

REGULAR MEETING PLAN COMMISSION/ZONING BOARD OF APPEALS MONDAY, OCTOBER 7, 2019 7:00PM VILLAGE HALL - BOARD ROOM

The Plan Commission/Zoning Board of Appeals hears all requests for zoning text amendments, rezoning, special uses, and variations and forwards recommendations to the Board of Trustees. The Commission also reviews all proposals to subdivide property and is charged with Village planning, including the updating of the Comprehensive Plan for Land Use. All Plan Commission actions are advisory and are submitted to the Board of Trustees for final action.

I. ROLL CALL

III. APPROVAL OF AUGUST 5, 2019 MEETING MINUTES

IV. PUBLIC HEARINGS

A. Z-07-2019: 7000 County Line Road (Wiegand); Special Use and Findings of Fact

Requests an amendment to Section VIII.B.2 of the Zoning Ordinance to add "Birthing Center" as a special use in the B-1 Business District, a special use for a Birthing Center in the B-1 Business District as per the amended Zoning Ordinance, a special use for a business whose hours of operation exceed 7:00am to 10:00pm in the B-1 Business District, and a text amendment to establish parking regulations for a Birthing Center.

B. Z-15-2019: 16W260 83rd Street (Odeh); Special Use and Findings of Fact

Requests special use approval as per Section X.F.2.a of the Zoning Ordinance for an automobile sales and rental use.

C. Z-17-2019: 582 Village Center Drive (Hassan); PUD Amendment and Findings of Fact

Requests text amendment to Planned Unit Development Ordinance #A-834-09-05 to amend the coloration of the storefront façade of the subject property to white and black.

D. Z-12-2019: Zoning Ordinance Amendment; Findings of Fact

Requests consideration of amendments to the Zoning Ordinance relative to the location and regulation of medical and recreational cannabis business establishments.

October 7, 2019 Plan Commission/Zoning Board of Appeals Page 2 of 2

V. CORRESPONDENCE

- A. Board Report August 12, 2019 and August 26, 2019
- B. Building Report July and August 2019
- C. Activity Memo August and September 2019

VI. OTHER PETITIONS

A. Preliminary Plat of Subdivision (Mendi); Subdivision Variation & Plat Approval

VII. PUBLIC COMMENT

VIII. FUTURE SCHEDULED MEETINGS

- A. October 21, 2019
- Z-13-2019: Zoning Ordinance Amendment; Findings of Fact

Requests consideration of amendments to the Zoning Ordinance regarding parking regulations in Business Districts.

B. November 4, 2019

• Z-14-2019: 1400 Burr Ridge Parkway (Patel); Re-Zoning, Special Use, and Findings of Fact

Requests re-zoning from the R-5 Planned Residence District to the O-2 Office and Hotel District and a special use as per Section IX.D.2.h of the Zoning Ordinance to approve a Planned Unit Development in the O-2 Office and Hotel District to accommodate a hotel on the subject property.

• Z-16-2019: 7500 Hamilton Avenue (Moskal): Re-Zoning and Findings of Fact

Requests re-zoning of a property from the R-2A Residential District to the T-1 Transitional District.

• Z-18-2019: Zoning Ordinance Amendment; Findings of Fact

Consideration of amendments to the Zoning Ordinance regarding the adoption of regulations related to the permitted installation of prairie grasses, natural plantings, and other such vegetation in yards at residential properties.

IX. ADJOURNMENT

PLAN COMMISSION/ZONING BOARD OF APPEALS VILLAGE OF BURR RIDGE MINUTES FOR REGULAR MEETING OF AUGUST 5, 2019

I. ROLL CALL

The Regular Meeting of the Plan Commission/Zoning Board of Appeals was called to order at 7:00 p.m. at the Burr Ridge Village Hall, 7660 County Line Road, Burr Ridge, Illinois by Chairman Trzupek.

ROLL CALL was noted as follows:

PRESENT: 6 – Irwin, Broline, Farrell, Stratis, Petrich, and Trzupek

ABSENT: 2 – Praxmarer and Hoch

Assistant Village Administrator Evan Walter was also present.

II. APPROVAL OF PRIOR MEETING MINUTES

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Broline to approve the minutes of the June 17, 2019 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 5 – Petrich, Broline, Stratis, Farrell, and Irwin

NAYS: 0 - None

ABSTAIN: 1 – Trzupek

MOTION CARRIED by a vote of 5-0.

III. PUBLIC HEARINGS

Chairman Trzupek conducted the swearing in of all those wishing to speak during the public hearing on the agenda for the meeting.

V-06-2019: 8335 County Line Road (Pizzuto); Variations and Findings of Fact

Chairman Trzupek asked Mr. Walter to review the public hearing request. Mr. Walter said that Michael Pizzuto was requesting variations from Section IV.J of the Burr Ridge Zoning Ordinance to permit a six-foot tall fence with spike-topping in the front and/or side yard of a residential property.

Michael Pizzuto, 8335 County Line Road, said that the purpose of the fence was to act as an additional privacy barrier in the front of his home due to the secluded nature of the property.

Chairman Trzupek asked for public comment. None was given.

Several Plan Commissioners questioned the need for a six-foot fence when a five-foot fence is permitted. Mr. Pizzuto said that a six-foot fence was simply more challenging to clear than a five-foot fence.

Several Plan Commissioners noted whether the fence's proposed elevation met the definition of "spike-topping".

The Plan Commission generally agreed that while the property was unique due to its size and location of development on the subject property, they did not feel that this was a variation that should be granted to all parties.

At 10:36 pm, a **MOTION** was made by Commissioner Farrell and **SECONDED** by Commissioner Irwin to close the public hearing.

ROLL CALL VOTE was as follows:

AYES: 5 – Farrell, Irwin, Broline, Stratis, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 5-0.

A **MOTION** was made by Commissioner Farrell and **SECONDED** by Commissioner Irwin to recommend that the Board of Trustees adopt the Findings of Fact and approve variations for a six-foot tall fence in the front and side yards of a residential property, subject to the submitted site plans and elevations, with the condition that the fence meet the requirement that no impaling members be on the final elevation.

ROLL CALL VOTE was as follows:

AYES: 4 – Farrell, Irwin, Broline, and Trzupek

NAYS: 1 – Stratis

MOTION CARRIED by a vote of 4-1.

Chairman Trzupek requested that consideration of amendments to the Zoning Ordinance regarding front-yard privacy fences next to security gates be considered as part of the next annual Zoning Ordinance review.

Z-08-2019: 120 Harvester Drive (Olguin); PUD Amendment and Findings of Fact

Chairman Trzupek asked Mr. Walter to review the public hearing request. Mr. Walter said that Jim Olguin was requesting an amendment to Planned Unit Development Ordinance #A-834-09-16 to permit a reconfiguration and expansion of an existing surface parking lot.

Jim Olguin, petitioner, stated that the petition would allow for 181 parking spaces to be constructed on the subject property to serve as parking for a lease expansion by the University of Chicago in a building owned at a neighboring property.

Chairman Trzupek asked for public comment. None was given.

Commissioner Stratis said he would ordinarily not be in favor of a parking lot being the primary use of a space but understood the purpose of the proposal and supported the petition. All Plan Commissioners supported Commissioner Stratis' statements.

Chairman Trzupek asked if there was any issue with the parking ratios currently being used. Mr. Walter said that parking ratios are determined by building size, not building load. Chairman Trzupek said that he would like to address this matter at the next annual Zoning Ordinance review.

At 10:56 pm, a **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Irwin to close the public hearing.

ROLL CALL VOTE was as follows:

AYES: 6 – Stratis, Irwin, Petrich, Farrell, Broline, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Petrich to recommend that the Board of Trustees adopt the Findings of Fact and approve a request to amend Planned Unit Development Ordinance #A-834-09-16 to permit a reconfiguration and expansion of an existing surface parking lot, subject to the petitioner's submitted site plans.

ROLL CALL VOTE was as follows:

AYES: 6 – Irwin, Petrich, Broline, Stratis, Farrell, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 6-0.

Z-11-2019: 800 Village Center Drive (Hassan); PUD Amendment, Special Use, and Findings of Fact

Chairman Trzupek asked Mr. Walter to review the public hearing request. Mr. Walter said that Ramzi Hassan had requested an amendment to Planned Unit Development Ordinance #A-834-10-05 to add "coworking space" as a first-floor special use in Building 6 of the Village Center, a special use for a "coworking space" in Building 6 of the Village Center, and a revision to the exterior building footprint of Building 6 of the Village Center.

Ramzi Hassan, Edwards Realty Company, gave a brief presentation regarding the Village Center and the proposed use, Life Time Work.

John Nagan, Life Time Work, introduced himself and gave a brief description of the Life Time Work business model.

Greg Dose, 835 McClintock, spoke on behalf of the residents of 850 Village Center Drive and acting as said residents' legal counsel. Mr. Dose stated that the residents objected to the petition on the grounds that it would materially detract from the property values, use, and enjoyment of their properties as a result of the loss of the breezeway access due to the location of Life Time Work. Mr. Dose said that all service activities that are currently conducted in the east lot would necessarily occur on Village Center Drive, which would be objectionable to the residents as well as not promote sound planning. Mr. Dose said that there were existing declarations between the owner and residents, which were not within the purview of the Village, that would preclude the use of the property for the stated purpose even if approval were provided by the Village.

Chairman Trzupek asked how parking requirements were calculated at the Village Center. Mr. Walter said that the Village Center created an aggregate total parking capacity based on the estimated use of the property, which resulted in the present amount of parking now observed on the property.

Dave Atkenson, 850 Village Center Drive, Board president of the subject property, objected to the use on the basis that it would impair the logistical use of the property and impact property values.

Mr. Atkenson also noted that persons with accessibility issues would be highly impacted by this proposal.

Alice Krampits, 7515 Drew Avenue, asked if Mr. Hassan had any experience leasing or constructing coworking offices. Mr. Hassan said that this was his first such deal. Ms. Krampits asked if the community room would be relocating. Mr. Hassan said that the final location of the community room within Barbara's Bookstore was not yet determined.

Eloise Carnevale, 850 Village Center Drive, Unit 213, objected to the petition as her unit overlooked the primary residential entrance and the trash would be moved out immediately below her unit if the breezeway were closed.

Janet Andreotti, 850 Village Center Drive, Unit 214, objected to the petition as her unit overlooked the primary residential entrance and the trash would be moved out immediately below her unit if the breezeway were closed.

Rita Michaels, 801 Village Center Drive, objected to the petition as it would create a serious impact on Village Center Drive that was not appropriate for the space.

Bob Sunstein, 850 Village Center Drive, asked where the garbage would be retrieved. Chairman Trzupek stated that it would be through a set of double-doors on the west side of the property. Mr. Sunstein said that he felt that this proposal was unrealistic and objected to the petition.

Lorie Chang, Burr Ridge resident, stated that she objected to the breezeway being amended but also to the use itself due to safety concerns.

Bill Petty, 1000 Village Center Drive, said that he used to rent in the 850 building but purchased in the 1000 building at a later date. Mr. Petty asked about the guest policy. Mr. Nagan said that two guests per member were permitted for one hour at a time.

Leslie Bowman, 1000 Village Center Drive, said that she was appearing as both resident and business owner of Design Bar in Building 6 of the Village Center. Ms. Bowman asked about how customers of the proposed use traditionally park. Mr. Nagan said that they sometimes park near the site but other times may leave their car at the health club and walk over. Ms. Bowman said that the parking spaces would turn over at a slower rate than retail and negatively impact the properties at the Village Center. Ms. Bowman also requested that the customers of the use be restricted to park in certain areas.

Joanne Kerkstra, 850 Village Center Drive, objected to the use as presented but said that she could support a compromise in which the breezeway would be altered but otherwise be left open to the public.

Mary Desliosa, 850 Village Center Drive, asked if on-street parking on Village Center Drive would be permitted 24 hours a day under the proposal. Mr. Hassan said that no changes to the on-street parking hours were part of the proposal.

Joanne Palmisano, Burr Ridge resident, said the entire development was a mistake, and taking away the walkway would create a dangerous area on the Village Green.

Adam Altabelli, 850 Village Center Drive, said that Mr. Hassan told him that if the breezeway could not be closed, Life Time Work would not come to the property. Mr. Nagan confirmed that was the case.

Commissioner Stratis said that he felt that the size of the Village Center did not support the concept of a mixed-use center such as this with a health club as an anchor tenant. Commissioner Stratis said that he was not prepared to allow first-floor office to be leased in Building 6, but also strongly objected to the concept of closing the breezeway.

Commissioner Farrell said that she objected to the concept of closing the breezeway as doing so would not make conceptual planning sense.

Commissioner Broline said that he supported the use in the proposed location, but objected to the closing of the breezeway to accommodate the use.

Commissioner Petrich said that the other members of the Plan Commission generally spoke in agreement with his feelings and did not support the petition.

Commissioner Irwin said that he objected to the closing of the breezeway but supported the concept of the coworking space as a use, as he has experience using such facilities. Commissioner Irwin said that the parking problems needed to be solved to create a more tenable planning environment for all parties.

Chairman Trzupek said that he was in general agreement with the statements made by the Plan Commission and did not support the closing of the breezeway as a viable method to accommodate the use.

At 9:36 pm, a **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Irwin to close the public hearing.

ROLL CALL VOTE was as follows:

AYES: 6 – Stratis, Irwin, Petrich, Farrell, Broline, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Petrich to recommend that the Board of Trustees approve a request for a text amendment to add "coworking space" as a special use in Buildings 1 and 6 of the Village Center.

ROLL CALL VOTE was as follows:

AYES: 6 – Irwin, Petrich, Stratis, Farrell, Broline, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Broline to recommend that the Board of Trustees approve a request for a special use for a "coworking space" for Life Time Work, subject to the following conditions:

- 1. The special use shall be limited to Life Time Work in a manner consistent with the submitted business plan.
- 2. The special use shall be null and void should Life Time Work and its business entities or partners no longer operate the coworking space at 800 Village Center Drive within Building 6 of the Village Center.

- 3. Life Time Work shall be permitted to be open to the public between the hours of 7:00am-10:00pm, with private key-fob access granted only to customers outside of these hours.
- 4. The breezeway underneath Building 6 shall remain in place as shown.

Discussion was held whether the Plan Commission should include requirements that parking be addressed. It was determined that the Plan Commission would make a statement that parking be addressed as a part of any future text amendment or special use hearing at the Village Center.

Mr. Nagan said that if the fourth condition were included, the deal would be off the table.

ROLL CALL VOTE was as follows:

AYES: 5 – Stratis, Broline, Petrich, Farrell, and Trzupek

NAYS: 1 – Irwin

MOTION CARRIED by a vote of 5-1.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Broline to recommend that the Board of Trustees deny a request for a revised exterior building footprint at Building 6 of the Village Center.

ROLL CALL VOTE was as follows:

AYES: 5 – Stratis, Broline, Irwin, Petrich, Farrell, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 6-0.

Z-10-2019: Zoning Ordinance Amendments; Text Amendment and Findings of Fact

Chairman Trzupek asked Mr. Walter to review the public hearing request. Mr. Walter said that staff requests amendments to the Zoning Ordinance regarding short-term home rentals, home occupations, and similar land use regulations. Under the Zoning Ordinance, the use of singlefamily residential homes as short-term rentals necessarily represents customers coming to the dwelling for goods and services, as well as the home itself being a commercial entity, thus creating a violation of the Zoning Ordinance. It is not clear how "short-term rental" is specifically defined. For example, it is not uncommon for a property owner to rent their home to a tenant for a one-year term, although this use of the property is not legally distinct from a one-night rental under the current reading of the Zoning Ordinance. Staff also received complaints regarding the storage and use of personal vehicles as rentals. This type of rental functions similarly to a short-term home rental; the owner of a vehicle advertises a vehicle as "for rent" on a website, usually for a number of hours or days, and the car is picked up by the renter at a designated location. In some cases, vehicles have been picked up at homes, which violates Section IV.R. of the Zoning Ordinance. In other cases, vehicles are stored at a home for personal use, but delivered to a location outside of the Village for transaction. These actions are not generally regulated by the Zoning Ordinance, as personal vehicles are generally not defined as commercial vehicles by Section IV.K.2 of the Zoning Ordinance, as the vehicles that are rented are personal-use vehicles and do not fall under the definition and regulations of a commercial vehicle being stored at a residential property.

Chairman Trzupek asked for public comment.

Nico and Colleen Salhas, 16W267 93rd Street, said that they were grateful to Mr. Walter for his work in bringing the amendments for car rental use forward as they felt the proposed amendments would definitively solve the problems that were previously present on their street.

Chairman Trzupek asked how such amendments would be enforced. Mr. Walter said that there are many methods to track such behavior and would not be challenging to accomplish.

Commissioner Irwin said he would like more information regarding options for regulating short-term rentals.

Commissioner Petrich said that the word "gratuitous" should in fact mean "non-gratuitous". Mr. Walter acknowledged the grammatical error and stated that the intent was to prohibit paid use of the properties.

Commissioner Broline supported the amendments as proposed.

Commissioner Farrell supported the amendments but requested that more information be provided regarding coach houses and other relevant regulations. Chairman Trzupek asked that such information be provided at the annual Zoning Ordinance review.

Commissioner Stratis supported the amendments as proposed.

After some discussion, the Plan Commission agreed to not pursue amendments for short-term home rentals at the present time.

At 11:18 pm, a **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Petrich to close the public hearing.

ROLL CALL VOTE was as follows:

AYES: 6 – Irwin, Petrich, Farrell, Broline, Stratis, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to recommend that the Board of Trustees adopt the Findings of Fact and approve a text amendment to Section IV.K.2 of the Zoning Ordinance regarding listing rental vehicles as commercial vehicles, with the condition that the staff recommendation be made as "non-gratuitous."

ROLL CALL VOTE was as follows:

AYES: 6 – Irwin, Stratis, Petrich, Broline, Farrell, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 6-0.

IV. CORRESPONDENCE

V. OTHER PETITIONS

S-04-2019: S-04-2019: 7425 Wolf Road (Pleasantdale Park District) – Conditional Sign Approval and Sign Variations

Chairman Trzupek asked Mr. Walter to review the consideration. Mr. Walter said that the Pleasantdale Park District requests requesting conditional sign approval for a non-residential sign in a residential district and requests three variations from Section 55.04.B and Section 55.11.K of the Sign Ordinance to allow a sign: (1) exceeding the maximum permitted size for a ground sign; (2) with an electronic changeable message panel; and (3) located less than 10 feet from a property line.

Matt Russian, Executive Director of the Pleasantdale Park District, stated that the sign would be used only for Park District purposes.

Commissioner Farrell said that she would not support the petition as proposed.

Commissioner Broline asked how many colors were permitted. Mr. Russian said that they would have access to the full color spectrum but would likely not ever need to use more than a small number of said options.

The Plan Commission expressed some concern about the appropriateness of the request, but there was general consensus that the request was appropriate based upon the location and use at a public facility.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner to recommend that the Board of Trustees adopt the Findings of Fact and approve a request by Matt Russian for conditional sign approval for a non-residential sign in a residential district and requests three variations from Section 55.04.B and Section 55.11.K of the Sign Ordinance to allow a sign: (1) exceeding the maximum permitted size for a ground sign; (2) with an electronic changeable message panel; and (3) located less than 10 feet from a property line. subject to the following conditions:

- 1. The sign shall comply with the sign elevations and the sign location plan attached hereto.
- 2. There shall be no animation, videos, or other moving text within the electronic message panel.
- 3. The electronic message panel shall be turned off every night from 11:00 p.m. to 6:00 a.m.
- 4. The electronic message panel shall be permitted to message changes no more than every 60 seconds.
- 5. The sign shall display only advertisements which promote the activity of governmental bodies.

ROLL CALL VOTE was as follows:

- **AYES**: 5 Stratis, Irwin, Petrich, Broline, and Trzupek
- **NAYS**: 1 Farrell

MOTION CARRIED by a vote of 5-1.

S-05-2019: 7450 Wolf Road (Pleasantdale School District 107) – Conditional Sign Approval and Sign Variations

Chairman Trzupek asked Mr. Walter to review the consideration. Mr. Walter said that Pleasantdale School District 107 requests requesting conditional sign approval for a non-residential sign in a residential district and requests three variations from Section 55.04.B and Section 55.11.K of the Sign Ordinance to allow a sign: (1) exceeding the maximum permitted size for a ground sign; (2)

with an electronic changeable message panel; and (3) located less than 10 feet from a property line.

Griffin Sontag, principal of Pleasantdale Middle School, stated that the sign would be used only for School District purposes.

Commissioner Farrell said that she would not support the petition as proposed.

Commissioner Broline asked how many colors were permitted. Mr. Russian said that they would have access to the full color spectrum but would likely not ever need to use more than a small number of said options.

The Plan Commission expressed some concern about the appropriateness of the request, but there was general consensus that the request was appropriate based upon the location and use at a public facility.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Irwin to recommend that the Board of Trustees adopt the Findings of Fact and approve a request by Griffin Sontag for conditional sign approval for a non-residential sign in a residential district and requests three variations from Section 55.04.B and Section 55.11.K of the Sign Ordinance to allow a sign: (1) exceeding the maximum permitted size for a ground sign; (2) with an electronic changeable message panel; and (3) located less than 10 feet from a property line, subject to the following conditions:

- 1. The sign shall comply with the sign elevations and the sign location plan attached hereto.
- 2. There shall be no animation, videos, or other moving text within the electronic message panel.
- 3. The electronic message panel shall be turned off every night from 11:00 p.m. to 6:00 a.m.
- 4. The electronic message panel shall be permitted to message changes no more than every 60 seconds.
- 5. The sign shall display only advertisements which promote the activity of local government bodies.

ROLL CALL VOTE was as follows:

AYES: 5 – Stratis, Irwin, Petrich, Broline, and Trzupek

NAYS: 1 – Farrell

MOTION CARRIED by a vote of 5-1.

Chairman Trzupek asked that a review of changeable message panel sign policy be provided at the annual Zoning Ordinance review.

Z-04-2019: 10S110 Madison Street (Tri-State Fire Protection District) – Findings of Fact

Mr. Walter explained that the Plan Commission needed to approve a revised set of Findings of Fact and recommended that the Commissioners vote as they did in accordance with the original motion.

The Plan Commission concluded that Finding of Fact b was met and should be removed from the final motion.

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A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Farrell to recommend that the Board of Trustees adopt the revised Findings of Fact *c*, *d*, and *g*, as stated.

ROLL CALL VOTE was as follows:

AYES: 3 – Irwin, Farrell, and Broline

NAYS: 2 – Stratis and Petrich

ABSTAIN: 1 – Trzupek

MOTION CARRIED by a vote of 3-2.

VI. PUBLIC COMMENT

There were no additional public comments.

VII. FUTURE SCHEDULED MEETINGS

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to cancel the August 19, 2019 meeting of the Plan Commission

ROLL CALL VOTE was as follows:

AYES: 6 – Irwin, Stratis, Broline, Farrell, Petrich, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 6-0.

VII. ADJOURNMENT

A MOTION was made by Commissioner Irwin and SECONDED by Commissioner Stratis to ADJOURN the meeting at 12:00 a.m. ALL MEMBERS VOTING AYE, the meeting was adjourned at 12:00 a.m.

Respectfully Submitted:

Evan Walter, Assistant Village Administrator



Z-07-2019: 7000 County Line Road (Weigand); Requests special use approval as per Section VIII.B.2.w of the Zoning Ordinance for a medical office in the B-1 Business District.

HEARING: October 7, 2019

TO: Plan Commission Greg Trzupek, Chairman

FROM: Evan Walter Assistant Village Administrator

PETITIONER: Laura Weigand o/b/o Birth Partners, Inc.

PETITIONER STATUS: Prospective Tenant

EXISTING ZONING: B-1 Business District PUD

LAND USE PLAN: Recommends Retail, Service, and Office Uses

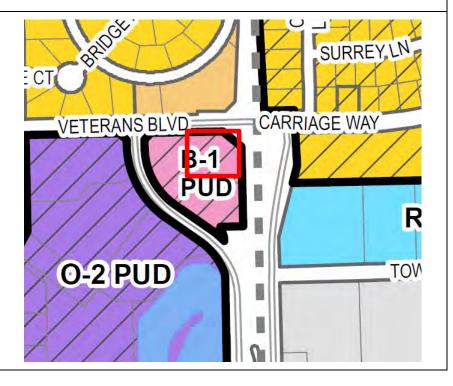
EXISTING LAND USE: Commercial Building

SITE AREA: 1.59 Acres

SUBDIVISION: Oak Grove

PARKING: 25 Spaces





Staff Report and Summary Z-07-2019: 7000 County Line Road (Wiegand); Special Uses, Text Amendments, and Findings of Fact Page 2 of 3

The petitioner is Laura Weigand on behalf of Birth Partners, Inc., a specialty birth center (henceforth "Center") which focuses on providing a home-like environment for women giving birth. The petitioner requests an amendment to Section VIII.B.2 of the Zoning Ordinance to add "Birthing Center" as a special use in the B-1 Business District, a special use for a Birthing Center in the B-1 Business District as per the amended Zoning Ordinance, a special use for a business whose hours of operation exceed 7:00am to 10:00pm in the B-1 Business District, and a text amendment to establish parking regulations for a Birthing Center. The subject property is approximately 3,000 square feet in size and was formerly a branch of MB Financial Bank.

Birth centers, such as this, are licensed by the State of Illinois, while accreditation may be obtained from the Commission for the Accreditation of Birth Centers (CABC). The Center will have three total birth rooms at its opening, which will remain its maximum capacity. The petitioner states that the Center's business hours will vary depending on the volume of clients, but are anticipated to be Monday–Thursday from 8:00am-5:00pm with 24-hour coverage handled by on-call staff. There will be five total full-time staff at the business' opening as well as have access to a pool of on-call clinical staff as needed. The business would have a maximum of 10-12 total full-time employees at commercial capacity; however, not all of these employees would be present simultaneously. The Midwife Director and other staff would be available 24/7 to address patient care concerns and be present at the birth center to meet the patient. The petitioner has stated that medical waste will be stored indoors and be disposed of via a professional medical waste company, per their State licensure. No ambulances would be used to transport patients to the Center.

Land Use and Site Analysis

The subject property is 1.59 acres in size and is located on a shared parcel with two other commercial buildings at a B-1 Business PUD known as Oak Grove. The B-1 District is intended to provide a location suitable to accommodate a combination of retail, service, and office uses in a commercial and business district; "Medical, Dental, and Optical Offices and Clinics" is listed as a special use in the B-1 Business District. The subject property is bounded by O-2 Office uses to the west, a church zoned R-2B Residential to the immediate north, and a mixture of residential and industrial uses to the east (across County Line Road) zoned R-3 Residential, R-A Research Assembly, and L-I Light Industrial. The primary tenants of the Oak Grove PUD include Cadence Preschool and Busey Bank, both of which serve a strictly daytime clientele.

The subject property contains 25 total dedicated parking spaces. The Zoning Ordinance does not have a specific regulation defining the provision of parking spaces fora "*birthing center*". "*Medical and dental clinics or offices of physicians*" are required to provide six parking spaces for each doctor or dentist present; however, this use does not intend to operate on a traditional model wherein a set amount of doctors is present during normal business hours. To define the required amount of parking needed for such a use, the Plan Commission has the option to either establish a custom parking provision requirement for this specific use or create a parking requirement for all *birthing centers* which may locate in the Village via a text amendment. As a matter of reference, the most commonly identified parking requirement in the Zoning Ordinance is one parking space provided per 250 square feet of floor area.

Staff Report and Summary Z-07-2019: 7000 County Line Road (Wiegand); Special Uses, Text Amendments, and Findings of Fact Page 3 of 3

Public Hearing History

Several sign variations have been granted for the Oak Grove PUD, which is unusually limited in the number of signs permitted due to three buildings being located on a single parcel.

Applicable Zoning Ordinance Section

Section VIII.B of the Zoning Ordinance lists all special uses present in the B-1 Business District. There is no specific use for a "*birthing center*" nor are there parking regulations which define the requirements for providing a minimum amount of parking at a birthing center.

Public Comment

No public comment was received on this petition.

Findings of Fact and Recommendation

The petitioner has provided Findings of Fact for two special uses and two text amendments which may be adopted if the Plan Commission is in agreement with those findings. There are four possible actions available to the Plan Commission, as follows:

• If the Plan Commission chooses to recommend a text amendment to Section VIII.B.2 of the Zoning Ordinance to add a special use in the B-1 Business District, the following changes are suggested:

Section VIII.B.2 (special use in the B-1 Business District): Birthing Center

- If the Plan Commission chooses to recommend a special use for a Birthing Center in the B-1 Business District as per the amended Zoning Ordinance, staff recommends that it be made with the following conditions:
 - 1. The special use shall be limited to persons Laura Weigand and Dele Ogunleye, principals of Birth Partners, Inc., in a manner consistent with the submitted business plan.
 - 2. The special use shall be null and void if Birth Partners, Inc. no longer operates a medical office at 7000 County Line Road.
 - 3. All medical waste shall be stored indoors at all times except for when actively disposing said waste into a vehicle for transportation off-site.
- If the Plan Commission chooses to recommend a special use for a business whose hours of operation exceed 7:00am to 10:00pm in the B-1 Business District, staff recommends that this special use be made in a manner consistent with the submitted business plan.
- If the Plan Commission chooses to recommend a text amendment to establish parking regulations for a Birthing Center, staff recommends that "Birthing Center" be required to provide 1 parking space for every 250 square feet of commercial space.
 - This is a standard parking requirement found in the Zoning Ordinance and sufficient parking is available to satisfy this potential requirement.

<u>Appendix</u>

Exhibit A – Petitioner's Materials

EXHIBIT A

a. The use meets a public necessity or otherwise provides a service or opportunity that is not otherwise available within the Village and is of benefit to the Village and its residents.

Birth centers are part of the healthcare industry. They came into existence in 1975 – over 35 years ago when women were looking for an alternative to a hospital-based birth or home birth. The growth of free-standing birth centers has accelerated since early 2000's, as more women have begun seeking an environment that encourages a natural birth experience with the highest standards of maternity and newborn care. The American Association of Birth Centers (AABC) reports from 1994 to 2004 the number of birth centers grew by 26% from 135 to 170. Since 2004, this number grew by 46% from 170 to 248 with a growth of 27% since early 2010 when there were 195 birth centers. Following a successful launch of a free-standing birth center in downstate Bloomington, IL in 2016, <u>Birth Partners, Inc. would like to bring the first free standing birth center to the healthcare market of the Chicago Suburbs</u>. <u>After extensive research, Birth Partners, Inc. have selected Burr Ridge as an ideal location for this niche service offering for women and newborn health.</u>

b. The establishment, maintenance, or operation of the special use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.

The introduction of a free-standing birth center will not be detrimental to the health, safety, morals, comfort or general welfare of the Village. It will offer a <u>new level of service for women and newborn</u> <u>health not otherwise offered anywhere else</u> in the Chicago suburbs.

c. The special use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood in which it is to be located.

The proposed special use, the free-standing birth center, will not negatively impact the uses and/or property values of the surrounding properties. The center will <u>fill a vacant building in a Planned Unit</u> <u>Development (PUD) located at 7000 County Line Road</u>. Planned renovations to the building to meet the operational needs of the birth center will undoubtedly <u>enhance the value of the property</u>. The center will attract clients from within and outside the community, who will regularly visit the birth center, and could be <u>expected to provide potential new consumer traffic to the surrounding retail businesses</u>.

d. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The special use will not impede the development and improvement of surrounding property. The special use will allow a <u>new business</u> – a free standing birth center - to <u>fill a vacant building in the PUD at 7000</u> <u>County Line Road</u>, and will <u>attract new visitors to the location</u> from within and outside the community.

e. Adequate utilities, access roads, drainage and/ or necessary facilities have been or will be provided.

The petitioner believes this to be true based on information provided by the Village.

f. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

The petitioner believes this to be true based on information provided by the Village.

g. The proposed special use is not contrary to the objectives of the Official Comprehensive Plan of the Village of Burr Ridge as amended.

The proposed special use is consistent with the Village's Comprehensive Plan in that it will be providing <u>in-fill use for a vacant building in a PUD</u>, and this special use should, given the improvements to be made to the building, <u>enhance the value of the property</u>.

h. The special use shall, in other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission or, if applicable, the Zoning Board of Appeals.

Yes the petitioner expects its planned special use will conform with all other applicable regulations.



Birth Center





Opportunity in Illinois – Birth Centers are Part of the Solution

- In 2013, Illinois had \$7.6 billion in unpaid hospital bills
- Care for women and newborns is the #1 largest contributor to this debt
- Illinois realizes that healthcare spending is not sustainable and must change
- Illinois enacts the "Alternative Health Care Delivery Act" which permits new facilities to be established on a demonstration basis





What is a Freestanding Birth Center?

- Takes care of only low risk patients
- A home like and family-centered facility, warm, cozy, and inviting
- Exists within and works closely with a local healthcare system
- Provides care for women before, during, and after labor and child birth
- Guided by principles of safety, quality, patient satisfaction, and cost effectiveness
- Maintain autonomy in formulation of policy, management, and facility operations
- Provides the same quality of care as a hospital for low-risk pregnancies



The Minnesota Birth Center Program

Evaluation of the Quality of Care and Outcomes for Services Provided in Licensed Birth Centers - February 2014



During the 2010 Legislative Session, Minnesota Statutes 144.615 was passed which directed MDH to license free standing birth centers beginning 1/1/11. The law also required the Department to evaluated the quality of care and outcomes in services provided in licensed birth centers and report their findings.

CONCLUSION:

Minnesota's data supports the National Data which shows that birth centers can be a safe and effective option for low-risk women choosing to give birth in a non-hospital setting.



Minnesota Birth Center – Dr Calvin







Our Experience

- We started this process in 2013
- First open 2016 opening in Bloomington, IL
- Second site opened in 2018 in Colorado Springs, CO
- We have traveled to 10 states visiting over 16 different Birth Centers
- What we have Learned
 - Safety & Outcomes (Hospital relationship & Drills)
 - Tracking and Statistics
 - Distance patients will travel
- The over all need in Illinois and home deliveries
 - Unnecessary risks
 - Improve Health outcomes for the community





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Bloomington-Normal, Illinois



BIRTH

CENTER

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A

Beginnings

Colorado Springs, Colorado



Strict requirements for State Licensure

Multiple Illinois State regulations for Licensure designed to foster safe, accessible, and quality centered operations by requiring:

- Availability of appropriate clinical and professional staff
- A letter of agreement with a hospital for referral or transfer
- A letter of agreement with a perinatal center
- A quality assurance program with measurable benefits
- Criteria for initial patient consideration
- Standards for antepartum, intrapartum, postpartum, and infant transfer
- Policies for consultation with obstetrician, MFM, or pediatrician





Birth Centers decrease C-Sections Rates

- Women who gave birth at a birth center:
 - 93% experienced a normal vaginal birth
 - 1% had an assisted vaginal birth
 - 6% had a Cesarean birth
- Fewer than 1 in 16 had a Cesarean birth (a 6% CS rate)
 - The US C-Section rate was 27%
- Fetal and Neonatal outcomes similar as hospital births
 - Fetal mortality rate was 0.47/1000
 - Neonatal mortality rate was 0.40/1000





American College of Obstetrics and Gynecology (ACOG) American Academy of Pediatrics (AAP)

- Both organizations support certified midwives and properly accredited freestanding birth centers
- ACOG acknowledges a woman's right to make informed decisions regarding her delivery and to have a choice in choosing her healthcare provider, but ACOG does not support home births. Nor does ACOG support care by midwives who are not certified.





Birth Centers are growing across the US

- There are currently 355 birth centers in 41 states and DC
- There has been a 82% growth in birth centers since 2010

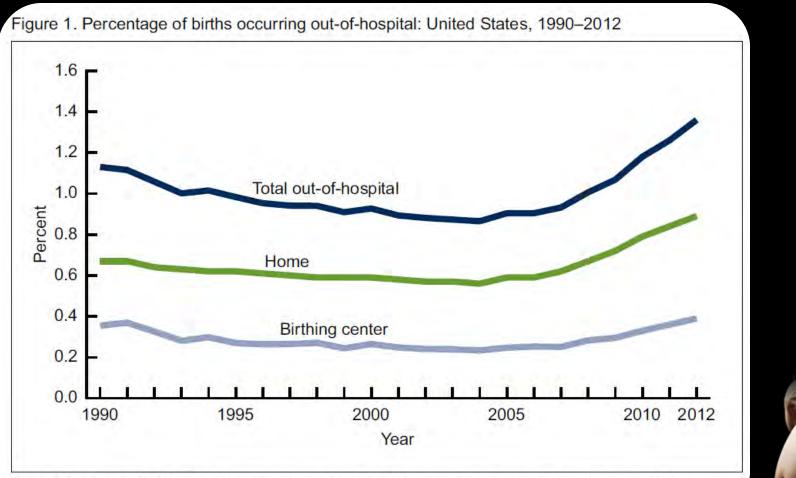
2007 to 2016, CDC shows

- Annual number of birth center births grew by 83%
- While the annual number of U.S. births decreased by 9%



Out of Hospital Births are increasing across the US

NCHS Data Brief March 2014 - US Department of Health and Human Services



NOTE: Out-of-hospital births include those occurring in a home, birthing center, clinic or doctor's office, or other location. SOURCE: CDC/NCHS, National Vital Statistics System, birth certificate data.

NOTE: Out-of-hospital births include those occurring in a home, birthing center, clinic or doctor's office, or other location. SOURCE: CDC/NCHS, National Vital Statistics System, birth certificate data.



What are the benefits to families?

- The birth center approaches pregnancy and birth as a normal family event until proven otherwise. The program encourages family involvement and provides a safe environment for families to experience the social, emotional, and spiritual renewal inherent in birthing forth new life while attending to the possibility that a problem may arise that will require medical intervention or care in the acute care setting of the hospital. This is in opposition to the view that pregnancy is an illness and birth a medical/surgical event that needs to be cured.
- The birth center program of education encourages parents to become informed and self-reliant; to assume responsibility for their own health and the health of the family.
- The birth center brings generations together to celebrate new life by encouraging grandparents and children to participate in the birth center program.
- Birth centers have demonstrated that they are a viable alternative to unattended home birth and to costly hospital acute care for more than 35 years. It is now time to mainstream these services.



What are the benefits to business and industry?

- The birth center approaches pregnancy and birth as a normal family event until proven otherwise. The program encourages family involvement and provides a safe environment for families to experience the social, emotional, and spiritual renewal inherent in birthing forth new life while attending to the possibility that a problem may arise that will require medical intervention or care in the acute care setting of the hospital. This is in opposition to the view that pregnancy is an illness and birth a medical/surgical event that needs to be cured.
- The birth center program of education encourages parents to become informed and self-reliant; to assume responsibility for their own health and the health of the family.
- The birth center brings generations together to celebrate new life by encouraging grandparents and children to participate in the birth center program.
- Birth centers have demonstrated that they are a viable alternative to unattended home birth and to costly hospital acute care for more than 35 years. It is now time to mainstream these services.
- The nine-month intensive focus on improving family health through the promotion of lifestyle changes in pregnancy can have a significant ripple effect in the long-term improvement of family health.



How do birth centers contain costs?

- By retaining autonomy (control) over birth center operations and program regardless of ownership (some hospitals own freestanding birth centers)
- By providing "high touch" rather than "high tech" care, birth centers depend on the services of acute care hospital thereby minimizing the routine use of medical intervention and technology.
- By providing a program of primary care that emphasizes education, wellness, prevention, self help and self-reliance in family health maintenance
- By using staff efficiently; staff are only in-house when a mother is in-house. Since birth centers do not compete with emergency services or hospital acute care, levels of staff are used efficiently and appropriately
- By promoting responsibility with the childbearing family for health and prevention of illness
- By using existing community services when available (instead of creating costly duplications) for transport services, social services, medical consultation, laboratories, etc
- By using established policies and procedures for screening and transfer of women with problems to acute care services
- By using low cost construction (residential vs hospital) that meets safety codes



Birth Centers deliver High Quality Care

- The National Birth Center Study II (2013)
 - 79 Birth Centers in 33 US states from 2007-2010
 - 15,574 low risk pregnancies
 - More than 9 out of 10 women (94%) achieved a vaginal birth
 - 6% C-Section Rate
 - Compared to the US C-section rate of 27%
 - 4% were transferred prior to admission
 - 12% transferred after admission
 - 84% delivered at the birthing center
 - 1.9% of mothers or newborns transfer to hospital
 - No maternal deaths





NBCS II Similar Findings with Previous Studies

The National Birth Center Study 1

- About 12K women, Retrospective (1989)
- Admitted to 84 birth centers
- From 1985 to 1987

"Few innovations in health service promise lower cost, greater availability and a high degree of satisfaction with comparable degree of safety." birth Centers offer a safe and acceptable alternative to hospital for selected pregnant (low-risk) women, particularly those who have had children, and that such are leads to relatively few cesarean sections"

San Diego Birth Center Study - A Prospective Study (1998)

- 2000 Birth Center model patients
- 1350 Traditional care model patients

Conclusion: Current results suggest similar morbidity and mortality between the birth center model and traditional care model, with less resource utilization translating to lower costs in the collaborative practice model. Results suggest that collaborative practice using a freestanding birth center as an adjunct to an integrated perinatal health care system may provide a quality, lower cost alternative for the provision of perinatal services.

Levels of Maternal Care



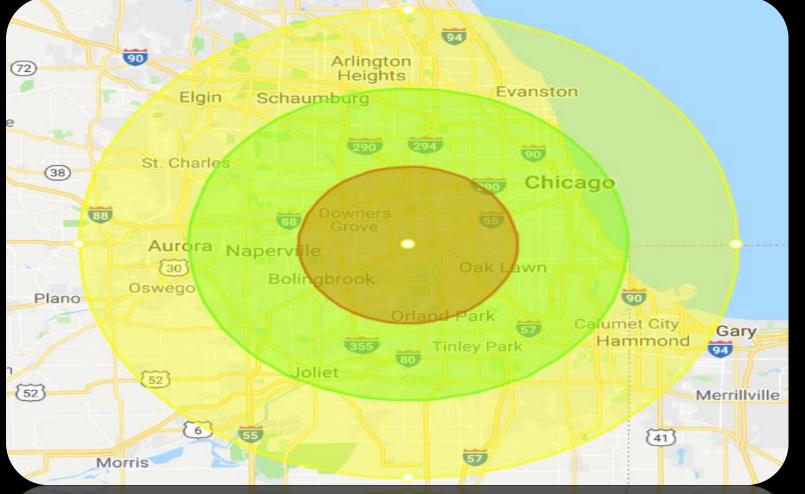
Birth Centers are designated as the first level of care.

