

VILLA PARK ZONING & PLANNING COMMISSION

20 S. Ardmore Avenue, Villa Park

SPECIAL MEETING AGENDA

November 29, 2018 - 7:30 pm

- Call Meeting to Order.
- Approval of Minutes from November 8, 2018.
- Public Hearings.
- **Petition PZ-18-0011** Text Amendment adding Cannabis Dispensing Organization as a Special Use in the C-3 Service Business District, **Petitioner**, Village of Villa Park.
- **PUBLIC HEARING PROCEDURE: (Please note that no further testimony on this matter can be considered after the close of the public hearing.)**
 - a. Presentation of Petitioner
 - b. Staff Input
 - c. Public Participation and Questions
 - d. Questions from the Commission
 - e. Closing Comments of Petitioner
 - f. Close Public Hearing
 - g. Discussion by Commission Members
 - h. Motion
- **UPCOMING PUBLIC HEARINGS: Petition PZ-18-0010** Rezoning and Annexation of property located at 17W411 Manor Lane, **Petitioner**, Manor Lane, LLC.
- Briefing on Village Board Actions and Related Matters.
- Commissioner Comments.
- Adjournment
- Training.

VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:)
)
Text Amendment Adding) Petition PZ-18-0011
Cannabis Dispensing)
Organizations as a)
Special use in the)
C-3 Service Business.)

PUBLIC HEARING OF THE
PLANNING & ZONING COMMISSION

PROCEEDINGS HAD and testimony taken
before the VILLAGE OF VILLA PARK PLANNING & ZONING
COMMISSION, taken at Villa Park Village Hall,
20 South Ardmore Avenue, Villa Park, Illinois,
before NOREEN E. RESENDEZ, RPR, CSR, qualified in
the State of Illinois.

1 BOARD MEMBERS PRESENT:

2 MR. JASON JARRETT

MR. JACK LANENGA

3 MS. LINDA J. BELLOW

MR. MIKE ORLOWSKI

4 MR. LARRY CALVERT

MR. DOMINICK ROMANO

5 MR. KEN JACKSON

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7 ALSO PRESENT:

8 MR. PATRICK GRILL, Director of Community
Development.

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MR. AL BULTHUIS, Village President.

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1 COMMISSIONER JARRETT: I'll call this
2 regular meeting of the Villa Park Planning
3 and Zoning Commission to order with Chairman
4 Whitehurst absent, I would entertain a motion
5 to nominate a chairman pro temp.

6 COMMISSIONER ORLOWSKI: I'll make a
7 motion to nominate a chairman pro temp, Jason
8 Jarrett.

9 COMMISSIONER JARRETT: Motion second?

10 COMMISSIONER BELLOW: Second.

11 COMMISSIONER JARRETT: All in favor?

12 THE BOARD: Aye.

13 COMMISSIONER JARRETT: Motion carries.

14 Roll call. Orłowski.

15 COMMISSIONER ORLOWSKI: Yes.

16 COMMISSIONER JARRETT: Bellow.

17 COMMISSIONER BELLOW: Yes.

18 COMMISSIONER JARRETT: Lanenga.

19 COMMISSIONER LANENGA: Yes.

20 COMMISSIONER JARRETT: Romano.

21 COMMISSIONER ROMANO: Here.

22 COMMISSIONER JARRETT: Calvert?

23 COMMISSIONER CALVERT: Yes.

24 COMMISSIONER JARRETT: Chairman

1 Whitehurst, Rickel, and Jackson are absent.

2 So we'll move into the first order
3 of business, which is approval of minutes
4 from November 8th, 2018. Those are in your
5 packet. Any questions, comments, changes?
6 I'll entertain a motion to approve the
7 minutes.

