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October 9, 2024  
7:00 p.m.

Brooklyn Park Council Chambers  
5200 85<sup>th</sup> Avenue North  
Brooklyn Park, MN 55443

## **PLANNING COMMISSION REGULAR MEETING – AGENDA #15**

For reasonable accommodations or alternative formats, please provide a 72-hour notice by calling 763-424-8000 or emailing [chris.xiong@brooklynpark.org](mailto:chris.xiong@brooklynpark.org). Si usted necesita esta información en español, llame al 763-424-8000 y solicite un intérprete. Yog xav tau kev pab, hu 763-493-8059.

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Commissioners: Chair Liam Cavin, Vice Chair Kathy Fraser, General Officer Teshite Wako, Christopher Udomah, Philip Gaye-Bai, Maggie Borer, Shereese Turner, Abdo Korosso, and Chukwunedu Arah.  
City Councilmember Liaison Tony McGarvey.  
Staff Liaison Planning Director Paul Mogush, Interim Planning Director Erin Perdu, Erin McDermott, Cara Donovan, and Matt Hayes-Regan.

Members of the public can monitor the meeting by watching it on CCX Media Channel 16 or by livestreaming it at [https://nwscce-brooklynpark.granicus.com/ViewPublisher.php?view\\_id=5](https://nwscce-brooklynpark.granicus.com/ViewPublisher.php?view_id=5).

Anyone who wants to address the Planning Commission during the Public Comment period may do so in person or by calling **763-493-8057** or emailing [planning@brooklynpark.org](mailto:planning@brooklynpark.org) by 4:00 p.m. on the meeting day. You will be asked to provide your name, address, email, and phone number. You will then be registered to speak during the Public Comment period or on the agenda item and will be provided with the call-in number to address the Planning Commission.

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### **I. ORGANIZATIONAL BUSINESS**

- 1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE**
- 2. EXPLANATION BY CHAIR**

Please be advised that the public hearings are recorded and televised live on cable television and web-streamed over the internet at [brooklynpark.org](http://brooklynpark.org). The audio system will not pick up comments from the seating area. If you want to be heard and made a part of the public record, please go to the podium or, if participating remotely, turn on your camera; speak into the microphone, stating your full name and address. Please sign the public hearing logbook on the table near the entrance to the Council Chambers if you are attending in person to ensure accuracy of name and address in the public record. Please note that the agenda for tonight's meeting indicates that the Commission Chair has the prerogative to invoke a time limit for speakers during any public hearing in the interest of maintaining focus and the effective use of time. Thank you in advance for your cooperation.

The Planning Commission consists of 11 resident-volunteer members, two of which are young adult members, appointed by the City Council to advise the City Council on planning and land use issues. The Commission discusses and evaluates development proposals based on zoning regulations and comprehensive plan policies. The Planning Commission vote is a recommendation that is forwarded to the City Council for official and final action.

- 3. APPROVAL OF AGENDA**

## II. REQUIRED DUTIES

### 4. CONSENT AGENDA

4.1 **Approval of Minutes** September 11, 2024 Regular Meeting

4.2 **Approval of Minutes** September 25, 2024 Work Session

### 5. PUBLIC HEARING

#### 5.1 **Planning Case #24-117 | Prairie Seeds Academy | 6200 West Broadway | Preliminary and Final Plat Application | Rezoning Request Application | Site Plan Review Application**

This request is for the construction of an addition to the existing structure (school) located at 6200 W Broadway. Three land use applications are included with this application: a preliminary plat, a zoning ordinance text and map amendment (rezoning), and a site plan.

The applicant has purchased four formerly single-family lots which the applicant intends to combine with the existing lot at 6200 W Broadway. The preliminary plat proposes combining five parcels to create a single, 12.17-acre lot. A final plat will be required to create a lot that can be recorded by Hennepin County, after which permits can be issued.

The four lots purchased by the applicant (6216, 6224, 6228, and 6232 W Broadway) are currently zoned R-1 (Detached Single-Family Estate District). Schools are not a permitted use in the R-1 District. The applicant has requested to rezone these four lots to the PI (Public Institution) District, matching the zoning of the existing school. The PI District allows schools as a conditional use which was approved at the time of construction of the original school in 1972. The Comprehensive Plan, which became effective on March 30, 2020, guides the future land use of these four parcels as Low Density Residential, which allows low-high density residential (1.5-3 units per acre).

A site plan application proposes conditions of property development and site design standards within the City. Site plans are reviewed by the Brooklyn Park Planning Commission and a recommendation is made to the City Council which votes to approve or deny the application. The site plan area is within the Public Institution (PI) Zoning District, is 12.17 acres, and proposes a building addition for a gymnasium and classrooms, new parking lots, changes to internal circulation, a new access to the site from West Broadway, underground stormwater management, a new waste enclosure, and new play areas.

The PI district conditionally allows schools. In addition to the site plan approval, the use is also required to conform to the Brooklyn Park Comprehensive Plan. Analysis of conformance of this proposal with the Comprehensive Plan are detailed within this report.

#### 5.2 **Planning Case #24-118 | 7820 Lakeland Avenue | Conditional Use Permit Application**

The property owner, KJ's Windows Tint has been operating auto repair services out of this property but is now strictly doing window tinting services in the structure previously utilized as a car wash. Per our ordinance, window tinting is considered an auto repair service, which requires a CUP. This application is to bring the subject property into compliance, as

there has never been a Conditional Use Permit issued to this site for the operation of a window tinting service.

There is no development proposed at this time. The existing structure is sufficient for the intended use of auto repair services for window tinting services provided by the applicant. Future intensification of auto repair services will require additional review per Section 152.305.

**5.3 Planning Case #24-117 | City of Brooklyn Park | Zoning Code Text Amendment: Cannabis Zoning**

In 2023, Minnesota became the 23<sup>rd</sup> state in the nation to legalize adult-use cannabis. The new law also created a new state office – the Office of Cannabis Management (OCM). Minnesota Statute Chapter 342 contains all regulations within state law pertaining to cannabis, including licensing by the OCM, and registration and land use requirements for municipalities that declare the desire to oversee the registrations of cannabis businesses.

Local governments are given the option to register cannabis businesses and oversee compliance checks. In the event a city does not decide to partake in the registration process, registration defaults to the county in which the city is located. The Brooklyn Park City Council has determined they want the city to oversee registration, which does not occur until the applicant has undergone vigorous verification processes by the OCM. Local governments are not allowed to ban cannabis businesses, or limit operations in a manner beyond what is allowed in Minnesota Statute Chapter 342.

Local governments are allowed to limit the number of cannabis retailers and businesses with retail endorsements to a minimum of one retail location per 12,500 residents. There is no obligation to seek out businesses if the number is not met by the market, however, the city would not be able to restrict a business if a limit is established, but not yet met. According to the 2020 Census the population of Brooklyn Park was 86,478, which obligates the city to register a minimum of 7 retailers or businesses with retail endorsements.

There are 13 different types of licenses issued by the OCM, all of which have been individually listed on the use tables within the proposed zoning text amendment. Not all cannabis-oriented businesses include retail components.

**6. OTHER BUSINESS**

**III. DISCUSSION ITEMS**

**IV. VERBAL REPORTS AND ANNOUNCEMENTS**

- 7. COUNCILMEMBER LIAISON COMMENTS**
- 8. PLANNING COMMISSION COMMENTS**
- 9. STAFF LIAISON COMMENTS**

**V. ADJOURNMENT**

## UNAPPROVED MINUTES

### MINUTES OF THE BROOKLYN PARK PLANNING COMMISSION Regular Meeting – SEPTEMBER 11, 2024



#### 1. CALL TO ORDER

The meeting was called to order at 7:00 PM.

#### 2. ROLL CALL/PLEDGE OF ALLEGIANCE

Those present were: Commissioners Cavin, Arah, Borer, Turner and Wako; Council Liaison McGarvey; Interim Planning Director Perdu; Associate Planner McDermott, and Matt Hayes-Regan.

Those arrived late: Gaye-Bai and Korosso.

Those excused: Commissioners Fraser and Udomah; Planning Director Mogush and Senior Planner Donovan.

#### 3. EXPLANATION BY CHAIR

Commissioners Korosso and Gaye-Bai arrived.

#### 4. APPROVAL OF AGENDA

MOTION BORER, SECOND TURNER, TO APPROVE THE SEPTEMBER 11, 2024 AGENDA.

*MOTION CARRIED UNANIMOUSLY.*

#### 5. CONSENT AGENDA

##### A. Minutes – August 14, 2024

MOTION BORER, SECOND WAKO, TO APPROVE THE SEPTEMBER 11, 2024, CONSENT AGENDA.

*MOTION CARRIED UNANIMOUSLY.*

#### 6. PUBLIC HEARING

##### A. Planning Case #24-114 (Brooklyn Park Pet Hospital) – 6001 5815 80<sup>th</sup> Avenue N – Site Plan Review and Zoning Code Variance Request Application.

Senior Planner McDermott introduced the application for a site plan review and variance request from Brooklyn Park Animal Hospital for a 900-square-foot addition to the existing building. They provided details on the site, adjacent uses, and zoning. They stated that the proposed addition would be on the east side and an existing stand of trees would screen the addition. They noted that eight additional parking stalls would be added that are much needed. They explained that the setback reduction for the parking lot would not impact the adjacent use as that also has a parking lot on that side of the property line.

Commission Chair Cavin opened the public hearing.

Seeing no one approach the podium, Commission Chair Cavin closed the public hearing.

Commissioner Borer asked if the current parking lot connects to the neighboring lot.

Senior Planner McDermott stated that there would still be distance between the parking lots. They explained that the setback for a business use adjacent to residential is 30 feet, but staff supports a reduction of that setback because it is not the apartment building that is directly adjacent, but its parking lot.

Commission Chair Cavin asked how the space would be utilized.

Jeff Smith, applicant, stated that the additional space will create a few additional exam rooms and will allow them to continue to serve the community. He stated that they would provide the same services, just with a little more space as demand for their services has increased.

Commissioner Arah asked if four parking stalls would be removed to add the building space.

Mr. Smith explained that no parking stalls will be removed as the addition will be on the other side of the building and they will actually be adding eight spaces.

Commission Chair Cavin asked if there were any comments from the fire department.

Senior Planner McDermott replied that the fire department did require a firewall.

Commission Chair Cavin asked for details on the trees proposed for removal.

Senior Planner McDermott replied that even with the removal of the trees as proposed, the site would still have more trees than required.

Commissioner Gaye-Bai asked if this space is already owned by the applicant or recently purchased.

Senior Planner McDermott replied that this property is already owned by the applicant.

MOTION WAKO, SECOND ARAH TO RECOMMEND APPROVAL OF SITE PLAN REVIEW FOR THE CONSTRUCTION OF AN ADDITION TO THE EXISTING STRUCTURE AT 5815 80<sup>TH</sup> AVENUE N, SUBJECT TO CONDITIONS IN THE DRAFT RESOLUTION.

*MOTION CARRIED UNANIMOUSLY.*

MOTION WAKO, SECOND TURNER TO ADOPT FINDINGS OF FACT FOR THE APPROVAL OF A VARIANCE REQUEST FOR A PARKING LOT EXPANSION, SUBJECT TO THE CONDITIONS IN THE DRAFT RESOLUTION.

*MOTION CARRIED UNANIMOUSLY.*

Planning Director Mogush stated the public hearing item is scheduled to be reviewed at the City Council meeting on September 23, 2024.

**B. Planning Case #24-115 – 6301 Welcome Avenue – Conditional Use Permit Application**

Senior Planner McDermott introduced the application for a Conditional Use Permit for an auto-oriented repair facility to be located at 6301 Welcome Avenue. They stated that the CUP would amend the existing CUP, which was issued to the site in 1989 to remove the condition prohibiting vehicle lifts. They stated that there is an open compliance case against this property for a vehicle lift. They provided details on the site, adjacent site uses, and zoning. They stated that staff received numerous emails, letters, and calls from residents in response to the public hearing notice documenting numerous complaints and impacts to the adjacent properties from this use. They stated that all of the vehicles in the photos submitted by residents have been checked and were related to this subject property, or the property under common ownership. They displayed photos of vehicles blocking residential driveways, vehicles impeding fire lanes, property damage to residential properties from vehicles parked on the curb/grass, vehicles left on the street for extended periods causing residential trash to not be collected, double parking, refuse stored in the beds of trucks, and improperly stored waste outside. They stated that vehicles have been painted and other chemicals sprayed outside of the building, which is a violation of the MPCA regulations. They stated that staff recommends denial of the CUP request. They stated that the only action before the Commission tonight is denial of the CUP and advised that staff will be proceeding with a separate action to revoke the existing CUP.

Commission Chair Cavin opened the public hearing.

Resident of 6300 Welcome Avenue, stated that she has lived there for five years and while she is a supporter of small business, this business does not work well with the neighborhood. She commented that there are kids playing in the area and when vehicles are test driven, they are peeling down the street. She stated that she has asked the business not to park near her home, but they continue to park on the street, which is where the guests for the homes park.

Resident of 6420 Welcome Avenue, President of HOA, stated that she has also lived in her home for five years. She commented that the photos provided by herself, and her neighbor depict situations that commonly happen. She stated that another business in that development, Southtown Refrigeration, has spoken with this business numerous times about the cars blocking their driveway which has impeded their deliveries. She stated that in speaking with the business it has become hostile and she has called the police too many times to count. She stated that this has become a hazardous issue, and it is not getting any better. She stated that the business works at all times of the night and tow trucks drop vehicles off at all hours of the night. She stated that there are a lot of children in the neighborhood, and it is not fair to them because they must walk in the street to get to school while vehicles from this shop are speeding down the street. She stated that the neighborhood would like a sidewalk and speed bump, and for this business to be removed from the site immediately. She stated that they have tried to work with the business and believed that there are multiple vehicle repair shops in this area that operate together. She stated that the lawn care company for the HOA has had difficulty finding a location to park because of all the vehicles that are dumped and parked on this street.

Reshal Malik, Caspian/Brait, appreciated the comments received tonight. He stated that as a landlord they cater to a demographic as they have low market rents in order to build community

and small businesses. He understood the concerns about the property, noting that they have worked directly with staff to address those concerns and believe that the property is operating at a high level. He recognized that he does have to educate his tenants and continues to do that. He stated that they have continued to make progress since their last public hearing for 6301 Welcome Avenue. He stated that he does have a towing company that he could utilize to tow the vehicles parked on the road if provided that authority by the City. He commented that he is a former Brooklyn Park resident. He stated that they have terminated tenants in the 6317 building because of lease violations.

Commission Chair Cavin closed the public hearing but reminded the public that comments can be submitted via email to City Staff for consideration in the City Council agenda packet.

Commission Chair Cavin commented that sometimes a tenant outgrows the space and needs to find a space more suitable to their growth.

Commissioner Arah stated that the property owner has stated that they can control their tenants but the comments from the neighbors prove different. He asked why the landlord has not towed the vehicles from this tenant already.

Commissioner Wako asked if the landlord is also a partial owner of the business.

Mr. Malik replied that he is just acting on behalf of the business owners for this application.

Commissioner Wako asked if anything has been done thus far in terms of penalties or notice because of the hostile conversations with neighbors/other businesses and the number of police calls.

Senior Planner McDermott replied that there are active violations on both sites because of violations of the CUPs that exist along with cited violations from the fire department and public safety. They stated that there are three recent police records for these sites and one correction notice from the fire department was also recently issued.

Commissioner Wako appreciated the effort the City is taking and appreciated the input from the residents as well. He stated that Brooklyn Park is supportive of business and small business, but the City does not need businesses that impact the safety of those who live in the area. He stated that this site has had continued violations and those would need to be corrected before any additional requests could be considered.

Commissioner Gaye-Bai referenced the statement from the landlord that he would want authorization from the City to tow vehicles. He stated that the landlord should be aware of the issues on the site with repeated visits from police and fire and should have already taken the action to tow this tenant's vehicles. He stated that he previously lived on this street at 6408 Welcome and supported all the comments from the neighbors about the difficulty maneuvering in this area because of the vehicles parked on both sides of the street from these businesses. He stated that this situation is unsafe for the residents in that area with the parked vehicles and people from the businesses speeding down Welcome Avenue. He stated that if the business has grown, it needs to find somewhere with more space, which would create an opportunity for another small business to occupy the site.

Senior Planner McDermott commented that the City cannot authorize a private party to tow vehicles from a public street. They explained that the City is taking the appropriate steps to tag vehicles, but it does take time before further enforcement steps could be taken.

Commissioner Borer stated that the City does support small businesses, but just because there is a lower rent does not mean that poor behavior will be accepted. She stated that it sounds like there are two businesses with the same service in this area which seems to double the problem with more vehicles being dropped off. She stated that this situation seems extremely unacceptable and just because there is low rent does not mean the business should not have appropriate standards and follow the rules.

**MOTION TURNER, SECOND GAYE-BAI TO RECOMMEND DENIAL OF A CONDITIONAL USE PERMIT FOR AN AUTO ORIENTED REPAIR SERVICE AT 6301 WELCOME AVENUE AND TO ADOPT FINDINGS OF FACT FOR THE DENIAL OF THE REQUEST.**

*MOTION CARRIED UNANIMOUSLY.*

## **7. OTHER BUSINESS**

None.

## **8. DISCUSSION ITEMS**

None.

## **9. INFORMATION ITEMS**

### **A. Council Comments**

Council Liaison McGarvey provided an update on recent actions of the City Council related to planning matters and other items of interest to the Commission.

### **B. Commission Comments**

Commission Chair Cavin referenced the rehab of the old Arby's building and noted that the Commission has not seen that request.

Senior Planner McDermott replied that because not more than 10 percent of the building is being expanded, the project can move forward under the building permit process.

### **C. Staff Comments**

Interim Planning Director Perdu commented that Planning Director Mogush is on family leave for an undetermined amount of time, so she would continue to attend the Commission meetings. She highlighted the topics for the upcoming work session meeting.

## **10. ADJOURNMENT**

Commission Chair Cavin adjourned the meeting at 7:50 PM.

Respectfully submitted,

Tim Gladhill  
Community Development Director



**MINUTES OF THE BROOKLYN PARK PLANNING COMMISSION  
Work Session – September 25, 2024**

**I. CALL TO ORDER**

The meeting was called to order at 7:01 PM.

Those present were: Commissioners Fraser, Arah, Cavin, Gaye-Bai, Turner, Korosso, and Wako; Interim Planning Director Perdu, Senior Planner Donovan, Senior Planner McDermott, Planning Assistant Hayes-Regan.

Those excused were: Councilmember Liaison McGarvey; Commissioner Udomah; Planning Director Mogush.

**II. GENERAL INFORMATION**

None.

**III. DISCUSSION ITEMS/GENERAL ACTION ITEMS**

**1. Kwik Trip 1741 | 9400 West Broadway**

Interim Planning Director Perdu shared a presentation with the Commissioners about a potential Kwik Trip application at 9400 West Broadway. Her presentation included an overview of the current zoning designation (Transit Oriented Development – Employment (TOD-E)) and requirements for the property. Specifically, Interim Planning Director Perdu noted the following TOD-E design standards that the application did not meet: 1) 1ft minimum and 12ft maximum setback requirement; 2) glazing and architectural standards; 3) 70% frontage build out on front street; 4) 40% frontage build out on side street; and 5) pedestrian separation from parking facilities. The application would include requests for multiple variances and a conditional use permit (CUP). Interim Planning Director Perdu concluded her presentation by giving an overview of the variance criteria and the Three Factor Test that each variance request application would need to achieve.

Representatives from Kwik Trip and owner of the property then shared a presentation with the Commissioners, giving an overview of the proposed project and previous projects that have been completed around the project area. The presentation included an overview of how their proposal did not meet the zoning designation requirements and their interpretation about how their requests were reasonable. An overview of the draft site plan included a presentation of the following items that Kwik Trip interpreted as may requiring variance requests: 1) that they include two accesses whereas only one is permitted; 2) that the site access drive proposal widths exceed the 20 ft maximum; 3) that the TOD-E front and side building setback standards are not met; 4) that the TOD-E front and side parking setback standards are not met; 5) that the TOD-E 70% minimum building frontage requirement is not met; and 6) that the TOD-E window glazing standards are not met.

The discussion concluded with Planning Commissioners expressing that they would like Staff to work the potential Applicants and with some Planning Commissioners sharing that the requests were reasonable.

**2. Accessory Dwelling Unit (ADU) Discussion**

Senior Planner Donovan shared a presentation and facilitated a discussion with the Planning Commissioners about ADUs. The presentation provided a general overview of what ADUs are, the benefits of ADUs, a conversation about equity and ADUs, an overview of what neighboring jurisdictions are doing, and a time for the Planning Commissioners to provide any feedback to Staff.

Planning Commissioners were generally supportive of wanting to see ADUs introduced into the community. Commissioner Turner suggested Staff engage the existing pool of property owners who have inquired about ADUs as a potential starting point. Senior Planner Donovan shared that Staff will also be talking to other City Divisions about what future implementation of ADUS would mean for their respective areas.

**IV. VERBAL REPORTS AND ANNOUNCEMENTS**

**A. COUNCILMEMBER LIASON COMMENTS**

None.

**B. PLANNING COMMISSION COMMENTS**

None.

**C. STAFF LIASON COMMENTS**

None.

**V. ADJOURNMENT**

Commissioner Chair Fraser adjourned the meeting at 9:10 PM.

Respectfully submitted,

Erin Perdu  
Interim Planning Director

# City of Brooklyn Park Planning Commission Staff Report

<b>Agenda Item:</b>	5.1	<b>Meeting Date:</b>	October 9, 2024
<b>Agenda Section:</b>	Public Hearing	<b>Originating Department:</b>	Community Development
<b>Resolution:</b>	X	<b>Prepared By:</b>	Cara Donovan, Senior Planner
<b>Ordinance:</b>	X		
<b>Attachments:</b>	5	<b>Presented By:</b>	Cara Donovan, Senior Planner
<b>Item:</b>	<b>Prairie Seeds Academy</b> – An application for a Preliminary Plat and Site Plan Review for the combination of five parcels and site plan changes including expansion of the existing school and changes to parking lots, circulation, stormwater management, waste enclosure, and play areas.		

## Proposed Actions:

MOTION \_\_\_\_\_ SECOND \_\_\_\_\_ TO RECOMMEND APPROVAL OF A PRELIMINARY PLAT FOR “PRAIRIE SEEDS ACADEMY” AT 6200 WEST BROADWAY FOR THE CREATION OF ONE LOT.

MOTION \_\_\_\_\_ SECOND \_\_\_\_\_ TO RECOMMEND APPROVAL OF A ZONING TEXT AND MAP AMENDMENT FOR PROPERTIES LOCATED AT THE NORTHEAST QUADRANT OF WEST BROADWAY AND 62ND AVE.

MOTION \_\_\_\_\_ SECOND \_\_\_\_\_ TO RECOMMEND APPROVAL OF A SITE PLAN REVIEW FOR THE CONSTRUCTION OF AN EXPANSION TO THE EXISTING STRUCTURE AT 6200 WEST BROADWAY, SUBJECT TO CONDITIONS CONTAINED IN THE DRAFT RESOLUTION.

## Overview:

This request is for the construction of an addition to the existing structure (school) located at 6200 W Broadway. Three land use applications are included with this application: a preliminary plat, a zoning ordinance text and map amendment (rezoning), and a site plan.

The applicant has purchased four formerly single-family lots which the applicant intends to combine with the existing lot at 6200 W Broadway. The preliminary plat proposes combining five parcels to create a single, 12.17-acre lot. A final plat will be required to create a lot that can be recorded by Hennepin County, after which permits can be issued.

The four lots purchased by the applicant (6216, 6224, 6228, and 6232 W Broadway) are currently zoned R-1 (Detached Single-Family Estate District). Schools are not a permitted use in the R-1 District. The applicant has requested to rezone these four lots to the PI (Public Institution) District, matching the zoning of the existing school. The PI District allows schools as a conditional use which was approved at the time of construction of the original school in 1972. The Comprehensive Plan, which became effective on March 30, 2020, guides the future land use of these four parcels as Low Density Residential, which allows low-high density residential (1.5-3 units per acre).

A site plan application proposes conditions of property development and site design standards within the City. Site plans are reviewed by the Brooklyn Park Planning Commission and a recommendation is made to the City Council which votes to approve or deny the application. The site plan area is within the Public Institution (PI) Zoning District, is 12.17 acres, and proposes a building addition for a gymnasium and classrooms, new parking lots, changes to internal circulation, a new access to the site from West Broadway, underground stormwater management, a new waste enclosure, and new play areas.

The PI district conditionally allows schools. In addition to the site plan approval, the use is also required to conform to the Brooklyn Park Comprehensive Plan. Analysis of conformance of this proposal with the Comprehensive Plan are detailed within this report.

**Current Conditions:**

The subject property includes five lots totaling 12.17 acres. The site has one school, parking lots, play areas, stormwater ponds, four single-family houses, and four garages. The site is bounded by West Broadway to the west, 62<sup>nd</sup> Ave N to the south, and single-family lots to the east, and single-family lots and right-of-way to the north.

Future Land Use Plan	Institutional; LRT Station Area	
Current Zoning	R-1 (Detached Single-Family Estate District); Public Institution (PI); Crystal Airport Overlay	
Proposed Zoning	Public Institution (PI); Crystal Airport Overlay	
Neighborhood	Sunny Lane	
Site Area	12.17 Acres	
	Current	6200 West Broadway, Lot 1, Block 1, Lincoln School Addition, Hennepin County, Minnesota (9.76 acres)  6232 West Broadway, Unplatted 32 119 21 (0.95 acres)  6224 West Broadway, Unplatted 32 119 21 (0.56 acres)  6228 West Broadway, Unplatted 32 119 21 (0.45 acres)  6232 West Broadway, Unplatted 32 119 21 (0.45 acres)
	Proposed	6200 West Broadway, Lot 1, Block 1, Lincoln School Addition, Hennepin County, Minnesota (12.17 acres)
<b>Conforms to:</b>		
Land Use Plan	Yes	
Zoning Code	Yes	
Notification	Legal notice was published in the Sun Post, 132 Notices were mailed to properties within 500 feet, Proposed Development Sign was placed on the property, A Neighborhood email was sent to the Sunny Lane neighborhood.	
Timeline (MN §15.99)		
60-day	October 27, 2024	
120-day	December 26, 2024	

**Land Use/Zoning and Overlay:**

The site is zoned Public Institution (PI)/Crystal Airport Overlay and is within the Sunny Lanes neighborhood. The future land use for the property is Institutional. Adjacent properties to the north and east of the subject site are zoned R-1 (Detached Single-Family Estate District). The properties to the west, beyond West Broadway, are zoned R-5 (Multiple Family District) and the properties to the south beyond 62<sup>nd</sup> Ave are zoned R-1 (Single Family Residential), R-4 (High Density Residential), and CB (Community Business) in the City of New Hope.

**Site Plan:**

The applicant has obtained demolition permits for the four existing single-family houses and four garages. The applicant proposes removing the existing stormwater pond, artificial playing surface, fencing, parking lot, signs, and other material in the northeast corner of the property.

The 28,000 square foot proposed building addition will be used for classrooms and a gymnasium. A new walkway to the entrance will be installed near the building addition.

The play areas will be a playground area (approximately 5,900 square feet) and a synthetic turf play area (approximately 8,800 square feet) which will be located along the northern edge of the building addition.

Circulation on the site will change with a new entrance on West Broadway. This entrance will provide access to a new parking lot, two bus parking areas, and a van parking area which will be constructed along the north side of the existing school and building addition. Vehicles will be able to enter and exit through the entrance on West Broadway and the new parking area. A new driveway is proposed to connect the new parking areas to the existing parking area on 62<sup>nd</sup> Ave. This driveway will allow vehicles, including buses and emergency vehicles, to enter on West Broadway and exit on 62<sup>nd</sup> Ave. This proposed driveway will include an athletic field access and emergency driveway for access to the existing playfield.

A new waste enclosure is proposed in the northeast corner of the new parking lot. The waste enclosure will include a concrete pad and privacy fence.

Two existing stormwater ponds are located in the southern portion of the property, one on the corner of West Broadway and 62<sup>nd</sup> Ave and one near the parking lot on 62<sup>nd</sup> Ave. Both stormwater ponds will be regraded and two new underground infiltration basins will be installed.

Security fencing and retaining walls will be installed along with landscaping which will include trees, shrubs, grasses, and ground cover.

**Vehicular Access and Circulation:**

Four access locations are proposed for this project, three existing and one new access. The three existing driveway access points along 62<sup>nd</sup> Ave will remain as is. The proposed driveway access point is on West Broadway. This access has been approved by Hennepin County as part of the traffic study.

Vehicles will be able to enter and exit through the West Broadway driveway access point. Vehicles will also be able to enter on West Broadway and use a new proposed driveway which will connect vehicles with the proposed parking area to the existing parking lot and driveway access points on 62<sup>nd</sup> Ave.

The applicant is required to provide stop signs at exits to publicly-owned streets (§152.1019(G)).

**Off-Street Parking:**

The project is proposing a new parking area along the north side of the existing building. The proposed parking area will include a total of 78 parking stalls which will include 74 standard parking stalls and 4 ADA parking stalls. This parking area will also allow for bus parking spaces and van parking spaces for student pick-up and drop-off. These spaces will allow 15 vans to park and 26 buses to park. The van and bus parking areas may also be used for overflow parking for 40 vehicles during large school events.

This project will modify the existing parking area, increasing the number of stalls. Schools are not a listed use in §152.1018. However, Code dictates that for uses not specifically listed, off-street parking requirements may be established by the City Manager based on characteristics of the use and the district in which the use is located. This use serves students, many of whom are dropped off by parents or a bus, or they walk to the facility. Based on these factors, staff has determined that the proposed parking provided is adequate for this use.

The pick-up/drop-off areas are near school entrances and pedestrian areas (§152.904).

### **Pedestrian Connections:**

There is an existing sidewalk on 62<sup>nd</sup> Ave, a partial sidewalk on West Broadway, walkways around the majority of existing building, and along the north side of the parking lot on 62<sup>nd</sup> Ave. Pedestrian connections are proposed internally and along West Broadway. The proposed sidewalk on West Broadway will connect to an existing sidewalk near the corner with 62<sup>nd</sup> Ave and will be installed along the length of the property. This sidewalk meets the circulation requirements for sidewalks on a major collector (§152.1021). This sidewalk will cross the West Broadway driveway access and the 5-foot wide crosswalk is proposed to be 24-inch wide painted white lines perpendicular to the flow of traffic. This crosswalk is in compliance with §152.1021.

Internal pedestrian walkways will be connected to the West Broadway sidewalk in two places, near the driveway access and near the existing building. Internal walkways are proposed along the southern portion of the proposed parking area. Striping for pedestrian connections is proposed from the parking lot to the walkway in two places. This pedestrian route within the parking lot will need to include a clear division from vehicular areas with a change in grade, soft landscaping, or change in surface materials (§152.1021).

### **Architecture:**

The proposed building addition will be 28-feet high for the classroom addition and 32-feet high for the gymnasium addition. This meets the requirement for the height to be no greater than 40 feet adjacent to residential uses (§152.608).

The internal setback of the proposed building on the east side of the property is 47.8 feet. The proposed building setback does not meet the setback requirement for a 50-foot setback abutting a residential district property line (§152.608). The applicant should revise the architecture of the proposed addition to meet the 50-foot setback.

The exterior of the proposed building addition will primarily consist of precast wall panels in two colors and will incorporate aluminum spandrel panels above windows where there are classrooms. This proposal meets building and site design standards (§152.1004).

### **Lighting:**

A photometric plan was provided. A new photometric plan will need to be submitted for approval with calculations in foot candles for review against §152.1013.

### **Landscaping:**

A landscape plan was submitted which proposes a variety of trees, shrubs, grasses, and ground covers. The landscape plan indicates the proposal meets the open space requirement.

The applicant should provide a code analysis on the landscaping plan to indicate the parking area complies with §152.1012(D)(1) and §152.1019(J)(2), foundation landscaping complies with §152.1012(D)(2), the plant diversity requirement is achieved (§152.1012(D)(3)(c)), street tree requirement is achieved (§152.1012(D)(3)(d)). The minimum size requirements (§152.1012(D)(3)(E)) and irrigation requirements (§152.1012(D)(3)(G)) will need to be met by the applicant.

### **Screening:**

A new waste enclosure is proposed in the northeast corner of the new parking lot. The waste enclosure will include a concrete pad and privacy fence.

A 35-foot berm and landscaped area is required within the required setback area from the eastern residential property line. The applicant should provide a Screening Plan along eastern property line required in compliance with 152.1023(B)(7). City Council may approve an alternative screening plan 152.1023(B)(8).

**Impervious Surface:**

There is no maximum impervious surface coverage in the PI District (152.608).

**Grading and Drainage:**

There are minor proposed changes to grading on the site. The proposed stormwater management strategy includes directing the site's runoff to two existing, modified stormwater infiltration ponds and two new underground infiltration basins. The proposed on-site drainage is being reviewed by Engineering staff. Approval of the grading plan is required prior to building permitting.

**Approvals:**

Shingle Creek Watershed Management Organization approval is required, including a standard stormwater maintenance agreement.

The applicant will need to obtain all applicable FAA approvals.

**Staff Recommendation**

Staff recommends approval of the zoning text and map amendment, preliminary plat, and site plan with the conditions listed in the attached draft resolutions.

**Alternatives to Consider:**

1. Approve the Zoning Text and Map Amendment, Preliminary Plat, and Site Plan as presented.
2. Approve the Zoning Text and Map Amendment, Preliminary Plat, and Site Plan with modifications.
3. Deny the Zoning Text and Map Amendment, Preliminary Plat, and Site Plan based on certain findings.

**Budgetary/Fiscal Issues:** N/A

**Attachments:**

- A. DRAFT RESOLUTION – PRELIMINARY PLAT
- B. DRAFT RESOLUTION - ZONING TEXT AND MAP AMENDMENT
- C. DRAFT RESOLUTION – SITE PLAN
- D. LOCATION MAP
- E. PLAN SET

RESOLUTION #2024-

RESOLUTION TO APPROVE A PRELIMINARY PLAT FOR "PRAIRIE SEEDS ACADEMY" AT A PROPERTY  
ADDRESSED 6002 WEST BROADWAY FOR THE CREATION OF ONE LOT

Planning Commission File #24-117

WHEREAS, the plat of "Prairie Seeds Academy" has been submitted in the manner required for platting of land under the Brooklyn Park Codes and under Chapter 462 of the Minnesota Statutes and all proceedings have been duly had thereunder, and

WHEREAS, said plat is in all respects consistent with the City plan and the regulations and requirements of the laws of the State of Minnesota and codes of the City of Brooklyn Park, Chapters 151 and 152.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park, Preliminary Plat Request #24-117 "Prairie Seeds Academy" shall be approved subject to the following conditions:

1. Title review by the City Attorney and all conditions therein.
2. Easement review and approval by the City Engineer and all conditions therein.
3. Submission of a CAD copy of the plat.
4. Any development must conform with the approved development plan dated 08-02-2024 showing the following items:
  - a. Drainage and utility easement on West Broadway.
5. Official approvals of a formal Site Plan Review must be obtained prior to any development of the site.
6. No additional grading may occur without a permit issued by the City Engineer.
7. All comments provided by Hennepin County must be addressed prior to building permitting.

BE IT FURTHER RESOLVED that such execution of the certificate upon said plat by the Mayor and City Manager shall be conclusive showing of proper compliance therewith by the sub divider and City officials and shall entitle such plat to be placed on record forthwith without further formality, all in compliance with M.S.A. 462 and the Ordinance of the City.

RESOLUTION #2024-

RESOLUTION TO APPROVE AN AMENDMENT TO CHAPTER 152 REZONING 2.41 ACRES  
FROM R-1 DETACHED SINGLE-FAMILY ESTATE DISTRICT TO PI PUBLIC INSTITUTION DISTRICT AT  
6200 WEST BROADWAY

WHEREAS, the subject property is described as:

*Lot 1, Block 1, Prairie Seeds Academy, Hennepin County, Minnesota*

WHEREAS, Rivera Architects has applied to rezone the subject property from R1 Detached Single-Family Estate District to PI Public Institution District;

WHEREAS, State statute requires that official controls be consistent with the adopted Comprehensive Plan; and

WHEREAS, the Brooklyn Park 2040 Comprehensive Plan designates the subject property as Low Density Residential.

NOW, THEREFORE, The City of Brooklyn Park Does Ordain: Chapter 152 of the Zoning code is amended to rezone the subject property from R1 Detached Single-Family Estate District to PI Public Institution District.

The zoning map of the City on file with the City Clerk and referred to in Chapter 152 of the City Code is hereby amended in accordance with the provisions of this ordinance.

RESOLUTION #2024-

RESOLUTION APPROVING A SITE PLAN REVIEW FOR THE CONSTRUCTION OF AN EXPANSION TO THE EXISTING STRUCTURE AT 6200 WEST BROADWAY

Planning Commission File #24-117

WHEREAS, an application has been made by Rivera Architects for a Site Plan Review under the provisions of the City Code on properties legally described as:

*Lot 1, Block 1, Prairie Seeds Academy, Hennepin County, Minnesota*

WHEREAS, the zoning of the property is Public Institution/Crystal Airport Overlay—in which schools are a conditional uses; and

WHEREAS, the effect of the proposed use upon the health, safety, and welfare of surrounding lands, existing and anticipated traffic conditions, and its effect on the neighborhood have been considered; and

WHEREAS, the matter has been referred to the Planning Commission who held the public hearing on October 9, 2024.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park:

The Site Plan Review for expansion of the existing structure is hereby approved with the following conditions:

**1.00 DRAWINGS**

- 1.01 Site, utility, landscaping, and grading plans on file in the City Clerk's office dated August 28, 2024 are approved, subject to conditions listed below.
- 1.02 Building elevations for the building addition dated August 28, 2024 are approved to proceed to building permit, subject to conditions listed below.

**2.00 BONDS, ESCROWS AND DIRECT PAYMENTS**

- 2.01 A Development Contract and bonding shall be required as a development bond or letter of credit in the amount of \$\_\_\_\_\_.00, a cash bond in the amount of \$\_\_\_\_\_.00, and a developer's escrow in the amount of \$\_\_\_\_\_.00 as required by Chapter 152. The developer's escrow must be posted with the City to cover engineering, legal and administrative costs incurred by the City. If this account becomes deficient, it shall be the developer's responsibility to deposit additional funds. This must be done before final bonding obligations are complete.

**3.00 REQUIRED DOCUMENTS**

- 3.01 All utility construction, drainage, grading, and development plans must be approved by the City Engineer prior to receiving a building permit.
- 3.02 Stormwater management must be approved by Shingle Creek Watershed Management Organization, including a standard stormwater maintenance agreement, prior to receiving a building permit.
- 3.03 Applicable approvals from the Federal Aviation Administration prior to receiving a building permit.

#### **4.00 GENERAL CONDITIONS**

- 4.01 It shall be the developer's responsibility to keep active and up to date the developer's contract and financial surety (Letter of Credit, bonds, etc.). These documents must remain active until the developer has been released from any further obligation by City Council motion received in writing from the Engineering Department.
- 4.02 Before final bonding obligations are released, a certificate signed by a registered engineer must be provided. This certificate will state that all final lot and building grades are in conformance to drainage development plan(s) approved by the City Engineer.
- 4.03 No burying of construction debris shall be permitted on the site.
- 4.04 Dust control and erosion measures must be in place to prevent for dust and erosion including, but not limited to, daily watering, silt fences, and seeding. The City Engineer may impose measures to reduce dust and run-off.
- 4.05 Adequate dumpsters must be on site during construction. When full, they must be emptied immediately or replaced with an empty dumpster.
- 4.06 Signs must conform to the requirements of Chapter 150. The sign plans will be approved by staff to verify code compliance at time of building permit.

#### **5.00 CONDITIONS**

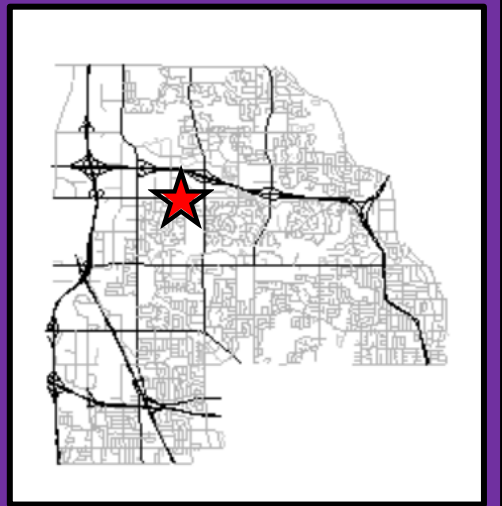
- 5.01 Final plat "Prairie Seeds Academy" must be approved prior to Site Plan approval.
- 5.02 Development must be in conformance with the Prairie Seeds Academy development plan, showing the following items:
  - a. Drainage and utility easement on West Broadway.
- 5.03 All pedestrian routes on the property must maintain a pedestrian access route of at least 4-feet and all ramps and crossings must meet the American Disabilities Act (ADA) requirements.
- 5.04 Revise the building addition to meet the 50-foot setback required in §152.608.
- 5.05 Photometric plan with calculations in foot candles (§152.1013).
- 5.06 Revise landscape plan to meet requirements in §152.1012.
- 5.07 Provide a screening plan for the property line abutting residential properties (§152.1023).
- 5.08 Provide stop signs at exits to publicly-owned streets (§152.1019(G)).
- 5.09 Pedestrian routes within the new parking lot will need to include a clear division from vehicular areas with a change in grade, soft landscaping, or change in surface materials (§152.1021).



**Site Plan Review and Final Plat  
Case #23-101 – 610 Zane Speculative Industrial  
Buildings**

Area of Request (Spring 2018 Air Photo)  
6500 93<sup>rd</sup> Ave N

**Brooklyn Park** 



# PRELIMINARY PLAT: PRAIRIE SEEDS ACADEMY

**PRELIMINARY PLAT GENERAL NOTES**

**PROPERTY DESCRIPTION:**  
Lot 1, Block 1, LINCOLN SCHOOL ADDITION, Hennepin County, Minnesota.  
(Abstract Property)

AND

North 66 feet of the South 611.2 feet of the West 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 32, Township 119 North, Range 21 West of the 5th Principal Meridian, except the Easterly 1/2 thereof.  
Hennepin County, Minnesota.  
(Abstract Property)

AND

The West half of the North 66 feet of the South 545.2 feet of the West half of the Southwest Quarter of Southwest Quarter (SW 1/4) of Section 32, Township 119 North, Range 21, Hennepin County, Minnesota.  
(Abstract Property)

AND

The West 330 feet of that part of the West One-half (W1/2) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section Thirty-two (32), Township One Hundred Nineteen (119), Range Twenty-one (21), described as follows:

Commencing at a point in the West line of said Southeast Quarter (SE 1/4) of Southwest Quarter (SW 1/4), 257 feet North of the Southwest (SW) corner thereof; thence North along said West line 139.7 feet; thence East parallel to the South line of said Section Thirty-two (32), 662.8 feet to the East line of the West one-half (W1/2), of the Southeast one-half (SE 1/2) of the Southwest Quarter (SW 1/4) of said Section; thence South along said East line a distance of 139.9 feet; thence West parallel to the South line of said Section to the point of beginning, according to the United States Government Survey thereof, Hennepin County, Minnesota.  
(Abstract Property)

AND

The Westerly Half of that part of the Southeast Quarter of the Southwest Quarter of Section 32, Township 119, Range 21, described as beginning at a point on the West line of said Southeast Quarter of the Southwest Quarter distant 396.7 feet North along said West line from the Southwest corner thereof; thence North along said West line 82.5 feet; thence East parallel to the North line of said Southeast Quarter of the Southwest Quarter to an intersection with the East line of the West Half of said Southeast Quarter of the Southwest Quarter; thence South along said East line 82.5 feet; thence West to the point of beginning, according to the Government Survey thereof.  
(Torrens Property)

Please note this preliminary plat was created without the benefit of a commitment for title insurance. The descriptions listed herein are per Hennepin County tax records and may not be the latest descriptions of record. There may be easements or other matters of record we are unaware of and thus not shown herein.

