

City of East Bethel
Planning Commission Agenda Planning
Commission Regular Meeting Date:
March 24th, 2026 7:00 pm



Two or more Council Members and/or the Mayor may be in attendance at this meeting.
If two or more Council Members and the Mayor attend the event, there will be a quorum of Council Members.

This meeting may be monitored live via the following means:
Cable Channel 10, MidcoTV Channel 77, or the City of East Bethel YouTube channel
(www.youtube.com/channel/UC8_7ShcME-XG14pN5JrmBGg/live)

1. Call To Order
2. Interviews for Planning Commission Vacancy - Lindsay Crescenzo / Julie Lux
3. Adopt Agenda
4. Council Liaison Update
5. Approval of Minutes: 1/27/26
6. Public Hearing and possible action on recommendations relating to a variance and subsequent Interim Use Permit Request for the purposes of allowing Domestic Farm Animals (Horse) within the Rural Residential District on lands currently platted – 656 192nd Ave. – Parcel # 303323420024.
7. Public Hearing and possible action on recommendations relating to an Amended PUD, Site Plan Review, Preliminary and Final Plat for the development of Dairy Queen at the NE quadrant of the roundabout Sandhill Parkway NE and 187th Ln NE. (Also adjacent - southerly to the Kwik Trip Convenience Store) - Parcel # 323323120012
8. Staff Update
9. Adjourn

DRAFT MINUTES: NOT YET APPROVED

EAST BETHEL PLANNING COMMISSION MEETING

January 27, 2026

MEMBERS PRESENT: Acting Chair Kory Jorgensen, Glenn Terry, Kristina Pagnac, Gerald Tiah, and Brian Downie

MEMBERS ABSENT: Sharon Johnson

ALSO PRESENT: Matt Look, City Administrator
Eric Larson, City Attorney
Rodney Sanow, Fire Chief
Nate Ayshford, Public Works Manager
Carrie Frost, Administrative Coordinator
Mike Jeziorski, Deputy City Administrator/Finance Director
Kendra Lindahl, Community Development Director
Brian Mundle, City Council Liaison

1.0 Call to Order

Acting Chair Jorgensen called the Planning Commission regular meeting to order at 7:00 pm.

2.0 Interview Lindsay Crescenzo – Cancelled

3.0 Consider reappointment of Planning Commissioner Gerald Tiah

Commissioner Pagnac moved and Commissioner Terry seconded to approve the reappointment of Planning Commissioner Gerald Tiah. Jorgensen asked any discussion? To the motion, all in favor say aye. **All in favor.** Jorgensen asked any opposed? That motion passes. **Motion passes unanimously.**

4.0 Adopt Agenda

Commissioner Terry moved and Commissioner Downie seconded to adopt the agenda as presented. Jorgensen asked any discussion? To the motion, all in favor say aye. **All in favor.** Jorgensen asked any opposed? That motion passes. **Motion passes unanimously.**

5.0 Council Liaison Updates

Council Liaison Urkle updated the Commission on recent Council actions. She stated that they have appointed officers to the HRA at the last meeting. She updated that they have hired a new snowplow operator. The Council discussed the Cedarwood Estates mobile park issues, and the item is a work in progress. She reviewed that they have hired a new City Planner.

The next Planning and Zoning Commission meeting is scheduled for February 9, 2026.

6.0 Approve December 23, 2025, meeting minutes

Commissioner Terry moved and Commissioner Downie seconded to adopt the December 23, 2025, regular meeting minutes as written. Jorgensen asked any discussion? To the motion, all in favor say aye. **All in favor.** Jorgensen asked any opposed? That motion passes. **Motion passes unanimously.**

7.0 Public Hearing – Consider a Concept Plan Review for “Friday Stables Estates,” a 17-lot subdivision/planned unit development (PUD) located at 18215 Greenbrook Drive

Lindahl reviewed staff’s report stating that the site is an existing Farmstead. The property is guided Rural Residential and zoned RR– Rural Residential. The properties to the north, east, and west are

51 guided and zoned the same. The property to the south is located in the city of Ham Lake and is guided
52 and zoned similarly. She reviewed that at the request of the applicant, the Planning Commission tabled
53 this item at the December 23, 2025, meeting to allow for modifications to the concept. The report has
54 been modified to analyze the new concept, which now shows an 8-lot subdivision rather than the
55 original 17-lot subdivision. The new concept will not require a PUD.

56 Lindahl stated that this property is a vacant 22.18-acre parcel. The sketch plan shows 8 lots ranging
57 between 2.2 and 3.4 acres in size. These lots do meet the 2-acre minimum lot size, and most appear to
58 meet the required 200 ft. minimum width at the right-of-way setback line required by the RR district.
59 The Comprehensive Plan permits development at an average density of 1 unit per 10 acres of land for
60 areas designated Rural Residential. The Comprehensive Plan would allow two lots on this parcel. The
61 proposed subdivision has a density of 1 unit per 2.56 acres.

62 Lindahl explained that the proposed lots do comply with the lot size standards but do not comply with
63 the minimum lot width standards established in Section 42 of the Zoning Ordinance for lots in the RR
64 Zoning District. Lots 5-7 do not appear to comply with the minimum lot width, and the plan would need
65 to be revised to comply with the minimum lot area and lot width requirements in the table below:

66 Jorgensen opened the public hearing at 7:11 p.m.

67 A resident asked about the layout of the proposed property.

68 Terry offered to lend his copy of the layout to the resident.

69 Pagnac asked why they went from 17 to 8.

70 Todd Christiansen stated that after working with staff, it seemed to be the only alternative.

71 Pagnac asked if he had any concerns about making the width of the lots fit the requirements.

72 Todd Christiansen stated that the adjustment can be made easily.

73 Jorgensen closed the public hearing at 7:14 p.m.

74 Pagnac stated that her only concern is the new driveways that would be added to the County road.

75 Dave ?? shared his concerns with the driveways being added on a busy road. He noted that he lives on
76 that road and has trouble getting out of his driveway during rush hour.

77 **Commissioner Terry moved and Commissioner Pagnac seconded to recommend approval to City**
78 **Council with the conditions set forth in the provided Resolution.** Jorgensen asked any discussion?
79 To the motion, all in favor say aye. **All in favor.** Jorgensen asked any opposed? That motion passes.
80 **Motion passes unanimously.**

81 This item goes before City Council on February 9, 2026.

83 **8.0 Public Hearing – Conditional Use Permit (CUP) for a cannabis microbusiness located at 23773** 84 **Johnson Street NE**

85 Lindahl reviewed staff's report stating that staff received an application from Evan Jones, Happy Earth
86 Made Products (H.E.M.P.) LLC for a CUP to allow the operation of a Cannabis Microbusiness with a
87 production of consumer products endorsement and cultivation endorsement located at 23773 Johnson
88 Street NE. The property is guided Light Industrial and zoned I – Light Industrial. The properties to the
89 north, south, and east (across HWY 65) of this property are guided Light Industrial and zoned I – Light
90 Industrial. The properties to the west are across Johnson Street and are guided Low Density Residential
91 and zoned R-1 – Low Density Residential. She reviewed the State guidelines for Cannabis businesses.

92 Lindahl explained that the use is not expected to have an impact on the health, safety, and general
93 welfare of the occupants of the surrounding lands. Section 30 of the Zoning Ordinance establishes
94 several standards to evaluate these criteria. An analysis of surrounding properties and their uses finds
95 that the business complies with the minimum buffer distance requirements established in Section 30-
96 1(A) of the Zoning Ordinance.

97 Lindahl stated that the applicant's narrative also does not describe any outdoor activities or any activities
98 that would generate noise or odor in violation of Section 30 of the Zoning Ordinance. To mitigate the
99 impact of the proposed use on the health, safety, and general welfare of the surrounding lands, the
100 business shall operate under the standards for hemp businesses established in Section 30 of the City
101 Zoning Ordinance and comply with all state laws and administrative rules. The applicant shall also
102 comply with Minn. Stats. § 342.27 regarding the sale of cannabis products, including hours of operation,
103 which can be further limited by the City, for all cannabis and non-cannabis products.

104 Tiah asked about the impact this would have on residents in the surrounding areas.

105 Lindahl stated that this is a permitted use and the City is required to allow this use in the designated
106 districts. She stated that they have an air handling system that ensures that the smell of the product stays
107 in the buildings. She explained that there is no retail in this business.

108 Downie asked if the issuance of the CUP is approved, but the license from the OCM is not obtained
109 within one year, would the applicant be able to reapply.

110 Lindahl stated that they will have the option to reapply.

111 Jorgensen asked if the business decides to sell, would the new owners have to reapply for the CUP.

112 Lindahl stated that CUP's run with the land. She noted that, however, in the CUP, it is required that the
113 City be notified of any sale or ownership change within a day of sale.

114 Jorgensen opened the public hearing at 7:29 p.m.

115 Andrew Johnson stated that he is representing the applicant and will be available for any questions. He
116 stated that they have a letter from the HVAC company stating what they are required to have in their
117 building to meet the OCM requirements.

118 Tiah asked if they are in the process of purchasing the property or if there is a risk that they will have to
119 withdraw from the application.

120 Mr. Johnson stated that they are under contract to purchase the property.

121 Pagnac asked about the number of staff on the property and if they will provide job opportunities for
122 East Bethel residents.

123 Evan Jones, CEO, stated that there will be about 5 employees working at a time. He also noted that they
124 would prefer to hire people from within the City.

125 Jorgensen asked if they would follow all security guidelines from the OCM and if they would have a
126 fence on the property.

127 Mr. Jones stated that they will follow the OCM security guidelines very closely. He added that the
128 property will not have a fence. He explained how the HCAV system works to ensure the smells are
129 contained.

130 Jorgensen closed the public hearing at 7:40 p.m.

131 Lindahl reviewed the number of Cannabis business allowed in the City.

132 Terry stated that he is opposed to the use of cannabis due to the effects it has on people. He noted that he
133 will not be voting for the approval of this item.

134 Jorgensen stated that he would like to see a fence added to the property. He noted that due to personal
135 opinions, he is not in support of this item, but since it meets all requirements, he feels this should be
136 approved.

137 **Commissioner Downie moved and Commissioner Tiah seconded to recommend approval to City**
138 **Council with the conditions set forth in the provided Resolution.** Jorgensen asked any discussion?
139 To the motion, all in favor say aye. **Downie, Tiah, Jorgensen, Pagnac – Aye; Terry - Nay.** Jorgensen
140 asked any opposed? That motion passes. **Motion passes.**

141 This item goes before City Council on February 9, 2026.
142

143 **9.0 Staff Update**

144 Lindahl stated that Council hired a new City Planner, and he should be in attendance at the next
145 Planning Meeting.
146

147 **10.0 Adjournment**

148 **Commissioner Tiah moved and Commissioner Terry seconded to adjourn at 7:48 pm.** Jorgensen
149 asked any discussion? To the motion, all in favor say aye. **All in favor.** Jorgensen asked any opposed?
150 That motion passes. **Motion passes unanimously.**

151 Submitted by:
152 Sylvia Rokosz
153 *TimeSaver Off Site Secretarial, Inc.*
154



3-18-26

TO: Planning Commission Members
FROM: Eric Johnson, City Planner
RE: Planning Commission Vacancy – Interview

I am aware that the Commission has planned to hold interviews for persons who have submitted applications to serve due to a vacancy. To date, the city has received two applications listed alphabetically:

- Ms. Lindsay Crescenzo
- Ms. Julie Lux

Their submitted information is enclosed.

My understanding is that the Commission will interview each person and make a recommendation to the Council per the Selection Process

An excerpt from the City Commission appointments policy is noted below; Selection Process. with the entirety of the Policy attached at the end of this section.

→ Selection process for Commission Vacancies. Applications will be received until the posted closing date. Closing dates shall be arranged to conclude no later than one week prior to the next regularly schedule Commission/Authority meeting. The applications will be considered by and at the next scheduled or called Commission/Authority meeting for consideration by the members of the Commission/Authority. The Commission/Authority shall review the applications, verify the residency requirements, interview all the eligible applicants and select by majority vote and approve an applicant for recommendation for the vacant position to be forwarded to City Council for consideration of approval. Should the Commission/Authority recommend no candidate as a result of the interviews, the appointment for the vacant position shall be re-advertised or appointed by City Council at its discretion.

East Bethel Planning Committee Board

Attn: Board Members
2241 221st Ave NE
East Bethel, MN 55011

Dear Board Members,

This letter is to express my interest in serving on the East Bethel Planning Committee Board. As a resident who is committed to the thoughtful growth and development of our community, I am eager to contribute my expertise in engineering, business leadership, and community engagement to the important work of the committee.

Professionally, I serve as the Research & Development Director at Heraeus a medical device company, where I manage a \$100 million business and lead a team of 30 professionals across the United States and Costa Rica. Previous to this, my leadership experience includes overseeing a portfolio of seven programs at Medtronic, supporting more than 200 team members. These roles have equipped me with strategic planning, cross-functional collaboration, and project execution skills that I believe are highly relevant to the responsibilities of the Planning Committee.

I hold a Bachelor's degree in Biomedical Engineering (emphasis in Electrical Engineering) and have completed two Master's programs in Business and Medical Technology (with emphasis in intellectual property law). To further enhance my leadership capabilities, I have completed executive leadership courses at both Stanford University and Kellogg School of Management at Northwestern University. These academic and professional experiences have provided me with a strong foundation in analytical thinking, decision-making, and organizational leadership.

Beyond my professional achievements, I am deeply committed to serving the broader community. I volunteer regularly at the Northwoods Humane Society in Wyoming, MN and am actively involved as a STEM ambassador, working to inspire the next generation of engineers and scientists. My dedication to education and outreach is further reflected in my roles as a speaker at conferences, including serving as a panelist at the 2025 Medical Processing Conference and the 2017 Biomedical Engineering PhD Student Panel.

My career has spanned the regulated medical device industry, allowing me to develop a broad perspective on innovation, regulatory considerations, and stakeholder engagement—skills that align closely with the mission of the East Bethel Planning Committee.

I am enthusiastic about the opportunity to contribute to the strategic planning and sustainable development of East Bethel. Thank you for considering my application. I welcome the opportunity to discuss how my background and experiences can support the goals of the committee.

Sincerely,

Lindsay Crescenzo
3053 185th Lane NE
East Bethel, MN 55092
East Bethel resident since 2023
MN resident for >40 years

ail.com

LINDSAY CRESCENZO

R&D Director, Electrophysiology

3053 185th Lane NE, East Bethel MN 55092

EDUCATION

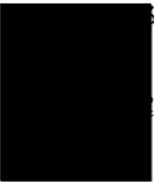
MS Medical Device Innovation,
Patent Law & IP Portfolio emphasis
University of Minnesota

Master of Business Administration
Walden University

BS Biomedical Engineering,
Electrical Engineering emphasis
University of Minnesota

CONTACT

PHONE:



4@gmail.com

ACHIEVEMENTS

Patent No. 9,326,789 'Flexible
Debulking Catheters with Imaging and
Methods of Use and Manufacture'

Child Foster Care Adoption approved,
Minnesota

Published Author, Fiction

LANGUAGES

Spanish (conversational), 3 academic
years + 25% travel Costa Rica,
2023 - present

Dutch (some), Belgium resident
2005-2007

Swedish (some), class 2014

WORK EXPERIENCE

Heraeus, R&D Director A 30B Euro Medical Manufacturing Company
Feb 2023 – Present

- Lead a multidisciplinary R&D team of 30 people in the development of electrical-mechanical electrophysiology catheters. Grew R&D Team with emphasis on culture
- Managed P&L for R&D. Directed \$80M portfolio
- Ideated and implemented strategy to increase revenue potential from \$100M to \$2B.
- Innovated to increase PDP efficiency by 25% through use of AI
- Implement automation strategy to reduce takt time by >50%
- Manage budget, ensured Revenue & EBITDA to business case
- Advise on M&A opportunities
- Present quarterly to the Executive Board

Medtronic, Senior Manager A \$30B Leading Medical Device OEM.
Aug 2007 – Feb 2023

- *Senior Manager* (Diabetes, 2020-2023) Lead R&D portfolio consisting of 7 programs (> 200 ppl). Software experience
- *Product Development Manager* (Electrophysiology/MCS, 2015-2020): Successfully launched Arctic Front Advance Pro
- Transformed MCS team into high-performing in 3mo
- *Sr. R&D Engineer* (Vascular, 2009 – 2015): Successfully developed and launched 9 full product development programs (14 programs overall)
- Experience in operations and quality (2007 – 2009)
- Established relationships with Physician KOL's

NATO, YS Brunssum, Netherlands 2005 – 2007

Donatelle, Inc., Engineering 2003 – 2005

Plastic Products Company, Sales & Engineering 1999 – 2001

EXECUTIVE TRAINING & VOLUNTEER WORK

- Medical Processing Conference Panelist - MPP (2025)
- Kellogg Management Course – How to grow a business (2024)
- Executive training program at Stanford University (2022)
- Chair of the Medtronic Innovation Committee (2016 – 2022)
- Leadership Acceleration Program, Medtronic (2018, 2022)
- Biomedical Engineering PhD student panelist - U of MN (2017)
- Global Market Analysis on Imaging Modalities (2016)
- IEC 60601 and IEC 60086 battery compliance (2015)
- Emerging Technologies oximeter circuit design (2012)
- STEM Ambassador, SWE, WISE volunteer (2009 – present)
- FIRST Robotics Mentor (2009)
- Northwoods Humane Society volunteer (2001 & 2025)

PRODUCTS LAUNCHED

InPen™ Mobile App with Medtronic CGM, Arctic Front Advance Pro™ CryoAblation Catheter, HawkOne™ 6Fr Plaque Excision Catheter, HawkOne™ 7Fr Plaque Excision Catheter, TrailBlazer™ Support Catheter, EverFlex+™ Self Expanding Stent Catheter, EverCross™ Percutaneous Transluminal Angioplasty Catheter, NanoCross™ Percutaneous Transluminal Angioplasty Catheter, Visi-Pro™ Balloon Expandable Stent Catheter

March 12, 2026

City of East Bethel Planning Commissioners

RE: Expression of Interest in Planning Commission Position

Dear Planning Commission Members:

I am writing to express my interest in being considered for the current vacancy on the East Bethel Planning Commission.

As you know, in May 2025 the City Council approved an amendment to the enabling resolution for the East Bethel Economic Development Authority (EDA), transitioning the EDA to a council-only body as current member terms expire. As the only remaining non-council member currently serving on the EDA, and with my term extending through January 31, 2028, I am considering stepping aside from that role to allow the transition to occur sooner.

While doing so, I remain strongly committed to continuing my service to the City of East Bethel. I believe the Planning Commission would be a meaningful way for me to contribute to the city's long-term growth and development.

Through my years serving on the EDA, I have gained valuable insight into the city's development priorities, economic strategy, and community goals. Combined with my professional background in commercial real estate and finance, I believe I can provide a practical and informed perspective that would be an asset to the Planning Commission as it evaluates development proposals and helps guide the future of our community.

I respectfully submit my interest for your consideration and have included my résumé for your review. I would welcome the opportunity to speak with you further and answer any questions you may have. Thank you for your time and consideration.

Respectfully submitted,

Julie Lux
24220 Skylark Drive NE
[REDACTED]



Julie Lux, CCIM

Director of Pre-Development Services

Julie leads BKV Group’s Pre-Development Services group and is responsible for working with our clients to identify, evaluate, and assist in the acquisition of potential development sites. She works in tandem with the design team and provides additional support services all through the process, including comparative analysis, market studies, site assemblage, due diligence, project entitlement, and permit approvals. The design team graphically illustrates a site’s potential, enhancing the developer’s ability to visualize options that may not have been considered. Prior to BKV Group, Julie had a 27+ year career as a commercial real estate broker in client representation, landlord representation, and investment analysis. She is currently the President of the East Bethel, Minnesota Economic Development Authority, and also sits on the Executive Board of CMDC, a Minnesota-based certified SBA Development Company.

EDUCATION

Carlson School of Management,
University of Minnesota

REGISTRATIONS

Licensed Real Estate Broker:
MN #40581794

YEARS OF EXPERIENCE

BKV Group: 8
Total: 34

BOARDS/MEMBERSHIPS

CCIM – Certified Commercial
Investment Member 2006 -
present

Minnesota/Dakotas CCIM –
Board Member 2007-2010,
Board Chair 2009

East Bethel Economic
Development Authority –
January 2012-present, Board
President

Central MN Development
Company – Board Secretary
2011-present

PLACE – Advisory Board
Member 2020-present

MNCREW – Signature
Events Committee Member
2021-present

WAHN (Women’s Affordable
Housing Network) – Programs
Committee Member
2024-present

Anoka County Master
Gardeners – Mentorship
Committee 2023-present

Work History

**Towle Real Estate/Cassidy Turley – Mortgage Broker Investment Analyst,
Landlord Representation office broker, Multifamily Institutional Sales Broker -
1988 to 2015**

Welsh/Colliers – Multifamily and Land Sales Broker 2015 – 2018

BKV Group – Director of Pre-Development Services 2018 – present

**Experience prior to BKV Group*

Commission Appointments Policy

Updated: March 27, 2023

Purpose. The purpose of this policy is to outline the process for consideration, recommendation and appointment of Commission Members serving on the Parks, and Planning Commissions and the Economic Development Authority for the City of East Bethel.

Vacancy. The City Council shall declare a vacancy by motion and approval of the City Council when:

1. A current member submits and the City Council accepts a resignation of a current member of any Commission; or
2. At the notification by a sitting member that they will not apply for an additional term. No notification by the sitting member by the deadline date will be deemed a vacancy, or
3. When, as a result of non-participation or other reason, Council removes a current member from a Commission.

Advertise. Staff will be directed to advertise all vacancies for Commission/Authority membership by noting the position vacant in an advertisement. Staff shall utilize the following resources to advertise vacant Commission/Authority openings: City newsletter, City's website, local access cable channel, City billboard, City social media sites and at City Hall.

Application: End of Term Appointment. The period for accepting applications shall begin November 1st of each year and continue for a period of at least four weeks. Applications shall be by letter of interest wherein each applicant shall provide information regarding interest, qualifications/background and willingness to serve in the capacity. Current Commission members whose term expires on January 31st will be required to submit a letter of interest requesting re-appointment to the Council to the City.

Mid-term Appointment. The period for accepting applications shall begin the day the Council declares a vacancy and continue for a period of at least four weeks. City Council shall set the closing date for applications. Applications shall be by letter of interest wherein each applicant shall provide information regarding interest, qualifications/background and willingness to serve in the capacity.

→ Selection process for Commission Vacancies. Applications will be received until the posted closing date. Closing dates shall be arranged to conclude no later than one week prior to the next regularly schedule Commission/Authority meeting. The applications will be considered by and at the next scheduled or called Commission/Authority meeting for consideration by the members of the Commission/Authority. The Commission/Authority shall review the applications, verify the residency requirements, interview all the eligible applicants and select by majority vote and approve an applicant for recommendation for the vacant position to be forwarded to City Council for consideration of approval. Should the Commission/Authority recommend no candidate as a result of the interviews, the appointment for the vacant position shall be re-advertised or appointed by City Council at its discretion.

Re-Appointments of Sitting Commission/Authority Members. Upon written notification by a sitting Commission/Authority Member requesting an additional term, consideration for re-appointment by Council in November of the year prior to the expiration of their term will

be considered. Notice for request of re-appointment is required by no later than one week prior to the first Regular Council Meeting in November of the year prior to that of the expiring member's term.

Sitting members request for an additional term is for the Commission/Authority, and only for the Commission/Authority, they currently serve. Council would consider this request and if approved, make the appointment, for the term as specified by City Code.

Appointment for Commission/Authority Vacancies. City Council shall consider the recommendation of the Commission/Authority for the appointment and act upon the recommendation for the vacant position as specified by Chapter 2, Article IV, Section 2-71 of the East Bethel Code of Ordinances.



3-16-26

TO: East Bethel Planning Commission
FROM: Eric Johnson, City Planner
RE: STAFF REPORT - IUP Application / Variance – Domestic Farm Animals

SUMMARY:

The Applicant, Ms. Lynnsey Plaisance, seeks two approvals necessary (Variance and Interim Use Permit) to keep one (1) domestic farm animal (horse) on her property located at 656 192nd Avenue NE, East Bethel, Minnesota, legally described as Lot 2, Block 2, Brookside Place, 3.49 acres and zoned Rural Residential (RR). (See Exhibit 1 for general area map)

Within the Rural Residential (RR) zoning district, *Appendix A (Zoning) - Section 42-5.F* of the City Code provides that such keeping may be allowed as an interim use with the approval of an Interim Use Permit (IUP). Accordingly, the keeping of domestic farm animals within the RR district is not a permitted use by right but may be authorized through the Interim Use Permit process, subject to the standards and conditions established in *Article V- Chapter 10 (Section 150-158)* of the City Code.

However, *Article V- Chapter 10 Section 10-151(c)* of the City Code provides that Interim Use Permits for domestic farm animals shall not be issued on platted lands. Because the subject property is located within the Brookside Place Plat (1977) subdivision, See Exhibit 2, which constitutes platted land, the applicant is not eligible to obtain an Interim Use Permit for domestic farm animals under the ordinance as currently written.

10-151.(c): No animal regulated by this article can be kept on a parcel of land located within a platted subdivision or on any parcel of land of less than three acres. Provided further, that if 80 percent of the lots within a platted subdivision are larger than three acres, an IUP for keeping a regulated animal may be issued for any of those lots larger than three acres.

Consequently, to allow the City to consider an Interim Use Permit, the applicant is requesting a variance from the ordinance restriction prohibiting the consideration of an Interim Use Permit for domestic farm animals on platted lands. If the requested variance is approved, the Applicant further requests that the City consider and act upon the associated Interim Use Permit application.

The Interim Use Permit request seeks authorization for the keeping of one (1) domestic farm animal (horse) on the property. If approved, the use would be subject to the City of East Bethel's applicable regulations governing domestic farm animals, including provisions relating to animal care, shelter, fencing, manure management, and ongoing compliance with City Code requirements.

EXHIBIT LIST:

- Exhibit 1: General Area Map**
 - Exhibit 2: Subdivision Plat – Brookside Place 1977**
 - Exhibit 3: Zoning Map / Comprehensive Plan Map - 2040**
 - Exhibit 4: Applicant Submission Documentation**
 - Exhibit 5: SURVEY of Property**
 - Exhibit 6: Proposed Planning Commission Resolution – Variance - Assuming Staff Recommendation.**
 - Exhibit 7: Proposed Planning Commission Resolution – Interim Use Permit - Assuming Staff Recommendation.**
-

Analysis of the Variance:

Pursuant to the City’s Zoning Code – *Appendix A (Zoning) Sec 04-10 – Variances*, the Planning Commission may recommend approval of a variance where strict enforcement of the zoning ordinance would cause practical difficulties due to circumstances unique to the property. The ordinance provides that “practical difficulties” means that: 1) the property owner proposes to use the property in a reasonable manner not permitted by an official control; 2) the plight of the landowner is due to circumstances unique to the property not created by the landowner; and 3) the variance, if granted, will not alter the essential character of the locality.

In reviewing the requested Variance, the City must consider the following factors:

1. Reasonableness of the Proposed Use

The applicant proposes to keep one (1) horse on a 3.49-acre parcel located within the Rural Residential (RR) zoning district. The Rural Residential district is intended to maintain the low-density rural character of East Bethel, and the district regulations specifically identify domestic farm animals as an interim use when approved through the Interim Use Permit process and regulated by City Code.

The requested variance would allow the applicant to pursue an Interim Use Permit to keep a single horse on the property. Given the size of the parcel, the presence of open land suitable for pasture, and the rural character of the surrounding area, the proposed use represents a reasonable residential agricultural activity commonly associated with rural residential properties. The request does not seek to intensify development or introduce a use inconsistent with the district, but rather to allow a limited agricultural activity already contemplated within the RR zoning framework through the Interim Use Permit process.

2. Unique Circumstances of the Property

The practical difficulty associated with the property arises from the ordinance restriction that prohibits the issuance of an Interim Use Permit for domestic farm animals on platted lands. Because the subject property is located within the Brookside Place subdivision, the applicant

cannot seek an Interim Use Permit under the current ordinance despite the parcel’s size and rural character.

This circumstance is not the result of actions taken by the applicant but rather is inherent in the legal configuration of the parcel as part of a previously platted subdivision in 1977. The property contains approximately 3.49 acres, which provides sufficient space for limited agricultural activity such as the keeping of a single horse. The surrounding parcels (Lots 1 and 3) are of similar size – see inset chart.

The circumstance creating the practical difficulty was not created by the Applicant but results from the property’s legal status as part of a previously recorded subdivision plat and its interaction of that ordinance restriction with the parcel’s physical characteristics and zoning context .

BROOKSIDE PLACE - 1977	
Block 1	ACRES
Lot 1	1.62
Lot 2	1.73
Lot 3	1.14
SUBTOTAL	4.49
Block 2	ACRES
Lot 1	5.11
Lot 2	3.49
Lot 3	4.86
Lot 4	3.04
Lot 5	2.46
Lot 6	2.35
Lot 7	2.77
SUBTOTAL	24.08
Total	28.57
Average	2.857

NOTE: The properties abutting the Applicant both have horses; with the parcel to the south (lot 3) securing a IUP in 2023 following an investigation and other enforcement.

3. Preservation of the Essential Character of the Locality

The proposed use is limited in scale and consistent with the rural character of the RR zoning district, which is intended to support low-density residential development in a rural setting. The request involves only one domestic farm animal, and the property contains sufficient open land to support such use. If the variance is granted and the Interim Use Permit subsequently approved, the City would retain the authority to impose conditions relating to fencing, shelter, manure management, and other operational standards to ensure compatibility with surrounding properties. Given the limited nature of the request and the rural context of the area, approval of the variance is not anticipated to alter the essential character of the locality and would remain consistent with the intent of the Rural Residential zoning district.

NOTE: In the Rural Residential (RR) zoning district, the intent of the district is to maintain low-density development that preserves rural character and allows certain rural or agricultural activities, including domestic farm animals through the Interim Use Permit process. However, the ordinance restriction related to platted lands applies broadly to all subdivided parcels regardless of their size or rural context. As a result, parcels that were created through a recorded plat but are several acres in size may function similarly to traditional rural parcels while still being subject to the platted-land limitation. This can create a regulatory disconnect where the physical characteristics and rural setting of a property may reasonably support limited agricultural activity, yet the subdivision status prevents consideration of an Interim Use Permit unless relief is granted through the variance process - the City may desire to consider a text-amendment to address this as well.

Staff Recommendation:

Based on the review of the application materials, the applicable provisions of the East Bethel City Code, and the analysis contained within this report, staff finds that the requested variance meets the criteria established in *Appendix A (Zoning) Sec 4-10.D.1* of the City Code relating to practical difficulties: Reasonableness, Essential Character and Uniqueness. Again:

The property contains approximately 3.49 acres and the proposed use, consisting of the keeping of one (1) domestic farm animal (horse), represents a reasonable rural residential activity consistent with the intent of the Rural Residential (RR) zoning district. And, as both surrounding parcels maintain horses it will not impact the Essential Character of the area. The circumstance creating the practical difficulty was not created by the Applicant but results from the property’s legal status as part of a previously recorded subdivision plat and its interaction between that ordinance restriction and the parcel’s physical characteristics and zoning context (reasonably unique). Staff further finds that the proposed Interim Use Permit request appears capable of meeting the applicable standards relating to pasture area, shelter requirements, and animal welfare. The request is limited to one animal and the property provides sufficient area to accommodate the use in a

manner consistent with the surrounding rural residential area. The IUP elements are discussed below.

The practical difficulty arises from the ordinance restriction contained in Section 10-151(c), which prohibits the issuance of an Interim Use Permit for domestic farm animals on platted lands. Because the subject parcel is part of a recorded subdivision plat, the applicant cannot pursue an Interim Use Permit under the ordinance despite the parcel's size and rural context. Granting the variance would allow the City to consider the requested Interim Use Permit while maintaining the ability to regulate the use through operational standards and conditions.

Accordingly, staff recommends that the Planning Commission recommend approval of the requested variance from the Platted Land requirement for application to pursue an IUP.

Planning Commission Action Options:

The Planning Commission could consider the following actions with respect to the requested Variance and Interim Use Permit:

Option 1 – Recommend Approval of the Variance.

The Planning Commission may recommend approval of the requested Variance from *Section 10-151(c)* of the City Code to allow consideration of an Interim Use Permit for domestic farm animals on platted land, based on the findings that practical difficulties exist and that the request meets the variance criteria: **SEE EXHIBIT 6 for DRAFT RESOLUTION**

Option 2 – Recommend Denial of the Variance

If the Planning Commission determines that the variance criteria are not met, it may recommend denial of the requested variance and findings of fact should be adopted outlining such rationale. In such case, the Interim Use Permit cannot be considered because the ordinance prohibits the issuance of an IUP for domestic farm animals on platted lands.

Certainly, the Planning Commission may seek additional information if it deems necessary; the City has adequate time in the MN STAT. 15.99 rules to accommodate this.

Analysis of the IUP:

If the Variance is approved, the City may then turn its attention to the elements of the IUP which relate to acreage size, site restrictions, and animal welfare. Specifically:

1. Pasture Size:

The Applicant must provide 1.0 acre of pastureland for each equine. The Applicant's survey demonstrates that this condition is met. The enclosed fenced pasture area proposed on the site plan is approximately 1.0 acres (See Exhibit 5), which meets the minimum requirement for the keeping of one horse. (*Chapter 10, Art.V. - 10-151.h*)

2. Shelter and Welfare:

Certain site conditions must comply with *Chapter 10, Art.V-10-152 – Domestic farm animal shelter setbacks, paddocks, and pastureland*, as well as the provisions contained in *Section 10-154.5 – Animal health and animal shelter regulations*.

The Applicant is required to provide shelter that is adequate in size and design to protect the welfare of the animal. Any such structure must also comply with the City's regulations governing accessory structures. The property currently contains one detached accessory structure of approximately 800 square feet. City Code allows up to two detached accessory structures with a combined total area of 2,475 square feet. The site survey depicts a proposed shelter location; however, final compliance with setback, placement, and building requirements will be verified at the time of permit application. Based on the information provided, there appears to be sufficient space on the property to accommodate the proposed shelter in compliance with the applicable standards.

The provisions relating to animal health and welfare apply on a continuing basis. Any Interim Use Permit issued for the keeping of domestic farm animals would incorporate these requirements as ongoing conditions of approval to ensure the proper care and management of the animal.

Finally, additional Review under *Appendix A – Zoning - Section 04-9. D Procedure* also include the following assessments:

a) The impact of the proposed use on the health, safety, and general welfare of the occupants of the surrounding lands; **(NONE – there are already IUP for horses on the adjacent properties and the proposed use is not anticipated to create noise, pose safety risks or health concerns).**

b) Existing and anticipated traffic conditions, including parking facilities on adjacent streets and lands; **(NONE – The applicant is not seeking a commercial use for the IUP – such as a boarding business or commercial riding experiences; the Applicant has adequate off street parking for the proposed personal use.)**

c) The effect of the proposed use on public utilities; **(None).**

d) The effect of the proposed use on property values; **(None, the parcel is of adequate size to house one horse under the IUP standard and as noted above – the adjacent properties have at least one horse)**

e) The effect of the proposed use on the comprehensive plan; **(No effects are anticipated. The subject property is located within the Rural Residential zoning district, which is intended to maintain low-density development patterns that preserve the rural character of East Bethel and is shown as such in the 2040 Land Use Map - Figure 3-7. SEE EXHIBIT 3.**

The proposed use, consisting of the keeping of one domestic farm animal on a parcel of approximately 3.49 acres, is generally consistent with the rural residential character anticipated within this district. While the ordinance currently restricts the issuance of Interim Use Permits for domestic farm animals on platted lands, the requested variance would allow the City to evaluate the proposed use through the Interim Use Permit process while maintaining regulatory oversight. The limited nature of the request and the size of the parcel appear consistent with the overall planning intent for rural residential area.

f) The ability of the proposed use to meet the standards of this chapter; **(YES, given the size of the property, the Rural Residential Zoning, the abutting property uses – especially to the south and west, the availability of fenced pasture area, and the limited nature of the request involving only one domestic farm animal, the proposed use appears capable of being accommodated on the site in a manner consistent with the applicable standards of the City Code. The Interim Use Permit process also allows the City to impose conditions and maintain oversight of the use to ensure continued compliance with the ordinance.)**

g) The results of a market feasibility study, if requested by the city, when the purpose for which the conditional use is being requested relies on a business market for its success; **(NOT Required by Staff at this time as the uses proposed is required to be for personal – not commercial activities.)**

h) The effects of the proposed use on groundwater, surface water, and air quality; **(NONE, the applicant will be required to outline manure management in the IUP permit, but consistent with adjacent properties and reasonable standards associated with such use.**

i) The proposed use is allowed with a CUP or IUP in the zoning district in which it is proposed; **(Yes).**

j) The effect of the proposed use on natural resources. **(NONE.)**

Staff Recommendation:

Staff finds that the proposed IUP / Applicant appears capable of meeting the applicable standards relating to pasture area, shelter requirements, and animal welfare. The request is limited to one animal and the property provides sufficient area to accommodate the use in a manner consistent with the surrounding rural residential area. In addition there are no substantive issues anticipated related to localized health safety and welfare or other parameters set forth in parts a. through j. outlined above.

Accordingly, staff recommends that the Planning Commission recommend approval of the requested IUP with conditions noted in the Draft Resolution.

Planning Commission Action Options - Interim Use Permit:

If the variance is recommended for approval, the Planning Commission may further recommend:

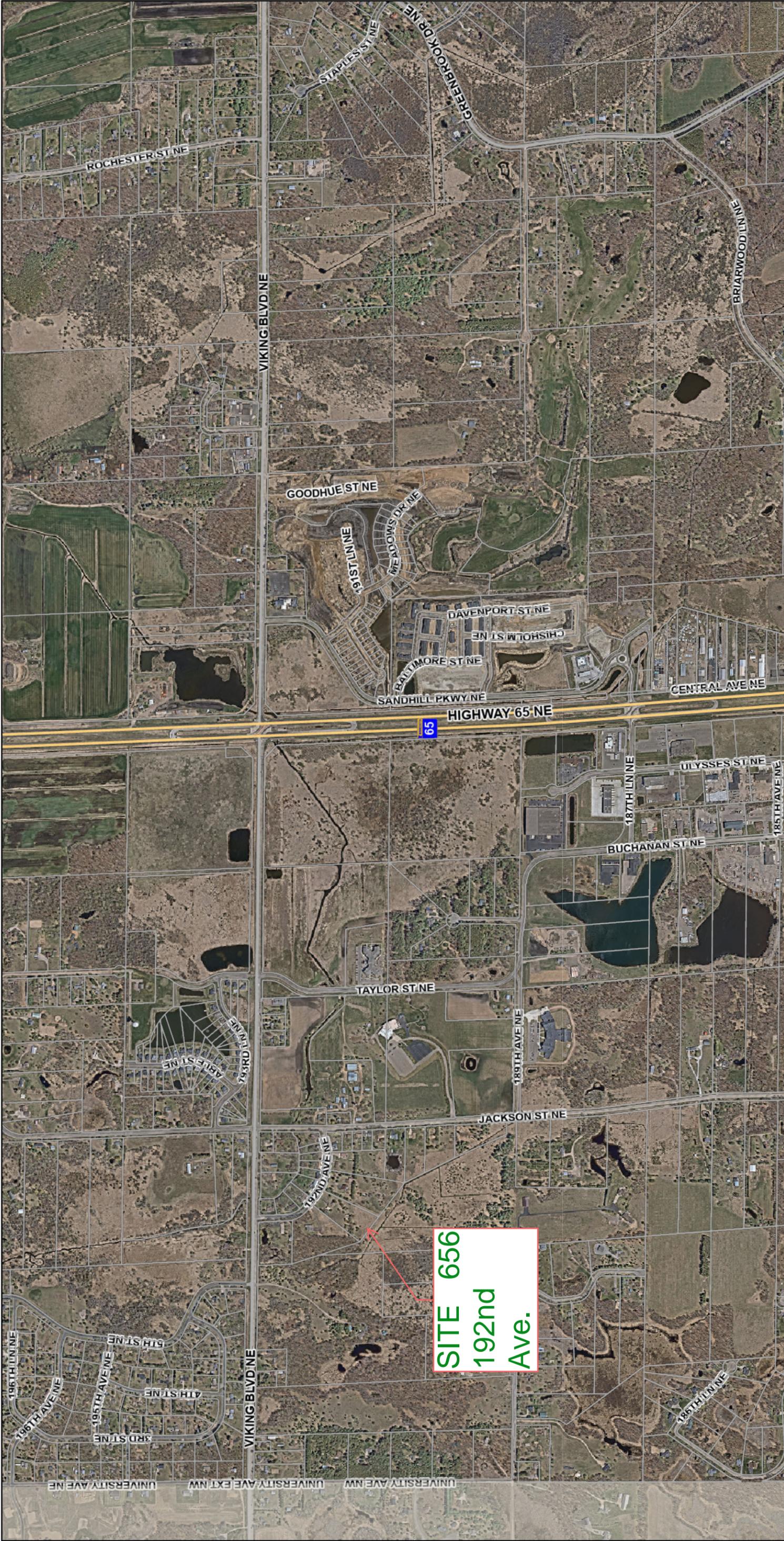
Option 1: Approval of the associated Interim Use Permit for the keeping of one (1) domestic farm animal (horse) on the property, subject to applicable City Code requirements and any conditions it may desire to propose. **SEE EXHIBIT 7 for DRAFT RESOLUTION**

Option 2: Denial of the Interim Use Permit for the keeping of one (1) domestic farm animal (horse) on the property. The Planning Commission should outline findings of fact outlining such rationale.

Certainly, the Planning Commission may seek additional information if it deems necessary; the City has adequate time in the MN STAT. 15.99 rules to accommodate this.

