

City of Dayton
Economic Development Authority (EDA)
August 20, 2024
7:30 a.m.

AGENDA

7:30 1. **Call to Order**

The EDA consists of seven members including two City Councilmembers and five members of the Dayton business community or residents of the City of Dayton with business and/or economic development expertise, each with an interest in promoting the economic growth and development of the City of Dayton. The EDA shall have all the powers, duties, and responsibilities set forth in Minnesota Statutes §469.090 to §469.1081.

7:30 2. **Approval of the Agenda**

7:30 3. **Consent Agenda**

A. Approval of Minutes, July 30, 2024

7:35 4. **Open Forum**

Time is limited to 3 minutes. No EDA Action will be taken. However, direction can be given to staff for future meetings.

7:40 5. **Special Items**

- A. Introduction of Amanda Johnson, LeVander, Gillen & Miller (EDA Attorney)
- B. Introduction of Hayden Stensgard, Planner II

7:45 6. **Action Items**

- A. Approval of Application for New EDA Member
- B. Cubes Concept Plan
- C. DCM Farms Concept Plan (revised)

8:00 7. **Staff Updates** (verbal)

- EDA Budget (tentative)
- EDA flower pots (need two sponsors, \$200 each)
- Moratorium prohibiting operation of Cannabis Businesses and Cannabis Cultivation Businesses until January 1, 2025.
- Master Plan Worksession, August 27 (City Council / Planning Commission)
- Parkway Neighborhood EAW (public comments thru Aug 23, 2024)
- West Territorial Road municipal water extension

8:15 8. **EDA member Updates** (verbal)

The next EDA meeting will be Tuesday, September 17, 2024, 7:30 am

8:20 9. **Closed Session**

Pursuant to MN Statute 13D, Subd 3(c), to develop or consider offers or counteroffers for the purchase or sale of real or personal property of the following: PID: 36-121-23-41-0021, 36-121-23-41-0010, 36-121-23-41-0011, 36-121-23-41-0012, and 36-121-23-41-0020.

8:40 10. **Adjourn**

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.

MINUTES OF THE JULY 30, 2024, ECONOMIC DEVELOPMENT AUTHORITY MEETING

Chair Huttner called the July 30, 2024, EDA to order at 7:30 a.m.

Roll Call

Present: EDA Chair Huttner, Fashant, Luther, Peralta, Salonek

Absent: Bernens

Also, in attendance: Zach Doud City Administrator/Finance Director

Approval of the Agenda

Motion to approve the agenda by Fashant seconded by Peralta all ayes. Motion passed unanimously.

Approval of EDA Minutes from June 18, 2024

Motion to approve the minutes by Salonek seconded by Fashant all ayes. Motion passed unanimously.

OPEN FORUM

No one was present for open forum.

AGENDA ITEMS

EDA Flowerpots – Update (Still Looking for Two)

Huttner stated that the EDA is still looking for two businesses or individuals to sponsor the EDA Flowerpots.

Doud stated that six EDA Flowerpots have been sponsored. The cost is \$200 for the year. The EDA Flowerpots are already planted and ready to receive the placard that will advertise the name of the sponsor.

Luther spoke to a few people, and they were not interested.

Doud stated that the pots were pre-paid by the EDA. If there is no sponsor for the two EDA Flowerpots, the \$400 will be taken from the EDA's budget.

Approval of IAG Contract for Commercial Broker Services

Fashant does not believe the EDA needs language in the contract for construction management services. Fashant asked if the current language in the IAG Contract for Commercial Broker Services precludes the EDA from bidding out contracts in the future.

Doud explained the process and clarified that the EDA could put out an RFP, but the EDA is not obligated to use IAG.

Motion by Fashant and seconded by Luther to approve the IAG Contract for Commercial Broker Services without the Addendum. Motion passed unanimously.

Approval of Levander Legal Services Agreement

Huttner stated that there was nothing negative that stood out in the Levander Legal Services Agreement.

Doud stated that the Levander Legal Services Agreement is just a standard, generic legal contract.

Motion by Peralta and seconded by Luther to Approve the Levander Legal Services Agreement. Motion passed 4 ayes, 1 nay (Fashant).

Discussion on Master Plan Area – 2050 Comp Plan Update

Doud stated that the Master Plan Area discussion began about a year ago. Within the Planning Commission, the focus has been mostly on residential growth. There has been significant discussion on revamping the downtown area. The City Council believes that the EDA should give some input regarding the commercial and industrial growth within the Master Plan Area.

Doud projected a map showing the Master Pan Area. Doud stated that the City Council decided that with regard to transportation, the plan is to use a north/south connection rather than the original northwest/southeast (X).

Doud stated that there is a need to update the land use based on the transportation plan.

Doud stated that there was one Public Hearing in October or November of last year. The Public Hearing was very well attended. The intent is to have additional Public Hearings as the process moves forward.

Doud stated that as the Dayton Parkway moves north, the development will move along with it. The City Council has decided that it is best to development from the south to the north rather than having the development come from all different directions. Doud stated that the area projected before the EDA is proposed to be the commercial hub for Dayton. The projected area before the EDA is not designed to take the place of the Historic Village.

