

MINUTES OF THE REGULAR MEETING OF THE PLAN COMMISSION HELD ON WEDNESDAY, SEPTEMBER 4, 2013, AT THE VILLAGE HALL, 7760 QUINCY STREET, WILLOWBROOK, DUPAGE COUNTY, ILLINOIS.

1. CALL TO ORDER

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

2. ROLL CALL

Those present at roll call were Commissioners Bernardo Lacayo, William Remkus, James Soukup, Vice-Chairman John Wagner, William Buckley, James Baker and Chairman Daniel Kopp. Also present were Village Planner Jo Ellen Charlton, Building Inspector Roy Giuntoli and Secretary Joanne Prible. ABSENT: None.

3. OMNIBUS VOTE AGENDA

The items on the Omnibus Vote Agenda were as follows:

- A. Waive Reading of Minutes (APPROVE)
- B. Minutes – Regular Meeting August 7, 2013 (APPROVE)
- C. Minutes – Village Board Meeting August 12, 2013

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

4. PLAN COMMISSION DISCUSSION: Discussion of Zoning Ordinance Text Amendments Relative to the State’s “Compassionate Use of Medical Cannabis Pilot Program Act”

Planner Charlton opened the discussion by stating that Governor Quinn signed legislation adopting the Compassionate Use of Medical Cannabis program which will become effective on January 1, 2014. This program was put in place to provide the drug for medical purposes. Those illnesses are all specifically outlined in the state statute. The Village adopted a resolution early in the year, at the recommendation of the DuPage Mayors and Managers who saw this bill coming. All communities will be required to handle this in some form or another. Planner Charlton added it does make sense to consider how this program will fit in the context of our comprehensive plan in the Village zoning districts. While there are no sites in Willowbrook that meet the current criteria, there will be 20 cultivation centers allowed in the state. There will be 60 dispensaries allowed in the state. Planner Charlton said the likelihood that any one of those facilities will be coming to Willowbrook is pretty small. The cultivation centers have restrictions in the current law that prevents them from being within 2,500 feet of any school, daycare or residentially zoned property. Planner Charlton explained the dispensary language is a little bit different because they also create distance restrictions from schools and daycares and cannot be in residentially zoned properties. The language does not say that it has to

be 1,000 feet from any residentially zoned property. Planner Charlton said that in her research almost all of the other states have regulated dispensaries or any medical marijuana facility as a special use and chose the district they are most appropriate for. Planner Charlton said the Commission should consider what zoning districts should be used for both the cultivation center and dispensaries.

Planner Charlton opened the discussion for questions or comments.

Commission Baker asked if there is sales tax.

Commissioner Remkus said this is straight forward under a special use.

Chairman Kopp stated that this is not any different than a drug store. The legislature has said that this is a drug that is legal and given to sick people. CVS has prescription drugs. It should be a permitted use anywhere that a drugstore use is allowed.

Vice-Chairman Wagner stated that if the state has made this decision the concern is pretty low.

Commissioner Lacayo said the question for the Plan Commission is, in terms of security, what are the requirements for the state. He said I do not want the taxpayer's money providing full time security for the cultivation center or the dispensaries and asked Planner Charlton what are the requirements for the state if either one of the facilities opens in Willowbrook.

Commissioner Remkus said this is going to be regulated as a drug and bound by the same regulations that the drug companies are bound by. He added it will have the same type of insurances and the same type of security to protect their product.

Planner Charlton said the state Department of Agriculture, Public Health and Professional Services are all going to be regulating this and will not start talking about it until January. They have 4 months to figure everything out.

Planner Charlton said in summarizing our discussion I understand that special use commercial use districts meet the requirements.

Vice-Chairman Wagner said he feels it is better to have the dispensary close to the street in a storefront, not off by itself.

Commissioner Remkus said he would rather see the dispensary in a commercial district rather than an office.

Planner Charlton offered to provide a summary of the Medical Cannabis Pilot Program Act prior to the public hearing.

Vice-Chairman Wagner said that in California some of the local communities added a sales tax along with the state on the product. He asked if Willowbrook would do that.

Planner Charlton said it sounds like the Plan Commission agrees with commercial zoning.

Commissioner Baker asked do we have a tough driving law on drugs.

Planner Charlton said there are limitations. If you are a medical user of the drug you still have a responsibility to not drive intoxicated. She added another issue for the board to look at is the employer side. If you are a patient who uses this, an employer cannot discriminate against someone who uses medical marijuana.

Planner Charlton said she will take the Plan Commission comments and consideration and discuss them with the Village Administrator and the Village Board and bring something back before the Public Hearing.

5. VISITOR'S BUSINESS

None.

6. COMMUNICATION

None.

7. ADJOURNMENT

MOTION: Made by Vice-Chairman Wagner, seconded by Commissioner Soukup, to adjourn the regular meeting of the Plan Commission at the hour of 7:45 p.m.

UNANIMOUS VOICE VOTE

MOTION DECLARED CARRIED

PRESENTED, READ AND APPROVED,

10/2, 2013

Minutes transcribed by Joanne Prible.


Chairman