

CASES 096-AM-23 and 097-S-23

SUPPLEMENTAL MEMORANDUM #1

June 29, 2023

Petitioner: Evergreen Cremation Services

Request:

Case 096-AM-23

Amend the Zoning Map to change the zoning district designation from the I-1 Light Industry Zoning District to the AG-2 Agriculture Zoning District in order to establish and operate the proposed Special Use in related Zoning Case 097-S-23.

Case 097-S-23

Authorize a Special Use to establish a crematory on land that is proposed to be rezoned to the AG-2 Agriculture Zoning District in related zoning case 096-AM-23, with the following waivers, on the subject property described below.

Waiver Part A: A lot area of 1.69 acres in lieu of the minimum required 10 acres for a crematory.

Waiver Part B: A setback of 72 feet from the street centerline of Tiffany Court in lieu of the minimum required 100 feet for a crematory.

Location: Lot 3 of Stahly Subdivision in the Southeast Quarter of the Southeast Quarter of Section 8, Township 19 North, Range 8 East of the Third Principal Meridian in Champaign Township with an address of 314 Tiffany Court, Champaign.

Site Area: 1.69 acres

Time Schedule for Development: As soon as possible

Prepared by: Susan Burgstrom, Senior Planner
John Hall, Zoning Administrator

STATUS

An article regarding the proposed crematory was published in the News Gazette on June 27, 2023 (Attachment B).

Attachment C is a request from a local resident requesting denial of the crematory Special Use Permit and related rezoning due to air quality concerns.

IEPA AIR PERMIT REQUIRED

Darwin Field, a representative of Illinois Environmental Protection Agency called in response to the News Gazette article about the proposed crematory. Darwin used to work in the IEPA Air Bureau and in that position, he received numerous complaints about local crematories. These were complaints mainly about pet and animal crematories.

Darwin explained that in his experience a crematory needs to have a “secondary chamber” maintained at 2200 degrees Fahrenheit and when the temperature drops below that it will produce black ash and that will result in complaints.

Darwin said that a crematory does require an IEPA Air Permit. A special condition has been added to ensure compliance.

PROPOSED SPECIAL CONDITIONS – NEW CONDITION ADDED

There is one special condition proposed for the Map Amendment:

- A. **Should a text amendment allowing a crematory in I-1 Light Industry Zoning District be approved in the future, the zoning for the subject property shall revert to the I-1 District.**

The special condition stated above is required to ensure the following:

That zoning for the subject property reflects the general intent of the Zoning Districts.

The following special conditions are proposed for the Special Use:

- A. **The Special Use is subject to the approval of Case 097-AM-23.**

The special condition stated above is required to ensure the following:

That it is consistent with the intent of the ordinance and the ZBA recommendation for Special Use.

- B. **The Zoning Administrator shall not issue a Zoning Compliance Certificate for the proposed construction until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code.**

The special condition stated above is required to ensure the following:

That the proposed Special Use meets applicable State requirements for accessibility.

- C. **The Zoning Administrator shall not authorize a Zoning Compliance Certificate until the petitioner has demonstrated that any new or proposed exterior lighting on the subject property will comply with the lighting requirements of Section 6.1.2.**

The special condition stated above is required to ensure the following:

That the proposed uses are in compliance with the Zoning Ordinance.

- D. **The petitioners shall apply for a Change of Use Permit within 30 days of approval of Zoning Case 096-AM-23.**

The special condition stated above is required to ensure the following:

That the use complies with permitting requirements in the Zoning Ordinance.

- E. The petitioners shall provide documentation to the Zoning Administrator of the approved IEPA Air Permit prior to commercial use of the crematory.**

The special condition stated above is required to ensure the following:
That air quality meets IEPA requirements.

ATTACHMENTS

- A Legal advertisement
- B News Gazette article dated June 27, 2023
- C Email from Mary Myhr received June 27, 2023

LEGAL PUBLICATION: WEDNESDAY, JUNE 14, 2023

CASES: 096-AM-23 and 097-S-23

NOTICE OF A PUBLIC HEARING IN REGARD TO A REZONING AND A SPECIAL USE PERMIT WITH WAIVERS ON PROPERTY IN UNINCORPORATED CHAMPAIGN COUNTY UNDER THE PROVISIONS OF THE CHAMPAIGN COUNTY ZONING ORDINANCE.

