



# City of Aurora

2nd Floor Council  
Chambers  
44 East Downer Place  
Aurora, Illinois 60505  
www.aurora-il.org

## Planning Commission Meeting Minutes

Wednesday

December 11, 2019

7:00 PM

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### Special Meeting

### CALL TO ORDER

*Chairman Pilmer called the meeting to order at 7:00 p.m.*

### ROLL CALL

*The following Commission members were present: Chairman Pilmer, Mrs. Anderson, Mr. Cameron, Mr. Divine, Mr. Elsbree, Mr. Gonzales, Mrs. Head, Mr. Reynolds and Ms. Tidwell. Mr. Chambers, Mrs. Duncan, Mr. Hull and Mrs. Owusu-Safo called in and excused themselves from the meeting.*

### OTHERS PRESENT

*The following staff members were present: Mr. Sieben and Mrs. Vacek.*

*Others Present: Param Vijay (3804 Nannyberry Court), Jim Griffin (Schain Banks), Chuck Hanlon (WBK Engineering, LLC), Dan Farrell (Zen Leaf), Ed Farrell (Zen Leaf) and Tracy Gawron (Zen Leaf)*

### APPROVAL OF MINUTES

**19-1071**

Approval of the Minutes for the Planning Commission meeting on November 20, 2019.

**A motion was made by Mrs. Anderson, seconded by Ms. Tidwell, that the minutes be approved and filed. The motion carried.**

### PUBLIC COMMENT

*Chairman Pilmer said if you are here for an item that does not appear on the agenda as a public hearing and you wish to speak to the Commission, we can give you 3 minutes to do so.*

*No one came forward.*

### AGENDA

**19-0825**

A Building, Zoning and Economic Development Committee Resolution Approving a Final Plan on Lot 3 of Citizens First National Bank Business Park Subdivision located at 1521 Ogden Avenue for a Retail/Office Use (Param Vijay - 19-0825 / OS01/1-19.054-Fpn - JM - Ward 9)

*Mr. Sieben said the Petitioner, Param Vijay, is requesting approval of a Final Plan for Lot 3 of Citizens First National Bank Business Park Subdivision located at 1521 Ogden Avenue for a mixture of Business and Professional, Office, Retail Sales or Service, and Restaurant with a drive-through facility uses which includes two buildings in two phases of approximately 35,000 square feet in total size.*

*The subject property is currently vacant land with B-2(S) General Retail District with a Special Use zoning, which is part of the Summerlin Special Use Planned Development from 1995. Additional information on the legislative history of the property can be found in the attached Property Information Sheet. The details of the request include an initial phase one, one story building of 9,914 square feet with a mix of office and retail including a drive-thru. The owner's wife will occupy approximately 3,275 square feet of this space as a dental office. Phase two will include a two story building of approximately 25,336 square feet consisting of first floor retail and second floor office space. Parking will also be developed in two phases to meet the requirements of each building. The 30 foot setback to the south will be maintained which consists of an existing landscaped berm which will be enhanced with additional landscaping to form a buffer to the existing Summerlin Subdivision to the south. Cross access drive along Ogden Avenue will interconnect to the rest of the commercial development to the east (daycare and bank).*

*Mr. Vijay said are there any questions?*

*There were no questions.*

*Mr. Sieben said Staff would recommend conditional approval of the a Building, Zoning and Economic Development Committee Resolution approving a Final Plan on Lot 3 of Citizens First National Bank Business Park Subdivision located at 1521 Ogden Avenue for a Retail/Office Use, with the following conditions:*

- 1. That all of the review comments per the Engineering Department be addressed prior to approval of the Final Engineering Plans*

*MOTION OF CONDITIONAL APPROVAL WAS MADE BY: Mr. Cameron*

*MOTION SECONDED BY: Ms. Tidwell*

*AYES: Mrs. Anderson, Mr. Cameron, Mr. Divine, Mr. Elsbree, Mr. Gonzales, Mrs. Head, Mr. Reynolds, Ms. Tidwell*

*NAYS: None*

*Mr. Sieben said this will next be heard at the Building, Zoning and Economic Development Committee on Thursday, December 19, 2019, at 4:00 p.m. on the fifth floor of this building.*

**A motion was made by Mr. Cameron, seconded by Ms. Tidwell, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 12/19/2019. The motion carried.**

**19-1073**

An Ordinance Amending Ordinance Number 3100, being the Aurora

Zoning Ordinance and the Zoning Map attached thereto, by Rezoning Property located at 740 N. State Route 59 from B-B(S) Business-Boulevard District with a Special Use to B-2 General Retail District (Zen Leaf - 19-1074 / NA21/2-19-197-Rz/Su - TV - Ward 10) (PUBLIC HEARING)

*See Attachment for Items 19-1073 and 19-1074.*

**A motion was made by Ms. Tidwell, seconded by Mr. Cameron, that this agenda item be Forwarded to the Planning Commission, on the agenda for 12/18/2019. The motion carried.**

