City of Maple Plain

Request for Site Plan Review and a Conditional Use Permit to Allow a Cannabis Retail Business (Curbside Pickup & Delivery) to Operate Within the Existing Building Located at 5600 Pioneer Creek Drive

To:	Planning Commission
From:	Mark Kaltsas, City Planner
Meeting Date:	May 7, 2026
Applicant:	Justin Seurer – Zomer Farms, LLC
Owner:	The Louisiana Purchase, LLC
Location:	5600 Pioneer Creek Drive

Request:

PUBLIC HEARING: Justin Seurer – Zomer Farms, LLC (Applicant) and The Louisiana Purchase, LLC (Owner) request that the City consider the following actions for the property located at 5600 Pioneer Creek Drive (PID No. 23-118-24-41-0012):

- Site plan review to consider the use of the existing space and property for a cannabis cultivation and manufacturing business.
- A conditional use permit to allow a cannabis retail business, specifically curbside pickup and delivery retail operations, in the I-Industrial zoning district.

Property/Site Information:

The property is located north of the intersection of Halgren Road and US Highway 12, on the north side of Pioneer Creek Drive. There is one existing building located on the property with the following characteristics:

Property Address: *5600 Pioneer Creek Drive*

Zoning: *I-Industrial*

Comprehensive Plan: *Industrial*

Acreage: *11.1 Acres*

5600 Pioneer Creek Drive - Aerial Photograph

Applicable Standards:

Sec. 10-544. "I" General Industrial District — Conditional Uses:

(12) Cannabis business, except lower-potency hemp edible retailer.

a. Must be licensed by the state.

b. A cannabis retailer or cannabis business with a cannabis business retail endorsement must be registered under city ordinance.

c. Must meet the cannabis business buffer.

d. Must not exceed the cannabis business retail limit.

Discussion:

There is an existing building on the subject property of approximately 40,000 SF. The applicant is leasing approximately 20,000 SF (east half) for proposed cultivation, manufacturing, and retail operations. All cannabis businesses in the City require a conditional use permit, and all commercial or industrial building changes require site plan review.

Proposed Cannabis Retail Operations — Curbside Pickup & Delivery:

In addition to cultivation and manufacturing, Zomer Farms, LLC is requesting approval to conduct cannabis retail sales via two methods: (1) curbside pickup and (2) home delivery, both originating from Suite E within the existing building. No walk-in retail is proposed.

The applicant has described the retail operations as follows:

- Retail operations would be conducted from Suite E, secured by two access-controlled doors with 24/7 interior and exterior camera surveillance.
- A secured Product Storage Vault houses all retail cannabis products, remaining locked during non-business hours with continuous video surveillance per State guidelines.
- Only Managers have key card access to the Product Storage Vault and Retail Office. Retail employees have access to Suite E and bathrooms during business hours only.
- Delivery drivers enter through the secured Suite E entrance to collect orders for dispatch.
- The security system, operational since March 9, 2026, includes license plate readers (LPR), employee panic buttons, delivery vehicle tracking, and high-definition cameras.
- Delivery service area covers: West to Delano, North to Buffalo/Corcoran, East to Plymouth, and South to Victoria, organized by zip code and integrated with the State's Metrc system.
- No more than 2–4 delivery drivers are anticipated on-site at any one time during business hours.
- All deliveries will be conducted pursuant to Minn. Stat. § 342.42, MN Admin Rules 9810.1100 and 9810.2600.

Proposed Hours of Operation — Curbside Pickup & Delivery:

The applicant proposes to conduct curbside pickup and delivery retail operations seven days a week between the hours of 9:00 a.m. and 9:00 p.m. (CST), Monday through Sunday.

Under Minnesota Statute § 342.27, Subdivision 7, cannabis retail sales are prohibited between 2:00 a.m. and 10:00 a.m. on Sundays. The applicant's proposed 9:00 a.m. Sunday opening is not permissible under State law and must be corrected as a condition of any approval. At a minimum, Sunday operations shall not commence before 10:00 a.m.

