

**AGENDA**  
**CITY OF DAYTON, MINNESOTA**  
**12260 S. Diamond Lake Road, Dayton, MN 55327**  
**Tuesday, January 27, 2026**  
**REGULAR MEETING OF THE CITY COUNCIL - 6:30 P.M.**

The invite for Zoom for this meeting can be found on the City's website community calendar

6:30	<b>CALL TO ORDER</b>
6:30	<b>PLEDGE OF ALLEGIANCE</b>
6:35	<b>APPROVAL OF AGENDA</b>
6:40	<b>CONSENT AGENDA</b> <i>These routine or previously discussed items are enacted with one motion. Any questions on items should have those items removed from consent agenda and approved separately.</i>
	<b>A.</b> Approval of Council Meeting Minutes of January 13, 2026
	<b>B.</b> Approval of Letter of Credit Reduction for Sundance 6th and 8th Addition
	<b>C.</b> Approval Pay Application No. 1 for the Dayton Parkway Traffic Signal Improvements Project
	<b>D.</b> Approval of Ordinance 2026-02; Zoning Ordinance Amendment, Section 1001.051 (Residential District Special Requirements)
	<b>E.</b> Approval of Well Head Treatment Pay Application # 20
	<b>F.</b> Approval of Hiring Part-Time Public Works Administrative Assistant
	<b>G.</b> Acceptance of Pay Equity Compliance Report
6:45	<b><u>OPEN FORUM</u></b> <i>Is limited to Three minutes for non-agenda items; state your name and address; No Council Action will be taken and items will be referred back to staff</i>
6:50	<b><u>STAFF, CONSULTANT AND COUNCIL UPDATES</u></b>
	<b><u>COUNCIL BUSINESS</u></b>
	<b><u>Action Items</u></b>
7:00	<b>H.</b> Approval of Resolution 06-2026; Authorizing Eminent Domain for Public Purposes and Offer of Just Compensation to Owner
7:10	<b>I.</b> Elsie Stephens Park Master Plan Phase 3 Discussion
7:40	<b>J.</b> Approval of Resolution 07-2026; Site Plan Review, 18270 Territorial Road (ADESA/Carvana)
7:50	<b>K.</b> Approval of Ordinance 2026-03; Zoning Ordinance Amendment, Section 1001.03 (Rules and Definitions)
8:00	<b>L.</b> Approval of Ordinance 2026-04; Zoning Ordinance Amendment, Sections 1001.03 (Rules and Definitions) & 1001.065 (General Mixed Use Districts)
8:15	<b>M.</b> Approval of Ordinance 2026-05; Zoning Ordinance Amendment, Section 1001.13 (Home Occupations)
8:30	<b>N.</b> Approval of Ordinance 2026-06; Zoning Ordinance Amendment, Section 1001.28 (Administration and Enforcement)
8:45	<b>O.</b> Approval of Parks Facility Needs Analysis RFP
9:00	<b>P.</b> Approval of Payment of Claims for January 27, 2026
9:10	<b>Q.</b> Approval of LeVander, Gillen & Miller as the City Attorney and Canceling Contract with Campbell Knutson
9:15	<b><u>ADJOURNMENT</u></b>

The City of Dayton's mission is to promote a thriving community and to provide residents with a safe and pleasant place to live while preserving our rural character, creating connections to our natural resources, and providing customer service that is efficient, fiscally responsible, and responsive.

COUNCIL MEETING  
JANUARY 13, 2026  
6:30 P.M.  
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CITY OF DAYTON, MINNESOTA  
12260 SO. DIAMOND LAKE ROAD  
HENNEPIN/WRIGHT COUNTIES

### **CALL TO ORDER**

Fisher called the regular meeting of the Dayton City Council to order at 6:30 PM on Tuesday, January 13, 2026.

**PRESENT:** Dennis Fisher, Stephanie Henderson, David Fashant, Scott Salonek, and Sara Van Asten

### **ABSENT:**

**ALSO PRESENT:** City Administrator/Finance Director, Zach Doud; Assistant City Administrator/City Clerk, Amy Benting; Community Development Director, Jon Sevald; Public Works Superintendent, Marty Farrell; Fire Chief, Gary Hendrickson; Police Chief, Paul Enga; City Engineer, Jason Quisberg

### **PLEDGE OF ALLEGIANCE**

### **APPROVAL OF AGENDA**

*Motion to approve the agenda made by Fashant, seconded by Henderson.*

*Motion carried 5-0.*

### **CONSENT AGENDA**

- A. Approval of Council Meeting Minutes of December 30, 2025
- B. Approval of Resolution 03-2026; Official Depositories, Newspaper and Bank Signatories
- C. Approval of Resolution 04-2026; Accepting Donation from States
- D. Approval of Resolution 02-2026; 2026-2028 Residential Waste Reduction and Recycling Funding Policy
- E. Approval of Letter of Credit Reduction for Riverwalk 1st, 2nd, 3rd, 4th Additions
- F. Approval of Letter of Credit Reduction for Territorial Grove Grading, Utility, and Street Work
- G. Approval of Hayden Stensgard to Senior Planner
- H. Approval of General Engineering Proposal
- I. Approval of Pay Request 19 for Magney Well Head Treatment

Fashant asked about the grant around organics and asked if we crossed the 10,000 threshold. Benting confirmed we should be good until the next census.

Fashant inquired about the AICP for item G. Sevald answered American Institute of Certified Planners.

Fashant asked about the Stantec increase but the previous budget was a different percent. Doud confirmed the percent for rates. Van Asten added if there was a review of engineers with the auditors. Doud replied it could be added to 2026.

*Motion to approve the consent agenda made by Fashant, seconded by Salonek.*

*Motion carried 5-0.*

### **OPEN FORUM**

Marcia Grover of 11320 Fernbrook Lane commented on three story buildings in the city and the need for a ladder truck. Grover added there are four contractors on her street that have home businesses and are storing big equipment on the property.

Keith Grover of 11320 Fernbrook Lane shared the street lights at Rush Creek are lit up, look great, but mentioned other intersections that need lighting. Grover also

stated the signs in the right of way are still an issue. Grover asked if council would consider changing zoning for commercial next to residential areas.

**STAFF, CONSULTANT AND COUNCIL UPDATES**

Doud reminded offices are closed Monday the 19<sup>th</sup>.

Farrell provided update on projects.

Hendrickson stated four of five applicants for part time meet the requirements and possibly posting elsewhere. Hendrickson found a used ladder truck in Hopkins but has not looked at it yet and is looking for council feedback. Overall council supported Hendrickson to move forward with inspection and Doud would update budget.

Quisberg stated there would be soil borings by McNeil Park for water tower soon.

Van Asten asked about curb appeal grants because a resident inquired. Sevald said it is being worked on. Van Asten asked about the flock camera system in the city.

Enga stated there are seven and located on the PD transparency page.

Fashant mentioned the council salary ordinance and asked the study be done for next budget. Doud and Benting agreed to look into it.

**COUNCIL BUSINESS**

**Action Items**

**J. Approval of Payment of Claims for January 13, 2026**

Fashant questioned for the fire department truck charger. Hendrickson confirmed it is chargers for the thermal imagers.

*Motion to approve payment of claims made by Van Asten, seconded by Henderson. Motion carried 5-0.*

**K. Approval of Ordinance 2026-01; Adopting City Fees and Escrow Schedule**

Doud stated utility rates and development fees were the main changes and stands for questions. Doud added minor fees changed were rental housing and activity center rates.

Van Asten inquired who requests police reports and videos. Enga answered.

Fashant discussed McNeil Park reservations and park light fees. Farrell would have to review the costs.

Fashant asked for special vehicle permit for PD. Enga answered for ATVs, golf carts, etc to ride on the city streets.

Fisher asked if the golf carts on county roads fall under the same permit. Enga said it was for 30mph roads.

Fashant questioned the right of way permits fees red lined. Doud confirmed it was covered in the franchise fee agreements.

*Motion to approve Ordinance 2026-01 made by Salonek, seconded by Van Asten. Motion carried 5-0.*

**L. Approval of Resolution 01-2026; Official Designations and Appointments**

Council members did not request changes. Van Asten inquired about the fire relief.

**DEPUTY MAYOR:** David Fashant

**COUNCIL LIAISON TO COMMISSIONS:**

**PLANNING COMMISSION:** Dennis Fisher /Alternate- Scott Salonek-

**PARK COMMISSION:** Scott Salonek /Alternate- Sara Van Asten

**ELM CREEK WATERSHED:** Doug Baines /Alternate- Stephanie Henderson

COUNCIL MEETING  
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6:30 P.M.  
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CITY OF DAYTON, MINNESOTA  
12260 SO. DIAMOND LAKE ROAD  
HENNEPIN/WRIGHT COUNTIES

**LEAGUE OF MINNESOTA CITIES:** Zach Doud /Alternate- Amy Benting

**N/W HENNEPIN LEAGUE OF MUNICIPALITIES:** Dennis Fisher /Alternate- Sara Van Asten

**I-94 CORRIDOR COMMISSION:** Zach Doud /Alternate- Marty Farrell

**I-94 CHAMBER:** Dennis Fisher /Alternate- David Fashant

**EDA/HRA:** Scott Salonek & David Fashant (alternate not needed)

**FIRE RELIEF ASSOCIATION REP (item will be leaving as it ends):** Sara Van Asten  
/Staff: Amy Benting

**ASSISTANT WEED INSPECTOR:** Hunter Dotseth, CSO

**METRO CITIES:** David Fashant

**NORTH METRO MAYORS:** Dennis Fisher/ /Alternate- David Fashant

*Motion to approve Resolution 01-2026 same as last year made by Salonek,  
seconded by Fashant. Motion carried 5-0.*

**ADJOURNMENT**

With no objections, Fisher adjourned the meeting at 7:11 PM.

Approved: \_\_\_\_\_

Attest: Amy Benting

**PRESENTER:**

Jason Quisberg

**ITEM:**

Reduction of the Letter of Credit (LOC) for the 6<sup>th</sup> and 8<sup>th</sup> Addition of the Sundance Greens Development.

**PREPARED BY:**

Jason Quisberg, Engineering  
Nick Findley, Engineering

**POLICY DECISION / ACTION TO BE CONSIDERED:**

Reduction of the letter of credit for public improvements for the 6<sup>th</sup> and 8<sup>th</sup> Addition of the Sundance Greens Development.

**BACKGROUND:**

Remaining work within 6<sup>th</sup> Addition includes landscape items, record plans, and punchlist,. Based on the remaining work we recommend holding \$25,000.00 for landscape items and \$50,000.00 for record plans and punchlist for a total of \$75,000.00. Remaining work within 8<sup>th</sup> Addition includes landscape items, record plans, and punchlist. Based on the remaining work we recommend holding \$15,000.00 for landscape items and \$25,000.00 for record plans and punchlist for a total of \$40,000.00.

The current LOC balance for 6<sup>th</sup> Addition is \$250,000.00 and 8<sup>th</sup> Addition is \$465,337.97. We recommend reducing 6<sup>th</sup> Addition in the amount of \$175,000.00 and 8<sup>th</sup> Addition in the amount of \$425,337.97 for a remaining balance for 6<sup>th</sup> Addition of \$75,000.00 and 8<sup>th</sup> Addition of \$40,000.00.

**CRITICAL ISSUES:**

There are no outstanding critical issues.

**COMMISSION REVIEW / ACTION (IF APPLICABLE):**

**60/120-DAY RULE (IF APPLICABLE):**

**RELATIONSHIP TO COUNCIL GOALS:**

**BUDGET IMPACT:**

None

**RECOMMENDATION:**

Staff recommends reducing the LOC for the 6<sup>th</sup> Addition of the Sundance Greens Development by the amount of \$175,000.00 for a remaining balance of \$75,000.00 and 8<sup>th</sup> Addition by the amount of \$425,337.97 for a remaining balance of \$40,000.00.

**ATTACHMENT(S):**

**ITEM:**

Dayton Parkway Traffic Signal: Territorial Road/Holly Lane

**PREPARED BY:**

Jason Quisberg, Engineering

**POLICY DECISION / ACTION TO BE CONSIDERED:**

Approve Pay Application No. 1 for the Dayton Parkway Traffic Signal Improvements project

**BACKGROUND:**

Collins Electrical Construction has completed work on the Dayton Parkway Traffic Signal Improvements project. Removals, along with some of the site improvements are complete. Also, the signal system has been purchased, which accounts for a significant portion of the requested amount (\$244,052).

**BUDGET IMPACT:**

The work completed is within the previously approved budget for the project

**RECOMMENDATION:**

We recommend payment for the work completed to date, in the amount of \$296,125.30.

**ATTACHMENT(S):**

Pay Application No. 1 form

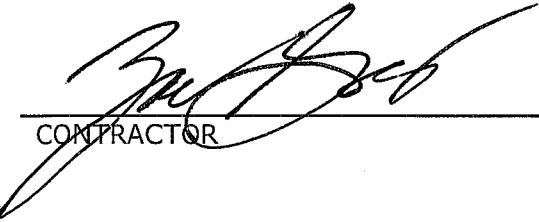
**SECTION 00 62 76**  
**APPLICATION FOR PAYMENT FORM**

OWNER: City of Dayton  
PROJECT: Dayton Parkway Traffic Signal Improvements  
CONTRACTOR: Collins Electrical Construction Co.

PAY ESTIMATE NO. 1

Original Contract Amount:	\$ <u>743,976.75</u>
Contract Changes approved to Date (1):	\$ <u>7,855.80</u>
Revised Contract Price :	\$ <u>751,832.55</u>
Work Completed to Date (attached):	\$ <u>311,710.84</u>
Retainage to Date, 5%:	\$ <u>15,585.54</u>
Work Completed to Date Less Retainage to Date:	\$ <u>296,125.30</u>
Total Amount Previously Certified:	\$ <u>-</u>
Payment Request This Estimate:	\$ <u>296,125.30</u>

I declare under penalty of perjury that this account, claim, or demand is just and correct  
and that no part of it has been paid.

  
\_\_\_\_\_  
CONTRACTOR

**Project No. 193807255**

**Application for Payment Form**  
**00 62 76-1**

## **CERTIFICATE OF CONTRACTOR**

I hereby certify that the work and the materials supplied to date, as shown on the request for payment, represents the actual value of accomplishment under the terms of the contract dated 9/23/2025 between the City of Dayton (OWNER) and Collins Electrical Construction Co. (CONTRACTOR) and all authorized changes thereto:

Collins Electrical Construction Co  
By Zach Gory  
Title Project Manager

### Approval:

(CONTRACTOR)

STANTEC CONSULTING  
SERVICES, INC.

**CITY OF DAYTON**

  
Jean P. Oates

Date 1/20/26

1/20/2026

Date

Date

END OF SECTION

Project No. 193807255

## **Application for Payment Form**

**ITEM:**

Consideration of an Amendment to Dayton City Code Section 1001.051, Residential District Special Requirements, related to parking requirements for Event Centers as Interim Uses in Residential Districts

**PREPARED BY:**

Hayden Stensgard, Planner II

**ACTION TO BE CONSIDERED:**

1. Motion to adopt Ordinance 2026-02, amending parking requirements for Interim Use Event Centers in Agricultural Districts.
2. Motion to deny Ordinance 2026-02, amending parking requirements for Interim Use Event Centers in Agricultural Districts.
3. Motion to table action on Ordinance 2026-02, with direction to be provided by the City Council

**BACKGROUND:**

In 2023, the City of Dayton adopted Ordinance 2023-05, allowing for event centers to be principal uses in specific residential districts (agriculture zoned properties) on an interim basis. Since then, the City has approved four separate event center uses within the City. The City approved one as recent as August of 2025, and a note on the parking requirements was made by both the City and the applicant.

Currently, this section of the zoning code requires there to be 1 space per 200 square feet of occupiable space within the associated building for the event center. In comparison with the Event Center use in commercial districts, the code requires 1 space per 300 square feet of occupiable building space. This amendment proposed seeks to clarify this discrepancy within the Dayton Zoning Ordinance to match all event center uses with 1 space per 300 square feet for parking stall requirements. In comparison to surrounding cities, the 1 per 300 sq. ft. ratio is consistent.

Included in this ordinance amendment as well is a provision added that allows for overflow parking, above and beyond the standard requirement, to be on an unimproved surface. Overflow parking is utilized during certain events at both Dehn's Pumpkins and Magnus Veterans foundation. Please note, the use of overflow parking on an unimproved surface is only limited to the Interim Use Event Center in agricultural zoning districts, and does not extend to the permanent use event centers in commercial zoning districts.

**RELATIONSHIP TO COUNCIL GOALS:**

Not specific to any City Council goals.

**PLANNING COMMISSION MEETING**

The Planning Commission reviewed this item at their January 8, 2026 meeting, held a public hearing, and unanimously recommended approval of the ordinance amendment as drafted.

**RECOMMENDATION:**

Staff recommends approval of the amendment as proposed.

**ATTACHMENT(S):**

Draft Ordinance No. 2026-02

Zoning Ordinance Section 1001.051

Zoning Ordinance Section 1001.19

**ORDINANCE NO. 2026-02**

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

**AN ORDINANCE AMENDING THE DAYTON ZONING CODE SECTION 1001.051 ON  
INTERIM USE EVENT CENTERS IN RESIDENTIAL ZONING DISTRICTS**

**SECTION 1. AMENDMENT.** Dayton City Code Section 1001.051 is hereby amended by adding the following underlined language and deleting the following ~~strikethrough~~ language, which reads as follows:

**1001.051 RESIDENTIAL DISTRICT SPECIAL REQUIREMENTS.**

Event Centers, subject to the following:

(8) Off-street parking shall be provided to accommodate 1 stall per 23 guests based on the maximum occupancy of the buildings. If no buildings are present for the event center, ~~then~~ parking will be determined by city staff. Off-street parking shall be setback 20 feet from any property line. Off-street parking must be on an improved surface such as class 5 gravel or pavement. Overflow parking in excess of the required stalls may be located on an unimproved surface.

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

*Adopted* by the City Council of the City of Dayton, this 27<sup>th</sup> day of January 2026.

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Mayor Dennis Fisher

ATTEST:

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Amy Benting, City Clerk

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

*Motion passed* \_\_\_\_\_

Published in THE PRESS on \_\_\_\_\_.

## **1001.051 RESIDENTIAL DISTRICT SPECIAL REQUIREMENTS.**

Event Centers, subject to the following:

- (1) The minimum size of the event center operations must be 30 acres. This may include multiple lots.
- (2) Access to the site must be from a paved street.
- (3) The hours of operation shall be no later than 9:00 a.m. to 10:00 p.m. on Sunday through Thursday and 9:00 a.m. to 11:00 p.m. on Friday and Saturday.
- (4) The number of guests will be approved by the City based on the size of site, structures, parking availability, and other relevant factors.
- (5) Noise from an event shall comply with Section 130.08 of the City Code.
- (6) No sound amplifications systems may be used outdoors after 8:00 p.m.
- (7) Sanitary facilities adequate for the number of attendees shall be provided as determined by the adopted Minnesota State Building Code, as may be amended from time to time. No sanitary facilities shall be located closer than 200 feet from a neighboring property line. Portable toilets may be approved for temporary use and must be screened from view from roads and neighboring properties by landscaping or a wooden enclosure. No portable toilets shall be located closer than 400 feet from a neighboring property line.
- (8) Off street parking shall be provided to accommodate 1 stall per 2 guests based on the maximum occupancy of the buildings. If no buildings are present for the event center then parking will be determined by city staff. Off street parking shall be setback 20 feet from any property line. Off street parking must be on an improved surface such as class 5 gravel or pavement.
- (9) Screening may be required for outdoor facilities to the event center and may include permanent landscaping, berms, fences, or walls.

- (10) All light fixtures shall be downcast style fixtures. Reflected glare or spill light from all exterior lighting shall not exceed 0.1 foot-candle measurement on the property line when adjoining residential and agricultural zoned property.
- (11) No overnight camping shall be allowed as part of an event center.
- (12) As part of the IUP, the City may approve signage for the event center. Consideration shall be given to the sign area, height, location and potential impacts on adjacent properties.
- (13) Compliance with all applicable regulations including State Health Code, state building codes, and local liquor licensing requirements.

(Ord. 2023-05, passed 7-25-2023)

## **1001.19 PARKING REGULATIONS.**

### **Subd. 1 General Provisions.**

The following provisions apply in all districts.

- (1) *Maintaining existing spaces.* Upon effective date of this chapter, existing off-street parking spaces and loading spaces shall not be reduced in number unless the number exceeds requirements set forth herein for a similar use.
- (2) *Damaged or destroyed buildings.* Buildings, structures, or uses in existence upon the effective date of this chapter that are subsequently damaged or destroyed by fire or other cause may be re-established in compliance with Subsection 1001.22, except that in doing so any off-street parking or loading which existed must be retained. If the building, structure, or use is altered by changing the use, floor area, seating capacity, or other facilities which would affect the requirement for parking or loading spaces, the number of spaces may be reduced if excess spaces are available or the number of spaces shall be enlarged if additional spaces are required.
- (3) *Prohibited uses in required parking areas.* Required off-street parking space in any district shall not be used for open storage of goods. Temporary/seasonal sales areas are allowed in off-street parking areas of 20 spaces, but not more than 5% of the total parking spaces.
- (4) *Accessible parking.* All parking shall comply with the adopted codes and the Americans with Disabilities Act (ADA), as deemed necessary. Accessible parking cannot be used for temporary/seasonal sales.
  - a. *Required spaces.* With the exception of single and 2-family dwellings, in all off-street parking facilities where parking is provided for employees, visitors, or residents, parking spaces for disabled persons shall be provided. The number of accessible parking spaces shall be included in the total number of required parking spaces and shall be in accordance with the applicable requirements of the current Minnesota Accessibility Code adopted by the City, as amended from time to time, and all additional governing codes and applicable laws.
  - b. *Dimensions and design.* Such spaces shall comply with the design standards presented in Subsection 1001.19, Subd. 9 and shall provide an accessibility aisle between each space provided. Such spaces shall be identified by a sign and pavement markings indicating parking for the disabled only. Such spaces shall be the spaces closest to the entrance of the

building or structure, and shall be connected by a paved surface designed to provide safe and easy access.

## **Subd. 2 Design, Construction, and Maintenance**

- (1) *Design.* All parking lots, spaces, driving aisles, and circulation patterns shall be designed in conformance with the minimal dimensional requirements and layout configurations in Subsection 1001.19, Subd. 9.
- (2) *Location of parking spaces.* All required off-street parking spaces in all districts shall be on the same lot as the principal building, unless allowed through the issuance of a conditional use permit (CUP).
- (3) *Queuing of vehicles.* Parking and circulation shall be designed to avoid the queuing of vehicles within the public right-of-way. Gates or other access limiting devices shall not be installed until the City finds that the devices will have no adverse impact on the public right-of-way.
- (4) *Circulation design.* Parking areas shall be so designed that circulation between parking bays or aisles occurs within the designated parking lot. Parking area design that requires backing into the public street is prohibited.
- (5) *Access to parking spaces.* All off-street parking spaces shall have access from private driveways or parking lot aisles and shall not depend on a public street for access to parking spaces or for circulation within the parking lot. Backing onto a public street from a parking space, other than for parallel parking spaces and 45 degree parking spaces in V-M, Village Mixed Use District, is prohibited. This requirement applies to parking for all uses except single and 2-family dwellings and townhouses where parking is accessed by individual driveways. The width of the driveways and aisles shall conform to the minimal dimensional requirements as regulated in Subsection 1001.19, Subd. 9 and shall be so located as to cause the least interference with traffic movement.
- (6) *Fire access lanes.* Fire access lanes shall be provided as required by the Building and Fire Code.
- (7) *Lighting.*
  - a. Any lighting used to illuminate an off-street parking area shall be not being directed upon the public right-of-way and nearby or adjacent properties.
  - b. The illumination must be indirect or diffused. Consideration should be given to provide lighting for pedestrians and vehicles. On-site lighting shall be provided as is necessary for security, safety and traffic circulation.
- (8) *Curbing.* All open off-street parking areas designed to have head-in parking along the property line shall provide a curb not less than 5 feet from the property line. The curbing requirement applies to parking in all uses except private single and 2-family dwellings and townhomes unless requested by the City Engineer for drainage purposes.
- (9) *Landscaping.* Landscaping design requirements and maintenance shall comply with Subsection 1001.24.
- (10) *Surface and drainage.* Off-street parking areas and driveways in Commercial or Industrial Districts shall be improved with a durable and dustless surface such as concrete or bituminous. The City may consider the use of permeable pavers, pervious asphalt, or other surface technology to improve stormwater management as part of an overall system. All surfacing for driveways in R-1, R-2, R-3, R-E, V-M, and H-M Districts furnishing access to a dwelling unit or garage and all parking areas shall be surfaced with concrete or bituminous material so as to be dust free. Off-street parking areas and driveways in A-1, A-2 and S-A Districts may be surfaced with a crushed rock material or other approved material. All surfacing must be completed prior to occupancy of the structure unless other arrangements have been made with the City. Parking lots and adjoining areas shall be graded and drained to dispose of all surface water accumulation within the parking area. Plans for surfacing and drainage shall be subject to approval of the City Engineer.
- (11) *Marking of spaces.* To assure full parking capacity as designed, except in single-family, 2-family, and townhouse development, spaces shall be marked with painted lines 4 inches wide in accordance with the approved site plan. Accessible parking spaces shall be marked with a symbol that is in accordance with the Americans with Disabilities Act.
- (12) *Signs.* No signs shall be located in any parking area except as necessary for orderly operation of traffic movement.
- (13) *Screening.* Screening of parking lots and driveways into parking lots shall be required as specified in Subsection 1001.24.
- (14) *Maintenance of off-street parking spaces.* It shall be the joint responsibility of the operator and owner of the principal use, uses, and/or building to maintain, in a neat and adequate manner, the parking spaces, drive aisles, landscaping, screening, and fences.
- (15) *Approval of parking plans.* Except for single-family and 2-family dwellings, before any construction occurs on any new, enlarged, reduced, reconfigured, or altered parking lot, plans for the parking lots shall require review and approval by the City through the site plan approval process. When the parking lot is in conjunction with an application for a new structure, expansion of an existing structure, or expansion of a use of land, parking lot plans shall be a part of the site plan review and approval process as specified in Subsection 1002.04. The parking lot plans shall be shown on a site plan drawn to scale and shall include: a layout of spaces, accessible spaces, drive aisles and access drives with dimensions; construction materials: grading and drainage; screening; landscaping; signage; lighting; and a tabulation of the number of spaces required relative to square footages of specific uses on the site and the number of spaces provided.

## **Subd. 3 Parking Provisions in Residential Districts.**

The following provisions shall apply to parking in all Residential Districts unless otherwise stated.

(1) *Location of parking spaces and driveway aisles.*

a. *Same lot as principal building.* Required off-street parking space in all Residential Districts shall be on the same lot as the principal building, and multiple-family dwellings shall have their required parking within 200 feet of the main entrance to the principal building being served.

b. *Parking setbacks.*

1. *Front yard.* Off-street parking shall not be located in required front yards unless located on a designated driveway leading directly into a garage or 1 surfaced space located on the side of a driveway adjacent to the dwelling meeting the required driveway setback. The extra space shall be surfaced as required in Subsection 1001.14.

2. *Clear view triangle/corner lots.* On corner lots off-street parking shall not be located in the clear view triangle. The clear view triangle is formed by the curb lines or edge of street extended and the line connecting 55 feet from the intersection of the street edges or curb lines extended.

3. *Side or rear yards.* Off-street parking and driveways shall not be located within 5 feet of any side or rear lot line and cannot impede drainage. Off-street parking and driveways, if placed in an easement, must be approved in writing by the holder of the easement.

(2) *Use of parking facilities.* Not more than one oversized vehicle may be parked or stored outside, unless being used in conjunction with a temporary service including, but not limited to, a construction or remodeling project benefitting the premises or general loading or unloading. All vehicles in excess of a gross vehicle weight rating of 12,000 lbs. and/or 9 feet tall are prohibited from being parked or stored outside in residential districts unless being used in conjunction with a temporary service included, but not limited to, a construction or remodeling project benefitting the premises or general loading or unloading. This restriction shall not apply to recreational vehicles or for lots of 5 acres or more. Agricultural activities operating within an Agricultural District are exempt from the gross vehicle weight rating restrictions.

(3) *Screening of parking facilities.*

a. All parking and driveways to parking areas for multiple-family dwellings shall be screened, as required in Subsection 1001.24, from all adjacent property.

b. All parking and driveways to parking areas for non-residential uses in Residential Districts shall be screened, as required in Subsection 1001.24 from all adjacent property.

**Subd. 4 Parking Provisions in Business Districts.**

The following provisions shall apply in all Business Districts.

(1) *Same lot as principal building.* Required off-street parking spaces in all Business Districts shall be on the same lot as the principal building.

(2) a. Parking setbacks are stated in the zoning districts language found in Subsection 1001.06.

b. Side interior setback may be reduced to 0 feet if master planned and shared parking practices will be implemented.

(3) *Clear view triangle/corner lots.* On corner lots off-street parking shall not be located in the clear view triangle. The clear view triangle is formed by the curb lines or edge of street extended and the line connecting 55 feet from the intersection of the street edges or curb lines extended.

(4) *Exemptions.* Commercial uses zoned V-M (Village Mixed Use) are exempt from the off-street parking requirements of this chapter. Uses with requirements for substantial parking, e.g., theaters and restaurants, are encouraged to provide off-street parking for their patrons.

**Subd. 5 Parking Provisions in Industrial Districts.**

The following provisions shall apply in all Industrial Districts.

(1) *Same lot as principal building.* Required off-street parking space in all Industrial Districts shall be on the same lot as the principal building.

(2) Parking setbacks are stated in the zoning districts language found in Subsection 1001.06.

(3) *Clear view triangle/corner lots.* On corner lots off-street parking shall not be located in the clear view triangle. The clear view triangle is formed by the curb lines or edge of street extended and the line connecting 55 feet from the intersection of the street edges or curb lines extended.

(4) *Screening of parking facilities.* All parking and driveways to parking areas for multiple-family dwellings shall be screened, as required in Subsection 1001.24, from all adjacent property.

**Subd. 6 Parking Design Requirements in all Business, Commercial, and Industrial Districts**

(1) *Parking area design.* To break up the appearance of large impervious areas, all parking lots in Business, Commercial, Industrial and Multiple Family Residential Zoning Districts and non-residential uses in Residential Districts shall be subject to the following design standards.

a. Parking lot islands shall be required at the beginning and end of each parking row to break up longer rows

- b. Continuous landscaped medians shall be provided every 3 (or fewer) banks of parking. Medians shall have a landscaped area at least 9 feet in width. Type and quantity of landscaping shall comply with Subsection 1001.24.
- c. Parking spaces shall not be located between the front facade line of buildings and a street edge.
- d. Parking areas greater than 50,000 square feet shall be divided both visually and functionally into smaller parking courts.
- e. Parking spaces and rows shall be organized to provide consolidated soft landscaped areas and opportunity for on-site stormwater management.
- f. Parking rows shall be limited to a maximum length of 22 spaces. Longer rows shall include landscaped breaks, such as islands, with shade trees.
- g. The total area calculated for landscaping within the parking lot is calculated as part of the overall landscape requirements of the site. In the event that a parking lot may not have adequate space for landscaping islands, the landscaped areas internal of the parking area and adjacent to the building may be counted towards the required landscaped percentages within a parking lot.
- h. Thirty-five percent of all parking spots in a parking lot must abut a landscaped area or a sidewalk.

(2) *Pedestrian circulation.* All parking lots in Business, Mixed Use, Industrial Zoning Districts shall be subject to the following standards to provide a safe pedestrian environment:

- a. Parking areas shall include a direct and continuous pedestrian network within and adjacent to parking lots to connect building entrances, parking spaces, public sidewalks, transit stops, and other pedestrian destinations.
- b. At least 1 pedestrian route shall be provided between the main building entrance and the public sidewalk that is uninterrupted by surface parking and driveways.
- c. In larger parking lots or where parking lots serve more than 1 building or destination, provide designated pedestrian pathways for safe travel through the parking lot.
- d. All pedestrian routes within a parking lot shall include a clear division from vehicular areas, with a change in grade, soft landscaping, or a change in surface materials.
- e. Where pedestrian routes cross street access driveways and other major drive aisles, crossings shall be clearly marked and sight distance for both pedestrian and vehicles shall be unobstructed.

(3) *Parking area island landscape standards.* All parking lot islands or medians in Business, Mixed-Use and Industrial Zoning Districts shall be landscaped in accordance with Subsection 1001.24.

(4) *Parking area stormwater management design requirements.*

- a. Rainwater and snowmelt shall be managed to encourage infiltration, evapotranspiration, and water re-uses to achieve water quality and quantity measures specified in the Surface Water Management Plan. Design practices for managing stormwater may include, but are not limited to, the following practices:
  - 1. Permeable paving for parking spaces, drive aisles, overflow parking, snow storage areas, and other hard surfaces in the parking lot.
  - 2. Restricting the use of impervious curbing in landscaped areas.
  - 3. Planting of trees, shrubs, and other absorbent landscaping throughout the parking lot to provide shade and places for water uptake.
  - 4. Creation of bio-retention areas, such as swales, vegetated islands, and overflow ponds.
  - 5. Inclusion of catch basin restrictors and oil/grit separators as appropriate.
  - 6. Creation of opportunities to harvest rainwater from rooftops and other hard surfaces for landscape irrigation.
- b. Where installed, bio-retention areas shall be appropriately designed and located to filter, store, and/or convey the expected stormwater flows from surrounding paved areas.
- c. Elm Creek Watershed District shall have final review and permitting authority for all surface water management measures proposed.

## **Subd. 7 Required Off-Street Parking Spaces and Garages**

(1) *General factors that determine the required number of parking spaces for specified uses.* The number of parking spaces required is based on several primary factors:

- a. For residential uses, the number of dwelling units;
- b. For most office and business uses, the floor area in square feet of a specific use;
- c. For some industrial and public service uses, the number of employees (usually on the major shift);

- d. For service businesses (clinics, mortuaries, and the like), the number of offices, vehicles, or other operational unit;
- e. For gathering places, the seating capacity;
- f. For multiple function uses (including uses that may have more than 1 subuse), the sum of the individual requirements.

(2) *Calculation of parking requirements.*

a. *Floor area.* For the purpose of determining off-street parking requirements, the term "floor area" shall mean the sum of the gross horizontal areas of the several floors of a building, including interior balconies, mezzanines, basements, and attached accessory buildings, but exempting that area primarily devoted to window display, storage, fitting rooms, stairs, escalators, unenclosed porches, detached accessory buildings utilized for dead storage, heating and utility rooms, inside off-street parking, or loading space. Measurements shall be made from the inside of exterior walls.

b. 1. Multiple types of use in a single building, or in a complex of several buildings on a single site. In instances where more than 1 type of use occupies the same building or parcel, the total number of required spaces shall be based upon the parking requirements for each use. Parking need will be based on existing and potential uses of the building.

2. In cases where potential future uses will generate additional parking demand, the City may require proof of parking plan for the difference between the immediate and potential parking needs. In cases where potential users are unknown, parking shall be calculated using 80% of the gross floor area of the building.

c. *Bench seating.* In stadiums, sports arenas, churches, and other places of assembly in which patrons or spectators occupy benches, pews, or other similar seating facilities, each 18 inches of the seating facilities shall constitute 1 seat for the purpose of calculating required parking.

d. *Reduced parking requirement.* The City recognizes reuse of sites and that the strict interpretation of the parking standards of this section may not be appropriate for each specific use or lot. Therefore, the City Council may approve alternative parking standards through the City review process provided the applicant can demonstrate, based upon documented parking studies and site specific analysis, that a need exists to provide more or fewer parking stalls than the maximum or minimum parking standards or to deviate from pervious paving/paver system standards. Factors to be considered in such determination include (without limitation) national parking standards, parking standards for similar businesses or land uses, size of building, type of use, number of employees, expected volume and turnover of customer traffic and expected frequency and number of delivery or service vehicles and appropriate soils and/or site conditions to support pervious paving/paver systems.

e. *Joint parking facilities.*

1. *Off-street joint parking facilities.* Off-street parking facilities for a combination of mixed buildings, structures, or uses may be provided collectively in any Business or Industrial District in which separate parking facilities for each separate building, structure, or use would be required, provided that the total number of spaces provided shall equal the sum of the separate requirements of each use and properties are contiguous to each other. The joint use of parking facilities shall be protected by a recorded covenant acceptable to the City.

2. Joint or combined parking facilities or adjoining parking facilities on separate lots as authorized and when constructed adjacent to a common lot line separating 2 or more parking areas are not required to observe the parking area setback from the common lot line.

3. *Joint parking facility reductions.* The City Council may, after receiving a report and recommendation from the Planning Commission, approve a CUP for 1 or more businesses that would allow the number of required spaces to be reduced if the following conditions are found to exist:

(a) *Entertainment uses.* Up to 50% of the parking facilities required for a theater, bowling alley, or similar commercial recreational facility may be supplied by the off-street parking facilities provided by type of uses specified as primarily daytime uses in Subsection 1001.19, Subd. 7(2)j.2. below.

(b) *Nighttime or Sunday uses.* Up to 50% of the off-street parking facilities required for any use specified under Subsection 1001.19, Subd. 7(2)j.2. below as primarily daytime uses may be supplied by the parking facilities provided by the following nighttime or Sunday uses: auditoriums incidental to public or parochial school, churches, bowling alleys, theaters, or apartments.

(c) *Schools, auditorium, and church uses.* Up to 80% of the parking facilities required by this section for a church or an auditorium incidental to a public or parochial school may be supplied by the off-street parking facilities provided by uses specified under Subsection 1001.19, Subd. 7(2)j.2.(g) through (j) below as primarily daytime uses.

(d) *Daytime uses.* For the purpose of this section, the following uses are considered as primarily daytime uses: banks, business offices, retail stores, personal service shops, service shops, manufacturing, wholesale, and similar uses.

(e) *Additional criteria for joint parking.* In addition to the preceding requirements, the following conditions are required for joint parking usage:

i. *Proximity.* The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use shall be located within 300 feet of the parking facilities.

ii. *Conflict in hours.* The applicant shall demonstrate in documented fashion that there is no substantial conflict in the principal operation hours of the 2 buildings or uses for which joint use of off-street parking facilities is proposed.

iii. *Written consent and agreement.* A legally binding instrument, executed by the parties concerned, for joint use of off-street parking facilities, duly approved as to title of grantors or lessors, and form and manner of execution by the City Attorney, shall be filed with the City and recorded with the Hennepin or Wright County Recorder or Registrar of Titles, and a certified copy of the recorded document shall be filed with the City within 60 days after approval of the joint parking use by the City.

f. *Proof of parking.* The City may permit parking banking of up to 25% of the required parking spaces through the site plan review process.

1. Sufficient evidence shall be provided by the applicant that supports the reduced parking needs.
2. The area proposed for banking of parking spaces shall be an area suitable for parking at a future time.
3. Landscaping of the banked area shall be in full compliance of the zoning regulations and at a minimum landscaped with turf. As a result of the site plan review process, the City may require additional landscaping of the land-banked area.
4. The parking banking area cannot be used for any other use without amendment of the site plan.
5. As part of the site plan review process, the applicant shall show the area to be banked on the site plan and marked as "banked future parking."
6. The City, on the basis of increased parking demand for the use, shall require the conversion of all or part of the banked area to off-street parking spaces.

g. *Garage size.* The minimum garage size for single and 2-family dwellings attached or detached, shall be 440 square feet (22' x 20') for each dwelling unit with a basement and 540 square feet (22' x 24') without a basement.

h. *Parking requirements for uses not specified herein.* In the event this chapter does not specify the number of parking spaces for a specific use, the determination of required parking spaces shall be made using the following criteria:

1. The number of parking spaces required for a use in terms of the parking demand anticipated to be generated;
2. The square footage to be occupied by the proposed use;
3. The number of employees and patrons that are anticipated for the proposed use.

i. *Fractional spaces.* When the calculation of required number of spaces results in a fraction, each fraction of 1/2 or more shall constitute another space.

j. *Required minimum parking.* The minimum number of parking spaces for each use shall be as follows:

1. *Residential.* (Residential minimum parking requirements shall have flexibility through the development process if a project meets the goals and policies of the Comprehensive Plan to achieve affordable housing).

(a) *Single and 2-family dwellings.* Each dwelling unit shall include 2 enclosed spaces and 2 surfaced spaces.

(b) *Townhouses.* Each dwelling unit shall include 2 enclosed spaces and 2 surfaced spaces, plus an additional 1/2 parking space per dwelling unit for visitors. Visitor parking may be consolidated in key areas of the townhouse development or it may be located in driveways leading to garages, provided that the visitor parking space will not interfere with circulation.

(c) *Multiple-family dwellings.* Two spaces per dwelling unit, 1 of which must be enclosed, plus an additional 1/2 parking space per every 5 dwelling units for visitors.

(d) *Senior housing.* In connection with multiple dwelling units that restrict occupancy to senior citizens, the City Council may grant a variance reducing the parking requirement to a minimum of 1.25 spaces per dwelling unit, 1 of which must be enclosed for each 3 dwelling units. In connection with the variance, the City Council will require that the landowner, for him or herself, his or her successors and assignees, agree to expand available parking to the full amount required by this section if the occupancy is not restricted to senior citizens. Adequate land area shall be designated and set aside for future expansion of the parking to the full amount required by this section, if needed. For the purpose this section, senior citizens are defined as persons 55 years of age or older.

(e) *Manufactured home park.* Two parking spaces per unit plus 1/2 parking space for visitors. Each manufactured home park shall maintain a hard surfaced off-street parking lot for guest of occupants of at least 1 space for each 5 coach sites. Visitor parking may be consolidated in key locations of the manufactured home park development.

(f) *Special residential.*

- i. Assisted living facility - 1/2 spaces per unit.
- ii. Daycare nursery - 1 space per teacher/employee on the largest work shift, plus 1 off street loading space per 6 students.
- iii. Group dwellings - 1 space per sleeping room or for every 4 beds.
- iv. Monasteries, convents - 1 space per 6 residents, plus 1 space per employee on the largest work shift, plus 1

space per 5 chapel seats if the public may attend services.

v. Nursing home other than assisted living facility - 1 space per 6 patient beds, plus 1 space per employee on the largest work shift.

vi. Nursing homes - 1 space per 6 patient beds, plus 1 space per employee on the largest work shift.

vii. Retirement housing - for apartment dwelling units, 1 space per unit with a minimum of half of the required spaces as enclosed garage spaces. The development shall include a proof of parking area sufficient to meet the parking the City Council determines necessary, and that the development is not likely to be converted to non-age restricted housing in the foreseeable future. Townhouse dwelling units shall comply with the requirements of this subsection vii.

2. *Non-residential.*

(a) Bed and breakfast establishments. Two spaces for the principal dwelling unit plus 1 space for each rental unit.

(b) Board and lodging houses. One space for each 4 beds.

(c) Day care accessory to business use. One space per employee.

(d) Residential facilities. One space for each bed, plus 1 space for each 3 employees at maximum shift other than doctors.

(e) Hotel, motel. One space for each rental unit plus 1 space for each employee at maximum shift, plus 1 space per 3 persons to the maximum occupancy load of each public meeting and/or banquet room plus 50% of the spaces otherwise required for accessory uses (e.g. restaurants and bars).

(f) Nursing home, assisted living facility, sanitarium, convalescent, rest home, or institution. One space for each 6 beds for which accommodations are offered, plus 1 space for each 2 employees at maximum shift.

(g) Schools, elementary and junior high. Three spaces for each classroom.

(h) Schools, high school and all post secondary institutions. One space for each 4 students based on design capacity, plus 3 additional spaces for each classroom.

(i) Place of worship and other places of assembly. One space for each 3 seats.

(j) Community center, theatre, assembly hall, auditorium, sports arena. One space per 3 patrons at the maximum occupancy load of the facility, plus 1 space per employee on the largest work shift.

(k) Hospital. One space for each 3 hospital beds, plus 1 space for each 4 employees other than doctors at maximum shift, plus 1 parking space for each resident and regular staff doctor. Bassinets shall not be counted as beds.

(l) Medical clinic, dental clinic or animal hospital. Six spaces per staff doctor or dentist.

(m) Animal kennel. Five spaces plus 1 for each 500 square feet over 1,000 square feet.

(n) Health club. One space for each 200 square feet of floor area.

(o) Golf course, tennis or swimming club. Twenty spaces minimum plus 4 spaces for each 200 square feet floor area.

(p) Mini golf course. One and 1/2 spaces per hole plus 1 space for every employee.

(q) Bowling alley. Six parking spaces for each alley, plus additional spaces as may be required for related uses such as restaurant/bar.

(r) Vehicle related retail/service. Two spaces plus 3 spaces for each service stall, plus 1 space for each 250 square feet of building used for the sale of goods and services, plus adequate stacking and maneuvering space for pump island areas.

(s) Restaurant, café, bar, tavern, night club. One space for each 2.5 seats based on design capacity and 1 space per employee based on largest working shift or as determined by the business plan and approved by the City.

(t) Restaurant, drive-in or take out. One space for each 15 square feet of floor area allocated to patron service and counter area, plus 1 space for every 2.5 seats based on design capacity.

(u) Retail stores. Five spaces for each 1,000 square feet of floor area.

(v) Outdoor storage display of retail. One per 2,000 square feet in addition to required use.

(w) Indoor retail storage facility. One space per employee at full shift plus 1 space for each 6,000 square feet, 2 parking per dwelling.

(x) Cellular/antenna/communication tower. One space per tower for repair vehicle.

(y) Office, banks, public administration. One space for each 200 square feet of floor area.

(z) Library, museum, post office. One parking space for each 300 square feet of floor area.

(aa) Funeral homes. Eight spaces for each chapel or parlor, plus 1 space for each funeral vehicle maintained on the premises. Aisle space shall also be provided off the street for making up a funeral procession.

(bb) Furniture store, wholesale, auto sales, repair shops. Three spaces for each 1,000 square feet of floor area. Open sales lots shall provide 2 spaces for each 5,000 square feet of lot area, but not less than 3 spaces.

(cc) Industrial, warehouse, manufacturing, processing plant, storage, printing, publishing, handling of bulk goods, garden supply, and building material sales. One space for each employee on maximum shift or 1 space for each 2,000 square feet of floor area, whichever is greater.

(dd) Crude oil, gasoline or other liquid storage tanks. 1 space for loading.

(ee) Research, experimental or testing station. One space for each 350 square feet floor area.

(ff) Shopping centers. Five spaces for every 1,000 square feet of floor area.

(gg) Marinas. One and 1/2 spaces per slip plus 1 space per employee and a minimum of 20 twelve by twenty-five foot trailer stalls.

(hh) Public parks. Parking spaces will be determined on the type of park developed and the uses found in the park.

(ii) All other retail. Ten spaces for every 1,000 square feet of floor area.

#### **Subd. 8 Off-Street Loading and Unloading Areas**

(1) *Required loading berths.* In connection with any structure which is to be erected or substantially altered and which requires the receipt or distribution of materials or merchandise by vehicles, there shall be provided adequate space for loading and unloading all vehicles used incidental to the operation of the use as determined by the City. The size of the berths will depend upon the size of the vehicles to be used. Upon receiving an application for a particular use for a parcel or building which is not adequately provided with loading and unloading facilities, and which, in the opinion of the City, is to receive or distribute goods or services which will necessitate the use of trucking to the extent that special consideration should be given to the request, it shall be referred to the Planning Commission for study and the City Council for determination.

(2) *Location.* All required loading berths shall be off-street and shall be located on the same lot as the building or use to be served. A loading berth shall not be located less than 25 feet from the intersection of 2 street right-of-ways, nor less than 50 feet from a Residential District unless within a building. Loading berths shall not be located in a required front yard.

(3) *Access.* Each required loading berth shall be located with the appropriate means of vehicular access to a street or public alley in a manner that will least interfere with traffic.

(4) *Surfacing.* All loading berths and access ways shall be improved with a durable material to control the dust and drainage according to a plan approved by the City Engineer.

(5) *Other uses not allowed.* Any space allocated as a loading berth or access drive as required by this chapter shall not be used for the storage of goods, inoperable vehicles or be included as part of the space requirements necessary to meet the off-street parking area.

(6) *Screening.* Screening of loading areas, waste storage areas, and parking from pedestrian activity shall be required as provided in Subsection 1001.24.

#### **Subd. 9 Minimum Parking Space and Aisle Dimensions**

(1) *Table.* The parking dimensions for parking stalls, parking lots, and parking drive aisles shall meet the following:

<b>Angle of Parking</b>	<b>Stall Width</b>	<b>Stall Length</b>	<b>Curb Length per Car</b>	<b>Stall Depth</b>	<b>Aisle Width One-Way</b>	<b>Aisle Width Two-Way</b>
0 degrees (parallel)	10'	20'	23'	9'	12'	24'
30 degrees	10'	20'	18'	17'4"	12'	24'
45 degrees	10'	20'	12'9"	19'10"	13'	24'
60 degrees	10'	20'	10'5"	21'	18'	24'
90 degrees (perpendicular)	10'	20'	10'	20'	24'	24'

(2) *Parking stalls length reduction.* Parking stall length may be reduced to 18 feet if sufficient room is provided beyond the parking stall for automobile overhang. The overhangs shall not detrimentally impact or interfere with adjacent landscaping or pedestrian movement and shall be free from surrounding obstructions.

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**PRESENTER:** Marty Farrell

**ITEM:** Well Head treatment pay application #20 from Magney Construction

**PREPARED BY:** Marty Farrell

**POLICY DECISION/ACTION TO BE CONSIDERED:** Payment of Pay Application #20 for \$333,339.80. This Pay application is primarily for site utilities, process piping.

**BACKGROUND:** The project includes addition of a new building adjacent to Wellhouse No. 4 that includes horizontal pressure filter equipment. Water from Well 4 and future Well 5 will be filtered to remove Iron and Manganese to improve water quality.

**CRITICAL ISSUES:** Aligns with the Strategic Initiative to “Build and Maintain Quality Infrastructure”.

**BUDGET IMPACT:**

Magney Contract including COs 1, 2, 3, 4, WCD 6, 7, 8, 9,	\$7,540,699.93
Magney construction pay application #20	\$333,339.80
Total remaining Magney Contract budget	\$1,127352.61
Total remaining project budget	\$1,432,706.84
Total remaining project contingency	\$116,000.07

Project funded from \$4,000,000 Federal Grant, \$1,750,000 State Grant, and Water Enterprise Fund 601.

**RECOMMENDATION:** Accept pay application #20 from Magney Construction for \$333,339.80.

**ATTACHMENT(S):** Project balance sheet and Pay application #20.

Project Financial Breakdown					
Date	Pay Application/Change Order	Magney	Magney Pay App Amount	Magney Change Orders	Magney Contract Balance
	Starting Balance				
	Pay Application 1 (Magney)		\$ 220,114.44		\$ 7,256,700.00
	Pay Application 2 (Magney)		\$ 121,201.36		\$ (220,114.44)
	Pay Application 3 (Magney)		\$ 325,410.38		\$ (121,201.36)
	CO#1				\$ (325,410.38)
2/5/2024	Pay Application 4 (Magney)		\$ 475,489.08	\$ 33,873.28	\$ 33,873.28
3/1/2024	Pay Application 5 (Magney)		\$ 238,137.78		\$ (475,489.08)
4/2/2024	Pay Application 6		\$ 75,375.85		\$ (238,137.78)
5/2/2024	Pay Application 7		\$ 237,614.95		\$ (75,375.85)
6/3/2024	Pay Application 8		\$ 740,678.00		\$ (237,614.95)
7/23/2024	Pay Application 9		\$ 27,835.00		\$ (740,678.00)
7/17/2024	CO#2				\$ (7,835.00)
12/2/2024	Pay Application 10		\$ 505,656.31	\$ 45,000.00	\$ 45,000.00
2/19/2025	CO#3				\$ (505,656.31)
3/31/2025	Pay Application 11		\$ 976,450.47		\$ (976,450.47)
5/1/2025	Pay Application 12		\$ 280,900.97		\$ (280,900.97)
5/30/2025	Pay Application 13		\$ 239,382.06		\$ (239,382.06)
5/20/2025	WCD 03 Non Standard paint cost \$231.00 included on CO#4		\$ -	\$ -	\$ -
6/13/2025	WCD 04 Plumbing changes \$3806.76 included on CO#4		\$ -	\$ -	\$ -
7/16/2025	WCD05 Chemical Feed Changes (MDH Directed) CO1#4		\$ 191,897.08		\$ (191,897.08)
7/1/2025	Pay Application 14				\$ 12,990.80
7/17/2025	CO#4 Includes WCD 3,4,5,				\$ 12,990.80
9/26/2025	Pay Application 15		\$ 477,884.16		\$ (477,884.16)
10/3/2025	WCD06 Remove Blower piping not required per manufacturer		\$ (1,797.57)		\$ (1,797.57)
10/3/2025	Pay Application 16				\$ (278,823.62)
10/13/2025	WCD07 Add Gate Valve for WHTP isolation		\$ 6,918.03		\$ 6,918.03
10/13/2025	Pay Application 17		\$ 217,322.67		\$ (217,322.67)
11/4/2025	Pay Application 18		\$ 277,098.03		\$ (277,098.03)
10/25/2025	WCD 08 Watermain pipe reducer piping		\$ 2,929.57		\$ 2,929.57
11/10/2025	WCD09 Sanitary line extension		\$ 11,903.44		\$ 11,903.44
12/1/2025	Pay Application 19		\$ 172,755.31		\$ (172,755.31)
1/5/2026	Pay Application 20		\$ 333,339.80		\$ (333,339.80)
Work Change Directive (WCD)					
			\$ 6,413,347.32	\$ 283,999.93	\$ 1,127,352.61

<b>AS OF 01-15-2026</b>		
<b>Contract Balances to Project Close Out</b>		
Magney	\$	1,127,352.61
B&V	\$	156,892.26
AET	\$	32,461.90
<b>Remaining Contract Balances Total</b>		<b>\$ 1,316,706.77</b>
Project Starting Balance	\$	8,194,300.00
Minus total pay apps to date	\$	(6,761,593.16)
<b>Remaining Project Balance</b>		<b>\$ 1,432,706.84</b>
Remaining Project Balance	\$	1,432,706.84
Minus remaining Contract Balances	\$	(1,316,706.77)
<b>Contingency</b>		<b>\$ 116,000.07</b>

## Contractor's Application for Payment No. 20

Application Period: 12/1/2025 - 12/23/2025	Application Date: 1/5/2026
From (Contractor): Magney Construction, Inc.	Via (Engineer): Black & Veatch
Contract: All Construction	
Contractor's Project No.: 00604	Engineer's Project No.: 414098

### APPLICATION FOR PAYMENT

Change Order Summary		
No.	Approved Change Orders	Deductions
CO-1	\$ 33,873.28	
CO-2	\$ 45,000.00	
CO-3	\$ 172,182.38	
WCID-3	\$ 231.00	
WCID-4	\$ 3,806.76	
WCID-5	\$ 8,953.04	\$ (1,797.57)
WCID-6		
WCID-7	\$ 6,918.03	
WCID-8	\$ 2,929.57	
WCID-9	\$ 11,903.44	
<b>TOTALS</b>	<b>\$ 285,797.50</b>	<b>\$ (1,797.57)</b>
NET CHANGE ORDERS		
		\$ 283,999.93

**Contractor's Certification**

The undersigned Contractor certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment fee and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

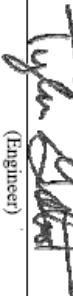
By: 

Date: 1/5/2026

1. ORIGINAL CONTRACT PRICE \$ 7,256,700.00
2. Net change by Change Orders \$ 283,999.93
3. CURRENT CONTRACT PRICE (Line 1 +/- 2) \$ 7,540,699.93
4. TOTAL COMPLETED & STORED TO DATE \$ 6,750,891.93
5. RETAINAGE:
  - a. 5% x \$ 6,750,891.93 Work Completed \$ 337,544.60
  - b. 5% x \$ - Stored Materials \$ -
  - c. Total Retainage (Line 5a + Line 5b) \$ 337,544.60
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c) \$ 6,413,347.33
7. LESS PREVIOUS PAYMENTS (Line 6 from prior) \$ 6,080,007.53
8. AMOUNT DUE THIS APPLICATION \$ 333,339.80
9. BALANCE TO FINISH, PLUS RETAINAGE \$ 1,127,352.60

(Column G on Schedule of Values + Line 5c above)

Payment of: \$333,339.80  
(Line 8 or other - attach explanation of other amount)

Recommended by:   
01/06/2025  
(Date)

Payment of: \$333,339.80  
(Line 8 or other - attach explanation of other amount)

Approved by: \_\_\_\_\_  
(City of Dayton)  
(Date)

Approved by: \_\_\_\_\_  
(Date)

Funding Agency (if applicable)

## Schedule of Values For: Dayton, MN - Filtration Plant Wells 4 &amp; 5

Consulting Engineer: Black & Veatch  
Project No.: 4144058  
Contract No.:  
General Contractor: Magney Construction, Inc.

Application No.: 20

Date of Application: 1/5/2026  
Work Completed Through: 12/23/2025

ITEM	Description of Work	Scheduled Value	C From Previous Application (C+D)	D THIS PERIOD	E Materials Presently stored (not in column D)	F Total Completed and Stored to Date (C+D+E)	G % Complete	H Balance to Finish	I Retainage (5%)
01000	Mobilization	\$ 230,100.00	\$ 110,050.00	\$ 18,560.00	\$ 110,050.00	50%	\$ 110,050.00	\$ 5,502.50	
01001	General Conditions	\$ 390,600.00	\$ 323,600.00	\$ 10,400.00	\$ 342,100.00	88%	\$ 48,440.00	\$ 17,108.00	
01002	Supervision	\$ 178,000.00	\$ 145,400.00	\$ 10,400.00	\$ 155,800.00	88%	\$ 22,200.00	\$ 7,790.00	
01003	Bond & Insurance	\$ 78,900.00	\$ 78,900.00		\$ 78,900.00	100%	\$ -	\$ 3,945.00	
02050	Selective Site Demolition	\$ 17,200.00	\$ 17,200.00		\$ 17,200.00	100%	\$ -	\$ 860.00	
02100	Clearing & Grubbing	\$ 9,800.00	\$ 9,800.00		\$ 9,800.00	100%	\$ -	\$ 490.00	
02102	Excavation & Backfill	\$ 252,100.00	\$ 252,100.00		\$ 252,100.00	100%	\$ -	\$ 12,605.00	
02103	Earth Retention System	\$ 68,700.00	\$ 68,700.00		\$ 68,700.00	100%	\$ -	\$ 3,435.00	
02512	Asphalt Pavement	\$ 22,000.00	\$ -		\$ -	0%	\$ 22,000.00	\$ -	
02600	Site Utilities	\$ 220,000.00	\$ 220,000.00		\$ 220,000.00	100%	\$ -	\$ 11,000.00	
02900	Finish Grade	\$ 12,500.00	\$ -		\$ -	0%	\$ 12,500.00	\$ -	
03190	Seeding & Sodding	\$ 5,000.00	\$ -		\$ -	0%	\$ 5,000.00	\$ -	
03200	Concrete Reinforcement	\$ 282,700.00	\$ 278,700.00		\$ 278,700.00	99%	\$ 4,000.00	\$ 13,935.00	
03300	Cast-In-Place Concrete	\$ 735,400.00	\$ 731,400.00		\$ 731,400.00	99%	\$ 5,000.00	\$ 36,570.00	
04200	Masonry	\$ 315,000.00	\$ 326,000.00		\$ 326,000.00	100.0%	\$ -	\$ 15,300.00	
05000	Metal Framing & Misc. Metals	\$ 201,100.00	\$ 201,100.00		\$ 201,100.00	100%	\$ -	\$ 10,550.00	
06100	Rough Carpentry	\$ 22,300.00	\$ 22,300.00		\$ 22,300.00	100%	\$ -	\$ 1,115.00	
07185	Masonry Water Repellent Coating	\$ 8,000.00	\$ -		\$ -	0%	\$ 8,000.00	\$ -	
07200	Thermal Insulation	\$ 18,900.00	\$ 18,900.00		\$ 18,900.00	100%	\$ -	\$ 945.00	
07220	Fluid Applied Membrane Air Barrier	\$ 15,300.00	\$ 15,300.00		\$ 15,300.00	100%	\$ -	\$ 765.00	
07415	Standing-Seam Metal Roofing	\$ 107,000.00	\$ 107,000.00		\$ 107,000.00	100%	\$ -	\$ 5,350.00	
07900	Joint Sealants	\$ 11,500.00	\$ -		\$ -	0%	\$ 11,500.00	\$ -	
08115	FR Doors & Frames	\$ 40,500.00	\$ 26,542.00	\$ 13,000.00	\$ 39,542.00	98%	\$ 958.00	\$ 1,977.10	
8120	Flush Aluminum Frames	\$ 15,500.00	\$ 15,500.00		\$ 15,500.00	100%	\$ -	\$ 775.00	
08305	Access Doors & Hatches	\$ 17,300.00	\$ 17,300.00		\$ 17,300.00	100%	\$ -	\$ 865.00	
08800	Glass & Glazing	\$ 3,500.00	\$ 2,000.00	\$ 3,500.00	\$ 3,500.00	100%	\$ -	\$ 175.00	
09940	Painting/ Coatings	\$ 103,100.00	\$ 62,270.00		\$ 62,270.00	60%	\$ 40,830.00	\$ 3,113.50	
10200	Louvres	\$ 3,500.00	\$ 3,500.00		\$ 3,500.00	100%	\$ -	\$ 175.00	
11150	Submersible Pumps	\$ 42,000.00	\$ 42,000.00		\$ 42,000.00	100%	\$ -	\$ 2,100.00	
11270	Horizontal pressure filters	\$ 2,204,240.00	\$ 2,199,240.00	\$ 2,500.00	\$ 2,201,740.00	99.9%	\$ 2,500.00	\$ 110,087.00	
11271	Refrigerative blower	\$ 78,700.00	\$ -	\$ 74,700.00	\$ 74,700.00	95%	\$ 4,000.00	\$ 3,735.00	
11370	Floating Demanders	\$ 95,000.00	\$ 95,000.00		\$ 95,000.00	100%	\$ -	\$ 4,750.00	
11530	Static Mixer	\$ 25,000.00	\$ 25,000.00		\$ 25,000.00	100%	\$ -	\$ 1,250.00	
11630	Compressed Air Equipment	\$ 50,000.00	\$ -	\$ 47,500.00	\$ 47,500.00	95%	\$ 2,500.00	\$ 2,375.00	
14621	Monorail Chain Hoists	\$ 16,510.00	\$ 16,510.00		\$ 16,510.00	100%	\$ -	\$ 825.50	
15010	Valves	\$ 56,600.00	\$ 54,100.00	\$ 2,500.00	\$ 56,600.00	100%	\$ -	\$ 2,830.00	
15061	Process Pipe & Fittings	\$ 384,500.00	\$ 381,750.00	\$ 2,740.00	\$ 384,500.00	100%	\$ -	\$ 19,225.00	

15054	Stainless Steel Pipe	\$ 24,000.00	\$ 16,835.00	\$ 3,665.00	\$ 20,500.00	85%	\$ 3,500.00	\$ 1,025.00
15250	Mechanical Insulation	\$ 5,040.00	\$ -	\$ 5,040.00	\$ -	0%	\$ 5,040.00	\$ -
15400	Plumbing - General Conditions	\$ 11,820.00	\$ 8,483.00	\$ 3,337.00	\$ 11,820.00	100%	\$ -	\$ 591.00
15400.1	Plumbing - Permits/Inspections	\$ 2,595.00	\$ 2,595.00	\$ 2,595.00	\$ 2,595.00	100%	\$ -	\$ 129.75
15400.2	Plumbing, Below Grade Piping & Fixtures	\$ 17,015.00	\$ 17,015.00	\$ 17,015.00	\$ 17,015.00	100%	\$ -	\$ 850.75
15400.3	Plumbing, Above Grade Waste & Vent	\$ 6,975.00	\$ -	\$ 6,975.00	\$ 6,975.00	100%	\$ -	\$ 348.75
15400.4	Plumbing - Gas Piping	\$ 8,260.00	\$ 8,260.00	\$ 8,260.00	\$ 8,260.00	100%	\$ -	\$ 413.00
15400.5	Plumbing, Water Piping & Fixtures Above Grade	\$ 22,835.00	\$ -	\$ 19,985.00	\$ 19,985.00	88%	\$ 2,880.00	\$ 999.25
15500	HVAC - General Conditions	\$ 8,955.00	\$ 5,630.00	\$ 5,630.00	\$ 5,630.00	63%	\$ 3,325.00	\$ 281.50
15500.1	HVAC - Test & Balance	\$ 770.00	\$ -	\$ 770.00	\$ -	0%	\$ 770.00	\$ -
15500.2	HVAC - Ductwork Insulation	\$ 1,650.00	\$ -	\$ 1,650.00	\$ -	0%	\$ 1,650.00	\$ -
15500.3	HVAC - Controls	\$ 28,500.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	18%	\$ 23,500.00	\$ 250.00
15500.4	HVAC - Ductwork Labor	\$ 4,500.00	\$ 4,500.00	\$ 4,500.00	\$ 4,500.00	100%	\$ -	\$ 225.00
15500.5	HVAC - Ductwork Material	\$ 4,500.00	\$ 4,500.00	\$ 4,500.00	\$ 4,500.00	100%	\$ -	\$ 225.00
15500.6	HVAC - Equipment Labor	\$ 11,000.00	\$ 9,000.00	\$ 9,000.00	\$ 9,000.00	82%	\$ 2,000.00	\$ 450.00
15500.7	HVAC - Equipment Material	\$ 16,600.00	\$ 16,600.00	\$ 16,600.00	\$ 16,600.00	100%	\$ -	\$ 830.00
15500.8	HVAC - Refrigerant Piping Labor	\$ 3,100.00	\$ -	\$ 3,100.00	\$ -	0%	\$ 3,100.00	\$ -
15500.9	HVAC - Refrigerant Piping Material	\$ 750.00	\$ -	\$ 750.00	\$ -	0%	\$ 750.00	\$ -
16050	Electrical - General Conditions & Temp Power	\$ 25,085.00	\$ 7,085.00	\$ 14,000.00	\$ 21,085.00	84%	\$ 4,000.00	\$ 1,054.25
16050.1	Electrical - Electrical Work	\$ 283,633.00	\$ 63,633.00	\$ 100,850.00	\$ 164,483.00	62%	\$ 99,150.00	\$ 8,224.15
16050.2	Electrical - Electrical Equipment Installation	\$ 20,000.00	\$ -	\$ 20,000.00	\$ 10,000.00	50%	\$ 10,000.00	\$ 500.00
16050.3	Electrical - MCC Installation	\$ 15,000.00	\$ -	\$ 10,000.00	\$ 10,000.00	67%	\$ 5,000.00	\$ 500.00
16050.4	Electrical - Lightning Protection	\$ 11,360.00	\$ -	\$ 5,000.00	\$ 5,000.00	44%	\$ 6,360.00	\$ 250.00
16050.5	Electrical - Control Systems	\$ 401,707.00	\$ 99,200.00	\$ 99,200.00	\$ 99,200.00	25%	\$ 302,507.00	\$ 4,960.00
CO-1	Added Valves	\$ 33,873.28	\$ 33,873.28	\$ 33,873.28	\$ 33,873.28	100%	\$ -	\$ 1,693.66
CO-2	De-mobilization & Re-mobilization	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00	100%	\$ -	\$ 2,250.00
CO-3	Project Delay Cost Escalations	\$ 172,182.38	\$ 153,182.38	\$ 3,172.00	\$ 156,354.38	91%	\$ 15,828.00	\$ 781.72
WCD-3	Custom Door Color	\$ 231.00	\$ 231.00	\$ 231.00	\$ 231.00	100%	\$ -	\$ 11.55
WCD-4	Plumbing Updates	\$ 3,805.76	\$ 3,805.76	\$ 3,805.76	\$ 3,805.76	100%	\$ -	\$ 190.34
WCD-5	Chem Feed Changes	\$ 8,953.04	\$ 8,953.04	\$ 8,953.04	\$ 8,953.04	100%	\$ -	\$ 447.65
WCD-6	Blowoff Line Ductuct	\$ 11,793.57	\$ 11,793.57	\$ 11,793.57	\$ 11,793.57	100%	\$ -	\$ 189.88
WCD-7	Gate Valve for Well 5 Influent Line	\$ 6,918.03	\$ 6,918.03	\$ 6,918.03	\$ 6,918.03	100%	\$ -	\$ 345.90
WCD-8	14x12 Watermain Tie-in	\$ 2,929.57	\$ 2,929.57	\$ 2,929.57	\$ 2,929.57	100%	\$ -	\$ 146.48
WCD-9	Comc Pipe Encasement Ductuct / Well 5 Fl & San. Extension	\$ 11,903.44	\$ 11,903.44	\$ 11,903.44	\$ 11,903.44	100%	\$ -	\$ 595.17
	<b>TOTALS</b>	\$ 7,540,699.93	\$ 6,400,007.93	\$ 350,884.00	\$ 6,750,891.93	90%	\$ 789,808.00	\$ 337,544.60

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**PRESENTER:** Marty Farrell

**ITEM:** Hiring part-time Public Works Administrative Assistant

**PREPARED BY:** Marty Farrell

**POLICY DECISION / ACTION TO BE CONSIDERED:** Approving hire of KaylaMae Holland as a part-time Public Works Administrative Assistant

**BACKGROUND:** Staff received approval by the City Council to advertise for a Part-Time Administrative Assistant, this position will provide support for the Full Time Office Manager, whose role has transitioned to encompass Communications for the City. The addition of the Part-Time Admin Assistant will allow the Office Manager two days a week to focus on the additional workload required by the Communications role. Staff believe that the addition of the Part-Time Admin Assistant will ensure that we maintain the efficiency and responsiveness in both Public Works operations, and Communications.

Staff Advertised the position after approval at the 10-28-25 City Council meeting and received 26 applications. Staff scored the applicants and interviewed the top 7 candidates. From those interviews Staff selected KaylaMae Holland as the best fit for the position.

**CRITICAL ISSUES:** N/A

**BUDGET IMPACT:** Budgeted in the 2026 budget.

**RECOMMENDATION:** Approve hiring of KaylaMae Holland as the part-time Public Works Administrative Assistant.

**ATTACHMENT(S):** Offer Letter



KaylaMae Holland  
11881 ~~Fernbrook~~ Lane N  
Dayton, MN 55327

The City of Dayton is pleased to offer you a position as Part-Time Public Works Administrative Assistant conditional on references and background checks being satisfactorily completed.

Your anticipated start date is Monday, January 26, 2026. You will begin employment with a wage of \$25.14 per hour based on Grade 1, Step 1 wage scale. This position requires a commitment of two days per week, totaling 18 hours. Additional details are as follows:

- The Fair Labor Standards Act classification for this position is non-exempt and therefore subject to overtime wages.
- This is a part-time position, vacation and sick time does not accrue.
- There is a one-year probation period before any salary adjustment.
- Progression through the City's compensation plan is based on satisfactory performance.
- Upon satisfactory performance, step increases will occur on your anniversary date.

The following is the current step program for a grade 1 position in Dayton

Step	1	2	3	4	5	6	7	
Grade	1	25.14	26.15	27.20	28.29	29.42	30.60	31.82

We look forward to working with you. If you have any questions, please feel free to call me (612) 751-8847.

Sincerely,

Martin Farrell  
City of Dayton, Public Works Director

Please sign below acknowledging agreement with the terms outlined in this letter.

