

Village of Lemont
Planning and Zoning Commission
Regular Meeting of November 6, 2019

A regular meeting of the Planning and Zoning Commission for the Village of Lemont was held at 6:30 p.m. on Wednesday, November 6, 2019 in the second floor Board Room of the Village Hall, 418 Main Street, Lemont, Illinois.

I. CALL TO ORDER

A. Pledge of Allegiance

Chairman Studebaker called the meeting to order at 6:35 p.m. He then led the Pledge of Allegiance.

B. Verify Quorum

Upon roll call the following were:

Present: Carmody, McGleam, O'Connor, Pawlak, Zolecki, Studebaker

Absent: Cunningham

Community Development Director Jason Berry, Community Development Manager Mark Herman, Consulting Planner Jamie Tate, Village Attorney Mike Stillman and Village Trustee Ron Stapleton were also present.

C. Approval of Minutes – October 2, 2019 Meeting

Commissioner McGleam made a motion, seconded by Commissioner O'Connor to approve the minutes from the October 2, 2019 regular meeting with no changes. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

II. CHAIRMAN'S COMMENTS

Chairman Studebaker asked anyone in the audience who was planning on speaking in regards to any of the public hearings this evening to please stand and raise his/her right hand. He then administered the oath.

III. PUBLIC HEARINGS

A. 19-16 – 541 LEDOCHOWSKI STREET VARIATION

Chairman Studebaker stated he would abstain from voting on this public hearing because he lives within 250 feet from the proposed site. He then called for a motion to open the public hearing for Case 19-16.

Commissioner McGleam made a motion, seconded by Commissioner Zolecki to open the public hearing for Case 19-16. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Staff Presentation

Jamie Tate, Consulting Planner, said the applicant is Saint Cyril and Methodius Church who is requesting a variance to access a new attached garage from the street rather from the alley. When there is an alley that is available or existing, the UDO requires that a garage on the lot, whether attached or detached, would access from the alley. The variation request would accommodate the existing single-family home and detached garage being demolished and replaced with a new home and attached front-loading garage. The purpose of the development is to allow for a new rectory home with guest suites and rooms. The development will meet all other parts of the UDO.

The existing zoning is R-4A and is surrounded by single-family homes and the church related uses. At this time, the existing home on the property has been demolished. In order to expedite the process, staff has taken this application before the Committee of the Whole. There were no additional comments or conditions proposed. The application is compatible with the Comprehensive Plan in terms of Infill Residential.

Mrs. Tate stated the new home is proposed to be front-loading and to be accessed from Ledochowski Street. The previous garage was accessed also from Ledochowski Street. The alley does not serve the property to the north as well. The applicant has stated that there is a grade change with an existing retaining wall between the property and the alley. There are three Standards for Variations that the Planning and Zoning Commission need to look at. She then read through the standards which are listed in staff's report. In conclusion, staff does not find a significant difference in the previous condition versus the new proposal and therefore is recommending approval of the proposed variation.

Chairman Studebaker asked if any of the Commissioners had any questions for staff. None responded. He then asked the applicant if he wanted to make a presentation.

Applicant Presentation

Father Valdi, Pastor of Saint Cyril Church, said they are looking to pursue to build a rectory for St. Cyril clergy. This is the only property that they have. The previous existing home was too small so they want to replace it with the proper residence for

current clergy. The variation would be helpful to everyone including the neighbor to the north.

Chairman Studebaker asked if there were any questions for the applicant from the Commission. None responded.

Public Comment

Chairman Studebaker asked if there was anyone in the audience that wanted to speak in regards to this public hearing. None responded. He then called for a motion to close the public hearing.

Commissioner Zolecki made a motion, seconded by Commissioner McGleam to close the public hearing for Case 19-16. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Plan Commission Discussion

Chairman Studebaker asked if there were any further questions or comments from the Commission. None responded.

Plan Commission Recommendation

Chairman Studebaker then called for a motion for recommendation.

