

PLAN COMMISSION
MINUTES
MARCH 13, 2014

The meeting was called to order by Chairperson Mary Loch at 7:01 p.m. Plan Commissioners David Allen, Jeff Girling, Tracy Heming-Littwin, Heidi Lannen, Jeff Mansfield, Ray Whalen and Lyn Whiston were present. Plan Commissioners Craig Bromann, Gary Fasules and Jay Strayer were excused. Also present were Trustee Liaison Tim Elliott, Planning and Development Director Staci Hulseberg, Village Planner Michele Stegall, Planning Intern John Carlisle and Recording Secretary Barbara Utterback.

Plan Commissioner Mansfield moved, seconded by Plan Commissioner Allen, to approve the minutes of the February 27, 2014 Plan Commission meeting. The motion carried unanimously by voice vote.

No general comments were made by the public at this Plan Commission meeting.

PRE-APPLICATION MEETING – 400-424 N. MAIN STREET (MAIN STREET PARKING LOT AND GIESCHE PROPERTY)

PRE-APPLICATION MEETING REGARDING THE POTENTIAL REDEVELOPMENT OF THE MAIN STREET PARKING LOT AND GIESCHE PROPERTIES LOCATED AT 400-424 N. MAIN STREET WITH A NEW MIXED USE DEVELOPMENT. THE PROJECT INCLUDES THE CONSTRUCTION OF A NEW 5-STORY BUILDING WITH RETAIL ON THE FIRST FLOOR AND RESIDENTIAL ABOVE. A NEW PARKING STRUCTURE IS ALSO PROPOSED AS PART OF THE PROJECT. THE SUBJECT SITE IS LOCATED AT THE NORTHWEST CORNER OF MAIN STREET AND HILLSIDE AVENUE IN THE C5A AND C5B ZONING DISTRICTS.

(The Opus Group)

Staff Presentation

Village Planner Michele Stegall stated that on the agenda was a proposed mixed use development of the Main Street parking lot and the Giesche property that will be presented by a group from Opus Development. Ms. Stegall stated that Opus is proposing to construct a 5-story mixed use building on the property with 8,850 square feet of retail on the first floor and 124 apartment units divided between the second floor and the fifth floor. Ms. Stegall stated that a parking structure is also proposed as part of the development that would have a total of 339 spaces. Ms. Stegall displayed a location map of the subject property. She stated that a majority of the site is located in the downtown C5A zoning district including the area of the property that the building would be located on. Ms. Stegall stated that a portion of the site is also located in the C5B District. This portion is commonly referred to as the Glenwood permit parking lot. She added that this area of the property would remain as surface parking with the project.

Ms. Stegall stated that the project is in a very conceptual phase and that the petitioner will provide more information if the project moves forward. She displayed some of the project plans and described the basic groundwork of the project. She displayed a drawing of the envisioned building outline and noted that the parking structure would have a basement, a first floor and a second floor level with covered parking on the second level. Ms. Stegall displayed the ground floor plan with 8,850 square feet of retail along the Main Street frontage, 91 public parking spaces and some residential parking spaces in the corner of the property. She pointed out that the ground floor level of the parking lot will be accessed from Main Street and added that there will be potential basement level parking with the project. Ms. Stegall stated that if the Village financially contributes to this project, the basement level would be constructed with 79 spaces in the lower level (a mix of public and residential). Ms. Stegall stated that the second level of parking would consist of 110 parking spaces dedicated for residential use. She added that this level of the parking structure would be accessed from Glenwood Avenue and the number of permit spaces on the surface lot leading to the second level parking is proposed to be increased from 42 to 48. Ms. Stegall displayed a parking chart that showed the levels of parking, the number of parking spaces in each level and how the parking will be broken up between resident parking and public parking to get 79 spaces in the basement, 102 on the first level and 158 on the second level, including the permit spaces, for a total of 339 spaces. Ms. Stegall added that 159 of those spaces will be for the proposed residential units which would be a parking ratio for the residential of 1.28 spaces per unit. Ms. Stegall added that there is some discussion in the application packet about possibly designing the project at 1.25 spaces per unit. She added that the total number of public parking spaces would be 180. Ms. Stegall stated that some on-street parking will be gained with the subject project. She stated that the proposed plans show the elimination of the floral clock and the addition of some new parallel parking spaces in that area. She stated that with the eight new parallel parking spaces on Main Street, there will be 188 total public parking spaces. She added that there are currently 130 public parking spaces—82 in the Main Street lot, 42 in the Glenwood permit lot and 6 on the Giesche property which is a net gain with the project of 58 parking spaces.