**19-1074**

An Ordinance Granting a Special Use Permit for a Cannabis Dispensing Facility (2115) Use on the Property located at 740 N. State Route 59 (Zen Leaf - 19-1074 / NA21/2-19-197-Rz/Su - TV - Ward 10) (PUBLIC HEARING)

*See Attachment for Items 19-1073 and 19-1074.*

**A motion was made by Mrs. Anderson, seconded by Mrs. Head, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 12/19/2019. The motion carried.**

**Attachment for Items 19-1073 and 19-1074:**

*19-1073 An Ordinance amending Ordinance Number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto, by rezoning property located at 740 N. State Route 59 from BB(S) Business Boulevard District with a Special Use to B-2 General Retail District (Zen Leaf – 19-1074 / NA21/2-19.197-Rz/Suu – TV – Ward 10) (PUBLIC HEARING)*

*Deb Lang said good evening. Next up are items 19-1073 and 19-1074. The agenda was posted and 19-1073 was erroneously put the same as 19-1074. We are asking to amend 19-1073 to an Ordinance amending Ordinance 3100, being the Aurora Zoning Ordinance and Zoning Map attached thereto by rezoning property located at 740 N. State Route 59 from BB(S) Business Boulevard District with a Special Use to B-2 General Retail District (Zen Leaf – 19-1073 / NA21/2-19.197-Rz/Su – TV – Ward 10) (PUBLIC HEARING). That was published in the Beacon News and it was published correctly, so the public was informed of the 2 correct items. However, do to technically a Scribner's error, it was copied and pasted the same. We do feel notice was sufficient to the public. However, the agenda was off.*

*Mrs. Vacek said on June 25th of this year, the Cannabis Regulation and Tax Act was signed into law by the State of Illinois effective January 1st of 2020, just to kind of give you some background. Subsequently, the City of Aurora passed an Ordinance on October 22nd of this year requesting a Special Use Permit for qualifying cannabis dispensing facilities with a Special Use Permit being permissible in the B-2, B-3, DC, ORI, M-1 and M-2. The Petitioner is requesting to rezone the property at 740 N. State Route 59 from BB with a Special Use Planned Development to B-2 Business District General Retail. Concurrently with the proposal, the Petitioner is requesting approval of a Special Use for a cannabis dispensing facility. The existing building is currently divided into 3 separate commercial spaces. Zen Leaf is proposing to initially occupy the middle unit, which is currently vacant. As the other 2 units become available, the intent is that the dispensing facility will expand into either or both of those spaces to*

*create a larger floor space area and a larger vault area for the product. The Petitioner is here, so I will turn it over to the Petitioner unless you have any questions for me.*

*The Petitioners were sworn in.*

*My name is Jim Griffin. I'm with the law firm of Schain Banks, 70 W. Madison Street, Chicago, Illinois 60602. I'm here on behalf of Healthway Services of West Illinois, LLC, which thankfully is doing business as Zen Leaf. That's how we'll generally be describing this project. It is at 740 N. State Route 59. We're here for two requests. Rezoning from BB to B-2 and for a Special Use for an Adult Use Cannabis Dispensary. I believe this is the first Special Use that the Commission has heard on an Adult Cannabis Dispensary and we are pleased to be the first one that you are considering and I especially want to thank the staff and Tracey for the work that's been done because this is the first one and I know it's required some extra work, but we definitely appreciate that. This is an 11,000 square foot commercial building. It is an existing commercial building that we will be utilizing. It is a 52,000 square feet lot. We are the contract purchaser of this lot and building. The building is currently divided into 3 commercial spaces as you see before you. We will be occupying the middle space, which is currently vacant and then since we are buying the entire building, we will have the ability to expand as needed into the other commercial spaces, obviously, subject to the existing tenants rights under their lease. The plan is to build out the interior of this middle commercial space for the dispensary use. There is a sketch floor plan included in the application, which you might have seen, that provides all the necessary spaces that are required for a dispensary. The property already has existing parking and lighting and all infrastructure that would be needed for a use such as this. The applicant is an experienced operator of cannabis dispensaries. They currently operate a dispensary in St. Charles. That's a medical dispensary currently operating in St. Charles and has been operating for several years under the Illinois Medical Cannabis Act. So we have the team here today, which I think will be able to answer any questions you have. We have Tracy Gawron. She is the Area Director of Retail Operations and she can explain cannabis dispensaries and she is experienced in the St. Charles operation. We also have Ed Farrell with Silver Star Protection Group. He is going to be speaking to you about security measures. I passed out a resume with their company's very impressive background and experience in security for cannabis facilities. We have Chuck Hanlon with WBK Engineering who will be able to address any land planning and zoning issues that you have. Unless you have questions for me, I'm going to turn it over to Tracy and she is going to be able to provide you some background on Zen Leaf and the proposed operation on Route 59.*

