

MINUTES OF THE SPECIAL MEETING OF THE PLAN COMMISSION HELD ON WEDNESDAY, DECEMBER 8, 2021, AT THE WILLOWBROOK POLICE DEPARTMENT, TRAINING ROOM, 7760 QUINCY STREET, WILLOWBROOK, ILLINOIS

**DUE TO THE COVID19 PANDEMIC THE VILLAGE WILL BE UTILIZING A ZOOM CONFERENCE CALL FOR THIS MEETING**

**1. CALL TO ORDER**

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

The Governor of the State of IL. has declared a gubernatorial disaster proclamation in response to the Covid 19 Act outbreak and all of the Village of Willowbrook is covered by the disaster area. In light of the ongoing Covid 19 outbreak the Mayor of the Village of Willowbrook has determined that an in-person meeting for the December 8,2021 Plan Commission may not be practical or prudent for all persons in light of the disaster thus the Village has provided an option to attend the December 8,2021 Plan Commission meeting remotely.

**2. ROLL CALL**

Those physically present at VOW Police station were Vice Chairman Wager, Commissioners Kanaverskis, Kaczmarek, Kaucky, Walec, Assistant Village Administrator Sean Halloran, Village Attorney Matt Holmes, Planner Karen Stonehouse, Building Official Roy Giuntoli and Recording Secretary Lisa Shemroske

Present Via Zoom COVID -19 Pandemic were Chairman Kopp and Commissioner Baksay

**3. OMNIBUS VOTE AGENDA**

The items on the Omnibus Vote Agenda were as follows:

- A. Waive Reading of Minutes (APPROVE)
- B. Minutes – Regular Meeting, June 2,2021

**MOTION:** Made by Vice Chairman Wager seconded by Commissioner Walec approve the Omnibus Vote Agenda as presented, all in favor

Roll Call votes: AYES, Commissioners Baksay, Kanaverskis, Kaczmarek, Kaucky, Walec, Vice Chairman Wagner and Chairman Kopp NAYS: None

**MOTION DECLARED CARRIED**

**4. PLAN COMMISSION CONSIDERATION:** Zoning Hearing Case 21-09; Consideration of a petition to approve text amendments to Title 9 of the Village Code (Zoning Ordinance) defining and regulating Adult-Use Cannabis Dispensaries in the Village of Willowbrook. The applicant for this petition is the Village of Willowbrook, 835 Midway Drive, Willowbrook, Illinois 60527

**A. PUBLIC HEARING**

Motion to open Public Hearing Vice Chairman Wagner, second by Commissioner Kaucky, all in favor

Plan Commission – Special Meeting  
December 8,2021

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Roll Call: AYES: Commissioners Baksay, Kanaverskis, Kaczmarek, Kaucky, Walec, Vice Chairman Wagner and Chairman Kopp NAYS: None

MOTION DECLARED CARRIED

B. DISCUSSION/RECOMMENDATION

See Court Reporter Minutes for Discussion and Recommendation

Motion to close Public Hearing made by Vice Chairman Wagner and second by Commissioner Baksay all in favor.

Roll Call; AYES: Commissioners Baksay, Kanaverskis, Kaczmarek, Kaucky, Walec, Vice Chairman Wagner and Chairman Kopp, NAYS: None

MOTION DECLARED CARRIED

MOTION: Based on the submitted petition and testimony presented, I move that the Plan Commission recommend approval of the text amendments presented in the Staff Report for PC Case Number 21-09 that add Adult-Use Cannabis Dispensing Organizations as special uses in the B-2, B-3, and B-4 Districts, and provide consistent wording for the listing of the special use in the OR and M-1 Districts.