Commissioner Zolecki made a motion, seconded by Commissioner McGleam to recommend to the Mayor and Board of Trustees approval of Case 19-16 - 541 Ledochowski Street Variation. A roll call vote was taken:

Ayes: Zolecki, McGleam, Pawlak, Carmody, O'Connor

Nays: None

Abstain: Studebaker

Motion passed

Findings of Fact

Commissioner McGleam made a motion, seconded by Commissioner O'Connor to authorize the Chairman to approve the Findings of Fact for Case 19-16 as prepared by staff. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

B. 19-17 – ROUTE 83 AND MAIN STREET UNIFIED DEVELOPMENT ORDINANCE TEXT AND MAP AMENDMENTS

Chairman Studebaker called for a motion to open the public hearing for Case 19-17.

Commissioner McGleam made a motion, seconded by Commissioner Zolecki to open the public hearing for Case 19-17. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Staff Presentation

Jason Berry, Community Development Director, came up and made a presentation in regards to the history and annexation of the properties located at Route 83 and Main Street.

Mrs. Tate said the hearing is for the rezoning of the properties at Route 83 and Main and a text amendment to make freight transportation terminals a special use in M-2 Zoning District and a prohibited use in M-1 Zoning District. They are currently allowed and will remain allowed in the M-3 Zoning District.

The existing zoning is R-1 Single-Family detached and M-2 General Manufacturing District. The surrounding land use consists of M-2 to the north, Unincorporated Cook County Residential with existing homes to the south, Unincorporated Cook County Sag Quarries and Cook County Forest Preserve to the east, and M-2 Industrial to the west. In order to be consistent with development goals of the Village's Memorandum of Understanding (MOU) with Bluestone and also to ensure future development the following is being proposed:

- The Village properties with frontage on Route 83 or the old Bell Road right-of-way are zoned as B-3 Arterial Commercial. The Meno Stone office building is proposed to be rezoned as B-3. This corrects the legal non-conforming office use of the property, which is not permitted in the current M-2 General Manufacturing zoning district and maintains commercial uses in the future along the heavily-trafficked IL-83.
- Properties along Main Street west of the proposed commercial parcels zoned M-1 Light Manufacturing. These parcels are currently zoned M-2, however the UDO states M-1 may be located adjacent to R districts. Property south of Main Street is zoned R-4 Single Family Detached.
- The text amendment for Freight Transportation Terminal.

Mrs. Tate stated in regards to the Comprehensive Plan, the Future Land Use Map designates this area as Community Retail and Employment Center. In the Comprehensive Plan it talks about these Economic Activity Centers and there are ten of them in the Village of Lemont. The proposed property is one of these Economic Activity Centers. In the Plan there is also an implementation action that you find in the different sections of the plan. One is to develop inviting gateways into Lemont. These are key intersections and corridors that represent major points of entry into the community. The proposed property is one of these key points of entry. Lastly, to annex economic activity centers that are key to the Village's growth that are not

currently Village limits. The Village has been focused on this area and has been strategic with annexing these properties.

The Commission should look at the LaSalle Factors for the standards for rezoning. She then read through the eight different standards which are listed in staff's report. The text amendment will help clean up the existing land uses that are there currently. It will also not allow for those truck uses on those fronted Main Street parcels that are there.

Mrs. Tate said in conclusion rezoning provides the opportunity for redevelopment of the property. The current zoning is fragmented and is not conducive to development with a mix of commercial, light and general manufacturing. This will further the goals of the Comprehensive Plan and falls in line with the UDO intentions. The Village has been strategic during the redevelopment process and rezoning. Staff is recommending approval of the rezoning and text amendment.

Chairman Studebaker asked if there were any questions from the Commission for staff.

Commissioner McGleam asked if there were any plans for changing the current R-4 Zoning south of Main Street.

Mr. Berry stated there is not.

Commissioner McGleam asked if staff could explain the current R-1 zoning on the property.

