



**AGENDA
REGULAR SESSION
BOARD OF ZONING APPEALS
GOVERNMENT CENTER CHAMBERS, 4TH FLOOR, ROOM #400
115 E. WASHINGTON STREET, BLOOMINGTON, IL 61701
WEDNESDAY, May 18th, 2022, 4:00 P.M.**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT**

Individuals wishing to provide emailed public comment must email comments to publiccomment@cityblm.org at least 15 minutes before the start of the meeting. Individuals wishing to speak in-person may register at www.cityblm.org/register at least 5 minutes before the start of the meeting.

- 4. MINUTES**

Review and approval of the minutes of the February 16, 2022, and April 20, 2022, regular meetings of the Zoning Board of Appeals.

- 5. REGULAR AGENDA**

- a. **V-01-22** Public hearing, review, and action on a petition submitted by Chad Ramsey (Keystone State Property,) for a variance from Chapter 44, Division 505 of the Zoning Code, to allow a non-recessed entry in the D-1 (Central Business) District, for the property located at 102 W. Market Street (PIN: 21-04-188-008).
- b. **SP-01-22** Public hearing, review, and action on a petition submitted by Noah Tang for a Special Use Permit for Chicken-Keeping in the R-D (Downtown Residence) District, for the property located at 504 E. Olive Street. PIN: 21-04-419-009.
- c. **SP-02-22** Public hearing, review, and action on a petition submitted by Project Equity Illinois, Inc. for a Special Use Permit for an Adult-Use Cannabis Dispensing Organization in the B-1 (General Commercial) District, for the property located at 1006 JC Parkway. PIN: 20-01-200-054.

- 6. OLD BUSINESS**
- 7. NEW BUSINESS**
- 8. ADJOURNMENT**



**DRAFT
MINUTES**

**PUBLISHED BY THE AUTHORITY OF THE ZONING BOARD OF APPEALS OF
BLOOMINGTON, ILLINOIS
REGULAR MEETING
GOVERNMENT CENTER CHAMBERS, 4TH FLOOR, ROOM #400
115 E. WASHINGTON STREET, BLOOMINGTON, IL 61701
WEDNESDAY, FEBRUARY 16, 2022 4:00 P.M.**

The Zoning Board of Appeals convened in Regular Session in-person in the Government Center Chambers on the 4th floor, Room #400 at 4:04 p.m., Wednesday, February 16, 2022. The meeting was called to order by Chairperson Ballantini.

City Attorney, George Boyle, provided a statement of requirements for virtual meetings under the current Executive Order and Open Meetings Act. Substantive issues will require roll-call votes.

ROLL CALL

Attendee Name	Title	Status
Mr. Terry Ballantini	Commissioner	Present
Ms. Victoria Harris	Commissioner	Present
Mr. Michael McFarland	Commissioner	Present
Mr. Michael Straza	Commissioner	Present
Mr. Tyler Noonan	Commissioner	Not Present
Ms. Nikki Williams	Commissioner	Present
Mr. George Boyle	Assistant Corporate Counsel	Present
Ms. Alissa Pemberton	Assistant City Planner	Present
Mr. Jon Branham	City Planner	Present
Ms. Kimberly Smith	Assistant Economic & Community Development Director	Present

PUBLIC COMMENT

No public comment was provided.

MINUTES

Mr. Straza motioned to approve the minutes from November 17, 2021 regular Zoning Board of Appeals meeting. Mr. McFarland seconded.

Roll call vote: Ms. Harris - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Ms. Williams - Yes, and Chairperson Ballantini - Yes. The motion was approved (5-0-0).

**DRAFT
MEETING MINUTES**

**PUBLISHED BY THE AUTHORITY OF THE ZONING BOARD OF APPEALS OF BLOOMINGTON, ILLINOIS
WEDNESDAY, FEBRUARY 16, 2022**

REGULAR AGENDA

- A. **SP-07-21** Public hearing, review, and action on a petition submitted by Costigan & Wollrab, P.C. on behalf of Chicago Title Company Land Trust No. 8002368759 for a special use permit to allow a sports and fitness establishment in the M-1, Restricted Manufacturing District for the property located at 1601 G.E. Rd, Bloomington, IL 61704, PIN: 14-35-201-005 (Ward 5).
REQUEST TO CONTINUE TO MARCH MEETING.
- B. **Z-02-22** Public hearing, review, and action on a petition submitted by Terry Stahly for a variance from Chapter 44, Division 403 to allow for a reduction to a 6-foot side yard, for the property located at 62 Country Club Pl, Bloomington, IL 61701, PIN: 21-03-226-003 (Ward 8).

Assistant City Planner Pemberton presented the staff report, with a recommendation to approve the variance request. Staff clarified that all standards must be met.

David Armstrong, 207 W Jefferson, Suite 400, representing the applicant, provided additional background, highlighting the previous variance to approve a reduced setback, and the maintenance of the visual character through the proposed project.

No additional testimony was provided. The Chair closed the public hearing.

There was no discussion by the Commission.

Ms. Harris made a motion to establish findings of fact that carrying out the strict letter of the Code does create a practical difficulty or particular hardship for the Petitioner. Mr. Straza seconded. Roll call vote: Ms. Harris - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Ms. Williams - Yes, and Chairperson Ballantini - Yes. The motion was approved (5-0-0).

Ms. Harris made a motion to approve the petition submitted by Terry Stahly for a variance from Chapter 44, Division 403 to allow for a reduction to a 6-foot side yard, for the property located at 62 Country Club Pl, Bloomington, IL 61701. Mr. Straza seconded.

Roll call vote: Ms. Harris - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Ms. Williams - Yes, and Chairperson Ballantini - Yes. The motion was approved (5-0-0).

- C. **Z-03-22** Public hearing, review, and action on a petition submitted by Morgan Bishop of Halo Solar for a variance from Chapter 44, 1031 to allow the placement of a private solar energy system in the front yard, for the property located at 2407 Beich Rd, Bloomington, IL 61705, PIN: 21-18-403-002 (Ward 2).

Ms. Pemberton presented the staff report with a recommendation to approve the variance request. Staff clarified that all standards must be met. One written comment was received in favor of petition. Justin Bellas. 2/8 via email.

Applicant Morgan Bishop, Halo Solar, Goodfield, IL. Provided additional background. Alternative locations have been explored; this is the only location feasible for the proposed project.

Chairperson Ballantini had a question as to whether location on the roof is an option. Roof installation is possible, per Mr. Bishop, but not something that the owner is interested in pursuing due to the additional structural support that would be necessary, and the possibility of associated issues.

No public comment or additional testimony was provided. The Chair closed the public hearing.

There was no discussion by the Commission.

Mr. McFarland made a motion to establish findings of fact that carrying out the strict letter of the Code does create a practical difficulty or particular hardship for the Petitioner. Mr. Straza seconded.

Roll call vote: Ms. Harris - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Ms. Williams - Yes, and Chairperson Ballantini - Yes. The motion was approved (5-0-0).

Mr. McFarland made a motion to approve the petition submitted by Morgan Bishop of Halo Solar for a variance from Chapter 44, 1031 to allow the placement of a private solar energy system in the front yard, for the property located at 2407 Beich Rd, Bloomington, IL 61705. Ms. Harris seconded.

Roll call vote: Ms. Harris - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Ms. Williams - Yes, and Chairperson Ballantini - Yes. The motion was approved (5-0-0).

NEW BUSINESS

Mr. Branham and Ms. Pemberton both introduced themselves as new City Staff since the previous meetings.

OLD BUSINESS

Ms. Harris inquired about a precedent, with regard to case Z-02-22, since there are many lots in the City that are smaller than what is currently required for the zoning district and each of them could claim the same restriction. Attorney Boyle responded regarding the difference between “Legal Precedent” that is required to be considered when reviewing future cases, compared to setting a precedent for process or behavior. Staff clarified that each of those property owners has access to the same right to request for Variance, but each case would still have to go through the full process of application and hearing to receive it.

ADJOURNMENT

Commissioner Straza motioned to adjourn. Chair Ballantini seconded. All were in favor. The meeting was adjourned at approximately 4:34 P.M.



**DRAFT
MINUTES**

**PUBLISHED BY THE AUTHORITY OF THE ZONING BOARD OF APPEALS
REGULAR MEETING
GOVERNMENT CENTER CHAMBERS, 4TH FLOOR, ROOM #400
115 E. WASHINGTON STREET, BLOOMINGTON, IL 61701
WEDNESDAY, April 20, 2022 4:00 P.M.**

The Zoning Board of Appeals convened in Regular Session in-person in the Government Center Chambers on the 4th floor, Room #400 at 4:05 p.m., Wednesday, March 20, 2022. The meeting was called to order by Chairperson Ballantini.

ROLL CALL

Attendee Name	Title	Status
Mr. Terry Ballantini	Commissioner	Present
Ms. Victoria Harris	Commissioner	Not Present
Mr. Michael McFarland	Commissioner	Not Present
Mr. Michael Straza	Commissioner	Not Present
Mr. Tyler Noonan	Commissioner	Not Present
Ms. Nikki Williams	Commissioner	Not Present
Ms. Alissa Pemberton	Assistant City Planner	Present
Ms. Kimberly Smith	Assistant Director of Planning	Present
Mr. Glen Wetterow	City Planner	Present

Alissa Pemberton did a roll call vote (1-6). There was no quorum.

PUBLIC COMMENT

No public comment was provided.

Chairperson Ballantini stated no business could be conducted at this meeting as a quorum was not reached. Chairperson Ballantini stated case V-01-22 a Public hearing, review, and action on a petition submitted by Chad Ramsey (Keystone State Property,) for a variance from Chapter 44, Division 505 of the Zoning Code, to allow a non-recessed entry in the D-1 (Central Business) District, for the property located at 102 W. Market Street, would be moved to the next regularly scheduled meeting of the Zoning Board of Appeals on May 18th, 2022 at 4:00pm, at the same location.

ADJOURNMENT

The meeting was adjourned at 4:07p.m.

**DRAFT
MEETING MINUTES**

**PUBLISHED BY THE AUTHORITY OF THE ZONING BOARD OF APPEALS OF BLOOMINGTON, ILLINOIS
WEDNESDAY, APRIL 20, 2022**



ZONING BOARD OF APPEALS

TO: ZONING BOARD OF APPEALS

FROM: Economic & Community Development Department

DATE: April 20th, 2022; Reissued May 18th, 2022

CASE NO: V-01-22, Request for Variance

REQUEST: Public hearing, review and action on a petition submitted by Chad Ramsey (Keystone State Property, LLC, 1157 Gracefield Ln, Normal, IL 61761) for a Variance from Chapter 44, Division 505 of the Zoning Code, to allow a non-recessed entry in the D-1 (Central Business) District, for the property located at 102 W. Market Street (PIN: 21-04-188-008).

BACKGROUND

Petitioners' request:

The Petitioner seeks a Variance from §44-505B(1)(d), which states, "All entries shall be recessed from the front building wall a minimum of three and a maximum of eight feet deep, and be no greater than eight feet in width." **This request is related to alteration of an existing structure, not new construction.**

The Petitioner desires to "enclose [the] entrance alcove and improve the existing stair," to protect against further damage to the entrance and stair, enhance building security, and improve the ease of ingress and egress for clients and employees. The Petitioner proposes to enclose the alcove by extending the face of the current façade with a combination of brick and glass, as well as providing a doorway that sits flush with the current façade. Plans sufficient to determine the feasibility of the project under the current Building Code, as presented, have not been submitted. Conceptual site plans and drawings are attached.

Notice:

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Tuesday, April 5, 2022. Courtesy notices were mailed to 57 property owners within 500 feet of the subject property.

Property Characteristics:

The subject property consists of 0.1 acres of land located at the southwest corner of N. Main Street and W. Market Street, in downtown Bloomington. The N. Main Street frontage is currently occupied by *Crossroads Fair Trade Goods & Gifts*, while the W. Market Street

frontage is occupied by *Illinois Tattoo Company*. The N. Main Street frontage has a recessed entrance that conforms with the Building Characteristics for the D-1 (Central Business) District; the W. Market Street entrance is constructed in a way that indicates original usage as secondary or “non-frontage” entrance to the building, and consists of a 3’ 10” deep recessed area, with side-facing door leading to a stairway, and a short bumped-out knee-wall to provide ground area for plantings. Due to the location and characteristics of the current entryway, it is difficult to see until you are immediately adjacent, tends to collect litter, and is commonly used as a source of cover for people without homes.

Adjacent buildings have entrances off of Market Street, similar to those requested by the Petitioner, but they were constructed under previous versions of the Zoning and Building Codes, and are no longer allowed.

Surrounding Zoning and Land Uses:

Zoning		Land Uses
North	D-2 (Downtown Transitional)	Surface parking lot
South	D-1 (Central Business)	Wilson Cycle Sales & Service
East	D-1 (Central Business)	Surface parking lot
West	D-1 (Central Business)	McLean Country Center for Human Services

ANALYSIS

Description of Current Zoning District:

The intent of this D-1 (Central Business) District is to provide for a variety of retail, office, service, residential and cultural amenities in the central business area of the City. This area has historically served as Bloomington's major retail and community center and will continue in this capacity moving forward. In addition to commercial and governmental functions, arts and establishments supporting the arts are emphasized. Residential uses, particularly mixed-use or multifamily residential development at a high density, are recognized as essential to the vitality of the district. While visitors are likely to access the D-1 district by vehicle, pedestrian access and circulation is prioritized in the downtown core. Recognizing the essential importance of building proximity to the public sidewalk and adjoining structures, provisions are made for the development of collective off-street parking facilities by public and private interests.

