

**Announcement of Meeting
Planning Commission
Regular Meeting Agenda**

Monday, June 9, 2025

5:00 PM

Council Chambers

I. CALL TO ORDER

II. APPROVAL OF MINUTES

II.1. [2025-178](#) Planning Commission Minutes from April 7, 2025

III. PUBLIC HEARING

III.1. [2025-179](#) The purpose of the hearing is to rule and make recommendation to the Luverne City Council on the following:

1. Requested conditional use permit (CUP) application submitted by Terry Gray, to open and operate a Cannabis Retail Establishment, located at 206 West Main Street (20-1649-000), in D - Downtown District, City of Luverne, Minnesota.

2. Requested conditional use permit (CUP) application submitted by Terry Gray, to open and operate a Cannabis Retail Establishment, located at 218 East Main Street (20-1125-000), in D - Downtown District, City of Luverne, Minnesota.

3. Requested conditional use permit (CUP) application submitted by Dylan Stokes, to open and operate a Cannabis Retail and Manufacturing Establishment, located at 1202 South Kniss Avenue (20-1943-000), in H-C - Highway Commercial District, City of Luverne, Minnesota.

4. Requested conditional use permit (CUP) application submitted by Peter Dikun, to open and operate a Cannabis Retail Establishment, located at 704 South Kniss Avenue (20-0675-000), in C-C - Community Commercial District, City of Luverne, Minnesota.

5. Requested conditional use permit (CUP) application submitted by Terry Kapple, to open and operate a Cannabis Retail Establishment, located at 401 South Kniss Avenue (20-0037-200), in C-C - Community Commercial District, City of Luverne, Minnesota.

IV. OLD BUSINESS

V. NEW BUSINESS

- V.1. [2025-180](#)** Requested conditional use permit (CUP) application submitted by Terry Gray, to open and operate a Cannabis Retail Establishment, located at 206 West Main Street (20-1649-000), in D - Downtown District, City of Luverne, Minnesota.
- V.2. [2025-181](#)** Requested conditional use permit (CUP) application submitted by Terry Gray, to open and operate a Cannabis Retail Establishment, located at 218 East Main Street (20-1125-000), in D - Downtown District, City of Luverne, Minnesota.
- V.3. [2025-182](#)** Requested conditional use permit (CUP) application submitted by Dylan Stokes, to open and operate a Cannabis Retail and Manufacturing Establishment, located at 1202 South Kniss Avenue (20-1943-000), in H-C - Highway Commercial District, City of Luverne, Minnesota.
- V.4. [2025-183](#)** Requested conditional use permit (CUP) application submitted by Peter Dikun, to open and operate a Cannabis Retail Establishment, located at 704 South Kniss Avenue (20-0675-000), in C-C - Community Commercial District, City of Luverne, Minnesota.
- V.5. [2025-184](#)** Requested conditional use permit (CUP) application submitted by Terry Kapple, to open and operate a Cannabis Retail Establishment, located at 401 South Kniss Avenue (20-0037-200), in C-C - Community Commercial District, City of Luverne, Minnesota.

VI. GENERAL DISCUSSION**VII. ADJOURNMENT**

Staff Report

File #: 2025-178

Agenda Date: 6/9/2025

Agenda #: II.1.

Planning Commission Minutes from April 7, 2025

Announcement of Meeting Planning Commission Regular Meeting Minutes

Monday, April 7, 2025

5:00 PM

Council Chambers

I. CALL TO ORDER

Present Council Member Dan Nath, Tyler LeBrun, Verlyn Van Batavia, Mark Lundgren, and Tom Lanoue

Additional Benjamin Vander Kooi, Jill Wolf, and Chad McClure

I.1. [2025-110](#) Elect Chair, Vice Chair and Secretary.

Nath as Chair, Lanoue as Vice Chair and LeBrun as Secretary. A motion was made by Lundgren, seconded by Lanoue, that this Motion be approved. The motion carried by a unanimous vote.

II. APPROVAL OF MINUTES

II.1. [2025-109](#) Planning Commission Minutes from April 22, 2024.

A motion was made by Van Batavia, seconded by Lundgren, that this Motion be approved. The motion carried by a unanimous vote.

III. PUBLIC HEARING

III.1. The purpose of the hearing is to rule and make recommendation to the Luverne City Council on proposed amendments to City Code chapter 153, and adding Sections 153.200 and 153.210 to regulate cannabis business zoning.

Chair Nath opened the public hearing at 5:06 p.m. With no comments or correspondence to consider, Nath closed the public hearing at 5:07 p.m.

IV. OLD BUSINESS

V. NEW BUSINESS

V.1. [2025-108](#) Proposed Ordinance Amending City Code chapter 153, and adding Sections 153.200 and 153.210 to regulate cannabis business zoning.

Zoning and land use for cannabis businesses was reviewed. All cannabis businesses will be required to attain a conditional use permit where items such as smell, odor and parking are considered. All cannabis businesses have a 1,000 foot setback from schools and 500 foot setback from parks and recreational facilities excluding Rotary Park.

VI. GENERAL DISCUSSION**VII. ADJOURNMENT**

A motion was made by LeBrun, seconded by Lanoue, to adjourn the meeting at 5:25 p.m. The motion carried unanimously.

Submitted by,

Jill Wolf
City Administrator

Staff Report

File #: 2025-179

Agenda Date: 6/9/2025

Agenda #: III.1.

The purpose of the hearing is to rule and make recommendation to the Luverne City Council on the following:

1. Requested conditional use permit (CUP) application submitted by Terry Gray, to open and operate a Cannabis Retail Establishment, located at 206 West Main Street (20-1649-000), in D - Downtown District, City of Luverne, Minnesota.
2. Requested conditional use permit (CUP) application submitted by Terry Gray, to open and operate a Cannabis Retail Establishment, located at 218 East Main Street (20-1125-000), in D - Downtown District, City of Luverne, Minnesota.
3. Requested conditional use permit (CUP) application submitted by Dylan Stokes, to open and operate a Cannabis Retail and Manufacturing Establishment, located at 1202 South Kniss Avenue (20-1943-000), in H-C - Highway Commercial District, City of Luverne, Minnesota.
4. Requested conditional use permit (CUP) application submitted by Peter Dikun, to open and operate a Cannabis Retail Establishment, located at 704 South Kniss Avenue (20-0675-000), in C-C - Community Commercial District, City of Luverne, Minnesota.
5. Requested conditional use permit (CUP) application submitted by Terry Kapple, to open and operate a Cannabis Retail Establishment, located at 401 South Kniss Avenue (20-0037-200), in C-C - Community Commercial District, City of Luverne, Minnesota.

