

MINUTES
WOODSTOCK PLAN COMMISSION
July 23, 2020
City Council Chambers
Woodstock City Hall

A regular meeting of the Woodstock Plan Commission was called to order at 7:00 PM on Thursday, July 23, 2020, by Chairman Cody Sheriff in the Council Chambers at Woodstock City Hall. This meeting of the Plan Commission was held under the Governor's Emergency Declaration with some members attending remotely and those attending at City Hall observing social distancing.

A roll call was taken.

PLAN COMMISSION MEMBERS PRESENT IN THE COUNCIL CHAMBERS: Chairman Cody Sheriff

PLAN COMMISSION MEMBERS PRESENT ATTENDING REMOTELY: Donna Besler, David Casner, Arturo Flores, Don Fortin, Steve Gavers, Robert Horrell and Doreen Paluch

PLAN COMMISSION MEMBERS ABSENT: Jackie Speciale.

STAFF PRESENT IN THE COUNCIL CHAMBERS: Building and Zoning Director Joe Napolitano and City Planner Darrell Moore

STAFF ATTENDING REMOTELY: City Attorney TJ Clifton.

OTHERS ATTENDING REMOTELY: City Clerk Cindy Smiley.

APPROVAL OF AGENDA

Chairman Sheriff noted the request to amend the agenda by moving Old Business Item 2b to New Business as Item 3c also concerns text amendments.

Motion by Paluch, second by Horrell, to approve the Agenda as amended.

A roll call vote was taken. Ayes: Besler, Flores, Fortin, Gavers, Horrell, Paluch, Casner and Chairman Sheriff. Nays: none. Abstentions: none. Absentees: Speciale. Motion carried.

APPROVAL OF MINUTES

Motion by Paluch, second by Fortin, to approve the minutes of the June 25, 2020 Plan Commission Meeting as presented.

A roll call vote was taken. Ayes: Besler, Flores, Fortin, Gavers, Horrell, Paluch, Casner and Chairman Sheriff. Nays: none. Abstentions: none. Absentees: Speciale. Motion carried.

1. PUBLIC COMMENTS

There were no comments forthcoming from the public.

2. OLD BUSINESS

a) Continued Public Hearing – Sign Variation to allow a Second Free-Standing Sign at 740 Washington Street.

Chairman Sheriff stated Staff's recommendation is to continue this item to the next Plan Commission meeting.

Motion by Paluch, second by Horrell, to continue Item 2a) to the next regular Plan Commission meeting on Thursday, August 27, 2020.

A roll call vote was taken. Ayes: Besler, Flores, Fortin, Gavers, Horrell, Paluch, Casner and Chairman Sheriff. Nays: none. Abstentions: none. Absentees: Speciale. Motion carried.

3. NEW BUSINESS

a) Public Hearing – Sign Variation to Allow an Additional Illuminated Wall at the Northwest Corner of Lake Avenue and American Way, Kensington Development Partners.

A roll call was taken to confirm a quorum.

PLAN COMMISSION MEMBERS PRESENT IN THE COUNCIL CHAMBERS: Chairman Cody Sheriff.

PLAN COMMISSION MEMBERS PRESENT ATTENDING REMOTELY: Donna Besler, David Casner, Arturo Flores, Don Fortin, Steve Gavers, Robert Horrell and Doreen Paluch

PLAN COMMISSION MEMBERS ABSENT: Jackie Speciale.

Chairman Sheriff confirmed the presence of a quorum and that all notices were appropriately sent and posted.

The Public Hearing was opened at 7:12 PM.

Chairman Sheriff stated this is a Public Hearing to consider a sign variation to allow an additional illuminated wall sign for the new Aldi store at the Northwest Corner of Lake Avenue and American Way at the request of Kensington Development Partners.

Petitioners Dan Rea and John Schoditsch were sworn in by City Attorney TJ Clifton.

Mr. Rea noted they are proposing three signs for the building and are asking for a variation for the sign on the North side opining it is needed so that southbound traffic on Lake Avenue can identify the business.

