

**CITY OF WOODSTOCK  
PLAN COMMISSION MINUTES**

July 24, 2014 - City Council Chambers

The regular meeting of the Woodstock Plan Commission was called to order at 7:00 PM by Chairwoman Katherine Parkhurst on Thursday, July 24, 2014 in Council Chambers at City Hall. A roll call was taken.

**PLAN COMMISSION MEMBERS PRESENT:** Don Fortin, Robert Horrell, Darrell Moore, Chairwoman Katherine Parkhurst, William Clow, Steve Gavers, Doreen Paluch

**PLAN COMMISSION MEMBERS ABSENT:** Jack Porter, Erich Thurow

**STAFF PRESENT:** Planning and Zoning Administrator Jim Kastner, City Attorney Carlos Arevalo, Director of Economic Development Cort Carlson

**OTHERS PRESENT:** City Clerk Dianne Mitchell

**APPROVAL OF AGENDA AND MINUTES, ELECTION OF VICE-CHAIR**

Motion by W. Clow, second by D. Paluch, to approve the Agenda of the July 24, 2014 Plan Commission Meeting as presented.

R. Horrell referenced the second item under New Business and stated that the application looks incomplete because the owners are not designated. He stated that the owner is named as 4500 NW Highway and noted that the Ordinance requires that the actual and true owners be named if it is a business entity. C. Arevalo stated that an LLC is a legal entity so they can have ownership and noted that there is a member present.

R. Horrell advised that his concern is that the information is out in the public without any owners being specified. He stated that there are several sections in the Ordinance that require the owners and that under the special use permits application and filing, it states on page 4.13 of the UDO that the application can be verified by the owner or authorized agent of the owner, but it doesn't say that the owners don't have to be listed. He stated that the information in the public is incomplete and questioned what they should do since the public doesn't have the opportunity to review a complete application.

C. Arevalo stated that with respect to 4.12, Sub-section C says that when the business owner is a business entity the application shall include the names and addresses of all true and actual owners. He stated that the owner is the LLC so it is an entity and the owner. He stated that there might be membership behind it, but the ownership itself lies within the entity and it is the owner on record. He stated that the LLC company here is treated as the owner and noted that the ordinance doesn't require the disclosure of the investors or shareholders or all the members of the corporation. In response to R. Horrell, C. Arevalo stated that a LLC is a limited liability company which is a form of corporation so the requirements are different. He stated that in this case the true and actual owner is the LLC.

He stated that the member of a LLC can act on behalf of the LLC and noted that Mr. Weisz signed the application. R. Horrell stated that Mr. Weisz signed it to verify the application and noted that the application still, in his opinion, doesn't have the names of the true and actual owners. C. Arevalo stated that based on how the application reads, it shows that it is manager managed and the manager is a member of the LLC. He advised that he is satisfied with what is in the application in regards to satisfying the Ordinance.

Ayes: W. Clow, S. Gavers, R. Horrell, D. Paluch, D. Fortin, D. Moore, K. Parkhurst. Nays: None. Absentees: J. Porter, E. Thurow. Abstentions: None.

Motion by R. Horrell, second by D. Moore, to approve the Minutes of the April 24, 2014 Plan Commission Meeting as presented. Ayes: S. Gavers, R. Horrell, D. Fortin, D. Moore, K. Parkhurst. Nays: None. Absentees: J. Porter, E. Thurow. Abstentions: W. Clow, D. Paluch

Motion by S. Gavers, second by D. Fortin to elect D. Paluch as Vice-Chair of the Plan Commission. Ayes: W. Clow, S. Gavers, R. Horrell, D. Paluch, D. Fortin, D. Moore, K. Parkhurst. Nays: None. Absentees: J. Porter, E. Thurow. Abstentions: None.

### **1. PUBLIC COMMENTS**

Phillip Robertson, 1550 Bobolink Circle, Woodstock, questioned, provided that City Council approves the UDO and the Plan Commission and City Council approves pending petition, whether it precludes any further petitions from coming forward to the Commission for similar types of dispensaries.

D. Moore stated that he believes there are 60 State licenses to be distributed. P. Robertson stated that there is only one dispensary license for McHenry County. J. Kastner believes there are 36 in the six-county area which is based on population. He advised that based on its population McHenry County was allocated one dispensary. He stated that right now there is nothing that would prohibit anybody from filing another application with the City for a special use permit for medical cannabis dispensary.