Mrs. Tate said when you annex into the Village it is the default zoning. There was no plan at the time these properties were annexed into the Village. The Village wanted to wait till they had all the properties then come in and rezone.

Commissioner O'Connor asked in regards to the text change for the freight how this will affect other M-1 buildings.

Mrs. Tate stated it will make them legal non-conforming. They are allowed to continue until they go out of business. If someone buys the business it will transfer but if it sits for six consecutive months then it would go away.

Chairman Studebaker asked if there were any further questions. None responded.

Public Comment

Chairman Studebaker asked if there was anyone in the audience that wanted to speak in regards to this public hearing.

Stephanie Kovacik asked if this zoning change would support a cannabis recreational dispensary.

Mr. Herman said right now the zoning ordinance does not address recreational cannabis. The fourth item on tonight's agenda is text amendments that would address recreational cannabis and it does involve the B-3 zoning as currently proposed.

Ms. Kovacik asked if staff could explain the B-3 zoning.

Mr. Herman stated the B-3 zoning is a zoning district that the Village has for arterial commercial districts. There are currently properties on State Street and 127th that have B-3 zoning. The B-3 zoning are areas that have retail uses that are generally heavy traffic areas. As proposed the properties off of Route 83 would have B-3 zoning if approved.

Sue Palm asked how traffic is going to be controlled in the area.

Mr. Berry said any project that is presented for Route 83 or Main Street would be under the jurisdiction of the Illinois Department of Transportation (IDOT). Any new development would have to seek the approval of the Department of Transportation. They are expanding that intersection and providing two additional left turning lanes. There was a traffic study that was produced and was sent to IDOT for comment. They will control the location of ingress/egress to the sites.

Chairman Studebaker asked if there was anyone else that wanted to speak in regards to this public hearing. None responded. He then called for a motion to close the public hearing.

Commissioner O'Connor made a motion, seconded by Commission Carmody to close the public hearing for Case 19-17. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Plan Commission Discussion

Chairman Studebaker asked if there were any further questions or comments from the Commission. None responded.

Plan Commission Recommendation

Chairman Studebaker called for a motion for recommendation.

Commissioner McGleam made a motion, seconded by Commissioner O'Connor to recommend to the Mayor and Board of Trustees approval of Case 19-17 Route 83 and

Main Street Zoning Change and Text Amendments as proposed by staff. A roll call vote was taken:

Ayes: McGleam, O'Connor, Zolecki, Pawlak, Carmody, Studebaker

Nays: None

Motion passed

Findings of Fact

Commissioner McGleam made a motion, seconded by Commissioner Zolecki to authorize the Chairman to approve the Findings of Fact for Case 19-17 as prepared by staff. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

C. 19-18 – DOWNTOWN DISTRICT (DD) UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENTS

Chairman Studebaker called for a motion to open the public hearing for Case 19-18.

Commissioner McGleam made a motion, seconded by Commissioner Zolecki to open the public hearing for Case 19-18. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Staff Presentation

Mrs. Tate said the purpose of the request is to ensure development within the Downtown District is consistent with the standards for development elsewhere in the Village. The Downtown Zoning was adopted in 2005 which was following the Downtown Master Plan creation. The downtown used to be zoned B-3 and then they created this Downtown District. Staff found that there are some great reasons as to why it was created such as keeping the traditional standards for city building, the historic architect and ambience, mixed uses and increase the public parking. The changes they are proposing this evening has nothing to do with changing the intentions for the downtown. She then showed rendering and pictures from the Master Plan that was created in 2005.

Currently, the DD has two types of review and thresholds, staff is proposing to eliminate Type I and Type II and create a more astrictive type of version of Type II thresholds to the Mandatory Planned Unit Development section. This is how they regulate the remainder of development and such in the UDO. It will significantly reduce the number of dwelling units that would require a PUD and the urban design standards, architectural standards and the street type requirements will still all be required.

