



VILLAGE OF PALATINE
VILLAGE HALL - COUNCIL CHAMBERS
200 E. WOOD STREET
PALATINE, IL 60067-5339 – (847) 359-9050
<http://www.palatine.il.us>

VILLAGE COUNCIL & COMMITTEE OF THE WHOLE

MINUTES

DECEMBER 9, 2019

Regular Meeting

7:00 PM

I. ROLL CALL – Time: 7:00 PM

Attendee Name	Title	Status	Arrived
Jim Schwantz	Mayor	Present	
Tim Millar	District 1 Councilman	Present	
Scott Lamerand	District 2 Councilman	Present	
Doug Myslinski	District 3 Councilman	Present	
Greg Solberg	District 4 Councilman	Present	
Kollin Kozlowski	District 5 Councilman	Present	
Brad Helms	District 6 Councilman	Present	

Also Present:

Village Clerk Marg Duer, Village Manager Reid Ottesen, Deputy Village Manager Mike Jacobs, Village Attorney Patrick Brankin, Director of Planning & Zoning Ben Vyverberg, Director of Public Works Matt Barry, Fire Chief Scott Andersen, IT Director Larry Schroth, Director of Finance Paul Mehring, Director of Human Resources Pam Jackson, Police Chief Dave Daigle and Police Sergeant Bruce Morris and Deputy Clerk Doris Sadik

II. PLEDGE TO THE FLAG

Mayor Schwantz invited everyone to stand and join him in the Pledge to the Flag.

III. APPROVAL OF MINUTES

1. Village Council & Committee of the Whole - Regular Meeting - December 2, 2019
- **Accepted**

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Doug Myslinski, District 3 Councilman
SECONDER:	Scott Lamerand, District 2 Councilman
AYES:	Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

IV. MAYOR'S REPORT

1. As Submitted -

Mayor Schwantz announced upcoming events:

Wednesday, December 11: 6 - 6:45 PM
Salt Creek Park District's Candy Cane Hunt
Twin Lakes Clubhouse

Friday, December 13: 5:30 - 8:30 PM
Palatine Area Chamber of Commerce (PACC)
Key to Success Awards Night
Grand at Twin Lakes

Saturday, December 14:
American Legion Holds Santa Pancake Breakfast - 8:30 -11:30 AM
American Legion - 122 W. Palatine Road

Twin Lakes Breakfast with Santa - 9 - 11 AM
Twin Lakes Clubhouse - for a morning full of delicious food, games, crafts,
entertainment, and Santa Claus

Fremd Booster Club Holiday Craft Fair - 9AM - 4 PM
Fremd High School

Saturday & Sunday, December 14 & 15 - 9 AM - 9 PM
Palatine Jaycees Christmas Tree Sale
Palatine Aquatic Center

V. RECESS TO THE COMMITTEE OF THE WHOLE

Recess to Committee of the Whole - **Motion Carried by Voice Vote**

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Brad Helms, District 6 Councilman
SECONDER:	Kollin Kozlowski, District 5 Councilman
AYES:	Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

VI. COMMITTEE OF THE WHOLE

A. COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

SCOTT LAMERAND, CHAIRMAN

1. Consider a Motion to Approve the Proposed Residence and Authorize District 211 as the Builder for Lot 12 in the Arcadia West Subdivision - **Approved by Voice Vote** (Council District: Two)

Planning & Zoning Director Ben Vyverberg reported that District 211 has acquired Lot 12 in the Arcadia West Subdivision and intends to construct a new single-family home by District 211's Building and Construction Program students from Palatine and Fremd High Schools, with construction trade professionals. Staff recommends approval.

Councilman Millar recommended the use of more attractive architectural building materials on all sides.

Councilman Kozlowski asked about the anticipated time frame to completion.

Mark Hibner, Lake Zurich, Department Chairman, stated it would be a two year period from start to completion.

In response to Councilman Millar, Hibner stated he would take Councilman Millar's concern to Architect Matthias Jans to address.

RESULT:	APPROVED BY VOICE VOTE [UNANIMOUS]
MOVER:	Jim Schwantz, Mayor
SECONDER:	Doug Myslinski, District 3 Councilman
AYES:	Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

2. As Submitted -

Nothing was submitted.

B. POLICE POLICY & CODE SERVICES COMMITTEE

DOUG MYSLINSKI, CHAIRMAN

1. Village Code Amendments Regarding Adult-Use Recreational Cannabis:

Councilman Kozlowski, seconded by Councilman Lamerand, moved to open discussion of the proposed amendments regarding Adult-use Recreational Cannabis.

Village Attorney Patrick Brankin explained the State Law allowing possession and private use of cannabis by persons over 21 in Illinois goes into effect January 1, 2020. There are no Home Rule powers to prohibit use and possession. Under the Act, the following are prohibited: Consumption of

cannabis in public places, school grounds, in close proximity to persons under 21, in any Smoke Free Illinois location, home delivery, possession by persons under 21, in motor vehicles unless in sealed container, driving under the influence.

Local municipalities were granted the ability to adopt an ordinance

- to prohibit sales and/or manufacturing within corporate limits, or
- to allow sales and/or manufacturing in specific areas and regulate time, place, and manner of business,
- to tax up to 3% on sales in 0.25% increments, in addition to Home Rule Sales Tax.

Brankin went on to outline the restrictions within the Act on advertising and location.

Village Manager Reid Ottesen explained the Cannabis Regulation and Tax Act (CRTA) legalizes the private consumption and possession of cannabis for Illinois residents over the age of 21, but does not allow any municipality, including those with Home Rule Authority, to restrict the use or possession of cannabis, it does provide for the local authority relative to the production and sale of cannabis within a given community. Senate Bill 1557 further clarifies that public consumption will not be allowed at locations that have food or drink. This is another State Mandate that may cost the Village up to \$76,800 annually by increased police calls, enforcement and overtime for processing arrests, court costs and private phlebotomy services.

Doing nothing is not an option--sales will be legal in all but residential areas. There are places in unincorporated areas where sales could take place under the County. Sales in neighboring areas will have direct impact on Palatine. Ottesen has more confidence in Palatine Police than in County Sheriff. Some communities have adopted the sales tax in case the unincorporated areas were to be annexed, the tax could be collected immediately.

Ottesen stated he recommends approving the 3% tax, regardless if the sale and manufacture is approved. If the tax is approved, he would recommend applying the tax returns to police and other Village costs, then to hiring a social worker to specialize in substance abuse and mental health issues, lastly to capital projects, property tax relief or other non-operating costs.

Planning & Zoning Director Ben Vyverberg explained the proposed Ordinance as a starting point for consideration and showed a map of areas where sales will be legal. He reviewed the text amendments to the Ordinance regarding proposed amendments regarding adult-use cannabis dispensing establishments as Special Uses in B-5 highway business districts and manufacturing districts subject to:

- not within 1,500 feet of a building of pre-existing public or private nursery-school, pre-school, secondary school, or daycare facility. (Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this section.)

- not within 500 feet of part district use, unless separated by railroad tracks
- not in a dwelling unit
- not abut nor be directly across the street from any residential use.

Vyverberg presented a chart of Plan Commission recommended restrictions. Potential areas for sales:

1. Colfax Street corridor, (B-5)
2. Vermont and Hicks, (manufacturing)
3. Rand Road Corridor just south of Lake Cook, and one site at the corner of Rand and Spruce. (manufacturing)

Vyverberg stated that the Plan Commission voted unanimously in favor of the Ordinance as presented.

Committee Chairman Myslinski opened discussion for the Council.

Councilman Kozlowski asked about policy issues -- we can opt out, Palatine opted out of tattoo parlors, pawn shops and video gaming, but they are here. Costs will be incurred even if we opt out.

Police Chief Daigle stated currently Palatine averages 20 arrests annually for DUI of Cannabis, even with it being illegal. With it legal in the state there will be more.

Ottesen reviewed assumptions of overtime required to process the night arrests plus the cost of evidence by private phlebotomy services. Ottesen stated that the state did not give authority to charge back the blood test to the individual driving under the influence. The delay of state policy and current 6 week wait time, court will likely toss out the case. Currently, the state is only allowing 2 officers to be trained each year for cannabis training, drug recognition and advanced roadside impairment training. K-9 is unknown at present time. An increase in traffic accidents and DUI's in Colorado and California occurred in the first year after legalization of the adult use of cannabis.

Councilman Millar asked whether revenue would cover estimated costs, suggesting that other revenue sources such as charging for credit card payment of water bills might cover incurred costs of legalized use of cannabis without approving sales in Palatine. To clarify sales location restrictions, Ottesen stated that all state licensed schools including church and private schools have been taken into consideration for prohibition of sales.

Ottesen explained Item B. Taxation should be considered separately in case of unincorporated location of sales.

Councilman Helms stated that a zoning map could be in place even if we opt out. We have time. The value is what we can learn from other communities. We can have the zoning map, taxation in place, but can opt out until later in the year. Only medical dispensaries will be selling recreational marijuana January 1, 2020.

Brankin stated that no one could open January 1, only existing medical cannabis dispensaries can, but if no regulations are in place, the state could allow a facility. Brankin stated that an ordinance prohibiting could be passed, but to approve and identify locations for sales in future if reconsidered.

Ottesen stated he understands Councilman Helms point of opting to prohibit sales in Palatine, but to have in place our zoning and taxation for direction in future. Item A and C can give direction.

Brankin cautioned against voting to prohibit sales and simultaneously voting to identify locations to sell in future.

Ottesen stated that maybe 4 recreational dispensaries could be located in the identified zones--one at the northwest corner of Rand and Lake Cook; and one at Hicks and Northwest Highway.

Councilman Solberg noted that we will have the same impact of legalized marijuana use with or without a dispensary.

Councilman Lamerand stated there will be costs whether we opt in or out. The cost is unknown in social costs and monetary costs. Lamerand focused on limiting and controlling. The Rolling Meadows medicinal dispensary is closer to Palatine than any of the locations being considered. There is one machine in IL to test the level of THC. The Council is charged with limiting the exposure to dispensaries in our community, actively managing the situation we have received from the State, and responding responsibly. There will be an elevated need for a social worker. Capture the tax to cover costs. Manage the situation responsibly.

Councilman Millar stated that opting out after approving will not happen. We can all agree that the brain is not fully developed until age 25. Marijuana causes changes in the brain if used by anyone under 25. Councilman Millar opposes the legal use of marijuana by anyone between 21 to 25. Knowing that it could cause possible psychosis, he must oppose.

Ottesen stated that estimates suggest a single dispensary could generate \$200,000 to \$400,000 in sales tax annually.

Staff determined at maximum, Palatine could have a total of 2 dispensaries on Colfax, one west of Hicks and one on north Rand for a total of 4 dispensaries in Palatine.

Councilman Lamerand stated that the first 90 days will reveal the impact of legalization of marijuana sales. He supports approving the tax this evening, while waiting to seeing the impact of the State Law seems prudent.

In response to Councilman Kozlowski, Brankin stated that because it is a special use, we could not revoke a license for selling to a minor, but we could revoke

zoning and close them. That's how the Village could enforce.

Ottesen stated that right now Lake County has not taken any action, therefore allowing dispensaries.

Councilman Solberg noted that if a dispensary opens in unincorporated Lake County, it would eliminate the possibility of Palatine opening one in the northwest area.

Councilman Helms asked about the claim portion. Brankin stated the issuance of the license determines the distance between dispensaries.

State Representative Tom Morrison, 912 S. Parkplace Dr. expressed his agreement with the Council that this is a most challenging issue. Of the communication he received, opposition was strongest from people with children. Although he voted against it, he was not on the prevailing side. He understands the challenges that this state mandate presents to municipalities.

SUPPORT: OPT IN

John Simonaitis, 120 E. Wood Street
Erik Palumbo, 815 E Morris Drive
Lesley McCaine, 160 E. Cunningham Drive
James Dittrich, 409 S.Hart Street
Kirstin Larson, 154 E. Cunningham
Carly Kaiser, 1446 E. Cady Lane
Paul L. Piccolo, 892 E Goodrich Place
Stephen L. Kabaker, 893 E. Capri Drive
Jane Van Wolvelear, 910 East Pratt Drive
John Laprise, 110 N. Oak Street, Palatine
Francisco Rios, 1804 Green Lane S, Apt. 2A
Madeline Dugas, 711 W. Kenilworth Ave.
Terry Langer, 711 W. Kenilworth
Elizabeth Thompson, 47 E. Comfort,
Damon Cameron, 151 S. Elmwood Ave.
Ankit Mistry, 1203 Arbor Lane
Andrea Fox, 1142 W. Palatine Road,

OPPOSE: OPT OUT

Wendi Wang, 5407 Deerfield Lane, Rolling Meadow
Yan Sun, 2249 Thorntree Lane
Vicki Wilson, 152 Wilson Court
Jialing Liu, 663 W. Revere Lane
Yunen Wang, 1228 West Autumn Rd.
Ran Duan, 502 S. Stuart Lane
Helena Fabrycy, 307 E. Kenilworth Ave.
Rebecca Zhu, 1025 No. Auburn Woods
Yan Liu, 5800 S. Corona Dr., Palatine

Iris Ho 130 W. Boardwalk Dr. Palatine
Linda Zhao, 636 W. Slippery Rock Dr., Palatine
Joseph Qian, 2249 Thorntree Lane, Palatine,
Shuhui Qin, 534 S. Hale St.
Junjiang Du. 727 W. Valley Circle, Palatine
Jie Yan, 2101 S. Meacham Rd. Palatine
Weimin Suu, 120W. Sycamore Ct., Palatine
Gordon Ruan, 832 W. Exner Ct.
Min Lin, 305 College Crossing, Rolling Meadows,
Suchong Hua, 4030 Hudson Dr., Hoffman Estates
Yumei Lee, 524 W. Bridgeview Ct.
Chien Pong, 16 N. Clyde Ave.
Min Man Chou, 1700 N. Rand Road Church, Taiwan,
James Pittman, Pastor, 960 E. Glencoe Palatine,
Lorna King, 39 W. Daniels Rd.
Hongmin Li, 16 W. Aldridge Ave.
Lisa Moran, 659 S. Mallard Drive,
Di Yang, 398 E. Royal St. George Vernon Hills
Mengwei Liu, 3730 Countryside Lane, Glenview,

At 10:25 PM Staff reported more want to speak, Chairman Myslinski determined all views had been expressed numerous times this evening.

Council discussion ensued.

Brankin and Ottesen stated a threshold on the number of State licenses to be issued is unknown.

Councilman Kozlowski, noted there is only one chance to opt out, a million to opt back in.

Councilman Millar said a majority of states have opted out, by voting not to legalize cannabis.

Mayor Schwantz commented Illinois has enacted a very bad law, he will not endorse marijuana. This is another unfunded mandate.

Councilman Solberg noted that an applicant would still have to go through the special use to approve a business, traffic, parking, more conditions would need to be approved.

Councilman Helms supported the 2500 feet as recommended by Plan Commission.

Ottesen stated staff said 1500 feet. Council should entertain that first, duly noting signage and 6 AM to 10 PM business hours.

