



Meeting Location: Municipal Center
7100 147th Street West
Apple Valley, Minnesota 55124

May 7, 2025

**PLANNING COMMISSION TENTATIVE AGENDA
7:00 PM**

1. Call to Order
2. Approve Agenda
3. Approve Consent Agenda Items

Consent Agenda Items are considered routine and will be enacted with a single motion, without discussion, unless a commissioner or citizen requests to have any item separately considered. It will then be moved to the land use/action items for consideration.

A. Approve Minutes of April 16, 2025 Regular Meeting

4. Public Hearings

A. PD-975 Impervious Surface Text Amendment

Consider an ordinance amendment to Planned Development No. 975, Zone 1 regarding impervious surface for lots 9,999 sq. ft. or less in area.

LOCATION: Planned Development No. 975, Zone 1

APPLICANT: Erik and Amy Edstrom

5. Land Use / Action Items

A. Cannabis Microbusiness Text Amendments

Consider the following:

1. Ordinance amendment to Planned Development No. 409 to allow for a cannabis microbusiness.
2. Ordinance amendment to Section 155.320 (Cannabis Businesses, Hemp Businesses, and Temporary Cannabis Events) to allow cannabis microbusinesses in planned developments.

LOCATION: Planned Development No. 409 & All Other Planned Developments

APPLICANT: Jason Sewell (d/b/a HiRISH)

6. Other Business

A. Review of Upcoming Schedule and Other Updates

Planning Commission - Wednesday, May 21, 2025 - 7:00 p.m.

Planning Commission - Wednesday, June 4, 2025 - 7:00 p.m.

City Council - Thursday, May 8, 2025 - 7:00 p.m.

City Council - Thursday, May 22, 2025 - 7:00 p.m.

7. Adjourn

*Regular meetings are broadcast, live, on Charter Communications Cable Channel
180 and on the City's website at www.applevalleymn.gov*



ITEM:
PLANNING COMMISSION MEETING DATE:
SECTION:

3.A.
May 7, 2025
Consent Agenda

Description: Approve Minutes of April 16, 2025 Regular Meeting	
Staff Contact: Breanna Vincent, Department Assistant	Department / Division: Community Development Department

ACTION REQUESTED:

Approve minutes of the regular meeting of April 16, 2025.

SUMMARY:

The minutes of the regular Planning Commission meeting is attached for your review and approval.

BACKGROUND:

State statute requires the creation and preservation of meeting minutes which document the official actions and proceedings of public governing bodies.

BUDGET IMPACT:

N/A

ATTACHMENTS:

Minutes

CITY OF APPLE VALLEY
PLANNING COMMISSION MINUTES

April 16, 2025

1. CALL TO ORDER

The City of Apple Valley Planning Commission Meeting was called to order by Vice Chair Scanlan at 7:00 p.m.

Members Present: Paul Scanlan, Dave Schindler, Phil Mahowald, Becky Sandahl, Jeff Prewitt, and Douglas Hlas

Member(s) Absent: Jodi Kurtz

City staff members attending: Associate Planner Sydnee Stroeing, Planner Carter Hayes, Planning Consultant Jennifer Haskamp, Assistant City Engineer Evan Acosta, City Attorney Sharon Hills, and Department Assistant Breanna Vincent.

2. APPROVAL OF AGENDA

Vice Chair Scanlan asked if there were any changes to the agenda. – None.

MOTION: Commissioner Schindler moved, seconded by Commissioner Mahowald, approving the agenda. Roll call vote: Ayes - 6 – Nays – 0.

3. CONSENT ITEMS

A. Approval of Minutes of April 2, 2025

MOTION: Commissioner Hlas moved, seconded by Commissioner Sandahl, approving the minutes of April 2, 2025. Roll call vote: Ayes - 6 – Nays – 0.

4. PUBLIC HEARING

None

5. LAND USE

A. Apple Valley Village Expansion (Cassia) – Transition Care Unit (TCU) Site Plan/Building Permit Authorization

Consultant Planner Haskamp provided a brief presentation.

Commissioner Hlas asked if there were any concerns regarding the canopy.

Consultant Planner Haskamp stated that there are no concerns, but staff will confirm that emergency vehicles will have access.

Commissioner Mahowald asked if the access off of Garrett Avenue will be predominantly used for service access and not the primary driveway.

Consultant Planner Haskamp stated it is primarily for trash and deliveries and is secondary access. Primary access would be from the north.

Vice Chair Scanlan asked for clarification on the darker gray section north of the trash enclosure.

Consultant Planner Haskamp stated that it is a walkway from the building to the trash enclosure.

The applicant, Andrew Centanni (VP of Building Design and Development for Cassia), was present for questions.

MOTION: Commissioner Mahowald moved, seconded by Commissioner Schindler, to recommend approval of a site plan building permit authorization of the Apple Valley Village Expansion for development of a Transition Care Unit (TCU) facility on Lot 2, Block 1, Apple Valley Commercial 4th Addition with the conditions as noted. Roll call vote: Ayes – 6 – Nays – 0.

B. Kelley Park Improvements

Associate Planner Stroeing provided a brief presentation.

Parks Director Eric Carlson was present for questions.

Commissioner Hlas asked about the process for scheduling entertainment at the park.

Parks Director Carlson stated that the Apple Valley Arts Foundations handles the entertainment.

MOTION: Commissioner Mahowald moved, seconded by Commissioner Sandahl, to recommend approval of variances to reduce building setbacks along streets for the bandshell structure from 35' to 20' along Galante Lane, and from 35' to 23' along

Fortino Street based on findings 1-5, subject to City Council approval of rezoning Kelley Park from “PD-739” to “P”. Roll call vote: Ayes – 6 – Nays – 0.

MOTION: Commissioner Hlas moved, seconded by Commissioner Schindler, to recommend approval of a variance to reduce building setbacks along streets for the restroom/pavilion structure from 35’ to 20’ along 152nd Street West based on findings 1-6, subject to City Council approval of rezoning Kelley Park from “PD-739” to “P”. Roll call vote: Ayes – 6 – Nays – 0.

MOTION: Commissioner Prewitt moved, seconded by Commissioner Schindler, to recommend approval of a variance to reduce parking setbacks along public streets from 20’ to 13’ along Foliage Avenue, from 20’ to 10’ along 152nd Street West, and from 20’ to 10’ along Fortino Street based on findings 1-6, subject to City Council approval of rezoning Kelley Park from “PD-739” to “P”. Roll call vote: Ayes – 6 – Nays – 0.

MOTION: Commissioner Hlas moved, seconded by Commissioner Schindler, to recommend approval of a site plan/building permit authorization for the construction of a bandshell structure, restroom, and pavilion structure, and other improvements at Kelley Park subject to City Council approval of rezoning Kelley Park from “PD-739” to “P”. Roll call vote: Ayes – 6 – Nays – 0.

6. OTHER BUSINESS

A. Review of Upcoming Schedule and Other Updates

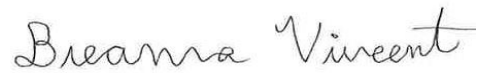
The next Planning Commission meeting is scheduled for Wednesday, May 7, 2025, 7:00 p.m. The next City Council meeting is Thursday, April 24, 2025, 7:00 p.m.

7. ADJOURNMENT

Vice Chair Scanlan asked for a motion to adjourn.

MOTION: Commissioner Schindler moved, seconded by Commissioner Hlas, to adjourn the meeting at 7:36 p.m. Roll call vote: Ayes – 6 – Nays – 0.

Respectfully submitted,

A handwritten signature in cursive script that reads "Breanna Vincent".