Ms. Stegall stated that in the C5A District, a total building height of 45 feet and 4 stories is permitted. She stated that what is being proposed by the petitioner is a 5-story building that would have a height of 53 feet 11 inches measured to the parapet of the building. She also stated that if the measurement is taken to the top of the roof-top equipment, it is just over 57 feet which is the actual deviation that would need to be advertised for. Ms. Stegall stated that the rooftop equipment would be minimally, if at all, visible so the parapet height would be the key dimension, therefore, the deviation would be the equivalent of 8 feet 11 inches. Ms. Stegall stated that a height study prepared by the petitioner was included in the Plan Commissioners' packets that looks at the height of a number of buildings in the surrounding area. Ms. Stegall stated that if there is concern regarding the building height, the top story could possibly be stepped back from the front façade which would minimize the perceived height and bulk of the building. Ms. Stegall stated that architecture can reduce the perception

of height, add interest to a building and make sure that it blends in well with the surrounding buildings.

Ms. Stegall stated that the subject project fulfills many of the goals in the Village's various long-term plans. She added that the 2001 Comprehensive Plan and the 2009 Downtown Strategic Plan identify the Main Street parking property as a key opportunity site in the downtown and suggests a mixed use development of the property incorporating a parking structure. She added that the 2013 Downtown Streetscape and Parking Study looked at potential parking garage locations in the Village and suggested that the Main Street lot would be the preferred site on the south side of the tracks for a parking structure and that the Village should work with a private developer to facilitate a public/private partnership regarding projects such as this one. Ms. Stegall stated that the Downtown Strategic Plan also suggests adding residential to the downtown and recommends at least 450 units in the downtown which per the Downtown Plan Market Study would only be 20% of the market. She stated that additional residences in the downtown would help the existing businesses and add vitality to the area. She also stated that the creation of new retail space that would meet the modern needs of retailers is needed in the downtown. She also stated that parking would be added to an area with a very heavy parking demand and added that this project would have a positive economic impact on the Village.

Ms. Stegall stated that in order for the petitioner to move forward, approval of a planned unit development and exterior appearance would be required. Ms. Stegall stated that Plan Commissioner Allen had inquired about the current vacancy rate in the Village and in the downtown, and the current rate in the downtown is 4.9% which is a very low vacancy rate and the current rate Village-wide is 9.8%.

Ms. Stegall stated that this project is at a concept phase and some fluctuation with numbers will likely occur when detailed information is presented.

Questions for Staff from the Plan Commission

Ms. Stegall responded to Plan Commissioner Girling that the only deviation required for this Planned Unit Development would be for height and added that parking is not required in a C5A District as parking is met through public lots and on-street parking. Ms. Stegall stated that if the project were to move forward without the additional parking in the basement, the project would be able to park itself and replace the existing parking but no new public parking would be provided. Ms. Stegall responded to Plan Commissioner Whiston that the 1.28 ratio regarding parking is residential spaces to residential units. She added that the majority (75%) of the proposed units are one bedroom. Ms. Stegall responded to Plan Commissioner Mansfield that the buildings across the street are 45 feet from ground level and 51 feet from the average existing grade. She added that average existing grade measurements are 53 feet 11 inches on the proposed project and 45 feet for the buildings across the street.