*Hello. My name is Tracy Gawron. My address is 21108 Oak Lane in Maple Park. I am the Area Director for Zen Leaf. I have started at their medical dispensary in St. Charles and I've been employed in the Illinois cannabis industry since December 2015. Since working at the medical dispensary, we've been very compliant and have been in good standing in St. Charles with all police and local law officials. In Illinois, dispensaries are governed by and overseen by the Illinois Department of Financial Regulations and Illinois State Police. We undergo quarterly inspections by IDFP and also monthly check-ins from ISP. Zen Leaf, like I said, maintains great relationships with local police officers, fire departments and we are very compliant and our number one priority is security and safety. We are also dedicated into partnering with our communities. We are an active member of the Chamber of Commerce and a positive neighbor and hopefully to Aurora as well. This past Thanksgiving, our St. Charles location did also donate 238 pounds of food to our local Food Bank in St. Charles, so we really like to give back to our community at any time. Zen Leaf's operational hours for the recreational facility would be Monday through Saturday 8:00 a.m. until 10:00*

*p.m. and on Sundays from 8:00 a.m. until 6:00 p.m. We will typically oversee 30 to 40 employees at the location, with that being a mix of full time and part time. Generally on a daily schedule we will typically see 1 General Manager, 2 Shift Leads, 4-6 Patient Care Advisors, 1 Receptionist and 2 Security Guards. Of course, peak hours, peak days will definitely have increased head counts. All dispensary employees in Illinois are authorized to have an agent badge prior to working at the dispensary. This application process is reviewed and submitted through IDFPD as well. All the agents will have to undergo passport photos, get proofs of residency and also sign a legal attestation form as well as getting fingerprinted. All badge employees are also required by the State to go through a responsible vendor certification program that is now in effect as of January 1st. Every employee will need that. That is about a 4 hour course to responsibly serve cannabis. On top of that, they also have to obtain 8 hours of ongoing education throughout the year and ever year. Trainings are conducted every month at Zen Leaf going over topics such as severe weather, product education, security best practices and emergency preparedness. For day to day operations at the dispensary, there are first 3 different access levels in a dispensary. There is public access where anyone is able to walk in basically like a receptionist area. Then there is limited access, which is the sales floor where only an approved purchaser would be able to walk onto the sales floor, or a limited access. Then restricted access for security purposes and employees. During the check in process somebody would walk in the door at Zen Leaf and be greeted by a receptionist. They have to give their approved ID's, so a license or a State ID. We will have approved scanners that will be able to verify ID's from all 50 states and make sure the purchaser is over 21. It would get pretty tricky for employees to know different state ID's, so this is a very helpful tool for us. The receptionist or security guard will escort the patient or purchaser to the sales floor where they are going to enter the limited access area and once there, checked into our State monitoring system. A recreational dispensary will see anywhere from 400 to 500 patients in our experience with an average wait time being about 5 minutes. We're going to have about 5 to 7 point of sales stations and we are also going to have hand held kiosks to take express orders. Typically a new user is going to take a little bit longer than that 5 minutes. At Zen Leaf, we are very dedicated to our consumers to help educate them on what's going to be best for them. We have multiple educational handouts to give to them that include cannabinoid contents, terpene strains, different consumption methods and we also help recommend products that are going to be specific to their ailments. Obviously an experienced user is going to take a little bit less time. Some purchasers may know what they want right away or some may use and utilize our online ordering. We do have an online ordering platform that's on our website. It's kind of like your Amazon cart. You scroll through our products, you click and you add to your cart. They cannot purchase or pay for it online. They do have to come in and pay for their product, but it gives them that online experience that will help speed up the process in-store as well. Like I said, our Patient Care Advisors are only going to be at the point of sale systems, but they are going to be live on the sales floor interacting with our customers. They are going to have that iPad in their hand with the same online ordering that is in kiosk mode, which allows them to prepare a cart as well for a patient. We put their name in and then we shoot it back to the back of our dispensary in our vault where a receipt prints out for a fulfillment model, kind of like at a bar where they print out a receipt and the bartender gets the order ready. Once the purchase is complete, they are escorted out of the dispensary the way they came from. It is most comparable to a common retail experience. All cannabis products in Illinois undergo stringent testing for pesticides, mold, detailed cannabinoid content, and heavy metals before arriving to the dispensary. At Zen Leaf, we are invested in making the patient experience as smooth and seamless as possible. Due to odor control and air filtration, we do have different dispensaries throughout the states. I've been a part of opening their Maryland*

dispensary, Oklahoma dispensary, Puerto Rico and Michigan, so we do have a lot of SOP's in line to make sure that air filtration is a big priority. We use coal hepa filters in our H-Vac system, which eliminates the smell in the interior and the exterior of the facility. We will also use stand alone air filters if needed. Regarding security, again, security is one of our biggest priorities, security and safety, at the dispensary. The dispensary is monitored on the interior and exterior of the facility by cameras. They are pretty much everywhere, except for the bathrooms, so any janitor closets or anywhere you can get within the dispensary is fully cameras. These cameras are recording 24/7 at 15 frames per minute, so when the State comes in or ISP comes in, we are required to be able to zoom into a license plate and print a still picture from our cameras. Camera footage is also saved for 90 days and also has playback for a 90 day period. The IDFP and ISP are also able to monitor in at our cameras at all times. We also have motion detectors in every room and panic buttons at every point of sale and point of entry for emergency preparedness reasons. All door points have key card accesses or key pad points and every employee will have one to be able to enter the facility and all doors that have been opened are logged on a daily basis. Silver Star Protection is the third party vendor Zen Leaf uses for our security. They have been tremendously helpful at our facilities. They come pick up our cash on a weekly or bi-weekly basis and they help transfer deliveries as well and maintain a safe environment for all customers and staff on a daily basis. If you have any questions for me, I'll hand it off to our security guy, Ed Farrell.

