

City of Maple Plain

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

To: Planning Commission
From: Mark Kaltsas, City Planner
Meeting Date: September 4, 2025
Applicant: Justin Seuer – Zomer Farms, LLC
Owner: The Louisiana Purchase, LLC
Location: 5600 Pioneer Creek Drive

Request:

Justin Seuer – 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):

- a. Site plan review to consider the use of the existing space and property for a cannabis cultivation and manufacturing business.
- b. A conditional use permit to allow a cannabis cultivation and manufacturing business in the I-Industrial zoning district.

Property/Site Information:

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

Property Information: 5600 Pioneer Creek Drive
Zoning: *I-Industrial*
Comprehensive Plan: *Industrial*
Acreage: 11.1 Acres

5600 Pioneer Creek Drive - Aerial Photograph



Applicable Standards:

(D) Conditional uses. The following uses shall require a conditional use permit based on the procedures set forth in ' 153.140:

(1) Manufacturing - heavy, including but not limited to: concrete product plants, building materials production and similar uses provided that:

(a) All applicable Minnesota Pollution Control Agency requirements are satisfactorily met;

(b) Storage areas are landscaped, fenced and screened from view of neighboring uses, abutting residential zoning districts and public rights-of-way in compliance with ' 153.063(C) and (D);

(c) Vehicular access points shall create a minimum of conflict with through traffic movement and shall be subject to approval of the City Engineer; and

(d) Provisions acceptable to the city shall be made to control and minimize noise, air and water pollution.

Sec. 10-544. "I" General Industrial District.

(d) Conditional uses. The following uses shall require a conditional use permit based on the procedures set forth in section 10-482:

(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 located on the subject property which is approximately 40,000 SF. The applicant is looking to lease approximately 20,000 SF of the building (east half) for the proposed cultivation and manufacturing operations.

The city discussed the potential use of the building and property with the applicant, and it was noted that all cannabis businesses in the city are considered as a conditional use permit. As a result, they are required to apply for a conditional use permit to allow the proposed cannabis cultivation business. In addition, the City noted that all commercial or industrial building changes require site plan review in accordance with applicable standards.

153.045 INTENT AND PROCEDURE

(l) Evaluation criteria. The Planning Commission and City Council shall evaluate the effects of the proposed site plan. This review shall be based upon, but not be limited to, compliance with the City Comprehensive Plan, provisions of this chapter (Design Guidelines and City Engineering Requirements).

The city prepared a list of questions for the applicant in order to better understand the proposed use of the building and site (see attached review letter and response by applicant). The applicant is planning to employ approximately 10-20 full time and or part time employees on this property.

The applicant intends to use the subject property to operate the cannabis cultivation business. Zomer Farms, LLC will be leasing half of the building for the cultivation and manufacturing of Cannabis under the Medical Combined License awarded by the State of Minnesota (No Retail requested at this location). Zomer Farms intends to cultivate approximately 15,000 SF of cannabis as measured by canopy utilizing the cleanest possible techniques available for efficient growth. Manufacturing of plant material will be 100% solvent free utilizing a washing method consisting of water, ice & agitation. This process produces a product commonly referred to as “bubble hash” which can then be processed further by pressing it with heat plates to produce “live rosin”. Zomer Farms, LLC will sell cannabis flower & manufactured cannabis products (i.e., bubble hash, kief, live rosin, cartridges, etc.) via wholesale to Minnesota Retailers.