Subject Code Requirements:

§44-505B.1. Building Characteristics in the D-1 District.

- a. The primary ground-floor entrance shall face a public street.
- b. A building facade shall occupy at least 95% of the front setback line.
- c. Clear, non-reflective windows shall comprise at least 75% of the front facade between two and eight feet above the sidewalk.
- d. All entries shall be recessed from the front building wall a minimum of three and a maximum of eight feet deep, and be no greater than eight feet in width.**

STANDARDS FOR REVIEW

As indicated in *Ch. 44, 17-8 Variations*, the Board of Zoning Appeals shall have the power to authorize variations to this Code where there would be practical difficulties or particular hardships in carrying out the strict letter of those sections of this Code stated herein.

1. **That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult.**

A majority of the buildings in this part of downtown are single-frontage buildings, with shared party walls and recessed entryways for the primary story. The subject building does have a recessed entryway on the Main Street primary frontage. The location of the entryway proposed for improvement, however, is on the secondary frontage, and at the bottom of a stairway which presents unique challenges that make strict adherence to the Code difficult. *Standard is met.*

2. **That the Variance would be the minimum action necessary to afford relief to the applicant.**

Any alteration of the subject entrance—excluding major structural renovation of the interior staircase and internal access points—will be unable to comply with the recessed entry portion of the Code; the level of structural alteration of the building that would be required to comply with the Code is impractical due to the historic nature of the structure. Approval of a Variance that would allow non-recessed enclosure of the subject entryway would protect use, retain much of the visual integrity of the current building envelope, and is the minimum action necessary to afford relief to the applicant. Approval of a Variance to the Zoning Code does not provide approval to vary from the Building Code, or any other permitting or review requirements for the project. *Standard is met.*

3. **That the special conditions and circumstances were not created by any action of the applicant.**

The subject building was constructed over 100 years ago, around 1900, and was purchased by the Petitioner in 2019; the exterior has not been substantially altered in recent history, but the Code has changed to include Design Criteria to which the entrance proposed for improvement does not conform. *Standard is met.*

4. **That granting the variation request will not give the applicant any special privilege that is denied to others by the Code.**

The primary story side-entrance of the business located at 102 W. Market Street is somewhat unique, and the slightly tucked in nature of the entrance is further unique. Very few other properties in the D-1 (Central Business) District share this

characteristic; granting this Variance request will not give the applicant any special privilege. ***Standard is met.***

5. That the granting of the variation will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use of development of adjoining properties.

Granting this Variance would not be detrimental; it would be consistent with the character of the adjacent properties. Many of the stairwells that provide access to occupants of the upper stories in Downtown Bloomington—even those that access from primary frontages, like Main Street—are flush to the façade, or very close to it. ***Standard is met***

Additional Considerations:

The subject property is within the Target Area for the *Harriett Fuller Rust Façade Program*. As such, ***this project could be eligible for a grant of up to 50% of the total project cost, not to exceed \$25,000.***

STAFF RECOMMENDATION

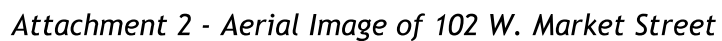
Staff finds that the application meets all the standards for a Variance application and recommends that the Zoning Board of Appeals take the following actions, with the clear understanding that any action by this Board does not—and can not—supersede those permits and standards that may be required by other portions of the Bloomington City Code, 1960, Building Codes, approval of Public Works, or other applicable regulatory agencies.

1. Motion to establish findings of fact that all **standards are met** and that carrying out the strict letter of the Code **does create hardship** for the Petitioner.
2. Motion to recommend **approval** of the petition submitted Chad Ramsey for a Variance from Chapter 44, Division 505 of the Zoning Code, to allow a non-recessed enclosure of an existing entryway in the D-1 (Central Business) District, for the property located at 102 W. Market Street.

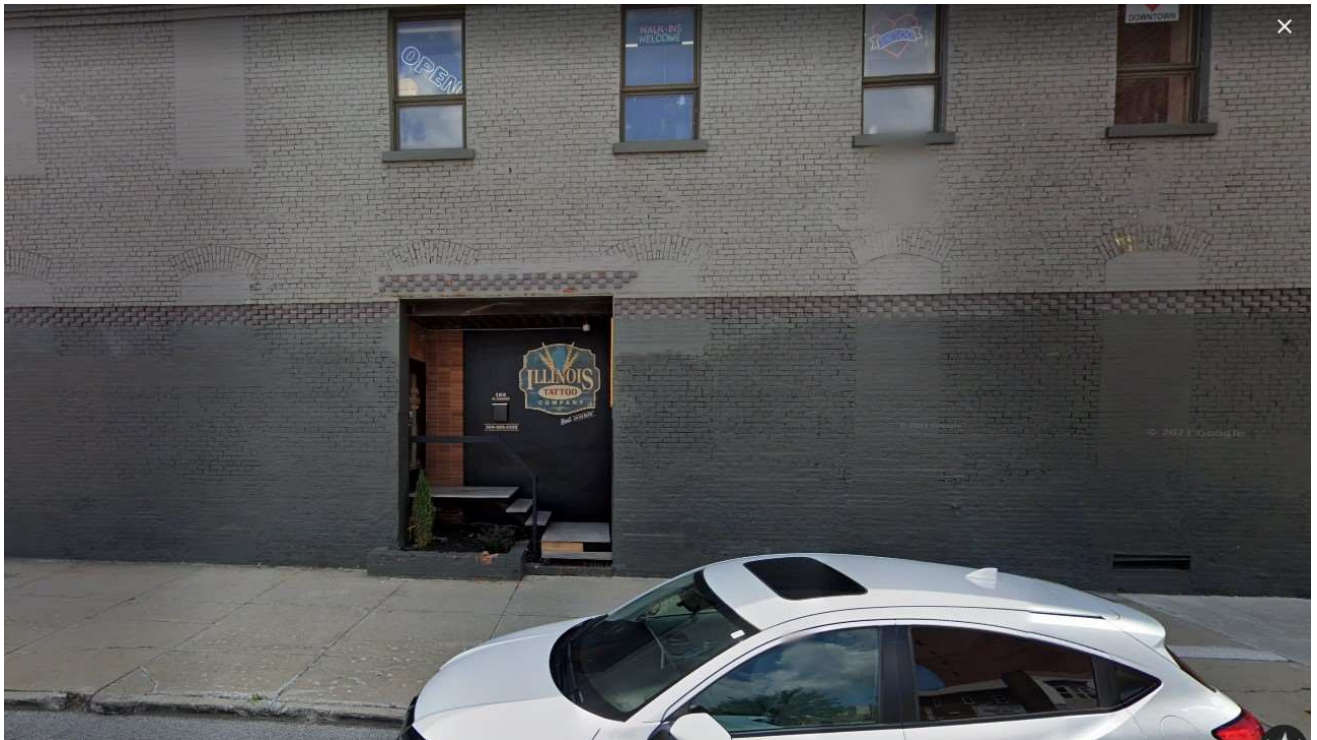
Respectfully submitted,
Alissa Pemberton
Assistant City Planner

Attachments:

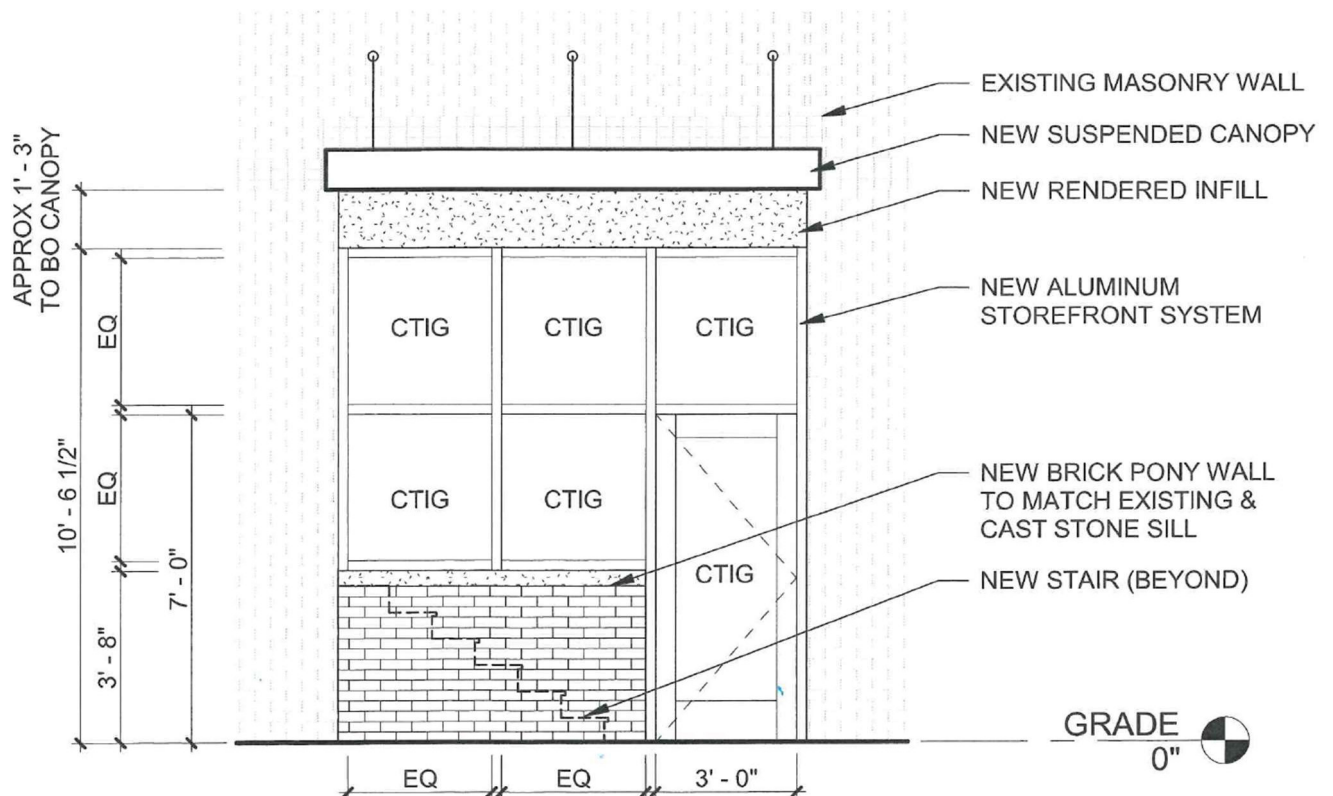
1. Zoning Map for 102 W. Market St and Surrounding Areas
2. Aerial Image of 102 W. Market Street
3. Ground-Level View of 102 W. Market Street
4. Petitioner-Submission - Proposed Entrance Elevation
5. Petitioner-Submission - Site Plans (Full sized copies to be provided in person)
6. Examples of surrounding façade-flush upper-story entryways
7. Neighborhood notice and map



