

**HOPKINS PLANNING & ZONING COMMISSION**

**AGENDA**

**Tuesday, January 27, 2026**

**6:30 pm**

**THIS AGENDA IS SUBJECT TO CHANGE  
UNTIL THE START OF THE PLANNING & ZONING COMMISSION MEETING**

**I. CALL TO ORDER**

**II. ADOPT AGENDA**

**III. COMMUNITY COMMENT**

**IV. CONSENT AGENDA**

1. Minutes of the November 25, 2025 Planning & Zoning Commission regular meeting

**V. PUBLIC HEARINGS**

1. Development Code Text Amendment to Allow, as a Permitted Use, Large Day Cares in the IX-S Zone.

**VI. OLD BUSINESS**

**VII. NEW BUSINESS**

1. Discussion of Potential Modifications to Zoning Regulations for the MX-D Zone Related to Cannabis Sales, Liquor Stores, and Tobacco Shops

**VIII. ANNOUNCEMENTS**

**IX. ADJOURN**

**HOPKINS PLANNING & ZONING COMMISSION  
REGULAR MEETING PROCEEDINGS  
TUESDAY, NOVEMBER 25, 2025**

**CALL TO ORDER**

Pursuant to due call and notice thereof a regular meeting of the Hopkins Planning & Zoning Commission was held on Tuesday, November 25, 2025 at 6:30 p.m. in the Council Chambers at Hopkins City Hall, 1010 1<sup>st</sup> St. S.

Chairperson Terrill called the meeting to order with commission members Wiechert, Montgomery, Minter and Ujifusa attending. Commissioners Ilstrup and Miller were absent. Also present was City Planner Ryan Krzos.

**ADOPT AGENDA**

**Motion** by Montgomery. **Second** by Minter.

**Motion** Adopt agenda as presented.

**Ayes: Wiechert, Terrill, Montgomery, Minter and Ujifusa.**

**Nays: None. Absent: Ilstrup and Miller. Motion carried.**

**COMMUNITY COMMENT**

None.

**CONSENT AGENDA**

**Motion** by Wiechert. **Second** by Montgomery.

**Motion** Approve the consent agenda.

1. Minutes from the October 28, 2025 Planning & Zoning Commission regular meeting.

**Ayes: Wiechert, Terrill, Montgomery, Minter and Ujifusa.**

**Nays: None. Absent: Ilstrup and Miller. Motion carried.**

**PUBLIC HEARINGS**

1. City Code Amendment for Cannabis Business Registration Requirements, Procedures and Separation Requirements.
2. Variance request for 37 19<sup>th</sup> Ave. N. for Primary Entrance Front Façade.

Krzos presented on update to the current City cannabis ordinances that were adopted in 2024, which regulates the location of the businesses in Hopkins. The Commission was presented with the current ordinance. Which regulates the location of cannabis businesses in Hopkins. Krzos explained the City Council's desire to amend the current code due to the high level of interest in this type of business.

Proposed amendments were the following:

- Increase the amount of retail registrations within City limits.
- Permit amendments to applications.
- Clarify buffer rules.
- Set a deadline to complete registration steps.
- Additional miscellaneous clarifications.

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Additional information on the proposed amendments and Planner Krzos' presentation can be found [here](#).

The public hearing was opened and Glen Brown, owner of Gro's Smoke Shop, 907 1<sup>st</sup> St. N. spoke about how he thinks it is important for the City to increase the amount of cannabis registrations. Amy Saldanha, owner of Kiddywampus, 1023 Mainstreet, voiced her concerns about cannabis businesses opening in the area.

Sandy Boren-Barrett, who manages the Stages Theatre Company at the Hopkins for the Arts, 1111 Mainstreet, also voiced her concerns. City council member Ben Goodlund, at 306 9<sup>th</sup> Ave. N., explained that adjusting the ordinance was not required at this meeting, and that they would have the ability to amend the regulations after the businesses began operating. Additionally, Krzos presented a written statement that was sent to the City by Jessica Witaker, at 145 19<sup>th</sup> Ave. N., in favor of increasing the number of businesses in the City.

The hearing was closed at 7:07 p.m.