Made by Vice Chairman Wagner and second by Commissioner Walec, all in favor  
Roll Call Vote: AYES: Commissioners Baksay, Kanaverskis, Kaczmarek, Kaucky, Walec, Vice Chairman Wagner, and Chairman Kopp NAYS: None

MOTION DECLARED CARRIED

6. VISTOR'S BUSINESS.

None

## 7. COMMUNICATIONS

Chairman Kopp welcomed new Commissioner Kanaverskis and Planner Karen Stonehouse. Chairman Kopp mentioned he would like to work with Village Attorney Holmes to educate Vice Chair Wagner and himself on conducting Public Hearings. Vice Chairman Wagner inquired about what is happening in Building Dept. Building Official Giuntoli, mentioned that Target remodeling and a large project with Club Champion Golf. We have New Single homes being built, Pulte (Carrington Club) is completed, onsite work at the Willows where Pete's is located, have reached the last of their 18-month maintenance period so that is close to being closed out, onsite only not outside. Commissioner Kaucky asked if any interested showed in the Bowling Alley property. Village Asst. Administrator Halloran said not that he knows of, he believes it sold to someone who has a business in Downers Grove, but we have not seen any plans.

## 8. ADJOURNMENT

MOTION: Made by Vice Chairman Wagner and second by Commissioner Walec to adjourn the meeting of the Plan Commission at the hour of 7:23 p.m. all in favor

Roll call: AYES: Commissioners Baksay, Kanaverskis, Kaczmarek, Kaucky, Walec, Vice Chairman Wagner and Chairman Kopp NAYS: None

MOTION DECLARED CARRIED

UNANIMOUS VOICE VOTE  
PRESENTED, READ, AND APPROVED,

January 12,2022



Chairperson

12/8/2021

**VILLAGE OF WILLOWBROOK PLANNING & ZONING HEARING**

**21-09**

KIMBERLEE A. ELLIOTT

VILLAGE OF WILLOWBROOK

PLANNING & ZONING

HEARING CASE NUMBER 21-09

REPORT OF PROCEEDINGS VIA ZOOM had at the meeting held before the Planning & Zoning Commission of Willowbrook on the 8th day of December, 2021, at the hour of 7:00 p.m., as reported by Kim Elliott, Certified Shorthand Reporter in and for the County of Kane and State of Illinois.

## 1 APPEARANCES:

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3 Daniel Kopp - Chairman

4 John Wagner - Vice Chairman

5 Catherine Kaczmarek - Member

6 Leonard Kaucky - Member

7 Maciej Walec - Member

8 Zoltan Baksay - Member

9 Ronald Kanaverskis - Member

10 Matthew Holmes - Village Attorney

11 Sean Halloran - Assistant Village Administrator

12 Karen Stonehouse - Village Planner

13 Roy Giuntoli - Building Official

14 Lisa Shemroske - Recording Secretary

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1 CHAIRMAN KOPP: I call to order the special  
2 meeting of the plan commission of the Village of  
3 Willowbrook. The governor of the State of Illinois  
4 has declared a gubernatorial disaster proclamation in  
5 response to the Covid 19 Act outbreak and all of the  
6 Village of Willowbrook is covered by the disaster  
7 area. In light of the ongoing Covid 19 outbreak the  
8 mayor of the Village of Willowbrook has determined  
9 that an in-person meeting for the December 8, 2021  
10 plan commission may not be practical or prudent for  
11 all persons in light of the disaster thus the village  
12 has provided an option to attend the December 8, 2021  
13 plan commission meeting remotely.

