

Chairman Brewer called the Planning and Zoning & Historic Commission meeting to order at 6:00 p.m. Roll: 9 Present (Apke, Bernstein, Brewer, Holliman, Meyer, Muscat, Scarpelli, Schock and Steneck). 0 Absent. Also present were Village Administrator Jennifer Johnsen, Assistant Village Administrator Brad Mitchell, Building Inspector Chris Ranieri, Associate Village Attorney Caitlyn Culbertson and Village Clerk Katherine Holt.

APPROVAL OF MINUTES:

1. Planning and Zoning Commission Meeting Minutes dated June 6, 2019

*Motion to approve the June 6, 2019 meeting minutes by Muscat/Schock.
Motion carries by unanimous vote.*

PUBLIC COMMENT: None

NEW BUSINESS: None

HISTORIC COMMISSION:

1. Certificate of Appropriateness for Temporary Outside Structure: 325 Meier Street

- a. Discussion and Motion to Recommend Approval/Denial of a Certificate of Appropriateness for Diamond Jim's Temporary Outside Structure

Jeff Lambert, applicant and owner of Diamond Jim's, stated that a temporary 12' x 16' outside structure has been put up for the winter months mainly to be used by patrons who wish to smoke. He explained that this panel structure is more secure than the tent that has been used for the last couple of years. Chairman Brewer asked Lambert if he was aware that he had to apply for a historic certificate of appropriateness prior to putting up the structure. Lambert said that he did not. Building Inspector Ranieri added that the structure was constructed mid December without a permit. Lambert later applied for a permit on December 20. Ranieri said he notified Lambert to remove the structure because he did not have permission from the Historic Commission at which time Lambert stated he would like to appear before the Historic Commission to request approval for the structure to remain up.

*Motion to Deny the Certificate of Appropriateness for the Temporary Outside Structure at 325 Meier Street by Holliman/Apke.
9 Ayes (Scarpelli, Holliman, Meyer, Apke, Berstein, Steneck, Schock, Muscat and Brewer). 0 Nays. 0 Absent. Motion carries.*

NEW BUSINESS

- 1. PUBLIC HEARING (VOED)** – To consider a request for an Ordinance of the Village of East Dundee, Cook and Kane Counties, Illinois, amending various sections of Chapter 157 of the Village of East Dundee Village Code relative to adult-use and medical cannabis business establishments.

Chairman Brewer explained that the Commission is meeting tonight to recommend where cannabis business establishments may be allowed to locate in the village. Administrator Johnsen explained the

purpose and scope on a Planning and Zoning level. The Commission discussed the zoning recommendations made by the Village Board which included districts for indoor manufacturing uses, overlay districts for dispensaries, special use permit requirements and downtown B-1 district parking requirements.

Motion to open the Public Hearing by Holliman/Steneck. Motion carries by unanimous vote.

Attorney Culbertson swore in all audience members that wish to speak.

Rev. William Yonker – Senior Pastor at Immanuel Lutheran Church

Rev. Yonker stated that if cannabis is sold in the downtown area, people will stop sending their children to Immanuel School. He asked that the sale of cannabis be kept away from the immediate confines of the church and school.

Sue Domeier – East Dundee Resident and Principal of Immanuel Lutheran School

Ms. Domeier voiced her concerns for the safety of children if retail cannabis facilities are allowed in the community. She asked the Village to not allow a retail cannabis store within 1,500 feet of Immanuel Lutheran.

John Conrad – East Dundee Resident and Teacher at Immanuel Lutheran School

Mr. Conrad asked that the Village consider the letter that was submitted by Immanuel asking for cannabis establishment to be located a minimum of 1,500 feet from the church and school. He voiced his concern for the safety of the children.

Phillip Baerwolf – East Dundee Resident and Associate Pastor of Immanuel Lutheran Church

Mr. Baerwolf urged the Village Board to not allow recreational marijuana businesses within 1,500 feet of the church or school campus. He voiced his concerns for safety, security and parking issues downtown.

Kay Gade – Resident at 415 Maiden Lane, East Dundee

Mrs. Gade asked that no recreational marijuana business be located in the downtown.

Randy Johnson – Resident at 604 Wendt Ave, East Dundee and Member of Immanuel Church

Mr. Johnson stated that he has been a Dundee area resident since 1981 and is also the Chairman of the Board of Elders at Immanuel Lutheran Church. He said that the safety of children is at risk and needs to be considered. He asked that cannabis establishment be located a minimum of 1,500 feet from Immanuel.

