



**DEPARTMENT OF COMMUNITY DEVELOPMENT
SERVICES**

Planning Division

m e m o r a n d u m

TO: The Urbana Plan Commission

FROM: Katherine Trotter, Associate Planner

DATE: March 13, 2020

SUBJECT: **Plan Case 2397-SU-20:** A request by Tamala Green, on behalf of Champaign Social Equity Growers, for a Special Use Permit to allow a craft grower cannabis business at 1906 Federal Drive in the IN-1, Light Industrial/Office Zoning District.

Introduction

Tamala Green, on behalf of Champaign Social Equity Growers, has requested a Special Use Permit to allow a craft grower cannabis business on the property at 1906 Federal Drive. According to Table V-I, Table of Uses in the Urbana Zoning Ordinance, a craft grower is permitted in the IN-1, Light Industrial/Office zoning district. However, craft growers require a Special Use Permit when located within 300 feet of residential zoning, according to Section V-13. Regulation of Cannabis Uses.

The Plan Commission must review the Special Use Permit application, hold a public hearing, and make a recommendation to the Urbana City Council. The City Council must then approve, approve with certain conditions, or deny the application.

Background

Description of the Site and Surrounding Properties

The subject property is approximately 33,000 square feet (0.76 acres) and is zoned IN-1, Light Industrial/Office. It is located on Federal Drive, south of West Kenyon Road. All of the surrounding properties are also zoned IN-1. To the north is an office and retail building. To the east is a warehouse and a utility tower. To the south is a warehouse. To the west, across Federal Drive, is another warehouse, and to the southwest is an office that was recently approved for reuse as a church (ZBA-2019-C-06). South of the industrial district are two residentially zoned parcels, which are less than 300 feet from the site. This triggers the special use permit requirement for a craft grower. The residential parcels are currently undeveloped, but are planned for the Union Gardens development and for an affordable housing development.

The following chart identifies the current zoning, existing land uses, and Comprehensive Plan future land use designations of the site and surrounding properties (see Exhibits A and B).

Table 1: Zoning & Land Use

Direction	Zoning	Existing Land Use
Site	IN-1, Light Industrial/Office	Warehouse/Office
North	IN-1, Light Industrial/Office	Office/Retail
East	IN-1, Light Industrial/Office	Warehouse/Utility
South	IN-1, Light Industrial/Office	Warehouse
West	IN-1, Light Industrial/Office	Warehouse

Proposed Use

The proposed use at 1906 Federal Drive is a cannabis craft growing facility. The warehouse cultivation area for the craft growing facility would be approximately 16,000 square feet. The facility would be required to provide eight parking spaces as required in Table VIII-7 of the Zoning Ordinance. The business would have seven employees and operate during normal business hours. There will be no identifiable signage, and the facility’s entrance and exit would be inconspicuous. The property would also be fenced and well-lit, and would have round-the-clock security (per State law).

The proposed craft grower is not located within 1,500 feet of another craft grower or cultivation center. It is also not located within 2,500 feet of any school or park. The use requires a Special Use Permit because it is within 300 feet of a residentially-zoned lot. The residentially-zoned lots are in the R-4, Medium Density Multiple-Family Residential district and are not currently developed.

The proposed craft grower would be subject to Illinois State regulations in the Cannabis Regulation and Tax Act (410 ILCS 705). Cannabis craft growers are required to mitigate exterior odors by installing air scrubbing and/or air filtration systems approved by the Zoning Administrator, per Section V-13.B.4 of the Zoning Ordinance. Champaign Social Equity Growers would install an air purification system to process air in the cultivation area and eliminate odors. The applicant would also implement a security plan and surveillance system with biometric access, per State law. The facility would be monitored 24/7 with armed guards.

Discussion

Requirements for a Special Use Permit

According to Section VII-4.A of the Urbana Zoning Ordinance, an application for a Special Use Permit shall demonstrate the following:

1. That the proposed use is conducive to the public convenience at that location.

The proposed use is conducive to the public convenience at that location. A cannabis craft grower is permitted by-right in the IN-1, Light Industrial/Office zoning district. A Special Use Permit is required for this use when it is located within 300 feet of a residential district. That location is slightly less than 300 feet from the nearest residential districts, which are both to the south (away from prevailing winds) and are currently undeveloped. The location is also on the northwest side of town, far from other residential districts. This will help to minimize any potential odors that may not be fully suppressed by the air filters, and will bring no traffic to residential areas. The proposed use would also expand an existing building in an industrial district, which is well-served by public infrastructure.