Mr. Schoditsch stated they don't know what will be developed to the north, so that is why this sign is requested. They made a promise to incorporate Aldi to place a sign at this location to help drive southbound traffic to the store, noting it is needed in order for the project to move forward.

The floor was open to Commission questions.

There were no questions forthcoming from Commissioners Besler, Flores, Horrell, Paluch, and Casner.

In response to a question from Commissioner Fortin, Mr. Rea noted the pylon sign is within Code requirements, at 7'- 4" in height and 6' – 2" in width. Commissioner Fortin stated he did not see the hardship, opining the pylon sign accomplishes what they are seeking with the variation. He noted perhaps the proposed sign could be requested at a later date should development occur on that side of the store. Mr. Rea noted the original monument sign was much larger, 78 sf., noting they chose to shrink it instead of seeking a variance for that sign. He stated he feels strongly there is a need for a sign on the west side of the building.

Commissioner Gavers supported Commissioner Fortin's comments, opining future development could affect the view of the proposed sign depending on the setback.

Mr. Rea stated Aldi's approval is very specific on signage and the developer had to agree to this proposed signage, noting if it is not approved the development could be at risk.

There being no further questions, Chairman Sheriff opened the floor to the public. There were no questions.

Chairman Sheriff asked the Commission for comments.

There were no comments forthcoming from Commissioners Besler, Flores, Fortin or Casner.

Commissioner Gavers stated this is a gateway to the City and if there are ways of sprucing it up he would be supportive.

Commissioner Horrell indicated that without the requested signage people could be almost past the store before seeing any signage to know there is an Aldi store. He opined this is a hardship and the sign would help with visibility, stating he is in favor of allowing the variation.

Commissioner Paluch expressed her support for the opportunity to create situations where businesses can be easily identified. She stated she does not believe there is a difficulty or hardship in this circumstance at this time, however. She stated the petitioner has stated they are asking for the variation at this time to deal with a future matter, opining if there is such a circumstance in the future there would be an opportunity to seek signage. She stated she does not believe the variation can be granted at this time.

Chairman Sheriff stated he does not see an issue with granting the variation based on the location. He noted that in his experience, corporate entities like Aldi dictate the flow of things, especially signage. For this site, where it is located, being on a corner lot he indicated there is a particular hardship. Approving the sign would not negatively impact the community character or have an adverse effect.

Commissioner Paluch asked if Chairman Sheriff's statement was that corporate requirements are one influencing factor in his determination and why is a corporate petitioner treated any differently than any other petitioner. Chairman Sheriff replied no, he was making a comment that he is familiar with the process that companies like Aldi have to go through, but clarified that the location of the site and the sight line issue is a hardship. Commissioner Paluch opined corporate concerns should not be a factor and such a request should not be treated differently than any other petitioner's request. She indicated that they did not meet the standards for variations.

Commissioner Horrell agreed with Commissioner Paluch's statement about corporate concerns, but stated he feels the potential hardship is the fact that people driving southbound would not have enough opportunity to turn into the store without this signage. In response to his question as to why the monument sign was reduced, the petitioners stated they wished to stay within the ordinance in order to have two variance requests rather than three. Commissioner Horrell likened this request to that of Starbucks, opining this sign will make this a safer situation.

Commissioner Paluch opined this situation is different than that of Starbucks, because there is cubage that separates the left turn lane and without the sign, you could go past the opportunity to turn. She indicated there is ample opportunity to decide to turn into the store with the appropriate ground signage. She stated she would be in favor of larger ground signs, but does not feel the current situation warrants a hardship to allow this variation.

Chairman Sheriff asked for Staff comments.

Mr. Moore noted that the Plan Commission has supported similar sign variations and that is why the petitioner was encouraged to present this request. Potentially, changes to the ordinance were needed.

Chairman Sheriff opened the floor to Public Comment.

Dave Piersall was sworn in by City Attorney TJ Clifton.

Mr. Piersall expressed comments relating to the City's current regulations concerning banners.