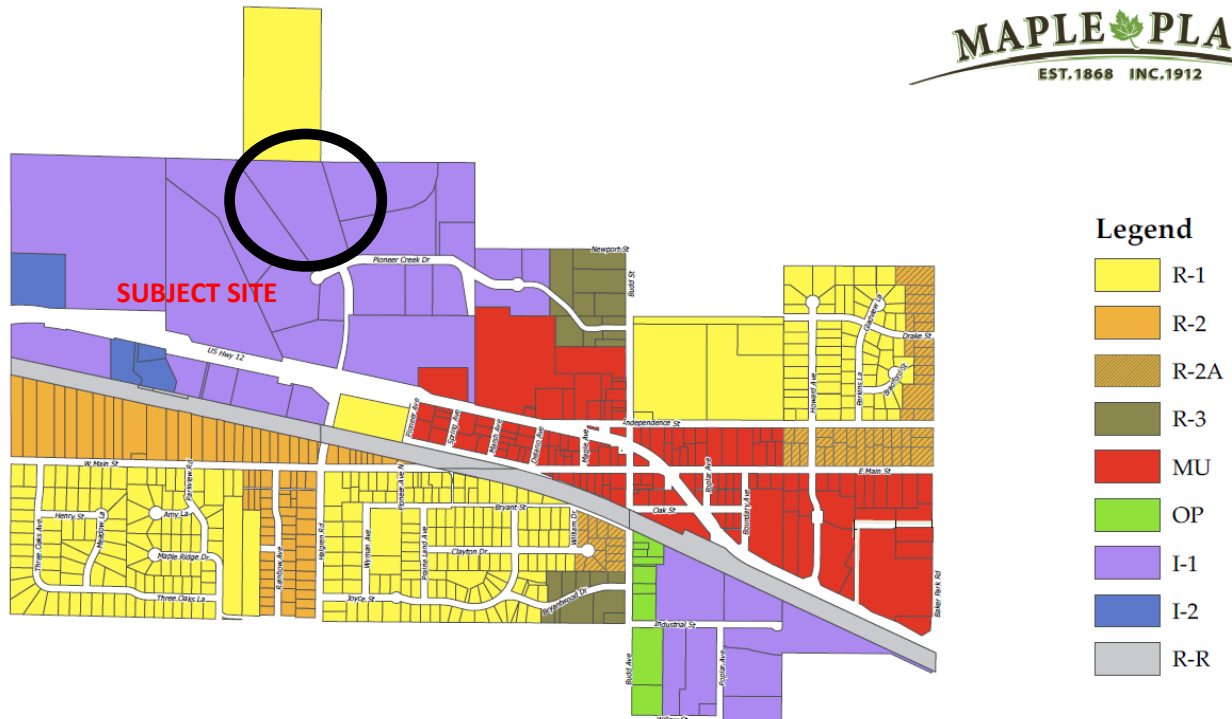
The applicant has provided a floor plan indicating the general use of the interior space of the building. The applicant is not planning any storage or activity outside of the building. All deliveries, processing, cultivation and associated operations will occur inside of the building. The city has noted that any change in use (i.e., outdoor storage) would require a site plan review amendment.

The applicant has stated that this business will not require additional refuse containment or hauling outside of a typical business use. They are anticipating that there will be between 3-5 deliveries per week once the business is fully operational. The applicant has noted that all specialized disposal for cannabis materials is regulated by the Minnesota Office of Cannabis Management and will be securely contained inside the building until it can be disposed off-site in accordance with all applicable requirements.

The City has criteria stipulated in the zoning ordinance for consideration of granting a conditional use permit.

(F) *Conditional use permit criteria.* The Planning Commission shall review the conditional use permit for its conformance with the City Code and shall not recommend approval unless all the following conditions are met:

- (1) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted;
- (2) That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area;
- (3) That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided;
- (4) That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use;
- (5) That 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 such a manner that no disturbance to neighboring properties will result;
- (6) That proper facilities are provided which would eliminate any traffic congestion or traffic hazard which may result from the proposed use; and
- (7) The proposed use is in compliance with this chapter and Comprehensive Plan of the city.



Site Plan Review and CUP Considerations:

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

Required Setbacks:

Minimum Lot Size: As necessary to meet all setbacks, parking and yard requirements.

Minimum Lot Width: None

Front Yard Setback: 35 feet minimum

Side Yard Setback: 20 feet minimum

Rear Yard Setback: 20 feet minimum

Parking Setback: Must meet applicable yard setback

The eastern half of this property has 41 existing parking spaces located in the front, side and rear of the building.

Parking Summary:

Product manufacturing:

1 space per 400 SF (15,000/400 = 38 spaces)

Total Spaces Required = 38

Site Lighting:

The parking area does not currently have independent lighting (free standing light fixtures). The existing building has wall mounted lights that do not meet applicable cut-off standards of the city. The applicant has noted that they are considering adding lighting to the site for security and safety reasons. Staff will be seeking direction from Planning Commission relating to the lighting and whether or not it should be brought into compliance.