- A. Consider an Ordinance Amending the Village of Palatine Zoning Ordinance to allow Adult-Use Recreational Cannabis Dispensaries as Special Uses in the Manufacturing and B-5 Highway Business Districts - **Motion Carried by Roll Call**

RESULT:	MOTION CARRIED BY ROLL CALL [5 TO 2]
MOVER:	Kollin Kozlowski, District 5 Councilman
SECONDER:	Scott Lamerand, District 2 Councilman
AYES:	Schwantz, Lamerand, Myslinski, Solberg, Kozlowski
NAYS:	Millar, Helms

- B. Consider an Ordinance Amending the Palatine Code of Ordinances by the Addition of Article X to Chapter 17 Taxes to Impose a Municipal Cannabis Retailers' Occupations Tax - **Motion Carried by Roll Call**

Village Manager Reid Ottesen stated the CRTA allows municipalities, by ordinance, to impose a Municipal Purchase Excise Tax on recreational cannabis products of up to 3% of the purchase price. In the event the Village of Palatine allows for the retail sale of cannabis, Staff recommends the Village Council approve an ordinance amending Chapter 17 of the Code of Ordinances to impose a 3% municipal cannabis retailer's occupation tax. This tax would only be collected in the event the Village Council approves a recreational cannabis dispensary in the future. Staff recommends approval of the ordinance if the Council approves the text amendments to allow the sale of cannabis in Palatine.

RESULT:	MOTION CARRIED BY ROLL CALL [UNANIMOUS]
MOVER:	Kollin Kozlowski, District 5 Councilman
SECONDER:	Scott Lamerand, District 2 Councilman
AYES:	Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

- C. Consider an Ordinance Amending the Village of Palatine Code of Ordinances by the Addition of Article XXX to Chapter 12 Prohibiting Cannabis Business Establishments - **Motion Failed by Roll Call**

If the desire of the Village Council is to prohibit the production and sale of cannabis within Palatine, then adoption of the attached ordinance amending the Village of Palatine Code of ordinances would be required. Action is at the discretion of the Village Council.

RESULT:	MOTION FAILED BY ROLL CALL [3 TO 4]
MOVER:	Kollin Kozlowski, District 5 Councilman
SECONDER:	Tim Millar, District 1 Councilman
AYES:	Millar, Kozlowski, Helms
NAYS:	Schwantz, Lamerand, Myslinski, Solberg

2. As Submitted -

Nothing was submitted.

C. FIRE POLICY & COMMUNITY INFORMATION COMMITTEE – Time: 10:48 PM

BRAD HELMS, CHAIRMAN

1. Consider a Motion Authorizing the Village Manager to Purchase Three Cardiac Monitors - **Approved by Voice Vote**

Fire Chief Scott Andersen explained the Fire Department has staffed Advanced Life Support (ALS), non-transport vehicles, for over 20 years. Annually, each vehicle is inspected by the Northwest Community Emergency Medical Services System (NCEMSS) and the Illinois Department of Public Health (IDPH) and a waiver has been sought and granted to substitute Automated External Defibrillators (AED) in lieu of the more expensive Cardiac Monitor/Defibrillators. The Fire Department has been notified that NCEMSS and IDPH will no longer grant the cardiac monitor waiver beyond 2019. Three such monitors were purchased earlier this year and placed in front line service and this purchase will complete the outfitting of all 6 non-transport vehicles. Staff recommends approval of the purchase of 3 Cardiac Monitor/Defibrillators in an amount not to exceed \$73,000 direct from the manufacturer, ZOLL Medical Corporation.

Councilman Helms asked if this brings each vehicle up to par. It does.

RESULT:	APPROVED BY VOICE VOTE [UNANIMOUS]
MOVER:	Scott Lamerand, District 2 Councilman
SECONDER:	Kollin Kozlowski, District 5 Councilman
AYES:	Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

2. Consider a Motion Authorizing the Fire Department to Purchase Replacement Turnout Gear - **Approved by Voice Vote**

Fire Chief Scott Andersen reported the Fire Department's 2020 Operating Budget includes the purchase of replacement turnout gear. The intent is to replace worn out gear of existing personnel, while also providing quality hand-me-down gear for any new hires. In 2010, three vendors (Globe, Morning Pride, and Lion) were contacted and test gear was requested. Lion failed to provide the requested test gear, while Morning Pride and Globe both performed well and quotes were requested from each. The clothing committee ultimately recommended the Globe product based on price and familiarity given they are the Department's current vendor. Globe Manufacturing indicated a price increase effective January 1, 2020 not to exceed 5%. The Fire Department is prepared to take advantage of the cost savings by ordering 10 sets of turnout gear by December 31, 2019, with delivery/payment to occur in 2020. Staff recommends the Fire Department purchase 10 sets of Globe Manufacturing turnout gear from Air One consistent with previous years' purchases for \$21,800.

RESULT:	APPROVED BY VOICE VOTE [UNANIMOUS]
MOVER:	Jim Schwantz, Mayor
SECONDER:	Tim Millar, District 1 Councilman
AYES:	Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

3. As Submitted -

Nothing was submitted.

D. ADMINISTRATION, TECHNOLOGY & COMMUNITY HEALTH COMMITTEE – Time:
10:50 PM

TIM MILLAR, CHAIRMAN

1. As Submitted -

Nothing was submitted.

E. BUSINESS FINANCE & BUDGET COMMITTEE – Time: 10:51 PM

GREG SOLBERG, CHAIRMAN

1. As Submitted -

Nothing was submitted.

F. INFRASTRUCTURE & ENVIRONMENT COMMITTEE – Time: 10:51 PM

KOLLIN KOZLOWSKI, CHAIRMAN

1. As Submitted -

Nothing was submitted.

VII. RECONVENE THE VILLAGE COUNCIL MEETING – Time: 10:51 PM

Reconvene the Village Council Meeting - **Motion Carried by Voice Vote**

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Kollin Kozlowski, District 5 Councilman
SECONDER:	Brad Helms, District 6 Councilman
AYES:	Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

VIII. CONSENT AGENDA

All items are considered to be routine by the Village Council and will be enacted by one motion, with waiver of first reading. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

RESULT:	ADOPTED BY ROLL CALL [UNANIMOUS]
MOVER:	Scott Lamerand, District 2 Councilman
SECONDER:	Greg Solberg, District 4 Councilman
AYES:	Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

1. Consider a Motion to Approve the Proposed Residence and Authorize District 211 as the Builder for Lot 12 in the Arcadia West Subdivision - **Approved** (Council District: Two)
2. Consider a Motion Authorizing the Village Manager to Purchase Three Cardiac Monitors - **Approved**
3. Consider a Motion Authorizing the Fire Department to Purchase Replacement Turnout Gear - **Approved**

IX. REPORTS OF STANDING COMMITTEE**A. ADMINISTRATION, TECHNOLOGY & COMMUNITY HEALTH COMMITTEE**

TIM MILLAR, CHAIRMAN

1. As Submitted -

No Report

B. BUSINESS FINANCE & BUDGET COMMITTEE

GREG SOLBERG, CHAIRMAN

1. As Submitted -

No Report

C. COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

SCOTT LAMERAND, CHAIRMAN

1. As Submitted -

No Report

D. FIRE POLICY & COMMUNITY INFORMATION COMMITTEE – Time: 10:52 PM*BRAD HELMS, CHAIRMAN*

1. As Submitted -

No Report

E. INFRASTRUCTURE & ENVIRONMENT COMMITTEE – Time: 10:52 PM*KOLLIN KOZLOWSKI, CHAIRMAN*

1. As Submitted -

No Report

F. POLICE POLICY & CODE SERVICES COMMITTEE – Time: 10:52 PM*DOUG MYSLINSKI, CHAIRMAN*

1. Village Code Amendments Regarding Adult-Use Cannabis:

- A. Consider an Ordinance Amending the Village of Palatine Zoning Ordinance to allow Adult-Use Recreational Cannabis Dispensaries as Special Uses in the Manufacturing and B-5 Highway Business Districts -
Motion Carried by Roll Call

This item was discussed earlier in Committee.

Ordinance #O-111-19

RESULT:	MOTION CARRIED BY ROLL CALL [4 TO 2]
MOVER:	Kollin Kozlowski, District 5 Councilman
SECONDER:	Scott Lamerand, District 2 Councilman
AYES:	Lamerand, Myslinski, Solberg, Kozlowski
NAYS:	Millar, Helms

- B. Consider an Ordinance Amending the Palatine Code of Ordinances by the Addition of Article X to Chapter 17 Taxes to Impose a Municipal Cannabis Retailers' Occupations Tax - **Motion Carried by Roll Call**

This item was discussed earlier in Committee.

Ordinance #O-112-19

RESULT:	MOTION CARRIED BY ROLL CALL [UNANIMOUS]
MOVER:	Tim Millar, District 1 Councilman
SECONDER:	Doug Myslinski, District 3 Councilman
AYES:	Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

- C. Consider an Ordinance Amending the Village of Palatine Code of Ordinances by the Addition of Article XXX to Chapter 12 Prohibiting Cannabis Business Establishments - **Motion Failed by Roll Call**

This item was discussed earlier in Committee.

RESULT:	MOTION FAILED BY ROLL CALL [3 TO 4]
MOVER:	Kollin Kozlowski, District 5 Councilman
SECONDER:	Tim Millar, District 1 Councilman
AYES:	Millar, Kozlowski, Helms
NAYS:	Schwantz, Lamerand, Myslinski, Solberg

2. As Submitted -

No Report

X. REPORTS OF THE VILLAGE OFFICERS

A. VILLAGE MANAGER – Time: 10:55 PM

1. As Submitted -

No Report

B. VILLAGE CLERK – Time: 10:55 PM

1. As Submitted -

No Report

C. VILLAGE ATTORNEY – Time: 10:55 PM

1. As Submitted -

No Report

XI. CLOSED SESSION AS REQUIRED – Time: 10:55 PM

No Closed Session requested.

XII. RECOGNITION OF AUDIENCE – Time: 10:55 PM

No one came forward.

XIII.ADJOURNMENT – Time: 10:56 PM

Adjourn the Village Council Meeting - **Motion Carried by Voice Vote**

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Brad Helms, District 6 Councilman
SECONDER:	Kollin Kozlowski, District 5 Councilman
AYES:	Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

SUBMITTED BY:

Margaret R. Duer
Village Clerk



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 VILLAGE HALL - COUNCIL CHAMBERS
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 PALATINE, IL 60067-5339 – (847) 359-9050
<http://www.palatine.il.us>

VILLAGE COUNCIL & COMMITTEE OF THE WHOLE

MINUTES

DECEMBER 2, 2019

Regular Meeting

7:00 PM

I. ROLL CALL – Time: 7:00 PM

Attendee Name	Title	Status	Arrived
Jim Schwantz	Mayor	Present	
Tim Millar	District 1 Councilman	Present	
Scott Lamerand	District 2 Councilman	Absent	
Doug Myslinski	District 3 Councilman	Present	
Greg Solberg	District 4 Councilman	Present	
Kollin Kozlowski	District 5 Councilman	Present	
Brad Helms	District 6 Councilman	Present	

Also Present:

Village Clerk Marg Duer, Village Manager Reid Ottesen, Deputy Village Manager Mike Jacobs, Village Attorney Mike Kajawa, Director of Planning & Zoning Ben Vyverberg, Director of Public Works Matt Barry, Fire Chief Scott Andersen, IT Director Larry Schroth, Director of Finance Paul Mehring, Director of Community Services Harry Spila, Police Chief Dave Daigle and Deputy Village Clerk Doris Sadik

II. PLEDGE TO THE FLAG – Time: 7:00 PM

Mayor Schwantz invited everyone to stand and join him in the Pledge to the Flag.

III. APPROVAL OF MINUTES

- Village Council & Committee of the Whole - Regular Meeting - November 18, 2019 - **Accepted**

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Doug Myslinski, District 3 Councilman
SECONDER:	Greg Solberg, District 4 Councilman
AYES:	Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

Minutes Acceptance: Minutes of Dec 2, 2019 7:00 PM (APPROVAL OF MINUTES)

IV. MAYOR'S REPORT

1. As Submitted -

Mayor Schwantz announced upcoming events:

Tuesday, December 3: 7:30PM

Property Tax Assessment Appeal Seminar for Palatine Township
Cutting Hall Performance Art Center

Friday, December 6: 6:30PM-8:30PM

Paint Night - Starry Night Christmas
Twin Lakes

Saturday, December 7: 10AM - 3PM

Bethlehem Marketplace
First United Methodist Church

Saturday, December 7: 4PM & 7PM

Rudolph the Red-Nosed Reindeer
Cutting Hall Performance Arts Center

Toys for Tots Drive Now Through December 9

Please consider helping a child enjoy the holiday by donating to the 2019 Toys for Tots Holiday Drive. Toy collection boxes are located in Village Hall, the Palatine Police Department and Colfax St. Fire Station.

Weekends Through December 22

Palatine Jaycees Christmas Tree Sale
Palatine Aquatic Center

First and the Third Saturdays Through April: 8AM-Noon

Winter Farmers' Market
Inside the Palatine Train Station

Final scheduled pickup for curbside bagged yard waste and bundled brush will occur the week of December 9th.

V. RECESS TO THE COMMITTEE OF THE WHOLE – Time: 7:02 PM

Recess to Committee of the Whole - **Motion Carried by Voice Vote**

Minutes Acceptance: Minutes of Dec 2, 2019 7:00 PM (APPROVAL OF MINUTES)

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Brad Helms, District 6 Councilman
SECONDER:	Kollin Kozlowski, District 5 Councilman
AYES:	Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

VI. COMMITTEE OF THE WHOLE

A. POLICE POLICY & CODE SERVICES COMMITTEE – Time: 7:02 PM

DOUG MYSLINSKI, CHAIRMAN

1. Consider an Ordinance Granting a Variation for a Freestanding Sign at 455 N. Benton Street - **Motion Carried by Voice Vote** (Council District: Six)

Planning & Zoning Director Ben Vyverberg presented request of St. Theresa Church for a variation to replace the existing freestanding sign with a new 73 square foot sign, 23 feet beyond the maximum 50 feet of gross surface area. The proposed 10 foot height is in compliance with Code. The sign will be located at the SE corner of Benton Street and Northwest Highway, and provide a 50-foot site triangle at the intersection. The ZBA voted to recommend approval of the request 5-0 and Staff concurs.

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Brad Helms, District 6 Councilman
SECONDER:	Kollin Kozlowski, District 5 Councilman
AYES:	Schwantz, Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

2. Consider an Ordinance Granting a Special Use for a Side Yard Setback and a Variation for Driveway Width at 572 W. Helen Road - **Motion Carried by Voice Vote** (Council District: Two)

Planning & Zoning Director Ben Vyverberg explained the subject property previously operated as a commercial daycare. That use was abandoned and the Petitioner is seeking to construct a building addition connecting two existing buildings, for use as a single-family residence which would not meet the minimum required 15-foot side yard setback in the R-1 District. Also, while the existing parking area and driveway is being reduced, it would still exceed the maximum driveway width requirement for single-family residential properties. Therefore, the Petitioner is requesting a Special Use to permit a side yard setback of 9 feet instead of the minimum required 15 feet; and a Variation to maintain a portion of the existing driveway and parking area, exceeding the maximum permitted driveway width of 35 feet. The proposed building and lot coverage are approximately 7%, and 15 % respectively, which meet code. The ZBA voted to recommend approval of the request 5-0 and Staff concurs.

