



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, JUNE 4, 2014
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS**

The meeting was called to order by Chairman Hayden at 7:30 p.m. On roll call, members Batastini, Esposito, Gavle, Goss, Greenman, Jouron, Skluzacek, and Hayden were present.

James Richter II, Planning and Economic Development Manager, Latika Bhide and Elizabeth Maxwell, both Planners, were present from Staff.

Mr. Hayden asked those in attendance to rise to say the Pledge of Allegiance. He led those in attendance in the Pledge.

Mr. Hayden stated that this meeting was being televised now as well as recorded for future playback on the City's cable station.

APPROVE MINUTES OF THE MAY 21, 2014 PLANNING AND ZONING COMMISSION MEETING

Mr. Jouron moved to approve the minutes from the May 21, 2014 Planning and Zoning Commission meeting as presented. Mr. Gavle seconded the motion. On roll call, members Batastini, Esposito, Gavle, Greenman, Jouron, Skluzacek, and Hayden voted aye. Mr. Goss abstained. Motion passed.

2013-61 MARTIN CHEVROLET – 5220 Northwest Highway – PUBLIC HEARING

This petition is being continued to the June 18, 2014 PZC meeting.

Mr. Esposito moved to continue 2013-61 Martin Chevrolet to the June 18, 2014 PZC meeting. Mr. Goss seconded the motion. On voice vote, all members voted aye. Motion passed.

2014-17 BUCKY'S GAS STATION (BUCHANAN ENERGY) – 8108 Pyott Rd. – PUBLIC HEARING

Preliminary PUD and Special Use Permit for a Gasoline Station/Convenience Store, and EMC sign;
Variations to allow a flat gasoline canopy, 2 free-standing gas station EMC signs with red illumination, from the requirement to install a permeable surface for parking, requirement to have a landscape island every 10 spaces, and to allow 595.5 square feet of wall signage.

Mr. Hayden stated that the sign had been posted. He said the surrounding property owners were notified and the Certificate of Publication was in the file. Mr. Hayden waived the reading of the legal notice without objection.

Richard McMannon with Buchanan Energy and Ryan Swanson with ARC Design Resources were present to represent the petition. Mr. McMannon said they have made changes to the previous

submittals reflecting some of staff's requests. He showed photos of the property and stated it is approximately 2.9 acres. The revised site plan showed the entrance/exit on Pyott Road moved south. There is a considerable amount of green space on the property which is very unusual for this type of business. They have also increased the end caps and eliminated parking spaces in the front of the property. Mr. McMannon showed an artist rendering of the building they would like to build. He added that there is nothing like this in Northern Illinois.

Mr. McMannon said they are requesting a variation from the peaked roof canopy. He said that would block the architecture of the building. He knows of only 2 gas stations in the area that have peaked roofs on their canopies – one is in Schaumburg south of Woodfield. With a peaked roof there is a potential for snow/rain to come off the roof and fall on the customer.

Mr. McMannon said they are requesting 2 free standing EMC signs with red illumination. He showed photos of businesses in Crystal Lake that have the red illumination. Because the property is so large – 2.9 acres – and the frontage is 232 feet along Rakow Road and 307 feet along Pyott Road is so expansive that it would be difficult to place one sign that could be seen from both directions. There is also a grade change along Pyott Road which would also hinder seeing the sign if it were placed along Rakow Road only. Mr. McMannon added that the berm along the bike path would also shield the price sign. Also, having one sign would not allow the drives to safely maneuver their vehicle to enter the property.

Mr. McMannon said the revised site plan shows 16 parking spaces in front of the building which is the only location on the site with 10+ parking spaces in one area. He also showed the revised site plan showing the delivery truck routes for both regular deliveries and gas tankers. Even with the gas tanker there and another delivery truck is parked in that area, there is plenty of room for a vehicle to get through.