Breanna Vincent, Planning Department Assistant

Approved by the Apple Valley Planning Commission
on 05/07/2025.

Jodi Kurtz, Chair



ITEM:

4.A.

PLANNING COMMISSION MEETING DATE:

May 7, 2025

SECTION:

Public Hearings

Description:

PD-975 Impervious Surface Text Amendment

Staff Contact:

Sydnee Stroeing, Associate Planner

Department / Division:

Community Development Department

Applicant:

Erik and Amy Edstrom

Project Number:

PC25-09-Z

Applicant Date: 4/10/2025

60 Days: 6/9/2025

120 Days: 8/8/2025

ACTION REQUESTED:

Open the public hearing, receive comments and close the public hearing. It is the policy of the Planning Commission not to act on an item the evening of the public hearing. However, if there are no outstanding public comments or questions, and the Planning Commission concurs, staff recommends the following:

Recommend approval of the draft ordinance amending Article 34, Planned Development No. 975 of the City Code by amending impervious surface requirements.

SUMMARY:

Erik and Amy Edstrom (applicant) of 6085 158th Court West, have requested a zoning code text amendment to "PD-975", Zone 1 (Planned Development No. 975). The request is to consider amending the impervious surface coverage requirements for lots that are 9,999 sq. ft. or less in area to allow an additional 10% impervious surface coverage if an on-site stormwater management facility is approved and utilized to mitigate the additional impervious surface.

The applicant's property is within PD-975, Zone 1 with a lot size of 9,186 sq. ft. The maximum impervious surface coverage in PD-975, Zone 1 for all lots is 35%. The applicant would like to install an inground pool, which would increase the impervious surface coverage of their property to 45%. This would not be allowed unless the PD ordinance was amended. The applicant is also working with the Natural Resources Department to apply for a residential stormwater mitigation facility application and shows that the additional 10% of impervious surface caused by the pool would be mitigated by an on-site rain garden. If the requested PD amendment is approved, the residential stormwater mitigation facility application and corresponding maintenance agreement would be processed and approved through the Natural Resources Department.

BACKGROUND:

PD-975, Zone 1 consists of single-family properties ranging in lot area from approximately 20,000 sq. ft. to 8,450 sq. ft. Zone 2 consists of public stormwater ponding areas. The

maximum impervious surface coverage for all lots in Zone 1, regardless of lot size, is 35%. This is more restrictive than what is required for impervious surface coverage requirements for properties within standard single-family zoning districts (R-1, R-2, R-3) as shown on the chart below:

<i>Lot Size¹</i>	<i>Maximum Impervious Coverage Allowed</i>
10,000 sq. ft. or greater	35%
9,999 sq. ft. - 7,500 sq. ft.	40%
7,499 sq. ft. - 6,000 sq. ft.	45%
Less than 6,000 sq. ft.	50%

Table from Section 155.350(C)

Standard impervious surface coverage requirements are broken down by lot size. This allows for proportionate amount of impervious surface coverage based on the lot area. Additionally, Section 155.350 (Drainage Requirements) states that maximum impervious surface area allowed may be increased up to an additional 5% upon a showing of circumstances supporting good cause for additional impervious surface area upon the installation of a city approved on-site stormwater management facility. This means that any lot within the standard residential zoning districts would be allowed an additional 5% impervious surface coverage above the maximum if on-site stormwater management is utilized and approved by the City through an application process. Lastly, Section 155.350 also details that PDs are subject to the maximum impervious coverage as shown in the above table unless specifically addressed within the individual PD requirements. PD-975 specifically addresses impervious surface coverage so properties within this PD are not subject to the table above.

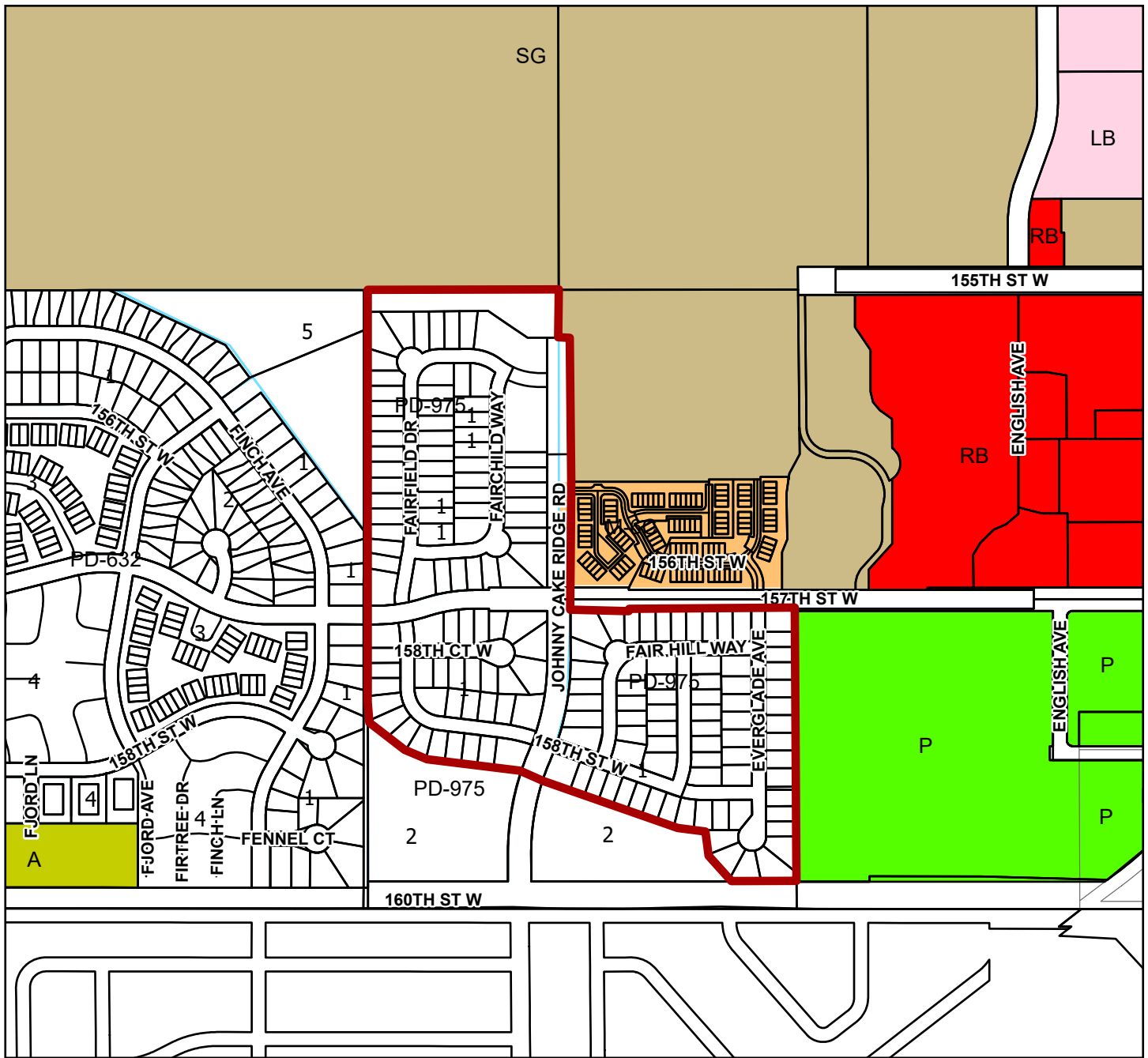
As noted above, PD-975 limits all lots to 35% impervious surface coverage. The ordinance as drafted would allow for lots 9,999 sq. ft. or less in area to have a similar maximum as the standard requirements (45%) -- the additional 10% impervious would need to be mitigated for with an on-site stormwater management facility as approved by the City through a residential stormwater mitigation facility application. There are approximately 77 properties out of 166 properties within PD-975, Zone 1 that are 9,999 sq. ft or less in area.

