



**Corcoran Planning Commission Agenda  
December 5, 2024 - 7:00 pm**

1. **Call to Order / Roll Call**
2. **Pledge of Allegiance**
3. **Agenda Approval**
4. **Open Forum – Public Comment Opportunity**
5. **Minutes**
  - a. Minutes – November 7, 2024, Meeting\*
6. **New Business**
  - a. **Public Hearing.** Old Farm Ridge Preliminary Plat and Variance (City File 24-034).
    - i. Staff Report
    - ii. Open Public Hearing
    - iii. Close Public Hearing
    - iv. Commission Discussion & Recommendation
  - b. **Public Hearing.** Cannabis Zoning Ordinance Amendment (City File 24-044).
    - i. Staff Report
    - ii. Open Public Hearing
    - iii. Close Public Hearing
    - iv. Commission Discussion & Recommendation
7. **Reports/Information**
  - a. Other Business
    - i. Draft 2024 Annual Report and 2025 Priorities
  - b. Planning Project Update\*
  - c. City Council Report\* – Council Liaison Vehrenkamp
8. **Commissioner Liaison Calendar**  
Suggested City Council Meetings

12/12/2024	01/09/2025	01/23/2025	02/13/2025	02/27/2025	03/13/2025
Kozicky	Lind	Yang	Brummond	Hargreaves	Kozicky

9. **Adjournment**

**HYBRID MEETING OPTION  
AVAILABLE**

*The public is invited to attend the regular Planning Commission meetings at City Hall.*

**Meeting Via Telephone/Other  
Electronic Means**

**Call-in Instructions:**

+1 305 224 1968 US

**Enter Meeting ID: 847 1826 9472**

**Video Link and Instructions:**

<https://us02web.zoom.us/j/84718269472>

Or visit <http://www.zoom.us> and enter

**Meeting ID: 847 1826 9472**

*\*Please note in-person comments will be taken at the scheduled meeting where noted. Comments received via email to the City Planner ([dklingbeil@corcoranmn.gov](mailto:dklingbeil@corcoranmn.gov)) or via public comment cards will also be accepted. All email and public comment cards must be received by the 4PM of the day before the meeting.*

For more information on options to provide public comment visit:



**Corcoran Planning Commission Minutes  
November 7, 2024 - 7:00 pm**

The Corcoran Planning Commission met on November 7, 2024, in Corcoran, Minnesota. All five Planning Commissioners were present in the Council Chambers. Members of the public were able to participate in-person and monitor the meeting through electronic means using the audio and video conferencing platform Zoom.

Present: Commissioners Brummond, Hargreaves, Kozicky, Lind, and Yang were present.

Also present: Community Development Director Davis McKeown, Planner Klingbeil, and Council Liaison Vehrenkamp.

**1. Call to Order / Roll Call**

**2. Pledge of Allegiance**

**3. Agenda Approval**

Motion made by Lind, seconded by Brummond, to approve the agenda for the November 7, 2024, Planning Commission Meeting.

Voting Aye: Brummond, Hargreaves, Kozicky, Lind, and Yang.  
(Motion passed 5:0).

**4. Open Forum (none)**

**5. Minutes**

Motion made by Hargreaves, seconded by Kozicky, to approve the October 3, 2024, Planning Commission Minutes.

Voting Aye: Brummond, Hargreaves, Kozicky, Lind, and Yang.  
(Motion passed 5:0).

**6. New Business – Public Comment Opportunity**

- a. **Public Hearing.** Tonka Auto Site Plan Amendment, Conditional Use Permit, and Interim Use Permit. (City File 24-008)
  - i. Planner Klingbeil presented the Staff Report.
  - ii. Public Hearing

Motion made by Brummond, seconded by Kozicky, to close the public hearing.

Voting Aye: Brummond, Hargreaves, Kozicky, Lind, and Yang.  
(Motion passed 5:0).

- iii. Commission Discussion & Recommendation – Commission discussion included a clarification of the number of stalls being requested with the IUP; clarification of the transferability of the CUP; clarification of the protections of the legal non-conforming residential use; the relationship between the rental dwelling license and the CUP; clarification of which stalls did not comply with the dimensional requirements; public safety’s lack of support for a drive aisle width variance; clarification of when the auto repair use began on the site; overview of the resolutions being reviewed; clarification of the impact reduced parking has on other uses on the site; clarification of the stalls being added to the site.

Motion made by Lind, seconded by Hargreaves, to recommend approval of the draft resolution approving the Site Plan Amendment, Conditional Use Permit, and Interim Use Permit for Tonka Auto.

Voting Aye: Brummond, Hargreaves, Kozicky, Lind, and Yang.  
(Motion passed 5:0).

**7. Reports/Information**

- a. Other Business – Commissioner Brummond asked for Commissioner Lind’s availability to act as chair for the December 5, 2024, Planning Commission meeting; The Commission agreed to reschedule the January 2025 Planning Commission meeting to Tuesday, January 7, 2025; Community Development Director Davis McKeown notified the Commission that July 2025 meeting is scheduled to July 8, 2025; and Commissioner Hargreaves asked about scheduling training sessions for the Commissioners.
- b. Planning Project Update\* - None.
- c. City Council Report\* – City Council Report included an acknowledgment of the volunteers who assisted on Election Day and the voter turnout; the Domino’s site demolition; the community survey for the City Park Remaster Project; other on-going park projects; the off-road trail for the Kariniemi Meadows development; bike users utilizing County Roads; and proposed on-road trails.

**8. Commissioner Liaison Calendar**

**9. Suggested City Council Meetings**

11/14/2024	11/25/2024	12/12/2024	01/09/2025	01/23/2025	02/13/2025
Brummond	Hargreaves	Kozicky	Lind	Yang	Brummond

**10. Adjournment**

Motion made by Brummond, seconded by Hargreaves, to adjourn the November 7, 2024, Planning Commission meeting.

Voting Aye: Brummond, Hargreaves, Kozicky, Lind, and Yang.  
(Motion passed 5:0).

The meeting adjourned at 7:47 pm.

# STAFF REPORT

# Agenda Item 6a.

<b>Planning Commission Meeting:</b> December 5, 2024	<b>Prepared By:</b> Dwight Klingbeil
<b>Topic:</b> Old Farm Ridge Preliminary Plat and Variance (PID 36-119-23-23-0008) (City File No. 24-034)	<b>Action Required:</b> Recommendation

## 1. Application Request

The applicant, Michael Kelly, requests approval of a preliminary plat application, Conditional Use Permit, and Variance for “Old Farm Ridge”. The plat will create a lot from Outlot A of the Country Seasons Estates subdivision. The request also includes a variance to plat a lot that is less than the 20-acre minimum lot size of the Urban Reserve (UR) district.



Figure 1 Site Location

## 2. Background

This parcel was platted as an outlot of the “Country Seasons Estates” subdivision in 1978. The outlot was unique as it contained a residential structure and multiple agricultural buildings, as part of the original farmstead. Whereas most other outlots contain no buildings, aside from a few Agricultural Buildings. These structures have progressively been removed throughout the years, with the final building being removed earlier this fall.

### *Zoning and Land Use*

The site is located in the Urban Reserve (UR) zoning district, and the Comprehensive Plan designates the site as Existing Residential. The property is located within the MUSA and is part of the fourth and final stage of the 2040 Staging Plan for municipal sanitary sewer and water.



Figure 2 Zoning Map

### *Surrounding Properties*

The properties to the north, east, and south of the site are zoned Urban Reserve (UR) and are also guided for Existing Residential. The property to the west is guided Planned Unit Development (PUD) and is an outlot of the Tavera 4<sup>th</sup> Addition containing a wetland complex.

### *Natural Characteristics of the Site*

The site is bifurcated by an unnamed public ditch, which flows toward the northeast corner of the parcel. A wetland delineation was conducted on this property as part of the Gleason Road Improvement Project. This delineation identified two wetland complexes over the southern, western, and



Figure 3 2040 Natural Resources Community Ranking

northeastern portions of the site. One complex covers the entirety of the southern property line and wraps up around much of the western property line. The 2040 Natural Resource Communities Quality Ranking identifies a low-quality wetland east of the public ditch, and the 2040 Wetland Locations and Classifications map identifies a seasonally flooded basin along the southern property line.

### *Development Rights*

The City's Development Rights map does not indicate a development right assigned to this parcel. Staff reviewed the historic files for the County Seasons Estates subdivision and examined historic aerial imagery. The subdivision for Country Seasons Estates predates the establishment of the development rights. Therefore, the historical files do not explicitly detail the development rights allocated within this subdivision. The review revealed that the outlot previously contained a residential structure. Staff concludes that the fact there was a previous residential structure, the parcel has an assumed development right, even though it is not depicted on the City's Development Rights map. The applicant requests to use this assumed right for the construction of a new single-family structure.

## **3. Analysis**

Staff reviewed the application for consistency with the Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance, and other City Code requirements and policies. The City Engineer's comments are incorporated into this staff report, the detailed comments are included in the attached Engineering Memo and the approval conditions require compliance with the memo.

### A. Level of City Discretion in Decision-Making



The City’s discretion in approving a preliminary plat is limited to whether the proposed plat meets the standards outlined in the City’s subdivision and zoning ordinances. If the proposal meets these standards, the City must approve the preliminary plat. The Planning Commission may choose to discuss whether they agree with Staff’s analysis that the preliminary plat is consistent with ordinance standards. Should the Commission find that the preliminary plat does not comply with the City’s ordinance standards, conditions for preliminary approval can be recommended by the Commission. If the Commission recommends denial, findings of fact should be provided.

The City has a higher level of discretion with a variance because the burden of proof is on the applicant to show that the variance standards have been met. Conditions can be applied to mitigate the impact of granting the variance.

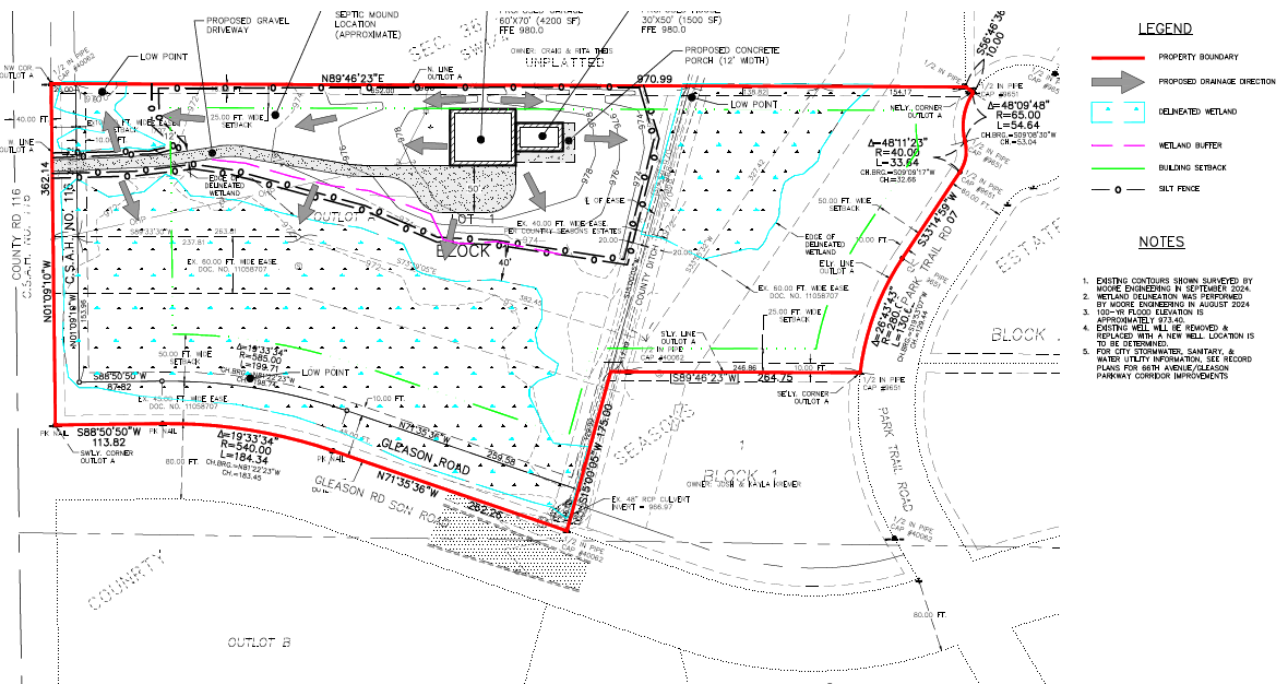


Figure 4 Site Layout

### B. Consistency with Ordinance Standards

#### Preliminary Plat

#### Lot Size

The table below details how the proposed plat fits within the district’s minimum dimension standards. It is noted in red where the proposal does not meet the minimum standards.

	UR Standards	Proposal
Minimum lot area	20 acres	7.65 acres
Minimum lot width	300 feet	360 ft

Minimum lot depth	300 feet	553 ft
Minimum Principal Structure Setbacks:		
Front, from Major Roadways*	100 feet	422 ft
Front, from all other streets	50 feet	328 ft
Front Porch (≤ 120 square feet)	40 feet	
Side	25 feet	22.75 ft
Rear	30 feet	400 ft

The site is located within the Urban Reserve (UR) zoning district. The UR zoning district is intended to preserve areas within the MUSA, where urban services are planned, but not yet available. This district is designed to limit premature subdivision through large minimum lot area requirements. The minimum lot area for the UR district is 20 acres. The cumulative size of the outlot is 7.65 acres, which fails to meet this minimum lot area requirement. A variance from this standard will be required for this outlot to be platted which is discussed later in this report.

The proposed plat appears to comply with the front and rear-yard setbacks of the UR district, as well as the 16.5 ft minimum setback from the unnamed public ditch. However, the proposed building pad is setback 22.75 ft from the north property line, which falls short of the minimum setback requirement of 25 ft. Detached accessory structures are allowed a minimum setback of 20 ft, however, attached garages are subject to the minimum side yard setback of 25 ft for principal structures. A proposed condition of approval requires the applicant to revise their building dimensions and/or building pad location, to meet all of the minimum principal structure setback requirements of the UR district.

*Accessory Structure*

The maximum allowed footprint for accessory structures is dependent on the size of the parcel. The site is 7.65 acres, which allows for an accessory structure footprint of 3,281 sq ft. However, Section 1030.020 excludes the first 1000 sq ft of attached accessory space from counting against this maximum allowance. As such, an attached garage on this parcel could have a maximum footprint of up to 4,281 sq ft. The applicant’s proposed structure is an attached garage with a footprint of 4,125 sq ft. This complies with these requirements.

The proposed attached accessory structure is located in the front yard of the parcel. The proposed sidewall height of said structure is 16 ft. The maximum sidewall height of detached accessory structures in the front yard is 10 ft, however, attached accessory structures are subject to the same height restrictions as the principal structure.

*Streets and Access*

No new streets are proposed as part of this plat. The parcel fronts three public roadways: County Road 116, Gleason Parkway, and Park Trail Road. However, natural

features of the site limit practical access to two of these roads. A wetland complex separates the proposed building location from Gleason Parkway to the south, while a public ditch creates a barrier to access Park Trail Road from the proposed building location. These natural constraints make County Road 116 the only viable access point for the parcel, which is consistent with the existing access for the site. The applicant will be responsible for obtaining a permit from Hennepin County to ensure the proposed development complies with their standards.

*Well and Septic*

This parcel is located within the MUSA and is assigned to receive access to municipal services in the fourth and final stage of the 2040 staging plan. Since services are not yet available to the site, the applicant will be required to install a private septic and well system on the property. The proposed plan includes primary and secondary septic tank and mound locations. The applicant will be responsible for having this system reviewed and permitted by Hennepin County. Due to significant slopes within the site, City Staff will also review the location with the building permit. Water supply for this parcel will be provided by a private well. Private wells are permitted through the Minnesota Department of Health. The well location must be setback at least 50 from the septic system. The proposed location of the well meets this requirement.