2. That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare.

The proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare. The craft growing facility would be surrounded by other IN-1 zoned properties and industrial uses. While a church is planned to occupy the building across the street to the southwest, at 1807 Federal Drive, the facility will be virtually indistinguishable from any other industrial use in the area. It will have no identifiable signage, and the property will be fenced and will include inconspicuous entrances and exits. The facility will also require 24/7 security and an installed air filtration system, per State regulations. The State of Illinois and City of Urbana regulations in place ensure that the proposed craft grower will not be unreasonably injurious or detrimental to the district it is located in, or otherwise injurious to the public welfare.

3. That the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located, except where such regulations and standards are modified by Section VII-7.

The proposed use would preserve the essential character of the district and is consistent with the IN-1 zoning and future land use on the property. The cannabis craft growing facility would be permitted by-right in the IN-1 zoning district, if not within 300 feet of a residential district. The use fits with the surrounding warehouse and office uses in the area. The appearance and function of the building are both consistent with the other warehouses in the industrial district

Overview

The development of the subject property as a craft grower would meet the criteria for Special Use Permit approval. The proposed craft grower would be infill development in an industrial district. The craft grower would be located in an established industrial area and conforms to the essential character

of the district. The proposed use is conducive to the public convenience because it is not in direct proximity to residential uses. A Special Use Permit is necessary because the proposed craft grower is within 300 feet of an undeveloped, residentially zoned property.

In addition to the requirements in Section VII-4.A of the Zoning Ordinance, the Plan Commission shall make a recommendation to the City Council for or against the proposed special uses, and may also recommend such additional conditions and requirements on the operation of the proposed uses as are appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of this Ordinance, including but not limited to conditions that:

1. Regulate the location, extent, and intensity of such uses;
2. Require adherence to an approved site plan;
3. Require landscaping and the screening of such use by means of fences, walls, or vegetation;
4. Stipulate a required minimum lot size, minimum yards, and maximum height of buildings and structures;
5. Regulate vehicular access and volume, and the design and location of parking and loading areas and structures;
6. Require conformance to health, safety, and sanitation requirements as necessary;
7. Regulate signs and outdoor lighting;
8. Any other conditions deemed necessary to affect the purposes of the Zoning Ordinance.

Summary of Findings

1. Tamala Green, on behalf of Champaign Social Equity Growers, has requested a Special Use Permit to allow a cannabis craft growing facility on the property at 1906 Federal Drive.
2. The proposal calls for a 16,136 square foot cannabis craft growing facility. The use of a cannabis craft grower facility is permitted in the IN-1, Light Industrial/Office zoning district; the use requires a Special Use Permit when within 300 feet of a residential district.
3. The proposed use is conducive to the public convenience at that location because it is not in direct proximity to residential uses.
4. The proposed use is designed, located, and prepared to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare because it is located in an industrial district and conforms to the essential character of the district.
5. The character of the IN-1, Light Industrial/Office zoning district would be preserved with the proposed use because the use fits with the surrounding warehouse and office uses in the area; the appearance and function of the building are both consistent with the other warehouses in the industrial district.

Options

The Plan Commission has the following options in Plan Case 2397-SU-20:

1. Forward the Special Use Permit request to City Council with a recommendation to approve the special use permit as requested, based on the findings outlined in this memorandum; or,
2. Forward the Special Use Permit to City Council with a recommendation to approve the Special Use Permit with any conditions deemed appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the City's municipal code; or,
3. Deny the Special Use Permit request, and if so, articulate findings supporting the denial.

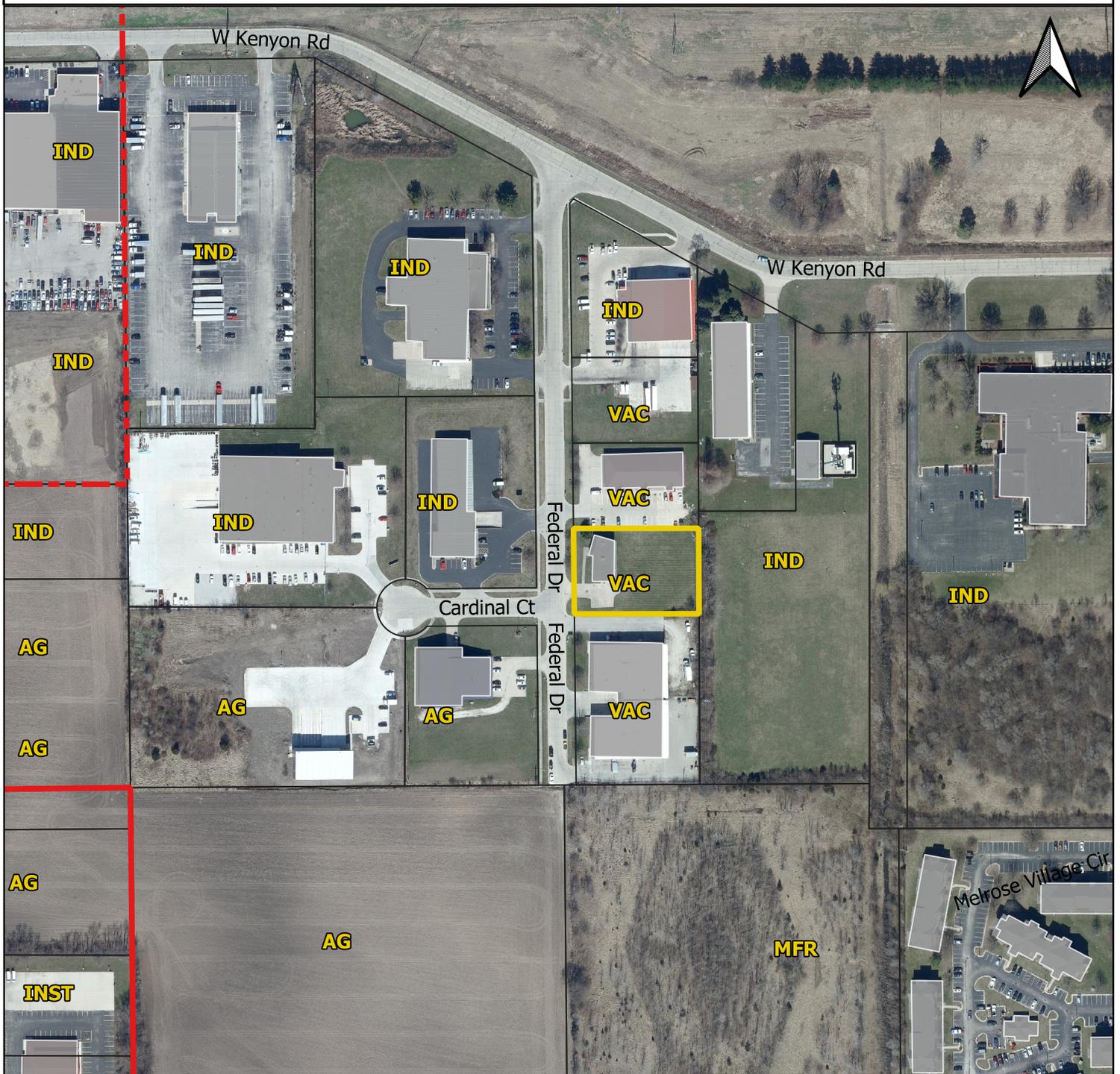
Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Plan Commission recommend **APPROVAL** of the proposed Special Use Permit in Plan Case No. 2397-SU-20 for the reasons articulated above and with the following conditions:

1. The use generally conforms to the site plan submitted as shown in Exhibit C.

Attachments: Exhibit A: Location and Existing Land Use Map
Exhibit B: Zoning Map
Exhibit C: Site Plan
Exhibit D: Site Photos
Exhibit E: Special Use Permit Application