K. Parkhurst stated that as part of the City's requirements you would have to get a State license to open so if petitioners come in it would be whoever gets their license first. C. Arevalo stated that the applicant may get through the City's process but may not necessarily get the license from the State at which point in time the special use would expire so whoever was second in line might have the application pending and they are the ones to be approved they would get the license for the County. He stated that there is no preclusion for any other applicant to pursue it.

Michael O'Leary, 1375 Westwood Trail, Woodstock, stated that he has the building next to this property and questioned the variation request. Chairman Parkhurst stated that the Commission will discuss it at the second public hearing noting that it is a variation from the City's requirement that it has to be a 1,000 feet away from parks.

### **2. OLD BUSINESS**

No old business was discussed.

### **3. NEW BUSINESS**

- Public Hearing on amendments to Table 7A.4 (*Allowed and Special Use Table*), and Section 7B.2.25 (*Medical Cannabis Dispensary Use Standards*) of the City of Woodstock Unified Development Ordinance, said amendments pertaining to the location of medical cannabis dispensary sites in the City of Woodstock.

### **CALL ROLL**

Chairwoman Parkhurst opened the Public Hearing at 7:16 PM. A roll call was taken and it was determined that a quorum was present.

J. Kastner advised that the item is an amendment to the Unified Development Ordinance regarding the possible location for medical cannabis dispensaries. He reported that eight months ago City Council approved an ordinance allowing medical cannabis dispensaries as a special use within the B2, B3 and B5 zoning districts. He advised that since that time the City has had a number of inquiries from people interested in dispensary sites and where they can be located. He advised that the City realized after looking at the zoning map and the properties that people were inquiring about that a great majority of the B2 zone could not be considered for dispensary because it is within a certain distance from residential areas and school or daycare areas. He advised that a lot of the B3 and B5 zoned properties are also within the separation distance of schools, daycare centers and parks.

He stated that to open up the opportunity a little bit, the City is proposing that a dispensary site be allowed in a M1 and M2 zoning district which is light industrial and heavy industrial. He stated that this will create

some additional sites that may qualify for a medical cannabis dispensary. He advised that even with the change it would still require a special use permit from the City and compliance with State requirements for a dispensary site.

J. Kastner stated that they are proposing to amend Table 7A.4 and the standards section which is Chapter 7B to include dispensary sites in the M1 and M2 districts. He stated that the second item on the agenda would have to have the amendment approved in order to be in that location.

D. Moore stated that the M1 & M2 districts tend to appear side by side with the B3 and B5 districts. J. Kastner advised that in a lot of cases the business districts are directly on the frontage of the roads and behind them are the M1 & M2 districts. He stated that along the portion of Rt. 47 north of Rt. 14 in many cases there are industrial activities behind those uses. He advised that it will create additional distance between schools and daycare and create a larger area that people can look at to potentially put in a dispensary.

D. Moore asked if there are other businesses currently allowed in the M1 that might have significant retail components. J. Kastner stated what the City allows in M1 and referred to an example of a silk screen business on Lake Shore Drive who had at one time an outlet store. He stated that most of the uses in industrial zones are manufacturing and professional offices.

R. Horrell stated that if they consider it in M2, there may be repercussions from a heavy industrial use next door to a sensitive operation noting that having a dispensary of medical product next to an asphalt plant doesn't jive. He thinks M1 is a good idea but not M2.

Chairman Parkhurst stated that she has concerns with the overall suggestion of already amending the code since it was just approved. She stated that the Commission approved the business districts because they thought it was more for retail use and they knew it was limited which was done by choice because they didn't want it by the Square or in certain areas. She stated that it may or not be a problem noting that she sees benefits and negatives to it.

Chairman Parkhurst stated that if there is a dispensary in a manufacturing area and it is overly successful and there are a lot of people, it's a lot of car traffic coming in and out that the manufactures are not looking for as it could conflict with the trucks. She stated that she is assuming that there are more public and police presence in the retail areas then there are in the manufacturing areas, although it might not be an issue.

W. Clow expressed concern with putting a retail operation in a manufacturing area, but noted that he has less concern with a M1 but he has problems with M2. He stated that if there are some of the business areas that they know they aren't going to have any then take them off and not make it a consideration.