*Wetlands*

A wetland delineation was conducted on this parcel as part of the Gleason Road Improvement Project in 2020. This delineation found a wetland over much of the south and southwest corner of the lot, as well as a wetland in the northeastern corner of the lot. These wetlands are subject to the Wetland Overlay District (Section 1050.010), which includes wetland buffers, wetland buffer monument signs, and an additional 15 ft structure setback from the edge of the buffer. Septic and soil absorptions systems must also be setback 75 ft. from a delineated wetland edge. The proposed locations for septic and soil absorption systems meet this requirement. The size of the buffer is dependent on the quality of the wetland. The City’s Natural Resources Community Quality Ranking map is based on the City’s quality assessments of known wetlands within the City. Wetlands not shown on this map are assumed to be of medium quality; however, there is a process to confirm wetland quality through Minnesota Rapids Assessment (MNRAM) methodology, should the applicant decide wetland quality on the site need to be re-evaluated. None of the wetlands within the project are shown on the City’s map, so all the wetlands will be treated as medium quality.

Medium quality wetlands have the following buffer requirements:

Wetland Buffer Average Width	25'
Wetland Buffer Width (Min.)	20'
Wetland Buffer Width (Max.)	40'
Structure Setback From Buffer	15'
Total Buffer and Setback (Average)	40'



A condition of approval shall require the applicant to submit a wetland buffer plan and a wetland buffer establishment plan that complies with the standards outlined in the Wetland Overlay District and the City's wetland policies. This includes establishment of the wetland buffer strip according to the requirements of a medium quality wetland, as well as indication of permanent wetland buffer monuments. Wetland buffer monuments must be installed to indicate where property lines cross wetland buffers, and where the wetland is contoured. Spacing in between wetland monuments may not exceed 200 ft.

### *Floodplain*

Part of the Gleason Road Improvement Project included a Letter of Map Revision (LOMR) process, which established the floodplain elevation for this property at 973.4 ft. Significant portions of the east, south, and western areas of the site lie below this floodplain elevation.

### *Landscaping*

A landscape plan is not required since this plat involves less than 4 residential units. Per Section 1060.070, a minimum of one overstory tree must be provided per dwelling unit. The applicant's narrative states that he intends to plant multiple tree plantings around the property. A condition of approval shall require the applicant to plant at least one overstory tree planting to comply with this requirement.

### *Park Dedication*

Satisfaction of the Park Dedication requirements is a prerequisite of the approval of the final plat. The form of contribution shall be decided by the City Council based upon need and conformance with the comprehensive plan. The 2040 Parks & Trails Plan does not identify any parks or trails on this site; therefore, staff anticipates the Park Dedication requirements to be handled entirely as cash-in-lieu of land. The new lot will be required to pay park dedication fees per the fee schedule adopted at the time of final plat approval. The 2024 fee schedule provides the park dedication fee for a single-family unit is \$5,954.

### Variance

Section 1040.020 Subd. 9 lists the standards for area requirements in the UR district. This section requires a minimum lot area of 20 acres. The applicant requests approval of a variance from this standard to allow the platting of a single 7.65-acre outlot to a single lot.

The burden of proof is on the applicant to show that all variance standards from Section 1070.040, Subd. 2(B) are met with their request. These standards are as follows:

- A. *That there are practical difficulties in complying with the Zoning Ordinance.*

- B. *That the conditions upon which a petition for a variation is based are unique to the parcel of land for which the variance is sought and were not created by the landowner.*
- C. *That the granting of the variation will not alter the essential character of the locality.*
- D. *The variance is consistent with the Comprehensive Plan.*
- E. *The City may impose conditions on the variance to address the impact of the variance.*

There are significant challenges for this site to meet the Zoning Ordinance standards of the UR district. At 7.5 acres, the entire site is well below the UR zoning district's minimum lot area requirement of 20 acres. The site cannot be enlarged to meet the minimum lot area requirement. Compliance with this requirement would effectively render the site unbuildable, and in turn would restrict the property owner's ability to utilize their development right, until municipal services become available in the future.

The unique circumstances of this outlot support the need for a variance. The outlot, with an assumed development right, was created prior to the establishment of the 20-acre minimum lot size requirement of the UR district and the development rights program. This creation also predates the applicant's purchase of the property, meaning the conditions that necessitated approval of a variance were not created by the current landowner.

Granting the variance aligns with the existing character of the locality. The outlot was originally created to preserve an existing farmhouse and agricultural buildings, reflecting the rural and residential identity of the area. Approving a variance will enable the parcel to return to a residential use, which would match with the uses of the surrounding neighborhood. However, the proposed structure includes a large garage intended for use as a workshop, which raises potential concerns of commercial activity on the site. To ensure the use of the property aligns with the residential character of the locality, staff proposes a condition of approval requiring a commercial activity to comply with the Home Occupation Ordinance and follow the proper approval process.

Additionally, the parcel's guiding land use designation is *Existing Residential*. This land use designation allows for very-low-density residential development, typically at a density of one unit per two acres. The requested variance does not alter or increase this density and is generally consistent with the intent of the *Existing Residential* land use designation.

### Summary

Staff finds that the proposed preliminary plat and variance are generally consistent with the City's Comprehensive Plan, Subdivision Ordinance, and Zoning Ordinance. The draft resolutions approve the preliminary plat and variance with conditions of approval.

#### **4. Recommendation**

Move to recommend approval of the draft resolutions approving the preliminary plat and variance for Old Farm Ridge.

#### **Attachments:**

1. Draft Resolution Approving the Preliminary Plat and Variance for “Old Farm Ridge”
2. Engineering Memo dated November 26, 2024
3. Applicant Narrative
4. Preliminary Plat
5. Site Plans
6. Home Plans

**RESOLUTION NO. 2024-**

**Motion By:**  
**Seconded By:**

**A RESOLUTION APPROVING A PRELIMINARY PLAT AND VARIANCE FOR “OLD FARM RIDGE” ON THE PROPERTIES LOCATED AT 6620 COUNTY ROAD 116 (PID 36-119-23-23-0008)  
(CITY FILE NO. 24-034)**

**WHEREAS**, Michael Kelly (“the applicant”) requested approval “Old Farm Ridge” a preliminary plat and variance on the property described as follows;

*See Attachment A.*

**WHEREAS**, the applicant also requested approval of a variance from the requirement that lots in the Urban Reserve zoning district have a minimum area of 20 acres, and;

**WHEREAS**, the Planning Commission reviewed the preliminary plat and variance at a duly called public hearing, and;

**WHEREAS**, the Planning Commission recommended approval, and;

**NOW, THEREFORE, BE IT RESOLVED** that the Corcoran City Council approves the request for a preliminary plat and variance subject to the following findings and conditions:

1. A preliminary plat is approved for “Old Farm Ridge” to allow an Outlot to be platted into a Lot, in accordance with the plans and application received by the City on July 15, 2024, and additional information received on September 17, 2024, October 16, 2024, October 29, 2024, and November 6, 2024, except as amended by this resolution.
2. The requested variance from Section 1040.020 Subd. 9 to allow a lot to be platted that is less than the minimum lot area requirement of 20 acres based on the following findings:
  - a. That there are practical difficulties in complying with the Zoning Ordinance. The site was platted as an outlot in 1978, prior to the Urban Reserve zoning designation. The total site area is 7.5 acres and is unable to comply with the 20-acre minimum lot size of the Urban Reserve zoning district. The minimum lot size requirement would restrict the applicant’s ability to utilize the singular development right for the parcel.
  - b. That the conditions upon which a petition for a variation is based are unique to the parcel of land for which the variance is sought and was not created by the landowner. The existing condition of the outlot necessitating the variance were created before the present owner purchased the property. The outlot has one development right and must be platted to utilize said right.
  - c. That the granting of the variation will not alter the essential character of the locality. The applicant is proposing a single-family residential structure for the property, which is consistent with the existing land use of the surrounding locality.

**RESOLUTION NO. 2024-**

- d. That the variance would be in harmony with the general purposes and intent of the ordinance. The 2040 Comprehensive Plan guides this parcel as an *Existing Residential* land use. This land use allows for very-low-density residential development, typically at a density of one unit per two acres. The proposed variance would not subdivide this parcel any further and would allow a very-low-density development on this parcel.
  - e. To ensure that the variation does not alter the essential character of the locality, no structure on the property may be used for commercial purposes aside from those approved through a Home Occupation License.
3. The applicant must comply with all conditions in the City Engineers Memo, dated November 26, 2024.
  4. All permanent wetland buffer monument signs must be erected along the wetland buffer line as required by Section 1050.010, Subd. 7 of the Zoning Ordinance.
    - a. Wetland signs must be purchased from the City.
    - b. Wetland signs must be installed on treated 4x4 wooden posts.
    - c. Wetland buffer signs must be installed prior to issuance of building permits unless an alternative timeline is approved by the City.
    - d. The installation of the wetland monument buffer signs according to the approved plans must be certified by a registered land surveyor.
    - e. Wetland buffers must be planted and inspected by the City prior to issuance of building permits unless an alternative timeline is approved by the City.
    - f. The final seed mix to be used in establishing the wetland buffers must be approved by the City's wetland consultant.
    - g. Where buffer areas are not vegetated or have been disturbed within the last 10 years, such buffer areas shall be replanted and maintained according to the standards in Section 1050.010, Subd. 8(C) of the Zoning Ordinance and the Corcoran Buffer Vegetation Establishment Plan Policy.
      - i. The City's wetland consultant must inspect existing wetland buffers proposed to remain to confirm the existing buffers are undisturbed and are in an acceptable condition. This must be completed prior to releasing the final plat for recording.
    - h. The minimum and maximum dimensions as well as the average width of each of the wetland buffers must be certified by the applicant's engineer or surveyor.
    - i. Spacing between wetland buffer monument signs cannot exceed 200 ft.

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5. The applicant must submit a Wetland Buffer Plan and a Wetland Buffer Establishment Plan compliant with Section 1050.010
6. Park dedication shall be satisfied by cash-in-lieu of land prior to releasing the final plat for recording with Hennepin County. Park dedication will be based on the park dedication ordinance in place at the time the final plat is approved.
  - a. Park dedication is required based on the finding that the development will add a new single-family home to the City on a property that was previously an outlot not subject to park dedication fees.
  - b. Residents of the property will need access to nearby existing and future trails and parks that do not exist today as guided by the Comprehensive Plan.
  - c. Cash-in-lieu of land will be used only for the acquisition and development of park recreational facilities, playgrounds, trails, wetlands, or open space based on the approved park plan in the Comprehensive Plan.
  - d. Park dedication funds will be collected at the time of final plat in accordance with the City Code requirements. The code stipulates a dedication requirement of 5% of land for land guided at a density of less than 2 units an acre or an equivalent market value in cash, resulting in estimated park dedication fees of \$5,954.
7. The applicant is responsible for obtaining an access permit as required by Hennepin County.
8. The applicant must plant one overstory tree prior to release of the escrow account with the City.
9. Prior to final plat approval, the applicant must complete the following:
  - a. Revise the plan to show a principal structure with attached accessory space that complies with all minimum setback requirements of principal structures.
  - b. Submit a preliminary wetland buffer plan to show the following:
    - i. The minimum dimensions of all wetland buffers.
    - ii. The maximum dimension of all wetland buffers.
    - iii. Certification of the average width of all wetland buffers.
    - iv. Wetland buffer monument signs at each contour and property line with a maximum spacing of 200 ft. between signs.
  - c. Submit a Wetland Buffer Vegetation Establishment Plan compliant with the Corcoran Buffer Vegetation Establishment Plan Policy.



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- d. Drainage and utility easements shall be provided over all wetlands and wetland buffers.
10. All utility facilities, including but not limited to telephone, CATV, natural gas, and electric power, shall be located underground. Underground service connections to the street property line of each platted lot shall be installed at the subdivider's expense.
11. Mechanical equipment (including air conditioning units) must be located in the side or rear yard and must be located a minimum of 5' from the property line.
12. Lawn sprinklers/irrigation systems (if provided) shall all have rain sensors to limit unnecessary watering.
13. Approval of the preliminary plat shall expire within one year of the date of approval unless the applicant has filed a complete application for approval of a final plat.

**VOTING AYE**

- McKee, Tom  
 Bottema, Jon  
 Lanterman, Mark  
 Nichols, Jeremy  
 Vehrenkamp, Dean

**VOTING NAY**

- McKee, Tom  
 Bottema, Jon  
 Lanterman, Mark  
 Nichols, Jeremy  
 Vehrenkamp, Dean

Whereupon, said Resolution is hereby declared adopted on this 12<sup>th</sup> day of December 2024.

\_\_\_\_\_  
Tom McKee - Mayor

ATTEST:

\_\_\_\_\_  
Debra Johnson – City Clerk

*City Seal*

**RESOLUTION NO. 2024-**

**ATTACHMENT A**

*Outlot A of Country Seasons Estates*

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To: Kevin Mattson, PE Public Works  
Director

From: Kent Torve, PE, City Engineer  
Steve Hegland, PE

Project: Old Farm Ridge Single Lot  
Redevelopment

Date: November 26, 2024

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**Exhibits:**

This Memorandum is based on a review of the following document:

1. Preliminary Proposed Grading Plan dated 11/06/2024 by Moore Engineering.
  - a. Final Grading Plan labeled "For Construction" is required.
  - b. As noted below, As-Builts are also required to document constructed conditions.

**Comments:**General

1. Disturbed areas does not include the septic systems which will be disturbed for their construction. Disturbance over an acre requires Elm Creek Watershed Management Commission process. Applicant shall submit to City correspondence of this acknowledgement from ECWMC.

CSAH 116 Access

1. The lot has existing access at CSAH 116 and applicant responsible for obtaining permit from County.
  - o County has commented on changing the access to Park Trail Boulevard with a new ditch crossing, however this would require extensive modeling, floodplain, wetland, and ECWMC permitting and from the City's perspective is infeasible for a single-family lot.
  - o No driveway culvert is shown on the site plan. Any culvert installation or replacement requires County approval for the access or City approval if located along the driveway.
  - o Driveway to be 16' in width or Corcoran Public Safety shall review the smaller driveway for safety access.
  - o Provide elevations for driveway and ensure that it is vehicular access at or above an elevation not more than two feet below the regulatory flood protection elevation.

Floodplain

1. The floodplain was established at 973.4 through the FEMA Letter of Map Revision (LOMR) process.
  - o Applicant shall submit the existing, surveyed elevations along the floodplain edge and then as-built conditions certified by PE showing no floodplain fill, or that equivalent compensatory storage was provided onsite.
2. The applicant shall review the newly mapped floodplain limits for this parcel and determine if any additional flood permitting is necessary (LOMR-F) for the building or applicant may need to provide information for private insurance requirements.

November 2024

Old Farm Ridge

Kevin Mattson

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### Private Well and Septic

The property will be served by private well and septic.

1. The septic system is reviewed and permitted by Hennepin County. Due to the significant slopes within the site, the septic location grading shall also be reviewed by City staff at building permit and confirmed as appropriate.
  - The septic location appears to be located in or near a drainage swale. The final grading plan shall be reviewed to ensure it doesn't impact the septic system or permit.
2. Water supply will be a private well that is permitted through the Minnesota Department of Health and needs to meet horizontal and vertical requirements (clearance from floodplain) of the State.

## **PROJECT NARRATIVE**

### **6620 COUNTY ROAD 116**

I have recently purchased the property at 6620 County Road 116 for the purpose of converting the site from a dilapidated farm homestead to a conforming lot. The plan was to remove the existing farm buildings and replace them with a single building for my vehicles and workshop. Due to the size of the lot (7.6 acres) and central location of the proposed building the property appeared suitable for what I was looking for. In working with city staff, I was informed that I could not build on the Outlot without converting the Outlot to a platted Lot and Block and the site must include a residence. To meet these requirements the following applications were needed.

#### **VARIANCE FOR LOT SIZE**

The site is in the Urban Reserve Zoning District which has a minimum lot size of 20-acres. The 7.6-acre site is currently platted as Outlot A Country Seasons Estate. The original plat was approved in 1977 with 19 lots, 16 residential lots having lot sizes between 1.5 and 2.2 acres and three Outlots. It appears that Outlot A was created to keep the original farmstead. Converting the Outlot to a Lot and Block would be harmonious to the surrounding land uses and compliant to the criteria for variances, as noted below.

*That there are practical difficulties in complying with the Zoning Ordinance.*

As an existing lot surrounded by developed properties and roads it is not practical to convert the lot to a 20-acre parcel. It is understood that the purpose of the Urban Reserve Zoning District is to preserve land until public sewers and water is provided to support residential development. With the recent infrastructure improvements to the area, public sewer and water services are now available to support future residential use. (Per Record Plans for 66<sup>th</sup> Avenue/Gleason Parkway Corridor Improvements)

*The conditions for the variance are unique to the property.*

The lot is an existing lot that cannot be enlarged to meet the zoning code lot size standard. It would be difficult to subdivide the lot into smaller lots due to wetlands and the county ditch, which restrict building areas and road access.

*The granting of the variation will not alter the essential character of the locality.*

The lot has been in existence since 1977 when created as part of a 19-lot subdivision. The site contained a farmhouse and farm buildings. The variance will allow for the continued use of the site as a residential use and accessory building.

*The proposed variance is in harmony with the general purpose and intent of the Ordinance.*

The Urban Reserve Zoning District allows for single-family homes. Its purpose is to preserve land until public sewer and water services is provided to support residential development. With the recent infrastructure improvements to the area, it can now support the proposed residential use.

*The variance is consistent with the Comprehensive Plan.*

This area is guided Existing Residential. The construction of a single-family use is consistent with the comprehensive plan.

## PRELIMINARY PLAT AND FINAL PLAT

To convert an Outlot to a Lot and Block requires that we replat Outlot A to Lot 1 Block 1 OLD FARM RIDGE. By creating the new Lot and Block we are creating a single 7.6-acre lot for single-family residential use.

**SITE PLAN**—For a single-family development in the Urban Reserve Zoning District

To complement the preliminary plat, we created a site plan showing the building location, setback, easements, wetlands, driveway and grading contours to help describe the proposed development. The site is drawn on an ariel base plan to best illustrate the site conditions and surrounding area.

As shown on the plan the parcel is vacant except for a few remaining buildings from the previous homestead. The buildings are centrally located on the site along the north lot line. The site has an elevation from a high point of 982, where the homestead was constructed, then drops in all direction to a low point of 970 along the south side and to 974 to the east and west. The homestead is served by a driveway access on County Road 116 that will continue to be used to access the site. The site is bisected by County Ditch 16 that runs north/south toward the eastern end of the property. Wetlands encompass most of the southern and eastern portion of the site plus along County Road 116. Although the site fronts on three roads; County Road 116, Gleason Parkway and Park Trail Road, access to the site is limited due to the wetlands and county ditch. There are no significant trees on the site with no trees over six inches in diameter. The vegetation consists mostly of wetland plants and upland grasses and forbs within the upland areas.

A wetland delineation was performed by Moore Engineering on August 23<sup>rd</sup> and submitted to the LGU on August 30<sup>th</sup>. The wetland delineation report and boundaries are under review with the LGU and are anticipated to be approved by the end of September. The preliminary wetland boundaries are shown on the preliminary plat.

The proposed development consists of a new residence with an attached garage/accessory structure. The home will be built at the same high point as the homestead with a first floor elevation at around the 980 contour. The home will be built as slab on grade with no basement. The living area of the residence is approximately 1,500 square feet and the garage area is approximately 4,200 square feet. The home and garage will face south with the driveway entering the south side of the garage. The home will be in compliance with the 25-foot side setback from the north lot line and the required wetland/buffer setbacks. The site plan shows a 40-foot wetland setback in compliance with a medium wetland classification. A new well will be installed replacing the existing well. The new well location has not been determined at this time.

**CONDITIONAL USE PERMIT** – For an accessory structure with an eave height over 10 feet

The structure I propose to build is called a Barndominium, a home that emphasizes a larger garage space. I believe this type of building provides me with the design that best serves my vehicles, and workshop needs plus is compatible to the area. However, due to the size and use of the garage the Barndominium is considered by the city of having an attached accessory structure. As an attached accessory structure, the garage area is not allotted the 35-foot height allowed for single -family homes and requires a CUP to have an eave height over 10 feet.

The design and elevation of the building is based on the floor plans I have found for Advanced House Plans. Although I plan to build the home to their design the home will be built by my contractors to meet my specific needs. The home will be one-story and the garage will have a pitched roof with an eave height of 16



feet. The 16-foot eave is necessary to install a 14-foot garage door to enable a clear height tall enough for my RV and other vehicles. The roof of the garage will transition nicely to the lower roof height of the living area. (See attached architectural plans and Barndominium example)

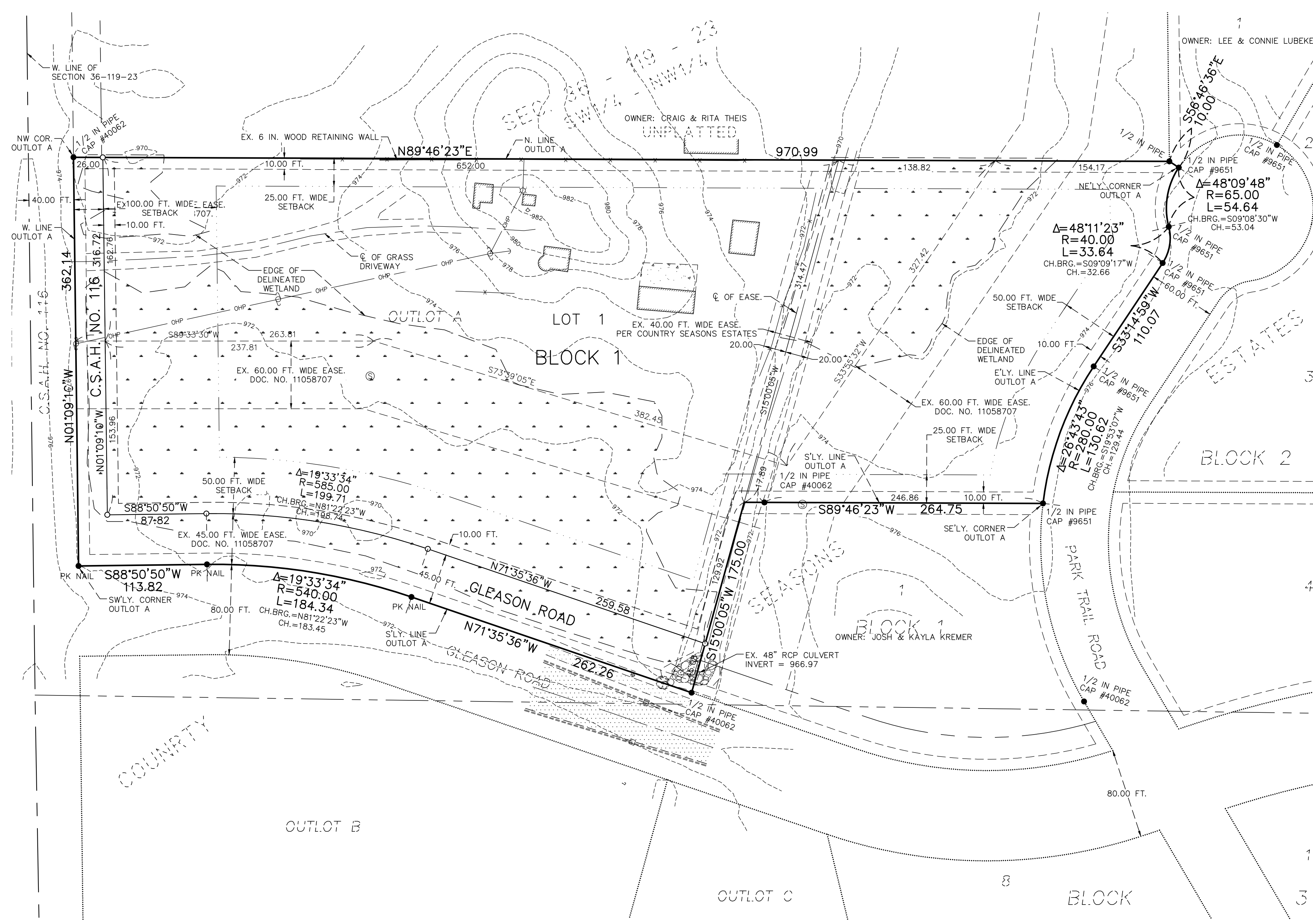
I have talked with my neighbor to the north, Craig Theis, and explained my plans. He is supportive of the request. The building location will not impact other neighboring properties or the public due to the size of the lot and central location of the building. The building will be approximately 400 feet to County Road 116, Gleason Parkway, and Park Trail Road. In addition, the land directly across County Rd 116 and Gleason Parkway are Outlots and/or ponding areas with minimal opportunity for future development. Thus, the closest existing home, besides Craig Theis, is to the northeast at around 600 feet. I understand that if the lot to the southeast of my lot is developed that house could be as close as 360 feet. Due to the design, colors and overall appearance of the Barndominium I propose to build plus the multiple tree plantings I plan to put in around the building site, the view of the building from someone over 400 feet away will be naturally mitigated and blend in nicely with the surrounding wetlands. (See attached exhibit of surrounding homes and existing conditions)

The building will not generate any additional traffic other than a single-family use. Because I'm building it for me with a small living area and a single bedroom it will not generate the traffic associated with a multi-bedroom home with multiple drivers.

I have lived in this general area for over 50 years. I was baptized at St. Thomas, played baseball as a child at the baseball fields in Corcoran, sent my three children to pre-school at St. Thomas and have regularly patronized many businesses in Corcoran over the years. I'm excited about cleaning up this parcel and enjoying it as my workshop. I think this development will be a nice fit on this particular site.

PRELIMINARY PLAT OF  
**OLD FARM RIDGE**  
 A REPLAT OF OUTLOT A  
 COUNTRY SEASONS ESTATES  
 CITY OF CORCORAN  
 HENNEPIN COUNTY, MINNESOTA

C.R. DOC. NO. \_\_\_\_\_



KNOW ALL PERSONS BY THESE PRESENTS: That Michael S. Kelly, a married person, fee owner of the following described property:

OUTLOT A, COUNTRY SEASONS ESTATES, according to the recorded plat thereof, on file and of record in the office of the Recorder, Hennepin County, Minnesota. Has caused the same to be surveyed and platted as OLD FARM RIDGE and does hereby dedicate to the public for public use the public ways and the drainage and utility easements as created by this plat.

In witness whereof said Michael S. Kelly, a married person, has hereunto set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed: \_\_\_\_\_

Michael S. Kelly

State of Minnesota

County of \_\_\_\_\_

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Michael S. Kelly.

(Signature) \_\_\_\_\_

(Print Notary's Name) \_\_\_\_\_

Notary Public \_\_\_\_\_ County, Minnesota

My commission expires \_\_\_\_\_

I Christopher D. Heyer do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01 Subdivision 3, as of the date of this certificate are shown and labeled on this plat, and all public ways are shown and labeled on this plat.

**PRELIMINARY**

Christopher D. Heyer, Licensed Land Surveyor  
 Minnesota Registration Number 43807

State of Minnesota

County of Otter Tail

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by Christopher D. Heyer.

Sign: \_\_\_\_\_

Print: Kayla Anderson  
 Notary Public Otter Tail County, Minnesota  
 My commission expires January 31, 2026

CITY COUNCIL, CITY OF CORCORAN, MINNESOTA

This plat of OLD FARM RIDGE was approved and accepted by the City Council of the City of Corcoran, Minnesota, at a regular meeting thereof, held this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

City Council, City of Corcoran, Minnesota

BY: \_\_\_\_\_, Mayor BY: \_\_\_\_\_, Clerk

COUNT AUDITOR, Hennepin County, Minnesota

I hereby certify that taxes payable in \_\_\_\_\_ and prior years have been paid for land described on this plat, dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Daniel Rogan, County Auditor

BY: \_\_\_\_\_, Deputy

SURVEY DIVISION, Hennepin County, Minnesota

Pursuant to Minnesota Statutes Section 383B.565 (1969), this plat has been approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Chris F. Mavis, County Surveyor

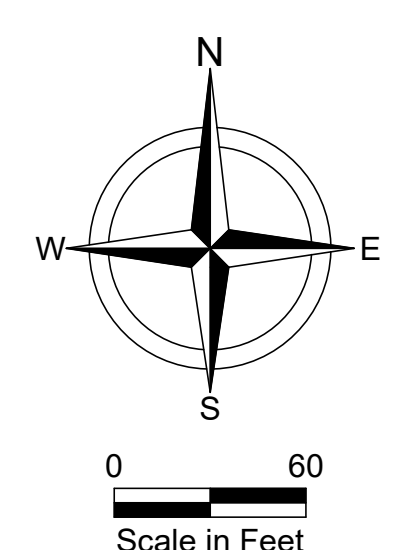
BY: \_\_\_\_\_

COUNTY RECORDER, Hennepin County, Minnesota

I hereby certify that the within plat of OLD FARM RIDGE was recorded in this office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

Amber Bougie, County Recorder

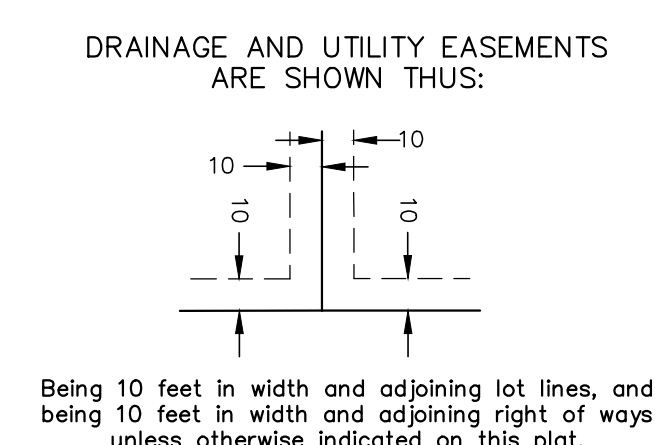
BY: \_\_\_\_\_, Deputy.