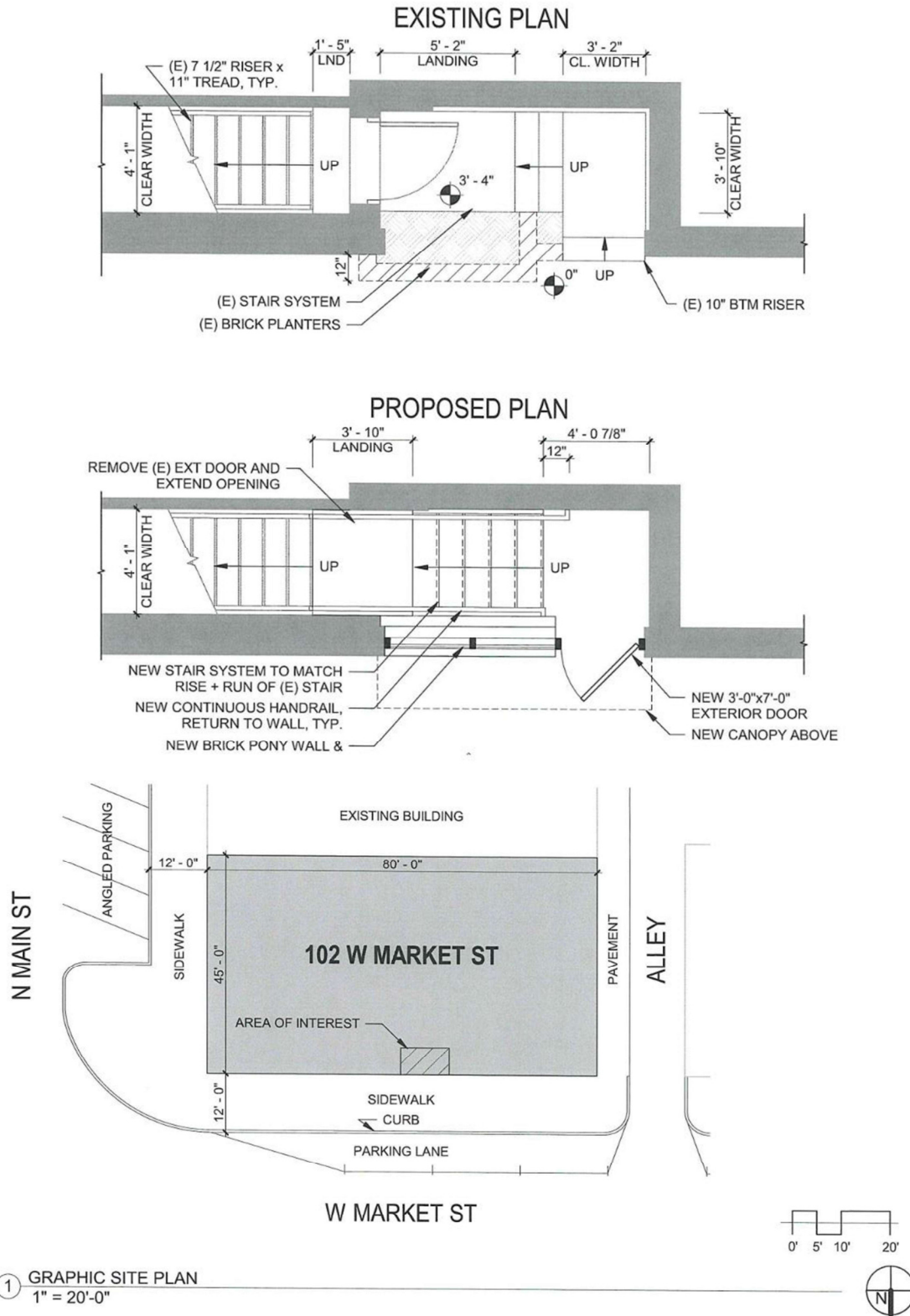
Attachment 3- Ground-Level View of 102 W. Market Street



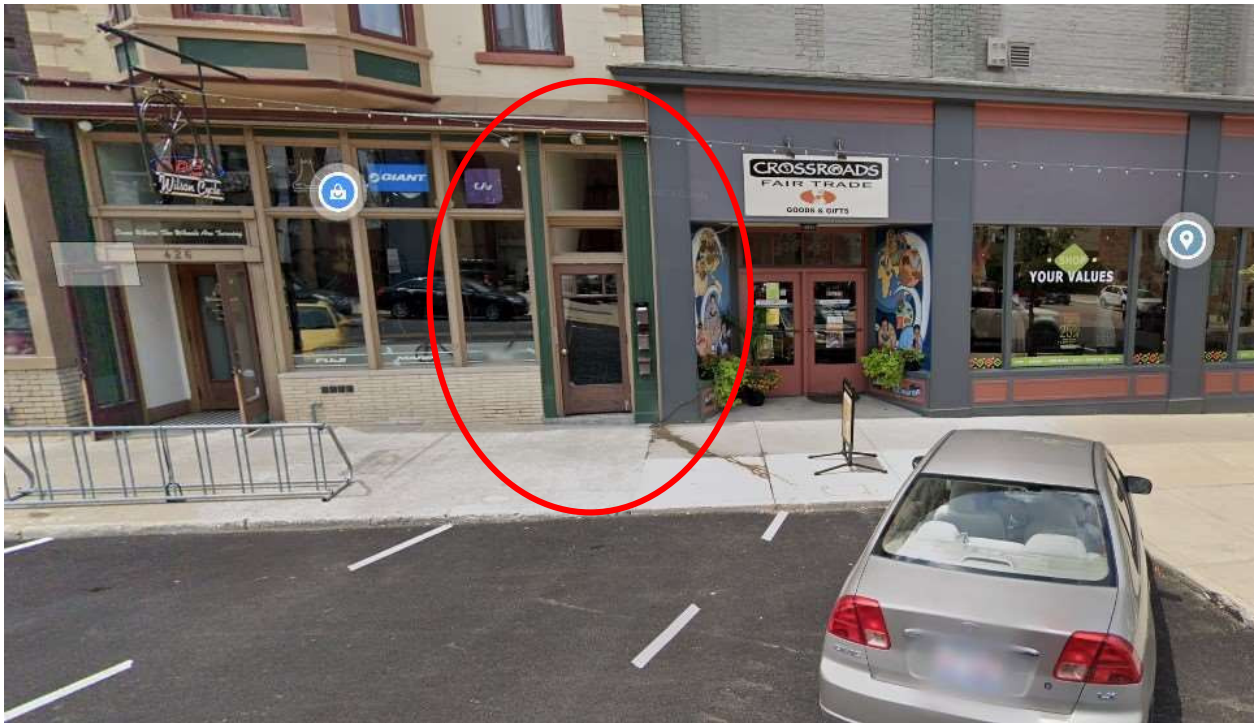
Attachment 4 - Petitioner-Submission - Proposed Entrance Elevation



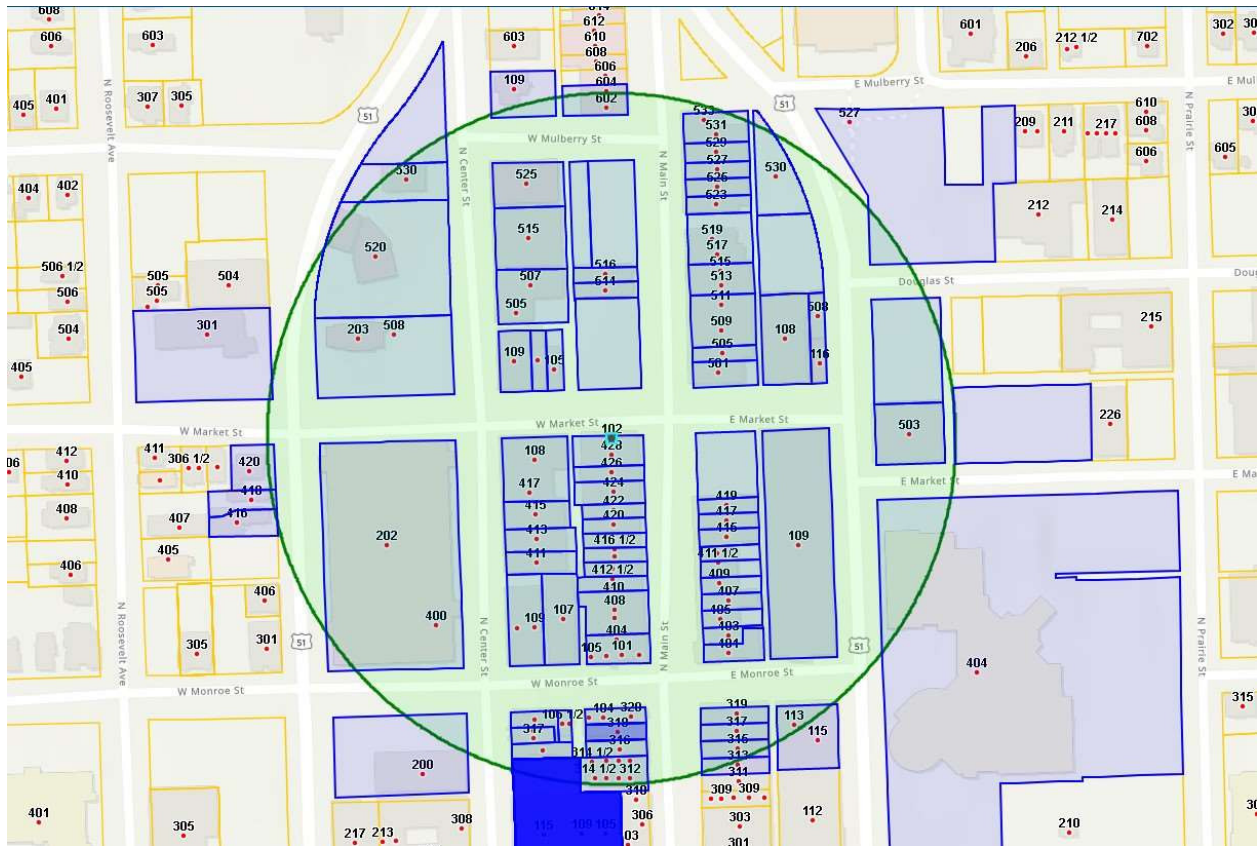
Attachment 5 - Petitioner-Submission - Site Plans (Full sized copies to be provided in person)



Attachment 6 - Examples of surrounding façade-flush upper-story entryways



Attachment 7 - Neighborhood notice map





ZONING BOARD OF APPEALS

TO: ZONING BOARD OF APPEALS

FROM: Economic & Community Development Department

DATE: May 18th, 2022

CASE NO: SP-01-22, Special Use Permit for Chicken-Keeping

REQUEST: Public hearing, review and action on a petition submitted by Noah Tang for a Special Use Permit for Chicken-Keeping in the R-D (Downtown Residence) District, for the property located at 504 E. Olive Street. PIN: 21-04-419-009.

BACKGROUND

Petitioners' request:

The Petitioner seeks a Special Use Permit to allow Chicken-Keeping in the R-D (Downtown Neighborhood Residence), per §44-1011, which states "On lots less than or equal to one acre with a primary use of a single-family or two-family dwelling, the keeping of up to four chickens may be permitted as an accessory use..." No variations to the code are requested.

The Petitioner desires to erect a wooden chicken coop and run in his backyard to keep no more than four egg-laying hens as pets, to support our local food system, and to become self-reliant. The coop would be attached to the garage to maximize distance from lot lines, as well as provide additional warmth and protection for the hens.

Notice:

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Monday, May 5, 2022. Courtesy notices were mailed to 87 property owners within 500 feet of the subject property.

Property Characteristics:

The property at 504 E. Olive Street consists of 0.14 acres of land located near the northeast corner of E. Olive St and S. McLean Street, two blocks from the Central Business District, in the Dimmitt's Grove neighborhood. It currently holds a single-family home and accessory garage, owned by the Petitioner. The rear yard of this property, where the coop will be located, is adjacent to three other rear yards, on the opposite side of the garage from the other immediately adjacent property. The property that sits to the north of 504 E. Olive sits higher than the subject property and has created a fence and concrete retaining wall that

serves to structurally separate the backyards, at least to a height of 3'-4' for the width of the rear property line.

Surrounding Zoning and Land Uses:

Zoning		Land Uses
North	R-D (Downtown Neighborhood Residence)	Single-Family Dwelling Units
South	R-2 (Mixed Residence)	Single-Family Dwelling Units
East	R-D (Downtown Neighborhood Residence)	Single-Family Dwelling Units
West	R-D (Downtown Neighborhood Residence)	Single-Family Dwelling Units

ANALYSIS

Description of Current Zoning District:

The R-D (Downtown Neighborhood Residence) District is intended to accommodate primarily residential areas adjacent to Bloomington's Central Business District characterized by a mixture of housing types and scales, including large and small lot single-family detached and attached homes as well as low-intensity multifamily buildings. New development and redevelopment in the district is intended to be supportive of the overall historic character of the area and prioritize the preservation of historic structures. (§ 44-401(I)).

Subject Code Requirements:

§ 44-402B. "Allowed Uses Table" indicates Chicken Keeping is permitted as Special Use in the R-D District.

§ 44-1011 [Ch. 44, 10-11] Chicken-Keeping (Use Provisions)

- A. On lots less than or equal to one acre with a primary use of a single-family or two-family dwelling, the keeping of up to four chickens may be permitted as an accessory use and shall comply with Chapter 8 and Chapter 22 of the Bloomington Code, 1960, as amended.
- B. On lots greater than one acre with a primary use of a single-family or two-family dwelling, the keeping of up to four chickens plus one additional chicken per half acre in excess of one acre may be permitted as an accessory use and shall comply with Chapter 8 and Chapter 22 of the Bloomington Code, 1960, as amended...

Chapter 8 (Animals and Fowl) and Chapter 22 (Health and Sanitation) of the City Code will also apply once the permit has been approved.

STANDARDS FOR REVIEW

As indicated in *Ch. 44, 17-7 Special Uses*, the Board of Zoning Appeals shall hold a least one administrative public hearing on any proposed Special Use and shall report to the Council its findings of fact and recommendations. "No Special Use application shall be recommended by

the Board of Zoning Appeals or approved by the City Council unless all of the following factors are found:" (§ 44-1707H).

