

**GRANTING A CONDITIONAL PERMITTED USE WITH CONDITIONS
FOR CERTAIN PROPERTY LOCATED AT
5859 W. STATE ROUTE 97, PLEASANT PLAINS
SANGAMON COUNTY, ILLINOIS**

WHEREAS, the Zoning Board of Appeals has presented to the Sangamon County Board, Sangamon County, Illinois, its Findings of Fact and Recommendation that the Sangamon County Board **grant a Conditional Permitted Use with conditions** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Lincoln Labs, LLC**, has petitioned the Sangamon County Board requesting **pursuant to Chapter 17.58 and Section 17.10.020 a Conditional Permitted Use for an adult-use cannabis craft grower**; and,

WHEREAS, a public hearing was held at the Bank of Springfield Center on **August 20, 2020** after proper notice was posted on said property and given by news publication, as is required by said Ordinance, and all procedural and jurisdictional requirements of the Sangamon County Zoning Ordinance have been met; and,

WHEREAS, the Sangamon County Zoning Board of Appeals has presented to the Sangamon County Board of Sangamon County its Findings of Fact and Recommendation that the Sangamon County Board **grant the Conditional Permitted Use with conditions**; and,

WHEREAS, the Sangamon County Board does hereby adopt the recommendation of the Sangamon County Zoning Board of Appeals.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **8th Day of September, 2020** that the following request(s) on the above described property is hereby approved:

FILED

AUG 28 2020

Don J. King
Sangamon County Clerk

- Pursuant to Chapter 17.58 and Section 17.10.020 a Conditional Permitted Use for an adult-use cannabis craft grower limited to the 7.313 acre parcel as legally described in document number 202003006 recorded on February 13, 2020 and with the following conditions:

- 1) No grow or artificial light emitting to the exterior;
- 2) The facility shall be shielded with appropriate exterior vegetation based on the landscaping plan approved by the Zoning Administrator; and,
- 3) Exterior lighting will be in full cut off fixtures as indicated in Chapter 17.51.018, providing these conditions are not in conflict with the state regulations associated with these businesses.

Signed and passed by the Sangamon County Board in session on this 8th day of September, 2020.

COUNTY BOARD CHAIRMAN

ATTEST:

SANGAMON COUNTY CLERK

EXHIBIT A**1S LLC PARCEL**

PART OF THE WEST HALF OF THE SOUTHWEST QUARTER LYING NORTH OF ILLINOIS ROUTE 97 IN SECTION 15, TOWNSHIP 16 NORTH, RANGE 6 WEST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND IRON PIPE LOCATED AT THE SOUTHWEST CORNER OF SECTION 15, TOWNSHIP 16 NORTH, RANGE 6 WEST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTH 01 DEGREES 00 MINUTES 56 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION 15 A DISTANCE OF 1,052.07 FEET TO A SET IRON PIN, SAID IRON PIN BEING THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE, NORTH 01 DEGREES 00 MINUTES 56 SECONDS WEST, A DISTANCE OF 1,580.78 FEET TO A FOUND IRON PIN SAID IRON PIN BEING THE WEST QUARTER CORNER OF SAID SECTION 15; THENCE NORTH 89 DEGREES 26 MINUTES 15 SECONDS EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15, A DISTANCE OF 1,330.30 FEET TO A FOUND IRON PIN; THENCE SOUTH 01 DEGREES 06 MINUTES 04 SECONDS EAST ALONG THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 15 A DISTANCE OF 2,612.35 FEET TO A FOUND IRON PIN, SAID IRON PIN BEING IN THE NORTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 97, SAID RIGHT-OF-WAY LINE BEING 30 FEET NORTHERLY AND PARALLEL WITH THE CENTERLINE OF ILLINOIS ROUTE 97; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, NORTH 70 DEGREES 46 MINUTES 11 SECONDS WEST, A DISTANCE OF 903.46 FEET TO A SET IRON PIN; THENCE NORTH 01 DEGREES 00 MINUTES 56 SECONDS WEST ALONG A LINE PARALLEL TO THE WEST LINE OF SAID SECTION 15, A DISTANCE OF 178.07 FEET TO A SET IRON PIN; THENCE NORTH 56 DEGREES 20 MINUTES 14 SECONDS EAST A DISTANCE OF 42.46 FEET TO A SET IRON PIN; THENCE NORTH 01 DEGREES 00 MINUTES 56 SECONDS WEST ALONG A LINE PARALLEL TO THE WEST LINE OF SAID SECTION 15, A DISTANCE OF 44.00 FEET TO A SET IRON PIN; THENCE SOUTH 88 DEGREES 59 MINUTES 04 SECONDS WEST A DISTANCE OF 22.28 FEET TO A SET IRON PIN; THENCE NORTH 01 DEGREES 00 MINUTES 56 SECONDS WEST ALONG A LINE PARALLEL TO THE WEST LINE OF SAID SECTION 15, A DISTANCE OF 479.77 FEET TO A SET IRON PIN; THENCE SOUTH 89 DEGREES 31 MINUTES 21 SECONDS WEST A DISTANCE OF 500.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 65.206 ACRES MORE OR LESS.

