

A G E N D A

REGULAR MEETING OF THE PLAN COMMISSION OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON WEDNESDAY, NOVEMBER 5, 2014 AT 7:00 P.M. AT THE VILLAGE HALL, 7760 QUINCY STREET, IN THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS

1. CALL TO ORDER
2. ROLL CALL
3. OMNIBUS VOTE AGENDA
  - A. Waive Reading of Minutes (APPROVE)
  - B. Minutes - Regular Meeting August 6, 2014 (APPROVE)
  - C. Minutes - Village Board Meeting July 14, July 28, August 11, August 25, September 8, September 22 and October 13, 2014
4. PLAN COMMISSION CONSIDERATION: Zoning Hearing Case 14-12: Petition for a special use permit for a Medical Cannabis Dispensary and other variations and relief as may be required to operate within an existing location.
  - A. PUBLIC HEARING
  - B. DISCUSSION
5. VISITOR'S BUSINESS
6. COMMUNICATIONS
7. ADJOURNMENT

# VILLAGE OF WILLOWBROOK

## STAFF REPORT TO THE PLAN COMMISSION

**Meeting Date:** November 5, 2014

**Prepared By:** Jo Ellen Charlton, Planning Consultant

**Case Number and Title:** PC 14-12: Special Use/Compassionate Care Center;  
7550/7560 S. Quincy Street, Willowbrook, IL 60527

**Petitioner:** Joseph M Heinz & Timothy P. Duffy, 1338 W. 48<sup>th</sup> Street, Western Springs, IL 60558, with permission from the property owner, WKGGG LLC.

**Action Requested:** Special use for a Medical Cannabis Dispensary.

**Location:** 7550 S. Quincy (West side of Quincy, south of 75<sup>th</sup>).

**PINs:** 09-26-400-025

**Existing Zoning:** M-1

**Existing Land Use:** Wholesale

**Property Size:** .98 acres

Surrounding Land Use:	Use	Zoning
<i>North</i>	825 75 <sup>th</sup> Mixed Industrial	M-1
<i>South</i>	Future Swim Club Use	M-1
<i>East</i>	7501 S. Quincy, Mixed Industrial	M-1
<i>West</i>	Red Roof Inn	B-4