1. **The establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort, or general welfare.**

The chickens will be located at least 10 feet away from all neighboring properties; the provided site plan meets all of the setback requirements of § 44-1011, as well as providing additional separation and screening to the east, by attachment of the coop to the garage. Chapters 8 & 22 of the City Code provide enforcement mechanisms, should the coop and run ever fall into disrepair. ***Standard is met.***

2. **The Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.**

The Petitioner intends to store the food in sealed buckets in the garage adjacent to the coop to deter pests. The closest property line (rear) is already screened by a modified retaining wall, constructed by the rear neighbors. Large canopy trees on the west and rear of the property will reduce any potential noise. The Special Use should not impair normal use and enjoyment of the surrounding properties. The Special Use would also contribute to local food production, Goal HL-5.1 of the Comprehensive Plan. ***Standard is met.***

3. **The establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district.**

The proposed location of the coop meets or exceeds the minimum setback requirements of 10' from the side and rear property lines. The portion of the property where the coop will be partially screened by structure, fencing and landscaping. The Code defines Chicken-keeping as an appropriate accessory use for single-family dwellings, and this petition would not impede the normal and orderly development of surrounding properties in any way that was not already weighed—and determined to be appropriate—by the existence of the Special Use provision. ***Standard is met.***

4. **Adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided.**

The property is served by city utilities and roads; no change to facilities is necessary as part of this Special Use Permit. ***Standard is met.***

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Ingress and egress are provided by existing conditions; no change is expected as the result of the Special Use Permit. ***Standard is met.***

6. The Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may be modified by the Council pursuant to the recommendations of the Board of Zoning Appeals.

The proposed Special Use is subject to, and conforms with, both the use provisions for Chicken-Keeping as stated in § 44-1011 and the regulations of the R-D district. ***Standard is met.***

STAFF RECOMMENDATION

Staff finds that the application meets all the standards for a Special Use Permit and recommends that the Zoning Board of Appeals take the following actions:

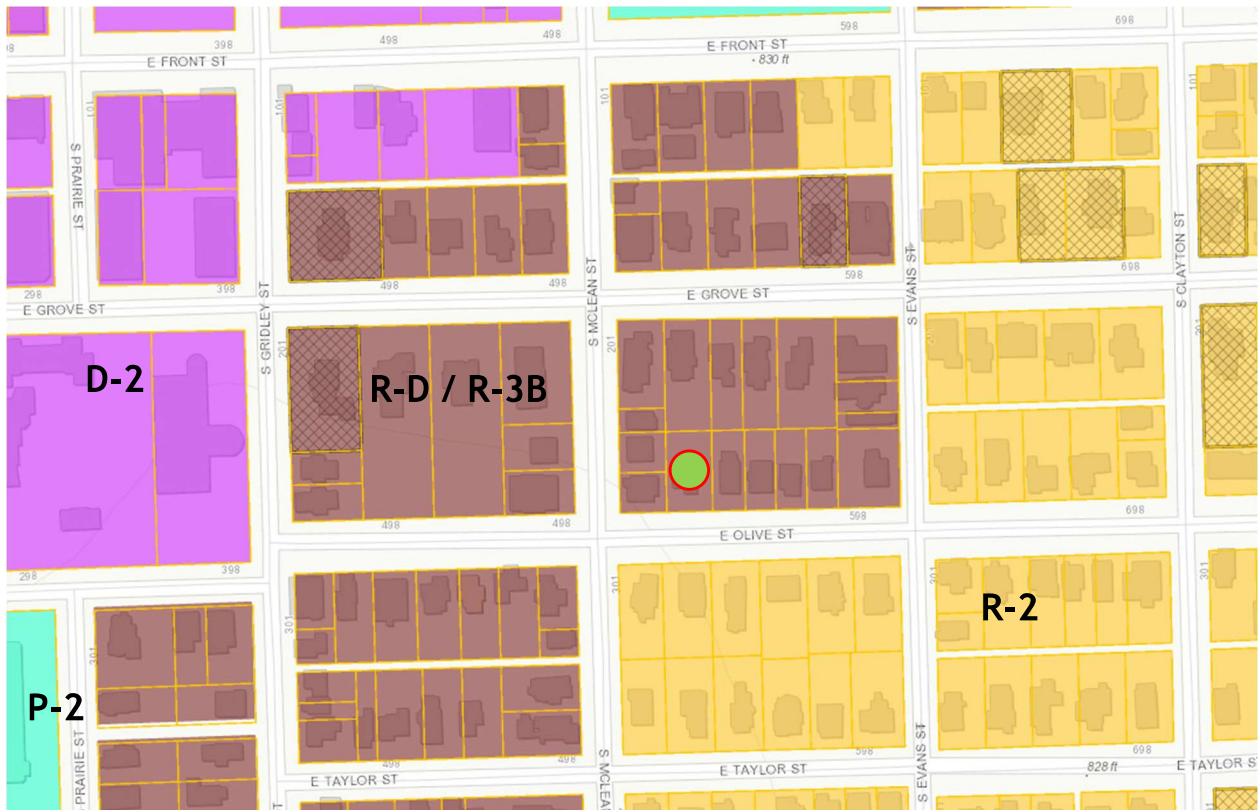
1. Motion to establish findings of fact that all standards for approval of a Special Use Permit **are met.**
2. Motion to recommend **approval** of the petition submitted Noah Tang for a Special Use Permit for Chicken-Keeping in the R-D (Downtown Residence) District, for the property located at 504 E. Olive Street.

Respectfully submitted,
Alissa Pemberton
Assistant City Planner

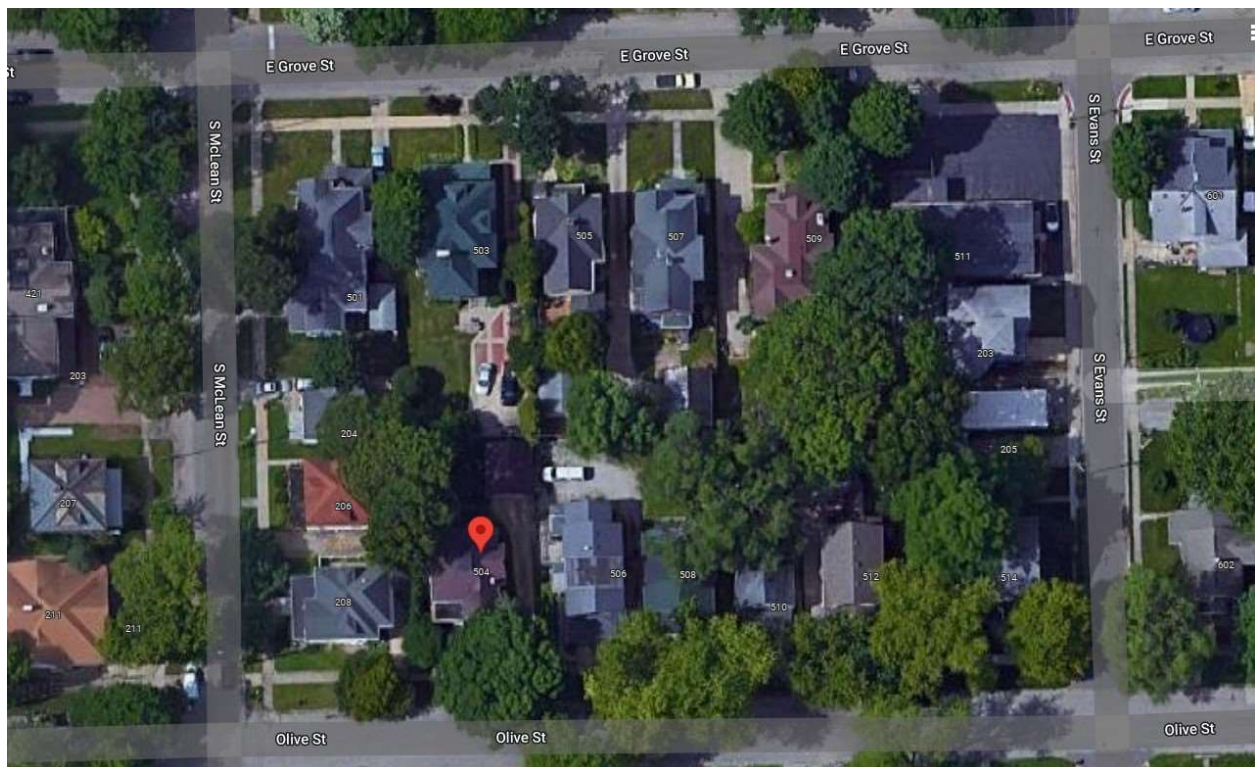
Attachments:

1. Zoning Map
2. Aerial Image
3. Ground-Level View
4. Petitioner-Submission - Description of Project
5. Petitioner-Submission - Site Plan
6. Neighborhood notice map

Attachment 1 - Zoning Map



Attachment 2 - Aerial Image



Attachment 3- Ground-Level View(s)



Attachment 4 - Petitioner-Submission - Description of Project



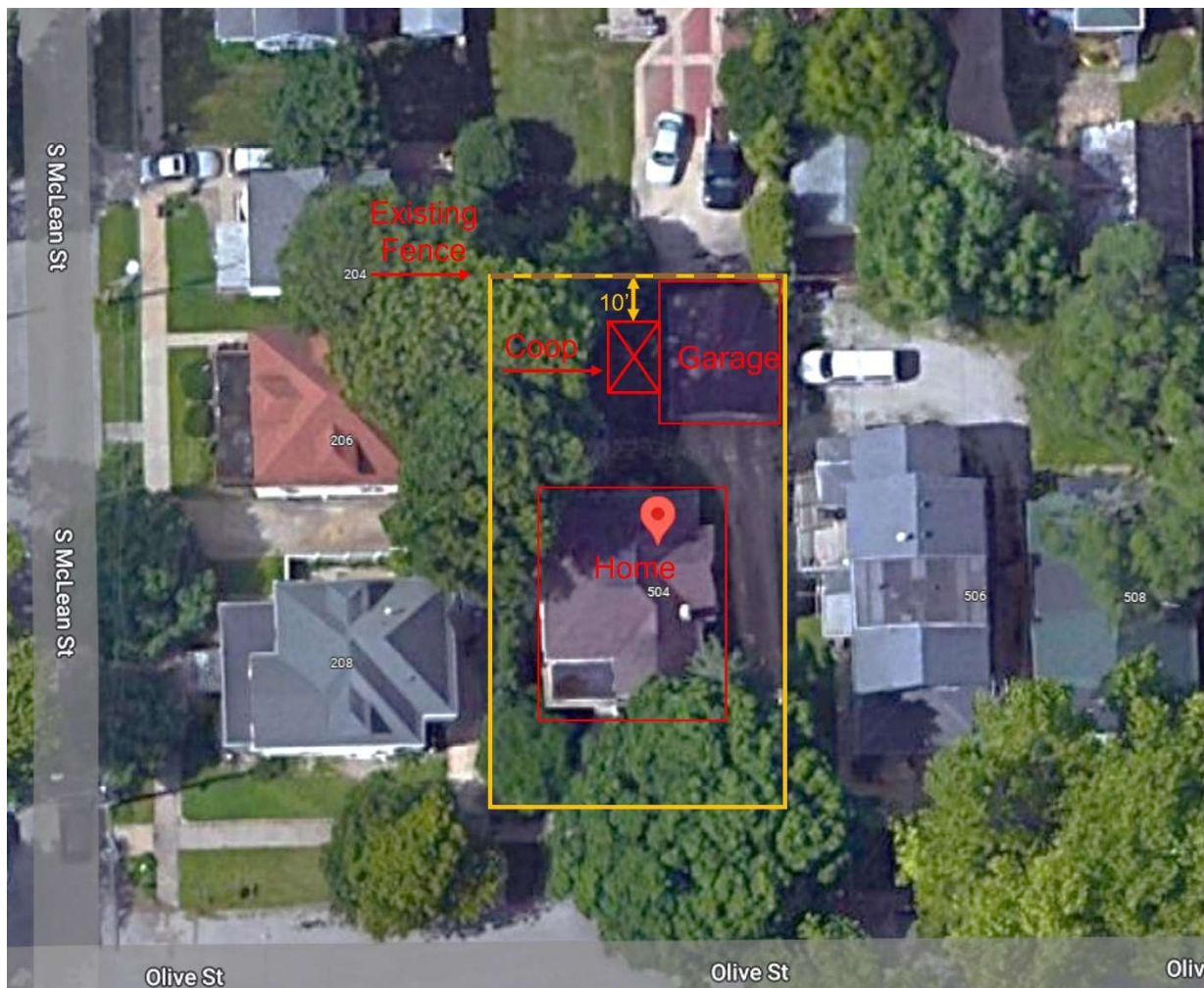
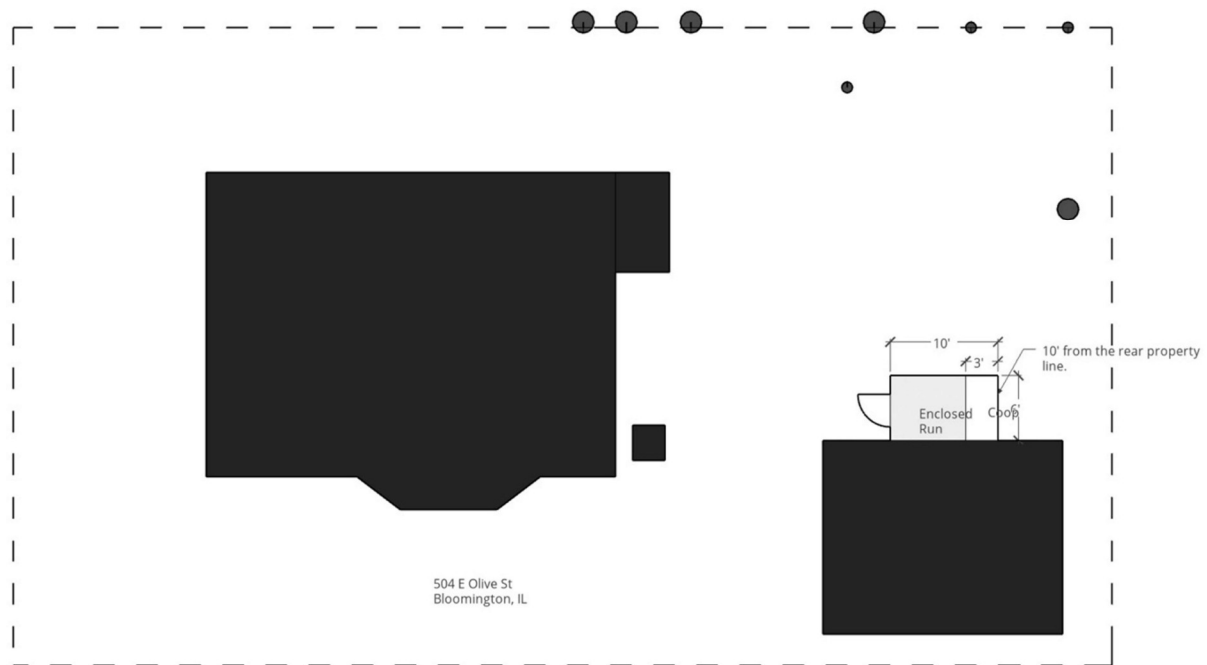
I wish to erect a wooden chicken coop and run at the residence of 504 East Olive St, Bloomington 61701. This coop will be intended for no more than four egg-laying hens which will be kept as pets. By building and maintaining this coop, I will not be a burden on public health, safety, comfort, as these will be female chickens to be kept under excellent conditions.