D. Paluch stated that she looked at the other uses allowed in those zoning areas and advised that it does seem appropriate in an M1 area where things like doctor or dentist offices, clinics, a health care campus, immediate care, rehabilitation, extended care and medical offices are allowed. She stated that knowing that those types of uses are allowed in M1, the medical marijuana dispensary would fall within those general categorizations and thinks M1 would be appropriate. D. Paluch stated that looking at the M2 classification she doesn't see the fit.

S. Gavers agrees with the M1 zoning. He stated that M1 has the zoning there and carries what they want to do. He questioned how it will be monitored. J. Kastner advised that the State has rigorous requirements for security, employees have background checks by the State police, the people who receive medical marijuana at a dispensary have to have a license or registration card from the State, and there are cameras and inventory requirements. He reported that if you do receive medical marijuana you can't smoke it in a public area.

D. Fortin stated that each application will requires special use so they evaluate every applicant. He stated that he doesn't see that there is going to be a line of people applying for this special use specifically since we are limited in what we can do here. He thinks it is a very unique and limited use and doesn't think it would be something that would need to be on the Square; people are going to know where they are going and what they are going for. He stated that based on the fact that they have to evaluate each applicant, he doesn't see a problem with the requested change.

### **Public Comments of Public Hearing**

Phillip Robertson, 1050 Bobolink Circle, Woodstock was sworn in by C. Arevalo. P. Robertson questioned why B1 and B4 were not included as zoning for a dispensary. J. Kastner advised that B1 is a neighborhood business use noting that there are a handful of B1 sites in the city. He stated that the B1's are in existing neighborhoods with day-care establishments, parks and churches. He stated that B4 is an office district noting that there isn't a lot of B4 in the city as well.

P. Robertson stated that he would support the addition of the M1 zoning district. He thinks it would be a good addition and it is consistent with the ordinance and with State recommendations.

Chairman Parkhurst closed public comment at 7:40 P.M.

R. Horrell questioned if there is any responsibility on the City to see that the owners are acting accordingly and questioned who does their inspections. J. Kastner stated that for the dispensary the State Department of Financial and Professional Regulation would check it. He stated that the City needs to make sure they comply with zoning and local code.

Chairman Parkhurst questioned if the City considered doing any type of a licensing fee for this use. J. Kastner stated that he is not aware that the City has but it is something that can be looked at. C. Arevalo advised that they would have to look into it. J. Kastner stated that there would be one license in Woodstock if it was approved by the State.

Motion by R. Horrell, second by W. Clow, to recommend making an amendment to table 7A.4 and Chapter 7B.2.25 in the City of Woodstock Unified Development Ordinance that will allow as a special use a medical cannabis dispensary in the M1 zoning district.

A roll call vote was taken. Ayes: William Clow, S. Gavers, R. Horrell, D. Paluch, D. Fortin, D. Moore, K. Parkhurst. Nays: None. Absentees: J. Porter, E. Thurow. Abstentions: None.

The public hearing was closed at 7:44 PM

- Public hearing regarding a Special Use Permit for a medical cannabis dispensary at 2300-2312 South Eastwood Drive and a variation from Section 7B.2.25 of the Woodstock Unified Development Ordinance for said Special Use. This request is subject to approval by the City Council of the previous agenda item.

### **CALL ROLL**

Chairwoman Parkhurst opened the Public Hearing at 7:44 PM. A roll call was taken and it was determined that a quorum was present.

C. Arevalo swore in petitioner representative Tom Zanck and all of his witnesses. T. Zanck stated that the petitioner has significant local ties and is affiliated with the Family Guidance Centers. He advised that the petitioner has brought on board some very significant expertise including Ron Vlasaty and Ross Mash. He stated that in his judgment and the petitioner's judgment the City of Woodstock is the appropriate center of McHenry County for something of this nature. They believe it is a beneficial site for the City and for the

County especially since it is on the south side of the city away from traffic and is approximate to Rt. 14, Rt. 176 and Rt. 47. He advised that it is directly across the street from the old Kmart soon to be the new Harley Davidson. He stated that with the pre-existing building it is a premier location and building to establish this type of facility.