Exhibit A - Location & Land Use Map



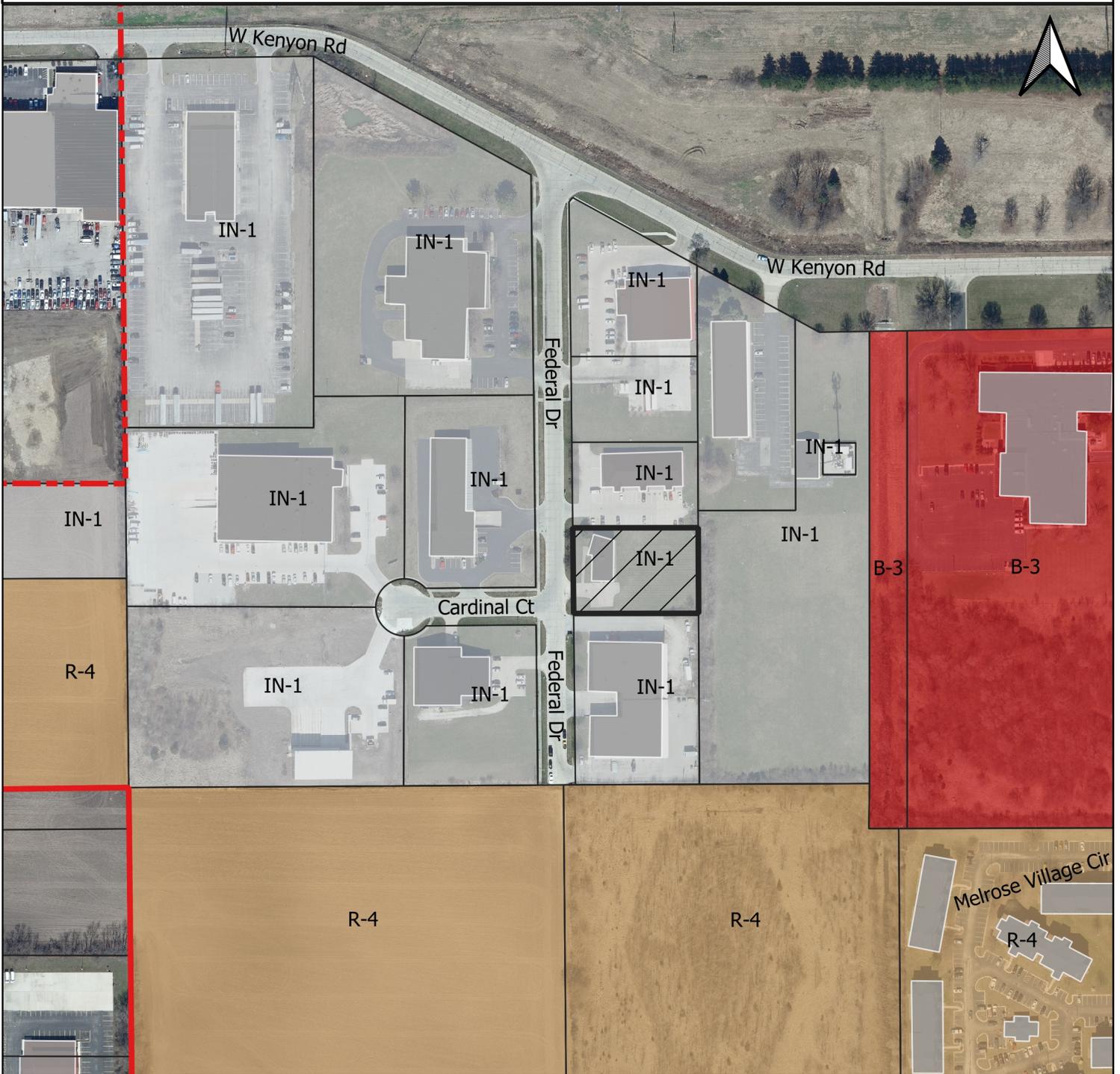
Case No. 2397-SU-20
Subject Cannabis Business - Craft Grower
Location 1906 Federal Dr, Urbana IL
Petitioner Champaign Social Equity Growers

Legend

 Subject Property - 1906 Federal Dr



Exhibit B - Zoning Map



Case No. 2397-SU-20
Subject Cannabis Business - Craft Grower
Location 1906 Federal Dr, Urbana IL
Petitioner Champaign Social Equity Growers