**DATE OF PREPARATION:**  
8-2-2024

Please note that the background survey information is per a draft survey by us dated 8-2-2024.  
Proposed parking lot improvements are per a site plan by Civil Site Group dated 8-2-2024.

**APPLICANT:**  
Prairie Seeds Academy  
6200 W Broadway  
Brooklyn Park, MN  
Contact: Crystal Vang

**AREAS:**  
Proposed Lot 1 = 523,590 Sq. Ft. or 12,020 Acres  
Proposed Dedicated Right of Way = 19,341 Sq. Ft. or 0.444 Acres  
Total Property Area = 542,931 Sq. Ft. or 12,464 Acres

**FLOOD ZONE:**  
This property is contained in Zone X (area determined to be outside the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. 27053C0203F, effective date of November 11, 2016.

Rory L. Synsteliën  
rory@civilsitegroup.com  
Minnesota License No. 44565

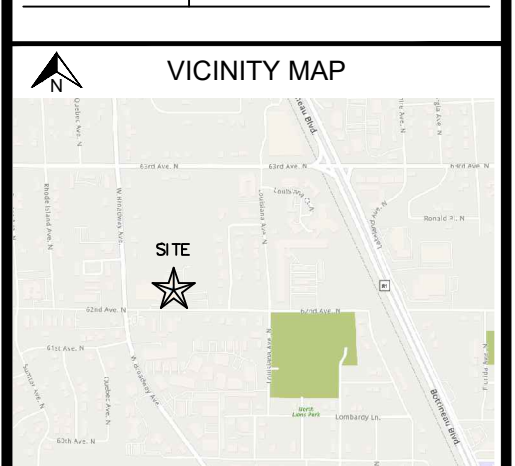
**PROJECT**  
**Prairie Seeds Academy**  
6200 West Broadway, Brooklyn Park, Hennepin County, Minnesota 55428

**CLIENT**  
**Prairie Seeds Academy**  
6200 West Broadway, Brooklyn Park, MN 55428

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.

RORY L. SYNSTELIËN  
DATE 8-2-2024 LICENSE NO. 44565

QA/QC	
FIELD DREW	
DRAWN BY	CJ
REVIEWED BY	RS
UPDATED BY	

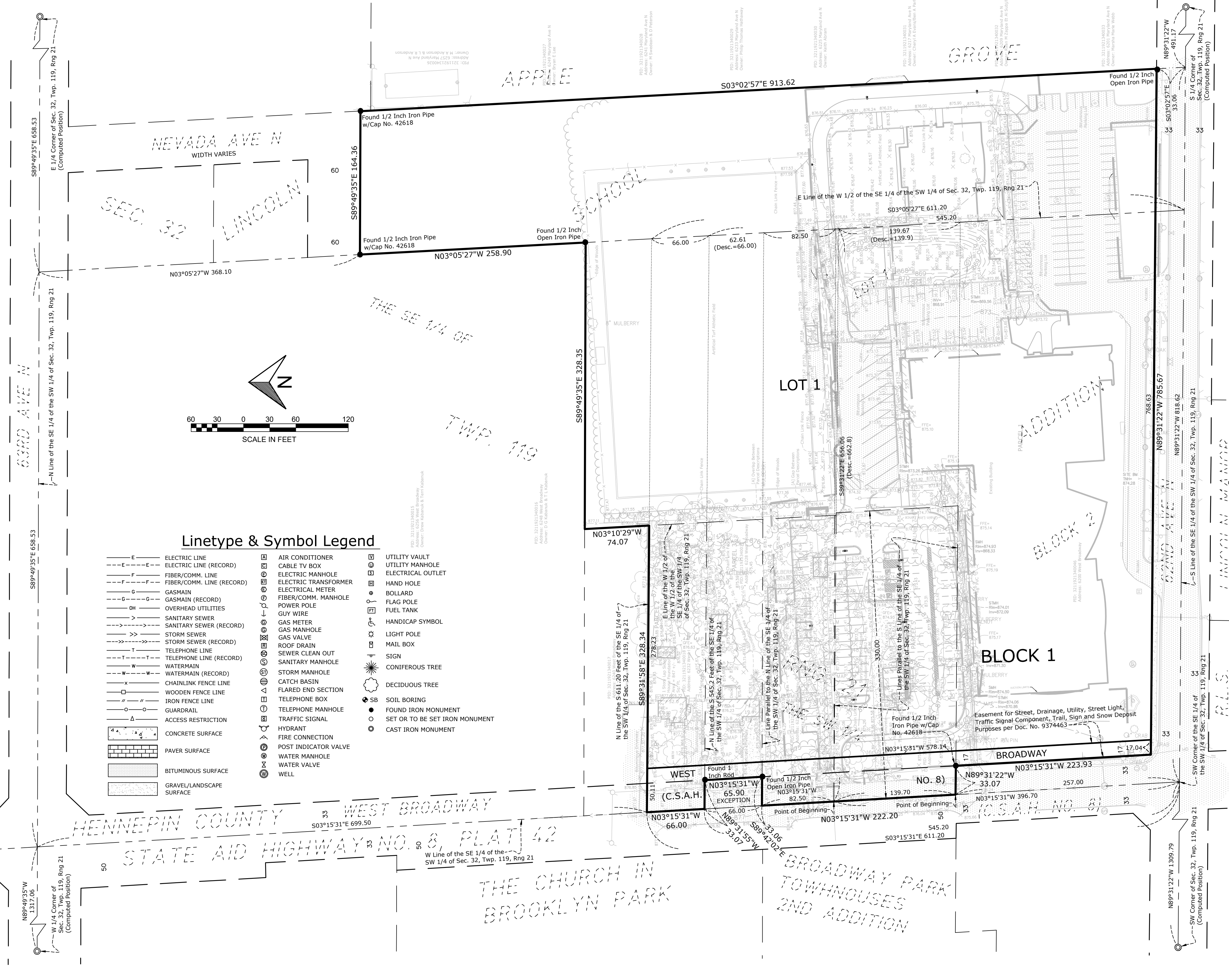


REVISION SUMMARY	
DATE	DESCRIPTION
8-13-2024	Right of Way - Broadway

PROJECT NO.: 24360

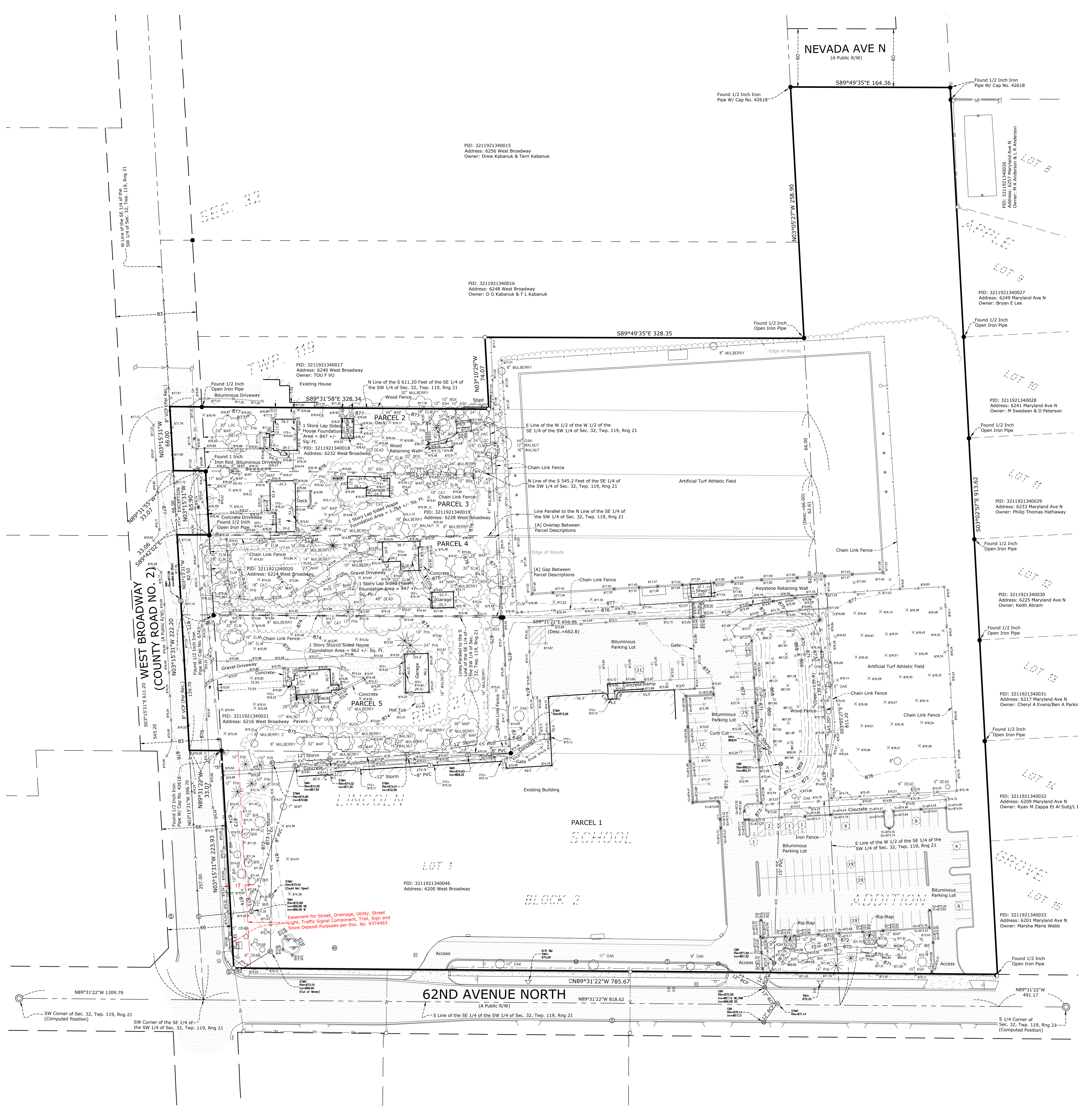
PRELIMINARY PLAT

**V2.0**



**Linetype & Symbol Legend**

	ELECTRIC LINE		AIR CONDITIONER		UTILITY VAULT
	ELECTRIC LINE (RECORD)		CABLE TV BOX		UTILITY MANHOLE
	FIBER/COMM. LINE		ELECTRIC MANHOLE		ELECTRICAL OUTLET
	FIBER/COMM. LINE (RECORD)		ELECTRIC TRANSFORMER		HAND HOLE
	GASMAIN		ELECTRICAL METER		FUEL TANK
	GASMAIN (RECORD)		FIBER/COMM. MANHOLE		FLAG POLE
	OVERHEAD UTILITIES		POWER POLE		FUEL TANK
	SANITARY SEWER		GUY WIRE		HANDICAP SYMBOL
	SANITARY SEWER (RECORD)		GAS METER		LIGHT POLE
	STORM SEWER		GAS MANHOLE		MAIL BOX
	STORM SEWER (RECORD)		GAS VALVE		SIGN
	TELEPHONE LINE		ROOF DRAIN		CONFEROUS TREE
	TELEPHONE LINE (RECORD)		SEWER CLEAN OUT		DECIDUOUS TREE
	WATERMAIN		SANITARY MANHOLE		SOIL BORING
	WATERMAIN (RECORD)		STORM MANHOLE		FOUND IRON MONUMENT
	CHAINLINK FENCE LINE		CATCH BASIN		SET OR TO BE SET IRON MONUMENT
	WOODEN FENCE LINE		FLARED END SECTION		CAST IRON MONUMENT
	IRON FENCE LINE		TELEPHONE BOX		
	GUARDRAIL		TELEPHONE MANHOLE		
	ACCESS RESTRICTION		TRAFFIC SIGNAL		
	CONCRETE SURFACE		HYDRANT		
	PAVER SURFACE		FIRE CONNECTION		
	BITUMINOUS SURFACE		POST INDICATOR VALVE		
	GRAVEL/LANDSCAPE SURFACE		WATER MANHOLE		
			WATER VALVE		
			WELL		



**DESCRIPTION OF PROPERTY SURVEYED**

Parcel 1:  
 Lot 1, Block 1, LINCOLN SCHOOL ADDITION, Hennepin County, Minnesota.  
 (Abstract Property)

Parcel 2:  
 North 66 feet of the South 61.12 feet of the West 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 32, Township 119 North, Range 21 West of the 5th Principal Meridian, except the Eastern 1/2 thereof.  
 (Abstract Property)

Parcel 3:  
 The West half of the North 66 feet of the South 545.2 feet of the West half of the Southwest Quarter of Southwest Quarter, except road, Section 32, Township 119 North, Range 21, Hennepin County, Minnesota.  
 (Abstract Property)

Parcel 4:  
 The West 330 feet of that part of the West One-half (W1/2) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section Thirty-two (32), Township One Hundred Nineteen (119), Range Twenty-one (21), described as follows:  
 Commencing at a point in the West line of said Southeast Quarter (SE 1/4) of Southwest Quarter (SW 1/4), 257 feet North of the Southwest (SW) corner thereof; thence North along said West line 139.7 feet; thence East parallel to the South line of said Section Thirty-two (32), 662.8 feet to the East line of the West one-half (W1/2), of the Southeast one-half (SE 1/2) of the Southwest Quarter (SW 1/4) of said Section; thence South along said East line a distance of 139.9 feet; thence West parallel to the South line of said Section to the point of beginning; according to the United States Government Survey thereof.  
 (Abstract Property)

Parcel 5:  
 The Westerly Half of that part of the Southeast Quarter of the Southwest Quarter of Section 32, Township 119, Range 21, described as beginning at a point on the West line of said Southeast Quarter of the Southwest Quarter distant 356.7 feet North along said West line from the Southwest corner thereof; thence North along said West line 82.5 feet; thence East parallel to the North line of said Southeast Quarter of the Southwest Quarter to an intersection with the East line of the West half of said Southeast Quarter of the Southwest Quarter; thence South along said East line 82.5 feet; thence West to the point of beginning, according to the Government Survey thereof.  
 (Abstract Property)

**GENERAL SURVEY NOTES**

- Bearings are based on the Hennepin County Coordinate System (1986 Adjustment).
- Elevations are based on the NAD83 datum. Site Benchmark is the top nut of the fire hydrant located on the north side of 62nd Avenue North approximately 303 feet southeast of the southwest corner of the subject property, as shown hereon. Elevation = 874.28.
- We have shown the location of utilities to the best of our ability based on observed evidence together with evidence from the following sources: plans obtained from utility companies, plans provided by client, markings by utility companies and other appropriate sources. We have used this information to develop a view of the underground utilities for this site. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, the client is advised that excavation may be necessary. Also, please note that seasonal conditions may inhibit our ability to visibly observe all the utilities located on the subject property.

**ALTA/NSPS LAND TITLE SURVEY NOTES**  
 (numbered per Table A)

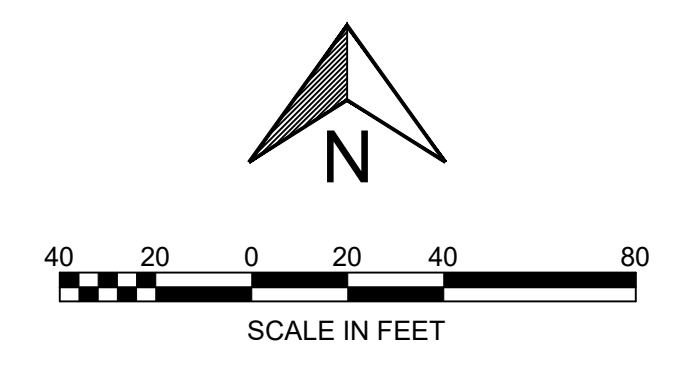
- Monuments placed and/or found at all major corners of the boundary of the surveyed property as shown hereon.
- Site Address: 6200 West Broadway, Brooklyn Park, Minnesota 55428.
- This property is contained in Zone X (area determined to be outside the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. 27053C0203, effective date of November 4, 2016.
- The Gross land area is 542,931 +/- square feet or 12.464 +/- acres.
- (a) Exterior dimensions of buildings at ground level as shown hereon.
- Substantial features observed in the process of conducting the fieldwork as shown hereon. Please note that seasonal conditions may inhibit our ability to visibly observe all site features located on the subject property. Please note this survey only shows substantial features in areas specified by the client.
- The names of the adjoining owners of the platted lands, as shown hereon, are based on information obtained from the Hennepin County Interactive Property Map.

**SURVEY REPORT**

- This map and report was prepared without the benefit of a Commitment for Title Insurance. The property description was obtained from Hennepin County tax records and may not be the latest description of record. There may be easements or other matters of record we are unaware of and thus not shown hereon.
- Conflicts such as (but not limited to): encroachments, protrusions, access, occupation, and easements and/or servitudes:  
 (A) Please note, there appears to be an overlap between the descriptions of Parcels 3 & 4 and a gap between the descriptions of Parcels 4 & 5, as shown hereon. Client council may wish to pursue this matter further to clear any issues with said descriptions.

**ALTA CERTIFICATION**  
 This is to certify that this map or plot and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 7(a), 8, and 13 of Table A thereto. The fieldwork was completed on 8-2-2024. Dated this 22nd day of August, 2024.

Rory L. Synstelen  
 Minnesota License No. 44565  
 rory@civilsitegroup.com



**Linetype & Symbol Legend**

—E—E—E—	ELECTRIC LINE (RECORD)	⊠	AIR CONDITIONER	⊠	UTILITY VAULT
—C—C—C—	CABLE TV BOX	⊠	ELECTRIC MANHOLE	⊠	UTILITY MANHOLE
—F—F—F—	FIBER/COMM. LINE	⊠	ELECTRIC TRANSFORMER	⊠	ELECTRICAL OUTLET
—G—G—G—	GASMAIN (RECORD)	⊠	GUY WIRE	⊠	HAND HOLE
—H—H—H—	OVERHEAD UTILITIES	⊠	GAS METER	⊠	BOLLARD
—S—S—S—	SANITARY SEWER (RECORD)	⊠	GAS VALVE	⊠	FLAG POLE
—T—T—T—	TELEPHONE LINE (RECORD)	⊠	SEWER CLEAN OUT	⊠	FUEL TANK
—W—W—W—	WATERMAIN (RECORD)	⊠	STORM MANHOLE	⊠	HANDICAP SYMBOL
—X—X—X—	CHAINLINK FENCE LINE	⊠	CATCH BASIN	⊠	LIGHT POLE
—Y—Y—Y—	WOODEN FENCE LINE	⊠	FLARED END SECTION	⊠	MAIL BOX
—Z—Z—Z—	IRON FENCE LINE	⊠	TELEPHONE BOX	⊠	MAIL BOX
—A—A—A—	GUARDRAIL	⊠	TELEPHONE MANHOLE	⊠	SIGN
—B—B—B—	ACCESS RESTRICTION	⊠	TRAFFIC SIGNAL	⊠	CONIFEROUS TREE
—D—D—D—	CONCRETE SURFACE	⊠	FIRE CONNECTION	⊠	DECIDUOUS TREE
—P—P—P—	PAVER SURFACE	⊠	POST INDICATOR VALVE	⊠	SOIL BORING
—B—B—B—	BITUMINOUS SURFACE	⊠	WATER MANHOLE	⊠	FOUND IRON MONUMENT
—G—G—G—	GRAVEL/LANDSCAPE SURFACE	⊠	WATER VALVE	⊠	SET OR TO BE SET IRON MONUMENT
		⊠	WELL	⊠	CAST IRON MONUMENT

**6200 West Broadway**  
 Brooklyn Park, Hennepin County, Minnesota 55428

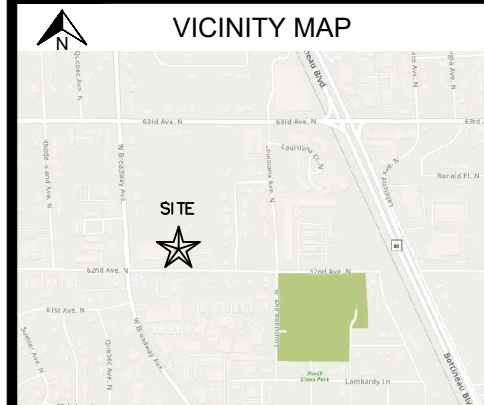
**Prairie Seeds Academy**  
 6200 West Broadway, Brooklyn Park, Minnesota 55428

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.

RORY L. SYNSTELLEN  
 DATE: 8-22-2024 LICENSE NO. 44565

QA/QC

FIELD CREW / DPOCK	DATE
DRAWN BY / DS	
REVIEWED BY / CJ	
UPDATED BY /	



REVISION SUMMARY

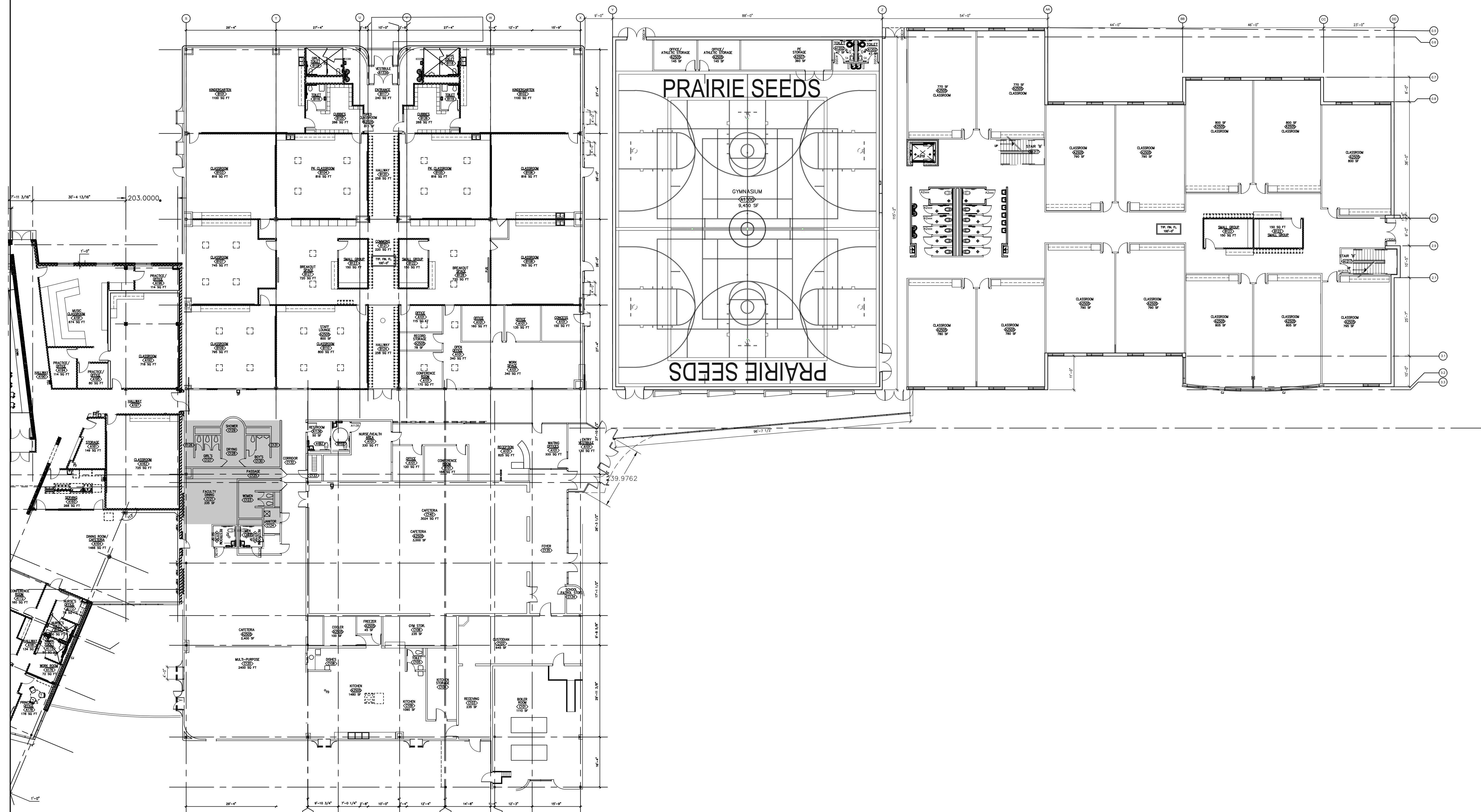
DATE	DESCRIPTION

PROJECT NO. 24360.00

**ALTA/NSPS LAND TITLE SURVEY**

**V1.0**

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1 FIRST LEVEL FLOOR PLAN - AREA A  
 PLAN 1/16" = 1'-0"



I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Architect under the laws of the State of Minnesota.  
 10-25-2023 21839



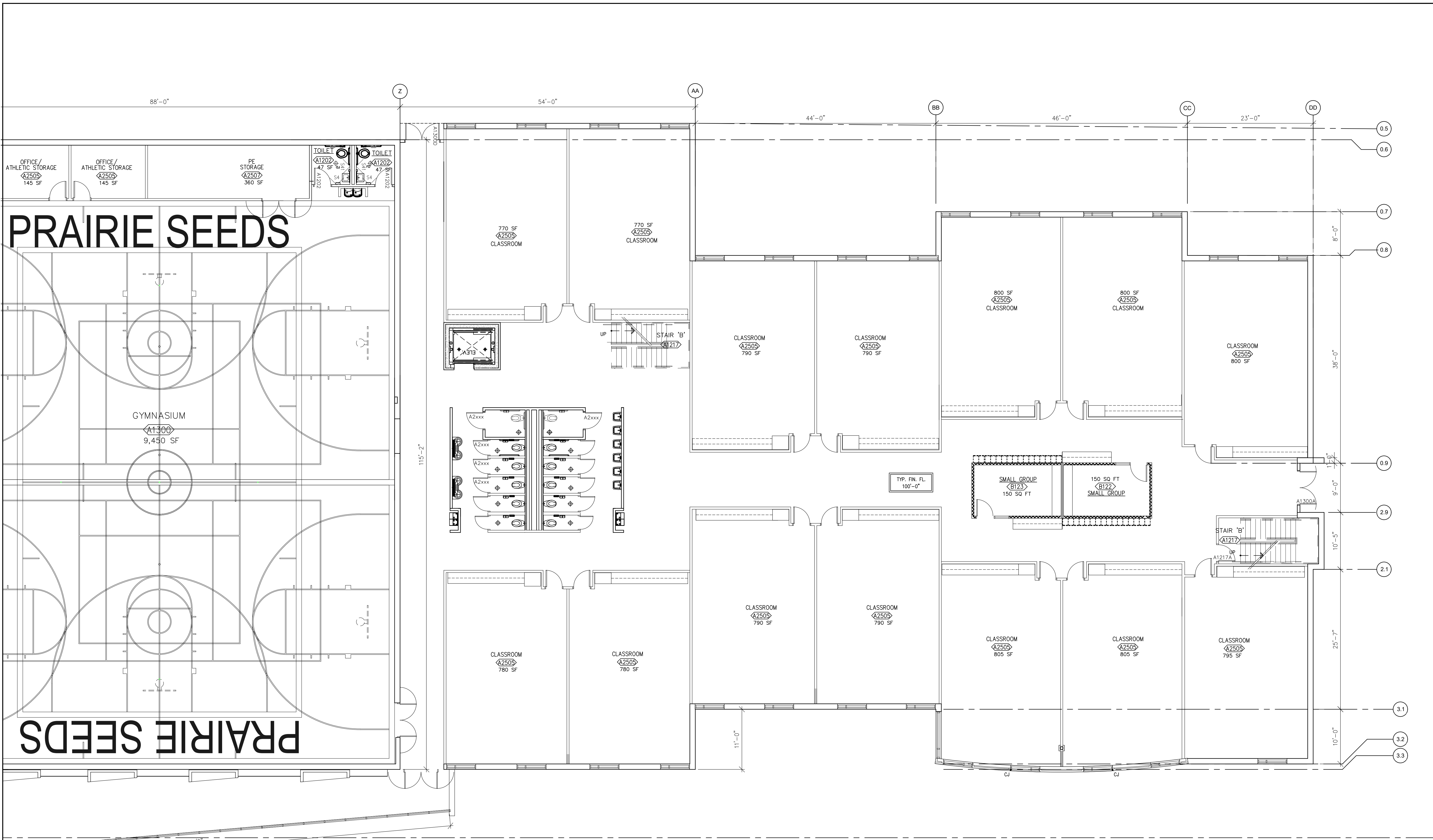
RIVERA ARCHITECTS INC  
 775 Fairmount Avenue  
 St. Paul, Minnesota 55105  
 P: 651.222.3245 email: riveraarchitects@riveraarchitects.com

PRAIRIE SEEDS ACADEMY  
 6200 W Broadway, Brooklyn Park

7-19-2024 PRICING  
 X X

FIRST FLOOR OVERALL  
 Architecture Planning Interiors

A1.0



PRAIRIE SEEDS

PRAIRIE SEEDS

1 FIRST LEVEL FLOOR PLAN - AREA A  
PLAN 1/8" = 1'-0"



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

10-25-2023 21839



RIVERA ARCHITECTS INC  
775 Fairmount Avenue  
St. Paul, Minnesota 55105  
P:651.222.3245 email:riverarchitects@westoffice.net

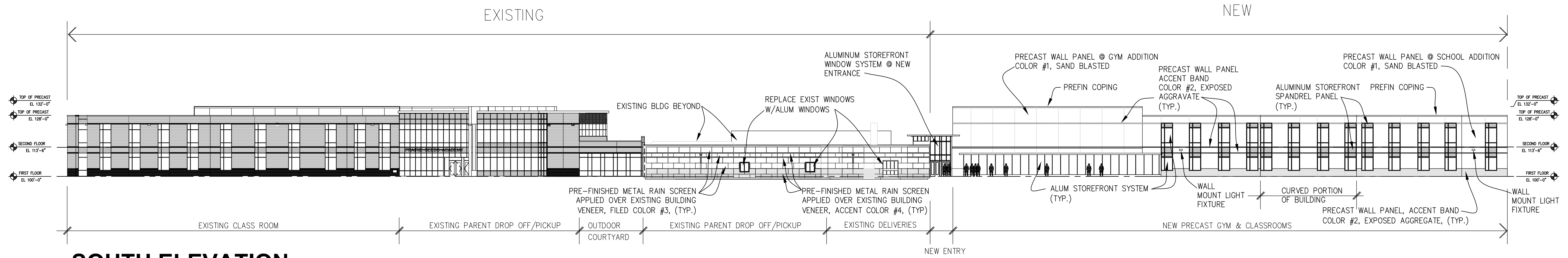
PRAIRIE SEEDS ACADEMY  
6200 W Broadway, Brooklyn Park

7-19-2024 PRICING  
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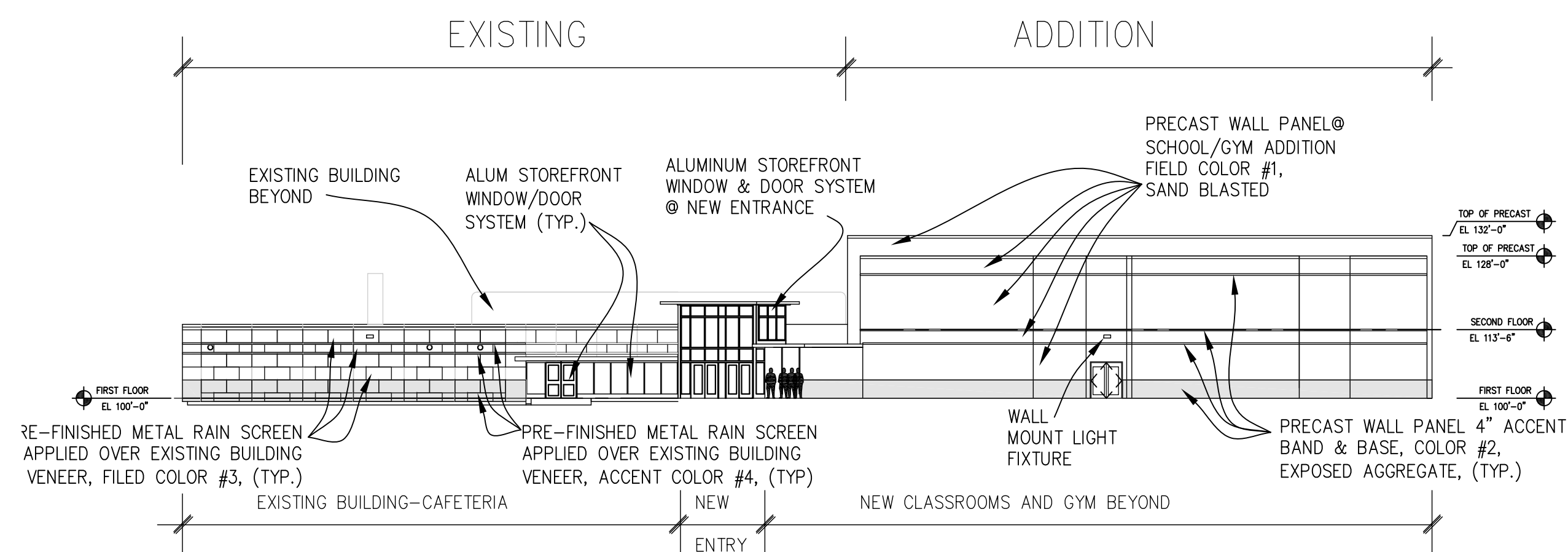
FIRST FLOOR OVERALL  
Architecture Planning Interiors

A2.0

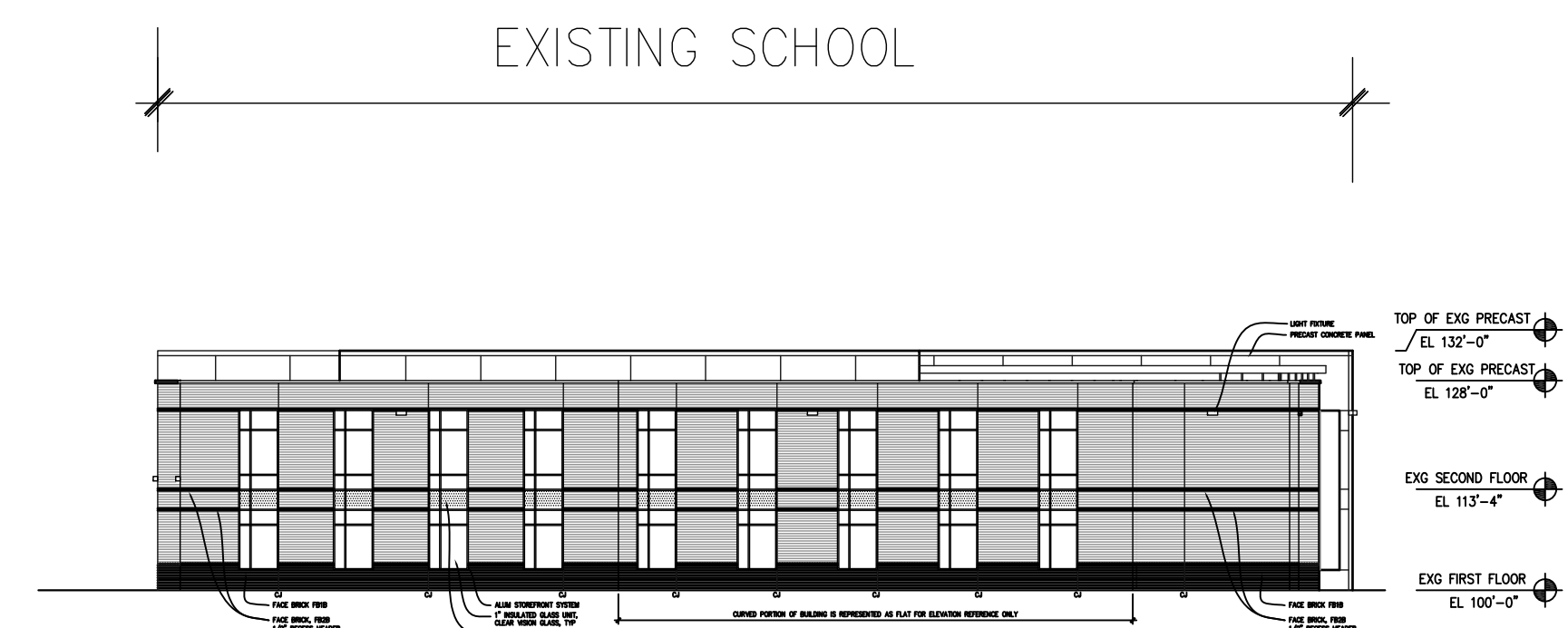




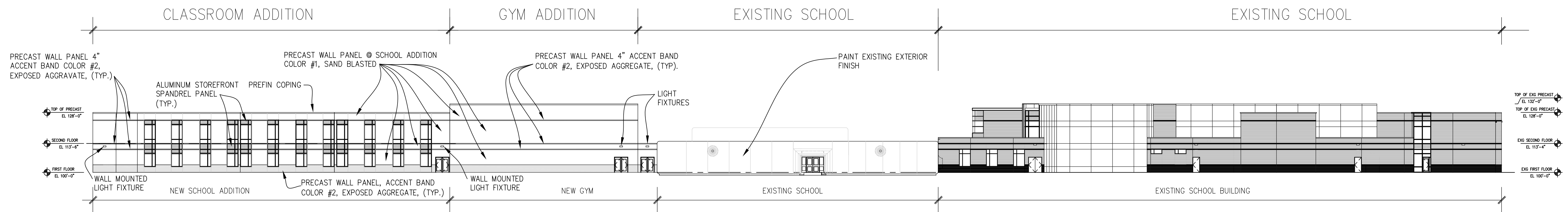
**1 SOUTH ELEVATION**  
SCALE: 1"=30'



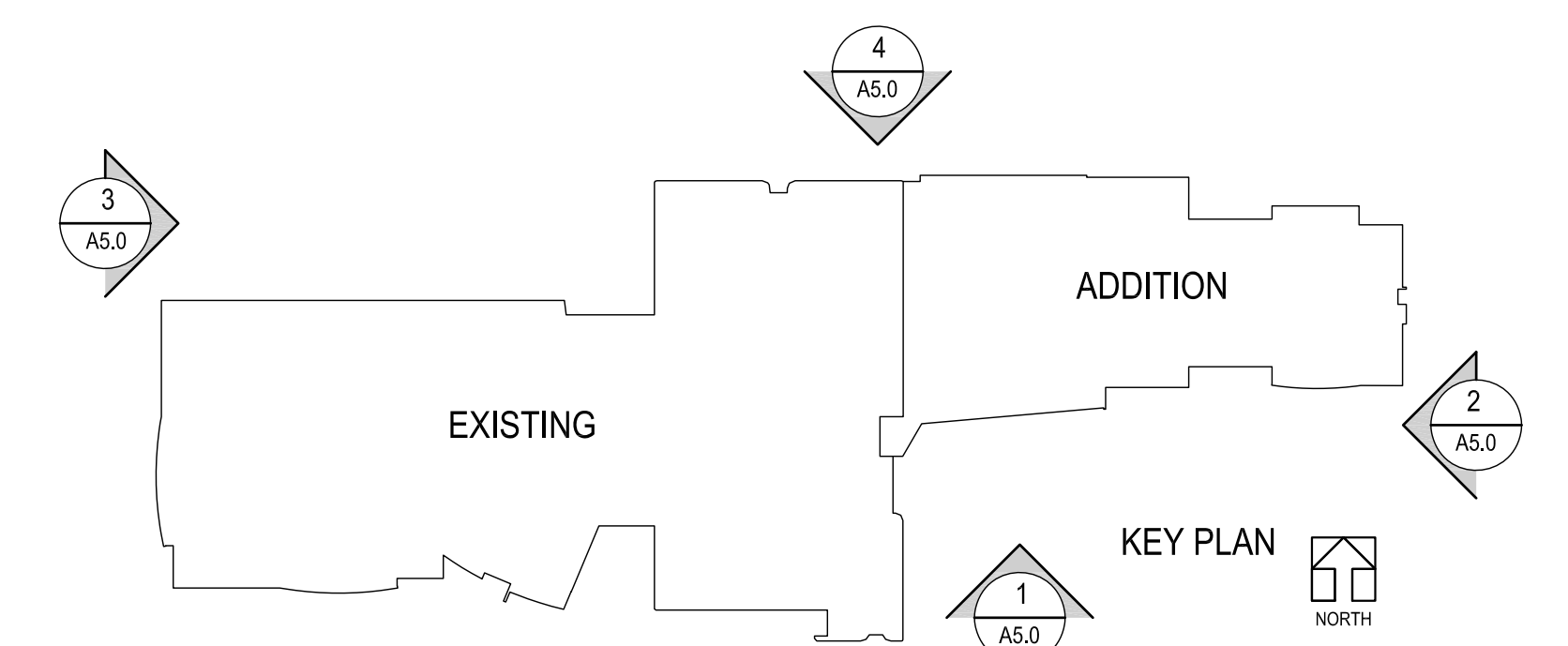
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SCALE: 1"=30'

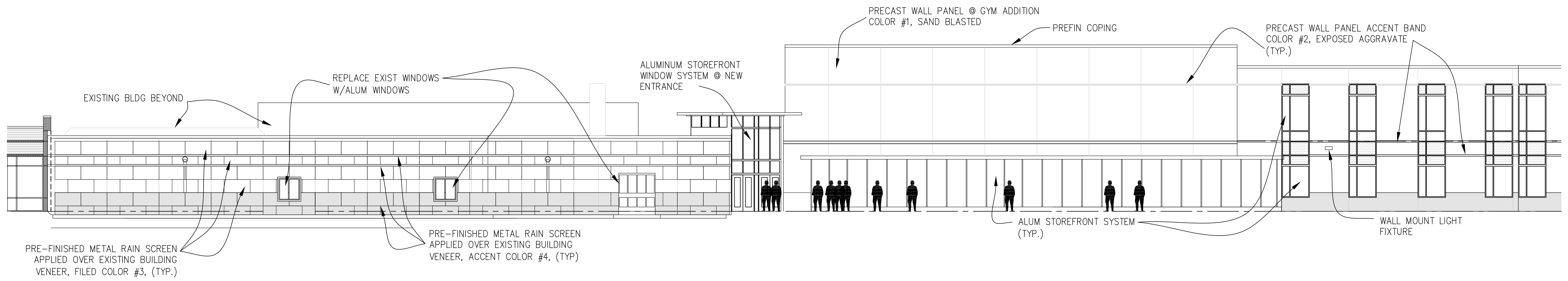


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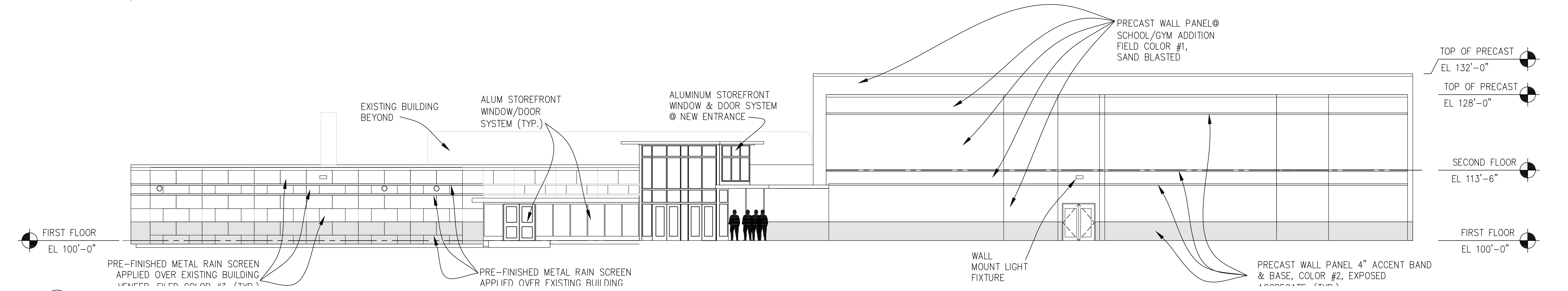