Exhibit 1: General Area Map

656 192nd ave - general area map



1 inch equals 1,383 feet



March 9, 2026

Map Powered By DataLink



- Parcels
- City Mask

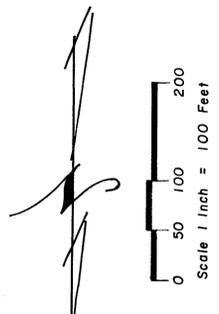
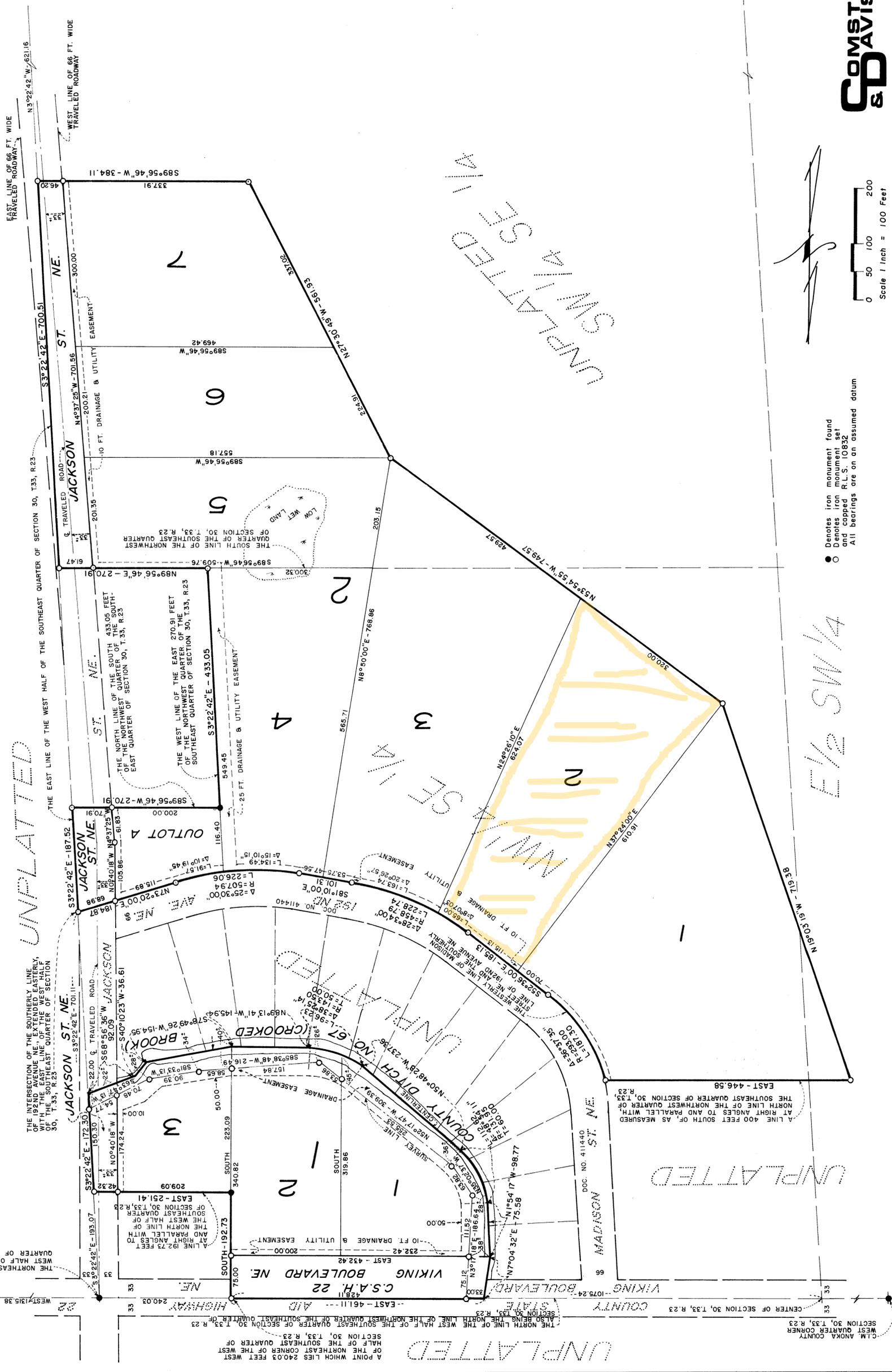


Exhibit 2: Subdivision Plat – Brookside Place 1977

BROOKSIDE PLACE

City of East Bethel, Anoka County, Minnesota

C.I.M. ANOKA COUNTY
EAST QUARTER CORNER
SECTION 30, T.33, R.23
WEST HALF OF THE SOUTHEAST
QUARTER OF SECTION 30, T.33, R.23



- Denotes iron monument found
- Denotes iron monument set and capped R.L.S. 10832
- All bearings are on an assumed datum

"NO DELINQUENT TAXES AND TRANSFER ENTERED"

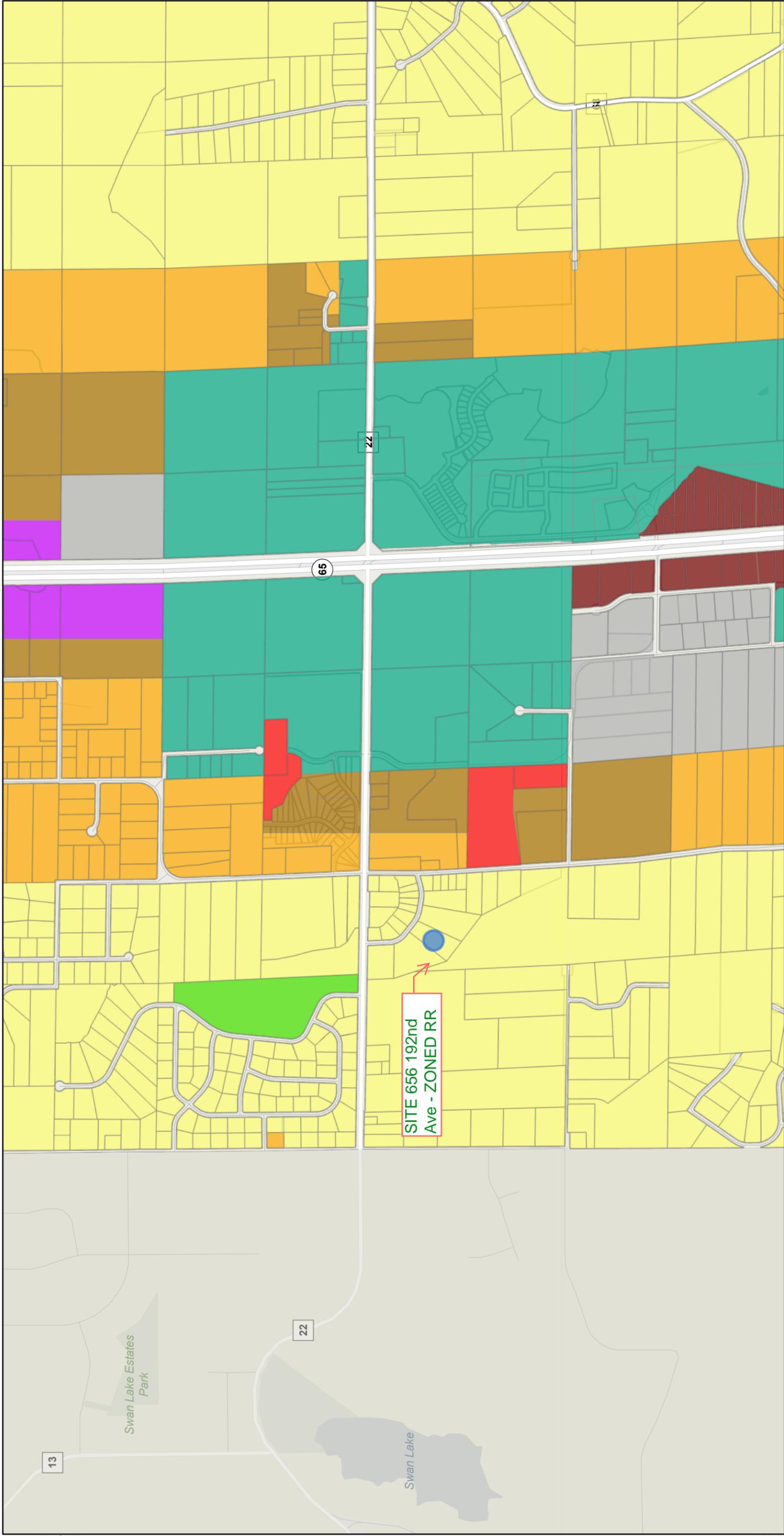
Jan 17 19 72
 Charles R. Johnson
 Auditor, Anoka County

BY: J. L. Lemmon
 Surveyor

COMSTOCK & ADAMIS, INC.
 CONSULTING ENGINEERS & LAND SURVEYORS

Exhibit 3: Zoning Map / Comprehensive Plan - 2040

656 192nd Ave.



Current Zoning

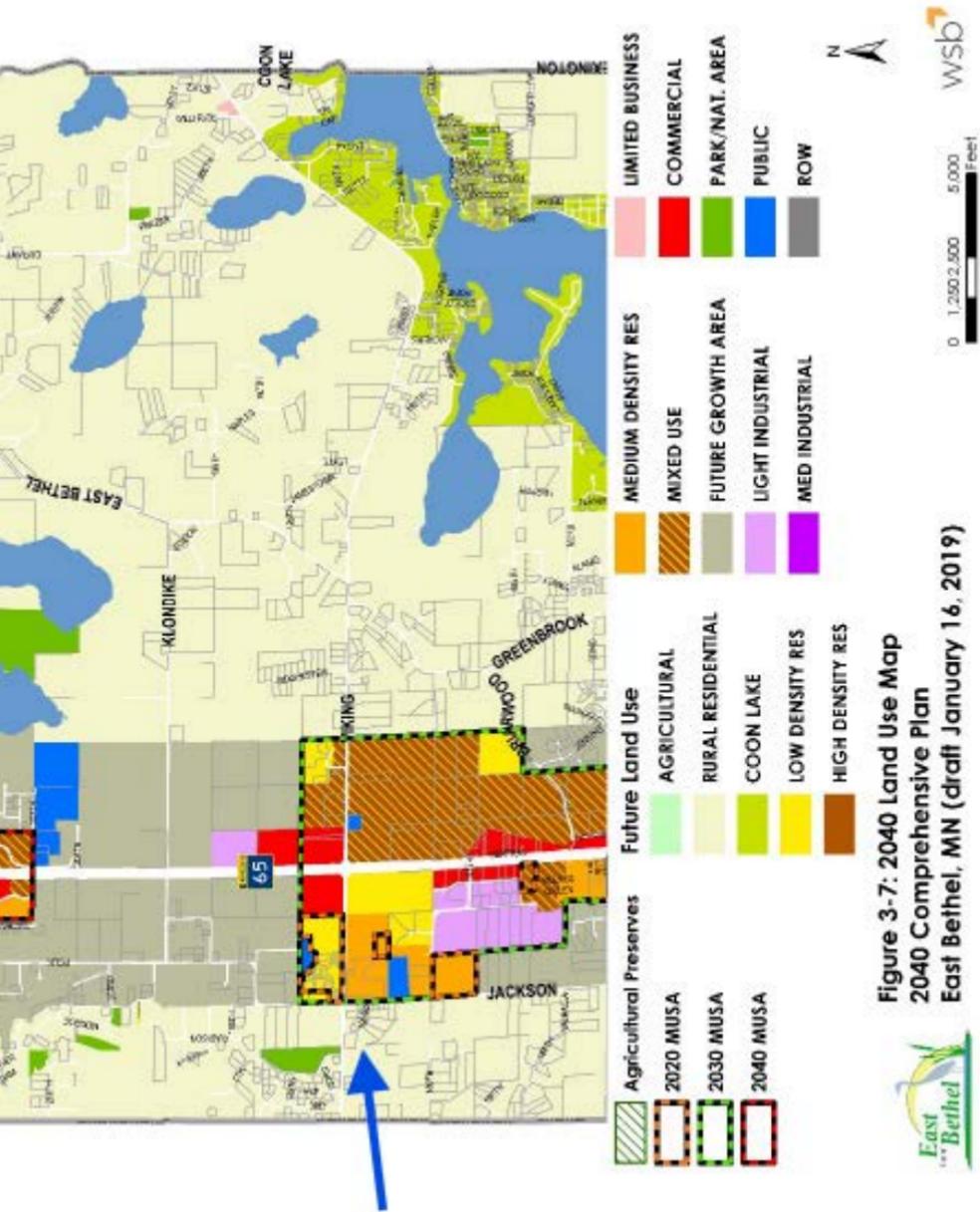
	A - Agriculture		MXU - Mixed Use		Park/Open Space
	B-1 - Limited Business		RR - Rural Residential		Natural Area
	B-2 - Central Business		R-1 - Single Family Residential		ROW
	B-3 - Highway Commercial		R-2 - Single Family & Townhome Residential		Water
	I - Light Industrial		CL - Coon Lake		Parcels
			Public/Institutional		City Mask



March 9, 2026

Map Powered By DataLink





**Figure 3-7: 2040 Land Use Map
2040 Comprehensive Plan
East Bethel, MN (draft January 16, 2019)**



Exhibit 4: Applicant Submission Documentation



East Bethel Community Development
 2241 221st Ave. NE • East Bethel, MN 55011
 Phone: (763) 367-7844 • Fax: (763) 434-9578

PROJECT # _____
 SUBMITTED: 2/24/26
 APP. FEE COLLECTED: \$ _____
 ESCROW COLLECTED: \$ _____
 60 DAYS: _____
 120 DAYS: _____

RECEIVED
 FEB 24 2026
 BY: [Signature] G.M. Johnson

Land Use Application

APPLICANT IS REQUIRED TO MEET WITH CITY STAFF PRIOR TO SUBMITTAL OF THIS APPLICATION

Type of Application		
<input type="checkbox"/> Conditional Use Permit/Amendment	<input type="checkbox"/> Metes and Bounds Division	<input type="checkbox"/> Subdivision – Final Plat
<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Mining – Minor (1,000-5,000 Cubic Yards)	<input type="checkbox"/> Site Plan Review
<input type="checkbox"/> Environmental Review	<input type="checkbox"/> Mining – Major (>5,000 Cubic Yards)	<input type="checkbox"/> Tax Increment Financing
<input checked="" type="checkbox"/> Farm Animals – Interim Use Permit	<input type="checkbox"/> Outdoor Entertainment	<input type="checkbox"/> Temporary/Seasonal Sales
<input type="checkbox"/> Grading (500-1,000 Cubic Yards)	<input type="checkbox"/> Planned Unit Development/Amendment	<input type="checkbox"/> Temporary Sign
<input type="checkbox"/> Home Occupation – Administrative	<input type="checkbox"/> Subdivision – Administrative	<input type="checkbox"/> Vacation
<input type="checkbox"/> Home Occupation – Interim Use Permit	<input type="checkbox"/> Subdivision – Concept Plan	<input checked="" type="checkbox"/> Variance
<input type="checkbox"/> Kennel – Interim Use Permit	<input type="checkbox"/> Subdivision – Preliminary Plat	<input type="checkbox"/> Zoning Map Amendment
		<input type="checkbox"/> Zoning Text Amendment

NAME OF PROJECT (IF APPLICABLE): _____

PROJECT ADDRESS: 656 192nd Ave NE PRESENT ZONING: RR

LOCATION PID: 303323420024 LOT: 2 BLOCK: 2 SUBDIVISION: _____

DESCRIPTION OF PROJECT/REQUEST: Variance / IUP to house horse on property

PROPERTY OWNER:	APPLICANT: <input checked="" type="checkbox"/> SAME AS PROPERTY OWNER
NAME: <u>Lynnsey Plaisance</u>	NAME: _____
PHONE: <u>(763) 232-2416</u>	PHONE: _____
ADDRESS: <u>656 192 Ave NE</u>	ADDRESS: _____
CITY/STATE/ZIP: <u>East Bethel, MN 55011</u>	CITY/STATE/ZIP: _____
EMAIL: <u>lynplaisance@gmail.com</u>	EMAIL: _____

I FULLY UNDERSTAND THAT I MUST MEET WITH CITY STAFF TO REVIEW ALL SUBMISSION REQUIREMENTS AND CONDITIONS PRIOR TO APPLICATION SUBMISSION. I UNDERSTAND THAT I MUST SUBMIT ALL OF THE REQUIRED INFORMATION, INCLUDING ALL APPLICATION, FILING, ESCROW PAYMENTS, WITH THIS APPLICATION TO ENSURE REVIEW BY CITY STAFF PRIOR TO BEING SCHEDULED FOR UPCOMING PLANNING COMMISSION AND CITY COUNCIL MEETINGS. INCOMPLETE APPLICATIONS WILL NOT BE SCHEDULED FOR REVIEW.

[Signature]
 PROPERTY OWNER SIGNATURE

2/22/26
 DATE

[Signature]
 APPLICANT SIGNATURE

2/22/26
 DATE

I am applying for a variance and farm animal IUP jointly with the understanding that the IUP would only be considered if the variance is first approved.

Signed,



Lynnsey Plaisance

RECEIVED
FEB 24 2026
BY: 

RECEIVED
FEB 24 2026
 BY: 



East Bethel Community Development
 2241 221st Ave. NE • East Bethel, MN 55011
 Phone: (763) 367-7844 • Fax: (763) 434-9578

Land Use Escrow Application

Property Address: 656 192 Ave NE East Bethel, MN 55011

Owner's Name: Lynsey Plaisance Phone: (763) 232-9416

Email: lynplaisance@gmail.com

Type of Land Use Application: _____ Project #: _____

Person/Company paying the escrow	Person/Company receiving returned escrow (if different from the person/company paying the escrow than permission is needed)
Name: <u>Lynsey Plaisance</u>	Name: _____
Phone: <u>(763) 232-9416</u>	Phone: _____
Email: <u>lynplaisance@gmail.com</u>	Mailing Address: _____
Mailing Address: <u>656 192 Ave NE East Bethel, MN 55011</u>	_____
Amount entered into escrow: \$ _____	Email: _____

Type of Land Use Application	Escrow Amount
Tax Increment Financing	\$12,000
Preliminary Plat	\$5,000
Major Mining	\$1,500
Administrative Subdivision, Comprehensive Plan Amendment, Metes and Bounds Subdivision, Minor Mining Permit, Planned Unit Development, Site Plan Review, Vacation, Zoning Map Amendment	\$1,000
Final Plat	\$1,000 + \$50/Lot if new road
Environmental Review	\$650
Concept Plan Review, Conditional Use Permit/Amendment, Grading Permit, Planned Unit Development Amendment, <u>Variance</u> , Zoning Text Amendment	<u>\$500</u>
Interim Use Permit/Amendment	<u>\$300</u>

Escrow Information and Agreement to Pay Costs of Processing Application

Application, Escrow, and Park Dedication fees are set on the City of East Bethel's fee schedule. Escrow is set aside for attorney, consulting, engineering, planning, and other misc. fees incurred by the City to process, review, and act upon your application. If the City is to accrue costs while working on your Land Use Application, **you are authorizing the City to use this escrow to pay for those costs.** If a balance remains at the completion of your project, the remaining escrow amount will be disbursed once the work has been approved by the Community Development Department. **If costs incurred exceed the amount collected in the initial escrow deposit, you will be notified of the deficit and must replenish the escrow account. Payment for all costs will be required whether the application request is granted or denied. I agree to pay the City all costs incurred during the application process as set forth in this Agreement.**

Escrow Payer Signature:  Date: 2/23/26

Community Development Staff: _____ Date: _____

IUP Farm Animals



Applicant: Lynnsey Plaisance

Address of Farm Animal Location: 656 19th Ave NE East Bethel, MN 55011

1. Nondomestic animals are considered to be those animals or species of indigenous naturally wild or exotic and not naturally trained or domesticated animals. Do you plan on keeping any nondomestic animals on your property?

No

2. To determine if their property is within a platted subdivision, please provide either your Property Identification (PID) number or a copy of your Anoka County Property Tax Statement. You can find your PID by using our Geographic Information System (GIS) available here: www.ci.east-bethel.mn.us/Index.aspx?NID=278

30-33-23-42-0024

3. How many acres is your property?

3.49 acres

4. How much pastureland is fenced in?

2.29 acres

5. List the species and the number of each type of farm animal will you be keeping:

Species	Number
horse	1

6. For the below questions (a-g) you will need to determine where your property lines are. This can be accomplished by submitting a Certificate of Land Survey or by going onto East Bethel's GIS and printing a map of your property that displays the aerial photos. Indicate each of the following on your Survey/Aerial photo and include the measurements/distances:

31 of 152 See attached survey for question a-g 3-24-26 PC Agenda and Packet

- a) Is the fenced pastureland greater than 5 feet from the property lines?
- b) Are the shelters greater than 50 feet from the property lines?
- c) Are the shelters greater than 50 feet from any existing wells?
- d) Are the manure stockpiles greater than 50 feet from the property lines?
- e) Are the manure stockpiles greater than 100 feet from any existing wells?
- f) Is your property near any lakes, streams, rivers, ponds, wetlands, or stormwater retention ponds?
- g) Are the shelters, pastureland, and manure stockpiles setback greater than 75 feet from the Ordinary High Water (OHW) Level of streams, rivers, ponds, storm water retention ponds, and/or lakes?
- h) Are the shelters, pastureland, and manure stockpiles setback greater than 75 feet from the residential structure?

7. Please read the technical guidelines of manure stockpiling at this link:
www.pca.state.mn.us/sites/default/files/wq-f8-06.pdf According to these guidelines, will you be stockpiling manure?

NO

8. I agree that manure must be handled or treated in such a manner as to not create a public and/or private nuisance, such as creating a noxious odor beyond a practicable extent, burning manure, leaving manure in the public right-of-way, stockpiling manure in view of neighboring properties, or in any other manner reasonably deemed a nuisance by the Code Enforcement Officer.

Yes

9. I agree that paddocks or similar enclosures shall be maintained in a manner that minimizes concentrations of breeding insects and rodents.

Yes

10. I agree that manure shall not be left on any public way.

Yes

11. I agree that the room or area of an animal shelter where feed is stored shall be reasonably secure from rodents, pests, and the animals kept in the shelter, to the extent practicable.

Yes

12. I agree that no animal regulated under this article shall be treated cruelly or inhumanely by any person or in violation of any provision of Minn. Stats. ch. 343, as amended and/or renumbered from time to time.

Yes

13. I agree that all animals shall be maintained to standards of health specific to the breed.

Yes

14. I agree that all animals shall have access to potable water at all times.

Yes

15. I agree that veterinary records for each animal shall be disclosed upon the periodic request of the City's designated inspector.

Yes

16. I agree that animal shelters shall be kept in a sanitary manner, free of the odor of ammonia, to the extent practicable.

Yes

17. I agree that a consistent and adequate food and water supply shall be available to all animals.

Yes

18. I agree that fencing shall be kept in a manner consistent with Minn. Stats. §§ 344.01—344.20, as amended and renumbered from time to time.

Yes

19. I agree that all domestic farm animals shall have access to a shelter.

Yes

20. I agree the City's designated inspector and any peace officers of the state and all other personnel under the direction and control of the City whom the inspector believes necessary shall be allowed access for inspection purposes on any parcel with an approved IUP upon 12-hours' notice.

Yes

21. IUPs not in compliance with this article will be cited accordingly for non-compliance but may be granted reasonable additional time, at the City Inspector's discretion, to come into compliance with the requirements of this section. In the event that an extension of time to comply is granted, a plan to implement the noncompliant requirements by an agreement reached with the City inspector shall be signed by the parties and filed at City Hall. The plan shall include clearly defined goals for coming into compliance, each of which shall be completed by a specific date. Failure to complete the agreed upon goals by the specified dates will be grounds for termination of the IUP. In no case, however, may an extension exceed 75 days from the date of the initial inspection, and only one extension can be granted. I agree to cooperate with the City inspectors if I ever am deemed noncompliant and will make every reasonable effort to come into compliance.

Yes

22. An Interim Use Permit (IUP) is a land use permit that runs with the land and terminates upon the expressed termination date or upon the sale or vacating of the property. I agree that if I sell my property, move, or do not renew your IUP before its expressed termination date, its terms shall become null and void.

Yes

23. I am aware that the Running at Large Ordinance in Chapter 10, Article 5, Section 10-155 states "(a) No person, firm, or corporation will permit any animal regulated under this article to run at large within the City. Any such animal will be deemed to be "at large" when it is off the premises owned or rented by its owner and unattended by the owner or any agent or employee of the owner. (b) The animal control authority, any peace officer of the State, and any other personnel under the direction and control of the City, or any agent of the City, may impound any such animal found at large as regulated by Minn. Stats. § 374.14." I agree to abide by the Running at Large ordinance.

Yes

For IUPs with horses only:

24. I agree that Class II and Class III horse operations will have the following requirements:

- a. Class II and Class III horse operations in the City will be inspected and evaluated annually as a requirement of the IUP for conformance with all applicable regulations. The costs of such inspection and evaluation must be paid by the holder of the permit as part of the annual permit fee. Nonpayment of such costs will be grounds for termination of the permit. In addition to a class III horse operation, an inspection by a doctor of veterinary medicine licensed to practice in Minnesota must accompany the City's inspector on all inspections. Failure to provide access for inspection will be grounds for termination of the IUP.
- b. Stall doors must be in good repair and easily opened and closed.
- c. An evacuation plan for humans and animals must be displayed in all animal shelters.
- d. Grain and hay dust must be minimized to the extent practicable.
- e. Aisles must be kept free of debris and impediments to movement by humans and animals.
- f. There must not be any protruding objects in any animal shelter which could cause injury to humans or animals.
- g. Drainage must be adequate to prevent accumulations of water to facilitate cleaning of animal shelters and paddock areas.
- h. Animal bedding must be clean and of a material customarily used for animal bedding purposes.
- i. Lights and windows must be animal proofed to prevent breakage, to the extent practicable.
- j. Grain and forage must be free from mold and miscellaneous debris to the extent practicable.

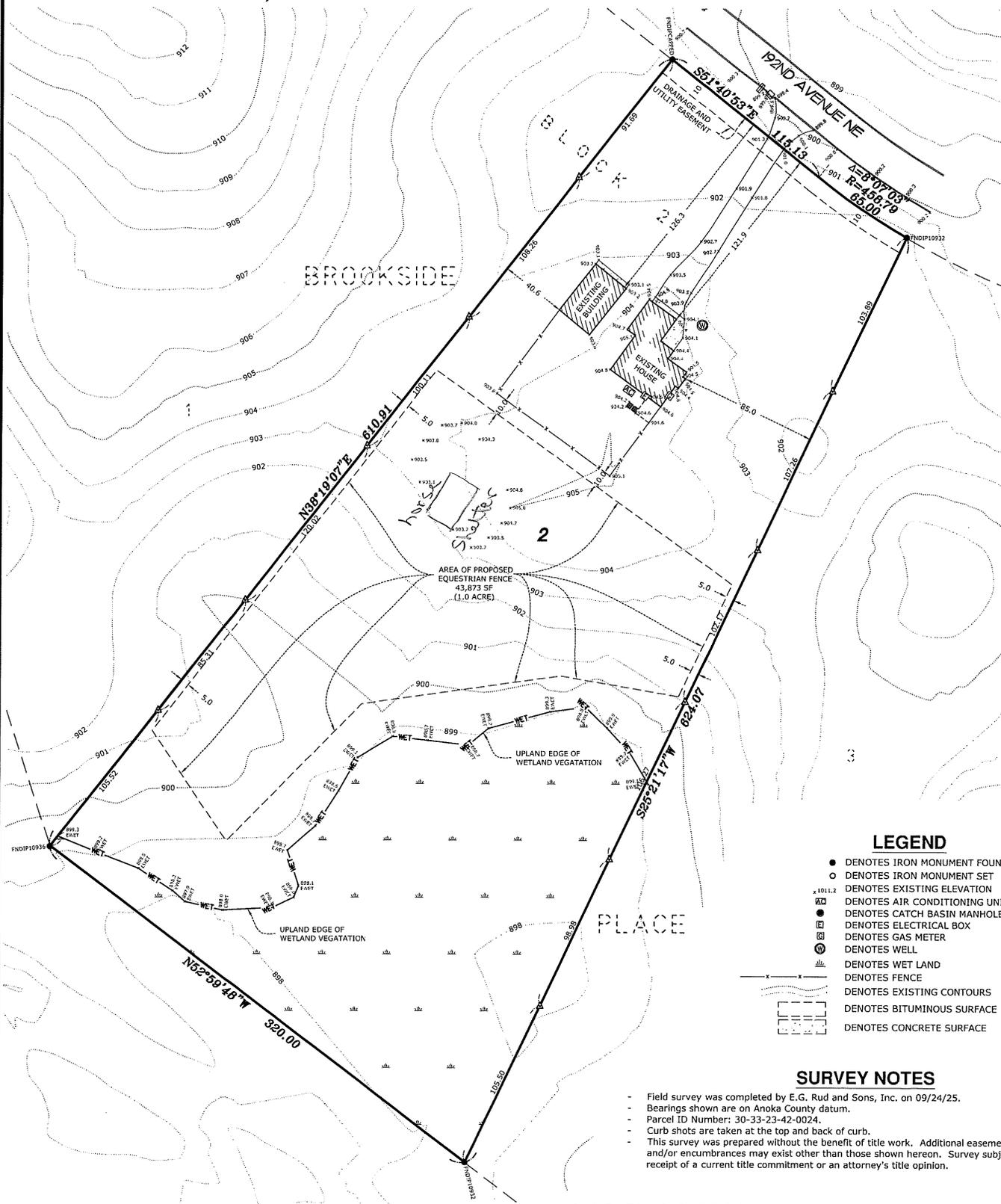
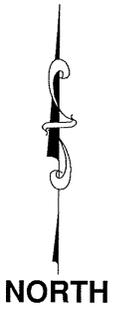
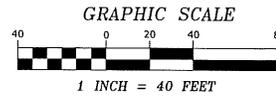
25. I am aware that the Riding ordinance in Chapter 10, Article 5, Section 10-156 states "(a) No person may ride or drive an animal regulated under this article after sunset and before sunrise along or crossing a public way without appropriate lighting or reflectorized clothing. (b) No person may ride an animal regulated under this article in any public park or on any public beach, except in areas duly designated by the City park committee as a trail way or hitching area. (c) Every person riding an animal regulated under this article, or driving a vehicle powered by an animal regulated under this article, upon a public way, will be subject to those provisions of City articles and Minnesota Statutes applicable to the driver of a motor vehicle. (d) No animal regulated under this article may be ridden or driven in any manner which would cause damage to any hard-surfaced road. (e) No person may ride any animal regulated under this article upon private property without the permission of the owner or occupant thereof. (f) No person may interfere with any animal regulated under this article that is being ridden or kept in a lawful manner." I agree to abide by the Riding ordinance.

Signature of Applicant: 

Date: 2/22/26

CERTIFICATE OF SURVEY

~for~ SUE PLAISANCE
 ~of~ 656 192ND AVENUE NE
 EAST BETHEL, MN



LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET
- DENOTES EXISTING ELEVATION
- DENOTES AIR CONDITIONING UNIT
- DENOTES CATCH BASIN MANHOLE
- DENOTES ELECTRICAL BOX
- DENOTES GAS METER
- DENOTES WELL
- DENOTES WET LAND
- DENOTES FENCE
- DENOTES EXISTING CONTOURS
- DENOTES BITUMINOUS SURFACE
- DENOTES CONCRETE SURFACE

SURVEY NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 09/24/25.
- Bearings shown are on Anoka County datum.
- Parcel ID Number: 30-33-23-42-0024.
- Curb shots are taken at the top and back of curb.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.

Lot 2, Block 2, BROOKSIDE PLACE, Anoka County, Minnesota.

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

Daniel S. Hanson
 DANIEL S. HANSON

3-24-26 PG. Agenda and Packet

Date: 9/29/2025 License No. 52140

DRAWN BY: RAF	JOB NO: 251021LS	DATE: 09-29-25
CHECK BY: DSH	FIELD CREW: BH/BJ	
1		
2		
NO.	DATE	DESCRIPTION
		BY

E. G. RUD & SONS, INC.
 EST. 1977
 Professional Land Surveyors
 6776 Lake Drive NE, Suite 110
 Lino Lakes, MN 55014
 Tel. (651) 361-8200 Fax (651) 361-8701



East Bethel Community Development
 2241 221st Ave. NE • East Bethel, MN 55011
 Phone: (763) 367-7844 • Fax: (763) 434-9578

Variance Application Checklist

Variations allow for deviation and variation from the provisions of the City Code in instances where their strict enforcement would cause practical difficulties due to circumstances unique to the individual property under consideration. The City shall approve or deny a completed application within 60 days, with an additional 60 days allowed with written notice to the applicant before the end of the initial review period. Additional information may be found in Section 4-10 of the City Zoning Ordinance.

Required Materials Checklist

- Land Use Application
- Fees and Escrow
 - \$300 Application Fee
 - \$55 Filing Fee
 - \$500 Escrow
- Written or graphic material describing the request. Including, if applicable:
 - A written description of the variance request including an explanation of compliance with the variance practical difficulties criteria
 - A certificate of survey or map of the property that shows all lot lines, existing and proposed structures, driveways and parking areas, significant topographical features, and significant trees
 - Evidence of ownership or an interest in the property, and its legal description
 - Building floor plans, elevations, and sections
 - Grading and drainage plan
 - Impervious surface calculations
- Other information as requested by Community Development staff

Practical Difficulties

The Planning Commission shall not recommend approval of any variance unless it finds that failure to grant the variance will result in practical difficulties on the applicant and, as may be applicable, all of the following hardship criteria have been met. Economic considerations alone do not constitute practical difficulties. Please explain how your variance request aligns with the hardship criteria:

- The property owner proposes to use the property in a reasonable manner not permitted by an official control:

Please see attachment for the following answers

- The plight of the landowner is due to circumstances unique to the property not created by the landowner:

- The variance, if granted, will not alter the essential character of the locality:

Planning Commission and City Council Process

Step 1: The application will be reviewed by City staff for completeness. Staff will notify the applicant of any missing materials. Once all materials are submitted, Staff will notify the applicant that the application is complete.

Step 2: Staff will prepare a report on the application to be presented to the Planning Commission.

Step 3: The Planning Commission will review the application, host a public hearing, and make a recommendation to the City Council based upon, but not limited to, the practical difficulties criteria

Step 4: The City Council may review the application and approve the application with a majority vote based on the Staff report and recommendation by the Planning Commission

Step 5: The City Council may impose additional conditions as it deems necessary

Expiration

Any variance granted by the City shall run with the land and shall be perpetual. However, if no building permit has been issued or substantial work performed on the project within one year of approval, then the variance shall be null and void. The City Council may extend the period for construction upon finding that the interest of the owners of neighboring properties will not be adversely affected by such extension. If the variance is part of an approved site and building plan, extension of the time for construction shall be contingent upon a similar extension of the time for the site and building plan by the City Council as required by this chapter. Once the project is completed as approved, the variance becomes perpetual.

Revised: 4/18/2025.

The property owner proposes to use the property in a reasonable manner not permitted by an official control:

I would like to house my horse on my 3.49 acre property. I have met all the usual requirements for an animal IUP such as acreage size, fencing and shelter. I was, however, unaware that the City of East Bethel does not allow farm animals within a platted subdivision.

The plight of the landowner is due to circumstances unique to the property and not created by the landowner:

In January of 2025 my neighbor (Eric Janke) passed away unexpectedly. I learned that his family did not want to keep his house and I made an offer to purchase the home. The house is located across the street from my parents house, where I was raised, and most importantly the house had the three acres of land that I needed to house my horse. I knew the neighbors immediately adjacent to my home (716 192nd Ave NE) had just received an IUP to keep a horse on their property so I had no reason to believe that I wouldn't also receive one. In the course of applying for work permits to finish the basement, I had the opportunity to speak with Grace Gerard concerning the IUP needed for the property. She informed me of the rule pertaining to platted subdivisions and that horses are not allowed if 80% of the properties there are not four acres or more. She assured me 100% that this rule was to be changed in November or December of 2025, and I should wait to apply until then. With this information I proceeded to do the required survey, installed a fence around the pasture and purchased a shelter for my horse.

It came to my attention at the end of December, when I called to speak to Grace, that she was no longer employed with the city. This development has now led me to apply for a variance to the platted subdivision rule and ultimately to apply for an IUP,

The variance, if granted, will not alter the essential character of the locality:

My property is adjacent to another property that has been granted an IUP for a horse. Furthermore, all the properties adjacent to my property are larger than four acres. Additionally, the property to the south of me, which has over 50 acres, is mostly wetlands and as such cannot be developed. Therefore, my property only affects the two residences to either side of me.

7.0 A.2 IUP: Farm Animal (Horse), 716 192 Avenue NE

Berg stated that in late July 2023, the City of East Bethel received a complaint about code violations at 716 192nd Avenue NE. During the investigation the Code Enforcement Officer discovered that in addition to the code violations there was also a horse on the property. A standard City Code enforcement letter was issued identifying the Code issues and a request that the property owner contact the City.

Berg indicated the property owners, Wendy Cisneros and Leyva Pinal, came to East Bethel City Hall to discuss the identified Code issues with staff. At the conclusion of the discussion, multiple permit applications and Interim Use Permit were applied for by Cisneros in the following week.

Berg stated upon review of the building permit applications it was discovered by the City's Residential Building Inspector there were construction Code related deficiencies, as well as excessive number of detached accessory buildings, and the IUP requirements for farm animals (horse) were not met.

Berg noted a subsequent meeting was scheduled with the property owners and the issues were identified along with a plan to remedy the City's concerns by November 15, 2023. The applicants complete all of the necessary corrective actions and an inspection was completed on November 3, 2023.

Berg referenced Code: **Sec. 10-157. - Interim use permit required.** *The keeping of animals regulated under this article will be allowed only after issuance by the City of an IUP for such keeping. The procedure for an IUP will be in accordance with the City's zoning ordinance, set forth in Appendix A to this Code. The required public hearing will be before the planning commission. The final decision on the IUP will be made by the City Council not earlier than seven days after the public hearing.*

Berg stated that the applicants are requesting an Interim Use Permit to keep the one horse on the property. Berg noted the property is zoned Rural Residential and is 4.86 acres in size. Berg indicated City Ordinance Section 10-151 Section regulates the issuance of Interim Use Permits, imposing acreage requirements for domestic farm animals, which provides:

Sec. 10-151. - Interim use permit (IUP) and acreage requirements for domestic farm animals; nondomestic animals prohibited.

No animal regulated by this article can be kept on a parcel of land located within a platted subdivision or on any parcel of land of less than three acres. Provided further, that if 80 percent of the lots within a platted subdivision are larger than three acres, an IUP for keeping a regulated animal may be issued for any of those lots larger than three acres.

Berg stated Brookside Place was platted in 1978 and includes 10 lots (Attachment 4). Of the 10 lots included in the plat, only 4 or 40% of the lots meet the acreage requirement outlined in Sec. 10-151. 716 192 Avenue NE is 1 of the 4 that are larger than 3 acres.

Sec. 10-152. - Domestic farm animal shelter setbacks, paddocks, and pastureland. Regulates shelter, pasture, and setbacks requirements. During the November 3rd inspection staff were able to verify that the minimum requirements for the keeping of 1 horse could be and have been met (1 acre of pasture, an adequate 12' X 30' shelter, food, water, and all setbacks are met).

Berg stated on November 28, 2023, the Planning Commission met and held a Public Hearing. City staff did request that the Planning Commission consider a limited term (1-3 years) IUP due to the deviation from the zoning standard identified in Sec. 10-151(c), to evaluate if it has an impact on the neighborhood. There were no public comments made at the time and after discussion the Planning Commission made a recommendation of approval to the City Council. The Planning Commission did

not find a limited term IUP necessary. City Staff received a phone call and voicemail, the day after the Planning Commission Meeting from a neighbor, who had received a Public Hearing Notice by mail, requesting the City not issue a permit for a horse due to the way the applicant treats other animals (dogs) on the property. There were no additional details shared and the complainant did not want a call back on the matter.

Berg recommended the City Council review the request, consider the Planning Commission's formal recommendation, and approve, deny, or amend the IUP as presented in Resolution 2023-84.

DeRoche stated I'll make a motion to approve. Mundle stated I'll second. Lewis asked any discussion? To the motion, all in favor say aye. All in favor. Lewis asked any opposed? That motion passes. Motion passes unanimously.

7.0 A.3 Preliminary Plat: 1788 Viking Boulevard NE – Capstone Homes, Inc.

Lewis stated the City Council had received an email from former Mayor Steve Voss and given Mr. Voss's long term as the Mayor, he thought it was worthwhile to share Mr. Voss's thoughts on the public record. He noted he had informed Mr. Voss he was going to do this and Mr. Voss did not disagree.

Lewis read into the record former Mayor Voss's email:

"Mayor and Councilmembers, there have been several issues discussed related to tonight's consideration of the preliminary plat for Viking Meadows, that there is one that really hasn't been dealt with which is lack of land dedicated for future commercial development along the eastern side of Sandhill Parkway.

Sandhill Parkway was constructed by the City for two primary purposes, improve Highway 65 safety and to encourage economic development along the roadway. And while there will be some future commercial development with alibis, the use of road frontage along Sandhill Parkway for residential housing is a waste of valuable commercial land.

The proposed residential housing provides little benefit to our current residents, whose long-term desires for more service-related commercial businesses. This area is zoned mixed-use for a reason. Its proximity to Highway 65 for higher visibility and vehicle access, or Sandhill Parkway is a collector roadway that will carry more traffic which is better aligned with adjacent commercial property, rather than single family housing. The City made a substantial, over \$3 million investment, for the construction of Sandhill Parkway.

I encourage the City Council to stay true to the City's intent and require the land along Sandhill Parkway be designated as future commercial use.

Thanks for your consideration.

Steve Voss."

Berg stated on November 8, 2023, a Preliminary Plat and PUD application from Capstone Homes, Inc. for the redevelopment of Viking Meadows was received. The proposal shows the redevelopment of 155 acres of land which spans across the zoning classifications of Mixed Use and Single Family Residential. The proposal shows 95 acres of developable land will contain a proposed 242 lots. In addition, the proposal contains 60 acres of open space which also includes over 10 acres of park and recreation space.

- At the June 27, 2023 Planning Commission Meeting a Public Hearing was held and feedback was provided to the developer on a Concept Plan proposal.

Printable page

PARID: 30-33-23-42-0024
PLAISANCE LYNNSEY S

656 192ND AVE NE

Parcel

Tax Year: 2026
Active/Inactive: Active
Property Address: 656 192ND AVE NE
City State Zip: EAST BETHEL MN 55011
Multiple Addresses: No
NBHD: EB03 -
Class: 201 – 1A/1B/4BB RESIDENTIAL SINGLE UNIT
Record Type: **ABSTR**
Property Use Code: 01 – Residential (less than 4 units)
Acres
Lot Size N180*624*320*611
Plat 7970-BROOKSIDE PLACE
Lot/Unit 2
Block/Tract/Outlot 2
Sect-Twp-Range-Qtr/Qtr - - -
Tax District: 51 - 31015-
Town/City EAST BETHEL
School District: ST FRANCIS SD15
Commissioner District: 02 – Julie Braastad
TIF Project #: -
DNR Water Ind: N – NONE
Resd Year Built: 1985
Comm Year Built:

Current Owner

Name: PLAISANCE LYNNSEY S

In Care Of:

Owner Address: 656 192ND AVE NE
City State Zip: CEDAR MN 55011
% Owned: 100%
Owner Type Code 1: O – OWNER

All Owners

Ownership Type	Name	Address
O – OWNER	PLAISANCE LYNNSEY S	656 192ND AVE NE CEDAR MN 55011

Parcel Status

Delinquent	No
In Redemption	No
Forfeiture Parcel	No
Payment Contract	No
In Bankruptcy	No
Homestead	Yes
Relative	None
Use Program	None
Petition Date	
MH Park Name	
MH Pad #	

Legal

Legal	LOT 2 BLOCK 2 BROOKSIDE PLACE
-------	-------------------------------

Legal Description	LOT 2 BLOCK 2 BROOKSIDE PLACE
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1 in = 1,505 ft





Image provided by fence installer
Ken Glaser
Coffey Grounds Enterprises Inc

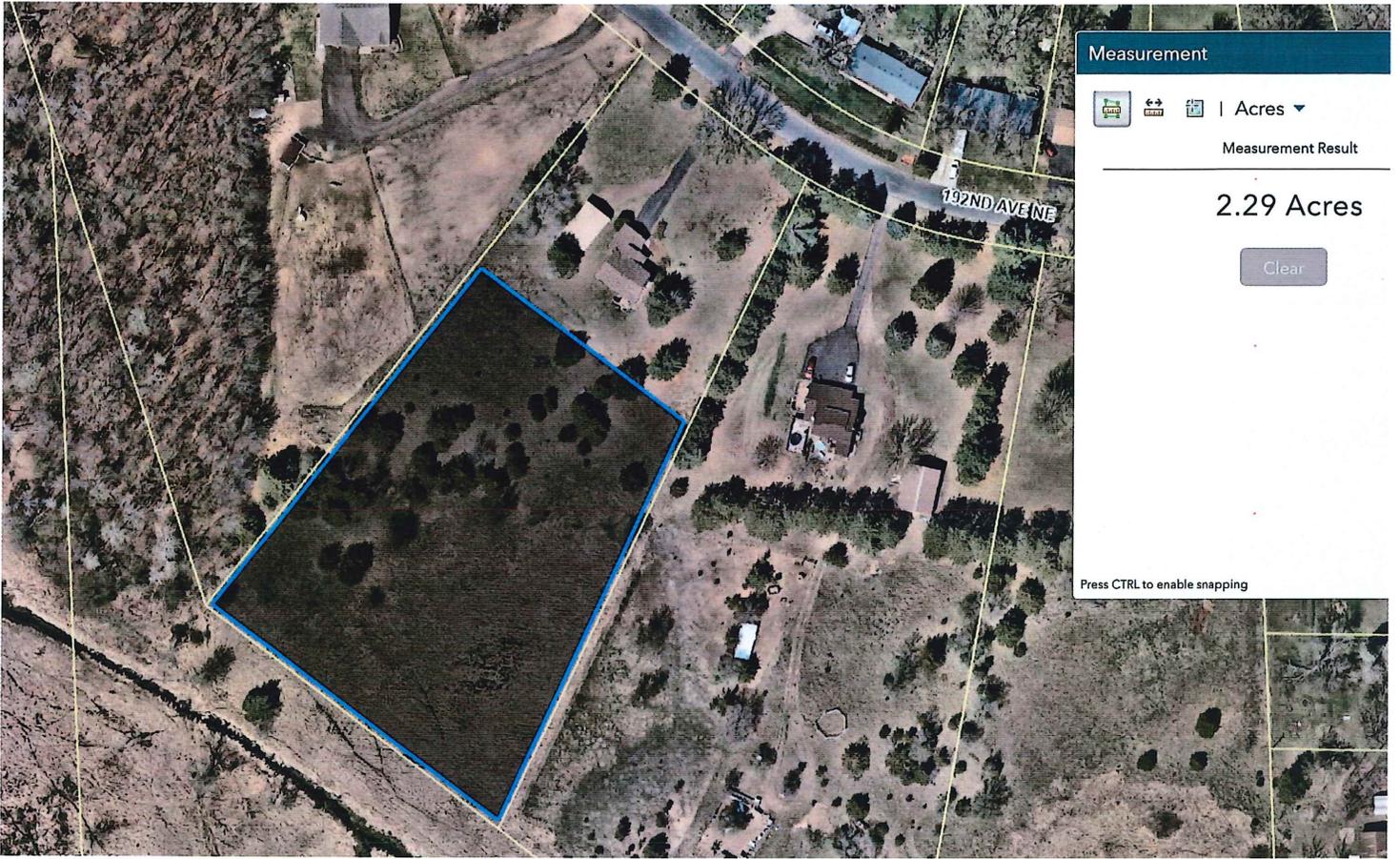
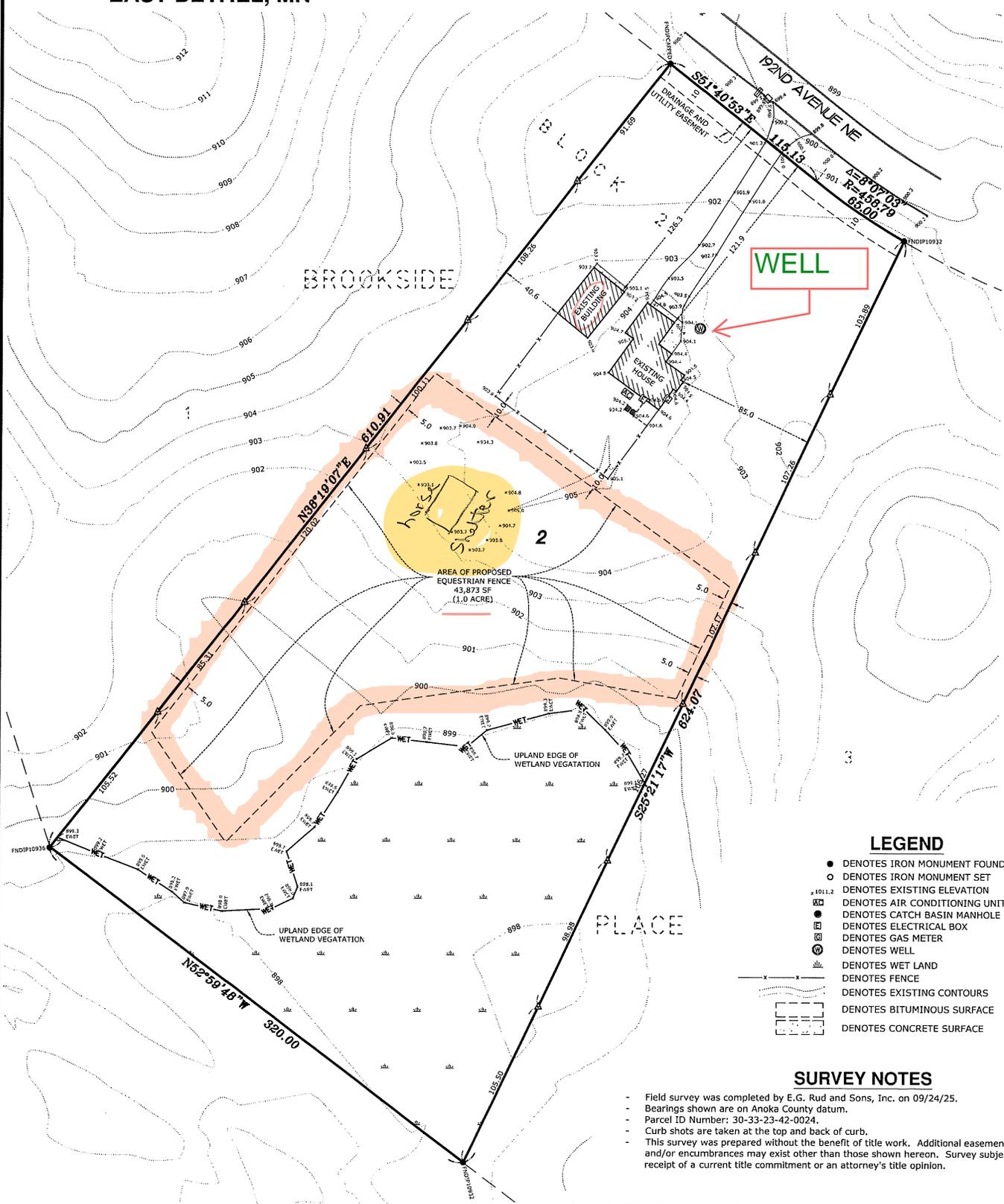
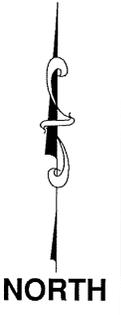
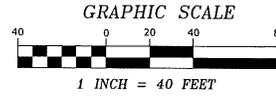


Image provide by fence installer
Ken Glaser
Coffey Grounds Enterprises Inc

Exhibit 5: SURVEY of Property

CERTIFICATE OF SURVEY

~for~ SUE PLAISANCE
 ~of~ 656 192ND AVENUE NE
 EAST BETHEL, MN



LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET
- DENOTES EXISTING ELEVATION
- DENOTES AIR CONDITIONING UNIT
- DENOTES CATCH BASIN MANHOLE
- DENOTES ELECTRICAL BOX
- DENOTES GAS METER
- DENOTES WELL
- DENOTES WET LAND
- DENOTES FENCE
- DENOTES EXISTING CONTOURS
- DENOTES BITUMINOUS SURFACE
- DENOTES CONCRETE SURFACE

SURVEY NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 09/24/25.
- Bearings shown are on Anoka County datum.
- Parcel ID Number: 30-33-23-42-0024.
- Curb shots are taken at the top and back of curb.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.