14 I'd ask the plan commission  
15 secretary to call the roll.

16 MS. SHEMROSKE: Commissioner Baksay?

17 COMMISSIONER BAKSAY: Here via Zoom.

18 MS. SHEMROSKE: Commissioner Kanaverskis?

19 COMMISSIONER KANAVERSKIS: Here.

20 MS. SHEMROSKE: Commissioner Kaczmarek?

21 COMMISSIONER KACZMAREK: Here.

22 MS. SHEMROSKE: Commissioner Kaucky?

1                   COMMISSIONER KAUCKY:  Here.

2                   MS . SHEMROSKE:  Commissioner Walec?

3                   COMMISSIONER WALEC:  Here.

4                   MS . SHEMROSKE:  Vice Chairman Wagner?

5                   VICE CHAIRMAN WAGNER:  Here.

6                   MS . SHEMROSKE:  Chairman Kopp?

7                   CHAIRMAN KOPP:  Here via Zoom.

8                   MS . SHEMROSKE:  Assistant Village

9                   Administrator Sean Halloran?

10                  MR . HALLORAN:  Here?

11                  MS . SHEMROSKE:  Village Attorney Matt Holmes.

12                  MR . HOLMES:  Here.

13                  MS . SHEMROSKE:  Planner Karen Stonehouse?

14                  MS . STONEHOUSE:  Here.

15                  MS . SHEMROSKE:  Building Official Roy

16                  Giuntoli?

17                  MR . GIUNTOLI:  Present.

18                  MS . SHEMROSKE:  And for the record I'm Lisa

19                  Shemroske.

20                  CHAIRMAN KOPP:  Next item on the agenda is

21                  the omnibus vote agenda.  Would anyone like, any of

22                  the commissioners, like an item removed from the

1 omnibus vote agenda?

2                   If not, will someone make a motion  
3 to approve the omnibus vote agenda?

4                   VICE CHAIRMAN WAGNER: I would make the  
5 motion to approve.

6                   COMMISSIONER WALEC: Second.

7                   CHAIRMAN KOPP: I ask the plan commission  
8 secretary to call the vote for the approval of the  
9 omnibus vote agenda.

10                  MS. SHEMROSKE: Commissioner Baksay?

11                  COMMISSIONER BAKSAY: Aye.

12                  MS. SHEMROSKE: Commissioner Kanaverskis?

13                  COMMISSIONER KANAVERSISKIS: Aye.

14                  MS. SHEMROSKE: Commissioner Kaczmarek?

15                  COMMISSIONER KACZMAREK: Yes.

16                  MS. SHEMROSKE: Commissioner Kaucky?

17                  COMMISSIONER KAUCKY: Yes.

18                  MS. SHEMROSKE: Commissioner Walec?

19                  COMMISSIONER WALEC: Yes.

20                  MS. SHEMROSKE: Vice Chairman Wagner?

21                  VICE CHAIRMAN WAGNER: Yes.

22                  MS. SHEMROSKE: Chairman Kopp?

1 CHAIRMAN KOPP: Yes.

2 Next item on the agenda is Zoning  
3 Hearing Case 21-09. The purpose of this public  
4 hearing shall be to consider a petition for text  
5 amendments to Title 9 of the Village Code defining  
6 and regulating adult-use cannabis dispensaries in the  
7 Village of Willowbrook.

8 The applicant for this petition is  
9 the Village of Willowbrook, 835 Midway Drive.  
10 Willowbrook, Illinois.

11 A copy of the notice of this public  
12 hearing was published in the November 23, 2021  
13 edition of the Chicago Sun-Times Newspaper.

14 Karen, would you like to make the  
15 presentation for the village?

16 MS. STONEHOUSE: Thank you, Chairman Kopp and  
17 thank you commissioners. It's a pleasure to be here  
18 with you tonight.

19 You've all received my reports  
20 regarding our proposed text amendments to the zoning  
21 ordinance here tonight and I'm just going to hit a  
22 couple of highlights and then any questions you may

1 have I'd be happy to answer.

2 As everyone is aware there's been  
3 quite a growth in the number of dispensaries in the  
4 state and there's been quite an interest in  
5 establishing new dispensaries.

6 As of April there were 110  
7 adult-use cannabis dispensaries in the state and the  
8 state continues to periodically approve more  
9 licenses.

10 The Municipal Cannabis Retailers'  
11 Occupation Tax Law allows home rule municipalities to  
12 put a special tax on cannabis retail sales in the  
13 amount of three percent. We don't know exactly what  
14 that would mean in terms of the revenue to the  
15 village but it is significant. A very rough  
16 estimate, and the tax is only on adult-use cannabis  
17 not medical cannabis it's important to note, but as  
18 of April there was I think 1.2 billion in cannabis  
19 sales already this year. It's estimated to top 3  
20 billion this year. If you take just 2 billion of  
21 that, you know, allowing for medical cannabis sales  
22 to be excluded multiply by three percent and divide

1 by 110 the number of dispensaries that comes out to  
2 over a half a million dollars. Like I say there's  
3 some questions that remain as to how many  
4 dispensaries are actually collecting tax and how much  
5 of that amount is medical cannabis so that's a very  
6 rough estimate. But it remains that it is a  
7 significant potential revenue source for the village  
8 and cannabis dispensaries are popping up all over the  
9 Chicago area and western suburbs. I think in our  
10 district there are 47 licensed dispensaries right  
11 now.