Justin Blake, Chairman, and Heidi Blake, 2199 Parrish Dr, St. Joseph; Les Cotton, Chairman, and Emily Cotton, 302 Harlan Wise Dr, St. Joseph; Vincent Sims, President, and Cheryl Sims, 2806 Susan Stone Dr, Urbana, d.b.a. Evergreen Cremation Services Inc, 702 Bloomington Rd, Suite 102, Champaign, have filed petitions for a Zoning Map Amendment and a Special Use Permit from the provisions of the Champaign County Zoning Ordinance on property in unincorporated Champaign County. The petitions are on file in the office of the Champaign County Department of Planning and Zoning, 1776 East Washington Street, Urbana, IL.

A public hearing will be held **Thursday, June 29, 2023 at 6:30 p.m.** prevailing time in the Shields-Carter Meeting Room, Brookens Administrative Center, 1776 East Washington Street, Urbana, at which time and place the Champaign County Zoning Board of Appeals will consider petitions for the following:

CASE 096-AM-23

Amend the Zoning Map to change the zoning district designation from the I-1 Light Industry Zoning District to the AG-2 Agriculture Zoning District in order to establish and operate the proposed Special Use in related Zoning Case 097-S-23, on the subject property described below.

CASE 097-S-23

Authorize a Special Use to establish a crematory on land that is proposed to be rezoned to the AG-2 Agriculture Zoning District in related zoning case 096-AM-23, with the following waivers, on the subject property described below.

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SUBJECT PROPERTY

Lot 3 of Stahly Subdivision in the Southeast Quarter of the Southeast Quarter of Section 8, Township 19 North, Range 8 East of the Third Principal Meridian in Champaign Township with an address of 314 Tiffany Court, Champaign.

All persons interested are invited to attend said hearing and be heard. If you would like to submit comments or questions before the meeting, please call the P&Z Department at 217-384-3708 or email zoningdept@co.champaign.il.us no later than 4:30 pm the day of the meeting. The hearing may be continued and reconvened at a later time.

Ryan Elwell, Chair
Champaign County Zoning Board of Appeals

TO BE PUBLISHED: WEDNESDAY, JUNE 14, 2023 ONLY

Send bill and one copy to: Champaign County Planning and Zoning Dept.

Brookens Administrative Center
1776 E. Washington Street
Urbana, IL 61802
Phone: 384-3708

Our News Gazette account number is 99225860.

New 'molecular prosthesis' treatment for cystic fibrosis created by UI team led by Professor Marin Burke enters clinical trials — B-1



7-TIME ILLINOIS PRESS ASSOCIATION NEWSPAPER OF THE YEAR

The News-Gazette



Champaign-Urbana, Danville and East Central Illinois

\$2.50

TUESDAY, JUNE 27, 2023

BREAKING NEWS AT NEWS-GAZETTE.COM

Year 171, No. 283

CHAMPAIGN COUNTY: ON THE AGENDA

Price is right for proposed crematory

Zoning director: Despite lower rates, 'I have taken calls from neighbors who think ... a rural area would be better'

By DEBRA PRESSEY

dpressey@news-gazette.com

CHAMPAIGN — A local cremation service is asking county officials for a zoning change and variances to open a new crematory just outside the western edge of Champaign.

The request, made by the owners of Evergreen Cremation Services of Champaign, will be taken up Thursday by the county's

At news-gazette.com

PODCAST: VP Jim Rossow and Editor Jeff D'Alessio hosted Monday's 'Penny for Your Thoughts'



Zoning Board of Appeals.

The site of the new crematory would be an existing building at 314 Tiffany Court, west of Staley Road and north of Springfield Avenue, just outside city limits.

Evergreen, which currently has its office at 702

Bloomington Road, has been in business since 2021 and is currently using crematories in Decatur and Danville. This would be the first facility of its own, according to co-owner Vincent Sims.

Please see CREAMATORY, A-7



The site of a proposed crematory at 314 Tiffany Court in Champaign. Robin Scholz/The News-Gazette

CREMATORY

Continued from A-1

Evergreen has been building its business in part by offering cremations for \$995, about one-third of the price charged by some competitors, Sims said.

"I'm just trying to help out folks who aren't in a position to pay \$3,000 or \$3,500," he said.

A sale is pending on the Tiffany Court property, which was listed for \$400,000.

Sims said there is an existing 40-by-60-foot building on the property that would be used for the crematory, with

some alterations. With the go-ahead from county officials, he said, the facility likely wouldn't be up and running until after Jan. 1 depending on how long it would take for equipment to be shipped and installed.

Specifically, Evergreen and its owners are asking the zoning board to sign off on a change from light industrial to agricultural zoning for the property. They're also requesting a special-use permit under Ag-2 agricultural zoning and waivers in the minimum required acreage



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and setback for a crematory.