Since the coop will be hidden away from sight in my backyard, it will not be injurious to my neighbors nor diminish property values in Dimmitt's Grove. As it is a small add-on to my garage, it sits far away from any egress or public rights-of-way. I just wish to keep chickens.



Here is a rendering of the chicken coop and run against my garage. I wish to keep hens as pets to learn how to be closer to my food. As a director of Greentop Grocery, I am often thinking about our local food systems. Keeping chickens is one way I can become greener and more self-reliant.

Attachment 5 - Petitioner-Submission - Site Plan



Attachment 7 - Neighborhood notice map





ZONING BOARD OF APPEALS

TO: ZONING BOARD OF APPEALS

FROM: Economic & Community Development Department

DATE: May 18th, 2022

CASE NO: SP-02-22, Special Use Permit for an Adult-Use Cannabis Dispensing Organization

REQUEST: Public hearing, review and action on a petition submitted by Project Equity Illinois, Inc. for a Special Use Permit for an Adult-Use Cannabis Dispensing Organization in the B-1 (General Commercial) District, for the property located at 1006 JC Parkway.

BACKGROUND

Petitioners' request:

The Petitioner seeks a Special Use Permit for an Adult-Use Cannabis Dispensing Organization in the B-1 (General Commercial) District, per § 44-1039, which states "Each adult-use cannabis dispensing organization may only be located upon approval of a Special Use as set forth in this section." One Special Use Permit for an Adult-Use Cannabis Dispensing Organization has already been issued (Ord. 2020-58); one Special Use may still be permitted within the City of Bloomington. No variations to the code are requested.

The Petitioner holds a Conditional Adult Use Dispensing Organization License (Application Number 3945565) for Bureau of Labor Statistics (BLS) Region #1 (Bloomington) from the Illinois Department of Financial and Professional Regulation (IDFPR), the Department responsible for licensing adult-use cannabis establishments. The IDFPR requires the applicant's facility receive the necessary zoning approvals and pass a final inspection by the Cannabis Control Section, prior to granting a final Dispensing Organization License.

Notice:

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Monday, May 2, 2022. Courtesy notices were mailed to 8 property owners within 500 feet of the subject property, and a Public Hearing sign was placed on the subject property for 15 days prior to the scheduled hearing.

Regulatory Context:

On June 6, 2019, the Illinois General Assembly passed the “Cannabis Regulation and Tax Act” (the Act) which legalized, with limits, the sale, possession and use of cannabis sativa and its derivatives and subspecies for recreational purposes/private use by adults over the age of 21. The Act mandates a 1500 ft separation between dispensing organizations and enables local municipalities to apply up to an additional 3.5% sales tax on adult-use cannabis products.

On December 16, 2019, the Bloomington City Council passed Ordinance 2019-89, a text amendment to Chapter 44 of the City Code, to allow, by Special Use Permit, up to two Adult-Use Cannabis Dispensing Organizations, within business and manufacturing districts in the corporate limits. The text amendment, which was reviewed during a public hearing with the Planning Commission on November 11, 2019, established performance standards for Adult-Use Cannabis Dispensing Organizations, such as separation requirements from other dispensaries, parks and residential areas, prohibition of on-site consumption and drive-throughs, and a 75% minimum floor area occupancy for adult-use dispensary tenants.

Regional Context:

The BLS region for Bloomington includes both McLean and De Witt Counties. The Town of Normal currently has one recreational dispensary (BEYOND/HELLO); the medical dispensary (The Green Solution) is no longer in operation. On September 14, 2020, the City of Bloomington approved a Special Use Permit (Petitioner BEYOND/HELLO) for an Adult-Use Cannabis Dispensary at 118 Keaton Place, Bloomington IL 61701 (ORD NO 2020-58).

On April 13, 2022, the City of Bloomington Planning Division received an application submitted by Project Equity IL, LLC, for a Special Use Permit to operate an Adult-Use Cannabis Dispensary at 1106 JC Parkway; if approved, this site will be the City’s second Adult-Use Cannabis Dispensary location. Additional facilities will not be permittable until such time that a current Permit expires, or a Code change allows additional facilities.

PROJECT DESCRIPTION

The Petitioner is a vertically integrated cannabis company with seven existing retail locations in multiple other regulated markets. The Petitioner intends to purchase the entire property and occupy units 100-102 for the sale of products including Cannabis Flower, Pre-Roller Joint, Concentrates, Cartridge/Vape, Edibles/Vegetable, Tinctures, and Topicals. The Petitioner intends to lease the remaining units to other businesses appropriate to the Zoning District.

The required floor plan, site plan, sign plan, and schematic drawings are included in the application materials. Building enhancements including security cameras, security films and doors, wall reinforcement, and commercial grade locking mechanisms are proposed to ensure the safety of employees and customers, as well as the property and product. No external structural changes are currently planned for the facility.

A Security Plan has been provided and reviewed by the City of Bloomington Police Chief, with no objections or concerns noted. Within that plan are policies and provisions that have been determined to be appropriate to address diversion, delivery security, site security and surveillance, access control, and inventory control. The Security Plan will also be reviewed by Illinois State regulatory agencies prior to final issuance of the Petitioner's Adult Use Dispensing Organization License.

ANALYSIS

Property Characteristics:

The subject property consists of approximately 1.25 acres of land located near the intersection of W. Market Street and JC Parkway. It was created from a combination of PINS 20-01-200-035, 13-36-476-004, 14-31-354-003, 21-06-102-005 F/20-01-200-054 (2013) and is in the Unit 5 School District. The property is directly adjacent to the Walmart Stormwater Detention Basin, Vehicle Fueling Stations, Financial Services, and transportation corridors. The acreage was improved with a 13,760-SF retail building (2005) that consists of nine sub-addressed, vacant retail spaces that may be combined or divided. Access is from a frontage road that may be entered from JC Parkway or W. Market Street.

Surrounding Zoning and Land Uses:

Zoning		Land Uses
North	B-1 (General Commercial)	Vehicle Fueling Station / Retail Sales, General
South	B-1 (General Commercial)	Vehicle Fueling Station (Future)
East	B-1 (General Commercial)	Retail Sales, General / Financial Services
West	B-1 (General Commercial)	Financial Services

Description of Current Zoning District:

The B-1 (General Commercial) District is intended to facilitate the development of community and regional commercial areas. Customers in this district will generally use a motor vehicle to reach a desired establishment. The development contemplated in this district has such distinguishing characteristics as unified site planning and development that promotes a safe and conducive atmosphere for large volumes of shoppers; site accessibility such that the high volumes of traffic generated create minimal congestion and adverse impact upon surrounding land use; and unified architectural treatment of buildings rather than an assemblage of separate, conflicting store and structural types. (§ 44-501A).

Subject Code Requirements:

§ 44-502B Allowed Uses Table (502A) allows "Adult-use cannabis dispensing organization," as Special Use, in all Business Districts.

§ 44-1038 Adult-use cannabis business establishments; prohibitions.

Prohibition on certain adult use cannabis business establishments. No adult-use cannabis craft grower, adult-use cannabis cultivation center, adult-use cannabis infuser organization or infuser, adult-use cannabis processing organization or processor, adult-use cannabis transporting organization or transporter shall be permitted or allowed

within the City of Bloomington. No adult-use cannabis dispensing organization shall be permitted or allowed within the City unless it complies with and obtains a Special Use in accordance with § 44-1039.

§ 44-1039 Adult-use cannabis dispensing organizations (Use Provisions)

It is the intent and purpose of this section to provide regulations regarding the dispensing of adult-use cannabis occurring within the corporate limits of the City of Bloomington. Such adult-use cannabis dispensing organizations shall comply with all regulations provided in the Cannabis Regulation and Tax Act (hereinafter "Act"), as it may be amended from time to time, and the regulations provided below. If the Act is amended, the more restrictive of the state or local regulations shall apply, except as pre-empted.

STANDARDS FOR REVIEW

As indicated in *Ch. 44, 17-7 Special Uses*, the Board of Zoning Appeals shall hold at least one administrative public hearing on any proposed Special Use and shall report to the Council its findings of fact and recommendations. "No Special Use application shall be recommended by the Board of Zoning Appeals or approved by the City Council unless all of the following factors are found:" (§ 44-1707H).

1. The establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort, or general welfare.

The presence of B-1 zoning and indication of this area on the City's Future Land Use Map as a "Regional Commercial" in themselves provide evidence that the establishment, maintenance, and operation of intensive and sensitive commercial uses are appropriate for this area, and will not be detrimental or endanger public health, safety, comfort, or general welfare. However, the Special Use Permit process recognizes that certain uses—like Cannabis Dispensaries—may have unique characteristics that warrant additional review to determine their appropriateness. The Petitioner has provided evidence to demonstrate that the proposed Special Use is sufficiently distanced, has provided security measures necessary to safeguard public health and safety. Further, the Special Use Permit is enforceable and revokable, should such use become a nuisance, be destroyed, or cease operations for a specific period. *Standard is met.*

2. The Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

The proposed dispensary is located further than 500 feet from any protected use category and over 1,000 feet away from any residentially zoned property. The Special Use is not expected to be injurious to the use and enjoyment of other property in the area, and provides opportunity to backfill a vacant retail property,

and attract occupancy of vacant commercial spaces nearby, as well as provide additional revenue generation for existing adjacent businesses. ***Standard is met.***

3. **The establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district.**

The proposed Special Use will be located in a building previously used as commercial retail space. The proposed use will generate a similar amount of traffic, during similar hours throughout the day and week, and will not operate beyond 9:00 pm. No negative change to the orderly development of the area is expected as a result of the Special Use Permit. ***Standard is met.***

4. **Adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided.**

The Petitioner proposes to locate the newly established Adult-Use Cannabis Dispensing Organization on an existing retail site; no new utilities, access roads, or drainage should be required, or are proposed. ***Standard is met.***

5. **Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.**

Since the Petitioner will be utilizing an existing developed site, ingress and egress are already present. Access is from a frontage road that may be accessed by JC Parkway or W Market Street. In addition, the provided parking lot is sufficiently large to allow any necessary alterations to onsite traffic flow required to minimize traffic congestion in the public streets. ***Standard is met.***

6. **The Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may be modified by the Council pursuant to the recommendations of the Board of Zoning Appeals.**

The sign plan, attached to this report, complies with the Advertising Sign Code, as applicable to the B-1 District. Additionally, the City will complete a final inspection to ensure compliance with applicable building codes prior to issuing a Certificate of Occupancy. ***Standard is met.***

“Additionally, the Zoning Board of Appeals and the City Council, when determining to approve a Special Use Permit, shall evaluate the following based on the entirety of the circumstances affecting the particular property in the context of the existing and intended future use of the properties:” (§ 44-1039 - Adult-Use Cannabis Dispensing Organizations)

1. Impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.

The proposed Special Use is an opportunity to backfill a vacant retail property along an arterial commercial road. The additional foot and vehicular traffic generated by the proposed Adult-Use Cannabis Dispensary could also attract occupancy and investment of vacant commercial spaces nearby and provide additional revenue generation for the adjacent fueling stations and supermarkets.

The proposed dispensary is located further than 500 feet from any protected use category, such as a church, daycare, park (including the Constitution Trail), and school. It is located at least 250 feet from any residential zoning districts; the nearest residential zoning is over 1,000 feet away to the northeast. These setbacks are compliant with the Ordinance. *Standard is met.*

2. Proposed structure in which the facility will be located, including co-tenancy (if in a multi-tenant building), total square footage, security installations/security plan and building code compliance.

