

CITY OF NORTHFIELD, MINNESOTA
CITY COUNCIL RESOLUTION 2026-048

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
NORTHFIELD, MINNESOTA, APPROVING A CONDITIONAL USE PERMIT TO
OPERATE A CANNABIS RETAIL ESTABLISHMENT

- WHEREAS, the applicant, Black Bear Wellness MN, LLC, 104 E 4th St., Winona, MN 55987 (the “Applicant”), seeks a Conditional Use Permit, pursuant to Northfield City Code, Ch. 34, the Land Development Code, Secs. 2.9.19, 3.2.4, and 8.5.9, to allow the operation of a cannabis retail establishment at 680 Professional Dr. (the “Conditional Use Permit”), which is zoned C2-B: Highway Commercial; and
- WHEREAS, Empower Health, LLC is the owner of the above-referenced property; and
- WHEREAS, the above-referenced property is legally described on Exhibit A, which is attached hereto and incorporated herein by reference; and
- WHEREAS, the City of Northfield Planning Commission (the “Planning Commission”) conducted a public hearing on April 16, 2026, and received public testimony regarding the proposed Conditional Use Permit; and
- WHEREAS, all required notices regarding the above-referenced public hearing were properly made; and
- WHEREAS, following the public hearing, the Planning Commission reviewed the requested Conditional Use Permit at its April 16, 2026 meeting, found that the application meets the standards and criteria contained in Northfield City Code, Ch. 34, the Land Development Code, Secs 2.9.19, 3.2.4, and 8.5.9, adopted Findings of Fact on the required criteria attached hereto and incorporated herein by reference as Exhibit B, and recommended to the City Council approval of the Conditional Use Permit without conditions; and
- WHEREAS, the City Council reviewed the requested Conditional Use Permit and Planning Commission recommendation and findings for the requested Conditional Use Permit at its meeting of May 5, 2026.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL THAT:

1. The recitals hereto and the Planning Commission’s findings from its April 16, 2026 meeting, which are attached hereto and incorporated herein by reference as Exhibit B, are hereby adopted.
2. The Conditional Use Permit, pursuant to Northfield City Code, Ch. 34, Secs. 2.9.19, 3.2.4, and 8.5.9, to allow the operation of a cannabis retail establishment at 680 Professional Dr. is hereby APPROVED.

3. Pursuant to Minnesota Statutes, section 463.3595, a certified copy of this Conditional Use Permit shall be recorded with the county recorder or registrar of titles for Rice County.

PASSED by the City Council of the City of Northfield on this 5th day of May, 2026.

ATTEST

City Clerk

Mayor

VOTE: ___ ZWEIFEL ___ BEUMER ___ DAHLEN ___ HOLMES
 ___ NESS ___ PETERSON WHITE ___ SOKUP

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

680 Professional Dr. of

LOT 4, BLOCK 1, OF LUBBER'S COMMERCIAL ADDITION, IN THE CITY OF
NORTHFIELD, RICE COUNTY, MINNESOTA

EXHIBIT B

FINDINGS

Conditional Use Permit Approval Procedure & Approval Criteria:

A CUP follows the Type 4 Review Procedure found in Section 8.4.7 of the LDC. For the Type 4 Review Procedure, the Planning Commission holds a public hearing and makes a recommendation to City Council, and City Council makes the final decision.

In the approval of a conditional use permit, the Planning Commission may recommend that the City Council impose such conditions as necessary to make the use compatible with other uses allowed in the same district zone or vicinity. Northfield City Code, Sec. Section 8.5.9, Criterion (a) below must be met, and criteria (b) through (n) shall be considered in the review of conditional use permit applications:

a) The proposed use is allowed as a conditional use in the district for which it is proposed as shown in Table 2.7-1;

Yes, the proposed use of Cannabis Retail is allowed as a conditional use in Table 2.7-1 within the C2-B: Highway Commercial zoning district.

b) The conditional use will be in accordance with the general objectives, or with any specific objective, of the city's comprehensive plan and this LDC;

The cannabis retail establishment upholds the objectives of the City's Comprehensive Plan and LDC in the following categories:

Sustainable Economic Future –

Strategy 3 - Small Business Development – build a supportive and culturally competent environment for local businesses to thrive by connecting business owners to the resources from which they can benefit.

The proposed use meets the following purposes of the LDC:

1.1.3 Encourage growth in infill locations as the desired location of development with expansion on the edge of the city a secondary priority.

1.1.4 Create residential community areas with strong neighborhood qualities including pedestrian-friendly streets, community gathering spaces, and basic commercial needs within walking distance.

1.1.6 Allow for places with a mixture of uses that are distinctive and contribute to the city's overall vitality.

1.1.8 Provide for the expansion and diversification of the economic base to assure a strong economy.

1.1.9 Promote an ethic of sustainability in all activities to ensure that proposed development and redevelopment will, at a minimum, conserve energy and natural resources.