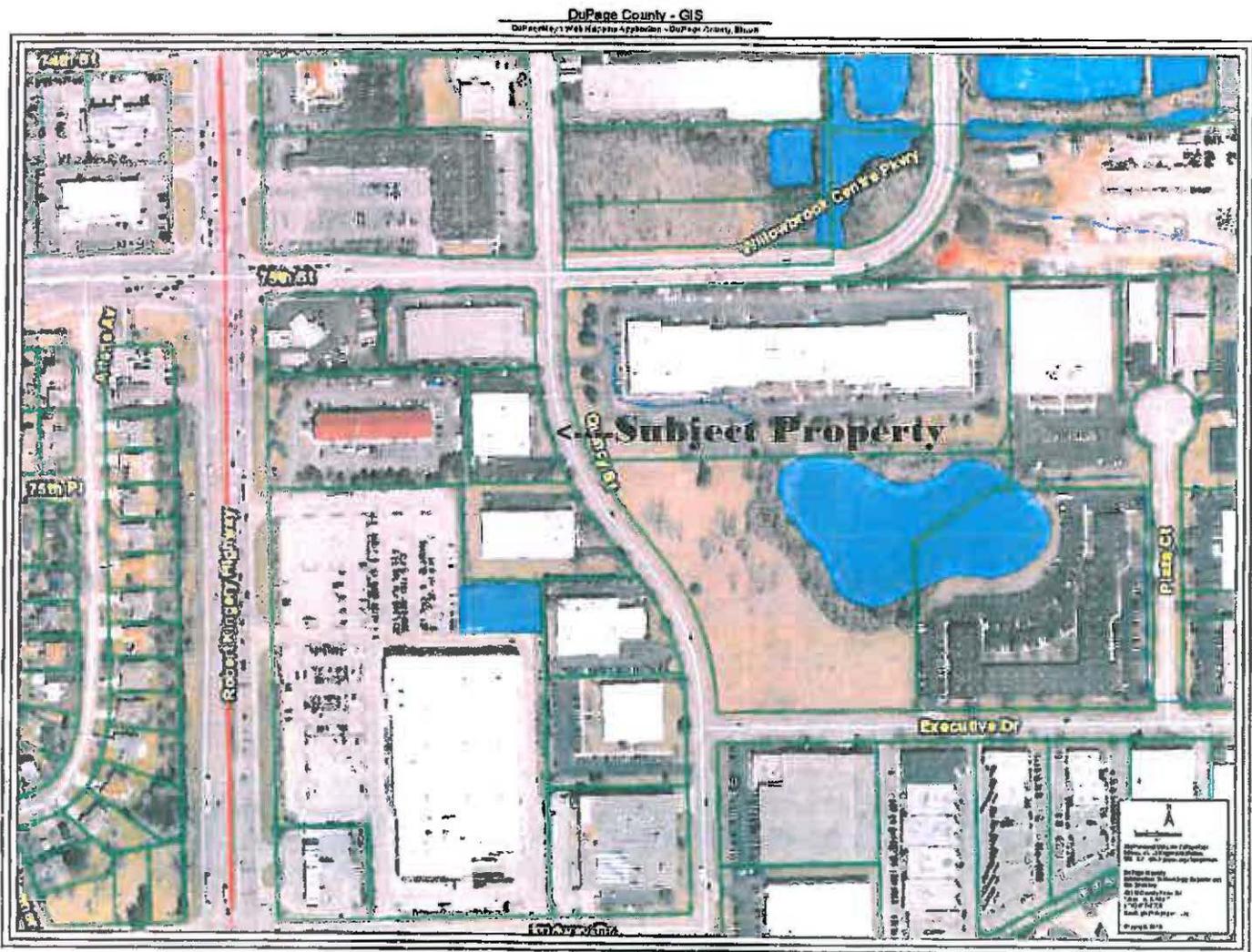
**Documents Attached:**

1. Application
2. Plat of Survey

**Necessary Action by Plan Commission:** Make a recommendation to the Mayor and Village Board. A sample motion can be found on Page 6

**Site Description:**

The subject property is zoned M-1 Light Manufacturing, and is located on the west side of Quincy, the second building south of 75<sup>th</sup> Street. The property contains an existing 16,104 square foot building which is currently occupied by a wholesale user, who primarily accesses his business from the north and east sides of the building. Parking is provided on both the north and south sides of the building, with twelve (12) spaces provided on the north and twenty (20) parking spaces currently provided on the south. Some of these spaces on the south side of the building will be lost for planned improvements.



