

ZONING BOARD OF APPEALS
MINUTES OF AUGUST 7, 2024 – 7:00 P.M.

1. The regularly scheduled meeting of the Zoning Board of Appeals was called to order at 7:00 p.m.
2. A quorum was present. Rhonda Santana, Kathy Mennella, Jenny Corral, Wayne Bernacki, Bruce Boreson, Frank Grieshamer, Chairman Mark Cwik, Lisa Manzo (Secretary), Ryan Morton (Village Attorney), Rudy Repa (Village Planner), Ryan Adriatico (Senior Planner) and Nick Walny (Director of Community Development). All members were present.
3. Member Grieshamer made a motion to accept the minutes of July 10, 2024. The motion was seconded by Member Mennella and approved to place them on file as presented.
4. Old Business: None
5. New Business: ZBA 24-08
CW Dispensary 2, LLC – Cannect Wellness
3147 Mannheim
12-28-100-023-0000, 12-28-100-024-0000

Chairman Cwik stated that this hearing is for a Conditional Use for an “Adult-Use Cannabis Dispensing Organization” in the C-3 General Commercial District per Section 9-9-2 of the Franklin Park Zoning Code.

Chairman Cwik called the petitioner up at this time. He asked the petitioner to sign in and be sworn in. Mr. David Michaud, petitioner, came forward. He signed in and was sworn in.

Mr. Michaud began his power point presentation at this time. He stated that the Conditional Use that is being applied for is for a retail outlet at 3147 Mannheim Road. He currently has a cultivation facility in Franklin Park that has been in operation since August of 2023, located at 3700 Sandra.

Mr. Michaud stated that the business would be open seven (7) days a week from 8 a.m. to 9 p.m. They would also satisfy the parking requirement for the site and have 20 employees. He stated that they would also erect a 6 ft privacy fence to the rear of the property to separate the business from residential.

ZONING BOARD OF APPEALS

MINUTES OF AUGUST 7, 2024

Mr. Michaud stated that they will renovate the building to create a modern, aesthetically pleasing dispensary that complies with strict security and operational requirements prescribed under the Cannabis Regulation and Tax Act. The facility's HVAC system will maintain proper temperature, humidity control, and ventilation for storing cannabis in the vault. The system will be equipped with mechanisms to remove odors from the premises and contain them from leaking to nearby areas. He further stated that the dispensary will have the following features: accessible entry and exits as required by the Americans with Disabilities Act for both the employees and the customers; ample outside parking, a foyer area to check in customers and provide a barrier to the lobby. There will be a lobby for visitors to wait to be called into the retail area, public bathrooms in the lobby, a retail area for customers and dispensary agents to talk and conduct purchases, offices, a break room, a secure loading area for receiving product, a janitorial closet and a mechanical room.

Mr. Michaud discussed the strict security measures that they will have to follow to be in compliance with State regulations. Some of the security regulations are as follows: Regulators are provided remote access to cameras and monitor employees to ensure strict compliance with regulations and protocols. Local law enforcement can pull retained video at any time -- with sophisticated perimeter lights, cameras, and security personnel, these facilities act as a deterrent to crime within the vicinity. Internal and external security personnel monitor the premises and surrounding area at all times during operational hours. Facilities have access controls at every point of ingress and egress, logging the key card of the individual granting access. Customers are only permitted in limited access areas following an ID scan; restricted access areas are for authorized personnel only and require key card access. The Dispensary contains 24/7 emergency and duress alarms for use by our staff to contact local law enforcement immediately in the event of an emergency. The dispensary will have shatter-proof windows, and products are stored in reinforced vaults that model DEA standards for storage of criminal evidence.

Member Santana inquired if the local Franklin Park Police Department will have access to the security cameras. Mr. Michaud replied that they will.

Chairman Cwik clarified with legal regarding the PIN numbers and addresses for the site that were listed in the zoning application. Mr. Morton confirmed that the application is in compliance, because one parcel and address (3147 Mannheim Road) will be used for the principal dispensary use, and the second parcel and address -

ZONING BOARD OF APPEALS

MINUTES OF AUGUST 7, 2024

(3145 Mannheim Road) will be used for overflow parking related to that principal use. The dispensary use will not actually be on that second parcel.

Chairman Cwik opened this hearing to the public at this time.

Chairman Cwik stated that anyone wishing to come forward to speak, please sign in and be sworn in before testifying.

Public session began at 7:20 p.m.

Ms. Genevieve Rodriguez, of Lulu Belle's Pancake House, came forward, signed in and was sworn in. Ms. Rodriguez stated that they still have a nine (9) year lease and was wondering what happens now. Mr. Morton explained that the terms of that lease are a private matter, which does not involve this Board or the Village.

Ms. Andra Cesaro, resident of Lincoln Street behind 3147 Mannheim came forward, signed in and was sworn in. Ms. Cesaro stated she is a 30-year resident. There are many children in the neighborhood. She is concerned about the job loss at Lulu Belle's. What are the security measures for the new business? They have power failures and Lulu Belle's is on the same grid, so what will happen when they lose power at the cannabis store? There are other businesses in town that have closed, why can't the cannabis retail store go in one of those. Mr. Morton, Village Attorney responded and clarified that the Village is not choosing between the two uses (the restaurant vs cannabis retail store). This is a private transaction between the owner of the property and the cannabis store. The Village's only responsibility here is to determine whether the proposed use meets Zoning Ordinance requirements. Mr. Walny, Director of Community Development stated that there will be a six (6) foot privacy fence installed as another security measure between the business and the residential neighborhood.

