



8319 County Road 11
 Breezy Point, MN 56472
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www.cityofbreezypointmn.us

Received by City: 5/15/2026
 Application Number: C-26-005
 Non-refundable Fee Paid: 35.00
 Receipt #: 96.0056

Conditional Use Application

Name of Applicant Whitebirch, Inc.
 Address 9252 Breezy Point Drive Email: dspizzo@breezypointresort.com
 City, State, Zip Breezy Point, MN 56472
 Phone (218) 562-7180 Alternate Phone (218) 820-4038

Physical Address / Location of Property 30375 Alpine Drive, Breezy Point, MN 56472

Legal Description of Property See Exhibit A

Parcel ID Number 10171090 and 10171091 Zoning District Commercial

Applicant is: Title Holder of Property (if different than applicant):
 Legal Owner of Property Name _____
 Contract Buyer Address _____
 Option Holder City, State, ZIP _____
 Agent Phone _____
 Other _____

State the nature of your request in detail. What are you proposing for your property?
I request a Conditional Use Permit as permitted under Breezy Point's Ordinance No. 24-03 for cannabis retail sales. The proposed licensee is Mary Jane Consulting, LLC.

Signature of Owner, authorizing application Robert B. Gino
 (By signing, the owner is certifying that he/she has read and understands the instructions accompanying this application.)

Signature of Applicant (if different than owner) _____
 (By signing, the applicant is certifying that he/she has read and understands the instructions accompanying this application.)

By signing above, I acknowledge that I understand that I am responsible for all fees incurred by the City as a result of professional services provided by the City Engineer, City Attorney, and other contracted agencies in reviewing my application.

CONDITIONAL USE: A land use or land development, as defined by the Ordinance, that is allowed, but would not be appropriate without restrictions or conditions as determined by the Planning Commission. The proposed use must meeting the following standards: (a) the use or development is an appropriate conditional use in the land use zone, (b) the use or development with conditions conforms to the comprehensive land use plan, (c) The use with conditions is compatible with the existing neighborhood, and (d) the use with conditions would not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, or prosperity of residents in the City.

The following questions must be answered.

1. What changes are you proposing to make to this property?

Building: Allowing for the retail sales of cannabis.

Landscaping: Allowing for the retail sales of cannabis.

Parking/Signs: 2 fixed outdoor signs on exterior of property or building. Minn. Stat. 342.64.

2. Describe the impact on the use and enjoyment of other property in the immediate vicinity. If there is no impact, explain why.

There will be no negative impact on nearby properties because the surrounding units are owned and managed by the same landlord, allowing for coordinated oversight and property management. The proposed cannabis business operates entirely indoors with regulated security, odor control, and operational procedures, and will not create excessive noise, smoke, or other nuisances that would interfere with neighboring properties.

3. Describe the character of the area and the existing patterns and use of development in the area. How is the proposal consistent with those patterns and uses?

The proposed cannabis retail use is consistent with the area's commercial character and mix of retail, service, and customer-oriented businesses. The proposal fits the established pattern of regulated commercial activity by operating within an existing commercial space with professional management, appropriate business hours, and compliance with regulations. The use will complement surrounding businesses & contribute to the local economy

4. Describe the impact on the capacity of existing or planned community facilities (sewer, drainage, other). Explain if additional facilities will be required.

There will be no impact on the capacity of existing or planned community facilities. Further, there will be no need for additional facilities.

5. Describe the impact on the character of the neighborhood in which the property is located.

The proposed cannabis retail use will have a minimal impact on the character of the surrounding neighborhood and is designed to operate in a manner consistent with existing commercial uses in the area. The business will be professionally managed, maintain compliance with all state and local regulations, and operate within an existing commercial space without significantly altering traffic patterns, noise levels, or the overall appearance of the neighborhood. The proposal will support economic activity while maintaining compatibility with surrounding properties and businesses.

6. Describe the impact to the traffic on roads and highways in the vicinity, and the expected traffic generated by the proposed use. Is there adequate off-street parking available to accommodate the proposal?

The proposed cannabis retail use is expected to generate traffic levels comparable to other retail and customer-service businesses and is not anticipated to significantly impact surrounding roads or highways. The site is in an established commercial corridor with access from streets. Adequate off-street parking is available on-site to support customers and employees, and the proposal is not expected to affect traffic flow or parking.

7. Discuss any environmental limitations of the area that would limit or constrain construction on this property.

The property is in a developed commercial area with no environmental constraints limiting the proposed use or interior improvements. It is served by existing infrastructure, and any work would be limited to interior build-out within the structure. No wetlands, floodways, or protected habitats are present on or near the site.

8. Please include any other comments pertinent to this request.

A cannabis business can benefit a city by generating tax revenue that supports public services and community programs. It can also create local jobs and stimulate economic activity by attracting customers and supporting nearby businesses. When properly regulated, it operates like other retail uses, contributing to a stable commercial tax base within a controlled legal framework.

INSTRUCTIONS TO THE APPLICANT

Completed applications, with *all* submittal requirements, must be submitted to the Planning & Zoning Department no fewer than **25 days** prior to the meeting date. In order for your application to be accepted as complete, and to have a public hearing scheduled, the following information **must** be submitted:

- X 1. This application must be completed, including responses to all parts of this application.
- X 2. The required fee must be paid. See fee schedule for details.
- X 3. Legal description of the site.
- X 4. Site plan, drawn to scale, showing parcel and existing structure dimensions, water features, and 10 foot contour lines (smaller contour lines may be required if deemed necessary by the Planning Department, Planning Commission, or City Council).
- X 5. The site plan or should also show the location of all structures and their square footage.
- X 6. Existing and proposed curb cuts, driveways, access roads, turn-arounds, parking including RV, boat and additional vehicle storage, off-street loading, and sidewalks. Size and type of surface should also be included.
- X 7. Proposed landscaping and screening plans: garbage dumpsters, areas preserved in natural state including buffer areas, areas to be developed into lawn (grass), areas to be covered by woodchips or mulch, garden areas, shrubbery, types, size, age, and number of proposed trees and their locations, exterior lighting to be proposed including location and type, any other items deemed appropriate.
- X 8. Square footage of all impervious coverage. Impervious coverage includes the horizontal area of all buildings, decks, roof overhangs, patios, walks, driveways, and any other parking areas and drives constructed of any material.
- X 9. Proposed drainage plan.
- X 10. Proposed and existing sanitary sewer and water supply plans with estimated usages on peak day.
- X 11. Soils data showing capability for building and on-site sewage treatment.
- X 12. Existing iron pipe boundary monuments marked with proof of survey.
- X 13. Approximate location of any proposed signs (if applicable).
- x 14. Color scheme for all existing and proposed structures.
- x 15. Outside storage proposal.
- X 16. Elevation plans for all existing and proposed structures.