**Motion** by Montgomery. **Second** by Ujifusa.

**Motion:** Close the public hearing.

**Ayes:** Wiechert, Terrill, Montgomery, Minter and Ujifusa.

**Nays:** None. **Absent:** Ilstrup and Miller. **Motion carried.**

Montgomery stated he was in support of increasing the number of licenses from three to five in the City but also stated he felt it was important to keep current regulations that require businesses to be 350 ft. or more from schools, parks and other child amenities.

Terrill stated she wanted to remain neutral on this issue. She said she felt there is a gap in the state's requirements versus what is right for Hopkins.

Krzos then read supportive comments about the amendments from Miller, who was absent.

Miller stated he would move forward with the amendments with adding zoning requirements for the 350 ft. rule to apply to daycares as well. Ujifusa agreed.

After further discussion, public comment was reopened at 7:16 p.m.

**Motion** by Minter. **Second** by Wiechert.

**Motion:** Reopen the public hearing.

**Ayes:** Wiechert, Terrill, Montgomery, Minter and Ujifusa.

**Nays:** None. **Absent:** Ilstrup and Miller. **Motion carried.**

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TUESDAY, NOVEMBER 25, 2025**

Boren-Barrett, Saldanha and Brown further expressed their thoughts during this time. Additionally, Kenneth Saldanha, 405 12<sup>th</sup> Ave. N., asked the commission to consider putting more focus on other businesses that are interested in coming to Hopkins.

The hearing was closed at 7:20 p.m.

**Motion** by Minter. **Second** by Ujifusa.

**Motion:** Close the public hearing.

**Ayes:** Wiechert, Terrill, Montgomery, Minter and Ujifusa.

**Nays:** None. **Absent:** Ilstrup and Miller. **Motion carried.**

Krzos then suggested adding another amendment that would look further into allowable uses in the downtown district for businesses like this.

Montgomery then moved to approve Resolution 2025-13 recommending the City Council adopt the City Code Amendment for cannabis business registration and separation requirements with additional amendments:

1. Add daycares to the zoning list that cannabis establishments are mandated to remain a specified distance from.
2. Increase the distance between cannabis businesses to parks and schools to 500 ft.
3. Ask council to reconsider what uses should be allowed downtown.

**Motion** by Montgomery. **Second** by Wiechert.

**Ayes:** Wiechert, Terrill, Montgomery, Minter and Ujifusa.

**Nays:** None. **Absent:** Ilstrup and Miller. **Motion carried.**

The resolution will be addressed at the December 1, 2025 City Council meeting.

Krzos provided an overview of the second public hearing item, a variance request for 37 19<sup>th</sup> Ave. N. from Jonathan Homes of M.N., LLC. The variance would be to increase the maximum primary entrance on a front façade for two front doors on two-unit homes being built.

The public hearing was opened and Nathan Fair, from Andover, M.N., with Jonathan Homes of M.N., LLC explained his thoughts on the need for the Commission to approve the variance request. Beth Lauzon, 41 19<sup>th</sup> Ave. N., shared her concerns about the project overall and the size of homes like this. Tessa Bartlett, 33 19<sup>th</sup> Ave. also voiced her thoughts on the project being too large for the lot.

The hearing was closed at 7:43 p.m.

**Motion** by Montgomery. **Second** by Minter.

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**Motion:** Close the public hearing.

**Ayes:** Wiechert, Terrill, Montgomery, Minter and Ujifusa.

**Nays:** None. **Absent:** Ilstrup and Miller. **Motion carried.**

After further clarification of stormwater building requirements and the design of homes in the neighborhood, Commissioner Montgomery moved to deny the variance.

The applicant then spoke on the impact denying the request would make on his project. Public Comment was re-opened, and Bartlett spoke against the project.

The hearing was closed at 8:02 p.m.

**Motion** by Minter. **Second** by Ujifusa.

**Motion:** Close the public hearing.

**Ayes:** Wiechert, Terrill, Montgomery, Minter and Ujifusa.

**Nays:** None. **Absent:** Ilstrup and Miller. **Motion carried.**

Krzos read comments in support of the variance from Commissioner Miller.

Montgomery then moved to deny the variance. Terrill then clarified that the motion is about the doors, not the space between the lots.

Public comment was again re-opened, and Trent Bartlett spoke about his concerns of the size of the project.