Mr. McMannon said they are requesting sign variations for the building signs. There will be three businesses on this parcel – the car wash, the gas station, and the café. There is a lot of building and they are slightly over the allowed square footage. He showed the site plan that noted the location of the signs. Both of the EMC signs will be monument signs. The City Ordinance counts the blue stripe on the canopy as signage because it is illuminated. It is their trade mark and has been accepted in other communities.

Mr. Hayden asked if the petitioners had any concerns with the conditions listed in the revised staff report. Mr. McMannon reviewed the changes that were made to the site plan. He said they will have a tree inventory completed. Ms. Maxwell said she will get a copy of the revised plan for Engineering to review. Mr. McMannon said they are in the process of receiving FAA approval and they are out of the runway protection zone for the airport. They will include their lighting information for the FAA to review.

Mr. McMannon said he is not sure if the owner will want some of the changes suggested by staff such as the stone base around the building and the knee walls for all of the windows. They will be samples of

the materials to be used when they come back for Final approval. Mr. Goss asked about 2D – moving the building to allow for more stacking for the car wash. Mr. McMannon said the building was moved to stay out of the well head protection zone. They don't have stacking issues for the car wash at other locations. He added that the water flow from this property is away from the Fen area and goes towards the Fox River.

There was no one in the public who wished to comment on this petition. The public portion was closed at this time.

Ms. Maxwell said with the new location of the driveway along Pyott Road she is not sure they can meet the 10 feet setback requirement. Mr. McMannon said they will move the location of the sign to north of the entrance/exit.

Mr. Jouron said there are a lot of signs for this property. He said the red illumination is not an issue, but he prefers there be only one monument sign. He also has a problem with the illuminated bands on the canopy.

Mr. Batastini asked if the artist rendering of the building is the same as what is shown in their packet. Mr. McMannon said the artist rendering is an earlier version. Mr. Greenman said the building footprint shown on the site plan is a rectangle. Mr. McMannon said that is used as a "place holder" for the engineers to do their calculations. Mr. Batastini said it doesn't show the ins and outs of the building. Also, the canopies shown don't match the building. He said the petitioner is requesting a lot of variations.

Mr. Hayden said he likes the artist rendering of the building versus the architect's elevation that is in their packet. Mr. Esposito said he likes the Prairie Style building shown. Mr. McMannon said the elevation in the packets is very similar to the artist's rendering.

Mr. Goss said the windows could be changed to include a knee wall since those windows are in storage areas and can't be seen through. He added that there are no dimensions given. He asked if staff had received the revised plan to review. Mr. McMannon said no. Mr. Goss thanked the petitioner for reducing the parking on the site. He asked if sale items would be displayed outside the building. They don't want anything piled up on skids. Mr. McMannon said they understand the City's requirements for outside storage of sale items.

Mr. Goss said he is ok with two small monument signs if the canopy stripe is not illuminated. He added that the amount of building signs is large and the businesses are advertised on the monument signs. He asked if the Fire Department needs a rear aisle behind the building. Ms. Maxwell said no that they were ok with the building location. Mr. Goss asked if there would be additional lighting on the building or along the roof line. Mr. McMannon said there will be down-lights from the eaves of the building.

Mr. Goss said he is concerned with the traffic especially the southbound traffic going from the site onto Pyott Road. The traffic coming northbound is going at least 45 mph and it is on a curve and going uphill. He is very surprised the County ok-ed the plan. He would prefer the County look at the plan again. If the County is still ok with the revised plan, it is their jurisdiction. Mr. Gavle added that going southbound on Pyott Road will be a challenge to get into the site. Mr. Swanson said they looked at the site with the recent improvements. Moving the entrance south allows for more cars stacking on the site. Mr. Gavle asked if the detention areas have been approved. Mr. Swanson said they received comments back.

Mr. Greenman asked about the number of parking spaces shown on the revised plan. Mr. McMannon said they have reduced it to 39 from 61. Mr. Greenman said that area is still impervious surface – just not striped for parking. Ms. Maxwell said a gas station is not allowed to have pervious surface and the petitioner will still need that area for truck traffic. Mr. Greenman asked how the parking requirements are determined. Ms. Maxwell said they use the information in the UDO and the American Planning Association Parking Standards. Mr. Greenman said he would prefer having the canopy and building feel more together. He doesn't want a blue building. Also he doesn't care for the variation for the amount of signage requested.