Signature

Date

**ITEM:**

Accept 2026 Pay Equity Compliance Report

**PREPARED BY:**

Zach Doud, City Administrator/Finance Director

**POLICY DECISION / ACTION TO BE CONSIDERED:**

Accepting the Pay Equity Compliance Report

**BACKGROUND:**

State law requires all public jurisdictions such as cities, counties, and school districts to eliminate any sex-based wage inequities in compensation. The State of Minnesota Compensation Division staff assists local government employers in implementing this law. In 1992, the division began analyzing reports from local governments to ensure that compliance is achieved and maintained. The reports are due every three years at the end of January. The last report submitted by the City of Dayton was in 2023. It is important to remember that pay equity laws in Minnesota address only sex-based wage disparities and not all types of wage disparities. Pay equity does not replace collective bargaining and does not address all compensation issues.

The Compliance Report has 4 Test:

1. Completeness Test
2. Statistical Analysis Test
3. Salary Range Test
4. Exceptional Service Pay Test

The City is in compliance with all 4 tests on the compliance report.

**RECOMMENDATION:**

Accept the Pay Equity Compliance Report

**ATTACHMENT(S):**

Pay Equity Compliance Report

## Compliance Report

Jurisdiction: Dayton  
12260 S. Diamond Lake Road

Report Year: 2026  
Case: 1 - 2026 DATA (Shared (Jur and MMB))

Dayton, MN 55327

Contact: Amy Benting      Phone: (763) 421-1791      E-Mail: [abenting@daytonmn.gov](mailto:abenting@daytonmn.gov)

The statistical analysis, salary range and exceptional service pay test results are shown below. Part I is general information from your pay equity report data. Parts II, III and IV give you the test results.

For more detail on each test, refer to the Guide to Pay Equity and Computer Reports.

### I. GENERAL JOB CLASS INFORMATION

	Male Classes	Female Classes	Balanced Classes	All Job Classes
# Job Classes	15	10	0	25
# Employees	37	11	0	48
Avg. Max Monthly Pay per employee	9001.70	7458.98		8648.16

### II. STATISTICAL ANALYSIS TEST

**A. Underpayment Ratio = 77.77777 \***

	Male Classes	Female Classes
a. # At or above Predicted Pay	8	4
b. # Below Predicted Pay	7	6
c. TOTAL	15	10
d. % Below Predicted Pay (b divided by c = d)	46.67	60.00

\*(Result is % of male classes below predicted pay divided by % of female classes below predicted pay.)

#### B. T-test Results

Degrees of Freedom (DF) = 46	Value of T = 0.951
------------------------------	--------------------

- a. Avg. diff. in pay from predicted pay for male jobs = -2
- b. Avg. diff. in pay from predicted pay for female jobs = -65

### III. SALARY RANGE TEST = 100.00 (Result is A divided by B)

- A. Avg. # of years to max salary for male jobs = 6.00
- B. Avg. # of years to max salary for female jobs = 6.00

### IV. EXCEPTIONAL SERVICE PAY TEST = 0.00 (Result is B divided by A)

- A. % of male classes receiving ESP = 0.00 \*
- B. % of female classes receiving ESP = 0.00

\*(If 20% or less, test result will be 0.00)

**ITEM:**

Approval of Resolution 06-2026; Authorizing Eminent Domain for Public Purposes and Offer of Just Compensation to Owner

**PREPARED BY:**

Zach Doud, City Administrator/Finance Director

**POLICY DECISION / ACTION TO BE CONSIDERED:**

Approve Resolution 06-2026

**BACKGROUND:**

PID 31-120-22-33-0009 is the property that currently has access to Dayton Parkway via a curb-cut that was installed with the Dayton Parkway Interchange Project. There has been a previously approved preliminary plat that would have established a roadway connection and/or ROW through this parcel to connect to PID 31-120-22-34-0007 and thus PID 31-120-22-34-0009. This preliminary plat has since expired and now has created a land-locked parcel unable to be accessed by any street.

An appraisal was completed in October 2025 for the area described in Exhibit A of the Resolution attached. This appraisal lays out the value of the property as seen by the professional appraisers which was subsequently provided to the Owner and Representative of PID 31-120-22-33-0009 along with an offer letter for the price listed on the appraisal report.

City staff has met with the Representative of the property and had a cordial meeting to request a counteroffer if the offer given to them was not to their liking. City staff has not received a counter offer as of the time this staff report has been completed. If there is an update to this, it will be provided at the meeting.

This resolution sets forward the next steps in this process as listed to send a final offer to the property owner of PID 31-120-22-33-0009, negotiate if possible, or exercise the use of eminent domain. The action set for this item is to acquire ROW and temporary construction easement for a future project which will be separately approved by the City Council

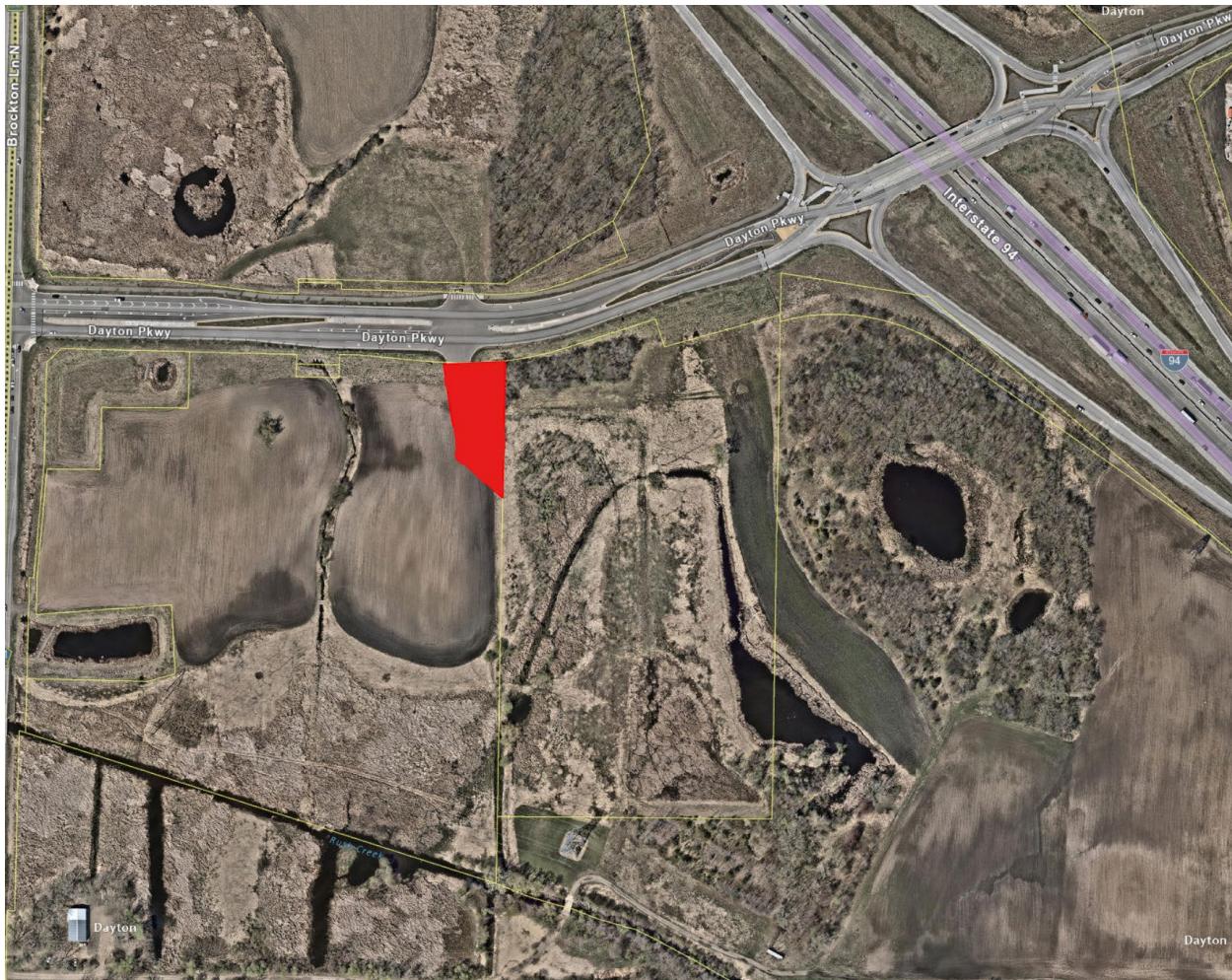
**RECOMMENDATION:**

Staff recommends approval of Resolution 06-2026; Authorizing Eminent Domain for Public Purposes and Offer of Just Compensation to Owner

**ATTACHMENT(S):**

Appraisal completed by Naggell Appraisal  
Resolution 06-2026

## Map of Area in Question:



Red shape is rough estimate of area in question for eminent domain.

**Report Type**

Appraisal Report – Before & After

**Effective Date**

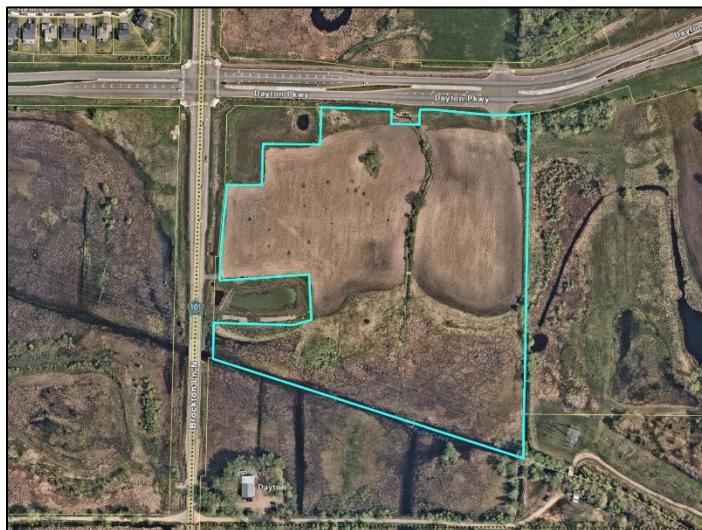
October 18, 2025

**Client**

City of Dayton  
Attn: Zach Doud, City Administrator  
12260 South Diamond Lake Road  
Dayton, MN 55327

**Subject Property**

**Vacant Development Land**  
XXXX Dayton Parkway  
Dayton, Hennepin County, MN 55311  
**Owner: Schany Group LLC**  
**Project: Dayton Creek Road**



**Prepared By:**

Ethan Waytas, MAI, Appraiser  
William R. Waytas, Appraiser

**Nagell Appraisal Incorporated**

12805 Highway 55, Suite 300  
Plymouth, Minnesota 55441  
Tel: 952.544.8966 | Fax: 952.544.8969

**File # G2509009**

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# NAGELL APPRAISAL INCORPORATED

12805 Highway 55, #300

Plymouth, MN 55441

*Established in 1968*

Phone: 952-544-8966

Fax: 952-544-8969

City of Dayton  
Attn: Zach Doud, City Administrator  
12260 South Diamond Lake Road  
Dayton, MN 55327

October 24, 2025

To Zach Doud:

In accordance with your request, an **appraisal report** has been made on the following described property:

**Subject Property:** Vacant Development Land  
XXXX Dayton Parkway  
Dayton, Hennepin County, MN 55311

Described below is a summary of the appraisal report contained herein.

## Property Overview

The City of Dayton is proposing to acquire a small portion of the northeastern corner of the subject for the construction of a new public road. As part of the project, the City of Dayton will also extend public water to the subject site.

For the subject property, the City of Dayton will acquire 30,426 SF of new right-of-way and 18,986 SF for a temporary easement. The owner will no longer have any ownership rights in the new right-of-way area. In the temporary easement, the owner will remain the underlying fee owner, however, the City will control most of the property rights within the easement area for the duration of the temporary easement (12 months).

The site is vacant land, based on an inspection from the right-of-way and the most recent aerial images. County records indicate the total subject site size is 1,020,172 SF or 23.42 acres. County records also indicate that the subject has 8.51 acres of wetland, which cannot be used for development purposes. Therefore, the net usable area is 649,480 SF or 14.91 acres.

The scope of the assignment is to indicate acquisition damages due to the project.

The appraiser is aware that the subject had a preliminary plat approved in 2024, but the plat was never finalized and has since expired. As such, the subject parcel as indicated on the Hennepin County GIS is concluded to be reflective of the as is parcel layout at this time (if found otherwise, the value could differ).

## Intended Use

Negotiation purposes regarding a proposed acquisition

## Intended User(s)

City of Dayton

### **Extraordinary Assumptions**

- The appraised value assumes the subject usable land, which is mostly encumbered by a 100-year floodplain, is buildable. If found otherwise, the value could differ.

### **Hypothetical Conditions**

- Because this appraisal considers the impact of the proposed project on the subject property, the After value hypothetically assumes the road project is entirely complete on the appraisal effective date. The use of this hypothetical condition may have affected the assignment results.

### **Property Rights Appraised**

- *Fee Simple Interest*: The subject is currently vacant land. Given the scope of the assignment, the appraisal reflects the fee simple interest.

### **Property Components Appraised**

- *Real Estate*: The appraised value includes the real estate value opinion.
- *Furniture, Fixtures, & Equipment (FF&E)*: The appraised value does not include personal property or FF&E.
- *Business Value*: The appraised value does not include business value.

### **Highest and Best Use Conclusions**

- *As Vacant*: Future mixed use development (commercial and/or apartments).
- *As Improved*: The subject does appear to be improved with any buildings based on a viewing from the right-of-way and aerial images.

### **Valuation Methodology**

The subject is zoned and guided for a mixed-use.

- **Before Value**: The before condition reflects market value before the acquisition.
- **After Value**: The after value reflects the property after the acquisition which considers any changes in site size, new easements, loss of any site improvements, and/or any severance damages to the remainder (if appropriate).
- **Temporary Easement**: If applicable, a rental rate to use a portion of the subject land for a temporary basis. After the easement period is over, the land and full rights return back to the property owner.

Letter of Transmittal – Continued

The property is legally described herein. The appraisal assumes that the property meets all current environmental standards. The appraisal analysis and conclusions are subject to certain limiting conditions and assumptions described herein. The final value opinion, as of <b>October 18, 2025</b> , is:	
<b>Before Market Value (land value):</b>	<b>\$1,428,000</b>
<b>After Market Value (land value):</b>	<b>\$1,361,000</b>
<b>DAMAGES DUE TO ACQUISITION:</b>	<b>\$67,000</b>
<b>Site Improvements:</b>	<b>\$0</b>
<b>Temporary Easement Cost:</b>	<b>\$4,177</b>
<b>TOTAL (Plus Affected Site Improvements and Temporary Easement Cost):</b>	<b>\$71,200 rounded</b>

**Exposure Time / Marketing Time**

<b>Exposure Time:</b>	Final values reflect “market exposure” time up to 12 months <u>before</u> the effective date of the appraisal. Changes in the market, use, lease and/or building subsequent to the effective appraisal date could impact value.
<b>Marketing Time:</b>	Marketing times for appropriately priced properties is generally up to 12 months +/- .

Our company has 11 employees, has been in business since 1968 and has sufficient knowledge, education, experience, resources and/or contacts to competently complete this assignment. The accompanying report contains data secured from my personal investigation and from sources considered to be reliable; however, correctness is not guaranteed. To the best of my knowledge and belief, the statements contained in this report are true and correct. Neither my employment to make this appraisal, nor the compensation, is contingent upon the value reported. This report has been prepared in conformity with the code of professional ethics and standards of professional appraisal practice of the Appraisal Institute and appraisal standards set forth by Uniform Standards of Professional Appraisal Practice.

Please contact us if you have further questions.

Sincerely,



Ethan Waytas, MAI  
Certified General MN 40368613



William R. Waytas  
Certified General MN 4000813

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## **SUMMARY OF IMPORTANT FACTS & CONCLUSIONS**



<b>Project:</b>	Dayton Creek Road
<b>Parcel Number:</b>	n/a
<b>Appraisal Report:</b>	Appraisal Report – Before & After
<b>Current Use:</b>	Vacant land
<b>Extraordinary Assumptions:</b>	Yes, see rear of report
<b>Hypothetical Conditions:</b>	Yes, see rear of report
<b>Site Area:</b>	1,020,172 SF (23.42 acres), gross site area
<b>Building Improvements:</b>	None noted (inspection only from the ROW)
<b>Current Zoning:</b>	GMU-5, Southwest Mixed Use
<b>Highest &amp; Best Use:</b>	<b>As Vacant:</b> Likely apartment with some commercial development <b>As Improved:</b> Not applicable as the subject is vacant land
<b>Personal Property:</b>	No personal property included
<b>Property Rights Appraised:</b>	Fee Simple
<b>Right of Way Acquisition:</b>	<b>30,426 SF</b>
<b>Permanent Highway Easement:</b>	<b>None</b>
<b>Temporary Easement</b>	<b>18,986 SF</b>
<b>Temporary Easement Length:</b>	<b>12 months</b>
<b>TOTAL DAMAGES &amp; COSTS:</b>	<b>\$71,200</b>

## ***VALUE TYPE, CONDITION & STABILITY OF PROPERTY***

---

<b>Type of Value:</b>	This report provides an opinion of <u>Market Value</u> .
<b>Condition of Value:</b>	This report provides an opinion of the <u>as-is</u> value.
<b>Occupancy:</b>	The subject is vacant development land.

## ***INTENDED USE OF THE APPRAISAL***

---

<b>Intended Use:</b>	The client intends to use the appraisal <u>for negotiation purposes regarding a proposed acquisition in conjunction with a road project</u> .
<b>Intended User(s):</b>	<b>City of Dayton</b>  No party, other than the named client and listed intended users, may use or rely upon any part of this report without the prior written authorization of both the named client and the appraiser. This report is not valid unless it contains the original signatures in blue ink. Any unauthorized third party relying upon any portion of this report does so at its own risk.

## ***DATE OF APPRAISAL***

---

<b>Effective Date:</b>	<b>October 18, 2025</b>
<b>Inspection Date:</b>	<b>October 18, 2025</b>
<b>Date of Report:</b>	October 24, 2025

## SCOPE OF THE APPRAISAL REPORT

**USPAP defines Scope of Work as: The type and extent of research and analyses in an assignment.**

For each appraisal, appraisal review and appraisal consulting assignment, an appraiser must:

- 1) *Identify the problem to be solved,*
- 2) *Determine and perform the scope of work necessary to develop credible assignment results; and*
- 3) *Disclose the scope of work in the report.*

1)	Provide a reasonably supported value opinion as it relates to the intended use & scope.
2)	Per assignment request (retained in workfile), the following degree of research and analysis has been made. The narrative format used is an <b>Appraisal Report</b> , which is intended to comply with the reporting requirements set forth under Standards Rule 2-2a of USPAP. The report is also intended to comply with the MnDOT right-of-way manual. See individual approaches for further detail.
3)	<p><b>The scope of work for this appraisal includes:</b></p> <ul style="list-style-type: none"><li>• <b>a) Property Identification:</b> Public record, plat maps, zoning maps and aerial photographs were used to identify the subject property.</li><li>• <b>b) Property Inspection:</b> <u>A viewing of the subject property (site viewing from the right-of-way only) and neighborhood by the appraiser.</u> <b>Physical factors:</b> Based on property viewing and conversations with the client, city and county officials. Lot size is based on county information. <b>Economic Factors:</b> Consisted of gathering of information from market experts, city and/or county offices, and internet about the region, community, neighborhood, zoning, utilities, and any pending projects in the area that may affect the subject property.</li><li>• <b>c) Extent of Data Researched:</b> Sales data of competing properties within the subject market area were given primary consideration. The most relevant data is used in this report. Sources include, appraiser data files, assessor, internet, developers, agents, MLS, periodicals, in-office library, etc. In addition, during the course of appraisal practice and of this appraisal process, the appraiser has had ongoing discussions with market participants (buyers, sellers, property managers, real estate agents/brokers, appraisers, etc.) and/or viewed market data in relation to how the current real estate market may impact the subject value. The appraiser has not researched the title or ownership records.</li><li>• <b>d) Type and Extent of Analysis Applied at Opinions or Conclusions:</b> An extensive review of market data was performed. The most recent, similar and proximate data has been used. The data used will be adjusted on a grid. Reasonable and appropriate collection, verification, analysis and viewing has been performed in the valuation approaches, given the purpose and intended use of the report. A final value opinion will be discussed and correlated.</li></ul>
The data used was obtained from sources considered credible, yet its accuracy is not guaranteed. If found otherwise, value could differ.	

## ***PROPERTY RIGHTS APPRAISED***

---

What is valued in a real property appraisal is an estate subject to specified interests. Therefore, an appraiser's task is to identify not only the estate (e.g., the fee simple estate, the leasehold estate, the leased fee estate, the life estate) but also the interests associated with the real estate, such as leases, easements, restrictions, encumbrances, reservations, covenants, contracts, declarations, special assessments, ordinances, or other interests of a similar nature. (The Appraisal of Real Estate, 15<sup>th</sup> Edition, Page 59)

**Fee Simple Interest:** Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat. (The Dictionary of Real Estate Appraisal, 7<sup>th</sup> Edition)

**Note:** This would typically reflect an owner-occupied property. When the property rights appraised are the unencumbered fee simple interest of the real estate, the appraised value is subject to normal easements for drainage, public streets and utilities, if any. The effect of any existing mortgage or delinquent taxes on the subject property has not been considered in this appraisal.

**Leased Fee Interest:** The ownership interest held by the lessor, which includes the right to receive the contract rent specified in the lease plus the reversionary right when the lease expires. (The Dictionary of Real Estate Appraisal, 7<sup>th</sup> Edition)

In appraisal practice, the lessor's interest in a property is considered a leased fee regardless of the duration of the lease, the specified rent, the parties to the lease, or any of the terms in the lease contract. (The Appraisal of Real Estate, 15<sup>th</sup> Edition, Page 62)

### ***Conclusion of Rights Appraised:***

The subject is vacant development land, therefore, the **fee simple interest** will be appraised.

## ***PROPERTY COMPONENTS APPRAISED***

---

**Real Estate:** The appraised value includes the real estate value opinion. The methods utilized for the real estate valuation include:

- Sales Comparison Approach

**FF&E:** The appraised value does not include any values of fixtures, furnishings and equipment.

**Business Value:** There is no business value included in the appraised value.

## **IDENTIFICATION**

<b>Address:</b>	XXXX Dayton Parkway Dayton, MN 55311
<b>County PID:</b>	31-120-22-33-0009
<b>Legal:</b>	Lengthy, see addenda.
<b>Fee Owner:</b>	Schany Group LLC
<b>Census Tract #:</b>	0269.10

## **REAL ESTATE TAXES**

<b>Taxes, per County Records</b>		
	<b>Payable 2025</b>	<b>Payable 2026</b>
Total Effective Tax	\$18,015.78	Not available
Special Assessments / Solid Waste Fee / Other	\$0	--
Total Tax & Assessments:	\$18,015.78	--
Delinquent taxes:	None noted	
<b>COUNTY ASSESSOR'S VALUE</b>		
	<b>Payable 2025</b>	<b>Payable 2026</b>
Land	\$1,911,000	\$1,911,000
Building	\$0	\$0
<b>TOTAL</b>	<b>\$1,911,000</b>	<b>\$1,911,000</b>
<b>The subject tax ratio is 0.94%, which is typical for this property type.</b>		
The appraised value given in this report assumes any/all special assessments, and/or liens are paid in full and that there are no delinquent taxes, fees, payments, association dues, etc. Should it be found that any of these exist the amount should be deducted from the appraised value. Appraiser did not research these items; typically, a title search would reveal any of these.		

## **SUBJECT SALES & BUILDING HISTORY**

---

<b>Listing History:</b>	The subject is currently listed for sale with Street Companies (also a reported owner in the subject property). It appears the subject has been listed for sale for many years (on and off). The listing price is "Negotiable". The property contact did not disclose the asking price or if any offers had been received.
<b>Sales History:</b>	<b>Sale Price:</b> N/A
	<b>Sale Date:</b> N/A
	<b>Buyer:</b> N/A
	<b>Seller:</b> N/A
	<b>Terms:</b> N/A
	<b>Source:</b> eCRV, public record
There are no known or reported sales of the subject within the past 5 years.	
<b>Pending Sale:</b>	None noted
<b>Building History:</b>	The subject is vacant development land (based on a viewing from the ROW and aerial images).
<b>Lease History:</b>	No lease information provided. It is possible the farm field is leased on an annual basis to a farmer. This is typical for future development land. The appraised value reflects the fee simple interest.
<b>Leasehold Interest:</b>	Not applicable given the scope of the assignment.
<b>Association Dues:</b>	The subject is reportedly not part of an association or common interest community (CIC).

## REGIONAL DATA

### Metro Area

Regional hub Minneapolis-Saint Paul is the most populous urban area in Minnesota and is composed of 186 cities and townships. Built around the Mississippi, Minnesota and St. Croix rivers, the area is also nicknamed The Twin Cities for its two largest cities, Minneapolis and Saint Paul. Saint Paul is the second largest city in Minnesota, as well as the state capital.

The area is part of a larger U.S. Census division named Minneapolis-St. Paul-Bloomington, MN-WI, the country's 16th-largest metropolitan area, composed of eleven counties in Minnesota and two counties in Wisconsin. This larger area, in turn, is enveloped in the U.S. Census combined statistical area called Minneapolis-St. Paul-St. Cloud, MN-WI with an estimated population of 3.65 million people in 2019.

In both of the fully developed central cities—Minneapolis and St. Paul—the population has declined due to smaller household sizes, yet growth in other areas of their counties has been more than offsetting. Below is detailed where this growth has occurred:

County	POPULATION				Source: US Census Bureau	
	Census 2000	Census 2010	Forecast 2023	Growth 2000 - 2010		
				total	annual	
<b>Hennepin</b>	<b>1,116,200</b>	<b>1,152,425</b>	<b>1,258,713</b>	<b>3.25%</b>	<b>0.32%</b>	<b>9.22%</b>
Ramsey	511,035	508,640	536,075	-0.47%	-0.05%	5.39%
Dakota	355,904	398,552	447,40	11.98%	1.20%	12.27%
Anoka	298,084	330,844	372,441	10.99%	1.10%	12.57%
Washington	201,130	238,136	278,936	18.4%	1.84%	17.13%
Scott	89,498	129,928	155,814	45.17%	4.52%	19.92%
Wright	89,986	124,700	151,150	38.58%	3.86%	21.21%
Carver	70,205	91,042	111,057	29.68%	2.97%	21.98%
Sherburne	64,417	88,499	102,206	37.38%	3.74%	15.49%
Chisago	41,101	53,887	58,535	31.11%	3.11%	8.63%
<b>Total</b>	<b>2,837,560</b>	<b>3,116,653</b>	<b>3,472,367</b>	<b>9.84%</b>	<b>0.98%</b>	<b>11.41%</b>
						<b>0.88%</b>

Overall, the area has experienced moderate to good income growth. Annualized income growth of 2.5% to 4.0% is consistent with national averages.

County	MEDIAN HOUSEHOLD INCOME				Source: US Census Bureau			
	Census 2010	Estimate 2023	Growth 2010 - 2023					
			total	annual				
<b>Hennepin</b>	<b>59,236</b>	<b>93,668</b>	<b>58.13%</b>	<b>4.47%</b>				
Ramsey	50,136	77,812	55.20%	4.25%				
Dakota	69,508	99,830	43.62%	3.36%				
Anoka	65,771	96,812	47.20%	3.63%				
Washington	77,239	110,729	43.36%	3.34%				
Scott	77,314	106,181	37.34%	2.87%				
Wright	66,833	104,269	56.01%	4.31%				
Carver	80,173	129,581	61.63%	4.74%				
Sherburne	69,971	101,214	44.65%	3.43%				
Chisago	63,810	98,260	53.99%	4.15%				

## Regional Data – continued

### Economic Trends

The current residential interest rates for a typical 30-year mortgage are around 6.50% to 7.50%+. Commercial rates are around 6.50% to 7.50%+. Rates are expected to increase to combat inflation.

New construction labor costs have steadily increased along with material costs as well, however during the COVID-19 pandemic costs increased drastically due to supply chains not being able to meet demand. Overall, construction costs are at all-time highs. New construction of commercial, industrial, and multi-family is occurring, however, limited office new construction is occurring.

Listing prices have been increasing steadily since 2012 +/- and are starting to approach peak levels similar to the market in 2006, which was a period of high seller expectations. However, recent buyer and seller expectations regarding value and list prices appear to be trending towards equilibrium.

Although well diversified, the TCMA and surrounding Minnesota economy is not immune to the recent soft/declining trends of the overall economy.

**Consumer Price Index,  
Percent Change from One Year Ago**

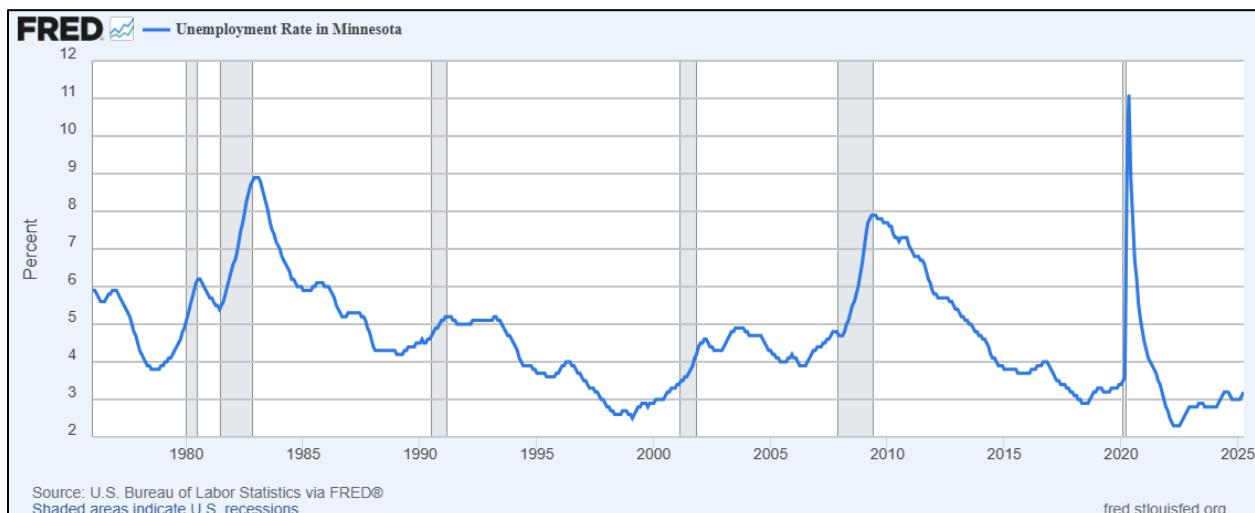


*Source: Minnesota DEED*

The CPI had been relatively steady from 2010 to 2020. In 2020, due to the COVID-19 pandemic, prices began to rise. With the various programs used to combat a potential recession, inflation rose, which further increased prices. Recently, the CPI has started to drop, which shows prices returning to more historic norms.

## Regional Data – continued

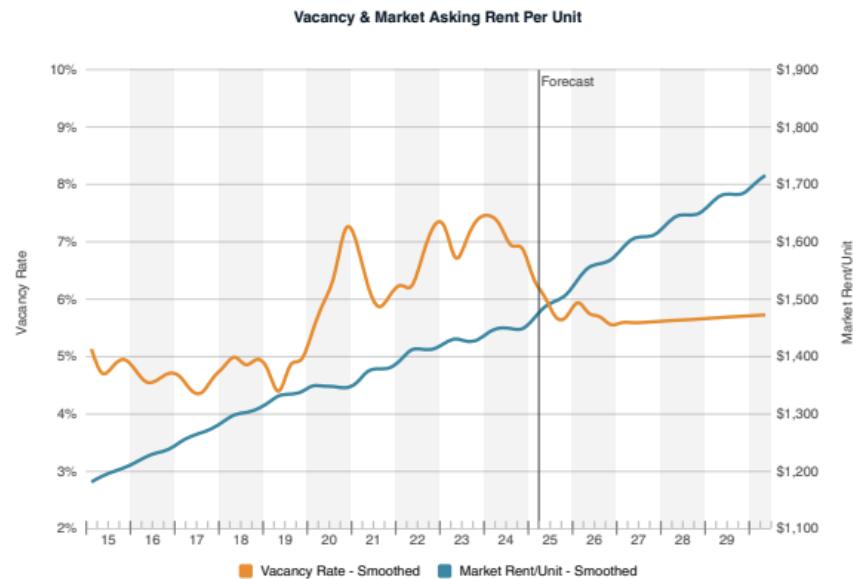
### EMPLOYMENT & LABOR



Over the past ten years, unemployment rates have gone from a peak of around 7.0% to near historical lows of around 2% in late 2018. In 2020, the COVID-19 pandemic created a significant spike in the unemployment rate to about 11%. The most recent data, shown above, indicates that the rate has dropped significantly and is approaching pre-pandemic levels and even lower.

## Regional Data – continued

### APARTMENT MARKET

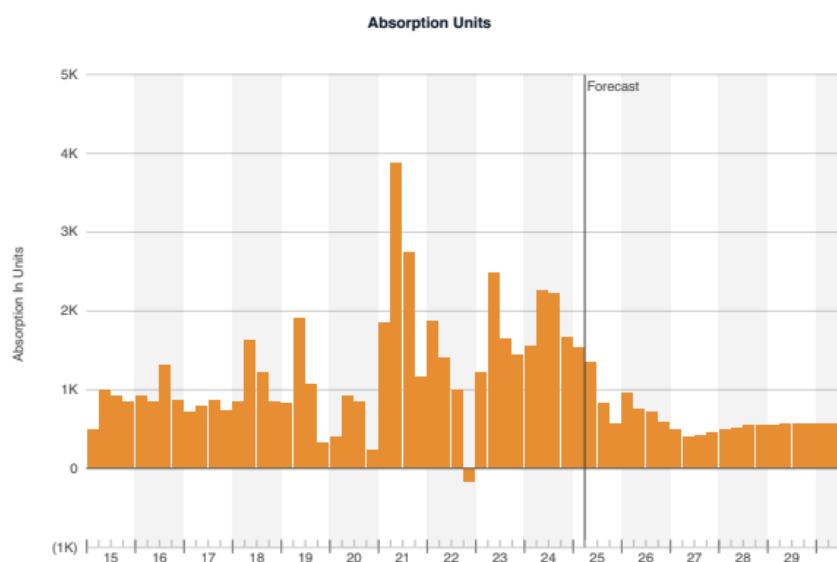


CoStar reports that rents have been trending upward consistently for the past 10+ years. The current average asking rate for an apartment unit in the Twin Cities Metro is around \$1,465 per month.

Vacancy has fluctuated, but was trending downward until 2020. The COVID-19 pandemic caused a spike in vacancy, which has since been declining.

However, vacancy is higher due to significant new construction, both in Minneapolis and surrounding suburbs.

The following chart shows the annual absorption of apartment units:

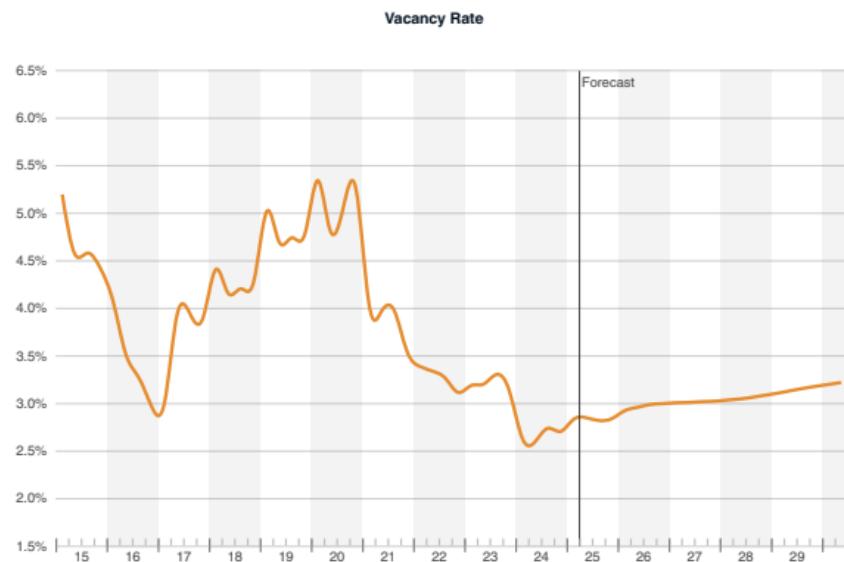


## Regional Data – continued

### RETAIL MARKET

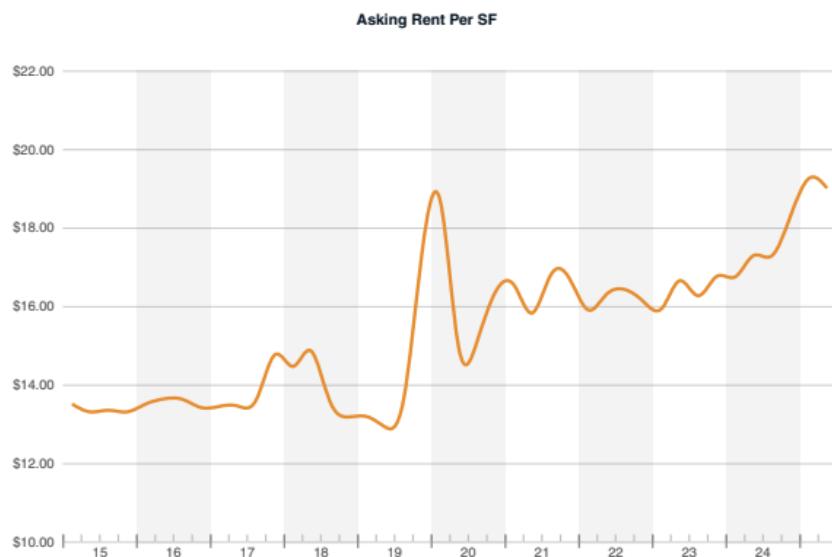
CBRE, Cushman & Wakefield, and Colliers are not publishing current retail market reports. CoStar tracks retail properties in the Twin Cities Metro and reports the following information.

#### Retail Vacancy:



Retail vacancy experienced an increase in 2020 due to the COVID-19 pandemic. Since 2020, vacancy rates have been dropping across the metro area.

CoStar reports asking rents have been steadily increasing in the Twin Cities Metro:



## Regional Data – continued

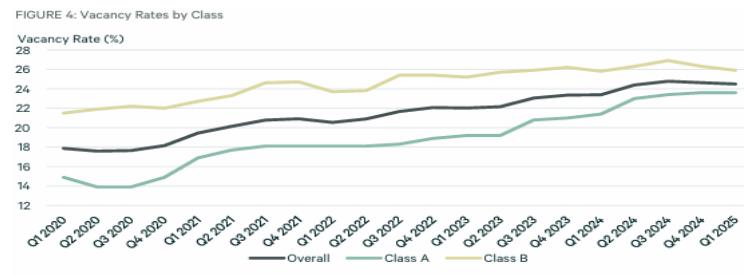
### OFFICE MARKET

In the Minneapolis office market, total Q2 absorption was (385,406) sq. ft., bringing the 2024 YTD absorption figure to (512,401) sq. ft. The negative absorption in Q2 was predominantly a result of US Bank vacating One and Two Meridian in Richfield following a decision to renew their headquarters location at their namesake tower in the Minneapolis CBD.

Direct vacancy increased a full percentage point from the previous quarter, up to 22.5%. The North Loop submarket experienced the greatest change in vacancy this quarter with the delivery of North Loop Green, which expanded the submarket's total inventory by 9% and increased vacancy by 5%. This was the first building delivered in the market since 2022.

The construction pipeline will slow following the delivery of North Loop Green. In Q2 there was just one other (non-medical) multi-tenant office building under construction. Wayzata Gateway, a 35,660 sq. ft. speculative development is anticipated to deliver by year-end in 2024.

CBRE reports the following vacancy and asking rates for the Twin Cities Metro:



Source: CBRE Research, Q1 2025



Source: CBRE Research, Q1 2025

CBRE reports the overall historic quarterly vacancy and absorption for the Twin Cities Metro:



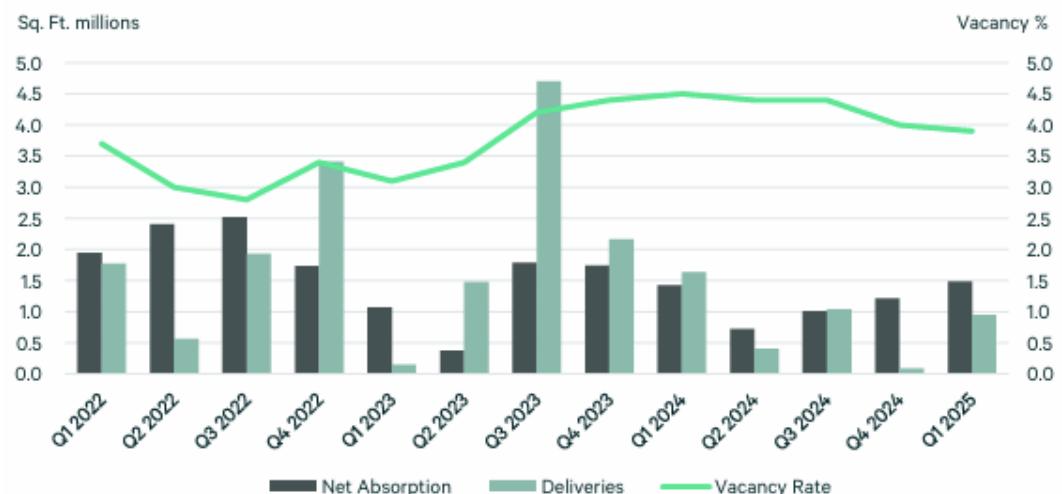
Source: CBRE Research, Q1 2025

## Regional Data – continued

### INDUSTRIAL MARKET

The industrial market nationwide has seen increases in rental rates and occupancy. Construction costs have been increasing as well, due to shortages created by the COVID-19 pandemic. In Minnesota the trend is similar to the country overall, vacancy has decreased, construction of new buildings is significant, CBRE indicates that vacancy has slightly increased since 2022, attributable due to the construction deliveries on the market:

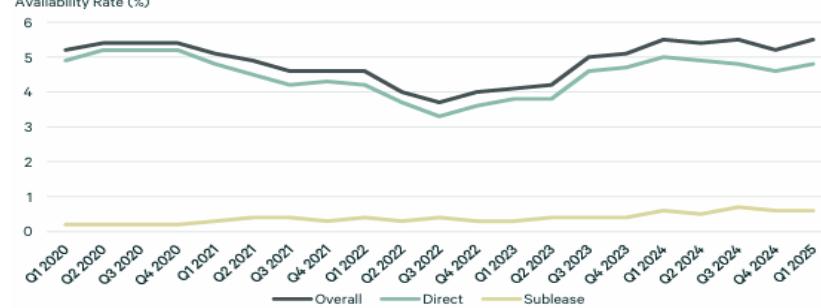
FIGURE 1: Historical Absorption, Deliveries, and Vacancy



Source: CBRE Research, Q1 2025

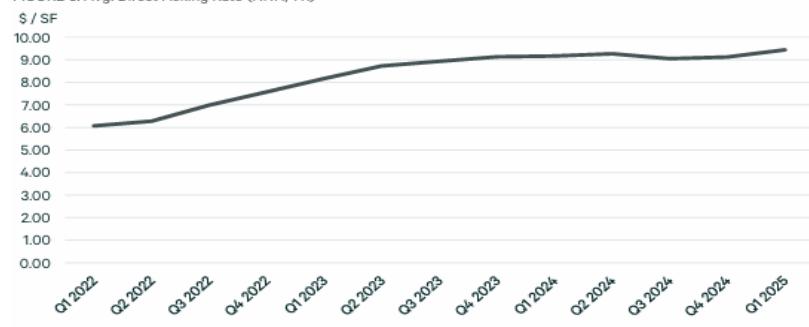
CBRE reports the following vacancy and asking rates for the Twin Cities Metro:

FIGURE 4: Availability Rates  
Availability Rate (%)



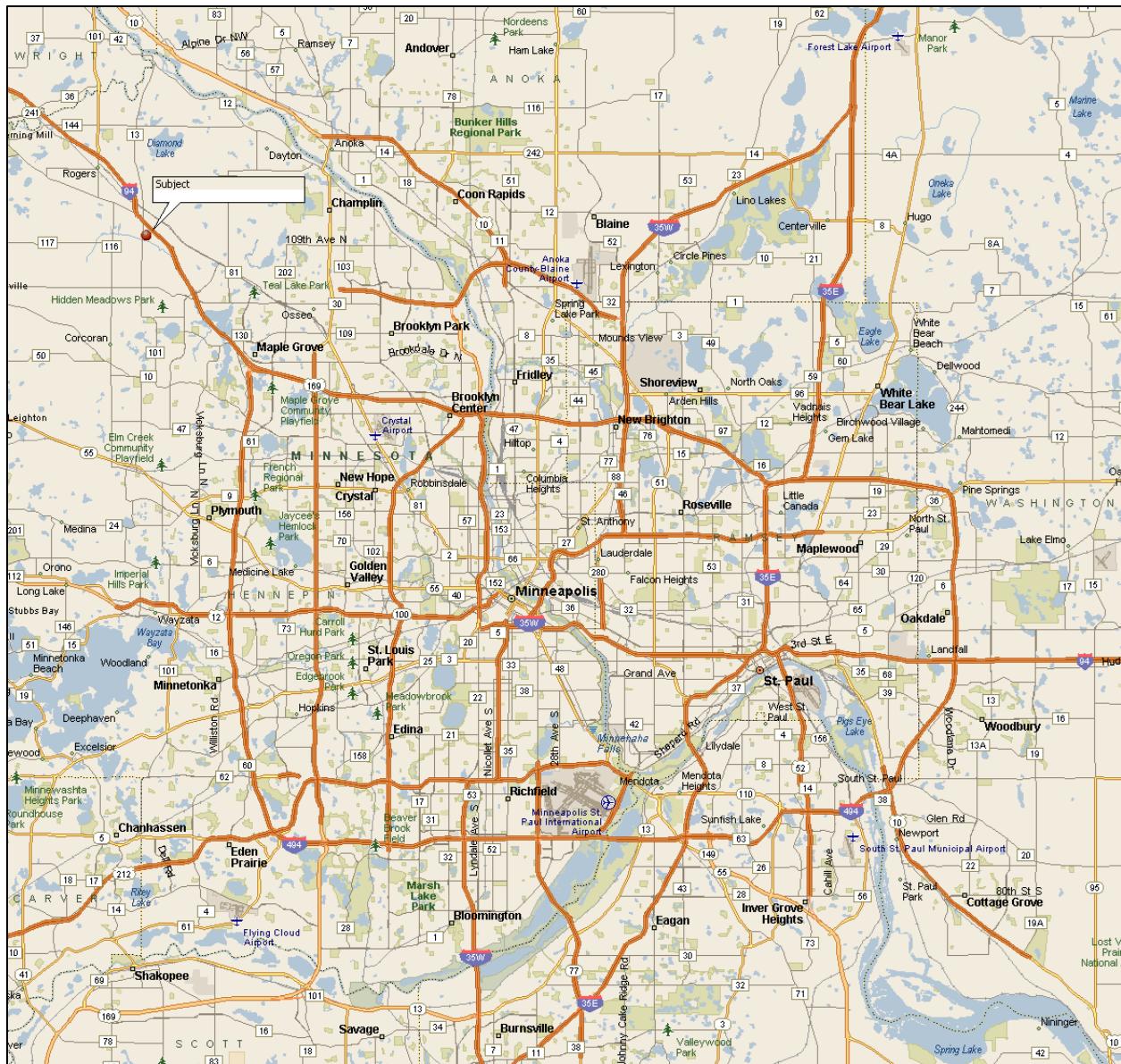
Source: CBRE Research, Q1 2025

FIGURE 5: Avg. Direct Asking Rate (NNN/YR)



Source: CBRE Research, Q1 2025

## REGIONAL MAP



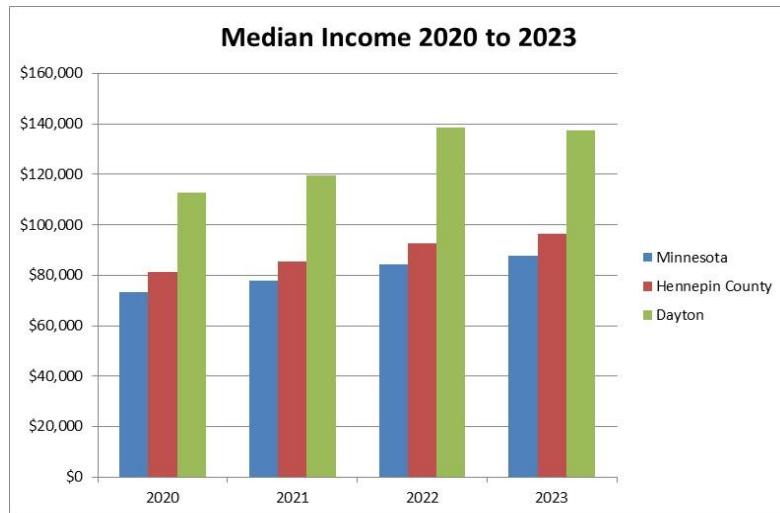
## ***CITY & NEIGHBORHOOD DESCRIPTION***

<b>Type of neighborhood:</b>	Northwestern Outlying Twin Cities Metro Community	
<b>Percent built-up:</b>	27% +/- developed within city limits	
<b>Stage of Development:</b>	Stable, growth (significant new residential development is occurring)	
<b>Neighborhood boundaries:</b>	City limits	
<b>Redevelopment</b>	Limited, there is available land	
<b>Major Transportation:</b>	Interstate 94, County Road 81	
<b>Predominant type &amp; conformity:</b>	<i>Single-Family Residential</i>	24%
	<i>Two- &amp; Multi-Family</i>	<1%
	<i>Commercial/Industrial</i>	2%
	<i>Other / Vacant / Public Land</i>	<u>73%</u>
	<i>Total:</i>	100%
<b>Single-Family Home Sales:</b>	\$300,000 to \$750,000+	
<b>Apartment Sales:</b>	\$60,000 to \$120,000+ per Unit (new construction on upper end of the range)	
<b>Office Property Sales:</b>	\$50 to \$150+ per SF	
<b>Retail Property Sales:</b>	\$75 to \$175+ per SF	
<b>Industrial Property Sales:</b>	\$40 to \$80+ per SF	
<b>Capitalization Rates:</b>	7% to 11% Historic	
<b>Subject Market:</b>	Stable	
<b>Neighborhood Trend:</b>	Stable	
<p><b>Comments:</b> The City of Dayton is a north/northwest suburban community located about 40 minutes northwest of Downtown Minneapolis. The City has had a recent surge of growth due in part to new industrial and residential development. As the City of Maple Grove becomes increasingly developed (to the southeast), Dayton is the next in line to develop along the Interstate 94 corridor.</p> <p>Recently, a new interchange was constructed on Interstate 94, known as the Dayton Parkway Interchange, that allows for convenient and immediate access to southern Dayton. This has helped and encouraged new development.</p> <p><b>Neighborhood:</b> The subject is located in the southwestern corner of Dayton near the Dayton Parkway and Interstate 94 interchange. There is available land in the subject area and nearby development is primarily residential. There is additional residential development planned in the area.</p>		

## City & Neighborhood Description – continued

### Subject City:

As of the 2010 census the population was 4,671, in 2000 it was 4,699. This represents a decrease of 0.6% from 2000 to 2010. As of the 2020 census, the population was 7,262 which is an increase of 55.5% from 2010. The 2023 population estimate for the City is 10,157, an increase of 39.9% from 2020.



The median income for the city is above both county and state levels (per Census Bureau). Income has increased over the timeframe.

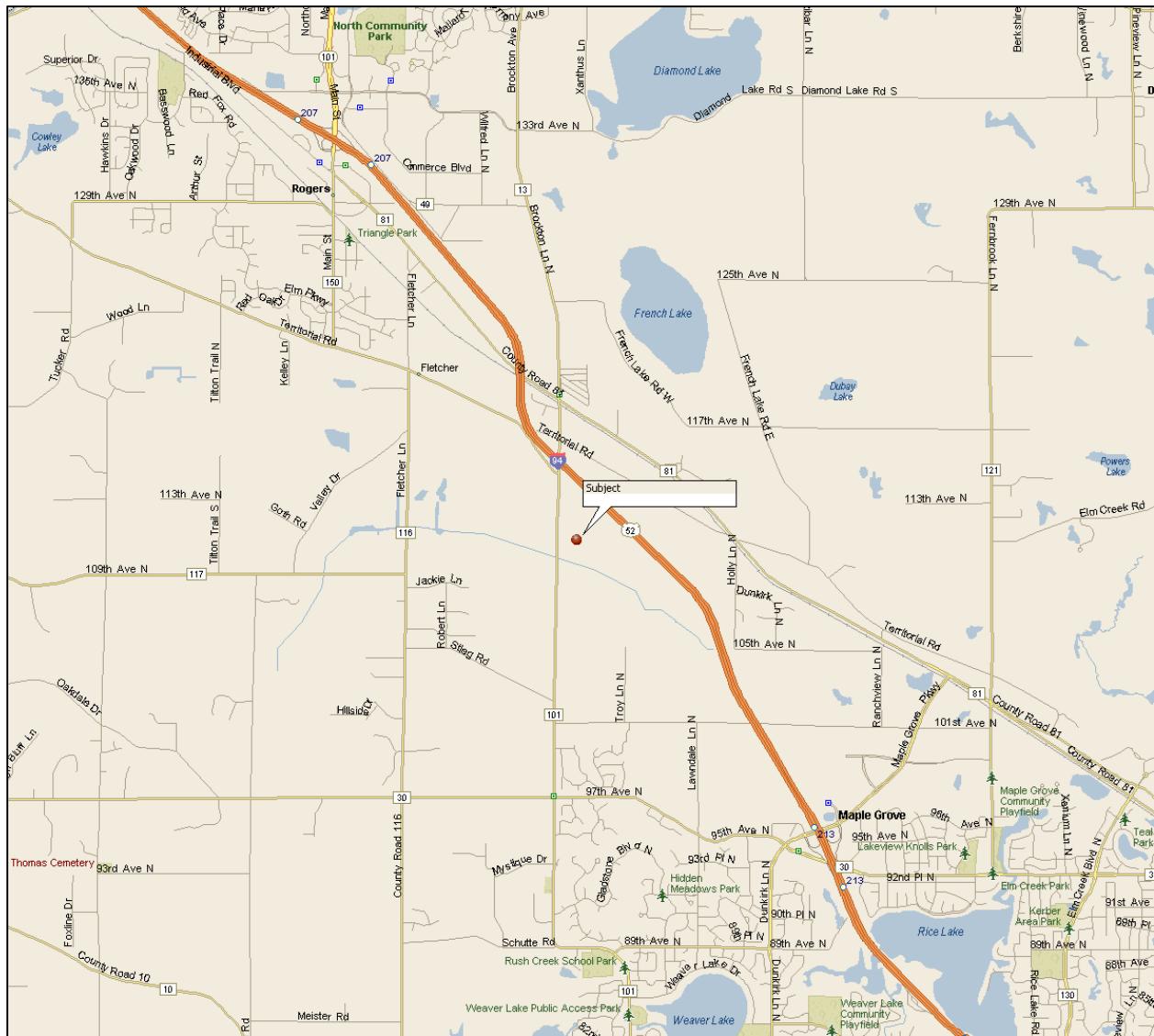
### Median Home Prices: City of Dayton

Source: NorthstarMLS Stats



The median sale price for a single-family home in Dayton has generally increased over timeframe. There was a slight decrease at the start of 2023 which is likely due to increasing interest rates.

## NEIGHBORHOOD MAP



## SURROUNDING USES



The immediate subject area is mostly undeveloped land. Development nearest the subject is residential and consists of townhomes and single-family homes. There are industrial uses on the opposite side of the Interstate 94 corridor.

Access to Interstate 94 is about 0.25 miles northeast of the subject.

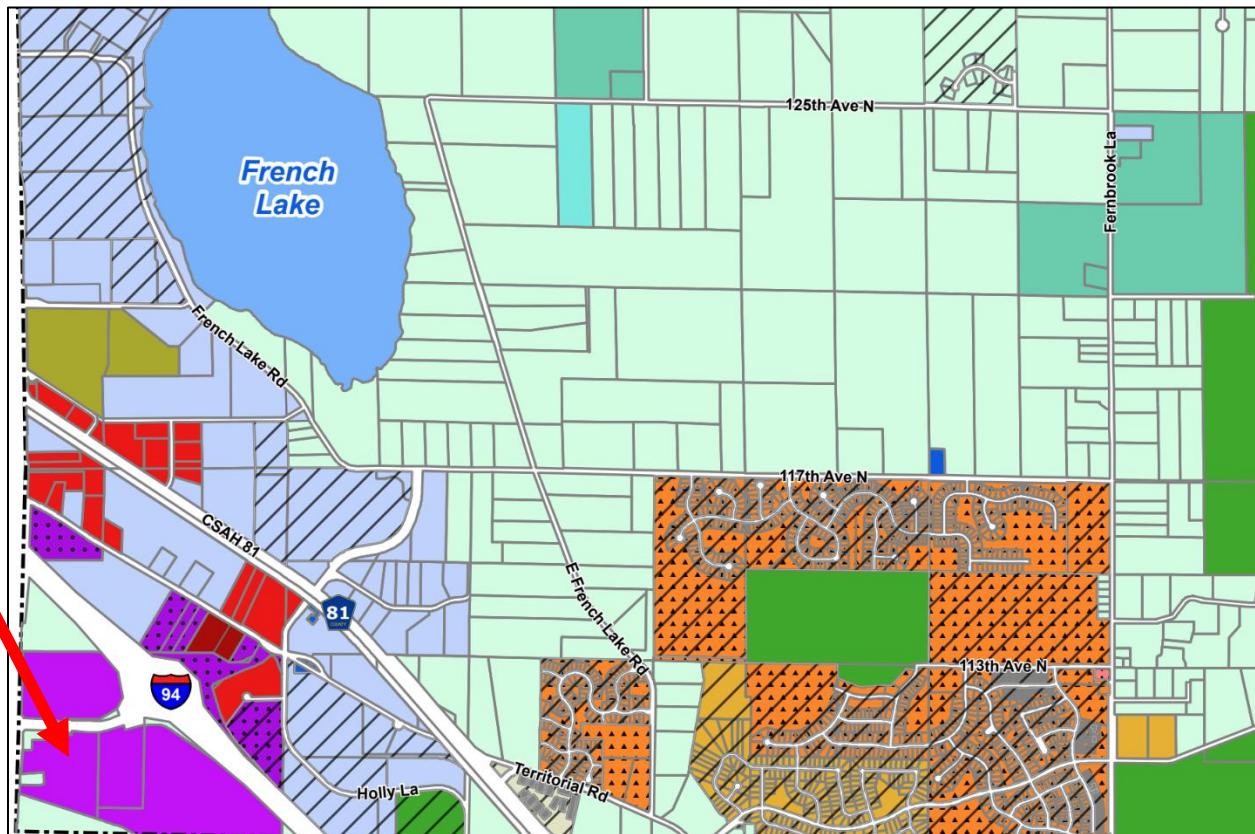
## ***BEFORE ANALYSIS***

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## SITE DESCRIPTION

<b>Dimensions:</b>	Somewhat Irregular, see Plat Map			
<b>Gross Site Area:</b>	<b>1,020,172 SF (23.42 acres), per county</b>			
<b>Topography / Low Area:</b>	Gently rolling throughout with a gentle slope towards low area / There are approximately 8.51 acres of wetland on the subject site. See Wetland Map.			
<b>Usable/Upland Area:</b>	<b>649,480 SF (14.91 acres), excludes indicated wetland area</b>			
<b>Shape:</b>	Irregular			
<b>Soil conditions:</b>	Assumed to be stable			
<b>Drainage:</b>	Appears adequate			
<b>Utilities:</b>				
Electricity / Gas:	Yes / Yes			
Water / Sanitary Sewer:	City water in area, but not to site / City sewer			
<b>Off-Site Improvements:</b>				
Street/Curb-gutter:	Bituminous / Concrete along Dayton Parkway, none along Brockton Lane North			
Sidewalk:	None			
Visual Road Condition:	Average along Brockton Lane North, Good along Dayton Parkway			
Streetlights / Alley:	Standard along Dayton Parkway / None			
Storm Sewer:	In street along Dayton Parkway, surface along Brockton Lane North			
<b>Access to site (#) / Frontage:</b>	Dayton Parkway (1, full intersection), Brockton Lane North (one field access)			
<b>Traffic Count:</b>	The MnDOT traffic count map indicates 6,501 vehicles per day in 2023 along Dayton Parkway and 6,958 vehicles per day in 2022 along Brockton Lane North.			
<b>Visibility:</b>	Average			
<b>Flood hazard zone:</b>	The subject does appear to be in a flood zone. However, a large majority of the site appears to be within the 100-year flood plain. That said, the site is being marketed as buildable outside of the wetland area. The appraised value assumes the non-wetland area is buildable, if found otherwise, the value could differ. See Flood Map for the indicated flood plain area.			
<b>Apparent Easements:</b>	Typical utility apparent. There is an apparent overhead powerline easement in the southern portion of the property that is primarily over the wetland area.			
<b>Encroachments:</b>	None apparent			
<b>Unusual Conditions:</b>	None apparent			
<b>Use:</b>	Vacant land, a portion of the site is farmed			
<b>Land to Building ratio:</b>	Not applicable			
<b>Excess/Surplus Land:</b>	None noted			
<b>Functional Adequacy:</b>	Average for development			
<b>Surrounding Uses:</b>	N	Undeveloped land, residential	E	Undeveloped land
	S	Undeveloped land	W	Undeveloped land
<b>Distance to Major Road:</b>	Access to Interstate 94 is about 0.25 miles northeast of the subject			
<b>Comments:</b>	The subject is a somewhat irregularly-shaped parcel located near the Interstate 94 corridor. There is available land near the subject. Nearby development is single-family residential. No other apparent easements noted.			

## ZONING MAP



The subject is zoned GMU-5, Southwest Mixed Use.

### 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	

## ZONING

<b>Subject Zoning:</b>	<b>GMU-5, Southwest Mixed Use</b>
<b>Intent (city code):</b>	The purpose of the Southwest Mixed-Use District is to provide an appropriate location to allow a diverse mix of compatible uses including high density residential, commercial, office, and employment driven industrial related uses. Properties zoned for GMU-5 sit adjacent to I-94/Dayton Parkway Interchange and Dayton Parkway and are envisioned to serve as a gateway to the City. Vertical development is highly encouraged when appropriate for the use. The mix of uses can occur vertically and horizontally. 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-5 District.
<b>Permitted Uses:</b>	<b>The following uses shall be considered through PUD application process:</b>  Dwelling, multiple family stacked (apartment, condominium, cooperative) as a minimum of 12 units per acre and minimum height of 3 stories or greater; senior citizen housing/residential care facility; bank, credit unions, and other financial institutions with or without drive-through; brewery with tap room; business, trade, or non-academic colleges operated for profit; commercial indoor recreation facilities; daycare facility; distillery (with tasting room); fitness center; hotel; retail and service shops with or without drive-through; restaurants class I, II, and III, no drive-through; restaurants class IV, drive through; motor fuel station/convenience store with no overnight parking including semi-trucks; professional services; government buildings where the use conducted is primarily for office uses; offices, administrative/commercial; offices and medical centers, clinics, etc for human care; offices and medical centers, clinics, etc. for animal care; research and development; manufacturing and/or assembly; showroom (indoor only, no vehicles permitted); warehousing (limited to 50% of GFA)
<b>Conditional Uses:</b>	None noted
<b>Major Restriction/requirements in this district:</b>	<b>Maximum impervious surface coverage:</b> 80% <b>Front setback:</b> 20 feet  Note: Site plans are to be reviewed as part of the PUD process.
<b>Parking:</b>	<b>Parking requirements vary based on proposed use</b>
<b>Use:</b>	The subject is vacant land. The zoning allows for residential, commercial, office, mixed uses, and service uses. If found to be otherwise, the appraised value could differ.
<b>Source:</b>	<i>Zoning map, city code</i>

## FUTURE LAND USE



The subject is guided Mixed Use per the City of Dayton 2040 Future Land Use Plan.



The City's comprehensive plan describes the Mixed Use land use designation as follows:

Mixed Use	This category is intended to provide a mix of residential, commercial, office, service (hotel, restaurants, etc.) and light industrial land uses depending on the location of each mixed use area with the assumption that a possibly 60% of the area will be for residential uses. The Mixed Use area southwest of the interchange will allow for the greatest variety of users to respond to the market and new access to I-94. Typically, mixed-use development will include townhomes, low- and high-rise apartments, retail buildings, and offices. Development is often stacked (but not required), consisting of main floor retail space with office or housing units located above. Residential density shall occur at an average of 12 -20 units/acre. Each mixed-use area will have a corresponding ordinance that address the specific goals and uses for each unique mixed use area.
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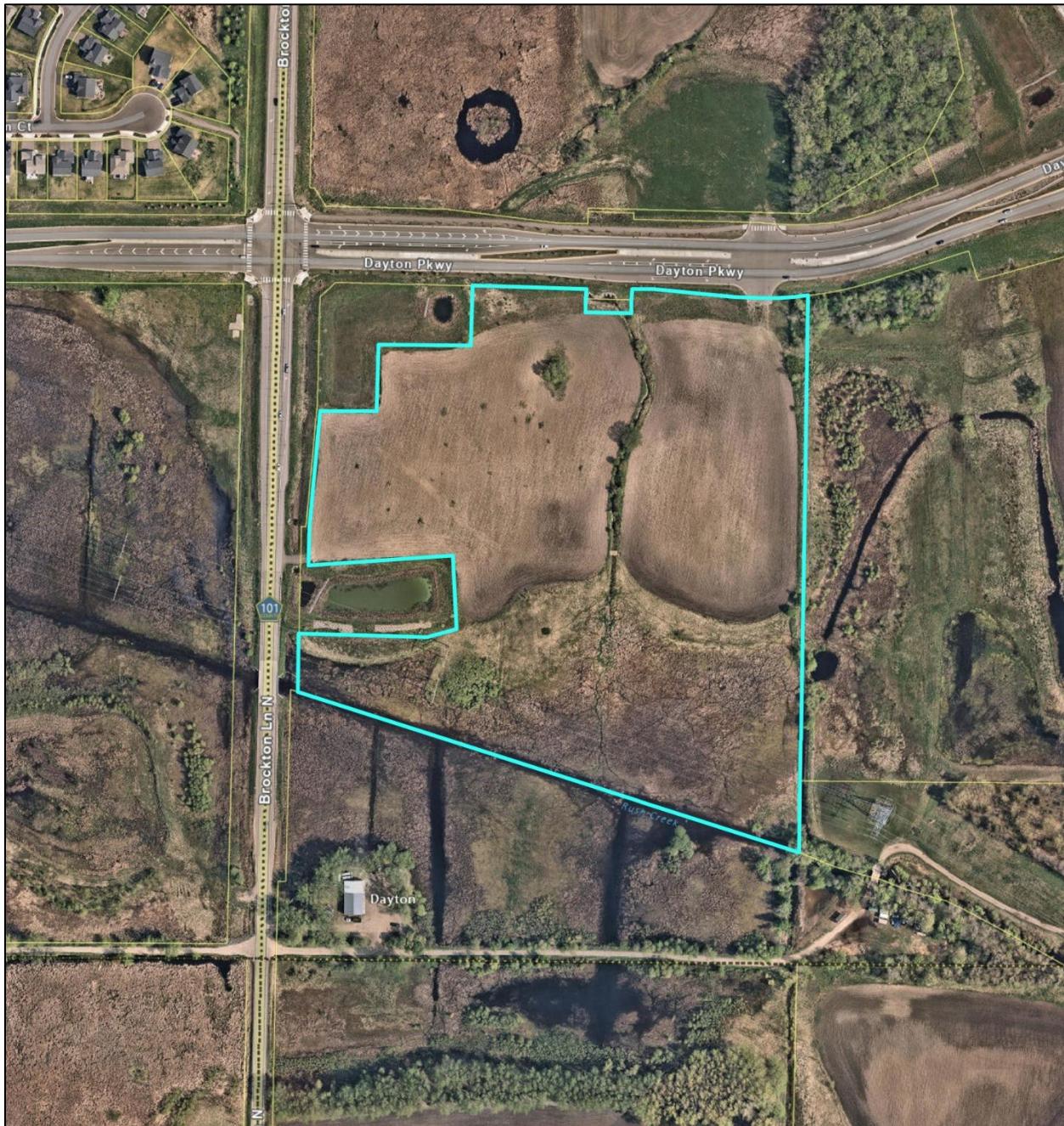
**Conclusion:** The future land use is consistent with the current zoning and would encourage a mix of residential, commercial, office, and service uses. Residential uses may have a density of 12-20 units per acre.

## FLOOD MAP



The subject is in an area inundated by 100-year flooding. As noted previously, the appraised value assumes the land outside the wetland area is buildable, if found otherwise, the value could differ.

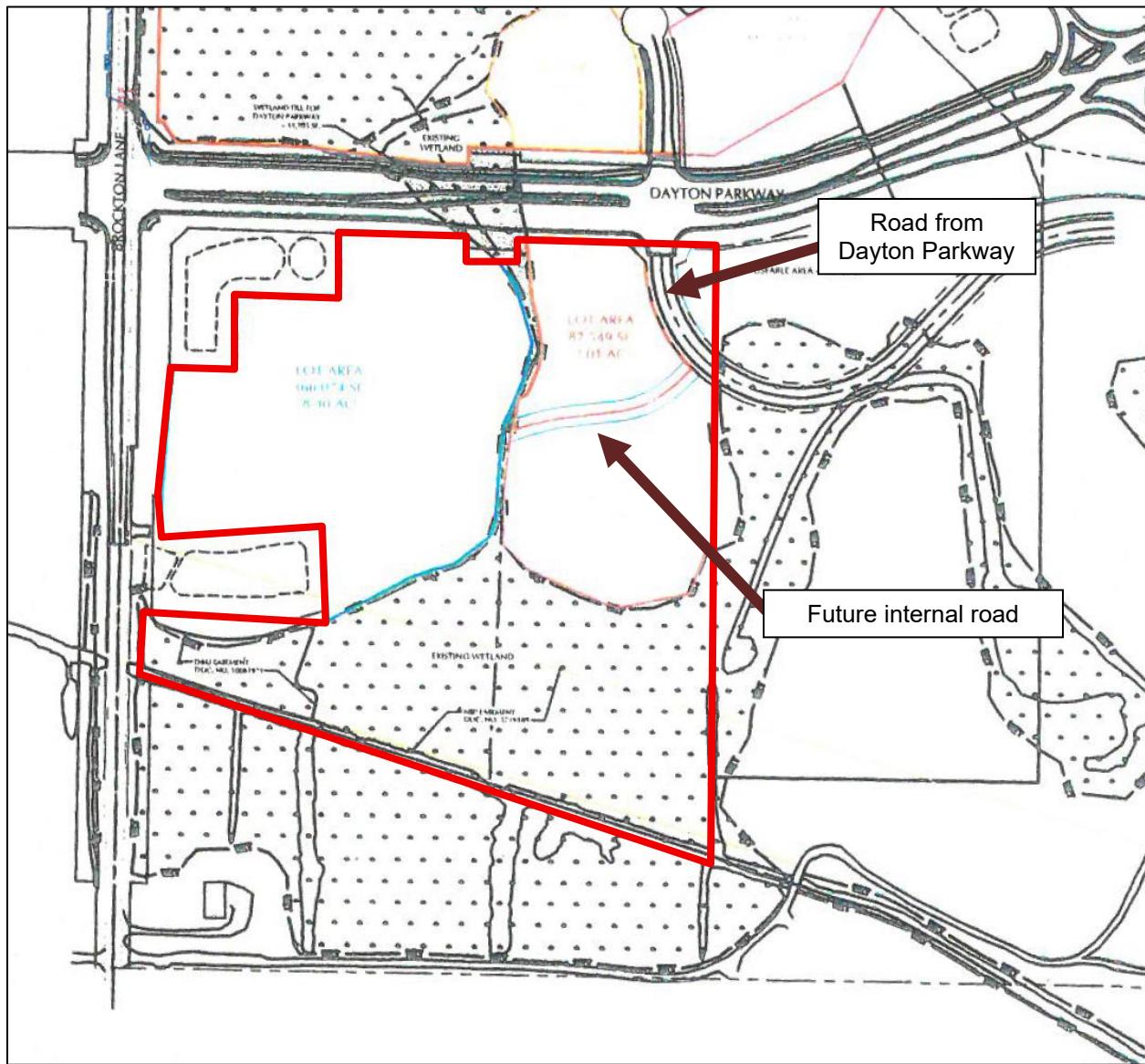
## AERIAL / PLAT MAP



The subject is outlined in blue, per county.