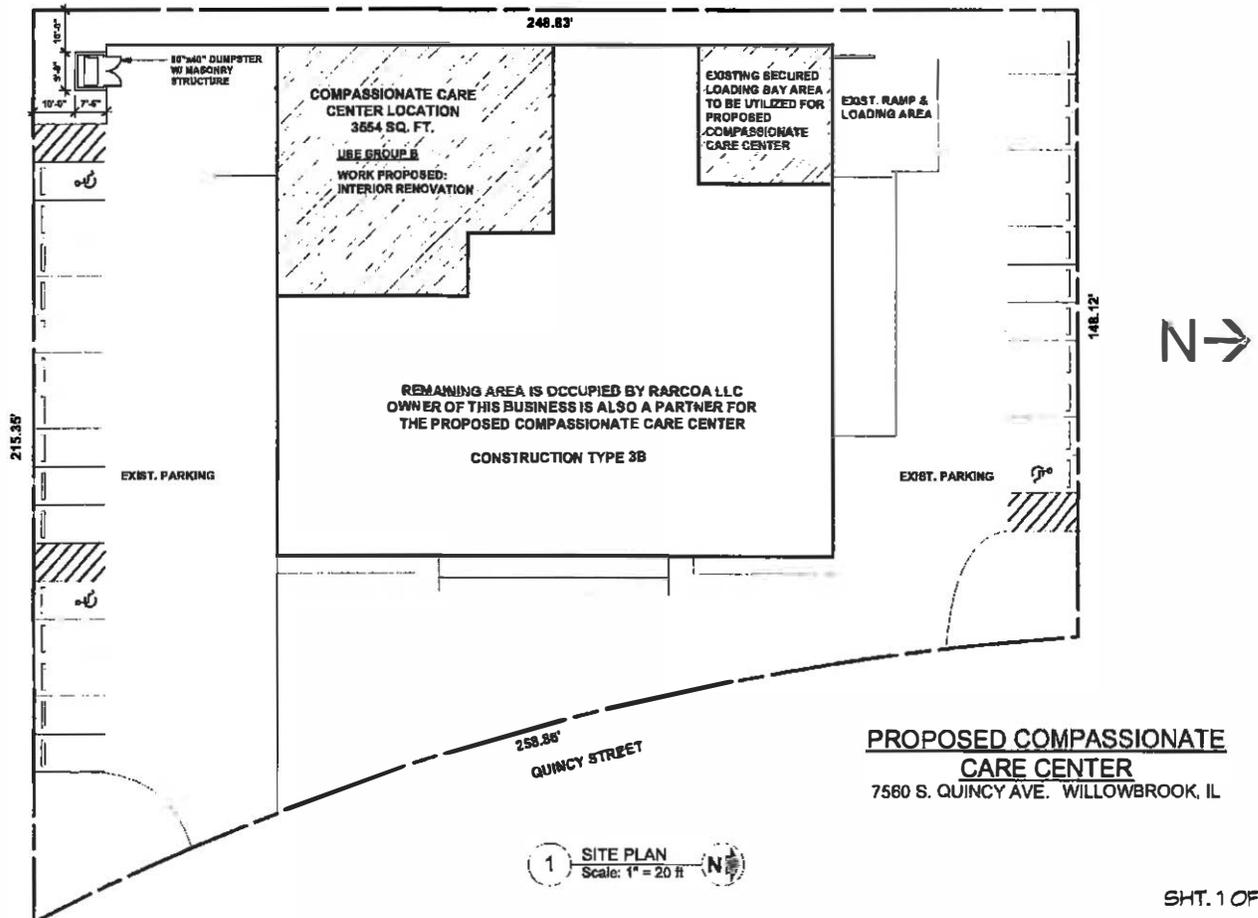
**History and Proposal:**

The applicant, with the property owner's permission, is requesting approval of the following zoning item:

Approval of a special use to allow a 3,554 square foot medical cannabis dispensary in the southwest corner of the existing building located at 7550/7560 Quincy Avenue. Medical Cannabis Dispensaries were recently approved by the Village Board as conditional uses in this and other zoning districts. Approval of this conditional use is subject to approval by the state, who is evaluating all applications and will select only three (3) locations in DuPage County.

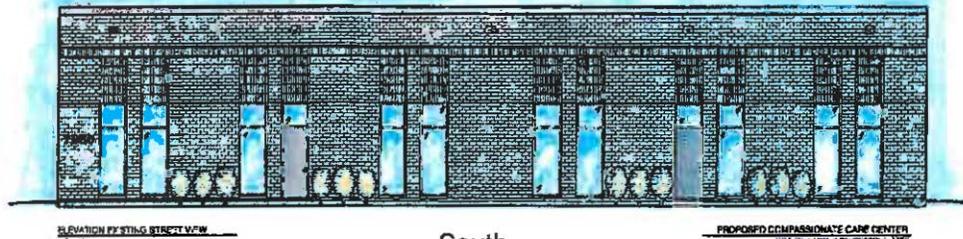
The applicant is proposing to occupy square footage in the southwest corner of the building. Customers will enter the south parking lot from Quincy, park as far west as possible, and enter through an existing door at the west end. An existing overhead door is proposed to be bricked in as shown on the first image on the next page.

Deliveries are proposed to be taken on the north side of the building, where the existing wholesale business has a very secure set up already in place. The wholesale user is also a partner in the medical cannabis dispensary business operation, which is required in order to accept the deliveries in his business and transport them through his business to the dispensary. Once deliveries are made to the north delivery area, they will be moved through the building and transferred to the medical cannabis dispensary via a "safe vestibule", which is located on the east end of the business and as shown on the second image on the next page. This safe vestibule is designed with 2 doors that operate in a manner that only one door can be opened at any given time.

