

**CITY OF MAPLE PLAIN
COUNTY OF HENNEPIN
STATE OF MINNESOTA**

Resolution No. ____-2026

**A Resolution Approving a Site Plan Review and Conditional Use Permit
to Allow a Cannabis Retail Business with a Full Retail Endorsement
at 5600 Pioneer Creek Drive**

WHEREAS, the City of Maple Plain (the “City”) is a municipal corporation under the laws of Minnesota; and

WHEREAS, the City adopted a Comprehensive Plan in 2020 to guide the development of the community; and

WHEREAS, the City has adopted a Zoning Ordinance and other official controls to assist in implementing the Comprehensive Plan; and

WHEREAS, Justin Seurer – Zomer Farms, LLC (the “Applicant”) and The Louisiana Purchase, LLC (the “Owner”) have submitted an application requesting site plan review and a conditional use permit to allow a cannabis retail business with a full retail endorsement — authorizing both medical and adult-use (recreational) cannabis sales, including walk-in retail, curbside pickup, and delivery operations — within the existing building located at 5600 Pioneer Creek Drive (PID No. 23-118-24-41-0012) (the “Property”); and

WHEREAS, the Property is zoned I – General Industrial; and

WHEREAS, the Property is legally described on Exhibit A, attached hereto; and

WHEREAS, Section 10-544(12) of the City’s Zoning Ordinance allows cannabis businesses as a conditional use in the I-Industrial district, subject to the conditions that the business (a) be licensed by the state, (b) be registered under city ordinance, (c) meet the cannabis business buffer, and (d) not exceed the cannabis business retail limit; and

WHEREAS, the Planning Commission held a public hearing on June 4, 2026, to review the application for site plan review and a conditional use permit, following mailed and published notice as required by law; and

WHEREAS, at the public hearing, several local businesses adjacent to or near 5600 Pioneer Creek Drive provided testimony expressing concern about the proximity of the proposed cannabis retail sales operation to their businesses, and those concerns are part of the public record; and

WHEREAS, the Planning Commission discussed traffic flow and volume, the nature of retail traffic in an industrial district, alternative locations within the City, and hours of operation, and following deliberation voted to recommend approval of the site plan review and conditional use permit to the City Council, subject to the conditions stated herein; and

WHEREAS, the City Council has reviewed all materials submitted by the Applicant, the staff report, the Planning Commission's recommendation, and the oral and written testimony offered at the public hearing and the Planning Commission hearing; and

WHEREAS, the City Council has now concluded that the application, subject to the conditions stated herein, is in compliance with all applicable standards of the City of Maple Plain Zoning Ordinance.

Findings

The City Council hereby makes the following findings in support of approval of the conditional use permit:

1. The proposed cannabis retail use is a conditional use permitted in the I – General Industrial zoning district pursuant to Section 10-544(12) of the City of Maple Plain Zoning Ordinance, subject to the satisfaction of applicable conditions.
2. The Property is guided Industrial in the City's 2020 Comprehensive Plan, and the proposed use is consistent with the Industrial land use designation.
3. The Applicant has demonstrated that the proposed use will be licensed by the State of Minnesota and registered under the applicable City of Maple Plain cannabis business ordinance prior to commencement of retail operations, as required by Section 10-544(12)(a) and (b).
4. The proposed use, as conditioned, meets the cannabis business buffer requirements of the City's Zoning Ordinance pursuant to Section 10-544(12)(c).
5. Approval of this conditional use permit constitutes the City's one (1) permitted cannabis retail license and does not exceed the cannabis business retail limit established by applicable City ordinance and State law, pursuant to Section 10-544(12)(d).
6. The proposed hours of operation, as conditioned herein, are consistent with the requirements of Minnesota Statute § 342.27, Subdivision 7, which prohibits cannabis retail sales between 2:00 a.m. and 10:00 a.m. on Sundays and establishes the permissible range of hours on weekdays.
7. The site contains sufficient on-site parking to serve the proposed mixed cultivation, manufacturing, and retail use, with 55 available spaces exceeding the calculated demand of 30–51 spaces under applicable parking standards, subject to the parking conditions imposed herein.