Commissioner Horrell raised a point of order, noting the current discussion centers around the Aldi sign request. Mr. Piersall stated he had no comments regarding that topic.

There were no other public comments forthcoming.

Motion by Paluch, second by Horrell, to not recommend approval of the requested variation to allow for the placement of a permanent illuminated wall sign up to 75 feet square in the area on a side wall.

Mr. Schoditsch asked if the monument sign could be discussed. Chairman Sheriff stated that the motion on the floor should be addressed. Commissioner Horrell withdrew his second on the motion to see if the petitioner had any additional comments. Commissioner Paluch withdrew her original motion and reminded the Commission that at the previous meeting, there was discussion to modify a sign variation request if it was a lesser amount than originally requested.

Mr. Schoditsch expressed concern that there may be a different commission if they wait for development of the adjacent parcel. He stated Aldi might be amenable to going back to a larger ground sign and eliminating the third wall sign. Chairman Sheriff stated the Commission should focus on what was being requested this evening. Commissioner Paluch disagreed and asked Staff if the variation for the original ground sign would be greater than the wall sign variation that is being requested. Mr. Moore stated this is comparing apples to oranges. City Attorney Clifton opined that discussion would be different in that it is an entirely different sign.

Commissioner Paluch asked staff about what is allowable for a ground sign and what was presented by the petitioner, and if staff had information on the size and percentage difference. Chairman Sheriff indicated that he did not see the relevance in this and pressed the Commission to move forward. The request before the Commission was for a third wall sign and not for a larger freestanding sign. Mr. Schoditsch indicated that they would like the Commission to vote on the third wall sign and they can work with Staff on a different ground sign if that does not pass. City Attorney Clifton noted that a motion should be made in the positive, but the vote can be negative.

Motion by Casner, second by Gavers, to recommend approval of a variation to allow for the placement of a permanent illuminated wall sign up to 75 square feet in area on a side wall, which neither contains an architecturally-emphasized public entrance nor abuts a public street at the Northwest corner of Lake Avenue and American Way, Kensington Development Partners the basis for the motion being that the request meets the approval criteria for a variation as identified in the Staff Report.

A roll call vote was taken. Ayes: Besler, Flores, Fortin, Gavers and Chairman Sheriff. Nays: Horrell and Paluch. Abstentions: Casner. Absentees: Speciale. Motion carried.

The Public Hearing was closed at 7:58 PM.

b) Public Hearing – Special Use Permit to allow a Cannabis-Related Business (Craft Grower, Processor, Infuser, and Transporter) on Lots 11 and 12 in the proposed Airway Industrial Park Subdivision, 1100 Borden Lane, MGC Assett LLC.

Commissioner Steve Gavers recused himself and left the proceedings at 8:00 PM.

A roll call was taken to confirm a quorum.

PLAN COMMISSION MEMBERS PRESENT IN THE COUNCIL CHAMBERS: Chairman Cody Sheriff

PLAN COMMISSION MEMBERS PRESENT ATTENDING REMOTELY: Donna Besler, David Casner, Arturo Flores, Don Fortin, Robert Horrell, and Doreen Paluch

PLAN COMMISSION MEMBERS ABSENT: Jackie Speciale and Steve Gavers

Chairman Sheriff confirmed the presence of a quorum and that all notices were appropriately sent and posted.

The Public Hearing was opened at 8:02 PM.

Chairman Sheriff stated this is a Public Hearing to consider a special use permit to allow a Cannabis-Related Business (craft grower, processor, infuser, and transporter) on Lots 11 and 12 in the proposed Airway Industrial Park Subdivision, 1100 Borden Lane, MGC Assett, LLC.