**4 NORTH ELEVATION**  
SCALE: 1"=30'

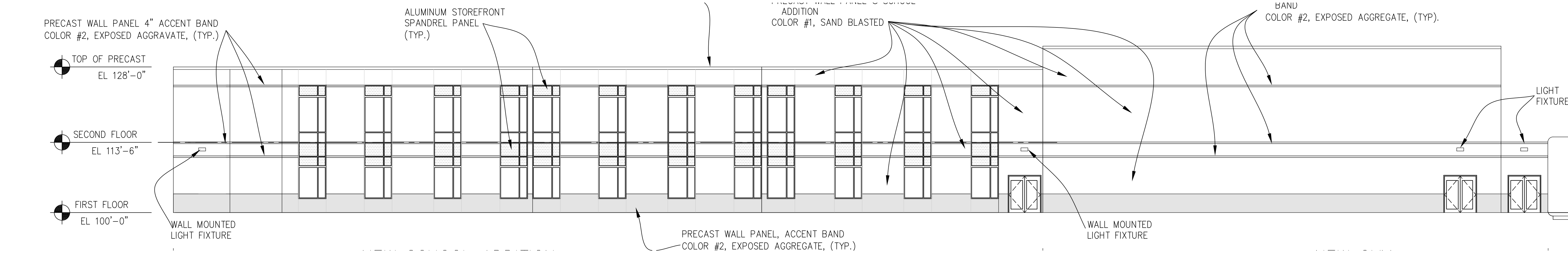




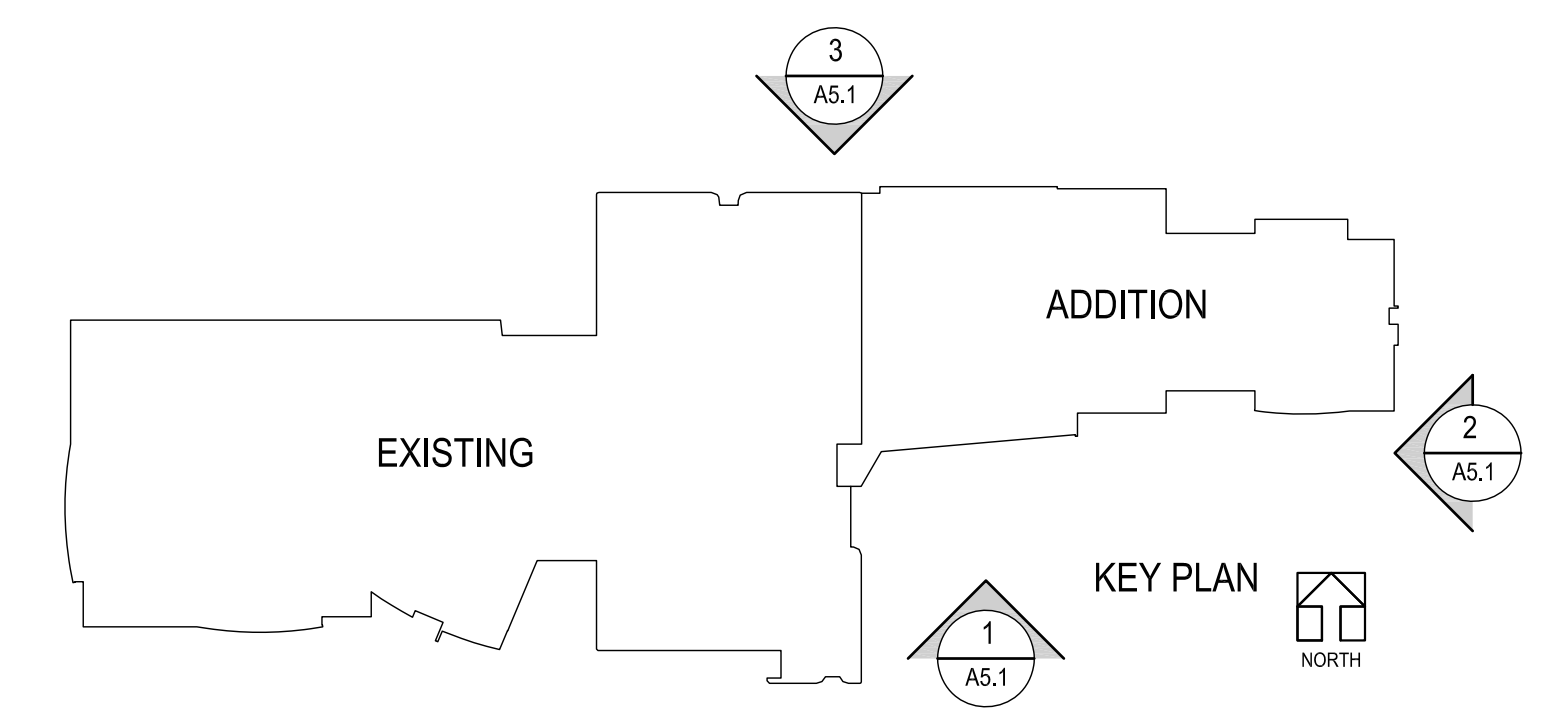
**1 SOUTH ELEVATION**  
SCALE 1/8" = 1'-0"



**2 EAST ELEVATION**  
SCALE 1/8" = 1'-0"



**3 NORTH ELEVATION**  
SCALE 1/8" = 1'-0"



I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Architect under the laws of the State of Minnesota.  
 10-25-2023 21839



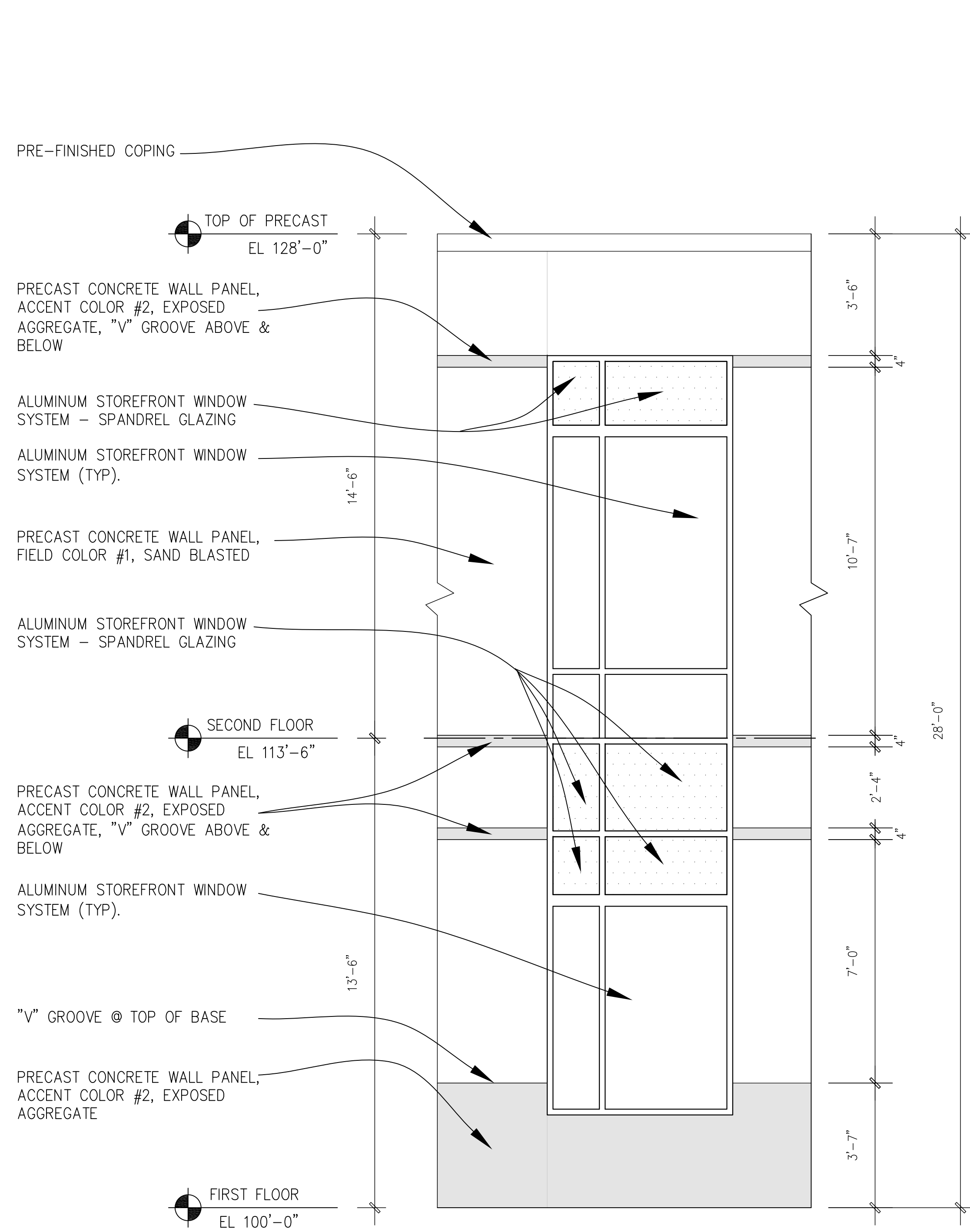
**RIVERA ARCHITECTS INC**  
 775 Fairmount Avenue  
 St. Paul, Minnesota 55105  
 P:651-222-3245 email:riveraarchitects@qwestonline.net

**PRAIRIE SEEDS ACADEMY**  
 6200 W Broadway, Brooklyn Park

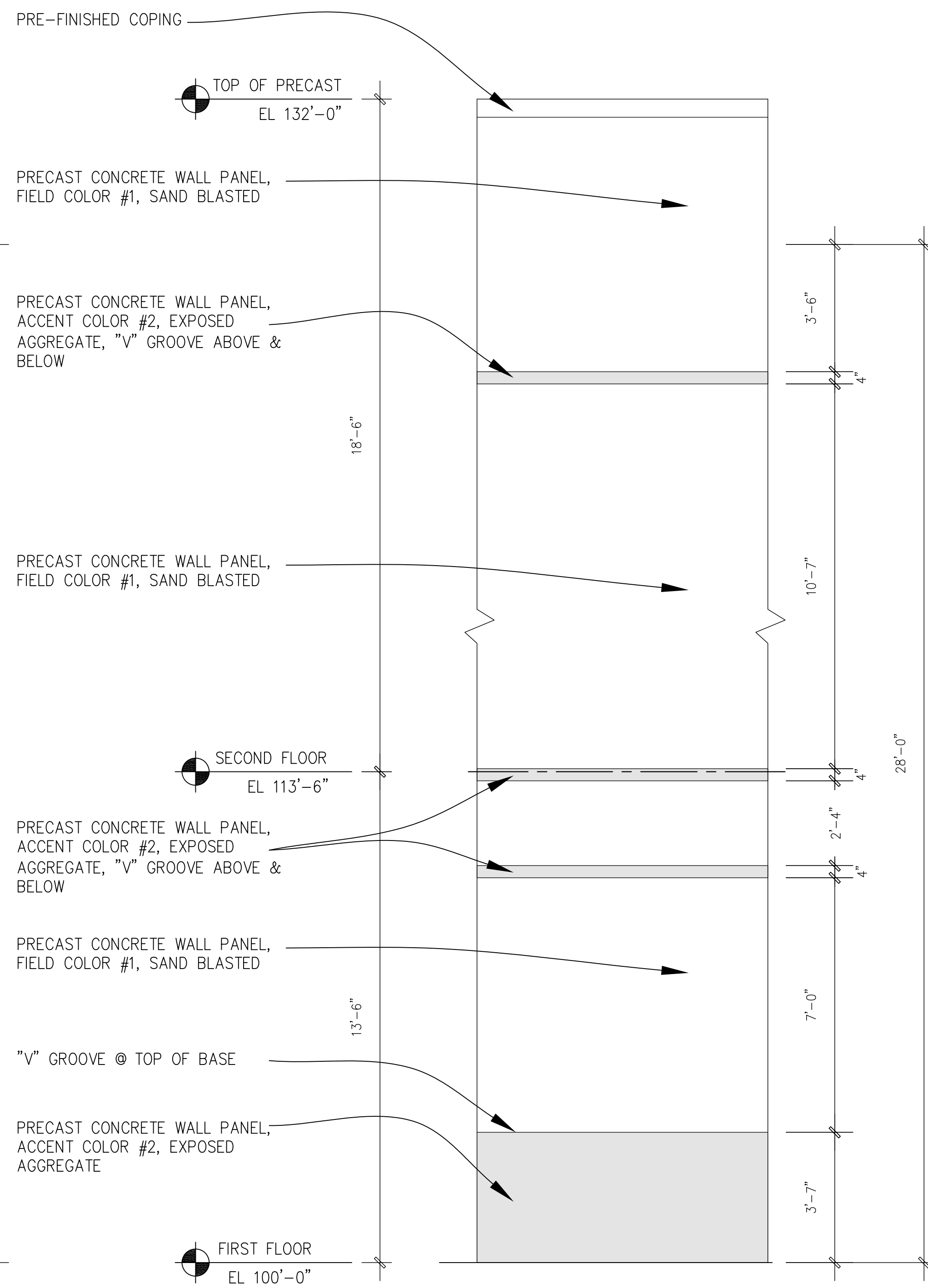
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**ENLARGED PARTIAL ELEVATIONS**  
 Architecture Planning Interiors

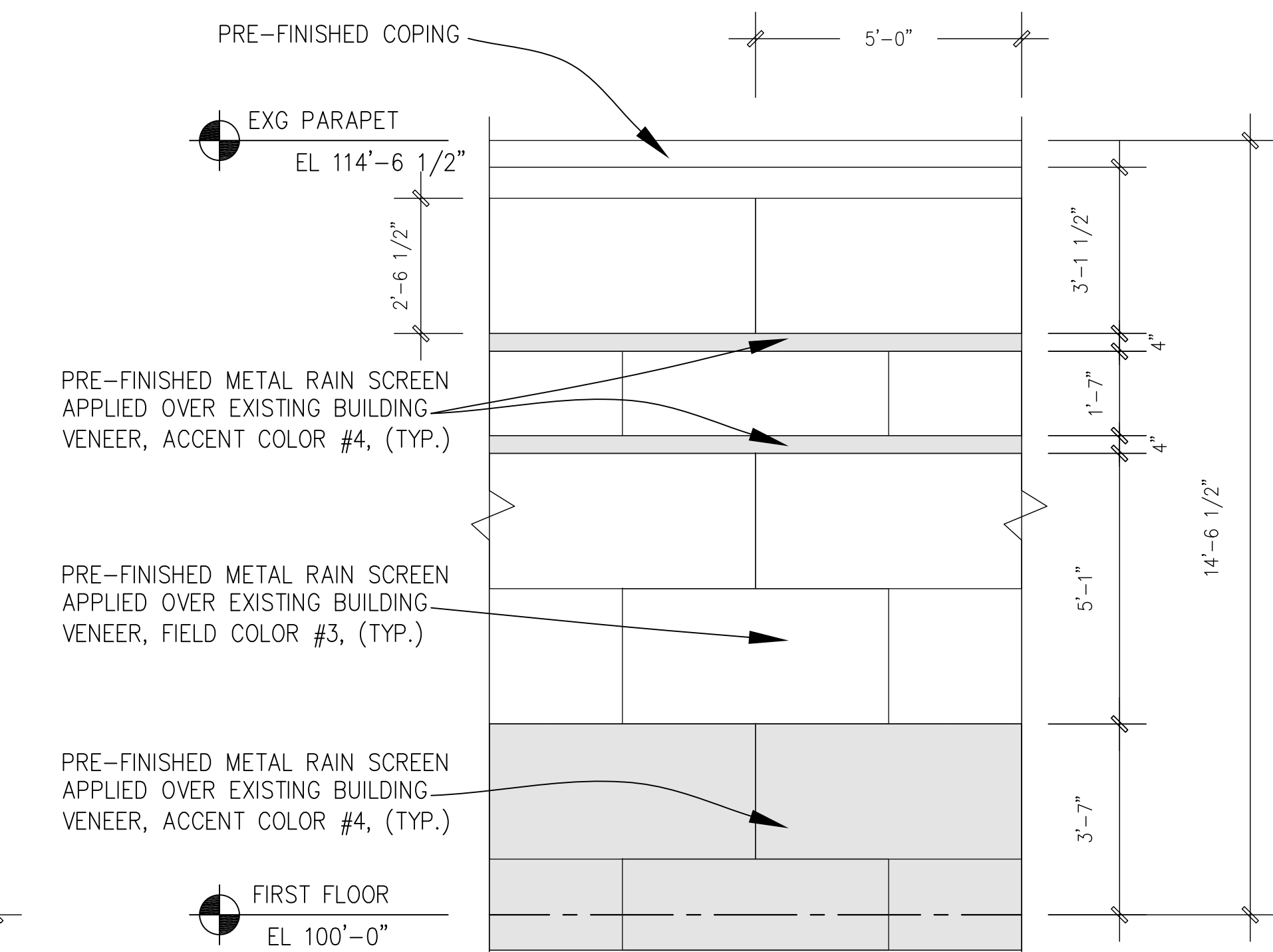
**A5.1**



**1 ELEVATION**  
SCALE 1/2" = 1'-0"



**2 ELEVATION**  
SCALE 1/2" = 1'-0"



**3 ELEVATION**  
SCALE 1/2" = 1'-0"





REMOVAL NOTES:

- 1. 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.
2. SEE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) PLAN FOR CONSTRUCTION STORM WATER MANAGEMENT PLAN.
3. REMOVAL OF MATERIALS NOTED ON THE DRAWINGS SHALL BE IN ACCORDANCE WITH MNDOT, STATE AND LOCAL REGULATIONS.
4. REMOVAL OF PRIVATE UTILITIES SHALL BE COORDINATED WITH UTILITY OWNER PRIOR TO CONSTRUCTION ACTIVITIES.
5. EXISTING PAVEMENTS SHALL BE SAWCUT IN LOCATIONS AS SHOWN ON THE DRAWINGS OR THE NEAREST JOINT FOR PROPOSED PAVEMENT CONNECTIONS.
6. REMOVED MATERIALS SHALL BE DISPOSED OF TO A LEGAL OFF-SITE LOCATION AND IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.
7. ABANDON, REMOVAL, CONNECTION, AND PROTECTION NOTES SHOWN ON THE DRAWINGS ARE APPROXIMATE. COORDINATE WITH PROPOSED PLANS.
8. EXISTING ON-SITE FEATURES NOT NOTED FOR REMOVAL SHALL BE PROTECTED THROUGHOUT THE DURATION OF THE CONTRACT.
9. 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.
10. 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.
11. 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.
12. PROPOSED WORK (BUILDING AND CIVIL) SHALL NOT DISTURB EXISTING UTILITIES UNLESS OTHERWISE SHOWN ON THE DRAWINGS AND APPROVED BY THE CITY PRIOR TO CONSTRUCTION.
13. 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.
14. 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.
15. 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.
16. 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.
17. 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.
18. ALL EXISTING SITE TRAFFIC/REGULATORY SIGNAGE TO BE INVENTORIED AND IF REMOVED FOR CONSTRUCTION SHALL BE RETURNED TO LGU.
19. 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.

SITE LAYOUT NOTES:

- 1. 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.
2. CONTRACTOR SHALL VERIFY LOCATIONS AND LAYOUT OF ALL SITE ELEMENTS PRIOR TO BEGINNING CONSTRUCTION, INCLUDING BUT NOT LIMITED TO, LOCATIONS OF EXISTING AND PROPOSED PROPERTY LINES, EASEMENTS, SETBACKS, UTILITIES, BUILDINGS AND PAVEMENTS. CONTRACTOR IS RESPONSIBLE FOR FINAL LOCATIONS OF ALL ELEMENTS FOR THE SITE. ANY REVISIONS REQUIRED AFTER COMMENCEMENT OF CONSTRUCTION, DUE TO LOCAL ADJUSTMENTS SHALL BE CORRECTED AT NO ADDITIONAL COST TO OWNER. ADJUSTMENTS TO THE LAYOUT SHALL BE APPROVED BY THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF MATERIALS. STAKE LAYOUT FOR APPROVAL.
3. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION, INCLUDING A RIGHT-OF-WAY AND STREET OPENING PERMIT.
4. THE CONTRACTOR SHALL VERIFY RECOMMENDATIONS NOTED IN THE GEO TECHNICAL REPORT PRIOR TO INSTALLATION OF SITE IMPROVEMENT MATERIALS.
5. CONTRACTOR SHALL FIELD VERIFY COORDINATES AND LOCATION DIMENSIONS & ELEVATIONS OF THE BUILDING AND STAKE FOR REVIEW AND APPROVAL BY THE OWNERS REPRESENTATIVE PRIOR TO INSTALLATION OF FOOTING MATERIALS.
6. LOCATIONS OF STRUCTURES, ROADWAY PAVEMENTS, CURBS AND GUTTERS, BOLLARDS, AND WALKS ARE APPROXIMATE AND SHALL BE STAKED IN THE FIELD, PRIOR TO INSTALLATION, FOR REVIEW AND APPROVAL BY THE ENGINEER/LANDSCAPE ARCHITECT.
7. CURB DIMENSIONS SHOWN ARE TO FACE OF CURB. BUILDING DIMENSIONS ARE TO FACE OF CONCRETE FOUNDATION. LOCATION OF BUILDING IS TO BUILDING FOUNDATION AND SHALL BE AS SHOWN ON THE DRAWINGS.
8. THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OR SAMPLES AS SPECIFIED FOR REVIEW AND APPROVAL BY THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO FABRICATION FOR ALL PREFABRICATED SITE IMPROVEMENT MATERIALS SUCH AS, BUT NOT LIMITED TO THE FOLLOWING: FURNISHINGS, PAVEMENTS, WALLS, RAILINGS, BENCHES, FLAGPOLES, LANDING PADS FOR CURB RAMPS, AND LIGHT AND POLES. THE OWNER RESERVES THE RIGHT TO REJECT INSTALLED MATERIALS NOT PREVIOUSLY APPROVED.
9. PEDESTRIAN CURB RAMPS SHALL BE CONSTRUCTED WITH TRUNCATED DOME LANDING AREAS IN ACCORDANCE WITH A.D.A. REQUIREMENTS-SEE DETAIL.
10. CROSSWALK STRIPING SHALL BE 24" WIDE WHITE PAINTED LINE, SPACED 48" ON CENTER PERPENDICULAR TO THE FLOW OF TRAFFIC. WIDTH OF CROSSWALK SHALL BE 5' WIDE. ALL OTHER PAVEMENT MARKINGS SHALL BE WHITE IN COLOR UNLESS OTHERWISE NOTED OR REQUIRED BY ADA OR LOCAL GOVERNING BODIES.
11. SEE SITE PLAN FOR CURB AND GUTTER TYPE, TAPER BETWEEN CURB TYPES-SEE DETAIL.
12. ALL CURB RADI ARE MINIMUM 3' UNLESS OTHERWISE NOTED.
13. CONTRACTOR SHALL REFER TO FINAL PLAT FOR LOT BOUNDARIES, NUMBERS, AREAS AND DIMENSIONS PRIOR TO SITE IMPROVEMENTS.
14. FIELD VERIFY ALL EXISTING SITE CONDITIONS, DIMENSIONS.
15. PARKING IS TO BE SET PARALLEL OR PERPENDICULAR TO EXISTING BUILDING UNLESS NOTED OTHERWISE.
16. ALL PARKING LOT PAINT STRIPING TO BE WHITE, 4" WIDE TYP.
17. BITUMINOUS PAVING TO BE "LIGHT DUTY" UNLESS OTHERWISE NOTED. SEE DETAIL SHEETS FOR PAVEMENT SECTIONS.
18. ALL TREES THAT ARE TO REMAIN ARE TO BE PROTECTED FROM DAMAGE WITH A CONSTRUCTION FENCE AT THE DRIP LINE. SEE LANDSCAPE DOCUMENTS.

OPERATIONAL NOTES

Table with 2 columns: Category (SNOW REMOVAL, TRASH REMOVAL, DELIVERIES) and Description (ALL SNOW SHALL BE STORED ON-SITE OUTSIDE PARKING LOT, TRASH SHALL BE PLACED IN EXTERIOR TRASH AREA AND REMOVED BY COMMERCIAL CO. WEEKLY, DELIVERIES SHALL OCCUR AT THE FRONT DOOR VIA STANDARD COMMERCIAL DELIVERY VEHICLES (UPS, FED-EX, USPS)).

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 CONFIRMED IN WRITING BY CIVIL, SURVEYOR, ARCHITECTURAL, STRUCTURAL AND CONTRACTOR PRIOR TO CONSTRUCTION.
2. 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.
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. 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.
7. GRADING AND EXCAVATION ACTIVITIES SHALL BE PERFORMED IN ACCORDANCE WITH THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS & PERMIT REQUIREMENTS OF THE CITY.
8. PROPOSED SPOT GRADES ARE FLOW-LINE FINISHED GRADE ELEVATIONS, UNLESS OTHERWISE NOTED.
9. GRADES OF WALKS SHALL BE INSTALLED WITH 5% MAX. LONGITUDINAL SLOPE AND 1% MIN. AND 2% MAX. CROSS SLOPE, UNLESS OTHERWISE NOTED.
10. PROPOSED SLOPES SHALL NOT EXCEED 3:1 UNLESS INDICATED OTHERWISE ON THE DRAWINGS. MAXIMUM SLOPES IN MAINTAINED AREAS IS 4:1.
11. 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.
12. 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.
13. 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.
14. 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 RESPREADING ON THE SITE AS SPECIFIED. EXCESS TOPSOIL SHALL BE PLACED IN EMBANKMENT AREAS, OUTSIDE OF BUILDING PADS, ROADWAYS AND PARKING AREAS. THE CONTRACTOR SHALL SUBCUT CUT AREAS, WHERE TURF IS TO BE ESTABLISHED, TO A DEPTH OF 6 INCHES. RESPREAD TOPSOIL IN AREAS WHERE TURF IS TO BE ESTABLISHED TO A MINIMUM DEPTH OF 6 INCHES.
15. FINISHED GRADING SHALL BE COMPLETED. THE CONTRACTOR SHALL UNIFORMLY GRADE AREAS WITHIN LIMITS OF GRADING, INCLUDING ADJACENT TRANSITION AREAS. PROVIDE A SMOOTH FINISHED SURFACE 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 FINISH 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.
16. PRIOR TO PLACEMENT OF THE AGGREGATE BASE, A TEST ROLL WILL BE REQUIRED ON THE STREET AND/OR PARKING AREA SUBGRADE. THE CONTRACTOR SHALL PROVIDE A LOADED TANDEM AXLE TRUCK WITH A GROSS WEIGHT OF 25 TONS. THE TEST ROLLING SHALL BE AT 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 UNSTABLE. 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/DETENTION SYSTEMS.
17. TOLERANCES
17.1. THE BUILDING SUBGRADE 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 SUBGRADE 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.
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 RESEDED 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.

GROUNDWATER ELEVATION PER BORING

Table with 2 columns: BORING (B-1 to B-10) and GROUND WATER ELEVATION. Includes a note: PER GEOTECHNICAL REPORT COMPLETED BY BRAUN INTERTEC, INC. ON XXXXXXX.

GENERAL UTILITY NOTES:

- 1. 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.
2. SEE SITE PLAN FOR HORIZONTAL DIMENSIONS AND LAYOUT.
3. CONTRACTOR SHALL FIELD VERIFY LOCATION AND ELEVATION OF EXISTING UTILITIES AND TOPOGRAPHIC FEATURES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF DISCREPANCIES OR VARIATIONS FROM THE PLANS.
4. UTILITY INSTALLATION SHALL CONFORM TO THE CURRENT EDITION OF "STANDARD SPECIFICATIONS FOR WATER MAIN AND SERVICE LINE INSTALLATION" AND "SANITARY SEWER AND STORM SEWER INSTALLATION" AS PREPARED BY THE CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEAM), AND SHALL CONFORM WITH THE REQUIREMENTS OF THE CITY AND THE PROJECT SPECIFICATIONS.
5. CASTINGS SHALL BE SALVAGED FROM STRUCTURE REMOVALS AND RE-USED OR PLACED AT THE DIRECTION OF THE OWNER.
6. ALL WATER PIPE SHALL BE CLASS 52 DUCTILE IRON PIPE (DIP) AWWA C151, ASME B16.4, AWWA C110, AWWA C153 UNLESS OTHERWISE NOTED.
7. ALL SANITARY SEWER SHALL BE SDR 26 POLYVINYL CHLORIDE (PVC) ASTM D3034 & F679, OR SCH 40 ASTM D1785, 2665, ASTM F794, 1866) UNLESS OTHERWISE NOTED.
8. ALL STORM SEWER PIPE SHALL BE HDPE ASTM F714 OR F2306 WITH ASTM D3212 SPEC FITTINGS UNLESS OTHERWISE NOTED.
9. PIPE LENGTHS SHOWN ARE FROM CENTER TO CENTER OF STRUCTURE OR TO END OF FLEATH END SECTION.
10. UTILITIES ON THE PLAN ARE SHOWN TO WITHIN 5' OF THE BUILDING FOOTPRINT. THE CONTRACTOR IS ULTIMATELY RESPONSIBLE FOR THE FINAL CONNECTION TO BUILDING LINES. COORDINATE WITH ARCHITECTURAL AND MECHANICAL PLANS.
11. CATCH BASINS AND MANHOLES IN PAVED AREAS SHALL BE SUMPED 0.04 FEET. ALL CATCH BASINS IN GUTTERS SHALL BE SUMPED 0.15 FEET PER DETAILS. RIM ELEVATIONS SHOWN ON THIS PLAN DO NOT REFLECT SUMPED ELEVATIONS.
12. ALL FIRE HYDRANTS SHALL BE LOCATED 5 FEET BEHIND BACK OF CURB UNLESS OTHERWISE NOTED.
13. HYDRANT TYPE, VALVE, AND CONNECTION SHALL BE IN ACCORDANCE WITH CITY REQUIREMENTS. HYDRANT EXTENSIONS ARE INCIDENTAL.
14. A MINIMUM OF 8 FEET OF COVER IS REQUIRED OVER ALL WATERMAIN, UNLESS OTHERWISE NOTED. EXTRA DEPTH MAY BE REQUIRED TO MAINTAIN A MINIMUM OF 18" VERTICAL SEPARATION TO SANITARY OR STORM SEWER LINES. EXTRA DEPTH WATERMAIN IS INCIDENTAL.
15. A MINIMUM OF 18 INCHES OF VERTICAL SEPARATION AND 10 FEET OF HORIZONTAL SEPARATION IS REQUIRED FOR ALL UTILITIES, UNLESS OTHERWISE NOTED.
16. ALL CONNECTIONS TO EXISTING UTILITIES SHALL BE IN ACCORDANCE WITH CITY STANDARDS AND COORDINATED WITH THE CITY PRIOR TO CONSTRUCTION.
17. CONNECTIONS TO EXISTING STRUCTURES SHALL BE CORE-DRILLED.
18. COORDINATE LOCATIONS AND SIZES OF SERVICE CONNECTIONS WITH THE MECHANICAL DRAWINGS.
19. COORDINATE INSTALLATION AND SCHEDULING OF THE INSTALLATION OF UTILITIES WITH ADJACENT CONTRACTORS AND CITY STAFF.
20. ALL STREET REPAIRS AND PATCHING SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CITY. ALL PAVED CONNECTIONS SHALL BE SAWCUT. ALL TRAFFIC CONTROLS SHALL BE PROVIDED BY THE CONTRACTOR AND SHALL BE 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 BE OPEN TO TRAFFIC AT ALL TIMES. NO ROAD CLOSURES SHALL BE PERMITTED WITHOUT APPROVAL BY THE CITY.
21. ALL STRUCTURES, PUBLIC AND PRIVATE, SHALL BE ADJUSTED TO PROPOSED GRADES WHERE REQUIRED. THE REQUIREMENTS OF ALL OWNERS MUST BE COMPLIED WITH. STRUCTURES BEING RESET TO PAVED AREAS MUST MEET OWNERS REQUIREMENTS FOR TRAFFIC LOADING.
22. CONTRACTOR SHALL COORDINATE ALL WORK WITH PRIVATE UTILITY COMPANIES.
23. CONTRACTOR SHALL COORDINATE CONNECTION OF IRRIGATION SERVICE TO UTILITIES. COORDINATE THE INSTALLATION OF IRRIGATION SLEEVES NECESSARY AS TO NOT IMPACT INSTALLATION OF UTILITIES.
24. CONTRACTOR SHALL MAINTAIN AS-BUILT PLANS THROUGHOUT CONSTRUCTION AND SUBMIT THESE PLANS TO ENGINEER UPON COMPLETION OF WORK.
25. ALL JOINTS AND CONNECTIONS IN STORM SEWER SYSTEM SHALL BE GASTIGHT OR WATERTIGHT. APPROVED RESILIENT RUBBER JOINTS MUST BE USED TO MAKE WATERTIGHT CONNECTIONS TO MANHOLES, CATCHBASINS, OR OTHER STRUCTURES.
26. ALL PORTIONS OF THE STORM SEWER SYSTEM LOCATED WITHIN 10 FEET OF THE BUILDING OR WATER SERVICE LINE MUST BE TESTED IN ACCORDANCE WITH MN RULES, CHAPTER 4714, SECTION 1109.0.
27. FOR ALL SITES LOCATED IN CLAY SOIL AREAS, DRAIN TILE MUST BE INSTALLED AT ALL LOW POINT CATCH BASINS 25' IN EACH DIRECTION. SEE PLAN AND DETAIL. INSTALL LOW POINT DRAIN TILE PER PLANS AND GEOTECHNICAL REPORT RECOMMENDATIONS AND REQUIREMENTS.

IRRIGATION NOTES:

- 1. ENTIRE SITE SHALL BE FULLY IRRIGATED. THE CONTRACTOR SHALL SUBMIT IRRIGATION SHOP DRAWINGS FOR REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
2. SEE MECHANICAL AND ELECTRICAL PLANS AND SPECIFICATIONS FOR IRRIGATION WATER, METER, AND POWER CONNECTIONS.
3. 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.
4. 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.
5. CONTRACTOR SHALL COORDINATE WITH LOCAL UTILITY COMPANY FOR THE PROPOSED ELECTRICAL SERVICE AND METERING FACILITIES.
6. IRRIGATION WATER LINE CONNECTION SIZE IS 1-1/2" AT BUILDING. VERIFY WITH MECHANICAL PLANS/COVAGE.
7. ALL MAIN LINES SHALL BE 18" BELOW FINISHED GRADE.
8. ALL LATERAL LINES SHALL BE 12" BELOW FINISHED GRADE.
9. ALL EXPOSED PVC RISERS, IF ANY, SHALL BE GRAY IN COLOR.
10. 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.
11. CONTRACTOR SHALL MARK THE LOCATION OF ALL SLEEVES AND CONDUIT WITH THE SLEEVEING MATERIAL "ELLEDD" TO 2'-0" ABOVE FINISHED GRADE AND CAPPED.
12. 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.
13. BACKFILL ALL TRENCHES WITH SOIL FREE OF SHARP OBJECTS AND DEBRIS.
14. ALL VALVE BOXES AND COVERS SHALL BE BLACK IN COLOR.
15. GROUP VALVE BOXES TOGETHER FOR EASE WHEN SERVICE IS REQUIRED. LOCATE IN PLANT BED AREAS WHENEVER POSSIBLE.
16. IRRIGATION CONTROLLER LOCATION SHALL BE VERIFIED ON-SITE WITH OWNER'S REPRESENTATIVE.
17. 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.
18. AVOID OVER SPRAY ON BUILDINGS, PAVEMENT, WALLS AND ROADWAYS BY INDIVIDUALLY ADJUSTING RADIUS OR ARC ON SPRINKLER HEADS AND FLOW CONTROL ON AUTOMATIC VALVE.
19. ADJUST PRESSURE REGULATING VALVES FOR OPTIMUM PRESSURE ON SITE.
20. USE SCREENS ON ALL HEADS.
21. A SET OF AS-BUILT DRAWINGS SHALL BE MAINTAINED ON-SITE AT ALL TIMES IN AN UPDATED CONDITION.
22. ALL PIPE 3" AND OVER SHALL HAVE THRUST BLOCKING AT EACH TURN.
23. 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.
24. THERE SHALL BE 3" MINIMUM SPACE BETWEEN BOTTOM OF VALVE BOX COVER AND TOP OF VALVE STRUCTURE.

LANDSCAPE NOTES:

- 1. 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.
2. WHERE SHOWN, SHRUB & PERENNIAL BEDS SHALL BE MULCHED WITH 4" DEPTH (MINIMUM AFTER INSTALLATION AND/OR TOP DRESSING OPERATIONS) OF SHREDDED CEDAR MULCH.
3. ALL TREES SHALL BE MULCHED WITH SHREDDED CEDAR MULCH TO OUTER EDGE OF SAUCER OR TO EDGE OF PLANTING BED, IF APPLICABLE. ALL MULCH SHALL BE KEPT WITHIN A MINIMUM OF 2" FROM TREE TRUNK.
4. IF SHOWN ON PLAN, RANDOM SIZED LIMESTONE BOULDERS COLOR AND SIZE TO COMPLIMENT NEW LANDSCAPING. OWNER TO APPROVE BOULDER SAMPLES PRIOR TO INSTALLATION.
5. PLANT MATERIALS SHALL CONFORM WITH THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS AND SHALL BE OF HARDY STOCK, FREE FROM DISEASE, DAMAGE AND DISFIGURATION. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING PLUMPNESS OF PLANT MATERIAL FOR DURATION OF ACCEPTANCE PERIOD.
6. UPON DISCOVERY OF A DISCREPANCY BETWEEN THE QUANTITY OF PLANTS SHOWN ON THE SCHEDULE AND THE QUANTITY SHOWN ON THE PLAN, THE PLAN SHALL GOVERN.
7. CONDITION OF VEGETATION SHALL BE MONITORED BY THE LANDSCAPE ARCHITECT THROUGHOUT THE DURATION OF THE CONTRACT. LANDSCAPE MATERIALS PART OF THE CONTRACT SHALL BE WARRANTED FOR TWO (2) FULL GROWING SEASONS FROM SUBSTANTIAL COMPLETION DATE.
8. ALL AREAS DISTURBED BY CONSTRUCTION ACTIVITIES SHALL RECEIVE 4" LAYER TOPSOIL AND SOD AS SPECIFIED UNLESS OTHERWISE NOTED ON THE DRAWINGS.
9. COORDINATE LOCATION OF VEGETATION WITH UNDERGROUND AND OVERHEAD UTILITIES, LIGHTING FIXTURES, DOORS AND WINDOWS. CONTRACTOR SHALL STAKE IN THE FIELD FINAL LOCATION OF TREES AND SHRUBS FOR REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
10. ALL PLANT MATERIALS SHALL BE WATERED AND MAINTAINED UNTIL ACCEPTANCE.
11. REPAIR AT NO COST TO OWNER ALL DAMAGE RESULTING FROM LANDSCAPE CONTRACTOR'S ACTIVITIES.
12. SWEEP AND MAINTAIN ALL PAVED SURFACES FREE OF DEBRIS GENERATED FROM LANDSCAPE CONTRACTOR'S ACTIVITIES.
13. PROVIDE SITE WIDE IRRIGATION SYSTEM DESIGN AND INSTALLATION. SYSTEM SHALL BE FULLY PROGRAMMABLE AND CAPABLE OF ALTERNATE DATE WATERING. THE SYSTEM SHALL PROVIDE HEAD TO 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.
14. CONTRACTOR SHALL SECURE APPROVAL OF PROPOSED IRRIGATION SYSTEM INCLUDING PRICING FROM OWNER, PRIOR TO INSTALLATION.

CITY OF BROOKLYN PARK REMOVAL NOTES:

Empty box for City of Brooklyn Park Removal Notes.

CITY COORDINATION NOTES:

Empty box for City Coordination Notes.

CITY OF BROOKLYN PARK SITE SPECIFIC NOTES:

Empty box for City of Brooklyn Park Site Specific Notes.

CITY OF BROOKLYN PARK GRADING NOTES:

Empty box for City of Brooklyn Park Grading Notes.

CITY OF BROOKLYN PARK UTILITY NOTES:

Empty box for City of Brooklyn Park Utility Notes.

CITY OF BROOKLYN PARK SITE SPECIFIC LANDSCAPE NOTES:

Empty box for City of Brooklyn Park Site Specific Landscape Notes.

PRELIMINARY: NOT FOR CONSTRUCTION

CivilSite GROUP logo and contact information: 5300 Grandwood Avenue, Golden Valley, MN 55422, civilsitigroup.com, 612-615-0060

PROJECT: PRAIRIE SEEDS ACADEMY ADDITION 6200 W BROADWAY, BROOKLYN PARK, MN 55428
OWNER: PRAIRIE SEEDS ACADEMY 6200 W BROADWAY, BROOKLYN PARK, MN 55428

ISSUE/SUBMITTAL SUMMARY

Table with 2 columns: DATE, DESCRIPTION. Includes a PROJECT INFORMATION section with fields for PROJECT NUMBER, DRAWING NUMBER, CONTRACT NUMBER, SHEET NUMBER, DATE, and PROJECT NUMBER.

REVISION SUMMARY

Table with 2 columns: DATE, DESCRIPTION.