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Jim Schwantz, Mayor
SECONDER:	Tim Millar, District 1 Councilman
AYES:	Schwantz, Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

3. Consider an Ordinance Granting a Special Use for a Fence in the Required Front Yard and an Ordinance Granting a Variation to Allow Air Conditioning Units in the Required Front Yard at 879 W. Kenilworth Avenue - **Motion Failed by Roll Call** (Council District: One)

Planning & Zoning Director Ben Vyverberg presented the petitioner's request for a Special Use to permit a 6-foot solid fence in the front yard and a Variation to allow two air conditioner units in the front yard. These items were heard at two separate Public Hearings. The Petitioner acquired two vacant lots in order to construct one new single-family home. In conjunction with the construction of the home, the previously existing yard orientations and lot configurations were altered, and a setback reduction from Crescent Avenue (now required front yard) was approved by the Village Council. With the setback reduction, a deed restriction was required for the setback along Kenilworth Avenue at 27 feet, as part of the lot consolidation.

The Petitioner is proposing to install 85 feet of a 6-foot-tall solid fence, with a setback of 10 feet from the lot line along Crescent Avenue. By Code, the only permitted fencing in the front yard is up to 20 linear feet of decorative fencing, not exceeding 3 feet in height. The fence is proposed in conjunction with the installation of an in-ground pool. The Petitioner is proposing to install landscaping between the fence and lot line along Crescent Avenue, as required by Code. During construction, 2 air conditioner units were installed in the front yard, outside of the building permit review. Per Code, air conditioner units are not permitted in either the front or side yard abutting a street. They are only permitted in the rear or interior side yard. The ZBA voted to recommend approval of the fence request 8-0 with a recommendation for the fence to be setback 10 feet, with landscaping. Staff recommends action at the Village Council's discretion. The ZBA voted 4-1 to recommend approval of the air conditioning units; however, Staff recommends denial.

Village Manager Reid Ottesen noted that the developers often do not know the exact location of AC units until building is under way, the location does not meet code.

Vyverberg stated that Code limits a fence to 4 feet, not 6 as proposed.

Councilman Kozlowski recommended locating the fence to comply with Code.

Ottesen reiterated that the AC units are not in compliance.

Richard Sable, petitioner, stated this is all new to him. The walk out patio is

off the bedroom and he does not want it open to the public, therefore requesting the 10' fence. The 4' fence is not acceptable for privacy and safety.

Councilman Kozlowski suggested walling in the patio.

Councilmen Helms and Solberg favored fence located on the dashed line in exhibits, conforming to Code, adjacent to the patio and moving the AC units.

RESULT:	MOTION FAILED BY ROLL CALL [0 TO 6]
MOVER:	Tim Millar, District 1 Councilman
SECONDER:	Brad Helms, District 6 Councilman
NAYS:	Schwartz, Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

4. As Submitted -

Nothing was submitted.

B. COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE – Time: 7:24 PM

SCOTT LAMERAND, CHAIRMAN

1. Consider an Ordinance Adopting the Village of Palatine Northwest Highway Corridor Analysis and Sub Area Plan Phase 1, as an Amendment to the Village's Comprehensive Plan, as Amended - **Motion Carried by Voice Vote** (Council District: Six)

Village Manager Reid Ottesen reported at Village Council direction, staff began the process of identifying and preparing the Northwest Highway Corridor Analysis and Sub-Area Plan Phase 1. The initial goals were to review the historical development patterns, desired bulk standards, and provide staff recommendations for future land use and development standard.

Planning & Zoning Director Ben Vyverberg reviewed the recommendations for Sub Area Plan - Phase 1: NW Highway to Baldwin to 53.

Recommendations include:

- expand permitted uses within the sub area: medical and dental on single user lots
- create a uniform landscape buffer/screening area
- work toward multi-lot consolidation
- create larger redevelopment parcels
- create parking zone category
- create cross access
- consolidate multiple single owner lots
- create landscape buffer for single family homes
- consider multi-family units to buffer Highway and single family residential areas

- support consolidation of single lots to create larger parcels for commercial development

Councilman Helms favored the unique use of multi-family along NW Highway with single story parking behind softening adjacent frontage to single family area, as suggested along NW Highway north of Hicks Road.

In response to Councilman Helms, Ottesen stated that it could be challenging to try to create pocket TIF districts along the corridor. With an overlay, district developers may be more interested and motivated. A TIF district could be useful in acquiring large tracts of property, but cannot pay for reconstruction.

Councilmen Helms and Millar agreed the area needing attention, especially south of Glencoe to Rohlwing.

Councilman Kozlowski expressed concern for commercial backing to single family homes, but noted the sound barrier potential by construction of taller buildings.

Ottesen said he was seeking flexibility for developing this area along NW Highway.

Councilman Helms suggested conversations with adjacent residential homeowners which could offer deeper lots for commercial and buffer for homeowners, but would never favor pushing people out of their homes.

Ottesen clarified that the vote tonight would give staff direction to create an overlay for future development.

Councilman Solberg stated while a TIF would be nice, it would be tough to achieve. As we try to separate residents from noise, sound and separation options should be considered to benefit the existing homeowners.

Councilman Myslinski noted the importance of this area as the entrance to Palatine. Appearance is essential.

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Brad Helms, District 6 Councilman
SECONDER:	Kollin Kozlowski, District 5 Councilman
AYES:	Schwantz, Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

2. As Submitted -

Nothing was submitted.

C. BUSINESS FINANCE & BUDGET COMMITTEE – Time: 7:57 PM*GREG SOLBERG, CHAIRMAN*

1. 2020 Operating Budget & Capital Investment Plan and Related Approvals:
Motion was to approve all items: A through J.

Village Manager Reid Ottesen explained that items A. and B. are Code amendments referencing certain fees. Fee Schedule remains a zero increase, except for temporary liquor license fee of \$50 and larger special events fee of \$75, and Police Code compliance and parking tickets will be constant at \$50.

Ottesen noted that Items C. and D. are Ordinances for tax levy abatement and special service area, levy increase of 1%, made up for by the TIF district abatements.

Councilman Kozlowski emphasized that the TIF revenues abate 1.44% of the proposed 2019 Property Tax Levy, reducing the property tax burden to an overall 1% increase.

E. Ottesen stated this Ordinance applies public improvement tax only to Special Service Area #5 for the Woods of Countryside.

F. G. H. I. J. Ottesen stated that these Resolutions and Ordinances simply allow for the previous items to be enacted.

Councilman Millar clarified that the 2020 Operating Budget & Capital Investment Plan was discussed in open meetings November 2, 4, 11, and a Public Hearing was held on November 18.

Councilman Solberg invited audience comment, no one came forward.

RESULT:	ADOPTED BY VOICE VOTE [UNANIMOUS]
MOVER:	Kollin Kozlowski, District 5 Councilman
SECONDER:	Brad Helms, District 6 Councilman
AYES:	Schwantz, Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

- A. Consider an Ordinance Amending Chapters 1 General Provisions, Chapter 3 Alcoholic Beverages, Chapter 6 Building Code and Building Regulations, Chapter 11 Licenses, Permits and Business Regulations, and Chapter 18 Traffic of the Village's Code of Ordinances - **Approved**
- B. Consider an Ordinance Amending Chapters 5 Animals and Chapter 12 Offenses and Miscellaneous Provisions of the Village's Code of Ordinances - **Approved**
- C. Consider the 2019 Tax Levy Ordinance - **Approved**

- D. Consider an Ordinance to Abate 2019 Property Tax Levy - **Approved**
- E. Consider the Tax Levy Ordinance for Village of Palatine Special Service Area Number Five - **Approved**
- F. Consider a Motion to Approve the Updated Fee Schedule Supplement to the Village's Code of Ordinances - **Approved**
- G. Consider a Resolution Appropriating \$750,000 of Motor Fuel Tax Funds for the Reconstruction of Mallard Drive - **Adopted by Voice Vote**
- H. Consider a Resolution Appropriating \$2,424,495 of Motor Fuel Tax Funds for the Maintenance of Streets and Highways - **Adopted by Voice Vote**
- I. Consider a Motion to Approve the Ordinance Establishing Rates of Compensation for Certain Officers and Employees of the Village, Effective January 1, 2020 - **Approved**
- J. Consider an Ordinance Adopting the Calendar Year 2020 Annual Budget - **Approved**

2. Dundee Road Tax Increment Financing District:

Village Manager Reid Ottesen explained the Village established the Dundee Road TIF District in 1995. As of November 15, 2019, the Finance Department calculated a "surplus" in the Dundee Road TIF District of \$3,545,437. Staff is recommending distribution to the affected taxing districts. Staff recommends approval of the ordinance Declaring Surplus Revenue in the Village of Palatine Dundee Road TIF District Special Tax Allocation Fund. The Village's allocation provides funds to make additional contributions to the Public Safety Pension Plans per the previously discussed 10-year funding plan. TIF Districts have a defined length of 23 years. In accordance with State statutes, the Village provided notification to all the taxing agencies that this TIF District will be dissolved. Staff recommends approval of the ordinance dissolving the Dundee Road Tax Increment Financing Redevelopment Project Area of the Village of Palatine, Illinois and related matters.

Items A and B were approved in one vote.

RESULT:	ADOPTED BY VOICE VOTE [UNANIMOUS]
MOVER:	Jim Schwantz, Mayor
SECONDER:	Brad Helms, District 6 Councilman
AYES:	Schwantz, Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

- A. Consider an Ordinance Declaring Surplus Revenue in the Village of Palatine's Dundee Road TIF District Special Tax Allocation Fund - **Motion Carried by Voice Vote**

- B. Consider an Ordinance Dissolving the Dundee Road Tax Increment Financing Redevelopment Project Area of the Village of Palatine, Illinois and Related Matters - **Motion Carried by Voice Vote**

3. As Submitted -

Nothing was submitted.

D. ADMINISTRATION, TECHNOLOGY & COMMUNITY HEALTH COMMITTEE – Time:
8:07 PM

TIM MILLAR, CHAIRMAN

1. Consider a Resolution Approving a Collective Bargaining Agreement Between the Village of Palatine, Illinois and the International Union of Operating Engineers Local No. 150, Public Employees Division - **Adopted by Voice Vote**

Village Manager Reid Ottesen explained The International Union of Operating Engineers (IUOE) Local No. 150, Public Employees Division's existing contract is scheduled to expire on December 31, 2019. The proposed Collective Bargaining Agreement Extension will result in a one year contract, expiring on December 31, 2020. The proposed contract includes salary adjustments equal to the non-represented step plan employees of the Village in 2020. Members of the unit will retain health insurance provided by the IUOE. IUOE Local No. 150 members ratified the terms of the extension on November 21, 2019. Staff recommends approval of a resolution authorizing the proposed Collective Bargaining Agreement Extension with the International Union of Operating Engineers Local 150.

Councilman Millar commended the skill and dedication of the Public Works employees.

RESULT:	ADOPTED BY VOICE VOTE [UNANIMOUS]
MOVER:	Brad Helms, District 6 Councilman
SECONDER:	Doug Myslinski, District 3 Councilman
AYES:	Schwantz, Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

2. Consider a Motion to Approve the Village of Palatine's Regular Meeting Schedule for Calendar Year 2020 - **Approved by Voice Vote**

Village Manager Reid Ottesen noted the 2020 meeting calendar includes the traditional single Village Council meeting in July, otherwise meetings scheduled on the first three Mondays of each month. Staff recommends approval of the regular meeting schedule for 2020.

RESULT:	APPROVED BY VOICE VOTE [UNANIMOUS]
MOVER:	Jim Schwantz, Mayor
SECONDER:	Kollin Kozlowski, District 5 Councilman
AYES:	Schwantz, Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

3. As Submitted -

Nothing was submitted.

E. FIRE POLICY & COMMUNITY INFORMATION COMMITTEE – Time: 8:09 PM

BRAD HELMS, CHAIRMAN

1. As Submitted -

Nothing was submitted.

F. INFRASTRUCTURE & ENVIRONMENT COMMITTEE – Time: 8:09 PM

KOLLIN KOZLOWSKI, CHAIRMAN

1. As Submitted -

Nothing was submitted.

VII. RECONVENE THE VILLAGE COUNCIL MEETING – Time: 8:09 PM

Reconvene the Village Council Meeting - **Motion Carried by Voice Vote**

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Brad Helms, District 6 Councilman
SECONDER:	Doug Myslinski, District 3 Councilman
AYES:	Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

VIII. CONSENT AGENDA

All items are considered to be routine by the Village Council and will be enacted by one motion, with waiver of first reading. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

RESULT:	ADOPTED BY ROLL CALL [UNANIMOUS]
MOVER:	Greg Solberg, District 4 Councilman
SECONDER:	Kollin Kozlowski, District 5 Councilman
AYES:	Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

1. Consider a Motion to approve 2019 Warrant # 23 - **Approved**
2. Consider an Ordinance Granting a Variation for a Freestanding Sign at 455 N. Benton Street - **Approved** (Council District: Six)

Ordinance #O-99-19
3. Consider an Ordinance Granting a Special Use for a Side Yard Setback and a Variation for Driveway Width at 572 W. Helen Road - **Approved** (Council District: Two)

Ordinance #O-100-19
4. Consider an Ordinance Adopting the Village of Palatine Northwest Highway Corridor Analysis and Sub Area Plan Phase 1, as an Amendment to the Village's Comprehensive Plan, as Amended - **Approved** (Council District: Six)

Ordinance #O-101-19
5. Consider an Ordinance Amending Chapters 1 General Provisions, Chapter 3 Alcoholic Beverages, Chapter 6 Building Code and Building Regulations, Chapter 11 Licenses, Permits and Business Regulations, and Chapter 18 Traffic of the Village's Code of Ordinances - **Approved**

Ordinance #O-102-19
6. Consider an Ordinance Amending Chapters 5 Animals and Chapter 12 Offenses and Miscellaneous Provisions of the Village's Code of Ordinances - **Approved**

Ordinance #O-103-19
7. Consider a Motion to Approve the Updated Fee Schedule Supplement to the Village's Code of Ordinances - **Approved**
8. Consider a Resolution Appropriating \$750,000 of Motor Fuel Tax Funds for the Reconstruction of Mallard Drive - **Adopted by Roll Call**

Resolution #R-40-19

9. Consider a Resolution Appropriating \$2,424,495 of Motor Fuel Tax Funds for the Maintenance of Streets and Highways - **Adopted by Roll Call**

Resolution #R-41-19

10. Consider a Motion to Approve the Ordinance Establishing Rates of Compensation for Certain Officers and Employees of the Village, Effective January 1, 2020 - **Approved**

Ordinance #O-104-19

11. Consider an Ordinance Declaring Surplus Revenue in the Village of Palatine's Dundee Road TIF District Special Tax Allocation Fund - **Approved**

Ordinance #O-105-19

12. Consider a Resolution Approving a Collective Bargaining Agreement Between the Village of Palatine, Illinois and the International Union of Operating Engineers Local No. 150, Public Employees Division - **Adopted by Roll Call**

Resolution #R-42-19

13. Consider a Motion to Approve the Village of Palatine's Regular Meeting Schedule for Calendar Year 2020 - **Approved**

IX. REPORTS OF STANDING COMMITTEE

A. ADMINISTRATION, TECHNOLOGY & COMMUNITY HEALTH COMMITTEE

TIM MILLAR, CHAIRMAN

1. As Submitted -

No Report

B. BUSINESS FINANCE & BUDGET COMMITTEE – Time: 8:10 PM

GREG SOLBERG, CHAIRMAN

1. Consider the 2019 Tax Levy Ordinance - **Motion Carried by Roll Call**

Ordinance #O-106-19

Minutes Acceptance: Minutes of Dec 2, 2019 7:00 PM (APPROVAL OF MINUTES)

RESULT:	MOTION CARRIED BY ROLL CALL [UNANIMOUS]
MOVER:	Greg Solberg, District 4 Councilman
SECONDER:	Tim Millar, District 1 Councilman
AYES:	Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

2. Consider an Ordinance to Abate 2019 Property Tax Levy - **Motion Carried by Roll Call**

Motion with leave to use the Prior Roll call.

