

Commissioner Unes asked how the estimated number of daily clients was calculated, to which Mr. Walton responded that Trinity based the figures upon their experience operating a medical cannabis dispensary in Peoria, as well as their experience operating other cannabis facilities in Colorado.

Tim O'Hern, petitioner, discussed that customers tend to spend more time at medical cannabis dispensaries, estimating 10 – 15 minutes. He explained that he expects customers to spend less time if purchasing cannabis for recreational use, estimating 5 minutes.

Chairperson Wiesehan opened the public hearing at 1:16pm. There being no public testimony, the public hearing was closed at 1:16pm.

Discussion on the Findings of Fact was held.

**Motion:**

Commissioner Heard made a motion to approve the request as presented; seconded by Commissioner Ghareeb:

The motion was APPROVED viva voce vote 7 to 0.

Yeas: Barry, Ghareeb, Grantham, Heard, Martin, Unes, and Wiesehan – 7

Nays: None – 0

**PZ 19-34**

Hold a Public Hearing and forward a recommendation to City Council on the request of Mark D. Walton, on behalf of Ron DiGiacomo of Trinity M.M.J., LLC to obtain a Special Use in a Class C-1 (General Commercial) District for Adult Use Cannabis Dispensary for the property located at 2301 W. Glen Avenue (Parcel Identification No. 14-19-255-012, Peoria IL (Council District 4).

Senior Urban Planner, Kimberly Smith, Community Development Department, read Case No. PZ 19-34 into the record and presented the request. Ms. Smith provided a summary and the Development Review Board analysis and Recommendation as outlined in the memo.

Ms. Smith explained the updated recommendations based on continued discussion with the applicant.

The Development Review Board recommends approval of the proposed use with the following waivers:

**Waivers:**

1. Waivers requested for parking lot landscaping points and parking lot perimeter requirements.
2. Waiver for existing conditions for setback along Northland, Glen and Renwood.

**Conditions:**

1. Meet drainage Ordinance requirements.
2. Correct right-of-way encroachments.
3. Provide required accessible space signage.
4. Provide sidewalks on all three frontages, and corresponding right-of-way dedications as needed.
5. Provide a pedestrian and bicycle pathway to the main entrance.
6. Add three shade trees along Northland Ave.
7. Correct drive approach along Northland Ave such that it no longer encroaches upon adjacent property, or obtain an access agreement.

Mark Walton, attorney representing the petitioner, requested that the sidewalk requirement along Renwood be waived, citing drainage problems and an existing utility pole, among other reasons. He

discussed that site connectivity would be achieved through improvements to the parking lot, stating that the sidewalk along Renwood Street would not be necessary.

Discussion was held on the request for the sidewalk waiver along Renwood St., in particular around how persons utilizing public transit would access the property. Mr. Walton mentioned that a sidewalk waiver had been granted to Chipotle off of Sterling Avenue, with the parking lot achieving connectivity between the site and nearby businesses. Commissioner Ghareeb said that project engineers could craft a solution to any drainage issues related to the installation of the sidewalk, further stating that the Chipotle example was not particularly relevant to the case at hand, as Chipotle is adjacent to a large shopping center.

Chairperson Wiesehan opened the public hearing at 1:38pm.

Angela Bertucci, president of Westwood Neighborhood Association, discussed that the neighborhood has concerns with the proposed use. These include distance to local schools and families, as well as increased foot and vehicular traffic. She mentioned that retail theft could become a problem, which would have negative impacts on the neighborhood. She asked if the facility will have a security guard, what after-hours security will look like, and if there have been any issues with theft at Trinity's medical dispensary on University. Ms. Bertucci submitted Attachment A for the Commission's review, attached at the end of the minutes.

Jennie Terry, resident of Rolling Acres, cited a study that focuses on the effects cannabis dispensaries have on streets and neighborhoods directly adjacent to them. She discussed that the study showed higher rates of crime, including larceny, in the immediate area surrounding the dispensary after it was located in a given neighborhood. Ms. Terry submitted Attachment B for the Commission's review, attached at the end of the minutes.

Tim O'Hern, petitioner, said that a security guard will be on premise during all operating hours and that access points into the building will be restricted. While no security guard will be on site after business hours, video cameras will monitor the property 24/7. Per Illinois law, there will be no drive-thru on the property. He mentioned that there have been no crime issues with the current facility on University Street.

Discussion was held around the distance of the dispensary from the nearest schools. While the petitioner did not have the exact setback distance at hand, he established that the building location meets required setbacks, having checked earlier in the development process.

Discussion was held around the number of estimated daily customers, with Commissioner Grantham asking how the projections were calculated. Tim O'Hern replied that the Glen Avenue location has a larger square footage dedicated for dispensary operations than does the University Street location. He discussed that the estimated figures are based upon demand studies and projections. However, he said that it is difficult to project such figures, as recreational cannabis use is entirely new to the state and local markets.

There being no further public testimony, Chairperson Wiesehan closed the public hearing at 1:49pm.

Discussion on the Findings of Fact was held.

**Motion:**

Commissioner Heard made a motion to approve the request with the condition that the sidewalk along Renwood be constructed; Commissioner Ghareeb seconded the motion and condition:

The motion was APPROVED viva voce vote 7 to 0.

Yeas: Barry, Ghareeb, Grantham, Heard, Martin, Unes, and Wiesehan – 7

Nays: None – 0

**PZ 19-35**

Hold a Public Hearing and forward a recommendation to City Council on the request of the City of Peoria to rezone property from former Public Right-of-Way to Class C-2 (Large Scale Commercial) District for part of the property located at 7327 N. Galena Rd (Part of Parcel Identification No. 14-10-176-020), Peoria IL (Council District 3).