Site Landscaping:

The site has existing landscaping that provides screening and separation along both the east and west property lines. The building is also landscaped between the front parking area and the street with planting beds, low shrubs and grasses and deciduous shade trees.

The existing building and site have been historically used for manufacturing, warehousing and office. The applicants are proposing to use the exiting building in a similar manner to the historical use. The building is located in the I-Industrial zoning district which was established to allow commercial manufacturing and processing. Due to many factors including the new concept of cannabis businesses, the city has determined that they can be considered as a conditional use within the I-Industrial zoning district. The city has prescribed criteria which can be used to review conditional use permits and determine if the conditional use of the property causes any concerns or issues that cannot be reasonably mitigated.

The surrounding properties to the east, west, north are zoned I-Industrial. The proposed use of the existing building and its location in the industrial park should not intensify or cause for additional impacts to the surrounding properties. Planning Commissioners will need to determine if the proposed use of the building for cannabis cultivation and processing meets the criteria for granting a conditional use permit. Commissioner's will also need to find that the existing building meets the requirements of the cities site plan review standards.

Recommendation:

Staff is seeking the direction of the Planning Commission relating to the request for site plan review and a conditional use permit. 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. Approval of the conditional use permit is subject to the applicant providing additional information and receiving City approval for the following items:
 - a. The applicant shall address and satisfy all comments made by staff and Planning Commission.
 - b. The applicant shall address and satisfy all Fire Department comments relating to the building and site.

3. The Conditional Use Permit will include the following conditions:
 - a. The applicant shall operate the business as described and in accordance with all applicable city, state and federal regulations.
 - b. No outdoor storage is permitted.
4. The applicant shall pay for all costs associated with the City's review of the site plan and conditional use permit.
 - a. Upon a violation of any of the above conditions, the City shall notify (owner/applicant/permit holder) of the violation and (owner/applicant/permit holder) shall pay a fee to the City, in an amount specified below, within 30 days of the mailing of the notice. Any unpaid fees related to a violation of this permit shall be certified to the City's tax roll in the (November) following the imposition of the fees. Imposition of this fee based on a violation of this permit shall not prohibit the City from taking any other action on the permit, based on the same violation, including, but not limited to, revocation of the permit. Fees for violations of this permit shall be imposed as follows:
 1. First violation: \$300
 2. Second violation: \$400
 3. Third violation: \$500
 4. Fee amounts for any violations which occur subsequent to the third violation shall be determined by doubling the imposed fee of the most recent violation.

Attachments:

1. Application
2. Building Floor Plan
3. City Review Letter and Applicant Response

DEADLINES

Planning Commissioning meetings are held on the first Thursday of the month at 6:00 P.M.
All applications are due 30 days prior to meeting.

OFFICE USE ONLY

Application Type	Review Deadline
	<input type="checkbox"/> 15 Business Days: _____ <input type="checkbox"/> 60 Day Review: _____ <input type="checkbox"/> 120 Day Review: _____
Fees Collected	Received by
<input checked="" type="checkbox"/> Application Fee Collected: \$ <u>1500.00</u> <input checked="" type="checkbox"/> Escrow: \$ <u>3000.00</u> <input checked="" type="checkbox"/> Total Receipt: \$ <u>4500.00</u>	<input type="checkbox"/> Name: _____ <input type="checkbox"/> Signature: <u>[Signature]</u> <input type="checkbox"/> Date: <u>08.29.2025</u>
Receipt	Application Complete
<input checked="" type="checkbox"/> Receipt Number(s) <u>transpay VUZJWXPE48</u>	Are there any missing materials? <input type="checkbox"/> Yes. <input type="checkbox"/> No. If yes, was the application accepted? <input type="checkbox"/> Yes. <input type="checkbox"/> No.