Ordinance #O-107-19

RESULT:	MOTION CARRIED BY ROLL CALL [UNANIMOUS]
MOVER:	Greg Solberg, District 4 Councilman
SECONDER:	Brad Helms, District 6 Councilman
AYES:	Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

3. Consider the Tax Levy Ordinance for Village of Palatine Special Service Area Number Five - **Motion Carried by Roll Call**

Motion with leave to use the Prior Roll call.

Ordinance #O-108-19

RESULT:	MOTION CARRIED BY ROLL CALL [UNANIMOUS]
MOVER:	Greg Solberg, District 4 Councilman
SECONDER:	Scott Lamerand, District 2 Councilman
AYES:	Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

4. Consider an Ordinance Adopting the Calendar Year 2020 Annual Budget - **Motion Carried by Roll Call**

Motion with leave to use the Prior Roll call.

Ordinance #O-109-19

RESULT:	MOTION CARRIED BY ROLL CALL [UNANIMOUS]
MOVER:	Greg Solberg, District 4 Councilman
SECONDER:	Doug Myslinski, District 3 Councilman
AYES:	Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

5. Consider an Ordinance Dissolving the Dundee Road Tax Increment Financing Redevelopment Project Area of the Village of Palatine, Illinois and Related Matters - **Motion Carried by Roll Call**

Motion with leave to use the Prior Roll call.

Mayor Schwantz expressed appreciation to the Administration and Finance Staff for hard work on a positive budget of \$120,000,000.

Ordinance #O-110-19

RESULT:	MOTION CARRIED BY ROLL CALL [UNANIMOUS]
MOVER:	Greg Solberg, District 4 Councilman
SECONDER:	Kollin Kozlowski, District 5 Councilman
AYES:	Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

6. As Submitted -

No Report

C. COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE – Time: 8:13 PM

SCOTT LAMERAND, CHAIRMAN

In the absence of Chairman Lamerand, Vice Chairman Myslinski opened the Community & Economic Development Committee Meeting.

1. As Submitted -

No Report

D. FIRE POLICY & COMMUNITY INFORMATION COMMITTEE – Time: 8:13 PM

BRAD HELMS, CHAIRMAN

1. As Submitted -

No Report

E. INFRASTRUCTURE & ENVIRONMENT COMMITTEE – Time: 8:13 PM

KOLLIN KOZLOWSKI, CHAIRMAN

1. As Submitted -

No Report

F. POLICE POLICY & CODE SERVICES COMMITTEE – Time: 8:13 PM

DOUG MYSLINSKI, CHAIRMAN

1. Consider an Ordinance Granting a Special Use for a Fence in the Required Front Yard and an Ordinance Granting a Variation to Allow Air Conditioning Units in the Required Front Yard at 879 W. Kenilworth Avenue - **Motion Failed by Roll Call** (Council District: One)

This item was discussed earlier in the Police, Policy & Code Services Committee.

Owner Richard Sable addressed the Council, stating that the suggestion for wrought iron would be a negative appeal in the neighborhood.

Mayor Schwantz stated that it is determined not to approve the variance.

Councilman Helms suggested a glass wall on the patio for privacy 6' fence on the south or east corner would be acceptable.

RESULT:	MOTION FAILED BY ROLL CALL [0 TO 5]
MOVER:	Brad Helms, District 6 Councilman
SECONDER:	Kollin Kozlowski, District 5 Councilman
NAYS:	Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

2. As Submitted -

No Report

X. REPORTS OF THE VILLAGE OFFICERS

A. VILLAGE MANAGER

1. As Submitted -

No Report

B. VILLAGE CLERK

1. As Submitted -

No Report

C. VILLAGE ATTORNEY – Time: 8:19 PM

1. As Submitted -

No Report

XI. CLOSED SESSION AS REQUIRED – Time: 8:19 PM

No Closed Session requested.

XII. RECOGNITION OF AUDIENCE – Time: 8:19 PM

No one came forward.

XIII.ADJOURNMENT – Time: 8:19 PM

Adjourn the Village Council Meeting - **Motion Carried by Voice Vote**

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Tim Millar, District 1 Councilman
SECONDER:	Doug Myslinski, District 3 Councilman
AYES:	Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

SUBMITTED BY:

Margaret R. Duer
Village Clerk

Minutes Acceptance: Minutes of Dec 2, 2019 7:00 PM (APPROVAL OF MINUTES)

Consider a Motion to Approve the Proposed Residence and Authorize District 211 as the Builder for Lot 12 in the Arcadia West Subdivision

BACKGROUND:

District 211 has acquired Lot 12 in Arcadia West and intends to construct a new single-family home upon it. The Final Planned Development Ordinance contained a condition requiring Village Council review and approval of the proposed residence for Lot 12, prior to the issuance of a building permit. Therefore, the Petitioner is requesting:

A motion approving the proposed residence and recognizing District 211 as the builder for Lot 12 in Arcadia West Subdivision

KEY ISSUES:

- When the Arcadia West Planned Development was approved, it was not known if the developer would develop this lot or transfer it to another builder for completion. Also, the final architectural plans were not completed for this lot and therefore the Planned Development Ordinance required Village Council review and approval of the proposed residence, prior to the issuance of a building permit.
- District 211 acquired Lot 12 and intends to develop this lot within their Building and Construction Program. This program utilizes juniors and seniors from Palatine and Fremd High Schools, in addition to construction trade professionals, to build the home.
- The Petitioner has contracted with the same architect for Lot 12 that completed all of the architectural plans for Arcadia West. And, the proposed plans comply with the Planned Development Ordinance requirements and are directly comparable to the architecture of all of the other homes within the subdivision.
- Lot 12 is included as part of the Homeowners' Association for Arcadia West and is a referenced lot in the approved declarations. As required, the Village maintains a Letter of Credit securing the completion of Lot 12, per the Planned Development Ordinance requirements. The Petitioner has not yet applied for a building permit for this lot.

ALTERNATIVES:

1. Approve a motion to approve the proposed residence and authorize District 211 as the builder for Lot 12 in the Arcadia West Subdivision.
2. Do not approve a motion to approve the proposed residence and authorize District 211 as the builder for Lot 12 in the Arcadia West Subdivision.

RECOMMENDATION:

Staff recommends approval of the proposed residence and builder for Lot 12 in the Arcadia West Subdivision (358 W. Michigan Avenue).

ACTION REQUIRED:

A motion to approve the proposed residence and authorize District 211 as the builder for Lot 12 in the Arcadia West Subdivision.

ATTACHMENTS:

- 358 W. Michigan Avenue - Lot 12 - aerial map
- District 211 transmittal letter Lot 12 - Arcadia West subdivision
- Lot 12 - Plat of Survey - District 211
- Arcadia West Planned Development Ordinance #O-148-16
- Arcadia West approved Subdivision Plat
- D211 ARCH plans - Lot 12 - Arcadia West

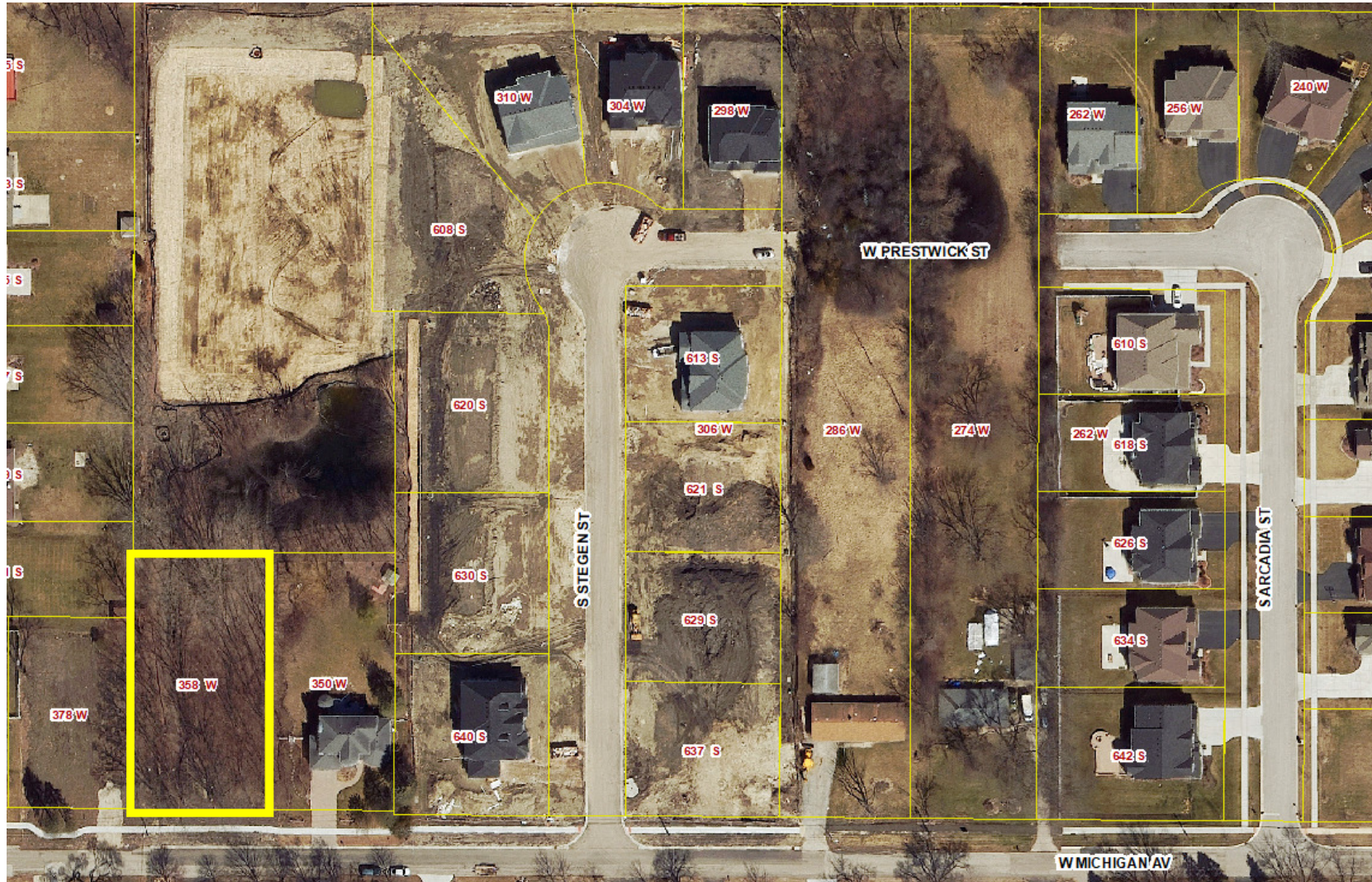
RESULT: **APPROVED BY VOICE VOTE [UNANIMOUS]**

MOVER: Jim Schwantz, Mayor

SECONDER: Doug Myslinski, District 3 Councilman

AYES: Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

Lot 12 – Arcadia West Subdivision



Attachment: 358 W. Michigan Avenue - Lot 12 - aerial map (Approve Design & Builder for Lot 12 in

PALATINE HIGH SCHOOL

1111 North Rohlwing Road
 Palatine, Illinois 60074-3777
 Telephone (847) 755-1600
 Website phs.d211.org

TOWNSHIP HIGH SCHOOL DISTRICT 211

Tony Medina
 Principal

Daniel E. Cates
 Superintendent

Attention: Ben Vyverberg
 Zoning and Planning

Village of Palatine
 200 East Wood Street
 Palatine, IL 60067

To Mr. Ben Vyverberg,

The purpose of this transmittal letter is to request a review from the Village of Palatine Zoning and Planning Department of the proposed residential home to be built at 358 W. Michigan Avenue, Palatine, IL. This house is going to be built by Township High School District 211 students that attend Palatine High School and William Fremd High School. Students that are enrolled in the D211 Building Construction program are Juniors and Seniors that have an interest in pursuing careers in the construction industry.

The 358 W. Michigan Avenue, Palatine, IL address is listed as being Lot 12 of the Arcadia West subdivision. The Pin Number is listed as 02-22-406-097-0000.

The following documents included in this request include:

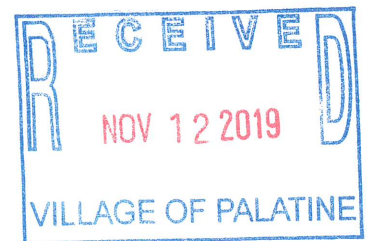
- Revised Elevation - Working Drawing Plans created by Architect Matthias Jans (3 Copies)

Please feel free to contact me if you need any other information.

Sincerely,

Mark J. Hibner 11/12/2019

Mark Hibner
 D211 Applied Technology District Chair
 Palatine High School
 1111 N. Rohlwing Rd.
 Palatine, IL 60074
 Office: (224) 653-1200
 Cell: (847) 431-5752
 Email: mhibner@d211.org



Attachment: District 211 transmittal letter Lot 12 - Arcadia West subdivision (Approve Design & Builder for Lot 12 in Arcadia West Sub)

PROPERTY DESCRIPTION

LOT 12 IN ARCADIA WEST SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED ON AUGUST 8, 2017 AS DOCUMENT NO. 1721922038, IN COOK COUNTY, ILLINOIS.

CONTAINING 20250 SQUARE FEET OR 0.465 ACRES, MORE OR LESS

PLAT OF SURVEY

Prepared By

MARCHESE AND SONS, Inc.