Ms. Tidwell said I have a question. Can you talk about the systems that you have to prevent employees from diverting products?

Ms. Gawron said we've never tolerated diversion ever in the past. If we ever see a circumstance like that happen, we get local law officials and ISP involved right away. We do have the camera monitoring at all times, so we are able to look back at footage to see whatever happened if there was a discrepancy of diversion.

Ms. Tidwell said right. I guess I was wondering about the systems that you have in place to prevent that. I'm familiar in health care, hospitals for examples, and access to controlled substances is subject to specific protocols and I just wondered if you had the same.

Ms. Gawron said we all have to sign a legal attestation form that says that we will be compliant with all the State of Illinois rules using cannabis, but we haven't had that situation ever come, in fact, since we are very compliant with the State. We've never run into that.

Mr. Griffin said I think Ed Farrell could probably better answer that question on the security measures to prevent theft.

My name is Ed Farrell. I'm the owner and managing partner of Silver Star Protection Group, which is a security company who focuses their security business in the medical and cannabis industry. With regard to your question, some of this will dovetail into my presentation later, but I think the biggest component that we are going to talk about is the seed to sale system. Illinois is highly regulated. I am one of the few people in the world you will see that will heap praise on Illinois for doing something right, but they did this right. I do business in other states, so I can speak to this. One of the things they do in Illinois is they track via RFID the plant from the time it is planted as a seed or a clone all the way through growing, harvesting, trimming, which is on the cultivation side, through transport into a dispensary. They are able to track that product from seed to sale, so if there is theft loss or diversion, as the product is moved through the

system through the RFID system, they are going to be able to tell if there was theft loss or diversion. In addition, the dispensary is required to do an open and close every day. So every day when they open up they have to do an opening inventory and they need to make sure all the product that's on inventory matches what's on hand. At the end of the day, they have to once again do a closing inventory matching all product on hand matches sales and transactions and deliveries for that day. So we are able to readily identify any left or loss or diversion. Additionally, some of the security protocols that I'm going to talk about, and I'm jumping ahead here, but two of the big things are a video monitoring and an access control system. The video monitoring system monitors everyone. Access control provides movement through the facility. So if there is theft, loss or diversion you are able to forensically go back and identify who had accesses to areas, who did what and identify it and quickly, if it ever happens, take corrective action to make sure it doesn't happen again. There are pretty stringent protocols in line to make sure it is readily identified. Some of the other things I'll talk about is employee training is big. We work with all our dispensaries on training our employees to see something, say something. By state law if an employee becomes aware of it, they are duty bound to report it to the state. Once a dispensary becomes aware of it, they have 24 hours to report it to the state and give a written response on how they are doing corrective action. Without getting too far into the regulations, there are mistakes and theft and they are handled in different ways, but the state is pretty thorough. Have those protocols addressed your question?

Ms. Tidwell said yes, thank you.

Mr. Cameron said to me as I look at this, you have a restricted number in the back end of people there. It seems as though the vestibule and the door in that is one of the weakest points. Would you cover how you control that particular area because it looks vulnerable?

Mr. Farrell said are you talking about the rear vestibule or the front vestibule?

Mr. Cameron said rear.

Mr. Farrell said I'm going to talk about in my presentation the exterior of the facility and how we safeguard that. If you give me a moment to get there, I think I'll fully address it. Once again, my name is Ed Farrell. I own Silver Star Protection Group. My company stated in 2014 and our focus has been on providing a full gamut of services to medical and recreational cannabis companies and those will be security services. To give you an idea of what my company does, we provide guard services, dispensary guard services, cultivation services, so we are on-site guards for both dispensaries and cultivations. We deliver cannabis. We deliver currency from dispensaries to banks. We do compliance assessments. Sometimes the bank requires us to do an assessment of an organization, again, preventing theft, loss or diversion, so the bank knows their customer. We provide that service as well. One of the other things we do is we are an Illinois certified Responsible Vendor Trainer. So what does that mean? Everybody that works in a dispensary has to take a course prior to working or within 90 days of hiring teaching them about cannabis laws and how to operate effectively in a dispensary organization. My company is also approved by the State of Illinois to provide it. There are only about 20 and my company is 1 of 20. We are a full gamut company. We've been operating since 2014. We've been implementing security protocols on a high level in the industry for about 5 or 6 years. So that's a little background on me and my company. I also think it is probably worth noting, in my prior life prior to owning the security company, I was a US Marshall. I am a retired US Marshall. During my federal career, I was able to secure things on a very high level,