The applicant proposes repurposing a vacant retail building constructed in 2005. No current zoning or building code violation complaints on the property exist. Minor structural changes are planned to enhance security. The building is adequate for the proposed use. The parking lot has adequate parking, is compliant with accessibility codes, and has adequate circulation.

A separate waiting room and check-in/identification verification area will be provided between the entryway and the retail area, and the parking lot and adjacent properties are well-lit to facilitate surveillance, meeting the requirements of 410 ILCS 705/15-100(C). No new exterior lighting is expected to be added, or changes made to the existing exterior lighting; no photometric plan is required for this application. No drive-though service windows are present.

The proposed location is able to accommodate an Adult-Use Cannabis Dispensary, if the Special Use Permit is approved. Conceptual site plans are attached for reference; actual site plans are unavailable for public review, as the Safety Plan remains confidential, per § 44-1039C(7) of our Code. *Standard is met.*

3. Hours of operation and anticipated number of customers/employees.

Approximately 20 staff members are expected to maintain the hours of operation from 9:00 a.m. - 9:00 p.m., Monday through Sunday; this is in compliance with the operating requirement of 410 ILCS 705/15-70(J). The Petitioner expects that a typical day will consist of 200-250 transactions, translating to an equivalent number of customers. The number of anticipated customers for the dispensary is comparable

(or fewer) to the number of expected customers for the three (3) small-scale retail spaces the Petitioner plans to occupy. ***Standard is met.***

4. Anticipated parking demand, proximity to public transit and available private parking supply.

As an existing general retail location, significant increases in parking demand, compared to those originally envisioned for the site, are not expected. The nearest transit stop is less than 1,000 feet from the proposed location and served by three different transit routes (lime, silver, and brown). Four handicap parking spots and 70 standard parking spaces are provided; this exceeds the § 44-1208 requirement for 1 space per 250 GFA (Adult-use cannabis dispensing organizations, Retail sales) which would require 55 spaces, before discount for transit access. Automobile parking and circulation is adequate for employees, customers and deliveries. The applicant plans to add bicycle parking to accommodate cyclists. ***Standard is met.***

5. Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.

The uses permitted in B-1 (General Commercial) District are those which primarily rely on the use of a motor vehicle for access. As such, the subject property has already been developed to accommodate high volumes of traffic, and is directly adjacent, with access to, W. Market Street. Additionally, the subject property is close to the I-55 interchange at Market Street, so the location has been predetermined to provide shopping resources to an extended range of surrounding communities. This property will be able to accommodate potential high volumes of traffic and ensure minimal congestion and adverse impact upon the surrounding uses. ***Standard is met.***

6. Site design, including access points and internal site circulation.

The site is landscaped in a way that trees, bushes, and other foliage outside of the dispensary premises do not allow for a person or person to conceal themselves from sight, per 410 ILCS 705/15-100(C)(14). No changes are proposed that would trigger Legislative Site Plan Review, but as this site is zoned B-1 future site alterations could trigger review if changes exceed triggering thresholds. ***Standard is met.***

7. Proposed signage plan.

The proposed signage plan complies with the local sign ordinance and appears to comply with state statutes. Further review of signage size, materials, and location will be completed when application for permit issuance is made. ***Standard is met.***

8. Compliance with all requirements provided in Subsection H(1) (adult-use cannabis dispensing organization); as applicable.

The vast majority of the floor area of the tenant space occupied by the dispensing organization is devoted to the activities of the dispensing organization; 1,423-SF will be Retail Area, with additional square footage devoted to the supporting activities of the dispensing organization (POS, inventory and storage, security and employee areas.) Customer restrooms account for 6.3% of the total square footage and are the only non-contributing area indicated on the floor plan.

Deliveries will be supervised by armed security officers, during business hours. Reception of deliveries will occur via a camera-monitored non-public entrance, through secured doors leading into a restricted access area enclosed within the principal structure; the secured doors will remain closed and locked during times of unloading and review of product.

The proposed location is almost five miles from the BEYOND/HELLO dispensary operating in Bloomington, well over 1,500 feet separation required for cannabis dispensing organizations. *Standard is met.*

9. The number of adult-use cannabis business establishments already in operation, which shall not exceed two.

One Special Use Permit for an Adult-Use Cannabis Dispensing Organization has already been issued (Ord. 2020-58). One Special Use may still be permitted within the City of Bloomington; no other current applications for Special Use Permit for an Adult-Use Cannabis Dispensing Organization exist. *Standard is met.*

10. Other criteria determined to be necessary to assess compliance with § 44-1707, Special Uses, of this chapter.

The Petitioner affidavit of compliance is attached to this report. *Standard is met.*

STAFF RECOMMENDATION

Staff finds that the application meets all the standards for a Special Use Permit and recommends that the Zoning Board of Appeals take the following actions:

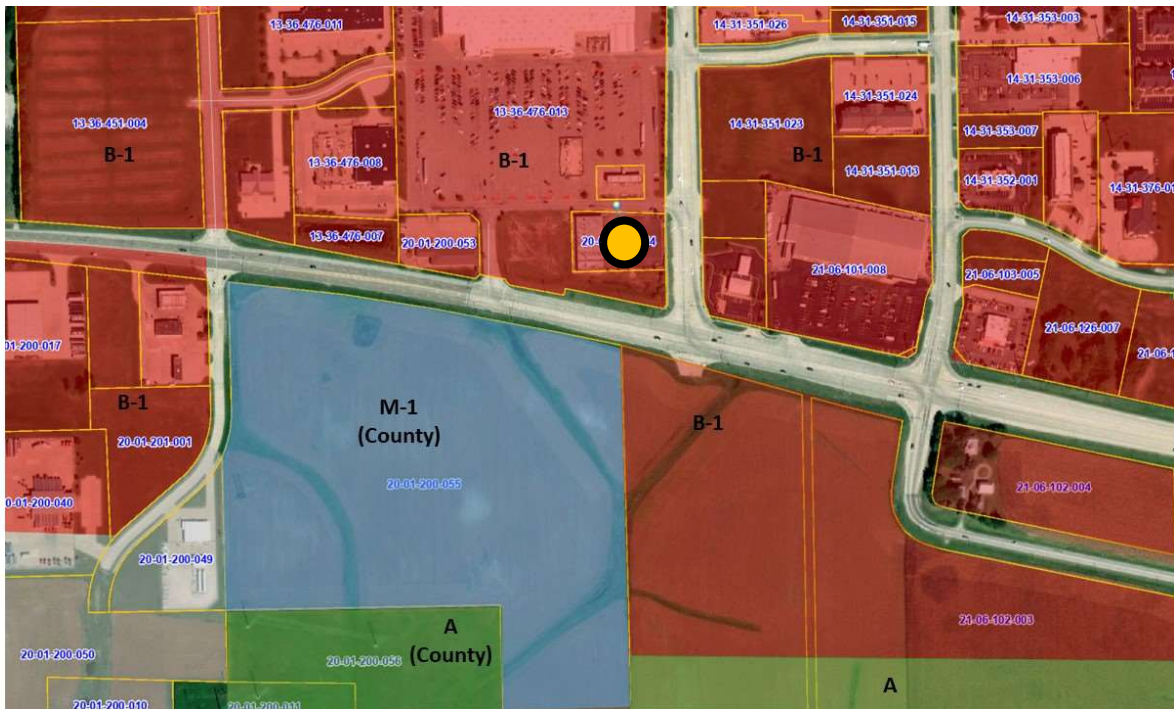
1. Motion to establish findings of fact that all standards for approval of a Special Use Permit are met.
2. Motion to recommend approval of the petition submitted by Project Equity Illinois, Inc. for a Special Use Permit for an Adult-Use Cannabis Dispensing Organization in the B-1 (General Commercial) District, for the property located at 1006 JC Parkway.

Respectfully submitted,
Alissa Pemberton
Assistant City Planner

Attachments:

1. Zoning Map
2. Aerial Map
3. Ground-Level View(s)
4. Petitioner Submission - Impact Statement
5. Petitioner Submission - Map of surrounding area and uses within 1,000 feet
6. Petitioner Submission - Site Plan
7. Petitioner Submission - Sign Plan
8. Petitioner Submission - Affidavit of Compliance
9. Courtesy Notification Information

Attachment 1 - Zoning Map



Attachment 2 - Aerial Map



Attachment 3- Ground-Level View(s)



Looking North



Looking East



Looking South



Looking West



Attachment 4 - Petitioner Submission - Impact Statement

Impact Statement: Provide a statement of the impact of the proposed Adult -Use Cannabis Dispensing Organization on existing and/ or planned uses located within the vicinity of the subject property that addresses the following:

- (a) That the establishment, maintenance, or operation of the adult-use cannabis dispensing organization will not be detrimental to or endanger the public health, safety, comfort, or general welfare;*

Our own experience as licensed dispensary operators in multiple states—as well as data collected in multiple studies on the topic—demonstrate that licensed dispensaries actually increase and improve the public health, safety, comfort, and general welfare of the surrounding area. We are attaching a meta analysis from the reporter David Downs and Dominic Corva the co-director of the Humboldt Institute for interdisciplinary Marijuana Research that substantiates these facts.

We have licensed, professional security on-site whenever the store is opening, who watch over not only our store but the surrounding area. Likewise, we have sophisticated camera and security systems monitoring our store and the surrounding vicinity, which maintain video records for weeks, meaning we can provide footage to the police to assist with an investigation for a crime that just happened to be nearby, e.g. a car break-in. Of course, minors are not allowed to enter our store, and largely can not afford regulated cannabis products either. This is a big reason why regulated dispensaries are associated with a reduction in both youth access to and use of cannabis.

- (b) That the adult-use cannabis dispensing organization will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;*

We are attaching a study from the University of Mississippi that analyzed regulated Colorado dispensaries' impact on property values in the surrounding areas and found that, "legalization leads to an average 6 percent increase in housing values." Again, as per our answer above, regulated dispensaries improve safety in the vicinity. They also attract retail foot traffic, benefitting neighboring businesses. Moreover, our location is relatively low density and comprised mostly of large retailers who probably will not even notice our presence, aside perhaps from the additional customers we help attract.

- (c) That the establishment of the adult-use cannabis dispensing organization will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district; That adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided;*

Our project is not developing anything new; we simply a new type of retail use going into an existing retail space. The building is recently-constructed and very well served by utilities, roads, and parking. We will not have any material impact on the surrounding properties, certainly none beyond what any other retail use in the space would have.

- (d) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;*

As mentioned above, our location is a relatively low-density area intended for, and mostly populated by, large retail uses. It is not a central commute corridor like Veterans Parkway, nor does it have traffic counts nearly as high as other, more central parts of the city. This area is intended for retail traffic and has excellent ingress and egress, especially given its very close proximity to the 74/55 freeway and other large thoroughfares.

- (e) That the adult-use cannabis dispensing organization shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may be modified by the Council pursuant to the recommendations of the Board of Zoning Appeals.*

Our business is purely a new type of retail use going into an existing retail space. In that respect, we will of course conform to all land use and operational regulations in the district. Additionally, we subject to hundreds of pages of strict state laws and regulations regarding cannabis businesses, to which we will vigilantly adhere, as we have at all of our other licensed cannabis businesses around the country.

Additional Information sufficient to demonstrate that the proposed Adult-Use Cannabis Dispensing Organization complies with all applicable State laws and regulations, as such laws and regulations may be adopted or amended from time to time.

The Project Equity Illinois partnership is a dream team of cannabis professionals with decades of collective experience in regulated retail, cultivation, and other cannabis endeavors. We operate licensed and successful dispensaries in California, Washington, Maine, and Hawaii and we are obsessive about compliance and community relations at each one. Four of our six principals are Illinois natives. And we received perfect scores on every single application we submitted to the state in every single BLS region. We will comply with all local and state laws and regulations.

Attachment 5 - Petitioner Submission - Map of surrounding area and uses within 1,000 feet

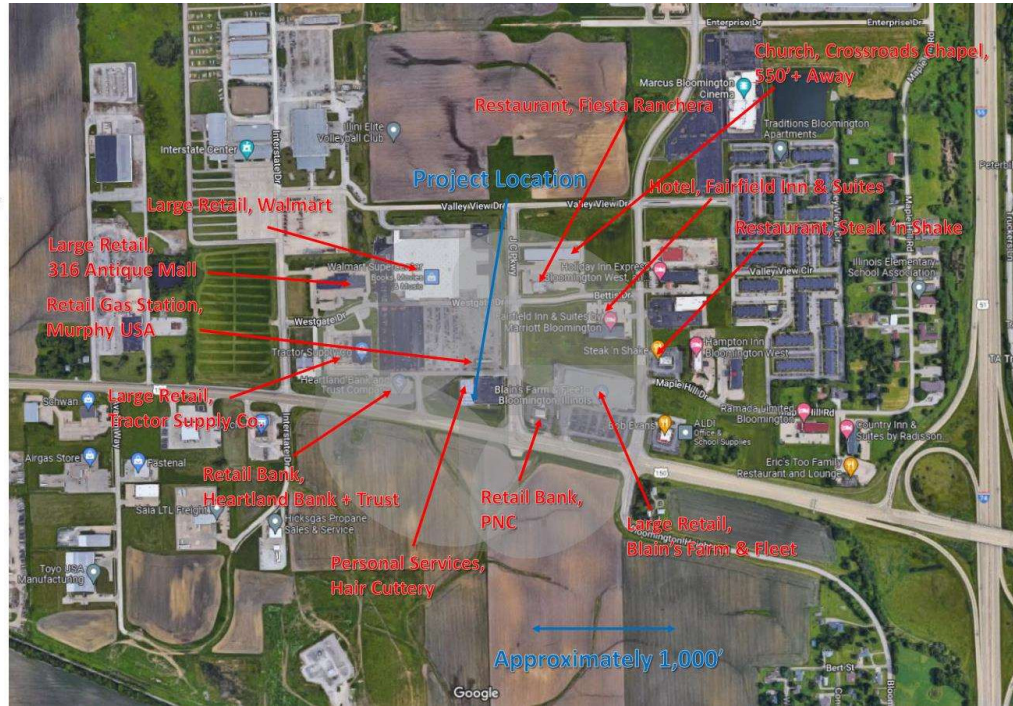
§ 44-139 H.1.