**Motion** by Montgomery. **Second** by Minter.

**Motion:** Close the public hearing.

**Ayes:** Wiechert, Terrill, Montgomery, Minter and Ujifusa.

**Nays:** None. **Absent:** Ilstrup and Miller. **Motion carried.**

**Motion** by Minter. **Second** by Ujifusa.

**Motion:** Approve the variance request as presented.

**Ayes:** Wiechert, Terrill, Minter and Ujifusa.

**Nays:** Montgomery. **Absent:** Ilstrup and Miller. **Motion carried.**

The recommendation will be considered at the December 1, 2025 City Council meeting.

**OLD BUSINESS**

1. Continued 2026 Planning & Zoning Commission Work Plan Discussion.

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Krzos explained the work plan that includes community engagement, education and training and a plan for presenting a housekeeping update on the development code.

**Motion** by Montgomery. **Second** by Minter.

**Motion:** Approve the 2026 Planning & Zoning Commission Work Plan.

**Ayes:** Wiechert, Terrill, Montgomery, Minter and Ujifusa.

**Nays:** None. **Absent:** Ilstrup and Miller. **Motion carried.**

**NEW BUSINESS**

None.

**ANNOUNCEMENTS**

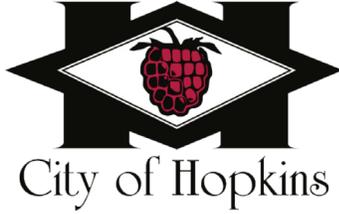
City Planner Krzos updated the Commission on past projects and upcoming agenda items.

**ADJOURNMENT**

There being no further business to come before the Planning & Zoning Commission and upon a motion by Ujifusa, second by Wiechert, the meeting was unanimously adjourned at 8:24 p.m.

Respectfully Submitted,

Kristine Kostuck, Administrative Assistant



## P&Z Report 2026-01

To: Planning and Zoning Commission Members  
From: Ryan Krzos, City Planner  
Date: January 27, 2026  
Subject: Development Code Text Amendment to Allow, as a Permitted Use, Large Day Cares in the IX-S Zone.

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### **REQUEST**

Mariela Pineda, on behalf of Creek Valley Properties LLC, owner of 509 2nd Avenue S, proposes a Development Code Text amendment to allow, as a permitted use, large day cares in the IX-S, Employment Mix Suburban Center zone.

### **RECOMMENDATION**

The Planning and Zoning Commission is asked to:

1. Hold a Public Hearing on the Development Code Text Amendment.
2. Consider comments by the public and Staff.
3. By motion approve a Resolution recommending the City Council adopt the Development Code Text Amendment.

### **ANALYSIS**

The applicant is requesting a Development Code Amendment which would allow large day cares as a permitted use within the IX-S Zone. Currently, large day care uses are prohibited in the IX-S Zone. The text amendment would apply to all properties in the IX-S zone, not just the property of interest for the applicant. The applicant is applying on behalf of the owner of 509 2nd Avenue S, which is in the IX-S zone. If approved, the applicant intends on locating their day care facility at this location. This request is not just whether the applicant's particular operation is appropriate at this location, rather it is whether day care facilities are in appropriate use for all properties with the same zoning designation.

In the Hopkins Development Code, day cares have the following definition, which is further categorized into adult day, small day care and large day care (see a through c below):

102-540 (d) DAY CARE

(1) Description. The day care use category includes establishments licensed by the state that provide nonmedical care to children or aged, infirm, or disabled adults for only part of a day, typically during normal working hours. Examples include adult day care centers, group family day care facilities, child care centers, and similar use types.

a. Adult Day Care. A state-licensed center-based facility that provides adult day services to adults who have functional impairments on a regular basis for periods of fewer than 24 hours during the day in a setting that is not a residence.

b. Day Care, Small. A state-licensed day care facility serving 12 or fewer persons or a group family day care facility licensed under Minnesota Rules, parts 9502.0315 to 9502.0445 to serve 14 or fewer children.

c. Day Care, Large. All day care uses that do not meet the definition of a small day care or adult day care.

### **Existing Zoning**

The IX-S zone is intended for regional-scale nodes, where office, research and development, and low-impact production and manufacturing with limited external impacts in an environment accessible via motor vehicle and walking. The location of IX-S-zoned property is included as a map attachment.

*Permitted Uses allowed in IX-S:* Adult-Oriented Business, Animal Boarding, Consumer Service, Adult Day Care, Large Entertainment Venue, Lodging, Office, Artisan Manufacturing, Limited Manufacturing, Urban Farm, Warehousing and Distribution, Cultural Facility, Community Garden, Parks and Open Space, Minor Utilities and Services, Cannabis Cultivation, Cannabis Product Manufacturing, Cannabis Wholesale & Transportation.