Mr. Skluzacek asked what happens if there is a large fuel spill. Mr. McMannon said if there is a large fuel spill it would be from the delivery truck. The trucks are equipped with large "diapers" to contain the fluid. If it flows into the drain there is another system to handle it. Mr. Swanson said there is a water/gas separator. They are also proposing a trench drain around the canopy which is meant to take care of spills. Mr. McMannon said they also contact the appropriate people for a hazardous material spill. Mr. Goss said that would be our Fire Department.

Mr. Esposito agreed with Mr. Greenman about the canopies and building matching. They need to be more coordinated. He does like the peak roof that was shown in the photos from Schaumburg. He said there is not a lot of lighting in that area currently and this use has a lot of lighting. Gas stations are bright but they can be dimmed slightly after a certain hour and they will still be bright. Mr. Esposito believes they do need two signs for this site. Since this is at an entrance to the City, they would like it to be nice, like the CVS and WalMart are. He asked what Bucky's carries since they are new to the area. Mr. McMannon said they carry the usual convenience store items – hot lunches, drinks, etc. Mr. Esposito said this use will be on the bike trail and asked if there will be a trail in and out of the site as well as bike racks. Mr. McMannon said yes and there will be large washrooms. They will also adjust what items are sold there based on being next to the bike path.

Mr. Hayden asked if there has been any consideration given to having a charging station for electric cars. Mr. McMannon said he would like it and they have been studying it. He believes it won't be done right away because of the liability with the batteries. Once the batteries are more stable, there will be more charging stations. Mr. Hayden appreciates the style of the building. It's the nicest he has seen. He is concerned with the car wash and asked if it was full service or just a wash through. Mr. McMannon said there are blowers at the end of the wash and the cars come out dry.

Mr. Hayden likes the artist rendering and looks like it has flat roofs. If the building had peaked roofs it would go better with peaked roof canopies. He asked if there will be outdoor seating. Mr. McMannon said yes. Mr. Hayden thanked the petitioner for working with staff.

Mr. McMannon said the canopies are important to them. They won't be able to brand the Mobil station if they deviate from their branding. He said the owner goes with what he is comfortable with and the more deviations the less comfortable he is. Mr. McMannon said the lighting they use is an LED lighting, which has a different quality to it.

Mr. Goss asked if the blue bands on the canopies are illuminated. Mr. McMannon said on 3 sides.

Mr. Hayden asked if staff has spoken with MCCD and McDOT. Ms. Maxwell said she had.

Mr. Goss suggested that the petitioner have the new plans available for Council and the plans should have dimensions.

Mr. Goss moved to approve the Special Use Permit to allow a Preliminary PUD, Gasoline Service Station and Convenience Store and Gasoline Electronic Pricing signs, and Variations from: A. Section 2-400 13 to allow a flat roof for the gas canopy, rather than the peaked roof required; B. Section 2-400 62 and 4-1000 F to allow 2 free-standing gas station electronic pricing monument signs with red illumination, rather than the 1 free-standing sign permitted with white, amber or green illumination; C. Section 4-200 D 5 to allow greater than 125% of the required parking constructed on a non-permeable surface rather than the requirement for a permeable surface; D. Section 4-400 F 1 from the requirement for a landscape island every 10 spaces; and E. Section 4-1000 F to allow ~~595.5~~ 206.5 square feet of wall signage and additional signage on the gas pumps rather than the 150 square feet permitted, a variation of ~~445.5~~ 56.5 square feet and to allow 83.5 square feet of signage on the front façade rather than the 75 square feet permitted, a variation of 8.5 square feet for Bucky's Gas Station at 8108 Pyott Road with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Buchanan Energy LLC, received 04/25/14)
 - B. ALTA and Topographic Survey (VSEI., dated 2/19/13, received 04/25/14)
 - C. Site and Landscape Plans (ARC Design, dated 01/27/14, received 04/25/14)
 - D. Architectural Plans (Robert W. Engel and Associates, dated 09/17/12, received 04/25/14)
 - E. Sign Plans (Omaha Neon Sign Co., dated 004/02/14, received 04/25/14)
2. Site and Landscape Plan
 - A. Addition foundation base landscaping is required to meet the UDO standards. Work with staff on the foundation base landscape.