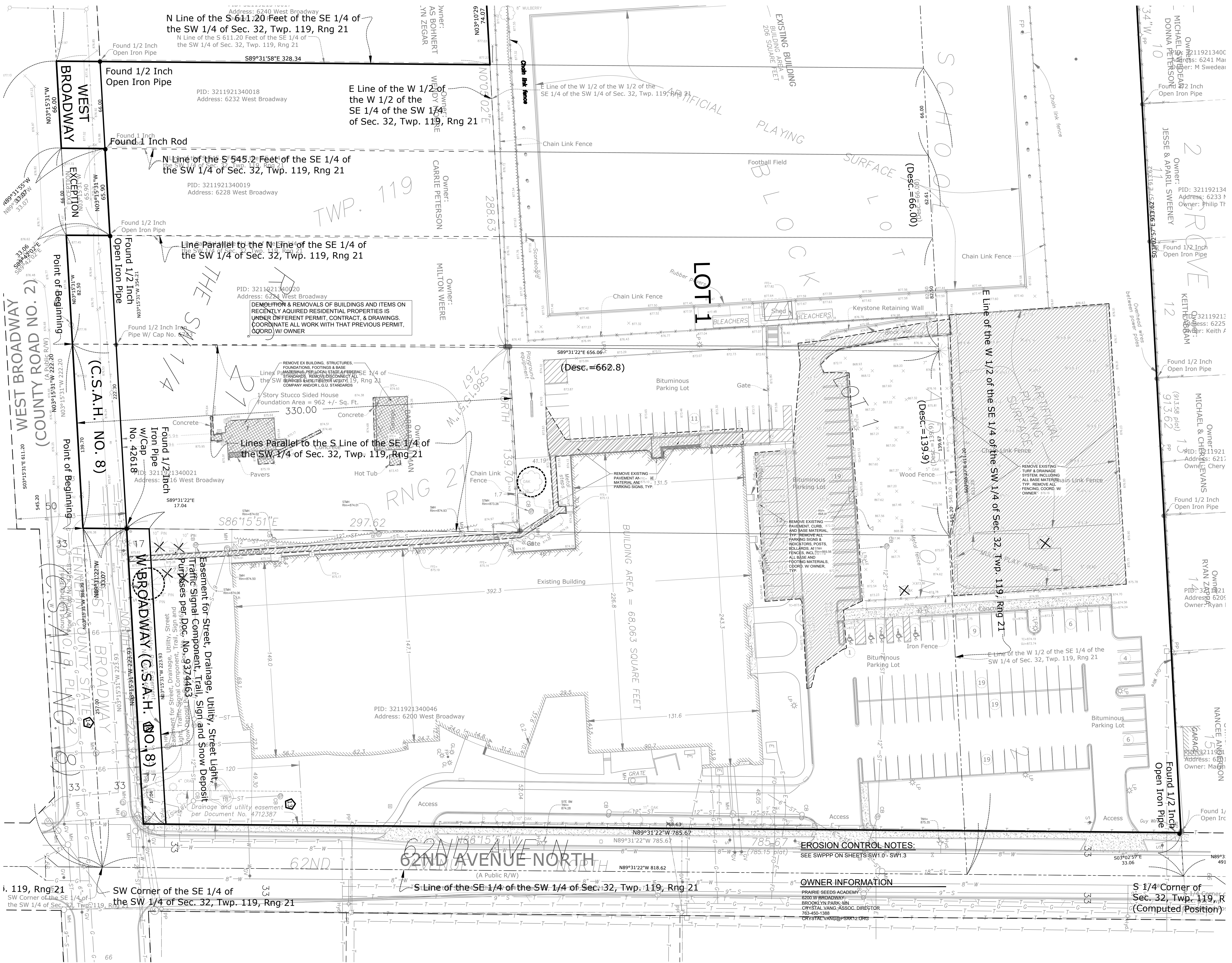
PROJECT NOTES

C0.1





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**REMOVALS PLAN LEGEND:**

	REMOVAL OF PAVEMENT AND ALL BASE MATERIAL, INCLUDING BIT., CONC., AND GRAVEL PAVTS.
	REMOVAL OF STRUCTURE INCLUDING ALL FOOTINGS AND FOUNDATIONS.
	REMOVAL OF TREES AND VEGETATION INCLUDING STUMPS AND ROOT SYSTEMS
	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

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Golden Valley, MN 55422  
civilsitegroup.com 612-615-0060

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6200 W BROADWAY, BROOKLYN PARK MN 55428  
**OWNER:** PRAIRIE SEEDS ACADEMY  
6200 W BROADWAY, BROOKLYN PARK MN 55428

ISSUE/SUBMITTAL SUMMARY	
DATE	DESCRIPTION

REVISION SUMMARY	
DATE	DESCRIPTION

**REMOVALS PLAN**  
**C1.0**  
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SEE SHEET C0.1 FOR GENERAL AND CITY OF BROOKLYN PARK REMOVAL NOTES

Know what's below.  
Call before you dig.  
1" = 30'-0"  
15' 0" 30' 0"

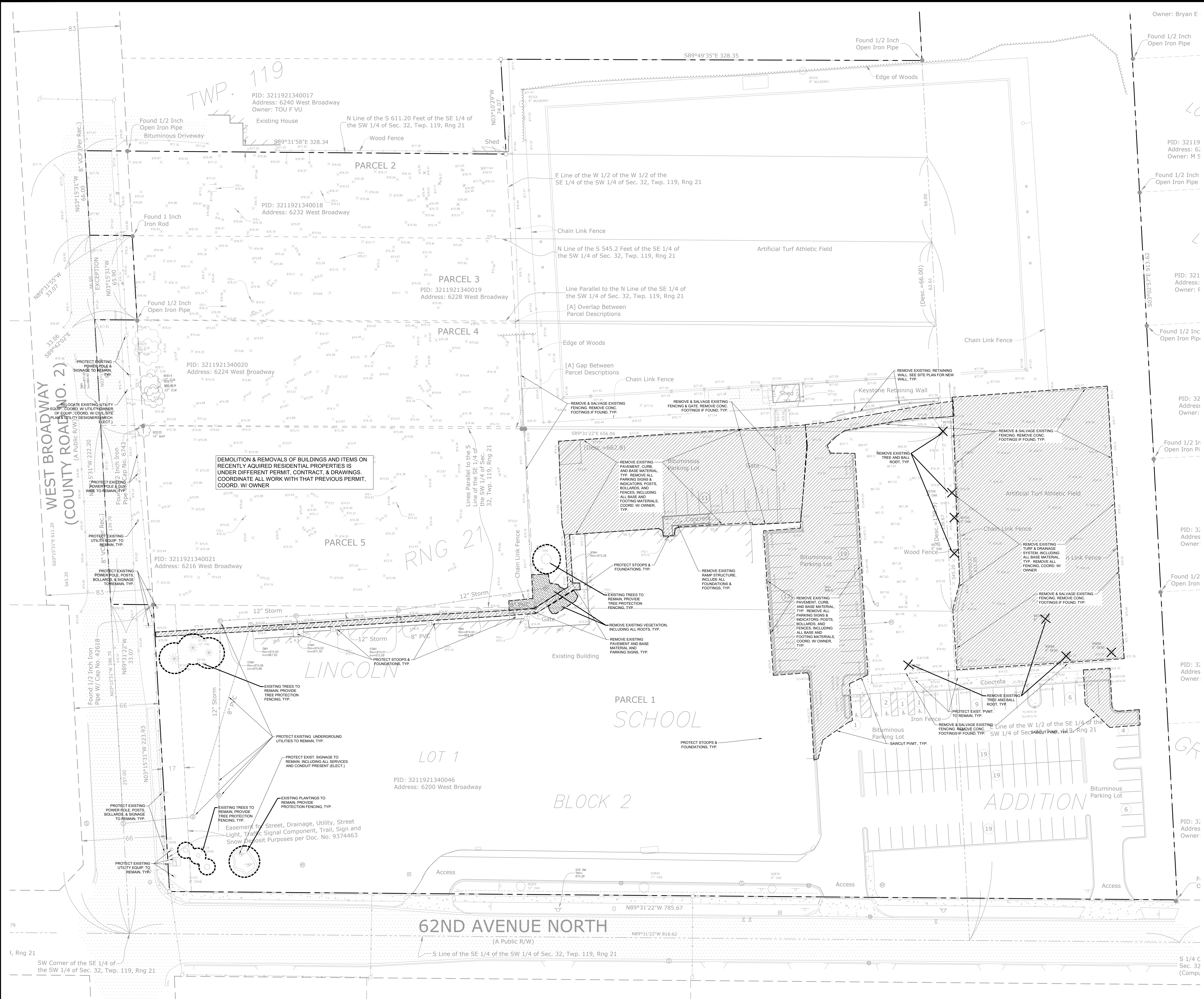
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NO	TYPE	SIZE	SPECIES	REMOVE	NOTES
95698	TRD	6	DEAD	X	
95699	TRD	5	DEAD	X	
95700	TRD	8	TREE	X	
95701	TRD	5	OAK	X	
95702	TRD	5	OAK	X	
95703	TRD	5	OAK	X	
95704	TRD	4	OAK	X	
95705	TRC	7	TREE	X	

TREES (REMOVED ONLY LISTED)	AMT	CAL. IN.
CONIFERS	1	7
DECIDUOUS	5	27
<b>TOTAL</b>	<b>6</b>	<b>34</b>

ALL DEAD PLANT MATERIALS REMOVED FROM CALCULATION



**DEMOLITION & REMOVALS OF BUILDINGS AND ITEMS ON RECENTLY ACQUIRED RESIDENTIAL PROPERTIES IS UNDER DIFFERENT PERMIT, CONTRACT, & DRAWINGS. COORDINATE ALL WORK WITH THAT PREVIOUS PERMIT, COORD. W/ OWNER**

**REMOVALS PLAN LEGEND:**

	REMOVAL OF PAVEMENT AND ALL BASE MATERIAL, INCLUDING BIT., CONC., AND GRAVEL PAVTS.
	REMOVAL OF STRUCTURE INCLUDING ALL FOOTINGS AND FOUNDATIONS.
	REMOVAL OF TREES AND VEGETATION INCLUDING STUMPS AND ROOT SYSTEMS
	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

**EROSION CONTROL NOTES:**  
SEE SWPPP ON SHEETS SW1.0 - SW1.3

**OWNER INFORMATION**  
PRAIRIE SEEDS ACADEMY  
6200 W BROADWAY  
BROOKLYN PARK, MN  
CRYSTAL VANG, ASSOC. DIRECTOR  
763-450-5388  
CRYSTAL.VANG@PSAK12.ORG

SEE SHEET C0.1 FOR GENERAL AND CITY OF BROOKLYN PARK REMOVAL NOTES

**811**  
Know what's below.  
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**1" = 20'-0"**  
10' 0" 20' 0"

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**PROJECT**  
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**OWNER**  
PRAIRIE SEEDS ACADEMY  
6200 W BROADWAY, BROOKLYN PARK MN 55428

**ISSUE/SUBMITTAL SUMMARY**

DATE	DESCRIPTION
02/05/24	CITY SUBMITTAL

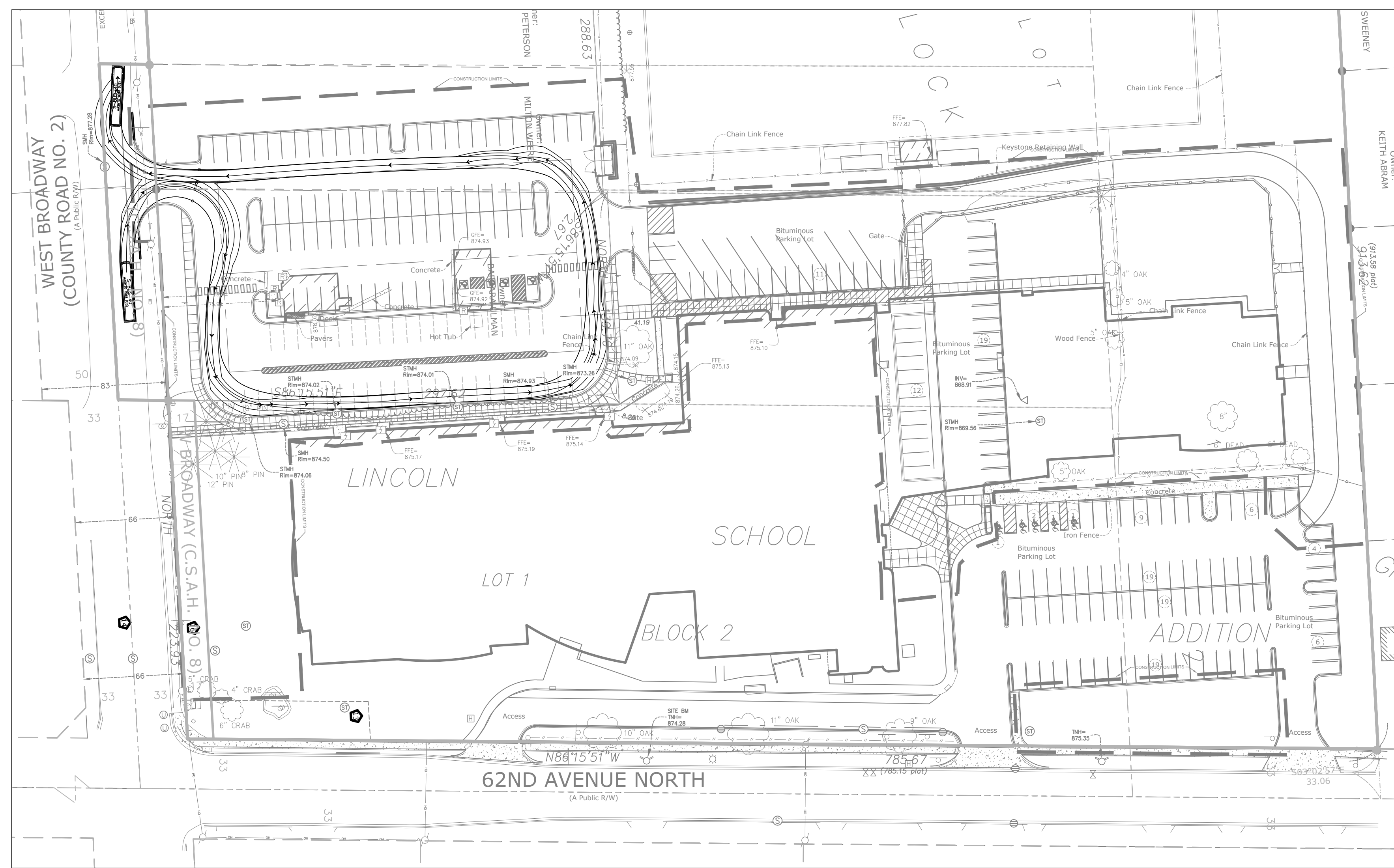
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DATE	DESCRIPTION
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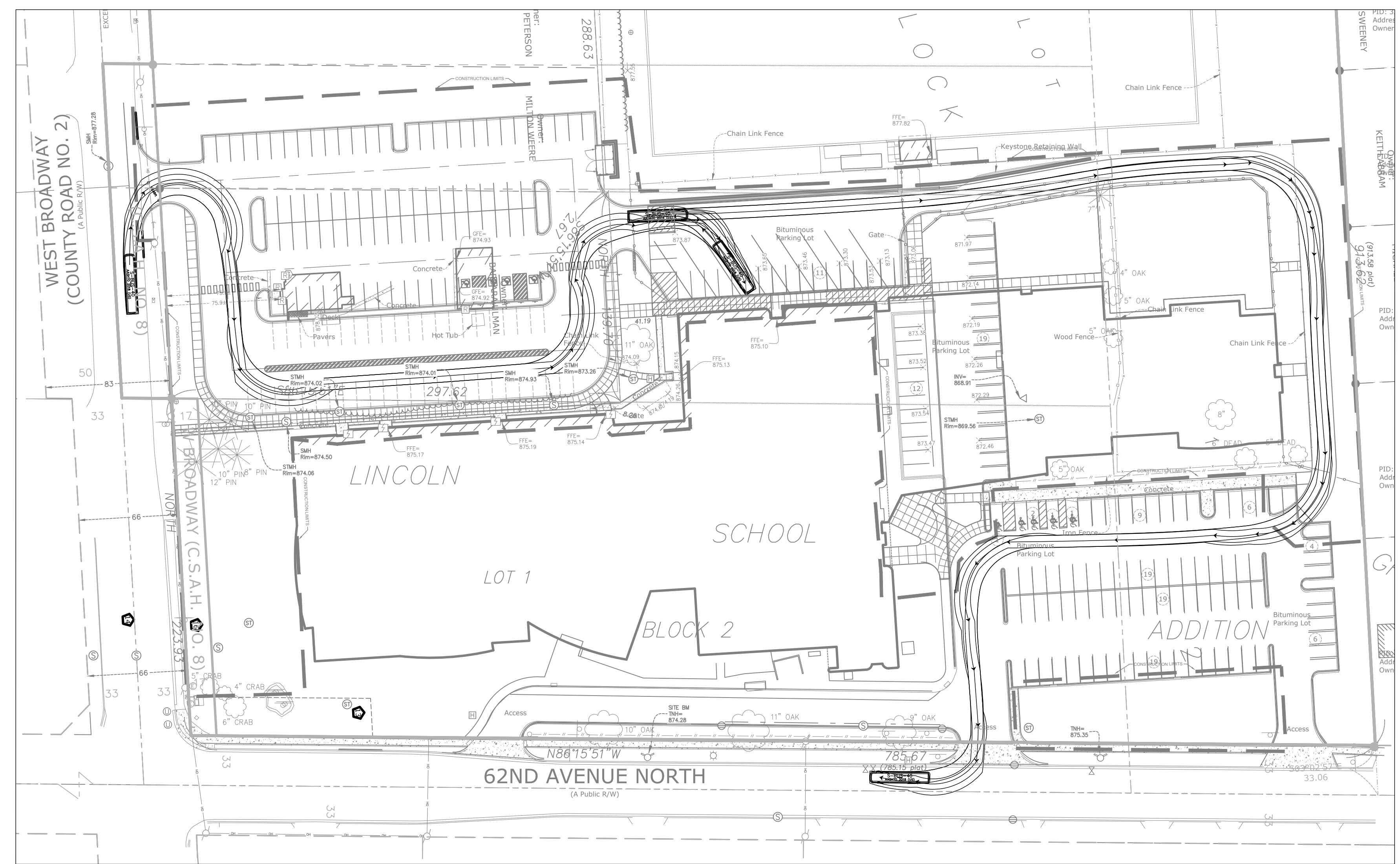
**REMOVALS PLAN**  
**C1.0**  
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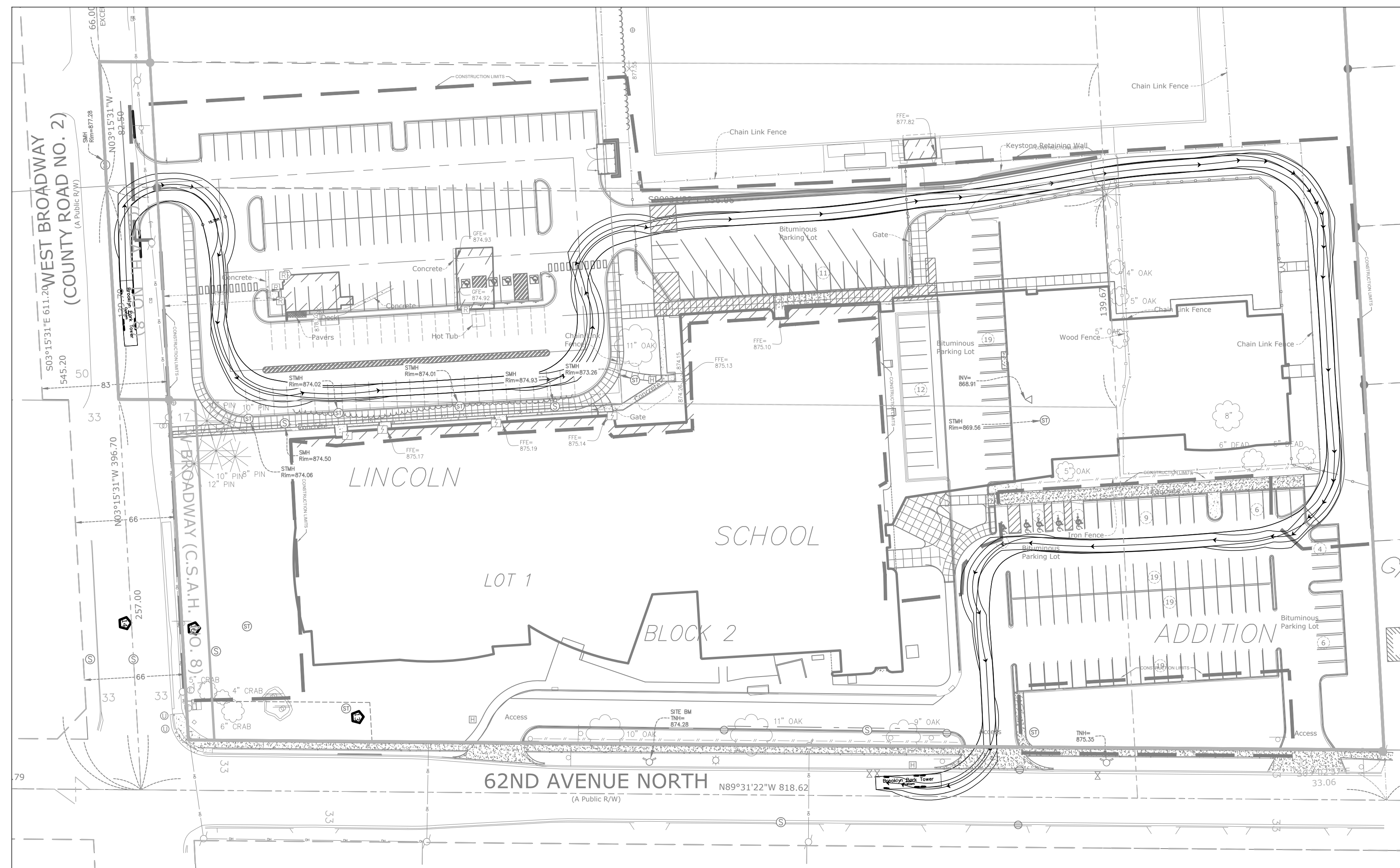




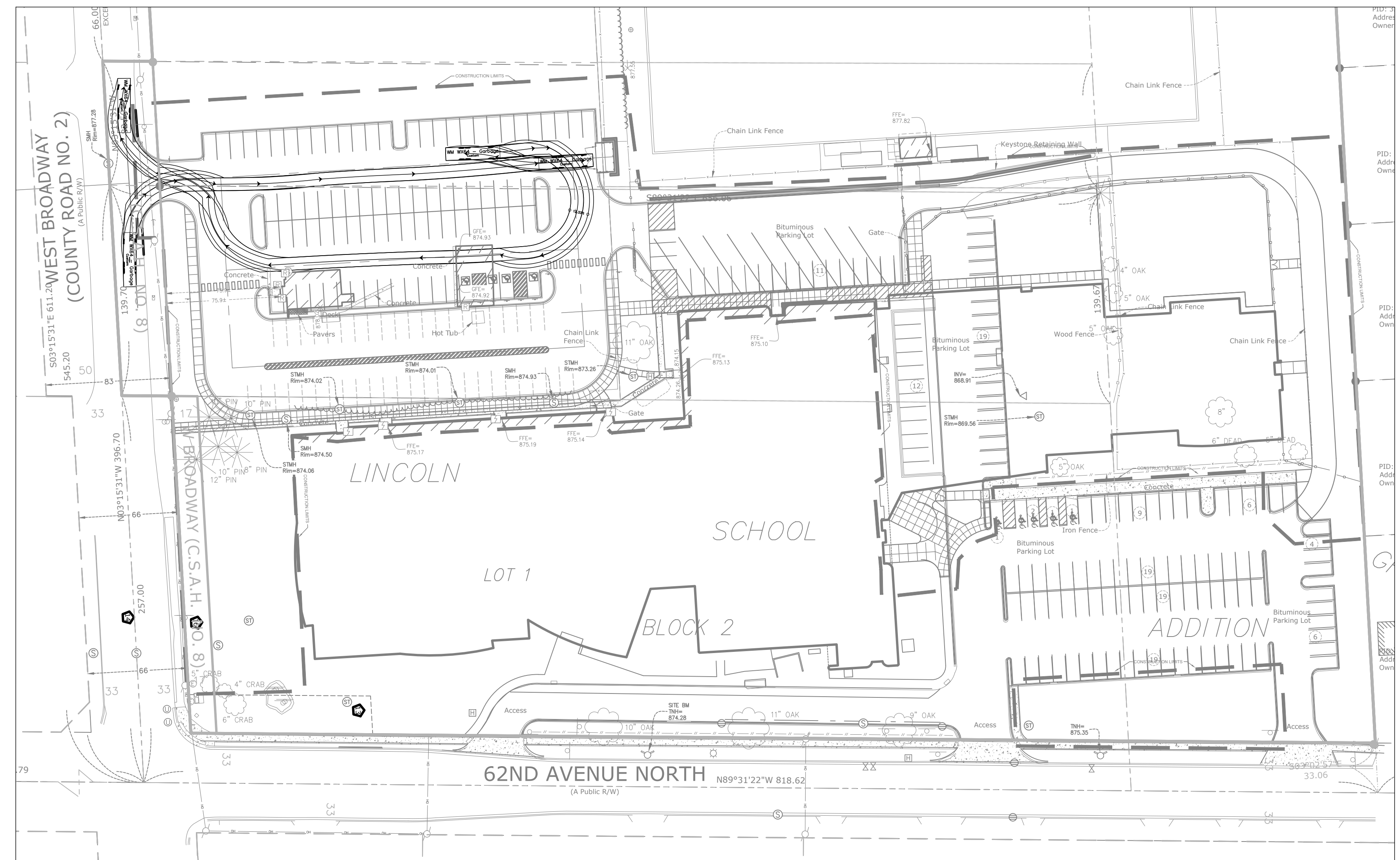
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ENTER & EXIST AT BROADWAY



2 BUS MOVEMENT  
ENTER BROADWAY, EXIST 62ND



3 EMERGENCY (FIRE) TRUCK  
ENTER BROADWAY, EXIT 62ND



4 TRASH PICK-UP  
ENTER & EXIST AT BROADWAY

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PROJECT **PRAIRIE SEEDS ACADEMY  
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OWNER **PRAIRIE SEEDS ACADEMY**  
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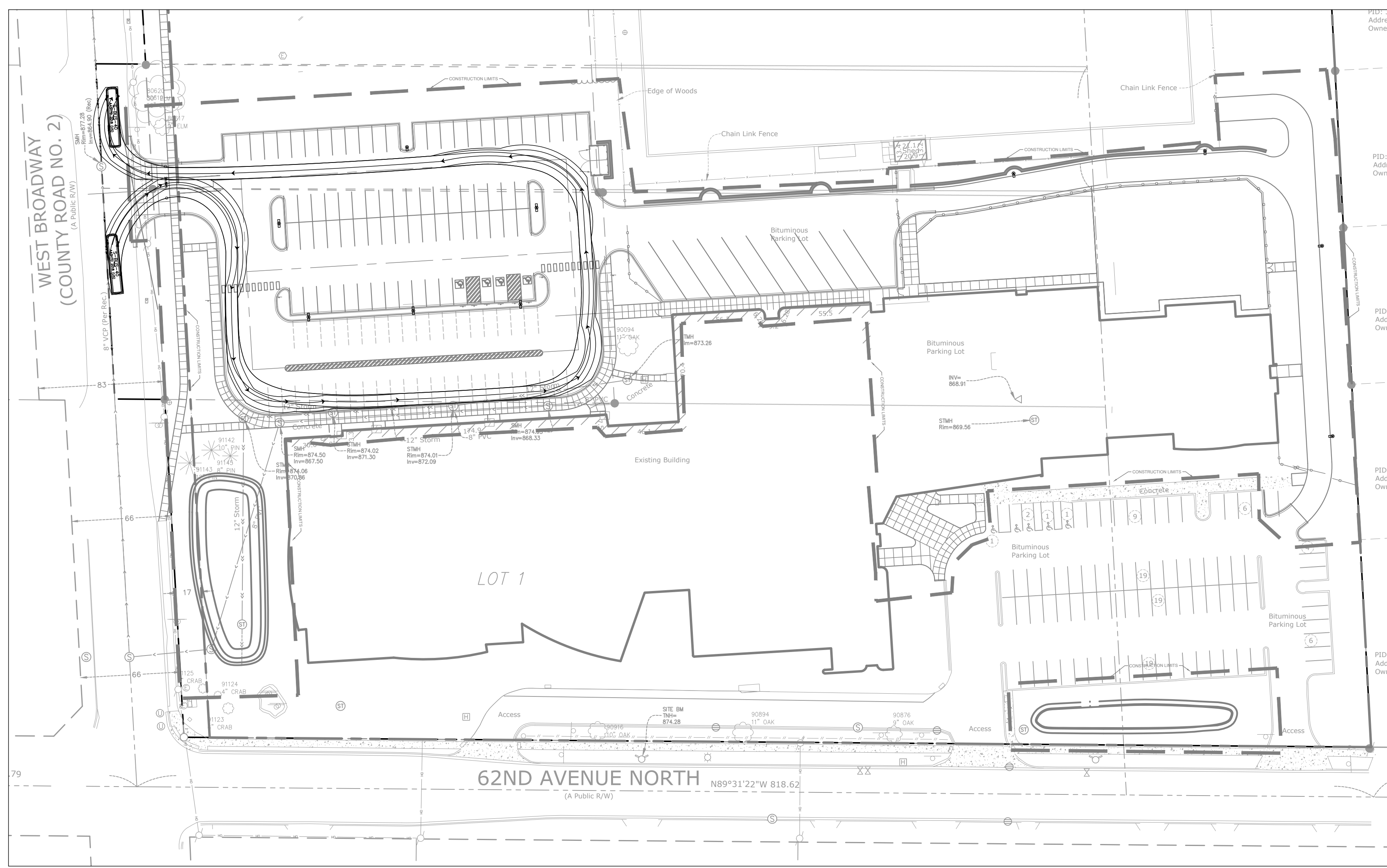
VEHICULAR TURNING  
MOVEMENT DIAGRAMS



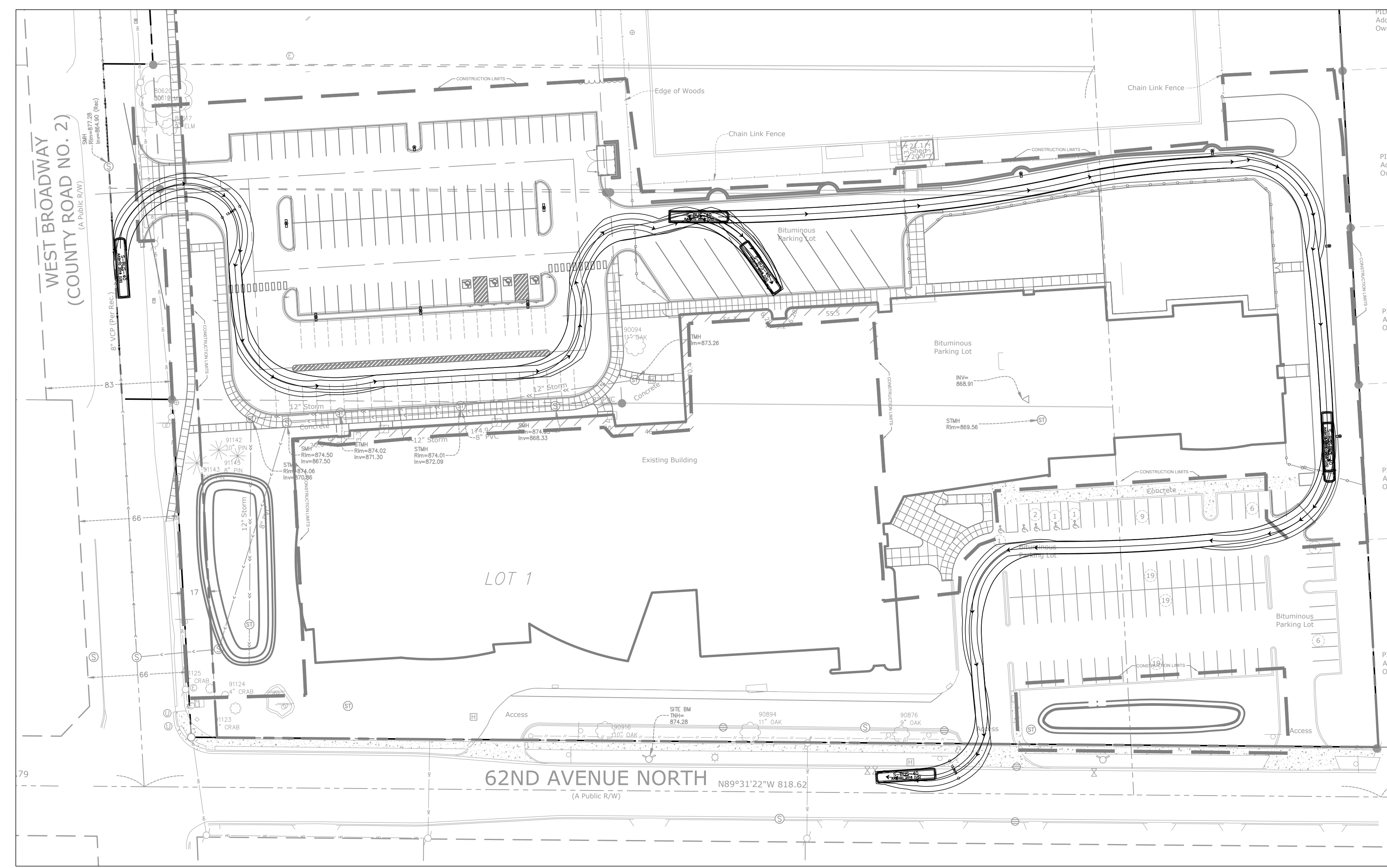
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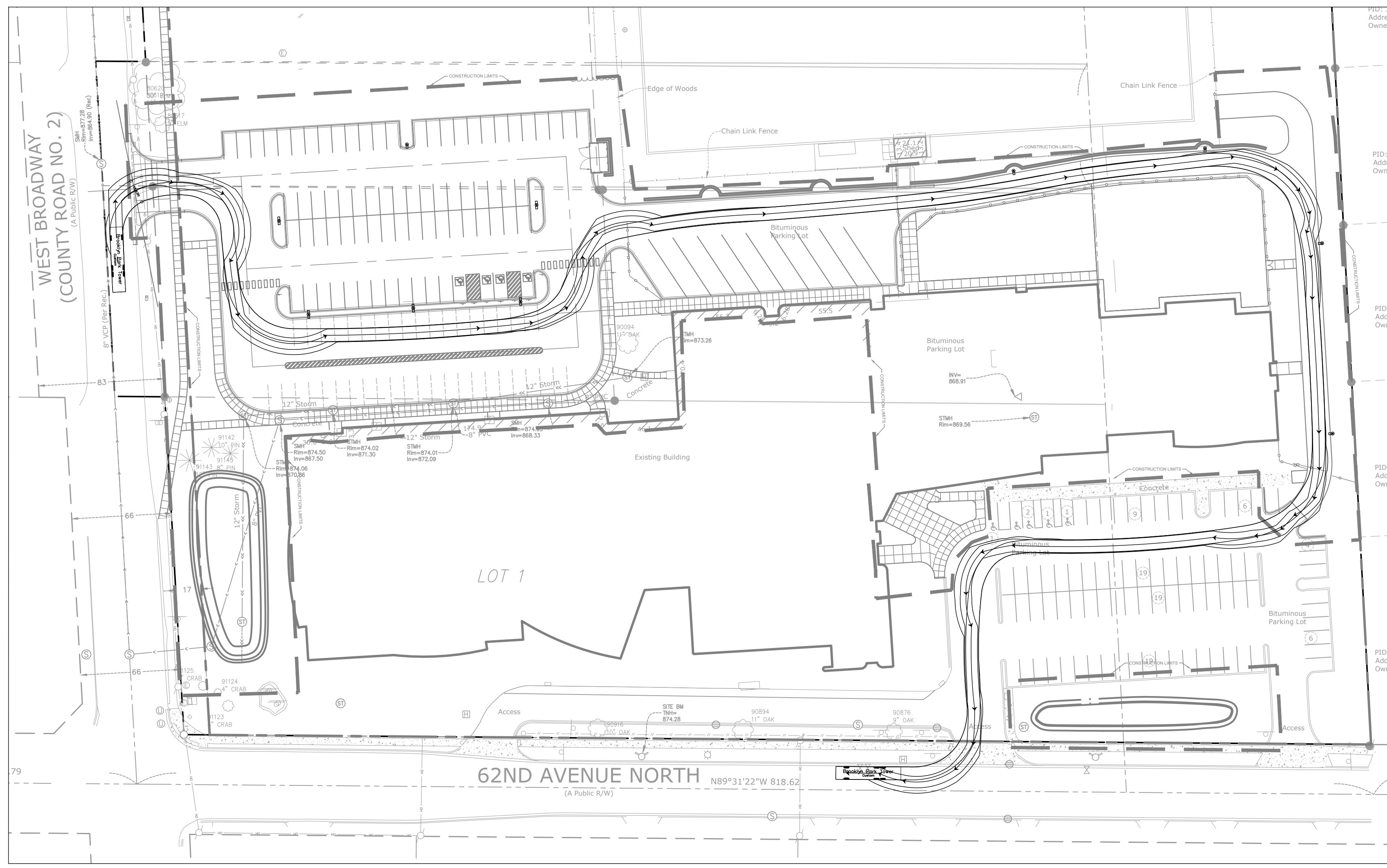
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CONSTRUCTION**



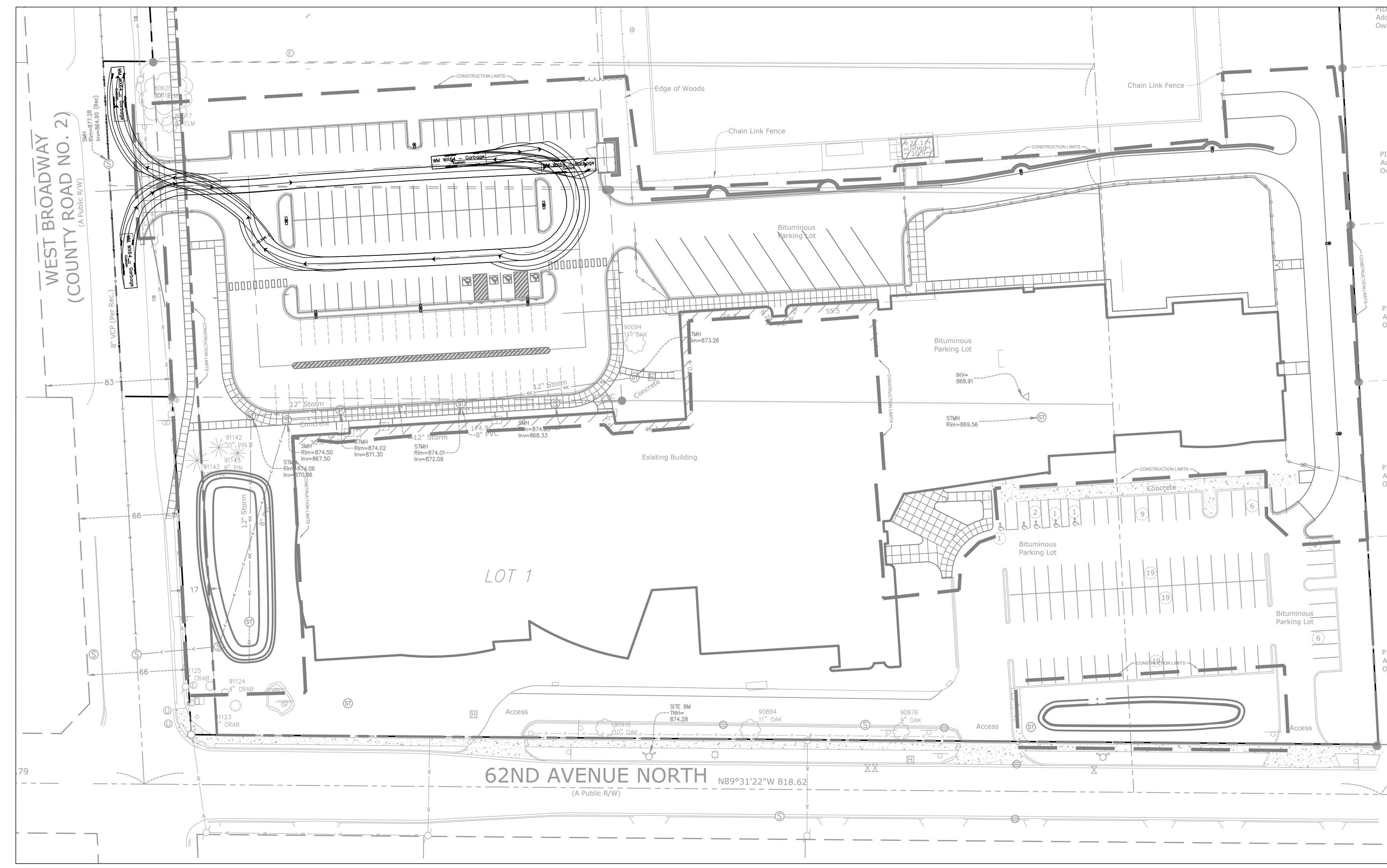
**1 BUS MOVEMENT**  
ENTER & EXIST AT BROADWAY



**2 BUS MOVEMENT**  
ENTER BROADWAY, EXIST 62ND



**3 EMERGENCY (FIRE) TRUCK**  
ENTER BROADWAY, EXIT 62ND



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ENTER & EXIT AT BROADWAY

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**ISSUE/SUBMITTAL SUMMARY**

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02/20/24	CITY SUBMITTAL

**REVISION SUMMARY**

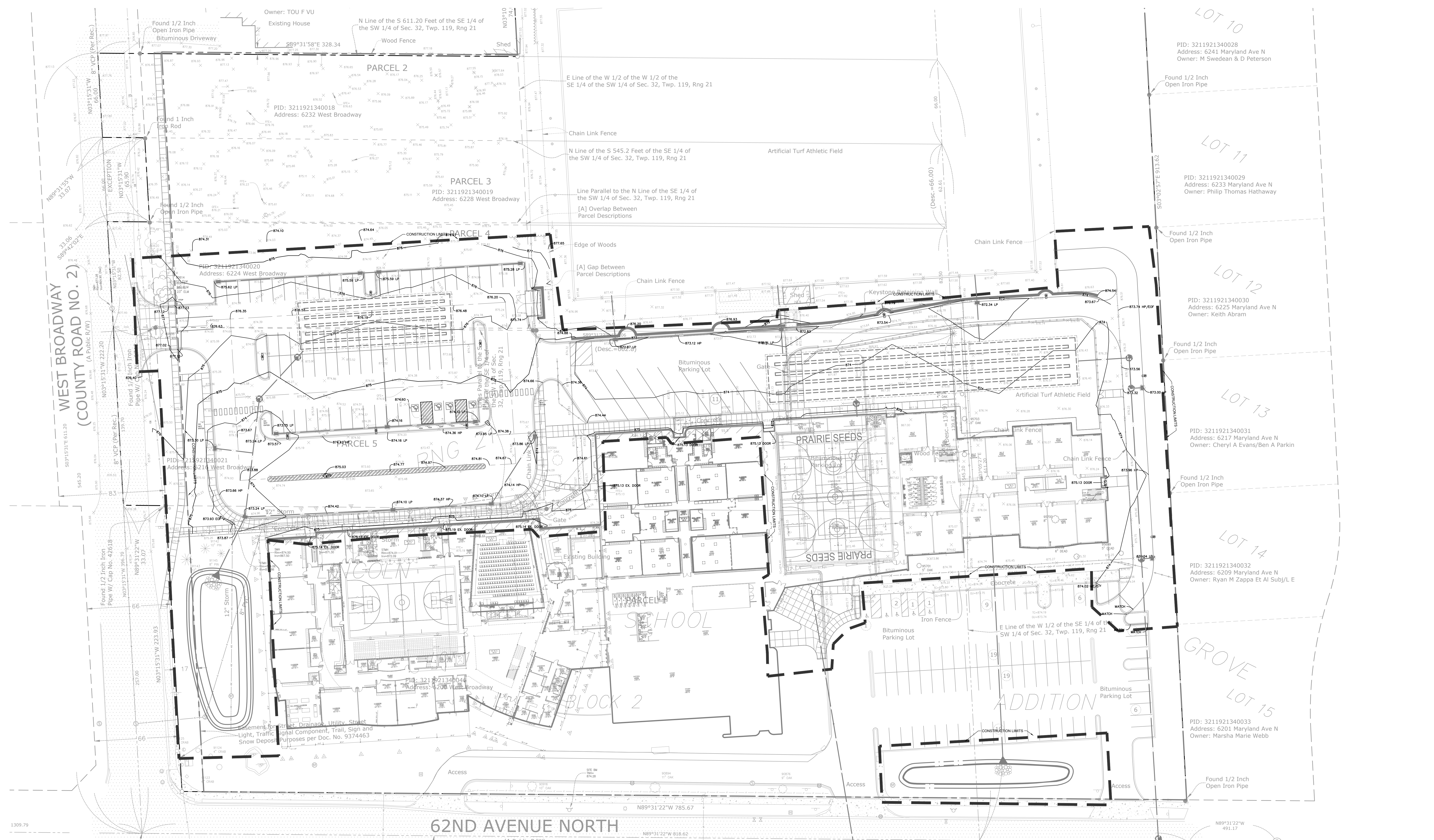
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**VEHICULAR TURNING  
MOVEMENT DIAGRAMS**

**C2.1**



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**EROSION CONTROL NOTES:**  
 SEE SWPPP ON SHEETS SW1.0 - SW1.3  
 SEE SHEET C0.1 FOR GENERAL AND CITY OF BROOKLYN PARK GRADING NOTES

**GRADING PLAN LEGEND:**

1125	EX. 1' CONTOUR ELEVATION INTERVAL
1137	1.0' CONTOUR ELEVATION INTERVAL
41.26	SPOT GRADE ELEVATION (GUTTER/FLOW LINE UNLESS OTHERWISE NOTED)
891.00 G	SPOT GRADE ELEVATION GUTTER
891.00 TC	SPOT GRADE ELEVATION TOP OF CURB
891.00 BS/TS	SPOT GRADE ELEVATION BOTTOM OF STAIRS/TOP OF STAIRS
891.00 ME	SPOT GRADE ELEVATION MATCH EXISTING
89	GRADE BREAK - HIGH POINTS
10	CURB AND GUTTER (T.O = TIP OUT)
EOFF=1135.52	EMERGENCY OVERFLOW
---	CONSTRUCTION LIMITS

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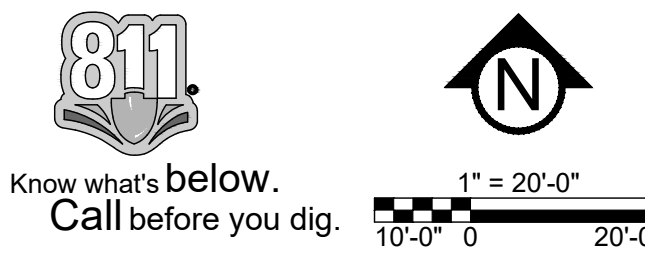
**REVISION SUMMARY**

DATE	DESCRIPTION
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**GRADING PLAN**

**C3.0**

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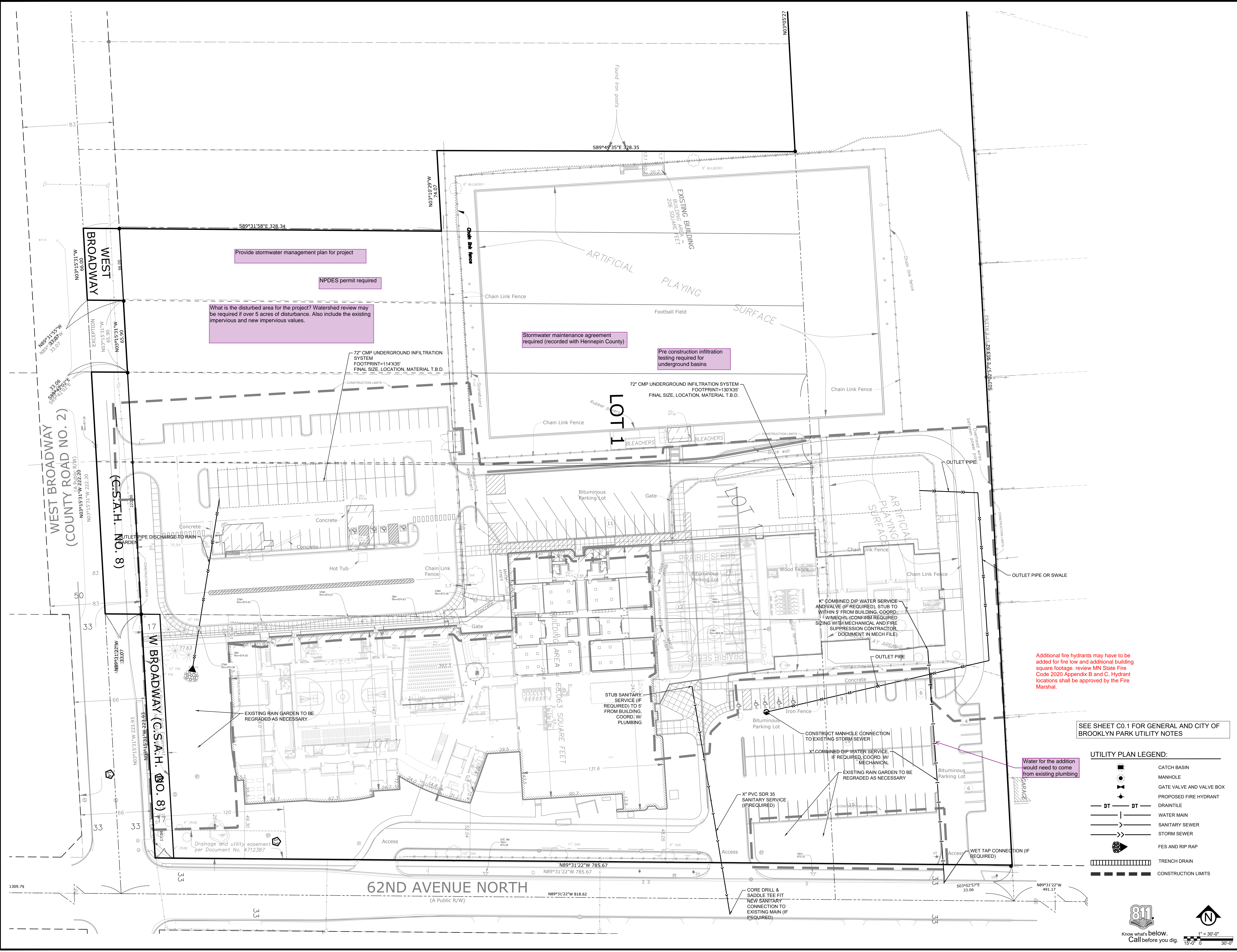
  

REVISION SUMMARY	
DATE	DESCRIPTION

**UTILITY PLAN**

**C4.0**

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Provide stormwater management plan for project

NPDES permit required

What is the disturbed area for the project? Watershed review may be required if over 5 acres of disturbance. Also include the existing impervious and new impervious values.

