

**ORDINANCE 14-16**

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO GREENHOUSE GROUP, L.L.C., FOR THE OPERATION OF A MEDICAL CANNABIS CULTIVATION CENTER ON 10 ACRES OF LAND LOCATED SOUTHEAST OF 7000N ROAD AND 1000E ROAD, MANTENO OF MANTENO, ILLINOIS**

TIMOTHY O. NUGENT

Village President

TIMOTHY J. BOYCE  
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DIANE DOLE  
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Trustees

ALISA BLANCHETTE

Village Clerk

Prepared by  
LOUIS F. CANKAR, LTD.  
Village Attorney

## ORDINANCE NO. 14-16

### **AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO GREENHOUSE GROUP, L.L.C., FOR THE OPERATION OF A MEDICAL CANNABIS CULTIVATION CENTER ON 10 ACRES OF LAND LOCATED SOUTHEAST OF 7000N ROAD AND 1000E ROAD, MANTENO OF MANTENO, ILLINOIS**

WHEREAS, the Village of Manteno has entered into an annexation agreement with Lisa Martin, governing approximately 80 acres of land located southeast of 7000N Road and 1000E Road (“Greater Property”), which provides that Greenhouse Group, L.L.C., a contract-purchaser of 10 acres of the Greater Property (“Subject Property”) is to be granted a special use permit to operation of a medical cannabis cultivation center on the Subject Property, upon its annexation to the Village of Manteno; and,

WHEREAS, on August 28, 2014 a public hearing was held pursuant to published notice and the Plan Commission did recommend that a special use permit be issued to Greenhouse Group, L.L.C. to operate a medical cannabis cultivation center on the Subject Property upon annexation to the Village of Manteno.

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of Manteno, Kankakee County, Illinois, as follows:

#### **Section 1**

That a special use permit is granted to Greenhouse Group, L.L.C. for the operation of a medical cannabis cultivation center on 10 acres of land located southeast of 7000N Road and 1000E Road, Village of Manteno, Illinois and legally described as follows:

That part of the South Half of the Northwest Quarter of Section 33, Township 32 North, Range 12 East of the Third Principal Meridian, Kankakee County, Illinois, described as follows: Commencing at the Northwest Corner of the South Half of the Northwest Quarter of said Section 33; thence South 89 Degrees 10 Minutes 56 Seconds East along the North Line of the South Half of said Northwest Quarter 634.04 Feet to the Point of Beginning; thence continuing South 89 Degrees 10 Minutes 56 Seconds East along said North Line 366.04 Feet; thence South 00 Degrees 59 Minutes 41 Seconds East 650.98 Feet; thence South 89 Degrees 10 Minutes 56 Seconds West 970.03 Feet; thence North 00 Degrees 58 Minutes 45 Seconds West 2.40 Feet; thence North 42 Degrees 02 Minutes 55 Seconds East 884.90 Feet to the Point of Beginning;

being a part of P.I.N.: (03) 02-33-100-003-0000.

#### **Section 2**

The Plan Commission’s August 28, 2014 recommendation and findings of fact are hereby incorporated into this ordinance by reference.

**Section 3**

This ordinance shall be in full force and effect after its passage and approval as provided by law.

This ordinance was passed and deposited in the office of the Village Clerk of the Village of Manteno this 2<sup>nd</sup> day of September, 2014.

AYES: 6

NAYS: 0

ABSTAIN: 0

DEPOSITED with the Village Clerk  
this 2<sup>nd</sup> day of September, 2014.

*Alisa Blanchette by Darla Huiley, Deputy*  
ALISA BLANCHETTE, Village Clerk

APPROVED by me this 2<sup>nd</sup>  
day of September, 2014.

*Timothy O. Nugent*  
TIMOTHY O. NUGENT, Village President

**PLAN COMMISSION RECOMMENDATION NO. 14-06**

**A RECOMMENDATION APPROVING A SPECIAL USE PERMIT TO GREENHOUSE GROUP, L.L.C., FOR THE OPERATION OF A MEDICAL CANNABIS CULTIVATION CENTER ON 10 ACRES OF REAL PROPERTY LOCATED SOUTHEAST OF 7000N ROAD AND 1000E ROAD UPON ITS ANNEXATION TO THE VILLAGE OF MANTENO**

Upon the application of Greenhouse Group, L.L.C. (“Applicant”), contract-purchaser of approximately 10 acres of land located southeast of 7000N Road and 1000E Road (“Subject Property”), pursuant to a proposed annexation agreement with the Village of Manteno providing for the Applicant to be granted a special use permit to operate a medical cannabis cultivation center on the Subject Property upon its annexation to the Village of Manteno, and after a public hearing on said petition held before the Plan Commission of the Village of Manteno on August 28, 2014, pursuant to duly published notice in accordance with the law, all interested persons having testified or otherwise participated therein, the said Plan Commission of the Village of Manteno hereby finds:

*Findings of Fact*

The Plan Commission of the Village of Manteno does hereby find that:

1. That it is empowered to recommend the granting of special use permits provided the exception will not have adverse effects on the public interest.
2. Applicant is the contract-purchaser of the Subject Property currently located in unincorporated Kankakee County, Illinois and legally described as follows:

That part of the South Half of the Northwest Quarter of Section 33, Township 32 North, Range 12 East of the Third Principal Meridian, Kankakee County, Illinois, described as follows: Commencing at the Northwest Corner of the South Half of the Northwest Quarter of said Section 33; thence South 89 Degrees 10 Minutes 56 Seconds East along the North Line of the South Half of said Northwest Quarter 634.04 Feet to the Point of Beginning; thence continuing South 89 Degrees 10 Minutes 56 Seconds East along said North Line 366.04 Feet; thence South 00 Degrees 59 Minutes 41 Seconds East 650 98 Feet; thence South 89 Degrees 10 Minutes 56 Seconds West 970.03 Feet; thence North 00 Degrees 58 Minutes 45 Seconds West 2.40 Feet; thence North 42 Degrees 02 Minutes 55 Seconds East 884.90 Feet to the Point of Beginning;

being a part of P.I.N.: (03) 02-33-100-003-0000.

3. The Applicant has duly filed its application with the Village Clerk requesting that a special use permit be issued for the operation of a medical cannabis cultivation center on the Subject Property upon its annexation to the Village of Manteno.

4. The Subject Property is located at the southernmost limits of the Village of Manteno.

5. The Subject Property is surrounded by real property used agriculturally, zoned industrial, and without residents.

6. The owners of real property surrounding the Subject Property are aware of the proposed use to be conducted on the Subject Property, and are concurrently entering into annexation agreements with the Village of Manteno to have their property annexed to the Village of Manteno, collectively.

7. The Applicant will provide adequate access for ingress and egress for pedestrians, vehicles, and emergency responders, and that the parking and loading areas will be designed to alleviate any adverse effect thereupon.

8. The Applicant will provide adequate facilities for refuse and services.

9. The Applicant will provide adequate protection to reduce the noise, glare, odor, drainage and erosion or other potentially adverse effects on nearby property.

10. The Applicant will provide a temporary sanitary sewage holding tank and well water service for the use until such time as it is required to connect to public utility systems.

11. The Applicant has provided satisfactory evidence that it will design and provide signage and lighting so as to be compatible and in harmony with surrounding areas and in such a manner so as to reduce glare and traffic distractions.

12. The Applicant has provided satisfactory evidence that it will comply with all yard and open spaces required of the I-2 Heavy Industrial District.

13. The establishment, maintenance and operation of a medical cannabis cultivation center on the Subject Property will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

14. The medical cannabis cultivation center will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor diminish or impair the value or use of property in nearby districts.

15. The medical cannabis cultivation center will not impede the normal and orderly development and improvement of surrounding property for uses permitted in their respective zoning districts.

16. The proposed medical cannabis cultivation center will not be located within 2,500 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, or residential care home.

17 The proposed medical cannabis cultivation center will not be located within 2,500 feet of the property line of a residentially zoned area.

18 The Applicant will not engage in retail sales from the medical cannabis cultivation center.

19 The Applicant's parking plan complies with the Class 24 classification codified at Section 9-12-7 of the Zoning Ordinance.

Recommendation

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the Village of Manteno, Kankakee County, Illinois, as follows:

**Section 1**

That the application of the Applicant, Greenhouse Group, L.L.C., seeking a special use permit for the operation of a medical cannabis cultivation center on the real property hereinafter described, pursuant to the provisions of the Village of Manteno Zoning Ordinance, Section 9-9B-4, Special Uses Permitted, be hereby recommended for approval upon its annexation to the Village of Manteno:

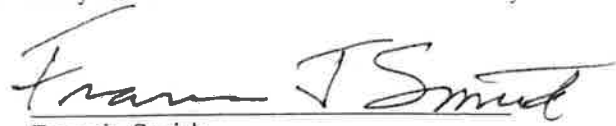
That part of the South Half of the Northwest Quarter of Section 33, Township 32 North, Range 12 East of the Third Principal Meridian, Kankakee County, Illinois, described as follows: Commencing at the Northwest Corner of the South Half of the Northwest Quarter of said Section 33; thence South 89 Degrees 10 Minutes 56 Seconds East along the North Line of the South Half of said Northwest Quarter 634.04 Feet to the Point of Beginning; thence continuing South 89 Degrees 10 Minutes 56 Seconds East along said North Line 366.04 Feet; thence South 00 Degrees 59 Minutes 41 Seconds East 650.98 Feet; thence South 89 Degrees 10 Minutes 56 Seconds West 970.03 Feet; thence North 00 Degrees 58 Minutes 45 Seconds West 2.40 Feet; thence North 42 Degrees 02 Minutes 55 Seconds East 884.90 Feet to the Point of Beginning;

being a part of P.I.N.: (03) 02-33-100-003-0000.

**Section 2**

The recommendation be conditioned upon Applicant's compliance with the terms and provisions of an annexation agreement governing the Subject Property, and the development thereof in conformance with Village-approved submissions.

Passed by the Plan Commission of the Village of Manteno at a Regular Meeting thereof held on the 28<sup>th</sup> day of August, 2014 and approved by me as Chairman on the same day.



Francis Smith  
Plan Commission Chairman

ATTEST:

