

Pekin Planning Commission Meeting
Council Chambers
111 South Capitol Street, 2nd level
February 6, 2020
6:30 p.m.

Present:

Daryl Dagit
Tim Bonnette
Amy Wilson

James Ruth
Chris Deverman

The regular meeting of the Pekin Planning Commission was called to order and a quorum was declared.

Staff present: John Lebegue, Building Inspections/Development Director, and Kate Swise, City Attorney

MOTION by Chris Deverman to approve the February 6, 2020 Agenda, seconded by James Ruth. On roll call vote, all present voted AYE. Motion approved.

MOTION by James Ruth to approve the minutes of November 13, 2019, Seconded by Chris Deverman. On roll call vote, Tim Bonnette, James Ruth, Amy Wilson and Chris Deverman voted AYE, Daryl Dagit abstained. Motion approved.

Council Action Reports:

Commissioner Daryl Dagit, stated that at the November 25, 2019 regular meeting of the Pekin City Council, the members of the City Council concurred with the recommendation of the Plan Commission and approved Ordinance # 1568-A212-19/20 to amend the Zoning Code to impose regulations regarding the establishment of adult-use and medical cannabis business establishments. At the November 25, 2019 regular meeting of the Pekin City Council, the members of the City Council tabled consideration of the petition for a Special Use for Open Front Storage for the purpose of establishing an accessory U-Haul use, which would entail the storage and display of U-Haul rental trucks, trailers and other moving equipment in the designated area of the parking lot at the property at 422 Derby Street. The member of the City Council wanted the applicant to appear before the City Council to provide more information as to exactly what type of equipment would be stored on the property as part of the proposed U-Haul rental use. Mr. Patel appeared at the December 9, 2019 regular meeting of the Pekin City Council and the members of the City Council concurred with the recommendation of the Plan Commission, and granted Special Use authorization for Open Front Storage for the purpose of establishing an accessory U-Haul use, which would entail the storage and display of U-Haul rental trucks, trailers and other moving equipment in the designated area of the parking lot at the

property at 422 Derby Street, with the condition that signage be installed to identify the designated area for the parking and storage of U-Haul rental equipment.

Application #1 (#1-2020): Conduct a Public Hearing for the consideration of an amendment to the City of Pekin Zoning Code to impose regulations regarding the establishment of adult-use and medical cannabis businesses in the PUD District.

Open Public Hearing: 6:32 p.m.

Commissioner Daryl Dagit opened the discussion and asked if there was anyone here to speak in regard to the issue.

Alan White appeared before the members of the Plan Commission and stated that the proposed ordinance allowing cannabis establishments in the City sets a bad example for children and that he considered cannabis a gateway drug to harder drugs. Mr. White then asked if the proposed amendment was for recreational and medical cannabis.

City Attorney Kate Swise answered by stating that the ordinance addressed both recreational and medical cannabis establishments.

Mr. White concluded his comments by asking if the City had received any phone calls regarding the proposed ordinance.

John Lebegue, Building Inspections/Development Director stated that the Building Inspections Department received no phone calls or written correspondence regarding the proposed ordinance.

Close Public Hearing: 6:38 p.m.

Commissioner Daryl Dagit entertained a motion for discussion.

Motion made by Commissioner James Ruth, seconded by Commissioner Chris Deverman, to open discussion.

The members of the Plan Commission found the proposed ordinance reasonable and the PUD, Planned Unit Development District well suited for cannabis related businesses.

Commissioner Daryl Dagit called the question on the ordinance amending the City of Pekin Zoning Code to impose regulations regarding the establishment of adult-use and medical cannabis businesses in the PUD District. On a roll call vote, all present voted Aye. Motion passed.

Application #2 (#2-2020): Conduct a Public Hearing for the consideration of Special Use petitions for the establishment of a cannabis craft grower use and a cannabis dispensary use at certain property located at 1805 Riverway Drive

Open Public Hearing: 6:39 p.m.

Commissioner Daryl Dagit, opened the discussion and asked if there was anyone here to speak concerning the issue.

Allan White appeared before the members of the Plan Commission and asked what the square footage of the proposed cannabis craft grower facility would be.

David Wentworth, attorney for applicant Riverway Craft Laboratories, LLC, stated that the proposed cannabis craft grower facility would consist of a 5,000 square foot growing area, with a 6,000 square foot main operations building. Mr. Wentworth further stated that the growing area could increase by 3,000 each year, with a maximum allowed growing area of 24,000 square feet.