BUDGET IMPACT:

N/A

ATTACHMENTS:

Zoning Map
Ordinance


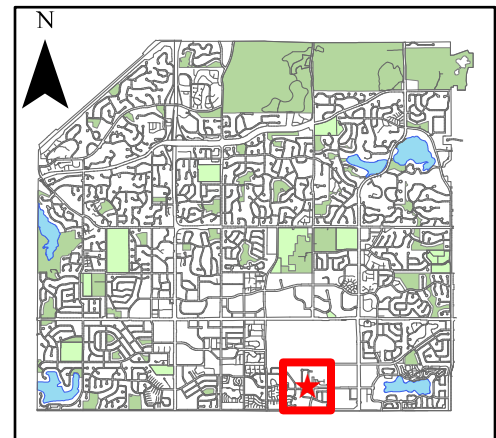


PD-975, Zone 1 Zoning Map

 Subject Properties



0 325 650 Feet

CITY OF APPLE VALLEY
ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF APPLE VALLEY, MINNESOTA,
AMENDING CHAPTER 155-APPENDIX F, ARTICLE 34 OF THE CITY CODE
BY AMENDING IMPERVIOUS SURFACE REQUIREMENTS FOR PLANNED
DEVELOPMENT NO. 975

The City Council of Apple Valley ordains:

Section 1. Chapter 155-Appendix F, Article 34 of the Apple Valley City Code is amended by revising Section A34-5(A)(1), in part, to read as follows:

§ A34-5(A)(1) Table of minimum area standards and requirements

(A) The following minimum area standards and requirements shall be met and no improvements shall be placed on such lands unless the lands to be used or improved shall meet the following area and dimensional requirements.

(1) Table of minimum area standards and requirements

<i>Specification</i>	Zone 1
* * * *	
Maximum impervious surface coverage(percent)³	35
* * * *	
NOTES TO TABLE	
* * * *	
<u>3 – Lots sized 9,999 sq. ft. or less may increase impervious surface coverage up to an additional 10% upon showing a circumstance supporting good cause for additional impervious surface area in excess of the limitations herein and upon installation of a city approved on-site stormwater management facility. An application for a request hereunder shall be filed with the City Clerk upon an application form furnished by the city. The application fee and a performance security escrow shall be in an amount established by City Council resolution, shall be paid and filed with the application.</u>	

Section 2. Summary approved. The City Council hereby determines that the text of the summary marked "Official Summary of Ordinance No. ____" a copy of which is attached hereto clearly informs the public of the intent and effect of the ordinance. The City Council further determines that publication of the title and such summary will clearly inform the public of the intent and effect of the ordinance.

Section 3. Filing. A copy of the ordinance shall be filed in the office of the City Clerk. This copy shall be available for inspection by any persons during regular office hours.

Section 4. Publication. The City Clerk shall publish the title of this ordinance and the official summary in the official newspaper of the City with notice that a printed copy of the ordinance is available for inspection by any person during regular office hours at the Office of the City Clerk.

Section 5. Effective date. This ordinance shall take effect upon its passage and the publication of its title and the official summary.

PASSED by the City Council this ____ day of _____, 2025.

Clint Hooppaw, Mayor

ATTEST:

Christina M. Scipioni, City Clerk

CITY OF APPLE VALLEY
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF APPLE VALLEY, MINNESOTA,
AMENDING CHAPTER 155-APPENDIX F, ARTICLE 34 OF THE CITY CODE
BY AMENDING IMPERVIOUS SURFACE REQUIREMENTS FOR PLANNED
DEVELOPMENT NO. 975

The following is the official summary of Ordinance No. _____ passed by the City Council of Apple Valley on _____, 2025:

This Ordinance amends Chapter 155-Appendix F, Article 34 (Planned Development No. 975) by amending impervious surface requirements for lots sized 9,999 square feet or less to allow for an additional 10% of impervious surface coverage upon a showing of good cause and upon the installation of a city approved on-site stormwater management facility.

A printed copy of the ordinance is available for inspection by any person during regular office hours in the office of the City Clerk at the Apple Valley Municipal Center, 7100 147th Street W., Apple Valley, Minnesota 55124.



ITEM:
PLANNING COMMISSION MEETING DATE:
SECTION:

5.A.
May 7, 2025
Land Use / Action Items

Description: Cannabis Microbusiness Text Amendments		
Staff Contact: Sydnee Stroeing, Associate Planner		Department / Division: Community Development Department
Applicant: Jason Sewell		Project Number: PC25-04-Z
Applicant Date: 2/19/2025	60 Days: 4/20/2025	120 Days: 6/19/2025

ACTION REQUESTED:

The decision to amend a zoning district to allow a use that is currently not a permitted or conditional use is a policy related decision. In the Commission's consideration of the requested amendment to allow a cannabis microbusiness as a use, the Commission could consider whether or not the operations of a cannabis microbusiness are similar with the intended purpose and current allowed uses of PD-409. The intended purpose and current allowed uses within PD-409 are detailed in the report.

Since the decision to add a use to district is a policy decision, staff is providing the following options in consideration of the requested amendments:

If the Planning Commission determines that PD-409 should be **amended to allow** a cannabis microbusiness, then the action would be:

1. Recommend approval of the draft ordinance amending Article 16, Planned Development No. 409 of the City Code by allowing cannabis microbusiness as a conditional use with the conditions as drafted.
2. Recommend approval of the draft ordinance amending Section 155.320(C) regarding cannabis microbusiness in Planned Development districts.

If the Planning Commission determines that PD-409 should **not be amended** to allow cannabis microbusiness, then Section 155.320 would be:

1. Recommend denial of the draft ordinance amending Article 16, Planned Development No. 409 of the City Code by allowing cannabis microbusiness as a conditional use with the conditions as drafted.
2. Recommend denial of the draft ordinance amending Section 155.320(C) regarding cannabis microbusiness in Planned Development districts.

SUMMARY:

Jason Sewell (d/b/a HiRISH), has requested to amend Planned Development No. 409 to allow cannabis microbusinesses within the PD. Cannabis Microbusinesses are currently not a permitted use in Planned Developments per Section 155.320 (Cannabis Businesses, Hemp Businesses, and

Temporary Events). Therefore, the applicant has also requested an amendment to Section 155.320 to allow for cannabis microbusinesses in Planned Developments.

The applicant is currently working through the State application process that is regulated by the Office

Per Section 155.320, a cannabis microbusiness is defined as *"A business that may cultivate cannabis and manufacture cannabis products and hemp products and package such products for sale to customers or another licensed business, and that may operate a single retail location with a retail operations endorsement."* The applicant has submitted a draft floor plan of the business that indicates the intended use of growing, packaging, distributing, and selling cannabis products in one location.

PD-409 currently allows the following uses that are similar to the operations of a cannabis microbusiness:

- Light fabrication, manufacturing and assembly, including the fact that some or all goods produced are retailed on site.
- Research or testing laboratory conducted entirely within a building.
- Retail, sales and service uses subject to floor area maximum.

Staff has prepared two draft ordinances -- to amend PD-409 and Section 155.320, attached hereto. The draft ordinance related to the PD-409 amendment includes language allowing a cannabis microbusiness as a conditional use with subsequent conditions. If these amendments are approved as drafted, a conditional use permit would be required.