Lot 2, Block 2, BROOKSIDE PLACE, Anoka County, Minnesota.

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

Daniel S. Hanson
 DANIEL S. HANSON
 Date: 9/29/2025 License No. 52140

DRAWN BY: RAF	JOB NO: 251021LS	DATE: 09-29-25	
CHECK BY: DSH	FIELD CREW: BH/BJ		
1			
2			
NO.	DATE	DESCRIPTION	BY

3-24-26 PC Agenda and Packet

E.G. RUD & SONS, INC.
 EST. 1977
 Professional Land Surveyors
 6776 Lake Drive NE, Suite 110
 Lino Lakes, MN 55014
 Tel. (651) 361-8200 Fax (651) 361-8701

Exhibit 6: Proposed Planning Commission Resolution – Variance - Assuming Staff Recommendation.

**CITY OF EAST BETHEL
COUNTY OF ANOKA
STATE OF MINNESOTA**

RESOLUTION NO. 2026-_____

**A RESOLUTION OF THE EAST BETHEL PLANNING COMMISSION
RECOMMENDING APPROVAL OF A VARIANCE FROM SECTION 10-151(c) OF
THE EAST BETHEL CITY CODE TO ALLOW CONSIDERATION OF AN INTERIM
USE PERMIT FOR THE KEEPING OF ONE (1) DOMESTIC FARM ANIMAL
(HORSE) AT 656 192ND AVENUE NE**

WHEREAS, Lynnsey Plaisance (the “Applicant”) submitted an application requesting a Variance to allow consideration of an Interim Use Permit for the keeping of one (1) domestic farm animal (horse) on property located at 656 192nd Avenue NE, East Bethel, Minnesota, legally described as Lot 2, Block 2, Brookside Place, containing approximately 3.49 acres and zoned Rural Residential (RR); and

WHEREAS, the City determined the application to be complete on March 3, 2026, and review of the request is subject to the timelines established under Minnesota Statutes §15.99; and

WHEREAS, the East Bethel Planning Commission held a duly noticed public hearing on the request on March 24, 2026, reviewed the staff report and application materials, and received testimony from interested parties.

NOW, THEREFORE, BE IT RESOLVED that the East Bethel Planning Commission makes the following Findings of Fact:

1. The Applicant seeks a Variance from Art V. Section 10-151(c) of the East Bethel City Code to allow the City to consider an Interim Use Permit for the keeping of one (1) domestic farm animal (horse).
2. Art V. Section 10-151(c) of the East Bethel City Code provides that no animal regulated by the ordinance may be kept on a parcel located within a platted subdivision unless certain conditions are met.
3. Although the subject property exceeds three acres in size, it is located within the Brookside Place subdivision, which collectively does not meet the eighty (80) percent exception condition to allow horses as established in Art V. Section 10-151(c) for lots larger than three acres.
4. The subject parcel contains approximately 3.49 acres and includes sufficient open land to reasonably accommodate the limited keeping of one domestic farm animal.

5. The Rural Residential zoning district is intended to support low-density residential development in a rural setting, where certain agricultural activities, including domestic farm animals, may be permitted through the Interim Use Permit process.
6. The Applicant proposes a reasonable use of the property. The keeping of one domestic farm animal on a parcel of this size represents a limited rural residential activity consistent with the character and intent of the Rural Residential zoning district.
7. The practical difficulty associated with the property arises from Section 10-151(c), which prevents consideration of an Interim Use Permit for domestic farm animals on platted lands even where the parcel exceeds three acres in size. This circumstance was not created by the Applicant, but results from the property's status as part of a previously recorded subdivision plat and the interaction of that restriction with the parcel's size and zoning context
8. Granting the requested variance will not alter the essential character of the locality. Abutting properties also maintain horses, which supports this finding.
9. The Planning Commission considered the variance request pursuant to Section 04-10 of the East Bethel City Code, which authorizes variances upon findings of practical difficulties.
10. The Planning Commission finds that the recommendation to approve this Variance is based upon the particular facts and circumstances of the subject property and application and shall not be construed as establishing precedent for other properties.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the East Bethel Planning Commission hereby recommends that the City Council approve the requested Variance from Section 10-151(c) of the East Bethel City Code to allow consideration of an Interim Use Permit for domestic farm animals on the property located at 656 192nd Avenue NE.

ADOPTED by the East Bethel Planning Commission this ___ day of _____, 2026.

Planning Commission Chair

ATTEST:

City Administrator, Matt Look

**Exhibit 7: Proposed Planning Commission Resolution – Interim Use Permit -
Assuming Staff Recommendation.**

**CITY OF EAST BETHEL
COUNTY OF ANOKA
STATE OF MINNESOTA**

RESOLUTION NO. 2026-_____

**A RESOLUTION OF THE EAST BETHEL PLANNING COMMISSION
RECOMMENDING APPROVAL OF AN INTERIM USE PERMIT TO ALLOW THE
KEEPING OF ONE (1) DOMESTIC FARM ANIMAL (HORSE) AT 656 192ND
AVENUE NE**

WHEREAS, Lynnsey Plaisance (the “Applicant”) submitted an application requesting an Interim Use Permit to allow the keeping of one (1) domestic farm animal (horse) on property located at 656 192nd Avenue NE, East Bethel, Minnesota, legally described as Lot 2, Block 2, Brookside Place, containing approximately 3.49 acres and zoned Rural Residential (RR); and

WHEREAS, the Applicant submitted concurrent applications for a Variance and an Interim Use Permit, and the Planning Commission considered both requests upon same public hearing date, with the Interim Use Permit request being contingent upon approval of the related variance; and

WHEREAS, the East Bethel Planning Commission has recommended approval of a variance allowing consideration of the Interim Use Permit request; and

WHEREAS, the East Bethel Planning Commission held a duly noticed public hearing on the request on March 24th, 2026, reviewed the staff report and application materials, and received testimony from interested parties.

NOW, THEREFORE, BE IT RESOLVED that the East Bethel Planning Commission makes the following Findings of Fact:

1. The subject property contains approximately 3.49 acres and is located within the Rural Residential (RR) zoning district.
2. Domestic farm animals may be permitted in the Rural Residential district through the issuance of an Interim Use Permit pursuant to Section 42-5.F of the East Bethel City Code.
3. The Applicant proposes the keeping of one (1) domestic farm animal (horse) for personal use on the property.
4. The proposed use appears capable of meeting the applicable standards of the East Bethel City Code, including Section 10-151(h) relating to pastureland, Section 10-152 relating to shelter setbacks and paddocks, and Section 10-154.5 relating to animal health and welfare. The request also appears consistent with the Interim Use Permit review criteria in Section 04-9(D).

5. The limited nature of the request and the size of the parcel appear consistent with the rural residential character of the surrounding area.
6. Abutting properties also maintain horses, which supports the finding that the proposed use is consistent with the rural character of the surrounding area.

NOW, THEREFORE, BE IT FURTHER RESOLVED, That the East Bethel Planning Commission recommends that the City Council approve the Interim Use Permit for the keeping of one (1) domestic farm animal (horse) at 656 192nd Avenue NE, subject to the following conditions:

Conditions of Approval:

1. The Interim Use Permit shall authorize the keeping of no more than one (1) domestic farm animal (horse) on the subject property.
2. The property shall maintain a minimum of one (1) acre of pastureland per equine as required by Section 10-151(h) of the East Bethel City Code.
3. Any shelter or accessory structure associated with the keeping of domestic farm animals shall comply with all applicable setback and accessory structure requirements and shall require appropriate building permits.
4. The keeping of domestic farm animals shall remain in compliance with Chapter 10 of the East Bethel City Code, including provisions relating to animal health, shelter, fencing, manure management, and animal welfare.
5. The Interim Use Permit shall remain valid only so long as the use remains in compliance with City Code and the conditions of approval and may be subject to renewal after three (3) years, or as determined by the City Council.
6. The City retains the authority to review or revoke the Interim Use Permit if the use is found to be in violation of City Code or the conditions of approval.

ADOPTED by the East Bethel Planning Commission this ___ day of _____, 2026.

Planning Commission Chair

ATTEST:

Matt Look, City Administrator



3-19-26

TO: East Bethel Planning Commission

FROM: Eric Johnson, City Planner

RE: STAFF REPORT - Dairy Queen upon the 1.63 acre parcel with a PID# 323323120012 for Amended PUD, Site Plan Review, Preliminary and Final Plat.

Summary: The applicant, P. Magnus Inc., is requesting approval of a Final Plat and Planned Unit Development (PUD) to allow construction of a new Dairy Queen restaurant on property formerly platted as Outlot B of Elevage EB First Addition in the City of East Bethel. This is found in Exhibit 1. (Site Plan review and Preliminary plat are annexed to these requests)

The proposed Plat converts the existing Outlot B of the Elevage 1st Add. into a legal buildable lot being DQ East Bethel, (Lot 1 Block 1.)

The proposed development consists of a 2,554-square-foot, single-story Dairy Queen restaurant with 62 interior seats, 20 outdoor patio seats, a drive-thru lane with 15 stacking spaces, and three pull-ahead spaces. Exhibit 2 holds the initial general site drawings, plat and related engineering.

Location: The site is located south of the current Kwik Trip development near the intersection of 187th Lane NE and Sandhill Parkway NE. See Map Inset. Exhibit 3 has a larger scale map.



Review Criteria:

The site is currently embedded in the ELEVAGE EB – First Addition (Phase One) and is subject to the City Council Resolution 2021-19 (See Exhibit 4) and the subsequent Agreement dated May 10th, 2021 (See Exhibit 17 excerpt). This Agreement outlines that the development of the Outlot B would require two elements as outlined in Section 2.5:

- (a). Be consistent with the Master Plan;
- (b). Be identified in one or more separate PUD Development Agreements substantially in form or context as this Agreement.

The initial PUD layout shown in the City Council Resolution 2021-19 as Phase One for this site conceptualized a possible daycare facility, but the owners have now formally proposed a Dairy Queen which is a “Drive-in establishment and convenience food” use. In either case, it remains commercial in nature and with access from frontage road, (not STH 65) and consistent with the Phase I plan.

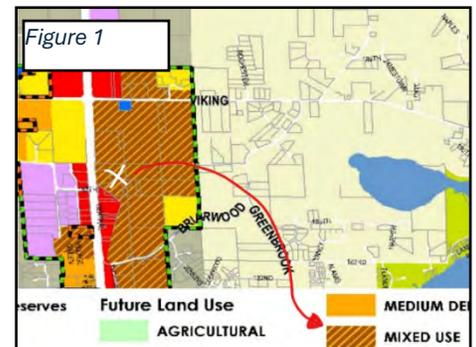
Note: The City did approve an Amendment to this May 2021 Agreement and elements of the Master Plan relative to Phase II (Second Addition), however this Second Addition does not include this current OUTLOT B and is not directly adjusted by that platting action. Any impacted boundary adjustments, if any associated with Phase II, will need to be addressed in a Final PUD Amendment.

Current Zoning: The current zoning for these lands is (MXU – Mixed Use).

The purpose of this district is, “...to create a focal point in the community that embodies the principles of urban mixed-use development. The mixed use (MXU) district envisions a distinctly different development pattern with a more urban structure of streets and blocks than the suburban and rural patterns typical of urban fringe communities. The mixed use (MXU) area is comprised of several land uses that provide mixed-use development, commercial workplace, neighborhood and parks/open space components”.

Generally, the proposed use of “Drive-in establishment and convenience food” would be consistent with the MXD zoning as it can serve neighborhood needs, be connected by trails / sidewalks, is next to a gas station.

Comprehensive Plan: The 2040 Comprehensive Plan also guides this area to a mixed-use purpose. The proposal of use as “Drive-in establishment and convenience food” appears to be consistent with the Comprehensive Plan. *Figure 1.* depicts that area from the 2040 Comprehensive Plan – Future Land Use guide.



Preliminary and Final Plat: The applicant has submitted platting materials to create Lot 1, Block 1, DQ East Bethel, (See Exhibit 8) converting the existing Outlot B of Elevage EB First Addition (See Exhibit 5) into a legal buildable lot. Outlot B was originally established as part of the recorded plat of Elevage EB First Addition and is a fully defined parcel with established boundaries, access, and associated drainage and utility easements.

In addition to the draft Preliminary and Final Plat, the applicant has submitted supporting civil engineering and site development materials, including preliminary civil site plans, grading and drainage plans, utility plans, landscaping plans, and a stormwater drainage report, all prepared by Civil Site Group and dated February 23, 2026.

These materials provide sufficient information to evaluate both Preliminary and Final Plat requirements, including lot configuration, access, drainage, utility servicing, and coordination with adjacent public infrastructure.

The Preliminary and Final Plat, together with the supporting site and engineering materials, have been reviewed by the City Engineer (Hakanson Anderson Associates) for compliance with City subdivision regulations, stormwater management requirements, utility design standards, and applicable provisions of Minnesota Statutes Chapter 505.

The City Engineer has indicated provided comments, See Exhibit 9 – dated March 12, 2026, and subject to standard conditions of approval and resolution of review comments, including:

- Submission of a Preliminary Plat document for record completeness;
- Execution of required stormwater maintenance agreements;
- Provision of drainage and utility easements for site discharge;
- Compliance with NPDES permitting requirements;
- Adjustment of grading, drainage, and stormwater design elements;
- Verification of lighting compliance and photometric standards; and
- Coordination with City infrastructure, including right-of-way impacts and utility connections.

All engineering comments shall be addressed to the satisfaction of the City Engineer prior to final plat recording and issuance of building permits should any final approval be granted by the City.

Given the limited scope of the request, consisting solely of the conversion of an existing Outlot within a previously approved and recorded subdivision into a single buildable lot, with no new public streets or public infrastructure, and supported by detailed engineering and site design materials, the application is appropriately processed concurrently as a Preliminary and Final Plat

Design Guidelines:

The Applicant has submitted a set of proposed design plans including façade, signage and landscaping elements. Following Appendix A – Section 28 of the City Code. Staff has the following review:

- **Building Design:** The majority of the structure is an EIFS composite, with varied colors and with a METAL FACE red entrance fixture and with a variation of parapets and overhand/eyebrows and banding. Largely, it is compliant and depending on final calculations, the amount of GLASS is at or near 20 to 30 percent of the front façade in the initial submission. The additional submissions found in EXHIBIT 15 shows an increased glazing to meet the 30 percent.

Section 28 of the City's Code outline certain Architectural Standards with the key elements being that:

1) *Unadorned pre-stressed upright concrete panels, unfinished concrete block, galvanized or unfinished steel, galvalum or unfinished aluminum buildings (wall or roofs), and pole-type building materials are not permitted as primary exterior building materials.*

2) *At least 50 percent of all exterior wall finishes shall be comprised of any combination of at least two of the following materials:*

a) Brick. b) Natural stone. c) Glass. d) Stucco or stucco-like finishes. e) Other comparable or superior material approved by city council.

3) *Accent materials shall be used for cornices, sills, bases, lintels, banding, and decorative accent trims. Accent materials shall consist of materials that meet or exceed the quality of the primary exterior materials and shall be consistent with the building design.*

4) *In the, MXU, B-1, B-2 districts and non-residential uses in residential districts, a minimum of 30 percent of the facade facing the public right-of-way shall be glass.*

5) *In the B-3 districts, a minimum of 20 percent of the facade facing the public right-of-way shall be glass.*

6) *Any new building shall be constructed so that all exterior sides shall be surfaced equivalent to the front of the building.*

- **Rooftop Units** – Appendix A – Section 23.2 Screening of Mechanical Equipment requires that all units must be hidden behind the parapet as seen from the most adjacent street ROW and adjacent properties. The Applicant has provided revised drawing, (See Exhibit 15) indicating that the parapet will screen such systems, RAISING THE PARAPET by 1.0’ and by 6” in other areas. Any material shortcoming will need to be addressed with addition screening.
- **Parking:** Off street Parking Requirements for this proposal being a “Drive-in establishment and convenience food” under Appendix A - Zoning - Section 22.7- (29) is one space per 150 square feet of floor area. The Applicant must provide 17 spaces. The application proposes **34 spaces and is compliant**. (Some additional stacking is available just after the drive-up window.)

Total Sq.ft. 2,554 / 150 = 17 spaces

- **Signage:**

The MXU zoning does not contain a signage standard and similarly can be flexible to the nature of the development and its adjacent uses. However the City must apply some rational standard and has applied the B3 criteria and is found in City Ordinance – Chapter 54-9 (SIGNS). That said, the sign plan appears reasonably in-scale with the proposed use and typical of a convenience food type establishment.

1. ALL SIGNAGE is limited to 144 Total Square Feet (TSF) as it is calculated at 4.0 sq.ft. per Frontage foot (36' x 4); the current application is **209 square feet and exceeds the 144 sq.ft. limit. This exceedance may be addressed by reducing the signage total size or the City may approve the amounts proposed as of the Amended PUD finding.**
 2. As part of that total, the Applicant may have up to 200 square feet per individual sign on a building; the current application is 116 sq.ft.
 3. The applicant may have one Freestanding Sign; the applicant is proposing only one freestanding sign; its height must not exceed the lowest point of the roof parapet. This sign is proposed to be 22' but will need to be adjusted if necessary. The EMB on the freestanding sign is limited to 32 sq.ft. and appears to be complying with City regulation. **Note: per 54-9 (3) the setback for the freestanding sign must be 20' from front lot line – the current location shows approx. 12' +/-.** **This exceedance may be addressed by relocating the sign or the City may approve the location as proposed as of the Amended PUD finding.**
- **Lighting:** Appendix A – Section 26.4 B – Performance Standards outlines certain requirements for exterior lighting:

Business/industrial lighting standards. Lighting must be used to illuminate all off-street parking areas or other structures or areas, and shall be arranged to deflect light away from any adjoining property or from the public street.

- 1) *The light source shall be hooded or controlled so as not to light adjacent property in excess of the maximum intensity as defined below. The lighting shall contain a shield that directs and cuts off the light at an angle of 90 degrees or less.*
- 2) *No light source or combination thereof which cast light on a public street shall exceed one footcandle meter reading as measured from the centerline of said street, nor shall any light source or combination thereof which cast light on adjacent property exceed 0.5 footcandle as measured at any point of the property line. There must be a minimum of 0.5 footcandle illumination for all off-street parking areas.*
- 3) *Height. The maximum height above the ground grade permitted for light sources mounted on a pole is 30 feet except by conditional use permit. A light source mounted on a building shall not exceed the height of the building, and no light sources shall be located on the roof unless said light enhances the architectural feature of the building and is approved by city council.*

- 4) *Location. The light source of an outdoor light fixture shall be set back a minimum of five feet from a street right-of-way and five feet from an interior side or rear lot line.*
- 5) *Hours of lighting. The city may also limit the hours of operation of outdoor lighting if it is deemed necessary to reduce impacts on surrounding properties.*

Applying Lighting Performance Standards to the DQ Site:

Pole Lights: The Site proposes to install 7 light poles with full-cut off design (5 single fixture / 2 double headed fixture) All are estimated to be less than 25' in total elevation from finish grade and is a common height. City regulations require a total height to be less than 30' (Section 26-4.3); These are compliant. (See Exhibit 13)

Accent Light: Red Band: Note that the proposal includes some red detail banding, this is NOT neon rather a backed LED strip. Like the abutting Kwik Trip. Is this compliant with the code as it is not full-cut off; the Commission may desire to comment on this.

Wall-Packs: The building mounted wall pack lighting can be found in Exhibit 13 and is compliant with the City's full-cutoff requirement.

Wash-lighting: Staff could not identify if there is any building wash lighting on the plan and would not be compliant with the City's code.

Foot-Candle: The City Engineer notes that the total foot-candles emitted exceeds the requirements of Section 26.4 B. (2). These will need to be addressed at the time of building permit via the submission of a new plan showing the lighting adjustment.

Waste / Dumpsters: Appendix A - Section 29-1 Waste and Bulk Storage of the City code does require that waste generated on any premises shall be kept in containers designed for waste collection and stored in a structure or within an enclosed or screened area. The Applicant has provided a full enclosure for such waste – See Exhibit 14 as appears compliant. The City may desire to have the Applicant paint the split faced block (CMU) to match building color – but should remain in the earthen tone (i.e. not DQ red). Paint can create maintenance problems, perhaps just leave natural if textured CMU.

Lot Size & Setbacks: Again note the MXU district does not contain standards, as it seeks to offer some flexibility; however applying a relatable standard the B3 – the setbacks are:

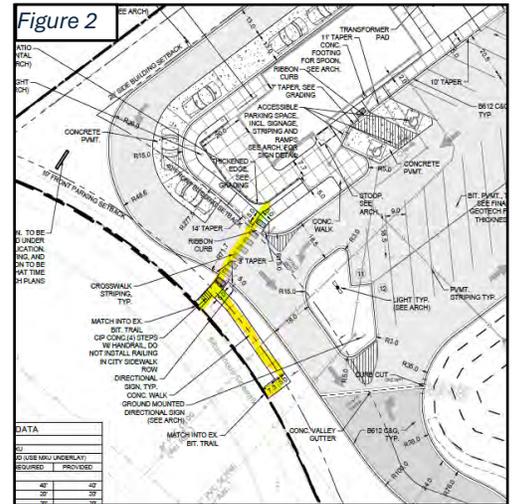
For structure: 40' for front yard, 10' for side yard and 25' for rear yard – The proposed building is in compliance; being >60' for the front, > 40' for the side and >100' to rear-yard (measured from waste enclosure).

For curbing: The typical setback from the property line to a curb-face of parking lots and car lanes is 10' at front and 5' for side and rear - The proposed site is in compliance with this except for a small encroachment at the southwest side near the trail.

Lot Size: The required Lot size is 23,000 sq.ft.; the proposed Lot is 70,802 and is compliant.

Sidewalks and Trail Connections: Exhibit 11 shows the anticipated trail and sidewalk connections that will be installed by the Applicant and/or property-owner. Note the trail at the south easterly side of the property will be constructed with the PHASE II project. In addition Page C2.0 (and the **Figure 2** shown here) also shows the pedestrian connectivity to the existing railway on Sandhill Parkway. This is required to be installed by the Applicant.

Park Dedication: Unless already paid at the time of the creation of the PHASE I development, the Park Dedication fee associated with this commercial development would be \$2,000 per acre based on the 2026 Fee Schedule. Ultimately this needs to be verified as the City cannot assess this cost twice.



Fire Department Review: Exhibit 10 outlines the Fire Department review and is generally favorable. The site has three (3) hydrants within 300' feet +/- and the flow rate (gallons per minute) will need to exceed 934 gpm; See the enclosed approval condition related to gpm in the proposed Resolution. It will be the Applicant's responsibility to test for an ensure this flow.

Landscaping: City Zoning Code - Appendix A Section 27 of the City code outlines several parameters associated with required landscaping. The Applicant has provided a detail planning plan and can be found in Exhibit 2 – See the L.0 and L.01 drawings. Generally, the plan demonstrates:

1. variety of species
2. correct “over-story” caliper size of trees,
3. landscaped traffic islands,
4. exceeds 30 percent of the building footprint.

The Applicant will be required to maintain these and ensure survival including the submission of a satisfactory escrow to address any problems.

Site Utilities: See Exhibit 9 - Engineering Report - Dated 3/12/26

Stormwater & Drainage Review: See Exhibit 9 - Engineering Report - Dated 3/12/26.
 NOTE: Additional D&U easements will be required to be conveyed to the City from the Owner, who is also a co-applicant for this DQ project and the developer of the Phase II – EB Commercial LLC. This D&U easement is shown in Exhibit 18.

Wetlands & Floodplains: Current staff is advised that the site itself formerly contained either incidental wetlands and/or not naturally occurring. And, that there were mitigated in the general grading and development of the PHASE I elements. However, there City did receive an application for a new finding as the analysis and notice was more than five years old; a new “NO- LOSS” finding is enclosed completed by the City Engineer. See Exhibit 16

Standards for PUD (& AMENDMENT) Criteria for granting a PUD. (City Ordinance 56-6)

The planning commission may recommend, and the city council may act to approve or deny, a preliminary or final plan for a PUD (or an amendment) in any district. The planning commission, in making a recommendation, and the city council, in acting upon a plan, shall consider the following factors; however, nothing herein shall be meant to guarantee approval of such PUD.

Staff has addressed each of these within each heading:

- **The consistency of the proposed PUD with the city's comprehensive plan;**

The site is guided for mixed-use development under the 2040 Comprehensive Plan. The proposed Dairy Queen use remains commercial in nature and consistent with the intent of the mixed-use designation, providing a neighborhood-serving use within an area planned for integrated commercial activity.

- **The proposed uses compliance with the standards and criteria of the zoning ordinance and subdivision regulations;**

The proposed use aligns with the intent of the MXU district, which is intended to support a mix of commercial and neighborhood-serving uses. The platting action converts an existing Outlot into a single buildable lot, consistent with subdivision practices and supported by the submitted engineering and site plan materials.

- **The extent to which the proposed PUD is designed to form a desirable and unified environment within its own boundaries in terms of relationship of structures, patterns of circulation, visual character, and sufficiency of drainage and utilities;**

The site plan demonstrates coordinated building placement, vehicular circulation, drive-thru stacking, parking, pedestrian access, and integration with existing infrastructure. The design reflects a cohesive development pattern within the broader Elevage EB First Addition area.

- **The extent to which the proposed uses will be compatible with present and planned uses in the surrounding area;**

The proposed use is compatible with surrounding commercial development, including the adjacent Kwik Trip. The scale, intensity, and access pattern are consistent with the planned mixed-use environment.

- **The impact of the proposed uses on the health, safety, and general welfare of the occupants of the surrounding area;**

The development provides adequate access, parking, lighting, and internal circulation. Engineering and fire department review ensure that the project will meet applicable safety standards and will not adversely impact surrounding properties.

- **The burden or impact created by the PUD on parks, schools, streets, and other public facilities and utilities;**

The site will be served by existing public infrastructure, including water, sewer, and roadway access. No new public streets are required, and impacts to utilities and drainage (although minor) will be addressed through engineering review and required improvements.

- **The sufficiency of each phase of the PUD to ensure its construction and operation is feasible without dependence upon any subsequent phase;**

The project is proposed as a single-phase development and does not rely on future phases for functionality or compliance with City standards.

- **The impact of the PUD on environmental quality, property values, scenic views, and preservation of significant natural resources and amenities of the surrounding area; and**

Stormwater management, grading, and drainage are addressed through the submitted civil plans and will be subject to City Engineer review to ensure compliance with applicable standards and protection of downstream systems. Any requirements shall be embedded in the final PUD- Amendment

- **That any exceptions to city ordinances, policies, or regulations are justified by the design or development of the proposed use.**

The PUD process allows flexibility from standard ordinance requirements where justified by design. Any requested deviations, including potential signage adjustments, are evaluated in the context of the overall site design and compatibility with the surrounding development.

Final Staff Recommendation: Based on the foregoing analysis, findings, and supporting materials, staff recommends that the Planning Commission recommend approval to the City Council of the following;

- Amended Planned Unit Development (PUD)
- Site Plan Review
- Preliminary Plat
- Final Plat for DQ East Bethel

For the property identified as Outlot B – Elevage EB First Addition (PID #323323120012) but subject to the following Conditions of Approval:

Conditions of Approval:

1. The development shall substantially conform to the plans and materials submitted with the application dated February 23, 2026, and subsequent revisions, except as modified by these conditions.
2. The applicant shall submit a Preliminary Plat document consistent with the approved Final Plat for record completeness prior to City Council approval.

3. The Final Plat for Lot 1, Block 1, DQ East Bethel shall be approved by the City Council and recorded with Anoka County prior to issuance of building permits.
4. All engineering, utility, grading, drainage, stormwater, erosion control, access, right-of-way, landscaping escrow, infrastructure restoration, and other construction-related elements of the project shall be subject to final review and approval by the City Engineer prior to final plat recording, issuance of building permits, and commencement of construction, as applicable.
5. The applicant shall obtain all required permits, including but not limited to NPDES construction permitting, and comply with all applicable state and local regulations.
6. Required stormwater management and maintenance agreements shall be executed and recorded prior to plat recording, subject to City Engineer approval.
7. All required drainage and utility easements, including those necessary for discharge to downstream facilities, shall be provided to the satisfaction of the City Engineer.
8. The applicant shall provide final engineering plans and address all applicable review comments of the City Engineer prior to final plat recording and issuance of building permits.
9. All exterior lighting shall fully comply with the City's lighting ordinance, including but not limited to fixture type, shielding, height, location, and foot-candle limits at the property line and public street, and shall be subject to final review and approval by the City Engineer prior to issuance of building permits. The applicant has submitted lighting designs that generally demonstrate compliance with these standards; however, final photometric and fixture approval shall remain subject to City review.
10. Rooftop mechanical equipment shall be fully screened from view by parapet walls or other approved screening methods consistent with City Code.
11. All landscaping shall be installed and maintained in accordance with the approved plans. A landscaping escrow or financial guarantee shall be provided as required by the City and subject to review by the City Engineer where applicable.
12. The applicant shall verify compliance with fire flow requirements (minimum 934 gpm) and coordinate with the Fire Department to ensure adequate fire protection prior to issuance of building permits.
13. All signage shall comply with City Code unless specifically modified as part of the approved PUD. The total aggregate sign area for the site shall not exceed 209 square feet and shall be substantially consistent with the signage shown on the submitted plans. Any approved deviations, including total sign area, freestanding sign height, and setback, shall be clearly incorporated into the final PUD approval and reflected on the final site plan.
14. The freestanding sign setback of approximately 12 feet from the front lot line is hereby approved as part of the Amended PUD and may remain as shown on the submitted plans, provided the sign otherwise remains substantially consistent with the approved site and signage plans.
15. The applicant shall construct all required sidewalk and trail connections as shown on the approved plans and coordinate with ongoing Phase II improvements, subject to final approval by the City Engineer where applicable. All required connecting trailways and sidewalk improvements associated with this approval shall be completed within twelve (12) months of final plat approval, at the applicant's sole expense, unless extended by the City.
16. The applicant shall be responsible for payment of all applicable park dedication requirements and fees in accordance with the City's fee schedule, unless it is

demonstrated to the satisfaction of the City that such dedication obligations have been previously satisfied for the subject property.

17. Any impacts to the public right-of-way or existing City infrastructure shall be coordinated with the City and restored to City standards, subject to final approval by the City Engineer.
18. The applicant shall be responsible for payment of all required City and Metropolitan Council utility connection charges, including but not limited to water and sanitary sewer connection fees, in accordance with the City's 2026 Fee Schedule and applicable Metropolitan Council requirements.
19. Any changes to the approved plans shall require review and approval by the City.
20. The applicant and property owner shall enter into a Final Planned Unit Development (PUD) Amendment Agreement with the City, subject to review and approval by the City Attorney, addressing any modifications to the original Elevage EB First Addition Development Agreement (May 10, 2021) necessary to accommodate the proposed development of Outlot B, including but not limited to site design, access, utilities, signage, and other applicable development standards.

Planning Commission Action Options:

The Planning Commission could consider the following actions with respect to the requested elements:

Option 1 – Recommend Approval.

The Planning Commission may recommend approval of the requested actions. **SEE EXHIBIT 19 for DRAFT RESOLUTION**

Option 2 – Recommend Denial of the Variance

The Planning Commission may recommend denial of the requested actions, but should offer and adopt findings of fact outlining such rationale.

Option 3 – Seek Further Information

Exhibit 1

Document updated
3-3-26 - for SITE
PLAN AND
Preliminary Plat



East Bethel Community Development
2241 221st Ave. NE • East Bethel, MN 55011
Phone: (763) 367-7844 • Fax: (763) 434-9578

PROJECT # _____
SUBMITTED: _____
APP. FEE COLLECTED: \$ _____
ESCROW COLLECTED: \$ _____
60 DAYS: _____
120 DAYS: _____

Land Use Application

APPLICANT IS **REQUIRED** TO MEET WITH CITY STAFF **PRIOR** TO SUBMITTAL OF THIS APPLICATION

<u>Type of Application</u>		
<input type="checkbox"/> Conditional Use Permit/Amendment	<input type="checkbox"/> Metes and Bounds Division	<input checked="" type="checkbox"/> Subdivision – Final Plat
<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Mining – Minor (1,000-5,000 Cubic Yards)	<input checked="" type="checkbox"/> Site Plan Review
<input type="checkbox"/> Environmental Review	<input type="checkbox"/> Mining – Major (>5,000 Cubic Yards)	<input type="checkbox"/> Tax Increment Financing
<input type="checkbox"/> Farm Animals – Interim Use Permit	<input type="checkbox"/> Outdoor Entertainment	<input type="checkbox"/> Temporary/Seasonal Sales
<input type="checkbox"/> Grading (500-1,000 Cubic Yards)	<input checked="" type="checkbox"/> Planned Unit Development/Amendment	<input type="checkbox"/> Temporary Sign
<input type="checkbox"/> Home Occupation – Administrative	<input type="checkbox"/> Subdivision – Administrative	<input type="checkbox"/> Vacation
<input type="checkbox"/> Home Occupation – Interim Use Permit	<input type="checkbox"/> Subdivision – Concept Plan	<input type="checkbox"/> Variance
<input type="checkbox"/> Kennel – Interim Use Permit	<input checked="" type="checkbox"/> Subdivision – Preliminary Plat	<input type="checkbox"/> Zoning Map Amendment
<input type="checkbox"/> Zoning Text Amendment		

NAME OF PROJECT (IF APPLICABLE): NEW DAIRY QUEEN - EAST BETHEL

PROJECT ADDRESS: _____ PRESENT ZONING: MXU

LOCATION PID: 32-33-23-12-0012 LOT: _____ BLOCK: _____ SUBDIVISION: OUTLOT B, ELEVAGE EB FIRST ADDITION

DESCRIPTION OF PROJECT/REQUEST: RETAIL DEVELOPMENT, DAIRY QUEEN

<u>PROPERTY OWNER:</u>	<u>APPLICANT:</u> <input type="checkbox"/> SAME AS PROPERTY OWNER
NAME: <u>EB COMMERCIAL LLC</u>	NAME: <u>P. MAGNUS INC - TIM JINDRA</u>
PHONE: <u>612-723-8118</u>	PHONE: <u>612-201-6052</u>
ADDRESS: <u>3020 France Avenue South</u>	ADDRESS: <u>860 200TH AVE NW</u>
CITY/STATE/ZIP: <u>St. Louis Park, MN 55416</u>	CITY/STATE/ZIP: <u>OAK GROVE, MN 55011</u>
EMAIL: <u>alec@elevagegroup.com</u>	EMAIL: <u>JINDRAT@MSN.COM</u>

I FULLY UNDERSTAND THAT I MUST MEET WITH CITY STAFF TO REVIEW ALL SUBMISSION REQUIREMENTS AND CONDITIONS PRIOR TO APPLICATION SUBMISSION. I UNDERSTAND THAT I MUST SUBMIT ALL OF THE REQUIRED INFORMATION, INCLUDING ALL APPLICATION, FILING, ESCROW PAYMENTS, WITH THIS APPLICATION TO ENSURE REVIEW BY CITY STAFF PRIOR TO BEING SCHEDULED FOR UPCOMING PLANNING COMMISSION AND CITY COUNCIL MEETINGS. INCOMPLETE APPLICATIONS WILL NOT BE SCHEDULED FOR REVIEW.

[Signature]
PROPERTY OWNER SIGNATURE

[Signature]
APPLICANT SIGNATURE

2/18/20
DATE

2/19/26
DATE



East Bethel Community Development
 2241 221st Ave. NE • East Bethel, MN 55011
 Phone: (763) 367-7844 • Fax: (763) 434-9578

Land Use Escrow Application

Property Address: PID NUMBER 32-33-23-12-0012

Owner's Name: EB COMMERCIAL LLC, Alec Jensen Phone: 612-723-8118

Email: alec@elevagegroup.com

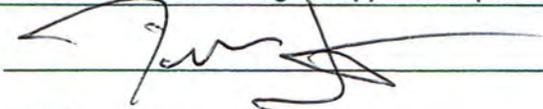
Type of Land Use Application: PUD / FINAL PLAT Project #: _____

Person/Company paying the escrow	Person/Company receiving returned escrow <small>(if different from the person/company paying the escrow than permission is needed)</small>
Name: <u>P. MAGNUS INC - TIM JINDRA</u>	Name: _____
Phone: <u>612-201-6052</u>	Phone: _____
Email: <u>JINDRAT@MSN.COM</u>	Mailing Address: _____
Mailing Address: <u>860 200TH AVE NW</u> <u>OAK GROVE, MN 55011</u>	_____
Amount entered into escrow: \$ <u>2,000</u>	Email: _____

Type of Land Use Application	Escrow Amount
Tax Increment Financing	\$12,000
Preliminary Plat	\$5,000
Major Mining	\$1,500
Administrative Subdivision, Comprehensive Plan Amendment, Metes and Bounds Subdivision, Minor Mining Permit, Planned Unit Development, Site Plan Review, Vacation, Zoning Map Amendment	\$1,000
Final Plat	\$1,000 + \$50/Lot if new road
Environmental Review	\$650
Concept Plan Review, Conditional Use Permit/Amendment, Grading Permit, Planned Unit Development Amendment, Variance, Zoning Text Amendment	\$500
Interim Use Permit/Amendment	\$300

Escrow Information and Agreement to Pay Costs of Processing Application

Application, Escrow, and Park Dedication fees are set on the City of East Bethel's fee schedule. Escrow is set aside for attorney, consulting, engineering, planning, and other misc. fees incurred by the City to process, review, and act upon your application. If the City is to accrue costs while working on your Land Use Application, **you are authorizing the City to use this escrow to pay for those costs.** If a balance remains at the completion of your project, the remaining escrow amount will be disbursed once the work has been approved by the Community Development Department. **If costs incurred exceed the amount collected in the initial escrow deposit, you will be notified of the deficit and must replenish the escrow account. Payment for all costs will be required whether the application request is granted or denied. I agree to pay the City all costs incurred during the application process as set forth in this Agreement.**

Escrow Payer Signature:  Date: 2/19/26

Community Development Staff: _____ Date: _____



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Phone: (763) 367-7844 • Fax: (763) 434-9578

PROJECT # _____
SUBMITTED: _____
APP. FEE COLLECTED: \$ _____
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Land Use Application

APPLICANT IS REQUIRED TO MEET WITH CITY STAFF PRIOR TO SUBMITTAL OF THIS APPLICATION

Type of Application

- | | | |
|---|--|--|
| <input type="checkbox"/> Conditional Use Permit/Amendment | <input type="checkbox"/> Metes and Bounds Division | <input checked="" type="checkbox"/> Subdivision – Final Plat |
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NAME OF PROJECT (IF APPLICABLE): NEW DAIRY QUEEN - EAST BETHEL

PROJECT ADDRESS: _____ PRESENT ZONING: MXU

LOCATION PID: 32-33-23-12-0012 LOT: _____ BLOCK: _____ SUBDIVISION: OUTLOT B, ELEVAGE EB FIRST ADDITION

DESCRIPTION OF PROJECT/REQUEST: RETAIL DEVELOPMENT, DAIRY QUEEN

PROPERTY OWNER:

NAME: EB COMMERCIAL LLC
PHONE: 612-723-8118
ADDRESS: 3020 France Avenue South
CITY/STATE/ZIP: St. Louis Park, MN 55416
EMAIL: alec@elevagegroup.com

APPLICANT: SAME AS PROPERTY OWNER

NAME: P. MAGNUS INC - TIM JINDRA
PHONE: 612-201-6052
ADDRESS: 860 200TH AVE NW
CITY/STATE/ZIP: OAK GROVE, MN 55011
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[Signature]
PROPERTY OWNER SIGNATURE

2/18/26
DATE

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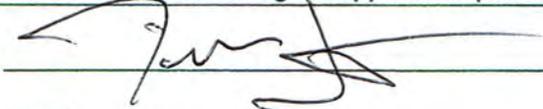
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Phone: <u>612-201-6052</u>	Phone: _____
Email: <u>JINDRAT@MSN.COM</u>	Mailing Address: _____
Mailing Address: <u>860 200TH AVE NW</u> <u>OAK GROVE, MN 55011</u>	_____
Amount entered into escrow: \$ <u>2,000</u>	Email: _____

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Escrow Payer Signature:  Date: 2/19/26

Community Development Staff: _____ Date: _____

PROJECT:
DAIRY QUEEN
EAST BETHEL, MINNESOTA

CIVIL ENGINEER:
CIVIL SITE GROUP
5000 GLENWOOD AVENUE
GOLDEN VALLEY, MINNESOTA 55422
PH: 1.612.615.0060

ARCHITECT:
JOHN S. ODOM
P.O. Box 410394
ST LOUIS, MO 63141
PH: 1.417.343.2602



February 23, 2026

PROJECT NARRATIVE

We are proposing a new Dairy Queen PUD at the intersection of Davenport Street and 187th Lane, South of the new Elevage Development in East Bethel Minnesota.

The City of East Bethel 2040 Comprehensive plan specifies its land use plan as a guide *“designed to protect, preserve, enhance, and build upon the physical features of both the built and natural environment”*. This proposed PUD site is located within future “Mixed Use” land use. The Mixed-Use district is intended to provide development flexibility, allowing for both commercial and residential uses. The proposed commercial/retail use (Dairy Queen restaurant) fits within this definition as “dining or entertainment” is commercial use.

The proposed PUD provides connections to local sidewalks / trails with good access and interconnectivity to the surrounding residential uses. The proposed design also preserves the natural amenities, i.e. wetlands, and natural grassed waterways surrounding the site.

