

PLANNING COMMISSION AGENDA

Thursday, May 7, 2026

CITY OF DAYTON, MINNESOTA

12260 So. Diamond Lake Road, Dayton, MN 55327

REGULAR MEETING OF THE PLANNING COMMISSION – 6:30 P.M.

To Participate in the Meeting, please see daytonmn.gov Calendar for Zoom Invitation.

Some Commission members may be attending via interactive technology.

- 6:30 **1. CALL TO ORDER**
- 6:30 **2. PLEDGE OF ALLEGIANCE**
(Roll Call)
- 6:30 **3. ROLE OF THE PLANNING COMMISSION**
The Planning Commission consists of five residents appointed by the City Council. The Commission administers the Comprehensive Plan, Zoning and Subdivision regulations. The Commission conducts Public Hearings and provides recommendations to the City Council. It is the City Council who may approve or deny land use applications.
- 6:30 **4. APPROVAL OF AGENDA**
- 6:30 **5. CONSENT AGENDA**
These routine or previously discussed items are enacted with one motion. Note: Commissioners absent from previous meetings may still vote to approve minutes.
A. Planning Commission Minutes, April 2, 2026
- 6:30 **6. OPEN FORUM**
Public comments are limited to 3 minutes for non-agenda items; state your name and address; No Commission action will be taken, and items will be referred to staff. Group commenters are asked to have one main speaker.
- 6:35 **7. COUNCIL UPDATE**
A. April 14, 2026
B. April 28, 2026
- 6:40 **8. COMMISSION BUSINESS**
6:40 A. **PUBLIC HEARING:** Variance to increase the maximum front yard building setback; and Site Plan Review for Dayton Assisted Living
7:25 B. **PUBLIC HEARING:** Zoning Ordinance Amendment, Section 1001.35 – Accessory Buildings and Structures
- 7:55 **9. NOTICES AND ANNOUNCEMENTS**
A. Staff & Commission Updates
- 8:10 **10. ADJOURNMENT (Motion to Adjourn)**

1. CALL TO ORDER

Brown called the Planning Commission meeting to order at 6:30 PM on Thursday, April 2, 2026.

2. PLEDGE OF ALLEGIANCE

(Roll Call)

Present: Peter DeMuth (arrived approximately 3 minutes late), Paul Crosland, Darren Brown, Jeff Sargent, and Keith Grover

Absent: Dennis Fisher, Mayor

Also in Attendance: Jon Sevald, Community Development Director; Jason Quisberg, City Engineer

3. ROLE OF THE PLANNING COMMISSION

Brown read the role of the Planning Commission for the benefit of new attendees.

4. APPROVAL OF AGENDA

Motion to approve the agenda was made by Crosland and seconded by Grover. The motion carried 4-0, with DeMuth temporarily absent.

5. CONSENT AGENDA

A. Planning Commission Minutes, March 5, 2026

Motion to approve the March 5, 2026 Planning Commission minutes was made by Sargent and seconded by Grover. The motion carried 4-0, with DeMuth temporarily absent.

6. OPEN FORUM

No public comments were received.

7. COUNCIL UPDATE

A. March 10, 2026

B. March 24, 2026

Both council updates were deferred to the next meeting, as the mayor was not present and Sevald did not have the relevant agendas on hand.

8. COMMISSION BUSINESS

A. PUBLIC HEARING: Concept Plan of Oppidan

DeMuth has arrived.

Sevald introduced the concept plan submitted by Oppidan for a proposed 172,000 square foot speculative warehouse/industrial building located off 121st Avenue North, immediately east of the Dayton Mobile Home Park. The property is currently vacant and wooded. Because the property is currently guided and zoned for mobile home park use, the project would require four applications: a Comprehensive Plan amendment, a zoning map amendment, a preliminary plat, and a site plan review.

The property was previously zoned industrial before being amended to mobile home park in 2021 to accommodate a proposed expansion of the adjacent park that never materialized. Sevald noted a potential Met Council deadline of October 2026 for Comprehensive Plan amendments prior to the 2050 update cycle.

The applicant team — Ryan Durand and Jay Moore of Oppidan, civil engineer Andrew Glover of Marco Murray, wetland specialist Melissa Barrett of Kjolhaug Environmental, and land seller representative Jon Rausch of Cushman Wakefield — reviewed the concept plan. The building was revised from an earlier north-south orientation to an east-west layout to reduce wetland impacts, particularly to a natural stream feature in the southeast corner and Wetland 2 in the southwest, both of which are regulated or remnant natural features. The revised plan shifts the building to the northeast, placing employee vehicle parking on the northeast side facing West French Lake Road and French Lake, and locating semi-truck dock doors and trailer parking along the western edge adjacent to the mobile home park. Barrett explained that several wetlands on the site are incidental or excavated in origin and may not require mitigation, while the more natural remnant wetlands and stream features are avoided. Moore also noted a potential stormwater partnership with the city to capture and treat runoff currently flowing from the mobile home park toward French Lake.

DeMuth opened the Public Hearing at 7:02 PM.

Lowell Norving of 701 York shared concern about the current two large businesses and all the noise with trucks and idling 24/7. Norving believed it is inconsiderate of residential area. Norving shared all the wildlife that is no longer in the area.

John Waldren of 209 York stated the sound barrier from MTL is not useful. Waldren added the residents should be able to enjoy privacy and not be in an industrial park.

James Newman of 409 York shared the noises and vibrations will affect the residents. Newman suggested the trucks flip to the opposite side of the building.

Pamela Ash of 405 York reiterated with others that the woods and wildlife are needed in the area.

Tom Olson of 11 Gaywood Drive stated concern about the traffic with all the trucks along Brockton Lane. Olson specified the storm sewers in the mobile park.

Jon Rausch of Cushman Wakefield owns the adjacent land and previously owned the subject property. Rausch envisioned the building to be similar to nVent and not running 24 hours a day. Rausch added cross docks would be more trucks but there will be offices in the front of the building.

Eric Seppelt of 11534 Brayburn Trail online noted that Dayton's industrial setback requirements from residential property are significantly lower than those of neighboring cities.

DeMuth closed the Public Hearing at 7:25 PM.

The consensus among commissioners were that, given the surrounding industrial and commercial land use context, industrial is the appropriate highest and best use, and that reverting to mobile home park guidance is unlikely to be financially viable. Grover expressed reservations about placing industrial development adjacent to residential uses generally, citing a recurring disappointment by the city to adequately protect residential neighborhoods from industrial encroachment.

Key feedback to the applicant included: consideration of removing 10–12 trailer parking stalls closest to the residential property line; exploring whether the building footprint could be slightly shifted or angled on the northwest corner to create additional buffer; ensuring landscaping expenditures are concentrated along the western boundary rather than elsewhere on the site; attention to photometric plans to control light spillover; and the possibility of phasing the trailer parking buildout to match actual tenant demand.

The applicants returned and explained they heard the comments but moving the building would not mitigate the noise. The applicants have been in front of the commission and council multiple times and would like to come to a solution.

No formal action was taken. This item is a concept plan review only.

B. Public Hearing: Zoning Ordinance Amendment, Section 1001.35 – Accessory Buildings and Structures

G. Public Hearing: Zoning Ordinance Amendment, Section 1001.19 – Parking Regulations

Sevald requested that this item be tabled again, citing time constraints and the need for additional research. Commissioners noted that the parking ordinance is significantly outdated and that the gap between code-required parking counts and what is actually approved on a case-by-case basis is a recurring issue that warrants a comprehensive update.

Motion to table the Zoning Ordinance Amendment for Section 1001.19 was made by Browen and seconded by Sargent. The motion carried 5-0.

9. NOTICES AND ANNOUNCEMENTS

A. Staff & Commission Updates

Sevald provided routine community updates.

Commissioners discussed the pace of residential lot supply and the need to proactively plan infrastructure — particularly traffic improvements along Fernbrook Lane and the 117th Avenue corridor — to avoid a lag in development. The city was noted to be conducting a Fernbrook study to estimate costs for potential roundabout

improvements. Commissioners requested that staff share the city's Capital Improvement Plan and long-term financial plan so commissioners can better understand funding gaps associated with projected growth.

10. ADJOURNMENT

Motion to adjourn Crosland, seconded by Sargent. Motion carries 5-0.

The meeting was adjourned at 9:16 p.m.

ITEM:

PUBLIC HEARING: Variance to increase the maximum front yard building setback; and Site Plan Review for Dayton Assisted Living, 136XX Balsam Lane N., PID: 14-120-22-41-0005

APPLICANT/PRESENTERS:

Chad Caza, BJ Baas Builders, Inc.
Frank Orito Angwenyi, Triad Holdings, LLC

PREPARED BY:

Jon Sevald, Community Development Director

BACKGROUND/OVERVIEW:

BJ Baas Builders is proposing a one-story 22-unit Assisted Living and Memory Care facility to be located on vacant land south of Raintree Plaza. The facility will be operated by Triad Holdings. This will be their first brick & mortar operation. Triad has experience with home hospice care.

A Concept Plan consisting of three-stories and 58-units was reviewed by the Planning Commission and City Council in December 2025.

City Council comments:

- Opposition to 3-stories (Dec 9, 2025).
- Support for 2-stories next to single-family and 3 stories along Balsam Ln.

Planning Commission comments (Dec 3, 2025):

- Support for Variance to increase maximum building setback
- Opposition to 3-stories next to single-family
- Support for shared access with Raintree Plaza
- Recommend pervious Fire Lane behind building

CRITICAL ISSUES:

Front Setback A Variance is required to increase the maximum front building setback, from 30' to 180'. The practical difficulty is the wedge shape of the property. Findings supporting the Variance are in the attached Resolution.

Access A right-in/right-out is proposed. Staff recommends a shared access through Raintree Plaza. If Raintree opposes, then Staff recommends the applicant remove the Balsam Ln center median creating a full-access.

ANALYSIS:

Zoning¹ GMU-4 General Mixed Use – Balsam Lane. Assisted Living is a Permitted Use.

¹ [City Code 1001.065, Subd 4\(2\)](#) (Permitted Uses; Dwelling, multiple family)

PLANNING COMMISSION MEETING

Comprehensive Plan Mixed Use. Minimum density is 12-units per net acre. Proposed is 14-units per net acre.

Architecture²

All new building fronts (single story or multi-story) shall include a minimum of 3 of the following elements:		
1.	Architectural detailing, such as cornice, awning, parapet, or columns;	X
2.	A visually pleasing primary front entrance that, in addition to doors, shall be accented a minimum of 150 square feet around the door entrance for single occupancy buildings and a minimum of 300 square feet total for the front of multi-tenant buildings (this area shall be counted as one element). Entrances shall be clearly articulated and obvious from the street;	X
3.	A minimum of 25% window coverage on each front that faces a street;	
4.	Contrasting, yet complementary material colors;	
5.	A combination of horizontal and vertical design features;	X
6.	Irregular building shapes;	X
7.	Horizontal offsets of at least 4 feet in depth;	X
8.	Vertical offsets in the roofline of at least 4 feet;	
9.	Fenestration at the first floor level which is recessed horizontally at least 1 foot into the facade;	
10.	Other architectural features in the overall architectural concept.	
Large, uninterrupted exterior wall surfaces are not permitted. No wall shall have an uninterrupted length exceeding 100 feet, without including at least 2 of the following: changes in roof plane, changes in color, texture, materials or masonry pattern, windows, or an equivalent element that visually subdivides the wall. In addition to these aforementioned elements, additional landscaping may be required.		X
Other design requirements.		
1.	Buildings shall provide a base and top to their architecture.	X
2.	The tops of buildings shall be articulated to minimize the "box" like images.	X
3.	Standard corporate style architecture shall be minimized at the discretion of the City Council.	N/A
Roof-mounted mechanical equipment, vents, and stacks shall be minimized and positioned so that they will not be seen from public rights-of-way or adjacent properties. If that is not possible, and the equipment is visible from public rights-of-way or adjacent properties, the equipment shall be screened with parapet walls or encasements colored similar to the building in a manner that eliminates reflections.		X
Major exterior materials of all walls including face brick, stone, glass, stucco, synthetic stucco, fiber cement vertical, horizontal or lap panel siding architectural concrete and precast panels shall be acceptable as the major exterior wall surface when they are incorporated into an overall design of the building. Major materials must cover at least 60% of the exterior.		X
Fiber cement seam lines shall be architecturally integrated into the building design so that they are not visible. Seam lines can be filled, covered by other accent material or other method thereby making the		X

² [City Code 1001.065, Subd 4\(8\)](#) (Building design requirements)

seam lines invisible. Color impregnated decorative block shall also be allowed as a major exterior wall material and shall be required to be sealed. All materials shall be color impregnated with the exception of architectural concrete precast panel systems and fiber cement siding that may be painted.	
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Rooftop mechanical equipment on the north (rear) roof is screened by a parapet wall.

Exterior materials include four styles of fiber cement (LP siding) and manufactured stone.

Building Setbacks³

	Prop.
Front-build-to-line. 15 feet minimum with a 30-foot maximum.	179'-4"
Side. Non-residential uses: 10 feet; residential uses: 20 feet.	21'-4"
Rear. Non-residential uses: 10 feet; residential uses: 20 feet.	22'

A Variance is required to increase the maximum front yard building setback from 30' to 180'.

Parking^{4 5}

11 minimum (1/2 stall per unit), whereas 18 is proposed.

Parking is prohibited from the required front yard (0'-15').⁶ Proposed parking is in the front yard, 95' set back. Due to the shape of the property, the parking lots are reasonable.

10' X 20' stall required (10' X 18' with overhang). 9' X 20' proposed. Plans are to be amended.

Parking Setback^{7 8}

5' minimum. Proposed is 4'-6" between property line and back of curb. Plans to be revised to 5' to back of curb.

Driveway

A right-in/right-out is proposed. Staff recommends the Applicant obtain an easement from Raintree Plaza to share their southerly driveway (full access). If Raintree is not agreeable, Staff recommends the Applicant remove the Balsam Ln landscaped median to create a full access.

A Fire Lane (gravel/sod) is proposed along the rear of the building. Since the building was reduced from 3-stories to 1-story, this Fire Lane is not necessary.

³ [City Code 1001.065, Subd 4\(6\)\(a\)\(2\)](#) (Setbacks)

⁴ [City Code 1001.19, Subd 7\(j\)\(1\)\(f\)\(i\)](#) (Special Residential; Assisted living facility)

⁵ [City Code 1001.15, Subd 9\(1\)](#) (Minimum Parking Space and Aisle Dimensions; Table)

⁶ [City Code 1001.19, Subd 3\(1\)\(b\)\(1\)](#) (Front Yard)

⁷ [City Code 1001.065, Subd 4\(7\)\(e\)](#) (Parking requirements)

⁸ [City Code 1001.19, Subd 2\(8\)](#) (Curbing)

PLANNING COMMISSION MEETING

Landscaping⁹

...provide at least 3 of the following required numbers of trees and shrubs in addition to any trees and shrubs required for screening...		
	Req.	Prop.
One over-story tree per 3,000 square feet of open area. ¹⁰	8	6
One ornamental tree per 1,500 square feet of open space.	17	9
One evergreen tree per 3,000 square feet of open area.	8	18
One deciduous or evergreen shrub per 300 square feet of open area.	84	123

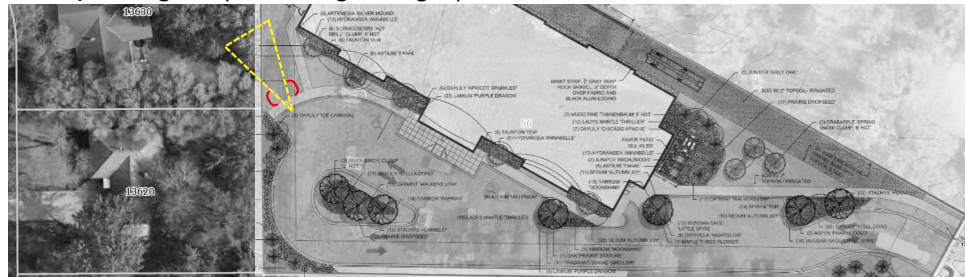
The number of plantings meets the intent of the City Code. If the Commission/Council recommends additional trees, there is space along the north property line in place of the Fire Lane.

Plans to be amended to add a 5' strip of ground cover along the building edge (in place of the north Fire Lane).¹¹

Screening^{12 13 14}

Dumpster will be stored inside the building.

Staff recommends additional landscape screening of car headlights at the west parking lot (3½' hedge height).



Stormwater

Stormwater storage will be under the parking lot.

Lighting¹⁵

Maximum of 0.5fc at the property line of single-family, whereas 0.2fc is proposed.

Signage¹⁶

One free standing sign is permitted, 16' height, 64sf in area. The proposed sign is 5' in height, 18.5sf in area.

⁹ [City Code 1001.24, Subd 4\(3\)](#) (Landscaping requirements in multiple family residential, and all non-residential...)
¹⁰ 25,162sf of greenspace, per Landscape plan, p. L100
¹¹ [City Code 1001.24, Subd\(3\)\(b\)](#) (Building ground cover)
¹² [City Code 1001.065, Subd 4\(9\)](#) (Screening)
¹³ [City Code 1001.14, Subd 2\(2\)\(b\)](#) (Noise, odors, smoke, dust, fumes, water and waste)
¹⁴ [City Code 1001.24, Subd 4\(b\)](#) (Parking lot screening standards)
¹⁵ [City Code 1001.065, Subd 4\(10\)](#) (Lighting)
¹⁶ [City Code 1001.20, Subd 5\(2\)](#) (Freestanding sign standards)

PLANNING COMMISSION MEETING

Standard Conditions¹⁷ City Code provides conditions of approval for Site Plans. Many of these conditions are redundant with Building and Fire codes, and elsewhere within the City Code.

60/120-DAY RULE (IF APPLICABLE):

	60-Days	120-Days
Variance	May 26, 2026	Jul 24, 2026
Site Plan	May 26, 2026	Jul 24, 2026

RELATIONSHIP TO COUNCIL GOALS:

Strategic Initiative	Goal	Key Outcome Indicator	Target	Action Item
Encourage Diversity and Manage Thoughtful Development	Create a variety of housing options	<ul style="list-style-type: none"> Review housing type and lot size by %'s 	<ul style="list-style-type: none"> Proportionate housing types available 	A) Begin work on Comp Plan – Create Timeline for Completion B) Develop Rental Housing Ordinance C) Seek out businesses more often D) Work with EDA to find niche businesses that are not in surrounding communities E) Complete Large Area Plan – Breakdown of Comp Plan Decades F) Review Parking Code Requirements
	Encourage healthy lifespan of both residential and commercial operations	<ul style="list-style-type: none"> Total amount of Funding provided. Number of rentals available and where they are located. 	<ul style="list-style-type: none"> Maintain grant program. Manage number of rentals 	
	Healthy Commercial Sector with services and job growth	<ul style="list-style-type: none"> Net difference of businesses movement including their employment 	<ul style="list-style-type: none"> Maintain a positive difference in business movement 	

ROLE OF PLANNING COMMISSION:

1. Recommend **Approval**.
2. Recommend **Denial**, with reasoning.
3. **Table** for more information (define what information is needed).