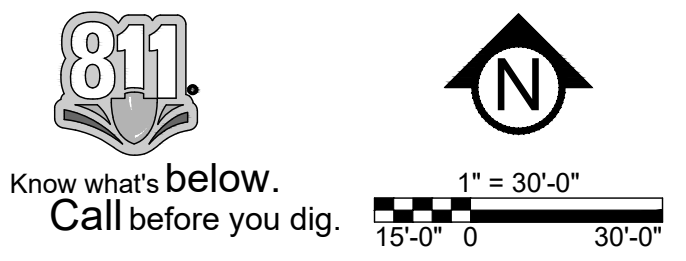
Stormwater maintenance agreement required (recorded with Hennepin County)

Pre construction infiltration testing required for underground basins

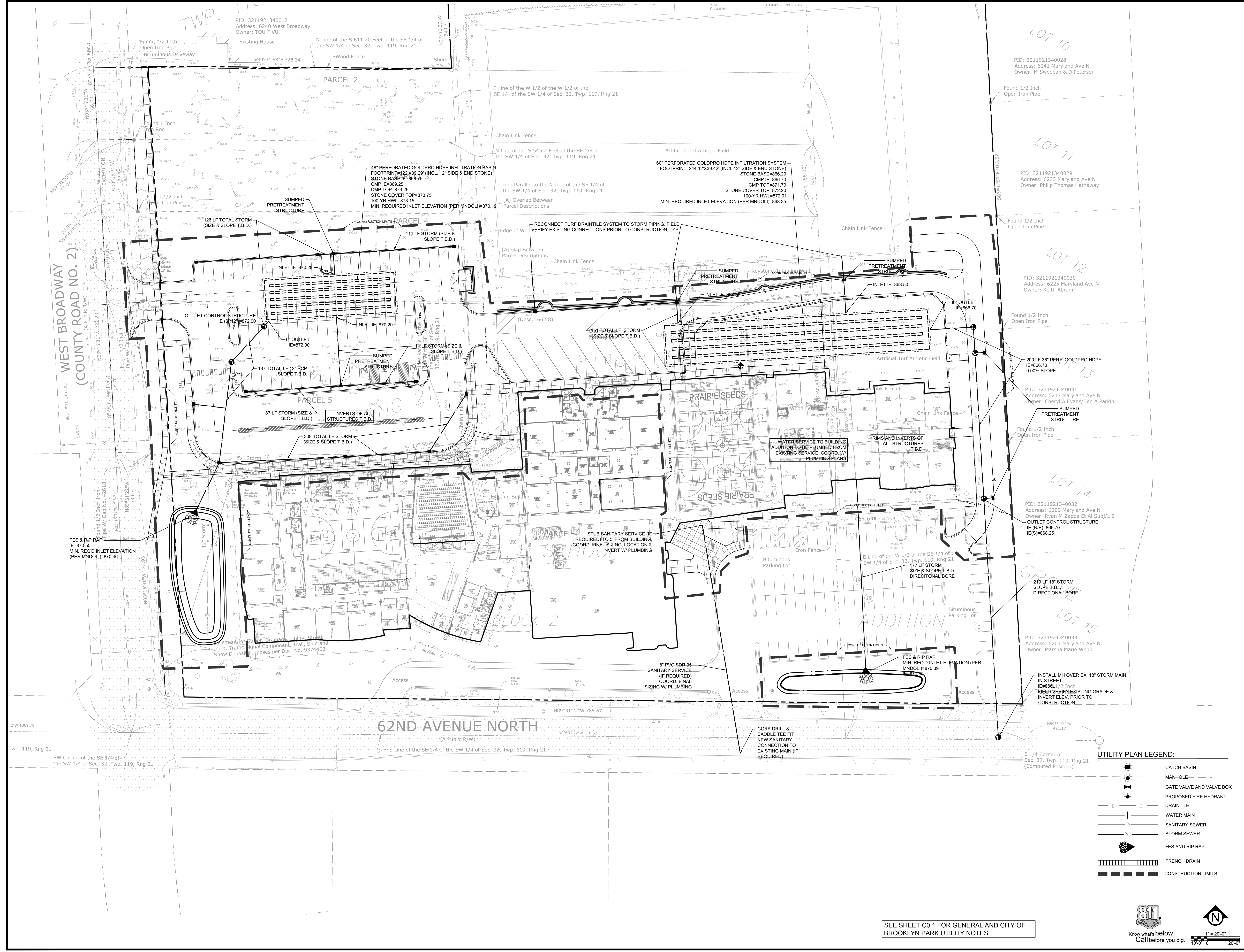
Additional fire hydrants may have to be added for fire low and additional building square footage. review MN State Fire Code 2020 Appendix B and C. Hydrant locations shall be approved by the Fire Marshal.

SEE SHEET C0.1 FOR GENERAL AND CITY OF BROOKLYN PARK UTILITY NOTES

- UTILITY PLAN LEGEND:**
- CATCH BASIN
  - MANHOLE
  - GATE VALVE AND VALVE BOX
  - PROPOSED FIRE HYDRANT
  - DRAIN TILE
  - WATER MAIN
  - SANITARY SEWER
  - STORM SEWER
  - FES AND RIP RAP
  - TRENCH DRAIN
  - CONSTRUCTION LIMITS



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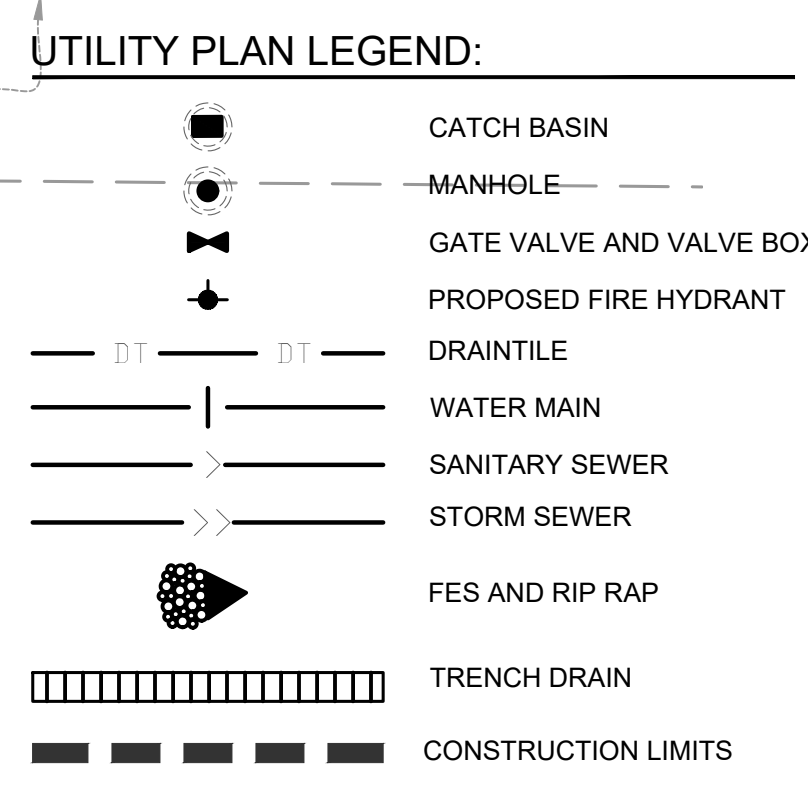
**REVISION SUMMARY**

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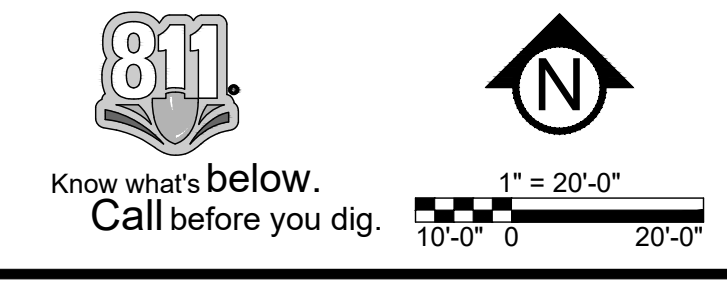
**UTILITY PLAN**

**C4.0**

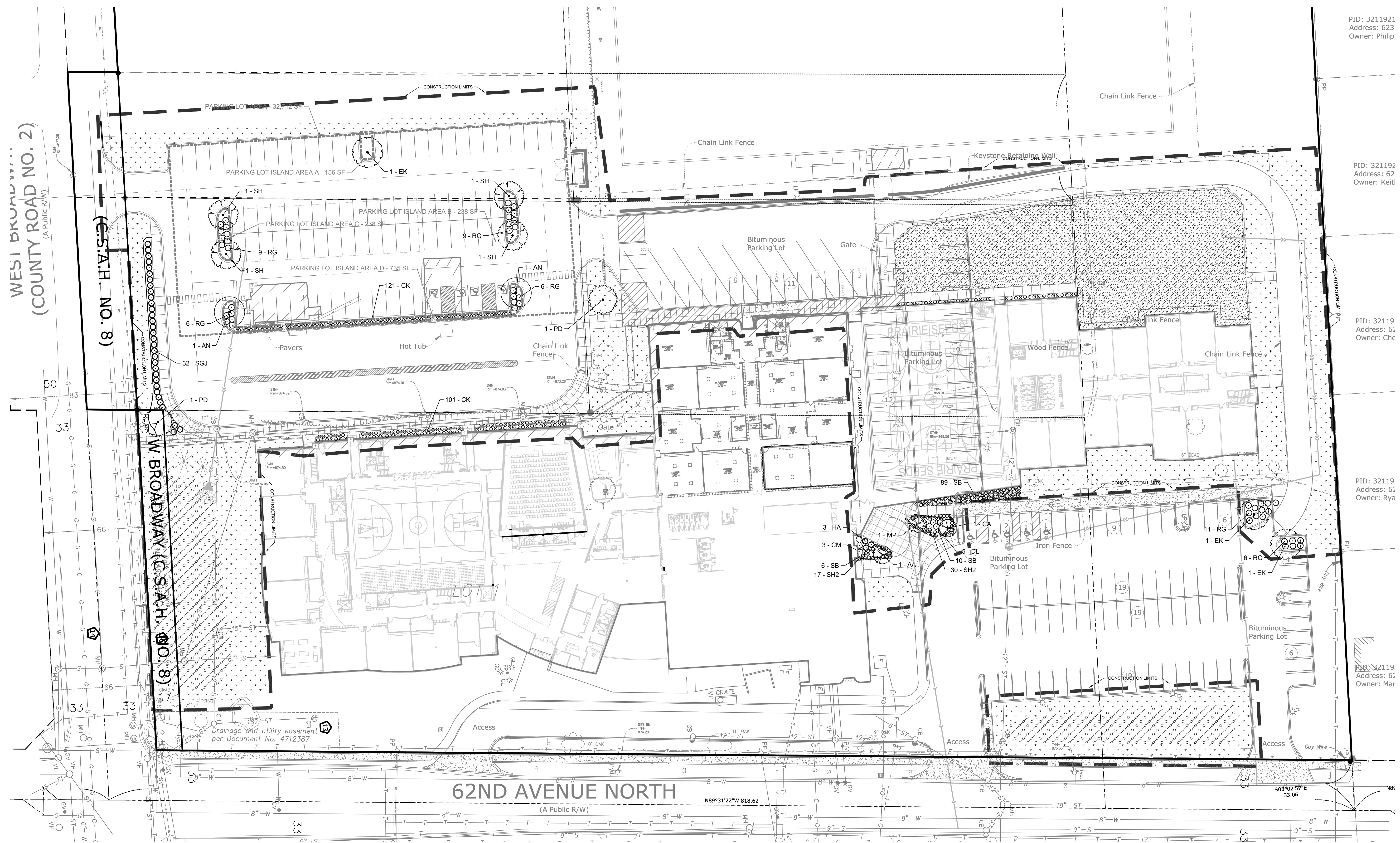
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SEE SHEET C0.1 FOR GENERAL AND CITY OF  
BROOKLYN PARK UTILITY NOTES



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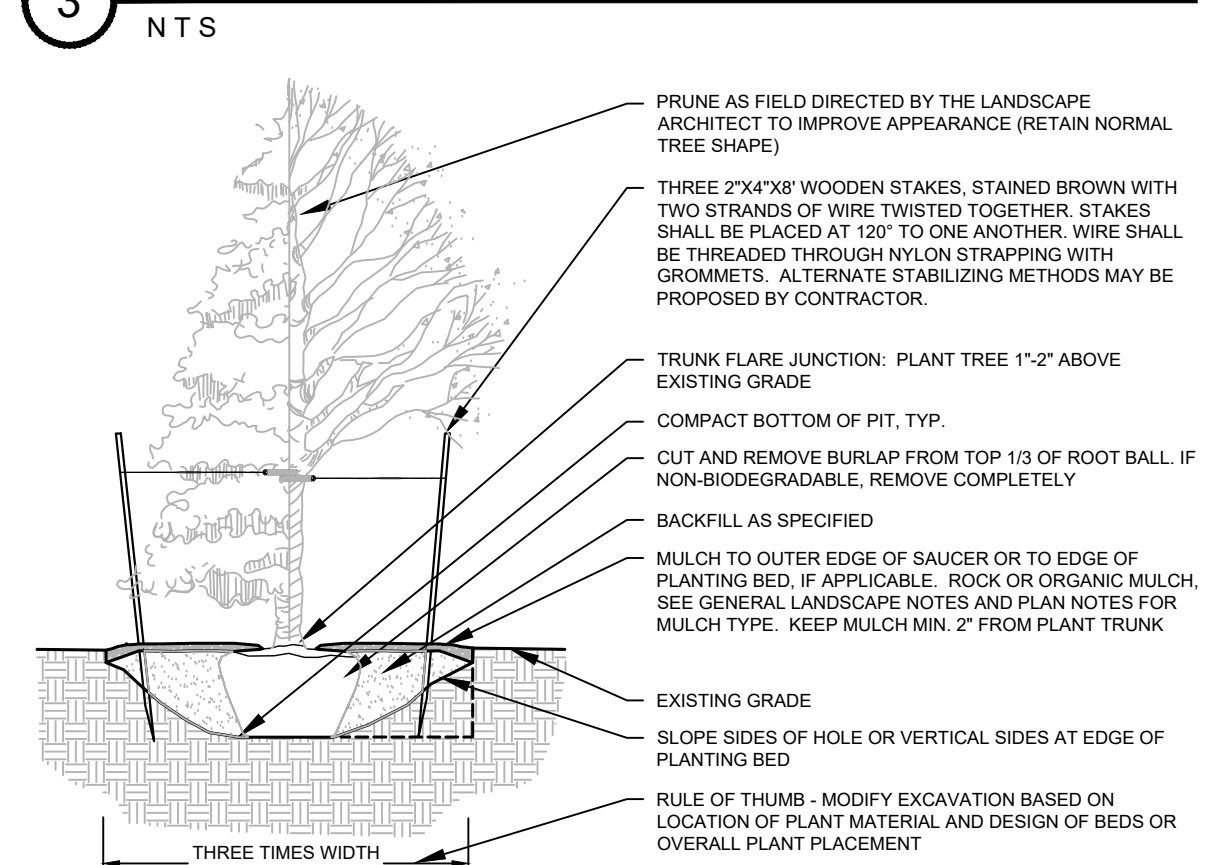
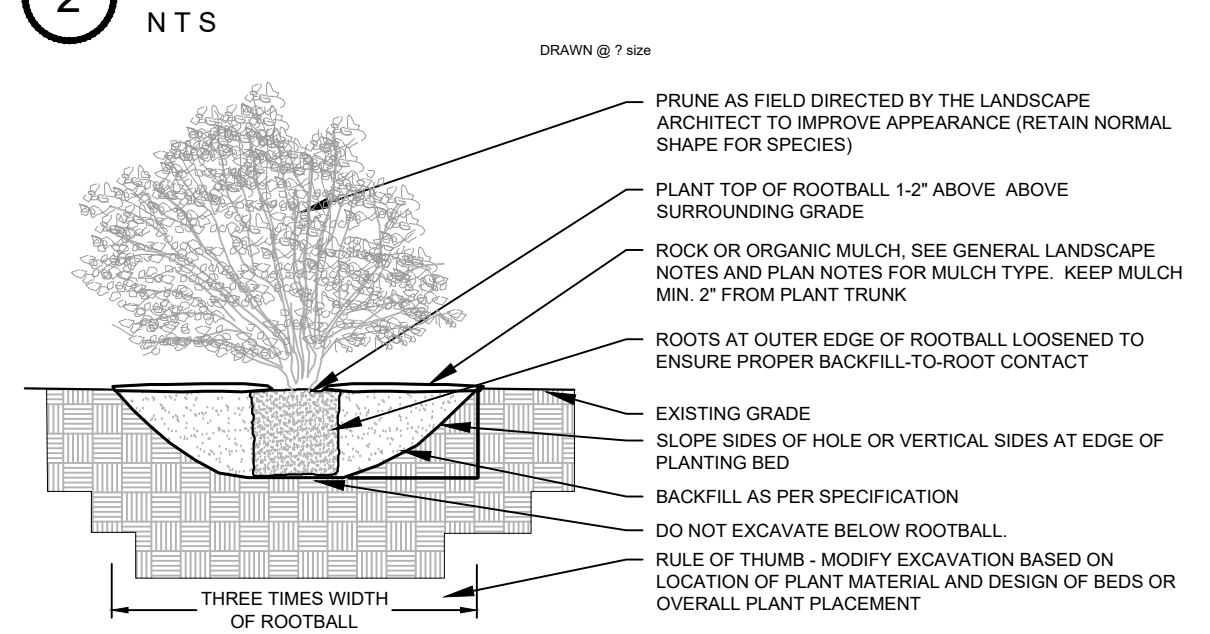
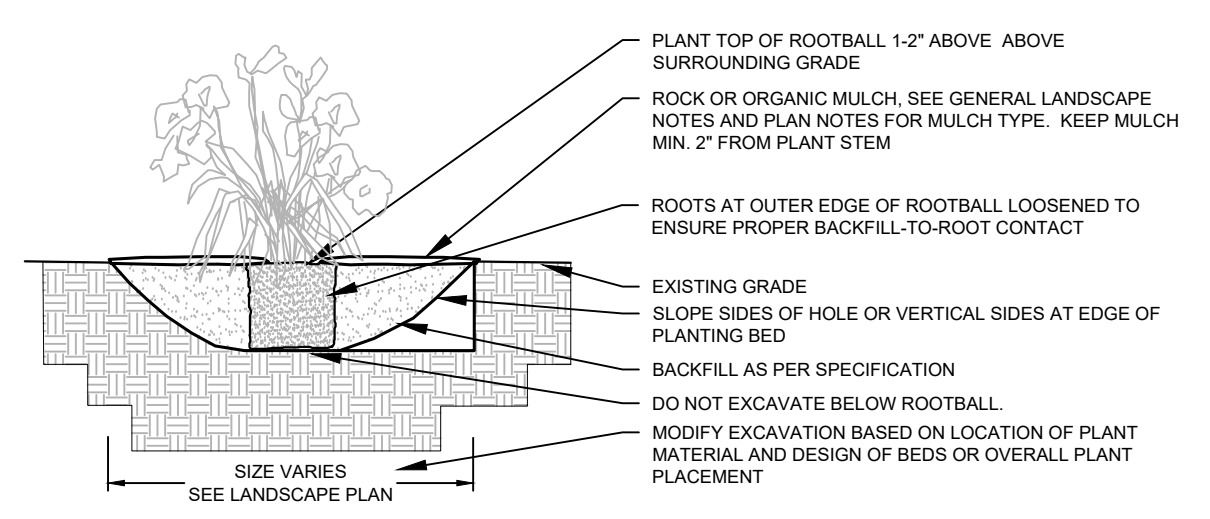
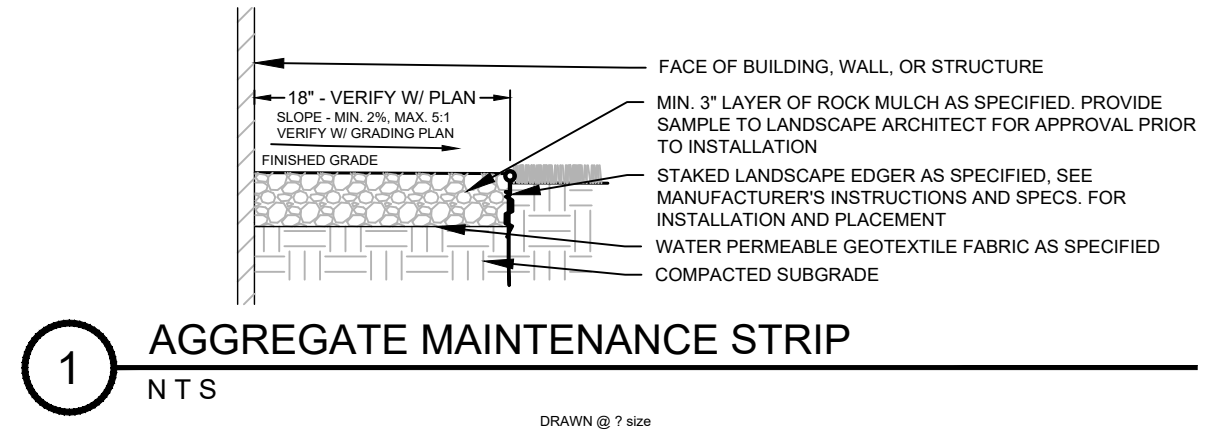
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Owner: Philip

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Owner: Keitl

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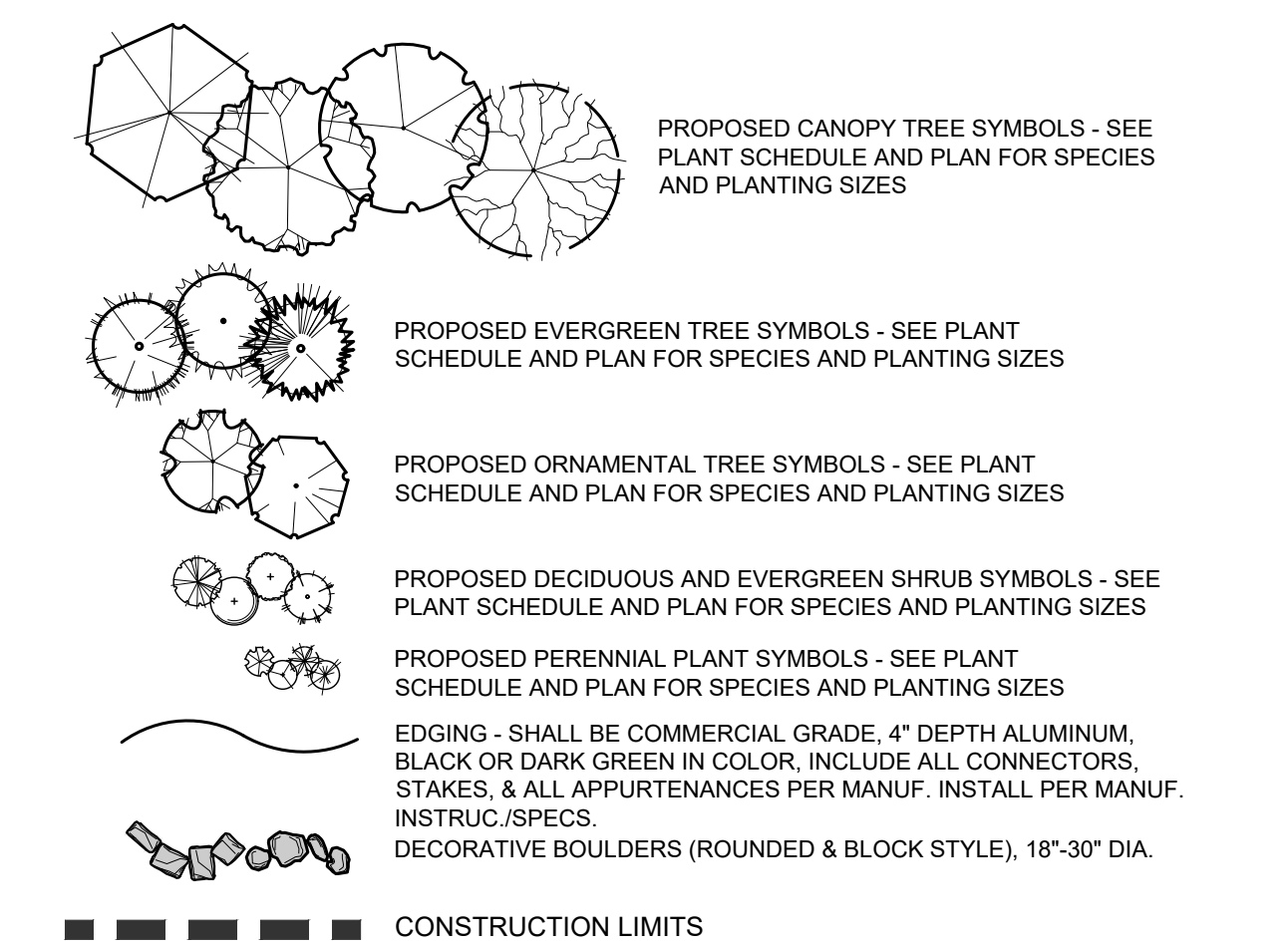
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Address: 62  
Owner: Rya

PID: 32119  
Address: 62  
Owner: Mar



**LANDSCAPE PLAN LEGEND:**

SYMBOL	COMMON / BOTANICAL NAME	QTY	SIZE
<b>GROUND COVERS</b>			
[Symbol]	Lower Basin Native Seed Mix MNDOT 34-252 WET PRAIRIE PER MNDOT SEEDING MANUAL SPECIFICATIONS (2014)	9,381 sf	Seed Mix
[Symbol]	Playground Mulch & Turf / Playground Mulch & Turf Install per manuf.	15,106 sf	Mulch
[Symbol]	Shooting Star Sunny Lawn Mix / Turf Seed	34,669 sf	Seed Mix



CODE	COMMON / BOTANICAL NAME	QTY	CONT	NATIVE PLANTS	POLLINATOR FRIENDLY
<b>TREES</b>					
AN	Northwood Red Maple / <i>Acer rubrum</i> 'Northwood'	2	2.5' Cal. B&B	NATIVE CULTIVAR	Y
SH	Skyline Thornless Honey Locust / <i>Gleditsia triacanthos inermis</i> 'Skycole' TM	4	2.5' Cal. B&B	NATIVE CULTIVAR	N
EK	Espresso Kentucky Coffeetree / <i>Gymnocladus dioica</i> 'Espresso'	3	2.5' Cal. B&B	NATIVE CULTIVAR	N
SUBTOTAL:		9			
<b>EVERGREEN TREES</b>					
PD	Black Hills Spruce / <i>Picea glauca</i> 'Densata'	2	6' B&B	NATIVE CULTIVAR	
SUBTOTAL:		2			
<b>ORNAMENTAL TREES</b>					
AA	Artic Jade Korean Maple / <i>Acer pseudosieboldianum</i> 'IsiAJ' TM	1	#15 CONT	NOT NATIVE	Y
CA	Pagoda Dogwood / <i>Cornus alternifolia</i>	1	1.5' Cal. B&B	NATIVE	Y
MP	Prairiefire Crabapple / <i>Malus x 'Prairiefire'</i>	1	1.5' Cal. B&B	NATIVE CULTIVAR	Y
SUBTOTAL:		3			
<b>SHRUBS</b>					
CM	Muskingham Gray Dogwood / <i>Cornus racemosa</i> 'Muskingham'	3	#2 CONT	NATIVE CULTIVAR	Y
DL	Dwarf Bush Honeysuckle / <i>Diervilla lonicera</i>	5	#5 CONT	NATIVE	Y
HA	Annabelle Hydrangea / <i>Hydrangea arborescens</i> 'Annabelle'	3	#5 CONT	NOT NATIVE	Y
SGJ	Sea Green Juniper / <i>Juniperus chinensis</i> 'Sea Green'	32	#5 CONT	NOT NATIVE	N
RG	Gro-Low Fragrant Sumac / <i>Rhus aromatica</i> 'Gro-Low'	47	#5 CONT	NATIVE	Y
SUBTOTAL:		90			
<b>GRASSES</b>					
CK	Feather Reed Grass / <i>Calamagrostis x acutiflora</i> 'Karl Foerster'	259	#1 CONT	NOT NATIVE	N
SB	Blue Heaven Little Bluestem / <i>Schizachyrium scoparium</i> 'Blue Heaven'	105	#1 CONT	NATIVE CULTIVAR	Y
SH2	Prairie Dropseed / <i>Sporobolus heterolepis</i>	47	#1 CONT	NATIVE	Y
SUBTOTAL:		411			

SEASON	CONIFEROUS	DECIDUOUS	REMARKS
SPRING PLANTING	APRIL 15 - JUNE 15	APRIL 15 - JUNE 15	
FALL PLANTING	AUGUST 21 - SEPTEMBER 30	AUGUST 15 - NOVEMBER 15	

NOTE: ADJUSTMENTS TO PLANTING DATES MUST BE APPROVED IN WRITING BY THE LANDSCAPE ARCHITECT.

AREA	MULCH TYPE	EDGING	FABRIC	REMARKS
TREE RINGS	4" DEPTH, SHREDDED CEDAR	YES	NO	SEE DETAIL SHT. L1.1
PLANTING BEDS	4" DEPTH, SHREDDED CEDAR	YES	NO	
MAINT. STRIP AT BUILDING FOUNDATION	NA	NA	NA	
PLAYGROUND MULCH	SEE CONSTRUCTION PLANS FOR FINAL MATERIAL LIST. SEE REMARKS. DEPTHS AS SPECIFIED BY PLAYGROUND EQUIPMENT MANUFACTURER.	SEE SITE PLAN	SEE REMARKS	SEE ALL DETAILS AND SHOP DRAWINGS FOR THE FINAL PLAYGROUND AND PLAY AREA TREATMENTS AND MATERIALS.

NOTE: COORDINATE ALL MULCH AND PLANTING BED MATERIAL PRIOR TO INSTALLATION. PROVIDE SAMPLES AND SHOP DRAWINGS/PHOTOS/DATA SHEETS OF ALL MATERIALS.

Open Space Landscape Calculations	Requirement	Achieved	Note
Minimum Open Space Requirement (PI zoning)	30% Yes	58%	actual - see materials calculation below
Overstory trees - 1 trees per 3,000 square feet of OS	54 Yes		new plantings 9
One evergreen tree per 3,000 square feet of open area, except on sites where security, pedestrian or traffic safety are a concern evergreens may be excluded or installed in a reduced number.	54 Yes		new plantings 2
One ornamental tree per 1,500 square feet of open space	109 ?		new plantings 3
One deciduous or evergreen shrub per 100 square feet of open area.	1,629 ?		new plantings 90

Required Landscape Materials Calc. (choose 3)	Open Space Requirement
REQUIRED Open Space (OS) - 30% OF TOTAL SF	162,879
Required Overstory Trees (1 / 3,000 SF OS)	54
Required Evergreen Trees (1 / 3,000 SF OS)	54
Ornamental Trees Needed (1 / 1,500 SF OS)	109
Required Shrubs (1 / 100 SF OS)	1629
<b>ACTUAL Open Space</b>	<b>314,665 58.0%</b>

**CivilSite**  
Civil Engineering / Surveying / Landscape Architecture  
5000 Greenwood Avenue  
Golden Valley, MN 55422  
civilsitegroup.com 612-615-0000

**PROJECT**  
PRAIRIE SEEDS ACADEMY  
ADDITION  
6200 W BROADWAY, BROOKLYN PARK MN 55428

**OWNER**  
PRAIRIE SEEDS ACADEMY  
6200 W BROADWAY, BROOKLYN PARK MN 55428

ISSUE/SUBMITTAL SUMMARY	
DATE	DESCRIPTION
REVISION SUMMARY	
DATE	DESCRIPTION

**LANDSCAPE PLAN**

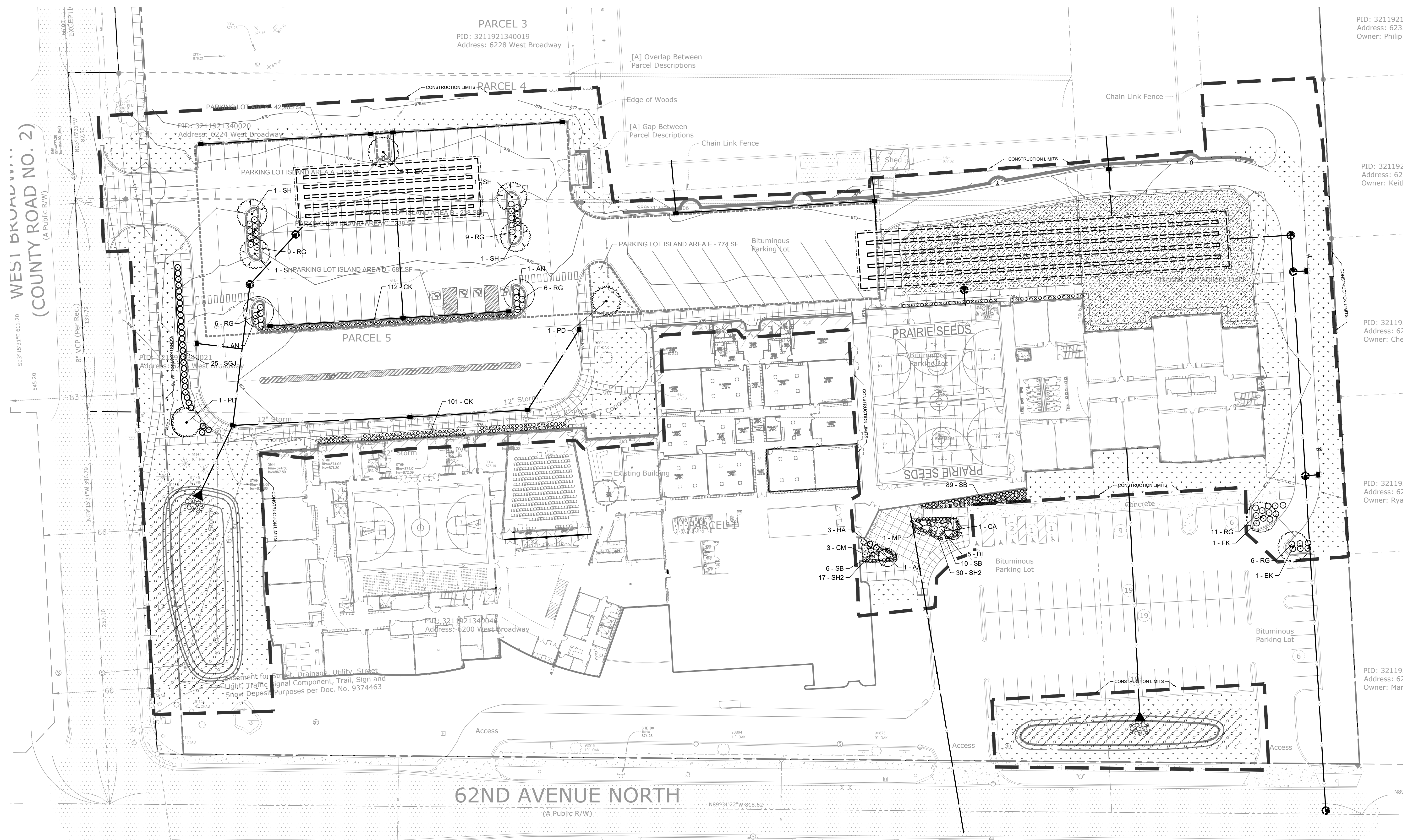
**L1.0**

Know what's below.  
Call before you dig.

1" = 30'-0"  
15'-0" 30'-0"

© COPYRIGHT 2023 CIVIL SITE GROUP INC.