Senior Urban Planner, Kerilyn Weick, Community Development Department, read Case No. PZ 19-35 into the record and presented the request. Ms. Weick provided a summary and the Development Review Board analysis and Recommendation as outlined in the memo.

Commissioner Heard announced that he was abstaining from the vote and discussion due to conflict of interest concerns.

Chairperson Wiesehan opened the public hearing at 1:49pm. There being no public testimony, the public hearing was closed at 1:49pm.

Discussion on the Findings of Fact was held.

**Motion:**

Commissioner Unes made a motion to approve the request as presented; seconded by Commissioner Martin:

The motion was APPROVED viva voce vote 6 to 0.

Yeas: Barry, Ghareeb, Grantham, Martin, Unes, and Wiesehan – 6

Abstain: Heard – 1

Nays: None – 0

**ADDITIONAL SWEARING IN OF SPEAKERS**

Speakers were sworn in by Commissioner Ghareeb.

**PZ 19-36**

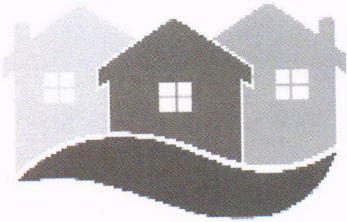
Hold a Public Hearing and forward a recommendation to the City Council to amend the Comprehensive Plan to include the following area plans: South Village Implementation Plan featuring the MacArthur Corridor Plan, Southern Gateway Plan, and Western Avenue Plan.

Senior Urban Planner, Kimberly Smith, Community Development Department, read Case No. PZ 19-36 into the record and presented the request to amend the City of Peoria's Comprehensive Plan to include the South Village Implementation Plan, MacArthur Corridor Plan, Southern Gateway Plan, and Western Avenue Plan. Ms. Smith provided a summary and recommendation as outlined in the memo. She described the relation to the City's revitalization planning with the Illinois Housing Development Authority, with collaboration from a variety of local entities and residents.

Commissioner Grantham announced she was abstaining from the vote and discussion due to conflict of interest concerns.

Aaron Gunn, IDG Architects, discussed that he hoped the plan would lead to continued improvements in Council District 1.

# ATTACHMENT A



## **Westwood Neighborhood Association**

*A vibrant neighborhood for everyone to enjoy!*

**Westwood Neighborhood Association members concerns and questions about the Zoning of 2301 W. Glen Ave. for the use of an Adult Cannabis Dispensary. Case # PZ 19-34**

### **Concerns**

#### **Distance**

- *Too close to a family neighborhood – less than a 10<sup>th</sup> of a mile*
- *Too close to Concordia Lutheran Grade School and Rolling Acres Grade School, The Christian Center and Teen Center.*
- *Too close to Northwoods mall as the security at the mall is a concern*
- *Members of the Association have dealt with retail crimes spilling into the neighborhood from Glen Ave., the mall and Metro Center – this is another opportunity for crime*

#### **Traffic**

- *Added unwanted foot traffic through the neighborhood*
- *Glen Ave. is increasingly busy and will be under construction 2020*

#### **Members concerns (even though legal)**

- *Some members believe it is not a family friendly business much the same as a liquor store*
- *Cannabis is a gateway drug*
- *Family members struggle with addiction and do not believe in Cannabis use*
- *Cash only business invites opportunities for theft*
- *Customers for recreational use will be different than medical use*

#### **Questions**

- *Will there be a security guard on the premises?*
- *What security will in place after hours?*
- *Will there be a drive thru?*
- *Has the company that will be operating this location had any issues with violations or theft*

# ATTACHMENT B

Jennie Terry

Hello, my name is Jennie Terry, and I am a resident of the Rolling Acres neighborhood which is directly adjacent to the property of 2301 W. Glen Ave. which is looking to obtain a Special Use in a Class C-1 (General Commercial) District for an Adult Use Cannabis Dispensary.

I would like to draw your attention to a recently published study<sup>1</sup> on the criminal effects of marijuana dispensaries that studied crime rates in Denver the three years prior to legalization of recreational marijuana, and the three years afterwards. This study is unique from prior studies in that it does not just look at the effect of laws passed, or on the effect of crime in general, but on the specific areas adjacent to a recreational use cannabis dispensary.

In a recent interview one of the authors Nathan Connealy states; "This study departs from the approach of similar research by analyzing the effect of marijuana dispensaries at a highly localized level. By focusing on the street segments that dispensaries are located on or directly adjacent to, we provide insight into the potential spatial effects that marijuana retail establishments can have on crime."<sup>2</sup>

The study found that street segments with recreational dispensaries saw significantly higher levels of property crime, which includes; burglary, motor vehicle theft, vehicle equipment theft, unlawful car entry, theft from vehicle, and theft/all larceny.

Based on this information, I conclude that a recreational use cannabis dispensary would be better situated in an industrial or larger commercial area, where adjacent businesses are better equipped to video monitor and provide security versus our neighboring residential area of Rolling Acres, whose smaller homes house many aging residents and young families.

Thank you for your time.

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<sup>1</sup> JUSTICE EVALUATION JOURNAL  
<https://doi.org/10.1080/24751979.2019.1691934>  
The Criminogenic Effect of Marijuana Dispensaries  
in Denver, Colorado: A Microsynthetic Control  
Quasi-Experiment and Cost-Benefit Analysis  
Nathan Connealy, Eric Piza and Dave Hatten.

<sup>2</sup> [www.medicalresearch.com/author-interviews/property-crimes-increase-near-legal-marijuana-dispensaries/52358/](http://www.medicalresearch.com/author-interviews/property-crimes-increase-near-legal-marijuana-dispensaries/52358/).