STAFF RECOMMENDATION:

Staff recommends approval.

A Public Hearing notice was published by THE PRESS on April 23, 2026 and mailed to property owners within 1,320' of the project.

ATTACHMENT(S):

- Aerial Photo
- Site Photos
- Public Hearing Map
- Zoning Map
- Comprehensive Plan Map
- City Engineer's letter, April 30, 2026
- Plan Set

¹⁷ [City Code 1001.28, Subd 3\(5\)](#) (Standard conditions)

SITE PHOTOS



View looking west toward project (Apr 30, 2026)



View from Raintree Plaza looking south toward project (Apr 30, 2026)



View looking east toward Balsam Apartments (Apr 30, 2026)

PLANNING COMMISSION MEETING



Panoramic view from near SW corner of property, looking NW to SE (Apr 30, 2026)



Panoramic view from near NW corner of property, looking SW to SE (Apr 30, 2026)

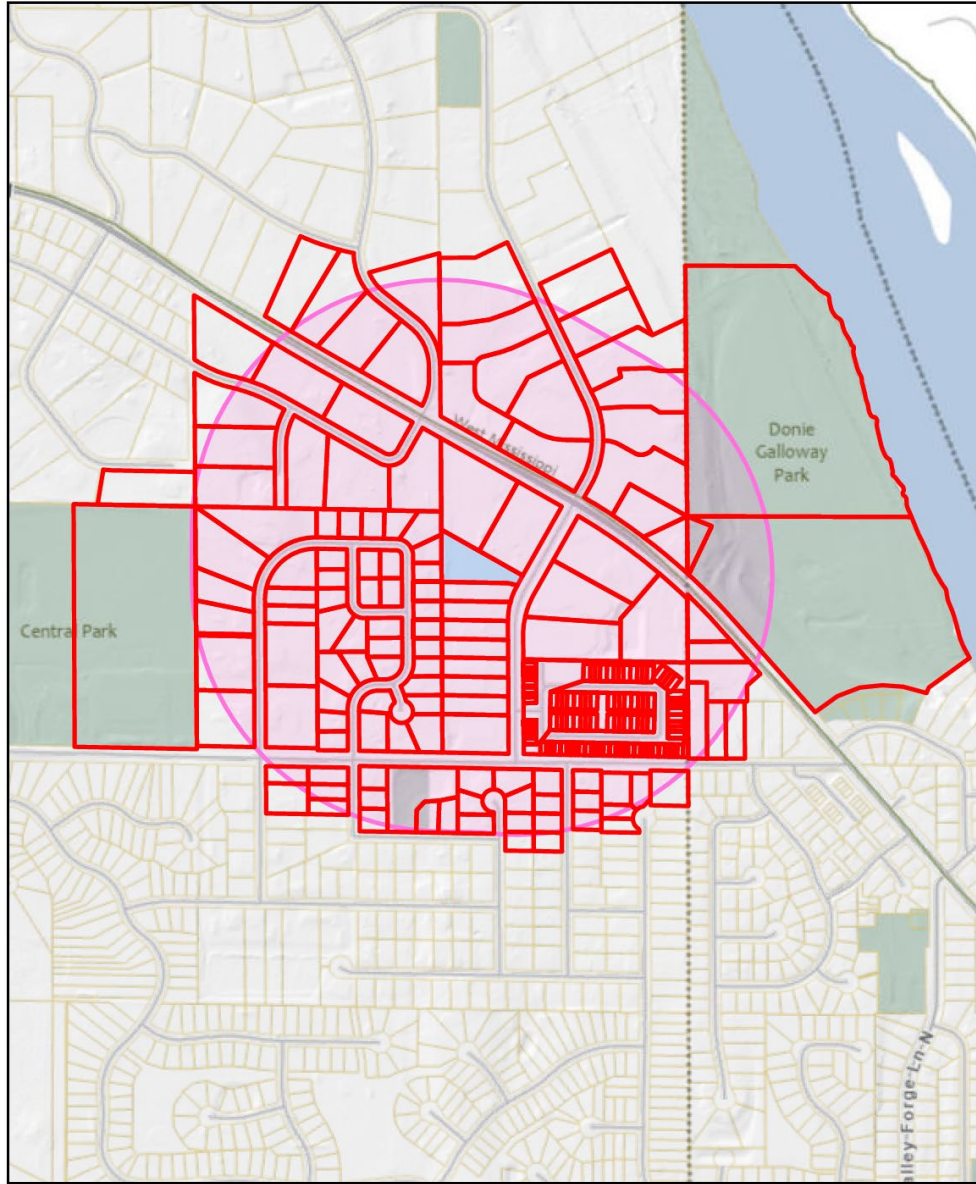


Panoramic view from south property line looking West to east (Apr 30, 2026)



Hennepin County Locate & Notify Map

Date: 4/14/2026



Buffer Size: 1320

Map Comments:

0 205 410 820 Feet




























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For more information, contact Hennepin County GIS Office
300 6th Street South, Minneapolis, MN 55487 / gis.info@hennepin.us



Legend

- | | |
|---|---|
|  A-1 Agricultural District |  R-1A Single Family Residential |
|  A-2 Agricultural District |  R-2 Single Family District (90,000 Sf, Unsewered) |
|  A-3 Agricultural District |  R-3 Single Family and Attached Residential |
|  B-2 Neighborhood Business District |  R-E Single Family District (5 Ac, Unsewered) |
|  B-3 General Business District |  R-M Medium Density Residential District |
|  B-4 Commercial/ Industrial District |  R-MH Mobile Home District |
|  B-P Business Park District |  R-O Old Village Residential |
|  ES Essential Service District |  S-A Special Agriculture District |
|  GMU-4 Balsam Lane |  GMU-3 Historic Village |
|  GMU-5 Southwest Mixed-Use |  City Boundary |
|  I-1 Light Industrial District |  PUD |
|  P-R Public Recreation District |  County Parcels |
|  R-1 Single Family District | |



- | | | | | |
|--|----------------------------|----------------------------|-------------------|----------------------|
| Greenway Overlay | Rural Estate | Existing Mobile Home Park | Mixed Use | Public/Institutional |
| Agricultural Preserve | Low Density Residential | Master Planned Development | Business Park | Open Water |
| Existing Unsewered Low Density Residential | Medium Density Residential | Neighborhood Commercial | Industrial | Right-of-Way |
| Existing Sewered Low Density Residential | High Density Residential | Commercial | Park & Open Space | |
| | | | Golf Course | |

RESOLUTION __-2026

**CITY OF DAYTON
COUNTIES OF HENNEPIN AND WRIGHT
STATE OF MINNESOTA**

**RESOLUTION APPROVING A VARIANCE TO INCREASE THE MAXIMUM FRONT
YARD BUILDING SETBACK, AND APPROVING A SITE PLAN REVIEW FOR
DAYTON ASSISTED LIVING**

WHEREAS, Chad Caza, BJ Baas Builders (Applicant) on behalf of Triad Holdings LLC (Owner) applied for a Variance to increase the maximum Building Front Yard Setback from 30' to 179'-4", AND a Site Plan Review for Dayton Assisted Living, to be located on a vacant unaddressed property, 136XX Balsam Lane, legally described as:

PID: 14-120-22-41-0005

Lot 3, Block 1, Raintree 2nd Addition

WHEREAS, the property is zoned GMU-4 Balsam Lane; and,

WHEREAS, the property is guided Mixed Use in the 2040 Comprehensive Plan; and,

VARIANCE

WHEREAS, City Code 1001.065, Subd 4(6)(a)(2)(a) (General Mixed Use District-4 (GMU-4) (Setbacks); requires a Front-build-to-line, 15' minimum with a 30' maximum; and,

WHEREAS, the applicant proposes a front yard building setback of 179'-4"; and,

WHEREAS, City Code 1001.29, Subd 3 (Criteria) states; *All requests for a variance shall be subject to a determination that the variance request complies with the requirements of Minn. Stat. § 462.357 and any amendments thereto, which include, but are not limited to [Findings];*

VARIANCE FINDINGS

(1) A variance shall only be permitted when it is in harmony with the general purpose and intent of City Code and consistent with the Comprehensive Plan.

Finding: In relation to the Variance, the purpose of the GMU-4 district is ...*"The placement of buildings and the relationship of the building, parking, landscaping, and pedestrian spaces is essential to*

creating the pedestrian-friendly environment envisioned for the GMU-4 District.”

Due to the wedge-like shape of the property, the proposed building is reasonably as close as possible to the maximum 30’ front yard setback. “*The pedestrian-friendly environment*” can be obtained via enhanced landscaping along Balsam Lane.

(2) A variance may only be permitted when the applicant establishes that there are practical difficulties in complying with the zoning ordinance, meaning:

a. The property owner proposes to use the lot or parcel in a reasonable manner not permitted by the zoning code.

Finding: The placement of the building is reasonable. The lot is approximately 70’ wide measured at the 30’ maximum front yard building setback. Considering the minimum 20’ side yard setbacks, this allows for a 30’ wide building, whereas the proposed building is 91’ wide. The proposed building is a reasonable size.

b. The plight of the property owner must be due to non-economic circumstances that are unique to the lot or parcel and not created by the property owner.

Finding: The wedge-like shape of the property is unique, not created by the property owner.

c. The variance must not alter the essential character of the locality.

Finding: The proposed building will not alter the essential character of the neighborhood. The adjacent buildings have front yard setbacks of approximately:

90’ 11311 Dayton River Rd (Marathon Gas - 1973)
88’ 13691 Balsam (multi-tenant - 1998)

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

Finding: Not applicable.

VARIANCE DECISION

WHEREAS, the Planning Commission held a Public Hearing on May 7, 2026, recommending Approval; and,

NOW, THEREFORE, in consideration of the Staff Report, Planning Commission recommendation, and public testimony, the City of Dayton City Council approves the Variance to increase the maximum front yard building setback from 30' to 175' with the following conditions:

1. The applicant shall install landscaping in the front yard consistent with the Landscaping Plan included in the May 26, 2026 Staff Report, with the intent of creating a pedestrian-friendly environment.

SITE PLAN REVIEW

WHEREAS, City Code 1001.28, Subd 3(1)(a) states; “*Final site and building plans shall be approved by the City Council prior to the issuance of any permits for new development or building construction/expansion in any Non-Residential Zoning District*”; and,

WHEREAS, the applicant proposes an Assisted Living and Memory Care Facility on land zoned GMU-4 Balsam Lane; and,

WHEREAS, Staff reviewed the plan set for consistency with City Code, and Engineering Design Guidelines and Standard Detail Plates; and,

WHEREAS, City Code 1001.28, Subd 3(3) states; *The City Council shall find the following prior to the approval of final site and building plans.*

SITE PLAN FINDINGS

- a. *The proposed development is not in conflict with the Comprehensive Plan;*

Finding: The property is guided *Mixed-Use* in the 2040 Comprehensive Plan, with a minimum residential density of 12-units per net acre. The proposed project is 14-units per net acre.

- b. *The proposed development is not in conflict with the zoning district provisions;*

Finding: The proposed Assisted Living Facility is a Permitted Use in the GMU-4 district. The development is consistent with zoning district provisions, pending approval of a Variance to front yard building setback, and minor revisions to the plan set.

- c. *The proposed development is compatible with existing and anticipated future development; and*

Finding: The proposed Assisted Living Facility is compatible with existing land uses to the north (gas station), east (multi-family), south (mixed-use office), and west (single-family).

d. Conform to the exterior building material requirements of the Zoning Code.

Finding: The proposed building material is consistent with the Zoning Code.

SITE PLAN DECISION

WHEREAS, the Planning Commission held a Public Hearing on May 7, 2026, recommending Approval; and,

WHEREAS, in consideration of the Staff Report, Planning Commission recommendation, and public testimony, the City of Dayton City Council approves the Site Plan with the following conditions:

1. Prior to issuance of a Building Permit, plans shall be revised to comply with the City Engineer's Review letter, dated April 30, 2026.
2. Prior to issuance of a Building Permit, plans shall be revised to comply with a minimum 5' setback, property line to curb (west and south property line), and property line to patio (west property line). The Fire Lane behind the building may be removed. Parking stalls shall be 10' X 20' (10' X 18' if overhang).
3. Prior to issuance of a Building Permit, the Applicant shall revise plans to comply with minimum parking stall dimensions, and minimum of 5' setback between property line and back of curb.
4. Plans and construction shall be consistent with City Code 1001.28, Subd 3 (Standard conditions).
5. Prior to issuance of a Building Permit, the Applicant shall obtain and record an Ingress/Egress Easement through Raintree Plaza's south driveway. If Raintree Plaza is not agreeable to the easement, the Applicant shall construct a full access driveway entrance, and remove the Balsam Lane center median, at the Applicant's expense, prior to the City issuing a Certificate of Occupancy.
6. Prior to issuance of a Building Permit, the Applicant shall submit a Landscape Escrow, 125% the value of trees & shrubs. Trees & shrubs shall be guaranteed for 12-months from time of planting. The city will inspect at the expiration of guarantee period. The Applicant shall replace dead and diseased trees & shrubs within the guarantee period. The city shall refund the escrow at the end of the guarantee period (proportionate amount based on survivability).

Adopted by the City Council of the City of Dayton on this 26th day of May, 2026

Dennis Fisher, Mayor

ATTEST:

Amy Benting, City Clerk

Motion by Councilmember, _____, Second by Councilmember _____

Ayes:

Nays:

Resolution Approved

Published by THE PRESS on _____.

To:	Jon Sevald, Planning	From:	Jason Quisberg, Engineering Nick Findley, Engineering Ben Otto, Engineering
Project:	Dayton Assisted Living	Date:	4/30/2026

Exhibits:

This Memorandum is based on a review of the following documents:

1. Dayton Assisted Living Plans, by Schultz Engineering & Site Design, undated, 15 sheets
2. Certificate of Survey, by O'Malley & Kron Land Surveyors, Inc., dated 10/16/2025, 1 sheet
3. Stormwater Calculations Report, by Schultz Engineering & Site Design, dated 3/10/2026, 90 sheets
4. Geotechnical Report, By Chosen Valley testing, Inc., dated 3/11/2026, 22 sheets
5. Electrical Site Plan, By Berd Electric, LLC, dated 2/9/2026, 8 sheets

Comments:General

1. Consistent with the review process, a comment response letter shall be provided in response to the following comments provided in this Memorandum in which the applicant provides a written response to each item.
2. In addition to engineering related comments per these plans, the proposed plans are subject to additional planning, zoning, land-use, and other applicable codes of the City of Dayton.
3. Final approval by the Elm Creek Watershed Management Commission must be attained before any site grading or activity may commence.
4. For any site activity (demo, grading, utilities, etc.) no closures or restrictions of any kind shall be imposed upon the public use of Balsam Lane without the City's permission. Should any lane restrictions be necessary, the Contractor shall notify the City at least 48 hours in advance and provide a Traffic Control Plan.
5. The City of Dayton Standard Details provided are not the current set. Please see the PDFs located on the City website or request CAD files from the Engineering Department.
6. Fill is shown with the existing power line easement along the western edge of the property. Provide confirmation from the utility company that the required vertical allowance is maintained, and pole replacements are not required.

Plat

7. It appears storm water improvements are to be private, and a maintenance access agreement will be required.

Erosion Control/SWPPP

8. The SWPPP Contact information is to be updated and provide prior to the start of work onsite.
9. A MPCA/NPDES construction stormwater permit is required for the site. Sediment and erosion control plans shall be consistent with the general criteria set forth by the most recent versions of the Minnesota Stormwater Manual and the NPDES Construction site permit.

Wetlands

10. The National Wetland Inventory does not show any wetlands within the area. A qualified person is to complete a wetland delineation or provide documentation meeting LGUs requirements confirming there are no wetlands.
 - o Verification is a requirement of the wetland review agencies (TEP).

Site Plans

11. Based on discussions with emergency services, a right-in/right-out connection will not be acceptable. If shared access with the northern property owner cannot be obtained, a full-access connection must be provided. This will require removal of the existing median to accommodate all turning movements at the proposed entrance. Given the median's length and its proximity to the taper, full removal of the median will be required. Any impacted irrigation or landscaping must be removed or modified without affecting the remaining system. Pavement patching shall match the existing roadway.
12. The proposed entrance is to conform to the standards shown within the commercial driveway apron detail (STR-14).
 - o Per City detail STR-14 curb radii on commercial driveway aprons need to be a minimum of 30-feet.
13. For future submittals provide turning movements showing a fire truck can navigate the site.
 - o Current plans submitted on April 9th, 2026 do not include fire truck turning movements. Turning movements are required to be shown to ensure emergency services are able to access the site.
14. The proposed fire lane is shown within close proximity to the adjacent property. Access rights are to be obtained from the adjacent property if encroachment is required. Written authorization from the property owner should be provided if encroachment is necessary.
15. Retaining wall is shown within 3.5 ft of the property line. Access rights are to be obtained from the adjacent property if encroachment is required. Written authorization from the property owner should be provided if encroachment is necessary.
16. Provide top and bottom retaining wall elevations at tie ins and slope changes for all proposed retaining walls.
17. The existing storm sewer structure located in the proposed entrance currently has a R-3067 casting. A drive-over casting will need to installed with the proposed entrance.

18. A power pole and electrical box are shown within proposed sidewalk. Provide clarification on if the utilities are to be relocated.

Grading /Stormwater

19. The City of Dayton's Local Surface Water Management plans requires that the storm sewer system must be designed to handle a 10-year event. Provide rational method calculations.
20. Provide calculations show that existing City's ROW storm sewer system is not affected by the pipe leaving the OCS structure.
21. Time of concentrations for the sub-catchments in the existing HydroCAD model do not appear to align with existing conditions and when calculated, TC's were substantially longer than 5 minutes. Update the time of concentrations for the sub-catchments in the existing HydroCAD model using sheet (100' max) and shallow concentrated flow Show TC flow paths on existing drainage map.
22. Update the Manning's "n" coefficients in all proposed HydroCAD model outlet pipes to 0.011 to reflect the HDPE/PVC piping that is proposed throughout the projects stormwater system.
23. It appears that area directly south of the proposed project site drains onto the project site based on lidar and aerial imagery. Update the existing and proposed drainage maps and HydroCAD models to include offsite area.
24. Provide further details or shop drawings with dimensions and key elevation labels for the StormTech underground infiltration system to confirm HydroCAD modeling and treatment volume provided.
25. Update OCS 1 detail on sheet C3 to match information on sheet C5. Update plan sheets to be consistent throughout.
26. Update Device #3 for pond node MC-4500 in the proposed HydroCAD model to model a broad crested weir instead of a sharp crested weir.
27. Update pond node MC-4500 in the proposed HydroCAD model to utilize a starting WSE at the lowest constructed outlet per Section 3.6.2.a.viii of the Dayton Engineering Design Guidelines document.
28. Some of the elevation information listed under the "Elevations" annotation in Detail 1 - "Underground Storm Water Detention System Elev" on sheet C5 do not appear to match the detail depicted. Update elevation information to ensure consistency throughout.
29. It appears that a MIDS water quality model was only provided for the proposed conditions of the project. Provide a MIDS water quality model for the existing site conditions so that pollutant reductions can be quantified and confirmed.
 - o Provide the existing and proposed electronic MIDS files so that parameters of the site and the proposed underground infiltration BMP can be verified in detail.
 - o Ensure all project areas are accounted for, whether captured or uncaptured by the proposed BMP.
 - o Verify that BMP bypass percentage is utilized per stormwater manual.