## POTENTIAL PLAT MAP

The below exhibit was copied from "streetercompanies.com", which has the subject currently listed for sale. The map shows the subject property and a future road from Dayton Parkway. The exhibit also shows a potential future road on the subject property branching off from the road existing on Dayton Parkway. The subject property is outlined approximately in red.



The City's proposed acquisition and new road is consistent with the development plat shown on the listing website.

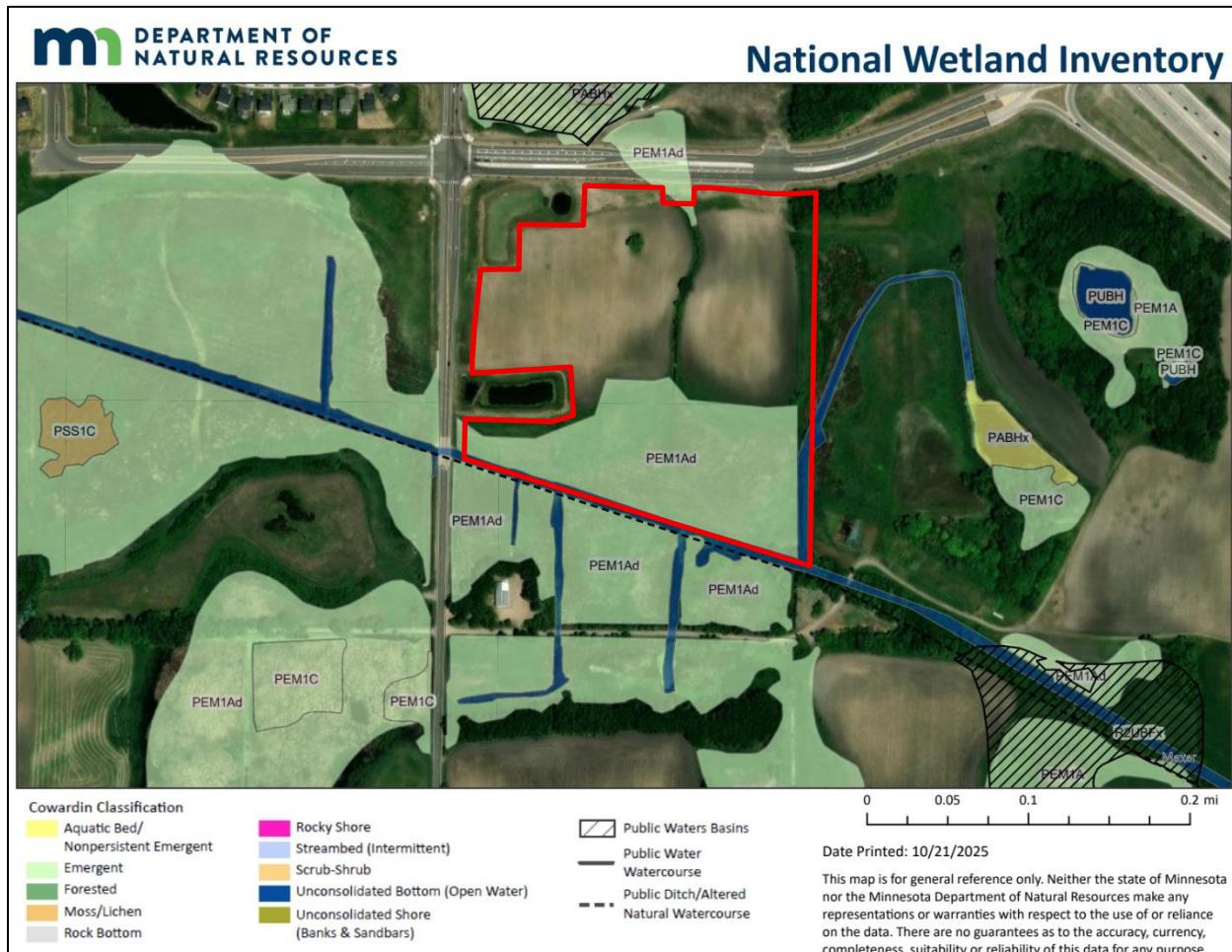
## TOPOGRAPHY MAP



The above topography map is from the MN DNR website. The subject is approximately outlined in red.

The site's topography is gently rolling and generally slopes downward toward low area (see following Wetland Map). The site's high point appears to be around 928' and the low point appears to be around 906'.

## WETLAND MAP



The above wetland map is from the National Wetlands Inventory website. The subject is approximately outlined in red. Wetland on the site includes freshwater emergent wetland and riverine.

According to natural resource information on the Hennepin County GIS there are 8.51 acres of wetland on the subject site.

**Note:** The above exhibit is from the MN DNR NWI Wetland Finder. It is a preliminary wetland map that is not an official wetland delineation. That said, the NWI Wetland Finder is a good resource for the beginning of wetland research.

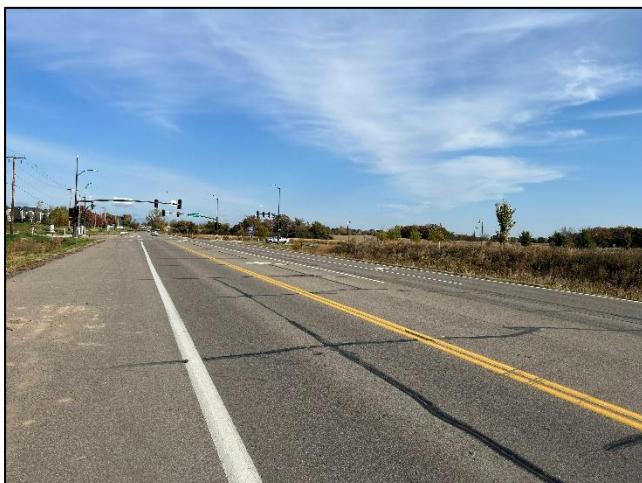
## **SUBJECT PHOTOGRAPHS**



Looking east on Dayton Parkway



Looking west on Dayton Parkway



Looking north on Brockton Lane North



Looking south on Brockton Lane North

Subject Photographs – continued



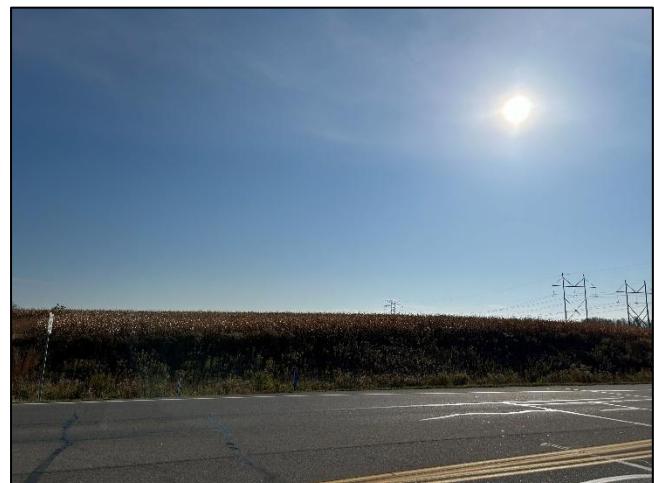
Site view from right-of-way



Site view from right-of-way



Site view from right-of-way



Site view from right-of-way

## ***HIGHEST AND BEST USE***

Highest and best use is defined in The Dictionary of Real Estate Appraisal, Seventh Edition as, "The reasonably probable use of property that results in the highest value. The four criteria that the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity". Highest and best use is analyzed in two ways, site as vacant and site as improved.

<b><i>Typically, there are four criteria in highest and best use analysis</i></b>	
<i>Legally permissible uses</i>	<i>What uses are allowed by zoning?</i>
<i>Physically possible uses</i>	<i>What uses are physically possible on the site?</i>
<i>Financially feasible use</i>	<i>Which possible and permissible uses will produce a positive return?</i>
<i>Maximally productive use</i>	<i>Of the financially feasible uses, which use produces the highest return warranted by the market (the ideal improvements)?</i>

**Site as Vacant:** The use of the real estate based on the presumption that the parcel of land is vacant or can be made vacant by demolishing any improvements (i.e., as vacant or as if vacant). (The Appraisal of Real Estate, 15<sup>th</sup> Edition, page 307)

**Legally Permissible Uses:** The subject is currently zoned **GMU-5, Southwest Mixed Use**, which allows for a variety of multiple family, office, and commercial uses. The zoning code would allow for showrooms and warehouses (limited to 50% of GFA).

The site is guided Mixed Use, which appears to be generally consistent with the current zoning. The planned density is between 12 and 20 units per acre.

**Physically Possible Uses:** The subject site upland area is somewhat irregular, however, the site is larger enough to allow for typical development. The site is located at the southeast corner of the County Road 1010 and Dayton Parkway intersection. The property has access to city sewer, city water is in the area but is not immediately present at the subject property.

**Financially Feasible Uses:** Typically, surrounding uses, market demand, and availability of financing drive financially feasible uses.

**Surrounding Uses:** Immediate surrounding uses consist primarily of future development land, industrial, and single-family residential. There is a proposed development to the east, which includes apartments, commercial, and residential. A mixture of uses on the subject site, including apartments, single-family residential, and commercial/office would be supported by surrounding uses.

**Financing:** From 2019 to 2022, interest rates were near historic lows, ranging from 1.5% to 3.5%, depending on loan amount, equity down, etc. In order to combat inflation, interest rates have been increasing. Current loan terms for new construction are generally 20% to 30% down, 6.50% to 7.50% interest rates with 20- to 35-year amortization and 5-year balloons. As noted, interest rates have increased in recent years, which has impacted the market. Recently, in September 2025, interest rates were lowered by approximately 25 basis points. The impact on the market remains to be seen.

## Highest and Best Use – continued

**Market Demand:** Market demand for commercial, residential, and apartment land in the subject market is rated to be soft to average. There is new construction occurring, including a proposed development on the property to the east. The subject does not have access to public water at this time (the city project will bring water to the subject property).

Demand for showroom and warehouse space (only up to 50% of gross floor area) is rated to be soft in the market. New warehouse construction generally has significantly less than 50% office; this type of property would not be allowed under the current zoning code.

**Financially Feasible Uses:** A mixture of uses on the subject appears to be feasible, however, city water would need to be extended to the subject site. The most likely uses would be apartments and residential, along with some commercial. The future land use indicates a preference for apartments, so lower density residential is less likely.

Development timing can be very difficult to conclude to future development land like the subject. There is proposed new construction of hundreds of apartment units and townhomes on the land to the east. Overall, the appraiser concludes a development timing of 3 to 7 years would likely be expected in the market.

**Maximally Productive Use:** The surrounding uses are a mixture of industrial, residential, and future development land. Given the location and surrounding uses, along with the physical characteristics of the site, a commercial and/or apartment use would be logical. The zoning would allow for showrooms and warehousing (up to 50% of the gross floor area).

The indicated density in the comprehensive plan is 12 to 20 units per acre, which would indicate 178 to 298 total units. There could be a possibility to increase density as well.

The highest and best use for the subject as vacant would be for a commercial and/or apartment use as market demand warrants and zoning allows. A showroom or warehousing (up to 50% of GFA) use is less likely.

**Most Probable Buyer:** The most likely buyer of the subject is developer.

**Site as Improved:** The use that should be made of the real estate as it exists (i.e., as currently improved or as if improved as proposed). (The Appraisal of Real Estate, 15<sup>th</sup> Edition, page 307)

The Highest and Best Use As Improved Analysis is not applied as the subject is vacant land.

## **COST APPROACH**

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The subject is vacant land, as such, the Cost Approach is not considered applicable and is not applied.

## **INCOME APPROACH**

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The Income Approach was not applied as rental and capitalization rate data for land like the subject is limited, which renders the approach unreliable.

## **SALES COMPARISON APPROACH**

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In the sales comparison approach, an opinion of market value is developed by comparing properties similar to the subject property that have recently sold, are listed for sale, or are under contract (i.e., for which purchase offers and a deposit have been recently submitted). A major premise of the sales comparison approach is that an opinion of the market value of a property can be supported by studying the market's reaction to comparable and competitive properties. (The Appraisal of Real Estate, 15<sup>th</sup> Edition, page 351)

**Supply and Demand:** Property prices result from negotiations between buyers and sellers. In a market with many buyers and sellers, buyers make up the market demand the properties offered for sale or lease currently or in the foreseeable future make up the supply. To estimate demand, appraisers consider the number of potential users of a particular type of property, their purchasing power, and their tastes and preferences. To analyze supply, appraisers focus on existing properties that are available on the market as well as properties that are being constructed, converted, or planned. (The Appraisal of Real Estate, 15<sup>th</sup> Edition, page 352)

**Substitution:** The principle of substitution holds that the value of property tends to be set by the cost of acquiring a substitute or alternative property of similar utility and desirability within a reasonable amount of time. (The Appraisal of Real Estate, 15<sup>th</sup> Edition, page 352)

**Balance:** The forces of supply and demand tend toward equilibrium, or balance, in the market, but absolute equilibrium is almost never attained. Due to shifts in population, purchasing power, consumer tastes and preferences, and many other factors, demand varies greatly over time. The construction of new buildings, conversion of existing buildings to other uses, and demolition of old buildings cause supply to vary as well. (The Appraisal of Real Estate, 15<sup>th</sup> Edition, page 352)

**Externalities:** External forces affect all types of property in positive or negative ways. Periods of economic growth and economic decline influence property values. Appraisers analyze the market area of the subject property to identify all significant external influences. (The Appraisal of Real Estate, 15<sup>th</sup> Edition, page 353)

When possible, select comparables with similar location, economic conditions and support facilities.

**Land Value:** "Sales comparison is usually the preferred method for developing an opinion of site value. When this method is used, most of the techniques for selecting comparable sales and making adjustments that are described in Chapter 20 can be applied to site valuation. When there are not enough sales of similar parcels for the application of sales comparison, alternative methods such as market extraction, allocation, land residual analysis, and various income capitalization techniques may be used". (The Appraisal of Real Estate, 15<sup>th</sup> Edition, page 339)

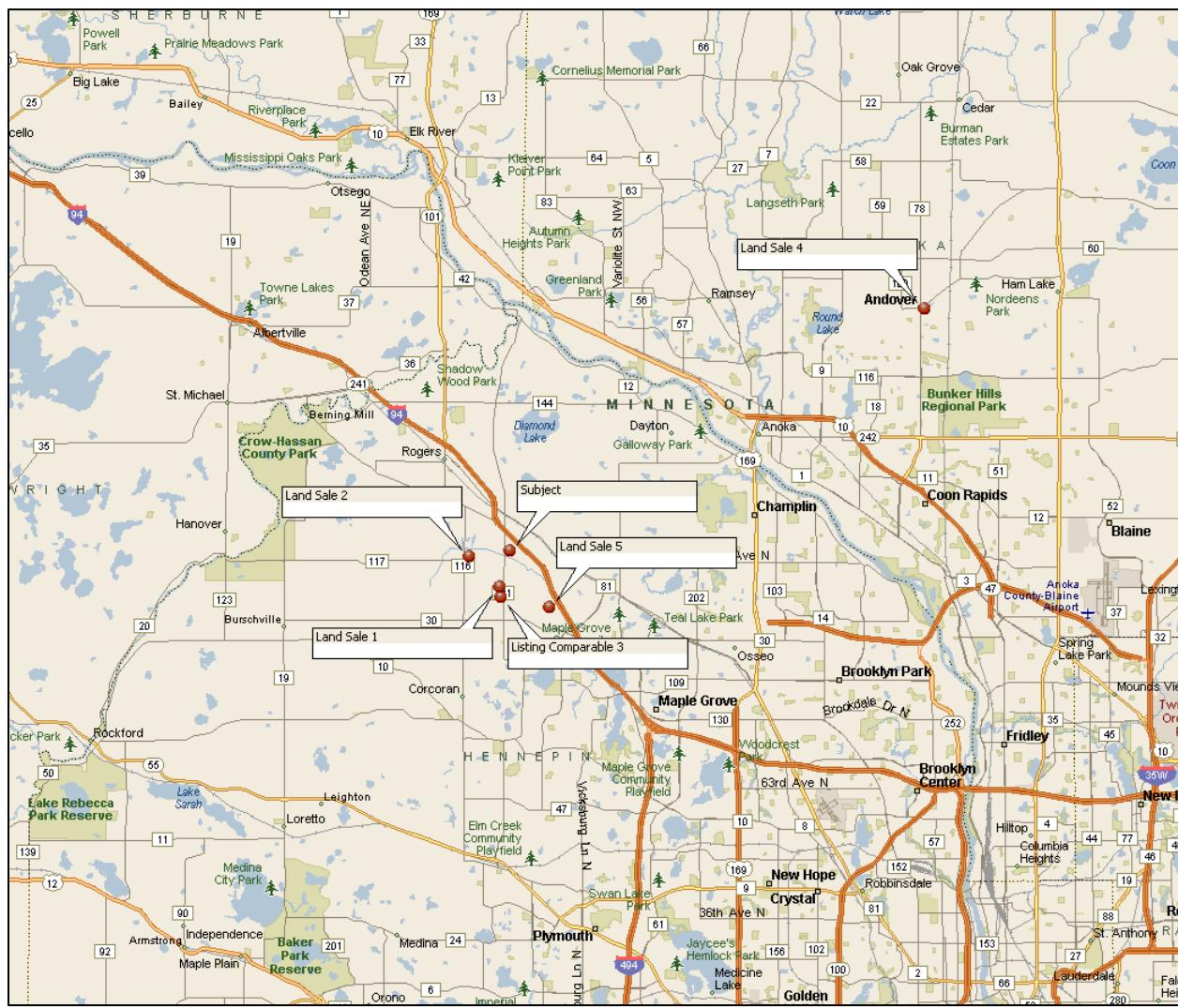
### **The Following Outline Is Used In The Sales Comparison Approach:**

- A location map of the comparable sales.
- Comparable sales are listed.
- An adjustment grid using the comparable sales.
- A discussion of adjustment and conclusion of value.

### Comparable Location Map

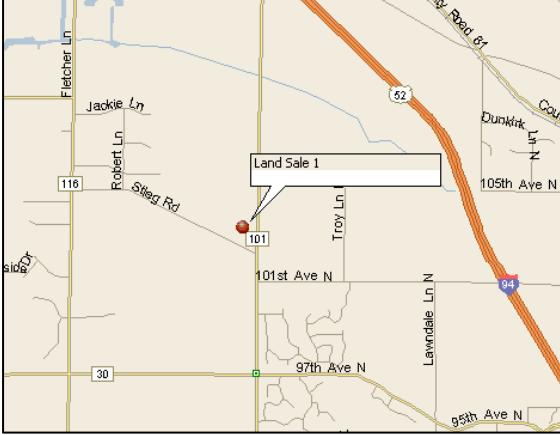
### **Primary Comparable Selection/Search Criteria:**

- Mixed use, commercial, and industrial land sales
- Sale date of January 1, 2022 +, older sales may be considered
- 500,000 SF to 1,500,000 SF + (smaller or larger sites will be considered if relevant)
- Data from competing communities
- In some instances, older data and/or data from competing communities will be utilized due to proximity to the subject and other characteristics similar to the subject.



**Note:** The subject acquisition area is less than 1 acre. Because of this, the unit of comparison selected is the price per SF instead of price per acre.

Sales Comparison Approach -- continued

Land Sale Comparable #1	
	

<u>Property Data</u>			
<b>Address:</b>	XXXX Steig Road, Corcoran		
<b>PID/Legal Description:</b>	01-119-23-44-0045		
<b>Description:</b>	Land parcel	<b>Zoning/Intended Use:</b>	Industrial
<b>Physical Characteristics:</b>	Average	<b>Utilities:</b>	Available
<b>Usable Site Size:</b>	558,875 SF	<b>Improvements:</b>	None
<b>Comments:</b>	The site is located at the intersection of Steig Road and County Road 101. The gross site area is 14.89 acres while the net useable area is estimated to be 12.83 acres. The buyer subdivided the site and plans to construct a dog daycare (immediately), which is a commercial related use. There are available lots for additional development.		

<u>Sale Data</u>			
<b>Sale Price:</b>	\$1,265,000	<b>Price / Useable SF:</b>	\$2.26 per Usable SF
<b>Sale/Close Date:</b>	June 21, 2024	<b>Sale Terms:</b>	New Mortgage
<b>Buyer:</b>	B&D Commercial 101, LLC	<b>Sale Conditions:</b>	Typical
<b>Seller:</b>	Joe Martin & Mary Schober Martin	<b>Source/Verification:</b>	RediComps / eCRV
<b>Comments:</b>	The property sale price was privately negotiated between the buyer and seller. The price is considered market appropriate.		

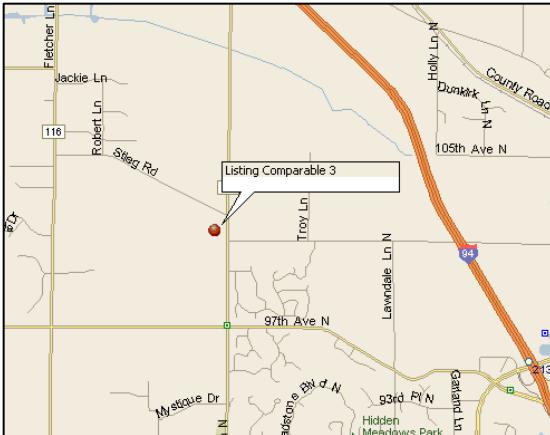
## Sales Comparison Approach -- continued

Land Sale Comparable #2	
	

<u>Property Data</u>			
<b>Address:</b>	<b>XXXX County Road 116, Rogers</b>		
<b>PID/Legal Description:</b>	36-120-23-33-0001		
<b>Description:</b>	Land parcel	<b>Zoning/Intended Use:</b>	Mixed Use
<b>Physical Characteristics:</b>	Average	<b>Utilities:</b>	Not Available
<b>Usable Site Size:</b>	1,327,709 SF	<b>Improvements:</b>	None
<b>Comments:</b>	Mixed use land that has a gross site area of 38.51 acres. Of this total, approximately 8.03 acres is wetland area. The net usable is therefore 30.48 acres or 1,327,709 SF. The site was purchased for future development. The property does not have public water or sewer available, however, utilities will be extended as part of the future Dayton Parkway project.		

<u>Sale Data</u>			
<b>Sale Price:</b>	\$1,950,000	<b>Price / Usable SF:</b>	\$1.47 per Usable SF
<b>Sale/Close Date:</b>	October 9, 2024	<b>Sale Terms:</b>	Cash
<b>Buyer:</b>	Fletcher Development, LLP	<b>Sale Conditions:</b>	Typical
<b>Seller:</b>	John & JoEllyn Wicht	<b>Source/Verification:</b>	CoStar / eCRV
<b>Comments:</b>	The property was listed on the open market by Brian Pankratz with CBRE. The buyer owns other property in the area. While the buyer owned nearby property, the sale price does appear reflective of the market.		

Sales Comparison Approach -- continued

Land Listing Comparable #3	
	

<u>Property Data</u>			
<b>Address:</b>	<b>XXXX Stieg Road, Corcoran</b>		
<b>PID/Legal Description:</b>	01-119-23-44-0046		
<b>Description:</b>	Land parcel	<b>Zoning/Intended Use:</b>	C-2, Community Commercial
<b>Physical Characteristics:</b>	Average	<b>Utilities:</b>	Available
<b>Usable Site Size:</b>	509,652 SF	<b>Improvements:</b>	None
<b>Comments:</b>	Commercial land with a gross site area of 12.76 acres. Of this total, 1.06 acres is wetland. The usable area is therefore 11.7 acres or 509,652 SF. The site has average development appeal and is located along County Road 101. The property has public utilities available for development.		

<u>Listing Data</u>			
<b>Listing Price:</b>	\$1,403,600	<b>Price / Usable SF:</b>	\$2.75 per Usable SF
<b>Sale/Close Date:</b>	Listing 2025	<b>Sale Terms:</b>	Market
<b>Buyer:</b>	n/a	<b>Sale Conditions:</b>	Typical
<b>Seller:</b>	JR & MS Martin Trust	<b>Source/Verification:</b>	CoStar
<b>Comments:</b>	The property is currently listed on the market by Joel Martin (seller). The property has been listed for approximately 7 months as of the appraisal report date. There are no reported pending sales.		

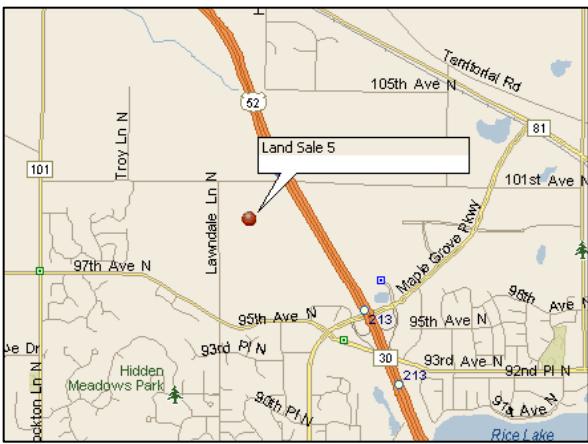
Sales Comparison Approach -- continued

Land Sale Comparable #4	
	

<u>Property Data</u>			
<b>Address:</b>	<b>XXX Hanson Boulevard Northwest, Andover</b>		
<b>PID/Legal Description:</b>	23-32-24-33-0002, -0006		
<b>Description:</b>	Land parcel	<b>Zoning/Intended Use:</b>	Mixed Use
<b>Physical Characteristics:</b>	Average	<b>Utilities:</b>	Available
<b>Usable Site Size:</b>	614,245 SF	<b>Improvements:</b>	None
<b>Comments:</b>	Sale of vacant land that was purchased for the development of a senior living facility, townhomes, apartments, and commercial. The site has average development appeal and exposure. The proposed number of units is 208.		

<u>Sale Data</u>			
<b>Sale Price:</b>	\$3,125,000	<b>Price / Usable SF:</b>	<b>\$5.09 per Usable SF</b>
<b>Sale/Close Date:</b>	October 29, 2024	<b>Sale Terms:</b>	Cash
<b>Buyer:</b>	Wedum Andover, LLC	<b>Sale Conditions:</b>	Typical
<b>Seller:</b>	Corinne Holasek Trust	<b>Source/Verification:</b>	RediComps / eCRV
<b>Comments:</b>	The property was listed on the open market. The listing broker, Chris Fritch, verified the sale information.		

## Sales Comparison Approach -- continued

Land Sale Comparable #5	
	

<u>Property Data</u>			
<b>Address:</b>	17425 101st Avenue North, Maple Grove		
<b>PID/Legal Description:</b>	08-119-22-22-0001		
<b>Description:</b>	Land parcel	<b>Zoning/Intended Use:</b>	Mixed Use
<b>Physical Characteristics:</b>	Average	<b>Utilities:</b>	Available
<b>Usable Site Size:</b>	1,141,272 SF	<b>Improvements:</b>	n/a
<b>Comments:</b>	Property located in Maple Grove with fairly close proximity to the subject. The site is fairly level and open site, no apparent low areas or flood plain. The property was purchased to develop the site with a 4-story apartment with 200 units, 155 townhome units to rent, and one commercial pad along Lawndale Avenue. Similar proposed development and uses as the subject.		

<u>Sale Data</u>			
<b>Sale Price:</b>	\$2,650,000	<b>Price / Usable SF:</b>	\$2.32 per Usable SF
<b>Sale/Close Date:</b>	December 28, 2023	<b>Sale Terms:</b>	New Mortgage
<b>Buyer:</b>	Neon Land Ventures Maple Grove, LLC	<b>Sale Conditions:</b>	Typical
<b>Seller:</b>	The TWR Family LP & Company	<b>Source/Verification:</b>	RediComps / eCRV
<b>Comments:</b>	The property was listed on the open market. Upon purchase the site was split into three sites, the property had direct access to major roadways.		

## Sales Comparison Approach - continued

Listed below is the adjustment grid for the comparables; see addenda for comparable map and comparable descriptions & exhibits. Comparable items of significant difference are adjusted for on a per SF basis.

Description	Subject	1	2	3	4	5
Address	XXXX Dayton Parkway Dayton	XXXX Steig Road Corcoran	XXXX County Road 116 Rogers	XXXX Stieg Road Corcoran	XXX Hanson Blvd NW Andover	17425 101st Avenue N Maple Grove
Proximity	--	0.94 mi S	1.01 mi W	1.17 mi S	12.1 mi NE	1.72 mi SE
Financing	Market	New Mortgage	Cash	Market	Cash	New Mortgage
Conditions	Typical	Typical	Typical	Typical	Typical	Typical
Sale Date	--	Jun-24	Oct-24	Listing 2025	Oct-24	Dec-23
Location	Average	Average	Fair/Average	Average	Average	Good
Zoning/Use	Mixed Use	Industrial	Mixed Use	C-2, Community Commercial	Mixed Use	Mixed Use
Phys Char	Average	Average	Average	Average	Average	Average
Improvements	n/a	None	None	None	None	n/a
Size	--	--	--	--	--	--
Age	--	--	--	--	--	--
Condition	--	--	--	--	--	--
Utilities	Sewer Available & Water Nearby	Available	Not Available	Available	Available	Available
Sale Price	--	\$1,265,000	\$1,950,000	\$1,403,600	\$3,125,000	\$2,650,000
Site Size (Usable SF)	649,480	558,875	1,327,709	509,652	614,245	1,141,272
<b>Price per SF - Usable Site Size</b>		<b>\$2.26</b>	<b>\$1.47</b>	<b>\$2.75</b>	<b>\$5.09</b>	<b>\$2.32</b>
<b>Cond. Adj.</b>	<b>+/-</b>					
Financing	Market					
Conditions	Typical					
Market Conditions	--	7.95%	6.15%	-10.00%	5.82%	3.28%
<b>Net Cond. Adj.</b>		<b>7.95%</b>	<b>6.15%</b>	<b>-10.00%</b>	<b>5.82%</b>	<b>3.28%</b>
<b>Effective \$/UsableSF - Usable Site Size</b>		<b>\$2.44</b>	<b>\$1.56</b>	<b>\$2.48</b>	<b>\$5.38</b>	<b>\$2.40</b>
<b>Adjustments</b>	<b>+/-</b>					
Location	Average		5%			-10%
Zoning/Use	Mixed Use	-5%				
Phys Char	Average					
Improvements	n/a					
Utilities	Sewer Available & Water Nearby					
Site Size (Usable SF)	649,480					
<b>Net Adjustment</b>		<b>-5%</b>	<b>5%</b>	<b>0%</b>	<b>0%</b>	<b>-10%</b>
<b>Adjusted Price per Usable SF - Site Size</b>		<b>\$2.32</b>	<b>\$1.64</b>	<b>\$2.48</b>	<b>\$5.38</b>	<b>\$2.16</b>

## Sales Comparison Approach - continued

### Discussion of Adjustments

#### Property Rights:

Refers to the ownership interest conveyed at the time of sale. Properties with leases or other encumbrances in place can sell for more or less than comparable properties that sell fee simple interest.

- The sale comparables reflect the transaction of the fee simple interest, no adjustment necessary.

#### Financing:

The impact financing may have had on the sale price, favorable interest rate or term.

- All sales were cash or estimated to be near or at market rates.

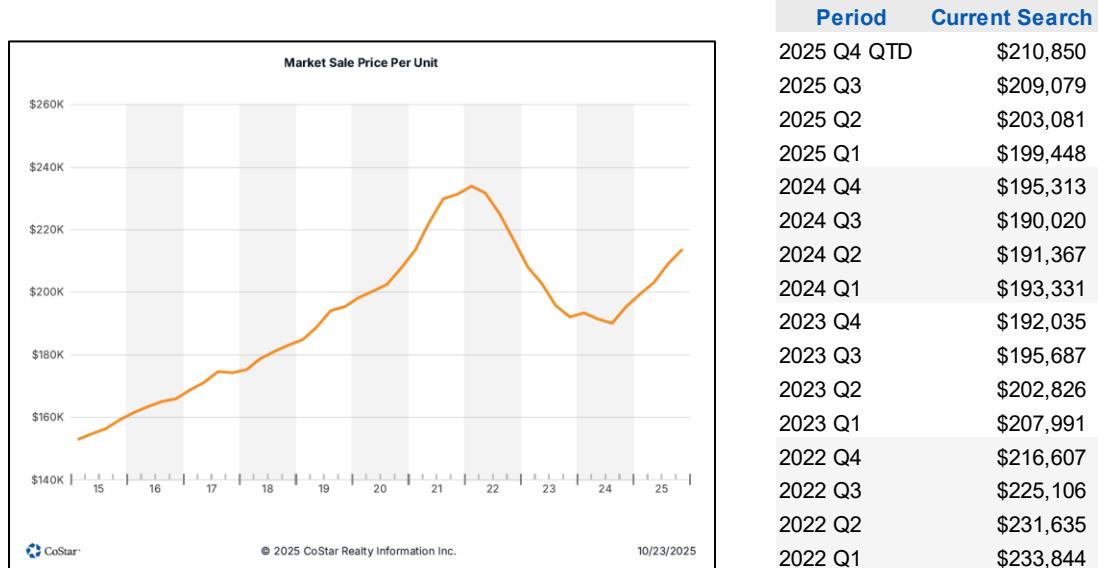
#### Conditions of sale:

Reflects non-market conditions, which may or may not have impacted the sale price, such as differing motivations of buyer or seller (related parties, distressed or liquidation sale, listings, pending, occupancy, assemblage, etc.), impending eminent domain proceedings, influence due to tax ramifications, or lack of market exposure.

- No adjustment warranted.

#### Market Conditions:

The appraiser conducted a search for land sales with similar zoning as the subject. There were not enough land sales to indicate a reliable market conditions adjustment. The appraiser searched CoStar for apartment and commercial market trends to indicate a potential annual adjustment. The apartment graph is shown below for Hennepin County:

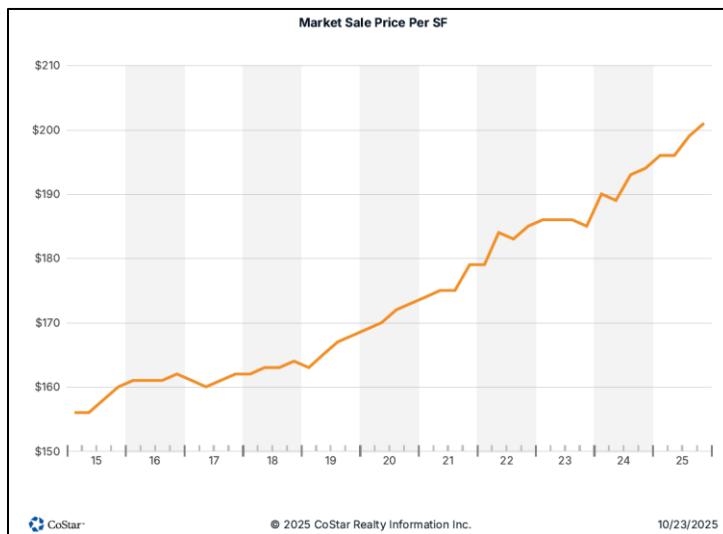


## Sales Comparison Approach – continued

### Market Conditions – Continued:

The apartment market experienced declines from early 2022 to late 2024. The market has started to recover.

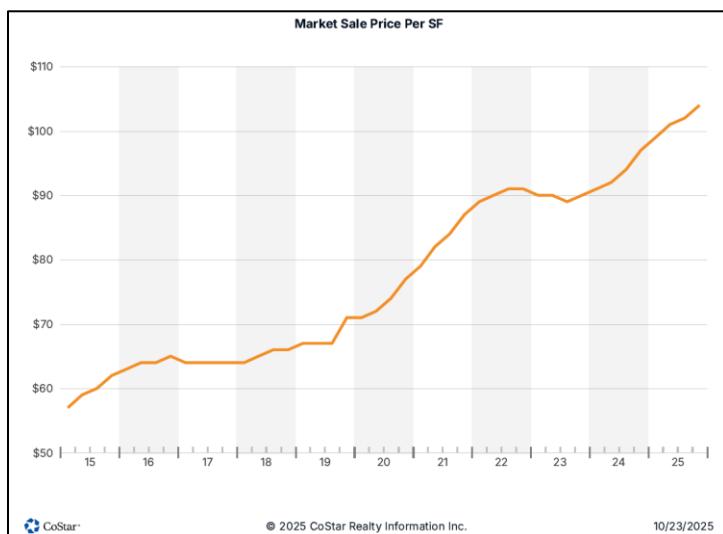
The commercial market in Hennepin County is shown below:



Period	Current Search
2025 Q4 QTD	\$200
2025 Q3	\$199
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2025 Q1	\$196
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2022 Q3	\$183
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The commercial market has been experiencing relatively stable growth in prices from 2022 to current.

The industrial market in Hennepin County is shown below:



Period	Current Search
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2025 Q3	\$102
2025 Q2	\$101
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2024 Q3	\$94
2024 Q2	\$92
2024 Q1	\$91
2023 Q4	\$90
2023 Q3	\$89
2023 Q2	\$90
2023 Q1	\$90
2022 Q4	\$91
2022 Q3	\$91
2022 Q2	\$90
2022 Q1	\$89

In general, the overall industrial market experienced a relatively stable market in 2022 to 2023, but then growth occurred in 2024 and 2025.

## Sales Comparison Approach – continued

### **Market Conditions – Continued:**

The subject zoning does allow for industrial uses, however, those uses must have at least 50% office finish. Because this type of construction is less appealing in the market, the CoStar industrial market data is given less weight.

The CoStar apartment data would indicate a downward adjustment for sales through Q3 2024, and then an upward adjustment from Q4 onward (approximately 8% per year). The CoStar commercial data would indicate an upward adjustment from 2022 to current of approximately 4% per year.

The subject would likely be primarily developed with apartment units. Therefore, the apartment data is given the most weight.

The sale comparables are adjusted downward 3% from Q4 2023 to Q4 2024, and then upward 6% per year from Q4 2024 onward. This adjustment gives primary weight to the apartment data and secondary weight to the commercial data.

Comparable 3, which has a listing, is adjusted downward 10%. This is based on a consideration of Sales 1, 2, and 5 (Sale 4 is a high outlier).

### **Location:**

This adjustment is based on the appraiser's judgment. It takes into consideration surrounding land uses, intended use, neighborhood characteristics, traffic, exposure, and access. The appraiser also considered the CoStar market sale price per unit and MLS median home price per SF for the subject and comparable cities. The market sale price per unit can be used as a basis for a location adjustment.

	Subject	1	2	3	4	5
City	Dayton	Corcoran	Monticello	Corcoran	Andover	Maple Grove
Q3 2025 Market Sale Price per Unit	\$262,537	\$151,836	\$127,929	\$151,836	\$263,652	\$289,728
Current Median Home Sale Price per SF	\$203	\$225	\$177	\$225	\$184	\$193

- Comparable 1 is located in Corcoran. The indicated price per unit is lower than the subject while the median home sale price per SF is greater. Corcoran and Dayton have similar commercial development (limited). Corcoran is closer to the Twin Cities Metro, however, Dayton has access to Interstate 94. Overall, the appraiser concludes to no adjustment for Sale 1.
- Comparable 2 is located in Rogers, which has more commercial development as compared to Dayton. However, the sale price per unit and per SF of home area is lower. Because of Rogers' greater development, less weight is given to the sale price per unit and price per SF. Overall, Sale 2 is adjusted upward 5%.
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## Sales Comparison Approach – continued

### **Zoning/Use:**

- Comparables 2, 4, and 5 are overall considered to be similar to the subject in terms of zoning, no adjustment necessary.
- Comparable 1 allows for industrial uses, which the subject zoning does allow. However, Comparable 1 allows for more appealing industrial development (less than 50% office). The sale is adjusted downward 5% for the zoning allowing more appealing industrial development. The adjustment is based on a comparison of Sale 1 (adjusted price per SF of \$2.44) to Sales 3 and 5 (average adjusted price per SF of \$2.32) after market conditions and location have been adjusted. The indicated difference is approximately 4.912%, which is rounded to 5%.

### **Physical Characteristics:**

Shape and topography adjustments reflect the market preference for rectangular and level parcels, which optimize development potential.

- Overall, the subject and comparables are considered competing, no adjustment.

### **Improvements:**

- The subject and comparables are rated to be similar, no adjustment.

### **Utilities:**

- The subject does not have public city water to the site. Comparables 1, 3, 4, and 5 have both city water and sanitary sewer available. Sale 2 does not have any utilities available at this time. Instead of a specific adjustment, the subject's utilities will be considered in the final value reconciliation.

### **Site Size:**

Generally, as site size increases, the sale price per square foot decreases. This is a result of a variety of factors, including development timing (i.e. absorption), purchasing in volume, etc.

- In general, the comparables selected for analysis do not indicate an adjustment for size. Therefore, a site size adjustment is not made. Similar to utilities, site size will be considered as part of the value reconciliation.

## Sales Comparison Approach - continued

**Conclusion:** The comparables used are rated to be the most indicative of data analyzed and bracket the subject value. Other sales reviewed were older, further and/or needed more adjustment. Adjustments are made on a per square foot basis. The comparables utilized in this analysis each have several similar characteristics in common with the subject. While none are totally identical to the subject, each represents a viable alternative to a prospective buyer of the subject property and, after adjustment, can be utilized as an indicator of market value for the subject property.

Indicator	<u>Un-adjusted</u> Price per SF	<u>Adjusted</u> Price per SF
Range	\$1.47 - \$5.09	\$1.64 - \$5.38
Average	\$2.78	\$2.80
Median	\$2.32	\$2.32

Sale 4 is a high outlier relative to the remaining data; it was used due to the mixed-use zoning. That said, Sales 1, 2, 3, and 5 are considered to be more relevant given closer proximity to the subject.

The subject does not have city water available immediately to the site. Sales 1, 3, and 5 have superior utility infrastructure, the adjusted average price per SF is \$2.32. Sale 2 does not have utilities available at this time and has an adjusted price per SF of \$1.64. Generally, city sewer is more complicated to extend to a site compared to water (which can be directionally drilled). Therefore, the subject value would likely be near \$2.00 to \$2.25 per SF.

The final consideration is site size. Sales 1, 3, 4, and 5 are the most similar to the subject; the adjusted average price per SF is \$3.09 while the median is \$2.40 per SF. Because Sale 4 is an outlier, the median price per SF is more relevant to consider.

Given the above discussion, the appraiser concludes to a land value of \$2.20 per SF for the subject property.

Site Size (Usable SF)	Value per Usable SF	Total
649,480	\$2.20	\$1,428,856
<b>Opinion of Value – Before</b>		<b>\$1,428,000</b>

## **RECONCILIATION**

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<b>Cost Approach</b>	Not Applied
<b>Sales Comparison Approach</b>	<b>\$1,430,000</b>
<b>Income Approach</b>	Not Applied

The **Cost Approach** to value was not applied as the appraised area is vacant land.

The Direct **Sales Comparison Approach** to value analyzed recent sales of properties as compared with the characteristics of the subject property. Adjustments were made to the comparables to make them as similar to the subject as possible. This results in an indication of market value at which a typical buyer would be willing to pay for the subject property. The overall data quality and quantity is rated to be fair to average for sales. The concluded value is considered credible.

The **Income Approach** was not utilized due to limited rents and capitalization rates of properties similar to the subject.

**Conclusion:** The Sales Comparison Approach is given the most weight. Data quantity and quality was rated to be average.

<b>Final Value Opinion (BEFORE)</b>	
The value opinion is:	<b>\$1,430,000</b>

## **EXPOSURE TIME / MARKETING TIME**

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<b>Reasonable Exposure Time:</b> <i>Typically up to 12 months before the effective date of the appraisal.</i>	<b>Marketing Time Opinion:</b> <i>Up to 12 months +/- after the effective date of the appraisal.</i>
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## **AFTER ANALYSIS**

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The neighborhood, site, regional, aerial, comparables, etc. descriptions are the same in the before as the after (unless otherwise noted on the following pages).

The highest and best use of the site as vacant for the appraised site area is commercial and/or apartment development.

The highest and best use of the site as improved remains unchanged from the Before situation.

**After Value:** The comparables from the Before scenario are applicable in the After scenario.

## **PROJECT DESCRIPTION**

### **Project:**

The City of Dayton is proposing to acquire a small portion of the northeastern corner of the subject for the construction of a new public road. As part of the project, the City of Dayton will also extend public water to the subject site.

### **Description of the acquisition areas and types:**

**Right-of-Way Acquisition (ROW):** Used for right of way related purposes (road construction, etc.). The city will acquire this area in feet; the property owner does not retain any ownership rights. The city reported the following ROW for the project.

Site Size – Before	649,480 SF
Acquisition Area – ROW	30,426 SF
<b>Site Size - After</b>	<b>619,054 SF</b>

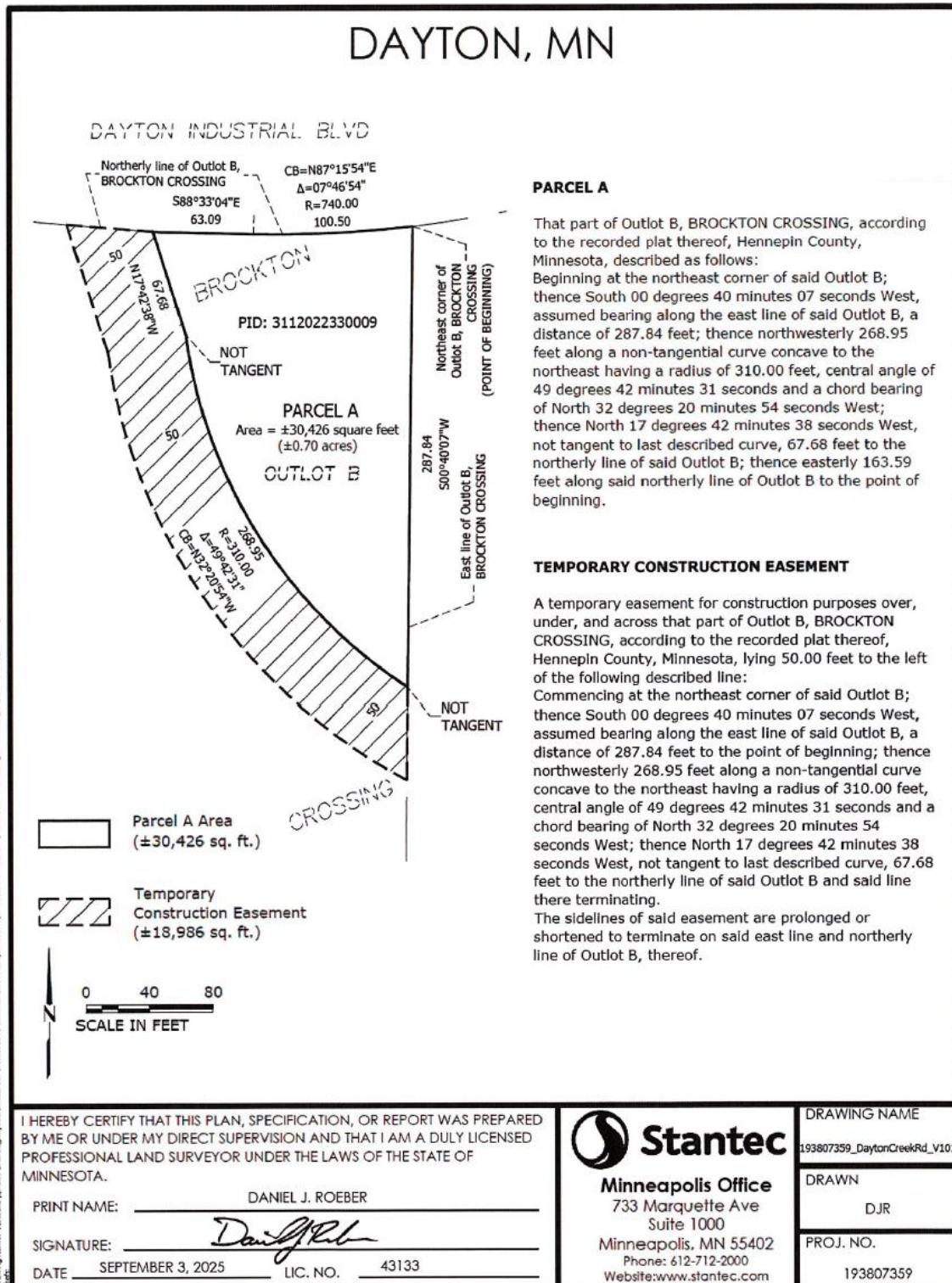
**Temporary Easement:** Used for construction purposes on a temporary basis. The owner retains complete ownership upon expiration of the temporary easement. A market rate of return will be found for the time period that the temporary easement exists.

Because the owner retains ownership of the temporary easement area, it is not applicable to subtract it as a loss from the "Before" site size.

The temporary easement term is 12 months.

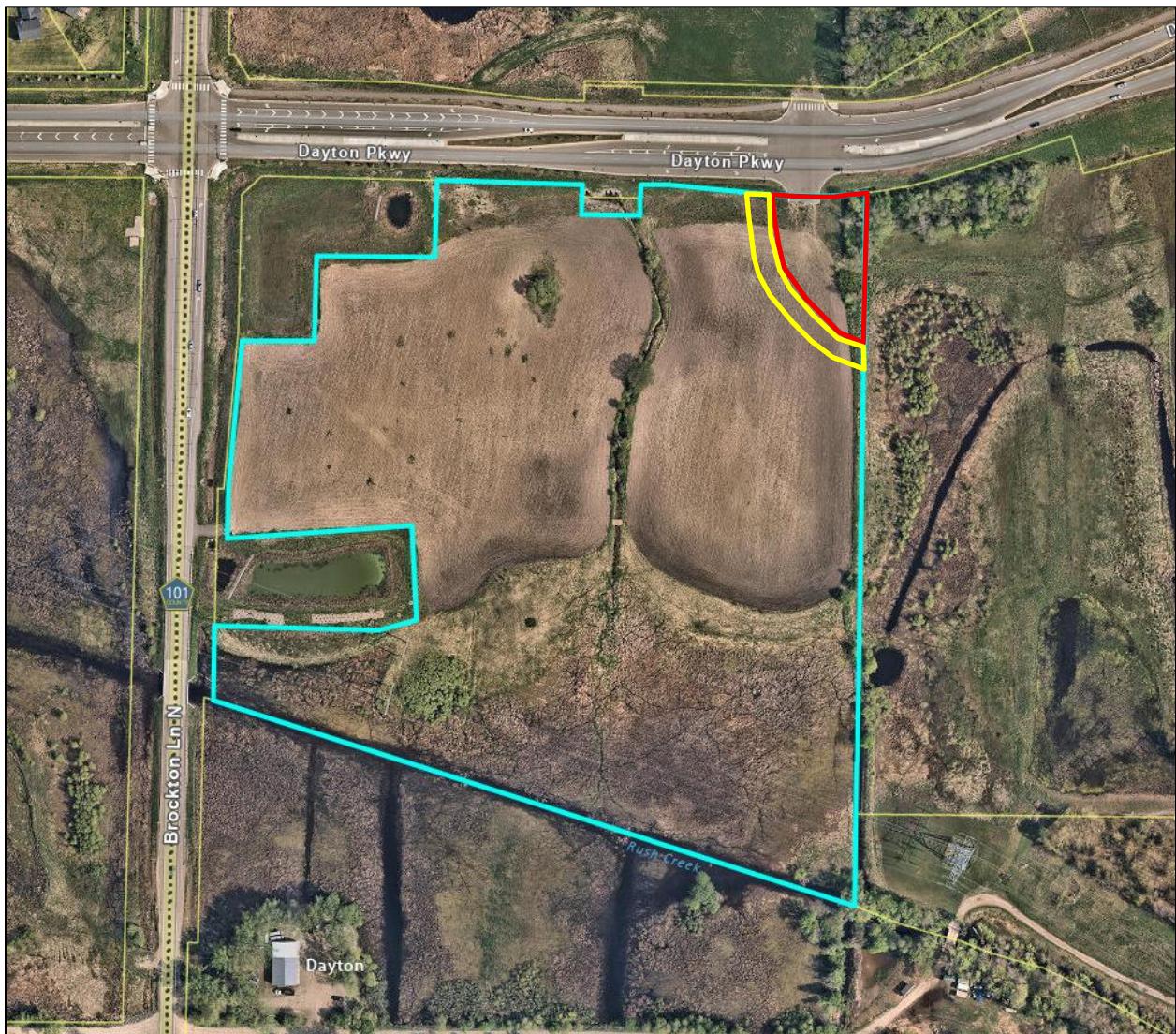
<b>Temporary Easement</b>	<b>18,986 SF</b>
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## SKETCH OF ACQUISITION



The Client provided the above sketch of the proposed acquisition. The temporary easement is indicated by the cross-hatched area.

Sketch of Acquisition – Continued



The new right-of-way acquisition is outlined approximately in red. The temporary easement area is outlined approximately in yellow.

## **PHOTOGRAPHS OF ACQUISITION AREA**



Acquisition Area (red arrows approximate location)



Acquisition Area (red arrows approximate location)

Photographs of Acquisition Area – Continued



Acquisition Area (red arrows approximate location)



Acquisition Area (red arrows approximate location)

## **ASPECTS OF POTENTIAL DAMAGE**

Potential aspects of damage or loss in value to the subject property caused by the partial acquisition:

- Land within the acquired area
- Buildings located within the acquired area
- Site improvements within the acquired area
- Severance damage, the influence of the acquisition area on the subject property
- Project Influence

**Land** - Land value breakdown -- On the basis that all portions of the subject site have equal value contribution the subject's land value in the taking area is diminished by the pro-rated value of the land acquired.

**Buildings** – There are no building improvements in the acquisition area.

**Site improvements** – Based on an inspection, there appears to be no site improvements in the acquisition area that will be impacted, see below. The appraisal assumes that any underground sprinkler systems, drain tile, etc. (if in the acquisition area) will be moved by the city (if found otherwise, the damages could differ).

<b>Site Improvements</b>			
<b>Description</b>	<b>Type/Size/Condition</b>	<b>Quantity/Rate</b>	<b>Total Opinion of Market Value</b>
<b>Trees</b>	Natural volunteer trees (very few), considered in the overall land value.		\$0
<b>Plantings</b>	None		\$0
<b>Other</b>	None		\$0
<b>Driveway</b>	None		\$0
<b>Underground Watering System</b>	None		\$0
<b>Sign</b>	None		\$0
<b>TOTAL</b>			<b>\$0</b>

Aspects of Potential Damage – continued

**Severance damage** – Given the current site layout and use, there **is no** severance damage to the remainder as a result of the acquisition. It is the appraiser's opinion the proposed acquisition as described in this report **will not** have an adverse effect on the marketability or value of the remainder due to the acquisition. See chart below.

Primary Factors Considered for Estimating Potential Severance			
Site Characteristics	Before	After	Net Impact
<b>Location</b>	Average	Average	Nil
<b>Access</b>	Average	Average	Nil
<b>Street Improvements</b>	Average to Good	New City road	<b>Benefit not considered</b>
<b>Trail</b>	None	None	Nil
<b>Ponding</b>	None	None	Nil
<b>Utilities</b>	Public sanitary sewer	Public sanitary sewer and public water	<b>Benefit not considered</b>
<b>Elevation</b>	Average	Average	Nil
<b>Drainage</b>	Average	Average	Nil
<b>Retaining Wall</b>	None	None	Nil
<b>Sound Wall</b>	None	None	Nil
<b>Fence</b>	None	None	Nil
<b>House/Building Proximity to Road/ROW, approximate</b>	n/a	n/a	Nil
<b>Site / Development Appeal</b>	Average	Average, improved development potential	<b>Benefit not considered</b>
<b>Highest and Best Use</b>	Mixed use, commercial and/or apartments	Mixed use, commercial and/or apartments	Nil

*\*Appraised value does not give consideration to any benefit to the subject as result of the proposed project.*

**Severance Discussion:** Based on the above chart analysis, there is no severance damage to the remainder. The highest and best use of the subject in the before and the after is considered to be the same.

**Project Influence** - The subject will have reasonable and suitable access throughout the project. **The proposed project is considered typical.**

An informed buyer/property owner is aware that any property is subject to occasional disturbances due to various projects over the course of time; such as road upgrades, utility improvements, other infrastructure maintenance, construction/razing of buildings, renovations to the noted property, etc.

## **SALES COMPARISON APPROACH - AFTER**

In the sales comparison approach, an opinion of market value is developed by comparing properties similar to the subject property that have recently sold, are listed for sale, or are under contract (i.e., for which purchase offers and a deposit have been recently submitted). A major premise of the sales comparison approach is that an opinion of the market value of a property can be supported by studying the market's reaction to comparable and competitive properties. (The Appraisal of Real Estate, 15<sup>th</sup> Edition, page 351)

**Supply and Demand:** Property prices result from negotiations between buyers and sellers. In a market with many buyers and sellers, buyers make up the market demand the properties offered for sale or lease currently or in the foreseeable future make up the supply. To estimate demand, appraisers consider the number of potential users of a particular type of property, their purchasing power, and their tastes and preferences. To analyze supply, appraisers focus on existing properties that are available on the market as well as properties that are being constructed, converted, or planned. (The Appraisal of Real Estate, 15<sup>th</sup> Edition, page 352)

**Substitution:** The principle of substitution holds that the value of property tends to be set by the cost of acquiring a substitute or alternative property of similar utility and desirability within a reasonable amount of time. (The Appraisal of Real Estate, 15<sup>th</sup> Edition, page 352)

**Balance:** The forces of supply and demand tend toward equilibrium, or balance, in the market, but absolute equilibrium is almost never attained. Due to shifts in population, purchasing power, consumer tastes and preferences, and many other factors, demand varies greatly over time. The construction of new buildings, conversion of existing buildings to other uses, and demolition of old buildings cause supply to vary as well. (The Appraisal of Real Estate, 15<sup>th</sup> Edition, page 352)

**Externalities:** External forces affect all types of property in positive or negative ways. Periods of economic growth and economic decline influence property values. Appraisers analyze the market area of the subject property to identify all significant external influences. (The Appraisal of Real Estate, 15<sup>th</sup> Edition, page 353)

When possible, select comparables with similar location, economic conditions and support facilities.

**Land Value:** "Sales comparison is usually the preferred method for developing an opinion of site value. When this method is used, most of the techniques for selecting comparable sales and making adjustments that are described in Chapter 20 can be applied to site valuation. When there are not enough sales of similar parcels for the application of sales comparison, alternative methods such as market extraction, allocation, land residual analysis, and various income capitalization techniques may be used". (The Appraisal of Real Estate, 15<sup>th</sup> Edition, page 339)

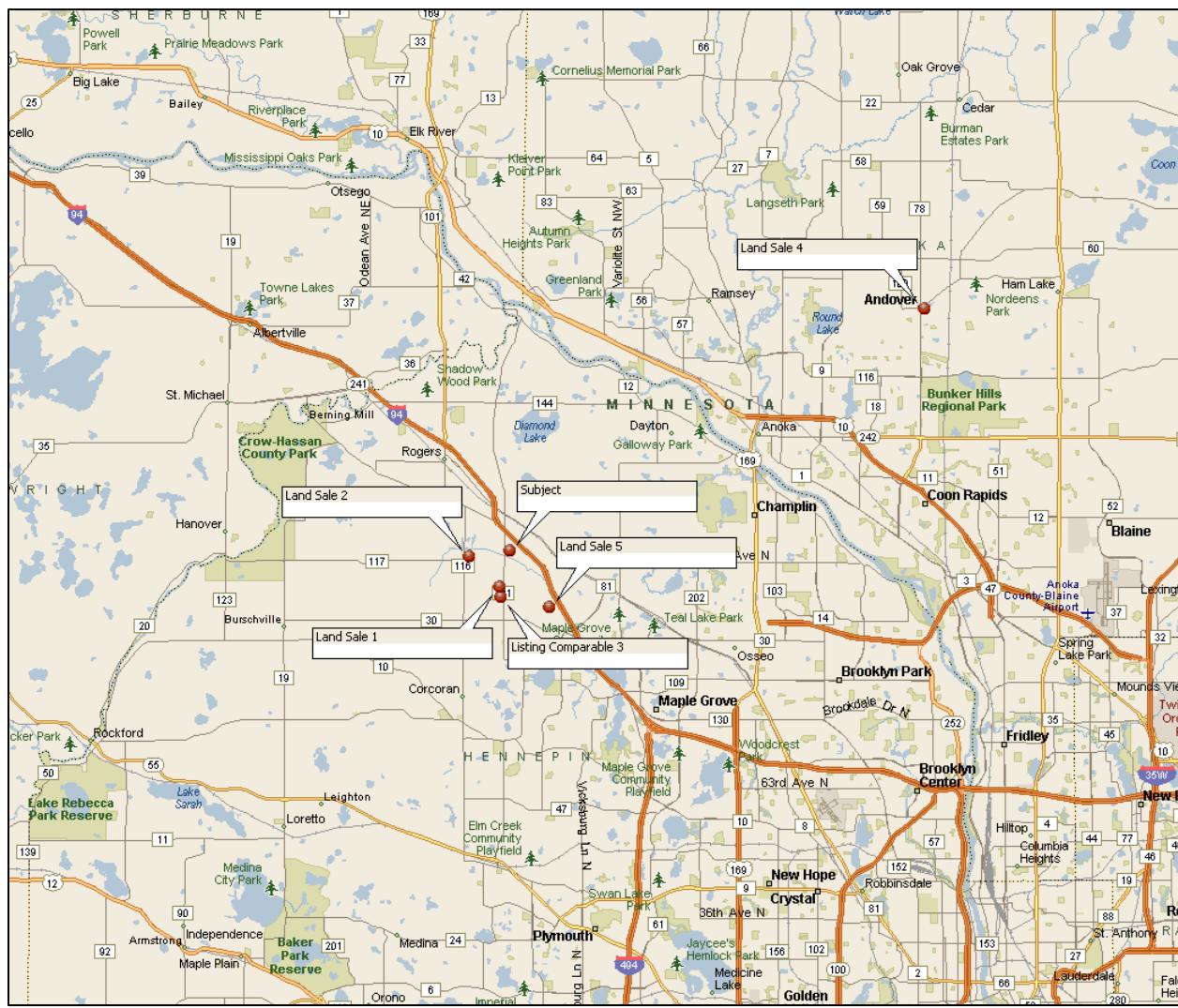
### **The Following Outline Is Used In The Sales Comparison Approach:**

- A location map of the comparable sales.
- Comparable sales are listed.
- An adjustment grid using the comparable sales.
- A discussion of adjustment and conclusion of value.

## Comparable Location Map

### **Primary Comparable Selection/Search Criteria:**

- Mixed use, commercial, and industrial land sales
- Sale date of January 1, 2022 +, older sales may be considered
- 500,000 SF to 1,500,000 SF + (smaller or larger sites will be considered if relevant)
- Data from competing communities
- In some instances, older data and/or data from competing communities will be utilized due to proximity to the subject and other characteristics similar to the subject.



**Note:** The subject acquisition area is less than 1 acre. Because of this, the unit of comparison selected is the price per SF instead of price per acre.

## Sales Comparison Approach - continued

Listed below is the adjustment grid for the comparables; see addenda for comparable map and comparable descriptions & exhibits. Comparable items of significant difference are adjusted for on a per SF basis.

Description	Subject	1	2	3	4	5
Address	XXXX Dayton Parkway Dayton	XXXX Steig Road Corcoran	XXXX County Road 116 Rogers	XXXX Stieg Road Corcoran	XXX Hanson Blvd NW Andover	17425 101st Avenue N Maple Grove
Proximity	--	0.94 mi S	1.01 mi W	1.17 mi S	12.1 mi NE	1.72 mi SE
Financing	Market	New Mortgage	Cash	Market	Cash	New Mortgage
Conditions	Typical	Typical	Typical	Typical	Typical	Typical
Sale Date	--	Jun-24	Oct-24	Listing 2025	Oct-24	Dec-23
Location	Average	Average	Fair/Average	Average	Average	Good
Zoning/Use	Mixed Use	Industrial	Mixed Use	C-2, Community Commercial	Mixed Use	Mixed Use
Phys Char	Average	Average	Average	Average	Average	Average
Improvements	n/a	None	None	None	None	n/a
Size	--	--	--	--	--	--
Age	--	--	--	--	--	--
Condition	--	--	--	--	--	--
Utilities	Sewer Available & Water Nearby	Available	Not Available	Available	Available	Available
Sale Price	--	\$1,265,000	\$1,950,000	\$1,403,600	\$3,125,000	\$2,650,000
Site Size (Usable SF)	619,054	558,875	1,327,709	509,652	614,245	1,141,272
<b>Price per SF - Usable Site Size</b>		<b>\$2.26</b>	<b>\$1.47</b>	<b>\$2.75</b>	<b>\$5.09</b>	<b>\$2.32</b>
<b>Cond. Adj.</b>	<b>+/-</b>					
Financing	Market					
Conditions	Typical					
Market Conditions	--	7.95%	6.15%	-10.00%	5.82%	3.28%
<b>Net Cond. Adj.</b>		<b>7.95%</b>	<b>6.15%</b>	<b>-10.00%</b>	<b>5.82%</b>	<b>3.28%</b>
<b>Effective \$/UsableSF - Usable Site Size</b>		<b>\$2.44</b>	<b>\$1.56</b>	<b>\$2.48</b>	<b>\$5.38</b>	<b>\$2.40</b>
<b>Adjustments</b>	<b>+/-</b>					
Location	Average		5%			-10%
Zoning/Use	Mixed Use	-5%				
Phys Char	Average					
Improvements	n/a					
Utilities	Sewer Available & Water Nearby					
Site Size (Usable SF)	619,054					
<b>Net Adjustment</b>		<b>-5%</b>	<b>5%</b>	<b>0%</b>	<b>0%</b>	<b>-10%</b>
<b>Adjusted Price per Usable SF - Site Size</b>		<b>\$2.32</b>	<b>\$1.64</b>	<b>\$2.48</b>	<b>\$5.38</b>	<b>\$2.16</b>

## Sales Comparison Approach - continued

### Discussion of Adjustments

#### Property Rights:

Refers to the ownership interest conveyed at the time of sale. Properties with leases or other encumbrances in place can sell for more or less than comparable properties that sell fee simple interest.

- The sale comparables reflect the transaction of the fee simple interest, no adjustment necessary.

#### Financing:

The impact financing may have had on the sale price, favorable interest rate or term.

- All sales were cash or estimated to be near or at market rates.

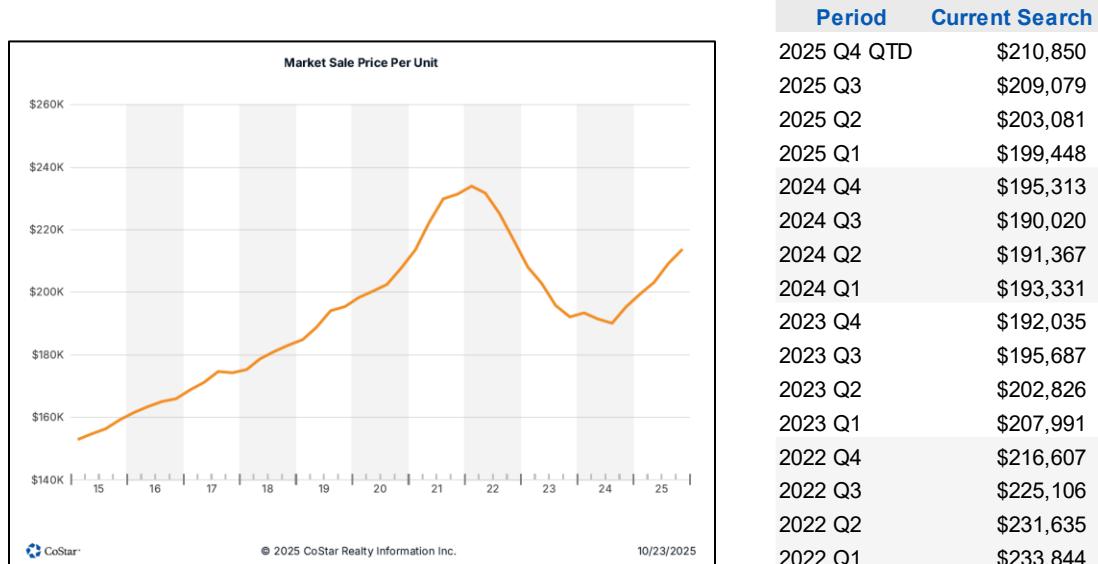
#### Conditions of sale:

Reflects non-market conditions, which may or may not have impacted the sale price, such as differing motivations of buyer or seller (related parties, distressed or liquidation sale, listings, pending, occupancy, assemblage, etc.), impending eminent domain proceedings, influence due to tax ramifications, or lack of market exposure.

- No adjustment warranted.

#### Market Conditions:

The appraiser conducted a search for land sales with similar zoning as the subject. There were not enough land sales to indicate a reliable market conditions adjustment. The appraiser searched CoStar for apartment and commercial market trends to indicate a potential annual adjustment. The apartment graph is shown below for Hennepin County:

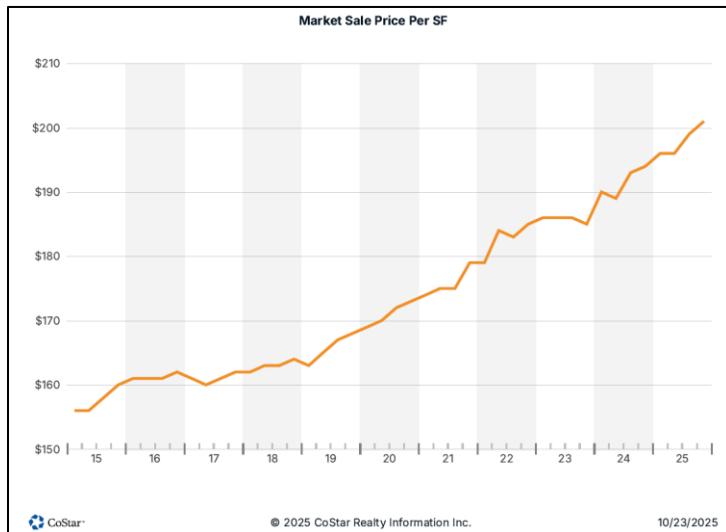


## Sales Comparison Approach – continued

### Market Conditions – Continued:

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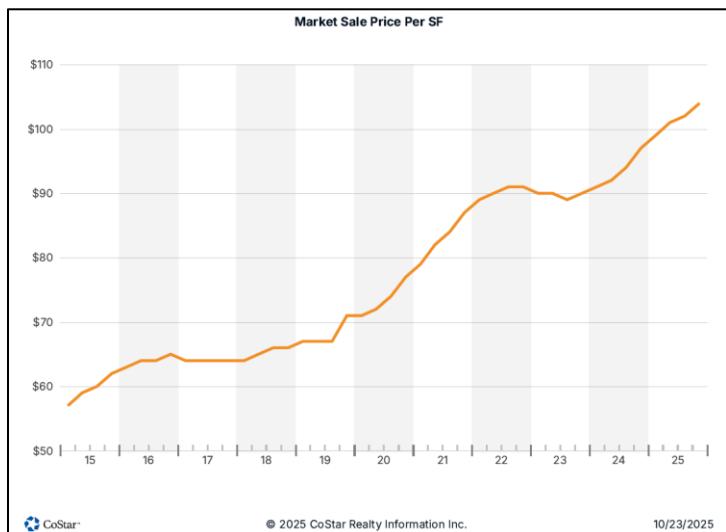
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In general, the overall industrial market experienced a relatively stable market in 2022 to 2023, but then growth occurred in 2024 and 2025.

