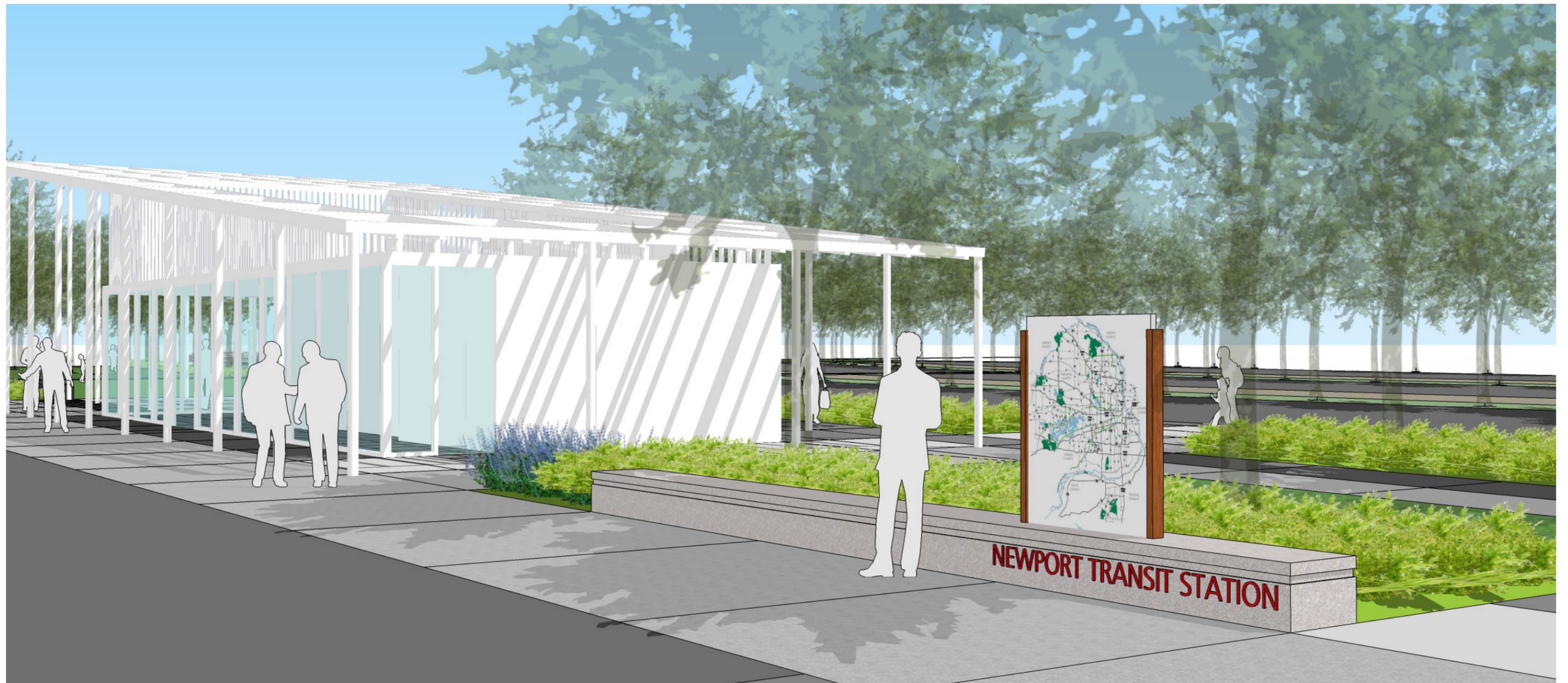
200 stall parking lot with future ramp above

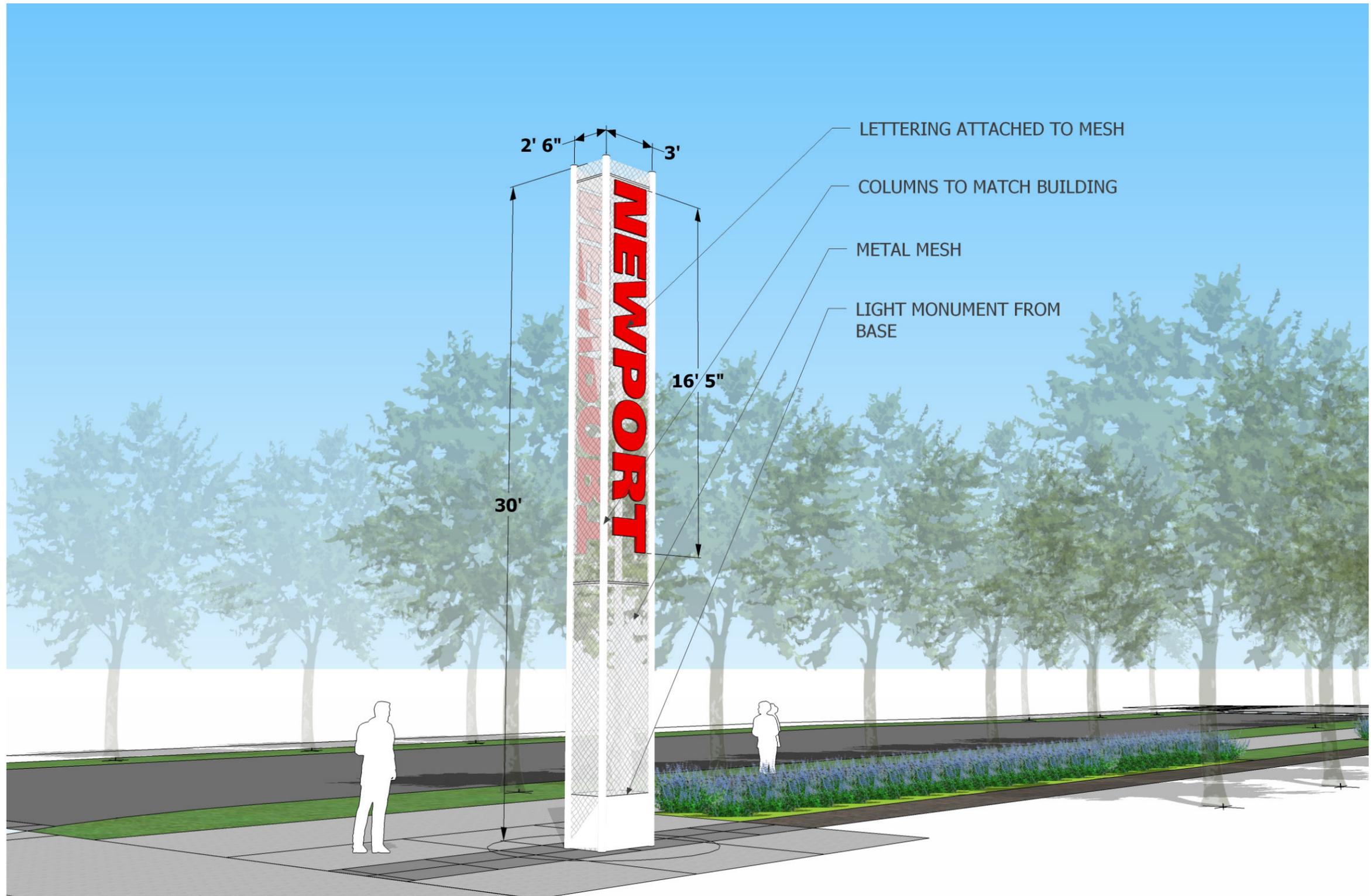
Pervious pavement

Pedestrian connection

Stormwater treatment in islands







EXISTING TOPOGRAPHIC SYMBOLS

	STORM SEWER APRON		PEDESTAL CATV
	BASKETBALL POST		PEDESTAL COMMUNICATIONS
	BARRICADE PERMANENT		POST INDICATOR VALVE
	BENCH		POLE-COMMUNICATIONS
	BOOSTER STATION		POLE-GUY
	BUILDING LOWEST OPENING		POLE-LIGHT
	BURIAL CONTROL MONUMENT		POLE-POWER
	BUSH DECIDUOUS		POLE-UTILITY
	CATCH BASIN BEEHIVE		POLE-UTILITY SERVICE
	CURB BOX		POST
	CATCH BASIN		PROPANE TANK
	COLUMN		PICNIC TABLE
	CONTROL BOX SIGNAL		ROCK
	CLEAN OUT (SEWER)		RR SIGNAL CONTROL BOX
	CULVERT END		RR CROSSING GATE
	DRINKING FOUNTAIN		RR SIGNAL
	ENERGY DISSIPATER		REGULATION STATION GAS
	FLAG POLE		SATELLITE DISH
	FUEL PUMP		SEPTIC TANK
	GUY WIRE		SEPTIC VENT
	GRILL		SEPTIC DRAIN FIELD
	HANDICAP SPACE		SIGN
	HANDHOLE		SOIL BORING
	FIRE HYDRANT		STAND PIPE GAS
	HYDRANT PVMNT MARKER (REFLECTOR)		SPIGOT WATER
	HYDRANT VALVE		SPRINKLER HEAD
	INLET (SMALL DIA.)		SPRINKLER VALVE BOX
	LIFT STATION CONTROL PANEL		STUMP
	LIFT STATION DRY WELL		SERVICE-GAS POINT ON LINE
	LIFT STATION WET WELL		SERVICE-SANITARY SEWER POINT ON LINE
	LIGHT YARD		SERVICE-STORM SEWER POINT ON LINE
	LOOP DETECTOR		SERVICE-WATER POINT ON LINE
	MAIL BOX		TELEPHONE BOOTH
	MAIL RELAY BOX		TRANSMISSION TOWER ELECTRIC
	MANHOLE-AIR RELEASE		TEST PIT LOC
	MANHOLE-HEAT		TRANSFORMER POWER
	MANHOLE-GAS		TREE DEAD
	MANHOLE-POWER		TREE-CONIFEROUS
	MANHOLE-SANITARY SEWER		TREE-DECIDUOUS
	MANHOLE-STORM SEWER		TREE-FRUIT
	MANHOLE-COMMUNICATIONS		TRASH CAN
	MANHOLE-UNKNOWN		TRAFFIC SIGNAL
	MANHOLE-WATER		VALVE GAS
	METER POWER		VALVE
	METER GAS		VENT GAS
	ORDINARY HIGH WATER MARK		WATER REDUCER
	OUTLET CONTROL STRUCTURE		WETLAND
	PARKING METER		WELL-MONITORING
	PEDESTRIAN PUSH BUTTON		WELL-WATER
	PEDESTAL POWER		