30. Provide 48-hour drawdown calculations for the underground detention system. Isolator row surface area of proposed underground infiltration chamber shall not be considered part of the infiltration area in water quality calculations.
31. Provide maintenance access hatch on header row that is sized for standard jetter truck maintenance. Additionally provide inspection ports on the underground chamber.
32. Provide design information for the Underground Storm Detention System showing the system can withstand the weight of a fire truck.
33. All EOFs on and adjacent to the project site need to be shown and labeled. This includes the EOF for all depressions, including low point catchbasins.
34. Per City of Dayton standards drainage swales are required to be a minimum of 2%.
35. Provide spot elevations for the swale running along the northeast property line to ensure drainage is not trapped and the 2% requirement is met.
36. Storm sewer structures (48" diameter) approximately 7' in depth are shown within 5.5' of the property line. Access rights are to be obtained from the adjacent property owner if encroachment is required for the installation of these utilities. Written authorization from the property owner should be provided if encroachment is necessary.

Watermain/Sanitary Sewer

37. City of Dayton requires separate fire and domestic lines prior to entering commercial buildings, see City Detail Plate SER-07 for further information. Revise plans to incorporate this requirement into the utility plan.
38. Provide City Detail Plate WAT-01B to be used for the proposed fire hydrant within the site.
39. Records indicate that there is an existing valve located on the stub used for connection to this site. If the valve is not in working order or not in place a valve will be required at the connection.
40. The sanitary sewer and watermain services are within close proximity to the adjacent property. Access rights are to be obtained from the adjacent property owner if encroachment is required outside of the existing easement for the installation of these utilities. Written authorization from the property owner should be provided if encroachment is necessary.

Fire Department

41. The fire department has requested the proposed fire hydrant be relocated to the southwest side of the building facing the parking lot. It was also requested an additional hydrant be added southeast corner of the building with a Fire Department Connection added in close proximity. Coordinate final location with the Fire Department.

Landscaping

42. The landscaping plan conflicts with the site plan, specifically related to the fire access route. Ensure consistency between the two plans.

End of Comments

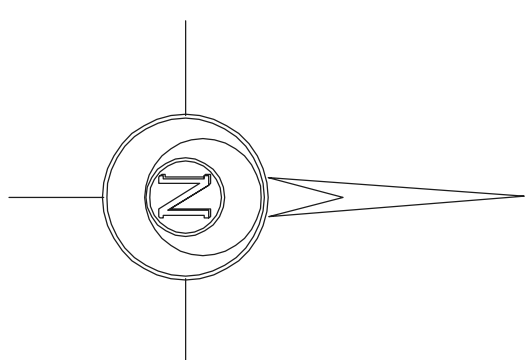
LEGAL DESCRIPTION

Lot 3, Block 1, RAIN TREE 2ND ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota.

SURVEYOR'S NOTES

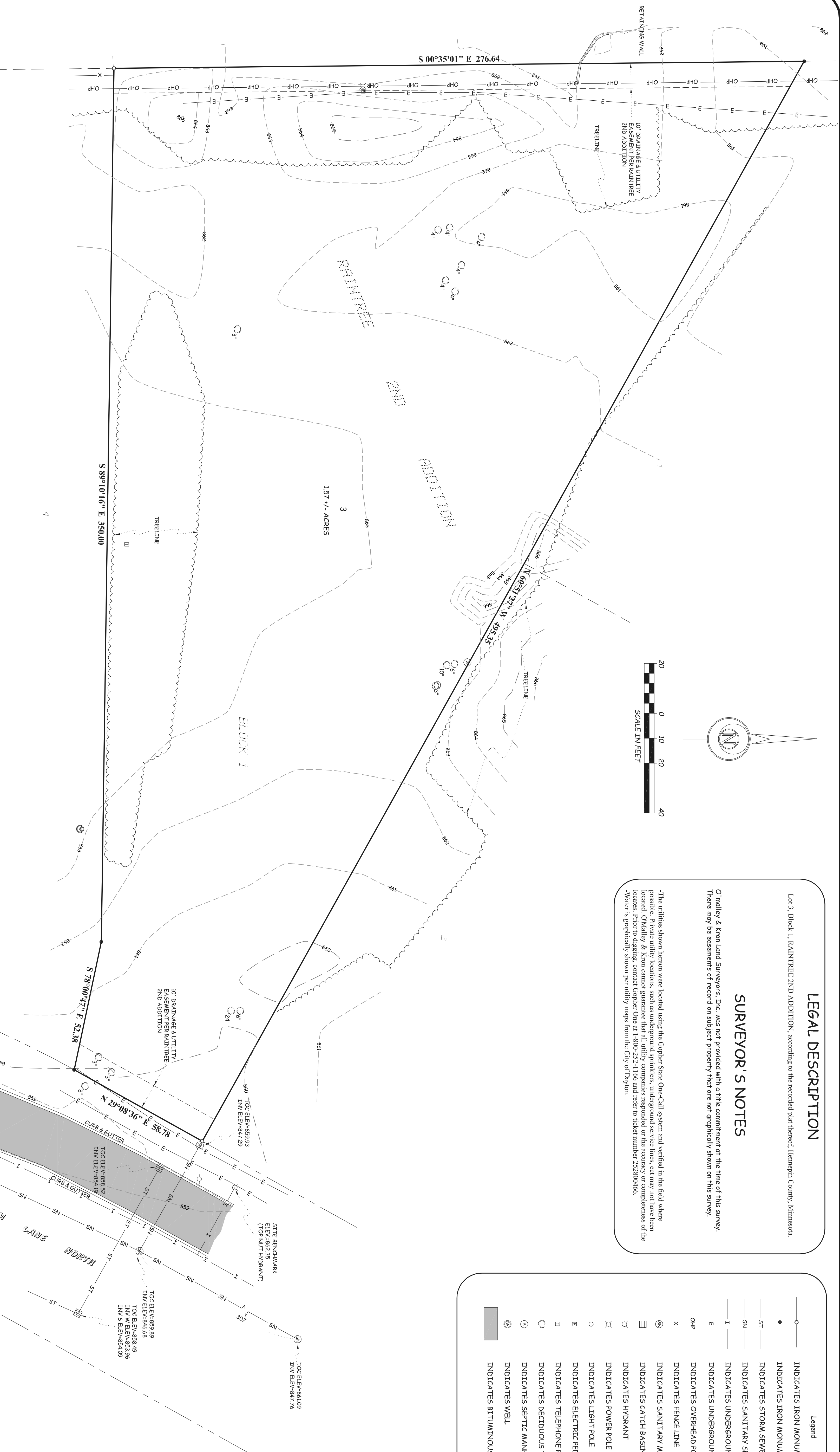
O'Malley & Kron Land Surveyors, Inc. was not provided with a title commitment at the time of this survey. There may be easements of record on subject property that are not graphically shown on this survey.

-The utilities shown herein were located using the Gopher State One-Call system and verified in the field where possible. Private utilities, such as irrigation systems, underground fire lines, etc. may not have been located. O'Malley & Kron Land Surveyors, Inc. is not responsible for the accuracy of utility locations. Prior to digging, contact Gopher One at 1-800-252-1166 and refer to ticket number 252800466. -Water is graphically shown per utility maps from the City of Dayton.



Legend

	INDICATES IRON MONUMENT PLACED
	INDICATES IRON MONUMENT FOUND
	INDICATES STORM SEWER LINE
	INDICATES SANITARY SEWER LINE
	INDICATES UNDERGROUND WATER
	INDICATES UNDERGROUND ELECTRIC
	INDICATES OVERHEAD POWER
	INDICATES FENCE LINE
	INDICATES SANITARY MANHOLE
	INDICATES CATCH BASIN
	INDICATES TELEPHONE PEDESTAL
	INDICATES DECIDUOUS TREE
	INDICATES SEPTIC MANHOLE
	INDICATES WELL
	INDICATES BITUMINOUS SURFACE



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

DANIEL M. SILVERS
MINNESOTA REGISTRATION NO. 57949
DATE: 10-16-23

NOTE: THIS SURVEY IS INTENDED ONLY FOR THE BENEFIT OF THE PARTY TO WHOM OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA. REPRODUCTION OF THIS DOCUMENT IS PROHIBITED.

1004 2nd ST. SE
WILLMAR, MN 56201
PH. 320-235-4012

340 CHAPEL HILL RD.
COLD SPRING, MN 56320
PH. 320-685-5905

1250 HWY 15 SOUTH
HUTCHINSON, MN 55350
PH. 320-234-1223

CERTIFICATE OF SURVEY PREPARED BY:
O'MALLEY & KRON
LAND SURVEYORS, INC.

JOB NO:2025-611
FILE NAME:2025-611.DWG
LOCATION:14-120-22

CERTIFICATE OF SURVEY PREPARED FOR:
MAHLER ARCHITECTURE

SHEET 1 OF 1

DAYTON ASSISTED LIVING

BALSAM LANE NORTH
DAYTON, MINNESOTA

CIVIL CHECK SET DRAWINGS



VICINITY MAP
NTS

EXISTING LINE WORK		PROPOSED LINE WORK		PROPOSED HATCHING	
---#85---	INDICATES EXISTING MAJOR CONTOURS	---937---	INDICATES PROPOSED CONTOUR LINE	[Hatch Pattern]	INDICATES PROPOSED CONCRETE PAVEMENT, APRONS, VALLEY GUTTER, & SIDEWALK
---#06---	INDICATES EXISTING MINOR CONTOURS	--- ---	INDICATES SANITARY SERVICE LINE	[Hatch Pattern]	INDICATES PROPOSED BITUMINOUS PAVEMENT
---ST---	INDICATES STORM SEWER LINE	--- ---	INDICATES SANITARY SEWER LINE	[Hatch Pattern]	INDICATES PROPOSED GRAVEL SURFACING
---SN---	INDICATES SANITARY SEWER LINE	--- ---	INDICATES DRAIN TILE LINE	[Hatch Pattern]	INDICATES TEMPORARY ROCK CONSTRUCTION ENTRANCE
---I---	INDICATES UNDERGROUND WATER	--- ---	INDICATES STORM SEWER LINE	[Hatch Pattern]	INDICATES TYPE III RIP RAP OVERLAYING TYPE 4 GEOTEXTILE FABRIC
---G---	INDICATES UNDERGROUND GAS	--- ---	INDICATES WATER MAIN LINE	[Hatch Pattern]	INDICATES CATEGORY 20 EROSION CONTROL BLANKET
---E---	INDICATES UNDERGROUND ELECTRIC	--- ---	INDICATES WATER SERVICE LINE	[Hatch Pattern]	INDICATES SANITARY SEWER INSULATION
---T---	INDICATES UNDERGROUND TELEPHONE	--- ---	INDICATES SILT FENCE LINE	[Hatch Pattern]	
---C---	INDICATES UNDERGROUND CABLE	--- ---	INDICATES SPOT ELEVATION	[Hatch Pattern]	
---X---	INDICATES FENCE LINE	--- ---	INDICATES STORM CATCH BASIN	[Hatch Pattern]	
⊙	INDICATES STORM MANHOLE	⊙	INDICATES STORM SEWER CATCH BASIN	[Hatch Pattern]	
⊙	INDICATES SANITARY MANHOLE	⊙	INDICATES FLARED END SECTION	[Hatch Pattern]	
[Symbol]	INDICATES CATCH BASIN	⊙	INDICATES SANITARY/STORM CLEANOUT	[Hatch Pattern]	
[Symbol]	INDICATES WATER VALVE	⊙	INDICATES SANITARY/STORM MANHOLE	[Hatch Pattern]	
[Symbol]	INDICATES HYDRANT	⊙	INDICATES NYLOPLAST CATCH BASIN	[Hatch Pattern]	
[Symbol]	INDICATES ELECTRIC PEDESTAL	⊙	INDICATES NYLOPLAST CLEANOUT	[Hatch Pattern]	
[Symbol]	INDICATES TELEPHONE PEDESTAL	⊙	INDICATES NYLOPLAST MANHOLE	[Hatch Pattern]	
[Symbol]	INDICATES CABLE PEDESTAL	⊙	INDICATES OUTLET STRUCTURE	[Hatch Pattern]	
[Symbol]	INDICATES SIGN	⊙	INDICATES RAIN GUARDIAN STRUCTURE	[Hatch Pattern]	
[Symbol]	INDICATES POST	⊙	INDICATES CURB STOP & BOX	[Hatch Pattern]	
[Symbol]	INDICATES ELECTRIC BOX	⊙	INDICATES GATE VALVE	[Hatch Pattern]	
[Symbol]	INDICATES ELECTRIC BOX	⊙	INDICATES HYDRANT	[Hatch Pattern]	
[Symbol]	INDICATES LIGHT/POWER POLE	⊙	INDICATES FLOW ARROW	[Hatch Pattern]	
[Symbol]	INDICATES SEPTIC CLEANOUT	⊙	INDICATES SCOUR STOP PAD	[Hatch Pattern]	
[Symbol]	INDICATES SEPTIC MANHOLE	⊙	INDICATES FILTER LOG	[Hatch Pattern]	

CIVIL SHEET INDEX

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PRELIMINARY - NOT FOR CONSTRUCTION PRELIMINARY CIVIL CHECK SET - 03/18/2026

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
 Norman E. Stutz, PE
 Date: xx/xx/2026 License No.: 63480

SCHULTZ ENGINEERING & SITE DESIGN
 18 South Riverside Avenue
 Suite 230
 Sarcel, MN 56377
 www.schultzengdesign.com
 Ph: (320) 335-0669
 Fx: (666) 633-1830
 schultzeng@live.com

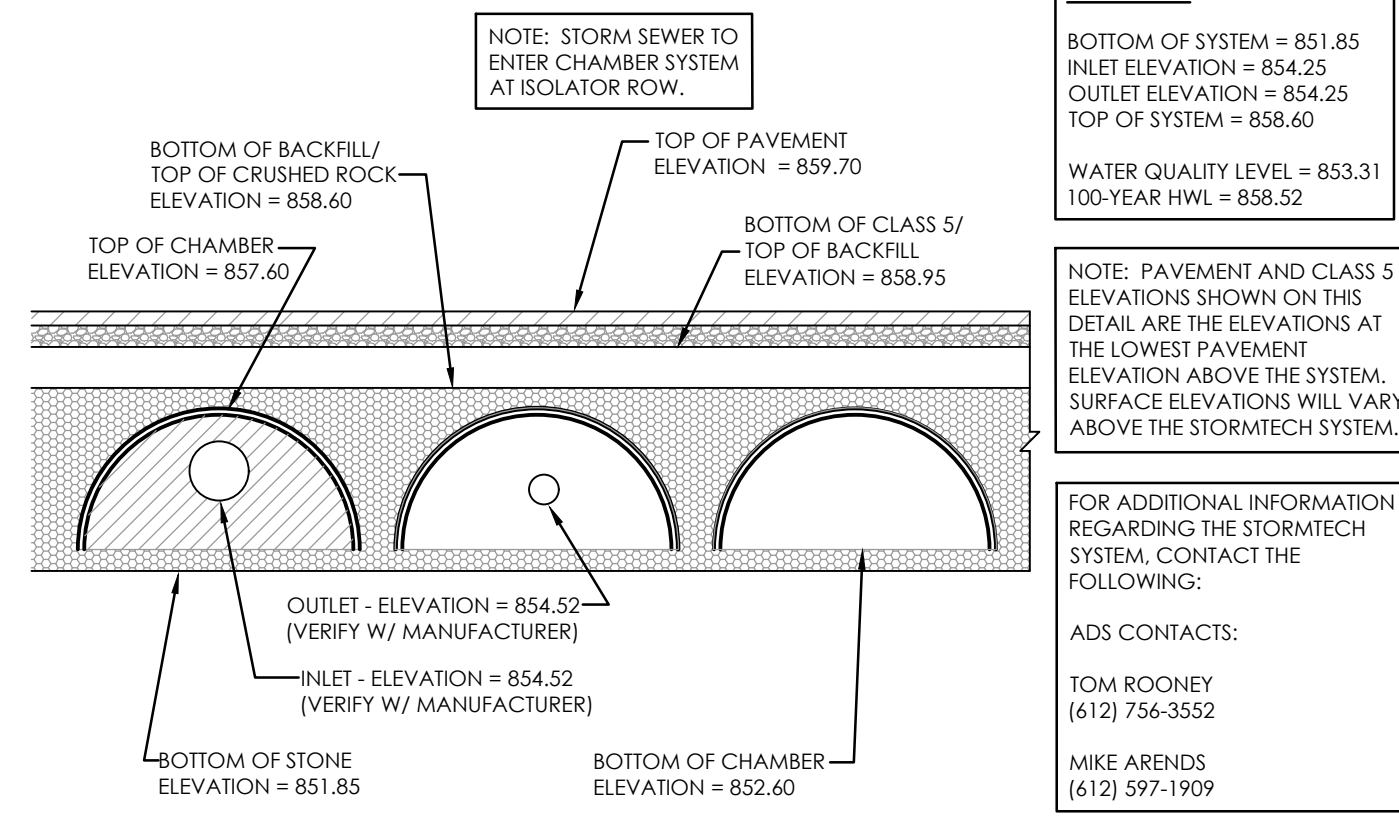
No.	Revision/Issue	Date

Project Name and Address
DAYTON ASSISTED LIVING
 DAYTON, MN
 C/O BJ BASS
 CHAD CAZA
 763-691-0444

Project: 26006
Sheet: TITLE SHEET
C1 of 9

STORMTECH SYSTEM NOTES:

- TRAFFIC FROM CONSTRUCTION EQUIPMENT SHALL BE LIMITED AS MUCH AS POSSIBLE ACROSS AREA DESIGNATED FOR STORMTECH SYSTEM. AND BE ONLY LOW IMPACT TRACK EQUIPMENT. DESIGNATED AREA SHALL BE EXCAVATED WITH A BACKHOE STATIONED OUTSIDE OF THE AREA AS MUCH AS POSSIBLE.
- THE BOTTOM OF THE STORMTECH EXCAVATION SHALL BE SCARIFIED TO A MINIMUM DEPTH OF 24 INCHES WITH THE USE OF APPROPRIATE EQUIPMENT (TILLER, RIPPER, ETC.) PRIOR TO PLACEMENT OF THE CRUSHED ROCK BASE.
- ONCE THE EXCAVATION AND SCARIFICATION IS COMPLETED, THE CONTRACTOR SHALL ARRANGE AND PAY FOR TESTING THE INFILTRATION RATE OF THE BOTTOM OF THE EXCAVATION PRIOR TO PLACEMENT OF THE CRUSHED ROCK BASE. THE TEST RESULTS SHALL BE SUBMITTED TO THE CITY AND THE ENGINEER.
- STORMTECH SYSTEM SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS AND RECOMMENDATIONS.