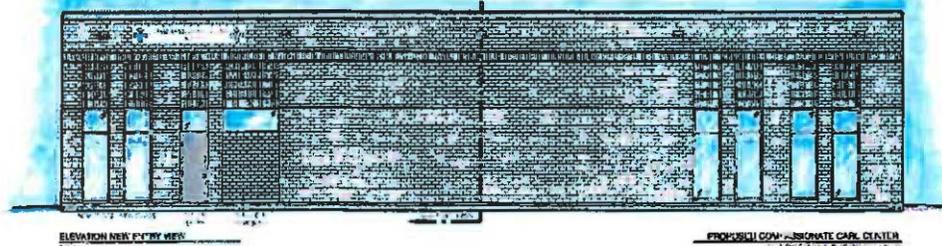


# Elevations

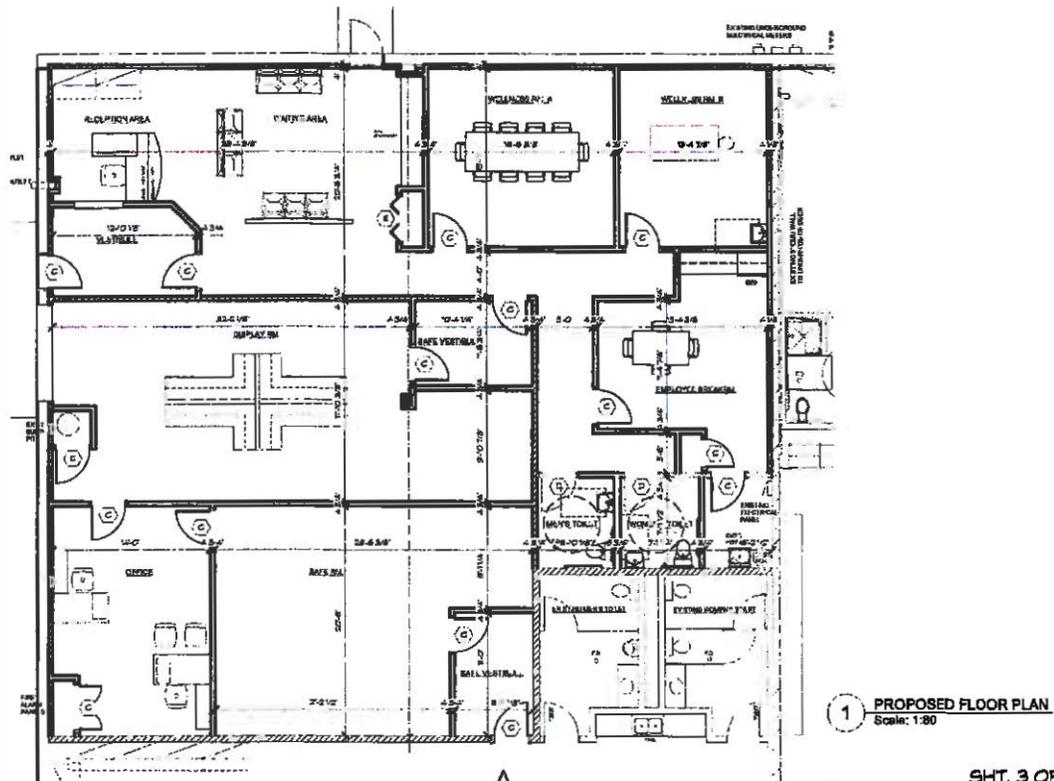
East



South



# Floor Plan



SHT. 3 OF 3

Safe Vestibule

## Staff Analysis

### Parking:

Medical cannabis dispensaries require four (4) parking spaces for every 1,000 square feet of space. With 3,554 square feet, the proposed medical cannabis dispensary requires 14 parking spaces. The remainder of the space in the 7550/7560 Quincy building is occupied by a wholesaler. Parking requirements for wholesalers require the GREATER of 1.5 spaces for every 1 employee, or 4 spaces plus 1 space for every 1,500 square feet greater than 4,500 square feet. With an estimated 12,550 square feet of space, the wholesaler's parking requirement based on square footage is nine (9) spaces. The wholesaler confirmed to me that there were never more than nine (9) employees on site associated with his wholesaling business at any given time. This generates a parking requirement of 13 spaces, which is the greater of the two measurements. Both uses together therefore require 27 parking spaces; and 27 parking spaces are proposed pursuant to the proposed site plan shown on Page 3. The number of spaces on the south side of the building is being reduced to accommodate an enclosed dumpster at the southwest corner of the property and to convert two spaces into an extra accessible parking spot.