Doud stated that there is no water or sewer in the projected area before the EDA. No one is saying that the area will develop next year or in ten years. Doud demonstrated on the projected image where water and sewer are currently available.

Doud stated that there are no current plans for development at this time. The City Council wants a well-thought-out plan before any development comes forward.

Additional conversation ensued regarding the current planning.

Doud explained the process for creating the 2050 Comp Plan.

Fashant asked what the plan is for updating the implementation of increasing density per the Met Council. Doud stated that some of the low-density housing will have to increase to medium-density housing, and some of the medium-density housing will have to change to high-density housing. Some of the transportation planning will have to change as well.

Doud explained that currently, developers tell us what they want, the City Staff tells them if it will work within the Comp Plan. If the developers' plans don't work, everyone has wasted a lot of time. In the future, the City Staff believes that the City should tell the potential developers what is desired so they can plan accordingly.

Salonek inquired about the former agreement that the City had with the Met Council for a certain density. How can the Met Council simply change the agreement? Doud doesn't believe that an agreement was in place. The Met Council assigned each city a particular designation. Dayton was designated "Emerging Suburban Edge." The designation can be changed at any time by the Met Council. A change of designation will change the density requirements. The Met Council didn't change Dayton from three units per acre. Rather, the Met Council changed "Emerging Suburban Edge" communities from three units per acre to four units per acre. The Met Council could ultimately change Dayton from "Emerging Suburban Edge" to "Suburban," which would also change the number of units per acre. The designations are assigned/adopted every ten years, and the designations become part of the Comp Plan.

Additional conversation ensued regarding future land use and the current owners of the property.

Fashant made mention of some bird watchers that congregate around a lake that is in the Master Plan Area. There was consensus amongst the EDA members to take advantage of the natural beauty associated with the lake.

Luther asked if a trail could be put in around the lake. Doud stated that Three Rivers Park District is planning to do that.

Doud stated that within the 640 acres being discussed, there are zero plans for any industrial land use.

Peralta inquired about the possibility of adding a beach to the lake to promote swimming. The answer is no. The lake is not conducive to swimming.

Peralta asked if there are any plans to add pavilions since trails are being added. The pavilions could serve as future party rentals for the purpose of generating some revenue for the City. Doud explained that the pavilions are first-come, first-served. If someone wants to reserve a pavilion, they need to contact the City for a small fee (\$25 - \$50). Doud followed up by stating he should not be quoted on the number, but the actual fee is in the Fee Schedule.

Peralta stated that a small playground area would be helpful. Salonek stated that a playground would be dependent on the topography of the land.

Discussion on Magnus Veterans Foundation IUP – Event Center

Doud stated that with Sevald on vacation, Doud is requesting the EDA to discuss the business aspects of allowing the Magnus Veterans Foundation IUP for an Event Center.

Huttner asked if Magnus Veterans Foundation is designated as a business. The answer is yes.

Huttner stated that the City gave Fisher Farms the Event Center gig, and Huttner doesn't understand why there is even any discussion on the topic. Doud explained that in order to consistently host events on an agricultural property, the property must have the Event Center designation.

Huttner asked when Magnus Veterans Foundation applied for the Event Center IUP. The answer is about one month ago.

Fashant stated that there is no need to change how the Magnus Veterans Foundation has been doing business. It is simply necessary for the Magnus Veterans Foundation to come under the umbrella of being an Event Center.

Fashant doesn't understand why the City would care if people parked on grass or gravel. Doud explained that the City Code stated that there must be an impervious surface to park on. City Council can state that it is not necessary to follow the Code, or City Council can change the Code, but Staff must follow the Code unless directed to do otherwise.

Salonek stated that the City Council allowed the Dehn's Farms Event Center to park on the grass, and Salonek believes the City Council will allow it for the Magnus Veterans Foundation as well.

There was general consensus from all of the EDA members to allow Magnus Veterans Foundation IUP – Event Center.

Discussion on EDA Resolution to be Approved by City Council

Doud provided a brief history. The EDA was established in 1990. The EDA was then amended by a voice vote in 2014 and not by the required Resolution. The new City Attorney noticed that the correct legal documents were not in place, which resulted in the drafting of the current Resolution.

Doud provided the EDA with a reminder that if something is passed by a Resolution, it must be amended by a Resolution.

Fashant stated that there was a typographical error in the draft.

Doud stated that what has previously been updated with Bylaws will now have to be updated with a Resolution.

Huttner stated that there is a heck of an undercurrent on the Council with certain members who like to beat up on the EDA with no due process. Huttner further stated that it is wrong at every level.

Discuss August Meeting Date – Potential Move

Doud said he tries to take vacation when there are no meetings schedule but there seems to be an EDA meeting every time Doud attempts to plan a vacation. Doud will be away on August 19th through August 23rd. Doud stated that the meeting could certainly happen without him being present.

Doud stated that Sevald would be available to run the meeting. Huttner stated that Huttner should run the meeting.

The EDA meeting will not change dates.

Staff Update

Doud stated that there are no additional updates. Doud also stated that the Staff support of being able to support the EDA has been a problem in the past. Doud is committed to doing as much as possible to assist the EDA with their projects.