Legend

Subject Property - 1906 Federal Dr

Zoning

- B-3
- IN-1
- R-4

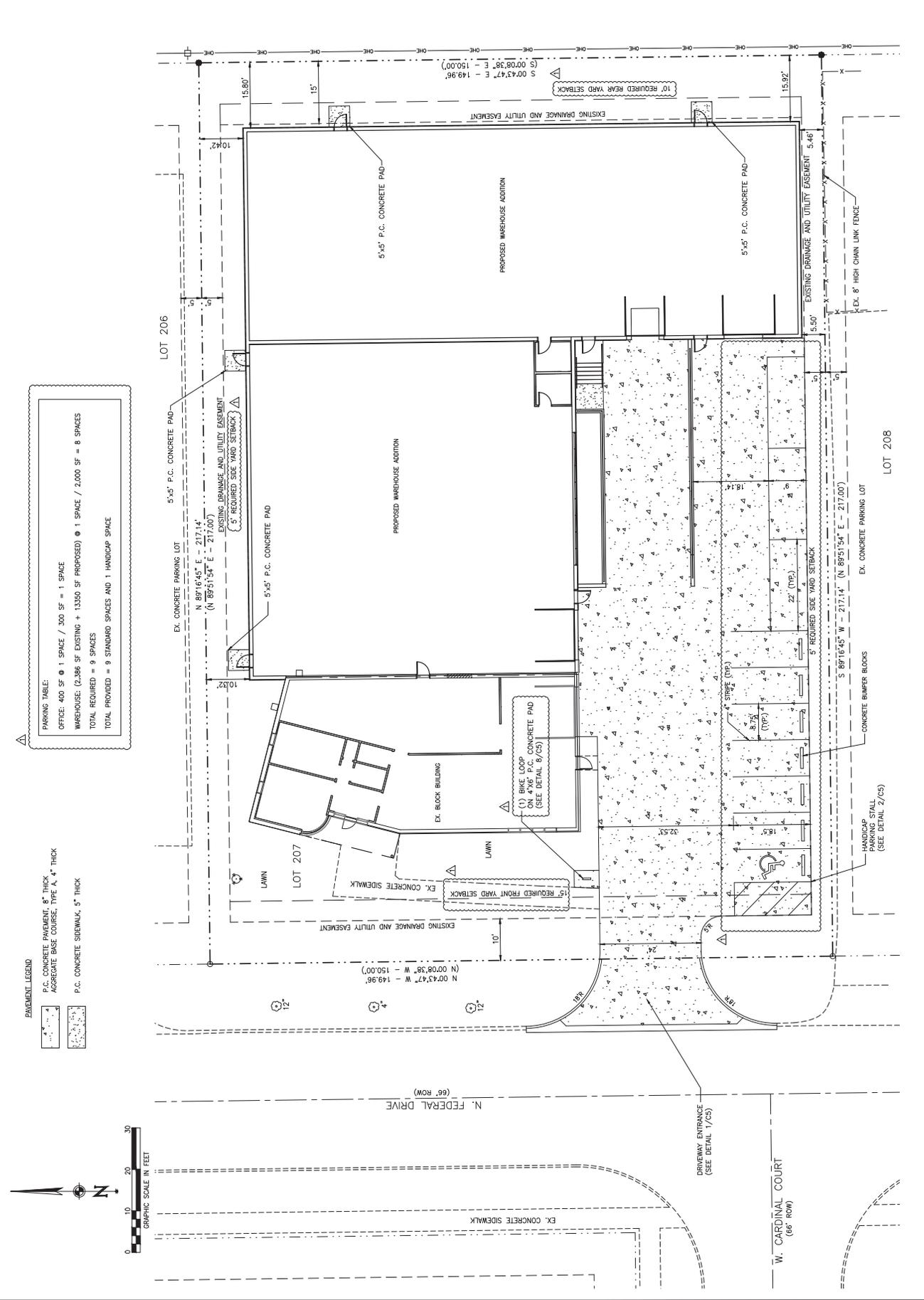


NO.	DATE	DESCRIPTION
1	6/12/19	CITY REVISIONS

ENGINEERING
B K B
 301 N. NEL STREET, SUITE 400 | CHAMPAIGN, IL 61820
 CELL 217.840.3546 | OFFICE 217.531.2971 | FAX 217.531.2211