Petitioners' Presentation

Present on behalf of the petition were Sean Spellman, Bryan Farquhar and Architect Chris Hurst with The Opus Group. Mr. Spellman provided a brief background of the Opus organization and also stated that their company has spent the last year working on The Fresh Market in Glen Ellyn. He also displayed some photos and described projects they have had built in various areas in the past.

Architect Chris Hurst stated that the subject site is at the top of a hill as one approaches Glen Ellyn from the south and is a gateway project into the city. He stated that the subject project is in two zoning districts, C5A and C5B, with the vast majority of the project in C5A which is the zoning they will adhere to. Mr. Hurst stated that the fall across the site is 7 feet. He stated that integrating the slope into their project has been a challenge and he described the process of determining the average grade. Mr. Hurst displayed a drawing of the proposed site and building. He stated that the idea is to bring retail into the building and continue the integrity of Main Street that has a retail base with residential above. He stated they would like to continue that trend with their project by having a retail base with residential above and being complementary to Main Street. Mr. Hurst showed slides and described how to calculate average grade. He stated that the dimension to the parapet is roughly 53 feet and they are looking for an increase of 8 feet 11 inches. He stated that two small mechanical units will be on top of the building. Mr. Hurst stated that in order to make the project economically feasible and have the number of units required for the project, they need a fifth floor. He stated that all of the residential units will have 9-foot ceilings and will be a higher end project.

Mr. Hurst stated that they intend for this building to be a landmark for the city, to be marketed to young professionals and to revitalize the downtown. He also stated that their goal is to make the building look like a collection of buildings rather than one large building. Mr. Hurst stated that they intend to take advantage of the topography of the site to completely blend into Main Street. Mr. Hurst stated that the retail will need to be located in the middle of the building and that it cannot be at the corner because of the slopes of the site and the height restrictions. Mr. Hurst stated that whether or not they do the basement, they will be able to replace existing parking and if the basement is done, they will exceed existing parking. He added that parking will be easily accessed for all uses as it will be located directly under the retail. He also stated that there will be a grand entrance off of Main Street. He added that if the residential entrance was at zero, it would be below grade. Mr. Hurst stated that regarding the entrance, they are trying to be sensitive to the elevation and have an entrance that is more of a landmark closer to Hillside Avenue that will mimic a grand entrance for retail. He also stated that the elevation will be pleasant, will increase interaction to the street, traffic near the site will increase and the addition of some cafes may occur.

Mr. Hurst displayed the basement plan. Regarding the ground floor, he stated that the retail is centered on the Main Street side, there will be an entrance to the north of the retail and most of the customer parking will be located behind the retail area with minimal residential parking also located there. He stated that the basement parking will be well lit and inviting. Mr. Hurst stated that the site has two entrances into the site—one off of Main Street and one off of Glenwood Avenue. He added that the existing slope of the ramp to the parking lot would connect with the second floor and residents would park in an enclosed parking structure. He added that they want parking in an enclosed façade that looks like a building. He also stated that the surface parking to the rear would be reserved as permit parking which it currently is and that parking would be gained (from 42 spaces to 48 spaces). He stated that they intend to have connectivity throughout the project.

Mr. Hurst also displayed a typical layout of units and stated that residential units will turn the corner of the building if retail does not work. He stated that this project which is residential and retail is a good blend in the area from single-family homes to more urban living in the city center. Mr. Hurst also stated that they would like to use masonry and/or other substantial materials for the façade that are worthy and blend into the downtown, adding that they would like to increase value in the neighborhood. Mr. Hurst added that the idea of breaking the buildings into individual buildings or making them look like a collection of buildings would be the next type of development using some of these material ideas.

Responses to Questions from the Plan Commissioners

Mr. Hurst responded to Plan Commissioner Girling that he would like to develop connectivity in an area to the north so that access can be kept with an existing restaurant at that location and an alley can also be located there to open up the area. Mr. Hurst responded to Plan Commissioner Heming-Littwin that, regarding depth of the retail space, the narrower part is 44 feet deep and the deepest part is 66 feet. Mr. Hurst also responded to Plan Commissioner Heming-Littwin that the reason not to move the lobby of the residential to the corner at Hillside Avenue was based on efficiency of parking. Mr. Spellman responded to Plan Commissioner Lannen that whether or not there is parking in the basement is a financial issue. Plan Commissioner Mansfield asked if it would be possible to have more parking in the garage with further excavation or if another drive aisle could be added. Mr. Hurst replied that another drive aisle could be added but it becomes a cost issue as shoring on a setback is expensive. He also stated that another 25-30 parking spaces could be added by excavating to zero. Mr. Mansfield stated that he would be interested to learn what the cost difference would be to have the additional parking as the basement garage would be a Village contribution. Plan Commissioner Girling asked if there is another public ingress-egress besides to the rear of the basement space, and Mr. Hurst responded that will be developed in the future and will hopefully be retail connected to Main Street. Plan Commissioner Mansfield asked if the subject site will provide an area for a large retail chain store. Mr. Spellman stated that the subject design could attract that type of retailer but that the charm of Glen Ellyn is its boutique nature and this site would

be a continuance of the boutiques and restaurants in town. He added that they can quickly research interest in downtown Glen Ellyn from national retailers and chains. Ms. Stegall responded to Plan Commissioner Mansfield that the problem with national retailers in Glen Ellyn has been the traffic counts on Main Street being lower than they would like. Plan Commissioner Mansfield asked if there has been any discussion with St. Petronille regarding incorporating their parking lot into the project as had occurred during the previous development discussions. Mr. Hurst responded that they have not contemplated that site for this development. An unidentified audience member stated that there has been no discussion regarding this topic with St. Petronille. Plan Commissioner Mansfield asked if the developer would be willing to have resident parking in the basement and public parking on the second floor, and Mr. Spellman said they would need time to consider this possibility.

Comments from the Public

Eleanor Salimonas of Glen Ellyn asked the petitioners if they have considered green elements for their project. Mr. Hurst responded that their development will be done in wood frame which is a sustainable material rather than a concrete or steel structure and that they will also incorporate other energy efficient equipment into the project. Mr. Spellman responded to Ms. Salimonas that everything they do in their company has a very significant sustainability element and that most of their office and industrial developments are LEED certified. He added that this project will not be LEED certified as the process is expensive and timely but that sustainable elements will be incorporated in the development. Ms. Salimonas stated that the petitioners had stated that the population of the building will be for higher income professional individuals and she asked if teachers are in that category. Mr. Spellman stated that the prices of this building will be similar to any other high end building and he felt that teachers would be able to live in this building. Ms. Salimonas stated that 9-foot ceilings in the apartments would make them less energy efficient. Mr. Spellman responded that ceiling heights do not play into the calculations for efficiency and added that the market demands 9-foot ceilings.

Mike Formento, 65 N. Exmoor Avenue, Glen Ellyn, Illinois spoke on behalf of this project. Mr. Formento stated he is the Co-Executive Director of the Glen Ellyn Chamber of Commerce and that the Chamber of Commerce has no official comments at this time as this is a very preliminary stage of the project. Mr. Formento asked if there will be individual store entrances off of Main Street into the retail area, and Mr. Spellman replied yes. Mr. Formento also asked if the building will be constructed right up to the sidewalk on both Main Street and Hillside Avenue, and Mr. Spellman replied yes. Mr. Formento then asked if the basement parking will be funded by the Village and Mr. Spellman replied that is the current discussion. Mr. Formento asked if the commuter parking currently on Glenwood Avenue will remain as commuter parking, and Mr. Hurst replied it would be permit parking and has been calculated into the total number of parking spaces. Mr. Formento asked why this parking would be calculated into the total if it is all reserved parking, and Ms. Stegall responded that the total number of public