- Door_Single
- Doors_Double
- Modular Walls

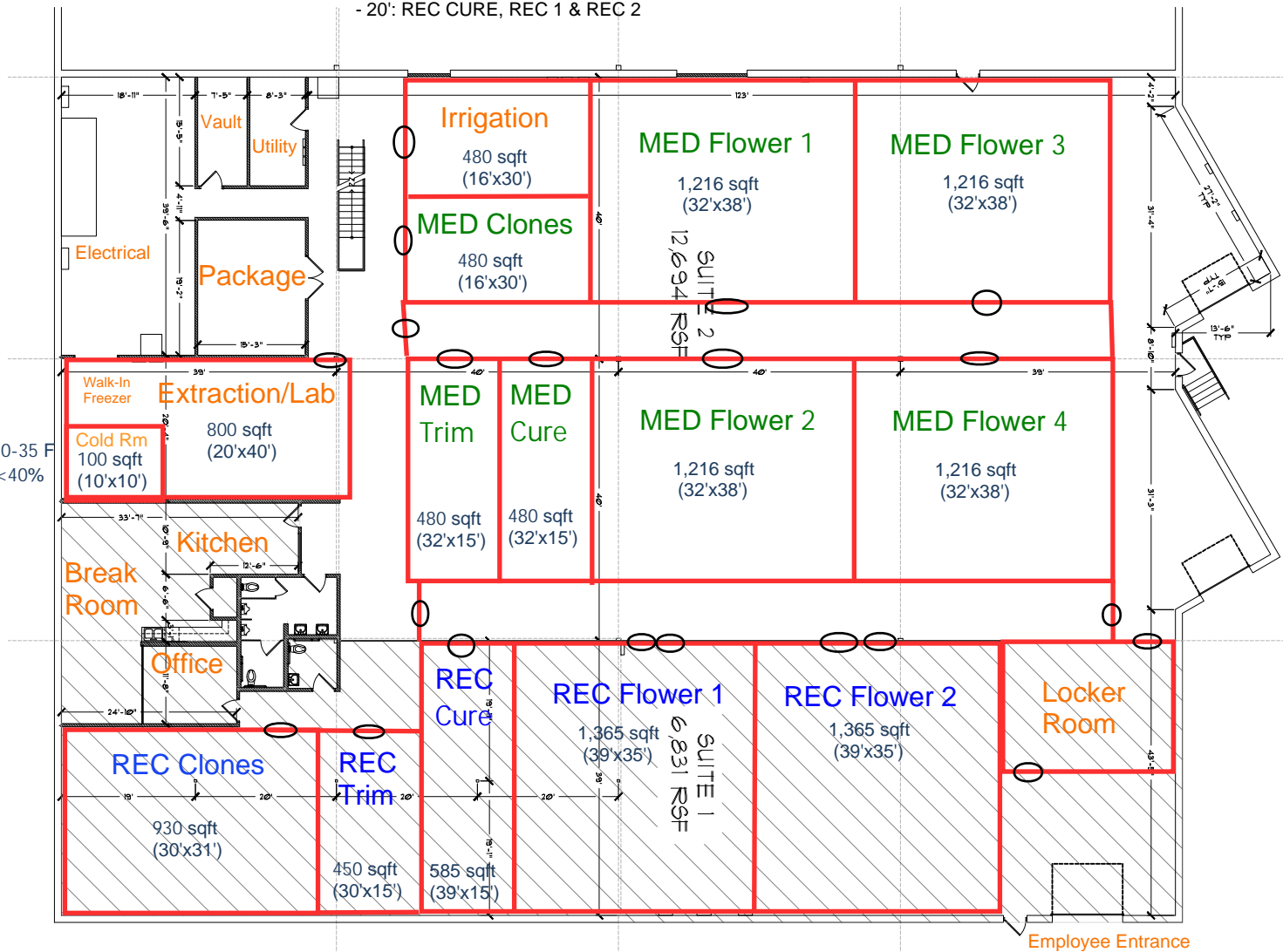
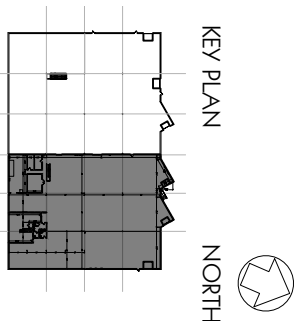
Internal Ceiling Heights
 - 15' for ALL rooms, except:
 - 20': REC CURE, REC 1 & REC 2