ELEVATIONS
 BOTTOM OF SYSTEM = 851.85
 INLET ELEVATION = 854.52
 OUTLET ELEVATION = 854.52
 TOP OF SYSTEM = 858.60
 WATER QUALITY LEVEL = 853.31
 100-YEAR HWL = 858.52

NOTE: PAVEMENT AND CLASS 5 ELEVATIONS SHOWN ON THIS DETAIL ARE THE ELEVATIONS AT THE LOWEST PAVEMENT ELEVATION ABOVE THE SYSTEM. SURFACE ELEVATIONS WILL VARY ABOVE THE STORMTECH SYSTEM.

FOR ADDITIONAL INFORMATION REGARDING THE STORMTECH SYSTEM, CONTACT THE FOLLOWING:
 ADS CONTACTS:
 TOM ROONEY (612) 756-3552
 MIKE ARENDS (612) 377-1909

NOTE: THE PURPOSE OF THIS DETAIL IS TO SHOW THE RELEVANT ELEVATIONS OF THE STORMTECH MC-4500 UNDERGROUND STORM WATER SYSTEM FOR THIS PROJECT. THE CONTRACTOR SHALL INSTALL THE UNDERGROUND STORM WATER SYSTEM PER SHOP DRAWINGS TO BE PREPARED BY THE SUPPLIER AND APPROVED BY THE ENGINEER. THE SYSTEM SHALL ALSO BE INSTALLED IN STRICT ACCORDANCE WITH ALL OF THE MANUFACTURER'S REQUIREMENTS AND SPECIFICATIONS.

1 UNDERGROUND STORM WATER DETENTION SYSTEM ELEV

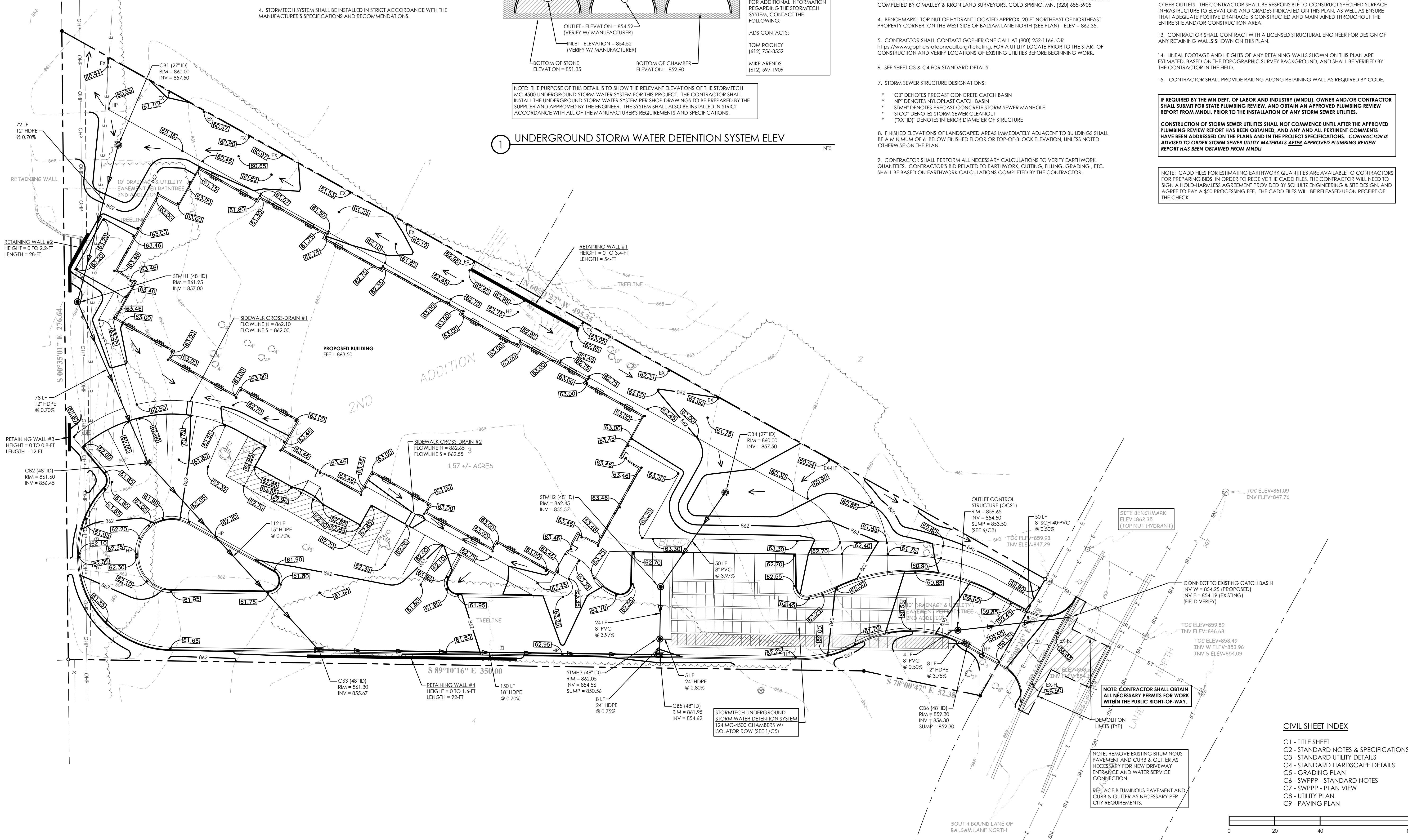
GRADING NOTES:

- CONTRACTOR SHALL FIELD VERIFY ALL EXISTING SITE CONDITIONS INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:
 - LOCATIONS, DEPTHS, SIZES, AND MATERIAL TYPES OF EXISTING SANITARY, WATER, AND STORM SEWER UTILITIES, INCLUDING EXISTING STUBS
 - RIM AND INVERT ELEVATIONS OF EXISTING SANITARY AND STORM SEWER UTILITIES, INCLUDING EXISTING STUBS
 - LOCATIONS AND DEPTHS OF EXISTING NON-SEWER AND NON-WATER UTILITIES (IE: GAS, ELECTRIC, COMMUNICATIONS, ETC.)
 - EXISTING ABOVE-GROUND INFRASTRUCTURE AND SITE FEATURES
- NOTIFY ENGINEER IMMEDIATELY IF ANY INCONSISTENCIES ARE DISCOVERED BETWEEN ACTUAL SITE CONDITIONS AND WHAT IS SHOWN ON THE PLANS, WHICH ARE SIGNIFICANT ENOUGH TO ALTER THE INTENT OF THE DRAWINGS.
- EXISTING TOPOGRAPHICAL INFORMATION WAS OBTAINED FROM A TOPOGRAPHICAL SURVEY COMPLETED BY O'MALLEY & KRON LAND SURVEYORS, COLD SPRING, MN. (320) 485-5905
- BENCHMARK: TOP NUT OF HYDRANT LOCATED APPROX. 20-FT NORTHEAST OF NORTHEAST PROPERTY CORNER, ON THE WEST SIDE OF BALSAM LANE NORTH (SEE PLAN) - ELEV = 862.35.
- CONTRACTOR SHALL CONTACT GOPHER ONE CALL AT (800) 252-1166, OR <https://www.gopheronecall.org/ticketing>, FOR A UTILITY LOCATE PRIOR TO THE START OF CONSTRUCTION AND VERIFY LOCATIONS OF EXISTING UTILITIES BEFORE BEGINNING WORK.
- SEE SHEET C3 & C4 FOR STANDARD DETAILS.
- STORM SEWER STRUCTURE DESIGNATIONS:
 - "CB" DENOTES PRECAST CONCRETE CATCH BASIN
 - "NP" DENOTES NYLOPLAST CATCH BASIN
 - "STMH" DENOTES PRECAST CONCRETE STORM SEWER MANHOLE
 - "STCO" DENOTES STORM SEWER CLEANOUT
 - "[XX] ID" DENOTES INTERIOR DIAMETER OF STRUCTURE
- FINISHED ELEVATIONS OF LANDSCAPED AREAS IMMEDIATELY ADJACENT TO BUILDINGS SHALL BE A MINIMUM OF 6" BELOW FINISHED FLOOR OR TOP-OF-BLOCK ELEVATION, UNLESS NOTED OTHERWISE ON THE PLAN.
- CONTRACTOR SHALL PERFORM ALL NECESSARY CALCULATIONS TO VERIFY EARTHWORK QUANTITIES. CONTRACTOR'S BID RELATED TO EARTHWORK, CUTTING, FILLING, GRADING, ETC. SHALL BE BASED ON EARTHWORK CALCULATIONS COMPLETED BY THE CONTRACTOR.

- SPOT ELEVATIONS INDICATED ON THIS PLAN REPRESENT FINISHED SURFACE ELEVATIONS, UNLESS NOTED OTHERWISE.
- SPOT ELEVATIONS LOCATED ALONG CURB & GUTTER OR THICKENED EDGE SIDEWALK REPRESENT FLOWLINE ELEVATIONS OF GUTTER SECTION OR ADJACENT PAVEMENT. TOP-OF-CURB OR TOP-OF-THICKENED EDGE SIDEWALK SURFACE ELEVATIONS ARE 6" ABOVE THE FLOW LINE SPOT ELEVATION SHOWN ON THE PLANS, UNLESS NOTED OTHERWISE.
- SPOT ELEVATION DESIGNATIONS:
 - "EX" DENOTES EXISTING SPOT ELEVATION
 - "HP" DENOTES HIGH POINT
 - "FL" DENOTES FLOWLINE
 - "BC" DENOTES BACK OF CURB
 - "EC" DENOTES EDGE OF CONCRETE
 - "EP" DENOTES EDGE OF PAVEMENT
- ALL SPOT ELEVATIONS AND CONTOURS INDICATED ON THIS PLAN ARE INTENDED TO PROVIDE ADEQUATE POSITIVE DRAINAGE TOWARDS CATCH BASINS, CURB CUTS, PONDS, BASINS AND/OR OTHER OUTLETS. THE CONTRACTOR SHALL BE RESPONSIBLE TO CONSTRUCT SPECIFIED SURFACE INFRASTRUCTURE TO ELEVATIONS AND GRADES INDICATED ON THIS PLAN, AS WELL AS ENSURE THAT ADEQUATE POSITIVE DRAINAGE IS CONSTRUCTED AND MAINTAINED THROUGHOUT THE ENTIRE SITE AND/OR CONSTRUCTION AREA.
- CONTRACTOR SHALL CONTRACT WITH A LICENSED STRUCTURAL ENGINEER FOR DESIGN OF ANY RETAINING WALLS SHOWN ON THIS PLAN.
- LINEAL FOOTAGE AND HEIGHTS OF ANY RETAINING WALLS SHOWN ON THIS PLAN ARE ESTIMATED. BASED ON THE TOPOGRAPHIC SURVEY BACKGROUND, AND SHALL BE VERIFIED BY THE CONTRACTOR IN THE FIELD.
- CONTRACTOR SHALL PROVIDE RAILING ALONG RETAINING WALL AS REQUIRED BY CODE.

IF REQUIRED BY THE MN DEPT. OF LABOR AND INDUSTRY (MNDLI), OWNER AND/OR CONTRACTOR SHALL SUBMIT FOR STATE PLUMBING REVIEW, AND OBTAIN AN APPROVED PLUMBING REVIEW REPORT FROM MNDLI, PRIOR TO THE INSTALLATION OF ANY STORM SEWER UTILITIES.
CONSTRUCTION OF STORM SEWER UTILITIES SHALL NOT COMMENCE UNTIL AFTER THE APPROVED PLUMBING REVIEW REPORT HAS BEEN OBTAINED, AND ANY AND ALL PERTINENT COMMENTS HAVE BEEN ADDRESSED ON THE PLANS AND IN THE PROJECT SPECIFICATIONS. CONTRACTOR IS ADVISED TO ORDER STORM SEWER UTILITY MATERIALS AFTER APPROVED PLUMBING REVIEW REPORT HAS BEEN OBTAINED FROM MNDLI

NOTE: CADD FILES FOR ESTIMATING EARTHWORK QUANTITIES ARE AVAILABLE TO CONTRACTORS FOR PREPARING BIDS. IN ORDER TO RECEIVE THE CADD FILES, THE CONTRACTOR WILL NEED TO SIGN A HOLD-HARMLESS AGREEMENT PROVIDED BY SCHULTZ ENGINEERING & SITE DESIGN, AND AGREE TO PAY A \$50 PROCESSING FEE. THE CADD FILES WILL BE RELEASED UPON RECEIPT OF THE CHECK.



PRELIMINARY CIVIL CHECK SET - 03/18/2026
 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.
 Norman E. Stutz, PE
 Date: xxx/xx/2026 License No.: 63480

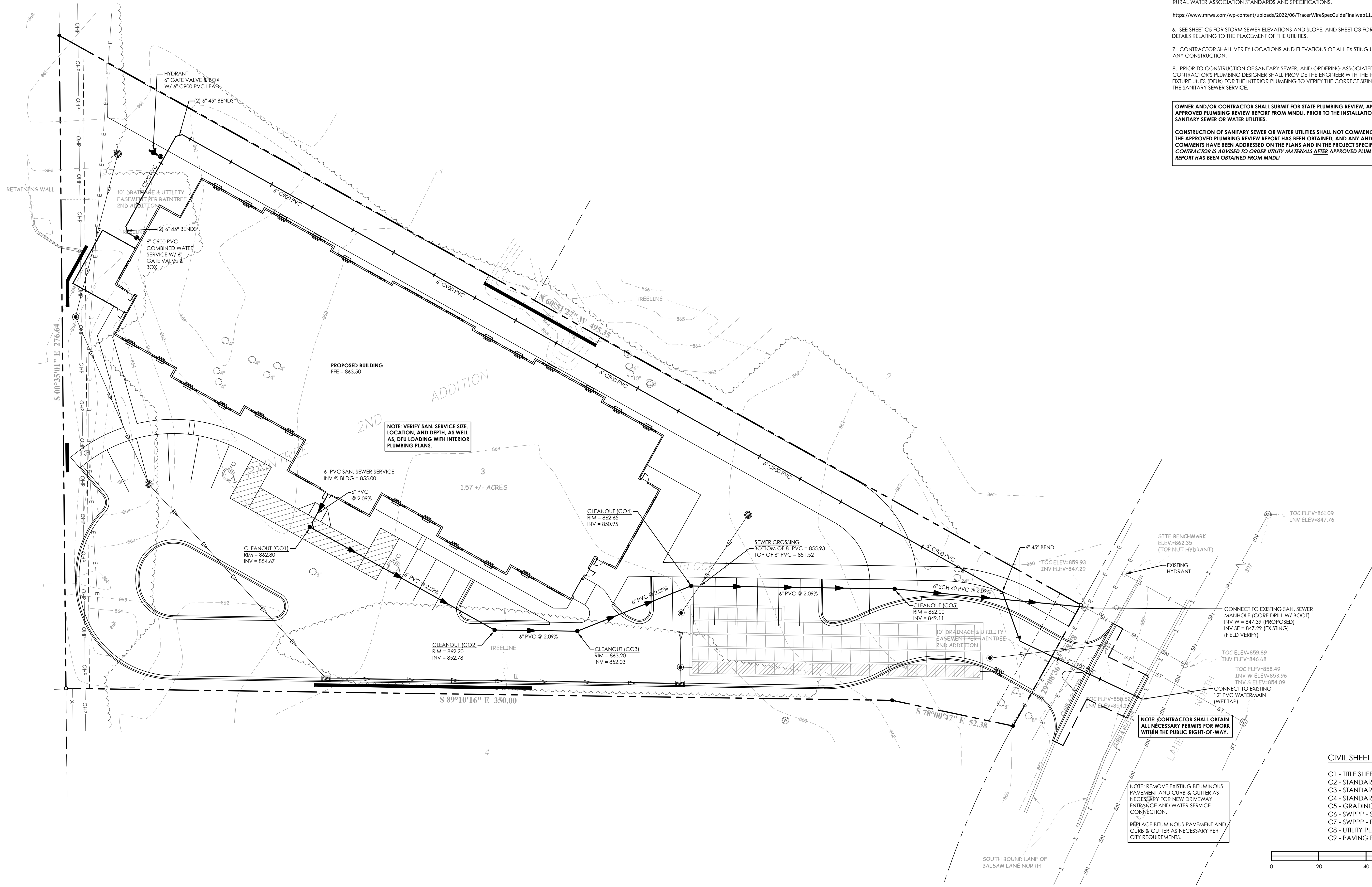
SCHULTZ ENGINEERING & SITE DESIGN
 18 South Riverside Avenue
 Suite 230
 St. Paul, MN 55107
 P: (612) 339-0669
 F: (612) 633-1830
 nstutz@se-engineering.com
 www.schultzengineering.com

No.	Revision/Issue	Date

DAYTON ASSISTED LIVING
 DAYTON, MN
 C/O BU BASS
 CHAD CAZA
 763-691-0444

Project: 26006
 Scale: 1"=20'
 Sheet: GRADING PLAN
 C5 of 9

- CIVIL SHEET INDEX**
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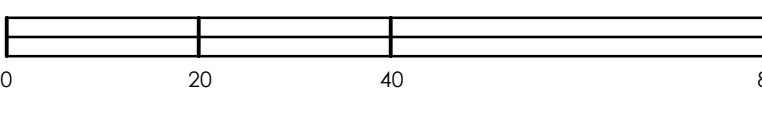
- UTILITY NOTES:**
1. WATER MAIN AND ANY WATER SERVICE LINES SHALL BE PLACED AT A MINIMUM DEPTH OF 8 FEET BELOW FINISHED GRADE.
 2. IF CONFLICTS ARE DISCOVERED WHERE WATER MAIN OR SERVICES CROSS EXISTING OR PROPOSED SANITARY SEWER, SERVICE LINES, OR STORM SEWER, THE WATER MAIN SHALL BE RAISED OR LOWERED APPROPRIATELY WHILE STILL MAINTAINING A MINIMUM DEPTH OF 8 FEET BELOW FINISHED GRADE.
 3. INSULATION SHALL BE PLACED AT ALL LOCATIONS WHERE STORM SEWER CROSSES SANITARY SEWER, WATER MAIN, OR ASSOCIATED SERVICES. INSULATION SHALL CONSIST OF AN 8-FT X 8-FT SQUARE OF 3\"/>

OWNER AND/OR CONTRACTOR SHALL SUBMIT FOR STATE PLUMBING REVIEW, AND OBTAIN AN APPROVED PLUMBING REVIEW REPORT FROM MNDU, PRIOR TO THE INSTALLATION OF ANY SANITARY SEWER OR WATER UTILITIES.

CONSTRUCTION OF SANITARY SEWER OR WATER UTILITIES SHALL NOT COMMENCE UNTIL AFTER THE APPROVED PLUMBING REVIEW REPORT HAS BEEN OBTAINED, AND ANY AND ALL PERTINENT COMMENTS HAVE BEEN ADDRESSED ON THE PLANS AND IN THE PROJECT SPECIFICATIONS. CONTRACTOR IS ADVISED TO ORDER UTILITY MATERIALS AFTER APPROVED PLUMBING REVIEW REPORT HAS BEEN OBTAINED FROM MNDU.