parking spaces, including the permit parking, was calculated in the total. She added that 188 total public parking spaces are proposed and 130 parking spaces are existing and that 130 parking spaces includes the permit parking. She also added that there will be a 6-space increase in the number of permit spaces. Mr. Formento asked what the net gain of parking will be if parking is not put into the basement. Mr. Hurst replied that 3 spaces would be gained, and Mr. Formento added that 3 additional parking spaces would not meet a goal that the Chamber would like to support. Mr. Formento responded to Chairman Loch that he would be in support of the Village funding parking, however, was not supportive of funding for lower level parking principally because of safety reasons for the public using those spaces for retail purposes. Mr. Formento also expressed concern that all of the cars leaving the parking area would be funneled onto Glenwood Avenue and requested that a traffic study be done. He added that Hillside Avenue is a one-way street west and that two adjacent parking lots in the area are very active. Mr. Formento stated that the petitioner said they will camouflage the parking deck by using the building and asked if the exposure on the western side of the building will be open decking. Mr. Hurst replied that the Glenwood side façade will be of similar materials as the building so that one cannot see into an open deck and that all four sides of the building will be clad. Mr. Formento also stated he was interested to know how people who have parked on Glenwood will safely get through the building and parking lot onto Main Street.

Al Phalen, 684 Duane Street, Glen Ellyn, Illinois requested information regarding the architecture of the building, and Mr. Hurst responded that the building will likely not be Tudor but will be a modern interpretation that will be complementary. Mr. Phalen stated that it was said that the parking ratio is 1.28 to the number of units and asked if the residents would be limited to one car. Mr. Hurst responded that there is a 75/25 split between 1 and 2 bedroom units and added that not all renters will have a car and that there is also the potential for some tandem parking spaces. Mr. Phalen commented that the parking situation will be tight.

Frank Linn who lives at The Legacy on Pennsylvania Avenue stated that their parking units are in excess of two and there are six outdoor parking spaces that are in demand. He felt that the 1.5 parking ratio is not consistent with a condo/townhouse development. Mr. Linn stated that Glenwood Avenue is jammed with cars coming and going on Sundays from 7:00 a.m. to 1:00 p.m. and that having an exit onto Glenwood will create a massive parking problem. He also stated that Glenwood Avenue is used during the school year for pick-up and drop-off of children. Mr. Linn agreed with Mr. Formento's recommendation to have a traffic study done regarding this project. He also stated that the petitioner's plans will have an impact on what will be done with a house owned by the Catholic church that is next door to Giesche's.

Gary Evansen, a Glen Ellyn resident and owner of Olive and Vinnie's in town, asked what the time frame will be for construction of the proposed project. Mr. Spellman responded that the time frame will be 1 to 1-1/2 years.

Chris Wilson, a Glen Ellyn resident, stated she was formerly the President of Citizens for Glen Ellyn Preservation and is currently on the Historic Preservation Commission. Ms. Wilson stated she lives approximately one block from the subject project. She stated that she likes the idea of the project and the idea of parking being hidden from Main Street. She stated that the subject area of Main Street in Glen Ellyn has recently been included in the National Register for historic places and hopes the developer will be sensitive to that fact and match materials to those on the street. Ms. Wilson stated that her main concern is the massing, feeling that four-five stories is too tall. She also stated that when a project for this site was before the Village several years ago, they were asked to create a scale model showing how it will fit in to Main Street and the Village.

Bill Boyle of Forest Avenue, Glen Ellyn, Illinois asked if there will be any future consideration for using St. Petronille's parking lot, and Mr. Spellman replied no. Mr. Boyle also inquired about the acquisition of other property on Hillside Avenue, and Mr. Spellman replied that as of now the development stands alone. Mr. Spellman responded to Mr. Boyle that the project currently excludes any other acquisition of property. Ms. Stegall also added that the subject project includes the Main Street parking lot and the Giesche property. Mr. Hurst also responded to Mr. Boyle that there will be no access to Main Street from St. Petronille's parking lot.