Petitioners Greg Kuhlman and Thomas Varvaro and their representative Attorney Joseph Gottemoller were sworn in by City Attorney TJ Clifton

Noting this project is to be located in the proposed Airway Industrial Park, Mr. Gottemoller stated that this subdivision would have to be final platted and recorded before any lot could be developed. He stated the petitioners are requesting a Special Use Permit for a cannabis craft grower, processor, infuser, and transporter on two of the lots in the subdivision. He provided a site location map and reviewed the characteristics of the property, indicating where the business would be located with respect to the nearest residential property. The City requirement is 2,500 feet away and they are approximately 1,800 feet away and across the Union Pacific RR tracks. Mr. Gottemoller stated the petitioners are in general agreement with the conditions listed in the Staff Report.

Dr. Kuhlman stated he has been a physician with a pain management clinic in Crystal Lake for 15 years, noting he is a great advocate for medical marijuana. He stated this has reduced the dependence on opioids a great deal, opining there is a great need for this within the state.

Dr. Kuhlman noted they took a great deal of time searching for a location for their business that would meet both state and local guidelines. He stated it is difficult to find such a property within Woodstock that is more than 2,500 feet away from a residence, noting the state requirement is 1,500 feet. Dr. Kuhlman noted they will start growing at 5,000 sf of canopy space, opining the state will likely increase this due to the lack of cannabis available. He provided information on what will take place in the various segments of the building and about the security plan, which meets all state requirements. He also provided information on the equipment and filtration in the building, stating there will be no smell. He stated they will landscape in front of the fences, noting they wish to make sure the facility looks good as well as is secure.

Chairman Sheriff opened the floor to Commission questions.

There were no questions forthcoming from Commissioners Besler, Flores, Casner, and Chairman Sheriff.

In response to a question from Commissioner Fortin, the petitioners provided information on the state application process, noting its delayed due to COVID-19. Mr. Napolitano stated there are 40 state licenses available for the entire state, noting Woodstock has three for potential approval.

In response to questions from Commissioner Horrell, Mr. Gottemoller stated the facility will tie into City utilities and will have a detention area. Dr. Kuhlman provide information on water usage and discharge, stating they will recycle and reuse their water. In response to a question from Commissioner Paluch, he confirmed no wastewater will be diverted to stormwater detention.

Mr. Gottemoller stated the petitioners are in general agreement with the conditions as recommended in the Staff Report and believe they can meet those conditions.

Chairman Sheriff opened the floor to Public Comments. None were forthcoming.

Chairman Sheriff opened the floor for Commission discussion.

Noting this area has wetlands and a resources conservation area to the north, Commissioner Horrell stated the ordinance requires a Natural Resources Inventory (NRI), which he does not see as part of the submission. In response, Mr. Gottemoller stated he believed one was completed for the Plat of Subdivision for the industrial park. Mr. Napolitano stated Staff has been unable to locate an NRI and many other files on the original subdivision. He opined if the process were followed that would have been one of the requirements and assumes one was done.

In response to a question from Commissioner Horrell, Mr. Napolitano stated the final plat will have to be recorded and this will require approval by the City and recording to move forward. Commissioner Paluch opined final plat approval should be included as one of the conditions.

There were no further comments forthcoming from Commissioners Besler, Flores, Fortin or Casner.

Commissioner Paluch expressed support of the Special Use Permit and of the project combined with final plat approval as it will bring business to the City and may lead to further development in this area. She thanked the petitioners and wished them the best of luck.

Chairman Sheriff expressed support of the request with the addition of Final Plat approval as a condition. He opined all criteria have been met.

Motion by Paluch, second by Fortin, to recommend approval of a Special Use Permit to allow a Cannabis Craft Grower, with Cannabis Infusion, Processing and Transporting on property located on Lots 11 and 12 in the proposed Airway Industrial Park Subdivision, 1100 Borden Lane, MGC Assett, LLC, in substantial conformance with the plans submitted and subject to the following conditions:

- 1) A minimum 19 parking spaces shall be provided.
- 2) The applicant and City Staff shall work with the Woodstock Fire/Rescue District to address any concerns they may have relating to the site layout building.
- 3) The supplemental use requirement that No Cannabis Craft Grower shall be located within 2,500 feet of the property line of a preexisting 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 public or private park or any area zoned for residential use shall be waived.
- 4) A chain link fence, topped with barbed wire, having a maximum height of 10 feet shall be allowed, but additional landscaping in the front yard shall be provided to reduce the visual impacts of said fence.

