

MINUTES OF THE REGULAR MEETING OF THE PLAN COMMISSION HELD ON WEDNESDAY, NOVEMBER 5, 2014, AT THE VILLAGE HALL, 7760 QUINCY STREET, WILLOWBROOK, DUPAGE COUNTY, ILLINOIS.

1. CALL TO ORDER

Chairman Kopp called the meeting to order at the hour of 7:00 p.m.

2. ROLL CALL

Those present at roll call were Commissioners Lacayo, Remkus, Soukup, Kaucky, Ruffolo, Vice-Chairman Wagner and Chairman Kopp. Also present were Village Planner Jo Ellen Charlton, Building Inspector Roy Giuntoli and Secretary Joanne Prible.

3. OMNIBUS VOTE AGENDA

The items on the Omnibus Vote Agenda were as follows:

- 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

MOTION: Made by Commissioner Remkus seconded by Commissioner Soukup, to approve the Omnibus Vote Agenda.

4. PLAN COMMISSION DISCUSSION: 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

See Court Reporter Minutes.

MOTION: : Made by Commissioner Remkus, seconded by Vice-Chairman Wagner that 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 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.

ROLL CALL: AYES: Commissioners Lacayo, Remkus, Soukup, Kaucky, Ruffolo, Vice-Chairman Wagner and Chairman Kopp; NAYS: None.

MOTION DECLARED CARRIED

5. VISITOR'S BUSINESS

None.

6. COMMUNICATION

Planner Jo Ellen Charlton shared an update of pending projects with the Commissioners.

8. ADJOURNMENT

MOTION: Made by Commissioner Lacayo, seconded by Commissioner Soukup, to adjourn the regular meeting of the Plan Commission at the hour of 8:15 p.m.

UNANIMOUS VOICE VOTE

MOTION DECLARED CARRIED

PRESENTED, READ AND APPROVED,

ALICIA Y 7, 2014^E

Minutes transcribed by Joanne Prible.


Chairman

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(Whereupon the public meeting was called to order at 7:00 p.m.)

CHAIRMAN KOPP: I call to order the regular meeting of the Plan Commission of the Village of Willowbrook and ask the Plan Commission secretary to call the roll.

MS. PRIBLE: Commissioner Lacayo.

MR. LACAYO: Here.

MS. PRIBLE: Commissioner Remkus.

MR. REMKUS: Here.

MS. PRIBLE: Commissioner Soukup.

MR. SOUKUP: Here.

MS. PRIBLE: Vice-Chairman Wagner.

MR. WAGNER: Here.

MS. PRIBLE: Commissioner Kaucky.

MR. KAUCKY: Here.

MS. PRIBLE: Commissioner Ruffolo.

MR. RUFFOLO: Here.

MS. PRIBLE: Chairman Kopp.

CHAIRMAN KOPP: Here.

MS. PRIBLE: Planner Jo Ellen Charlton.

MS. CHARLTON: Here.

MS. PRIBLE: Building inspector Roy Giuntoli.

MR. GIUNTOLI: Here.

1 CHAIRMAN KOPP: Next item on the agenda is the
2 omnibus vote agenda.

3 Would anyone like an item removed from
4 the omnibus vote agenda?

5 If not, would someone make a motion to
6 approve the omnibus vote agenda.

7 MR. REMKUS: So move.

8 MR. RUFFALO: Second.

9 CHAIRMAN KOPP: All in favor say aye.

10 THE BOARD: Aye.

11 CHAIRMAN KOPP: The omnibus vote agenda is passed.

12 Next item on the Plan Commission is the
13 public hearing for Zoning Hearing Case No. 14-12.

14 The purpose of this public hearing shall
15 be to consider a petition for a special use permit for
16 a medical cannabis dispensary and other variations and
17 relief as may be required to allow a 3,554 square foot
18 medical cannabis dispensary to operate within an
19 existing 16,104 square foot building located at
20 7550-7650 South Quincy Street.

21 The applicant for this petition is
22 Joseph M. Heinz and Timothy P. Duffy, 1338 West 48th
23 Street in Western Spring, Illinois.

24 Notice of this public hearing was

1 published in the October 17th, 2014, edition of the
2 *Suburban Life Newspaper*.

3 Is the applicant here?

4 Can you step up and you will be sworn
5 in.

6 (Mr. Joseph M. Heinz sworn.)

7 CHAIRMAN KOPP: Did you want to say anything to
8 us?

9 MR. HEINZ: I'm not sure what I should be saying
10 other than I presented in front of the Board and,
11 basically, what we're looking at is two local
12 businessmen were from the area, wanted to open a
13 dispensary under what we consider our values. We
14 wanted to make sure that we could be the stepping stone
15 for the future of the business itself. We do that
16 through our security. Our security will be second to
17 none, and I'll put that up against the country when it
18 comes to making sure that it's a safe environment for
19 everybody inside and outside the building. We've hired
20 a pharmacist. We don't have to. We've gone above and
21 beyond on every single piece of our application to the
22 State. You don't have to have a pharmacist. Anybody
23 can pretty much be the person who distributes it. We
24 wanted a pharmacist so that we can treat it exactly

1 like a pharmacy.

2 The only difference between us and a
3 Walgreens is our place is much more secure. We will
4 make sure that everybody within the building and
5 outside of the building is safe. We have a guard that
6 will be there at all times while the operation is open.
7 24/7 surveillance that's linked straight to the State.

8 We -- I spoke with the chief and let him
9 know what our plans were, making sure that he felt
10 comfortable with our proposal.

11 I mean, bottom line is I live right here
12 in Western Springs, lived here all my life, and I've
13 got four boys and I need to make sure that if I do this
14 thing, I do it so that I can look them in the eyes and
15 be proud of what we're bringing to the table here.

16 We're going to be making sure that it's
17 run extremely professionally by hiring the best people.
18 Our overhead will be considerably higher than most.

19 Most of these applications -- there's
20 239 applicants who applied for the 60 licenses within
21 the State. At that point in time, we thought our odds
22 looked pretty good. The majority of the applicants are
23 from out of state, which there's some very large
24 companies that will go after maximum grow houses and

1 dispensaries. We're just looking to open one operation
2 and make sure that it's the best out there.

3 So, DuPage County is allowing three
4 licenses. We found out that 26 applicants applied for
5 DuPage County, so our odds went down considerably, but
6 we still feel very comfortable with the proposal that
7 we gave the State.

8 They contacted us this past Monday
9 looking for a couple other items that I don't know if
10 it interests them, but they're looking for some more
11 things from us. That's kind of hopeful versus them
12 just throwing out the application because they didn't
13 see what they liked.