8 COMMISSIONER ORLOWSKI: I'll make a
9 motion to approve the minutes of
10 November 8th, 2018.

11 COMMISSIONER JARRETT: Is there a
12 second?

13 COMMISSIONER BELLOW: Second.

14 COMMISSIONER JARRETT: Roll call.
15 Orlowski?

16 COMMISSIONER ORLOWSKI: Yes.

17 COMMISSIONER JARRETT: Bellow.

18 COMMISSIONER BELLOW: Yes.

19 COMMISSIONER JARRETT: Lanenga.

20 COMMISSIONER LANENGA: Yes.

21 COMMISSIONER JARRETT: Romano.

22 COMMISSIONER ROMANO: Yes.

23 COMMISSIONER JARRETT: Calvert.

24 COMMISSIONER CALVERT: Yes.

1 COMMISSIONER JARRETT: And I, too, vote
2 yes.

3 Move into the first item of
4 business, the first public hearing,
5 Petition PZ-18-0011 Text Amendment Adding
6 Cannabis Dispensing Organizations as a
7 Special use in the C-3 Service Business.
8 Petitioner, Village of Villa Park.

9 Let's start with the presentation
10 of the Petitioner.

11 MR. GRILL: Staff is here before you
12 tonight relative to a text amendment that
13 would permit cannabis dispensing
14 organizations in the C-3 zoning district as a
15 special use. As you are aware J.B. Pritzker
16 has said one of his first orders of business,
17 once he is sworn in as governor, is to
18 develop alternate revenue sources for the
19 State. His -- the biggest one he's proposing
20 is recreational marijuana and Staff wants to
21 also bolster the Village's revenues, and if
22 that means allowing cannabis dispensing units
23 in the C-3 district, that's what we'd like to
24 be able to do.

1 The basis for the C-3 is that it
2 would then basically allow it only along
3 North Avenue and Roosevelt Road. There is
4 one parcel along Route 83 that's also zoned
5 C-3. It currently has an automobile sales
6 location there. The reason for the special
7 use is because we want anybody who wants to
8 have one of those organizations have to
9 notify all surrounding residents within
10 250 feet of the site so that we can get their
11 input and be able to condition it as may be
12 needed given the site and what is being
13 proposed, and that's why Staff is in favor of
14 this.

15 With that I can answer any
16 questions that the Commission may have.

17 COMMISSIONER JARRETT: Please let the
18 record show that Commissioner Jackson arrived
19 at 7:34.

20 Any public participation
21 questions?

22 MR. BULTHUIS: Am I a Petitioner? If I
23 may make a comment?

24 MR. GRILL: You would be a member of

1 the public. So you have to be sworn in.

2 (Whereupon, Mr. Al Bulthuis
3 was duly sworn.)

4 MR. BULTHUIS: The reason we are asking
5 for the -- allowing them in the C-3
6 district -- I'll just give you a little bit
7 of history. I was approached a number of
8 months ago by a cannabis -- a medical
9 cannabis person who has a location that is
10 relatively close to Villa Park, where you can
11 easily drive there. He's looking for a new
12 location, a bigger building, bigger parking
13 considering what Patrick just said about the
14 possibility of the State allowing
15 recreational sales.

16 You know, I'm kind of torn between
17 in that if we should let -- allow it or not
18 allow it. Personally I don't know what I
19 would do if I had a major disease, whether it
20 would give me some relief; but considering,
21 as Staff has mentioned, the financial
22 situation that we are here in Villa Park, we
23 don't have an Oak Brook Terrace mall, we
24 don't have a Lombard mall. We basically have

1 a bedroom community and so we're always
2 looking for more funds and things are getting
3 a little bit tighter every year with
4 obligations we have in regards to pensions
5 and the continuing increase in overhead. So
6 putting that -- my personal feelings aside, I
7 have to look out for what's -- as the Village
8 president, look out for what's the best for
9 Villa Park and bring in the revenue that we
10 can.

11 Now, Like I said we had a
12 gentleman who contacted me. He's looking for
13 a location preferably on a busy street, which
14 would be North Avenue. Most of North Avenue
15 is C-3. There's a few C-2s. Roosevelt Road,
16 most of that is a little bit of a mix between
17 C-2 and C-3. I think predominantly over
18 there it's C-2 but some C-3s. So that's why
19 we are just trying to limit to where they
20 would be able to go in town to keep them away
21 from our central business districts that we
22 have off of St. Charles Road, off -- not
23 allow them on Park or Ardmore or by the train
24 station, they couldn't fit there. There's a

1 couple little spots on Addison Road, as you
2 know, that are M districts, which they would
3 be allowed in. So that's why we wanted to
4 come here to sort of get the input from this
5 board to what your opinion is on it so then
6 we could -- if you say yes or no, we can go
7 to the Village Board, if they want to hear
8 it after -- if you were to say no. So we
9 just, you know, are just asking you to
10 consider it and if you come up with any ideas
11 or objections that you might have, feel free
12 to state them. That's why I'm here to hear
13 what you have to say.