*much higher than a dispensary, so I bring a lot of experience to the table as well as my company and the people in my company. A little about security. One of the biggest questions we all have is what does security look like and is it going to be safe? I'm going to give you an idea of what it looks like and yes it is safe. I can tell you from my experience in the industry it is safe. The biggest thing we look at security as is a partnership with the community, with other businesses in the community and with the police department. We believe in being completely transparent and engaging all three components in our security. We take a very proactive approach in our security. We are not reactive. We like to mitigate or eliminate anything that comes up prior to it becoming an issue. We get ahead of ourselves to make sure things are resolved and they don't escalate. Our security starts with a site assessment and what we call a comprehensive security plan. So what does that mean? We go out, we take a look at the site. We already have what we call a stock security plan with the protocols and SOP's that we implement that are best practices in the industry. We customize it to the site. Once we are done with that, we look to go and meet with the local police department and engage them on it. We ask them, hey this is our security plan, can you please take a look at it? Are we meeting expectations? Hopefully we are exceeding expectations and eventually we ask for any suggestions they have to make sure that we are a good partner in the community. So we sit down with them in the beginning and at least yearly thereafter we are constantly reassessing our security. Our security is a multi-layered approach. So what does that mean? It means you have fail safes. There are many layers on the facility that are secure and it mitigates and prevents unauthorized access and to your point theft loss and diversion. Some of those things I'm going to talk about at a very high level. You sir asked about the exterior of the facility. On the exterior you will have all security grade doors with security grade hinges and security grade frames. On the door, any exterior glass has what's called shatter proof film, which you put over the glass and obviously if you've seen someone throw a hammer through glass it shatters. This film is going to mitigate that and provide some type of resistance, depending on the glass, but at least 2 minutes before someone is able to break their way in through glass. So on the exterior it is a hardened facility. The diagram doesn't show it, but it and we are going to talk about some of the interior things to mitigate unauthorized access. On the exterior is the hardened location. On the interior we have what's called glass break sensors so if glass is broken there is an internal sensor that alerts a monitoring company on-site security and Zen Leaf as well that we know instantly that a glass is broken and possible intrusion is going on. We have motion detectors inside the facility, so when the facility is closed and security is not there if someone comes in and moves, it alerts our overnight monitoring company and I'll talk about that momentarily. We also have vault detection that detects movement in the vault. We have duress alarms. Tracy spoke about that earlier, which are strategically located throughout the facility in the event when the facility is operational it is open. If something happens, anybody in the facility is able to hit the duress alarm and alert police that there is a need for police response in the facility. The big things that we talk about in a facility are access control, and I'll explain what access control is momentarily and the video monitoring system. Access control is any type of device that's outside of a door that controls movement from one space to another. Tracy did a great job earlier talking about public access, limited access and restricted access. So there is access control at all those points. The general public cannot walk in without being allowed in electronically. All doors have to have electronic locks and they have to be able to pop from the inside, meaning someone inside can electronically let them come in. We have access control on those doors. The access control in the facility requires dual authentication. For those who aren't familiar with that it means you have to have two things to get in. Usually it is a RFID card and you hit a strike plate and a scramble pad comes up and you put a code in. So what does*



that do? If you lose your card, someone can't take the card and get in the facility because they don't have the code or if someone had your code, they don't have a card. It, again, mitigates and prevents theft, loss and diversion and unauthorized access. The second component is the video camera system. The video camera system is going to cover everywhere pretty much that you legally can with the exception of a washroom. It covers the entire facility and the exterior of the facility. While security is there, I'm going to talk about security. One of the guards that is on-site will be monitoring that video real time for most of the time. He is going to have a view of what's going on. The video monitoring system will have what's called advance electronics. What it does is when there is movement detected in a camera it blinks on a screen and alerts our security guard that something is happening and brings their attention to it. We are going to use those advance electronics in the system because if you are looking at a security screen and there are 50 monitors it is hard to see 50 at once. We are going to use some analytics that are going to help us get there quicker and faster and be more secure. The video system, as Tracy said, is stored 90 days on site and it can be remotely accessed by the Illinois State Police, the Illinois Department of IDFP, Professional Regulation and we are going to offer it to the Aurora Police Department via web port or remote access 24/7, so they are able to look into the facility at any time they want to make sure the company that is operating that dispensary is operating within protocols, meeting or exceeding protocols and if there is an issue they can look at it initially. That's kind of the infrastructure in the facility.

Ms. Tidwell said you mentioned the electronic access. What happens when the power goes out?

Mr. Farrell said excellent question. By Illinois State regulations, the requirement for the panel that controls access control is when the power goes out it can't automatically release locks. So they have what's called a key management program that they will be using. In the key management program, in the event of power failure, there will be sets of keys locked in the security office on the facility where a dispensary agent in charge or a security officer will be able to go in. The keys are labeled and you are able to go to a lock. To use the keys, you must sign them out. You can't leave them unattended. You can't leave them in the facility when they are done. They have to be logged in and that key log is checked every day, so there is a key backup.