The proposed Dairy Queen is a single story 2,554 sq ft building with sixty-two interior seats, twenty exterior patio seats, a drive thru window, three pull ahead spaces for large orders, and drive thru stacking for fifteen cars. The proposed development has provided for proper internal traffic flow / delivery truck access / fire department truck maneuvering. We do not anticipate that this development will have any negative impacts to traffic along adjacent public right of ways.

The exterior of the building is comprised of EIFS (exterior insulation finish system), alpolc metal panels, mill aluminum finished storefront glazing. The dumpsters will be screened with a split faced block masonry enclosure.

February 23, 2026
Page 1

Under the PUD proposal we have reduced the greenspace setback along the frontage right of way from 30'-0" to 20'-0". To accommodate for this reduction, we have proposed a heightened landscaping package within the proposed PUD development. We have also provided landscape buffering to the existing residential development to the North.

The current signage code of East Bethel allows for two monument signs to be placed on this parcel / development. In lieu of two monument signs, we are proposing one ground mounted pylon sign which will provide better visibility from Highway 65. In addition, we are proposing (4) wall mounted illuminated signs. New Dairy Queen buildings also feature a large oversized red spoon on the entrance façade that has often been referred to as an "Instagram-able moment".

This development is estimated to employ between 30 and 40 members of the East Bethel community. We look forward to the opportunity to be a part of the East Bethel community with our new proposed Dairy Queen.

Exhibit 2

NEW DAIRY QUEEN

EAST BETHEL, MINNESOTA ISSUED FOR: CITY LUA/PUD SUBMITTAL



SITE LOCATION MAP

SITE LOCATION

PROJECT CONTACTS	
NAME & ADDRESS	CONTACT
CIVIL ENGINEER	MATT PAVIK 5000 GLENWOOD AVE GOLDEN VALLEY, MN 55422 612-615-0060 EXT 701 MPAVIK@CIVILSITEGROUP.COM
LANDSCAPE ARCHITECT	ROB BINDER 5000 GLENWOOD AVE GOLDEN VALLEY, MN 55422 612-615-0060 EXT 704 RBINDER@CIVILSITEGROUP.COM
DEVELOPER	TIM JINDRA 860 20TH AVE NW OAK GROVE, MN 55011 612-201-6052 JINDRA@GMSN.COM
PROPERTY OWNER	TIM JINDRA 860 20TH AVE NW OAK GROVE, MN 55011 JINDRA@GMSN.COM
ARCHITECT	JOHN S. ODOM ARCHITECT P.O. BOX 410394 ST. LOUIS, MO 63141 417-343-2802 JOHNS@HSDOOM.COM
SURVEYOR	RORY SYNSTELIEN 5000 GLENWOOD AVE GOLDEN VALLEY, MN 55422 612-615-0060 X 712 RORY@CIVILSITEGROUP.COM
GEOTECHNICAL ENGINEER	KYLE SHUBERT TERRACON CONSULTANTS 13400 15TH AVE N PLYMOUTH, MN 763-485-3100 KYLE.SHUBERT@TERRACON.COM

- ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT COPPER STATE ONE CALL (651-454-0000 OR 800-252-1186) FOR UTILITY LOCATIONS 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
- CONTRACTOR SHALL CONFIRM THAT THE EXISTING CONDITIONS FOR THE SITE MATCH WHAT IS SHOWN ON THE DRAWINGS INCLUDED PRIOR TO CONSTRUCTION.
- ALL NECESSARY INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR UTILITY SERVICES COMPANIES SHALL BE PERFORMED PRIOR TO ANNOUNCED BUILDING POSSESSION AND THE FINAL CONNECTION OF SERVICES.
- ALL GENERAL CONTRACTOR WORK TO BE COMPLETED (EARTHWORK, FINAL UTILITIES, AND FINAL GRADING) BY THE MILESTONE DATE IN PROJECT DOCUMENTS.
- CIVIL SITE GROUP SHALL HAVE NO LIABILITY WHATSOEVER FOR ANY COSTS ARISING OUT OF THE CLIENT'S DECISION TO OBTAIN BIDS OR PROCEED WITH CONSTRUCTION BEFORE CIVIL SITE GROUP HAS ISSUED FINAL, FULLY APPROVED AND STAMPED PLANS AND SPECIFICATIONS. THE CLIENT ACKNOWLEDGES THAT ALL PLANS ARE SUBJECT TO SUBSTANTIAL REVISION. CONTRACTOR IS RESPONSIBLE FOR FOLLOWING THE MOST RECENT ISSUANCE OF PLANS FOR CONSTRUCTION PURPOSES.
- PLAN SET IS NOT USABLE FOR CONSTRUCTION UNTIL PLANS HAVE BEEN FULLY APPROVED AND STAMPED BY THE REQUIRED REVIEWING AUTHORITIES AND NO ADDITIONAL REVIEWS ARE REQUIRED.



Know what's below.
Call before you dig.

**PRELIMINARY:
NOT FOR
CONSTRUCTION**

PROJECT
NEW DAIRY QUEEN
EAST BETHEL, MN
OWNER
P. MAGUS INC
860 20TH AVE NW, OAK GROVE, MN 55011

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATIONS AND NOTES WERE 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.
Matthew R. Pavik
Matthew R. Pavik
LICENSE NO. 44263

DATE: 02/23/2026 LICENSE NO. 44263
ISSUES/SUBMITTAL SUMMARY

DATE	DESCRIPTION
2/23/2026	LUA/PUD CITY SUBMITTAL

PROJECT NUMBER: MATT PAVIK
PROJECT NUMBER: ROBERT SHUBERT
DRAWN BY: MPA
CHECKED BY: RSB
DATE PLOTTED: 2/23/2026

REVISION SUMMARY	DATE	DESCRIPTION
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SHEET NUMBER	SHEET TITLE
C0.0	TITLE SHEET
C1.0	REMOVALS PLAN
C2.0	SITE PLAN
C2.1	TURNING MOVEMENT
C3.0	GRADING PLAN
C4.0	UTILITY PLAN
C4.1	UTILITY PLAN NOTES
C5.0	CIVIL DETAILS
C5.1	CIVIL DETAILS
C5.2	CIVIL DETAILS
L1.0	LANDSCAPE PLAN
L1.1	LANDSCAPE PLAN NOTES & DETAILS
SW1.0	SWPPP - EXISTING CONDITIONS
SW1.1	SWPPP - PROPOSED CONDITIONS
SW1.2	SWPPP - DETAILS
SW1.3	SWPPP - NARRATIVE
SW1.4	SWPPP - ATTACHMENTS
SW1.5	SWPPP - ATTACHMENTS

TITLE SHEET
C0.0
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**PRELIMINARY:
NOT FOR
CONSTRUCTION**

NEW DAIRY QUEEN

EAST BETHEL, MN

P. MAGUS INC

860 200TH AVE NW, OAK GROVE, MN 55011

PROJECT

OWNER

I HEREBY CERTIFY THAT THIS PLAN 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.

Matthew R. Pawlik

Matthew R. Pawlik
LICENSE NO. 44263

DATE: 02/23/2026

ISSUE/SUBMITTAL SUMMARY

DATE: 2/23/2026

DESCRIPTION: LUMVAUD CITY SUBMITTAL

PROJECT NUMBER: MATT PAWLIK

REMOVALS PLAN

C1.0

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REMOVAL NOTES:

- ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
- SEE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) PLAN FOR CONSTRUCTION STORM WATER MANAGEMENT PLAN.
- REMOVAL OF MATERIALS NOTED ON THE DRAWINGS SHALL BE IN ACCORDANCE WITH MN DOT, STATE AND LOCAL REGULATIONS.
- REMOVAL OF PRIVATE UTILITIES SHALL BE COORDINATED WITH UTILITY OWNER PRIOR TO CONSTRUCTION ACTIVITIES.
- EXISTING PAVEMENTS SHALL BE SAWCUT IN LOCATIONS AS SHOWN ON THE DRAWINGS OR THE NEAREST JOINT FOR PROPOSED PAVEMENT CONNECTIONS.
- REMOVED MATERIALS SHALL BE DISPOSED OF TO A LEGAL OFF-SITE LOCATION AND IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.
- ABANDON, REMOVE, CONNECTION, AND PROTECTION NOTES SHOWN ON THE DRAWINGS ARE APPROXIMATE. COORDINATE WITH PROPOSED PLANS.
- EXISTING ON-SITE FEATURES NOT NOTED FOR REMOVAL SHALL BE PROTECTED THROUGHOUT THE DURATION OF THE CONTRACT. PROPERTY LINES SHALL BE CONSIDERED GENERAL CONSTRUCTION LIMITS UNLESS OTHERWISE NOTED ON THE DRAWINGS. WORK WITHIN THE GENERAL CONSTRUCTION LIMITS SHALL INCLUDE STAGING, DEMOLITION AND CLEAN-UP OPERATIONS AS WELL AS CONSTRUCTION SHOWN ON THE DRAWINGS.
- MINOR WORK OUTSIDE OF THE GENERAL CONSTRUCTION LIMITS SHALL BE ALLOWED AS SHOWN ON THE PLAN AND PER CITY REQUIREMENTS. FOR ANY WORK ON ADJACENT PRIVATE PROPERTY, THE CONTRACTOR SHALL OBTAIN WRITTEN PERMISSION FROM THE ADJACENT PROPERTY OWNER PRIOR TO ANY WORK.
- DAMAGE BEYOND THE PROPERTY LIMITS CAUSED BY CONSTRUCTION ACTIVITY SHALL BE REPAIRED IN A MANNER APPROVED BY THE ENGINEER/LANDSCAPE ARCHITECT OR IN ACCORDANCE WITH THE CITY.
- PROPOSED WORK (BUILDING AND CIVIL) SHALL NOT DISTURB EXISTING UTILITIES UNLESS OTHERWISE SHOWN ON THE DRAWINGS AND APPROVED BY THE CITY PRIOR TO CONSTRUCTION.
- SITE SECURITY MAY BE NECESSARY AND PROVIDED IN A MANNER TO PROHIBIT VANDALISM AND THEFT DURING AND AFTER NORMAL WORK HOURS, THROUGHOUT THE DURATION OF THE CONTRACT. SECURITY MATERIALS SHALL BE IN ACCORDANCE WITH THE CITY.
- VEHICULAR ACCESS TO THE SITE SHALL BE MAINTAINED FOR DELIVERY AND INSPECTION ACCESS DURING NORMAL OPERATING HOURS. AT NO POINT THROUGHOUT THE DURATION OF THE CONTRACT SHALL CIRCULATION OF ADJACENT STREETS BE BLOCKED WITHOUT APPROVAL BY THE CITY PRIOR TO CONSTRUCTION ACTIVITIES.
- ALL TRAFFIC CONTROLS SHALL BE PROVIDED AND ESTABLISHED PER THE REQUIREMENTS OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MMUTCD) AND THE CITY. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO, SIGNAGE, BARRICADES, FLASHERS, AND FLAGGERS AS NEEDED. ALL PUBLIC STREETS SHALL REMAIN OPEN TO TRAFFIC AT ALL TIMES. NO ROAD CLOSURES SHALL BE PERMITTED WITHOUT APPROVAL BY THE CITY.
- SHORING FOR BUILDING EXCAVATION MAY BE USED AT THE DISCRETION OF THE CONTRACTOR AND AS APPROVED BY THE OWNERS REPRESENTATIVE AND THE CITY PRIOR TO CONSTRUCTION ACTIVITIES.
- STAGING, DEMOLITION, AND CLEAN-UP AREAS SHALL BE WITHIN THE PROPERTY LIMITS AS SHOWN ON THE DRAWINGS AND MAINTAINED IN A MANNER AS REQUIRED BY THE CITY.
- ALL EXISTING SITE TRAFFIC/REGULATORY SIGNAGE TO BE INVENTORIED AND IF REMOVED FOR CONSTRUCTION SHALL BE RETURNED TO LGU.
- ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

OWNER INFORMATION

P. MAGUS INC
860 200TH AVE NW
OAK GROVE, MN 55011
TIM JINDRA
612-201-6052
JINDRAT@MSM.COM

EROSION CONTROL NOTES:

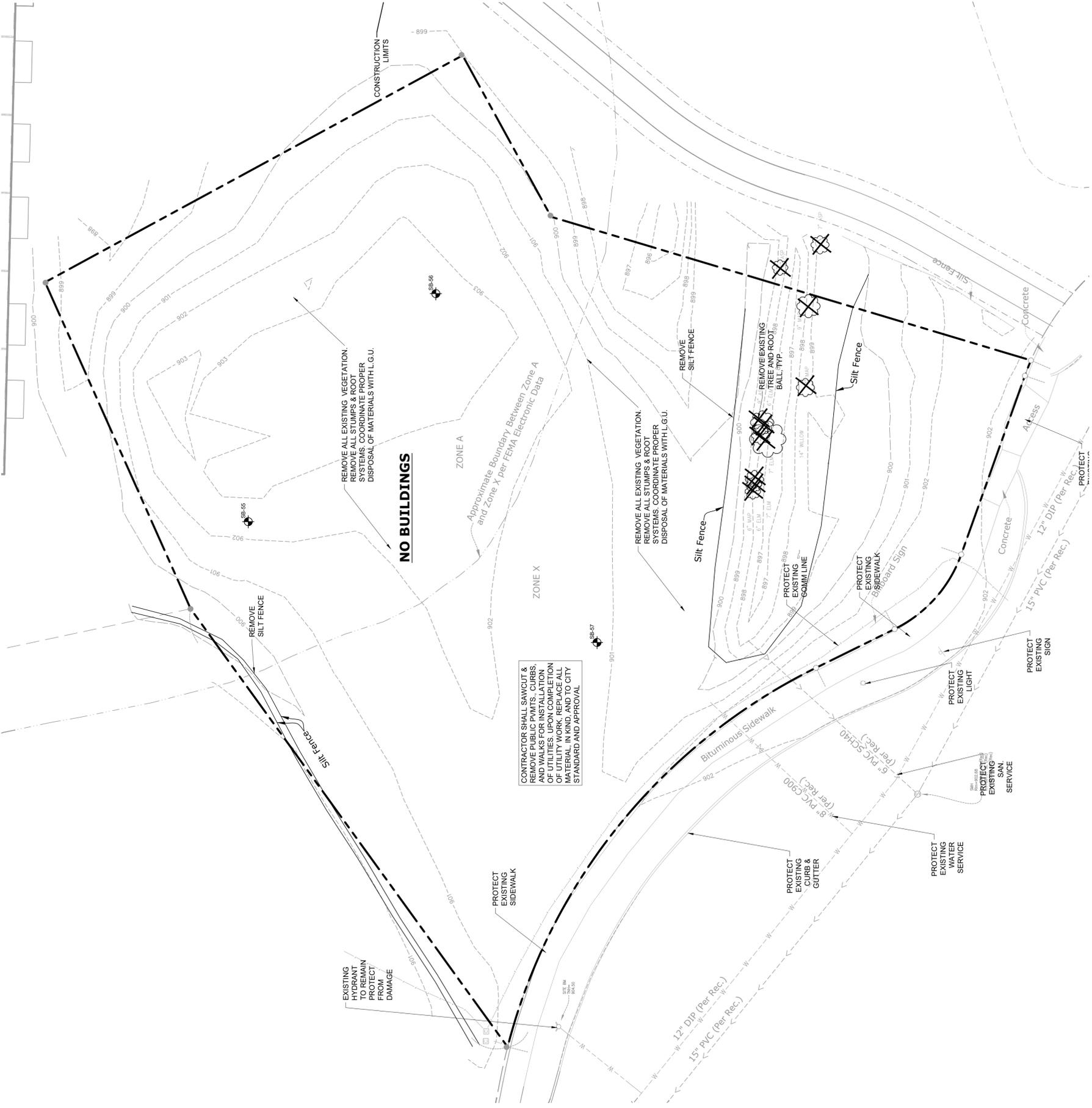
SEE SWPPP ON SHEETS SW1.0 - SW1.5

REMOVALS PLAN LEGEND:

- CONSTRUCTION LIMITS
- PROPERTY LINE
- REMOVE CURB AND GUTTER, IF IN RIGHT-OF-WAY, COORDINATE WITH LOCAL GOVERNING UNIT.
- TREE PROTECTION
- TREE REMOVAL - INCLUDING ROOTS AND STUMPS

CITY OF EAST BETHEL REMOVAL NOTES:

- RESERVED FOR CITY SPECIFIC REMOVAL NOTES.



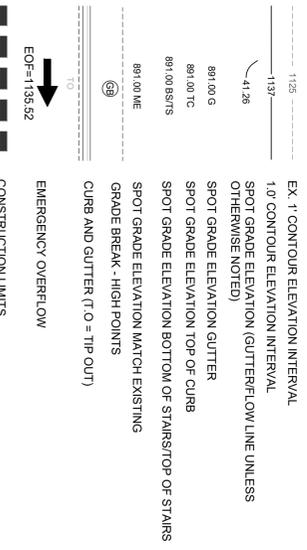
Know what's below.
Call before you dig.

1" = 20'-0"
10'-0" 0 20'-0"

GENERAL GRADING NOTES:

1. CONTRACTOR SHALL VERIFY ALL BUILDING ELEVATIONS, (FFE, LFE, GFE), PRIOR TO CONSTRUCTION BY CROSS CHECKING WITH ARCHITECTURAL, STRUCTURAL AND CIVIL ELEVATIONS FOR EQUIVALENT 100' ELEVATIONS. THIS MUST BE DONE PRIOR TO EXCAVATION AND INSTALLATION OF ANY FOOTING MATERIALS. VERIFICATION OF THIS COORDINATION SHALL BE COMPLETED BY CIVIL SURVEYOR, ARCHITECTURAL, STRUCTURAL AND CONTRACTOR PRIOR TO CONSTRUCTION.
2. ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "COPHER STATE ONE CALL" (651-454-0002 OR 800-252-1486) FOR UTILITY LOCATIONS 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
3. SEE SITE PLAN FOR HORIZONTAL LAYOUT & GENERAL GRADING NOTES.
4. THE CONTRACTOR SHALL COMPLETE THE SITE GRADING CONSTRUCTION (INCLUDING BUT NOT LIMITED TO SITE PREPARATION, SOIL CORRECTION, EXCAVATION, EMBANKMENT, ETC.) IN ACCORDANCE WITH THE REQUIREMENTS OF THE OWNER'S SOILS ENGINEER. ALL SOIL TESTING SHALL BE COMPLETED BY THE OWNER'S SOILS ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL REQUIRED SOIL TESTS AND INSPECTIONS WITH THE SOILS ENGINEER.
5. ANY ELEMENTS OF AN EARTH RETENTION SYSTEM AND RELATED EXCAVATIONS THAT FALL WITHIN THE PUBLIC RIGHT OF WAY WILL REQUIRE A RIGHT-OF-WAY EXCAVATION PERMIT. CONTRACTOR IS RESPONSIBLE FOR ACQUIRING THIS PERMIT PRIOR TO CONSTRUCTION IF APPLICABLE.
6. GRADING AND EXCAVATION ACTIVITIES SHALL BE PERFORMED IN ACCORDANCE WITH THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS & PERMIT REQUIREMENTS OF THE CITY.
7. PROPOSED SPOT GRADES ARE FLOW-LINE FINISHED GRADE ELEVATIONS, UNLESS OTHERWISE NOTED.
8. GRADES OF WALKS SHALL BE INSTALLED WITH 5% MAX. LONGITUDINAL SLOPE AND 1% MIN. AND 2% MAX. CROSS SLOPE, UNLESS OTHERWISE NOTED.
9. PROPOSED SLOPES SHALL NOT EXCEED 3:1 UNLESS INDICATED OTHERWISE ON THE DRAWINGS. MAXIMUM SLOPES IN MAINTAINED AREAS IS 4:1.
10. PROPOSED RETAINING WALLS, FREESTANDING WALLS, OR COMBINATION OF WALL TYPES GREATER THAN 4' IN HEIGHT SHALL BE DESIGNED AND ENGINEERED BY A REGISTERED RETAINING WALL ENGINEER. DESIGN DRAWINGS SHALL BE SUBMITTED FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE OF GRADE STAKES THROUGHOUT THE DURATION OF CONSTRUCTION TO ESTABLISH PROPER GRADES. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR A FINAL FIELD CHECK OF FINISHED GRADES ACCEPTABLE TO THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO TOPSOIL AND SODDING ACTIVITIES.
12. IF EXCESS OR SHORTAGE OF SOIL MATERIAL EXISTS, THE CONTRACTOR SHALL TRANSPORT ALL EXCESS SOIL MATERIAL OFF THE SITE TO AN AREA SELECTED BY THE CONTRACTOR OR IMPORT SUITABLE MATERIAL TO THE SITE.
13. EXCAVATE TOPSOIL FROM AREAS TO BE FURTHER EXCAVATED OR REGRADED AND STOCKPILE IN AREAS DESIGNATED ON THE SITE. THE CONTRACTOR SHALL SALVAGE ENOUGH TOPSOIL FOR RESEEDING ON THE SITE AS SPECIFIED. EXCESS TOPSOIL SHALL BE PLACED IN EMBANKMENT AREAS OUTSIDE OF BUILDING PADS, ROADWAYS AND PARKING AREAS. THE CONTRACTOR SHALL SCAFFOLD CUT AREAS WHERE TURF IS TO BE ESTABLISHED TO A DEPTH OF 6 INCHES. RESPAVED TOPSOIL IN AREAS WHERE TURF IS TO BE ESTABLISHED TO A MINIMUM DEPTH OF 6 INCHES.
14. FINISHED GRADING SHALL BE COMPLETED. THE CONTRACTOR SHALL UNIFORMLY GRADE AREAS WITHIN LIMITS OF GRADING, INCLUDING ADJACENT TRANSITION AREAS. PROVIDE A SMOOTH FINISHED GRADE WITHIN SPECIFIED TOLERANCES, WITH UNIFORM LEVELS OR SLOPES BETWEEN POINTS WHERE ELEVATIONS ARE SHOWN, OR BETWEEN SUCH POINTS AND EXISTING GRADES. AREAS THAT HAVE BEEN FINISHED GRADED SHALL BE PROTECTED FROM SUBSEQUENT CONSTRUCTION OPERATIONS, TRAFFIC AND EROSION. REPAIR ALL AREAS THAT HAVE BECOME RUTTED BY TRAFFIC OR ERODED BY WATER OR HAS SETTLED BELOW THE CORRECT GRADE. ALL AREAS DISTURBED BY THE CONTRACTOR'S OPERATIONS SHALL BE RESTORED TO EQUAL OR BETTER THAN ORIGINAL CONDITION OR TO THE REQUIREMENTS OF THE NEW WORK.
15. PRIOR TO PLACEMENT OF THE AGGREGATE BASE, A TEST ROLL WILL BE REQUIRED ON THE STREET AND/OR PARKING AREA SURGRADE. THE CONTRACTOR SHALL PROVIDE A LOADED TANDUM AXLE TRUCK WITH A GROSS WEIGHT OF 25 TONS. THE TEST ROLLING SHALL BE IN THE DIRECTION OF THE SOILS ENGINEER AND SHALL BE COMPLETED IN AREAS AS DIRECTED BY THE SOILS ENGINEER. THE SOILS ENGINEER SHALL DETERMINE WHICH SECTIONS OF THE STREET OR PARKING AREA ARE UNSATISFACTORY. CORRECTION OF THE SUBGRADE SOILS SHALL BE COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE SOILS ENGINEER. NO TEST ROLL SHALL OCCUR WITHIN 10' OF ANY UNDERGROUND STORM RETENTION/IDENTIFICATION SYSTEMS.
16. AN OSHA-APPROVED QUALIFIED PERSON SHOULD REVIEW THE SOIL CLASSIFICATION PRESENTED IN THE GEOTECHNICAL REPORT IN THE FIELD. EXCAVATIONS MUST COMPLY WITH CURRENT OSHA REQUIREMENTS IN THE CODE OF FEDERAL REGULATIONS PERTAINING TO EXCAVATIONS AND TRENCHES. EXCAVATION SAFETY IS THE RESPONSIBILITY OF THE CONTRACTOR.
17. TOLERANCES
 - 17.1. THE BUILDING SURGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.30 FOOT ABOVE, OR 0.30 FOOT BELOW, THE PRESCRIBED ELEVATION AT ANY POINT WHERE MEASUREMENT IS MADE.
 - 17.2. THE STREET OR PARKING AREA SURGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.05 FOOT ABOVE, OR 0.10 FOOT BELOW, THE PRESCRIBED ELEVATION OF ANY POINT WHERE MEASUREMENT IS MADE.
 - 17.3. AREAS WHICH ARE TO RECEIVE TOPSOIL SHALL BE GRADED TO WITHIN 0.30 FOOT ABOVE OR BELOW THE REQUIRED ELEVATION, UNLESS DIRECTED OTHERWISE BY THE ENGINEER.
 - 17.4. TOPSOIL SHALL BE GRADED TO PLUS OR MINUS 1/2 INCH OF THE SPECIFIED THICKNESS.
 - 17.5. FINISH GRADING FOR HARDSCAPE AREAS (E.G. PARKING LOTS, CURBS, SIDEWALKS) SHALL BE WITHIN 0.05 FEET. ADA AREAS MUST COMPLY WITH REQUIREMENTS ON PAVEMENT AND CONSTRUCTION. TOLERANCE WITHIN ADA AREAS IS 0.00 FEET. DISCUSS ANY DEVIATIONS WITH ENGINEER PRIOR TO CONSTRUCTION. CONTRACTOR IS RESPONSIBLE FOR ANY CURB, SIDEWALK AND/OR PAVEMENT REPLACEMENT THAT DOES NOT MEET TOLERANCE/ADA REQUIREMENTS.
18. MAINTENANCE
 - 18.1. THE CONTRACTOR SHALL PROTECT NEWLY GRADED AREAS FROM TRAFFIC AND EROSION, AND KEEP AREA FREE OF TRASH AND DEBRIS.
 - 18.2. CONTRACTOR SHALL REPAIR AND REESTABLISH GRADES IN SETTLED, ERODED AND RUTTED AREAS TO SPECIFIED TOLERANCES. DURING THE CONSTRUCTION, IF REQUIRED, AND DURING THE WARRANTY PERIOD, ERODED AREAS WHERE TURF IS TO BE ESTABLISHED SHALL BE RESEEDED AND MULCHED.
 - 18.3. WHERE COMPLETED COMPACTED AREAS ARE DISTURBED BY SUBSEQUENT CONSTRUCTION OPERATIONS OR ADVERSE WEATHER, CONTRACTOR SHALL SCARIFY, SURFACE, RESHAPE, AND COMPACT TO REQUIRED DENSITY PRIOR TO FURTHER CONSTRUCTION.

GRADING PLAN LEGEND:



CITY OF EAST BETHEL GRADING NOTES:

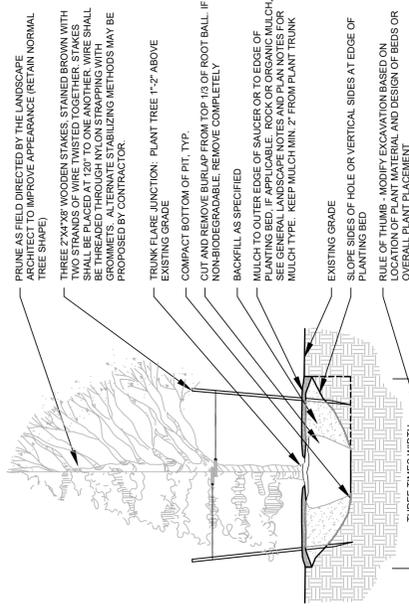
1. RESERVED FOR CITY SPECIFIC GRADING NOTES.



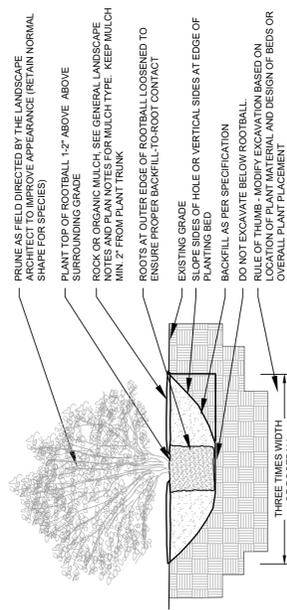
<p>NEW DAIRY QUEEN EAST BETHEL, MN</p> <p>P. MAGUS INC 860 200TH AVE NW, OAK GROVE, MN 55011</p>		<p>CIVISite Group, Inc. Civil Engineering & Landscaping 5000 Glenwood Avenue Golden Valley, MN 55422 612-281-5000 civisitegroup.com</p>				
<p>PROJECT OWNER</p>	<p>DATE: 02/23/2028 ISSUES/SUBMITTAL SUMMARY DATE: 02/23/2028 DESCRIPTION: LUMINO CITY SUBMITTAL</p>					
<p>I HEREBY CERTIFY THAT THIS PLAN, PREPARATION OR REPORT WAS SUPERVISED AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE MINNESOTA</p> <p><i>Matthew R. Pawik</i> Matthew R. Pawik DATE: 02/23/2028 LICENSE NO. 42483</p>		<p>REVISION SUMMARY</p> <table border="1"> <thead> <tr> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	DATE	DESCRIPTION		
DATE	DESCRIPTION					
<p>GRADING PLAN</p> <p>C3.0</p>		<p>8-24-26 PC Agenda and Packet</p>				

PLANT SCHEDULE

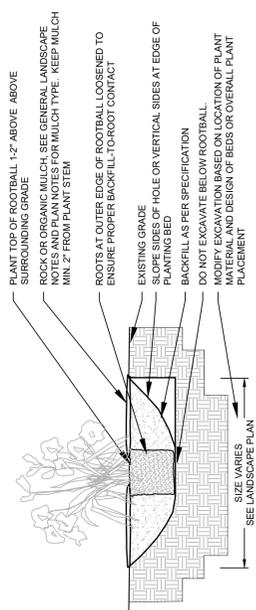
SYMBOL	CODE	COMMON / BOTANICAL NAME	QTY	CONT	NATIVE PLANTS	POLLINATOR FR
TREES						
	SH	Skyline Thornless Honey Locust / Gleditsia triacanthos inermis 'Skycole' TM	2	2.5" Cal. B&B	NATIVE CULTIVAR	N
	EK	Espresso Kentucky Coffeetree / Gymnocladus dioica 'Espresso'	3	2.5" Cal. B&B	NATIVE CULTIVAR	N
	QB	Swamp White Oak / Quercus bicolor	3	2.5" Cal. B&B	NATIVE	Y
ORNAMENTAL TREES						
	AG	Autumn Brilliance Serviceberry / Amelanchier x grandiflora 'Autumn Brilliance'	3	1.5" Cal. B&B	NATIVE	Y
	MP	Prairiefire Crabapple / Malus x 'Prairiefire'	3	1.5" Cal. B&B	NATIVE CULTIVAR	Y
	SI	Ivory Silk Japanese Tree Lilac / Syringa reticulata 'Ivory Silk'	2	1.5" Cal. B&B	NOT NATIVE	Y
STREET TREES						
	AB	Autumn Blaze Maple / Acer x freemanii 'Jeffredo' TM	2	2.5" Cal. B&B	NATIVE CULTIVAR	Y
SHRUBS						
	CA2	Arctic Fire Dogwood / Cornus sericea 'Arctic Fire'	21	#5 CONT	NATIVE CULTIVAR	Y
	JB	Buffalo Juniper / Juniperus sabina 'Buffalo'	17	#5 CONT	NOT NATIVE	N
	JW	Wichita Blue Juniper / Juniperus scopulorum 'Wichita Blue'	25	5' HT B&B	NOT NATIVE	N
	RG	Gro-Low Fragrant Sumac / Rhus aromatica 'Gro-Low'	89	#5 CONT	NATIVE	Y
	TT	Taunton's Yew / Taxus x media 'Tauntonii'	20	#5 CONT	NOT NATIVE	N
GRASSES						
	PN	Northwind Switch Grass / Panicum virgatum 'North Wind'	24	#1 CONT	NATIVE CULTIVAR	Y
PERENNIALS						
	AN	Silver Mound Artemisia / Artemisia schmidiana 'Nana'	15	#1 CONT	NOT NATIVE	Y
	EM	Magnus Purple Coneflower / Echinacea purpurea 'Magnus'	60	#1 CONT	NATIVE CULTIVAR	Y
	HS	Stella Supreme Daylily / Hemerocallis x 'Stella Supreme'	41	#1 CONT	NOT NATIVE	Y
	NW2	Walkers Low Catmint / Nepeta x faasseni 'Walkers Low'	42	#1 CONT	NOT NATIVE	Y



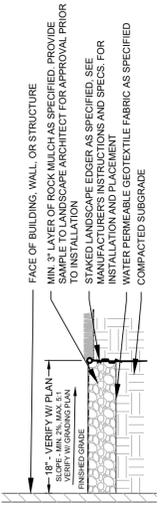
1 DECIDUOUS & CONIFEROUS TREE PLANTING
NTS



2 DECIDUOUS & CONIFEROUS SHRUB PLANTING
NTS



3 PERENNIAL BED PLANTING
NTS



4 AGGREGATE MAINTENANCE STRIP
NTS

IRRIGATION NOTES:

- ENTIRE SITE SHALL BE FULLY IRRIGATED. THE CONTRACTOR SHALL SUBMIT IRRIGATION SHOP DRAWINGS FOR REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- PROVIDE SITE WIDE IRRIGATION SYSTEM DESIGN AND INSTALLATION. SYSTEM SHALL BE FULLY OPERATIONAL WITHIN 10 BUSINESS DAYS OF THE END OF THE CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND BE CAPABLE OF DELIVERING ONE INCH OF PRECIPITATION PER WEEK. HEAD OR DRIP COVERAGE AND BE CAPABLE OF DELIVERING ONE INCH OF PRECIPITATION PER WEEK. SYSTEM SHALL EXTEND INTO THE PUBLIC RIGHT-OF-WAY TO THE EDGE OF PAVEMENT/BACK OF CURB.
- OWNER SHALL SECURE APPROVAL OF PROPOSED IRRIGATION SYSTEM INCLUDING PRICING FROM OWNER, PRIOR TO INSTALLATION.
- SEE MECHANICAL AND ELECTRICAL PLANS AND SPECIFICATIONS FOR IRRIGATION WATER, METER, AND POWER CONNECTIONS.
- CONTRACTOR TO VERIFY LOCATION OF ALL UNDERGROUND/ABOVE GROUND FACILITIES PRIOR TO ANY EXCAVATION/INSTALLATION. ANY DAMAGE TO UNDERGROUND/ABOVE GROUND FACILITIES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND COSTS ASSOCIATED WITH CORRECTING DAMAGES SHALL BE BORNE ENTIRELY BY THE CONTRACTOR.
- SERVICE EQUIPMENT AND INSTALLATION SHALL BE PER LOCAL UTILITY COMPANY STANDARDS AND SHALL BE PER NATIONAL AND LOCAL CODES. EXACT LOCATION OF SERVICE EQUIPMENT SHALL BE COORDINATED WITH THE LANDSCAPE ARCHITECT OR EQUIVALENT AT THE JOB SITE.
- CONTRACTOR SHALL COORDINATE WITH LOCAL UTILITY COMPANY FOR THE PROPOSED ELECTRICAL SERVICE AND METERING FACILITIES.
- IRRIGATION WATER LINE CONNECTION SIZE IS 1-1/2" AT BUILDING. VERIFY WITH MECHANICAL PLANS.
- ALL MAIN LINES SHALL BE 18" BELOW FINISHED GRADE.
- ALL LATERAL LINES SHALL BE 12" BELOW FINISHED GRADE.
- ALL EXPOSED PVC RISERS, IF ANY, SHALL BE GRAY IN COLOR.
- CONTRACTOR SHALL LAY ALL SLEEVES AND CONDUIT AT 2'-0" BELOW THE FINISHED GRADE OF THE TOP OF PAVEMENT. EXTEND SLEEVES TO 2'-0" BEYOND PAVEMENT.
- CONTRACTOR SHALL MARK THE LOCATION OF ALL SLEEVES AND CONDUIT WITH THE SLEEVING MATERIAL "TELLED" TO 2'-0" ABOVE FINISHED GRADE AND CAPPED.
- FABRICATE ALL PIPE TO MANUFACTURER'S SPECIFICATIONS WITH CLEAN AND SQUARE CUT JOINTS. USE QUALITY GRADE PRIMER AND SOLVENT CEMENT FORMULATED FOR INTENDED TYPE OF CONNECTION.
- BACKFILL ALL TRENCHES WITH SOIL FREE OF SHARP OBJECTS AND DEBRIS.
- ALL VALVE BOXES AND COVERS SHALL BE BLACK IN COLOR.
- GROUP VALVE BOXES TOGETHER FOR EASE WHEN SERVICE IS REQUIRED. LOCATE IN PLANT BED AREAS WHENEVER POSSIBLE.
- IRRIGATION CONTROLLER LOCATION SHALL BE VERIFIED ON-SITE WITH OWNER'S REPRESENTATIVE.
- CONTROL WIRES: 14 GAUGE DIRECT BURIAL, SOLID COPPER IRRIGATION WIRE. RUN UNDER MAIN LINE USE MOISTURE-PROOF SPLICES AND SPLICE ONLY AT VALVES OR PULL BOXES. RUN SEPARATE HOT AND COMMON WIRE TO EACH VALVE AND ONE (1) SPARE WIRE AND GROUND TO FURTHEST VALVE FROM CONTROLLER. LABEL OR COLOR CODE ALL WIRES.
- AVOID OVER SPRAY ON BUILDINGS, PAVEMENT, WALLS AND ROADWAYS BY INDIVIDUALLY ADJUSTING RADIUS OR ARC ON SPRINKLER HEADS AND FLOW CONTROL ON AUTOMATIC VALVE.
- ADJUST PRESSURE REGULATING VALVES FOR OPTIMUM PRESSURE ON SITE.
- USE SCREENS ON ALL HEADS.
- A SET OF AS-BUILT DRAWINGS SHALL BE MAINTAINED ON-SITE AT ALL TIMES IN AN UPDATED CONDITION.
- ALL PIPE 3" AND OVER SHALL HAVE THRUST BLOCKING AT EACH TURN.
- ALL AUTOMATIC REMOTE CONTROL VALVES WILL HAVE 3" MINIMUM DEPTH OF 3/4" WASHED GRAVEL UNDERNEATH VALVE AND VALVE BOX. GRAVEL SHALL EXTEND 3' BEYOND PERIMETER OF VALVE BOX. THERE SHALL BE 3" MINIMUM SPACE BETWEEN BOTTOM OF VALVE BOX COVER AND TOP OF VALVE STRUCTURE.

SEE SHEET L1.0 FOR GENERAL LANDSCAPE NOTES & LEGEND



**PRELIMINARY:
NOT FOR
CONSTRUCTION**

PROJECT
NEW DAIRY QUEEN
EAST BETHEL, MN
OWNER
P. MAGUS INC
860 200TH AVE NW, OAK GROVE, MN 55011

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.
[Signature]
Robert L. Binder
DATE: 02/23/2026 LICENSE NO. 28821

ISSUES/SUBMITTAL SUMMARY

DATE	DESCRIPTION
2/23/2026	LUMVAD CITY SUBMITTAL

REVISION SUMMARY

DATE	DESCRIPTION
------	-------------

PROJECT MANAGER: MATT PAVLIK
DESIGNER: MATT PAVLIK
DRAWN BY: MATT PAVLIK
CHECKED BY: MATT PAVLIK
DATE: 02/23/2026

LANDSCAPE PLAN
NOTES & DETAILS

L1.1
© COPYRIGHT 2026 CIVIL SITE GROUP, INC

**PRELIMINARY:
 NOT FOR
 CONSTRUCTION**

NEW DAIRY QUEEN

EAST BETHEL, MN

P. MAGUS INC
 860 200TH AVE NW, OAK GROVE, MN 55011

PROJECT OWNER

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATIONS, AND NOTES WERE 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.

Matthew R. Pawlik
 LICENSE NO. 44263

DATE: 02/23/2026 LICENSE NO. 44263

ISSUE/SUBMITTAL SUMMARY

DATE: 2/23/2026 DESCRIPTION: LUMVAUD CITY SUBMITTAL

SWPPP - EXISTING CONDITIONS

SW1.0

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SWPPP NOTES:

1. ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. THE CONTRACTOR SHALL CALL * (651-454-0002 OR 900-252-1186) FOR UTILITY LOCATIONS 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
2. THIS PROJECT IS GREATER THAN ONE ACRE AND WILL REQUIRE AN MPCA NPDES PERMIT. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ANY EROSION CONTROL PERMITS REQUIRED BY THE CITY.
3. SEE SHEETS SW1.0 - SW1.5 FOR ALL EROSION CONTROL NOTES, DESCRIPTIONS, AND PRACTICES.
4. SEE GRADING PLAN FOR ADDITIONAL GRADING AND EROSION CONTROL NOTES.
5. CONTRACTOR IS RESPONSIBLE FOR SWPPP IMPLEMENTATION, INSPECTIONS, MAINTENANCE AND COMPLIANCE WITH THE PERMIT.

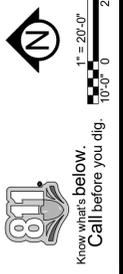
CITY OF EAST BETHEL EROSION CONTROL NOTES:

1. RESERVED FOR CITY SPECIFIC EROSION CONTROL NOTES.

ALL SPECIFIED EROSION AND SEDIMENT CONTROL PRACTICES AND MEASURES CONTAINED IN THIS SWPPP ARE THE MINIMUM REQUIREMENTS. ADDITIONAL PRACTICES MAY BE REQUIRED DURING THE COURSE OF CONSTRUCTION.

SWPPP LEGEND:

- EX. 1" CONTOUR ELEVATION INTERVAL
- DRAINAGE ARROW
- SILT FENCE / BIOROLL - GRADING LIMIT
- INLET PROTECTION
- STABILIZED CONSTRUCTION ENTRANCE



Know what's below.
 Call before you dig.



**PRELIMINARY:
NOT FOR
CONSTRUCTION**

NEW DAIRY QUEEN
EAST BETHEL, MN

P. MAGUS INC
860 200TH AVE NW, OAK GROVE, MN 55011

PROJECT OWNER

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATIONS, AND MEASUREMENTS WERE 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.

Matthew R. Pawlik

Matthew R. Pawlik
LICENSE NO. 44263

DATE: 02/23/2026 LICENSE NO. 44263

ISSUE/SUBMITTAL SUMMARY

DATE DESCRIPTION

2/23/2026 LUMVALE CITY SUBMITTAL

REVISION SUMMARY

DATE DESCRIPTION

PROJECT MANAGER: MATTHEW R. PAWLIK

PROJECT NUMBER: 26062

DATE: 02/23/2026

ISSUE/SUBMITTAL SUMMARY

DATE DESCRIPTION

2/23/2026 LUMVALE CITY SUBMITTAL

REVISION SUMMARY

DATE DESCRIPTION

SWPPP - PROPOSED
CONDITIONS

SW1.1

© COPYRIGHT 2026 CIVIL SITE GROUP, INC

SWPPP NOTES:

- ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTRACTOR SHALL VERIFY THE CALL* (651-454-0002 OR 800-252-1169) FOR UTILITY LOCATIONS 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
- THIS PROJECT IS GREATER THAN ONE ACRE AND WILL REQUIRE AN MPCA NPDES PERMIT. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ANY EROSION CONTROL PERMITS REQUIRED BY THE CITY.
- SEE SHEETS SW1.0 - SW1.5 FOR ALL EROSION CONTROL NOTES, DESCRIPTIONS, AND PRACTICES.
- SEE GRADING PLAN FOR ADDITIONAL GRADING AND EROSION CONTROL NOTES.
- CONTRACTOR IS RESPONSIBLE FOR SWPPP IMPLEMENTATION, INSPECTIONS, MAINTENANCE AND COMPLIANCE WITH THE PERMIT.

CITY OF EAST BETHEL EROSION CONTROL NOTES:

- RESERVED FOR CITY SPECIFIC EROSION CONTROL NOTES.

ALL SPECIFIED EROSION AND SEDIMENT CONTROL PRACTICES, AND MEASURES CONTAINED IN THIS SWPPP ARE THE MINIMUM REQUIREMENTS. ADDITIONAL PRACTICES MAY BE REQUIRED DURING THE COURSE OF CONSTRUCTION.