12                   In 2019 the village elected to add  
13 adult-use cannabis dispensaries as a special use in  
14 the OR and M-1 districts and would like to consider  
15 expanding them further given that it's really a  
16 shopping and retail use it's appropriate for business  
17 districts. We don't feel that it's appropriate for  
18 the neighborhood business B-1 district but B-2, B-3  
19 and B-4 would allow for some additional potential  
20 locations for dispensaries as a special use.

21                   There is a significant list of  
22 operational rules that are in place that the state

1 requires of adult-use dispensaries. Those are  
2 attached as attachment two to your report.

3 And overall staff feels that the  
4 special use process will allow for consideration of  
5 any dispensary on a case-by-case basis going through  
6 the special use standards and showing that there  
7 won't be any negative effects surrounding that use as  
8 any other special use standards that you're familiar  
9 with.

10 We are proposing adult-use cannabis  
11 dispensaries be included as special use in the B-2,  
12 B-3 and B-4 districts that would be text amendments  
13 to those three districts and we also propose that the  
14 description of the adult-use cannabis dispensary  
15 currently in OR and M-1 be made consistent with the  
16 description that we're proposing here in B districts  
17 for lack of confusion.

18 Any questions?

19 | Okay. Thank you.

20 CHAIRMAN KOPP: Do any of the commissioners  
21 have any questions for Karen? I can't tell if  
22 there's anyone in the audience. Is there anyone in

1 the audience that has a question for Karen? And I  
2 see there's an iPhone as well.

3 MR. HOLMES: Hey, Dan. Dan, can you hear me?  
4 Hey, Dan, you have to make a motion to open this is a  
5 public hearing before we start taking public comment  
6 on this. It's a public hearing that's the reason we  
7 have a court reporter.

8 CHAIRMAN KOPP: All right. Would someone  
9 make a motion to open this hearing to the public,  
10 please?

11 VICE CHAIRMAN WAGNER: So moved, Wagner.

12 COMMISSIONER WALEC: Walec, second.

13 CHAIRMAN KOPP: I ask the plan commission  
14 secretary to call the vote.

15 MS. SHEMROSKE: Commissioner Baksay?

16 COMMISSIONER BAKSAY: Yes.

17 MS. SHEMROSKE: Commissioner Kanaverskis?

18 COMMISSIONER KANAVERSISKIS: Yes.

19 MS. SHEMROSKE: Commissioner Kaczmarek?

20 COMMISSIONER KACZMAREK: Yes.

21 MS. SHEMROSKE: Commissioner Kaucky?

22 COMMISSIONER KAUCKY: Yes.

1 MS. SHEMROSKE: Commissioner Walec?

2 COMMISSIONER WALEC: Yes.

3 MS. SHEMROSKE: Vice Chairman Wagner?

4 VICE CHAIRMAN WAGNER: Yes.

5 MS. SHEMROSKE: And Chairman Kopp?

6 CHAIRMAN KOPP: Yes.

7 All right. So I will repeat is  
8 there anyone at the village hall or is there anyone  
9 that's participating in this meeting remotely that  
10 has any questions of the village through Karen?

11 All right.

12 COMMISSIONER BAKSAY: Commissioner Kopp, this  
13 is Commissioner Baksay. I have a question. I was  
14 slow to hit the mute button.

15 CHAIRMAN KOPP: Okay.

16 COMMISSIONER BAKSAY: Where is it permitted  
17 to smoke cannabis and would this special use  
18 allowance have any carve outs for that topic? So for  
19 example --

20 MS. STONEHOUSE: No. Consumption of cannabis  
21 products is only allowed on private property and it  
22 does not in any way permit a smoking lounge as

1       they're called. That would be a separate use and a  
2       separate amendment that we're not proposing that at  
3       this time.

