

City of Maple Plain

Request for Site Plan Review and a Conditional Use Permit to Allow a Cannabis Retail Business with a Full Retail Endorsement to Operate Within the Existing Building Located at 5600 Pioneer Creek Drive

To:	Planning Commission
From:	Mark Kaltsas, City Planner
Meeting Date:	June 4, 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 with a full retail endorsement, authorizing both medical and adult-use (recreational) cannabis sales, including walk-in retail, curbside pickup, and delivery 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. Important Note: Scope of City Review: The City of Maple Plain's review of this application is limited solely to the land use aspects of the proposed business; specifically, whether the proposed use of the subject property for cannabis cultivation, manufacturing, and retail operations is compatible with the I-Industrial zoning district and applicable City ordinance standards. The City is not authorized to consider, and may not base its decision upon, the fact that the proposed business involves the cultivation or sale of cannabis. The applicable legal standard requires the City to evaluate this application using the same land use criteria that would apply to any comparable commercial or industrial use. The Planning Commission should confine its deliberations accordingly.

Proposed Cannabis Retail Operations: Full Retail Endorsement (Medical & Adult-Use):

In addition to cultivation and manufacturing, Zomer Farms, LLC is requesting approval to conduct cannabis retail sales with a full retail endorsement authorizing both medical cannabis and adult-use (recreational) cannabis sales. The applicant is seeking approval from the state for a medical cannabis and cultivation combination license, which under State law permits retail sales of both medical and adult-use cannabis; however, the license type restricts curbside pickup and delivery operations to medical cannabis only. Walk-in retail sales; available for both medical and adult-use cannabis, would require a full retail endorsement, which the applicant is now seeking.

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 Metric 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: Retail Operations:

The applicant proposes to conduct retail operations (walk-in retail, curbside pickup, and delivery) seven days a week between the hours of 9:00 a.m. and 9:00 p.m. (CST), Monday through Sunday. While the applicant is not focused on providing walk-in retail at this time, the applicant is seeking approval for walk-in retail in the event he wishes to offer it in the future.

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.	X 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. Walk-in retail is not currently anticipated but may be activated in the future under the approved full retail endorsement. 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:

- Walk-in retail is not currently anticipated but is authorized under the full retail endorsement. Curbside pickup is by appointment only in 15-minute intervals, capped at a maximum of 8 vehicles per hour. If and when walk-in retail is activated, the applicant shall submit a revised parking management plan for City staff review and approval prior to commencing walk-in operations.
- 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, the City of Maple Plain is permitted to authorize only one (1) cannabis retail license within the City. Once this license is granted; whether for medical cannabis retail only or for both medical and adult-use (recreational) cannabis retail under a full retail endorsement, no additional cannabis retail licenses of any kind may be issued within the City of Maple Plain.

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 operations with a full retail endorsement (medical and adult-use cannabis sales, including walk-in retail, curbside pickup, and delivery) 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 — the only cannabis retail license the City is authorized to issue. Whether the retail endorsement covers medical cannabis only or both medical and adult-use (recreational) cannabis, this approval represents the City's sole and exclusive cannabis retail authorization. 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 and City of Maple Plain cannabis licenses and registrations prior to commencing retail operations.
9. 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 be reported to the City. Activation of walk-in retail shall require prior written notice to and approval from City staff, and the applicant shall submit a revised parking management plan prior to commencing walk-in operations. Any other expansion of use 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)