

PLANNING COMMISSION AGENDA

Thursday, March 7, 2024

CITY OF DAYTON, MINNESOTA

12260 So. Diamond Lake Road, Dayton, MN 55327

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

To Participate in the Meeting, please see cityofdaytonmn.com Calendar for Zoom Invitation.

6:30 **1. CALL TO ORDER**

6:30 **2. PLEDGE OF ALLEGIANCE**

(Roll Call)

6:30 **3. ROLE OF THE PLANNING COMMISSION**

The Planning Commission consists of five residents appointed by the City Council. The Commission administers the Comprehensive Plan, Zoning and Subdivision regulations. The Commission conducts Public Hearings and provides recommendations to the City Council. It is the City Council who may approve or deny land use applications.

6:35 **4. APPROVAL OF AGENDA**

6:35 **5. CONSENT AGENDA**

These routine or previously discussed items are enacted with one motion. Note: Commissioners absent from previous meetings may still vote to approve minutes.

A. Planning Commission Minutes, December 7, 2023

B. Planning Commission Minutes, January 4, 2024

6:35 **6. OPEN FORUM**

Public comments are limited to 3 minutes for non-agenda items; state your name and address; No Commission action will be taken, and items will be referred to staff. Group commenters are asked to have one main speaker.

6:40 **7. COUNCIL UPDATE**

A. February 13, 2024

B. February 26, 2024

6:45 **8. PUBLIC HEARINGS**

6:45 A. **Pride of Homes, LLC:** Zoning Map Amendment, Preliminary Plat, and Site Plan for Riverview Villas, 16361 Dayton Avenue and 18541 Levee Street

7:10 B. Preliminary Plat of Ziegler Dayton Addition, and Amend Conditional Use Permit for an Open Rental Lot, 18151, and 18171 Territorial Road (CNH Architects)

7:30 C. Conditional Use Permit for Auto Sales, 18078 Territorial Road (Driven Auto Sales)

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.

- 7:45 D. Concept Plan, 11XXX Maple Court (Kwik Trip)
- 8:00 **9. NEW BUSINESS**
- 8:00 A. Discussion: Dayton Parkway Master Plan
- 9:00 B. Discussion: Neighborhood Character
- 9:30 **10. NOTICES AND ANNOUNCEMENTS**
- A. The next Regular Planning Commission Meeting is tentatively scheduled for April 4, 2024 at 6:30pm.
- 9:30 **11. ADJOURNMENT** (Motion to Adjourn)

I. CALL TO ORDER

Brown called the December 7, 2023 Planning Commission Meeting to order at 6:30 p.m.

Present: DeMuth, Brown, Crosland, Preisler, Van Asten

Absent:

Also in Attendance: Mayor, Dennis Fisher; Jason Quisberg, City Engineer; Jon Sevald, Community Development Director; Tori Leonhardt, Associate Planner II

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF AGENDA

MOTION by Crossland, second by Preisler, to approve the agenda as presented. The motion carried unanimously.

A. Swearing in Commissioner Sara Van Asten

Sevald administered the oath of office for Sara Van Asten. The Commissioners welcomed her to the Planning Commission.

B. Election of Vice-Chair

MOTION by Crossland, second by Preisler, to nominate Brown as Vice-Chair. The motion carried unanimously.

IV. CONSENT AGENDA

A. Planning Commission Minutes for November 2, 2023

MOTION by Brown, second by Crossland, to approve the Planning Commission Minutes for November 2, 2023, noting that Maltzen opened the meeting. The motion carried unanimously.

V. OPEN FORUM

No one present for open forum.

VI. COUNCIL UPDATE

A. November 14, 2023 City Council Meeting

Fisher updated the Commission on Council actions. There was recognition of the State Fire Chief Educator of the Year, a Fire Study presentation, a

budget discussion, and a Third Quarter Report presentation. The Council approved for the Fire Department and Police Department to share a boat. There was discussion about the replacement of our Fire Department Tanker and an approval to get an engineering design for Territorial.

B. November 28, 2023 City Council Meeting

Fisher updated the Commission on Council actions. Council decided to treat cannabis the same as alcohol. A Commission Attendance Ordinance was passed that requires removal of any Commission Member who misses more than three meetings per year. The Levee Street Purchase Agreement was approved and the Council approved going out for bids on three permanent generators. The budget was finalized and the tax forfeit land on the interchange was discussed.

Additional discussion ensued over the use of the tax forfeit land and what would be the best use for the land.

C. Other

DeMuth asked Sevald to add a section to the Agenda for Staff Updates.

Sevald stated that the EDA is looking into the possibility of a railroad spur along 81. They are also working on the Sign Ordinances.

VII. PUBLIC HEARINGS

A. Resolution xx-2023 Granting CUP Approval for the Construction of an Accessory Building Over the Maximum Allowable Square Footage Allowed for Property

The Planning Commission is requested to hold a public hearing and provide a recommendation to the City Council for an application by Bradley Molskness of 13800 Balsam Lane North for a conditional use permit (CUP) approval for the construction of an accessory building over the maximum allowable square footage allowed for property.

Leonhardt presented an overview of this application. This is a 2.3-acre property zoned R-2 Residential. The structure being requested is a two-stall garage that will measure 30 feet by 42 feet (1,260 square feet). This garage will be used for vehicles and items consistent with a residential neighborhood. The applicant's existing attached garage is to be remodeled to allow for a handicap accessible bedroom and bathroom for a disabled

relative. Leonhardt provided a list of nine recommendations, if the Commission recommends approval to City Council.

Mr. Molskness came forward and explained that they are attempting to remodel their home so that they have a bathroom on their main floor. Someone from the City gave Mr. Molskness inaccurate information; and, thinking that he had the approval from the City, Mr. Molskness has invested over \$20,000 in his project. There was a lot of discussion back and forth over misunderstanding from the gentleman that Mr. Molskness spoke with in Landform.

DeMuth opened the Public Hearing at 7:11 p.m.

No one was present for the public hearing.

DeMuth closed the Public Hearing at 7:12 p.m.

DeMuth stated that perhaps there should be a condition that the existing attached garage would have to be converted prior to the sale of the property or the proposed detached garage would have to go away.

Preisler proposed that, but for the fact that he was given misinformation, the applicant should shrink the size of the detached garage to conform to the current Code. However, because of the misinformation, Preisler agreed with DeMuth's proposal.

Crossland stated that he has no concern about the garage being detached or being slightly larger than allowed by Code. Fisher noted that when the maximum square footage was designated, it was not based on anything.

Brown expressed his concern for the burden on Staff and questioned if this would open the door to more CUP's for larger garages. Brown acknowledged that there has been a lot of turn-over in the Staff.

Crossland asked if there is a requirement for an inspection for a CUP. The answer is no.

Discussion ensued regarding the necessity of inspecting CUP's.

Brown expressed concern that approving this CUP could open the Commission to a lot of CUP's in the future. He further stated that he doesn't like the idea that the plan exceeds the Code by more than 20%. Brown does not see any hardship in the circumstances.

DeMuth stated he would argue that there is a hardship, based on the shape of the lot. DeMuth acknowledged that the Staff turn-over is also a hardship, and Brown concurred.

The discussion over whether to use a CUP v/s an IUP continued.

Mr. Molskness came forward and stated his intent to convert their existing attached garage within a year because his father-in-law will be moving into it sooner rather than later.

MOTION by Crossland, second by Preisler, to recommend approval of Resolution 48-2023 Granting CUP Approval for the Construction of an Accessory Building over the Maximum Allowable Square Footage with the Condition that the Existing Attached Two Car Garage be Converted to Living Space within Three Years and Condition Number 8 be removed. The motion carried unanimously.

B. Amend Zoning Code Section 1001.20 Signs, Subsection 6 as Related to Prohibited Signs

The Planning Commission is requested to hold a public hearing and provide a recommendation to the City Council for an application for amending the zoning code that pertains to prohibited signs.

Leonhardt presented an overview of various areas throughout the City and provided photographs of numerous signs that are in the right-of-way and are a nuisance. Leonhardt provided a list of changes that Staff would like implemented.

Brown asked if the proposal is even enforceable. The answer is yes. When asked how it would be enforced, the answer was by picking up signs. Brown also expressed concern regarding the residents' understanding where the right-of-way is located. Sevald concurred.

Crossland asked if large, weather-type balloons could be included in the Code. Leonhardt stated that language could be added to say that no temporary sign can be higher than eight feet.

Fisher gave some history as to the reason for bringing this concern to the Commission. The catalyst goes back to the recognition that in many of the busy intersections, there seems to be a competition for how many signs one can erect. There doesn't seem to be a problem with signs in the straight-aways.

Additional conversation ensued regarding the attempt to distinguish between business signs and personal signs.

Sevald stated that the City cannot regulate the message on a sign. The location, size, and quantity can be regulated, but not the message.

Fisher cautioned that there will definitely be some push back from the community, noting that even the City of Dayton is guilty of putting out signs.

Leonhardt stated that Public Works has agreed to assist and to house the confiscated signage for people to come and collect. Educating the public prior to the Code going into effect would also be very helpful.

Preisler asked if there could be citations issued for habitual offenders. The answer is yes.

The conversation turned to the process for the City providing signs for construction in order to notify the public. Additional conversation centered around the language of the Code.

DeMuth opened the Public Hearing at 7:54 p.m.

No one was present for the public hearing.

DeMuth closed the Public Hearing at 7:55 p.m.

Crossland reiterated that the simplest thing to do is to have no signs at all, but he is conflicted by his desire to allow residents to put up signs for their birthday/graduation parties. Van Astin stated that those types of signs are up and down in a single day and not the signs that the City is concerned about.

There was consensus to remove the list from the Code.

MOTION by Preisler, second by Crossland, to recommend approval of the Amended Zoning Code Section 1001.20, Sub Section 6 as Related to Prohibited Signs as shown on the screen at the Public Hearing. The motion carried unanimously.

VIII. NEW BUSINESS

There was no new business.

IX. NOTICES AND ANNOUNCEMENTS

A. Discussion: Dayton Parkway Masterplan Open House (November 29, 2023)

Sevald stated that the Open House was facilitated by Landform. The general point of view from their perspective was distributed just before the meeting to all of the Commissioners. There were approximately 80 people in attendance.

Sevald stated that the Master Plan area is about one square-mile. In the 2040 Comp Plan, a Town Center is being planned. This will be a commercial area with higher density housing.

Sevald stated that the residents who live in the area were sent an invitation to attend the Open House. There are 23 property owners, so the fact that 80 people attended is a pretty good turnout. There was an online survey requesting the residents' vision for what they want to see in this Town Center. The results of the survey is on the City's website. Sevald invited the residents present to come forward and give their input.

Scott Steudy of 19980 East French Lake Road came forward and stated that he respects the time that the Commissioners put in, but he's not happy. He stated that he discovered at the Open House that Dayton Parkway will be going through his living room. Mr. Steudy stated that he was told that the City would never force anyone off their property, and he has no interest in selling. Mr. Steudy respectfully requested that the re-alignment be re-considered. Mr. Steudy stated the people who took the survey are not representative of the current landowners.

Members attempted to provide Mr. Steudy with the history of the process. In conclusion, Mr. Steudy gave a heart-felt plea and stated that he really wants to be able to stay on his property.

John Grendolyn of 17401 113th Avenue North came forward and stated that he received a letter. He read an exert from the letter. Leonhardt explained that the Concept Plan his letter was referring to was moved to the January agenda. Quisberg stated there will be a meeting scheduled in January or February for residents to learn about some upcoming road improvements in that area too.

Discussion ensued regarding the road plan and land use plan of Dayton Parkway. The Commission brought Van Astin up to speed on the history of this planning.

- B.** The next Regular Planning Commission Meeting is tentatively scheduled for January 4, 2024 at 6:30 p.m.

X. ADJOURNMENT

MOTION by Crossland to adjourn, Preisler seconded the motion. Motion carried unanimously. The meeting adjourned at 8:28 p.m.

Respectfully submitted,

Sandra Major, Recording Secretary
TimeSaver Off Site Secretarial, Inc

I. CALL TO ORDER

DeMuth called the January 4, 2024 Planning Commission Meeting to order at 6:30 p.m.

Present: DeMuth, Browen, Crosland, Preisler, and Van Asten

Absent:

Also in Attendance: Mayor, Dennis Fisher; Jason Quisberg, City Engineer; Jon Sevald, Community Development Director; Tori Leonhardt, Associate Planner II

II. PLEDGE OF ALLEGIANCE

III. THE ROLE OF THE PLANNING COMMISSION

DeMuth stated the specific role of the Planning Commission.

IV. APPROVAL OF AGENDA

MOTION by Preisler, second by Crossland, to approve the agenda as presented. The motion carried unanimously.

V. CONSENT AGENDA

A. Planning Commission Minutes for 02-07-2023

Sevald stated that he has the minutes but he forgot to print them out, so this will be added to next month's agenda.

VI. OPEN FORUM

No one was present for open forum.

VII. COUNCIL UPDATE

A. December 12, 2023 City Council Meeting

Fisher updated the Commission on Council actions. On December 12, 2023, the budget came to \$7,900,000 with a tax rate of 36%. There were no changes to the Opus Development or the Accessory Building CUP and the Sign Ordinance went through with no problems.

B. December 26, 2023 City Council Meeting

Fisher updated the Commission on Council actions. On December 26, 2023, City Council met for the sole purpose of paying the bills. It was a quick meeting.

VIII. PUBLIC HEARINGS

A. Concept Plan, 17400/17420 113th Avenue (Spanier)

The Planning Commission is requested to hold a public hearing and provide a recommendation to the City Council for an application by Dayton Properties for a Concept Plan located at 17200/17420 113th Avenue. Leonhardt presented an overview of this application, including the location of the parcel, zoning classification, and the construction of a road joining the two properties.

This is an 8,000 square-foot building (40' X 200') for leased warehouse space and office space. There are no current tenants identified. The building is anticipated to have three bays and possibly house three tenants. There are plans for a 27' X 40' office space in the front of the building with two bathrooms.

Brown asked how the property to the north would be serviced. Quisberg stated that there will be a private connection east and south of the new round-about to what is currently known as the DDL Property. There will also be a limited access across from north entrance to The Cubes. There will be a full access to 117th near the east side of their property.

Preisler asked if the setback measurements are taken from the face of the building or from the eaves. The eave overhang is significant and may in fact extend across the property line. Leonhardt stated that the setback is from the face of the building.

There was discussion regarding the sewer and water being available in 2025 and stubbing for it.

Van Asten asked how the average citizen is supposed to locate the new Transportation Plan if it is not actually posted anywhere. Sevald stated that the new Transportation Plan is being made tonight.

DeMuth opened the Public Hearing at 6:50 p.m.

Robert Johnson, the architect representing Tom Spanier, the applicant, came forward and stated that their preference was for the connecting

roadway to be on the east side of the property. Mr. Spanier also owns the property to the west of this property. Mr. Johnson stated that they plan to put in a new well because the existing well motor is not large enough to support the proposed building.

There was discussion regarding outdoor storage and the parameters that are necessary for that to transpire. Specifically, outdoor storage cannot be located in "the front yard," and the proposed plans now have three "front yards."

There was some discussion regarding parking.

Greg Dean of 17170 113th came forward and asked where the road that was originally a cul-de-sac would ultimately lead to. Quisberg stated that there have been several different Concept Plans. Currently, the City is attempting to get users from 113th to Dayton Parkway quicker.

Mr. Dean asked who would be paying for this project. He stated that he's lived here for twenty years and has been hit with two different assessments. Mr. Dean stated that this project seems to be an extension of the Dayton Parkway project.

Brown stated that he doesn't believe this project will be assessed because the property is not being improved. Preisler stated that this body cannot make any guarantees, and it is ultimately up to the City Council to make that decision.

Ron Gartis of Twin Cities Towing Service came forward and stated that he'd like to see a right turn coming off the Dayton Parkway interchange. If the road ultimately goes south, it will cut directly through Mr. Gartis' property, which will cause him concern.

DeMuth closed the Public Hearing at 7:12 p.m.

Brown stated that he'd like to re-guide this area from business park to light industrial or industrial. Van Asten agreed.

Van Asten asked if a Variance has been considered for outdoor storage. Sevald stated that it would likely be a fairly simple process because the City

is pushing to get the road installed. Additional conversation ensued regarding the future of the property with regard to the location of the potential round-a-bout.

B. Concept Plan, 16361 Dayton Avenue and 18541 Levee Street (Lucero)

The Planning Commission is requested to hold a public hearing and provide a recommendation to the City Council for an application by Lucero for a Concept Plan that would equally divide the two pieces of property in order to house one three-unit townhome project. Sevald presented an overview of this application, including the location of the parcel, zoning classification, and architectural drawings.

Erham and Eric Lucero came forward to take questions.

Browen inquired about the couples' other property, located southwest of the above address. Mr. Lucero went to the screen and explained his plan for the future that ties all four of his properties together.

DeMuth asked if the property owners would be open to discussions regarding an easement. The answer is yes.

Crossland suggested dressing up the side of the building that will be the most visible from the street.

There was discussion regarding the historic "feel" of the project.

DeMuth opened the Public Hearing at 7:56 p.m.

Kayla Vaser of 18621 Robinson Street came forward and asked if this proposed project is going to be rentals or home ownership. Ms. Vaser stated that there seems to be a lot of renters in Dayton who don't necessarily take pride in the City.

Ms. Vaser raised concern regarding the current water and sewer capacity. Quisberg stated that the current system could easily handle at least 100 additional single-family dwellings with no modifications.

A gentleman by the name of Steve attempted to speak from online. There were technical difficulties.

Jeremy Hemmelgarn of 16361 Baxter Avenue came forward and asked how an alleyway increases parking capacity. Sevald stated that it doesn't increase capacity, but it does increase access. DeMuth stated that the setback requirements in The Historic Village does not allow for front parking. The alleyway provides access to the rear parking for buildings.

Sevald stated that he received a comment from Steve Plude. Mr. Plude stated that, as the owner next door to the property being discussed, he is excited to see the beautiful renderings and would rather have owner-occupied units opposed to rental units.

Mr. Plude also asked if the property on Robinson should be commercial. Additional discussion ensued regarding Commercial Use vs. Mixed Use.

Darren Petrson of 17171 113th came forward and expressed concern for the apparent "stigma" associated with landlords.

DeMuth closed the Public Hearing at 8:18 p.m.

DeMuth stated that he believes the easements should be handled now rather than in the future.

C. Comprehensive Plan Amendment, Southwest Dayton

The Planning Commission is requested to hold a public hearing and provide a recommendation to the City Council for a Comprehensive Plan Amendment of Southwest Dayton (Southwest of I 94). Sevald presented an overview, including the 2040 Staging Plan.

DeMuth opened the Public Hearing at 8:25 p.m.

Sevald stated that he received an email asking what is planned for the area and how much traffic and noise would be generated. Sevald stated that there is no answer to this question.

Steve Chirhart of One Sunshine Lane, St. Paul, MN 55127 came forward and asked if there is a specific time frame for the utility improvements and are there any plans for shared costs associated with the improvements. Mr. Chuihart stated that he's been sitting on this property for quite some time, the taxes have increased, and there are no utilities available or even road

access. Sevald stated that development is all developer-driven. As far as cost sharing is concerned, that would be paid by the developer of the property.

Mr. Chirhart asked if he brings forth a plan for developing his property, will he be solely responsible too for the cost of the road through the property south of him. Sevald stated that it is a good question, but he doesn't have the answer.

DeMuth closed the Public Hearing at 8:38 p.m.

MOTION by Browen, second by Preisler, to recommend approval of the Comprehensive Plan Amendment for Southwest Dayton. The motion carried unanimously.

D. Dayton Parkway Neighborhood; Comprehensive Plan Amendment, Zoning Map, Amendment, Preliminary, Planned Unit Development (Conservation Subdivision), Conditional Use Permit for a PUD/Multi-Family in Shoreland District, Site Plan Review

The Planning Commission is requested to hold a public hearing and provide a recommendation to the City Council for an application by Dayton Parkway Neighborhood for a Comprehensive Plan Amendment, a Preliminary Zoning Map Amendment, a Planned Unit Development, a Conditional Use Permit for a PUD/Multi-Family in Shoreland District, and a Site Plan Review. Sevald presented an overview of this application. A number of these request are dependent on a EAW (Environmental Assessment Worksheet). Staff recommends that this be tabled until the EAW is complete, which will likely take several months. Staff would like for the Planning Commission to provide feedback for the apartment project (Phase I) and the overall project in general.

The developer is requesting a reduction in the number of required parking stalls and a reduction in the size of each parking stall.

Van Asten asked if it would be considered to either provide some compact stalls or some large SUV stalls. The developer was agreeable.

Van Asten asked if charging station have been considered. The answer is yes.

Crossland suggested some additional green space amongst the townhome-style units. The builder is agreeable.

Preisler suggested that the trail be given more interest. The builder agreed and stated that Three Rivers Park District wanted it straight for potential bike riders.

Additional conversation ensued regarding a trail head and where to put it.

Quisberg stated that there are numerous things to figure out with regard to the emergency access road.

Sevald asked if snow storage has been considered. Preisler stated that identifying snow storage on the plan is one thing, but getting the property manager to actually use the snow storage area is a different problem. If the number of parking stalls is reduced, snow storage cannot happen in the parking areas.

DeMuth opened the Public Hearing at 9:46 p.m.

Chris Mirkens of 10940 Brockton Lane came forward and expressed concern over the watershed. Mr. Mirkens' property is in a flood plain. Quisberg stated that with regard to storm water two things are monitored. The quantity of run-off water is monitored. The designated flood plain is also monitored.

DeMuth closed the Public Hearing at 9:57 p.m.

Sevald restated comments concerning parking and the concept of installing a median at the entrance. There will be no changes with regard to the architecture of the building. Crossland praised the developer for their good work. Sevald restated the desire for a more meandering trail and the fact that there is still work to be done with regard to the placement of the trailhead (likely closer to Lot 2).

Sevald invited the developer to share their findings for potential rent rates. The highest rent for the largest unit will be approximately \$2,400 per month. The lowest rent for the smallest unit will be approximately \$1,300 per month.

There was additional discussion regarding the timing involved with the project.

- E. MOTION** by Preisler, second by Browen, to table Dayton Parkway Neighborhood; Comprehensive Plan Amendment, Zoning Map, Amendment, Preliminary, Planned Unit Development (Conservation Subdivision), Conditional Use Permit for a PUD/Multi-Family in Shoreland District, Site Plan Review. The motion carried unanimously.

VIII. NEW BUSINESS

A. Discussion: Planning Commission Pledge to Our Residents

DeMuth stated that the Planning Commission Pledge to Our Residents is something the Sevald came up with and it is something that should be established and be re-visited during our annual review.

Sevald asked if this is a topic that should be discussed at the February meeting, or should it be adopted without any further discussion. Most members had no particularly strong feelings about the pledge. Browen raised concern regarding item 3.

MOTION by Crossland, second by Van Asten, to recommend adopting the Planning Commission Pledge to Our Residents. The motion carried unanimously.

B. Discussion: Goals and Priorities

DeMuth stated that the Planning Commission's "homework" is to think about this and return with comments for the February meeting.

Sevald stated that communications between the Commission and Staff need to be addressed. One specific area of concern is the packets that are sent prior to the meetings. Is enough information being sent? Are presentations too long or too short? It takes an incredible amount of time for Staff to put together the packets. Efficiency is key.

DeMuth requested Planning Commissioner look at their personal calendars in order to make any preemptive calendar changes that need to be made. Crossland stated that the July 4th meeting needs to be moved.

Additional conversation ensued.

IX. NOTICES AND ANNOUNCEMENTS

- A.** The next Planning Commission meeting is tentatively scheduled for February 1, 2024, at 6:30 p.m.

X. ADJOURNMENT

MOTION by Crossland to adjourn, Browen seconded the motion. Motion carried unanimously. The meeting adjourned at 10:25 p.m.

Respectfully submitted,

Sandra Major, Recording Secretary
TimeSaver Off Site Secretarial, Inc

DRAFT

PRESENTER:

Erum & Eric Lucero, Pride of Homes, LLC

ITEM:

Pride of Homes, LLC: Zoning Map Amendment, Preliminary Plat, and Site Plan for *Riverview Villas*, 16361 Dayton Avenue and 18541 Levee Street

PREPARED BY:

Jon Sevald, Community Development Director

POLICY DECISION / ACTION TO BE CONSIDERED:

Open & Close Public Hearing. Consider if the project is consistent with the Concept Plan, Comprehensive Plan, Historic Village Framework, and Zoning & Subdivision Codes.

BACKGROUND:

The Applicant is requesting to develop six townhome units.

A Concept Plan was reviewed by the Planning Commission on January 4, 2024, and by the City Council on January 23, 2024. Comments included: dress up corner unit façade. Make the architecture more historic, vs. modern. Larger garage for storage. Continue board & batten siding from front facade around to side façade. Consider two master suites in units.

During the Concept Plan Public Hearing, public comments were generally supportive of the project. Residents had concerns regarding the amount of rental properties in the Village.

Since the Concept Plan review, the Applicant has revised the front building facades based on the Commission's comments. The architecture is less modern and features second story balconies overlooking the river.

Zoning Map Amendment

The east property is zoned GMU-3 Historic Village.¹ The west property is proposed to be rezoned from R-O Old Village Residential to GMU-3.

Preliminary Plat

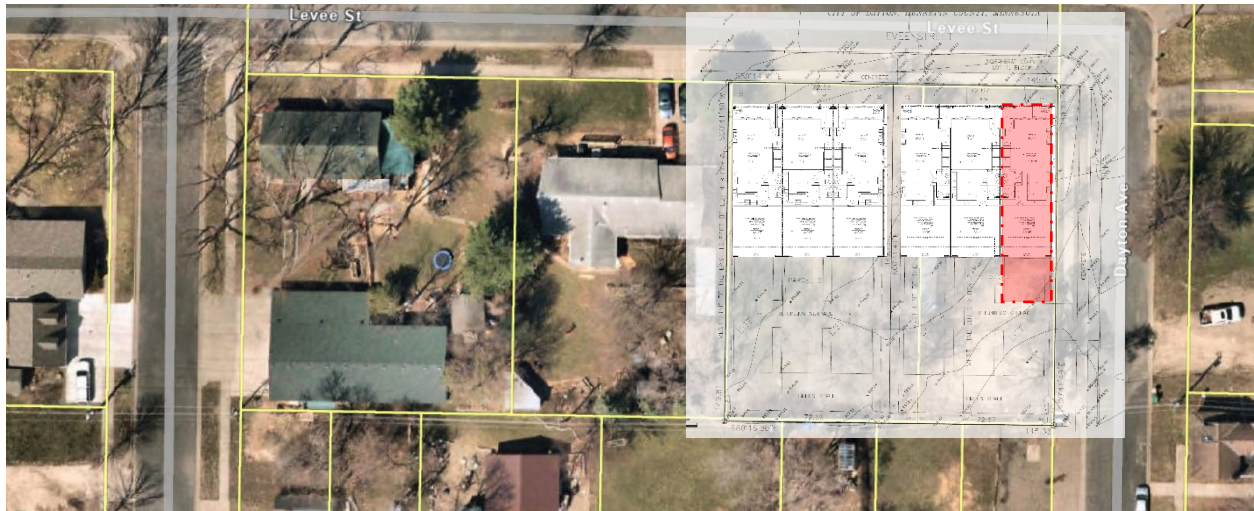
The Preliminary Plat will adjust the property line creating two equal sized lots. Within the GMU-3 district, there is a minimum 0' building setback, and 10' maximum setback. The townhomes will have a front 10' setback, an inner 4' setback (8' in-between buildings), and 2.5' setback between townhomes and west, and east side yards. Proposed setbacks are compliant.

¹ On Nov 1, 2022, Riverview Villas LLC applied for a Zoning Map amendment to rezone 16361 Dayton Ave (corner lot) from RO to GMU-3. The Planning Commission TABELED action on Dec 1, 2022 to allow a larger discussion about the Historic Village. The 60-Day Rule may be extended by the city up to 120-days (Feb 28, 2023). Verbal notice of the extension was provided at the Planning Commission Public Hearing. There is no known written notice of the extension. The city was without in-house planning staff between January - May 2023. Failure of the city to take action within 60-days (extended to 120-days) is Approval by default (MN Statute 15.99, Subd 2(a). On Jul 25, 2023, the City Council adopted the Historic Village Framework plan.

NOTE: There is an existing catch basin adjacent to Parcel 2, Unit 3, which likely will not be needed after grading (can be filled and capped). This can be addressed during Building Permit review.

Site Plan

Within the GMU-3 district, corner lots must have a minimum 65% frontage consisting of buildings at the build-to-line. This would require the corner unit to be 86' in building depth vs. 66' as proposed. **Is the proposed building layout acceptable to the Planning Commission** (e.g. 66' building depth)?



Accent material (e.g. brick/stone) is required to be wrapped around walls visible from public view (e.g. along Dayton Ave). During the City Council's review of the Concept Plan, the Council was supportive of the façade as-is.

Siding is required to be cement board (vs. vinal). Siding material is not provided on the elevation drawings, dated January 8, 2024. During Concept Plan review, the Applicant commented that material hadn't been decided on.

Required off-street parking is 2 garage stalls + 2.5 surface stalls, whereas proposed is 2 garage stalls + 4 surface stalls per unit. Minimum parking stall dimensions are 10' X 20' whereas 9' width is proposed. **Is the Planning Commission supportive of 9' wide stalls?**

CRITICAL ISSUES:

1. Staff recommends requiring dedication of ½ right-of-way (ROW) for an alley. Staff's intent is that a 16' ROW, 12' surfaced alley be located along the common rear property line primarily to serve properties along Robinson Street as they redevelop.
2. The Site Plan is consistent with the intent of the City Code, but not fully compliant. The Planning Commission is asked to determine if plans are acceptable as-is.
3. A Landscape Plan is required (4 trees, 36 shrubs).

60/120-DAY RULE (IF APPLICABLE):

Zoning Map Amendment	March 29, 2024 / May 29, 2024
Preliminary Plat	/ May 29, 2024
Final Plat	
Site Plan	March 29, 2024 / May 29, 2024

RELATIONSHIP TO COUNCIL GOALS:

Create a Sought After Community

BUDGET IMPACT:

N/A

STAFF RECOMMENDATION:

Staff Recommends Approval with conditions.

RECOMMENDED MOTION:

Motion to Approve:

1. Amending the Zoning Map for 18541 Levee Street from R-O Old Village Residential to GMU-3 Historic Village.
2. Preliminary Plat of Riverview Villas with conditions.
3. Site Plan, with conditions.

A Public Hearing Notice was published by the Champlin-Dayton Press on February 23, 2024 and mailed to property owners within 500' of the project.