14 But, again, we're going into it as two
15 businessmen. My partner Tim Duffy, he was going to be
16 here. He's a lawyer down in the City. He just got the
17 head coaching job for LT Lacrosse, so he was called
18 into a meeting tonight, otherwise he'd be here as well.

19 Like I said, it's just the two of us.
20 We're not a big corporation. We raised just enough
21 money to make this thing work and make sure that we
22 have the security precautions in place.

23 So that's kind of our story. We both do
24 a lot of coaching, that's how we know each other, and

1 we're trying to make sure, as I told the Board, that
2 it's an open book.

3 I want to utilize off-duty police
4 officers, make sure that they're in there and they feel
5 comfortable with what they're seeing on a day-to-day
6 basis. It's a business that we should all be proud of
7 and that's how we're proposing it and that's how we
8 proposed it to the State. I don't think there's a lot
9 of applicants that can do that. Out of the 239, I
10 don't think there's a lot of homegrown people trying to
11 make something very professional.

12 It's, obviously, uncharted territory, so
13 we want to make sure that we're the model. So that's
14 what we're all about.

15 CHAIRMAN KOPP: Any of the commissioners have any
16 questions for the applicant?

17 All right. Jo Ellen will now make a
18 presentation.

19 MS. CHARLTON: Thank you. As you can see on
20 Page 2 of the staff report, the subject property is
21 located on Quincy Avenue on the west side, a couple
22 buildings south of 75th Street. That building contains
23 a total of 16,104 square feet. They're proposing to
24 occupy the southwest portion of the building totaling

1 3,564 square feet.

2 There's parking provided on both sides
3 of the building. There's 12 spaces on the north side
4 of the building, which serves another wholesale tenant
5 for that building, who accesses their space from both
6 the north and the east side, and the southern parking
7 lot currently has about 20 parking spaces on that,
8 which is where they will be accessing their business
9 from.

10 Page 3 provides you a little bit better
11 view of the facility. Again, in that southwest corner
12 of the building, it's shaded, that's where the actual
13 dispensary will be located. So people when they come
14 into the south parking lot will most likely drive to
15 the far west part of the building, park, enter that
16 door, and be serviced from that location.

17 I did want to point out that the
18 facility is proposing to accept their deliveries on the
19 north side of the building where the wholesaler
20 currently accepts his very secure deliveries on that
21 side. This will involve transporting the goods from
22 the north side of the building through this wholesale
23 user space and into the dispensary, and they do that on
24 Page 4 of the report on the floor plan at the bottom of

1 that page shows the floor plan for the dispensary
2 itself.

3 There is a room at the very bottom,
4 there's an arrow pointing to it, it's a called a safe
5 vestibule, and that room operates with doors that
6 operate independently of each other, so when they bring
7 a shipment into that door, one door opens and it
8 closes, and then the other door won't open or close
9 until that door is operated in that fashion. So that
10 is the plan.

11 The owner of the wholesale business is
12 also a partner in this venture, which is required in
13 order to kind of make that passthrough through a
14 secondary business.

15 Also on that page you can see the
16 elevations that are proposed, which are very few
17 changes. The front elevation, which is the east, faces
18 Quincy, has no changes. The south elevation, the only
19 modifications they're going to be adding is a wall sign
20 over the door to the business and closing in one of the
21 existing overhead doors that lead to their loading
22 facility on that side of the building.

23 We looked at several things in analyzing
24 this application. As some of you might remember, we

1 did a text amendment to make this a conditional use in
2 several zoning districts. This is zoned M1. One of
3 the other changes we made was to include a parking
4 requirement for the particular use of four parking
5 spaces for every thousand square feet. So with this
6 particular user, the cannabis dispensary is going to
7 require 14 parking spaces in total. The wholesale user
8 itself is going to require additional parking spaces as
9 well. So, in total, 27 parking spaces are required for
10 both uses and the site is being designed to provide
11 exactly 27 parking spaces.

12 They started out with a few more than
13 that, but they needed to modify the parking on the
14 south side of the building to accommodate some
15 additional accessible parking spaces as well as to
16 provide an enclosed dumpster to handle their garbage.

17 The existing dock on the south side of
18 the building has a recessed area that leads to the
19 overhead door. In talking with the applicant, it's
20 their intention at some point if they're approved by
21 the State to deck over or provide some temporary
22 measure that would make that less of an attractive
23 nuisance for the customers coming into the facility.
24 Rather than have them include the plans for that now

1 because we don't know if the State is going to approve
2 it, we just added that as a condition of the approval
3 that would have them come in, request permits, and
4 review at that point from Village staff.

5 Other items that we took a look at, we
6 did evaluate their signage. Their wall sign is in
7 compliance with their sign code, and we did evaluate a
8 special use against all the special use standards that
9 are provided in the attachment at the end of the
10 report.

11 I think as you all will remember, the
12 State has quite a few guidelines that kind of puts some
13 very strict measures in place as to how these uses are
14 regulated.

15 One of the only things we felt was
16 necessary to add as a condition here was a statement
17 that would indicate that this conditional use is only
18 good for this user as well as for medical cannabis. So
19 at some point there was some discussion at Council
20 level when this was brought forward as to what would
21 happen if the State decided to change it from medical
22 dispensaries to just dispensaries. We don't know that
23 the State is going to do that. We don't know what kind
24 of rules will be in place at that point. It was

1 decided that we should include some language in there
2 that would state that this particular approval is only
3 for the medical. Once we know more about what the
4 State may do in the future, we may or may not want to
5 reevaluate it. That condition is included in the
6 sample motion on Page 6 for your consideration as well.

7 I don't have anything else to add. If
8 there's any questions, I could answer them and Joe is
9 available as well to answer your questions.

10 CHAIRMAN KOPP: Commissioner, you have a question?

11 MR. LACAYO: I have three technical questions.

12 Is this considered a sublease of the
13 property and is the owner of the building a landlord or
14 a partner in the business?

15 MS. CHARLTON: I'm going to answer it and ask Joe
16 to correct me if I'm wrong.

17 I think the landlord is the owner of the
18 wholesale business and he's going to be leasing it to
19 you and a partner in the business.

20 MR. HEINZ: Yes, that's correct.

21 MR. LACAYO: There will be a landlord/tenant
22 relationship. That's -- the building, I'm not familiar
23 with the M1. That's allowed, it's fine, to subdivide a
24 building?