- 5) Final landscaping plans, building elevations, and site lighting shall be reviewed by Staff for conformance with UDO requirements as part of the Project Review process when application for building permits are submitted.
- 6) Approval of Final Plat and installation of all required public improvements.

Commissioner Paluch noted this request meets the approval criteria listed in Section 4.4.7 of the Unified Development Ordinance, in accordance with the findings included in the Staff Report

A roll call vote was taken: Ayes: Besler, Flores, Fortin, Horrell, Paluch, Casner and Chairman Sheriff. Nays: none. Abstentions: none. Absentees: Speciale and Gavers. Motion carried.

The Public Hearing was closed at 8:28 PM.

Commissioner Gavers rejoined the proceedings at 8:29 PM.

Commissioner Paluch recommended that Staff look into modifying the text of the UDO to include information on the principals in a matter involving an LLC and also to enlarge the signs posted on the site.

2.b) Continued Public Hearing – Zoning Text Amendments Relating to Various Sections of the Unified Development Ordinance

3.c) Public Hearing – Zoning Text Amendments Relating to Various Sections of the Unified Development Ordinance

A roll call was taken to confirm a quorum.

PLAN COMMISSION MEMBERS PRESENT IN THE COUNCIL CHAMBERS: Chairman Cody Sheriff

PLAN COMMISSION MEMBERS PRESENT ATTENDING REMOTELY: Donna Besler, David Casner, Steve Gavers, Arturo Flores, Don Fortin, Robert Horrell and Doreen Paluch

PLAN COMMISSION MEMBERS ABSENT: Jackie Speciale

Chairman Sheriff confirmed the presence of a quorum and that all notices were appropriately sent and posted.

The Public Hearing was opened at 8:32 PM.

Mr. Napolitano noted the additional changes that were made to the PUD section based on the previous discussion, stating he will bring these back for final discussion at a subsequent meeting.

Motion by D. Paluch, second by R. Horrell to continue the Public Hearing on Item 2b) Zoning Text Amendments Related to the PUD and Preliminary/Final Plat, to the next regularly scheduled Plan Commission meeting on Thursday, August 27, 2020.

A roll call vote was taken. Ayes: Besler, Flores, Fortin, Gavers, Horrell, Paluch, Casner and Chairman Sheriff. Nays: none. Abstentions: none. Absentees: J. Speciale. Motion carried.

Temporary Signage and Outdoor Display of Vehicles and Equipment

Mr. Napolitano provided information on the text amendments concerning temporary outdoor displays. He noted that this was previously discussed in February of this year, but expressed concern that although notices were sent

to several businesses, none showed up at that meeting. He reached out again and noted that he received a letter from one owner and one owner is present this evening.

Mr. Napolitano stated the topic is outdoor display and sale of vehicles and equipment, stating there have been businesses who have been displaying products outside on the grass, some bring them in at the end of the day, some do not. His question for the Commission is should the regulations be changed to allow display on the grass. Mr. Napolitano reviewed the Commission's previous discussions and read a letter from the owner of Woodstock Power Sports requesting to display during the day and move the items off the grass at night. The letter cited the location of the front door of the business, and its lack of and the expense of signage as reasons for the request.

Dave Piersall, owner of Lake Marine & RV, stated that much of the storage at his facility has been moved to the former location on Lake Avenue. He moved some of the unsightly things to get them out of view so that the site looks presentable.

He opined the current regulations regarding display signage and display of equipment make it very difficult to attract people to his business, noting the public thinks they only provide service and storage. He stated he does not wish to have his profits and all of the money he has spent on this business to be "throttled" because he cannot properly display on the grass. Mr. Piersall opined the taxes generated by his business and the money he has put into the property have benefited the community. He also expressed agreement and support of Woodstock Power Sports' letter.