SURVEY SYMBOLS

	AERIAL CONTROL POINT
	BACKSIGHT CONTROL POINT
	GPS CONTROL POINT
	JUDICIAL LAND MONUMENT
	MONUMENT COMPUTED
	MONUMENT IRON FOUND
	MONUMENT IRON SET
	RESECTED POINT
	ROW MONUMENT
	ROW MARKER POST
	SECTION CORNER
	TRAVERSE CONTROL POINT
	BENCH MARK LOCATION

PROPOSED TOPOGRAPHIC SYMBOLS

	BOLLARD
	SANITARY CLEANOUT
	MANHOLE
	SANITARY OR STORM LIFT STATION
	STORM SEWER BEEHIVE CATCH BASIN
	STORM SEWER CATCH BASIN
	STORM SEWER FLARED END SECTION
	STORM SEWER OUTLET STRUCTURE
	STORM SEWER OVERFLOW STRUCTURE
	CURB BOX
	FIRE HYDRANT
	WATER REDUCER
	VALVE
	RIP RAP
	DRAINAGE FLOW
	PEDESTRIAN RAMP

EXISTING PRIVATE UTILITY LINES

	CABLE TV QUALITY LEVEL D
	CABLE TV QUALITY LEVEL C
	CABLE TV QUALITY LEVEL B
	CABLE TV QUALITY LEVEL A
	FIBER OPTIC QUALITY LEVEL D
	FIBER OPTIC QUALITY LEVEL C
	FIBER OPTIC QUALITY LEVEL B
	FIBER OPTIC QUALITY LEVEL A
	POWER QUALITY LEVEL D
	POWER QUALITY LEVEL C
	POWER QUALITY LEVEL B
	POWER QUALITY LEVEL A
	GAS QUALITY LEVEL D
	GAS QUALITY LEVEL C
	GAS QUALITY LEVEL B
	GAS QUALITY LEVEL A
	COMMUNICATION QUALITY LEVEL D
	COMMUNICATION QUALITY LEVEL C
	COMMUNICATION QUALITY LEVEL B
	COMMUNICATION QUALITY LEVEL A
	OVERHEAD POWER
	OVERHEAD COMMUNICATION
	OVERHEAD UTILITIES

EXISTING TOPOGRAPHIC LINES

	RETAINING WALL
	FENCE - BARBED WIRE
	FENCE - CHAIN LINK
	FENCE - DECORATIVE
	FENCE - STOCKADE
	FENCE - WOOD
	FENCE - ELECTRIC
	GUARD RAIL
	TREE LINE
	WETLAND

SURVEY LINES

	BOUNDARY
	CENTERLINE
	EXISTING EASEMENT LINE
	PROPOSED EASEMENT LINE
	FLOOD PLAIN BOUNDARY
	EXISTING LOT LINE
	PROPOSED LOT LINE
	EXISTING RIGHT-OF-WAY
	PROPOSED RIGHT-OF-WAY
	SETBACK LINE
	SECTION LINE
	QUARTER SECTION LINE
	SIXTEENTH SECTION LINE

EXISTING UTILITY LINES

	FORCE MAIN
	SANITARY SEWER
	SANITARY SERVICE
	STORM SEWER
	WATER MAIN
	WATER SERVICE

PROPOSED UTILITY LINES

	FORCE MAIN
	SANITARY SEWER
	SANITARY SERVICE
	STORM SEWER DRAINTILE
	STORM SEWER
	WATER MAIN
	WATER SERVICE
	PIPE CASING

FUTURE UTILITY LINES

	FORCE MAIN
	SANITARY SEWER
	SANITARY SERVICE
	STORM SEWER DRAINTILE
	STORM SEWER
	WATER MAIN
	WATER SERVICE
	PIPE CASING

CONCRETE CURB AND GUTTER

	EXISTING
	PROPOSED
	FUTURE
	DEMOLITION

GRADING INFORMATION

	EXISTING CONTOUR MINOR
	EXISTING CONTOUR MAJOR
	PROPOSED CONTOUR MINOR
	PROPOSED CONTOUR MAJOR
	PROPOSED CONSTRUCTION LIMITS
	PROPOSED SPOT ELEVATION (TC=TOP OF CURB, P=PAVEMENT, TW=TOP OF WALL, BW=BOTTOM OF WALL)
	EXISTING SPOT ELEVATION
	RISE:RUN (SLOPE)
	GRADE BREAK

ABBREVIATIONS

AD	ALGEBRAIC DIFFERENCE
BV	BUTTERFLY VALVE
BVCE	BEGIN VERTICAL CURVE ELEVATION
BVCS	BEGIN VERTICAL CURVE STATION
CL	CENTER LINE
CL	CLASS
CMP	CORRUGATED METAL PIPE
C.O.	CHANGE ORDER
DIP	DUCTILE IRON PIPE
EL/ELEV	ELEVATION
EVCE	END VERTICAL CURVE ELEVATION
EVCS	END VERTICAL CURVE STATION
EX	EXISTING
FES	FLARED END SECTION
F/F	FACE TO FACE
FM	FORCE MAIN
F.O.	FIELD ORDER
GV	GATE VALVE
HP	HIGH POINT
HWL	HIGH WATER LEVEL
INV	INVERT
K	CURVE COEFFICIENT
LP	LOW POINT
MH	MANHOLE (SANITARY)
NTS	NOT TO SCALE
NWL	NORMAL WATER LEVEL
PC	POINT OF CURVE
PCC	COMPOUND CURVE
PI	POINT OF INTERSECTION
PL	PROPERTY LINE
PPVC	PERFORATED POLYVINYL CHLORIDE PIPE
PRC	POINT OF REVERSE CURVE
PT	POINT OF TANGENT
PVC	POLYVINYL CHLORIDE PIPE
PVI	POINT OF VERTICAL INTERSECTION
R	RADIUS
RCP	REINFORCED CONCRETE PIPE
R/W	RIGHT-OF-WAY
SAN	SANITARY SEWER
SS	STORM SEWER STRUCTURE
STA	STATION
STRM	STORM SEWER
TCE	TEMPORARY CONSTRUCTION EASEMENT
TNH	TOP NUT HYDRANT
TYP	TYPICAL
VC	VERTICAL CURVE
WM	WATER MAIN

HATCH PATTERNS

	HEAVY DUTY BITUMINOUS
	EXISTING CONCRETE
	EXISTING GRAVEL
	EXISTING ASPHALT



2335 Highway 36 W
St. Paul, MN 55113
Ph: 651-636-4600
Fax: 651-636-1311

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I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.
PRINT NAME: STUART M. KRAHN
SIGNATURE: _____
DATE: 9/17/2012
LIC. NO. 40002