*Uses allowed Conditionally in IX-S:* Vehicle Sales & Service, Major Utilities and Services.

Day Cares were not established as an allowed use in the IX-S zone as part of the 2022 Zoning update, primarily because the preceding zones encompassing these areas did not allow day cares. This area was largely zoned either Industrial or Business Park. This practice is consistent with the historical zoning practice of restricting day cares in industrial areas out of a perceived incompatibility of the two uses.

*Where Large Day Cares are allowed (See attached Map):*

Conditionally allowed: NX1 & NX2

Allowed only within 25% of the building's area: RX-TOD, RX-D, RX-N, & IX-TOD

Allowed in unlimited area: MX-TOD, MX-N, & MX-S

Allowed only in upper stories: MX-D

### **Assessment of Need**

Access to quality affordable childcare is a necessity for many Hopkins families. Furthermore, childcare is essential to the economic environment of the community as it allows for parents to remain in the workforce. Per the most recent American Community Survey Hopkins has a population of 1,537 under the age of five (out of a total of 18,696 residents). Per Minnesota Department of Human Services' records Hopkins has a licensed capacity of a total of 683 among the 15 active licensed facilities (Family Day Care, and Day Care Centers). Furthermore, per analysis from the University of Minnesota families in the Hopkins School District had an overall access index that ranked 298<sup>th</sup> out the 332 Districts (See <https://childcareaccess.org/>). This analysis studied quantity, cost, and quality. While quantity and quality ranked relatively high, cost was near the bottom. Accordingly, staff believes increasing the supply of day care facilities will positively impact these conditions. The City can influence said supply by expanding eligible areas for facilities.

### **Amendment Options**

As noted, the proposed text amendment would allow large day cares as a permitted use in the IX-S Zone. Staff finds it appropriate to have large day cares in the zone without additional stipulations as it is in other zones (i.e. restricting to a 25% of floor area, or only in upper stories). Further, day care facilities must adhere to State requirements per their license, including provisions relating to internal floor area, outdoor activity area, and sinks and toilets all based on occupancy. The Development Code does address anticipated parking needs by requiring one vehicular stall per each six enrollees. The code does not provide stipulations for drop-off/pick-up

Should the City desire to review each new day care in this zone on a case-by-case basis, the use could be listed as a conditional use. Conditional uses require a conditional use permit, reviewed by the Planning and Zoning Commission with a final decision by City Council. In the conditional use permit application process, the applicant would have to demonstrate the proposal met the general condition use requirements (Compliance with the Comprehensive Plan, Compliance with applicable code provisions, and that the use is not determinate to the surroundings) as well as any specific conditions for large day cares.

Staff believes that it is appropriate to list the use as a permitted use in the zone. Generally, day care have similar characteristics to office or service uses, which are prevalent in the IX-S zone.

**Review Criteria:**

Staff finds that the proposed development code amendment meets the criteria for approval. In making decisions about code amendments, the City must consider all relevant factors, including at least the following criteria:

1. Whether the proposed zoning text amendment is in conformity with the comprehensive plan

The Comprehensive Plan identifies areas within the IX-S zone primarily within the Commerce and Employment future land use category. The Commerce and Employment District area is envisioned as being contemporary auto-oriented development supporting regional and interstate commerce. Uses expected in commerce and employment corridors include a mix of commercial, office, service, medical, research and technology facilities. Secondary uses may include retail and office/showroom uses. A characteristic of the commerce and employment district is high visibility and excellent vehicle access.

The vision of the IX-S Zone is for regional-scale nodes, where office, research and development, and low-impact production and manufacturing with limited external impacts in an environment accessible via motor vehicle and walking.

While day cares are not an office or light-industrial use, staff finds the service nature of day cares to be complementary to and supportive of those uses. In general, the characteristics of day cares are not incompatible with those of office or light industrial in terms of vehicular traffic, parking demand, or other external impacts.

Additionally, Staff finds that the proposal furthers goals of the Plan to maintain and diversify the City’s strong employment base, and to create and develop mixed use centers and districts throughout the city, to support livability and community vitality

Staff finds that this criterion is met.

2. Whether the proposed zoning map amendment corrects an error or inconsistency or will help meet the challenge of a changed or changing condition.