Design Firm No. 184-002762

*land - marine - construction surveys*10 Monaco Drive
Roselle, Illinois 60172Phone : (630) 894-5680
FAX : (630) 894-8869**ALFRED J. PHILIPPE'S RE-SUBDIVISION**

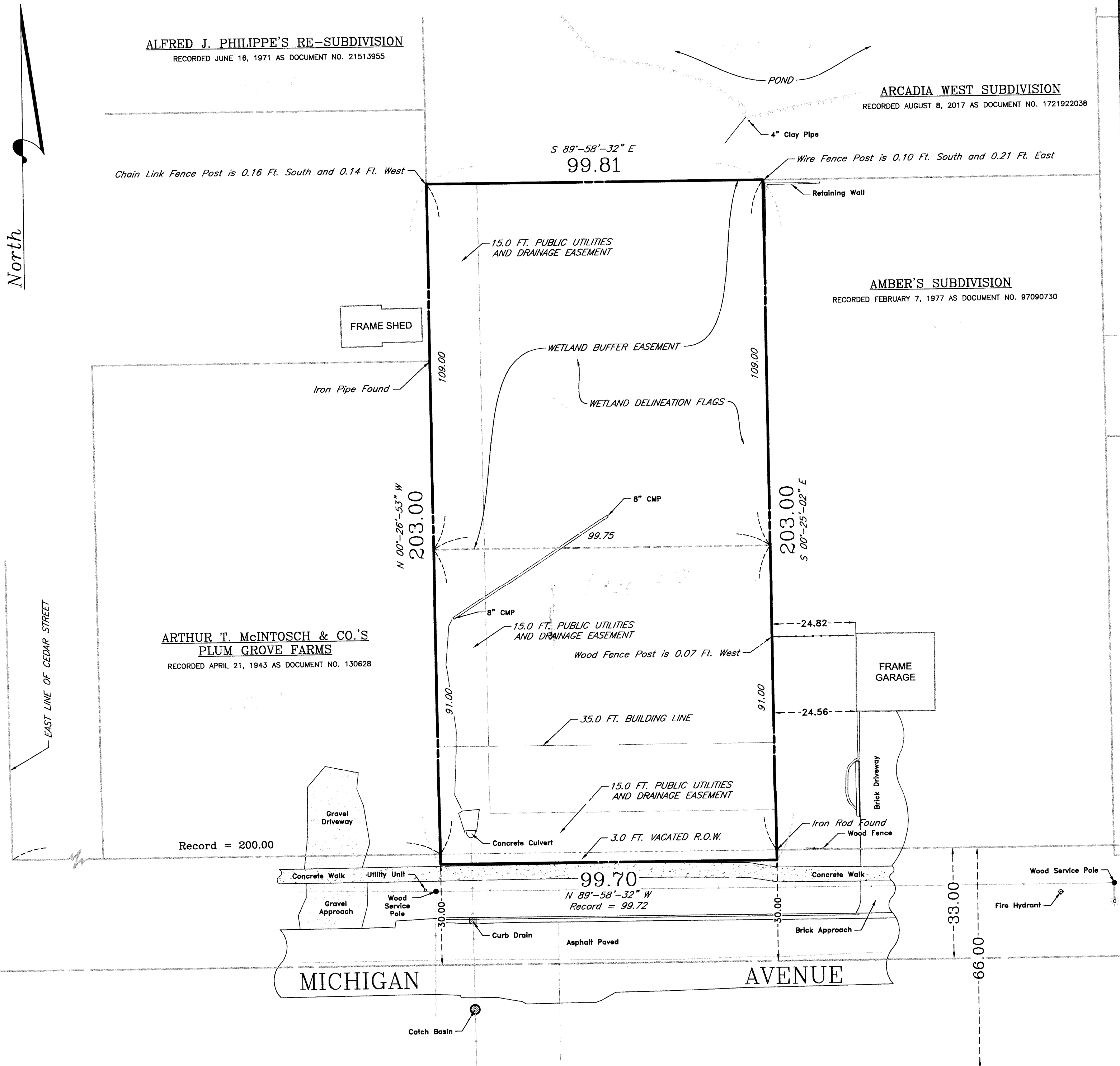
RECORDED JUNE 16, 1971 AS DOCUMENT NO. 21513955

ARCADIA WEST SUBDIVISION

RECORDED AUGUST 8, 2017 AS DOCUMENT NO. 1721922038

AMBER'S SUBDIVISION

RECORDED FEBRUARY 7, 1977 AS DOCUMENT NO. 97090730

**SHEET : 1 of 2**

PIN NO. = 02 - 22 - 406 - 097 - 0000

ADDRESS = 358 W. MICHIGAN AVENUE
PALATINE, ILLINOIS 60067

SCALE: ONE INCH = TWENTY FEET

ORDER NO.: 19-16588

ORDERED BY: MR. DAVID GRELYAK
FOR SCHOOL DIST. NO. 211

COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY DIFFERENCE. FOR BUILDING LINE AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR CONTRACT, DEED, TITLE INSURANCE POLICY AND ZONING ORDINANCE. BASIS OF THE BEARINGS SHOWN HEREON HAVE BEEN ASSUMED. MONUMENTS OR WITNESS POINTS WERE NOT SET AT THE CLIENT'S REQUEST.

"THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY."

FIELD WORK COMPLETED ON MAY 30, 2019

STATE OF ILLINOIS

S.S.

COUNTY OF DUPAGE

I, PAUL N. MARCHESE, HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

DATED AT ROSELLE, JUNE 3, 2019

ILLINOIS LICENSED PROFESSIONAL LAND SURVEYOR NO. 035-002461
MY CURRENT LICENSE EXPIRES ON NOVEMBER 30, 2020

TOPOGRAPHIC SURVEY

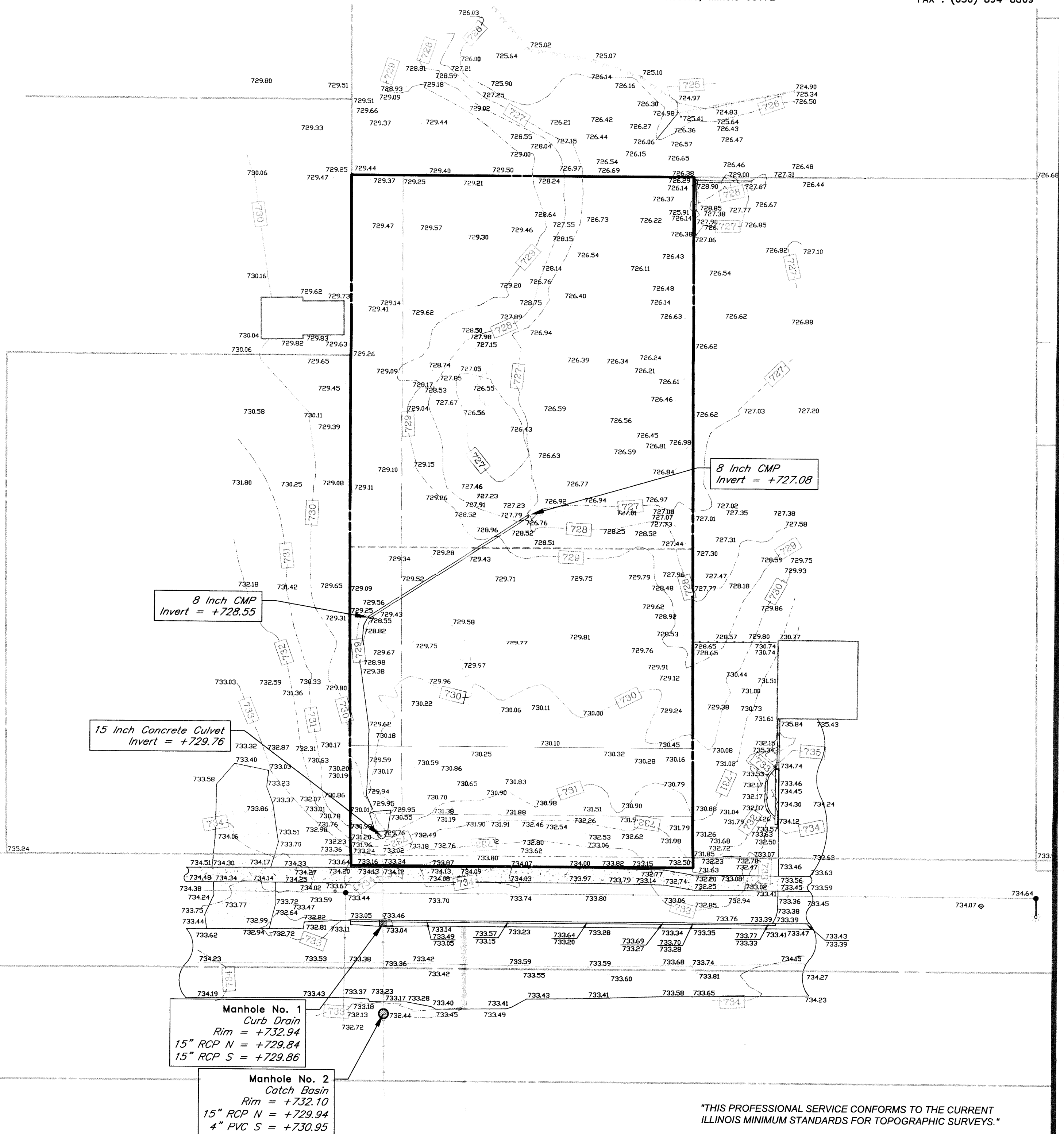
Prepared By
MARCHESE AND SONS, Inc.

Design Firm No. 184-002782

land - marine - construction surveys

10 Monaco Drive
Roselle, Illinois 60172Phone : (630) 894-5680
FAX : (630) 894-8869

North



ORDINANCE NO. 0-148-16

**AN ORDINANCE GRANTING PRELIMINARY AND FINAL PLANNED DEVELOPMENT
APPROVAL FOR THE ARCADIA WEST SUBDIVISION**

Published in pamphlet form by authority of the
Mayor and Village Council of the Village of Palatine
on December 12, 2016

ORDINANCE NO. 0-148-16

**AN ORDINANCE GRANTING
PRELIMINARY AND FINAL PLANNED DEVELOPMENT APPROVAL FOR
306 W. MICHIGAN AVENUE AND THE TWO VACANT AND UNIMPROVED LOTS
DIRECTLY WEST OF 306 W. MICHIGAN AVENUE, NOT INCLUDING THE
PROPERTY LOCATED AT 350 W. MICHIGAN AVENUE, AND 358 W. MICHIGAN
AVENUE
(CASE NO. (16-49))**

WHEREAS, upon petition of owners of said property, hearings were held by the Plan Commission of the Village of Palatine on October 18, 2016 and in accordance with the Zoning Ordinance of the Village of Palatine, in such case made and provided, and said Plan Commission, having made its findings in a report to the Mayor and Village Council of the Village of Palatine regarding a request for a Final Planned Development to permit a 12-lot single-family residential development, on the following legally described property:

PARCEL 1:

LOTS 2 (EXCEPT THE WEST 100.00 FEET OF THE SOUTH 200.00 FEET THEREOF) IN AMBER'S SUBDIVISION OF THE WEST ½ OF LOT 5 IN ARTHUR T. MCINTOSH & CO'S. PLUM GROVE FARMS, A SUBDIVISION OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 22, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOT 3 (EXCEPT THE EAST ½ THEREOF) IN ARTHUR T. MCINTOSH & CO'S. PLUM GROVE FARMS, A SUBDIVISION OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 22, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

commonly known as 306 W. Michigan Avenue and the two vacant and unimproved lots directly west of 306 W. Michigan Avenue, not including the property located at 350 W. Michigan Avenue, and 358 W. Michigan Avenue - PIN: # 02-22-406-060; 061; 063; and 024.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Village Council of the

Village of Palatine, Cook County, Illinois, acting in the exercise of their home rule power:

SECTION 1: That Preliminary and Final Planned Development approval to permit a 12 lot single-family residential development, is hereby granted, subject to the following conditions:

1. The development shall substantially conform to the Engineering plans prepared by Spies and Associates dated 5/1/16 last revised 9/1/16 except as such plans may be changed to conform to Village Codes and Ordinances and shall be revised in a manner acceptable to the Village Engineer, including the sanitary sewer length reductions to limit the impact to the driveway at 325 W. Michigan Avenue and to avoid redundancy in the northeast portion of the proposed development.
2. All setbacks and bulk restrictions of the Village's R-1B zoning classification shall apply.
3. A Homeowner's Association shall be created for the ongoing maintenance of the detention area. This HOA shall also include Lot 12. The declarations shall be written in a manner acceptable to the Village Attorney.
4. The existing sanitary sewer service lines for 285 and 301 W. Michigan Ave. shall be connected to the new sanitary sewer main. The existing sewerage ejector for 285 W. Michigan located approximately 10-feet south of the right-of-way line shall be removed and the new service line connected to the existing gravity line from the home. The 6-inch sewer line from the east entering into the sanitary sewer manhole located in front of 325 W. Michigan Ave. shall be plugged in a manner acceptable to the Village Engineer.
5. A letter of credit shall be submitted based upon the Engineer's Estimate of Cost and in a manner acceptable to the Village Engineer.
6. A Planned Development letter of credit in the amount of \$100,000 shall be submitted.
7. Review fees in the amount of \$23,411.08 shall be submitted.
8. MWRD, IEPA, NPDES permits shall be submitted. A USACOE permit shall be submitted if required.
9. The final engineering plans and Engineers Estimate of Probable Cost shall be revised to include the required curbing along 350 W. Michigan Avenue. The developer shall install the required curbing across the frontage of 350

W. Michigan Avenue in a manner acceptable to the Director of Public Works. The Village shall reimburse the developer for the installation of the curbing in the right-of-way along the frontage of 350 W. Michigan Avenue. Reimbursement will be based upon pre-approved cost and shall not exceed the amount indicated on the Engineer's Estimate of Probable Cost.

10. In conjunction with the required installation of the sidewalk along Lot 12, the Engineering Plans shall be revised in a manner acceptable to the Village Engineer, in order to accommodate the drainage from the culvert and drainage from the north side of Michigan Avenue to drain north through Lot 12. The 50 year old CMP shall be replaced across the street, including the upsizing the pipe to a 15-inch pipe in a manner acceptable to the Village Engineer.
11. The Final Landscaping and screening plan shall be revised in a manner acceptable to the Director of Planning and Zoning, with an emphasis on providing additional screening for the properties on the south side of W. Michigan Avenue, subject to the written approval of the respective property owner(s) to allow the landscaping or screening to be installed on private property.
12. A construction traffic management plan shall be submitted in a manner acceptable to the Directors of Public Works and Planning and Zoning. This traffic management plan shall outline the proposed development schedule and identify the material delivery routes and proposed parking areas for the contractors, prior to the completion of Stegen Street. A component of this plan shall also include an initial notification, by standard mail, to the residents on the south side of W. Michigan Avenue (285, 301, 325, 335, 351, and 357) once the initial site development schedule is known.
13. As part of the implementation of the Final Planned Development, the Village Manager may recommend additional parking and traffic controls to the Village Council, including the elimination of parking on the south side of W. Michigan Avenue, subject to the completion of the required street improvements on the north side of W. Michigan Avenue and the submission of the necessary application from the residents on the south side of W. Michigan Avenue.
14. Village Council review and approval of the proposed residence on Lot 12 is required, prior to the issuance of a building permit.
15. The ditch line along the south side of Michigan Avenue disturbed with construction of the sanitary shall be regraded to include a 5-foot area at 4% from the edge of pavement, side slopes no greater than 3:1, at least 1% longitudinal slope, and a flow line of at least 1-foot in width. Driveway

culverts impacted in the above-referenced area shall be replaced with at least 10-inch diameter pipe, extend at least 3'-from the edge of driveway, and include a flared end section.