- B. Any tree removal must meet the requirements of Article 4-300.
- C. An addendum to your traffic study is required for an on-site traffic analysis.
- ~~D. The site should be shifted up to provide a drive-through lane and required maneuvering area for the parked vehicles at the south end of the site adjacent to the car wash.~~
- E. Work with the Public Works Department to provide sufficient utilities to the site including a looped water main.
- F. Provide the City with a copy of the FAA approval.

3. Elevations

- A. The petitioner shall work to better integrate the gas canopy into the convenience store architecture, possible options include:
 - 1. Creating brick columns around the metal gas canopy columns to match the brick on the building.
 - 2. Painting the gas canopy the same color as the brick.
 - ~~3. Giving the gas canopy a peaked roof that matches the roof over the convenience store.~~
- B. **Work with staff on the addition of the** The petitioner shall add a stone base around building to give the building a solid and grounded feel.
- C. **Work with staff on the addition of a knee wall for the two (2) 13 foot sections adjacent to the backroom and behind the prep area.** The windows shall have a knee wall of brick or stone.
- D. A sample color and material board shall be presented with the Final PUD application for all exterior materials on all buildings.
- E. **The Mobil logo signs on the canopies can be illuminated, but the blue bands shall not be illuminated.**

- 4. The petitioner shall address all of the review comments and requirements of the Community Development, Fire Rescue, Police, Public Works Departments and of the City's Stormwater Consultant.
- 5. Due to safety concerns, the petitioner shall work with staff to move the driveway along Pyott Road farther south.

6. Present the revised plans to McHenry County Department of Transportation to review the changes to the entrance on Pyott Road stating the City's concern with the potential safety issue with vehicles turning left out of the site heading southbound on Pyott Road. There is no place for the turning vehicle to safely wait to merge with other southbound traffic.

Mr. Jouron seconded the motion. On roll call, all members voted aye. Motion passed.

2014-22 UDO AMENDMENT – Medical Marijuana – PUBLIC HEARING
This petition was continued from the May 21, 2014 PZC meeting.
Medical Cannabis Cultivation Centers and Dispensaries

Mr. Hayden stated that the sign had been posted. He said the surrounding property owners were notified

Medical Uses														
Medical Cannabis Cultivation Center												S		2-300C-64
Medical Cannabis Dispensaries	S													2-300C-65

Section 2-400 Limited and Special Use Criteria

64. Medical Cannabis Cultivation Centers

All Medical Cannabis Cultivation Centers must comply with the following standards:

- a. **Minimum Distance from Protected Uses:** No medical cannabis cultivation center shall be established, maintained or operated on any lot that has a property line with 2,500 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, part day child care facility, or an area zoned for residential use.
- b. **Measurement:** For the purposes of this Section, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest point on the property line of the lot on which an applicable cultivation center is located to the nearest point on a property line of any protected use (as defined in Section 2-400 C 64 a above).
- c. **Compliance with State Regulations and Rules:** Each cultivation center shall comply with the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 *et seq.*) and all rules and regulations adopted in accordance thereto.
- d. **Single Use Site:** No cultivation center may be established in multiple use or tenant property or on a site that shares parking with other uses.
- e. **Setbacks:** Each cultivation center shall be a minimum of 50 feet from all property lines.
- f. **Parking**
 - (i) **Parking areas shall be well lit and monitored by video surveillance equipment whose live images can be viewed by cultivation center staff and are continually recorded in a tamper proof format.**

- (ii) **The video surveillance system shall be available 24 hours per day, and 7 days per week to the City of Crystal Lake Police Department and law enforcement agencies via a secure web-based portal.**

g. Signage.