1 MS. CHARLTON: Yes.

2 MR. LACAYO: The speed bump, are we requiring it
3 to have removed or part of the request?

4 MS. CHARLTON: We were requiring to have it
5 removed.

6 MR. LACAYO: I'm kind of curious. Any reason?

7 MS. CHARLTON: It's kind of a hazard to go over
8 for most people that are going in and out. We usually
9 don't have speed bumps in any of our commercial parking
10 lots.

11 MR. LACAYO: And my last question.

12 Chairman, has the property south of
13 there closed? Has the swim club closed on their -- the
14 purchase of that building?

15 MS. CHARLTON: Yes, it has. I don't know if he
16 knows that property will be a swim club, not that it
17 matters.

18 MR. HEINZ: Yes, I was aware. They were talking
19 about it, I didn't know it was closed or anything.

20 Again, that's part of our -- you're not
21 allowed within 1500 feet of schools, but when it comes
22 right down to it, we wanted to -- I wanted to open a
23 business that we feel safe opening up near anybody,
24 next to my in-laws house. We just want to take those

1 extra steps so that we felt comfortable with any of our
2 surrounding businesses just to make sure that the
3 security is -- you, basically, can't just walk into our
4 place of business. You have to have the State issued
5 medical ID card and that's put in a scanner before you
6 can even get in the first door. So that's -- that's
7 how we makes sure people aren't just coming and going
8 as they please. Once they get in because they have the
9 card, we have -- it's called a deadman trap.
10 Basically, once the outside door is closed, we
11 review -- we look at the license and make sure the
12 person on the license is the same person, just because
13 you have the card doesn't mean it's you. We run a scan
14 on the card before we let them in the second door. We
15 want to make sure that you can't bullrush these doors.
16 You can't do anything other than stand there and wait
17 until the card is approved, visually and by the State.
18 Those are the things that we're making
19 sure are in place so that only one person can come in
20 at a time. It's the same to go into the actual
21 pharmacy room, that's only one person can go in at a
22 time. Those are the small things that we're doing but
23 they make a huge difference when it comes to the
24 safety.

1 CHAIRMAN KOPP: So if an elderly person has a
2 card, their caretaker can't go with them?

3 MR. HEINZ: Yes because they'll have a caretaker
4 card as well. They have to show that and there's some
5 instances where the caretaker can go without the person
6 they're taking care of. Yeah. She'd have to show her
7 card as well, or he.

8 CHAIRMAN KOPP: Any other questions?

9 MR. SOUKUP: Just a comment. I can't see what
10 asset this would be to the Village. I can see
11 liabilities in the future. What are we gaining by this
12 besides filling up a piece of property?

13 MR. LACAYO: Are you asking if there's a tax
14 revenue to the City?

15 MS. CHARLTON: There will be retail sales tax
16 revenue generated just like any other retail business.
17 They'll be required to pay that.

18 We are looking into the possibility of
19 negotiating a host agreement with this business and
20 that's something that many other communities are
21 utilizing, which would be revenue above and beyond on a
22 separate agreement between the Village Board and the
23 applicant. So we don't have any details on that yet.
24 We're aware that other communities are doing it and

1 we're in communication with them about that
2 possibility.

3 MR. SOUKUP: Also, in this petition, it says: And
4 other variations and relief as may be required.

5 MS. CHARLTON: When we did the notice for the
6 public hearing, we didn't have a lot of the details
7 about what was going to be -- how the site was going to
8 layout, so in the public notice we included that
9 catchall language in case there were variations that we
10 would need to notice requirements, but there are no
11 variations that are required as part of that. Parking
12 was one of those things.

13 MR. SOUKUP: Basically this is a relief to
14 dispense marijuana --

15 MS. CHARLTON: Only for medically approved.

16 MR. SOUKUP: What about in a hospital, they
17 dispense all kinds of different drugs that, you know,
18 would be for pain relief and that. When you're in the
19 hospital and pushing that button getting your relief,
20 would that be in there in some way, shape, or form?

21 MS. CHARLTON: Other drugs distributed here?

22 MR. SOUKUP: Other drugs.

23 MS. CHARLTON: No. Just medical cannabis.

24 MR. SOUKUP: Morphine and all those things you

1 push a button in the hospital and get so much of it. I
2 know, I've been in the hospital. Could they possibly
3 be expanding into things like that?

4 MS. CHARLTON: No. No. This is just for a
5 specific drug only as regulated by the State. This is
6 a whole State mandated facility that was put into place
7 and regulations created for the sole purpose of
8 providing medical marijuana to patients that have
9 certain health conditions. That's it. That's what it
10 is.

11 We went through a lot of the State
12 requirements and the whys and wherefores when we
13 approved the text amendment to create the language and
14 the requirements for these uses because before that we
15 really didn't have anything that would regulate this
16 particular kind of use. It's new. It's a new use.

17 MR. KAUCKY: I've never had any experience with
18 this -- observing this type of business. What kind of
19 traffic volume or customer volume is associated with
20 this type of a business? Do you have any?

21 MS. CHARLTON: I'll turn to Joe.

22 MR. HEINZ: If we knew that, it would be a lot
23 easier business plan to write for sure.

24 We really don't know just because the

1 State is now issuing permits to people who have the
2 symptoms that they need addressed with medical
3 marijuana. So there's no number out there right now.
4 You can't compare it to other states because take
5 Colorado, for instance, they offered probably three
6 times the amount of dispensaries for their state than
7 Illinois is. Illinois has really held it close to the
8 vest so they can make sure it's done properly. So
9 until they go out and they get everybody's applications
10 in, find out who is going to be approved on those, my
11 guess is as good as yours to be honest with you.

12 We just -- we can't -- like I said, we
13 tried to write a business plan and there's no possible
14 way you can throw numbers at it.

15 We're -- there's incentives for our
16 customers to come in with appointments only so we
17 can -- if we do come down to that, that's one of the
18 things we'll look at, you know, what -- if we feel like
19 there's too many people coming, we could go by
20 appointment only just to make sure we've got the proper
21 flow going. I don't want a bunch of people in my
22 business, just like you don't want a bunch of people
23 outside of my business. We have definitely looked at
24 that and we do have avenues to make sure that that's

1 not a problem.

2 I don't want people waiting outside and
3 I don't want people waiting inside. We'll make sure --
4 the State is the same way. The State within your
5 application, you have to show them those guidelines and
6 how you're going to make sure that you have the proper
7 flow through your business and there isn't a lot of
8 loitering inside or outside of your business.