WASHINGTON COUNTY REGIONAL RAILROAD AUTHORITY
NEWPORT TRANSIT STATION
SITE SYMBOLS AND ABBREVIATIONS

NO.	REVISION	DATE
PC	SUBMITTAL	9/17/12

SURVEY	SE
DRAWN	DAAP/JW
DESIGNED	DA
APPROVED	SMK
PROJ. NO.	193802205

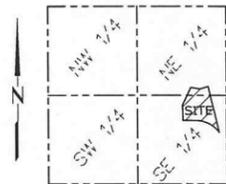
SHEET NUMBER
G1.02

NEWPORT STATION ADDITION

Preliminary Plat

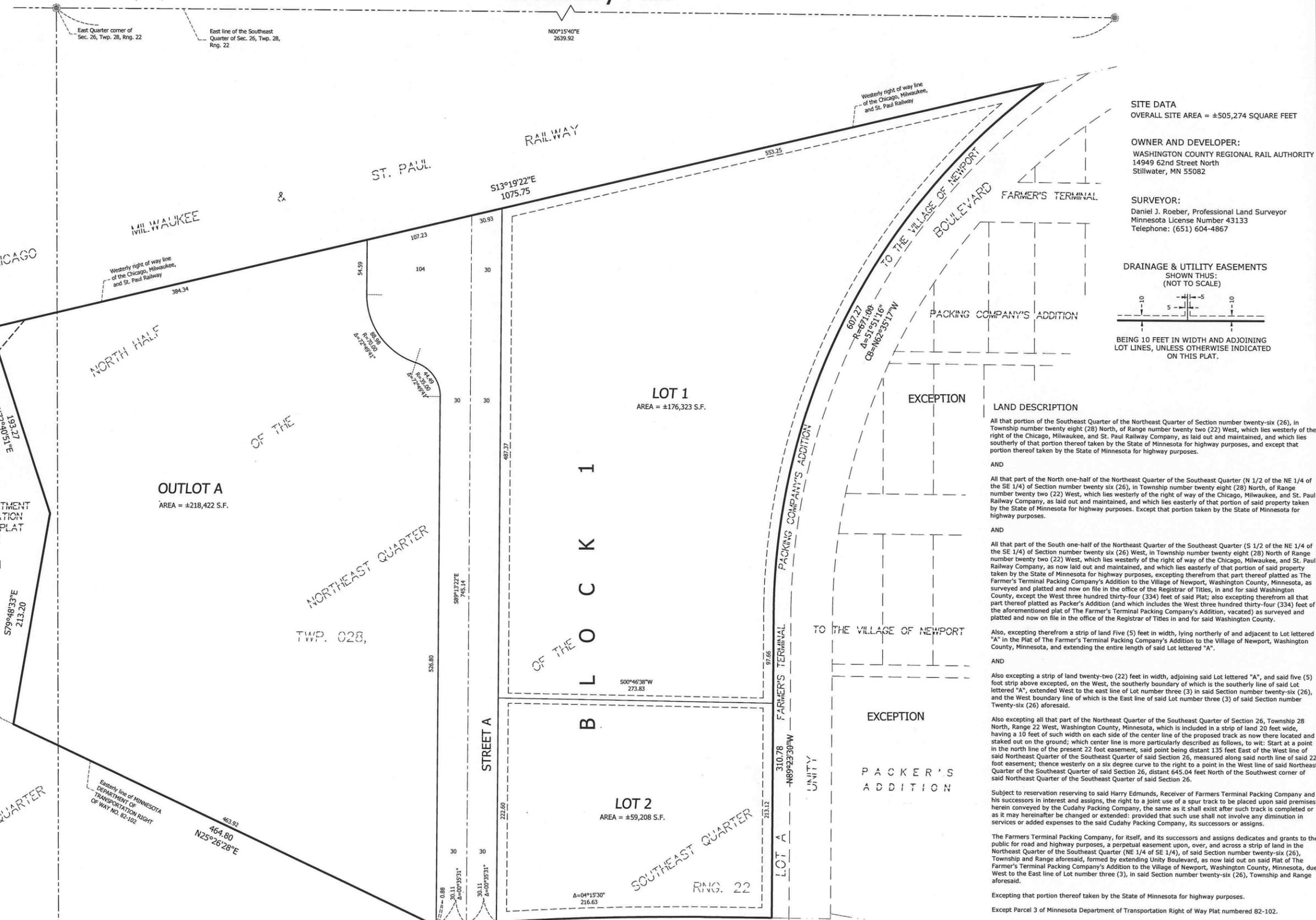


SEC. 26, TWP. 028, RING. 22
(NOT TO SCALE)



- DENOTES IRON MONUMENT FOUND
- DENOTES 1/2 INCH BY 14 INCH IRON MONUMENT SET WITH PLASTIC PLUG INSCRIBED WITH 43133
- ⊙ DENOTES WASHINGTON COUNTY CAST IRON MONUMENT

THE ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 28, RANGE 22, WASHINGTON, MN, AND IS ASSUMED TO BEAR SOUTH 00°15'40" EAST.

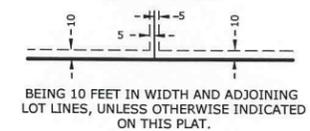


SITE DATA
OVERALL SITE AREA = ±505,274 SQUARE FEET

OWNER AND DEVELOPER:
WASHINGTON COUNTY REGIONAL RAIL AUTHORITY
14949 62nd Street North
Stillwater, MN 55082

SURVEYOR:
Daniel J. Roeber, Professional Land Surveyor
Minnesota License Number 43133
Telephone: (651) 604-4867

DRAINAGE & UTILITY EASEMENTS
SHOWN THUS:
(NOT TO SCALE)



LAND DESCRIPTION

All that portion of the Southeast Quarter of the Northeast Quarter of Section number twenty-six (26), in Township number twenty eight (28) North, of Range number twenty two (22) West, which lies westerly of the right of the Chicago, Milwaukee, and St. Paul Railway Company, as laid out and maintained, and which lies southerly of that portion thereof taken by the State of Minnesota for highway purposes, and except that portion thereof taken by the State of Minnesota for highway purposes.

AND

All that part of the North one-half of the Northeast Quarter of the Southeast Quarter (N 1/2 of the NE 1/4 of the SE 1/4) of Section number twenty six (26), in Township number twenty eight (28) North, of Range number twenty two (22) West, which lies westerly of the right of way of the Chicago, Milwaukee, and St. Paul Railway Company, as laid out and maintained, and which lies easterly of that portion of said property taken by the State of Minnesota for highway purposes. Except that portion taken by the State of Minnesota for highway purposes.

AND

All that part of the South one-half of the Northeast Quarter of the Southeast Quarter (S 1/2 of the NE 1/4 of the SE 1/4) of Section number twenty six (26) West, in Township number twenty eight (28) North of Range number twenty two (22) West, which lies westerly of the right of way of the Chicago, Milwaukee, and St. Paul Railway Company, as now laid out and maintained, and which lies easterly of that portion of said property taken by the State of Minnesota for highway purposes, excepting therefrom that part thereof platted as The Farmer's Terminal Packing Company's Addition to the Village of Newport, Washington County, Minnesota, as surveyed and platted and now on file in the office of the Registrar of Titles, in and for said Washington County, except the West three hundred thirty-four (334) feet of said Plat; also excepting therefrom all that part thereof platted as Packer's Addition (and which includes the West three hundred thirty-four (334) feet of the aforementioned plat of The Farmer's Terminal Packing Company's Addition, vacated) as surveyed and platted and now on file in the office of the Registrar of Titles in and for said Washington County.

Also, excepting therefrom a strip of land Five (5) feet in width, lying northerly of and adjacent to Lot lettered "A" in the Plat of The Farmer's Terminal Packing Company's Addition to the Village of Newport, Washington County, Minnesota, and extending the entire length of said Lot lettered "A".

AND

Also excepting a strip of land twenty-two (22) feet in width, adjoining said Lot lettered "A", and said five (5) foot strip above excepted, on the West, the southerly boundary of which is the southerly line of said Lot lettered "A", extended West to the east line of Lot number three (3) in said Section number twenty-six (26), and the West boundary line of which is the East line of said Lot number three (3) of said Section number Twenty-six (26) aforesaid.

Also excepting all that part of the Northeast Quarter of the Southeast Quarter of Section 26, Township 28 North, Range 22 West, Washington County, Minnesota, which is included in a strip of land 20 feet wide, having a 10 feet of such width on each side of the center line of the proposed track as now there located and staked out on the ground; which center line is more particularly described as follows, to wit: Start at a point in the north line of the present 22 foot easement, said point being distant 135 feet East of the West line of said Northeast Quarter of the Southeast Quarter of said Section 26, measured along said north line of said 22 foot easement; thence westerly on a six degree curve to the right to a point in the West line of said Northeast Quarter of the Southeast Quarter of said Section 26, distance 645.04 feet North of the Southwest corner of said Northeast Quarter of the Southeast Quarter of said Section 26.

Subject to reservation reserving to said Harry Edmunds, Receiver of Farmers Terminal Packing Company and his successors in interest and assigns, the right to a joint use of a spur track to be placed upon said premises herein conveyed by the Cudahy Packing Company, the same as it shall exist after such track is completed or as it may hereinafter be changed or extended; provided that such use shall not involve any diminution in services or added expenses to the said Cudahy Packing Company, its successors or assigns.

The Farmers Terminal Packing Company, for itself, and its successors and assigns dedicates and grants to the public for road and highway purposes, a perpetual easement upon, over, and across a strip of land in the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4), of said Section number twenty-six (26), Township and Range aforesaid, formed by extending Unity Boulevard, as now laid out on said Plat of The Farmer's Terminal Packing Company's Addition to the Village of Newport, Washington County, Minnesota, due West to the East line of Lot number three (3), in said Section number twenty-six (26), Township and Range aforesaid.

Excepting that portion thereof taken by the State of Minnesota for highway purposes.

Except Parcel 3 of Minnesota Department of Transportation Right of Way Plat numbered 82-102.

St. Paul Office
2335 West Highway 36
Saint Paul, MN 55113
Phone: 651-636-4600
Fax: 651-636-1311
Website: www.stantec.com

DATE	REVISION
09/17/2012	1

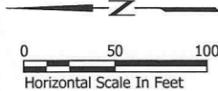
DATE	BY	DESCRIPTION
09/17/2012	DJR	DESIGNED BY
09/17/2012	DJR	APPROVED BY
09/17/2012	DJR	DATE

DATE	BY	DESCRIPTION
SEPTEMBER 17, 2012	DANIEL J. ROEBER	SIGNATURE
43133		LIC. NO.

PRELIMINARY PLAT
NEWPORT STATION ADDITION

PROJECT NUMBER	SHEET NUMBER	TOTAL SHEETS
193802205	1	1

V:\1938\active\193802205\CAD\DWG\193802205V401.dwg 9/14/2012 3:48 PM



MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 82-102

NO. 82-102
Easterly line of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY NO. 82-102

276.06
R=2914.77
Δ=05°25'36"

MAXWELL AVENUE N00°26'20"E

WASHINGTON COUNTY HIGHWAY ROW PLAT NO. 140 - CSAH 38

NEWPORT STATION ADDITION

KNOW ALL BY THESE PRESENTS: That Washington County Regional Railroad Authority, a public body corporate and politic, owner of the following described property situated in the County of Washington, State of Minnesota to wit:

All that portion of the Southeast Quarter of the Northeast Quarter of Section number twenty-six (26), in Township number twenty eight (28) North, of Range number twenty two (22) West, which lies westerly of the right of the Chicago, Milwaukee, and St. Paul Railway Company, as laid out and maintained, and which lies southerly of that portion thereof taken by the State of Minnesota for highway purposes, and except that portion thereof taken by the State of Minnesota for highway purposes.