- (i) **All commercial signage for a cultivation center shall be limited to one flat wall sign not to exceed ten square feet in area, and one identifying sign, not to exceed two square feet in area, which may only include the cultivation center address. Such signs shall not be directly illuminated.**
 - (ii) **Electronic message boards and temporary signs are not permitted in connection with a cultivation center.**
 - (iii) **Signage shall not contain cannabis imagery such as cannabis leaves, plants, smoke, paraphernalia, or cartoonish imagery oriented towards youth, or language referencing cannabis.**
- h. Age and Access Limitations: Each cultivation center shall prohibit any person who is not at least twenty-one (21) years of age from entering the cultivation center property. Cultivation centers shall not employ anyone under the age of twenty-one (21). Access to the cultivation center site shall be limited exclusively to cultivation center staff, local and state officials and those specifically authorized under the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 *et seq.*)**

i. Security and Video Surveillance:

- (i) **All cultivation, production and related operations at a medical cannabis cultivation center shall occur in an enclosed locked facility (“facility”). Each cultivation center shall provide and maintain adequate security on the entire site on which the cultivation center sits, including lighting, video surveillance, security personnel and alarms reasonably designed to ensure the safety of persons and to protect the facility from theft. The facility shall be enclosed by high security fence or wall. The fence or wall must be adequately secure to prevent unauthorized entry and include gates tied into an access control system.**
- (ii) **The medical cannabis cultivation center parking area, cultivation, production, warehousing areas and shipping bays and entrances shall be monitored by video surveillance equipment whose live images can be viewed by cultivation center staff and are continually recorded in a tamper proof format.**

- (iii) **The video surveillance system shall be available 24 hours per day, and 7 days per week to the City of Crystal Lake Police Department and law enforcement agencies via a secure web-based portal.**
- (iv) **A sign shall be posted in a prominent location which includes the following language: “THESE PREMISES ARE UNDER CONSTANT VIDEO SURVEILLANCE”.**
- (v) **The Chief of Police or his/her assigned designee shall review the adequacy of lighting, security and video surveillance installations with the assistance from local law enforcement officials. The Chief of Police or his/her assigned designee and the Crystal Lake Police Department have the discretion to conduct periodic reviews of the security features, as appropriate.**
- (vi) **Loading of product shall occur within secure enclosed shipping bays and shall not be visible from the exterior of the facility.**
- j. Noxious Odors: All cultivation centers shall operate in a manner that prevents odor impacts on neighboring premises or properties and, if necessary, the facility shall be ventilated with a system for odor control.**
- k. Conduct on Site:**

 - (i) **A cultivation center may not sell or distribute any cannabis to any individual or entity other than a dispensary organization registered under the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.).**
 - (ii) **It shall be prohibited to cultivate, manufacture, process or package any product, other than medical cannabis and cannabis infused products, at a cultivation center.**
 - (iii) **It shall be prohibited to consume cannabis products in a cultivation center or anywhere on the site occupied by the cultivation center. A sign, at least 8.5 by 11 inches, shall be posted inside a cultivation center building in a conspicuous place and visible to staff and shall include the following language: “Smoking, eating, drinking, ingesting or other forms of consumption of cannabis products is prohibited on cultivation center property.”**

65. Medical Cannabis Dispensaries

All Medical Cannabis Dispensaries must comply with the following standards:

- a. **Minimum Distance from Protected Uses.**
 - (i) **No medical cannabis dispensary shall be established, maintained or operated on any lot that has a property line with 1,000 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, or part day child care facility.**
 - (ii) **No medical cannabis dispensary shall be established, maintained or operated in any house, apartment, condominium, or an area zoned for residential use.**
- b. **Measurement: For the purposes of this Section, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest point on the property line of the lot on which an applicable medical cannabis dispensary is located to the nearest point on a property line of any protected use (as defined in Section 2-400 C 65 a 1 above).**
- c. **Compliance with State Regulations and Rules: All medical cannabis dispensaries shall comply with the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 *et seq.*) and all rules and regulations adopted in accordance thereto.**
- d. **Single Use Site: No medical cannabis dispensary shall be established in multiple use or tenant property or on a site that shares parking with other uses.**
- e. **Setbacks: Each medical cannabis dispensary shall be a minimum of 30 feet from its surrounding property lines.**
- f. **Buffering from Other Medical Cannabis Dispensaries: Each medical cannabis dispensary shall be a minimum of 1,000 feet from all other dispensaries, as measured from the applicable property lines.**
- g. **Parking.**
 - (i) **Parking shall be located in an area which is visible from a public road or a private road that is accessible to the public. It cannot be screened from the roadway with vegetation, fencing or other obstructions.**
 - (ii) **Parking areas shall be well lit and monitored by video surveillance equipment whose live images can be viewed by dispensary staff and are continually recorded in a tamper proof format.**
- h. **Exterior Display: No medical cannabis dispensary shall be maintained or operated in a manner that causes, creates or allows the public viewing of medical cannabis, medical**

cannabis infused products or cannabis paraphernalia or similar products from any sidewalk, public or private right-of-way or any property other than the lot on which the dispensary is located. No portion of the exterior of the dispensary shall utilize or contain any flashing lights, search lights or spot lights or any similar lighting system.

i. Signage and Advertising

- (i) All commercial signage for a medical cannabis dispensary shall be limited to one flat wall sign not to exceed ten square feet in area, and one identifying sign, not to exceed two square feet in area, which may only include the dispensary address. Such signs shall not be directly illuminated. Exterior signs on the dispensary building shall not obstruct the entrance or windows on the dispensary.**
- (ii) Electronic message boards and temporary signs are not permitted in connection with a medical cannabis dispensary.**
- (iii) Signage shall not contain cannabis imagery such as cannabis leaves, plants, smoke, paraphernalia, or cartoonish imagery oriented towards youth, or language referencing cannabis.**
- (iv) A sign shall be posted in a conspicuous place at or near all dispensary entrances and shall include the following language: “Only cardholders, designated caregivers, and staff may enter these premises. Persons under the age of 18 are prohibited from entering.” The required text shall be no larger than 1 inch in height.**
- (v) Any additional merchandise packaging provided by a dispensary, such as bags, sacks, totes or boxes, shall be opaque without text or graphic advertising or identifying the contents of the products contained within.**

j. Drug Paraphernalia Sales: Medical cannabis dispensaries that display or sell drug paraphernalia shall do so in compliance with the Illinois Drug Paraphernalia Control Act (720 ILCS 600/1 *et seq.*) and the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 *et seq.*).

k. Age and Access Limitations: Each medical cannabis dispensary shall prohibit any person who is not at least eighteen (18) years of age from entering the dispensary facility. Dispensaries shall not employ anyone under the age of eighteen (18). Access to the dispensary facility shall be limited exclusively to dispensary staff, cardholders, designated caregivers, local and state officials, and those specifically authorized under the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 *et seq.*)

- l. Hours of Operation: A medical cannabis dispensary may operate between the hours of 6 a.m. local time to 8 p.m. local time.**

- m. Drive-In Windows: Medical cannabis dispensaries may not have drive-in or drive-through services.**

- n. Security and Video Surveillance**
 - (i) Each medical cannabis dispensary shall be an enclosed locked facility (“facility”). Each dispensary shall provide and maintain adequate security on the entire property on which the dispensary exists, including lighting, video surveillance, security personnel and alarms reasonably designed to ensure the safety of persons and to protect the facility from theft.**

 - (ii) The medical cannabis dispensary parking areas, client entrances, sales areas, back rooms, storage areas and delivery bays and any other entrances shall be monitored by video surveillance equipment whose live images can be viewed by dispensary staff and are continually recorded in a tamper proof format.**