Staff finds that there is a need for additional daycare facilities in the city, and the need is expected to persist given a projected population increase. The code amendment provides the opportunity for additional facilities by expanding the areas eligible for day care facilities. Accordingly, staff finds that this criterion is met.

### **Community Input and Engagement:**

- No community members commented on this item as of the writing of this report.
- Staff will provide an update to the Planning and Zoning Commission on all public comments received during the public hearing.

#### *Engagement Activities:*

- The Planning and Zoning Commission's public hearing.
- Published notice of this public hearing in the City's official paper.

### **Alternatives:**

Zoning Text Amendments are considered legislative action. The City has a wide degree of discretion in creating legislation, but it must be reasonable and promote public health, safety, and/or general welfare.

The Planning and Zoning Commission could consider the following alternatives:

- Recommend modifications the proposal – such as added stipulations for large day cares in the IX-S zone.
- Recommend denial of the proposal.

### **NEXT STEPS**

The City Council will consider the Planning and Zoning Commission's recommendation at their February 2nd meeting. The Council may vote to approve a first reading of an Ordinance amending the Development Code. A second reading of the Ordinance is required to make it official.

**CITY OF HOPKINS  
HENNEPIN COUNTY, MINNESOTA**

**PLANNING & ZONING COMMISSION RESOLUTION NO. 2026-01**

**A RESOLUTION RECOMMENDING THE CITY COUNCIL APPROVE AN ORDINANCE  
AMENDING CHAPTER 102 OF THE HOPKINS CITY CODE RELATED TO BACKYARD  
COTTAGES**

**WHEREAS**, the Hopkins Development Code is intended to establish the development standards to implement the community vision and enact the vision, goals and policies of the 2040 Comprehensive Plan – Cultivate Hopkins (“the Plan”); and

**WHEREAS**, the Plan’s Land Use Section states goals to maintain and diversify the City’s strong employment base, and to create and develop mixed use centers and districts throughout the city, to support livability and community vitality; and

**WHEREAS**, The Plan’s Land Use section also designates certain portions of the City as have a future land use designation of Commerce and Employment District; and

**WHEREAS**, The Commerce and Employment District area is envisioned as being contemporary auto-oriented development supporting regional and interstate commerce. Uses expected in commerce and employment corridors include a mix of commercial, office, service, medical, research and technology facilities; and

**WHEREAS**, The Hopkins Development Code establishes the IX-S, Employment Mix Suburban Center zoning designation within portions of the Commerce and Employment District; and

**WHEREAS**, the vision of the IX-S Zone is for regional-scale nodes, where office, research and development, and low-impact production and manufacturing with limited external impacts in an environment accessible via motor vehicle and walking; and

**WHEREAS**, Mariela Pineda (“the Applicant”), on behalf of Creek Valley Properties LLC, owner of 509 2nd Avenue N, proposes a Development Code Text amendment to allow, as a permitted use, large day cares in the IX-S, Employment Mix Suburban Center zone; and

**WHEREAS**, the procedural history of the Development Code Text Amendment is as follows:

1. That the above stated Development Code Text Amendment was initiated by the Application and deemed complete on December 26, 2025; and,
2. That the Hopkins Planning & Zoning Commission, pursuant to published notice, held a public hearing on the application and reviewed such application on January 27, 2026 and all persons present were given an opportunity to be heard; and,
3. That written comments and analysis of City staff were considered; and,

**WHEREAS**, staff recommended approval of the above stated application based on the analysis provided in the Planning & Zoning Report 2026-01 dated January 27, 2026.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning & Zoning Commission of the City of Hopkins hereby recommends the City Council of the City of Hopkins approve an ordinance amending the Hopkins Development Code allowing, as a permitted use, large day cares, in the IX-S, Employment Mix Suburban Center zone, based on the following findings of fact:

1. The requested development code amendment meets the review criteria for text amendments.
  - a. The proposed zoning text amendment is in conformity with the comprehensive plan
    - The Comprehensive Plan identifies areas within the IX-S zone primarily within the Commerce and Employment future land use category. The Commerce and Employment District area is envisioned as being contemporary auto-oriented development supporting regional and interstate commerce. Uses expected in commerce and employment corridors include a mix of commercial, office, service, medical, research and technology facilities. Secondary uses may include retail and office/showroom uses. A characteristic of the commerce and employment district is high visibility and excellent vehicle access.
    - The vision of the IX-S Zone is for regional-scale nodes, where office, research and development, and low-impact production and manufacturing with limited external impacts in an environment accessible via motor vehicle and walking.
    - While day cares are not an office or light-industrial use, staff finds the service nature of day cares to be complementary to and supportive of those uses. In general, the characteristics of day cares are not incompatible with those of office or light industrial in terms of vehicular traffic, parking demand, or other external impacts.
  - b. The proposed zoning map amendment corrects an error or inconsistency or will help meet the challenge of a changed or changing condition.
    - There is a need for additional daycare facilities in the City, and the need is expected to persist given a projected population increase. The Development Code amendment provides the opportunity for additional facilities by expanding the areas eligible for day care uses.

Adopted this 27th day of January 2026.

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Whitney Terrill, Chairperson

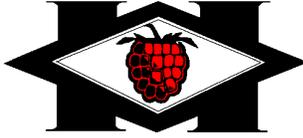


# Day Care Zoning Amendment

1/22/2026







CITY OF HOPKINS

## Memorandum

To: Planning and Zoning Commission Members  
From: Ryan Krzos, City Planner  
Date: January 27, 2026  
Subject: Discussion of Potential Modifications to Zoning Regulations for the MX-D Zone Related to Cannabis Sales, Liquor Stores, and Tobacco Shops

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### **PURPOSE**

The purpose of this agenda item is to initiate a discussion with the Planning and Zoning Commission regarding potential modifications to the zoning regulations governing the MX-D, Mixed-Use Downtown Center zoning district as they relate to cannabis sales, liquor stores, and tobacco shops. Staff is seeking Commission feedback on whether changes may be appropriate to better align with the City's planning goals for the downtown area.

No formal action is requested at this time. This item is intended as a policy discussion and direction-setting exercise.

### **INFORMATION**

#### *Background*

At the November 25, 2025 Planning & Zoning Commission meeting, the Commission reviewed a City Code Amendment for Cannabis Business Registration Requirements, Procedures, and Separation Requirements. During their review, a plurality of the Commission expressed interest in evaluating zoning regulations of uses in the downtown that involve the sale of products that are restricted by minors, i.e. tobacco, liquor, and cannabis. Since there are a multitude of options for these changes this discussion was scheduled.

#### *Planning Context*

The vision and goals for downtown Hopkins are outlined in the 2040 Comprehensive Plan. In general, the City should aim to preserve Downtown's unique, authentic character while encouraging thoughtful growth, stronger social connections, and economic resilience, making it a vibrant, welcoming hub for residents, visitors, and businesses alike. To carry out that vision, the City established the MX-D zoning designation (along with other downtown zones) as a part of the 2022 Zoning Code update. The MX-D zoning district is intended to promote a vibrant, walkable, mixed-use downtown environment that supports a range of commercial, residential, civic, and cultural uses.

Currently, cannabis sales, liquor stores, and tobacco shops are regulated under the zoning code with differing locational standards. As these uses may have distinct impacts on pedestrian activity, business mix, and community perception, it is appropriate to review how they are treated within the MX-D district.

### *Existing Zoning Regulations*

#### Cannabis Sales:

- Regulated pursuant to state law and local zoning standards. In the MX-D district, cannabis-related retail uses are permitted, subject to separation requirements from sensitive uses.
  - A maximum of three (3) registrations are available for cannabis retail. There is no limit to the number of hemp derived edible product sales.
  - Subject to separation requirements, which are limited by State Statute:
    - 350 ft from a school.
    - 350 ft from an attraction with a park feature.
      - Defined as an attraction within a public park that is regularly used by minors, including a playground or athletic field.
    - 500 ft from another cannabis retailer.
    - Statute allows Cities to buffer up to 1,000 ft from a school, and 500 ft. from an attraction with a park feature, residential treatment facility, and day care

#### Liquor Stores (Off-Sale):

- Regulated as a distinct retail & entertainment category. In Hopkins liquor stores are subject to spacing, size limitations and local licensing limits.
  - Liquor stores may not exceed 5,000 square feet in gross floor area.
  - A maximum of nine (9) off-sale licenses are available in Hopkins.
  - Subject to separation requirements:
    - 350 ft from:
      - An elementary or secondary school,
      - Day Care center
      - Religious institution
      - An Existing off-sale liquor store
      - Pawnshop
      - Currency Exchange
      - A business licensed by the city as an adult oriented business.