14 COMMISSIONER JARRETT: Thank you. Any
15 other public participation? Seeing none. We
16 will move to questions from the Commission.
17 Any questions?

18 MR ORLOWSKI: I have none.

19 MR CALVERT: I have a question. Is
20 this text amendment for just medicinal
21 marijuana or is it for recreational as well
22 or both?

23 MR. GRILL: It would be for both.

24 MR CALVERT: And what is the proposed

1 or potential revenue to Villa Park?

2 MR. GRILL: Staff has not been able to
3 determine that yet because a lot of it's
4 going to depend on ultimately what the State
5 is going to allow. A lot of that --
6 regulations have not been posted yet,
7 published. So we don't know what
8 restrictions the Village would have on it in
9 terms of what it would be able to charge in
10 terms of additional taxes or user fees.

11 MR CALVERT: As a non home-ruled
12 government, are we allowed to add additional
13 sales tax to it or would that be decided
14 later as well?

15 MR. GRILL: A lot of it depends on
16 ultimately on what the State passes.

17 MR CALVERT: And can we restrict it to
18 Roosevelt or North Avenue?

19 MR. GRILL: You restrict it to the
20 zoning, which right now, like I said, C-3 is
21 only along North Avenue, Roosevelt Road, and
22 one portion of Route 83.

23 COMMISSIONER JARRETT: That's the car
24 lot on the west side --

1 MR. GRILL: East side.

2 COMMISSIONER JARRETT: Okay.

3 MR. GRILL: KNB Motors.

4 COMMISSIONER JARRETT: There was a
5 regular C-3 on Villa that's gone, correct,
6 with the -- correct --

7 MR. GRILL: Correct.

8 COMMISSIONER JARRETT: Any other
9 questions from the Commission?

10 COMMISSIONER ROMANO: Patrick, I'm just
11 trying to picture exactly where Villa Park
12 aligns with Roosevelt Road. I know Oak Brook
13 Terrace touches it at a certain point there
14 in Lombard. So are we talking about the
15 stretch from, what roughly, Summit to Meyers,
16 is that where we are?

17 MR. GRILL: No. We actually go from
18 just west of Route 83 on the north side all
19 the way to Michigan basically on the west.

20 COMMISSIONER ROMANO: Okay. I was
21 basing it on the gas station that's going in
22 over there.

23 COMMISSIONER JARRETT: Any other
24 questions? Closing comments from the

1 Petitioner?

2 MR. GRILL: Other than, certainly we
3 understand the State is likely to come up
4 with a lot of various restrictions as it
5 relates to recreational marijuana, we just
6 want the Village to be in a position to be at
7 the forefront if the State does move on this
8 and be in a position to capture whatever
9 economic development that we can from the
10 recreational marijuana.

11 COMMISSIONER JARRETT: Thanks. With
12 that we'll close the public hearing and move
13 into discussion by Commission members. Any
14 comments?

15 COMMISSIONER JACKSON: It's going to
16 happen. We may as well embrace it. It's
17 happening in other states. I was out in
18 Colorado with a coworker. It's all over the
19 place there. I was out in Portland, Oregon,
20 it's all over. We may as well embrace it.
21 It's going to start being here and if we can
22 on the bandwagon early, I think it will be
23 helpful to Villa Park for the tax revenue
24 that we'll receive. And, you know, we are

1 centrally located, so I'm for it.