16. The final architectural plans shall be revised in a manner acceptable to the Director of Community Services and Village Manager with additional architectural elements for lots 1 & 11 to include a minimum of 50% masonry or natural materials, varying rooflines, building depths and inclusion of windows. Additionally, consideration shall be given of garage orientation facing W. Michigan Avenue with driveway access to Stegen Street.

SECTION 2: That the petition for preliminary planned development, a copy of the public notice, be attached hereto and form a part of this ordinance.

SECTION 3: This ordinance shall be in full force and effect upon passage and approval as provided by law.

PASSED: This 12th day of December, 2016

AYES: 6 NAYS: 0 ABSENT: 0 PASS: 0

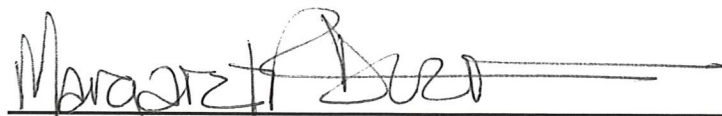
APPROVED by me this 12th day of December, 2016



Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk

this 12th day of December, 2016

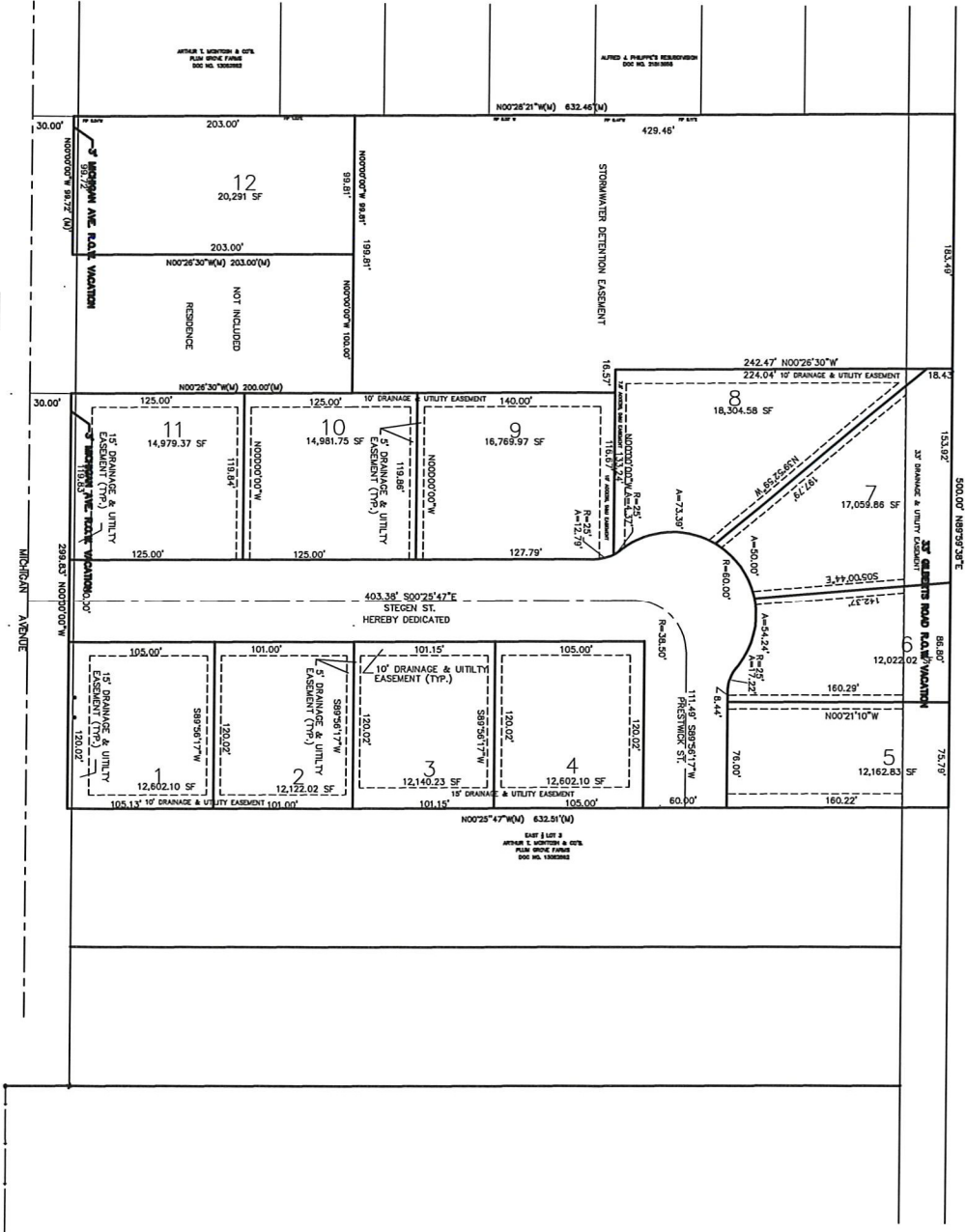


Village Clerk

PLAT OF SUBDIVISION

MORRISON SURVEYING CO., INC.

ARCADIA WEST SUBDIVISION, BEING A SUBDIVISION OF LOT 2 (EXCEPT THE WEST 100.00 FEET THEREOF) OF SECTION 22, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DEER CREEK TOWNSHIP, DEER CREEK, ILLINOIS. BEING A SUBDIVISION OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DEER CREEK TOWNSHIP, DEER CREEK, ILLINOIS. BEING A SUBDIVISION OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DEER CREEK TOWNSHIP, DEER CREEK, ILLINOIS.



SPRUELL & ASSOCIATES, INC.
Civil Engineers - Land Surveyors

534 WEST CAMPUS DRIVE
ARLINGTON HEIGHTS, ILLINOIS 60004
PH 847.577.8808 FAX 847.577.0229

REVISIONS

DRAWN BY: TJS

JOB NO. 4451

FINAL PLAT OF SUBDIVISION
ARCADIA WEST SUBDIVISION

SHEET NO.
1
OF 2 SHEETS

DESIGNED BY: TJS

SCALE: 1"=40'

CHECKED BY: TJS

DATE: 05-01-16

PLAT OF SUBDIVISION

MORRISON SURVEYING CO., INC.

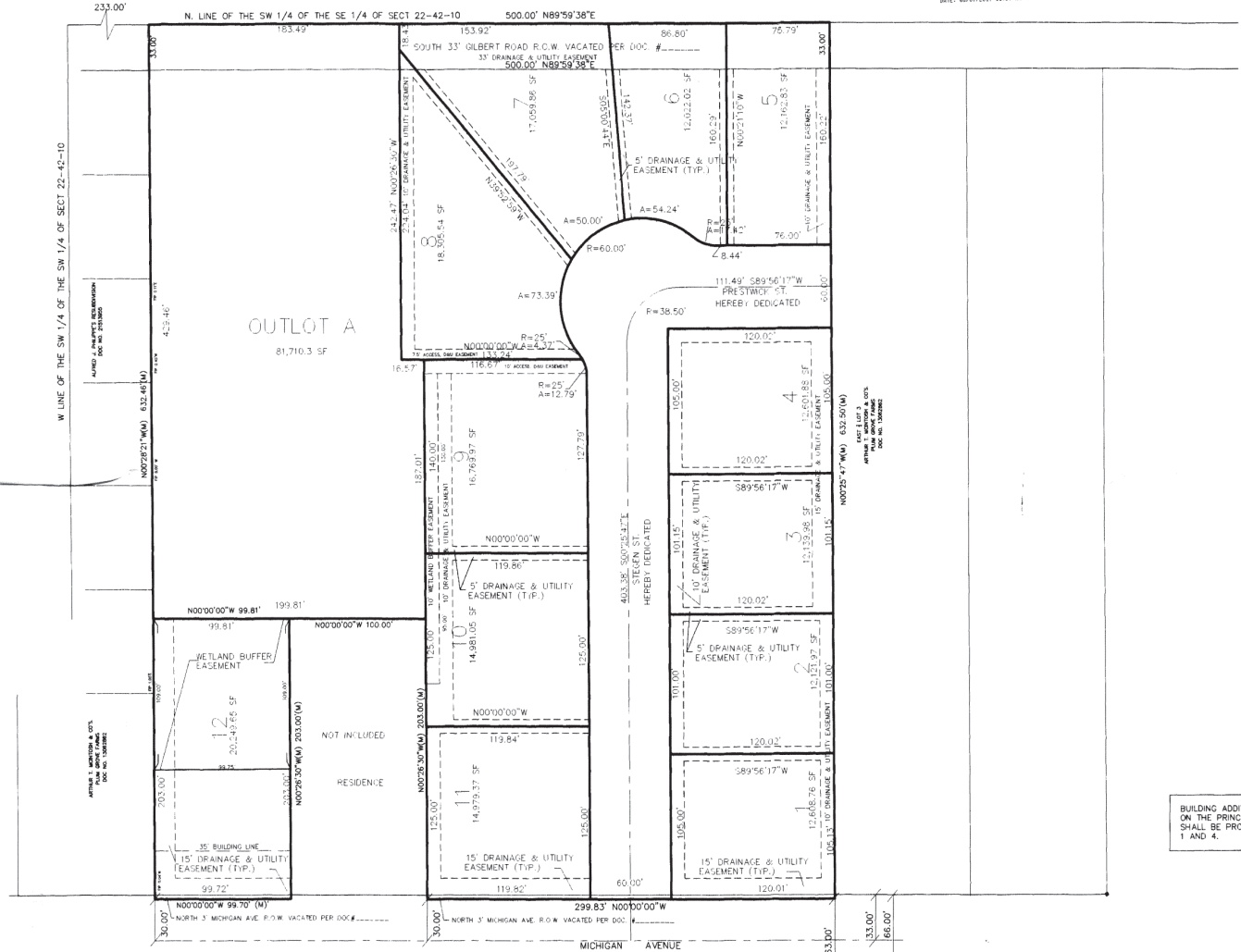
2710 N IL Rt 47, Morris, Illinois 60450

Village of Palatine
Village Clerk's Office
200 E. Wood Street
Palatine, IL 60067

ARCADIA WEST SUBDIVISION, BEING A SUBDIVISION OF LOT 2 IN AMBER'S SUBDIVISION OF LOT 5 IN ARTHUR T. MONTOSH & CO.'S PLUM GROVE FARMS, A SUBDIVISION OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 22, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, TOGETHER WITH LOT 3 (EXCEPT THE EAST 1/2 THEREOF) AND LOT 4 IN ARTHUR T. MONTOSH & CO.'S PLUM GROVE FARMS, A SUBDIVISION OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 22, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOGETHER WITH THE SOUTH 33.00 FEET OF GILBERT ROAD AS VACATED ON DOCUMENT, AND THE NORTH 3.00 FEET OF MICHIGAN AVE AS VACATED ON DOCUMENT, ALL IN COOK COUNTY, ILLINOIS.



Doc# 1721922878 Fee \$160.00
SHIP FEE \$19.00 SHIP FEE \$1.00
LARRY A. HARRISON
COOK COUNTY RECORDER OF DEEDS
DATE: 05/09/2017 11:07 AM PG: 8



BUILDING ADDITIONS AND DECKS ON THE PRINCIPAL STRUCTURE SHALL BE PROHIBITED ON LOTS 1 AND 4.

SPIES & ASSOCIATES, INC.
Civil Engineers - Land Surveyors

534 WEST CAMPUS DRIVE
ARLINGTON HEIGHTS, ILLINOIS 60004
PH 847.577.8808 FAX 847.577.0229

REVISIONS	DRAWN BY: TJS	JOB NO. 4851
	DESIGNED BY: TJS	SCALE: 1"=40'
	CHECKED BY: MJM	DATE: 05-01-16

FINAL PLAT OF SUBDIVISION
ARCADIA WEST SUBDIVISION

SHEET
1
OF 2 S

Attachment: Arcadia West approved Subdivision Plat (Approve Design & Builder for Lot 12 in Arcadia

TOWNSHIP H.S. DISTRICT 211

358 W. MICHIGAN AVENUE

PALATINE, ILLINOIS 60067

MATTHIAS JANS ARCHITECT

847/344-5291

ARCHITECT

DATE PAGES REVISED

10/16/19	ISSUED FOR PERMIT

CODES

APPLICABLE BUILDING CODES

INTERNATIONAL RESIDENTIAL CODE, 2015 EDITION (WITH AMENDMENTS).

(A) APPENDIX A, SIZING AND CAPACITIES OF GAS PIPING

(B) APPENDIX B, SIZING OF VENTING SYSTEMS SERVING APPLIANCES EQUIPPED WITH DRAFT HOODS

(C) APPENDIX C, EXIT TERMINALS OF MECHANICAL DRAFT AND DIRECT-VENT VENTING SYSTEMS,

(D) APPENDIX E, MANUFACTURED HOUSING USED AS DWELLINGS

(E) APPENDIX F, PASSIVE RADON GAS CONTROL METHODS

(F) APPENDIX H, PATIO COVERS

(G) APPENDIX J, EXISTING BUILDINGS AND STRUCTURES

(H) APPENDIX K, SOUND TRANSMISSION

(I) APPENDIX M, HOME DAY CARE R-3 OCCUPANCY

INTERNATIONAL MECHANICAL CODE, 2015 EDITION

INTERNATIONAL FUEL GAS CODE, 2015 EDITION

INTERNATIONAL ENERGY CONSERVATION CODE, 2018 EDITION (WITH ILLINOIS AMENDMENTS)

INTERNATIONAL FIRE CODE, 2015 EDITION

(a) FIRE APPARATUS ACCESS, APPENDIX D

(b) FIRE PROTECTION SYSTEMS-NON-COMPLIANT CONDITIONS, APPENDIX I

(c) BUILDING INFORMATION SIGN, APPENDIX J

INTERNATIONAL SWIMMING POOL AND SPA CODE, 2015 EDITION

LIFE SAFETY CODE, NFPA 101, 2000 EDITION

NATIONAL ELECTRIC CODE, 2017 EDITION

ILLINOIS PLUMBING CODE, 2014 EDITION

OCCUPANCY

GROUP R2-RESIDENTIAL

SHEET INDEX

- 1 COVER SHEET
- 2 ELEVATIONS/LIGHT & VENT SCHEDULE
- 3 FOUNDATION PLAN
- 4 FIRST FLOOR PLAN
- 5 SECOND FLOOR PLAN/ROOF PLAN
- 5A WALL BRACING DIAGRAMS
- 6 FIRST FLOOR ELECTRICAL PLAN
- 7 SECOND FLOOR ELECTRICAL PLAN
- 8 WALL SECTIONS
- 9 DETAILS/RISERS
- 9A DECK DETAILS
- 5 SPECIFICATIONS

DESIGN LOADS

Floor:	Live Load	40 PSF Minimum
	Dead Load	10 PSF Minimum
Roof:	Live Load	30 PSF Minimum
Soil:	Bearing Capacity	3,000 PSI Minimum
	Bearing Capacity - SEVERE AREAS	3,500 PSI Minimum

PLUMBING FIXTURE COUNT			
FIXTURE	# OF FIXTURE	# OF SUPPLY FIXTURE UNITS	TOTAL
WATER CLOSETS	4	5	12
LAVATORY	6	1	6
BATH TUBS	2	2	2
SHOWER STALL	2	2	4
KITCHEN SINK	1	2	2
LAUNDRY TRAY	-	-	-
DISHWASHER	1	1	1
LAUNDRY MACHINE	2	2	4
SILL COCK	2	5	10
TOTAL			41

W.S.P.U. = 41
MAIN WATER: 1" DIA.