Comments from the Plan Commission

Plan Commissioner Mansfield stated that he was present at the previous meetings regarding this site. He felt that this project has potential and stated he would like to see the petitioner continue with this project. He was strongly in favor of the petitioner reaching an agreement with the Village regarding additional parking. He also was in favor of having a traffic study and a model of the subject project done. Plan Commissioner Heming-Littwin stated that she agreed with most of Plan Commissioner Mansfield's comments and felt that parking will be the major issue with this project. She also stated that she would like to see what the proposed project will look like and does not want a project in the downtown that looks out of place. She stated that she likes what she has seen so far regarding the project and stressed the importance of parking. Plan Commissioner Allen stated he was concerned about what the project would look like from a gateway perspective, where the retail space will be and how to approach Main Street from the south to north. He felt that the public parking should be free from a public parking perspective. He stated he was comfortable from a height perspective. He also stated that he did not know how the net gain of 58 parking spaces meets the parking restrictions in the subject area. He also stated that a setback on the 5th floor would help to mitigate some of the mass. Plan Commissioner Whalen was overall in support of the proposed development. He stated that the gateway into the downtown is critical. He also said that the height is a consideration but that the way the architecture is broken up in the massing will look better when completed. He stated he would like to see a higher parking ratio in the event of a conversion to condominiums. He also recommended that the petitioner produce a model and a traffic study and meet with the public outside of the Plan Commission when plans are available.

He also recommended a second pre-application meeting with the Plan Commission when more final plans are available. Plan Commissioner Girling was overall supportive of the proposed plan and stated that he would like to see a rendering showing the scale. Plan Commissioner Lannen was overall supportive of the proposed plan and stated she does not have an issue with the height variance. She stated that parking is an issue in the downtown and that overflow parking which is now in the St. Pet's lot will be gone when the building is constructed. She also expressed concern regarding the traffic pattern in the area as cars park near St. Pet's as they wait for their children to enter/exit the school. Plan Commissioner Whiston stated he was in favor of the proposed plan. He felt that the basement needs to be available for parking and that a traffic study is necessary. He asked that the petitioner look at the idea of a step back on the 5th floor in order to break up the façade of the building. He stated that the petitioner is off to a good start. Chairperson Loch felt that this has been a great start for the project. She expressed concern that guests visiting the residents in the subject building will use parking spaces in town and was in favor of additional parking for the project. She felt that the project will increase traffic in town and that safety regarding St. Pet's is necessary.

PUBLIC HEARING – ZONING CODE TEXT AMENDMENTS – MEDICAL CANNABIS (MARIJUANA) DISPENSARIES.

A REQUEST FOR APPROVAL OF PROPOSED AMENDMENTS TO THE GLEN ELLYN ZONING CODE THAT WILL ESTABLISH REGULATIONS FOR MEDICAL CANNABIS DISPENSARIES IN THE VILLAGE. (Village of Glen Ellyn)

Plan Commissioner Mansfield moved, seconded by Plan Commissioner Heming-Littwin, to open the public hearing. The motion carried unanimously by voice vote.

Staff Presentation

Planning Intern John Carlisle provided information regarding a Zoning Code Text Amendment for medical cannabis dispensaries in the Village of Glen Ellyn. Mr. Carlisle stated that marijuana is legal under Illinois state law as of January 1, 2014 regarding the production of, growth of, sale of and possession of cannabis products for medical use only. He added that Illinois is the 20th state to enact a law that allows the use of marijuana for medical purposes, however, it is considered to be a Schedule 1 drug which means that it cannot be used medicinally per federal law. Mr. Carlisle added that states are able to pass laws legalizing marijuana even though it is illegal per federal law as it is unknown to what degree the federal government will enforce federal law in states and, in particular, in states where marijuana is legal. He added that since 2009, there has been a policy decision per the current administration, including the President and Attorney of the United States, that instructs federal law enforcement not to enforce federal marijuana prohibition in the states where it is legal for medicinal use. Mr. Carlisle added that it is illegal for marijuana to be transported across state lines and also stated that the Village attorney has been consulted regarding the Village's proposed zoning regulations for medical marijuana.