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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.

Norman E. Stutz, PE
Date: xx/xx/2026 License No.: 63480

SCHULTZ ENGINEERING & SITE DESIGN

18 South Riverside Avenue
Suite 230
St. Paul, MN 55107
www.schultzengdesign.com

Ph: (620) 339-0669
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scritzenberg@live.com

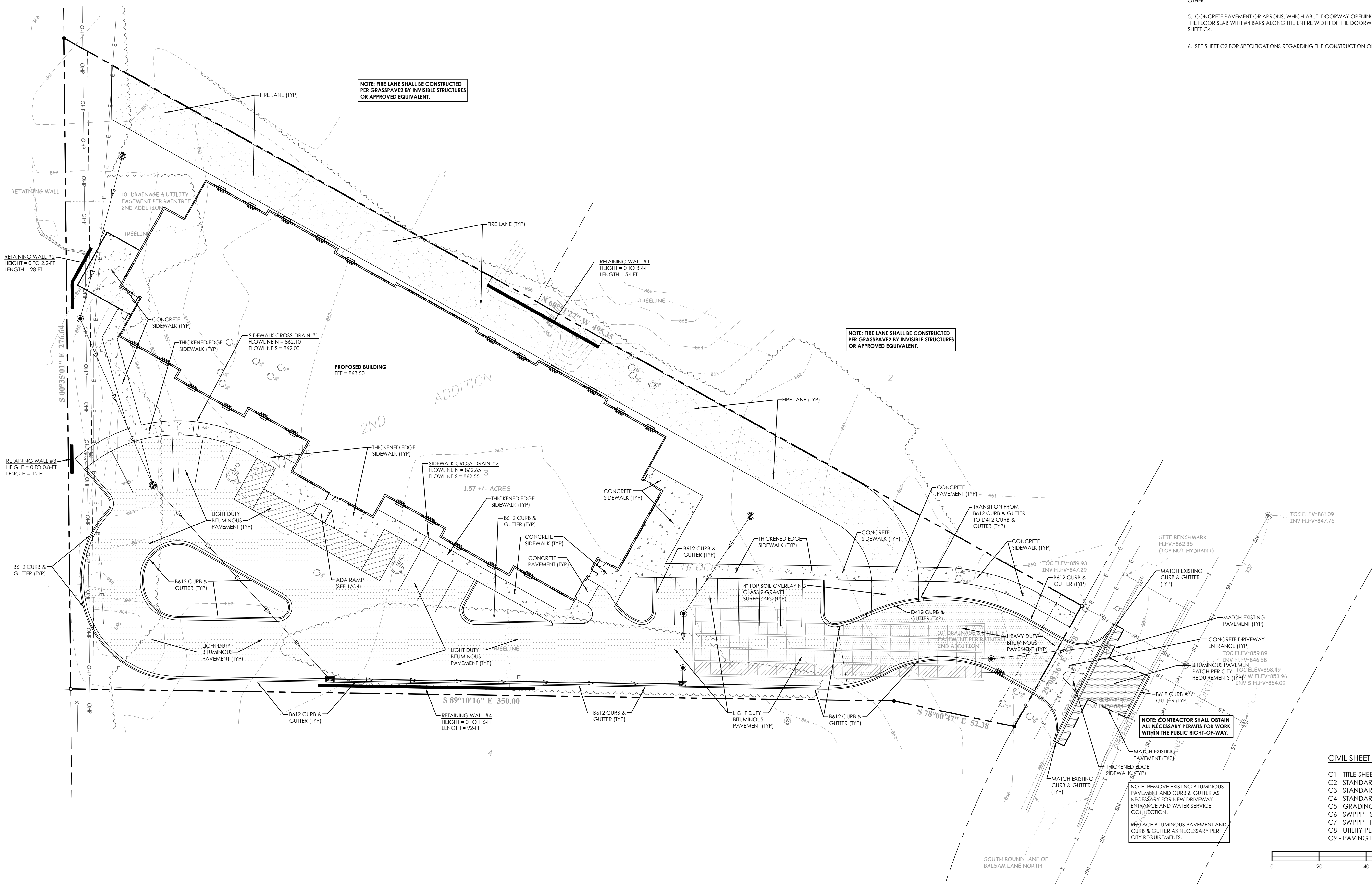
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C/O BJ BASS
CHAD CAZA
763-691-0444

Project: 26006
Scale: 1"=20'

Sheet: UTILITY PLAN
C8 of 9

PRELIMINARY - NOT FOR CONSTRUCTION PRELIMINARY CIVIL CHECK SET - 03/18/2026



NOTE: FIRE LANE SHALL BE CONSTRUCTED PER GRASSPAVEZ BY INVISIBLE STRUCTURES OR APPROVED EQUIVALENT.

NOTE: FIRE LANE SHALL BE CONSTRUCTED PER GRASSPAVEZ BY INVISIBLE STRUCTURES OR APPROVED EQUIVALENT.

NOTE: CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FOR WORK WITHIN THE PUBLIC RIGHT-OF-WAY.

NOTE: REMOVE EXISTING BITUMINOUS PAVEMENT AND CURB & GUTTER AS NECESSARY FOR NEW DRIVEWAY ENTRANCE AND WATER SERVICE CONNECTION.

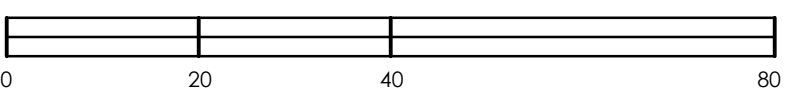
REPLACE BITUMINOUS PAVEMENT AND CURB & GUTTER AS NECESSARY PER CITY REQUIREMENTS.

SURFACING NOTES:

1. SUBGRADES SHALL BE SCARIFIED AND COMPACTED AS NECESSARY TO ATTAIN THE REQUIRED COMPACTION INDICATED IN THE GENERAL NOTES (SHEET C1). TEST ROLLING OF THE SUBGRADE SHALL BE OBSERVED BY A QUALIFIED GEOTECHNICAL ENGINEER OR TECHNICIAN. LOCATIONS EXHIBITING EXCESSIVE RUTTING (PER MNDOT SPEC. 2111) SHALL BE REPAIRED TO THE SATISFACTION OF THE ENGINEER PRIOR TO THE PLACEMENT OF AGGREGATE BASE. COMPACTION TESTING IN UTILITY TRENCHES SHALL BE PERFORMED BY AN INDEPENDENT TESTING FIRM.
2. AGGREGATE BASE AND SURFACE COURSES SHALL BE ROLLED AND COMPACTED. TEST ROLLING OF THE AGGREGATE BASE AND/OR SURFACING SHALL BE OBSERVED BY A SOILS ENGINEER TO VERIFY STABILITY. MAXIMUM ALLOWED DEFLECTION DURING TEST ROLLING OF AGGREGATE BASE OR SURFACE COURSES SHALL BE 1/2".
3. ALL EXISTING BITUMINOUS OR CONCRETE EDGES, WHICH WILL ABUT NEW BITUMINOUS OR CONCRETE SURFACING SHALL BE SAWCUT TO OBTAIN A VERTICAL EDGE.
4. EXPANSION JOINTS SHALL BE PLACED AT ALL LOCATIONS WHERE NEW CONCRETE ABUTS EXISTING CONCRETE, AND AT ALL LOCATIONS WHERE SEPARATE CONCRETE POURS ABUT EACH OTHER.
5. CONCRETE PAVEMENT OR APRONS, WHICH ABUT DOORWAY OPENINGS SHALL BE TIED TO THE FLOOR SLAB WITH #4 BARS ALONG THE ENTIRE WIDTH OF THE DOORWAY. SEE DETAIL ON SHEET C4.
6. SEE SHEET C2 FOR SPECIFICATIONS REGARDING THE CONSTRUCTION OF HARDSCAPES.

CIVIL SHEET INDEX

- C1 - TITLE SHEET
- C2 - STANDARD NOTES & SPECIFICATIONS
- C3 - STANDARD UTILITY DETAILS
- C4 - STANDARD HARDSCAPE DETAILS
- C5 - GRADING PLAN
- C6 - SWPPP - STANDARD NOTES
- C7 - SWPPP - PLAN VIEW
- C8 - UTILITY PLAN
- C9 - PAVING PLAN



PRELIMINARY CIVIL CHECK SET - 03/18/2026

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.

Norman E. Statz, PE
Date: xx/xx/2026 License No.: 63480

SCHULTZ ENGINEERING & SITE DESIGN

18 South Riverside Avenue
Suite 230
St. Paul, MN 55107
www.schultzengdesign.com

Ph: (620) 335-0669
Fax: (666) 633-1830
nschultzengdesign@gmail.com

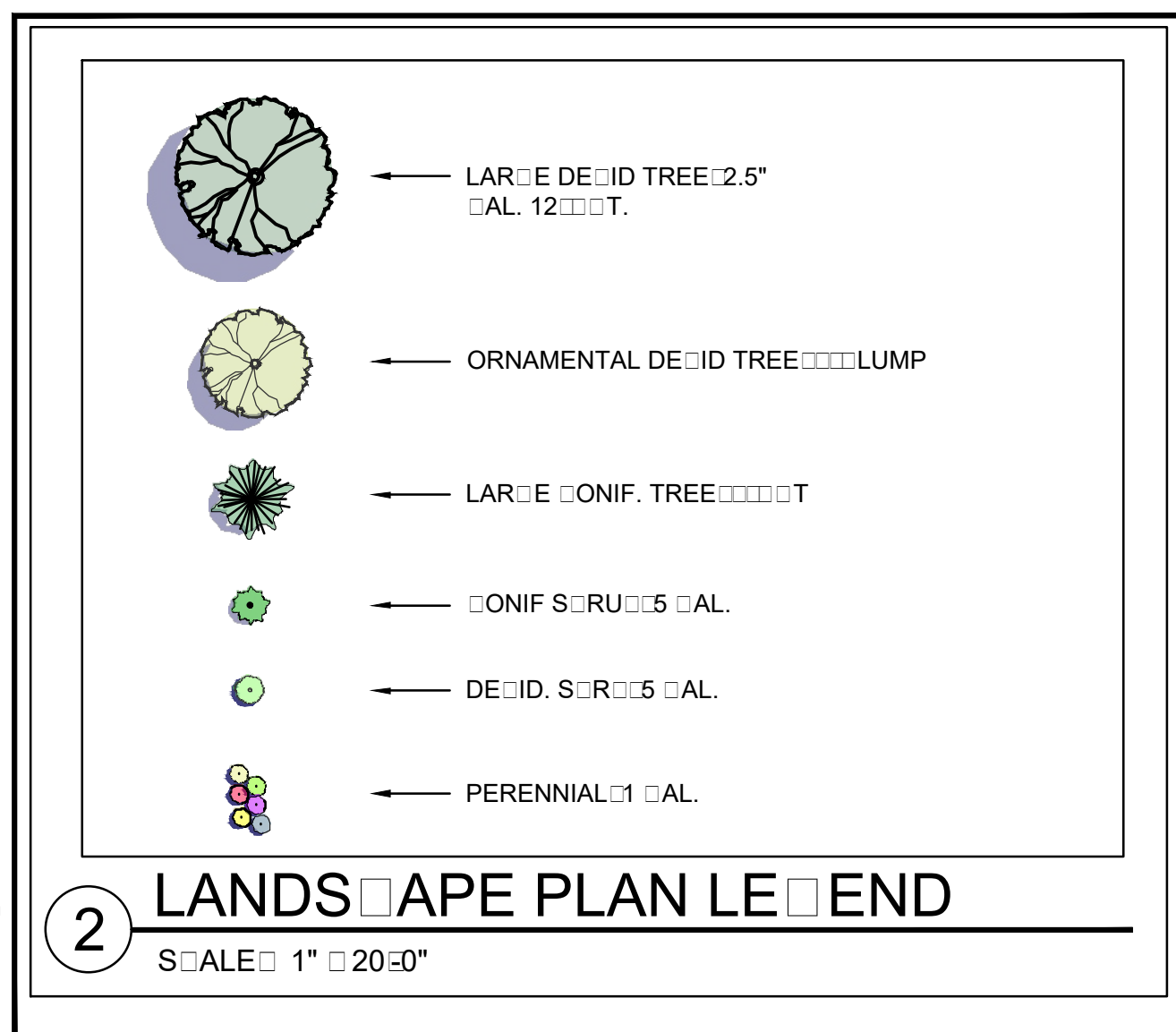
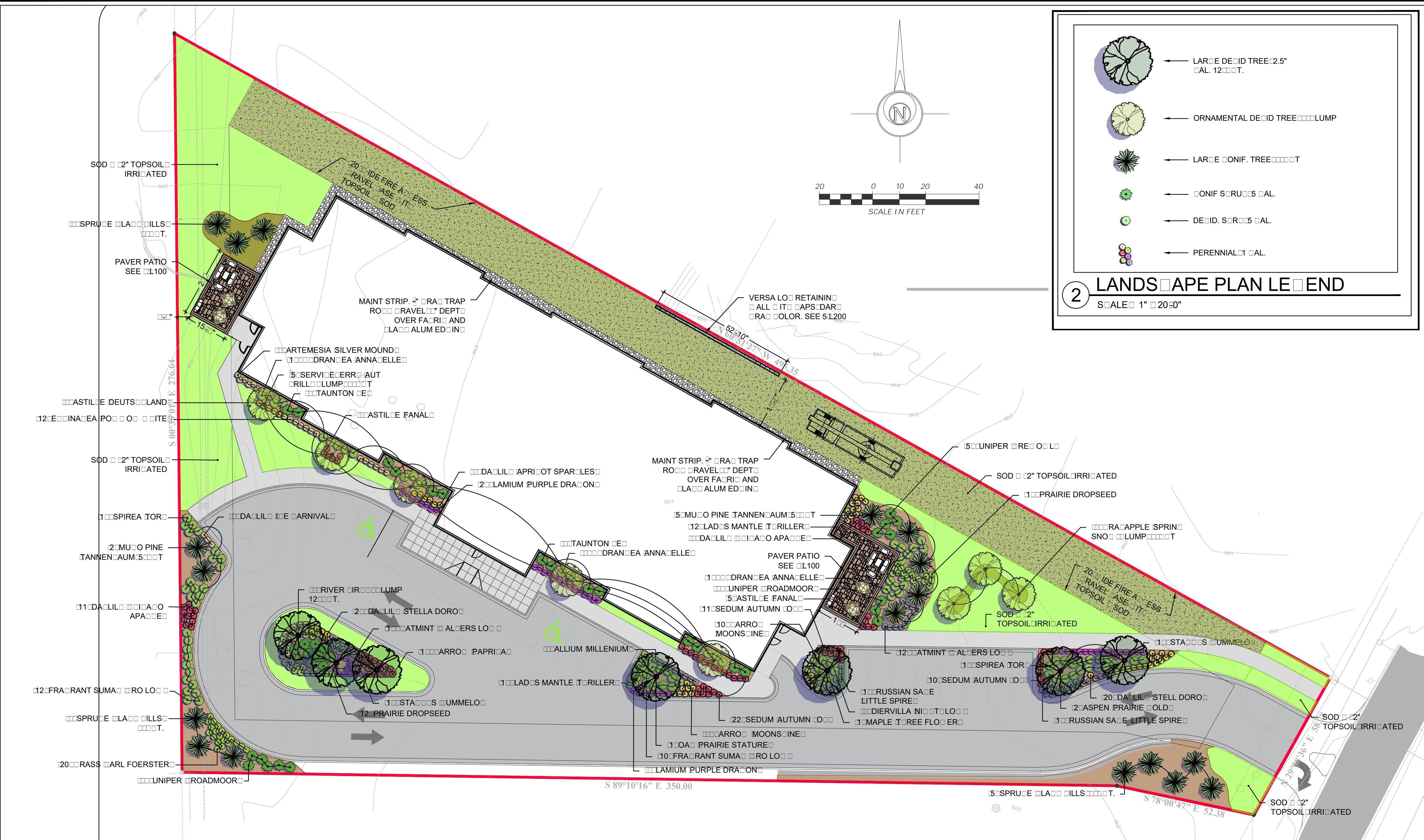
No.	Revision/Issue	Date

DAYTON ASSISTED LIVING
DAYTON, MN
C/O BJ BASS
CHAD CAZA
763-691-0444

Project: 26006
Scale: 1"=20'

Sheet: PAVING PLAN

C9 of 9



ANOP TREES 2.5" CALIPER 12
RIVER IR LUMP
2 ASPEN PRAIRIE OLD LUMP
1 OAS PRAIRIE STATURE LUMP
ORNAMENTAL TREES LUMP
5 SERVICE BERR AUT RILL LUMP
2 RA APPLE SPRIN SNO LUMP
1 MAPLE TREE FLO ER
EVERGREEN TREES
1 MUO PINE TANNEN AUM
11 SPRUCE LAC MILLS
SHRUBS
DIERVILLA NIT LO
UNIPER ROADMOOR
5 UNIPER REO LO
1 TAUNTON
2 DRANEA ANNAELLE
2 FRAGRANT SUMA RO LO
5 SPIREA TOR
PERENNIALS
DA LIL APRICOT SPARLES
ARTEMESIA SILVER MOUND
DA LIL DE CARNIVAL
ASTILE DEUTS LAND
2 E INAEA PO O O CITE
1 DA LIL O O APA
20 RASS ARL FOERSTER
2 PRAIRIE DROPSEED
1 LAMIAM PURPLE DRAGON
DA LIL STELLA DORO
25 ATMINT ALERS LO
1 ARRO PAPRIA
ALLIUM MILLENIUM
0 STACS UMMELO
1 LADS MANTLE RILLER
SEDUM AUTUM
ARRO MOONSINE
ASTILE FANAL
12 LADS MANTLE RILLER
1 RUSSIAN SAE LITTLE SPIRE

PLANT SCHEDULE
SCALE: 1" = 20'-0"

LANDSCAPE PLAN
SCALE: 1" = 20'-0"

Ar	E	dPr	d SF	S	r F	P	r
Pr							
SF							68,253 SF
SF							19,009 SF
T							43,091 SF= 63%
SF							25,162 SF= 37%
							2770 SF= 4%
							2839 SF= 4%
N							20

SITE CALCULATIONS
SCALE: NTS

BEACON HILL FLAG

Inspired by natural flagstones, the interlocking and distinctive texture of Beacon Hill Flagstone has a natural look and feel, with all the benefits of a durable technology. The surface texture is comfortable to walk on in bare feet, but appears more like stone in the light of nature and around. Seal in a natural finish of choice with a long-lasting, low-maintenance sealer to help protect the surface from stains, oil, and other liquids. A large, XL rectangle is now available for most projects, to be used where it coordinates with the traditional rectangular flagstones. Together, these characteristics make Beacon Hill Flagstone one of our most popular pavers for patios, pool surrounds and walkways.

www.belanddesigns.com
1-800-382-9802

PAVERS
SCALE: NTS

BE LANDSCAPE DESIGNS

Ben Erickson, Landscape Architect
www.belanddesigns.com
ph 612-382-9802
email: ben@belanddesigns.com

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly registered Landscape Architect in the State of Minnesota.