PARCEL NUMBER: 13-15.0-300-009.

A.R.C.S. LLC PARCEL

PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER LYING NORTH OF ILLINOIS ROUTE 97 IN SECTION 15, TOWNSHIP 16 NORTH, RANGE 6 WEST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND IRON PIPE LOCATED AT THE SOUTHWEST CORNER OF SECTION 15, TOWNSHIP 16 NORTH RANGE 6 WEST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTH 01 DEGREES 00 MINUTES 56 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION 15, A DISTANCE OF 502.07 FEET TO A FOUND IRON PIN, SAID IRON PIN BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 97 AND BEING THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE, NORTH 01 DEGREES 00 MINUTES 56 SECONDS WEST, A DISTANCE OF 550.00 FEET TO A SET IRON PIN; THENCE NORTH 89 DEGREES 31 MINUTES 21 SECONDS EAST, ALONG A LINE PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15, A DISTANCE OF 500.00 FEET TO A SET IRON PIN; THENCE SOUTH 01 DEGREES 00 MINUTES 56 SECONDS EAST ALONG A LINE PARALLEL TO THE WEST LINE OF SAID SECTION 15, A DISTANCE OF 479.77 FEET TO A SET IRON PIN; THENCE NORTH 88 DEGREES 59 MINUTES 04 SECONDS EAST, A DISTANCE OF 22.28 FEET TO A SET IRON PIN; THENCE SOUTH 01 DEGREES 00 MINUTES 56 SECONDS EAST ALONG A LINE PARALLEL TO THE WEST LINE OF SAID SECTION 15, A DISTANCE OF 44.00 FEET TO A SET IRON PIN; THENCE SOUTH 56 DEGREES 20 MINUTES 14 SECONDS WEST, A DISTANCE OF 42.46 FEET TO A SET IRON PIN; THENCE SOUTH 01 DEGREES 00 MINUTES 56 SECONDS EAST ALONG A LINE PARALLEL TO THE WEST LINE OF SAID SECTION 15, A DISTANCE OF 178.07 FEET TO A SET IRON PIN, SAID IRON PIN BEING IN THE NORTHERLY RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 97; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, SAID RIGHT-OF-WAY LINE BEING 30 FEET NORTHERLY AND PARALLEL WITH THE CENTERLINE OF ILLINOIS ROUTE 97, NORTH 70 DEGREES 46 MINUTES 11 SECONDS WEST, A DISTANCE OF 518.54 FEET, TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 7.313 ACRES MORE OR LESS.

PARCEL NUMBER: 13-15.0-300-010.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #1 NAME: Tom Fraase, Jr.

DOCKET NUMBER: 2020-013

ADDRESS: 5859 W. State Route 97, Pleasant Plains, IL 62677

PETITIONER: Lincoln Labs, LLC

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: Pursuant to Chapter 17.58 and Section 17.10.020 a Conditional Permitted Use for an adult-use cannabis craft grower.