8. The existing building and site meet all applicable building setback and zoning standards. Site conditions, building improvements, lighting, and landscaping were previously reviewed and conditioned under the prior conditional use permit for cultivation and manufacturing operations, and those conditions remain applicable.
9. West Hennepin Public Safety reviewed the application and identified one item requiring correction (Sunday hours of operation), which has been addressed as a condition of this approval. West Hennepin Public Safety raised no other concerns.
10. The City Council finds that, subject to the conditions stated herein, the proposed conditional use is compatible with the I-Industrial zoning district and surrounding uses, and that the applicable conditional use permit criteria have been satisfied.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MAPLE PLAIN, MINNESOTA that it should and hereby does approve the application by Justin Seurer – Zomer Farms, LLC for site plan review and a conditional use permit to allow a cannabis retail business with a full retail endorsement, including medical and adult-use (recreational) cannabis sales, walk-in retail, curbside pickup, and delivery operations, at 5600 Pioneer Creek Drive, in the I-Industrial zoning district, subject to the following conditions:

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 of any kind is permitted on the property.
4. Hours of Operation: Retail operations (walk-in retail, curbside pickup, and delivery) shall be conducted in accordance with all state-allowed hours under Minnesota Statute § 342.27, Subd. 7. At a minimum, Sunday operations shall not commence before 10:00 a.m. The permitted hours of operation are 9:00 a.m. to 9:00 p.m. Monday through Saturday, and 10:00 a.m. to 9:00 p.m. on Sundays.
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 driver use only. Said spaces shall be clearly signed and striped prior to commencement of retail operations.
6. Parking Management Plan: Prior to commencement of retail operations, 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 building tenants.

7. Cannabis Retail License: Approval of this conditional use permit constitutes the City of Maple Plain's one (1) permitted cannabis retail license, the only cannabis retail license the City is authorized to issue under applicable City ordinance and State law. No additional cannabis retail licenses of any kind shall be issued within the City of Maple Plain.
8. The applicant shall obtain all required State of Minnesota cannabis licenses and registrations, and all required City of Maple Plain cannabis business registrations, prior to commencing any retail operations.
9. Expansion of Use: Any material changes in the scope or nature of retail operations beyond what is approved herein, including but not limited to activation of walk-in retail (if not initially commenced), outdoor storage, or expansion of the delivery service area, shall require prior written notice to and approval by City staff. Activation of walk-in retail shall require the applicant to submit a revised parking management plan for staff review and approval prior to commencement. Any other expansion or material change in the use shall require an amendment to this conditional use permit.
10. The conditional use permit shall be reviewed annually by the City.
11. The applicant shall pay for all costs associated with the City's review of the site plan and conditional use permit.
12. Upon a violation of any condition of this permit, the City shall notify the owner/applicant/permit holder of the violation, and the applicable fee shall be paid within 30 days of mailing of the notice. Any unpaid fees shall be certified to the City's tax roll in the November following the imposition of the fees. Imposition of a fee based on a violation of this permit shall not prohibit the City from taking any other action, including revocation of the permit. This CUP Resolution provides that penalties for non-compliance are (i) \$300 for the first violation, (ii) \$400 for a second violation occurring within one year after the date of the first violation, and (iii) revocation of the CUP Resolution for a third violation occurring within two years after the date of the first violation.

This resolution was adopted by the City Council of the City of Maple Plain on this 22nd day of June, 2026, by a vote of _____ ayes and _____ nays.

Julie Maas-Kusske, Mayor

ATTEST:

Jacob Schillander, City Administrator

EXHIBIT A

(Legal Description)

Lot 001, Block 002, Maple Plain Industrial Park 2nd Addition, Hennepin County, Minnesota.