Mitchell Weisz, 7404 Inverway, Crystal Lake stated that he grew up in Woodstock and practiced law for 25 years in Woodstock. He advised that now he is a real estate investor and he and his wife run an antique business. He advised that he comes to this project from two ways, one as a property owner noting that the shareholders are members of the LLC which include himself, his brother and his cousin Sandra Kroll. He advised that his brother lives in Chicago and his cousin lives in Riverwoods, IL. T. Zanck questioned if M. Weisz ratifies and confirms as true the allegations that are set forth in the petition, M. Weisz affirmed. In response to T. Zanck's request for more background information regarding M. Weisz's experience with not for profits, M. Weisz reported that he has been on a number of non-profits including the Woodstock Economic Development Corporation, but for the past 15 years he has been the Director of Family Guidance which is a substance abuse organization. He advised that it has given him a broad exposure to substance abuse and the security issues in regards to it.

In response to T. Zanck's question regarding the improvements on the property that make it beneficial to a proposed dispensary, M. Weisz reported that the building has six units noting that here are two vacant units that they are looking to occupy. He advised that Fastenal had been located in there but have relocated. He reported that they just built out one of the other units for Jazzercise. He stated that there is a radiator shop and a muffler shop both of which are retail in a sense as they have sales tax on their sales. He advised that the medical marijuana program also requires paying sales tax on the product.

M. Weisz advised that the O'Leary's have the building to south of his property and the Thurow's have a machine shop to the north. He advised that to the west there is a warehouse but noted that he doesn't know the owners. He stated that across the street there is retail which includes the Harley Davidson dealership is going to move in.

T. Zanck advised that they are requesting a variation of the ordinance as it relates to having it sited within 990 feet of the Davis Road Soccer Field and within 730 feet of the Cobblestone Park rec area. He stated that the park variation put in the ordinance by the City is not a State law. M. Weisz affirmed and stated that the City of Woodstock went beyond the State requirements when they created the distance from parks. He thinks it was a well thought out requirement that the City put in there because he doesn't think it would a desirable use for a business on the Square or near Emricson Park. He advised that it is not a state a requirement but it is in the City's ordinance so the City can grant a variance from it. He stated that when you look at proposed location the building and location is appropriately suited. He stated that in regards to the Davis Road Soccer Field they are diminutively short of the distance and noted that to get there is almost impossible without driving a very circuitous route. He advised that the other one is a small, private park and the building is across from it on Rt. 47 and there are no sidewalks. He thinks it would be appropriate for the City to grant the variance for their particular case.

T. Zanck questioned what additional steps need to be taken in order for a medical marijuana dispensary to be opened. M. Weisz advised that they have to go through all of the approvals, be sited by a municipality and then be approved by the State. He believes there will be a lot of competition throughout the State and noted that there will be only one license granted for McHenry County. He thinks that Woodstock being central and the county seat is really the most appropriate place if you are going to serve people with this medical need throughout the county.

T. Zanck advised that the State is going to impose significant controls with regards to security and patient management and he asked Ron Vlasaty to share the experience of the group. M. Weisz stated that their experience at Family Guidance gives them a lot of experience with regard to what's necessary for security.

He introduced R. Vlasaty who joined Family Guidance about 15 years ago and is now President noting that he has extensive experience working with the State.

Chairwoman Parkhurst stated that she understands that M. Weisz is the property owner but questioned if is he also going to be the proposed dispensary operator and owner. M. Weisz anticipates being one of the investors participating in this dispensary in McHenry County. He stated that the State application isn't even out yet and noted that they haven't figured out how it will be structured. He affirmed that he will be the landlord. T. Zanck questioned if he fully expects to be part of the dispensary in some ownership form and M. Weisz affirmed.

Ron Vlasaty, President of Family Guidance Centers, stated that Family Guidance Centers is a non for profit behavioral healthcare company licensed and funded in the State of IL. T. Zanck questioned if he will assist in the medical dispensary with respect to the State requirements as it relates to security and management. R. Vlasaty affirmed and stated that Family Guidance Centers is licensed to do substance abuse and mental health services and as an adjunct to that treatment they provide methadone services to patients addicted to heroin. He advised that they currently have six licensed methadone clinics in the State of IL which is a highly regulated federal and state prescription controlled substance. He advised that there are a lot of security requirements that come from the State of IL and the Drug Enforcement Administration. He believes that their experience in dispensing methadone since 1969 to patients in IL brings some expertise to the group as it applies to a medical marijuana dispensary.