ATTACHMENT(S):

Aerial Photo

Zoning Map

Historic Village Framework Plan

Site Photos

Ordinance 2024-__ Amending the Zoning Map

Resolution 2024-__ Approving the Preliminary Plat and Site Plan

Preliminary Plat, January 19, 2024

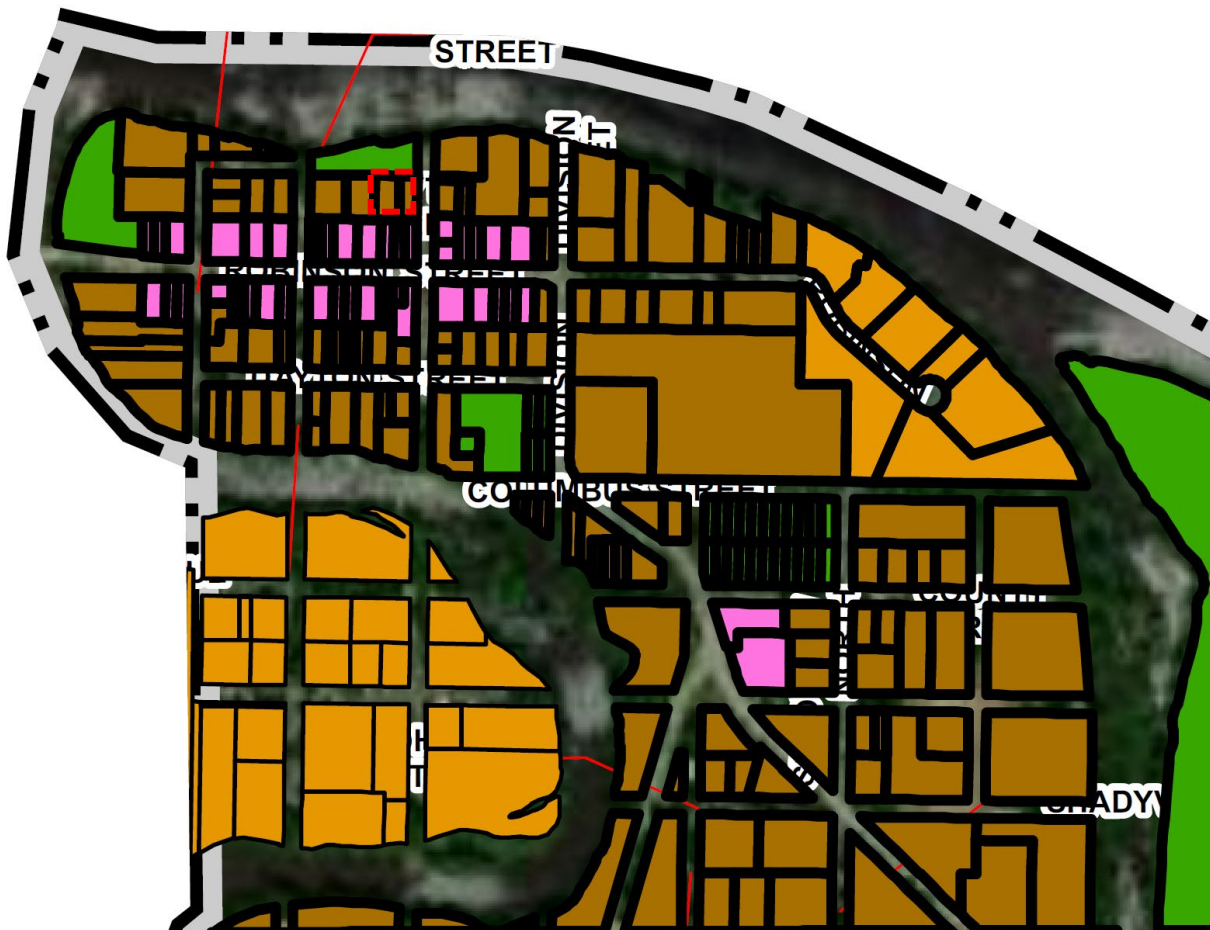
Final Plat

Site Plan, January 8, 2024

AERIAL PHOTO



ZONING MAP



Legend

	A-1 Agricultural District		R-2 Single Family District (90,000 Sf, Unsewered)
	A-2 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
	I-1 Light Industrial District		Open Water
	I-2 Heavy Industrial District		
	P-R Public Recreation District		
	R-1 Single Family District		
	R-1A, Single Family Residential		

PUD

PUD

City Boundary

HISTORIC VILLAGE FRAMEWORK PLAN

HISTORIC VILLAGE
FRAMEWORK PLAN
CITY OF DAYTON 2040 PLAN
AUGUST 2023
Stantec



SITE PHOTOS



Panoramic View of the project area looking southwest (Feb 4, 2024)



View of the project area, looking south from Mississippi River Park (Feb 4, 2024)



Panoramic View from near rear property line looking north towards Mississippi River Park (Feb 4, 2024)

ORDINANCE NO. 2024 - __

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

**AN ORDINANCE AMENDING THE ZONING MAP
FOR PROPERTY LOCATED AT 18541 LEVEE STREET**

THE CITY COUNCIL FOR THE CITY OF DAYTON ORDAINS:

SECTION 1. AMENDMENT. The zoning classification of the property described in Section 2, as shown on the Zoning Map referred to in Section 1001.04, subd 2 of the Dayton, Minnesota Zoning and Subdivision Code, is hereby amended from RO Old Village Residential to GMU-3 Historic Village.

SECTION 2. PROPERTY DESCRIPTION.

PID: 31-121-22-32-0120

The West Half of Lot 2; all of Lot 3; and the East 25 feet of Lot 4, all in Block 3, Townsite of Dayton, according to the recoded plat thereof, and situated in Hennepin County, Minnesota.

Torrens Property
Certificate No. 1337512

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage.

Adopted by the City Council of the City of Dayton, this 26th day of March, 2024.

Mayor Dennis Fisher

ATTEST:

City Clerk Amy Benting

Motion by _____, Second by _____

*Ordinance **Approved***

MOTION DECLARED PASSED

Published in the Champlin-Dayton Press on _____

RESOLUTION NO. 2024-__

CITY OF DAYTON

COUNTIES OF HENNEPIN AND WRIGHT

**RESOLUTION APPROVING THE PRELIMINARY PLAT OF RIVERVIEW VILLAS,
AND SITE PLAN**

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

WHEREAS, the Applicant, Pride of Homes, LLC, is requesting Preliminary Plat Approval, and Site Plan Approval of RIVERVIEW VILLAS, legally described as;

Parcel 1: 16361 Dayton Ave

PID: 31-121-22-32-0015

Lot 1, and East ½ of Lot 2, Block 3, Township of Dayton, according to the recorded plat thereof, and situated in Hennepin County, Minnesota

Parcel 2: 18541 Levee Street

PID: 31-121-22-32-0120

The West Half of Lot 2; all of Lot 3; and the East 25 feet of Lot 4, all in Block 3, Townsite of Dayton, according to the recorded plat thereof, and situate in Hennepin County, Minnesota.

WHEREAS the Preliminary Plat (dated January 19, 2024) and Elevation Drawings (undated) were reviewed by Staff for consistency with the Comprehensive Plan, Zoning and Subdivision Ordinances; and,

WHEREAS, on March 7, 2024, the Planning Commission conducted a Public Hearing, reviewed and considered the application, at which the Applicant was present and presented information; and,

WHEREAS, on March 26, 2024, the City Council reviewed the Staff Report and Planning Commission's recommendations. The City Council makes the following:

FINDINGS

1. The subject properties are zoned GMU-3 Historic Village, and are within the Mississippi River Corridor Critical Area (MRCCA) River Town and Crossing (CA-RTC) district. Plans were submitted to the MN DNR and National Park Service for review (no comments).
2. The subject properties are guided Mixed Use in the 2040 Comprehensive Plan, and are consistent with the Plan (guided for an average of 12 units per acre, whereas 12 units per acre density is proposed).
3. The subject properties are included within the Historic Village Framework Plan, which guides this area for Medium Family Residential.

DECISION

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Dayton, based upon the Findings, Staff Report, the Planning Commission recommendation, and in consideration of public testimony, the City Council does hereby approve the Preliminary Plat of RIVERVIEW VILLAS with the following conditions:

1. The Applicant will revise the Preliminary Plat, dated January 19, 2024 according to the Staff Review Letter, dated February 22, 2024, and resubmit plans for Staff's satisfactory review prior to the City Council's review of the Final Plat. This includes dedication of 8' right-of-way for ½ of an alley.
2. The Applicant shall submit the following 2023 fees in effect at the time of application, prior to the City releasing the mylars for recording by Hennepin County (credit provided for two units):

Storm Water	\$3,170 X 4 units = \$12,680
Sanitary Sewer	\$2,561 X 4 units = \$10,244
Water	\$3,703 X 4 units = \$14,812
Park Dedication	\$4,283 X 4 units = \$17,132
Trail Dedication	\$2,663 X 4 units = <u>\$10,652</u>
	\$65,520

3. The Developer shall submit a Letter of Credit equal to 120% of the cost of improvements, including landscaping. Warranty period shall be one growing season.

FURTHER, THEREFORE, IT BE RESOLVED, by the City Council of the City of Dayton, based upon the Findings, Staff Report, Planning Commission recommendation, and in consideration of public testimony, the City Council does hereby approve the Site Plan with the following conditions:

1. The Applicant will revise elevation drawings, dated January 8, 2024, to include missing information identified in the Staff Review Letter, dated February 22, 2024, and resubmit plans for Staff's satisfactory review prior to issuance of a Building Permit.
2. Revised elevation drawings shall include building materials, compliant with City Code façade requirements (cement board siding).
3. The building footprint is acceptable as-is (e.g. corner lot has less than 65% building frontage at the build-to line along Dayton Avenue).

Adopted by the City Council of the City of Dayton, this 26th day of March, 2024.

Mayor Dennis Fisher

ATTEST:

City Clerk Amy Benting

Motion by _____, Second by _____

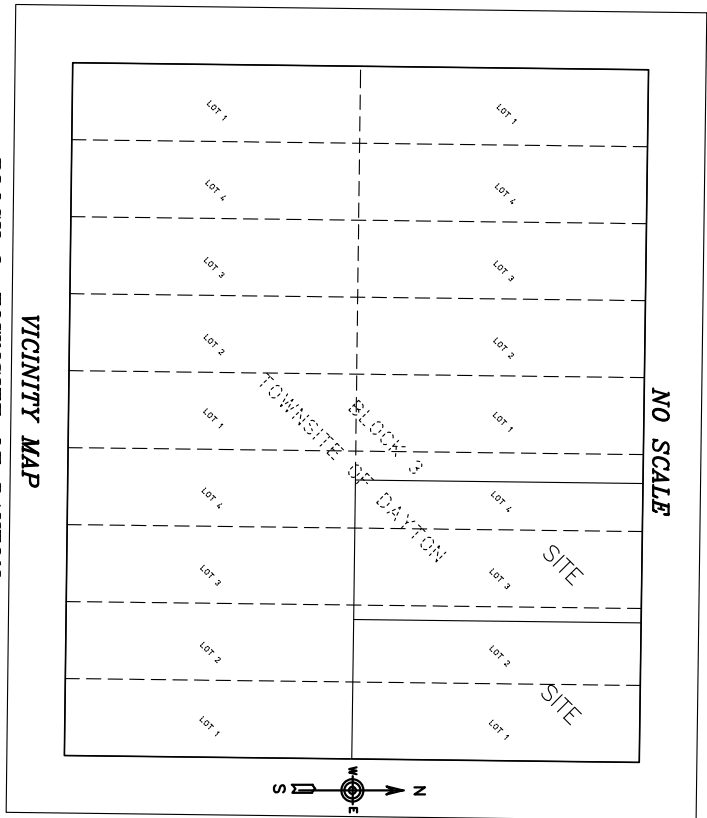
*Resolution **Approved***

MOTION DECLARED PASSED

PRELIMINARY PLAT
RIVERVIEW VILLAS

16361 DAYTON AVE. & 18541 LEVEE STREET
CITY OF DAYTON, HENNEPIN COUNTY, MINNESOTA

LEVEE STREET



VICINITY MAP
BLOCK 3, TOWNSITE OF DAYTON

LEGAL DESCRIPTION:

PARCEL 1
Lot 1, and East 1/2 of Lot 2, Block 3, Townsite of Dayton,
according to the recorded plat thereof, and situate in
Hennepin County, Minnesota.

ABSTRACT PROPERTY

PARCEL 2
The West Half of Lot 2; all of Lot 3; and the East 25 feet
of Lot 4, all in Block 3, Townsite of Dayton, according to
the recorded plat thereof, and situate in Hennepin County,
Minnesota.

TORRENS PROPERTY
CERTIFICATE NO. 1337512

ZONING:

THE PROPERTY IS ZONED GMU-3 HISTORIC VILLAGE.

FLOOD ZONE:

By graphic interpretation only, this property lies in Zone X (Areas
of Moderate Flood Hazard) as shown on Flood Insurance Rate Map
FIRM No. 27053C0032E, Flood Insurance Rate Map has an effective date of November 04, 2016. No field
surveying was performed to determine this zone.

BULK REGULATIONS:

MINIMUM LOT AREA=ADEQUATE FOR DESIGN OF STRUCTURE.
MINIMUM LOT WIDTH=NO MINIMUM
MINIMUM LOT DEPTH=NO MINIMUM
MAXIMUM BUILDING HEIGHT=45 FEET
BUILDABLE AREA=ADEQUATE FOR DESIGN OF STRUCTURE.
BUILDING SETBACKS:
FRONT SETBACK=10 FEET
SIDE=0 FEET MINIMUM
REAR=20 FEET MINIMUM
AREA SUMMARY
THE PROPERTY CONTAINS 21,763.47 SQ. FT. OR 0.50 AC.

SURVEYORS' NOTES:

1) ZONING AND SETBACK DATA SUPPLIED BY CLIENT.
2) BOUNDARY BEARINGS BASED ON HENNEPIN COUNTY
COORDINATE SYSTEM.

TAX IDENTIFICATION NUMBERS:

PARCEL 1: 3112122320015
16361 Dayton Ave,
Dayton, MN 55327
PARCEL 2: 3112122320120
18541 Levee St,
Dayton, MN 55327

I hereby certify that this survey was prepared by me or
under my direct supervision and that I am a duly licensed
Land Surveyor under the laws of the State of Minnesota.

Signed the 1st day of January, 2024

Timothy S. Peterson
Minnesota License No. 45332
PTS Land Services, Inc.
REVISED: 1-19-24 CITY COMMENTS

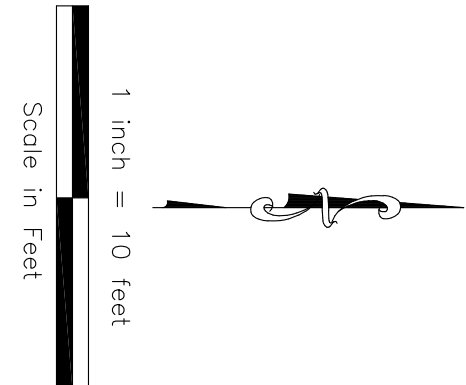
PTS LAND SERVICES, INC.
COMPLETE LAND SURVEYING SERVICES

LEGEND

- FIRE HYDRANT
- WATER VALVE
- MANHOLE
- CATCH BASIN
- POWERPOLE
- ☆ LIGHT POLE
- GUY
- ⊠ TRANSFORMER
- ⊠ ELECTRIC METER
- ⊠ TV FIDESTAL
- ⊠ TELEPHONE FIDESTAL
- ⊠ AIR CONDITIONER
- ⊠ HAND HOLE
- SEWERHOLE
- GAS METER
- S SANITARY SEWER
- ST STORM SEWER
- W WATERMAIN
- C UNDERGROUND GAS MAIN
- T UNDERGROUND TELEPHONE
- E UNDERGROUND ELECTRIC
- TV UNDERGROUND CABLE TV
- OU OVERHEAD UTILITY LINES
- IRON MONUMENT FOUND
- IRON PIPE MONUMENT SET
- ⊕ EXISTING SPOT ELEVATION
- ⊕ SOIL BORING
- D SIGN
- DECIDUOUS TREE
- ☀ CONIFEROUS TREE
- DENOTES TREE AND BRUSH LIMITS
- DENOTES PROPOSED DRAINAGE ARROW
- (844.00) DENOTES PROPOSED ELEVATION
- C&S C&S STOP
- C&S CLEAN OUT
- BUSH
- B&S BARBECUE GRILL
- AUTO SPRINKLER
- BASKETBALL HOOP
- BEACH
- WATER SPOUT
- FRENCH DRAIN
- MONITORING WELL
- STORM DISCHARGER
- SATELLITE DISH
- TELEPHONE
- ELECTRIC FIDESTAL
- FIDESTAL
- GROUND LIFE
- MANHOLE
- ROOF DRAIN
- TRANSMISSION TOWER
- VENT PIPE
- WELL
- DENOTES ELEC. LINE
- DENOTES FENCE LINE
- DENOTES FIBER OPTIC
- DENOTES GAS LINE
- DENOTES SANITARY SEWER
- DENOTES STORM SEWER
- DENOTES TELEPHONE LINE
- DENOTES TV LINE
- DENOTES OVERHEAD UTL.
- DENOTES WATERMAIN
- DENOTES METALAND
- DENOTES RAIL ROAD

Attention: to this drawing are prohibited without
the express written permission of PTS Land
Services, Inc.

This survey reflects above ground indications of
utilities. The surveyor makes no guarantee that
the underground utilities shown comprise all
such utilities in the area, either in service or
abandoned. The surveyor further does not
warrant that the under-ground utilities shown
are in the exact location indicated, although he
has made every effort to obtain information
as to the location of the utilities. The
surveyor has not physically located underground
utilities.



RIVERVIEW VILLAS

KNOW ALL PERSONS BY THESE PRESENTS, THAT Riverview Villas MN, LLC, A Minnesota Limited Liability Company owners of the following described property:

Lot 1, and East 1/2 of Lot 2, Block 3, Townsite of Dayton, according to the recorded plat thereof, and situate in Hennepin County, Minnesota.

The West Half of Lot 2, all of Lot 3, and the East 25 feet of Lot 4, all in Block 3, Townsite of Doyton, according to the recorded plat thereof, and situate in Hennepin County, Minnesota.
TORRENS PROPERTY
CERTIFICATE NO. 1337512

Has caused the same to be surveyed and platted as RIVERVIEW VILLAS and does hereby donate and dedicate to the public for public use the public ways and drainage and utility easements as created by this plat.

In witness whereof said Riverview Villas MN, LLC, A Minnesota Limited Liability Company has caused these presents to be signed by its proper officer this ____ day of _____, 20____.

Erum K Lucero Chief Manager

SURVEYORS CERTIFICATE:

I, Timothy S. Peterson do hereby certify that this plot was prepared by me or under my direct supervision; that I am a duly licensed Land Surveyor in the State of Minnesota; that this plot is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plot; that all monuments depicted on this plot have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 50B.01, Subd. 3, as of the date of this certificate are shown and labeled on this plot; and all public ways are shown and labeled on this plot.

Dated this _____ day of _____, 20____

Timothy S. Peterson, Land Surveyor
Minnesota License No. 45332

State of _____

County of _____

This instrument was acknowledged before me this _____ day
of _____, 20__ by Timothy S. Peterson

Notary Public, _____ County, Minnesota

My Commission Expires: _____

CITY COUNCIL, CITY OF DAYTON, MINNESOTA

This plat of RIVERVIEW VILLAS was approved and accepted by the City Council of
Dayton, Minnesota, at a regular meeting thereof held this _____ day

of _____, 20____, and said plat is in compliance with the provisions of Minnesota

Statutes, Section 505.03, Subd. 2.

City Council, City of Dayton, Minnesota

By _____
Mayor

BY _____
Clerk

RESIDENT AND REAL ESTATE SERVICES, Hennepin County, Minnesota

I hereby certify that the taxes payable in _____ and prior years have been paid for land described on this plat, dated this _____ day of _____, 20__.

Daniel Rogan, Hennepin County Auditor By _____ Deputy

SURVEY DIVISION, Hennepin County, Minnesota

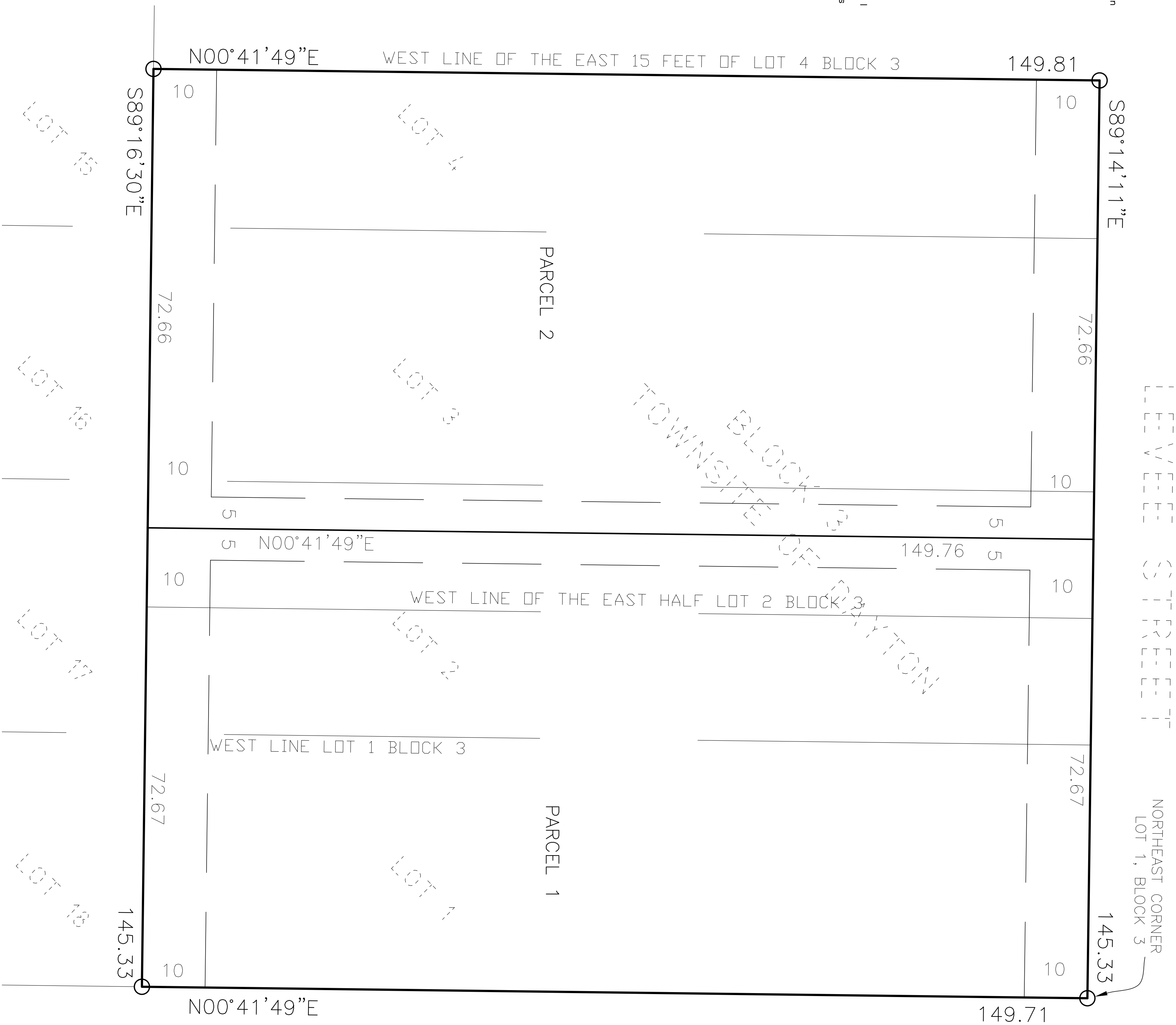
Pursuant to MN. Statute Sec. 383B.565 (1969), this plat has been approved this _____ day of _____, 20__.

Chris Mavis, Hennepin County Surveyor By _____

COUNTY RECORDER, Hennepin County, Minnesota

I hereby certify that the within plat of RIVERVIEW VILLAS was recorded in this office this _____ day of _____, 20____, at ____ o'clock ____M.

Amber Boygie, County Recorder By _____ Deputy



NORTHEAST CORNER
LOT 1, BLOCK 3

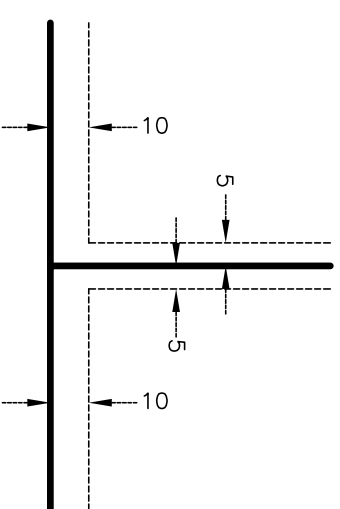
149.71

NORTHEAST QUARTER
SEC.34, TWP.117, RGE.22

LEGEND

- 1/2 INCH X 18 INCH IRON PIPE MONUMENT SET, MARKED BY LICENSE NO. 45332
- HENNEPIN COUNTY CAST IRON MONUMENT FOUND
- IRON PIPE MONUMENT FOUND

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN
THUS:



BEING SEVEN FEET IN WIDTH AND ADJOINING
SIDE LOT LINES AND BEING TEN FEET IN
WIDTH AND ADJOINING PUBLIC WAYS, UNLESS
OTHERWISE INDICATED ON THIS PLAT.
NOT TO SCALE



BASIS OF BEARINGS:

FOR THE PURPOSES OF THIS PLAT THE SOUTH LINE OF LEVEE STREET IS ASSUMED TO BEAR SOUTH 89 DEGREES 14 MINUTES 11 SECONDS EAST

PTS LAND SERVICES, INC.
COMPLETE LAND SURVEYING SERVICES

Dimensions, notes, details and conformation to all local codes are to be verified by owner and contractor prior to the start of construction
Phillips Planning, Inc. will assume no responsibility for same after commencement of construction.



THIS BUILDING IS DESIGNED PER THE 2020 MINNESOTA RESIDENTIAL CODE AS IRC-3 TOWNHOUSE OCCUPANCY CLASSIFICATION AND EACH UNIT SHALL BE EQUIPPED WITH A FIRE SPRINKLER SYSTEM.

REVISIONS

ERIC LUCERO

phillipsplanning inc.
13754 FRONTIER COURT
SUITE 100
BURNSVILLE, MN 55337
(952) 432-2044
www.phillipsplan.com

MEMBER OF

BAM

PLAN# 23-1116A

DATE: 1-8-2024

1/5

PRESENTER:

Wayne Hilbert, CNH Architects

ITEM:

Preliminary Plat of Ziegler Daton Addition, and Amend Conditional Use Permit for an Open Rental Lot, 18151, 18171 Territorial Road (CNH Architects)

PREPARED BY:

Tori Leonhardt, Associate Planner II
Jon Sevald, Community Development Director

POLICY DECISION / ACTION TO BE CONSIDERED:

Open & Close Public Hearing. Consider if the project is consistent with Zoning & Subdivision Codes.

BACKGROUND:

Ziegler-CAT operates a construction equipment rental business at 18171 Territorial Road. Zigler Truck Group operates commercial truck sales (showroom) at 18151 Territorial Road.¹ The Applicant is requesting to combine the two lots in order to use the entirety of both properties for either business.

Comprehensive Plan:

Both properties are guided Commercial, *intended to accommodate general commercial and highway-oriented businesses such as fast food restaurants, convenience stores, gas stations, big box retail, and other auto-oriented business. Limited office and service uses are also appropriate, depending on scale and location.*

Zoning:

Ordinance 2020-10 rezoned 18171 Territorial Road (east property) from B-P to B-4. Indoor *Auto Sales and rental* is a permitted use in the B-4 district.² *Open Sales Lots* are a Conditional Use in the B-4 district.³

Conditional Use Permit for Outdoor Sales/Display

Resolution 45-2020 Approved a CUP for Outdoor Sales. DRAFT Resolution __-2024 is identical, but is amended to include 18151 Territorial Road, and updates Exhibit A to include the 2024 Site Plan.

Within the B-4 district, outdoor storage is limited to 30% of the lot, and shall be in the rear yard.⁴ After platting, about 11% of the combined parking will be gravel surfaced outdoor storage.

¹ Resolution 53-2022; Site Plan, 18171

² City Code 1001.061, Subd 4(2)(d) (*Permitted uses; Auto sales and rental, provided it is conducted entirely within the building.*)

³ City Code 1001.06, Subd 3(3) (*Open Sales Lots*)

⁴ City Code 1001.06, Subd 3(2)(a) (*Outdoor storage in the B-4 district*)

CRITICAL ISSUES:

1. **Screening.** Screening outdoor storage from view of Dayton Parkway. Staff's recommendation is:
 - A. Screen the SE corner (two offset rows of 6' coniferous trees).
 - B. Make it a display area (concrete pad(s) with shrubs and landscaping around).
 - C. Both A & B (display area in the SE corner, with 6' coniferous trees behind it).
2. **Driveways.** No more than one driveway is permitted.⁵ The project has two existing driveways. In past practice, the city has allowed separate driveways for passenger traffic, and truck traffic.

60/120-DAY RULE (IF APPLICABLE):

Conditional Use Permit (Amendment)	March 9, 2024 / May 9, 2024
Preliminary Plat	April 12, 2024 / June 7, 2024
Final Plat	

RELATIONSHIP TO COUNCIL GOALS:

N/A

BUDGET IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval. Staff requests direction regarding screening and the second driveway. The Resolutions do not address either (does not require screening, nor removal of one of the existing driveways).

A Public Hearing Notice was published by the Champlin-Dayton Press on February 23, 2024, and mailed to property owners within 500' of the project properties.

ATTACHMENT(S):

Aerial Photo
Preliminary Plat
Final Plat
Site Plan
Resolution __-2024 Preliminary Plat
Resolution __-2024 Conditional Use Permit Amendment

⁵ City Code 1001.14, Subd 9(1)(b)(1); *The person desiring to obtain a permit shall make application to the Public Works Department Clerk on a form available from the City. Each application shall include a site plan showing, but not limited to access onto the City street. No more than 1 access to the City street shall be permitted per parcel.*



C.R. DOC. NO.

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

In witness whereof said Ziegler Dayton, LLC a Minnesota limited liability company, has caused these presents to be signed by its proper officer this _____ day of _____, 2024.