BASIS OF BEARING:  
 THE NORTH LINE OF OUTLOT A  
 COUNTRY SEASONS ESTATES  
 HAS A RECORD BEARING OF N89°46'23"E

- LEGEND**
- IRON MONUMENT SET AND MARKED WITH LAND SURVEYOR NO. 43807
  - IRON MONUMENT FOUND
  - ☆ LIGHT POLE
  - ⊕ POWER POLE
  - GUIDE WIRE
  - ⊕ WATER SPIGOT
  - ⊕ IRRIGATION CONTROL VALVE
  - ⊕ SANITARY SEWER MANHOLE
  - ⊕ STORM SEWER MANHOLE
  - ⊕ STORM CATCH BASIN
  - ⊕ DECIDUOUS TREE
  - ▨ RIP-RAP
  - ▨ DELINEATED WETLAND
  - ▨ CONCRETE SURFACE
  - ▨ BITUMINOUS SURFACE
  - ▨ BUILDING
  - 2 FT. CONTOUR LINE
  - OVERHEAD POWER LINE
  - FENCE

- AREAS**
- AREA OF DEDICATED ROAD: 33,745 SQ. FT. = 0.77 ACRES.
  - AREA OF LOT 1, BLOCK 1: 299,355 SQ. FT. = 6.87 ACRES.
  - TOTAL PLAT AREA: 333,099 SQ. FT. = 7.65 ACRES.
- NOTES**
- PROPERTY OWNER & PROPERTY ADDRESS:  
 MICHAEL KELLY  
 6620 CO. RD. NO. 116  
 CORCORAN, MN 55340



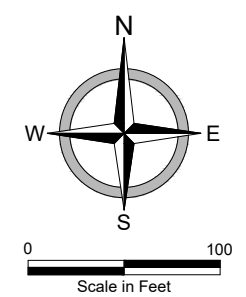
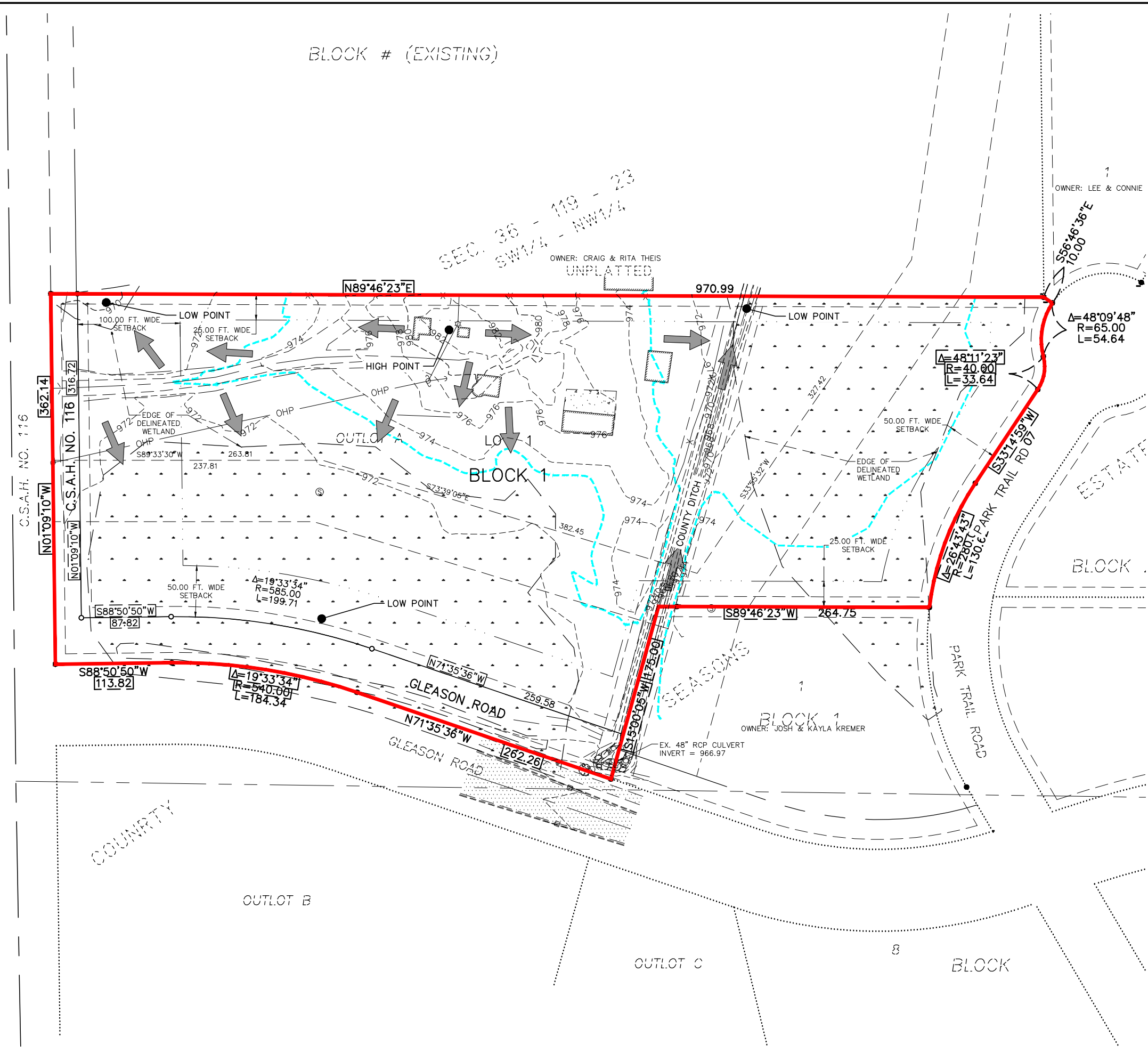
**P.L.S. CERTIFICATION**  
 I hereby certify that this survey, specification, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.  
*Christopher D. Heyer*  
 Christopher D. Heyer, Minnesota License No. 43807  
 Date signed: September 17, 2024

SURVEYOR: CHRIS HEYER  
 MOORE ENGINEERING, INC  
 2 CARLSON PKWY, SUITE 110  
 PLYMOUTH, MN

SHEET 1 OF 1  
 PROJ. NO. 24389  

 moore engineering, inc.





PRELIMINARY

**LEGEND**

- PROPERTY BOUNDARY
- ➔ EXISTING DRAINAGE DIRECTION
- - - 978 - - - EXISTING CONTOUR
- \* DELINEATED WETLAND
- 100 YR FLOOD ELEVATION APPROX. ELEV = 973.40

**NOTES**

1. EXISTING CONTOURS SHOWN WEST OF COUNTY DITCH SURVEYED BY MOORE ENGINEERING IN SEPTEMBER 2024.
2. WETLAND DELINEATION IS BASED ON 2020 DELINEATION FROM 66TH AVENUE/GLEASON PARKWAY CORRIDOR IMPROVEMENTS.
3. ALL EXISTING BUILDINGS ON THE PROPERTY TO BE REMOVED.
4. EXISTING WELL TO BE REMOVED AND REPLACED WITH NEW WELL. LOCATION IS TO BE DETERMINED.
5. FOR CITY STORMWATER, SANITARY, & WATER UTILITY INFORMATION, SEE RECORD PLANS FOR 66TH AVENUE/GLEASON PARKWAY CORRIDOR IMPROVEMENTS



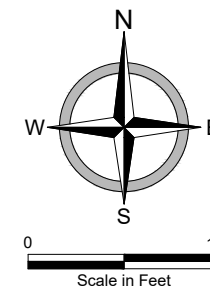
PRELIMINARY PLAT  
OLD FARM RIDGE

6620 COUNTY ROAD 116  
CORCORAN, MN  
HENNEPIN COUNTY  
EXISTING DRAINAGE MAP

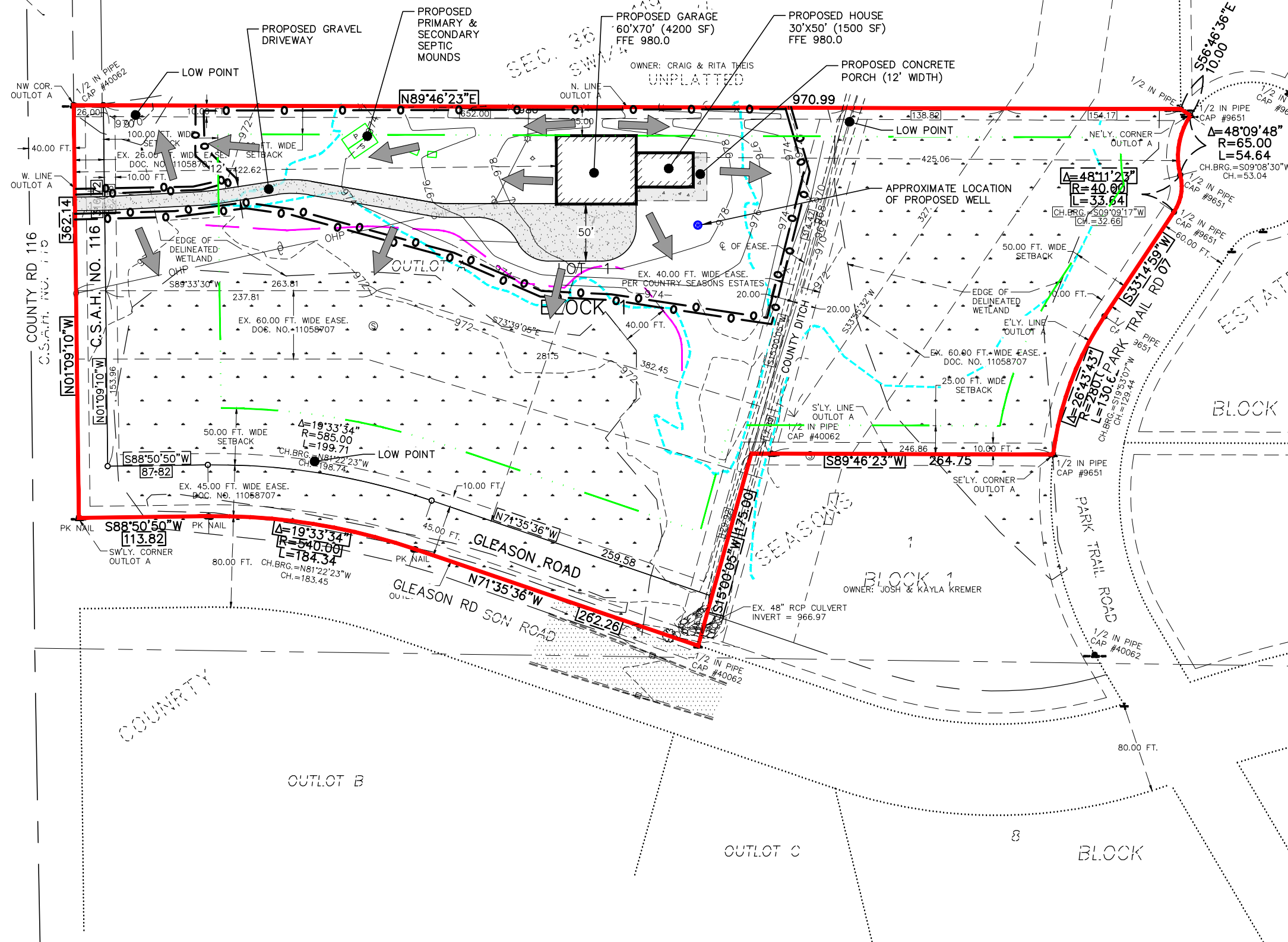
DATE:	10.23.2024
REV DATE:	---
REV NUM:	---
RECORD:	---
PROJECT No.	24389
MANAGER:	TG
DESIGNER:	EH
DRAFTER:	---
REVIEWER:	---

FIG A

BLOCK # (EXISTING)



PRELIMINARY



LEGEND

- PROPERTY BOUNDARY
- PROPOSED DRAINAGE DIRECTION
- - - 978 - - - EXISTING CONTOUR
- - - 978 - - - PROPOSED CONTOUR
- [ ] DELINEATED WETLAND
- [ ] WETLAND BUFFER
- [ ] BUILDING SETBACK
- SILT FENCE
- [ ] 100 YR FLOOD ELEVATION APPROX. ELEV = 973.40

NOTES

1. EXISTING CONTOURS SHOWN SURVEYED BY MOORE ENGINEERING IN SEPTEMBER 2024.
2. WETLAND DELINEATION IS BASED ON 2020 DELINEATION FROM 66TH AVENUE/GLEASON PARKWAY CORRIDOR IMPROVEMENTS.
3. EXISTING WELL WILL BE REMOVED & REPLACED WITH A NEW WELL. APPROXIMATE LOCATION AS SHOWN.
4. FOR CITY STORMWATER, SANITARY, & WATER UTILITY INFORMATION, SEE RECORD PLANS FOR 66TH AVENUE/GLEASON PARKWAY CORRIDOR IMPROVEMENTS



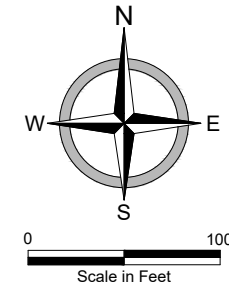
PRELIMINARY PLAT  
OLD FARM RIDGE

6620 COUNTY ROAD 116  
CORCORAN, MN  
HENNEPIN COUNTY  
PROPOSED DRAINAGE MAP

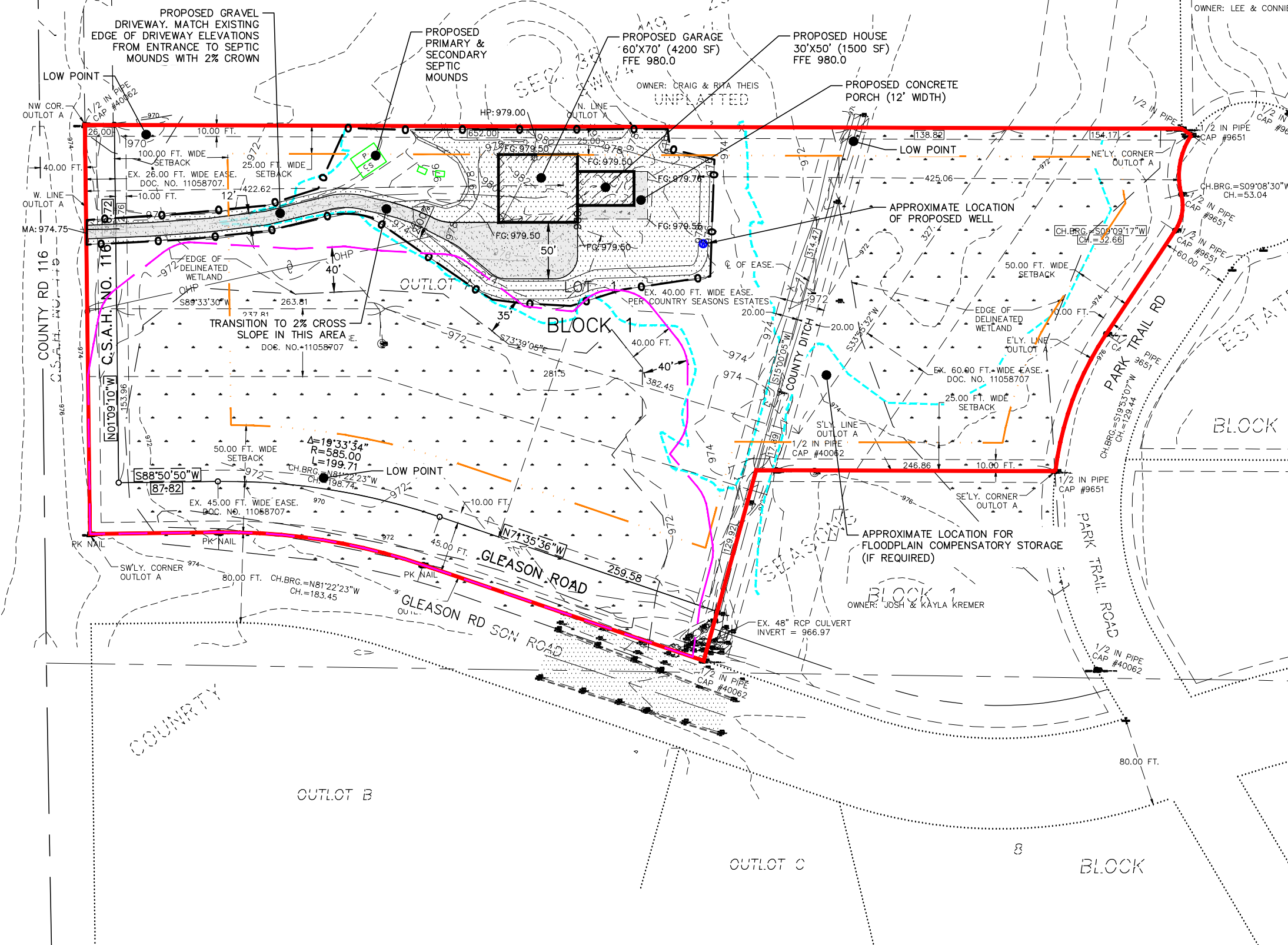
DATE:	10.23.2024
REV DATE:	---
REV NUM:	---
RECORD:	---
PROJECT No.	24389
MANAGER:	TG
DESIGNER:	EH
DRAFTER:	---
REVIEWER:	---

FIG B

BLOCK # (EXISTING)



PRELIMINARY



LEGEND

- PROPERTY BOUNDARY
- 978 EXISTING CONTOUR
- 978 PROPOSED CONTOUR
- DELINEATED WETLAND
- WETLAND BUFFER & BLDG SETBACK
- BUILDING SETBACK
- SILT FENCE
- 100 YR FLOOD ELEVATION APPROX. ELEV = 973.40
- DISTURBED AREA (0.94 ACRES)

NOTES

1. EXISTING CONTOURS SHOWN SURVEYED BY MOORE ENGINEERING IN SEPTEMBER 2024.
2. WETLAND DELINEATION IS BASED ON 2020 DELINEATION FROM 66TH AVENUE/GLEASON PARKWAY CORRIDOR IMPROVEMENTS.
3. EXISTING WELL WILL BE REMOVED & REPLACED WITH A NEW WELL. APPROXIMATE LOCATION AS SHOWN.
4. FOR CITY STORMWATER, SANITARY, & WATER UTILITY INFORMATION, SEE RECORD PLANS FOR 66TH AVENUE/GLEASON PARKWAY CORRIDOR IMPROVEMENTS
5. THE PROPOSED DRIVEWAY WEST OF THE SEPTIC MOUNDS WILL MATCH EXISTING ELEVATIONS AND NOT DECREASE FLOODPLAIN STORAGE. IF MINOR COMPENSATORY STORAGE IS REQUIRED, MITIGATION LOCATION EAST OF COUNTY DITCH IS SHOWN ON PLANS.