In order to consider allowing this use at this property, the Planning Commission must first review if PD-409 should be amended to allow a cannabis microbusiness. If the Planning Commission determines that a cannabis microbusiness aligns with the intended purpose of PD-409 and can be a conditional use in this PD, then Section 155.320 must be amended to allow cannabis microbusinesses in Planned Developments in general. The amendment to Section 155.320 would include allowing cannabis microbusinesses as an allowed use with all PDs when specifically allowed as a permitted or conditional use under the zoning regulations of the specific PD district. Meaning that an individual PD district would have to be amended to allow a cannabis microbusiness. This would allow the Planning Commission and City Council to review individual PDs as requested to determine if a cannabis microbusiness is an appropriate use within that specific district.

Public Hearing: There were no comments from the public during the public hearing held on April 2, 2025, but the Commissioners had several outstanding questions related to the request. Staff and the applicant have provided answers to the questions and comments made by the Commissioners below. The applicant's full response is included as an attachment to this report.

1. History of PD-409: The ordinance creating PD-409 was officially adopted in the City Code in 1988. The purpose of PD-409 is to allow for an integrated mix of limited industrial, general business, retail business and limited business uses. The properties within PD-409 were originally zoned "I-1" or "I-2" (Limited Industrial and General Industrial). The rezoning to PD was to allow for a wider range of permitted commercial uses than what was allowed under the previous zoning of I-1 and I-2. PD-409 is a hybrid of I-1, "GB" (General Business), and "RB" (Retail Business) zoning districts. The PD ordinance was drafted and adopted to limit retail and limited businesses uses to 35% of the total floor area of buildings within PD-409 to ensure that the district did not lose the industrial character as it is guided as an industrial land use.

2. Existing uses/tenants within the multi-tenant building: The applicant has provided a document that shows the current utilization and tenant mix of the multi-tenant building at the subject property (attached). There are 12 tenant spaces within the building, two of which are

currently vacant. The remaining suites are filled with various businesses.

3. Has the applicant considered locations where cannabis microbusinesses are currently allowed in Apple Valley?

Staff Response: Cannabis microbusinesses are currently allowed in "BP" (Business Park), I-1, and I-2 zoning districts. It appears that there are approximately 14 properties zoned for industrial use that do not have a buffer requirement. Please note that this does not mean that all 14 properties are available for sale or for lease, or are suitable for development.

Applicant Response: The applicant has provided a response of the locations that are available within the industrial zoning districts. The applicant has stated that all available locations that are zoned to allow a cannabis microbusiness are impacted by buffers. Please see the applicant's full response for specific locations that were considered.

BUDGET IMPACT:

N/A

ATTACHMENTS:

Applicant Letter

Area Map

Zoning Map

Zoning Map

Map

Applicant Letter

Floor Plan

Ordinance

Ordinance

From: [Jason :\)](#)
To: [REDACTED]
Subject: [Sydnee Stroeing](#); [Brian Scholten](#)
Date: Re: Public Hearing Questions from 4/2 PC Meeting
Monday, April 28, 2025 2:39:11 PM
Attachments: 6950 UTILIZATION.docx
6175 147th St W_20250428_134200_0000.png

Greetings

Attached you will find a word doc that reflects the utilization of 6950 W 146th St which is located within PD-409. In addition; you'll find an image of the cannabis retail dispensary buffer zone map with the three (3) existing and currently available locations that are within the industrial zoning boundaries of where a cannabis micro business is allowed but, each identified location is also within an established buffer zone.

A: 6275 147th St W
Offers 32,000-78,000 sq.ft.
Resides in park & school BZ.

B: 6175 147th St W
Offers 1400 sq.ft. w/minimal power
Resides in park & school BZ

C: 14720 Energy Way
Offers 56,779 sq.ft.
Resides in park & school BZ

Over the course of the past 9 months I have canvassed the south metro looking for a location that accommodates city ordinances, property owner limitations and allows for an efficient workflow for HiRISH operations. 6950 146th st w was selected by HiRISH because it resides within an industrial zone, the owners - their financial & insurance partners are willing and able to accommodate a cannabis touching business (not always the case), there is ample power for the operation and the available square footage is the appropriate size for a micro business. From a micro business operators perspective, this area (PD-409) is currently the only viable location for micro business within Apple Valley city limits.

As a veteran, a medicinal cannabis patient, a long time advocate & a constituent of the city of Apple Valley. It would be my duty, honor & privilege to bring knowledgeable scientific information to our community that will help allow for responsible cannabis distribution and consumption. Thank you.

Regards

Jason

6950 W 146TH ST OCCUPANCY RATIO

EXISTING:

<u>SUITE</u>	<u>TENANT</u>	<u>RETAIL SQ.FT.</u>	<u>OFFICE SQ.FT.</u>	<u>TOTAL SQ.FT.</u>
100	VACANT	0	0	6358
104-106	CROSSFIT	0	0	2074
110	ROTECH	0	1022	2255
112-114	EDUCATION MINNESOTA	0	4510	4510
116	LIBERTY AUTO GLASS	0	280	1870
118	RIO JITSU	0	0	4565
120	ANYTIME PUPPY PLAYGROUND	0	0	4416
124	STONEHILL CONTRACTING	0	450	2240
126	Kimlytech	0	251	2240
128	VACANT	<u>0</u>	<u>0</u>	<u>4386</u>
TOTAL SQ. FOOTAGE:		0	6513	34,914

PROPOSED:

128	HiRISH	<1000	4386
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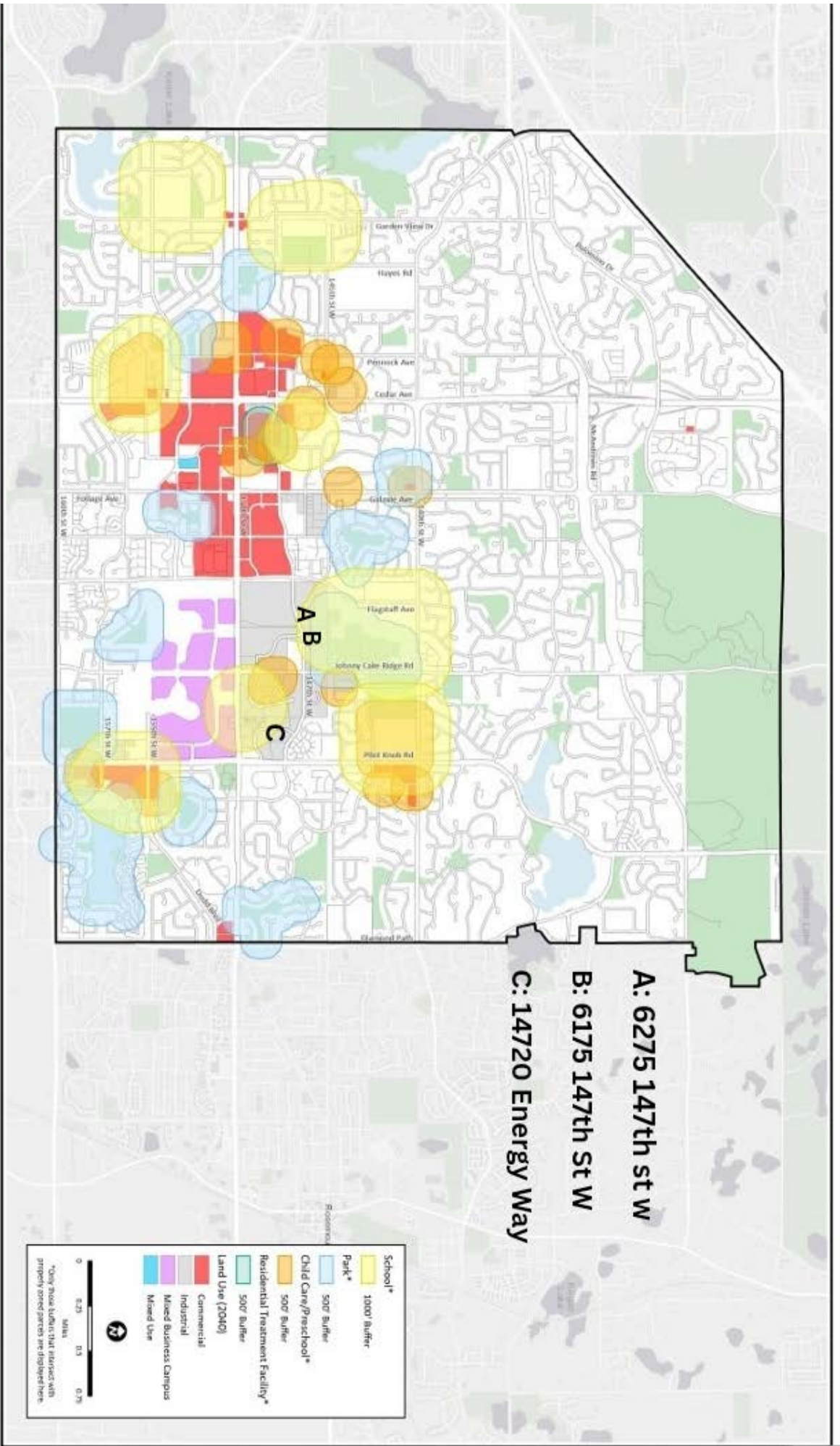
BUILDING TOTAL SQUARE FOOTAGE: 34,914 SQ.FT