## Sales Comparison Approach – continued

### **Market Conditions – Continued:**

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- The subject and comparables are rated to be similar, no adjustment.

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- The subject does not have public city water to the site. Comparables 1, 3, 4, and 5 have both city water and sanitary sewer available. Sale 2 does not have any utilities available at this time. Instead of a specific adjustment, the subject's utilities will be considered in the final value reconciliation.

### **Site Size:**

Generally, as site size increases, the sale price per square foot decreases. This is a result of a variety of factors, including development timing (i.e. absorption), purchasing in volume, etc.

- In general, the comparables selected for analysis do not indicate an adjustment for size. Therefore, a site size adjustment is not made. Similar to utilities, site size will be considered as part of the value reconciliation.

## Sales Comparison Approach - continued

**Conclusion:** The comparables used are rated to be the most indicative of data analyzed and bracket the subject value. Other sales reviewed were older, further and/or needed more adjustment. Adjustments are made on a per square foot basis. The comparables utilized in this analysis each have several similar characteristics in common with the subject. While none are totally identical to the subject, each represents a viable alternative to a prospective buyer of the subject property and, after adjustment, can be utilized as an indicator of market value for the subject property.

Indicator	<u>Un-adjusted</u> Price per SF	<u>Adjusted</u> Price per SF
Range	\$1.47 - \$5.09	\$1.64 - \$5.38
Average	\$2.78	\$2.80
Median	\$2.32	\$2.32

Sale 4 is a high outlier relative to the remaining data; it was used due to the mixed-use zoning. That said, Sales 1, 2, 3, and 5 are considered to be more relevant given closer proximity to the subject.

The subject does not have city water available immediately to the site. Sales 1, 3, and 5 have superior utility infrastructure, the adjusted average price per SF is \$2.32. Sale 2 does not have utilities available at this time and has an adjusted price per SF of \$1.64. Generally, city sewer is more complicated to extend to a site compared to water (which can be directionally drilled). Therefore, the subject value would likely be near \$2.00 to \$2.25 per SF.

The final consideration is site size. Sales 1, 3, 4, and 5 are the most similar to the subject; the adjusted average price per SF is \$3.09 while the median is \$2.40 per SF. Because Sale 4 is an outlier, the median price per SF is more relevant to consider.

Given the above discussion, the appraiser concludes to a land value of \$2.20 per SF for the subject property.

Site Size (Usable SF)	Value per Usable SF	Total
619,054	\$2.20	\$1,361,919
<b>Opinion of Value – After</b>		<b>\$1,361,000</b>

## ***SUMMARY OPINION OF BEFORE AND AFTER VALUES***

**ROW Acquisition:** Acquired for road purposes. It is estimated the land area will suffer a 100% loss in value. The new ROW area is reported to be **30,426 SF**.

**Temporary Easement:** Used by the County for construction purposes on a temporary basis. The owner retains complete ownership upon expiration of the temporary easement. The county reports that the temporary easement will be **18,986 SF**.

<b>Summary of Acquisition</b>		
<b>Estimate of Value Before Acquisition</b>		
Land Value		\$1,428,000
Site Improvements	See below	\$0
<b>Total Value BEFORE Acquisition</b>		<b>\$1,428,000</b>
<b>Total Value AFTER Acquisition</b>		<b>\$1,361,000</b>
<b>Total Permanent Damages</b>		<b>(-\$67,000)</b>
<b>Cost of Site Improvements &amp; Temporary Easement</b>		
Site Improvements		\$0
<b>Temporary Easement</b>		
	18,986 SF x \$2.20 per SF x 10% annual rent rate = \$4,177 annual rent (\$348 per month) x 12 months = \$4,177	
		<b>Total Temporary Easement Cost</b> <span style="color: red;">(\$4,177)</span>
<b>TOTAL DAMAGES AND COSTS (rounded)</b>		<b>\$71,200</b>

<b>Alternate Computation</b>			
<b>New Right of Way</b>	30,426 SF	\$2.20 per SF x 100% rights loss =	\$66,937
<b>Site Improvements</b>	None		\$0
<b>Severance</b>			\$0
<b>Temporary Easement</b>	18,986 SF, see above calculation description		\$4,177
		<b>Total (rounded)</b>	<b>\$71,200</b>

\*Slight deviations may exist due to rounding.

## ***EXPOSURE TIME / MARKETING TIME***

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**Reasonable Exposure Time:** *Typically up to 12 months before the effective date of the appraisal.*

**Marketing Time Opinion:** *Up to 12 months +/- after the effective date of the appraisal.*

## ***DEFINITIONS***

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**MARKET VALUE** - The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- (A) buyer and seller are typically motivated;**
- (B) both parties are well informed or well advised, and acting in what they consider their own best interests;**
- (C) a reasonable time is allowed for exposure in the open market;**
- (D) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and**
- (E) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.**

Source: [Dictionary of Real Estate Appraisal, Seventh Edition, Appraisal Institute](#)

**EASEMENT (definition)** – The right to use another's land for a stated purpose.

Source: [Dictionary of Real Estate Appraisal, Seventh Edition, Appraisal Institute](#)

**EASEMENT (definition)** – An interest in real property that conveys use but not ownership to a portion of a property. Common easements include but are not limited to access, utility, and right of way. Specialty easements include but are not limited to conservation, preservation, aerial, and flowage.

Source: [Dictionary of Real Estate Appraisal, Seventh Edition, Appraisal Institute](#)

**TEMPORARY EASEMENT (definition)** – An easement granted for a specific purpose and applicable for a specific time period. A construction easement, for example, is terminated after the construction of the improvement and the unencumbered fee interest in the land reverts to the owner.

Source: [Dictionary of Real Estate Appraisal, Seventh Edition, Appraisal Institute](#)

## ***ENVIRONMENTAL & STRUCTURAL ISSUES***

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Regarding any adverse environmental and/or improvement structural conditions (such as, but not limited to, hazardous wastes, toxic substances, mold, construction defects or inadequacies, etc.) present in the improvements, on the site, or in the immediate vicinity of the subject property: **None are apparent**, however, appraiser is not an expert in this field. Value assumes no hazardous or structural conditions exist. Value assumes any abandoned wells will be properly sealed. If any of these conditions exist the appraised value could differ significantly.

## ***EXTRAORDINARY ASSUMPTIONS & HYPOTHETICAL CONDITIONS***

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**As stated by USPAP:**

**Extraordinary Assumption:** An assumption, directly related to a specific assignment, which, if found to be false, could alter the appraiser's opinions of conclusions.

- The appraised value assumes the subject usable land, which is mostly encumbered by a 100-year floodplain, is buildable. If found otherwise, the value could differ.

**Hypothetical Condition:** That which is contrary to what exists but is supposed for the purpose of analysis.

- Because this appraisal considers the impact of the proposed project on the subject property, the After value hypothetically assumes the road project is entirely complete on the appraisal effective date. The use of this hypothetical condition may have affected the assignment results.

## **ASSUMPTIONS AND LIMITING CONDITIONS**

1. The appraisers assume no responsibility for matters of a legal nature affecting the property appraised or the title thereto, nor do the appraisers render any opinion as to the title, which is assumed to be good and marketable. The property is appraised as though under responsible ownership and good management.
2. The furnished legal description is assumed to be correct.
3. Any sketch in the report may show approximate dimensions and is included to assist the reader in visualizing the property. The appraisers have made no survey of the property. It is assumed unless otherwise noted that no survey has been viewed and that all improvements are located within the legally described property.
4. The appraisers are not required to give testimony or appear in court because of having made the appraisal with reference to the property in question, unless arrangements have been previously made therefore.
5. The distribution of the total valuation in this report between land and improvements applies only under the reported highest and best use of the property. The allocations of value for land and improvements must not be used in conjunction with any other appraisal and are invalid if so used.
6. The appraisers assume that there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. The appraisers assume no responsibility for such conditions, or for engineering, which might be required to discover such factors.
7. Unless otherwise stated in this report, the existence of hazardous materials, which may or may not be present on the property, was not observed by the appraiser. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation, radon gas, or other potentially hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.
8. Information, estimates, and opinions furnished to the appraisers, and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, the appraisers can assume no responsibility for accuracy of such items furnished the appraisers.
9. Disclosure of the contents of the appraisal report is governed by the Bylaws and Regulations of the professional appraisal organizations with which the appraisers are affiliated. No part of the contents of this report, or copy thereof (including conclusions as to the property value, the identity of the appraiser, professional designations, reference to any professional appraisal organizations, or the firm with which the appraiser is connected), shall be disseminated to the public through advertising, public relations, news, sales, or any other public means of communications without the prior written consent and approval of the appraisers.

Assumptions & Limiting Conditions – continued

10. The appraisers have no present or contemplated future interest in the property appraised; and neither the employment to make the appraisal, nor the compensation for it, is contingent upon the appraised value of the property. The appraisers have no personal interest or bias with respect to the parties involved.
11. The appraiser has personally inspected the subject site (unless noted otherwise). The comparable sales data has been viewed via aerial maps, photographs and/or online street views along with file pictures, when available. To the best of the appraiser's knowledge and belief, all statements and information in this report are true and correct, and the appraisers have not knowingly withheld any significant information.
12. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and is our personal, unbiased professional analyses, opinions, and conclusions. Our analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice. The appraisal is for the sole use of the named client.
13. The Americans with Disabilities Act ("ADA") became effective January 26, 1992. We have not made a specific compliance survey and analysis of the property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon the value of the property. Since we have no direct evidence relating to this issue, we did not consider possible non-compliance with the requirements of ADA in estimating the value of the property.
14. To the best of our knowledge and belief, the reported analysis, opinions, and conclusions were developed, and this report was prepared in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.
15. The appraised value opinion assumes all leases (if any) are current and paid in full as of the effective date of the appraisal.
16. Excel grids and tables may have slight deviations due to rounding, which may have a nominal impact on value.
17. The appraised value opinion assumes all formulas used in the Excel grids throughout the report are accurate.
18. Unless noted, value assumes no apparent adverse site, building or zoning issues or conditions.
19. Site and building sizes are based on public record, data services, client and/or appraiser measurement at the time of appraisal and are considered reliable, but not guaranteed. Actual sizes herein could vary if made by an engineer/surveyor/contractor.
20. If any of the above is found to be different, value could change.

## ***CERTIFICATION***

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**I certify that, to the best of my knowledge and belief:**

- 1) The statements of fact contained in this report are true and correct.
- 2) The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analysis, opinions, and conclusions.
- 3) I have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.
- 4) I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- 5) My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- 6) My compensation for completing this assignment is not contingent upon the development or reporting of predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- 7) My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- 8) The reported analyses, opinions and conclusions were developed, and this report has been prepared in conformity with the requirements of the Appraisal Institute's Code of Professional Ethics and Standards of Professional Appraisal Practice, which includes the Uniform Standards of Appraisal Practice.
- 9) Ethan Waytas, MAI has made a personal inspection of the property that is the subject of this report (from the right-of-way only). William R. Waytas did not inspect the subject property. Ethan Waytas wrote and selected all the data in the report. William R. Waytas read the report, concurred with the findings, and then co-signed the report.
- 10) No one provided significant professional assistance to the person signing this report.
- 11) In accordance with the competency provision USPAP, I have verified that my knowledge, experience and education are sufficient to allow me to competently complete this appraisal. See attached qualifications.
- 12) As of the date of this report, Ethan Waytas and William R. Waytas have completed the requirements of the continuing education program of the appraisal institute.
- 13) The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representative.
- 14) We **have not** provided services as an appraiser, regarding the subject property within the 3-year period immediately preceding acceptance to this assignment.



Ethan Waytas, MAI  
Certified General MN 40368613  
Date: see report



William R. Waytas  
Certified General MN 4000813  
Date: see report

## **CERTIFICATE OF APPRAISER**

### **I hereby certify:**

That on October 18, 2025, I (Ethan Waytas, MAI) personally inspected the property appraised, herein, and that the property owner was afforded the opportunity to accompany me on the inspection via an email and phone call letter. The property representative stated that the property could only be inspected from the existing right-of-way.

That William R. Waytas has not personally made a field inspection of the subject.

That to the best of my knowledge and belief the statements contained in this valuation are true and the information upon which the opinions expressed herein is correct.

That I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding the agreement to perform this assignment.

That I understand that such valuation is to be used in connection with the acquisition of right of way for a transportation improvement to be constructed by the acquiring agency and that such valuation has been made in conformity with the appropriate state laws, regulations, policies, and procedures applicable to the valuation of right of way for such purposes.

In making this valuation, I have disregarded any increase or decrease in the Before value caused by the project for which the property is being acquired.

That neither my employment nor my compensation for making this valuation and report are in any way contingent upon the values reported herein.

That I have no direct or indirect present or contemplated future personal interest in the subject property or in any way benefit from the acquisition of the subject property rights.

That no one provided significant assistance in the development of this appraisal, unless otherwise noted.

That I will not reveal the findings and results of such valuations to anyone other than the property officials of the acquiring agency until authorized to do so, or until I am required to do so, by due process of law, or released from this obligation.

My independent opinion of fair market value for the property rights acquired, as of October 18, 2025, is \$71,200, and that this conclusion, as set forth in this Appraisal Report, was reached without collaboration or direction.



Ethan Waytas, MAI  
Certified General  
MN 40368613  
Date: **See Report**



William R. Waytas  
Certified General  
MN 4000813  
Date: **See Report**

## **QUALIFICATIONS**

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### **Appraisal Experience**

Presently and since 2006, **Ethan Waytas, MAI** has been employed as an employee of Nagell Appraisal Incorporated, an independent appraisal firm (11 employees) who annually prepare 1,500 +/- appraisal reports of all types. He is currently a full time licensed certified general real estate appraiser, partner, and director of the company's IT department.

### **Properties appraised:**

- **Commercial** - *low and high-density multi-family, retail, office, industrial, restaurant, church, strip-mall, fast-food, convenience stores, auto-service and repair, cinema, numerous special use properties, and subdivision analysis.*
- **Residential** – *single-family residences, hobby farms, lakeshore, condominiums, townhouses, REO, subdivisions, and land.*
- **Eminent Domain** – *extensive partial and total acquisition appraisal services provided to numerous governmental agencies and private owners.*
- **Special Assessment** – *numerous street improvement and utilities projects for both governmental and private owners.*
- **Tax Appeal** – *variety of property types, including commercial, industrial, and multi-family.*
- **Clients** - *served include banks, savings and loan associations, trust companies, corporations, governmental bodies, relocation companies, attorneys, REO companies, accountants and private individuals.*
- **Area of Service** - *numerous assignments throughout Minnesota.*

### **Testimony**

- Court, commission, arbitration, mediation, etc. testimony has been given

### **Professional Membership, Associations & Affiliations**

License: Certified General Real Property Appraiser, MN License #40368613  
Holds the MAI designation from the Appraisal Institute

### **Education**

- Graduate of the University of Minnesota: College of Science and Engineering, Twin Cities Campus  
Bachelor of Science in Computer Science, with distinction, 3.86 GPA.
- **General & Professional Practice Courses & Seminars**
  - Basic Appraisal Procedures
  - Basic Appraisal Principles
  - 2012-2013 15-Hour National Uniform Standards of Professional Appraisal Practice
  - General Appraiser Sales Comparison Approach
  - General Appraiser Income Approach – Part 1
  - General Appraiser Income Approach – Part 2
  - Advanced Income Capitalization
  - General Appraiser Report Writing and Case Studies
  - Real Estate Finance, Statistics and Valuation Modeling
  - 2014-2015 7-hour National USPAP Update Course
  - General Appraiser Site Valuation & Cost Approach
  - Advanced Market Analysis and Highest & Best Use
  - Advanced Concepts & Case Studies
  - Quantitative Analysis

Curriculum Vitae -- continued

### **Appraisal Experience**

Presently and since 1985, **William R. Waytas** has been employed as a full time real estate appraiser. Currently a partner and President of the Nagell Appraisal Incorporated, an independent appraisal firm (11 employees) who annually prepare 1,500 +/- appraisal reports of all types. Mr. Waytas was employed with Iver C. Johnson & Company, Ltd., Phoenix, AZ from 1985 to 1987.

### **Properties appraised:**

- **Commercial** - low and high-density multi-family, retail, office, industrial, restaurant, church, strip-mall, fast-food, convenience stores, auto-service and repair, hotel, hotel water park, bed & breakfast, cinema, marina, numerous special use properties, and subdivision analysis.
- **Residential** – single-family residences, hobby farms, lakeshore, condominiums, townhouses, REO and land.
- **Eminent Domain** – extensive partial and total acquisition appraisal services provided to numerous governmental agencies and private owners.
- **Special Assessment** – numerous street improvement and utilities projects for both governmental and private owners.
- **Review** – residential, commercial and land development.
- **Clients** - served include banks, savings and loan associations, trust companies, corporations, governmental bodies, relocation companies, attorneys, REO companies, accountants and private individuals.
- **Area of Service** - most appraisal experience is in the greater Twin Cities Metro Area (typically an hour from downtown metro). Numerous assignments throughout Minnesota.

### **Professional Membership, Associations & Affiliations**

License: Certified General Real Property Appraiser, MN License #4000813.

Appraisal Institute: SRA, Senior Residential Appraiser Designation,  
General Associate Member

Employee Relocation Council: CRP Certified Relocation Professional Designation.

International Right-Of-Way Association: Member

HUD/FHA: On Lender Selection Roster and Review Appraiser

DNR: Approved appraiser for Department of Natural Resources

### **Testimony**

-- Court, deposition, commission, arbitration & administrative testimony given.

### **Mediator**

-- Court appointed in Wright County.

### **Committees**

- President of Metro/Minnesota Chapter, 2002, Appraisal Institute.
- Chairman of Residential Admissions, Metro/MN Chapter, AI.
- Chairman Residential Candidate Guidance, Metro/Minnesota Chapter, AI.
- Elm Creek Watershed Commission, Medina representative 3 years.
- Medina Park Commission, 3 years.

Curriculum Vitae -- continued

**Education**

- Graduate of Bemidji State University, Minnesota. B.S. degree in Bus. Ad.
- During college, summer employment in building trades (residential and commercial).
- Graduate of Cecil Lawter Real Estate School. Past Arizona Real Estate License.

**General & Professional Practice Courses & Seminars**

- Course 101-Introduction to Appraising Real Property.
- Numerous Standards of Professional Practice Seminar.
- Fair Lending Seminar.
- Eminent Domain & Condemnation Appraising.
- Eminent Domain (An In-Depth Analysis)
- Property Tax Appeal
- Eminent Domain
- Business Practices and Ethics
- Scope of Work
- Construction Disturbances and Temporary Loss of Going Concern
- Uniform Standards for Federal Land Acquisitions (Yellow Book Seminar)
- Partial Interest Valuation Divided (conservation easements, historic preservation easements, life estates, subsurface rights, access easements, air rights, water rights, transferable development rights)

**Commercial/Industrial/Subdivision Courses & Seminars**

- Capitalization Theory & Techniques
- Highest & Best Use Seminar
- General & Residential State Certification Review Seminar
- Subdivision Analysis Seminar.
- Narrative Report Writing Seminar (general)
- Advanced Income Capitalization Seminar
- Advanced Industrial Valuation
- Appraisal of Local Retail Properties
- Appraising Convenience Stores
- Analyzing Distressed Real Estate
- Evaluating Commercial Construction
- Fundamentals of Separating Real Property, Personal Property and Intangible Business Assets

**Residential Courses & Seminars**

- Course 102-Applied Residential Appraising
- Narrative Report Writing Seminar (residential)
- HUD Training session local office for FHA appraisals
- Familiar with HUD Handbook 4150.1 REV-1 & other material from local FHA office.
- Appraiser/Underwriter FHA Training
- Residential Property Construction and Inspection
- Numerous other continuing education seminars for state licensing & AI

**Speaking Engagements**

- Bankers
- Auditors
- Assessors
- Relocation (Panel Discussion)

**Publications**

- Real Estate Appraisal Practice (book): Acknowledgement
- Articles for Finance & Commerce and Minnesota Real Estate Journal

**ADDENDA TO THE APPRAISAL REPORT**

Legal Description (per county):

OUTLOT B, EXCEPT THE FOLLOWING 2 PARCELS: PARCEL 1: THAT PART OF OUTLOT B DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST NORTHERLY NORTHWEST CORNER OF SAID OUTLOT B; THENCE SOUTH 88 DEGREES 50 MINUTES 39 SECONDS EAST, ALONG THE NORTHERLY LINE OF SAID OUTLOT B, A DISTANCE OF 548.20 FEET TO AN ANGLE POINT IN SAID NORTHERLY LINE; THENCE SOUTH 01 DEGREE 09 MINUTES 21 SECONDS WEST, ALONG SAID NORTHERLY LINE, A DISTANCE OF 22.00 FEET TO AND ANGLE POINT IN SAID NORTHERLY LINE AND THE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 50 MINUTES 39 SECONDS EAST, ALONG THE NORTHERLY LINE OF SAID OUTLOT B, A DISTANCE OF 100.00 FEET TO AN ANGLE POINT IN SAID NORTHERLY LINE; THENCE SOUTH 01 DEGREE 09 MINUTES 21 SECONDS WEST A DISTANCE OF 30.00 FEET; THENCE NORTH 88 DEGREES 50 MINUTES 39 SECONDS WEST A DISTANCE OF 100.00 FEET TO THE INTERSECTION WITH A LINE BEARING SOUTH 01 DEGREE 09 MINUTES 21 SECONDS WEST FROM THE POINT OF BEGINNING; THENCE NORTH 01 DEGREE 09 MINUTES 21 SECONDS EAST A DISTANCE OF 30 FEET TO THE POINT OF BEGINNING, PARCEL 2: THAT PART OF OUTLOT B DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID OUTLOT B; THENCE NORTH 01 DEGREE 09 MINUTES 19 SECONDS EAST, ASSUMED BEARING, ALONG THE WEST LINE OF SAID OUTLOT B A DISTANCE OF 126.07 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 50 MINUTES 41 SECONDS EAST A DISTANCE OF 281.06 FEET; THENCE NORTH 74 DEGREES 03 MINUTES 42 SECONDS EAST A DISTANCE OF 66.90 FEET; THENCE NORTH 03 DEGREES 14 MINUTES 45 SECONDS WEST A DISTANCE OF 160.69 FEET; THENCE SOUTH 85 DEGREES 36 MINUTES 02 SECONDS WEST A DISTANCE OF 316.15 FEET; THENCE NORTH 01 DEGREE 09 MINUTES 19 SECONDS EAST A DISTANCE OF 85.08 FEET; THENCE NORTH 04 DEGREES 58 MINUTES 11 SECONDS EAST A DISTANCE OF 254.52 FEET; THENCE SOUTH 89 DEGREES 45 MINUTES 01 SECONDS EAST A DISTANCE OF 123.08 FEET; THENCE NORTH 01 DEGREE 09 MINUTES 21 SECONDS EAST A DISTANCE OF 145.00 FEET; THENCE NORTH 89 DEGREES 45 MINUTES 01 SECONDS EAST A DISTANCE OF 202.25 FEET; THENCE NORTH 01 DEGREE 09 MINUTES 21 SECONDS EAST A DISTANCE OF 131.21 FEET TO THE NORTHERLY LINE OF SAID OUTLOT B; THENCE WESTERLY, SOUTHWESTERLY, SOUTHERLY, WESTERLY AND SOUTHERLY ALONG THE NORTHERLY, NORTHWESTERLY AND WESTERLY LINES OF SAID OUTLOT B TO THE POINT OF BEGINNING.

**RESOLUTION NO. 06 - 2026**  
**CITY OF DAYTON**  
**COUNTIES OF HENNEPIN AND WRIGHT**

**RESOLUTION AUTHORIZING EMINENT DOMAIN FOR PUBLIC PURPOSES  
AND OFFER OF JUST COMPENSATION TO OWNER**

**WHEREAS**, the City Council of the City of Dayton is the governing body for the City of Dayton, and is empowered by the State of Minnesota to acquire real property interests as the purposes of the City may require in the City's interests; and

**WHEREAS**, the City Council of the City of Dayton (the "City") determines that it is necessary and expedient for the public health, safety, and welfare to undertake a project to construct a street to connect Dayton Parkway with a land-locked parcel owned by the City and a privately owned parcel that are not served by any street (the "Street Project"); and

**WHEREAS**, it is necessary to acquire fee title to certain real property to construct, operate, and maintain the Project improvements; and

**WHEREAS**, the City Council finds that it is reasonably necessary, convenient, and in the interest of the general welfare that the City acquire for the Project the fee ownership interests identified in **Exhibit A**, attached hereto and incorporated herein ("Property"); and

**WHEREAS**, the City Council finds that title to and possession of the Property is required for the Project, and that title to and possession of the Property is required before construction on the Project can begin and before the final report of the condemnation commissioners to be appointed by the District Court; and

**WHEREAS**, the City has engaged an independent real estate appraiser to provide the City with the appraiser's opinion of damages caused by the City's acquisition of the Property; and

**WHEREAS**, based on that appraisal, City staff and consultants have made an initial written offer of just compensation to the Owner, and will continue to work with the property owner ("Owner") to acquire the Property by direct purchase if possible; and

**WHEREAS**, the Owner may obtain an independent appraisal by a qualified appraiser of the Property which the City proposes to acquire for the Project; and

**WHEREAS**, the Owner is entitled to reimbursement for the reasonable costs of the appraisal from the City up to a maximum of the limits stated in Minnesota Statutes § 117.036, provided that the Owner submit to the City the information necessary for reimbursement.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Dayton as follows:

1. The recitals set forth in this Resolution are incorporated into and made part of this Resolution; and

2. The City's acquisition of the Property is necessary and for a public purpose in furtherance of the Project; and
3. The proper City officers and agents are authorized and directed to acquire the Property by voluntary negotiation and, if necessary, through the exercise of eminent domain; and
4. The City Council hereby authorizes the City Engineer or the proper City officer or agent to approve the appraisal and staff to continue to negotiate with the Owner relating to the Property and to acquire the property for the appraised value; and
5. Based upon the estimate of damages from the City's proposed acquisition of the Property, the City shall hold open the initial written offer of just compensation for a reasonable time; and
6. The City shall reimburse the Owner for an independent appraisal of damages from a licensed real estate appraiser to estimate the full amount of damages, and that, upon the Owner providing to the City a copy of the appraisal report, evidence of the cost of that report, and evidence of payment of that amount to the appraiser, the City shall reimburse Owner for the cost of Owner's independent appraisal report, subject to the limits stated in Minnesota Statutes §117.036; and
7. The law firm of \_\_\_\_\_, is authorized to commence eminent domain proceedings on behalf of the City to acquire the Property if it cannot be timely purchased, and to do so pursuant to the "quick take" provisions of Minnesota Statutes § 117.042; and
8. The Mayor and City Clerk are authorized to execute all documents necessary to effect the acquisition of the necessary property interests; and
9. Pursuant to Minnesota Statutes § 462.356, subd. 2, the Planning Commission is directed to review the proposed acquisition and report in writing to the City Council its findings as to compliance of the proposed acquisition with the City's Comprehensive Plan within 45 days.

Adopted by the City Council of the City of Dayton this 27th day of January, 2026.

Motion made by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_.

Motion carried \_\_\_\_\_.

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Dennis Fisher, Mayor

ATTEST:

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Amy Benting, City Clerk

## **Exhibit A**

### *Legal Description of the Property*

#### PERMANENT EASEMENT

That part of Outlot B, BROCKTON CROSSING, according to the recorded plat thereof, Hennepin County, Minnesota, described as follows: Beginning at the northeast corner of said Outlot B; thence South 00 degrees 40 minutes 07 seconds West, assumed bearing along the east line of said Outlot B, a distance of 287.84 feet; thence northwesterly 268.95 feet along a non-tangential curve concave to the northeast having a radius of 310.00 feet, central angle of 49 degrees 42 minutes 31 seconds and a chord bearing of North 32 degrees 20 minutes 54 seconds West; thence North 17 degrees 42 minutes 38 seconds West, not tangent to last described curve, 67.68 feet to the northerly line of said Outlot B; thence easterly 163.59 feet along said northerly line of Outlot B to the point of beginning.

#### TEMPORARY CONSTRUCTION EASEMENT

A temporary easement for construction purposes over, under, and across that part of Outlot B, BROCKTON CROSSING, according to the recorded plat thereof, Hennepin County, Minnesota, lying 50.00 feet to the left of the following described line: Commencing at the northeast corner of said Outlot B; thence South 00 degrees 40 minutes 07 seconds West, assumed bearing along the east line of said Outlot B, a distance of 287.84 feet to the point of beginning; thence northwesterly 268.95 feet along a non-tangential curve concave to the northeast having a radius of 310.00 feet, central angle of 49 degrees 42 minutes 31 seconds and a chord bearing of North 32 degrees 20 minutes 54 seconds West; thence North 17 degrees 42 minutes 38 seconds West, not tangent to last described curve, 67.68 feet to the northerly line of said Outlot B and said line there terminating. The sidelines of said easement are prolonged or shortened to terminate on said east line and northerly line of Outlot B, thereof.

**PRESENTER:** Martin Farrell/Eleanor Brandt

**ITEM:** Elsie Stephens Park Master Plan Phase 3 Discussion

**PREPARED BY:** Martin Farrell/Eleanor Brandt

**POLICY DECISION / ACTION TO BE CONSIDERED:** Discuss Phase 1 from accepted revised Master Plan

**BACKGROUND:** The Master Plan for Elsie Stephens Park was an effort developed between 2016 and 2018, with Staff, Council, Contract Landscape Architects, and a Steering Committee. The project was refined over several meetings and with input from all of the participants at the various stages of development. The City is currently in Phase 3 of the development of the Park, with various elements being installed including, trails and river overlooks, landscaping, bridges, performance area with seating and power, patio, decorative lighting, and trail link into Cloquet Overlook Park, part of the Three Rivers Park District Mississippi Regional Trail.

The City Council has requested that future phases be identified along with costs and an approximate timeline for the additional phases. Staff recommended an update of the Master Plan, and conducted an RFP requesting proposal documents from interested Landscape Architects. Staff received 6 proposals, and reviewed each of them for compliance to the RFP and reduced the contenders to 3 finalists for Park Commission to Interview.

City Council Awarded the Contract for the project to MSA at their regular council meeting on 02-25-2025. Since contract award MSA has conducted meetings and data gathering from Staff, Community representatives, Commission & Council representatives, and residents. MSA presented initial Concepts based on the direction given. Concepts were presented at the 9-2-2025 Park Commission meeting for review and comments.

Subsequent to the 9-2-2025 concept presentation, further refinements have been included based on feedback received, we are close to the final version of the concept and are not anticipating major changes to the Concept.

At their 10-07-25 regular meeting, Park Commission reviewed the master plan concept and voted unanimously to recommend the Council adopt the master plan concept.

The master plan was presented to the City Council at the 10-21-2025 meeting, where after discussion the plan was adopted without the phasing suggestions or costings, to provide flexibility in the future development of the Park.

Staff has worked with MSA to refine Councils request for Phase 3 of Elsie Stephens Park development, the Council identified 4 items for inclusion, Bathrooms, Splash Pad, Performance stage improvements, additional parking. A budget of \$1,500,000 was suggested for these improvements. The concept plans for Phase 3 have been reimaged and cost estimated for the project at \$2,025,000, Staff are looking for direction from the Council of how to proceed with Phase 3 of Park Development.

**CRITICAL ISSUES:** Identify next steps

**BUDGET IMPACT:** Funded from Capital Fund 405

**RECOMMENDATION:** None

**ATTACHMENT(S):** Revised Master Plan, phase 3 concepts, cost estimate sheet, examples of structures and splash pads.



*Council approved Master Plan*



*Council approved Master Plan*



*Council approved Master Plan*



*Council approved Master Plan*

### PROJECT UNDERSTANDING

MSA understands that the City of Dayton has allocated approximately \$1,500,000 for the development of the first phase of the Elsie Stephens Park Masterplan. The City Council has requested elements for the first phase to include elements from Phase A of the Masterplan such as the splashpad and associated utilities, bathrooms, and parking, as well as elements from Phase B of the Masterplan such as expanding the existing performance area to include a dance floor, and a cover for the stage. The area identified in the master plan for the splash pad is to the west of the park entrance drive, adjacent to the two silos, and is currently vegetated with a mixture of trees, shrubs, and mowed turf. There are currently no water, stormwater, or sanitary utility lines to the park. We understand the Council wishes to see the identified work come to fruition expediently. To assist the City in this endeavor, MSA has prepared a preliminary concept for the above work hereafter referred to as Phase A and an associated cost estimate.

### PHASE A - PRELIMINARY CONCEPT



## CITY COUNCIL REGULAR MEETING

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### PHASE A - PRELIMINARY ESTIMATE OF PROBABLE COSTS

ESTIMATE YEAR:		2026
ITEM	DESCRIPTION	APPROXIMATE COST
1 MOBILIZATION, BONDS, INSURANCE (8%)		\$120,000
2 SITE WORK	May include but not limited to: Erosion & sedimentation control, clearing & grubbing, general site/turf restoration, general site grading	\$25,000
3 STORMWATER TREATMENT	May include but not limited to: Subgrade preparation, soils & drainage materials, piping, structures & appurtenance, plantings	\$20,000
4 AMPHITHEATRE IMPROVEMENTS	May include but not limited to: approx. 1,200 sq ft square metal pre-fabricated stage cover with footings and support posts, additional stone seating, concrete dance floor, accessible pathway, associated grading	\$100,000
5 SPLASH PAD PARKING AREA	May include but not limited to: new asphalt parking area for approximately 30-35 cars, curb & gutter, sidewalk, asphalt path connection to kayak launch, site lighting	\$125,000
6 SPLASH PAD	May include but not limited to: 3,800 sq ft flow-through splash pad system, splash pad pavement, connecting sidewalk	\$470,000
7 PREFABRICATED RESTROOM BUILDING	May include but not limited to: prefabricated restroom facility to service splash pad facility	\$330,000
8 UTILITY ALLOWANCES	Electrical Service - Allowance to extend existing electrical on the property to serve the splash pad and site lighting Water Service - Allowance to extend water service to the site for the splashpad/restroom from nearest known connection to city water main. Sanitary Service - Allowance to extend sanitary service for restroom/splashpad to the site from the nearest known city sewer line.	\$30,000 \$200,000 \$200,000
CONSTRUCTION SUBTOTAL		\$1,620,000
9 CONTINGENCY (15%)		\$243,000
10 ENGINEERING, BIDDING, CONSTRUCTION ADMINISTRATION (10%)		\$162,000
TOTAL COST:		<b>\$2,025,000</b>

PHASE A – EXAMPLE IMAGERY



Figure 1 – Rectangular Metal Canopy Structure



Figure 2 - Alternate Metal Canopy Structure (25' x 40')



Figure 3 – Traditional-style Block Prefabricated Restroom Building



Figure 4 - Modern-style Block Prefabricated Restroom Building

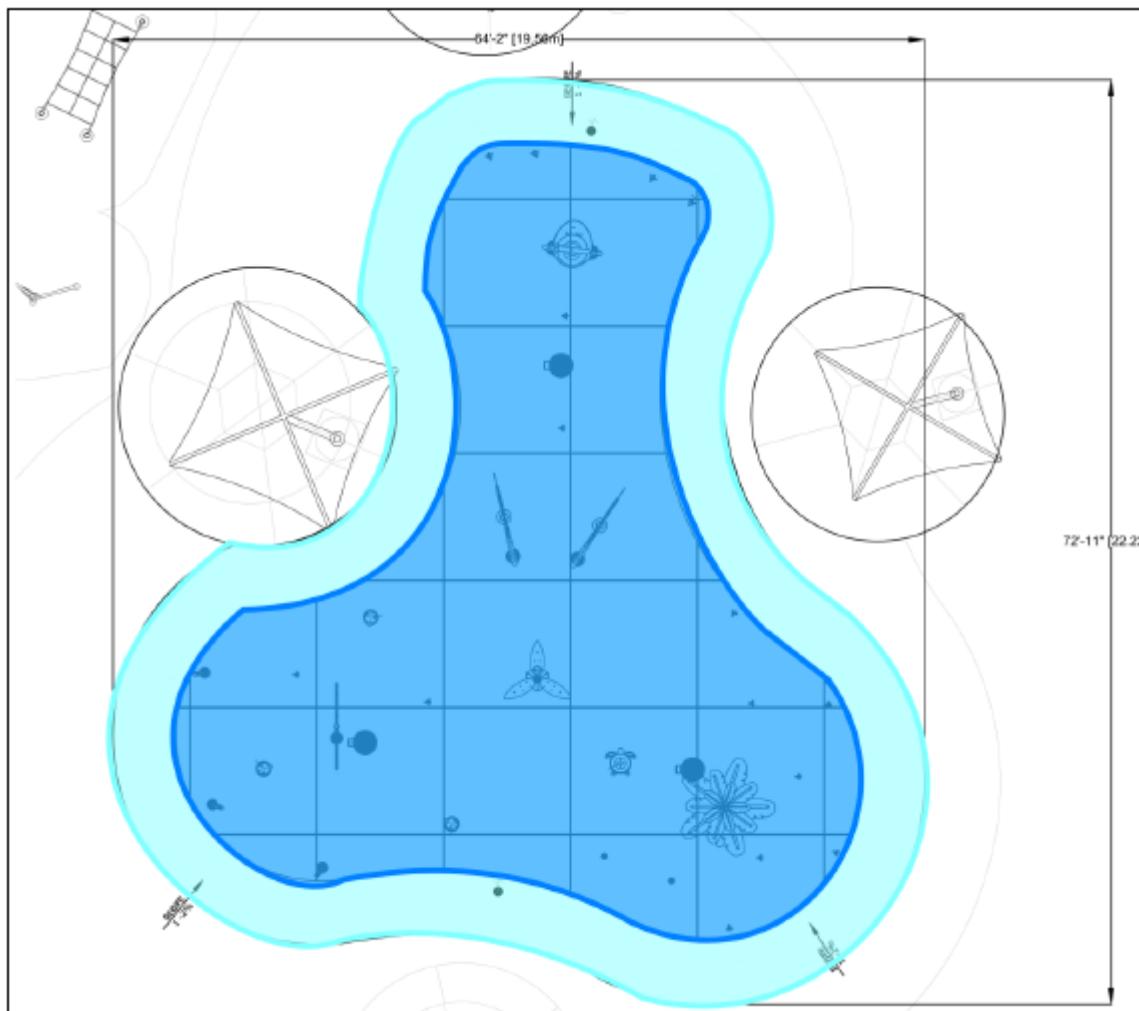


Figure 5 - Plan view of 3,800 sq ft splashpad at Legends Park in Reedsburg WI



Figure 6 - Manufacturer's rendering of splashpad at Legends Park in Reedsburg WI



Figure 7 - Manufacturer's rendering of splashpad at Legends Park in Reedsburg WI



Figure 8 - Site photo of splashpad install at Legends Park in Reedsburg WI



Figure 5 – Site photo of splashpad install at Legends Park in Reedsburg WI

**ITEM**

Consideration of a Site Plan Review Application for a Proposed New Construction Industrial Building in the I-1, Light Industrial District at 18270 Territorial Road

**APPLICANT**

Jenn Roldan, Carvana

Alan Catchpool, Kimley-Horn

**PREPARED BY**

Hayden Stensgard, Planner II

**ACTION TO BE CONSIDERED**

1. Motion to Adopt Resolution 07-2026, Approving a Site Plan Review Application for a Proposed New Construction Industrial Building in the I-1, Light Industrial District at 18270 Territorial Road.
2. Motion to Deny Resolution 07-2026, Approving a Site Plan Review Application for a Proposed New Construction Industrial Building in the I-1, Light Industrial District at 18270 Territorial Road, with Findings of Facts to be provided by the City Council.
3. Motion to table action on item with direction to be provided by the City Council.

**REFERENCE AND BACKGROUND**

Carvana, with assistance from Kimley-Horn, has submitted an application to the City of Dayton for a Site Plan Review regarding the construction of a 68,791 square foot single-story building, as well as an area on site for fuel storage. The building would be utilized for minor auto repair and detailing, including a private car wash, paint booth, and photo booth. The area for the proposed improvements is currently surface parking stalls for the principal use of the site, and these improvements would not increase the level of impervious surface on the property beyond what exists.

The ADESA site was approved originally in 1996 under a Conditional Use Permit for an Auto Auction as a Principal Use. Auto Auctions were an allowed Conditional Use at that time, and have since been changed to require an Interim Use Permit for any newly proposed Auto Auction sites. Because Conditional Use Permits run with the land, and the property received the CUP before the City Code was amended, the site is allowed to continue operations on this property as a normal industrial site. As the proposed building is a separate facility for minor auto repair and detailing for vehicles on site, an amendment to that active CUP was not necessary. As such, the applicant has applied for a Site Plan Review.

The applicants originally submitted for an expansion to one of the existing buildings on site, specifically for the car wash, but were informed that the proposed addition could not meet setback requirements. Since then, the applicants have revised a portion of the plans to incorporate the car wash into the new building, avoiding any issues related to setbacks. Some of the plans have been revised to reflect this, but not all. The remainder of the plans will be updated accordingly prior to a building permit being applied for.

Any expansion of existing buildings in non-residential zoning districts requires a site plan review to be processed by the Planning Commission and City Council. Staff has reviewed the application and supporting plans and has provided the following summary.

## **ANALYSIS**

**Zoning and Land Use.** The property is currently zoned I-1, Light Industrial, and is currently guided in the 2040 Comprehensive Plan as Industrial. The principal use of the property is an auto auction facility that includes minor repairs to vehicles. As noted previously, the property operates under a legal non-conforming Conditional Use Permit, since the Code change to require this type of use to obtain an Interim Use Permit currently. The use spans across three parcels that were previously one larger parcel of 40.41 acres in total. The new building proposed would be the first and only building on Lot 1, Block 3 (35.54-acre parcel).

**Architectural Design.** The new building proposed has a footprint of 68,791 square feet. A single-story building, with a peak height of 21' 6". The plans note that the roofing and siding materials consist of "prefinished metal", more specifically, Sante Fe insulated steel panels, consistent with the requirements of architectural metal material. The building also has five garage doors on each north and south elevation, and one on the east at heights of 10 feet. The following requirements for architectural design in industrial districts will also be verified prior to the issuance of a building permit:

a. *Design elements.* The building design must include architectural interest through the use of a minimum of 3 of the following elements:

1. Accent materials;
2. A visually pleasing front entry 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 1 element);
3. Twenty-five percent window coverage on each front that faces a street;
4. Contrasting, yet complementary material colors;
5. A combination of horizontal and vertical design features;
6. Irregular building shapes; or
7. Other architectural features in the overall architectural concept.

**Setbacks.** The building is proposed to be more than 100 feet set back from all property lines, complying with the I-1 district requirements.

**Vehicle Parking Area.** The building is proposed in a location that is currently a part of the asphalt parking lot on the property. No additional impervious surface will be created due to this, but rather a reduction in the total number of parking spaces. Previously, this site was approved for over 2,000 spaces on the property. The construction of the building will reduce the overall surface parking count by roughly 350 spaces.

**Landscaping.** There is no proposed removal of existing vegetation on this property. The Applicant shows an added buffer area along Territorial Road consisting of a combination of overstory and coniferous trees, along with a variety of shrubs. The landscaping along Territorial Road will enhance the look of the site from the public viewpoint. There are some additional requirements, however, for the landscaping surrounding the new building. These items are listed as conditions of approval if the site plan is recommended to move forward. The Planning Commission recommended that the applicants consider

shifting the building south to accommodate some landscaping and screening of the site on the north property line, adjacent to the railroad tracks and County Road 81.

**Lighting.** The Applicant did not submit a lighting plan for the building addition. The applicants will be required to submit a lighting plan for the site to verify compliance with the City's zoning ordinance.

**Future of the Site.** The Applicant has informed the City that they have long-term plans to continue to utilize this site for their business, and are further doing so by proposing this building. There are no intentions of selling the property or repurposing it for a different use than what is currently there.

**Site Plan Review.** The zoning ordinance currently requires all new development or building construction/expansion in any non-residential zoning district to go through a Site Plan Review process with both the Planning Commission and City Council.<sup>1</sup> Though a public hearing is not required for these specific applications, the City Council is tasked with reviewing City staff's report for the proposed expansion and considering approving or denying the site plan based on findings. Those findings of fact are included in the draft resolution attached to this report.

#### **PLANNING COMMISSION MEETING**

The Planning Commission reviewed this application at its January meeting and questioned whether there was a need for an amendment to the active Conditional Use Permit for the site. Based on staff's review of the Conditional Use Permit, no amendment was required because the auto auction use is not proposed to expand based on the currently approved operation capacity. The request at hand is the new facility that will be utilized for Minor Auto Repair and detailing, a permitted use within the Industrial district.

Because this is reviewed under the Site Plan process, conditions of approval that are above and beyond the Zoning Code standards are not allowed to be tacked on to the approval of the plan. The Planning Commission did offer some suggestions to the applicant, such as consideration of combining all three parcels on site into one parcel, shifting the location of the building south (roughly 15 feet) to accommodate screening along the railroad. The applicants have noted these suggestions and will consider incorporating them into the plan. At the end of the discussion, the Planning Commission voted to recommend approval of the Site Plan Review, 4-1.

#### **STAFF'S RECOMMENDATION**

Based on the information provided for the proposed site plan, Staff recommends approval of the site plan. The applicant is proposing overall improvements to the site, bringing this existing industrial property closer to a conforming status with the reduction in surface parking/storage area. Staff recommends approval with the following conditions in order to satisfy the Site Plan Review approval requirements noted within the attached draft resolution:

1. The car wash cannot be a stand-alone facility, and shall not be allowed for use by the public.
2. Setbacks shall be met for any new construction within the Dayton Territorial Addition plat.
3. Impervious surface on the site shall not be increased as part of this project.

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<sup>1</sup> City Code [1001.28 Subd. 3\(1\)\(a\)](#)

4. The Applicant shall submit a lighting plan for any new lights installed on the property. Such lighting plan shall conform to the requirements of the Zoning Ordinance.
5. The architectural design shall also meet the standards set forth in Section 1001.062 Subd. 1(1) of the Dayton Zoning Code.
6. The rooftop equipment shall be fully screened from ground-level view. Such detail shall be provided prior to the issuance of a building permit.
7. The Applicant shall pay full sewer and water access charges as listed and calculated within the fee schedule for the construction of the new building.
8. To comply with the landscaping standards of the new building area, plantings shall be installed intermittently against long expanses of walls between garage and service doors. The landscape plan shall be revised to reflect these requirements prior to a building permit.
9. Prior to the installation of the fuel storage equipment, the applicant shall submit a permit to be reviewed and approved by the Fire Department and Building Department.
10. Adherence to the comments included in the Engineer's letter dated December 31, 2025.

**SUPPORTING DATA**

Aerial Photo

Site Photos

Draft Resolution 07-2026, Approving Site Plan Review at 18270 Territorial Road

Applicant Narrative

Civil Plans and Building Elevations

City Engineer's Letter, dated December 31, 2025





\*View of site of new building looking north/northwest



Street View from June 2025



Street  
View from  
Nov. 2021

**RESOLUTION NO. 07-2026**  
**CITY OF DAYTON**  
**COUNTIES OF HENNEPIN AND WRIGHT**

**RESOLUTION APPROVING SITE PLAN AT 18270 Territorial Road**

BE IT RESOLVED, by the City Council of the City of Dayton, Minnesota, as follows:

WHEREAS, Jenn Roldan of Carvana, (hereinafter referred to as the “Applicant”), on behalf of the owners of 18270 Territorial Road, has made an application for Site Plan approval for their use (hereinafter referred to as the “Application”). The parcels have Property Identification Numbers of 31-120-22-21-0010 and a legal description as follows:

Lot 1, Block 1, Dayton Territorial Addn

WHEREAS, Section 1001.28 Subdivision 3 states that 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.

WHEREAS, the City staff studied the matter, made a report, and provided other information to the Planning Commission and City Council; and

WHEREAS, the City Planning Commission reviewed the Application at its January 8, 2026, meeting, where the Applicant was present, and the Planning Commission recommended approval; and

WHEREAS, the City Council at its January 27, 2026, meeting reviewed and considered the application, and the City Council moved for approval of the Application.

NOW, THEREFORE, based upon the information from the public meeting, the testimony elicited and information received, the meetings of the City Council, reports of City Staff and information contained within the files and records of the City, the City Council for the City of Dayton makes the following:

**FINDINGS:**

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

*FINDING: Being that this is an existing industrial site, guided Industrial in the Comprehensive Plan, this proposed building addition is not considered redevelopment of the site, and would not be in conflict with the Comprehensive Plan.*

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

*FINDING: This property has been operating in a legal non-conforming capacity under an existing CUP. In compliance with the conditions of approval detailed within the resolution, Staff believes the overall changes to the property related to this site plan application are not in conflict with the I-1, Light Industrial Zoning District provisions. With the outstanding conditions of approval, Staff is charged with ensuring these conditions are met to satisfy the Zoning Ordinance requirements. If these conditions are not met, building permits would not be issued.*

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

*FINDING: The existing use of the site is comparable in nature to the adjacent properties, as this site is surrounding other commercial and industrial uses. The proposed site plan does not create incompatibility with future development on the surrounding vacant land.*

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

*FINDING: The proposed building and roofing materials are listed as “Prefinished Metal”. Staff finds this type of exterior product consistent with the requirements of the Zoning Ordinance. The wall material are Sante Fe insulated steel panels, and the roof material will be of standing-seam design. Additional requirements to the overall aesthetic design of the building will be further coordinated between City staff and the Applicant prior to issuance of a building permit.*

#### DECISION

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Dayton, based upon the information received and the above Findings, that the City Council does hereby **conditionally approve** the Applicant’s request for Site Plan review. The Applicant shall meet the following conditions to the satisfaction of the City:

1. The car wash cannot be a stand-alone facility, and shall not be allowed for use by the public.
2. Setbacks shall be met for any new construction within the Dayton Territorial Addition plat.
3. Impervious surface on the site shall not be increased as part of this project.
4. The Applicant shall submit a lighting plan for any new lights installed on the property. Such lighting plan shall conform to the requirements of the Zoning Ordinance.
5. The architectural design shall also meet the standards set forth in Section 1001.062 Subd. 1(1) of the Dayton Zoning Code.
6. The rooftop equipment shall be fully screened from ground-level view. Such detail shall be provided prior to the issuance of a building permit.
7. The Applicant shall pay full sewer and water access charges as listed within the fee schedule for the construction of the new building.
8. To comply with the landscaping standards of the new building area, plantings shall be installed intermittently against long expanses of walls between garage and service doors. The landscape plan shall be revised to reflect these requirements prior to a building permit.
9. Prior to the installation of the fuel storage equipment, the applicant shall submit a permit to be reviewed and approved by the Fire Department and Building Department.
10. Adherence to the comments included in the Engineer’s letter dated December 31, 2025.

***Adopted*** this 27<sup>th</sup> day of January 2026, by the City of Dayton.

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Mayor — Dennis Fisher

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City Clerk — Amy Benting

*Motion by \_\_\_\_\_, Second by \_\_\_\_\_*

*Resolution approved*

*MOTION DECLARED PASSED*

# Memorandum

**Subject:** Description of Operations – Carvana Inspection and Reconditioning Center

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The proposed development is an expansion to the existing ADESA Auto Auction to construct an **Inspection and Reconditioning Center (IRC)**, a secure facility designed to streamline the storage, distribution, inspection, and reconditioning of used vehicles prior to their on-line sale via Carvana.com.

The proposed project is a 67,384 square foot building with an attached 1,407 square foot private car wash. This car wash will be for Carvana's exclusive use to clean vehicles being prepared for online sale. The proposed IRC is structured around an assembly-line process. Vehicles undergo a comprehensive 150-point inspection and receive necessary typical maintenance, such as oil changes, tire and brake installation, and touch-up paint for minor dings and scratches. **No major repair operations**, such as engine rebuilds, transmissions or extensive collision body work, will be conducted on site. After service and cleaning, vehicles are professionally photographed and stored on the premises until time of purchase.

The proposed site will function as both a vehicle storage hub, maximizing parking for in-process and ready-for-sale inventory, and a distribution center for direct-to-customer deliveries.

**The IRC is not open to the public.** Only employees are permitted on the secure site, as all vehicles are sold online and delivered directly to customers or through our network of hubs to a location where the customer can come pick up their vehicle. Employee and visitor parking is separate from and located outside the primary secure area which is enclosed by an 8-foot fence, with a guard house regulating transport truck access.

# Reconditioning Process

The process can be broken down into a series of integrated stages:

## 1. 150-Point Inspection:

- This is the initial and most critical step. Every vehicle undergoes a thorough, systematic 150-point inspection covering mechanical, safety, and cosmetic aspects.
- This includes checking the engine, transmission, suspension, brakes (e.g., ensuring brake pad thickness is at least 5mm), tires (e.g., tread depth of at least 5/32"), electrical systems, and all major functions and accessories.
- The inspection also includes a review of the vehicle history to confirm no reported accidents, flood, fire, or frame damage.

## 2. Mechanical Reconditioning and Maintenance:

- Based on the inspection results, vehicles receive necessary mechanical work to bring them up to standard.
- This includes typical vehicular maintenance such as oil changes, fluid checks and top-offs, replacement of worn tires, new brake pads/rotors, and other small-scale repairs.
- Crucially, the facility is designed for standard maintenance, and will not perform major processes like engine rebuilds or extensive body work.

## 3. Cosmetic and Detailing Reconditioning:

- This phase focuses on the appearance of the vehicle. It includes minor cosmetic repairs such as fresh paint for chips or scratches and other necessary internal and external repairs.
- The final step is a thorough premium detail and cleaning process, neutralizing odors to ensure the vehicle presents as "good as new."

## 4. Photography and Annotation:

- Once reconditioning and detailing are complete, the vehicle moves to a specialized photography area.
- High-quality, 360-degree interactive images of the interior and exterior are taken for the online listing.
- Any material cosmetic defects or imperfections that remain are transparently highlighted through digital annotations on the photos, ensuring customers know exactly what they are purchasing.

## 5. Inventory Storage and Distribution:

- Upon completion of the full process, the vehicles are logged as available inventory and stored in the secure parking lots, awaiting online purchase and final direct-to-customer distribution.

The entire process is managed via proprietary software to maintain operational consistency and efficiency across the assembly-line layout.

## Facility Overview

- Size: Approximately 67,384 square feet of building area on a site of over 40 acres.
- Primary Uses: Vehicle storage, distribution, inspection, reconditioning, and employee parking.

## Operations

- Vehicle Storage: Vehicles will typically remain on site for an average of 60 days before being delivered to customers or retail vending machine locations.
- Sales: **All sales are transacted online** as such the site will **not** function as the point of sale for vehicles.
- Deliveries & Distribution: Vehicle transporters will deliver cars to the facility, where they will be inspected, stored, and prepared for customer delivery.

Outbound vehicles will leave the site by truck to a regional distribution hub or be delivered directly to customers.

- Employee Functions: Staff will perform inspections, reconditioning work, and manage vehicle logistics. The facility provides significant employee parking, including capacity to accommodate the workforce.

## Infrastructure & Design

- Access Points:
  - A multi-lane gated entry, with crash rated barriers, for trucks and vehicles accessing the northern portion of the site.
  - A secondary non-gated entry for access to the employee parking area.
- Traffic & Circulation: Internal circulation roads are designed to safely accommodate truck movements, employee vehicles, and emergency services.
- Site Enhancements: Landscaping, screening, and architectural features are incorporated to ensure visual compatibility and compliance with design standards.

## Community & Economic Benefits

- Employment: The project creates high-quality jobs, including vehicle technicians, operations staff, and administrative personnel.
- Employee Benefits: In addition to Statutory Benefits, Carvana offers on the job training programs, education reimbursement through Carvana KEYS, and tool, ASE and CDL reimbursement.

## Safety & Compatibility

- The facility is designed to meet all applicable safety, building, and environmental standards.
- Adequate setbacks, landscaping, and screening are incorporated to minimize potential impacts on surrounding uses.
- Traffic improvements and on-site circulation reduce congestion and ensure safe site operations.

Please do not hesitate to give me a call should you have any further questions or clarifications.

Sincerely,

Carvana, LLC.

# SITE DEVELOPMENT PLANS FOR CARVANA - DAYTON

18270 TERRITORIAL ROAD  
DAYTON, HENNEPIN COUNTY, MN

## PROJECT TEAM:

ENGINEER  
KIMLEY-HORN AND ASSOCIATES, INC.

**Kimley»Horn**  
PREPARED BY: ALAN L. CATCHPOOL  
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ST. PAUL, MN 55114  
TELEPHONE (651) 645-4197

LANDSCAPE ARCHITECT  
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ST. PAUL, MN 55114  
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CONTACT: RYAN HYLLESTED

GEOTECHNICAL ENGINEER  
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BLOOMINGTON, MN 55438  
TELEPHONE: (651) 621-9577  
OFFICE: (210) 625-4907  
CONTACT: ADAM RAYMOND, EIT

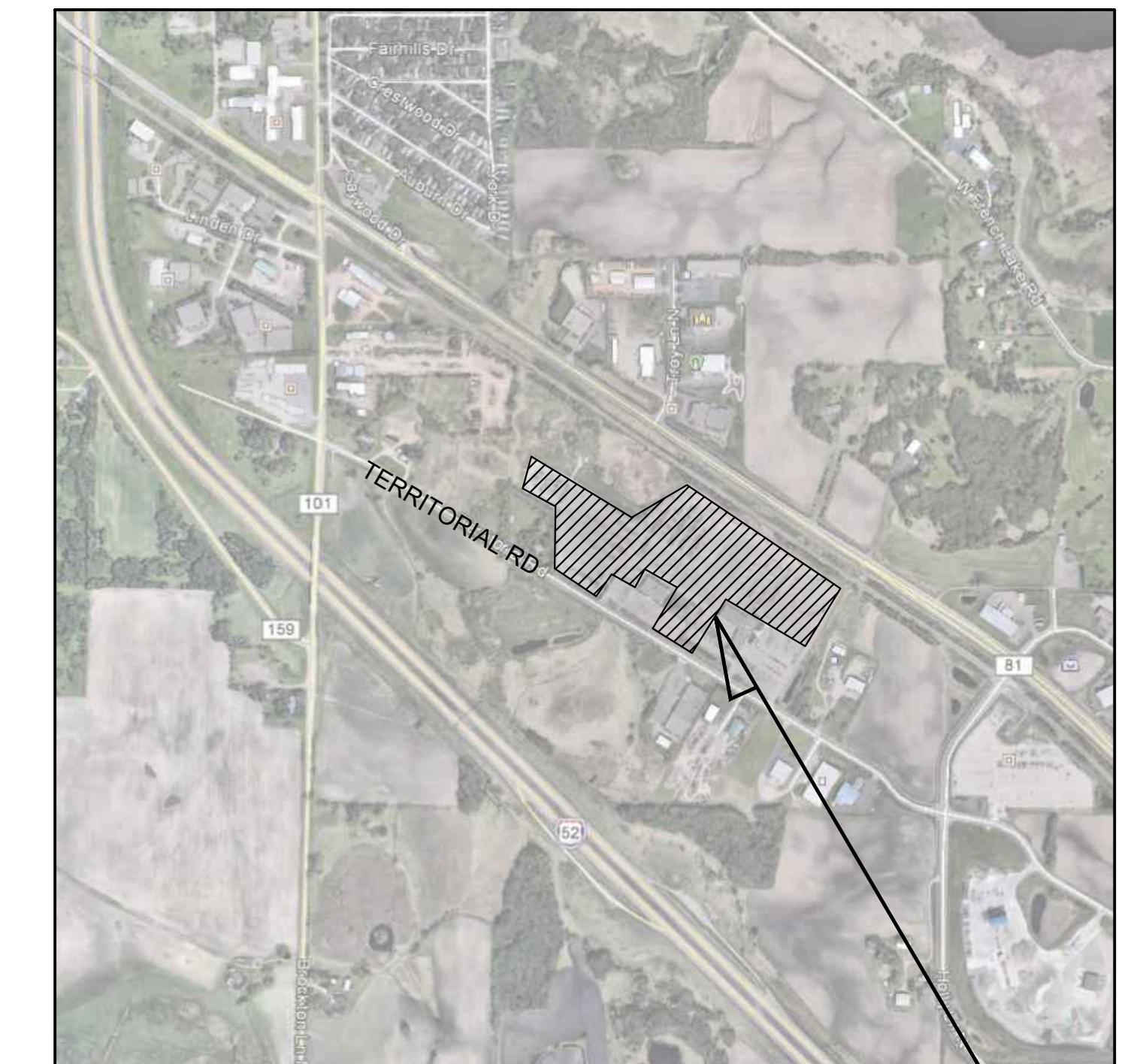
CITY OF DAYTON | PLANNING & ZONING  
12260 S. DIAMOND LAKE RD  
DAYTON, MN 55327  
TELEPHONE: (763) 421-3487  
CONTACT: HAYDEN STENSGARD |  
PLANNER II  
HSTENSGARD@DAYTONMN.GOV

OWNER / DEVELOPER  
300 E RIO SALADO PKWY BLDG 1  
TEMPE, AZ 85281  
TELEPHONE: (602) 403-9140  
CONTACT: JENN ROLDAN  
SENIOR PROJECT MANAGER,  
ENTITLEMENTS,  
INFRASTRUCTURE

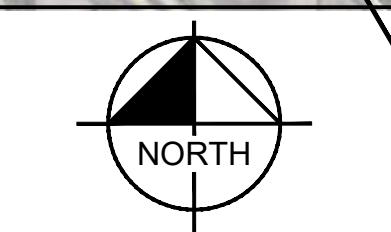
SURVEYOR  
EGAN, FIELD & NOWAK, INC.  
1229 TYLER ST NE, SUITE 100  
MINNEAPOLIS, MN 55413  
CONTACT: ERIC ROESER  
TELEPHONE: (612) 466-3379

ARCHITECT  
WHN ARCHITECTS, PA  
330 W 10TH STREET  
CHARLOTTE, NC 28202  
TELEPHONE: (704) 333-9952

CITY OF DAYTON | PLANNING  
12260 S. DIAMOND LAKE RD  
DAYTON, MN 55327  
TELEPHONE: (763) 712-3221  
CELL: (612) 990-1664  
CONTACT: JON SEVALD, AICP |  
COMMUNITY DEVELOPMENT DIRECTOR  
JSEVALD@DAYTONMN.GOV



VICINITY  
N.T.S.



## NOTES:

1. CONTRACTOR SHALL CONFIRM THAT THE EXISTING CONDITIONS FOR THE SITE MATCH WHAT IS SHOWN ON THE DRAWINGS INCLUDED PRIOR TO CONSTRUCTION.
2. IF REPRODUCED, THE SCALES SHOWN ON THESE PLANS ARE BASED ON A 22x34 SHEET.
3. ALL NECESSARY INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR UTILITY SERVICES COMPANIES SHALL BE PERFORMED PRIOR TO ANNOUNCED BUILDING POSSESSION AND THE FINAL CONNECTION OF SERVICES.
4. ALL GENERAL CONTRACTOR WORK TO BE COMPLETED (EARTHWORK, FINAL UTILITIES, AND FINAL GRADING) BY THE MILESTONE DATE IN PROJECT DOCUMENTS.

Sheet List Table	
Sheet Number	Sheet Title
C000	COVER SHEET
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C101	ALTA TOPOGRAPHIC SURVEY
C200	SITE DEMOLITION PLAN
C300	EROSION AND SEDIMENT CONTROL PLAN - PHASE 1
C301	EROSION AND SEDIMENT CONTROL PLAN - PHASE 2
C302	EROSION AND SEDIMENT CONTROL DETAILS
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C401	SITE ENLARGEMENT PLAN
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C500	OVERALL GRADING AND DRAINAGE PLAN
C501	GRADING ENLARGEMENT PLAN
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L102	LANDSCAPE DETAILS
A001	OVERALL FLOOR PLAN
A002	EXTERIOR ELEVATIONS

COVER SHEET	
CARVANA - DAYTON PREPARED FOR CARVANA	MN DAYTON
I HEREBY CERTIFY THAT THIS PLAN IS FOR THE USE OF THE CONTRACTOR ONLY AND IS NOT TO BE REPRODUCED BY ME OR UNDER MY DIRECT SUPERVISION THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.	
KHA PROJECT 180997003 DATE 12/08/2025 SCALE AS SHOWN DESIGNED BY ALC DRAWN BY CLS CHECKED BY ALC DATE: 12/08/2025 MN. NO. 47989	
BENCHMARKS	
SITE BENCHMARKS: LOCATIONS SHOWN ON ALTA/NSPS LAND TITLE SURVEY	



PRELIMINARY - NOT FOR CONSTRUCTION

2024 KIMLEY-HORN AND ASSOCIATES, INC.  
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PHONE: (651) 645-4197  
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**Kimley»Horn**

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**Kimley»Horn**

SHEET NUMBER  
C000

**GENERAL CONSTRUCTION NOTES**

- THE CONTRACTOR AND SUBCONTRACTORS SHALL OBTAIN A COPY OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS OF THE LOCAL JURISDICTION AND STATE DEPARTMENT OF TRANSPORTATION AND BECOME FAMILIAR WITH THE CONTENTS PRIOR TO COMMENCING WORK UNLESS OTHERWISE NOTED, ALL WORK SHALL CONFORM AS APPLICABLE TO THESE STANDARDS AND SPECIFICATIONS.
- PERFORM ALL WORK IN COMPLIANCE WITH APPLICABLE CITY REGULATIONS, STATE CODES, AND O.S.H.A. STANDARDS. THE CONTRACTOR IS RESPONSIBLE FOR FURNISHING THE NECESSARY MATERIALS & LABOR TO CONSTRUCT THE FACILITY AS SHOWN AND DESCRIBED IN THE CONSTRUCTION DOCUMENTS, AND IN ACCORDANCE WITH THE SPECIFICATIONS AND REQUIREMENTS OF THE APPROPRIATE APPROVING AUTHORITIES.
- CONTRACTOR SHALL CLEAR AND GRUB ALL AREAS UNLESS OTHERWISE INDICATED, REMOVING TREES, STUMPS, ROOTS, MUCK, EXISTING PAVEMENT AND ALL OTHER DELETERIOUS MATERIAL.
- THE EXISTING SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS QUALITY LEVEL "D" UNLESS OTHERWISE NOTED. THIS QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF CIACSE 38/02, ENTITLED STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF SUBSURFACE QUALITY DATA BY THE FHA. EXISTING UTILITIES SHOWN ARE LOCATED ACCORDING TO THE INFORMATION AVAILABLE TO THE ENGINEER AT THE TIME OF THE TOPOGRAPHIC SURVEY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR THE ENGINEER. GUARANTEE IS NOT MADE THAT ALL EXISTING UNDERGROUND UTILITIES ARE SHOWN OR THAT THE LOCATION OF THOSE SHOWN ARE ENTIRELY ACCURATE. FINDING THE ACTUAL LOCATION OF ANY EXISTING UTILITIES IS THE CONTRACTOR'S RESPONSIBILITY AND SHALL BE DONE BEFORE COMMENCING ANY WORK IN THE VICINITY. FURTHERMORE, THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES DUE TO THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES. THE OWNER OR ENGINEER WILL ASSUME NO LIABILITY FOR ANY DAMAGES SUSTAINED OR COST INCURRED BECAUSE OF THE OPERATIONS IN THE VICINITY OF EXISTING UTILITIES OR STRUCTURES, NOR FOR TEMPORARY BRACING AND SHORING OF SAME. IF IT IS NECESSARY TO SHORE, BRACE, SWING, OR RELOCATE A UTILITY, THE UTILITY COMPANY OR DEPARTMENT AFFECTED SHALL BE CONTACTED AND THEIR PERMISSION OBTAINED REGARDING THE METHOD TO USE FOR SUCH WORK.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE VARIOUS UTILITY COMPANIES WHICH MAY HAVE BURIED OR AERIAL UTILITIES WITHIN OR NEAR THE CONSTRUCTION AREA BEFORE COMMENCING WORK. THE CONTRACTOR SHALL PROVIDE 48 HOURS MINIMUM NOTICE TO ALL UTILITY COMPANIES PRIOR TO BEGINNING CONSTRUCTION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED CONSTRUCTION PERMITS AND BONDS IF REQUIRED PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL HAVE AVAILABLE AT THE JOB SITE AT ALL TIMES ONE COPY OF THE CONSTRUCTION DOCUMENTS INCLUDING PLANS, SPECIFICATIONS, GEOTECHNICAL REPORT AND SPECIAL CONDITIONS AND COPIES OF ANY REQUIRED CONSTRUCTION PERMITS.
- ANY DISCREPANCIES ON THE DRAWINGS SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE OWNER AND ENGINEER BEFORE COMMENCING WORK. NO FIELD CHANGES OR DEVIATIONS FROM DESIGN ARE TO BE MADE WITHOUT PRIOR APPROVAL OF THE OWNER AND NOTIFICATION TO THE ENGINEER.
- ALL COPIES OF COMPACTION, CONCRETE AND OTHER REQUIRED TEST RESULTS ARE TO BE SENT TO THE OWNER DIRECTLY FROM THE TESTING AGENCY.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR DOCUMENTING AND MAINTAINING AS-BUILT INFORMATION WHICH SHALL BE RECORDED AS CONSTRUCTION PROGRESSES OR AT THE COMPLETION OF APPROPRIATE CONSTRUCTION INTERVALS AND SHALL BE RESPONSIBLE FOR PROVIDING AS-BUILT DRAWINGS TO THE OWNER FOR THE PURPOSE OF CERTIFICATION TO JURISDICTIONAL AGENCIES AS REQUIRED. ALL AS-BUILT DATA SHALL BE COLLECTED BY A STATE PROFESSIONAL LAND SURVEYOR WHOSE SERVICES ARE ENGAGED BY THE CONTRACTOR.
- ANY WELLS DISCOVERED ON SITE THAT WILL HAVE NO USE MUST BE PLUGGED BY A LICENSED WELL DRILLING CONTRACTOR IN A MANNER APPROVED BY ALL JURISDICTIONAL AGENCIES. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ANY WELL ABANDONMENT PERMITS REQUIRED.
- ANY WELL DISCOVERED DURING EARTH MOVING OR EXCAVATION SHALL BE REPORTED TO THE APPROPRIATE JURISDICTIONAL AGENCIES WITHIN 24 HOURS AFTER DISCOVERY IS MADE.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THAT THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS DO NOT CONFLICT WITH ANY KNOWN EXISTING OR OTHER PROPOSED IMPROVEMENTS. IF ANY CONFLICTS ARE DISCOVERED, THE CONTRACTOR SHALL NOTIFY THE OWNER PRIOR TO INSTALLATION OF ANY PORTION OF THE SITE WORK THAT WOULD BE AFFECTED. FAILURE TO NOTIFY OWNER OF AN IDENTIFIABLE CONFLICT PRIOR TO PROCEEDING WITH INSTALLATION RELIEVES OWNER OF ANY OBLIGATION TO PAY FOR A RELATED CHANGE ORDER.
- SHOULD CONTRACTOR ENCOUNTER ANY DEBRIS LAIDEN SOIL, STRUCTURES NOT IDENTIFIED IN THE DOCUMENTS, OR OTHER SOURCE OF POTENTIAL CONTAMINATION, THEY SHALL IMMEDIATELY CONTACT THE ENGINEER AND OWNER.
- CONTRACTOR SHALL NOTIFY OWNER AND/OR ENGINEER 48 HOURS IN ADVANCE OF THE FOLLOWING ACTIVITIES: PRE-CONSTRUCTION MEETING, SUBGRADE PREPARATION, BASE INSTALLATION, ASPHALT INSTALLATION, UNDERGROUND PIPING AND UTILITIES INSTALLATION, INSTALLATION OF STRUCTURES, CHECK VALVES, HYDRANTS, METERS, ETC., SIDEWALK INSTALLATION, CONNECTIONS TO WATER AND SEWER MAINS, TESTS OF UTILITIES.