2 COMMISSIONER JARRETT: I think Mike and
3 I and maybe Linda, I don't remember, were the
4 only ones up here when we --

5 COMMISSIONER JACKSON: There was a
6 dispensary -- I remember that.

7 COMMISSIONER JARRETT: -- over at the
8 Elmhurst Board that wanted to come up we were
9 a little behind on that one.

10 COMMISSIONER JACKSON: They were torn
11 on that one and the Village Board decided
12 against it. I remember that.

13 COMMISSIONER ORLOWSKI: To me it wasn't
14 so much that -- not that I was torn against
15 it, it was they were asking to us make
16 changes to something that they didn't have a
17 license for yet.

18 COMMISSIONER JARRETT: Right. And at
19 that point, I think titles were made part of
20 securing a license and it was a catch 22.

21 COMMISSIONER ORLOWSKI: Which would
22 have put us in a predicament if they didn't
23 get the license, which they didn't, and then
24 we would have a piece of property that was

1 already rezoned, so ...

2 But, no, it's something that
3 you're not going to stop and there is other
4 villages doing the same thing we're doing
5 right now.

6 COMMISSIONER JARRETT: I don't -- I
7 don't see an issue with it particularly in
8 the C-3. Any other comments?

9 COMMISSIONER LANENGA: That's exactly
10 where I'm at. A C-3 is a great place. Do
11 it.

12 COMMISSIONER JARRETT: Any more
13 comments? I'll entertain a motion.

14 COMMISSIONER LANENGA: I move to
15 approve Application PZ-18-0011 for a Text
16 Amendment to Table 6-1 and Article 6 of
17 Appendix C of the Villa Park Zoning Ordinance
18 by adding cannabis dispensing organizations
19 as a special use in a C-3 service business
20 district.

21 COMMISSIONER JARRETT: There's a
22 motion. Is there a second?

23 COMMISSIONER ORLOWSKI: Second that.

24 COMMISSIONER JARRETT: Roll call.

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Orlowski.

COMMISSIONER ORLOWSKI: Yes.

COMMISSIONER JARRETT: Bellow.

COMMISSIONER BELLOW: Yes.

COMMISSIONER JARRETT: Lanenga.

COMMISSIONER LANENGA: Yes.

COMMISSIONER JARRETT: Romano.

COMMISSIONER ROMANO: Yes.

COMMISSIONER JARRETT: Calvert.

COMMISSIONER CALVERT: Yes.

COMMISSIONER JARRETT: Jackson.

COMMISSIONER JACKSON: Yes.

COMMISSIONER JARRETT: I too vote yes.

With that our recommendation passes to the
Village Board. They can either accept,
reject, or modify our recommendation.

That is the end of the public
hearings.

(Whereupon, the public hearing
was concluded.)

1 STATE OF ILLINOIS)
2) SS.
3 COUNTY OF DU PAGE)
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7 I, NOREEN E. RESENDEZ, RPR, CSR
8 No. 084-004185, duly qualified by the State of
9 Illinois, County of Du Page, do hereby certify
10 that at the request of the VILLAGE OF VILLA PARK
11 PLANNING & ZONING COMMISSION, subject to the usual
12 terms and Conditions of County Court Reporters,
13 Inc., reported in shorthand the proceedings had
14 and testimony taken at the public hearing of the
15 above-entitled cause, and that the foregoing
16 transcript is a true, correct and complete report
17 of the entire testimony so taken at the time and
18 place hereinabove set forth.