By: _____
William Hoeff, President

STATE OF
COUNTY OF

This instrument was acknowledged before me on this _____ day of _____, 2024, by William Hoefft, President of Ziegler Dayton, LLC, a Minnesota limited liability company, on behalf of the company.

Notary Public, _____, County, Minnesota
My Commission Expires _____

I, Gary C. Huber do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 2024.

Gary C. Huber, Licensed Land Surveyor
Minnesota License No. 22036

STATE OF MINNESOTA
COUNTY OF DAKOTA

This Instrument was acknowledged before me on this _____ day of _____, 2024, by Gary C. Huber.

Notary Public, Dakota County, Minnesota
My Commission Expires _____

CITY COUNCIL- CITY OF DAYTON, MINNESOTA

This plat of ZIEGLER DAYTON ADDITION was approved and accepted by the City Council of the City of Dayton, Minnesota at a regular meeting thereof held this _____ day of _____, 2024 and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

City Council, City of Dayton, Minnesota

Bv _____, Mayor

Bv _____, Clerk

COUNTY AUDITOR, Hennepin County, Minnesota

I hereby certify that the taxes payable in 20_____ and prior years have been paid for land described on this plat, dated this _____ day of _____, 2024.

By: Daniel Roqan, County Auditor

SURVEY DIVISION, Hennepin County, Minnesota

Pursuant to MN, STAT, Section 383B.565 (1969), this plat has been approved this _____ day of _____, 2024.

Charles E. Mayle County Supervisor

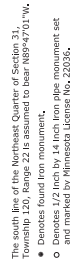
COUNTY RECORDER, Hennepin County, Minnesota

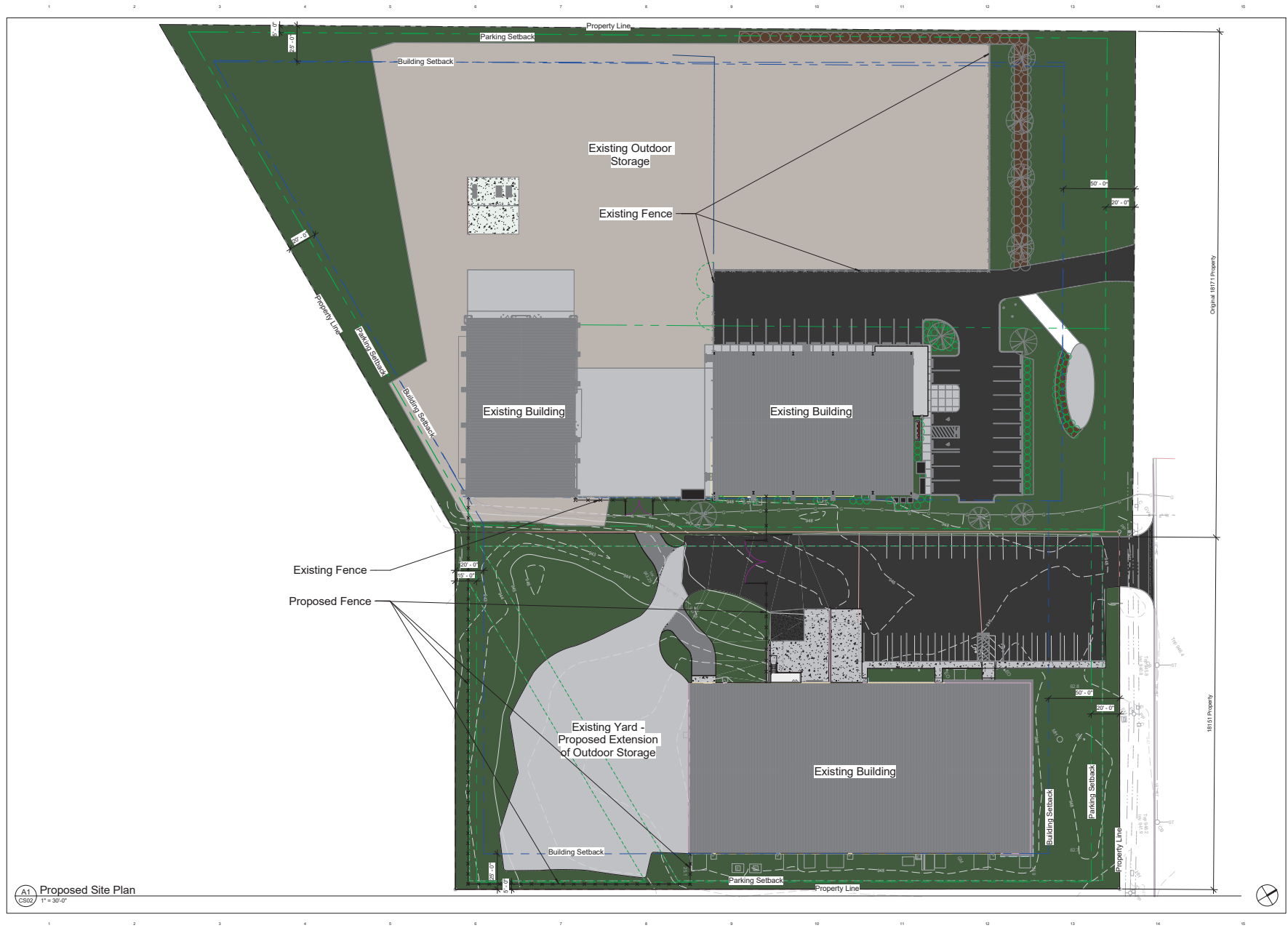
I hereby certify that the within plat of ZIEGLER DAYTON ADDITION was recorded in this office this _____ day of _____, 2024, at _____ o'clock _____ M.

Amber Boumie County Recorder

Density

Rehder and Associates, Inc.





RESOLUTION NO. 2024-__

CITY OF DAYTON

COUNTIES OF HENNEPIN AND WRIGHT

**RESOLUTION APPROVING THE PRELIMINARY AND FINAL PLAT OF
ZIEGLER DAYTON ADDITION**

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

WHEREAS, the Applicant, CNH Architects/Ziegler Dayton, is requesting Preliminary and Final Plat Approval of ZIEGLER DAYTON ADDITION, located at 18151 Territorial Road, and 18171 Territorial Road, legally described as:

Parcel 1: PID: 31-120-22-13-0016

Lot 1, Block 1, VF13 ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota.

Parcel 2: PID: 31-120-22-13-0006

All that part of the Northeast Quarter and the Northwest Quarter of Section 31, Township 120 North, Range 22 West of the 5th Principal Meridian described as follows:
Commencing at the Southeast corner of said Northeast Quarter; thence South 88 degrees 20 minutes West, assumed bearing along the South line of said Northeast Quarter for a distance of 2299.96 feet to a point to be hereafter known as point "B" for the purpose of this description; thence North 28 degrees 55 minutes East a distance of 507.39 feet to intersect the centerline of the Territorial Road, said point of intersection being the actual point of beginning of the parcel to be hereby described; thence return South 28 degrees 55 minutes West 507.39 feet to said point "B"; thence North 28 degrees 55 minutes East a distance of 717.56 feet to intersect said centerline of the Territorial Road; thence South 61 degrees 05 minutes East along said centerline a distance of 355.61 feet to the point of beginning, according to the United States Government Survey thereof and situate in Hennepin County, Minnesota.

WHEREAS, the Preliminary Plat (dated January 2, 2024) and Site Plan (dated February 14, 2024) were reviewed by Staff for consistency with the Comprehensive Plan and Zoning and Subdivision Ordinances; and,

WHEREAS, on March 7, 2024, the Planning Commission CONDUCTED A Public Hearing, reviewed and considered the application, at which the Applicant was present and presented information; and,

WHEREAS, on March 26, 2024, the City Council reviewed the Staff Report and Planning Commission's recommendations. The City Council makes the following:

FINDINGS

1. The subject properties are zoned B-P Business Park District (18151 Territorial Road), and B-4 Commercial/Industrial District (18171 Territorial Road).
2. The subject properties are guided Commercial in the 2040 Comprehensive Plan, and are consistent with the Plan

DECISION

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Dayton, based upon the Findings, Staff Report, the Planning Commission recommendation, and in consideration of public testimony, the City Council does hereby approve the Preliminary Plat and Final Plat of ZIEGLER DAYTON ADDITION with the following conditions:

1. The Applicant shall revise the Preliminary Plat, dated January 2, 2024 to comply with the Engineering memo, dated February 15, 2024.
2. The Applicant shall revise the Preliminary Plat, dated January 2, 2024 to include a standard perimeter Drainage & Utility easement, 12' front, 6' side, and 10' rear. The 10' Drainage & Utility easement per VF 13 Addition along the existing west property line of Lot 1, Block 1, VF13 ADDITION shall be vacated.

Adopted by the City Council of the City of Dayton, this 26th day of March, 2024.

Mayor Dennis Fisher

ATTEST:

City Clerk Amy Benting

Motion by _____, Second by _____

*Resolution **Approved***

MOTION DECLARED PASSED

RESOLUTION __-2024

CITY OF DAYTON

COUNTIES OF HENNEPIN AND WRIGHT

**RESOLUTION APPROVING AN AMENDMENT TO RESOLUTION 45-2020, GRANTING
CONDITIONAL USE PERMIT FOR ZIEGLER CAT AT 18171 TERRITORIAL ROAD**

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

WHEREAS, the Applicant, CNH Architects/Ziegler Dayton, is requesting to Amend Resolution 45-2020, Approving a Conditional Use Permit for an Open Sales Lot, located at 18171 Territorial Road. The CUP shall be Amended to include 18151 Territorial Road. The properties are legally described as:

PID: 31-120-22-13-0016

Lot 1, Block 1,VF13 ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota.

And

PID: 31-120-22-13-0006

All that part of the Northeast Quarter and the Northwest Quarter of Section 31, Township 120 North, Range 22 West of the 5th Principal Meridian described as follows: Commencing at the Southeast corner of said Northeast Quarter; thence South 88 degrees 20 minutes West, assumed bearing along the South line of said Northeast Quarter for a distance of 2299.96 feet to a point to be hereafter known as point "B" for the purpose of this description; thence North 28 degrees 55 minutes East a distance of 507.39 feet to intersect the centerline of the Territorial Road, said point of intersection being the actual point of beginning of the parcel to be hereby described; thence return South 28 degrees 55 minutes West 507.39 feet to said point "B"; thence North 28 degrees 55 minutes East a distance of 717.56 feet to intersect said centerline of the Territorial Road; thence South 61 degrees 05 minutes East along said centerline a distance of 355.61 feet to the point of beginning, according to the United States Government Survey thereof and situate in Hennepin County, Minnesota.

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 held a public hearing at its March 7, 2024 meeting regarding the CUP; and

WHEREAS, the City Council at its June 23rd, 2020 meeting reviewed and considered the application, at which the Applicant was present and presented information.

NOW, THEREFORE, based upon the information from the public hearing, 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:

1. The City Council passed Resolution No. 12-2012 granting a CUP for Hesse Holdings LLC to operate a minor marine repair (hereinafter referred to as the “2012 CUP”).
2. The Applicant has requested a rezoning from B-P Business Park to B-4 Commercial/Industrial District by separate application.
3. The Applicant has requested a CUP to allow the operation of a rental lot on the property, to construct an Accessory Building on the property, and to expand the gravel yard.
4. The retail use of the principal building is permitted in the B-4, the open rental lot is a conditional use in the B-4 District as regulated by Section 1001.061. Accessory Buildings are regulated by Section 1001.35 and are a conditional use in Business Districts.
5. Dayton Zoning Code Ordinance §1001.23 states that a CUP will only be granted if the following criteria have been met:
 - a. The proposed use is consistent with the Comprehensive Plan and the purpose of the underlying zoning district.
 - b. The proposed use will not substantially diminish or impair property values within the immediate vicinity of the subject property.
 - c. The proposed use will not be detrimental to the health, safety, morals or welfare of persons residing or working near the use.
 - d. The proposed use will not impede the normal and orderly development of surrounding property.
 - e. The proposed use will not create an undue burden on parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.
 - f. The proposed use is adequately screened.
 - g. The proposed use will not create a nuisance, including but not limited to odor, noise, vibration or visual pollution.
 - h. The proposed use will provide adequate parking and loading spaces, and all storage on the site is in compliance with this Subsection.
 - i. The proposed use will protect sensitive natural features.

- j. The City Council may attach conditions to the permit, as it may deem necessary in order to lessen the impact of a proposed use, meet applicable performance standards and to promote health, safety and welfare.
6. The Proposed Uses are a replacement of a previously approved use on the Property. The Proposed Use will not be in conflict with future development of adjacent properties as long as there is compliance with the conditions established in this Resolution. There is no undue burden on streets and other public facilities and utilities which serve the property. This Proposed Use will not harm the public health, safety and welfare, nor will it create a nuisance or create traffic congestion injurious to nearby properties. If the conditions set forth below are followed, the Proposed Use are consistent with City Ordinance and the City Comprehensive Plan.

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 grant and approves the Conditional Use Permit for the Property according to the attached plan in Exhibit A and the following conditions shall be met to the satisfaction of the City:

1. This resolution shall be recorded upon subsequent Site Plan application and approval by the Planning Commission and City Council. The Site Plan application shall include adequate Stormwater Management Plans for Elm Creek Watershed Review and Wetland Delineation and Mitigation approval and other materials as required by the Planning Commission, City Council or the City Engineer.
2. Wetland delineation and Wetland Mitigation shall be approved prior to construction.
3. Stormwater management plans shall be approved by the Elm Creek Watershed prior to construction.
4. The applicant shall include coniferous trees in the front yard.
5. The applicant shall include renderings of the “display area” where new equipment may be placed for marketing purposes outside of the rental yard. The display area to the north of the principal structure shall be limited to new equipment on a concrete pad or series of concrete pads limited to 400 square feet. This area shall be landscaped.
6. The rental yard fencing shall be reviewed and approved with the Site Plan approval.
7. The rental lot/yard shall be limited to the gravel yards as depicted on the Site Plan dated 5/20/20 or as revised as part of the final Site Plan approval. Rental equipment parking in the north gravel area shall be limited to orderly along the perimeter of the gravel yard north of the accessory building and/or in the rear yard.
8. All rental equipment shall be well maintained and parked in orderly rows.
9. Only rental equipment related to the business shall be stored on site.

10. The buildings on and the use of the Property shall meet and be in compliance with, to the satisfaction of the City, at all times all applicable local, state and federal rules and regulations, including, but not limited to, fire, building, environmental rules and regulations.
11. All refuse on the Property shall be stored, to the satisfaction of the City, in such a manner as to screen it from neighboring properties and right-of-ways, which may be accomplished, among other ways, by storing refuse within a structure on the Property.
12. Application for building, mechanical, plumbing, fence, grading, sign and any other necessary permits, subject to the review and approval of the City, shall be required prior to the installation, construction and/or erection of any improvements to the Property and all improvements shall comply with all applicable local, state and federal rules and regulations.
13. All lighting on the Property shall be limited to 20 feet in height and the fixtures shall be hooded and downcast
14. The revised site plans shall be inserted into this resolution as an exhibit upon a future Site Plans review and approval as Exhibit A.

Adopted this 26th day of March, 2024, by the City of Dayton.

Mayor, Dennis Fisher

Assistant City Administrator/City Clerk, Amy Benting

Motion by _____, Second by _____. Ayes _____. Nays ____.

Resolution Approved/Denied

MOTION DECLARED PASSED/FAILED

EXHIBIT A



PRESENTER:

Leon Volkov, Driven Auto Sales

ITEM:

Conditional Use Permit for Auto Sales, 18078 Territorial Road (Driven Auto Sales)

PREPARED BY:

Jon Sevald, Community Development Director

POLICY DECISION / ACTION TO BE CONSIDERED:

Consider if Auto Sales is appropriate for this location.

BACKGROUND:

The property consists of three tenants. Driven Auto Sales is located in the east unit. A CUP was issued in 1993 for Auto Repair, allowing storage of materials behind the building in a fenced area.

The property is zoned B-3 General Business. Auto Sales is a Conditional Use.¹

Driven Auto Sales has operated from this location since 2008. Currently, the owner buys salvaged vehicles through a 3rd party, repairs those vehicles at this location, and sells through a 3rd party off-site (Prime Auto Group in Andover). Obtaining a Dealers license will allow the owner to purchase vehicles. The Applicant will continue to sell vehicles through Prime Auto Group (off-site). The use and appearance of the property will not change.

CRITICAL ISSUES:

1. **On-Site Vehicle Sales.** No on-site sales are intended. However, CUP's are transferable owner-to-owner. Consideration should be given to limit the area of on-site vehicle sales to be limited to the existing parking lot footprint.
2. **Minor Vehicle Repair.** Minor Vehicle Repair is a permitted use, whereas Major Vehicle Repair² requires a CUP (not included in this application). It is Staff's understanding that the Applicant's repair of salvaged vehicles is primarily replacing damaged parts, vs. repairing parts (body work).
3. **Environmental Contaminants.** Staff will inspect outside storage areas for possible contaminants. It is Staff's understanding that fluids are drained from salvaged vehicles prior to vehicles coming to the site.

¹ City Code 1001.061, Subd 4(d); Conditional Uses; *Automobile and other vehicles of transportation sales with an outdoor sales lot.*

² Definition of *Major Vehicle Repair*: General repair, rebuilding, or reconditioning of engines, motor vehicles, or trailers; collision service, including body frame, or fender straightening or repair; overall painting and upholstery; and/or vehicle steam cleaning. *Minor Motor Vehicle Repair*: Repairs, incidental body and fender work, replacement of parts and motor services to passenger automobiles and trucks not exceeding 12,000 pounds gross weight, but not to include any operation specified under Motor Vehicle Repair, Major.

4. **Landscaping.** Required landscaping (based on the entire property) includes; 22 overstory trees, 45 ornamental trees, 22 evergreen trees, 679 shrubs, and a 5' landscape strip around the building.^{3 4 5} The general intent of the City Code when there is a new use, is to require the use to comply with current standards as much as practical. In this case, the current use (auto repair) is being altered, vs establishing a "new" use (auto sales), assuming on-site vehicle sales is limited. It is questionable if there is a benefit for additional landscaping.

60/120-DAY RULE (IF APPLICABLE):

Conditional Use Permit

Feb 6, 2024⁶ / Apr 6, 2024

RELATIONSHIP TO COUNCIL GOALS:

N/A

BUDGET IMPACT:

N/A

RECOMMENDATION:

Staff recommends Approval, with conditions.

A Public Hearing notice was published by the Champlin-Dayton Press on February 22, 2023, and mailed to property owners within 500' of the project property.

ATTACHMENT(S):

Aerial Photo

Site Photos

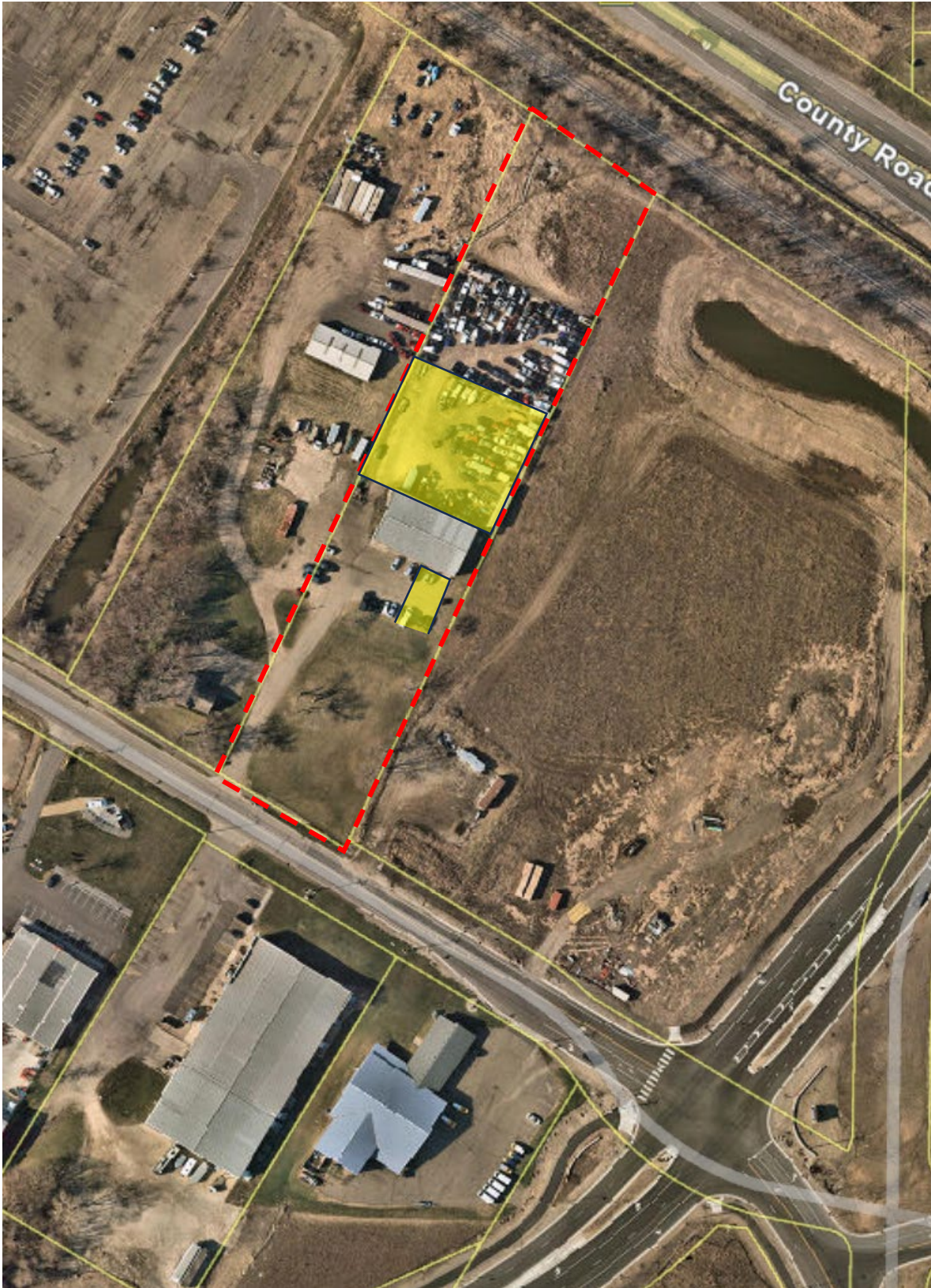
Resolution

³ City Code 1001.06, Subd 4(3)(c) (Parking lot landscaping....) and Section 1001.19 (Parking Regulations)

⁴ City Code 1001.24, Subd 4(5)(c) (B-3 General Business District)

⁵ City Code 1001.24, Subd 4(3) (Landscaping requirements in multiple family residential, and all non-residential uses).

⁶ Per MN Statute 15.99, Subd 3(g), the city extended its 60-day review to 120-days. Notice was provided to the applicant on Feb 1, 2024.



Area used by Driven Auto Sales (highlighted in yellow)



Front parking lot of Driven Auto Sales (right garage door and service door) (photo Jan 16, 2024)



Interior of Driven Auto Sales (photo Jan 16, 2024).



Driven Auto Sales Outside Storage area (inoperable vehicles), behind building (photo Jan 16, 2024)

RESOLUTION __-2024

CITY OF DAYTON

COUNTIES OF HENNEPIN AND WRIGHT

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR AUTO SALES FOR
DRIVEN AUTO SALES, LOCATED AT 18078 TERRITORIAL ROAD**

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

WHEREAS, the Applicant, Leon Volkov (Driven Auto Sales), is requesting a Conditional Use Permit for *Automobile and other vehicles of transportation sales with an outdoor sales lot*, located at 18078 Territorial Road, legally described as:

PID: 31-120-22-13-0011

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WHEREAS, 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 held a Public Hearing at its March 7, 2024 meeting regarding the CUP; and,

WHEREAS, the City Council at its March 26, 2024 meeting reviewed and considered the application, at which the Applicant was present and presented information.

NOW, THEREFORE, based on upon the information from the public hearing, the testimony elicited and information received, the meeting so 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:

1. The proposed use is consistent with the Comprehensive Plan and the purpose of the underlying zoning district.
2. The proposed use will not substantially diminish or impair property values within the immediate vicinity of the subject property.
3. The proposed use will not be detrimental to the health, safety, morals or welfare of persons residing or working near the use.
4. The proposed use will not impede the normal and orderly development of surrounding property.
5. The proposed use will not create an undue burden on parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.
6. The proposed use is adequately screened.

7. The proposed use will not create a nuisance, including but not limited to odor, noise, vibration or visual pollution.
8. The proposed use will provide adequate parking and loading spaces, and all storage on the site is in compliance with this Subsection.
9. The proposed use will protect sensitive natural features.
10. The City Council may attach conditions to the permit, as it may deem necessary in order to lessen the impact of a proposed use, meet applicable performance standards and to promote health, safety and welfare.

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 grant and approves the Conditional Use Permit for the Property and the following conditions shall be met to the satisfaction of the City:

1. The Applicant shall obtain a Change in Use Permit, and Fire Inspection.
2. The Applicant shall stripe parking stalls for the business, no later than 60-days after CUP approval, or when weather permits.
3. The Applicant shall store waste and recycling dumpsters inside the building or an enclosure with roof in the side or rear yard, compliant with City Code 1001.24, subd 7(7) (waste and recycling receptacles and enclosures). If an enclosure, then it shall be constructed by September 1, 2024.
4. Vehicles for sale shall be parked on improved surfaces, compliant with City Code requirements for off-street parking. Any expansion of the existing (2024) front parking lot for vehicle sales, shall require an Amendment to this CUP.
5. Conditions of Resolutions 7-91, and 5-93 shall be continued as they relate to the current property.

Adopted this 26th day of March, 2024, by the City of Dayton.

Mayor, Dennis Fisher

Assistant City Administrator/City Clerk, Amy Benting

Motion by _____, Second by _____. Ayes _____. Nays ____.

Resolution Approved/Denied

MOTION DECLARED PASSED/FAILED

PRESENTER:

Dean George, Kwik Trip

ITEM:

Kwik Trip Concept Plan, 11XXX Maple Court

PREPARED BY:

Jon Sevald, Community Development Director

POLICY DECISION / ACTION TO BE CONSIDERED:

BACKGROUND:

Kwik Trip pursued a concept plan, rezoning, and preliminary plat for this site in 2021/2022 for a Motor Fuel Station with semi-truck fueling and parking. The Rezoning and Preliminary Plat were denied by the City Council on a 3-2 vote. Verbal reasons for denial (summarized) include opposition to a truck stop (crime, and increased service calls), and the desire for a different use on this corner.

Since this corner has remained vacant with limited interest, Kwik Trip re-submitted 2021 plans. No changes to these plans have been made.

CRITICAL ISSUES:

1. Is the use (gas station with overnight truck parking) appropriate for this location?

RELATIONSHIP TO COUNCIL GOALS:

Create a Sought After Community

BUDGET IMPACT:

N/A

RECOMMENDATION:

The Applicant requests direction if to resubmit an application for rezoning, and Preliminary Plat.

ATTACHMENT(S):

Staff Report, Nov 22, 2021
Concept Plan

ITEM:

Application by Kwik Trip for a Rezoning from B-P, Business Park District to B-3, General Business District, Conditional Use Permit Approval, and Preliminary Plat.

APPLICANT:

Dean George, Kwik Trip

POLICY DECISION / ACTION TO BE CONSIDERED:

Discussion and feedback from City Council

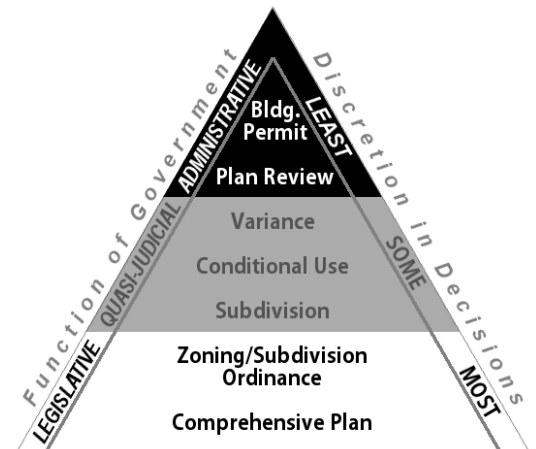
BACKGROUND/OVERVIEW:

Kwik Trip is requesting approval of a rezoning from B-P, Business Park to B-3 General Business, a Conditional Use Permit to operate a motor fuel station, and Preliminary Plat approval to construct a Kwik Trip convenience/gas store and truck stop to be located south of the new Dayton Parkway expansion, west of Holly Lane and north of Maple Court (and RDO store). The Planning Commission and Council reviewed a concept plan for this project in May.

The site totals approximately 10.27 acres. The applicant proposes constructing a Kwik Trip convenience store and gas station/truck stop with 36 overnight semi-truck parking stalls. The site is bordered by future Dayton Parkway extension and Holly Lane.

LEVEL OF CITY DISCRETION IN DECISION-MAKING

Action taken on the proposed rezoning is **legislative** in nature; the City has broad discretion in making land use decisions based on the comprehensive plan and advancing the health, safety, and general welfare of the community. The basic question of the zoning change is whether it is consistent with surrounding property and the comprehensive plan, will it advance vision and goals for the City for future development and redevelopment.

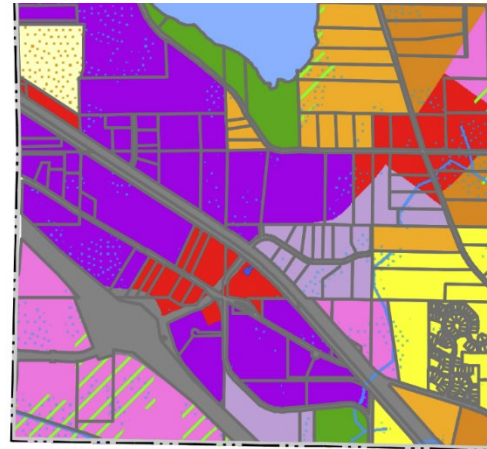


The subdivision (preliminary plat) plat and conditional use request is a **quasi-judicial**; the City's role is to determine the facts associated with the request and weigh those facts against the legal standards contained in the City Code and State Statute. In general, if the facts indicate the applicant meets the relevant legal standards of the code and will not compromise the general welfare, the applicant is likely entitled to approval. The City is, however, able to add conditions to the plat approval to ensure that any impacts to parks, roads, utilities, or other public infrastructure on and around the subject property are adequately addressed. Subdivisions may also be modified to promote the public health, safety, and general

welfare, and to provide for the orderly, economic, and safe development of land.