### Dumpster:

A new dumpster with masonry enclosure is proposed at the southwest corner of the property and complies with the ten foot (10') setback requirements from property lines for accessory structures. Pavement in the area surrounding the dumpster will be removed and will be required to be retrofitted with landscaping to screen the dumpster on three sides.

### Existing Dock:

The dispensary operator has indicated his intent to "cover" the existing loading dock with a wood deck to improve safety in the area. This feature will be subject to the review and approval of a building permit.

### Speed Bump:

There is an existing speed bump leading into the south parking lot, which was installed by the property owner to discourage illegal parking and turn-around movements when the lot was vacant. This bump should be removed as part of the occupancy of this space.

### Signage:

One wall sign is proposed on the south side of the building over the entrance into the facility. This sign is shown on the elevation image on the previous page.

### Standards:

Section 9-14-5.2 of the Willowbrook Zoning Ordinance establishes seven standards that must be evaluated by the Plan Commission and Village Board. Recommendations may include conditions of approval if appropriate to mitigate any negative impacts created by the special use. A list of the special use standards is provided in Attachment 1, along with the proposed findings to be incorporated in the Plan Commission's recommendation and the Village Board's ordinance if approved.

**Staff Recommendation:**

The proposed medical cannabis dispensary is in a secure, yet accessible location. If selected by the state as one of three allowed to operate in DuPage County, it will be required to follow the very strict guidelines established by the State for this pilot program which is expected to last for three years.

Staff has included a condition in the approval that stipulates the approval is valid only for a medical cannabis dispensary. This would give the Village an opportunity to evaluate and reconsider this site if the State were to ever legalize cannabis for recreational consumption.

If the Plan Commission wishes to support this use, staff has prepared the following sample motion:

**Based on the submitted petition and testimony presented, the special use for a medical cannabis dispensary located at 7550/7560 Quincy meets the standards for a special use as outlined in Attachment 1 of the staff report prepared for the November 5, 2014 Plan Commission meeting and deliberated by the Plan Commission; therefore I move that the Plan Commission recommend approval of PC 14-12 subject to the following conditions:**

- a. Conditional use shall be null and void unless a the State of Illinois issues a license for a medical cannabis dispensary.
- b. The facility shall be in substantial conformance with the documents included in the Plan Commission staff report prepared for the November 5, 2014 meeting for PC 14-12. Plans must be submitted and approved by the Village prior to issuance of any building permits. Improvements include the following:
  1. Restriping and signing parking spaces in the south parking lot
  2. Removal of the speed bump.
  3. Pavement removal and construction of a masonry enclosed dumpster area with approved landscaping on three sides.
  4. Decking over of the loading dock area
  5. Wall sign above south entrance door
- c. The Conditional Use shall be solely and strictly approved for a statutorily designated Medical Cannabis Dispensary (as currently licensed by the State of Illinois) site only. If the State of Illinois amends the current statute on Medical Cannabis, or enacts additional statute(s) to allow for any personal or recreation consumption beyond medical consumption, the Conditional Use that is the subject of this petition at this location, shall only be maintained as a Medical Cannabis Dispensary site only, in strict conformance with the plans, evidence and sworn testimony presented by the Petitioner and conditions of approval.

Attachment 1

Standards for Special Use

- (A) That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

Finding: The proposed special use is to be located in a well-traveled, well-lit area along Quincy Street. Adequate access, parking and access to the proposed medical cannabis dispensary is being provided, and the business has demonstrated that it will be complying with all State requirements. Signage includes the name of the business (Compassionate Care Center), and provides no visual reference to cannabis.

- (B) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

Finding: A medical cannabis dispensary will operate similar to nearby businesses where customers come and go. The proposed dispensary will not diminish and impair property values within the neighborhood

- (C) That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

Finding: The proposed special use is in an area that is largely already developed. Only one property, located across the street and south) is available for development. It is also zoned M-1 and potential uses will not be impacted by the proposed medical cannabis dispensary.