#### Tobacco Shops:

- Generally categorized as retail sales but may be subject to additional restrictions based on product type or proximity to schools, parks, or other sensitive uses.

### **Key Issues for Commission Discussion**

Staff has identified the following policy questions for Commission consideration:

1. Land Use Compatibility
  - Are cannabis sales, liquor stores, and tobacco shops consistent with the long-term vision for the MX-D district?
  - Should these uses be encouraged, limited, or more tightly regulated in downtown locations?
2. Use Classification
  - Should any of these uses be reclassified (e.g., from permitted to conditional uses) to allow for case-by-case review or be stipulated in any manner (i.e. only on non-Mainstreet frontages)?
  - Are there distinctions between different types or scales of these businesses that should be reflected in the code?
  - The City cannot prevent a legally operating business by changing Zoning regulations. Such businesses become legally non-conforming in perpetuity, so long as the use does not cease for more than 12 months. Such businesses can be sold and operated by new owners, but they are prohibited from expanding.
3. Concentration and Spacing
  - Should spacing requirements between similar uses be considered to prevent over-concentration?
  - Should additional spacing from sensitive uses (e.g., schools, parks, residential units) apply specifically within the MX-D district?
4. Design and Operational Standards
  - Are additional design standards (e.g. storefront transparency, signage limitations) appropriate for these uses in a downtown context?
5. Peer Community Regulations
  - Staff reviewed regulations for communities that have a downtown zoning designation with similar characteristics to Hopkins’:

<b>White Bear Lake</b>
<i>Zone:</i> MX-D - Mixed-Use Storefront - Downtown
<i>Uses:</i> Conditional: Off-Sale Liquor Prohibited: Tobacco Products Shop, Cannabis Dispensary
<i>Stipulations:</i> <ul style="list-style-type: none"> <li>○ Off-sale liquor stores may be approved in the MX-D zone only if:               <ul style="list-style-type: none"> <li>○ a. Located on a lot with frontage on Highway 61 and 3rd Street or Highway 61 and 4th Street; and</li> <li>○ b. The gross floor area of the business does not exceed 5,000 square feet.</li> </ul> </li> </ul>
<b>Excelsior</b>
<i>Zone:</i> DC - Downtown Commercial
<i>Uses:</i> Permitted: Retail Sales (Tobacco), On and Off sale Liquor Cannabis Retail is prohibited

<i>Stipulations:</i>
<b>Robbinsdale</b>
<i>Zone:</i> DD-1 - Downtown District
<i>Uses:</i> Permitted: Retail (Tobacco), Cannabis Retailer Prohibited: Tobacco Shops
<i>Stipulations:</i> Cannabis Retail prohibited 300 ft from a school and 500 ft from another cannabis retail business  Municipal liquor only
<b>Stillwater</b>
<i>Zone:</i> CBD - Central Business District
<i>Uses:</i> Permitted: General Retail (Liquor Store & Tobacco Shop) Prohibited: Cannabis Retail
<i>Stipulations:</i>
<b>Wayzata</b>
<i>Zone:</i> C-4B - Central Business District
<i>Uses:</i> Permitted: Liquor Store, General Retail (Tobacco) Prohibited: Cannabis Retail
<i>Stipulations:</i> Municipal liquor only
<b>Anoka</b>
<i>Zone:</i> MS - Main Street Mixed-Use District
<i>Uses:</i> Permitted: Liquor Store, Cannabis Retailer (Except in Sub District EM-2) Prohibited: Tobacco Shops
<i>Stipulations:</i> Cannabis Retail prohibited 500 ft of a school, day care, residential treatment facility, an attractions within a public park that is regularly used by minors, or another cannabis retailer.

6. Economic Development and Equity Considerations

- How might zoning changes affect small businesses, redevelopment opportunities, and overall downtown vitality?
- Are there equity or accessibility considerations the City should account for when regulating these uses?

## **FUTURE ACTION**

Based on Commission feedback, staff may prepare draft zoning code amendments for formal review. Review of the Amendment would require a public hearing and review by the Planning and Zoning Commission. The City Council would then consider the Commission recommendation and take action on the amendment at a subsequent regular meeting.



# Downtown Hopkins MX-D Parcels

12/1/2025