(a) Dispenser may not be located within 500 feet of the property line of a preexisting public or private nursery school, preschool, primary or secondary school, day-care center, day-care home, residential care home, place of worship or park/playground. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this section.

(b) Dispenser may not be located within 250 feet of the property line of a preexisting property zoned R1 A, R1 B, R1 C, R1 H, R2, R3A, R3B, R4 GAP 1, GAP 2, GAP 3, GAP 4...

(h) All dispensers must be located at least 1,500 feet from the property line of another adult-use cannabis dispensing organization.

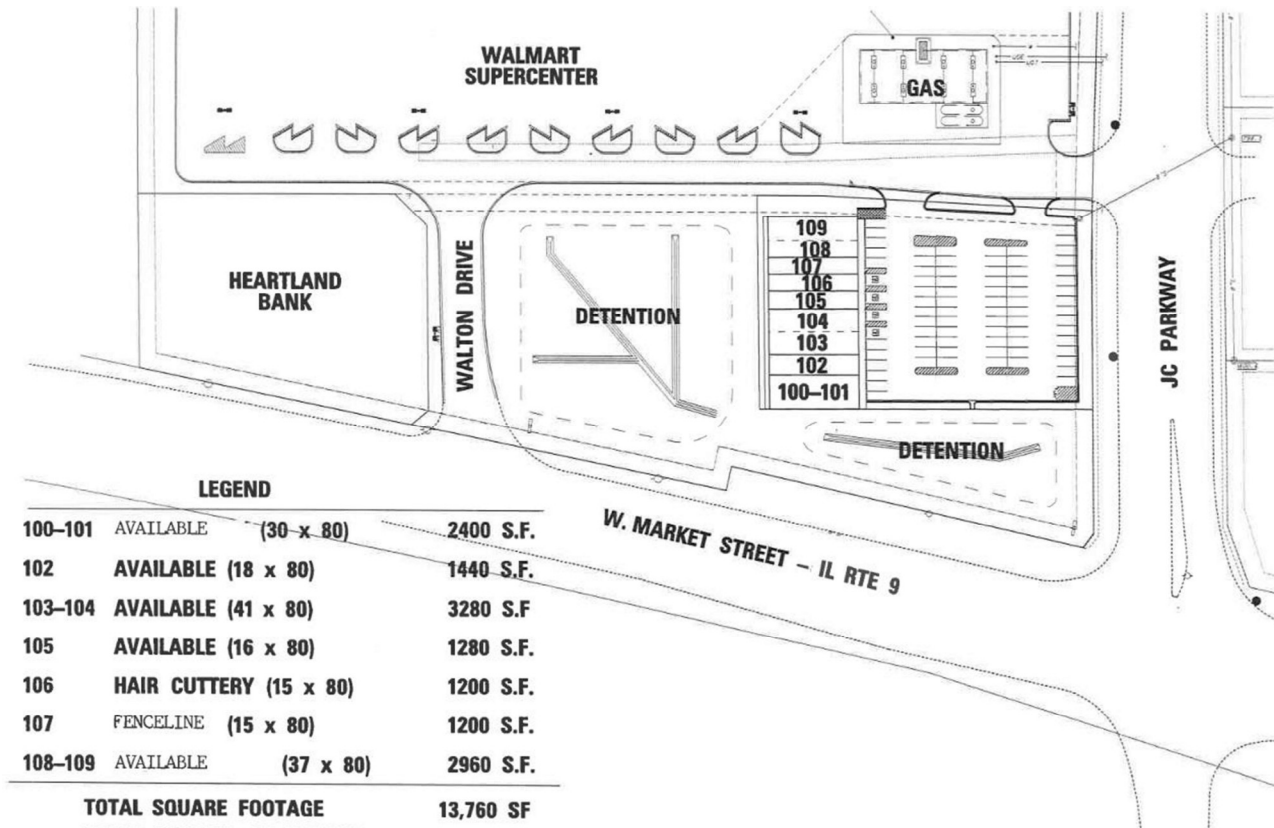
- ✓ No schools, daycare, parks, or care home
- ✓ Church is 550'-700'+ (depending on actual lot line)
- ✓ Surrounding zoning is all B-1 or M-1
- ✓ No other dispensing organizations nearby



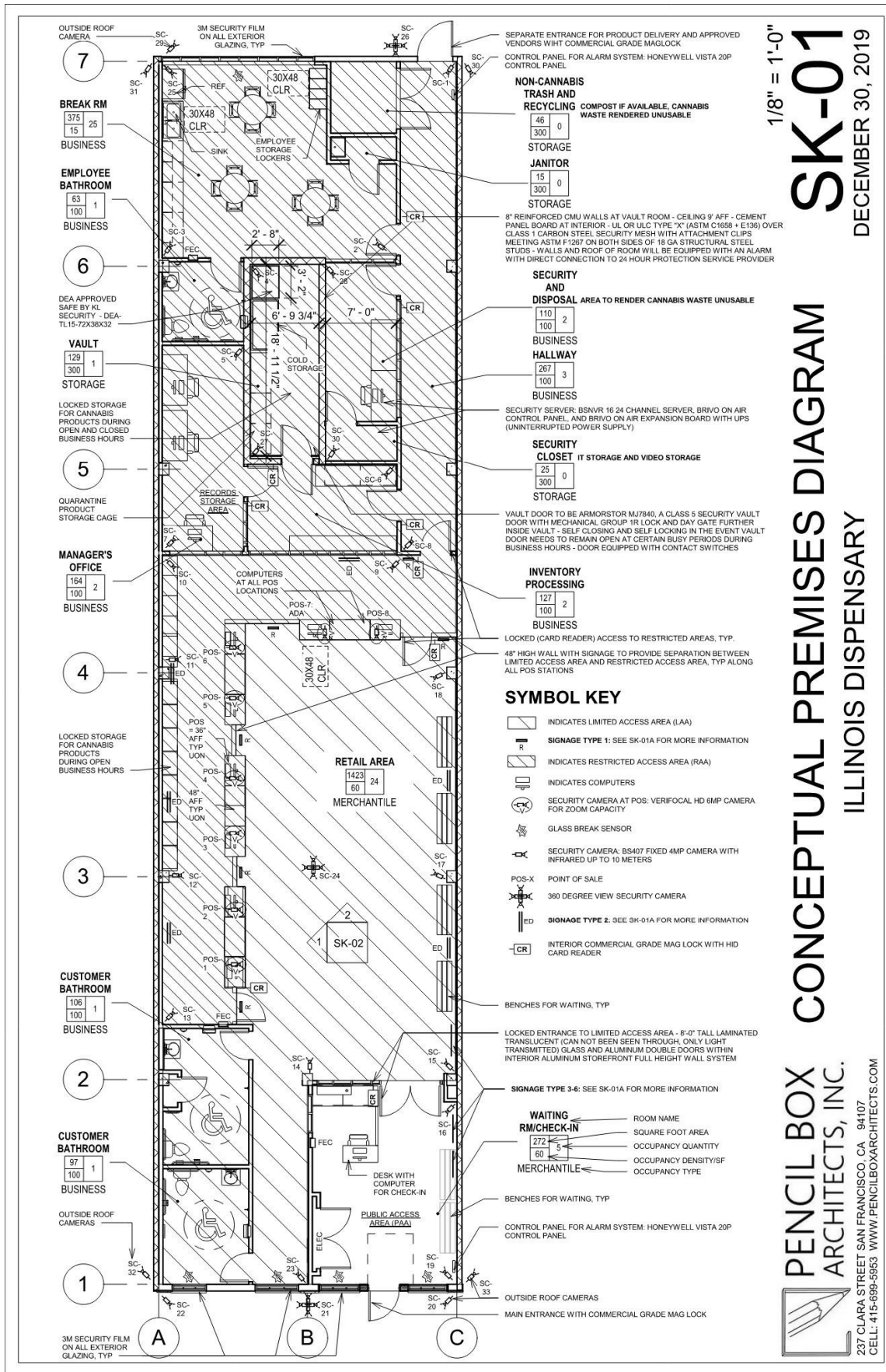
City-Generated Map of 1,000 feet (for comparison and verification)