SWPPP LEGEND:

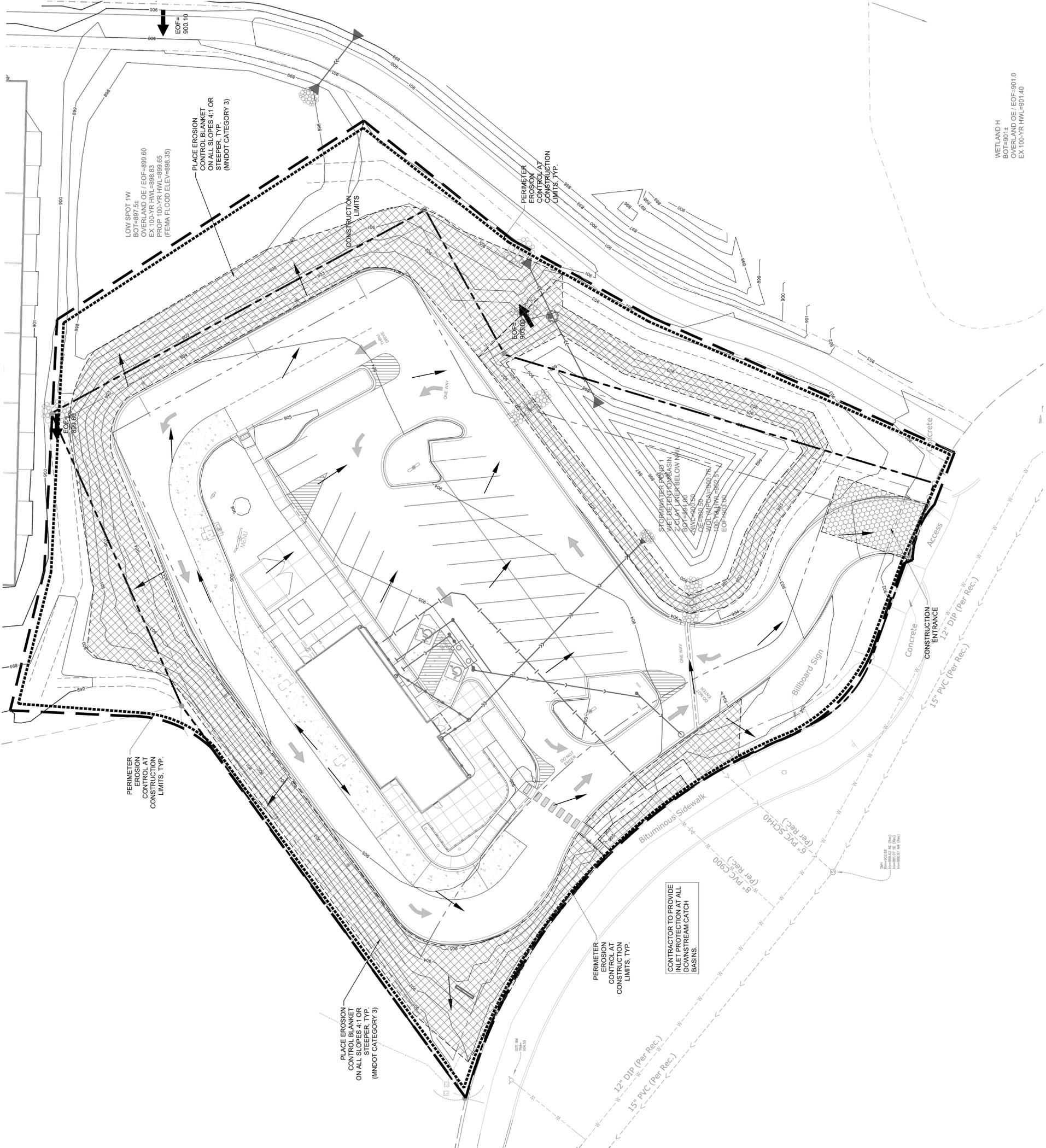
- EX. 1' CONTOUR ELEVATION INTERVAL
- 1.0' CONTOUR ELEVATION INTERVAL
- DRAINAGE ARROW
- SILT FENCE / BIOROLL - GRADING LIMIT
- INLET PROTECTION
- STABILIZED CONSTRUCTION ENTRANCE
- EROSION CONTROL BLANKET



1" = 20'-0"
10'-0" 0 20'-0"



Know what's below.
Call before you dig.



WETLAND H
BOT=901.4
OVERLAND OE / EOF=901.0
EX. 100-YR HWL=901.40

ATTACHMENT B: SWPPP INSPECTION FORM

NOTE: THIS INSPECTION REPORT DOES NOT ADDRESS ALL ASPECTS OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM/STATE DISPOSAL SYSTEM (NPDES/SDS) CONSTRUCTION STORMWATER PERMIT (PERMIT) ISSUED ON AUGUST 1, 2018. THE COMPLETION OF THIS CHECKLIST DOES NOT GUARANTEE THAT ALL PERMIT REQUIREMENTS ARE IN COMPLIANCE. IT IS THE RESPONSIBILITY OF THE PERMITTEE(S) TO READ AND UNDERSTAND THE PERMIT REQUIREMENTS.

FACILITY INFORMATION
 SITE NAME: _____ PERMIT NUMBER: _____
 SITE ADDRESS: _____ STATE: _____ ZIP CODE: _____
 CITY: _____

INSPECTION INFORMATION
 INSPECTOR NAME: _____ PHONE NUMBER: _____
 ORGANIZATION/COMPANY NAME: _____
 DATE (MM/DD/YYYY): _____ TIME: _____ AM / PM
 IS THIS INSPECTOR CERTIFIED IN SEDIMENT AND EROSION CONTROL AND IS IT DOCUMENTED IN THE STORMWATER POLLUTION PREVENTION PLAN (SWPPP)? Y N
 IS THIS INSPECTION ROUTINE OR IN RESPONSE TO A STORM EVENT?
 7 DAY RAIN Y N

RAINFALL AMOUNT (IF APPLICABLE): _____
 IS SITE WITHIN ONE AERIAL MILE OF SPECIAL OR IMPAIRED WATER THAT CAN POTENTIALLY RECEIVE DISCHARGE FROM THE SITE? Y N
 IF YES, FOLLOW SECTION 23 AND OTHER APPLICABLE PERMIT REQUIREMENTS

NOTE: IF N/A IS SELECTED AT ANY TIME, SPECIFY WHY IN THE COMMENT AREA FOR THAT SECTION.

EROSION CONTROL REQUIREMENT (SECTION 8.1)

1. ARE SOILS STABILIZED WHERE NO CONSTRUCTION ACTIVITY HAS OCCURRED FOR 14 DAYS (INCLUDING STOCKPILES)? (7 DAYS WHERE APPLICABLE, OR 24 HOURS DURING MINNESOTA DEPARTMENT OF NATURAL RESOURCES (DNR) FISH SPAWNING RESTRICTIONS)	Y <input type="checkbox"/>	N <input type="checkbox"/>	N/A <input type="checkbox"/>
2. HAS THE NEED TO DISTURB STEEP SLOPES BEEN MINIMIZED?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. IF STEEP SLOPES ARE DISTURBED, ARE STABILIZATION PRACTICES DESIGNED FOR STEEP SLOPES USED?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. ALL DITCHES/VALES STABILIZED 200' BACK FROM POINT OF DISCHARGE OR PROPERTY EDGE WITHIN 24 HOURS? (MULCH, IF THE SLOPE IS GREATER THAN 2%, ARE APPROPRIATE BMPs INSTALLED PROTECTING INLETS/SOULIETS?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. DO PIPE OUTLETS HAVE ENERGY DISSIPATION WITHIN 24 HOURS OF CONNECTION?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. IS CONSTRUCTION PHASING BEING FOLLOWED IN ACCORDANCE WITH THE SWPPP?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. ARE AREAS NOT TO BE DISTURBED MARKED OFF (FLAGS, SIGNS, ETC.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COMMENTS:

SEDIMENT CONTROL REQUIREMENTS (SECTION 9.1)

1. ARE PERMETER SEDIMENT CONTROLS INSTALLED PROPERLY ON ALL DOWN GRADIENT PERIMETERS?	Y <input type="checkbox"/>	N <input type="checkbox"/>	N/A <input type="checkbox"/>
2. ARE APPROPRIATE BMPs INSTALLED PROTECTING INLETS, CATCH BASINS, AND CULVERT INLETS?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. IS A 50 FOOT NATURAL BUFFER PRESERVED AROUND ALL SURFACE WATERS DURING CONSTRUCTION?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.1. IF NO, HAVE REDUNDANT SEDIMENT CONTROLS BEEN INSTALLED?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. DO ALL ERODIBLE STOCKPILES HAVE PERMETER CONTROL IN PLACE?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. IS THERE A TEMPORARY SEDIMENT BASIN ON SITE, AND IS IT BUILT AS REQUIRED IN SECTION 14 OF THE PERMIT?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. IS SOIL COMPACTION BEING MINIMIZED WHERE NOT DESIGNED FOR COMPACTION?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. IS TOPSOIL BEING PRESERVED UNLESS INFESIBLE?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. IF CHEMICAL FLOCCULANTS ARE USED, IS THERE A CHEMICAL FLOCCULANT PLAN IN PLACE?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COMMENTS:

MAINTENANCE AND INSPECTIONS (SECTION 11)

1. ARE ALL PREVIOUSLY STABILIZED AREAS MAINTAINING GROUND COVER?	Y <input type="checkbox"/>	N <input type="checkbox"/>	N/A <input type="checkbox"/>
2. ARE PERMETER CONTROLS MAINTAINED AND FUNCTIONING PROPERLY, SEDIMENT REMOVED WHEN ONE-HALF FULL?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. ARE INLET PROTECTION DEVICES MAINTAINED AND ADEQUATELY PROTECTING INLETS?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. ARE THE TEMPORARY SEDIMENT BASINS BEING MAINTAINED AND FUNCTIONING PROPERLY?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. ARE VEHICLE TRACKING BMPs AT SITE EXISTS IN PLACE AND MAINTAINED AND FUNCTIONING PROPERLY?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. IS ALL TRACKED SEDIMENT BEING REMOVED WITHIN 24 HOURS?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. HAVE ALL SURFACE WATERS, DITCHES, CONVEYANCES, AND DISCHARGE POINTS BEEN INSPECTED?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. WERE ANY DISCHARGES SEEN DURING THIS INSPECTION (I.E., SEDIMENT, TURBID WATER, OR OTHERWISE)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IF YES, RECORD THE LOCATION OF ALL POINTS OF DISCHARGE, PHOTOGRAPH AND DESCRIBE THE DISCHARGE (SIZE, COLOR, ODOR, FOAM, OIL SHEEN, TIME, ETC.). DESCRIBE HOW THE DISCHARGE WILL BE ADDRESSED. WAS THE DISCHARGE A SEDIMENT DELTA? IF YES, WILL THE DELTA BE RECOVERED WITHIN SEVEN DAYS AND IN ACCORDANCE WITH ITEM 11.5 OF THE PERMIT.

COMMENTS:

POLLUTION PREVENTION (SECTION 12)

1. ARE ALL CONSTRUCTION MATERIALS THAT CAN LEACH POLLUTANTS UNDER COVER OR PROTECTED?	Y <input type="checkbox"/>	N <input type="checkbox"/>	N/A <input type="checkbox"/>
2. ARE HAZARDOUS MATERIALS BEING PROPERLY STORED?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. ARE APPROPRIATE BMPs BEING USED TO PREVENT DISCHARGES ASSOCIATED WITH FUELING AND MAINTENANCE OF EQUIPMENT OR VEHICLES?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. ARE SOIL WASHES BEING PROPERLY CONTAINED AND DISPOSED OF?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. IS THERE A CONCRETE/OTHER MATERIAL WASHOUT AREA ON SITE AND IS IT BEING USED?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. IS THE CONCRETE WASHOUT AREA MARKED WITH A SIGN?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. ARE THE CONCRETE/OTHER MATERIAL WASHOUT AREAS PROPERLY MAINTAINED?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COMMENTS:

OTHER

1. IS A COPY OF THE SWPPP, INSPECTION RECORDS, AND TRAINING DOCUMENTATION LOCATED ON THE CONSTRUCTION SITE AND BEING AVAILABLE WITHIN 24 HOURS?	Y <input type="checkbox"/>	N <input type="checkbox"/>	N/A <input type="checkbox"/>
2. ARE THE SWPPP RECORDS BEING MAINTAINED ON SITE, AND AMENDED AS NEEDED?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. IS ANY DEWATERING OCCURRING ON SITE?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
IF YES, WHAT BMPs ARE BEING USED TO ENSURE THAT CLEAN WATER IS LEAVING THE SITE AND THE DISCHARGE IS NOT CAUSING EROSION OR SCOUR?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. WILL A PERMANENT STORMWATER MANAGEMENT SYSTEM BE CREATED FOR THIS PROJECT IF REQUIRED AND IN ACCORDANCE WITH SECTION 15 OF THE PERMIT (IF ADDING AN ACRE OR MORE OF NEW IMPERVIOUS SURFACE)? IF YES, DESCRIBE:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. IF INFILTRATION/FILTRATION SYSTEMS ARE BEING CONSTRUCTED, ARE THEY MARKED AND PROTECTED FROM COMPACTION AND SEDIMENTATION?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. DESCRIPTION OF AREAS OF NON-COMPLIANCE NOTED DURING THE INSPECTION, REQUIRED CORRECTIVE ACTIONS, AND RECOMMENDED DATE OF COMPLETION OF CORRECTIVE ACTIONS:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. PROPOSED AMENDMENTS TO THE SWPPP:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. POTENTIAL AREAS OF FUTURE CONCERN:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. ADDITIONAL COMMENTS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DISCLOSURES:

- AFTER DISCOVERY, THE PERMIT REQUIRES MANY OF THE DEFICIENCIES THAT MAY BE FOUND ON SITE BE CORRECTED WITHIN A SPECIFIED PERIOD OF TIME. SEE PERMIT FOR MORE DETAILS.
- THE PERMITTEE(S) IS/ARE RESPONSIBLE FOR THE INSPECTION AND MAINTENANCE OF TEMPORARY AND PERMANENT WATER QUALITY MANAGEMENT BMPs AS WELL AS EROSION PREVENTION AND SEDIMENT CONTROL BMPs UNTIL ANOTHER PERMITTEE HAS OBTAINED COVERAGE UNDER THIS PERMIT ACCORDING TO SECTION 3, OR THE PROJECT HAS MET THE TERMINATION CONDITIONS OF THE PERMIT AND A NOTICE OF TERMINATION HAS BEEN SUBMITTED TO THE MINNESOTA POLLUTION CONTROL AGENCY.



PROJECT: NEW DAIRY QUEEN
 EAST BETHEL, MN
 OWNER: P. MAGUS INC
 860 200TH AVE NW, OAK GROVE, MN 55011

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATIONS, AND CALCULATIONS WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE STATE OF MINNESOTA.

Matthew R. Pawlik
 LICENSE NO. 44263

DATE: 02/23/2026
 ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
2/23/2026	LUMPAID CITY SUBMITTAL

PROJECT NUMBER: MATT PAWLICK
 DRAWING NUMBER: SWPPP 21
 DRAWN BY: MRP
 CHECKED BY: MRP
 APPROVED BY: MRP

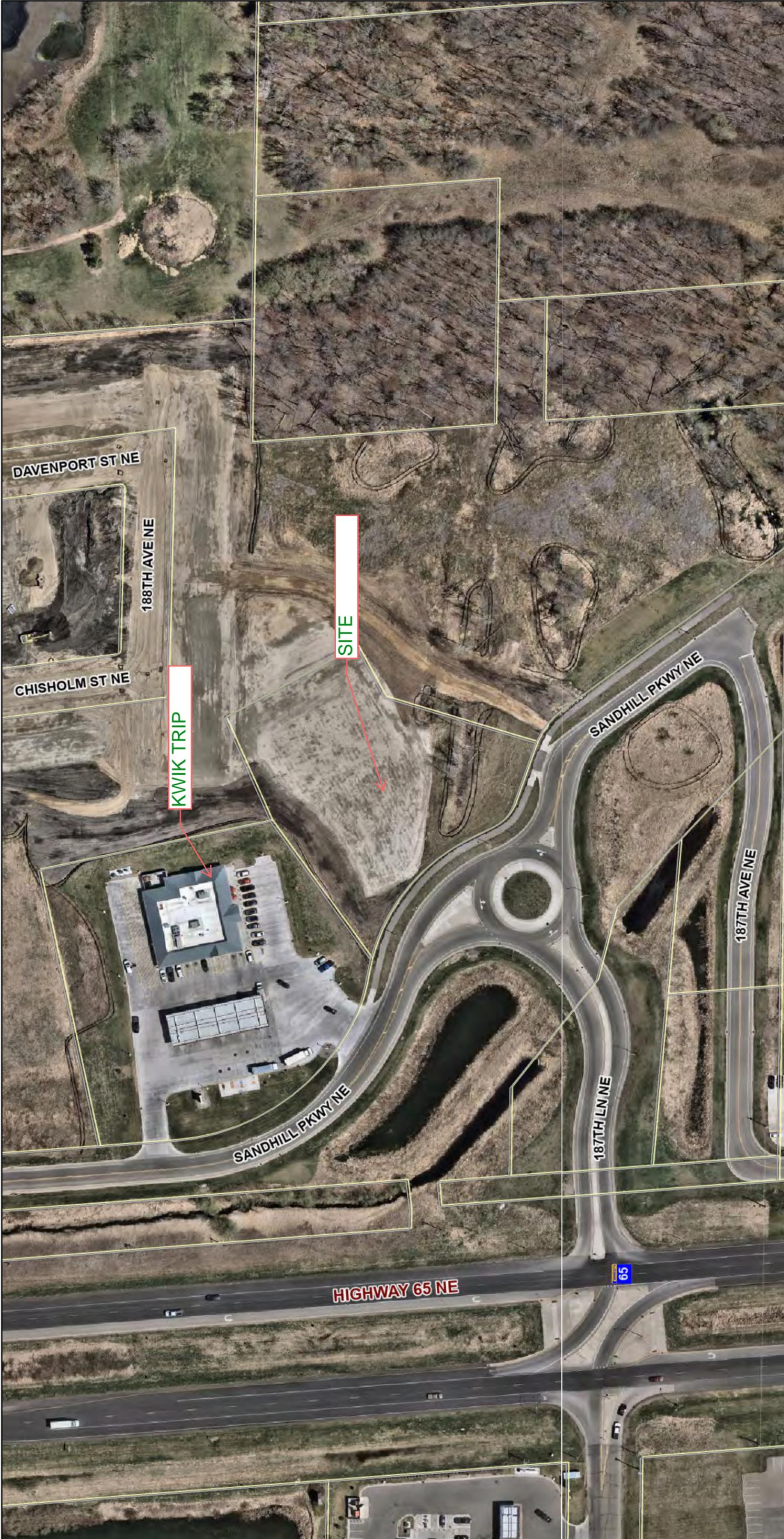
REVISION SUMMARY

DATE	DESCRIPTION

SWPPP - ATTACHMENTS

Exhibit 3

DQ site - 2024 aerial



Parcels
 City Mask



February 23, 2026
 Map Powered By DataLink



Exhibit 4

**CITY OF EAST BETHEL
COUNTY OF ANOKA
STATE OF MINNESOTA**

RESOLUTION NO. 2021-19

**A RESOLUTION APPROVING THE PLANNED UNIT DEVELOPMENT (PUD)
MASTER PLAN FOR THE DEVELOPMENT KNOWN AS ELEVAGE EB FOR
PROPERTIES LEGALLY DESCRIBED IN EXHIBIT A AND SHOWN IN EXHIBIT B**

WHEREAS, Elevage EB Holdings, LLC requested approval of an Elevage PUD Master Plan;
and

WHEREAS, the master plan was reviewed by Planning Commission on September 24, 2019
and City Council on October 7, 2020; and

WHEREAS, the approved land use in the 2040 East Bethel Comprehensive Plan is Mixed Use
which provides development flexibility, allowing for both commercial and residential land uses;
and

WHEREAS, city staff reviewed and determined the planned unit development is required in the
Mixed Use zoning district which allows mixed uses of commercial, multi-family and single-
family residential; and

WHEREAS, city staff reviewed and determined the Elevage PUD Master Plan is in compliance
with the East Bethel 2040 Comprehensive Plan and the City of East Bethel Appendix A Zoning
Code, Section 49 – Mixed Use District Regulations; and

WHEREAS, the Elevage PUD Master Plan consists of a concept of the overall future
development of the lands described in Exhibit A; and

WHEREAS, each phase of the development will have specific design standards unique to that
particular phase so PUD standards will be approved for each phase through a Master
Development PUD Agreement; and

WHEREAS, the Planning Commission held a public hearing and recommends approval of the
Elevage PUD Master Plan to the City Council.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of East Bethel
hereby agrees with the recommendation of the Planning Commission and approves the Elevage
PUD Master Plan with the following conditions:

1. A Master Development PUD Agreement shall be approved for each phase; including
Phase I and all future phases. Each Agreement will specify PUD design standards and
developer obligations for the specified phase.

Adopted this 12th day of April, 2021 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL



Steven R. Voss, Mayor

ATTEST:



Jack Davis, City Administrator



EXHIBIT A
LEGAL DESCRIPTIONS

Parcel 1:

That part of the Northwest Quarter of the Northeast Quarter of Section 32, Township 33, Range 23, Anoka County, Minnesota, described as follows: Commencing at the Northwest corner of the Northwest Quarter of the Northeast Quarter; thence South 00 degrees 00 minutes West along the West line of said Northwest Quarter of the Northeast Quarter a distance of 858.60 feet; thence North 90 degrees, 00 minutes East a distance of 200 feet to the actual point of beginning of the tract of land to be hereby described, said point being on the East right-of-way line of State Trunk Highway No. 65; thence North 0 degrees 00 minutes West along said East right-of-way line of State Trunk Highway No. 65 a distance of 351.97 feet; thence continuing on said East right-of-way line and along a tangential curve to the right having a radius of 22,924.04 feet and a delta angle of 0 degrees, 28 minutes, 12 seconds for a distance of 188.03 feet; thence North 90 degrees, 00 minutes East a distance of 541.23 feet; thence South 1 degree, 03 minutes, 39 seconds East a distance of 540.09 feet; thence South 90 degrees, 00 minutes West a distance of 552.0 feet to the actual point of beginning.

Parcels 2 and 3:

The Northwest Quarter of the Northeast Quarter of Section 32, Township 33, Range 23, Anoka County, Minnesota, EXCEPT the following tracts:

- (1) The east 150 feet of the north 297 feet of the South Half of the Northwest Quarter of the Northeast Quarter, Section 32, Township 33, Range 23, in East Bethel Village.

- (2) That part of the Northwest Quarter of the Northeast Quarter of Section 32, Township 33, Range 23, described as follows: Beginning at the southwest corner of said Northwest Quarter of the Northeast Quarter; thence North along the west line of said Northwest Quarter of the Northeast Quarter, a distance of 328.75 feet; thence East parallel with the south line to the point of intersection of the center line of Ditch No. 28; thence in a southeasterly direction to a point of intersection with the south line of said Northwest Quarter of the Northeast Quarter; thence West along said line to point of beginning.

- (3) That part of the Northwest Quarter of the Northeast Quarter of Section 32, Township 33, Range 23, Anoka County, Minnesota, described as follows: Commencing at the northwest corner of the Northwest Quarter of the Northeast Quarter; thence South 00 degrees 00 minutes West along the west line of said Northwest Quarter of the Northeast Quarter a distance of 858.60 feet; thence North 90 degrees 00 minutes East a distance of 200 feet to the actual point of beginning of the tract of land to be hereby described, said point being on the east right-of-way line of State Trunk Highway No. 65; thence North 0 degrees 00 minutes West along said east right-of-way line of State Trunk Highway No. 65 a distance of 351.97 feet; thence continuing on said east right-of-way line and along a tangential curve to the right having a radius of 22,924.04 feet and a delta angle of 0 degrees 28 minutes 12 seconds for a distance of 188.03 feet; thence North 90 degrees 00 minutes East a distance of 541.23 feet; thence South 1 degree 03 minutes 39 seconds East a distance of 540.09 feet; thence South 90 degrees 00 minutes West a distance of 552.0 feet to the actual point of beginning.

(4) That part of the Northwest Quarter of the Northeast Quarter of Section 32, Township 33, Range 23, described as follows: The east 150 feet of the south 297 feet of said Northwest Quarter of the Northeast Quarter.

Parcel 4:

The Southwest Quarter of the Southeast Quarter of Section 29, Township 33, Range 23, Anoka County, Minnesota, EXCEPT the east 200 feet of the North One-Half of the Southwest Quarter of the Southeast Quarter, Section 29, Township 33, Range 23, Anoka County, Minnesota.

Parcel 5:

The East 200 feet of the North One half of the Southwest Quarter of the Southeast Quarter, Section 29, Township 33, Range 23, Anoka County, Minnesota.

AND EXCEPT

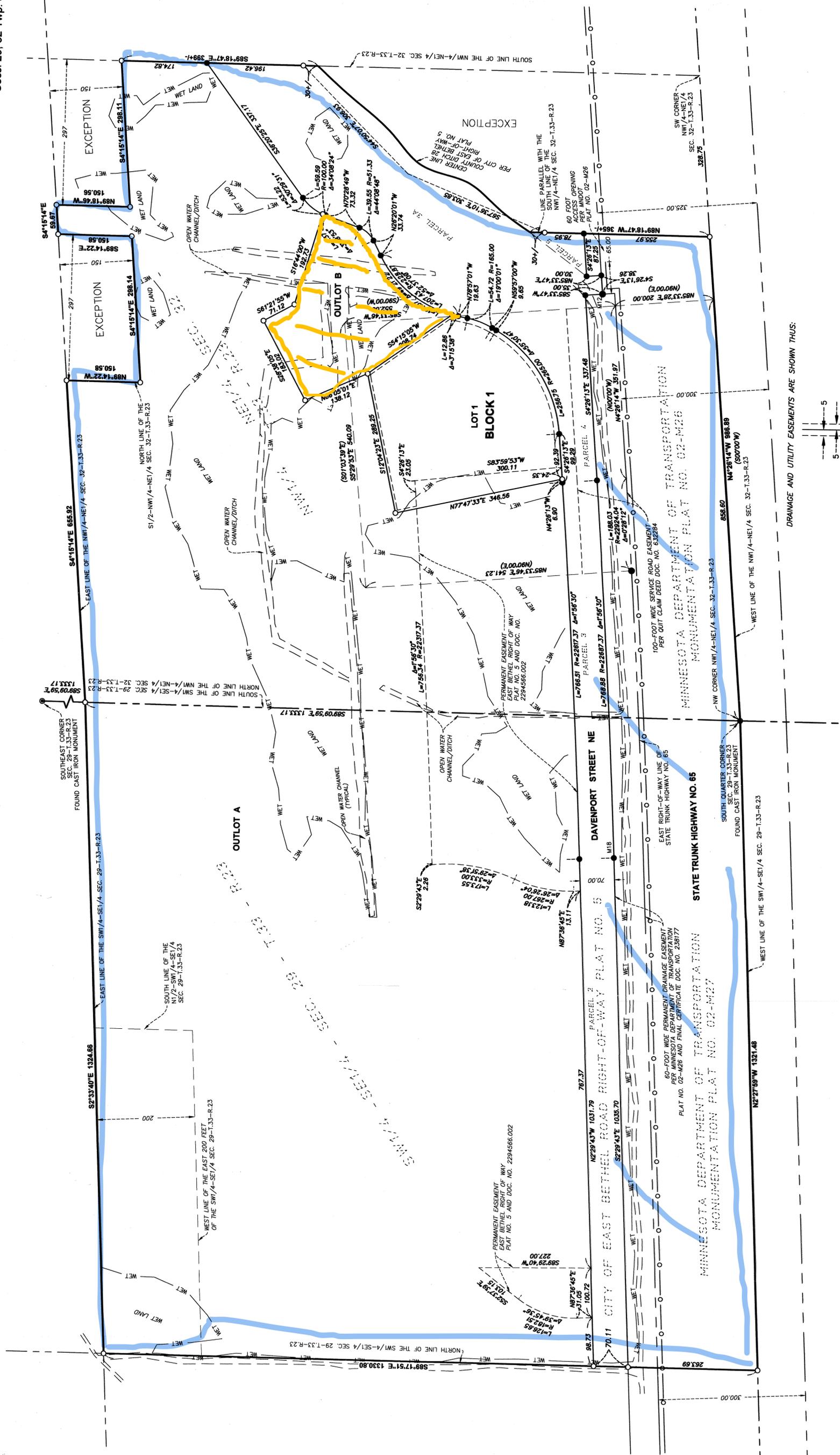
Parcels 2, 3, 3A and 4, EAST BETHEL RIGHT OF WAY PLAT NO. 5, according to the recorded plat thereof, Anoka County, Minnesota.

Exhibit 5

ELEVAGE EB FIRST ADDITION

City of East Bethel
County of Anoka
Secs. 29, 32 Twp. 33, Rng. 23

2357576.00



LEGEND

- DENOTES 1/2 INCH IRON PIPE MONUMENT FOUND
- DENOTES 1/2 INCH BY 1/2 INCH IRON PIPE MONUMENT SET WITH PLASTIC CAP MARKED RLS NO. 43055
- ⊙ FOUND ANOKA COUNTY MONUMENT
- CONTROLLED ACCESS LINE
- EDGE OF WET LANDS
- (S00°00'W) DENOTES BEARING PER DEED CALL

BEARING ORIENTATION NOTE:
THE EAST LINE OF THE NW1/4-NE1/4 SEC. 32-T33-R23 IS ASSUMED TO BEAR S47°15'14"E.

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:

5
5
10
10
NOT TO SCALE

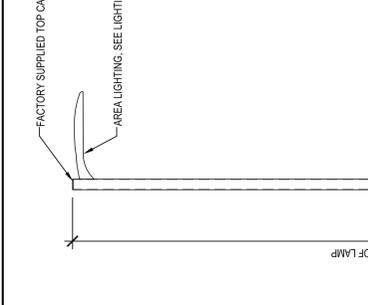
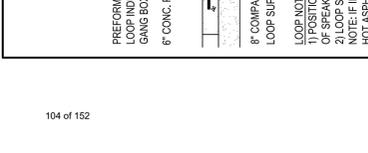
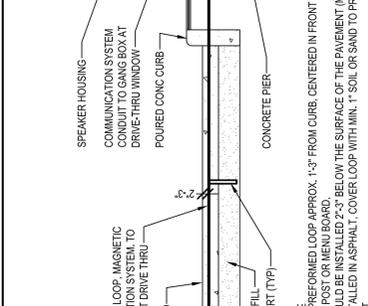
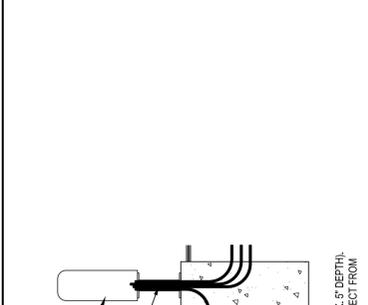
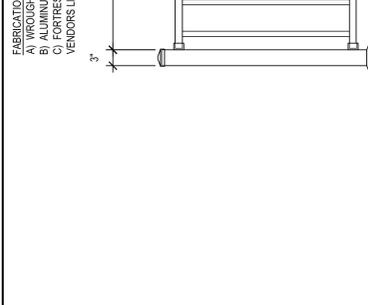
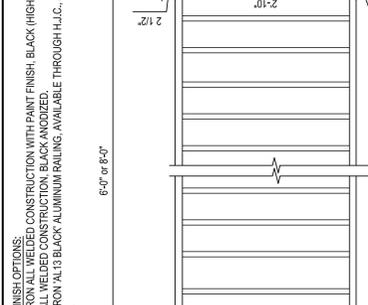
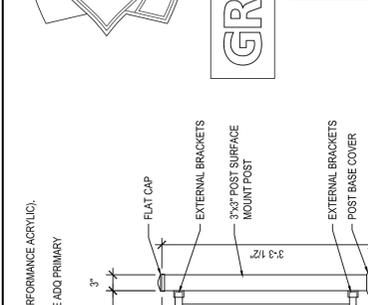
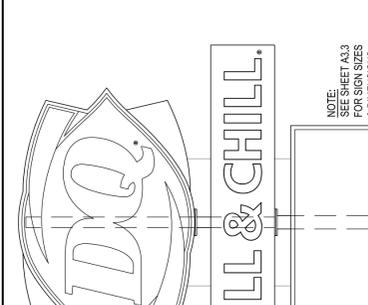
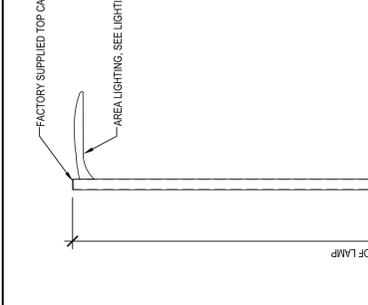
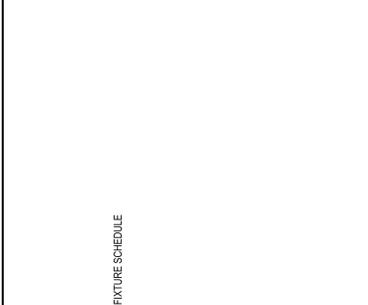
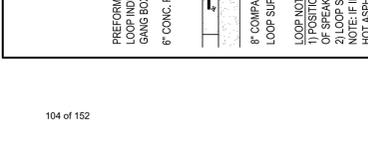
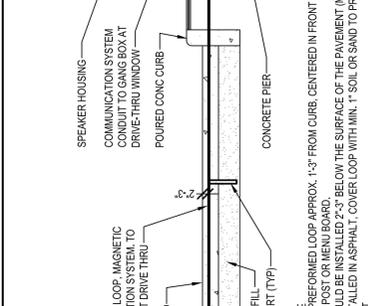
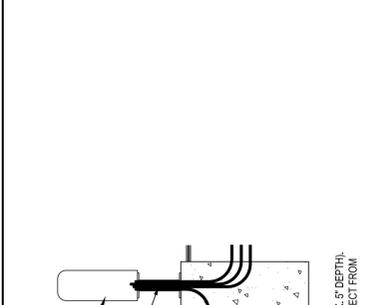
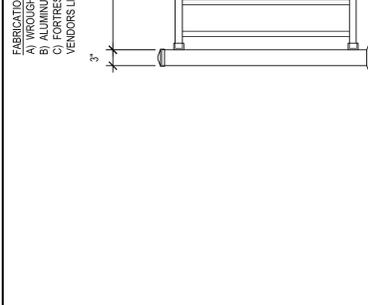
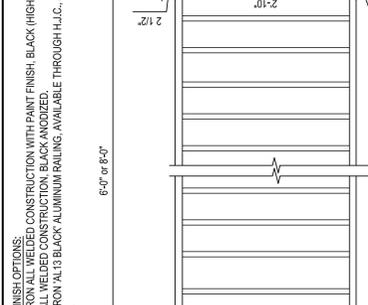
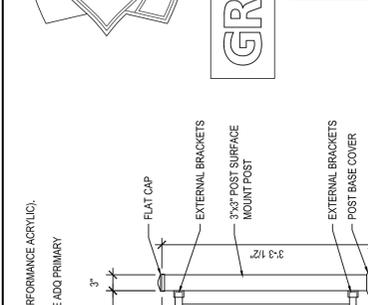
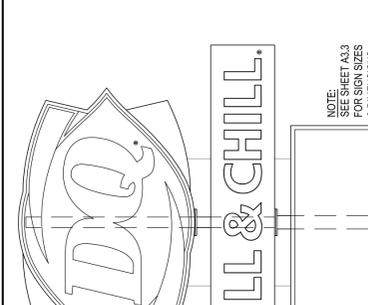
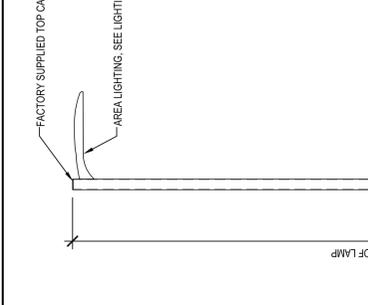
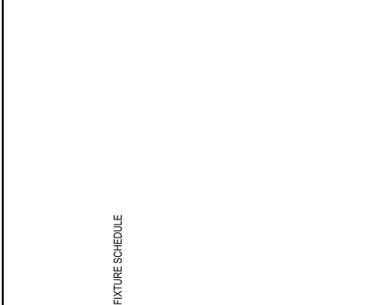
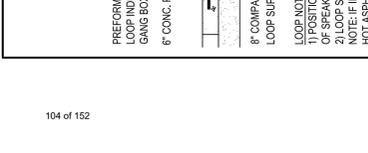
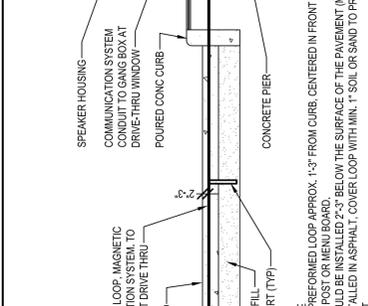
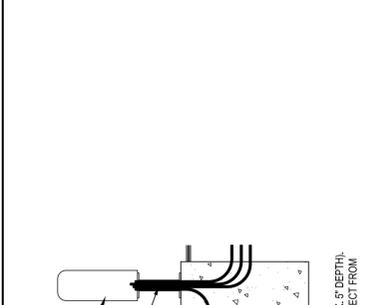
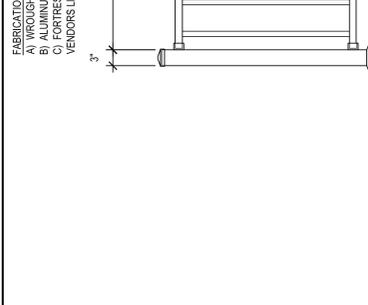
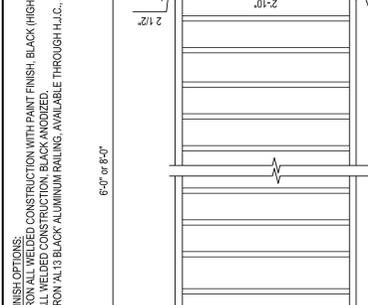
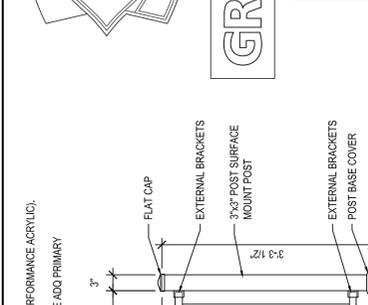
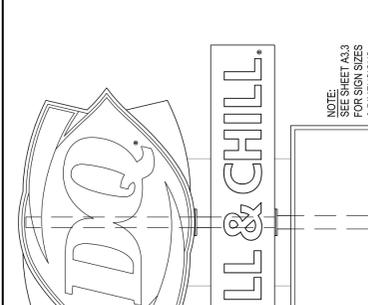
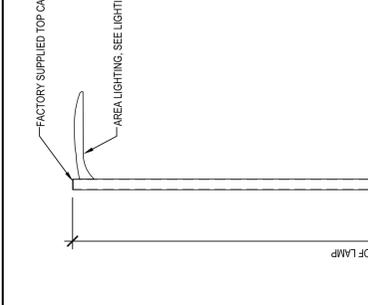
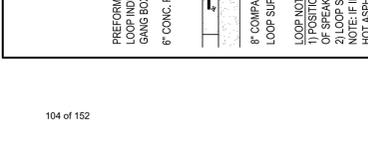
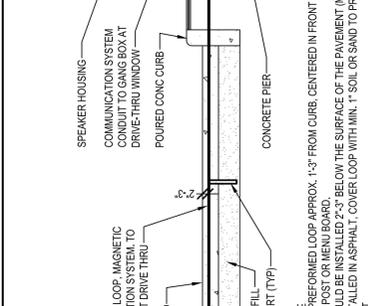
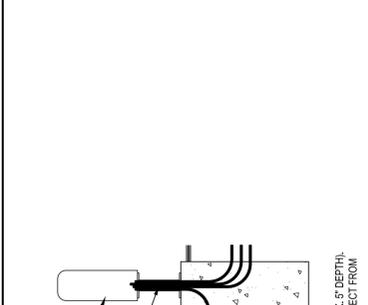
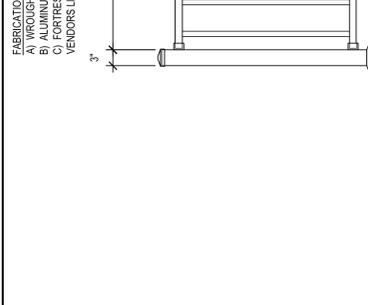
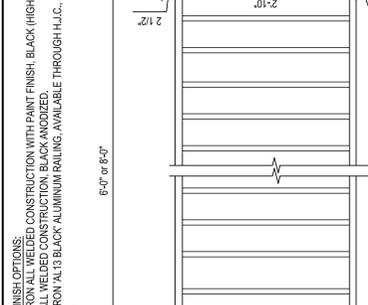
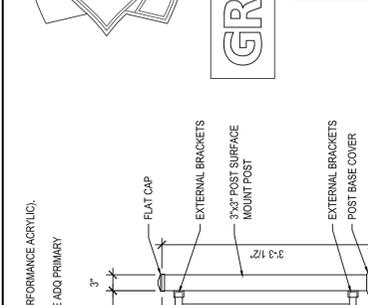
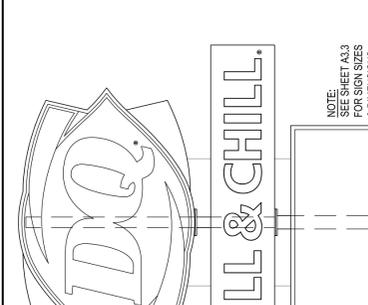
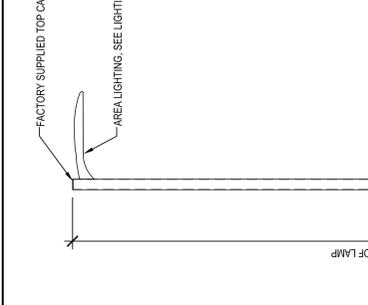
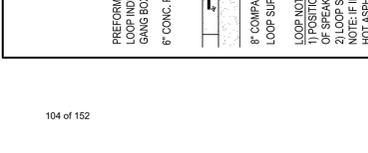
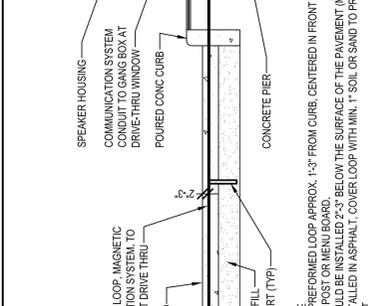
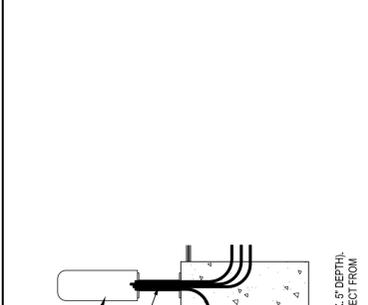
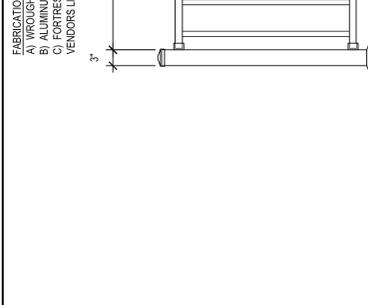
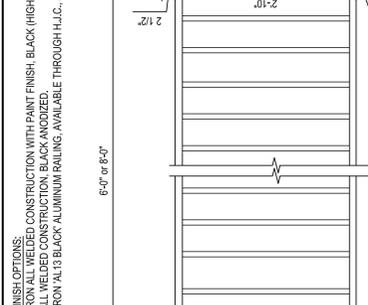
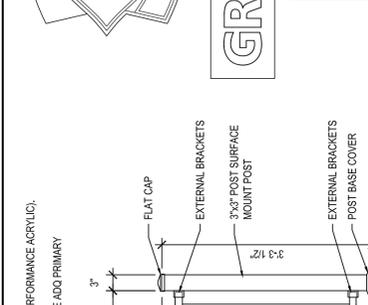
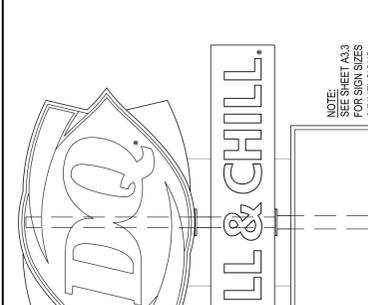
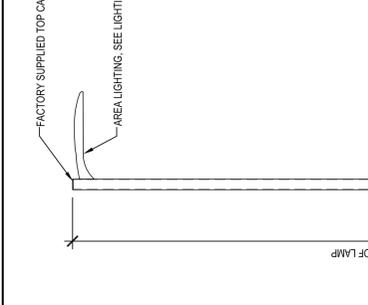
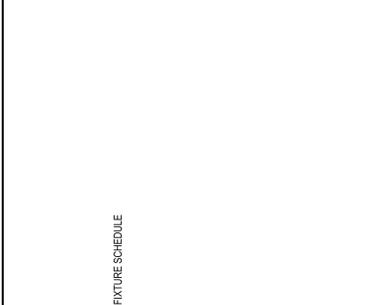
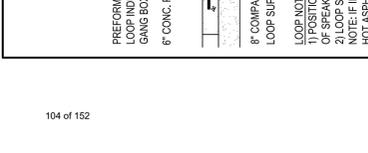
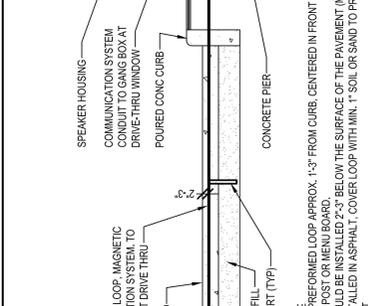
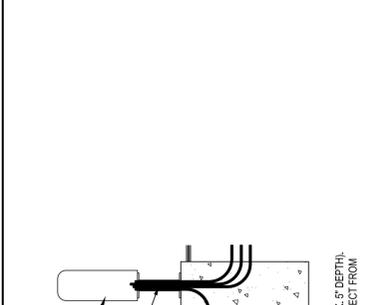
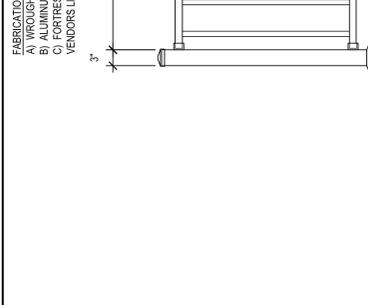
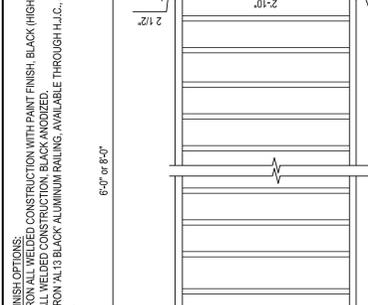
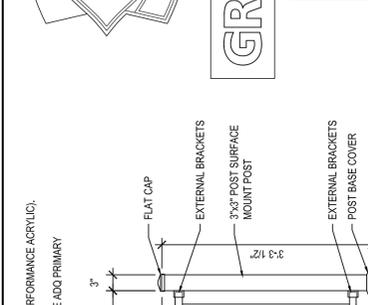
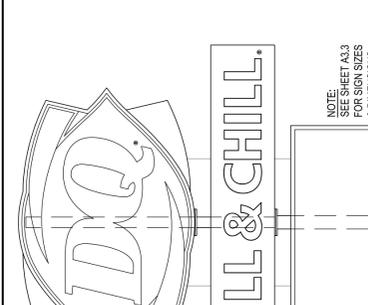
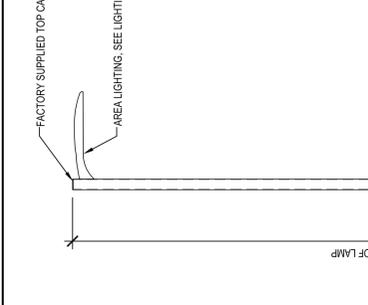
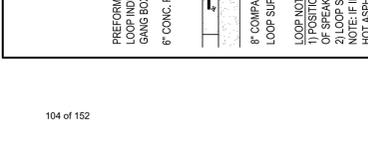
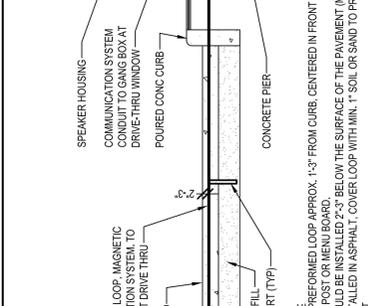
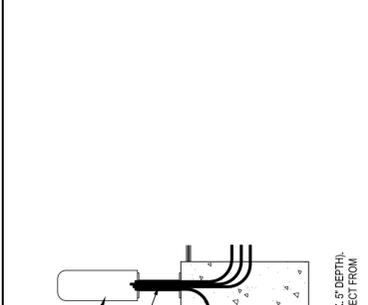
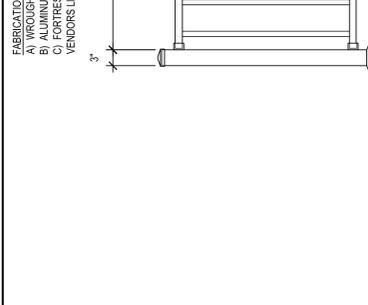
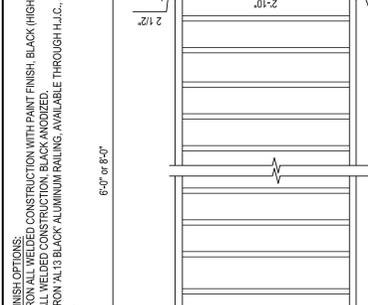
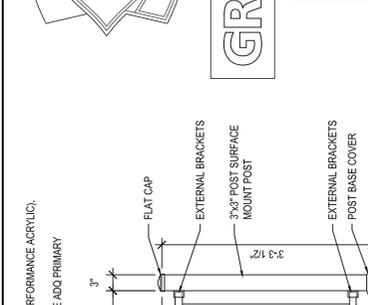
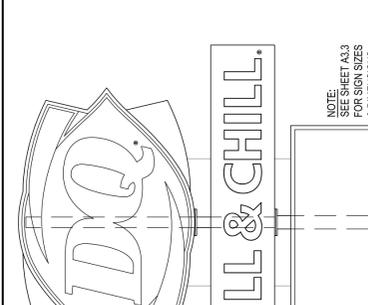
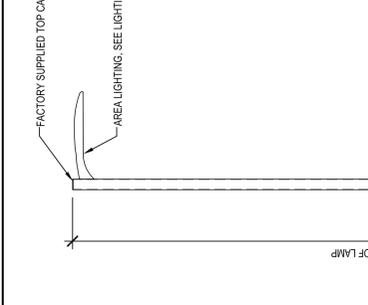
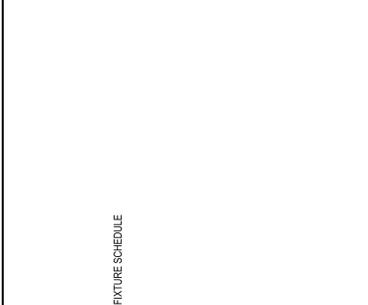
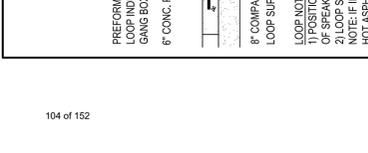
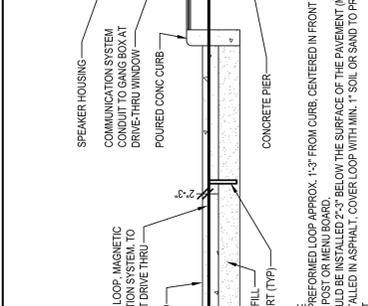
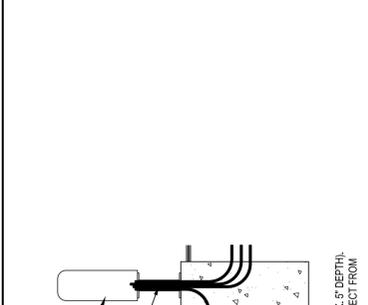
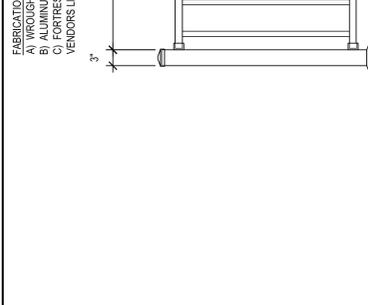
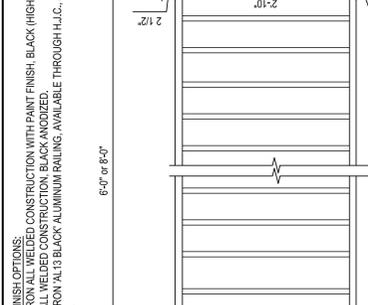
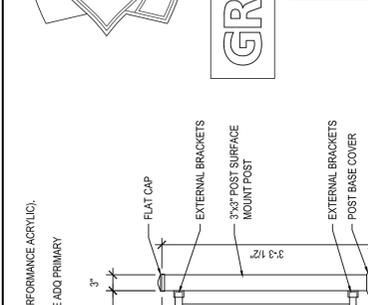
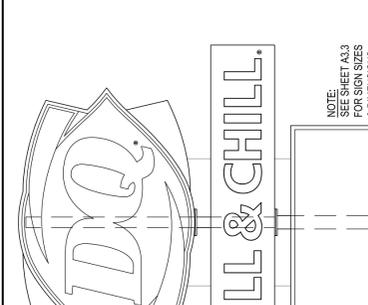
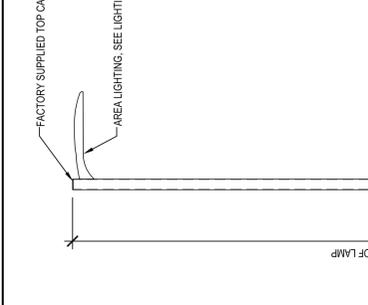
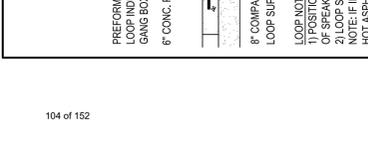
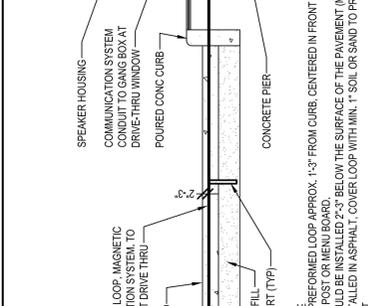
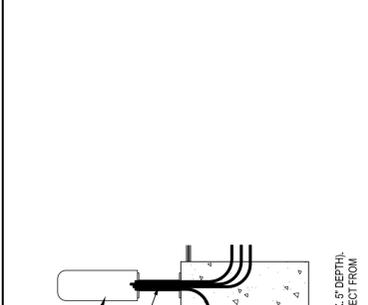
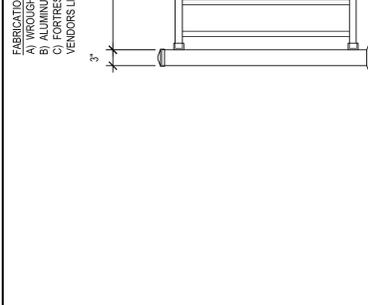
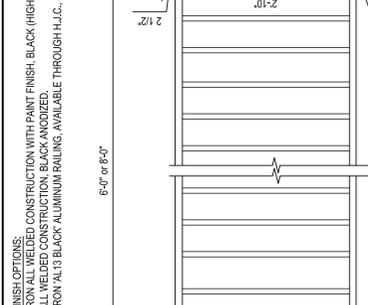
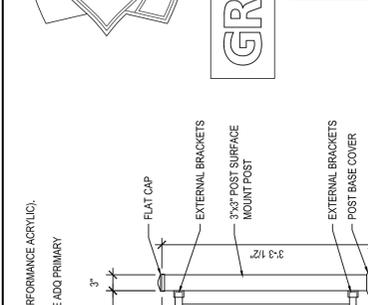
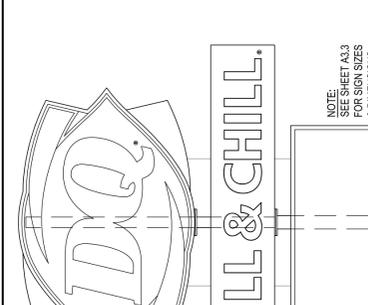
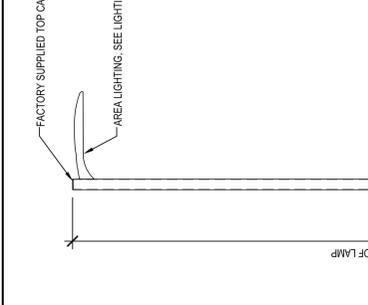
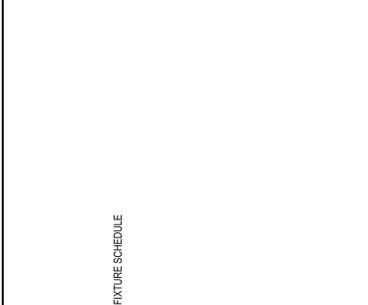
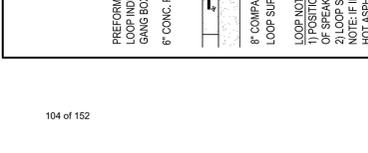
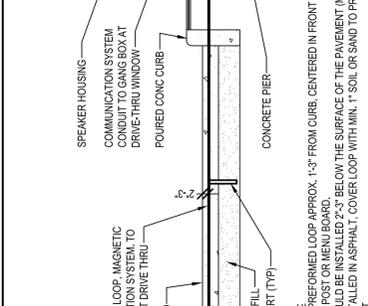
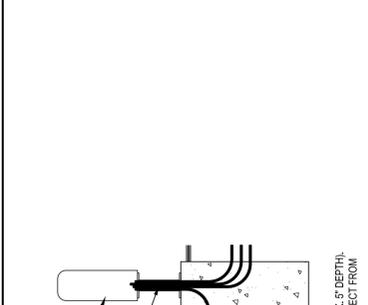
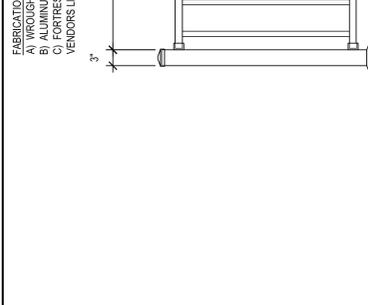
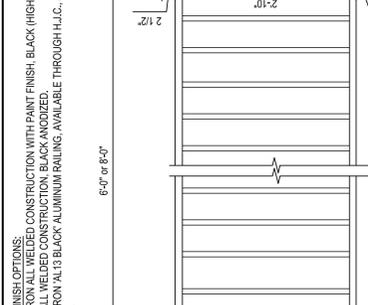
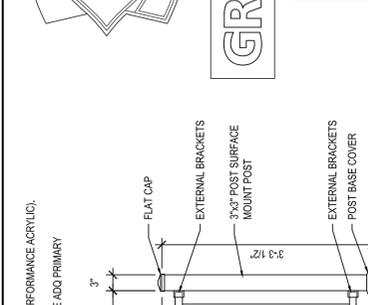
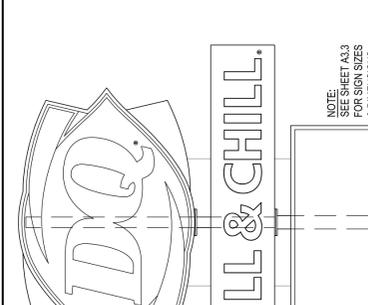
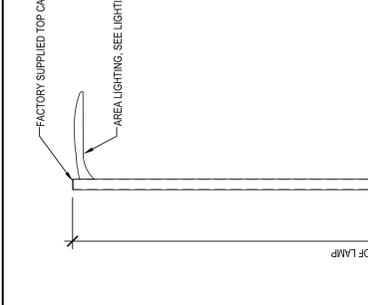
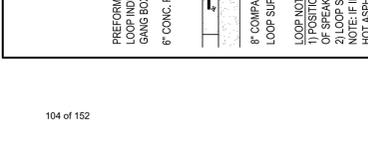
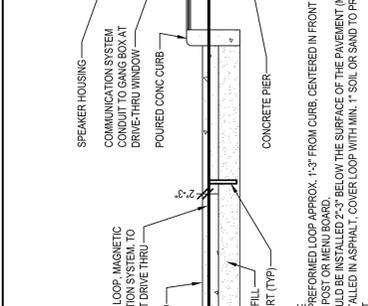
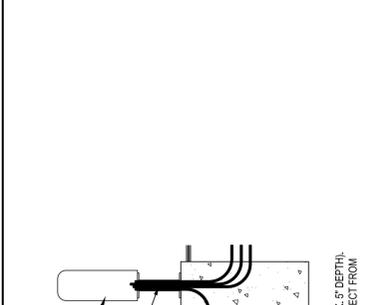
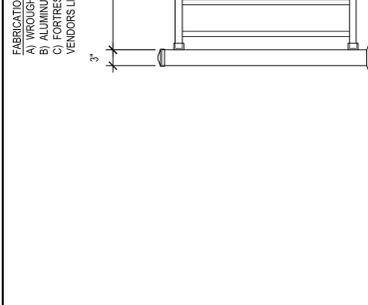
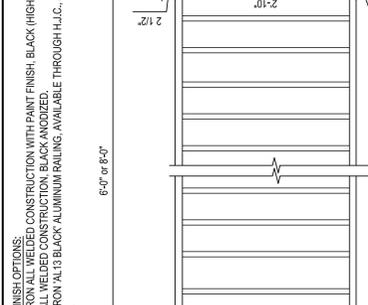
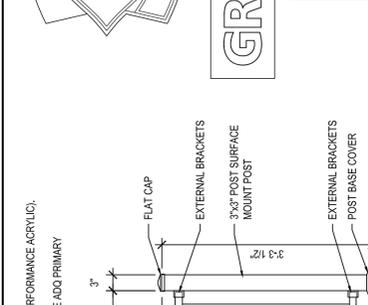
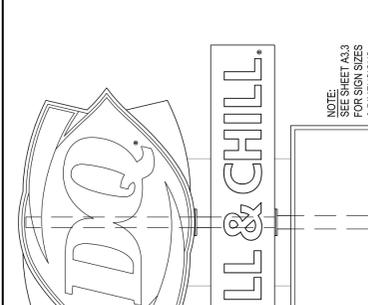
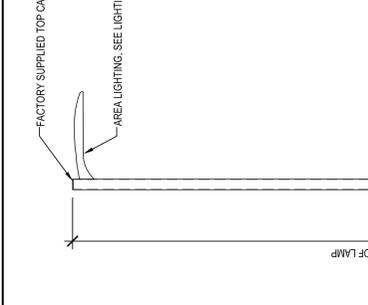
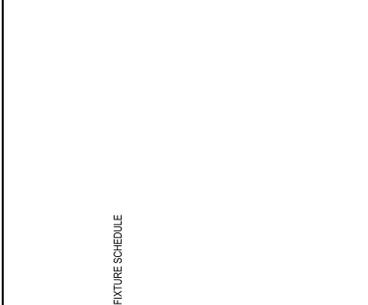
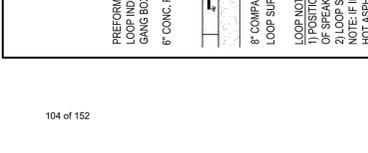
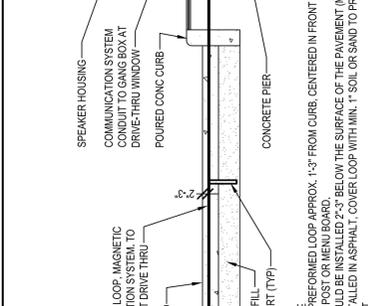
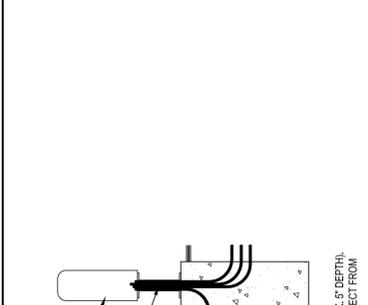
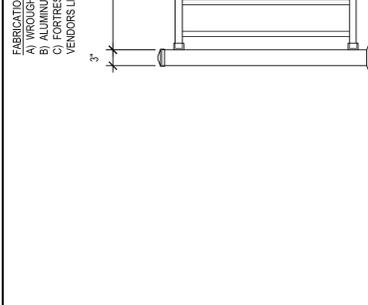
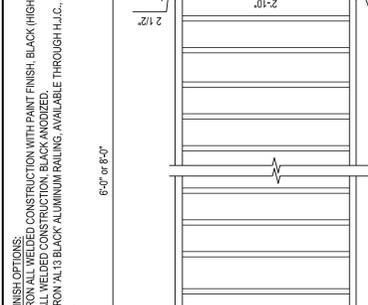
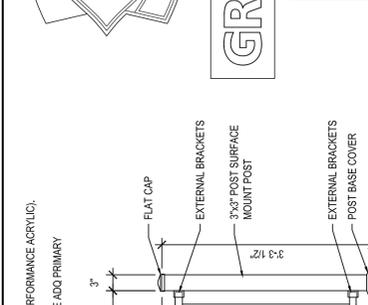
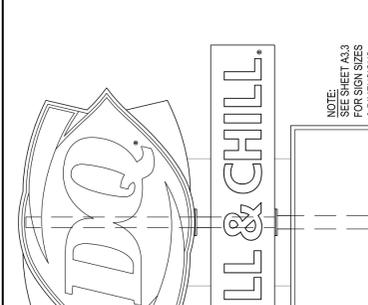
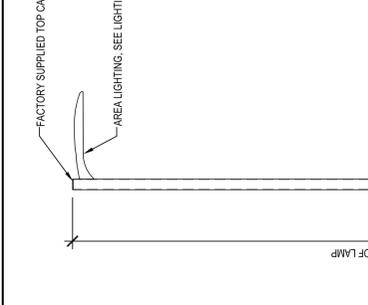
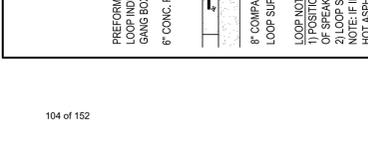
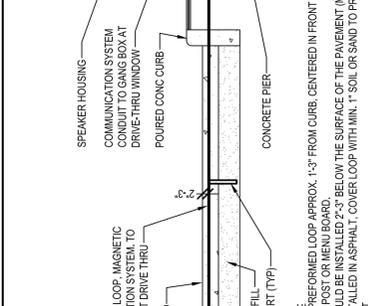
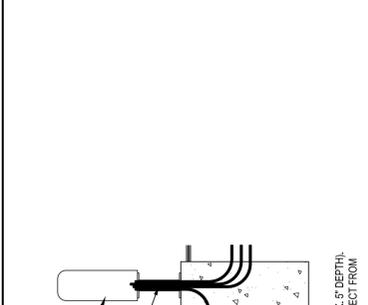
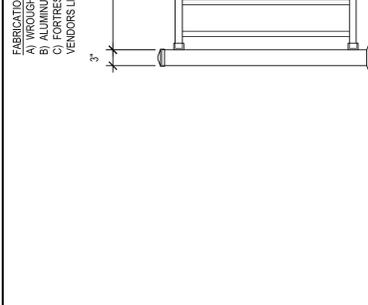
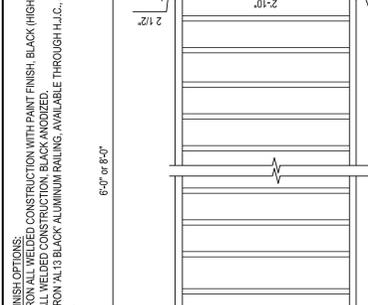
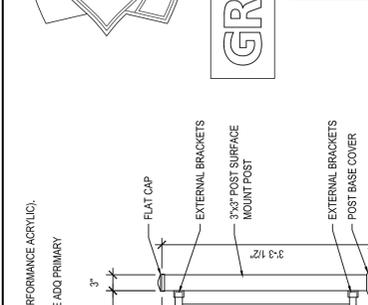
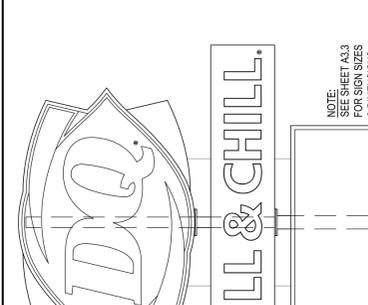
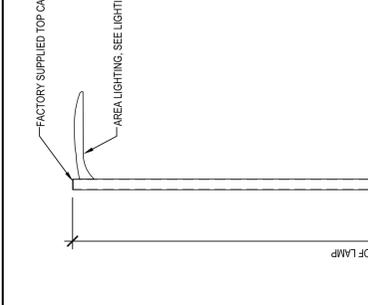
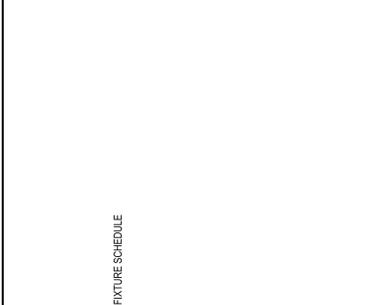
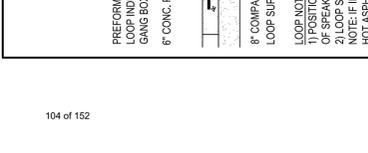
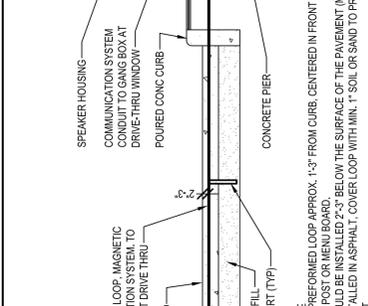
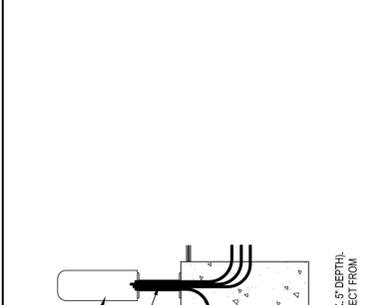
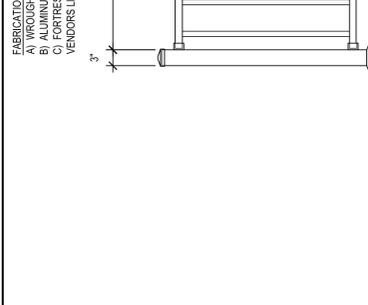
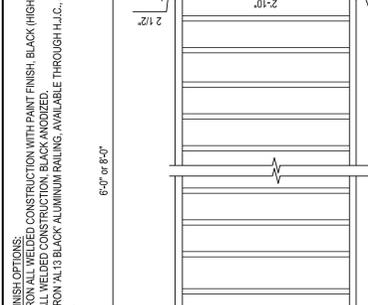
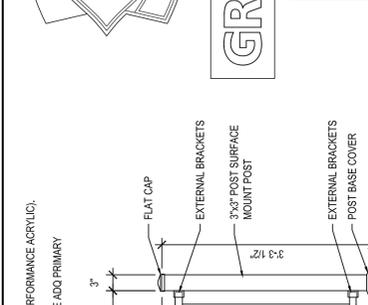
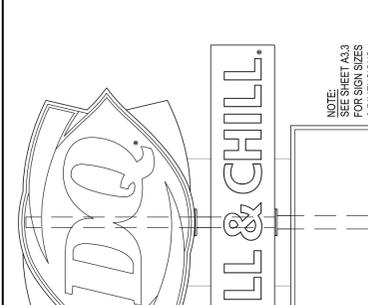
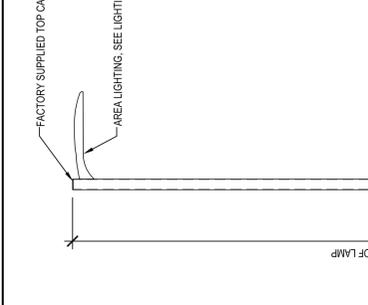
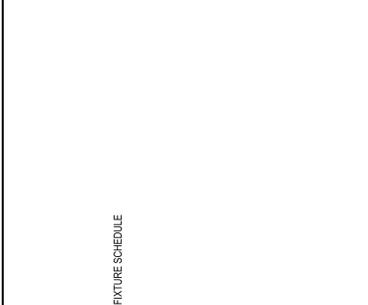
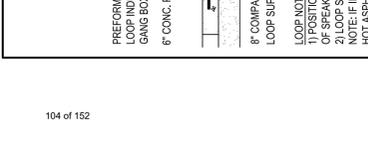
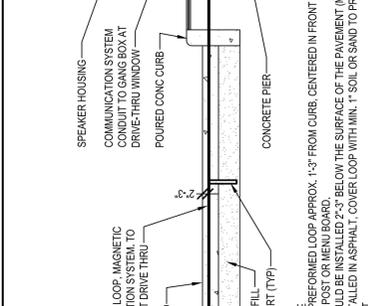
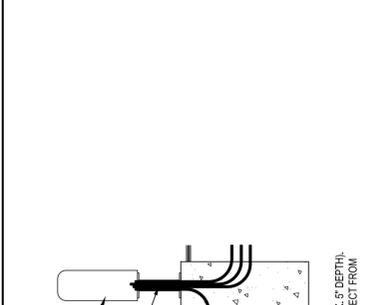
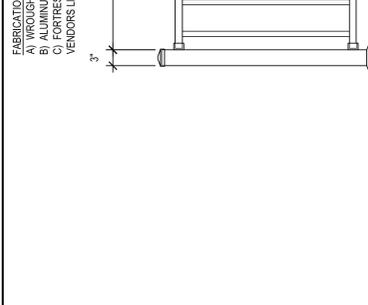
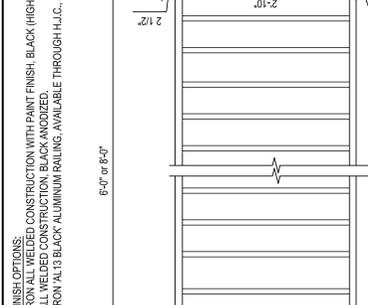
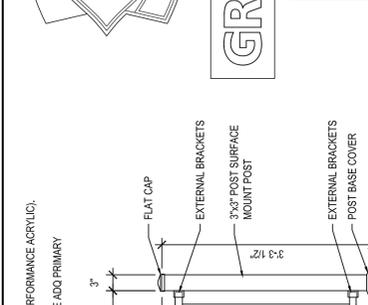
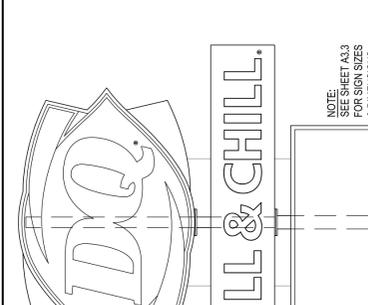
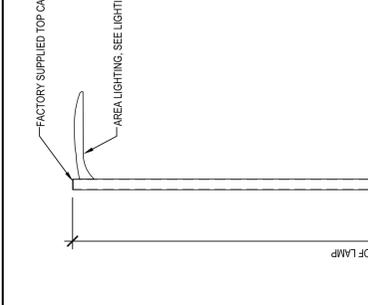
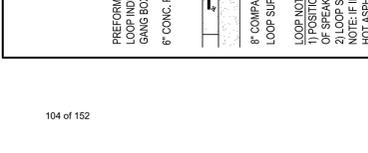
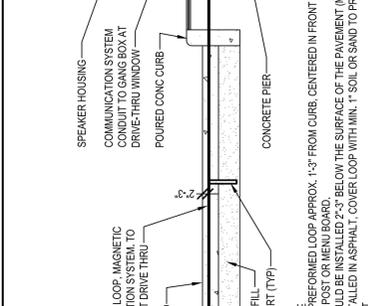
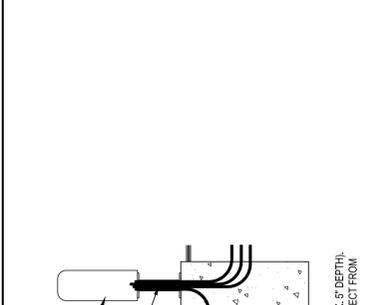
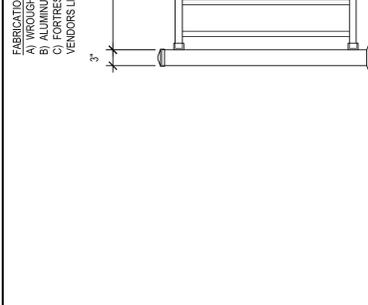
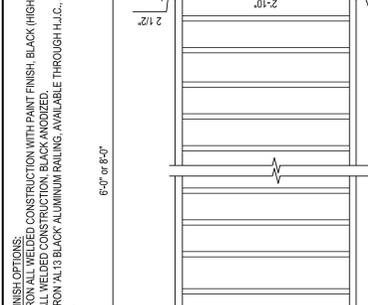
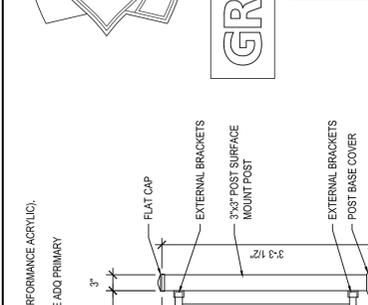
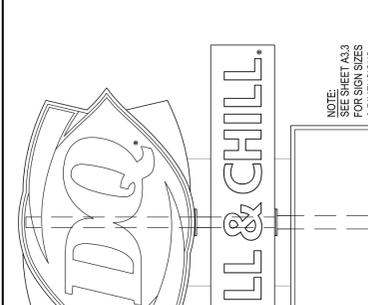
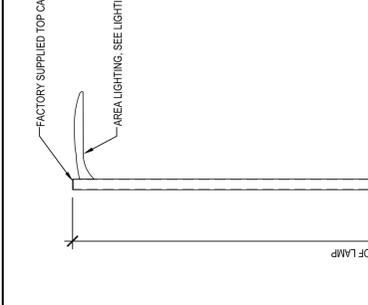
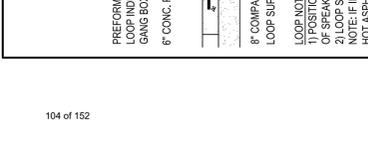
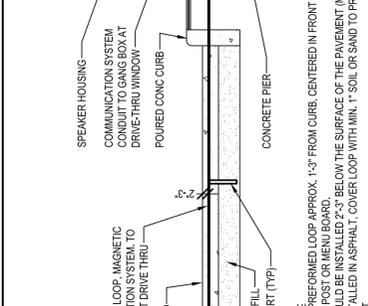
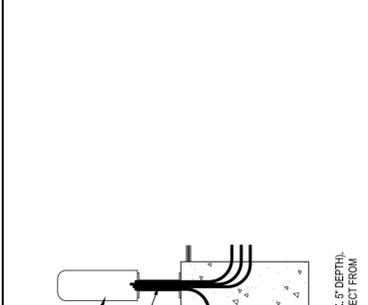
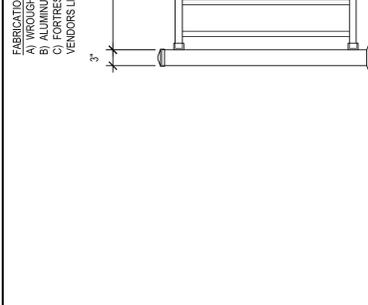
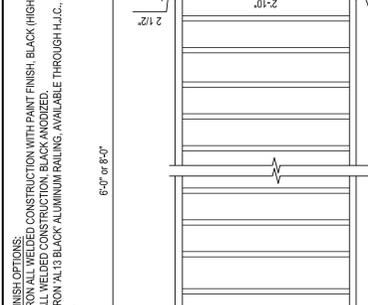
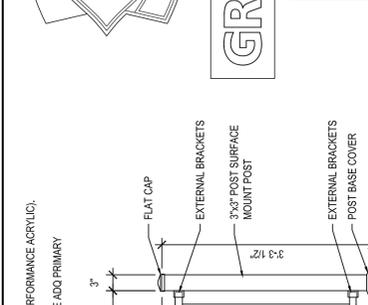
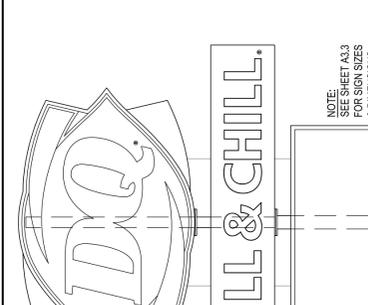
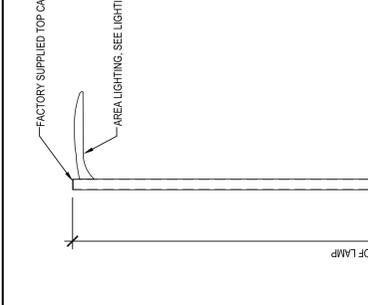
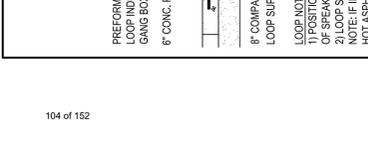
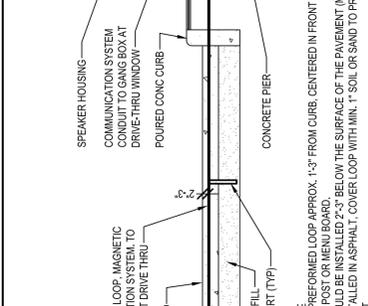
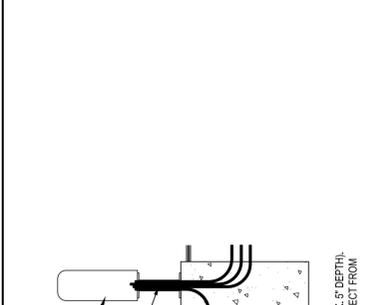
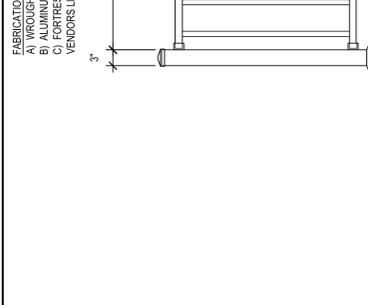
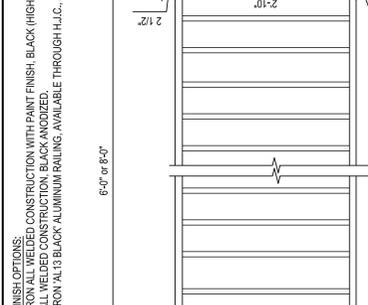
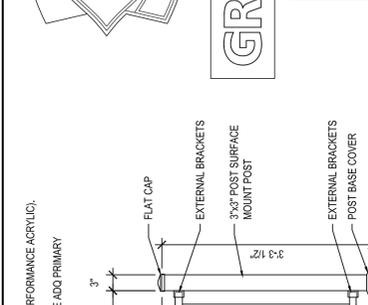
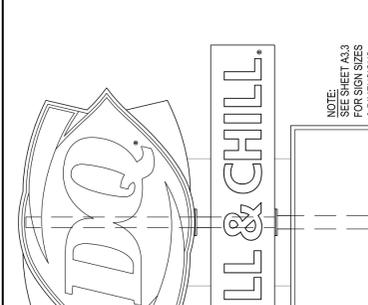
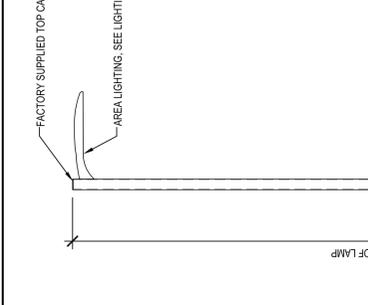
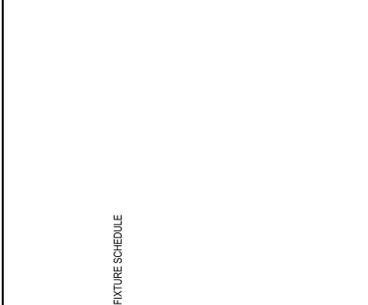
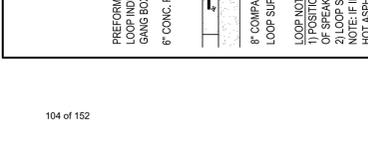
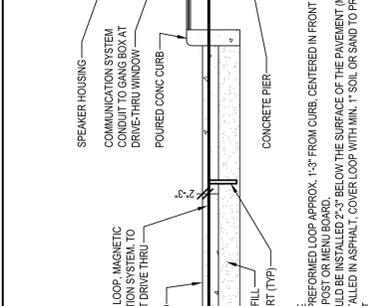
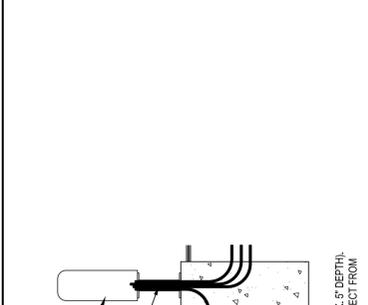
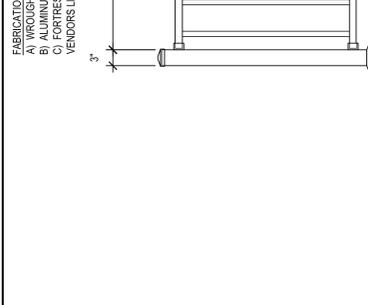
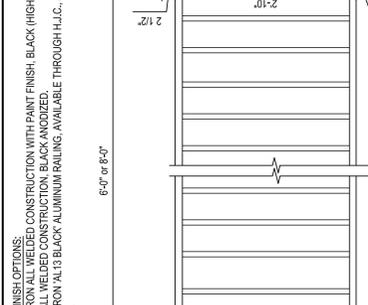
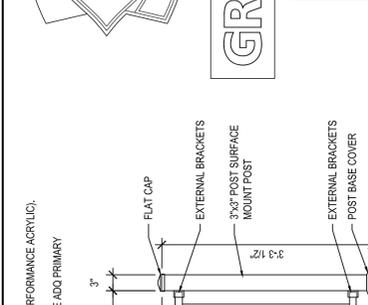
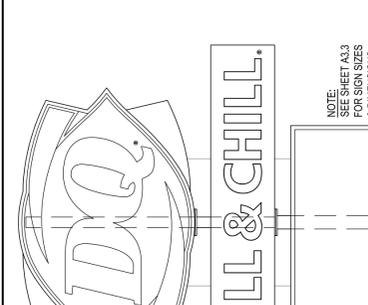
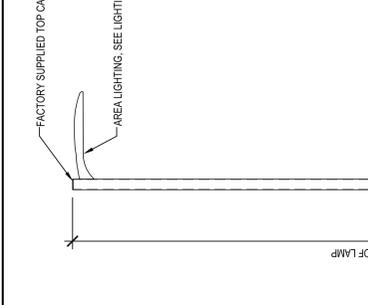
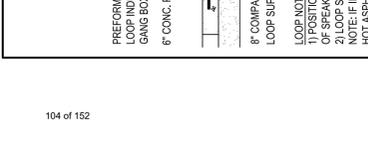
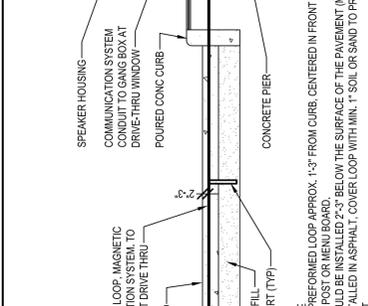
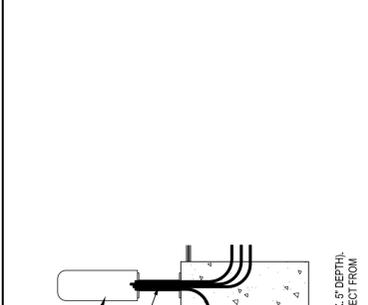
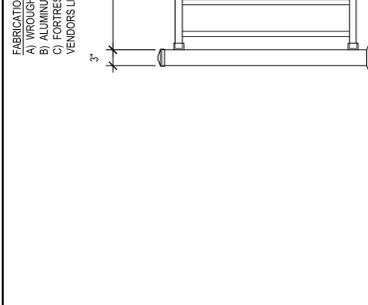
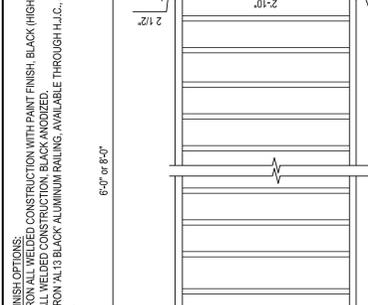
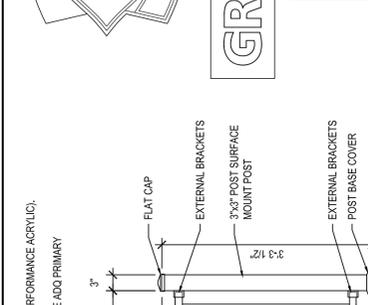
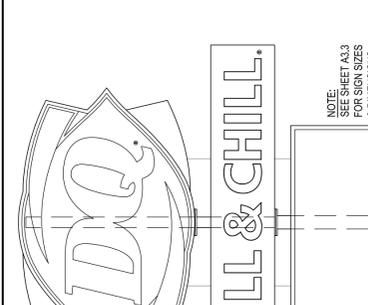
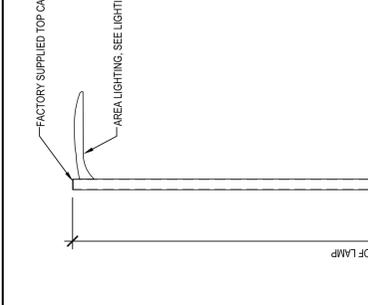
BEING 5 FEET IN WIDTH AND ADJOINING LOT LINES AND BEING 10 FEET IN WIDTH AND ADJOINING PUBLIC WAYS, UNLESS OTHERWISE INDICATED ON THIS PLAN.

SCALE IN FEET
1 INCH = 100 FEET

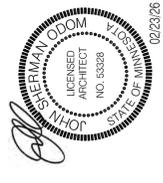


Exhibit 6

AMERICAN DAIRY QUEEN
MINNEAPOLIS, MN U.S.A.
REGISTERED U.S. PATENT OFFICE. AMERICAN DAIRY
QUEEN AND THE DAIRY QUEEN DESIGN ARE THE
REGISTERED TRADEMARKS AND SERVICE MARKS OF
AMERICAN DAIRY QUEEN INC. (AQQ) AND SHALL NOT BE
COPIED IN ANY MANNER NOT DISCLOSED TO ANY
OUTSIDE PARTY WITHOUT ADD CONSENT.



AMERICAN DAIRY QUEEN
 MINNEAPOLIS, MN U.S.A.
 *REGISTERED U.S. PATENT OFFICE. AMERICAN DAIRY
 QUEEN'S DESIGN AND TRADE DRESS ARE THE PROPERTY OF
 AMERICAN DAIRY QUEEN INC. (AQQ) AND SHALL NOT BE
 COPIED IN ANY MANNER NOT DISCLOSED TO ANY
 OUTSIDE PARTY WITHOUT ADD. CONSENT.