4                   COMMISSIONER BAKSAY: Understood. Thank you.

5                   CHAIRMAN KOPP: All right.

6                   COMMISSIONER KANAVERSKIS: I have a question.  
7       Who regulates the security for dispensaries?

8                   MS. STONEHOUSE: The state puts forth a huge  
9       set of rules but it does rely to some extent on local  
10      law enforcement to enforce them and we haven't heard  
11      any problems with that from the other municipalities  
12      that already have adult-use dispensaries open.

13                  COMMISSIONER BAKSAY: This is Commissioner  
14      Baksay again. Is there any regulation in Illinois or  
15      should our village or municipality consider any  
16      regulation at this time with this text amendment with  
17      respect to cannabis delivery services?

18                  MS. STONEHOUSE: You mean allowing those  
19      services? Allowing --

20                  COMMISSIONER BAKSAY: Allowing or disallowing  
21      or regulating in some way.

22                  MS. STONEHOUSE: Well, deliveries are not a

1 part of this text amendment and I think at this time  
2 they are not even allowed by the state although  
3 they're under consideration but they're not, I don't  
4 think they're a part of the Cannabis Regulation & Tax  
5 Act at this time.

6 COMMISSIONER BAKSAY: Yeah, I'm not aware  
7 that they are either. I'm just trying to be forward  
8 thinking and kind of plan for what if the state would  
9 allow that should this commission consider any  
10 additional rules since we are a home rule  
11 municipality, you know, should we consider any  
12 additional language in this text amendment at this  
13 time with the potential of something like that on to  
14 come?

15 CHAIRMAN KOPP: How would that be a zoning  
16 issue? It seems like that should be something that  
17 the trustees would address. It doesn't really seem  
18 like it's a real estate issue to me other than the  
19 fact that deliveries might be made from these  
20 locations and since this is a special use we could  
21 always make a condition of a special use approval  
22 that deliveries aren't allowed but I don't personally

1 think we need to address that now.

2 COMMISSIONER BAKSAY: Thank you, Commissioner  
3 Kopp. Fair enough.

4 I guess the same line of question  
5 would potentially apply to, you know, a smoking  
6 lounge or a consumption site, you know, should we  
7 even though it's not yet allowed would this  
8 commission want to draft any regulation as part of  
9 this text amendment, you know, as a subset of the  
10 special use requirements to either explicitly allow  
11 or disallow something like that or should we just  
12 face that at a future time should it become a  
13 reality?

14 CHAIRMAN KOPP: The latter would be my own  
15 preference. I don't know how other people feel.

16 Matt, quick question since you're  
17 educating us on how to do this, do we need to close  
18 the public hearing, to have a motion to close the  
19 public hearing when we get to that point?

20 MR. HOLMES: We can close the public hearing  
21 and then you would take or if you discuss it further  
22 the public hearing part is closed. That would allow

1 no further testimony from the public or the  
2 applicant.

3 CHAIRMAN KOPP: Okay.

4 MR. HOLMES: In this case the applicant is  
5 the village which means that . . .

6 CHAIRMAN KOPP: Yeah. All right. Sorry, I  
7 did not mean to cut you off Commissioner Baksay or if  
8 someone else wanted to respond to Commissioner  
9 Baksay.

10 MS. STONEHOUSE: I was just going to say in  
11 response to Commissioner Baksay's question because  
12 this is still relatively new use overall I would tend  
13 to say, you know, let's do this innovatively see how  
14 it goes before expanding it to any further, you know,  
15 any further applications and I don't think deliveries  
16 necessarily be addressed by the zoning ordinance just  
17 like they're not addressed, you know, we don't  
18 address say restaurant deliveries or something like  
19 that.

20 But in terms of smoking lounges and  
21 delivery of cannabis, you know, I think the best  
22 course of action would be to start small, see how it

1 goes, you know, see what the experience of other  
2 communities is before expanding it further and I  
3 think that would be maybe jumping the gun a little  
4 bit to start including those items.