LAND USE & ZONING:

Currently, the site is guided for commercial at the corner of Dayton Parkway and Holly Lane and industrial over the remaining. The applicant is proposing to rezone the property from B-P Business Park to B-3 General Business District. The land use and zoning will be further addressed under the planning considerations section.



ADJACENT ZONING AND LAND USE:

Direction	Land Use Plan	Zoning Map	Existing Use
East	Industrial	I-2, PUD	Industrial (Cemstone Ready Mix)
North	Territorial Road and Commercial	B-3, B-P	Commercial (Comfort Matters Heating & Cooling)
West	Industrial and Interstate	B-P, Interstate	Farmland and Interstate
South	Industrial and Interstate	B-P, Interstate	Farmland and Interstate

SITE ANALYSIS OVERVIEW

The proposed use is a convenience store with motor fuel sales and an overnight truck stop (36-stalls proposed). The building is located in the north portion of the lot, with pumps on the south side of the convenience store and diesel pumps to the southwest corner. They are proposing 20 fuel canopy stalls and five diesel canopy stalls. The view from the future Dayton Parkway will be more focused on the building versus pumps, and the applicant has provided a rendering from the parkway per the Commission's request from the concept stage. That being said, the truck parking would be heavily utilized, and viewing the truck parking would be unavoidable due to the grade difference between this site and the off-ramp and Dayton Parkway (drivers would be looking down into the site as you use Dayton Parkway).

The applicant has proposed that the site be accessed from a right-in-only movement on Holly Lane N, two full access movements on Maple Court (one specifically for trucks and the other vehicles), and two exit-only access points located off of the cul-de-sac. Semi-trucks will enter the site from Maple Court and proceed past the diesel canopy to the truck parking stalls to the west, in which they would back into the spots. The applicant will provide an exhibit showing truck movements through the site.

The applicant has updated their plans to include a sidewalk connecting the property to the trail located on Holly Lane. Additionally, they have included a direct and continuous pedestrian network between the parking lot and the main building.

The minimum lot size in the B-3 District is 1 acre with a 45 ft maximum height for principal structures. The preliminary plat of the proposed Lot 1 meets the minimum lot requirements. The B-3 District setbacks are located below in the table, and all setbacks are being met.

Setbacks ²	
Building - Principal Structure	
Front yard	40 (60) feet - <i>Plus 1 foot for every 1 foot of building height over 30 feet (maximum setback of 80 feet)</i>
Side yard	25 (40) feet
Side yard (street)	25 (40) feet
Rear yard	25 (40) feet
Parking	
Front, side, or rear to a street	20 (20) feet
Side interior	10 (20) feet
Rear yard	10 (20) feet
² Setbacks in parentheses apply adjacent to R-1 - RH Residential Districts. A 20 foot setback is required for any structure or parking adjacent to any other Residential District.	

Parking

The applicant is providing 101 spaces within the site comprised of 36 truck stalls, 36 standard stalls, 20 fuel canopy stalls, five diesel canopy stalls, and four stalls for disabilities parking. Therefore, the applicant is meeting the standards for the required amount of parking. Parking setbacks indicate that parking stalls shall be setback 20 feet from the front, side, or rear to a street. The applicant is not meeting the required 20-foot setback for the truck stall directly north of the first proposed access point on the Maple Court Cul-de-sac. Therefore, the applicant will need to remove the stall to meet the requirements.

The Planning Commission and City Council expressed concern regarding the overnight truck stalls, and this is addressed later in the CUP standards.

Building Elevations

The proposed elevations consist of brick with aluminum storefront openings, arched brick lintel, and stucco accents. Windows are featured on three elevations and meet the 25% coverage on the east and south elevations. The roof is a mansard design and is constructed of metal that will enclose any rooftop mechanical units. The rooftop features peaks in the design, allowing for signage on the south, east, and north elevations. The zoning ordinance has minimum standards for motor fuel stations limiting the placement and elevation of fuel canopies. The canopy height is limited to 20 feet in height and meets this requirement. The canopy columns are white, and the elevation of the canopy is white with a red strip and signage on the front and side. Staff is supportive of the proposed building elevations.

Landscaping

The proposed landscaping plan meets minimum requirements for total landscape area of the site within the parking and drive areas. The plan also meets requirements for variety of landscape materials. A variety of overstory and evergreen trees and shrubs will be provided. The plan provides a variety of landscaping at the site boundary with additional required buffering along the south, west, north and east of the property. All of the screening meets the requirements of the code. Staff supports the proposed landscaping plans.

Signage

The applicant has provided a signage plan for the Council to review and the applicant is proposing 15 signs. The applicant shall be requesting a variance from the sign ordinance at a later date. Staff is looking for the Council's feedback on the proposed signage plan. The plan includes wall signage consisting of Kwik Trip signs on the south (front entrance), east (facing Holly Lane), and north (facing Dayton Interchange). The ordinance limits the applicant to two walls signs and will need to pursue the variance.

The applicant is proposing three freestanding signs, including two pylons signs and a freestanding sign for the CAT truck weighing station. The pylon signs are located on the northwest and northeast corners of the lot facing the interstate and the interchange. The applicant is proposing pylon signs of 60' and another at 25' in height. The 60' sign includes a Kwik Trip panel area, a two digital price signs, and a CAT Scale illuminated sign. The 25' sign includes a digital price cabinet and a dynamic sign. The third sign is a 16' sign for the CAT Scale. Freestanding signs are limited in the B-3 District to 11 feet in height and 64 sq ft in area. Additionally, the current ordinance limits digital displays to gas prices. All three of these signs exceed the maximum height (11ft) size (64 sqft) and the allowed number of freestanding signs (2). Staff is currently working on updating the signage ordinance, which is proposed to allow a maximum height of 25 feet while maintaining the size allowance (64sqft). The applicant will need to pursue a variance for height, size, and a number of freestanding and wall signs. A variance request for additional signage may be unlikely due to a lack of practical difficulties as required by state statute for a variance. Staff recommends a reduction in the signage and conformance with the new code currently under review.

Lighting

The applicant is proposing a downcast fixture within the parking area. A photometric plan has been submitted that shows lighting will not spill over the property line. Therefore, all canopy lighting shall also be downcast.

Accessory Building

The proposed site development plans showcase a "gator shed" on the parcel. The shed is approximately 450 square feet in size which would make it an accessory building. Currently, the code prohibits accessory buildings on commercially zoned properties. Staff is in the process of updating the accessory building code, but the updated code also does not allow for accessory buildings on commercially zoned properties. Therefore, the applicant may need to pursue a variance to allow for the accessory building or consider attaching the ancillary building to the principal building.

Floor Plan

The applicant has provided a narrative regarding the floor plan and is proposing the following as it relates to truck stops:

This location will also provide an additional restroom area consisting of three bathroom stalls for both Men and Women and two separate single shower rooms. A Public washer and dryer will also have its own room to accommodate laundry needs, and a table and seating area will be designed to give guests a place to sit down and enjoy food and drink offerings.

The shower rooms and laundry area are features that are associated with truck stops. Therefore, this is an area where the Council can limit the shower stalls and the laundry room if they are concerned with the usage.

Planning Considerations

The following is a list of planning considerations that the Council will need to discuss and address as follows:

Land Use

The property is currently guided for commercial at the corner of Dayton Parkway and Holly Lane and industrial over the remaining land. The City Council will need to make a recommendation on the appropriate land use for the site.

- A. Should the parcel be all commercial? The commercial land use in the 2040 Comprehensive Plan is defined as follows:

This category is intended to accommodate general commercial and highway-oriented businesses such as fast food restaurants, convenience stores, gas stations, big box retail, and other auto-oriented businesses. Limited office and services uses are also appropriate, depending on scale and location. .

- B. Should the parcel be all industrial? The industrial land use in the 2040 Comprehensive Plan is defined as follows:

This category is intended to provide areas for industrial related businesses including manufacturing, warehousing, automotive, trucking, office, and other related industrial uses.

Zoning

The property is currently zoned B-P Business Park District and the applicant is requesting that the property be rezoned to B-3 General Business District. The City Council will need to make a recommendation on the appropriate zoning for the site. The following are the intended purposes for the districts:

(Current) Business Park District (B-P): *Intent. The purpose of the B-P, Business Park District is to provide for multi-use building and/or the establishment of business offices, wholesale showrooms, and related uses in an environment which provides a high level of amenities,*

including landscaping, preservation of natural features, increased architectural design, pedestrian facilities and other features. This District falls within the Industrial Land Use category.

(Proposed) General Business District (B-3) Intent. The purpose of the B-3, General Business District is to provide for the establishment of areas devoted to high intensity retailing and service activity primarily oriented toward motorists and requiring higher volumes of traffic and visibility from major roads. Uses will serve a City-wide and multi-community consumer market. This District falls within the Commercial Land Use category

The applicant is proposing the following uses for the site and the definitions for each use as defined in city code.

- Motor Vehicle Convenience Store: *Premises for self-service motor fuel sales that may include the sale of convenience groceries, fast foods and/or a restaurant and may offer a car wash.*
 - *The B-3 District lists Motor Fuel Station as a CUP*
 - *The I-1 District lists Convenience/Gas Station as a permitted use*
- Truck Stop: *A motor fuel station devoted principally to the needs of tractor-trailer units and trucks, and which may include eating and/or sleeping facilities.* Since a "truck stop" is defined as a type of motor fuel station, a truck stop could be approved through a CUP if the property is rezoned B-3, because motor fuel stations are a conditional use in the B-3 district
- Diesel Fuel Sales for trucks: The City doesn't have a designation.
- Overnight Parking: The City doesn't have a designation.

Whether or not the proposed use may be permitted depends on whether the property is rezoned from B-P to B-3. The proposed use is not permissible if the property retains its B-P zoning classification, and permissible if it is rezoned B-3. Whether the property should be rezoned is a legislative decision, involving a wide range of value judgments. In assessing whether the property should be rezoned, the City Council must assess whether rezoning the property promotes the public health, safety, morals, and/or general welfare of the community.

CUP Standards

The proposed use of Motor fuel station requires a CUP in the proposed B-3 zoning district, which lays out special requirements and performance standards as follows:

Special Requirements and Performance Standards in B-2, B-3, and B-4 Districts

(1) Motor fuel stations shall be subject to the following standards:

- a. Motor fuel facilities shall be installed in accordance with state and City standards.

Additionally, adequate space shall be provided to access gas pumps and to allow maneuverability around the pumps. Underground storage tanks are to be positioned to allow adequate access by motor fuel transports and unloading operations which do not conflict with circulation, access and other activities on site. Fuel pumps shall be installed on pump islands.

The applicant is meeting this requirement.

- b. The total height of any overhead canopy or weather protection shall not exceed 20 feet in height. *The applicant is meeting this requirement.*

c. No sales or rental of motor vehicles or trailers or campers shall be permitted. *This will be a condition of approval.*

d. All goods for sale by a motor fuel station convenience store other than petroleum based products required for the operation and maintenance of motor vehicles shall be displayed within the principal motor fuel station structure. *This will be a condition of approval.*

e. Each motor fuel station shall be compatible with the area in which it is located. *This is a question for the City Council to determine if the use is compatible with the area in which it is located.*

f. 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. *The applicant is meeting this requirement.*

g. Motor fuel dispensers shall be located at least 30 feet from a property line, and 100 feet from R- District property lines. *The applicant is meeting this requirement.*

h. 1. Structures shall be set back:

- (a) Front: 30 (60) feet;
- (b) Side: 30 (50) feet;
- (c) Rear: 30 (50) feet.

2. Setbacks in parentheses apply to lot lines adjacent R-Districts. *The applicant is meeting this requirement.*

i. All canopy lighting for motor fuel station pump islands shall be recessed or fully shielded. Illumination levels for pump islands shall comply with the lighting standards of Subsection 1001.14. *This will be a condition of approval.*

j. Litter control. The operation shall be responsible for litter control within 300 feet of the premises and litter control is to occur on a daily basis. Trash receptacles must be provided at a convenient location on site to facilitate litter control. *This will be a condition of approval*

k. The hours of operation shall be limited to 7:00 a.m. and 10:00 p.m. for motor fuel stations located in the B-2 District unless extended by the City Council as part of the conditional use permit. *While this condition applies to B-2 Districts, if the City Council has concerns about the hours of operation it may be addressed via a condition.*

The Planning Commission didn't feel this was appropriate and that they preferred to have the truck stop open and staffed 24 hours a day.

This leaves the City Council's role to review the technical aspects of the CUP as it relates to the City's Zoning Ordinances and the Comprehensive Plan. The Dayton City Code describes the purpose and scope as follows: *The conditional use permit process is intended to provide the City with an opportunity to review a proposed use that has the potential to be incompatible with surrounding uses, but can be made compatible through the establishment of reasonable conditions. Approval of a conditional use is a site specific approval and does not indicate that the conditional use is able to be conducted on every parcel within the zoning classification. Every application for a conditional use permit will be individually reviewed on its own merits, and the facts surrounding the subject property will determine the appropriateness of the proposed use. The approval of the conditional use permit runs with the land and is not impacted by changes in ownership.*

As a reminder the CUP requires the application to meet the following conditions for approval:

1. The proposed use is consistent with the Comprehensive Plan and the purpose of the underlying zoning district. *If the Council is not supportive of a rezoning, a CUP approval could not be considered.*
2. The proposed use will not substantially diminish or impair property values within the immediate vicinity of the subject property.
3. The proposed use will not be detrimental to the health, safety, morals or welfare of persons residing or working near the use.

The City Council has expressed concerns regarding the safety of the proposed use, specifically regarding crime. As a result, staff has attached an exhibit summarizing the crime and service calls from the data provided by Kwik Trip and from the truck stop located in Rogers.

If the City Council is concerned regarding the truck stop usage, they can limit those aspects related to truck stops. These include the following:

- *The Council can recommend that the number of truck stalls be limited in amount.*
 - *The Council can recommend the removal of shower stalls that are associated with truckstops.*
 - *The Planning Commission did not recommend removing the shower stalls.*
 - *The Council can recommend the removal of the laundry room, which is associated with truck stops.*
 - *The Planning Commission did not recommend removing the shower stalls.*
4. The proposed use will not impede the normal and orderly development of surrounding property.
 5. The proposed use will not create an undue burden on parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area. *While crime issues may possibly be reduced via conditions, the use itself may pull police services to the commercial use, which may require additional police services.*
 6. The proposed use is adequately screened.
 7. The proposed use will not create a nuisance, including but not limited to odor, noise, vibration, or visual pollution.
 8. The proposed use will provide adequate parking and loading spaces, and all storage on the site is in compliance with this Subsection.
 9. The proposed use will protect sensitive natural features.
 10. The City Council may recommend conditions to the permit, as it may deem necessary in order to lessen the impact of a proposed use, meet applicable performance standards and to promote health, safety, and welfare.

PLANNING COMMISSION REVIEW:

The Planning Commission discussed the following and made recommendations for each of these items. Staff is looking to receive feedback from the City Council tonight on the same issues and has inserted the recommendations of the Planning Commission.

Staff would recommend tackling each item separately:

1. Recommendation on the appropriate land use for the site for the 2040 Land Use Map.
 - a. Should the land use be entirely commercial?
 - b. Should the land use be entirely industrial?

The Planning Commission recommended that the parcel be guided for commercial over the entirety of the property

2. Rezoning the property from B-P, Business Park to B-3 General Business
 - i. The Commission will need to make a decision on zoning for the property.
 - ii. Is the proposed use appropriate for the B-3 General Business?
 - iii. Will rezoning the property from B-P to B-3 promote the public health, safety, morals, and/or general welfare of the community?

The Planning Commission recommended rezoning the property from B-P, Business Park to B-3, General Business. They felt that the location was an appropriate area for the motor fuel/convenience store location. It was discussed that the crime data was not necessarily connected to truck stops and instead was associated with convenience stores in general.

3. Preliminary Plat approval for platting the property into one block and lot with the following conditions:
 - i. The applicant shall pay Park Dedication fees for the parcel.
 - ii. The applicant shall pay sanitary sewer, water, and stormwater development fees, unless parcels have been previously assessed for trunk utilities.
 - iii. All applicable Sewer Access Charges and Water Access Charges shall be paid for Lot 1, Block 1. The applicant shall submit SAC Determinations applications directly to the Metropolitan Council.
 - iv. The applicant shall meet the requirements of the City Engineer memo dated October 25th, 2021.

The Planning Commission recommended the approval of the Preliminary Plat.

4. Conditional Use Permit Approval for the motor fuel station, truck stop:

The Commission discussed the Conditional Use Permit and voted 3-1 in favor of recommending approval of the CUP. One member was absent but expressed concern over the potential crime related to the truck stop via an email to the commission. The Planning Commission felt that they should not limit the number of truck stalls for the site to succeed. They thought that if the trucks were limited, they were concerned about the future viability of the western portion of the site. In addition, they felt that the crime wasn't necessarily associated with truck stops in general but all convenience/motor fuel stores. As such, it didn't make sense to limit the truck stalls since that wouldn't necessarily limit the potential crime. Two of the Commissioners were against the truck stop parking, citing a concern regarding the crime from the truck stop.

In addition, the following topics were discussed:

- *There was some support to consider the height of the sign citing that even though it was 60 feet in height, there was a 20-foot elevation change which made the height not as impactful.*
- *Discussion on changing the landscaping of the islands believing they will not succeed where trucks are parking and as such the landscaping in the parking islands will not survive. Recommend doing bigger parking island ends but not the medians as proposed under the plan.*
- *Recommendation to add a brick overlay to the fuel canopies at the bottom to match the building.*

- a. Staff recommended the following conditions at Planning Commission and wishes for additional feedback on the conditions:
 - i. The applicant will provide a new site plan conforming to the setback requirements for parking spaces, removing the nonconforming truck stall space located off the cul-de-sac on Maple Court.
 - ii. Stacking spaces shall not interfere with parking spaces or traffic circulation.
 - iii. No sales or rental of motor vehicles or trailers or campers shall be permitted
 - iv. All goods for sale by a motor fuel station convenience store other than petroleum-based products required for the operation and maintenance of motor vehicles shall be displayed within the principal motor fuel station structure.
 - v. All site lighting and canopy lighting shall be downcast.
 - vi. The applicant shall work with the fire department to ensure location of hydrants are placed meeting the needs for fire safety.
 - vii. A copy of the detailed plan for the store will also need to be provided for review.
 - viii. All plans should include fire extinguisher placement throughout the structures, pump stations, and outbuildings.
 - ix. Any additional requirements required by the Fire Department
 - x. Building Permits for signage shall be obtained prior to installation.
 - xi. The applicant will provide an exhibit showcasing the truck movements throughout the site.
 - xii. Site circulation signage shall be posted throughout the site exhibiting the ingress/egress of each access point and the type of vehicles allowed.
 - xiii. The applicant shall meet the requirements of the City Engineer memo dated October 25th 2021.
 - xiv. City Council can determine if a limit of truck stop stalls is necessary. If the Planning Commission wishes to limit the number of truck stop stalls staff

is recommending a reduction of half the number of truck stalls allowing for 18 truck stalls.

- xv. City Council can determine if the shower stalls and laundry room shall be allowed.
- xvi. City Council can determine if a limit of hours of operation is necessary.
- xvii. The applicant will add a brick overlay to the bottom of the fuel canopy matching the brick and design of the principal building.
- xviii. The applicant will revise the design of the parking lot medians to ensure landscaping survives impact from trucks. Applicant will work with City Staff on the redesign.

Actions Tonight

Staff is looking for discussion and feedback from the Council tonight to prepare the appropriate resolutions for consideration at the December 14, 2021 meeting at which the following options would be presented to the Council:

Option 1 Recommend Approval

If the Council wishes to recommend approval, they will need to approve the following:

1. Recommendation of approval on the land use designation for the entirety of the site between either Industrial or Commercial Land Use (a Commercial Land Use Designation supports the application for rezoning to B-3).
2. Recommendation of approval for the rezoning of the property to B-3, General Commercial from B-P, Business Park if the Commission doesn't approve this the application for the CUP could not be considered.
3. Recommendation of approval for the Preliminary Plat with the conditions for approval as stated above.
4. Recommendation of approval for the Conditional Use Permit with the conditions for approval as stated above.

Option 2 Recommendation Denial of Rezoning/Land Use Change

If the City Council does not support a change from the existing land use (commercial in the NE corner, and industrial over the rest of the parcel, then it follows that a rezoning of the entire parcel to B-3 could not be supported by the Land Use. Without the rezoning the remainder of the application could not be considered due to the need for a CUP. If the Council wishes to proceed in this direction, then findings of fact related to denial of the application (e.g. what about the subdivision and CUP does not meet the Land Use Plan, or proposed zoning district, or other code or policy) will be required. The Land Use and Zoning decisions are at the discretion of the City Council, meaning the City has the most latitude in these policy decisions. If the Commercial Land Use and Rezoning is supported, see option 1.

Option 3 Table the application with specific requests for additional information.

Preliminary Plats must be acted on within 120 Days, while other land use applications (rezoning) must be acted on within 60-days or can be extended to no longer than 120-days.

ATTACHMENT(S):

Engineering Memo

Cover Letter Narrative

Existing Conditions

Site Plan

Grading & Erosion

Utility Plans

Stormwater

Landscape Plan

Photometric Plan

Signage Plan

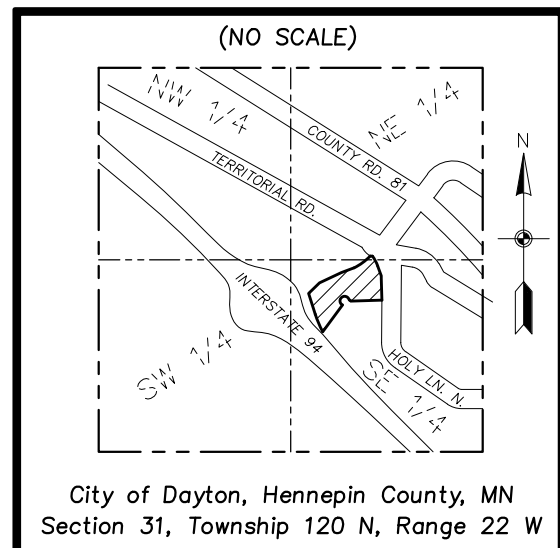
Gator Shed

Section Drawing

Rendering

Summary of Crime Stats Exhibit

VICINITY MAP



CONTROL POINTS

(ASSUMED COORDINATES)

#31 233855.0150° 467493.5040° 937.22° TP PK
#32 233870.3260° 468091.9910° 950.55° TP CP
#33 234339.6940° 468117.5460° 958.33° TP CP
#34 233474.2050° 467238.0030° 930.32° TP CP

OWNER:
CITY OF DAYTON
PID: 31-120-22-42-0014

OWNER:
CITY OF DAYTON
PID: 31-120-22-42-0014

OWNER:
CITY OF DAYTON
PID: 31-120-22-42-0012

OWNER:
CITY OF DAYTON
PID: 31-120-22-42-0014

OWNER:
RDO EQUIPMENT CO.
PID: 31-120-22-42-0013

LEGEND

- | | | | |
|---|---|-----------|------------------------------------|
| ● | - Denotes Found Iron Monument | — uq — | - Denotes Hand Hole |
| ○ | - Denotes set or to be set 5/8 inch by 14 inch rebar, marked with RLS 40361 | — ufo — | - Denotes Electric Meter |
| ✱ | - Denotes Light Pole | — ohe — | - Denotes Underground Gas line |
| ✱ | - Denotes Miscellaneous Sign | — --- --- | - Denotes Underground Fiber Optic |
| ✱ | - Denotes Existing Spot Elevation | — --- --- | - Denotes Overhead Utility Line(s) |
| ○ | - Denotes Sanitary Manhole | — --- --- | - Denotes Watermain |
| ○ | - Denotes Catch Basin | — --- --- | - Denotes Sanitary Sewer |
| ○ | - Denotes Flared End Section | — --- --- | - Denotes Storm Sewer |
| ○ | - Denotes Fire Hydrant | — --- --- | - Denotes Existing Fence as noted |
| ○ | - Denotes Gate Valve | — --- --- | - Denotes Concrete Surface |
| ○ | - Denotes Guy Wire | — --- --- | - Denotes Bituminous Surface |
| ○ | - Denotes Utility Pole | — --- --- | - Denotes Existing 2 Ft. Contour |
| ○ | - Denotes Mail Box | — --- --- | - Denotes Existing 10 Ft. Contour |
| ○ | - Denotes Telephone Box | | |
| ○ | - Denotes Television Box | | |

ALTA/NSPS LAND TITLE SURVEY

PART OF LOT 3,
BLOCK 1, VF13 ADDITION,
HENNEPIN COUNTY, MINNESOTA

PROPERTY DESCRIPTION: (Per Schedule A of Title Commitment File No. 1564778-2, with a commitment date of January 07, 2021 at 8:00 A.M., prepared by First American Title Insurance Company)

That part of Lot 3, Block 1, VF13 ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota, described as follows:

Commencing at the most southerly corner of Lot 1, Block 1, RDO ADDITION, City of Dayton, Hennepin County, Minnesota; thence North 46°06'40" West, along the southwest line of said Lot 1, a distance of 107.83; thence North 42°18'14" West a distance of 795.56 feet; thence northwesterly 337.99 feet along the southwest line of said Lot 1 and a non-tangential curve concave to the northeast having a radius of 1332.00 feet, a central angle of 14°32'16", a chord bearing of North 35°01'30" West and a chord length of 337.08 feet, to the northwest corner of said Lot 1 and the true point of beginning; thence continue along said curve for a distance of 249.33 feet, a central angle of 10°43'31", a chord bearing of North 22°23'35" West and a chord length of 248.97 feet; thence North 17°01'50" West, tangent to last curve, a distance of 289.30 feet; thence North 65°46'36" East a distance of 199.32 feet; thence North 65°46'36" East a distance of 319.16 feet; thence North 69°29'52" East a distance of 180.65 feet; thence northeasterly 263.34 feet along a non-tangential curve concave to the northwest having a radius of 765.00 feet, a central angle of 19°43'23", a chord bearing of North 54°22'30" East and a chord length of 262.04 feet; thence South 86°40'48" East, not tangent to last curve, a distance of 32.31 feet; thence southeasterly 149.51 feet along a non-tangential curve concave to the southwest having a radius of 519.00 feet, a central angle of 16°50'19", a chord bearing of South 27°18'06" East and a chord length of 148.99 feet; thence South 19°02'56" East, tangent to last curve, a distance of 136.77 feet to the east line of said Lot 3; thence South 00°41'19" West, along the east line of said Lot 3, for a distance of 32.88 feet; thence South 01°13'14" East, along the east line of said Lot 3, for a distance of 285.06 feet to the northeast corner of said RDO ADDITION; thence South 66°46'46" West, along the northerly line of said RDO ADDITION, for a distance of 413.03 feet to a tangential curve concave to the northeast having a radius of 20.00 feet; thence westerly and northwesterly a distance of 26.36 feet, along the northerly line of said RDO ADDITION and along said curve, a central angle of 75°31'21", a chord bearing of North 53°27'34" West and a chord length of 24.49 feet to a curve concave to the southeast having a radius of 60.00 feet; thence northwesterly, westerly, southwesterly, southerly, and southeasterly, along the northerly line of said RDO ADDITION and along said curve, for a distance of 233.45 feet, a central angle of 222°55'49", a chord bearing of South 52°50'12" West and a chord length of 111.68 feet to the northwest corner of said Lot 1; thence South 37°08'43" West, not tangent to last curve and along the northwesterly line of said Lot 1, for a distance of 439.28 feet to the true point of beginning.

(abstract property)

GENERAL NOTES:

- Bearings shown hereon are based on the most southerly southwest line of Lot 1, Block 1, RDO ADDITION, which is assumed to bear N46°06'40"W.
- Monuments have been found, set, or will be set at all major corners of the boundary and indicated on this survey.
- Surveyed property address, per title commitment - vacant land
- Per FEMA Flood Insurance Rate Map Number 27053C0045F with an effective date of 11/04/2016, surveyed property is located in Zone X, areas of minimal flooding. Areas determined to be outside 500-year floodplain determined to be outside the 1% and 0.2% annual chance floodplains.
- Surveyed property contains ±10.27 acres.
- BENCHMARK: Minnesota Department of Transportation Geodetic GSID Station No. 11201 (MnDot Name Brenna MNDT RM 2) - Elev. = 950.22 ft. (NAVD 88)
- Per the undated zoning verification letter prepared by Alec Henderson, Planner with the City of Dayton, the surveyed property is zoned Business Park, B-P. The setback requirements, height and floor space area restrictions, and parking requirements specific to the surveyed property are as follows:
Building - Principle Structure
- Minimum Front Yard - 40 ft. plus 1 ft. for every 1 ft. of building height over 30 ft. (maximum setback of 80 ft.)
- Minimum Side Yard - 20 ft. (Minimum Side Yard (Street) - 40 ft.)
- Minimum Rear Yard - 20 ft.
- Maximum Structure Height - 45 ft. or 3 stories, whichever is less
- Maximum Impervious Surface Coverage - 80%
- Maximum Building Footprint Coverage - 50%

- Parking
- Minimum Setback to Front, Side, or Rear to a Street - 20 ft.
 - Minimum Side Interior - 15 ft.
 - Minimum Rear Yard - 15 ft.
 - Minimum to Residential - 15 ft.

Note - The minimum setback requirements cannot be graphically depicted without an interpretation by the surveyor and are not shown hereon.