Obstetric Care and Consensus document developed by American College of Obstetricians and Gynecologists and the Society for Maternal-Fetal Medicine and endorsed by the following organizations:

- American Association of Birth Centers
- American College of Nurse-Midwives
- Association of Women's Health, Obstetric and Neonatal Nurses
- Commission for the Accreditation of Birth Centers
- The American Academy of Pediatrics
- The American Society of Anesthesiologists

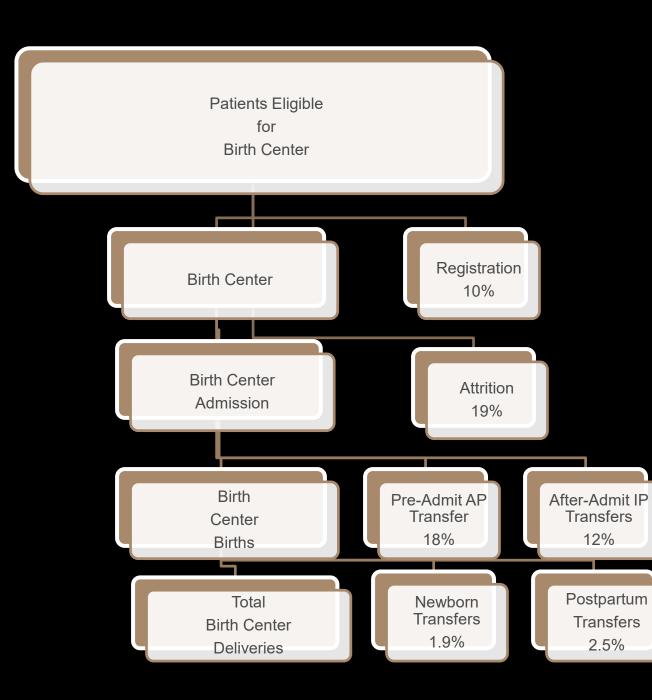
Table 1. Levels of Maternal Care: Definitions, Capabilities, and Types of Health Care Providers * ⇔	
Birth Center	
Definition	Peripartum care of low-risk women with uncomplicated singleton term pregnancies with a vertex presentation who are expected to have an uncomplicated birth
Capabilities	 Capability and equipment to provide low-risk maternal care and a readiness at all times to initiate emergency procedures to meet unexpected needs of the woman and newborn within the center, and to facilitate transport to an acute care setting when necessary. An established agreement with a receiving hospital with policies and procedures for timely transport. Data collection, storage, and retrieval. Ability to initiate quality improvement programs that include efforts to maximize patient safety. Medical consultation available at all times.
Types of health care providers	 Every birth attended by at least two professionals: Primary maternal care providers. This includes CNMs, CMs, CPMs, and licensed midwives who are legally recognized to practice within the jurisdiction of the birth center; family physicians; and ob-gyns. Availability of adequate numbers of qualified professionals with competence in level I care criteria and ability to stabilize and transfer high-risk women and newborns.
Examples of appropriate patients (not requirements)	Term, singleton, vertex presentation

Increased Hospital's Market Radius



Orange - Current patient marketing radius (15 miles) Green - Birth Center radius according to AABC (increased by 10 miles) Yellow - Anticipated radius for the Birth Center (86% projected increase)









In Closing



Collaboration with the Birth Center is a tremendous opportunity for both the hospital and the community

- Low Investment and High ROI
- Appeal to Desirable Demographics
- Increased Revenue from Maternity
- Increased Market Share
- Better Utilization Updated Maternity Facility
- Improved Fee for Value
- Lower cost marketing to more women
- Additional Non-maternity Revenue Streams
 - Ancillary Services
 - Hospital / Acute Care
 - Other Physician Services
- Expanding Marketing Radius
- Lower C-section Rate
- Improved Patient Perception
- Increased Bargaining Influence with Insurance Carriers



Birth Center

Business Plan

Birth Partners, INC

Dr Dele Ogunleye Laura Wiegand

Address to be determined Telephone: 309-533-2634 Dele 309-361-9199 Laura E-Mail: drdele@awhcare.com

lauraw@obgyncare.com

I. Executive Summary

The Birth Center provides a safe, home-like environment to women of all ages for their women health needs – from preconception, through pregnancy, and through menopause. The birth center is a new and unique business to this area. Within three years the birth center projects:

- to have 273 women give birth at the birth center
- to have 412 women receive pregnancy care at the birth center
- to be profitable

The birth center is part of the health care industry. We will focus on women who are interested in an alternative to giving birth at home or in a hospital. The women attracted to the birth center will be in good health, be low risk, want a natural birth with little or no interventions, and want to be a partner in their health and the birthing process.

The birth center offers a home-like environment for women to give birth. Women can give birth in a birthing tub, on a birthing stool, or in bed – wherever they desire. The birth center is licensed by the State. The midwifery model of care is practiced in the facility. The price of a birth center birth is estimated at \$7000. This compares to an estimated price of \$5000 for a home birth or an estimated \$16,000-\$25,000 for a non-complicated vaginal birth in a hospital.

The number of births at birth centers increased 22% in the last five years (10,781 births in 2006 to 13,166 in 2010 according to the Center for Disease Control) as women have become more knowledgeable about birth centers and the services they provide and as people search for lower cost options for their child's birth. This increase in birth center births happened at the same time that the annual number of U.S. births decreased by 7.3% (American Association of Birth Centers, 2011).

The long term outlook is for continued growth of birth centers not only because of their lower cost structure but because more women want to give birth to their child in a natural way outside the hospital, but not in their home. The Birth Center is positioned to be there for these women who want a lower cost, totally natural birth in an environment that caters to their individual needs while meeting or exceeding the highest standards of midwifery care.

II. Mission, Philosophy, Goals and Objectives

Mission Statement

To provide a safe, home-like environment to women of all ages for their women's health needs – from preconception, through pregnancy, and through menopause.

General Description of the business

The Birth Center is a limited liability company (LLC). This business structure was selected for the following reasons:

- Protects personal assets
- Owners are entitled to all the profits (or losses)
- Owners make all the business / management decisions
- Ease of selling the business
- Simplicity of business structure

Birth Partners, Inc is the primary owner with 40% ownership and second principal owners are investors ranging with ownership from 5% to 10% ownership.

Philosophy

At the Birth Center, we believe:

- 1. Women have the right to seek care that is medically safe, fits their lifestyle, and recognizes and respects their individual physical, social, spiritual, psychological and economic needs.
- 2. Women and families have the right and responsibility to assume an active role in their own health care. Our care is provided by a team with the client as an equal team member.
- 3. Childbirth is most often a normal, healthy process. The role of the care giver is to support and promote this normal process, while recognizing and dealing with any deviations from normal. Confidence in this normal process is promoted in all aspects of care.
- 4. Because the family is the cornerstone of our social structure, maternity care must support and promote family unity and development. Family members, including siblings, should be involved in the childbearing experience to whatever extent the family desires. **"Family" is defined by the client**.
- 5. Education is an essential part of quality health care. With knowledge freely exchanged between our staff and clients, women and their families are able to assume shared responsibility for and make informed choices about their health care.

Goals and Objectives

Goal #1: Increase birth center exposure

Objectives	What	When	Who
Announce birth center anticipated opening	Facebook, twitter, Instagram, mom's groups	TBD	BPI
Public speaking engagements talking about the birth center and the care provided	The Birth Chapter, mom's groups with MOPS, birth and wellness fairs	TBD	BPI

Goal #2: Get accredited by Commission for the Accreditation of Birth Centers

Objectives	What	When	Who
Birth center accredited	Join AABC	TBD	BPI & Midwife Director
Meet deadline for submission of documents	Submit documents and fee	TBD	BPI & Midwife Director
Birth center prepared for accreditation team and review	Review all manual and have documents ready	TBD	BPI & Midwife Director

Goal #3: Eight new client appointments per week

Objectives	What	When	Who
Have bi-monthly orientation sessions	Marketing activities to reflect availability of orientation classes – website and social media	As needed to build clientele base	BPI & Midwife Director & Outreach Coordinator

Goal #4: Average twelve births per month at the birth center by the end of year one

Objectives	What	When	Who
Have staff and	Review staffing and	As needed to meet	BPI & Midwife
equipment / supplies	supply needs	clients' needs and	Director
to facilitate 12 births	throughout the year	expectations	

LONG TERM GOALS and OBJECTIVES (Two to Five Years)

Goal #5: Expand pre-conception care to providing limited infertility services

Objectives	What	When	Who
Increase revenues and attract potential clients	Advertise to reflect expansion of services (three different advertising media)	TBD	BPI
Contact local support and womans' groups	Inform mom groups about expansion of services. (Meet with three different groups)	TBD	BPI

Goal #6: Provide menopause care

Objectives	What	When	Who
In-service and training	Attend a conference	TBD	BPI & Midwife
for staff on medical			Director
and complementary			
therapies for			
menopausal care			
Increase revenues	Advertise to reflect	TBD	BPI & Midwife
and attract potential	expansion of services		Director
clients as moms refer	(three different		
daughters / friends to	advertising media)		
birth center			
Contact senior groups	Inform senior groups	TBD	BPI & Midwife
	about expansion of		Director
	services. (Meet with		
	three different		
	groups)		

Goal #6: Provide retail goods and in-house services that complement clientele services being provided

Objectives	What	When	Who
Identify products to	Purchase products to	TBD	BPI & Midwife
be sold	increase sales and		Director
	service		
Identify services to be	Identify outside	TBD	BPI & Midwife
offered within the	services that clients		Director
birth center	could receive either in		
	the birth center or be		
	referred to		

Birth Center business plan

The purpose of the Birth Center business plan is to:

- Chart a course for the owners as they open this new business
- Have information readily available to attract employees
- Have information readily available to explain Birth Centers to the public, whether they be prospective clients or individuals interested in a new business in the community.

The Birth Center key services

Birth Center is marketed toward women of all ages for their health needs – from preconception, through pregnancy, to and through menopause. Focus initially is directed to women seeking prenatal care, birth, and post-natal care. Longer term, services will be directed to women needing pre-conception and menopausal services.

III. Background Information

Birth Center industry description

Birth centers are part of the healthcare industry. They came into existence in 1975 – over 35 years ago when women were looking for an alternative to a hospital based birth or home birth. The growth of free standing birth centers has been steady but slow until the last decade. This slow growth has been due to slow acceptance of the concept by the public, lack of knowledge about the existence of birthing centers, and restrictive regulations. The rate of growth has recently accelerated. The American Association of Birth Centers (AABC) reports from 1994 to 2004 the number of birth centers grew by 26% from 135 to 170. Since 2004, this number grew by 46% from 170 to 248 with a growth of 27% since early 2010 when there were 195 birth centers.

From 1995 to 2005, 9,000 to 10,000 births per year were attended in birth centers. The number of births at birth centers increased 22% in the last five years (10,781 births in 2006 to 13,166 in 2010 according to the Center for Disease Control). This rise in birth center births is thought to be due to women becoming more knowledgeable about birth centers and the services they provide and because women and families are seeking lower cost options for their child's birth.

The long term outlook is favorable for continued growth of birth centers not only because of their lower cost structure, but also because more women are recognizing birth as a normal physiologic process. More women want to give birth to

their child in a natural way outside the hospital but not at home. The Birth Center is positioned to be a viable option for these women who want a lower cost, totally natural birth in an environment that caters to their individual needs while meeting or exceeding the highest standards of care for an accredited birth center.

The Birth Center is positioned to provide a service to women where this option is currently lacking. Only hospital or home births are available in this area. Hospitals are known to rely heavily on interventional methods of birth (use of fetal monitors, medications, caesarean sections) which work well in large settings. Home births do not appeal to some women. A birth center is a safe alternative which relies on individualized midwifery care as its core. By becoming accredited by the Commission for the Accreditation of Birth Centers (CABC), the Birth Center will demonstrate to its clients and to the community it is meeting the highest standards of birth care.

Birth Center Care follows the philosophy of Midwifery Care. This care model recognizes the woman as a partner in her care, provides her with knowledge to make choices that will affect her and her pregnancy, and respects the human dignity, individuality and diversity. The Birth Center will also develop consultative, collaborative and referral agreements with medical and alternative wellness services within the community. Some of these relationships pre-exist due to respected midwife already established in the community.

Women are introduced to the birth center concept through attending orientation sessions where the concept of a birth center pregnancy and birth are discussed. They are invited to make an appointment at the birth center to determine their eligibility to participate in a birth center pregnancy and birth. All pregnancies and births in birth centers are required to be low risk (good health, no diabetes, no hypertension, etc.) as determined by birth center standards. Women are followed throughout their pregnancy and delivery, and through six weeks post-partum per general protocol and individual needs. Infants are followed for two weeks postpartum if they are also determined to be low risk.

Birth Partners, INC (BPI):

Dele Ogunleye, MD, FACOG, is a board-certified obstetrician, gynecologist, and urogynecologist who also practices pelvic medicine and reconstructive surgery at Advanced Women's Healthcare in Bloomington, Illinois. He sympathetically treats fertility issues, pelvic floor prolapses, urinary incontinence, and other complications of menopause, pregnancy, and general womanhood. Dr. Ogunleye earned his medical degree from Obafemi, Awolowo University, in Ife, Nigeria. He completed a residency at Warrington General Hospital in Cheshire, United Kingdom, before moving stateside for another residency at Good Samaritan Hospital in Baltimore. Today, Dr. Ogunleye holds memberships with multiple professional organizations to keep up on the latest advancements in obstetrics and gynecology. He is a fellow of the American Congress of Obstetrics and Gynecology and a member of the American Medical Association, the Greater Medical Council in the UK, and the Ohio State Medical Association. Throughout his career, Dr. Ogunleye has contributed much of his own research to his field. He was given the Organon Research Award in 2003 for his research paper exploring the role of trophoblastic hyperplasia in ectopic pregnancies. At Advanced Women's Healthcare, Dr. Ogunleye frequently performs routine gynecological exams to keep women of all ages up on their health. He's trained in da Vinci[®] robotic surgery to delicately repair damage to the ovaries, fallopian tubes, and uterus. He treated women in the Bloomington area since 2004 before opening Advanced Women's Healthcare in 2012. He is the President / Co-founder of Birth Partners, INC. Dr Ogunleye has involvement in several other businesses and investment endeavors (including 2 successful Birth Centers and in the process of opening 3 other locations).

Laura Wiegand currently serves as the COO/Co-Founder of Birth Partners, Inc. She successfully managed the openings of the Birth Center of Bloomington Normal in Illinois and Beginnings Birth Center in Colorado. At the national level for birth centers, she serves on the AABC Industry Relations Committee. She works at the state and local level to educate the public, medical communities and health insurance providers about the benefits of the midwifery and birth center model of care including better patient outcomes, reduced costs for families and payors. Laura is also the Administrator at Obstetrics and Gynecology Care Associates 2008. Co-owner/Founder of MPR-Medical Practice Resources (medical coding, billing and consulting) 2010, founder of The Baby Expo 2014, Owner/Event Planner of Extravaganza Events 2000. With over 20 years practice management experience, Laura has made a career of directing multiple site operations, while securing financial results and building a team that focuses on maximizing patient care and the entire the patient experience. Laura serves as a resource for all aspects of practice management and birth center operations.

IV.Organization

Business Structure, Management and Personnel

Business on a day-to-day basis is shared between the Administrator and the Midwife Director. Midwife Director is responsible for the operational/ patient care side of the business and Administrator is primarily responsible for the business side of the business.

The plan for continuation of the business if either person is lost or incapacitated is to outsource that part of the business affected to the extent the other partner feels they do not have the time to manage or feels not capable of handling.

Professional Support

- Board of Directors
- Attorney to be determined
- Certified Public Accountant
- Insurance agent
- Mentors and key advisors

Operating Controls

<u>Overview</u>

Women are introduced to the birth center concept by attending orientations where the concept of a birth center pregnancy and birth are discussed. Women are invited to make an appointment at the birth center at the conclusion of the orientation to determine their eligibility to participate in a birth center pregnancy and birth.

Once it is determined that the women meets the criteria to be a birth center client, she will come to the birth center on a routine schedule for check-ups.

The first appointment at the birth center is one hour long. Because the birth center will initially have fewer clients as business builds. This first appointment is an opportunity for the midwife and client to get to know one another. A complete medical history is taken and midwifery care discussed. It is at this point where it is determined if the woman is a candidate for a birth center birth. Her level of risk is evaluated at each encounter throughout her pregnancy. If appropriate, a complete physical exam is done and blood work drawn.

The client will call ahead to the midwife when she begins to labor. She will be greeted at the birth center by midwife once active labor is well underway. The midwife assistant, an RN and NRP certified, will be called once it is determined that birth is approaching. After giving birth to her child the mother will remain at the birth center a minimum of four hours to bond with her child and to observe both she and the baby for signs of complications. Mothers usually go home within twelve to twenty-four hours. If necessary, per protocol, a transfer will occur to a hospital setting if care beyond twenty-four hours is required.

During the initial appointment the birth center fees will be reviewed with the client. The client will be informed what fees will be covered by her health insurance plan, if she has one, and what fees will need to be paid out of pocket. If the client accepts to pay the fees as outlined to her she will begin paying a portion of the fees at designated appointments. Full payment of client's portion of the fees will be expected by the thirty-six weeks of pregnancy.

Revenue and expenses will be analyzed on a regular basis to make sure client payments and reimbursement from health insurers cover the birth center's expenses as well as provide margin to pay off the long term debt and provide profit to the owners.

Quality control

Quality control is maintained by:

- Accreditation by the Commission for the Accreditation of Birth Centers (CABC).
- The birth center's policies and procedures which will model the policies and procedures issued by the American Association for Birth Centers (AABC).
- Peer review with other birth center practice nurse-midwives in the State held on at least a bi-annual basis
- Review of the clients' medical records with staff during staff meetings.
- Licensure by the State

Customer service

Client questions regarding their care are answered by midwives / registered nurses (RNs), and can be facilitated by the receptionist and/or Administrator. Clients will receive and be encouraged to fill out questionnaires rating their service with the birth center.

Inventory control

Inventory control is managed by Midwife Director on an as needed basis. As client volume increases supply inventory review will be assigned to one of the staff. Staff will be responsible for placing orders to replenish supplies.

Service development

As client volume increases Administrator will survey clients and the community to determine what products and or services clients would like to see offered or sold. This could include but not be limited to lactation consultation and gynecological services.

Location

The desired location for the future birth center will have at approximately 6,000 square feet. Space for 4-clinic rooms, classroom, 3-birth rooms, offices and storage. The parking lot needs to be easily accessible from major thoroughfares and to handicap parking and a sidewalk ramp.

The building will be located approximately 10 minutes or less from the Hospital and less than 5 minutes from the EMS. This location should also be in great proximity to major thoroughfares and highways, easily accessible to all of the city and surrounding areas. But also close to residential area to create a home like atmosphere. The outside of the building should be visually appealing as well as the landscaping. The location is based in an area of that is expected to see growth in population over the next 10 years.

<u>Cost</u>

TBD - attachement

Business hours

The birth center's business hours will vary depending on the volume of clients. Hours will be anticipated to be Monday – Thursday from 8AM – 5PM with 24-hour coverage handled by on-call staff. The Midwife Director and staff are available 24/7 to answer any client's care concerns, and if necessary, go to the birth center to meet the client. A midwife will always available for births 24/7 including weekends and all holidays.

Licensing

Birth centers are licensed by the State. Accreditation will be obtained from the Commission for the Accreditation of Birth Centers (CABC). This accreditation is sought to assure clients that Birth Center meets the highest quality standards available for birth centers in the United States.

BPI will verify that the licenses and credentials of the employees (midwives and registered nurses) or contracted labor are current.

Insurance coverage

The facility has business property, general and workman's compensation insurance. All Midwives will be provided with malpractice liability insurance. The nurses, other assistants, and other CNMs that join the practice will be added to the practice's malpractice liability insurance policy.

Number of employees

Minimal staffing when first opened. We will have two to three on-call contract RNs available for birth assisting. State law requires two people (two midwives or a midwife and a birth assistant) to be present at a delivery. When client volume increases to more than 12 births per month, it is anticipated that more staff will need to be hired.

Employees will be recruited by word of mouth and, when needed, by advertising open positions on job search sites both specific and not specific to birth centers and midwifery.

Training methods and requirements

The midwife Director is responsible for training employees using the birth center's policies and procedures which are based on the standards outlined in the Commission of the Accreditation of Birth Standards manual. Contract labor will be responsible for reading and understanding the birth center's policies and procedures.

Depending on the volume of clients, contract RNs and other contract workers will be responsible for doing those tasks that need to be done at the time, whether it be answering phones, examining clients, doing housekeeping activities, etc.

Contract RNs will be used for assisting in births when the birth center initially opens and until volume indicates the need to hire a part-time or full-time RN. Contract labor will be used for legal advice, billing service, bookkeeping, yearly tax preparation, web-site maintenance and improvement, etc.

Inventory

An inventory of normal disposable medical supplies used during exams and deliveries is kept on site. This includes paper products, medications, herbal tinctures, and nourishment for the mother.

Average value in stock (non-fixed assets and inventory supplies)

Investment in non-fixed assets and inventory supplies is estimated at \$25,000.

Rate of turnover

Supplies will be consumed on an as needed basis per patient which is normal for birth centers and other medical facilities doing patient exams and natural vaginal births.

Lead-time for ordering

For supplies used in exams and deliveries (gloves, lubricant, paper products) the average lead-time is a up to one week.

Credit Policies

Clients pay for that portion of the birth center fees not covered by their insurance if they have a health insurance plan. Payments are on a regular basis with payment in full by thirty-six weeks of pregnancy. Payments are made at the time the client comes in for their appointment.

CM Billing will handle all insurance billing as well as credentialing with insurance companies.

Accounts Receivable

Accounts receivable follow-up is part of the services provided Billing but the Administrator will run monthly reports.

Accounts Payable

The administrator is responsible for bill payment and will use purchasing experience to negotiate the best value (item cost, quality, delivery, return policy, and payment terms) with suppliers. Unless there are reasons to do otherwise the plan is to pay bills in a timely manner to avoid interest charges, but not so early as to cause a cash flow problem.

V. The Marketing Plan

Services

Birth Center provides women the option to birth at a birth center in addition to the two choices they have today: home birth or hospital birth. Hospitals often rely on interventional methods such as induction or augmentation of birth or use of electronic fetal monitoring which work well to maximize the efficiency of the staff, physicians and facilities. Their focus is on efficiency that can put the mother's wants / desires second. Giving birth at home does not appeal to some women because of the constraints of the home, desire not to deliver at home, and / or they want the security of a hospital or birthing center which meets accreditation standards for safe and quality of care.

The Birth Center focus' on women who are identified in the low-risk category as determined by birth center standards. Care is provided throughout their pregnancy and delivery and through six (6) weeks post-partum per general protocol and individual needs. Infants are followed for two (2) weeks post-partum if they are also determined to be low risk. Longer term, services will be directed to women needing pre-conception and menopausal care / information.

Competitive advantage

Many women want personalized birthing service. Personalized birthing service is a service which recognizes a woman as a partner in her care, provides her with knowledge to make choices that will affect her and her pregnancy, and respects her dignity and individuality. Research indicates that ten percent (10%) of all births in the state are done by midwives – this includes both hospital-based midwives as well as home-based midwives. This indicates an overall acceptance of midwife care.

Advantages of a birthing center over what is currently available in a hospital are:

- Focus on the female and her wants / needs (midwife philosophy of care)
- Development of a trusting relationship that recognizes and encourages the need for partnership in care
- Holistic approach to care
- Natural birth
- Home-like environment
- Low cost structure

Advantages of a birthing center over what is currently available in a home birth are:

- Home-like environment without the constraints of a home
- Security of a birthing center which meets accreditation standards and State licensure for safe and quality of care
- Formalized procedure for transfer to a hospital should an emergency arise

Marketing Strategy

Promotion

Promotion of the Birth Center is mainly being done through the Internet: the birth center's website and Facebook pages and website and Facebook pages of other childbirth and mom groups. Networking through chamber of commerce groups, and childbirth education classes are also be used. Other birth center owners have not found print advertising to be productive in attracting clients. Radio and television and billboard advertising are too expensive for the birth center's budget and is probably not very effective in attracting the clientele it is looking for. Local health related events will be attended if it is thought clients who we want to attract will be in attendance.

VI.The Financial Plan

Financial Statements

See projections attached





7660 County Line Rd. • Burr Ridge, IL 60527 (630) 654-8181 • Fax (630) 654-8269 • www.burr-ridge.gov Gary Grasso Mayor

Karen J. Thomas Village Clerk

J. Douglas Pollock Village Administrator

September 10, 2019

NOTICE OF PUBLIC HEARING

Dear Property Owner:

The Plan Commission/Zoning Board of Appeals hereby provides notice that a public hearing will be conducted to consider the following petition:

The Plan Commission/Zoning Board of Appeals will hold a public hearing to consider a request by Laura Weigand for an amendment to Section VIII.B.2 of the Zoning Ordinance to add "Birthing Center" as a special use in the B-1 Business District, a special use for a Birthing Center in the B-1 Business District as per the amended Zoning Ordinance, a special use for a business whose hours of operation exceed 7:00am to 10:00pm in the B-1 Business District, and a text amendment to establish parking regulations for a Birthing Center. The petition number and property address is **Z-07-2019: 7000 County Line Road** and the Permanent Real Estate Index Number is **09-24-404-004**. A public hearing to consider this petition is scheduled for:

Date:	Monday, October 7, 2019

Time: 7:00 P.M. or as soon thereafter as the matter may be heard.

Location: Village of Burr Ridge Board Room 7660 South County Line Road Burr Ridge, IL 60527

Petition information is on file and available for public review online or in person at the Burr Ridge Village Hall. To request additional information, please contact:

Evan Walter, Assistant Village Administrator (630) 654-8181 ext. 2010 <u>ewalter@burr-ridge.gov</u>

All persons interested in commenting on the proposed request will be given an opportunity to do so at the public hearing. Written statements are encouraged and will be reviewed by the Plan Commission/Zoning Board of Appeals if received at the Village Hall on or before the Tuesday preceding the public hearing.

R M Werr & M E Slaga 2 Carriage Place Burr Ridge, IL 605275702 PIN 18193050070000

John J Hardy 129 Carriage Way Dr Burr Ridge, IL 605275703 PIN 18193060090000

Case Corp 2211 York Rd Oak Brook, IL 605270000 PIN 09244000110000

Mark F Duffy 116 Stirrup Pl Burr Ridge, IL 605275775 PIN 18193040180000

150 Burlington Llc 7045 Veterans Blvd Burr Ridge, IL 605270000 PIN 09244070020000

Syr Management Group Llc 6824 Bantry Ct Darien, IL 605270000 PIN 09244080030000

Zanayed, Akram 6927 Fieldstone Dr Burr Ridge, IL 605210000 PIN 09244020100000

St Peter & Paul 6980 S County Line Rd Chicago, IL 605270000 PIN 09244050010000

Avgeris And Associates 2500 S Highland Av 103 Lombard, IL 601485381 PIN 18301000050000

Palella, Nicole L 8 Bridget Ct Burr Ridge, IL 605270000 PIN 09244010330000 Goyal, Rajesh 6883 Fieldstone Dr Burr Ridge, IL 605210000 PIN 09244010270000

Dc Commercial Llc 7045 Veterans Blvd Burr Ridge, IL 605270000 PIN 09244070050000

Megan E Mcnamee 6840 County Line Ln Burr Ridge, IL 605275723 PIN 18193050030000

Gilberto Garza Jr 6835 County Line Lane Burr Ridge, IL 605275724 PIN 18193040230000

Bruce Sirus 124 Tower Dr Burr Ridge, IL 605275720 PIN 18193000240000

PIN 18193070071400

Leslie Henninger 1 Carriage Pl Burr Ridge, IL 605275701 PIN 18193020010000

Betz, Wm & Migena 6919 Fieldstone Dr Burr Ridge, IL 605210000 PIN 09244020120000

PIN 18193070071100

Mb Financial Bank Na 6111 N River Rd Rosemont, IL 605210000 PIN 09244040040000 Ronald Miller 114 Surrey Lane Burr Ridge, IL 605275717 PIN 18193060160000

, 0 PIN 18193000220000

Vincent Headington 6760 County Line Rdge Burr Ridge, IL 605275746 PIN 18193020020000

Bassali, Sami & Hillary 6882 Fieldstone Dr Burr Ridge, IL 605270000 PIN 09244050200000

Tsantilis, George 6898 Fieldstone Dr Burr Ridge, IL 605270000 PIN 09244050240000

Rfh Investments 7055 Veterans Blvd Burr Ridge, IL 605270000 PIN 09244080010000

S & Susan Contarino 126 Surrey Lane Burr Ridge, IL 605275717 PIN 18193060190000

Mary Rose Santiago 6765 County Line Ln Burr Ridge, IL 605275726 PIN 18193040120000

Gerald W Shea 547 S Lagrange Road Lagrange, IL 605256722 PIN 18193040100000

, 0 PIN 18193000210000 Pinto, Juan 3 Bridget Ct Burr Ridge, IL 605270000 PIN 09244010380000

Fair Oaks Pond Llc 1801 N Mill St Naperville, IL 605270000 PIN 09244060030000

Burr Ridge Bank & Trust 7020 County Ln Rd Burr Ridge, IL 605216993 PIN 09244040050000

PIN 18193070071300

Perconti, Antoinette M 6995 Fieldstone Dr Burr Ridge, IL 605210000 PIN 09244020050000

Raymond Dagnino 117 Surrey Lane Burr Ridge, IL 605275716 PIN 18193040050000

Dahleh, Suraya 6923 Fieldstone Dr Burr Ridge, IL 605270000 PIN 09244020110000

Kudaravelli, Murali & J 6885 Fieldstone Dr Burr Ridge, IL 605210000 PIN 09244010280000

Hinsdale Mgmt Corp 21 Spinning Wheel Rd Hinsdale, IL 605212930 PIN 18193000230000

Chukkapalli, Bharata 6906 Fieldstone Dr Burr Ridge, IL 605210000 PIN 09244050260000 Thomas Danielson 110 Surrey Ln Burr Ridge, IL 605275717 PIN 18193060150000

David L Printz 57185-1 122 Surrey Ln Burr Ridge, IL 605275717 PIN 18193060180000

St Peter & Paul Orthodox 6980 County Line Rd Burr Ridge, IL 605210000 PIN 09244050020000

Stafseth, Pirjo A & Gary 5 Bridget Ct Burr Ridge, IL 605210000 PIN 09244010370000

Moy, Macy & Montgomery 6426 Bentwood Ln Willowbrook, IL 605210000 PIN 09244010350000

Thomas E Moran 125 Carriageway Burr Ridge, IL 605275703 PIN 18193060100000

Lue Hing & Winiggham 6815 County Line Ln Burr Ridge, IL 605275724 PIN 18193040090000

Kenneth Glomb 101 Carriage Way Drive Burr Ridge, IL 605275753 PIN 18193050010000

Pal, Aroon 7 Bridget Ct Burr Ridge, IL 605210000 PIN 09244010360000

Starmark Properties Inc 7035 Veterans Blvd Burr Ridge, IL 605270000 PIN 09244060040000 Gbbr Llc 346 S Catherine Ave La Grange, IL 605270000 PIN 09244070030000

PIN 09252000180000

Jazayerli, R & L Salahi 6911 Fieldstone Dr Burr Ridge, IL 605210000 PIN 09244020130000

Duke Realty Lp P O Box 40509 Indianapolis, IN 462400509 PIN 18301000090000

101 Tower Dr 101 Tower Drive Burr Ridge, IL 605275779 PIN 18193000150000

Patel, Chandulal M 6998 Fieldstone Dr Burr Ridge, IL 605210000 PIN 09244020060000

Warton, James D & Pauline 6902 Fieldstone Dr Burr Ridge, IL 605210000 PIN 09244050250000

Anderson, Robert & J R 2 Bridget Ct Burr Ridge, IL 605210000 PIN 09244010300000

Jaewon Ryu 5607 Harrods Glen Dr Prospect, KY 400597642 PIN 18193040110000

Re Bogolin 6825 County Line Ln Burr Ridge, IL 605275724 PIN 18193040220000 Padhi, Asutosh & Rita 6887 Fieldstone Dr Burr Ridge, IL 605270000 PIN 09244010290000

Robert Recchia 6820 County Line Lane Burr Ridge, IL 605275723 PIN 18193050050000

Markham Petroleum Co 201 Burr Ridge Club Burr Ridge, IL 605270000 PIN 09244040020000

Victor S Fang 6307 Minuteman Lane Somerset, NJ 88736104 PIN 18193060170000

Prewitt, Bernice 1 Bridget Ct Burr Ridge, IL 605210000 PIN 09244010390000

Salano, Scott M & Lisa M 6916 Fieldstone Dr Burr Ridge, IL 605210000 PIN 09244050280000

Michael Spencer 6830 County Line Ln Hinsdale, IL 605275723 PIN 18193050040000

Chunlan Xu & Ye Tain 117 Carriage Way Burr Ridge, IL 605275703 PIN 18193060120000

Kumskis, Scott 7055 Veterans Blvd Burr Ridge, IL 605270000 PIN 09244080040000

North American Spine 7075 Veterans Blvd Burr Ridge, IL 605270000 PIN 09244060060000 Cornelius Bussema 113 Surrey Ln Burr Ridge, IL 605275716 PIN 18193040060000

Savani, Sam Z & Hansa 6890 Fieldstone Dr Burr Ridge, IL 605270000 PIN 09244050220000

PIN 0

Gregory & Lynn Jones 130 Surrey Lane Burr Ridge, IL 605275717 PIN 18193060200000

Schulte Hospitality Group 2120 High Wickham Pl Louisville, KY 605270000 PIN 09244050310000

PIN 18193070071200

Carmela S Peckat 109 Carriage Way Dr Burr Ridge, IL 605275703 PIN 18193060270000

Walsh Higgins & Co 101 E Erie St Chicago, IL 605210000 PIN 09244030010000

Dhingra, Sudesh K 6935 Fieldstone Dr Burr Ridge, IL 605210000 PIN 09244020010000

Trevink Capital Llc 7045 Veterans Blvd Burr Ridge, IL 605270000 PIN 09244070040000 Raymond A Martinek 6810 County Line Lane Burr Ridge, IL 605275723 PIN 18193050060000

Sun, Ning 6878 Fieldstone Dr Burr Ridge, IL 605270000 PIN 09244050190000

Mcfarlane Douglass 135 Tower Drive Burr Ridge, IL 605275779 PIN 18193000070000

Petrusevski, Aleksandar 6700 S Brainard Ave Countryside, IL 605276967 PIN 09244050230000

Ctltc Mbob 3202 10 S Lasalle St Chicago, IL 605210000 PIN 09244050180000

Veterans Parkway Llc 7055 Veterans Blvd Burr Ridge, IL 605270000 PIN 09244080020000

Brummell Jr, Charles 6 Bridget Ct Burr Ridge, IL 605210000 PIN 09244010320000

T & E Layden 121 Carriage Way Dr Burr Ridge, IL 605275703 PIN 18193060110000

John F Moran 106 S Stirrup Pl Burr Ridge, IL 605275775 PIN 18193040170000

Anton Tan 6850 County Line Ln Burr Ridge, IL 605275723 PIN 18193050020000 Bank Financial Fsb 15W060 N Frontage Rd Burr Ridge, IL 605270000 PIN 09244050300000 Georges, Maria 11 Bridget Ct Burr Ridge, IL 605210000 PIN 09244010340000

PIN 18193070071000

Elias Manolanos 120 Stirrup Pl Hinsdale, IL 605275775 PIN 18193040190000

Thompson, Michael L 4 Bridget Ct Burr Ridge, IL 605210000 PIN 09244010310000

Kape6 Llc 15W030 N Frontage Rd Burr Ridge, IL 605270000 PIN 09244060010000

Walsh Higgins & Co 101 E Erie St Chicago, IL 605210000 PIN 09244030020000

Harry A Bradley 121 Surrey Ln Burr Ridge, IL 605275716 PIN 18193040040000

Chassin, Eric P & Petra C 6886 Fieldstone Dr Burr Ridge, IL 605210000 PIN 09244050210000

Jean Archambault 113 Carriage Way Dr Burr Ridge, IL 605275703 PIN 18193060260000

Yang, Ximing & Jian Cheng 6912 Fieldstone Dr Burr Ridge, IL 605210000 PIN 09244050270000



VILLAGE OF BURR RIDGE PLAN COMMISSION AND ZONING BOARD OF APPEALS

Consent to Install Public Notice Sign

The owner of the property referenced below, or an authorized representative of the owner, which is the subject of a public hearing before the Village of Burr Ridge Plan Commission or Zoning Board of Appeals, hereby consents to allow the Village of Burr Ridge to install a public notice sign on the aforesaid property. The public notice sign will be erected 15 to 30 days prior to the public hearing and will remain on the property until it is removed by the Village of Burr Ridge subsequent to a final dispensation of petition request.

Street Address of Subject Property:

7000 County Line Road

Property Owner or Petitioner:

Laura Wiegana Laura Miegana Kaura Millio





There will be a public hearing to consider zoning changes or approvals for this property.

For further information, please call or visit:

Burr Ridge Village Hall 7660 County Line Road (630)654-8181, Extension

Ask for Information Re Z-07-2019 Further details are available at:

www.burr-ridge.gov

(see Public Hearing/Plan Commission Agenda)





VILLAGE OF BURR RIDGE

PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS

GENERAL INFORMATION (to be completed by Petitioner)
PETITIONER (All correspondence will be directed to the Petitioner): Lawa Wiegand
STATUS OF PETITIONER: BIRTH Partners, Inc Chief Operating Officer
PETITIONER'S ADRESS: 2107 Crimson Lane, Bloomington, IL 61704
ADDRESS OF SUBJECT PROPERTY: 7000 COUNTY LINE ROAD
PHONE: 309-361-9199
EMAIL: LAURAW@ Obgyncare. Com
PROPERTY OWNER: MIDIAND Equipies, LLC PROPERTY OWNER'S ADDRESS: TRANSAM PLAZO Dr. A PHONE: 630-620-1500
PROPERTY OWNER'S ADDRESS: Transam Plaza Dr. A PHONE: 630-620-1500
PUBLIC HEARING REQUESTED: X Special Use Rezoning X Text Amendment Variation(s)
DESCRIPTION OF REQUEST:
To operate a free-standing birth center, which will offer women
and newborn health care to women from pre-conception, through
pregnancy, to and through menopause.
PROPERTY INFORMATION (to be completed by Village staff)
PROPERTY ACREAGE/SQ FOOTAGE: 1.59 Arrs EXISTING ZONING: B-1 PUP
EXISTING USE/IMPROVEMENTS: [Umnencial buildings
SUBDIVISION: OCIL Grove
PIN(S) # 09-24-404-004
The above information and the attached Plat of Survey are true and accurate to the best of my knowledge. I understand the information contained in this petition will be used in preparation of a legal notice for public hearing. I acknowledge that I will be held responsible for any costs made necessary by an error in this petition.
Pertinder's Signature Date of Filing



Z-15-2019: 16W260 83rd Street (Odeh); Requests special use approval as per Section X.F.2.a of the Zoning Ordinance for an automobile sales and rental use.

HEARING: October 7, 2019

TO: Plan Commission Greg Trzupek, Chairman

FROM: Evan Walter Assistant Village Administrator

PETITIONER: Awad Odeh

PETITIONER STATUS: Current Tenant

EXISTING ZONING: G-I General Industrial

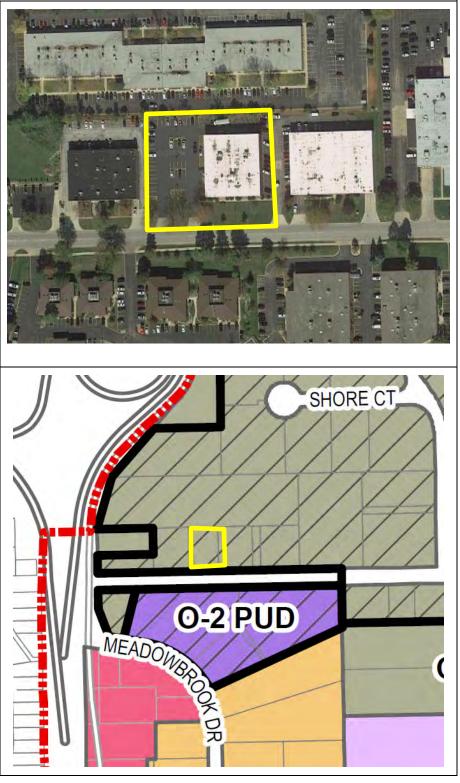
LAND USE PLAN: Recommends Industrial Uses

EXISTING LAND USE: Automobile Sales

SITE AREA: 1.37 Acres

SUBDIVISION: Burr Ridge Industrial Park

PARKING: 60 Spaces



Staff Report and Summary Z-15-2019: 16W260 83rd Street (Odeh); Special Use and Findings of Fact Page 2 of 3

The petitioner is Awad Odeh on behalf of Apex Motorworks, located at 16W260 83rd Street. The petitioner requests special use approval as per Section X.F.2.a of the Zoning Ordinance for an *"automobile sales and rental"* use. The purpose of the request is to renew a temporary special use previously granted to Apex on a permanent basis as well as to expand certain portions of the special use to allow for additional business functions to allow for the rental of vehicles that are owned by Apex. The petitioner originally received a special use for an *"automobile sales"* use, but is now requesting to be re-classified to an *"automobile sales and rental"* use which would permit them to rent commercial vehicles. In 2017, the Village approved a two-year temporary special use for Apex Motorworks, which expired in June 2019. This special use petition originally requested outdoor storage of cars for sale, but this element of the petition was denied. The conditions for their initial special use were as follows:

- There shall be no servicing of vehicles except for routine maintenance of vehicles for sale.
- The hours of operation shall be limited to 10 AM to 7 PM Mondays through Saturdays.
- All vehicles for sale shall be stored inside the building and there shall be no outside display or storage of vehicles at any time.
- Within any calendar year, all automobiles sold from the subject property shall comply with the following minimum sales price:
 - o 75% of all automobiles sold will have an average sale price of \$75,000 or more;
 - 15% of automobiles sold may be sold for \$10,000 to \$29,999;
 - All other automobiles must be sold for \$30,000 or more.
- Final plans for parking lot resurfacing, exterior building improvements, and landscaping shall be subject to staff approval.

Staff has observed that commercial maintenance of vehicles not owned by Apex, such as oil changes, etc. has occurred on premises. Staff has also observed evidence of rental activity originating from the business, which was not permitted as a condition of the original temporary special use. Staff has also made multiple requests to the petitioner for sales data to confirm compliance with the minimum sales price conditions, but has not received such data at the time of the staff's report publishing.

Land Use and Site Analysis

The subject property is located in the Burr Ridge Industrial Park, which is zoned G-I General Industrial. Aside from a small office park zoned O-2 Office across 83rd Street to the south, the property is bounded entirely by properties within the Burr Ridge Industrial park and zoned G-I General Industrial. The subject property contains one flex building occupied solely by Apex and primarily comprised of warehouse/indoor storage space as well as several office spaces for use by staff and customers. There are 60 parking spaces located on-site.

Public Hearing History

The Village granted a temporary special use to Apex in 2017 as previously described. In 2013, the Village granted special use approval for outside storage of up to 10 trucks and trailers used at a tower installation business, which has since vacated the property.

Public Comment

Staff has received one objection to the use of the property for rental cars by Burr Ridge Car Care, located nearby at 16W535 South Frontage Road, who notes the excessive noise is produced by drivers of rental cars.

Findings of Fact and Recommendation

The petitioner has provided Findings of Fact which may be adopted if the Plan Commission is in agreement with those findings. If the Plan Commission chooses to recommend a special use be granted to Apex, staff recommends that it be done subject to the following conditions:

- 1. The special use shall be limited to Apex Motorworks in a manner consistent with the submitted business plan.
- 2. The special use shall be null and void if Apex Motorworks no longer operates an automobile sales use at 16W260 83rd Street.
- 3. The special use shall be temporary in nature, expiring two years from the date of any approving ordinance.
- 4. There shall be no maintenance service of vehicles except for routine maintenance of vehicles that are owned by Apex Motorworks.
- 5. The hours of operation shall be limited to 10 AM to 7 PM Mondays through Saturdays.
- 6. All vehicles for sale shall be stored inside the building and there shall be no outside display or storage of vehicles at any time.
- 7. No rental of vehicles shall be permitted at any time.
- 8. Within any calendar year, all automobiles sold from the subject property shall comply with the following sale price requirements:
 - 75% of all automobiles sold will have an average sale price of \$75,000 or more;
 - 15% of automobiles sold may be sold for \$10,000 to \$29,999;
 - All other automobiles must be sold for \$30,000 or more.
 - Apex shall provide this data to staff on an annual basis.

Appendix

Exhibit A – Petitioner's Materials

EXHIBIT A



Findings of Fact – Special Use Burr Ridge Zoning Ordinance Address:

As per Section XII.K.7 of the Village of Burr Ridge Zoning Ordinance, for a special use to be approved, the petitioner must confirm all of the following findings by providing facts supporting each finding.

a. The use meets a public necessity or otherwise provides a service or opportunity that is not otherwise available within the Village and is of benefit to the Village and its residents.

Yes, the sale rental of luxury/exopic automobiles does Fill a void in the cuty of Bur Lidge.

b. The establishment, maintenance, or operation of the special use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.

