



PLANNING & ZONING COMMISSION MEETING MINUTES

66 Thillen Drive, Fox Lake, IL 60020

February 12th, 2020 6:30pm

Public Hearing for the Petition of JMC Enterprises requesting a Special Use Permit to operate a cannabis related business at 90 S. Route 12.

I. Call to Order

Chairman Gauger opened the public hearing for the petition of JMC Enterprises requesting a Special Use Permit to operate a cannabis related business at 90 S. Route 12 at 7:21pm.

II. Roll Call

Present

Commissioner LaPiana

Commissioner Niki Warden

Commissioner Tim Foster

Commissioner Debra Vander Weit

Chairman David Gauger

Absent

Commissioner David Schultz

Commissioner Legge

Staff Present

Community Development Director Donovan Day

III. Hearing

Director Day detailed the process of adopting regulations for the sale of recreational cannabis that began in September 2019. The Village Board adopted Ordinance 2019-45 at their public meeting on December 10, 2019 which allows for the sale, transportation, infusing, cultivation, craft grow and consumption of cannabis within a dispensary.

Petitioner and contract purchasers of 90 S. Route 12, JMC Enterprises LLC, are requesting a Special Use Permit to operate a cannabis craft grow facility, dispensary with on-site consumption, and cannabis infuser.

Partners Mark Whittington and Nick Provenzano with JMC Enterprises LLC, Attorney Ryan McQueeney Operator of Midwest Dispensary, and Brian Kaufman, Adam Pawlikowski and Mike Romano Co-Founders of Shermer Farms were in attendance to represent the petition to the Planning and Zoning Commission.

Shermer Farms mission is to create an upscale, entertainment destination for the residents and visitors of Fox Lake. Shermer Farms will offer an indoor cannabis farm open to the public, app-based tour guide, cannabis cultivation classes for Illinois medical cannabis patients, cannabis shopping and upscale private cannabis lounge. Private security staff will be on site during all operational hours with video cameras & recording devices throughout the facility and 24 hour video surveillance in the parking lot. The focus of Shermer Farms is on quality, safety and technology. By utilizing different forms of air filtration and multiple VRF HVAC split systems, odor will be contained at all times. Using a combination of top-feed micro-dosing and the state-of-the art fertigation system are some ways Shermer Farms will grow efficiently and green.

IV. Public Questions

David Kraft asked about repairing the current parking lot and possible increased traffic.

- Parking lot will be updated with many available parking spaces and currently has two accessible curb cuts.

Harry Nicodem, owner of Studio Hotrods Roadhouse, asked if any other proposed cannabis related businesses have been presented to the Village of Fox Lake and if the current petitioner has obtained the state cannabis dispensary license.

- There has only been one other inquiry for a different location. The State of Illinois licenses have not been issued yet and require a physical location for the retail storefront within one hundred eighty (180) days of the license approval.

Zach Steffens, owner of the Culver's, stated he has many discussions with the petitioners and will welcome them as a neighbor. Culver's is located next door to the proposed business. Zach questioned the plans for the outside of the proposed building and availability of boat access.

- Extensive renovations are needed for both inside and outside of the building, parking lot and landscaping. Total capital of improvements for the property, are in the neighborhood of 3.5 million dollars. Currently, boat access is unavailable.

Joe Klein asked if the petitioners operated other cannabis facilities using the odor containment process presented.

- Petitioners have operated other cannabis facilities with the odor containment process being successful.

Diane Foster stated concern with the amount of allocated money going towards the exterior of the building.

- Petitioners stated while the mass majority of the infrastructure would be the grown rooms, the establishment is to be high scale and attractive with the surrounding businesses and add value to the community.

Shadi Qattawi, contract owner/developer of property at 91 S. Route 12, welcomed the petitioners to Fox Lake and questioned the time frame of the build out.

- Four to six months. The State of Illinois requires operation to be up and running six (6) months after issuance of the license. If required, extension requests are processed with the Department of Agriculture.

V. Public Comments

Joe Klein, representing Ben Watts Marina shared his disapproval of the location for the proposed petition due to IHSA fishing tournaments that take place at Ben Watts.

David Kraft shared his disagreement with Joe Klein's statement and stated businesses are not allowed to advertise the sale of cannabis on the exterior of the building.

Nick Provenzano agreed and stated the only sign on the exterior would be the wall sign and a ground sign that said Shermer Farms.

Dominic Cannon shared his experiences at cannabis facilities in other states around the U.S. and discussed the facility operations with the petitioners.

Diane Foster shared her disapproval of the location for the proposed business because she travels Route 12 with her kids all the time and is worried about her kids asking what the business was and asked if gaming was going to be allowed.

- The state has limits on advertising and signs of cannabis businesses. Alcohol and gaming are not allowed.

Sabrina Garofolo stated she is an educator in Lake County and encouraged parents to educate their children about cannabis because if the parents don't then parents are relying on someone else to educate their kids which may have a negative effect.

VI. Commission Comments

Commissioner Warden shared approval of the proposed petition.

Commission and Director Day had discussion of the possible traffic light at Jack Frost Lane.

Commissioner LaPiana discussed the lack of development in the area.

VII. Commission Questions

Commissioner Foster raised the question of the building plans.

- With approval of a Special Use Permit, architectural drawings of both the inside and outside of the building would be submitted during the building permit phase.

Commissioner Warden questioned how over consumption would be prevented.

- Employees will be educated and trained in preventing over consumption the same way that bartenders and servers of alcohol are trained.

Commissioner Foster & Director Day discussed the vacant "Sayles" property behind 90 S. Route 12.

Commissioner LaPiana requested clarification of the Private Cannabis Lounge and industry standards for exterior odor.

- Membership of the private cannabis lounge would have a yearly fee and is similar to a cigar lounge membership. State of Illinois application requires explanation of how odor will be controlled and prevented from escaping to avoid any nuisance to the community.

Commissioner Vander Weit and Chairman Gauger raised the question of the state only issuing 1 of the 2 licenses.

- The business would still be viable with only 1 license.

VIII. Motion

Commissioner Warden made a motion to approve the petition of JMC Enterprises requesting a Special Use Permit to operate a cannabis craft grow facility, dispensary with on-site consumption, and cannabis infuser at 90 S. Route 12 in accordance with the Standards outlined in the Village of Fox Lake Zoning Ordinance 9-1-6-10, subsection C, items 1-6 with the following conditions, Seconded by Commissioner Vander Weit.

- *Final development plan including landscaping, elevations, and parking lot plan goes through the Planning & Zoning Commission.*
- *Obtain both the cannabis craft-grower and dispensary state licenses.*
- *Special Use Permit review 24 months from the day of opening.*
- *A cross access easement agreement between 90 S. Route 12 and 100 S. Route 12 be accepted and approved by the Village Board.*

Discussion: None

Roll Call Vote:

<i>Commissioner David Schultz</i>	<i>Absent</i>
<i>Commissioner LaPiana</i>	<i>Aye</i>
<i>Commissioner Niki Warden</i>	<i>Aye</i>
<i>Commissioner Tim Foster</i>	<i>Aye</i>
<i>Commissioner Debra Vander Weit</i>	<i>Aye</i>
<i>Commissioner Legge</i>	<i>Absent</i>
<i>Chairman David Gauger</i>	<i>Aye</i>

All in favor

IX. Adjournment

Chairman Gauger closed the hearing at 9:01pm.

Respectfully submitted by,

Brigitte Weber
Brigitte Weber
Deputy Clerk