- (D) That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided.

Finding: The subject property is already served by roads and all utilities.

- (E) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Finding: The subject property is served by Quincy, and adequate parking is available on site.

- (F) That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission.

Finding: The proposed medical cannabis dispensary and proposed site improvements complies with all zoning requirements.

- (G) Conditions in the area have substantially changed, and at least one year has elapsed since any denial by the Village Board of any prior application for a special use permit that would have authorized substantially the same use of all or part of the site. (Ord. 97-O-05, 1-27-1997)

Finding: No applications for special use have been made on the site in the past year.



# Willowbrook

7760 Quincy Street  
Willowbrook, IL 60527-5594

Phone: (630) 323-8215 Fax: (630) 323-0787 www.willowbrookil.org

## APPLICATION FOR PLANNING REVIEW

**NAME OF PROJECT:** Compassionate Care Center

**NAME OF APPLICANT(S):** Joseph M. Heinz & Timothy P. Duffy

**ADDRESS:** 1338 W. 48th Street

**CITY, STATE, ZIP:** Western Springs, IL 60558 **TELEPHONE:** 708-567-1901 **FAX:** \_\_\_\_\_

**NAME OF PROPERTY OWNER(S):** WKGGG LLC

**ADDRESS:** 7550 S. Quincy St.

**CITY, STATE, ZIP:** Willowbrook, IL 60527 **TELEPHONE:** 630 654-2580 **FAX:** 630 654-3556

**APPLICATION SUBMITTED FOR: (check all that apply)**

- Site Plan Review
- Preliminary Plat of Subdivision
- Final Plat Subdivision
- Preliminary PUD
- Final PUD

- Annexation
- Annexation Agreement
- Special Use Permit
- Map Amendment (Rezoning)
- Text Amendment
- Variation

**SITE INFORMATION:**

COMMON ADDRESS OR DISTANCE IN FEET & DIRECTION OF SUBJECT PROPERTY FROM CLOSEST STREET INTERSECTION:

PERMANENT INDEX NUMBER(S) (PIN #) OF SUBJECT PROPERTY: \_\_\_\_\_

LEGAL DESCRIPTION: **ATTACH** LEGAL DESCRIPTION TYPED ON SEPARATE 8.5 X 11" PAGE(S) AND SUBMIT A DIGITAL COPY.

