

**MINUTES
CITY OF DARIEN
PLANNING & ZONING COMMISSION MEETING
May 6, 2020**

PRESENT: Lou Mallers – Chairperson, Michael Desmond, Hilda Gonzalez, Steve Hiatt, Julie Kasprovicz, Brian Liedtke, Ralph Stompanato

ABSENT: Bryan Gay, Robert Erickson

OTHERS: Mayor – Joseph Marchese, Joseph Hennerfeind-City Planner

Chairperson Lou Mallers called the meeting to order at 7:00 p.m. This meeting was held via audio conferencing and staff at the Darien City Hall, Council Chambers, 1702 Plainfield Road, Darien, Illinois. Chairperson Mallers declared a quorum present and swore in the audience members wishing to present public testimony.

REGULAR MEETING:

- A. Public Hearing PZC 2020-03– A petition by the City of Darien for a zoning text amendment to the City Code, Title 5A, Chapter 9A : Cannabis Establishments, Section 5: Permitted Locations for Cannabis Dispensing Organization. This amendment would establish the non-retail cannabis-related businesses listed at 5A-9A-5(E) as permitted uses in the I-1 General Industrial District.**

Mr. Joe Hennerfeind, City Planner reported that this text amendment is not related to recreational sales and noted that it was misleading in the Darien Direct Connect. He reported that the City adopted a code for recreational cannabis and other uses for craft growers, cultivators, infusers and processors. He further reported that an ordinance was approved for special uses locations one at 7800 Lemont, and also at I-55 and Cass.

Mr. Hennerfeind reported that staff was contacted by a craft grower and that one location is not leasing to cannabis growers and the other has no room and that staff has no way to direct them. He further reported that the text amendment would establish the non-retail cannabis-related businesses as permitted uses in the City's Industrial District which includes two properties at Sterling Bay and the Public Works facility.

Mr. Hennerfeind reported that if the City sells the Public Works facility it could allow the use, but the amendment would require other potential properties to rezone for permissions. He reported that the Industrial District has the largest setbacks and is most appropriate for the uses, and any new sites would require a rezoning approval before the PZC, Municipal Services and City Council.

Chairperson Mallers stated that the two properties would be approved and anything else would have to come before the PZC.

Commissioner Desmond questioned if there are other properties that are not I-1 that have the right for something like this.

Mr. Hennerfeind reported that no analysis on potential properties for rezoning were performed, and it was likely that properties near I-55 meet the condition, but that it could also exist elsewhere. He stated that OR&I is the next most restrictive but that may OR&I districts are next to residential.

Chairperson Mallers opened the meeting to anyone wishing to present public comment.

Ms. Julie Ladanski, Darien, stated that she is a teacher in Darien for 30 years and she is concerned for the children of Darien. She stated that the only site is Public Works and questioned what costs are involved. Ms. Ladanski stated that the City just spent money on the facility.

Commissioner Kasprovicz questioned the safety concerns.

Ms. Ladanski stated that cannabis is legal in Colorado and anxiety is an emerging health concern. She stated that she is concern for children and people and that the City should stop putting profit in front of people's lives.

Mr. Hennerfeind reported that he cannot speak specifically on the money spent at Public Works but that the City is looking at a better location for the facility and will be discussed at a future goal setting meeting.

Mr. Jerry Ladanski, Darien, stated that one of the landlords said no. He questioned why the City is finding another location to keep it going. He further stated that moving Public Works is not good planning and that the City is just moving the goal line.

Mr. Hennerfeind reported that previous cannabis code was location specific, and not based on a zoning district. He reported that this text amendment permits a request for a rezoning, rather than a location independent on zoning. Mr. Hennerfeind reported that he did not have information on why the landlord would not approve.

Mr. Ladanski stated that two years after Sterling Bay now Public Works wants to move. He stated that someone dropped the ball and that he is against industrial.

Commissioner Michael Desmond questioned if Public Works has to move in order to do this. He questioned if there is a plan in place and doesn't require Public Works to relocate because Sterling Bay is already a permitted use in the building.

Mr. Hennerfeind reported that Director Dan Gombac is exploring areas for relocation. He reported that Sterling Bay has no space.

Commissioner Gonzalez stated that she has no problem with growers taking up space in the industrial area. She stated that Darien has gone great lengths to allow cannabis business as a benefit to Darien and there is very limited space.

Commissioner Gonzalez questioned how many jobs can be generated and questioned if there would be a strong smell.

Mr. Hennerfeind reported that it is unknown how many jobs will be created as it is based on the size of the business. He reported that the growers have filtration systems and there are standards in place that they have to follow.

There was no one else in the audience wishing to present public comment and Chairperson Mallers closed the public hearing at 7:35 p.m.

Commissioner Desmond stated that the text amendment doesn't change the character of the area, it is not near residential, property is consistent with the use and doesn't conflict with the Comprehensive Plan and meets all the setbacks for rezoning the text amendment.

Commissioner Kasprovicz questioned what the steps if someone wants to change it later.

Mr. Hennerfeind stated that the City is trying to create a road map and trying to make it less haphazard.

Commissioner Liedtke stated that the text amendment is location specific and it is more likely than not that Public Works will relocate.

Commissioner Desmond read the standards and approval process.

Commissioner Desmond made a motion and is was seconded by Commissioner Stompanato to approve PZC 2020-03– A petition by the City of Darien for a zoning text amendment to the City Code, Title 5A, Chapter 9A : Cannabis Establishments, Section 5: Permitted Locations for Cannabis Dispensing Organization. This amendment would establish the non-retail cannabis-related businesses listed at 5A-9A-5(E) as permitted uses in the I-1 General Industrial District.

Upon roll call vote, THE MOTION CARRIED 6-1. Commissioner Liedtke voted Nay.

CORRESPONDENCE

There was no correspondence.

OLD BUSINESS

Mr. Hennerfeind reported on the marquee signage.

NEW BUSINESS

There was no new business.

APPROVAL OF MINUTES

Commissioner Liedtke made a motion and is was seconded by Commissioner Gonzalez to approve the March 4, 2020 Regular Meeting Minutes.

Upon voice vote, THE MOTION CARRIED 7-0.

NEXT MEETING

Chairperson Mallers announced that the next meeting is scheduled for May 20, 2020.

PUBLIC COMMENTS (On any topic related to planning and zoning)

There was no one in the audience wishing to present public comment.

ADJOURNMENT

With no further business before the Commission, Commissioner Liedtke made a motion and it was seconded by Commissioner Desmond. Upon voice vote, THE MOTION CARRIED unanimously, and the meeting adjourned at 8:00 p.m.

RESPECTFULLY SUBMITTED:

APPROVED:

**Elizabeth Lahey
Secretary**

**Lou Mallers
Chairperson**