Mrs. Tate stated they are also proposing to amend the Regulating Plan in the DD. This will extend the Main Street designation. It will be proposed to end at Lockport Street. The purpose of the change is to maintain the first floor commercial use, which is mandatory in the Main Street standards and not mandatory in the Neighborhood Standards.

When comparing the changes to the Thresholds for PUD one change will be to the number of units. Currently, it says you don't need to go to Type II unless it is more than 20 units and staff is proposing to change that to 7 units. There was concern with certain buildings where they would want to look at the parking. Staff is also changing the height from 35 feet to 37 feet. Currently, Main Street standards are at 37 feet so they just want to make it the same across the board. For all other development they are still required to meet architectural standards, urban design standards and street type standards and the same for the PUD's. This would conclude staff's presentation.

Chairman Studebaker asked if the Commission had any questions for staff.

Commissioner Zolecki stated that staff talked about Thresholds for Type I and Type II but there are also processes of approval within the Type I and Type II. He asked if there was a deferral to the PUD process with the elimination of the Type I and Type II process.

Mrs. Tate said yes. The way it was before it would skip the Planning and Zoning Commission (PZC) so this would make sure that the public hearing for the PUD would follow the normal process and come before the PZC.

Commissioner Zolecki stated the proposal is to keep 17.090.040 with the amendments proposed but it is titled Review and Approval. For clarity they are striking all the approval pieces so it might need to be retitled to Review Standards. There might need to be a blanket statement that ties 17.080 to this section. He then showed Mrs. Tate a section 17.09.01B where it states this Chapter and he recommended changing it to Ordinance. On the map, the pages that follow there is the definitions of each of those areas. At the bottom of each page it will say "Other Considerations" and it talks about whether residential is allowed on first floor or not. He asked if it is easier to just change the neighborhood designation to mandate the commercial like others do.

Mr. Berry said the questions is would you require first floor commercial on orange streets. What they are proposing is the remainder orange would not be required to have first floor commercial. He said they could bring it to the Committee of the Whole.

Chairman Studebaker asked if any other Commissioners had any questions. None responded.

Public Comment

Ms. Kovacik asked if the text amendment was in regards to the old Ace Peterson building.

Mr. Berry said it is for all of the DD. It would be requiring a PUD approval for any property that would be more than 7 units. The looked at this after the buildout of the St. James Academy which is 9 units.

Mr. Herman stated a PUD would have to come before this Commission and the Village Board and if it is more than three stories tall. The only change they are making is that it needs to come before this Commission.

Ms. Kovacik asked if they were changing the height requirement to five stories.

Mr. Herman and Mr. Berry said no.

Chairman Studebaker asked if there was anyone else in the audience that wanted to speak in regards to this public hearing. None responded. He then called for a motion to close the public hearing.

Commissioner McGleam made a motion, seconded by Commission O'Connor to close the public hearing for Case 19-18. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Plan Commission Discussion

Chairman Studebaker stated he is happy that the Downtown redevelopment was done in 2005 and it is still intact. The Village spent a lot of time and money to create something like this and it is wonderful that they can utilize this. He then asked if there were any further comments or questions from the Commission. None responded.

Plan Commission Recommendation

Chairman Studebaker called for a motion for recommendation.

Commissioner McGleam made a motion, seconded by Commissioner Carmody to recommend to the Mayor and Board of Trustees approval of Case 19-18 Downtown District UDO Text Amendments as presented by staff. A roll call vote was taken:

Ayes: McGleam, Carmody, Pawlak, Zolecki, O'Connor, Studebaker

Nays: None

Motion passed

Findings of Fact

Commissioner McGleam made a motion, seconded by Commissioner Zolecki to authorize the Chairman to approve the Findings of Fact for Case 19-18 as prepared by staff. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

D. 19-19 RECREATIONAL CANNABIS UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENTS

Chairman Studebaker called for a motion to open the public hearing for Case 19-19.

