

TO: Planning Commission

FROM: Jerry Bohnsack

Meeting of June 9, 2026

Conditional Use Application C-26-005

Applicant: Whitebirch Inc

Property Address: 30375 Alpine Drive Breezy Point MN 56472

Property ID: 10171090 & 10171091

Legal Desc: Lots 21 thru 23 & Part of Lot 20 of 27th Addition to Breezy Point Estates

Property Zoned: (C) Commercial

City Code: 153.040, 153.044, 153.045, 153.007, 116

Conditional Use Request:

Applicant has submitted an application for a Conditional Use Permit for Retail Cannabis sales in existing building located at 30375 Alpine Drive.

The parcel currently hosts a commercial building (4472 sq. ft.) and hard surfaced parking areas. (24 spaces) Access to the property is from Alpine Drive off of County Road 11. The building hosts sales offices for Breezy Point Real Estate and Timeshare sales. Property serviced by site well and septic.

Commercial office will continue in the easterly portion of the building with Cannabis retail occupying the westerly portion of the building.

Findings

Upon review of a Conditional Use application the commission needs to consider the findings as required in Section §153.119 (E). In review the commission should state whether or not the finding is acceptable towards granting the CUP, if applicable.

The following findings must be met:

- (a) The use or development is an appropriate conditional use in the land use zone

The property is zoned C and the request is appropriate under Section §153.040.

- (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.

- (d) The use with conditions would not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, appearance or prosperity of the city.

The following must be considered:

- (a) The conditional use should not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose permitted on that property, nor substantially diminish or impair property values in the immediate vicinity;

- (b) The conditional use will not impede the normal and orderly development and

improvement of surrounding vacant property for uses predominant in the area;

(c) The conditional use will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the community;

The use does not require any additional public infrastructure.

(d) The conditional use will promote and preserve the Northwoods character of the community;

(e) The conditional use will have vehicular approaches to the property which are so designed as not to create traffic congestion or an interference with traffic on surrounding public thoroughfares;

The proposed use is in keeping with the residential character of the neighborhood creating nominal additional traffic flow.

(f) Adequate measures have been taken to provide sufficient off-street parking and loading space to serve the proposed use;

The use is in keeping with the residential character of the neighborhood creating nominal additional parking or loading requirements.

(g) Adequate measures have been taken or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so none of these will constitute a nuisance and to control lights and signs in such a manner that no disturbance to neighboring properties will result;

The proposed use is in keeping with the residential character of the neighborhood. No commercial use of the property is proposed as a condition of the CUP.

(h) The conditional use will not result in the destruction, loss or damage of a natural, scenic or historical feature of major significance; and

Not Applicable

(i) The conditional use will promote the prevention and control of pollution of the ground and surface waters including sedimentation and control of nutrients.

The proposed use is in keeping with the residential character of the neighborhood.

- Applicant has filed the appropriate application for CUP.
- Applicant has paid the appropriate fee for the application.
- Public notice of Conditional Use Hearing was published in the legal newspaper and all property owners within 350' were given mailed notice of said hearing.
- Public Hearing was held on Tuesday, June 9, 2026.

Staff has reviewed the following:

- Site Plan
- CUP Application

Section 116.09 Zoning and Land Use

(A) Cannabis Retail. Cannabis businesses licensed or endorsed for cannabis retail are permitted as a (CUP) Conditional Use Permit in the following zoning districts:

- C – Commercial

Cannabis Retail is Appropriate Conditional Use in (C) Commercial Zone.

The following may be appropriate conditions for approval of C.U.P.

- 1) Applicant shall obtain Building Permit for exterior and interior remodel.
- 2) Cannabis Retail Licensee
- 3) All signage to comply with 153.061
- 4) All lighting to face onward.
- 5) Consolidate parcels 10171090 & 10171091.