 - (iii) A sign shall be posted in a prominent location in the dispensary which includes the following language: “THIS AREA IS UNDER LIVE/RECORDED VIDEO SURVEILLANCE TO AID IN THE PROSECUTION OF ANY CRIMES COMMITTED AGAINST THE FACILITY OR ITS PATRONS”.**

 - (iv) The Police Chief or his/her assigned designee shall review the adequacy of lighting, security and video surveillance installations. The Police Chief or his/her assigned designee and the Crystal Lake Police Department have the discretion to conduct periodic reviews of the security features, as appropriate.**

 - (v) Each medical cannabis dispensary shall report all criminal activities occurring on the property to the applicable law enforcement agency immediately upon discovery.**

 - (vi) Deliveries shall occur between 7 a.m. local time and 8 p.m. local time within a secure enclosed delivery bay and shall not be visible from the exterior of the facility.**

- o. Conduct on Site.**
 - (i) Loitering is prohibited on the dispensary property.**

 - (ii) It shall be prohibited to consume cannabis products in a medical cannabis dispensary or anywhere on the site occupied by a dispensary. A sign, at least 8.5**

by 11 inches, shall be posted inside the dispensary building in a conspicuous place and visible to a client and shall include the following language: “Smoking, eating, drinking, ingesting or other forms of consumption of cannabis products is prohibited on dispensary property.”

ARTICLE 10, DEFINITIONS

CARDHOLDER: A qualifying patient or a designated caregiver who has been issued and possesses a valid registry identification card by the Illinois Department of Public Health pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act. (410 ILCS 130/1 *et seq.*)

DESIGNATED CAREGIVER: A person who: (1) is at least 21 years of age; (2) has agreed to assist with a patient’s medical use of cannabis; (3) has not been convicted of an excluded offense; and (4) assists no more than one registered qualifying patient with his or her medical use of cannabis.

ENCLOSED, LOCKED FACILITY: A room, greenhouse, building, or other enclosed area equipped with locks or other security devices that permit access only by a cultivation center’s agents or a dispensing organization’s agent working for the registered cultivation center or the registered dispensing organization to cultivate, store and distribute cannabis for registered qualifying patients.

MEDICAL CANNABIS INFUSED PRODUCT: Food, oils, ointments, or other products containing usable cannabis that are not smoked.

MEDICAL CANNABIS CONTAINER: A sealed, traceable, food compliant, tamper resistant, tamper evident container or package used for the purpose of containment of medical cannabis from a cultivation center to a dispensing organization.

MEDICAL CANNABIS CULTIVATION CENTER (“CULTIVATION CENTER”): A facility operated by an organization or business that is registered by the Illinois Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis.

MEDICAL CANNABIS DISPENSING ORGANIZATION (“DISPENSING ORGANIZATION,” “DISPENSARY ORGANIZATION,” “MEDICAL CANNABIS DISPENSARY” OR “DISPENSARY”): A facility operated by an organization or business that is registered by the Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients.

Mr. Greenman seconded the motion. On roll call, all members voted aye. Motion passed.

REPORT FROM PLANNING

- CL Rib House – 540 E. Terra Cotta Ave. – SUP, Text Amendment – general discussion
- UDO Amendments – massage – SUP; General Text Amendment for uses in “M” District
- Dark Heart Tattoo - 448 W. Terra Cotta Ave. – Special Use Permit
- Heritage Title – Three Oaks Rd LLC – 4405 Three Oaks Rd. – PUD Amendment, Variation

Mr. Richter reviewed the items for the next meeting on June 18, 2014.

COMMENTS FROM THE COMMISSION

Mr. Goss stated that this was Ms. Bhide’s last meeting. She will be taking a new position with another municipality. Mr. Goss said Ms. Bhide is very personable and knowledgeable and will be missed. Mr. Hayden said it was a pleasure to work with her. Mr. Greenman said the City will miss Ms. Bhide.

Mr. Hayden asked if the information had been forwarded to City Council regarding eliminating the red lights for the EMC and the Comprehensive Land Use Plan for the Lapetina area. Mr. Richter said they will be forwarded to Council shortly.

The meeting was adjourned at 9:50 p.m.