Noparm or safety issues will arise from the use of living automobiles

c. The special use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood in which it is to be located.

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d. The establishment of the special use will not impeded the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

e. Adequate utilities, access roads, drainage and/ or necessary facilities have been or will be provided.

f. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

g. The proposed special use is not contrary to the objectives of the Official Comprehensive Plan of the Village of Burr Ridge as amended.

h. The special use shall, in other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission or, if applicable, the Zoning Board of Appeals.

All applicable regulations of the district are adhered to and follower.



EXOTIC CAR RENTALS





BENTLEY BENTAYOA

LAMBORGHINI HURACÁN PERFORMANTE

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7660 County Line Rd. Burr Ridge, IL 60527 (630) 654-8181 Fax (630) 654-8269 www.burr-ridge.gov Gary Grasso Mayor

Karen J. Thomas Village Clerk

J. Douglas Pollock Village Administrator

May 29, 2019

Mr. Awad Odeh Apex Motorworks 16W260 83rd Street Burr Ridge, Illinois 60527

Dear Mr. Odeh:

I am writing to you today after attempting to contact you at your place of business via email. The Village's records indicate that the temporary special use for Apex Motorworks is set to expire on June 12, 2019, and must be re-approved by the Board of Trustees on either a temporary or permanent basis for Apex to continue to operate in the Village. Due to the timing of legal notices that must be written as part of a follow-up petition, the first meeting in which you could appear before the Plan Commission is July 1, 2019; the Village commits to honoring your business' special use beyond the June 12 deadline if you are in process of applying for a renewed special use.

Please call me at (630) 654-8181, extension 2010 to begin the process for extending your special use at your earliest convenience.

Sincerely,

EVAN BWANTER

Evan Walter Assistant Village Administrator Village of Burr Ridge

cc: J. Douglas Pollock, Village Administrator





7660 County Line Rd. * Burr Ridge, IL 60527 (630) 654-8181 * Fax (630) 654-8269 * www.burr-ridge.gov Gary Grasso Mayor

Karen J. Thomas Village Clerk

J. Douglas Pollock Village Administrator

August 2, 2019

Apex Motorworks 16W260 83rd Street Burr Ridge, Illinois 60527

To whom it may concern:

I am writing to you today to follow up on my letter dated May 29, 2019. The Village's records indicate that the temporary special use for Apex Motorworks expired on June 12, 2019. To continue operating an indoor automobile sales use at 16W260 83rd Street, Apex must file a petition for and receive a special use from the Village. Operation of an indoor automobile sales use in the G-I General Industrial District (in which the subject property is located) without a special use is prohibited by the Burr Ridge Zoning Ordinance. To continue operating at the subject property, please file a petition for a special use to me by <u>Wednesday August 28, 2019</u>. If no application for special use is received by this date and time, the Village will take legal action to close the business due to a lack of necessary special use permit.

Furthermore, several issues related to your business have been identified that are not permitted based upon the previously-approved special use. They are as follows:

- 1. Apex currently operates a vehicle rental business called Prestige Exotics (website page included). At no time has Prestige Exotics been permitted to operate as an independent vehicle rental business at 16W260 83rd Street, nor has Apex been permitted to rent vehicles as part of the original special use agreement. Vehicle rentals at 16W260 83rd Street <u>must cease with immediate effect</u> until and unless specifically authorized by the Village as part of a special use.
- 2. Vehicle maintenance has been observed as being advertised to the general public (photo included). This action specifically violates the previously-approved special use, which states that "there shall be no servicing of vehicles except for routine maintenance of vehicles for sale." The advertisement for and the actual servicing of vehicles from the general public <u>must cease with immediate effect</u> until and unless specifically authorized by the Village as part of a special use.

- 3. As part of any future petition to extend your special use at 16W260 83rd Street, staff requests sales records demonstrating that Apex has remained in compliance with Condition D of your previously-approved special use, which states:
 - a. Within any calendar year, all automobiles sold from the subject property shall comply with the following minimum sales price:
 - i. 75% of all automobiles sold will have an average sale price of \$75,000 or more;
 - ii. 15% of automobiles sold may be sold for \$10,000 to \$29,999;
 - iii. All other automobiles must be sold for \$30,000 or more.

It should be noted that Apex has the right to request the Village amend or remove this condition in any potential special use petition.

To assist in the convenience of assisting you in petitioning the Village for a special use, I have enclosed an application for a special use that may be completed and delivered to me either in person or electronically. Please call me at (630) 654-8181, extension 2010 to begin the process for requesting an extension your special use, including any potential amendments as identified in the aforementioned points 1-3 at your earliest convenience.

Sincerely,

EVAN BWALTER

Evan Walter Assistant Village Administrator Village of Burr Ridge

cc. Douglas Pollock, Village Administrator Karen Thomas, Village Clerk Andrez Beltran, Management Analyst





7660 County Line Rd. • Burr Ridge, IL 60527 (630) 654-8181 • Fax (630) 654-8269 • www.burr-ridge.gov Gary Grasso Mayor

Karen J. Thomas Village Clerk

J. Douglas Pollock Village Administrator

September 10, 2019

NOTICE OF PUBLIC HEARING

Dear Property Owner:

The Plan Commission/Zoning Board of Appeals hereby provides notice that a public hearing will be conducted to consider the following petition:

The Plan Commission/Zoning Board of Appeals will hold a public hearing to consider a request by Awad Odeh for special use approval as per Section X.F.2.a of the Zoning Ordinance for an automobile sales and rental use. The petition number and property address is <u>Z-15-2019: 16W260 83rd Street</u> and the Permanent Real Estate Index Number is <u>09-35-204-033</u>.

A public hearing to consider this petition is scheduled for:

Date:	Monday, October 7, 2019	
Time:	7:00 P.M. or as soon thereafter as the matter may be heard.	
Location:	Village of Burr Ridge Board Room 7660 South County Line Road Burr Ridge, IL 60527	

Petition information is on file and available for public review online or in person at the Burr Ridge Village Hall. To request additional information, please contact:

Evan Walter, Assistant Village Administrator (630) 654-8181 ext. 2010 <u>ewalter@burr-ridge.gov</u>

All persons interested in commenting on the proposed request will be given an opportunity to do so at the public hearing. Written statements are encouraged and will be reviewed by the Plan Commission/Zoning Board of Appeals if received at the Village Hall on or before the Tuesday preceding the public hearing.

Grozich, Phyllis M 16W184 89Th St Burr Ridge, IL 605270000 PIN 09352050100000

Roloff, David 106 Parkway St Hinsdale, IL 605210000 PIN 09353130080000

Mc Naughton Builders Inc 347 W 83Rd St Burr Ridge, IL 605270000 PIN 09354020620000

Summer Wind Properties 7748 Surrey Dr Darien, IL 605270000 PIN 09353130140000

State Bk Of Countryside 6734 Joliet Rd Countryside, IL 605270000 PIN 09354000230000

Meadowbrook li 475 Frontage Rd Burr Ridge, IL 0 PIN 09354000300000

Krasauskas, Rasa 8401 Meadowbrook Dr Burr Ridge, IL 605270000 PIN 09354020510000

260 West 83Rd St Llc 1801 Pratt Blvd Elk Grove Vlge, IL 605210000 PIN 09352040330000

Windsor, Bernard 6714 Tennessee Darien, IL 605270000 PIN 09353130090000

240 W 83Rd Llc 1801 Pratt Blvd Elk Grove Vlg, IL 605210000 PIN 09352040340000 Capital One 6151 Chevy Chase Dr Laurel, MD 605270000 PIN 09351130110000

Vilardo, Tom 5123 Lee Downers Grove, IL 605210000 PIN 09354020060000

260 West 83Rd St Llc 1801 Pratt Blvd Elk Grove Vlge, IL 605210000 PIN 09352040310000

Vpnp Llc 144 Circle Ridge Dr Burr Ridge, IL 605210000 PIN 09352040120000

Home Sweet Home Rentals

Hinsdale, IL 605270000 PIN 09351130060000

Hughes Investment Propert 16W153 83Rd St Burr Ridge, IL 605270000 PIN 09354030290000

Ctltc B7900554824 10 S Lasalle St Chicago, IL 605210000 PIN 09354030180000

Krasauskas, Rasa 8401 Meadowbrook Dr Burr Ridge, IL 605270000 PIN 09354020520000

260 West 83Rd St Llc 1801 Pratt Blvd Elk Grove Vlge, IL 605210000 PIN 09352040320000

Ludwig, Thomas W 112 Meadow Ct Hinsdale, IL 605210000 PIN 09351130070000 Zhu, Q & H Jiang 101 83Rd St Willowbrook, IL 605270000 PIN 09351130140000

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PIN 09354020170000

Siedlecki, Michael J 4343 Franklin Ave Western Springs, IL 605210000 PIN 09352040250000

Cmi Group Llc 1 Ridge Farm Rd Burr Ridge, IL 605210000 PIN 09352040200000

Krasnozon, James & J 131 Village Rd Willowbrook, IL 605210000 PIN 09353130160000

Cmi Group Llc 1 Ridge Farm Rd Burr Ridge, IL 605210000 PIN 09352040240000

Vpnp Llc 144 Circle Ridge Dr Burr Ridge, IL 605270000 PIN 09352040300000

Cook Financial Llc 5600 N River Rd Rosemont, IL 605210000 PIN 09354030280000 Madison Street Part Llc 14497 John Humphrey Orland Park, IL 605276215 PIN 09354030300000

Ktp Real Estate Llc 12411 Anand Brook Dr Orland Park, IL 605270000 PIN 09353130150000

Jafferji, Mohsin & Sakina 6860A Chestnut St Hanover Park, IL 605270000 PIN 09351130050000

Guido, Marguerite M 223 W Maple St Hinsdale, IL 605270000 PIN 09352030280000

Mc Naughton Builders Inc 347 W 83Rd St Burr Ridge, IL 605270000 PIN 09354020610000

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Summer Wind Properties 7748 Surrey Dr Darien, IL 605210000 PIN 09353130070000

Burr Ridge Car Care 505 S Frontage Rd Burr Ridge, IL 605270000 PIN 09354000220000

Grozich, Phyllis M Tr 16W184 89Th St Burr Ridge, IL 605270000 PIN 09352050210000

II Dept Of Transportation 201 W Center Ct Schaumburg, IL 0 PIN 09354000370000 Tuthill Corp 8500 S Madison St Burr Ridge, IL 605210000 PIN 09354030320000

Bronson & Bratton Inc 220 Shore Dr Burr Ridge, IL 605210000 PIN 09352030170000

Krasauskas, Rasa 8401 Meadowbrook Dr Burr Ridge, IL 605270000 PIN 09354020520000

Meaden, Thomas 16W210 83Rd St Burr Ridge, IL 605270000 PIN 09352040210000

Vineyard, Gene

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Watson, Linda S 1426 Gunderson Ave Berwyn, IL 605270000 PIN 09352040090000

Bielanski, Stanislaw 115 Meadow Ct Hinsdale, IL 605270000 PIN 09351120230000

Knappenburger, Jennifer 219 Village Rd Hinsdale, IL 605270000 PIN 09353130210000

Zbp 4 S Washington Cir Hinsdale, IL 605210000 PIN 09352050080000

Lm Burr Ridge Holdings 20 Danada Sq W Wheaton, IL 605275830 PIN 09352040110000 L C & F Enterpries Inc 20 Willow Bay Dr S Barrington, IL 605270000 PIN 09352040190000

Molis, Todd A 16W623 87Th St Burr Ridge, IL 605270000 PIN 09354020020000

Suk, Thomas D 124 83Rd St Willowbrook, IL 605270000 PIN 09353130050000

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Mt Prospect, IL 605210000 PIN 09354030250000

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Morawa, Wladyzlaw & J 119 Meadow Ct Willowbrook, IL 605270000 PIN 09351120220000

Moroz, Peter M 5700 Dexter Townhall Dexter, MI 605210000 PIN 09353130100000

Anzilotti, Chas&Geraldine 11385 W 77Th St Burr Ridge, IL 605210000 PIN 09352040360000

Gasior, Anna B 8404 Meadowbrook Dr Hinsdale, IL 605210000 PIN 09354000350000

Ivins, Robert & Laura 118 W 83Rd St Willowbrook, IL 605270000 PIN 09353130060000 Cook Financial Llc 5600 N River Rd Rosemont, IL 605270000 PIN 09352030140000

Emerson, James & Jennifer 201 Village Rd Hinsdale, IL 605210000 PIN 09353130180000

Gahm, Steven 8351 Meadowbrook Dr Burr Ridge, IL 605210000 PIN 09354020070000

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Mt Prospect, IL 605210000 PIN 09352040170000

Bronson & Bratton 240 Shore Dr Burr Ridge, IL 605210000 PIN 09352030240000

St Of II - Idot 2300 S Dirkson Pkwy Springfield, IL 605270000 PIN 09352030260000

Kim, Joon Taik & Soo Jong 137 Village Rd Willowbrook, IL 605270000 PIN 09353130170000

State Bank Of Countryside 6734 Joliet Rd Countryside, IL 0 PIN 09354000390000

Burr Ridge Car Care 505 S Frontage Rd Burr Ridge, IL 605210000 PIN 09354000270000

Community Support Service 16W127 83Rd St Burr Ridge, IL 605270000 PIN 09354030170000 State Bk Of Countryside 6734 Joliet Rd Countryside, IL 605270000 PIN 09354000400000

Wood Creek li Venture Llc 10204 Werch Dr Woodridge, IL 605210000 PIN 09352040180000

Ctltc Bv11880 10 S Lasalle St Chicago, IL 605210000 PIN 09352050140000

Bayview Loan Servicing Ll 4425 Ponce De Leon Bl Coral Gables, FL 605210000 PIN 09353130200000

Karlyn Bldg Jnt Venture 10204 Werch Dr Woodridge, IL 605210000 PIN 09352030010000

Burr Ridge Car Care Inc 535 S Frontage Rd Burr Ridge, IL 605210000 PIN 09354000280000

Dixion, Daniel L & Tricia 8412 Meadowbrook Dr Hinsdale, IL 605210000 PIN 09354000100000

Burr Ridge Ventures Ltd 16W445 S Frontage Rd Burr Ridge, IL 605270000 PIN 09354000380000

Public Storage Inc

Glendale, CA 605210000 PIN 09352040100000

Burr Ridge Car Care Inc 535 Frontage Rd Burr Ridge, IL 605210000 PIN 09354000340000 Cole, Svetlana 3257 Drew St Downers Grove, IL 605210000 PIN 09353130190000

Standard Bk & Tr 11848 16W221 Shore Ct Burr Ridge, IL 605210000 PIN 09352040160000



VILLAGE OF BURR RIDGE PLAN COMMISSION AND ZONING BOARD OF APPEALS

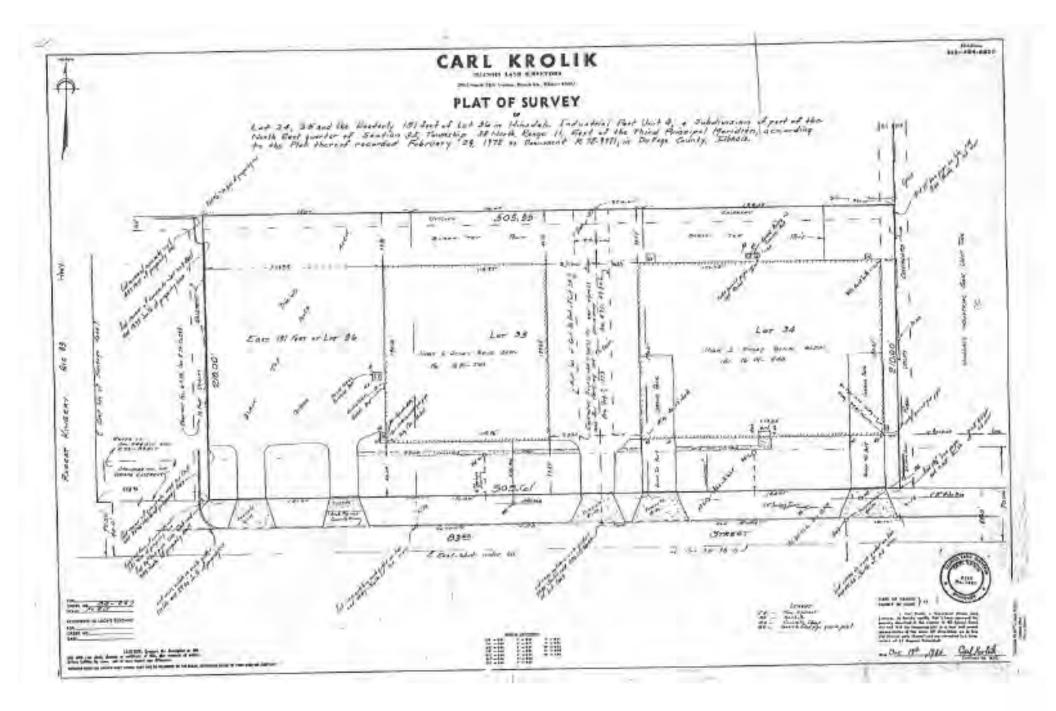
Consent to Install Public Notice Sign

The owner of the property referenced below, or an authorized representative of the owner, which is the subject of a public hearing before the Village of Burr Ridge Plan Commission or Zoning Board of Appeals, hereby consents to allow the Village of Burr Ridge to install a public notice sign on the aforesaid property. The public notice sign will be erected 15 to 30 days prior to the public hearing and will remain on the property until it is removed by the Village of Burr Ridge subsequent to a final dispensation of petition request.

Street Address of Subject Property:

16 W260 83 rd St, Brr Redge And Odeh (Print Name)

Property Owner or Petitioner:



Non NOTICE

There will be a public hearing to consider zoning changes or approvals for this property.

For further information, please call or visit:

Burr Ridge Village Hall 7660 County Line Road (630)654-8181, Extension

Ask for Information Re: Z-15-2019 Further details are available at: www.burr-ridge.gov

(see Public Hearing/Plan Commission Agenda)

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VILLAGE OF BURR RIDGE

PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS

GENERAL INFORMATION (to be completed by Petitioner)		
PETITIONER (All correspondence will be directed to the Petitioner): Awad M. Odeh		
STATUS OF PETITIONER: Busines Owner		
PETITIONER'S ADRESS: 16 4260 83rd St. Burr Ridge, IL 60527		
ADDRESS OF SUBJECT PROPERTY:		
PHONE: 630-819-5157		
ENAIL chab @ appredicive.com		
PROPERTY OWNER: John Hollander 708.309-6389		
PROPERTY OWNER: John Hollander 708.309-6389 PROPERTY OWNER'S ADDRESS: 1801 Praft Blud, Elk Grac Village, 22 60011 PROPERTY OWNER'S ADDRESS: 1801 Praft Blud, Elk Grac Village, 22 60011		
PUBLIC HEARING REQUESTED: Special Use Rezoning Text Amendment Variation(s)		
permanent Speciel Use. Ammendmit to include rendal bisinise		
PROPERTY INFORMATION (to be completed by Village staff) PROPERTY ACREAGE/SQ FOOTAGE: 1. 7 Acres EXISTING ZONING: 6-1 PLO		
PROPERTY ACREAGE/SQ FOOTAGE: 1. 1710005 EXISTING ZONING.		
EXISTING USE/IMPROVEMENTS: Communical Briding (APEX		
SUBDIVISION: Husdele Industriel PARK		
PIN(S) # 09-35-204-033		
The above information and the attached Plat of Survey are true and accurate to the best of my knowledge. I understand the information contained in this petition will be used in preparation of a legal notice for public hearing. I acknowledge that I will be held responsible for any costs made necessary by an error in this petition.		
Petitioner's Signature Date of Filing		



Z-17-2019: 582 Village Center Drive (Hassan); Requests an amendment to Planned Unit Development Ordinance #A-834-09-05 to amend the approved façade elevation of the subject property.

HEARING: October 7, 2019

TO: Plan Commission Greg Trzupek, Chairman

FROM: Evan Walter Assistant Village Administrator

PETITIONER: Ramzi Hassan

PETITIONER STATUS: Property Owner

EXISTING ZONING: B-2 Business PUD

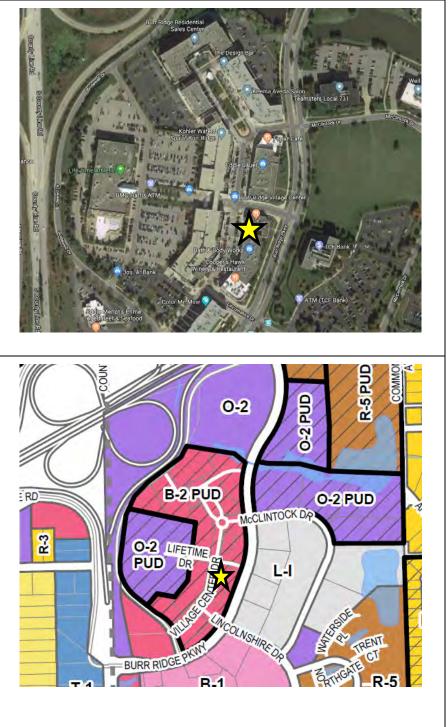
LAND USE PLAN: Recommends Mixed-Uses

EXISTING LAND USE: Mixed-Use Center

SITE AREA: 20 Acres

SUBDIVISION: Burr Ridge Village Center

PARKING: Over 1,200 Spaces



Staff Report and Summary Z-17-2019: 582 Village Center Drive (Hassan); PUD Amendment and Findings of Fact Page 2 of 3

The petitioner is Ramzi Hassan, co-owner of the Village Center mixed-use center in downtown Burr Ridge. The petitioner requests an amendment to PUD Ordinance #A-834-09-05 to amend the façade elevation at 582 Village Center Drive to accommodate Sephora, a potential new retail tenant. The petitioner seeks to amend the storefront façade from a gray tone to white and black, as shown in the exhibits. The subject property is located in Building 2 of the Village Center, located adjacent south of Wok 'n Fire. The subject property is currently vacant but was previously occupied by American Eagle. The property is unique to the Village Center in that it is the only retail storefront (aside from Wok 'n Fire) with no second-floor real estate above (subject property elevation detailed in yellow below).



The subject of storefront façades at the Village Center was previously discussed by the Plan Commission in 2017 during consideration of a petition for sign variations at Hampton Social, located across the street from the subject property at 705 Village Center Drive in Building 5A. After it was determined that Hampton Social had painted the façade of their storefront without Village approval, the Plan Commission stated for the record that such an action was not consistent with the Village Center PUD and that future requests to paint façades should not be approved without consideration from the Plan Commission and Board.

Compatibility with the PUD

Exhibit I of the aforementioned Ordinance discusses the design elements to be found in tenant storefronts as follows:

Staff Report and Summary Z-17-2019: 582 Village Center Drive (Hassan); PUD Amendment and Findings of Fact Page 3 of 3

The street facades of all seven structures portray the look of individual buildings. The variation of façade height and depth create an appearance that portions of each building had been built over time, by different owners. The creative use of differing masonry materials with a variety of colors and textures enhance the sense of individuality. The storefront, integrated with the Tenant's signage, identity graphics and display, work to complement each other in developing the basic elements of store planning and design. It is the visual impact of these elements that entices the shopper to enter a tenant's storefront and experience the environment of merchandise and shopping. Each Tenant at the [Village Center] is required to design their storefront with respect to the individual character of their building façade and space. The Design Guidelines are intended to give the Tenants designer flexibility and independence to create unique designs that are compatible with the architectural style of the [Village Center]. All Tenants' with a nationally recognized storefront will be able to maintain variations of their storefront prototype, while conforming to the design standards.

Public Hearing History

No public hearings have been held for the retail space at 582 Village Center Drive. No requests have been made to amend the coloration of a storefront façade at the Village Center.

Public Comment

No public comment was received on this petition.

Findings of Fact and Recommendation

The petitioner has provided Findings of Fact which may be adopted if the Plan Commission is in agreement with those findings. If the Plan Commission chooses to recommend an amendment to the PUD, staff recommends it be done subject to the elevations submitted by the petitioner. It should be noted that this petition does not represent a sign permit or sign package approval; this review will be completed by staff.

Appendix

Exhibit A – Petitioner's Materials

Exhibit B – Ordinance #A-834-09-05

EXHIBIT A



Findings of Fact – Special Use Burr Ridge Zoning Ordinance

Address: 582 Village Centur Drive

As per Section XII.K.7 of the Village of Burr Ridge Zoning Ordinance, for a special use to be approved, the petitioner must confirm all of the following findings by providing facts supporting each finding.

a. The use meets a public necessity or otherwise provides a service or opportunity that is not otherwise available within the Village and is of benefit to the Village and its residents.

b. The establishment, maintenance, or operation of the special use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare. This petition will not endanger the public health,

c. The special use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted; nor substantially diminish or impair property values within the neighborhood in which it is to be located.

d. The establishment of the special use will not impeded the normal and orderly development and improvement of the surrounding property for uses permitted in the district. This petition will not impede normal and

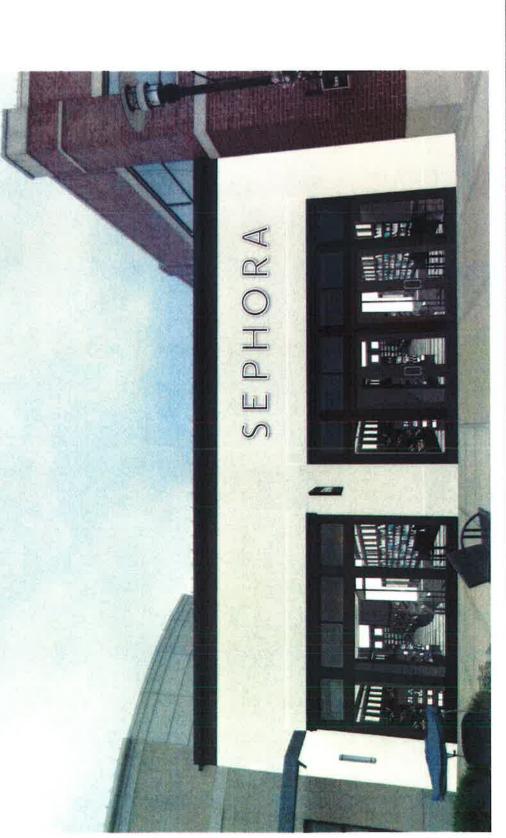
e. Adequate utilities, access roads, drainage and/ or necessary facilities have been or will be provided.

f. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

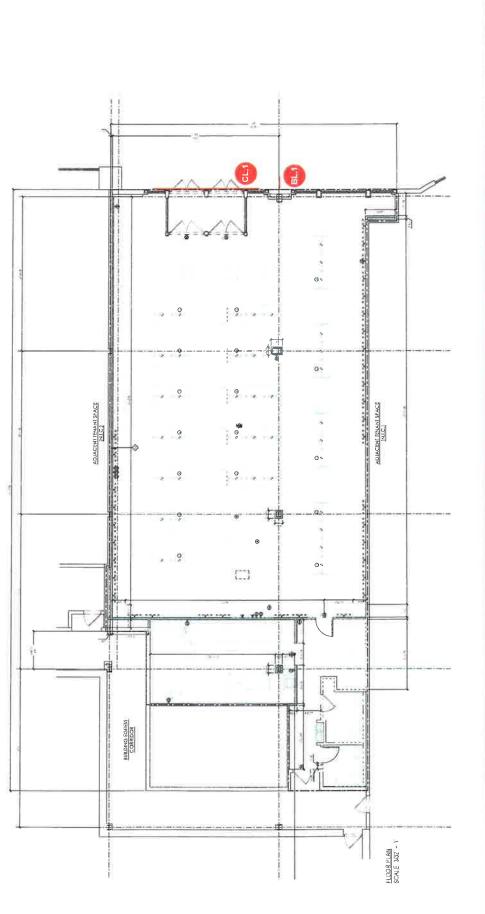
g. The proposed special use is not contrary to the objectives of the Official Comprehensive Plan of the Village of Burr Ridge as amended. This petition will not alter the objectives of the

h. The special use shall, in other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission or, if applicable, the Zoning Board of Appeals.

CONCEPTUAL RENDERING

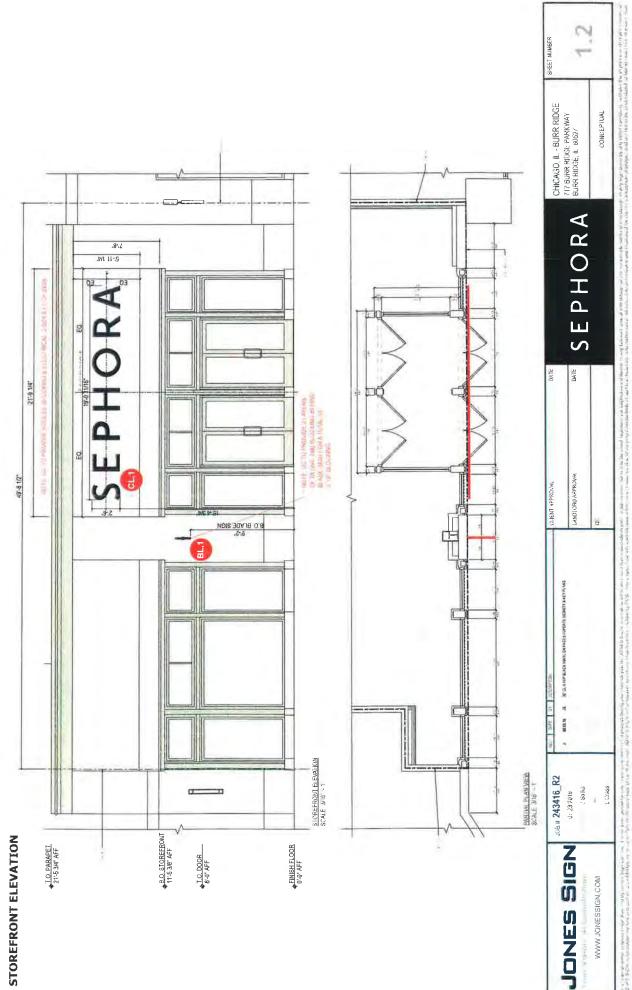


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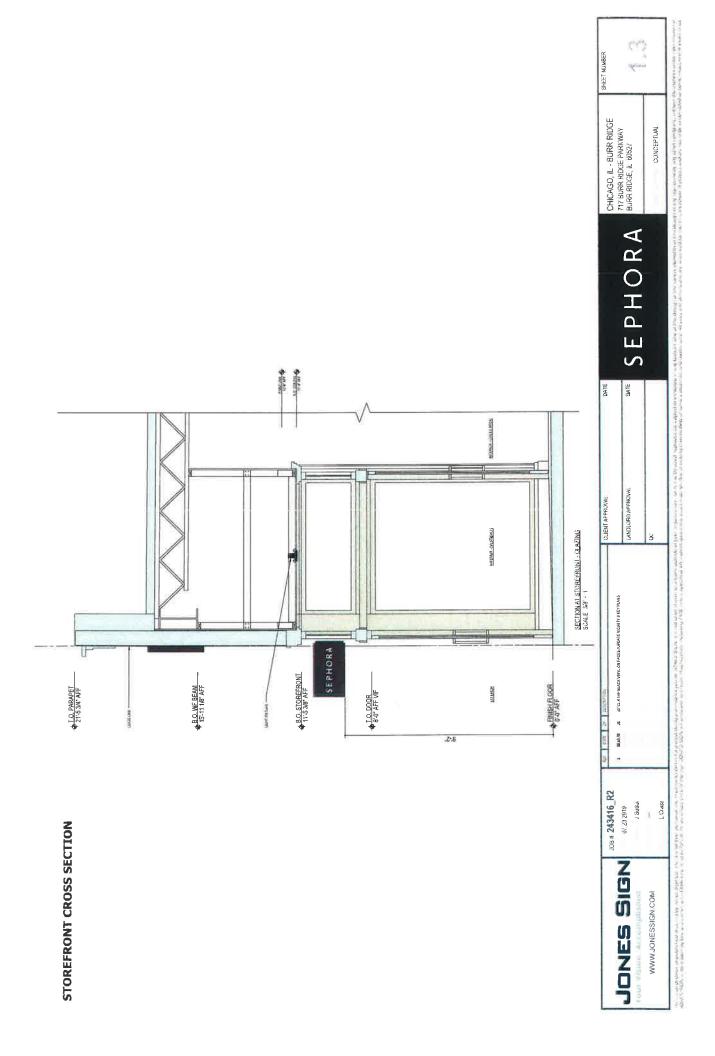


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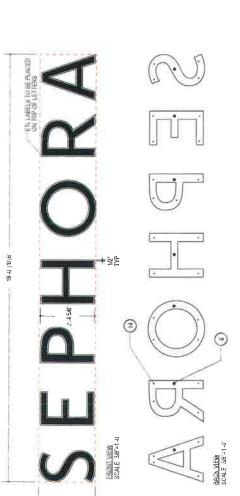
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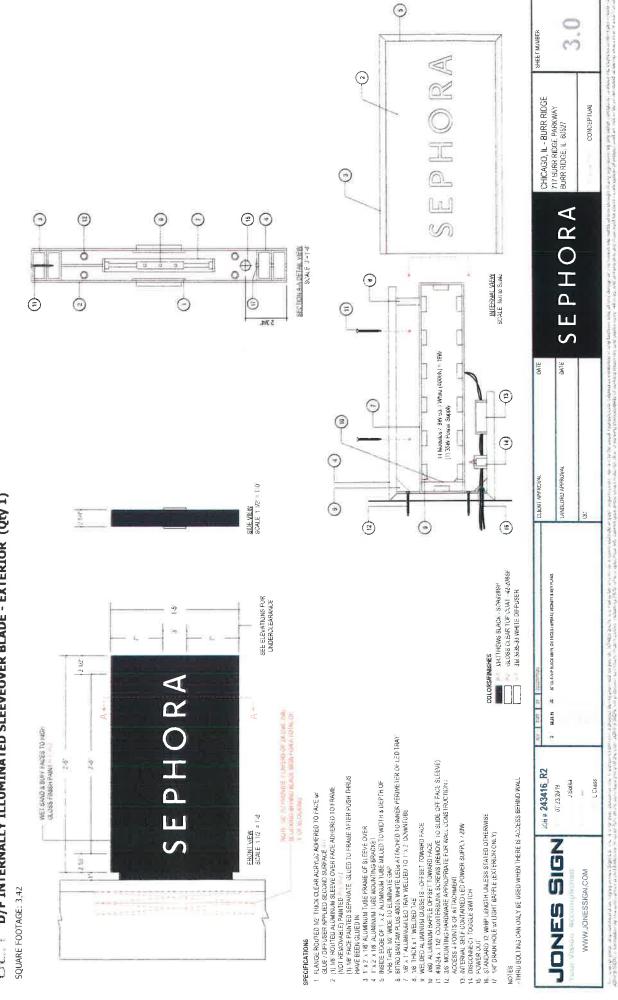
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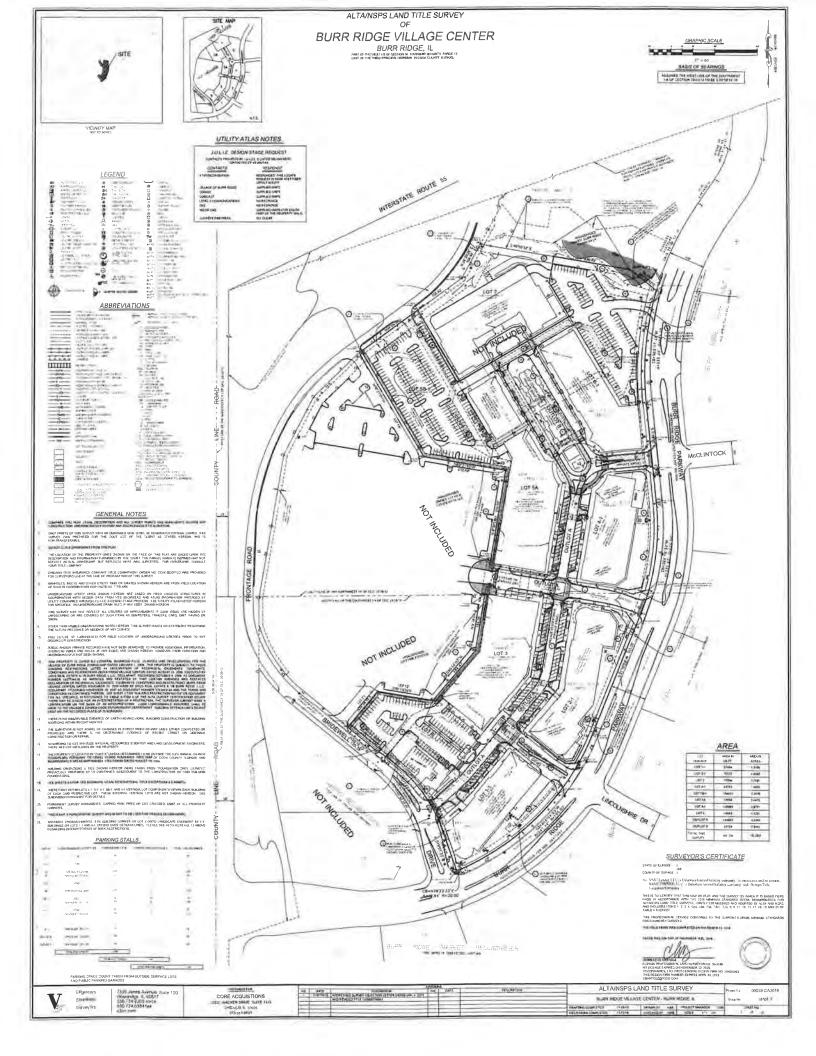
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CONCEPTUAL



D/F INTERNALLY ILLUMINATED SLEEVEOVER BLADE - EXTERIOR (Qty 1) nad D



PROJECT DESCRIPTION

Exhibit I

<u>1 of 6</u>

General

The Burr Ridge Town Center is an exciting mixed-use development that will become an integral part of the urban fabric of Burr Ridge. The Burr Ridge Town Center offers a combination of approximately 191,000 square feet of leasable retail space, 25,000 square feet of restaurant space and 33,000 square feet of second story office space. Included within the development are 179 loft and condominium style residences with private parking facilities. Included in this section is a "Site Plan" drawing depicting all the buildings, access to and within the site and the surface and structured parking areas to support the various uses.

The street facades of all seven structures portray the look of individual buildings. The variation of façade height and depth create an appearance that portions of each building had been built over time, by different owners. The creative use of differing masonry materials with a variety of colors and textures, enhance the sense of individuality.

Storefronts

OPUS North Corporation, being the developer of The Burr Ridge Town Center expects the architecture of this project to reflect the personality of the Tenants and Residents of this mixed-use community. The retail program encourages individual architectural creativity from apparel, lifestyle, home and restaurant merchants. Each retail space is custom tailored to the tenant, rather than a pre-designed generic shell in search of occupants. As a result, the street experience of The Burr Ridge Town Center takes advantage of the retailer's and restaurateurs' unique expressions in design and materials.

The storefront, integrated with the Tenant's signage, identity graphics and display, work to complement each other in developing the basic elements of store planning and design. It is the visual impact of these elements that entices the shopper to enter a Tenants storefront and experience the environment of merchandise and shopping.

Each Tenant at The Burr Ridge Town Center is required to design their storefront with respect to the individual character of their building façade and space. The Design Guidelines are intended to give the Tenants designer flexibility and independence to create unique designs that are compatible with the architectural style of The Burr Ridge Town Center. All Tenants' with a nationally recognized storefront will be able to maintain variations of their storefront prototype, while conforming to the design standards. These guidelines are to be used as a mutual point of agreement for all Tenant designs.

Technical Guidelines

1. Tenant's structural support of storefront system, doors, and signage shall be independent of Landlord's work and shall meet all applicable codes for construction. (See attached typical storefront details for buildings 1-6). Landlord will provide a structural steel wind girt at storefront opening, spanning between structural columns, for attachment of Tenant's system at the head condition. For additional lateral stability, Tenant's construction may be attached to Landlord's structure pending Landlord's review and approval of Tenant's drawings and details. As storefront modulation from the lease line is encouraged, prompt plan submission of proposed storefronts is required to coordinate the Landlord's support system with the Tenant's storefront layout.

- 2. Landlord, will construct, at their expense a "Neutral Pier" in line with the storefront façade. The neutral pier will be designed and constructed in a manner that will either match or complement Landlord's shell construction. By definition a neutral pier is an architectural element, typically 2 feet in width, bearing no gravity loads from above, that separates two adjacent tenants and their storefronts. A neutral pier is used to conceal the construction of a "demising wall" between Tenant's and acts as a physical break delineating the end of one Tenants storefront construction and the start of another. Neutral piers are part of the Landlord's shell construction and are maintained by the Landlord. Neutral piers are designed to move independent of the façade construction and structure in response to the square footage leasing needs of a Tenant.
- 3. Tenant's are permitted to extend storefront past the lease line in either direction. Tenant's extension shall be limited to no more than 12", away from the face of building. Tenant's extension shall be limited to no more than 12", or recessed away from the face of building, towards the interior. Modulation from the lease line does not move the lease line or adjust the Tenant's square footage. Tenants shall not be allowed to compromise either the structural integrity or weather and water tightness of Landlords building exterior.
- 4. Tenant's storefront shall be durable and strong and require minimal maintenance. The assembly shall be structurally sound and both weather and watertight. Compliance with all applicable codes must be met.
- 5. The Tenant shall be responsible for installing, waterproofing and maintaining floor/walkway material adjacent to Tenant's entrance doors.
- 6. All storefront designs must provide a minimum 6"-high curb, clad with a monolithic stone or suitable precast material with minimal vertical and horizontal joints. Modular masonry units will be considered dependent on size and approval. (Refer to Architecture Storefront Design and Construction Guidelines.

Design Guidelines

- I. Acceptable Materials:
 - a. Masonry
 - b. Stucco
 - c. Natural Stone
 - d. Cast Stone
 - e. Metal
 - f. Quarry and Ceramic Tiles
- 2. Storefronts shall have a design to complement the spacing of the existing façade modulations and column grid. Storefront facades should be detailed and articulated to create a pedestrian scale and visual interest. Window surrounds may project to create strongly pronounced decorative frames and cornices.
- 3. Though windows may encompass 85% of the storefront, punched window openings are not allowed. Articulated window frames and mullion patterns are encouraged where appropriate.
- 4. Special architectural elements such as medallions, grill work, carved stone ornament tile work and distinctive openings are encouraged.

Exhibit I

<u>2 of 6</u>

- 5. Tenants are required to employ high quality materials in the design and construction of their storefronts in order to promote quality design. Metal storefronts shall employ extruded sections with a powder-coated, baked enamel or clear anodized finish. Bronze anodized sections will not be allowed. Stainless steel finishes are discouraged, as they tend to discolor with age and weather. Any exposed wood shall be kiln dried, mill quality finish and naturally resistant to rot and decay. Wood finishes shall include but not necessarily be limited to alkyd based stains and paint, resistant to cracking, fading, peeling and chalking. Any wood material used for backing or blocking shall be protected, to resist rot and decay.
- 6. In some cases, Landlord's building columns occur along the storefront and are exposed to public view. Tenant's should incorporate these columns in their storefront design.
- 7. Entrances to a Tenant's space should be distinguished with a creative use of architectural elements, materials, signage, graphics and lighting to create a grand or imposing entrance. Entrance doors should be manufactured of materials that complement the overall design. The use of revolving doors will not be allowed.
- 8. Awnings: Refer to the Awning section of these guidelines.
- 9. Tenants storefront glazing systems must include clear transparent glass. Tinted, reflective or spandrel glass will not be permitted by the Tenants unless noted or allowed otherwise. Transom glass designed to go above a storefront awing must be clear and allow visibility into the Tenant's space. All textured, patterned or obscure glazing must be reviewed and approved by the Landlord. Storefront glazing systems are not permitted to be installed on grade. All glazing systems are required to be installed on a water-stopped concrete curb base with a durable tile or stone veneer exterior facing.
- 10. When a Tenant space is in a corner condition, or the Tenant's space is accessible from a perimeter street, as well as a main street or plaza, both elevations must receive equal treatment.