Mr. Carlisle stated that although marijuana has been legal since January 1, 2014, no establishments are open yet as state law has provided additional time for state agencies to develop procedures and rules for these establishments. Mr. Carlisle stated three elements to keep in mind regarding medical marijuana in Illinois are patients and cardholders who are entitled to purchase a prescribed amount of cannabis over a prescribed period of time, cultivation centers where medical cannabis plants are grown and where derived products are manufactured (plants or food items) and dispensaries which are retail-type entities where cannabis products can be purchased for medical use.

Mr. Carlisle displayed a map that showed where cultivation centers are prohibited and stated there is no way under state law that cultivation centers can be located in Glen Ellyn as they cannot be located near any residentially zoned property nor in any area within 1,000 feet of residentially zoned property. Mr. Carlisle also displayed a map that showed where dispensary centers may be permissible and stated that state laws indicate that rules governing dispensaries are the same as cultivation centers except that dispensary centers are not required to be 1,000 feet from where people reside. Mr. Carlisle indicated C4 zoning areas on a map. Mr. Carlisle stated that the Village Attorney has advised, similar to other uses that are controversial, that it must be possible for these businesses to exist, however, state law gives municipalities the opportunity to make additional restrictions. Mr. Carlisle stated that acting soon regarding these issues is a prudent decision as there will then be time to make changes if necessary.

Mr. Carlisle stated that state law will allow a total of 60 dispensaries in the state of Illinois and added that it will be unlikely that the Village of Glen Ellyn would have more than one dispensary. He added that the Village has received a couple of phone calls inquiring about the Village's dispensary regulations, and one caller stated that one will only be allowed to go through the State permitting process if he/she has a lease in a tenant commercial space or an option to buy property in order to construct his/her own building. Mr. Carlisle stated that the reason for this approach is partially so that they can acquire their own insurance on the building and use technology to secure the product.

Mr. Carlisle stated that what the Village is proposing from a zoning standpoint is to make a medical cannabis dispensary a newly permitted use in the Light Industrial zoning district on Hill Avenue. He added that the subject parcels on Hill Avenue have not yet been annexed to the Village. He stated that the rationale for a permitted use in that location is that the area is not high traffic or a visible location but is on a road that can accommodate a fair amount of traffic, the area will not draw a great deal of attention but may offer the opportunity for a business to build a ground-up project. Medical cannabis dispensaries are also being proposed as a special use in the C4 Zoning District which would allow the Village to place conditions on the special use. Mr. Carlisle also stated that staff is proposing to limit the hours of operation from 8:00 a.m. to 6:00 p.m. for easy daylight monitoring, cannabis dispensaries would need to be at least 1,000 feet from each other, and drive-thru's and carry-outs would be prohibited. Mr. Carlisle referred the Plan Commissioners to a matrix they received in their packets that described

zoning requirements in other municipalities.