- At the time of this survey there were no buildings observed on the surveyed property.
- No parking spaces were observed on the surveyed property.
- Above ground utilities have been field located as shown. Underground utilities shown hereon are those which were field marked by utility companies responding to Gopher State One Call, Ticket No. 210680765, dated 3/09/21 or were taken from utility plans provided by the City of Dayton. All underground locations shown hereon are APPROXIMATE. Prior to any excavations or digging, contact Gopher State One Call for an on-site location (651-454-0002). However, lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, Gopher State One Call locate and other similar utility locate requests from surveyors may be ignored or result in an incomplete response. Where additional or more detailed information is required, the client is advised that excavation may be necessary.
- At the time of this survey, the adjacent land to the west, north, and east is currently under road construction or is proposed to be reconstructed. Surveyor is not aware of any proposed changes to the street right-of-way lines. There was observable evidence of recent street or sidewalk construction or repairs.
- Per Schedule B, Part II Exceptions of the above listed Title Commitment:

- Item 8 - The terms, provisions and easements contained in the document entitled "Easement Agreement" recorded September 15, 2003 as Doc. No. 8163239 of Official Records. (Described sign easements are not on nor do they touch surveyed property and are not shown hereon.) Above has been amended by Doc. Nos. 8869622, A10251763 and A10447021. (Contains no plottable easements and is not shown hereon.)
- Item 9 - The terms and provisions contained in the document entitled "Certification of Resolution 26-2006" recorded September 27, 2006 as Doc. No. 8869614 of Official Records. (The temporary easement right to install improvements/indemnification contained in this document is blanket in nature and is not shown hereon.)
- Item 10 - The terms and provisions contained in the document entitled "Certification of Resolution 27-2006" recorded September 27, 2006 as Doc. No. 8869615 of Official Records. (Vacates the drainage and utility easements as dedicated in the underlying plat of Triple Eagle Addition. Said vacated easements are not shown hereon.)
- Item 11 - The terms and provisions contained in the document entitled "Certification of Subdivision Agreement VF13 Addition" recorded September 27, 2006 as Doc. No. 8869615 of Official Records. (The temporary easement right to install improvements/indemnification contained in this document is blanket in nature and is not shown hereon.)
- Item 12 - The terms and provisions contained in the document entitled "Certification of Resolution 59-2008" recorded May 27, 2009 as Doc. No. A9367079 of Official Records. (Not survey related and is not shown hereon.)
- Item 13 - The terms and provisions contained in the document entitled "Certification of Settlement Agreement" recorded May 27, 2009 as Doc. No. A9367080 of Official Records. (Not survey related and is not shown hereon.)
- Item 14 - The terms, provisions and easements contained in the document entitled "Temporary Construction Easement Agreement" recorded December 10, 2019 as Doc. No. A10733691 of Official Records. (as shown hereon)
- Item 15 - The terms and provisions contained in the document entitled "Certification of Resolution 11-2017" recorded May 22, 2018 as Doc. No. A10555241 of Official Records. (Not survey related and is not shown hereon.)
- Item 16 - The terms, provisions and easements contained in the document entitled "Order Granting Petition and Ordering Transfer of Title and Possession" recorded December 30, 2019 as Doc. No. A10740376 of Official Records. (Said document extinguishes an easement which does not lie on the surveyed property.)
- Item 17 - An easement shown or dedicated on the Map as referred to in the legal description

For: drainage and utility purposes. (Drainage and utility easements as dedicated on the plat of VF13 ADDITION are shown hereon.)

STATEMENT OF POSSIBLE ENCROACHMENTS:

- 1) Sliding gate and chain link fence encroaches approximately crosses ±5 ft on to the surveyed property, as shown.
- 2) Dirt stock pile is located on and northwesterly of the surveyed property, as shown.

CERTIFICATION:

To: Kwik Trip, Inc., a Wisconsin Corporation; First American Title Insurance Company;

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 6(a), 6(b), 7(a), 8, 9, 11(c), 11(d), 14, 17, 18, and 20 of Table A thereof. The field work was completed on March 15, 2021.

Date of Plat or Map: April 13, 2021

Signed: Carlson McCain, Inc.

By: Thomas R. Balluff, L.S.
Minnesota License No. 40361
tballuff@carlsonmccain.com

CARLSON
McCain
ENGINEERING
SURVEYING
ENVIRONMENTAL

ALTA/NSPS LAND TITLE SURVEY

PROPOSED KWIK TRIP 1187 SITE

Dayton, Minnesota

KWIK TRIP, INC.

P.O. BOX 2107
1626 Oak Street
Lacrosse, WI 54602

REVISIONS

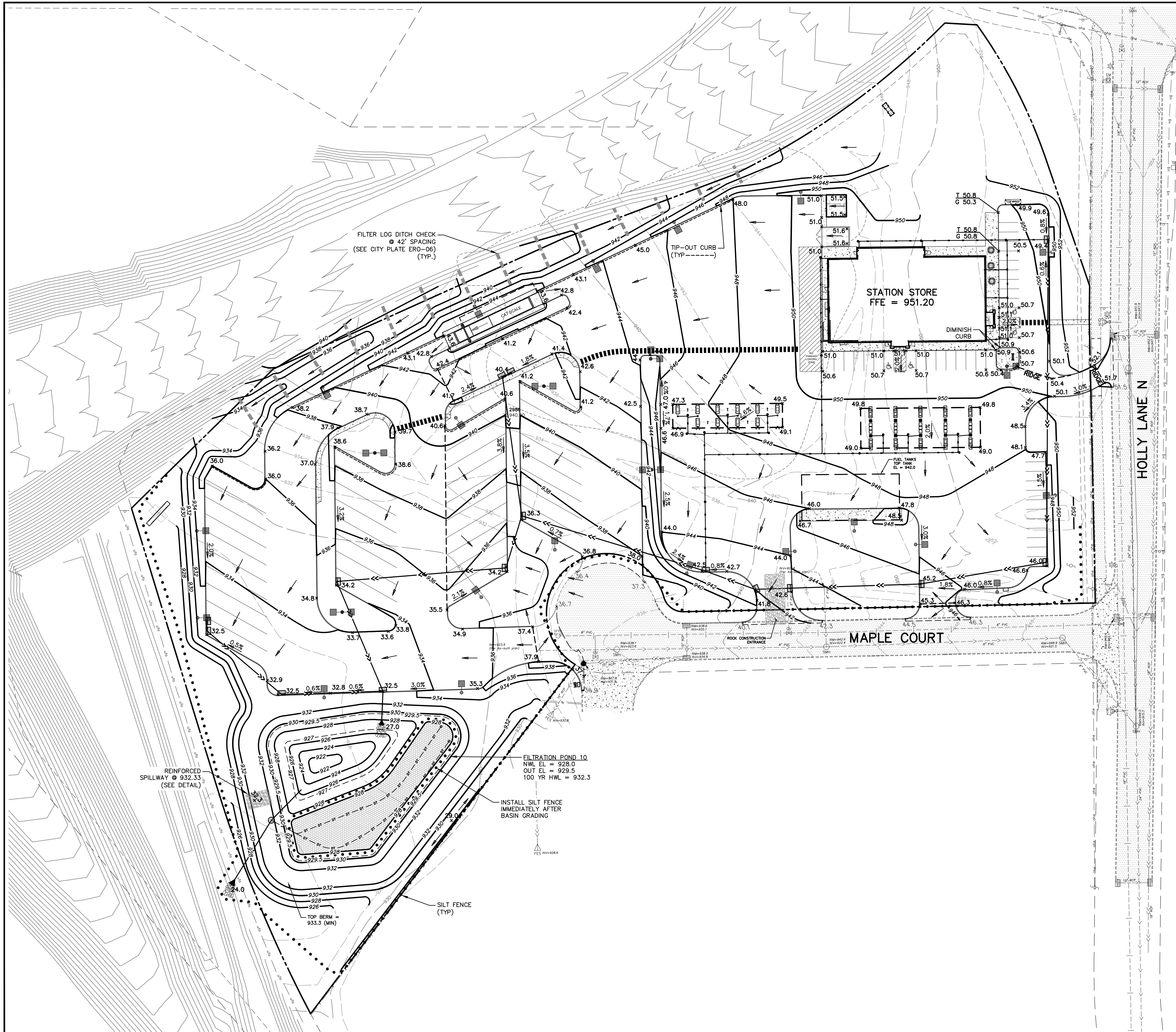
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ISSUE DATE: 4/13/21

FILE NO: 2259

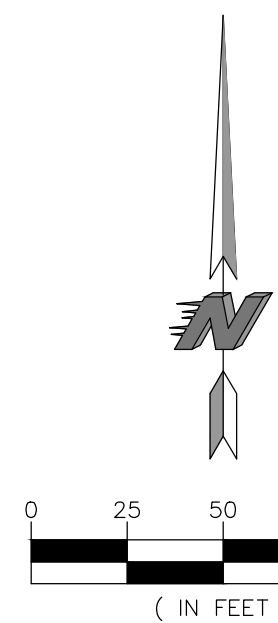




PLAN LEGEND	
EXISTING	PROPOSED
CURB	
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CONCRETE PAVEMENT	
CONCRETE WALK	
GRAVEL	
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EASEMENT LINE	
STORM SEWER	
SANITARY SEWER	
WATER MAIN	
UNDERGROUND GAS	
UNDERGROUND FIBER OPTIC	
OVERHEAD ELECTRIC	
FENCE	
COMMUNICATIONS BOX	
POWER POLE	
SANITARY MANHOLE	
LIGHT POLE	
SIGN	
TRANSMISSION TOWER	
GAS VALVE	
WATER VALVE	
GUY WIRE	
HYDRANT	
5' CONTOUR	
1' CONTOUR	
SPOT ELEVATION (CURB ELEVATIONS ARE TO GUTTER LINE)	
SILT FENCE	
DITCH CHECK	

- GOVERNING SPECIFICATIONS**
- THE LATEST EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION".
 - THE LATEST EDITION OF THE CITY OF DAYTON STANDARD DETAILS AND SPECIFICATIONS.
 - THE LATEST EDITION OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MMUTCD).
 - THE LATEST EDITION OF THE CITY ENGINEERS' ASSOCIATION OF MINNESOTA (CEAM) STANDARD SPECIFICATIONS.

- GRADING NOTES**
- SILT FENCE AND EXISTING CATCH BASIN INLET PROTECTION SHALL BE INSTALLED PRIOR TO GRADING CONSTRUCTION, AND SHALL BE MAINTAINED UNTIL SITE HAS BEEN STABILIZED.
 - CONTRACTOR SHALL FIELD VERIFY THE LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES AND PAVEMENTS PRIOR TO THE START OF GRADING CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY OF DISCREPANCIES OR VARIATIONS FROM THE PLAN.
 - CONTRACTOR SHALL STRIP, STOCKPILE AND RESPREAD SUFFICIENT TOPSOIL TO PROVIDE A MINIMUM OF 4" OF TOPSOIL OVER ALL DISTURBED AREAS THAT WILL BE SODDED, SEEDDED OR LANDSCAPED.



BENCHMARKS	
1. MINNESOTA DEPARTMENT OF TRANSPORTATION GSID STATION #11201 (NAME: BRENNIA MNDT RM 2) ELEVATION = 950.22 FT. (NAVD 88)	



**Kwik
TRIP**

**Kwik
Star**

KWIK TRIP, Inc.
P.O. BOX 2107
1626 OAK STREET
LA CROSSE, WI 54602-2107
PH. (608) 781-8988
FAX (608) 781-8960

**CARLSON
McCain**

3890 PHEASANT RIDGE DRIVE NE, SUITE 100, BLAINE, MN 55449
TEL 763.489.7900 \ FAX 763.489.7959 \ CARLSONMCCAIN.COM

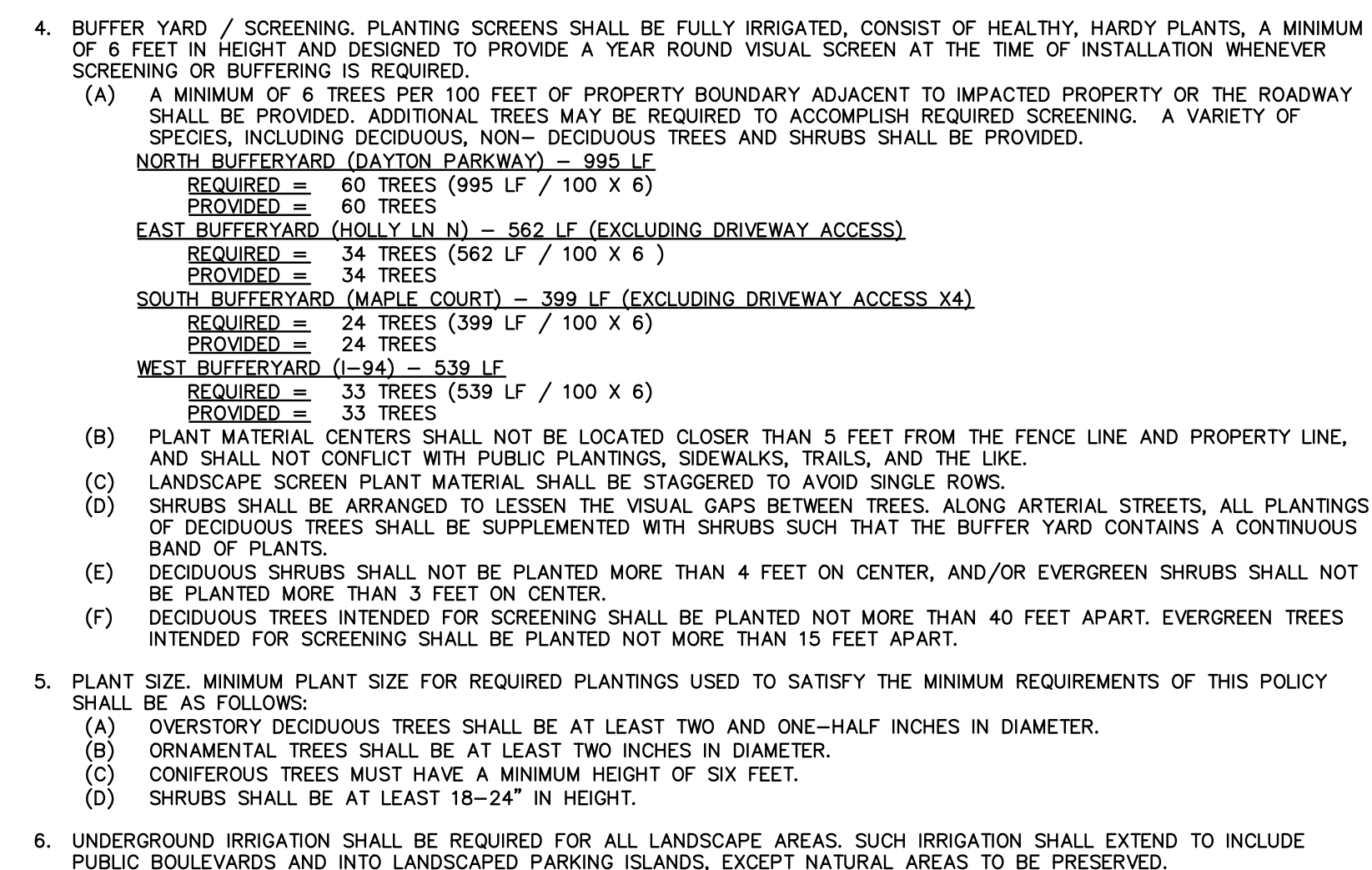
I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Name: Joseph T. Radach, P.E.
Signature: *Joseph T. Radach*
Date: 08/18/21 License #: 45889

GRADING & EROSION
CONTROL PLAN
CONVENIENCE STORE #1187
WITH SIDE DIESEL
MAPLE COURT & HOLLY LANE N
DAYTON, MINNESOTA

#	DATE	DESCRIPTION
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SCALE GRAPHIC
PROJ. NO. 9354-00
DATE 2021-08-18
SHEET 1187 SP3



1. MINIMUM REQUIRED PLANTING: THE LANDSCAPE PLAN DESIGN SHALL, AT A MINIMUM, PROVIDE AT LEAST 3 OF THE FOLLOWING REQUIRED NUMBERS OF TREES AND SHRUBS IN ADDITION TO ANY TREES AND SHRUBS REQUIRED FOR SCREENING:

(A) ONE OVER-STORY TREE PER 3,000 SQUARE FEET OF OPEN AREA.
REQUIRED = 57 TREES (170,400 SF OPEN AREA / 3,000)
PROVIDED = 57 TREES

(B) ONE ORNAMENTAL TREE PER 1,500 SQUARE FEET OF OPEN SPACE.
REQUIRED = 114 TREES (170,400 SF OPEN AREA / 1,500)
PROVIDED = 114 TREES

(C) ONE EVERGREEN TREE PER 3,000 SQUARE FEET OF OPEN AREA.
REQUIRED = 57 TREES (170,400 SF OPEN AREA / 3,000)
PROVIDED = 57 TREES

(D) ONE DECIDUOUS OR EVERGREEN SHRUB PER 100 SQUARE FEET OF OPEN AREA.
REQUIRED = 1704 SHRUBS (170,400 SF OPEN AREA / 100)
PROVIDED = 557 SHRUBS

2. HEAT ISLAND REDUCTION: AT LEAST 1 OVER-STORY TREE SHALL BE PLANTED FOR EVERY 10 PARKING STALLS ON SITE. TO SATISFY THIS REQUIREMENT, THE TREE MUST BE LOCATED AT LEAST 4 FEET AND WITHIN 10 FEET OF A CURB ADJACENT TO ANY INTERNAL PARKING OR DRIVE AREA. THE TREES SHALL COUNT TOWARD MEETING THE OVERALL SITE GREEN SPACE AND LANDSCAPING REQUIREMENTS.

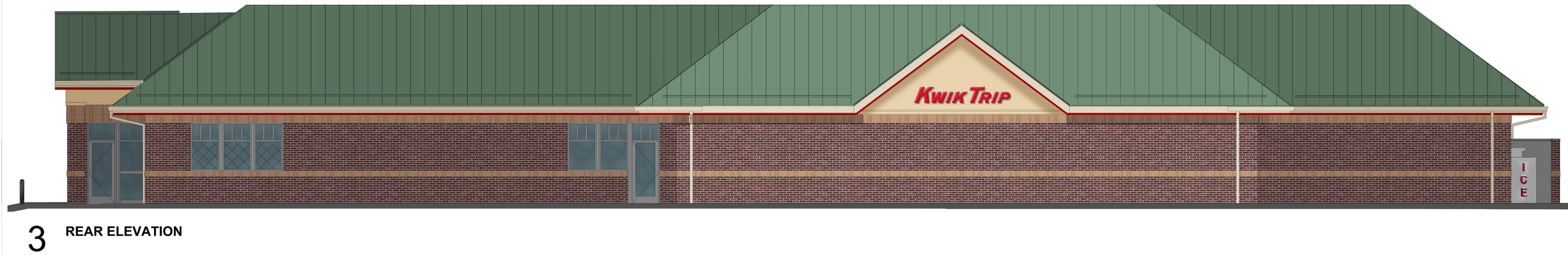
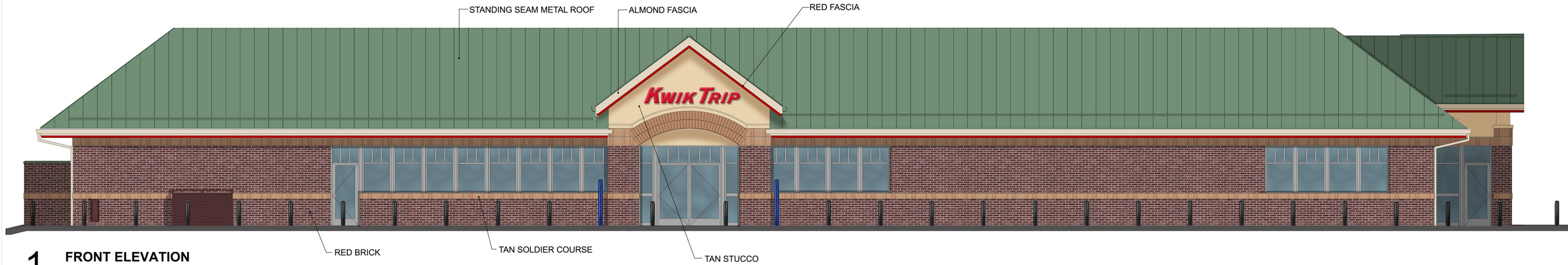
REQUIRED = 8 TREES (76 STALLS / 10)
PROVIDED = 8 TREES

3. LANDSCAPE REQUIREMENTS SPECIFIC TO B-3/B-4 GENERAL BUSINESS DISTRICT:

(A) AT LEAST 25% OF THE LAND AREA SHALL BE SOODED AND LANDSCAPED WITH APPROVED GROUND COVER, SHRUBBERY AND TREES.
AREA REQUIRED = 111,878 SF (447,509 SF LOT 1 AREA * .25)
AREA PROVIDED = 170,400 SF (38%)

(B) AT LEAST 3% OF THE INTERNAL PARKING AREA SHALL BE LANDSCAPED. THIS AREA IS COUNTED AS PART OF THE OVERALL REQUIRED LANDSCAPE AREA.
AREA REQUIRED = 7,077 SF (235,906 SF PARKING AREA * .03)
AREA PROVIDED = 41,506 SF (17.7%)

#	DATE	DESCRIPTION
	10/25/21	Per City Comments
DRAWN BY	JRJ	
SCALE		GRAPHIC
PROJ. NO.		9354-00
DATE		2021-08-18
SHEET	1187 1	



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FRONT RIGHT VIEW



REAR RIGHT VIEW



FRONT LEFT VIEW



REAR LEFT VIEW



FRONT ELEVATION

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10 MPD



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DIESEL



TO: Dayton Planning Commission

FROM: Kevin Shay, Landform

DATE: March 1, 2024 for the March 7, 2024 Planning Commission Meeting

RE: Dayton Parkway Master Plan

1. Description of Request

This is a City-initiated effort to study and adopt a master plan for the area surrounding the Dayton Parkway extension.

2. Background

On June 27, 2023 City Council approved a work effort to be more proactive in its planning efforts and to establish a master plan for the Dayton Parkway area. The Council established the boundary of the area to be studied.

On September 7, 2023, the Planning Commission held a work session to review the major components of the master plan including land use, transportation, parks/trails and design standards. The Planning Commission provided recommendation on these topics that were used to inform the development of the master plan area.

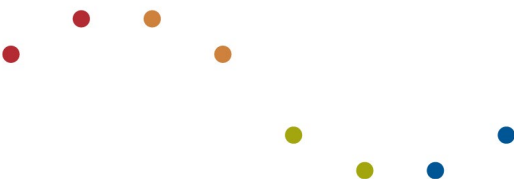
An online survey was posted on October 23, 2023 to receive feedback from residents on various topics surrounding the master plan. This survey ran for three weeks and the results are included as an attachment to this report.

We held an open house at the Dayton Community Center on November 29, 2023. This open house was intended to inform the public of the effort on the master plan, share a first draft of the land use map, answer questions from landowners and get feedback. The comments received at this open house were included with the comments received from the online survey.

3. Analysis

The master plan process includes land use discussions to inform landowners and developers about the City's vision but does not include a comprehensive plan amendment process. The plan is being done with the understanding that any comprehensive plan amendments will be done during the 10-year update (due in 2028) and the information and work done as part of this master plan will guide the future amendments.

While no changes are proposed to the land use or zoning as part of this effort, the update is intended to establish new standards for development in this area. The work plan established is to develop a new plan informed by stakeholder input that includes:

- 
- A new land use plan
 - Creation of a street hierarchy
 - Identification of parks
 - Updated landscaping and screening requirements
 - Architectural standards
 - Parking location and design standards
 - Strategies for sustainability, resiliency and preservation of natural resources such as encouraging the use of green infrastructure for stormwater management
 - Town center standards

The results of the open house feedback and the survey suggest support for these items. Staff has developed an outline for the new Dayton Parkway Master Plan based on Planning Commission direction and modified by public feedback and staff direction. The working draft is as follows:

1. District Overview and Purpose

a. Purpose Statement

This will outline the purpose of the district. It will clarify that these standards are adopted in addition to the basic standards established by the applicable zoning district. The purpose of the standards is to establish standards to ensure a cohesive district for all land uses. The standards will ensure quality site design that will result in attractive business and residential development.

b. Background

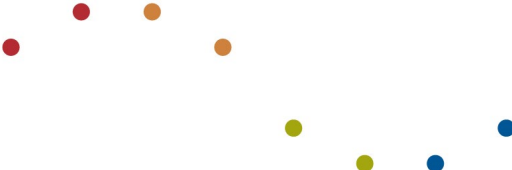
The master plan is building upon previous studies, including the NW Hennepin County I-94 Sub-area Transportation Study done in 2006-2008 and a 2020 study conducted by SRF identifying a conceptual layout for the extension of Dayton Parkway from the interchange with Interstate 94.

c. Overview

This section will provide an overview of the reasoning behind the framework for the plan and why standards such as architecture, stormwater, parks and trails, streetscapes, and landscaping were included in the plan.

d. Application

The Dayton Parkway Master Plan will be used to inform the City's 2050 Comprehensive Plan update, however, individual amendments could happen prior to the 2050 Comprehensive Plan update if development is proposed prior to the update. The master plan will be used as a supplement to the Zoning Ordinance. Where there is a conflict



between the Zoning Ordinance and the Dayton Parkway Master Plan, the more restrictive provisions will apply.

2. Dayton Parkway Master Plan Principles

a. Architecture

Building architecture shall adhere to the ordinance standards unless development is located within the Town Center where higher architectural quality and standards are required. Development not within the Town Center are still encouraged to employ the standards of the GMU-2 district.

b. Parks and Natural Resources

Dayton is known as a community with a lot of natural resources and the master plan will work with development to preserve and enhances those natural resources such as Maple-basswood forests and wetlands.

c. Master Plan Future Land Use Map

A new land use map has been created which depicts the town center mixed use shown in pink along with the commercial, medium density residential, high density residential and park open space land use categories. This map will be used to inform the 2050 Comprehensive Plan Update.

3. Transportation

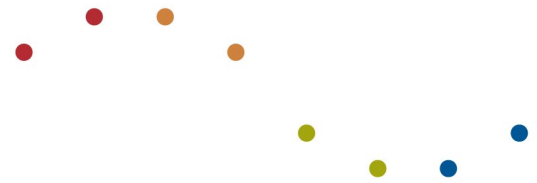
a. Dayton Parkway Extension

This section details the planned extension of Dayton Parkway from 117th Avenue to Zanzibar Lane consistent with the recent transportation plan amendment adopted as part of the City Comprehensive Plan.

b. Street Hierarchy

The street hierarchy is established in this section based on anticipated traffic. This informs the street design. Access will be limited onto major corridors with minimal driveways and fewer intersections. This plan will create safer, better managed traffic flow and street intersections. Dayton Parkway will serve as the central route through the Master Plan area.

c. Street Design



Street design has been evaluated here to ensure safety of both vehicular and pedestrian traffic. Street design profiles are included to illustrate the different levels of street design.

4. *Site and Structures*

a. *Parks, Trails and Public Spaces*

There are no public parks currently located in the master plan area. As part of this effort, new community park has been identified on the east side of French Lake and transitions into the Town Center area. This will provide civic opportunities and a melding of the park into the Town Center. Trail connections for bicycle and pedestrian traffic will be incorporated with the design of the park and connect to the Town Center.

b. *Screening*

Additional screening standards have been included that are in addition to the Zoning Ordinance standards. They are intended to reduce negative visual impacts to the character of the Master Plan Area for building features that are otherwise required.

c. *Parking*

The parking section builds upon the Zoning Ordinance standards by requiring additional landscaped islands and features to break up parking areas. It also offers creative solutions to provide stormwater management as part of the landscaped islands to meet multiple requirements.

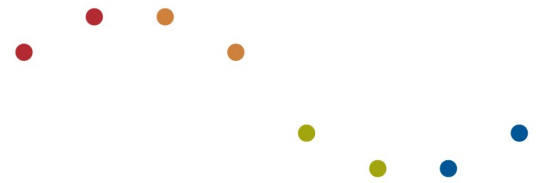
d. *Landscaping*

The landscaping section encourages additional planting diversity and the use of native plantings to achieve a diverse landscape plan. Maintenance plans are included as a requirement for development to ensure the survivability of the plantings.

e. *Resiliency Options*

The resiliency section requires sites to provide sustainable options with their development. Seven options are available of which three must be provided. The options are permeable pavers, rain gardens/bioretention systems, native species landscaping, green rooftops, aesthetic design, chloride management plans and alternative energy. Public responses in the online survey and from the open house were both strongly in favor of sustainable development options.

f. *Stormwater Management*



The stormwater management section does not include any standards above the City and watershed requirements but does encourage the use of stormwater management areas as designed open space features that can enhance developments.

5. *Town Center*

a. *Town Center District Vision*

The Town Center area identified in the master plan is shown as pink on the land use map and runs west from Dayton Parkway to the future community park along French Lake. The Town Center with a focus on a public square or focal green space area was the preferred option based on resident feedback. The Town Center is expected to develop with a mixture of residential, office, commercial and civic uses. Creating a walkable environment that blends these uses around a central green space area will be the key to creating a vibrant Town Center space.

b. *Town Center District Guidelines*

The Town Center has an established zoning district called the GMU-2 Zoning District that is part of the existing Zoning Ordinance that includes common development standards such as lot size, setbacks, building height, etc. Shared parking is encouraged between different uses to make the best use of the space in the Town Center. Parking is required to be located to the rear of the structure to create a walkable pedestrian environment along the public right of ways.

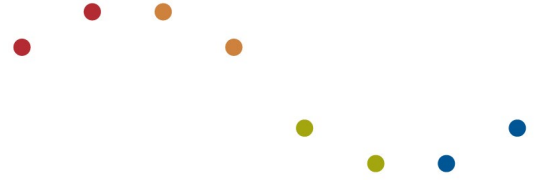
c. *Architecture*

The survey preference for architecture was to have a variety of architectural styles available while making them harmonious with each other. The architecture goals focus around creating an enhanced pedestrian realm through the use of clear building entrances and well-defined windows on the ground floor. Franchise architecture and generic uniformity are not encouraged without alterations to blend with the context of the surrounding area.

d. *Facades*

The façade standards for the Town Center will be utilized through the development process. The standards are focused on the following building features: entrances, appearance, windows, roofs, elements, articulation and materials. The standards are in addition to the standards found in the Zoning Ordinance and generally have a slightly higher standard to meet.

6. *Implementation*



This section establishes how the master plan will be implemented through the development review process, the park planning process and the 2050 Comprehensive Plan Update process. These will be the key tools to use in implementing the master plan vision and standards.

Next Steps

- City Council will review the draft master plan along with the feedback from Planning Commission at their March 12th meeting.
- An Open House will be held following the City Council review to present the draft plan. This open house may include a formal presentation with an opportunity for questions and feedback. Staff is working to identify a date for this open house.
- A public hearing is tentatively scheduled for the Planning Commission on April 4th. The Commission will take public comments on the draft at that meeting.
- The City Council is tentatively scheduled to review and approve the Dayton Parkway Master Plan at the April 23rd meeting.

4. Action

No formal action is required.

The Planning Commission should provide feedback to the City Council and staff for inclusion in the plan.