1
A1

PROPOSED COMBINED SUITES 1 & 2
 6,831 + 12,694 = 19,525 RSF

SCALE: AS NOTED

1 5 15 25 50





July 23, 2025

Justin Seurer
Zomer Farms, LLC
6277 Chasewood Drive
Eden Prairie, MN 55344

Dear Justin:

The City of Maple Plain received your application for a conditional use permit on July 9, 2025, for the property located at 5600 Pioneer Creek Drive. The City has completed a review of the submitted and identified several items/information that will need to be submitted in order for the application to be considered complete. As a formality and in accordance with Minnesota Statutes, Section 15.99, the application is not considered complete. The city will extend its review time by 60 days to ensure that the application can be fully reviewed and processed. Please note that the city will continue to process the application and expects to have the review completed prior to the permitted review time.

The following information and or submittal items should be provided to the City for the application to be found complete:

1. All commercial developments that require a building permit and all commercial conditional uses also require site plan review. The city will process both the site plan review and conditional use permit simultaneously. Please submit an updated application with both items checked and pay the requisite additional application fee.
2. Please respond to and or provide the information requested in the comments below.

The City has the following comments relating to the information submitted:

General Comments

- Please provide the following information relating to the use of the building and site:
 - Provide additional information describing the proposed use, processing, materials used, etc.
 - **Zomer Farms, LLC will be leasing ½ of the building located at 5600 Pioneer Creek Dr in the I-1 zone of Maple Plain for the cultivation and manufacturing of Cannabis under the Medical Combined License awarded by the State of Minnesota (*No Retail requested at this location*). Zomer Farms intends to cultivate approximately 15,000 sqft of cannabis as measured by canopy utilizing the cleanest possible techniques available for efficient growth.**

Manufacturing of plant material will be 100% solvent free utilizing a washing method consisting of water, ice & agitation. This process produces a product commonly referred to as ‘bubble hash,’ which can then be processed further by pressing with heat plates to produce ‘Live Rosin.’

- **Zomer Farms, LLC will sell Cannabis Flower & manufactured cannabis products (i.e., bubble hash, kief, live rosin, cartridges, etc.) via wholesale to Minnesota Retailers. We will eventually open various retail locations around the Twin Cities Metro, which will be supplied wholly by our cultivation and manufacturing facility in Maple Plain.**
- Floor plan of proposed interior space with types of uses identified (i.e., total square footage of the lease area, breakdown of the manufacturing, warehouse and office spaces).
- **Please see attached Floor Plan.**
- Describe or provide additional information that would describe any proposed interior building changes that are unique to your proposed use.

- There are very few interior structural changes needed to begin operations, other than plumbing; commercial grade sinks in the lab and the addition of floor drains in the warehouse. All modular structures on the attached floor plan are removable; i.e., not secured to the building or floor.
- Describe and illustrate any proposed changes to the exterior parking, building (i.e. doors, loading areas, ect.).
 - Locks
 - Commercial Grade secured locks will be installed on all exterior doors with electronic secured access for entry.
 - All access is recorded and preserved.
 - Employee access will be limited to areas where they work.
 - Limited personnel will have access to sensitive areas such as: Security Rooms, Storage Vaults, etc.
 - Video surveillance.
 - All video surveillance (outside & inside) will be actively recording 24 hours per day, seven days per week
 - with the capability to record for at least 8 hours after loss of power.
 - Cameras affixed to the exterior and interior of every Entry/Exit will record activity occurring within a radius of at least 20 feet;
 - Video cameras will monitor all areas where cannabis is cultivated, manufactured, stored, packaged, labeled, prepared for transfer and where cannabis waste is destroyed or made unusable.
 - Video files will be time/date stamped and stored in a secure room for a minimum of 90 days.
 - Minimum resolution of 720p at no less than 15 frames per second.
 - Motion Sensors/Exterior Lighting.
 - The State of Minnesota requires exterior lighting sufficient to record any activity within a radius of at least 20 feet around all entrances and exits.
 - We plan to install additional lighting sufficient to protect our employees and provide added deterrence to criminal behavior
 - Any additional exterior lighting will be intalled in a manner so as not to disturb surrounding businesses
 - Concrete barriers.
 - Zomer Farms will place movable concrete barriers at the Employee Entrance to prevent vehicles from driving into the door/garage door.
 - If we eventually purchase or lease the entire building, Zomer Farms will install a fence around the sides and back of the property with electronic gates on both sides for additional employee/building safety.
 - License Plate ID
 - We are looking into adding this capability.
- Total number of employees that will be employed by the business.
 - 10-20 FT and/or PT employees.

