

City of Zion

Planning and Zoning Commission

Meeting Minutes

REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION

Thursday, February 4, 2021 7:00pm

Zoom Login: <https://zoom.us/j/94908658605>

Join by phone: (312) 626-6799, Meeting ID 949 0865 8605

I. Opening Protocol

- Call to Order
Chairman Isley called the meeting to order at 7:00pm
- Attendance
Present: Commissioners Champine, Riley (joined at 7:05), Quinn (joined at 7:05), Pickett, Santana and Acting Chairman Isley. Also present: Richard Ianson, Director of Building & Zoning, City of Zion; Douglas S. Dorando, Attorney.

Absent: Commissioners Winfrey (Excused)
- Approval of meeting minutes from January 7, 2021
It was motioned by Commissioner Champine and seconded by Commissioner Pickett to approve the meeting minutes with the following corrections: Under Docket 21-Z-1, third paragraph, change the word "sad" to "said".
Vote: Commissioners Champine, aye; Pickett, aye; Santana, aye, Acting Chairman Isley, aye. Motion passed.

II. Public Hearings

1. Docket 21-Z-4

Petitioner: City of Zion

Request: Amend Zion Municipal Code Section 102-92(d) to delete "Childcare" as a special use.

David Knabel, City Administrator with the City of Zion said that the City council asked that this be remanded back to Planning & Zoning to consider some additional factors based on safety concerns. Some of these factors included various uses in the General Industrial district not being conducive to sharing space with a daycare type business and the concern for truck traffic and industrial equipment. He also said that there is an existing special use permit for a medical cannabis facility. If we have the opportunity to bring this to the city, it would be in violation of state law buffers. Ms. Pickett asked if the word childcare was deleted, is there a recommendation of a word that would replace it. Administrator Knabel said that the request would be to eliminate that as a permitted use. Commissioner Riley asked what the zoning classification is for the daycare on Route 173 and Green Bay. Director Ianson said that it is

classified as highway business. Commissioner Riley asked if we have any other childcare facilities in any other industrial areas. Director Ianson said no. Chairman Isley asked if there are any other recommendations for this individual to reestablish a childcare facility. Director Ianson said that Ms Bronson has been looking for other alternate locations. Eric Stach, Attorney for the City of Zion said that there are still numerous other zoning categories where childcare facilities are allowed in the City.

Krystle McNeely, 39917 N. Mauser Drive, Wadsworth IL said that prior to the approval of a special use permit, there had to be an addition of text in the ordinance to allow childcare centers in the space, which was done last year. There was full knowledge on the part of the City that the cannabis business was going to happen.

Mr. Stach said that the primary reason for this cleanup amendment is because childcare facilities are fundamentally incompatible with the types of broad industrial uses that are allowed within the General Industrial zoning.

After further discussion, it was motioned by Commissioner Champine to approve the Petitioner's application. The motion died for lack of a second.

It was then motioned by Commissioner Riley and seconded by Commissioner Santana to deny the Petitioner's application.

Vote: Commissioners Champine, nay; Riley, aye; Quinn, pass; Pickett, aye, Santana, aye Chairman Isley, nay. Motion carries

2. Docket 21-Z-5

Petitioner: City of Zion

Request: Amendment to or revocation of any potential approval of a children's day care facility at 2701 Deborah Avenue, Zion Illinois.

Ms. Stach said that the City is seeking revocation of the existing special use permit based on several issues as it relates to childcare being incompatible in the General Industrial district, noncompliance with bulk regulations, issues with the legal description and conflict with the a childcare center being within 2500 feet of the proposed cannabis facility.

William McNeely, 39917 N. Mauser Drive, Wadsworth IL said that the Special Use Permit has already gone through council. He added that the city dropped the ball on this and that Ms. McNeely should not pay for the city's incompetence.

Melanie McNeely, 518 Middleberry Drive, Lake Villa IL said that the issues within the Special Use Permit related to the stop signs and legal descriptions should be amended, not revoked.

Ms. Champine asked if Flat Rock Holdings gets their permit, will they be in violation of state law. Mr. Stach said yes. Ms. Champine asked if this Special Use Permit were to stand would it create an immediate violation. Mr. Stach said yes. He also added that Flat Rock Holdings has had their agreement with the city for almost five years.

Kate Elbert, 432 Red Rock Drive, Lindenhurst IL asked why the city would approve this Special Use Permit if they knew about the existing one for the cannabis. Administrator Knabel stated that there was some confusion about the buffers between recreational and medical cannabis. Ms. Albert asked if the special use permit process evaluates public safety, Chairman Isley said that it reviewed in the Findings of Facts.

Catrice Holmes, 39603 N. Queensbury Queensbury Lane, Beach Park IL shared her concerns regarding the city not doing their due diligence into this matter and the lack of answers being provided tonight.

Sarah Banks, 427 South Jackson St, Waukegan commented that she has been to the site and she feels that it is safe.

Tonora Sams, 8728 Polo Drive, Ft. Worth Texas asked if the special use permit was denied would the City be prepared to reimburse Ms. McNeely for the money she has put into the building.

Kejai McNeal, 798 Brookfield Drive, Olympia Fields IL shared her views on the what has transpired and believes that the City did not do their due diligence.

After further discussion and review of the Findings of Facts, it was motioned by Commissioner Champine to revoke the existing special use for childcare. The motion died lack of a second.

It was then motioned by Commissioner Riley to amend the existing special use permit with the condition that all required issues from the City and DCFS be addressed prior to opening. The motion died for lack of a second.

III. Docket Updates

Director Ianson stated the following:

- Docket 21-Z-1 is still pending. The Plat of consolidation is still pending council action.
- Docket 21-Z-2 and 21-Z-3 were approved by council.

IV. Public Participation

There was none.

V. Adjourn

Being no further business to come before the Commission, it was motioned by Commissioner Quinn and seconded by Commissioner Pickett

to adjourn the meeting at 8:55pm. Vote: Commissioners Champine, aye; Riley, aye; Quinn, aye; Pickett, aye, Santana, aye Chairman Isley, aye. Motion carries.

Minutes recorded by: *Sonolito Bronson*