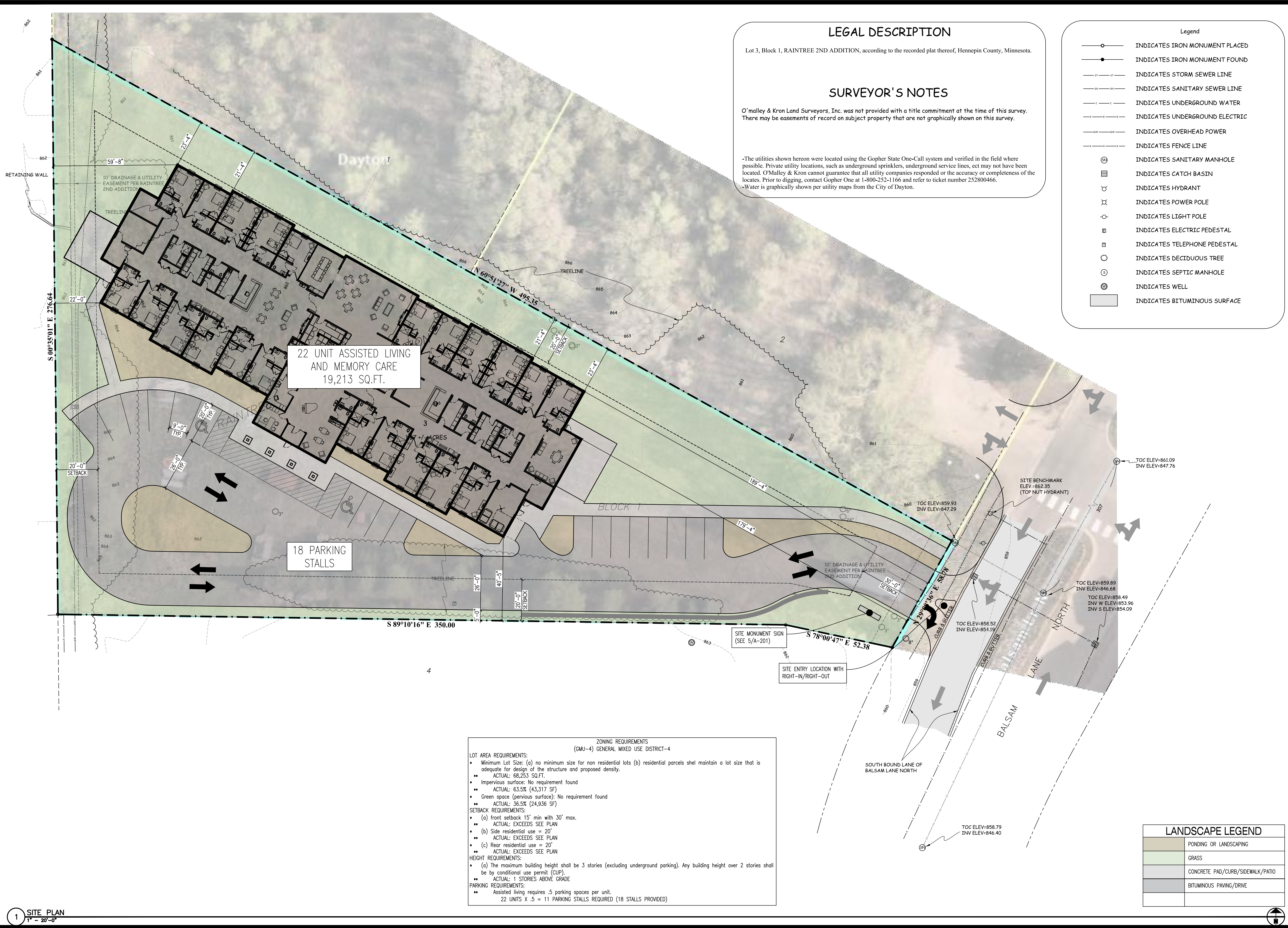
FOR REVIEW

SIGNATURE _____
REGISTRATION # 50130
DATE _____

L100 LANDSCAPE PLAN

DATE _____

DATON ASSISTED LIVING
DATON MN
T 20-25-22



LEGAL DESCRIPTION

Lot 3, Block 1, RAINTREE 2ND ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota.

SURVEYOR'S NOTES

O'Malley & Kron Land Surveyors, Inc. was not provided with a title commitment at the time of this survey. There may be easements of record on subject property that are not graphically shown on this survey.

-The utilities shown hereon were located using the Gopher State One-Call system and verified in the field where possible. Private utility locations, such as underground sprinklers, underground service lines, ect may not have been located. O'Malley & Kron cannot guarantee that all utility companies responded or the accuracy or completeness of the locates. Prior to digging, contact Gopher One at 1-800-252-1166 and refer to ticket number 252800466.
 -Water is graphically shown per utility maps from the City of Dayton.

Legend

- INDICATES IRON MONUMENT PLACED
- INDICATES IRON MONUMENT FOUND
- |—|— INDICATES STORM SEWER LINE
- |—|— INDICATES SANITARY SEWER LINE
- |—|— INDICATES UNDERGROUND WATER
- |—|— INDICATES UNDERGROUND ELECTRIC
- |—|— INDICATES OVERHEAD POWER
- |—|— INDICATES FENCE LINE
- ⊕ INDICATES SANITARY MANHOLE
- ⊞ INDICATES CATCH BASIN
- ⊕ INDICATES HYDRANT
- ⊕ INDICATES POWER POLE
- ⊕ INDICATES LIGHT POLE
- ⊕ INDICATES ELECTRIC PEDESTAL
- ⊕ INDICATES TELEPHONE PEDESTAL
- ⊕ INDICATES DECIDUOUS TREE
- ⊕ INDICATES SEPTIC MANHOLE
- ⊕ INDICATES WELL
- INDICATES BITUMINOUS SURFACE

22 UNIT ASSISTED LIVING AND MEMORY CARE
19,213 SQ.FT.

18 PARKING STALLS

ZONING REQUIREMENTS
(GMU-4) GENERAL MIXED USE DISTRICT-4

- LOT AREA REQUIREMENTS:**
- Minimum Lot Size: (a) no minimum size for non residential lots (b) residential parcels shall maintain a lot size that is adequate for design of the structure and proposed density.
 - ACTUAL: 68,253 SQ.FT.
 - Impervious surface: No requirement found
 - ACTUAL: 63.5% (43,317 SF)
 - Green space (pervious surface): No requirement found
 - ACTUAL: 36.5% (24,936 SF)
- SETBACK REQUIREMENTS:**
- (a) front setback 15' min with 30' max.
 - ACTUAL: EXCEEDS SEE PLAN
 - (b) Side residential use = 20'
 - ACTUAL: EXCEEDS SEE PLAN
 - (c) Rear residential use = 20'
 - ACTUAL: EXCEEDS SEE PLAN
- HEIGHT REQUIREMENTS:**
- (a) The maximum building height shall be 3 stories (excluding underground parking). Any building height over 2 stories shall be by conditional use permit (CUP).
 - ACTUAL: 1 STORIES ABOVE GRADE
- PARKING REQUIREMENTS:**
- Assisted living requires .5 parking spaces per unit.
 - 22 UNITS X .5 = 11 PARKING STALLS REQUIRED (18 STALLS PROVIDED)

LANDSCAPE LEGEND

[Symbol]	PONDING OR LANDSCAPING
[Symbol]	GRASS
[Symbol]	CONCRETE PAD/CURB/SIDEWALK/PATIO
[Symbol]	BITUMINOUS PAVING/DRIVE

MAHLER & ASSOCIATES
ARCHITECTURE

Greene H.D. Mahler, AIA
Principal

5150 Marston Drive
Suite 101
Sauk Rapids, MN 56379

TEL: (320) 257-2724
EMAIL: gmahler@mahlerarchitecture.com

PRELIMINARY
NOT FOR
CONSTRUCTION

No.	Revision/Issue	Date

Project Name and Address
DAYTON ASSISTED LIVING
DAYTON, MN
C/O BJ BASS
CHAD CAZA
763-691-0444

Project: 2528
Date: 03/18/2026
Scale: AS INDICATED
Sheet: SITE PLAN
AS-101



UNIT MIX	
SINGLE UNITS	18
DOUBLE UNITS	4
TOTAL	22

1 1ST FLOOR PLAN OVERALL
3/32" = 1'-0"

MAHLER & ASSOCIATES
ARCHITECTURE

Greene H.D. Mahler, AIA
Principal

5150 Marston Drive
Suite 101
Sauk Rapids, MN 56379

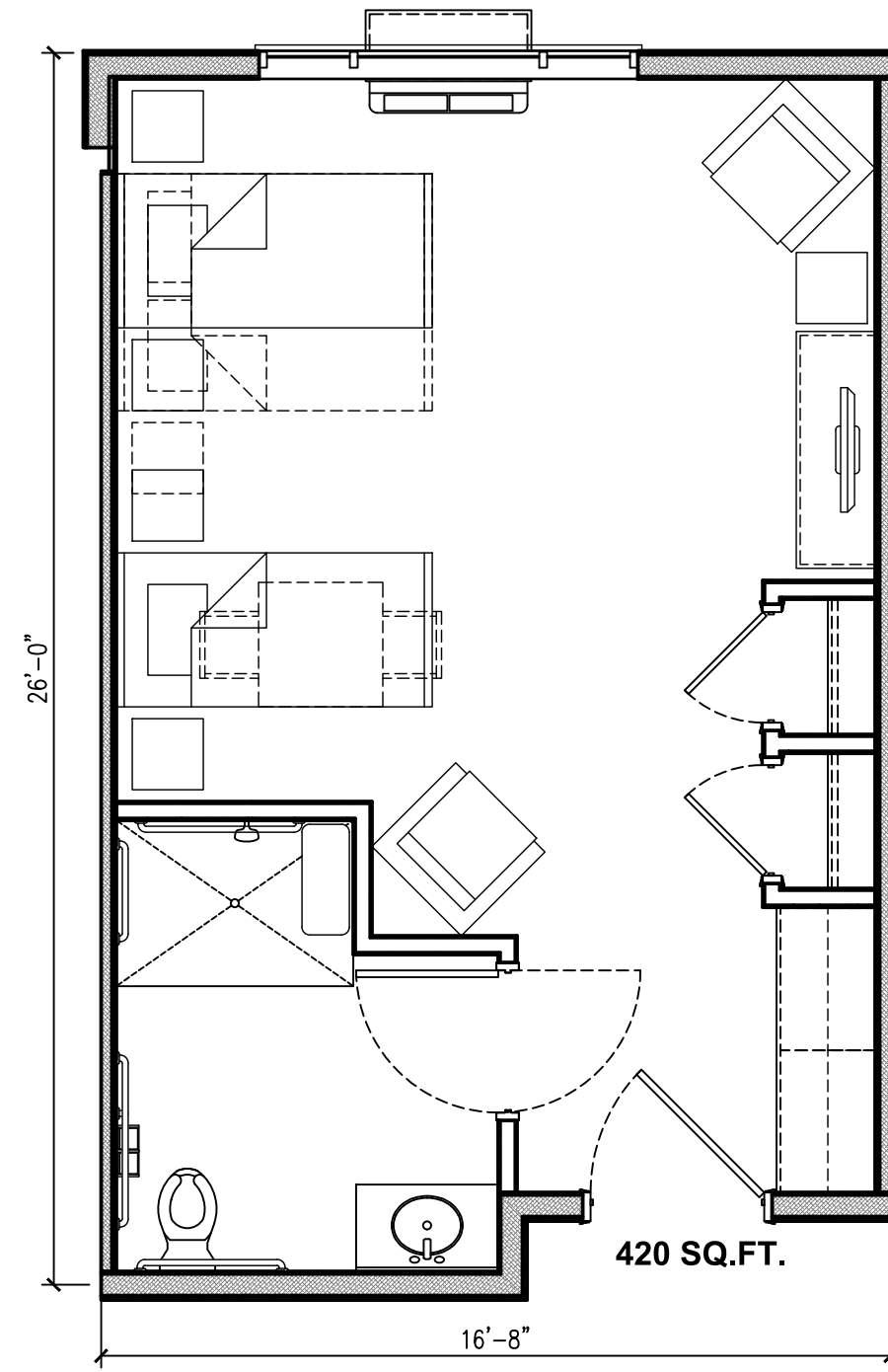
TEL: (320) 257-2724
EMAIL: gmahler@mahlerarchitecture.com

PRELIMINARY
NOT FOR
CONSTRUCTION

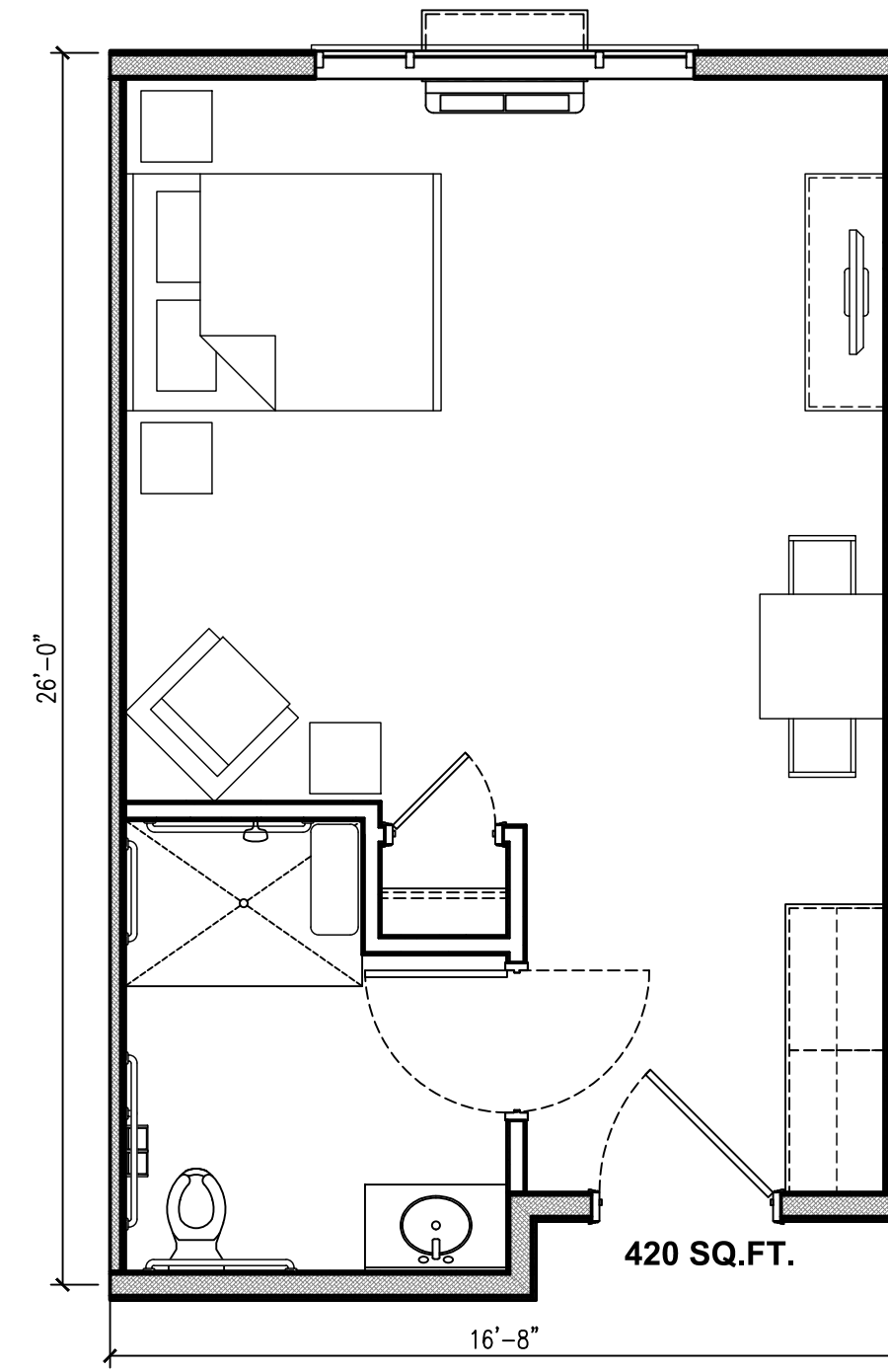
No.	Revision/Issue	Date

Project Name and Address
DAYTON ASSISTED LIVING
DAYTON, MN
C/O BJ BASS
CHAD CAZA
763-691-0444

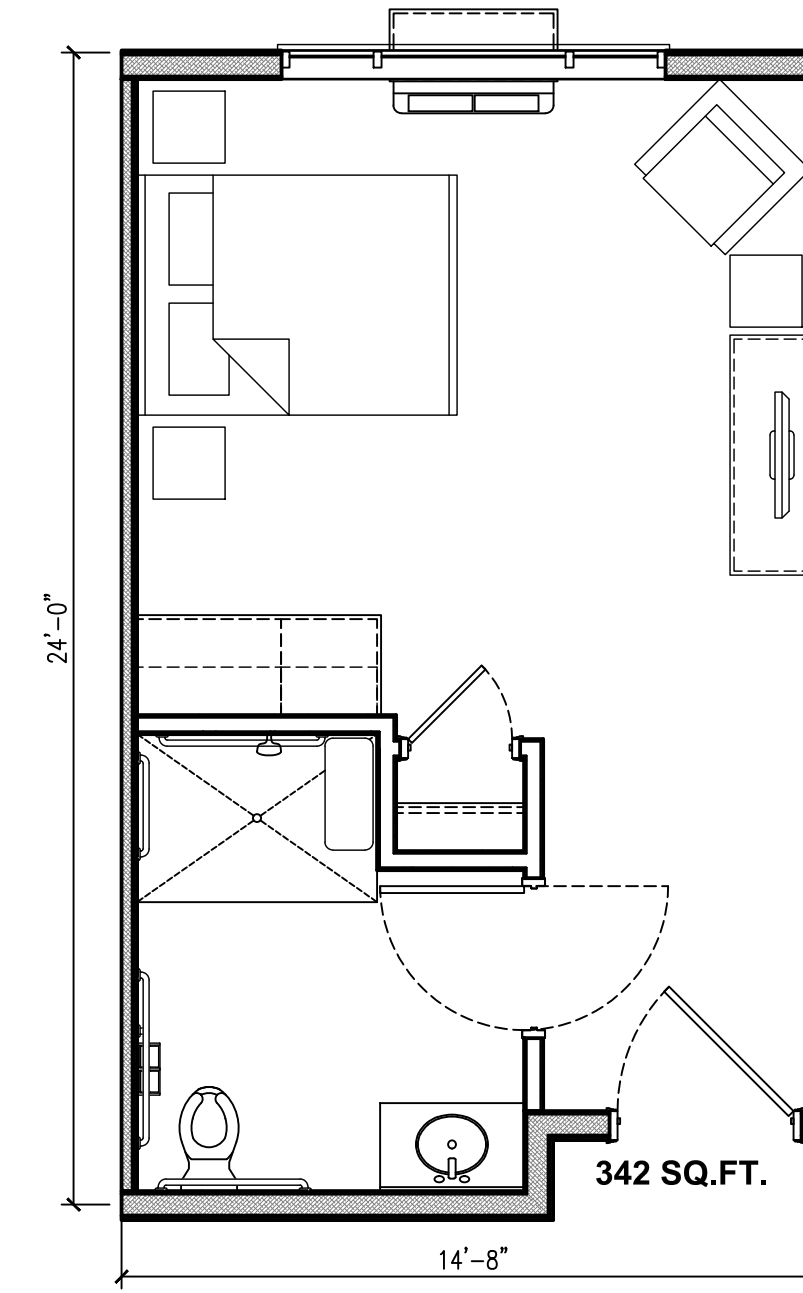
Project	2528
Date	03/18/2026
Scale	AS INDICATED
Sheet	OVERALL FLOOR PLAN
A-101	