SITE LAYOUT PLAN
 WAREHOUSE ADDITION
 1906 N. FEDERAL DR.
 URBANA, ILLINOIS

PROJECT: 127-1905
 DESIGN BY: BKB
 DRAWN BY: BKB
 DATE: 5/24/19
 SHEET: C2

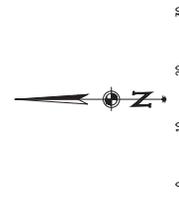


PARKING TABLE:

OFFICE: 400 SF @ 1 SPACE / 300 SF = 1 SPACE
WAREHOUSE: (2,386 SF EXISTING + 1330 SF PROPOSED) @ 1 SPACE / 2,000 SF = 8 SPACES
TOTAL REQUIRED = 9 SPACES
TOTAL PROVIDED = 9 STANDARD SPACES AND 1 HANDICAP SPACE

PAVEMENT LEGEND

	P.C. CONCRETE PAVEMENT, 8" THICK
	AGGREGATE BASE COURSE, TYPE A, 4" THICK
	P.C. CONCRETE SIDEWALK, 5" THICK











Application for Special Use Permit

PLAN COMMISSION

The application fee must accompany the application when submitted for processing. Please refer to the City’s website at <http://www.urbanaininois.us/fees> for the current fee associated with this application. **The Applicant is also responsible for paying the cost of legal publication fees.** Estimated costs for these fees usually run between \$75.00 and \$225.00. The applicant will be billed separately by the News-Gazette.

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 02-18-2020 Plan Case No. 2397-SU-20
Fee Paid - Check No. Cash Amount \$200.000 Date 02-18-2020

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

A SPECIAL USE PERMIT is requested in conformity with the powers vested in the Plan Commission to recommend to the City Council under Section _____ of the Urbana Zoning Ordinance to allow (*Insert proposed use*) _____ on the property described below.

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): _____ Phone: _____
Address (*street/city/state/zip code*): _____
Email Address: _____

2. PROPERTY INFORMATION

Address/Location of Subject Site: _____
PIN # of Location: _____
Lot Size: _____
Current Zoning Designation: _____
Current Land Use (*vacant, residence, grocery, factory, etc*): _____
Proposed Land Use: _____
Legal Description (*If additional space is needed, please submit on separate sheet of paper*): _____

3. CONSULTANT INFORMATION

Name of Architect(s): Phone:

Address (*street/city/state/zip code*):

Email Address:

Name of Engineers(s): Phone:

Address (*street/city/state/zip code*):

Email Address:

Name of Surveyor(s): Phone:

Address (*street/city/state/zip code*):

Email Address:

Name of Professional Site Planner(s): Phone:

Address (*street/city/state/zip code*):

Email Address:

Name of Attorney(s): Phone:

Address (*street/city/state/zip code*):

Email Address:

4. REASONS FOR SPECIAL USE PERMIT

Explain how the proposed use is conducive to the public convenience at the location of the property.

Explain how the proposed use is designed, located and proposed to be operated, so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare.

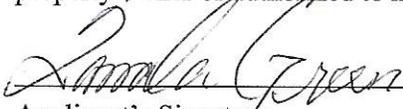
Explain how the proposed use conforms to the applicable regulations and standards of and preserves the essential character of the district in which it shall be located.

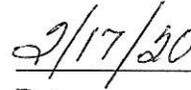
NOTE: If additional space is needed to accurately answer any question, please attach extra pages to the application.

By submitting this application, you are granting permission for City staff to post on the property a temporary yard sign announcing the public hearing to be held for your request.

CERTIFICATION BY THE APPLICANT

I certify all the information contained in this application form or any attachment(s), document(s) or plan(s) submitted herewith are true to the best of my knowledge and belief, and that I am either the property owner or authorized to make this application on the owner's behalf.


Applicant's Signature


Date

PLEASE RETURN THIS FORM ONCE COMPLETED TO:

City of Urbana
Community Development Department Services
Planning Division
400 South Vine Street, Urbana, IL 61801
Phone: (217) 384-2440
Fax: (217) 384-2367