**THIRD PARTY SUPPLEMENTAL INFORMATION**

KIMLEY-HORN ASSUMES NO LIABILITY FOR ANY ERRORS, INACCURACIES, OR OMISSIONS CONTAINED WITHIN SUPPLEMENTAL INFORMATION PROVIDED BY THIRD PARTY CONSULTANTS.

**1. BOUNDARY & TOPOGRAPHIC SURVEY**

PERFORMED BY: EGAN, FIELD & NOWAK, INC.  
ADDRESS: 1229 TYLER ST NE, SUITE 100  
MINNEAPOLIS, MN 55413

PHONE: (612) 466-3379

DATED: 04/23/2020

**2. GEOTECHNICAL EVALUATION REPORT**

PERFORMED BY: ADAM RAYMOND, EIT

PHONE: (651) 621-9577

**3. CONSTRUCTION TESTING**

TEST REPORTS REQUIRED FOR CLOSE OUT INCLUDE, BUT ARE NOT LIMITED TO:

- DENSITY TEST REPORTS
- BACTERIOLOGICAL TESTS OF WATER SYSTEM
- PRESSURE TEST OF WATER/SEWER
- LEAK TESTS ON SEWER SYSTEM AND GREASE TRAPS
- ANY OTHER TESTING REQUIRED BY THE AGENCY/MUNICIPALITY

**EROSION CONTROL NOTES**

- THE STORM WATER POLLUTION PREVENTION PLAN ("SWPPP") IS COMPRISED OF THE EROSION CONTROL PLAN, THE STANDARD DETAILS, THE PLAN NARRATIVE, ATTACHMENTS INCLUDED IN THE SPECIFICATIONS OF THE SWPPP, PLUS THE PERMIT AND ALL SUBSEQUENT REPORTS AND RELATED DOCUMENTS.
- ALL CONTRACTORS AND SUBCONTRACTORS INVOLVED WITH STORM WATER POLLUTION PREVENTION SHALL OBTAIN A COPY OF THE STORM WATER POLLUTION PREVENTION PLAN AND THE STATE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM GENERAL PERMIT (NPDES PERMIT) AND BECOME FAMILIAR WITH THEIR CONTENTS.
- BEST MANAGEMENT PRACTICES (BMP'S) AND CONTROLS SHALL CONFORM TO FEDERAL STATE, OR LOCAL REQUIREMENTS OR MANUAL OF PRACTICE, AS APPLICABLE. THE CONTRACTOR SHALL IMPLEMENT ADDITIONAL CONTROLS AS DIRECTED BY THE PERMITTING AGENCY OR OWNER.
- THE CONTRACTOR IS SOLELY RESPONSIBLE FOR COMPLYING WITH THE REQUIREMENTS OF THE AUTHORITIES HAVING JURISDICTION, AND SHALL MAINTAIN COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS FOR THE DURATION OF CONSTRUCTION.
- THE CONTRACTOR SHALL FIELD ADJUST AND/OR PROVIDE ADDITIONAL EROSION CONTROL BMP'S AS NEEDED TO PREVENT EROSION AND OFF-SITE SEDIMENT DISCHARGE FROM THE CONSTRUCTION SITE. LOG AND RECORD ANY ADJUSTMENTS AND DEVIATIONS FROM THE APPROVED EROSION CONTROL PLANS WITHIN THE SWPPP DOCUMENTS STORED IN THE JOB SITE TRAILER.
- BMP'S SHOWN ON THE EROSION AND SEDIMENT CONTROL PLAN, AND IN THE STORM WATER POLLUTION PREVENTION PLAN, SHALL BE MAINTAINED IN FULLY FUNCTIONAL CONDITION AS REQUIRED BY ALL JURISDICTIONS UNTIL NO LONGER REQUIRED FOR A COMPLETED PHASE OF WORK OR FINAL STABILIZATION OF THE SITE. ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE CHECKED BY A CERTIFIED PERSON AT LEAST ONCE EVERY 7 CALENDAR DAYS AND WITHIN 24 HOURS OF THE END OF A 0.5-INCH OR GREATER RAINFALL EVENT.
- EROSION & SEDIMENT CONTROL BMP'S SHALL BE MAINTAINED IN ACCORDANCE WITH THE FOLLOWING:

  1. INLET PROTECTION DEVICES AND BARRIERS SHALL BE REPAIRED OR REPLACED IF THEY SHOW SIGNS OF UNDERMINING OR DETERIORATION.
  2. ALL SEEDED AREAS SHALL BE CHECKED REGULARLY TO VERIFY THAT A HEALTHY STAND OF VEGETATION IS MAINTAINED. SEEDED AREAS SHOULD BE FERTILIZED, WATERED AND RE-SEEDED AS NEEDED. REFER TO THE LANDSCAPE PLAN AND PROJECT SPECIFICATIONS.
  3. SILT FENCES SHALL BE REPAIRED TO THEIR ORIGINAL CONDITIONS IF DAMAGED. SEDIMENT SHALL BE REMOVED FROM THE SILT FENCES WHEN IT REACHES ONE-THIRD THE HEIGHT OF THE SILT FENCE.
  4. THE ROCK CONSTRUCTION ENTRANCE(S) SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOW OF MUD INTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE PERIODIC ADDITIONS OF ROCK TOP DRESSING AS CONDITIONS DEMAND.
  5. THE TEMPORARY PARKING AND STORAGE AREA SHALL BE KEPT IN GOOD CONDITION (SUITABLE FOR PARKING AND STORAGE). THIS MAY REQUIRE PERIODIC ADDITIONS OF TOP DRESSING IF THE TEMPORARY PARKING CONDITIONS DEMAND.
  6. PERFORM ALL MAINTENANCE OPERATIONS IN A TIMELY MANNER BUT IN NO CASE LATER THAN 2 CALENDAR DAYS FOLLOWING THE INSPECTION.

**PAVING AND STRIPING NOTES**

- ALL PAVING, CONSTRUCTION, MATERIALS, AND WORKMANSHIP WITHIN JURISDICTION'S RIGHT-OF-WAY SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE LOCAL CITY OR COUNTY SPECIFICATIONS AND STANDARDS, OR THE STATE DOT SPECIFICATIONS AND STANDARDS IF NOT COVERED BY LOCAL CITY OR COUNTY REGULATIONS.
- ALL SIGNS, PAVEMENT MARKINGS, AND OTHER TRAFFIC CONTROL DEVICES SHALL CONFORM TO MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (M.U.T.C.D) AND CITY STANDARDS.
- CONTRACTOR SHALL FURNISH ALL PAVEMENT MARKINGS FOR FIRE LANES, ROADWAY LANES, PARKING STALLS, ACCESSIBLE PARKING SYMBOLS, ACCESS AISLES, STOP BARS AND SIGNS, AND MISCELLANEOUS STRIPING WITHIN THE PARKING LOT AS SHOWN ON THE PLANS.
- ALL EXPANSION JOINTS SHALL EXTEND THROUGH THE CURB.
- THE MINIMUM LENGTH OF OFFSET JOINTS AT RADIUS POINTS SHALL BE 2 FEET.
- ALL JOINTS, INCLUDING EXPANSION JOINTS WITH REMOVABLE TACK STRIPS, SHALL BE SEALED WITH JOINT SEALANT.
- THE MATERIALS AND PROPERTIES OF ALL CONCRETE SHALL MEET THE APPLICABLE REQUIREMENTS IN THE A.C.I. (AMERICAN CONCRETE INSTITUTE) MANUAL OF CONCRETE PRACTICE.
- CONTRACTOR SHALL APPLY A SECOND COATING OVER ALL PAVEMENT MARKINGS PRIOR TO ACCEPTANCE BY OWNER FOLLOWED BY A COAT OF GLASS BEADS AS APPLICABLE PER THE PROJECT DOCUMENTS.
- ANY EXISTING PAVEMENT, CURBS AND/OR SIDEWALKS DAMAGED OR REMOVED WILL BE REPAIRED BY THE CONTRACTOR AT HIS EXPENSE TO THE SATISFACTION OF THE ENGINEER AND OWNER.
- BEFORE PLACING PAVEMENT, CONTRACTOR SHALL VERIFY SUITABLE ACCESSIBLE ROUTES (PER A.D.A.) GRADED FOR ALL SIDEWALKS AND ACCESSIBLE ROUTES INCLUDING CROSSING DRIVEWAYS SHALL CONFORM TO CURRENT ADA STATE/NATIONAL STANDARDS. IN NO CASE SHALL ACCESSIBLE RAMP SLOPES EXCEED 1 VERTICAL TO 12 HORIZONTAL. IN NO CASE SHALL SIDEWALK CROSS SLOPES EXCEED 2% IN NO CASE SHALL LONGITUDINAL SIDEWALK SLOPES EXCEED 5%. IN NO CASE SHALL ACCESSIBLE PARKING STALLS OR AISLES EXCEED 2% (1.5% TARGET) IN ALL DIRECTIONS. SIDEWALK ACCESS TO EXTERNAL BUILDING DOORS AND GATES SHALL BE ADA COMPLIANT. CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY IF ADA CRITERIA CANNOT BE MET IN ANY LOCATION PRIOR TO PAVING. NO CONTRACTOR CHANGE ORDERS WILL BE ACCEPTED FOR A.D.A. COMPLIANCE ISSUES.
- MAXIMUM JOINT SPACING IS TWICE THE DEPTH OF THE CONCRETE PAVEMENT IN FEET.

11. MAXIMUM JOINT SPACING IS TWICE THE DEPTH OF THE CONCRETE PAVEMENT IN FEET.

**GRADING AND DRAINAGE NOTES**

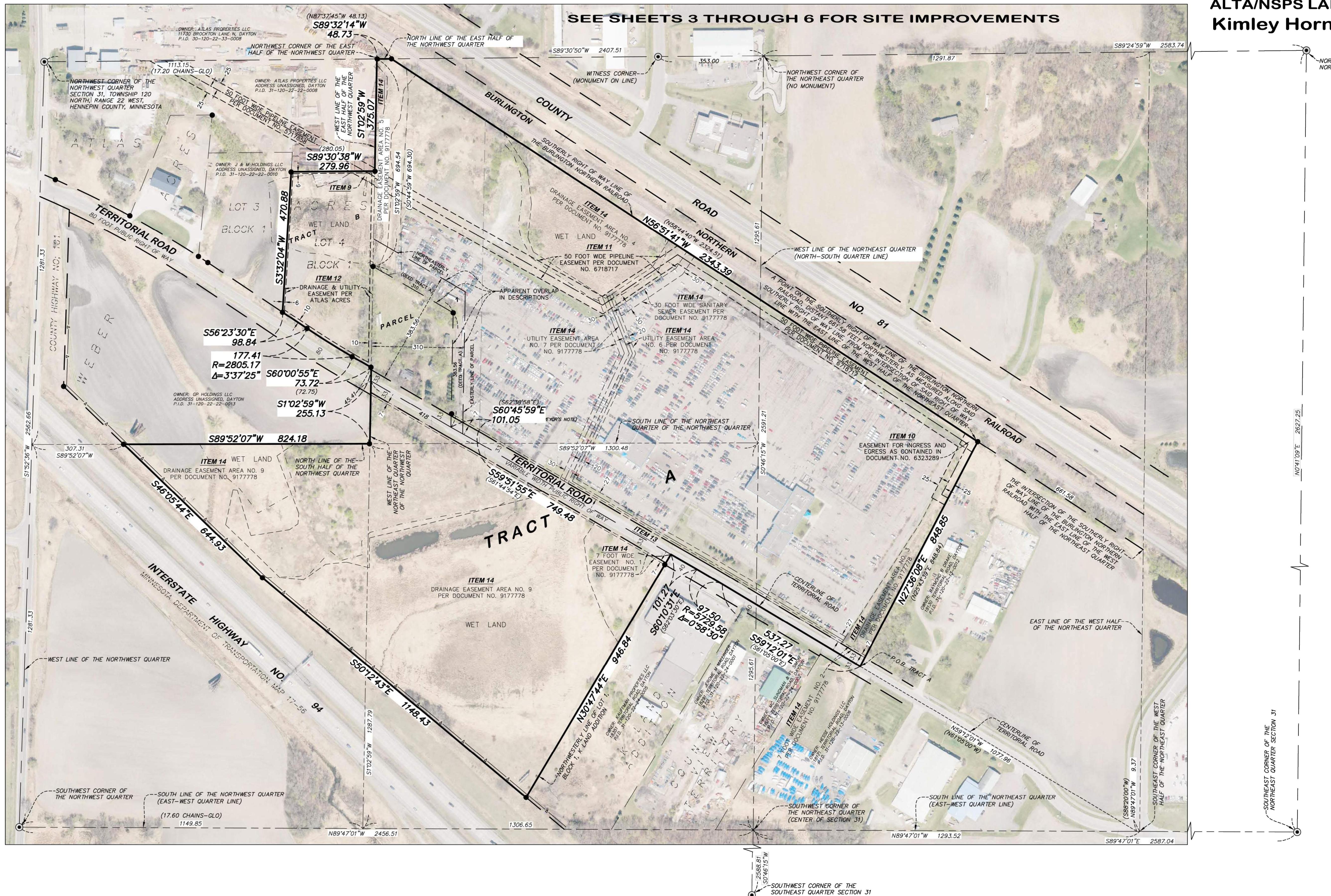
- GENERAL CONTRACTOR AND ALL SUBCONTRACTORS SHALL VERIFY THE SUITABILITY OF ALL EXISTING AND PROPOSED SITE CONDITIONS INCLUDING GRADES AND DIMENSIONS BEFORE START OF CONSTRUCTION. THE ENGINEER SHALL BE NOTIFIED IMMEDIATELY OF ANY DISCREPANCIES.
- THE CONTRACTOR SHALL GRADE THE SITE TO THE ELEVATIONS INDICATED AND SHALL ADJUST BMP'S AS NECESSARY AND REGRADE WASHOUTS WHERE THEY OCCUR AFTER EVERY RAINFALL UNTIL A GRASS STAND IS WELL ESTABLISHED OR ADEQUATE STABILIZATION OCCURS.
- CONTRACTOR SHALL ENSURE THERE IS POSITIVE DRAINAGE FROM THE PROPOSED BUILDINGS SO THAT SURFACE RUNOFF WILL DRAIN BY GRAVITY TO NEW OR EXISTING DRAINAGE OUTLETS. CONTRACTOR SHALL ENSURE NO PONDING OCCURS IN PAVED AREAS AND SHALL NOTIFY ENGINEER IF ANY GRADE DISCREPANCIES ARE FOUND IN THE EXISTING AND PROPOSED GRADES PRIOR TO PLACEMENT OF PAVEMENT OR UTILITIES.
- CONTRACTOR SHALL PROTECT ALL MANHOLE COVERS, VALVE COVERS, VAULT LIDS, FIRE HYDRANTS, POWER POLES, GUY WIRES, AND TELEPHONE BOXES THAT ARE TO REMAIN IN PLACE AND UNDISTURBED DURING CONSTRUCTION. EXISTING CASTINGS AND STRUCTURES TO REMAIN SHALL BE ADJUSTED TO MATCH THE PROPOSED FINISHED GRADES.
- BACKFILL FOR UTILITY LINES SHALL BE PLACED PER DETAILS, STANDARDS, AND SPECIFICATIONS SO THAT THE UTILITY WILL BE STABLE. WHERE UTILITY LINES CROSS THE PARKING LOT, THE TOP 6 INCHES SHALL BE COMPAKTED SIMILARLY TO THE REMAINDER OF THE LOT. UTILITY DITCHES SHALL BE VISUALLY INSPECTED DURING THE EXCAVATION PROCESS TO ENSURE THAT UNDESIRABLE FILL IS NOT USED.
- CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL AND REPLACEMENT OF 4" OF TOPSOIL AT COMPLETION OF WORK. ALL UNPAVED AREAS IN EXISTING RIGHTS-OF-WAY DISTURBED BY CONSTRUCTION SHALL BE REGRADED AND SODDED.
- AFTER PLACEMENT OF SUBGRADE AND PRIOR TO PLACEMENT OF PAVEMENT, CONTRACTOR SHALL TEST AND OBSERVE PAVEMENT AREAS FOR EVIDENCE OF PONDING. ALL AREAS SHALL ADEQUATELY DRAIN TOWARDS THE INTENDED STRUCTURE TO CONVEY STORM RUNOFF. CONTRACTOR SHALL IMMEDIATELY NOTIFY OWNER AND ENGINEER IF ANY DISCREPANCIES ARE DISCOVERED.
- WHERE EXISTING PAVEMENT IS INDICATED TO BE REMOVED AND REPLACED, THE CONTRACTOR SHALL SAW CUT FULL DEPTH FOR A SMOOTH AND STRAIGHT JOINT AND REPLACE THE PAVEMENT WITH THE SAME TYPE AND DEPTH OF MATERIAL AS EXISTING OR AS INDICATED.
- THE CONTRACTOR SHALL INSTALL PROTECTION OVER ALL DRAINAGE STRUCTURES FOR THE DURATION OF CONSTRUCTION AND UNTIL ACCEPTANCE OF THE PROJECT BY THE OWNER. ALL DRAINAGE STRUCTURES SHALL BE CLEANED OF DEBRIS AS REQUIRED DURING AND AT THE END OF CONSTRUCTION TO PROVIDE POSITIVE DRAINAGE FLOWS.
- IF DEWATERING IS REQUIRED, THE CONTRACTOR SHALL OBTAIN ANY APPLICABLE REQUIRED PERMITS. THE CONTRACTOR IS TO COORDINATE WITH THE OWNER AND THE DESIGN ENGINEER PRIOR TO ANY EXCAVATION.
- FIELD DENSITY TESTS SHALL BE TAKEN AT INTERVALS IN ACCORDANCE WITH THE LOCAL JURISDICTIONAL AGENCY OR TO STATE DOT STANDARDS. IN THE EVENT THAT THE CONTRACT DOCUMENTS AND THE JURISDICTIONAL AGENCY REQUIREMENTS ARE NOT IN AGREEMENT, THE MOST STRINGENT SHALL GOVERN.
- ALL SLOPES AND AREAS DISTURBED BY CONSTRUCTION SHALL BE GRADED AS PER PLANS. THE AREAS SHALL THEN BE SODDED OR SEEDED AS SPECIFIED IN THE PLANS, FERTILIZED, MULCHED, WATERED AND MAINTAINED UNTIL GROWTH IS ESTABLISHED TO MINIMUM COVERAGE OF 70% IN ALL AREAS. ANY AREAS DISTURBED FOR ANY REASON PRIOR TO FINAL ACCEPTANCE OF THE JOB SHALL BE CORRECTED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER. ALL EARTHEN AREAS WILL BE SODDED OR SEEDED AND MULCHED AS SHOWN ON THE LANDSCAPING PLAN.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONTROL OF DUST AND DIRT RISING AND SCATTERING IN THE AIR DURING CONSTRUCTION AND SHALL PROVIDE WATER SPRINKLING OR OTHER SUITABLE METHODS OF CONTROL. THE CONTRACTOR SHALL COMPLY WITH ALL GOVERNING REGULATIONS PERTAINING TO ENVIRONMENTAL PROTECTION.
- SOD, WHERE CALLED FOR, MUST BE INSTALLED AND MAINTAINED ON EXPOSED SLOPES WITHIN 48 HOURS OF COMPLETING FINAL GRADING, AND AT ANY OTHER TIME AS NECESSARY, TO PREVENT EROSION, SEDIMENTATION OR TURBID DISCHARGES.
- THE CONTRACTOR SHALL ENSURE THAT LANDSCAPE ISLAND PLANTING AREAS AND OTHER PLANTING AREAS ARE NOT COMPACTED AND DO NOT CONTAIN ROAD BASE MATERIALS. THE CONTRACTOR SHALL ALSO EXCAVATE AND REMOVE ALL UNDESIRABLE MATERIAL FROM ALL AREAS ON THE SITE TO BE PLANTED AND PROPERLY DISPOSED OF IN A LEGAL MANNER.
- THE CONTRACTOR SHALL INSTALL ALL UNDERGROUND STORM WATER PIPING PER MANUFACTURER'S RECOMMENDATIONS AND STATE DOT SPECIFICATIONS.
- PAVEMENTS SHALL BE INSTALLED IN ACCORDANCE WITH THE RECOMMENDATION OF THE SITE SPECIFIC GEOTECHNICAL EVALUATION REPORT AND CITY & STATE DOT SPECIFICATIONS.
- SPOT ELEVATIONS REPRESENT THE FINISHED SURFACE GRADE OR FLOWLINE OF CURB UNLESS OTHERWISE NOTED.
- LIMITS OF CONSTRUCTION ARE TO THE PROPERTY LINE UNLESS OTHERWISE SPECIFIED ON THE PLAN.
- IMMEDIATELY REPORT TO THE OWNER ANY DISCREPANCIES FOUND BETWEEN ACTUAL FIELD CONDITIONS AND CONSTRUCTION DOCUMENTS.
- THE CONTRACTOR IS RESPONSIBLE FOR LOCATING AND PROTECTING EXISTING UTILITIES, AND SHALL REPAIR ALL DAMAGE TO EXISTING UTILITIES THAT OCCUR DURING CONSTRUCTION WITHOUT COMPENSATION.
- BLEND NEW EARTHWORK SMOOTHLY TO TRANSITION BACK TO EXISTING GRADE.
- ALL PROPOSED GRADES ON SITE SHALL BE 3:1 OR FLATTER UNLESS OTHERWISE INDICATED ON THE PLANS. ANY SLOPES STEEPER THAN 4:1 REQUIRE EROSION AND SEDIMENT CONTROL BLANKET.
- ADHERE TO ALL TERMS AND CONDITIONS AS NECESSARY IN THE GENERAL N.P.D.E.S. PERMIT AND STORMWATER POLLUTION PREVENTION PLAN (SWPPP) FOR STORMWATER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITIES.
- ADJUST AND/OR CUT EXISTING PAVEMENT AS NECESSARY TO ASSURE A SMOOTH FIT AND CONTINUOUS GRADE.

- THE LOCATION OF EXISTING UTILITIES, STORM DRAINAGE STRUCTURES AND OTHER ABOVE AND BELOW-GRADE IMPROVEMENTS ARE APPROXIMATE AS SHOWN. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT LOCATION, SIZE AND INVERT ELEVATIONS OF EACH PRIOR TO THE START OF CONSTRUCTION.
- A MINIMUM SEPARATION OF 5-FEET IS REQUIRED BETWEEN UNDERGROUND UTILITIES AND TREES UNLESS A ROOT BARRIER IS UTILIZED.
- GAS, PHONE AND ELECTRIC SERVICES SHOWN FOR INFORMATIONAL PURPOSES ONLY. DRY UTILITY COMPANIES MAY ALTER THE DESIGN LAYOUT DURING THEIR REVIEW. CONTRACTOR TO COORDINATE FINAL DESIGN AND INSTALLATION WITH UTILITY COMPANIES.
- COORDINATE UTILITY INSTALLATION WITH IRRIGATION DESIGN AND INSTALLATION.
- ALL DIMENSIONS ARE TO FLOW LINE OF CURB UNLESS OTHERWISE NOTED. PERIMETER WALL DIMENSIONS ARE TO INSIDE WALL FACE. REFERENCE ARCHITECTURAL PLANS FOR EXACT WALL WIDTH AND SPECIFICATIONS.
- REFERENCE ARCHITECTURAL PLANS (BY OTHERS) FOR EXACT BUILDING DIMENSIONS, MATERIALS SPECIFICATIONS.
- REFERENCE M.E.P. PLANS (BY OTHERS) FOR MECHANICAL EQUIPMENT DIMENSIONS AND SPECIFICATIONS.
- CONTRACTOR SHALL REFERENCE STRUCTURAL PLANS (BY OTHERS) FOR FOOTING AND FOUNDATION PAD PREPARATION SPECIFICATIONS.
- CONTRACTOR SHALL REFERENCE M.E.P. PLANS (BY OTHERS) FOR ROUTING OF PROPOSED ELECTRICAL & COMMUNICATIONS SERVICES AND SITE LIGHTING LAYOUT.

**WATER STORM SEWER & SANITARY SEWER NOTES**

- THE CONTRACTOR SHALL CONSTRUCT GRAVITY SEWER LATERALS, MANHOLES, GRAVITY SEWER LINES AND DOMESTIC WATER AND FIRE PROTECTION SYSTEM AS SHOWN ON THESE PLANS. THE CONTRACTOR SHALL FURNISH ALL NECESSARY MATERIALS, EQUIPMENT, MACHINERY, TOOLS, MEANS OF TRANSPORTATION AND LABOR NECESSARY TO COMPLETE THE WORK IN FULL AND COMPLETE ACCORDANCE WITH THE SHOWN, DESCRIBED AND REASONABLY INTENDED REQUIREMENTS OF THE CONTRACT DOCUMENTS AND JURISDICTIONAL AGENCY REQUIREMENTS. IN THE EVENT THAT THE CONTRACT DOCUMENTS AND THE JURISDICTIONAL AGENCY REQUIREMENTS ARE NOT IN AGREEMENT, THE MOST STRINGENT SHALL GOVERN.
- ALL EXISTING UNDERGROUND UTILITY LOCATIONS SHOWN ARE APPROXIMATE. THE CONTRACTOR SHALL COMPLY WITH ALL REQUIREMENTS FOR UTILITY LOCATION AND COORDINATION IN ACCORDANCE WITH THE NOTES CONTAINED IN THE GENERAL CONSTRUCTION SECTION OF THIS SHEET.
- THE CONTRACTOR SHALL RESTORE ALL DISTURBED VEGETATION IN KIND, UNLESS SHOWN OTHERWISE.
- DEFLECTION OF PIPE JOINTS AND CURVATURE OF PIPE SHALL NOT EXCEED THE MANUFACTURER'S SPECIFICATIONS. SECURELY CLOSE ALL OPEN ENDS OF PIPE AND FITTINGS WITH A WATERTIGHT PLUG WHEN WORK IS NOT IN PROGRESS. THE INTERIOR OF ALL PIPES SHALL BE CLEAN AND JOINT SURFACES WIPED CLEAN AND DRY AFTER THE PIPE HAS BEEN LOWERED INTO THE TRENCH. VALVES SHALL BE PLUMB AND LOCATED ACCORDING TO THE PLANS.
- ALL PIPE AND FITTINGS SHALL BE CAREFULLY STORED FOLLOWING MANUFACTURER'S RECOMMENDATIONS. CARE SHALL BE TAKEN TO AVOID DAMAGE TO THE COATING OR LINING IN ANY D.I. PIPE FITTINGS. ANY PIPE OR FITTING WHICH IS DAMAGED OR WHICH HAS FLAWS OR IMPERFECTIONS WHICH, IN THE OPINION OF THE ENGINEER OR OWNER, RENDERS IT UNFIT FOR USE, SHALL NOT BE USED. ANY PIPE NOT SATISFACTORY FOR USE SHALL BE CLEARLY MARKED AND IMMEDIATELY REMOVED FROM THE JOB SITE, AND SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
- WATER FOR FIRE FIGHTING SHALL BE MADE AVAILABLE FOR USE BY THE CONTRACTOR PRIOR TO COMBUSTIBLES BEING BROUGHT ON SITE.
- ALL UTILITY AND STORM DRAIN TRENCHES LOCATED UNDER AREAS TO RECEIVE PAVING SHALL BE COMPLETELY BACK FILLED IN ACCORDANCE WITH THE GOVERNING JURISDICTIONAL AGENCY'S SPECIFICATIONS. IN THE EVENT THAT THE CONTRACT DOCUMENTS AND THE JURISDICTIONAL AGENCY REQUIREMENTS ARE NOT IN AGREEMENT, THE MOST STRINGENT SHALL GOVERN.
- UNDERGROUND UTILITY LINES SHALL BE SURVEYED BY A STATE LICENSED PROFESSIONAL LAND SURVEYOR PRIOR TO BACK FILLING.
- CONTRACTOR SHALL PERFORM, AT THEIR OWN EXPENSE, ANY AND ALL TESTS REQUIRED BY THE SPECIFICATIONS AND/OR ANY AGENCY HAVING JURISDICTION. THESE TESTS MAY INCLUDE, BUT MAY NOT BE LIMITED TO, INFILTRATION AND EXFILTRATION, TELEVISION INSPECTION AND A MANDREL TEST ON GRAVITY SEWER. A COPY OF THE TEST RESULTS SHALL BE PROVIDED TO THE UTILITY PROVIDER, OWNER AND JURISDICTIONAL AGENCY AS REQUIRED.
- BETWEEN WATER AND SEWER MANHOLES AND PIPES, CONTRACTOR SHALL PROVIDE FOR A MINIMUM HORIZONTAL CLEARANCE OF 10-FEET AND A MINIMUM VERTICAL SEPARATION OF 18-INCHES.
- IF ANY EXISTING STRUCTURES TO REMAIN ARE DAMAGED DURING CONSTRUCTION IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO REPAIR AND/OR REPLACE THE EXISTING STRUCTURE AS NECESSARY TO RETURN IT TO EXISTING CONDITIONS OR BETTER.
- ALL STORM PIPE ENTERING STRUCTURES SHALL BE GASKETED AND/OR GROUTED TO ASSURE CONNECTION AT STRUCTURE IS WATERTIGHT UNLESS OTHERWISE STATED BY CITY AND STATE DESIGN STANDARDS AND SPECIFICATIONS.
- UNLESS OTHERWISE STATED IN CITY AND STATE DESIGN STANDARDS AND SPECIFICATIONS, ALL STORM SEWER MANHOLES IN PAVED AREAS SHALL BE FLUSH WITH PAVEMENT, AND SHALL HAVE TRAFFIC BEARING RING & COVERS. MANHOLES IN UNPAVED AREAS SHALL BE 6" ABOVE FINISH GRADE. LIDS SHALL BE LABELED "STORM SEWER". EXISTING CASTINGS AND STRUCTURES WITHIN PROJECT LIMITS SHALL BE ADJUSTED TO MEET THESE CONDITIONS AND THE PROPOSED FINISHED GRADE.
- TOPOGRAPHIC INFORMATION IS TAKEN FROM A TOPOGRAPHIC SURVEY BY LAND SURVEYORS. IF THE CONTRACTOR DOES NOT ACCEPT EXISTING TOPOGRAPHY AS SHOWN ON THE PLANS, WITHOUT EXCEPTION, THEN THE CONTRACTOR SHALL SUPPLY, AT THEIR EXPENSE, A TOPOGRAPHIC SURVEY BY A REGISTERED LAND SURVEYOR TO THE OWNER FOR REVIEW.
- CONSTRUCTION SHALL COMPLY WITH ALL APPLICABLE GOVERNING CODES AND BE CONSTRUCTED TO SAME.
- ALL STORM STRUCTURES SHALL HAVE A SMOOTH UNIFORM POURED MORTAR FROM INVERT IN TO INVERT OUT.
- ROOF DRAINS SHALL BE CONNECTED TO STORM SEWER BY PREFABRICATED WYES OR AT STORM STRUCTURES. ROOF DRAINS AND TRUCK WELL DRAIN SHALL RUN AT A MINIMUM 2.0% SLOPE, UNLESS NOTED OTHERWISE, AND TIE IN AT THE CENTERLINE OF THE STORM MAIN.
- PROVIDE INSULATION OF UNDERGROUND ROOF DRAINS AND SANITARY SEWER SERVICES IF ADEQUATE FROST DEPTH CANNOT BE PROVIDED.
- THE CONTRACTOR SHALL PROTECT EXISTING UNDERGROUND UTILITIES AND APPURTENANCES THAT ARE TO REMAIN FROM DAMAGE DURING CONSTRUCTION OPERATIONS.
- THE LOCATION OF EXISTING UTILITIES, STORM DRAINAGE STRUCTURES AND OTHER ABOVE AND BELOW-GRADE IMPROVEMENTS ARE APPROXIMATE AS SHOWN. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT LOCATION, SIZE AND INVERT ELEVATIONS OF EACH PRIOR TO THE START OF CONSTRUCTION.
- A MINIMUM SEPARATION OF 5-FEET IS REQUIRED BETWEEN UNDERGROUND UTILITIES AND TREES UNLESS A ROOT BARRIER IS UTILIZED.
- GAS, PHONE AND ELECTRIC SERVICES SHOWN FOR INFORMATIONAL PURPOSES ONLY. DRY UTILITY COMPANIES MAY ALTER THE DESIGN LAYOUT

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Kimley Horn & Associates, Inc.**

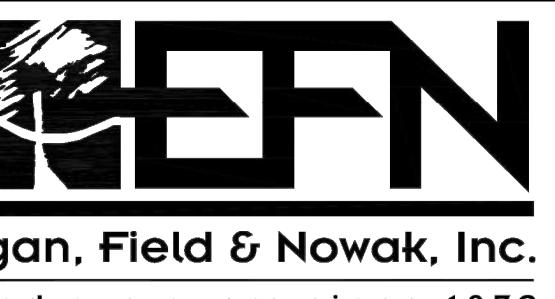


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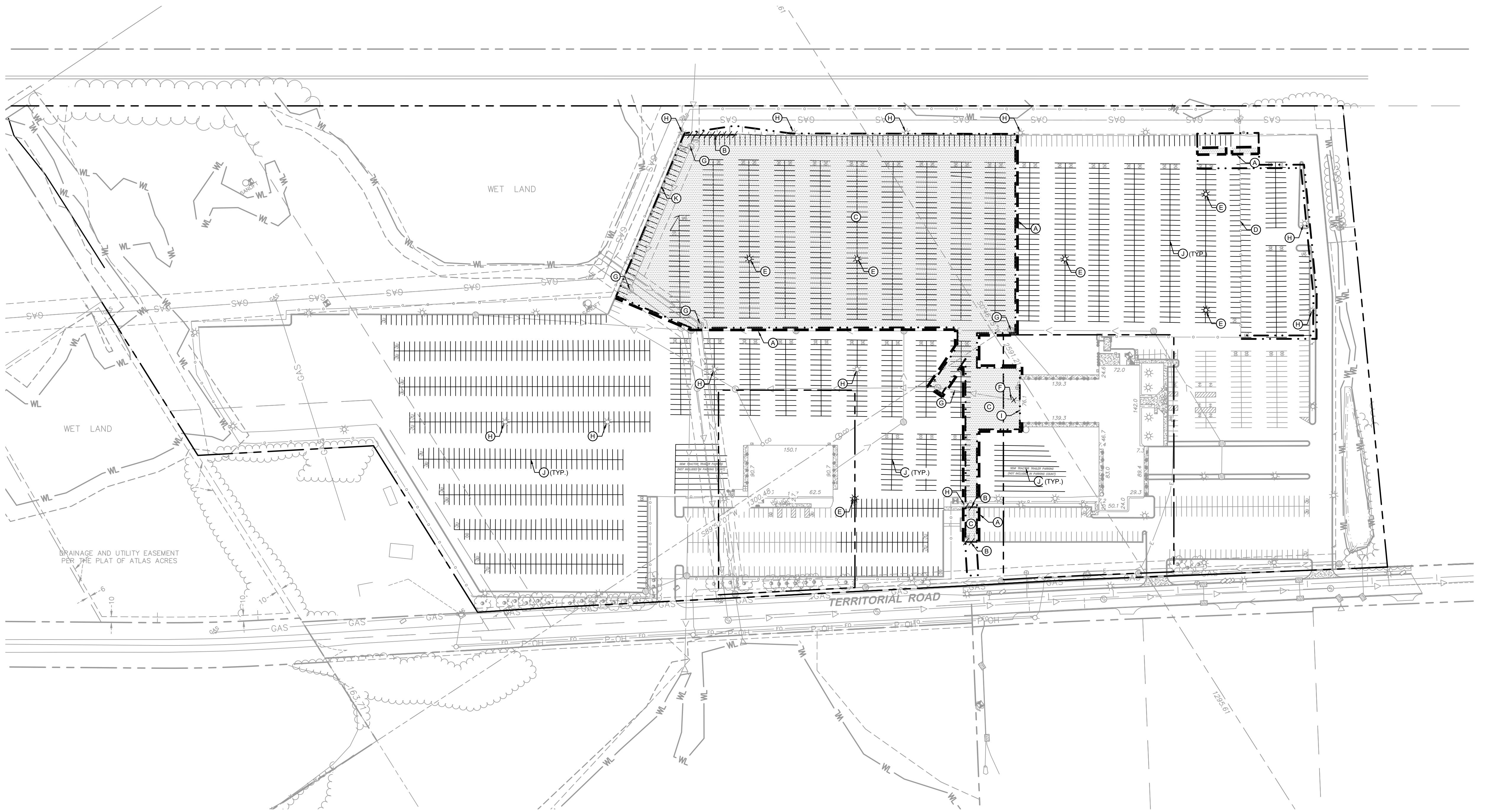
# ALTA/NSPS LAND TITLE SURVEY

## **SURVEY FOR:**

**PROPERTY ADDRESS:**

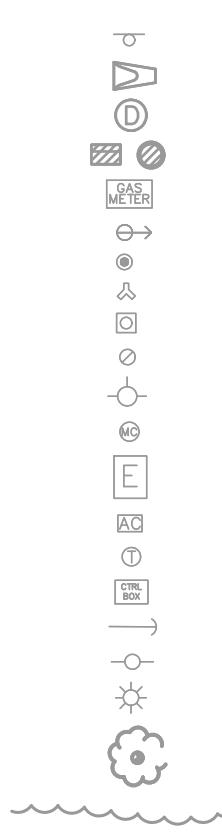


**1229 Tyler Street NE, Suite 100  
Minneapolis, Minnesota 55413**  
**PHONE: (612) 466-3300**  
**FAX: (612) 466-3383**  
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#### LEGEND

	PROPERTY LINE
	REMOVE BITUMINOUS SURFACE
	REMOVE CONCRETE SURFACE
	REMOVE BUILDING
	CLEARING & GRUBBING
	FULL DEPTH SAWCUT
	REMOVE TREE
	REMOVE CONCRETE CURB & GUTTER
	REMOVE UTILITY LINES
	FILL & ABANDON UTILITY LINES
	LIMITS OF CONSTRUCTION
	EXISTING OVERHEAD POWER LINE
	EXISTING CHAINLINK FENCE
	EXISTING I-BARRIER
	EXISTING RETAINING WALL
	EXISTING SANITARY SEWER
	EXISTING STORM SEWER
	EXISTING WATERMAIN
	EXISTING GAS MAIN
	EXISTING UNDERGROUND TELEPHONE
	EXISTING UNDERGROUND CABLE
	EXISTING CONTOUR
	EXISTING CURB & GUTTER



#### DEMOLITION PLAN NOTES

- THE CONTRACTOR IS RESPONSIBLE FOR THE DEMOLITION, REMOVAL, AND DISPOSAL (IN A LOCATION APPROVED BY ALL GOVERNING AUTHORITIES) OF ALL STRUCTURES, PADS, WALLS, FLUMES, FOUNDATIONS, PARKING, DRIVeways, DRAINAGE STRUCTURES, UTILITIES, ETC. SUCH THAT THE IMPROVEMENTS ON THE PLANS CAN BE CONSTRUCTED. FACILITIES TO BE REMOVED SHALL BE UNDERCUT TO SUITABLE MATERIAL AND BROUGHT TO GRADE WITH SUITABLE COMPACTED FILL MATERIAL PER THE PROJECT DOCUMENTS.
- THE CONTRACTOR IS RESPONSIBLE FOR REMOVING ALL DEBRIS FROM THE SITE AND DISPOSING OF THE DEBRIS IN A LAWFUL MANNER AND IN ACCORDANCE WITH LOCAL AND STATE REGULATIONS. THE CONTRACTOR SHALL OBTAIN ANY REQUIRED PERMITS FOR DEMOLITION AND DISPOSAL FROM THE APPROPRIATE LOCAL AND STATE AGENCIES. CONTRACTOR SHALL PROVIDE COPIES OF THE PERMIT AND RECEIPTS OF DISPOSAL OF MATERIALS TO THE OWNER AND OWNERS REPRESENTATIVE, INCLUDING THE TYPE OF DEBRIS AND LOCATION WHERE IT WAS DISPOSED.
- THE CONTRACTOR SHALL MAINTAIN UTILITY SERVICES TO ADJACENT PROPERTIES AT ALL TIMES. UTILITY SERVICES SHALL NOT BE INTERRUPTED WITHOUT APPROVAL FROM THE CONSTRUCTION MANAGER AND COORDINATION WITH THE ADJACENT PROPERTIES AND/OR THE CITY.
- THE CONTRACTOR SHALL COORDINATE WITH RESPECTIVE UTILITY COMPANIES PRIOR TO THE REMOVAL AND/OR RELOCATION OF UTILITIES. THE CONTRACTOR SHALL COORDINATE WITH THE UTILITY COMPANY CONCERNING PORTIONS OF WORK WHICH MAY BE PERFORMED BY THE UTILITY COMPANY'S FORCES AND ANY FEES WHICH ARE TO BE PAID TO THE UTILITY COMPANY FOR THEIR SERVICES. THE CONTRACTOR IS RESPONSIBLE FOR PAYING ALL FEES AND CHARGES.
- THE LOCATIONS OF EXISTING UTILITIES SHOWN ON THE PLAN HAVE BEEN DETERMINED FROM THE BEST INFORMATION AVAILABLE AND ARE NOT TO BE INTERPRETED AS THE EXACT LOCATION. ADDITIONAL UNMARKED OBSTACLES MAY EXIST ON THE SITE. VERIFY EXISTING CONDITIONS AND PROCEED WITH CAUTION AROUND ANY ANTICIPATED UNDERGROUND FEATURES. GIVE NOTICE TO AFFECTED UTILITY COMPANIES REGARDING REMOVAL OF SERVICE LINES AND CAP ANY ABANDONED LINES BEFORE PREDICING WITH THE PROPOSED WORK.
- EXISTING SEWERS, PIPING AND UTILITIES SHOWN ARE BASED ON AVAILABLE RECORD PLAN DATA AND/OR FIELD UTILITY MARKINGS AND ARE NOT TO BE INTERPRETED AS THE EXACT LOCATION. ADDITIONAL UNMARKED OBSTACLES MAY EXIST ON THE SITE. VERIFY EXISTING CONDITIONS AND PROCEED WITH CAUTION AROUND ANY ANTICIPATED UNDERGROUND FEATURES. GIVE NOTICE TO AFFECTED UTILITY COMPANIES REGARDING REMOVAL OF SERVICE LINES AND CAP ANY ABANDONED LINES BEFORE PREDICING WITH THE PROPOSED WORK.
- ELECTRICAL, TELEPHONE, CABLE, WATER, FIBER OPTIC, AND/OR GAS LINES NEEDING TO BE REMOVED OR RELOCATED SHALL BE COORDINATED WITH THE AFFECTED UTILITY COMPANY. ADEQUATE TIME SHALL BE PROVIDED FOR RELOCATION AND CLOSE COORDINATION WITH THE UTILITY COMPANY IS NECESSARY TO PROVIDE A SMOOTH TRANSITION IN UTILITY SERVICE. CONTRACTOR SHALL PAY CLOSE ATTENTION TO

- EXISTING UTILITIES WITHIN ANY ROAD RIGHT-OF-WAY DURING CONSTRUCTION.
- CONTRACTOR MUST PROTECT THE PUBLIC AT ALL TIMES WITH FENCING, BARRICADES, ENCLOSURES, ETC. (AND OTHER APPROPRIATE BEST MANAGEMENT PRACTICES) AS APPROVED BY THE CONSTRUCTION MANAGER. MAINTENANCE OF TRAFFIC CONTROL SHALL BE COORDINATED IN ACCORDANCE WITH THE CITY, COUNTY, AND STATE DOT AS NECESSARY.
- CONTRACTOR SHALL MAINTAIN ACCESS TO ADJACENT PROPERTIES DURING CONSTRUCTION, AND SHALL NOTIFY ADJACENT PROPERTY OWNERS IF ACCESS WILL BE INTERRUPTED OR ALTERED AT ANY TIME DURING CONSTRUCTION.
- PRIOR TO THE START OF DEMOLITION, INSTALL EROSION CONTROL BMP'S IN ACCORDANCE WITH THE EROSION & SEDIMENT CONTROL PLANS / SWPPP.
- CONTRACTOR MAY LIMIT SAW-CUT AND PAVEMENT REMOVAL TO ONLY THOSE AREAS WHERE IT IS REQUIRED AS SHOWN ON THESE CONSTRUCTION PLANS BUT IF ANY DAMAGE IS INCURRED ON ANY OF THE SURROUNDING PAVEMENT OR CURB, THE CONTRACTOR SHALL BE RESPONSIBLE FOR ITS REMOVAL AND REPAIR.
- THE CONTRACTOR SHALL COORDINATE WATER MAIN WORK WITH THE CITY WATER AND FIRE DEPARTMENTS TO ENSURE APPROPRIATE FIRE PROTECTION IS CONSTANTLY AVAILABLE TO THE SITE AND SURROUNDING PROPERTIES THROUGH ALL PHASES OF CONSTRUCTION. CONTRACTOR WILL BE RESPONSIBLE FOR ARRANGING/PROVIDING ANY REQUIRED WATER MAIN SHUT OFFS WITH THE CITY. ANY COSTS ASSOCIATED WITH WATER MAIN SHUT OFFS WILL BE THE RESPONSIBILITY OF THE CONTRACTOR AND NO EXTRA COMPENSATION WILL BE PROVIDED.
- IN THE EVENT A WELL IS FOUND, THE CONTRACTOR SHALL CONTACT THE ENGINEER AND OWNER IMMEDIATELY. ALL WELLS SHALL BE SEALED BY A LICENSED WELL CONTRACTOR IN ACCORDANCE WITH STATE REQUIREMENTS.
- IN THE EVENT THAT UNKNOWN CONTAINERS OR TANKS ARE ENCOUNTERED, THE CONTRACTOR SHALL CONTACT THE OWNER AND/OR OWNERS REPRESENTATIVE IMMEDIATELY. ALL CONTAINERS SHALL BE DISPOSED OF AT A PERMITTED LANDFILL PER THE PROJECT DOCUMENTS.
- CONTRACTOR SHALL NOTIFY THE ENGINEER IF ANY EXISTING DRAINTILE IS ENCOUNTERED ON SITE; ACTIVE DRAINTILE SHALL NOT BE REMOVED WITHOUT APPROVAL FROM THE ENGINEER.
- IF CONTAMINATED MATERIAL IS ENCOUNTERED ON THE PROJECT SITE, THE CONTRACTOR SHALL STOP WORK AND NOTIFY THE OWNER AND ENGINEER IMMEDIATELY.

#### KEYNOTE LEGEND

	SAWCUT EXISTING PAVEMENT
	REMOVE EXISTING CURB
	REMOVE EXISTING PAVEMENT
	REMOVE EXISTING FENCE
	REMOVE EXISTING LIGHT POLE
	REMOVE EXISTING SEWER LINE / STRUCTURE
	PROTECT EXISTING SEWER LINE / STRUCTURE
	PROTECT EXISTING LIGHT POLE
	PROTECT EXISTING BUILDING / STRUCTURE
	REMOVE STRIPING
	PROTECT EXISTING CURB



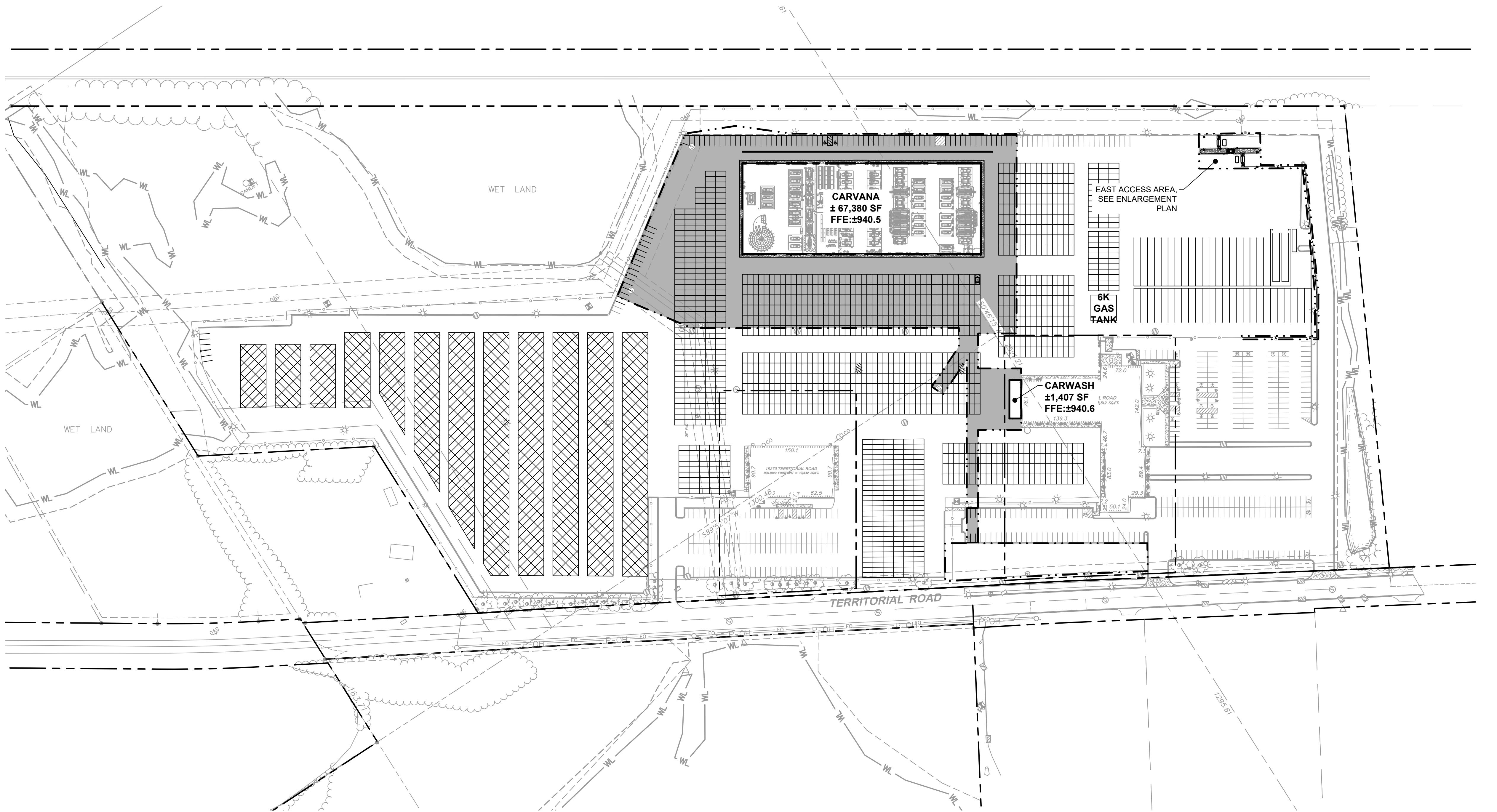
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12082025	MN, I.C. NO. 47889	12082025	ALAN L. CATCHPOLE

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 PHONE: 651.645.4497  
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**Kimley-Horn**



PROPERTY SUMMARY	
TOTAL PROPERTY AREA	±40.60 AC
DISTURBED AREA	±6.10 AC
EXISTING IMPERVIOUS AREA	±26.31 AC
EXISTING PERVIOUS AREA	± 14.29 AC
PROPOSED IMPERVIOUS AREA	±26.31 AC
PROPOSED PERVIOUS AREA	±14.29 AC
NET INCREASE IN IMPERVIOUS AREA	0.00 AC

SITE DATA	
EXISTING ZONING	I-1
PROPOSED ZONING	I-1
PROPOSED LAND USE	LIGHT INDUSTRIAL
PARKING SETBACKS	FRONT = 20' SIDE = 5' REAR = 15'
BUILDING SETBACKS	FRONT = 30' SIDE = 15' REAR = 15'

BUILDING DATA	
TOTAL BUILDING AREA	110,941 SF
PERCENT OF TOTAL PROPERTY AREA	6.27%
MAXIMUM BUILDING HEIGHT	50 FT

PARKING SUMMARY	
EXISTING PARKING	2,690 STALLS
PROPOSED AUTO PARKING	±2,520 STALLS
PROPOSED TRAILER PARKING	48 STALLS

#### LEGEND

- — — PROPERTY LINE
- — — SETBACK LINE
- — — DRAINAGE AND UTILITY EASEMENT
- x — x — x — x — PROPOSED FENCE
- — — PROPOSED CURB AND GUTTER
- ■ ■ STANDARD DUTY ASPHALT PAVEMENT  
SEE DETAILS FOR SECTION
- ■ ■ STANDARD DUTY CONCRETE PAVEMENT / SIDEWALK  
SEE DETAILS FOR SECTION
- ■ ■ HEAVY DUTY CONCRETE PAVEMENT  
SEE DETAILS FOR SECTION

#### SITE PLAN NOTES

1. REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF STOOPS, TRUCK DOCKS, TRASH ENCLOSURES & PRECISE BUILDING DIMENSIONS. REFER TO THE SITE ELECTRICAL PLAN FOR LOCATIONS OF PROPOSED LIGHT POLES, CONDUITS, AND ELECTRICAL EQUIPMENT.
2. REFER TO CERTIFIED SITE SURVEY OR PLAT FOR EXACT LOCATION OF EXISTING EASEMENTS, PROPERTY BOUNDARY DIMENSIONS, AND ADJACENT RIGHT-OF-WAY & PARCEL INFORMATION.
3. DIMENSIONS AND RADII ARE DRAWN TO THE FACE OF CURB, UNLESS OTHERWISE NOTED. DIMENSIONS ARE ROUNDED TO THE NEAREST TENTH FOOT, AND AREAS ARE ROUNDED TO THE NEAREST SQUARE FOOT.
4. UNLESS OTHERWISE NOTED, THE CONTRACTOR SHALL BE RESPONSIBLE FOR RELOCATING EXISTING SITE UTILITIES IN ACCORDANCE WITH THE PROPOSED WORK, INCLUDING BUT NOT LIMITED TO TRAFFIC SIGNS, LIGHT POLES, ABOVEGROUND UTILITIES, ETC. PERFORM WORK IN ACCORDANCE WITH GOVERNING AUTHORITIES REQUIREMENTS AND PROJECT SITE WORK SPECIFICATIONS. COST SHALL BE INCLUDED IN BASE BID.
5. TYPICAL PARKING STALL DIMENSIONS SHALL BE 9.5-FEET IN WIDTH AND 18-FEET IN LENGTH UNLESS OTHERWISE INDICATED.

#### PRELIMINARY - NOT FOR CONSTRUCTION

#### OVERALL SITE DIMENSION PLAN

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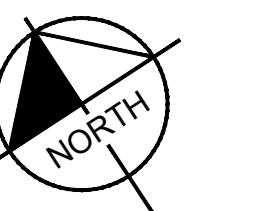
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**C400**



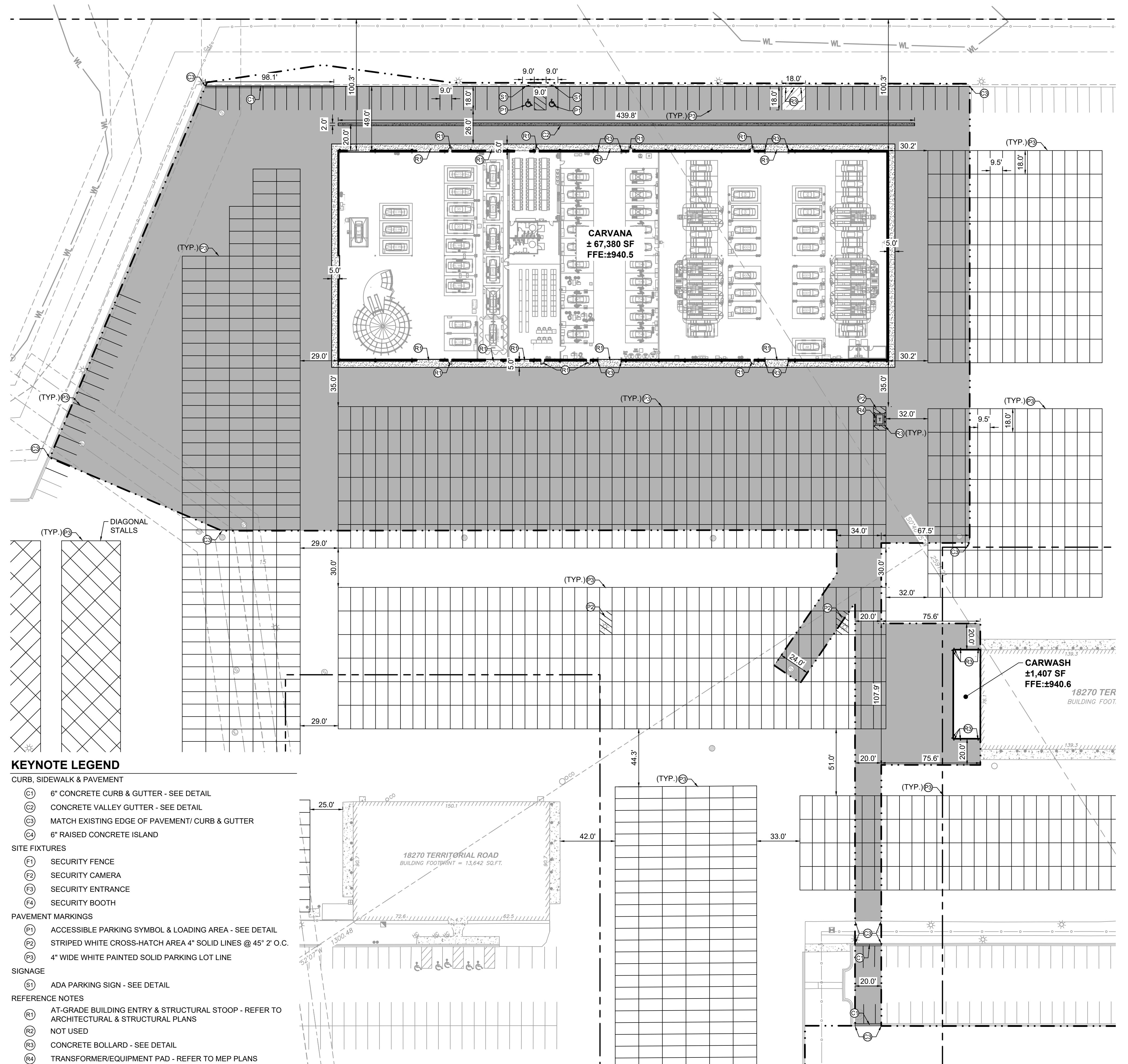
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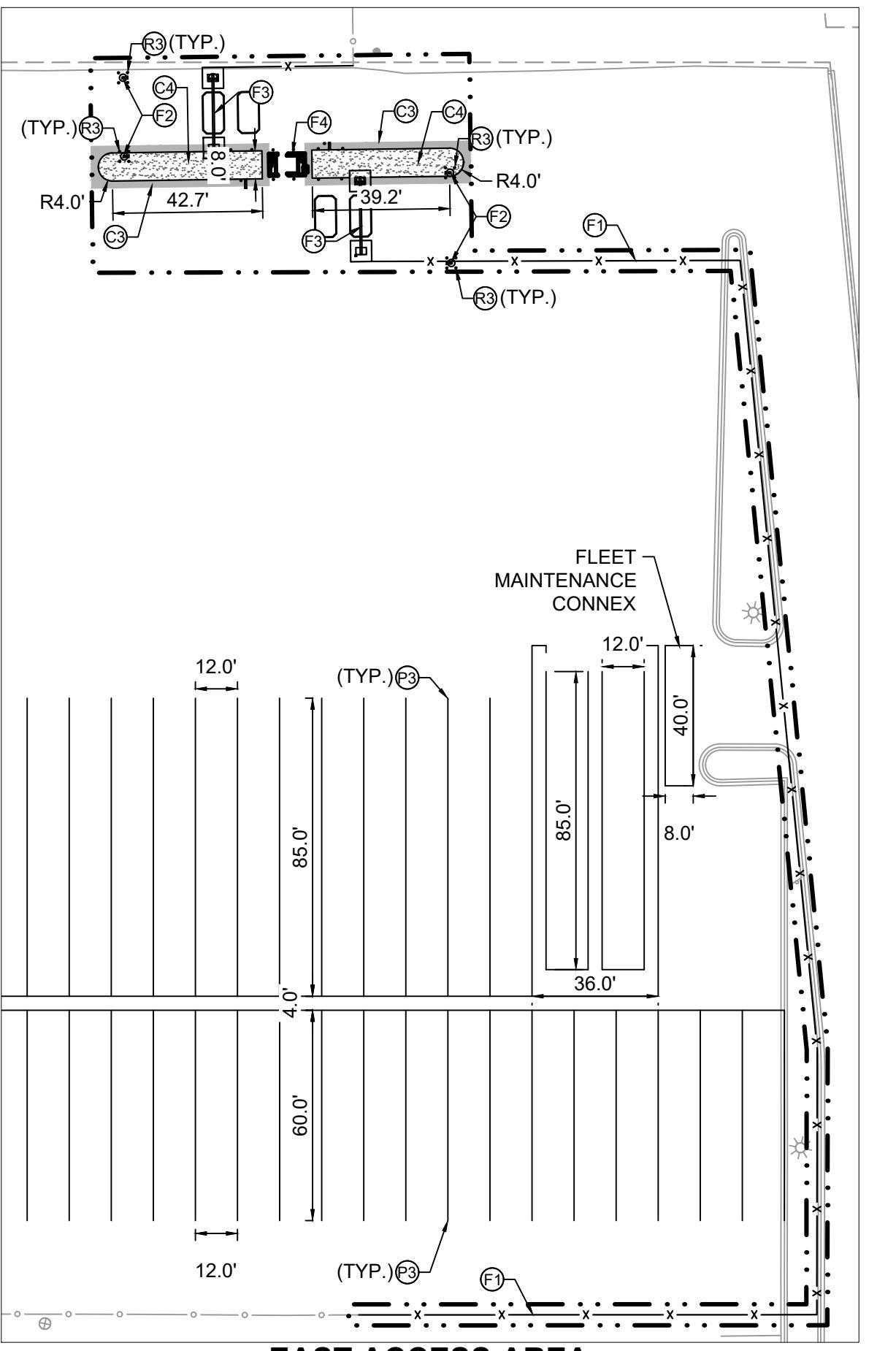
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NO.	REVISIONS	DATE	BY

KHA PROJECT	I HEREBY CERTIFY THAT THIS PLAN IS FOR THE USE OF THE CONTRACTOR ME OR ANOTHER MY DIRECT SUPERVISOR THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
1808097003	
DATE	12/08/2025
SCALE	AS SHOWN
DESIGNED BY	ALAN L. CATCHPOOL
DRAWN BY	ALAN L. CATCHPOOL
CHECKED BY	ALAN L. CATCHPOOL
DATE:	12/08/2025
MN. NO.	47889



LEGEND	
-----	PROPERTY LINE
-----	SETBACK LINE
-----	DRAINAGE AND UTILITY EASEMENT
-x-x-x-x-	PROPOSED FENCE
=====	PROPOSED CURB AND GUTTER
████████	STANDARD DUTY ASPHALT PAVEMENT SEE DETAILS FOR SECTION
████████	STANDARD DUTY CONCRETE PAVEMENT / SIDEWALK SEE DETAILS FOR SECTION
████████	HEAVY DUTY CONCRETE PAVEMENT SEE DETAILS FOR SECTION



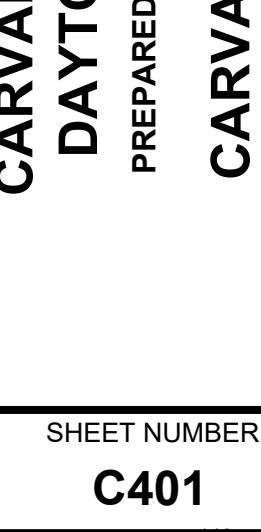
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**CARVANA - DAYTON  
SITE ENLARGEMENT  
PLAN**

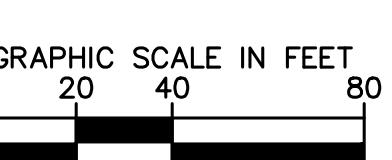
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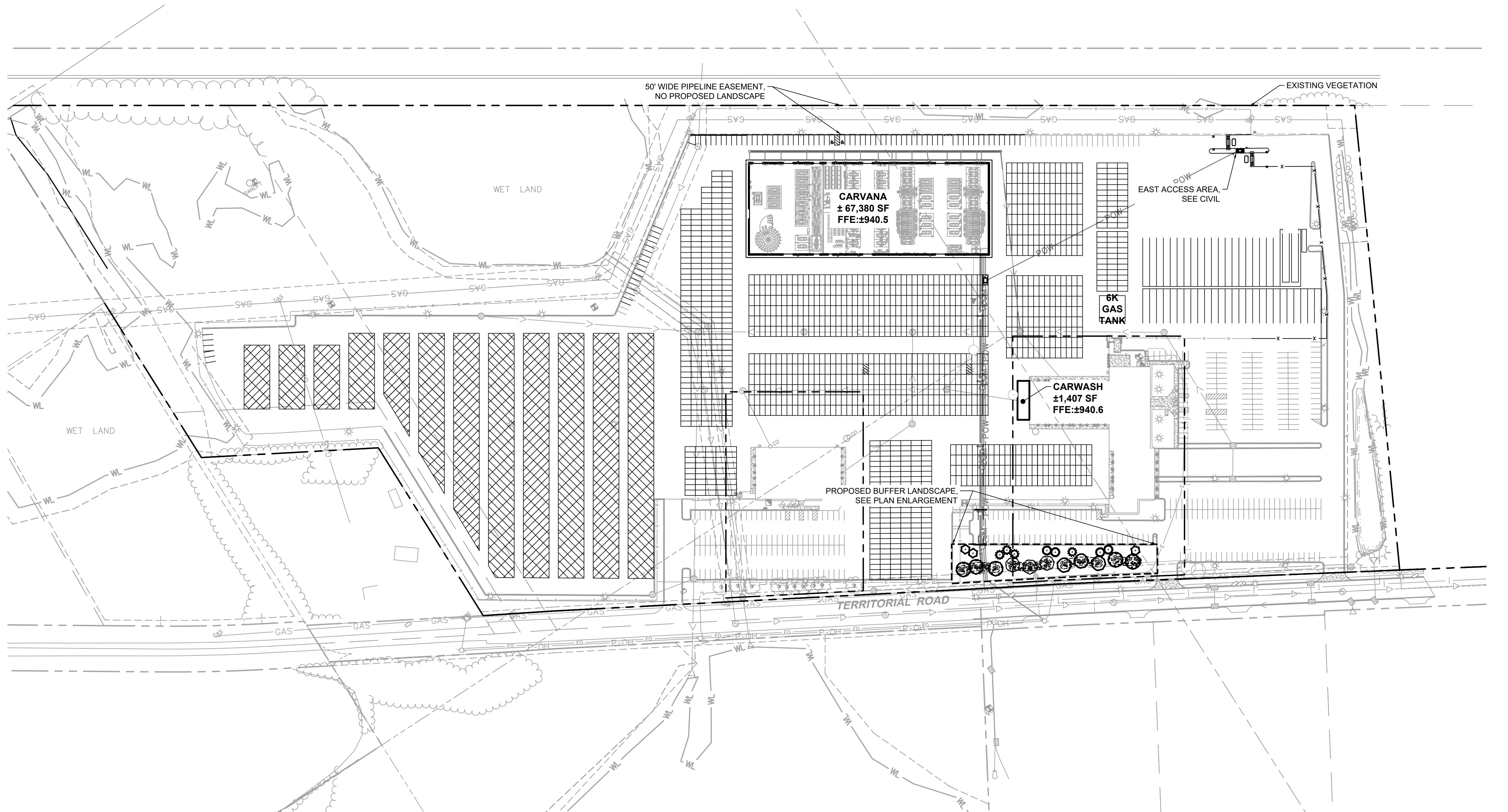
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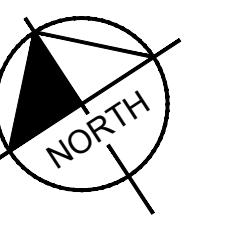
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GRAPHIC SCALE IN FEET  
50 100 200

## LANDSCAPE SUMMARY

#### REQUIRED BUFFER YARD PLANTINGS:

12 TREES = (356 L.F. BUFFER YARD / 100) \* 6  
A VARIETY OF DECIDUOUS SHRUBS & EVERGREEN SHRUBS

#### PROVIDED BUFFER YARD PLANTINGS:

1 OVER-STORY TREES  
1 EVERGREEN TREES  
9 DECIDUOUS SHRUBS  
3 EVERGREEN SHRUBS

## INTRODUCTION

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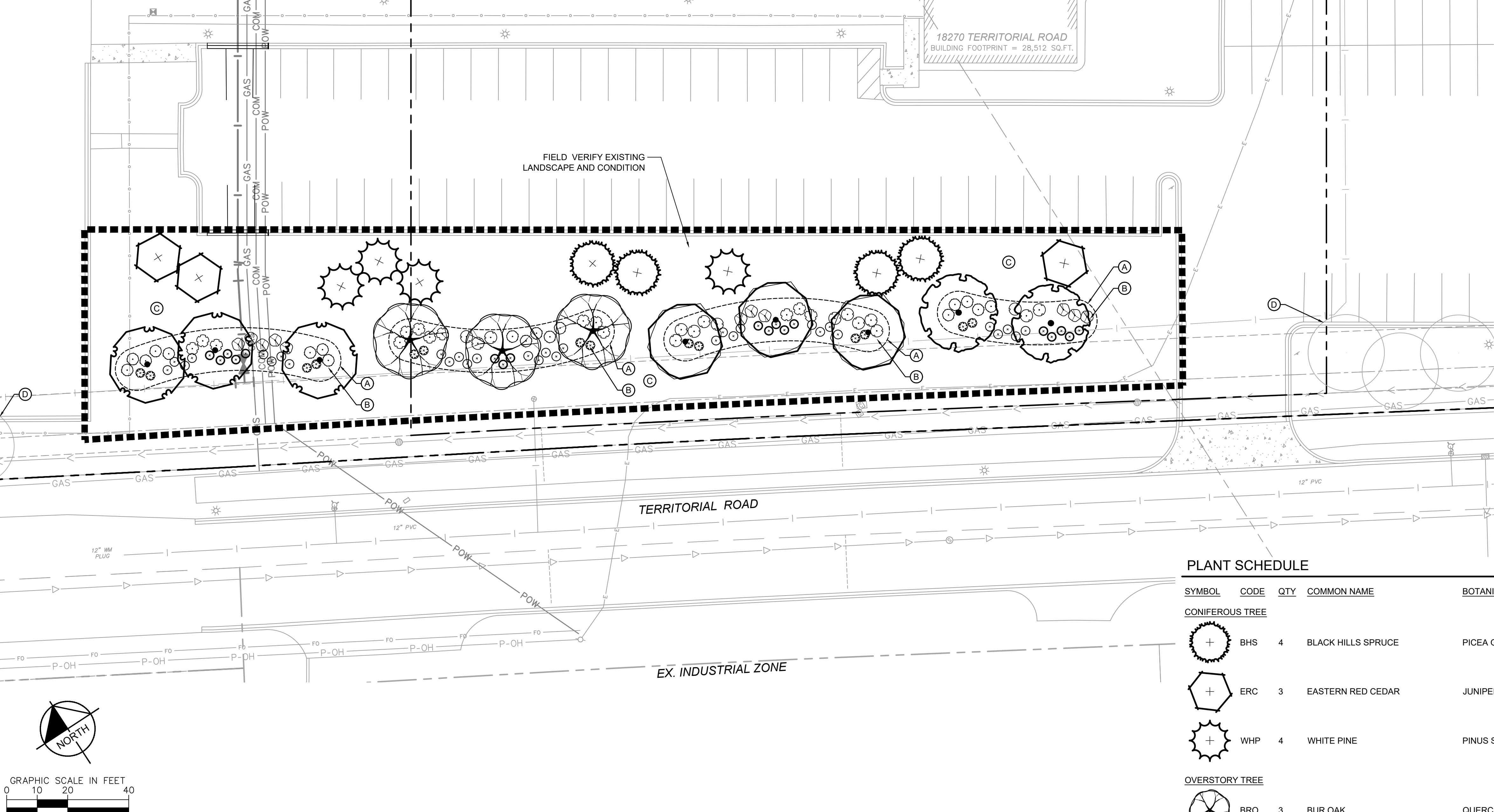
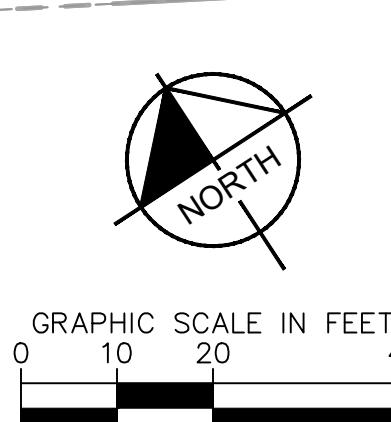
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SHEET NUMBER  
100



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NOTE:  
QUANTITIES ON PLAN SUPERSEDE LIST QUANTITIES IN THE EVENT OF A DISCREPANCY.