AREA OF SUBJECT PROPERTY IN ACRES: \_\_\_\_\_

CURRENT ZONING CLASSIFICATION OF SUBJECT PROPERTY: \_\_\_\_\_

CURRENT USE OF SUBJECT PROPERTY: \_\_\_\_\_

PROPOSED ZONING CLASSIFICATION OF SUBJECT PROPERTY: \_\_\_\_\_

PROPOSED USE OF SUBJECT PROPERTY: \_\_\_\_\_

PROPOSED IMPROVEMENTS TO SUBJECT PROPERTY: \_\_\_\_\_

**ADJACENT PROPERTIES**

**CURRENT ZONING**

**LAND USE**

NORTH OF SITE	_____	_____
SOUTH OF SITE	_____	_____
EAST OF SITE	_____	_____
WEST OF SITE	_____	_____

**UTILITIES - PROVIDE INFORMATION ON LOCATION, SIZE AND OWNERSHIP OF UTILITIES**

**WATER**

LOCATION: \_\_\_\_\_ SIZE: \_\_\_\_\_

OWNERSHIP: \_\_\_\_\_

**SANITARY SEWER**

LOCATION: \_\_\_\_\_ SIZE: \_\_\_\_\_

OWNERSHIP: \_\_\_\_\_

**STORM SEWER**

LOCATION: \_\_\_\_\_ SIZE: \_\_\_\_\_

**SCHOOL DISTRICT - INDICATE WHICH SCHOOL DISTRICT SERVES THE SUBJECT REALTY**

ELEMENTARY SCHOOL DISTRICT: \_\_\_\_\_

JUNIOR HIGH SCHOOL DISTRICT: \_\_\_\_\_

HIGH SCHOOL DISTRICT: \_\_\_\_\_

**FIRE DISTRICT - INDICATE WHICH FIRE DISTRICT SERVES THE SUBJECT REALTY**

FIRE DISTRICT: \_\_\_\_\_

DISTANCE TO FIRE STATION: \_\_\_\_\_

**CONSULTANTS**

**NAME OF ATTORNEY OR AGENT:**

ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

**NAME OF ENGINEER:**

ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

**NAME OF ARCHITECT:**

ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

**NAME OF LANDSCAPE ARCHITECT:**

ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

With the submittal of this application, I hereby request that the President and Board of Trustees of the Village of Willowbrook grant approval of this application and/or development as described in the attached documents and specifications, and do hereby certify that all information contained in this application and accompanying documents is true and correct to the best of my knowledge. I also permit entrance on the Subject Property by Village officials for the purpose of inspections related to this request.

Signature of Property Owner(s):



Date:

5/26/14

Wayne Milas

# "ALTA/ACSM LAND TITLE SURVEY"

**ARS**  
**SURVEYING SERVICES, LLC**  
 108 LEE LANE  
 BOLINGBROOK, ILLINOIS 60446  
 PH: (630) 216-9200 FAX: (630) 216-9234



SCALE: 1"=20'

**BASIS OF MEASUREMENTS:**  
 SOUTH LINE OF LOT 2 AS MONUMENTED AND  
 OCCUPIED PER RECORDED SUBDIVISION PLAT  
 N 80°30'13" E (R)

**LEGEND**

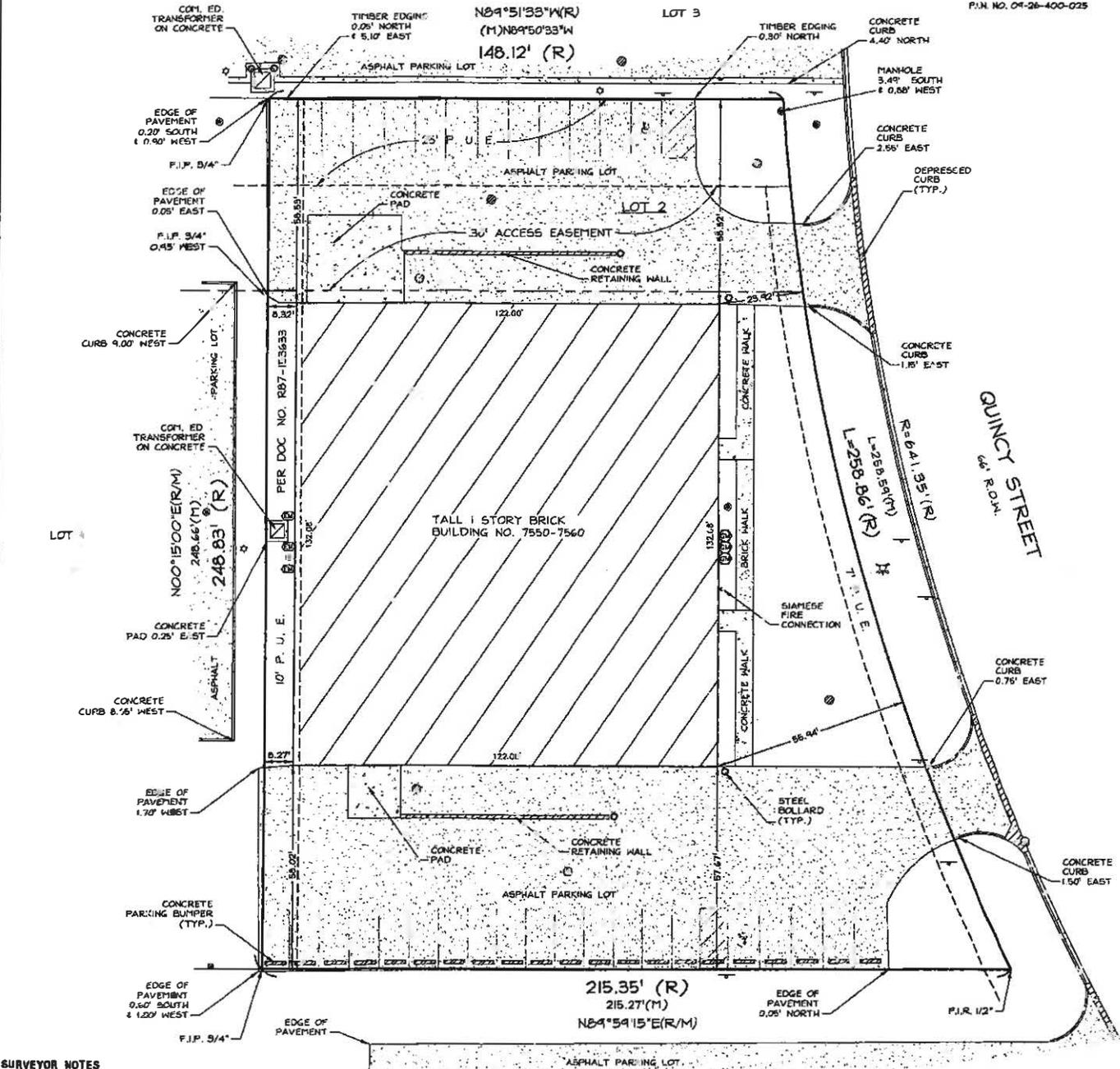
(R) = RECORD	(NW) = NORTHWESTERLY	(N) = NORTH
(M) = MEASURED	(NE) = NORTHEASTERLY	(NE) = NORTHEAST
(D) = DEED	(SW) = SOUTHWESTERLY	(S) = SOUTH
(C) = CALCULATED	(SE) = SOUTHEASTERLY	(SE) = SOUTHEAST
(L) = ARC LENGTH	(RAD) = RADIAN	(A) = ASSUMED
(CH) = CHISEL	(A) = ASSUMED	
(F.I.P.) = FOUND IRON PIPE (R.O.W.) = RIGHT OF WAY		
(F.I.R.) = FOUND IRON ROD		