Huttner asked if the EDA needs to hire a part-time employee for support. Doud stated that the City Council would have to make that particular request.

Huttner asked about the lean property with a truck shop that has a fence around it. Doud stated that there should not be a truck shop. The property is supposed to be used as storage.

Huttner stated that the open EDA position is not listed on the website. Doud stated that the open EDA position is listed on the City website.

Fashant asked when the EDA would be discussing the budget. Doud stated that there were budget discussions at the last meeting. It was decided that \$62,500 was the number that would be utilized.

Salonek asked Doud to remind the EDA what is covered in the \$62,500. Doud agreed to provide the details to the EDA.

Salonek stated that the upcoming year's budget is going to be extremely tight. Salonek made reference to an 18% requested increase, and Salonek stated that Salonek has a set number in mind. Salonek stated that at the current number inside Salonek's head, Salonek cannot come up with any money for a ladder truck.

Doud explained that the City Council could allow the EDA to use money that the EDA already has as operational fees rather than levying additional tax dollars for operation fees.

ADJOURN

Motion by Peralta and seconded by Salonek to adjourn at 8:25 a.m. Motion passed unanimously.

Respectfully submitted,
Zach Doud, City Administrator/Finance Director

ITEM:

6A

APPLICANT:

Approval of Application for New EDA Member

PREPARED BY:

Jon Sevald, Community Development Director

POLICY DECISION / ACTION TO BE CONSIDERED:

Motion to recommend that the City Council appoint David Anderson to the EDA, for the term expiring December 31, 2025.

BACKGROUND:

The EDA consists of seven members approved by the City Council. Five members shall be members of the Dayton business community or residents of the City of Dayton with business and/or economic development expertise. EDA community members serve six-year terms, beginning January 1.

EDA member Jim Bege resigned effective December 31, 2023 for a term expiring December 31, 2025. The City posted the vacancy on its website, receiving one application.

CRITICAL ISSUES:

N/A

COMMISSION REVIEW / ACTION (IF APPLICABLE):

N/A

60/120-DAY RULE (IF APPLICABLE):

	60-Days	120-Days

RELATIONSHIP TO COUNCIL GOALS:

N/A

BUDGET IMPACT:

N/A

RECOMMENDATION:

Staff requests direction.

ATTACHMENT(S):

(provided by email)

ITEM:

Cubes Concept Plan

APPLICANT:

Ben Weinstein, CRG

PREPARED BY:

Jon Sevald, Community Development Director

POLICY DECISION / ACTION TO BE CONSIDERED:

EDA Members should provide comments if there is support to exceed two acres of outdoor storage (ten acres proposed). If supportive, under what conditions. With a Concept Plan, there is no formal Motion to recommend Approval or Denial. All comments are informal and non-binding.

BACKGROUND:

In 2021, the City Council approved a Planned Unit Development (PUD) for The Cubes, 11500 Dayton Parkway.¹ The project consists of a 996,960 sq ft warehouse/distribution facility. As a PUD, there may be deviations from City Code requirements. Approved deviations include:

1. Structure height limited to 55'.
2. Parking based on 1 size per 3,300 sq ft of floor area.
3. Waiver of requirement for cash-in-lieu of fee for tree replacement.
4. Flexibility with wall signage height and freestanding sign up to 18'6".

The project has been significantly completed but remains vacant. The Applicant has a potential tenant (Project Falcon) for the west half of the property. Project Falcon requires 10-acres of outdoor storage of building materials, whereas City Code limits outdoor storage to 20% of the lot or two acres, whichever is smaller.²

The Applicant is considering two options:

1. Convert the stormwater ponds for outdoor storage and replace with underground stormwater chambers.
2. Purchase three adjacent homes for expansion of outdoor storage and stormwater ponds.

A Concept Plan does not include the amount of detail included in a Preliminary Plat or Site Plan. If the City Council is supportive of additional outdoor storage, the Applicant intends to submit additional applications, including;

1. Comprehensive Plan amendment, amending the Future Land Use Map of the three homes, from Medium Density Residential, to Industrial (if the homes are included in the project).

¹ Resolution 54-2021; Granting Approval of Preliminary Plat, Final Plat, Planned Unit Development, and Development Agreement for The Cubes at French Lake.

² City Code 1001.051, Subd 2(4)(c)

2. Zoning Map amendment, amending the three homes from A-1 Agricultural to I-1 Light Industrial and PUD Planned Unit Development (if the homes are included in the project).
3. Preliminary/Final Plat approval, adding the three homes to The Cubes at French Lake (if the homes are included in the project).
4. Amending the PUD to allow a deviation from City Code to exceed two acres of outdoor storage.

CRITICAL ISSUES:

1. At the time the PUD was approved, the city did not intend for significant outdoor storage beyond semi-trailers. Sufficient screening is needed to entirely screen outdoor storage from public roadways and residences (Note: outdoor storage is not permitted adjacent to residential).³
2. If acquiring the adjacent three homes, there is a fourth home (11781 West French Lake Road) that will appear as an island surrounded by warehouses (home was excluded because of its recent sale).