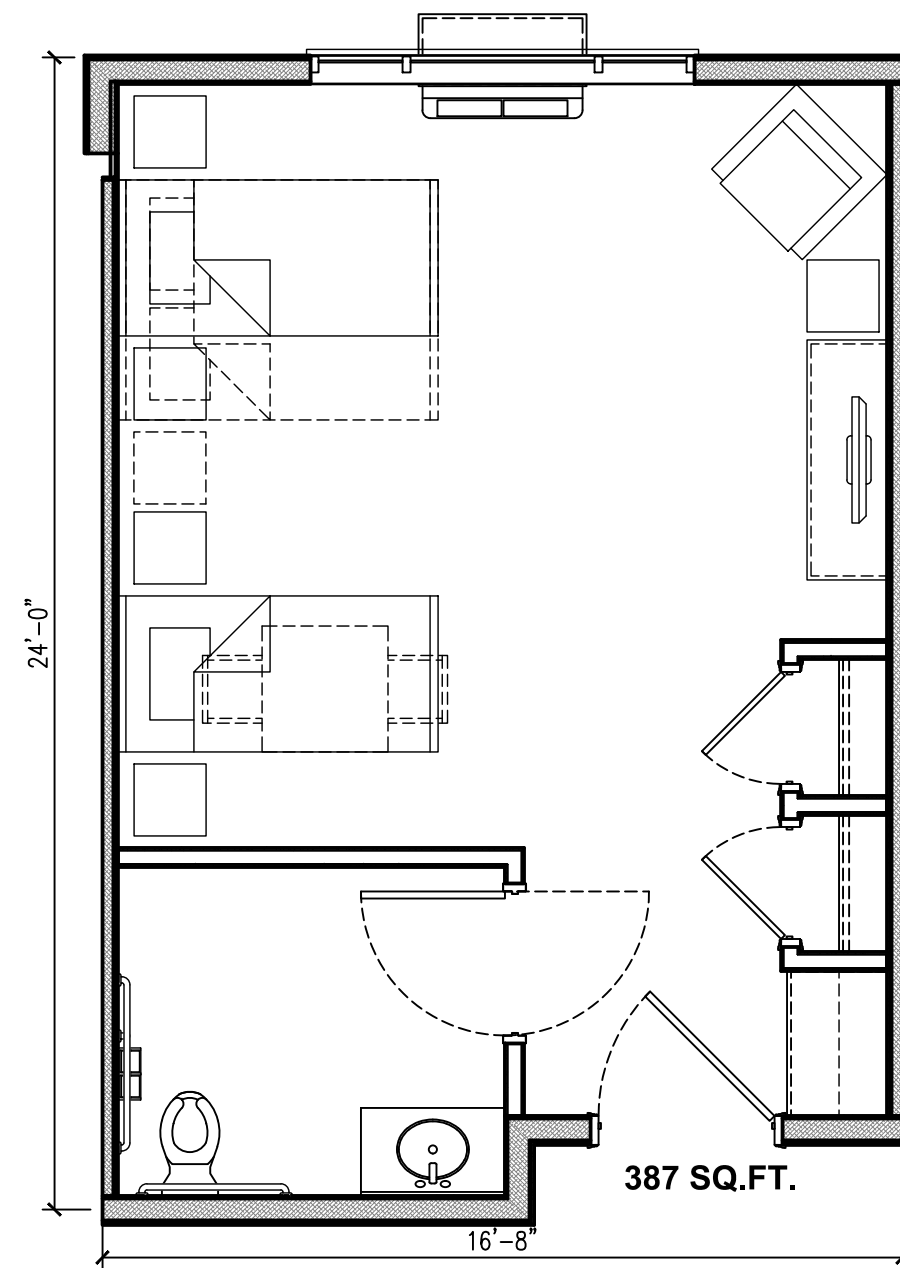
3 ASSISTED DOUBLE
1/4" = 1'-0"



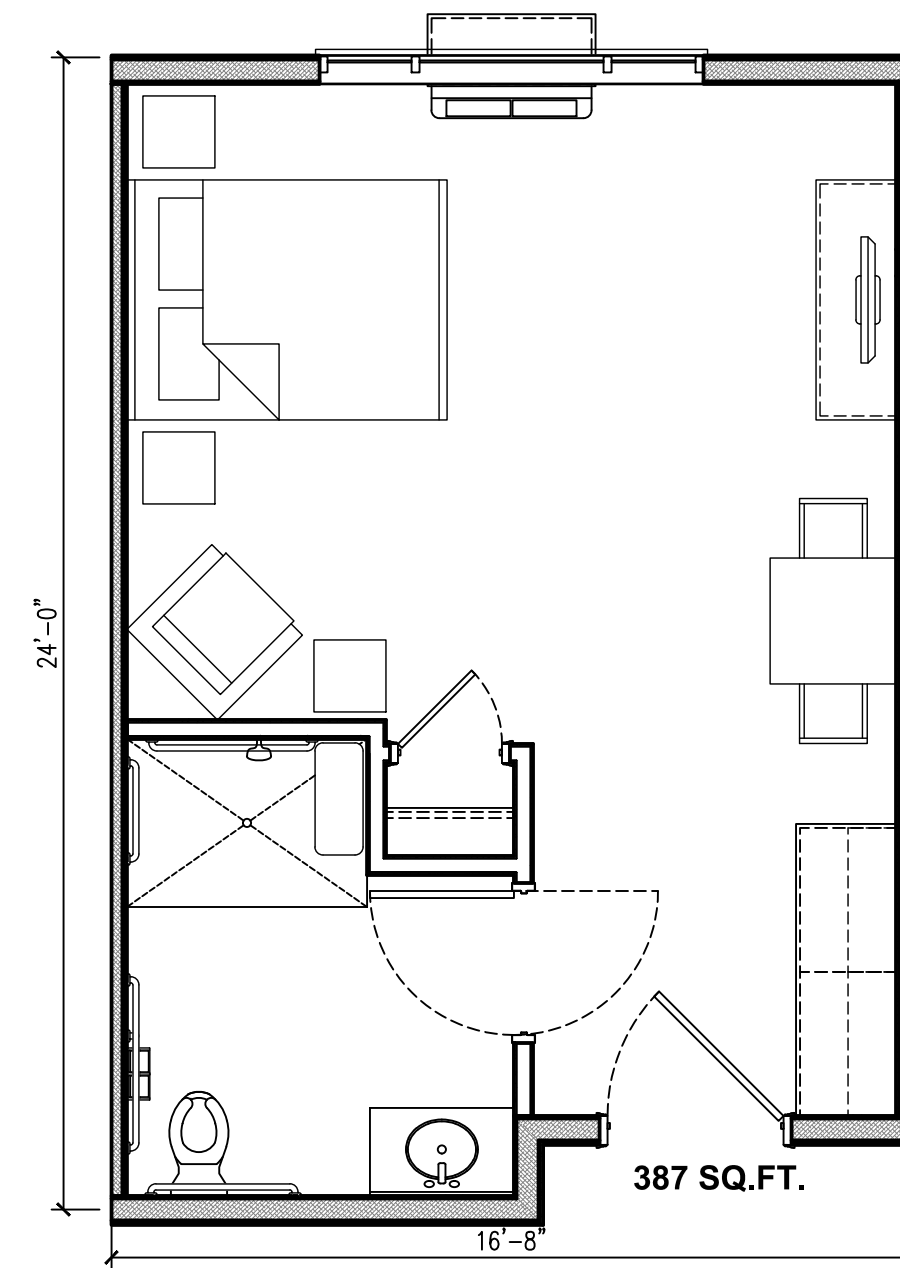
2 ASSISTED SUITE
1/4" = 1'-0"



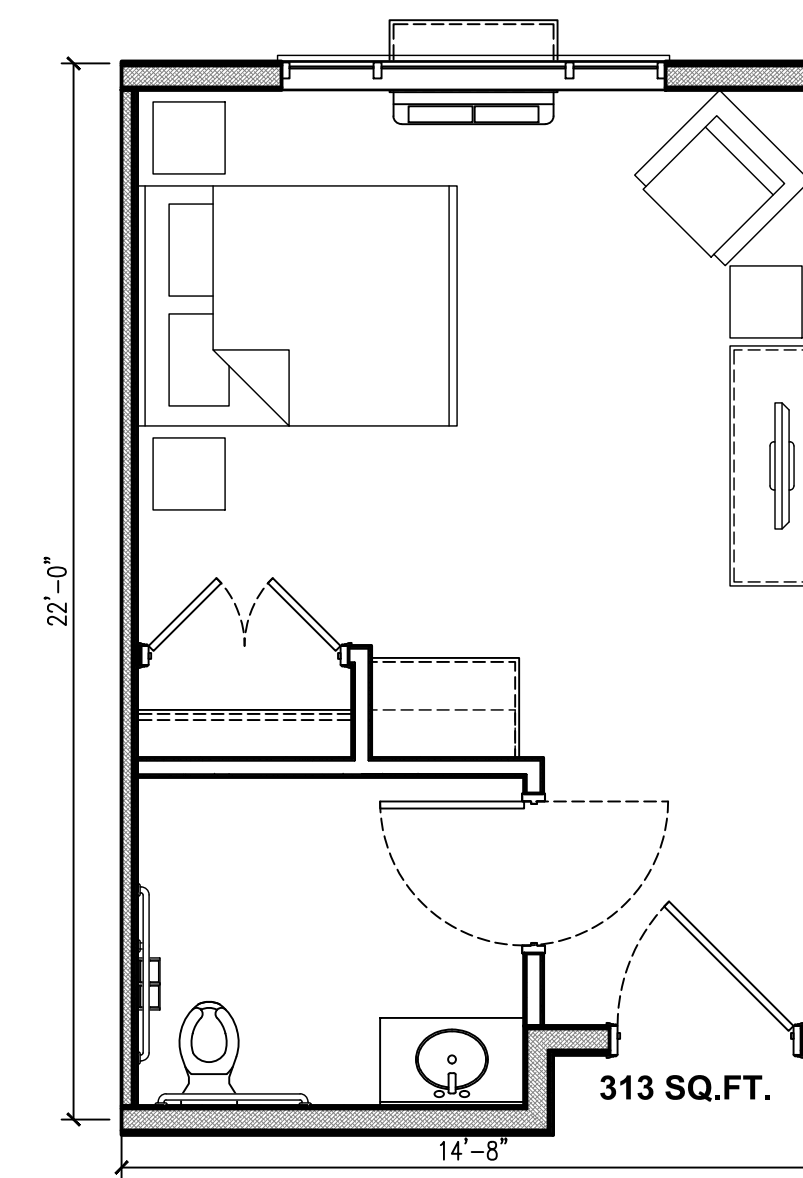
1 ASSISTED SINGLE
1/4" = 1'-0"



6 MEMORY DOUBLE
1/4" = 1'-0"



5 MEMORY SUITE
1/4" = 1'-0"



4 MEMORY SINGLE
1/4" = 1'-0"

MAHLER & ASSOCIATES
ARCHITECTURE

Firm Name and Address

Greene H.D. Mahler, AIA
Principal
5150 Marson Drive
Suite 101
Sauk Rapids, MN 56379

TEL: (320) 257-2724
EMAIL: gmahler@mahlerarchitecture.com

PRELIMINARY
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No.	Revision/Issue	Date

Project Name and Address

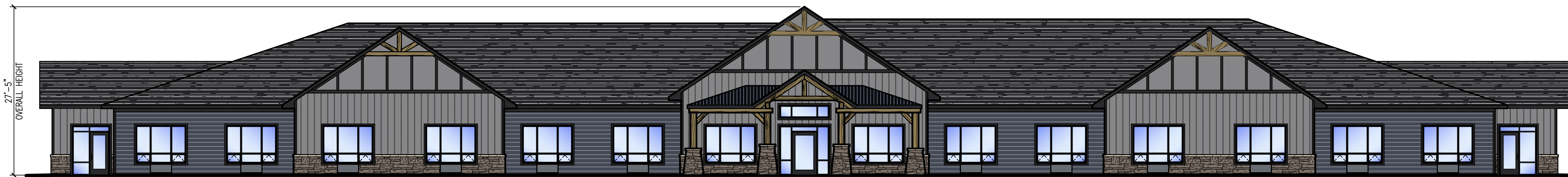
DAYTON ASSISTED LIVING
DAYTON, MN
C/O BJ BASS
CHAD CAZA
763-691-0444

Project: 2528
Date: 03/18/2026
Scale: AS INDICATED

Sheet: UNIT PLANS

A-105.1

OF



1 SOUTH ELEVATION
3/32" = 1'-0"



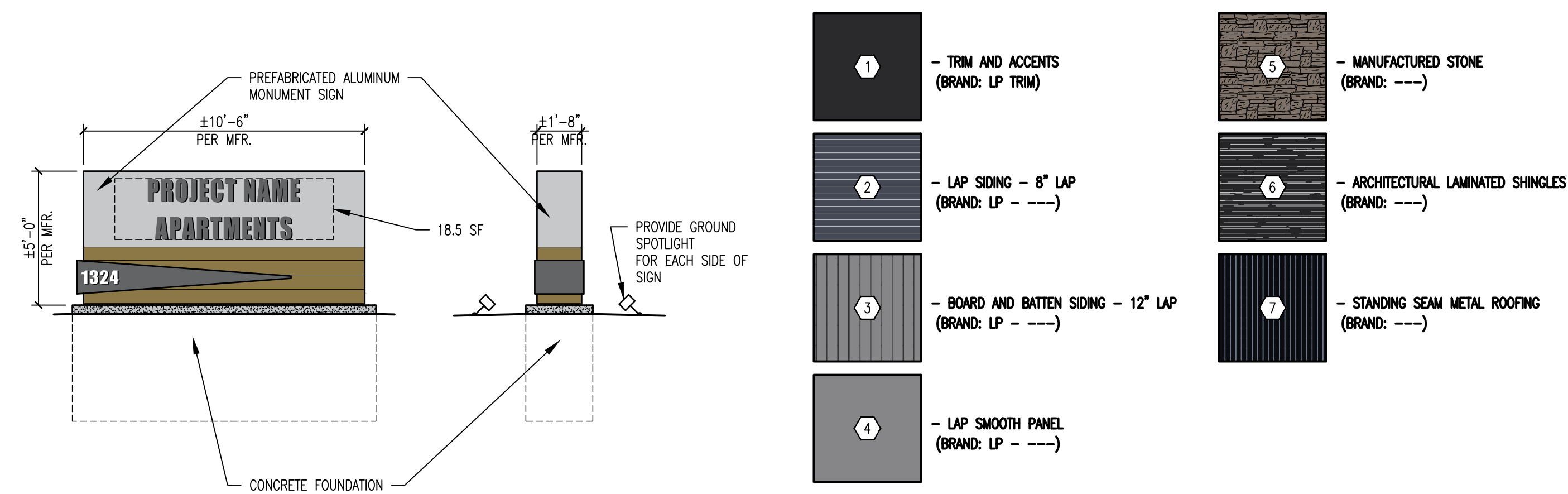
3 WEST ELEVATION
3/32" = 1'-0"



2 EAST ELEVATION
3/32" = 1'-0"



4 NORTH ELEVATION
3/32" = 1'-0"



5 MONUMENT SIGN ELEVATIONS
1/4" = 1'-0"

MAHLER & ASSOCIATES
ARCHITECTURE

Greene H.D. Mahler, AIA
Principal

5150 Marson Drive
Suite 101
Sauk Rapids, MN 56379

TEL: (320) 257-2724
EMAIL: gmahler@mahlerarchitecture.com

PRELIMINARY
NOT FOR
CONSTRUCTION

No.	Revision/Issue	Date

DAYTON ASSISTED LIVING
DAYTON, MN
C/O BJ BASS
CHAD CAZA
763-691-0444

Project: 2528	Date: 03/18/2026	Scale: AS INDICATED
Sheet: EXTERIOR ELEVATIONS		
A-201		
OF		

ITEM:

PUBLIC HEARING: Ordinance Amending City Code 1001.35 regarding Accessory Buildings

APPLICANT/PRESENTERS:

Jon Sevald, Community Development Director

PREPARED BY:

Jon Sevald, Community Development Director

BACKGROUND/OVERVIEW:

The use of Shipping Containers as permanent Accessory Buildings is prohibited.¹ The City Code allows Shipping Containers as a “Temporary Structure” up to 9-months (e.g. use of a storage pod during home renovation).²

Used shipping containers can be purchased for \$1,500 - \$3,000, whereas a comparatively sized wood shed may cost \$10,000+. The use of shipping containers is an affordable alternative to building stick-framed garages and sheds. In 2024, the city approved two Interim Use Permits (IUP) for Event Centers, both of which used shipping containers as Accessory Buildings.^{3 4} Both the Planning Commission and City Council were supportive of their use and directed Staff to prepare a Zoning Code amendment.

At its January 8, 2026 meeting, the Planning Commission Tabled this item. Comments included:

- Not appropriate in Commercial districts
- Mixed opinions if appropriate in Residential districts over 1 acre
- Shipping Containers to be painted same color as dominate background, e.g. if next to red barn, then container to be red
- Treat Shipping Containers the same as any other Accessory Building

At its April 2, 2026 meeting, the Planning Commission Tabled this item. Comments included:

- Shipping Containers to be treated same as Accessory Buildings regarding maximum size and number.
- To be permitted in Agricultural and Residential zoning districts, two acres or larger.

The attached DRAFT Ordinance amendment permits the use of shipping containers as permanent Accessory Buildings on Agricultural and most Residential zoned parcels 2 acres or larger.

A quick survey of area city’s regulations:

¹ [City Code 1001.35, Subd 2\(5\)\(a\)\(1\)](#) and (b)

² [City Code 1001.41, Subd 3](#) (Temporary Structure; Special Requirements).

PLANNING COMMISSION MEETING

Andover ³	Permits shipping containers as a temporary use (30-days).
Corcoran ⁴	Requires an Interim Use Permit (IUP) for up to one year for use of a shipping container as a “temporary structure”.
Elk River	Permits shipping containers in any residential district. But, in districts that prohibit metal panel siding (panel greater than 8”), the container must be re-sided.
Ramsey ⁵	Permits shipping containers as a temporary use (30-days), and as a construction field office.
Rogers	Has permitted two shipping containers for use as commercial outdoor bars.