Mrs. Head said do you have a generator backup for the video so it continues to play?

Mr. Farrell said I believe they are going to use what's called a UPS, uninterrupted power service, which is a battery backup, so the cells you can expand them to be as good as a generator. The state requires 4 hours on that. The last two things I'm going to talk about is security. There will be on-site security. Zen Leaf is going to employ 2 people. Those security guards will screen customers and purchasers in. They will do perimeter checks, they will be monitoring the video making sure that everyone is operating within the state regulations and the SOP's for the company and that it is safe and secure. They will also be doing perimeter checks. Our guards are highly trained. One of the things I think we do differently is we target prior law enforcement or military as they have a skill set that transfers. Our guards are trained on what we call our post orders before they hit the site. We get them trained in the responsible vendor training program. We qualify them with their weapons every 6 months. We produce a very high end guard that's able to fully implement the security plan at a high level. Tracy did a great job with the 3 areas of the dispensary earlier. One thing I'll talk about is I'll go over again customer access. I think one of the big things that the state has done that's pretty good is when the customer comes in they have to provide some type of government issued ID that has a picture and a date of birth. Zen Leaf is going to be

*using an ID scanner that is able to authenticate driver's licenses from all 50 states and passports as well. So they are going to be able to authenticate the people that are coming in and be able to fully screen them. One of the other things our guards are going to do is to make sure there is no loitering on premises, to make sure people come, do their business and by state regulation, exit the business. I would say the last point I would make, and I think it is notable, I have a very strong relationship with Aurora PD. In my prior line of work I was US Marshall. We ran a fugitive task force. Aurora PD was on my task force. I managed the Aurora officer and managed a relationship with Aurora PD, so I'm not new to them and I look forward to working with them if you approve this site.*

*Ms. Tidwell said what is the experience you have with use of weapons on the facilities where you are the security?*

*Mr. Farrell said we've never had an incident with the use of a weapon on a facility. If I could speak to that. There have been very few incidences. I think the state has done such a great job of being highly regulatory, they mitigate a lot before it even comes in the door. Most of the stuff we are seeing is an alarm goes off over night, a false alarm. There are not a lot of calls for police services at all.*

*Mrs. Anderson said and also no one under 21 can be let in with someone that is 21, right. A mother can't bring her kid with her. That wouldn't be allowed, right?*

*Mr. Farrell said no.*

*Mr. Cameron said the area through the breakroom and into the water closet and into that back vestibule, I'm assuming that the office is the location of the guard that is handling the monitoring and that type of thing. Is that correct?*

*Mr. Farrell said that would be one of them, yes.*

*Mr. Cameron said that area just has some questions in my mind. I would invite you to maybe look at that area. The second thing is that because of the washroom and stuff, that moves that access, I suppose you've got the doors into the fulfillment work area and you've got a second point of entry into the vault, but you do move that traffic back in from the sales floor and everything else back into that area. Then I guess the second thing would be that Pritzker signed a revision to the law for businesses and that type of thing. What is the philosophy on usage of the employees while they are at work in relation to cannabis? Is that a potential weak spot? How is that handled?*

*Mr. Farrell said I would like address some of your areas about the back. One thing I would like to point out about the rear is they're probably not going to allow bathroom in the rear. They're probably going to move it up front to the public access area so everybody can use it. That's something we'll do down the road. I want to point out in the back area that you are referring to where the vault is, where the fulfillment area is, that's what's called restricted access, so the only people who would be back there would be dispensary agents, bud tenders, security, the Illinois State Police and IDFP. The purchasers and the general public would not be allowed back there. It is prohibited by law for them to be there, so the bathroom will be moved up front to a public toilet. The last part, employees using, is an excellent question. One of the things I think we train and most dispensaries train and part of the responsible vendor training program is a drug-free workplace. I don't know what the company's policy is about that, but it is generally zero tolerance and there is a see something say something policy and there is also training in the responsible vendor training program*

to help employees identify other people who are utilizing and/or high at the time. There are some mechanisms. There is training. There is a see something say something policy as part of the condition of employment.

Mr. Griffin said to be clear, there will no on-site consumption of cannabis. Think of it similar to a liquor store. You buy the product and then you leave the store and you have to consume it at your home or some other place that's allowed by law. There is no on-site usage. That is absolutely prohibited under the law and it won't be permitted. We are not seeking an approval for that. This is purely a retail operation. You buy the product. You leave. Just like you buy something from a drug store or other thing like that.

Mr. Gonzales said the vestibule area in the front to the reception, if there is a 21 year old who accesses that area and is approved to move into the sales floor, accompanying them is an 18 year old. Is the 18 year old allowed to stay in the vestibule area or do they have to leave the premises?