ABBREVIATIONS

AFF	ABOVE FINISH FLOOR	INS	INSULATED/ING
ADH	ADHESIVE	INT	INTERIOR
ADJSH	ADJUSTABLE SHELF	JNT	JOINT
A/C	AIR CONDITIONING	JST	JOIST
ALT.	ALTERNATE	LAM PLAS	LAMINATED PLASTIC
L	STEEL ANGLE	LL	LIVE LOAD
AWN.	AWNING	M OP6	MASONRY OPENING
BRK	BRICK	MATL	MATERIAL
BM	BEAM	MC	MEDICINE CABINET
BRG.	BEARING	MTL	METAL
CSMT	CASEMENT	N.T.S.	NOT TO SCALE
CLS	CEILING	O.C.	ON CENTER
CL	CENTER LINE	OP6	OPENING
C	STEEL CHANNEL	O.H.	OVERHEAD
CLO	CLOSET	P&T	PLUGGED AND TOP SANDED
PLS	POLE AND SHELF	PC	PIECES
COL	COLUMN	PL	PLATE
CONC	CONCRETE	PLYND	PLYWOOD
CONST	CONSTRUCTION	P.S.F.	POUNDS PER SQUARE FOOT
C.J.	CONTROL JOINT	P.S.I.	POUNDS PER SQUARE INCH
CONT	CONTINUOUS	REINF	REINFORCING/ED
CO	CASED OPENING	R	RISERS
CI	CAST IRON	RO	ROUGH OPENING
CRS	COURSES	RS	ROUGH SAWN
DL	DEAD LOAD	SH	SHELF
DTL	DETAIL	S.C	SOLID CORE
DIA	DIAMETER	SHT. MTL	SHEET METAL
DIM	DIMENSION	SIM	SIMILAR
DW	DISHWASHER	S&D	SLIDING GLASS DOOR
DH	DOUBLE HUNG	SL	SIDELITE
DS	DOWNSPOUT	STD	STANDARD
EA	EACH	ST	STEEL
EQ	EQUAL	TEMP	TEMPERED
EXP	EXPANSION	THLD	THRESHOLD
EXT	EXTERIOR	T&G	TONGUE AND GROOVE
FIN	FINISHED	T	TREADS
FP	FIREPLACE	T/	TOP OF....
FL	FLOOR	UC	UNDER CABINET
FD	FLOOR DRAIN	WC	WATER CABINET
FT6	FOOTING	WH	WATER HEATER
FDN	FOUNDATION	WP	WEATHER PROOF
GALV	GALVANIZED	WS	WEATHER STRIPPING
GL	GLASS	WF	WIDE FLANGE
GYP. BD.	GYP SUM BOARD	WV	WITH WOOD
HST	HEIGHT	WI	WRAUGHT IRON
HM	HOLLOW METAL	WO	WRAPPED OPENING
HC	HOLLOW CORE	NO.	

CLIMATIC AND GEOGRAPHICAL DESIGN CRITERIA

Ground Snow Load: 30 psf

Wind Speed: 115 mph -3 second gust

Seismic Category: B

Weathering: Severe

Frost Line Depth: 42"

Winter Design temp: -1 F

Ice Barrier Underlayment Required: Yes

Air Freezing Index: 1635

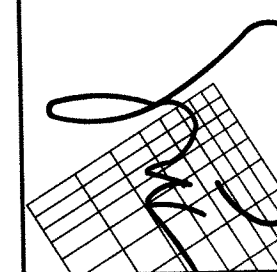
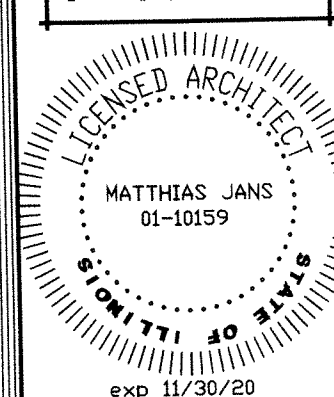
Mean Annual temp: 48.7

SYMBOLS

	DETAIL/SECTION MARK
	DETAIL NUMBER
	SHEET NUMBER
	DIRECTION OF DETAIL
	ELEVATION TAG
	ELEVATION NUMBER
	FROST PROOF HOSE BIB
	FLOOR DRAIN
	DIMENSIONAL LUMBER
	BATT INSULATION
	LOAD BEARING STUD WALL
	BRICK (SECTION)
	DRYVIT/E.I.F.S. (SECTION)
	CONCRETE (SECTION)
	STEEL
	EARTH
	GRAVEL OR SAND FILL

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MATTHIAS JANS ARCHITECT

 602 ACADEMY DR. NORTHBROOK, IL 60062
 VOICE (847) 344-5291 FAX (224) 326-2493
 m.jans@matthiasjans.com

 TOWNSHIP H.S. DISTRICT 211
 358 MICHIGAN AVENUE
 PALATINE, ILLINOIS 60067


REVISION DATES

DATE 1

PROJ. START

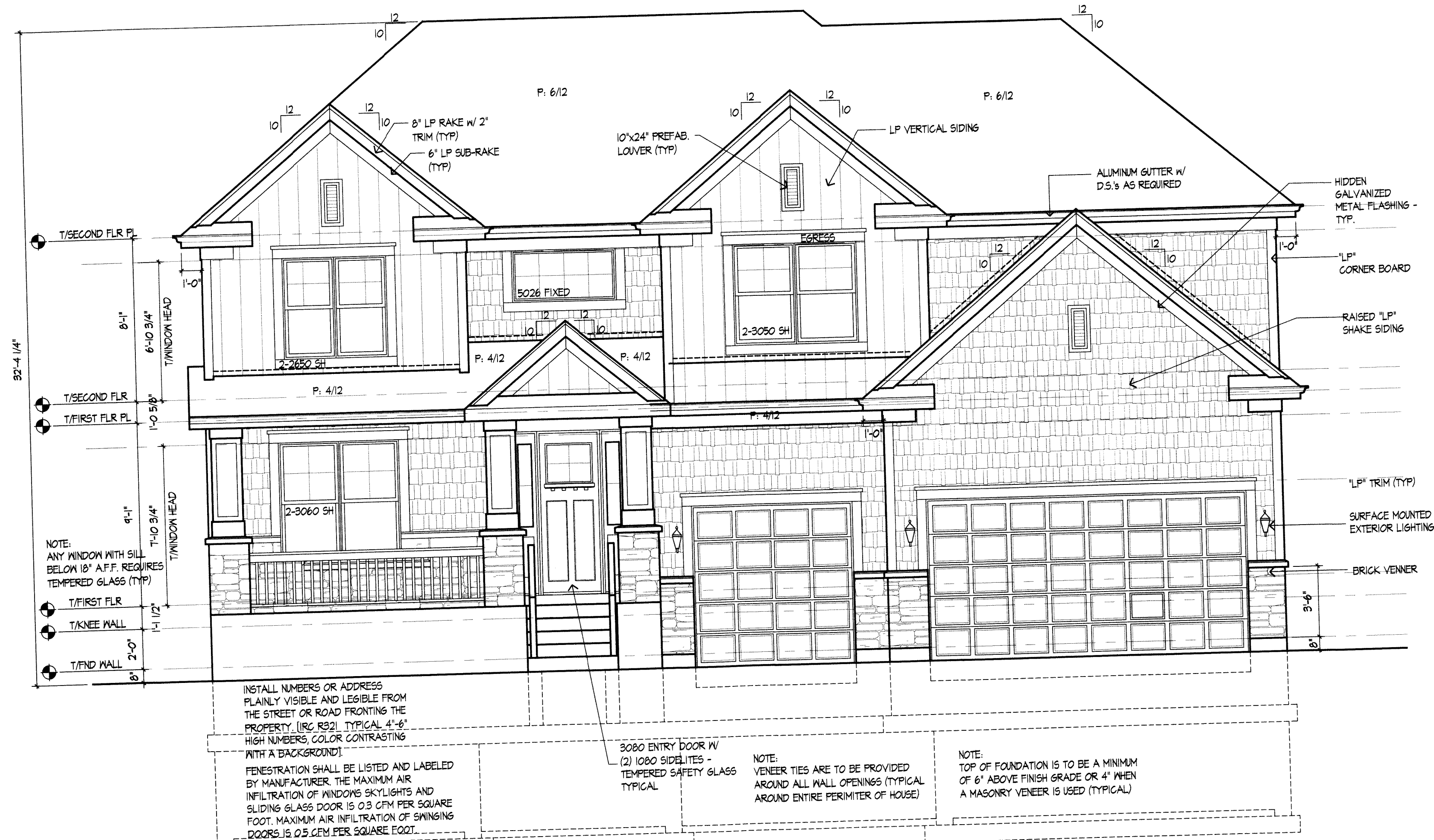
09/16/19

RBC

JOB #

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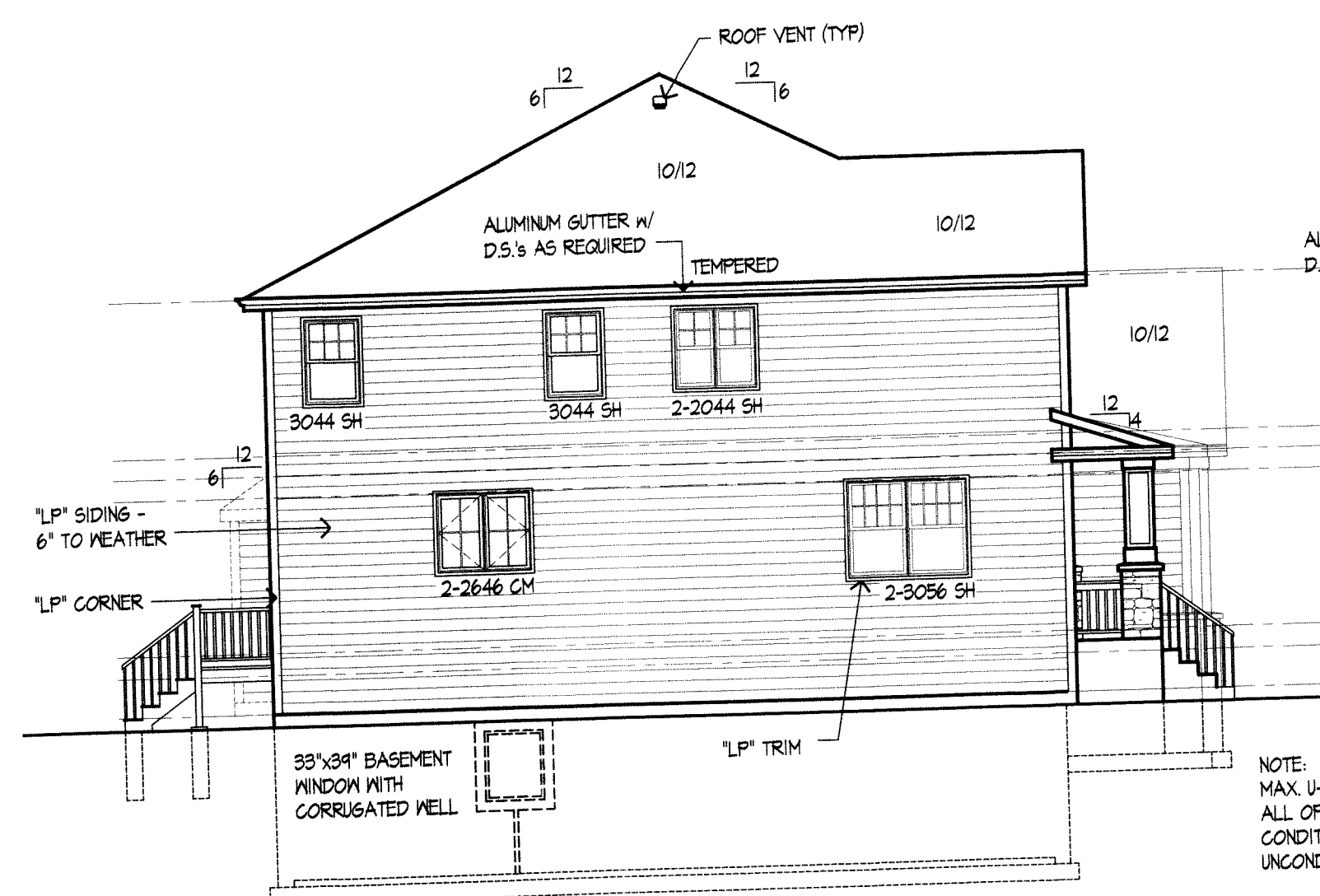
FRONT ELEVATION

SCALE: 1/4" = 1'-0"