9 MR. KAUCKY: Thank you.

10 MR. WAGNER: Could you give -- I heard what you
11 just said, but we've also said that parking is based on
12 retail, how many people or patients, however that is
13 termed, can you service in a day or an hour and is the
14 parking going to handle that because my biggest concern
15 is maybe you're going to be very successful and there's
16 going to be a lot of people trying to buy prescriptions
17 in DuPage County in three licensed distributors. So
18 the question is: If you have, is it 15 or 17 parking
19 spaces?

20 MS. CHARLTON: On that side of the building.

21 MR. WAGNER: You've got employees and patients per
22 hour and if it's anything like a doctor's office or
23 Walgreens drive-up, potentially how many spaces are for
24 patients and how many for employees, roughly?

1 MR. HEINZ: We have -- I don't know the exact
2 number since we redid because of the dumpster.

3 MS. CHARLTON: 15.

4 MR. HEINZ: 15 spots. So we've got four employees
5 and the rest for patients. We've got 11 spots for
6 patients.

7 MR. WAGNER: How many people can you service in
8 the building as prescriptions per minute? per hour? I
9 don't know how long this takes. Is it like Walgreens
10 where the prescription is already made or is someone in
11 there for 15 minutes deciding what they need.

12 MR. HEINZ: In the State of Illinois, the grow
13 houses basically have already prepackaged everything
14 that will be presented in our dispensary, so that's all
15 handled by the State and it's on how they have to
16 package it and whatnot. So in the -- they call them
17 strains, the strains are very limited in Illinois at
18 this point in time. So it literally, it's not like you
19 have a hundred different things to look at. There's
20 specific strains for specific ailments and when you go
21 in with your card, that tells the pharmacist exactly
22 what you're allowed to look at, which is probably two
23 or three things, and because it's prepackaged, they
24 pretty much know exactly what they need and so it's a

1 pretty quick process.

2 It's literally scanned, it's bar coded
3 by the State so the State can track what's coming and
4 what's going, so it's literally they go into the safe
5 room where they're allowed to look at it or the display
6 room and literally it's scanned at that point, rung up,
7 and then they're out of there. It's a lot quicker
8 than, like, for instance, a Walgreens just because
9 there's so many different things that they're
10 dispensing and it's a little longer of a process.

11 MR. WAGNER: I guess my concern still is still
12 haven't heard any projected numbers, still haven't
13 heard any patients per hour we can service, and we only
14 have 11 spaces. I don't know if that's -- if we --
15 let's assume for a moment that you're very successful
16 and 11 spaces just isn't going to do it, and I don't
17 know what the number is, but it seems to me this parcel
18 is fairly well developed, where would we get additional
19 parking or where would you move to be able to
20 accommodate X number of people 24 hours a day?

21 I mean, normally when we hear a special
22 use is that they come in and have projections of how
23 many cars are going to be there and so on and so forth
24 so we know they have adequate parking and we've had,

1 and, Jo Ellen, maybe you can correct me, didn't we have
2 a gentleman in here or neighbor, maybe it was from this
3 building --

4 MR. LACAYO: His landlord.

5 MR. WAGNER: -- came in here and was very
6 concerned about parking on the skating rink, if I
7 remember correctly.

8 MR. LACAYO: Swim club.

9 MR. WAGNER: Swim club.

10 So I'm hearing the same thing that he
11 came in and was so concerned about and I'm -- I've not
12 heard one number yet that would justify any parking
13 other than the number that we came up with as a retail
14 number, and yet we have employees and owners and people
15 coming to the business and off-duty officers and -- it
16 just -- parking is minimal, I think.

17 I guess I don't see physically where do
18 we expand the parking if this doesn't work. If there's
19 only three dispensaries in all of DuPage County, and I
20 don't even know how many people live in DuPage County,
21 even if it was just 1 percent, it would be a huge
22 number of people.

23 MS. CHARLTON: It is an unknown, as he stated,
24 because we don't yet know how many people are going to

1 be authorized by the State to receive the product, so
2 everything that we're doing, even when we put the
3 retail number together in the text amendment to begin
4 with kind of was a guess, I mean.

5 I think the basic theory was if any
6 retail store in town only needs four per thousand, I
7 don't think this is -- nobody anticipated that this use
8 would generate more than a typical retail business. I
9 don't know if that's based on anything really solid
10 because it's new, there's nothing solid to go on. Most
11 of what we heard is similar to what the conceptual
12 story that Joe just told us, which is it's pretty
13 quick, it's in and out and that they have ways to
14 regulate if it does become a problem, like he says.
15 The State really tried to anticipate what a lot of
16 those conditions might be because they don't want a lot
17 of people coming in and congregating at one time. If
18 it becomes something unmanageable, then they go to an
19 appointment type of system.

20 We felt pretty comfortable four per
21 thousand. They're meeting that here on the site.

22 I believe what the other wholesale owner
23 has indicated is that there's times -- most of the
24 times the parking on the other side, on the north side

1 of the building, if completely occupied, so that would
2 be the first place for any overflow to go that needed
3 to and then beyond that they'd have to go to an
4 appointment based system because there is, you're
5 right, there is nowhere else to expand parking on this
6 site.

7 MR. LACAYO: Just to be clear because that is a
8 great point, we had a lively night the night of the
9 parking if you remember and his landlord was the most
10 concerned person in the room.

11 It meets the zoning standard, the
12 parking the way I read it, 27 spaces needed, 27 spaces
13 required. The only thing to consider is we're now
14 going to have a swim club with up to an 100 kids at the
15 same time, the landlord, your landlord was complaining
16 about the overflow of that parking, and, basically,
17 what we hope is a successful dispensary, it's something
18 to think about. There is no parking on the street.

19 CHAIRMAN KOPP: I thought his main concern was
20 security.

21 MR. LACAYO: His main concern was the parents
22 parking --

23 CHAIRMAN KOPP: But it was for security because he
24 was talking about his trucks, the cars had come in,

1 they see people blocking his loading dock, they
2 don't -- they keep going.

3 MR. LACAYO: I mean it does, I ask again, meets
4 the standards the way I read it.

5 MS. CHARLTON: Parking lot does, yes.

6 MR. LACAYO: We realize we'll have a busy two
7 buildings next to each other and there really isn't
8 anything we can do, right?

9 MR. WAGNER: That's my concern.

10 What is the out in the future because
11 it's so difficult to get this building approved as a
12 location and the licensing process with the State and
13 then coming to us for additional approval, what
14 recourse does the Village have or what recourse does
15 the owner have other than to move because there's
16 insufficient parking and so how do we approach that in
17 the future to solve this problem if one becomes one.
18 That's my concern. We've heard this in the past with
19 other businesses and it's always a concern, Is there
20 adequate parking. I just think there's going to be a
21 lot more people than anybody thinks.