Commissioner O'Connor made a motion, seconded by Commissioner Pawlak to open the public hearing for Case 19-19. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Staff Presentation

Mrs. Tate said the purpose of the hearing is to consider amendments to the UDO to modify Chapter 17.02 which are definitions, and also the current code that addresses medical cannabis organizations along with any other section that relates to this. Starting January 1, 2020 adults over the age of 21 will legally be able to purchase cannabis for recreational use from licensed dispensaries across the State of Illinois. The following analysis and text amendments to the UDO are proposed along with other regulations outside the review of the PZC.

Michael Stillman, Village Attorney, stated the cannabis act goes into effect January 1, 2020. The state will allow cannabis everywhere and they leave it up to the municipalities to determine where it can be allowed. If nothing gets done then the cannabis can be allowed anywhere. It is in front of you today only for zoning purposes, so if the Village Board does approve it then it will be determined where it will go. There are other aspects of cannabis that if it is allowed that the Board will have to determine, such as the number of licenses.

Chairman Studebaker asked the Village Attorney to explain what will happen if they don't act on this. He asked to explain how this is similar to when liquor was made legal and liquor licenses are issued.

Mr. Stillman said there is a liquor Commission and there are a certain number of liquor licenses that can be issued. If it capped out then it is not allowed unless the Village Board decides. The licensing is not presented this evening, but that is how most likely it will occur. One of the requirements is that it must be at least 500 feet

from a school. A liquor establishment is only 100 feet from a school. There are several different types of classes for cannabis.

Commissioner Zolecki asked if they can talk about the public workshop that happened on October 8, 2019.

Mr. Stillman stated there was an informal community workshop that was held on October 8th. Staff gathered the public feedback from that workshop to determine what zoning if it were allowed. He stressed it has not been approved, but this is just to determine the zoning if it is allowed.

Commissioner Zolecki asked how is the distance measured. He asked if it is measured to the property line or the actual building itself.

Mrs. Tate said it is the property line.

Commissioner Zolecki asked why it is a special use in B-1 Zoning but as-of-right in the B-3 Zoning.

Mrs. Tate stated the B-1 is more of your neighborhood commercial zoning and the B-3 is more of your arterial or high major street. She then showed on the overhead where the B-1 and B-3 zoning is located.

Commissioner Zolecki said based on the use why isn't it a special use in both zoning districts. The main thoroughfare of State Street and 127th has many schools and parks so it should be a special use so they have more control over the situation. One location he talked about was Lemon Tree which is zoned B-3 but is very close to Oakwood/River Valley School.

Mr. Berry stated one of the discussions that has been happening not only here but in other municipalities is the licensing part. If there is a Commission for licensing then they could determine that there are not appropriate places for licenses.

Commissioner Zolecki said it should not be as of right.

Mrs. Tate stated they are proposing that a dispensary shall not be located within 1,500 feet of the property line of a pre-existing dispensary or 500 feet of the property line of private or public school grounds, or within 100 feet of a child care center not in a residence, a public park, a library or a game arcade establishment. The 1,500 feet is within the State code. Staff did look at what other communities are doing. In the use table it talks about medical dispensaries already so they would have to get rid of the word medical and just use dispensary. There are other restrictions that would need to be added like lighting, vehicle access, parking, and security cameras are just a few. They had to add several definitions. Craft Grower would be added as a special use in the B-3 zoning district and in the M-1, M-2, and M-3 manufacturing districts as a

special use. Cannabis infusers and transporting organizations would be proposed as a special use in the M-1, M-2, and M-3 manufacturing districts.

All the definitions are from the State code. Staff is proposing to put a clause in the UDO stating that if something is not addressed in the UDO it would be referenced back to the State UDO. There will also be a business license clause added. In regards to parking, it will be similar to retail sales and service. There is no consumption on site so you don't want to regulate it like a tavern. For special uses it will be evaluated and determined at that time.

Mrs. Tate said the Comprehensive Plan did not take into consideration anything about cannabis. It does talk about activity centers and this could possibly be an activity center. It does state that staff does need to review the code for any external changes and modernization.