The proposed use meets the use-specific standards in Northfield City Code, Sec. Section 2.9.19 of the LDC:

The cannabis retail business is located more than 300 feet from a primary or secondary school, is located more than 1,320 feet from another cannabis retail business, and does not share a common entrance with a tobacco products shop.

- c) The conditional use will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
The proposed use utilizes an existing structure. Renovations will be limited to the interior of the building, and the exterior will conform to the regulations of the Land Development Code. The new use will not change the essential character of the area.
- d) The conditional use will not be hazardous or reasonably disturbing to existing or future uses;
Conditions and regulations in the Land Development Code for the operation of a cannabis retail location were adopted to ensure the use would not be hazardous or unreasonably disturbing. The proposed location is adequately served by existing infrastructure so that impacts due to an increase in traffic will not negatively impact the area.
- e) The conditional use will be served adequately by essential public facilities and services such as streets, police and fire protection, drainage structures, refuse disposal, water and sewer;
The cannabis retail will be adequately served by essential public services. The property is served by Professional Dr. to the southeast and southwest, which is accessed from Woodley Street/Hwy 246 to the North and Hwy 3 Service Rd (frontage road) to the west. State Highway 3 South is also a major road connection to the west. Drainage on site is served by a storm sewer. Refuse disposal will be handled through trash collectors serviced by a waste removal provider. Water and sewer connections are available and adequate to serve the project and site. The area currently lacks sidewalks, and is close to the Mill Towns State Trail, connections to the sidewalk network should be constructed as part of future projects. Based on this information, existing municipal utilities are adequate to meet the requirements of the proposed project. Final design is subject to technical building review completed and approved by staff.
- f) The benefits of the conditional use outweigh the potential negative effects of the surrounding community;
The State of Minnesota has determined that the benefits of a commercial cannabis market outweigh the potential negative effects. The City has adopted additional regulations to address local concerns. The benefits of the added commercial activity will outweigh the potential negative effects.
- g) The conditional use will not create excessive additional requirements at public cost for public facilities and services;
The conditional use is not anticipated to create additional public cost for public facilities or services.
- h) The conditional use will not involve uses, activities, processes, materials, equipment and conditions or operations that will be detrimental to any persons, property or the general welfare by reason of excessive traffic, noise, smoke, fumes, glare, or odors;
The cannabis retail establishment is not expected to generate noise, smoke, fumes, glare, or odors. There may be an increase in traffic to and from the site, but it is not anticipated to be excessive.

- i) The conditional use will not result in the destruction, loss, or damage of natural, scenic, or historic features of major importance as may be established in the comprehensive plan or other city plans related to natural, scenic, or historic features;
 The cannabis retail establishment is not expected to result in the destruction, loss, or damage of natural, scenic, or historic features of major importance as may be established in the comprehensive plan or other city plans related to natural, scenic, or historic features. The project involves the reuse of an existing commercial space in a multi-tenant building.
- j) The traffic and parking generated by the use will not lower the Levels of Services as described in the comprehensive plan update of intersections within a quarter mile of the site.
 The additional trips generated by this use are not significant enough to lower the Levels of Services in the area.
- k) In residential districts, the use is of a similar height, building orientation, massing, setback, and scale as to be compatible with surrounding uses in compliance with Section 3.5 Neighborhood Compatibility Standards;
 N/A
- l) In the Perimeter Transition Area (PTA) within the college development district (CD-S) that abut residential and commercial districts, height, building orientation, massing, setback and scale shall be considered in building renovation and/or new construction in order to maintain compatibility with surrounding areas as described in Section 3.4, Neighborhood Compatibility Standards. These neighborhood compatibility standards are to be administered in order to maintain a harmonious neighborhood environment and absolute compliance with these standards is not intended.
 N/A
- m) Impacts such as noise, hours of activity, and outdoor lighting have been addressed to mitigate negative impacts on nearby uses.
 The development is not anticipated to have negative impacts caused by noise, hours of activity, or outdoor lighting. City code allows the cannabis retail establishment to operate with similar hours to other retail establishments. There will be no outside activity to generate noise – all operations are contained within the building.
- n) Parking is adequately provided for the proposed conditional use.
 The LDC requires no additional off-street parking in the C2-B: Highway Commercial zoning district. All parking will be in the existing parking lot.
The following information shall be provided as part of the Conditional Use Permit application:
- (i) Number of customers, patients, visitors, or other patrons of the proposed use.
 The proposed use estimates approximately 10 customers maximum at any given time, with each visit being of a short duration.
 - (ii) Number of full-time and part-time employees;
 There will be approximately 4-6 employees on site.
 - (iii) Number and approximate timing of deliveries.
 The delivery schedule is unknown at this time and will evolve as the market matures, but only one delivery will occur at a time.