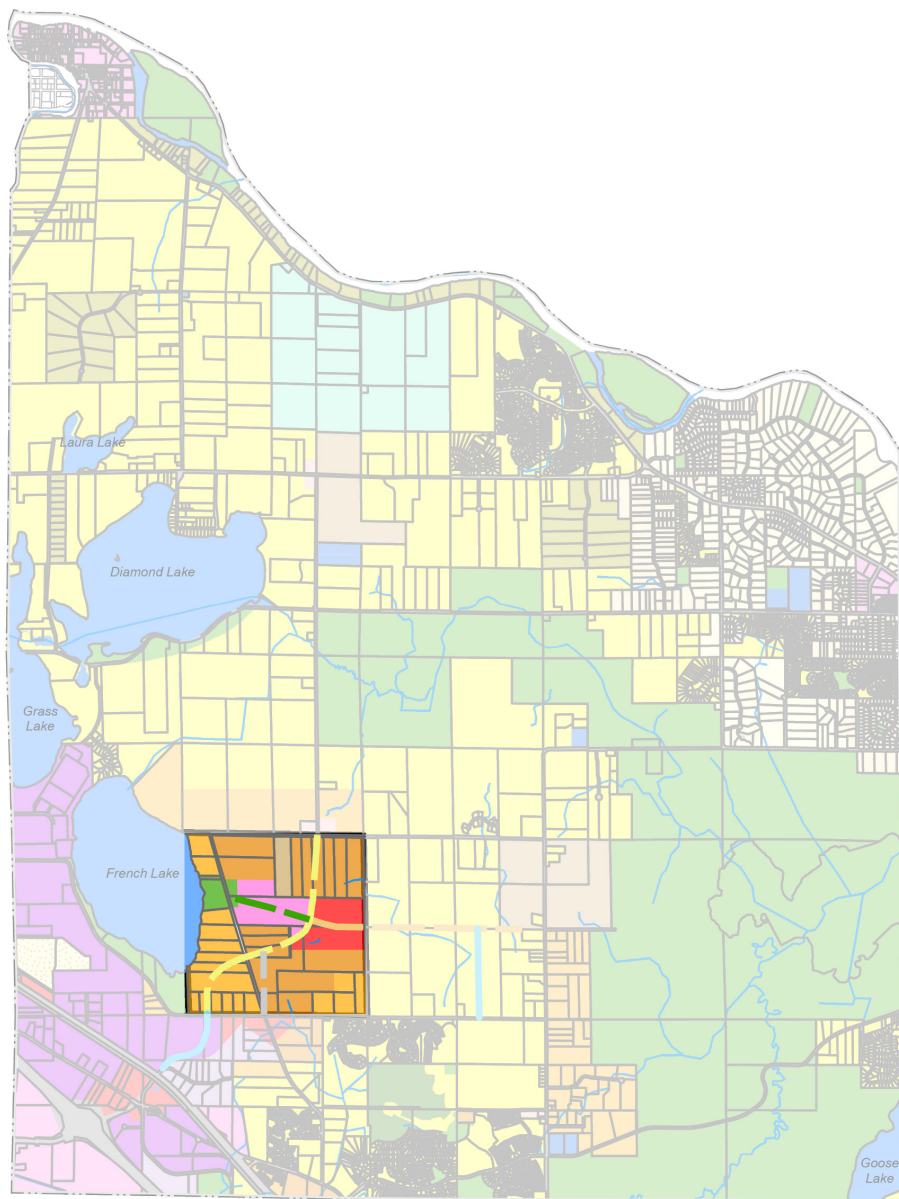
Attachments

1. Draft Dayton Parkway Master Plan
2. Summary of Online Survey Results



Dayton Parkway Master Plan

Adopted April XX, 2024



DRAFT March 2024

for review only



Table of Contents

Dayton Parkway Master Plan Overview and Purpose – 3

Purpose Statement

Background

Overview

Application

Dayton Parkway Master Plan Principles – 6

Architecture

Parks and Natural Resources

Transportation – 9

Dayton Parkway Extension

Street Hierarchy

Street Design

Parks, Trails and Public Spaces

Site and Structures – 13

Screening

Parking

Landscaping

Resiliency Options

Stormwater Management

Town Center District Vision

Town Center – 20

Town Center District Guidelines

Architecture

Facades

Implementation – 26

Development Review

Parks

2050 Comprehensive Plan Update



Dayton Parkway Master Plan Overview and Purpose

Purpose Statement

The purpose of the Dayton Parkway Master Plan is to establish standards and guidelines for future development within the master plan area. This plan will guide development and provide a framework for the 2050 Comprehensive Plan (due in 2028). The master plan area report is established with a focus on the forthcoming extension of Dayton Parkway and the future land uses proposed throughout the Dayton Parkway Master Plan area. The Dayton Parkway Master Plan will not change the existing future land use map adopted as part of the 2040 Comprehensive Plan but will provide guidance for developers when working with the City to allow individual land use amendment in advance of the City's 2050 Comprehensive Plan update.

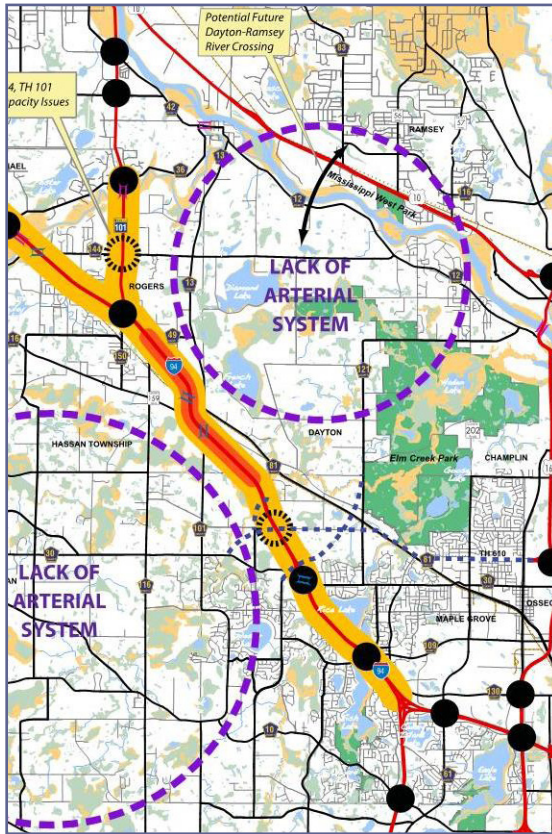
The Dayton Parkway Master Plan Report aims to accomplish the following goals:

1. To establish a Town Center to serve as a destination within the community, featuring commercial retail and offices, entertainment venues, civic spaces and higher density residential development.
2. To incentivize the development of high-quality office and commercial developments that will provide employment opportunities in Dayton.
3. To encourage the use of sustainable, environmentally-friendly buildings and site development techniques.
4. To develop a transportation system that safely supports vehicles, bicyclists and pedestrians.
5. To promote development that increase the efficiency of infrastructure design.
6. To identify land use goals within the Dayton Parkway Master Plan area for the 2050 Comprehensive Plan.

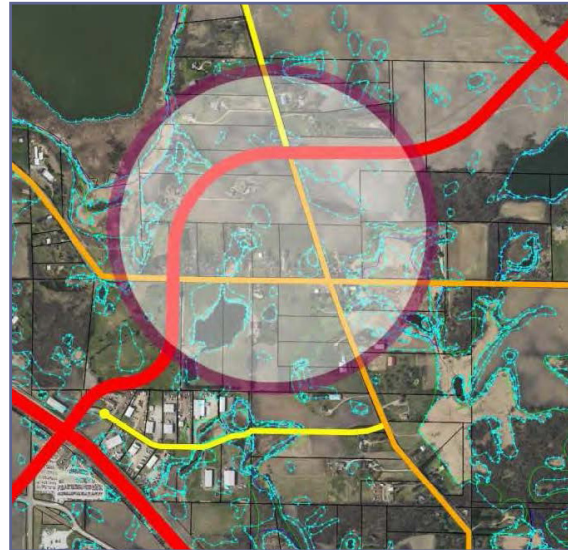
Background

The Dayton Parkway Master Plan effort is the culmination of a series of transportation studies. The concept of a transportation corridor through Dayton dates back to the NW Hennepin County I-94 Sub-area Transportation Study (2006-2008) that examined the framework for a transportation system that could improve traffic and identify a location for an additional interchange along Interstate 94. Ultimately, an interchange was constructed at the intersection of Dayton Parkway and Interstate 94.

A 2020 study conducted by SRF identified a conceptual layout for the extension of Dayton Parkway from the interchange with Interstate 94. This concept provided a northeast-southwest orientation to connect Dayton Parkway with Fernbrook Lane to the northeast. The SRF study was also the first to examine the vision and location for a future City Center compatible with the future transportation system. The next step in the process is to establish a plan to better understand the magnitude and type of development for the Town Center and Dayton Parkway Master Plan area.



Northwest Hennepin County I-94 Sub-Area
Transportation Study (2006 to 2008)



2020 Dayton Parkway Corridor Study completed by SRF.

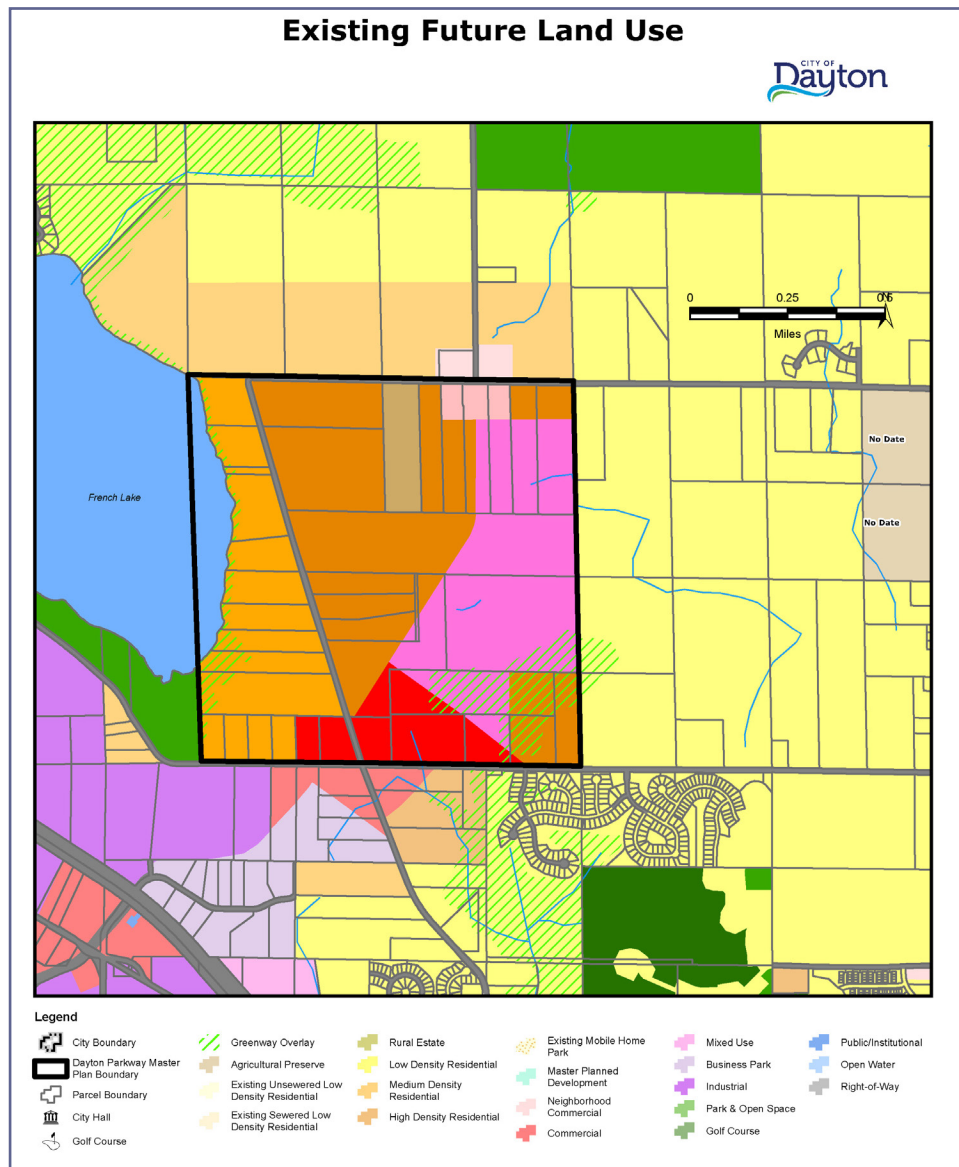
Overview

The Dayton Parkway Master Plan establishes land use and development standards. The plan identifies a modified location for the Dayton Parkway extension and for a Town Center and community park. The Dayton Parkway Master Plan will provide a framework that outlines the development standards for new construction, including architecture, stormwater, parks and trails, streetscapes, and landscaping to ensure future development that meets the community and City's vision for the area. The Dayton Parkway Master Plan is informed by discussions and surveys with the landowners in the master plan area and the community at-large. The intent of this document is to identify a preliminary local roadway network that can support future development while maintaining best practices and guidelines with respect to access, circulation and operations.

The Interstate 94 corridor southwest of the Dayton Parkway Master Plan area is predominantly industrial development. The Dayton Parkway Master Plan will provide increased opportunities for commercial, residential and civic development to help diversify urban development in the area.

Application

The Dayton Parkway Master Plan will not change the existing land uses or zoning but provide guidance for developers as they work with City staff on projects in the area. The Dayton Parkway Master Plan will be used to inform the City's 2050 Comprehensive Plan update. However individual land use amendments could happen prior to the 2050 Comprehensive Plan update if development is proposed prior to the update. The 2040 Staging Plan anticipates development within the Dayton Parkway Master Plan area will move from the south to the north and ranges from 2020 to post 2050. The format and content of this document are specifically tailored for use as a supplement to the Zoning Ordinance. All provisions of the Zoning Ordinance shall apply to parcels in the Dayton Parkway Master Plan area and these standards shall be in addition to these provisions. Where there is a conflict between the Zoning Ordinance and the Dayton Parkway Master Plan, the more restrictive provisions shall apply.



Existing Future Land Use Map in the 2040 Comprehensive Plan



Dayton Parkway Master Plan Principles

The revised future land uses within the Dayton Parkway Master Plan area reflect the evolving needs and aspirations of the community. The updated Dayton Parkway Master Plan map will promote a blend of land uses that will help to establish a vibrant and sustainable urban environment.

The decision to exclude industrial land uses from the Dayton Parkway Master Plan area is deliberate, considering the existing industrial development to the south and along the Interstate 94 corridor and the incompatibility of industrial development adjacent to the Town Center and high density residential. Promoting commercial and office development within the Dayton Parkway Master Plan area will further enhance the City by providing increased and diverse employment opportunities. Diversifying land uses and the economic base of the City helps create a balanced mixture of land uses that sustains both resident and business interests. This forward-looking approach is crucial in positioning the area as a model for sustainable and attractive urban development.



Duplex



Commercial/retail mixed-use

The Dayton Parkway Master Plan area places a strong emphasis on accommodating a variety of residential developments, recognizing the importance of a well-rounded community that provides as many housing choices as possible to fit different lifestyles, resource use and budgets. Medium-density residential areas should include a mix of townhouses, duplexes, villas and courtyard homes that will foster a sense of community while efficiently utilizing space. High-density residential areas aim to provide living through the development of apartments, condominiums and mixed-use buildings. The diversification of housing types ensures that the Dayton Parkway Master Plan area will appeal to a broad demographic, fostering life-cycle housing and a livable community for all residents. There will also be an opportunity to build on a sense of neighborhood identity with respect to the amenities provided, names of streets and design of buildings.

A key component of the Dayton Parkway Master Plan is the establishment of a mixed-use town center in the Master Plan area. The town center recognizes the importance of creating focal points within the City that integrate residential, commercial, social, civic, retail and office spaces. With a higher residential density than proposed elsewhere in the City, the Town Center is poised to become a dynamic hub that fosters economic growth and community interaction. The Dayton Parkway Master Plan area will provide diverse amenities and housing options and will act as a local and regional destination, drawing people from neighboring areas and enhancing the City's services, improve transportation, add amenities and build tax base.

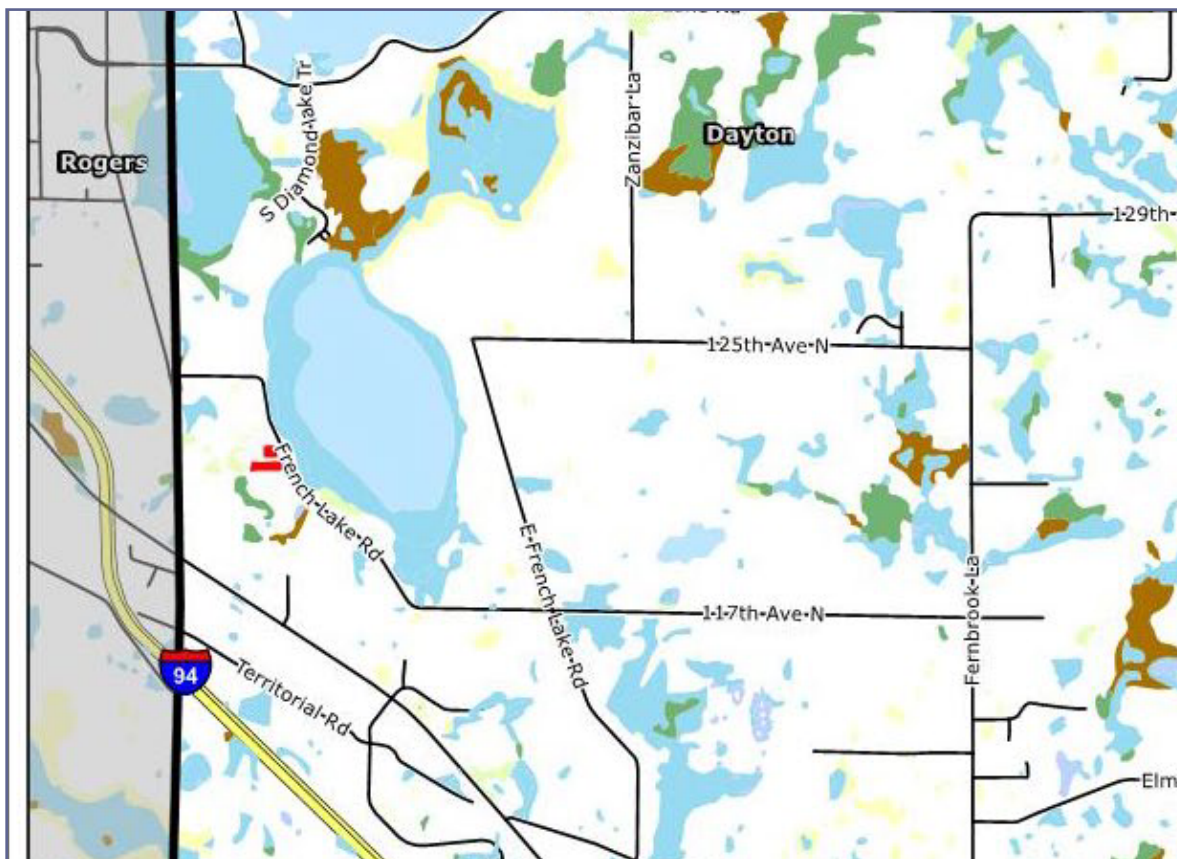
Architecture

In the Dayton Parkway Master Plan area, building architecture shall adhere to the ordinance standards unless development is located within the Town Center where higher architectural quality and standards are required. Development not within the Town Center is encouraged to employ the standards of the GMU-2 district that will enable a cohesive identity throughout the Master Plan area with deference to the City's history and heritage.

Parks and Natural Resources

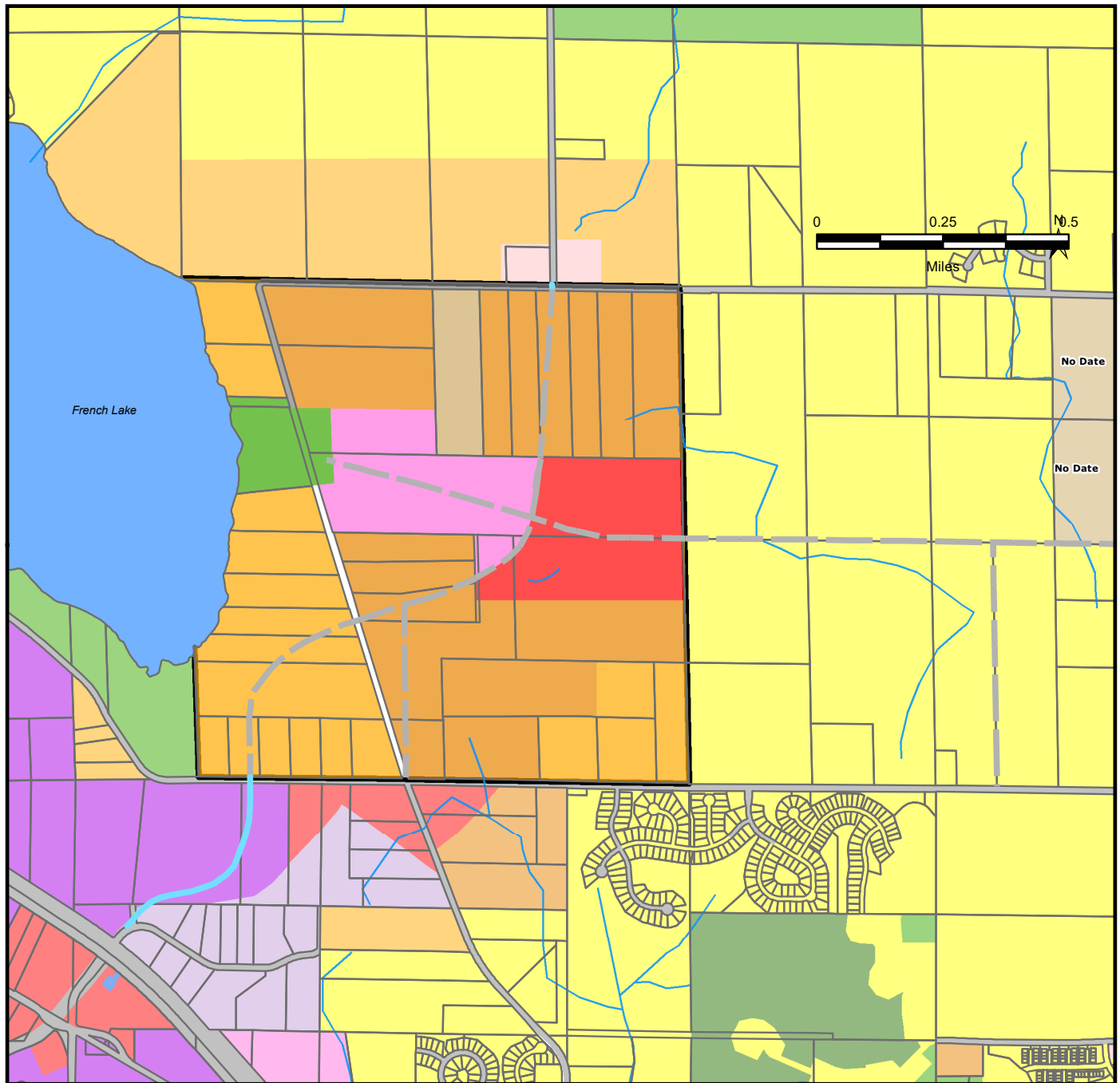
Dayton is known as a community with plentiful land and high quality natural amenities. As the City experiences major population growth and land development, it is important that the City identify natural resources in order to guide future development to the most appropriate locations. The City will work to preserve woodland and other natural features as part of the development process. The proposed community park will be developed as part of the Town Center district and connected to surrounding parks and neighborhoods with a trail system developed in coordination with roadway infrastructure improvements. Parks will provide a range of recreational opportunities, including community parks, small neighborhood parks, special use parks, public access to lakes/waterways, and natural and historic areas. Small and unique parks will also help provide a sense of identity within each neighborhood. A community-wide trails system will provide connections to parks, natural open spaces, cultural/historic sites, community destinations and trails of surrounding communities.

The Natural Resources Map indicates there are Maple-Basswood forests, open water and wetlands within the Dayton Parkway Mater Plan area. The City will continue to preserve natural areas for multiple uses including wildlife habitat, lake and wetland restoration, fishing, parks and other recreational uses.



Wetlands Inventory Map in the 2040 Comprehensive Plan

Master Plan Future Land Use



Legend

	City Boundary		Existing Unsewered Low Density Residential		High Density Residential		Mixed Use		Public/Institutional
	Dayton Parkway Master Plan Boundary		Existing Sewered Low Density Residential		Existing Mobile Home Park		Business Park		Open Water
	Parcel Boundary		Rural Estate		Master Planned Development		Industrial		Right-of-Way
	City Hall		Low Density Residential		Neighborhood Commercial		Park Open Space		Constructed Road Alignment
	Golf Course		Medium Density Residential		Commercial		Golf Course		Proposed Future Road Alignment
	Agricultural Preserve								

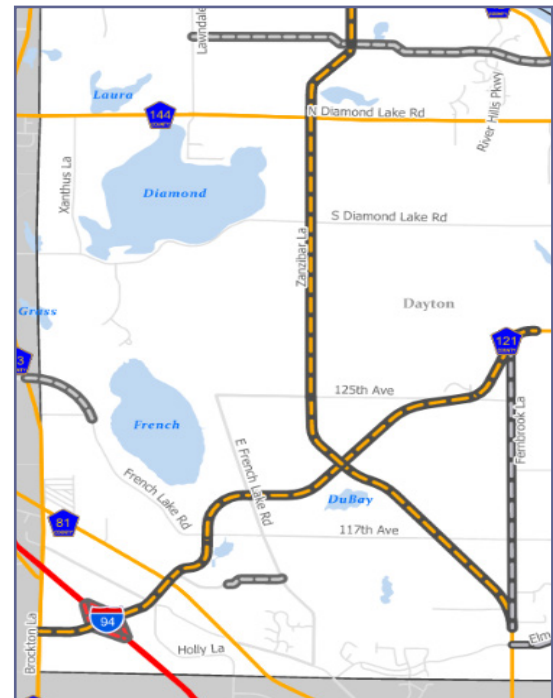


Transportation

Dayton Parkway Extension

In response to the growing needs of the community and expansion of urban development from the southeast, the Master Plan Area includes a strategic extension of Dayton Parkway, a vital connector road that will provide a north-south connection through the City between Highway I-94 and the Mississippi River. Dayton Parkway currently extends to an intersection with 117th Avenue North where it abuts the southwest boundary of the Dayton Parkway Master Plan Area. An extension of Dayton Parkway from 117th Avenue North to Zanzibar Lane is identified in the 2040 Comprehensive Plan scheduled for construction in 2035.

The proposed alignment of the Dayton Parkway extension through the Master Plan area will connect with Zanzibar Lane North in the northeast corner of the Master Plan area. The proposed route is strategically placed to avoid natural resources and increase the connectivity of existing roadways such as French Lake Road East. The alignment will provide a more direct connection between southwest and northeast Dayton and create new opportunities for residential, commercial and civic development in the Master Plan area as urban growth continues to expand from the Interstate 94 corridor to the southwest. The Dayton Parkway extension will serve as a main corridor through the Master Plan Area.



Future Roadway System map from the 2040 Transportation Plan completed by SRF

Table 2. List of Programmed and Planned Improvements

Roadway	Extents		Timeframe	Jurisdiction
I-94 Interchange	Interchange Area		2020	Dayton/MnDOT
Dayton Parkway	Brockton Lane (CSAH 101) to CSAH 81	4-Lane Construction	2020	Dayton/MnDOT
Dayton Parkway	CSAH 81 to 117th Avenue	4-Lane Construction	2025	Dayton/Hennepin Co
113th Avenue	113th Avenue existing to East French Lake Road	3-Lane Construction	2025	Dayton
French Lake Road	Rogers Drive to Dayton Parkway	2-Lane Construction	2025	Dayton
Pioneer Parkway	Lawndale Lane to Dayton River Road (CR12)	2-Lane Construction	2030*	Dayton
Dayton Parkway	117th Avenue to Fernbrook Lane Extension	4-Lane Construction	2035	Dayton/Hennepin Co

Table of planned roadway improvements showing this section of Dayton Parkway planned for development by 2035.

Street Hierarchy

The implementation of a well-defined street hierarchy is a key component of the Dayton Parkway Master Plan area. This will ensure safe and adequate access from the new Dayton Parkway to lower classification streets utilized for access to future developments.

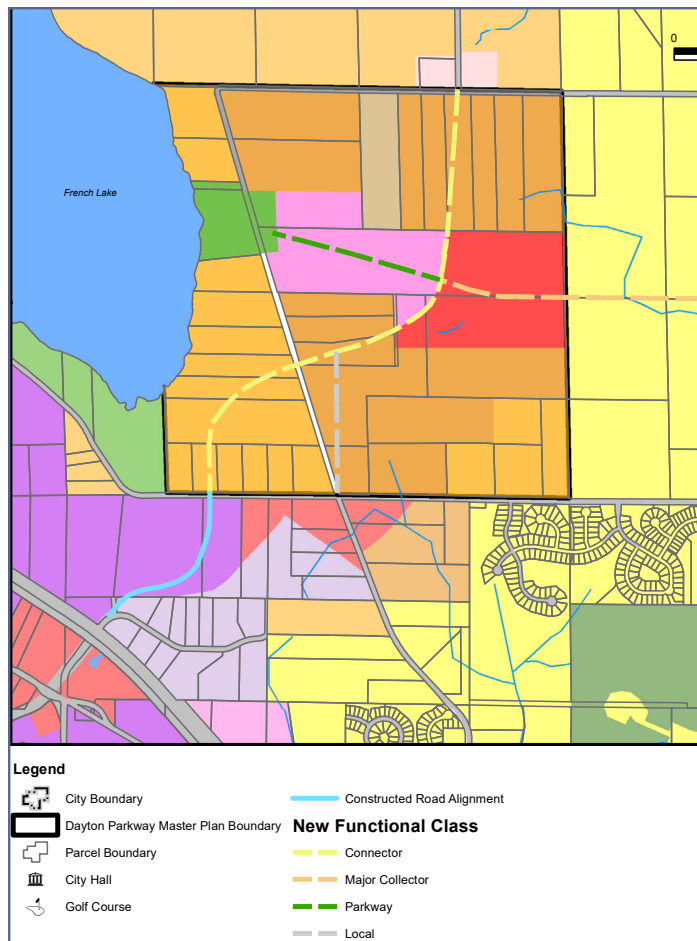
The 2040 Comprehensive Plan identifies the functional classification for Dayton Parkway as a Future Connector. Connector roadways provide safe connections to communities at the edge of the urbanized area and in rural areas. The 2050 Comprehensive Plan update will review the proposed classification for the Dayton Parkway extension as traffic continues to increase.

When the Dayton Parkway extension is constructed there will be increased opportunities for new development and local streets to be constructed with access to Dayton Parkway. An east-west connection is proposed within the site for a future extension of 121st Avenue North to French Lake Road East to provide a main corridor for local traffic through the proposed Town Center district. The intersection of Dayton Parkway and 121st Avenue North will be a major intersection and provide a key link to the eastern half of Dayton.

