

August 26, 2019
Zoning Board of Appeals
Committee of the Whole
5:15 p.m.

1908-30 Call to Order

The Zoning Board of Appeals was called to order at 5:15 p.m. Roll call taken: Jen Breitbach, Larry Havner, Paul Largent, Deb Redmon, Jean Robey, and Linda Waltz. Callie Anglese was absent.

The City Council was called to order at 5:15 p.m. Roll call taken: Delbert Belken, Randy Degenhardt, Robin Pearson, Dawn Stelpflug, Marty Werner, and Mayor Kirk VanOstrand. Adam Arling was absent.

1908-31 Speakers from the Floor

Donald J Loeffelholz, 18030 Quail Drive, East Dubuque, IL. DJ has lived in East Dubuque all his life and was in the Army for six years. He serves on the school board as vice president, United Way and Chamber of Commerce in Platteville. He feels a strong commitment to community service as a way of live. January 1st is a rendezvous with destiny for the cannabis market.

DJ has visited family in Colorado and has familiarized himself with the cannabis market. He also has a prescription for cannabis for medicinal purposes. Try not to stigmatize what cannabis is. Yes the same plant produces many different products but the uses vary. He strongly supports the SAFE Act in his design to open a dispensary in East Dubuque.

There are currently 59 medicinal dispensaries in the state and they will be allowed to open a second facility. In May 2020, 75 new licensed establishments will open. By December 2021, 110 additional licenses will be issued. Illinois proposes not to exceed 300 licenses.

Comments made that current availability may hinder sales projections. DJ proposes a licensed dispensary with a consumption lounge. Legality of cannabis is currently at state level but with more states legalizing recreational marijuana, federal approval is not far behind. He hopes to offer a locker storage program for customers also.

Comments regarding parking. In the business district, off street parking is minimal and if you anticipate a large customer base, parking is an issue. With the gaming establishments, customers have become accustomed to walking. Another concern was restricted parking for firemen arriving at fire station for a call.

Comment on setbacks for schools, etc. Illinois should have guidelines established by October 1. If they follow medical cannabis guidelines, you couldn't be located nearer than 1000' from a school and cannot be located in a residential district. Comment about including library. This currently is not included in excluded list.

DJ has plans to invest \$5.5 million in this project. He is working with a consultant on his state application and has spent a lot of time in research. He has a strong support team who are also knowledgeable.

Several members from zoning don't want to rush into an ordinance without all the facts being presented. What do you need the City to do? He would like to see an ordinance adopted for dispensary/consumption lounge to complete his application.

Attorney Kurt asked for time to consider what the zoning should be; get an ordinance in place; then apply for a license. DJ has presented a great proposal, but what are the requirements the municipality needs to have in place, and can we get a map defining possible locations for this business.

Lynn Young, Montgomery Avenue also stepped forward stating that she is also interested in the licensing for an establishment. She is a long time resident of East Dubuque and is familiar with products that she has used in her business, Wellness Center and the benefits to cancer patients.

We currently have information on sample ordinances from IML – to prohibit; to regulate; occupation tax, and disclaimer language. In the packets prepared for this meeting was information on adult use cannabis summary, public health and safety, sample ordinance language from another community, and business opportunities that DJ is proposing.

19-0832 Discussion Cannabis Regulations

City Manager Loras Herrig presented two sample ordinances this evening and he went through the ordinance Municipal Cannabis Business Zoning. The ordinance follows the guidelines of the IML sample with language defining setback requirements for different licensing and licensing fees. The ordinance also includes language to include library as a setback requirement.

Both boards felt comfortable with the presentation and ordinances proposed and want a follow up meeting which has been set for September 9, 2019 at 5:30 p.m. Attorney Kurt wants a map defining proposed areas for business locations.

In the proposed ordinance where also suggested dates for two public hearings and we will receive clarification on how soon we can schedule them.

Meeting adjourned at 7:45 p.m.

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