COMMISSION REVIEW / ACTION (IF APPLICABLE):

The Planning Commission will review at its September 5th meeting.

60/120-DAY RULE (IF APPLICABLE):

	60-Days	120-Days
Concept Plan	TBD	TBD

RELATIONSHIP TO COUNCIL GOALS:

Create a Sought After Community

BUDGET IMPACT:

N/A

RECOMMENDATION:

If the City Council is supportive of additional outdoor storage, Staff prefers it to be located on the existing property (e.g. requires stormwater chambers). This would allow for future redevelopment of the adjunct homes for a different use (something other than outdoor storage).

Staff is regularly contacted by realtors looking for outdoor storage (more than two acres). It has been the city's practice to restrict outdoor storage, preferring buildings instead of pavement (higher property value).

ATTACHMENT(S):

Aerial Photo
Site Photos
Concept Plan Option 1 & 2

³ City Code 1001.051, Subd 2(4)(i); (Additional Requirements for all Industrial and Business Park Uses as Regulated in Section 1001.063); *Outdoor Storage areas shall not be adjacent to roads classified as either major or minor arterials and the storage area shall not abut any land guided residential.*





Panoramic view looking east toward the stormwater ponds from Dayton-94 building (west neighbor). Troy Lane at left, The Cubes at right (photo Aug 15, 2024).



Near intersection of West French Lake Road & Troy Lane, looking southeast toward The Cubes (photo Aug 15, 2024)



Panoramic view west-to-north, looking northwest along West French Lake Road. Proposed outdoor storage expansion (option 2) in the wooded area (three homes). (Photo Aug 15, 2024).



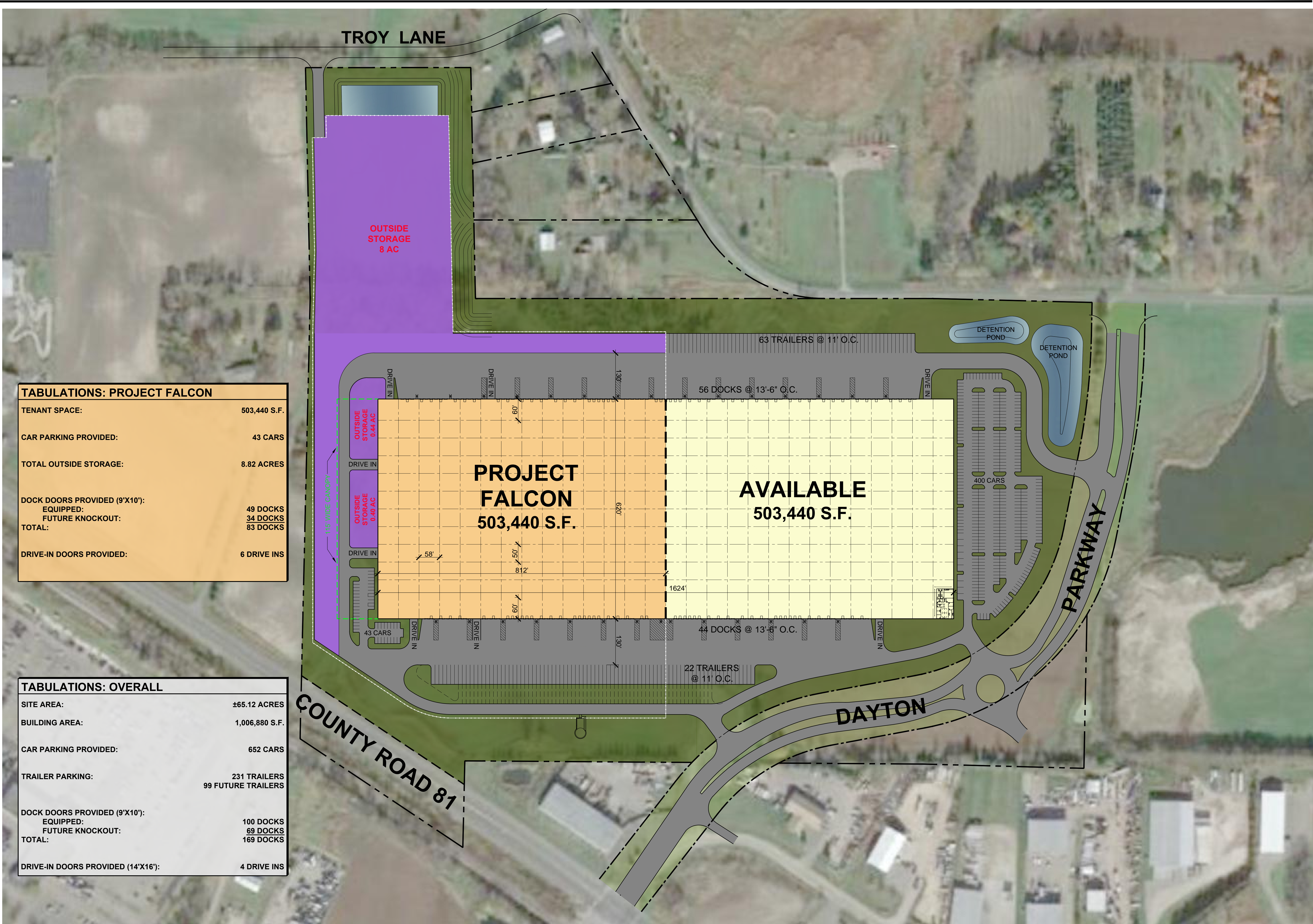
Panoramic view looking north-to-east of southwest corner of The Cubes, Co Rd 81 at right (photo Aug 15, 2024).