22 MS. CHARLTON: Okay.

23 MR. REMKUS: They go to appointments.

24 CHAIRMAN KOPP: I personally think there's going

1 to be a lot less because the State restrictions on who
2 can get these cards are more strict than California or
3 any other state.

4 MR. WAGNER: Really?

5 CHAIRMAN KOPP: You're not going to have people
6 saying they have insomnia and they get the card because
7 that's not on the list, at least currently.

8 MR. HEINZ: Correct.

9 MR. WAGNER: One other question.

10 My understanding at one point was that
11 the distribution center had to have an enclosed loading
12 dock, is that correct or incorrect?

13 MR. HEINZ: No. There was nothing that was
14 mandatory on that.

15 MR. WAGNER: So do you have a loading dock?

16 MR. HEINZ: Yes. It's an enclosed loading dock.
17 That's part of the reason when I was looking at the
18 building and meeting with the current owner of the
19 building, that was part of our conversation was I
20 wanted to make sure, just like I'm with you, I'm on the
21 up and up, what you see with me is what you get, and I
22 wanted to make sure he knew exactly what we were
23 talking about and that's where we started the
24 conversation.

1 He's already got a Kevlar lined loading
2 dock that the door closes behind it and it's all
3 secure. That product will never leave the building.
4 It will come straight into ours. That's a lot of the
5 reasons why we pursued this because of the fact we felt
6 really comfortable that it was an extremely safe
7 environment to transport the product itself.

8 MR. WAGNER: Thank you.

9 CHAIRMAN KOPP: Any other questions? Comments?

10 MR. RUFFALO: Just a comment.

11 I think that the building that you've
12 chosen is probably uniquely suited for this
13 application, although we don't know exactly the traffic
14 count, how that's going to work out. I think we've all
15 got our concerns -- I certainly have concerns that
16 John's already voiced as to parking. We took a
17 standard, apparently, that's used for retail. When we
18 talk about three facilities throughout all of DuPage
19 County, that's not the same as parking for a jewelry
20 store where there's 500 jewelry stores throughout
21 DuPage County, whatever that number might be. We don't
22 know and Jo Ellen has already addressed we don't know
23 what it's going to be like.

24 John, I don't know what we're going to

1 do. He already said it meets what we put out as the
2 standard. With that being the case, he's chosen a
3 building that's quite secure with what he told us so
4 far and perhaps what we know about the building. I
5 don't know what more we can ask from a security
6 standpoint. I think that's all of our concerns.

7 I'm not excited about all the kids are
8 going to be in high volume, but if it's properly
9 managed, I suppose that could be dealt with. I think
10 you need to look at appointments, as already has been
11 said, if you don't have good flow at the facility
12 because it's only going to hamstring your business.

13 MR. HEINZ: No doubt. That's obviously something
14 we looked at because -- I'm as in the dark as you are
15 when it comes to the numbers itself just because
16 they're just now starting to send out the applications
17 and it was mentioned earlier Illinois is a very
18 stringent on what you can use it for, unlike Colorado
19 and California, and so it makes it a much smaller
20 population that will get the cards, I'm sure.

21 MR. RUFFALO: I'm sure that's the statute today
22 and how it's being addressed and most regulations,
23 sometimes they get relaxed over time and we're looking
24 at a facility that may not accommodate that, but I

1 think that's a business decision.

2 MR. HEINZ: Right.

3 MR. REMKUS: If that case comes about I guarantee
4 the State will open up more of them.

5 MR. RUFFALO: One would think.

6 MR. REMKUS: They're doing three right now to get
7 it off the ground. If successful, they'll open up
8 more.

9 MR. KAUCKY: How does a customer that would use
10 this find that location? Is that up to them to do an
11 internet search?

12 MR. HEINZ: That's something that we're consulting
13 with a company that happens to be out of Colorado. We
14 don't want to -- we don't want the banners -- I think
15 it said in the statements that if you drive by our
16 facility, you have no idea what it is, which is all by
17 plan. There's no neon, there's no pot stickers.

18 We want to go after -- what we're
19 originally planning is working with the hospitals and
20 the doctors in the areas who are specializing in
21 whether it's seizures or cancer treatments, so that's
22 our first avenue. We actually have two doctors as part
23 of our group that they will be spearheading the plan
24 going out, just so I don't have to go via internet.

1 Yes, there will be a site but it's going to be
2 extremely professional and it's not going to be
3 something that we're going to launch immediately. We
4 want to see what's out there first within the medical
5 community and that's where we'll start and that's why
6 the two doctors are with us on our team because they're
7 going to start us off with the proper identification of
8 where these people are who are getting the cards and
9 how we can go after them without opening, you know, the
10 newspaper and a big ad.

11 MR. KAUCKY: Okay.

12 MR. HEINZ: We're not going to be doing that.

13 MR. REMKUS: I have one question, Jo Ellen, which
14 is: Because we have approved the swim club and
15 everything here, this site was identified as one of the
16 sites because it was located away from schools and
17 everything like that and this was in a manufacturing
18 district.

19 Now that we've approved a swim club in
20 there where they're going to be giving lessons and
21 other things, how does that -- does that change?

22 MS. CHARLTON: Any swim club or other similar
23 commercial training facilities doesn't meet the
24 definition of school as it relates to the required

1 setbacks that the State prescribed in the ordinance.
2 So this one is fine.

3 I mean, irregardless of the timing of
4 the two, they could locate next to this type of
5 facility.

6 CHAIRMAN KOPP: Any other comments or questions of
7 the commissioners?

8 MR. WAGNER: Only one: It's my understanding,
9 Jo Ellen, from what you outlined is that this project
10 has not been approved by the State so it's contingent
11 on his approval or the State approving their business
12 and its location?

13 MS. CHARLTON: Correct.

14 MR. WAGNER: If that doesn't happen, then our
15 approval goes away?

16 MS. CHARLTON: Correct. That will be reflected in
17 the ordinance that that would be -- normal language in
18 our approving ordinance is that the Village Board does
19 will be tweaked a little bit differently because this
20 is different.

21 Typically it's like if you don't do
22 anything within 180 days or if it's abandoned, there's
23 specific language that talks about how the conditional
24 use goes away. This doesn't make the conditional use

1 effective until such time we're provided with proof of
2 acceptance by the State of this license.