BUILDING TOTAL RETAIL SQUARE FOOTAGE: 0

BUILDING TOTAL OFFICE SQUARE FOOTAGE: 6,513 SF

CANNABIS RETAIL DISPENSARY BUFFER MAP

CITY OF APPLE VALLEY






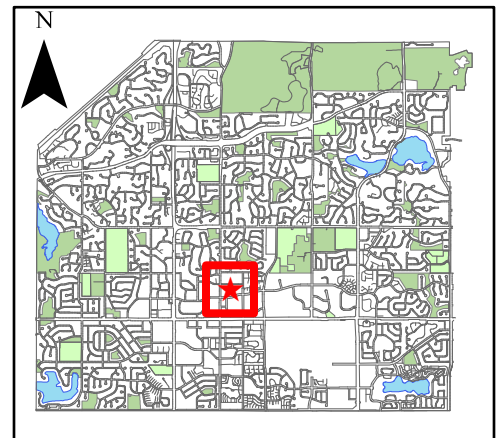
Cannabis Microbusiness Location Map

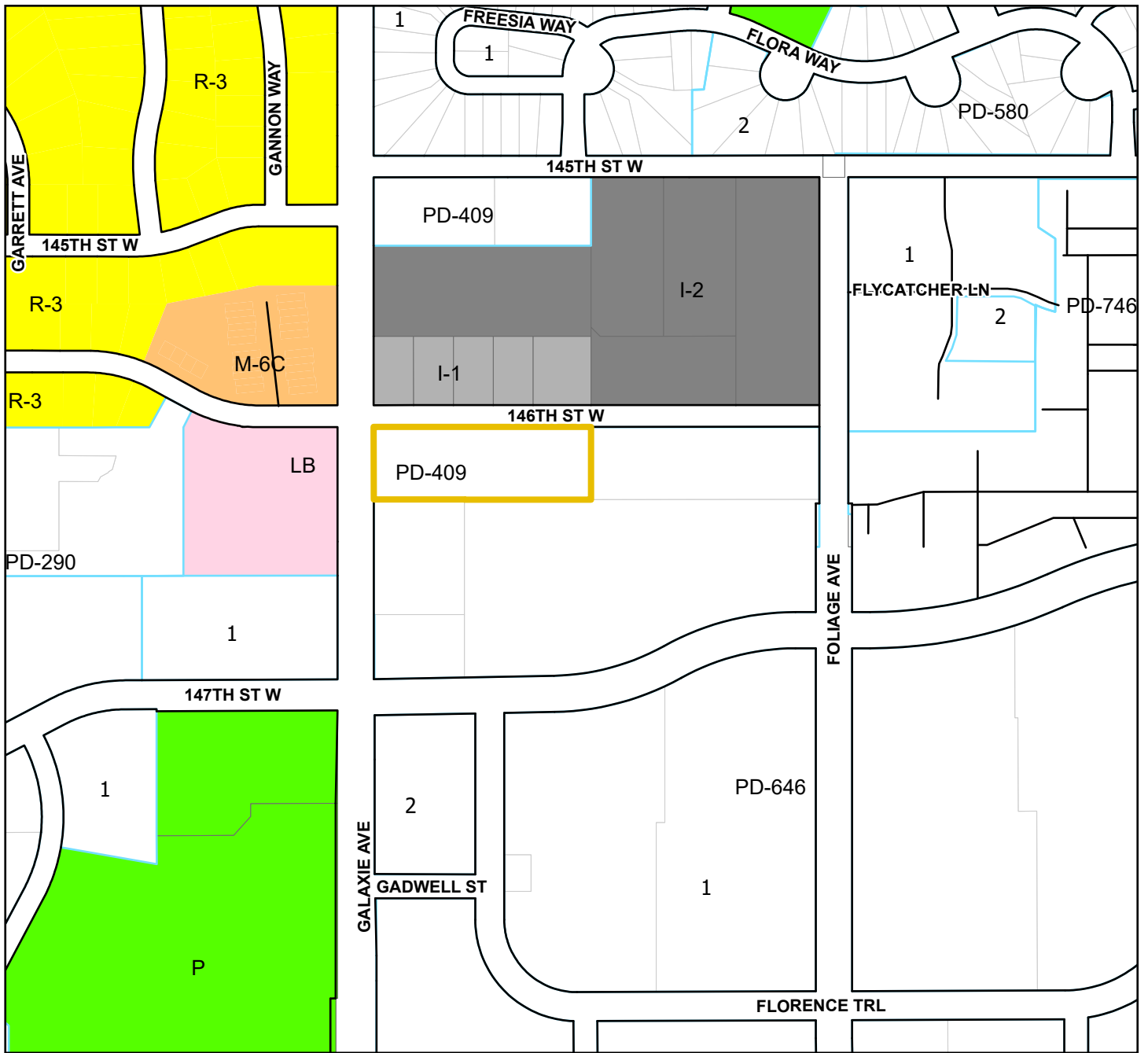
6950 146th Street West

 Subject Property



0 205 410 Feet







Cannabis Microbusiness Zoning Map

6950 146th Street West

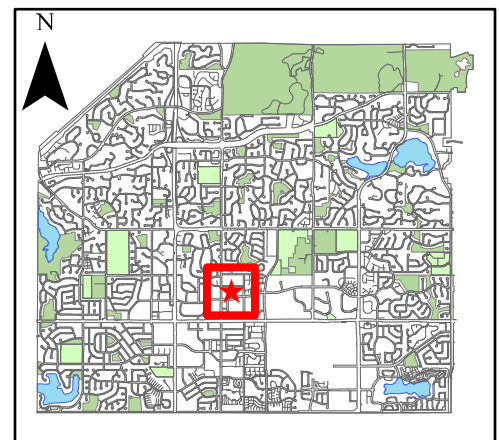
 Subject Property

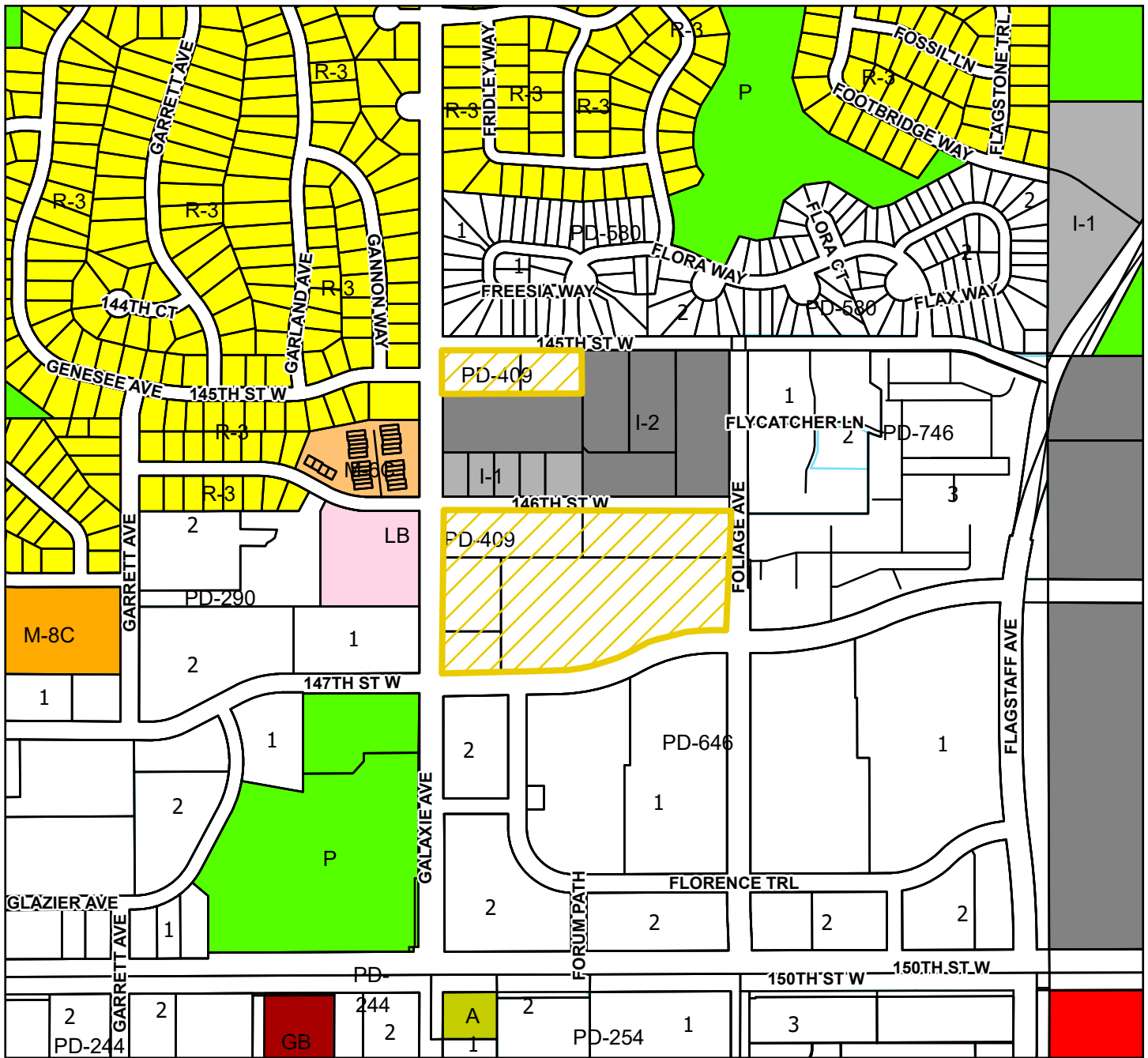


0 205 410 Feet



A horizontal scale bar with three segments, labeled 0, 205, and 410 Feet.






Planned Development No. 409

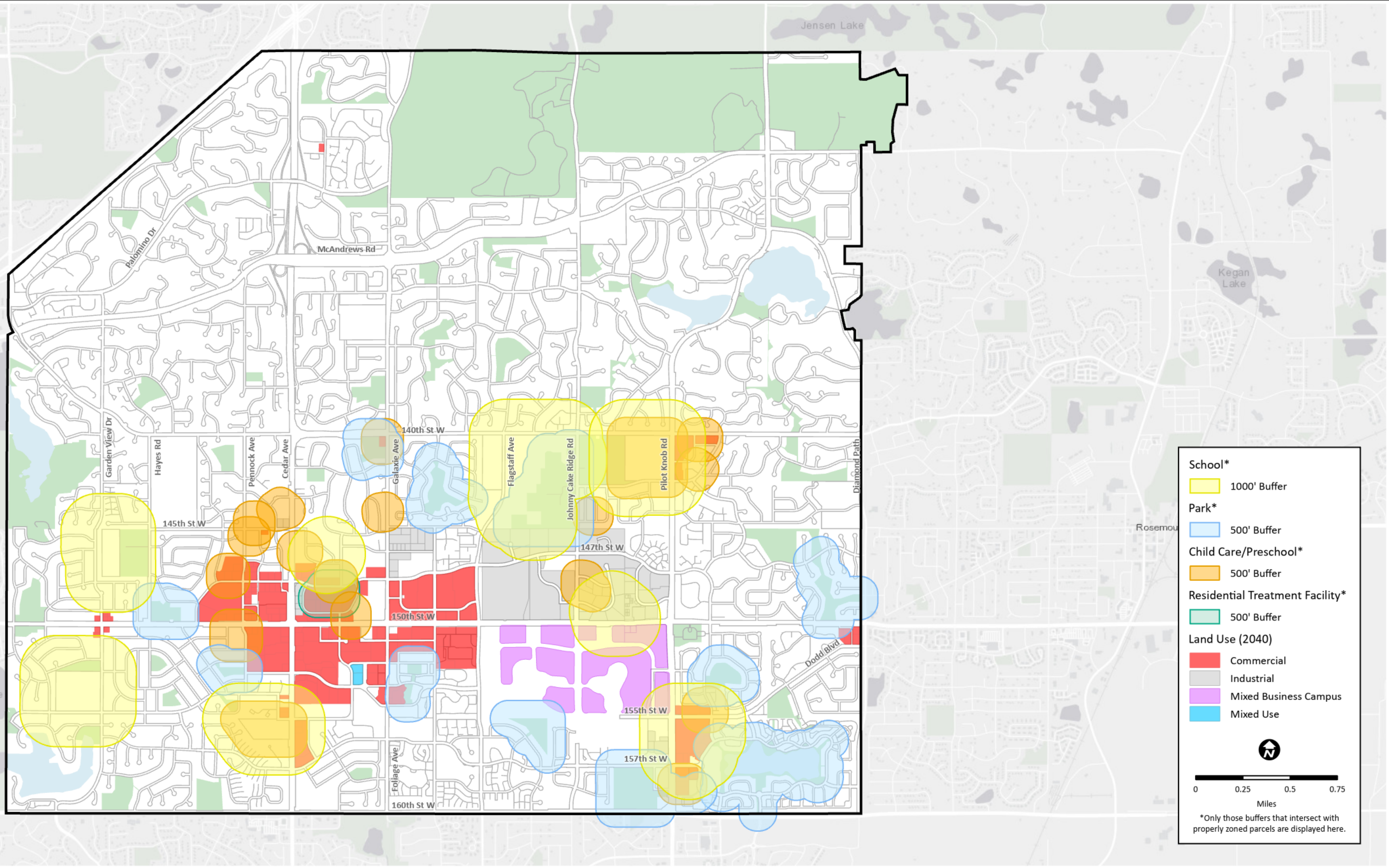
 Subject Planned Development



0 325 650 Feet




Path: G:\Community Development\Planning\Cannabis Ordinance - Sensitive Area Buffers\Cannabis Ordinance - Sensitive Area Buffers.aprx
Data Saved: 1/6/2025 12:58 PM



School*
1000' Buffer

Park*
500' Buffer

Child Care/Preschool*
500' Buffer

Residential Treatment Facility*
500' Buffer

Land Use (2040)
Commercial
Industrial
Mixed Business Campus
Mixed Use

Scale:
0 0.25 0.5 0.75 Miles

North Arrow

*Only those buffers that intersect with properly zoned parcels are displayed here.