View of west side of The Cubes. Proposed canopy over parking lot for outside storage (photo Aug 15, 2024).

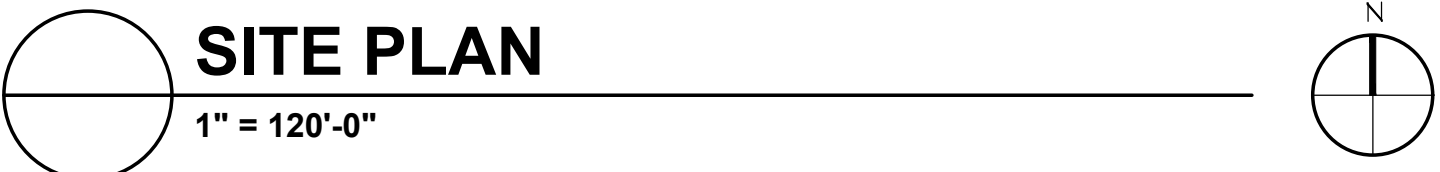


Figure 1 Panoramic view of west side of The Cubes. Proposed canopy over parking lot (to be outside storage) (photo Aug 15, 2024).



TABULATIONS: PROJECT FALCON	
TENANT SPACE:	503,440 S.F.
CAR PARKING PROVIDED:	43 CARS
TOTAL OUTSIDE STORAGE:	8.82 ACRES
DOCK DOORS PROVIDED (9'X10'):	49 DOCKS
EQUIPPED:	34 DOCKS
FUTURE KNOCKOUT:	83 DOCKS
TOTAL:	
DRIVE-IN DOORS PROVIDED:	6 DRIVE INS

TABULATIONS: OVERALL	
SITE AREA:	±65.12 ACRES
BUILDING AREA:	1,006,880 S.F.
CAR PARKING PROVIDED:	652 CARS
TRAILER PARKING:	231 TRAILERS
	99 FUTURE TRAILERS
DOCK DOORS PROVIDED (9'X10'):	100 DOCKS
EQUIPPED:	69 DOCKS
FUTURE KNOCKOUT:	169 DOCKS
TOTAL:	
DRIVE-IN DOORS PROVIDED (14'X16'):	4 DRIVE INS



SEAL

developed by:
CRG
INTEGRATED
REAL ESTATE
SOLUTIONS
realcrg.com

35 E. WACKER DRIVE
CHICAGO, ILLINOIS 60601
Ph 312.658.0747 Fx 312.429.1890

Architect

CONSULTANT NAME

Civil Engineer

CONSULTANT NAME

Structural Engineer

CONSULTANT NAME

Landscape Architect

CONSULTANT NAME

Interior Architect

CONSULTANT NAME

MEP Engineer

CONSULTANT NAME

PROJECT:

FRENCH LAKE
DAYTON, MN

Developer

DRAWING ISSUE

08/13/2024

Description

Date

Drawing Title

SITE PLAN

Drawing No.