AND

All that part of the North one-half of the Northeast Quarter of the Southeast Quarter (N 1/2 of the NE 1/4 of the SE 1/4) of Section number twenty six (26), in Township number twenty eight (28) North, of Range number twenty two (22) West, which lies westerly of the right of way of the Chicago, Milwaukee, and St. Paul Railway Company, as laid out and maintained, and which lies easterly of that portion of said property taken by the State of Minnesota for highway purposes. Except that portion taken by the State of Minnesota for highway purposes.

AND

All that part of the South one-half of the Northeast Quarter of the Southeast Quarter (S 1/2 of the NE 1/4 of the SE 1/4) of Section number twenty six (26) West, in Township number twenty eight (28) North of Range number twenty two (22) West, which lies westerly of the right of way of the Chicago, Milwaukee, and St. Paul Railway Company, as now laid out and maintained, and which lies easterly of that portion of said property taken by the State of Minnesota for highway purposes, excepting therefrom that part thereof platted as The Farmer's Terminal Packing Company's Addition to the Village of Newport, Washington County, Minnesota, as surveyed and platted and now on file in the office of the Registrar of Titles, in and for said Washington County, except the West three hundred thirty-four (334) feet of said Plat; also excepting therefrom all that part thereof platted as Packer's Addition (and which includes the West three hundred thirty-four (334) feet of the aforementioned plat of The Farmer's Terminal Packing Company's Addition, vacated) as surveyed and platted and now on file in the office of the Registrar of Titles in and for said Washington County.

Also, excepting therefrom a strip of land Five (5) feet in width, lying northerly of and adjacent to Lot lettered "A" in the Plat of The Farmer's Terminal Packing Company's Addition to the Village of Newport, Washington County, Minnesota, and extending the entire length of said Lot lettered "A".

AND

Also excepting a strip of land twenty-two (22) feet in width, adjoining said Lot lettered "A", and said five (5) foot strip above excepted, on the West, the southerly boundary of which is the southerly line of said Lot lettered "A", extended West to the east line of Lot number three (3) in said Section number twenty-six (26), and the West boundary line of which is the East line of said Lot number three (3) of said Section number Twenty-six (26) aforesaid.

Also excepting all that part of the Northeast Quarter of the Southeast Quarter of Section 26, Township 28 North, Range 22 West, Washington County, Minnesota, which is included in a strip of land 20 feet wide, having a 10 feet of such width on each side of the center line of the proposed track as now there located and staked out on the ground; which center line is more particularly described as follows, to wit: Start at a point in the north line of the present 22 foot easement, said point being distant 135 feet East of the West line of said Northeast Quarter of the Southeast Quarter of said Section 26, measured along said north line of said 22 foot easement; thence westerly on a six degree curve to the right to a point in the West line of said Northeast Quarter of the Southeast Quarter of said Section 26, distant 645.04 feet North of the Southwest corner of said Northeast Quarter of the Southeast Quarter of said Section 26.

Subject to reservation reserving to said Harry Edmunds, Receiver of Farmers Terminal Packing Company and his successors in interest and assigns, the right to a joint use of a spur track to be placed upon said premises herein conveyed by the Cudahy Packing Company, the same as it shall exist after such track is completed or as it may hereinafter be changed or extended: provided that such use shall not involve any diminution in services or added expenses to the said Cudahy Packing Company, its successors or assigns.

The Farmers Terminal Packing Company, for itself, and its successors and assigns dedicates and grants to the public for road and highway purposes, a perpetual easement upon, over, and across a strip of land in the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4), of said Section number twenty-six (26), Township and Range aforesaid, formed by extending Unity Boulevard, as now laid out on said Plat of The Farmer's Terminal Packing Company's Addition to the Village of Newport, Washington County, Minnesota, due West to the East line of Lot number three (3), in said Section number twenty-six (26), Township and Range aforesaid.

Excepting that portion thereof taken by the State of Minnesota for highway purposes.

Except Parcel 3 of Minnesota Department of Transportation Right of Way Plat numbered 82-102.

Has caused the same to be surveyed and platted as NEWPORT STATION ADDITION and does hereby donate and dedicate to the public for public use the public way and the drainage and utility easements as created by this plat.

WASHINGTON COUNTY REGIONAL RAILROAD AUTHORITY

In witness whereof said Washington County Regional Railroad Authority, has caused these presents to be signed by its proper officer this _____ day of _____, 20____.

Lisa Weik as Commissioner

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by Lisa Weik as Commissioner of Washington County Regional Railroad Authority, a public body corporate and politic, on behalf of said public body.

(Notary Signature)

(Notary Printed Name)

NOTARY PUBLIC, _____ COUNTY, MINNESOTA

MY COMMISSION EXPIRES _____

I hereby certify that I have surveyed and platted or directly supervised the survey and platting of the property described on this plat as NEWPORT STATION ADDITION; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on the plat; that all monuments depicted on the plat have been or will be correctly set within one year as indicated on the plat; that all water boundaries and wet lands as defined in Minnesota Statutes 505.01, Subd. 3 existing as of the date of this certification are shown and labeled on the plat; and that all public ways are shown and labeled on the plat.

Daniel J. Roeber, Licensed Land Surveyor
Minnesota License Number 43133

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by Daniel J. Roeber, Licensed Land Surveyor, Minnesota License Number 43133.

(Notary Signature)

(Notary Printed Name)

NOTARY PUBLIC, _____ COUNTY, MINNESOTA

MY COMMISSION EXPIRES _____

NEWPORT, MINNESOTA

This plat was approved by the City Council of Newport, Minnesota, this ___ day of _____, 20____, and hereby certifies compliance with all requirements as set forth in Minnesota Statutes, Section 505.03, Subd. 2.

Signed: _____
Mayor

Signed: _____
Clerk

COUNTY SURVEYOR

Pursuant to Chapter 820, Laws of Minnesota, 1971, this plat has been approved this _____ day of _____, 20____.

By: _____
Washington County Surveyor

By: _____
Assistant County Surveyor

COUNTY AUDITOR/TREASURER

There are no delinquent taxes, the current taxes due and payable for the year _____ have been paid and transfer has been entered this _____ day of _____, 20____.

By: _____
Washington County Auditor/Treasurer

By: _____
Deputy

COUNTY REGISTRAR OF TITLES

Document Number _____

I hereby certify that this instrument was filed in the Office of Titles for record on this _____ day of _____, 20____ at ___ o'clock __M. and was duly recorded in Washington County Records.

By: _____
Washington County Registrar of Titles

By: _____
Deputy

NEWPORT STATION ADDITION

N00°15'40"E
2639.92

East Quarter corner of
Sec. 26, Twp. 28, Rng. 22

East line of the Southeast
Quarter of Sec. 26, Twp. 28,
Rng. 22

Westerly right of way line
of the Chicago, Milwaukee,
and St. Paul Railway

ST. PAUL

S13°19'22"E
1075.75

FARMER'S TERMINAL

MILWAUKEE

CHICAGO

NORTH HALF

SEC. 26,
SOUTHEAST QUARTER

N.S.P. easement
see Document No. 38869

N17°24'05.1"E
193.27

PARCEL 3

MINNESOTA DEPARTMENT
OF TRANSPORTATION
RIGHT OF WAY PLAT
NO. 82-102

EXCEPTION

OF THE

INTERSTATE HIGHWAY
NO. 494

S79°48'33"E
213.20

OUTLOT A

OF THE

NORTHEAST QUARTER

TWP. 028,

LOT 1

B L O C K 1

LOT 2

SOUTHEAST QUARTER
RNG. 22

PACKING COMPANY'S ADDITION

EXCEPTION

TO THE VILLAGE OF NEWPORT

EXCEPTION

PACKER'S
ADDITION

PACKING COMPANY'S ADDITION

FARMER'S TERMINAL

LOT A

UNITY

STREET A

STREET A

NO. 82-102
Easterly line of MINNESOTA
DEPARTMENT OF
TRANSPORTATION RIGHT

276.06
R=2914.77
Δ=05°25'36"

MAXWELL AVENUE

58.07
N00°26'20"E

WASHINGTON COUNTY HIGHWAY
ROW PLAT NO. 140 - CSAH 38

Easterly line of MINNESOTA
DEPARTMENT OF
TRANSPORTATION RIGHT
OF WAY NO. 82-102

463.92
464.80
N25°26'28"E

54.59

107.23

104

30.93

30

30

30

30

30

30

30

30

30

30

889°13'22"E
745.14

526.80

222.60

216.63

216.63

216.63

86.98
R=70.00
Δ=72°49'42"

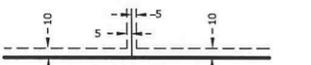
SEC. 26, TWP. 028, RNG. 22
(NOT TO SCALE)



- DENOTES IRON MONUMENT FOUND
- DENOTES 1/2 INCH BY 14 INCH IRON MONUMENT SET WITH PLASTIC PLUG INSCRIBED WITH 43133
- ⊙ DENOTES WASHINGTON COUNTY CAST IRON MONUMENT

THE ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 28, RANGE 22, WASHINGTON, MN, AND IS ASSUMED TO BEAR SOUTH 00°15'40" EAST.

DRAINAGE & UTILITY EASEMENTS SHOWN THUS: (NOT TO SCALE)



BEING 10 FEET IN WIDTH AND ADJOINING LOT LINES, UNLESS OTHERWISE INDICATED ON THIS PLAT.