Exhibit I

<u>3 of 6</u>





7660 County Line Rd. • Burr Ridge, IL 60527 (630) 654-8181 • Fax (630) 654-8269 • www.burr-ridge.gov Gary Grasso Mayor

Karen J. Thomas Village Clerk

J. Douglas Pollock Village Administrator

September 10, 2019

NOTICE OF PUBLIC HEARING

Dear Property Owner:

The Plan Commission/Zoning Board of Appeals hereby provides notice that a public hearing will be conducted to consider the following petition:

The Plan Commission/Zoning Board of Appeals will hold a public hearing to consider a request by Ramzi Hassan for an amendment to Planned Unit Development Ordinance #A-834-09-05 to amend the approved façade elevation of the subject property. The petition number and property address is <u>Z-17-2019</u>: 582 Village Center Drive and the Permanent Real Estate Index Number is <u>18-30-300-044</u>.

A public hearing to consider this petition is scheduled for:

Date:	Monday, October 7, 2019
Time:	7:00 P.M. or as soon thereafter as the matter may be heard.
Location:	Village of Burr Ridge Board Room 7660 South County Line Road Burr Ridge, IL 60527

Petition information is on file and available for public review online or in person at the Burr Ridge Village Hall. To request additional information, please contact:

Evan Walter, Assistant Village Administrator (630) 654-8181 ext. 2010 <u>ewalter@burr-ridge.gov</u>

All persons interested in commenting on the proposed request will be given an opportunity to do so at the public hearing. Written statements are encouraged and will be reviewed by the Plan Commission/Zoning Board of Appeals if received at the Village Hall on or before the Tuesday preceding the public hearing.

18-30-300-056-1001 James Glimco 450 Village Center Drive #201 Burr Ridge, IL 60527

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18-30-300-056-1004 Joan Sikora 450 Village Center Drive #204 Burr Ridge, IL 60527

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18-30-300-056-1012 Kevin Kopp 450 Village Center Drive #212 Burr Ridge, IL 60527

18-30-300-056-1015 Presidio Capital LLC 3 Grant Street, Suite 415 Hinsdale, IL 60521

18-30-300-056-1018 Christopher S Cole 450 Village Center Drive #301 Burr Ridge, IL 60527

18-30-300-056-1021 Geno Napolitano 450 Village Center Drive #304 Burr Ridge, IL 60527

18-30-300-056-1024 Linnette Bullock 450 Village Center Drive #307 Burr Ridge, IL 60527

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18-30-300-056-1033 Kerry Murphy 450 Village Center Drive #316 Burr Ridge, IL 60527

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18-30-302-001-0000 TCF Bank Facilities Mgt. 801 Marquette Ave Minneapolis, MN 55402

18-30-303-010-0000 Kensington Park LLC 743 McClintock Drive Burr Ridge, IL 60527

18-30-306-024-0000 Dr. Ghassan Abboud 206 Ambriance Dr. Burr Ridge, IL 60527

18-30-305-005-0000 Dr. Andrew J Moormann 50 Burr Ridge Pkwy 101 Burr Ridge, IL 60527

18-30-306-018-0000 John J Forkan 305 Ambriance Burr Ridge, IL 60527

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18-30-305-003-0000 Reegs Properties PO Box 639 Hinsdale, IL 60522

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18-30-306-019-0000 Mr Mrs A Fernandez 305 Ambriance Dr. Burr Ridge, IL 60527 18-30-306-021-0000 Ramit Mendi 302 Ambriance Burr Ridge, IL 60527

18-30-302-003-0000 TCF Bank Facilities Mgt. 801 Marquette Ave Minneapolis, MN 55402

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18-30-305-004-0000 Inter Contl Burr Ridge 2221 Camden Court #200 Oak Brook, IL 60523

18-30-306-016-0000 Hirsh Monindra 500 Quail Ridge Westmont, IL 60559

18-30-306-020-0000 Magdalena Kolosa 303 Ambriance Dr. Burr Ridge, IL 60527

18-30-306-025-0000 Spencer Lee Mi Y Won 205 Ambriance Dr. Burr Ridge, IL 60527

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18-30-306-031-0000 Athihalli Nagaraj 102 Ambriance Dr. Burr Ridge, IL 60527

09-25-402-017 ST bank Countryside TR 78 c/o Coglianese Funeral HM 7508 S County Line Road Burr Ridge, IL 60527

09-25-402-023 Village of Burr Ridge 7660 S County Line Road Burr Ridge, IL 60527

09-25-402-027 Christian Brother Midwest 7650 S County Line Road Burr Ridge, IL 60527

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18-30-306-032-0000 Sunil Suri 103 Ambriance Dr. Burr Ridge, IL 60527

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09-25-402-024 Village of Burr Ridge 7660 S County Line Road Burr Ridge, IL 60527

18-30-300-053-1001 Renuka H Bhatt MDSC 2202 Essington Road #101 Joliet, IL 60435

18-30-300-026-0000 TCF Bank Facilities Management 801 Marquette Avenue Minneapolis, MN 55402 18-30-306-027-0000 Michael A Micaletti 203 Ambriance Dr. Burr Ridge, IL 60527

18-30-306-033-0000 Edward T Prodehl 104 Ambriance Ct. Burr Ridge, IL 60527

09-25-402-019 Beechen & Dill Builders 7512 S County Line Road Burr Ridge, IL 60527

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18-30-300-037/038/042/044/047/053/056-0000 BRVC Owner, LLC 200 S. Wacker Drive, Suite 1325 Chicago, IL 60606



18-30-300-057-1001 Iyda Ghuneim 801 Village Center Drive, Unit 201 Burr Ridge, Illinois 60527

18-30-300-057-1004 Resident 801 Village Center Drive, Unit 204 Burr Ridge, Illinois 60527

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18-30-300-058-1037 Claudia Navarro 1000 Village Center Drive, Unit 305 Burr Ridge, Illinois 60527

18-30-300-058-1040 Virgilio N. Nidea 1000 Village Center Drive, Unit 308 Burr Ridge, Illinois 60527

18-30-300-058-1042 Rosa Diaz Trust 1000 Village Center Drive, Unit 310 Burr Ridge, Illinois 60527

18-30-300-058-1044 Mr. and Mrs. Pierre Wakim 107 Oak Ridge Drive Burr Ridge, IL 60527

18-30-300-058-1047 Gia and Tim Ormond 1000 Village Center Drive, Unit 315 Burr Ridge, Illinois 60527

18-30-300-058-1050 Asle and Kathleen Klemma 1000 Village Center Drive, Unit 403 Burr Ridge, Illinois 60527

18-30-300-058-1053 Betty J. Cerveny 1000 Village Center Drive, Unit 407 Burr Ridge, Illinois 60527

18-30-300-058-1056 Tom Mouroukas 1000 Village Center Drive, Unit 410 Burr Ridge, Illinois 60527

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18-30-300-058-1032 Helen Nardi 1000 Village Center Drive, Unit 216 Burr Ridge, Illinois 60527

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18-30-300-058-1038 Kathleen Becker 1000 Village Center Drive, Unit 306 Burr Ridge, Illinois 60527

18-30-300-058-1043 Larry Marcheschi 1000 Village Center Drive, Unit 311 Burr Ridge, Illinois 60527

18-30-300-058-1045 Dejan Derikonjie 1000 Village Center Drive, Unit 313 Burr Ridge, Illinois 60527

18-30-300-058-1048 Art and Amy Munar 1000 Village Center Drive, Unit 316 Burr Ridge, Illinois 60527

18-30-300-058-1051 Wade Smith 1000 Village Center Drive, Unit 405 Burr Ridge, Illinois 60527

18-30-300-058-1054 Nada Jensen 1000 Village Center Drive, Unit 408 Burr Ridge, Illinois 60527

18-30-300-058-1057 Louise Junkniess 1000 Village Center Drive, Unit 411 Burr Ridge, Illinois 60527

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18-30-300-058-1001 Suresh Agarwal 1000 Village Center Drive, Unit 101 Burr Ridge, Illinois 60527

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18-30-300-058-1004 Atlagic Zeliko 1000 Village Center Drive, Unit 104 Burr Ridge, Illinois 60527

18-30-300-058-1007 Joe Canfora 1000 Village Center Drive, Unit 107 Burr Ridge, Illinois 60527

18-30-300-058-1010 Mohammed Daaif & Ghussoun Kassam 1000 Village Center Drive, Unit 110 Burr Ridge, Illinois 60527

18-30-300-058-1012 Dennis Quinn 1000 Village Center Drive, Unit 112 Burr Ridge, Illinois 60527

18-30-300-058-1015 Ruth Lognman 1000 Village Center Drive, Unit 115 Burr Ridge, Illinois 60527

18-30-300-058-1018 Scott Golchert & Jennifer Turano 1000 Village Center Drive, Unit 202 Burr Ridge, Illinois 60527

18-30-300-058-1021 Pervez & Frances Altaf 1000 Village Center Drive, Unit 205 Burr Ridge, Illinois 60527

18-30-300-058-1024 Annette Jones 1000 Village Center Drive, Unit 208 Burr Ridge, Illinois 60527

18-30-300-058-1027 John O'Connor 1000 Village Center Drive, Unit 211 Burr Ridge, Illinois 60527

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18-30-300-058-1002 Stanley Karcz/Antonette Favia 1000 Village Center Drive, Unit 102 Burr Ridge, Illinois 60527

18-30-300-058-1005 Dhaliwal Tehsel Singh 1000 Village Center Drive, Unit 105 Burr Ridge, Illinois 60527

18-30-300-058-1008 Edward Dobrotka 1000 Village Center Drive, Unit 108 Burr Ridge, Illinois 60527

18-30-300-058-1013 Dean Norman 1000 Village Center Drive, Unit 113 Burr Ridge, Illinois 60527

18-30-300-058-1016 Yan Zhao 1000 Village Center Drive, Unit 116 Burr Ridge, Illinois 60527

18-30-300-058-1019 Thomas Simunek 1000 Village Center Drive, Unit 203 Burr Ridge, Illinois 60527

18-30-300-058-1022 Marriane Mangan 1000 Village Center Drive, Unit 206 Burr Ridge, Illinois 60527

18-30-300-058-1025 Paula Lesniewski 1000 Village Center Drive, Unit 209 Burr Ridge, Illinois 60527

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18-30-300-058-1006 Lynn Rebello 1000 Village Center Drive, Unit 106 Burr Ridge, Illinois 60527

18-30-300-058-1009 Ahmad Zuhaib 1000 Village Center Drive, Unit 109 Burr Ridge, Illinois 60527

18-30-300-058-1011 Kerry Postillion 1000 Village Center Drive, Unit 111 Burr Ridge, Illinois 60527

18-30-300-058-1014 Marcia Miller 1000 Village Center Drive, Unit 114 Burr Ridge, Illinois 60527

18-30-300-058-1017 Ruthann McCarty 1000 Village Center Drive, Unit 201 Burr Ridge, Illinois 60527

18-30-300-058-1020 Jason Chen 1000 Village Center Drive, Unit 204 Burr Ridge, Illinois 60527

18-30-300-058-1023 Philip Trabaris 1000 Village Center Drive, Unit 207 Burr Ridge, Illinois 60527

18-30-300-058-1026 Sahajpal Tripat 1000 Village Center Drive, Unit 210 Burr Ridge, Illinois 60527

18-30-300-058-1029 Mr. and Mrs. Allenson 1000 Village Center Drive, Unit 213 Burr Ridge, Illinois 60527

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NOTICE OF PUBLIC HEARING

This property will be the subject of a public hearing conducted by the Village of Burr Ridge Plan Commission as follows:

Z-17-2019: 582 Village Center Drive The Plan Commission/Zoning Board of Appeals will hold a public hearing to consider a request by Ramzi Hassan for an amendment to Planned Unit Development Ordinance #A-834-09-05 to amend the approved façade elevation of the subject property.

The public hearing to consider this petition is scheduled for:

Date:	Monday, October 7, 2019
Time:	7:00 P.M. or as soon thereafter as the matter may be heard.
Location:	Village of Burr Ridge
	Board Room
	7660 County Line Road
	Burr Ridge, IL 60527

Petition information is on file and available for public review online or in person at the Burr Ridge Village Hall. To request additional information, please contact:

Evan Walter, Assistant Village Administrator

(630) 654-8181 ext. 2010

ewalter@burr-ridge.gov

All persons interested in commenting on the proposed request will be given an opportunity to do so at the public hearing. Written statements are encouraged and will be reviewed by the Plan Commission/Zoning Board of Appeals if received at the Village Hall on or before the Wednesday preceding the public hearing.





VILLAGE OF BURR RIDGE PLAN COMMISSION AND ZONING BOARD OF APPEALS

Consent to Install Public Notice Sign

The owner of the property referenced below, or an authorized representative of the owner, which is the subject of a public hearing before the Village of Burr Ridge Plan Commission or Zoning Board of Appeals, hereby consents to allow the Village of Burr Ridge to install a public notice sign on the aforesaid property. The public notice sign will be erected 15 to 30 days prior to the public hearing and will remain on the property until it is removed by the Village of Burr Ridge subsequent to a final dispensation of petition request.

Street Address of Subject Property:

582 Village Center Drive

Property Owner or Petitioner:

Ramzi Hussan (Print Name) Cignature)



VILLAGE OF BURR RIDGE

PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS

GENERAL INFORMATION (to be completed by Petitioner)	
PETITIONER (All correspondence will be directed to the Petitioner): Ramzi Hassan	
STATUS OF PETITIONER. OWNER	
PETITIONER'S ADRESS: 14400 S. John Humphrey Drive, Suite 200 ADDRESS OF SUBJECT PROPERTY: 582 Villaye Center Drive),
ADDRESS OF SUBJECT PROPERTY: 582 Village Center DENC	-
PHONE: (708) 923-6312	
EMAIL: Famei@edwardsFeattyco.com	
PROPERTY OWNER: BRVC DWNER, LLC	
PROPERTY OWNER'S ADDRESS: Same as petitioner's address (108)923-631:	
PUBLIC HEARING REQUESTED: Special Use Rezoning Text Amendment Variation(s)	•
DESCRIPTION OF REQUEST:	
Request for our Tenant, Sephora, to paint	
existing white store front white, stone	
Request for our Tenant, Sephora, to paint existing white store Front white, stone Cap and door/window Frames black.	
PROPERTY INFORMATION (to be completed by Village staff)	
	-
PROPERTY ACREAGE/SQ FOUTAGE: EXISTING ZONING: development	
PROPERTY ACREAGE/SQ FOOTAGE: 21.373 EXISTING ZONING: B2 Planned Unit EXISTING USE/IMPROVEMENTS: Village Center - Retail, restaurants, office SUBDIVISION: Burn Ridge Village center	- 1
SUBDIVISION: Burn Ridge Village center	-
PIN(S) # 18-30-300-050-0000	
The above information and the attached Plat of Survey are true and accurate to the best of my knowledge. I understand the information contained in this petition will be used in preparation of a legal notice for public hearing. I acknowledge that I will be held responsible for any costs made necessary by an error in this petition.	
9-9-19	
Petroner's Strange Date of Filing	4



Z-12-2019: Requests amendments to the Zoning Ordinance relative to the location and regulation of medical and recreational cannabis business establishments.

Prepared for: Village of Burr Ridge Plan Commission/Zoning Board of Appeals Greg Trzupek, Chairman

Prepared by: Evan Walter, Assistant Village Administrator

Date of Hearing: October 7, 2019

The Board of Trustees has directed the Plan Commission to consider amendments to the Zoning Ordinance relative to the location and regulation of medical and recreational cannabis business establishments. On June 25, 2019, Governor Pritzker signed HB 1438, the Cannabis Regulation and Tax Act, which legalized the sale, possession, and consumption of recreational cannabis by adults over 21 effective January 1, 2020. In response to the adoption of the Act, the Board of Trustees seeks recommendations from the Plan Commission regarding appropriate zoning regulations for medical and recreational cannabis businesses in Burr Ridge. This report is meant to provide information regarding medical and recreational cannabis businesses as defined and regulated by the Act. For the purpose of this report, "Medical Businesses" refers to facilities that serve the medical cannabis market, while "Recreational Businesses" refers to facilities that serve the recreational cannabis market.

Medical Businesses

On August 1, 2013, the Compassionate Use of Medical Cannabis Pilot Program Act was created by the General Assembly. The law created a four-year pilot medical cannabis program (henceforth: "Pilot") that went into effect on January 1, 2014; the Pilot was later made permanent on August 11, 2019. The Pilot allows for patients with specified medical conditions to obtain an ID card allowing them to buy limited amounts (up to 2.5 ounces every 14-day period) of medical cannabis from a licensed dispensary. The Pilot limited the number of dispensaries to 60; 55 such licenses have been issued and are currently operating. No more than four such dispensaries may be located in DuPage County and Lyons Township (Burr Ridge resides entirely within these jurisdictions). The Pilot allowed units of local government to establish regulations that provide for reasonable zoning regulations for the cultivation and dispensing of medical cannabis while not completely prohibiting such uses; Burr Ridge added "Medical Cannabis Dispensing Facility" as a special use in the G-I General Industrial District in 2013. No Medical Businesses are presently operating in Burr Ridge and no petitions for such a special use have been received at this time.

Recreational Businesses

As stated previously, the Cannabis Regulation and Tax Act (henceforth: the "Act") was recently adopted by the State of Illinois. The Act:

- legalizes the possession and use of cannabis for recreational purposes;
- authorizes the sale of recreational cannabis at retail dispensaries;

Staff Report and Summary Z-12-2019: Zoning Ordinance Text Amendments; Cannabis Uses Page 2 of 6

- permits the expansion of cultivation centers (previously only permitted to grow for medical
- cannabis sales); and
- allows new cannabis facilities uses such as "craft growers" and processors.

Staff has provided analyses regarding elements of the Act which may affect the Plan Commission's determination as to the land use and zoning impacts of Recreational Businesses, including cannabis possession and consumption, public safety, taxation and revenue mechanisms, and State licensing timelines, which are found in the report. A summary of legal powers available and unavailable to the Village regarding the regulation of Recreational Businesses is listed in the following table.

Legal Power	Local Authority
Legal possession of cannabis (with quantity restriction)	NO – Must Allow
Private consumption of cannabis (i.e. residences)	NO – Must Allow
Home grow of up to five plants by medical cardholders	NO – Must Allow
Cannabis consumption in public places (*exception listed below)	NO – State Prohibits
Delivery of cannabis products to the home	NO – State Prohibits
Consumption at schools, by minors, or in presence of minors	NO – State Prohibits
Limit the number of each Recreational Business	YES – Local Control
Create an Overlay District to allow for more specific land use control	YES – Local Control
Create custom separation requirements between sensitive uses	YES – Local Control
Outright ban on the establishment of businesses by ordinance	YES – Local Control
<i>If not banned</i> – enact zoning controls on businesses	YES – Local Control
If not banned – Tax cannabis at up to 3% beyond ordinary sales tax	YES – Local Control
<i>If not banned</i> – *Allow on-premises consumption of cannabis	YES – Local Control
Enact reasonable regulations of home grow by medical cardholders	YES – Local Control

Zoning

The Act states that municipalities may "enact ordinances to prohibit or significantly limit a [Recreational Business'] location." Several land use restrictions were created in the Act:

- Recreational cannabis uses are prohibited in residential zoning districts.
- Retail dispensaries and craft growers may not be located within 1,500 feet of another retail dispensary.
- No cannabis advertisements may contain any statement or illustration that is false or misleading; promotes the overconsumption of cannabis; displays cannabis or an image of a leaf or bud; shows a minor consuming cannabis; makes health or medicinal claims about cannabis; or includes any image that is likely to appeal to minors.

The six uses described below were specifically created for licensure by the Act. Any of the uses below may be prohibited or permitted and regulated by the Village as desired.

Dispensary. A facility that sells cannabis and cannabis-infused products, cannabis seeds, and paraphernalia to the general public and qualified medical cannabis patients. Recreational dispensaries are retail businesses similar to retail uses that are allowed in B-1 and B-2 Districts. Most retail businesses in the B-1 and B-2 Districts that are under 7,000 square feet in floor area

Staff Report and Summary Z-12-2019: Zoning Ordinance Text Amendments; Cannabis Uses Page 3 of 6

are permitted uses. Based on experience from medical dispensaries and recreational dispensaries in other States, it is anticipated that dispensaries in Illinois will be less than 7,000 square feet.

The following uses are involved with the manufacture or processing of cannabis. Businesses involved in the manufacturing and processing of materials, products and goods and are restricted to the G-I General Industrial or the L-I Light Industrial Districts. Special uses in these districts are generally uses that include outdoor activity, retail sales or services, or have other unique attributes.

- 1. *Craft Grower*. Facilities which grow and package cannabis for sale at a dispensary. A craft grower may share a premises with a processor or dispensary and may sell or distribute cannabis to another cannabis-related business. A facility for a Craft Grower may not exceed 14,000 square feet in floor area.
- 2. *Cultivation Center*. Facilities which cultivate, process, transport, and perform other necessary activities to provide cannabis and cannabis-infused products to Recreational Businesses. This use is permitted to be up to 210,000 square feet in size per location.
- 3. *Infuser*. A facility that directly incorporates cannabis or cannabis concentrate into a product.
- 4. *Processor*. A facility that extracts constituent chemicals or compounds to produce cannabis concentrate or incorporates cannabis or cannabis concentrate into a product.
- 5. *Transporter*. Transports cannabis on behalf of a licensed Recreational Business. This use would likely have a cannabis storage component on their premises.

Unless a unique parking requirement is established, dispensaries would require the same parking as Retail Goods and/or Service Businesses (1 space per 250 square feet of floor area). A survey of medical dispensary parking requirements indicates an average parking requirement of 1 space per 250 square feet of floor area.

Possession and Consumption

The Act regulates possession quantities for recreational cannabis for adults over 21, as follows:

- 30 grams of raw cannabis (comparable to a generally full sandwich bag)
- 5 grams of cannabis product in concentrated form (such as creams)
- 500 mg of less of THC of cannabis-infused products (such as an edible)
- Home cultivation of up to five cannabis plants per household (for medical patients only)

The Act prohibits the use of cannabis on the grounds of any school; within motor vehicles (stopped or moving); and in any public place or knowingly close physical proximity to anyone under 21 years of age. Municipalities may not prohibit or more strictly regulate the lawful use of cannabis as set forth in the Act; however, the Act permits property owners to prohibit the use and growing of cannabis on their own properties. It will remain unlawful to consume cannabis, either for recreational or medical purposes, outdoors or in public spaces, defined as the following:

- Any place where a person could reasonably be expected to be observed by others.
- All parts of buildings owned in whole or in part or leased by a unit of local government.
- Does not include a private residence unless the private residence is used to provide licensed child care, foster care, or other similar social service care on the premises.

Staff Report and Summary Z-12-2019: Zoning Ordinance Text Amendments; Cannabis Uses Page 4 of 6

Public Safety

The Act establishes regulations regarding recreational dispensary operations, including:

- Dispensaries may only operate between 6 A.M. and 10 P.M. (the Village could further restrict these hours).
- Dispensaries may only operate and sell cannabis when video surveillance equipment, point of sale equipment, and State's electronic verification system is operative, and there are two or more people working at a given time.
- Dispensaries may not sell any product containing alcohol (except for tinctures).
- Home delivery of cannabis is prohibited.

Driving under the influence of cannabis will continue to be illegal. The Act allows for use of roadside chemical tests or standardized field sobriety tests when conducting investigations of drivers suspected of driving under the influence of cannabis. The Village of Lombard has provided staff with research regarding the number of calls for police service at Medical Businesses. Lombard contacted 11 communities, including Addison, Naperville, and Oak Park; no community indicated that any Medical Business requested more than three calls for police service since the inception of the Pilot.

If have a licensed premises we would be able to pro-actively permit on-site consumption. We could establish an on-site consumption license should such an action be permitted.

Taxation and Revenue Mechanisms

While financial impacts and revenue potential are not considered factors as to the appropriateness of potential land uses within the Village's Comprehensive Plan, staff felt that it was necessary to include a summary of the local taxation powers created by the Act due to their uniqueness relative to other general retail and service uses, as well as a revenue projection to better contextualize the sales capacity of Recreational Businesses.

Municipalities are empowered to levy a special local sales tax of up to 3.0% in addition to existing sales tax rates to the gross retail sales of recreational cannabis that occurs in their communities. For example, if a Recreational dispensary located in Burr Ridge generated \$1,000,000 in gross revenue, the Village would receive \$42,500 in sales tax (\$30,000 from the 3.0% special sales tax and \$12,500 from the local 1.25% sales tax, which presently exists). Local municipalities will not be restricted in how they are permitted to expend local sales tax revenues associated with the sale of recreational cannabis. Additionally, the Village will receive an annual payment from the State to assist in enforcing the Act regardless of whether a Recreational Business operates in the community. State and regional estimates typically assume that recreational marijuana sales will be higher in Illinois than other markets for recreational cannabis, such as Colorado, based on comparisons regarding population, income, tourism, and current patterns of usage. Staff has provided three examples of local sales tax generation based upon projections using data from Illinois, Colorado, and Washington State.

The first projection, performed by the DuPage Mayors and Managers Conference, assumes that the total demand in Illinois will "fit" into the limited number of dispensary licenses that will be granted by the State and forecasts **<u>\$488,473</u>** in local sales tax per dispensary.

Staff Report and Summary Z-12-2019: Zoning Ordinance Text Amendments; Cannabis Uses Page 5 of 6

The second projection uses the Illinois Economic Policy Institute's (IEPI) estimation of a \$2 billion statewide recreational cannabis market by 2022. If all 240 retail licenses were issued and each establishment was operating at this time, this would equate to \$354,167 in local sales tax per dispensary.

Finally, the State of Washington publishes detailed information regarding sales by individual suppliers and retailers. The State of Washington applies a 37 percent state excise tax and 5 percent local sales tax. Of the 387 active recreational dispensaries, the average dispensary generated \$2,750,000 in gross revenues, meaning that the average dispensary would generate **<u>\$117,000</u>** in tax revenue if it were located in Burr Ridge.

State Licensing Timelines

The State retained sole licensing authority of Recreational Businesses in the Act; the Village is not permitted to create a "cannabis license" which would function similarly to a liquor license. A threephase rollout for the issuance of Recreational Business licenses was created to ensure that the Act's implementation was orderly and equitable. Phase 1 permits existing Medical Businesses to receive a unique license for a Recreational dispensary. The Illinois Department of Agriculture has stated that they presently interpret the Act to restrict the locations of a Recreational dispensary to the Medical Business' current location; however, the members of the Illinois General Assembly responsible for the Act's introduction have said that they will be introducing a trailer bill in the fall Veto Session to allow Medical Businesses to open a Recreational dispensary at a separate location. Phase 2 permits an additional 75 Recreational dispensaries to be opened across the State, regardless of whether the applicant is affiliated with a Medical Business. Due to requirements set forth by the Act, 47 of these licenses must be located within the Chicago-Naperville-Elgin region as defined by the US Bureau of Labor Statistics; Burr Ridge is located within this area. Phase 3 will occur after a social equity study period occurs at the end of 2020, wherein the State may deem it necessary to issue up to 110 additional licenses for Recreational dispensaries in areas that are found to be underserved on the basis of economic equity. The following table shows the information discussed in this section with relevant timelines.

Phase	Potential Licensees	Application Open	Application Due	Grant Date	# of Licenses	
1	Existing Medical Business	August 2019	March 2021	January 1, 2020	55	
2	New Dispensaries^	October 2019	January 2020	May 1, 2020	75	
Social Equity Study Period – Early 2021						
3	New Dispensaries	March	2021	December 2021	110	
	TOTAL RECREATIONAL LICENSES 240					
^47 si	^47 such licenses must locate in Chicago-Naperville-Elgin region as defined by the Bureau of Labor Statistics					

Municipal Actions

Many municipalities in the Chicagoland region have held similar hearings on recreational cannabis. A chart of all municipal actions on this matter is attached as Exhibit B.

Public Comment

Staff has received a two objections via email as well as some objections and support via phone calls. Plan Commissioner Luisa Hoch has also provided her perspective, which was included in the attachments.

Staff Report and Summary Z-12-2019: Zoning Ordinance Text Amendments; Cannabis Uses Page 6 of 6

Consideration of Potential Actions

Staff requests direction regarding the questions posed on page 2 of the staff report, including any additional information that the Plan Commission requires to inform its recommendation.

Staff recommends that the uses and their legal definitions created by the Act be adopted as an amendment to Section XIV (Definitions) of the Zoning Ordinance for legal reference (Exhibit D).

Findings of Fact and Recommendation

Staff requests direction from the Plan Commission as to a desired recommendation regarding amendments for Recreational Businesses. Based on the Plan Commission's recommendation, staff will prepare findings of fact. The findings of fact for a text amendment are limited to assessing whether the amendment is compatible with other standards of the Zoning Ordinance and if it fulfills the purpose and intent of the Zoning Ordinance.

The following is a list of questions that should be addressed in a Plan Commission recommendation:

- Which Recreational Businesses should be permitted or special uses?
- In which zoning district(s) should Recreational Businesses be located?
- Should the Village restrict hours beyond what the Act permits?
- Should minimum separation distances be required for Recreational Businesses?
- What parking requirements should be established for Recreational Businesses?
- How should the Village regulate on-site consumption?

Staff also requests direction from the Plan Commission as to whether amendments regarding Medical Businesses are desired. It is possible that an entity may attempt to operate a joint Medical/Recreational Business in the future; the Zoning Ordinance currently treats these two uses as mutually exclusive. If amendments are desired, staff will prepare findings of fact; no action will be necessary if no amendments are desired.

Appendix

Exhibit A - ICMA and Planning Magazine Publications

Exhibit B – Neighboring Municipal Actions

- Exhibit C Public Comment
- Exhibit D Use Definitions
- Exhibit E Petitioner Materials



Local Impacts of COMMERCIAL CANNABIS

EXHIBIT A

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Fort Collins, Colorado
Grover Beach, California
Southern Oregon - Jackson County and City of Ashland
Juneau, Alaska
Kirkland, Washington
Pacifica, California
Santa Rosa, California
About the Authors

Acknowledgements

ICMA gratefully acknowledges the City of Half Moon Bay, California for its funding and support of this research project. We also appreciate the generosity of the following individuals in sharing their time, insights, and connections:

Amber Blake	Deputy City Manager, City of Durango, CO
Dennis Bozanich	Deputy County Executive Officer, County of Santa Barbara, CA
Matthew Bronson	City Manager, City of Grover Beach, CA
Matthew Chidester	Deputy City Manager, City of Half Moon Bay, CA
David Durflinger	City Manager, City of Carpinteria, CA
Judy Erwin	City Manager, City of Hines, OR
David Favour	Development Services Deputy Director, City of Issaquah, WA
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Finally, the authors thank our ICMA colleagues Kirie Samuels, Anne Phelan, Erika White, and Tad McGalliard for their editing, design, and other contributions to this report.

Local Impacts of COMMERCIAL CANNABIS

INTRODUCTION

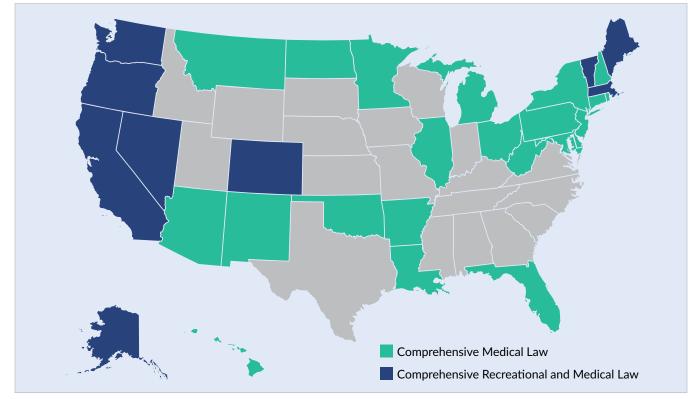
The last two decades have brought waves of significant change to state laws regarding medical and recreational cannabis, which in turn have implications for local governments.

Since the passing of California's Proposition 215 in 1996, another 30 states plus the District of Columbia, Guam, and Puerto Rico have followed with their own measures legalizing medical cannabis. Voters in nine of those states—Colorado, Washington, Alaska, Oregon, Massachusetts, Maine, Nevada, California, and Vermont—plus the District of Columbia have also legalized adult recreational use of cannabis.¹

At the federal level, cannabis remains a Schedule I drug according to the U.S. Controlled Substances Act, reserved for "substances ... with no currently accepted medical use and a high potential for abuse," a classification also applied to heroin, lysergic acid diethylamide (LSD), methylenedioxymethamphetamine (ecstasy), methaqualone, and peyote.²

Under the Obama administration, the Department of Justice issued a series of guidelines regarding federal prosecution of medical and recreational cannabis activities, the best known being Deputy Attorney General James Cole's 2013 memo. The Cole Memo provided some assurance to states and localities permitting medical or recreational cannabis activities that the federal government would not challenge these states' laws, provided they aligned with federal high-level priorities such as keeping marijuana away from children and upholding protections against public health and safety threats associated with use and distribution.

In early 2018, the new Attorney General Jeff Sessions issued a memo to all rescinding the Obama administration's guidance on federal prosecution of medical and recreational cannabis activities.³ Despite the Justice Department's about-face, additional states



State Cannabis Laws as of July 2018

Source: National Conference of State Legislatures

such as Oklahoma and Michigan have since proceeded with their plans to vote on medical and recreational cannabis, respectively. The Canadian government overwhelmingly passed a national measure to legalize and regulate cannabis, becoming the second nation worldwide to do so. In the United States, public polling on the issue shows a dramatic shift over the past decade in favor of legalization.⁴

In the meantime, increasing numbers of local governments are faced with decisions about whether and how they want to regulate medical and/or recreational cannabis in their communities. These decisions are extremely complicated and have implications across many local government departments and systems. Public debate is emotionally charged and not all questions can be answered given the youth of a legal cannabis industry.

ICMA provides this resource to assist local governments in considering implications of legal commercial cannabis activities in their communities. Findings and recommendations are drawn primarily from interviews with local government administrators and staff and review of available data and reports (emphasizing neutral sources whenever possible) from early adopters of legal cannabis legislation.

A note on terminology: Cannabis is the biological genus or generic name for multiple species of plants also popularly referred to as marijuana, hemp, and no shortage of other slang terms. Although early U.S. legislation on this topic used the spelling "marihuana," some have argued this term and its variants, specific to use of the plant for smoking, were introduced in an attempt to marginalize migrant populations.⁵ Despite cannabis being the scientific term, marijuana prevailed in common vernacular. This report gives preference to the scientific term cannabis but uses marijuana interchangeably in some case studies to be consistent with the relevant state and local legislation.

IMPACT AREAS

Economic Development

Redevelopment and Growth Potential

While not guaranteed, it is certainly possible to capitalize on peak interest in this industry as an opportunity for redevelopment and economic growth. Across the state of California, the declining cut flower industry is causing some producers to consider a shift toward cannabis cultivation.⁶ Small-scale food growers on the rural outskirts of Cape Cod, Massachusetts, find themselves in a similar situation.⁷ Grover Beach, California realized its underused industrial land would be marketable to cannabis product manufacturers, and imposed additional requirements for public improvements on those sites to such users. The small town of Cotton Plant, Arkansas—a far cry from progressive costal enclaves sees potential for a legal medical cannabis industry to resurrect a waning local economy.⁸

Industry Characteristics

Cash-based businesses. Regardless of lenient state and local policy, the illegal status of cannabis at the federal level renders it effectively an all-cash industry, as the federally insured banking system is extremely limited on how, if at all, it can service these businesses. It can also be challenging for businesses to access auxiliary financial (e.g., accounting) or legal services that other types of businesses take for granted. For local governments, this means being prepared to accept massive cash payments for taxes and fees, which could include purchasing cash-counting machines and/or increasing security to protect staff and facilities. And for local economies, all-cash offers on land can place pressures on availability and have pricing consequences for other industries as well.

Who are operators? The high cost of licenses, permits, land, security, other startup requirements, as well as a lack of access to financing present significant barriers impacting who can enter the industry. But the industry is attracting a wide range of operators, from those with a history in agriculture to tech-savvy entrepreneurs. Google employees own one of the few cannabis retail stores in Kirkland, Washington, while a large start-up in Grover Beach, California is connected to a well-known Los Angeles rapper and TV personality. In Santa Rosa, California, city staff discovered through their licensing processes that many cannabis businesses were operated by female heads-of-households.

Industry employment. The Washington State Institute for Public Policy, charged with evaluating the state's implementation of its legalization measure, estimated the average of its 700 active cannabis businesses employed approximately nine full-time equivalent (FTE) employees at an average hourly wage of \$16.45 (median of \$13.44) in the final quarter of 2016. The majority of retailers, processors, and producers were classified as small, employing less than nine FTE. Producers and processers tended to be even smaller, employing four or fewer FTE.⁹

Revenue Generation

State leaders in favor of a regulated legal cannabis industry often tout the associated economic opportunities from license fees and sales and excise taxes. States have earmarked this revenue for specific needs such as schools (including construction, early education, and anti-bullying measures), public health (substance abuse prevention/treatment, mental health), and public safety.

Slices of revenue are also passed through to local governments where cannabis activities are permitted. Revenue distribution formulas may account for population, number of licensed businesses, and other factors, and are regularly subject to challenge or change; cultivation hotspot Jackson County, Oregon is urging its state to weigh total canopy size more heavily in its revenue-sharing calculations. Some states, such as Oregon, also prescribe how locally shared revenue should be spent (on public safety, in the Oregon example). For multiple reasons, the local share tends to be significantly smaller and thus less impactful.

In light of this, and to offset local administration, regulation, and enforcement costs, many communities have elected to impose their own license fees and/or additional local taxes on the cannabis industry. State legislation may set restrictions on the rate and process for doing so, and state municipal leagues are often useful resources in parsing those regulations. Specific guidelines for setting such rates are beyond the scope of this report, but general observations from our research include the following.

 Explore this option as early as possible. Durango, Colorado waited until the industry had been operating locally for multiple years before introducing a dedicated tax proposal, which they were forced to drop in the face of overwhelming opposition.

- It can be tempting to overreach with projections.
 Early analyses on the potential economic impacts of the cannabis industry are fraught with assumptions that can multiply into gross exaggerations and unrealized expectations (true for any industry, but particularly so for one just emerging from underground).
- Avoid taxing the industry back underground. The city of Grover Beach, California actually adjusted its tax rates downward as the industry came online to maintain a competitive overall effective tax rate.
- Consider your costs, which likely spread far across your organization. The City of Santa Rosa, California provides a detailed breakdown of the estimated steps and costs associated with just the review of business applications, which are substantial.¹⁰ Fort Collins, Colorado is carefully trying to monitor and cover its costs, which also include staff support from a licensing coordinator and dedicated police officer. In contrast, the small city of Hines, Oregon believed it was seizing an economic opportunity as the only city in its county to allow commercial cannabis businesses, but the administrative burden on its limited staff has left them questioning the net benefit.

Of the communities we interviewed for this report, those enlisting the help of external consultants with cannabis industry expertise were typically pleased with the support provided.

Tourism

Tourism is a significant economic sector in virtually all of the early states to legalize recreational cannabis, so it warrants special attention. While individual opinions vary as to whether cannabis is a deterrent to tourism, research suggests a more neutral-to-favorable impact. In 2016, the Colorado Tourism Office included a new series of marijuana-related questions in its annual research on visitor behavior. A contracted research firm queried individuals as to whether legalization of marijuana influenced their perceptions on living/working, visiting, or purchasing good/services from those states. According to their findings, a majority of visitors' opinions of states where marijuana was legalized did not change. Approximately 30 percent of respondents viewed those states more positively, and approximately 1 in 10 had a more negative view based on legalization of marijuana. Results were also stratified by whether

the respondent resided in Colorado and/or had taken a leisure trip in Colorado over the past year. Among nonresidents visiting Colorado in the year of this study, 47 percent said that legalization of marijuana positively influenced their consideration of states to visit. Another study commissioned by the Colorado Tourism Office estimates that 15 percent of Colorado tourists engaged in a marijuana-related activity during their visit, with a third of those citing that activity as a motivation for their trip.¹¹ It is worth noting that state and local tourism offices generally do not promote cannabis-related activities due to explicit or ambiguous regulations based on federal legal status and/or limiting advertising to minors.¹²

Laws restricting smoking or consumption can present a complication for local cannabis-related tourism, while at the same time alleviating some concerns of residents. State and local laws vary, but restrictions similar to those targeting the use of tobacco or alcohol use often apply, as do new regulations prohibiting on-premises cannabis consumption. Private property owners and operators can also impose their own restrictions on cannabis consumption. Tourists may be surprised to discover they are prohibited from consuming cannabis products in public spaces, in rental cars (even as passengers), in hotels, and at the point of sale, not to mention that they cannot bring cannabis products in or out of the state. It would be reasonable to anticipate a learning curve while tourists and residents adjust to any changes in local and state laws. Cities and states have developed public education campaigns and materials addressing frequent questions and assumptions.13

Local government leaders in communities electing to allow commercial cannabis activities observed entrepreneurial operators tapping into tourism interests. Many of the states out front early on legalized recreational cannabis are home to craft-oriented beer and/or wine production, which some view as complementary to high-quality, locally produced cannabis. Cities and regions have also seen a rise in "green tourism" services such as taxis/limousines and travel/tour agencies.

Public Safety

Property and Personal Crime

Local governments can anticipate concern that cannabis businesses may attract criminal activity such as burglary, theft, or more serious offenses. The persistence of a cannabis black market—the only market in some states—and the cash-based nature of the industry do present conditions that could encourage such activity. These risks have not been lost on state and local regulators, who have built a range of precautions into cannabis licensing and land use regulations, such as requirements for security systems, lighting, and employee background checks to protect the businesses themselves as well as local communities.

As the sector generally most accessible to the public, retail businesses (or medical cannabis provisioning centers or dispensaries) are often a primary concern to municipalities. Communities implementing these protective operating and siting requirements reported overall satisfaction with their local legal operators and noted that providing standards for compliance shifts more of the responsibility from law to code enforcement. The City of Fort Collins dedicated a police officer to the industry whose work is characterized mainly as relationship building rather than punitive; police in the City and Borough of Juneau, Alaska also assist businesses with implementing best practices. The police chief in Pacifica, California, notes that previously illegal businesses avoided reporting burglaries and other crimes against their property for fear of exposing themselves. Now, they meet local safety standards and enjoy added protection from the police departmentwhich hasn't seen any significant increase in the calls for service.

Complementing these anecdotal reports from city administrators, the Washington State Institute for Public Policy provides statistics on several types of crime in the state since the legalization of recreational cannabis.¹⁴ Arrests for drug or narcotic violations decreased by approximately 15 percent since 2012. "Incidents" (or investigations, whether resulting in an arrest or not) identified as marijuana-related decreased by 63 percent from 2012-2015. Drug-only Driving Under the Influence (DUI) arrests, which do not differentiate marijuana from other drugs, decreased by about a third to approximately 1,200 for 2015. Among drivers involved in a traffic fatality who are tested for drugs or alcohol, there have been no significant growth or decline in those testing positive for marijuana alone or in combination with other drugs or alcohol. During that time, incidents identified as amphetamine/ methamphetamine- or heroin-related increased by 72 percent and 41 percent, respectively. A follow up report released in 2017 found no evidence linking

Washington counties' retail cannabis sales with drugrelated convictions.¹⁵

Safety Hazards

Cannabis product manufacturing/processing often involves chemical extractions, through which solvents are used to remove resin from plants and convert it into hash oil. The high-concentrate oil can then be infused into edibles, tinctures, and other products, or consumed by smoking or vaporizing. Because of the volatile solvents used, the extraction process should only take place in regulated environments using proper equipment and safety precautions—otherwise, risk of explosion is high. This is enough to dissuade some local governments from wanting to allow such activities in their communities.