AREA: 73.25 acres

COMMENTS: None

OBJECTORS: Yes

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend approval of the Conditional Permitted Use for an adult-use cannabis craft grower. The subject property is in a rural agricultural area surrounded by cropland. No negative impacts are anticipated as the petition indicates the business will meet applicable state statutes and the Zoning Ordinance regulations.

AMENDED: Recommend approval of the Conditional Permitted Use for an adult-use cannabis craft grower limited to the 7.313 acre parcel as legally described in document number 202003006 recorded on February 13, 2020. At the time the petition was filed, the subject property legally contained 73.25 acres. However, the property was divided since that time and the petitioner clarified that the intent was to limit the proposed use to the smaller parcel. The subject property is in a rural agricultural area surrounded by cropland. No negative impacts are anticipated as the petition indicates the business will meet applicable state statutes and the Zoning Ordinance regulations.

AMENDED AT ZBA: Recommend approval of the Conditional Permitted Use for an adult-use cannabis craft grower limited to the 7.313 acre parcel as legally described in document number 202003006 recorded on February 13, 2020 and with the following conditions: 1) no grow or artificial light emitting to the exterior, 2) the facility shall be shielded with appropriate exterior vegetation based on the landscaping plan approved by the Zoning Administrator, and 3) exterior lighting will be in full cut off fixtures as indicated in Chapter 17.51.018, providing these conditions are not in conflict with the state regulations associated with these businesses.

**SANGAMON COUNTY ZONING BOARD OF APPEALS RECOMMENDATION:
Approval of the Amended Staff Recommendation with Conditions.**


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2020-013
Lincoln Labs, LLC)	
)	PROPERTY LOCATED AT:
)	5859 W. State Route 97
)	Pleasant Plains, IL 62677

RECOMMENDATION OF THE ZONING BOARD OF APPEALS

THIS MATTER, Coming on for a hearing before the Sangamon County Zoning Board of Appeals of Sangamon County, Illinois, and it appearing to said Board that a petition for a **Conditional Permitted Use** of the Zoning Regulations of said County has been filed herein by the above captioned petitioner(s); that legal publication has been made pursuant to law; and that a public hearing was held on **August 20, 2020** pursuant to law; and that said Board took testimony of witnesses, examined the evidence, and otherwise being fully advised in the premises, therefore finds as follows:

1. That said Board has jurisdiction to consider the petition filed herein.
2. That the above-captioned petitioner(s) is the owner(s) and/or has a beneficial interest in, contract to purchase, or is the County Board Member representing the property commonly known as: **5859 W. State Route 97, Pleasant Plains, IL 62677** and more particularly described as:

See Exhibit A

3. That the present zoning of said property is **“A” Agricultural District.**
4. That the present land use of said property is **Cropland, barn, & outbuildings.**
5. That the proposed land use of said property is **Adult-use cannabis craft grower, cropland, barn, & outbuildings.**
6. That the request(s) for the subject property is **pursuant to Chapter 17.58 and Section 17.10.020 a Conditional Permitted Use for an adult-use cannabis craft grower.**
7. That required findings and standards of the Sangamon County Board of Appeals are accurately stated on the attached exhibit(s).
8. The evidence adduced at the hearing **does** support the proposition that the adoption of the proposed **Conditional Permitted Use with conditions** is in the public interest and is not solely in the interest of the petitioner(s).

IT IS, THEREFORE, the recommendation of the Sangamon County Zoning Board of Appeals to the County Board of Sangamon County that the following request(s) is **hereby approved:**

- **Pursuant to Chapter 17.58 and Section 17.10.020 a Conditional Permitted Use for an adult-use cannabis craft grower limited to the 7.313 acre parcel as legally described in document number 202003006 recorded on February 13, 2020 and with the following conditions:**
 1. **No grow or artificial light emitting to the exterior;**
 2. **The facility shall be shielded with appropriate exterior vegetation based on the landscaping plan approved by the Zoning Administrator; and,**
 3. **Exterior lighting will be in full cut off fixtures as indicated in Chapter 17.51.018,**

providing these conditions are not in conflict with the state regulations associated with these businesses.


CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Tony Mares**, which was duly seconded by **Andrew Spiro**, to concur with the amended findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the following request(s) is hereby approved:

- Pursuant to Chapter 17.58 and Section 17.10.020 a Conditional Permitted Use for an adult-use cannabis craft grower limited to the 7.313 acre parcel as legally described in document number 202003006 recorded on February 13, 2020 and with the following conditions:
 1. No grow or artificial light emitting to the exterior;
 2. The facility shall be shielded with appropriate exterior vegetation based on the landscaping plan approved by the Zoning Administrator; and,
 3. Exterior lighting will be in full cut off fixtures as indicated in Chapter 17.51.018. providing these conditions are not in conflict with the state regulations associated with these businesses.

The vote of the Board was as follows:

YES: **Charlie Chimento, Tony Mares, Andrew Spiro**

NO:

RECUSED: **JD Sudeth**

ABSENT: **Don Wulf**



RECORDING SECRETARY

**SANGAMON COUNTY - RECOMMENDED FINDINGS OF FACT
FOR CONDITIONAL PERMITTED USES**

Case #: **2020-013**

Address: **5859 West State Route 97, Pleasant Plains**

No conditional permitted uses shall be granted by the County Board unless the conditional permitted use:

- (i) Is so proposed that the proposed location, design and method of operation of such use will minimize the adjacent effects on the character of the surrounding area.

The purpose of the requested Conditional Permitted Use is to establish an adult-use cannabis craft grower business in the Agricultural zoning district. No negative impacts are anticipated as the petition indicates the business will meet applicable state statutes and the Zoning Ordinance regulations.

- (ii) Is so proposed to be operated, designed and located so that the public health, safety, and welfare will be protected.

The petition indicates the operation of the adult-use cannabis craft grower will meet applicable state statutes, which, combined with complying with the Zoning Ordinance regulations is seen as protecting the public health, safety, and welfare.

- (iii) Will not cause substantial injury to the value of other property in the vicinity in which it is located.

As the proposed adult-use cannabis craft grower must comply with the Cannabis Regulation and Tax Act's requirements and the Zoning Ordinance, negative impacts regarding this standard are not anticipated.

- (iv) In addition to the above general standards for all conditional permitted uses that may be allowed, no conditional permitted use listed below shall be granted unless the proposed use can meet the standards as noted:

- (a) Fairgrounds, public or private outdoor recreation centers - that the principal vehicle access for such use is located on a major thoroughfare or a secondary thoroughfare or within one-quarter mile of a major thoroughfare, that such use is so located as to draw a minimum of vehicular traffic to and through minor and collector streets in residential areas.

N/A

- (b) Manufactured home parks - must meet the requirements of Chapter 17.48 Large Scale Development.

N/A

- (c) Tourist home, motels, hotels - that the proposed use must be located on or within 400 feet of a major thoroughfare.

N/A

- (d) Taverns and liquor stores - that the following distances be maintained: (1) schools - 100' from the property line of the school to the property line of the tavern or liquor store; (2) churches - 100' from the church building to the tavern or liquor store building; and (3) residences - 100' from the tavern or liquor store property line to the residential structure or institutional care facility.

N/A

- (e) Wind energy conversion systems - a WECS shall not be located within 1½ miles of an incorporated area with a population over 10,000 or within ½ mile of an incorporated area with a population of less than 10,000. WECS shall not be located so that they interfere with contiguous urban development.

N/A

5-10

- (f) Adult-use cannabis business establishments as defined in Chapter 17.04:
 - 1) that the following distances be maintained from the principal structure of an adult-use cannabis business establishment to the property line of a use defined in Chapter 17.04 as a "sensitive area":
 - (A) Adult-use cannabis craft grower – 1,500 feet
 - (B) Adult-use cannabis cultivation center – 1,500 feet
 - (C) Adult-use cannabis dispensing organization (dispensary) – 250 feet
 - (D) Adult-use cannabis infuser organization (infuser) – 1,500 feet
 - (E) Adult-use cannabis processing organization (processor) – 1,500 feet
 - (F) Adult-use cannabis transporting organization (transporter) – 1,500 feet
 - 2) On-premise consumption of cannabis at cannabis dispensing organizations and smoking lounges in unincorporated Sangamon County is prohibited.

Yes.