T. Zanck asked him to share some of the security issues they will need to address. R. Vlasaty stated that in his 20 years of experience in dealing with the State of IL he has never seen more extensive rules and regulations regarding security. He stated that the rules are so specific that they even require certain models of security cameras. He stated that the State very concerned with security and noted that they are developing a comprehensive security plan that includes electronic monitoring and staff and employment monitoring. T. Zanck asked him, based on his experience, to share how this location fits with respect to the need to address the patients who have a need for the dispensary. R. Vlasaty stated that the location and physical plan of the building is perfect for a dispensary noting that includes an overhead door which allows for a medical marijuana delivery to be brought inside the building preventing more security risks. He stated that the patients are medical patients that suffer medical complications and the dispensary is going to provide the medicine necessary for them to get rehabilitated.

Ross Mash, project attorney with Family Guidance Centers, stated that he has spent the last half a year educating himself and his client when they decided they wanted to enter the ring as a potential licensee. He stated that there needs to be a clear demarcation between recreational use and medicinal cannabis. He stated that with the 20+ states that have decriminalized marijuana in some form or another, Illinois' regulations are by far the most onerous. He advised that the act is strictly aimed at people that suffer medical issues that treatment with cannabis can alleviate. He reported that it is highly regulated and advised that the State has put into place procedures in which you are unable to address security, traffic, etc. you will not get licensed. He stated that it requires the wherewithal of a very sophisticated group that is going at it with a multifaceted approach.

T. Zanck questioned the steps one must take to qualify to become a patient and R. Mash advised that to become a patient, you will need a prescription from your doctor and you will also need to be approved by the State of IL to get an Illinois cannabis card. He stated that the patient will be registered with a central registry. He advised that with the systems in place from the cultivation facility to the dispensaries, called "seed to sale", the product will be tracked from when it is planted to when it is sold to a consumer. The patients will come into a dispensary, swipe their card and it will give the allotment allowed for the treatment and how much they have had in the allowed time frame; it will be a highly regulated, centralized system.

T. Zanck questioned the official name of the petitioner and M. Weisz advised that the name is 4500 NW Highway, LLC. R. Horrell stated that M. Weisz describes himself as a landlord and then questioned who will be the tenant. M. Weisz stated that the rules came down from the State last week and noted that they are still waiting on the formal applications so they have to look at the structure of it. He stated that as of today he doesn't have a tenant name or lease. He stated that as a landlord he is seeking a special use but brought everyone here because it is the tenant he hopes gets the license. R. Horrell questioned who is going to be the operator on a day-to-day basis. R. Mash advised that the day-to-day operator will be the Family Guidance organization.

D. Moore questioned if the other businesses in the strip have been approached about the idea and if they have given any feedback regarding if they think it is appropriate. M. Weisz advised that he only talked to the Thurow's and his realtor talked to the person he purchased the building from and who has the unit immediately in front of them. He advised that they haven't talked to Jazzercise, Revcor or Protech, but that there was a sign in front of the building advising that the special use hearing was taking place.

D. Fortin questioned if this is a necessary step in the process to proceed with the State application and T. Zanck stated that you can't apply unless you have proper zoning and noted that the applications are due to come out August 15<sup>th</sup>.

Chairwoman Parkhurst stated that she doesn't have a problem with the use or the location except for the fact that they need the variance because the Commission just amended the code and if they don't care how close it is to a park that shouldn't be in the code. B. Clow stated that is his concern also noting that the first swing at the ball and we are making a variance of the new ordinance.

D. Paluch disclosed that if you look at the application her name appears on the survey and she advised that it is the result of her representing the party who sold the real estate to 4500 NW Highway, LLC and noted that she has no other relationship to 4500 NW Highway LLC.

D. Paluch stated that when the Commission considers special use permits generally the Commission has the ability to recommend that there be conditions or restrictions that accompany the special use. She stated that often times they focus those restrictions or conditions on the entity or individual that is going to be operating the special use. She advised she is struggling with what restrictions or conditions the Commission might recommend that would be limited to this property owner or this dispensary operator. She thinks the location is appropriate and the petitioner did a thorough presentation but she questioned what limitations if any might the Commission may what to recommend.