—●—●—●—	CHAIN LINK FENCE
— — — — —	WOOD FENCE
—○—○—○—○—	SPLIT RAIL FENCE
—○—○—○—○—	WROUGHT IRON FENCE
—○—○—○—○—	OVERHEAD WIRES
—○—○—○—○—	P.U. & D.E.
—○—○—○—○—	PUBLIC UTILITY & DRAINAGE EASEMENT
—○—○—○—○—	BUILDING SETBACK LINE

LOT 2 IN THE RECONSTRUCTION OF LOT 34 IN WILLOWBROOK EXECUTIVE PLAZA, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RECONSTRUCTION RECORDED FEBRUARY 15, 1979 AS DOCUMENT RTD-14289, IN DEWAGE COUNTY, ILLINOIS.

AREA OF SURVEY:  
 "CONTAINING 49,942 SQ. FT., 1.152 ACRES MORE OR LESS"  
 P.L.N. NO. 09-26-400-025



**SURVEYOR NOTES**  
 1. TITLE POLICY DEED ISSUED FROM ATTORNEY'S TITLE GUARANTY FUND, INC. COMMITMENT NO. 0000270077 EFFECTIVE DATE OF AUGUST 13, 2009.

STATE OF ILLINOIS ss  
 COUNTY OF WILL  
 TO: ATTORNEY'S TITLE GUARANTY FUND, INC., Mpls, LLC.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS", JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2006, AND INCLUDES ITEMS 4, 7(a), 8, 9, 10 & 11(a) FROM TABLE "A" THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFYING THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF ILLINOIS, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

DATED, THIS 27TH DAY OF AUGUST, A.D. 2009, AT BOLINGBROOK, ILLINOIS.  
 Mark A. Lindstrom  
 MARK A. LINDSTROM  
 ILLINOIS PROFESSIONAL LAND SURVEYOR, NO. 9482 JOB NO. 97442-09  
 ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184-2061 DATE FIELDWORK PERFORMED 08-27-09

**SYMBOL LEGEND**

⊙	- GAS METER
⊕	- ELECTRIC METER
⊙	- MANHOLE
⊕	- FIRE HYDRANT
⊕	- UTILITY PEDESTAL
⊕	- B-BOX
⊕	- LIGHT
⊕	- CATCH BASIN
—	- SIGN



LEGEND EXPIRES ON NOVEMBER 30, 2010