City of Luverne Planning Commission

Notice of Public Hearing

NOTICE IS HEREBY GIVEN, by the City of Luverne Planning Commission, that a public hearing will be held in the Council Chambers located in the City Offices Building, 305 East Luverne Street, Luverne, Minnesota, commencing at 5:00 p.m. on Monday, June 9, 2025. The purpose of the hearing is to rule and make recommendations to the Luverne City Council on the following:

1. Requested conditional use permit (CUP) application submitted by Terry Gray, to open and operate a Cannabis Retail Establishment, located at 206 West Main Street (20-1649-000), in D – Downtown District, City of Luverne, Minnesota.
2. Requested conditional use permit (CUP) application submitted by Terry Gray, to open and operate a Cannabis Retail Establishment, located at 218 East Main Street (20-1125-000), in D – Downtown District, City of Luverne, Minnesota.
3. Requested conditional use permit (CUP) application submitted by Dylan Stokes, to open and operate a Cannabis Retail and Manufacturing Establishment, located at 1202 South Kniss Avenue (20-1943-000), in H-C – Highway Commercial District, City of Luverne, Minnesota.
4. Requested conditional use permit (CUP) application submitted by Peter Dikun, to open and operate a Cannabis Retail Establishment, located at 704 South Kniss Avenue (20-0675-000), in C-C – Community Commercial District, City of Luverne, Minnesota.
5. Requested conditional use permit (CUP) application submitted by Terry Kapple, to open and operate a Cannabis Retail Establishment, located at 401 South Kniss Avenue (20-0037-200), in C-C – Community Commercial District, City of Luverne, Minnesota.

All people desiring to be heard on these matters should be present at the hearing or present written comments prior to the hearing to the Building and Zoning Official, PO Box 659, Luverne, MN 56156. Anyone who needs reasonable accommodation or an interpreter should contact the City Clerk's Office, 305 East Luverne Street, Luverne, MN. (507) 449-9898

By order of the City of Luverne Planning Commission, Luverne, Minnesota, this 29th day of May 2025.

Jessica Mead
City Clerk

Posted: 05/29/2025
Published: 05/29/2025

Staff Report

File #: 2025-180

Agenda Date: 6/9/2025

Agenda #: V.1.

Requested conditional use permit (CUP) application submitted by Terry Gray, to open and operate a Cannabis Retail Establishment, located at 206 West Main Street (20-1649-000), in D - Downtown District, City of Luverne, Minnesota.



Conditional Use Application Review

Permit #: CUP-2025-1

Date Paid: 04/24/2025 17:17 PM

Applicant & Property Information

Owner Name:
Terry Gray

Parcel #: 20-1649-000

Zoning District:
Downtown (D)

Site Address: 206 MAIN ST W
LUVERNE, MN 56156-1844

Applicant Name: Terry Gray

Owner Mailing Address: [REDACTED]
Sioux Falls, SD 57103

Applicant Phone number:

Applicant Mailing Address:

Conditional Use Details Review

Citation of Ordinance Section from which the Conditional Use is requested:

City Code Section 153.210, E

Description of Conditional Use Requested:

Conditional Use Permit for Cannabis Retail establishment

Other Questions Review

1. 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 immediate vicinity.

Will only beautify the area and make for a robust and highly desired neighborhood. Increases property value.