6620 COUNTY ROAD 116  
CORCORAN, MN  
HENNEPIN COUNTY  
PROPOSED GRADING PLAN

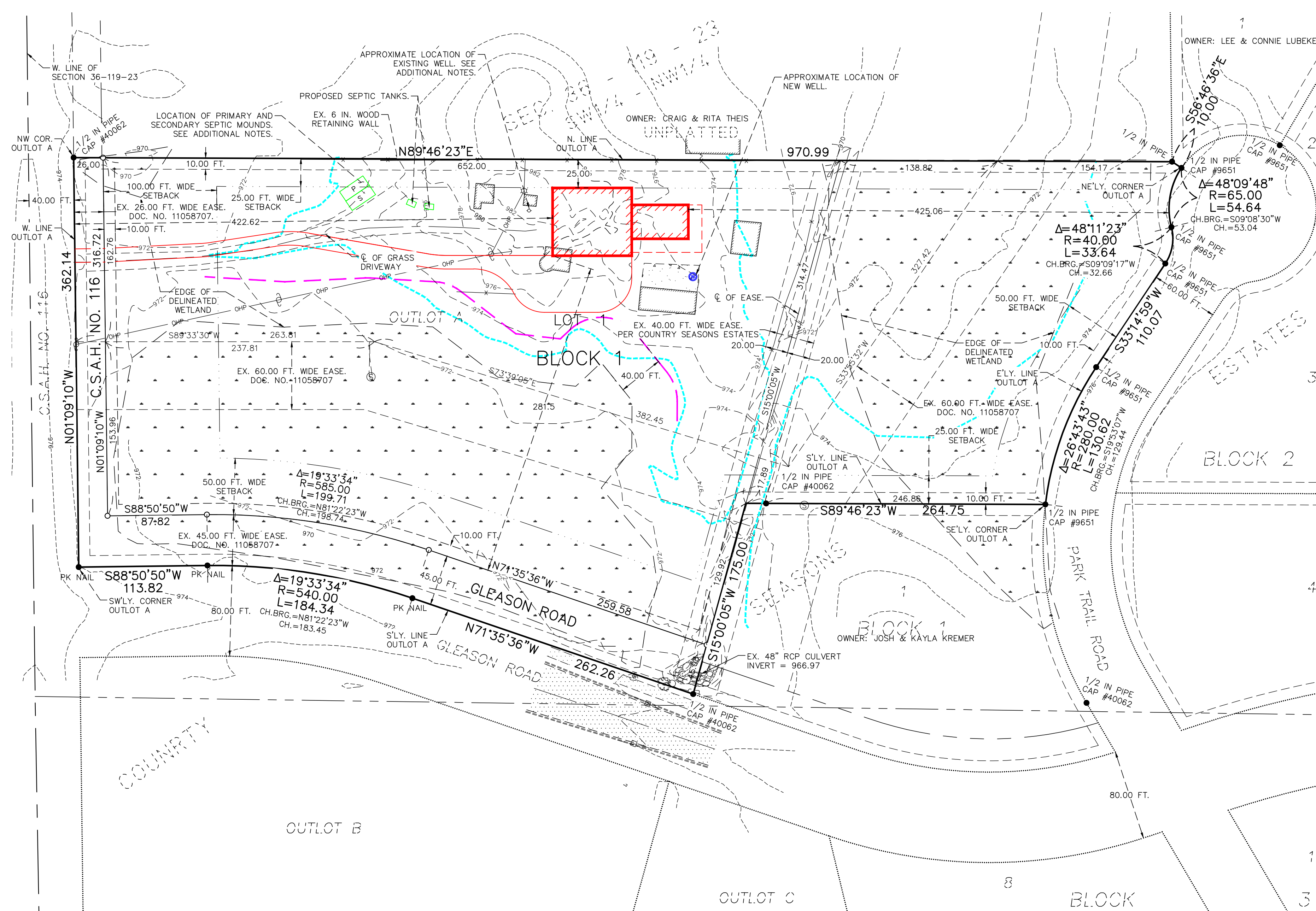
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REV DATE:	---
REV NUM:	---
RECORD:	---
PROJECT No.	24389
MANAGER:	TG
DESIGNER:	EH
DRAFTER:	---
REVIEWER:	---

FIG C



**SUPPLEMENTAL INFORMATION FOR PRELIMINARY PLAT OF  
OLD FARM RIDGE  
A REPLAT OF OUTLOT A  
COUNTRY SEASONS ESTATES  
CITY OF CORCORAN  
HENNEPIN COUNTY, MINNESOTA**

C.R. DOC. NO. \_\_\_\_\_



KNOW ALL PERSONS BY THESE PRESENTS: That Michael S. Kelly, a married person, fee owner of the following described property:

OUTLOT A, COUNTRY SEASONS ESTATES, according to the recorded plat thereof, on file and of record in the office of the Recorder, Hennepin County, Minnesota.

Has caused the same to be surveyed and platted as OLD FARM RIDGE and does hereby dedicate to the public for public use the public ways and the drainage and utility easements as created by this plat.

In witness whereof said Michael S. Kelly, a married person, has hereunto set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed:

Michael S. Kelly

State of Minnesota

County of \_\_\_\_\_

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Michael S. Kelly.

(Signature)

(Print Notary's Name)

Notary Public \_\_\_\_\_ County, Minnesota

My commission expires \_\_\_\_\_

I Christopher D. Heyer do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01 Subdivision 3, as of the date of this certificate are shown and labeled on this plat, and all public ways are shown and labeled on this plat.

**PRELIMINARY**

Christopher D. Heyer, Licensed Land Surveyor  
Minnesota Registration Number 43807

State of Minnesota

County of Otter Tail

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by Christopher D. Heyer.

Sign:

Print: Kayla Anderson  
Notary Public Otter Tail County, Minnesota  
My commission expires January 31, 2026

CITY COUNCIL, CITY OF CORCORAN, MINNESOTA

This plat of OLD FARM RIDGE was approved and accepted by the City Council of the City of Corcoran, Minnesota, at a regular meeting thereof, held this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

City Council, City of Corcoran, Minnesota

BY: \_\_\_\_\_, Mayor BY: \_\_\_\_\_, Clerk

COUNT AUDITOR, Hennepin County, Minnesota

I hereby certify that taxes payable in \_\_\_\_\_ and prior years have been paid for land described on this plat, dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Daniel Rogan, County Auditor

BY: \_\_\_\_\_, Deputy

SURVEY DIVISION, Hennepin County, Minnesota

Pursuant to Minnesota Statutes Section 383B.565 (1969), this plat has been approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Chris F. Mavis, County Surveyor

BY: \_\_\_\_\_

COUNTY RECORDER, Hennepin County, Minnesota

I hereby certify that the within plat of OLD FARM RIDGE was recorded in this office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

Amber Bougie, County Recorder

BY: \_\_\_\_\_, Deputy.

**P.L.S. CERTIFICATION**

I hereby certify that this survey, specification, 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.

*Christopher D. Heyer*  
Christopher D. Heyer, Minnesota License No. 43807  
Date signed: *October 18, 2024*

SURVEYOR: CHRIS HEYER  
MOORE ENGINEERING, INC  
2 CARLSON PKWY, SUITE 110  
PLYMOUTH, MN

SHEET 1 OF 1  
PROJ. NO. 24389  
**moore**  
engineering, inc.

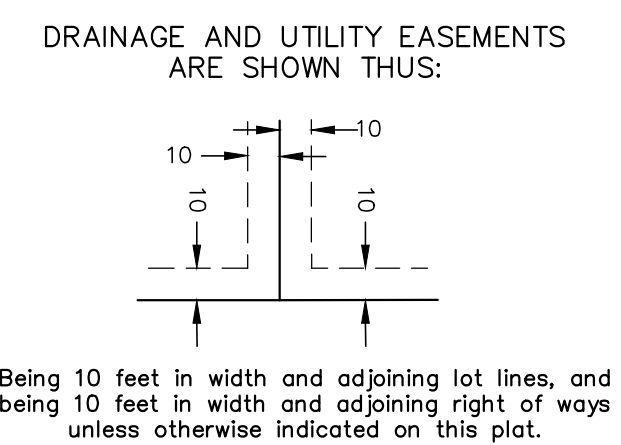
- LEGEND**
- IRON MONUMENT SET AND MARKED WITH LAND SURVEYOR NO. 43807
  - IRON MONUMENT FOUND
  - ⊙ LIGHT POLE
  - ⊕ POWER POLE
  - ⊗ GUIDE WIRE
  - ⊕ WATER SPIGOT
  - ⊕ IRRIGATION CONTROL VALVE
  - ⊕ SANITARY SEWER MANHOLE
  - ⊕ STORM SEWER MANHOLE
  - ⊕ STORM CATCH BASIN
  - ⊕ DECIDUOUS TREE
  - ⊕ RIP-RAP
  - ⊕ DELINEATED WETLAND
  - ⊕ CONCRETE SURFACE
  - ⊕ BITUMINOUS SURFACE
  - ⊕ BUILDING
  - ⊕ PROPOSED BUILDING
  - ⊕ 100 YR FLOOD ELEVATION (APPROX. ELEV = 973.40)
  - ⊕ WETLAND BUFFER
  - ⊕ 2 FT. CONTOUR LINE
  - ⊕ OVERHEAD POWER LINE
  - ⊕ FENCE

**AREAS**

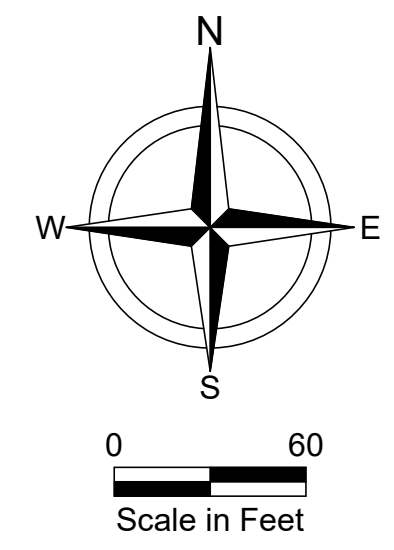
AREA OF DEDICATED ROAD: 33,745 SQ. FT. = 0.77 ACRES.  
AREA OF LOT 1, BLOCK 1: 299,355 SQ. FT. = 6.87 ACRES.  
TOTAL PLAT AREA: 333,099 SQ. FT. = 7.65 ACRES.

**NOTES**

PROPERTY OWNER & PROPERTY ADDRESS:  
MICHAEL KELLY  
6620 CO. RD. NO. 116  
CORCORAN, MN 55340

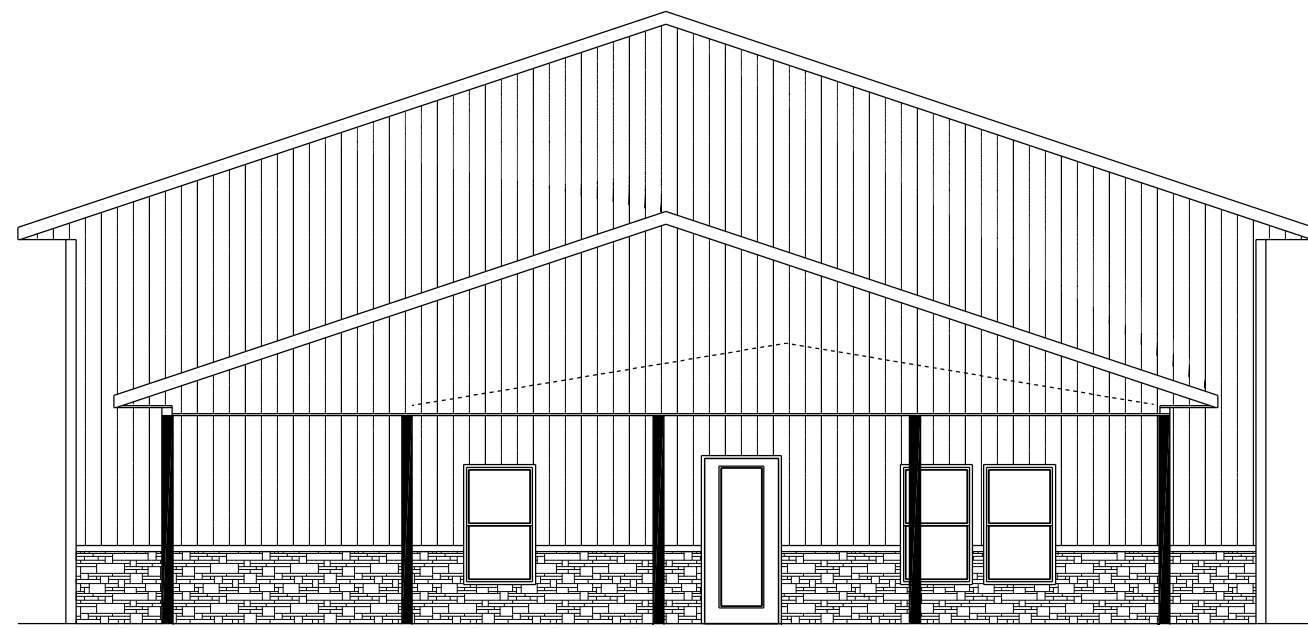


- ADDITIONAL NOTES**
- EXISTING CONTOURS SHOWN WEST OF COUNTY DITCH SURVEYED BY MOORE ENGINEERING IN SEPTEMBER 2024. REMAINING PROPERTY CONSISTS OF LIDAR CONTOURS.
  - WETLAND DELINEATION IS BASED ON 2020 DELINEATION FROM 66TH AVENUE/GLEASON PARKWAY CORRIDOR IMPROVEMENTS.
  - EXISTING WELL HAS BEEN INSPECTED BY RODNEY MOTZKO OF MOTZKO WELL DRILLING. WELL HAS BEEN CAPPED. LOCATION OF NEW WELL IS SHOWN.
  - BRAD KROTZER OF CUSTOM SEPTIC INC. TO EVALUATE THE PROPOSED HOME AND LOCATE A PRIMARY AND SECONDARY SEPTIC SITE, AS SHOWN ON THE PLAN. MR. KROTZER VISITED THE SITE ON SEPTEMBER 3RD, 2024, AND PREPARED HIS REPORT AND RECOMMENDED SEPTIC SITE LOCATIONS.
  - FOR CITY STORMWATER, SANITARY, & WATER UTILITY INFORMATION, SEE RECORD PLANS FOR 66TH AVENUE/GLEASON PARKWAY CORRIDOR IMPROVEMENTS



