

**TO:** Plan Commission  
**FROM:** Joel Strassman, Planning and Zoning Officer  
**DATE:** June 29, 2022  
**SUBJECT: PUBLIC HEARING** – Conditional Use Permit for a Cannabis Infuser and Transporting Organization  
CRM Enterprises, 1525 Paramount Parkway  
Jeremy Casiello, CRM Enterprises, applicant

**Background:** Applicant Jeremy Casiello is seeking approval of a Conditional Use Permit for CRM Enterprises, a cannabis infuser and transporting organization. CRM would be the center tenant occupying a 4,000 square foot lease space in the 17,200 square foot building located at 1505-1545 Paramount Parkway.

The subject property is zoned GI General Industrial, a zoning district that allows cannabis infuser organizations and allows cannabis transporting organizations with Conditional Use approval. Cannabis infusers and transporters were added as allowed conditional uses in the GI District with adoption of [Ordinance 21-12](#).

**Summary of Information from Applicant:** Mr. Casiello supplied to staff security information for both the infusion and transportation operations, the infusion process plan, and waste and ventilation plans that were submitted to the State of Illinois in support for its State cannabis business licensing application. Also needed for State licensing is a letter from the local jurisdiction stating that the property is properly zoned for the specified cannabis uses. Due to the sensitive nature of this information, staff is not attaching it to this memo. Attached is a floor plan of the lease space identifying locations for offices, production, storage, and parking for the cannabis transport vehicle.

CRM's production operation uses Tetrahydrocannabinol (THC) and Cannabinoid (CBD) distillates that are produced off premises; no cannabis products are manufactured onsite. Consumable products are infused with the distillates at this location. The lease space would be improved with a commercial kitchen in which the THC/CBD infused products are produced and packaged.

CRM's security plans provide information addressing compliance with the [Illinois Department of Agriculture Cannabis Regulation and Tax Act](#) and [Illinois Compiled Statutes Cannabis Regulation and Tax Act](#). The State of Illinois will confirm full compliance as part of its licensing review and issuance. CRM's vehicle used in transport of products containing cannabis products will be kept inside the lease space. The ventilation plan addresses only indoor air and not air exhausted outside. In response to staff inquiry on cannabis odors, Mr. Casiello responded that the distillates used are odorless and no hazardous, flammable, or toxic chemicals are used on the premises. All waste would be kept internal to the lease space and placed outside only on the day of collection. The waste plan commits compliance to local and State requirements.

Mr. Casiello was issued a building permit to add planks to the existing chain link fence-enclosed outdoor storage area extending west from the building; he expects planks to be installed by July 16. With plank installation complete and relocating the property's dumpsters to this enclosure, the property will comply with the Zoning Code requirement for a screened, enclosed refuse storage area. Staff informed Mr. Casiello that these must be completed within 60 days of Conditional Use approval, or the approval will be void.

**Staff Analysis:** Staff is supportive of this proposal. Both cannabis infusers and transporters are specifically allowed with Conditional Use approval for this property's GI District zoning classification. The site is not within 500 feet of residentially zoned or used property, a requirement for conditional use approval. With no cannabis processing conducted on site, detectible cannabis odors are not expected. City staff, including Police and Fire, cited no immediate concerns with this business as proposed, except for the possibility of cannabis odors. CRM will need to inform Batavia Police on the business's day-to-day operations and security protocols and procedures for officer situational awareness before opening.

The requirement for conditional use approval for cannabis related business is to ensure a facility can and does comply with the City's zoning requirements. Staff feels the applicant has demonstrated the ability to comply. Due to the absence of experience the City has with cannabis infusers and specifically odors

associated with such businesses, staff feels it is reasonable to include a condition of approval requiring an odor filtration system be installed if the City receives multiple complaints about odors. Additionally, staff feels conditions of approval for completion of the solid-fence enclosure, mandating internal storage of refuse except for collection days, and site dumpsters shall be used on collection days and be always kept in the screened outdoor storage enclosure be imposed for staff to sign the State Notice of Proper Zoning form and for the Conditional Use to remain effective.

**Findings:** In reviewing and recommending a Conditional Use, the Plan Commission must arrive at findings required by Section 5.403.A in Zoning Code Chapter 5.4: Use Permits. Listed below are the required findings from the Code and a draft of findings for Commission consideration based on information available before the hearing.

1. The proposed use will not be detrimental to health, safety, or general welfare of persons living or working in the vicinity, to adjacent property, to the neighborhood, or to the public in general.  
**FINDING:** As proposed, and to be conditioned for approval, CRM Enterprises would not impede health or safety to persons and property nearby. The business would be compatible with its surroundings and the public in general. All Zoning Code requirements would be met.
2. The proposed use, as conditioned, conforms with the purposes, intent, and policies of the Comprehensive Plan and any applicable area, neighborhood, or other plan adopted by the City Council.  
**FINDING:** Goal 1 of the Batavia Comprehensive Plan's Land Use Element is to provide a balance of land uses. Despite being allowed in the City, there is no cannabis related business. The proposed would add balance to the City's stock of land uses. Policy a in this Element's Goal 7 seeks adaptive reuse of older industrial areas. The proposed business represents a growing manufacturing business that is consistent with this Policy. The Comprehensive Plan's Economic Development & Redevelopment Element identifies the Issue of the City's northeast business parks to provide employment opportunities. The proposed business would provide employment opportunity for specialized production skills not currently available in the City.
3. The proposed use conforms with the conditions, requirements, or standards required by the Zoning Code and any other applicable local, State, or Federal requirements.  
**FINDING:** The proposed use is allowed with Conditional Use approval. The business would operate in accordance with applicable laws, including being checked through a rigorous State licensing process to ensure the strict laws of the State are followed.
4. The proposed use, as conditioned, would not unreasonably interfere with the enjoyment of nearby properties.  
**FINDING:** As conditioned for approval, the proposed use would not interfere with the enjoyment of nearby properties.

**Staff Recommendation:** Staff recommends the Commission open, conduct, and close the public hearing after all wishing to speak have been heard. Before taking action on the Conditional Use, the Commission must adopt the aforementioned Findings.

Staff recommends the Commission recommend approval for a Conditional Use Permit for a Cannabis Infuser Organization and a Cannabis Transporting Organization in the existing approximately 4,000 square foot lease space at 1525 Paramount Parkway, subject to the following conditions:

1. The Conditional Use Permit is granted to Jeremy Casiello dba CRM Enterprises and is not transferrable.
2. CRM Enterprises shall implement odor abatement processes and/or install odor abatement equipment if requested by the City to address complaints regarding odors or if the City Code is amended to require odor abatement. The required abatement shall be implemented within 90 days of the request or amendment.
3. A solid-fence outdoor storage area within which the site's refuse containers must be kept shall be completed within 60 days of Conditional Use approval and all refuse shall be kept in the lease space

except for collection days, and site dumpsters shall be used on collection days and be always kept in the screened outdoor storage enclosure or said approval shall be null and void.

4. Applicant must pass building permit inspection for the solid-fence outdoor storage area and then request Planning Division staff inspect the property for proper dumpster storage before staff signs the State Notice of Proper Zoning form for the cannabis infuser/transporter.

Attachment: Floor Plan

- c Mayor and City Council  
Department Heads  
Jeremy Casiello, CRM Enterprises, applicant  
Media

# 1525 Paramount Prkwy. Batavia