The City anticipates that jurisdiction over Dayton Parkway will eventually transfer over to Hennepin County. The City will work with Hennepin County to ensure that improvements are made in coordination with the City.

One significant development consideration in this district is increasing the intensity of use without overloading the existing and future transportation networks. Access will be limited onto major corridors with minimal driveways and fewer intersections. This plan will create safer, better managed traffic flow and street intersections. Dayton Parkway will serve as the central route through the Master Plan area. As improvements are made to this road, emphasis should be placed on creating a pedestrian-friendly environment. Enhancements to traffic controls, pedestrian connections, lighting, gateway elements and landscaping at key intersections will serve that purpose.

The Dayton Parkway Master Plan area has three main types of streets that are described and illustrated on the following pages. Each serves a specific function toward the creation of a well-connected and economically viable Dayton Parkway Master Plan area.



Functional classifications of roadways through the Dayton Parkway Master Plan area.

Street Design

Dayton Parkway shall be designed with a green boulevard and a landscaped median consistent with the newly constructed Dayton Parkway that abuts the Master Plan area boundary. Future connections to the Dayton Parkway extension should be developed as a continuous network. Cul-de-sacs should be avoided in favor of connecting streets that will facilitate routes for multi-modal routes within the Dayton Parkway Master Plan area.

Community residents highlighted priorities for the transportation system in this area. Foremost among the community's priorities is improving transportation safety. The master plan area shall incorporate modern infrastructure design with an emphasis on traffic safety and providing facilities and connections for pedestrians and cyclists. Improved maintenance was also identified as a key transportation issue by residents. A comprehensive strategy should be created to ensure the longevity and optimal functionality of transportation infrastructure.

The proposed street designs are varied to accommodate different needs for accessibility and level of development. A street design featuring sidewalks or trails on one side offers a balanced approach for less dense areas while retaining access for all users within the Dayton Parkway Master Plan area.

A higher level of street design, featuring sidewalks and trails on both sides of the street should be utilized in areas with higher traffic and dense residential and commercial developments. The street design will also reinforce the street hierarchies within the master plan area.

The street design aims to create a transportation network that meets functional requirements and enhances the overall livability of the community with consideration of resident priorities for transportation.



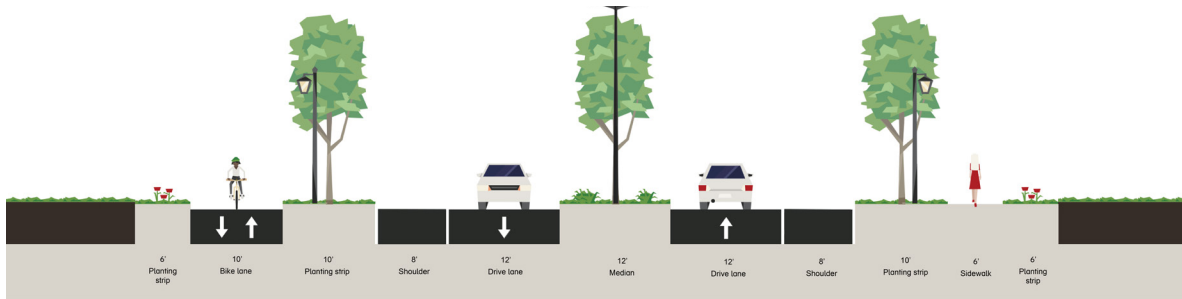
High-amenity parkway street



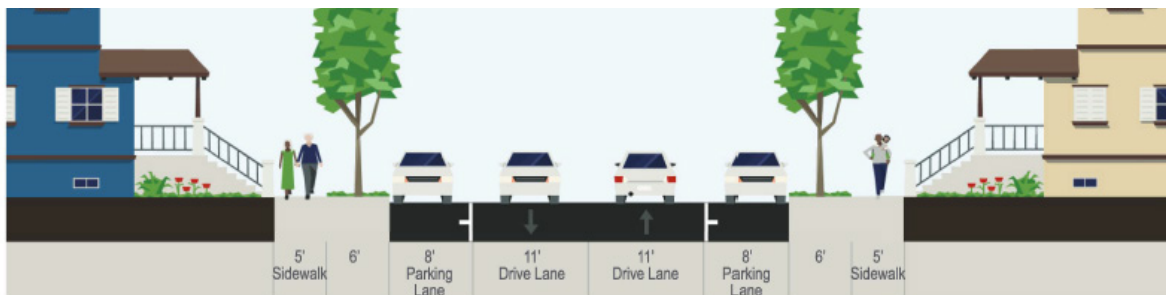
Local road with parking on one side



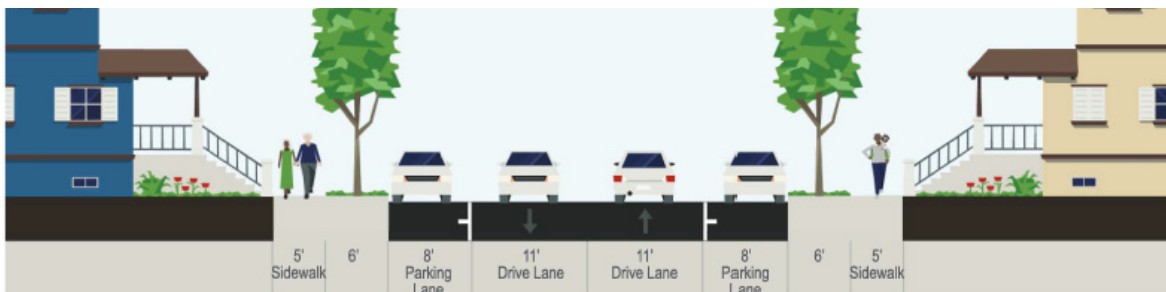
Example of a high-amenity local street with parking on both sides, bicycle paths, sidewalks and pedestrian crossings



Parkway Street: a tree-lined street with a 150-foot right-of-way and landscaped center median. The median may have trees, native plantings, or perennials and shrubs depending on the surrounding context. Upgraded landscaping shall be utilized where the parkway provides access to neighborhoods or the Town Center district. In special cases, the median or boulevard may be depressed and function as a stormwater amenity. In this case, upgraded plantings shall be utilized. The City Engineer may reduce or eliminate on-street parking for this street type outside the Town Center depending on the surrounding context.



Connector Street: a street with a 120-foot right-of-way that prioritizes movement across the community. Parking shall be provided on both sides of the street. In some instances, parking on one side of the street may be replaced with an on-road bicycle path to relocate commuting cyclists from the sidewalk.



Local Street: a single-lane two-way street with a 60-foot right-of-way and street parking on one side. Designed to serve the movement needs of neighborhood residents, sidewalks shall be provided on both sides for pedestrians and bicyclists. The boulevard shall consist of turf with overstory or ornamental trees that provide a canopy for the street. The drive lane is slightly wider to provide buffer space for vehicles.



Site and Structures

The standards outlined in this chapter are intended to govern new developments across the entirety of the Dayton Parkway Master Plan area. This set of guidelines places a strong emphasis on several focal points within the area such as the Town Center plaza, viewshed towards the east shore of French Lake, and a community park designed to transition between the urban fabric of the Master Plan area and French Lake. The document also underscores the importance of fostering a unique architectural identity for the area. The plan specifically addresses parks, trails, and public spaces, emphasizing the strategic location of a community park along the east shore of French Lake. Prioritizing pedestrian and bike connections, the plan actively encourages accessibility between neighborhoods and regional amenities such as the Town Center and the community park.

Parks, Trails and Public Spaces

New public spaces, parks, and common greens or open space should be linked to other community parks and open space with trail connections to the existing and proposed future City parks and trail systems. Safe, convenient pedestrian crossings are a priority within the Dayton Parkway Master Plan area.

There are no existing parks in the Master Plan area. The 2040 Comprehensive Plan identified a future neighborhood park east of French Lake. A future community Park is now proposed with the Dayton Parkway Master Plan area along the east shore of French Lake. The community park will serve as a transition from French Lake to the proposed Town Center district. The community park will contribute to the urban fabric as a social center for the Town Center and the greater Dayton community.

To assemble the park land and develop park amenities, the City will take park dedication from new developments in the form of land dedication or cash in-lieu-of land. Collaboration with the Minnesota Department of Natural Resources (DNR) is essential to ensure the park is seamlessly integrated with French Lake, enhancing ecological sustainability while leveraging the recreational appeal of the lake.

The community park shall be suitable for natural outdoor recreation, a place to enjoy scenes of downtown and possible concerts and celebrations. Picnic tables for lunch, benches for people watching and connection to the Town Center will help to create a vibrant



Exterior bike racks



Public open space



Community pavilion



Paved regional bike path

community park. A survey of Dayton residents indicated a preference for the following amenities: paved trails, playgrounds, seating areas, pavilions and natural trails.

Priority should be given to ensuring strong bike and pedestrian connections throughout the Master Plan area, especially providing access to regional amenities such as the Town Center and community park. Small plazas, parks and public spaces are also encouraged with the site and building design for new developments that will serve to enhance the public realm within the Master Plan area.

The greenspace plaza planned for the Town Center shall include benches, bike racks, trash receptacles, lighting fixtures and other amenities to create a welcoming space for tenants of surrounding buildings and members of the community. The Town Center greenspace plaza should be designed as a high amenity location and may also be situated as a transition or point of convergence with the regional park.

Multi-family residential developments shall be required to provide landscaped private open space for their residents. This open space shall be designed and landscaped for outdoor recreation.

Screening

In addition to screening standards in the Zoning Ordinance, the additional standards in this section are intended to reduce negative visual impacts to the character of the Master Plan Area for building features that are otherwise required.

Loading docks and overhead doors that are visible from public roads or residential property shall be screened to 80% opacity year-round. Overhead doors should be designed in a style complementary to the building architecture.

The visual impact of rooftop equipment should be minimized using one of the following methods:

1. A parapet wall.
2. A fence with a height exceeding at least one foot above the top of the rooftop equipment and is compatible with the architectural features of the building.
3. The rooftop equipment shall be painted to match the roof or the sky, whichever is most effective.

Loading areas, with the exception of passenger loading, shall be screened as required by the Zoning Ordinance. Utility service structures (such as meters, utility lines, transformers, above ground tanks, etc.) and ground mounted mechanical equipment must be screened from off-site views utilizing a mix of double-row landscaping, privacy fence or walls that are the same height of the structure it is screening. A chain link fence with slats shall not be accepted as screening.

All utility services shall be underground except as provided in the Zoning Ordinance.



Screening for mechanical equipment and trash receptacles



Rooftop screening designed as an additional story

Parking

Parking shall comply with the standards in the Zoning Ordinance including screening from residential properties. Bicycle racks shall be provided for all multi-family and non-residential uses and shall be placed near the entrance if a minimum 5-foot wide pedestrian access to the building is maintained. Bicycle parking may occupy a maximum of two required parking stalls without requiring additional parking.

Parking bays shall have landscape islands at the end of each bay. Parking bays in excess of 20 spaces in length shall be divided by intermediate islands. Trees shall be located in the islands to shade the parking lot and reduce the heat island effect. Landscape islands at the end of each parking bay shall provide at least 250 square feet of area for trees, shrubs and/or groundcovers. Intermediate landscape islands shall provide at least 150 square feet of planting area for trees, shrubs and/or groundcovers. Parking areas greater than 30,000 square feet in area shall be divided both visually and functionally into smaller parking courts. At least 40% of all parking spots in a parking lot shall abut a landscaped area, internal sidewalk or public sidewalk.

To enhance the pedestrian experience, a landscape buffer shall be provided between all parking areas and the public sidewalk or trail. The buffer shall be a minimum of five feet in width and include plantings such as shrubs, small trees or flowers. Walls or fences no more than three feet tall shall be used that allow views in and out of parking areas and may be used in addition to or in-lieu of landscape materials.

Parking lots should incorporate stormwater management into the parking lot as an amenity feature. When appropriately designed, these features can be used to meet the landscape island requirements.

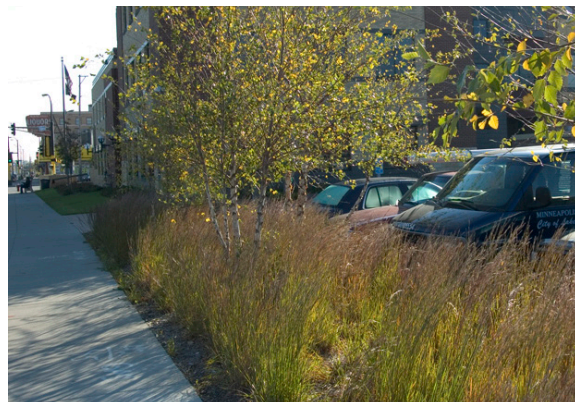
Any lighting used to illuminate an off-street area shall be arranged so as not to reflect upon adjoining property, adjacent residential uses and public rights-of-way and be in compliance with lighting standards in the Zoning Ordinance.



Pedestrian connections through parking lots



Landscape islands in parking areas



Vegetative parking lot screening

Landscaping

Site design and landscaping should be designed to work with the existing topography of the area and preserve wooded areas, wetlands, and natural viewsheds to the greatest extent possible. Sustainable landscapes are also encouraged for new developments. Sustainability, in terms of the landscape, is the ability of plant species to maintain healthy growth with minimal human assistance. Encouraging resilient landscaping options further underscores the commitment to sustainability by creating landscapes that can withstand environmental challenges and changes.

This sustainable landscaping approach not only enhances the appeal and appearance of development within the Master Plan Area but also contributes to the overall ecological health and resilience of the community.

Developments shall include a full complement of overstory, ornamental and evergreen trees and shrubbery. Ground covers, specifically, should exhibit hardiness, drought resistance, and the capacity to provide year-round color and visual interest. All areas not occupied by buildings, parking, driveways, sidewalks or other hard surfaces shall be landscaped with approved groundcover, flowers, shrubbery and trees.

Traditional lawns have their place in new developments. However, traditional lawns are not conducive to sustainable practices desired in the Master Plan area as they require large amounts of water and maintenance. Alternatives to traditional lawns are available and appropriate as part of sustainable development. Native prairie plantings and establishment of bee lawns are strongly recommended, fostering biodiversity and ecological balance. These options can vary widely and be specifically tailored to suit certain developments. Native prairie plantings and bee lawns also have an added benefit of providing habitat, food and shelter for a variety of fauna in areas where traditional lawns provide none. An overlooked benefit of native prairie plantings and bee lawns is they provide changing views throughout the seasons.

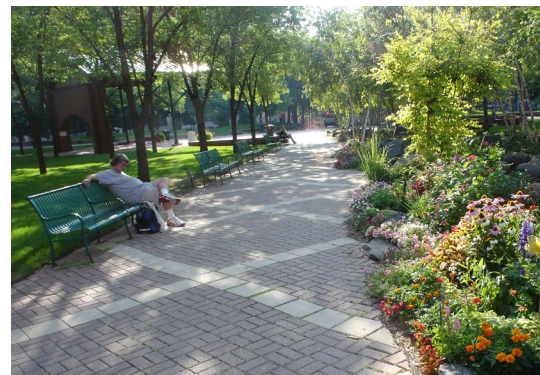
Maintenance plans shall be provided as they play a crucial role in ensuring the longevity and vitality of the landscape materials. Developments should provide detailed strategies to guarantee the adequate care of plant materials, safeguarding their aesthetic and functional contributions over time.



Mixed-use development landscaping



Native plantings



Plaza with high-amenity landscaping



Pollinator gardens

Resiliency Options

The City encourages the use of special design features that promote resilient and sustainable landscaping. Such design features include xeriscaping, rain gardens/bioretention systems, landscaping with native species, green rooftops, heat islands and aesthetic design. All new developments must include three of the following resiliency options. Additional options may be considered subject to review and approval by the City.

Permeable Pavers: implementing permeable pavement solutions to mitigate stormwater runoff and enhance groundwater discharge. Incorporating permeable pavers can enhance the aesthetic design of a development while contributing to improved water management and environmental resilience.



Permeable Pavers

Rain gardens/Bioretention Systems: designed to effectively manage stormwater runoff. These systems are typically shallow landscaped depressions in parking lot islands or other areas that receive stormwater runoff. Rain gardens and bioretention systems filter pollutants and slow down rainwater, reduce flooding risks and promote absorption of water into the soil. For credit under this section, the rain garden/bioretention system shall be above ground and a visible part of the green or landscaped area. Filtered runoff may be allowed to infiltrate surrounding soils, discharged to the storm sewer or directly to receiving waters.



Rain garden/bioretention system

Native Species Landscaping: utilizing native plant species in landscaping enhances resilience by promoting biodiversity and ecological balance. Native plants are adapted to the local climate and require less maintenance and resources to adequately grow. Bee gardens may be utilized for this resiliency option. At least 50% of plantings used in the landscape plan shall be native plant communities.

Green Rooftops: these involve the cultivation of vegetation on building rooftops that can enhance energy efficiency of the building, reduce urban heat island effects and contribute to stormwater management. Green roofs are especially effective in controlling intense, short duration storms and have been shown to reduce cumulative annual runoff by fifty percent (50%) in temperate climates.



Green rooftop plantings

Aesthetic Design: sites shall be designed to include three (3) of the following: public art, fountains, plazas, perennial beds, entrance landscaping, seating or other amenities reviewed and approved by the Development Review Committee (DRC). These features enhance the overall well-being of the community by fostering enduring connections with the community, creating spaces for social interaction and incorporating eco-friendly features.

Chloride Management Plan: chloride management plans focus on minimizing the use of de-icing salt (sodium chloride). Chloride used to de-ice roads, parking lots and sidewalks can damage local vegetation and impair wetlands and lakes. Excess salt can also damage and corrode asphalt and concrete surfaces. Employing alternative site design and de-icing methods and strategically placing barriers to prevent salt runoff into nearby water bodies to safeguard water quality and protect vegetation.

Alternative energy: new developments may use solar energy systems (SES) to support the development. Building Integrated SES and Building or Roof Mounted SES is encouraged in the Master Plan area as allowed by the Zoning Ordinance. While the Zoning Ordinance currently allows large wind energy conversion systems (WECS) for public utilities, the City shall consider the amending the Zoning Ordinance to allow small WECS as an accessory use.



Aesthetic design: pocket plaza with benches, tables, landscaping and a fountain



Chloride management plans can prevent excess salting



Native species landscaping



Solar garden



Solar roof

Stormwater Management

Water features and drainage systems are critical facets for development within the Master Plan area. In line with sustainable development practices, each new development in the Master Plan area bears the responsibility to incorporate best management practices (BMPs) to pretreat stormwater runoff, reduce erosion and flood hazards, and encourage infiltration in compliance with City and Elm Creek Watershed Management Commission standards. Water and landscape should be utilized within multipurpose areas that accommodate both active and passive recreational use - the following examples illustrate only a few of many possibilities:

1. Pervious pavements, underground storage and other creative techniques should be used to BMP standards, particularly in the Town Center where more density is expected.
2. Green architecture, expressed through green roofs, gray water recycling and other techniques should be included to reduce the impact of new development on stormwater systems.
3. Water feature design should include both formal elements (such as reflecting pools or fountains) and natural/informal forms (such as ponds or fountains) and should explore creative ways to integrate wet landscapes with active, urban spaces.



Parking lot stormwater management system with native vegetation



Underground stormwater management



Landscaped stormwater pond



Permeable pavers

By mandating the utilization of BMPs, the City ensures that the environmental impact of stormwater is minimized, contributing to the overall resilience and health of the community. Stormwater BMPs safeguard Dayton's natural resources and allows the Master Plan area to remain ecologically sustainable. Stormwater management infrastructure can take a variety of forms. Master planning regional stormwater is the most efficient use of land. Other options include a hard working below ground system that is topped by a parking lot, streetscape or even a planted swale.



Town Center

Town Center District Vision

The Town Center will be an area within Dayton that is designed and constructed to serve as a destination within the community, featuring commercial retail and offices, entertainment venues, civic spaces and higher density residential development. The Town Center is a compact, walkable and traditional city core and will contribute to the overall vibrancy and identity of Dayton. The Town Center is unique in its proximity to French Lake and the opportunities for recreation. An emphasis is made on providing accessible destinations, inviting design and views of the lake. The Town Center is situated within the Mixed-Use area of the Dayton Parkway Master Plan.

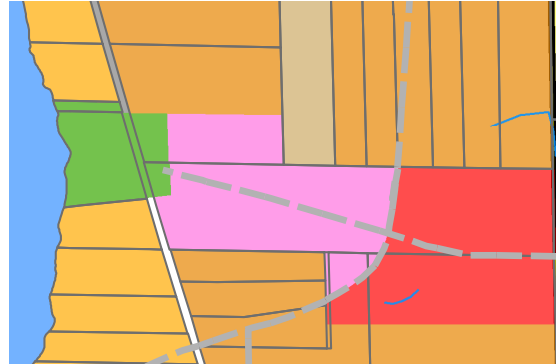
Through survey responses, it was identified that the community preferred a Town Center in the style of a public square Town Center, with a central green space serving as a focal point around which commercial, residential and office developments are centered. This plan does not include a subdivision design. As land in the Town Center is proposed for development the developer will need to show how they will execute this vision.

Uses within the Town Center include cafes and restaurants, entertainment/arts venues, retail, farmers and makers markets, grocery, office and services, residential and civic spaces. The City will be willing to evaluate other uses not specified in the GMU-2 district provided that the spirit and intent of the Town Center district is preserved.

Land use within the Town Center shall prioritize a mix of residential, commercial, office and civic spaces to create a dynamic and inclusive environment. Civic spaces include, but are not limited to, libraries, public administration buildings, parks and cultural buildings. As Dayton continues to grow, the Town Center could be a viable location for a new civic campus. Striking a balance between public and private spaces will contribute to a sense of community and create a destination for residents and visitors alike. Accessible greenspace areas should be the focal point around which the Town Center is designed, with accessible and pedestrian-friendly zones that will enhance the overall experience within the Town Center.

The proposed uses in the Town Center district should be strategically catered to the community's desires based on resident preferences from the survey. The focal point of the community, the central green space, shall be complemented by a range of cafes and restaurants, creating a lively scene where residents can gather and socialize. Retail spaces will offer a mix of shops to fulfill both daily needs and provide unique shopping opportunities.

Offices should be seamlessly integrated to support a live-work-play environment, fostering economic activity while reducing community needs for longer commutes. Developers are encouraged to design buildings to



Town Center District in the Mixed-Use area (pink)



A town center with a central green space that can accommodate different events and uses.

incorporate multiple uses, whether it be office/residential or office/retail. Medium- and lower-density mixed-use buildings were preferred in the community survey with two- to three-story buildings and active street level uses.

Residential spaces will be interspersed in the Town Center, creating a balanced and walkable community where residents can easily access amenities. The Town Center allows for a higher density of residential development that will support diverse commercial opportunities and help create a self-sufficient community.

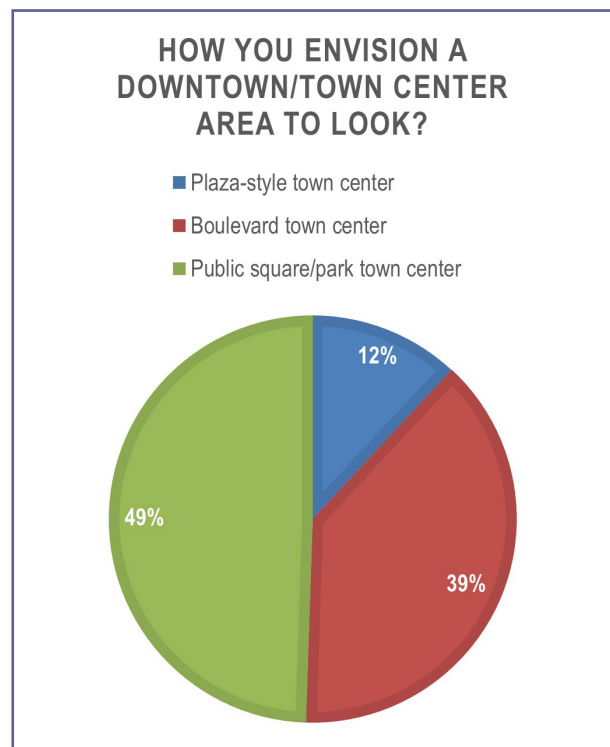
Town Center District Guidelines

The guidelines for the style and type of development in the Town Center are informed by the City Center General Mixed Use District (GMU-2) standards from the Zoning Ordinance and input from the community through surveys and open houses. As the Town Center district is developed, parcels shall be rezoned to City Center GMU-2 district and constructed with respect to the GMU-2 standards and additional guidelines in this document.

The City Center GMU-2 district establishes clear standards for lot size, setback, site design and building height requirements. Buildings shall comply with the City Center GMU-2 setback and frontage requirements in addition to stricter lot standards proposed with this Master Plan. Large residential, commercial, office and mixed-use buildings are encouraged to be placed with zero-lot frontages; however, the maximum setback for these buildings may be 10 feet. If a setback from the front yard line is provided for these types of buildings the front yard space shall be used to expand and enhance the pedestrian realm. Ultimately, the goal for building placement, design and use is to ensure a cohesive and vibrant community space.



Boulevard town center



Survey results for the Town Center with the corresponding concepts shown in the survey below



Plaza-style town center



Public square/park town center

Architectural standards defined further in this document shall apply within the Town Center. These standards are also encouraged but not required for development within the Master Plan area that is not located within the Town Center. Key elements of the building design are oriented towards the pedestrian realm, with arcades, well defined entrances and large sidewalk facing windows. The architectural guidelines emphasize a balance between modern and traditional building design. Consideration for sustainable and eco-friendly practices should be integrated into building expectations and developers should be encouraged to adopt environmentally conscious features and designs.

In a survey, community members also indicated a preference for special events such as farmers and makers markets. These interim uses can engage the community and supplement entertainment, arts and events venues. The City shall work with developers to design public and semi-public areas that encourage social interaction and can accommodate community events such as farmers markets.

To maintain the emphasis on the pedestrian realm, required parking shall not be permitted between the front of a building and the front lot line; however, on-street parking spaces shall be counted towards the required parking. Similarly, drive-thru lanes and windows shall not be permitted within the front of any buildings and shall be located towards the rear or sides of buildings. Wherever parking is provided along the front of a building it shall be screened as described further in this report. Shared parking between buildings is encouraged to make the most effective use of parking that is provided in the Town Center.

By aligning development with community preferences, the Town Center district will meet the needs of the community and foster a vibrant and connected urban environment for future generations of Dayton residents.



Winter activities could include outdoor skating facilities in the town center park area



Summer activities may include farmers markets on the Town Center park



At-grade pedestrian crossing



Traditional architecture design for mixed-use buildings with large retail windows and public seating

Architecture

Within the Town Center, the combination of site and building design should provide a visual cue that this is a unique place. Surveyed residents indicated a preference for a variety of architectural styles that should be complementary and harmonious. A blend of modern designs and traditional aesthetics will contribute to the visual identity of the Town Center.

Residential developments throughout the Town Center should provide a full range of life cycle housing, offering residents the options to age within and feel connected to their community.

Sustainable architectural and site design practices should be incorporated into new developments when possible. Developments can reduce harmful and negative effects on the environment through design strategy, construction practices and operation. Such initiatives include green or solar roofs, greywater recycling, green building materials, passive solar heating and other practices are encouraged.

Generic uniformity is not designed through the Town Center. Building mass should be carefully calibrated to enhance the pedestrian experience, characterized by clear building entrances, well-defined windows, articulated facades and distinctive accent features that provide visual interest. Building design is especially important in the Town Center where architecture will contribute to a sense of place.



Contemporary architecture with traditional design

Facades

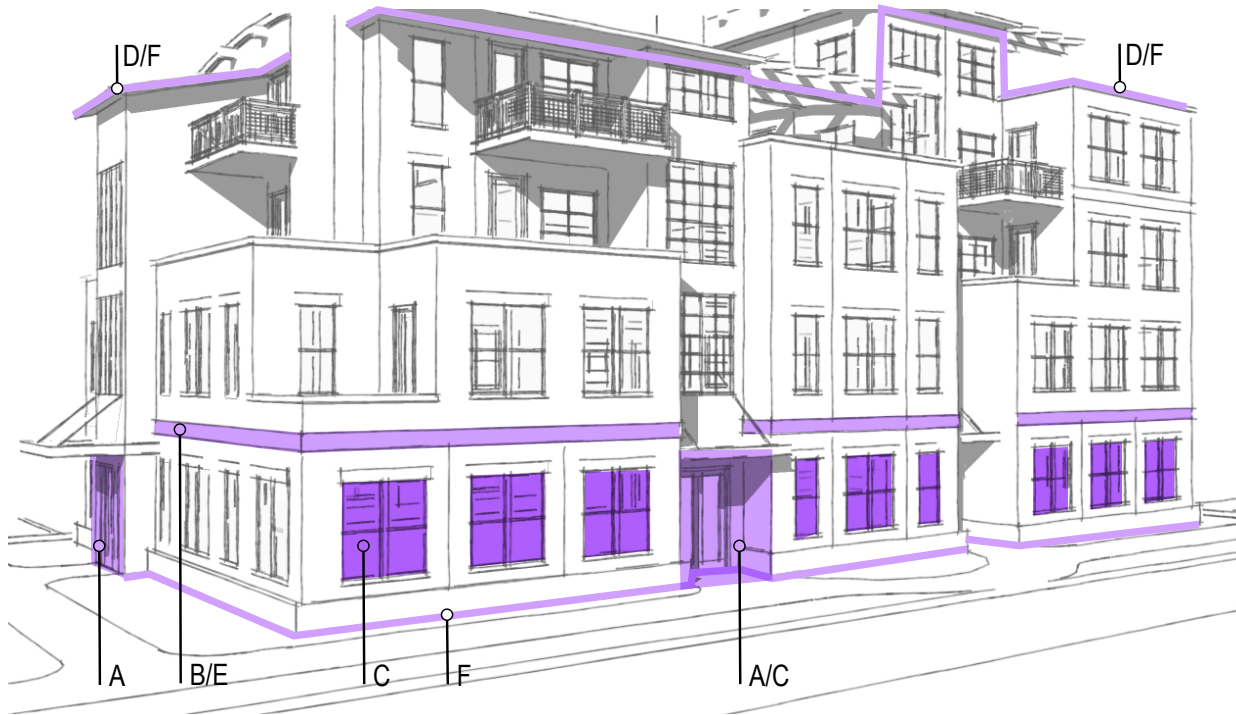
Facades for non-residential and larger multi-family structures should support a higher level of design as described in this section. The architectural styles shall not be restricted but developers are encouraged to utilize the architectural styles noted above. During project review, City staff, Planning Commission and City Council shall consider the quality of building design and its relationship to the surrounding buildings, guided by the provisions in these guidelines and the Zoning Ordinance. The architectural appearance, including building character, permanence, massing, composition and scale of all principal buildings shall comply with the Master Plan.

Franchise architecture (trademarked design that is generic in nature) should be seamlessly integrated into traditional storefront designs in context with the surrounding area.

Franchises or national chains should create context-sensitive buildings that are sustainable in that they can be reused for other uses or businesses.



Modern architecture design



A - Entrances: Main entrances shall face the primary street with secondary entrances to the side or rear. In the case of a corner building or a building abutting more than one street, the City will determine which street should be considered the primary frontage. Entrances shall be clearly articulated and obvious from the street.

B - Appearance: All sides of a building shall have an equal appearance in terms of materials and general design.

C - Windows: At least 40% of the wall surface at the street side of a non-residential first story shall consist of clear windows and doors that allow a view into the working areas, lobbies or display areas. At least 30% of the total wall surface on each façade that faces a street shall consist of windows.

D - Roofs: Building facades that exceed 100 feet in length along the street frontage shall have variations in roofline or rooftop parapets. Rooftop equipment shall be concealed from the view of pedestrians as specified further in the screening section this report.

E - Elements: All buildings shall include the following components and details:

- Accent materials shall be wrapped around walls and corners.
- Accent materials shall complement major materials colors.

F - Articulation : Any exterior building wall adjacent or visible from a public street, public open space or abutting property may not exceed 40 feet in length without visual relief consisting of one or more of the following:

- The façade shall be divided architectural by means of significantly different materials or textures; or
- Horizontal offsets of at least four feet in depth; or
- Vertical offsets in the roofline of at least four feet; or
- Fenestration at the first floor level is recessed horizontally at least one foot into the façade.



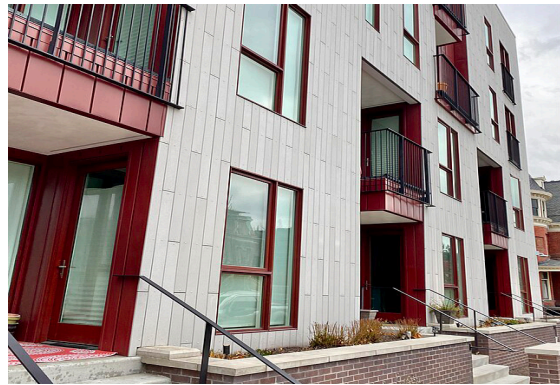
Residential architecture with traditional design

G - Materials: Exterior building materials shall be classified as either primary, secondary, or accent materials. Primary materials shall cover at least 50% of the façade of a building, secondary materials may cover no more than 30% of the façade. Accent materials may include door and window frames, lintels, cornices, and other minor elements, and may cover no more than 20% of the façade. Allowable materials are as follows:

- Primary building materials include brick, stone (natural or colored) EIFS, stucco, architectural precast concrete or glass. Bronze tinted or mirror glass are prohibited as exterior materials.
- Secondary building materials may be any of the primary building materials above or decorative block, integrally colored stucco, or fiber cement siding (color impregnated or painted) in vertical panel design. Panel seam lines shall be architecturally integrated into the building design so that they are not visible.
- Accent materials may be wood, metal, lap siding or fiber cement when used in trim, fascia or soffit if appropriately integrated into the overall building design and not situated in areas which will be subject to physical or environmental damage.
- All primary and secondary materials shall be integrally colored, except where otherwise stated.
- Decorative block shall be colored only by means of a pigment integral to the block material and shall not be applied to the surface.
- Sheet metal, corrugated metal, iron, shakes, plain flat concrete block are not acceptable as exterior wall materials.
- All building and roofing materials shall meet current accepted industry standards, and tolerances, and shall be subject to review and approval by the City for quality, durability, and aesthetic appeal.



Modern building design utilizing traditional materials



Modern building materials and accents



Traditional building design with modern accents



Accent materials integrated into the overall building design



Implementation

The primary method the Dayton Parkway Master Plan will be implemented is through official actions by the City. Evaluations of proposed developments, enforcement of municipal ordinances, and decisions related to funding and executing public projects serve as avenues for the realization of this plan. These actions comprise both established routine procedures and new initiatives, collectively contributing to the effective implementation of the vision outlined in this plan.

Development Review

The effective implementation of the design guidelines in this document will rely on a thorough and consistent development review process. The design guidelines are integral to shaping the envisioned character and pattern of development for the Dayton Parkway Master Plan area. Staff will incorporate design review to ensure compliance with the design guidelines as a standard step in the development review process. The evaluation of projects in accordance with the Dayton Parkway Master Plan will ensure the vision outlined in this document is upheld, fostering a cohesive and unique built environment.

Parks

Due at the time of development, the City will take park dedication in form of dedicated land and cash-in-lieu of land. Dedicated park land will provide for the community park along French lake, Town Center park plaza and neighborhood parks. Cash-in-lieu of land park dedication will support the development of amenities within the new parks.

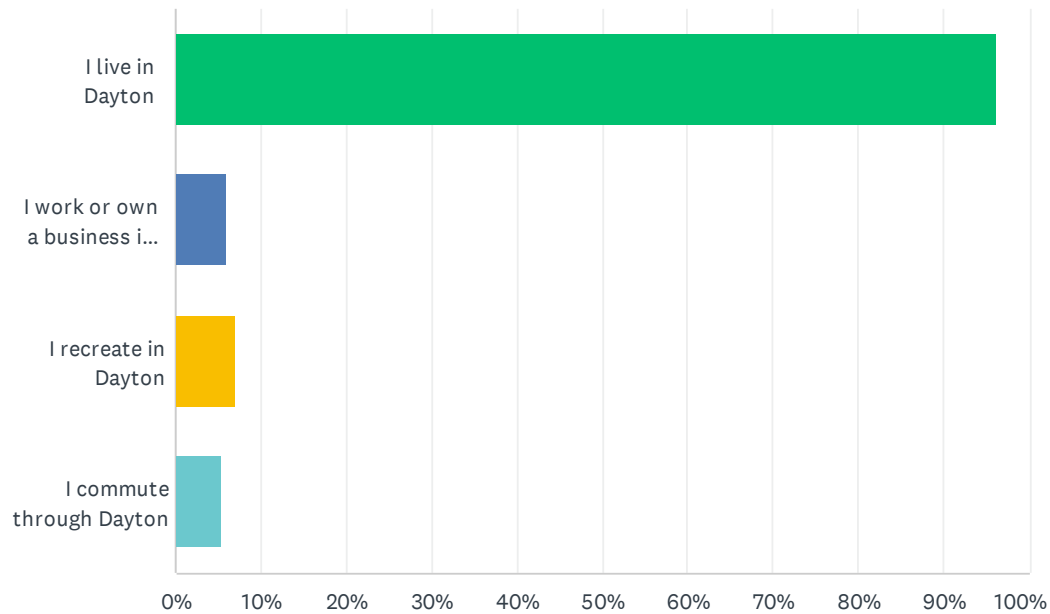
The City of Dayton's Capital Improvements Plan shall be updated to reflect the new parks proposed for the Dayton Parkway Master Plan area and consider timelines for the construction of park improvements.

2050 Comprehensive Plan Update

This plan is approved to guide development in advance of the 2050 Comprehensive Plan update. As part of the 2050 Comprehensive Plan, these land use changes will be officially adopted as part of the Future Land Use map. Until that plan is updated, this document will be used to guide development in this Dayton Parkway Master Plan area. Should development be proposed in the Dayton Parkway Master Plan area prior to adoption of the 2050 Comprehensive Plan, an applicant may request a comprehensive plan amendment to modify the land use map to be consistent with the Dayton Parkway Master Plan to allow development.

Q1 What is your connection to the City of Dayton?

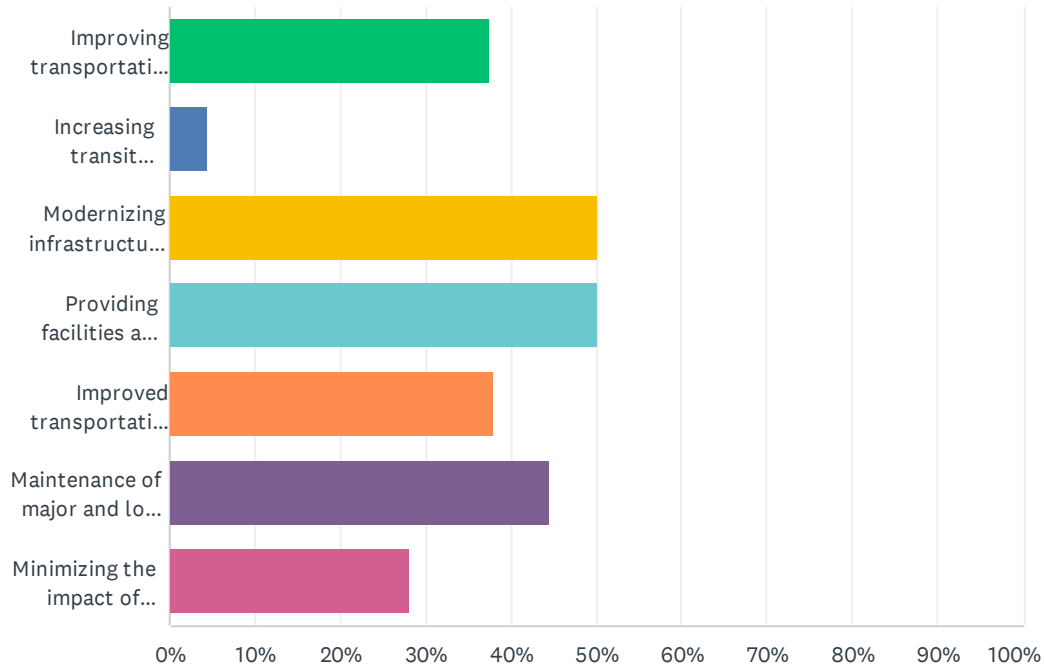
Answered: 285 Skipped: 0



ANSWER CHOICES	RESPONSES	
I live in Dayton	96.14%	274
I work or own a business in Dayton	5.96%	17
I recreate in Dayton	7.02%	20
I commute through Dayton	5.26%	15
Total Respondents: 285		

Q2 Which of the following transportation issues in the Dayton Parkway Plan Area are most important to you? Select up to 3 answers

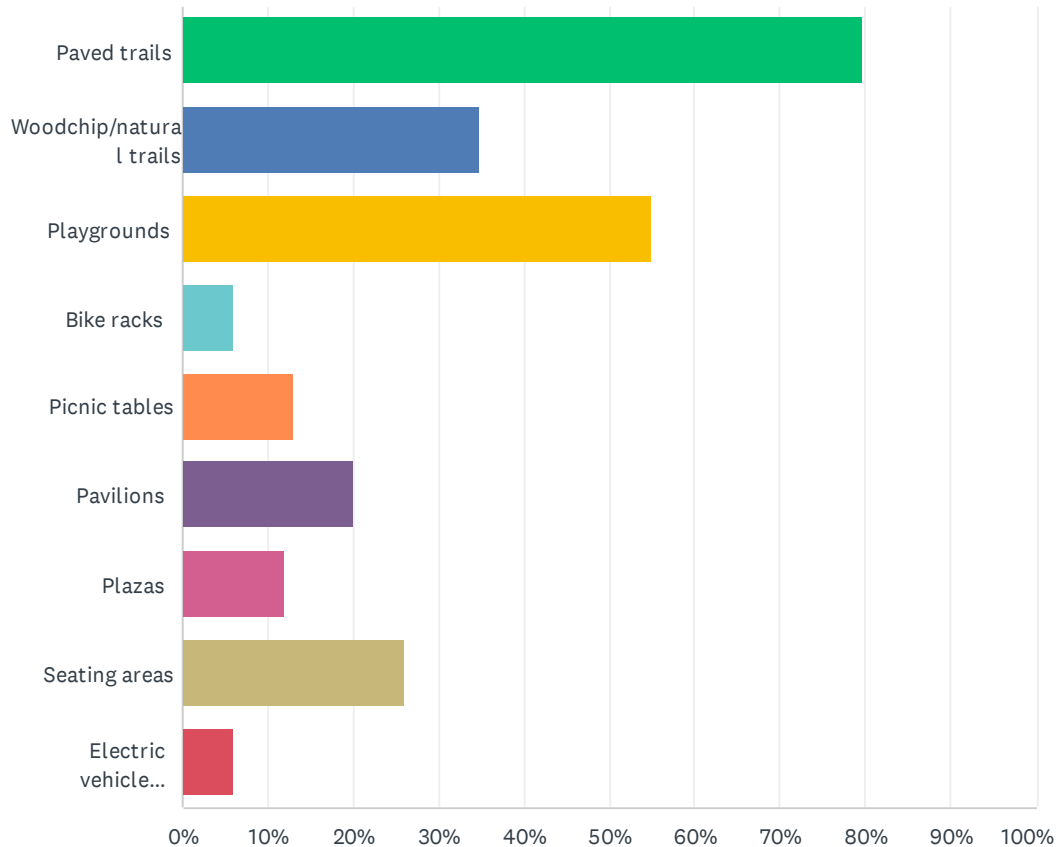
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ANSWER CHOICES	RESPONSES	
Improving transportation safety	37.54%	107
Increasing transit services	4.56%	13
Modernizing infrastructure (sanitary sewer, municipal water, streets, etc.) as urban and suburban growth occurs	50.18%	143
Providing facilities and connections for pedestrians and bicyclists	50.18%	143
Improved transportation connections through the City	37.89%	108
Maintenance of major and local roads	44.56%	127
Minimizing the impact of transportation on the environment	28.07%	80
Total Respondents: 285		

Q3 Which type of amenity is most important in public spaces/parks? Select up to 3 answers

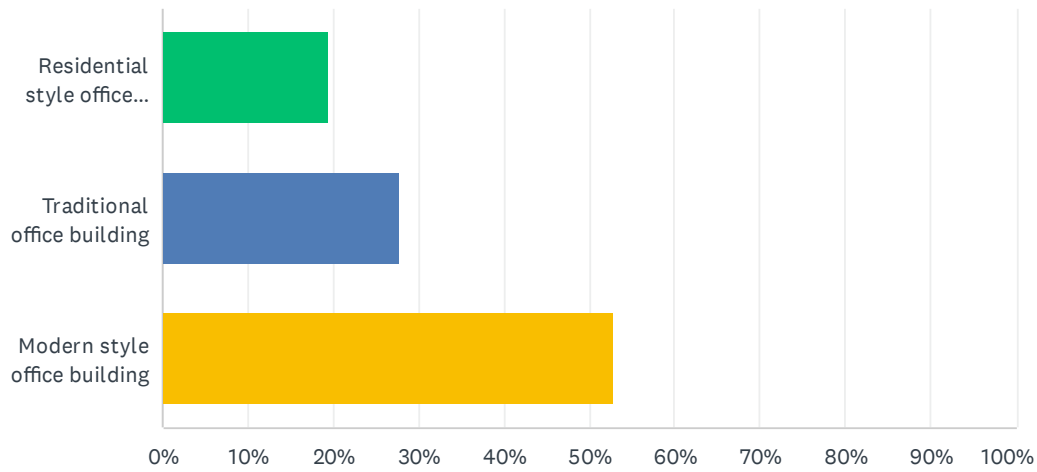
Answered: 285 Skipped: 0



ANSWER CHOICES	RESPONSES	
Paved trails	79.65%	227
Woodchip/natural trails	34.74%	99
Playgrounds	55.09%	157
Bike racks	5.96%	17
Picnic tables	12.98%	37
Pavilions	20.00%	57
Plazas	11.93%	34
Seating areas	25.96%	74
Electric vehicle charging stations	5.96%	17
Total Respondents: 285		

Q4 Which office building design do you prefer?

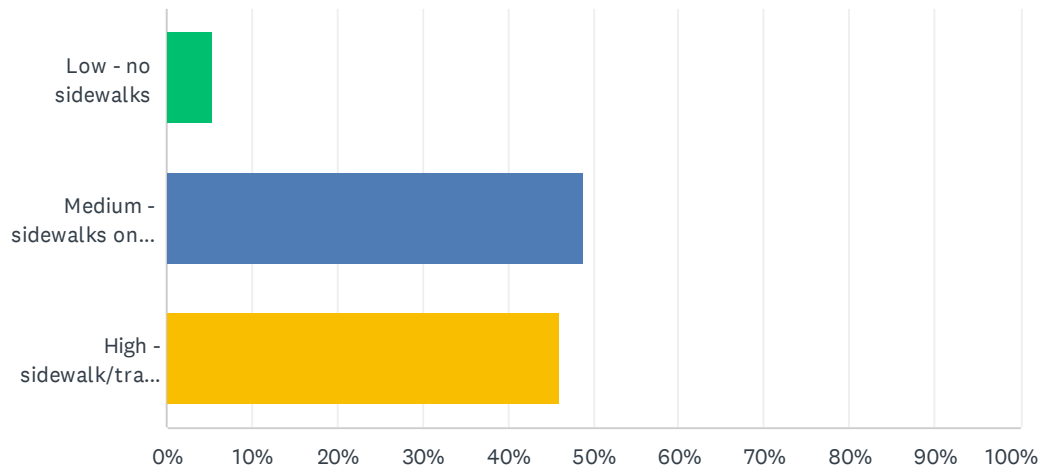
Answered: 285 Skipped: 0



ANSWER CHOICES	RESPONSES	
Residential style office building	19.30%	55
Traditional office building	27.72%	79
Modern style office building	52.98%	151
TOTAL		285

Q5 Which street design do you prefer?

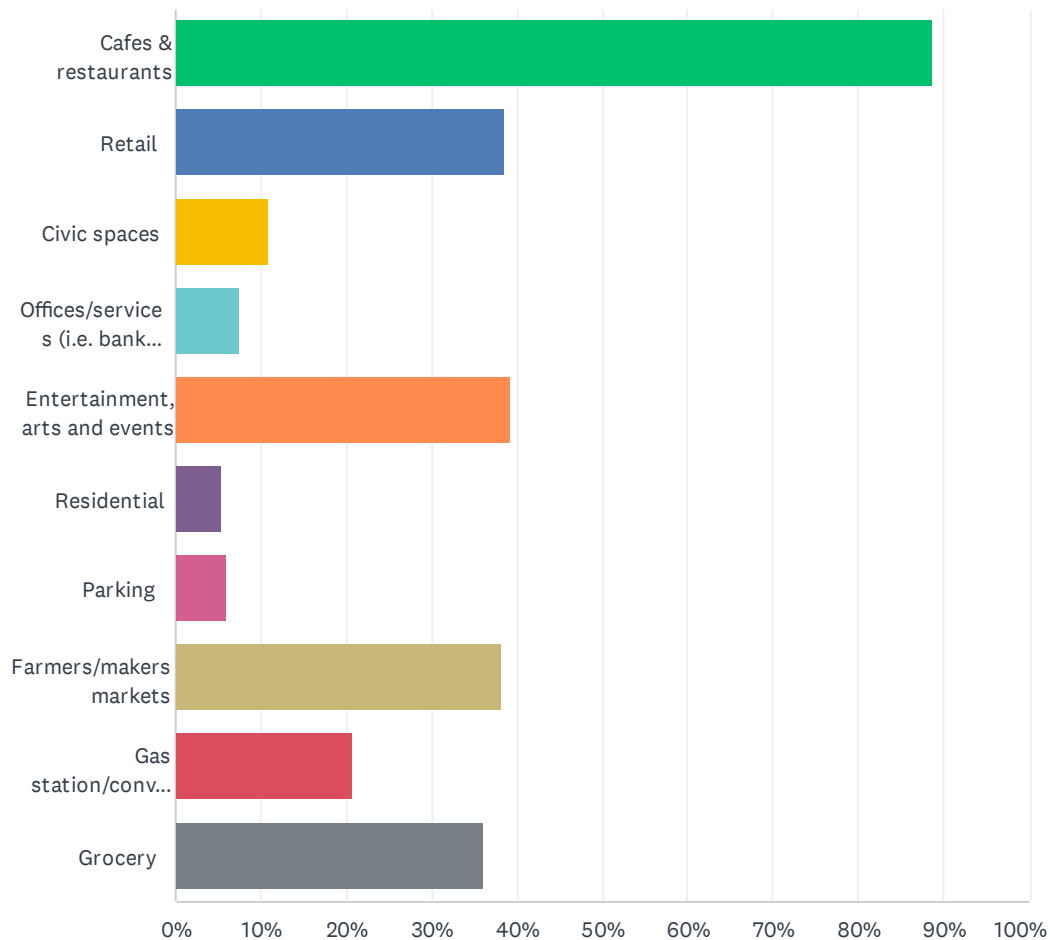
Answered: 285 Skipped: 0



ANSWER CHOICES	RESPONSES	
Low - no sidewalks	5.26%	15
Medium - sidewalks on one side	48.77%	139
High - sidewalk/trail on both sides	45.96%	131
TOTAL		285

Q6 A town center is proposed within the project area. What types of uses do you prefer to see in a town center/downtown area? Select up to 3 answers
The "town center" is intended to be an area within Dayton that is designed and constructed to serve as the heart of the community, featuring commercial retail and offices, entertainment venues, civic spaces and higher density residential development.

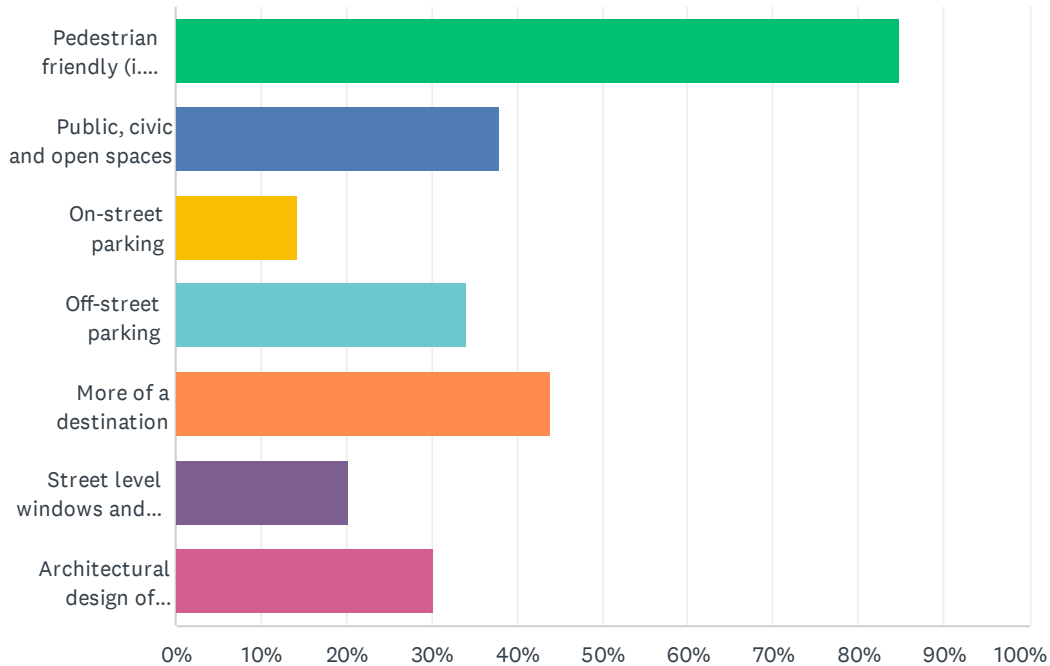
Answered: 285 Skipped: 0



ANSWER CHOICES	RESPONSES	
Cafes & restaurants	88.77%	253
Retail	38.60%	110
Civic spaces	10.88%	31
Offices/services (i.e. banks, accountants)	7.37%	21
Entertainment, arts and events	39.30%	112
Residential	5.26%	15
Parking	5.96%	17
Farmers/makers markets	38.25%	109
Gas station/convenience	20.70%	59
Grocery	36.14%	103
Total Respondents: 285		

Q7 What aspects of a town center do you consider most important? Select up to 3 answers

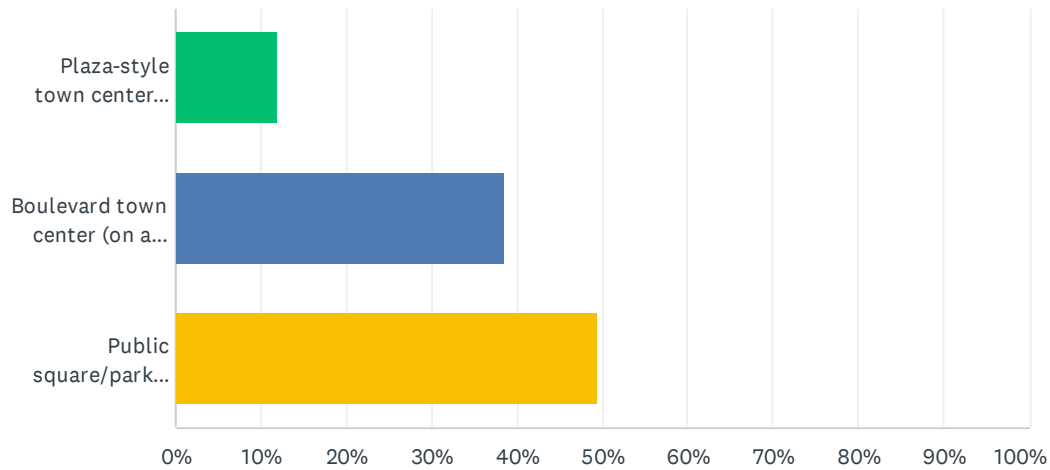
Answered: 285 Skipped: 0






ANSWER CHOICES	RESPONSES	
Pedestrian friendly (i.e. large sidewalks, crosswalks)	84.91%	242
Public, civic and open spaces	37.89%	108
On-street parking	14.39%	41
Off-street parking	34.04%	97
More of a destination	43.86%	125
Street level windows and building design	20.35%	58
Architectural design of buildings	30.18%	86
Total Respondents: 285		

Q8 How you envision a downtown/town center area to look?

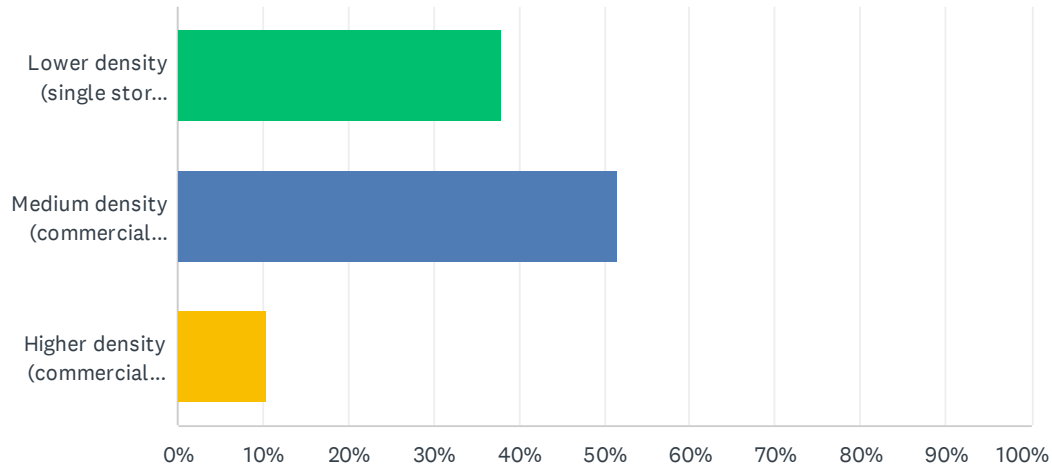
Answered: 285 Skipped: 0






ANSWER CHOICES	RESPONSES	
 Plaza-style town center (multi-use area typically pedestrian only)	11.93%	34
 Boulevard town center (on and off-street parking)	38.60%	110
 Public square/park town center (park space as focal point)	49.47%	141
TOTAL	285	

Q9 What level of density do you envision for a town center/downtown area?

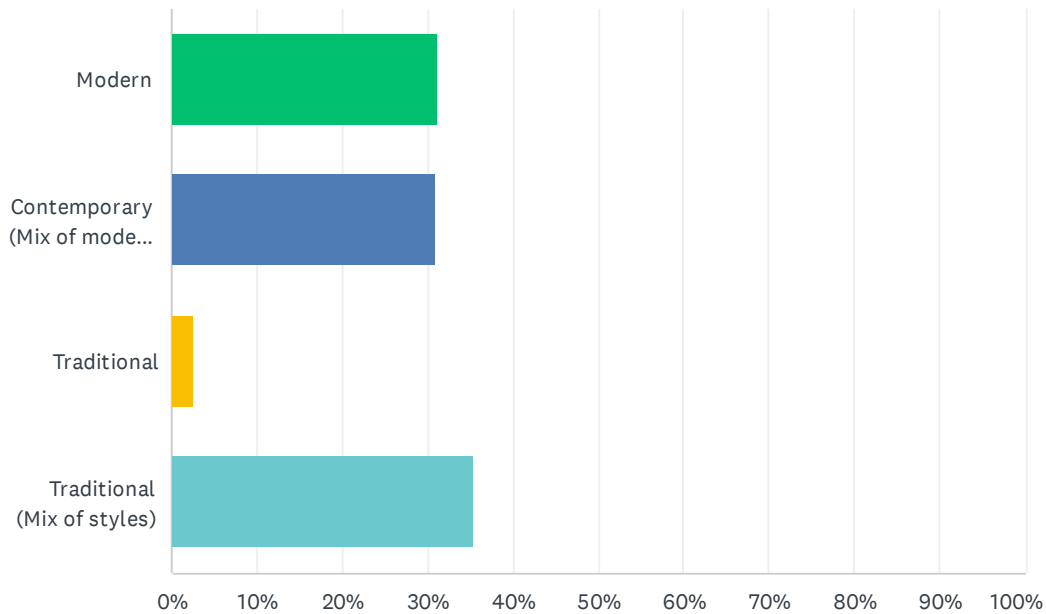
Answered: 285 Skipped: 0







ANSWER CHOICES		RESPONSES	
	Lower density (single story commercial and offices)	37.89%	108
	Medium density (commercial first level/two-three story office and residential)	51.58%	147
	Higher density (commercial first level/multi-story office and residential)	10.53%	30
TOTAL			285

Q10 Which architectural style would you prefer to see in a town center?

Answered: 285 Skipped: 0



ANSWER CHOICES	RESPONSES	
 Modern	31.23%	89
 Contemporary (Mix of modern and traditional)	30.88%	88
 Traditional	2.46%	7
 Traditional (Mix of styles)	35.44%	101
TOTAL		285