2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

No the complete opposite

3. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

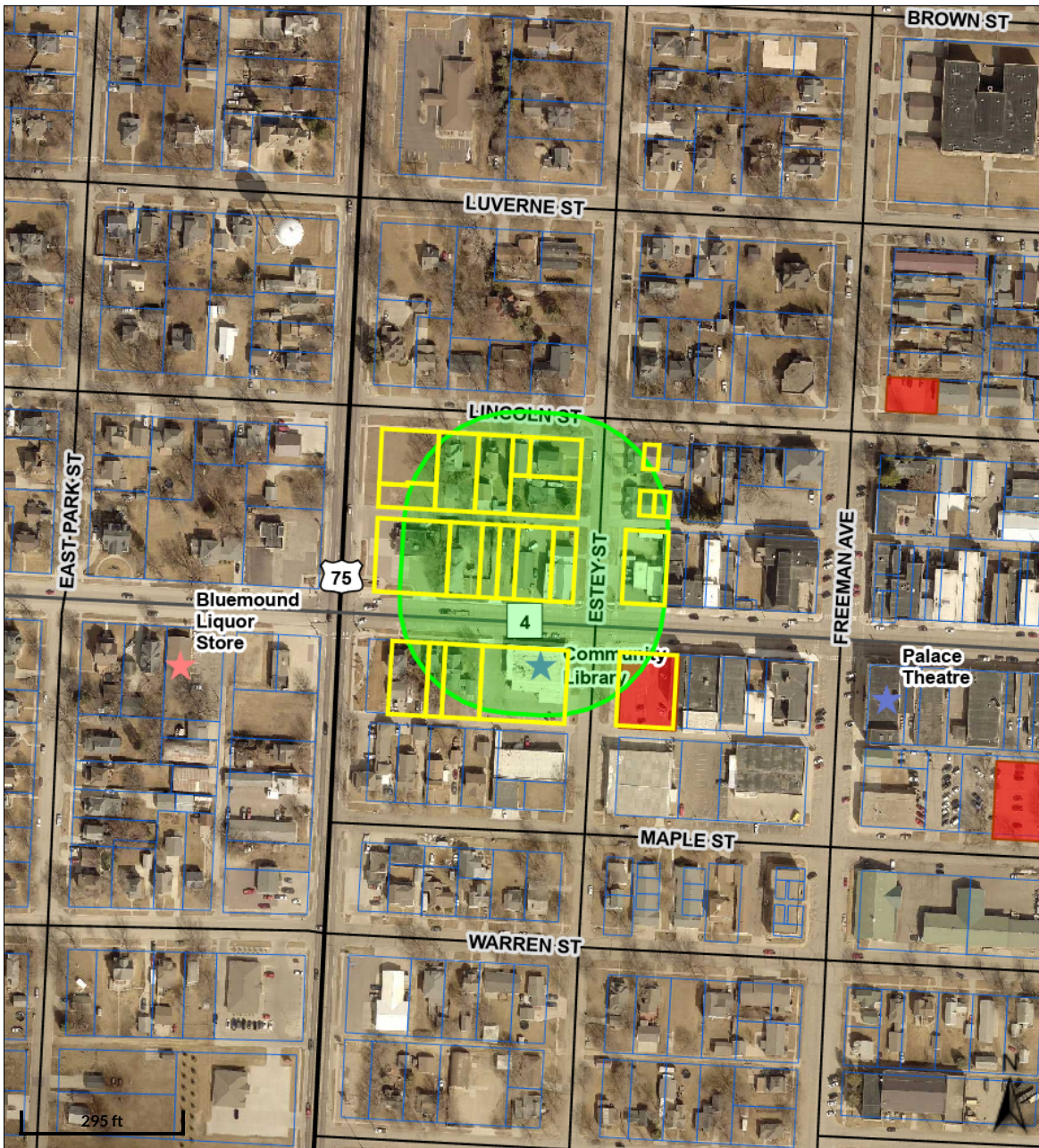
See map attached

4. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

See attached map

5. Adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in a manner that no disturbance to neighboring properties will result.













Proper ventilation will be provided and proper signage based on MN statute will be in place.



Overview



Legend

-  Public Parking
-  Local Roads
-  County Highway
-  State Highway
-  US Highway
-  Interstate
-  Lot Sales
- Points of Interest**
 -  Park maintained by the City of Luverne
 -  Municipal building/facility maintained by the City of Luverne
 -  Other points of interest
 -  Parcels
 -  Corporate Limits

Date created: 5/21/2025

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Developed by  **SCHNEIDER**
GEOSPATIAL

AILTS/KEVIN H & CRYSTAL L
211 W LINCOLN ST
LIVERNE MN 56156-1468

ANDERSON/SCOTT R/&
SKIE C PELTIER-ANDERSON
215 W LINCOLN ST
LIVERNE MN 56156-1468

BRUYNES/VICTORIA
%DEB FICK
2586 COPPER CLIFF TRL
WOODBURY MN 55125-2977

CONNELL/JOHN P
205 N DAVIDSON ST
LIVERNE MN 56156-1415

CONNELL/JOHN PAUL
205 N DAVIDSON ST
LIVERNE MN 56156-1415

COUNTY OF ROCK
P O BOX 509
LIVERNE MN 56156-0509

GUTIERREZ/REBECCA L
517 N KNISS AVE
LIVERNE MN 56156-1227

HERRADURA AZUL LLC
3916 N POTSDAM AVE PMB 2057
SIOUX FALLS SD 57104-7048

JESSEN/ERNA A
116 N ESTEY ST
LIVERNE MN 56156-1458

KORTLEVER/FREDERICK J/&
LYNETTE K GUNDRUM
P O BOX 482
HILLS MN 56138-0482

LIVERNE PROPERTIES LLC
%GARY PAPIK
303 N KNISS AVE
LIVERNE MN 56156-1427

LIVERNE/CITY OF
P O BOX 659
LIVERNE MN 56156-0659

RADISEWITZ/CARY M & KAREN L
216 W MAIN ST
LIVERNE MN 56156-1844

SCHMIDT/DUANE
6432 RT 98
ARCADE NY 14009-9709

SCHOMACKER PROPERTIES LLC
202 E MAIN ST
LIVERNE MN 56156-1806

STREGE/JOANN L/TRUSTEE OF
STREGE LIVING TR DTD 8-1-97
112 N ESTEY ST
LIVERNE MN 56156-1458

SWENSON/LEO
%ANDY SWENSON PERS REP
1363 80TH AVE
LIVERNE MN 56156-4087

WHIRLED PEAS
218 E MAIN ST
LIVERNE MN 56156-1806

Staff Report

File #: 2025-181

Agenda Date: 6/9/2025

Agenda #: V.2.

Requested conditional use permit (CUP) application submitted by Terry Gray, to open and operate a Cannabis Retail Establishment, located at 218 East Main Street (20-1125-000), in D - Downtown District, City of Luverne, Minnesota.



Conditional Use Application Review

Permit #: CUP-2025-2

Date Paid: 04/24/2025 17:31 PM

Applicant & Property Information

Owner Name:
Terry Gray

Parcel #: 20-1125-000

Zoning District:
Downtown (D)

Site Address: 218 MAIN ST E
LUVERNE, MN 56156-1806

Applicant Name: Terry Gray

Owner Mailing Address: [REDACTED]
Sioux Falls , SD

Applicant Phone number:

Applicant Mailing Address:

Conditional Use Details Review

Citation of Ordinance Section from which the Conditional Use is requested:

City Code Section 153.210, E

Description of Conditional Use Requested:

Conditional Use permit for Cannabis retail establishment.

Other Questions Review

1. 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 immediate vicinity.

It will only benefit the neighboring businesses by bringing more traffic to the block