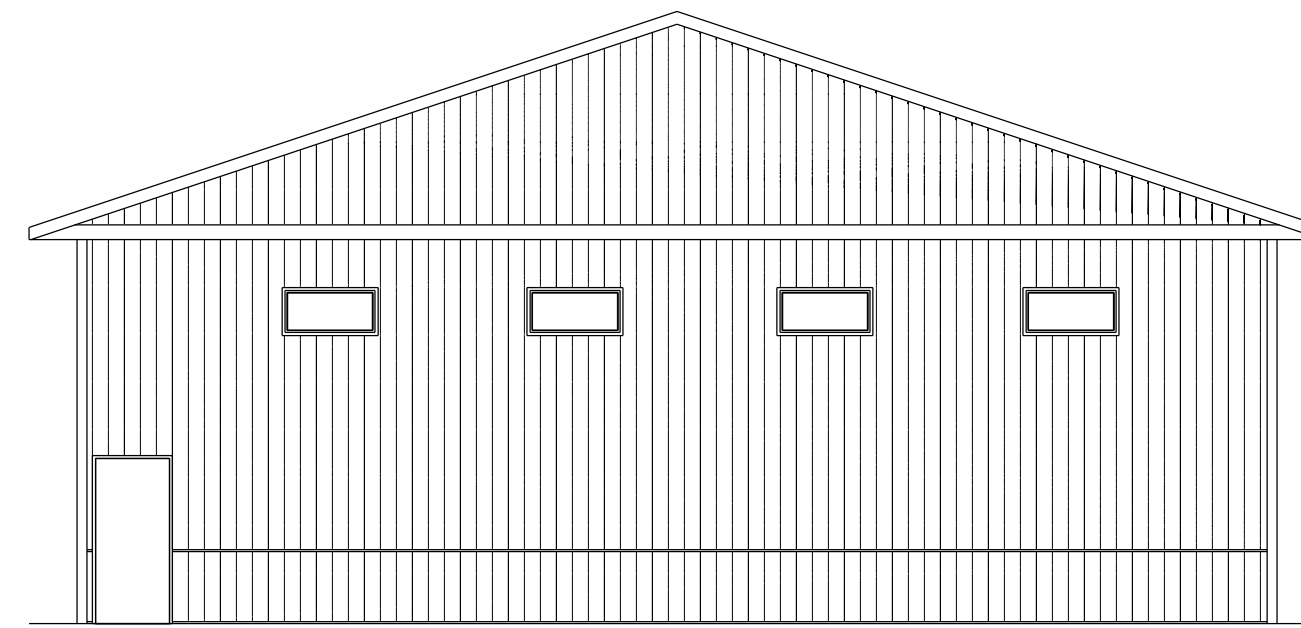
BASIS OF BEARING:  
THE NORTH LINE OF OUTLOT A  
COUNTRY SEASONS ESTATES  
HAS A RECORD BEARING OF N89°46'23"E





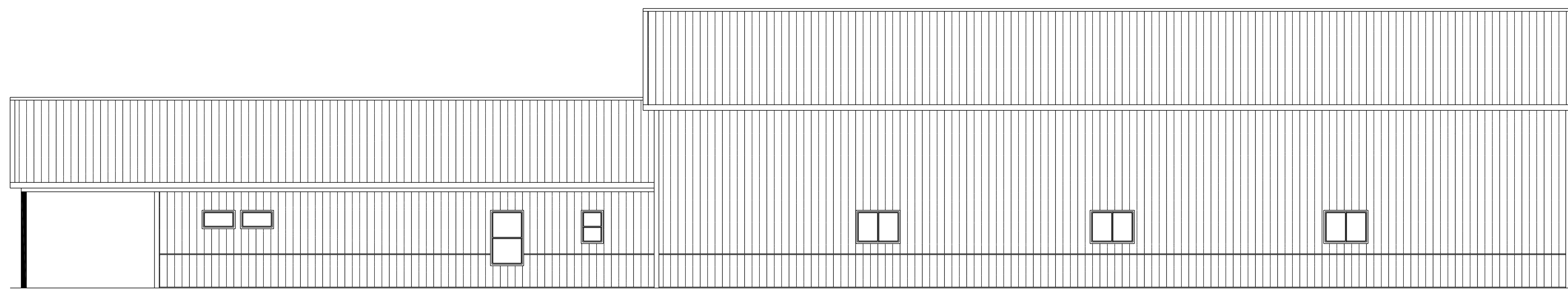
**RIGHT ELEVATION**

SCALE: 1/8" = 1'-0"



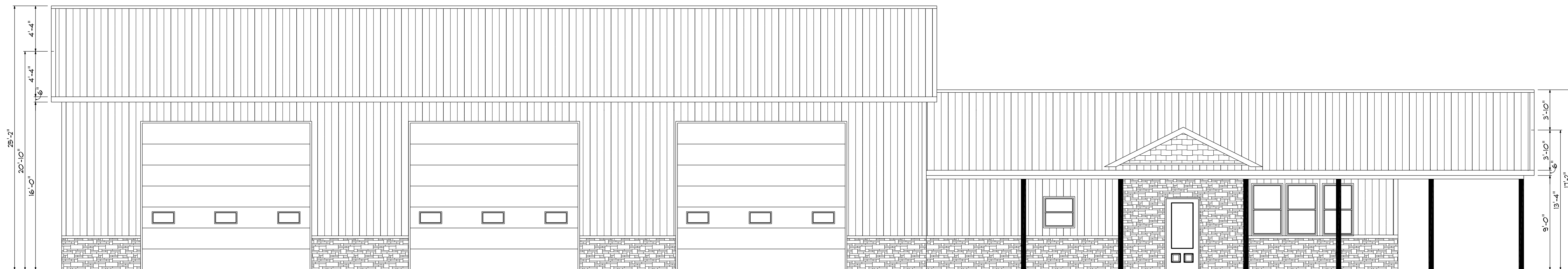
**LEFT ELEVATION**

SCALE: 1/8" = 1'-0"



**REAR ELEVATION**

SCALE: 1/8" = 1'-0"

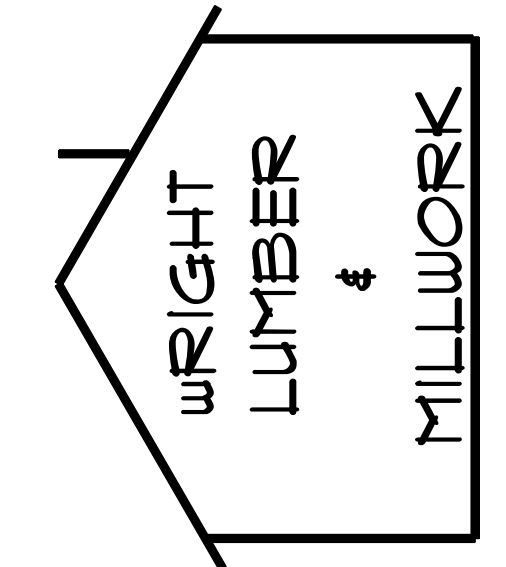


**FRONT ELEVATION**

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

REVISIED BY

DATE



MIKE KELLY  
6620 COUNTY RD. 116  
CORCORAN, MN.

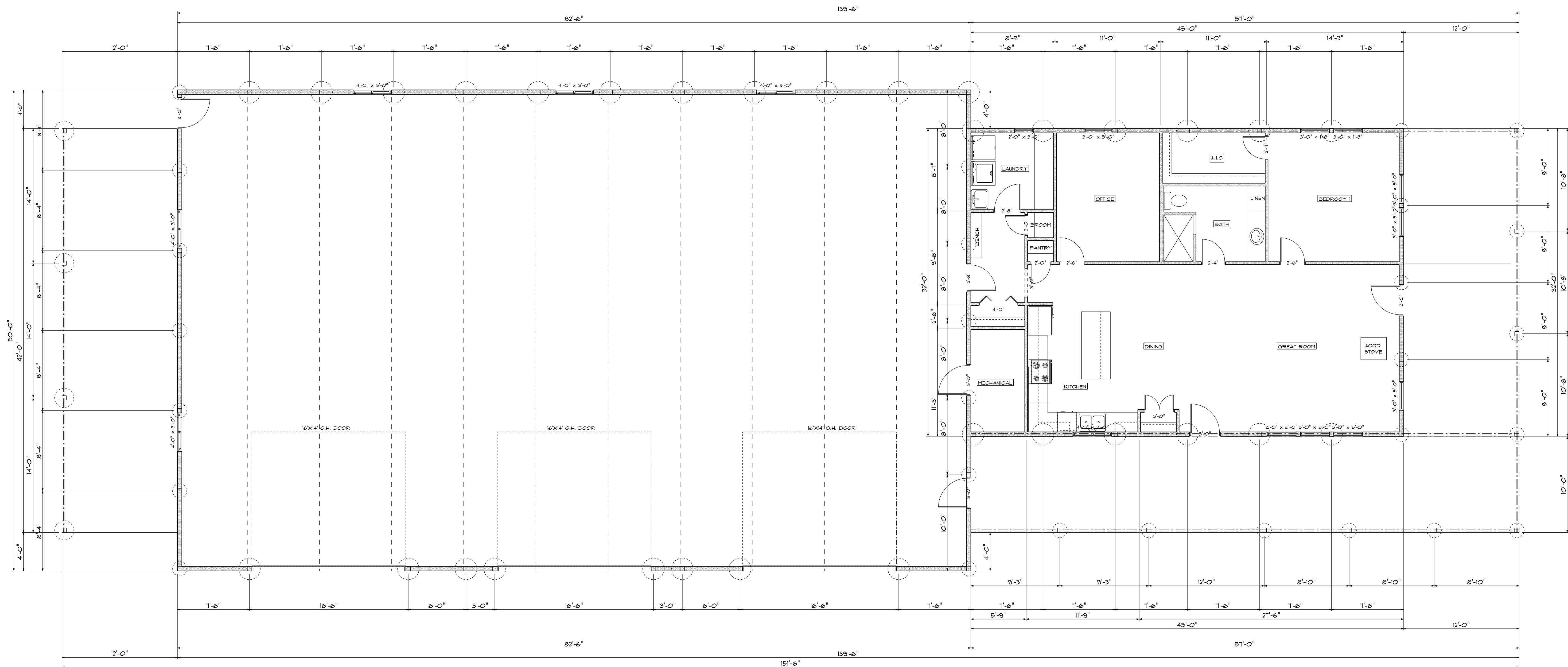
BUILDER:

DATE PRINTED: 9-12-24  
DRAWN BY: JASON

PLAN

SHEET

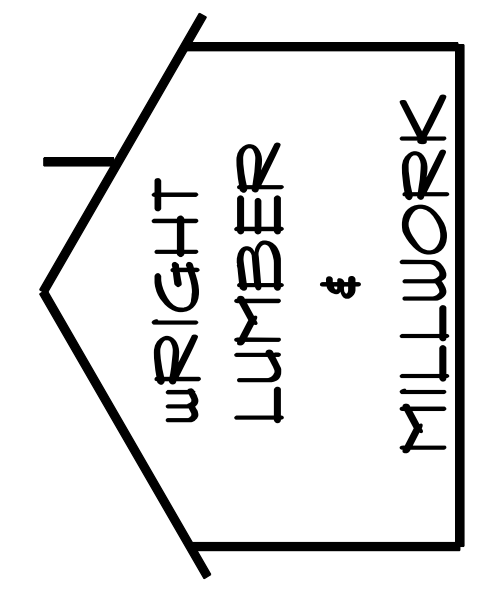
1 OF 3



**FLOOR PLAN**  
SCALE: 3/16" = 1'-0"

HOUSE S.F. • 1,440 S.F.  
GARAGE S.F. • 4,125 S.F.  
C.PORCH S.F. • 354 S.F.  
LEAN-TO S.F. • 504 S.F.

REVISED BY	DATE



**MIKE KELLY**  
**6620 COUNTY RD. 116**  
**CORCORAN, MN.**

BUILDER:

DATE PRINTED: 9-12-24  
DRAWN BY: JASON

PLAN

SHEET  
2 OF 3

# STAFF REPORT

# Agenda Item 6b.

<b>Planning Commission Meeting:</b> December 5, 2024	<b>Prepared By:</b> Natalie Davis McKeown
<b>Topic:</b> Cannabis Regulation Code Amendments (City File No. 24-044)	<b>Action Required:</b> Recommendation

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**Review Deadline:** January 1, 2025

### 1. Request:

The Planning Commission is asked to host a public hearing on proposed City Code amendments regarding licensing of cannabis related businesses. The Planning Commission is asked to make a recommendation on the amendments specific to the Zoning Ordinance to allow cannabis businesses in appropriate zoning districts and outlining performance standards.

### 2. Background:

In 2022, the Minnesota Legislature passed a bill permitting the sale and purchase of edibles and beverages that contain up to 5 milligrams of hemp-derived tetrahydrocannabinol (THC) per serving and 50 milligrams per package. In response, the City adopted Chapter 119 pertaining to Cannabis, Edible Cannabinoids, and Drug Paraphernalia. This allowed up to three licenses in the City within the City’s three dedicated commercial districts (Rural Commercial (CR), Neighborhood Commercial (C-1), and Community Commercial (C-2)). Buffering requirements were applied in this chapter to prevent such licenses from being issued within 1,000 feet from schools, 500 feet from daycares, and 500 feet from parks with amenities regularly used by children (e.g., playgrounds, fields, etc.).

In 2023, higher potency cannabis for adult recreational use was legalized by the State Legislature. This law granted the licensing authority to the state, but cities are still involved with the registration of cannabis businesses. The City enacted a moratorium to the maximum extent allowed by the new law to allow for review of the new regulations. The moratorium expires on January 1, 2025. The proposed update to Chapter 119 and Zoning Ordinance updates are in response to the changes made in 2023.

### 3. Analysis

The City Attorney drafted a repeal and replacement of Chapter 119 to fully capture all changes required of the City by the state as it relates to licensing registration of cannabis related businesses. The proposed restrictions in the draft Chapter 119 take into account feedback provided by City Council on November 25, 2024, and are believed to be as restrictive as recommended within the framework provided by the State. The City’s authority to add licensing requirements is restricted and a de facto ban

is not allowed. The City does have authority to identify appropriate districts to allow different types of Cannabis businesses, and it is believed performance standards can be required as part of the City's zoning authority. However, the product itself must be treated similar to other legal widgets/products. While the public is welcome to comment on the proposed changes to Chapter 119, the Planning Commission's purview is limited to the proposed Zoning Ordinance amendments.

Prior to this update, Chapter 119 allowed up to 3 licenses for lower potency products to be issued within the City's dedicated commercial districts. As part of the proposed draft to Chapter 119, up to 1 retail operation for higher potency products would be allowed in the City's dedicated commercial districts with up to 2 more licenses to sell lower potency products allowed within the same commercial districts. The overall retail type operations would not exceed 3 such businesses consistent with what was adopted by the City in 2023. Additionally, there is a provision that if licensing of cannabis retailers (for higher potency products) exceeds 1 per 12,500 people in Hennepin County overall, the City can, and would, choose to deny an additional license to be granted within the City.

Buffers to certain uses would still be applied to the maximum extent allowed by state law (1,000 feet from schools, 500 feet from daycare, 500 feet from residential treatment facilities, and 500 feet from parks with amenities frequented by children). The update also includes restrictions, to the maximum extent recommended by the City Attorney, on the hours of operation and temporary cannabis events.

Consistent with the discussion held with Council on November 25, 2024, staff recommends allowing different business operations as a permitted use in at least one district while relying on performance standards to make the approval process as clear and objective as possible while making such uses fit within the surrounding area. The proposed Zoning Ordinance Amendments identify the following cannabis business types and appropriate districts:

1. Cannabis, retail, compliant with Corcoran Code Section 119.03-04.
  - Permitted use in CR, C-1, and C-2.
2. Lower-Potency Hemp Edible Retailers, compliant with Section 119.03.
  - Permitted use in CR, C-1, and C-2.
3. Cannabis, state licensed cultivation business with no retail component
  - Permitted use in Rural Residential
4. Cannabis, state licensed businesses with no retail or outside cultivation component.
  - Permitted use in Business Park and Light Industrial (I-1)

Additionally, the following performance standards within the Zoning Ordinance for such businesses are proposed:

1. Cannabis retail establishments can only operate between the hours of 10:00AM and 9:00PM.

2. Establishments must implement comprehensive security measurements, including but not limited to:
  - a. Security cameras covering all areas of the premises, both interior and exterior.
  - b. Alarm system monitored 24 hours per day, 7 days per week by a licensed security company.
  - c. Secure storage areas for all cannabis products.
  - d. Outdoor cultivation areas as allowed in the Rural Residential district must be secured by a privacy fence of at least 6' tall and 80% opacity.
    - i. Fences may not include razor or concertina wire.
3. Adequate ventilation systems must be installed to ensure no odor is detectable from the exterior of the building or from adjacent properties.
4. Establishments must have a plan for the disposal of cannabis waste that complies with state regulations and prevents access by unauthorized individuals.
5. The operation of a cannabis business is prohibited 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 a playground or athletic field.
6. All signage must comply with Corcoran City Code and must not depict cannabis leaves, use slang terms for cannabis, or appeal to minors.