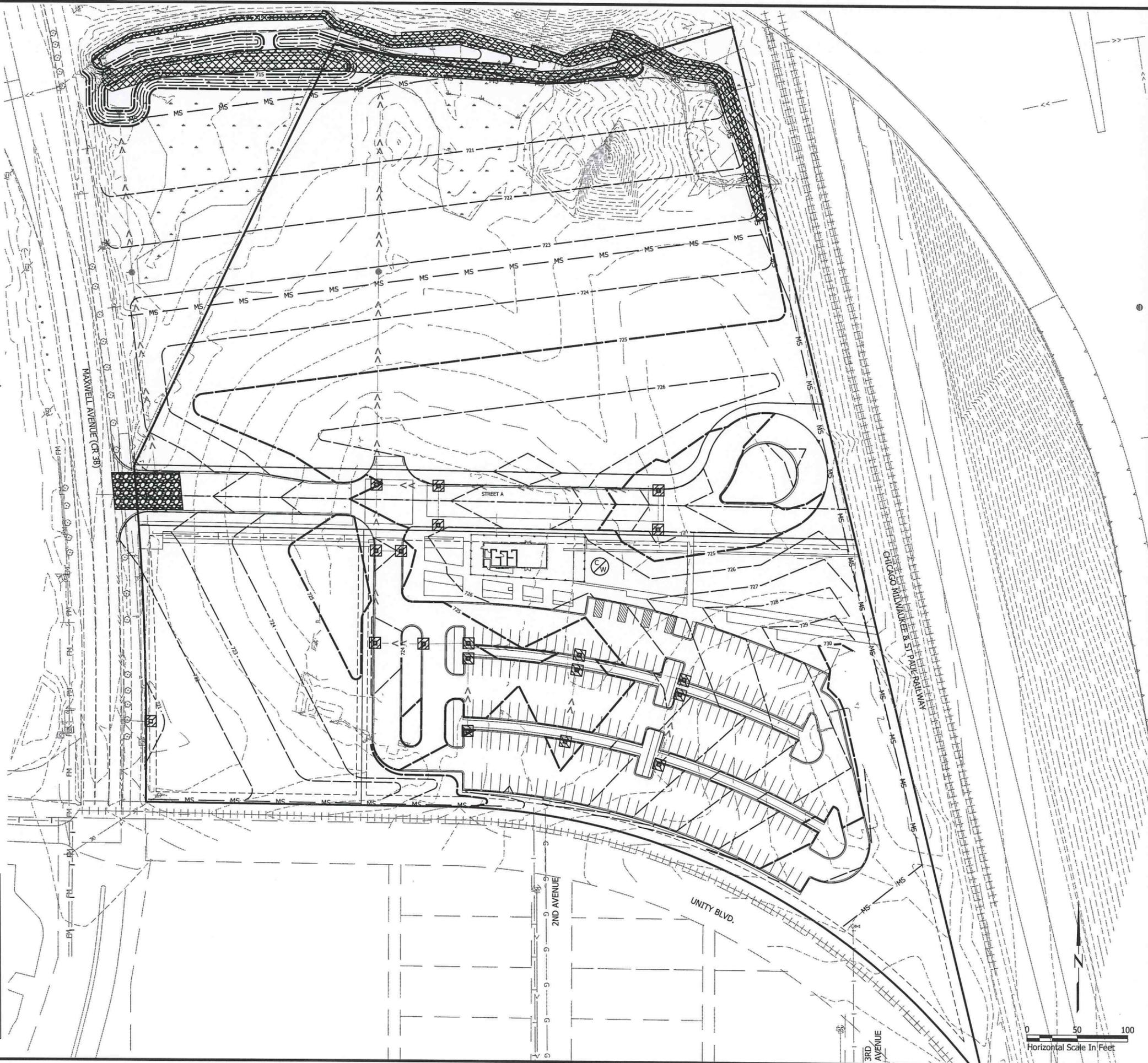


0 50 100
Horizontal Scale In Feet



EROSION AND SEDIMENT CONTROL NOTES:

1. PERMITTEES, CONTRACTORS, AND SUBCONTRACTORS INVOLVED WITH STORM WATER POLLUTION PREVENTION SHALL OBTAIN A COPY OF THE STORM WATER POLLUTION PLAN AND THE STATE OF MINNESOTA NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES PHASE II PERMIT) AND BECOME FAMILIAR WITH THEIR CONTENTS AND ARE RESPONSIBLE FOR COMPLYING WITH ALL REQUIREMENTS STATED THEREIN.
2. THE CONTRACTOR SHALL PROVIDE A CERTIFIED EROSION AND SEDIMENT CONTROL SUPERVISOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL INSPECTIONS, DOCUMENTATION AND MAINTENANCE REQUIRED AS OUTLINED IN THE SWPPP AND REQUIRED BY THE NPDES PERMIT.
3. THE BMP'S SHOWN ON THE PLANS ARE THE MINIMUM REQUIREMENTS FOR THE ANTICIPATED SITE CONDITIONS. AS CONSTRUCTION PROGRESSES, THE PERMITTEE/CONTRACTOR SHALL ANTICIPATE THAT ADDITIONAL BMP'S MAY BE REQUIRED AS SITE CONDITIONS CHANGE AND SHALL PROVIDE ADDITIONAL BMP'S TO MEET APPLICABLE REQUIREMENTS.
4. ALL WORK AND MATERIALS SHALL BE CONSTRUCTED ACCORDING TO THE APPROVED PLANS AND SWPPP. ANY DEVIATION FROM THE APPROVED PLANS SHALL REQUIRE WRITTEN APPROVAL FROM THE OWNER.
5. ALL DISTURBED AREAS IDENTIFIED FOR SEED OR SOD SHALL RECEIVE A MINIMUM OF 6" OF TOPSOIL, ALL SEEDED OR SODDED AREAS OUTSIDE OF WOODED AREAS SHALL BE TILLED TO A DEPTH OF 12" PRIOR TO SEEDING OR SODDING (INCIDENTAL).
6. AREAS IDENTIFIED FOR SEEDING SHALL USE SEED, FERTILIZER AND EROSION CONTROL BLANKET AS DEFINED AND AT THE RATES INDICATED IN THE SPECIFICATIONS.
7. PERMANENT SEEDING SHALL BE COMPLETED WITHIN 7 DAYS OF COMPLETION OF FINAL GRADING. ANY EXPOSED SOILS MUST BE STABILIZED FOR ANY TEMPORARY STOPS OF 3 DAYS OR MORE.
8. PERMITTEE/CONTRACTOR SHALL INSPECT THE SITE AT LEAST ONCE EVERY SEVEN (7) DAYS AND WITHIN 24 HOURS AFTER A RAINFALL GREATER THAN 0.5 INCHES IN 24 HOURS. INSPECTIONS SHALL BE RECORDED IN WRITING AND RECORDED WITH THE PROJECT SWPPP. PERMITTEE/CONTRACTOR SHALL INSPECT AND MAINTAIN EROSION PREVENTION AND SEDIMENT CONTROL BMP'S FOR SECTION IV. E OF THE NPDES PERMIT.
9. DUST CONTROL SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR, AND SHALL BE ADDRESSED WITHIN 4 HOURS OF A REQUEST BY THE ENGINEER.
10. SILT FENCE SHALL NOT BE INSTALLED WITHIN THE DRIP LINES OF EXISTING TREES. WHERE PERIMETER PROTECTIONS IS NECESSARY WITHIN DRIP LINES, BIOROLLS SHALL BE INSTALLED. THESE AREAS SHALL BE DETERMINED BY THE ENGINEER IN THE FIELD.
- 11.
12. GRADING OPERATIONS SHALL MINIMIZE THE POTENTIAL FOR EROSION.
13. ALL EROSION CONTROL MEASURES SHALL BE IN PLACE PRIOR TO ANY REMOVAL WORK AND SHALL BE MAINTAINED UNTIL THE POTENTIAL FOR EROSION HAS BEEN ELIMINATED.
14. ADJACENT STREETS MUST BE SWEEPED TO KEEP THEM FREE OF SEDIMENT. CONTRACTOR MUST MONITOR CONDITIONS AND SWEEP AS NEEDED OR WITHIN 24 HOURS OF NOTICE BY THE OWNER, CITY OR ENGINEER.
15. REFER TO LANDSCAPE PLAN FOR PERMANENT TURF/GROUND COVER.