SK-5

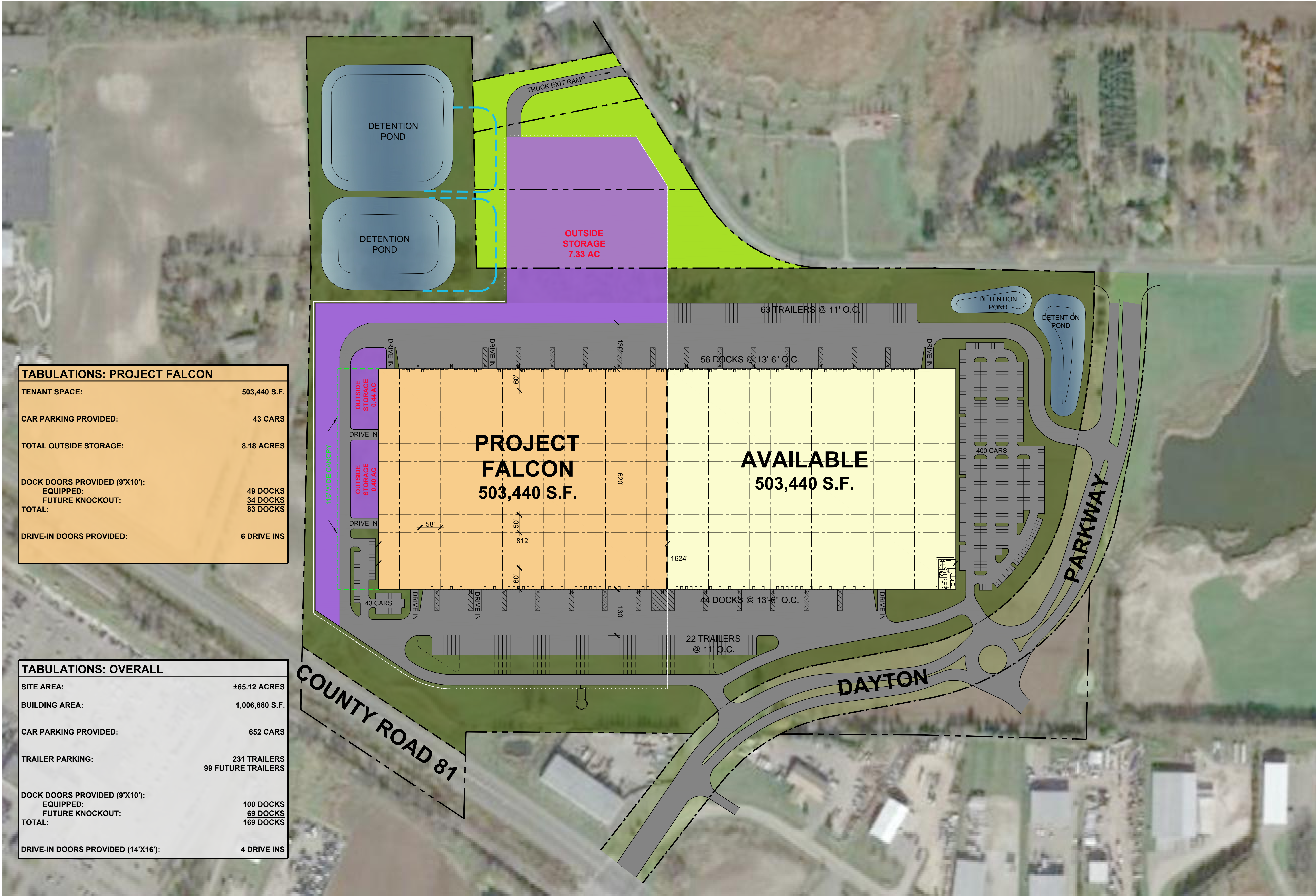
Clayco
Job No.

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Consult.
Job No.

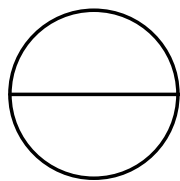
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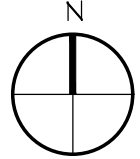
TABULATIONS: PROJECT FALCON	
TENANT SPACE:	503,440 S.F.
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FUTURE KNOCKOUT:	169 DOCKS
DRIVE-IN DOORS PROVIDED (14'X16'):	4 DRIVE INS



SITE PLAN

1" = 120'-0"



SEAL

developed by:
CRG
INTEGRATED
REAL ESTATE
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35 E. WACKER DRIVE
CHICAGO, ILLINOIS 60601
Ph 312.658.0747 Fx 314.429.1890

Architect

Civil Engineer

CONSULTANT NAME

Structural Engineer

CONSULTANT NAME

Landscape Architect

CONSULTANT NAME

Interior Architect

CONSULTANT NAME

MEP Engineer

CONSULTANT NAME

PROJECT:

FRENCH LAKE

DAYTON, MN

Developer

DRAWING ISSUE

08/08/2024

Description

Date

Drawing Title

SITE PLAN

Drawing No.

SK-1

Clayco
Job No. #-###-###

Consult.
Job No. #-###-###

XXX

ITEM:

DCM Farms Concept Plan

APPLICANT:

Tom Dehn, Sundance Development LLC

PREPARED BY:

Jon Sevald, Community Development Director

POLICY DECISION / ACTION TO BE CONSIDERED:

EDA Members should provide comments. No formal recommendation required.

BACKGROUND:

The EDA reviewed the concept plan for DCM Farms at its June 18, 2024 meeting. At that time, the Applicant presented three options. The Concept Plan has been revised, and now includes 256 homes and 11-acres of commercial/retail (no significant changes to the commercial/retail area). Planned commercial/retail uses include:

- Dehn's Country Mannor
- Restaurant
- Gas Station / convenience store
- Daycare
- Office / Bank
- Coffee Shop
- Three retail buildings, totaling 36,000 sq ft

During the June EDA meeting, most of the EDA was supportive of the project. Comments included (summarized); building design should be complementary to the residential neighborhood, creating a "hometown feel". Business hours should not be 24-hours and should be respective of the neighborhood. Concerns about the project were related to creating unnecessary competition with the Master Plan area.

The project will require:

1. Environmental Assessment Worksheet (EAW).
2. Comprehensive Plan Amendment (commercial/retail area), from Low Density Residential, to Commercial.
3. Planned Unit Development.
4. Preliminary/Final Plat.

CRITICAL ISSUES:

Internal traffic circulation.

COMMISSION REVIEW / ACTION (IF APPLICABLE):

The Planning Commission will review at its September 5th meeting.