5 COMMISSIONER BAKSAY: Thank you.

6 CHAIRMAN KOPP: Any other commissioners have  
7 any questions of Karen?

8 In that case will someone make a  
9 motion to close the public hearing for this zoning  
10 hearing case 21-09?

11 VICE CHAIRMAN WAGNER: Wagner, so moved.

12 COMMISSIONER BAKSAY: Baksay, second.

13 CHAIRMAN KOPP: I ask the plan commission  
14 secretary to call the vote.

15 MS. SHEMROSKE: Commissioner Baksay?

16 COMMISSIONER BAKSAY: Yes.

17 MS. SHEMROSKE: Commissioner Kanaverskis?

18 COMMISSIONER KANAVERSISKIS: Yes.

19 MS. SHEMROSKE: Commissioner Kaczmarek?

20 COMMISSIONER KACZMAREK: Yes.

21 MS. SHEMROSKE: Commissioner Kaucky?

22 COMMISSIONER KAUCKY: Yes.

1 MS. SHEMROSKE: Commissioner Walec?

2 COMMISSIONER WALEC: Yes.

3 MS. SHEMROSKE: Vice Chairman Wagner?

4 VICE CHAIRMAN WAGNER: Yes.

5 MS. SHEMROSKE: Chairman Kopp?

6 CHAIRMAN KOPP: Yes.

7 All right. So for discussion  
8 and then presumably eventual vote I personally am  
9 in favor of this. I actually was in favor of it  
10 when we first zoned dispensaries because I don't  
11 see how it's frankly much different than liquor  
12 stores. It's a legal product now.

13 I do agree with Commissioner Baksay  
14 I would be concerned if smoking lounges were opened  
15 and people were driving around. So I personally  
16 am in favor of this. I don't know if anybody else  
17 wants to discuss it or if we should just go to the  
18 vote.

19 COMMISSIONER BAKSAY: For the record,  
20 Commissioner Kopp, I was just asking questions. I  
21 don't know if I'm in favor or against, you know,  
22 smoking lounges. It's something that I started

1 thinking about in preparation of this meeting so ...

2 CHAIRMAN KOPP: Sure.

3 All right. If nobody else has  
4 anything to say will someone make a motion based  
5 on the submitted petition and testimony presented  
6 and move that the plan commission recommend approval  
7 of the text amendments presented in the staff  
8 report for PC case number 21-09 that add adult-use  
9 cannabis dispensing organizations as special uses  
10 in the B-2, B-3 and B-4 districts and provide  
11 consistent wording for the listing of the special  
12 use in the OR and M-1 districts; will someone make  
13 that motion?

14 VICE CHAIRMAN WAGNER: Wagner so moved.

15 COMMISSIONER WALEC: Walec second.

16 CHAIRMAN KOPP: Ask the plan commission  
17 secretary to call the vote.

18 MS. SHEMROSKE: Commissioner Baksay?

19 COMMISSIONER BAKSAY: Yes.

20 MS. SHEMROSKE: Commissioner Kanaverskis?

21 COMMISSIONER KANAVERSKIS: Yes.

22 MS. SHEMROSKE: Commissioner Kaczmarek?

1 COMMISSIONER KACZMAREK: Yes.

2 MS. SHEMROSKE: Commissioner Kaucky?

3 COMMISSIONER KAUCKY: Yes.

4 MS. SHEMROSKE: Commissioner Walec?

5 COMMISSIONER WALEC: Yes.

6 MS. SHEMROSKE: Vice Chairman Wagner?

7 VICE CHAIRMAN WAGNER: Yes.

8 MS. SHEMROSKE: Chairman Kopp?

9 CHAIRMAN KOPP: Yes.

10 All right. Kim, I think you're  
11 done.

12 (Whereupon the public hearing  
13 was concluded at 7:20 p.m.)

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1 STATE OF ILLINOIS )  
2 ) SS.  
3 COUNTY OF K A N E )

4 I, KIMBERLEE A. ELLIOTT, being first duly  
5 sworn on oath says that she is a court reporter doing  
6 business in the County of Kane and State of Illinois;  
7 that she reported in shorthand the proceedings had at  
8 said public hearing aforesaid; that the foregoing is  
9 a true and correct transcript of her shorthand notes  
10 so taken as aforesaid, and contains all of the  
11 proceedings at said public hearing.

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14 Notary Public, Kane County, IL  
15 CSR # 084-003093  
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