



Conditional Use Permit Procedures and Application Checklist

What is a Conditional Use Permit (CUP)?

A CUP, granted by the City Council, may be required for those uses which are permitted within a particular zoning district, but due to their nature, may in some respects be incompatible with surrounding land uses. In order to protect the health, safety, and general welfare of the public additional review is required of conditional uses, and in some cases, the City Council may place reasonable conditions and restrictions on them as necessary to protect the public interest.

Review Procedure

1. Applicant meets with City Staff to clarify and determine CUP requirements and discuss applicant's proposal.
2. Applicant submits CUP application to City.
3. Planner determines within 15 days whether application is complete or not.
4. Planner prepares written review of application for Planning Commission and City Council (City Attorney, Engineer, Building Inspector and Fire Chief may also prepare reviews depending on issues involved in application).
5. Planning Commission conducts public hearing(s) on the CUP application, and recommends action to the City Council.
6. City Council reviews the application and Planning Commission's recommendation, and takes action.
7. Once any applicable permits are issued and agreements executed applicant may commence with their project.

Criteria for Review

A conditional use permit may be granted after demonstration that all of the following are met:

- The establishment, maintenance or operation of the conditional use will promote and enhance the general public welfare and will not be detrimental to or endanger the public health, safety, morals or comfort.
- The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
- The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for permitted uses.
- Adequate measures have been or will be taken to provide ingress, egress and parking so designed as to minimize traffic congestion in the public streets.

- Impacts such as noise, hours of activity, and exterior lighting have been sufficiently addressed to mitigate negative impacts on nearby uses; and
- The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

Application Requirements

Prior to applying, a meeting with a City Planner is required. The application and supporting documents must be submitted at least thirty days before the Planning Commission meeting. All application and supporting documents must be submitted in electronic format to communitydevelopment@brooklyncentermn.gov. Please review the project checklist to ensure below. The full Zoning Code is available [here](#).

Please provide the following information with your completed CUP Application. To seek a waiver of any item, contact the City Planner.

Project Checklist			
Complete	Incomplete	N/A	
			<u>Required Project Information:</u>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Completed Planning Commission Application
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fee of \$250, Escrow as determined by City Planner
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No outstanding violations
			<u>Project Narrative</u>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Description of the project
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nature of the applicant’s interest
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A statement describing the intended use of the property and why the City should approve the request, specifically addressing the Criteria for Review listed on page 1.
			<u>Survey Information</u>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Size of parcel and dimensions
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All existing structures, their square footage, dimensions, height, distance from the property lines and setbacks (including right-of-way, and bodies of water)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adjacent streets, rights-of-way, and easements
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Shoreland boundary (including official OHW elevation)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Floodplain/flood fringe boundary including elevations at building and lot corners NOTE: The lowest floor elevation (including basement) must be included.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Wetland boundary
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name of surveyor, date, license number, scale, and north arrow
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Private and public easement locations and dimensions.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Utilities and rights-of-way easements including man-hole elevations, pipe elevations
			<u>Site/Building Plan Information</u>

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Site Plan. Existing and proposed layout of property lines, lots, blocks, parcels, streets, and boundary lines of project site including dimensions at a scale of not less than (1) inch to fifty (50) feet.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Location, right-of-way width, dimensions and names of existing or dedicated streets or other public lands, permanent buildings and structures, easements, section and corporate lines
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Existing and proposed principal building location(s), dimensions and setbacks.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Minimum front, side and rear yard setback lines.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Preliminary building floor plans and exterior elevations drawn to a minimum scale of 1/8" = 1', indicating architectural treatment or all proposed buildings and structures, the type or exterior building materials, and colors of all building components.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Existing and proposed driveway, curb and sidewalk locations.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Parking lot dimensions and counts, access drive locations, typical stall dimensions and handicapped stall locations
			Utilities and Infrastructure Information
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Utilities plan – sizes, locations, and approximate gradients:</p> <ul style="list-style-type: none"> - Sanitary sewer - Water main - Natural gas load - Electrical load <p>_____ Storm sewer design, catch basin inverts and locations, NURP pond dimensions. Please include drainage calculations.</p> <p>_____ Surface water collection and conveyance features including arrows indicating the direction of surface water flow over the map of proposed contours.</p> <ul style="list-style-type: none"> - Surface water ponds, drainage ditches and wetlands.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Streets – Streets – location, size, and center line gradients of proposed streets and alleys.
			Landscaping Plan
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Existing and proposed topography of the property
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Depiction of location, size and species of all proposed plants to be sodded or seeded
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Underground irrigation plan required in all landscaped areas
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Depiction of all trash and waste storage facilities on site
			Other Considerations**:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Illustrations and elevation images of the proposed project
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Location and details of all exterior lighting fixtures on site including calculations of foot candle illumination

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	On-site signage including all free standing and wall mounted signs, heights, square footages, materials, location, mounting systems,etc
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pedestrian and bicycle circulation system
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other plans as determined necessary by the City Planner
**Please contact the City Planner to determine if other plans will be required.			

Complete/Incomplete Applications: The application will be reviewed by the Planning Commission and report its recommendations to the City Council who makes a final determination. The applicant shall receive written notice of the actions taken. Once an application is submitted, City Staff shall have fifteen (15) business days to determine if the application is complete. An incomplete application will delay process of the request. If incomplete, City Staff will notify the Applicant in writing that the application is incomplete and what information is needed in order to make the application complete. Once an application has been deemed complete it will be placed on the next available agenda.

Escrows: All Planning Commission Applications shall be subject to a \$1,000 escrow deposit. Costs expended in reviewing and processing an application will be charged against the cash escrow and credited to the City. Charges to the escrow may include attorney and consulting fees and/or mailing and public notice costs. The escrow amount may be reduced or increased by the City Planner on a project by project basis. If at any time a required cash escrow is depleted the applicant shall deposit additional escrow funds as determined by the City. Unused portions of an escrow deposit shall be returned to the Applicant upon successful implementation of an approved application.