Questions to Staff from the Plan Commission

In response to a question asked by Plan Commissioner Allen prior to this meeting, Mr. Carlisle stated that Walgreens, for example, does not carry medical marijuana because it is not regulated by the Food and Drug Administration which is a federal body and marijuana is prohibited by the federal government but not enforced at the federal level. Plan Commissioner Allen also had asked what a Compliance Affidavit is as that document is required by Naperville, and Mr. Carlisle stated he is currently researching that item. Mr. Carlisle responded to Plan Commissioner Allen that he would need to check on the dimensions to find out if two dispensaries could be located 1,000 feet from each other in the light industrial zoning area. Mr. Carlisle also responded to Chairperson Loch that he believes the 1,000 feet would expand across municipal boundaries. At Chairperson Loch's request, Mr. Carlisle circled the C4 zoning designations and at Plan Commissioner Girling's request, he circled the industrial designations. Plan Commissioner Mansfield stated that the smallest lot circled is at the corner by Taft Avenue at Panfish Park and that most of that space is in the prohibited area so a dispensary could not be on that lot. Mr. Carlisle responded that any time the prohibited area creeps into a parcel, that parcel would be disqualified and because that land is such a small sliver, a dispensary would probably not be allowed there. Plan Commissioner Mansfield felt that having a dispensary on Roosevelt Road may be better than Taft Avenue for visibility purposes and asked why C4 was chosen over C3. Mr. Carlisle replied that many of the C3 properties along Roosevelt Road are larger strip mall complexes/multi-tenant shopping buildings where most of the retail outlets rent the space and are subject to the insurance and scrutiny of a landlord. He added that there is currently some resistance from the commercial real estate perspective on leasing to those tenants and felt there is more space for a ground-up project or splitting parcels in C4 than in C3 with the established shopping complexes. He also stated that we are trying to make uses co-exist and the dispensaries are being chosen for office district use in many cases. Ms. Stegall added that the Police Chief's preference is to have a dispensary located off of Roosevelt Road. Plan Commissioner Allen inquired about why medical cannabis is being recommended as a permitted rather than a special use in the Light Industrial District. Mr. Carlisle responded that per the Village Attorney, it is helpful when you are trying to prove that your municipality is making a reasonable allowance if there is an area for a permitted by right use.

Plan Commissioner Heming-Littwin moved, seconded by Plan Commissioner Mansfield, to close the public hearing. The motion carried unanimously by voice vote.

Persons in Favor of or in Opposition to the Proposed Request

No persons spoke in favor of or in opposition to the proposed request.

Comments from the Plan Commission

Plan Commissioner Whiston stated he was in favor of the proposed request on principle and requested a map that more clearly indicated the accepted locations. Plan Commissioner Lannen also was in favor of the proposed request and stated that the industrial district was the first choice area and the commercial office was the second choice area. She also wanted a condition to prohibit cannabis drive-thru or window sales. All of the other Plan Commissioners were in favor of the proposed request. Plan Commissioner Allen stated he had a question regarding how large the industrial area is and if two dispensaries would be permitted in this area with the proposed 1,000 separation and if this is something we are trying to prevent. Plan Commissioner Whalen asked if anything negative would be done to the proposal if dispensaries were required to be 1,500 or 2,000 feet apart, and Mr. Carlisle felt that the Village Attorney should be consulted regarding this issue. Plan Commissioner Heming-Littwin felt that two dispensaries being created in the same area would most likely not happen as only sixty (60) dispensaries will be located in the entire state.

Motion

Plan Commissioner Mansfield moved, seconded by Plan Commissioner Whalen, to recommend approval of the Zoning Code Text Amendments for Medical Cannabis (Marijuana) Dispensaries with no modifications.

The motion carried unanimously with eight (8) "yes" and zero (0) "no" votes as follows: Plan Commissioners Mansfield, Whalen, Allen, Girling, Heming-Littwin, Lannen, Whiston and Chairman Loch voted yes.

OFFICIAL 2014 ZONING MAP

A REQUEST FOR APPROVAL OF THE OFFICIAL 2014 VILLAGE OF GLEN ELLYN ZONING MAP.
(Village of Glen Ellyn)

Staff Presentation

Village Planner Michele Stegall stated that the State statute requires that the Village adopt an official Zoning Map by April 1 of each year. She stated that there has been one map amendment this year which was the rezoning of the Autumn Leaves parcel at 190 Geneva Road from R2 to R3. Ms. Stegall stated that zoning in all other areas remained the same and there were no annexations this year.

Motion

Plan Commissioner Heming-Littwin moved, seconded by Plan Commissioner Allen, to recommend adoption of the map as presented.

The motion carried unanimously by voice vote.

Staff Report

Ms. Stegall stated that one item will be on the next agenda.

Plan Commissioner Mansfield moved, seconded by Plan Commissioner Heming-Littwin, to adjourn the meeting at 9:26 p.m. The motion carried unanimously by voice vote.

Prepared by:
Barbara Utterback
Recording Secretary

Reviewed by:
Michele Stegall
Village Planner