60/120-DAY RULE (IF APPLICABLE):

	60-Days	120-Days
Concept Plan (revised)	N/A	N/A

RELATIONSHIP TO COUNCIL GOALS:

Preserving our Rural Character

Creating a Sought After Community

BUDGET IMPACT:

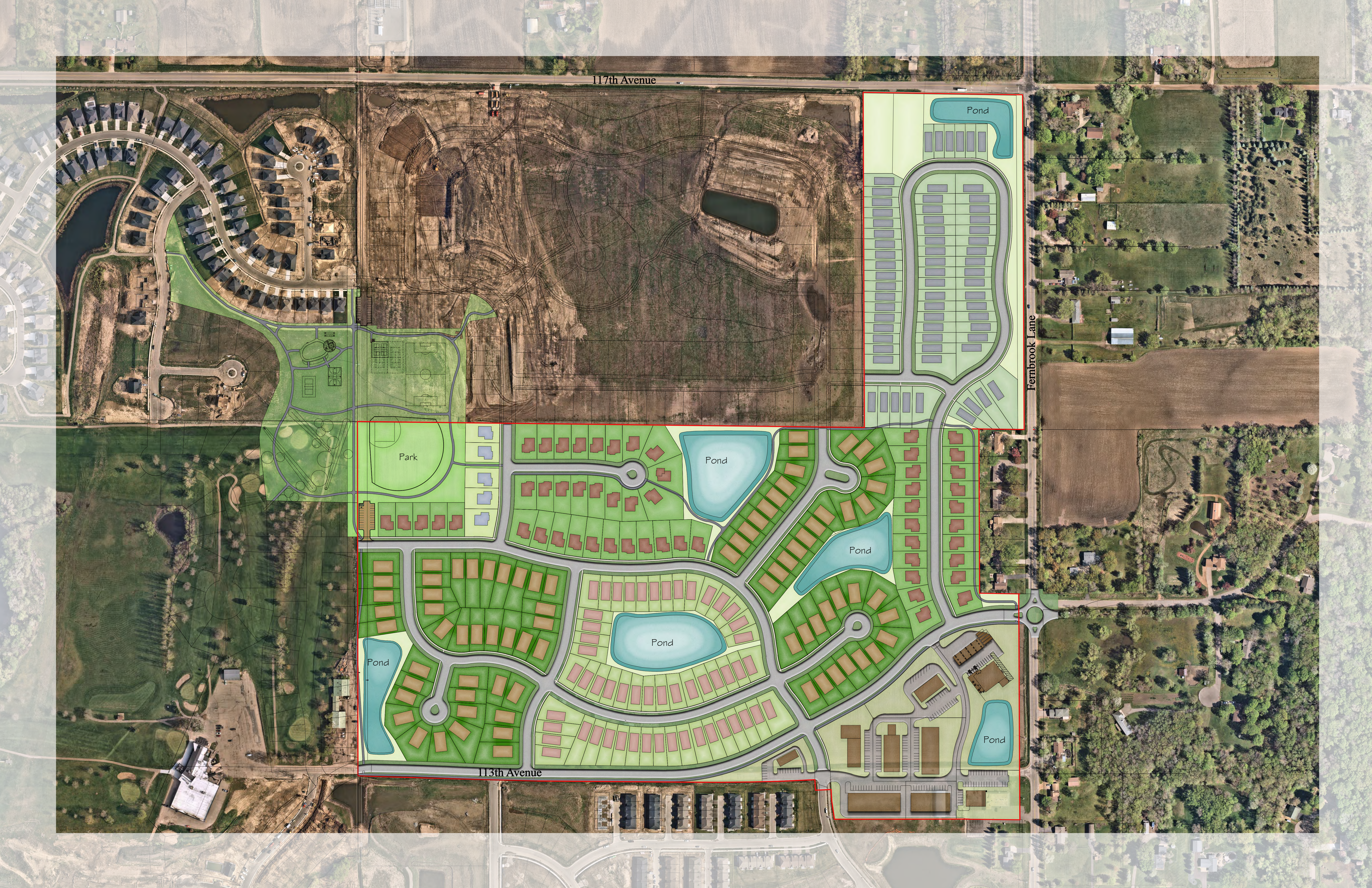
N/A

RECOMMENDATION:

1. Revise commercial/retail layout to appear more like a pedestrian oriented street, and less like a suburban strip mall. Include public areas along 114th Street (e.g. seating, public art). Consider antique farming equipment as public art.
2. Require commercial/retail architectural standards to be respective of the residential setting (less corporate franchise, more small-town / residential feel).
3. Consider what features make Dayton feel rural, and how that could be incorporated into DCM Farms (e.g. split rail fence, barn & silo, etc).