On Monday through Saturday, State law sets the earliest permissible opening at 8:00 a.m.; the applicant's proposed 9:00 a.m. weekday opening is therefore compliant. State law also authorizes

the City to impose an earlier closing time, prohibiting sales for any period between 9:00 p.m. and 2:00 a.m., and to restrict morning hours between 8:00 a.m. and 10:00 a.m. on weekdays.

The applicant's proposed Sunday hours conflict with Minnesota Statute § 342.27, Subd. 7, and must be corrected. The City of Maple Plain's cannabis ordinance (Ordinance No. 331, adopted November 25, 2024) does not currently specify hours of operation for cannabis retail businesses, leaving this matter appropriately addressed as a condition of this conditional use permit.

Day	State Law — Earliest Opening	Applicant Proposes	Compliant?
Monday – Saturday	8:00 a.m.	9:00 a.m.	✓ Yes
Sunday	10:00 a.m.	9:00 a.m.	✗ No — must be corrected

Planning Commission Action Requested — Hours: The Commission should deliberate and state its preferred hours as a specific condition of approval. Options include:

- Minimum correction required by State law: 9:00 a.m. – 9:00 p.m. Monday–Saturday; 10:00 a.m. – 9:00 p.m. Sunday.
- Uniform 10:00 a.m. opening, all days: The City may restrict Monday–Saturday openings to no earlier than 10:00 a.m. under § 342.27, Subd. 7(b), creating a consistent 10:00 a.m. – 9:00 p.m. schedule seven days a week.
- Earlier evening close: The Commission may impose a closing time earlier than 9:00 p.m. (e.g., 8:00 p.m.) given the industrial character of the surrounding area.

Parking Analysis — Mixed Use: Cultivation/Manufacturing & Cannabis Retail:

The applicant is proposing to convert approximately 2,200 square feet of existing warehouse/office space within Suite E to cannabis retail operations, including order fulfillment, a product storage vault, and a retail office. No walk-in public sales floor is proposed. This conversion triggers application of the City's mixed-use retail parking standard.

Applicable Parking Standard:

> *"Retail sales and service business with 50 percent of gross floor area devoted to storage, warehouses, and/or industry. One space for each 250 square feet devoted to public sales and/or service plus one space for each 500 square feet of storage area; or one space for each employee on the maximum shift, whichever is appropriate."*

This standard applies directly to Zomer Farms' proposed retail operation, as the predominant function of Suite E is product storage, vault operations, and order fulfillment and not a traditional

public sales floor. Based on the submitted floor plan, staff estimates the breakdown of Suite E as follows:

Space	Estimated SF	Parking Classification
Retail Prep / Order Fulfillment Area	~500 SF	Public sales/service area
Product Storage Vault	~600 SF	Storage area
Retail Office	~300 SF	Storage / back-of-house
Circulation / Vestibule / Hallway	~800 SF	Storage / back-of-house
Total Suite E	~2,200 SF	

Parking Calculation — Method 1: By Square Footage:

Use / Area	Est. SF	Parking Rate	Spaces Required
Public sales/service (fulfillment)	500 SF	1 per 250 SF	2 spaces
Storage / vault / office / circulation	1,700 SF	1 per 500 SF	4 spaces
Retail Subtotal (Suite E)	2,200 SF		6 spaces
Cultivation / Manufacturing (remainder)	~17,800 SF	1 per 400 SF	45 spaces
Total Required	~20,000 SF		51 spaces

Parking Calculation — Method 2: By Employees on Maximum Shift:

The applicant indicates a maximum of 2–4 retail employees plus 2–4 delivery drivers on-site simultaneously during business hours, for a combined maximum of 8 retail-related staff. The applicant previously noted that the total maximum employee count across the cultivation operation would be approximately 15-20 employees on a single shift. This would equate to a total parking requirement of closer to 30 parking spaces rather than the 51 spaces using the square footage method.

Available Parking:

Location	Spaces
Front of building — Pioneer Creek Drive frontage	16
East side of building	14
North side of building (shared with full building)	25
Total	55

The 55 total parking spaces available on the east and north sides of the building appear sufficient to meet the calculated demand of 30 - 51 spaces. However, staff notes the following considerations for the Planning Commission:

- No walk-in retail. All curbside pickup is by appointment only in 15-minute intervals, capped at a maximum of 8 vehicles per hour. This significantly reduces typical retail parking demand and supports use of the employee-based method as the more appropriate measure.