Mr. Christopher May, resident of 3133 Lincoln, came forward, signed in and was sworn in. Mr. May wanted to reiterate what was the days and hours of operation. He has concerns about the children of the neighborhood's safety. He is also concerned about parking and the traffic congestion/flow.

ZONING BOARD OF APPEALS

MINUTES OF AUGUST 7, 2024

Ms. Kitty Greenwood, resident of 9670 Franklin, came forward, signed in and was sworn in. Ms. Greenwood expressed her concerns that this type of business is not needed there. She stated they are lucky to have Lulu Belle's there.

Ms. Nicole May, resident of 3133 Lincoln, came forward, signed in and was sworn in. She had some concerns: Why all the cameras? What is the longevity of a business such as this? How much revenue would this generate? She is concerned about the traffic flow on Lincoln and how will it improve? She stated she would like more businesses in Franklin Park.

Mr. Robert Davidson, resident of 9216 Robinson Road, a 35-year resident of Franklin Park, came forward, signed in and was sworn in. Mr. Davidson is very concerned. He expressed that he does not like the location. Why so much security? He stated that traffic is tricky and this business should be in a different location altogether.

Ms. Carol Davidson, resident of 9216 Robinson Road, came forward, signed in and was sworn in. She has been a resident for 17 years. She is not happy about this use for Franklin Park. She is very sad about this.

Mr. Christopher May came forward again and was concerned about the one-way street on Lincoln and this business will bring in too much traffic. He inquired if a cul-de-sac would be a viable option for Lincoln Street. That would prevent the overflow of customer traffic.

Mr. Gregory Greb, resident of 3128 Lincoln, came forward, signed in and was sworn in. He has been a resident for 50 years. He is inquiring about why this case was not put to a referendum. Mr. Morton, Village Attorney responded that the cannabis use is legal in Illinois, and the Village Board previously passed an ordinance allowing adult-use cannabis businesses, after the public was given an opportunity to provide testimony, so it wouldn't need a referendum. Mr. Greb stated he was upset.

Mr. Michaud approached the podium to clarify some of the residents' concerns. He stated that every inch of the interior and exterior will be secure and have cameras governed by the State of Illinois. He stated that if there was a power outage he will have back up security. He also expressed his sympathy for the residents who have concerns. He realizes that it is a sensitive topic, but the use is neither nefarious nor evil. He stated that shoppers today are willing to pay more for this product and it isn't

ZONING BOARD OF APPEALS

MINUTES OF AUGUST 7, 2024

transient in nature. He also stated that he is a property owner/landlord of a dispensary with absolutely no issues.

Mr. Christopher May came forward again and would like to know the dates if or when this will or will not be approved. Mr. Morton answered that tonight it is only the recommendation of the Zoning Board for this particular request, then that recommendation goes to the Village Board for final approval or denial.

Mr. Joshua Poellot submitted an email to Mr. Ryan Adriatico, Senior Planner, displaying his discontent with the use. He stated that it would not be a positive addition to Franklin Park. He wrote that it does not present a welcoming image. His email was included as part of the public comment.

Public session ended at this time and Board Discussion began at 8:00 p.m.

The members discussed this hearing and all the public comments. Member Boreson stated that the zoning packets that were distributed were very thorough. Mr. Morton explained to the members that they must also assess that the Findings of Fact, letters A through F, have been met.

Board Discussion ended at 8:04 p.m.

Member Grieshamer made a motion to “approve the Findings of Fact as presented and recommend to the Franklin Park Village Board the approval of a Conditional Use for an “Adult-Use Cannabis Dispensing Organization” in the C-3 General Commercial District per Village Code Section 9-9-2 of the Franklin Park Zoning Code for the property commonly known as 3147 and 3145 Mannheim Road, Franklin Park, Illinois subject to the following conditions: 1. That the applicant establishes and maintains the Conditional Use in conformity with its submitted application, including its site plan, business plan, signage plan, security plan, and other specifications contained in its Commercial Use Letter dated July 3, 2024; 2. That the applicant obtains and keeps in good standing a state license to operate an adult-use cannabis dispensing organization; 3. That this proposed use complies with all State and Village regulations at all times. This includes Section 9-9-3(C) of the Franklin Park Zoning Code which outlines use standards for Adult-Use Cannabis Dispensing Organizations; 4. That the property owner installs a 6’ solid fence along property lines that are shared with residential properties to improve screening and buffering across the commonly owned parcels; and 5. That the cannabis dispensary use will be limited to

ZONING BOARD OF APPEALS

MINUTES OF AUGUST 7, 2024

the building located at 3147 Mannheim Road, and the property located at 3145 Mannheim Road may be for overflow parking by customers visiting 3147 Mannheim Road.” Member Mennella seconded the motion. Roll Call Vote. Member Corral-Yes; Member Bernacki-Yes; Member Boreson-Yes; Member Grieshamer-Yes; Member Mennella-Yes; Chairman Cwik-Yes; Member Santana-Yes. Seven (7) Ayes, Zero (0) Nays, Zero (0) Absent, Zero (0) Abstain. The motion was carried.

Chairman Cwik reminded the applicant that this is a recommending body and all final decisions will be made by the Village Board of Trustees.

Chairman Cwik thanked everyone for attending this evening.

6. Public Comment: None.

7. A motion was made by Member Grieshamer to adjourn the meeting of the Zoning Board of Appeals. It was seconded by Member Mennella. All in favor. Motion carried.

The meeting adjourned at 8:08 p.m.

Respectfully Submitted,

Lisa M Manzo

Lisa M. Manzo
Zoning Board of Appeals Secretary