EROSION CONTROL LEGEND

MS	MACHINE SLICED SILT FENCE	[Cross-hatched pattern]	BLANKET
[Symbol]	RIP RAP AS SPECIFIED	[Dotted pattern]	CONSTRUCTION ENTRANCE / EXIT
[Symbol]	INLET PROTECTION	[Symbol]	CONCENTRATED SURFACE FLOW
[Symbol]	DITCH CHECK - BIOLOG	[Symbol]	CONCRETE WASHOUT
[Symbol]	DITCH CHECK - ROCK		
[Symbol]	CULVERT / PIPE PROTECTION		



2335 Highway 36 W
St. Paul, MN 55113
Ph: 651-636-4600
Fax: 651-636-1311

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I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
PRINT NAME: DAVID A. ARRENS
SIGNATURE: _____
DATE: 9/17/2012 LIC. NO. 21211

WASHINGTON COUNTY REGIONAL RAILROAD AUTHORITY
NEWPORT TRANSIT STATION
TEMPORARY EROSION AND SEDIMENT CONTROL PLAN

NO.	REVISION	DATE
PC	SUBMITTAL	9/17/12
SURVEY	SE	
DRAWN	DAAPJW	
DESIGNED	DAA	
APPROVED	SMK	
PROJ. NO.	193802205	
SHEET NUMBER	C2.01	

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0 50 100
Horizontal Scale In Feet



Stantec

2335 Highway 36 W
St. Paul, MN 55113
Ph: 651-636-4600
Fax: 651-636-1311

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I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, 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 WASHINGTON.
PRINT NAME: _____ LIC. NO. _____
SIGNATURE: _____ DATE: _____

WASHINGTON COUNTY REGIONAL RAILROAD AUTHORITY
NEWPORT TRANSIT STATION
PLAN

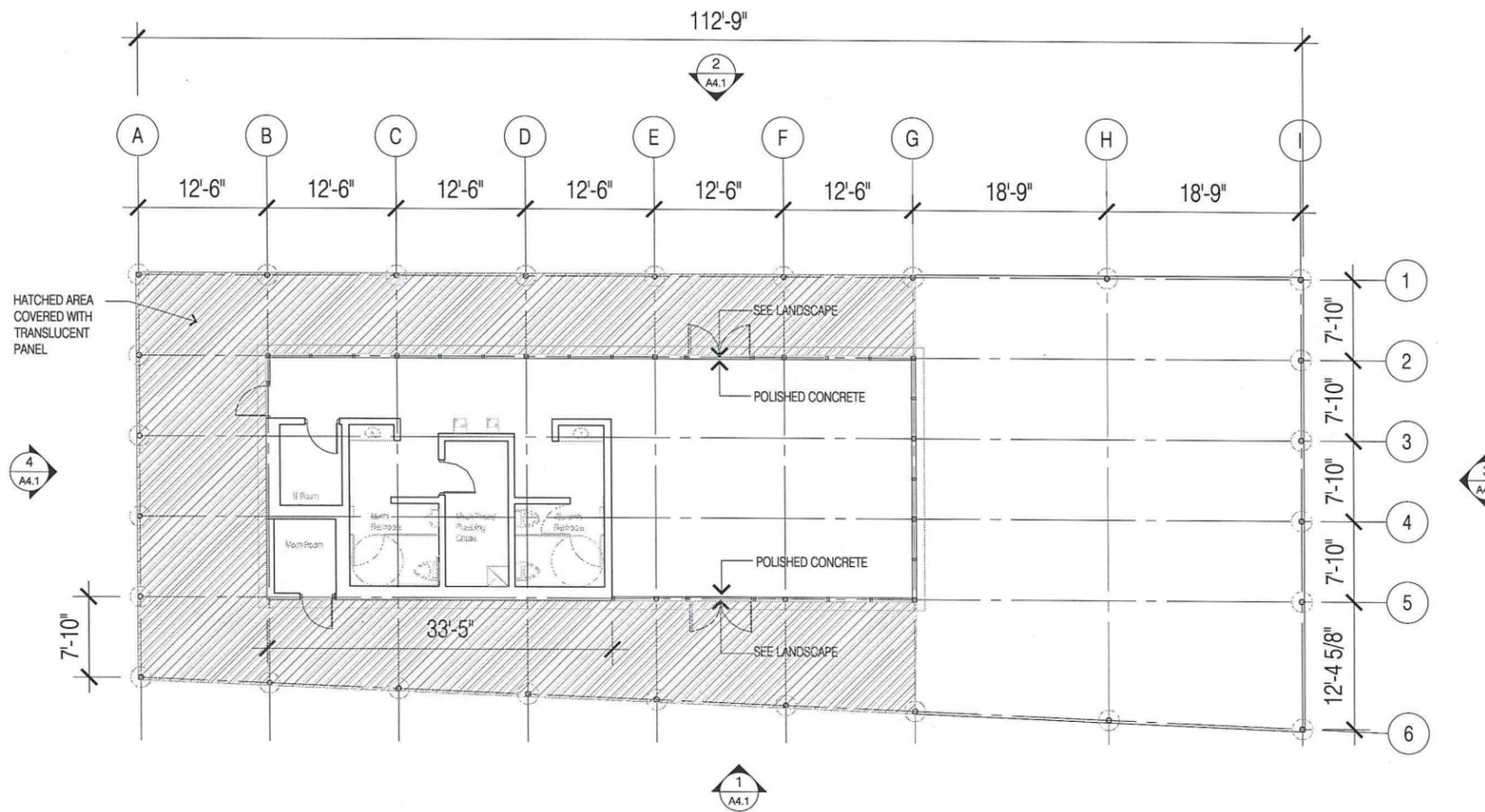
NO. REVISION DATE

NO.	REVISION	DATE

SURVEY
DRAWN
DESIGNED
APPROVED

PROJ. NO. 193802205

SHEET NUMBER
A2.1



SLAB ON GRADE 6"

FLOOR- POLISHED CONCRETE WITH CONCRETE DENSIFIER

INTERIOR WALLS - BURNISHED BLOCK - CUSTOM COLOR

EXTERIOR WALLS - (OUTSIDE - IN)

- 4" BURNISHED BLOCK
- 2" AIR SPACE
- 4" RIGID INSULATION
- ICE + WATER SHIELD
- 8" BURNISHED BLOCK

GLAZING

- KAWNEER OR WAUSAU BUTT-GLAZED STOREFRONT BLK ANODIZED
- STAINLESS STEEL PARTITIONS

STAINLESS STEEL TOILET + SINKS

STRUCTURE

COLUMNS

- PAINTED STEEL TUBE 6" DIA

BEAMS

PAINTED STEEL W SECTIONS 6" DEPTH
INFILL SHADING

- OPTION 1
RESYSTA (SYNTHETIC WOOD MEMBER) 1 1/2" x 2 3/4"
RESPO 20312
- OPTION 2
ALUMINUM TUBE SQ SECTION (APPROX 1" x 2")

CONCRETE PIER FOUNDATIONS

1 FLOOR PLAN
A2.1 SCALE: 1/8" = 1'-0"



Stantec

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St. Paul, MN 55113
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Fax: 651-636-1311

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

PRINT NAME: AARON R. MUELLER

SIGNATURE: _____
DATE: 9/17/12 LIC. NO. _____

WASHINGTON COUNTY REGIONAL RAIL AUTHORITY

NEWPORT TRANSIT STATION

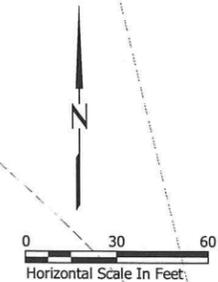
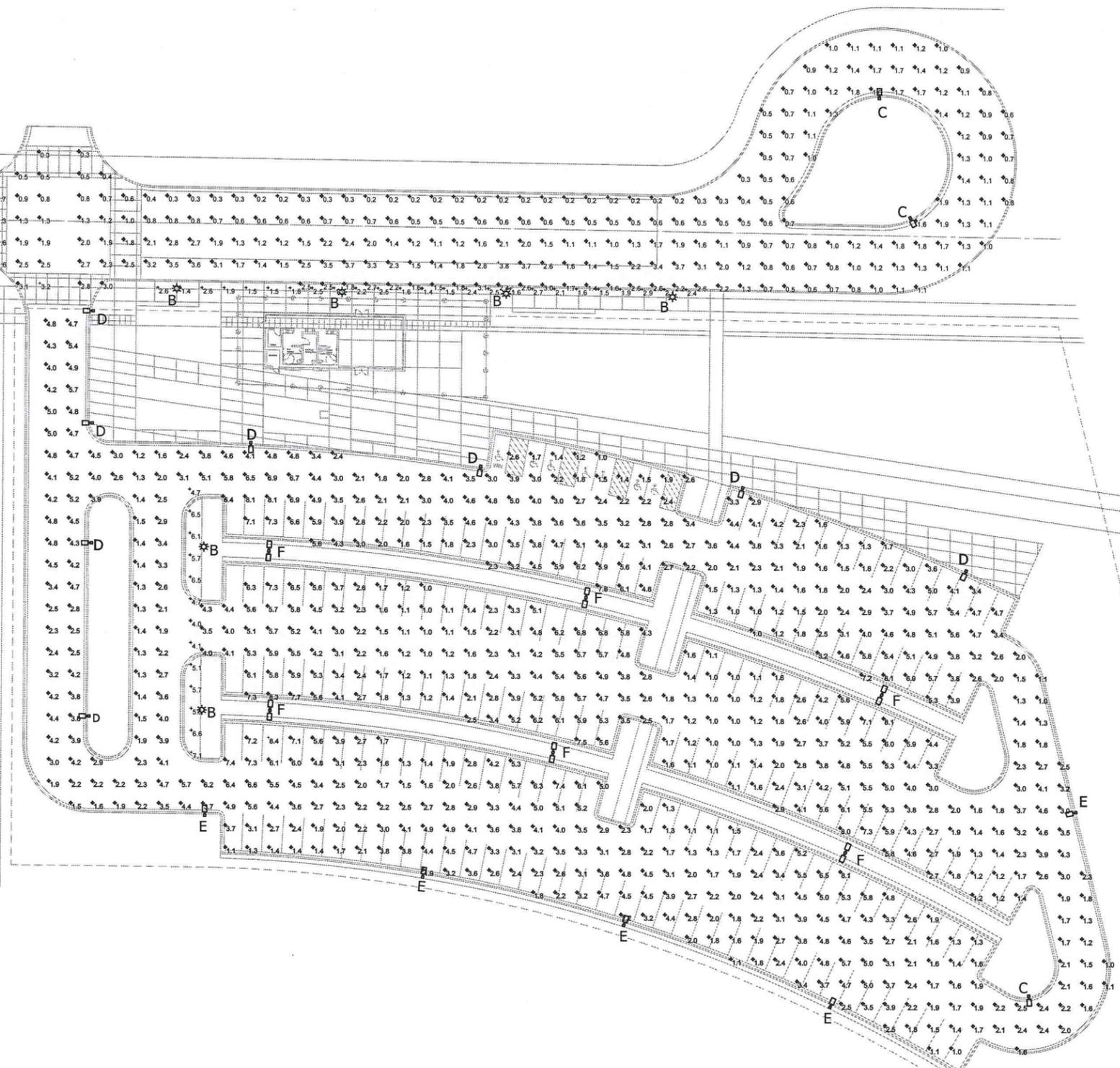
SITE PHOTOMETRICS