B. Clow questioned if a time limit can be put on the special use. T. Zanck stated that there is a significant monetary investment just in filing the application with the State of IL and noted that to put a time limit on it would be a burden on any one of your applicants because they will have to expending tens of thousands of dollars within the next month if they have the zoning in place.

D. Paluch stated that it is a unique circumstance because the UDO requires that the owner of the real estate presents the zoning petition, but nothing within the UDO addresses the operator of the dispensary. She stated that perhaps the Commission look at it from the standpoint of condition on occupancy by a holder of a proper license. T. Zanck stated that with respect to the individual owner you should have some solace in knowing that the State has imposed onerous obligations and only the finest applicants are going to be successful in obtaining the permit. He stated that there are applicants, as these applicants, that are the cream of the crop. D. Paluch stated that they are considering the zoning of the property and she is looking for ideas as to what conditions they might want to accompany with it.

R. Horrell stated that the special use and variance if it is granted is granted to 4500 NW Highway, LLC. Chairwoman Parkhurst stated that special uses go with the property not the property owner. C. Arevalo affirmed but advised that in the conditions they can try to tie it in to make sure that it is ownership. R.

Horrell questioned if they can impose conditions such as this special use is for this applicant. D. Moore stated that even if they do that it is unclear what relationship this business entity is going to have with the entity that is formed. C. Arevalo stated that they can recommend whatever conditions they want but he advised that if the overriding condition that they should be placing is that they will be whatever entity determined to run the facility is going to have to meet State requirements. He stated that meeting those requirements will address a lot of the Commission's issues.

D. Moore stated that he is uncomfortable with tying it to a specific entity mostly because he doesn't think it is foundation for good zoning. He stated that if the regulations don't exist to properly control a business as to how it is run and if you think one person can't run it within the bounds or regulations, then the regulations themselves are the problem. He stated that he is looking at it as while it is good to get a chance to know this group which looks promising for this type of business, the question is whether this kind of business is appropriate at this location.

R. Horrell stated that this isn't a straight zoning issue and noted that for a special use he thinks the Commission can be specific and tie it to certain conditions. D. Moore stated that there is no question that conditions are available to them, but thinks deciding what an appropriate candidate is to run a business based through this process is not the focus he would like to have.

R. Mash stated that McHenry County will only be allocated one license for a dispensary and noted that if they were to limit Woodstock's permitted use to that successful licensee at the State level, whoever that entity is can come to Woodstock or any other city within McHenry County but you are limited to the one that has been approved and vetted by the State of IL.

Chairwoman Parkhurst stated that another option is to put a time limit on the special use knowing that it has to go through the State. R. Marsh stated that they are expecting application materials to be made available August 15<sup>th</sup> and at that time there will be a window for potential applicants to make comments on the application. He stated that the applicant will then have 14 days to submit the application materials so in reality they are looking at sometime in September that the application materials will be due. He advised that the State will then process the applications and they should know by the first of the year if they are successful licensee. He stated that they would then have then six months to build out the facility and be in operation.

Chairwoman Parkhurst questioned if there is a rule that if a petitioner gets approved for a special use that it is only valid for a certain period of time if they don't construct or build it, J. Kastner affirmed. C. Arevalo advised that the UDO allows for two years before it is established and if not it lapses. He noted that the timeframe that is being suggested is within the window. Chairwoman Parkhurst stated that it is the default that if they don't get their license the special use goes away in two years. C. Arevalo advised that there is also an opportunity for a one time administration extension and after that you have to come in through City Council.

D. Paluch thinks it would have to be conditioned upon occupancy by a licensee in accordance with the laws of the State of IL. She stated that if the Commission stamps this property with the zoning that it is M1 special use with the special use being medical marijuana dispensary, and for whatever reason they are not successful in their licensing and if the property is used for other uses and if a daycare center wants to open next door, that daycare center wouldn't be prohibited from operating if in fact the dispensary is not there. She stated that the questions she had in reviewing the petition related to the State security measures that are required and she thanked the petitioner for addressing it and for knowing the physical security measures.

R. Horrell stated that in regards to the issue of the variation he doesn't see where granting this variation is the same as saying we don't care about the location of the parks. He stated that they do care about the location of the parks and noted that after looking at it he believes it is reasonable to allow this variation.