Mr. Piersall stated he has maxed out what he can place on a sign, but opined a big boat will get people's attention and bring in more tax money for the City and more businesses to Woodstock. He opined this corner looks better than ever since the location of his business and Casey's, opining this has played a role in attracting other businesses.

He talked about what is allowed in other communities that he must compete with and suggested allowing a yearly permit with a maximum number of banners and the display of merchandise. He opined the current two banners allowed per year is inadequate.

Mr. Piersall stated the City must be more flexible to help businesses stay in Illinois and to attract new businesses, opining the current ordinance works against this.

Commissioner Paluch thanked Mr. Piersall for his investment in his community. She noted her previous comments regarding a yearly permit for temporary signs.

In response to a question from Commissioner Horrell, Mr. Napolitano clarified the current ordinance, stating it allows two temporary signs up to four times per year with a total timeframe of 60 days.

Commissioner Horrell noted his previous concerns regarding vehicles allowed to park off paved areas and noted some vehicles are parked perilously close to the curb, which also concerns him. He expressed his wish that the businesses could accommodate putting the vehicles and equipment out during the day and bring them in during the night. Concerning maintenance, Commissioner Horrell suggested exploring requiring a bond.

Chairman Sheriff supported the idea of a bond to make sure the right of way is well kept. Commissioner Paluch concurred.

Noting the previous discussion had much to do with the business on the corner, Commissioner Fortin opined that is the extreme in terms of cooperation and enforcement. He stated that situation compared to other businesses is like comparing apples to oranges. Commissioner Fortin agreed that corner is a potential safety hazard and is unsightly to have at Woodstock's gateway. In response to his question, Mr. Napolitano stated that business is not in

compliance with permits. Commissioner Fortin opined it is difficult to draw the line between the right-of-way and where it is a distraction vs. the benefit to the business.

Mr. Piersall stated he pays to have his lawn mowed. He noted there is a large ditch between where he displays his vehicles and the pavement. He expressed his wish to display boats, noting it would be difficult to move them in every evening.

Chairman Sheriff noted the area used by Kunes at the corner is state right-of-way, so the City has no jurisdiction over this. He stated he does have an issue with the banners, stating he would not have a problem allowing them with proper permitting. Chairman Sheriff stated he does not have an issue with display of equipment as long as it is well kept and brought in at night.

Commissioner Gavers talked about beautification. He asked how these issues will be policed when Staff already has a full plate. Mr. Napolitano stated the challenge is to come up with ordinances that are fair and consistent with all uses, noting there are large boats that would be difficult to move in and out, and small equipment that would be easy. He stated it would be difficult to use Staff time to go out every day to make sure things are being moved in.

Discussion followed of the various roadways and easements. Mr. Napolitano noted Bull Valley Ford is right up to the road with their paved area while Kunes has over a hundred feet of grassy area.

In response to a question from Commissioner Horrell, Mr. Napolitano confirmed this discussion concerns vehicles off of paved areas not banner requirements. Commissioner Horrell suggested Staff draft language that talks about parking vehicles off of paved areas incorporating a setback requirement and maximum square footage in which equipment or vehicles could be parked as long as they are brought in at night. He stated he would not expect Staff to police this every day but rather focus on repeat offenders, opining this could also be addressed in a text amendment.

Opining what is being discussed does not address Mr. Piersall's or Woodstock Power Equipment's concerns, it was suggested Staff meet with Mr. Piersall and, if necessary, develop some pertinent modification to the UDO that could be discussed and considered at a future meeting. Mr. Napolitano noted he previously met with some of the owners who expressed many of the things heard this evening and presented various alternatives to them.

Noting Staff alternatives were previously voted on, Commissioner Horrell opined that additional investigation would not be productive unless something productive could be achieved by revisiting this with the businesses.

Mr. Napolitano stated he could not find another community that allows display of vehicles or equipment on the grass. He stated Staff could look into setback requirements and/or a maximum square footage requirements if the Commission wishes, or, if the Commission feels this should not be allowed at all, the current text should stand.