Increased opportunities for legal cultivation of cannabis, including at the personal scale, may tempt amateur processors to attempt these extractions in unregulated settings such as residential neighborhoods. Beyond the threats to individuals involved and to first responders, the extraction process poses the additional risk of a fire spreading to other nearby structures. The City and County of Denver experienced nine hash oil explosions between January and September 15, 2014, and the state's primary burn center has seen a spike in extraction burn patients since 2012.¹⁶

An Important Distinction

To be sure, commercial cannabis-related crimes or safety hazards make the local news, and local government administrators acknowledged examples ranging from mundane to violent. A common theme, however, is their tendency to involve unauthorized cannabis activities, such as illegal grow operations in homes or on other private land.¹⁷ A black market exists, though its presence varies across communities, so even communities electing to ban cannabis to the fullest extent possible are vulnerable to these crimes.

Traffic

A more practical matter, predicting circulation impacts of commercial cannabis activities, is an emergent focus for transportation engineers. The County of Santa Barbara, California, provides an example of a detailed analysis estimating the potential impacts of seven different types of activities along the supply chain.¹⁸ Jackson County, Oregon observed increased traffic in rural neighborhoods since cultivation (both authorized and unauthorized) began to proliferate. The Seattle suburbs of Kirkland and Issaquah also noted slightly more intense circulation and parking demand than anticipated for their early retail businesses. Interim Issaquah City Administrator Emily Moon noted, "In terms of trip generation, retail marijuana is similar to fast food in some ways. It's fairly constant traffic."

Public Health

Most states that have legalized adult use of recreational cannabis are dedicating a portion of their tax and fee revenues to public health initiatives, often with a particular youth focus.

Debate on legalization tends to be charged with conflicting claims about the relationship between cannabis and public health indicators. The Colorado Retail Marijuana Public Health Advisory Committee, a body of experts appointed by the Colorado Department of Public Health and Environment to provide unbiased and transparent evaluation of scientific literature and data on marijuana use and health outcomes, notes the complexity of evaluating these associations for strength (or lack thereof) and causality. Its reports break down the validity of common claims made about youth and adult use of cannabis and may be helpful to local governments in talking through community concerns.¹⁹

Youth Impacts

Public health experts, including the Colorado committee, do tend to agree that youth abuse of cannabis can be associated with lower graduation rates and increased susceptibility for addiction and mental health issues. Likewise, opponents and proponents of legalization are often united in concerns about potential increases in use/abuse among young people. But evidence that legalization of cannabis significantly changes patterns of youth use/abuse is lacking.

According to the biennial Washington State Healthy Youth Survey, rates of current marijuana use stayed relatively consistent for sixth, eighth, tenth, and twelfth graders from 2012 to 2016 (recreational legislation passed in 2012). Rates do increase across the age groups, from about 1 percent of sixth graders up to about a quarter of twelfth graders. Ease of access also increases by grade, but perception of access remained relatively consistent over time. Four percent of all Washington state students were suspended or expelled during the 2015-2016 school year. Of those, 9 percent (less than half a percent of all students) were suspended or expelled due to marijuana possession.²⁰ Colorado's youth surveys yielded similar results.²¹ Multiple analyses of the biennial Healthy Kids Colorado Survey agreed that marijuana use among statewide youth remained essentially unchanged from 2013 to 2015, though recreational adult use became legal in 2014. These same types of surveys are conducted across the country, regardless of cannabis' current legal status. Results of each state's youth surveys are used to inform and target education and prevention strategies that can be funded through legal cannabis revenues.

State requirements will also mandate buffering of sensitive uses, such as schools, child care facilities, parks, and other youth-serving centers. Typically, local governments will have the right to modify some of these provisions according to local preferences and conditions, though legal opinions vary about the flexibility to do so. Washington State allows local governments to reduce this buffer for everything except elementary and secondary schools and public playgrounds; the City of Kirkland exercised this option to accommodate businesses around 600-plus feet of licensed child care centers, given the layout of its zoning map. Communities may elect to impose additional restrictions, as was done in Grover Beach, California, which extended its buffers along designated school walking routes.

From 2015 through April 2018, the state of Washington logged approximately 200 violations for marijuana sale/service to a minor. Approximately one-third of those were issued in unincorporated areas; the rest were scattered across approximately 50 municipalities over the 3-plus year period. Reflecting on the strict requirements of Colorado's state inventory tracking system, Durango city staff noted that minors' access to cannabis was easier to regulate than alcohol.

Adult Use

Perspectives on adult use of cannabis and its health implications are much more divergent. With a majority of states now permitting some degree of medical cannabis use, clearly there is strong support for its therapeutic properties in certain situations. But discussions about cannabis as a recreational substance—informed by a blend of evidence and personal values—often conflate it with alcohol, tobacco, or opioids. Some argue that cannabis is less harmful or habit-forming than these other substances; others believe it to be a gateway to more serious substance abuse. The National Institute on Drug Abuse (NIDA) acknowledges that habitual cannabis use can lead to "marijuana use disorder" or addiction in its most severe form, but these types of problems afflict a minority of reported cannabis users.²² NIDA also notes some evidence suggesting links between marijuana and other drug use for a minority of cannabis users, but that there are many complicating factors and further research is needed.²³

There is less dispute that the mind-altering chemicals in cannabis impair judgement, coordination, and reaction time. Depending on the form of consumption, the effects can be delayed and prolonged for hours; traces of the chemicals-though unfelt-can remain detectable in the bloodstream for weeks.²⁴ Even in states where recreational adult use or medical use is legal, it is important to remember that all laws and regulations concerning what one cannot do under the influence of cannabise.g., operate a vehicle, show up to work-still apply. The police department in Kirkland, Washington, was given explicit instructions not to "de-police" these sorts of behaviors that fall under its purview. Local law enforcement may benefit from additional training in how to identify and confirm potential violations, since assessing the influence of cannabis will typically require a blood test and may not be possible in the field.²⁵

Recent studies of states post-legalization have seen some upticks in public health statistics related to cannabis use. For example, annual average calls to the Poison Control Center in Washington increased by 73 percent in the years following legalization.²⁶ Colorado also saw increases in marijuana exposure calls, as well as in marijuana-related hospitalizations and emergency department visits.²⁷ These may be indications of legitimate concerns, such as a need to regulate concentration and packaging of edible cannabis products (which was done in Colorado), and they may be influenced by changes in patient honesty or medical billing practices. And as with all statistics on the industry, it is too soon to tell whether trends will continue, level off, or reverse. Fortunately, researchers will have access to more time-series data from more states as the legal landscape expands.

Environment

Odor

It can be a tough call as to which is more pervasive cannabis odor or the concerns about it. Odor concerns, whether tied to the plants themselves or the smoke from consumption, are legitimate. For some, odor may trigger allergies or asthma, for others it may simply trigger a reaction based on one's personal views about an historically taboo substance. It is possible for local regulations permitting cannabis uses to be a recourse for those most opposed to its odor, though there are some complicating factors.

In addition to siting activities in appropriate locations relative to other uses, land use regulations permitting activities along the cannabis supply chain will almost certainly include stipulations about odor control, aiming to reduce the likelihood of a nuisance issue. Regulations provide a means for enforcement; a neighbor can complain if aggrieved. Formal litigation of odor nuisance cases has had mixed outcomes, as it can be difficult to determine the nuisance threshold or to pinpoint the precise source. However, local governments recently authorizing commercial cannabis activities conceded that while odor issues may be more common at the onset, they tended to dissipate as businesses became "more professional" and are given a chance to improve their odor mitigation systems.

From a consumption perspective and as mentioned in the earlier discussion on tourism impacts, many local governments already have bans in place regarding smoking indoors and/or in public places. Land use regulations for commercial cannabis retail can and typically do prohibit onsite consumption.

Resource Impacts

Cannabis cultivation (and to some extent processing) also raises concerns about water, soil, and light/energy use, the specifics of which will vary depending on the local capacity (climate, infrastructure, etc.) for commercial cultivation. Some regulations, whether specific to cannabis or generally applicable to agriculture, will be set at the state level, and state departments of agriculture and natural resources have developed answers to frequently asked questions about regulations governing cannabis as an agricultural activity and water use.²⁸ Local governments may wish to direct prospective local growers to pertinent recommendations and regulations and clarify where additional local requirements (related to permitting siting, fencing, etc.) may apply, as Jackson County, Oregon has done.²⁹

The Department of Environmental Health for the City and County of Denver, Colorado developed a comprehensive guide to best practices on energy, water, and waste management for indoor growing facilities.³⁰ Though specifically developed in context of Denver's sustainability goals, climate, and infrastructure, it provides useful overviews and metrics for the resource systems involved in cultivation.

Local governments will likely apply building and fire safety codes to regulate potential environmental nuisances and safety concerns related to lighting and compliance. Light pollution from outdoor cultivation, volatile extraction processes in manufacturing facilities, and the extent of personal cultivation allowed in multifamily facilities are all issues that local governments have dealt with using local codes.

Aesthetics

Finally, local governments will want to consider cannabis' implications on aesthetics of the natural and built environment. Jackson County, home to a significant share of Oregon's cannabis production, provides an aerial view of the use's significant impact on its landscape.³¹ Illegal, and to a lesser extent legal, grow operations there pose challenges to maintaining government survey corners, riparian buffers, and drainage. Municipalities may be more concerned about signage, fencing, and generally ensuring that the cannabis industry not overtake the character of an urban or suburban environment. Fort Collins, Colorado prohibited the use of cannabis-affiliated phrases and images in signs for cannabis businesses. Many municipalities prevent the creation of a cannabis district through clustering by including some method of business-to-business setbacks in their regulations. Alternatively, others intend to cluster all cannabis businesses in one or few districts, in order to prevent siting in the majority of the municipality while ceding only part.

Summary and Recommendations

Based on our research, ICMA offers the following recommendations to local governments considering whether and/or how to allow commercial cannabis activities.

- Assess the federal, state, regional, and local contexts for your decision(s). While the letter of federal cannabis law has not changed for some time, interpretation and enforcement priorities continue to shift. But more urgent are conditions at the state level and below. Some sample questions to consider:
 - a. Does current or pending state law prescribe any decision points? Must you opt in or out of default situations?
 - b. How did your community vote on past cannabis ballot measures? Do those results entitle

you to different powers (such as the ability to tax or the ability to impose a complete ban)? Does your community lean one way or the other in its opinion on cannabis?

- c. What's happening in surrounding communities that may impact you? Are the county and its municipalities talking with each other about this issue? Are your priorities complementary or in conflict?
- d. To what extent can you lean on state regulations and enforcement? Are regulations specific enough? Do you believe resources are adequate to perform state-level responsibilities?
- 2. Assemble a diverse, coordinated leadership team. Local administrations successfully navigating the early legal cannabis landscape credited clear, steady direction from their elected officials including rationale or objectives for local regulation—as extremely helpful.³² In addition to elected officials and chief administrative officers, planning, police, legal, and finance staff tended to serve in critical leadership roles. But cast a wide net across your organization, as the industry has potential to impact many additional systems and functions.
- Plan for deliberate, transparent community 3. **engagement.** Even communities voting strongly in favor of cannabis legalization can still struggle with implementation.³³ Provide multiple ways outside of formal meetings and public hearings for community members to review and comment on potential regulations, such as community surveys or other online platforms and in neighborhood/community-wide events.34 Expect questions, expect fears, and be willing to demonstrate how proposed regulations have accounted for community concerns. Maps showing eligible locations for cannabis businesses as well as sensitive uses are very helpful tools, as are summaries of key steps taken and reference documents posted on your website. While time-consuming, local governments following this model were comfortable reflecting on their processes and were later able to make decisions without significant debate.
- 4. Regularly monitor indicators and review your regulations. This is a new industry that will continue to experience growing pains, especially as the state and federal context continue to shift.

While states and local governments adopting early legislation are beginning to generate data, figures should still be considered preliminary. Even in states where legalization passed several years earlier, businesses are just starting to open, following long processes to develop regulations and process applications, and local leaders are standing by to watch for indications that the industry needs more (or less) regulation. "Start early and walk a slow path," suggested one California city manager-a sentiment echoed by many of his peers' actions. Be wary of doors that are difficult to close once opened; consider sunset provisions or temporary caps as ways to test your local market and assure residents that you will continue to revisit regulations and make adjustments as necessary.

Endnotes

- 1 National Conference of State Legislatures, "Marijuana Laws." http://www.ncsl.org/bookstore/state-legislatures-magazine/ marijuana-deep-dive.aspx
- 2 Drug Enforcement Administration, "Drug Scheduling." <u>https://</u> www.dea.gov/druginfo/ds.shtml
- 3 Office of the Attorney General, "Memorandum for All United States Attorneys, Subject: Marijuana Enforcement," January 4, 2018. <u>https://www.justice.gov/opa/press-release/file/1022196/</u> <u>download</u>
- 4 Abigail Geiger, "About six-in-ten Americans support marijuana legalization," Pew Research Center. <u>http://www.pewresearch.org/fact-tank/2018/01/05/americans-support-marijuana-legalization/</u>
- 5 Daniel Shortt, "Marijuana, Marihuana and Mariguana: What's in a Name?," University of Washington Cannabis Law and Policy Blog, January 21, 2016. <u>https://blogs.uw.edu/clpp/2016/01/21/</u> marijuana-marihuana-and-mariguana-whats-in-a-name/
- 6 Julie Martens Forney, "Will Marijuana Cultivation Affect Floral Industry?," Society of American Florists, July 26, 2017. <u>https:// safnow.org/will-marijuana-cultivation-affect-floral-industry/</u>
- 7 Katy Ward, "Truro farmers want to cultivate cannabis," Wicked Local - Provincetown, February 24, 2018. <u>http://provincetown.wickedlocal.com/news/20180224/truro-farmers-want-tocultivate-cannabis</u>
- 8 Richard Fausset, "A Dying Southern Town Needed a Miracle. Marijuana Came Calling.," The New York Times, March 24, 2018. <u>https://www.nytimes.com/2018/03/24/us/arkansas-marijuana-cotton-plant.html</u>
- 9 Washington State Institute for Public Policy, "Employment and Wage Earnings in Licensed Marijuana Businesses," June 2017. <u>http://www.wsipp.wa.gov/ReportFile/1669/Wsipp Employment-and-Wage-Earnings-in-Licensed-Marijuana-Businesses_Report.pdf</u>
- 10 City of Santa Rosa Planning and Economic Development, "Cannabis Program FAQs" March 15, 2018. <u>https://srcity.org/</u> <u>DocumentCenter/View/18729/Cannabis-FAQs_2018-03-</u> <u>15?bidld=</u>
- 11 Colorado Tourism Office, "Colorado Tourism Sets All-Time Records for Sixth Consecutive Year," June 28, 2017. <u>https://www.</u>

colorado.com/news/colorado-tourism-sets-all-time-recordssixth-consecutive-year

- 12 Christian M. Wade, "Tourism Officials wrestle with marijuana marketing," The Daily News of Newburyport, January 8, 2018. http://www.newburyportnews.com/news/tourism-officialswrestle-with-marijuana-marketing/article_cc0100b4-eab5-5efd-b114-b27852107e3c.html
- 13 Colorado Department of Public Health and Environment, "Responsibility Starts with Knowing the Laws." <u>http://</u> <u>responsibilitygrowshere.com/laws</u>
- 14 Washington State Office of Financial Management, "Monitoring Impacts of Recreational Marijuana Legalization," March 2017. <u>https://www.ofm.wa.gov/sites/default/files/public/legacy/</u> reports/marijuana_impacts_update_2016.pdf
- 15 Washington State Institute for Public Policy, "I-502 Evaluation and Benefit-Cost Analysis," September 2017. <u>http://www.wsipp. wa.gov/ReportFile/1670/Wsipp_I-502-Evaluation-and-Benefit-Cost-Analysis-Second-Required-Report_Report.pdf</u>
- 16 Police Foundation and the Colorado Association of Chiefs of Police, "Colorado's Legalizatoin of Marijuana and the Impact on Public Safety," 2015. <u>https://www.nccpsafety.org/assets/ files/library/Legalized_Marijuana_Practical_Guide_for_Law_ Enforcement.pdf</u>
- 17 There have been multiple instances of people committing violent marijuana-related crime in west coast rural unincorporated areas where marijuana is grown, incentivized by the high street value of marijuana on the east coast. Jackson County, Oregon, and Sonoma County, California, have experienced this phenomenon in recent months, where multiple groups have driven from east coast states in order to rob rural marijuana growers.
- 18 County of Santa Barbara, "Cannabis Land Use Ordinance and Licensing Program Final Environmental Impact Report," December 2017. <u>http://longrange.sbcountyplanning.org/programs/cannabis/ Environmental/FEIR/Individual%20Sections/3.12_Traffic_SBC_ CannabisEIR_FEIR.pdf</u>
- 19 Colorado Department of Public Health and Environment, "Marijuana use trends and health effects." <u>https://www.colorado.gov/cdphe/marijuana-health-report</u>
- 20 Washington State Office of Financial Management, "Monitoring Impacts of Recreational Marijuana Legalization," March 2017. https://www.ofm.wa.gov/sites/default/files/public/legacy/ reports/marijuana_impacts_update_2016.pdf
- 21 Colorado Department of Public Health and Environment, "Marijuana Use Among Youth in Colorado, Healthy Kids Colorado Survey 2015." <u>https://www.colorado.gov/pacific/sites/default/</u>

files/PF_Youth_HKCS_MJ-Infographic-Digital.pdf

- 22 National Institute of Drug Abuse, "Is Marijuana Addictive?," June 2018. <u>https://www.drugabuse.gov/publications/research-reports/marijuana/marijuana-addictive</u>
- 23 National Institute of Drug Abuse, "Is Marijuana a Gateway Drug?," June 2018. <u>https://www.drugabuse.gov/publications/research-reports/marijuana/marijuana-gateway-drug</u>
- 24 National Institute of Drug Abuse, "What are Marijuana Effects?," June 2018. <u>https://www.drugabuse.gov/publications/research-reports/marijuana/what-are-marijuana-effects</u>
- 25 Police Foundation and the Colorado Association of Chiefs of Police, "Colorado's Legalizatoin of Marijuana and the Impact on Public Safety," 2015. <u>https://www.nccpsafety.org/assets/</u><u>files/library/Legalized_Marijuana_Practical_Guide_for_Law_Enforcement.pdf</u>
- 26 Washington State Office of Financial Management, "Monitoring Impacts of Recreational Marijuana Legalization," March 2017. https://www.ofm.wa.gov/sites/default/files/public/legacy/ reports/marijuana_impacts_update_2016.pdf
- 27 Colorado Department of Public Health and Environment, "Marijuana use trends and health effects." <u>https://www.colorado.gov/cdphe/marijuana-health-report</u>
- 28 Oregon Department of Environmental Quality, "Permitting of marijuana businesses." <u>https://www.oregon.gov/deq/</u><u>Regulations/Pages/Marijuana-Regulation.aspx</u>
- 29 Jackson County Development Services, "Marijuana Production in Jackson County FAQ," July 27, 2018. <u>http://jacksoncountyor.org/ ds/General/Marijuana</u>
- 30 City and County of Denver Department of Environmental Health, "Cannabis Environmental Best Management Practices Guide." <u>https://www.denvergov.org/content/dam/denvergov/</u> <u>Portals/771/documents/EQ/MJ%20Sustainability/Best%20</u> <u>Practices%20Management%20Guide%20web%20-%20final.pdf</u>
- 31 Jackson County, "JC Potpourri: Marijuana in Southern Oregon -Growing Pains," May 10, 2017. <u>http://jacksoncountyor.org/County/Video-TV/County-Close-Up/ArtMID/11580/ ArticleID/249662/JC-Potpourri-Marijuana-in-Southern-Oregon-Growing-Pains</u>
- 32 See, for example, Santa Rosa, California case study
- 33 See, for example, Kirkland, Washington case study
- 34 See, for example, Battle Creek, Michigan (https://battlecreekmi. gov/637/Medical-Marihuana) or Carpinteria, California case study

Local Impacts of Commercial Cannabis CASE STUDIES

The following case studies describe the motivations, processes, and decisions of 10 local governments to regulate commercial cannabis activities in their communities. Though selected from states with longer histories of recreational and medical cannabis laws, these local governments are continuing to monitor the industry and adapt their strategies.

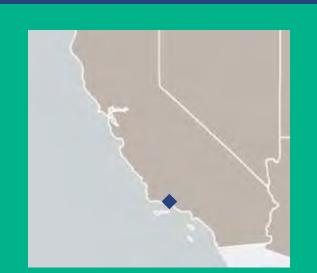
case study: Carpintera, California

Carpinteria is bordered by the Pacific Ocean to the southwest and rural oceanside hills to the southeast, while the areas north and northwest of the city are agricultural zones dotted with greenhouses primarily for the cut flower industry. That industry was once a thriving sector in California's economy, but many years of competition have decimated it. Greenhouses that once grew flowers are now prime real estate for recreational cannabis cultivation.

The marijuana industry has been moving into Carpinteria Valley greenhouses for years, but the pace of turnover increased once flower growers began to look for more profitable ventures. Some greenhouse tenants and owners turned to growing vegetables or even stayed with flowers, but many others have converted to growing cannabis or sold their stake to someone who does.

City and County

The City of Carpinteria has instituted a moratorium on legal marijuana businesses through May 2019 while it continues a deliberate process of determining regulations for the city. In contrast, Santa Barbara County



COMMUNITY PROFILE

Population (2017): 13,622 Land area (in sq. miles): 2.59 Median Household Income: \$72,901 Source: United States Census Bureau moved quickly to establish regulations for allowing cultivation and other cannabis businesses as soon as California licensing became available. Santa Barbara County is the home of the most cannabis cultivation licenses in California, outpacing the counties of Humboldt, Mendocino, and Trinity, counties known for their marijuana cultivation.¹ All of those licenses in the vicinity of Carpinteria, many of which were originally granted for growing medical marijuana, lie on Santa Barbara County unincorporated land. Carpinteria's incorporated area does not include the agricultural portion of the Carpinteria Valley, and the city does not regulate it.

After the passage of Proposition 64 in November 2016, Santa Barbara County first began the process of deciding how to approach locally regulating the cannabis industry. At that point, Carpinteria city officials were poised to work alongside Santa Barbara County officials and attended multiple meetings with county officials on the subject. However, it soon became clear that the city and the county were guided by different philosophies. Carpinteria's interest in potentially allowing and regulating cannabis businesses stemmed from public support within the community, but city officials and residents were, and still are, in favor of a cautious and deliberate approach to developing regulations. Santa Barbara County was under pressure to quickly establish its regulations in order to limit the impact from a large and growing number of unregulated or black-market cannabis operations, generate revenues, and create a commercially viable cannabis market as an alternative to lost jobs in the cut flower industry.²

These differences in approach forced Carpinteria into a reactionary position. As Santa Barbara County proceeded with its big-picture approach through the summer of 2017, tension was high in Carpinteria from a frustrating process of legal proceedings. The city was able to extract some of what it wanted from the county, such as a cap on greenhouse canopy size and a prohibition on outdoor cultivation.

Currently, the area's cannabis cultivation industry is operating in the California Coastal Zone, which includes the Carpinteria Valley, through county-issued interim permits until the formal permitting, regulation, and revenue-collection process passed by Santa Barbara County undergoes a legal review by the California Coastal Commission. Cannabis operations in Santa Barbara County outside the Coastal Zone are operating under the county's land use code and Cannabis Business License Ordinance as of June 2018.³

Preserving the Character of Carpinteria

Cut Flower Industry

The Carpinteria Valley cut flower industry had been struggling for years due to international competition. Low-wage workforces in South and Central America left California flower growers unable to compete on price, leaving many as the owners and lessees of empty greenhouses. A number of those greenhouse owners and lessees turned to cannabis cultivation due to the high value of the crop. The first to convert were medical cannabis cultivators under the previous regime of California medical cannabis law. Local governments had little to no regulatory or administrative authority over these operations, leaving unfixed problems that were generally foreign to flower growers, such as noxious odors and security issues. As Santa Barbara County registers and regulates these operations under the new commercial cannabis regulatory regime, those issues should subside.



Cannabis greenhouse

Economic Equilibrium

The City of Carpinteria's interest in strengthening the county's cap on cannabis cultivation is twofold. One concern is ensuring that agriculture in the Carpinteria Valley is not dedicated to a single use. The flower industry decline was especially painful as most greenhouses were entirely dependent on it.

Community character and aesthetics comprise the second motivating factor for a cap. In 2002, Santa Barbara County enacted an ordinance to preserve open field agriculture and limit unsightly piecemeal greenhouse construction, but Carpinteria was concerned that a lack of a regulatory cap on cannabis cultivation could undermine that ordinance. A booming cannabis cultivation industry could potentially take over the Carpinteria Valley's available greenhouses and increase the demand for the construction of even more greenhouses.

At this point in its lifecycle, the cannabis cultivation industry has different effects on local economic activity than the cut flower industry. Observations from Carpinteria show that cannabis cultivation generates less intensive industrial traffic than cut flowers. However, that may be offset by increased traffic from laborers. Greenhouse cannabis cultivation uses approximately 595 square feet per worker (FTE), compared to (conservatively) 38,314 square feet per worker for cut flower growing.⁴ This discrepancy is confirmed anecdotally in Carpinteria, with far more cars parked outside the greenhouses that have moved to cannabis cultivation as opposed to those growing flowers or vegetables.

Odor

Medical cannabis has been growing and generating odor just outside Carpinteria city limits for the past few years, but the problem worsened when recreational cannabis was authorized. Agriculture is typically not subject to odor complaints under Right to Farm protections, and Santa Barbara County regulated medical cannabis cultivation in this manner as well.⁵ This led to an underenforcement of nuisances like odor and the lack of a regulatory infrastructure at the onset of recreational cannabis, with many residents voicing their complaints. Carpinteria High School, across the street from several greenhouses that cultivate cannabis, was forced to air out classrooms and send home students who were negatively impacted by the odor.⁶

The odor situation has improved in Carpinteria over the past year as some of the greenhouse cannabis cultivators have started to take steps to prevent odors, investing significantly in odor mitigation technology. Santa Barbara County cited evidence from San Diego and established Carpinteria cultivators showing this technology, called a Vapor-Phase System, to be effective in mitigating odors from greenhouse cannabis cultivation facilities.7 There are limited number of greenhouses continuing to emit strong odors and operate without the preventative measures. Those greenhouses will either be required to mitigate odors in order to become compliant or will be shut down once Santa Barbara County begins to regulate cultivators within the Coastal Zone following the review by the California Coastal Commission.

Key Observations

The City of Carpinteria prohibited all commercial activity in the previous medical cannabis regulatory regime, but the city will potentially allow some commercial cannabis operations once their new regulations are developed and adopted. Those operations will likely be limited to manufacturing and testing to complement the already existing cultivation in the Carpinteria Valley. The Carpinteria City Council is not currently inclined to allow recreational cannabis retail stores and believes they would cause neighborhood problems, an assumption based on observing the previous iteration of medical cannabis stores that existed under the earlier state regulations. The council's preferred approach is to watch the results of recreational cannabis storefronts in other cities before deciding whether to allow them in Carpinteria.

Although Carpinteria's long-term priorities are clear, City Manager David Durflinger notes that it is challenging for a small local government to develop the expertise necessary to both interact in a regulatory process with an adjoining county and to develop its own regulations.

Interviewee:

David Durflinger, City Manager

Endnotes

- 1 Brooke Staggs, "So far, California has 6,000 licensed cannabis businesses. Here's what that looks like," The Orange County Register. April 27, 2018. <u>https://www.ocregister.com/2018/04/27/so-far-california-has-6000-licensed-cannabis-businesses-heres-what-that-looks-like/</u>
- 2 Bozanich, Dennis, email to Will Fricke, July 9, 2018.
- 3 County of Santa Barbara, "Cannabis Amendments to County Ordinance Now in Effect," June 7, 2018. <u>http://cannabis. countyofsb.org/news-events.sbc</u>
- 4 William A. Matthews, Daniel A. Sumner, Josué Medellín-Azuara, and Tristan Hanon, "Economics of the California Cut Flower Industry and Potential Impacts of Legal Cannabis," University of California Agricultural Issues Center, August 30, 2017.
- 5 County of Santa Barbara, "Final Environmental Impact Report (EIR) for the Cannabis Land Use Ordinance and Licensing Program," Page 8-13, December 2017
- 6 David Durflinger, interviewed by Laura Goddeeris and Will Fricke, June 26, 2018
- 7 County of Santa Barbara, "Final Environmental Impact Report (EIR) for the Cannabis Land Use Ordinance and Licensing Program," Page 8-7, December 2017

case study: Durango, Colorado

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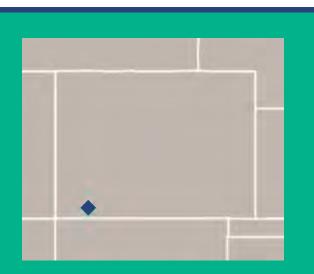


The City of Durango is located along a historic railway and the Animas River at the foot of the San Juan Mountains in southwest Colorado. Home to 18,000 residents and a key destination in the Four Corners region, tourists and commuters nearly double its population daily.

An Industry Emerges

In 2000, La Plata County and the City of Durango voters strongly supported an amendment to Colorado's state constitution legalizing medical cannabis. However, nearly a decade would pass before any legal commercial activity materialized due to uncertainty surrounding federal preemption. The Obama administration's initial issuance of guidelines for states with legal medical cannabis, which indicated that the Department of Justice would not prioritize prosecutions, provided a long-awaited green light to would-be operators.

Durango's staff was caught off-guard when the first business approached the clerk's office for a cannabis license in 2009. Quick consultations with the city attorney and administration confirmed a lack of any local restrictions at the outset, resulting in the issuance



COMMUNITY PROFILE

Population (2017 Census Estimate): 18,465 Land Area (square miles): 9.92 Median Household Income: \$60,334 Source: United States Census Bureau of four early commercial medical licenses at just \$50 apiece (the general business license fee)—including to one cultivation operation.

This triggered an exhaustive process to determine the appropriate zoning, fees, and other local restrictions on such businesses. Multiple moratoria were implemented while the city engaged in research and discussion. While initial discussions were limited to medical marijuana, the legalization of recreational marijuana in 2012 extended the conversation such that the city was actively working on some aspect of local marijuana issues all the way through the end of 2017.

Though Durango residents voted in support of legalization in both 2000 and 2012, the process to develop regulations was contentious. Identifying appropriate setbacks from sensitive uses such as schools, daycare centers, and parks proved especially challenging, as the default state standards did not align well with the city's long and linear orientation and needed to be reduced (either by right or with a variance) in order to provide enough options for businesses. Other major concerns included the location and number of businesses within the Central Business District, potential issues with lights used by cultivators, and security and fire code compliance. Recognizing that land use decisions can be hard to revert once a door is opened, city staff feel this discussion was worthwhile.

The most significant progress was made in 2014, when a series of ordinances were passed establishing comprehensive land use standards and a local licensing process for commercial medical/nonmedical retail and testing businesses. License fees increased to as much as \$10,000 for a new business and \$8,000 for a renewal every year.¹ Commercial cultivation and manufacturing of infused products were prohibited based on a shared understanding with La Plata County about the types of uses best suited to county and city land.

Since then, the city has received annexation requests that would extend water and sewer services to marijuana cultivators located on fringe land. Following discussions with staff, the planning commission, and the city council, the city decided to extend water and sewer services in exchange for long-term control of land use planning. Reasoning that users—including marijuana cultivators—could come and go, city officials believed it would be advantageous to apply the city's more rigorous requirements for elements such as sidewalks, street trees, and signage.



Cannabis dispensary

A Regulated Industry: Initial Impressions

Though the city did not place explicit caps on the number of licenses allowed and did loosen some of the setback requirements, prospective businesses still had trouble finding locations because property owners were reluctant to lease for such uses. As a result, businesses were forced to turn to purchasing their own property at premium prices.

For those businesses that were able to secure locations, the initial licensing and enforcement process was challenging as the state provided little guidance and the rules continued to evolve. Durango's liquor licensing authority expanded its oversight to include marijuana licensing and devoted time to screening and rejecting applications from businesses whose employees had histories of criminal activity. Eventually, the city concluded that decision could be left to the operators who could be expected to act in the best interest of their legal businesses.

Code enforcement was also intense at first to ensure businesses were operating in line with the newly established regulations. While he can recall scattered specific incidents of crimes tied to marijuana activities in the early days of statewide legalization, City Manager Ron LeBlanc is not persuaded of a significant negative impact on public safety. From an enforcement perspective, staff feel the industry has actually been easier to regulate than liquor licenses.

Though Durango did not pursue a dedicated local tax on marijuana as a part of its 2014 regulations, the standard 3-percent local sales tax still applied to the industry. Revenues from marijuana businesses exceeded local expectations, suggesting the black market had been much larger than the city had anticipated. Total sales and use taxes collected by the city jumped by approximately \$1 million from 2014 to 2015.²

The cash-based nature of those taxpayers presented an additional complication for Durango City Hall, which was not a fully secure facility when marijuana businesses first started to pay local taxes. Though security has since changed, finance staff were unnerved when the first businesses showed up to pay monthly tax bills with stacks of cash, and parking staff needed to accompany them when making transfers to the bank.

The Industry Matures

With no new business applications submitted in the last two years, the industry appears to have reached market saturation in Durango. Prices are coming down, businesses are consolidating, and protests from the vocal minority opposed to the industry have faded.

Durango's administration believes the impact on tourism has been a net positive, noting a steady stream of creative business proposals for transportation and green tourism experiences over the last few years. At the same time, ample restrictions on consumption, including in private social clubs, help to keep use out of public view.

In 2017, with marijuana sales responsible for about \$825,000 in sales tax revenue—just over 3 percent of the city's total sales tax collected—Durango floated the possibility of a dedicated marijuana excise tax.³ Already burdened with a significant increase in the State of Colorado's tax rate (with no additional pass-through to local governments), the industry responded in force against the proposal and city leaders were forced to abandon those plans.

Key Observations

Durango's 2017 attempt to further raise revenues from its successful marijuana businesses with a specific excise tax was met with strong industry opposition. Local governments should consider these issues early, before new taxes would burden the industry.

The marijuana black market in and around Durango was much larger and more active than the city realized, evident from the higher-than-predicted sales tax revenue. At the same time, other local governments have seen tax revenues fall short of expectations. Rather than predicting a specific number, a wide range of possible tax revenues should be analyzed.

Interviewees:

Ron LeBlanc, City Manager Amber Blake, Assistant City Manager Dirk Nelson, City Attorney Amy Phillips, City Clerk Chris Harlow, Deputy City Clerk Ben Florine, Deputy City Clerk Suzanne Sitter, Legal Coordinator

Endnotes

- 1 City of Durango, "Licensing of Marijuana Businesses." <u>http://</u> www.durangogov.org/index.aspx?NID=181
- 2 City of Durango, "Sales & Use Tax Combined," June 14, 2018. http://www.durangogov.org/ArchiveCenter/ViewFile/Item/112
- 3 City of Durango, "Sales Tax Collections For Twelve Months Ending December 2017." <u>http://www.durangogov.org/ArchiveCenter/</u> ViewFile/Item/315

CASE STUDY: Fort Collins, Colorado

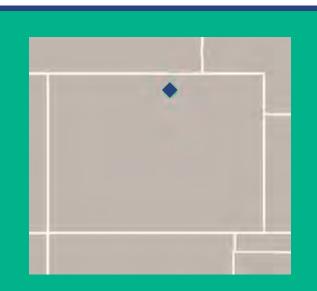


Fort Collins is a city in northern Colorado known for its picturesque landscape, craft breweries, and bicycle culture. Home of Colorado State University and campuses for the technology companies Hewlett-Packard, Intel, and Agilent, the city of 164,000 has made strides in smart city utilities innovations.

In 2000, Colorado voters passed Amendment 20, legalizing small amounts of medical marijuana in the state. A July 2009 language change by the Colorado Board of Health in the state medical marijuana law removed patient limits on medical marijuana caregivers, allowing them to become de facto dispensaries.¹ The change caused a rush in requests for the types of licenses that would allow people to be medical marijuana caregivers, such as home occupation licenses.

In December of 2010, Fort Collins enacted an emergency moratorium in order to end the rush of medical marijuana dispensaries, which had quickly outpaced the city's desire to evaluate and regulate this new business type.

In March of 2011, the Fort Collins City Council took action to proceed with licensing dispensaries, cultivation, and the entire medical marijuana process. By Octo-



COMMUNITY PROFILE

Population (2017): 165,080 Land Area (square miles): 54.28 Median Household Income: \$57,831

Source: United States Census Bureau

ber that year, Fort Collins was home to approximately twenty medical marijuana dispensaries.

The dispensaries were short-lived. In the odd-year election, Fort Collins voters passed a citizen-initiated ballot measure to ban all medical marijuana activities in the city. Enforcement was completed by February 2012.

The ban on medical marijuana lasted just one month longer than the first iteration of allowing dispensaries. In the 2012 election, another citizen-initiated ballot measure brought back the medical marijuana dispensaries. This city-wide ballot measure was separate from and concurrent with Colorado's Amendment 64, which legalized adult recreational use and retail sales throughout the state. However, since Amendment 64 included a local government opt-in provision, Fort Collins staff was able to focus on medical marijuana before taking on retail sales. Following the conclusion of the medical marijuana reinstatement, the City Council adopted regulations for a limited recreational marijuana business license process.

Regulations

The second citizen-initiated ballot measure for medical marijuana built in a cap for dispensaries tied to the number of cardholders: one medical marijuana dispensary would be allowed for every 500 medical marijuana cardholders in Larimer County. This cap was proposed by marijuana proponents as a way to make the second iteration of medical marijuana more palatable for the electorate. Currently, there are enough medical marijuana cardholders to allow for nine medical dispensaries in Fort Collins. However, due to a provision that grandfathered in any dispensary that had been shut down in February 2012, eleven licenses have been granted to medical marijuana dispensaries, ten of which also have a retail-recreational marijuana license.

Since Fort Collins requires a medical marijuana dispensary license before granting a retail dispensary license, the cap also acts as a limit on recreational marijuana licenses.

Fort Collins also grants cultivation licenses, but only to holders of another marijuana business license, such as retail or manufacturing. Personal cultivation in homes with shared walls, sheds, or detached garages and in mixed-use buildings is also banned in Fort Collins, due to safety and odor concerns. Greenhouses, while not banned, must follow the requirement that cultivation only be done in a "locked and enclosed" space. They are de facto banned for non-commercial cultivation, due to the requirement that personal use cultivation not take place in outbuildings.

Despite these regulations, Fort Collins still has to combat illegal and unlicensed cultivation. Fort Collins' marijuana enforcement officer investigated approximately fifty complaints in 2017 and is on track to meet that number in 2018.

Fort Collins took additional steps to manage the divided community by restricting the locations of business through zoning, implementing setback requirements, and regulating the type and level of advertising that dispensaries can utilize.

Far exceeding the state's restrictions, Fort Collins broadly bans signage and advertising that would clearly associate the location with marijuana, as well as prohibiting portable advertising such as leaflets, flyers, and handheld signs.²

While the regulations are stringent and specific, they are not always easy to enforce, especially when it comes to odor complaints. Lots of industrial warehouse space in Fort Collins has been bought or rented for marijuanarelated activity, creating clusters of marijuana businesses. Due to the way in which the spaces are divided and located, it can be difficult to pinpoint the source of odor issues.

Staffing

Fort Collins convenes an interdepartmental taskforce with representation from the fire department, planning department, clerks, police, and other departments as appropriate. This task force monitors the marijuana environment in Fort Collins and Colorado as a whole and makes recommendations to the council on any changes needed to the marijuana code, stemming from everything from upcoming state legislation to nuisance indicators.

Fort Collins hired an outside attorney through an open bid to serve as the retail marijuana licensing authority. The attorney performs duties such as receiving applications, making decisions on whether to grant licenses, and leading hearings. The cost of the attorney is covered through licensing fees. Fort Collins hired an outside attorney to perform these tasks because the municipal judge, who is also the liquor licensing authority, declined the authority to do so based on her workload. The city has a single police officer dedicated to marijuana enforcement who performs pre-inspections and spot inspections. Originally, inspections were conducted by police officers who were not able to go out on patrol due to injuries, causing the task to be seen as undesirable. The dedicated marijuana enforcement officer, a well-respected and long-time Fort Collins police officer, emphasizes relationship building with license holders as well as the state marijuana enforcement division.

The Colorado General Assembly creates new types of marijuana licenses annually. Fort Collins has lobbied at the state level to ensure that these new licenses have opt-in provisions at the local level. With local government opt-ins, the Fort Collins task force has the ability to review new license options and weigh community impacts when determining whether to allow them.

Recent examples include the addition of a research license, which was desired by a local start-up company. The task force decided that the impact from the research license was manageable, as this license does not allow for the selling of marijuana and involves only a small number of plants. Alternatively, Fort Collins decided against approving a license for off-premises storage based on a task force recommendation. Additional storage of large quantities of marijuana was seen as undesirable by the task force, and the Fort Collins marijuana businesses did not express the need for this type of license.

A Community Divided and the Industry Today

Fort Collins residents are often split on issues, and marijuana has been no different. In the heavily valuesbased debate during the back-and-forth bans of 2011 and 2012, opponents of legal marijuana painted a doom-and-gloom picture while proponents focused on health aspects of medical marijuana and argued that prohibition is ineffective at reducing illegal activity. Years later, with new regulations in place, marijuana remains a lightning rod and a complex issue in Fort Collins. To avoid controversy and regulation fatigue, staff and the task force package issues together for council action, even for issues as simple as ordinance clean-up.

While opposition still exists in the community, the industry has been able to mature. City staff describe businesses as increasingly professional and better able to control for issues like odor and underage purchasing. Development pressure on industrial land is palpable, but restrictions on licenses keep growth in check.

Key Observations

Fort Collins goes a long way to ensure that residents opposed to marijuana businesses are not burdened or bothered by them. These efforts are evident in the city's advertising restrictions, cultivation requirements, and method of bringing issues to the Council. Overall, the thinking in Fort Collins is to keep marijuana compliant with an "out of sight, out of mind" philosophy. By tying the number of dispensaries allowed to the number of medical cardholders in the county, Fort Collins was able to balance allowing marijuana businesses, in compliance with the results of the initiative, with managing the number of businesses. When considering additional types of licenses, Fort Collins checks with the existing businesses on what licenses they need and only approves what is needed. Instituting a needsbased cap on businesses and only allowing the licenses that existing businesses need, the city is better able to manage industry growth.

Through appropriate preparation, task-specific staffing, collaboration, and bringing in outside help, Fort Collins was able to properly manage its in-demand marijuana industry without being overwhelmed, as well as cover a significant portion of the costs of regulating the industry.

Interviewee:

Ginny Sawyer, Policy & Project Manager

Endnotes

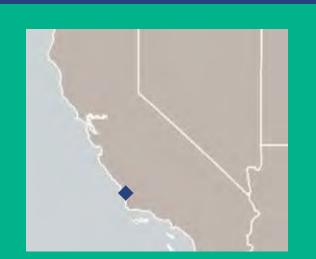
- 1 "Auraria crowd stands up for access to medical marijuana," Denver Post, May 6, 2016. <u>https://www.denverpost.com/2009/07/20/</u> auraria-crowd-stands-up-for-access-to-medical-marijuana/
- 2 See the Article XIV of the Fort Collins Municipal Code, which implements provisions of the Colorado Medical Marijuana Code (https://library.municode.com/co/fort_collins/codes/ municipal_code?nodeld=CH15LIBURE_ARTXVIMEMA) and Article XVII, which implements provisions of the Colorado Retail Marijuana Code (https://library.municode.com/co/fort_collins/ codes/municipal_code?nodeld=CH15LIBURE_ARTXVIIREMA_ DIV3LIFEREPR_S15-617SIAD).

CASE STUDY: Grover Beach, California

Grover Beach is a small bedroom community on California's Central Coast, located along the iconic Pacific Coast Highway 1 and U.S. Highway 101, halfway between San Francisco and Los Angeles. The seaside city, along with the neighboring cities of Pismo Beach and Arroyo Grande and the wineries of San Luis Obispo County, is a popular tourist destination.