2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

No only help the development

3. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

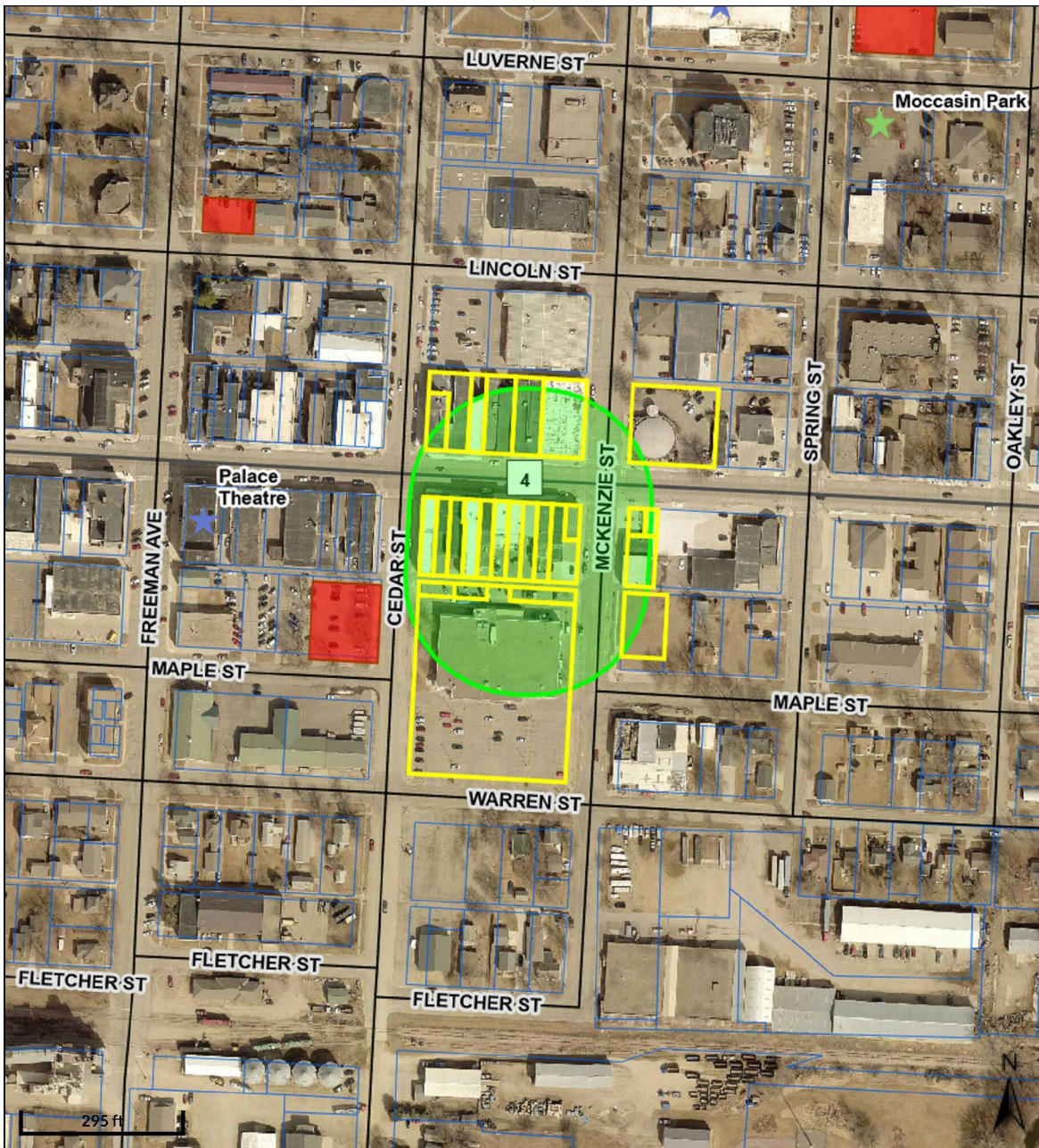
Already provided to the building and see map

4. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

See attached map

5. Adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in a manner that no disturbance to neighboring properties will result.

We are providing proper ventilation and signage up to code with Minnesota Statute



Overview



Legend

- Public Parking
- Local Roads
- County Highway
- State Highway
- US Highway
- Interstate
- Lot Sales
- Points of Interest**
- ★ Park maintained by the City of Luverne
- ★ Municipal building/facility maintained by the City of Luverne
- ★ Other points of interest
- Parcels
- Corporate Limits

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Developed by  **SCHNEIDER**
GEOSPATIAL

ARELLANO/OSCAR/&
FILIBERTO ARELLANO
1721 N 3RD ST
OSKALOOSA IA 52577-1807

BLOEMENDAAL/CURTIS W/&
MARILYN K BLOEMENDAAL TRUSTEES
CURTIS W BLOEMENDAAL RTA
1203 N RIVER RD
LIVERNE MN 56156

BLOEMENDAAL/CURTIS W/TRUSTEE
CURTIS W BLOEMENDAAL REVOCABLE
TRUST DATED 2-15-1996
1203 N RIVER RD
LIVERNE MN 56156

CHANG/PETER
894 124TH AVE
LIVERNE MN 56156-4131

EAST MAIN PROPERTIES LLC
206 E MAIN ST
LIVERNE MN 56156-1806

FIRST FARMERS & MERCHANTS
NATIONAL BANK
P O BOX 729
PIPESTONE MN 56164-0729

FIVE FAMILY HOLDING LLC
%BRENT BOSCH
106 N BOONE ST
ROCK RAPIDS IA 51246-1537

GRAY/TERRY/&
MONTY HAGEDORN
218 E MAIN ST
LIVERNE MN 56156-1806

HALLSTROM/LORI ANN
208 E MAIN ST
LIVERNE MN 56156-1806

HAUGOM/DAVID H & JULIE A
%PRINT EXPRESS
207 E MAIN ST
LIVERNE MN 56156-1805

HEIDBRINK/CHAD L & MEEGAN S
TRUSTEES U/CHAD L HEIDBRINK
REV LIVING TRUST DTD 12-22-17
529 KENTUCKY AVE
ADRIAN MN 56110

LIVERNE POWER FITNESS LLC
1073 LAKOTA HEIGHTS LN SW
ALEXANDRIA MN 56308-9182

LIVERNE/CITY OF
P O BOX 659
LIVERNE MN 56156-0659

MIKE & CHERYL MAINSTREET
PROPERTY LLC
1307 MEMORIAL CIR
LIVERNE MN 56156-2121

RIPHAGEN/DAVID & STACY
210 E MAIN ST
LIVERNE MN 56156-1806

RIPHAGEN/STACY & DAVID
206 E MAIN ST
LIVERNE MN 56156-1806

ROCK CO HISTORICAL SOCIETY
312 E MAIN ST
LIVERNE MN 56156-1902

SCHOMACKER PROPERTIES LLC
202 E MAIN ST
LIVERNE MN 56156-1806

TKG, LLC
711 BRITZ DR
LIVERNE MN 56156-1062

V & D PROPERTIES LLC
1013 151ST ST
LIVERNE MN 56156-4046

VAN ESSEN RENTALS LLC
11967 BIRKETT AVE
EDGERTON MN 56128-3517

Staff Report

File #: 2025-182

Agenda Date: 6/9/2025

Agenda #: V.3.