ABBREVIATIONS:  
B&B = BALLED AND BURLAPPED CAL. = CALIPER HT. = HEIGHT  
MIN. = MINIMUM O.C. = ON CENTER SP. = SPECIES QTY. = QUANTITY

### LANDSCAPE LEGEND

- EXISTING DECIDUOUS TREE (TYP.)
- EDGER (TYP.)
- APPROXIMATE LIMITS OF SOD, SOD ALL DISTURBED AREAS (TYP.)

### LANDSCAPE KEYNOTES

- (A) EDGER (TYP.)
- (B) DOUBLE SHREDDED HARDWOOD MULCH (TYP.)
- (C) SOD (TYP.)
- (D) EXISTING TREE TO REMAIN, PROTECT IN PLACE (TYP.)

### PLANT SCHEDULE

SYMBOL	CODE	QTY	COMMON NAME	BOTANICAL NAME	CONT	CAL
<b>CONIFEROUS TREE</b>						
	BHS	4	BLACK HILLS SPRUCE	PICEA GLAUCA 'DENSATA'	B & B	6' HT.
	ERC	3	EASTERN RED CEDAR	JUNIPERUS VIRGINIANA	B & B	6' HT.
	WHP	4	WHITE PINE	PINUS STROBOS	B & B	6' HT.
<b>OVERSTORY TREE</b>						
	BRO	3	BUR OAK	QUERCUS MACROCARPA	B & B	2.5" CAL.
	FFM	2	FALL FIESTA SUGAR MAPLE	ACER SACCHARUM	B & B	2.5" CAL.
	NWM	3	NORTHWOOD MAPLE	ACER RUBRUM 'NORTHWOOD'	B & B	2.5" CAL.
	SWO	3	SWAMP WHITE OAK	QUERCUS BICOLOR	B & B	2.5" CAL.
<b>DECIDUOUS SHRUBS</b>						
	CSS	11	CUTLEAF STAGHORN SUMAC	RHUS TYPHINA 'LACINIATA'	#5 CONT.	4' O.C.
	ELD	16	SUTHERLAND GOLD ELDERBERRY	SAMBUCUS RACEMOSA 'SUTHERLAND GOLDEN'	#5 CONT.	4' O.C.
	FNB	14	FIRESIDE NINEBARK	PHYSOCARPUS OPULIFOLIUS 'UMNHARPELL'	#5 CONT.	4' O.C.
	IRD	18	ISANTI REDOSIER DOGWOOD	CORNUS SERICEA 'ISANTI'	#5 CONT.	4' O.C.
<b>EVERGREEN SHRUBS</b>						
	LMP	18	LAKEVIEW MUGO PINE	PINUS MUGO 'LAKEVIEW'	#3 CONT.	3' O.C.
	SGJ	14	SEA GREEN JUNIPER	JUNIPERUS CHINENSIS 'SEA GREEN'	#5 CONT.	3' O.C.
	TCA	31	TECHNY ARBORVITAE	THUJA OCCIDENTALIS 'TECHNY'	#5 CONT.	3' O.C.

PRELIMINARY - NOT FOR CONSTRUCTION

### LANDSCAPE PLAN ENLARGEMENT

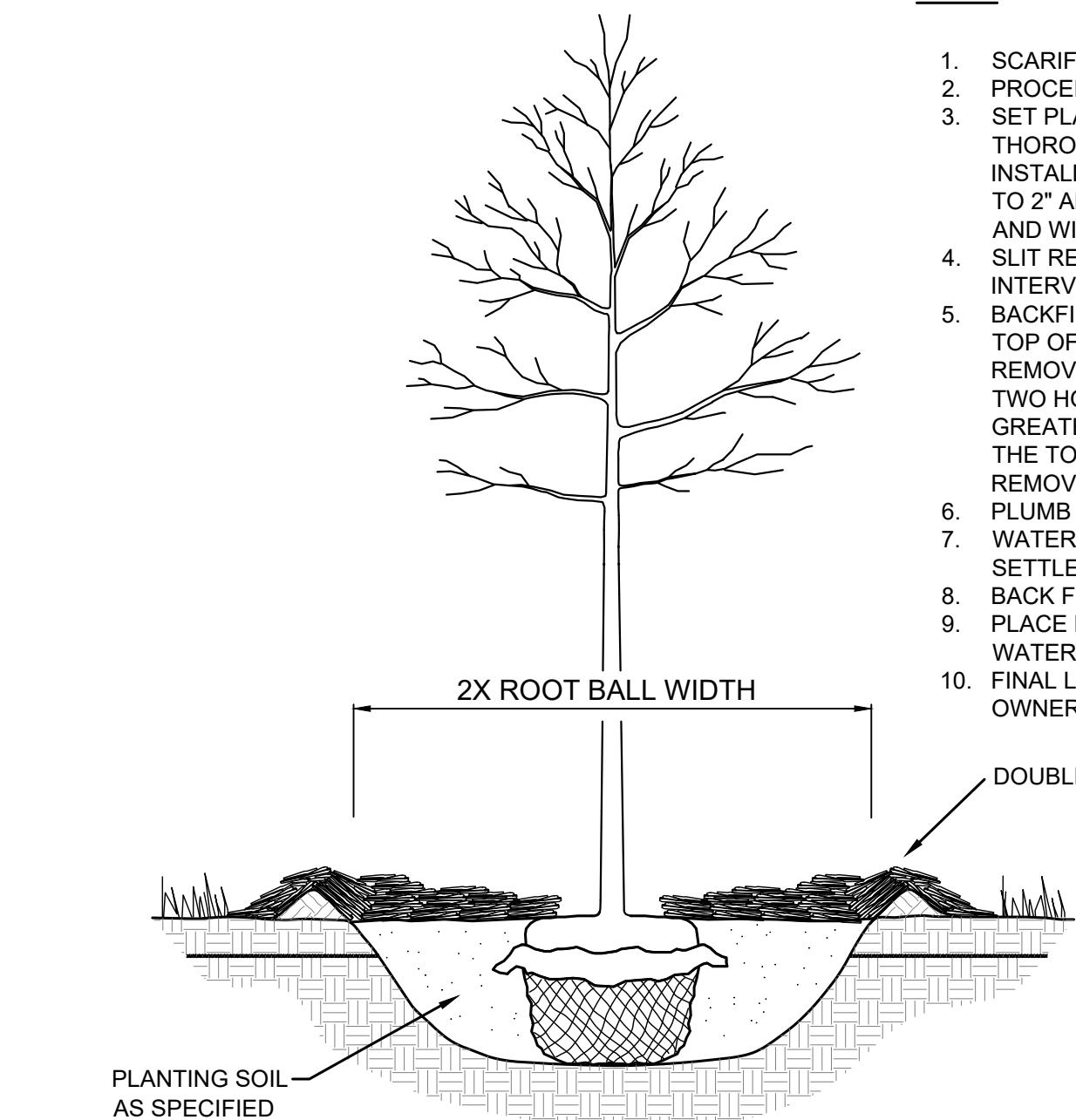
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CARVANA  
CARVANA  
DAYTON  
DAYTON  
SHEET NUMBER  
L101

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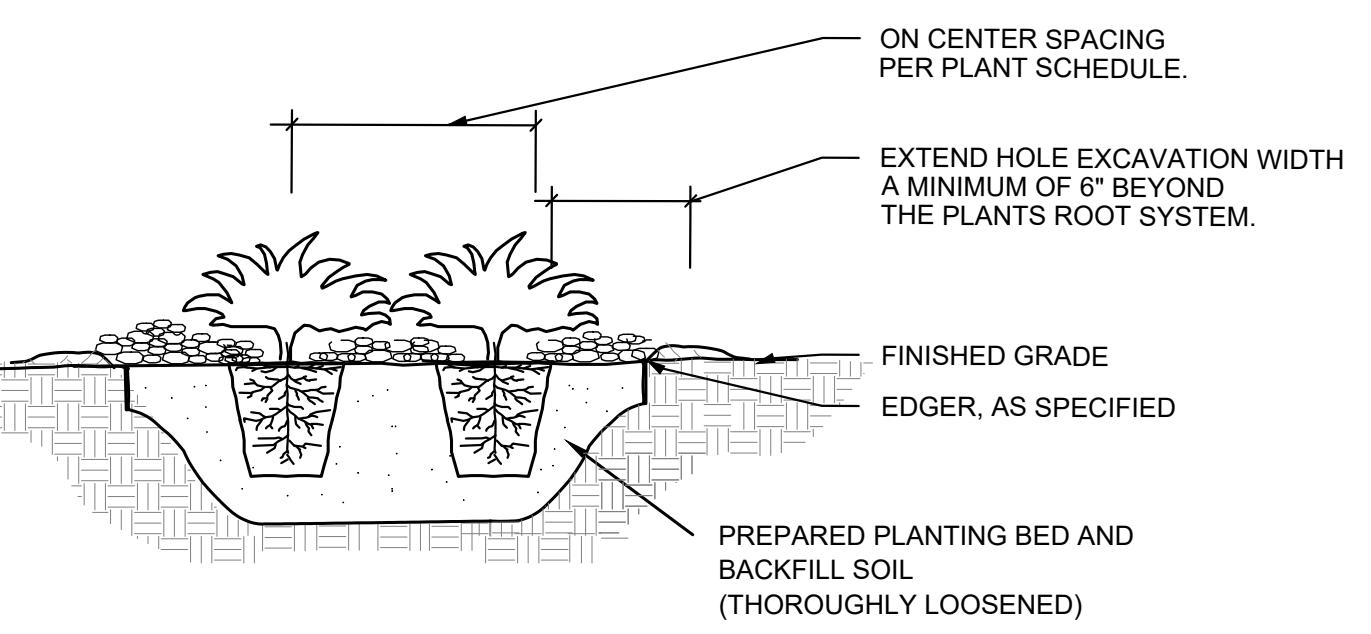


1 TREE PLANTING DETAIL

SCALE: N.T.S.

NOTES:

1. SCARIFY SIDES AND BOTTOM OF HOLE.
2. PROCEED WITH CORRECTIVE PRUNING.
3. SET PLANT ON UNDISTURBED NATIVE SOIL OR THOROUGHLY COMPACTED PLANTING SOIL. INSTALL PLANT SO THE ROOT FLARE IS AT OR UP TO 2" ABOVE THE FINISHED GRADE WITH BURLAP AND WIRE BASKET, (IF USED), INTACT.
4. SLIT REMAINING TREATED BURLAP AT 6" INTERVALS.
5. BACKFILL TO WITHIN APPROXIMATELY 12" OF THE TOP OF THE ROOTBALL, THEN WATER PLANT. REMOVE THE TOP 1/3 OF THE BASKET OR THE TOP TWO HORIZONTAL RINGS WHICHEVER IS GREATER. REMOVE ALL BURLAP AND NAILS FROM THE TOP 1/3 OF THE BALL. REMOVE ALL TWINE. REMOVE OR CORRECT STEM GIRDLING ROOTS.
6. PLUMB AND BACKFILL WITH PLANTING SOIL.
7. WATER THOROUGHLY WITHIN 2 HOURS TO SETTLE PLANTS AND FILL Voids.
8. BACK FILL Voids AND WATER SECOND TIME.
9. PLACE MULCH WITHIN 48 HOURS OF THE SECOND WATERING UNLESS SOIL MOISTURE IS EXCESSIVE.
10. FINAL LOCATION OF TREE TO BE APPROVED BY OWNER.

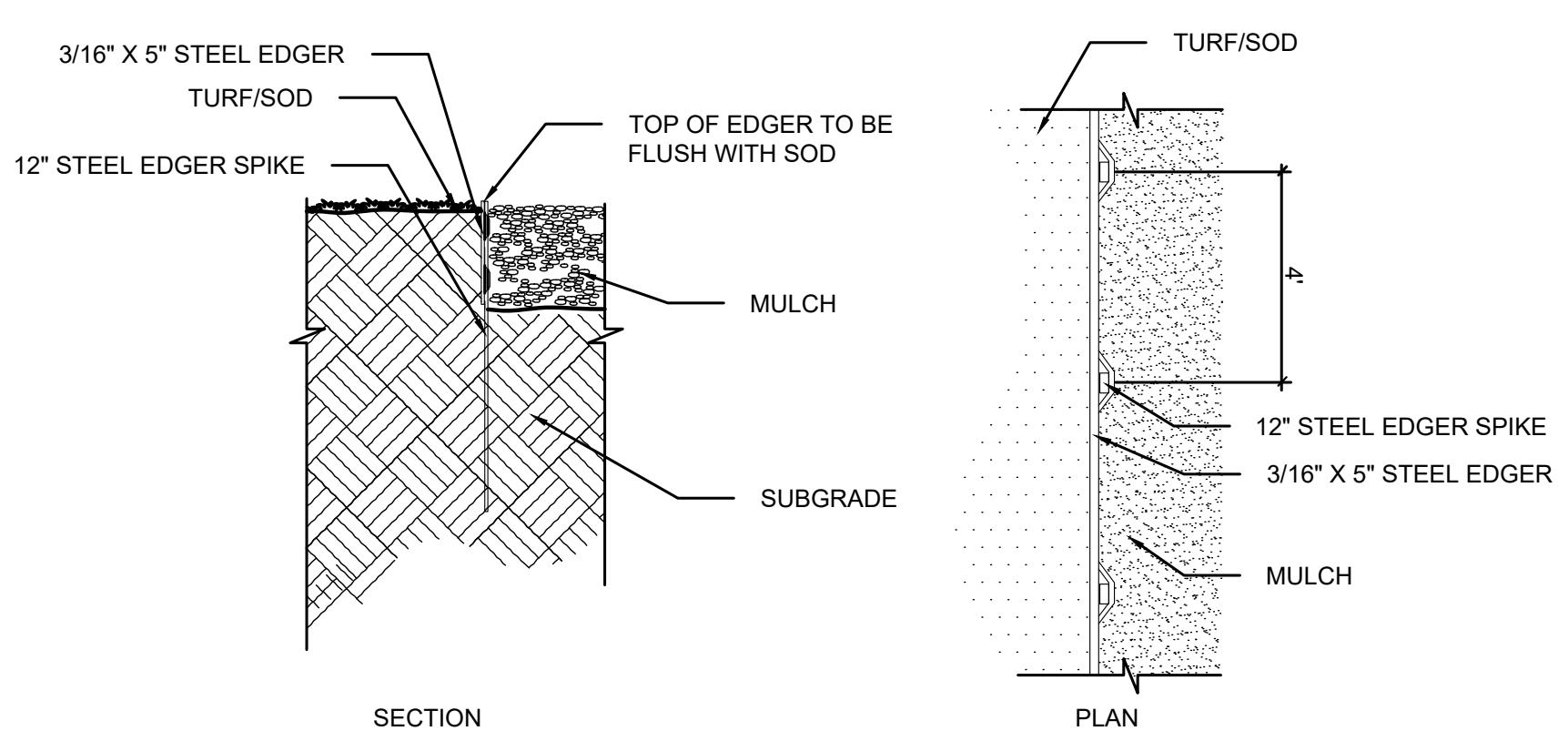


NOTES:

1. SCARIFY SIDES AND BOTTOM OF HOLE.
2. PROCEED WITH CORRECTIVE PRUNING OF TOP AND ROOT.
3. REMOVE CONTAINER AND SCORE OUTSIDE OF SOIL MASS TO REDIRECT AND PREVENT CIRCLING FIBROUS ROOTS. REMOVE OR CORRECT STEM GIRDLING ROOTS.
4. PLUMB AND BACKFILL WITH PLANTING SOIL.
5. WATER THOROUGHLY WITHIN 2 HOURS TO SETTLE PLANTS AND FILL Voids.
6. BACK FILL Voids AND WATER SECOND TIME.
7. PLACE MULCH WITHIN 48 HOURS OF THE SECOND WATERING UNLESS SOIL MOISTURE IS EXCESSIVE.
8. MIX IN 3-4" OF ORGANIC COMPOST.

2 SHRUB / PERENNIAL PLANTING DETAIL

SCALE: N.T.S.



3 STEEL EDGER DETAIL

SCALE: N.T.S.

## LANDSCAPE NOTES

### PLANTING

1. CONTACT COMMON GROUND ALLIANCE AT 811 OR CALL811.COM TO VERIFY LOCATIONS OF ALL UNDERGROUND UTILITIES PRIOR TO INSTALLATION OF ANY PLANTS OR LANDSCAPE MATERIAL.
2. ACTUAL LOCATION OF PLANT MATERIAL IS SUBJECT TO FIELD AND SITE CONDITIONS.
3. NO PLANTING WILL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
4. ALL SUBSTITUTIONS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO SUBMISSION OF ANY BID AND/OR QUOTE BY THE LANDSCAPE CONTRACTOR.
5. PROVIDE TWO YEAR GUARANTEE OF ALL PLANT MATERIALS. THE GUARANTEE BEGINS ON THE DATE OF THE LANDSCAPE ARCHITECT'S OR OWNER'S WRITTEN ACCEPTANCE OF THE INITIAL PLANTING. REPLACEMENT PLANT MATERIAL SHALL HAVE A ONE YEAR GUARANTEE COMMENCING UPON PLANTING.
6. ALL PLANTS TO BE SPECIMEN GRADE, MINNESOTA-GROWN AND/OR HARDY. SPECIMEN GRADE SHALL ADHERE TO, BUT IS NOT LIMITED BY, THE FOLLOWING STANDARDS:  
ALL PLANTS SHALL BE FREE FROM DISEASE, PESTS, WOUNDS, SCARS, ETC.  
ALL PLANTS SHALL BE FREE FROM NOTICEABLE GAPS, HOLES, OR DEFORMITIES.  
ALL PLANTS SHALL BE FREE FROM BROKEN OR DEAD BRANCHES.  
CONIFEROUS TREES SHALL HAVE HEAVY, HEALTHY BRANCHING AND LEAFING.
7. PLANTS TO MEET AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1-2014 OR MOST CURRENT VERSION) REQUIREMENTS FOR SIZE AND TYPE SPECIFIED.
8. PLANTS TO BE INSTALLED AS PER MNLA & ANSI STANDARD PLANTING PRACTICES.
9. INSTALL PLANTS BY PLANT INSTALLATION PERIOD INFORMATION IN THE LATEST STANDARD PLANTING DETAILS FROM MNDOT. PLANTINGS BEFORE OR AFTER THESE DATES ARE DONE AT RISK.
10. PLANTS SHALL BE IMMEDIATELY PLANTED UPON ARRIVAL AT SITE, PROPERLY HEEL-IN MATERIALS IF NECESSARY, TEMPORARY ONLY.
11. PRIOR TO PLANTING, FIELD VERIFY THAT THE ROOT COLLAR/ROOT FLARE IS LOCATED AT THE TOP OF THE BALLED & BURLAP TREE. IF THIS IS NOT THE CASE, SOIL SHALL BE REMOVED DOWN TO THE ROOT COLLAR/ROOT FLARE. WHEN THE BALLED & BURLAP TREE IS PLANTED, THE ROOT COLLAR/ROOT FLARE SHALL BE EVEN OR SLIGHTLY ABOVE FINISHED GRADE.
12. OPEN TOP OF BURLAP ON BB MATERIALS; REMOVE POT ON POTTED PLANTS; SPLIT AND BREAK APART PEAT POTS.
13. PRUNE PLANTS AS NECESSARY - PER STANDARD NURSERY PRACTICE AND TO CORRECT POOR BRANCHING OF EXISTING AND PROPOSED TREES.
14. WRAP ALL SMOOTH-BARKED TREES - FASTEN TOP AND BOTTOM. REMOVE BY APRIL 1ST.
15. STAKING OF TREES AS REQUIRED. REPOSITION, PLUMB AND STAKE IF NOT PLUMB AFTER ONE YEAR.

### SOIL

16. THE NEED FOR SOIL AMENDMENTS SHALL BE DETERMINED UPON SITE SOIL CONDITIONS PRIOR TO PLANTING. LANDSCAPE CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT FOR THE NEED OF ANY SOIL AMENDMENTS.
17. BACKFILL SOIL AND TOPSOIL TO ADHERE TO MNDOT STANDARD SPECIFICATION 3877 (LOAM TOPSOIL BORROW) AND TO BE EXISTING TOP SOIL FROM SITE FREE OF ROOTS, ROCKS LARGER THAN ONE INCH, SUBSOIL DEBRIS, AND LARGE WEEDS UNLESS SPECIFIED OTHERWISE. MINIMUM 4" DEPTH TOPSOIL FOR ALL LAWN GRASS AREAS AND 12" DEPTH TOPSOIL FOR TREE, SHRUBS, AND PERENNIALS.

### MULCH

18. MULCH TO BE AT ALL TREE, SHRUB, PERENNIAL, AND MAINTENANCE AREAS. TREE AND SHRUB PLANTING BEDS SHALL HAVE 4" DEPTH OF DOUBLE SHREDDED HARDWOOD MULCH. DOUBLE SHREDDED HARDWOOD MULCH TO BE USED AROUND ALL PLANTS WITHIN TURF AREAS. PERENNIAL AND ORNAMENTAL GRASS BEDS SHALL HAVE 2" DEPTH DOUBLE SHREDDED HARDWOOD MULCH. MULCH TO BE FREE OF DELETERIOUS MATERIAL AND NATURAL IN COLOR (DYE-FREE), OR APPROVED EQUAL. ROCK MULCH TO BE RIVER ROCK, 1 1/2" DIAMETER, AT MINIMUM 4" DEPTH, OR APPROVED EQUAL. APPLY PRE-EMERGENT HERBICIDE PRIOR TO MULCH PLACEMENT PER MANUFACTURER RECOMMENDATIONS, USE PREEN OR PRE-APPROVED EQUAL. ROCK MULCH TO BE ON COMMERCIAL GRADE FILTER FABRIC, BY TYPAR, OR APPROVED EQUAL WITH NO EXPOSURE. MULCH AND FABRIC TO BE APPROVED BY OWNER PRIOR TO INSTALLATION. MULCH TO MATCH EXISTING CONDITIONS (WHERE APPLICABLE).

### EDGER

19. EDGING TO BE COMMERCIAL GRADE COL-MET (OR EQUAL) STEEL EDGING, 3/16" THICK x 5" TALL, COLOR BLACK, OR SPADED EDGE, AS INDICATED. STEEL EDGING SHALL BE PLACED WITH SMOOTH CURVES AND STAKED WITH METAL SPIKES NO GREATER THAN 4 FOOT ON CENTER WITH TOP OF EDGER AT GRADE, FOR MOWERS TO CUT ABOVE WITHOUT DAMAGE. UTILIZE CURBS AND SIDEWALKS FOR EDGING WHERE POSSIBLE. WHERE EDGING TERMINATES AT A SIDEWALK, BEVEL OR RECESS ENDS TO PREVENT TRIP HAZARD. SPADED EDGE TO PROVIDE V-SHAPED DEPTH AND WIDTH TO CREATE SEPARATION BETWEEN MULCH AND GRASS. INDIVIDUAL TREE, SHRUB, OR RAIN-GARDEN BEDS TO BE SPADED EDGE, UNLESS NOTED OTHERWISE. EDGING TO MATCH EXISTING CONDITIONS (WHERE APPLICABLE).

### SEED/SOD

20. ALL DISTURBED AREAS TO BE SODDED OR SEDED, UNLESS OTHERWISE NOTED. SOD TO BE STANDARD MINNESOTA GROWN AND HARDY BLUEGRASS MIX, FREE OF LAWN WEEDS. ALL TOPSOIL AREAS TO BE RAKED TO REMOVE DEBRIS AND ENSURE DRAINAGE. SLOPES OF 3:1 OR GREATER SHALL BE STAKED. SEED AS SPECIFIED, PER MNDOT SPECIFICATIONS AND SUPPLIER/MANUFACTURER RECOMMENDATIONS. IF NOT INDICATED ON LANDSCAPE PLAN, SEE EROSION CONTROL PLAN.

### IRRIGATION

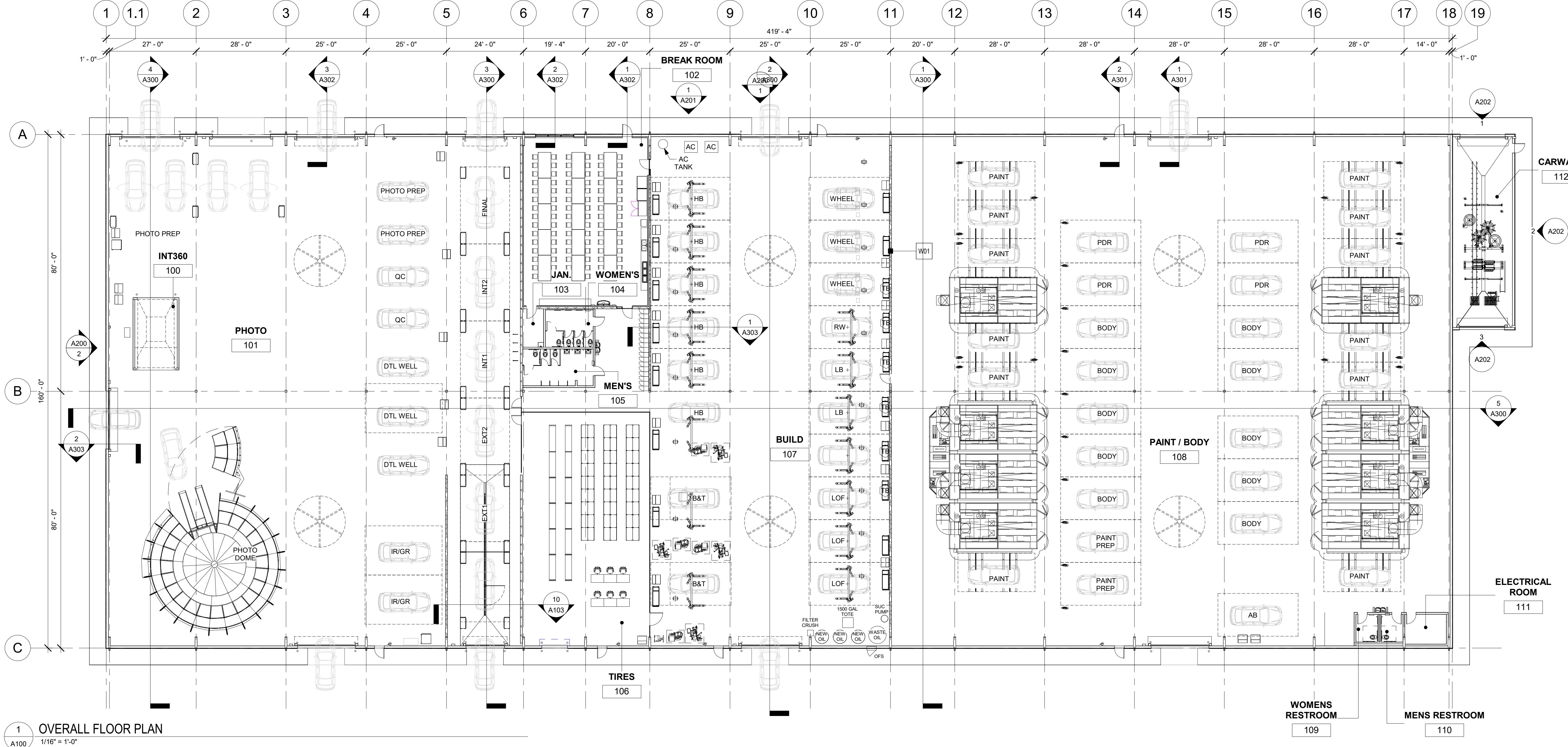
21. MODIFY EXISTING IRRIGATION PER OWNERS DIRECTION TO ALL PLANTED AREAS ON SITE. IRRIGATION SYSTEM TO BE DESIGN/BUILD BY LANDSCAPE CONTRACTOR. LANDSCAPE CONTRACTOR TO PROVIDE SHOP DRAWINGS TO LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO INSTALLATION OF IRRIGATION SYSTEM. CONTRACTOR TO PROVIDE OPERATION MANUALS, AS-BUILT PLANS, AND NORMAL PROGRAMMING. SYSTEM SHALL BE WINTERIZED AND HAVE SPRING STARTUP DURING FIRST YEAR OF OPERATION. SYSTEM SHALL HAVE ONE-YEAR WARRANTY ON ALL PARTS AND LABOR. ALL INFORMATION ABOUT INSTALLATION AND SCHEDULING CAN BE OBTAINED FROM THE GENERAL CONTRACTOR. SYSTEM SHALL INCLUDE A RAIN SENSOR AND APPROPRIATE TECHNOLOGY. CONTROLLER TO BE COMMERCIAL GRADE, EPA WATERSENSE APPROVED, CAPABLE OF FLOW SENSING AND OPERATING A MASTER VALVE ON / OFF BY STATION. IRRIGATION SYSTEM TO INCLUDE FLOW SENSOR AND WIRED RAIN / FREEZE SENSOR. PROVIDE MASTER VALVE. THE IRRIGATION SYSTEM SHALL BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS. ZONE PARAMETERS: HEAD-TO-HEAD COVERAGE AND NO SPRAYING OVER WALKS. SEPARATE LAWN ZONES BY MICROCLIMATE- LAWN ON NORTH SIDE OF BUILDING VS LAWN ON SOUTH SIDE OF BUILDING, LAWN ON SLOPE VS LAWN ON LEVEL GRADE. LAWN TO HAVE MULTI-STREAM ROTARY SPRINKLERS/ SPRAYS/ ROTORS. SHRUB AND PERENNIAL BED AREAS TO HAVE Drip. TREES IN LAWN AREA TO BE COVERED BY MULTI-STREAM ROTARY SPRINKLERS/ SPRAYS/ ROTORS. TREES IN SHRUBS / PERENNIAL BED AREA TO BE WATERED WITH Drip IRRIGATION. ALL IRRIGATION HEADS TO BE PRESSURE REGULATED.

### ESTABLISHMENT

22. PROVIDE NECESSARY WATERING OF PLANT MATERIALS UNTIL THE PLANT IS FULLY ESTABLISHED OR IRRIGATION SYSTEM IS OPERATIONAL. OWNER WILL NOT PROVIDE WATER FOR CONTRACTOR.
23. REPAIR, REPLACE, OR PROVIDE SOD/SEED AS REQUIRED FOR ANY ROADWAY BOULEVARD AREAS ADJACENT TO THE SITE DISTURBED DURING CONSTRUCTION.

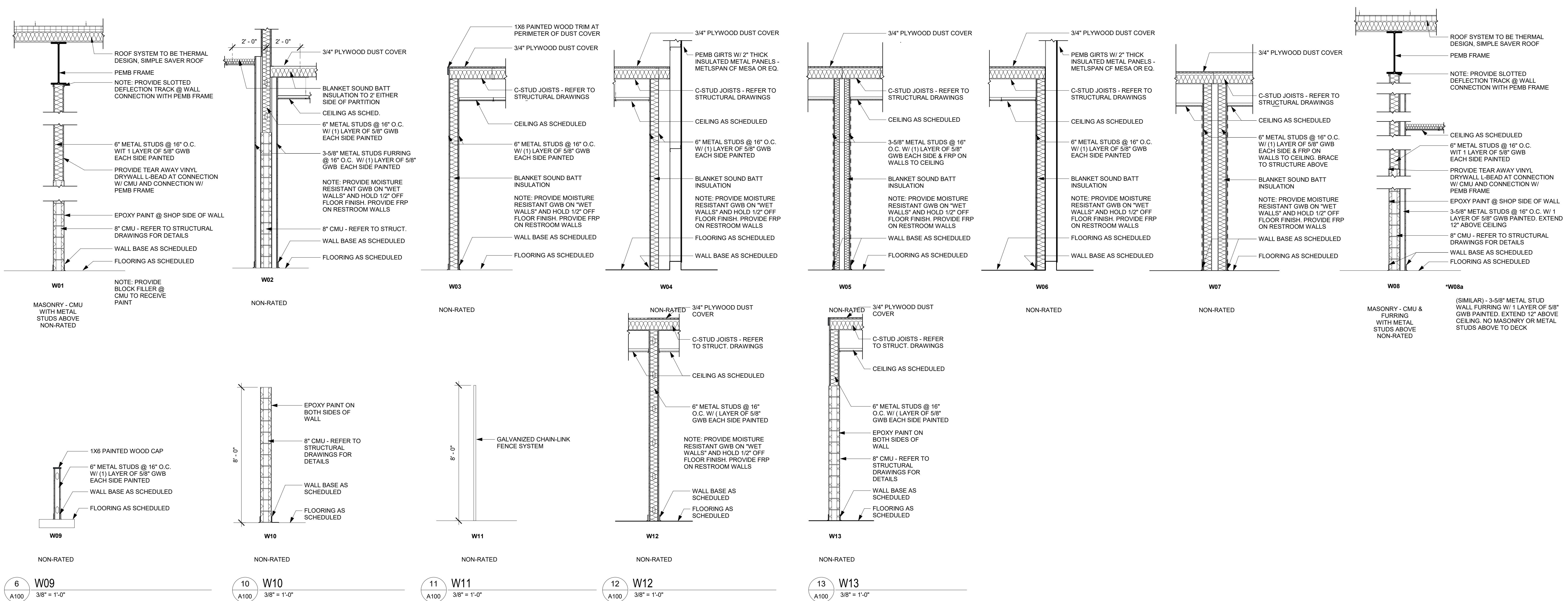
### WARRANTY

24. REPAIR ALL DAMAGE TO PROPERTY FROM PLANTING OPERATIONS AT NO COST TO OWNER.
25. MAINTAIN TREES, SHRUBS, SEED AND OTHER PLANTS UNTIL PROJECT COMPLETION, BUT IN NO CASE, LESS THAN FOLLOWING PERIOD: 1 YEAR AFTER PROJECT COMPLETION. MAINTAIN TREES, SHRUBS, SEED AND OTHER PLANTS BY PRUNING, CULTIVATING, AND WEEDING AS REQUIRED FOR HEALTHY GROWTH. RESTORE PLANTING SAUCERS, TIGHTEN AND REPAIR STAKE AND GUY SUPPORTS AND RESET TREES AND SHRUBS TO PROPER GRADES OR VERTICAL POSITION AS REQUIRED. RESTORE OR REPLACE DAMAGED WRAPPINGS. SPRAY AS REQUIRED TO KEEP TREES AND SHRUBS FREE OF INSECTS AND DISEASE. REPLENISH MULCH TO THE REQUIRED DEPTH. MAINTAIN LAWNS FOR 60 DAYS AFTER INSTALLING SOD INCLUDING MOWING WHEN SOD RECITES 4" IN HEIGHT. WEED PLANTING BEDS AND MULCH SAUCERS AT MINIMUM ONCE A MONTH DURING THE GROWING SEASON. PROVIDE A MONTHLY REPORT TO THE OWNER ON WEEDING AND OTHER MAINTENANCE RESPONSIBILITIES.



## ADESA MINNEAPOLIS MN

NA





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To:	Jon Sevald	From:	Jason Quisberg, Engineering
			Nick Findley, Engineering
Project:	ADESA Site Plan Review	Date:	12/31/2025

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**Exhibits:**

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

1. Carvana – Dayton, by Kimley-Horn and Associates, Inc., dated 12/08/2025 20 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 Territorial Road 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. Any underlying easements no longer necessary must be vacated.
6. Applicant is subject to all applicable fees related to this work. Coordinate with the planning department.

Erosion Control/SWPPP

7. Over an acre of area is disturbed requiring a SWPPP.

Site Plans

8. To evaluate ADA stall requirements, provide a figure clarifying which parking stalls are to be used by the public/staff and which are to be used for vehicle storage.

Grading /Stormwater

9. The addition of the new building appears to trigger City of Dayton MS4 and Elm Creek Watershed Management Commission water quality standards. Provide treatment meeting both requirements.
  - o The proposed parking lot pavement section shown on sheet C402 shows removal down to the native soils which may trigger additional water quality requirements.
10. Provide 1' of separation between the low opening and EOF for localized low points. This is currently not provided north of the proposed building.

11. Provide EOF elevations at localized low points.
12. Ensure ADA stalls are a maximum of 2% in all directions per ADA requirements.
13. Provide casting type within the callout or as a part of a structure table.

#### Watermain/Sanitary Sewer

14. Records show the existing watermain within the site is connected to City Utilities approximately 95' to the east of the newly proposed connection utilizing valves in each direction. It also shows the private watermain extending to the north connecting to the 13,642 SQ FT building from where it abruptly ends west of the proposed connection.
15. Domestic and Fire service should be separated outside of the building per standard detail SER-07.
16. Include Watermain Offset detail (WAT-05) to be used if 2' of separation is not maintained.
17. Hydrants do not appear to be provided in close proximity to the proposed building. Ensure hydrant coverage is provided in accordance with the applicable code (building, fire, etc.) and City of Dayton Fire Department requirements.
18. Sanitary sewer service slopes are shown as less than 2%, ensure proposed sanitary service meets building permit requirements.
19. Ensure 18" of vertical separation is maintained at the sanitary sewer/storm sewer crossing.
20. Connection to existing sanitary sewer manholes shall be made via watertight boot meeting the specifications shown within the standard details (SAN-01).

#### **End of Comments**

**ITEM:**

Ord 2026-03, Amendment to City Code 1001.03, Rules and Definitions

**APPLICANT/PRESENTERS:**

Jon Sevald, Community Development Director

**PREPARED BY:**

Jon Sevald, Community Development Director

**BACKGROUND/OVERVIEW:**

In May 2025, the Planning Commission/City Council reviewed a Concept Plan for Jack Bernens. There was discussion of rounding fractions, e.g. 117.5 acres = 120 acres for the purpose of determining 2:20 density in the A-3 district (11 lots vs. 12 lots may be a difference of tens of thousands of dollars). The City Council directed Staff to look into it.

Does 0.5 = 1?

Does 0.9 = 1?

Does 1.4 = 1?

Does 1.4 = 1.4?

The City Code interprets standards to be the “minimum standards”. In the event of inconsistencies, the more restrictive applies.<sup>1</sup> 1.4 = 1.4.

Generally, rounding is dependent upon the acceptable level of variance. In land surveying, distance is expressed in hundredths of a foot, e.g. 1.559' = 1.56'.<sup>2</sup> 1.56 is not 2.

The proposed Ordinance amendment is specific to measuring Lot Area. Approval of this amendment would affect all zoning districts. Measurements are applied differently. For example, in Agricultural districts, lot size is measured in acres, whereas in Residential districts, it is measured in square feet. Thus, in the A-1 district, the minimum lot size would be 40-acres (39.5 acres). In the R-1 district, the minimum lot size would be 15,000 sq ft (14,999 sq ft). If only measuring in sq ft, there is a substantial difference between rounding up 0.5 acres (21,780 sq ft) and rounding up 1 sq ft.

**CRITICAL ISSUES:**

Interpretation The origin of this topic relates to how land was measured for a Concept Plan, without the benefit of a certified survey (not required). Specific to Bernens, the project area may be more or less than 117.5 acres. There

<sup>1</sup> City Code 1001.02, Subd 2 (Scope and Interpretation): *In interpreting and applying the provisions of this chapter, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare. Where the provisions of this chapter impose greater restrictions than those of any other ordinance or regulation, the provisions of this chapter shall be controlling. Where the provisions of any other statute, ordinance or regulation impose greater restrictions than this chapter, the provision of such other statute, ordinance or regulation shall be controlling.*

<sup>2</sup> MN Statute §505.021, Subd 5 (Mathematical data; dimensions; labels; symbols).

## REGULAR CITY COUNCIL MEETING

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was discussion if a 0.42 acre parcel formerly owned by the Applicant be added to the 117.5 acres, equaling 117.92 acres, and if this should be rounded to 120.

The question being posed is, when should fractions be rounded to whole numbers.

### **60/120-DAY RULE (IF APPLICABLE):**

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

### **RELATIONSHIP TO COUNCIL GOALS:**

N/A

### **PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission held a Public Hearing on January 8, 2026, recommending Denial of the Ordinance. The Commission advised that Variances be applied for.

### **RECOMMENDATION:**

Staff recommends denial of the Amendment. Amending the City Code to benefit one project may result in unintended consequences elsewhere. If rounding 1.5 up to 2.0, 1.49 will want to be 1.5 (and thus 2.0). There will always be a situation that is just below the minimum threshold.

### **ATTACHMENT(S):**

Ordinance 2026-03

**Ordinance No. 2026-03**

**City of Dayton  
Counties of Hennepin and Wright  
State of Minnesota**

**AN ORDINANCE AMENDING CITY CODE SECTION 1001.03,  
RULES AND DEFINITIONS**

**SECTION 1. AMENDMENT.** Dayton City Code Chapter 1001 is hereby amendment by adding the following underlined language and deleting the following ~~strikethrough~~ language, which reads as follows:

**§1001.03 RULES AND DEFINITIONS.**

**Subd. 2 Definitions**

**Lot**

A Lot which is a part of an approved subdivision, the map of which has been recorded in the office of the Register of Deeds and on file with the County Finance Division, or a lawful Lot described by metes and bounds, the deed to which has been recorded in the office of the Register of Deeds on or before January 31, 1980, or 1 for which the City has granted a waiver from platting.

- a. Lot Area. The total land area within the lot lines, excluding public and private road right-of-way; provided, however, that in agricultural zones of the City, the Lot Area shall include property to the centerline of abutting roadways, if any, which is in common fee ownership with the proposed lot and included in the legal description of the real estate for tax purposes. For the purposes of measuring minimum lot area, the lot area shall be rounded to the nearest whole number (e.g. 1.5 = 2).

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

Adopted by the City Council of the City of Dayton on this 27<sup>th</sup> day of January, 2026.

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Dennis Fisher, Mayor

ATTEST:

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Amy Benting, City Clerk

Motion by \_\_\_\_\_, Second by \_\_\_\_\_.  
*Motion passed.*

Published in THE PRESS on \_\_\_\_\_.

**ITEM:**

Consideration of an Amendment to Dayton City Code Sections 1001.03 and 1001.065, Related to Assisted Living/Nursing Home Facilities as an Allowable Use in the GMU-4, Balsam Lane General Mixed-Use District

**PREPARED BY:**

Hayden Stensgard, Planner II

**ACTION TO BE CONSIDERED:**

1. Motion to adopt Ordinance 2026-04, allowing Assisted Living and Nursing Home Facilities as a principal use in the GMU-4, Balsam Lane Mixed-use District.
2. Motion to deny Ordinance 2026-04, allowing Assisted Living and Nursing Home Facilities as a principal use in the GMU-4, Balsam Lane Mixed-use District.
3. Motion to table action on Ordinance 2026-04, with direction to be provided by the City Council.

**BACKGROUND:**

In December of 2025, the Planning Commission and City Council reviewed two separate concept review applications for assisted living/nursing home facilities along Balsam Lane in the GMU-4, Mixed Use District. Through the discussion, both the Planning Commission and City Council said they would support this as an allowable use within this zoning district. As such, staff has drafted an attached ordinance amendment to allow Assisted Living and Nursing Home Facilities within the GMU-4 district. City staff anticipates the two projects to be submitted for formal approval within the year 2026. In order for them to proceed, an amendment as proposed is required as a first step.

When considering whether this potential use would be included in this zoning district as a conditional or permitted use, staff looked at the similar uses currently allowed within the district. When doing this, one can see that multi-family dwellings, including apartments, condominiums, cooperatives, and townhomes (All require 8 units per acre minimum), are permitted uses within the district and do not require a Conditional Use Permit. While it is acknowledged that there may be more activity for public safety at a nursing home or assisted living facility, staff does not believe the difference between the types of multi-family uses warrants requiring a Conditional Use Permit over the other. Thus, the draft ordinance amendment proposed nursing homes and assisted living facilities as a permitted use within this district, reflecting that of the other multi-family uses allowed.

Staff has also included within the draft ordinance a definition of the term "Assisted Living Facility". This definition establishes and specifies the principal use, and codifies the specific use as part of the Zoning Ordinance for residents to reference.

**RELATIONSHIP TO COUNCIL GOALS:**

Not specific to any City Council goals.

**PLANNING COMMISSION MEETING:**

The Planning Commission reviewed the proposed ordinance at its January 8<sup>th</sup> meeting and ultimately unanimously recommended approval of the ordinance amendment to allow assisted living and nursing homes as a permitted use. The Planning Commission also included within the recommendation a provision that would require a Conditional Use Permit for any building proposed with more than 1-story.

Based on the recommendation provided, staff has revised the attached ordinance amendment to reflect.

**RECOMMENDATION:**

Staff recommends approval of the amendment as proposed. Staff believes that allowing this use as a permitted use, rather than conditional, aligns more closely with the GMU-4 district standards, as multi-family housing is allowed as a permitted use within the district. Staff see that standard multi-family uses can be more intense than assisted living or nursing homes.

**ATTACHMENT(S):**

Draft Ordinance No. 2026-04

Zoning Ordinance Section 1001.065, General Mixed-Use Districts

**ORDINANCE NO. 2026-04**

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

**AN ORDINANCE AMENDING THE DAYTON ZONING AND SUBDIVISION CODE  
RELATED TO ASSISTED LIVING FACILITIES AND NURSING HOMES IN THE  
GMU-4, BALSAM LANE MIXED-USE DISTRICTS**

**SECTION 1. AMENDMENT.** Dayton City Code Section 1001.03 is hereby amended by adding the following underlined language and deleting the following ~~strikethrough~~ language, which reads as follows:

**ASSISTED LIVING FACILITY.** A multi-family structure that includes a special combination of housing, supportive services, personalized assistance, and health care designed to respond to the individual needs of people who need help with activities of daily living, but where the emphasis of the facility remains residential. Residents of assisted living facilities do not require hospitalization or skilled or intermediate nursing care associated with nursing home facilities, but do, because of their advanced age or other circumstance, require assistance or supervision in matters such as dressing, bathing, diet, financial management, evacuation of a residence in the event of an emergency, or medication prescribed for self-administration.

**SECTION 2. AMENDMENT.** Dayton City Code Section 1001.065 is hereby amended by adding the following underlined language and deleting the following ~~strikethrough~~ language, which reads as follows:

Subd. 4 General Mixed Use District-4 (GMU-4): Balsam Lane.

(2) *Permitted uses.* The following uses are permitted uses in the GMU-4 District:

Dwelling, multiple family (apartment, assisted living facility, condominium, cooperative, nursing home, townhome) at a minimum of 8 units per acre.

(6) *Lot size, setback, site design and height requirements:*

4. Building heights.

(a) The maximum building height shall be 3 stories (excluding underground parking). Any building height over 21 stories shall be by conditional use permit (CUP).

**SECTION 3. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage and publication as required by law.

*Adopted* by the City Council of the City of Dayton, this 27<sup>th</sup> day of January 2026.

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Mayor Dennis Fisher

ATTEST:

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Amy Benting, City Clerk

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

*Motion passed* \_\_\_\_\_

Published in THE PRESS on \_\_\_\_\_.

#### **Subd. 4 General Mixed Use District-4 (GMU-4): Balsam Lane.**

(1) *Purpose.* The purpose of the General Mixed Use-4 (GMU-4) District is to provide an area for mixed-use development in a manner consistent with the goals of the Comprehensive Plan and the Mixed Use land use designation on Balsam Lane. A combination of retail, office, service and residential land uses are encouraged although not required. New residential uses may also be entirely residential. The mix of uses can occur vertically and horizontally. 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.

(2) *Permitted uses.* The following uses are permitted uses in the GMU-4 District:

Existing uses at the time of adoption of this subsection

Commercial day care center or pre-school

Convenience store without motor fuel sales

Convenience store with motor fuel sales meeting the following standards:

1. **Canopy height:** The total height of any overhead canopy or weather protection shall not exceed 20 feet in height.

2. **Vehicle storage:** No vehicle storage is permitted on site.

3. **Sales, rentals prohibited:** No sales or rental of motor vehicles or trailers or campers shall be permitted.

4. **Goods for sale:** All goods for sale by a motor fuel station convenience store other than commercial freezers for ice and petroleum based products required for the operation and maintenance of motor vehicles shall be displayed within the principal motor fuel station structure. No displays shall be permitted in required parking or driveway areas, landscape areas, required setback areas, or any right-of-way or other public property. Displays may be permitted on sidewalks, only if they leave at least 4 feet of sidewalk width available to pedestrians.

5. **Landscaping:** A minimum 10-foot landscaped yard shall be planted and maintained behind the property line along all public streets, A landscaped yard not less than 5 feet wide shall be maintained along exterior property lines.

6. **Motor fuel dispenser location:** Motor fuel dispensers shall be located at least 30 feet from a property line, and 100 feet from a residential zoning district property line.

7. **Hours of operation:** The hours of operation for a convenience store shall be limited to 6:00 a.m. to 11:00 p.m., unless extended by the Council as part of the conditional use permit.

8. All canopy lighting for motor fuel station pump islands shall be recessed or fully shielded. Pole lighting shall be downcast shielded lights on all faces. Reflected glare or spill light from all exterior shall not exceed 0.5 foot-candle measured on the property line when adjoining residential zones and 1 foot-candle measured on the property line when such line adjoins a similar zone and land use. Headlights shall be 100% screened at the property lines.

Dwelling, multiple family (apartment, condominium, cooperative, townhome) at a minimum of 8 units per acre.

Financial institutions (no drive-through)

Fitness center, health club

Food service uses (coffee shop, deli, and restaurant with no drive-through)

General office uses

General retail and services (without drive-through)

Lodging (Hotel)

Personal services (such as beauty shops, barber, spa, tailoring)

Professional and medical office and clinics

Public uses and services (post office, municipal buildings, and library)

Specialty schools

(3) *Permitted accessory uses.* The following uses are permitted accessory uses in the GMU-4 district:

Any incidental repair or processing necessary to conduct a permitted principal use as long as it does not occupy more than 30% of the gross floor area of the principal building.

Bus/Transit and Park and Ride facility

Essential service structure

Off-street parking and loading spaces as related in this Title

Public open space plazas, square or other related uses

Outdoor seating accessory to a restaurant, coffee shop or deli meeting the requirements in Section 12 below

Signs as related in this Title

Trash enclosure service structure

Structured parking

(4) *Conditional uses.* The following uses are permitted upon issuance of a conditional use permit:

Drive-through for permitted uses (food service uses, general retail and financial institutions) if provisions for stacking, vehicle maneuvering, outdoor speaker devices, appearance and lighting of outdoor menu boards and other related matters can be shown to be in keeping with the intent and character of the GMU-4 district and compatible with surrounding uses.

Tavern or liquor store

Theatre

Veterinary clinic, indoor kennel, pet grooming

(5) *Interim uses.* The following uses are interim uses in the GMU-4 district.

Farmers market

(6) *Lot size, setback, site design and height requirements:*

a. Minimum lot size requirements: The following minimum requirements shall be observed in the GMU-4 District subject to additional requirements, exceptions, and modifications set forth in this Chapter.

1. Minimum lot requirements:

(a) Lot size: no minimum for non-residential uses.

(b) Residential parcels shall maintain a lot size that is adequate for the design of the structure and proposed density.

2. Setbacks:

(a) Front-build-to-line. 15 feet minimum with a 30 feet maximum.

(b) Side. Non-residential uses: 10 feet; residential uses: 20 feet.

(c) Rear. Non-residential uses: 10 feet; residential uses: 20 feet.

3. Site design:

(a) Building frontage: At least 50% of the street frontage of any lot shall be occupied by building facades at the build-to-line.

(b) The building frontage requirement may be met either with an enclosed building or an arcade constructed with a permanent roof of the same materials as the remainder of the building.

(c) Buildings with frontage on a primary street shall orient front facades parallel to the primary street.

(d) Buildings shall have a clearly defined primary pedestrian entrance at street level. An exception will be permitted for residential uses to orient the primary entrance to the parking area while a secondary pedestrian entrance is provided at the street level.

(e) Drive-through or drive-in lanes are not allowed within the front of any buildings. They must be located to the side or rear of a building.

4. Building heights.

(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).

(7) *Parking requirements.*

a. Parking for residential units in the GMU-4 District shall be calculated as required in Section 1001.19 with a minimum of 50% of the required spaces provided underground (or tuck under in townhomes with a minimum of 480 square foot garage). The residential parking spaces shall be specifically reserved for the use of residents and visitors only, separate from any commercial, office or other uses on-site or nearby and shall not be counted as part of any shared parking or joint parking arrangement.

b. Parking for non-residential uses in the GMU-4 District shall be calculated under Section 1001.19.

c. To the extent practical, parking spaces shall be located on the side of structures opposite the primary street frontage or at the rear.

d. Sites must be designed to create interrelated vehicular and pedestrian access to adjacent uses, properties and

streets.

- e. Parking and drive aisle setbacks for side and rear yards shall be 5 feet.

(8) *Building design requirements.* To maintain the character of the mixed use area the GMU-4 District is subject to the following standards to reflect the character of the District.

- a. 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;

- 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;

- 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;

- 6. Irregular building shapes;

- 7. Horizontal offsets of at least 4 feet in depth;

- 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.

- b. Non-residential multi-story buildings shall have the ground floor distinguished from the upper floors by having 1 or more of the following:

- 1. Awning;

- 2. Trellis;

- 3. Arcade;

- 4. Window lintels;

- 5. Intermediate cornice line;

- 6. Brick detailing such as quoins or corbels.

- c. 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.

- d. Other design requirements.

- 1. Buildings shall provide a base and top to their architecture.

- 2. The tops of buildings shall be articulated to minimize the "box" like images.

- 3. Standard corporate style architecture shall be minimized at the discretion of the City Council.

- e. 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.

- f. 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.

- g. 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 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.

(9) *Screening.*

- a. Ground mechanical equipment. Ground mechanical equipment shall be 100% screened from contiguous

properties and adjacent streets by opaque landscaping, or screen wall compatible with the architectural treatment of the principal structure.

b. Trash enclosure service structure. All exterior trash enclosures or other accessory structures shall be constructed of the same materials and colors as the principal building.

c. Outdoor storage. There shall be no outdoor storage of either materials or products, except through the issuance of a conditional use permit.

d. External loading and service areas. External loading and service areas must be 100% screened from the ground-level view from contiguous residential or commercial properties and adjacent streets, except at access points.

e. Headlight screening. The light from automobile headlights and other sources shall be 100% screened whenever it may be directed onto adjacent residential windows.

(10) *Lighting.*

a. Decorative style downcast lighting a maximum of 20 feet in height shall be used to illuminate all site areas. Shoebox style shall be permitted in parking areas.

b. Lighting fixtures shall be compatible with the architecture of the building.

c. Wall-mounted lighting shall be used on building fronts to illuminate entry points and highlight architectural features.

(11) *Signage.* Signs in the GMU-4 district shall also be subject to the standards in Section 1001.

(12) *Outdoor seating for food service uses.*

a. Food service businesses, including but not limited to, bakeries, delicatessens, coffee and/or tea shops, and restaurants, may provide outdoor temporary seating for their patrons, provided that the following requirements are met and an annual incidental outdoor seating permit is approved by the Zoning Administrator:

1. The seating shall be located on private property.

2. The seating shall be of good patio or cafe type furniture that enhances the appearance of the business.

3. The outdoor seating area shall be defined with the use of landscaping, temporary fencing or other means that contains the tables and chairs for the use as demonstrated on a site plan and approved by City staff.

4. No alcoholic beverages or food shall be served to persons outside of the designated outdoor seating area.

Signage shall be posted that restricts consumption of alcohol outside of the designated outdoor seating area as approved by City staff.

5. Patrons shall access the outdoor seating area through the main entrance or host station and shall be seated by a staff person and all full service restaurants with wait staff service.

6. The seating shall be located so as not to compromise safety. Seating shall not obstruct the entrance or any required exits or be located on landscaping or parking areas. If located on private sidewalks or walkways, seating shall be located so as to leave a minimum of a 4-foot wide passageway for pedestrians.

7. No additional parking is required for 30 seats or less. If public parking is available either in a ramp or adjacent on-street, no additional parking is required. Any additional seating over 30 seats shall provide required parking based on 1 space per 3 seats. Shared parking will be considered and may be approved by staff.

8. Any proposed outdoor seating plan over 50 or more seats shall be by Conditional Use Permit.

9. All exterior sound equipment shall be shut-off at 10:00 p.m. as regulated in Section 1001.14.

10. Lighting shall be permitted to the extent that it only illuminates the designed area. Lighting cannot shine or cause a glare upon other public or private property outside the designated area or as permitted in Section 1001.14.

11. Any proposed outdoor seating area on property abutting an R-Residential zoning district shall be by Conditional Use Permit.

12. The business owner shall regularly clean the seating area so that it is litter-free.

**ITEM:**

Consideration Ordinance No. 2026-05, Requiring the Homesteading of Properties to be Eligible for a Home Extended Business Interim Use Permit

**PREPARED BY:**

Hayden Stengard, Planner II

**ACTION TO BE CONSIDERED:**

1. Motion to adopt Ordinance No. 2026-05, amending Section 1001.13, requiring the homesteading of properties in order to be eligible for a Home Extended Business Interim Use Permit
2. Motion to deny Ordinance No. 2026-05, amending Section 1001.13, requiring the homesteading of properties in order to be eligible for a Home Extended Business Interim Use Permit
3. Motion to table action on item, with direction to be provided by the City Council.

**BACKGROUND**

***Interim Use Permits for Home Extended Business Properties and Homesteading Requirement.*** One of the requirements in the City Code for a Home Extended Business is that the applicant must live on the property in which the business would be located. In practice, City Staff currently utilizes photo ID and utility bill evidence for proof of residency. Prior to current staff being involved in the process, questions have come up with some of the previously approved Home Extended Businesses within the City. The City Council recently requested this item be brought forth for discussion.

Requiring these properties to be homesteaded will provide an additional level of evidence, as only one property is allowed to be homesteaded in Minnesota per land owner, and the [State of Minnesota](#) requires this homesteaded property to be the property owner's primary place of residence. However, this also creates an additional layer of limitation for some residents in town who may rent where they live. Renters, if the ordinance is adopted, would not have the opportunity to obtain an Interim Use Permit at their home, even if they can comply with the regulations in the Home Occupation ordinance, albeit subjective regulations with certain provisions.

Home Extended Businesses are only allowed on properties 1 acre or larger in agricultural and residential districts. **Note:** If the City Council moves to adopt this ordinance amendment, the existing Home Extended Businesses in town would not be subject to this requirement until the originally approved Interim Use Permit expires.

**RELATIONSHIP TO COUNCIL GOALS**

Not specific to any City Council goals.

**PLANNING COMMISSION MEETING**

The Planning Commission held a public hearing on this item at their January 8, 2026, meeting and moved to recommend denial of the ordinance amendment, and leave the Home Occupation ordinance as is. The Planning Commission felt that this was unnecessary and would rely on staff to verify through other means that the applicant for a Home Extended Business lives on the requested property.

## CITY COUNCIL REGULAR MEETING

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### **ATTACHMENT(S):**

Ordinance No. 2026-05, Amending Section 1001.13 Home Occupations, requiring Home Extended Business eligible properties be Homesteaded  
Dayton City Code 1001.13 Home Occupations

**ORDINANCE NO. 2026-05**

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

**AN ORDINANCE AMENDING THE DAYTON ZONING CODE SECTION 1001.13  
REGARDING HOME EXTENDED BUSINESSES AND HOMESTEADING  
REQUIREMENT**

**SECTION 1. AMENDMENT.** Dayton City Code Section 1001.13 is hereby amended by adding the following underlined language and deleting the following ~~strikethrough~~ language, which reads as follows:

**1001.13 HOME OCCUPATIONS**

**Subd. 4 Performance Standards**

(2) *Home Extended Business performance standards (interim use permit required).* Home Extended Business occupations shall only be allowed in Agricultural Zoned Districts, or any Residential Zoned Properties over 1 acre. The subject property shall have Homestead status with Hennepin or Wright County.

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

*Adopted* by the City Council of the City of Dayton, this 27<sup>th</sup> day of January 2026.

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Mayor Dennis Fisher

ATTEST:

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Amy Benting, City Clerk

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

*Motion passed* \_\_\_\_\_

Published in THE PRESS on \_\_\_\_\_.

## **1001.13 HOME OCCUPATIONS.**

### **Subd. 1 Purpose.**

The purpose of this Subsection is to maintain the character and integrity of residential areas, to prevent competition with commercial districts, to encourage telecommuting, and to provide a means through the establishment of specific standards and procedures by which home occupations can be conducted in residential neighborhoods without jeopardizing the health, safety and general welfare of the surrounding neighborhood. In addition, this Subsection is intended to provide a mechanism enabling the distinction between permitted home occupations and special or customarily "more sensitive" home occupations, so that permitted home occupations may be allowed through an administrative process rather than a legislative hearing process.

### **Subd. 2 Home Business Categories**

Home businesses shall fall into 2 categories.

(1) **Administrative Home Occupations** are those Home Occupations that have no effect on the surrounding neighborhood. This accessory use may be allowed with an administrative permit in all agricultural and residential neighborhoods when the occupation conforms to the standards of Subdivisions 3 and 4(1) below.

(2) **Home Extended Businesses** are those Home Occupations that typically involve more significant element of commercial-type activity that may have a minimal effect on the surrounding neighbors. This accessory use may be allowed if the use meets all the criteria of Subdivisions 3 and 4(2) below, and requires the issuance of an interim use permit. The Council may require compliance with any reasonable conditions, restrictions or limitations necessary to protect the residential or agricultural character of the area.

### **Subd. 3 General Provisions**

All Home Occupations shall meet the following standards:

(1) All Home Occupations shall be clearly incidental and secondary to the residential use of the premises, should not change the residential character thereof, and shall result in no incompatibility or disturbance to the surrounding residential uses.

(2) The applicant shall reside in the home associated with the Home Occupation.

(3) No Home Occupation shall require internal or external alterations or involve construction features not customarily found in dwellings except where required to comply with local and state fire and police recommendations.

(4) No Home Occupation shall involve the use of equipment other than that customarily found in a residential dwelling.

(5) No Home Occupation shall be visible from the outside of the dwelling. There shall be no exterior display or exterior signs or interior display or interior signs which are visible from the outside of the dwelling with the exception of one directional or identification/business sign not to exceed 2 square feet in area.

(6) All Home Occupations shall comply with the provisions of the City Nuisance Ordinance and City Noise Ordinance.

(7) All parking associated with the Home Occupation shall occur on-site on the driveway.

(8) The Home Occupation shall not cause septic waste flow to exceed the design capacity of the septic system.

(9) No Home Occupation shall generate traffic (by customers, employee, deliveries, etc.) to and from ("trip") the dwelling that is not characteristic of the neighborhood and shall not exceed 8 trips per day by any combination of employee, contract employee, customer or client visits, and/or deliveries per standard 8 hour day and no more than one customer or client visit on the premises at any given time. For the purposes of this section, one customer/client visit shall be considered to include any number of persons arriving in a single vehicle.

(10) No Home Occupations shall produce light, glare, noise, odor or vibration that will in any way have an objectionable effect upon adjacent or nearby property.

(11) No equipment shall be used in the operation of a Home Occupation which will create electrical interference to surrounding properties.

(12) All Home Occupations shall meet all applicable fire and building codes.

(13) No Home Occupation shall be conducted between the hours of 10:00 p.m. and 7:00 a.m. unless the Home Occupation does not require any on-street or off-street parking facilities or require in person customer interaction on site (e.g. telecommuting).

(14) No vehicles or machinery related to the home occupation shall be idling or running on site, outdoors, between the hours of 10:00 p.m. and 7:00 a.m.

### **Subd. 4 Performance Standards**

(1) *Administrative Home Occupation Performance Standards.*

a. The occupation shall not use more than 25% of the floor area of the home (excluding the garage area). State licensed day care facilities serving 12 or fewer persons are exempt from this Subsection.

- b. No part of any detached garage or accessory building can be used for the occupation.
- c. No outdoor storage of supplies, materials, debris, equipment or maintenance items; all home occupation related items shall be kept in an enclosed structure.
- d. The home occupation is conducted entirely by the occupants of the home and up to 2 nonresident employee, or contract employee, working on, or reporting to, the home.
- e. No direct sale of goods to the consumer are allowed to occur at the home occupation site.
- f. Up to 1 vehicle associated with the business with a gross vehicle weight rating under 12,000 lbs. may be parked on the home property. No vehicles over a gross vehicle weight rating of 12,000 lbs. associated with the occupation shall be parked at or near the home. The Home Occupation shall not create a parking demand in excess of that which can be accommodated in an existing driveway where no vehicle is parked closer than 15 feet from the curb line or edge of paved surface.
- g. If the proposed home occupation cannot comply with all of the above rules, an interim use permit for a Home Extended Business is required.

(2) *Home Extended Business performance standards (interim use permit required).* Home Extended Business occupations shall only be allowed in Agricultural Zoned Districts, or any Residential Zoned Properties over 1 acre.

- a. The occupation use of the home shall not exceed 30% of the floor area of the principal dwelling (excluding the garage area). State licensed day care facilities are exempt from this Subsection.
- b. No outdoor storage of supplies, materials, debris, equipment, machinery or maintenance items; all home occupation related items shall be kept in an enclosed structure on properties less than 2.5 acres. On properties which are at least 2.5 acres, outdoor storage may be allowed provided the outdoor storage area is significantly screened from view from the street and adjacent properties and does not exceed 20% of the lot. Screening shall consist of a combination of existing or proposed landscaping and fencing.
- c. The Home Extended Business shall be set back a minimum of 100 feet from any dwelling, other than that of the subject property.
- d. The garage or 1 accessory building may be used for the business, provided there is still a garage space to park a vehicle. Accessory buildings shall meet the accessory building design requirements in Section 1001.35, Accessory Buildings and Structures.
- e. The Home Extended Business shall be conducted entirely by the occupants of the home and up to 2 nonresident employees, or contract employees, working at, or reporting to, the home.
- f. No more than 1 vehicle, which shall be under a gross vehicle weight of 12,000 lbs., associated with the business can be parked overnight outside or near the home. One vehicle which exceeds 12,000 lbs. may be stored on site provided the vehicle does not exceed a gross vehicle weight rating of 18,000 lbs. and the vehicle is stored entirely within a building or is significantly screened from view from the road or surrounding properties. The Home Extended Business shall not create a parking demand in excess of that which can be accommodated in an existing driveway where no vehicle is parked closer than 15 feet from the curb line or edge of paved surface.
- g. Direct sale of goods that are not produced on the site is prohibited.
- h. Dust control measures may be required.
- i. Any other reasonable conditions required by the City Council.
- j. The City Council may allow Home Occupations to operate in excess of the provisions in this section provided the City has reasonable assurance, due to the nature of the Home Occupation or through mitigation measures (e.g. increase landscaping, or screening than required), that the Home Occupation will not adversely impact neighboring properties or become a nuisance.

## **Subd. 5 Procedures and Permits**

(1) *Administrative home occupation permit.*

- a. An application form and fee for a home occupation permit must be completed and filed with the City.
- b. Administrative Home Occupations complying with all the provisions as provided in this section may be approved by the City Administrator or the Administrator's designee.
- c. The City on an annual basis may review Administrative Home Occupation permits. If the Administrative Home Occupation is in compliance of City Code the City Administrator may renew the permit. If the Administrator finds that the use is not in compliance the permit holder will be notified and shall have 60 days to bring the use into compliance.
- d. The permit shall remain in full force and effect until such time as there has been a change in ownership or until such time as the provisions of this Subsection have been breached. At such time as the City has reason to believe that either event has taken place, a public hearing shall be held before the Planning Commission. The City Council shall make a final decision on whether or not the permit holder is entitled to the permit.

(2) *Home Extended Business interim use permit.*

- a. An application form, fee and supporting materials for an interim use permit must be filed with the City. See Subsection 1001.23 for the interim use permit application and review process.
- b. Home Extended Businesses must comply with all the provisions of this section and all conditions associated with issuance of an interim use permit.
- c. The City shall notify the County Tax Assessor when any Home Extended Business permit is granted and provide a copy of such permit to the Assessor.
- d. The City Council shall approve the Home Extended Business IUP with a 5 year time limit. If the City Zoning Administrator, his/her designee, finds that the use is not in compliance, the permit holder will be notified and shall have 60 days to bring the use into compliance. Should the Home Extended Business' noncompliance continue past 60 days the Home Extended Business IUP shall be revoked.
- e. Whenever an application for an interim use permit has been considered and denied by the City Council, a similar application for a permit affecting substantially the same property and use shall not be considered again by the Planning Commission or City Council for at least 6 months from the date of its denial.

(3) *Transferability.* Home Extended Business interim use permits and Administrative Home Occupation permits shall not run with the land and shall not be transferable. If the Home Extended Business or Administrative Home Occupation is discontinued for a period of one year, or non-compliance beyond 60 days, the Home Occupation permit, or Home Extended Business interim use permit shall be revoked.

(4) *Renewal of permits.* An applicant shall not have a vested right for a permit renewal by reason of having obtained a previous permit. The previous granting or renewal of a permit shall not constitute a precedent or basis for the renewal of a permit.

(5) *Inspection.* The City hereby reserves the rights upon issuing any permit to inspect the premises in which the home business is being conducted to ensure compliance with the provisions of this Subsection or any conditions additionally imposed.

**Subd. 6 Non-conforming and Existing Home Business Uses**

(1) Home Occupations lawfully existing on the effective date hereof may continue as nonconforming uses. They shall, however, be required to obtain permits, as may be required by this section, for their continued operation. Any existing Home Occupation that is discontinued for a period of more than 1 year, or is in violation of the provisions under which it was initially established, shall be brought into conformity with the provisions of this section.

(2) When identified and notified by the City, existing Home Occupations that do not have a permit from the City, shall within 30 days make application for an Administrative Home Occupation permit or Home Extended Business interim use permit as may be required by this section.

(Prior Code, § 1001.12, Subd. 7) (Ord. 2006-14, passed 12-14-06; Am. Ord. 2018-11, passed 5-8-2018)

**ITEM:**

Ord 2026-06, Zoning Ordinance Amendment, Section 1001.28 (Administration and Enforcement)

**APPLICANT/PRESENTERS:**

Jon Sevald, Community Development Director

**PREPARED BY:**

Jon Sevald, Community Development Director

**BACKGROUND/OVERVIEW:**

In July 2025, the Planning Commission/City Council reviewed a Site Plan for 17400 113<sup>th</sup> Avenue (Spanier) for a 780 sq ft office addition onto a 2,600 sq ft building (30% addition), and associated parking and landscape improvements. Included in the discussion was why does the city require a Site Plan Review for this small addition?

Site Plan approval by the City Council is required for ....“prior to the issuance of any permits for new development or building construction/expansion in any Non-Residential Zoning District.”<sup>1</sup>

The question for the Planning Commission/City Council is what is the minimum threshold where a project should be reviewed by the Commission/Council, vs administratively approved through the Building Permit process?