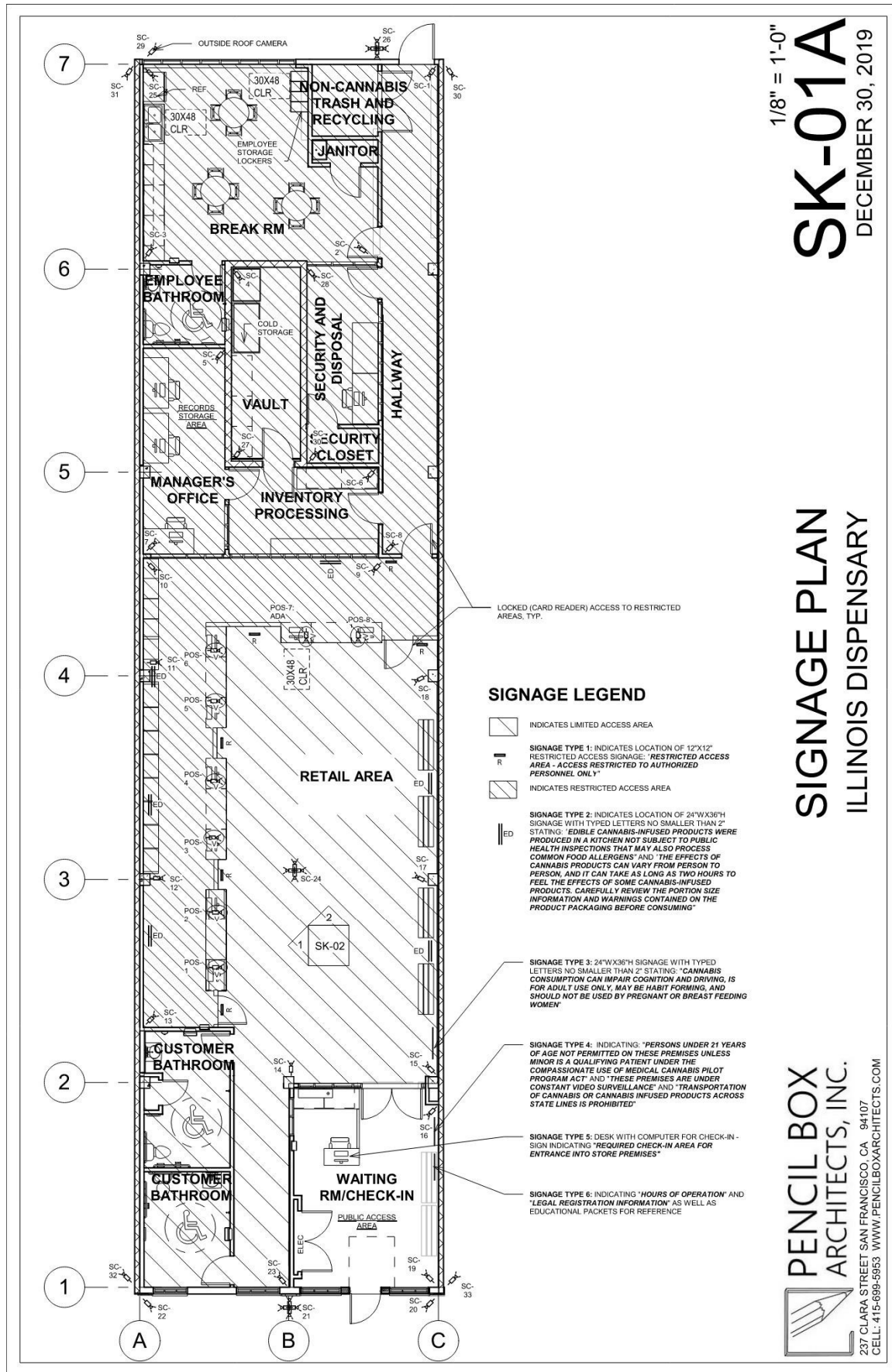


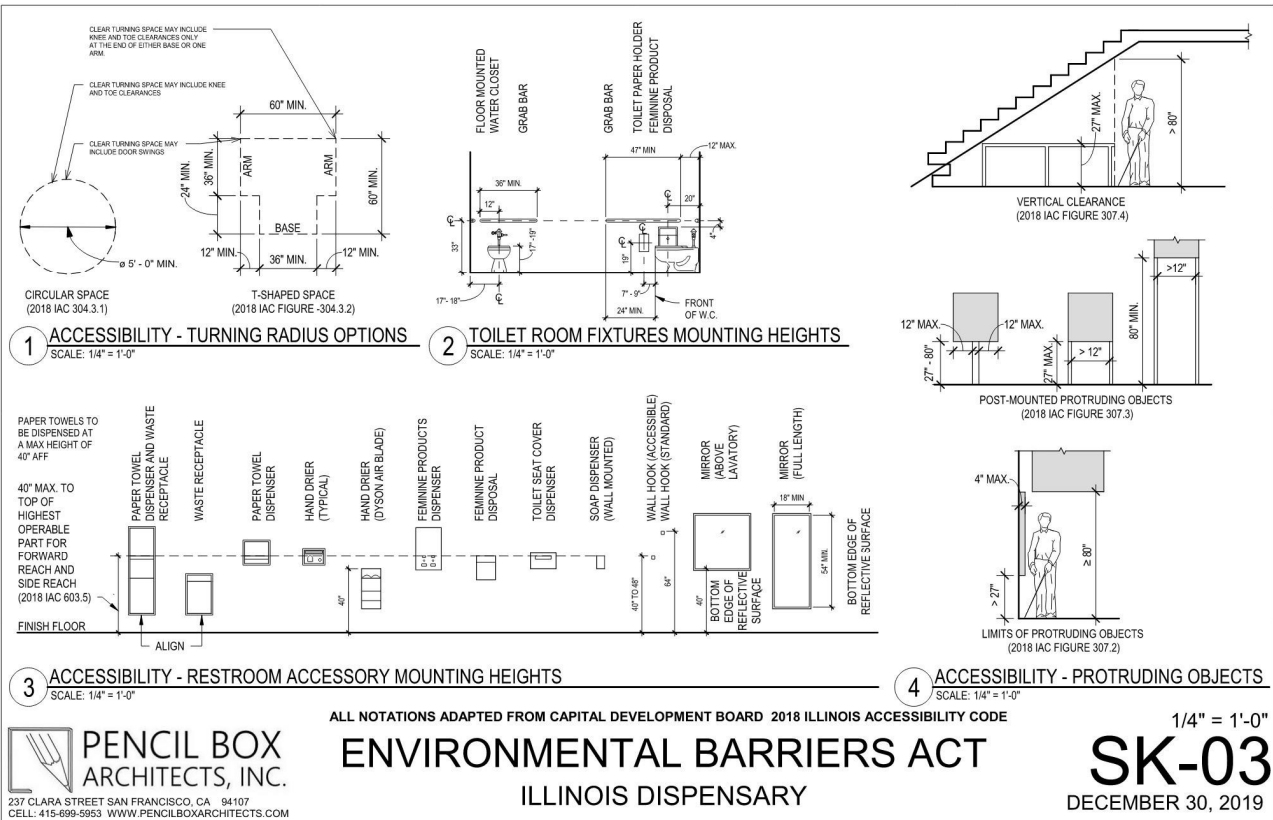
Attachment 6 - Petitioner Submission - Site Plan (Interior is Conceptual Only)

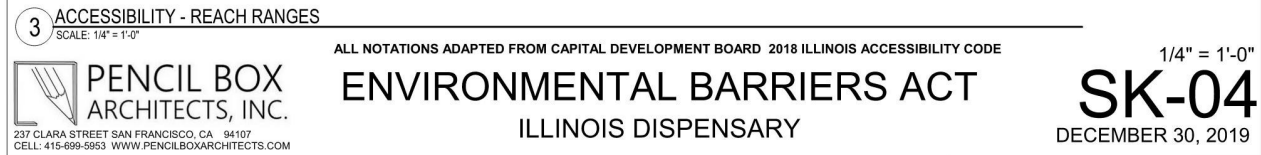
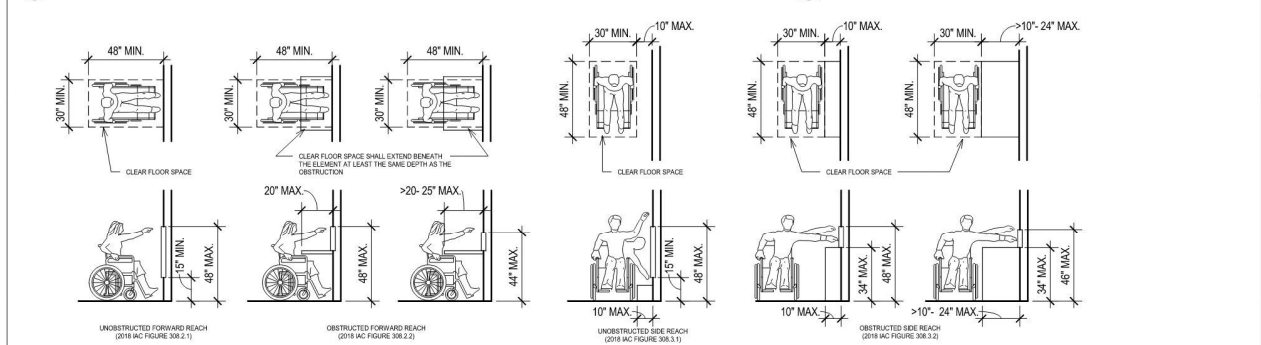
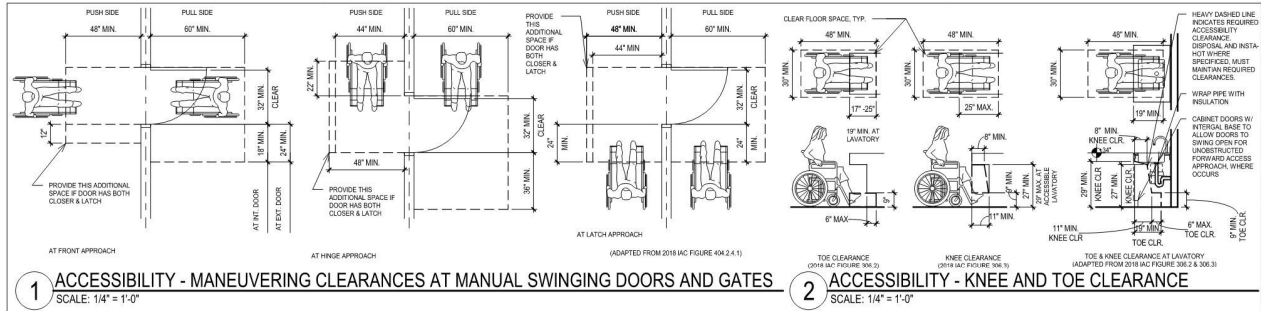


LEGEND			
100-101	AVAILABLE	(30 x 80)	2400 S.F.
102	AVAILABLE	(18 x 80)	1440 S.F.
103-104	AVAILABLE	(41 x 80)	3280 S.F.
105	AVAILABLE	(16 x 80)	1280 S.F.
106	HAIR CUTTERY	(15 x 80)	1200 S.F.
107	FENCELINE	(15 x 80)	1200 S.F.
108-109	AVAILABLE	(37 x 80)	2960 S.F.
TOTAL SQUARE FOOTAGE			13,760 SF









ALL NOTATIONS ADAPTED FROM CAPITAL DEVELOPMENT BOARD 2018 ILLINOIS ACCESSIBILITY CODE



**PENCIL BOX
ARCHITECTS, INC.**

237 CLARA STREET SAN FRANCISCO, CA 94107
CELL: 415-699-5953 WWW.PENCILBOXARCHITECTS.COM

ENVIRONMENTAL BARRIERS ACT
ILLINOIS DISPENSARY

1/4" = 1'-0"
SK-04
DECEMBER 30, 2019

Attachment 7 - Petitioner Submission - Sign Plan

PROPOSED SIGN PLAN

Educational & Compliance Signage:

Signage is an effective and simple way to educate cannabis purchasers on general guidelines and prohibitions. Pursuant to Section 15-65(h)(i) of the Act, the signage at our dispensary will include, but may not be limited to:

- “Possession of cannabis is illegal under federal law.”
- “Transportation of cannabis or cannabis infused products across state lines is prohibited.”
- “Cannabis consumption can impair cognition and driving, is for adult use only, may be habit forming, and should not be used by pregnant or breastfeeding women.”
- “Edible cannabis-infused products were produced in a kitchen not subject to public health inspections that may also process common food allergens.”
- “The effects of cannabis products can vary from person to person, and it can take as long as two hours to feel the effects of some cannabis-infused products. Carefully review the portion size information and warnings contained on the product packaging before consuming.”
- “Persons under 21 years of age not permitted on these premises unless minor is a qualifying patient under the Compassionate Use of Medical Cannabis Pilot Program Act.”
- “These premises are under constant video surveillance.”

All of the required signage in this subsection (h) shall be no smaller than 24 inches tall by 36 inches wide, with typed letters no smaller than 2 inches. The signage shall be clearly visible and readable by customers. The signage shall be placed in the area where cannabis and cannabis-infused products are sold and may be translated into additional languages as needed.

Additionally, in accordance with 15-100(g) of the Act, all restricted access areas within the dispensary will be identified by a sign that is a minimum of 12 inches by 12 inches and that states “Do Not Enter – Restricted Access Area – Authorized Personnel Only” in lettering no smaller than one inch in height.

Advertising Signage:

In accordance with 55-20 of the Act, any signs or other advertising on the exterior of our dispensary will not contain any statement or illustration that:

- (1) is false or misleading;
- (2) promotes overconsumption of cannabis or cannabis products;
- (3) depicts the actual consumption of cannabis or cannabis products;
- (4) depicts a person under 21 years of age consuming cannabis;
- (5) makes any health, medicinal, or therapeutic claims about cannabis or cannabis-infused products;
- (6) includes the image of a cannabis leaf or bud; or
- (7) includes any image designed or likely to appeal to minors, including cartoons, toys, animals, or children, or any other likeness to images, characters, or phrases that is designed in any manner to be appealing to or encourage consumption of persons under 21 years of age.

All of our exterior signage will also comply with local ordinances and permitting requirements. Given the nature of the site, we will most likely have the store’s name displayed on the building above the entrance, as with the other current tenant in the building, and may have a marquee/elevated sign as well.

Attachment 8 - Petitioner Submission - Affidavit of Compliance

PROJECT EQUITY ILLINOIS, INC.
1006 JC Parkway

AFFIDAVIT

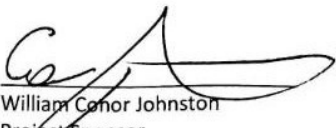
March 24, 2022

To the City of Bloomington,

As the project sponsor for Project Equity Illinois, Inc., I affirm the project complies with the following specific operational standards of §44-1039 H.1. and all other requirements of the Act:

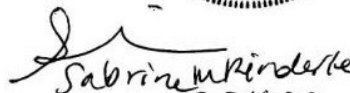
H. Specific operational standards. The following additional requirements shall apply:

- (1) Adult-use cannabis dispensing organization ("dispenser"). In those zoning districts in which an adult-use cannabis dispensing organization may be located, the proposed dispenser must comply with the following:
 - (a) Dispenser may not be located within 500 feet of the property line of a preexisting public or private nursery school, preschool, primary or secondary school, day-care center, day-care home, residential care home, place of worship or park/playground. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this section.
 - (b) Dispenser may not be located within 250 feet of the property line of a preexisting property zoned R1 A, R1 B, R1 C, R1 H, R2, R3A, R3B, R4 GAP 1, GAP 2, GAP 3, GAP 4.
 - (c) At least 75% of the floor area of any tenant space occupied by a dispensing organization shall be devoted to the activities of the dispensing organization as authorized by the Act, and no dispenser shall also sell food for consumption on the premises.
 - (d) Dispenser may not conduct any sales or distribution of cannabis other than as authorized by the Act.
 - (e) Dispensers that display or sell drug paraphernalia shall do so in compliance with the Illinois Drug Paraphernalia Control Act (720 ILCS 600/1 et seq.) and the Cannabis Regulation and Tax Act.
 - (f) Dispensers may not have a drive-through service window.
 - (g) All dispensers must be equipped with a secure unloading space for the reception of deliveries of recreational cannabis and recreational cannabis-infused products, which space must be:
 - [1] Located within an enclosed area of the principal structure in which the adult-use cannabis dispensing organization operates;
 - [2] Secured by doors that are closed and locked during all times that deliveries of recreational cannabis or recreational cannabis-infused products are unloaded; and
 - [3] A restricted-access area.
 - (h) All dispensers must be located at least 1,500 feet from the property line of another adult-use cannabis dispensing organization.


William Connor Johnston
Project Sponsor
Project Equity Illinois, Inc.

3.24.22
Date




Sabrina M. Rinderle
3.24.22

Attachment 9 - Courtesy Notification Information

Neighborhood notice map (500 feet)



Posted Notice of Public Hearing