City Attorney Kate Swise then explained to the members of the Plan Commission that this public hearing was to consider both a petition for a cannabis craft grower facility and a petition for a cannabis dispensary facility, with the 6,000 square foot dispensary use being conducted within the existing building at 1805 Riverway Drive.

Attorney David Wentworth stated that all dispensary licenses for 2020 have already been issued and that the next round of 110 cannabis dispensaries would not occur until December 2021.

Mr. Wentworth continued by stating that the Illinois Department of Agriculture was in charge of cannabis craft grower facilities and that the application window for cannabis craft growing facilities would be from February 14, 2020 to March 14, 2020, with 40 licenses being awarded on May 1, 2020. Mr. Wentworth further stated that if they were awarded a cannabis craft grower license, that they could open the proposed facility by July 1, 2020.

Commissioner James Ruth asked the applicant if they had to provide evidence to the State of local zoning and site approval even for potential cannabis business establishments.

Attorney David Wentworth stated that obtaining municipal zoning and site approval was crucial for any cannabis business establishment.

Commissioner Daryl Dagit asked if any of the TIF money recently granted to PAL was being used for the proposed cannabis business establishments at 1805 Riverway Drive.

Dr. Aaron Rossi, CEO of PAL Health Technologies, stated that the TIF money was not being used for the proposed cannabis business establishments and is a separate issue and that the cannabis business establishments are under separate ownership.

Alan White asked how many cannabis craft growers could potentially be established in the City of Pekin.

David Wentworth stated that only one cannabis craft grower facility can be established in the City of Pekin.

Commissioner James Ruth asked if it was true that not all of the cannabis supplied to potential cannabis dispensary had to be provided from the cannabis craft grower located at 1805 Riverway Drive.

David Wentworth stated that it is true that not all of the cannabis sold at the potential cannabis dispensary had to be supplied from the proposed cannabis craft growing facility and cannabis supplies from other growing facilities could be sold at the potential cannabis dispensary.

Commissioner Chris Deverman then asked if the proposed cannabis craft grower and cannabis dispensary uses met all City requirements.

John Lebegue, Building Inspections/Development Director stated that the proposal met and addressed all ordinance requirements. Mr. Lebegue further stated that given that the property at 1805 Riverway Drive was located within the Riverway Business Park, that building setbacks, site plan and lot intensity is governed by the Riverway Business Park covenants and was not part of the review by the Plan Commission.

Alan White asked what distance the proposed facilities were from the Park District property.

David Wentworth stated that the property at 1805 Riverway Drive is 1,500 feet from the Park District property.

Close Public Hearing: 6:57 p.m.

Commissioner Daryl Dagit, Chairman, entertained a motion for discussion.

Motion made by Commissioner Chris Deverman, seconded by Commissioner Tim Bonnette, to open discussion.

City Attorney Kate Swise explained that the ordinance recently adopted for cannabis business establishments includes factors which any cannabis business establishment had to meet and compliance with those factors is how to determine compliance with ordinance requirements.

Commissioner Tim Bonnette asked if a Special Use has an expiration date.

John Lebegue, Building Inspections/Development Director stated a Special Use permit had to be annually renewed, but that he does not believe there is any current ordinance language that specifically establishes an expiration date for a Special Use permit.

Commissioner Chris Deverman complimented stated that the property at 1805 Riverway Drive is a perfect location for the proposed cannabis craft grower and cannabis dispensary uses.

Commissioner Daryl Dagit called the question on the Special Use petitions for the establishment of a cannabis craft grower use and a cannabis dispensary use at certain property located at 1805 Riverway Drive. On a roll call vote, all present voted Aye. Motion passed.

Public Input

Allan White appeared before the members of the Plan Commission and explained that at the August 14, 2019 meeting where the Plan Commission considered the rezoning of the property at 904 N. 10th Street, incorrect information was provided, as the property at 904 N. 10th Street was zoned OS-1 Office Service District at the time of the rezoning and not R-4, One Family Residential District. Mr. White continued by thanking the members of the Plan Commission for voting to deny the rezoning application and asked in the future that a records search be performed on all properties subject to rezoning instead of relying on the official zoning map, which could be incorrect.

Motion made by Commissioner James Ruth, seconded by Commissioner Tim Bonnette to adjourn. On roll call vote, all present voted Aye. Motion approved. Meeting adjourned at 7:15 p.m.

Respectfully submitted:

John R. Lebegue, Building Inspections / Development Director