3 MR. WAGNER: Do we have a time limit on this?

4 In other words, how long are we allowing
5 the State to --

6 MS. CHARLTON: No, because I don't know --

7 MR. WAGNER: -- do this process for them?

8 MS. CHARLTON: I don't know.

9 MR. WAGNER: Open-ended?

10 MS. CHARLTON: The other town that I work in, I
11 don't think we know exactly what the State timeframe is
12 yet.

13 Do you, Joe?

14 MR. HEINZ: No idea. Originally they said 30 days
15 and then -- there's nothing written down -- then we
16 heard by the end of the year, so I don't --

17 MS. CHARLTON: They want these things to be
18 operational next year, we know that. It's not like
19 it's three years from now. The pilot program itself is
20 only good for three years. Correct?

21 MR. HEINZ: Correct.

22 MS. CHARLTON: It's within three years that all of
23 this pilot program will be regulated by the State and
24 then I assume at that point we'll look at and see --

1 the State will do some kind of analysis if they want to
2 continue it, expand it, change it, modify it, and that
3 will -- I would assume at that point all the
4 communities who have done work to regulate it will also
5 open up their books and take a look at it as well.

6 MR. WAGNER: Only one additional question: Do we
7 have any limitation or is there any concern about we're
8 approving a use in a location, does ownership of this
9 special use or this business if it changes ownership,
10 is that something that we have to be concerned about?

11 MS. CHARLTON: I think you should and that is
12 something that's also being incorporated into the
13 ordinance that we would be putting to the Village
14 Board. So that not only is it just for medical
15 cannabis dispensaries, so if the State changes it and
16 says you can buy cannabis here whether you have a
17 medical problem or not, our approval would be for just
18 medical at this point and the proposal that we've been
19 talking to our attorneys about is to keep it specific
20 to the user so that it would -- we have information
21 from him what his business plan is and we're banking
22 all of our recommendation on that. We're tying it to
23 the user as well as well as to any abandonment that
24 might happen, so it doesn't just pass to another

1 medical dispensary.

2 MR. WAGNER: That was my concern.

3 MR. HEINZ: The State will only issue it as
4 compassionate care. I can't do anything with it
5 outside of give it back to the State.

6 MR. WAGNER: Thank you. Okay.

7 CHAIRMAN KOPP: Anything else?

8 Anyone in the audience like to speak to
9 this matter or ask any questions?

10 Sir, you don't have to, but would you
11 like to make a final statement?

12 MR. HEINZ: I just want to thank everybody for
13 your time and consideration. I know it's such a new
14 thing. Believe me, many hours trying to figure out
15 whether this was something we should be pursuing. Long
16 talks. Like I said, I got four boys, oldest is a
17 senior in college and the youngest ones are in eighth
18 grade. I had to make sure that this was something that
19 they were comfortable with and -- you know, so we read
20 a lot about the uses for the medical marijuana and the
21 good outweighs the bad tenfold. Some of these kids who
22 are suffering seizures and things that they don't have
23 access to this, they have to go to Colorado to get
24 their medications.

1 That's why we came up with the idea to
2 do it right, something that the community that we're in
3 and ourselves will be proud of as can our families.

4 Thank you for listening to me and look
5 forward to, hopefully, hearing back from the State and
6 getting things rolling.

7 CHAIRMAN KOPP: So what we do now is we actually
8 close the public hearing and then we -- and then we
9 discuss it. We discuss it in public but it's just
10 those of us, the commissioners. So you can stay for
11 the public hearing -- we close the public testimony.

12 MR. HEINZ: Right.

13 CHAIRMAN KOPP: Okay. So, as I said, we will
14 close the public hearing for Zoning Hearing Case 14-12
15 and then we'll have our discussion.

16 I understand your concern about the
17 parking and I agree, but I personally can't see that
18 there's going to be a lot of licenses granted for
19 medical marijuana and I can't see -- if they have 11
20 people at a time -- or 11 cars at a time could be
21 there, I just think this is -- it's a great facility
22 because of the security. They're completely
23 downplaying it with the signage and everything, so I'm
24 in favor of this.

1 MR. WAGNER: I am too. Don't get me wrong. I
2 think that the use is something that clearly is needed;
3 the facility, I think, is just excellent. I have no
4 concern about your facility and the security. I'm just
5 concerned that it's going to be very successful. I
6 disagree. I think there's going to be a lot of people
7 eventually, two, three years from now still medical
8 only and I think, though, the State is going to see tax
9 dollars out of this and if it's very successful,
10 they'll probably just open more centers as you said.

11 I have a concern about the parking and
12 the overflow if there's going to be any, and I guess
13 I'm reasonably assured that they can process a number
14 of people per hour and they can do it by appointment
15 even if it has to be 24 hours a day.

16 MR. LACAYO: And everything meets the regulations.
17 It's a good discussion. We have a guy that's digging
18 into the foundation of a building for two swimming
19 pools and another tenant that is getting approval from
20 the State to approve an application. Here's where
21 we're going to settle it, but it's settled. It's
22 meeting all the standards that we required and there's
23 only so much we can do.

24 It just happens to be that I dropped off

1 my daughter today at a place in Burr Ridge, it's
2 gymnastics. It is absurd. The dropoff and pickup.
3 That's how the swim club is going to be at a certain
4 point in time. So it is what it is.

5 CHAIRMAN KOPP: This is -- I intend to vote for
6 this. It's a special use and so you look at the
7 standards for special use, Jo Ellen kind of handles
8 them. You don't have to agree that this meets them
9 because one of them is that the special use will not be
10 injurious to the use of other property. So you're
11 not -- if you're opposed to this --

12 MR. LACAYO: No, no. It meets the standards and
13 that's the other tenant's problem. It's their problem.
14 I just know it's going to be settled in this room like
15 it was the last time.

16 MR. REMKUS: We set the standards on the parking.

17 MR. LACAYO: It is what it is.

18 MR. REMKUS: This concern that you're having with
19 that should have been taken care of at that point
20 before they came in.

21 MR. WAGNER: We were all guessing, I think.

22 MR. REMKUS: But I think it's more than enough
23 parking, I really do.

24 MR. WAGNER: Okay.

1 MR. LACAYO: It's a good discussion.

2 MR. REMKUS: If you need a few more spaces, you
3 get the employees to park somewhere else.

4 MR. WAGNER: They can park in the wholesaler side
5 too.

6 MR. REMKUS: If the business becomes so
7 successful, they'll have the first tenant move out and
8 take over the whole building.