For comparison:

Champlin	<b>City Council</b> Site Plan approval required for “major alteration of a structure” [undefined], excluding one and two family dwellings and residential accessory buildings. <sup>2</sup>
Maple Grove	<b>Community Development Director</b> Final Site Plan approval required for developments (except single and two family dwellings, PUD’s and park/trail facilities). <sup>3</sup> Approvals are valid for one year. The City Council may grant an extension.
Rogers	<b>City Council</b> Site Plan approval required for all new developments except single-family detached and two-family attached dwellings. <sup>4</sup> Minor Site Plan amendments of previously approved Site Plans may be approved by the <b>Zoning Administrator</b> . Minor amendments include

<sup>1</sup> Dayton City Code 1001.28, Subd 3 (Final Site Plan and Building Plan Regulations)

<sup>2</sup> Champlin City Code 126-99 (Site Plan Approval)

<sup>3</sup> Maple Grove City Code, Division 3, Sec. 36-85 (Purpose). Sec. 36-87(b)(2) (Procedure for review and approval; Submission).

<sup>4</sup> Rogers City Code 125-27 (Site Plan); (b) (Exceptions); (c) (procedures)

building additions  $\leq$  10% of the building or site area, and which meet all ordinance requirements.<sup>5</sup>

Otsego

**City Council** Site Plan approval required except for single-family. Zoning Administrator may approve site and building modifications if not expanding principal building or any increase in intensity of the use or site.<sup>6</sup>

**CRITICAL ISSUES:**

City Council approval

The Council can require items in excess of the minimum City Code requirements, if there is a nexus, e.g. the requirement is related to mitigating a potential nuisance. The City Council has more flexibility than Staff.

Administrative approval

Staff's requirements are based on the minimum requirements of the City Code.

For example, a building addition less than 5,000 sq ft (e.g. car wash bay on Adesa/Carvana) meeting minimum standards would be approved Administratively by Staff, whereas through the Public Hearing process, a neighbor may object to the addition (noise, lights, etc), leading to the City Council placing conditions on the addition (move car wash to other side of building).

Under the proposed Amendment, the above example would be approved Administratively (where proposed by the applicant), as long as the addition were built within 5-years of a previously approved Site Plan Review.

**60/120-DAY RULE (IF APPLICABLE):**

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

**RELATIONSHIP TO COUNCIL GOALS:**

None.

**ECONOMIC DEVELOPMENT AUTHORITY RECOMMENDATION:**

The EDA discussed this topic at its July 15, 2025 meeting as part of its review of the Spanier Site Plan Review. The EDA recommended that the City Council review this section of the Code (Site Plan Review). Some on the EDA feel that requiring City Council approval of a Site Plan Review is a hinderance to businesses, and that plans should be administratively approved (and consider reducing design standards).

**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission held a Public Hearing on January 8, 2026 recommending approval (3-2). Decenters commented that Site Plan Reviews should be required for vertical building

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<sup>5</sup> Rogers City Code Sec. 125-127 (Site Plan); Sec. 125-128 (Site Plan Amendment)

<sup>6</sup> Otsego City Code 11-9-2 (Application of Provisions)

## REGULAR CITY COUNCIL MEETING

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additions, and that non-residential uses adjacent to residential uses need more scrutiny by the Planning Commission/City Council.

### **STAFF RECOMMENDATION:**

Staff recommends Administrative Approval of Site Plans in which a building addition or site improvement is  $\leq 10\%$  of a previously approved Site Plan (similar to Rogers) or is  $\leq 1,000$  sq ft (building footprint addition). In the case of the Spanier project, the building addition equaled a 30% addition, but less than 1,000 sq ft (Administrative Review). Requiring City Council approval of minor alterations can add 4-6 weeks onto permit reviews.

The attached Ordinance is similar, but requires that the proposed project to have received approved Site Plans within the previous 5-years. The Spanier project would require City Council approval.

If the City Council does not have a strong opinion one way or the other, Staff recommends leaving the City Code as-is and denying the Ordinance Amendment. The Site Plan Review process (4-6 weeks) can be a hinderance to businesses, but can also prevent nuisance factors unknown to Staff, but for the public review process.

### **ATTACHMENT(S):**

Ordinance 2026-06  
Various City Codes

## **Ordinance No. 2026-06**

### **City of Dayton Counties of Hennepin and Wright State of Minnesota**

#### **AN ORDINANCE AMENDING CITY CODE, SECTION 1001.28 ADMINISTRATION AND ENFORCEMENT**

**SECTION 1. AMENDMENT.** Dayton City code Chapter 1001 is hereby amended by adding the following underlined language and deleting the following ~~strikethrough~~ language, which reads as follows:

#### **§1001.28 RULES AND ENFORCEMENT**

##### **Subd. 3 Final Site Plan and Building Plan Regulations**

- (1) Applicability and the approval process.**
  - a. 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.
  - b. Prior to consideration for approval, the City Council shall receive a report from the Planning Commission and the staff, specifying any recommended modifications to the final site and building plans.
  - c. At the time of approval of final site and building plans, the City Council may modify final site and buildings plans and specify any additional development standards necessary to assure that the proposed development meets the intent of the zoning district and to assure that the proposed development is appropriately related to adjoining public streets and adjacent land uses.
- (2) Content.** The developer shall submit final site and building plans, which include the following information:
  - a. A location map which indicates property ownership surrounding the proposed development and existing and future land uses;
  - b. Maps of existing and proposed site features at a scale of 1 to 50 or larger which indicate topography in 2 foot contours; building outlines; structures, location of significant vegetation; location of streets, drives, and parking areas; and other significant features;
  - c. Detailed drawings of all proposed structure elevations, including signs. Proposed exterior materials and colors shall be noted on the elevation drawings;
  - d. Proposed floor plans for all floor levels, including locations of electrical, mechanical and gas metering equipment, and storage areas for trash and recyclable materials;
  - e. A landscape plan indicating location, size and type of tree, shrub and groundcover species, screening, fencing, provisions for plant material watering and luminaire locations;
  - f. A circulation plan indicating pedestrian and vehicular movement systems. This plan shall also include service access and screening for receiving, truck loading area, and trash removal;

- g. A lighting and photometric plan showing fixture height and type, and lighting levels in foot candles;
- h. A rooftop equipment and screening plan and elevation drawings of rooftop equipment and screening. Rooftop equipment shall not be visible from ground level views from the property, from adjacent property or from adjacent streets;
- i. A drainage, grading, utilities, and erosion and sedimentation control plan. The plans shall comply with the requirements of this Code, local watershed requirements and state regulations;
- j. Identification of all wetlands on the site, copies of documents completed in making the wetlands identification, qualifications of the person performing the identification, a description of any wetlands which are to be burned, filled, or drained pursuant to the development, and a wetland mitigation and replacement plan if burning, filling, or draining of wetlands is to occur. The requirement of the documentation may be waived in instances where it is determined from aerial photographs, the National Wetlands Inventory, on-site observation, or other pertinent information that the site contains no wetlands;
- k. A written report completely describing the proposal and indicating covenants or agreements which will influence the use and maintenance of the proposed development; and
- l. Any other information deemed necessary by the City Council in order to evaluate plans.

(3) Findings. The City Council shall find the following prior to the approval of final site and building plans.

- a. The proposed development is not in conflict with the Comprehensive Plan;
- b. The proposed development is not in conflict with the zoning district provisions;
- c. The proposed development is compatible with existing and anticipated future development; and
- d. Conform to the exterior building material requirements of the Zoning Code.

(4) Revisions. Minor changes to final site and building plans approved by the City Council may be made by the Zoning Administrator, ~~provided that the changes do not involve the following. Minor changes include:~~

- a. An increase in ~~floor~~ footprint area of structures ~~not~~ exceeding 10% of the total ~~floor~~ footprint area ~~or 5,000 sq ft (whichever is less)~~ ~~within any 5 year period and within 5 years from the date of a previously approved Site Plan;~~
- b. Does not require a Variance from any zoning ordinance requirement;
- c. Does not ~~E~~change in exterior building material;
- d. Does not include ~~S~~ignificant changes in the character, function or appearance of the site plan; and
- e. Does not include ~~A~~lteration of any condition attached or modification to the final site and building plans made by the City Council.

(5) Standard conditions. All approved final site plans and building plans shall meet the following standard conditions, unless specifically waived by the City Council:

- a. All fire lanes, and fire apparatus access road as defined by the Dayton Fire Department, must be maintained in good condition, kept clear and have "No Parking - Fire Lane" signs installed.

- b. All new and remodeled non-residential buildings, including additions shall be equipped with a fire sprinkler system as approved by the Dayton Fire Marshal.
- c. A building collapse zone shall be defined on the site as established by the Dayton Fire Marshal.
- d. A minimum 1 hour rated fire wall shall separate attached side-by-side residential dwelling units. All multiple story multi-family residential apartments or condominiums shall be equipped with a fire sprinkler system as approved by the Dayton Fire Marshal.
- e. Handicap parking stalls and access shall be noted on the site plan and installed on the site as per State Code requirements.
- f. Any vehicles parked on the premises shall be in good working order and currently licensed in accordance with state law.
- g. All parking, storage areas, and driveways shall be paved to a specification approved by the City Engineer.
- h. All drainage and storm water plans are subject to review and approval by the City Engineer and/or the Elm Creek Watershed Management Commission.
- i. All proposed lighting shall be downcast style only, and subject to review and approval by the City before installation.
- j. If applicable, hours of operation shall be as defined by the City Council.
- k. A letter of credit, in a form acceptable to the City, is required for site improvements, including but not limited to: roads, sidewalks, trails, utility and/or septic system installation, parking lot paving, curbing, and landscaping. City staff to determine the amount of the letter of credit and is typically set at 150% of the estimated cost for the improvements.
- l. Landscaping must be maintained in good condition and is subject to City review periodically.
- m. No building or structure may be constructed on the site unless the structure was identified on the approved site plan.
- n. No business parking for employees shall be allowed on public streets, unless approved as part of a conditional use permit.
- o. The use of loudspeakers, bells, buzzers or whistles, is limited to the Industrial Districts and must conform to noise regulations. Intercoms may be used as part of a drive-up facility. Use of the equipment is allowed only under a conditional use permit.
- p. No occupancy of the building(s) may be permitted until the City has granted a final certificate of occupancy. Final inspections may include the following staff members: Building Official/Building Inspector, Fire Marshal, City Engineer, and Zoning Administrator. No certificate of occupancy may be granted until all conditions applicable to the proposed development have been satisfied or a suitable financial guarantee and agreements are in place and acceptable to the City to complete all required improvements.
- q. Joint access and circulation agreements/easements will be required when contiguous non-residential properties front on collector or arterial streets.
- r. No part of any non-residential structure shall be used for living quarters, unless approved by the City Council.

- s. All new developments, including redevelopments, will require underground utilities as part of the approved final site and building plan.
- (6) Development proposals. On development proposals requiring site plan review pursuant to this Subsection, the City Council upon the recommendation of the Planning Commission shall act with respect to variances from this chapter proposed by the site plan.

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

Adopted by the City of Council of the City of Dayton on this 27<sup>th</sup> day of January, 2026.

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Dennis Fisher, Mayor

ATTEST:

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Amy Benting, City Clerk

Motion by \_\_\_\_\_ . Second by \_\_\_\_\_ .  
*Motion approved.*

Published in THE PRESS on \_\_\_\_\_ .

## Sec. 126-99. - Site plan approval.

## Champlin

It is the policy of the city to preserve and promote an attractive, stable residential and business community through encouraging well conceived and quality developments. Before commencing the construction of a major alteration of a structure, the conversion of a single-family home into a commercial use in the old town area, or the construction of a new structure, except one-family and two-family dwellings used for residential occupancy and building accessories thereto, a planning application must be made for site plan approval from the city council in accordance with the procedures of section 126-100.

(Code 1977, § 13-108.1)

## Sec. 126-100. - Procedure for approval.

- (a) A plan approval application must be initiated by the owner of the subject property or by his authorized agent. The applicant must fill out and submit a site plan approval application to the city planner. The application must be filed at least four weeks prior to the next regular meeting of the planning commission.
- (b) The city planner will refer the matter to the planning commission by placing the application on the agenda of the commission's next regular meeting. The city planner may, with the approval of the chairperson of the planning commission, place the application on the agenda for a special meeting.
- (c) The planning commission shall report its recommendations to the city council. If recommendations are not transmitted by the planning commission, the city council takes action without recommendations.
- (d) The applicant or his agent shall appear at every meeting of the planning commission and the city council to answer questions regarding the plans and to furnish such information as may be required.
- (e) The city planner following the planning commission's action upon the application and following the city council's action upon the application shall give the applicant written notice of the action. A copy of this notice shall be kept on file as a part of the permanent record of the application.

(Code 1977, § 13-108.2)

**1070.050 – SITE PLAN**

Subd. 1. Purpose. The purpose of this Section is to establish a formal site plan review procedure and provide regulations pertaining to the enforcement of site design standards consistent with the requirements of this Chapter.

Subd. 2. Site Plan Approval. Site plan approval is required for all development, except the following:

- A. Agricultural uses and tree farms in the A and RR districts.
- B. Single family detached dwellings.
- C. Two family attached dwellings.

Subd. 3. Sketch Plan.

- A. Prior to filing a formal application, applicants may present a sketch plan to the Zoning Administrator. The plan shall be conceptual in nature but shall be drawn to scale and shall contain at a minimum the following:
  1. Location map showing the location within the City and more detailed locations on half-section plat maps showing all perimeter property lines.
  2. Aerial photograph of the area.
  3. General location of all identified natural resources and wetland inventories on and abutting the premise.
  4. General location of existing and proposed structures.
  5. Tentative access, circulation and street arrangements, both public and private.
  6. Amenities to be provided such as recreational areas, open space, walkways, parking, landscaping, etc.
  7. A representative example of the style of structures to be constructed.
  8. Proposed public sanitary sewer, water and storm drainage.
  9. A general statement of concept, identifying the intent of the project and compatibility with the surrounding area.

10. Extent of and any proposed modifications to land within the Overlay Districts as described and regulated in Section 1050.
11. Any other items as may be deemed necessary by City staff.

B. The Zoning Administrator shall refer the sketch plan to the City Council for discussion, review, and informal comment. Any opinions or comments provided to the applicant by the Zoning Administrator and/or City Council shall be considered advisory only and shall not constitute a binding decision on the request.

C. Request for sketch plan review and comment shall be filed with the Zoning Administrator on an official application form.

*(Ord. 286, passed 9-25-14)*

Subd. 4. Application Process. An application for site plan approval shall be approved or denied pursuant to Minnesota Statutes 15.99. Additional City requirements are as follows:

- A. Request for site plan approval. As provided within this Chapter, request for approval be filed with the Zoning Administrator on an official application form. A non-refundable fee as provided for in the City Code shall accompany such application. Detailed written and graphic materials, the number and size as prescribed by the Zoning Administrator, fully explaining the proposed change, development, or use, shall also accompany such application. The request shall be considered as being officially submitted and complete when the applicant has complied with all the specified information requirements.
- B. Proof of Ownership or Authorization. The applicant shall supply proof of ownership of the property for which the site plan approval is requested or supply written authorization from the owner(s) of the property in question to proceed with the requested site plan approval.
- C. Procedures.
  1. The Zoning Administrator shall instruct the appropriate staff persons to prepare technical reports where appropriate, and provide general assistance in preparing a recommendation on the action to the Planning Commission and the City Council.
  2. The Planning Commission and City staff shall have the authority to request additional information from the applicant concerning operational factors or to retain expert testimony with the consent and

at the expense of the applicant concerning operational factors. Said information is to be declared necessary to evaluate the request and/or to establish performance conditions in relation to all pertinent sections of this Chapter. Failure on the part of the applicant to supply all necessary supportive information may be grounds for denial of the request.

3. The applicant or their representative may appear before the Planning Commission in order to present information and answer questions concerning the proposed request.
4. The Planning Commission shall recommend such actions or conditions relating to the request as they deem necessary to carry out the intent and purpose of this Chapter.
5. The City Council shall not consider a site plan application until they have received a report and recommendation from the Planning Commission and City staff.
6. Upon receiving the report and recommendation of the Planning Commission, the City Administrator shall schedule the application for consideration by the City Council. Such reports and recommendations shall be entered in and made part of the permanent written record of the City Council meeting.
7. The applicant or their representative may appear before the City Council in order to present information and answer questions concerning the proposed request.
8. Approval of a request shall require passage by a majority vote of the entire City Council.

Subd. 5. Evaluation Criteria. The Planning Commission and City Council shall evaluate the effects of the proposed site plans. This review shall be based upon, but not be limited to, compliance with the City Comprehensive Plan and provisions of the Zoning Ordinance.

Subd. 6. Information Requirement. Every application must contain the following written and graphic materials in the number and size as required by the Zoning Administrator:

- A. The applicant shall submit electronic files in a manner specified by the City. The applicant may appeal directly to the City Council for a waiver of this requirement for applications for a single family home. No waiver shall be granted under this subsection unless the Council finds that the

applicant and his surveyor do not have ready, economical access to the technology required to comply with the filing requirement.

B. Location, address (if assigned), legal description, and Hennepin County property identification number (P.I.N.) of the parcel.

C. Site Plan

1. Name and address of developer/owner.
2. Name, address and Minnesota registration number of architect/designer/engineer.
3. Date of plan preparation.
4. Dates and description of all revisions.
5. Name of project or development.
6. Scale of plan (engineering scale only, at one inch equals 50 feet or less). All plan sheets shall be prepared using the same scale.
7. North point indication.
8. Site data computations including lot dimension, area, and building coverage percentage.
9. Required and proposed setbacks.
10. Location, setback and dimension of all buildings on the lot including both existing and proposed structures.
11. Total number of proposed dwelling units, if any.
12. Location of all adjacent buildings, improvements and natural resources located within 100 feet of the exterior boundaries of the property in question.
13. Adjacent roadway widths.
14. Location, number, and dimensions of existing and proposed parking spaces.
15. Location, number, and dimensions of existing and proposed loading spaces.

16. Curb cuts, driveways.
17. Vehicular circulation.
18. Sidewalks, walkways.
19. Site lighting plan.
20. Sign Plan.
21. Location of recreational and service areas.
22. Location of rooftop equipment and proposed screening.
23. Provisions for storage and disposal of waste, garbage, and recyclables.
24. Existing and proposed utility easements and fire hydrants.
25. Location, sizing, and type of water and sewer system mains and proposed service connections.

D. Grading/Storm Water Drainage Plan

1. Existing contours at 2-foot intervals.
2. Proposed grade elevations, 2-foot maximum intervals.
3. Drainage plan including configuration of drainage areas and calculations.
4. Impervious surface area calculation.
5. Storm sewer, catch basins, invert elevations, type of castings, and type of materials.
6. Spot elevations.
7. Proposed driveway grades.
8. Surface water ponding and treatment areas.
9. Erosion control measures.
10. Location of proposed street lights, as well as utilities, including electricity, gas, telephone, and CATV.

## E. Landscape Plan

1. Planting Schedule (table) containing:
  - a. Symbols.
  - b. Quantities.
  - c. Common names.
  - d. Botanical names.
  - e. Sizes of plant material.
  - f. Root specification (bare root, balled and burlapped, potted, etc.).
  - g. Special planting instructions.
2. Location, type and size of all existing significant trees to be removed or preserved.
3. Planting detail (show all species to scale at normal mature crown diameter or spread for local hardiness zone).
4. Typical sections in details of fences, tie walls, planter boxes, tot lots, picnic areas, berms and the like.
5. Typical sections of landscape islands and planter beds with identification of materials used.
6. Details of planting beds and foundation plantings.
7. Note indicating how disturbed soil areas will be restored through the use of sodding, seeding, or other techniques.
8. Delineation of both sodded and seeded areas with respective areas in square feet.
9. Coverage plan for underground irrigation system, if any.
10. Where landscape or man-made materials are used to provide screening from adjacent and neighboring properties, a cross-through section shall be provided showing the perspective of the site from the neighboring property at the property line elevation.

11. Other existing or proposed conditions which could be expected to affect landscaping.

F. Other Plans and Information

1. Proof of ownership of the land for which site plan approval has been requested.
2. Current Survey (within one year of application date).
3. Architectural elevations of all principal and accessory buildings (type, color, and materials used in all external surfaces).
4. "Typical" floor plan and "typical" room plan.
5. Fire Protection Plan.
6. Extent of and any proposed modifications to land within the Wetland, Shoreland or Floodplain District as described and regulated in Sections 1050.010, 1050.020, and 1050.030.
7. Type, location and size (area and height) of all signs to be erected upon the property in question.
8. Certification that all property taxes, special assessments, interest, or City utility fees due upon the parcel of land to which the application relates have been paid.
9. Sound source control plan.

Subd. 7. **Plan Modifications.**

A. **Minor Changes.**

1. **Qualifications:**
  - a. Structural additions involving 10 percent or less of the total existing floor area.
  - b. Site expansions or modifications involving 10 percent or less of the total existing site area.
2. Proposed minor changes which meet all Ordinance requirements may be approved by the Zoning Administrator prior to a building permit being issued and shall not require Planning Commission or City Council review, subject to the following:

- a. This Section shall apply to developments on file that have City Council approved site plans.
- b. Compliance with all Ordinance requirements, which shall be construed to include all adopted policies and codes.
- c. Any variances from Ordinance and policy requirements shall require the plan to be subject to the established review and hearing procedures for plan and variance approval.
- d. Plans submitted for minor changes under the terms of this Section shall be the same as those required for site plan approval by the Zoning Administrator.
- e. Minor changes approved by the City shall be placed on file with the City Council approved plans.

**B. Major Changes.**

1. Plans not qualifying as minor shall be classified as major.
2. An amended site plan involving major changes shall be applied for and administered in a manner similar to that required for a new site plan.

Subd. 8. Expiration.

- A. Unless otherwise specified by the Zoning Administrator or City Council at time of approval, permit approval shall expire within one year of the date of approval unless the property owner or applicant has substantially started the construction of any building, structure, addition or alteration, or use requested as part of the approved plan. Prior to the expiration, the applicant may apply for a time extension of up to one year.
- B. The request for extension shall be submitted to the Zoning Administrator not less than 30 days before the expiration of said approval and shall include the renewal fee as set forth in the City Code and state facts showing a good faith attempt to complete or utilize the use permitted in the conditional use permit. A request for an extension not exceeding one year shall be subject to the review and approval of the Zoning Administrator. Should a second extension of time or any extension of time longer than one year be requested by the applicant, it shall be presented to the Planning Commission for a recommendation and to the City Council for a decision.

C. In making its determination on whether an applicant has made a good faith attempt to utilize the site plan approval, the Zoning Administrator or the City Council, as applicable, shall consider such factors as the type, design, and size of the proposed construction, restrictions on financing, or special and/or unique circumstances beyond the control of the applicant which have caused the delay.

Subd. 9. Performance Agreement and Financial Guarantee. Following the approval of a site plan and before issuance of a building permit, the applicant, shall guarantee to the City the completion of all private exterior amenities as shown on the approved site plan and as required by the site plan approval. This guarantee shall be made by means of a performance agreement as provided below:

A. Performance Agreement.

1. The applicant shall execute the site improvement performance agreement on forms provided by the City. The agreement shall be approved as to form and content by the City Attorney and shall define the required work and reflect the terms of this Section as to the required guarantee for the performance of the work by the applicant.
2. The required work includes, but is not limited to, private exterior amenities such as landscaping, private driveways, parking areas, recreational fields, structures or buildings, signage, lighting, drainage systems, water quality ponds, wetland mitigation, wetland buffers, erosion control, curbing, fences and screening, and other similar facilities.

B. Financial Guarantee.

1. Financial guarantees acceptable to the City include cash escrow or an Irrevocable Letter of Credit.
2. The financial guarantee shall be for 100 percent of the estimated costs of improvements, as approved by the City Engineer.
3. The term of the financial guarantee shall be for the life of the site improvement performance agreement. It shall be the responsibility of the applicant to insure that a submitted financial guarantee shall continue in full force and effect until the Zoning Administrator shall have approved and accepted all of the work undertaken to be done and shall thereby have released the guarantee or reduced the amount of the guarantee as provided in this Section.

4. The applicant may submit a separate financial guarantee for that portion of the required work consisting solely of landscaping improvements with another financial guarantee for all other exterior amenities and improvements which comprise the work.
- C. The time allowed for completion of the required improvements shall be set out in the site improvement performance agreement. The agreement and the financial guarantee shall provide a means to the City to cure a default or reimburse the City the cost of enforcement measures. As various portions of such required work are completed by the applicant and approved by the City, the Zoning Administrator may release such portion of the financial guarantee as is attributable to such completed work. Landscaping improvements shall not be deemed complete until the City has verified survivability of all required plantings through one winter season which is defined for the purpose of this Section as the period of October 31 through April 30.
- D. The applicant shall notify the City in writing when all or a portion of the required improvements have been completed in accordance with the approved plan and may be inspected. Upon receipt of such notice, the Zoning Administrator shall be responsible for the inspection of the improvements to determine that the useful life of all work performed meets the average standards for the particular industry, profession, or material used in the performance of the work. Any required work failing to meet such standards shall not be deemed to be complete and the applicant shall be notified in writing as to required corrections. Upon determination that the work has been completed, including the winter season survivability of all landscape improvements, a notice of the date of actual completion shall be given to the applicant and appropriate action, to release or to reduce the amount of the financial guarantee shall be taken by the Zoning Administrator.

Subd. 10. Minnesota State Building Code. The review and approval of site improvements pursuant to the requirements of City adopted building and fire codes shall be in addition to the site plan review process established under this Section. The site plan approval process does not imply compliance with the requirements of these building and fire codes.

Subd. 11. Plan Agreements. All site and construction plans officially submitted to the City shall be treated as a formal agreement between the building contractor and the City. Once approved, no changes, modifications or alterations shall be made to any plan detail, standard, or specifications without prior submission of a plan modification request to the Zoning Administrator for review and approval.

Subd. 12. Enforcement. The Zoning Administrator shall have the authority to order the stopping of any and all site improvement activities, when and where a violation of the provisions of this Section has been officially documented.

Subd. 13. Certification of Taxes Paid. Prior to approval of an application for a site plan, the applicant shall provide certification to the City that there are no delinquent property taxes, special assessments, interest, or City utility fees due upon the parcel of land to which the site plan application relates.

## **1070.060 – ADMINISTRATIVE PERMITS AND APPROVALS**

Subd. 1. Purpose. The purpose of this Section is to establish regulations and procedures for the processing and consideration of activities allowed by administrative permit, and of matters requiring the approval of the Zoning Administrator with the goal of protecting the health, safety, and welfare of the citizens of the City.

Subd. 2. Administrative Permits

A. Procedures

1. Application for an administrative permit shall be filed by the property owner or designated agent with the Zoning Administrator on an official application form.
2. A non-refundable fee as set forth by the City Code shall accompany the application.
3. The Zoning Administrator shall review the application and related materials and shall determine whether the proposal is in compliance with all applicable evaluation criteria, codes, ordinances, and applicable performance standards set forth in this Chapter.
4. The Zoning Administrator shall make a determination of approval or denial of the administrative permit pursuant to Minnesota Statutes 15.99.
5. A written permit shall be issued to the applicant when a determination of compliance has been made. Specific conditions to assure compliance with applicable evaluation criteria, codes, ordinances, and the standards of this Chapter may be attached to the permit.

6. Determination of non-compliance with applicable codes, ordinances, and the standards in this paragraph shall be communicated to the applicant in writing and the application for the permit shall be considered denied; unless, within 10 days of the date of such notice, the applicant submits revised plans and/or information with which the Zoning Administrator is able to determine compliance.
7. Unresolved disputes as to administrative application of the requirements of this paragraph shall be subject to appeal as defined by Section 1070.090 of this Chapter.

Subd. 3. **Evaluation Criteria.** The Zoning Administrator shall consider possible adverse effects of the proposed events or activity. Judgment shall be based upon (but not limited to) the following factors:

- A. Compliance with and effect upon the Comprehensive Plan and public facilities plans.
- B. The establishment, maintenance or operation of the use, event, or activity will promote and enhance the general public welfare and will not be detrimental to or endanger the public health, safety, morals or comfort.
- C. The use, event, or activity will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
- D. The establishment of the use, event, or activity will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
- E. Adequate public facilities and services are available or can be reasonably provided to accommodate the use, event, or activity which is proposed.
- F. The use, event, or activity shall, in all other respects, conform to the applicable regulations of the district in which it is located.
- G. The use, event, or activity and site conform to the performance standards as outlined in Section 1060 and all other applicable provisions of this Chapter.

Subd. 4. **Information Requirements.** The information required for all administrative permit applications shall include:

- A. A concise statement describing the proposed use, event or activity, including the purpose, type of merchandise involved, dates and times of

operation, number of employees involved, provisions for on-site security, provisions for on-site parking, and other pertinent information required by the Zoning Administrator to fully evaluate the application.

- B. A copy of the approved site plan for the property or an "as built" survey which accurately represents existing conditions on the site, including entrances and exits, bona fide parking and driving areas, and which accurately indicates any proposed temporary structures, including tents, stands, and signs.
- C. An accurate floor plan, when in the judgment of the Zoning Administrator, such a plan is necessary to properly evaluate the location of the event and the effectiveness of available entrances and exits.
- D. A copy of the current sales tax certificate issued by the State of Minnesota, if applicable.
- E. Information identified in Section 1070.050, as may be applicable.

Subd. 5. **Performance Standards.** All uses, events or activities allowed by administrative permit shall conform to the applicable standards outlined in the zoning district in which such use, event or activity is proposed.

Subd. 6. **Administration and Enforcement**

- A. The Zoning Administrator shall keep a record of applications and administrative permits.
- B. A copy of all administrative permits issued shall be forwarded to appropriate staff as determined by the Zoning Administrator.
- C. Enforcement of the provisions of this paragraph shall be in accordance with Section 1080. Violation of an issued permit or of the provisions of this Section also shall be grounds for denial of future permit applications.

Subd. 7. **Certification of Taxes Paid.** Prior to approving an application for an administrative permit, the applicant shall provide certification to the City that there are no delinquent property taxes, special assessments, interest, or City utility fees due upon the parcel of land to which the administrative permit application relates.

Subd. 8. **Non-Permit Approvals.** In cases where the Zoning Administrator is given approval authority without a requirement for an administrative permit, determinations shall be based upon the criteria outlined in Subd. 2. of this Section.

**Subd. 3 Final Site Plan and Building Plan Regulations****(1) Applicability and the approval process.**

a. 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.

b. Prior to consideration for approval, the City Council shall receive a report from the Planning Commission and the staff, specifying any recommended modifications to the final site and building plans.

c. At the time of approval of final site and building plans, the City Council may modify final site and buildings plans and specify any additional development standards necessary to assure that the proposed development meets the intent of the zoning district and to assure that the proposed development is appropriately related to adjoining public streets and adjacent land uses.

**(2) Content.** The developer shall submit final site and building plans, which include the following information:

a. A location map which indicates property ownership surrounding the proposed development and existing and future land uses;

b. Maps of existing and proposed site features at a scale of 1 to 50 or larger which indicate topography in 2 foot contours; building outlines; structures, location of significant vegetation; location of streets, drives, and parking areas; and other significant features;

c. Detailed drawings of all proposed structure elevations, including signs. Proposed exterior materials and colors shall be noted on the elevation drawings;

d. Proposed floor plans for all floor levels, including locations of electrical, mechanical and gas metering equipment, and storage areas for trash and recyclable materials;

e. A landscape plan indicating location, size and type of tree, shrub and groundcover species, screening, fencing, provisions for plant material watering and luminaire locations;

f. A circulation plan indicating pedestrian and vehicular movement systems. This plan shall also include service access and screening for receiving, truck loading area, and trash removal;

g. A lighting and photometric plan showing fixture height and type, and lighting levels in foot candles;

h. A rooftop equipment and screening plan and elevation drawings of rooftop equipment and screening. Rooftop equipment shall not be visible from ground level views from the property, from adjacent property or from adjacent streets;

i. A drainage, grading, utilities, and erosion and sedimentation control plan. The plans shall comply with the requirements of this Code, local watershed requirements and state regulations;

j. Identification of all wetlands on the site, copies of documents completed in making the wetlands identification, qualifications of the person performing the identification, a description of any wetlands which are to be burned, filled, or drained pursuant to the development, and a wetland mitigation and replacement plan if burning, filling, or draining of wetlands is to occur. The requirement of the documentation may be waived in instances where it is determined from aerial photographs, the National Wetlands Inventory, on-site observation, or other pertinent information that the site contains no wetlands;

k. A written report completely describing the proposal and indicating covenants or agreements which will influence the use and maintenance of the proposed development; and

l. Any other information deemed necessary by the City Council in order to evaluate plans.

**(3) Findings.** The City Council shall find the following prior to the approval of final site and building plans.

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

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

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

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

**(4) Revisions.** Minor changes to final site and building plans approved by the City Council may be made by the Zoning Administrator provided that the changes do not involve the following:

a. An increase in floor area of structures exceeding 10% of the total floor area within any 5 year period;

b. Variance from any zoning ordinance requirement;

c. Change in exterior building material;

d. Significant changes in the character, function or appearance of the site plan; and

e. Alteration of any condition attached or modification to the final site and building plans made by the City Council.

**(5) Standard conditions.** All approved final site plans and building plans shall meet the following standard conditions, unless specifically waived by the City Council:

- a. All fire lanes, and fire apparatus access road as defined by the Dayton Fire Department, must be maintained in good condition, kept clear and have "No Parking - Fire Lane" signs installed.
- b. All new and remodeled non-residential buildings, including additions shall be equipped with a fire sprinkler system as approved by the Dayton Fire Marshal.
- c. A building collapse zone shall be defined on the site as established by the Dayton Fire Marshal.
- d. A minimum 1 hour rated fire wall shall separate attached side-by-side residential dwelling units. All multiple story multi-family residential apartments or condominiums shall be equipped with a fire sprinkler system as approved by the Dayton Fire Marshal.
- e. Handicap parking stalls and access shall be noted on the site plan and installed on the site as per State Code requirements.
- f. Any vehicles parked on the premises shall be in good working order and currently licensed in accordance with state law.
- g. All parking, storage areas, and driveways shall be paved to a specification approved by the City Engineer.
- h. All drainage and storm water plans are subject to review and approval by the City Engineer and/or the Elm Creek Watershed Management Commission.
- i. All proposed lighting shall be downcast style only, and subject to review and approval by the City before installation.
- j. If applicable, hours of operation shall be as defined by the City Council.
- k. A letter of credit, in a form acceptable to the City, is required for site improvements, including but not limited to: roads, sidewalks, trails, utility and/or septic system installation, parking lot paving, curbing, and landscaping. City staff to determine the amount of the letter of credit and is typically set at 150% of the estimated cost for the improvements.
- l. Landscaping must be maintained in good condition and is subject to City review periodically.
- m. No building or structure may be constructed on the site unless the structure was identified on the approved site plan.
- n. No business parking for employees shall be allowed on public streets, unless approved as part of a conditional use permit.
- o. The use of loudspeakers, bells, buzzers or whistles, is limited to the Industrial Districts and must conform to noise regulations. Intercoms may be used as part of a drive-up facility. Use of the equipment is allowed only under a conditional use permit.
- p. No occupancy of the building(s) may be permitted until the City has granted a final certificate of occupancy. Final inspections may include the following staff members: Building Official/Building Inspector, Fire Marshal, City Engineer, and Zoning Administrator. No certificate of occupancy may be granted until all conditions applicable to the proposed development have been satisfied or a suitable financial guarantee and agreements are in place and acceptable to the City to complete all required improvements.
- q. Joint access and circulation agreements/easements will be required when contiguous non-residential properties front on collector or arterial streets.
- r. No part of any non-residential structure shall be used for living quarters, unless approved by the City Council.
- s. All new developments, including redevelopments, will require underground utilities as part of the approved final site and building plan.

(6) *Development proposals.* On development proposals requiring site plan review pursuant to this Subsection, the City Council upon the recommendation of the Planning Commission shall act with respect to variances from this chapter proposed by the site plan.

## Sec. 36-85. - Purpose.

This division is established to provide comprehensive procedures and standards designed to ensure city review procedure for developments (other than single-family detached dwellings, two-family dwellings, planned unit developments, and public trails, playlots, neighborhood parks, and playfields) seeking to locate or expand within the city. This procedure will provide the city with the opportunity to ensure a development's conformance with the city development regulations and to provide the city with a reasonable degree of discretion in determining the suitability of development proposal impacts upon the general welfare, public health, and safety. In making this determination, whether or not the site plan is to be approved, the city will consider all applicable development standards, the nature of the land and/or buildings, whether or not any use is already in existence and located on the same premises, or on any adjoining roads, and all other or further factors as the city shall deem prerequisites of consideration in determining the effect of the development on the general welfare, public health and safety. The site plan review procedure is also intended to ensure the development of capable and quality site systems in the areas of:

- (1) Utilities.
- (2) Transportation.
- (3) Site drainage.
- (4) Open spaces.
- (5) Site environment and landscaping.
- (6) Structure/lot area relationships.

(Code 1984, § 375:117(1); Code 2003, § 36-81)

## Sec. 36-86. - General requirements.

- (a) *Application for approval.* An application for site plan approval must be filed with the city for all developments (except for single-family detached and two-family dwellings, development within a PUD, and public trails, playlots, neighborhood parks, and playfields) within the city. Such application shall be filed with the director of community development on an official application form and shall be accompanied by a nonrefundable fee and any surety, escrow, or deposit as provided for by the city council as set forth in the city fee schedule. Formal review and approval of the plans must be given by the city staff before any related site development can be pursued.
- (b) *Ownership of property.* An application for a site plan approval must be filed by the landowner or jointly by all landowners of the property included in a project. The application and all submissions must be directed to the development of the property as a whole. In the case of multiple ownership, the approved final plan shall be binding on all owners.
- (c) *Consistency with comprehensive plan and zoning regulations.* The proposed site plan shall be consistent with the city's comprehensive plan and this chapter.
- (d) *Plan submission.* Ten sets of all site plans and 8½-inch by 11-inch transparencies thereof shall be submitted to the community development department with all required information. The plan shall be considered as officially submitted only when all of the information and fee requirements are met.
- (e) *Contents.* All site plan submissions shall be drawn to a scale of one inch equals 50 feet or less (engineering scale only) and be produced in a fashion which ensures legibility and clarity. In addition to the full-scale plan, an additional reduction of the plan on an 8½-inch by 11-inch sheet shall be required as part of the submission. The site plan shall contain at least the following information, and all additional information as required by city staff:
  - (1) *General information.*
    - a. The landowner's name, address and telephone number.
    - b. The applicant's name, address and telephone number, if different from the landowner, and the applicant's interest in the subject property.

- c. The names, addresses, and telephone numbers of all professional consultants who have contributed to the development of the plan being submitted, including the architect, land planner, engineer, surveyor, and attorney.
- d. Evidence that the applicant has sufficient control over the subject property to effectuate the proposed site plan.
- e. Date of plan preparation.
- f. Dates and descriptions of all revisions.
- g. North point indication.
- h. The statement that construction shall be in accordance with the city's Standard Specifications for Utility and Street Construction, 1979.

(2) *Present surrounding area status.*

- a. The address and legal description of the subject property.
- b. The existing zoning classification and present use of the subject property and all lands within 200 feet of the subject property.
- c. A map depicting the existing development of the property and all land within 200 feet.
- d. A plan showing the precise location of existing streets, property lines, easements, water mains, and storm and sanitary sewers with invert elevations on and within 100 feet of the subject property.

(3) *Present on-site status.* All of the graphics should be the same scale to allow easy cross reference.

- a. Contours at minimum two-foot intervals on and within 20 feet of the subject property.
- b. Location, type, and extent of tree cover.
- c. Sufficient spot elevations and/or contours to indicate changes in slope on and within 20 feet of the subject property. Elevations of the centerline and gutter line of existing streets at each proposed access must be shown.
- d. Location and extent of water bodies, wetlands and streams, and floodplains within 300 feet of the subject property.
- e. Significant rock outcroppings.
- f. Existing drainage patterns.
- g. Vistas and significant views.
- h. Soil conditions as they affect development.

(4) *Utility plan.* Plans indicating the location of water and sanitary sewer lateral and service locations. Also indicated shall be the size and type of pipe and all other information, such as hydrants and cleanouts, as may be required by the city engineer.

(5) *Property dimension plan.* Plans showing property lines, dimensions, lot area, required yard setbacks, easements and rights-of-way of the property and any significant topographical or physical features of the property based upon a certified survey.

(6) *Structure information plan.* Plans showing the location, size, use and arrangement, including height in stories and feet and total square feet of ground area coverage and floor area, of proposed buildings. Also provided shall be architectural plans showing building elevations and exterior wall finishes of proposed buildings.

(7) *Internal circulation plan.* Plans showing the location, dimensions and number of driveways, entrances, fire lanes, concrete entrance aprons, curb cuts, concrete curbing and gutter, parking stalls, parking lot islands, loading spaces, access aisles, concrete sidewalks, and all other circulation elements of the site.

- a. All site elements as listed in this subsection shall have noted on the plan a related cross section of element composition and construction design.
- b. All material compositions, i.e., bituminous, gravel, concrete, sod, etc., shall be noted on the plan.
- c. Spot elevations, including high points, corners of parking lots, and existing street elevations, shall also be shown on the plan.

(8) *Landscaping, screening and berthing plan.* Plans showing detailed locations, sketches, and provisions of existing and required landscaping, berthing, and screening elements of the site.

- a. All those related elements which will be removed shall be properly noted on the plan.
- b.

All plant screening and landscaping elements shall be broken out into types, sizes, and total numbers proposed in the plan.

- c. All fences shall be shown and related elevations and cross sections provided.
- (9) *Grading and drainage plans.* Plans showing all existing and proposed site contours in no more than two-foot contours.
  - a. Also provided shall be detailed site drainage plans, including the detailing of the site's storm sewer system with catchbasins and invert elevations.
  - b. Casting types must be shown for all catchbasins.
- (10) *Erosion control plan.* Plans for site erosion control as required by the city engineer.
- (11) *Lighting plan.* Plans showing location, height, and candlepower of all luminaries on the site. All parking lot lighting standards located within the parking lot area must be located within parking lot islands.
- (12) *Staging plan.* If the project is to be constructed in several stages, all stages shall be clearly detailed out on the plan. This shall also include future expansion elements of a proposal.
- (13) *Sign plan.* Plans showing all proposed signage for the site in accordance with [chapter 24](#).
- (14) *Planned improvements summary.* Calculation of the area, length, amount or other summary dimensions or inventory for each improvement contemplated pursuant to this subsection (e), which calculation shall be useful to the city planning department in determining the amount of the surety to be provided pursuant to [section 36-88](#).

(Code 1984, § 375:117(2); Code 2003, § 36-82)

Sec. 36-87. - **Procedure for review and approval.**

- (a) *Generally.* Except as otherwise provided in this section, all plans for site development within the city as described in this chapter shall be subject to formal review and approval proceedings.
  - (1) Upon submission of the site plan as specified in [section 36-86](#) the city staff shall circulate the plan to all appropriate city, county, state, and federal agencies for their review and comment.
  - (2) Upon receipt of all agency reviews, a meeting between the applicant and all involved reviewers to discuss any necessary plan amendments will be held. After the meeting, the applicant shall make any necessary revisions and submit a final site plan.
- (b) *Final site plan.*
  - (1) *Purpose.* The final site plan is to serve as a complete, thorough, and permanent public record of the manner in which the subject site is to be developed. It shall incorporate all revisions and conditions resulting from the site plan review process.
  - (2) *Submission.* Three copies of the final site plan shall be submitted to the director of community development for review and approval. Subsequent to receiving approval of the final plan, the applicant may apply for a building permit.
  - (3) *Preconstruction meeting.* After a building permit has been applied for, and before issuance thereof, a preconstruction meeting shall be required to take place. It shall be the developer's responsibility to arrange the preconstruction meeting with the city staff. At this meeting, the building construction plans will be reviewed and compared with the approved final plan. If the building construction plans are not in substantial conformance with the final plan, the building construction plans shall be revised to achieve such conformance.
  - (4) *Limitation on final site plan approval.* Within one year after the approval of a final site plan, or such shorter time as may be established by the approved development schedule, construction shall commence with the approved plan.
    - a. If, after one year from being granted site plan approval, the plan as permitted by the approval shall not have been initiated, then such approval shall be null and void.
    - b. A request for extension may be made within 30 days before such deadline and shall state facts showing a good faith attempt to complete or utilize the use permitted in the site plan approval.
    - c. The zoning administrator shall place the subdivider's request on the agenda of a regularly scheduled council meeting to be held within 30 days of such filing.
    - d. The council at its discretion may grant the extension, for not more than one year, for, when good cause shown, such extension is necessary.
    - e. Only one such extension may be made.

(Code 1984, § 375:117(3); Code 2003, § 36-83; Ord. No. 04-09, § 4, 4-19-2004)

Sec. 36-88. - Site improvement performance agreement and surety.

- (a) Upon approval of a final site plan and prior to the issuance of building permits or initiation of work on the proposed improvement or development, the developer shall execute a performance agreement setting out site improvement items and terms of completion of such items. The performance agreement and any surety required therein must be approved by the city attorney.
- (b) Any surety required by the performance agreement shall be noncancelable and shall guarantee conformance and compliance with the conditions of the site plan approval, the performance agreement and the ordinances of the city.
- (c) The city shall hold the surety for such period of time as set forth in the performance agreement.
  - (1) The surety may only be released by the city council.
  - (2) Periodically, the amount of the surety may be reduced by the city council.
  - (3) Reduction and release actions will only be initiated after proper request has been made by the developer.
- (d) Failure to comply with the conditions of the site plan approval, the performance agreement or the ordinances of the city shall result in forfeiture of the surety to the extent necessary to achieve the project's total compliance with the approved site plan.

(Code 1984, § 375:117(4); Code 2003, § 36-84)

Sec. 36-89. - Issuance of building permits and other permits.

Except as otherwise expressly provided in this division, upon receiving notice from the director of community development that the final site plan has been approved and a properly executed performance agreement has been received, and upon application of the applicant pursuant to the applicable ordinances of the city, all appropriate officials of the city may issue building and other permits to the applicant for development, construction, and other work in the area encompassed by the final site plan; provided, however, that no such permit shall be issued unless the appropriate official is first satisfied that the requirements of all codes and ordinances which are applicable to the permit sought have been satisfied.

(Code 1984, § 375:117(5); Code 2003, § 36-85)

Secs. 36-90—36-106. - Reserved.

## CHAPTER 9

### ADMINISTRATION - SITE AND BUILDING PLAN REVIEW

#### SECTION:

##### **11-9-1: Purpose**

##### **11-9-2: Application Of Provisions**

##### **11-9-3: Procedure**

##### **11-9-4: Agreement**

##### **11-9-5: Expiration Of Plan Approval**

##### **11-9-6: Information Required**

##### **11-9-7: Performance Security**

##### **11-9-8: Certification Of Taxes And Fees Paid**

##### **11-9-1: PURPOSE:**

The purpose of this chapter is to establish a formal plan review procedure and provide regulations pertaining to the enforcement of site design and construction standards as agreed to by the contractor through officially submitted plan documents. (Prior Code § 20-9-1)

##### **11-9-2: APPLICATION OF PROVISIONS:**

All building and site plans for townhouse, multiple-family, commercial, or industrial construction shall be subject to review by the Planning Commission and approval by the City Council; except, that those plan modifications meeting the following criteria, as determined by the Zoning Administrator, may be approved administratively in accordance with chapter 8 of this title:

- A. Only applications for preexisting uses or uses explicitly classified as allowed uses, including accessory uses, by previously approved site and building plans governing the use of the property are eligible for administrative approval.
- B. The site and building plan modification shall not result in an increase in hours of operation, traffic, employees, or number of dwelling units, expand any principal building or otherwise increase the intensity of the use of the site.
- C. The permit modification shall comply with all requirements of the applicable zoning district and all other performance standards of this title or this Code.
- D. All applications for site and building plan modification shall be complete and in full accordance with the requirements of section 11-9-6 of this chapter. (Prior Code § 20-9-2)

##### **11-9-3: PROCEDURE:**

A. Request for site and building plan approval shall be filed with the City on an official application form and processed in accordance with this chapter and Minnesota Statutes section 15.99.

1. An application shall be accompanied by a fee as provided in section 3-1-2 of this Code.
2. Such application shall also be accompanied by detailed written and graphic materials fully explaining the proposed change, development, or use including the information required by section 11-9-6 of this chapter.
3. The request shall be considered as being officially submitted when the Zoning Administrator determines that there is compliance with all the information requirements.
4. The City Council, the Planning Commission, and the City staff shall have the authority to request additional information from the applicant or to retain expert testimony at the expense of the applicant. Said information is to be declared necessary to establish performance conditions in relation to all pertinent sections of this title.
5. Failure on the part of the applicant to supply all necessary supportive information may be grounds for denial of the request.

B. The applicant shall supply proof of title and the legal description of the property for which the site and building plan approval is requested, consisting of an abstract of title or registered property abstract currently certified, together with any unrecorded documents whereby the petitioners acquire a legal ownership or equitable ownership interest and, as applicable, supply documented authorization from the owner(s) of the property in question to proceed with the requested site and building plans.

C. The Zoning Administrator shall instruct the appropriate staff persons to prepare technical reports where applicable, and provide general assistance in preparing a recommendation on the action to the Planning Commission and City Council.

D. The applicant or a designated representative thereof shall appear before the Planning Commission and City Council in order to answer questions concerning the proposed request.

E. The Planning Commission and City Council shall review the proposed site plan based upon compliance with the Comprehensive Plan, provisions of this title, and other applicable chapters of this Code.

F. The Planning Commission shall make a finding of fact and recommend such actions or conditions relating to the request as they deem necessary to carry out the intent and purpose of this title.

G. The City Council shall not consider or act upon an application until they have received a report and recommendation from the Planning Commission or until sixty (60) days after the first regular Planning Commission meeting at which the request was considered.

H. Upon completion of the report and recommendation of the Planning Commission, the request shall be scheduled for consideration on the agenda of the City Council. Such reports and recommendations shall be entered in and made part of the permanent written record of the City Council meeting.

I. If, upon receiving said reports and recommendations of the Planning Commission and City staff, the City Council finds that specific inconsistencies exist in the review process and thus the final recommendation of the City Council will differ from that of the Planning Commission, the City Council may, before taking final action, refer the matter back to the Planning Commission for further consideration.

J. Approval of a request shall require passage by a majority vote of the City Council.

K. The Zoning Administrator shall provide the applicant and property owner with written notice of the City Council's findings of fact and decision regarding the application.

L. If a request for site and building plan approval receives approval of the City Council, the City, at the applicant's expense, shall record such with the appropriate Wright County Office. No building permits for the property in question will be granted until recording of the action has been completed. (Prior Code § 20-9-3)

#### **11-9-4: AGREEMENT:**

The site and building plan approval and the stipulations, limitations and conditions therein shall be applied to the property in question. All written and graphic materials officially submitted to the City shall be treated as a formal agreement between the applicant and the City. Once approved, no changes, modifications or alterations shall be made to any plan detail, standard, or specifications without prior submission of a plan modification request to the Zoning Administrator for review and approval. (Prior Code § 20-9-4)

#### **11-9-5: EXPIRATION OF PLAN APPROVAL:**

Unless otherwise specified by the City Council at the time it is authorized, approval of site and building plans shall be null and void and expire if the applicant fails to utilize such approvals and fulfill each and every condition attached thereto within one year from the date of its authorization unless a petition for an extension of time in which to complete or utilize the site and building plan has been granted by the Zoning Administrator; provided, that: (Prior Code § 20-9-5; amd. 2018 Code)

A. The extension is requested in writing and filed with the City at least thirty (30) days prior to the expiration of the initial site and building plan approval request.

B. The request for extension states facts demonstrating that a good faith attempt has been made to complete or utilize the use or activity permitted in the site and building plans.

C. A maximum of one administrative extension shall be granted. (Prior Code § 20-9-5)

D. The extension shall not exceed ninety (90) days from the initial administrative plan expiration date. (Prior Code § 20-9-5; amd. 2018 Code)

E. There shall be no charge for the filing of a petition for an administrative extension. (Prior Code § 20-9-5)

#### **11-9-6: INFORMATION REQUIRED:**

The information required for all site plan applications shall consist of the following items, and shall be submitted unless waived by the Zoning Administrator:

A. Site boundaries, buildings, structures and other improvements on the site shall be identified with a current certificate of survey, prepared and signed by a Minnesota licensed land surveyor, depicting the following:

1. Scale of plan (engineering scale only), at one inch equals fifty feet (1" = 50') or less.

2. North point indication.

3. Existing boundaries with lot dimension and area.

4. Existing site improvements.

5. All encroachments.

6. Easements of record.

7. Legal description of the property.

8. Ponds, lakes, springs, rivers or other waterways bordering on or running through the subject property.

B. A site plan utilizing a copy of the current certificate of survey as a base for the site in question, depicting the following:

1. Name and address of developer/owner.

2. Name and address of architect/designer.
3. Date of plan preparation.
4. Dates and description of all revisions.
5. Name of project or development.
6. All proposed improvements, including:
  - a. Required and proposed setbacks.
  - b. Location, setbacks and dimensions of all proposed buildings and structures.
  - c. Location of all adjacent buildings located within one hundred feet (100') of the exterior boundaries of the property in question.
  - d. Location, number, dimensions, and setbacks of proposed parking spaces and drive aisles.
  - e. Location, number, and dimensions of proposed loading spaces.
  - f. Location, width, and setbacks of all curb cuts and driveways.
  - g. Vehicular circulation.
  - h. Sidewalks and trails.
  - i. Location and type of all proposed lighting, including details of all proposed fixtures and photometric illumination.
  - j. Location of recreation and service areas.
  - k. Location of rooftop equipment and proposed screening.
  - l. Provisions for storage and disposal of waste, garbage, and recyclables, including details for screening exterior trash/recycling enclosures.
  - m. Location, sizing, and type of water and sewer system mains and proposed service connections.
- C. Grading, drainage and erosion control plan, utilizing a copy of the current certificate of survey as a base for the site in question, prepared and signed by a Minnesota licensed engineer, depicting the following:
  1. Existing contours at two foot (2') intervals (may be prepared by a Minnesota licensed surveyor).
  2. Proposed grade elevations at two foot (2') maximum intervals.
  3. Drainage plan, including the configuration of drainage areas and calculations.
  4. Storm sewer, catch basins, invert elevations, type of castings, and type of materials.
  5. Spot elevations (may be prepared by a Minnesota licensed surveyor).
  6. Proposed driveway grades.
  7. Surface water ponding and treatment areas.
  8. Erosion control measures.
- D. Landscaping plan, utilizing a copy of the current certificate of survey as a base for the site in question, depicting the following:
  1. Planting schedule (table) containing:
    - a. Symbols.
    - b. Quantities.
    - c. Common names.
    - d. Botanical names.
    - e. Sizes of plant material.
    - f. Root specification (bare root, balled and burlapped, potted, etc.).
    - g. Special planting instructions.
  2. Location, type and size of all existing significant trees to be removed or preserved.
  3. Planting detail (show all species to scale at normal mature crown diameter or spread for local hardiness zone).
  4. Typical sections with details of fences, tie walls, planter boxes, tot lots, picnic areas, berms and the like.

5. Typical sections with details of landscape islands, planter beds, and foundation plantings with identification of materials used.
6. Note indicating how disturbed soil areas will be restored through the use of sodding, seeding, or other techniques.
7. Delineation of both sodded and seeded areas with respective areas in square feet.
8. Coverage plan for underground irrigation system, if any.
9. Where landscape or manmade materials are used to provide screening from adjacent and neighboring properties, a cross through section shall be provided showing the perspective of the site from the neighboring property at the property line elevation.
10. Other existing or proposed conditions which could be expected to affect landscaping.

E. Other plans and information as required by the Zoning Administrator including, but not limited to:

1. Architectural elevations of all principal and accessory buildings (type, color, and materials used in all external surfaces).
2. "Typical" floor plan and "typical" room plan drawn to scale with a summary of square footage for each use or activity.
3. Fire protection plan.
4. Extent of and any proposed modifications to land within the environmental protection districts, as established by chapter 50 of this title.
5. Type, location and size (area and height) of all signs to be erected upon the property in question.
6. Vicinity map showing the subject property in reference to nearby highways or major street intersections.
7. Sound source control plan.
8. Wetland delineation report. (Prior Code § 20-9-6)

**11-9-7: PERFORMANCE SECURITY:**

- A. Except in the case of non-income producing residential property (excluding relocated structures), upon approval of site and building plans, the City shall be provided, where deemed necessary by the Council, with a performance security as approved by the City Attorney prior to the issuing of building permits or initiation of work on the proposed improvements or development. Said security shall be non-cancelable and shall guarantee conformance and compliance with the conditions of the site and building plan and the ordinances of the City. (Prior Code § 20-9-7; amd. 2018 Code)
- B. The security shall be in the amount equal to the Zoning Administrator's estimated costs of labor and materials for the proposed improvements or development. Said project may be handled in stages upon the discretion of the Zoning Administrator. (Prior Code § 20-9-7)
- C. The City shall hold the security until completion of the proposed improvements or development and a certificate of occupancy indicating compliance with the site and building plan and ordinances of the City has been issued by the City building official. (Prior Code § 20-9-7; amd. 2018 Code)
- D. Failure to comply with the conditions of the site and building plan approval or the ordinances of the City shall result in forfeiture of the security in whole or in part depending upon the degree of noncompliance and at the discretion of the City Council.
- E. Whenever a performance guarantee is imposed by the City, the applicant shall be required to enter into a performance agreement with the City. This agreement is to provide authorization to the City to utilize the posted security and complete stipulated work should the applicant fail to meet the terms and conditions of the permit. Said agreement shall hold harmless the City for completion of the work and address other matters as may be determined by the City Attorney. (Prior Code § 20-9-7)

**11-9-8: CERTIFICATION OF TAXES AND FEES PAID:**

Prior to approving an application for a site and building plan review, the applicant shall provide certification to the City that there are no delinquent Property Taxes, special assessments, interest, or City utility fees due upon the parcel of land to which the site plan and building review application relates. (Prior Code § 20-9-8)

(a) *Purpose.* The purpose of this Section is to establish a formal site plan review procedure and provide regulations pertaining to the enforcement of site design standards consistent with the requirements of this Ordinance.



(b) *Exceptions to review.* Site Plan review and approval is required for all new developments, except the following:

- (1) Single family detached dwellings.
- (2) Two family attached dwellings.

(c) *Procedure.*

- (1) The application will be subject to the procedure outlined in [Sec. 125-21. General Review Procedures](#).
- (2) Before building permits are issued for the development of structures, a site plan shall be reviewed by the Planning Commission and approved by the City Council.

	Permit required
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(d) *Information requirement.*

- (1) The applicant shall fill out and submit to the Zoning Administrator the application form all information as required on the form unless a waiver of certain information is granted by the Zoning Administrator.

(e) *Evaluation criteria.* The Planning Commission shall evaluate the effects of the proposed site plans. This review shall be based upon, but not be limited to, compliance with the City's Comprehensive Plan and provisions of this Ordinance.

(f) *Minnesota State Building Code.* The review and approval of site improvements pursuant to the requirements of City adopted building and fire codes shall be in addition to the site plan review process established under this Section. The site plan approval process does not imply compliance with the requirements of these building and fire codes.

(g) *Plan agreements.* All site and construction plans officially submitted to the City shall be treated as a formal agreement between the property owner, building contractor and the City. Once approved, no changes, modifications or alterations shall be made to any plan detail, standard, or specifications without prior submission of a plan modification request to the Zoning Administrator for review and approval.

(h) *Enforcement.* The Zoning Administrator shall have the authority to order the stopping of any and all site improvement activities, when and where a violation of the provisions of this Section has been officially documented by the Building Official.

(i) *Expiration.*

- (1)

Unless otherwise specified by the Zoning Administrator or City Council as may be applicable, the site plan approval shall become null and void one year after the date of approval, unless the property owner or applicant has substantially started the construction of any building, structure, addition or alteration, or use requested as part of the approved plan. The property owner or applicant shall have the right to submit an application for time extension in accordance with this Section.

- (2) A written request to extend the approval of a site plan for up to an additional one year shall be submitted to the Zoning Administrator not less than 30 days before the expiration of said approval. Such request for an extension shall include the following:
  - a. An explanation for why the improvements have not commenced,
  - b. What, if any, good faith efforts have been made to commence the project,
  - c. Additional time requested and anticipated project completion date, and
  - d. The signature of the applicant and property owner. A request for an extension not exceeding one year shall be subject to the review and approval of the Zoning Administrator. A request pertaining to a major project involving a longer period of time than one year or a second request for a time extension of a major project shall be presented to the City Council for a decision. Additional requests for a time extension of a minor project may be approved by the Zoning Administrator, subject to the same procedures established for the first time extension as outlined above.
- (3) In making its determination on whether an applicant has made a good faith attempt to complete the improvements shown on the approved site plan, the Zoning Administrator or the City Council, as applicable, shall consider such factors as the type, design, and size of the proposed construction, any applicable restrictions on financing, or special and/or unique circumstances beyond the control of the applicant which have caused the delay.

**ITEM:**

Park Facility Needs Analysis

**APPLICANT/PRESENTERS:**

Jon Sevald, Community Development Director

**PREPARED BY:**

Jon Sevald, Community Development Director

**BACKGROUND/OVERVIEW:**

There are three athletic associations that serve Dayton residents based on school district boundaries. Since 1976, the city has maintained agreements with Champlin-Dayton Athletic Association (CDAA)<sup>1</sup> for field use and cost-share, while participants in Rogers and Maple Grove associations use facilities in their cities.

As Dayton grows in population, more athletic facilities are needed, but it is not known what facilities are needed when, and what facilities act as regional shared facilities. We have an idea of what CDAA's needs are, but not others. Because of the increasing cost of land and park infrastructure, Staff recommends a facility inventory and needs study be conducted, identifying thresholds of when specific facilities are needed. This study will serve as a basis for the 2050 Comprehensive Plan update regarding parkland acquisition.

The study will include:

- Inventory facilities used by youth athletic associations in Dayton and surrounding cities. This involves obtaining facility schedules from each association and sport (labor intensive).
- Create a regional map of facility usage.
- Identify gaps (needs) for specific facility types, which could be provided in Dayton.
- Predict thresholds for when the next facility is needed, based on past use, and population forecasts.

For example, we can compare metrics from the National Recreation and Park Association (NRPA) to Dayton and area cities to find a city the size of Dayton should have six ballfields and 3 soccer fields now, and 15 ballfields and 11 soccer fields for a built-out population of 50,000.<sup>2</sup> But, what age group should the next ballfield be for? Do the surrounding cities have an excess of fields such that facilities can be shared, or are fields overbooked?

<sup>1</sup> CDAA's resident participation area includes Champlin, Dayton, and the Champlin Park High School attendance boundary (Champlin, and portions of Dayton and Brooklyn Park).

<sup>2</sup> [NRPA Agency Performance Review, 2025](#). Figure 3: (Outdoor Park and Recreation Facilities); Diamond fields, and Rectangular fields (population of jurisdiction Less than 20,000, and 20,000 to 49,999).

## PARK COMMISSION MEETING

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The overall intent is for efficient use of park facilities, and to find what Dayton should be good at. For example, Maple Grove is good at basketball.<sup>3</sup> Blaine is good at hockey.<sup>4</sup> What gap can Dayton fill that creates an efficient use of parks.

### **CRITICAL ISSUES:**

Precedence In discussions with staff from Champlin, Maple Grove, and Rogers, none have done a similar study.

Cost Costs are unknown. If RFP responses exceed \$30,000, the project can be reduced, and/or funding can be requested from CDAA, and/or volunteer labor (City Council/Park Commission) can be used to complete the inventory.

### **RELATIONSHIP TO COUNCIL GOALS:**

Maintain and Enhance the Natural and Rural Community Connection	Facilitate an interconnected trail system	<ul style="list-style-type: none"><li>Number of miles of trails</li><li>Number of Resident Homes connected to Elm Creek</li></ul>	<ul style="list-style-type: none"><li>Gaps in trails connected.</li><li>Work towards one connection on the Comprehensive Trail plan</li></ul>	A) Acquire Trail Right of Way. B) Water Trails Build-Out. C) Environmental Signage on Parks and Trails. D) Diamond Lake Improvements Master Plan. E) Actively seek opportunities for community park with athletic fields.
	Provide and enhance public recreation space	<ul style="list-style-type: none"><li>Acreage of available green space</li></ul>	<ul style="list-style-type: none"><li>Acquire land for community park with athletic fields of 40+ acres</li></ul>	
	Promote Dayton's unique identity and community cohesion	<ul style="list-style-type: none"><li>Participation level in Events and Programs</li></ul>	<ul style="list-style-type: none"><li>Continuation and Expansion of Recreation Programming</li></ul>	F) Increase Recreation Events and Programing. G) Look into Partnering with Three Rivers for Kayak / Bike Rentals for Water Trails.
	Promote awareness of our natural resources	<ul style="list-style-type: none"><li>Resident Response for Park Usage on Community Survey</li></ul>	<ul style="list-style-type: none"><li>Establish and Maintain a 60% Favorable Rating from Residents</li></ul>	

### **PARK COMMISSION RECOMMENDATION:**

The Park Commission discussed at its January 6, 2026 meeting, recommending approval, with a budget of \$30,000.

### **RECOMMENDATION:**

Staff recommends submitting an RFP request.

### **ATTACHMENT(S):**

Draft RFP

<sup>3</sup> Maple Grove Community Gymnasium (2014) (three courts) is attached to Maple Grove Junior High School (three courts). This is a regional facility used by several associations for games and tournaments.

<sup>4</sup> Blaine National Sports Center (1990) includes eight ice rinks funded in part by 9 cities and Anoka and Ramsey counties.



February 2, 2025

## REQUEST FOR PROPOSALS

Professional Services for City of Dayton Inventory of sports facility usage, and Community Park and Sports Complex needs analysis

### Section 1        GENERAL INFORMATION

#### 1.1        Purpose

The City of Dayton is soliciting proposals from qualified consultants to provide planning services to complete; (1) an inventory of sports facilities serving Dayton residents and facility usage, and (2) a park facility needs analysis (sports and non-sports).

It is the intent of the city to review and assess the RFP responses to determine if the responding firms can meet the needs of the City of Dayton.

The city's intent is to award a single contract for this project. The proposal should address the Consultant's capabilities for performing all aspects of the project development process while presenting specific project information and substantiating the Consultant's methodologies and approach for completing the work requested. Please submit one proposal for the project. The official title for this project is "***City of Dayton Inventory of sports facility usage, and Community Park and Sports Complex needs analysis***".

#### 1.2        Background

The City of Dayton is located in northwestern Hennepin County. The city is experiencing rapid growth, from a 2000 population of 4,695 to a 2024 population of 10,744. The city has about 4,600 acres remaining of developable land, translating to an additional 16,000 households and a built-out population of 45,000 – 55,000. It is expected that as Maple Grove and Rogers areas build-out, more pressure will be put on Dayton for development. Since 2020, the city has averaged about 200 new single-family homes per year.

The additional residents have added pressure onto the city's park facilities and neighboring facilities serving Dayton residents. With the approval of new developments, the city requires land dedication or Park Dedication Fees in lieu (or combination). It has been the city's practice to require land dedication for Neighborhood Parks, and require Park Dedication Fees with the intent of saving up to acquire land and build large community parks and sports complexes. Development pressure has resulted in the sale of developable agricultural land (\$100,000+ per acre), vs non-developable agricultural land (\$30,000 per acre). Thus, land values are increasing faster than the city can save up to buy land.

The city intends to acquire land for community parks and sports complexes (or combination) to serve a 30-year need (25,000 – 30,000 population), based on assumed community desires (community park features), and demonstrated use and forecasted need (sports complex features). In anticipation of increasing land values, the city intends to consider future needs of the built-out city (50,000 population), in the event economies of scale justify the city to acquire excess land now, and build later (post-30 years).

The city intends to build sports complexes that are used efficiently (not under or over-built) based on supply and demand. The city will take into consideration a regional tournament facility if there is a demonstrated regional need (e.g. regional facilities qualify for legislative funding).

Many cities build multiple small (20-acres) and large (40+ acre) sports complexes as the city develops based on incremental need over decades of growth. Due to Dayton's accelerated growth and land costs, the city is considering building fewer (2-3), but larger complexes (100+ acres) that serve local demand, but have the option of hosting tournaments.

This project is intended to be used as a reference for preparing the 2050 Comprehensive Plan update, but is not a substitute for the Comprehensive Plan related to parks and trails.

### 1.3 Youth Athletic Associations

The City of Dayton is served by three school districts: Anoka-Hennepin ISD 11, Osseo ISD 279, and Elk River ISD 728. Similarly, there are several youth sports associations open to Dayton residents, and to residents within their respective high school attendance boundary. Thus, there is overlap in K-12 youth sports. Known youth sports associations which would likely use city facilities (vs. school facilities only) include:

- Champlin-Dayton Athletic Association  
(Baseball, Basketball, Football, Soccer, Softball, Track & Field, Volleyball, Lacrosse)
- Champlin Park Youth Hockey Association
- Force Soccer Club
- Maple Grove Youth Football Association
- Maple Grove Youth Lacrosse
- Maplebrook Soccer Club
- Osseo Maple Grove Basketball Association
- Osseo-Maple Grove Athletic Association  
(Baseball, Softball)
- Osseo Maple Grove Hockey Association
- Rogers Youth Football Association
- Rogers-Otsego Youth Baseball Association
- Rogers-Otsego Softball Association
- Rogers Area Youth Basketball Association
- Rogers Youth Hockey Association
- Rogers United Soccer

## Section 2 SCOPE OF WORK

### 2.1 Approach: Inventory of sports facility usage

The consultant will contact all Youth Athletic Associations (above) and obtain facility usage for 2023 - 2025 (three year comparison). In cases where seasons overlap calendar year, then 2023/2024, 2024/2025, 2025/2026. The consultant will inquire the number of Dayton resident participants, per year, per sport. The consultant will inquire if any irregularities non-typical of a normal year (e.g. if

facility usage was adjusted due to construction). The consultant will obtain contact information from Youth Athletic Associations on their own (see respective websites for email contacts).

The consultant will inquire of each Youth Athletic Association what is their biggest need related to sports facilities, which Dayton could reasonably accommodate or plan for.

It is up to the consultant's discretion how information will be obtained from each Youth Athletic Association (e.g. email, online survey, phone, etc.).

The consultant will assemble an Excel spreadsheet of the facility inventory by sport and age/grade level. An example is provided in the Attached. The consultant is under no obligation to use the example.

The consultant will create maps identifying facilities used according to sport and field size.

Example 1: One map for baseball, age 11-12 (60' bases) illustrating which local fields are used for practices and home games by each of the three baseball Youth Athletic Associations.

Example 2: One map for basketball, age 9-11 (50' X 74' court), illustrating local gyms that are used for practices and home games by each of the three basketball Youth Athletic Associations.

The intent of each map is to illustrate the relationship between facility usage inside and outside of the Dayton city boundary, visually explaining the dependency Dayton residents have on non-Dayton facilities.

The consultants will create maps 11" X 17" PDF, and provide GIS shapefiles to the city for the city's use.

The consultant will contact state athletic leagues (e.g. Minnesota Youth Athletic Services – MYAS) regarding the need for tournament facilities (is there a need, and for what sports).

The consultant will contact the three school districts regarding school enrolment trends by grade level (e.g. hyper growth vs. gradual growth).

## 2.2 Approach: Community Park and Sports Complex Needs Analysis

The consultant will inventory number of participants by age/grade and sport, for years 2023-2025 or further back if available (e.g. 10-years), via information to be provided by each Youth Athletic Association. The intent is for the consultant to graphically explain trends in youth sports participation, considering population growth.