**PRELIMINARY:  
NOT FOR  
CONSTRUCTION**



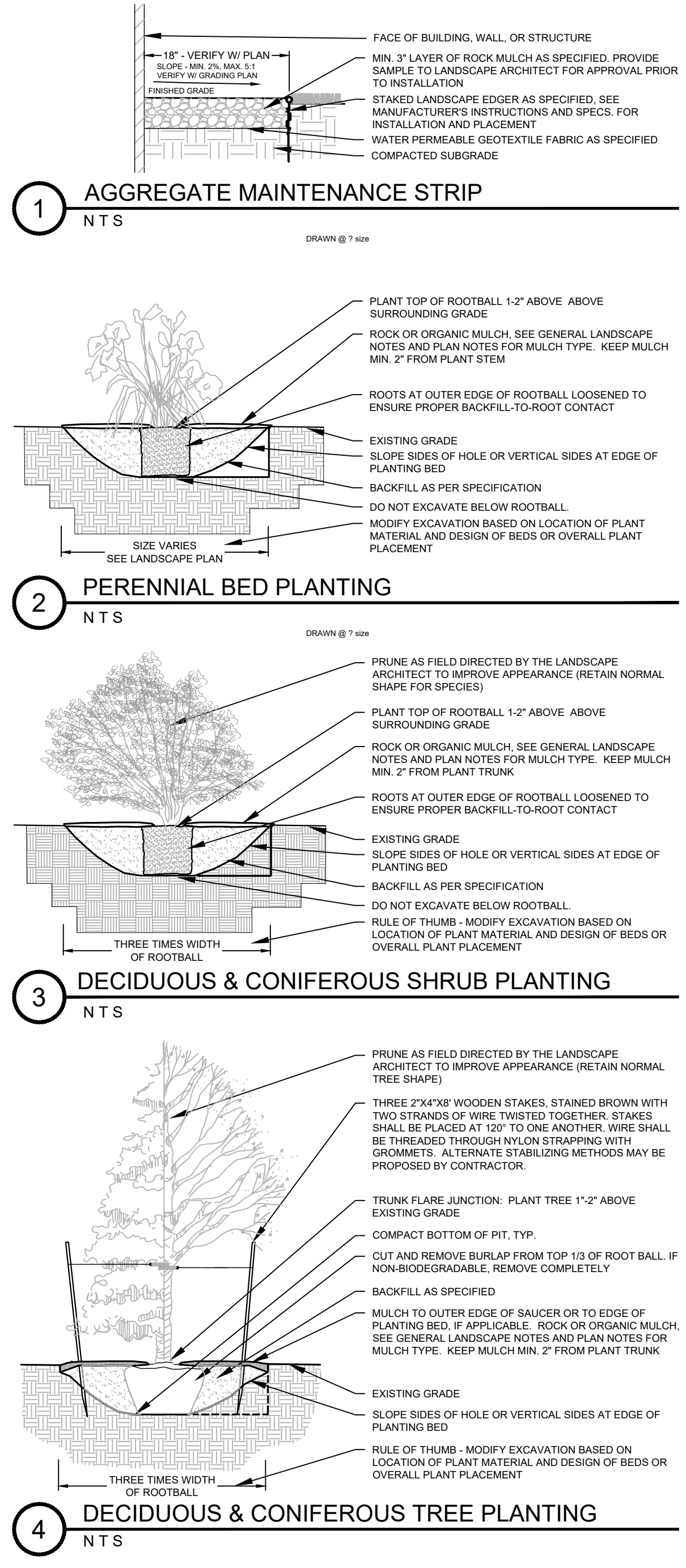
PID: 3211921  
Address: 623  
Owner: Philip

PID: 321192  
Address: 62  
Owner: Keith

PID: 32119  
Address: 62  
Owner: Che

PID: 32119  
Address: 62  
Owner: Rya

PID: 32119  
Address: 62  
Owner: Mar



CODE	COMMON / BOTANICAL NAME	QTY	CONT	NATIVE PLANTS	POLLINATOR FRIENDLY
<b>TREES</b>					
AN	Northwood Red Maple / <i>Acer rubrum</i> 'Northwood'	2	2.5' Cal. B&B	NATIVE CULTIVAR	Y
SH	Skyline Thornless Honey Locust / <i>Gleditsia triacanthos inermis</i> 'Skycole' TM	4	2.5' Cal. B&B	NATIVE CULTIVAR	N
EK	Espresso Kentucky Coffeetree / <i>Gymnocladus dioica</i> 'Espresso'	3	2.5' Cal. B&B	NATIVE CULTIVAR	N
SUBTOTAL: 9					
<b>EVERGREEN TREES</b>					
PD	Black Hills Spruce / <i>Picea glauca</i> 'Densata'	2	6' B&B	NATIVE CULTIVAR	
SUBTOTAL: 2					
<b>ORNAMENTAL TREES</b>					
AA	Artic Jade Korean Maple / <i>Acer pseudosieboldianum</i> 'IsiaJ' TM	1	#15 CONT	NOT NATIVE	Y
CA	Pagoda Dogwood / <i>Cornus alternifolia</i>	1	1.5' Cal. B&B	NATIVE	Y
MP	Prairie Fire Crabapple / <i>Malus x 'Prairiefire'</i>	1	1.5' Cal. B&B	NATIVE CULTIVAR	Y
SUBTOTAL: 3					
<b>SHRUBS</b>					
CM	Muskingham Gray Dogwood / <i>Cornus racemosa</i> 'Muskingham'	3	#2 CONT	NATIVE CULTIVAR	Y
DL	Dwarf Bush Honeysuckle / <i>Diervilla lonicera</i>	5	#5 CONT	NATIVE	Y
HA	Annabelle Hydrangea / <i>Hydrangea arborescens</i> 'Annabelle'	3	#5 CONT	NOT NATIVE	Y
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RG	Gro-Low Fragrant Sumac / <i>Rhus aromatica</i> 'Gro-Low'	47	#5 CONT	NATIVE	Y
SUBTOTAL: 90					
<b>GRASSES</b>					
CK	Feather Reed Grass / <i>Calamagrostis x acutiflora</i> 'Karl Foerster'	250	#1 CONT	NOT NATIVE	N
SB	Blue Heaven Little Bluestem / <i>Schizachyrium scoparium</i> 'Blue Heaven'	105	#1 CONT	NATIVE CULTIVAR	Y
SH2	Prairie Dropseed / <i>Sporobolus heterolepis</i>	47	#1 CONT	NATIVE	Y
SUBTOTAL: 402					

SEASON	CONIFEROUS	DECIDUOUS	REMARKS
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FALL PLANTING	AUGUST 21 - SEPTEMBER 30	AUGUST 15 - NOVEMBER 15	

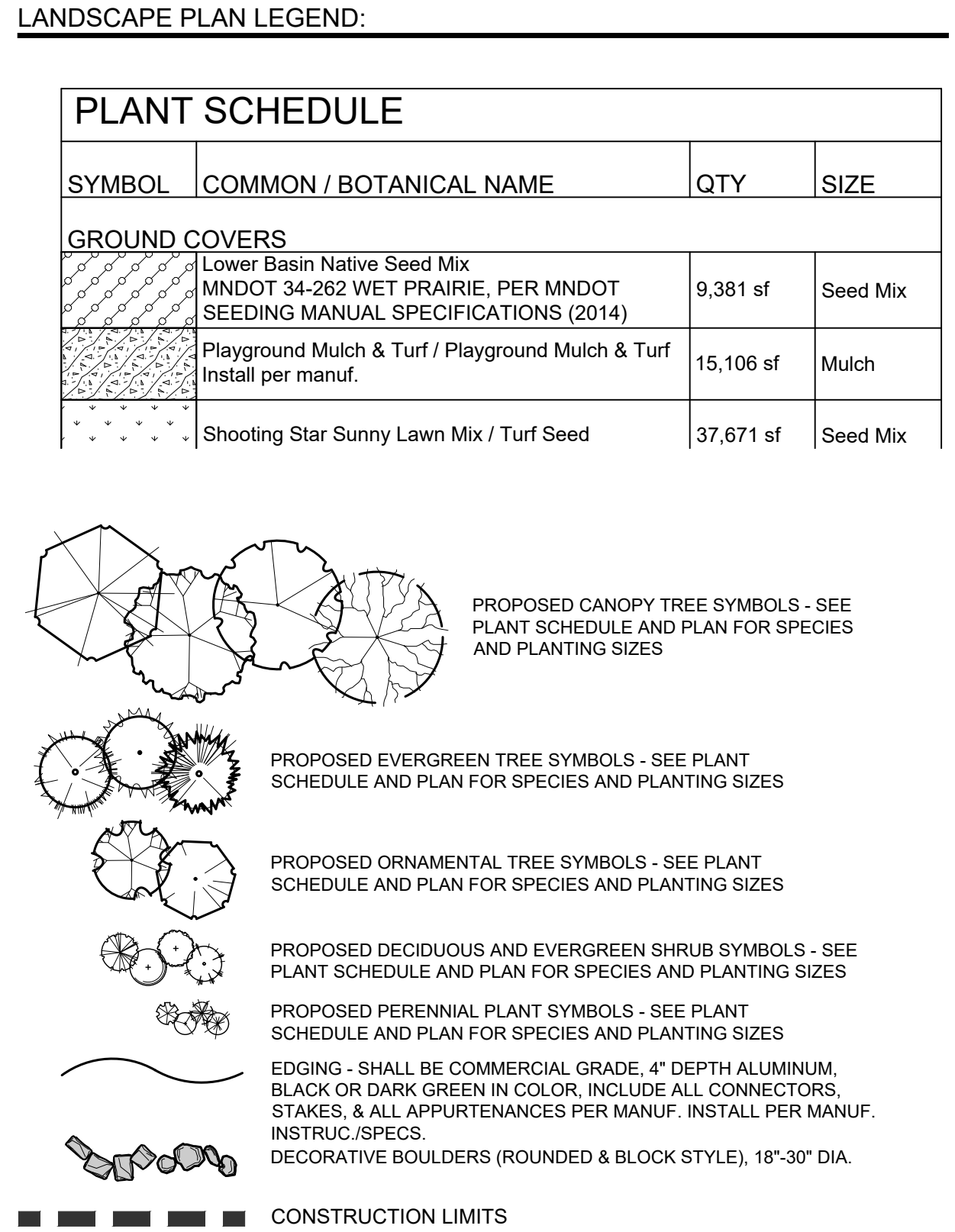
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PLANTING BEDS	4" DEPTH, SHREDDED CEDAR	YES	NO	
MAINT. STRIP AT BUILDING FOUNDATION	NA	NA	NA	
PLAYGROUND MULCH	SEE CONSTRUCTION PLANS FOR FINAL MATERIAL LIST. SEE REMARKS. DEPTH AS SPECIFIED BY PLAYGROUND EQUIPMENT MANUFACTURER.	SEE SITE PLAN	SEE REMARKS	SEE ALL DETAILS AND SHOP DRAWINGS FOR THE FINAL PLAYGROUND AND PLAY AREA TREATMENTS AND MATERIALS.

NOTE: COORDINATE ALL MULCH AND PLANTING BED MATERIAL PRIOR TO INSTALLATION. PROVIDE SAMPLES AND SHOP DRAWINGS/PHOTOS/DATA SHEETS OF ALL MATERIALS.

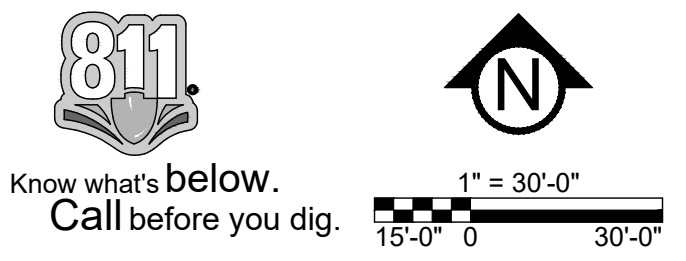
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One ornamental tree per 1,500 square feet of open space	109 ?		new plantings 3
One deciduous or evergreen shrub per 100 square feet of open area.	1,629 ?		new plantings 90

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Ornamental Trees Needed (1/ 1,500 SF OS)	109
Required Shrubs (1/ 100 SF OS)	1629
<b>ACTUAL Open Space</b>	<b>314,665 58.0%</b>

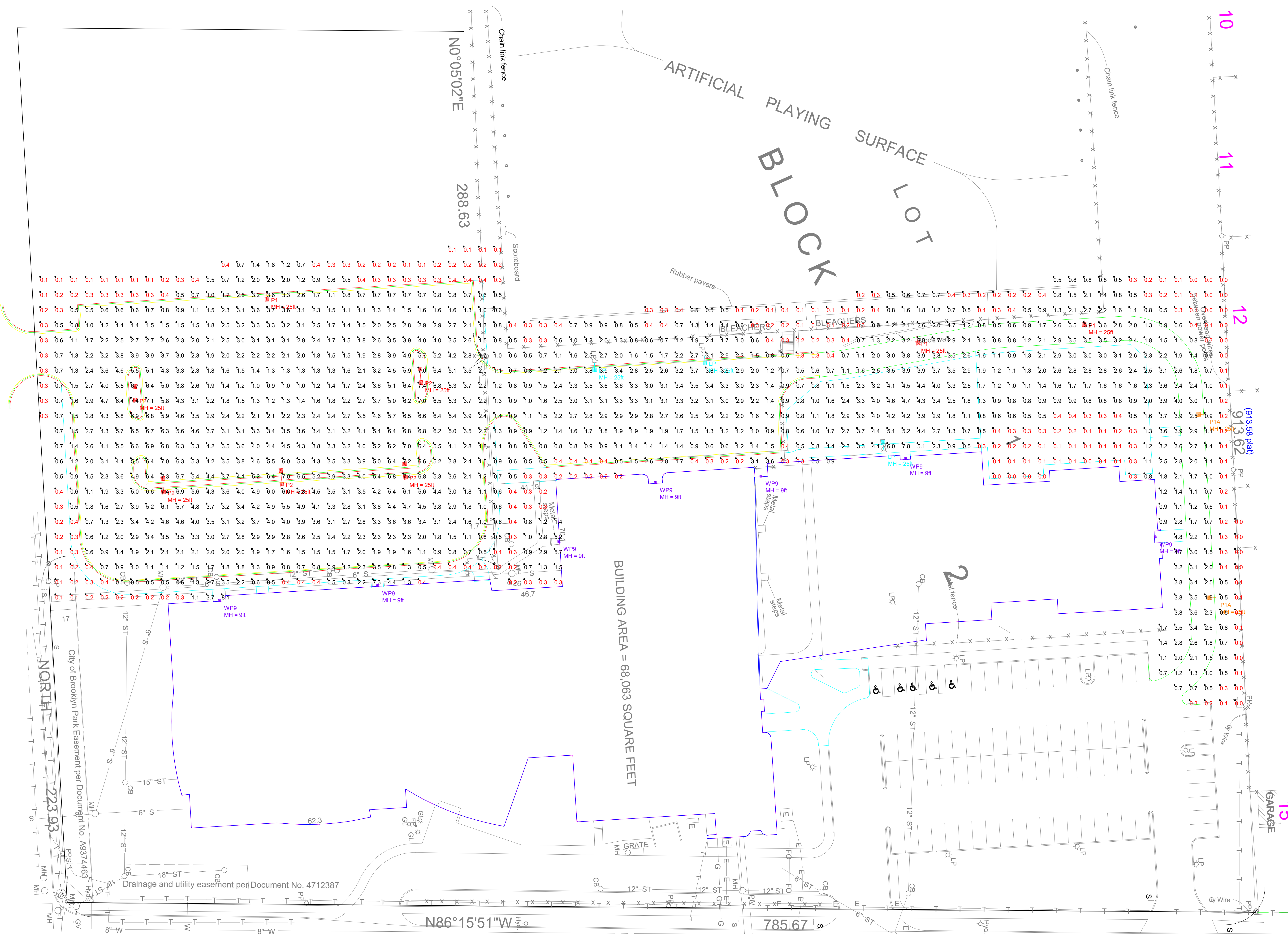


**CivilSite**  
Civil Engineering / Surveying / Landscape Architecture  
5000 Greenwood Avenue  
Golden Valley, MN 55422  
civilsitegroup.com 612-615-0060

**PRAIRIE SEEDS ACADEMY  
ADDITION**  
6200 W BROADWAY, BROOKLYN PARK MN 55428  
**PRAIRIE SEEDS ACADEMY**  
6200 W BROADWAY, BROOKLYN PARK MN 55428



**L1.0**



Symbol	Qty	Label	Arrangement	Lum. Lumens	LLF	Description	Lum. Watts	Total Watts	Tag
PIA	2	PIA	Single	12338	0.900	MRS-LED-18L-SIL-3-40-70CRI-IL	135	270	MH = 25ft
WSP	7	WSP	Single	3343	0.900	SRW-LED-31L-FT-DNY-DIM-40	23	161	MH = 3ft
P2	5	P2	Back-Back	17682	0.900	MRS-LED-18L-SIL-FT-40-70CRI	135	1350	MH = 25ft
P1	3	P1	Single	17682	0.900	MRS-LED-18L-SIL-FT-40-70CRI	135	405	MH = 25ft
LP	3	LP	Single	17682	0.900	MRS-LED-18L-SIL-FT-40-70CRI	135	405	MH = 25ft

Calculation Summary		CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Label	CalcPts_1	ILLUMINANCE	Fc	2.04	8.1	0.0	N.A.	N.A.
Label	Parking and Drive	ILLUMINANCE	Fc	2.05	3.9	0.4	5.13	9.75

Scale: 1 inch = 30 Ft.



#	Date	Comments

Drawn By: Joe Frey  
 Checked By:  
 Date: 6/7/2024  
 Sales Agent: Steve Hahn  
 Scale: 1" = 30'

Prairie Seed Academy  
 Brooklyn Park, MN

These drawings are for conceptual use only and are not intended for construction. Fixture runs and quantities should be verified prior to order. Values represented are an approximation generated from manufacturers photometric inhouse or independent lab tests with data supplied by lamp manufacturers.

# PRELIMINARY PLAT: PRAIRIE SEEDS ACADEMY

**PRELIMINARY PLAT GENERAL NOTES**

**PROPERTY DESCRIPTION:**

Lot 1, Block 1, LINCOLN SCHOOL ADDITION, Hennepin County, Minnesota.  
(Abstract Property)

AND

North 66 feet of the South 611.2 feet of the West 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 32, Township 119 North, Range 21 West of the 5th Principal Meridian, except the Easterly 1/2 thereof.  
Hennepin County, Minnesota.  
(Abstract Property)

AND

The West half of the North 66 feet of the South 545.2 feet of the West half of the Southwest Quarter of Southwest Quarter (SW 1/4) of Section 32, Township 119 North, Range 21, Hennepin County, Minnesota.  
(Abstract Property)

AND

The West 330 feet of that part of the West One-half (W1/2) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section Thirty-two (32), Township One Hundred Nineteen (119), Range Twenty-one (21), described as follows:

Commencing at a point in the West line of said Southeast Quarter (SE 1/4) of Southwest Quarter (SW 1/4), 257 feet North of the Southwest (SW) corner thereof; thence North along said West line 139.7 feet; thence East parallel to the South line of said Section Thirty-two (32), 662.8 feet to the East line of the West one-half (W1/2), of the Southeast one-half (SE 1/2) of the Southwest Quarter (SW 1/4) of said Section; thence South along said East line a distance of 139.9 feet; thence West parallel to the South line of said Section to the point of beginning, according to the United States Government Survey thereof, Hennepin County, Minnesota.  
(Abstract Property)

AND

The Westerly Half of that part of the Southeast Quarter of the Southwest Quarter of Section 32, Township 119, Range 21, described as beginning at a point on the West line of said Southeast Quarter of the Southwest Quarter distant 396.7 feet North along said West line from the Southwest corner thereof; thence North along said West line 82.5 feet; thence East parallel to the North line of said Southeast Quarter of the Southwest Quarter to an intersection with the East line of the West Half of said Southeast Quarter of the Southwest Quarter; thence South along said East line 82.5 feet; thence West to the point of beginning, according to the Government Survey thereof.  
(Torrens Property)

Please note this preliminary plat was created without the benefit of a commitment for title insurance. The descriptions listed hereon are per Hennepin County tax records and may not be the latest descriptions of record. There may be easements or other matters of record we are unaware of and thus not shown hereon.

**DATE OF PREPARATION:**

8-2-2024

Please note that the background survey information is per a draft survey by us dated 8-2-2024.

Proposed parking lot improvements are per a site plan by Civil Site Group dated 8-2-2024.

**APPLICANT:**

Prairie Seeds Academy  
6200 W Broadway  
Brooklyn Park, MN  
Contact: Crystal Vang

**AREAS:**

Proposed Lot 1 = 529,612 Sq. Ft. or 12.158 Acres  
Proposed Dedicated Right of Way = 13,319 Sq. Ft. or 0.306 Acres  
Total Property Area = 542,931 Sq. Ft. or 12.464 Acres

**FLOOD ZONE:**

This property is contained in Zone X (area determined to be outside the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. 27053C0203F, effective date of November 11, 2016.

Rory L. Synstelien  
rory@civilsitegroup.com  
Minnesota License No. 44565

**PROJECT**  
**Prairie Seeds Academy**  
6200 West Broadway, Brooklyn Park, Hennepin County, Minnesota 55428

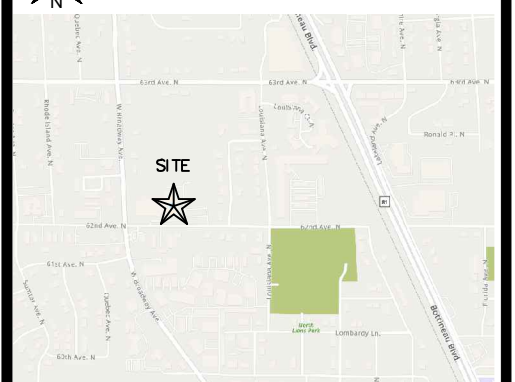
**CLIENT**  
**Prairie Seeds Academy**  
6200 West Broadway, Brooklyn Park, MN 55428

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.

**RORY L. SYNSTELIEN**  
DATE 8-2-2024 LICENSE NO. 44565

QA/QC	
FIELD DREW	
DRAWN BY	CJ
REVIEWED BY	RS
UPDATED BY	

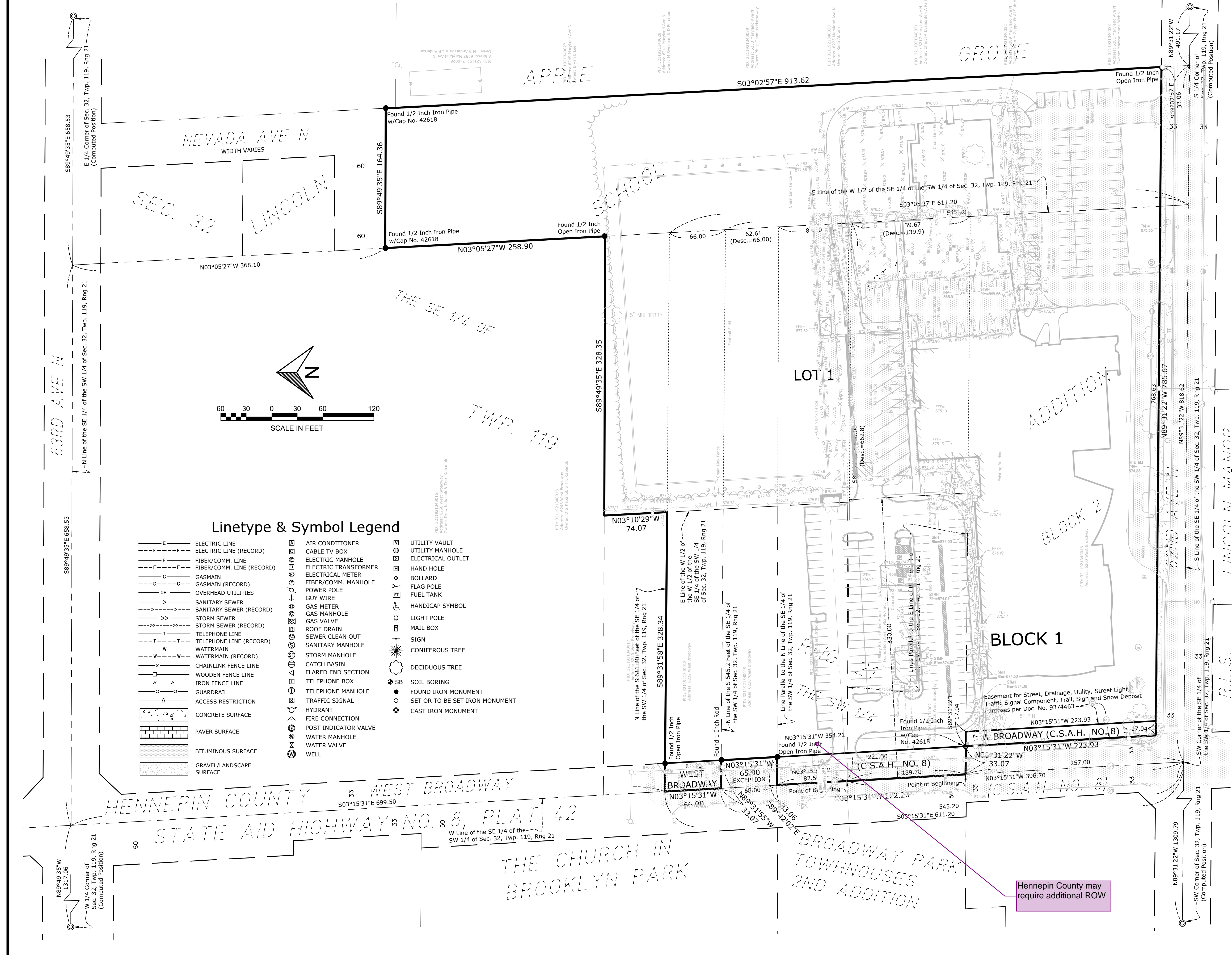
**VICINITY MAP**



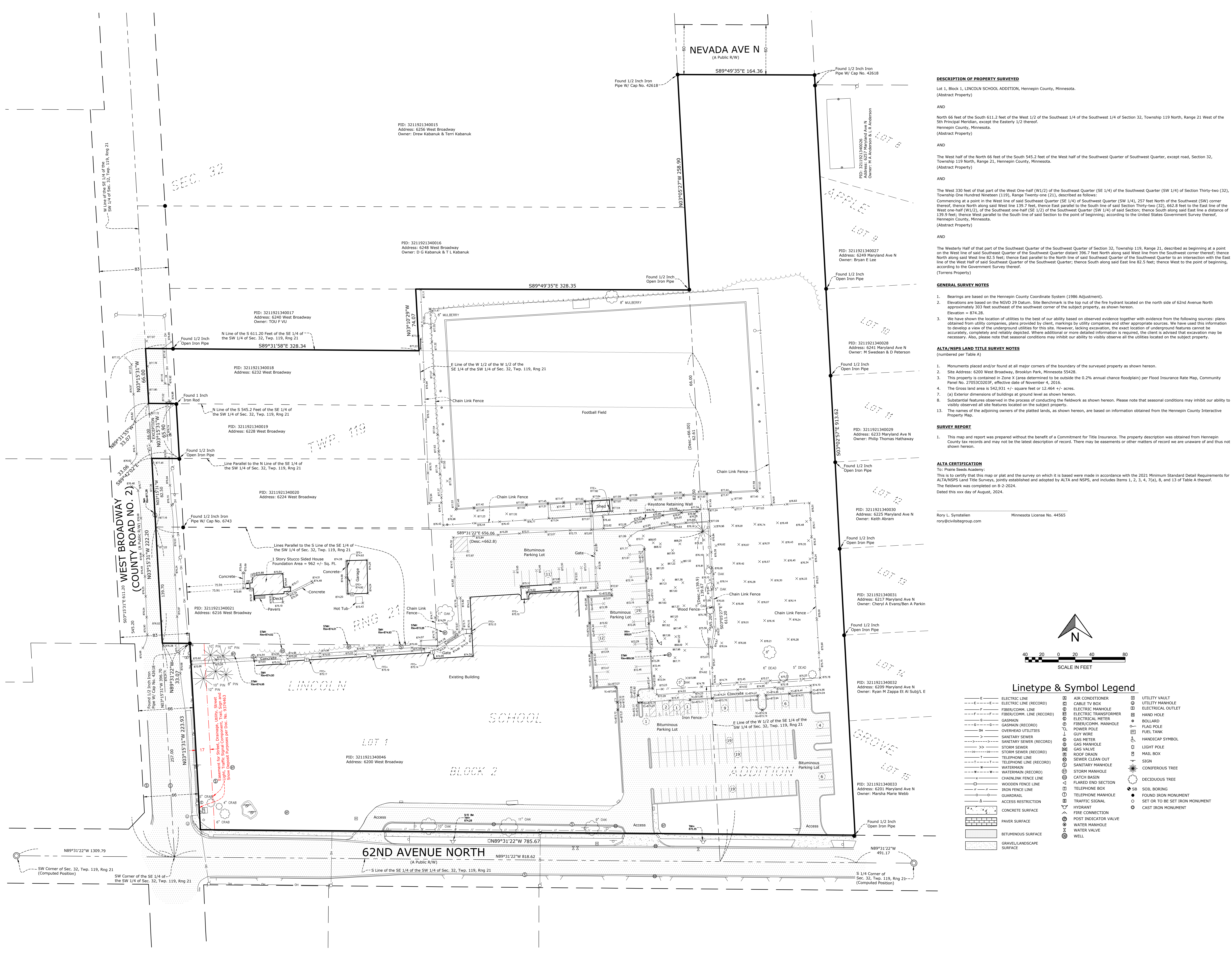
REVISION SUMMARY	
DATE	DESCRIPTION

PROJECT NO.: 24360  
**PRELIMINARY PLAT**

**V2.0**  
© COPYRIGHT 2024 CIVIL SITE GROUP INC.



Hennepin County may require additional ROW



**DESCRIPTION OF PROPERTY SURVEYED**

Lot 1, Block 1, LINCOLN SCHOOL ADDITION, Hennepin County, Minnesota.  
(Abstract Property)

AND

North 66 feet of the South 61.2 feet of the West 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 32, Township 119 North, Range 21 West of the 5th Principal Meridian, except the Easterly 1/2 thereof.  
(Abstract Property)

AND

The West half of the North 66 feet of the South 545.2 feet of the West half of the Southwest Quarter of Southwest Quarter, except road, Section 32, Township 119 North, Range 21, Hennepin County, Minnesota.  
(Abstract Property)

AND

The West 330 feet of that part of the West One-half (W1/2) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section Thirty-two (32), Township One Hundred Nineteen (119), Range Twenty-one (21), described as follows:  
Commencing at a point in the West line of said Southeast Quarter (SE 1/4) of Southwest Quarter (SW 1/4), 257 feet North of the Southwest (SW) corner thereof; thence North along said West line 139.7 feet; thence East parallel to the South line of said Section Thirty-two (32), 662.8 feet to the East line of the West one-half (W1/2), of the Southeast one-half (SE 1/2) of the Southwest Quarter (SW 1/4) of said Section; thence South along said East line a distance of 139.9 feet; thence West parallel to the South line of said Section to the point of beginning; according to the United States Government Survey thereof.  
(Abstract Property)

AND

The Westerly Half of that part of the Southeast Quarter of the Southwest Quarter of Section 32, Township 119, Range 21, described as beginning at a point on the West line of said Southeast Quarter of the Southwest Quarter distant 396.7 feet North along said West line from the Southwest corner thereof; thence North along said West line 82.5 feet; thence East parallel to the North line of said Southeast Quarter of the Southwest Quarter to an intersection with the East line of the West half of said Southeast Quarter of the Southwest Quarter; thence South along said East line 82.5 feet; thence West to the point of beginning, according to the Government Survey thereof.  
(Torrens Property)

**GENERAL SURVEY NOTES**

- Bearings are based on the Hennepin County Coordinate System (1986 Adjustment).
- Elevations are based on the NGVD 29 datum. Site Benchmark is the top nut of the fire hydrant located on the north side of 62nd Avenue North approximately 303 feet southeast of the southwest corner of the subject property, as shown hereon.  
Elevation = 874.28.
- We have shown the location of utilities to the best of our ability based on observed evidence together with evidence from the following sources: plans obtained from utility companies, plans provided by client, markings by utility companies and other appropriate sources. We have used this information to develop a view of the underground utilities for this site. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, the client is advised that excavation may be necessary. Also, please note that seasonal conditions may inhibit our ability to visually observe all the utilities located on the subject property.

**ALTA/NSPS LAND TITLE SURVEY NOTES**  
(numbered per Table A)

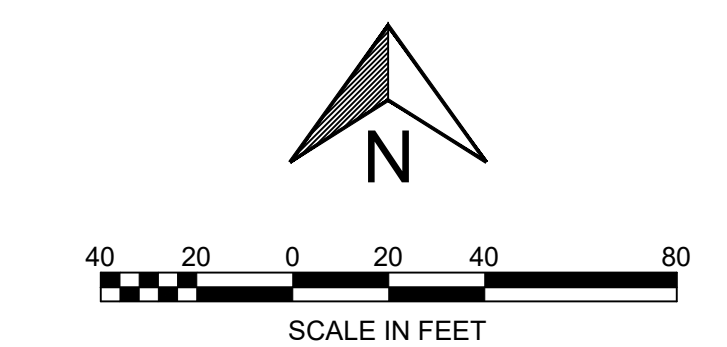
- Monuments placed and/or found at all major corners of the boundary of the surveyed property as shown hereon.
- Site Address: 6200 West Broadway, Brooklyn Park, Minnesota 55428.
- This property is contained in Zone X (area determined to be outside the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. Z7053C02039, effective date of November 4, 2016.
- The Gross land area is 942,931 +/- square feet or 21.464 +/- acres.
- (a) Exterior dimensions of buildings at ground level as shown hereon.
- Substantial features observed in the process of conducting the fieldwork as shown hereon. Please note that seasonal conditions may inhibit our ability to visually observe all site features located on the subject property.
- The names of the adjoining owners of the platted lands, as shown hereon, are based on information obtained from the Hennepin County Interactive Property Map.

**SURVEY REPORT**

- This map and report was prepared without the benefit of a Commitment for Title Insurance. The property description was obtained from Hennepin County tax records and may not be the latest description of record. There may be easements or other matters of record we are unaware of and thus not shown hereon.

**ALTA CERTIFICATION**  
To: Prairie Seeds Academy  
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 7(a), 8, and 13 of Table A hereof. The fieldwork was completed on 8-2-2024.  
Dated this xxth day of August, 2024.

Rory L. Synstelen  
rory@civilsitegroup.com  
Minnesota License No. 44565



**Linetype & Symbol Legend**

—E—	ELECTRIC LINE (RECORD)	⊠	AIR CONDITIONER	⊠	UTILITY VAULT
—C—	CABLE TV BOX	⊠	ELECTRIC MANHOLE	⊠	UTILITY MANHOLE
—F—	FIBER/COMM. LINE	⊠	ELECTRIC TRANSFORMER	⊠	ELECTRICAL OUTLET
—G—	GASMAIN	⊠	FIBER/COMM. MANHOLE	⊠	HAND HOLE
—O—	OVERHEAD UTILITIES	⊠	GAS MANHOLE	⊠	BOLLARD
—S—	SANITARY SEWER	⊠	GAS VALVE	⊠	FLAG POLE
—R—	SANITARY SEWER (RECORD)	⊠	SEWER CLEAN OUT	⊠	FUEL TANK
—D—	STORM SEWER	⊠	STORM MANHOLE	⊠	HANDICAP SYMBOL
—T—	TELEPHONE LINE	⊠	CATCH BASIN	⊠	LIGHT POLE
—L—	TELEPHONE LINE (RECORD)	⊠	FLARED END SECTION	⊠	MAIL BOX
—W—	WATERMAIN	⊠	TELEPHONE BOX	⊠	SEWER SIGN
—M—	WATERMAIN (RECORD)	⊠	TELEPHONE MANHOLE	⊠	SIGN
—X—	CHAINLINK FENCE LINE	⊠	TELEPHONE SIGNAL	⊠	CYPERIFEROUS TREE
—O—	WOODEN FENCE LINE	⊠	HYDRANT	⊠	DECIDUOUS TREE
—G—	GUARDRAIL	⊠	FIRE CONNECTION	⊠	CONIFEROUS TREE
—A—	ACCESS RESTRICTION	⊠	POST INDICATOR VALVE	⊠	SOIL BORING
—C—	CONCRETE SURFACE	⊠	WATER MANHOLE	⊠	FOUND IRON MONUMENT
—P—	PAVER SURFACE	⊠	WATER VALVE	⊠	SET OR TO BE SET IRON MONUMENT
—B—	BITUMINOUS SURFACE	⊠	WELL	⊠	CAST IRON MONUMENT
—G—	GRAVEL/LANDSCAPE SURFACE	⊠			

**6200 West Broadway**  
Brooklyn Park, Hennepin County, Minnesota 55428

**Prairie Seeds Academy**  
6200 West Broadway, Brooklyn Park, Minnesota 55428

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.

**DRAFT**

RORY L. SYNSTELLEN  
DATE: 8/2/2024  
LICENSE NO. 44565

QA/QC

FIELD CREW / DPO/CK	
DRAWN BY / DS	
REVIEWED BY / CJ	
UPDATED BY /	

VICINITY MAP

REVISION SUMMARY

DATE	DESCRIPTION

PROJECT NO. 24360.00

ALTA/NSPS LAND TITLE SURVEY

**V1.0**

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# City of Brooklyn Park Planning Commission Staff Report

<b>Agenda Item:</b>	5.2	<b>Meeting Date:</b>	October 09, 2024
<b>Agenda Section:</b>	Public Hearing	<b>Originating Department:</b>	Community Development
<b>Resolution:</b>	X	<b>Prepared By:</b>	Asma Jihad, Economic Development and Housing Intern
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	3	<b>Presented By:</b>	Erin McDermott, Senior Planner
<b>Item:</b>	7820 Lakeland Avenue - Conditional Use Permit, #24-118 for a window tinting service on a property zoned B3-General Business District		

## Proposed Actions:

MOTION \_\_\_\_\_ TO RECOMMEND APPROVAL OF A CONDITIONAL USE PERMIT FOR AN AUTO REPAIR SERVICE, SUBJECT TO CONDITIONS CONTAINED IN THE DRAFT RESOLUTION.

## Summary:

The property owner, KJ's Windows Tint has been operating auto repair services out of this property but is now strictly doing window tinting services in the structure previously utilized as a car wash. Per our ordinance, window tinting is considered an auto repair service, which requires a CUP. This application is to bring the subject property into compliance, as there has never been a Conditional Use Permit issued to this site for the operation of a window tinting service.

There is no development proposed at this time. The existing structure is sufficient for the intended use of auto repair services for window tinting services provided by the applicant. Future intensification of auto repair services will require additional review per Section 152.305.

## Previous Approvals:

This parcel was created by the subdivision named "Coopers Industrial Park" in 1969 and was developed through site plan review in 1980. Auto oriented repair was a conditional use at the time of development, at which time there was no conditional use approved for this structure.

This property was previously issued a CUP for a carwash on this site, which was granted under CUP 1989-3445. The proposed use will be operating in that same space, and the new CUP will supersede the existing CUP.

## Current Conditions:

The subject property is 1.22 acres and is located west of Lakeland Avenue North, and south of 79<sup>th</sup> Avenue North. This site contains a commercial structure with a convenience store and canopy for the fuel station developed on this site in 1989 with concurrent approvals for the carwash CUP. This property is adjacent to Menards and Bottineau Blvd.

Future Land Use Plan	B3 - General Business District
Current Zoning	B3 - General Business District
Proposed Zoning	No Change
Neighborhood	College Park
Site Area	1.22 acres
<b>Conforms to:</b>	
Land Use Plan	Yes
Zoning Code	Yes
Notification	X Public Hearing Notices mailed

	Posted in the Sun Post Neighborhood emails sent
Timeline (MN §15.99) 60-day 120-day	October 15, 2023 December 14, 2023

**Land Use/Zoning and Overlay:**

The site is zoned Business Park and is within the College Park neighborhood. The future land use for the property is General Business District.

**Conditional Use Permit:**

Window tinting services are a conditional use in the General Business District zoning district (§ 152.602). Conditional uses must be reviewed against the standards of the Code (§ 152.305). The use is evaluated below:

**(D) Review Standards. The request may address the following factors, although the City Council, the Planning Commission, and city staff has the authority to request additional information from the applicant concerning operational factors pertaining to the proposed use or to retain experts with the consent and at the expense of the applicant concerning operational factors, when necessary to establish performance conditions to affect the intent of this chapter.**

**(1) Comprehensive Plan. Compliance with the Comprehensive Plan, public facilities and capital improvement plans, and all sections of the City Code.**

The Future Land Use of the Brooklyn Park 2040 Comprehensive Plan guides the property as Community Commercial. The Community Commercial uses include services, with medium to high intensity uses. The Comprehensive Plan states that Community Commercial districts are appropriate for automobile-intensive uses that benefit from close proximity to highways. Window tinting service is consistent with the Comprehensive Plan.

**(2) Traffic. The generation and characteristics of the traffic associated with the use and its impact on the traffic volumes of and safety associated with driveway location on adjacent roads, sidewalks and trail connections.**

Vehicular access to the site is available from three points: one along 79<sup>th</sup> Avenue North and the other two along Lakeland Avenue. The first access point on Lakeland Avenue is on the north of the property, and the second from a shared access point on the adjacent property to the south.

**(3) Parking. The characteristics of the parking area of the use, including the number and design of parking spaces, landscaping, traffic circulation, drainage, and lighting. The city may require additional parking above that required in § 152.140 through 152.146.**

The code does not prescribe a number of parking spaces needed for auto repair services. However, to remain consistent with the approvals of the adjacent property, the parking of vehicles requiring repair services is prohibited on site overnight. The applicant has indicated they only service one vehicle at a time, by appointment. The site review has determined parking is adequate for this use.

**(4) City services. The provision of adequate public facilities and services to the site where the use is proposed and the ability of the existing infrastructure to absorb the additional demand for city services.**

As this request is to grant window tinting services, there is no additional need for public services, and compliance with CUP conditions will reduce staff time spent at this property.

- (5) ***Screening and landscaping.*** The ability to screen and buffer incompatible off-site impacts of the proposed use on adjacent property and the surrounding neighborhood. The city may require additional landscaping or screening above that required in the specific zoning district.

This site is nonconforming with current standards; however, with no proposed physical changes to the site there is no request for improvements for landscaping or screening at this time.

- (6) ***Architectural standards.*** The degree that the site or building associated with the proposed use meets or exceed the architectural design and landscaping standards for the district in which it is located. The city may require additional architectural standards above those required in the specific zoning district.

This site is nonconforming with current standards; however, with no proposed physical changes to the site there is no request for improvements to architectural standards at this time.

- (7) ***Other sections of the city code.*** The applicant may be required to submit additional information demonstrating that the development is able to comply with any other applicable section of this chapter or the city code.

There are no additional code sections against which to review this CUP request.

The required findings of § 152.305 have been addressed and Staff recommends approval of the CUP request.

#### **Conditions of Approval:**

Staff recommends the adoption of a resolution Approving a Conditional Use Permit for a Window Tinting Service at 7820 Lakeland Ave North with the following conditions:

1. All vehicles parked on this property must be parked on a paved surface.
2. Parking of any vehicles associated with the business must be on site. On-street parking is prohibited. Double parking of vehicles is prohibited.
3. Vehicle drop-offs must occur within designated loading areas on the property.
4. All window tinting services must occur within the building, screened from public view.
5. The property must remain compliant with the property maintenance code.
6. The property must remain compliant with all fire safety protocols.
7. All equipment associated with this use must be stored completely within the structure. No outdoor storage is permitted for this use.
8. All previously approved conditional use permits are hereby rescinded and replaced with this conditional use permit.

#### **Staff Recommendation:**

Staff recommends approval of the conditional use permit with the conditions listed in the attached draft resolution.

#### **Alternatives to Consider:**

1. Approve the Conditional Use Permit as presented.
2. Approve the Conditional Use Permit with modifications.
3. Deny the Conditional Use Permit based on certain findings.