9 CHAIRMAN KOPP: If we're ready, will someone make
10 a motion that: Based on the submitted petition and
11 testimony presented, the special use for a medical
12 cannabis dispensary located at 7550/7560 Quincy meets
13 the standards for a special use outlined in
14 Attachment 1 in the staff report prepared for the
15 November 5, 2014, Plan Commission meeting and
16 deliberated by the Plan Commission; therefore, I move
17 that the Plan Commission recommend approval of PC 14-12
18 subject to the following conditions:

19 A. Conditional use shall be null and
20 void unless the State of Illinois issues a license for
21 a medical cannabis dispensary.

22 B. The facility shall be in substantial
23 conformance with the documents included in the Plan
24 Commission staff report prepared for the November 5,

1 2014, meeting for PC 14-12. Plans must be submitted
2 and approved by the Village prior to issuance of any
3 building permits. Improvements include the following:

4 1. Restriping and signing parking
5 spaces in the south parking lot;

6 2. Removal of the speed bump;

7 3. Pavement removal and
8 construction of a masonry enclosed dumpster area with
9 approved landscaping on three sides;

10 4. Decking over the loading dock;

11 5. Wall sign above south entrance
12 door.

13 C. The conditional use shall be solely
14 and strictly approved for a statutorily designated
15 Medical Cannabis Dispensary (as currently licensed by
16 the State of Illinois) site only. If the State of
17 Illinois amends the current statute on Medical Cannabis
18 or enacts additional statutes to allow for any personal
19 or recreational consumption beyond medical consumption,
20 the conditional use that is the subject of this
21 petition at this location, shall only be maintained as
22 a Medical Cannabis Dispensary site only, in strict
23 conformance with the plans, evidence, and sworn
24 testimony presented by the Petitioner and conditions of

1 approval.

2 MR. REMKUS: So moved.

3 MR. WAGNER: Second.

4 CHAIRMAN KOPP: I'll ask the Plan Commission
5 secretary to call the vote.

6 MS. PRIBLE: Commissioner Lacayo.

7 MR. LACAYO: Yes.

8 MS. PRIBLE: Commissioner Remkus.

9 MR. REMKUS: Yes.

10 MS. PRIBLE: Commissioner Soukup.

11 MR. SOUKUP: Yes.

12 MS. PRIBLE: Vice-Chairman Wagner.

13 MR. WAGNER: Yes.

14 MS. PRIBLE: Commissioner Kaucky.

15 MR. KAUCKY: Yes.

16 MS. PRIBLE: Commissioner Ruffolo.

17 MR. RUFFOLO: Yes.

18 MS. PRIBLE: Chairman Kopp.

19 CHAIRMAN KOPP: Yes.

20 Step one is done.

21 Next item on the agenda. Any other
22 business?

23 Next item. Any communications,

24 Jo Ellen?

1 MS. CHARLTON: Do you want some updates on some
2 local things couple things?

3 CHAIRMAN KOPP: Please.

4 MS. CHARLTON: A lot of the projects that you guys
5 approved recently are getting close to or under
6 construction, including the Little Sunshine Playhouse
7 and the Willowbrook Center Parkway properties have the
8 plans in and are close to being ready to issue permits
9 to get those projects off the ground.

10 The Chi Shack restaurant on the old KFC
11 site is taking a little bit longer to finish out, some
12 engineering problems, but they're hopeful to get
13 started this season yet as well.

14 The digital sign that was approved on
15 63rd Street, if you've driven passed there recently,
16 they started digging that foundation. That should be
17 going in fairly soon.

18 Some new projects that we're still
19 working in various stages with, you all, I believe,
20 reviewed a project at the terminus of Quincy and
21 Joliet Road from Compass Soccer Facility, that whole
22 thing. We just got a new submittal in from them, they
23 started finally to tone it down after 9, 12 months of
24 discussions with them, so I'm not sure where that is

1 going to end up. It's the first plan that we've
2 received that I actually have some hope that they can
3 meet the requirements of the ordinance.

4 We're also talking to the Kia --

5 CHAIRMAN KOPP: Did they want the big billboards
6 on the roof?

7 MS. CHARLTON: No, they've taken them off.

8 The biggest issue with them right now is
9 the third floor, which is kind of an extension of
10 additional restaurant and game type of space, all of a
11 sudden mysteriously became office and storage and I'm
12 not really buying that, so we'll have to continue to
13 talk to them.

14 Office and storage has a lower parking
15 requirement, so to me it's their way of getting the
16 space there, telling us it's going to be office and
17 storage and then baiting and switching so that once
18 it's there, they'll try to rent it out as a party room,
19 for example. So we'll have to work with them on that.

20 The Kia dealer on Route 83 is looking --
21 he's doing very well, which is good news for the
22 economy, but they are in desperate need of additional
23 storage space for their cars so much so that they're
24 investigating varying their detention to create more

1 surface parking on the lot, so we're working with them
2 on changes to both properties, actually, that would
3 accommodate that. Both properties are currently owned
4 by the same individual.

5 The Hinsdale Lake Commons Shopping
6 Center, we're waiting for Whole Foods to be coming
7 through. They actually will be if not December,
8 January coming through to make some minor amendments to
9 their PUD to accommodate that use. I was hoping
10 Hinsdale Lake Commons themselves would be piggybacking
11 together and have one application, but I don't think
12 the timing is going to work out. They're hoping to
13 make the rest of the center consistent with a new look
14 for Whole Foods as well as to add some additional
15 parking in various parts throughout the shopping
16 center. They're doing minor things that need to come
17 before you for a quick evaluation. Nothing major.

18 Midwest Helicopter is also looking to do
19 a rebuild on their facility, so we're working with them
20 on some redevelopment plans.

21 And that's it.

22 MR. LACAYO: Anything on Pete's.

23 MS. CHARLTON: They've been taking forever. We
24 continue to get pieces of that. They may actually

1 finish that up within a couple of months. We have a
2 new site plan. It's still just a little bit
3 overzealous in terms of the square footage and the
4 parking that's required. They continue to think that
5 it's reasonable to ask for -- it's a given that any
6 Village will grant a 10 percent reduction in parking
7 for any reason. I was like, You've never really done
8 business in Willowbrook before, have you?

9 I keep pointing across the street to the
10 Willowbrook Town Shopping Center because that is built
11 to Code and everyone knows on a daily basis that
12 parking is an issue over there.

13 So we'll continue to work with them.
14 They're close. They still -- they just submitted their
15 plans to IDOT and recently received some conceptual
16 approval from DuPage County. It's tough. There's a
17 lot of government entities working together to make
18 that site work and they don't really want to get too
19 far into their design and application with the Village
20 until they're pretty sure the County and the State will
21 be on board as a roadway improvement.

22 MR. KAUCKY: Any change to the tenant plans or
23 businesses?

24 MS. CHARLTON: Pete's is pretty consistent, Ulta

1 and Stein Mart are the three big anchor tenants.