MINNESOTA ARCHITECT
 LICENSE NUMBER 53328
 SPECIAL NOTICE:
 In the event the design professional, architect or
 construction documents, and these changes are not approved
 in writing by the design professional, the design professional
 of the design professional. Therefore, the design professional
 release the design professional from any liability arising from
 the design professional to the fullest extent permitted by law to
 indemnify and hold the design professional harmless from any
 and all claims, damages, costs and expenses, including reasonable
 attorney's fees, that may be asserted against or incurred by
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 computer or other systems without the prior written permission
 of the Architect.

ISSUE DATE: 02/23/26
 REVISION DATE: PLANNING SUBMITTAL

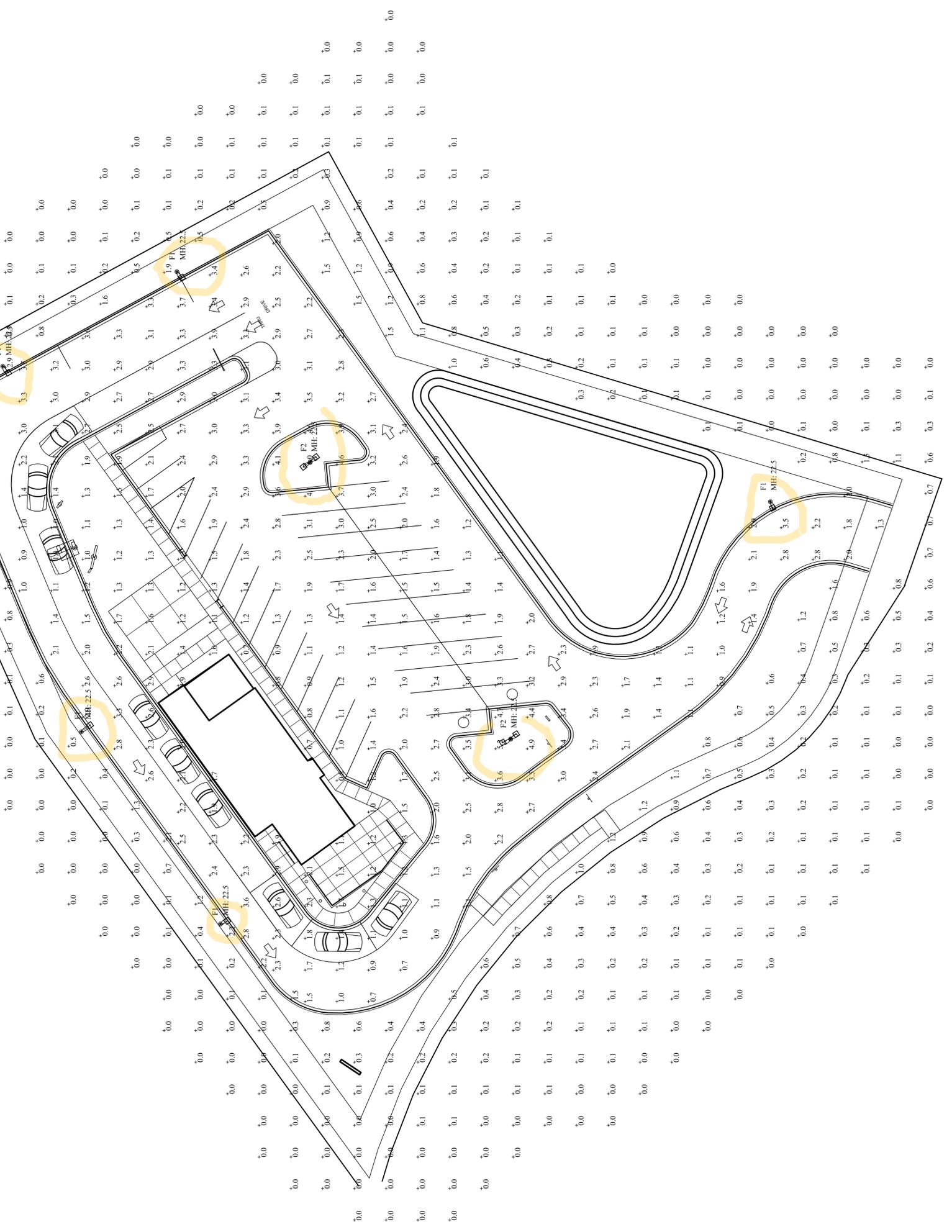
**SITE
 PHOTOMETRIC
 PLAN**

SHEET NUMBER:
A1.4

FIXTURES MOUNTED ON 20' POLE & 2.5' BASE
 LIGHT LEVEL CALCULATED ON THE GROUND

Calculation Summary				
Label	CalcType	Units	Avg	Max/Min
SITE	Illuminance	Fc	2.18	6.0 / 0.7
SPILL LIGHT	Illuminance	Fc	0.25	2.9 / N.A.

Luminaire Schedule				
Symbol	Qty	Label	Arrangement	Description
□	5	F1	Single	PRV-PA2B-740-U-14W-HSS
□	2	F2	Back-Back	PRV-PA2B-740-U-5WQ-TWIN

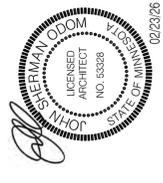


NEW BUILDING FOR:



INTERSECTION OF DAVENPORT STREET
AND 187TH LANE
EAST BETHEL, MINNESOTA 55011

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MINNEAPOLIS, MN U.S.A.
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MINNESOTA ARCHITECT
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The design professional shall not be responsible for the
release of the design professional from any liability arising from
the design professional's work.
The client agrees to the fullest extent permitted by law to
indemnify and hold the design professional harmless from any
and all claims, damages, costs and expenses (including
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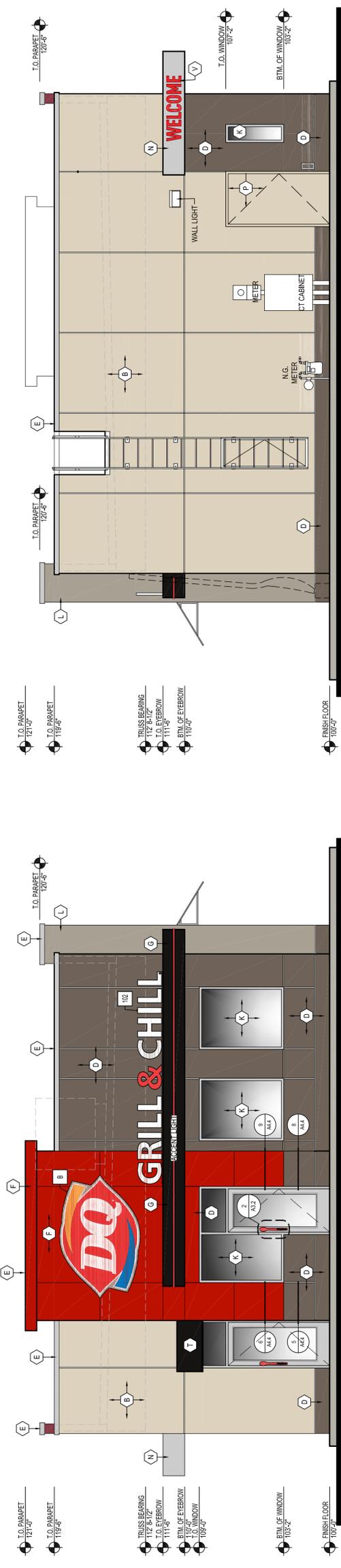
ISSUE DATE: 02/23/26

REVISION DATE: PLANNING SUBMITTAL

ELEVATIONS

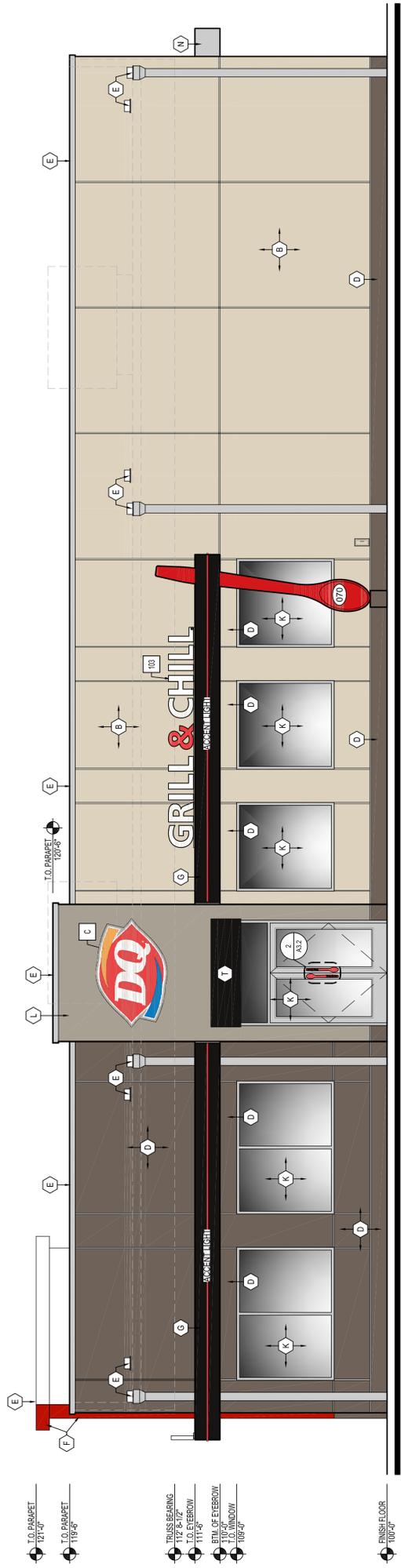
SHEET NUMBER:

A3.1



1 FRONT ELEVATION
SCALE: 1/4" = 1'-0"

NOTE: THE DQ RED SPOON HANDLES HAVE
SPECIAL INSTALLATION REQUIREMENTS. ALUM.
STOREFRONT MFG. MUST COORD. LOCK &
HANDLE LOCATION & HEIGHTS



2 REAR ELEVATION
SCALE: 1/4" = 1'-0"

NOTE: THE DQ RED SPOON HANDLES HAVE
SPECIAL INSTALLATION REQUIREMENTS. ALUM.
STOREFRONT MFG. MUST COORD. LOCK &
HANDLE LOCATION & HEIGHTS

3 ENTRANCE ELEVATION
SCALE: 1/4" = 1'-0"



4 DRIVE-THRU ELEVATION
SCALE: 1/4" = 1'-0"

NEW BUILDING FOR:



INTERSECTION OF DAVENPORT STREET
AND 18TH LANE
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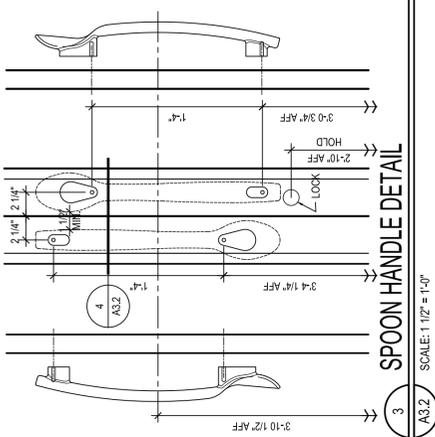
REVISION DATE: PLANNING SUBMITTAL



ELEVATIONS,
DOOR & FRAME
TYPES

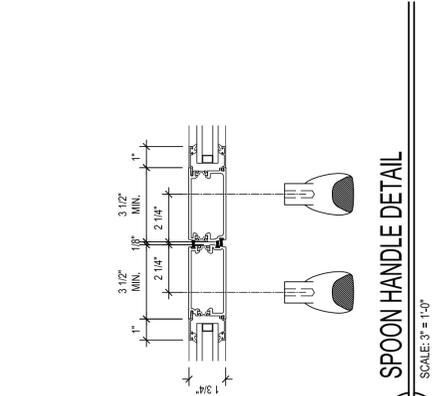
SHEET NUMBER:

A3.2



3 SPOON HANDLE DETAIL

SCALE: 1 1/2" = 1'-0"



4 SPOON HANDLE DETAIL

SCALE: 3" = 1'-0"

EXTERIOR ELEVATION KEYNOTES:

- (B) EFS: (LIGHT)
MFR: STO CORPORATION
COLOR: M19-002T (MATCHES BENJAMIN MOORE, TEMPORAL SPIRIT 965)
NOTE: PROVIDE HIGH IMPACT EFS FROM GRADE TO 3'-0" A.F.F.
LRY: 64
- (C) EFS: (RED)
MFR: STO CORPORATION
COLOR: M19-002Z (MATCHES BENJAMIN MOORE, CALENTE AF-200)
FINISH: 1300 STOUT 1.00 (FINE SAND)
NOTE: PROVIDE HIGH IMPACT EFS FROM GRADE TO 3'-0" A.F.F.
LRY: 7
- (D) EFS: (DARK)
MFR: STO CORPORATION
COLOR: M19-002 (MATCHES BENJAMIN MOORE, DEEP CREEK 1477)
FINISH: 1300 STOUT 1.00 (FINE SAND)
NOTE: PROVIDE HIGH IMPACT EFS FROM GRADE TO 3'-0" A.F.F.
LRY: 13
- (E) COPING & SCUPPERS:
MFR: HOLCIM (FORMERLY FIRESTONE UMA-CLAD)
MATL: 24 GA. STEEL
COLOR: SILVER METALLIC
VENDOR: ARCHITECTURAL METALS. SEE NATIONAL VENDORS LIST
- (F) PAINT PATIO RAILING LIGHTS:
MFR: BENJAMIN MOORE
COLOR: P28 COBBLESTONE PATH 1606
FINISH: 1300 STOUT 1.00 (FINE SAND)
PRIMER: U.TA SPEC-PP-DTM ACRYLIC METAL PRIMER HPM4
- (G) METAL PANEL:
MFR: ALPOLC
STYLE: AMM
COLOR: SHIMMER DOTS MAROON GOLD
NOTE: MUST BE INSTALLED HORIZONTALLY. REFERENCE ARROWS ON BACK OF PANEL. MUST BE ALIGNED IN THE SAME DIRECTION.
VENDOR: ARCHITECTURAL METALS. SEE NATIONAL VENDORS LIST
- (H) METAL EYEBROW, OUTTRIGGERS & FLASHINGS:
MFR: HOLCIM (FORMERLY FIRESTONE UMA-CLAD)
COLOR: EXTRA DARK BRONZE
FINISH: KYMAR 500
VENDOR: ARCHITECTURAL METALS. SEE NATIONAL VENDORS LIST
- (I) EFS: (BLUE)
MFR: STO CORPORATION
COLOR: M19-0024 (MATCHES BENJAMIN MOORE, BIG COUNTRY BLUE #2065-30)
FINISH: 1300 STOUT 1.0 (FINE SAND)
NOTE: PROVIDE HIGH IMPACT EFS FROM GRADE TO 3'-0" A.F.F.
LRY: 16
- (K) SCOREBOARD:
MFR: STO CORPORATION
STYLE: 2X417
FINISH: CLEAR ANODIZED
GLAZING: CLEAR, 1" INSULATED, LOW E
- (L) EFS: (MEDIUM)
MFR: STO CORPORATION
COLOR: M20-0018 (MATCHES BENJAMIN MOORE, WILLOW CREEK #488)
FINISH: 1300 STOUT 1.00 (FINE SAND)
NOTE: PROVIDE HIGH IMPACT EFS FROM GRADE TO 3'-0" A.F.F.
VENDOR: ARCHITECTURAL METALS. SEE NATIONAL VENDORS LIST
- (M) METAL EYEBROW, OUTTRIGGERS & FLASHINGS:
MFR: HOLCIM (FORMERLY FIRESTONE UMA-CLAD)
MATL: 24 ALUMINUM
COLOR: CLEAR ANODIZED
FINISH: SATIN
VENDOR: ARCHITECTURAL METALS. SEE NATIONAL VENDORS LIST
- (N) PAINT:
MFR: BENJAMIN MOORE
COLOR: TEMPORAL SPIRIT 965
FINISH: 1300 STOUT 1.00 (FINE SAND)
PRIMER: U.TA SPEC-PP-DTM ACRYLIC METAL PRIMER HPM4
- (O) TRASH ENCLOSURE PAINT:
MFR: BENJAMIN MOORE
COLOR: DEEP CREEK 1477
FINISH: 1300 STOUT 1.00 (FINE SAND)
PRIMER: U.TA SPEC-PP-DTM ACRYLIC METAL PRIMER HPM4
- (P) METAL PANEL:
MFR: ALPOLC
STYLE: 3MM
COLOR: TBX SILVER
NOTE: MUST BE INSTALLED HORIZONTALLY. REFERENCE ARROWS ON BACK OF PANEL. MUST BE ALIGNED IN THE SAME DIRECTION.
VENDOR: ARCHITECTURAL METALS. SEE NATIONAL VENDORS LIST
- (R) AWNING:
MFR: BAMBRELLA
COLOR: PRESSIST GREY #2030
VENDOR: SIGN SOURCE
- (S) WELCOME LETTERS:
MFR: INDIGO SIGNS
SERIES: DO SCRIPT (RED "WELCOME")
NOTE: COORDINATE WITH ARCHITECTURAL METALS VENDOR

NEW BUILDING FOR:



INTERSECTION OF DAVENPORT STREET
AND 18TH LANE
EAST BETHEL, MINNESOTA 56011

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release the design professional from any liability arising from
the design professional to the fullest extent permitted by law to
the extent of the design professional's liability from any
indefinite and hold the design professional harmless from any
and all claims, damages, losses, costs, expenses, attorney's
fees and costs of defense arising from such claims. Copyright ©
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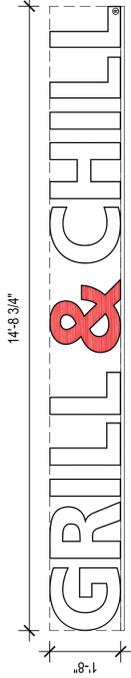
SIGNAGE MATRIX

SHEET NUMBER:

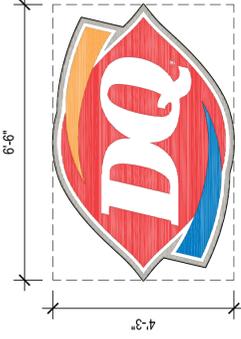
A3.3



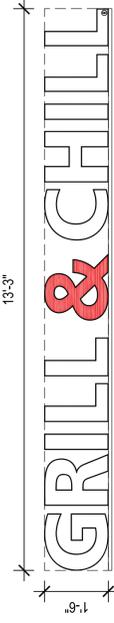
B DAIRY QUEEN LOGO (ILLUM.)
PROFILE = 33.1 SF RECTANGULAR = 46.7 SF



102 1'-8" H. CHANNEL LETTERS
INTERNALLY ILLUMINATED
PROFILE AREA: 12.22 SF RECTANGULAR AREA: 24.55 SF



C DAIRY QUEEN LOGO (ILLUM.)
PROFILE = 19.6 SF RECTANGULAR = 27.6 SF



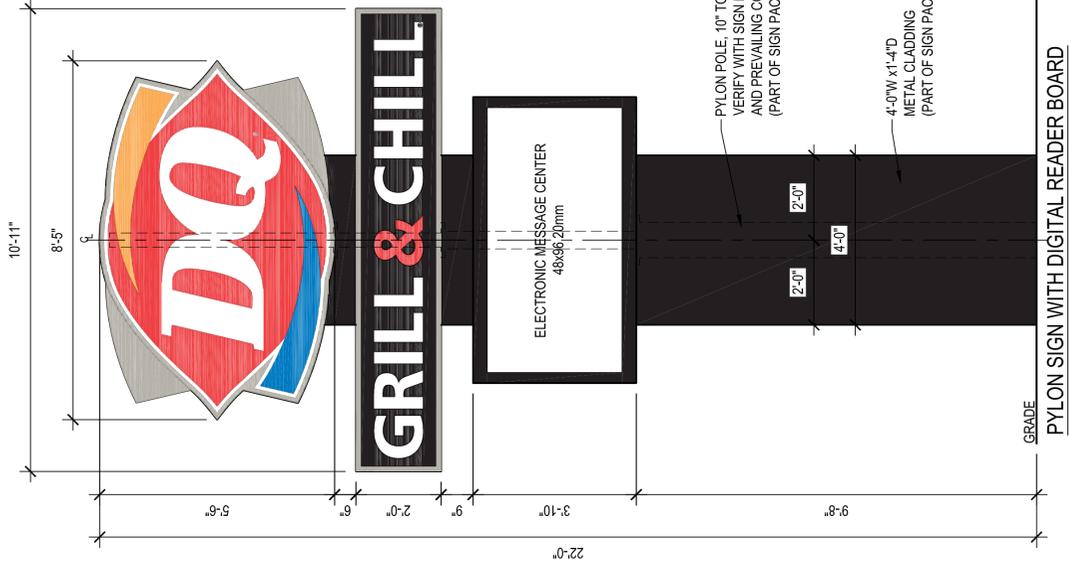
103 1'-5" H. CHANNEL LETTERS
INTERNALLY ILLUMINATED
PROFILE AREA: 9.90 SF RECTANGULAR AREA: 19.88 SF

2 FRONT FACADE SIGNAGE

A3.3 SCALE: 1/2" = 1'-0"

3 ENTRANCE FACADE SIGNAGE

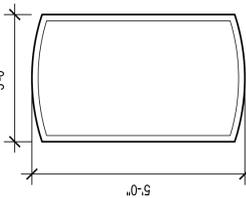
A3.3 SCALE: 1/2" = 1'-0"



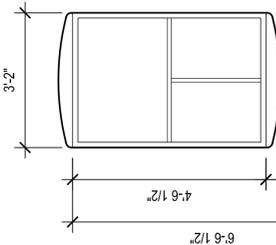
1 SITE SIGNAGE

A3.3 SCALE: 1/2" = 1'-0"

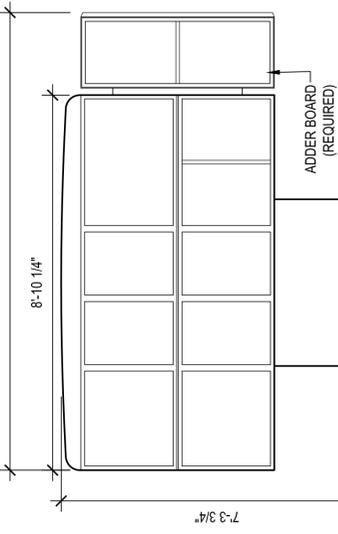
38"X60" EXTERIOR PROMO BOARD
PROFILE = 14.6 SF
RECTANGULAR = 16.0 SF



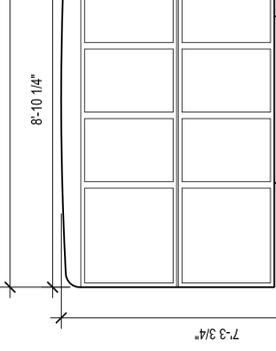
38"X64" PREVIEW BOARD
13.8 SF (ILLUMINATED)



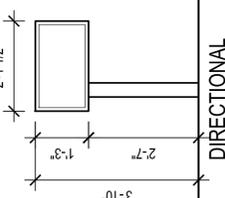
20"X64" ADDER BOARD
7.62 SF (ILLUMINATED)



97"X57" D.T. MENU BOARD
40.15 SF (ILLUMINATED)



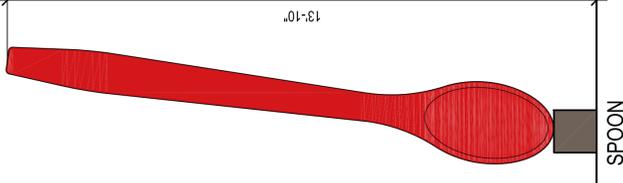
15"X25" DIRECTIONAL SIGN
2.6 SF (ILLUMINATED)



DRIVE THRU
EXIT

FRONT BACK

DAIRY QUEEN SPOON
RECTANGULAR = 19.7 SF



WALL MOUNTED
EXTERIOR PROMO BOARD

PRE-VIEW MENU BOARD

DRIVE THRU MENU BOARD

PYLON SIGN WITH DIGITAL READER BOARD

DIRECTIONAL
SIGN

SPOON

GRADE

Exhibit 7











Exhibit 8

DQ EAST BETHEL

CITY OF EAST BETHEL
 COUNTY OF ANOKA
 SEC. 32, T. 33, R. 23

KNOW ALL PERSONS BY THESE PRESENTS: That P. Magus Inc., a Minnesota corporation, owner of the following described property:

Outlot B, Elevation EB First Addition, Anoka County, Minnesota

Has caused the same to be surveyed and platted as DQ EAST BETHEL and does hereby dedicate the drainage and utility easements as created by this plat.

In witness whereof said P. Magus Inc., a Minnesota corporation has caused these presents to be signed by its proper officer this _____ day of _____, 20____.

P. Magus Inc.

By: _____ Its _____

STATE OF _____ COUNTY OF _____

This instrument was acknowledged before me this _____ day of _____, 20____.

by _____ of P. Magus Inc., a Minnesota corporation, on behalf of the company.

Notary Public, Signature _____ Notary Public, Printed Name _____ My Commission Expires: _____

Notary Public _____ County, _____

SURVEYOR'S CERTIFICATE

I, Rory L. Synstallen, 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 monuments shown 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 83.011, 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 _____, 20____.

Rory L. Synstallen, Licensed Land Surveyor
 Minnesota License No. 44565

STATE OF MINNESOTA, COUNTY OF HENNEPIN

This instrument was acknowledged before me this _____ day of _____, 20____ by Rory L. Synstallen.

Notary Public, Signature _____ Notary Public, Printed Name _____ My Commission Expires: January 31, 20____

Notary Public _____ County, Minnesota

CITY COUNCIL

City Council, City of East Bethel, Minnesota

This plat of DQ EAST BETHEL was approved and accepted by the City Council of the City of East Bethel, 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 East Bethel, Minnesota

By: _____ Mayor _____ Clerk _____

COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved

this _____ day of _____, 20____.

By: _____

David M. Ziegemeier
 Anoka County Surveyor

COUNTY AUDITOR/TREASURER

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20____ on the land hereinbefore described have been paid.

Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this _____ day of _____, 20____.

By: _____ Property Tax Administrator _____ Deputy

COUNTY RECORDER/REGISTRAR OF TITLES

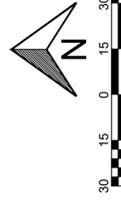
County of Anoka, State of Minnesota

I hereby certify that this plat of DQ EAST BETHEL was filed in the Office of the County Recorder/Registrar of Titles for public record on

this _____ day of _____, 20____, at _____ o'clock _____ M.

and was duly recorded as Document Number _____.

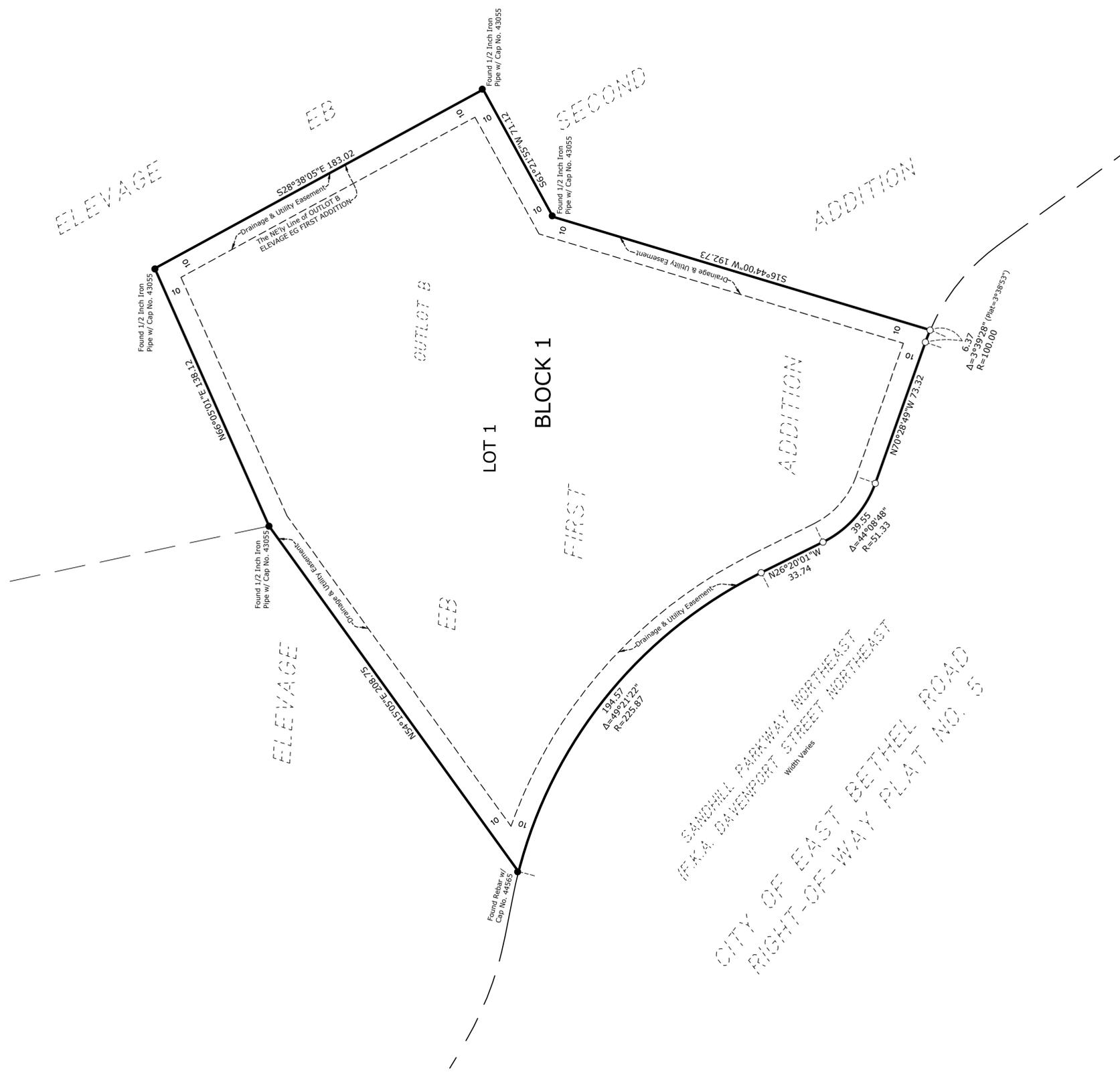
By: _____ County Recorder/Registrar of Titles _____ Deputy



SCALE IN FEET
 SCALE: 1 INCH = 30 FEET

For the purposes of this plat, the northeasterly line of OUTLOT B, ELEVAGE EB FIRST ADDITION is assumed to bear S 28 degrees 05 seconds E.

● Denotes a Found Iron Monument.
 (Plate-) Denotes a Record Dimension per ELEVAGE EB FIRST ADDITION



SANDHILL PARKWAY NORTHEAST
 FEKA. DAIENPORT STREET NORTHEAST
 Width Varies
 CITY OF EAST BETHEL
 RIGHT-OF-WAY PLAT NO. 5

Exhibit 9

March 12, 2026

Eric Johnson, City Planner
City of East Bethel
2241 221st Avenue NE
East Bethel, MN 55011

RE: Site Plan Review No. 1 – Dairy Queen

Dear Eric:

As requested, we have reviewed the Site Plan submitted for the Dairy Queen proposed on Outlot B, Elevation EB First Addition. This lot will be replatted as Lot 1 Block 1 DQ East Bethel. The following information has been submitted for review:

1. Preliminary Civil Site Plans Sheets C0.0, C1.0, C2.0, C2.1, C3.0, C4.0, C4.1, C5.0, C5.1, C5.2, L1.0, L1.1, SW1.0, SW1.1, SW1.2, SW1.3, SW1.4, and SW1.5, by Civil Site Group, dated February 23, 2026.
2. Stormwater drainage report by Civil Site Group, dated February 23, 2026.
3. Draft Final Plat by Civil Site Group.

We offer the following comments:

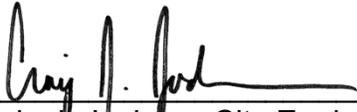
1. Submit a copy of the Preliminary Plat.
2. This site will require a NPDES construction permit. Acquire the permit before the start of construction.
3. The site may require a Minnesota DNR Water Appropriations Permit?
4. Remove the “Preliminary” stamp from the plans.
5. East Bethel is a permitted MS4 City and is responsible for inspecting and enforcing maintenance practices on all stormwater facilities within its corporate boundary. A maintenance agreement needs to be executed and recorded for the proposed basins.
6. Provide a drainage and utility easement such that the EOF can discharge from the site to the large pond through an easement.

7. On Sheet C1.0 there is a symbol for the construction limits, but the line is not shown.
8. On Sheet C1.0 a note indicates the contractor shall sawcut and remove public pavements for utility installation. Where is the removal proposed? Show the removal on the plans.
9. Baltimore Street was constructed with Municipal State Aid funds. The storm sewer system on Baltimore Street was approved for collecting runoff from the street and up to the city right of way. Eliminated the increase in proposed runoff to the city street.
10. The maximum allowable slope on the pond above the normal water level is 1V:4H. revise detail 1 on Sheet C5.1.
11. An escrow or letter of credit will need to be established for the disturbance in the City right-of-way and for security of the landscaping. The Owner needs to provide an estimate from the contractor for these items for review and approval.
12. The applicants Contractor will be responsible to protect and reconstruct the City's tracer wire and boxes on the water stubs and hydrant. The tracer wire was installed per City Standard Plate 201 and 204.
13. The applicant is required to meet all requirements of the Department of Labor and Industry.
14. The applicant's engineer shall review and approve shop drawing information for the sewer and water service construction and then forward this information to the City for approval.
15. The project will need to be reviewed by the City Fire Chief to ensure additional hydrants are not needed within the site for fire protection.
16. Provide inlet protection in the two existing catch basins that are along the north curb.
17. All lighting shall meet the requirements of Section 26 of the Zoning Code. Lighting must be used to illuminate all off-street parking areas or other structures or areas and shall be arranged to deflect light away from any adjoining property or from the public street. No light source or combination thereof which casts light on a public street shall exceed one footcandle meter reading as measured from the centerline of said street, nor shall any light source or combination thereof which casts light on adjacent property exceed 0.5 footcandle as measured at any point of the property line. There must be a minimum of 0.5 footcandle illumination for all off-street parking areas.

A Site Photometric Plan has been submitted. It should be noted the reading slightly exceed 0.5 footcandles at the property in the northwest corner southeast corner.

If you have any questions, please call me at 763-852-0485.

Sincerely,
Hakanson Anderson



Craig J. Jochum, City Engineer



Exhibit 10



East Bethel Fire Department
 2241 221st Avenue Northeast
 East Bethel, MN 55011
 P: 763-367-7886



Preliminary Plat Review Report

Inspection Type	Inspected by	Completed at	Inspection Status
Preliminary Plat Review	Uden, Ben	03/10/2026 14:00:00	Completed

Business Name	Address	Suite
Proposed Dairy Queen	XXXXX Sandhill Parkway NE	--

Occupancy Information:

ITEM: Occupancy Overview

RESULT: This is a proposed approx 2500 sq/ft restaurant with drive through and dining room. This preliminary plat report highlights the items that the East Bethel Fire Department took note of.

Administration:

ITEM: Electronic Copy of Building Plans submitted to East Bethel Fire Department - Inspections Division

RESULT: Yes

Site Access and Fire Apparatus Access Roads:

ITEM: Distance Requirements: shall extend to within 150 feet (45,720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. OR sprinklered and distance increase permitted.

RESULT: Yes

ITEM: Minimum Width: A minimum unobstructed width (20 feet) is maintained

RESULT: Yes

ITEM: No Parking Zones: "Fire Lane – No Parking" zones clearly marked for all areas where the

unobstructed width has the potential to be compromised to less than the 20 foot standard. OR Layout has potential ingress/egress issues.

RESULT: Yes

REMARK:

Surface markings present on plans, signage will need to be added to permit application drawings

ITEM: Vertical Clearance: A minimum vertical clearance (13 feet 6 inches).

RESULT: Yes

ITEM: Turning Radii: The inside and outside turning radii meet the specific requirements of the largest apparatus in the fleet.

RESULT: Yes

ITEM: Dead-End Roads: Any dead-end road exceeding 150 feet must have an approved turnaround (Cul-de-sac, Hammerhead, or Shunt).

RESULT: Not Applicable

ITEM: Surface Material: The road surface is designed to support the "Live Load" of the heaviest fire apparatus in all weather conditions.

RESULT: Yes

ITEM: Verify that the road surface gradient does not exceed the maximum allowed percentage (12%) to prevent apparatus "bottoming out."

RESULT: Yes

Hydrants & Water Supply:

ITEM: Hydrant Distance: Hydrant located within 300 feet

RESULT: No

REMARK:

No existing or additional hydrants were noted on the prelim plat map. Distances and flow rates will be required to meet code for any permits to be issued.

ITEM: Setbacks: Check that hydrants are minimum distance per code from the curb or have impact protection to prevent damage while remaining accessible.

RESULT: No

REMARK:

See previous comment

ITEM: Fire Flow Requirements: Verify that the proposed water mains can provide the required Gallons Per Minute (GPM) at 20 psi residual pressure for the specific building type.

RESULT: No

REMARK:

Minimum flow rate of approx. 934 gpm required(NFA Calculation). City Engineer to verify and recommend any changes if needed.

ITEM: FDC Location: If buildings are sprinkled, ensure the Fire Department Connection (FDC) is on the "street side" and within 100 feet of a hydrant.

RESULT: Not Applicable

A preliminary plat for the proposed commercial or multi-family development has been reviewed. All items of interest by the East Bethel Fire Department are covered above. Please contact the East Bethel Fire Department- Inspections Division with any questions or concerns. Thank you for your commitment to fire and life safety.

Inspection Signatures

Inspector Signature



Uden, Ben
Deputy Chief
763-367-7895
ben.uden@ci.east-bethel.mn.us

Exhibit 11

**PRELIMINARY:
NOT FOR
CONSTRUCTION**

PROJECT
NEW DAIRY QUEEN
EAST BETHEL, MN
OWNER
P. MAGUS INC
860 200TH AVE NW, OAK GROVE, MN 55011

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATIONS, AND CALCULATIONS WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DAILY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Matthew R. Pawik
Matthew R. Pawik
DATE: 02/23/2026 LICENSE NO.: 44263
ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
2/23/2026	LUMVARD CITY SUBMITTAL

PROJECT NUMBER	DATE
2026001	02/23/2026

REVISION SUMMARY	DATE	DESCRIPTION

OVERALL
TRAIL CONNECTION
PLAN

C2.2

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SITE PLAN LEGEND:
- - - PEDESTRIAN TRAIL CONNECTIONS

CITY OF EAST BETHEL SITE SPECIFIC NOTES:
 1. RESERVED FOR CITY SPECIFIC SITE NOTES.

OWNER INFORMATION
 P. MAGUS INC
 860 200TH AVE NW
 OAK GROVE, MN 55011
 TIM JINDRA
 612-201-6652
 JINDRAT@MSN.COM

Know what's below.
Call before you dig.

1" = 80'-0"
40'-0" 0 80'-0"

Exhibit 12



Exhibit 12 - NOT
USED -
Placeholder Only

Exhibit 13

DESCRIPTION

The patented Lumark Crosstour™ LED Wall Pack Series of luminaires provides an architectural style with super bright, energy efficient LEDs. The low-profile, rugged die-cast aluminum construction, universal back box, stainless steel hardware along with a sealed and gasketed optical compartment make the Crosstour impervious to contaminants. The Crosstour wall luminaire is ideal for wall/surface, inverted mount for façade/canopy illumination, post/bollard, site lighting, floodlight and low level pathway illumination including stairs. Typical applications include building entrances, multi-use facilities, apartment buildings, institutions, schools, stairways and loading docks test.

SPECIFICATION FEATURES

Construction

Slim, low-profile LED design with rugged one-piece, die-cast aluminum hinged removable door and back box. Matching housing styles incorporate both a small and medium design. The small housing is available in 12W, 18W and 26W. The medium housing is available in the 38W model. Patented secure lock hinge feature allows for safe and easy tool-less electrical connections with the supplied push-in connectors. Back box includes three half-inch, NPT threaded conduit entry points. The universal back box supports both the small and medium forms and mounts to standard 3-1/2" to 4" round and octagonal, 4" square, single gang and masonry junction boxes. Key hole gasket allows for adaptation to junction box or wall. External fin design extracts heat from the fixture surface. One-piece silicone gasket seals door and back box. Minimum 5" wide pole for site lighting application. Not recommended for car wash applications.

Optical

Silicone sealed optical LED chamber incorporates a custom engineered mirrored anodized reflector providing high-efficiency illumination. Optical assembly includes impact-resistant tempered glass and meets IESNA requirements for full cutoff compliance. Available in seven lumen packages; 5000K, 4000K and 3000K CCT.

Electrical

LED driver is mounted to the die-cast housing for optimal heat sinking. LED thermal management system incorporates both conduction and natural convection to transfer heat rapidly away from the LED source. 12W, 18W, 26W and 38W series operate in -40°C to 40°C [-40°F to 104°F]. High ambient 50°C models available. Crosstour luminaires maintain greater than 89% of initial light output after 72,000 hours of operation. Three half-inch NPT threaded conduit entry points allow for thru-branch wiring. Back box is an authorized

Catalog #		Type
Project		
Comments		Date
Prepared by		

electrical wiring compartment.

Integral LED electronic driver incorporates surge protection. 120-277V 50/60Hz or 347V 60Hz models.

Finish

Crosstour is protected with a Super durable TGIC carbon bronze or summit white polyester powder coat paint. Super durable TGIC powder coat paint finishes withstand extreme climate conditions while providing optimal color and gloss retention of the installed life.

Warranty

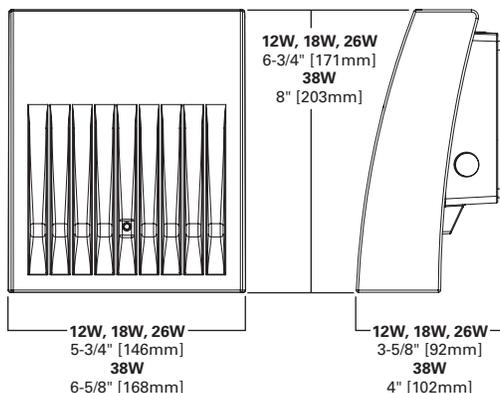
Five-year warranty.



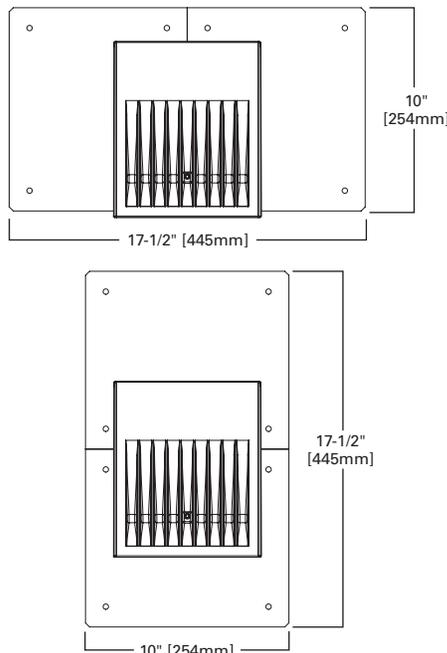
XTOR CROSSTOUR LED

APPLICATIONS:
WALL / SURFACE
POST / BOLLARD
LOW LEVEL
FLOODLIGHT
INVERTED
SITE LIGHTING

DIMENSIONS



ESCUTCHEON PLATES



CERTIFICATION DATA

UL/cUL Wet Location Listed
LM79 / LM80 Compliant
ROHS Compliant
ADA Compliant
NOM Compliant Models
IP66 Ingressed Protection Rated
Title 24 Compliant
DesignLights Consortium® Qualified*

TECHNICAL DATA

40°C Maximum Ambient Temperature
External Supply Wiring 90°C Minimum

EPA

Effective Projected Area (Sq. Ft.):
XTOR1B, XTOR2B, XTOR3B=0.34
XTOR4B=0.45

SHIPPING DATA:

Approximate Net Weight:
3.7 – 5.25 lbs. [1.7 – 2.4 kgs.]