That would mean allowing a lot area of 1.69 acres instead of the

required 10 acres and a setback of 72 feet instead of the required 100 feet, according to county officials.

Champaign County Planning and Zoning Director John Hall said he and his staff have several questions that likely won't be answered until Thursday's zoning board meeting. That includes what sort of environmental impacts there may be, such as how air quality may be affected, and what kind of wastewater comes from a crematory.

"I have taken calls from neighbors who think that locating this in a rural area would be better," Hall said.

Sims, a licensed funeral director and embalmer, said in regard to the impact of a crematory on air quality, "everybody brings that up."

He has videos of several crematories and their smokestacks, he said, "and the pizza restaurants and steak restaurants have more coming out of their smokestacks than we do."

He also said there's definitely a need for the crematory he wants to open.

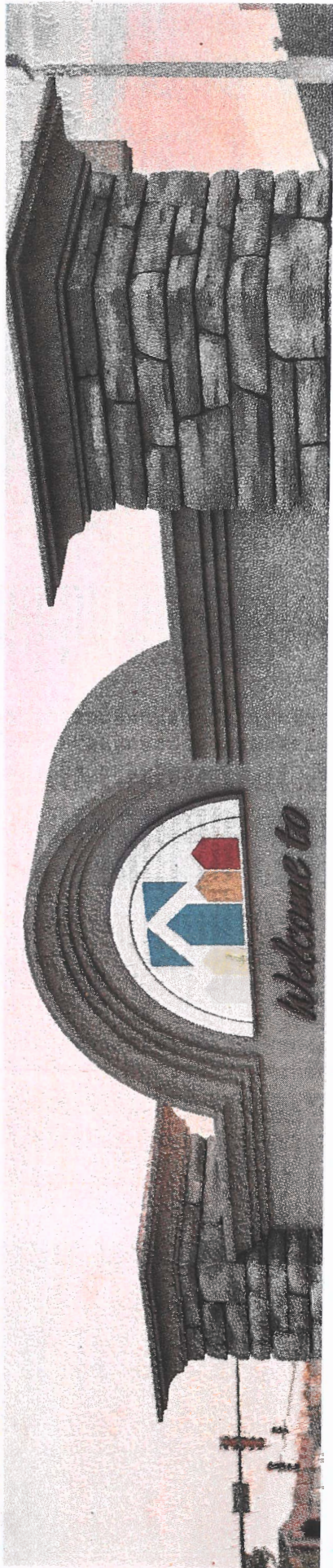
Nationally, the cremation rate in the U.S. was 59 percent last year, and it was projected to reach just over 65 percent by 2027, according to the Cremation Association of

North America.

If the zoning board signs off on Evergreen's plans, the county board would have to approve the changes being sought. And because the property is located within a mile and a half of its limits, the city of Champaign has protest rights.

Champaign city planner Kat Trotter said Evergreen's plans have already been reviewed, and city officials won't be expressing any concerns or comments about the plans to the county.

The county Zoning Board of Appeals is set to meet at 6:30 p.m. Thursday at the Brookens Administrative Center, 1776 E. Washington St., U.



Susan Burgstrom

From: Stephanie N. Berry
Sent: Tuesday, June 27, 2023 2:36 PM
To: John Hall
Cc: Susan Burgstrom
Subject: FW: Evergreen Cremation Services variance request - Please deny

From: Mary Myhr <maryannmyhr@hotmail.com>
Sent: Tuesday, June 27, 2023 2:35 PM
To: zoningdept <zoningdept@co.champaign.il.us>
Subject: Evergreen Cremation Services variance request - Please deny

CAUTION: External email, be careful when opening.

To: Director John Hall and the Zoning and Planning Board for Champaign County, IL

Please do not allow a crematorium to be built at 314 Tiffany Court, Champaign Il. That location is too close to several residential areas. There is also an elementary school a mile from the site and a future school to be built less than a mile from the site. There is already an outdoor sports complex for that school called The Field of Dreams. Since air quality is definitely an issue the Evergreen Place Assisted Living facility is only 0.3 miles from that location. These facilities include children and adults at risk for respiratory illnesses.

According to the National Institutes of Health "Crematoriums are sources of air pollution including mercury emission and may cause plausibly subtle chronic health effects due to long-term low-dose exposure." This is from an article from the National Library of Medicine, June 10,2020.

One last note, they are asking for variances that are way less than the required 10 acres and 100 foot setback. Please do not allow this facility to be built.

Sincerely,
Mary Myhr
2106 Talans Dr
Champaign Il 61822

Sent from [Mail](#) for Windows

RECEIVED

JUN 27 2023

CHAMPAIGN CO. P & Z DEPARTMENT