CANNABIS RETAIL DISPENSARY BUFFER MAP
CITY OF APPLE VALLEY

6 March 2025

To Whom it May Concern:

Thank you for the opportunity to submit my application for a zoning code text amendment at the property located at 6950 W 146th St. I am requesting an amendment to PD-409 to allow a cannabis microbusiness within this planned development district. In addition, I am subsequently requesting an amendment to section 155.320 (Cannabis Business, Hemp businesses and Temporary Events) to allow for a cannabis microbusiness in planned developments. Attached you will find the application, Deposit agreement, a preliminary floor plan and the business plan for HiRISH ACRES dba, "HiRISH".

HiRISH is a veteran-owned company. Through the socially equitable application process, HiRISH completed the application process with Office of Cannabis Management (OCM) in July 2024. Our application has been approved, and we are currently awaiting the adoption of the expedited rules released by OCM on January 13, 2025.

As a resident of Apple Valley for the past 10 years, being allowed to establish a cannabis business within our city would be an honor. It would enable me to educate, assist and provide knowledgeable information surrounding the safe use and consumption of cannabis products. Being one of the selected few to help ensure that only tested, quality products are available for our community would be a great privilege. As a veteran, retired engineer, lifelong cannabis advocate and an individual formally trained & certified in cannabis through Green Flower, I feel I am very well prepared to represent cannabis responsibly for the members of our community and those just visiting.

Thank you for considering my application. I look forward to the opportunity to contribute positively to our community.

Regards,



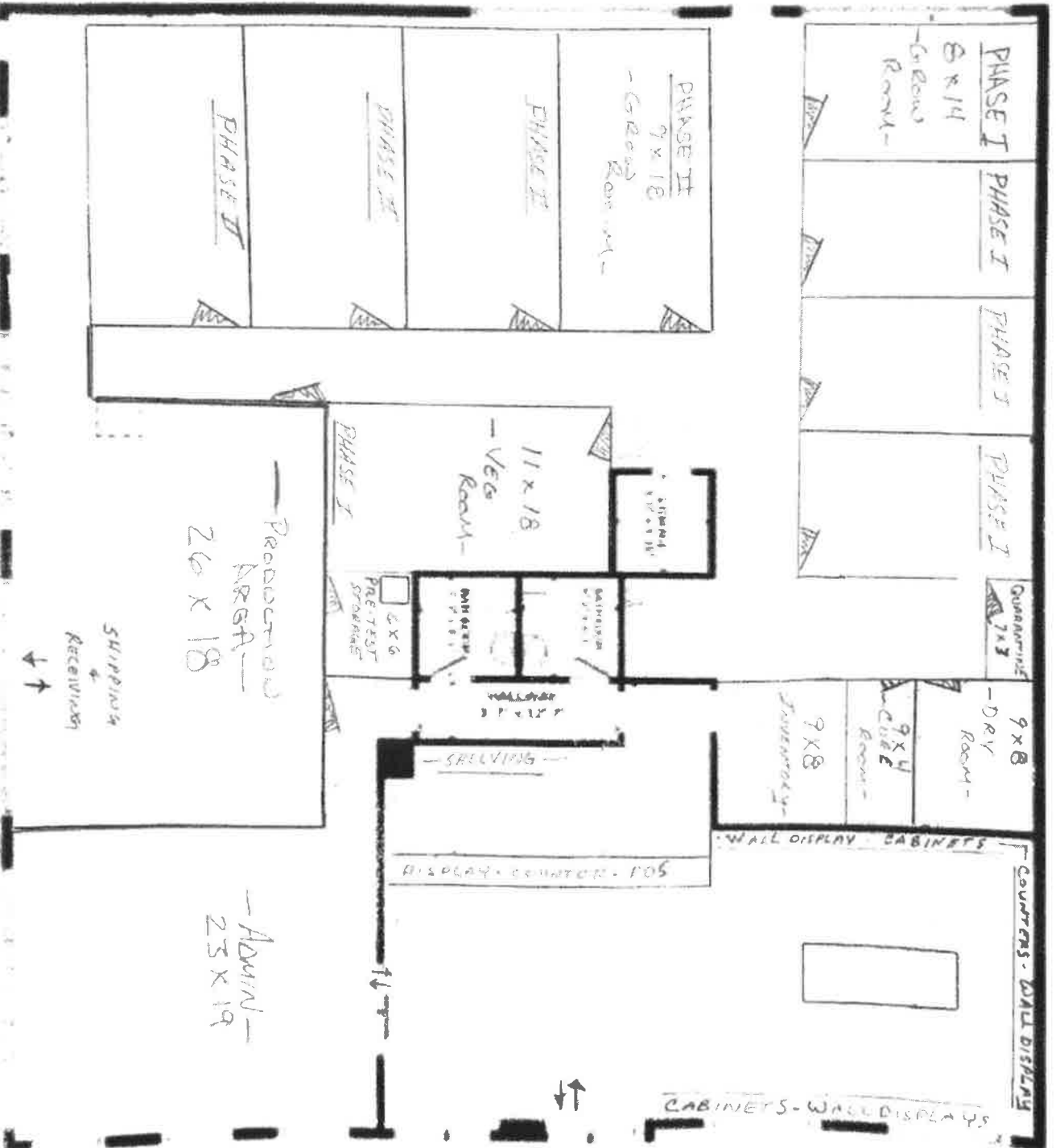
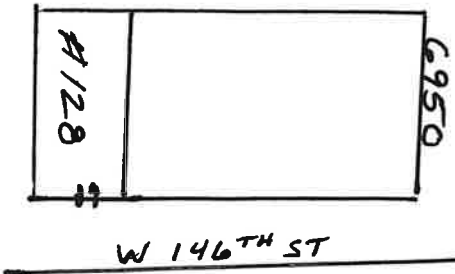
Jason

Floor Plan

6950 W 146TH ST #128



GALAXIE AVE



CITY OF APPLE VALLEY
ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF APPLE VALLEY, MINNESOTA,
AMENDING TITLE XV OF THE CITY CODE ENTITLED "LAND USAGE,"
CHAPTER 155-APPENDIX F, ARTICLE A16 OF THE CITY CODE BY ADDING
CANNABIS MICROBUSINESS AS A CONDITIONAL USE WITHIN PLANNED
DEVELOPMENT NO. 409, ZONE 1

The City Council of Apple Valley ordains:

Section 1. Chapter 155-Appendix F, Article A16 of the Apple Valley City Code is amended by adding Section A16-3(2)

§ A16-3 CONDITIONAL USES.

Zone 1. Within this zone, no structure or land shall be used for the following use or uses deemed similar by the City Council except through the granting of a conditional use permit:

* * * *

(2) Cannabis Microbusiness as regulated in §155.320, subject to the following additional conditions:

(a) All cannabis microbusiness activities shall occur and take place indoors of a delineated identified space of the primary building on site. Outdoor operations of any kind are prohibited.