#### **4. Recommendation**

Staff recommends approval of the proposed amendments to Chapter 119 and Title X as it relates to Cannabis regulations.

#### **Attachments:**

1. Draft Ordinance 2024-xx Amending Chapter 119 and Title X of the City Code

**CITY OF CORCORAN  
ORDINANCE NO. 2024-XX**

**AN ORDINANCE AMENDING CHAPTER 119: CANNABIS, EDIBLE CANNABINOIDS, AND  
DRUG PARAPHERNALIA AND TITLE X: ZONING ORDINANCE**

The City Council of Corcoran does ordain:

Section 1: Existing City Code Chapter 119 is repealed in its entirety and replaced as follows:

**CHAPTER 119: Cannabis and Cannabis Business Regulations**

**§119.01 Purpose.**

The purpose of this ordinance is to implement the provisions of Minn. Stat. Ch. 342, and certain related regulations to protect the public health, safety and welfare of the residents of the city of Corcoran by regulating cannabis use and cannabis businesses within the legal limits of the city.

**§119.02 Definitions.**

Unless otherwise noted or specifically defined in this section, words and phrases contained in M.S. § 342.01, as it may be amended from time to time, and the rules promulgated pursuant to any of these acts, shall have the same meanings in this ordinance.

**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.

**CANNABIS RETAIL BUSINESSES.** A state-licensed retail location and the retail location(s) of a mezzobusiness(es) with a retail operations endorsement, microbusiness(es) with a retail operations endorsement, medical combination business(es) operating a retail location, excluding lower-potency hemp edible retailers.

**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.

**CERTIFIED MEDICAL PROFESSIONAL.** An individual who holds a valid and active license to practice medicine or provide healthcare services within the State of Minnesota, as issued by the Minnesota Board of Medical Practice, or other relevant state licensing authorities. This includes, but is not limited to, licensed physicians, advanced practice registered nurses (APRNs), physician assistants (PAs) or other healthcare professionals recognized by the State of Minnesota as being authorized to conduct medical evaluations, provide medical advice and respond to medical emergencies.



**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.

**DRUG PARAPHERNALIA.** All equipment, products, and materials of any kind, except those used in conjunction with permitted uses of controlled substances pursuant to state law, which are knowingly or intentionally used primarily in (1) manufacturing a controlled substance other than cannabis flower, cannabis products, lower potency hemp edibles, or hemp-derived consumer products, (2) injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance other than cannabis flower, cannabis products, lower potency hemp edibles, or hemp-derived consumer products, or (3) enhancing the effect of a controlled substance other than cannabis flower, cannabis products, lower potency hemp edibles, or hemp-derived consumer products. **DRUG PARAPHERNALIA** does not include the possession, manufacture, delivery, or sale of: (1) hypodermic syringes or needles or any instrument or implement which can be adapted for subcutaneous injections; or (2) products that detect the presence of fentanyl or a fentanyl analog in a controlled substance.

**LOWER-POTENCY HEMP EDIBLE.** As defined under M.S. § 342.01, subd. 50, as it may be amended from time to time.

**LOWER-POTENCY HEMP EDIBLE RETAILER.** A business which sells Lower-Potency Hemp Edibles but which is not a Cannabis Retailer, as defined by this Chapter.

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

**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.

**PRELIMINARY LICENSE APPROVAL.** OCM pre-approval for a cannabis business license for applicants who qualify under M.S. § 342.17, as it may be amended from time to time.

**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.

**RESIDENTIAL TREATMENT FACILITY.** A facility as defined under M.S. § 245.462, subd. 23, as it may be amended from time to time.

**RETAIL REGISTRATION.** An approved registration issued by the city to a state-licensed cannabis retail business, registering a single specified retail location within the city limits.

**SCHOOL.** A public school as defined under M.S. § 120A.05, as it may be amended from time to time, or a nonpublic school that must meet the reporting requirements under M.S. § 120A.24, as it may be amended from time to time.

**STATE LICENSE.** An approved license issued by the Office of Cannabis Management to a

cannabis business.

**§119.03 Registration of Cannabis Businesses.**

A. *Consent to Registering of Cannabis Businesses.* No individual or entity may operate a state-licensed cannabis retail business or lower-potency hemp edible retail business within the corporate limits of the city without first registering with the city. With the exception of the limitations set forth in §119.03 (G)(1), all requirements of this Section 119.03 shall apply to lower-potency hemp edible retailers the same as they do to cannabis retail businesses.

B. *Compliance Checks Prior to Retail Registration.*

1. The city may conduct a preliminary compliance check prior to issuance of a cannabis retail business registration to ensure compliance with local ordinances.
2. Pursuant to M.S. Ch. 342, within 30 days of receiving a copy of a state license application from OCM, the city 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.

C. *Registration and Application Procedure.*

1. *Fees.*

- a. The city shall not charge an application fee.
- b. A registration fee, as established under the city's fee schedule, shall be charged to applicants depending on the type of retail business license applied for.
  - (1) An initial retail registration fee shall not exceed \$500 or half the amount of an initial state license fee under M.S. § 342.11, as it may be amended from time to time, whichever is less. The initial registration fee shall include the initial retail registration fee and the first annual renewal fee.
  - (2) Any renewal retail registration fee imposed by the city 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 M.S. § 342.11, as it may be amended from time to time, whichever is less.
  - (3) 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. *Application submittal.*

- a. The city shall issue a retail registration to a state-licensed cannabis retail business that adheres to the requirements of M.S. § 342.22 and this Chapter, as they may be amended from time.
  - a. An applicant for a retail registration shall fill out an application form, as provided by the city. Said form shall include, but is not limited to:
    - (1) Full name of property owner and applicant;
    - (2) Address, email address, and telephone number of the applicant;
    - (3) The address and parcel ID for the property which

the retail registration is sought;

- (4) Certification that the applicant complies with the requirements of local ordinances established pursuant to M.S. 342.13, as it may be amended from time to time.

- b. The applicant shall include with the form:
  - (1) The application fee as required in Paragraph C,1;
  - (2) A copy of the state license application form and materials submitted to OCM.
  - (3) A copy of a valid state license or written notice of OCM license preapproval.
- c. Once an application is considered complete, the city shall inform the applicant as such, process the application fees, and forward the application to the City Council for approval or denial.
- d. The application fee shall be non-refundable once processed.

**3. Application approval.**

- a. 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 Paragraph G.
- 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.

**4. Annual compliance checks.**

- a. The city shall complete at least one unannounced compliance check per calendar year of every cannabis business to assess if the business meets age verification requirements, as required under M.S. § 342.22, subd. 4(b) and M.S. § 342.24, as they may be amended from time to time, and these ordinances.
- b. 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 person 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.

**5. Location change.** A state-licensed cannabis retail business shall be required to submit a new application for registration under Paragraph C,2 if it seeks to relocate to a new location still within the legal boundaries of the city. That application for registration at the new location shall be subject to the provisions of paragraph G.

- D. **Renewal of registration.** The city 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 the city and pay the renewal fee for the registration as established in the city's fee schedule.
- E. **Transfer of registration.** A cannabis retail registration issued under this ordinance shall not be transferred.
- F. **Suspension of registration.**

1. *When suspension is warranted.* The city may suspend a cannabis retail business's registration if it violates the ordinance of the city or poses an immediate threat to the health or safety of the public. The city shall immediately notify the cannabis retail business in writing the grounds for the suspension.
2. *Notification to OCM.* The city shall immediately notify the OCM in writing the grounds for the suspension. OCM will provide the city and cannabis business retailer a response to the complaint within seven calendar days and perform any necessary inspections within 30 calendar days.
3. *Length of suspension.* 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 city may require receipt of a determination from OCM before reinstating a registration. The business may not make sales to customers if their registration is suspended. The city may reinstate a registration if it determines that the violations have been resolved. The city shall reinstate a registration if OCM determines that the violation(s) have been resolved.

**G. *Limitation on Number of Registrations.***

1. The city shall limit the number of cannabis retail businesses to the lowest number of registrations permitted by M.S. § 342.13, as it may be amended from time to time, and this Chapter. The city shall allow no greater than one registration of a single retail location per 12,500 residents within the city limits which is not an operation owned by the city. In the event an application for registration seeks to locate within the corporate boundaries of the city and the County in which the proposed operations site is located has reached the threshold of one active registration for every 12,500 residents, the city shall not issue a registration to an operation which is not owned by the city. This limitation shall not apply to lower-potency hemp edible retailers, as defined in this Chapter.
2. The city shall limit the number of lower-potency hemp edible retailers to no more than two registrations of single retail locations within the corporate boundaries of the city. However, the limit set forth in this Section 119.03 (G)(2) shall not apply to a cannabis retail business legally operating within the city which is also licensed to sell lower-potency hemp edibles.

H. *Inspections.* City officials and law enforcement have the right to inspect the premises at any time to ensure compliance with all regulations.

**§119.04      Restrictions on Issuance.**

- A. No registration for a state-licensed cannabis business shall be granted within 1,000 feet of a school. The distance is to be measured from the closest side of the school to the closest side of the structure on the premises within which cannabis is to be sold.
- B. No registration for a state-licensed cannabis business shall be granted within 500 feet of a day care, a residential treatment facility and/or an attraction within a public park that is regularly used by minors, including a playground or athletic field. The distance is to be measured from the closest side of the day care, residential treatment facility or public park attraction regularly used by minors to the closest side of the structure on the premises within which cannabis is to be sold.
- C. Pursuant to M.S. § 462.367, subd. 14, as it may be amended from time to time, nothing in this Section 119.04 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 and/or an attraction within a public

park that is regularly used by minors moves within the minimum buffer zone.

- D. In the event an applicant seeks registration for a business to be located within a zoning district which requires a conditional use permit to permit the business, the City shall deny the application as not compliant with local zoning if the applicant has not obtained a valid conditional use permit for the use, from the city.

#### **§119.05 Hours of Operation.**

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 10:00 a.m. and 9:00 p.m.

#### **§119.06 Temporary Cannabis Events.**

- A. *License required.* A license or permit is required to be issued and approved by the city prior to holding a Temporary Cannabis Event.
- B. *Registration and application procedure.* A registration fee, as established in the city fee schedule, shall be charged to applicants for Temporary Cannabis Events.
- C. *Application submittal and review.* The city shall require an application for Temporary Cannabis Events.
1. An applicant for a retail registration shall fill out an application form, as provided by the city. The form shall include, but is not limited to:
    - a. Full name of the property owner and applicant;
    - b. Address, email address and telephone number of applicant;
    - c. The address at which the event will be held; and
    - d. Other information required by the Administrator or designee.
  2. The applicant shall include with the form the application fee as required under Paragraph B and a copy of the OCM cannabis event license application, submitted pursuant to M.S. § 342.39, subd. 2, as it may be amended from time to time.
  3. The application shall be submitted to the Administrator or designee, for review. If the Administrator determines that a submitted application is incomplete, he/she shall return the application to the applicant with the notice of deficiencies.
  4. Once an application is considered complete, the Administrator shall inform the applicant of such, process the application fees and forward the application to the city council for approval or denial. The application fee shall be non-refundable once processed.
  5. The application for a license for a Temporary Cannabis Event shall meet the following standards:
    - a. Comply with buffer standards applicable to a state-licensed cannabis business as set forth in Section 119.04 (A) and (B).
    - b. *Security requirements.*
      - (1) A minimum of two licensed peace officers or licensed security guards per 100 attendees must be present at all times.
      - (2) The event area must be equipped with 24/7 video surveillance covering all entrances, exits, and key areas.
      - (3) Secure fencing and controlled entry points must be established to ensure only authorized individuals enter the

event area.

c. *Operational standards.*

- (1) Noise levels must not exceed the limits set forth in City Code.
- (2) Effective odor control measures must be in place to ensure no detectable odor extends beyond the event premises.

d. *Health and safety standards.*

- (1) At least one certified medical professional, as defined in this Chapter, must be present on-site at all times.
- (2) Adequate sanitation facilities must be provided, including restrooms and handwashing stations, as determined by the city's Building Official.
- (3) A comprehensive waste management plan must be implemented to handle all event-related waste.

e. *Inspections.* City officials and law enforcement have the right to inspect the event at any time to ensure compliance with all regulations.

f. *Event Hours.* A Temporary Cannabis Event shall only be held between the hours of 10:00 a.m. and 9:00 p.m.

g. *On-Site Consumption Prohibited.* On-site consumption shall not be permitted at a Temporary Cannabis Event within the city.

h. *Location of Events.* A Temporary Cannabis Event which includes cannabis retail may only be held at a location which is within a zoning district which permits cannabis retail operation and subject to the provisions of Section 10-604.

**§119.07 Civil Penalties.**

- A. Any state-licensed cannabis retail business that sells to a customer or patient without valid retail registration shall incur a civil penalty of \$2,000 for each violation.
- B. Subject to M.S. § 342.22, subd. 5(e), the city may impose a civil penalty of \$500 for the first violation of this chapter, \$1,000 for the second violation of this chapter within a 36 month period, and \$2,000 for the third and subsequent violations within a 36 month period.

**§119.08 Public Use of Cannabis and Lower-Potency Hemp Edibles Prohibited.**

It is unlawful for any person to use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products as each is defined by state law, in a public place within the City of Corcoran. For the purposes of this Section, "public place" shall not include:

- A. A private residence, including the curtilage or yard of the same;
- B. Private property not generally accessible by the public, unless the person is explicitly prohibited from consuming cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property; or

- C. The premises of an establishment licensed to permit on-site consumption, provided the use complies with the on-site consumption permitted and this Chapter. On-site consumption shall not be permitted at Temporary Cannabis Events within the city.

Any violation of this Section shall be a petty misdemeanor.

**§119.09 Possession of Drug Paraphernalia Prohibited.**

It is unlawful for any person knowingly or intentionally to use or possess drug paraphernalia as defined in this Chapter.

Section 2: City Code Title X is hereby amended as follows:

**§1040.030, Subd. 2 -- Rural Residential District (RR)**

Subd. 2. Permitted Uses.

- A. Agriculture and Tree Farms.
- B. Cannabis, state licensed cultivation business with no retail component compliant with Corcoran Code Section 119 and 1060.120.
- C. Dwelling, Single Family Detached.
- D. Parks, playgrounds, trails, other recreational facilities of a non-commercial nature and directly related buildings and structures.
- E. Residential facility in a single family detached dwelling, serving 6 or fewer individuals and licensed by the State.
- F. Seasonal Product Stands.

**§1040.090, Subd. 2 – Rural Commercial (CR)**

Subd. 2. Permitted Uses.

- A. Automobile Retail (tires, batteries, etc. No body work or repair work).
- B. Cannabis, retail, compliant with Corcoran Code Section 119.03-04 and 1060.120.
- C. Civic Buildings, such as City Hall, libraries, fire stations, etc.
- D. Day Care Facilities, Commercial.
- E. Offices, medical and professional.
- F. Retail goods and service uses of a similar nature.

**§1040.100, Subd. 2 – C-1 (Neighborhood Commercial)**

Subd. 2. Permitted Uses.

- A. Bakery, retail.
- B. Banks, savings and loan, credit unions and other financial institutions, with or without drive-through.

- C. Barbers, Beauty Shops and similar personal service uses.
- D. Cannabis, retail, compliant with Corcoran Code Section 119.03-04 and 1060.120.
- E. Civic Buildings, such as City Hall, libraries, fire stations, etc.
- F. Copy/print shop.
- G. Day Care Facilities, Commercial.
- H. Dry cleaning and laundry pick-up, incidental pressing and repair without dry cleaning processing.
- I. Offices, medical and professional.
- J. Public and Private Clubs and Lodges.
- K. Restaurants and cafes (without drive-through).
- L. Retail goods and service uses of a similar nature within a fully enclosed building (without drive-through and not to exceed 50,000 square feet).
- M. Taverns.