The City of Grover Beach's initial efforts to regulate commercial cannabis activities trace back to late 2015, after the state passed a package of bills outlining new medical cannabis regulations. California local governments were under the direction from the state to pass land use regulations that regulated or prohibited commercial medical cannabis activities; if local governments did not do so, the state would become the sole licensing authority in that municipality. The ultimatum caused many local governments, including Grover Beach, to pass indefinite or permanent moratoriums on commercial medical cannabis activities by the state's March 1, 2016 deadline.

While the moratorium was in effect, the Grover Beach City Council directed City Manager Matthew



COMMUNITY PROFILE

Population (2017 Census Estimate): 13,628 Land Area (square miles): 2.3 Median Household Income: \$58,895 Source: United States Census Bureau Bronson and his staff to draft regulations and a proposed tax structure for the purpose of allowing commercial medical cannabis activities in the future. Such activities were seen by the City Council as an economic opportunity for the city in attracting private investment and providing additional jobs. The tax structure, which covered both medical and recreational cannabis businesses if also allowed by state and local laws, was approved by 70 percent of voters in November 2016 the same election in which the statewide proposition to legalize recreational use passed.

Regulation Development

Between November 2016 and May 2017, Grover Beach crafted broad regulations that would allow a wide range of commercial medical cannabis businesses in the city. Cannabis was on the agenda of multiple public workshops and approximately ten to fifteen planning commission and council meetings, drawing the largest turnout ever for a council meeting in January 2017. Public engagement has decreased substantially over time, even though the regulations established in May 2017 continue to be modified to reflect changes made at the state level and the needs of Grover Beach. While initial regulations were limited to commercial medical cannabis activities only, in May 2018 they were expanded to the recreational or adult-use market through a series of amendments ultimately approved on the council's consent agenda.

The city allows every type of commercial cannabis license including cultivation, processing/manufacturing, testing, distribution, and retail. All cultivation must be conducted in an enclosed indoor space; both outdoor and greenhouse cultivation are explicitly prohibited in Grover Beach given concerns about security and ensuring architectural compatibility with buildings in an industrial zone. (Other cities ban greenhouse cultivation due to operating hours enforcement and the potential for a dispute over the definition of a greenhouse.)

Like some other built-out or compact cities, Grover Beach chose to reduce certain sensitive-use setbacks in this case, setbacks related to youth centers. This is because the state's default setbacks would have resulted in a de facto ban on commercial cannabis businesses, given the proximity of Grover Beach youth centers to industrial zones where cannabis businesses would otherwise be allowed. With local regulations still restricting cannabis businesses to industrial areas, the city felt comfortable in determining reasonable setback requirements to address community needs.

In addition to stringent cannabis-specific safety and security measures that exceed the state's requirements, Grover Beach mandates that commercial cannabis businesses make public improvement to their properties to meet code requirements, such as fixing curbs, sidewalks, and landscaping. This mandate is due to commercial cannabis businesses needing a discretionary use permit to operate in contrast to "allowed" uses that do not trigger the same level of code requirements. City Manager Bronson described these required improvements as an opportunity to "raise the bar" on the development standards and aesthetics of the city's industrial areas. Due to the strength of the retail applicants and stringent regulations, Grover Beach increased its original cap of two retail businesses set in May 2017 to a cap of four in December later that year. As of May 2018, the city has issued four retail permits and four manufacturing permits with several other manufacturing permits expected to be issued by mid-2018.

An Economic Development Opportunity

Grover Beach expects to be a production, distribution, testing, and retail hub for boutique cannabis products due to the city's available industrial land, proximity to major highways, and array of products already being produced in the area. With the opening of its first cannabis retail facility in May 2018, Grover Beach has the lone commercial cannabis location for well over one hundred miles.¹ It is anticipated to cause a significant increase in business from locals as well as tourists heading to the adjacent Pismo State Beach, many of whom are from the commercial cannabis-free California Central Valley.

"As a City Manager looking at economic development, I see the opportunity to create a cannabis ecosystem in our community given our unique niche in this field."

Matthew Bronson

Grover Beach has made a market-based choice to embrace the commercial cannabis industry in a thoughtful and safe manner. Existing businesses in the city are generally supportive of the move to allow commercial cannabis development, but there have been impacts from this changing market condition. The intention to create a free and open market for commercial cannabis



Courtesy of Grover Beach

Opening day for Grover Beach's first retail cannabis establishment.

has caused land value in the industrial park area to rise, and the rent for existing business owners has risen with it. Some businesses have had to relocate to other parts of the city, and some have left Grover Beach entirely. Nevertheless, the city expects a significant overall net increase in the number of businesses, jobs, and tax revenues due to the influx of commercial cannabis.

The coastal California city will be looking to multiple metrics for judging the initial success of commercial cannabis, mainly tax revenue and the number of new businesses. Grover Beach's tax structure is a 5 percenttax on gross retail receipts and 3 percent on gross receipts of manufacturers, distributors, and other commercial uses. It also includes a \$5 per square foot tax on cultivation uses.

One of Grover Beach's objectives was to not tax cannabis businesses back into the underground economy. The 5 percent tax on gross retail receipts was originally 10 percent, as approved by the voters. The City Council lowered the rate in order to follow the general rule of thumb to not exceed a 30-percent effective tax rate on an industry. Total revenues from commercial cannabis businesses are forecast to climb from approximately \$700,000 in the first fiscal year toward up to \$1.5 million annually once the industry matures, which would equate to nearly 20 percent of the city's general fund. The city conservatively estimates the recent expansion to the adult-use market may yield a 25-percent increase in revenue.

Key Observations

Grover Beach moved forward with the intention of treating this industry as a major economic development opportunity. The relative equidistance between Los Angeles and San Francisco, lack of commercial cannabis activity in in the area, and available industrial land marked Grover Beach as an ideal location for commercial cannabis businesses to open distribution and manufacturing operations.

While motivated by economic development, the city's approach has been measured. Grover Beach has leveraged its industry assets to gain additional value from these businesses through required property improvements. At the same time, the city has continued to adapt its tax scheme to ensure the businesses aren't driven back underground.

It is also worth noting perhaps the biggest risk of making this industry part of an economic development strategy: it exists in the shadow of the federal government. Manager Bronson notes that any new or more aggressive enforcement has potential for a "chilling effect" on the industry both statewide and in Grover Beach. The inability of cannabis businesses to use the banking system, given federal restrictions, is also a continued challenge given the scale of the multi-billiondollar cannabis industry.

Thus far, however, Grover Beach has instituted a thorough process to develop and tweak regulations that have helped the public and business community to buy in. The public has since complimented the city on how regulated the industry is, and as a result, has been supportive of its local growth. Evidence from this case and others suggests that starting with stringent regulations on commercial cannabis, and slowly relaxing them until the desired outcome is reached, is a more effective method than attempting to tighten already relaxed regulations.

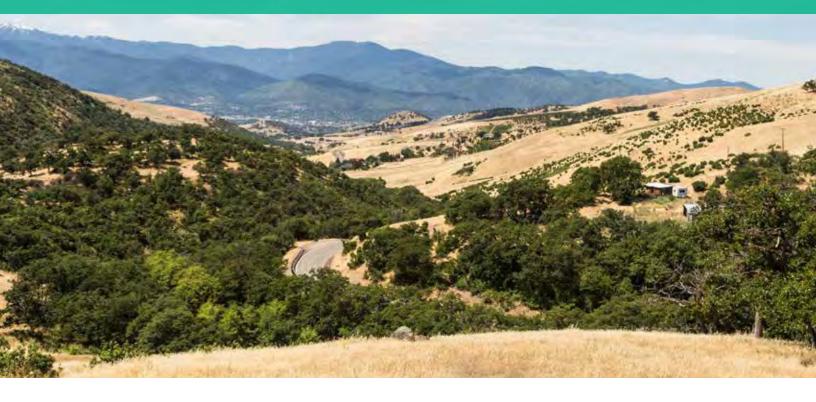
Interviewee:

Matthew Bronson, City Manager

Endnotes

1 Monica Vaughan, Brad Branan, and Nathaniel Levine, "SLO county is a 'pot desert' now-but not for long. A dispensary will open soon," The Tribune, March 26, 2018. <u>http://www.sanluisobispo.</u> <u>com/latest-news/article206482199.html</u>

CASE STUDY: Southern Oregon – Jackson County and City of Ashland



Oregon was the first state to decriminalize personal possession of marijuana in 1973, and its voters legalized medical marijuana cultivation and use in 1998 through the ballot with Measure 67. Multiple efforts to amend the state's medical and recreational marijuana policies were proposed—and generally defeated—in the subsequent two decades, but the dynamic changed in 2014. Citizen-initiated Measure 91, which passed with 56 percent of the vote, authorized the commercial production, sale, purchase, and possession of marijuana for adult recreational use. It delegated recreational marijuana oversight to the Oregon Liquor Control Commission (OLCC) but provided for local governments to establish reasonable restrictions on the time, place, and manner in which the industry could operate in their communities.

As illustrated by the following two cases, the implications for Oregon counties have been distinct from those of municipalities.

JACKSON COUNTY

Jackson County is a southwest Oregon county of 217,000 residents, home to numerous vineyards, campgrounds, and loggers. The county is part of the Southern Oregon American Viticultural Area and is an ideal environment for growing grapes.

Oregon has a unique land use system designed to encourage development in incorporated cities and keep unincorporated county land for farm and forest uses. Since 1973, the state has maintained a progressive farmland protection program through which counties inventory, preserve, and appropriately zone their agricultural resource lands.¹ The state's Right to Farm Law affords further protections from nuisance charges or local restrictions to agricultural activity on land zoned for such use.² Measure 91 was amended by the state legislature in 2015 in an attempt to resolve uncertainty about whether cannabis cultivation is a protected agricultural activity and what types of regulations/restrictions local governments could implement. However, this created more questions than answers. Every local government now has its own regulations on production of marijuana; these can vary widely, which creates state-level enforcement hardships.

Jackson County's rural residential zoning already prohibited commercial agriculture, but Jackson County was progressive and quick in developing its own regulations for marijuana production, processing, and wholesale and retail sales.³ The section added to its Land Development Ordinance in 2016 includes specifications on where marijuana activities can be sited, including buffering and fencing requirements; protections against nuisances such as odor or light pollution; and restrictions on hours of operation. Despite allowing most activities with appropriate regulations, the county has faced significant challenges in the face of legalization, largely tied to marijuana production.

Home to a number of vineyards and pear orchards in the area known as Rogue Valley, Jackson County has an ideal environment for agriculture.⁴ Medford, the county seat, averages 195 sunny days and 52 days of precipitation per year.⁵ The climate in Oregon, especially Jackson and Josephine counties, has attracted a large number of marijuana growers both before and after legalization. Jackson County alone produces over 100 tons of medical marijuana per year as tracked by the Oregon Health Authority; the OLCC does not yet have a complementary system to inventory recreational



COMMUNITY PROFILE

JACKSON COUNTY

Population (2017): 217,479 Land area (square miles): 2,783.5 Median Household Income: \$46,343

Source: United States Census Bureau

marijuana production.⁶ Though legalization has driven up the value of private resource land, arable land, and current farmland that is usable for marijuana, growers are increasing in number, with over 1,000 licensed producers in the state, 203 of which are located in Jackson County. On the sales front, Jackson County has only 34 of Oregon's 550 licensed retailers and 15 of 124 its licensed wholesalers.⁷

Since marijuana cultivation was authorized in Jackson County, code and planning complaints have spiked dramatically. In the 2016 to 2017 period, the first full fiscal year since authorization, the county received 1,038 planning violation complaints and 425 code enforcement complaints—45 of which went all the way to a hearing, close to triple the normal level for the county. In the first 11 months of the 2017-2018 fiscal year, Jackson County received 649 planning violation complaints and 383 code enforcement complaints, according to Jackson County Development Services.

Three important caveats apply to these statistics on complaints: (1) enforcement is complaint-driven and all complaints are investigated; (2) complaints received related to marijuana cultivation in Jackson County are



Courtesy of Jackson County

Aerial footage of Jackson County cannabis farms.

largely attributed to unauthorized growing, not to cultivation that attempts to follow the established regulations; and (3) many residents are hesitant to send in complaints about illegal growing for fear of retribution, so it is believed issues may be under-reported.⁸

Common complaints deal with such issues as the following:

- Excessive use of water and light pollution
- Theft and safety concerns in/around grow sites
- Aesthetics, odor, and/or noise
- Traffic and speeding
- Unpermitted grading, structures, uses, and/or equipment.

The industry has left its mark on the landscape since legalization in other ways. Surveyors must reestablish government corners graded over by illegal growing; assessors have seen an uptick in applications for farming-related tax reductions; and the surveyor's and assessor's offices as well as the road department face new land access challenges now that unauthorized marijuana cultivation, previously hidden on public land, has migrated to private land. Time and resources required in following up on all of these issues and complaints are significant. Though the county receives a share of state revenue collected from the industry, that ratio is weighted toward the number of licenses rather than the canopy size.

Key Observations

Whether Jackson County could have avoided these challenges is impossible to say. Impacts are felt locally

but largely require state-level solutions. Though increased foresight regarding the land use challenges specific to production would have been helpful, Oregonians ultimately advanced legalization, and Jackson County could not opt out of Measure 91 because less than 55 percent of voters opposed the measure. The county's local land use regulations address many of the problematic issues associated with illegal grow sites, providing a path to compliance, but the state's capacity for enforcement of licensed/unlicensed operations has been limited, constrained by the number of officers currently available to serve the region.

While the state's relatively young legal marijuana industry has yet to see a market correction, that may be about to change. Oregon producers and manufacturers may only sell legally in Oregon as federal law prohibits marijuana being transported or sold over state lines. The state reported that 550 tons of marijuana were produced in 2017, but just 170 tons were consumed.⁹ The massive oversupply has led to a dramatic decrease in price, with a number of small-scale businesses folding and the OLCC temporarily halting new license applications while it catches up on those already in the pipeline.¹⁰

Each of Oregon's thirty-six counties faces a unique set of circumstances in regulating this issue, and Jackson County's experience is clearly influenced by its high desirability for marijuana cultivation. Because the marijuana supply chain is still restricted within legalized states' boundaries, it is useful to understand the challenges faced by supply centers.

ASHLAND, OREGON

Located sixteen miles north of the California border and at the southern end of the Rogue Valley, the City of Ashland is home to Southern Oregon University and just over 21,000 residents. Tourists regularly visit Ashland to enjoy its cultural and natural amenities, such as the Oregon Shakespeare Festival and Lithia Park.

Located within Jackson County, the City of Ashland also moved quickly in exercising its ability to enact local commercial marijuana regulations. Many of Ashland's regulations were proactively developed in anticipation of Measure 91's passage to ensure the city was poised to handle potential changes that might occur at the state level.



COMMUNITY PROFILE

CITY OF ASHLAND

Population (2017): 21,117 Land area (square miles): 6.59 Median Household Income: \$47,314 Source: United States Census Bureau

Notably, Ashland addressed the ability to have a local tax on the marijuana industry. Measure 91 was expected to preempt local taxation of marijuana, limiting this ability to the state, but Ashland and other cities believed that local taxes would be grandfathered in if adopted prior to Measure 91's effective date.¹¹ The council approved a 10-percent tax on gross receipts from marijuana sales in August 2014.

Even earlier, in April 2014, the Ashland City Council approved a limited, temporary moratorium on the location and operation of medical marijuana dispensaries. State law already prohibited dispensaries from being located in residential zones, and Ashland's additional measure limited them from commercial/mixed use areas and bought the city time—approximately one year—to discuss potential longer-term regulations. In fact, the city lifted the moratorium just a few months later in August and passed permanent zoning requirements as well as time, place, and manner restrictions for dispensaries. Building on the state's buffering provisions, these zoning requirements further restricted dispensaries to strategic commercial/industrial loca-



Outdoor cannabis cultivation

tions in Ashland, required annual local permits, and addressed hours of operation and odor control.

Like many municipalities, determining the appropriate local regulations for marijuana dispensaries was a high priority. Ashland also accounted for concerns regarding cultivation, particularly in residential areas. Medical marijuana had been legally grown in Ashland for more than a decade, but recreational legalization was expected to increase interest and uncertainty around personal cultivation and provided an opportunity to review past and potential nuisance issues. After several months of meetings and gathering feedback from residents, the city established a set of regulations in January 2015 aimed at striking a balance between what the state had by then authorized and concerns raised by residents and staff. In the end, both indoor and outdoor cultivation were allowed in residential zones with limitations.

Commercial cultivation has been more of a wild card, as the city does not allow other forms of agriculture on commercial or industrial land. In its recommendations to the city council, the Ashland Planning Commission indicated concern about excessive use of electricity and water and about the long-term supply of commercial or industrial land versus job projections for this industry.¹² The city elected to test the waters on commercial indoor grow operations with a cap of 5,000 square feet, but thus far it has not approved any local permits.

Implementation

Voters in this progressive college town supported Measure 91 at a rate of 78 percent.¹³ Though Ashland was not alone in adopting a local tax scheme prior to Measure 91, the legality of these early regulations proved unclear. However, 2015 amendments to state law clearly authorized Oregon cities and counties to refer 3 percent of local taxes on recreational marijuana sales to their voters. Ashland's measure passed, and the council elected to dedicate those proceeds to an affordable housing trust fund. A guiding resolution directs marijuana tax revenue of up to \$100,000 annually to the fund, though with the significantly reduced tax rate the actual contributions thus far have been modest. Ashland also receives a share of the state's marijuana revenue, which is earmarked for public safety expenses per state statute.

Ashland's regulations on residential cultivation limited the number and placement of plants grown outdoors. Recognizing that some would seek to supplement or substitute with indoor cultivation, the land use ordinance requires these activities to comply with building codes, to confine light and glare, and to not overtake residential structures as the primary use. As a further, more readily enforceable layer of protection, the city added a new residential tier to its municipal electric utility rates. The \$0.125 rate applies to residential customer use of more than 5,000 kWh/month, effectively functioning as a penalty tier for extreme usage. (While not part of the original discussion, this measure also proved useful as Bitcoin mining grew in popularity throughout the region.)¹⁴

Tourism is a significant driver of the local and regional economy, and Interim City Manager Adam Hanks believes anecdotal indications of the marijuana industry's impact have been positive. A local ban on public smoking (tobacco-driven, but applicable to marijuana) in the downtown area curtails potential nuisance issues, and enforcement has been fairly routine. Hanks observed early signs of a niche market emphasizing a "craft" product, similar to the beer and wine industries, with tour operators designing regional experiences showcasing the local value-added food, wine, and marijuana producers.

Key Observations

Interim Manager Hanks feels Ashland was successful in its proactive approach to authorizing a legal marijuana industry within the city, and credits a collaborative effort by finance, administration, legal, and especially planning staff in navigating its approach.

Interviewees:

Danny Jordan, County Administrator, Jackson County Adam Hanks, Interim City Manager, Ashland

Endnotes

- 1 Oregon Department of Land Conservation and Development, "DLCD Farmland Protection Program." <u>https://www.oregon.gov/</u> lcd/pages/farmprotprog.aspx
- 2 Oregon Department of Agriculture, "Land Use and Right to Farm." <u>http://www.oregon.gov/ODA/PROGRAMS/</u> <u>NATURALRESOURCES/Pages/LandUse.aspx</u>
- 3 Neighboring Josephine County did not disallow agriculture in rural residential zoning, creating a problem where marijuana farms started to open in rural neighborhoods. Josephine County attempted to disallow agriculture in rural residential zoning, and push the marijuana farms out, through an ordinance. This attempt was overturned by court, because the county failed to follow a procedure as the marijuana farms were grandfathered in. Josephine County is now attempting to eliminate marijuana farming within its jurisdiction through an injunction.
- 4 SouthernOregon.com, "Climate." <u>http://www.southernoregon.com/southernoregonclimate/</u>
- 5 Sperling's Best Places, "Medford, Oregon." <u>https://www.bestplaces.net/climate/city/oregon/medford</u>
- 6 Medical marijuana is regulated by the Oregon Health Authority, while recreational marijuana is regulated by the Oregon Liquor Control Commission. This causes the regulations and enforcement for both sectors to be inconsistent, regardless of the similarities of the products.
- 7 Oregon Liquor Control Commission, "Recreational Marijuana." http://www.oregon.gov/olcc/marijuana/Pages/default.aspx
- 8 Danny Jordan, Interviewed by Laura Goddeeris and Will Fricke, May 9, 2018
- 9 Marijuana Business Daily, "Oregon marijuana oversupply driving out small farmers, lowering prices," April 18, 2018. <u>https:// mjbizdaily.com/oregon-marijuana-oversupply-driving-out-smallfarmers-lowering-prices/</u>
- 10 Denton Record-Chronicle, "Glut of marijuana in Oregon is cautionary tale, experts say," May 31, 2018. <u>https://www. dentonrc.com/ap/glut-of-marijuana-in-oregon-is-cautionarytale-experts-say/article_3328b7ac-9e75-55ec-a645-</u> e792fdb6d133.html
- 11 City of Ashland, "Marijuana in Ashland: What's next?" <u>https://</u> www.ashland.or.us/Page.asp?NavID=16515
- 12 City of Ashland, Council Communication, "Public Hearing on an Ordinance Amending Title 18 Land Use of the Ashland Municipal Code for Homegrown Marijuana and Marijuana-Related Businesses," December 1, 2015. <u>https://www.ashland.or.us/</u> <u>SIB/files/120115_Homegrown_Marijuana_and_Marijuana_</u> <u>Businesses_CC.pdf</u>
- 13 Jackson County Clerk, "Official Precinct Rpts 2-29 Amended," November 24, 2014. <u>http://jacksoncountyor.org/</u> <u>DesktopModules/EasyDNNNews/DocumentDownload.ashx?po</u> <u>rtalid=9&moduleid=5094&articleid=202397&documentid=197.</u>
- 14 Shepherd, Katie, "Bitcoin Miners Are Flocking to Oregon for Cheap Electricity. Should We Give Them a Boost?" February 21, 2018. <u>http://www.wweek.com/news/business/2018/02/21/ bitcoin-miners-are-flocking-to-oregon-for-cheap-electricityshould-we-give-them-a-boost/</u>

CASE STUDY: Juneau, Alaska

Juneau is a rainy and temperate city, with its population largely located along the banks of the Gastineau Channel or in the Mendelhall Valley. Over one million tourists arrive in Juneau annually to visit the Mendenhall Glacier and surrounding landscape.

The Alaskan legal landscape and popular opinion regarding marijuana have fluctuated for over forty years. In 1975, the Alaska Supreme Court ruled that the personal use of a small amount of marijuana was constitutionally protected by the Alaskan Constitution's right to privacy clause.¹ In 1990, a passed ballot initiative recriminalized marijuana in the state, a law that was once again overturned by the courts, this time the Alaska Court of Appeals, in 2003. Just three years later, with Governor Frank Murkowski at the helm and emboldened by a political environment emphasizing "family values," the Alaska state legislature recriminalized marijuana, this time as a misdemeanor punishable by jail time.²

This law stood until the most recent marijuana ballot measure passed in November 2014, allowing possession of up to an ounce of marijuana and legalizing the commercial retail sale, manufacturing, testing, and



COMMUNITY PROFILE

Population (2017): 32,094 Land Area (square miles): 2701.93 Median Household Income: \$87,436

Source: United States Census Bureau

cultivation of marijuana products.³ This ballot initiative is seen as an attempt to regulate marijuana in a similar manner to alcohol. Juneau taxes retail marijuana at an 8-percent effective rate, with identical language and effective tax rate for alcohol sales. According to an analysis from Juneau's Marijuana Committee, an 8-percent tax rate would mean anywhere from \$170,000 to \$455,000 in revenue from the marijuana sales tax per year.⁴

Juneau's motivation for allowing commercial marijuana businesses in the city was twofold. The simplest reason is that voters wanted it. Officials also hold the belief that being overly restrictive would encourage black market sales.

After the 2014 ballot initiative was supported by 63 percent of Juneau voters, the City and Borough of Juneau immediately passed an eleven-month moratorium period on marijuana businesses; this was eventually extended to thirteen months to give time for a marijuana committee made up of assembly and planning commission members to work through the pending issues.⁵ In this period, Juneau passed three ordinances: amending its indoor smoking ban to include marijuana, amending the "driving under the influence" definition to include marijuana, and amending the land use code to include regulations for marijuana businesses. Following the moratorium, Juneau passed additional regulations regulating marijuana oil extractions, allowing marijuana commercial business licenses, and requiring ventilation systems that prevent odor from being detected outside the premises.

One of the marijuana committee's key early decisions was to not cap the total number of licenses, effectively allowing the market to determine how many marijuana businesses Juneau could support. With this approach, it took about one year for the local market to approach equilibrium.

The next decision made was zoning for retail, manufacturing, and testing. Commercial property in Juneau is generally not in conflict with sensitive uses, leaving those categories of commercial marijuana businesses generally unrestrictive within commercial zoning. However, the governing body and community of Juneau struggled with zoning on cultivation. Commercial cultivation is permitted in large-lot rural residential zoning to supplement Juneau's limited industrial and commercial property. Local leaders cited strong citizen support of the state legalization measure in their decision.⁶ Despite fears of unintentionally zoning cultivation



Cannabis product manufacturing

out of the market by restricting it to only commercial and industrial zones, all current cultivation businesses are located in nonresidential zones by happenstance, without complaints from residents. Many residents feared an influx of crime surrounding new marijuana businesses, something that did not materialize. Nevertheless, Juneau may ultimately restrict cultivation in the residential zones in the future because of the evidence that it would not be a burden on the industry.

All cultivation in Juneau is indoors. The state of Alaska allows outdoor cultivation, though the climate and terrain are often less than ideal for it. Wide open spaces that are both suitable for large farms and far enough from residential areas are nearly nonexistent in Juneau. Outdoor or "sunlight" cultivators do exist in the Fairbanks area of the state, where the terrain and weather are far friendlier to outdoor crops.⁷

Alaska's state guidelines do not provide guidance on regulating onsite consumption of marijuana products. Juneau does not allow onsite consumption in an attempt to ensure its public smoking ban is not undermined. However, the city will be watching for state-level changes on the issue. In the future, there may be an opportunity to consider allowing sites with cultivation or manufacturing and onsite tasting, similar to many breweries and distilleries.

Early Issues

While Juneau does allow testing labs, none exist in Juneau due to the difficulties of traveling to and from the city. There are no roads that connect Juneau to the outside world; all travel takes place through air and sea, and all facets of marijuana in Juneau have some associated transportation issues. The retailers in Juneau all grow their own products, but the most convenient testing facilities are in Anchorage, necessitating a ninetyminute flight.

That flight caused some minor problems. Alaska state troopers are under a directive to facilitate the intrastate transportation of marijuana and to make sure transporters follow the law. Early on and without direction from the state, Juneau local police were advising commercial pilots at the municipally-run airport about marijuana in their cargo as a professional courtesy, believing that it was appropriate to advise the pilots of the breach of federal transportation laws. The practice was ended after police determined that the notification was unnecessary and contradictory to the effort to regulate marijuana similar to alcohol.

Another early, unintended consequence of introducing a legal marijuana market was black-market sellers targeting tourists who passed by the marijuana retail storefronts after hours. Eventually, the problem was dealt with by the retail business owners who witnessed the problem on their security cameras, and the need for local police involvement was and remains minimal. With more urgent concerns related to opioids, methamphetamines, and heroin, enforcement of marijuana violations by the state and local police takes a back seat to the more serious drug use problems in Alaska.⁸ Overall, the local police work well with the marijuana businesses and assist with maintaining successful best security practices, treating commercial marijuana like any other business.

Effects on Other Industries

One of Juneau's biggest economic drivers is tourism, with over one million cruise ship passengers visiting Juneau in 2017 to take in the glaciers and picturesque islands, as well as spend money at local businesses.⁹ On any given day, tourists outnumber residents in Juneau's downtown area. An early concern was that some tourists would take the marijuana they buy to the parks, in violation of Juneau's public smoking ban. This concern did not end up materializing, either due to education about the public smoking ban or tourists being too busy with excursions.

Juneau has a medium-sized cadre of indoor vegetable growers, who do not appear to be affected by the marijuana growers. Marijuana growers tend to be more technology reliant and have more stringent security requirements, causing the overlap in desired properties and infrastructure to be minimal.

Key Observations

While Juneau proceeded with marijuana regulation primarily to implement the will of the people and reduce black market activity, several local economic development opportunities have emerged. Transportation challenges and the accompanying limited market potential have limited interest from nonresidents. As a result, the industry has provided a Juneau-centric business opportunity for local residents.

Juneau's unique situation has also resulted in locally anchored and vertically integrated supply chains. Local retailers and concentrate producers, who also double as cultivators, bring marijuana trim on their testing trips to Anchorage. The trim is then sold to Anchorage edibles manufacturers, of which there are none in Juneau, in return for credit that the visiting business owners put toward manufactured products to sell in Juneau.

Interviewee:

Rorie Watt, City Manager

Endnotes

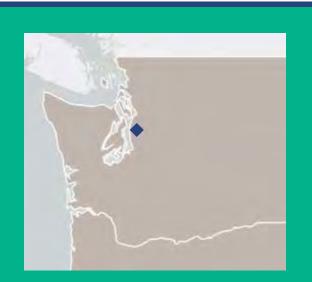
- 1 Christopher Ingraham, "Alaska legalized weed 39 years ago. Wait, what?" The Washington Post, September 24, 2014. <u>https://www. washingtonpost.com/news/wonk/wp/2014/09/24/alaskalegalized-weed-39-years-ago-wait-what/?noredirect=on&utm_ term=.722b3ae4078c</u>
- 2 Megan Edge and Laurel Andrews, "Timeline: notable moments in 40 years of Alaska's history with marijuana," Anchorage Daily News, April 13, 2014 (updated September 28, 2016). <u>https://www.adn.com/cannabis-north/article/alaska-weedhistory/2014/04/14/</u>
- 3 "Ballot Measure No. 2-13PSUM, An Act to Tax and Regulate the Production, Sale, and Use of Marijuana." <u>http://www.elections.</u> <u>alaska.gov/doc/bml/BM2-13PSUM-ballot-language.pdf</u>
- 4 City and Borough of Juneau. "Potential 8% Sales Tax on Marijuana Retail Sales." <u>https://packet.cbjak.org/AttachmentViewer.ashx?At</u> <u>tachmentID=5315<emID=2936</u>
- 5 Office of the City Clerk, "CBJ Responds to Statewide Marijuana Initiative." <u>https://www.juneau.org/beta_transfer/clerk/ASC/</u> MARIJUANA/Marijuana_Committee.php
- 6 The City and Borough of Juneau Assembly, "Commercial Cultivation of Marijuana in Residential Zones," March 21, 2016. <u>https://www.juneau.org/beta_transfer/clerk/ASC/MARIJUANA/ documents/2016-03-22-Commercial_Cultivation_of_</u> <u>Marijuana_in_Residential_Zones.pdf</u>
- 7 "Fairbanks famer prepares to grow cannabis," Anchorage Daily News, June 14, 2016. <u>https://www.youtube.com/</u> watch?v=mjUhWbN_a68
- 8 Rorie Watt, interviewed by Laura Goddeeris and Will Fricke, April 16, 2018
- 9 Cruise Lines International Association, "Cruise Visitor Outlook, Is Regional Planning Important?" February 14, 2018. <u>https://www. dropbox.com/sh/kj55a7e6qdpa5gq/AABhD78QhmCp3ck-7gpTf6WCa/Feb%2014%202018/John%20Binkley?dl=0&previe w=Southeast+Conference+Feb+2018+v+2-13-18.pptx#</u>

case study: Kirkland, Washington

Kirkland is a large Seattle suburb on the shores of Lake Washington. It is the home of a Google campus, numerous beachfront activities, and nearly 90,000 residents. In 2010, Kirkland annexed unincorporated areas of King County, increasing its population by approximately 33,000.

In Washington, recreational marijuana was put on the ballot via initiative following an intense signature collection period. Initiative 502, which proposed to legalize adult recreational use of marijuana, was among a slate of hot-button issues and offices that drew 81 percent of the state's registered voters to the polls in November 2012, with 56 percent voting "yes."¹ In King County, where Seattle, Kirkland, and Issaquah are situated, 60 percent of voters supported the initiative.²

King County municipalities began to make decisions on whether to allow cannabis businesses within their borders during the thirteen-month statewide moratorium imposed by Initiative 502, which ended on December 1, 2013.³ The state allowed for municipalities to "opt out" via an extended or permanent moratorium, and many took the opportunity to enact such a ban. This change forced the issue of cannabis sales and produc-



COMMUNITY PROFILE

Population (2017 Census Estimate): 88,630 Land Area (square miles): 17.82 Median Household Income: \$95,939 Source: United States Census Bureau tion in Kirkland, and the city council quickly decided against adopting a ban on commercial cannabis.

Community Concern

In Kirkland, support for the legalization of marijuana was even stronger than in the surrounding area, with Initiative 502 receiving a "yes" vote from 66 percent of voters. It also received bipartisan support from the city council, stemming mostly from a desire to eliminate unregulated black-market cannabis sales. The city council and administration interpreted the wide support from Kirkland voters for Initiative 502 as a sign to begin crafting new local regulations that would allow commercial cannabis in the city. However, they quickly learned that support for commercial cannabis in theory does not always translate to support in practice.

City staff initially proposed to treat commercial cannabis like any other commercial business. This philosophy was reflected in the first prospective zoning map and regulations developed, which proposed to allow cannabis production, processing, and retail businesses to locate anywhere the existing zoning standards would otherwise allow, save for the minimum buffers required by the Washington State Liquor and Cannabis Board and the state-imposed limit of four retail locations in the city. This map was met with strong opposition to prospective retail locations.

Chief among residents' concerns was the exposure children and teenagers would have to cannabis through legal storefronts. By treating cannabis retailers like other commercial businesses, initial draft regulations allowed for the prospect of having cannabis retailers located near or interspersed within residential areas. After listening to these concerns from residents, Kirkland opted to create retail cannabis buffers along designated school walk routes as well as near schools, limiting children and teenagers from passing by the businesses with regularity.⁴

The bans on commercial cannabis being imposed in surrounding municipalities created additional fears among some residents. They were afraid of becoming a "destination" for cannabis, with thousands from the surrounding municipalities coming to Kirkland solely to make purchases, a fear that thus far has not materialized. Similarly, many communities have concerns about a transient population arriving to set up shop in the commercial cannabis industry. In this case, those setting up commercial cannabis businesses were already residents of Kirkland and the surrounding area, including two Google employees who founded a cannabis retail shop as a side business.

"You cannot overestimate how much energy and concern there will be in the community over legalized marijuana....There is a lot more passion and concern in the community than we thought, so we spent a lot of time listening."

Kurt Triplett

Like other municipalities, Kirkland residents showed the highest interest in attending city council hearings in recent memory during the debate period for legal commercial cannabis. However, most were prevented from speaking because of standard time limitations on public comment during Kirkland City Council hearings.⁵ As a complement to the formal deliberation process, the city manager's office, city council, and the planning director made a dedicated effort to engage with community members and talk through their concerns. A series of incremental changes made to the local regulations confirmed that residents' input was being taken seriously and helped to dissipate fears following implementation.

Public Safety

Perhaps the biggest issue as Kirkland debated commercial cannabis was the fear of additional public safety concerns created by these businesses, including their cash-based nature. Kirkland's police department reached out to colleagues from similar-sized jurisdictions in Colorado, where commercial cannabis had been up and running for over a year, to ask them for advice and evidence regarding adverse public safety effects. Their colleagues found that with common sense safety regulations, the commercial cannabis businesses seemed to add no additional public safety issues to the area.

The general opinion of the Kirkland Police Department (KPD) on commercial cannabis could be characterized as "skeptical" at the beginning of the debate period. Many rank-and-file officers were not supportive of the move to legalize commercial cannabis in Kirkland, but the prospect of an effective mechanism to do away with the local black market was attractive. When commercial cannabis businesses became legal, the KPD was instructed by the Kirkland administration to avoid "de-policing" cannabis as whole and looking the other



Cannabis products for sale

way on all activity, rather than appropriately enforcing control of the legal and illegal markets.

Current Landscape

The Washington State Liquor and Cannabis Control Board's database includes eleven records of administrative violations issued in Kirkland since 2015, most of which are related to product traceability, packaging, or advertising; two instances of sales to minors were cited.⁶

While public safety statistics since legalization have not caused significant concern, the traffic and parking demands associated with retail cannabis businesses have been slightly higher than the city anticipated.

Key Observations

Kirkland's work to legalize commercial cannabis locally illustrates the challenges of translating theory into practice.

Kirkland's residents, while supportive of legalizing commercial cannabis at the ballot box, were hesitant to embrace actual implementation of this new policy. Other communities would be wise to anticipate time for honest and open conversation with residents about their expectations and what changes they are comfortable with. Kirkland feels that the effort from the planning director, manager's office, and council to engage with and listen to community members outside regular meetings went a long way to unpacking the cognitive dissonance surrounding legal cannabis.

As the process continued, Kirkland continued to modify regulations based on local feedback and conditions. As a strategy to keep commercial retail cannabis businesses "out of sight and out of mind" with respect to children and teenagers, Kirkland opted to expand the sensitive use buffers required by Washington to include walk routes leading to its schools.

City Manager Kurt Triplett feels that his community benefited from the state-imposed, year-long moratorium. This process allowed Kirkland to have a lengthy research and review process for developing its new ordinances. Other app-era services, like Airbnb, have caused disruption and confusion in some communities without ample time to prepare for them. Washington avoided this problem with commercial cannabis due to the required moratorium following the November 2012 initiative. Industry proponents may argue otherwise, but evidence from Kirkland and other communities suggests there are benefits in taking time to phase in change, either through a self-imposed moratorium, trial periods with sunset provisions, and/or other measures ensuring regular monitoring and revisiting of how this emergent industry functions in a community.

Interviewee:

Kurt Triplett, City Manager

Endnotes

- 1 Office of the Secretary of State, "Gregoire and Reed certify 2012 election, including marriage and marijuana laws," December 5, 2012. <u>https://www.sos.wa.gov/office/news-releases.aspx#/</u> <u>news/1065</u>
- 2 Office of the Secretary of State, "November 06, 2012 General Election Results." November 27, 2012. <u>https://results.vote.</u> wa.gov/results/20121106/Initiative-Measure-No-502-Concerns-marijuana_ByCounty.html
- 3 State of Washington, "Initiative Measure No. 502," filed July 8, 2011. https://sos.wa.gov/_assets/elections/initiatives/i502.pdf
- 4 Raechel Dawson, "Kirkland imposes new temporary marijuana zoning regulations," Kirkland Reporter, March 19, 2014. <u>http:// www.kirklandreporter.com/news/kirkland-imposes-newtemporary-marijuana-zoning-regulations/</u>
- 5 Only three speakers are permitted on each side of an issue; that is, three may speak on the pro side of an issue and three may speak on the anti side. To show their support in another way, proponents of legal commercial cannabis distributed supportive t-shirts to their supporters, causing the hearings to be the most colorful in recent memory as well as the most popular.
- 6 Washington State Liquor and Cannabis Board, "Violations Dataset," June 21, 2018. <u>https://data.lcb.wa.gov/dataset/</u> <u>Violations-Dataset/dx3i-tzh2</u>

case study: Pacifica, California

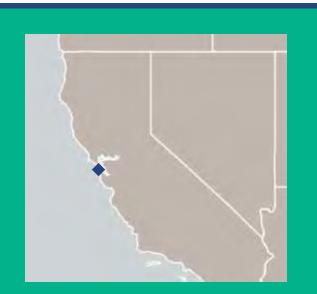


Pacifica is a seaside San Francisco suburb of nearly 40,000 residents. Lying on the Pacific Ocean side of San Mateo County, Pacifica is a popular surfing and hiking destination.

Cannabis legalization had overwhelming support from Pacifica residents as well as from the city council. The council acted swiftly in March 2017 to begin the process of allowing cannabis businesses in the city, holding a joint study session with the Pacifica Planning Commission. This study session was followed by planning commission and council meetings, which provided direction regarding the authoring of the ordinances that would allow commercial cannabis operations in Pacifica.

The ordinances, which were adopted in July 2017, would be triggered by the passing of a local excise tax on the gross receipts of cannabis sales. Seventy-nine percent of voters voted in favor of the tax, enacting the ordinances to allow legal cannabis operations.¹

Pacifica decided to allow retail, manufacturing, and testing businesses, but decided against allowing commercial cultivation in the city. Unlike its neighbor to the south, Half Moon Bay, Pacifica does not have greenhouses or agricultural business infrastructure. Outdoor cultivation of any significant scale would have been inconsistent with the suburban character of the city.



COMMUNITY PROFILE

Population (2017): 39,087 Land Area (square miles): 12.66 Median Household Income: \$103,545

Source: United States Census Bureau

The Ordinances

Pacifica has two ordinances regulating cannabis operations. The first is a public safety ordinance, administered by the Pacifica Police Department, which governs the operation and licensing of cannabis businesses, requires background checks of owners and employees, and includes other safety requirements such as technological and physical security systems. It also includes provisions to curb nuisances such as loitering.

Pacifica's ordinances are stringent with respect to nuisance effects, with applicants required to prove that their business will not be a nuisance.

The second ordinance governs the cannabis zoning regulations in Pacifica. The city created five overlay districts for retail cannabis businesses: Fairmont, Linda Mar, Park Pacifica, Rockaway Beach, and Sharp Park. Each overlay district is limited to two retail businesses, and in total no more than six retail businesses are permitted in the city.² Pacifica set these limitations due to concerns about overconcentration, particularly in economically depressed areas. Cannabis testing and manufacturing businesses are not restricted to the overlay districts; those businesses are allowed within certain existing commercial zones. Pacifica also reduced one of the state's default sensitive use setbacks, from 600 feet to 200 feet for day care centers, because that setback was perceived as overly restrictive. Finally, the ordinance clarified local regulations for personal cultivation, including a prohibition on the use of artificial light for plants grown outdoors.

Together, these ordinances created a four-phase process for establishing cannabis businesses in Pacifica, involving a license and land use entitlement:

- 1. Public safety license applications are submitted to the police department for review.
- 2. Security plans are submitted to the police department for review.
- Use permit applications are submitted to the planning department for review and public hearing with the planning commission.
- 4. The police chief issues licenses after confirming compliance with preceding steps.

Pacifica launched this process directly after the enactment of the ordinances following the November 2017 election, when the local excise tax was passed. The local tax, initially set at 6 percent of gross receipts for the first two years, was projected by city staff to generate \$420,000 in the industry's first full year of operation. Council retained the option to decrease or increase the rate up to 10 percent after two years.³

Upon launch of the licensing process, the city received over thirty applications for cannabis businesses.

Public Safety

While Pacifica has had illegal medical cannabis dispensaries operating since 2010, calls for service regarding illegal cannabis were few. The illegal establishments likewise were not a burden on law enforcement. However, those establishments did not report burglaries and other crime on their property due to the risk of facing charges themselves. With legalization, the nowlegal businesses follow common sense safety regulations while falling under the protection umbrella of the Pacifica Police Department.

"Changes in culture statewide have caused a paradigm shift in the way cities and law enforcement are approaching decisions regarding cannabis businesses. Our community and council have expressed their desire for this program to exist in Pacifica. It is our job to administer the program in a way that promotes safety and fosters a positive and collaborative relationship with cannabis business owners."

- Dan Steidle

Key Observations

The city reached out for assistance and examples of how to regulate its cannabis industry. It looked to large cities in the area such as San Francisco, Berkeley, and Oakland, but the beach town nature and lack of a large commercial sector in Pacifica made comparisons difficult. A more beneficial route was working with experienced consultants on the business aspects of regulations.