Chairman Sheriff polled the Commission to determine if they would like Staff to look into possible setback or maximum square footage requirements.

Commissioner Besler – Yes. She stated she would be more inclined to revisit this issue if more businesses stepped up. She stated because this is a state right of way, this causes problems. She opined the City does not have the manpower to police this, noting the Rt. 47 expansion will change the right of way.

Commissioner Flores – Yes.

Commissioner Fortin – No. He opined the fact that Mr. Napolitano cannot find another community which allows this convinces him it is not a good idea as a result of the damage done by parking the vehicles on the grass.

Commissioner Gavers opined everyone has to be vigilant. He further opined if the City could get common verbiage on setbacks this might be a possibility and we should continue working on it.

Commissioner Horrell initially discussed options to consider for allowing this, but after further consideration, he stated he is against allowing vehicles to park on the grass.

Commissioner Paluch stated she is not only concerned with the location of the vehicles and safety issues but also the ownership of the property in question. Noting many of the vehicles have been removed, she stated it looks much better, opining this is a testament of why the ordinance should stay as is. She stated her feeling if there is to be any display of vehicles, it should be on property owned or rented by the individual or business displaying the vehicles. She opined Staff should meet with Mr. Piersall to determine if any modifications are needed to address his concerns without looking at the Kunes situation as that business does not own the property.

Commissioner Casner expressed concern about damage to the ground and leakage of fluids at the Kunes location. He opined there is an argument to be made for Mr. Piersall's concerns, expressing understanding for his position.

Chairman Sheriff stated he would support keeping things as is unless Mr. Napolitano feels changes should be made.

Mr. Napolitano stated he could look at other options, opining perhaps there is a way to increase allowable signage. He noted it seems the Commission wishes to keep the regulations the way they are, but noted he still would meet with individual business owners to see if he could help make their business more visible.

Opining boats and signage go hand-in-hand, Mr. Piersall volunteered to involve other businesses in the process.

A brief discussion followed concerning enforcement. Mr. Piersall suggested looking at communities in Wisconsin, since they are his direct competitor.

Cannabis Business Establishments

Mr. Napolitano discussed various issues regarding the cannabis industry and that things are moving forward quickly necessitating a further review of the UDO language.

Discussion turned to the number of Cannabis Business Establishments allowed. Mr. Napolitano noted there are dispensaries, craft growers, cultivation centers, diffusers and transporters among the types of establishments with two of each currently allowed. He suggested that the limit of two Dispensaries remain, but that no limit be placed on the number of other Cannabis Business Establishments as they are very typical of other types of manufacturing businesses. He also noted that specific parking requirements for cannabis businesses have been developed. A chart comparing the requirements of other communities was presented and it was noted that the market will drive the number of dispensaries as additional state licenses are granted.

Commissioner Besler agreed with the proposed changes.

Commissioner Flores had no comment.

Commissioner Fortin agreed there should be no more than two dispensaries in the community, but opined the odds of getting two dispensaries are better with more applicants.

Commissioner Gavers opined one dispensary is enough for a town the size of Woodstock, but stated the number should not be limited to one.

Commissioner Horrell opined limiting the number of dispensaries at two does not preclude more from applying. He supported keeping the text at two dispensaries and changing the others as suggested. In response to a question from Commissioner Horrell, Mr. Napolitano stated a craft grower who wished to add a dispensary would have to come back for special use approval.

Commissioner Paluch opined there is no need for a change right now as everything is in the hands of the state regarding approvals.

Commissioner Casner opined two dispensaries are enough for a town Woodstock's size with no limits placed on growers.

Chairman Sheriff opened the floor for Public Comment. None were forthcoming.

Motion by Fortin, second by Gavers, to approve the text amendments to the Unified Development Ordinance relating to 7B.2.10 Cannabis Business Establishments and 9.8 Schedule of Parking Requirements in accordance with the recommended language submitted by Staff in the July 23, 2020 Staff Report to the Plan Commission.