- **Maximum number of employees on site at any given time.**
 - **10-20 FT and/or PT employees.**
- **Provide any information relating to number and type of deliveries to the site per day, per week, etc.**
 - **ALL deliveries beyond general US Mail will be conducted in the rear of the building at the loading dock doors, which will be securely locked with limited key card access and monitored via multiple security cameras.**
 - **Pre-Operations Deliveries (ALL at rear loading docks):**
 - **Please note that there will be NO cannabis on site in 2025 during the Build-Out.**
 - **Cannabis will not enter the facility until anticipated ‘go-live’ on January 1, 2026.**
 - **Materials needed for initiating operations will include:**
 - **Modular structures delivered for assembly on site**
 - **Materials for cultivation & manufacturing, including but not limited to:**
 - **Modular walls;**
 - **HVAC;**
 - **Lighting;**
 - **Irrigation;**
 - **Power Generator;**
 - **Security/Surveillance.**
 - **Deliveries expected once operations go live:**
 - **Cannabis Clones and/or Seeds will be delivered at set scheduled times to rear loading docks to begin operations. All security measures to safely receive deliveries will be observed, including but not limited to: surveillance of receiving area prior to receipt of delivery; proper recording and entry of items purchased from approved vendor into Metrc before and after delivery; and secure storage of all cannabis related materials once received into the facility.**
 - **Average delivery frequency to rear loading docks once operations are underway will be 3-5 weekly and limited to smaller delivery vehicles.**
 - **We do not anticipate many, if any, large semi deliveries after operations begin in 2026.**
- **Indicate the location of and or any intended outdoor storage areas on the proposed site plan.**
 - **No outdoor storage planned at this time. When necessary, we will communicate any intention to add outdoor storage structures with the City prior to initiating the same.**
- **Provide more information relating to trash and refuse disposal associated with your business and this site. If refuse containers will be located outside, please provide more information and a detail for the proposed trash enclosure.**
 - **Standard Trash & Recycling for everyday business uses will be utilized under current City guidelines.**
 - **Specialized disposal for cannabis materials, as required by Maple Plain**

& Minnesota OCM will be securely contained inside the building pending off-site disposal pursuant to the rules.

- **A sign plan is required to be submitted for all multi-tenant buildings. Please provide the City with a sign masterplan indicating any proposed signage.**
 - **Zomer Farms will keep all signage limited to the front entry door for deliveries, utilizing the legal business name only; i.e., “Zomer Farms, LLC”. No other signage planned.**
- **Provide a schedule indicating timing of all proposed building and site improvements.**
 - **October 1, 2025: Anticipated final approval from City & State.**
 - **Finalize materials order for build-out.**
 - **6-8 weeks for materials to arrive at warehouse.**
 - **November 1, 2025:**
 - **Security contractor begins/completes exterior work and completes initially setup inside warehouse.**
 - **December 1, 2025:**
 - **GC begins assembly of modular rooms**
 - **December 15, 2025: Security contractor completes interior work.**
 - **December 31, 2025: Completion of Build-Out.**
 - **January 1, 2026: Begin full operations.**
- **The city will review any proposed changes to the building with both the fire department and building inspector. There may be additional comments or request for additional information based on your response.**
 - **The Mission of Zomer Farms is to cultivate and manufacture clean, chemical free cannabis. As such, we will NOT be utilizing any chemical procedures for extraction in the manufacturing process.**

Please submit all items and revised plans described or requested in this letter in order to allow the city to continue review and processing of this application. It is anticipated that the site plan review and conditional use will be reviewed by the Planning Commission on September 4, 2025. The City may have additional comments once the information requested is provided. If you have any questions, please contact me at (612) 567-8786.

Sincerely,



Mark Kaltsas, PLA
City Planner

CC: Jacob Kolander - City Administrator