Requested conditional use permit (CUP) application submitted by Dylan Stokes, to open and operate a Cannabis Retail and Manufacturing Establishment, located at 1202 South Kniss Avenue (20-1943-000), in H-C - Highway Commercial District, City of Luverne, Minnesota.



Conditional Use Application Review

Permit #: CUP-2025-3

Date Paid: 04/28/2025 15:19 PM

Applicant & Property Information

Owner Name:
DHRB PROPERTIES LLC

Parcel #: 20-1943-000

Zoning District:
Highway Commercial (H-C)

Site Address: 1202 KNISS AVE S
LUVERNE, MN 56156-2253

Applicant Name:
Dylan Stokes

Owner Mailing Address:

Applicant Phone number:

Applicant Mailing Address:

Conditional Use Details Review

Sioux Falls SD 57106

Citation of Ordinance Section from which the Conditional Use is requested:

City Code Section 153.210, E

Description of Conditional Use Requested:

We are looking for a conditional use permit to operate a retail dispensary in Luverne. We would also like to manufacture edibles and fill products out of this location. No solvents will be used in any of the process.

Other Questions Review

1. 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 immediate vicinity.

The proposed retail dispensary and edible manufacturing facility will not be injurious to the use and enjoyment of other properties in the immediate vicinity for purposes already permitted, nor will it substantially diminish or impair property values within the area. The facility will be developed and operated in full compliance with state and local regulations, including strict standards for security, odor control, noise mitigation, and operational transparency.

2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The establishment of the proposed retail dispensary and edible manufacturing facility will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. The site is appropriately zoned for commercial and light industrial uses, and the proposed development is consistent with the types of businesses encouraged in this district.

The project will be constructed and operated in accordance with all applicable planning, zoning, and building standards, including design, access, parking, and landscaping requirements. It will not introduce any elements—such as excessive traffic, noise, or environmental impacts—that would discourage or obstruct adjacent property owners from developing their sites for similarly permitted uses.

3. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided to support the proposed retail dispensary and edible manufacturing facility. The property is served by existing municipal infrastructure, including water, sewer, electricity, and telecommunications, all of which meet the operational needs of the proposed use.

Access to the site is available via established public roads that are capable of handling projected customer and delivery traffic without causing congestion or safety issues. On-site improvements will include clearly marked driveways, designated parking areas, and delivery access to ensure efficient circulation.

4. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed retail dispensary and edible manufacturing facility. The site plan includes ample parking spaces, including accessible (ADA-compliant) stalls, in compliance with local zoning requirements for both customers and employees.

5. Adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in a manner that no disturbance to neighboring properties will result.

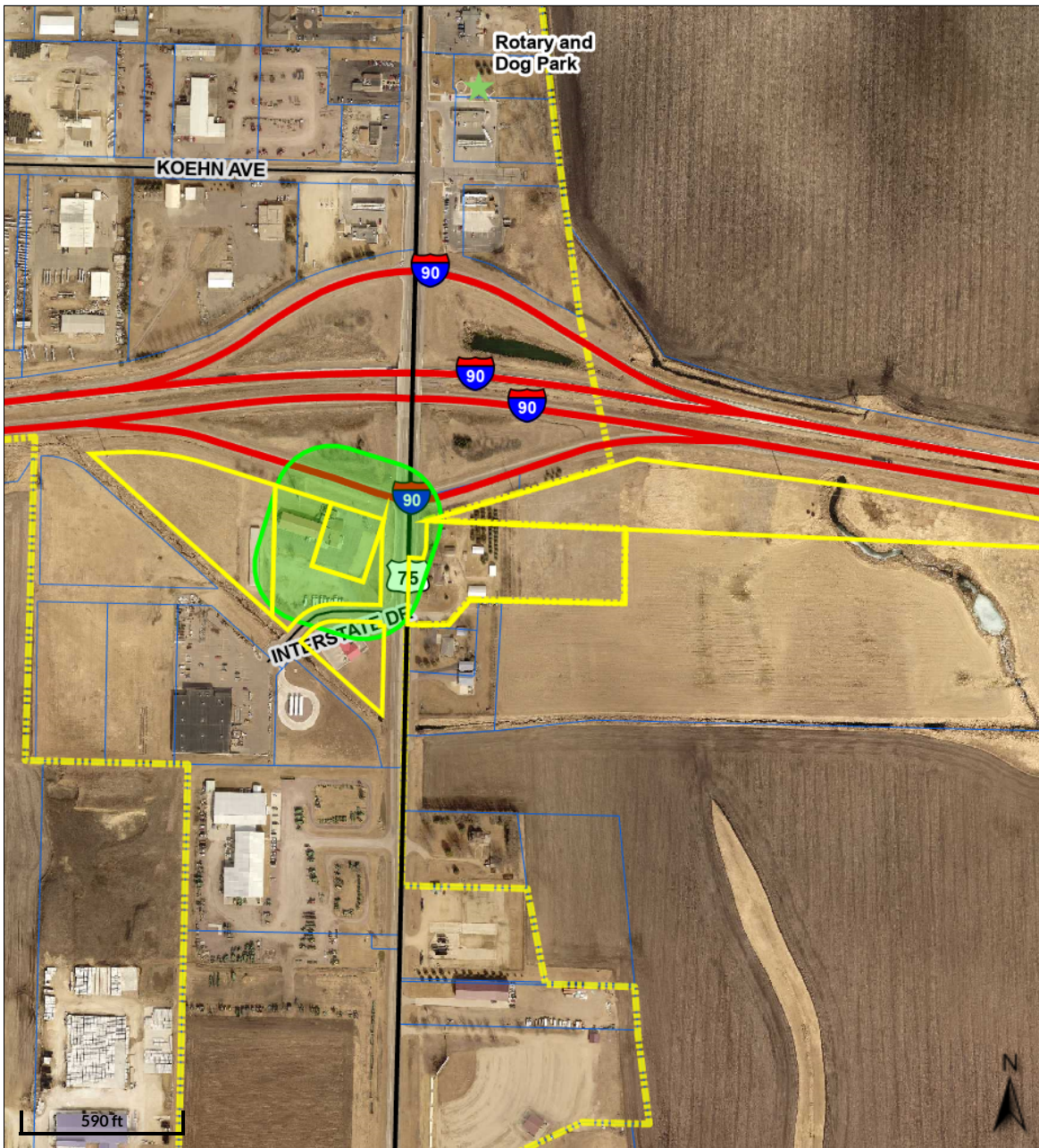
Adequate measures have been or will be taken to prevent and control offensive odors, fumes, dust, noise, and vibration, ensuring that none of these will constitute a nuisance to neighboring properties. The proposed retail dispensary and edible manufacturing facility will incorporate the following mitigation strategies:

Odor Control: A state-of-the-art odor control system, including activated carbon filtration and HVAC ventilation, will be installed to ensure that odors from the facility's operations are contained and do not affect surrounding properties.