**§1040.110, Subd. 2 – C-2 (Community Commercial)**

Subd. 2. Permitted Uses.

- A. Bakery, retail.
- B. Banks, savings and loan, credit unions and other financial institutions, with or without drive-through.
- C. Barbers, Beauty Shops and similar personal service uses.
- D. Cannabis, retail, compliant with Corcoran Code Section 119.03-04 and 1060.120.
- E. Civic Buildings, such as City Hall, libraries, fire stations, etc.
- F. Day Care Facilities, Commercial.
- G. Department Stores.
- H. Drug Stores, Variety Stores, etc.
- I. Dry cleaning and laundry pick-up, incidental pressing and repair without dry cleaning processing.
- J. Funeral Homes and Mortuaries.
- K. Grocery Stores (not to exceed 50,000 square feet).
- L. Hardware Stores.
- M. Hobby and Craft Stores.
- N. Home Furniture and Home Furnishing Stores.
- O. Household Appliance Stores.
- P. Laundromats.
- Q. Liquor – Off-sale/On-sale.
- R. Offices, medical and professional.
- S. Public and Private Clubs and Lodges.
- T. Restaurants and cafes (without drive-through).
- U. Retail goods and service uses of a similar nature.
- V. Sporting Goods and similar retail sales.
- W. Tailoring services, shoe repair and similar services.



X. Taverns.

**§1040.120, Subd. 2 – BP (Business Park)**

Subd. 2. Permitted Uses.

- A. Banks, savings and loan, credit unions and other financial institutions, with or without drive-through.
- B. Cannabis, state licensed businesses with no retail or outdoor cultivation component compliant with Corcoran Code Section 119 and 1060.120.
- C. Civic buildings, such as City Hall, libraries, fire stations, etc.
- D. Commercial printing establishments.
- E. Conference centers and reception halls.
- F. Essential services and structures.
- G. Laboratories/research facilities.
- H. Manufacturing or assembly of products that produce no exterior noise, glare, fumes, obnoxious products, byproducts, or wastes or creates other objectionable impact on the environment.
- I. Offices, medical and professional.
- J. Office/Warehouse.
- K. Radio and television stations or studios.
- L. Technical, vocational, business and college/university satellite facilities/schools.
- M. Warehousing and indoor storage used in conjunction with offices or manufacturing facilities.
- N. Wholesale Showrooms.

**§1040.125, Subd. 2 – I-1 (Light Industrial)**

Subd. 2. Permitted Uses.

- A. Automotive detailing shops.
- B. Cannabis, state licensed businesses with no retail or outdoor cultivation component compliant with Corcoran Code Section 119 and 1060.120.
- C. Civic buildings, such as City Hall, libraries, fire stations, etc.
- D. Commercial printing establishments.
- E. Contractors Operations
- F. Equipment rental.
- G. Indoor sports and recreation (commercial) provided the structure and use is located at least one hundred feet (100') from any residential zoning district.
- H. Laboratories/research facilities.
- I. Manufacturing or assembly of products that produce no exterior noise, glare, fumes, obnoxious products, byproducts, or wastes or creates other objectionable impact on the environment.
- J. Lumber yards/building material sales.
- K. Offices, medical and professional.

- L. Office/Warehouse.
- M. Printing and publishing.
- N. Radio and television stations or studios.
- O. Recycling facility – indoor.
- P. Warehousing/distribution and indoor storage.
- Q. Wholesale Showrooms.

**§1060.120-- Cannabis Businesses**

A. Cannabis and Hemp Business Activities

1. Cannabis retail establishments can only operate between the hours of 10:00 a.m. and 9:00 p.m.
2. Establishments must implement comprehensive security measures, including but not limited to:
  - a. Security cameras covering all areas of the premises, both interior and exterior.
  - b. Alarm system monitored 24 hours per day, 7 days per week by a licensed security company.
  - c. Secure storage areas for all cannabis products.
  - d. Outdoor cultivation areas as allowed in the Rural Residential district must be secured by a privacy fence of at least 6' tall and 80% opacity.
    - (1) Fences may not include razor or concertina wire.
3. Adequate ventilation systems must be installed to ensure no odor is detectable from the exterior of the building or from adjacent properties.
4. Establishments must have a plan for the disposal of cannabis waste that complies with state regulations and prevents access by unauthorized individuals.
5. The operation of a cannabis business is prohibited 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 a playground or athletic field.
6. All signage must comply with Corcoran City Code and must not depict cannabis leaves, use slang terms for cannabis, or appeal to minors.

Section 3: Corcoran Fee Schedule is amended as follows:

- Update with registration fee amounts

Section 4: This ordinance is effective upon adoption and official publication.

Adopted by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2024.

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Mayor Tom McKee

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Attest: Jay Tobin, City Administrator



[www.corcoranmn.gov](http://www.corcoranmn.gov)

## MEMO

Meeting Date: December 5, 2024

To: Planning Commission

From: Natalie Davis McKeown, Community Development Director

Re: Planning Commission 2024 Annual Report and 2025 Priority Setting

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Enclosed is a draft annual report for work completed in 2024. The Planning Commission is asked to provide direction on the proposed 2025 priorities they would like to forward to the City Council for their consideration. Staff will incorporate the identified priorities in the 2024 Annual Report that is expected to be forwarded to City Council at a January meeting (the exact date is to be determined). Staff asks the Commission to review the report. If commissioners would like to make any changes to the draft, please provide feedback to staff. Please feel free to reach out to staff with any questions.

### **Attachments:**

1. Draft 2024 Planning Commission Annual Report



[www.corcoranmn.gov](http://www.corcoranmn.gov)

## MEMO

Meeting Date: January 9, 2025  
To: City Council  
From: Planning Commission  
Re: Planning Commission 2024 Annual Report and 2025 Priorities

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As requested by the City Council, the Planning Commission is to update the Council on activities of the previous year and priorities for 2025.

The following are some of the activities completed by the Planning Commission in 2024:

### **2024 Summary of Reviewed Items:**

- Preliminary Plat and Variance for “Minks Addition”.
- Conditional Use Permit (CUP) for an accessory structure for Dan and Peggy Lister.
- Comprehensive Plan Amendment, Rezoning, Preliminary Planned Unit Development (PUD), and Preliminary Plat for Hope Community.
- Interim Use Permit (IUP) for a Conditional Home Occupation License for the Khacholing Center.
- Comprehensive Plan Amendment, Zoning Ordinance Amendment, Preliminary Plat, and Variance for Woodland Hills.
- Held multiple discussions, including a joint work session with City Council, on the the City’s larger Commercial and Industrial Zoning Ordinance Update.
- Rezoning, Preliminary PUD, and Preliminary Plat for Chastek Family Farm.
- CUP for an accessory structure for James Scharber.
- Variance for Red Barn Pet Retreat.
- Preliminary Plat for an Open Space & Preservation Plat, Variance, and CUP for Heather Meadows 3<sup>rd</sup> Addition.
- Comprehensive Plan Amendment, Rezoning, Preliminary PUD, and Preliminary Plat for Fairway Shores Villas.
- Preliminary Plat and Variance for Upward Acres.
- Zoning Ordinance Amendments related to the establishment of the new Conservation Residential land use category in the 2040 Comprehensive Plan.
- Zoning Ordinance Amendment to update the Shoreland Overlay district to meet state requirements.

- Zoning Ordinance Amendments to remove Mini Storage and Self Storage uses within the City.
- CUP for an accessory structure for Jay Brown.
- Zoning Ordinance Amendments related to the Rural Commercial Subdivision and Development Rights.
- PUD Amendment for Hope Community/Hope Meadows.
- Site Plan, CUP, and Variance for Domino's.
- Preliminary Plat and Variance for Slabaugh Addition.
- Comprehensive Plan Amendment, Rezoning, and Preliminary Plat for 3019 Addition.
- Site Plan, CUP, and IUP for Tonka Auto Center.
- Preliminary Plat and Variance for Old Farm Ridge.
- City Code and Zoning Ordinance Amendments related to Cannabis businesses.

**Totals:**

Comprehensive Plan Amendments: 5

Conditional Use Permits: 6

Interim Use Permits: 2

Preliminary Plats: 10

Rezoning: 4

Site Plans: 2

Variances: 8

Zoning Ordinance Amendments: 7

**2024 Priorities**

At the end of 2023, the Planning Commission identified a number of goals to achieve during the 2024 year. The following are some of the goals that were addressed by this Commission:

- A training session was held that covered a variety of topics, including:
  - The role of and legislation surrounding the Metropolitan Council.
  - Break down the City Code and Comprehensive Plan.
  - State laws relevant to planning and the Planning Commission.
- Provide support to the City Council in updating Commercial and Industrial standards.

The other two priorities originally identified for 2024 are now a part of the proposed priorities in 2025.

**2025 Priorities**

In addition to the Commission's role to review land use applications, the Planning Commission proposes the following priorities for 2025:

- Review Landscaping Standards
  - How can we preserve a diversity of environmental habitats through these standards other than requiring planting of trees and shrubs?
  - Can we credit projects for preservation of existing trees and habitats.
- Provide support to the City Council in finalizing the Commercial and Industrial standards.
- Community Farms, Community Gardens, and Agri-businesses
  - How can we support and encourage these uses within the Zoning Ordinance?
  - Also discussed encouraging the creation of “agrihoods”.
    - Is this supported through the existing Open Space and Preservation plat?
    - Are additional Subdivision Ordinance/Zoning Ordinance changes needed?
    - Is this feasible to incorporate within the MUSA?
- Review Home Occupation Ordinance
  - Encourage and support businesses that are compatible with residential neighborhoods.
  - Make the ordinance clearer/easier to navigate for residents.
  - Where can the current process be improved?
- A Zoning Ordinance Amendment to allow more accessory structures to be approved administratively to reduce the number of CUPs.
- Consider increasing the public hearing notice radius within the rural area from 500 feet to 1,000 feet.

The Planning Commission appreciates the support of the City Council and requests feedback on its proposed priorities for 2025.



## MEMO

Meeting Date: December 5, 2024  
To: Planning Commission  
From: Dwight Klingbeil  
Re: Planning Project Update

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*Projects/comments in blue italics are new.*

The following is a status summary of active planning projects:

1. **Kwik Trip CUP, Lot Line Adjustment, and Site Plan (PID 12-119-23-14-0006; 12-119-23-14- 0004) (City File 23-006)**

Kwik Trip Inc. submitted a Site Plan, Lot Line Adjustment and CUP application for the two parcels north of Mama G's in early 2023. A feasibility study was required to evaluate the infrastructure needs of the project. The feasibility study has been distributed to the applicant. Staff and the applicant team continue to work through requirements for the application to move forward. *Additional application materials were submitted to the City for a preliminary plat, final plat, variance, conditional use permit and site plan. The application is being reviewed for completeness and is not currently scheduled for any upcoming meetings.*

2. **Commercial and Industrial Development Standards (Citywide) (City File 23-023)**

The purpose of this zoning ordinance amendment is to address and evaluate the allowed uses and use specific standards within commercial and industrial developments. The Council adopted a work plan at the November 20, 2023, regular meeting, and requested the Planning Commission to provide their initial feedback. The Planning Commission discussed this item at the December 5, 2023, meeting and expressed their desire Commercial and Industrial Development Standards address a number of items such as: specific architectural standards, infrastructure investment incentives, encouragement toward sustainable development practices, proper transitions of intensities and height, the permitted and conditional uses of each zoning type, verbiage, and lighting standards.

City Staff prepared a survey for current landowners and lessees to express their



opinions on items addressed with this update. Staff mailed the online survey invitation to property owners and tenants whose property is either currently zoned, or guided for Commercial, Industrial, or Mixed-Use. The comment period for this survey closed on January 31, 2024.

During the February 8, 2024, City Council meeting, Council directed staff to prioritize Rural Commercial (CR) and Transitional Rural Commercial (TCR) district updates for approval by the end of quarter 2. Staff presented feedback from the Planning Commission and results from the Business Community Survey to the City Council at the April 25, 2024, regular Council meeting for further direction. The City Council and Planning Commission discussed the Commercial and Industrial standards during the May 21, 2024, Joint Work Session.

A survey invitation for feedback on Rural Commercial Subdivisions was posted to the City's media pages and mailed out to properties within 500 feet of CR & TCR parcels. Council discussed the results of this survey during the June 27, 2024, meeting.

A public hearing for an ordinance amendment removing self-storage/mini-storage from the CR and I-1 districts was held at the July 2, 2024, Planning Commission meeting. After some discussion, the Planning Commission motioned to recommend approval of this ordinance amendment. Council approved the zoning ordinance amendment, removing self-storage/mini-storage from the CR & I-1 districts at the July 25, 2024, meeting.

A public hearing to clarify the use of development rights for subdivision in the UR, RR, CR, and TCR districts was held at the August 1, 2024, Planning Commission meeting. The Planning Commission motioned unanimously to recommend approval of the draft ordinance. Council approved the Zoning Ordinance Amendment at the August 22, 2024, meeting.

3. **Pioneer Trail Industrial Park Final Plat & Final PUD (PID 32-119-23-43-0005, 32-119-23-43-0006, 32-119-23-43-0013)(City File 23-030).**

Contour Development LLC applied for a Final Plat and a Final PUD at 6210 Pioneer Trail. The application consists of 0 lots and 3 outlots. *Council approved this item during the November 25, 2024, City Council meeting.*

4. **Tonka Auto CUP (PID 26-119-23-12-0004) (City File 24-008).**

Jake Hautman submitted a Site Plan Amendment, a Conditional Use Permit, and an Interim Use Permit application to allow the operation of an auto repair business, Tonka Auto, at 20201 County Road 50. The public hearing for this item was held during the November 7, 2024, Planning Commission meeting. After some discussion, the Planning Commission recommended approval of this item as presented. *Council approved this item during the November 25, 2024, City Council meeting.*

5. **Corcoran Industrial Northeast (PID 01-119-23-11-0001) (City File 24-010).**

Hemple Real Estate is seeking Council feedback on conceptual light industrial development at 10585 County Road 101. The plan includes 2 primary industrial buildings ranging from 200,200 to 342,000 sq ft on a 78.85-acre site. The applicant received informal feedback from the Council during the March 28, 2024, Council meeting. *An Environmental Assessment Worksheet (EAW) must be completed should the applicant decide to proceed with this development.*

6. **Camp Solberg (PID 08-119-23-31-0004) (City File 24-021).**

Aaron and Melissa Solberg submitted an application for a preliminary and final plat to create two single-family residential lots on Outlot B of Weinand Woods located at PID 08-119-23-31-0004. This item is incomplete for city review and is not currently

scheduled for any upcoming meetings.

**7. Kariniemi Orchards Preliminary Plat (PID 11-119-23-11-0012) (City File 24-024).**

Nathan Kariniemi submitted an application for a preliminary open space & preservation plat to allow for the development of 16 single-family lots at 20400 County Road 30. *The applicant has withdrawn this application.*

**8. Old Farm Ridge (PID 36-119-23-33-0008) (City File 24-034).**

Michael Kelly submitted a preliminary plat, final plat, conditional use permit, and variance application to plat a single lot from Outlot A of Country Season Estates, located at 6620 County Road 116. *The application is complete for City review and is scheduled for the December 5, 2024, Planning Commission meeting.*

**9. Arens Norling OS&P Concept Plan (PID 31-119-23-12-0007) (City File 24-037).**

Robb Norling submitted a concept plan for an open space and preservation (OS&P) plat that would consist of 8 single-family lots and 1 outlot at 6700 Pioneer Trail. *The Council provided informal comments to the applicant during the November 25, 2024, City Council meeting.*

**10. A+A Tree and Landscape Concept Plan (PID 18-119-23-13-0002) (City File 24-043).**

*A+A Tree and Landscape LLC has submitted a concept plan for a yard waste recycling facility on the property surrounding the Public Works building (PID 18-119-23-13-0002). This application is under review for completeness and is not currently scheduled for City meetings.*

**11. Cannabis Regulation Code Amendments (Citywide) (City File 24-044).**

*The City of Corcoran will hold a public hearing regarding the licensing of cannabis related businesses during the December 5, 2024, Planning Commission meeting.*