**Budgetary/Fiscal Issues:** N/A

**Attachments:**

- A. DRAFT RESOLUTION – WINDOW TINTING SERVICE
- B. LOCATION MAP
- C. APPLICANT SUBMISSION

RESOLUTION #2024-\_\_\_\_

RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR AN AUTO REPAIR SERVICE, SUBJECT TO CONDITIONS CONTAINED IN THE DRAFT RESOLUTION

Planning Commission File #24-118

WHEREAS, KJ's Windows Tint has made application for a Conditional Use Permit under the provisions of Chapter 152 of the City Code on property legally described as:

*Lot 2, Block 1, MENARDS ADDITION TO BROOKLYN PARK, Hennepin County, Minnesota.*

WHEREAS, the proposed development is consistent with the purposes of the Zoning District and the Comprehensive Plan; and

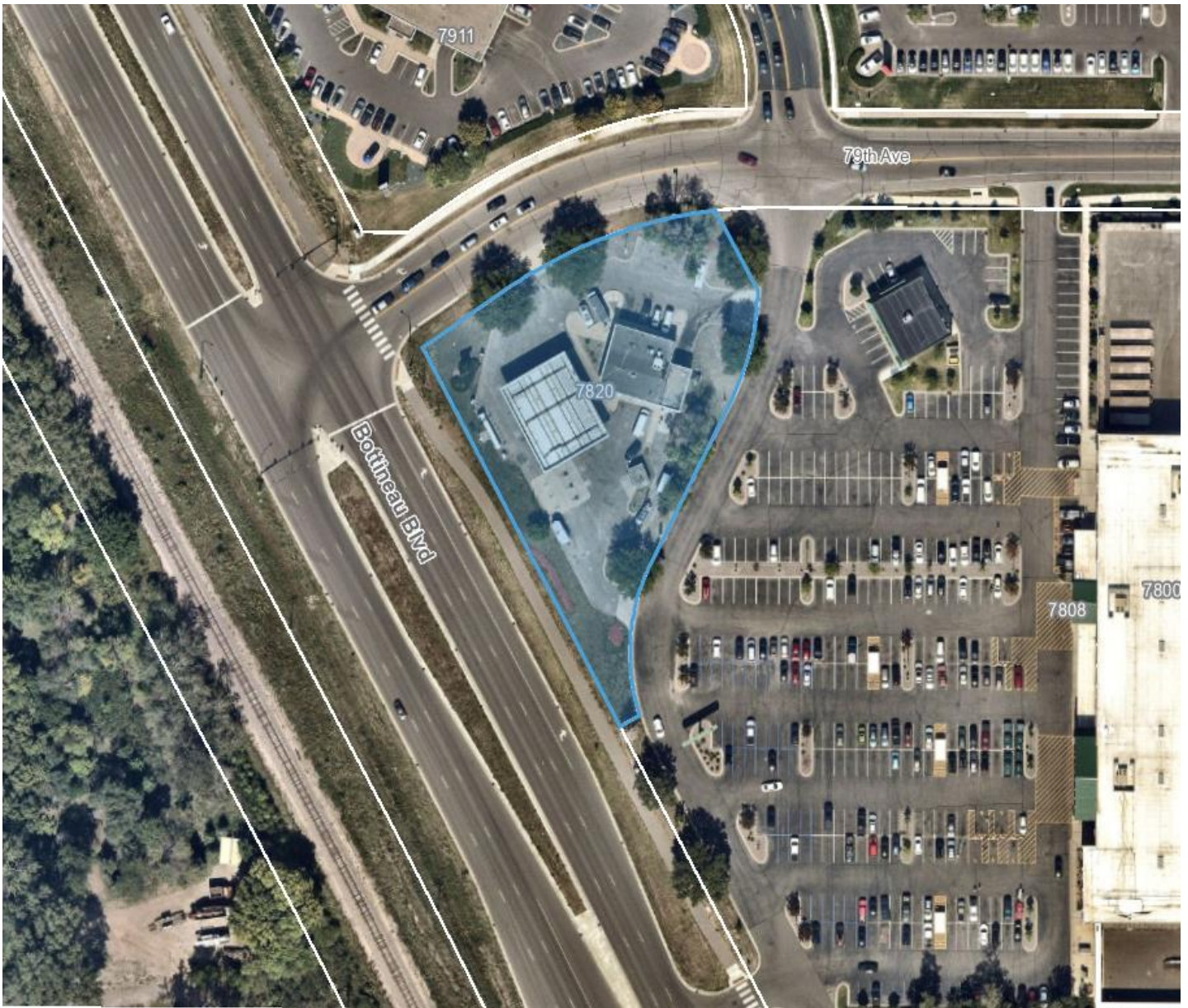
WHEREAS, the matter has been referred to the Planning Commission public hearing and who have given their advice and recommendation to the City Council; and

WHEREAS, the effect of the proposed use upon the health, safety and welfare of surrounding lands, existing and anticipated traffic conditions, and its effect on the neighborhood have been considered.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park that a Conditional Use Permit is hereby approved for an auto oriented repair facility on the above described parcel, subject to the following:

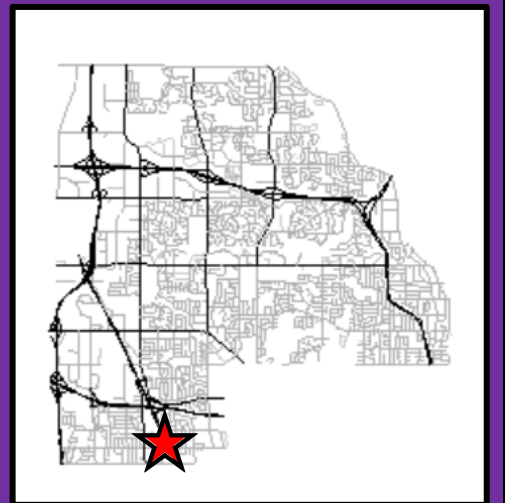
1. All vehicles parked on this property must be parked on a paved surface.
2. Parking of any vehicles associated with the business must be on site. On-street parking is prohibited. Double parking of vehicles is prohibited.
3. Vehicle drop-offs must occur within designated loading areas on the property.
4. All window tinting services must occur within the building, screened from public view.
5. The property must remain compliant with the property maintenance code.
6. The property must remain compliant with all fire safety protocols.
7. All equipment associated with this use must be stored completely within the structure. No outdoor storage is permitted for this use.
8. All previously approved conditional use permits are hereby rescinded and replaced with this conditional use permit.

The petitioner shall be required to record a copy of this resolution with the Hennepin County Recorder and to pay all fees for said recording. Proof of said recording shall be filed promptly with the City.



**Conditional Use Permit**  
**Case #24-118 – 7820 Lakeland Ave. N. - CUP**  
Area of Request (August 2023 Air Photo)  
7820 Lakeland Ave. N.

**Brooklyn Park** 



**From:** [Thelma Harris](#)  
**To:** [Matt Hayes-Regan](#)  
**Subject:** Fwd: Business operation breakdown  
**Date:** Tuesday, July 30, 2024 10:27:21 AM

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----- Forwarded message -----

**From:** **Thelma Harris** <[harristhelma35@gmail.com](mailto:harristhelma35@gmail.com)>  
**Date:** Wed, Jul 3, 2024, 1:00 PM  
**Subject:** Business operation breakdown  
**To:** Kenney Johnson <[kenneyjohnson93@gmail.com](mailto:kenneyjohnson93@gmail.com)>

Dear sir/madam,

My name is Kenney Johnson and my wife is Thelma A Harris. We are the owner of KJ'S WINDOWS TINT located at 7820 Lakeland Ave N Brooklyn Park MN 55445.

The materials used to tint windows are; window film(tint), transparent sprayed bottles mixed with soap and water, Squeegee, towels and tint cutters. We have an appointment system wherein we booked 1 car at a time. To tint a car, we used the spray bottle soap water to clean the glasses and apply the tint on the window glasses. This spray bottle water is used throughout the tinting process. Squeegee helps me apply pressure on the tint and the towels wiped cars before and after it's done. We also tint head and taillights. We will love to invite you if we are accepted to come out and see how we do the tinting process.

Thank for your understanding.

Sincerely yours  
Kenney Johnson CEO  
Thelma A Harris  
Manager

# City of Brooklyn Park Planning Commission Staff Report

<b>Agenda Item:</b>	5.3	<b>Meeting Date:</b>	October 9, 2024
<b>Agenda Section:</b>	Public Hearings	<b>Originating Department:</b>	Community Development
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	Erin McDermott, Senior Planner
<b>Ordinance:</b>	X		
<b>Attachments:</b>	3	<b>Presented By:</b>	Erin McDermott, Senior Planner
<b>Item:</b>	Zoning Code Text Amendment: Cannabis Zoning		

## Proposed Action:

MOTION \_\_\_\_\_ SECOND \_\_\_\_\_ TO RECOMMEND APPROVAL OF AN ORDINANCE AMENDING CHAPTER 152 OF THE BROOKLYN PARK CODE OF ORDINANCES ADOPTING REGULATIONS FOR CANNABIS ORIENTED BUSINESSES.

## Staff Recommendation:

Staff recommends approval of the proposed ordinance changes.

## Overview:

In 2023, Minnesota became the 23<sup>rd</sup> state in the nation to legalize adult-use cannabis. The new law also created a new state office – the Office of Cannabis Management (OCM). Minnesota Statute Chapter 342 contains all regulations within state law pertaining to cannabis, including licensing by the OCM, and registration and land use requirements for municipalities that declare the desire to oversee the registrations of cannabis businesses.

Local governments are given the option to register cannabis businesses and oversee compliance checks. In the event a city does not decide to partake in the registration process, registration defaults to the county in which the city is located. The Brooklyn Park City Council has determined they want the city to oversee registration, which does not occur until the applicant has undergone vigorous verification processes by the OCM. Local governments are not allowed to ban cannabis businesses, or limit operations in a manner beyond what is allowed in Minnesota Statute Chapter 342.

Local governments are allowed to limit the number of cannabis retailers and businesses with retail endorsements to a minimum of one retail location per 12,500 residents. There is no obligation to seek out businesses if the number is not met by the market, however, the city would not be able to restrict a business if a limit is established, but not yet met. According to the 2020 Census the population of Brooklyn Park was 86,478, which obligates the city to register a minimum of 7 retailers or businesses with retail endorsements.

There are 13 different types of licenses issued by the OCM, all of which have been individually listed on the use tables within the proposed zoning text amendment. Not all cannabis-oriented businesses include retail components.

### License Types

**Microbusiness:** Microbusinesses may cultivate cannabis, manufacture cannabis products and hemp products, and package such products for sale to customers or another licensed cannabis business. Microbusinesses may also operate a single retail location.

**Mezzobusiness:** Mezzobusinesses may cultivate cannabis, manufacture cannabis products and hemp products, and package such products for sale to customers or another licensed cannabis business. Mezzobusinesses may operate up to three retail locations.

**Cultivator:** Cultivators may cultivate cannabis and package such cannabis for sale to another licensed cannabis business.

**Manufacturer:** Manufacturers may manufacture cannabis products and hemp products and package such products for sale and to a licensed cannabis retailer.

**Retailer:** Retailers may sell immature cannabis plants and seedlings, cannabis, cannabis products, hemp products, and other products authorized by law to customers and patients.

**Wholesaler:** Wholesalers may purchase and/or sell immature cannabis plants and seedlings, cannabis, cannabis products, and hemp products from another licensed cannabis business. Wholesalers may also import hemp-derived consumer products and lower-potency hemp edibles.

**Transporter:** Transporters may transport immature cannabis plants and seedlings, cannabis, cannabis products, and hemp products to licensed cannabis businesses.

**Testing Facility:** Testing facilities may obtain and test immature cannabis plants and seedlings, cannabis, cannabis products, and hemp products from licensed cannabis businesses.

**Event Organizer:** Event organizers may organize a temporary cannabis event lasting no more than four days.

**Delivery Service:** Delivery services may purchase cannabis, cannabis products, and hemp products from retailers or cannabis business with retail endorsements for transport and delivery to customers.

**Medical Cannabis Combination Business:** Medical cannabis combination businesses may cultivate cannabis, manufacture cannabis and hemp products, and package such products for sale to customers, patients, and another licensed cannabis business. Medical cannabis combination businesses may operate up to one retail location in each congressional district.

**Lower-Potency Hemp Edible Manufacturer:** Lower-potency hemp edible manufacturers may manufacture and package lower-potency hemp edibles for consumer sale, and sell hemp concentrate and lower-potency hemp edibles to other cannabis and hemp businesses.

**Lower-Potency Hemp Edible Retailer:** Lower-potency hemp edible retailers may sell lower-potency hemp edibles to customers.

### **Proposed Zoning Text Amendment:**

#### Use Tables

Staff considered substantially similar uses for the determination of the best fit for zoning districts. Cannabis retail uses were added as permitted in districts where tobacco and liquor stores are currently permitted. Cannabis manufacture and cultivation were permitted where other manufacturing and similar light industrial uses are permitted. The mixed-use districts all have a corresponding commercial zoning district for use density, for example the B-1 Office District Park District corresponds with the LW – Live Work District. Due to density considerations and looking at proximity of other uses to these districts, cannabis uses have been included consistently across the non-residential and mixed-use district use tables.

## Performance Standards.

Staff considered current regulation on other adult use products such as tobacco and liquor sales, making the recommendation for consistency in the spacing requirements and regulation of other similar substances. In addition to buffer requirements, staff researched how other communities were regulating cannabis-oriented businesses. During preliminary discussions with City Council through several work sessions and discussions, staff provided maps to illustrate properties meeting different buffering distances. Statute permits a maximum buffer distance of 1,000 feet from schools, and 500 feet from daycares, residential treatment facilities, and public park attractions frequented by minors. Where did we end up with our buffer distance recommendation?

Security, screening, odor control and cultivation were commonly added to regulation. The recommendations for these regulations are comparable to other similarly situated cities, as well as the recently adopted St. Paul zoning text amendment.

## Licensing.

There are aspects of Cannabis Oriented Businesses that will not be contained within the Zoning Code. These standards will be contained in Chapter 127 of the Brooklyn Park Code of Ordinances. The amendment to that chapter will occur at the City Council Regular Meeting concurrently with the proposed zoning text amendment. The Licensing Code will contain regulations for cannabis registrations that are required across all zoning districts to ensure public health and safety standards are maintained through the City. These regulations include the number of registrations permitted within the City, the procedure for registering and renewing registrations for retail businesses, compliance check requirements, registration suspension procedures, and hours of operation.

## **BP 2025 Goals:**

The City established six goals for the future of Brooklyn Park. These goals are to create a united and welcoming community, beautiful spaces and quality infrastructure, balanced economic environment, healthy and safe people of all ages, partnerships that increase racial and economic equity, and an effective and engaging government. It is important to consider these goals as we move forward with regulations on a topic that has historically been racially charged and disproportionately affected the Black community nationwide. There is currently a process established by the OCM for applications meeting specific criteria, this application type has been titled the Social Equity application. The process involves a lottery based system to pre-approve certain applications prior to the approval of general applications. This type of application provides access to this new industry, including grant opportunities for people who have been adversely affected by cannabis prohibitions or otherwise vulnerable communities, which include the following:

- Individuals, immediate family, or dependents of someone convicted of offenses involving the possession or sale of cannabis prior to May 1, 2023
- Veterans
- Owners and employees of farms that have operated for the last five years, and
- Residents of areas that have high cannabis enforcements rates, a poverty rate of 20% or more, median family incomes not exceeding 80% of the statewide or metro-wide area, 20% of households receiving Supplemental Nutrition Assistance Program (SNAP) assistance, and populations that experienced a high level of vulnerability according to the Social Vulnerability Index provided by the Centers for Disease Control and Prevention.

While the OCM has put efforts in place for social equity statewide, it is important for racial considerations to be made that are specific to Brooklyn Park. The City and State goals are intended to work together and must be considered as such.

Balanced economic environment, healthy and safe people of all ages, and partnerships that increase racial and economic equity were heavily considered in the process of drafting the proposed ordinance. The Zoning Code regulates where uses are located, as well as regulations to guide those activities. To ensure this update is not used as a barrier for exclusion, we considered all land uses where retail activities, manufacturing, and cultivation are permitted. Once a list of districts that permit these land uses was created, the Zoning Map was considered and adjacent zoning districts that would be impacted by these activities were listed. The B-1 zoning district, which is commonly adjacent to residential districts, and mixed-use districts that permit residential uses were the most careful considerations. The impacts on these districts were also considered against other uses permitted in these areas that may have similar impacts such as liquor sales, tobacco sales, as well as restaurants serving liquor and distilleries as these are similar to the Microbusinesses and Mezzobusiness uses. Another important district that was considered was our BP – Business Park zoning, because while it is intended for light industrial uses as well as office and warehouse space, many of our BP properties abut residential districts including those in adjacent municipalities. This circumstance informed the regulation proposed that all cultivation occur within the principal structure, which will mitigate many negative impacts on surrounding property owners.

United and welcoming community, and effective and engaging government were the topics of challenging conversations with our elected officials and other commissioners about the application of this statute in this community, as well as open conversations with other local governments, county officials and representatives from the State to ensure staff is knowledgeable and can fairly administer the regulations the community adopts. Cannabis regulation was also discussed with the Community Long-Range Implementation Committee, which resulted in their recommendation to adopt the strictest guidelines permitted by statute.

Beautiful spaces and quality infrastructure can also be a consideration, as in addition to the adoption of Minnesota Statute Chapter 342, amendments were made to Chapter 295, in which retail sales tax was amended. Of the tax dollars generated from cannabis sales, 20% will go to the local government cannabis aid account, and 80% to the state general fund. Increasing the tax base has been indicated by City Council as a high priority to sustain the city infrastructure as the city grows.

**Budgetary/Fiscal Issues:** N/A

**Alternatives to Consider:**

1. Approve the text amendment as presented.
2. Approve the text amendment with modifications.
3. Decline to approve the text amendment.

**Attachments:**

- 5.3A Draft Zoning Code Text Amendment: Cannabis Zoning
- 5.3B OCM Local Government Guide
- 5.3C Buffer Map

§152.107 DEFINITIONS.

**CANNABIS RETAIL BUSINESS.** Mezzobusinesses with a retail operations endorsement, microbusinesses with a retail operations endorsement, medical combination businesses operating a retail location, excluding lower-potency hemp edible retailers.

**CANNABIS ORIENTED BUSINESS.** Any cannabis business governed by and defined in Minn. Stat. Chapter 342 as amended from time to time.

**CANNABIS PRODUCT.** "Cannabis product" means any of the following: cannabis concentrate; a product infused with cannabinoids, including but not limited to tetrahydrocannabinol, extracted or derived from cannabis plants or cannabis flower; or any other product that contains cannabis concentrate. Cannabis product includes adult-use cannabis products, including but not limited to edible cannabis products and medical cannabinoid products. Cannabis product does not include cannabis flower, artificially derived cannabinoid, lower-potency hemp edibles, hemp-derived consumer products, or hemp-derived topical products.

**CANNABIS FLOWER.** The harvested flower, bud, leaves, and stems of a cannabis plant. Cannabis flower includes adult-use cannabis flower and medical cannabis flower. Cannabis flower does not include cannabis seed, hemp plant parts, or hemp-derived consumer products.

**CANNABIS PLANT.** All parts of the plant of the genus Cannabis that is growing or has not been harvested and has a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent on a dry weight basis.

**CANNABIS RETAILER.** Any person, partnership, firm, corporation, or association, foreign or domestic, selling cannabis product to a consumer and not for the purpose of resale in any form.

**CULTIVATION.** Any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis plants, cannabis flower, hemp plants, or hemp plant parts.

**HEMP BUSINESS.** Either of the following licensed under this chapter: (1) lower-potency hemp edible manufacturer; or (2) lower-potency hemp edible retailer. Hemp business does not include a person or entity licensed under chapter 18K to grow industrial hemp for commercial or research purposes or to process industrial hemp for commercial purposes.

**HEMP PLANT.** All parts of the plant of the genus Cannabis that is growing or has not been harvested and has a delta-9 tetrahydrocannabinol concentration of no more than 0.3 percent on a dry weight basis.

**MEDICAL CANNABIS BUSINESS.** "Medical cannabis business" means an entity licensed by the OCM to engage in one or more of the following:(1) the cultivation of cannabis plants for medical cannabis flower; (2) the manufacture of medical cannabinoid products; and (3) the retail sale of medical cannabis flower and medical cannabinoid products.

**OFFICE OF CANNABIS MANAGEMENT.** Minnesota Office of Cannabis Management, referred to as "OCM" in this ordinance.

**PARK ATTRACTION.** A facility or location within a public park that is regularly used by minors, including but not limited to a playground or athletic field.

RETAIL REGISTRATION. An approved registration issued by the City of Brooklyn Park to a cannabis retail business.

SCHOOL. A public school as defined under Minn. Stat. 120A.05 or a nonpublic school that must meet the reporting requirements under Minn. Stat. 120A.24.

§152.609 NONRESIDENTIAL DISTRICT LAND USE USES

Figure 152.609.1

Use	B-1	B-2	B-3	B-4	BP	I	PI	OP
Cannabis Oriented Business								
Cannabis Retailer	P	P	P	P	P	P	NP	NP
Medical Cannabis Retailer	P	P	P	P	P	P	NP	NP
Cannabis Delivery Service	P	P	P	P	P	P	NP	NP
Lower Potency Hemp Retailer	P	P	P	P	P	P	NP	NP
Cannabis Cultivator	NP	NP	NP	P	P	P	NP	NP
Medical Cannabis Cultivator	NP	NP	NP	P	P	P	NP	NP
Cannabis Event Organizer	P	P	P	P	P	P	NP	NP
Cannabis Manufacturer	NP	NP	NP	P	P	P	NP	NP
Medical Cannabis Manufacturer	NP	NP	NP	P	P	P	NP	NP
Lower-Potency Hemp Manufacturer	NP	NP	NP	P	P	P	NP	NP
Cannabis Testing	NP	NP	NP	P	P	P	NP	NP
Cannabis Wholesaler	NP	NP	NP	P	P	P	NP	NP
Cannabis Transporter	NP	NP	NP	P	P	P	NP	NP
Medical Cannabis Combination Business	NP	NP	NP	P	P	P	NP	NP
Cannabis Mezzobusiness	NP	NP	NP	P	P	P	NP	NP
Cannabis Microbusiness	NP	P	P	P	P	P	NP	NP

§152.707 MIXED USE DISTRICT LAND USES

Figure 152.707.1

Use	LW	NMU	MU	TOD-C	TOD-E	TOD-G(L)	TOD-G(M)	TOD-G(H)
Cannabis Oriented Business								
Cannabis Retailer	P	P	P	P	P	NP	NP	P
Medical Cannabis Retailer	P	P	P	P	P	NP	NP	P
Cannabis Delivery Service	P	P	P	P	P	NP	NP	P
Lower Potency Hemp Retailer	P	P	P	P	P	NP	NP	P
Cannabis Cultivator	NP	NP	NP	NP	P	NP	NP	NP
Medical Cannabis Cultivator	NP	NP	NP	NP	P	NP	NP	NP
Cannabis Event Organizer	P	P	P	P	P	NP	NP	P
Cannabis Manufacturer	NP	NP	NP	NP	P	NP	NP	NP
Medical Cannabis Manufacturer	NP	NP	NP	NP	P	NP	NP	NP
Lower-Potency Hemp Manufacturer	NP	NP	NP	NP	P	NP	NP	NP
Cannabis Testing	NP	NP	NP	NP	P	NP	NP	NP
Cannabis Wholesaler	NP	NP	NP	NP	P	NP	NP	NP

Cannabis Transporter	NP	NP	NP	NP	P	NP	NP	NP
Medical Cannabis Combination Business	NP	NP	NP	NP	P	NP	NP	NP
Cannabis Mezzobusiness	NP	NP	NP	P	P	NP	NP	P
Cannabis Microbusiness	NP	P	P	P	P	NP	NP	P

§152.903 NONRESIDENTIAL PERFORMANCE STANDARDS, PRINCIPAL USES

(T) Cannabis Oriented Business.

(1) Registration. No individual or entity may operate a cannabis retail business within the City of Brooklyn Park without first registering with the Brooklyn Park Rental and Business Licensing Division per regulations outlined in Chapter 127 of the Brooklyn Park City Code of Ordinances.

(2) Buffer Requirements.

(a) Registration must not be granted within 300 feet of any school, daycare facility, or park attraction. A license may be granted within 300 feet of any of the above listed uses if the licensed premises and the listed uses are located within the same zoning district. The measurement must be made from the entrance of each building or tenancy and not from the property lines.

(b) Registration must not be granted within 300 feet of another registered Cannabis Oriented Business. The measurement must be made from the entrance of each building or tenancy and not from the property lines.

(3) Cultivation. The cultivation of all cannabis must only occur within the principal structure. Outdoor commercial cultivation of cannabis is prohibited.

(4) Lighting.

(a) Structures used for cultivation shall screen interior lighting so that no light escapes the structure between sunset and sunrise.

(b) Any security lighting shall be downcast and shielded in such a manner as to prevent light from spilling outside the boundaries of the parcel.

(5) Odor Control. Odors and other potential side effects of manufacturing or cultivation shall not be discernable from beyond the property line.

(6) Screening. All cannabis products must be screened from view from all public rights-of-way, and adjacent properties.

(7) Security.

(a) Cannabis oriented businesses must implement sufficient security measures to deter and prevent the unauthorized entrance into areas containing cannabis or cannabis products, and to deter and prevent the theft of cannabis or cannabis products at the business. Except as may otherwise be determined by the City, these

security measures shall include compliance with all regulations established by the OCM.

(b) Every cannabis oriented business shall provide adequate security on the premises, including lighting and alarms, to ensure the safety of persons and to protect the premises from theft. Each cannabis oriented business shall prepare and submit a security plan for review and approval by the City Manager, which approval or denial will be based upon the security standards required by the OCM. Said plans shall remain updated and secured on file in the protective custody of the City in accordance with Chapter 127 of the Brooklyn Park City Code. The information provided for purposes of this section shall be maintained by the City as confidential information and shall not be disclosed as public records unless pursuant to subpoena issued by a court of competent jurisdiction.

(c) Cannabis or cannabis products shall not be stored outside at any time.

(d) A cannabis business shall notify the City Manager within twenty-four (24) hours after discovering any of the following: Significant discrepancies identified during inventory; Diversion, theft, loss, or any criminal activity involving the cannabis business or any agent or employee of the cannabis business; or The loss or unauthorized alteration of records related to cannabis, registering qualifying patients, primary caregivers, or employees or agents of the cannabis business.

#### §152.905 TEMPORARY AND SEASONAL NONRESIDENTIAL PERFORMANCE STANDARDS

##### (G)(4) Cannabis Events.

(a) Cannabis events are required to obtain a special event permit. A detailed security plan is required as part of the application, in addition to all requirements established in Code Section 152.312.

(b) Cannabis events are limited to four days per event.

~~(c) A detailed security plan must be submitted as part of the special event permit.~~

(c) Cannabis events shall not grant access to any person under the legal age of consumption.

(e) Consumption of cannabis shall not be allowed outside the confined area containing the event.

(f) Consumption of alcohol or tobacco shall not be allowed at the cannabis event.



**MINNESOTA**

OFFICE OF CANNABIS MANAGEMENT



# *A Guide for Local Governments on Adult-Use Cannabis*



**Version 1.4  
Updated August 2024**

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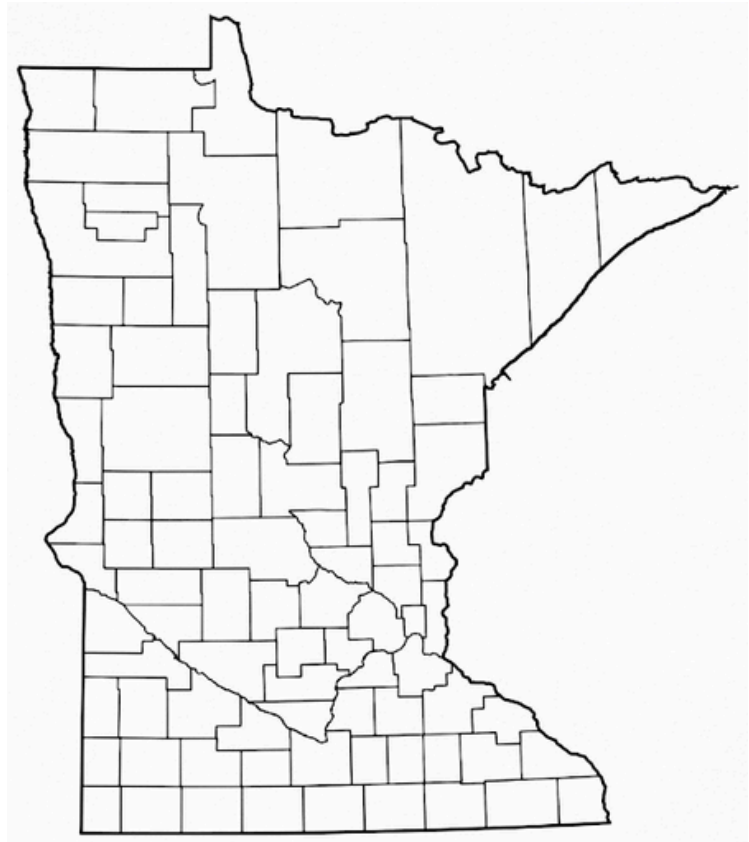
# Introduction

This guide serves as a general overview of **Minnesota’s new adult-use cannabis law**, and how **local governments** can expect to be involved. The guide also provides important information about Minnesota’s new Office of Cannabis Management (OCM), and the office’s structure, roles, and responsibilities. While medical cannabis continues to play an important role in the state’s cannabis environment, this guide is primarily focused on the adult-use cannabis law and marketplace.

The following pages outline the variety of cannabis business licenses that will be issued, provide a broad summary of important aspects of the adult-use cannabis law, and cover a wide range of expectations and authorities that relate to local governments. This guide also provides best practices and important requirements for developing a local cannabis ordinance.

**Chapter 342** of Minnesota law was established by the State Legislature in 2023 and was updated in 2024. Mentions of “adult-use cannabis law” or “the law” throughout this guide refer to Chapter 342 and the changes made to it.

As of this guide’s date of publication, state regulations governing the adult-use cannabis market have not yet been published—**this document will be updated** when such regulations become effective.



*This guide is not a substitute for legal advice, nor does it seek to provide legal advice. Local governments and municipal officials seeking legal advice should consult an attorney.*

# About OCM

Minnesota's **Office of Cannabis Management** is the state regulatory office created to oversee the implementation and regulation of the adult-use cannabis market, the medical cannabis market, and the consumer hemp industry. Housed within OCM are the **Division of Medical Cannabis** (effective July 1, 2024), which operates the medical cannabis program, and the **Division of Social Equity**, which promotes development, stability, and safety in communities that have experienced a disproportionate, negative impact from cannabis prohibition and usage.



OCM, through Chapter 342, is tasked with establishing rules and policy and exercising its regulatory authority over the Minnesota cannabis industry. In its duties, OCM is mandated to:

- Promote public health and welfare.
- Protect public safety.
- Eliminate the illicit market for cannabis flower and cannabis products.
- Meet the market demand for cannabis flower and cannabis products.
- Promote a craft industry for cannabis flower and cannabis products.
- Prioritize growth and recovery in communities that have experienced a disproportionate, negative impact from cannabis prohibition.

OCM governs the application and licensing process for cannabis and hemp businesses, specific requirements for each type of license and their respective business activities, and conducts enforcement and inspection activities across the Minnesota cannabis and hemp industries.

# License Types

Minnesota law allows for **13** different types of business licenses, each fulfilling a unique role in the cannabis and hemp supply chain. In addition to license types below, OCM will also issue endorsements to license holders to engage in specific activities, including producing, manufacturing, and sale of medical cannabis for patients.

## **Microbusiness**

Microbusinesses may cultivate cannabis and manufacture cannabis products and hemp products, and package such products for sale to customers or another licensed cannabis business. Microbusiness may also operate a single retail location.

## **Mezzobusiness**

Mezzobusinesses may cultivate cannabis and manufacture cannabis products and hemp products, and package such products for sale to customers or another licensed cannabis business. Mezzobusiness may also operate up to three retail locations.

## **Cultivator**

Cultivators may cultivate cannabis and package such cannabis for sale to another licensed cannabis business.

## **Manufacturer**

Manufacturers may manufacture cannabis products and hemp products, and package such products for sale to a licensed cannabis retailer.

## **Retailer**

Retailers may sell immature cannabis plants and seedlings, cannabis, cannabis products, hemp products, and other products authorized by law to customers and patients.

## **Wholesaler**

Wholesalers may purchase and/or sell immature cannabis plants and seedlings, cannabis, cannabis products, and hemp products from another licensed cannabis business.

Wholesalers may also import hemp-derived consumer products and lower-potency hemp edibles.

# License Types (continued)

## **Transporter**

Transporters may transport immature cannabis plants and seedlings, cannabis, cannabis products, and hemp products to licensed cannabis businesses.

## **Testing Facility**

Testing facilities may obtain and test immature cannabis plants and seedlings, cannabis, cannabis products, and hemp products from licensed cannabis businesses.

## **Event Organizer**

Event organizers may organize a temporary cannabis event lasting no more than four days.

## **Delivery Service**

Delivery services may purchase cannabis, cannabis products, and hemp products from retailers or cannabis business with retail endorsements for transport and delivery to customers.

## **Medical Cannabis Combination Business**

Medical cannabis combination businesses may cultivate cannabis and manufacture cannabis and hemp products, and package such products for sale to customers, patients, or another licensed cannabis business. Medical cannabis combination businesses may operate up to one retail location in each congressional district.

## **Lower-Potency Hemp Edible Manufacturer**

Lower-potency hemp edible manufacturers may manufacture and package lower-potency hemp edibles for consumer sale, and sell hemp concentrate and lower-potency hemp edibles to other cannabis and hemp businesses.

## **Lower-Potency Hemp Edible Retailer**

Lower-potency hemp edible retailers may sell lower-potency hemp edibles to customers.

Each license is subject to further restrictions on allowable activities. Maximum cultivation area and manufacturing allowances vary by license type. Allowable product purchase, transfer, and sale between licensees are subject to restrictions in the law.

# The Adult-Use Cannabis Law

Minnesota's new adult-use cannabis law permits the personal use, possession, and transportation of cannabis by those 21 years of age and older, and allows licensed businesses to conduct cultivation, manufacturing, transport, delivery, and sale of cannabis and cannabis products.

## For Individuals

- **Possession limits:**
  - Flower - 2 oz. in public, 2 lbs. in private residence
  - Concentrate - 8 g
  - Edibles (including lower-potency hemp) - 800 mg THC
- **Consumption** only allowed on private property or at licensed businesses with on-site consumption endorsements. Consumption not allowed in public.
- **Gifting** cannabis to another individual over 21 years old is allowed, subject to possession limits.
- **Home cultivation** is limited to four mature and four immature plants (eight total) in a single residence. Plants must be in an enclosed and locked space.
- **Home extraction** using volatile substances (e.g., butane, ethanol) is not allowed.
- **Unlicensed sales** are not allowed.



## For Businesses

- **Advertising:**
  - May not include or appeal to those under 21 years old.
  - Must include proper warning statements.
  - May not include misleading claims or false statements.
  - Billboards are not allowed.
- The flow of all products through the supply chain must be tracked by the state-authorized **tracking system**.
- All products sold to consumers and patients must be **tested for contaminants**.
- **Home delivery** is allowed by licensed businesses.



# ***The Cannabis Licensing Process***

An applicant will take the following steps to proceed from application to active licensure. As described, processes vary depending on social equity status and/or whether the type of license being sought is capped or uncapped in the general licensing process.

## ***License Preapproval: Early Mover Process for Social Equity Applicants***

The license preapproval process is a one-time application process available for verified social equity applicants. State law requires OCM to open the application window on July 24, 2024, and close the window on August 12, 2024. The preapproval process is available for the following license types, and all are capped in this process: microbusiness, mezzobusiness, cultivator, retailer, wholesaler, transporter, testing facility, and delivery service.

Preapproval steps:

1. Applicant's social equity applicant (SEA) status verified.
2. Complete application and submit application fees.
3. Application vetted for minimum requirements by OCM.
4. Application (if qualified) entered into lottery drawing.
5. If selected in lottery, OCM completes background check of selected applicant and issues license preapproval.
6. Applicant with license preapproval\* submits business location and amends application accordingly.
7. OCM forwards completed application to local government.
8. Local government completes certification of zoning compliance.
9. OCM conducts site inspection.
10. When regulations are adopted, license becomes active, operations may commence.

\*For social equity applicants with license preapproval for microbusiness, mezzobusiness, or a cultivator license, they may begin growing cannabis plants prior to the adoption of rules if OCM receives approval from local governments in a form and manner determined by the office. This is only applicable to cultivation and does not authorize retail sales or other endorsed activities of the licenses prior to the adoption of rules.

# ***The Cannabis Licensing Process (cont.)***

The general licensing process will align with the adoption of rules and OCM will share more information about the timing of general licensing process. The general licensing process includes social equity applicants and non-social equity applicants.

## ***General Licensing: Cultivator, Manufacturer, Retailer, Mezzobusiness***

1. Complete application and submit application fees.
2. Application vetted for minimum requirements by OCM.
3. Application (if qualified) entered into lottery drawing.
4. If selected in lottery, OCM completes background check of selected applicant and issues preliminary approval.
5. Applicant with preliminary approval submits business location and amends application accordingly.
6. OCM forwards completed application to local government.
7. Local government completes certification of zoning compliance.
8. OCM conducts site inspection.
9. License becomes active, operations may commence.\*

## ***General Licensing: Microbusiness, Wholesaler, Transporter, Testing Facility, Event Organizer***

1. Complete application and submit application fees.
2. Application vetted for minimum requirements by OCM.
3. For qualified applicants, OCM completes background check of vetted applicant and issues preliminary approval.
4. Selected applicant submits business location and amends application accordingly.
5. OCM forwards completed application to local government.
6. Local government completes certification of zoning compliance.
7. OCM conducts site inspection.
8. License becomes active, operations may commence.\*

\*For businesses seeking a retail endorsement (microbusiness, mezzobusiness, and retailer), a valid local retail registration is required prior to the business commencing any retail sales. See Page 16 for information on the local retail registration process.

# General Authorities

Local governments in Minnesota have various means of oversight over the cannabis market, as provided by the adult-use cannabis law. Local governments may not issue outright bans on cannabis business, or limit operations in a manner beyond what is provided by state law.

## **Cannabis Retail Restrictions (342.13)**

Local governments may limit the number of retailers and microbusiness/mezzobusinesses with retail endorsements allowed within their locality, as long as there is **at least one retail location per 12,500 residents**. Local units of government are not obligated to seek out a business to register as cannabis business if they have not been approached by any potential applicants, but cannot prohibit the establishment of a business if this population requirement is not met. Local units of government may also issue more than the minimum number of registrations. Per statutory direction, a municipal cannabis store (Page 19) cannot be included in the minimum number of registrations required. For population counts, the state demographer estimates will likely be utilized.

## **Tribal Governments (342.13)**

OCM is prohibited from and will not issue state licenses to businesses in Indian Country without consent from a tribal nation. Tribal nations hold the authority to license tribal cannabis businesses on tribal lands – this process is separate than OCM’s licensing process and authority. Subject to compacting, Tribal nations may operate cannabis businesses off tribal lands. There will be more information available once the compacting processes are complete.

## **Taxes (295.81; 295.82)**

Retail sales of taxable cannabis products are subject to the state and local sales and use tax and a 10% gross receipts tax. Cannabis gross receipts tax proceeds are allocated as follows: 20% to the local government cannabis aid account and 80% to the state general fund. Local taxes imposed solely on sale of cannabis products are prohibited.

Cannabis retailers will be subject to the same real property tax classification as all other retail businesses. Real property used for raising, cultivating, processing, or storing cannabis plants, cannabis flower, or cannabis products for sale will be classified as commercial and industrial property.

# General Authorities (cont.)

## Retail Timing Restrictions (342.13)

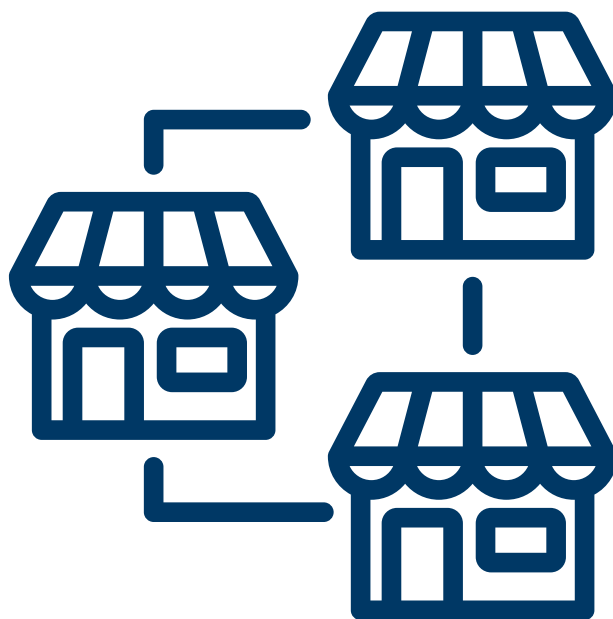
Local governments may prohibit retail sales of cannabis between the hours of 8 a.m. and 10 a.m. Monday-Saturday, and 9 p.m. and 2 a.m. the following day.

## Operating Multiple Locations with One License

Certain cannabis licenses allow for multiple retail locations to be operated under a single license, with the following limitations:

- **Retailers:** up to five retail locations.
- **Mezzobusinesses:** up to three retail locations.
- **Microbusinesses:** up to one retail location.
- **Medical cannabis combination businesses:** one retail location per congressional district. Additionally, medical cannabis combination businesses may cultivate at more than one location within other limitations on cultivation.

For all other license types, one license permits the operation of one location. Each retail location requires local certification and/or registration.



# Zoning and Land Use

## **Buffer Guidelines (342.13)**

State law does not restrict how a local government conducts its zoning designations for cannabis businesses, except that they may prohibit the operation of a cannabis business within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or an attraction within a public park that is regularly used by minors, including playgrounds and athletic fields.

## **Zoning Guidelines**

While each locality conducts its zoning differently, a few themes have emerged across the country. For example, cannabis manufacturing facilities are often placed in industrial zones, while cannabis retailers are typically found in commercial/retail zones. Cannabis retail facilities align with general retail establishments and are prohibited from allowing consumption or use onsite, and are also required to have plans to prevent the visibility of cannabis and hemp-derived products to individuals outside the retail location. Industrial hemp is an agricultural product, and should be zoned as such.

Cannabis businesses should be zoned under existing zoning ordinances in accordance with the license type or endorsed activities held by the cannabis business. Note that certain types of licenses may be able to perform multiple activities which may have different zoning analogues. In the same way municipalities may zone a microbrewery that predominately sells directly to onsite consumers differently than a microbrewery that sells packaged beer to retailers and restaurants, so too might a municipality wish to zone two microbusinesses based on the actual activities that each business is undertaking. Table 1, included on Pages 13 and 14, explains the types of activities that cannabis businesses might undertake, as well as, some recommended existing zoning categories.

# Zoning and Land Use (cont.)

**Table 1: Cannabis and Hemp Business Activities**

<b>Endorsed Activity</b>	<b>License Type Eligible to Do Endorsed Activity</b>	<b>Description of Activity</b>	<b>Comparable Districts</b>	<b>Municipal Considerations</b>
Cultivation	Cultivator Mezzobusiness Microbusiness Medical Cannabis Combination	"Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis plants, cannabis flower, hemp plants, or hemp plant parts.	Indoor: Industrial, Commercial, Production  Outdoor: Agricultural	Odor  Potential need for transportation from facility  Waste, water, and energy usage  Security
Cannabis Manufacturing, Processing, Extraction	Manufacturer Mezzobusiness Microbusiness Medical Cannabis Combination	This group of endorsed activities turn raw, dried cannabis and cannabis parts into other types of cannabis products, e.g. edibles or topicals.	Industrial, Commercial, Production	Odor  Potential need for transportation from facility  Waste, water, and energy usage  Security
Hemp Manufacturing	Lower-Potency Hemp Edible (LPHE) Manufacturing	These business convert hemp into LPHE edible products.	Industrial, Commercial, Production	Odor Waste, water, and energy
Wholesale	Wholesale Cultivator Manufacturer Mezzobusiness Microbusiness Medical Cannabis Combination	This activity and license type allows a business to purchase from a business growing or manufacturing cannabis or cannabis products and sell to a cannabis business engaged in retail.	Industrial, Commercial, Production	Need for transportation from facility  Security

# Zoning and Land Use (cont.)

**Table 1: Cannabis and Hemp Business Activities (continued)**

<b>Endorsed Activity</b>	<b>License Type Eligible to Do Endorsed Activity</b>	<b>Description of Activity</b>	<b>Comparable Districts</b>	<b>Municipal Considerations</b>
Cannabis Retail	Retail Mezzobusiness Microbusiness Medical Cannabis Combination	This endorsed activity and license types allow a business to sell cannabis and cannabis products directly to consumers.	Retail, Neighborhood Shopping Districts, Light Industrial, Existing districts where off-sale liquor or tobacco sales are allowed.	Micros may offer onsite consumption, similar to breweries.  Micros and Mezzos may include multiple activities: cultivation, manufacture, and/or retail.
Transportation	Cannabis Transporter	This license type allows a company to transport products from one license type to another.		Fleet based business that will own multiple vehicles, but not necessarily hold a substantial amount of cannabis or cannabis products.
Delivery	Cannabis Delivery	This license type allows for transportation to the end consumer.		Fleet based business that will own multiple vehicles, but not necessarily hold a substantial amount of cannabis or cannabis products.
Events	Event Organizer	This license entitles license holder to organizer a temporary event lasting no more than four days.	Anywhere that the city permits events to occur, subject to other restrictions related to cannabis use.	On site consumption.  Retail sales by a licensed or endorsed retail business possible.