Mr. Farrell said you're talking about the public access vestibule. My understanding, and we're trying to get a clarification on this from the state, we've submitted this exact question. It is my understanding from what I've been told to date, you could leave someone in the public access. Most dispensaries have a policy that if you are not 21 you cannot come in. We will be recommending to this facility that you can't do that.

Mr. Griffin said our last witness is Chuck Hanlon and he is just going to briefly touch on the key issue from a zoning standpoint as why this is an appropriate location for a dispensary.

My name is Jim Hanlon with WBK Engineering, LLC. We have an office here in Aurora at 8 E. Galena Boulevard. We have an office in St. Charles and also in Battle Creek, Michigan. I spend most of my time in the St. Charles office and probably second in the Battle Creek office. I do come down to Aurora as well for day to day operations. The proposal, and I think we would concur with the way the staff put it in their report as well, that this location in particular, to go from the BB(S) zoning classification to the B-2 General Retail classification does seem to really fit the corridor, the Route 59 corridor from a standpoint that it is more representative of the commercial uses that are there in the corridor in and of itself and even in terms of bulk standards and regulations that the B-2 district actually fits this site better from a retail standpoint. In addition, I'm sure I don't have to let you know that the City of Aurora has passed a previous Ordinance toward the end of October to allow adult cannabis sales within the B2, B-3, DC, ORI, M-1 and M-2 districts as well. Naturally the B-2 request is preceded by the request for a Special Use within that district as now allowed as of recent changes to the Ordinances in the City of Aurora. In summary, again, we feel the B-2 district is appropriate for the retail sales and fits within the area and fits within the surrounding businesses in that area. I would also stipulate without going through the entirety of the Findings of Fact that we submitted the Findings of Fact. I think they have been accepted. I would stipulate that I would agree personally and professionally with the Findings of Fact as they were submitted.

Mr. Griffin said Zen Leaf is excited about this opportunity. We have been working with the city to find a site on Route 59. We think it is a perfect location. It is going to be a regional draw. This is going to create a lot of new taxes for the community. We are excited about this. Zen Leaf, as you can see, is an experienced operator with a very qualified and respected security team. We expect that this use will be very unexciting. It is going to be just like other retail uses in the community. People are going to come

*in, park their car, make their purchase and leave and to the outside world it is going to be no different than the rest of the retail operations there. We have the security and the procedures in place to handle any issues that could arise as you can see. Our focus is on being ready for everything, but in the end based on the experience that we've already had with medical dispensary sales, we expect this to operate just like any other retail facility and it is going to be a benefit to the community, provide a lot of additional tax dollars and it is going to bring people to the Route 59 corridor that can visit other stores and restaurants in the area and that's going to help Aurora's tax base also. If there are any other questions, let me know. We look forward to your vote.*

*The public input portion of the public hearing was opened. No witnesses came forward. The public input portion of the public hearing was closed.*

*Mrs. Vacek said staff would recommend approval of an Ordinance amending Ordinance Number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto by rezoning the property located at 740 N. State Route 59 from BB with a Special Use to B-2 General Retail District.*

*Ms. Tidwell said I heard discussion about moving bathrooms. Is that part of the recommendation in response to Ken's question earlier?*

*Mr. Griffin said I don't know if you are required to have a public restroom in the facility. If the restroom is available for use by the public, it will be moved to a location so that you don't have to be in a restricted area to get to it. We can agree to that, that if the bathroom is available for public use it will be in a limited access area, but not in the restricted access area, and thank you for pointing that out.*

*Ms. Lang said with regard to 19-1073, as I stated at the beginning of the meeting with the issue with the agenda item, you can still vote today. However, we are going to have to have a special meeting, hopefully next week, to ratify the vote whatever way it goes just to make sure everything is correctly done in accordance with the Open Meeting Act. I will come back up and explain the next one after.*

*MOTION OF APPROVAL WAS MADE BY: Ms. Tidwell*

*MOTION SECONDED BY: Mr. Cameron*

*AYES: Mrs. Anderson, Mr. Cameron, Mr. Divine, Mr. Elsbree, Mr. Gonzales, Mrs. Head, Ms. Tidwell*

*NAYS: Mr. Reynolds*

#### *FINDINGS OF FACT*

*1. Is the proposal in accordance with all applicable official physical development policies and other related official plans and policies of the City of Aurora?*

*Chairman Pilmer said these are all listed in the staff's report.*

*2. Does the proposal represent the logical establishment and/or consistent extension of the requested classification in consideration of the existing land uses, existing zoning classifications, and essential character of the general area of the property in question?*

*Chairman Pilmer said I would state the site is in an area dominated by retail, restaurant and other uses. It is pretty much a retail sale only dispensary that would be compatible with the other business uses.*

3. *Is the proposal consistent with a desirable trend of development in the general area of the property in question, occurring since the property in question was placed in its present zoning classification, desirability being defined as the trend's consistency with applicable official physical development policies and other related official plans and policies of the City of Aurora?*

*Mrs. Anderson said yes.*

4. *Will the proposal maintain a compatible relationship with the traffic pattern and traffic volume of adjacent streets and not have an adverse effect upon traffic or pedestrian movement and safety in the general area of the property in question?*