2 MR. KAUCKY: No restaurant?

3 MS. CHARLTON: Not in the big main center. The
4 restaurants are all in the outbuilding.

5 MR. KAUCKY: Do you know what those restaurants
6 are, or you can't say?

7 MS. CHARLTON: I really actually don't -- I think
8 there's a sub place, a breakfast lunch type of place
9 that's proposed; I don't know what the name of that one
10 is. There's either a Starbucks or a combination
11 Starbucks something that's looking at one of the
12 separate buildings.

13 MR. WAGNER: When did all of this come forward? I
14 understood this to be a grocery store.

15 MS. CHARLTON: As far as the outbuildings?

16 MR. WAGNER: No. I understand that this was a
17 grocery store, period.

18 MS. CHARLTON: Oh, no.

19 CHAIRMAN KOPP: Were they going --

20 MR. WAGNER: When did that change?

21 MS. CHARLTON: From day one they have been.

22 MR. LACAYO: He's actually a developer and the
23 grocery store operator that develops real estate.

24 MR. KAUCKY: I thought there was a steak house

1 planned.

2 MR. GIUNTOLI: Outback pulled out.

3 MS. CHARLTON: It was taking too long for Outback,
4 pulled out.

5 MR. WAGNER: Any predesign on what is going to be
6 required by the State or the County on the roads since
7 it already doesn't work?

8 MS. CHARLTON: Right. They are very carefully
9 working that out. Part of the TIF agreement for the
10 town center included \$800,000 to be dedicated to a
11 signal on Plainfield Road that will align with the
12 entrance still on the Kmart property.

13 MR. WAGNER: Which IDOT said it was too close to
14 Route 83?

15 MS. CHARLTON: They're not saying that anymore.

16 MR. WAGNER: That's changed then.

17 MS. CHARLTON: So they will have a signal there.
18 There will be a widening and turn lanes changes on
19 Plainfield. Route 83 -- and those will extend through
20 the Route 83 intersection.

21 MR. WAGNER: All the way to Adams?

22 MS. CHARLTON: No, not quite that far east.
23 Pretty close to that far east but not quite that far in
24 terms of the widening, right, is that what you're

1 asking?

2 MR. WAGNER: I almost had a head-on again in the
3 left-turn bay heading east to turn onto Adams where I
4 live and people use that to turn into the TFC Bank or
5 whatever bank that is and it's head-on.

6 To be honest with you, the turn lane
7 doesn't need to be anywhere near as long as it does for
8 Adams Street, but I was within an inches of a head-on.

9 MS. CHARLTON: Somebody else in your
10 neighborhood --

11 MR. RUFFALO: Happens on a regular basis, every
12 other night.

13 MR. WAGNER: Yeah.

14 MS. CHARLTON: I should just ask DuPage what
15 they're looking at with that regard.

16 MR. WAGNER: There's no left-turn bay for Chase
17 Bank. The people headed eastbound going into Chase
18 Bank go over center into the other lane for the
19 westbound traffic turning into the shopping center.

20 I mean, it's from -- from the entrance
21 to the shopping center to Adams Street is a real roll
22 of the dice and we travel it every day.

23 MS. CHARLTON: Right. Obviously, a lot will
24 change with that with the signal. I don't know for

1 that area right there whether it will be better. I
2 don't know how they're addressing that. That's a good
3 question.

4 MR. WAGNER: I think it's going to need to be.
5 It's all part of their traffic issue.

6 MS. CHARLTON: Right, right. I just never -- you
7 know, we focused our attention at the intersection
8 where the new light is going to go. I never asked them
9 how that's going to affect the turning movements at
10 Adams.

11 MR. WAGNER: It's a disaster at the TFC. I'm
12 surprised we don't have more accidents.

13 MS. CHARLTON: At one point Pete's was trying to
14 purchase that property.

15 MR. WAGNER: Yes. But they didn't.

16 MS. CHARLTON: That would be the best of all
17 scenarios.

18 MR. REMKUS: What about the coffee shop there
19 in -- by Fannie May, are they ever going to open?

20 MR. GIUNTOLI: Still working on it. They decided
21 to tweak their kitchen design a little bit. Kind of
22 sent them back a little, you know, pretty much back --
23 not back to the drawing board but they had to resubmit
24 to the DuPage County Health Department because they

1 changed the kitchen design. We can't just summarily
2 approve that, DuPage has to do that. They had to
3 redesign and go back to them. They're in the process
4 of getting the approval for that change.

5 He told me 10 days ago he wanted to open
6 up seven to ten days from now. I never heard anything.

7 MS. CHARLTON: Roy is crazy busy. He's pulling
8 his hair out.

9 MR. GIUNTOLI: Yeah.

10 MR. RUFFALO: Jo Ellen, the project, that skeet
11 range there, anything new on that?

12 MS. CHARLTON: The applicant withdrew their
13 application to the County. I think they finally --
14 they continued their initial hearing that we were at
15 and there was a hundred people in the audience and they
16 continued with the goal of doing noise and other
17 studies to help justify their case. They spent a month
18 doing that and shortly, about a week before their
19 rescheduled hearing, we got notice from the County that
20 they had withdrawn findings of the studies or just got
21 a lot of pressure from the membership and neighbors
22 that this wasn't the right fit there.

23 MR. RUFFALO: Thank you.

24 MS. CHARLTON: Anything else?

1 CHAIRMAN KOPP: All right. Will someone make a
2 motion to adjourn.

3 MR. LACAYO: Make a motion.

4 MR. REMKUS: Second.

5 CHAIRMAN KOPP: All in favor say aye.

6 THE BOARD: Aye.

7 CHAIRMAN KOPP: Opposed say nay.

8 We're adjourned.

9 (Whereupon the hearing on the
10 above-entitled matter was concluded
11 at 8:06 p.m.)
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1 STATE OF ILLINOIS)
2) SS:
3 COUNTY OF K A N E)

4 I, NICOLE M. BREYTSPPRAAK, a Certified
5 Shorthand reporter of the State of Illinois, do hereby
6 certify that I reported in shorthand the proceedings
7 had at the hearing aforesaid and that the foregoing is
8 a true, complete, and correct transcript of the
9 proceedings of said hearing as appears from my
10 stenographic notes so taken and transcribed by me.

11 IN WITNESS WHEREOF, I do hereunto set my hand
12 at Aurora, Illinois, this 4th day of December, 2014.

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15 
16 Certified Shorthand Reporter
17 State of Illinois

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19 CSR License No. 084-003835.
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