Fumes and Dust: All manufacturing processes will occur indoors within a sealed environment, minimizing the release of fumes or dust. Additionally, the building will feature proper ventilation and filtration systems to ensure air quality is maintained.

Noise and Vibration: The facility will utilize quiet, modern equipment, and all production processes will be conducted indoors to minimize noise and vibration. Noise levels will be managed to comply with local noise ordinances, ensuring no disruption to neighboring properties. Vibration will be minimized through the use of well-maintained machinery and vibration-dampening technology.

Lighting Control: Outdoor lighting, including lighted signs, will be designed and installed to comply with city regulations, ensuring that light spillover is minimized and that lights are directed downward. Lighted signs will be appropriately shielded, and no flashing or disruptive lighting will be used. All exterior lights will be turned off outside of business hours unless otherwise required for security purposes.



Overview



Legend

- Public Parking
- Local Roads
- County Highway
- State Highway
- US Highway
- Interstate
- Lot Sales
- Points of Interest**
 - ★ Park maintained by the City of Luverne
 - ★ Municipal building/facility maintained by the City of Luverne
 - ★ Other points of interest
- Parcels
- Corporate Limits

Date created: 5/21/2025
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Developed by  **SCHNEIDER**
GEOSPATIAL

DHRB PROPERTIES LLC
1202 S KNISS AVE
LIVERNE MN 56156-2253

LIMESAND/KERMIT L & LINDA L
1201 S KNISS AVE
LIVERNE MN 56156-2252

PETER R & KRISTIE L JESSEN
IRREVOCABLE FAMILY LEGACY TRUSTS
707 181ST ST
JASPER MN 56144-4049

REHSON LLC
6108 S MUSTANG CIR
SIOUX FALLS SD 57108-2511

SARP LLC
5931 S BOUNTY PL
SIOUX FALLS SD 57108-5177

Staff Report

File #: 2025-183

Agenda Date: 6/9/2025

Agenda #: V.4.

Requested conditional use permit (CUP) application submitted by Peter Dikun, to open and operate a Cannabis Retail Establishment, located at 704 South Kniss Avenue (20-0675-000), in C-C - Community Commercial District, City of Luverne, Minnesota.



Conditional Use Application Review

Permit #: CUP-2025-4

Date Paid: 04/29/2025 15:12 PM

Applicant & Property Information

Owner Name:
DIKUN PROPERTIES LLC

Parcel #: 20-0675-000

Zoning District:
Community Commercial (C-C)

Site Address: 704 S Kniss Ave
LUVERNE, MN 56156-2232

Applicant Name: Peter Dikun

Owner Mailing Address: [REDACTED]
Dell Rapids, SD 57022

Applicant Phone number:

Applicant Mailing Address:

Conditional Use Details Review

Citation of Ordinance Section from which the Conditional Use is requested:

City Code Section 153.210, E

Description of Conditional Use Requested:
Conditional Use permit for Dispensary

Other Questions Review

1. 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 immediate vicinity.

All adjacent properties are also of a commercial nature. The proposed new structure will enhance the aesthetics of the area.

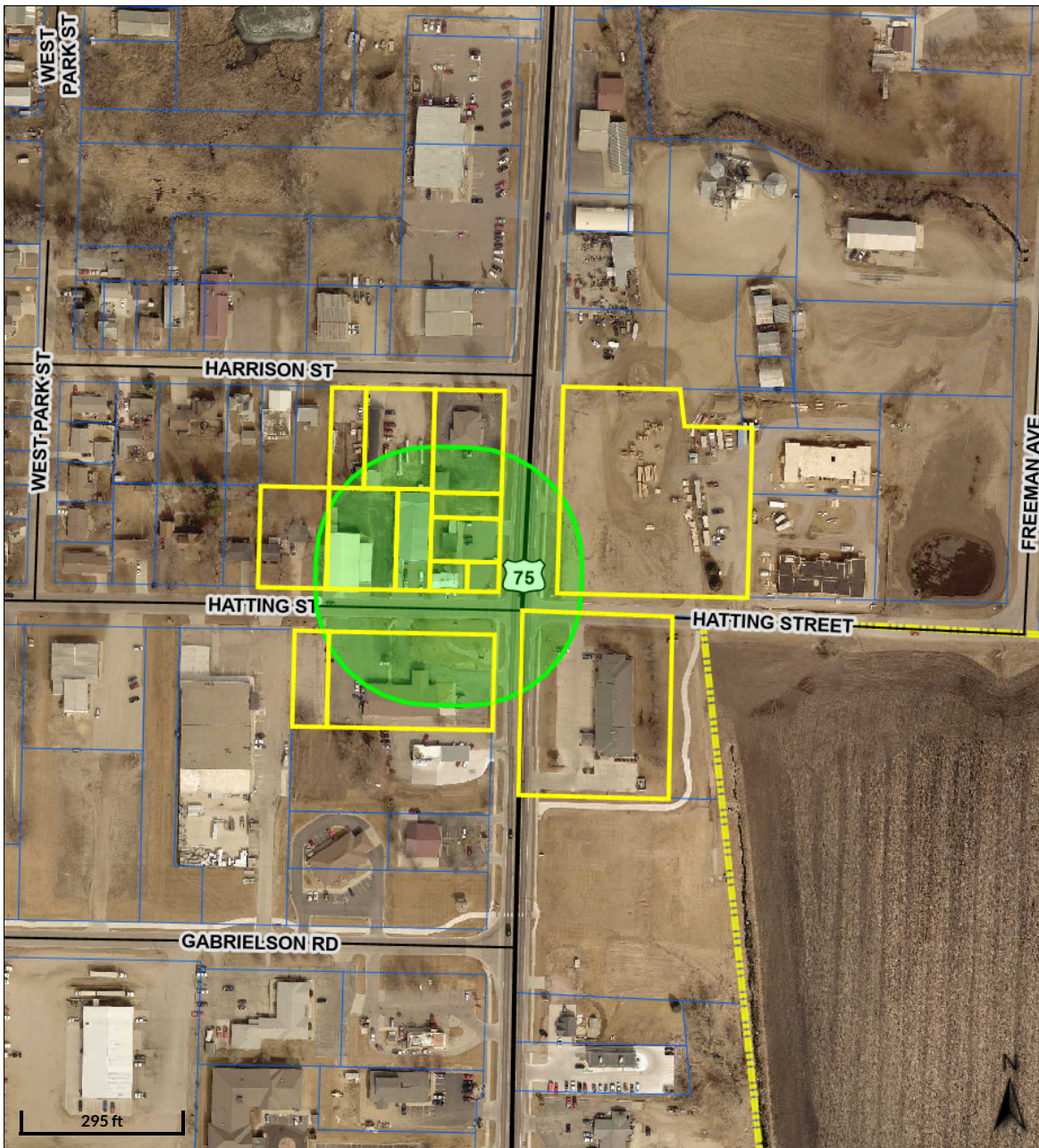
2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The only developable property is across HWY 75 and is served with separate utilities.

3. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

4. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
there will be sufficient parking (28 spots)













5. Adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in a manner that no disturbance to neighboring properties will result.
any potential odor will be mitigated with carbon filtration system. There will be no noise or vibrations or any nuisance, any sign will be approved by city of Luverne.



Overview



Legend

-  Public Parking
-  Local Roads
-  County Highway
-  State Highway
-  US Highway
-  Interstate
-  Lot Sales
- Points of Interest**
 -  Park maintained by the City of Luverne
 -  Municipal building/facility maintained by the City of Luverne
 -  Other points of interest
-  Parcels
-  Corporate Limits

Date created: 5/21/2025
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Developed by  **SCHNEIDER**
GEOSPATIAL

BIG TOP TENT RENTALS LLC
%JORDAN SMIDT
1274 131ST ST
LIVERNE MN 56156-4027

CATTNACH INS COMPANY
A MN CORP
P O BOX 747 702 S KNISS AVE
LIVERNE MN 56156-0747

DIKUN PROPERTIES LLC
24668 S GARFIELD AVE
DELL RAPIDS SD 57105-5336

HAMANN/ANDREW J
322 W HATTING ST
LIVERNE MN 56156-2232

LIVERNE/CITY OF
P O BOX 659
LIVERNE MN 56156-0659

MINNWEST BANK
CENTRAL BILLING
P O BOX 284
SLAYTON MN 56172-0284

ROOS/SCOTT & CHRISTINE J
870 51ST ST
LIVERNE MN 56156-4159

ROOS/SCOTT
870 51ST ST
LIVERNE MN 56156-4159

SARP LLC
5931 S BOUNTY PL
SIOUX FALLS SD 57108-5177

WALGRAVE/WAYNE
% WAYNE'S BODY SHOP
310 W HATTING ST
LIVERNE MN 56156-2232

WAYNE'S BODY SHOP LLC
310 W HATTING ST
LIVERNE MN 56156-2232

WS LLC
%MICHAEL R WAGLEY
314 W HATTING ST
LIVERNE MN 56156-2232

Staff Report

File #: 2025-184

Agenda Date: 6/9/2025

Agenda #: V.5.

Requested conditional use permit (CUP) application submitted by Terry Kapple, to open and operate a Cannabis Retail Establishment, located at 401 South Kniss Avenue (20-0037-200), in C-C - Community Commercial District, City of Luverne, Minnesota.



Conditional Use Application Review

Permit #: CUP-2025-5

Date Paid: 05/07/2025 16:18 PM

Applicant & Property Information

Owner Name:

BUFFALO CLIFFS LLC

Parcel #: 20-0037-200

Zoning District:

Community Commercial (C-C)

Site Address: 401 KNISS AVE S

LUVERNE, MN 56156-2217

Applicant Name:

Terry Kapple

Owner Mailing Address:

Luverne, MN 56156

Applicant Phone number:

Applicant Mailing Address:

Conditional Use Details Review

BROOKLYN PARK, MN 55428

Citation of Ordinance Section from which the Conditional Use is requested:

City Code Section 153.210, E

Description of Conditional Use Requested:

Request for Cannabis Retail dispensary at 401 S. Kniss Ave.

Other Questions Review

1. 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 immediate vicinity.

The Project Site is located in the City's main commercial corridor and is currently developed and used for a commercial/light industrial use. The proposed cannabis retail dispensary will upgrade the property for a public-facing commercial use. Site improvements will include paving the parking lot and entrance driveways, street facing entrance and signage. These improvements will improve the area and will not adversely impact surrounding property values. This condition is met.

2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The Project Site is located in the main commercial corridor that is transitioning from light-industrial/commercial uses to more traditional commercial uses. The proposed conversion of the existing building is consistent with recent development in the corridor. The cannabis retail dispensary is not anticipated to impact normal and orderly development within the corridor. This condition is met.

3. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

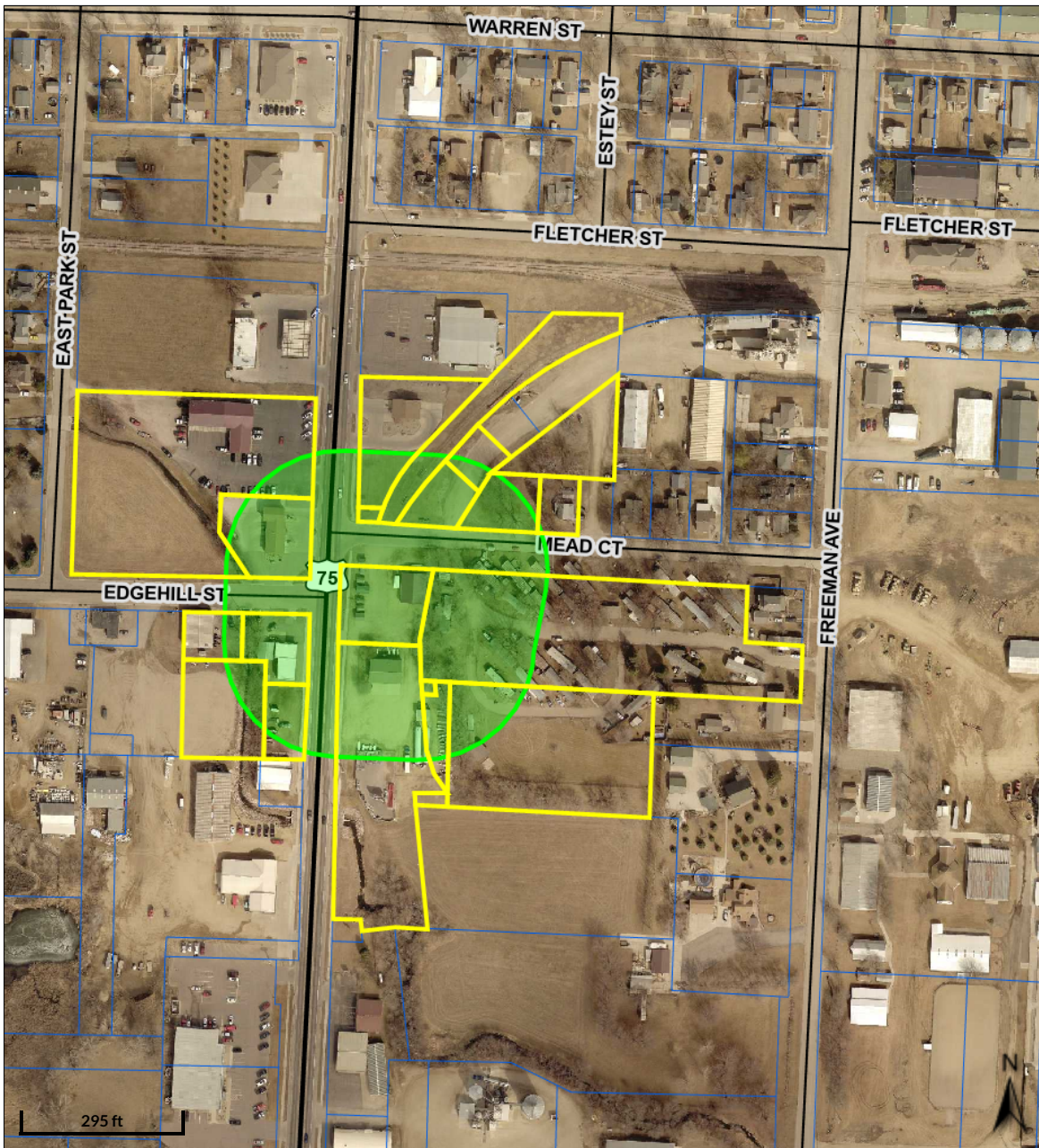
The proposed conversion of the site for a cannabis retail dispensary will include improvements to the site including a paved parking area, green space capable of accepting stormwater runoff and improved driveway accesses from Kniss and Mead Ct. We will work with the City on any required grading, access or other utility permits as part of the building permit process. This condition is met.

4. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

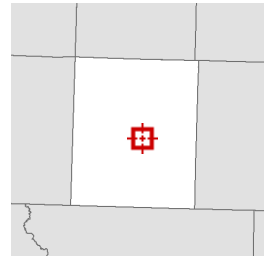
As shown on the Site Plan, the parking lot will be upgraded, paved and striped with 12 standard parking stalls and one (1) ADA compliance stall. Loading will occur on the south end of the site from the existing garage door. This area will be connected to the improved driveway off of Kniss. This condition is met.

5. Adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in a manner that no disturbance to neighboring properties will result.













The proposed site improvements will include paving of the parking lot and driveways which will eliminate dust control issues. Lighting at all entrance/exits on the building is required per MN Statutes Chapter 342. However, light fixtures will be hooded and downcast to help mitigate potential light pollution. All lighting, including for signage, will meet the City's ordinance requirements. We will work with the City on the lighting plan to ensure that the MN Statute Standards are met while complying with the City's ordinances. No onsite manufacturing or cultivation is proposed and therefore no odors, other than those found at typical retail establishments, is anticipated. This condition is met.



Overview



Legend

-  Public Parking
-  Local Roads
-  County Highway
-  State Highway
-  US Highway
-  Interstate
-  Lot Sales
- Points of Interest**
 -  Park maintained by the City of Luverne
 -  Municipal building/facility maintained by the City of Luverne
 -  Other points of interest
-  Parcels
-  Corporate Limits

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Developed by  **SCHNEIDER**
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LUVERNE MN 56156-0554

BUFFALO RIDGE REG RAILROAD
AUTHORITY OF LUVERNE MN
%BRENT A POLANCHEK
P O BOX 562 LUVERNE MN 56156-0562

BUSS/NIKI L
1276 131ST ST
LUVERNE MN 56156-4027

CHS INC
%REAL ESTATE TAX DEPARTMENT
P O BOX 64089
ST PAUL MN 55164-0089

CHS-SWMN
%PROPERTY TAX
P O BOX 64089
ST PAUL MN 55164-0089

CONNELL/JESSE
310 S KNISS AVE
LUVERNE MN 56156-2214

FERRELLGAS
ATTN PROPERTY TAX DEPARTMENT
ONE LIBERTY PLAZA
LIBERTY MO 64068-2971

FIVE FAMILY HOLDING LLC
%BRENT BOSCH
106 N BOONE ST
ROCK RAPIDS IA 51246-1537

FRANSMAN/RODNEY
1006 N LINDALE ST
LUVERNE MN 56156-1158

HUP/DAVID
543 150TH AVE
LUVERNE MN 56156-4142

LAGLE/JOY
200 W MEADE CT
LUVERNE MN 56156-2018

OPSATA/RICHARD & RUTH/TRUSTEES
110 W LUVERNE ST
LUVERNE MN 56156-1471

TSE INVESTMENTS LLC
5021 VERNON AVE S #178
EDINA MN 55436-2102