*Mrs. Head said there will be no issue. It is already in place*

5. *Will the proposal allow for the provision of adequate public services and facilities to the property in question and have no adverse effect upon existing public services and facilities?*

*Mr. Cameron said they are already in place or will be provided.*

6. *Does the proposal take adequate measures or will they be taken to provide ingress and egress so designed as to maximize pedestrian and vehicular circulation ease and safety, minimize traffic congestion, and not substantially increase the congestion in the public streets?*

*Mrs. Head said there should be no change.*

7a. *Is the rezoning a consistent extension of the existing land uses, existing zoning classifications, and essential character of the general area?*

*Mr. Cameron said it is.*

7b. *Will the rezoning permit uses which are more suitable than uses permitted under the existing zoning classification?*

*Mrs. Head said yes it is.*

*Chairman Pilmer said and I would state that the rezoning would permit uses that are more suitable.*

*Mrs. Vacek said this will next be heard at Planning Commission on Wednesday, December 18, 2019 at 5:30 p.m. and the Building, Zoning and Economic Development Committee on Thursday, December 19, 2019, at 4:00 p.m. on the fifth floor of this building.*

*19-1074 An Ordinance granting a Special Use Permit for a Cannabis Dispensing Facility (2115) use on the property located at 740 N. State Route 59 (Zen Leaf – 19-1074 / NA21/2-19.197-Rz/Su u- TV – Ward 10) (PUBLIC HEARING)*

*Mrs. Vacek said staff would recommend conditional approval of the Ordinance granting a Special Use Permit for a Cannabis Dispensing Facility Use on the property located at 740 N. State Route 59 with the following conditions:*

1. *That the Petitioner agrees to supplement or replace any missing or dead landscaping per the approved landscape plan prepared by Integrated Planning Services date April 19, 2001.*
2. *That the Petitioner agrees that the required documents pursuant to the Special Use Petition are subject to re-review and comment by staff if the state license is issued for the subject property. The Petitioner further agrees to make any request and modification based on the re-review prior to the building permit being issued for the subject property.*

*I would also like to add a third condition:*

3. *That the Special Use be contingent on the rezoning approval.*

*MOTION OF APPROVAL WAS MADE BY: Mrs. Anderson*

*MOTION SECONDED BY: Mrs. Head*

*AYES: Mrs. Anderson, Mr. Cameron, Mr. Divine, Mr. Elsbree, Mr. Gonzales, Mrs. Head, Ms. Tidwell*

*NAYS: Mr. Reynolds*

#### *FINDINGS OF FACT*

1. *Is the proposal in accordance with all applicable official physical development policies and other related official plans and policies of the City of Aurora?*

*Mrs. Anderson said these are listed in the staff report.*

2. *Does the proposal represent the logical establishment and/or consistent extension of the requested classification in consideration of the existing land uses, existing zoning classifications, and essential character of the general area of the property in question?*

*Mrs. Head said it is a consistent extension.*

3. *Is the proposal consistent with a desirable trend of development in the general area of the property in question, occurring since the property in question was placed in its present zoning classification, desirability being defined as the trend's consistency with applicable official physical development policies and other related official plans and policies of the City of Aurora?*

*Chairman Pilmer said it is a continued retail use for the general area and it is a desirable trend consistent with the area surrounding that.*

4. *Will the proposal maintain a compatible relationship with the traffic pattern and traffic volume of adjacent streets and not have an adverse effect upon traffic or pedestrian movement and safety in the general area of the property in question?*

*Mrs. Head said there should be no adverse effect.*

5. *Will the proposal allow for the provision of adequate public services and facilities to the property in question and have no adverse effect upon existing public services and facilities?*

*Mrs. Head said they are already in place.*

6. Does the proposal take adequate measures or will they be taken to provide ingress and egress so designed as to maximize pedestrian and vehicular circulation ease and safety, minimize traffic congestion, and not substantially increase the congestion in the public streets?

Mrs. Head said adequate measures are already in place.

9a. Will the special use not preclude the normal and orderly development of improvement of surrounding properties due to the saturation or concentration of similar uses in the general area?

Mrs. Head said there are no other similar uses.

9b. Is the special use in all other respects in conformance to the applicable regulations in the district in which it is located, except as such regulations may in each instance be modified by the City Council pursuant to the recommendations of the Plan Commission?

Chairman Pilmer said I would state the Special Use is in conformance with the applicable regulations.

Mrs. Vacek said this will next be heard at the Building, Zoning and Economic Development Committee on Thursday, December 19, 2019, at 4:00 p.m. on the fifth floor of this building.

## **PENDING**

## **ANNOUNCEMENTS**

Mr. Sieben said our next regular meeting is next Wednesday on December 18th.

## **ADJOURNMENT**

A motion was made by Ms. Tidwell, seconded by Mrs. Anderson, that the meeting be adjourned. The motion carried by voice vote. Chairman Pilmer adjourned the meeting at 8:15 p.m.

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