Interviewees:

Lorenzo Hines, Assistant City Manager, Tina Wehrmeister, Planning Director, Dan Steidle, Chief of Police

Endnotes

- 1 County of San Mateo, Assessor-County Clerk-Recorder & Elections, "November 7, 2017 Consolidated Municipal, School, and Special District Election." <u>https://www.smcacre.org/post/november-7-2017-0</u>
- 2 Municipal Code, Article 17.5 "MO Marijuana Operation Overlay District." <u>https://library.municode.com/ca/pacifica/</u> <u>codes/code_of_ordinances?nodeld=TIT9PLZO_CH4ZO_</u> <u>ART17.5MOMAOPOVDI_S9-4.1753OVDICR</u>
- 3 Municipal Code, Article 17.5, Sec. 9-4.1753, "Overlay districts created." <u>http://www.cityofpacifica.org/civicax/filebank/blobdload.aspx?BlobID=12901</u>

case study: Santa Rosa, California

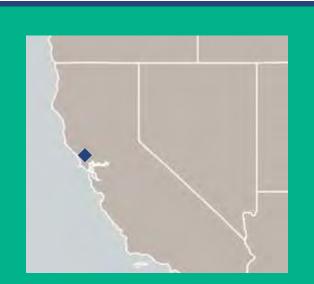


Santa Rosa is the largest city in Sonoma County and California's Wine Country. The city is known for its diversity, with a large Mexican-American and LGBT community. In October 2017, severe wildfires destroyed thousands of homes in Santa Rosa.

History/Background

Medical cannabis dispensaries have been allowed in Santa Rosa since 2005, but other aspects of the cannabis industry were only authorized in early 2016. Prior to the passage of Proposition 64 in California, the Santa Rosa City Council authorized the licensing of medical cannabis cultivation, manufacturing, testing, and distribution.

Santa Rosa was ahead of the curve with respect to California municipalities, making it clear after the passage of Proposition 64 that it wanted to broadly allow commercial cannabis businesses. City officials recognized the cannabis industry was already operating in Santa Rosa, both through black market activity and the "gray market" state-sanctioned medical dispensaries that operated without local input. In legitimizing the industry, the Santa Rosa City Council and administration saw an opportunity to ensure compliance with



COMMUNITY PROFILE

Population (2017): 175,269 Land Area (square miles): 51.29 Median Household Income: \$62,705 Source: United States Census Bureau "It was important to have a clear direction from the council on what the approach was going to be."

- Sean McGlynn

permitting, planning, and public safety standards and to create a revenue stream for the city. The city also reasoned that any part of the industry not officially permitted would continue to operate in Santa Rosa without regard for negative externalities, hence their decision to allow all elements of the supply chain from cultivation through retail sales.

Process and Regulations

"Bring certainty to a very uncertain landscape" was a driving philosophy in Santa Rosa's efforts to carefully and thoughtfully regulate the commercial cannabis industry. The city council—leaning on its background in public safety—prioritized developing a path to compliance and building trust between the community and the industry.

"The motivation was to get more people to be compliant so that they could be legitimate. We could tax it, and actually make it part of our community."

Clare Hartman

City staff and the City Council's Cannabis Policy Subcommittee members were tasked with learning all they could about the cannabis industry and its potential effects on infrastructure, health, services, and more. Setting up an interdepartmental work team, staff reached out to their counterparts in other communities in Colorado, Oregon, and Washington with experience in regulating cannabis. But as an early community to opt-in on legal cannabis, Clare Hartman, Santa Rosa's deputy director – planning, acknowledged that "we were building the program as it was happening to us."

Over the course of two years, Santa Rosa administrative and planning staff took time to attend community and neighborhood meetings in order to address concerns over specific land use permitting for cannabis businesses. The presence of former Santa Rosa Police Chief Tom Schwedhelm and Cannabis Policy Subcommittee member Ernesto Olivares, a former Santa Rosa police lieutenant, likely helped some residents feel more comfortable that the public safety aspect of cannabis businesses was being considered. Council took



Cannabis oil

up the issue at more than twenty full or subcommittee meetings and implemented a series of interim regulations before finally passing a comprehensive ordinance in early 2018. When it finally came up for public hearing, the pressing issues had been thoroughly discussed between residents and administrators, leading to an undramatic and anti-climactic vote.

Santa Rosa favored a transparent approach and decided against administratively approved permits for most cannabis businesses. Instead, it opted to issue use permits through a process requiring public notices and, in many cases, public hearings and action by the planning commission. It allows cannabis businesses to be located in the same areas as their non-cannabis counterparts. Recognizing additional concerns associated with cannabis, including those gathered from public outreach, the city was proactive in layering additional regulations related to security protections, standards to prevent odor, and sensitive use setbacks. While public interest has been piqued by businesses proposed in close proximity to residential areas, these regulations have generally provided sufficient assurances to neighborhoods' nuisance concerns.

Growing a Compliant Industry

Thus far, Santa Rosa has approved over forty land use permits for cannabis cultivation (indoor only, including greenhouses), manufacturing, testing, distribution, and medical retail businesses. Commercial retail applications were accepted in April 2018 and will proceed through the evaluation and conditional use permit process through the rest of the year. There is no explicit limit on the number of cannabis business licenses, though 600-foot setback requirements for cannabis retail businesses to prevent over-concentration and buffer sensitive uses implicitly cap that sector.¹

Many manufacturers of cannabis products were already operating in Santa Rosa when the city began creating its cannabis land use regulations and licensing the industry. The pre-existing businesses were often not operating in appropriate areas, such as in residences or in residential zones. Many have since found legitimate and licensed locations, and some existing businesses partnered to share the cost of moving and licensing. Providing a path to compliance has also enabled the city to learn more about the industry's operators, which notably include a share of single, female head-of-households.

Absent an explicit cap, the market for appropriate commercial and industrial land has proved to be a challenge for cannabis businesses in Santa Rosa, which compete against each other as well as with complementary boutique tourism industries such as breweries and wineries. Industrial land vacancy rates have dropped from 12.2 percent in 2014 to 4.6 percent in 2017.² But Santa Rosa is wary of letting cannabis businesses dominate its economy, as the region is in the process of rebuilding from the recent wildfires, and the city wants to ensure space for contractors and specialty trades, among many other industries. The city convenes an interdepartmental follow-through program to monitor the cannabis industry's growth and consider potential interventions in response to local effects or modifications to the state law.

Though Santa Rosa regulations intentionally direct commercial cannabis businesses away from residential land, the abundance of cannabis cultivation in the region is causing problems for law enforcement. Between February and May 2018, multiple home invasions took place in Sonoma County, including two in Santa Rosa. These crimes target private residences that legally grow cannabis for personal use, which are not required to follow the strict security regulations that licensed cannabis businesses abide by. Law enforcement believes the illegality of cannabis on the east coast and the resulting high street value is at the root of the problem.³

Key Observations

Santa Rosa believes that its permissive early approach was the correct one. Observations of other jurisdictions showed that a piecemeal approach, prohibiting certain sectors of the cannabis industry while allowing others, was ineffective in quelling the problem of black market businesses. Preferring to allow the industry to operate and regulate it led the city to permit indoor/greenhouse cultivation despite limited presence of any other agricultural activity within city limits.

Staff credit the council for its clear direction regarding a path to compliance, which provided the motivation and resources necessary to coordinate across diverse stakeholders, including an industry not accustomed to working with government. This process opened up opportunities to build trust and navigate ambiguity around public safety and code enforcement.

Other communities in the region have followed suit. Cloverdale, Cotati, and Sebastopol, incorporated cities with populations of 8,618, 7,265, and 7,379, respectively, decided to allow commercial cannabis activities such as cultivation and manufacturing after observing Santa Rosa and having conversations with Santa Rosa planning staff; like Santa Rosa, these communities have the intention of benefiting through regulatory control of commercial cannabis and associated tax revenue.

Interviewees:

Sean McGlynn, City Manager Clare Hartman, Deputy Director - Planning

Endnotes

- 1 City of Santa Rosa, "Cannabis FAQ's: Distance to School." <u>https://</u> srcity.org/DocumentCenter/View/18731/Distance-to-school
- 2 City of Santa Rosa Planning & Economic Development, "Cannabis Permitting Update," January 12, 2018. <u>https://srcity.org/ DocumentCenter/View/18714/2018-01-12-Cannabis-Permit-Activity-Update</u>
- 3 "Sonoma sees spate of marijuana-related home invasions," The Mercury News, May 4, 2018. <u>https://www.mercurynews.com/2018/05/04/sonoma-county-sees-spate-of-marijuana-related-home-invasions/</u>

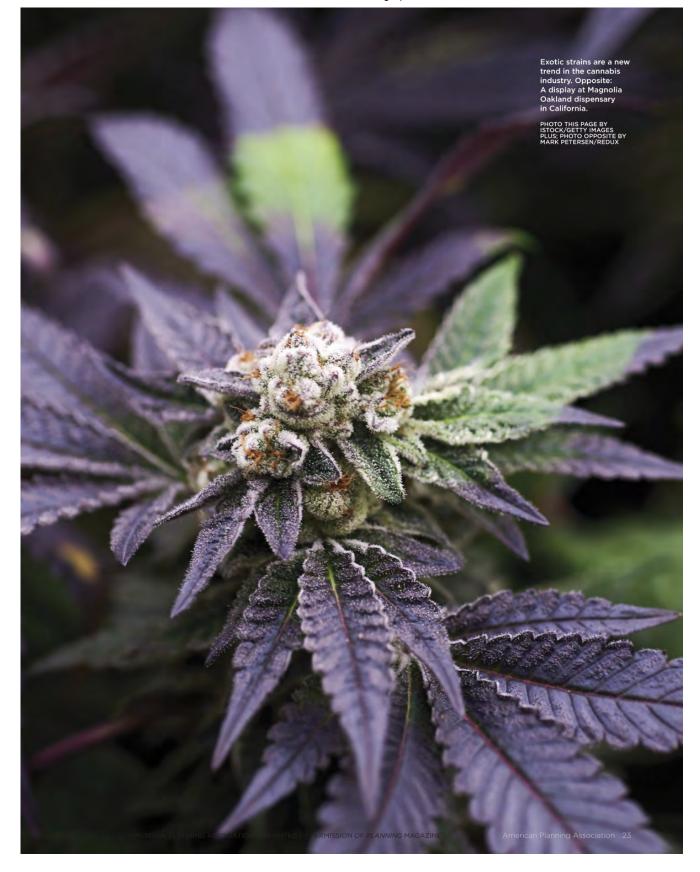
About the Authors

Laura Goddeeris, AICP, oversees ICMA's applied research on local government practices, programs, partnerships, and policies as Director of Survey Research. Prior to joining ICMA, she gained over a decade of experience in research, outreach, and program administration around issues of community and economic development, local and regional food systems, and transportation science. While based in Michigan, she also worked closely with municipal staff for years as chair of her local planning commission and community development advisory committee. Laura holds a Master's in Urban Planning and Policy from the University of Illinois at Chicago.

Will Fricke is member of ICMA's Research and Policy Team, carrying out research projects and survey research. His work covers a wide array of topics such as service delivery, land use, and form of government. Will is a graduate of the University of Connecticut.







Against the backdrop of an eventful national election,

2016 was a pivotal year at the polls for California: 57 percent of state voters approved the Adult Use of Marijuana Act (Proposition 64), a statewide ballot initiative that legalized the possession, sale, cultivation, and use of recreational marijuana and required the state to create a regulatory structure to encompass all commercial aspects, including licensing and taxation.

While nine states plus Washington, D.C., have legalized recreational marijuana use in recent years, in many ways, California is an outlier. While other states are developing regulatory approaches to create entirely new marijuana economies, the Golden State has long had a reputation for having a permissive and progressive marijuana culture. In 1996, it became the first state to legalize medical marijuana for qualified patients via the Compassionate Use Act (sometimes referred to as Proposition 215).

As a result, California already had a thriving infrastructure of cannabis cultivators, manufacturers, and retailers by the time Prop 64 passed. But because there were no official regulatory or



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Blunts & Moore was

the first dispensary

to open under Oakland, California's

cannabis equity

individuals must have had a cannabis

program. To qualify,

conviction or live in a

community found to be overpoliced with

regards to cannabis

of the program is to help them overcome

arrests. The goal

the challenges

of marginalized

business owners

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licensing structures in place, these businesses existed on the legal periphery, or what some refer to as the "gray market"—not quite in the underground market, since their business activities were enabled by the state, but also not squarely within the realm of legal compliance.

Prop 64, which officially went into effect last January, was the first time that regulators across the state were called upon to develop strategies to formalize the relationship between government and the marijuana industry, from seed to sale. The measure has allowed state regulators to create a broad regulatory infrastructure for licensing while providing local jurisdictions quite a bit of latitude in determining specific planning and zoning approaches according to their communities' needs and priorities.

A year in, many counties and municipalities are still working out the details. Where states like Colorado have realized the potential revenue opportunity by collecting business and sales taxes, in California, where land values are already at a premium, local planners have a unique challenge to contain disruptive economic effects as much as possible.

Some California counties and communities see Prop 64 as an opportunity to introduce new economic activity. Others have taken a more restrictive approach, handling land use and zoning for cannabis similarly to the regulations already in place for liquor stores and other locally undesirable land uses. However, the precedent of cannabis being treated like medicine prompted officials statewide to consider the nuances of public and industry opinion.

State and local regulators are still learning and revising their regulations to acknowledge the complicated nature of balancing so many priorities. The lessons learned and wide range of approaches taken so far offer a different perspective—and valuable insights—for planners and policy makers looking to regulate recreational cannabis in their own jurisdictions.

Licensing and regulations

In January 2018, California introduced a twotiered licensing structure that requires businesses to secure local business permits before they can receive a state cannabis business license. On the state's end, the licensing process is complicated, with the Bureau of Cannabis Control regulating commercial licenses for retailers, distributors, laboratories, and events; the California Department of Food and Agriculture issuing licenses for cultivators; and the California Department of Public

HOTO COURTESY BLUNTS & MOORE

ATEL

Health handling the manufacturing of edibles. This dual system has required local agencies to create their own processes and mechanisms for permitting businesses if commercial cannabis activities are allowed locally.

Some counties have developed entire cannabis departments to handle the regulatory burden; others have relied on the existing conditional use permitting process as a means for signaling local approval to state regulators.

Many jurisdictions that already had substantial cannabis business activity under Prop 215 rules have formed advisory committees to instruct local leaders on how to move forward. "We had dozens of growers that were allowed under the medical market, but we didn't have a regulatory structure to permit them," says Tim Ricard, the cannabis program manager at Sonoma County's Economic Development Board. "We had to think both about how to transition those folks into the legal, regulated market and also how, as this industry grew and matured, it would fit into the traditional agriculture."

Some farmers in Sonoma County were apprehensive about cannabis cultivation on land adjacent to theirs because of the common perception that it would bring illegal activity. There was also concern that cannabis cultivation would quickly turn into a speculative market, driving up land values and making the area prohibitively expensive for existing farmers.

Ricard notes that reassuring community members over concerns about displacement of existing economic activities-even in areas like Sonoma County that have traditionally accommodated cannabis cultivation-is a big challenge for planners.

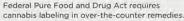
That makes outreach and education key. The county held an eight-part "Dirt to Dispensary" workshop series to introduce both existing and prospective operators to all aspects of the county's cannabis program-including zoning, permitting, inspections, communicating with neighbors constructively, standards, and business requirements. The program attracted more than 300 participants.

"By bringing [existing cannabis business operators] into the legal market, we're bringing them into the permitting structure that is available to wineries and everyone else," notes Amy Lyle, supervising planner in Sonoma County's Planning Division. The county also implemented a penalty relief program at the outset to allow existing cannabis businesses to continue operations while they pursued their business permit.

A Cannabis History



The U.S. government encourages domestic production of hemp to make rope, sails, and clothing. In the late 19th century, cannabis becomes a popular ingredient in over-thecounter medicinal products



Mexican immigrants flood into the U.S. after the Mexican Revolution of 1910 and introduce recreational use to American culture. Now frequently called by the Spanish word marijuana, it is connected to fear and prejudice about the Spanish-speaking newcomers.

The Federal Bureau of Narcotics is created.

The list of states outlawing cannabis rises to 29 as fear and resentment of Mexican immigrants increases.

The Federal Bureau of Narcotics wages the infamous "Reefer Madness" propaganda campaign and encourages state governments to adopt the Uniform State Narcotic Act

Congress passes the Marijuana Tax Act, which effectively criminalizes cannabis by restricting possession of the drug to individuals who pay an excise tax for certain authorized medical and industrial uses.

The federal government establishes mandatory minimum sentences for marijuana possession

Congress repeals most mandatory minimum sentences for possession of small amounts of marijuana and categorizes it separately from other more harmful drugs.

President Richard M. Nixon officially declares the War on Drugs and introduces an era of new mandatory sentencing minimums for possession and distribution of marijuana.

The Drug Enforcement Administration is created.

Congress creates the Office of National Drug Control Policy.

California passes the Compassionate Use Act of 1996, legalizing medical marijuana.

Washington and Colorado permit retail sales of cannabis

Alaska, Oregon, and Washington D.C., legalize recreational use through ballot measure.

California, Nevada, Maine, and Massachusetts approve ballot measures to legalize recreational cannabis.

Vermont becomes the first state to legalize recreational cannabis by way of state legislature, and Michigan approves a ballot measure legalizing recreational use

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Building regulatory capacity

Developing a regulatory structure to handle permitting is an important and necessary first step in building a local cannabis economy. The approach a community chooses will often depend on the size of its jurisdiction and the activities that are likely to take place within it.

Many municipalities are finding that housing all cannabis-related functions in a single office that acts as an intermediary with other local departments is an efficient way to go: It helps streamline permitting, outreach, and community relations, and builds cooperation and buy-in among diverse stakeholders.

In July 2015, the San Francisco Board of Supervisors formed a Cannabis State Legalization Task Force to inform the scope and role of what would eventually become the San Francisco Office of Cannabis. That office is responsible for issuing permits and acting as a liaison for business owners, community members, and local agencies.

Centralized offices that coordinate the efforts of multiple city departments are also useful in terms of outreach and education to community members, which is necessary when introducing something like cannabis into a new context, including destigmatization efforts in the wake of the decades-long War on

Drugs. Giving the general public a clear point of contact in case of any issues, as well as providing them with the proper resources and information about business developments, can help assuage confusion.

Communities introducing new cannabis regulations can also benefit from working closely with cannabis businesses, both existing and new, to navigate challenges and ensure mutually beneficial outcomes. For example, in its original iteration of state regulations, California's Bureau of Cannabis Control prohibited cannabis manufacturers from sharing kitchen facilities. However, as a result of ongoing outreach and relationship-building with local cannabis operators, the city of Oakland found that rule to be problematic.

"As a practical matter, the cost of building a new kitchen facility was prohibitive to cannabis business owners. We saw an opportunity to help businesses reduce costs by going to Sacramento and advocating to the BCC to create a shared kitchen model because of the need we observed on the ground," says Greg Minor, assistant to Oakland's city administrator, who deals specifically with cannabis, special permits and nuisance abatement.

Because of the close relationships Minor has cultivated with local cannabis businesses, he's been

Planning and Policy Lessons from Colorado

MITIGATE NUISANCES Implementing standards for mitigating nuisances can be an

opportunity to set industry best practices. Kim Kreimeyer, a

planner with Aurora, Colorado's Marijuana Enforcement Division, says that Aurora wanted to distinguish its cultivation facilities from surrounding cities, which had a reputation for having a noticeable and distinct marijuana smell outside of the

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industrial buildings.

"We did not prescribe how the industry was to mitigate odor. We left it up to them." Kreimever says of the regulation and incentive-driven effort. "Initially we saw

licensees use carbon filters, while some

transitioned to ozone

local requirements.

REGULATE LIGHTING AND ENERGY USAGE Similarly, Aurora's indoor-only cultivation offers an opportunity to affect energy reduction benchmarks

by introducing rigid more energy-efficient LED lights, keeping costs and usage low.

ENCOURAGE **REVITALIZATION**

Aurora's cannabis cultivators were also limited in the spaces they

could access shortly after recreational legalization. Because many new developments and shopping centers were still bound by bankbacked mortgages, property owners were hesitant to jeopardize their investments by running afoul of federal law. This shutout from leases in new construction meant cannabis businesses had no choice but

PHOTOS COURTESV SIGN

TO BY JUSTIN HARGRAVES, RIGHT MARIJUANA ENFORCEMENT DIVIS

TOP I

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The result is what
                            filtration, while others
                                                         guidelines for lighting.
                            utilize both," she says.
Kreimever describes as
                                                         Grow operations in
the most stringent odor
                               In an industry
                                                         the city are required
control standards in the
                            with rapidly evolving
                                                         to have extra cool-
entire state. But they
                                                         ing mechanisms, and
                            technology, this kind
left the "how" up to the
                            of approach encour-
                                                         most of the growers
individual businesses.
                            ages businesses to
                                                         have transitioned from
                            innovate to satisfy
                                                         fluorescent lighting to
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able to effectively advocate on behalf of operators, and the BCC has updated its regulations to allow for shared-use commercial kitchen facilities in jurisdictions across the state.

Economic development opportunities

Besides lowering administrative and enforcement expenditures, the potential for economic stimulation is an attractive reason behind legalization. Local governments can collect sales tax and business licensing fees. Local economies can also benefit from a range of ancillary economic activity, from tourism to commercial corridor revitalization. Pete Parkinson, AICP, former planning director in Sonoma County, pointed out that cannabis legalization has even been a boon to the region's existing wine industry.

"There's a close connection between wine industry tourism and a burgeoning connection between craft brewing and tourism, so I would guess there will be synergies without a doubt," Parkinson notes.

In fact, the popular Francis Ford Coppola winery headquartered in Geyserville, California, recently introduced an independent operation that markets luxury marijuana products in conjunction with the signature Francis Ford Coppola wine brand.

The Sonoma County Fairgrounds also hosts the

annual Emerald Cup—a showcase and competition between local cannabis producers considered to be the "Academy Awards of Cannabis." The event consistently draws tens of thousands of people to Santa Rosa, along with economic activity.

The opening of the recreational market has brought some in real estate changes in the area too. Although the Sonoma County Economic Development Board is still collecting data on the specific effects of the cannabis industry, Cannabis Program Manager Tim Ricard says that it has driven vacancy rates in commercial and industrial zones down, while price per square foot has risen since legalization in Santa Rosa, Sonoma's county seat.

Zoning and land-use considerations

The biggest tools planners have wielded in regulating cannabis activities are buffering, zoning overlays, and permitting. California state law delegates land-use and zoning authority to cities and towns, leading to quite a varied landscape statewide in terms of location and type of business activity.

In many cities, a buffer zone of 1,000 feet from sensitive uses like schools, parks, and day care centers is required; in San Francisco, the most densely populated city in the state, that buffer was reduced to



Hollywood director and winemaker Francis Ford Coppola has invested in a new venture that markets luxury marijuana products along with his signature wine brand.



Before and after in Aurora, Colorado: New cannabis businesses have spurred rehab projects in vacant commercial properties, such as this former Taco Bell.



to occupy vacant properties, which spurred adaptive reuse across the city,

"In the economic downturn, we had vacant buildings that operators were able to lease. From a landuse perspective, we required that the site plan was up to date, so we got replaced dead or dying landscaping, renovated parking lots, etc." she says.

Kreimeyer says this was a catalyst behind

many rehabilitation projects in commercial and industrial buildings.

BE FLEXIBLE

Kreimeyer's advice to planners grappling with regulating cannabis—whether they are in communities introducing an entirely new industry or in towns balancing a new regulatory framework for a legacy business sector—is simple: "Be flexible. It's going to be changing constantly. It will be a learning process, and things will come up continuously that will need to be addressed."

Planners and policy makers can work together with constituents and business owners to determine the appropriate approach that fits their community's needs.

In a rapidly changing industry, government officials have to be willing to learn and share best practices.

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OAKLAND'S GREEN ZONES FOR CANNABIS

Oakland allows and licenses all major types of medical and adult-use cannabis businesses, but steers most cannabis activities to designated areas. This "Green Zone" map dovetails with its existing zoning code, with restrictions for each area as noted below. Right now most of the cannabis businesses are located in industrial zones.



KEY

Noticing required (area within 300 feet of residential)

Restricted area (600 feet around school sites)

Zoning review by Port of Oakland

Delivery-only dispensary permitted zones

Cultivation, distribution, lab transport permitted zones

Non-volative manufacturing permitted zones

Volative manufacturing permitted zones

SOURCE ESRI

RESOURCES

FROM APA

APA Marijuana-Related Uses Knowledgebase: planning.org/ knowledgebase/ marijuana.

"Pot Report," *Planning.* July 2015: planning.org/ planning/2015/jul/ potreport.htm.

"Regulating Medical and Recreational Marijuana Land Use," Zoning Practice. August 2016: planning.org/ publicationsdocument/9107502. 600 feet to compensate for the relatively small size of the city. Generally, commercial manufacturing and cultivation are prohibited in residential areas.

"Green Zones" have also been established in some municipalities to steer cannabis activities to designated areas. This typically allows businesses to be established by right, without being subject to a lengthy zoning review process. This strategy has the bonus of stimulating growth in previously blighted industrial areas and can strategically introduce new activity in areas that need new life. That was the case in Oakland, where the city aligned cannabis business uses with its existing zoning code; currently the majority of cannabis activity is located in industrial zones, since they are typically not open to the public.

Oakland has also used municipal code and permitting processes to incorporate its equity priorities directly into cannabis regulation. It was the first city in the country to launch a cannabis equity program, designed specifically to acknowledge the barriers that black and brown business owners face in the wake of the War on Drugs, in hopes of repairing some of the harm that overpolicing has done within these communities.

As a result of a race and equity analysis of medical cannabis regulations conducted by Oakland City Council shortly after Prop 64 passed, the city set an ambitious goal of requiring that half of all cannabis business permits issued in the initial permitting phase must go to equity applicants. To qualify, individuals must have either had a cannabis conviction or lived in a community that has been found to be overpoliced with regards to cannabis arrests, and they must make no more than 80 percent of Oakland's area median income.

The Oakland model also looks to overcome the challenges marginalized business owners might face in securing operations space. It introduced a mentorship component by pairing each equity applicant with an incubator business, which agrees to provide equity applicants with free space to operate on their premises in exchange for receiving incentives and expedited permitting.

Since Oakland launched its program, San Francisco and Los Angeles have both followed suit, iterating on the eligibility criteria and incentives. Oakland's Greg Minor emphasizes the importance of centering equity in local cannabis discussions: "The sooner a jurisdiction has these conversations and tries to address these systemic issues, the sooner they'll be on the path toward resolving them, as opposed to tackling them later down the line."

Juell Stewart is an urban planner and policy researcher based In San Francisco. Her website is juellstewart.com

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Can Cannabis Policies Catch Up?

FINANCING

By far, the biggest hurdle for cannabis operators is access to capital. Financial institutions are regulated by the Federal Deposit Insurance Corporation, which guarantees a bank's deposits. However, doing business with a cannabis operator puts this insurance at risk since it runs afoul of federal regulations.

The effect is essentially a de facto ban on banks doing business with the cannabis industry. Since they're cut off from more mainstream methods of fundraising and financing, a significant number of businesses rely on cash and private investors.

This reliance on cash financing means that business owners from marginalized communities are all but excluded from entering the marketplace, even in cities like San Francisco and Oakland that have provisions to prioritize eligible applicants that meet certain income and residency criteria in equity programs.

Cash transactions also pose a security risk; for neighbors near

dispensaries that handle tens of thousands of dollars of cash daily, this can be a serious point of contention.

California State Treasurer John Chiang convened a Cannabis Banking Working Group to explore the feasibility of introducing a statewide public bank that would allow cannabis businesses to circumvent the conventional banking industry and to alleviate the state-federal conflict. Ultimately, it was deemed too much of a legal and financial risk for the state to take on, and Chiang urged federal regulators to remove cannabis from the list of scheduled drugs to resolve the issue once and for all.

EVENT PERMITS

In September 2018, California Governor Jerry Brown signed Assembly Bill 2020, which allows local jurisdictions to approve temporary cannabis events, reversing previous Bureau of Cannabis Control rules that restricted events with cannabis consumption and sales to county fairgrounds. In cities like San Francisco—which is home to an annual "unofficial" (and thus unregulated) 4/20 event that attracts more than 10,000 visitors each year—this presents an opportunity to introduce a clear process for event producers that aligns the need



A man dressed as a marijuana leaf walks among attendees at the cannabis-themed Kushstock Festival at Adelanto, California, in 2018.

for safe consumption sites with the needs of other city agencies.

Obtaining a state Cannabis Event Organizer license requires approval from a local jurisdiction for on-site consumption and sales, so the Office of Cannabis needed to develop a clear process.

In January, the San Francisco Office of Cannabis and the San Francisco Entertainment Commission hosted a panel to introduce the next steps for developing a regulatory structure for event permitting, which drew community interest from local cultivators to coordinators of neighborhood events.

Office of Cannabis Director Nicole Elliott, along with Supervisor Rafael Mandelman—whose district includes popular destinations the Castro and the Mission—developed an intentionally broad framework that gives the Office of Cannabis latitude in issuing permits while also recognizing the need for other agencies to have control over their jurisdictions; for instance, the Recreation and Park Department and the Port of San Francisco both have the power to decline cannabis events on their respective land.

The Office of Cannabis plays the role of an intermediary between the BCC's state-level process and the local interests of the city and county, while maintaining

> a balance between the authority of existing local agencies. The panel was an example of city agencies working together to include the public on important decisions regarding this new regulatory structure.

Even in a city like San Francisco, which has political will and a history of cannabis events, creating new regulation can be a lengthy process. Community and industry input goes a long way.

PUBLIC CONSUMPTION

Outside of the context of onetime special events, public consumption remains a complex hot-button issue.

People who live in federally subsidized housing are still bound by the rules of the federal government and face eviction if they consume marijuana, even when it's legal in their jurisdiction.

People who live in multiunit rental housing are also subject to restrictions on their method of consumption.

Aurora planner Kim Kreimeyer believes that public consumption is a key issue that's yet to be resolved on the state level in Colorado; currently, allowing on-site consumption is up to the municipality's discretion in California.

Offering people safe places to consume takes the burden off of law enforcement and ensures that people aren't penalized for enjoying something that is recreationally legal or medically necessary.

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American Planning Association 29

9/9

EXHIBIT B

MUNICIPALITY	BODY	MOST RECENT ACTION	DATE OF ACTION	POSITION
Villa Park	Board of Trustees	Permitted as Special Use	2/11/2019	Permit
Lake Forest	Board of Trustees	Prohibited	7/1/2019	Prohibit
La Grange	Board of Trustees	Red Flag Resolution	7/8/2019	None
Bannockburn	Board of Trustees	Direct to Plan Commission	7/15/2019	None
South Elgin	Board of Trustees	First Steps Consideration	7/16/2019	Permit
Buffalo Grove	Board of Trustees	First Steps Consideration	8/5/2019	None
Carol Stream	Board of Trustees	First Steps Consideration	8/5/2019	None
Grayslake	Board of Trustees	Prohibit Until 1/1/2021	8/6/2019	Prohibit
Highland Park	City Council	Taking No Action	8/12/2019	Permit
Park Ridge	City Council	Prepare Ordinance	8/12/2019	Prohibit
Arlington Heights	Board of Trustees	First Steps Consideration	8/13/2019	Permit
Wauconda	Board of Trustees	First Steps Consideration	8/13/2019	Permit
Bolingbrook	Board of Trustees	Prohibited	8/13/2019	Prohibit
Addison	Plan Commission	Prepare Ordinance	8/14/2019	Permit
Glen Ellyn	Board of Trustees	First Steps Consideration	8/19/2019	None
Frankfort	Board of Trustees	Prohibited	8/19/2019	Prohibit
Rolling Meadows	City Council	Petition by Private Party	8/20/2019	Permit
Lake in the Hills	Board of Trustees	First Steps Consideration	8/22/2019	None
La Grange Park	Board of Trustees	First Steps Consideration	8/27/2019	Prohibit
Des Plaines	City Council	Direct to Plan Commission	9/3/2019	None
Oswego	Board of Trustees	First Steps Consideration	9/3/2019	None
Lincolnwood	Board of Trustees	Permitted as Special Use	9/3/2019	Permit
Naperville	City Council	Prohibited	9/3/2019	Prohibit
Clarendon Hills	Board of Trustees	First Steps Consideration	9/4/2019	Prohibit
Riverside	Board of Trustees	Permitted	9/5/2019	Permit
Bloomingdale	Board of Trustees	Prohibited	9/6/2019	Prohibit
DeKalb	City Council	First Steps Consideration	9/9/2019	Permit
Oak Brook Terrace	City Council	Permitted	9/10/2019	Permit
Westmont	Plan Commission	First Steps Consideration	9/11/2019	Permit
Niles	Plan Commission	First Steps Consideration	9/16/2019	Permit
Oak Park	Board of Trustees	Permitted as Special Use	9/16/2019	Permit
Evanston	City Council	First Steps Consideration	9/16/2019	Permit
Darien	City Council	Direct to Plan Commission	9/16/2019	Permit
Wheaton	City Council	Prohibited	9/16/2019	Prohibit
Lake Zurich	Board of Trustees	Prepare Ordinance	9/16/2019	Prohibit
Oak Brook	Plan Commission	Prohibited	9/16/2019	Prohibit
Warrenville	City Council	First Steps Consideration	9/16/2019	None
Bartlett	Board of Trustees	Prepare Ordinance	9/17/2019	None
Winnetka	Board of Trustees	First Steps Consideration	9/17/2019	None
Northbrook	Plan Commission	First Steps Consideration	9/17/2019	Permit
St. Charles	City Council	First Steps Consideration	9/17/2019	Permit
Glencoe	Board of Trustees	Direct to Plan Commission	9/17/2019	Permit
Winthrop Harbor	Board of Trustees	Permitted	9/17/2019	Permit
Downers Grove	Board of Trustees	Prohibited	9/17/2019	Prohibit
Hinsdale	Board of Trustees	Prohibited	9/17/2019	Prohibit
Lake Bluff	Plan Commission	First Steps Consideration	9/18/2019	Prohibit
Lombard	Board of Trustees	Prepare Ordinance	9/19/2019	Permit
Lisle	Board of Trustees	Prepare Ordinance	9/19/2019	Prohibit
Libertyville	Plan Commission	First Steps Consideration	9/23/2019	None
Brookfield	Board of Trustees	Direct to Plan Commission	9/23/2019	Permit
Willowbrook	Board of Trustees	Permitted as Special Use	9/23/2019 9/23/2019	Permit
Windwbrook	Board of Trustees	Prohibited	9/24/2019	Prohibit
Deerfield	Plan Commission	First Steps Consideration	9/26/2019	Permit
Woodridge	Board of Trustees	First Steps Consideration	10/3/2019	None
Aurora	City Council	Prepare Ordinance	10/22/2019	None
Winfield	Board of Trustees	Direct to Plan Commission	9/19/2019	None

EXHIBIT C

From:	Gregory E. Scott		
To:	Douglas Pollock; Evan Walter; Gary Grasso		
Subject:	[banned_word] Marijuana sales in Burr Ridge		
Date:	Friday, September 27, 2019 4:08:56 PM		

Gary, Doug and Evan,

I hope you are all doing well. I many times think of the evenings spent at the Village Hall with Planning Commission. I have to say though, I am enjoying being more of a low profile!

I have been talking with several of our neighbors and wanted to let you know my thoughts on the subject of possible marijuana sales in Burr Ridge. I am deeply opposed to this. I know the immediate reaction is TAX INCOME! Well, there are always consequences to actions. I think you might want to consider some of the following:

- 1. You need look no further than to some of the cities that have allowed marijuana sales to see the issues. Denver (especially along 16th Street, used to be a great area. Now most of the doorways are filled with people sitting on the butts smoking pot. The smell is all over. There need to be separate ordinances about the smoking of pot as well.
- 2. We disallowed a movie theatre a few years ago because we were worried about the people that would be coming form other areas into Burr Ridge. Now we want marijuana sales?? We will be getting people from the south suburbs, west suburbs and all over. Why?
- 3. Why is because other suburbs are going the route of disallowing the sales. Hinsdale (until a referendum), Clarendon Hills, LaGrange, Indian Head Park and others are strongly considering no sales. Naperville and others are already hearing major blowback from residents on record as being against the sales. That means that users will be going to the points that DO allow it.
- 4. I have heard the argument that if we say "no", Willowbrook will probably say yes and get the tax dollars. My comment to that is that this is not car sales or gun sales, and I would not make that assumption. Even if it happens, we need to do what is right for Burr Ridge. Traffic from sales locations in Willowbrook will have small to no impact on us, since we are on east and south of Willowbrook for the most part.
- 5. We have an incredible slogan for Burr Ridge of being "a special place". I hope Burr Ridge is ALWAYS a special place, but not because we have marijuana sales. I hope it is because of the people and our beautiful town.

I strongly urge you to vote NO on the sales of marijuana in the Village, but if on the thought that something does pass, that sales are limited to areas such as we did in Planning Commission to being a certain number of feet from residential, from schools and from other sensitive areas. At the end of the day, that so limited growers at the time as to make the town virtually impossible to distribute in. Please let me know if you have any questions regarding my thoughts. Thank you.

Greg Scott 8650 Dolfor Cove (630) 240-7382 C
 From:
 Gary Grasso

 To:
 Evan Walter

 Subject:
 Fwd: [banned_word] Recreational marijuana in BR

 Date:
 Thursday, September 26, 2019 9:06:49 AM

Pls save

Sent from my iPhone Gary Grasso, Mayor Burr Ridge, IL 60527 630.654.8181 (o) 312.498.3202 (c)

This message, including attachments, is covered by the Electronic Communication Privacy Act, 18 U.S.C., sections <u>2510-2521</u>, is CONFIDENTIAL and also may be protected by ATTORNEY/CLIENT PRIVILEGE. If you believe you received this e-mail in error, do not read it. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. If the reader of this message is not the intended recipient, I did not intend to waive and do not waive any privileges or confidentiality of this message or the attachments. Please reply to the sender that you have received the message in error, then delete it. Thank you for considering the environmental impact of printing emails.

Begin forwarded message:

From: Kevin Hennessy <<u>jkhbch@sbcglobal.net</u>> Date: September 25, 2019 at 8:16:34 PM CDT To: <<u>ggrasso@burr-ridge.gov</u>> Cc: Kevin Hennessy <<u>jkhbch@sbcglobal.net</u>>, Michelle Hennessy <<u>mishyd1@comcast.net</u>> Subject: [banned word] Recreational marijuana in BR

Mayor Grasso, we have not had the pleasure of meeting you yet, but my wife and I are residents of Burr Ridge and feel strongly that the Village should not support a recreational marijuana facility in Burr Ridge. Although we recognize the tax revenue benefits of such a facility, we believe a line needs to be drawn on what we are willing to accept to gain that additional revenue. We are noticing an uptick in crime off I-55 in the Burr Ridge Village Center and surrounding area and we can't help but believe that selling marijuana to anyone passing by I-55 and County Line Rd will result in the consumption of that marijuana nearby.

We moved to Burr Ridge 7 years ago because of its well-deserved reputation as a nicely managed, small residential community with a low crime rate. We believe that selling recreational marijuana (or legalized gambling for that matter) in BR will inevitably change the character of the Village and make it a less desirable place to life and raise a family. Whatever incremental increase in tax revenue that may come from a recreational marijuana facility is simply not worth it. Burr Ridge residents are not without the resources to make up the difference.

Respectfully,

Kevin Hennessy 39 Red Oak Ct Cell: 312.560.7978

From:	Luisa Hoch
To:	Evan Walter; Douglas Pollock
Cc:	Gary Grasso
Subject:	Recreational Cannabis Sales in BR
Date:	Monday, September 9, 2019 10:04:31 AM

Hi,

I wanted to share my thoughts on Cannabis Sales in BR as I will be out of town for the October 6 Public Hearing.

I am for it, but I would not like to see it near schools or parks-probably a given? I am not sure about any of the legalities concerning the recreational usage, but I am not in favor of smoking it in any public spaces or vehicles.

I agree with the comment from Trustee Paveza that nearby towns will be selling it, why shouldn't we?

I have visited stores in Aspen & Steamboat and I do not think they negatively effected the area. Quite sterile and professionally run. Walked by it several times before realizing it was a Cannabis store.

Best regards, Luisa

EXHIBIT D

EXHIBIT D – USE DEFINITIONS

"*Cannabis*" - marijuana, hashish, and other substances that are identified as including any parts of the plant Cannabis sativa and including derivatives or subspecies, such as indicia, of all strains of cannabis, whether growing or not; the seeds thereof, the resin extracted from any part of the plant; and any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other naturally produced cannabinol derivatives, whether produced directly or indirectly by extraction; "cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the plant that is incapable of germination. "Cannabis" does not include industrial hemp as defined and authorized under the Industrial Hemp Act. "Cannabis" also means concentrate and cannabis-infused products.

"*Dispensary*" - the physical premises from which a dispensing organization or recreational cannabis dispensary will dispense cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act, 401 ILCS 130/1 et seq., or customers pursuant to the Cannabis Regulation and Tax Act, Public Act 101-0027, as each may be amended.

"*Dispensing organization*" - a facility operated by an organization or business that is licensed by the Department of Financial and Professional Regulation to acquire cannabis from a cultivation center, craft grower, processing organization, or another dispensary for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia, or related supplies under the Compassionate Use of Medical Cannabis Pilot Program Act, 401 ILCS 130/1 et seq., to purchasers or to qualified registered medical cannabis patients and caregivers.

"*Craft grower*" - a facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure, and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization, use at a processing organization, or recreational cannabis dispensary.

"*Cultivation center*" - a facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport, and perform other necessary activities to provide cannabis and cannabis-infused products to Recreational Cannabis Business establishments or dispensaries.

"*Infuser organization*" or "*infuser*" - a facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product.

"*Processing organization*" or "*processor*" - a facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product.

"Recreational Cannabis Business" – any business whose primary or secondary function is to cultivate, process, infuse, transport, or sell cannabis to the general public as a retail function.

"*Recreational Cannabis Dispensary*" - the physical premises from which a cannabis, paraphernalia, or related supplies and educational materials are sold or dispensed to customers pursuant to the Cannabis Regulation and Tax Act.

"*Transporting Organization*" - an organization or business that is licensed by the Department of Agriculture to transport cannabis on behalf of a prohibited Recreational Cannabis Business, dispensary, or a community college licensed under the Community College Cannabis Vocational Training Program.

EXHIBIT E



VILLAGE OF BURR RIDGE

PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS

GENERAL INFORMATION (to be completed by Petitioner)
PETITIONER (All correspondence will be directed to the Petitioner): EVAN WALTEN
STATUS OF PETITIONER: VILLAGE STAFF
PETITIONER'S ADRESS: 7660 County Line Road
ADDRESS OF SUBJECT PROPERTY: MA
PHONE: 630 654-8181 ext 2010
EMAIL: CWG/FURD hurr-ridge, GUV
PROPERTY OWNER: N/A
PROPERTY OWNER'S ADDRESS: W/A PHONE:
PUBLIC HEARING REQUESTED: Special Use Rezoning Text Amendment Variation(s)
Cennobis Uses.
PROPERTY INFORMATION (to be completed by Village staff)
PROPERTY ACREAGE/SQ FOOTAGE: N/A EXISTING ZONING: N/A
EXISTING USE/IMPROVEMENTS:
SUBDIVISION: N/A
PIN(S) # N/A
The above information and the attached Plat of Survey are true and accurate to the best of my knowledge. I understand the information contained in this petition will be used in preparation of a legal notice for public hearing. I acknowledge that I will be held responsible for any costs made necessary by an error in this petition.
a/3/2019
Petitioner's Signature Date of Filing



FINDINGS OF FACT FOR AN AMENDMENT TO THE VILLAGE OF BURR RIDGE ZONING ORDINANCE

Section XIII.J of the Village of Burr Ridge Zoning Ordinance requires that the Plan Commission determine compliance with the following findings in order to recommend a text amendment to the Zoning Ordinance. The petitioner must respond to and confirm each of the following findings by indicating the facts supporting such findings.

a. The amendment is compatible with other standards and uses of the Zoning Ordinance;

b. The amendment fulfills the purpose and intent of the Zoning Ordinance;



VILLAGE OF BURR RIDGE

MEMORANDUM

TO:	Village of Burr Ridge Plan Commission Greg Trzupek, Chairman
FROM:	Evan Walter, Assistant Village Administrator
DATE:	October 7, 2019
RE:	Board Report

At its August 12 and August 26, 2019 meetings, the following actions were taken by the Board of Trustees relative to matters forwarded from the Plan Commission.