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Noreen E. Resendez, CSR

<p style="text-align: center;">A</p> <p>able 5:24 6:11 8:20 10:2,9 above-entitled 16:15 absent 3:4 4:1 accept 15:15 add 10:12 adding 1:5 5:5 14:18 Addison 9:1 additional 10:10 10:12 ago 7:8 Al 2:9 7:2 aligns 11:12 allow 6:2 7:17 7:18 8:23 10:5 allowed 9:3 10:12 allowing 5:22 7:5,14 alternate 5:18 amendment 1:5 5:5,12 9:20 14:16 answer 6:15 anybody 6:7 Appendix 14:17 Application 14:15 approached 7:7 approval 4:3 approve 4:6,9 14:15 Ardmore 1:22 8:23 arrived 6:18 Article 14:16 aside 8:6 asking 7:4 9:9 13:15 automobile 6:5</p>	<p>Avenue 1:22 6:3 8:14,14 10:18 10:21 aware 5:15 Aye 3:12</p> <hr/> <p style="text-align: center;">B</p> <p>bandwagon 12:22 basically 6:2 7:24 11:19 basing 11:21 basis 6:1 bedroom 8:1 Bellow 2:3 3:10 3:16,17 4:13 4:17,18 15:3,4 best 8:8 bigger 7:12,12 biggest 5:19 bit 7:6 8:3,16 board 2:1 3:12 9:5,7 13:8,11 15:15 bolster 5:21 bring 8:9 Brook 7:23 11:12 building 7:12 Bulthuis 2:9 6:22 7:2,4 business 1:9 4:3 5:4,7,16 8:21 14:19 busy 8:13</p> <hr/> <p style="text-align: center;">C</p> <p>C 14:17 C-2 8:17,18 C-2s 8:15 C-3 1:9 5:7,14 5:23 6:1,5 7:5 8:15,17 10:20 11:5 14:8,10</p>	<p>14:19 C-3s 8:18 call 3:1,14 4:14 14:24 Calvert 2:4 3:22 3:23 4:23,24 9:19,24 10:11 10:17 15:9,10 cannabis 1:6 5:6 5:13,22 7:8,9 14:18 capture 12:8 car 10:23 carries 3:13 catch 13:20 cause 16:15 central 8:21 centrally 13:1 certain 11:13 certainly 12:2 certify 16:9 chairman 3:3,5 3:7,24 changes 4:5 13:16 charge 10:9 Charles 8:22 close 7:10 12:12 Closing 11:24 Colorado 12:18 come 9:4,10 12:3 13:8 comment 6:23 comments 4:5 11:24 12:14 14:8,13 Commission 1:1 1:14,21 3:3 6:16 9:16 11:9 12:13 16:11 Commissioner 3:1,6,9,10,11 3:13,15,16,17</p>	<p>3:18,19,20,21 3:22,23,24 4:8 4:11,13,14,16 4:17,18,19,20 4:21,22,23,24 5:1 6:17,18 9:14 10:23 11:2,4,8,10,20 11:23 12:11,15 13:2,5,7,10,13 13:18,21 14:6 14:9,12,14,21 14:23,24 15:2 15:3,4,5,6,7,8 15:9,10,11,12 15:13 community 2:8 8:1 complete 16:16 concluded 15:20 condition 6:11 Conditions 16:12 consider 9:10 considering 7:13 7:20 contacted 8:12 continuing 8:5 correct 11:5,6,7 16:16 County 16:3,9 16:12 couple 9:1 Court 16:12 coworker 12:18 CSR 1:23 16:7 16:23 currently 6:5</p> <hr/> <p style="text-align: center;">D</p> <p>decided 10:13 13:11 depend 10:4 depends 10:15</p>	<p>determine 10:3 develop 5:18 development 2:8 12:9 Director 2:8 discussion 12:13 disease 7:19 dispensary 13:6 dispensing 1:6 5:6,13,22 14:18 district 5:14,23 7:6 14:20 districts 8:21 9:2 doing 14:4,4 DOMINICK 2:4 drive 7:11 Du 16:3,9 duly 7:3 16:8</p> <hr/> <p style="text-align: center;">E</p> <p>E 1:23 16:7,23 early 12:22 easily 7:11 East 11:1 economic 12:9 either 15:15 Elmhurst 13:8 embrace 12:16 12:20 entertain 3:4 4:6 14:13 entire 16:17 exactly 11:11 14:9</p> <hr/> <p style="text-align: center;">F</p> <p>favor 3:11 6:13 feel 9:11 feelings 8:6 fees 10:10 feet 6:10 financial 7:21 first 4:2 5:3,4,16</p>