Example 1: Excel chart (or graph) comparing number of youth sports participants (by sport), compared to youth population (age 7-18), year over year, preferably over a ten year comparison.

The intent is to predict future needs for sport facilities based on historical trends, and referencing standard metrics from the National Recreation & Park Association (NRPA) based on Dayton's 50,000

built-out population assumption (e.g. low/median/high number of fields per population), and comparing number of fields per population in surrounding cities.

It is assumed that the majority of families moving into Dayton moved from nearby cities (same or adjacent school district), and that their expectation of Dayton parks is to be similar or better than where they moved from.

As the city develops, the city intends to maintain its rural character and not resemble typical suburban development in adjacent cities. Examples include wide landscaped corridors along major throughfares, “hiding” the houses beyond. As this relates to park planning, the intent is for parks to have expansive views of open space from within, while hiding adjacent development. This translates to acquiring parkland allowing for significant buffer areas, and irregular layout of fields based on natural features and topography.

Assuming the city acquires parkland for long-term needs, the city intends to establish thresholds predicting when sports fields and associated facilities are needed based on historic demand and trends. For example, planning for a 5-diamond baseball/softball facility, but not building-out a concession hub until there is a need as a tournament facility. Likewise, planning for an indoor community center, but building when the population reaches a certain threshold (demonstrated need).

The consultant will suggest population thresholds of when certain park facilities may be needed, based on NRPA metrics, and considering cities comparable to Dayton’s suburban characteristics. Park facilities include both sports and non-sports facilities.

The intent is to incorporate facility needs into the 10-year Long-Term Capital Plan.

### **Section 3 PROJECT DELIVERABLES**

#### **3.1 Public Input Process**

Public input is dependent on information received from, and conversations between the consultant and Youth Athletic Association representatives. Public input is quantitative (e.g. participation statistics) and qualitative (e.g. what is each Association’s biggest facility need that Dayton could reasonably accommodate?).

#### **3.2 Final Product and Presentation**

The consultant will meet with city staff remotely as necessary, to check in on progress and project intention. Progress meetings to occur at 30%, 50% and 90% project completion marks.

The consultant will submit a written report including an inventory of sports facility usage, and Community Park and Sports Complex needs analysis. The report will include data, charts, graphs, and maps as previously discussed in Section 2 (Approach). The consultant will provide GIS shapefiles of mapped data to the city for its future use.

The consultant will present findings in person at the mid-way point (Park Commission meeting), and project completion (Park Commission meeting, and City Council meeting). The mid-way point presentation will include power point slides (30-60 minutes at Park Commission meeting). The final

presentation will include written findings and recommendations (report), and a power point presentation with discussion (30-60 minutes at Park Commission, and 10-30 minutes at City Council).

## **Section 4        Budget**

### **4.1        Budget**

The budget is \$30,000.

## **Section 5        REQUEST FOR PROPOSALS**

### **5.1        Pre-Submittal Meetings**

The city will be allowing pre-submittal meetings for any consultants desiring one. Please contact Jon Sevald, Community Development Director, 763-712-3221 or [jsevald@daytonmn.gov](mailto:jsevald@daytonmn.gov). The cut-off for pre-submittal meetings is Friday, February 20, 2025.

### **5.2        Preparation Costs**

Proposers shall be solely responsible for proposal preparation costs, including but not limited to the cost of preparing the RFP. By submitting a proposal each Proposer agrees to be bound in this respect and waives all claims to such costs and fees.

### **5.3        RFP Submittal**

- Coversheet, with summary of costs.
- Summary of consultant's experience, and individual roles and experience.
- Consultant's project approach, including timelines for mid-point, and project completion.
- Cost proposals.
- Supporting materials (e.g. past similar project summaries).
- Scope of Services agreement
- References

### **5.4        Budget Overage**

If work exceeds the \$30,000 budgeted, RFP should include an itemized cost per task.

Although this RFP announcement includes detailed Approaches, the consultant may propose a different Approach with the intent of obtaining the same or similar project goals.

RFP's are to be submitted electronically no later than **Monday, March 2, 2026 at 5:00 PM** to Jon Sevald, Community Development Director, [jsevald@daytonmn.gov](mailto:jsevald@daytonmn.gov) or printed, City of Dayton, 12260 South Diamond Lake Road, Dayton, MN 55327.

All materials submitted in response to this RFP become the property of the City of Dayton.

### **5.4        RFP Selection**

A committee of individuals representing the City of Dayton will evaluate the proposals.

The City of Dayton reserves the right to reject any or all proposals, to waive irregularities and to accept that proposal which the city determines, in its sole discretion, is in the best interest of the City.

The City of Dayton reserves the right to award contract(s) based solely on the written proposals. The City also reserves the right to request oral interviews. The City reserves the right to request additional questions to be answered during interviews to determine which proposers will be interviewed, the format and content of the interviews and to establish the maximum number of people who attend the interview from a proposer. The consultant's project manager identified in the proposal will be required to attend a requested interview. By submitting a proposal, it is understood that the proposers may not change (add or delete) personnel for interviews from those listed in the proposals without written consent from the city.

It is anticipated that a consultant will be selected by the City Council at its March 10<sup>th</sup> or March 24<sup>th</sup> 2026 meetings. The consultant shall attend the City Council meeting in person to answer any questions.

A respondent may withdraw or modify a proposal at any time prior to the City Council's selection.

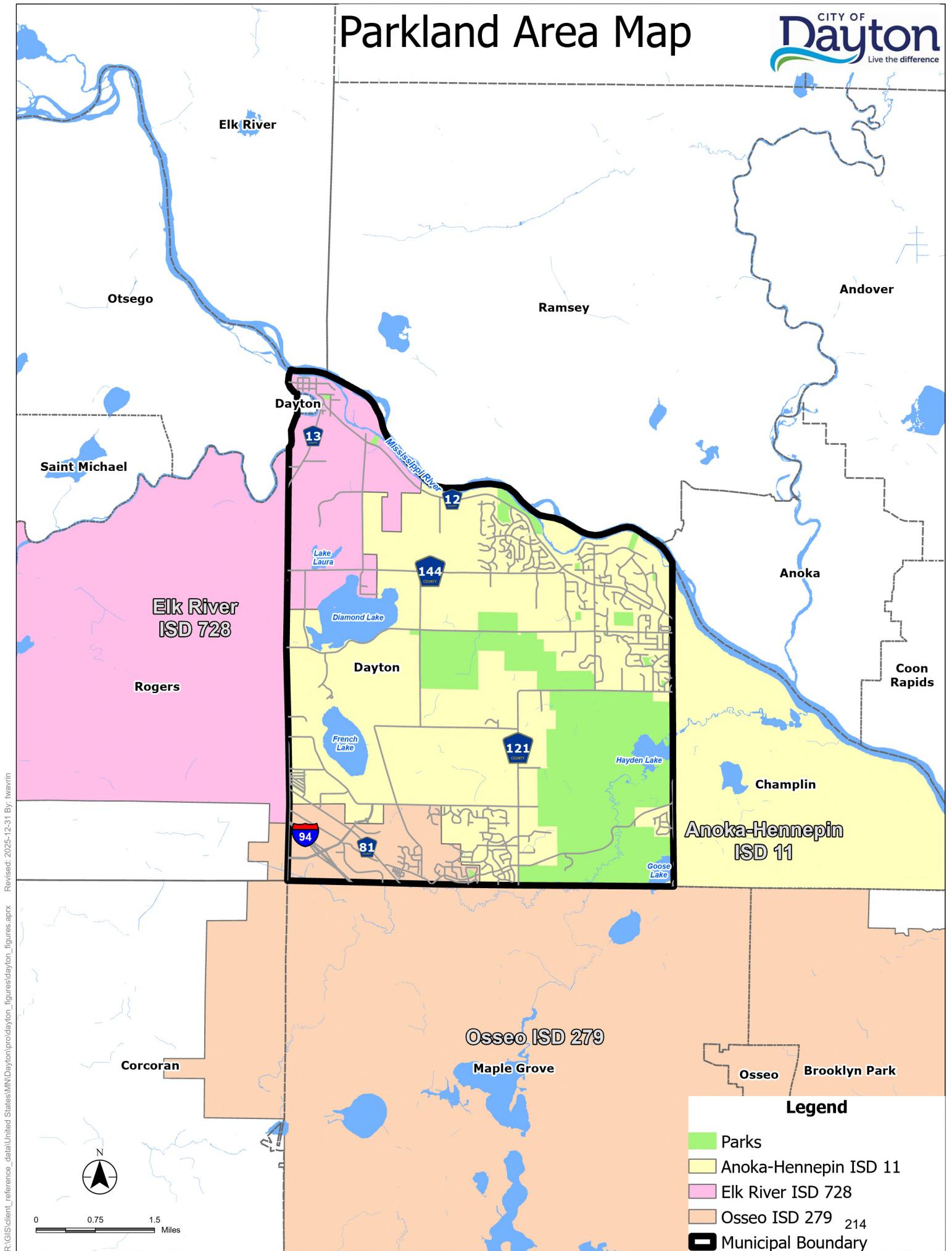
**ATTACHED**

Map: Parkland Area Map

Excel Spreadsheet: Baseball facility usage (example)

# Parkland Area Map

CITY OF Dayton  
Live the difference



Excel Spreadsheet: CDAA Baseball facility usage (example)

GRADE	K	Elementry School					Middle School			High School			
		1	2	3	4	5	6	7	8	9	10	11	12
AGE		7	8	9	10	11	12	13	14	15	16	17	18

BASEBALL	Mound		38	46'	46'-52'	52'-54'		60'-6"					
	Bases		50'	60'	60'-75'	75'-82'		90'					
	Home-CF		200'	225'	225'	300'		400'					
	Home-RF/LF		150'	175'	175'	250'		320'					

		Andrews	Brittany	Central Park	Dayton Farms	Diamond Lake Diamonds	Evergreen	Highpointe	Jackson Middle School	Jerry Ruppelious	McNeil	Northland	Oak Creek	Paul Wetherm	Pines	Reynolds	Riversbend	West River	Woodlawn
Field 1	Mound																		
	Bases																		
	Home-CF																		
	Home-RF/LF																		
Field 2	Mound																		
	Bases																		
	Home-CF																		
	Home-RF/LF																		
Field 3	Mound																		
	Bases																		
	Home-CF																		
	Home-RF/LF																		
Field 4	Mound																		
	Bases																		
	Home-CF																		
	Home-RF/LF																		
Field 5	Mound																		
	Bases																		
	Home-CF																		
	Home-RF/LF																		

\* lights

Field Usage

		Andrews	Brittany	Central Park	Dayton Farms	Diamond Lake Diamonds	Evergreen	Highpointe	Jackson Middle School	Jerry Ruppelious	McNeil	Northland	Oak Creek	Paul Wetherm	Pines	Reynolds	Riversbend	West River	Woodlawn
Field 1		M		MTWR			MTWR	MTWR	MTWR	MTWR	MTWR	MTWR	MTWR	TR	MTWR	MTWR	TR	MTWR	TR
Field 2		M		MTWR			MTWR	MTWR	MTWR	MTWR	MTWR	MTWR	MTWR	TR					
Field 3			MTWR				MTWR	MTWR	MTWR										
Field 4			MTWR				MTWR	MTWR	MTWR										
Field 5		MTWR																	

TO BE PROVIDED BY YOUR ATHLETIC ASSOCIATION

**Payments to be approved at City Council Meeting January 27, 2026**

	<b>Totals</b>
<b>Claims Roster 01-27-2026</b>	\$ 957,676.65
<b>Prepaid 01-15-2026 EB</b>	\$ 126,075.82
<b>Prepaid 01-09-2026 FB</b>	\$ 1,749.67

**Total Payments: \$ 1,085,502.14**

<b>Payroll 01-15-2026 Bi-Weekly 02</b>	\$ 111,375.81
<b>Payroll 01-09-2026 FD 12.2025</b>	\$ 8,860.34

Check # sequence to be approved by City Council from meeting date of 1/27/2026:

**Checks # 080201-080317**

01/22/2026

## INVOICE REGISTER REPORT FOR CITY OF DAYTON MN

EXP CHECK RUN DATES 01/27/2026 - 01/27/2026

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
	ABDO LLP	01/12/2026	01/27/2026	12,150.00	12,150.00	Open	N
	PROFESSIONAL SRVS HR ASSISTANCE QTR 1 202 CHOYT						01/01/2026
101-41500-50300	PROFESSIONAL SRVS HR ASSISTANCE 1.1-3.31			12,150.00			
	ALEX AIR APPARATUS 2 LLC	01/12/2026	01/27/2026	434.20	434.20	Open	N
	FD; REPAIR VALVE SEALS	CHOYT					12/31/2025
101-42260-50220	FD; REPAIR VALVE SEALS			434.20			
	AMERICAN LEGAL PUBLISHING CORP	01/13/2026	01/27/2026	1,944.00	1,944.00	Open	N
	2025 S-19 SUPPLEMENT PAGES-ZONING	CHOYT					12/31/2025
101-41710-50321	2025 S-19 SUPPLEMENT PAGES-ZONING			1,944.00			
	ANNA OLSON	01/13/2026	01/27/2026	108.92	108.92	Open	N
	UB refund for account: 6120	CHOYT					01/13/2026
601-00000-15550	CREDIT FORWARD			108.92			
	ARCHITECT MECHANICAL INC	01/14/2026	01/27/2026	650.00	650.00	Open	N
	PW; BUILDINGS AND STRUCTURES	KTHELEN					12/31/2025
101-43100-50520	PW; BUILDINGS AND STRUCTURES			650.00			
	ASCAP	01/16/2026	01/27/2026	500.00	500.00	Open	N
	SUBSCRIPTIONS/MEMBERSHP 2026	KTHELEN					01/16/2026
101-41910-50205	SUBSCRIPTIONS/MEMBERSHP 2026			500.00			
	AV DESIGN	01/21/2026	01/27/2026	980.00	980.00	Open	N
	INSTALL OF NEW TRICASTER	CHOYT					01/19/2026
226-41900-50430	INSTALL OF NEW TRICASTER			980.00			
	AV SOLUTIONS INC	01/21/2026	01/27/2026	11,805.00	11,805.00	Open	N

NEW TRICASTER TC410 PLUS 226-41900-50321	CHOYT NEW TRICASTER TC410 PLUS			11,805.00		01/07/2026
BEAUDRY PW; ULS DYED KODIAK PLUS 50/50-479.90 101-43100-50212	01/12/2026 CHOYT PW; ULS DYED KODIAK PLUS 50/50 -479.90	01/27/2026		1,381.15	1,381.15	Open N 01/12/2026
BEAUDRY PW; UNLEADED 87 -841.20 101-43100-50212	01/12/2026 CHOYT PW; UNLEADED 87 -841.20	01/27/2026		1,763.15	1,763.15	Open N 01/06/2026
BEAUDRY PW; ULS DYED KODIAK PLUS 50/50- 455 101-43100-50212	01/20/2026 KTHELEN PW; ULS DYED KODIAK PLUS 50/50- 455	01/27/2026		1,385.02	1,385.02	Open N 01/15/2026
BEAUDRY PW; UNLEADED 87 - 510 101-43100-50212	01/20/2026 KTHELEN PW; UNLEADED 87 - 510	01/27/2026		1,131.69	1,131.69	Open N 01/15/2026
BLACK & VEATCH WELL 4 & 5 FILTERATION DET DES; DEC 2025 601-00000-16500	01/16/2026 KTHELEN WELL 4 & 5 FILTERATION DET DES; DEC 2025	01/27/2026		19,422.60	19,422.60	Open N 12/18/2025
BS&A SOFTWARE INC PERMIT APP SERV FEE ONLINE 10.7-12.30.25 101-41710-50205	01/21/2026 CHOYT PERMIT APP SERV FEE ONLINE 10.7-12.30.25	01/27/2026		282.00	282.00	Open N 01/14/2026
CAMPBELL KNUTSON P.A. LEGAL FEES-DEC PROJ 6180 411-43100-50304-6180	01/13/2026 CHOYT LEGAL FEES-PROJ 6180	01/27/2026		1,590.00	1,590.00	Open N 12/31/2025
CAMPBELL KNUTSON P.A. LEGAL FEES; DEC 2025 602-49400-50300 101-41640-50304	01/13/2026 CHOYT PROFESSIONAL SRVS-DEC 2025 LEGAL FEES; DEC 2025	01/27/2026		4,188.80 112.20 4,076.60	4,188.80	Open N 12/31/2025
CENTERPOINT ENERGY PW/PD FACILITY; 10662228-5 DEC 2025	01/12/2026 CHOYT	01/27/2026		7,216.51	0.00	Paid Y 12/31/2025

101-43100-50383	PW FACILITY; 10662228-5 DEC 2025			3,608.25			
101-42120-50383	PD FACILITY; 10662228-5 DEC 2025			3,608.26			
CENTERPOINT ENERGY		01/12/2026	01/27/2026	26.05	0.00	Paid	Y
RH WELLHOUSE; 11429952-2 DEC 2025	CHOYT						12/31/2025
601-49400-50383	RH WELLHOUSE; 11429952-2 DEC 2025			26.05			
CENTRAL HYDRAULICS, INC		01/14/2026	01/27/2026	594.17	594.17	Open	N
PW; REPAIR/MAINT	KTHELEN						12/31/2025
101-43100-50220	PW; REPAIR/MAINT			594.17			
CENTRAL HYDRAULICS, INC		01/20/2026	01/27/2026	49.11	49.11	Open	N
PW; REPAIR/MAINT	KTHELEN						01/16/2026
101-43100-50220	PW; REPAIR/MAINT			49.11			
CENTURY COLLEGE		01/21/2026	01/27/2026	695.00	695.00	Open	N
EV AND ELECTRICAL STORAGE TRAINING 2025	CHOYT						12/31/2025
101-42260-50208	EV AND ELECTRICAL STORAGE TRAINING			695.00			
CENTURYLINK		01/21/2026	01/27/2026	217.85	217.85	Open	N
PW; 763 323-0023 WATER SYSTEM SCADA/WELL	CHOYT						01/21/2026
601-49400-50321	PW; 763 323-0023 WATER SYSTEM SCADA			108.92			
602-49400-50321	PW; 763 323-0975 WELLHOUSE 2 LANDLINE			108.93			
CHARTER COMMUNICATIONS		01/12/2026	01/27/2026	1,357.80	0.00	Paid	Y
ACCOUNT #175337501 INTERNET; JAN-FEB 2026	CHOYT						01/07/2026
101-42120-50320	LOCATION #243204401- PD; INTERNET			180.00			
101-43100-50321	LOCATION #243204401- PW; INTERNET			180.00			
101-42260-50320	LOCATION #175337701- FD2; INTERNET			40.85			
101-41820-50308	LOCATION #175337801; CH/INTERNET			199.98			
601-49400-50321	LOCATION #175337201; WELLHOUSE/INTERNET			89.98			
101-42260-50320	LOCATION #175337601; FD 1/INTERNET			109.99			
101-42120-50320	ACCOUNT# 175351601- PD;NUMBER FORWARDING			15.00			
101-41820-50308	LOCATION #175337901- CH/FIBER INTERNET			542.00			
CINTAS		01/12/2026	01/27/2026	131.17	131.17	Open	N
PW; UNIFORMS	CHOYT						01/08/2026
101-43100-50217	PW; UNIFORMS			131.17			

CINTAS PW; UNIFORMS 101-43100-50217	PW; UNIFORMS	01/16/2026 KTHELEN	01/27/2026	131.17	131.17	Open	N 01/15/2026
				131.17			
CITY OF ANOKA 22-396030-00 BALSAM LANE PED; DEC 2025 101-43100-50230	22-396030-00 BALSAM LANE PED; DEC	01/12/2026 CHOYT	01/27/2026	88.42	0.00	Paid	Y 12/31/2025
				88.42			
CITY OF ANOKA 22-393200-01 CENTRAL PARK; DEC 2025 101-45200-50381	22-393200-01 CENTRAL PARK; DEC	01/12/2026 CHOYT	01/27/2026	304.49	0.00	Paid	Y 12/31/2025
				304.49			
CITY OF ANOKA 22-393400-00 SDLR SIREN; DEC 2025 101-42130-50381	22-393400-00 SDLR SIREN; DEC	01/12/2026 CHOYT	01/27/2026	23.50	0.00	Paid	Y 12/31/2025
				23.50			
CITY OF ANOKA 22-396000-01 CH; DEC 2025 101-41810-50381	22-396000-01 CH; DEC 2025	01/12/2026 CHOYT	01/27/2026	870.28	0.00	Paid	Y 12/31/2025
				870.28			
CITY OF ANOKA 22-990002-01 STREET LIGHTS; DEC 2025 101-43100-50230	22-990002-01 STREET LIGHTS; DEC 2025	01/12/2026 CHOYT	01/27/2026	514.10	0.00	Paid	Y 12/31/2025
				514.10			
CITY OF DAYTON ACCT #7850 RENTAL WA BILL-15060 N DIAMOND CHOYT 601-49400-50210	ACCT #7850 RENTAL WA BILL	01/12/2026	01/27/2026	75.48	75.48	Open	N 01/12/2026
				75.48			
CITY OF MAPLE GROVE 17,201,000 GALLONS WATER USAGE NOV/DEC21 601-49400-50389	KTHELEN	01/15/2026	01/27/2026	41,798.43	41,798.43	Open	N 12/31/2025
				41,798.43			
CITY OF MONTICELLO PD; ANIMAL CONTROL - ANNUAL BOARDING FEE 101-42140-50308	KTHELEN	01/14/2026	01/27/2026	300.00	300.00	Open	N 01/06/2026
				300.00			
CMT JANITORIAL SERVICES		01/20/2026	01/27/2026	1,602.00	1,602.00	Open	N

CONTRACT SERVICES-OFC CLEANING FEBRUAR\KTHELEN						01/20/2026
101-41910-50308	CONTRACT SERVICES-OFC CLEANING		602.00			
101-41810-50308	CONTRACT SERVICES-OFC CLEANING		1,000.00			
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COLLINS BROTHERS TOWING OF ST.CLOUD	01/12/2026	01/27/2026	100.00	100.00	Open	N
PD; TOW UNIT #2307	CHOYT					12/31/2025
101-42120-50220	PD; TOW UNIT #2307		100.00			
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COLLINS BROTHERS TOWING OF ST.CLOUD	01/21/2026	01/27/2026	85.00	85.00	Open	N
PD; TOW 2513	CHOYT					01/21/2026
101-42120-50220	PD; TOW		85.00			
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COLLINS ELECTRICAL CONSTRUCTION CO	01/21/2026	01/27/2026	296,125.30	296,125.30	Open	N
PAY APP 1; DAYTON PKWY TRAFFIC SIGNAL	CHOYT					01/21/2026
414-41900-50530	PAY APP 1; DAYTON PKWY TRAFFIC SIGNAL		311,710.84			
414-00000-20600	RETAINAGE PAYABLE		(15,585.54)			
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COMPASS MINERALS AMERICA INC.	01/16/2026	01/27/2026	17,950.16	17,950.16	Open	N
STREET MAINT-REPAIR	KTHELEN					01/05/2026
101-43100-50224	Street Maint-Repair		17,950.16			
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CORE & MAIN	01/14/2026	01/27/2026	1,076.50	1,076.50	Open	N
PW; REPAIR/MAINT RETROFIT KITS	KTHELEN					01/09/2026
601-49400-50220	PW; REPAIR/MAINT RETROFIT KITS		1,076.50			
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CROW RIVER FARM EQUIPMENT	01/14/2026	01/27/2026	54.10	54.10	Open	N
REPAIR/MAINT PARTS	KTHELEN					12/08/2025
101-43100-50220	REPAIR/MAINT PARTS		54.10			
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ECM PUBLISHERS, INC	01/21/2026	01/27/2026	385.00	385.00	Open	N
PHN; 2026 BUDGET	CHOYT					01/15/2026
101-41110-50352	PHN; 2026 BUDGET		385.00			
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ECM PUBLISHERS, INC	01/21/2026	01/27/2026	87.50	87.50	Open	N
PHN; ORDINANCE 2025-22	CHOYT					01/15/2026
101-41110-50352	PHN; ORDINANCE 2025-22		87.50			
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ECONOMIC DEV ASSOC OF MN	01/12/2026	01/27/2026	575.00	0.00	Paid	Y

RENEWAL FEES 2026 101-41710-50205	RENEWAL FEES 2026	CHOYT		575.00		01/09/2026
EMERGENCY APPARATUS FD; REPAIR/ENGINE 21 101-42260-50220	FD; REPAIR/ENGINE 21	01/21/2026 CHOYT	01/27/2026	6,228.69	6,228.69	Open N 01/19/2026
EMERGENCY TECHNICAL DECON FD; UNIFORM/ TURNOUT GEAR 101-42260-50217	FD; UNIFORM	01/12/2026 CHOYT	01/27/2026	2,637.80	0.00	Paid Y 12/31/2025
ESS BROTHERS & SONS INC PW; BUILDINGS AND STRUCTURES 101-43100-50520	PW; BUILDINGS AND STRUCTURES	01/20/2026 KTHELEN	01/27/2026	192.00	192.00	Open N 01/13/2026
FERGUSON WATERWORKS PW; OTHER EQUIPMENT PACER 5 STRZ PUMP 601-49400-50580	PW; OTHER EQUIPMENT PACER 5 STRZ PUMP	01/21/2026 CHOYT	01/27/2026	1,262.97	1,262.97	Open N 12/31/2025
FORCE AMERICA DISTRIBUTING LLC PW; CASE DRAIN PORTS/GLASS ELEMENT FILTER 101-43100-50220	PW; CASE DRAIN PORTS/GLASS ELEMENT FILTE	01/14/2026 KTHELEN	01/27/2026	4,049.09	4,049.09	Open N 01/05/2026
FULLY PROMOTED/EMBROIDME PW; UNIFORM /GIFT CARD AND ALLOWANCE- M. KTHELEN 101-43100-50217	PW; UNIFORM /GIFT CARD M. MEISTER	01/14/2026 KTHELEN	01/27/2026	113.10	113.10	Open N 12/22/2025
FULLY PROMOTED/EMBROIDME PW; UNIFORM / DAN DEHN 2025 101-43100-50217	PW; UNIFORM / DAN DEHN 2025	01/14/2026 KTHELEN	01/27/2026	280.00	280.00	Open N 12/01/2025
FULLY PROMOTED/EMBROIDME PW; UNIFORM /R. EGGINK 101-43100-50217	PW; UNIFORM /R. EGGINK	01/14/2026 KTHELEN	01/27/2026	29.00	29.00	Open N 01/07/2026
FULLY PROMOTED/EMBROIDME OPERATING SUPPLIES- 2026 MEDALLION		01/14/2026 KTHELEN	01/27/2026	70.87	70.87	Open N 12/22/2025

101-41910-50210	OPERATING SUPPLIES- 2026 MEDALLION			70.87		
GUIDANCEPOINT TECHNOLOGIES	01/12/2026	01/27/2026	621.00	621.00	Open	N
SOFTWARE-OFFICE 365 G3 GCC -27 USERS DEC CHOYT						12/31/2025
101-41820-50205	SOFTWARE-OFFICE 365 G3 GCC -27 USERS DEC		621.00			
GUIDANCEPOINT TECHNOLOGIES	01/12/2026	01/27/2026	621.00	621.00	Open	N
SOFTWARE-OFFICE 365 G3 GCC -27 USERS NOV CHOYT						12/31/2025
101-41820-50205	SOFTWARE-OFFICE 365 G3 GCC -27 USERS NOV		621.00			
GUIDANCEPOINT TECHNOLOGIES	01/12/2026	01/27/2026	621.00	621.00	Open	N
SOFTWARE-OFFICE 365 G3 GCC -27 USERS OCT CHOYT						12/31/2025
101-41820-50205	SOFTWARE-OFFICE 365 G3 GCC -27 USERS OCT		621.00			
GUIDANCEPOINT TECHNOLOGIES	01/13/2026	01/27/2026	92.50	92.50	Open	N
IT; PROFESSIONAL SRVS ACCOUNT ACCESS	CHOYT					01/12/2026
101-41820-50300	IT; PROFESSIONAL SRVS ACCOUNT ACCESS		92.50			
HAWKINS, INC	01/15/2026	01/27/2026	30.00	30.00	Open	N
PW; CHEMICALS	KTHELEN					01/15/2026
601-49400-50216	PW; CHEMICALS		30.00			
HENNEPIN COUNTY	01/12/2026	01/27/2026	3,438.30	0.00	Paid	Y
FD; RADIO LEASE- DEC 2025	CHOYT					12/31/2025
101-42260-50320	FD; RADIO LEASE- DEC 2025		3,438.30			
HENNEPIN COUNTY	01/12/2026	01/27/2026	2,794.90	2,794.90	Open	N
PD; RADIO LEASE- DEC 2025	CHOYT					12/31/2025
101-42120-50320	PD; RADIO LEASE- DEC 2025		2,794.90			
HENNEPIN COUNTY -PROPERTY TAX	01/20/2026	01/27/2026	6,652.32	6,652.32	Open	N
ADMIN COSTS 2025	KTHELEN					12/31/2025
477-41900-50620	Fiscal Agent s Fees		942.23			
435-41900-50620	Fiscal Agent s Fees		608.08			
379-47000-50620	Fiscal Agent s Fees		2,006.88			
436-41900-50620	Fiscal Agent s Fees		1,642.76			
430-41900-50620	Fiscal Agent s Fees		1,452.37			

HENNEPIN COUNTY TREASURER 225-41710-50510	01/21/2026 LAND-TAX FORFEITED; 31-120-22-: CHOYT LAND-TAX FORFEITED; 31-120-22-13-0010	01/27/2026	2,550.00	2,550.00	Open	N 12/31/2025
HENNEPIN TECHNICAL COLLEGE FD; PROFESSIONAL DEVELOPMENT EMT X3 101-42260-50208	01/20/2026 KTHELEN FD; PROFESSIONAL DEVELOPMENT EMT X3	01/27/2026	7,350.00	7,350.00	Open	N 12/31/2025
J.P. MORGAN CHASE BANK NA 2026 MN Leap Admin Renewal 101-42120-50205	12/06/2025 CHOYT 2026 MN Leap Admin Renewal	01/27/2026	50.00	50.00	Open	N 12/06/2025
J.P. MORGAN CHASE BANK NA Box for Shipping 101-42120-50322	12/08/2025 CHOYT Box for Shipping	01/27/2026	3.82	3.82	Open	N 12/08/2025
J.P. MORGAN CHASE BANK NA ID Card Subscription December 101-42120-50200	12/13/2025 CHOYT ID Card Subscription December	01/27/2026	30.00	30.00	Open	N 12/13/2025
J.P. MORGAN CHASE BANK NA Gym Wellness Equipment 101-42120-50392	12/16/2025 CHOYT Gym Wellness Equipment	01/27/2026	380.31	380.31	Open	N 12/16/2025
J.P. MORGAN CHASE BANK NA Gym Wellness Equipment 101-42120-50392	12/16/2025 CHOYT Gym Wellness Equipment	01/27/2026	989.78	989.78	Open	N 12/16/2025
J.P. MORGAN CHASE BANK NA Shop with A Cop 101-42120-50395	12/17/2025 CHOYT Shop with A Cop	01/27/2026	43.40	43.40	Open	N 12/17/2025
J.P. MORGAN CHASE BANK NA Shop with A Cop 101-42120-50395	12/18/2025 CHOYT Shop with A Cop	01/27/2026	144.01	144.01	Open	N 12/18/2025
J.P. MORGAN CHASE BANK NA Wellness Training	12/23/2025 CHOYT	01/27/2026	540.00	540.00	Open	N 12/23/2025

101-42120-50392	Wellness Training			540.00			
J.P. MORGAN CHASE BANK NA		12/23/2025	01/27/2026	540.00	540.00	Open	N
Wellness Training		CHOYT					12/23/2025
101-42120-50392	Wellness Training			540.00			
J.P. MORGAN CHASE BANK NA		12/02/2025	01/27/2026	19.88	19.88	Open	N
Event Supplies		CHOYT					12/02/2025
101-41910-50218	Event Supplies			19.88			
J.P. MORGAN CHASE BANK NA		12/15/2025	01/27/2026	32.68	32.68	Open	N
Repair and Maintenance		CHOYT					12/15/2025
101-43100-50220	Repair and Maintenance			32.68			
J.P. MORGAN CHASE BANK NA		12/22/2025	01/27/2026	287.98	287.98	Open	N
Uniform allowance		CHOYT					12/22/2025
101-43100-50217	Uniform allowance			287.98			
J.P. MORGAN CHASE BANK NA		12/22/2025	01/27/2026	425.00	425.00	Open	N
Professional Services		CHOYT					12/22/2025
101-43100-50300	Professional Services			425.00			
J.P. MORGAN CHASE BANK NA		12/30/2025	01/27/2026	21.12	21.12	Open	N
Operating Supplies		CHOYT					12/30/2025
101-43100-50210	Operating Supplies			21.12			
J.P. MORGAN CHASE BANK NA		12/30/2025	01/27/2026	(21.12)	(21.12)	Open	N
Operating Supplies		CHOYT					12/30/2025
101-43100-50210	Operating Supplies			(21.12)			
J.P. MORGAN CHASE BANK NA		12/04/2025	01/27/2026	897.15	897.15	Open	N
Meal for Employees - HoliDayton		CHOYT					12/04/2025
101-41910-50218	Meal for Employees - HoliDayton			897.15			
J.P. MORGAN CHASE BANK NA		12/08/2025	01/27/2026	49.89	49.89	Open	N
Meeting Meal (2)		CHOYT					12/08/2025
101-41310-50200	Meeting Meal (2)			49.89			

J.P. MORGAN CHASE BANK NA KT Car Wash Card (10) 101-41310-50331	12/08/2025 CHOYT KT Car Wash Card (10)	01/27/2026	75.00	75.00	Open	N 12/08/2025
			75.00			
J.P. MORGAN CHASE BANK NA Lunch Meeting 101-41310-50200	12/11/2025 CHOYT Lunch Meeting	01/27/2026	19.79	19.79	Open	N 12/11/2025
			19.79			
J.P. MORGAN CHASE BANK NA 2025 Year End Recap Meeting 101-41910-50213	12/11/2025 CHOYT 2025 Year End Recap Meeting	01/27/2026	2,705.42	2,705.42	Open	N 12/11/2025
			2,705.42			
J.P. MORGAN CHASE BANK NA Adobe Acrobat Order #PRDJ102 101-41820-50309	12/13/2025 CHOYT Adobe Acrobat Order #PRDJ102	01/27/2026	1,500.00	1,500.00	Open	N 12/13/2025
			1,500.00			
J.P. MORGAN CHASE BANK NA Adobe Acrobat Order #PRDJ102 601-49400-50309	12/13/2025 CHOYT Adobe Acrobat Order #PRDJ102	01/27/2026	1,500.00	1,500.00	Open	N 12/13/2025
			1,500.00			
J.P. MORGAN CHASE BANK NA Adobe Acrobat Order #PRDJ102 602-49400-50309	12/13/2025 CHOYT Adobe Acrobat Order #PRDJ102	01/27/2026	989.80	989.80	Open	N 12/13/2025
			989.80			
J.P. MORGAN CHASE BANK NA Mailings - South Schany 101-41810-50322	12/19/2025 CHOYT Mailings - South Schany	01/27/2026	20.90	20.90	Open	N 12/19/2025
			20.90			
J.P. MORGAN CHASE BANK NA stakes 101-41910-50218	11/28/2025 CHOYT stakes	01/27/2026	21.36	21.36	Open	N 11/28/2025
			21.36			
J.P. MORGAN CHASE BANK NA lighters 101-41910-50218	11/28/2025 CHOYT lighters	01/27/2026	2.04	2.04	Open	N 11/28/2025
			2.04			
J.P. MORGAN CHASE BANK NA office supplies	12/04/2025 CHOYT	01/27/2026	14.79	14.79	Open	N 12/04/2025

101-41810-50200	office supplies			14.79		
J.P. MORGAN CHASE BANK NA		12/18/2025	01/27/2026	665.50	665.50	Open N
DIGIUM CLOUD SERVICES		CHOYT				12/18/2025
101-41820-50308	DIGIUM CLOUD SERVICES			665.50		
J.P. MORGAN CHASE BANK NA		12/23/2025	01/27/2026	11.00	11.00	Open N
MICROSOFT		CHOYT				12/23/2025
101-41820-50308	MICROSOFT			11.00		
J.P. MORGAN CHASE BANK NA		12/26/2025	01/27/2026	52.09	52.09	Open N
ZOOM SUBSCRIPTION		CHOYT				12/26/2025
101-41500-50205	ZOOM SUBSCRIPTION			52.09		
J.P. MORGAN CHASE BANK NA		11/28/2025	01/27/2026	44.51	44.51	Open N
lights		CHOYT				11/28/2025
101-41910-50218	lights			44.51		
J.P. MORGAN CHASE BANK NA		12/13/2025	01/27/2026	53.00	53.00	Open N
Office Supplies- coffee		CHOYT				12/13/2025
101-41310-50200	Office Supplies- coffee			53.00		
J.P. MORGAN CHASE BANK NA		12/29/2025	01/27/2026	220.42	220.42	Open N
W2 items		CHOYT				12/29/2025
101-41810-50200	W2 items			220.42		
J.P. MORGAN CHASE BANK NA		11/30/2025	01/27/2026	5.00	5.00	Open N
FAA Drone Registration		CHOYT				11/30/2025
101-49999-50429	FAA Drone Registration			5.00		
J.P. MORGAN CHASE BANK NA		12/09/2025	01/27/2026	(232.99)	(232.99)	Open N
Refund of Jacket that Was returned		CHOYT				12/09/2025
101-42120-50217	Refund of Jacket that Was returned			(232.99)		
J.P. MORGAN CHASE BANK NA		12/14/2025	01/27/2026	184.31	184.31	Open N
Uniform Allowance		CHOYT				12/14/2025
101-42120-50217	Uniform Allowance			184.31		

J.P. MORGAN CHASE BANK NA		12/17/2025	01/27/2026	284.73	284.73	Open	N
Uniform Allowance		CHOYT					12/17/2025
101-42120-50217	Uniform Allowance			284.73			
J.P. MORGAN CHASE BANK NA		12/24/2025	01/27/2026	75.00	75.00	Open	N
Intoxilyzer Training Refresher		CHOYT					12/24/2025
101-42120-50208	Intoxilyzer Training Refresher			75.00			
J.P. MORGAN CHASE BANK NA		11/28/2025	01/27/2026	21.29	21.29	Open	N
Operating Supplies		CHOYT					11/28/2025
101-43100-50210	Operating Supplies			21.29			
J.P. MORGAN CHASE BANK NA		11/29/2025	01/27/2026	27.41	27.41	Open	N
CLEANING SUPPLIES		CHOYT					11/29/2025
101-43100-50210	CLEANING SUPPLIES			27.41			
J.P. MORGAN CHASE BANK NA		11/29/2025	01/27/2026	125.00	125.00	Open	N
FUEL SUPPLY SUBSCRIPTION		CHOYT					11/29/2025
101-43100-50212	FUEL SUPPLY SUBSCRIPTION			125.00			
J.P. MORGAN CHASE BANK NA		12/12/2025	01/27/2026	31.58	31.58	Open	N
Operating Supplies		CHOYT					12/12/2025
101-43100-50210	Operating Supplies			31.58			
J.P. MORGAN CHASE BANK NA		12/15/2025	01/27/2026	425.00	425.00	Open	N
MNRWA Membership		CHOYT					12/15/2025
601-49400-50210	MNRWA Membership			425.00			
J.P. MORGAN CHASE BANK NA		12/18/2025	01/27/2026	6,880.45	6,880.45	Open	N
Program Supplies		CHOYT					12/18/2025
101-41910-50210	Program Supplies			6,880.45			
J.P. MORGAN CHASE BANK NA		12/29/2025	01/27/2026	125.00	125.00	Open	N
Motor Fuels		CHOYT					12/29/2025
101-43100-50212	Motor Fuels			125.00			
J.P. MORGAN CHASE BANK NA		12/29/2025	01/27/2026	163.79	163.79	Open	N
Operating Supplies		CHOYT					12/29/2025

101-43100-50210	Operating Supplies			163.79		
J.P. MORGAN CHASE BANK NA		12/02/2025	01/27/2026	169.95	169.95	Open N
Deposit for End of Year Training Meal		CHOYT				12/02/2025
101-42260-50207	Deposit for End of Year Training Meal			169.95		
J.P. MORGAN CHASE BANK NA		12/04/2025	01/27/2026	12.99	12.99	Open N
Air Chuck		CHOYT				12/04/2025
101-42260-50200	Air Chuck			12.99		
J.P. MORGAN CHASE BANK NA		12/08/2025	01/27/2026	820.00	820.00	Open N
Annual Medical Assessments		CHOYT				12/08/2025
101-42260-50300	Annual Medical Assessments			820.00		
J.P. MORGAN CHASE BANK NA		12/08/2025	01/27/2026	1,650.00	1,650.00	Open N
Annual Medical Assessments		CHOYT				12/08/2025
101-42260-50300	Annual Medical Assessments			1,650.00		
J.P. MORGAN CHASE BANK NA		12/12/2025	01/27/2026	72.29	72.29	Open N
Phoenix Dog Food		CHOYT				12/12/2025
101-42260-50200	Phoenix Dog Food			72.29		
J.P. MORGAN CHASE BANK NA		12/16/2025	01/27/2026	39.06	39.06	Open N
Chief One Car Wash		CHOYT				12/16/2025
101-42260-50220	Chief One Car Wash			39.06		
J.P. MORGAN CHASE BANK NA		12/17/2025	01/27/2026	21.69	21.69	Open N
Adobe-refund will be coming		CHOYT				12/17/2025
101-41820-50309	Adobe-refund will be coming			21.69		
J.P. MORGAN CHASE BANK NA		12/17/2025	01/27/2026	826.98	826.98	Open N
Soundbar TV TV Mount and warranty		CHOYT				12/17/2025
101-42260-50200	Soundbar TV TV Mount and warranty			826.98		
J.P. MORGAN CHASE BANK NA		12/18/2025	01/27/2026	324.53	324.53	Open N
Cell Phone Bill		CHOYT				12/18/2025
101-42260-50320	Cell Phone Bill			324.53		

J.P. MORGAN CHASE BANK NA Four Gas Monitor 101-42260-50200	12/18/2025 CHOYT Four Gas Monitor	01/27/2026	1,079.66	1,079.66	Open	N 12/18/2025
J.P. MORGAN CHASE BANK NA Drinks Plastic Forks Cookies 101-42260-50207	12/18/2025 CHOYT Drinks Plastic Forks Cookies	01/27/2026	45.96	45.96	Open	N 12/18/2025
J.P. MORGAN CHASE BANK NA Remaining Balance for Dinner 101-42260-50207	12/19/2025 CHOYT Remaining Balance for Dinner	01/27/2026	509.85	509.85	Open	N 12/19/2025
J.P. MORGAN CHASE BANK NA Dog Training Treats 101-42260-50200	12/29/2025 CHOYT Dog Training Treats	01/27/2026	37.45	37.45	Open	N 12/29/2025
J.P. MORGAN CHASE BANK NA Uniform Allowance 101-42120-50217	12/03/2025 CHOYT Uniform Allowance	01/27/2026	19.55	19.55	Open	N 12/03/2025
J.P. MORGAN CHASE BANK NA Uniform Allowance 101-42120-50217	12/04/2025 CHOYT Uniform Allowance	01/27/2026	37.44	37.44	Open	N 12/04/2025
J.P. MORGAN CHASE BANK NA SLUC Membership 101-41710-50205	12/19/2025 CHOYT SLUC Membership	01/27/2026	250.00	250.00	Open	N 12/19/2025
J.P. MORGAN CHASE BANK NA SLUC Luncheon 101-41710-50208	12/19/2025 CHOYT SLUC Luncheon	01/27/2026	174.00	174.00	Open	N 12/19/2025
J.P. MORGAN CHASE BANK NA APA - AICP Membership 101-41710-50205	12/19/2025 CHOYT APA - AICP Membership	01/27/2026	1,023.40	1,023.40	Open	N 12/19/2025
J.P. MORGAN CHASE BANK NA UNIFORM	12/06/2025 CHOYT	01/27/2026	109.99	109.99	Open	N 12/06/2025

101-43100-50217	UNIFORM			109.99		
J.P. MORGAN CHASE BANK NA		11/29/2025	01/27/2026	15.75	15.75	Open N
Building Supplies		CHOYT				11/29/2025
101-42120-50200	Building Supplies			15.75		
J.P. MORGAN CHASE BANK NA		11/29/2025	01/27/2026	15.74	15.74	Open N
Building Supplies		CHOYT				11/29/2025
101-43100-50210	Building Supplies			15.74		
J.P. MORGAN CHASE BANK NA		12/06/2025	01/27/2026	87.75	87.75	Open N
Office Supplies		CHOYT				12/06/2025
101-42120-50200	Office Supplies			87.75		
J.P. MORGAN CHASE BANK NA		12/10/2025	01/27/2026	191.92	191.92	Open N
Shop with A Cop		CHOYT				12/10/2025
101-42120-50395	Shop with A Cop			191.92		
J.P. MORGAN CHASE BANK NA		12/10/2025	01/27/2026	171.20	171.20	Open N
Shop with a Cop		CHOYT				12/10/2025
101-42120-50395	Shop with a Cop			171.20		
J.P. MORGAN CHASE BANK NA		12/11/2025	01/27/2026	93.31	93.31	Open N
2026 Calendars for Desks		CHOYT				12/11/2025
101-42120-50200	2026 Calendars for Desks			93.31		
J.P. MORGAN CHASE BANK NA		12/16/2025	01/27/2026	22.99	22.99	Open N
Uniform Allowance		CHOYT				12/16/2025
101-42120-50217	Uniform Allowance			22.99		
J.P. MORGAN CHASE BANK NA		12/17/2025	01/27/2026	1,700.00	1,700.00	Open N
2026 Drone Software Subscription		CHOYT				12/17/2025
101-49999-50429	2026 Drone Software Subscription			1,700.00		
J.P. MORGAN CHASE BANK NA		12/21/2025	01/27/2026	76.49	76.49	Open N
Wellness Gym Equipment		CHOYT				12/21/2025
101-42120-50392	Wellness Gym Equipment			76.49		

J.P. MORGAN CHASE BANK NA		12/23/2025	01/27/2026	840.00	840.00	Open	N
Wellness Training		CHOYT					12/23/2025
101-42120-50392	Wellness Training			840.00			
J.P. MORGAN CHASE BANK NA		12/02/2025	01/27/2026	63.75	63.75	Open	N
Air Spring Kit		CHOYT					12/02/2025
101-42260-50220	Air Spring Kit			63.75			
J.P. MORGAN CHASE BANK NA		12/10/2025	01/27/2026	48.66	48.66	Open	N
Taillight Chief Two Ford		CHOYT					12/10/2025
101-42260-50220	Taillight Chief Two Ford			48.66			
J.P. MORGAN CHASE BANK NA		12/10/2025	01/27/2026	5.72	5.72	Open	N
Masking Tape and Windshield Washer		CHOYT					12/10/2025
101-42260-50200	Masking Tape and Windshield Washer			5.72			
J.P. MORGAN CHASE BANK NA		12/11/2025	01/27/2026	895.72	895.72	Open	N
Tires for Chief Two Truck		CHOYT					12/11/2025
101-42260-50220	Tires for Chief Two Truck			895.72			
J.P. MORGAN CHASE BANK NA		12/12/2025	01/27/2026	79.00	79.00	Open	N
Flat Repair Engine 12		CHOYT					12/12/2025
101-42260-50220	Flat Repair Engine 12			79.00			
J.P. MORGAN CHASE BANK NA		12/18/2025	01/27/2026	245.28	245.28	Open	N
UTV Battery		CHOYT					12/18/2025
101-42260-50220	UTV Battery			245.28			
J.P. MORGAN CHASE BANK NA		12/19/2025	01/27/2026	75.00	75.00	Open	N
Window Repair E-21		CHOYT					12/19/2025
101-42260-50220	Window Repair E-21			75.00			
J.P. MORGAN CHASE BANK NA		12/18/2025	01/27/2026	97.56	97.56	Open	N
Windshield Washer and DEF		CHOYT					12/18/2025
101-42260-50220	Windshield Washer and DEF			97.56			
J.P. MORGAN CHASE BANK NA		12/19/2025	01/27/2026	9.30	9.30	Open	N
Mail Poster Contest to MN State Chiefs		CHOYT					12/19/2025

101-42260-50322	Mail Poster Contest to MN State Chiefs			9.30		
J.P. MORGAN CHASE BANK NA		12/29/2025	01/27/2026	277.25	277.25	Open N
SCBA Face Piece Name Plates		CHOYT				12/29/2025
101-42260-50200	SCBA Face Piece Name Plates			277.25		
J.P. MORGAN CHASE BANK NA		12/29/2025	01/27/2026	80.93	80.93	Open N
Kitchen Cleaner and Drill Bits		CHOYT				12/29/2025
101-42260-50200	Kitchen Cleaner and Drill Bits			80.93		
J.P. MORGAN CHASE BANK NA		12/01/2025	01/27/2026	164.83	164.83	Open N
Event Supplies		CHOYT				12/01/2025
101-41910-50213	Event Supplies			164.83		
J.P. MORGAN CHASE BANK NA		12/02/2025	01/27/2026	110.03	110.03	Open N
Event Supplies		CHOYT				12/02/2025
101-41910-50218	Event Supplies			110.03		
J.P. MORGAN CHASE BANK NA		12/02/2025	01/27/2026	17.32	17.32	Open N
Operating Supplies		CHOYT				12/02/2025
101-43100-50210	Operating Supplies			17.32		
J.P. MORGAN CHASE BANK NA		12/03/2025	01/27/2026	20.41	20.41	Open N
Event Supplies		CHOYT				12/03/2025
101-41910-50218	Event Supplies			20.41		
J.P. MORGAN CHASE BANK NA		12/03/2025	01/27/2026	32.56	32.56	Open N
Event Supplies		CHOYT				12/03/2025
101-41910-50218	Event Supplies			32.56		
J.P. MORGAN CHASE BANK NA		12/08/2025	01/27/2026	(16.28)	(16.28)	Open N
HOLIDAYTON		CHOYT				12/08/2025
101-41910-50218	HOLIDAYTON			(16.28)		
J.P. MORGAN CHASE BANK NA		12/08/2025	01/27/2026	(75.48)	(75.48)	Open N
HOLIDAYTON		CHOYT				12/08/2025
101-41910-50218	HOLIDAYTON			(75.48)		

J.P. MORGAN CHASE BANK NA		12/09/2025	01/27/2026	46.80	46.80	Open	N
Event Supplies		CHOYT					12/09/2025
101-41910-50218	Event Supplies			46.80			
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J.P. MORGAN CHASE BANK NA		12/10/2025	01/27/2026	383.99	383.99	Open	N
EMPLOYEE APPRECIATION		CHOYT					12/10/2025
101-41910-50213	EMPLOYEE APPRECIATION			383.99			
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J.P. MORGAN CHASE BANK NA		12/16/2025	01/27/2026	79.99	79.99	Open	N
Event Supplies		CHOYT					12/16/2025
101-41910-50210	Event Supplies			79.99			
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J.P. MORGAN CHASE BANK NA		12/17/2025	01/27/2026	39.98	39.98	Open	N
Event Supplies		CHOYT					12/17/2025
101-41910-50210	Event Supplies			39.98			
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J.P. MORGAN CHASE BANK NA		12/21/2025	01/27/2026	107.91	107.91	Open	N
Operating Supplies		CHOYT					12/21/2025
101-41910-50210	Operating Supplies			107.91			
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J.P. MORGAN CHASE BANK NA		12/22/2025	01/27/2026	206.04	206.04	Open	N
Program Supplies		CHOYT					12/22/2025
101-41910-50210	Program Supplies			206.04			
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J.P. MORGAN CHASE BANK NA		12/29/2025	01/27/2026	513.00	513.00	Open	N
Licence Fee		CHOYT					12/29/2025
101-41910-50205	Licence Fee			513.00			
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J.P. MORGAN CHASE BANK NA		12/02/2025	01/27/2026	411.00	411.00	Open	N
ELK RIVER UTILITIES-OCT 2025		CHOYT					12/02/2025
101-43100-50230	ELK RIVER UTILITIES-OCT 2025			411.00			
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J.P. MORGAN CHASE BANK NA		12/02/2025	01/27/2026	280.52	280.52	Open	N
ELK RIVER UTILITIES-OCT 2025		CHOYT					12/02/2025
101-41910-50381	ELK RIVER UTILITIES-OCT 2025			280.52			
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J.P. MORGAN CHASE BANK NA		12/02/2025	01/27/2026	71.94	71.94	Open	N
ELK RIVER UTILITIES-OCT 2025		CHOYT					12/02/2025

602-49400-50381	ELK RIVER UTILITIES-OCT 2025			71.94		
J.P. MORGAN CHASE BANK NA		12/02/2025	01/27/2026	62.34	62.34	Open N
ELK RIVER UTILITIES-OCT 2025		CHOYT				12/02/2025
602-49400-50381	ELK RIVER UTILITIES-OCT 2025			62.34		
J.P. MORGAN CHASE BANK NA		12/02/2025	01/27/2026	265.67	265.67	Open N
ELK RIVER UTILITIES-OCT 2025		CHOYT				12/02/2025
601-49400-50381	ELK RIVER UTILITIES-OCT 2025			265.67		
J.P. MORGAN CHASE BANK NA		12/02/2025	01/27/2026	112.03	112.03	Open N
ELK RIVER UTILITIES-OCT 2025		CHOYT				12/02/2025
602-49400-50381	ELK RIVER UTILITIES-OCT 2025			112.03		
J.P. MORGAN CHASE BANK NA		12/02/2025	01/27/2026	48.00	48.00	Open N
ELK RIVER UTILITIES-OCT 2025		CHOYT				12/02/2025
101-45200-50381	ELK RIVER UTILITIES-OCT 2025			48.00		
J.P. MORGAN CHASE BANK NA		12/20/2025	01/27/2026	398.10	398.10	Open N
REPUBLIC 13700 NOV DEC 2025		CHOYT				12/20/2025
101-43100-50384	REPUBLIC 13700 NOV DEC 2025			398.10		
J.P. MORGAN CHASE BANK NA		12/20/2025	01/27/2026	398.10	398.10	Open N
REPUBLIC 13700 NOV-DEC 2025		CHOYT				12/20/2025
101-42120-50384	REPUBLIC 13700 NOV-DEC 2025			398.10		
J.P. MORGAN CHASE BANK NA		12/20/2025	01/27/2026	165.25	165.25	Open N
REPUBLIC 18461 NOV 2025		CHOYT				12/20/2025
101-41910-50384	REPUBLIC 18461 NOV 2025			165.25		
J.P. MORGAN CHASE BANK NA		12/20/2025	01/27/2026	182.84	182.84	Open N
REPUBLIC 16471 DEC 2025		CHOYT				12/20/2025
101-43100-50384	REPUBLIC 16471 DEC 2025			182.84		
J.P. MORGAN CHASE BANK NA		12/20/2025	01/27/2026	403.64	403.64	Open N
REPUBLIC 12260-NOV 2025		CHOYT				12/20/2025
101-41810-50384	REPUBLIC 12260-NOV 2025			403.64		

J.P. MORGAN CHASE BANK NA CULLIGAN 18461-DEC 2025 101-41910-50220	12/20/2025 CHOYT CULLIGAN 18461-DEC 2025	01/27/2026	45.00	45.00	Open	N 12/20/2025
J.P. MORGAN CHASE BANK NA CULLIGAN 16471-DEC 2025 101-43100-50220	12/20/2025 CHOYT CULLIGAN 16471-DEC 2025	01/27/2026	40.00	40.00	Open	N 12/20/2025
J.P. MORGAN CHASE BANK NA CULLIGAN 12260-DEC 2025 101-41810-50220	12/20/2025 CHOYT CULLIGAN 12260-DEC 2025	01/27/2026	45.00	45.00	Open	N 12/20/2025
J.P. MORGAN CHASE BANK NA CULLIGAN-DEC 2025 101-42120-50220	12/20/2025 CHOYT CULLIGAN-DEC 2025	01/27/2026	55.65	55.65	Open	N 12/20/2025
J.P. MORGAN CHASE BANK NA CULLIGAN-DEC 2025 101-43100-50220	12/20/2025 CHOYT CULLIGAN-DEC 2025	01/27/2026	55.65	55.65	Open	N 12/20/2025
KAT & COMPANY 2026 SUBSCRIPTIONS/MEMBERSHIP 3 YEAR HOS KTHELEN 101-41810-50205	01/14/2026 SUBSCRIPTIONS/MEMBERSHIP 3 YEAR HOST/MNT/	01/27/2026	12,000.00	12,000.00	Open	N 01/13/2026
KWIK TRIP INC CARWASH DEC 2025/FD FUEL 101-42120-50220	01/14/2026 KTHELEN PD; 514204/ CARWASH DEC 2025	01/27/2026	141.66	141.66	Open	N 12/02/2025
LEAGUE OF MN CITIES-INSURANCE LMC GL 000000480517 2025 CLAIM 101-43100-50220	01/12/2026 CHOYT LMC GL 000000480517 2025 CLAIM	01/27/2026	770.24	770.24	Open	N 12/31/2025
LEO WEB PROTECT INC SUBSCRIPTION FOR 2026 101-42120-50205	01/12/2026 CHOYT SUBSCRIPTION FOR 2026	01/27/2026	974.87	974.87	Open	N 01/09/2026
MACQUEEN EMERGENCY GROUP	01/15/2026	01/27/2026	52,794.01	52,794.01	Open	N

REPAIR/MAINT- ENGINE 21 ACCIDENT 101-42260-50220	KTHELEN REPAIR/MAINT- ENGINE 21 ACCIDENT			52,794.01		12/31/2025
MAGNEY CONSTRUCTION INC PAY APP 20 ;WELL HEAD TREATMENT 4 & 5 601-00000-16500	01/21/2026 CHOYT PAY APP 20 ;WELL HEAD TREATMENT 4 & 5	01/27/2026		333,339.80	333,339.80	Open N 01/21/2026
601-00000-20600	RETAINAGE PAYABLE			347,884.00 (14,544.20)		
MAPLE GROVE QUILTERS DAC RENTAL DEPOSIT REFUND: EVENT 1/15-1/18 101-00000-21716	01/21/2026 CHOYT DAC RENTAL DEPOSIT REFUND: 1/15-1/18/26	01/27/2026		450.00	450.00	Open N 01/21/2026
METROPOLITAN COUNCIL SAC FEE; DEC 2025 602-00000-20801	01/21/2026 CHOYT SAC FEE; DEC 2025	01/27/2026		29,521.80	29,521.80	Open N 12/31/2025
602-49450-37270	LESS PROMPT PAYMENT FEE			29,820.00 (298.20)		
MINNESOTA EQUIPMENT PARKS; REPAIR/MAINT 4066 TRACTOR 101-45200-50220	01/14/2026 KTHELEN PARKS; REPAIR/MAINT 4066 TRACTOR	01/27/2026		9.46	9.46	Open N 01/07/2026
MINNESOTA RECREATION & PARK ASSOC SUBSCRIPTIONS/MEMBERSHP MRPA2026 101-41910-50205	01/14/2026 KTHELEN SUBSCRIPTIONS/MEMBERSHP MRPA2026	01/27/2026		325.00	325.00	Open N 12/18/2025
MINUTEMAN PRESS UTILITY BILLING; JAN 2026 601-49400-50200	01/13/2026 CHOYT UTILITY BILLING; JAN 2026	01/27/2026		2,548.70	2,548.70	Open N 01/13/2026
602-49400-50200	UTILITY BILLING; JAN 2026			1,274.35 1,274.35		
MN DEPT OF REVENUE DEC 2025 S/U TAX 101-00000-20300	01/20/2026 DBRUNETTE Sales Tax Payable	01/27/2026		152.00	152.00	Open N 01/20/2026
MN PUBLIC FACILITIES G.O. BOND INTEREST MPFA-09-0058-R-FY10 348-41900-50611	01/16/2026 KTHELEN G.O. BOND INTEREST	01/27/2026		1,463.79	1,463.79	Open N 01/16/2026
				1,463.79		

MONTICELLO ANIMAL CONTROL PD; ANIMAL CONTROL PINEVIEW/137TH 101-42140-50308	01/14/2026 KTHELEN PD; ANIMAL CONTROL PINEVIEW/137TH	01/27/2026	55.00	55.00	Open	N 01/06/2026
NAPA AUTO PARTS PW; REPAIR/MAINT CITY HALL ADMIN VEHICLE 101-43100-50220	01/14/2026 KTHELEN PW; REPAIR/MAINT CITY HALL ADMIN VEHICLE	01/27/2026	143.54	143.54	Open	N 01/05/2026
NAPA AUTO PARTS PW; REPAIR/MAINT 2018 F250 BRAKES 101-43100-50220	01/14/2026 KTHELEN PW; REPAIR/MAINT 2018 F250 BRAKES	01/27/2026	153.66	153.66	Open	N 01/06/2026
NORTH MEMORIAL HEALTH CARE VARIANCE TRAINING 11/20/2025 101-42260-50208	01/12/2026 CHOYT VARIANCE TRAINING 11/20/2025	01/27/2026	300.00	0.00	Paid	Y 12/31/2025
ONCALL TECHNICAL SERVICES INC INSTALL OF NEW TRICASTER 226-41900-50430	01/21/2026 CHOYT INSTALL OF NEW TRICASTER	01/27/2026	770.63	770.63	Open	N 01/15/2026
QUADIENT INC. POSTAGE METER IX5AFS IX5 101-41810-50322	01/21/2026 CHOYT POSTAGE METER	01/27/2026	1,770.90	1,770.90	Open	N 01/03/2026
QUALITY FLOW SYSTEMS INC PW; FIELD LABOR TECH SINGLE PHASE KIT 602-49400-50300	01/21/2026 CHOYT PW; FIELD LABOR TECH SINGLE PHASE KIT	01/27/2026	1,128.40	1,128.40	Open	N 01/13/2026
REBECCA ASTRUP DAC RENTAL DEPOSIT REFUND:2025 101-00000-21716	01/14/2026 KTHELEN DAC RENTAL DEPOSIT REFUND: 2025	01/27/2026	150.00	150.00	Open	N 01/13/2026
SECURITY 101 HOLDINGS, LLC LEVEL 2 SERVICE TECHNICIAN 101-41820-50300	01/12/2026 CHOYT LEVEL 2 SERVICE TECHNICIAN	01/27/2026	325.00	325.00	Open	N 01/06/2026
STORM TRAINING GROUP PROFESSIONAL DEVELOPMENT FOUNDATION INC KTHELEN	01/14/2026 KTHELEN PROFESSIONAL DEVELOPMENT FOUNDATION INC	01/27/2026	2,398.00	2,398.00	Open	N 01/14/2026

101-42120-50208	PROFESSIONAL DEVELOPMENT FOUNDATION INST		2,398.00			
STREICHERS, INC	01/12/2026	01/27/2026	646.26	646.26	Open	N
OTHER EQUIPMENT; 9MM PRACTICE	CHOYT					01/07/2026
101-42120-50580	OTHER EQUIPMENT; 9MM PRACTICE		646.26			
TASC	01/15/2026	01/27/2026	39.59	39.59	Open	N
COBRA ADMIN FEE; MARCH 2026	KTHELEN					01/15/2026
101-41810-50205	COBRA ADMIN FEE; MARCH 2026		39.59			
VERIZON WIRELESS	01/21/2026	01/27/2026	150.12	150.12	Open	N
PW;CELL SERVICE;MCM SEWER DEC 2025-JAN 2	CHOYT					01/21/2026
602-49400-50321	PW;CELL SERVICE;MCM SEWER DEC-JAN 2025		150.12			
XCEL ENERGY	01/12/2026	01/27/2026	0.16	0.00	Paid	Y
51-0014712973-2; 18160 SIREN; DEC 2025	CHOYT					12/31/2025
101-42130-50381	51-0014712973-2; 18160 SIREN; DEC 2025		0.16			
XCEL ENERGY	01/12/2026	01/27/2026	69.11	0.00	Paid	Y
51-0013433451-8;BROCKTON LGT; DEC 2025	CHOYT					12/31/2025
101-43100-50230	51-0013433451-8;BROCKTON LGT; DEC 2025		69.11			
XCEL ENERGY	01/12/2026	01/27/2026	26.78	0.00	Paid	Y
51-0014444653-6;14666 146TH AVE S.L. DEC 20	CHOYT					12/31/2025
101-43100-50230	51-0014444653-6;14666 146TH AVE S.L. DEC		26.78			
XCEL ENERGY	01/12/2026	01/27/2026	24.67	0.00	Paid	Y
51-0014423188-8;14678 146TH AVE ST LGT DEC	CHOYT					12/31/2025
101-43100-50230	51-0014423188-8;14678 146TH AVE ST LGT		24.67			
XCEL ENERGY	01/12/2026	01/27/2026	45.26	0.00	Paid	Y
51-0013923150-3;HOLLY LN; DEC 2025	CHOYT					12/31/2025
101-43100-50230	51-0013923150-3;HOLLY LN; DEC 2025		45.26			
XCEL ENERGY	01/12/2026	01/27/2026	38.95	0.00	Paid	Y
51-0013985527-8; CHESHIRE LGT; DEC 2025	CHOYT					12/31/2025
101-43100-50230	51-0013985527-8; CHESHIRE LGT; DEC 2025		38.95			

XCEL ENERGY		01/12/2026	01/27/2026	71.60	0.00	Paid	Y
51-0014473382-9 12000.5 W FRENCH LK DEC 20 CHOYT							12/31/2025
101-43100-50230	51-0014473382-9 12000.5 W FRENCH LK			71.60			
XCEL ENERGY		01/12/2026	01/27/2026	37.49	0.00	Paid	Y
51-0014297205-1;14641 U.PASS W/RH PKWY; DI CHOYT							12/31/2025
101-43100-50230	51-0014297205-1;14641 U.PASS W/RH PKWY;			37.49			
XCEL ENERGY		01/12/2026	01/27/2026	24.53	0.00	Paid	Y
51-0015591826-7; 14642 146TH/IRR DEC 2025 CHOYT							12/31/2025
601-49400-50300	51-0015591826-7; 14642 146TH/IRR			24.53			
XCEL ENERGY		01/12/2026	01/27/2026	27.55	0.00	Paid	Y
51-6970693-8;17320 DAYTON SHED; DEC 2025 CHOYT							12/31/2025
101-45200-50381	51-6970693-8;17320 DAYTON SHED; DEC			27.55			
XCEL ENERGY		01/12/2026	01/27/2026	26.85	0.00	Paid	Y
51-0014444656-9;14748 CHESHIRE CT S.L. DEC CHOYT							12/31/2025
101-43100-50230	51-0014444656-9;14748 CHESHIRE CT S.L.			26.85			
XCEL ENERGY		01/12/2026	01/27/2026	2,214.14	0.00	Paid	Y
51-0013565432-4; 14695 RIVER HILLS WELLHOL CHOYT							12/31/2025
601-49400-50381	51-0013565432-4; 14695 RIVER HILLS			2,214.14			
XCEL ENERGY		01/12/2026	01/27/2026	3,227.43	0.00	Paid	Y
51-0011857801-8;PD/PW BLDG;DEC 2025 CHOYT							12/31/2025
101-42120-50381	51-0011857801-8;PD/PW BLDG;DEC			1,613.72			
101-43100-50381	51-0011857801-8;PD/PW BLDG; DEC			1,613.71			
XCEL ENERGY		01/12/2026	01/27/2026	31.39	0.00	Paid	Y
51-0013211437-0;SDL TRAIL LIFT; DEC 2025 CHOYT							12/31/2025
601-49400-50381	51-0013211437-0;SDL TRAIL LIFT; DEC			31.39			
XCEL ENERGY		01/20/2026	01/27/2026	63.85	63.85	Open	N
51-0013348079-5;14430 DAYTON RIVER; DEC 20 KTHELEN							01/15/2026
101-45200-50381	51-0013348079-5;14430 DAYTON RIVER; DEC			63.85			
XCEL ENERGY		01/21/2026	01/27/2026	4.27	4.27	Open	N

51-5815803-3;19034 CTY 81/SIREN DEC-JAN 2021 CHOYT

12/31/2025

101-42130-50308 51-5815803-3;19034 CTY 81/SIREN DEC-JAN

4.27

# of Invoices:	217	# Due:	191	Totals:	958,022.52	934,804.36
# of Credit Memos:	4	# Due:	4	Totals:	(345.87)	(345.87)
Net of Invoices and Credit Memos:				957,676.65	934,458.49	

\* 3 Net Invoices have Credits Totaling: **(30,427.94)**

--- TOTALS BY PAYMENT CARD ACCOUNT ---

0843	317.93
0983	7,799.52
1860	316.05
2363	2,721.32
2499	109.99
3028	3,040.73
3212	56.99
3240	1,631.10
3356	765.54
3926	5,610.41
4473	7,757.95
4971	1,447.40
4983	766.78
5639	3,215.15
9053	1,878.17

--- TOTALS BY FUND ---

101 - GENERAL FUND	199,132.97	178,300.90
225 - EDA	2,550.00	2,550.00
226 - CABLE	13,555.63	13,555.63
348 - 2009A & 2010 W FRENCH LK RD	1,463.79	1,463.79
379 - 2023A CRG TIF BOND	2,006.88	2,006.88
411 - DEVELOPER ESCROWS	1,590.00	1,590.00
414 - PAVEMENT MANAGEMENT AND IMPROVEMENTS	296,125.30	296,125.30
430 - TIF 20 GRACO 2	1,452.37	1,452.37
435 - TIF 16 SAND COMPANIES	608.08	608.08
436 - TIF 17 GRACO	1,642.76	1,642.76

477 - TIF 15 FRENCH LK IND PK	942.23	942.23
601 - WATER FUND	403,074.73	400,688.64
602 - SEWER FUND	33,531.91	33,531.91

--- TOTALS BY DEPT/ACTIVITY ---

00000 -	367,857.78	367,857.78
41110 - Council	472.50	472.50
41310 - Administration	197.68	197.68
41500 - Finance	12,202.09	12,202.09
41640 - Legal Services	4,076.60	4,076.60
41710 - Planning & Economic Dev	6,798.40	6,223.40
41810 - Central Services	16,385.52	15,515.24
41820 - Information Technology	5,220.67	4,478.69
41900 - General Govt	331,375.70	331,375.70
41910 - Activity Center	14,173.23	14,173.23
42120 - Patrol and Investigate	17,579.71	12,162.73
42130 - Emergency Mgmt	27.93	4.27
42140 - Animal Control	355.00	355.00
42260 - Fire Suppression	81,516.21	74,989.27
43100 - Public Works	41,357.08	35,011.89
45200 - Parks	453.35	121.31
47000 - Debt Service (GENERAL)	2,006.88	2,006.88
49400 - Utilities	54,213.52	51,827.43
49450 - Sewer	(298.20)	(298.20)
49999 - Contingency	1,705.00	1,705.00

**ITEM:**

Approve LeVander, Gillen & Miller as the City Attorney and Cancel Contract with Campbell Knutson

**PREPARED BY:**

Zach Doud, City Administrator/Finance Director

**POLICY DECISION / ACTION TO BE CONSIDERED:**

Approve LeVander, Gillen & Miller as the City Attorney and Cancel Contract with Campbell Knutson

**BACKGROUND:**

After direction given by City Council, City Staff conducted interviews with 2 firms with a small interview panel consistent of Mayor Fisher, Councilmember Fashant, Administrator Doud, and Assistant Administrator Benting. As a result of these interviews, the panel has recommended LeVander, Gillen & Miller as the City Attorney and cancel current contract with Campbell Knutson.

**RECOMMENDATION:**

The Attorney interview panel recommends approval of a contract with LeVander, Gillen & Miller as the City Attorney and cancelling the contract with Campbell Knutson contingent on a 30 day closing period.

**ATTACHMENT(S):**

N/A