Project		Catalog #		Type	
Prepared by		Notes		Date	



Lumark

Prevail Discrete LED

Area / Site Luminaire

Product Features



Product Certifications



Interactive Menu

- Ordering Information [page 2](#)
- Mounting Details [page 3, 4](#)
- Optical Configurations [page 5](#)
- Product Specifications [page 5](#)
- Energy and Performance Data [page 6](#)
- Control Options [page 8](#)

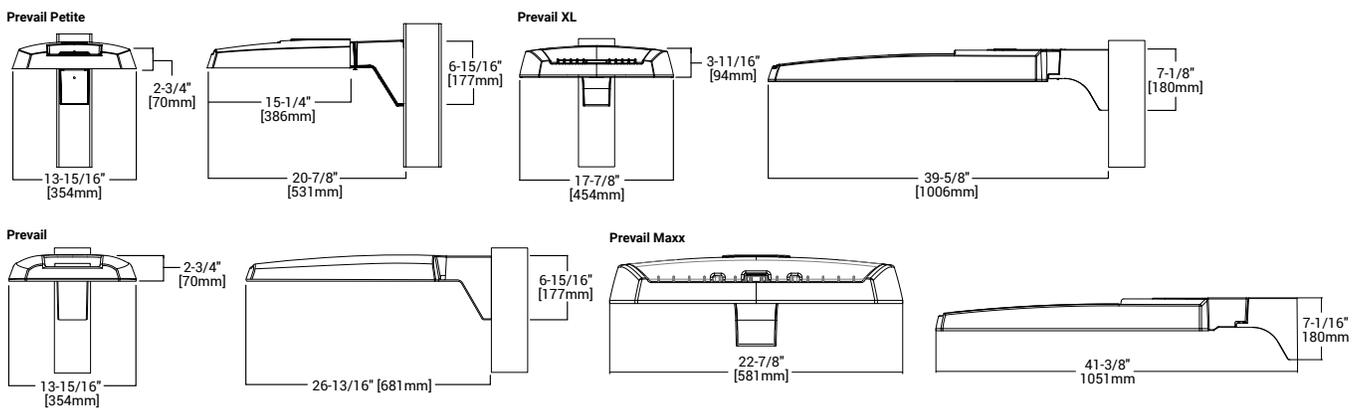
Quick Facts

- Direct-mounted discrete light engine for improved optical uniformity and visual comfort
- Lumen packages range from 4,300 - 68,000 nominal lumens (30W - 550W)
- Replaces 70W up to 1,000W HID equivalents
- Efficacies up to 157 lumens per watt
- Standard universal quick mount arm with universal drill pattern

Connected Systems

- WaveLinx PRO Wireless
- WaveLinx LITE Wireless

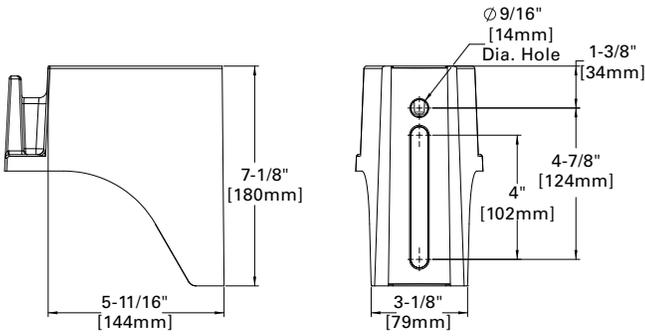
Dimensional Details



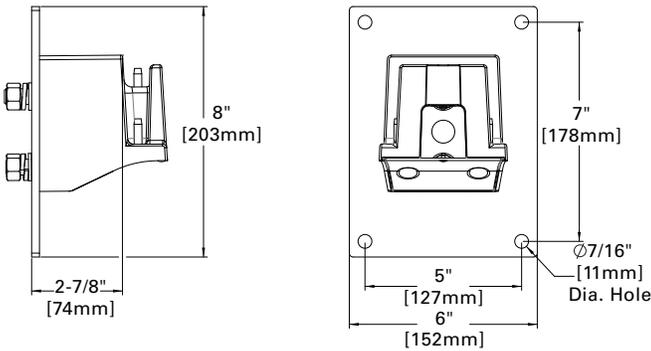
NOTES:
 1. Visit <https://www.designlights.org/search/> to confirm qualification. Not all product variations are DLC qualified.
 2. IDA Certified for 3000K CCT and warmer only.

Mounting Details

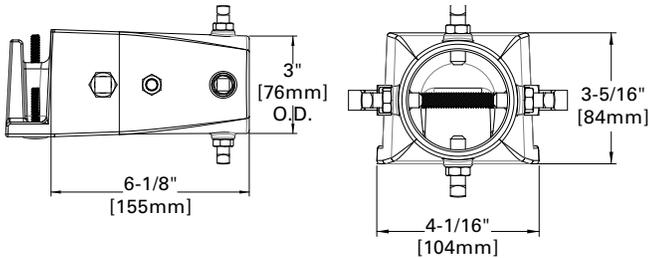
SA=QM Pole Mount Arm (PRV-M)



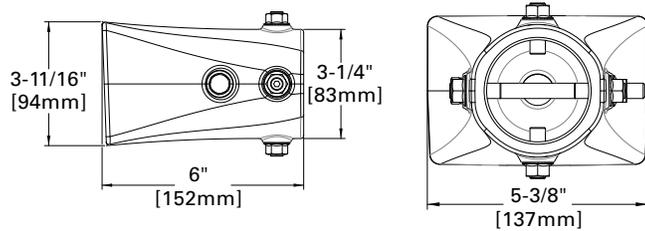
WM=QM Wall Mount Arm (PRV-M)



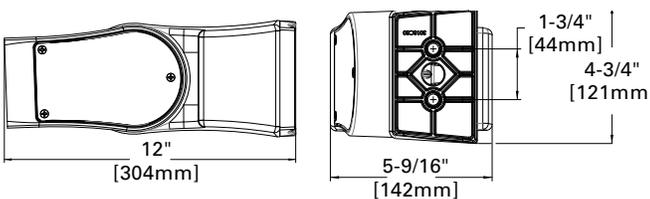
MA=QM Mast Arm (PRV-M)



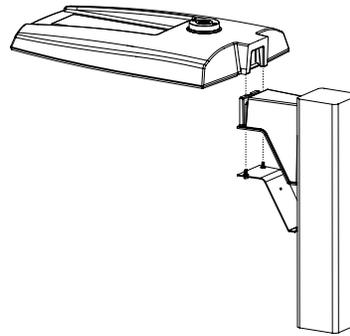
FMA=Fixed Mast Arm (PRV-M)



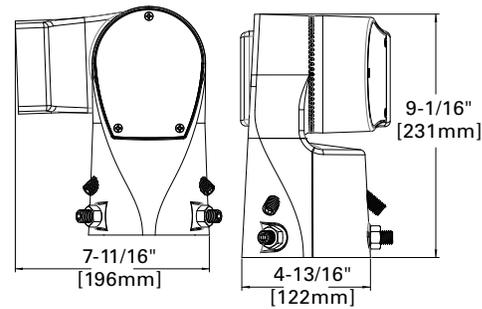
ADJA=Adjustable Pole Mount Arm (PRV-M)



Versatile Mount System



ADJS=Adjustable Slipfitter (PRV-M)



SP2=Adjustable Slipfitter 2-3/8" (PRV-M)

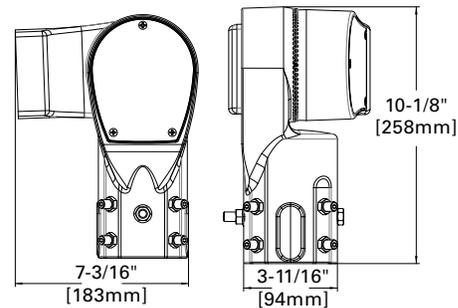
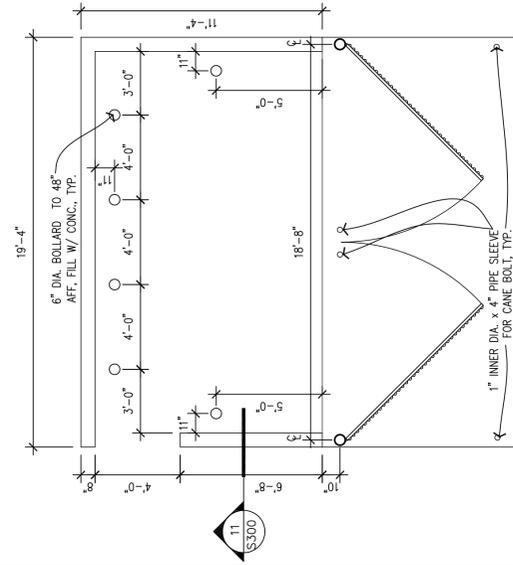
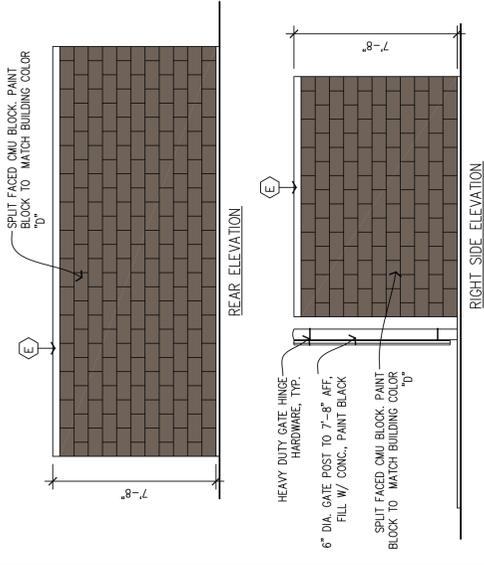


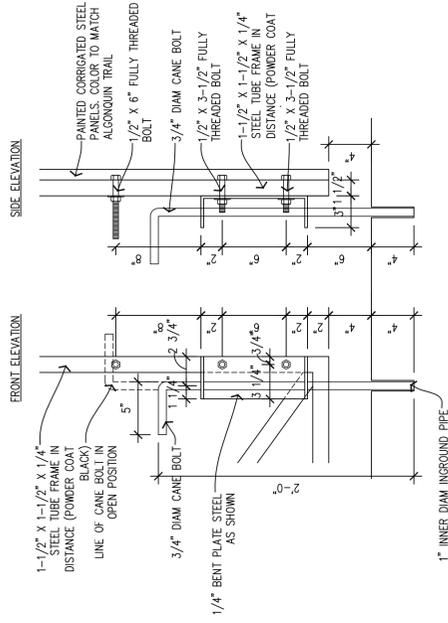
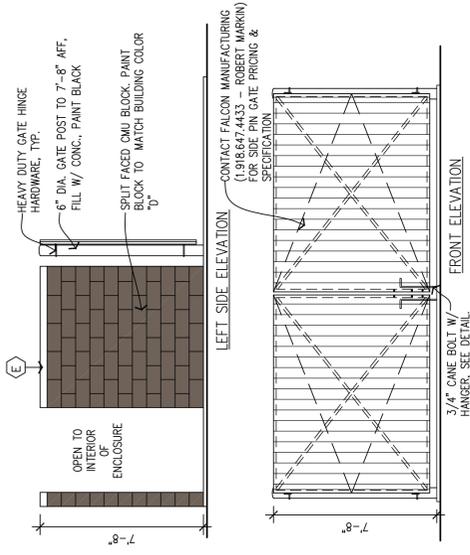
Exhibit 14



2 TRASH ENCLOSURE PLAN
A1.1 SCALE: 1/4" = 1'-0"



3 TRASH ENCLOSURE ELEVATIONS
A1.1 SCALE: 1/4" = 1'-0"



4 CAIN BOLT & HANGER DETAIL
A1.1 SCALE: 1-1/2" = 1'-0"

NEW BUILDING FOR:



INTERSECTION OF DAVENPORT STREET
AND 18TH LANE
EAST BETHEL, MINNESOTA 55011

AMERICAN DAIRY QUEEN

MINNEAPOLIS, MN U.S.A.
REGISTERED U.S. PATENT OFFICE. AMERICAN DAIRY QUEEN, AMERICAN DAIRY QUEEN LOGO, AMERICAN DAIRY QUEEN DESIGN AND INVENTION ARE THE PROPERTY OF AMERICAN DAIRY QUEEN INC. (AQQ) AND SHALL NOT BE COPIED IN ANY MANNER NOT DISCLOSED TO ANY OUTSIDE PARTY WITHOUT ADD. CONSENT.



03/11/26

MINNESOTA ARCHITECT
LICENSE NUMBER 53328

SPECIAL NOTICES:
In the event the design professional, architect or contractor makes any changes, alterations or modifications to any plans, specifications or other construction documents, and these changes are not approved in writing by the design professional, the design professional shall not be responsible for the consequences of such changes. The design professional shall not be held responsible for the release of the design professional from any liability arising from the design professional's negligence, active or passive, and the design professional shall not be held liable for any and all claims, damages, losses, and costs of defense arising from such changes. Copyright © 2026 by John S. Odum, Architect. All rights reserved. No part of this drawing may be reproduced by photocopy or by any other means without the prior written permission of the Architect.

ISSUE DATE: 03/11/26

REVISION DATE: PLANNING SUBMITTAL



DUMPSTER
ENCLOSURE
DETAILS

SHEET NUMBER:

A1.4

Exhibit 15

NEW BUILDING FOR:



INTERSECTION OF DAVENPORT STREET
AND 18TH LANE
EAST BETHEL, MINNESOTA 55011

AMERICAN DAIRY QUEEN
MINNEAPOLIS, MN U.S.A.
REGISTERED U.S. PATENT OFFICE. AMERICAN DAIRY
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02/23/26

MINNESOTA ARCHITECT
LICENSE NUMBER 53328

SPECIAL NOTICES: The Architect reserves the right to make changes to any plans, specifications or other construction documents, and these changes are not approved in writing by the design professional. The design professional shall not be responsible for any errors or omissions in this drawing. The design professional shall not be held responsible for any errors or omissions in this drawing. The design professional shall not be held responsible for any errors or omissions in this drawing. The design professional shall not be held responsible for any errors or omissions in this drawing.

ISSUE DATE: 02/23/26
REVISION DATE: 02/23/26
PLANNING SUBMITTAL

ELEVATIONS

SHEET NUMBER:

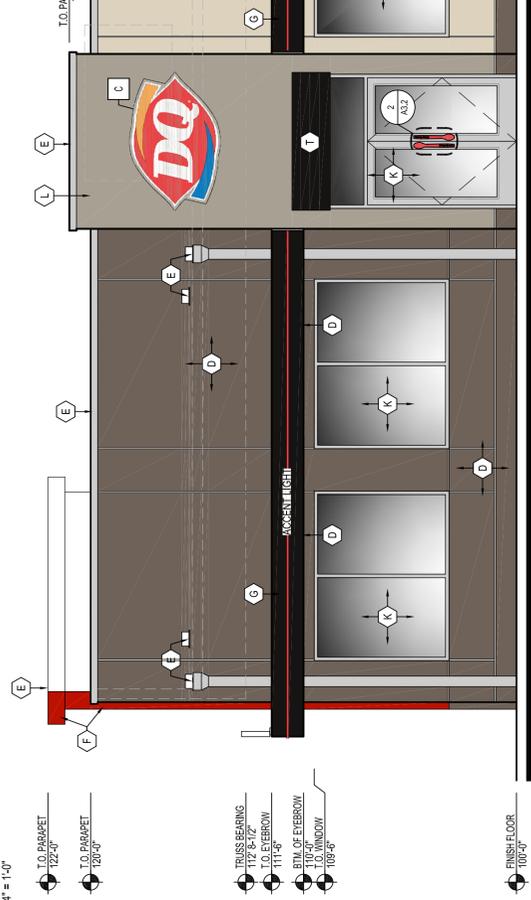
A3.1



RAISED
1.0' +/-

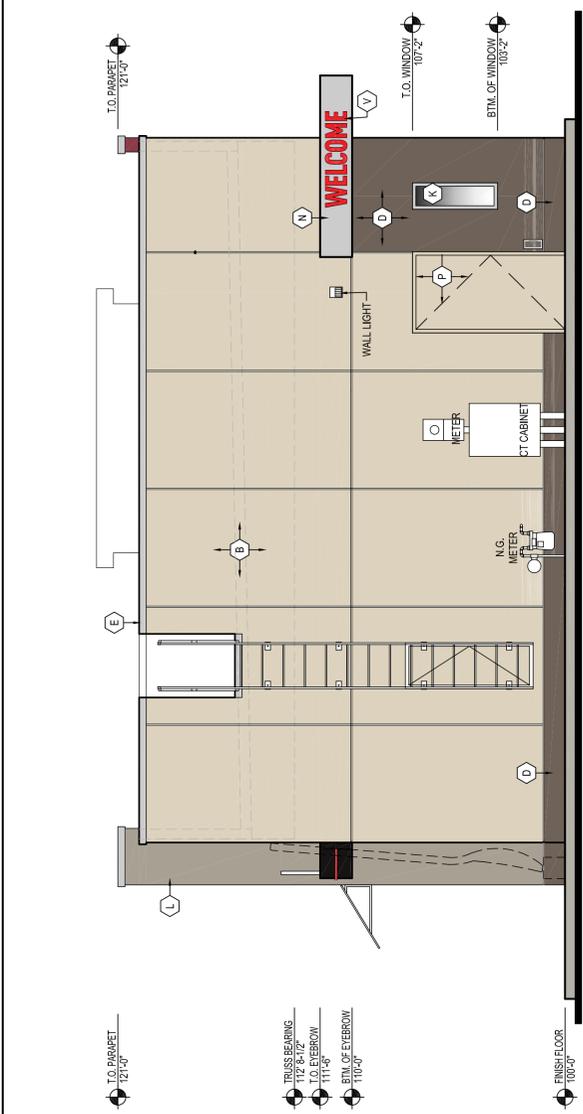
NOTE: THE DQ SPOON HANDLES HAVE SPECIAL INSTALLATION REQUIREMENTS. ALUM. STOREFRONT MFG. MUST COORD. LOCK & HANDLE LOCATION & HEIGHTS

1 FRONT ELEVATION
A3.1 SCALE: 1/4" = 1'-0"

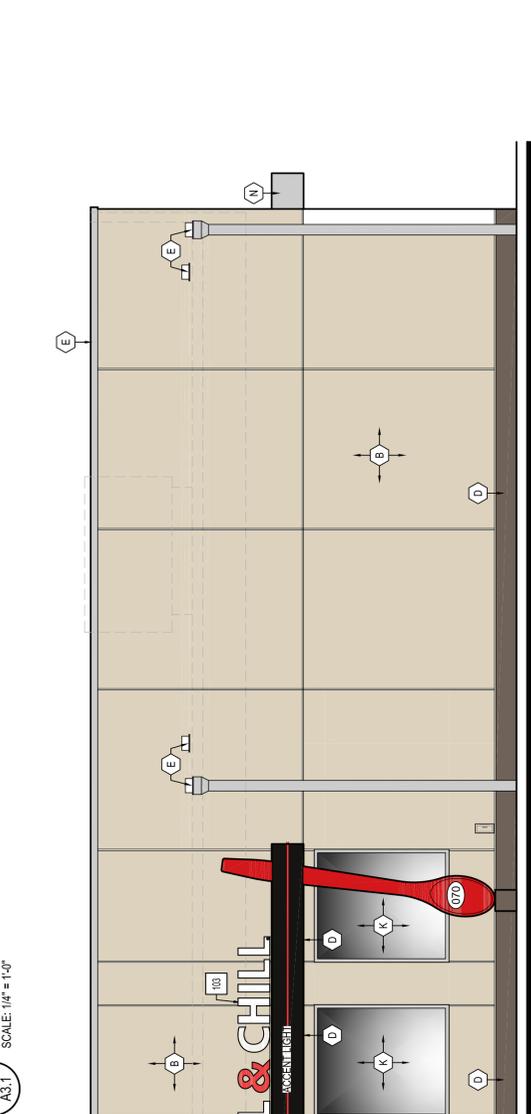


NOTE: THE DQ SPOON HANDLES HAVE SPECIAL INSTALLATION REQUIREMENTS. ALUM. STOREFRONT MFG. MUST COORD. LOCK & HANDLE LOCATION & HEIGHTS

3 ENTRANCE ELEVATION
A3.1 SCALE: 1/4" = 1'-0"



2 REAR ELEVATION
A3.1 SCALE: 1/4" = 1'-0"



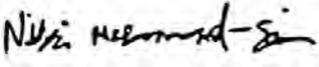
4 DRIVE-THRU ELEVATION
A3.1 SCALE: 1/4" = 1'-0"



Exhibit 16

**Minnesota Wetland Conservation Act
NOTICE OF DECISION**

Date this Notice was sent:	03/11/2026
Local Government Unit:	City of East Bethel
County:	Anoka
Applicant and (if applicable) Applicant's Representative:	Applicant: Tim Jindra, P. Magnus Inc. Applicant's Representative: Kelly Bopray, Bopray Environmental Services LLC
Project Name/Number:	Dairy Queen Development EB258
Type of Decision (check all that apply): Note: Boundary/type, sequencing, replacement plan, and bank plan decisions require an associated notice of application prior to the decision being made.	<input type="checkbox"/> Boundary/Type <input type="checkbox"/> Sequencing (submitted separately from a replacement plan) <input type="checkbox"/> Replacement Plan <input type="checkbox"/> Bank Plan <input type="checkbox"/> Exemption Identify which exemption by Rule or Statute Citation: [insert] <input checked="" type="checkbox"/> No-Loss Identify which provision by Rule or Statute Citation: 8420.0415, Subpart A
Decision: Note: All replacement plan approvals are conditional upon confirmation from BWSR of withdrawal of specified credits and/or financial assurance received for project-specific replacement.	<input type="checkbox"/> Denied <input type="checkbox"/> Approved. Valid for <input type="checkbox"/> 5 yrs (default); <input type="checkbox"/> Other. Specify: [insert] <input checked="" type="checkbox"/> Approved with Conditions List Conditions: 1. In addition to this Notice of Decision (NOD), additional permits may be required from local, state, or federal agencies. It is the applicant's responsibility to ensure that all required permits are obtained prior to commencing work. 2. STANDARD NO-LOSS AND EXEMPTION CONDITIONS OF MN Rule 8420.0410 A person conducting an activity in a wetland under no-loss in part 8420.0415 or an exemption in part 8420.0420 must ensure that: A. appropriate erosion control measures are taken to prevent sedimentation of the wetland or of any receiving waters; B. the activity does not block fish activity in a watercourse, except when done purposely to prevent movement of undesirable fish species in accordance with a recommendation from the commissioner; and C. the activity is conducted in compliance with all other applicable federal, state, and local requirements, including best management practices according to the documents referenced in part 8420.0112, items L, M, and N, and water resource protection requirements established under Minnesota Statutes, chapter 103H. Valid for <input checked="" type="checkbox"/> 5 yrs (default); <input type="checkbox"/> Other. Specify: [insert]

LGU Representative Name & Signature:	Nikki McDermond-Spies 
--------------------------------------	--

Decision Timeline

An LGU must approve or deny a request within 60 days of receiving a complete application per MINN. STAT. § 15.99.

Date Complete Application Received:	03/09/2026
Date of Decision:	03/11/2026
If applicable, date of <i>written extension</i> to 60-day decision timeline & number of days extended: Reason for Extension (check one):	[insert] <input type="checkbox"/> Other process or decision required to occur before WCA decision. Describe: [insert] <input type="checkbox"/> Additional information and/or revision to application submitted. <input type="checkbox"/> Applicant request. <input type="checkbox"/> Other. Describe: [insert]
Date & number of days extended for any <i>additional written extensions</i> agreed to by the applicant:	[insert]

Decision Summary

Technical Evaluation Panel Recommendation (check one):	<input checked="" type="checkbox"/> No recommendation <input type="checkbox"/> Approval or approval with conditions (attach recommendation) <input type="checkbox"/> Denial (attach recommendation)
LGU Findings (check all that apply):	<input type="checkbox"/> Findings attached <input checked="" type="checkbox"/> Findings: The applicant is seeking a No-Loss determination for the incidental wetlands on the site. In 2019, a boundary/type application was approved for a larger site, including the current project area. The 2019 NOD also approved an incidental determination for Wetlands I and J. Aerial imagery shows that since this approval, incidental Wetlands I and J have been filled. Incidental wetlands are not regulated under the WCA, and therefore no wetland impacts have occurred. The LGU approves the No-Loss determination. <input type="checkbox"/> Other attachments. Specify: [insert]
For Replacement Plan Decisions <i>Only</i> :	Total wetland impacts requiring replacement (acres): [insert] Type of wetland replacement (check all that apply): <input type="checkbox"/> Project-Specific. Number of Credits: [insert] <input type="checkbox"/> Banking. Number of Credits by Bank Account #: [insert]

Notice Distribution

<p>Notice Recipients (check all that apply):</p>	<p><input checked="" type="checkbox"/> SWCD TEP Member (if different from LGU): Becky Wozney, becky.wozney@anokaswcd.org</p> <p><input checked="" type="checkbox"/> BWSR TEP Member: Ben Meyer, ben.meyer@state.mn.us</p> <p><input checked="" type="checkbox"/> DNR Representative: Ryan Toot, ryan.toot@state.mn.us</p> <p><input type="checkbox"/> Watershed District or WMO (if applicable): [insert]</p> <p><input type="checkbox"/> bank.administrator.bwsr@state.mn.us (Bank Plan Decisions Only)</p> <p><input checked="" type="checkbox"/> Applicant: jindrat@msn.com</p> <p><input checked="" type="checkbox"/> Applicant’s Representative (if applicable): kbopray@yahoo.com</p> <p><input type="checkbox"/> Members of the Public Requesting Notices (if applicable): [insert]</p> <p><input type="checkbox"/> Others: [insert]</p>
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Appeal Process

<p>Appeal Process (check one):</p>	<p><input type="checkbox"/> Local Appeal Process (if established). Specify How to Appeal: [insert]</p> <p><input checked="" type="checkbox"/> Board of Water & Soil Resources (see instructions below)</p>
<p>If there is no established Local Appeal Process indicated above, an appeal of this decision may be made to BWSR per the instructions to the right.</p> <p>Note: Decisions are not final until the 30-day appeal window ends.</p>	<p>Mail or email written request to appeal sent to BWSR within 30 days of date this notice was sent. Include copy of this notice, name and contact information of appellant(s) and their representative(s) (if applicable), a statement clarifying intent to appeal, and supporting information as to why the decision is in error.</p> <p>Mail check payable to MN Board of Water & Soil Resources for \$500.</p> <p>Send to:</p> <p style="padding-left: 40px;">Appeals & Regulatory Compliance Coordinator Minnesota Board of Water & Soil Resources 520 Lafayette Road North St. Paul, MN 55155 travis.germundson@state.mn.us.</p>

Exhibit 17

CITY OF EAST BETHEL
ANOKA COUNTY, MINNESOTA

PLANNED UNIT DEVELOPMENT AGREEMENT

*Elevage EB First Addition
(Phase One)*

THIS PLANNED UNIT DEVELOPMENT AGREEMENT ("Agreement") is made effective the 10th day of May, 2021 ("Effective Date") by and between the CITY OF EAST BETHEL, a municipal corporation and political subdivision organized under the laws of Minnesota (the "City") and ELEVAGE EB HOLDINGS, LLC, a Minnesota limited liability company (the "Developer", and together with the City, the "Parties"). Capitalized terms used in this Agreement shall have the meanings given them in this Agreement, including but not limited to Article I hereof.

RECITALS

WHEREAS, Developer is the owner of real property legally described on the attached Exhibit A (the "Property") and located within the corporate limits of the City; and

WHEREAS, Developer desires to develop the Property (the "Project"), in phases, for a Planned Unit Development ("PUD") consisting of commercial and retail property, multi-family residential housing, and single-family residential housing; and

WHEREAS, on April 12, 2021, the City Council reviewed and approved on the Master PUD Plan for the Property, by City Council Resolution No. 2021-19.

WHEREAS, pursuant to the approved plans for Phase I of the PUD, Developer desires to develop a convenience store and gas station ("C-Store") on Lot 1, Block 1 as depicted on the Final

Plat of Elevage EB First Addition, which was approved by the City Council on April 12, 2021, and memorialized by Resolution No. 2021-21;

WHEREAS, the zoning district for the property described as Lot 1, Block 1 on the Final Plat of Elevage EB First Addition is MXU Mixed Use;

WHEREAS, a convenience store and gas station is a permitted use in the MXU Mixed Use zoning district;

WHEREAS, the Developer proposes to construct the Project in phases, the scope and timing of which shall be reasonably determined by Developer and the City;

WHEREAS, by this Agreement, Developer and the City desire to set forth their respective rights and obligations of the Parties with respect to Phase One of the Project.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained in this Agreement, the Parties agree as follows:

ARTICLE I DEFINITIONS

1.1 Definitions. In this Agreement, unless a different meaning clearly appears from the context:

"Agreement" means this Development Agreement by and between the City and the Developer, as the same may from time to time be mutually modified, amended, or supplemented by a signed written agreement.

"City" means the City of East Bethel, Minnesota.

"Code" means the City's Code of Ordinances in place as of the Effective Date.

"County" means Anoka County, Minnesota.

"Developer" means individually and collectively, Elevage EB Holdings, LLC, or its successors or assigns.

"Master PUD Plan" means the PUD plan for the Property and Project, approved by the City Council on April 12, 2021, by City Council Resolution No. 2021-19.

"Phase One" means the subdivision of the Property pursuant to the Elevage EB First Addition final plat and the construction of the Phase One Improvements on the Phase One Property.

"Phase One Construction Plans" means the Phase One Final Plat, the Final Grading, Drainage, and Erosion Control Plan, Tree Preservation Plan, Plans and Specifications for Public

Improvements, Street Lighting Plan, and Landscape Plan, which Developer has caused to be prepared. The Phase One Construction Plans, and any approved amendments, revisions or supplements thereto, shall be reviewed and approved by the City Engineer. The Phase One Construction Plans and contract documents may be reasonably revised per the recommendations of the City Engineer, after entering into this Agreement, but before commencement of any work on the Phase One Property. If changes are made per the recommendation of the City Engineer, the most current and revised Phase One Construction Plans shall be incorporated herein. If the Phase One Construction Plans vary from the written terms of this Agreement, the written terms of this Agreement shall control.

"Phase One Final Plat" means the plat of the Property depicting the subdivision and development and referred to as the plat of Elevage EB First Addition, as shown in the final plat approved by City Council Resolution No 2021-21.

"Phase One Improvements" means all improvements, including the Phase One Public Improvements – Developer Constructed, to be installed and constructed on or serving the Phase One Property in conformity with the Phase One Construction Plans.

"Phase One Property" means that portion of the Property legally described as Lot 1, Block 1 and Outlots A and B, Elevage EB First Addition, Anoka County, Minnesota.

"Phase One Public Improvements – City Constructed" means all improvements constructed in the public right-of-way previously dedicated to the City for installation of a frontage road as more specifically identified in the City road construction plans labeled EB351_Full Set dated March 8, 2020.

"Phase One Public Improvements – Developer Constructed" means all improvement constructed by the Developer as part of Phase One that are within public easements to be dedicated to the City upon completion and not within the public right-of-way previously dedicated to the City for installation of a frontage road.

"Property" means the real estate legally described on the attached Exhibit A prior to the recording of the Plat.

"Project" means the overall development and construction on the Property by Developer of the improvements as depicted on the Master PUD Plan pursuant to the terms of this Agreement as to Phase One and pursuant to substantially similar agreements as to future phases.

"Unavoidable Delays" means delays, outside the control of the party claiming an occurrence, which are the direct or indirect result of strikes, other labor troubles, unusually severe or prolonged bad weather, acts of God, fire or other casualty to the Improvements, litigation, or other administrative procedures commenced by third parties which, by injunction or other similar judicial action, directly result in delays, or acts or requirements of any federal, state or local governmental unit including without limitation the declaration of a state of emergency or other order that limits general business operations (other than the City acting in its contractual capacity under this Agreement) which directly results in delays.

1.2 Construction. Wherever in this Agreement the singular number is used, the same shall include the plural where appropriate, and words of any gender shall include each other gender where appropriate. The headings, captions or arrangements used in this Agreement, unless specified otherwise, for convenience only and shall not be deemed to limit, amplify or modify the terms, or affect the meaning, of this Agreement.

ARTICLE II DEVELOPMENT OF PHASE ONE PROPERTY

2.1 Developer's Covenant to Develop. Developer shall, at Developer's expense, perform or cause to be performed, the development of the Phase One Property and construction of the Phase One Improvements in accordance with the Phase One Construction Plans and this Agreement. Developer shall use its reasonable efforts to complete the Improvements substantially in accordance with the Construction Plans, which plans and specifications shall be subject to review and approval by the City as may be normal, customary or required in order to proceed with the development of the Property.

2.2 No Reconveyance. Until all Phase One Improvements have been substantially completed in accordance with this Agreement, Developer shall not reconvey the Phase One Property to any third party without the express consent of the City which will not be unreasonably withheld or delayed; provided, however, that, if applicable, any conveyance to a third party must provide for the third party's assumption of any and all performances by the Developer under this Agreement. Notwithstanding anything to the contrary, the City and Developer agree that Developer intends to convey Lot 1, Block 1 Elevage EB First Addition to the operator of the C-Store.

2.3 Fees and Costs. Except as otherwise specified in this Agreement, Developer shall pay all reasonable out-of-pocket costs incurred by it or the City in conjunction with the development of the Phase One Property including, but not limited to, planning, engineering and inspection expenses, and legal fees incurred in connection with the approval and acceptance of the subdivision and plat, preparation of this Agreement any amendments hereto, development of the Phase One Property, and all costs and expenses incurred by the City in monitoring and inspecting the development of the Phase One Property. The City shall be solely responsible for all costs of the Phase One Public Improvements – City Installed. Unless required to be paid as a condition of the approval of this Agreement, all such amounts shall be paid within thirty (30) days after being billed. Invoices from the City to Developer shall be mailed to Developer at the address set forth in Section 13.1 or such other address as Developer provides the City in writing.

2.4 Right to Proceed. The Developer shall not construct the Phase One Improvements on the Phase One Property until all the following conditions precedent have been satisfied:

- (a) the Phase One Final Plat has been filed with Anoka County;

- (b) this Agreement has been executed by the Parties and recorded with Anoka County;
- (c) The Developer has provided the City with the required security as set forth in Article VII; and
- (d) All required permits have been obtained.

2.5 Future Development. Future development of Outlots A and/or B in the Phase One Final Plat or described portions thereof shall (a) unless otherwise agreed in writing, be consistent with the Master PUD Plan, and (b) be identified in one or more separate PUD Development Agreements substantially in form and context as this Agreement.

ARTICLE III ZONING, USE, AND PERMITS

3.1 Zoning. The Parties acknowledge and agree that (a) the Phase One Property is zoned MXU Mixed Use and (b) a convenience store and gas station is a permitted use in the MXU Mixed Use zoning district. This use conforms to the Developer's intended use and the Parties agree that MXU Mixed Use as further described in the Master PUD Plan is the proper zoning classification for the development of the Project subject to any variations therefrom allowed by this Agreement.

3.2 Use. Developer shall use the Phase One Property in accordance with this Agreement. Developer shall comply with all applicable federal, state, and local laws and regulations relative to Developer's use of hazardous materials, if any.

3.3 Permits. Developer shall be responsible for securing all necessary approvals and permits from all appropriate federal, state, regional and local jurisdictions prior to the commencement of construction, including, but not limited to the following:

- (a) Prior to any work beginning in public right-of-ways, Developer shall obtain all appropriate permits from the State, County and/or the City.
- (b) Developer shall obtain the required NPDES permit from the Minnesota Pollution Control Agency with regard to storm water permitting.

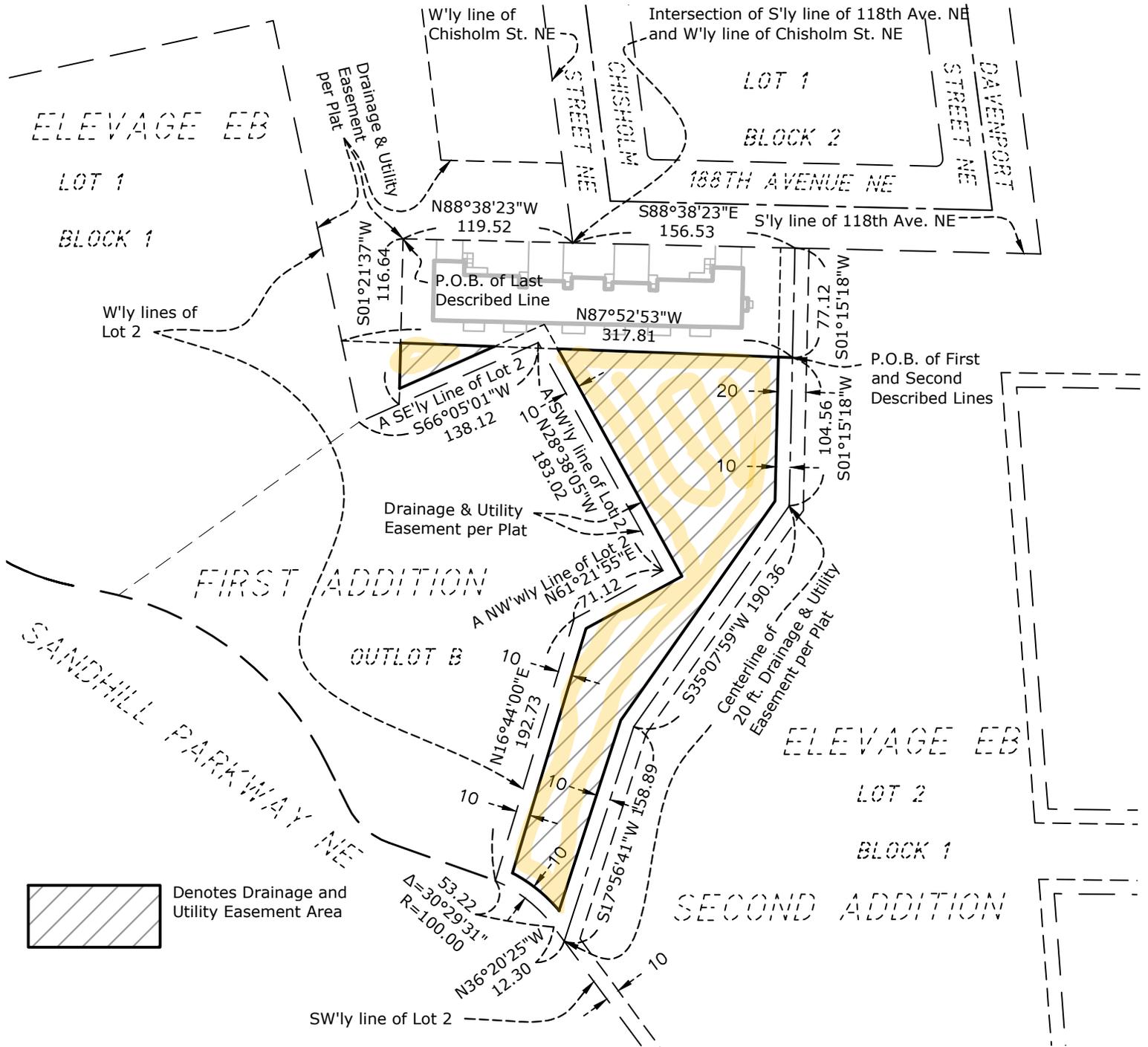
3.4 Compliance with Code. Developer shall construct and install all Phase One Improvements, and provide all plans, specifications, and other documents in accordance with the provisions of this Agreement, the provisions of the City's Code of Ordinances, and where applicable state and federal law, for review and oversight by the pertinent committees of the City, Public Works Director, City Engineer, and where applicable, the City Attorney and State of Minnesota.

Exhibit 18

Drainage and Utility Easement Exhibit

Lot 2, Block 1, Elevage EB Second Addition

City of East Bethel, Anoka County, Minnesota



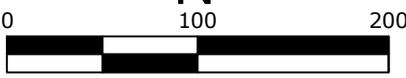
Denotes Drainage and Utility Easement Area

MINNESOTA CERTIFICATION

I hereby certify that this survey, plan or report 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.

Dated this 17th day of March, 2026

Rory L. Synsteliem Minnesota License No. 44565
148 of 152



SCALE IN FEET

CivilSite

GROUP

5000 GLENWOOD AVENUE
GOLDEN VALLEY, MN 55422
CivilSiteGroup.com

Drawn By: TH

Project No. 21268.05 SHEET 2 OF 2
3-24-26 PC Agenda and Packet

Exhibit 19

**CITY OF EAST BETHEL
COUNTY OF ANOKA
STATE OF MINNESOTA**

RESOLUTION NO. 2026-_____

**A RESOLUTION BY THE PLANNING COMMISSION RECOMMENDING
APPROVAL OF AN AMENDED PLANNED UNIT DEVELOPMENT, SITE PLAN
REVIEW, PRELIMINARY PLAT, AND FINAL**

WHEREAS, P. Magnus Inc. (Applicant) and EB Commercial LLC (Property Owner), collectively the “Applicants”, have applied for approval of an Amended Planned Unit Development, Site Plan Review, Preliminary Plat, and Final Plat for the property legally described as Outlot B, Elevage EB First Addition, PID No. 323323120012; and

WHEREAS, the application proposes construction of a 2,554 square foot Dairy Queen restaurant with drive-thru service, indoor and outdoor seating, and associated site improvements; and

WHEREAS, the proposed plat converts Outlot B of Elevage EB First Addition into Lot 1, Block 1, DQ East Bethel; and

WHEREAS, the property is located south of the existing Kwik Trip near the intersection of 187th Lane NE and Sandhill Parkway NE; and

WHEREAS, the property is guided Mixed Use in the City’s 2040 Comprehensive Plan and is zoned MXU – Mixed Use; and

WHEREAS, the property is subject to the Elevage EB First Addition Development Agreement dated May 10, 2021, which requires development of Outlot B to be addressed through a separate Planned Unit Development (PUD) amendment.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission has reviewed the application materials, staff report, engineering review, and all testimony presented at the public hearing held on March 24th, 2026 and makes the following Finding of Fact.

Findings of Fact:

1. The proposed development is consistent with the City’s 2040 Comprehensive Plan, which guides the property for mixed-use development.
2. The proposed use is commercial in nature and consistent with the intent of the MXU zoning district as a neighborhood-serving use within a mixed-use area.
3. The proposal is consistent with the Elevage EB First Addition development framework and satisfies the requirement that Outlot B be addressed through a separate PUD amendment.
4. The proposed plat converts an existing outlot within a recorded subdivision into a single buildable lot and does not create additional lots or public streets.

5. The Applicants have submitted sufficient preliminary and final plat, site plan, and engineering materials to allow concurrent review of the Preliminary and Final Plat.
6. The site design provides coordinated building placement, circulation, parking, and utility service, resulting in a unified development pattern.
7. The proposed development is compatible with surrounding commercial uses and the planned mixed-use character of the area.
8. The building design and materials generally comply with applicable City architectural standards.
9. The proposed parking supply exceeds minimum requirements and provides adequate on-site parking and circulation.
10. The site will be served by existing public infrastructure, and final engineering details can be addressed through final review.
11. The City Engineer has reviewed the proposal and determined it to be acceptable subject to standard conditions and resolution of review comments.
12. Fire protection and access requirements can be met subject to verification of fire flow and final review.
13. The proposed signage and sign placement may be approved through the PUD amendment process where justified by the overall design of the development.
14. The submitted lighting plan generally demonstrates compliance with City standards, subject to final photometric verification.
15. Subject to the conditions herein, the proposed development will not be detrimental to the public health, safety, or welfare.

NOW, THEREFORE, BE IT FUTHER RESOLVED THAT, the Planning Commission of the City of East Bethel hereby recommends that the City Council approve the Amended Planned Unit Development, Site Plan Review, Preliminary Plat, and Final Plat for DQ East Bethel subject to the following Conditions of Approval.

Conditions of Approval:

1. The development shall substantially conform to the plans and materials submitted with the application dated February 23, 2026, and subsequent revisions, except as modified by these conditions.
2. The Final Plat for Lot 1, Block 1, DQ East Bethel shall be approved by the City Council and recorded with Anoka County prior to issuance of building permits.
3. All engineering, utility, grading, drainage, stormwater, erosion control, access, right-of-way, landscaping escrow, infrastructure restoration, and other construction-related elements of the project shall be subject to final review and approval by the City Engineer prior to final plat recording, issuance of building permits, and commencement of construction, as applicable.
4. The Applicants shall obtain all required permits, including but not limited to NPDES construction permitting, and comply with all applicable state and local regulations.
5. Required stormwater management and maintenance agreements shall be executed and recorded prior to plat recording, subject to City Engineer approval.
6. All required drainage and utility easements shall be provided to the satisfaction of the City Engineer.

7. The Applicants shall provide final engineering plans and address all review comments of the City Engineer prior to final plat recording and issuance of building permits.
8. All exterior lighting shall fully comply with the City’s lighting ordinance and shall be subject to final review and approval by the City Engineer prior to issuance of building permits. The Applicants have submitted lighting designs that generally demonstrate compliance; however, final photometric approval shall be required.
9. Rooftop mechanical equipment shall be fully screened from view consistent with City Code.
10. All landscaping shall be installed and maintained in accordance with approved plans, with escrow provided as required.
11. The Applicants shall verify compliance with fire flow requirements (minimum 934 gpm) prior to issuance of building permits.
12. The Applicants shall install and maintain grease traps, interceptors, or other grease management systems as required by the City. The design, sizing, and location of such systems shall be subject to review and approval by the City Public Works Director prior to issuance of building permits.
13. Total signage shall not exceed 209 square feet and shall be consistent with the submitted plans. Any deviations from the City requirements as shown are approved as part of the PUD amendment.
14. The freestanding sign setback of approximately 12 feet from the front lot line is approved as part of the PUD amendment.
15. Required sidewalk and trail connections shall be constructed within twelve (12) months of final plat approval, at the sole expense of the Applicants, unless extended by the City.
16. The Applicants shall be responsible for payment of all applicable park dedication requirements and fees, unless previously satisfied.
17. Any impacts to public infrastructure shall be restored to City standards.
18. The Applicants shall be responsible for all City and Metropolitan Council utility connection charges.
19. Any changes to approved plans shall require City review and approval.
20. The Applicant and Property owner shall enter into a Final Planned Unit Development Amendment Agreement with the City, subject to review and approval by the City Attorney, addressing modifications to the original Elevation EB First Addition Development Agreement (May 10, 2021), including but not limited to site design, access, utilities, signage, and other applicable development standards.

Adopted by the Planning Commission of the City of East Bethel this ___ day of _____, 2026.

ATTEST:

 Planning Commission Chair

 Matt Look, City Administrator