Mr. Berry stated the State allowing the sale has created a commercial use. There is retail sales tax that gets paid to the State which gets paid to the Village. When talking to the commercial broker community they are treating this very much as a commercial use. That is some of the thinking behind the permitted versus the special use.

Commissioner Zolecki said it could be regulated through a special use. He feels if the State is going to drop this on the Village then they should have some control over it.

Commissioner Pawlak asked what is the time line for the number of licenses and the licensing ordinance.

Mr. Stillman stated there are certain number of licenses statewide. Starting in January there will only be 110 licenses allowed statewide. Only operators that have medical uses can have a dispensary and then it will move up from there. He thinks eventually the goal will be to have over 500 statewide. If the Village accepts the ordinance then there will be a licensing ordinance as well. Most Village's limit the amount of licenses as well. There will not be one municipality, besides Chicago, that will have more than one license. Consumption will not be allowed on premise and it is not allowed in public either. If the Village Board does not opt out or create the ordinance then it can be put anywhere. The ordinance that they are presenting is the strictest he has seen from any Village.

Chairman Studebaker asked if they should be looking at a different zoning district.

Mr. Berry said medical marijuana is a permitted special use in the Village in an M-3 and M-4 zoning district. Adult uses are typically regulated that way as well. It allows them on paper but not in practice. This has been more of a question of how you regulate it as a commercial use.

Chairman Studebaker asked if there were any further questions or comments for staff from the Commission. None responded.

Public Comment

Edward Gal stated he is interested in a dispensary here in Illinois. He gave each of the Commissioners a rendering of what a dispensary would look like. Applications are due January 2, 2020 and winners will be announced in May. There are 75 licenses being issued if people meet the requirements. The region that Lemont is in there will be 47 licenses issued. He has been in contact with Blue Stone for the corner of Route 83 and Main Street for a potential location for dispensary if the Village is going to allow it and not opt out. He suggests that the Village opt out of on-site use and if they don't they will automatically be opted in to it.

Vince Marzano said he has a good friend that lives in Colorado that has shared some information on his experience with recreational marijuana. His friend was told that the town would make all kinds of money from the taxes, but instead they lost money. The only people making money is investors. The most important problem is there is no way to measure the content in the human body. It started out with just a couple of dispensaries and now they are all over. People are smoking it everywhere and not just in their private home. According to his friend people were renting homes, growing plants and selling the marijuana. He does not want to see this in his town and being anywhere near his family or kids.

Mr. Stillman stated this hearing is about the zoning. The Board of Trustees will make the decision in regards to whether the Village is opting in or out.

Ms. Kovacik said many other Planning and Zoning Boards have opted out. She listed all the other Villages.

Chairman Studebaker stated it is not the Planning and Zoning Boards but rather the Village Board.

Michelle Bernard said she has lived in the Village for seven years and loves this town. She will try to limit her questions in regards to just zoning. She heard a lot of other context in preparation for this discussion which did not have to do with zoning, which is legal whether the public likes it or not. Her question is if the Village refuses to do anything then it is allowing their acceptance, but can this Commission not allow dispensaries in the town.

Mr. Stillman stated they cannot recommend to opt out. This Commission can only recommend that they don't allow the zoning or make modifications.

Ms. Bernard said she recommends to not move forward with the zoning as expressed. She does not want to see dispensaries in the town. The decisions that this Commission recommends today will have an impact in the future and she hopes that

they will consider this. She asked if over time if the number of licenses can go higher than 500.

Mr. Stillman stated he thinks the 500 licenses will be over 5 years span. That can change, but whether the market will allow it to be more than that, that will have to be seen.

Ms. Bernard said ten years ago none of them probably thought they would be having these discussions. This is something to consider when they are voting this evening.