CRITICAL ISSUES:

Enforcement	The city does not have staff capacity to enforce property maintenance codes to assure shipping containers are “ <i>complementary in color, materials and design with those of the principal dwelling.</i> ” ⁶ Staff’s preference is if permitted, that they not be visible from streets or neighbor’s, which means larger properties.
-------------	--

60/120-DAY RULE (IF APPLICABLE):

	60-Days	120-Days
	(date)	(date)
N/A		

RELATIONSHIP TO COUNCIL GOALS:

N/A

ROLE OF PLANNING COMMISSION:

1. Recommend **Approval**.
2. Recommend **Denial**, with reasoning.
3. **Table** for more information (define what information is needed).

STAFF RECOMMENDATION:

Staff recommend shipping containers be permitted in Agricultural and Residential zoned parcels 5-acres or larger.

A Public Hearing notice was published by THE PRESS on December 25, 2025.

ATTACHMENT(S):

Photos
Draft Ordinance

³ Andover City Code 12-6-6 (Temporary Structures)

⁴ Corcoran City Code 1030.040 (Temporary Structures)

⁵ Ramsey City Code 106-423, 106-455(9), 106-523, 106-307

⁶ [City Code 1001.35, Subd 2\(5\)\(a\)\(1\)](#) (Accessory building design requirements)

PLANNING COMMISSION MEETING

Parcel Map, 2+ acre, & 5+ acre parcels
Comments, John Smith, March 27, 2026



2-acre parcel on Jonquil Ln, R-2 zoning.



2-acre parcel on Norwood Ln, R-2 zoning.



2-acre parcel on Jonquil Ln, R-2 zoning.

PLANNING COMMISSION MEETING



4-acre parcel on Kingsview Ln, A-1 zoning.



1-acre parcel on West French Lake Rd, A-1 zoning.



7-acre parcel on East French Lake Rd, A-1 zoning.

PLANNING COMMISSION MEETING



113th Ave, I-1 zoning.



Fernbrook Ln, I-1 zoning.



Troy Ln, B-3 zoning.

ORDINANCE 2026-__

CITY OF DAYTON
COUNTIES OF HENNEPIN AND WRIGHT
STATE OF MINNESOTA

AN ORDINANCE AMENDING DAYTON CITY CODE 1001 REGARDING ACCESSORY BUILDINGS AND STRUCTURES

SECTION 1. AMENDMENT. Dayton City Code Section 1001 is hereby amended by adding the following underlined language and deleting the following ~~striketrough~~ language, which reads as follows:

SECTION 2. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

1001.35 ACCESSORY BUILDINGS AND STRUCTURES

Subd 2 General Regulations

(5) Accessory building design requirements:

- a. The following requirements are for residential districts under 1 acre in size and commercial and industrial zoned districts:
 1. The exterior materials of the proposed accessory building shall be complementary in color, materials and design (e.g. orientation of siding) with those of the principal dwelling. No accessory building shall be constructed of canvas, plastic, fabric or other similar nonrigid materials, nor shall the use of a metal storage container be permitted as a permanent accessory structure.
 2. Architectural metal siding can be used as a permitted material provided it is complementary in color to the principal structure. Any exposed screws or fasteners shall match the color of the siding. Roof material shall be asphalt shingles or standing seam metal roof material.
 3. The accessory building shall include design elements that match the principal structure. This shall include additional accenting through the use of a porch, complementary building trim, window/door trim, dormer, wainscoting, or other elements that are complementary to the principal building.
- b. Requirements are for residential districts over 1 acre in size. No accessory building shall be constructed of canvas, plastic, fabric or other similar nonrigid materials, ~~nor shall the use of a metal storage container shall be permitted as a permanent accessory structure.~~ Metal storage containers are permitted permanent accessory structures on parcels two or more acres in size, in A-1, A-2, A-3 S-A, R-1, R-1A, R-2, R-E zoning districts.

Adopted by the City Council of the City of Dayton, this 26th Day of May, 2026.

Dennis Fisher, Mayor

ATTEST:

Amy Benting, City Clerk

Motion by _____. Second by _____.

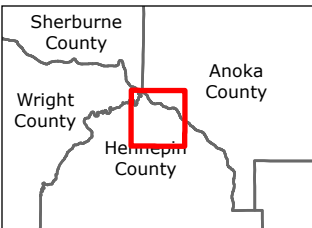
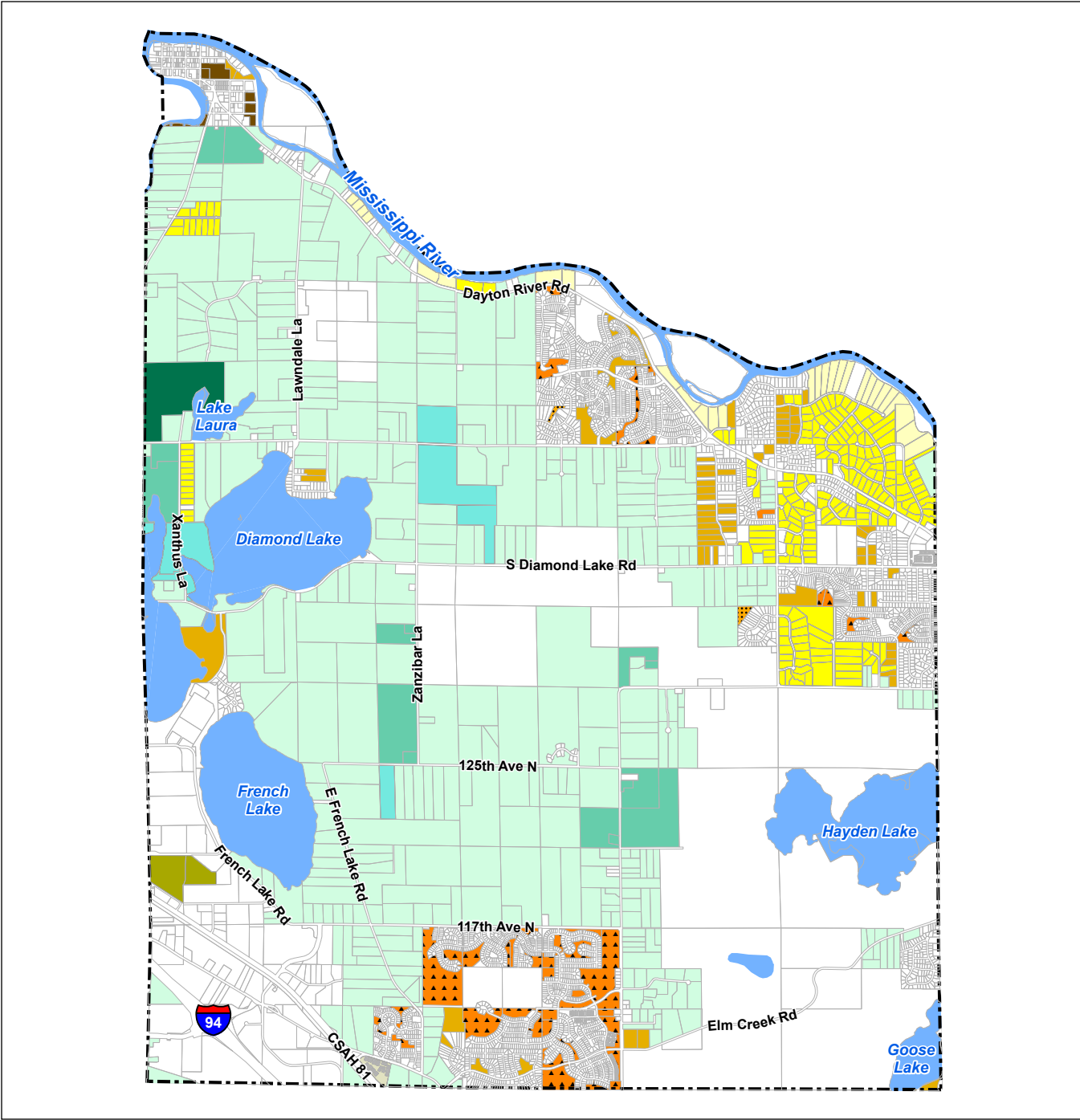
Ayes:

Nays:

Motion passed

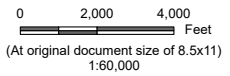
Published by THE PRESS on _____, 2026.

R:\GIS\client_reference_data\United States\MN\Dayton\proj\Planning_Final\Zoning_Landuse\Zoning_Landuse.aprx Revised: 2026-04-30 By: dmerickson



Notes
 1. Coordinate System: NAD 1983 HARN Adj MN Hennepin Feet
 2. Data Sources: Hennepin County, MN
 3. Background: Parcels

- A-1 Agricultural District (392)
- A-2 Agricultural District (15)
- A-3 Agricultural District (1)
- R-1 Single Family District (69)
- R-1A Single Family Residential (2)
- R-2 Single Family District (90,000 Sf, Unsewered) (217)
- R-3 Single Family and Attached Residential (41)
- R-E Single Family District (5 Ac, Unsewered) (30)
- R-M Medium Density Residential District (1)
- R-MH Mobile Home District (2)
- R-O Old Village Residential (6)
- S-A Special Agriculture District (7)



Project Location Dayton, Hennepin Co., MN *Prepared by DME on 2026-04-30*

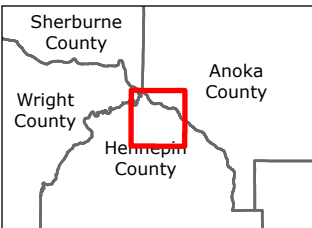
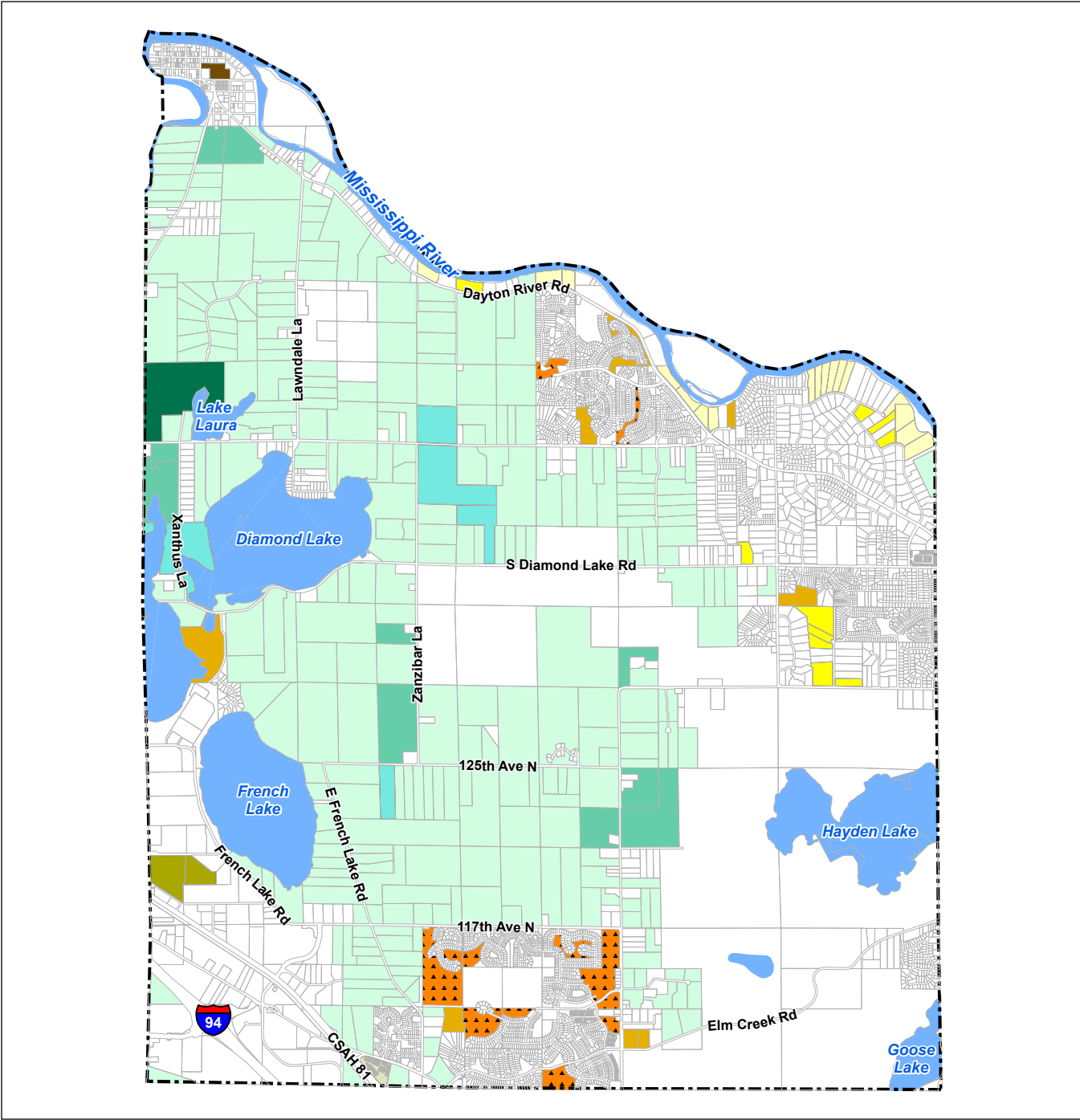
Client/Project Dayton 193807625

Ordinance Amendment that would allow Shipping Containers on residential and agricultural properties

Figure No. 2

Title
Parcels 2 Acre or Greater, Zoned Agricultural or Residential

Disclaimer: This document has been prepared based on information provided by others as cited in the Notes section. Stantec has not verified the accuracy and/or completeness of this information and shall not be responsible for any errors or omissions which may be incorporated herein as a result. Stantec assumes no responsibility for data supplied in electronic format, and the recipient accepts full responsibility for verifying the accuracy and completeness of the data.



Notes
 1. Coordinate System: NAD 1983 HARN Adj MN Hennepin Feet
 2. Data Sources: Hennepin County, MN
 3. Background: Parcels

- A-1 Agricultural District (278)
- A-2 Agricultural District (10)
- A-3 Agricultural District (1)
- R-1 Single Family District (9)
- R-2 Single Family District (90,000 Sf, Unsewered) (10)
- R-3 Single Family and Attached Residential (11)
- R-E Single Family District (5 Ac, Unsewered) (19)
- R-M Medium Density Residential District (1)
- R-MH Mobile Home District (2)
- R-O Old Village Residential (1)
- S-A Special Agriculture District (6)

0 2,000 4,000 Feet
 (At original document size of 8.5x11)
 1:60,000



Project Location Dayton, Hennepin Co., MN *Prepared by DME on 2026-04-30*

Client/Project Dayton 193807625
 Ordinance Amendment that would allow Shipping Containers on residential and agricultural properties

Figure No. 3

Parcels 5 Acre or Greater, Zoned Agricultural or Residential

From: 612johnsmith@gmail.com
To: [Jon Sevald](#)
Subject: Shipping containers in Dayton
Date: Friday, March 27, 2026 7:04:03 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

****REVISED DRAFT ORDINANCE**

Amending Dayton City Code to Allow Shipping Containers as Accessory Structures on Parcels Over One Acre**

Ordinance No. _____

AN ORDINANCE AMENDING TITLE 12 (ZONING REGULATIONS) OF THE DAYTON CITY CODE TO PERMIT SHIPPING CONTAINERS AS ACCESSORY STRUCTURES ON QUALIFYING RESIDENTIAL AND AGRICULTURAL PROPERTIES AND ESTABLISHING STANDARDS FOR SIZE, PLACEMENT, AND EXTERIOR APPEARANCE.

Section 1. Purpose.

The purpose of this ordinance is to establish clear standards for the use of shipping containers as accessory structures on larger residential and agricultural parcels within the City of Dayton, ensuring compatibility with surrounding properties, maintaining neighborhood character, and protecting public health, safety, and welfare.

Section 2. Applicability.

This ordinance applies to all residential zoning districts within the City of Dayton where accessory structures are permitted, including but not limited to R-A, R-E, and R-1 districts, as well as agricultural parcels legally operating as farms.

Section 3. Definitions.

- **“Shipping Container”** means a standardized, prefabricated metal container originally designed for the transport of goods by ship, rail, or truck, and repurposed for on-site storage or accessory use.
- **“Primary Dwelling”** means the principal residential structure on the parcel.
- **“Finished to Match”** means exterior treatment—including siding, paint color, trim, or cladding—designed to visually harmonize with the primary dwelling in material, color, and architectural character.
- **“Farm”** means a parcel used for bona fide agricultural production, including crop cultivation, livestock raising, or related agricultural operations, as recognized under Dayton City Code and Minnesota Statutes.

Section 4. Permitted Use.

A shipping container may be used as an accessory structure only when all of the following conditions are met:

1. The parcel is **greater than one (1) acre** in size.
2. The container is used solely for **personal residential storage, accessory residential purposes, or agricultural storage on a farm.**
3. The total exterior footprint of the container(s) shall not exceed **1% of the total lot square footage**, except as provided in subsection (6) for farm properties.
4. No more than **one (1)** shipping container is permitted per qualifying residential parcel unless approved through a Conditional Use Permit (CUP).
5. The container must comply with all applicable provisions of the Dayton City Code, including accessory structure standards, building codes, and stormwater regulations.
6. **Farm Exception:**
 - Parcels legally operating as farms may utilize **more than one (1)** shipping container for agricultural storage.
 - All containers on farm properties must be located **as far out of sight from public roads as reasonably possible**, using natural topography, existing structures, or vegetation to minimize visibility.
 - Screening or placement adjustments may be required by the City if visibility from a public road is deemed excessive.

Section 5. Placement Standards.

1. The container must be located **behind the front building line** of the primary dwelling, except where agricultural operations necessitate alternative placement on farm parcels.
2. Minimum setbacks:
 - **Side yard:** 25 feet
 - **Rear yard:** 25 feet or greater if required by the underlying zoning district.
3. The container shall not be placed within any drainage or utility easement, right-of-way, or wetland buffer.
4. The container must be placed on a stable, level surface such as gravel, concrete, or other approved base.

Section 6. Visibility, Screening, and Exterior Finish.

1. If the shipping container is **not visible** from adjacent properties or public rights-of-way, no additional exterior treatment is required.
2. If the container **is visible** from any neighboring property or public right-of-way, the owner must ensure that the container is:
 - **Finished to match** the primary dwelling in siding, color, and trim, **or**
 - Fully screened using fencing, landscaping, or architectural treatments approved by the City.
3. All required exterior finishing or screening must be completed within **90 days** of placement.
4. Farm parcels using multiple containers must still comply with visibility-minimization requirements under Section 4(6).

Section 7. Maintenance.

All shipping containers must be maintained in good condition, free of rust, peeling paint, structural damage, or other deterioration. The City may require repair, screening, or removal if the structure becomes unsafe or visually detrimental.

Section 8. Enforcement and Penalties.

Violations of this ordinance are subject to enforcement under the Dayton City Code, including:

- Written notice of violation,
- Administrative fines,
- Orders to repair, screen, or remove the container, and
- Additional penalties as authorized by state law and local ordinance.

Section 9. Effective Date.

This ordinance shall take effect upon passage and publication as required by law.