NO.	REVISION	DATE
1	PC SUBMITTAL	9/17/12

SURVEY	
DRAWN	DRP
DESIGNED	DRP
APPROVED	ARM
PROJ. NO.	193802205

SHEET NUMBER
E1.02

STATISTICS					
DESCRIPTION	AVG	MAX	MIN	MAX/MIN	AVG/MIN
Parking Lot	3.5fc	8.4fc	1.0fc	8.4:1	3.3:1
Transit Street	1.2 fc	3.8fc	0.2fc	19.0:1	6.5:1
City Street	0.6fc	2.9fc	0.0fc	N/A	N/A
Front Loading Zone	2.0fc	2.9fc	1.4fc	2.4:1	1.4:1
Parking Lot Loading Zone	5.6fc	7.1fc	7.1fc	1.8:1	1.4:1



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**South Washington County Bulletin/Woodbury Bulletin
AFFIDAVIT OF PUBLICATION**

STATE OF MINNESOTA)
)SS.
COUNTY OF WASHINGTON)

Julie M. Klecker being duly sworn, on oath says that he/she is an authorized agent and employee of the publisher of the newspaper, known as *The South Washington County Bulletin and/or The Woodbury Bulletin*, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a legal newspaper, as provided by Minnesota Statutes 331A.02, 331A.07 and other applicable laws, as amended.

(B) The printed **CITY OF NEWPORT -- INTERIM USE PERMIT**

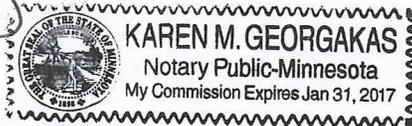
which is attached was cut from the columns of said newspaper, and was printed and published once each week for **1** successive weeks; it was first published on Wednesday, the **26th** day of **September**, 2012 and was thereafter printed and published on every Wednesday, to and including Wednesday, the **26th** day of **September**, 2012.

SOUTH WASHINGTON COUNTY BULLETIN
AND/OR WOODBURY BULLETIN

BY: *Julie M. Klecker*
TITLE: **Legal Notice Clerk**

Subscribed and sworn to before me on this **26th** DAY OF **September 2012**

Karen M. Georgakas
Notary Public



	Client #	255364
FEES:	Order #	1562617
File #		
Publication Fee	\$	158.20

Please remit payment to: RiverTown Multimedia, PO Box 15, Red Wing, MN 55066

**CITY OF NEWPORT
PLANNING COMMISSION**

NOTICE OF PUBLIC HEARING
TO CONSIDER A REQUEST FOR A
CONDITIONAL USE PERMIT AND
A MAJOR SUBDIVISION

Notice is hereby given that the Newport Planning Commission will hold a Public Hearing on Thursday, October 11th, 2012, at 7:00 P.M. or as soon thereafter, in the City Hall Council Chambers at the Newport City Hall, 596 7th Ave., Newport, MN, to consider an application from the Washington County Regional Railroad Authority, 11660 Myeron Road North, Stillwater, MN 55082 for approval of a Station Area Plan, Conditional Use Permit and a Major Subdivision. The request is for property located at 2222 Maxwell Avenue, Newport, MN 55055. The Station Area Plan and Conditional Use Permit would allow the construction of a transit station and a 200-stall parking lot. The Major Subdivision is to plat the property.

Said property is legally described as: PID #26.028.22.41.0001 PT N1/2-NE1/4-SE1/4 LYING WLY OF CM & ST P RR R/W & LYING ELY OF PT TAKEN BY ST OF MN FOR HWY PURP SUBJ TO EASE ALSO: PT SE1/4-NE1/4 SD SEC26 LYING WLY OF SD RR R/W & LYING SLY OF PT TAKEN BY ST OF MN FOR HWY PURP EXC PARC 3 MNDOT R/W PLAT 82-102 SUBJ TO EASE Section 26 Township 028 Range 022

PID #26.028.22.41.0003 PT S1/2-NE1/4-SE1/4 WHICH LIES WLY OF R/W OF CM & STP RR CO & WHICH LIES ELY OF THAT PT OF SD PROPERTY TAKEN BY STATE OF MINN FOR HWY PURPOSES EXC TO HWY EXC EASE EXC PT PLATTED EXC 26.028.22.41.0004 Section 26 Township 028 Range 022

The Planning Request is governed under Chapter 12, Section 1200.10 Platting Procedures; Chapter 13, Zoning, Section 1310.10 Conditional Use Permit; and Chapter 13, Section 1350 Non-residential Districts of the Newport City Code adopted by the Newport City Council on June 5, 1997.

Chapter 13, Zoning, Section 1310.02, Subdivision 3 Application for Rezoning, and Chapter 13, Section 1360.08 Procedures for Processing a Planned Unit Developments of the Newport City Code adopted by the Newport City Council on June 5, 1997. Chapter 13, Zoning, Section 1350 was amended by the City Council in 2012.

Information on this Application can be reviewed at the Newport City Hall. The purpose of this hearing is to provide citizens the opportunity to comment on the project either at, or in writing prior to, the Public Hearing.

Dated this 17th day of September, 2012
Brian Anderson
City Administrator

(Publish in the Washington County Bulletin Wednesday, September 26, 2012)

Owner	Address	Owner's Mailing Address	City, State Zip
Wilson Lines of MN	155 21st Street	2131 2nd Avenue	Newport, MN 55055
Current Resident	2120 2nd Avenue	2120 2nd Avenue	Newport, MN 55055
Wayne Bauer	2120 2nd Avenue	16805 Neill Path	Hastings, MN 55033
Shirley Castillo	2123 2nd Avenue	2123 2nd Avenue	Newport, MN 55055
Wilson Lines of MN	2131 2nd Avenue	2131 2nd Avenue	Newport, MN 55055
Current Resident	2133 3rd Avenue	2133 3rd Avenue	Newport, MN 55055
M and D Peterson	2133 3rd Avenue	9774 85th Street Place	Cottage Grove, MN 55016
Dan Loiselle	2148 2nd Avenue	2148 2nd Avenue	Newport, MN 55055
Christopher Veiman	2155 3rd Avenue	2155 3rd Avenue	Newport, MN 55055
Current Resident	2156 2nd Avenue	2156 2nd Avenue	Newport, MN 55055
Duane Beto	2156 2nd Avenue	75 Douglas Street	St. Paul, MN 55102
Current Resident	2163 2nd Avenue	2163 2nd Avenue	Newport, MN 55055
Duane Beto	2163 2nd Avenue	75 Douglas Street	St. Paul, MN 55102
Robert Lana	2175 3rd Avenue	2175 3rd Avenue	Newport, MN 55055
Michael Ball	2182 2nd Avenue	2182 2nd Avenue	Newport, MN 55055
James Mccrory	2189 2nd Avenue	2189 2nd Avenue	Newport, MN 55055
Current Resident	2190 2nd Avenue	2190 2nd Avenue	Newport, MN 55055
Robert and Emily Hintz	2190 2nd Avenue	W1555 Highway 63 S	Hayward, WI 54843
Gerald Stangeland	2193 2nd Avenue	2193 2nd Avenue	Newport, MN 55055
Blue River Property	2193 3rd Avenue	3725 Burgundy Drive	St. Paul, MN 55122
Current Resident	2193 3rd Avenue	2193 3rd Avenue	Newport, MN 55055
Current Resident	222 21st Street	222 21st Street	Newport, MN 55055
Newport Car Wash	222 21st Street	1019 Crestview Drie	Hudson, WI 54016
Newport St. Paul Cold Storage	2233 Maxwell Avenue	2233 Maxwell Avenue	Newport, MN 55055
Current Resident	245 21st Street	245 21st Street	Newport, MN 55055
Tinucci's	245 21st Street	396 21st Street	Newport, MN 55055
Current Resident	303 21st Street	303 21st Street	Newport, MN 55055
KRI Investments	303 21st Street	21311 NE Viking Blvd	Wyoming, MN 55092
John Seliga	312 21st Street	312 21st Street	Newport, MN 55055
Current Resident	355 21st Street	355 21st Street	Newport, MN 55055
M and D Peterson	355 21st Street	9774 85th Street Place	Newport, MN 55055
Houle Newport RE LLC	37 21st Street	37 21st Street	Newport, MN 55055
Red Rock Saloon	374 21st Street	374 21st Street	Newport, MN 55055
Tinucci's	396 21st Street	396 21st Street	Newport, MN 55055
Current Resident	45 21st Street	45 21st Street	Newport, MN 55055
Virginia Roise	45 21st Street	819 Minnehaha Pkwy W	Minneapolis, MN 55419
Metro Gravel	47 21st Street	PO Box 289	Newport, MN 55055
Newport Terminal	50 21st Street	54 21st Street	Newport, MN 55055
Aggregate Industries	57 21st Street	2195 Waters Road #105	Eagan, MN 55121
Paul Abbott	76 21st Street	76 21st Street	Newport, MN 55055
Current Resident	94 21st Street	94 21st Street	Newport, MN 55055
James Kaiser	94 21st Street	12088 Gantry Ct	Apple Valley, MN 55124
Thomas Fedorowski		1470 Saint Claire Avenue	St. Paul, MN 55105