Gayle McCaugherty stated she has been a resident for 11 years. This decision is a very big and serious decision and should not be determined by a few people on a Board but rather by the residents in the community. Unfortunately, she had missed the meeting in October and did not know about the meeting this evening until last minute. She moved here from Darien because it is a safe community.

Chairman Studebaker explained to the audience that they can express their concerns at the Village Board. He then asked if there was anyone else in the audience that wanted to speak in regards to this public hearing. None responded. He then called for a motion to close the public hearing.

Commissioner McGleam made a motion, seconded by Commissioner Zolecki to close the public hearing for Case 19-19. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Plan Commission Discussion

Chairman Studebaker said he would like to make sure the recommendation is the most restrictive policy they can put together.

Commissioner McGleam asked if during the workshop was there any talk about prohibiting it in the DD.

Mrs. Tate stated there is no B-3 in the DD.

Commissioner McGleam asked if they made it a special use in the B-3, then any proposed dispensary would have to come before the PZC and the Village Board.

Mr. Herman said yes it would come before both boards.

Mr. Berry stated as long as it meets the distance requirements. The Lemont Plaza does not meet the distance requirements.

Commissioner Zolecki asked if they tested all the B-3 zoning.

Mr. Herman said yes.

Commissioner Zolecki asked how does it work when there are multiple parcels or a commercial development with many store fronts.

Mr. Berry stated they would consider it a zoning lot, so it would be any property line within that development.

Commissioner Zolecki said he applauds the Village for holding the meeting on October 8th. Obviously there was input from there that is embedded in here like distances. He struggles to understand why they wouldn't put this as a special use in B-3. It would give an assurance to these distance games when there could be something out there. He then read the definition for a special use. He stated this situation is exactly what it is talking about. If they are only talking about one or two licenses then this should not burden the Village or staff to hear a special use.

All the Commissioners agreed.

Commissioner Zolecki stated there are not many properties that are zoned B-1.

Commissioner Pawlak said he would not want to see one of these facilities near a neighborhood and would recommend that it is only in B-3.

Chairman Studebaker asked if there were any further questions or comments from the Commission. None responded.

Plan Commission Recommendation

Chairman Studebaker then called for a motion for recommendation.

Commissioner O'Connor made a motion, seconded by Commissioner McGleam to recommend to the Mayor and Board of Trustees approval of Case 19-19 – Recreational Cannabis Unified Development Ordinance Text Amendments with the following conditions:

1. Cannabis dispensaries as a special use in the B-3 Zoning District.
2. Cannabis dispensaries be stricken in the B-1 Zoning District.

A roll call vote was taken:

Ayes: O'Connor, McGleam, Pawlak, Carmody, Zolecki

Nays: Studebaker

Motion passed

Findings of Fact

Commissioner McGleam made a motion, seconded by Commissioner Carmody to authorize the Chairman to approve the Findings of Fact for Case 19-19 as prepared by staff. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

IV. ACTION ITEMS

None

V. GENERAL DISCUSSION

None

VI. AUDIENCE PARTICIPATION

Chris Ward, resident, said he would like to find out what the Planning Board's infrastructure was towards electric cars. Next year every manufacture will have an electric car. It will have to be mandated that all garages have two outlets. The infrastructure needs to accommodate charging stations. He asked if the Village was planning for this.

Mr. Berry stated last year the Village received a Local Technical Assistance Award from the Chicago Metropolitan Agency for Planning. The Village asked for parking utilization and civic space study. He explained what it will entail and how it will look at all the different ways mobility is changing. The Village is hoping to launch that project in January. There will be opportunities for the public to come in and participate.

Mr. Ward said there is currently nowhere downtown for any of the residents to charge their car whether they live downtown or are coming down there for dinner. The Village needs to make sure before the next development goes in that they are planning for this.

VII. ADJOURNMENT

Chairman Studebaker called for a motion to adjourn the meeting.

Commissioner Pawlak made a motion, seconded by Commissioner McGleam to adjourn the meeting. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Minutes prepared by Peggy Halper