- Designated pickup and delivery spaces. The applicant proposes 2 dedicated curbside spaces at the front of the building. Staff recommends the Commission require 3 to 5 spaces be formally designated, signed, and striped for curbside pickup and delivery driver use, with written authorization from the property owner (The Louisiana Purchase, LLC) obtained prior to commencement of retail operations.

- Multi-tenant building. The facility serves multiple tenants. The applicant should provide written confirmation from the property owner that available parking is sufficient to serve all tenants concurrently.

- Parking Management Plan. Given the simultaneous operation of cultivation staff, retail employees, and delivery drivers, staff recommends the Commission consider requiring the applicant to submit a parking management plan identifying how spaces will be allocated among employee, delivery, and curbside pickup uses.

Cannabis Retail License Limit:

Approval of this conditional use permit for cannabis retail operations would constitute the City of Maple Plain's one (1) permitted cannabis retail license. Under applicable City ordinance and State law, no additional cannabis retail licenses may be issued within the City once this license is granted. The Commission should carefully weigh this consideration in its deliberations.

West Hennepin Public Safety Department Review:

West Hennepin Public Safety reviewed the application and site plan for the proposed cannabis retail operations at 5600 Pioneer Creek Drive. Their review identified one item requiring attention, relating to hours of operation, as noted above. With respect to all other aspects of the proposal, West Hennepin Public Safety had no additional comments or conditions at this time.

Subject Site — Site Plan Review & CUP Considerations:

The applicants are proposing to utilize the existing building in its current condition. The existing building meets all applicable building and parking setbacks. The condition of the building,

lighting and landscaping was reviewed during the previous CUP, and all requirements are applicable to this CUP.

Recommendation:

Staff is seeking the direction of the Planning Commission relating to the request for site plan review and a conditional use permit to allow cannabis retail (curbside pickup and delivery) operations at 5600 Pioneer Creek Drive. Should the Planning Commission consider recommending approval, the following conditions should be considered:

1. The proposed site plan review and conditional use permit meets all applicable conditions, criteria, and restrictions stated in the City of Maple Plain Zoning Ordinance.
2. The applicant shall address and satisfy all comments made by staff and the Planning Commission.
3. The applicant shall operate the business as described and in accordance with all applicable city, state, and federal regulations. No outdoor storage is permitted.
4. Hours of Operation: Retail curbside pickup and delivery operations shall be limited to hours established by the Planning Commission, consistent with Minnesota Statute § 342.27, Subd. 7. At a minimum, Sunday operations shall not commence before 10:00 a.m. [Commission to specify preferred hours for all days.]
5. Parking Designation: Prior to commencement of any retail operations, the applicant shall obtain written authorization from the property owner (The Louisiana Purchase, LLC) to designate 3 to 5 parking spaces for curbside pickup and delivery use only. Said spaces shall be clearly signed and striped.
6. Parking Management Plan: The applicant shall submit a parking management plan, approved by City staff, demonstrating how employee, delivery driver, and curbside pickup parking will be allocated and managed concurrently without conflict with other tenants.
7. Cannabis Retail License: Approval of this conditional use permit constitutes the City of Maple Plain's one (1) permitted cannabis retail license. No additional cannabis retail licenses shall be issued within the City.
8. The applicant shall obtain all required State of Minnesota and City of Maple Plain cannabis licenses and registrations prior to commencing retail operations.
9. Any change in use, including but not limited to walk-in retail, outdoor storage, or expansion of the retail delivery service area, shall require an amendment to this conditional use permit.
10. The applicant shall pay for all costs associated with the City's review of the site plan and conditional use permit.
11. Upon a violation of any condition of this permit, the City shall notify the owner/applicant/permit holder, and the applicable fee shall be paid within 30 days. Fees: First violation: $300 | Second violation: $400 | Third violation: $500. Subsequent

violation fees shall be determined by doubling the most recent fee. Imposition of fees shall not prohibit the City from taking other action, including permit revocation.

Attachments:

- Application
- Building Floor Plan
- City Review Letter and Applicant Response
- Zomer Farms, LLC — Retail CUP Supplemental Narrative (revised 4.24.26)