(b) No retail sales of cannabis or cannabis products shall be permitted except in conjunction with a cannabis microbusiness in operation on the site and with a retail operations endorsement

(c) An odor mitigation plan shall be submitted with the application and all cultivation, manufacturing, processing and packaging operations shall be in compliance with the odor mitigation plan and MN licensing regulations. The space in which the operation is located shall be equipped with and in operating condition odor control filtration and ventilation system(s) to control odors, humidity, and mold.

(d) Off-street loading areas in conjunction with a cannabis microbusiness is subject to §155.354.

(e) On-site retail operations in conjunction with a cannabis microbusiness are subject to §A16-2(19).

Section 2. Summary approved. The City Council hereby determines that the text of the summary marked "Official Summary of Ordinance No. ____" a copy of which is attached hereto clearly informs the public of the intent and effect of the ordinance. The City Council further

determines that publication of the title and such summary will clearly inform the public of the intent and effect of the ordinance.

Section 3. Filing. A copy of the ordinance shall be filed in the office of the City Clerk. This copy shall be available for inspection by any persons during regular office hours.

Section 4. Publication. The City Clerk shall publish the title of this ordinance and the official summary in the official newspaper of the City with notice that a printed copy of the ordinance is available for inspection by any person during regular office hours at the Office of the City Clerk.

Section 5. Effective date. This ordinance shall take effect upon its passage and the publication of its title and the official summary.

PASSED by the City Council this ____ day of _____, 2025.

Clint Hooppaw, Mayor

ATTEST:

Christina M. Scipioni, City Clerk

CITY OF APPLE VALLEY
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF APPLE VALLEY, MINNESOTA,
AMENDING TITLE XV OF THE CITY CODE ENTITLED "LAND USAGE,"
CHAPTER 155-APPENDIX F, ARTICLE A16 OF THE CITY CODE ADDING
CANNABIS MICROBUSINESS AS A CONDITIONAL USE WITHIN PLANNED
DEVELOPMENT NO. 409 ZONE 1

The following is the official summary of Ordinance No. _____ passed by the City Council of Apple Valley on _____, 2025:

Chapter 155 of the City Code is revised to allow a cannabis microbusiness as a conditional use within Planned Development No. 409 Zone 1, and establish regulations thereof.

A printed copy of the ordinance is available for inspection by any person during regular office hours in the office of the City Clerk at the Apple Valley Municipal Center, 7100 147th Street W., Apple Valley, Minnesota 55124.

CITY OF APPLE VALLEY
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF APPLE VALLEY, MINNESOTA, AMENDING
CHAPTER 155 OF THE CITY CODE ENTITLED "LAND USAGE" BY AMENDING
SECTION 155.320(C) REGARDING CANNABIS MICROBUSINESS IN PLANNED
DEVELOPMENTS DISTRICTS

The City Council of Apple Valley ordains:

Section 1. Title XV of the Apple Valley City Code is hereby amended by revising Section 155.320(C) to read as follows:

(C) *Zoning.* The operation of a cannabis business, a hemp business, and a temporary cannabis event, as the terms are defined herein, shall be limited to property zoned for commercial, industrial, and agricultural uses as specifically set forth below for each type of cannabis business and hemp business:

<u>Guiding</u>	<u>Commercial</u>						<u>Industrial</u>			<u>PD</u>	<u>AG</u>
Zoning District	NCC	LB	GB	RB	SC	VB	BP	I-1	I-2	PD	
Business Type											
Cannabis Retailer	P			P	P	P				PD-R	
Cannabis Microbusiness							P*	P*	P*	**	
Cannabis Mezzobusiness							P*	P*	P*		
Cannabis Cultivator (Indoor only)							P	P	P		
Cannabis Cultivator (Outdoor)							P	P	P		P
Cannabis Manufacturer							P	P	P		
Cannabis Wholesaler							P	P	P		
Cannabis Transporter							P	P	P		
Cannabis Testing Facility							P	P	P		
Cannabis Event Organizer Temporary Event	P			P	P	P					
Cannabis Delivery Service	P			P	P	P	P*	P*	P*		
Medical Cannabis Combination Business (Retail location only)	P			P	P	P				PD-R	
Medical Cannabis Combination Business (Cultivation and processing)							P*	P*	P*		
Lower-potency Hemp Edible Manufacturer							P*	P*	P*		
Lower-potency Hemp Edible Retailer	P	P	P	P	P	P				PD-R	

* Retail sale of its cultivated cannabis or manufactured cannabis products is a permitted accessory use, provided the business has retail operation endorsement under its state license and shall be subject to the accessory retail sales regulations for the applicable zoning district regulations as set forth elsewhere in this Chapter.

** Cannabis Microbusiness may be allowed within a Planned Development district (or zones therein) when specifically allowed as a permitted or conditional use under the zoning regulations of the specific Planned Development district, subject to the provisions herein.

Notes: “P” means Permitted; and “PD-R” means Permitted in Planned Development districts (or zones therein) that permit freestanding or multi-tenant retail building stores and shops.

Section 2. Summary approved. The City Council hereby determines that the text of the summary marked "Official Summary of Ordinance No. ____" a copy of which is attached hereto clearly informs the public of the intent and effect of the ordinance. The City Council further determines that publication of the title and such summary will clearly inform the public of the intent and effect of the ordinance.

Section 3. Filing. A copy of the ordinance shall be filed in the office of the City Clerk. This copy shall be available for inspection by any persons during regular office hours.

Section 4. Publication. The City Clerk shall publish the title of this ordinance and the official summary in the official newspaper of the City with notice that a printed copy of the ordinance is available for inspection by any person during regular office hours at the Office of the City Clerk.

Section 5. Effective date. This ordinance shall take effect upon its passage and the publication of its title and the official summary.

PASSED this ____th day of _____, 2025.

Clint Hooppaw, Mayor

ATTEST:

Christina M. Scipioni, City Clerk

CITY OF APPLE VALLEY
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF APPLE VALLEY, MINNESOTA, AMENDING
CHAPTER 155 OF THE CITY CODE REGULATING ZONING BY AMENDING
SECTIONS 155.320 ADDING CANNABIS MICROBUSINESS AS A PERMITTED
USE IN PLANNED DEVELOPMENTS

The following is the official summary of Ordinance No. _____ passed by the City Council of Apple Valley on _____, 2025:

Chapter 155 of the City Code is revised to allow a cannabis microbusiness within
Planned Development districts (or zones therein).

A printed copy of the ordinance is available for inspection by any person during regular office hours in the office of the City Clerk at the Apple Valley Municipal Center, 7100 147th Street W., Apple Valley, Minnesota 55124.



ITEM:

6.A.

PLANNING COMMISSION MEETING DATE:

May 7, 2025

SECTION:

Other Business

Description:

Review of Upcoming Schedule and Other Updates

Staff Contact:

Breanna Vincent, Department Assistant

Department / Division:

Community Development Department

ACTION REQUESTED:

N/A

SUMMARY:

Next Planning Commission Meetings:

Wednesday, May 21, 2025 - 7:00 p.m.

- Applications due by 9:00 a.m. on Wednesday, April 23, 2025.

Wednesday, June 4, 2025 - 7:00 p.m.

- Applications due by 9:00 a.m. on Wednesday, May 7, 2025.

Next City Council Meetings:

- Thursday, May 8, 2025 - 7:00 p.m.
- Thursday, May 22, 2025 - 7:00 p.m.

BACKGROUND:

N/A

BUDGET IMPACT:

N/A