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<p>fit 8:24 forefront 12:7 foregoing 16:15 forth 16:18 free 9:11 funds 8:2</p> <hr/> <p style="text-align: center;">G</p> <p>gas 11:21 gentleman 8:12 getting 8:2 give 7:6,20 given 6:12 go 8:20 9:6 11:17 going 10:4,5 11:21 12:15,21 14:3 government 10:12 governor 5:17 great 14:10 GRILL 2:8 5:11 6:24 9:23 10:2 10:15,19 11:1 11:3,7,17 12:2</p> <hr/> <p style="text-align: center;">H</p> <p>Hall 1:21 happen 12:16 happening 12:17 hear 9:7,12 hearing 1:13 5:4 12:12 15:19 16:14 hearings 15:18 helpful 12:23 hereinabove 16:18 history 7:7 home-ruled 10:11</p>	<hr/> <p style="text-align: center;">I</p> <p>ideas 9:10 Illinois 1:22,24 16:1,9 increase 8:5 input 6:11 9:4 issue 14:7 item 5:3</p> <hr/> <p style="text-align: center;">J</p> <p>J 2:3 J.B 5:15 JACK 2:2 Jackson 2:5 4:1 6:18 12:15 13:5,10 15:11 15:12 Jarrett 2:2 3:1,8 3:9,11,13,16 3:18,20,22,24 4:11,14,17,19 4:21,23 5:1 6:17 9:14 10:23 11:2,4,8 11:23 12:11 13:2,7,18 14:6 14:12,21,24 15:3,5,7,9,11 15:13 Jason 2:2 3:7</p> <hr/> <p style="text-align: center;">K</p> <p>keep 8:20 KEN 2:5 kind 7:16 KNB 11:3 know 7:16,18 9:2,9 10:7 11:12 12:24</p> <hr/> <p style="text-align: center;">L</p> <p>Lanenga 2:2 3:18,19 4:19 4:20 14:9,14</p>	<p>15:5,6 LARRY 2:4 Let's 5:9 license 13:17,20 13:23 limit 8:19 Linda 2:3 13:3 little 7:6 8:3,16 9:1 13:9 located 13:1 location 6:6 7:9 7:12 8:13 Lombard 7:24 11:14 look 8:7,8 looking 7:11 8:2 8:12 lot 10:3,5,15,24 12:4</p> <hr/> <p style="text-align: center;">M</p> <p>M 9:2 major 7:19 mall 7:23,24 marijuana 5:20 9:21 12:5,10 MATTER 1:3 means 5:22 medical 7:8 medicinal 9:20 meeting 3:2 member 6:24 members 2:1 12:13 mentioned 7:21 Meyers 11:15 Michigan 11:19 Mike 2:3 13:2 minutes 4:3,7,9 mix 8:16 modify 15:16 months 7:8 motion 3:4,7,9 3:13 4:6,9</p>	<p>14:13,22 Motors 11:3 move 4:2 5:3 9:16 12:7,12 14:14</p> <hr/> <p style="text-align: center;">N</p> <p>needed 6:12 new 7:11 nominate 3:5,7 non 10:11 Noreen 1:23 16:7,23 north 6:3 8:14 8:14 10:18,21 11:18 notify 6:9 November 4:4 4:10 number 7:7</p> <hr/> <p style="text-align: center;">O</p> <p>Oak 7:23 11:12 objections 9:11 obligations 8:4 Okay 11:2,20 once 5:17 ones 13:4 opinion 9:5 order 3:3 4:2 orders 5:16 Ordinance 14:17 Oregon 12:19 organizations 1:7 5:6,14 6:8 14:18 Orlowski 2:3 3:6 3:14,15 4:8,15 4:16 9:18 13:13,21 14:23 15:1,2 overhead 8:5</p>	<hr/> <p style="text-align: center;">P</p> <p>packet 4:5 Page 16:3,9 parcel 6:4 Park 1:1,20,21 1:22 3:2 5:8 7:10,22 8:9,23 10:1 11:11 12:23 14:17 16:10 parking 7:12 part 13:19 participation 6:20 9:15 particularly 14:7 passes 10:16 15:14 Patrick 2:8 7:13 11:10 pensions 8:4 permit 5:13 person 7:9 personal 8:6 Personally 7:18 Petition 1:5 5:5 Petitioner 5:8,10 6:22 12:1 picture 11:11 piece 13:24 place 12:19 14:10 16:18 Planning 1:1,14 1:20 3:2 16:11 Please 6:17 point 11:13 13:19 portion 10:22 Portland 12:19 position 12:6,8 possibility 7:14 posted 10:6 potential 10:1</p>
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