D. Paluch agreed and noted that there are physical barriers that exist between the location and the parks so it isn't just a question of the distance in feet but also the accessibility to the parks to consider regarding whether or not the variation is appropriate.

### **Public Comments of Public Hearing**

Michael O'Leary, 1370 Westwood Trail, Woodstock was sworn in by C. Arevalo. He stated that he owns the building next to the parcel and advised that after hearing the information he has no issue with them proceeding and he thinks it is a good fit.

Chairman Parkhurst closed public comment at 8:30 P.M.

S. Gavers questioned if M. Weisz if owns the whole building and M. Weisz advised that he owns the whole building. In response to S. Gavers, R. Mash stated that the estimates initially statewide is 10,000-30,000 potential candidates so you are looking in the neighborhood of half a percent of total population in the State of IL using some form of medicinal cannabis. He advised that per their studies you are looking at a patient flow of between 10-20 patients a day.

In response to S. Gavers question regarding the delivery truck, R. Mash advised that it would be similar to a bonded secure transport like Brinks. S. Gavers questioned if the parking lot is big enough and M. Weisz advised that when he got Jazzercise as a tenant he was concerned with the impact it would have on the other tenants so he set up a lease with the Thurow's for overflow parking. He noted that he is more concerned with the traffic from Jazzercise than the traffic that will come from the medicinal marijuana dispensary.

R. Vlasaty advised that Family Guidance has a clinic in downtown Chicago with 900 patients that come in every day so they schedule patients to come in and stagger it out throughout the day. He advised that they are thinking it will have to be the same situation here.

R. Horrell questioned the hours of operation and R. Mash stated that the State regulations require at certain amount of time noting that in the draft rules it was 8 am – 6 pm. R. Horrell stated that with the swipe card only a certain amount can be dispensed over a certain period a time but he questioned if someone can give their ID card to somebody else. R. Mash advised that it will be a picture ID card issued by the State. R. Mash reported that medicinal products they are seeing from the more sophisticated manufactures and cultivators are through and extract process where they extract the oil or wax from the plant and then put it into an edible product or an inhalant.

Motion D. Paluch, second by S. Gavers, to recommend issuance of a special use permit for a medical cannabis dispensary on the property described as 2300-2312 S Eastwood Drive, with a variation reducing the required separation distances between said site and existing park sites on Davis Road and on Pond Point Road and subject to approval of the amendments of the Unified Development Ordinance discussed earlier. Included with the motion is a recommendation that there be a condition on the issuance of the special use permit that it be conditioned upon occupancy by a licensee in accordance with the laws of the State of Illinois as they pertain to medical cannabis dispensaries.

She stated that the motion is based on that the special use permit will not impair or be detrimental to the public health, safety, morals or general welfare of persons residing or working within the vicinity, the special use will not negatively impact or conflict with neighboring land uses or negatively affect the value of the neighboring property, that it will not conflict with the general goals and objectives of Woodstock's comprehensive plan, it will be operated and maintained in a manner that is compatible with the existing or desired character of the surrounding area and specifically in accordance with the security measures required by the State as it pertains to such dispensaries and traffic that may occur as a result of the special use will not be detrimental.

A roll call vote was taken. Ayes: William Clow, S. Gavers, R. Horrell, D. Paluch, D. Fortin, D. Moore, K. Parkhurst. Nays: None. Absentees: J. Porter, E. Thurow. Abstentions: None.

The public hearing was closed at 8:41 PM

**4. DISCUSSION ITEMS:**

J. Kastner asked if it would be acceptable for those that gave email addresses to continue to receive the meeting documents via email with the exception of final plats and the Commission conceded.

After discussion it was decided that a majority of the Commission would be available for the August, 24, 2014 meeting.

**5. ADJOURNMENT**

Motion by W. Clow, second by S. Gavers to adjourn the regular meeting of the Woodstock Plan Commission. Ayes: William Clow, S. Gavers, R. Horrell, D. Paluch, D. Fortin, D. Moore, K. Parkhurst. Nays: None. Absentees: J. Porter, E. Thurow. Abstentions: None.

Meeting adjourned at 8:43 PM.

Respectfully submitted,

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Dianne Mitchell  
City Clerk