A roll call vote was taken. Ayes: Besler, Flores, Fortin, Gavers, Horrell, Paluch, Casner and Chairman Sheriff. Nays: none. Abstentions: none. Absentees: J. Speciale. Motion carried.

Temporary Uses: Mobiles Food Truck Vendors

Mr. Napolitano explained the City Council recently discussed food trucks because of an increase in applications due to the COVID-19 pandemic. He explained there are currently two sets of requirements for food trucks, one in the UDO for food trucks on private property and one in the City Code for food trucks on public property. He noted Council has asked for more consistent language.

Noting Staff agrees with Council's comments, he stated the recommendation is to move the language out of the UDO and include any language regarding food trucks on private property in the City Code, noting this will streamline the process and make it more consistent.

Chairman Sheriff opened the floor to Commission questions.

In response to a question from Commissioner Flores, City Attorney Clifton opined he is not mandated to recuse himself from this discussion as he does not have a financial interest in a food truck which would cloud his judgement, but noted the Commissioner must make this call.

Commissioner Paluch expressed agreement with Staff's recommendation. She opined, whether on public or private property, the adjoining property owner should agree with the proposed use.

Commissioner Besler expressed agreement with Staff's recommendation.

Commissioner Flores had no comment.

In response to a question from Commissioner Fortin, Mr. Napolitano provided information on the various fee structures which have been discussed, noting they are not considering an annual fee, but rather per event. Mr. Napolitano provided information on background checks, noting this primarily applies to ice cream vendors because they are mobile. He stated Staff is looking at differentiating between food trucks and ice cream vendors, probably not requiring background checks for food trucks.

In response to a question from Commissioner Gavers, Mr. Napolitano stated special events will be treated differently and be managed by the Office of the City Manager. He stated if a food truck is brought in on private property, it should be placed on a paved surface.

Commissioner Horrell expressed support of Staff's recommendation. In response to a question from Commissioner Horrell concerning food trucks in residential neighborhoods, Mr. Napolitano stated they are not generally allowed in residential areas unless part of a special event.

Discussion turned to restaurant notification. Mr. Napolitano stated as of now consent must be given by a restaurant within 150 ft. of a food truck, noting this is under discussion. Commissioner Horrell supported keeping this requirement, but stated he does not have strong feelings about notification of neighbors or nearby property owners.

Commissioner Paluch opined if a food truck is brought in to promote a business, there is a need to inform other neighboring business owners that may be affected. She also advocated for notification of other businesses in the area if there are any closures, as well as the location of a food truck.

Commissioner Casner expressed support of Staff's recommendation.

Chairman Sheriff opened the floor to Public Comment. There were no comments forthcoming.

Motion by Horrell, second by Paluch, to accept the text changes as proposed in the Staff Report with the direction to Staff to consider the issue of notification to adjacent business owners and directing Staff to work to include that suggestion into the City Code.

A roll call vote was taken. Ayes: Besler, Flores, Fortin, Gavers, Horrell, Paluch, Casner, and Chairman Sheriff. Nays: none. Abstentions: none. Absentees: J. Speciale. Motion carried.

The Public Hearing was closed at 10:1 2PM.

4. DISCUSSION

Commissioner Horrell commended Mr. Napolitano and Staff for their work on the text changes, opining their recommendations have been good.

Chairman Sheriff noted Commissioner Thurow has resigned and welcomed Commissioner Casner to the Commission.

Commissioner Casner thanked everyone for the welcome and stated he is looking forward to working with everyone representing the City of Woodstock.

5. ADJOURN

Motion by Paluch, second by Gavers, to adjourn this meeting of the Plan Commission to the next regular meeting at 7:00 PM on Thursday, August 27, 2020 in the Council Chambers. Ayes: Besler, Flores, Fortin, Gavers, Horrell, Paluch, Casner and Chairman Sheriff. Nays: none. Abstentions: none. Absentees: Speciale. Motion carried.

The meeting was adjourned at 10:16 PM.

Respectfully submitted.

Cindy Smiley,
City Clerk