# Local Approval Process

Local governments play a critical role in the licensing process, serving as a near-final approval check on cannabis businesses nearing the awarding of a state license for operations. Once an applicant has been vetted by OCM and is selected for proceeding in the verification process, they are then required to receive the local government's certification of zoning compliance and/or local retail registration before operations may commence.



## Local Certification of Zoning Compliance (342.13; 342.14)

Following OCM's vetting process, local governments must **certify** that the applicant with preliminary approval has achieved **compliance with local zoning ordinances** prior to the licensee receiving final approval from OCM to commence operations.

During the application and licensing process for cannabis businesses, OCM will notify a local government when an applicant intends to operate within their jurisdiction and request a certification as to whether a proposed cannabis business complies with local zoning ordinances, and if applicable, whether the proposed business complies with state fire code and building code.

According to Minnesota's cannabis law, a local unit of government has 30 days to respond to this request for certification of compliance. If a local government does not respond to OCM's request for certification of compliance within the 30 days, the cannabis law allows OCM to issue a license. OCM may not issue the final approval for a license if the local government has indicated they are not in compliance.

OCM will work with local governments to access the licensing software system to complete this zoning certification process.

# ***Local Approval Process (cont.)***

## ***Local Retail Registration Process (342.22)***

Once the licensing process begins, local government registration applies to cannabis retailers or other cannabis/hemp businesses seeking a retail endorsement. Local governments must issue a retail registration after verifying that:

- The business has a valid license or license preapproval issued by OCM.
- The business has paid a registration fee or renewal fee to the local government;
  - Initial registration fees collected by a local government may be \$500 or half the amount of the applicable initial license fee, whichever is less, and renewal registration fees may be \$1,000 or half the amount of the applicable renewal license fee, whichever is less.
- The business is found to be in compliance with Chapter 342 and local ordinances.
- If applicable, the business is current on all property taxes and assessments for the proposed retail location.

Local registrations may also be issued by counties if the respective local government transfers such authorities to the county.

## ***Determining a Process for Limiting Retail Registrations***

If a local government wishes to place a limitation on the number of retailers and microbusiness/mezzobusinesses with retail endorsements allowed within their locality (as long as there is at least one retail location per 12,500 residents, see Page 10), state law does not define the process for a local government's selection if there are more applicants than registrations available. A few options for this process include the use of a lottery, a first-come/first-serve model, a rolling basis, and others. Local governments should work with an attorney to determine their specific process for selection if they wish to limit the number of licensed cannabis retailers per 342.13. Local governments are not required to limit the number of licensed cannabis retailers.

# Local Approval Process (cont.)

Local governments are permitted specific authorities for registration refusal and registration suspension, in addition to—and not in conflict with—OCM authorities.

## Registration and Renewal Refusals

Local governments may refuse the registration and/or certification of a license renewal if the license is associated with an individual or business who no longer holds a valid license, has failed to pay the local registration or renewal fee, or has been found in noncompliance in connection with a preliminary or renewal compliance check.



## Local Registration Suspension (342.22)

Local governments may suspend the local retail registration of a cannabis business or hemp business if the business is determined to not be operating in compliance with a local ordinance authorized by 342.13 or if the operation of the business poses an immediate threat to the health and safety of the public. The local government must immediately notify OCM of the suspension if it occurs. OCM will review the suspension and may reinstate the registration or take enforcement action.

## Expedited Complaint Process (342.13)

Per state law, OCM will establish an expedited complaint process during the rulemaking process to receive, review, read, and respond to complaints made by a local unit of government about a cannabis business. Upon promulgation of rules, OCM will publish the complaint process.

At a minimum, the expedited complaint process shall require the office to provide an initial response to the complaint within seven days and perform any necessary inspections within 30 days. Within this process, if a local government notifies OCM that a cannabis business poses an immediate threat to the health or safety of the public, the office must respond within one business day.

# Inspections & Compliance Checks

Local governments are permitted specific business inspection and compliance check authorities, in addition to—and not in conflict with—OCM authorities.

## Inspections and Compliance Checks (342.22)

Local governments must conduct **compliance checks** for cannabis and hemp businesses holding retail registration **at least once per calendar year**. These compliance checks must verify compliance with age verification procedures and compliance with any applicable local ordinance established pursuant to 342.13. OCM maintains inspection authorities for all cannabis licenses to verify compliance with operation requirements, product limits, and other applicable requirements of Chapter 342.



# Municipal Cannabis Stores

As authorized in Chapter 342.32, local governments are permitted to apply for a cannabis retail license to establish and operate a municipal cannabis store.

State law requires OCM issue a license to a city or county seeking to operate a single municipal cannabis store if the city or county:

- Submits required application information to OCM,
- Meets minimum requirements for licensure, and
- Pays applicable application and license fee.

A municipal cannabis store will not be included in the total count of retail licenses issued by the state under Chapter 342.

A municipal cannabis store cannot be counted as retail registration for purposes of determining whether a municipality's cap on retail registrations imposed by ordinance.



# Creating Your Local Ordinance

As authorized in 342.13, a local government may adopt a local ordinance regarding cannabis businesses. Establishing local governments' ordinances on cannabis businesses in a timely manner is critical for the ability for local cities or towns to establish local control as described in the law, and is necessary for the success of the statewide industry and the ability of local governments to protect public health and safety. The cannabis market's potential to create jobs, generate revenue, and contribute to economic development at the local and state level is supported through local ordinance work. The issuance of local certifications and registrations to prospective cannabis businesses is also dependent on local ordinances.

- Local governments may not prohibit the possession, transportation, or use of cannabis, or the establishment or operation of a cannabis business licensed under state law.
- Local governments may adopt reasonable restrictions on the time, place, and manner of cannabis business operations (see Page 11).
- Local governments may adopt interim ordinances to protect public safety and welfare, as any studies and/or further considerations on local cannabis activities are being conducted, until January 1, 2025. A public hearing must be held prior to adoption of an interim ordinance.
- If your local government wishes to operate a municipal cannabis store, the establishment and operation of such a facility must be considered in a local ordinance.



## Model Ordinance

For additional guidance regarding the creation of a cannabis related ordinance, please reference the addendum in this packet.

# ***Additional Resources***

## ***OCM Toolkit for Local Partners***

Please visit OCM webpage ([mn.gov/ocm/local-governments/](https://mn.gov/ocm/local-governments/)) for additional information, including a toolkit of resources developed specifically for local government partners. The webpage will be updated as additional information becomes available and as state regulations are adopted.

These resources are also included in the addendum of this packet.

Toolkit resources include:

- Appendix A: Model Ordinance
- Appendix B: Retail Registration Form and Checklist
- Appendix C: Hemp Flower and Hemp-Derived Cannabinoid Product Checklist
- Appendix D: Enforcement Notice from the Office of Cannabis Management
- Appendix E: Notice to Unlawful Cannabis Sellers

## ***Local Organizations***

There are several organizations who also have developed resources to support local governments regarding the cannabis industry. Please feel free to contact the following for additional resources:

- League of Minnesota Cities
- Association of Minnesota Counties
- Minnesota Public Health Law Center

# *Appendix A: Model Ordinance*

## Cannabis Model Ordinance

*The following model ordinance is meant to be used as a resource for cities, counties, and townships within Minnesota. The italicized text in red is meant to provide commentary and notes to jurisdictions considering using this ordinance and should be removed from any ordinance formally adopted by said jurisdiction. Certain items are not required to be included in the adopted ordinance: 'OR' and (optional) are placed throughout for areas where a jurisdiction may want to consider one or more choices on language.*

Section 1	Administration
Section 2	Registration of Cannabis Business
Section 3	Requirements for a Cannabis Business (Time, Place, Manner)
Section 4	Temporary Cannabis Events
Section 5	Lower Potency Hemp Edibles
Section 6	Local Government as a Retailer
Section 7	Use of Cannabis in Public

### AN ORDINANCE OF THE (CITY/COUNTY OF \_\_\_\_\_) TO REGULATE CANNABIS BUSINESSES

The (city council/town board/county board) of (city/town/county) hereby ordains:

#### Section 1. Administration

##### 1.1 Findings and Purpose

(insert local authority) makes the following legislative findings:

The purpose of this ordinance is to implement the provisions of Minnesota Statutes, chapter 342, which authorizes (insert local authority) to protect the public health, safety, welfare of (insert local here) residents by regulating cannabis businesses within the legal boundaries of (insert local here).

(insert local authority) finds and concludes that the proposed provisions are appropriate and lawful land use regulations for (insert local here), that the proposed amendments will promote the community's interest in reasonable stability in zoning for now and in the future, and that the proposed provisions are in the public interest and for the public good.

##### 1.2 Authority & Jurisdiction

*A county can adopt an ordinance that applies to unincorporated areas and cities that have delegated authority to impose local zoning controls.*

(insert local authority) has the authority to adopt this ordinance pursuant to:

- a) Minn. Stat. 342.13(c), regarding the authority of a local unit of government to adopt reasonable restrictions of the time, place, and manner of the operation of

a cannabis business provided that such restrictions do not prohibit the establishment or operation of cannabis businesses.

- b) Minn. Stat. 342.22, regarding the local registration and enforcement requirements of state-licensed cannabis retail businesses and lower-potency hemp edible retail businesses.
- c) Minn. Stat. 152.0263, Subd. 5, regarding the use of cannabis in public places.
- d) Minn. Stat. 462.357, regarding the authority of a local authority to adopt zoning ordinances.

Ordinance shall be applicable to the legal boundaries of (insert local here).

(Optional) (insert city here) has delegated cannabis retail registration authority to (insert county here). However, (insert city here) may adopt ordinances under Sections (2.6, 3 and 4) if (insert county here) has not adopted conflicting provisions.

### 1.3 Severability

If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

### 1.4 Enforcement

*The elected body of a jurisdiction can choose to designate an official to administer and enforce this ordinance.*

The (insert name of local government or designated official) is responsible for the administration and enforcement of this ordinance. Any violation of the provisions of this ordinance or failure to comply with any of its requirements constitutes a misdemeanor and is punishable as defined by law. Violations of this ordinance can occur regardless of whether or not a permit is required for a regulated activity listed in this ordinance.

### 1.5 Definitions

1. Unless otherwise noted in this section, words and phrases contained in Minn. Stat. 342.01 and the rules promulgated pursuant to any of these acts, shall have the same meanings in this ordinance.
2. Cannabis Cultivation: A cannabis business licensed to grow cannabis plants within the approved amount of space from seed or immature plant to mature plant. harvest cannabis flower from mature plant, package and label immature plants and seedlings and cannabis flower for sale to other cannabis businesses, transport cannabis flower to a cannabis manufacturer located on the same premises, and perform other actions approved by the office.
3. Cannabis Retail Businesses: A retail location and the retail location(s) of a mezzobusinesses with a retail operations endorsement, microbusinesses with a retail operations endorsement, medical combination businesses operating a retail location, (and/excluding) lower-potency hemp edible retailers.

4. Cannabis Retailer: Any person, partnership, firm, corporation, or association, foreign or domestic, selling cannabis product to a consumer and not for the purpose of resale in any form.
5. Daycare: A location licensed with the Minnesota Department of Human Services to provide the care of a child in a residence outside the child's own home for gain or otherwise, on a regular basis, for any part of a 24-hour day.
6. Lower-potency Hemp Edible: As defined under Minn. Stat. 342.01 subd. 50.
7. Office of Cannabis Management: Minnesota Office of Cannabis Management, referred to as "OCM" in this ordinance.
8. Place of Public Accommodation: A business, accommodation, refreshment, entertainment, recreation, or transportation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages or accommodations are extended, offered, sold, or otherwise made available to the public.
9. Preliminary License Approval: OCM pre-approval for a cannabis business license for applicants who qualify under Minn. Stat. 342.17.
10. Public Place: A public park or trail, public street or sidewalk; any enclosed, indoor area used by the general public, including, but not limited to, restaurants; bars; any other food or liquor establishment; hospitals; nursing homes; auditoriums; arenas; gyms; meeting rooms; common areas of rental apartment buildings, and other places of public accommodation.
11. Residential Treatment Facility: As defined under Minn. Stat. 245.462 subd. 23.
12. Retail Registration: An approved registration issued by the (insert local here) to a state-licensed cannabis retail business.
13. School: A public school as defined under Minn. Stat. 120A.05 or a nonpublic school that must meet the reporting requirements under Minn. Stat. 120A.24.
14. State License: An approved license issued by the State of Minnesota's Office of Cannabis Management to a cannabis retail business.

## Section 2. Registration of Cannabis Businesses

*A city or town can delegate authority for registration to the County. A city or town can still adopt specific requirement regarding zoning, buffers, and use in public places, provided said requirements are not in conflict with an ordinance adopted under the delegated authority granted to the County.*

### 2.1 Consent to registering of Cannabis Businesses

No individual or entity may operate a state-licensed cannabis retail business within (insert local here) without first registering with (insert local here).

Any state-licensed cannabis retail business that sells to a customer or patient without valid retail registration shall incur a civil penalty of (up to \$2,000) for each violation.

Notwithstanding the foregoing provisions, the state shall not issue a license to any cannabis business to operate in Indian country, as defined in United States Code, title 18, section 1151, of a Minnesota Tribal government without the consent of the Tribal government.

## 2.2 Compliance Checks Prior to Retail Registration

*A jurisdiction can choose to conduct a preliminary compliance check prior to issuance of retail registration.*

Prior to issuance of a cannabis retail business registration, (insert local here) (shall/shall not) conduct a preliminary compliance check to ensure compliance with local ordinances.

Pursuant to Minn. Stat. 342, within 30 days of receiving a copy of a state license application from OCM, (insert local here) shall certify on a form provided by OCM whether a proposed cannabis retail business complies with local zoning ordinances and, if applicable, whether the proposed business complies with the state fire code and building code.

## 2.3 Registration & Application Procedure

### 2.3.1 Fees.

(insert local here) shall not charge an application fee.

A registration fee, as established in (insert local here)'s fee schedule, shall be charged to applicants depending on the type of retail business license applied for.

An initial retail registration fee shall not exceed \$500 or half the amount of an initial state license fee under Minn. Stat. 342.11, whichever is less. The initial registration fee shall include the initial retail registration fee and the first annual renewal fee.

Any renewal retail registration fee imposed by (insert local here) shall be charged at the time of the second renewal and each subsequent renewal thereafter.

A renewal retail registration fee shall not exceed \$1,000 or half the amount of a renewal state license fee under Minn. Stat. 342.11, whichever is less.

A medical combination business operating an adult-use retail location may only be charged a single registration fee, not to exceed the lesser of a single retail registration fee, defined under this section, of the adult-use retail business.

### 2.3.2 Application Submittal.

The (insert local here) shall issue a retail registration to a state-licensed cannabis retail business that adheres to the requirements of Minn. Stat. 342.22.

(A) An applicant for a retail registration shall fill out an application form, as provided by the (insert local here). Said form shall include, but is not limited to:

- i. Full name of the property owner and applicant;
- ii. Address, email address, and telephone number of the applicant;
- iii. The address and parcel ID for the property which the retail registration is sought;
- iv. Certification that the applicant complies with the requirements of local ordinances established pursuant to Minn. Stat. 342.13.
- v. (Insert additional standards here)

(B) The applicant shall include with the form:

- i. the registration fee as required in [Section 2.3.1];
  - ii. a copy of a valid state license or written notice of OCM license preapproval;
  - iii. (Insert additional standards here)
- (C) Once an application is considered complete, the (insert local government designee) shall inform the applicant as such, process the application fees, and forward the application to the (insert staff/department, or elected body that will approve or deny the request) for approval or denial.
- (D) The application fee shall be non-refundable once processed.

### 2.3.3 Application Approval

- (A) (Optional) A state-licensed cannabis retail business application shall not be approved if the cannabis retail business would exceed the maximum number of registered cannabis retail businesses permitted under Section 2.6.
- (B) A state-licensed cannabis retail business application shall not be approved or renewed if the applicant is unable to meet the requirements of this ordinance.
- (C) A state-licensed cannabis retail business application that meets the requirements of this ordinance shall be approved.

### 2.3.4 Annual Compliance Checks.

The (insert local here) shall complete at minimum one compliance check per calendar year of every cannabis business to assess if the business meets age verification requirements, as required under [Minn. Stat. 342.22 Subd. 4(b) and Minn. Stat. 342.24] and this/these [chapter/section/ordinances].

The (insert local here) shall conduct at minimum one unannounced age verification compliance check at least once per calendar year.

Age verification compliance checks shall involve persons at least 17 years of age but under the age of 21 who, with the prior written consent of a parent or guardian if the person is under the age of 18, attempt to purchase adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products under the direct supervision of a law enforcement officer or an employee of the local unit of government.

Any failures under this section must be reported to the Office of Cannabis Management.

### 2.3.5 Location Change

*A jurisdiction may decide to treat location changes as a new registration, or alternatively treat a location change as allowable subject to compliance with the rest of the registration process.*

A state-licensed cannabis retail business shall be required to submit a new application for registration under Section 2.3.2 if it seeks to move to a new location still within the legal boundaries of (insert local here).

or

If a state-licensed cannabis retail business seeks to move to a new location still within the legal boundaries of (insert local here), it shall notify (insert local here) of the proposed location change, and submit necessary information to meet all the criteria in this paragraph.

## 2.4 Renewal of Registration

The (insert local here) shall renew an annual registration of a state-licensed cannabis retail business at the same time OCM renews the cannabis retail business' license.

A state-licensed cannabis retail business shall apply to renew registration on a form established by (insert local here).

A cannabis retail registration issued under this ordinance shall not be transferred.

### *2.4.1 Renewal Fees.*

The (insert local here) may charge a renewal fee for the registration starting at the second renewal, as established in (insert local here)'s fee schedule.

### *2.4.2 Renewal Application.*

The application for renewal of a retail registration shall include, but is not limited to:

- Items required under Section 2.3.2 of this Ordinance.
- Insert additional items here

## 2.5 Suspension of Registration

### *2.5.1 When Suspension is Warranted.*

The (insert local here) may suspend a cannabis retail business's registration if it violates the ordinance of (insert local here) or poses an immediate threat to the health or safety of the public. The (insert local here) shall immediately notify the cannabis retail business in writing the grounds for the suspension.

### *2.5.2 Notification to OCM.*

The (insert local here) shall immediately notify the OCM in writing the grounds for the suspension. OCM will provide (insert local here) and cannabis business retailer a response to the complaint within seven calendar days and perform any necessary inspections within 30 calendar days.

### *2.5.3 Length of Suspension.*

*A jurisdiction can wait for a determination from the OCM before reinstating a registration.*

The suspension of a cannabis retail business registration may be for up to 30 calendar days, unless OCM suspends the license for a longer period. The business may not make sales to customers if their registration is suspended.

The (insert local here) may reinstate a registration if it determines that the violations have been resolved.

The (insert local here) shall reinstate a registration if OCM determines that the violation(s) have been resolved.

#### 2.5.4 Civil Penalties.

Subject to Minn. Stat. 342.22, subd. 5(e) the (insert local here) may impose a civil penalty, as specified in the (insert local here)'s Fee Schedule, for registration violations, not to exceed \$2,000.

### 2.6 Limiting of Registrations

*A jurisdiction may choose to set a limit on the number of retail registrations within its boundaries. The jurisdiction may not however, limit the number of registrations to fewer than one per 12,500 residents.*

*(Optional)* The (insert local here) shall limit the number of cannabis retail businesses to no fewer than one registration for every 12,500 residents within (insert local legal boundaries here).

*(Optional)* If (insert county here) has one active cannabis retail businesses registration for every 12,500 residents, the (insert local here) shall not be required to register additional state-licensed cannabis retail businesses.

*(Optional)* The (insert local here) shall limit the number of cannabis retail businesses to (insert number <= minimum required).

## Section 3. Requirements for Cannabis Businesses

*State Statutes note that jurisdictions may “adopt reasonable restrictions on the time, place, and manner of the operation of a cannabis business.” A jurisdiction considering other siting requirements (such as a buffer between cannabis businesses, or a buffer from churches) should consider whether there is a basis to adopt such restrictions.*

### 3.1 Minimum Buffer Requirements

*A jurisdiction can adopt buffer requirements that prohibit the operation of a cannabis business within a certain distance of schools, daycares, residential treatment facilities, or from an attraction within a public park that is regularly used by minors, including a playground or athletic field. Buffer requirements are optional. A jurisdiction cannot adopt larger buffer requirements than the requirements here in Section 3.1. A jurisdiction should use a measuring system consistent with the rest of its ordinances, e.g. from lot line or center point of lot.*

*(Optional)* The (insert local here) shall prohibit the operation of a cannabis business within [0-1,000] feet of a school.

(Optional) The (insert local here) shall prohibit the operation of a cannabis business within [0-500] feet of a day care.

(Optional) The (insert local here) shall prohibit the operation of a cannabis business within [0-500] feet of a residential treatment facility.

(Optional) The (insert local here) shall prohibit the operation of a cannabis business within [0-500] feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.

(Optional) The (insert local here) shall prohibit the operation of a cannabis retail business within [X] feet of another cannabis retail business.

Pursuant to Minn. Stat. 462.357 subd. 1e, nothing in Section 3.1 shall prohibit an active cannabis business or a cannabis business seeking registration from continuing operation at the same site if a (school/daycare/residential treatment facility/attraction within a public park that is regularly used by minors) moves within the minimum buffer zone.

### 3.2 Zoning and Land Use

*For jurisdictions with zoning, said jurisdiction can limit what zone(s) Cannabis businesses can operate in. As with other uses in a Zoning Ordinance, a jurisdiction can also determine if such use requires a Conditional or Interim Use permit. A jurisdiction cannot outright prohibit a cannabis business. A jurisdiction should amend their Zoning Ordinance and list what zone(s) Cannabis businesses are permitted in, and whether they are permitted, conditional, or interim uses. While each locality conducts its zoning differently, a few themes have emerged across the country. For example, cannabis manufacturing facilities are often placed in industrial zones, while cannabis retailers are typically found in commercial/retail zones. Cannabis retail facilities align with general retail establishments and are prohibited from allowing consumption or use onsite and are also required to have plans to prevent the visibility of cannabis and hemp-derived products to individuals outside the retail location. Cannabis businesses should be zoned under existing zoning ordinances in accordance with the license type or endorsed activities held by the cannabis business.*

#### 3.2.1. Cultivation.

Cannabis businesses licensed or endorsed for cultivation are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

#### 3.2.1. Cannabis Manufacturer.

Cannabis businesses licensed or endorsed for cannabis manufacturer are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

#### *3.2.1. Hemp Manufacturer.*

Businesses licensed or endorsed for low-potency hemp edible manufacturers permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

#### *3.2.1. Wholesale.*

Cannabis businesses licensed or endorsed for wholesale are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

#### *3.2.1. Cannabis Retail.*

Cannabis businesses licensed or endorsed for cannabis retail are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

#### *3.2.1. Cannabis Transportation.*

Cannabis businesses licensed or endorsed for transportation are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

#### *3.2.1. Cannabis Delivery.*

Cannabis businesses licensed or endorsed for delivery are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

### 3.3 Hours of Operation

*State law limits the retail sale of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products to the hours of:*

- *Monday-Saturday: 8 a.m.-2 a.m. the following day*
- *Sunday: 10 a.m.-2 a.m.*

*A local jurisdiction may adopt an ordinance prohibiting sales for any period between the hours of 8 a.m.-10 a.m. and between 9 p.m.-2 a.m. the following day, seven days a week.*

(Optional) Cannabis businesses are limited to retail sale of cannabis, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products between the hours of (insert time here) and (insert time here).

### 3.4 (Optional) Advertising

Cannabis businesses are permitted to erect up to two fixed signs on the exterior of the building or property of the business, unless otherwise limited by (insert local here)'s sign ordinances.

## Section 4. Temporary Cannabis Events

*Any individual or business seeking to obtain a cannabis event license must provide OCM information about the time, location, layout, number of business participants, and hours of operation. A cannabis event organizer must receive local approval, including obtaining any necessary permits or licenses issued by a local unit of government before holding a cannabis event.*

### 4.1 License or Permit Required for Temporary Cannabis Events

#### 4.1.1 License Required.

*A cannabis event organizer license entitles the license holder to organize a temporary cannabis event lasting no more than four days. A jurisdiction should determine what type of approval is consistent with their existing ordinances for events.*

A license or permit is required to be issued and approved by (insert local here) prior to holding a Temporary Cannabis Event.

#### 4.1.2 Registration & Application Procedure

A registration fee, as established in (insert local here)'s fee schedule, shall be charged to applicants for Temporary Cannabis Events.

#### 4.1.3 Application Submittal & Review.

The (insert local here) shall require an application for Temporary Cannabis Events.

- (A) An applicant for a retail registration shall fill out an application form, as provided by the (insert local here). Said form shall include, but is not limited to:
  - i. Full name of the property owner and applicant;
  - ii. Address, email address, and telephone number of the applicant;
  - iii. (Insert additional standards here)
- (B) The applicant shall include with the form:
  - i. the application fee as required in (Section 4.1.2);
  - ii. a copy of the OCM cannabis event license application, submitted pursuant to 342.39 subd. 2.

The application shall be submitted to the (insert local authority), or other designee for review. If the designee determines that a submitted application is incomplete, they shall return the application to the applicant with the notice of deficiencies.

- (C) Once an application is considered complete, the designee shall inform the applicant as such, process the application fees, and forward the application to the (insert staff/department, or elected body that will approve or deny the request) for approval or denial.

(D) The application fee shall be non-refundable once processed.

(E) The application for a license for a Temporary Cannabis Event shall meet the following standards:

*A jurisdiction may establish standards for Temporary cannabis events which the event organizer must meet, including restricting or prohibiting any on-site consumption. If there are public health, safety, or welfare concerns associated with a proposed cannabis event, a jurisdiction would presumably be authorized to deny approval of that event.*

- Insert standards here

(G) A request for a Temporary Cannabis Event that meets the requirements of this Section shall be approved.

(H) A request for a Temporary Cannabis Event that does not meet the requirements of this Section shall be denied. The (insert city/town/county) shall notify the applicant of the standards not met and basis for denial.

(Optional) Temporary cannabis events shall only be held at (insert local place).

(Optional) Temporary cannabis events shall only be held between the hours of (insert start time) and (insert stop time).

## Section 5. (Optional) Lower-Potency Hemp Edibles

*A jurisdiction can establish different standards or requirements regarding Low-Potency Edibles. A jurisdiction can consider including the following section and subsections in their cannabis ordinance.*

### 5.1 Sale of Low-Potency Hemp Edibles

The sale of Low-Potency Edibles is permitted, subject to the conditions within this Section.

### 5.2 Zoning Districts

*If sales are permitted, a jurisdiction can limit what zone(s) the sales of Low-Potency Edibles can take place in. A jurisdiction can also determine if such activity requires a Conditional or Interim Use permit.*

Low-Potency Edibles businesses are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

### 5.3 (Optional) Additional Standards

#### 5.3.1 Sales within Municipal Liquor Store.

*A jurisdiction that already operates a Municipal Liquor Store may sell Low-Potency Edibles within the same store.*

The sale of Low-Potency Edibles is permitted in a Municipal Liquor Store.

#### *5.3.2 Age Requirements.*

*A jurisdiction is able to restrict the sale of Low-Potency Edibles to locations such as bars.*

The sale of Low-Potency Edibles is permitted only in places that admit persons 21 years of age or older.

#### *5.3.3 Beverages.*

The sale of Low-Potency Hemp Beverages is permitted in places that meet requirements of this Section.

#### *5.3.4 Storage of Product.*

*A jurisdiction is able to set requirements on storage and sales of Low-Potency Edibles.*

Low-Potency Edibles shall be sold behind a counter, and stored in a locked case.

### Section 6. (Optional) Local Government as a Cannabis Retailer

(insert local here) may establish, own, and operate one municipal cannabis retail business subject to the restrictions in this chapter.

The municipal cannabis retail store shall not be included in any limitation of the number of registered cannabis retail businesses under Section 2.6.

(insert local here) shall be subject to all same rental license requirements and procedures applicable to all other applicants.

### Section 7. Use in Public Places

No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place or a place of public accommodation unless the premises is an establishment or an event licensed to permit on-site consumption of adult-use.

# ***Appendix B: Retail Registration Form and Checklist***

## Retail Registration Form and Checklist

Local Unit of Government:

Business Name:

Business Address:

Minnesota Cannabis Business License Number:

### Registration Period

Initial

Renewal

Cannabis Microbusiness (\$0.00)

Cannabis Microbusiness (\$1000.00)

Cannabis Mezzobusiness (\$500.00)

Cannabis Mezzobusiness (\$1000.00)

Cannabis Retailer (\$500.00)

Cannabis Retailer (\$1000.00)

Is Applicant Current on All Property Tax and Assessments at Retail Location:

Yes

No

Preliminary Local Ordinance Compliance:

Pass

Fail

Notes:

The above named applicant having paid the appropriate fees, being current on all applicable tax obligations, and having passed a preliminary compliance review, is authorized to engage in retail cannabis sales in the above named jurisdiction.

Approved By:

Title:

Date:

# ***Appendix C: Hemp Flower and Hemp-Derived Cannabinoid Product Checklist***



Office of Cannabis Management  
 Department of Health

## Hemp Flower and Hemp-Derived Cannabinoid Product Checklist

Minnesota Statute 18K.02, Definitions  
 Minnesota Statute 152.01, Subdivision 9  
 Minnesota Statute 151.72, Sale of Certain Cannabinoid Products

Minnesota Statute 152.0264, Cannabis Sale Crimes  
 Minnesota Statute 342.09, Personal Adult Use of Cannabis

Question	Yes	No	Comments	Additional Information
<b>Business License and Registration Compliance</b>				
Is the business registered with the Minnesota Department of Health?				All businesses selling hemp-derived cannabinoid products must be registered. See <a href="http://www.health.state.mn.us/people/cannabis/edibles/index.html">Hemp-Derived Cannabinoid Products (www.health.state.mn.us/people/cannabis/edibles/index.html)</a>
If the business offers on-site consumption, do they have a liquor license?				Local authorities issue on-site consumption licenses. These are required for all businesses permitting on-site consumption of THC.
<b>Product Compliance – All Products</b>				
Does the business ensure that all sales are made to persons 21 years old or older?				Only persons 21 years of age or older may purchase hemp-derived cannabinoid products, with the exception of topicals. These products may be sold to anyone.
Does the business have all edible cannabinoid products, except beverages, behind the counter or in a locked cabinet?				Businesses must ensure all edible cannabinoid products are secure and inaccessible to customers.

Question	Yes	No	Comments	Additional Information
Only delta-8 and delta-9 are allowed for human consumption. Does the business sell edibles or beverages with any other intoxicating cannabinoids?				MDH has identified products containing many different intoxicating cannabinoids, such as HHC, THC-O, THC-P, PHC, delta-10, delta-11, delta-8p, delta-9p, etc. The product must contain only delta-8 and/or delta-9.
Does the business sell any edible products that are similar to a product marketed to or consumed by children?				Edible products that appear similar to candy or snacks marketed toward or consumed by children are not allowed.
Does the label on the edible or beverage state “Keep out of reach of children”?				All products must include the warning label “Keep out of reach of children.”
Is the manufacturer’s name, address, website, and contact phone number included on the label or provided through a QR code?				If not, the product is not in compliance.
Does the QR code on the product bring the user to a Certificate of Analysis on the website, which includes the name of the independent testing laboratory, cannabinoid profile, and product batch number?				All products must be tested by batch in an independent, accredited laboratory. The results must include the cannabinoid profile.
Does the label on the product indicate the cannabinoids by serving and in total?				The label must indicate the potency by individual serving as well as in total.

Question	Yes	No	Comments	Additional Information
Does the label on the product make any claim the product offers any kind of health benefit?				Health claims are not permitted on hemp or cannabis products unless approved by the FDA. At this time, there is not an approved statement.
Does the label on the product state that the product does not claim to diagnose, treat, cure or prevent any disease?				The manufacturer cannot claim the product will provide any health benefit unless the product has been formally approved by the FDA.
Does the business sell CBD (or other forms of cannabidiol) in the form of a softgel, tablet, or tincture?				Non-intoxicating cannabinoids may only be sold in the form of an edible, beverage, or topical. Therefore, softgels and tablets cannot be sold. Tinctures must be labeled as either an edible or beverage and comply with the edible or beverage requirements.
<b>Product Compliance – Edibles</b>				
Does the edible product contain more than 5 mg delta-8 and/or delta-9 per serving?				Edibles may not exceed 5 mg delta-8 and/or delta-9 per serving.
Does the edible product package/container contain more than 50 mg total THC (delta-8 and/or delta-9)?				Edibles may not exceed 50 mg total delta-8 or delta-9 per package. The edible cannot contain any other form of THC or intoxicating cannabinoid.
Are all the edible product's servings clearly marked, wrapped, or scored <u>on</u> the product?				Edible product servings must be clearly distinguished on the product. Bulk products that require the consumer to measure are not allowed.

Question	Yes	No	Comments	Additional Information
Does the business sell any edible products in the shape of bears, worms, fruits, rings, ribbons?				Edibles in shapes that appeal to children are not allowed.
Is the edible product in a child-proof, tamper-evident, opaque container?				All edibles must be in a container that is child-resistant and tamper evident. If the container is clear, the business must place the edible into an opaque bag at the point of sale. Clear bags are not allowed.
<b>Product Compliance - Beverages</b>				
Does the beverage product contain more than 5 mg delta-8 or delta-9 per serving?				Beverages may not exceed 5 mg delta-8 and/or delta-9 per serving.
Does the beverage product contain more than 2 servings?				Beverages cannot exceed two servings, regardless of the THC potency.
Is the beverage product in an opaque container?				If the beverage is in a clear container, the business must place the beverage in an opaque bag at the point of sale.
<b>Product Compliance – Smokables (non-flower)</b>				
Does the business sell vapes, pre-rolls, dabs, or other smokable products which contain more than 0.3% THC?				<p>A product’s certificate of analysis will show the concentration of THC the product contains. The certificate typically is found through the QR code on the product package. In MDH’s experience, most vapes contain 50% - 90%+ THC.</p> <p>Pre-rolls may consist of raw hemp flower. These products are not regulated by 151.72. However, if a pre-roll is labeled as “infused” or “coated” have additional cannabinoids applied to the material, of which the product typically exceeds the 0.3% THC limit.</p>

Question	Yes	No	Comments	Additional Information
Does the business sell vapes, pre-rolls, dabs, or other smokeable products that contain other intoxicating cannabinoids, such as HHC?				MN Statutes do not allow any cannabinoid, other than delta-8 or delta-9, to be sold if the cannabinoid is intended to alter the structure or function of the body. HHC is a cannabinoid known to have potency greater than THC.
Does the business sell vapes, pre-rolls, dabs, or other smokable products which contain CBD?				Non-intoxicating cannabinoids cannot be smoked, vaped, or inhaled.
<b>Product Compliance – Flower</b>				
Does the business sell raw hemp flower?				<p>Raw hemp flower must contain 0.3% or less of delta-9 on a dry weight basis. Products exceeding 0.3% delta-9 dry weight are marijuana, and are illegal for sale.</p> <p>THC-A is the non psychoactive precursor to delta-9. Once heated THC-A converts to delta-9. In that process some amount of THC-A is lost.</p> <p>To determine whether, once heated, the hemp flower will exceed the allowable 0.3% of delta-9, one can use a decarboxylation formula which takes into account the conversion of THC-A into delta-9.</p> <p>That formula is as follows:  Total THC = (0.877 X THC-A) + d-9 THC)</p> <p>Raw flower must include a certificate of analysis to show testing below 0.3% delta-9.</p> <ul style="list-style-type: none"> <li>• A lack of a certificate of analysis would constitute an illegal sale.</li> </ul>

Question	Yes	No	Comments	Additional Information
				<ul style="list-style-type: none"> <li>A certificate of analysis showing that under the decarboxylation formula that delta-9 would exceed the 0.3% threshold would also indicate the flower is cannabis and not hemp and therefore being sold illegally.</li> </ul>
<b>Product Compliance – On-Site Consumption</b>				
If the business offers on-site consumption, do they serve the edible or beverage in its original packaging?				The business may not pour out or remove an edible from its original packaging.
If the business offers on-site consumption, do they mix a cannabis-infused beverage with alcohol?				The business may not mix cannabis-infused products with alcohol.
If the business offers on-site consumption, do they permit customers to remove from the premises products which have been removed from their original packaging?				Products which have been removed from their original packaging cannot be removed from the premises by the customer.

NOTE: If a person suspects that a hemp-derived cannabinoid product is being sold in violation of Minnesota law, they can use the complaint form at [Submitting Hemp-Derived Cannabinoid Product Complaints \(www.health.state.mn.us/people/cannabis/edibles/complaints.html\)](http://www.health.state.mn.us/people/cannabis/edibles/complaints.html).

# ***Appendix D: Enforcement Notice from the Office of Cannabis Management***

## Enforcement Notice from the Office of Cannabis Management

Dear Registered Hemp Derived Cannabinoid Business:

The Office of Cannabis Management (OCM), established in 2023, is charged with developing and implementing the operational and regulatory systems to oversee the cannabis industry in Minnesota as provided in Minnesota Statutes Chapter 342.

When Minnesota legalized the sale of adult-use of cannabis flower, cannabis products, and lower-potency hemp edibles/ hemp-derived consumer products, the Minnesota Legislature included statutory provisions, [Minnesota Statutes, chapter 152.0264](#), making the sale of cannabis illegal until a business is licensed by OCM. The Office of Cannabis Management has not yet issued licenses for the cultivation, manufacture, wholesale, transportation or retail sale of cannabis, therefore any retail sales of cannabis products, including cannabis flower, are illegal.

The Office of Cannabis Management has received complaints of retailers selling cannabis flower under the label of hemp flower. Under an agreement between The Minnesota Department of Health (MDH) and OCM, inspectors from MDH will begin to examine any flower products being sold during their regular inspections to determine whether they are indeed hemp flower or cannabis flower.

In distinguishing between hemp and cannabis flower, OCM, consistent with federal rules and regulations related to hemp under 7 CFR 990.1, will consider the total concentration of THC post-decarboxylation, which is the process by which THC-A is converted into Delta-9 to produce an intoxicating effect. The examination of raw flower products will include reviewing the certificate of analysis for compliance in several areas, including:

Compliance with the requirement that raw flower listed for sale includes a Certificate of Analysis (COA). Products for sale without a COA will constitute an illegal sale.

A COA that affirms concentrations of 0.3% or less of Delta-9 on a dry weight basis. Products exceeding 0.3% Delta-9 dry weight are considered marijuana and are therefore illegal to sell.

A COA that confirms that the total levels of Delta-9 and THC-A after the decarboxylation process do not exceed 0.3%. A COA that indicates the raw flower will exceed 0.3 percent Delta-9 post-decarboxylation, or a subsequent test conducted by an independent laboratory utilized by OCM that confirms Delta-9 in excess of 0.3 percent will be considered illegal.

[Minnesota Statutes, Chapter 342](#) governs Minnesota's cannabis market, and empowers OCM to ensure regulatory compliance. [Minnesota Statutes, chapter 342.09, subdivision 4](#) prohibits the retail sale of cannabis flower and cannabis products "without a license issued under this chapter that authorizes the sale."

To date, the Office of Cannabis Management has not issued any cannabis licenses, applications for licenses are expected to be available in the first half of 2025. As such, selling cannabis is a clear violation of law. Be aware that under [Minnesota Statutes, 342.09, subdivision 6](#), OCM may assess fines in excess of a \$1 million for violations of this law. Likewise, under [Minnesota Statutes, chapter 342.19](#), OCM is empowered to embargo any product that it has “probable cause to believe . . . is being distributed in violation of this chapter or rules adopted under this chapter[.]” Furthermore, violations of law may be considered in future licensing decisions made by OCM.

As inspectors enter the field, we encourage you to review the products you are currently selling to ensure they fall within the thresholds outlined above. If you have any questions related to the products you are selling, please send an email to [cannabis.info@state.mn.us](mailto:cannabis.info@state.mn.us).

Thank you for your attention to this matter.

A handwritten signature in black ink, appearing to read "Charlene Briner", with a long horizontal flourish extending to the right.

Charlene Briner  
Interim Director  
Office of Cannabis Management

# ***Appendix E: Notice to Unlawful Cannabis Sellers***

## Notice to Unlawful Cannabis Sellers

This notice is to inform you that your current course of action may run afoul of Minnesota law, and continuing this course of action may result in civil actions and potential criminal prosecution. To avoid such outcomes, you should immediately cease and desist any plans to engage in the unlicensed sale of cannabis and cannabis products.

[Minnesota Statutes, Chapter 342 \(www.revisor.mn.gov/statutes/cite/342\)](http://www.revisor.mn.gov/statutes/cite/342) governs Minnesota's cannabis market, and empowers OCM to ensure regulatory compliance. [Minnesota Statutes, chapter 342.09, subdivision 4 \(www.revisor.mn.gov/statutes/cite/342.09#stat.342.09.4\)](http://www.revisor.mn.gov/statutes/cite/342.09#stat.342.09.4) prohibits the retail sale of cannabis flower and cannabis products "without a license issued under this chapter that authorizes the sale." To date the Office of Cannabis Management has not issued any retail, or other, cannabis licenses. As such, your plan to sell cannabis in a retail setting at this date would be in flagrant violation of the law. Be aware that under [Minnesota Statutes, 342.09, subdivision 6 \(www.revisor.mn.gov/statutes/cite/342.09#stat.342.09.6\)](http://www.revisor.mn.gov/statutes/cite/342.09#stat.342.09.6), OCM may assess fines in excess of a \$1,000,000 for violations of this law.

Likewise, under [Minnesota Statutes, chapter 342.19 \(www.revisor.mn.gov/statutes/cite/342.19\)](http://www.revisor.mn.gov/statutes/cite/342.19), OCM is empowered to embargo any product that it has "probable cause to believe . . . is being distributed in violation of this chapter or rules adopted under this chapter[.]" It is believed that products attempted to be sold at your retail location might be distributed in violation of the law, and would therefore be subject to embargo by OCM. Under [Minnesota Statutes, chapter 342.19, subd. 2 \(www.revisor.mn.gov/statutes/cite/342.19#stat.342.19.2\)](http://www.revisor.mn.gov/statutes/cite/342.19#stat.342.19.2), once embargoed OCM "shall release the cannabis plant, cannabis flower, cannabis product, artificially derived cannabinoid, lower-potency hemp edible, or hemp-derived consumer product when this chapter and rules adopted under this chapter have been complied with or the item is found not to be in violation of this chapter or rules adopted under this chapter."

While Minnesota has legalized the sale of adult-use of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products, the legislature did add new statutory provisions, [Minnesota Statutes, chapter 152.0264 \(www.revisor.mn.gov/statutes/cite/152.0264\)](http://www.revisor.mn.gov/statutes/cite/152.0264), making illegal the unlawful sale of cannabis. As there are not yet any licenses issued by OCM for the cultivation, manufacture, wholesale, transportation, or retail of cannabis, any sales of cannabis products in excess of the limits in 152.0264 is illegal.

If you are only planning to sell cannabinoid products that are derived from hemp, you should ensure that the sale of those products is consistent with [Minnesota Statutes, chapter 151.72 \(www.revisor.mn.gov/statutes/cite/151.72\)](http://www.revisor.mn.gov/statutes/cite/151.72), including but not limited to the requirement that your business be registered with the Commissioner of Health, and that all products are in compliance with the relevant statutes.

Finally, in addition to the state laws outlined above, please be aware that any retail location must be in compliance with local government ordinances and zoning requirements.

OCM takes seriously its charge to enforce Minnesota Statutes, Chapter 342, and its responsibility to ensure a safe and legal cannabis market. In order to avoid the above-described actions, all attempts to open a cannabis retail dispensary in Minnesota without the appropriate license should be ceased.

# City Cannabis Licensing 300 foot restriction zone

