MEETING MINUTES OF THE
PLAN COMMISSION
JULY 23, 2014 – 7:00 P.M.

LINCOLNWOOD VILLAGE HALL
COUNCIL CHAMBERS
6900 NORTH LINCOLN AVENUE
LINCOLNWOOD, ILLINOIS 60712

MEMBERS PRESENT:
Chairman Paul Eisterhold
Irving Fishman
Patricia Goldfein
Steven Jakubowski (arrived at 7:35 p.m.)
Anthony Pauletto
Don Sampen
Mark Yohanna

MEMBERS ABSENT:
None

STAFF PRESENT:
Aaron N. Cook, AICP, Community Development Manager
Hart Passman, Holland & Knight, Village Attorney

I. CALL TO ORDER
Chairman Eisterhold noted a quorum of six members and called the meeting to order at 7:05 p.m.

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES

Motion to approve the June 11, 2014 Meeting Minutes was made by Commissioner Fishman, and seconded by Commissioner Goldfein.

Aye: Fishman, Goldfein, Sampen, Yohanna, and Eisterhold
Nay: None
Abstained: Pauletto
Motion Approved: 5-0-1

Motion to approve the June 25, 2014 Meeting Minutes was made by Commissioner Fishman, and seconded by Commissioner Goldfein.

Aye: Fishman, Goldfein, Sampen, Yohanna, and Eisterhold
Nay: None
Abstained: Pauletto
Motion Approved: 5-0-1
Motion to approve the July 2, 2014 Meeting Minutes was made by Commissioner Yohanna, and seconded by Commissioner Fishman.

Aye: Yohanna, Fishman, Goldfein, Sampen, and Eisterhold
Nay: None
Abstained: Pauletto
Motion Approved: 5-0-1

IV. Public Hearing: Medical Cannabis Dispensaries and Cultivation Centers – Zoning Code Text Amendment

Mr. Cook briefly outlined the open discussion items pertaining to the additional use standards and off-street parking requirements for medical marijuana dispensaries. The Plan Commission did not feel it was necessary to adopt similar standards for cultivation centers, because under State law, no cultivation center may be located within the Village.

Mr. Passman informed the Commissioners that the State of Illinois has approved the latest draft of the medical marijuana cultivation center and dispensary regulations, and that it is expected that the rules will become effective within the next few weeks.

Mr. Passman reviewed the draft Zoning Ordinance text amendments. Under the amendments, the only two districts in which a dispensary might be allowed would be the B-1 Business District and the M-B Manufacturing/Business District. The amendments would further limit dispensaries in the M-B District to the retail overlay zone and the southern end of Lincoln Avenue. Mr. Passman also reviewed the additional application requirements and Special Use standards.

The Commission discussed the financial implications of medical marijuana uses, and noted that medical marijuana, like other prescription medications, will not be subject to local sales tax, but that the Village will receive 1% of the state tax collected.

A majority of the Commissioners expressed their belief that a dispensary is a remote possibility in the Village, due to the restrictions that would be placed on their operation.

Discussion points made by Chairman Eisterhold included whether or not if marijuana oils or food items would be available, whether parking should be required in the front of the building if operating on Lincoln Avenue, whether ATMs and vending machines would be allowed, and whether the product can be delivered?

Other discussion points included signage restrictions, whether or not weapons are allowed on the premises, and if minors are allowed.

Mr. Passman stated that nonsmoking forms of marijuana are potentially allowed and that it is up to the cultivation centers as to what product will be available to the dispensaries. Mr. Passman further stated that no delivery or weapons will be allowed. The state regulations are not clear on whether or not minors will be allowed. Commissioner Jakubowski would like to see that minors are not allowed unless accompanied by an adult.
Chairman Eisterhold asked if anyone in the audience would like to speak on this matter. Nobody came forward.

Commissioner Sampen expressed his belief that there are way too many provisions attached to the draft amendments, and that he did not support the amendments.

**Motion to recommend approval** of the revised text amendments was made by Commissioner Jakubowski, with the added provision that minors not be allowed without being accompanied by an adult, and seconded by Commissioner Pauletto.

**Aye:** Jakubowski, Pauletto, Fishman, Goldfein, and Eisterhold  
**Nay:** Sampen and Yohanna  
**Motion Approved:** 5-2-0

V. **Public Hearing: Lincoln Avenue Plan – Amendment to Comprehensive Plan**

Mr. Cook highlighted the primary items for discussion having to do with the Lincoln Avenue Task Force relative to residential uses along Lincoln Avenue. The Plan Commission previously made a recommendation to the Village Board not to adopt a moratorium on residential development on Lincoln Avenue. At the July 15, 2014 Village Board meeting, Village Trustees enacted a 180-day moratorium on residential development.

Mr. Cook noted that the current Lincoln Avenue Plan encourages housing as an in-fill land use between business hubs. Mr. Cook explained that housing is not only encouraged in the Plan, but that it was found to be a development and use type that can be done on an in-fill manner between designated business hubs. The Plan further encourages mixed use development with residential uses on upper floors. The Plan includes a recommendation to “modify the current land use code to allow for mixed use development and in-fill housing and to prohibit expansion of drive-thru operations and auto-oriented uses”.

The second recommendation is to designate business district hubs at the intersections of Lincoln and Touhy; Lincoln, Pratt, and Crawford; and Devon and Lincoln. The report also encourages residential units above ground floor in the Lincoln-Touhy Business Hub and the Lincoln, Pratt, and Crawford Business Hub and recommends to “modify the Village Zoning Code to designate and regulate uses and encourage development in newly established district hubs”.

Commissioner Fishman would like to see any future development along Lincoln Avenue require a Special Use so the Plan Commission can be sure that the site is appropriate. Neighboring communities have revitalized their downtowns by implementing mixed use developments. A discussion regarding the viability of the Plan’s vision ensued, concerning whether this type of development would thrive in the current economic climate.

Mr. Cook reminded the Commissioners that the Comprehensive Plan is the Village’s long-range vision. If Zoning Code changes are desired, such as a Special Use instead of a Permitted Use, minimum lot areas can also be established for residential developments to even be able to apply for Special Use consideration.
Commissioner Yohanna questioned staff regarding the use of TIF funds. Mr. Passman stated that state law restricts the use of TIF funding for residential developments.

Staff recommended that the Commission focus on modifying the language for the Comprehensive Plan and on any initial recommended Zoning Code changes, all of which will be forwarded to the Village Board for its consideration.

Chairman Eisterhold asked if anyone in the audience would like to speak on this matter. Nobody came forward.

**Motion to continue** the public hearing to the Plan Commission meeting scheduled for Wednesday, August 27, 2014 was made by Commissioner Yohanna, and seconded by Commission Jakubowski.

**Aye:** Yohanna, Jakubowski, Fishman, Goldfein, Paletto, Sampen, and Eisterhold  
**Nay:** None  
**Motion Approved:** 6-0

**VI. NEXT MEETING**

Chairman Eisterhold declared that the next Plan Commission meeting will be held on Wednesday, August 6, 2014.

**VII. ADJOURNMENT**

Hearing no further business, **motion to adjourn** was made by Commissioner Yohanna, and seconded by Commissioner Goldfein. Meeting adjourned at 9:00 p.m.

**Aye:** Yohanna, Goldfein, Fishman, Jakubowski, Paletto, Sampen, and Eisterhold  
**Nay:** None  
**Motion Approved:** 6-0

Respectfully Submitted,

Kathryn M. Kasprzyk  
Community Development Coordinator