Z-04-2019: 10S110 Madison Street (Tri-State Fire Protection District); The Board of Trustees approved an Ordinance denying a special use as per Section IV.V of the Burr Ridge Zoning Ordinance to permit a personal wireless service facility at a property owned and used for municipal services.

Z-11-2019: 800 Village Center Drive (Hassan); The Board of Trustees approved an Ordinance approving a text amendment to add "co-working office space" as a first-floor special use in Building 6 of the Village Center and a Special Use for a "Coworking Space" in Building 6 of the Village Center.

S-04-2019: 7425 Wolf Road (Pleasantdale Park District); The Board of Trustees approved an Ordinance granting conditional sign approval for a non-residential sign in a residential district and for three variations from Section 55.04.B and Section 55.11.K of the Sign Ordinance to allow a sign; (1) exceeding the maximum permitted Size for a ground sign; (2) with an electronic changeable message panel; and (3) located less than 10 feet from a property line.

S-05-2019: 7450 Wolf Road (Pleasantdale School District 107); The Board of Trustees approved an Ordinance granting conditional sign approval for a non-residential sign in a residential district and for three variations from Section 55.04.B and Section 55.11.K of the Sign Ordinance to allow a sign; (1) exceeding the maximum permitted Size for a ground sign; (2) with an electronic changeable message panel; and (3) located less than 10 feet from a property line.

V-06-2019: 8335 County Line Road (Pizzuto); The Board of Trustees approved an Ordinance granting a variation from Section IV.J of the Zoning Ordinance to permit a six-foot tall fence in the front and side yard of a residential property.

Z-08-2019: 120 Harvester Drive (Olguin); The Board of Trustees approved an Ordinance granting an amendment to PUD Ordinance #A-834-09-16 to permit a reconfiguration and expansion of an existing surface parking lot.

Z-10-2019: The Board of Trustees approved an amendment to Section IV.K of the Zoning Ordinance regarding the definition of commercial vehicles.

08/21/2019

Permits Applied For July 2019



Permit Number	Date Applied	Property Address	Applicant Name & Contac	et Info	Description
JCA-19-193	07/19/2019	446 Village Center Dr	Accurate Property Services	17312 Harlem Tinley Park IL 60477	Com Alteration
CA-19-202	07/24/2019	6900 Veterans Blvd.	Reed Construction, Inc.	600 W. Jackson Blvd. 8th Floor Chicago IL 60661	Com Alteration
ICA-19-208	07/25/2019	701 Village Center Dr.	Berry Electrical Contracting C	1201 Morris Ave. Berkeley IL 60163	Com Alteration
DEK-19-213	07/31/2019	113 Clover Meadow Dr.	LEW Construction	260 Saint Andrews Dr Bolingbrook IL 60440	Deck
IDS-19-197	07/19/2019	7510 Wolf Rd	Illinois Designers & Builders, I	7614 Linden Oak Darien IL 60561	Demolition Structure
JDS-19-206	07/23/2019	8670 County Line Rd	LM Custom Homes LLC	361 S. Frontage Rd. Burr Ridge IL 60527	Demolition Structure
IELV-19-180	07/08/2019	9476 Fallingwater Dr E	Extended Home Living Service	210 W. Campos Dr. Arlington Heights IL 60004	Elevator
IPAT-19-181	07/09/2019	1201 Kenmare Dr	Erik's Landscaping	570 W. Brar Cliff Rd Bolingbrook IL 60440	Patio
PAT-19-182	07/09/2019	8180 Lake Ridge Dr	Green Earthcare		Patio
IPAT-19-194	07/17/2019	8301 Park Ave	C.B. Conlin Landscapes	P.O. Box 9094 Naperville IL 60567	Patio
IPAT-19-195	07/12/2019	11714 Briarwood Ln	Kestrel Design	100 Wakefield Ct. Aurora IL 60506	Patio
IPAT-19-196	07/18/2019	8650 Johnston Rd	Sports Court Midwest	747 Church Rd, G10 Elmhurst IL 60126	Patio
IPAT-19-205	07/22/2019	1200 Burr Ridge Pkwy	Creative Hardscapes, Inc.	1 Preston Ct. Acworth GA 30102	Patio
JPAT-19-210	07/26/2019	204 W 59th St	Archadeck of Chicagoland	395 W. Northwest Hwy Palatine IL 60067	Patio
JPAT-19-211	07/30/2019	15W 260 PLAINFIELD RD	Green Grass Inc	1597 Warren Ave Downers Grove IL 60515	Patio
IPF-19-177	07/02/2019	15W 622 74TH ST	Ameri Dream Fence & Deck, I	1419 E. Cass St. Joliet IL 60432	Fence Permit
IPF-19-198	07/25/2019	324 Burr Ridge Pkwy	Capri	324 Burr Ridge Pkwy Burr Ridge 1L 60527	Fence Permit
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08/21/2019

Permits Applied For July 2019



Permit Number JPF-19-203	Date Applied	Property Address 16W 250 93RD PL	Applicant Name & Contact Info		Description
	07/22/2019		Cedar Rustic Fence Co.	99 Republic Av. Joliet IL 60435	Fence Permit
JPR-19-170	07/11/2019	ROWs DuPage Locations	PirTano Construction Co.	1766 Armitage Ct. Addison IL 60101	Right-of-Way
JPR-19-179	07/03/2019	15W 248 62ND ST	Elia Paving Co.	P.O. Box 580 Hinsdale IL 60522	Right-of-Way
JPR-19-183	07/10/2019	10S 445 GLENN DR	David & Dawn Maday	10S445 Glenn Dr Burr Ridge IL 60527	Right-of-Way
PR-19-186	07/17/2019	ROWs DuPage Locations	Intren Trenching	18202 W Union Rd. Union IL 60180	Right-of-Way
IPR-19-187	07/17/2019	ROWs DuPage Locations	Intren Trenching	18202 W Union Rd. Union IL 60180	Right-of-Way
PR-19-188	07/17/2019	ROWs DuPage Locations	AT&T	1000 Commerce Dr. Oak Brook IL 60523	Right-of-Way
PR-19-189	07/31/2019	ROWs Ck Cty Locations	ESPO Engineering	845 Midway Dr. Willowbrook IL 60527	Right-of-Way
PR-19-190	07/31/2019	ROWs Ck Cty Locations	ESPO Engineering	845 Midway Dr. Willowbrook IL 60527	Right-of-Way
PR-19-191	07/31/2019	ROWs Ck Cty Locations	Fullerton Engineering	1305 Algonquin Rd Arlington Heights IL 60005	Right-of-Way
PS-19-176	07/01/2019	15W 776 N Frontage RD	Fastsigns of Downers Grove	408 75th St Downers Grove IL 60516	Sign
PS-19-200	07/22/2019	92 Burr Ridge Parkway	Olympik Signs, Inc.	1130 N. Garfield Lombard IL 60148	Sign
PS-19-212	07/29/2019	60 Shore Dr	Dream led Sign	6141 1/2 W. Touhy Ave Chicago IL 60677	Sign
PTR-19-178	07/02/2019	6101 County Line Rd	King Bruwaert House	6101 County Line Road Burr Ridge IL 60527	Tree Removal
PTR-19-201	07/22/2019	7506 Hamilton Ave	4 Season's Quality Tree Service		Tree Removal
PTR-19-207	07/23/2019	8670 County Line Rd	LM Custom Homes LLC	361 S. Frontage Rd. Burr Ridge IL 60527	Tree Removal
RAL-19-209	07/25/2019	7350 Wolf Rd	Recon Solutions, Inc.	270 Carlton Dr. Carol Stream IL 60188	Residential Alteration

Permits Applied For July 2019



Permit Number Date Applied		Property Address	Applicant Name & Con	tact Info	Description
JRDB-19-184	07/11/2019	4 Seneca Ct	Stonecrest, Ltd.	375 W 83rd St. Burr Ridge IL 60527	Residential Detached Building
JRDB-19-185	07/15/2019	68 Cabernet CT	Brick & Mortar	2609 35th St. Oak Brook IL 60523	Residential Detached Building
JRES-19-174	07/02/2019	7425 Wolf Rd	Pleasandale Park District	7425 Wolf Road Burr Ridge IL 60527	Residential Miscellaneous
JRES-19-204	07/22/2019	15W 528 63rd ST	Certasun LLC	1582 Barclay Blvd. Buffalo Grove IL 60089	Residential Miscellaneous
JRSF-19-199	07/22/2019	7310 Hamilton Av	RMD Construction	7210 Giddings Ave. Burr Ridge IL 60527	Residential New Single Family

TOTAL: 39



Permits Issued July 2019

						1
Permit Number Date Issued		Property Address	Description			
					Value & Sq Ftg	
JCA-19-121	07/17/2019	281 South Frontage Rd	Cantore Construction	925 S. Route 83 Elmhurst IL 60126	Com Alteration \$451,607	9,882
JCA-19-131	07/09/2019	1000 Burr Ridge Pkwy	L.R. Hein Construction	1480 Industrial Dr. Itasca IL 60143	Com Alteration \$221,294	2,519
JCA-19-146	07/29/2019	7055 High Grove	F&M Construction Services, In	26528 N. Wilton Rd. Wauconda IL 60084	Com Alteration \$58,771	669
JCA-19-155	07/15/2019	1333 Burr Ridge Pkwy	Siebert Construction	1440 Huntington Dr Calumet City IL 60409	Com Alteration \$8,464,154	91,653
JCA-19-156	07/01/2019	100 Shore Dr	Precision Gage Company	100 Shore Dr Burr Ridge IL 60527	Com Alteration	
JCA-19-165	07/24/2019	92 Burr Ridge Parkway	Sladjana Saric	Clarendon Hills IL 60514	Com Alteration \$91,650	1,141
JDEK-19-164	07/02/2019	8077 Savoy Club Ct.	D & M Outdoor Living Spaces	P.O. Box 54 Western Springs IL 60558	Deck	
IDEK-19-172	07/10/2019	County Line Rd	King Bruwaert House	6101 County Line Road Burr Ridge IL 60527	Deck	
IPAT-19-097	07/12/2019	8219 Windsor Ct	Classic Handyman LLC	44 South Oakland Ave Villa Park IL 60181	Patio	
IPAT-19-182	07/29/2019	8180 Lake Ridge Dr	Green Earthcare		Patio	
IPAT-19-195	07/31/2019	11714 Briarwood Ln	Kestrel Design	100 Wakefield Ct. Aurora IL 60506	Patio	
JPF-19-177	07/24/2019	15W 622 74TH ST	Ameri Dream Fence & Deck, I	1419 E. Cass St. Joliet IL 60432	Fence Permit	
IPF-19-198	07/29/2019	324 Burr Ridge Pkwy	Capri	324 Burr Ridge Pkwy Burr Ridge IL 60527	Fence Permit	
IPR-19-161	07/02/2019	11505 75th St	ABC Contractors, Inc.	1116 Center St Joliet IL 60435	Right-of-Way	
IPR-19-162	07/23/2019	8001 Drew Ave	Irish Castle Paving	7701 W 99TH ST Hickory Hills IL 60457	Right-of-Way	
JPR-19-166	07/23/2019	100 Stirrup Ln	J&J Asphalt Paving, Inc.	21 S. Howard St. Suite 2 Roselle IL 60172	Right-of-Way	



Permits Issued July 2019

		-	A PARTY CONTRACTOR OF A PARTY OF A			
Permit Number Date Issued		Property Address Applicant Name & Contact Info			Descriptio	on
					Value & S	6q Ftg
JPR-19-168	07/02/2019	8572 Walredon Ave	Dombrowski,Donald & Karen	8572 Walredon Ave Burr Ridge IL 60521	Right-of-Way	
JPR-19-169	07/11/2019	135 Oak Ridge Dr	Rabine Paving	900 National Pkwy Schaumburg IL 60173	Right-of-Way	
JPR-19-170	07/11/2019	ROWs DuPage Locations	PirTano Construction Co.	1766 Armitage Ct. Addison IL 60101	Right-of-Way	
JPR-19-179	07/24/2019	15W 248 62ND ST	Elia Paving Co.	P.O. Box 580 Hinsdale IL 60522	Right-of-Way	
JPR-19-183	07/31/2019	10S 445 GLENN DR	David & Dawn Maday	10S445 Glenn Dr Burr Ridge IL 60527	Right-of-Way	
JPR-19-186	07/17/2019	ROWs DuPage Locations	Intren Trenching	18202 W Union Rd. Union IL 60180	Right-of-Way	
JPR-19-187	07/17/2019	ROWs DuPage Locations	Intren Trenching	18202 W Union Rd. Union IL 60180	Right-of-Way	
JPR-19-188	07/17/2019	ROWs DuPage Locations	AT&T	1000 Commerce Dr. Oak Brook IL 60523	Right-of-Way	
JRAD-19-122	07/30/2019	6540 Manor	M.T. McCaw, Inc	414 Deerfield Dr Oswego IL 60543	Residential Ad \$13,200	dition 176
JRAL-19-142	07/24/2019	11747 Briarwood Ct	Lamantia Design & Constructi	20 E. Ogden Av Hinsdale IL 60521	Residential Alt \$22,950	eration 306
IRAL-19-173	07/23/2019	1032 Laurie Ln	Bradford & Kent Builders	807 Ogden Ave. Downers Grove IL 60515	Residential Alt \$4,275	eration 57
JRAL-19-175	07/23/2019	11667 Walnut Ct	Normandy Construction	440 E. Ogden Avenue Hinsdale IL 60521	Residential Alt \$13,350	eration 178
JRES-19-159	07/02/2019	6545 Hillcrest Dr.	United Landscaping		Residential Mis	scellaneous
JRSF-18-297	07/08/2019	7600 Hamilton Av	Raymond & Patricia Howe	5500 S. Elm St. Hinsdale IL 60521	Residential Ner \$516,450	w Single Family 3,443
IRSF-19-163	07/31/2019	11866 Crosscreek Ct	JDS Home Builders, Inc	17W060 Fern Willowbrook IL 60527	Residential Net \$667,200	w Single Family 4,448
JRSF-19-171	07/08/2019	7238 Lakeside Cir	McNaughton Development	11S220 Jackson St. Burr Ridge IL 60527	Residential Nev \$469,050	w Single Family 3,127

08/21/2019			Permits Issued July 2019	R	
Permit Number	Date Issued	Property Address	Applicant Name & Contact Info	Description	
				Value & Sq Ftg	

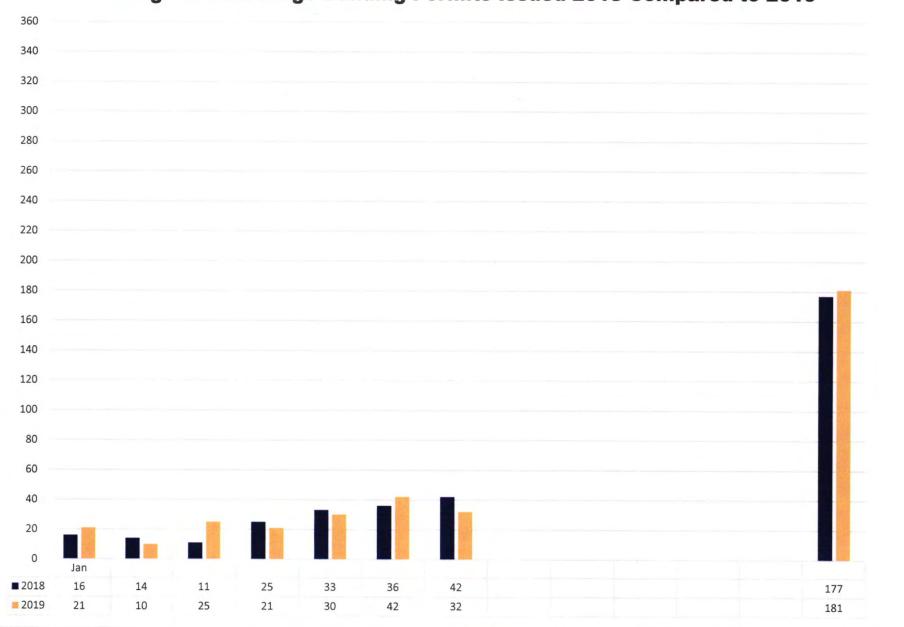
Occupancy Certificates Issued July 2019

CO #	Certificate of Occupancy Date	Occupant of Record	Address
OF19027	07/03/19	Vilmantas & Anzela Venclovas	7656 Wolf Rd

Innes not mult	de miscellaneous Peri	mits)			
MONTH	SINGLE FAMILY RESIDENTIAL (NEW)	ADDITIONS ALTERATIONS (RES)	NON- RESIDENTIAL (NEW)	ADDITIONS ALTERATIONS (NON-RES)	TOTAL FOR MONTH
	¢1.002.100	Å1 050 535		40.040.454	47 7 7 7 7 7 7
JANUARY	\$1,802,100			\$3,846,454	\$7,508,079
FEBRUARY	[3] \$488,100	[3]		[2]	¢2.000.24
FLBROART	[1]	\$180,150 [2]		\$3,240,995	\$3,909,245
MARCH	\$3,037,650			[2] \$159,888	\$3,347,088
MARCH	[3]	[7]		[1]	\$3,347,088
APRIL	\$1,519,950	\$538,200		\$579,071	\$2,637,221
	[2]	[8]		[2]	\$2,037,223
MAY	\$1,579,350			\$694,886	\$2,590,811
	[2]	[6]		[1]	\$2,550,811
JUNE	\$488,100	\$71,775		\$1,319,475	\$1,879,350
	[1]	[3]		[1]	\$1,075,550
JULY	\$1,652,700	\$53,775		\$9,287,476	\$10,993,951
	[3]	[4]		[6]	+==,===,===
AUGUST					
SEPTEMBER					
OCTOBER					
NOVEMBER					
DECEMBER					
2019 TOTAL	\$10,567,950	\$3,169,550	\$0		\$32,865,745
	[15]	[33]	• ([15]	



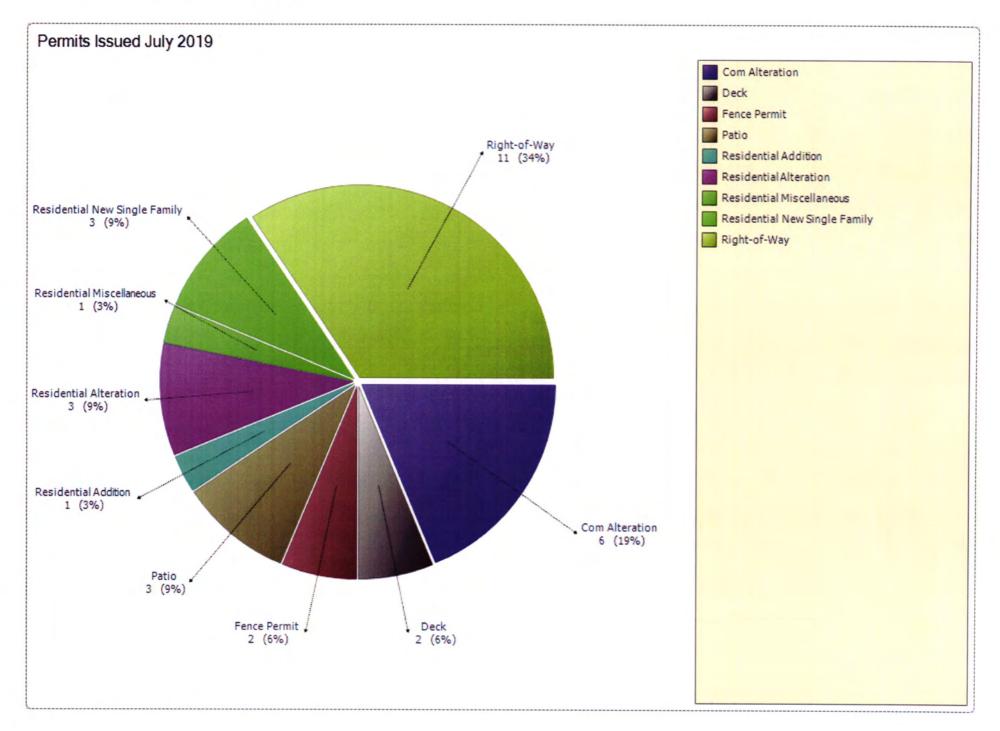
Village of Burr Ridge New Housing Permits 2018 Compared to 2019



Village of Burr Ridge Building Permits Issued 2018 Compared to 2019

08/21/2019 11:18 AM

Breakdown of Projects by Project Type



Permits Applied For August 2019



Permit Number	Date Applied	Property Address	Applicant Name & Contac	et Info	Description
ICA-19-214	08/13/2019	7075 Veterans Blvd.	Berglund Construction	8410 S. Chicago Ave. Chicago IL 60617	Com Alteration
JCA-19-224	08/19/2019	582 Village Center Dr	Bergmeyer Associates, Inc.	51 Sleeper St. Boston MA 02210	Com Alteration
ICA-19-225	08/20/2019	180 Harvester Dr	Baumann Studios - Mike Maso	312 North May St Chicago IL 60607	Com Alteration
CA-19-228	08/21/2019	6900 Veterans Blvd.	Burham Nationwide	111 W Washington St, Ste 450 Chicago IL 60602	Com Alteration
CA-19-232	08/27/2019	570 Village Center Dr.	GMDA, LLC	915 S. Waiola Ave La Grange IL 60525	Com Alteration
CA-19-239	08/30/2019	405 Heathrow Ct	MA Architects, PC	905 W Hillgrove Ave, Suite 10 La Grange IL 60525	Com Alteration
CA-19-241	08/30/2019	6880 North Frontage Rd	BLC Construction, LLC	Elk Grove Village IL 60007	Com Alteration
CMSC-19-192	08/06/2019	Lakeside Cir			Commercial Miscellaneous
DEK-19-218	08/09/2019	135 Oak Ridge Dr	O'Rourke Deck Services, LLC	124 N. Park St Westmont IL 60559	Deck
DEK-19-231	08/26/2019	5 Hanover Ct	Tsai, Fred P	5 Hanover Ct Burr Ridge IL 60521	Deck
DEK-19-234	08/27/2019	8107 Park Ave	Warner's Decking	13349 Wellesley Ct. Plainfield IL 60585	Deck
DEK-19-237	08/29/2019	3 Mallory Ct	Dr. & Mrs. Dhiraj Sharma	3 Mallor Ct. Burr Ridge IL 60527	Deck
PAT-19-235	08/27/2019	904 Kenmare Dr	Hinsdale Nurseries	7200 S. Madison St Hinsdale IL 60521	Patio
PR-19-217	08/08/2019	303 Kenmare Dr	John J. Manderscheid	303 Kenmare Burr Ridge IL 60527	Right-of-Way
PR-19-220	08/13/2019	7720 Forest Hill Rd	Philip L Fox		Right-of-Way
PR-19-221	08/30/2019	Garfield Ave	Suburban Seal Coating	5619 Lavender Ct Rolling Meadows IL 60008	Right-of-Way
PR-19-222	08/15/2019	10S 531 MADISON ST	Irish Castle Paving	7701 W 99TH ST Hickory Hills IL 60457	Right-of-Way

Permits Applied For August 2019



Permit Number	Date Applied	Property Address	Applicant Name & Contac	ct Info	Description
JPR-19-223	08/15/2019	10S 541 Madison ST	Irish Castle Paving	7701 W 99TH ST Hickory Hills IL 60457	Right-of-Way
JPR-19-226	08/22/2019	ROWs Ck Cty Locations	Intren Trenching	18202 W Union Rd. Union IL 60180	Right-of-Way
JPS-19-238	08/29/2019	1333 Burr Ridge Pkwy	Parvin-Clauss Sign Company	165 Tubeway Drive Carol Stream IL 60188	Sign
JPTR-19-229	08/23/2019	6980 County Line Rd	Homer Tree Care, Inc.	1400 S. Archer Ave. Lockport IL 60441	Tree Removal
JRAL-19-243	08/30/2019	176 Foxborough Pl	Kitchen Bath & Beyond Showr	6244 Main St Downers Grove IL 60516	Residential Alteration
JRES-19-215	08/02/2019	15W 591 83RD ST	Benito's Landscaping	P. O. Box 453 Westmont IL 60559	Residential Miscellaneous
JRES-19-230	08/26/2019	8361 Dolfor Cove	Sunrun Installation Services	2309 S. Mount Prospect Rd. Des Plaines IL 60018	Residential Miscellaneous
JRSF-19-216	08/05/2019	8670 County Line Rd	LM Custom Homes LLC	361 S. Frontage Rd. Burr Ridge IL 60527	Residential New Single Family
JRSF-19-219	08/13/2019	8879 Johnston Rd	Coyle Construction Co.	10551 Stone Hill Drive Orland Park IL 60467	Residential New Single Family
JRSF-19-227	08/14/2019	6270 S Garfield Ave	Ebla Builders, Inc.	406 61st St. Willowbrook IL 60527	Residential New Single Family

TOTAL: 27



Permits Issued August 2019

Permit Number	Date Issued	Property Address	Applicant Name & Contact I	nfo	Description
1.1					Value & Sq Ftg
JCA-19-202	08/19/2019	6900 Veterans Blvd.	Reed Construction, Inc.	600 W. Jackson Blvd. 8th Floor Chicago IL 60661	Com Alteration
JCMSC-19-130	08/13/2019	1333 Burr Ridge Pkwy	Burr Ridge Parkway LP	1400 16th St Oak Brook IL 60523	Commercial Miscellaneous
JCMSC-19-192	08/06/2019	Lakeside Cir			Commercial Miscellaneous
JCPE-19-063	08/26/2019	161 Tower Dr	Marquardt Printing Company	161 Tower Drive Burr Ridge IL 60527	Com Electrical Permit
JDEK-19-213	08/29/2019	113 Clover Meadow Dr.	LEW Construction	260 Saint Andrews Dr Bolingbrook IL 60440	Deck
IPAT-19-194	08/06/2019	8301 Park Ave	C.B. Conlin Landscapes	P.O. Box 9094 Naperville IL 60567	Patio
IPAT-19-196	08/12/2019	8650 Johnston Rd	Sports Court Midwest	747 Church Rd, G10 Elmhurst IL 60126	Patio
IPAT-19-205	08/12/2019	1200 Burr Ridge Pkwy	Creative Hardscapes, Inc.	1 Preston Ct. Algonquin IL 60102	Patio
IPF-19-071	08/08/2019	7248 Giddings Ave	Sandra Zavala	7248 Giddings Av. Burr Ridge IL 60527	Fence Permit
PF-19-203	08/12/2019	16W 250 93RD PL	Cedar Rustic Fence Co.	99 Republic Av. Joliet IL 60435	Fence Permit
PPL-19-072	08/27/2019	7248 Giddings Ave	S&S Construction	14940 S. 81st Ct Orland Park IL 60462	Pool
PR-19-189	08/05/2019	ROWs Ck Cty Locations	ESPO Engineering	845 Midway Dr. Willowbrook IL 60527	Right-of-Way
PR-19-190	08/06/2019	ROWs Ck Cty Locations	ESPO Engineering	845 Midway Dr. Willowbrook IL 60527	Right-of-Way
PR-19-191	08/06/2019	ROWs Ck Cty Locations	Fullerton Engineering	1305 Algonquin Rd Arlington Heights 1L 60005	Right-of-Way
PR-19-217	08/22/2019	303 Kenmare Dr	John J. Manderscheid	303 Kenmare Burr Ridge IL 60527	Right-of-Way
IPR-19-221	08/30/2019	Garfield Ave	Suburban Seal Coating	5619 Lavender Ct Rolling Meadows IL 60008	Right-of-Way



Permits Issued August 2019

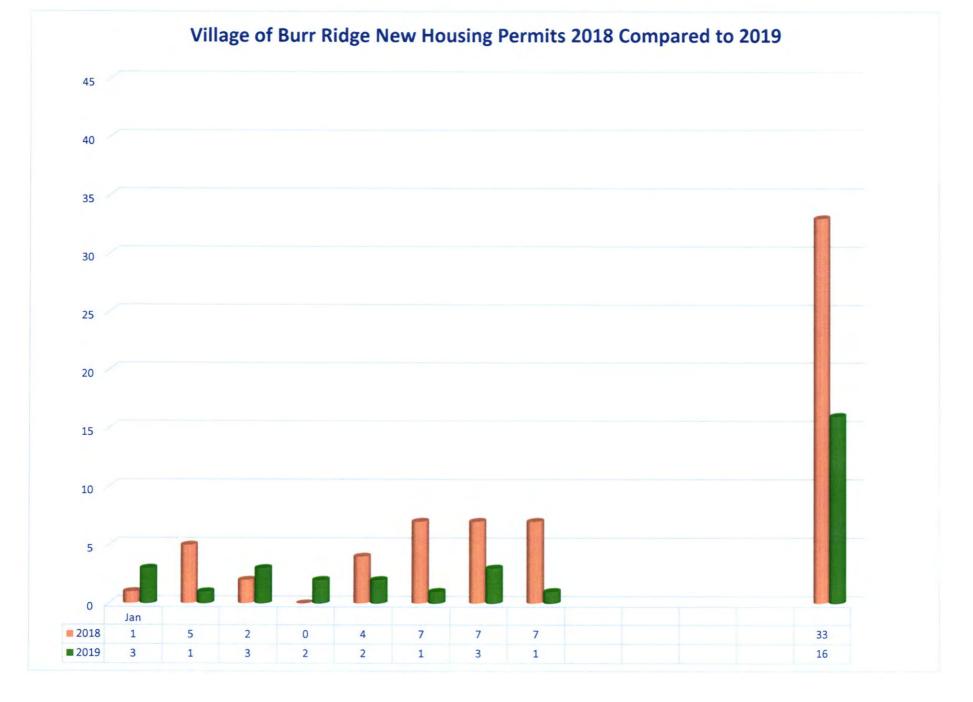
Contraction of the second	10 10 10 10 10 10 10 10 10 10 10 10 10 1	a state the second second				
Permit Number Date Issued		Property Address Applicant Name & Contact Info		Descriptio	n	
			1		Value & S	q Ftg
JPR-19-226	08/22/2019	ROWs Ck Cty Locations	Intren Trenching	18202 W Union Rd. Union IL 60180	Right-of-Way	
JPS-19-176	08/14/2019	15W 776 N Frontage RD	Fastsigns of Downers Grove	408 75th St Downers Grove IL 60516	Sign	
PS-19-200	08/19/2019	92 Burr Ridge Parkway	Olympik Signs, Inc.	1130 N. Garfield Lombard IL 60148	Sign	
PTR-19-201	08/12/2019	7506 Hamilton Ave	4 Season's Quality Tree Service		Tree Removal	
PTR-19-207	08/19/2019	8670 County Line Rd	LM Custom Homes LLC	361 S. Frontage Rd. Burr Ridge IL 60527	Tree Removal	
IRAL-19-116	08/01/2019	148 Easton PL	Haga Remodeling	4503 Fisherman Terrace Lyons IL 60534	Residential Alto \$42,600	eration 568
RDB-19-184	08/14/2019	4 Seneca Ct	Stonecrest, Ltd.	375 W 83rd St. Burr Ridge IL 60527	Residential Det	ached Building
RDB-19-185	08/19/2019	68 Cabernet CT	Brick & Mortar	2609 35th St. Oak Brook IL 60523	Residential Det \$34,800	ached Building 464
RES-19-145	08/13/2019	8690 Crest Ct	Bart Industries, Inc.	11976 Cross Creek Ct Burr Ridge IL 60527	Residential Mis	cellaneous
RES-19-160	08/14/2019	4 Seneca Ct	Brickman Masonry	28943 S. Gougan Manhattan IL 60442	Residential Mis	cellaneous
RES-19-174	08/02/2019	7425 Wolf Rd	Pleasandale Park District	7425 Wolf Road Burr Ridge IL 60527	Residential Mis	cellaneous
RES-19-215	08/22/2019	15W 591 83RD ST	Benito's Landscaping	P. O. Box 453 Westmont IL 60559	Residential Mis	cellaneous
RPF-19-167	08/08/2019	4 Seneca Ct	Aqua Pools, Inc,	13445 W 159th St. Homer Glen IL 60491	Pool and Fence	
RSF-18-144	08/16/2018	367 Old Oak Ct	Elite Homes	15W671 74th St. Burr Ridge IL 60527	Residential Nev \$1,039,200	v Single Family 6,928
				and the second second		

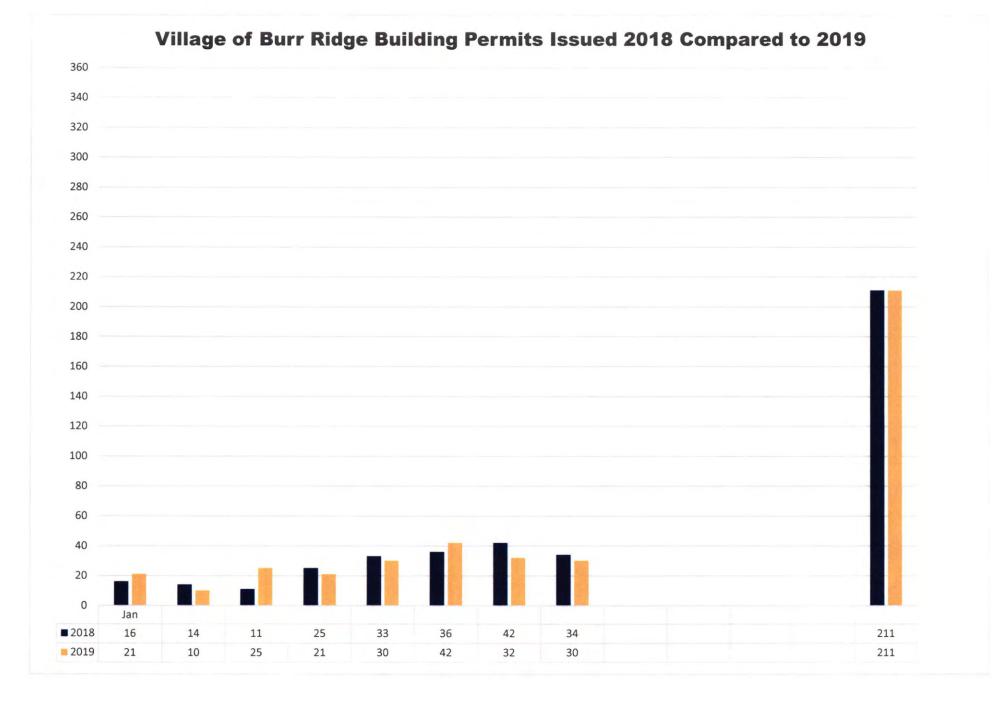
TOTAL: 30

Occupancy Certificates Issued August 2019

CO #	Certificate of Occupancy Date	Occupant of Record	Address
OF19031	08/22/19	Anne and Milan Petrovic	7257 Lakeside Cir
OF19032	08/22/19	Jovica and Kristiana Balac	7500 Drew Ave

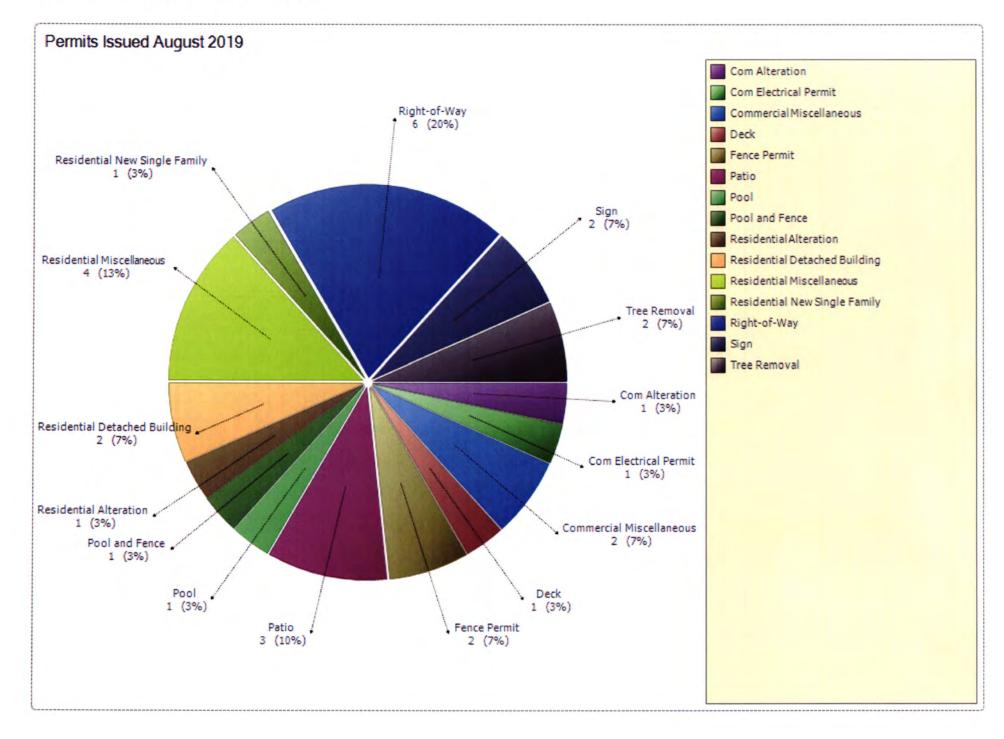
(Does not inclu	Does not include miscellaneous Permits)						
MONTH	SINGLE FAMILY RESIDENTIAL (NEW)	ADDITIONS ALTERATIONS (RES)	NON- RESIDENTIAL (NEW)	ADDITIONS ALTERATIONS (NON-RES)	TOTAL FOR MONTH		
JANUARY	\$1,802,100	\$1,859,525		\$3,846,454	\$7,508,079		
JANOAN	[3]	[3]		[2]	\$7,508,075		
FEBRUARY	\$488,100		-	\$3,240,995	\$3,909,245		
1 EDitor att	[1]	[2]		[2]	\$5,505,245		
MARCH	\$3,037,650	\$149,550		\$159,888	\$3,347,088		
021F 966 979	[3]	[7]		[1]	1-1		
APRIL	\$1,519,950			\$579,071	\$2,637,221		
	[2]	[8]		[2]) =		
MAY	\$1,579,350	\$316,575		\$694,886	\$2,590,81		
	[2]	[6]		[1]			
JUNE	\$488,100	\$71,775	· · · · · · · · · · · · · · · · · · ·	\$1,319,475	\$1,879,350		
	[1]	[3]		[1]	1		
JULY	\$1,652,700	\$53,775		\$9,287,476	\$10,993,951		
	[3]	[4]		[6]			
AUGUST	\$1,039,200	\$77,400	1		\$1,116,600		
1	[1]	[2]		[0]			
SEPTEMBER							
OCTOBER							
NOVEMBER							
DECEMBER							
2019 TOTAL	\$11,607,150	\$3,246,950	\$0	\$19,128,245	\$33,982,345		
	[16]	[35]		[15]			





10/01/2019 12:38 PM

Breakdown of Projects by Project Type





VILLAGE OF BURR RIDGE

MEMORANDUM

TO:	Village of Burr Ridge Plan Commission Greg Trzupek, Chairman
FROM:	Evan Walter Assistant Village Administrator

DATE: October 7, 2019

RE: Activity Memo

The following developments have occurred related to recent Plan Commission hearings and considerations.

302 Burr Ridge Parkway – Beach for Dogs has closed its business.

15W455 79th Street – St. Mark Coptic Church has completed their trash enclosure in a permitted location on their property.

6880 North Frontage Road – Vine Academy has received their building permit and has begun demolition and construction on their interior buildout.



VILLAGE OF BURR RIDGE

MEMORANDUM

TO:	Village of Burr Ridge Plan Commission Greg Trzupek, Chairman
FROM:	Evan Walter, Assistant Village Administrator
DATE:	October 7, 2019
RE:	6100 South Grant Street (Mendi); Preliminary Plat of Subdivision and Variation; continued from May 6, 2019

The Plan Commission previously considered a request for a preliminary plat of subdivision (Mendi) with a variation at 6100 South Grant Street on May 6, 2019. Attached is a request for review of a preliminary plat of subdivision for the above referenced property. The Plan Commission previously directed staff to work with adjacent property owners to the north (6050 Grant – DeGeer; and 6030 Grant – Grasso) to ensure that Keller Drive terminates in the proper manner and place. Since the previous consideration of this plat, both adjacent property owners have requested that the Village allow for the opportunity for subdivision on their properties, thus creating the potential for further extensions and eventual termination of Keller Drive in the form of a cul de sac further north than the Mendi property. The attached plat reflects the proposed subdivision for the Mendi property as well as the eventual DeGeer subdivision, the latter of which is not proposed to occur at this time. The plat proposes to subdivide a parcel approximately 2 acres in area into two single-family residential lots. The following review comments are provided:

- Two single-family residential lots are proposed; each lot complies with the minimum 20,000 square foot lot area and 100' width as required in the R-3 District. The subject property has a current Grant Street address; if a subdivision were created, the two newly-created lots would be accessed via Keller Drive, while the eastern lot would be accessed via Grant Street.
- The extension of Keller Drive with a terminus at the north end is required to facilitate travel for vehicles along Keller Drive. Two properties located directly south of the subject property on either side of the street, 6081 and 6086 Keller Drive, were created via a re-subdivision in 1992 (Wildwood's 1st Addition). That subdivision was permitted without the creation of a terminus, as it was assumed that at least one more subdivision would be created north of these new lots, with the next subdivision providing the necessary turnaround infrastructure.
- To create this subdivision, the petitioner is normally required to provide a cul-de-sac terminus with a 90' pavement width and 120' right-of-way per the Subdivision Ordinance. The petitioner has requested a variation from this requirement, as property owners to the north of the subject property have expressed interest in eventual subdivision of their own lots.

If the Plan Commission chooses to recommend approval of a preliminary plat of subdivision with a variation to construct a subdivision without the necessary cul-de-sac terminus with a 90' pavement width and 120' right-of-way per the Subdivision Ordinance, staff recommends that the variation be made with the condition that the petitioner provide a T-type terminus at the north end of the proposed subdivision measuring 60' wide (the full width of the public right of way) and 20' deep to accommodate vehicle access. It should be noted that the T-type terminus that is shown on the attached plat is shown on the DeGeer property at 6050 Grant instead of on the Mendi property; the T-type terminus would be located on the Mendi property, if approved. It is anticipated that when Keller Drive is eventually extended north beyond the Mendi property, the T-type terminus would be removed.

OVERALL PLAN - KELLAR DRIVE FUTURE EXTENSION



Notes: Square footage shown of existing residences denoted as (x,xxx) is approximate only and are based on aerial pictography.

* Area shown for Mendi & DeGeer property is based on the subsequent transfer of 5'-8' between parties.

Mendi Property Address: Area*: ROW Total Lots: Min. Lot width: Min. Lot Size: Density: Existing Zoning R-3 Proposed Zoning: R-3

PIN: 09-13-300-036 6100 S Grant 2.07 Acres (90,313 sf) 8,564 sf 3 Lots 142.8' 22,260 sf 0.69 Lots/Acre

SITE DATA

Address: Area*: ROW Total Lots: Min. Lot width: Min. Lot Size: Density: Existing Zoning R-3 Proposed Zoning: R-3

De Geer Property PIN: 09-13-300-034&35 6050 S Grant 1.82 Acres (79,455 sf) 7,750 sf 2 Lots 126.2' 20,081 sf 0.94 Lots/Acre

Setbacks		
	Proposed	District
Front	30'	30'
Rear	50'	50'
Side Yard	10'	10'



	Overall Plan			
	Subdivision			
	Burr Ridge, Illinois			
Taurus Engineering, L.L.C.	Drawing Date:	SCALE: 1	"= 50'	
Taurus Engineering, L.L.C.	September 22, 2019	SHEET NUMBER	1 OF 1	
5N557 Route 59 Bartlett, IL 60103	Prepared For:	Revision:	Date	
(630) 549-5506	DeGeer			
tauruseng@sbcglobal.net	6050 S Grant Street			
	Burr Ridge, IL			