Arin Thrower – Resident at 218 N. 4th St, West Dundee

Ms. Lash stated that her daughter is a student at Immanuel School. She said her main concern is quality of life and that cannabis is not the right fit for the downtown area.

Brian Slovacek – Resident at 608 S. Third St, West Dundee and Member of Immanuel Church

Mr. Slovacek asked that all cannabis establishments be located a minimum of 1,500 feet from Immanuel. He asked that cannabis be kept as a special use. Mr. Slovacek polled the audience asking who was in favor of the 1,500 foot minimum requirement and special use requirement and the majority of the audience was in favor by a show of raised hands.

Kalee Hooghkirk – Resident of 25 Hickory Dr, Carpentersville and Owner of Full Spektrum Services
Ms. Hooghkirk explained that she is a medical card user and favors the special use provision. She said that restricting access to marijuana businesses will drive people to find it on the black market. She stated that a special use permit would give the opportunity to educate the community and put East Dundee on the map for responsible use.

Kevin Laas – Resident at 501 Edwards Ave, Carpentersville
Mr. Laas stated that many people will avoid the downtown if a dispensary is allowed there.

Chris Wendt – Business Manager at Immanuel Lutheran Church
Mr. Wendt stated that the downtown is evolving well. He said that a cannabis business is not a good fit downtown. He explained that locating cannabis businesses in the Route 25 and Route 72 area would be easier for traffic. He asked that cannabis establishments not be located within a minimum of 1,500 feet from Immanuel.

Bill Grant – Sleepy Hollow Resident and Member of Immanuel Lutheran Church
Mr. Grant explained that he manages five buildings in Chicago. He said that one of the buildings is across the intersection from a dispensary that has been in the news recently for a large robbery they had. He said under the medical use, the establishment had been a good neighbor. He said after January 1 when recreational cannabis was legalized, the area changed and parking availability became terrible. His banking establishment's parking has been over come by the dispensary's parking. He encouraged the Commission to not allow this use in downtown East Dundee.

John Cichowski – Resident at 307 E. 1st St, East Dundee
Mr. Cichowski asked that cannabis establishments be located in the industrial park where there is ample parking.

Erin Lash – Resident at 315 Second St, West Dundee.
Ms. Lash stated that her children attend Immanuel and she does not want their safety to be compromised. She said that allowing recreational cannabis establishments will welcome more challenges and issues and would not in the best interest of this family-oriented community.

Motion to close the Public Hearing by Muscat/Holliman. Motion carries by unanimous vote.

- 2. ORDINANCE RECOMMENDATION (VOED) - Recommendation to Village Board regarding an Ordinance of the Village of East Dundee, Cook and Kane Counties, Illinois, amending various sections of Chapter 157 of the Village of East Dundee Village Code relative to adult-use and medical cannabis business establishments.**

The Commission discussed parking requirements and came to a consensus to increase the recommendation for a minimum of 10 parking spaces to 20 spaces in the B-1 District. There was also consensus to remove dispensary uses from the downtown.

The Commission then discussed where to permit dispensaries and came to a consensus to not allow cannabis business establishments in the B-1 and B-2 Districts but to allow as special uses only in the overlay districts proposed at the December 9, 2019 Board of Trustees meeting. Dispensaries would be allowed in the B-3 and Manufacturing Districts but all other uses would only be allowed in the

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Manufacturing Districts. The Commission agreed with the recommendation that all cannabis establishments must obtain a special use permit before locating in the Village.

Chairman Brewer commented that he felt limiting establishments to areas east of Route 25 is over restrictive and an unreasonable request that the Village Board will likely override. He would rather keep this within the business districts but limit it to no sales within 1,500 of the intersection of Main and Van Buren streets.

Motion to recommend the Village Board approve an ordinance amending various sections of Chapter 157 of the Village of East Dundee Village Code relative to Adult-Use and Medical Cannabis Business Establishments as amended to require a minimum of 20 parking spaces for adult-use and medical dispensaries, allow cannabis business establishments as special uses only in the overlay districts proposed and depicted in the maps attached to the December 9, 2019 Board of Trustees memorandum and require all cannabis business establishments obtain a special use permit before locating within the Village by Schock/Holliman.

8 Ayes (Schock, Scarpelli, Holliman, Muscat, Meyer, Bernstein, Steneck, and Apke). 1 Nay (Brewer). 0 Absent. Motion carries.

Motion to adjourn the Planning and Zoning & Historic Commission Meeting at 7:37 p.m. by Holliman/Steneck.

Motion carries by unanimous vote. Meeting adjourns.