ATTACHMENT(S):

Concept Plan



117th Avenue

Fembrook Lane

Park

Pond

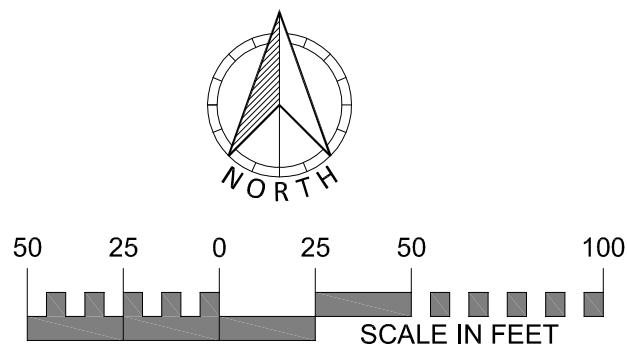
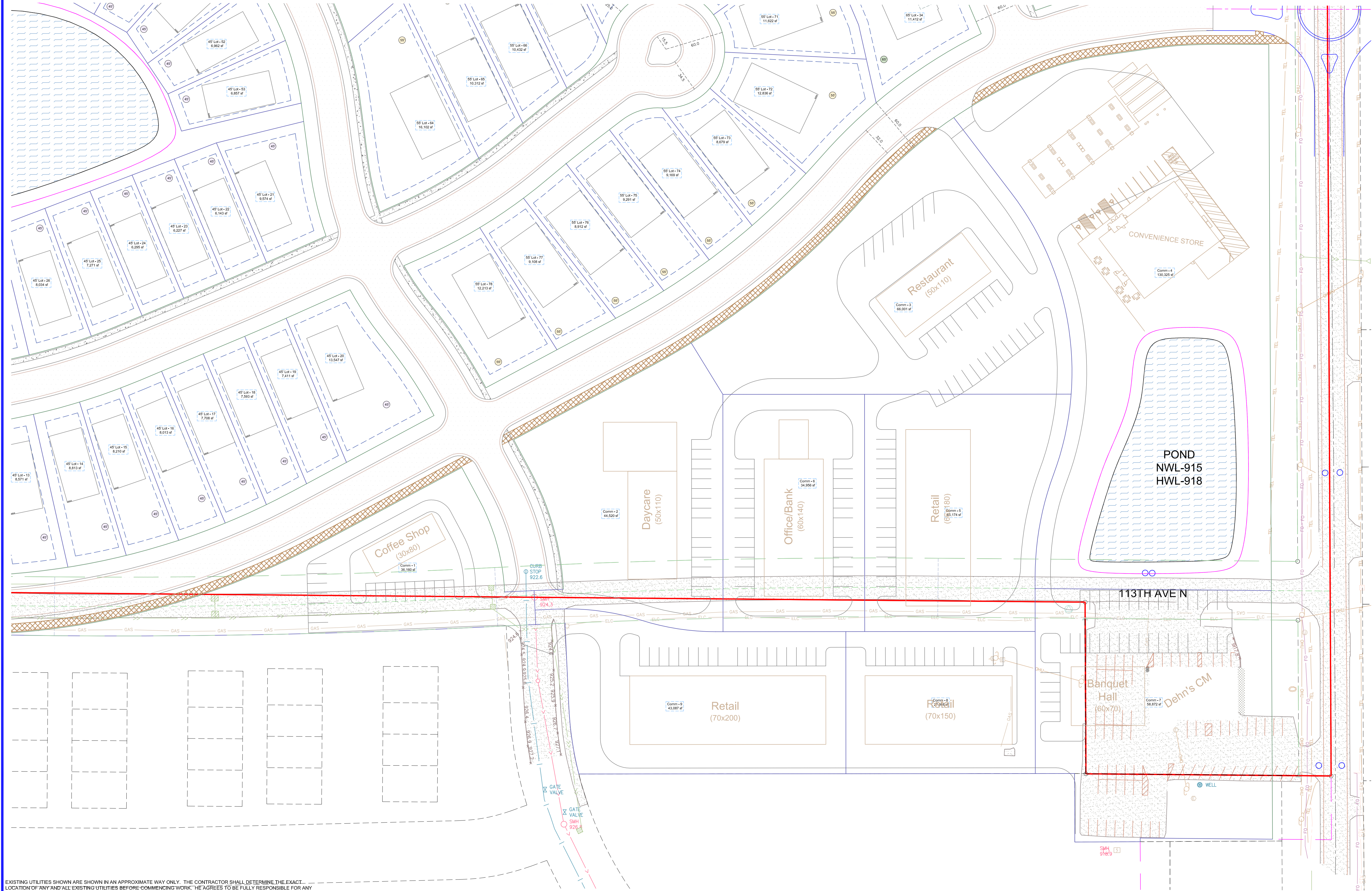
Pond

Pond

Pond

Pond

113th Avenue



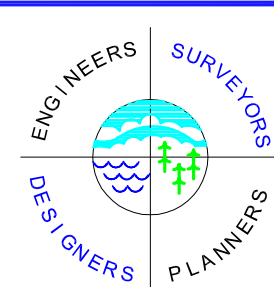
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DRAWING NAME	NO.	BY	DATE	REVISION
Layout-Dehn CM & 113th	1			
DRAWN				
CHECKED				
DATE				
XXXXXX				

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Name, P.E. _____
Date: _____ Lic. No. _____



SATHRE-BERGQUIST, INC.
14000 25TH AVE N #120 PLYMOUTH, MN. 55447 (952) 476-6000

CITY PROJECT NO.

**DAYTON,
MINNESOTA**

CONCEPT PLAN 7/12/24
DCM FARMS
SUNDANCE WOODS, LLC.

FILE NO.
19214-006

C1C