PLANNING COMMISSION
RESOLUTION NO. P.C. 2012-8

A RESOLUTION RECOMMENDING CITY COUNCIL APPROVE A STATION AREA PLAN, STATION SITE PLAN, CONDITIONAL USE PERMIT, VARIANCE AND MAJOR SUBDIVISION REQUESTED BY THE WASHINGTON COUNTY REGIONAL RAILROAD AUTHORITY, 11660 MYERON ROAD NORTH, STILLWATER, MN 55082 FOR PROPERTY LOCATED AT 2222 MAXWELL ROAD, NEWPORT, MN 55055

WHEREAS, the Washington County Regional Railroad Authority, 11660 Myeron Road North, Stillwater, MN 55082 has submitted a request for a Station Area Plan, Station Site Plan, Conditional Use Permit, Variance and Major Subdivision; and

WHEREAS, the proposed rezoning is for property located at 2222 Maxwell Road, Newport, MN 55055, and is more fully legally described as follows:

PID #26.028.22.41.0001 - PT N1/2-NE1/4-SE1/4 LYING WLY OF CM & ST P RR R/W & LYING ELY OF PT TAKEN BY ST OF MN FOR HWY PURP SUBJ TO EASE ALSO: PT SE1/4-NE1/4 SD SEC26 LYING WLY OF SD RR R/W & LYING SLY OF PT TAKEN BY ST OF MN FOR HWY PURP EXC PARC 3 MNDOT R/W PLAT 82-102 SUBJ TO EASE Section 26 Township 028 Range 022

PID #26.028.22.41.0003 - PT S1/2-NE1/4-SE1/4 WHICH LIES WLY OF R/W OF CM & STP RR CO & WHICH LIES ELY OF THAT PT OF SD PROPERTY TAKEN BY STATE OF MINN FOR HWY PURPOSES EXC TO HWY EXC EASE EXC PT PLATTED EXC 26.028.22.41.0004 Section 26 Township 028 Range 022; and

WHEREAS, The described property is zoned Transit-Oriented Mixed Use District (MX-3); 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, **Section 1350.12 of the zoning ordinance states** that the criteria for approval of the Station Area Plan are as follows: The plan must be consistent with the intent of the MX-3 Zoning District; the proposed development shall not be detrimental to public health, safety or general welfare; the proposed development shall not be hazardous, detrimental or disturbing to surrounding land uses; the proposed development shall not create traffic congestion, unsafe access or parking needs that cause inconvenience to surrounding properties; the proposed development must be served adequately by public utilities and services and shall not be economically detrimental to the City; the proposed development shall cause minimal adverse environmental impacts; and each phase of the station area plan can exist as an independent unit; and

WHEREAS, **Section 1350.12 of the zoning ordinances states** the criteria for approval of the site plan include consistency with the performance standards identified for the MX-3 zoning district and general performance standards for non-residential districts included in Section 1350 of the zoning ordinance; and

WHEREAS, **Section 1310.10 Subd. 2 Criteria states** the criteria for acting upon a Conditional Use Permit (C.U.P.) application as follows: *“In acting upon an application for a conditional use permit, the City shall consider the effect of the proposed use upon the health, safety, and general welfare of the City*

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

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

WHEREAS, Section 1200.10 of the Subdivision Ordinance states that the criteria for approval of a Major Subdivision include: that the proposed subdivision must be consistent with the Comprehensive Plan; the Subdivision must be consistent with the Subdivision Ordinance; the physical characteristics of the site are such that the site is suitable for the type of development or use contemplated; the design of the subdivision and proposed improvements is not likely to cause substantial and irreversible environmental damage; the design of the subdivision will not be detrimental to the health, safety, or general welfare of the public; and the design will not conflict with easements on record or established by a court; and

WHEREAS, Following publication, posted, and mailed notice thereof, the Newport Planning Commission held a Public Hearing on October 11, 2012.

WHEREAS, the Planning Commission’s findings related to the request for approval of a Station Area Plan, Station Site Plan, Conditional Use Permit, Variance and major Subdivision included the following:

Station Area Plan Findings:

1. The proposed Station Area Plan is consistent with the intent of the MX-3 Zoning District and the City’s Comprehensive Plan.
2. The proposed Plan is not detrimental to public health, safety or general welfare.
3. The proposed Plan is not hazardous, detrimental or disturbing to surrounding land uses.
4. The Plan will not create traffic congestion, unsafe access or parking needs that will cause an inconvenience for surrounding properties.

5. The proposed Plan provides for adequate public utilities and services.
6. The proposed Plan will not create adverse environmental impacts.
7. Each phase of the Plan can exist as an independent unit.

Transit Site Plan and CUP Findings:

8. The proposed Site Plan is consistent with the intent of the MX-3 Zoning District, other sections of the City Code, the Comprehensive Plan, and Design Guidelines for the MX-3 District.
9. The Site Plan will not have a negative impact on public health, safety and general welfare, traffic, parking, public facilities, the environment and natural resources or surrounding land uses.
10. The proposed PUD will not compromise the health, safety and welfare of the community and residents of the PUD if the conditions proposed are addressed by the applicant;
11. Conditions for approval of the Site Plan and CUP have been included to require that the Site Plan meets all requirements of the Zoning Ordinance and protect the best interest of the surrounding area and community as a whole.

Variance Findings:

12. The proposed variance is in harmony with the general purposes of the MX-3 Zoning District and the Comprehensive Plan.
13. The variance request is reasonable because it provides for the safety and comfort of transit users and general welfare.
14. The request is due to the nature of the site and proposed use, and were not created by the landowner.
15. The variance would not alter the essential character of the area.
16. The practical difficulties are based on the site, operational and safety needs, transit user safety and comfort, and not economic factors.
17. The canopy structure will not impair an adequate supply of light and air to adjacent properties, increase congestion on public streets, increase the danger of fire or endanger public safety, or substantially diminish or impair property values within the neighborhood.
18. The variance is the minimum action required to eliminate the practical difficulty.
19. The canopy will not affect direct solar access for solar energy systems.

Major Subdivision Findings:

20. The subdivision is not in conflict with the City's Comprehensive Plan, Zoning Ordinance, Capital Improvements Program, or other policy or regulation.
21. The physical characteristics of the site are such that the site is physically suitable for the type of development or use contemplated, including topography, vegetation, susceptibility to erosion, susceptibility to flooding, and similar characteristics.
22. The design of the subdivision and the proposed improvements are not likely to cause substantial and irreversible environmental damage.
23. The design of the subdivision and the type of improvements will not be detrimental to the health, safety, or general welfare of the public.
24. The design of the subdivision or the type of improvement will not conflict with easements on record or with easements established by judgment of a court.

NOW, THEREFORE, BE IT FURTHER RESOLVED That the Newport Planning Commission **Hereby Recommends Newport City Council Approval** for a Station Area Plan, Station Site Plan, Conditional Use Permit, Variance, and Major Subdivision with the following conditions:

1. The Applicant shall submit a Final Plat that is substantially in conformance with the Preliminary Plans dated September 17, 2012. All elements of the Final Plans must meet the requirements of the zoning ordinance.
2. The major subdivision will be in accordance with the Preliminary Plat for the Newport Station Addition dated September 17, 2012.
3. The Final Plat shall be on file at Washington County Recorder's/Registrar's Office, Government Center, 14949 62nd Street North, P.O. Box 6, Stillwater, MN 55082.
4. The Applicant shall address the Engineer's comments.
5. The Applicant shall finalize a developer agreement for the site with the City.
6. The Applicant shall discuss the future of Maxwell Avenue with the City, including consideration of potential streetscaping and other improvements to support the City's goals for redevelopment of the Red Rock Gateway area.
7. All buildings and structures developed within the subdivision shall meet the setbacks, height requirements, other dimensional requirements and performance standards of the Zoning Ordinance.
8. The Applicant shall submit a revised design for the west wall of the Transit Station that meet the ordinance requirements for no blank walls, and that add interest for pedestrians and views from the street and adjacent buildings.
9. The Applicant shall provide samples of the proposed "burnished block" building material for review by the City.
10. The Applicant shall revise the lighting plan to meet the ordinance requirements.
11. The Applicant shall submit the final size plans for the site for review and approval by the Zoning Administrator.
12. The Applicant shall submit a revised landscaping plan that includes the species proposed for planting on the site for review and approval by City staff and addresses the items identified by City staff regarding topsoil and irrigation in planted areas.
13. The Applicant shall submit a final sign plan to the City for approval by the Zoning Administrator.
14. Outside open storage is prohibited on all properties in the MX-3 District.
15. Utilities must be placed behind the minimum setback to meet the requirements of the zoning ordinance.
16. The Applicant shall obtain the required agency permits for stormwater management, and provide the City copies of the permits approved by the South Washington Watershed District (SWWD) and Minnesota Pollution Control Agency (MPCA NPDES Permit).
17. The Applicant shall satisfy the City's park dedication requirements as development occurs on Lot 1, Lot 2 and Outlot A.

18. The Applicant or future developers shall complete a detailed analysis of traffic and traffic controls when future development applications are submitted for Outlot A.

19. The applicant shall pay all fees and escrows associated with this application.

Adopted this 11th day of October, 2012 by the Newport Planning Commission.

VOTE:	Lindoo	_____
	Lund	_____
	Anderson	_____
	McElwee-Stevens	_____
	Prestegaard	_____

Signed: _____
Susan Lindoo, Chairperson

ATTEST: _____
Brian Anderson, City Administrator