STANDARD ELEVATION NOTES

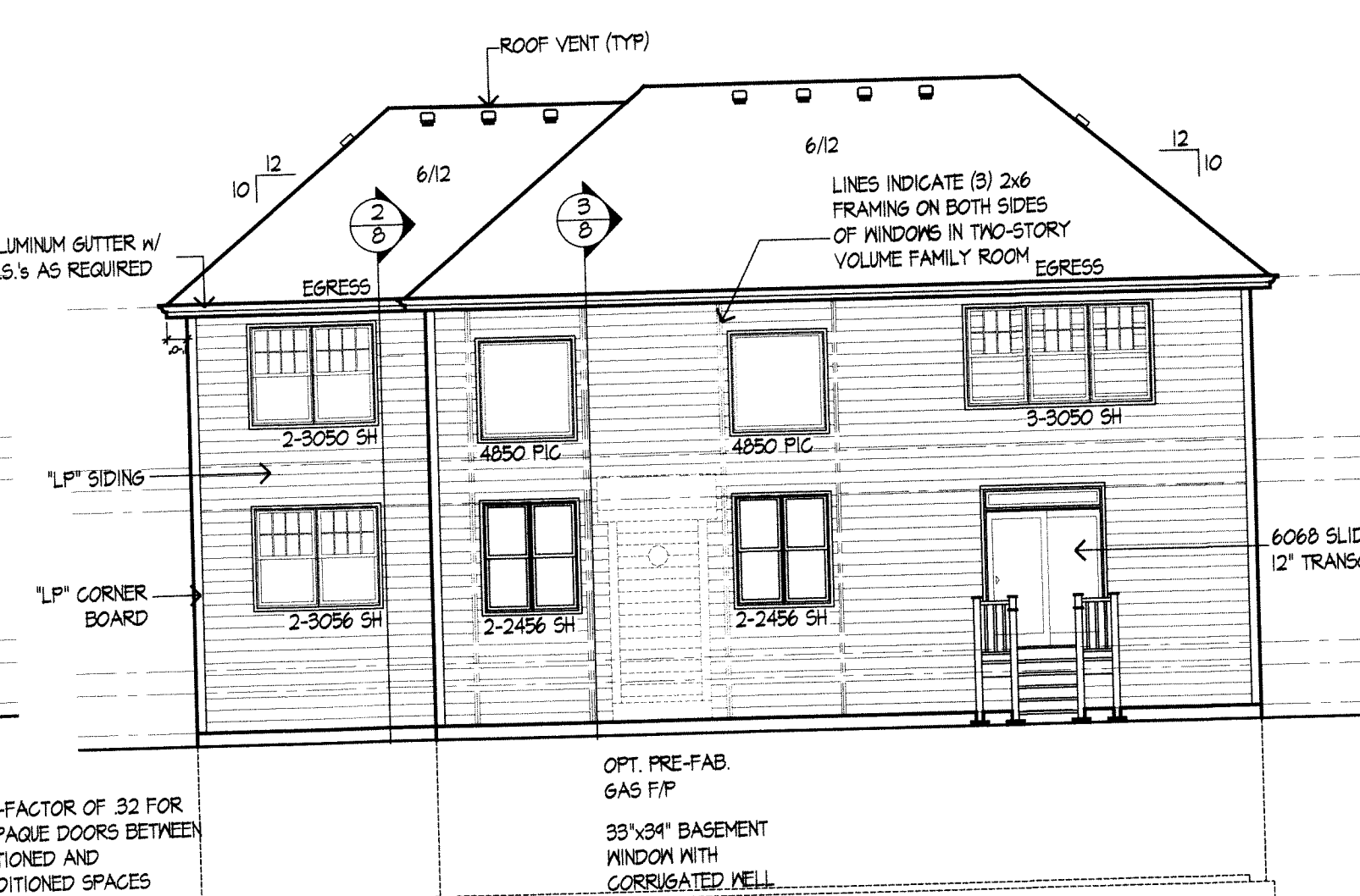
- 35 YEAR ARCHITECTURAL GRADE ASPHALT SHINGLES
- ALUMINUM GUTTERS AND DOWNSPOUTS OVER ALUMINUM FASCIA
- ALUMINUM SCOFFIT W/ INTERNAL VENT
- SHEET METAL FLASHING OVER WINDOWS, DOORS AND MOOD TRIM
- SHEET METAL FLASHING AT ALL ROOF AND WALL INTERSECTIONS
- 1/2" EDGE BOARD OVER 1/8" RAKE BOARD
- ALL RAKE AND OVERHANGS ARE 1'-0" UNLESS OTHERWISE NOTED

- INDICATES BRICK VENEER
 - INDICATES VINYL SIDING
 - HIDDEN GALVANIZED METAL FLASHING
- NOTE: ALL WINDOW SIZES ARE ANDERSON - MAY BE SUBSTITUTED W/ APPROVED EQUAL



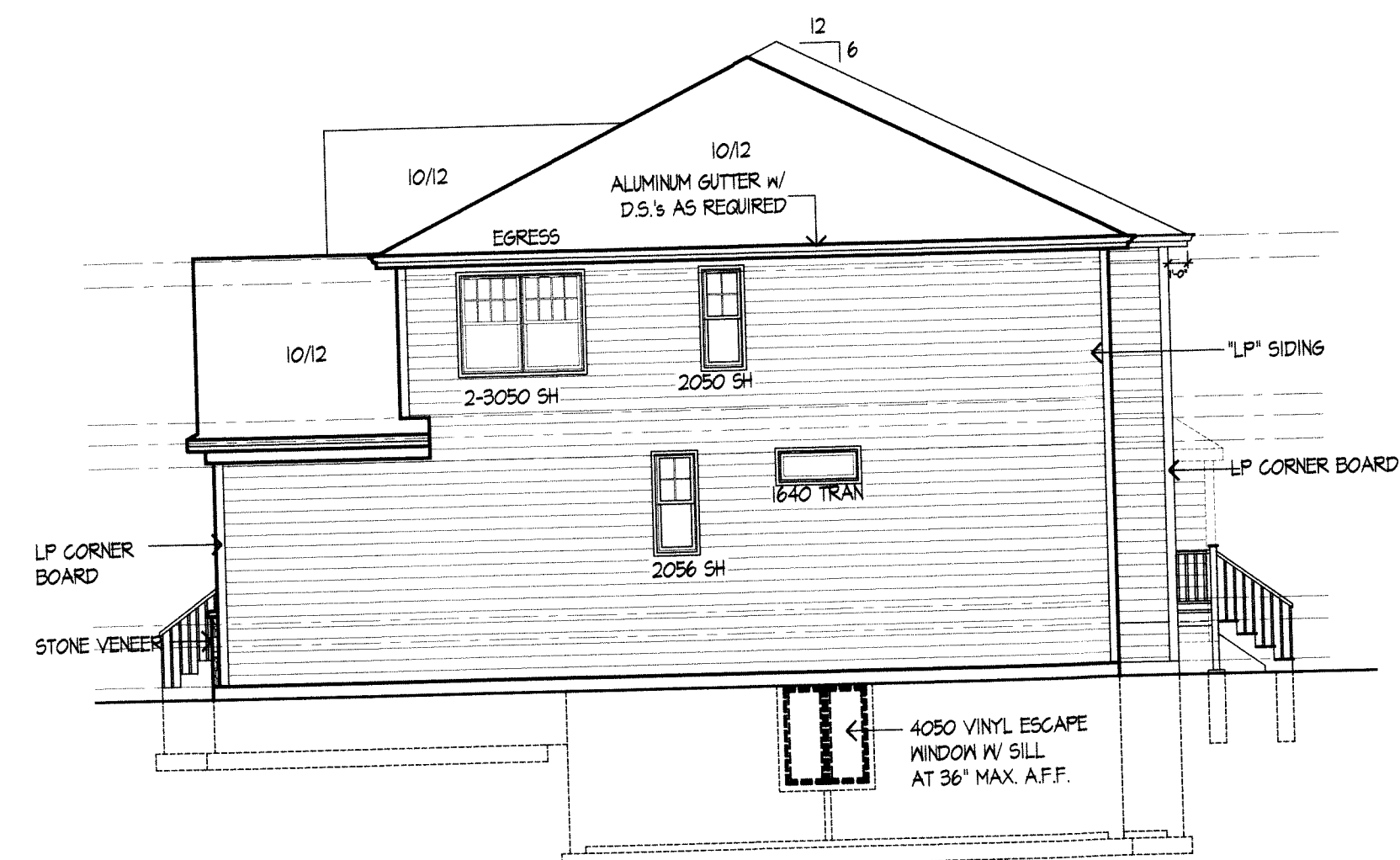
LEFT SIDE ELEVATION

SCALE: 1/8" = 1'-0"



REAR ELEVATION

SCALE: 1/8" = 1'-0"



RIGHT SIDE ELEVATION

SCALE: 1/8" = 1'-0"

ELEVATION NOTES:

- DO NOT SCALE DRAWINGS
- PROVIDE SPLASH BLOCKS AT ALL DOWN SPOUTS DISCHARGING AT GRADE. (NOT TO DISCHARGE ACROSS WALKWAY)
- PROVIDE DRIP CAPS AT ALL WINDOWS AND DOORS
- ALL ROOF SADDLES TO BE SHEATHED W/ BUILDING PAPER AND SHINGLES
- REFER TO FLOOR PLANS FOR DOOR SIZES
- WINDOW SIZES ARE AS PER ELEVATIONS. WINDOW W/ER TO VERIFY ALL BEDROOMS HAVE EGRESS WINDOW
- ROOF VENTS TO BE SCREENED AND BALANCED INTAKE AND EXHAUST
- PROVIDE 1/2" FLASHING ALONG ALL HORIZONTAL TRIM
- PROVIDE GALV. METAL FLASHING AT ALL ROOF AND WALL INTERSECTIONS
- FIREPLACE FLUE TO BE MIN. 2'-0" ABOVE ANY ROOF SURFACE WITHIN 10'-0" HORIZONTALLY, MIN. 3'-0" PENETRATION ABOVE ROOF
- SAFETY GLAZING AT BATH/SHOWER, SILL HEIGHTS BELOW 18", EXT. DOORS AND WINDOWS W/ IN 24" OF DOOR (AS PER GOVERNING CODES)

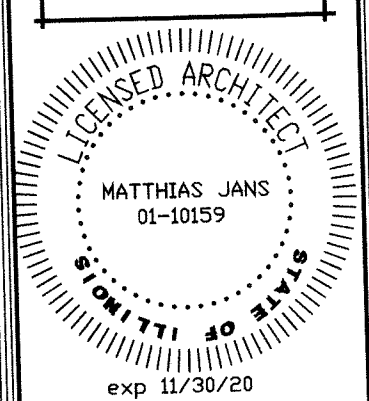
EXTERIOR FINISH MATERIALS:

- TYPICAL ROOFING WILL BE ARCHITECTURAL GRADE 25 YEAR ASPHALT SHINGLES
- TYPICAL - ALUMINUM GUTTERS W/ DOWN SPOUTS OVER 1/8" FASCIA AND WITH 1/2" FREEZE BOARD UNLESS OTHERWISE NOTED
- 1/2" ON 1/8" RAKE BOARD TYPICAL
- TYPICAL SIDING - CEDAR W/ 5' EXPOSED
- TYPICAL TRIM - 5/4" PRE-PRIMED CEDAR
- ALL EYE AND RAKE OVERHANGS ARE 1'-0" UNLESS OTHERWISE NOTED

LIGHT & VENTILATION SCHEDULE

ROOM NAME	AREA	LIGHT		VENT		MECH CFM	
		REQ.	ACT.	REQ.	ACT.	REQ.	ACT.
BASEMENT	1561 S.F.	31.4	43.0	31.4	43.0	--	--
KITCHEN/BREAKFAST	384 S.F.	30.7	60.4	15.4	30.2	--	--
DINING ROOM	203 S.F.	16.2	45.6	8.1	22.8	--	--
STUDY	168 S.F.	13.0	30.2	6.5	15.1	--	--
FAMILY ROOM	364 S.F.	24.5	55.20	14.7	21.60	--	--
PORCH	31 S.F.	--	5.8	--	2.4	18.4 CFM	25 CFM
LAUNDRY	50 S.F.	--	10.6	--	5.3	--	50 CFM
MASTER BATH	125 S.F.	--	10.6	--	--	46.5 CFM	100 CFM
MASTER BEDROOM	574 S.F.	24.9	55.20	14.9	21.60	--	--
BEDROOM #2	202 S.F.	16.2	21.60	8.1	13.80	--	--
BEDROOM #3	131 S.F.	11.0	21.60	5.5	13.80	--	--
BEDROOM #4	174 S.F.	13.9	21.60	6.9	13.80	--	--
BATH #2	56 S.F.	--	--	--	--	47 CFM	50 CFM
BATH #3	41 S.F.	--	--	--	--	47 CFM	50 CFM

TOWNSHIP H.S. DISTRICT 211
358 MICHIGAN AVENUE
PALATINE, ILLINOIS 60067



REVISION DATES

DATE 1

PROJ. START
09/16/19

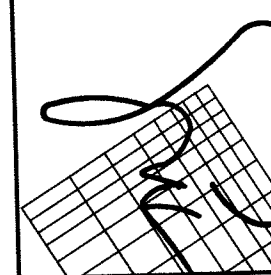
REC

JOB #
190XX

2

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MATTHIAS JANS ARCHITECT
602 ACADEMY DR, NORTHBROOK, IL 60062
VOICE (847) 344-5291 FAX (224) 326-2488
mjans@matthiasjans.com



1. ALL CONCRETE SLABS THAT COME IN CONTACT WITH THE GROUND SHALL BE LAID OVER A GAS PERMEABLE MATERIAL MADE UP OF EITHER A MINIMUM 4" THICK UNIFORM LAYER OF CLEAN AGGREGATE, OR A MINIMUM 4" THICK UNIFORM LAYER OF SAND, OVERLAIN BY A LAYER OR STRIPS OF MANUFACTURED MATTING DESIGNED TO ALLOW THE LATERAL FLOW OF SOIL GASES.

2. ALL CONCRETE FLOOR SLABS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH LOCAL BUILDING CODES. ADDITIONAL REFS: AMERICAN CONCRETE INSTITUTE PUBLICATIONS, "ACI302.1R" & "ACI332R", OR THE POST TENSIONING INSTITUTE MANUAL, "DESIGN AND CONSTRUCTION OF POST-TENSIONED SLABS ON GROUND".

3. ALL OPENINGS, GAPS AND JOINTS IN FLOOR AND WALL ASSEMBLIES IN CONTACT SOIL OR GAPS AROUND PIPES, TOILETS, BATHTUBS OR DRAINS PENETRATING THESE ASSEMBLIES SHALL BE FILLED OR CLOSED WITH MATERIALS THAT PROVIDE A PERMANENT AIR-TIGHT SEAL. SEAL LARGE OPENINGS WITH NON-SHRINK MORTAR, GROUTS OR EXPANDING FOAM MATERIALS AND SMALLER GAPS WITH AN ELASTOMERIC JOINT SEALANT, AS DEFINED IN ASTM C920-87.

4. VENT PIPES SHALL BE INSTALLED SO THAT ANY RAINWATER OR CONDENSATION DRAINS DOWNWARD INTO THE GROUND BENEATH THE SLAB OR SOIL-GAS RETARDER MEMBRANE.

5. CIRCUITS SHOULD BE A MINIMUM 15 AMP, 115 VOLT



SCALE: 3/4" = 1'-0"



SCALE: 3/4" = 1'-0"



REBAR NOTE:
NOT LESS THAN ONE VERTICAL #4 BAR SHALL BE PROVIDED ON EACH SIDE OF OPENINGS EQUAL TO OR GREATER THAN 2 FEET IN WIDTH. VERTICAL REINFORCEMENT SHALL EXTEND THE FULL HEIGHT OF THE WALL AND BE LOCATED WITHIN 12" OF EACH SIDE OPENING.

HEADER NOTE:
ALL SUPPORT FOR HEADERS/OPENINGS
SHALL CONSIST OF (1) KING STUD AND (2)
JACK STUDS UNLESS OTHERWISE SHOWN ON DRAWING.

REBAR NOTE:
A MIN. OF ONE #4 BAR SHALL BE PLACED ABOVE AND BELOW
OPENINGS EQUAL TO OR GREATER THAN 2 FEET IN WIDTH.
REINFORCEMENT SHALL EXTEND BEYOND THE EDGES OF THE OPENING
THE DIMENSION REQUIRED TO DEVELOP THE BAR TENSION I.A.M.
SECTION R611.5.4.4 OF THE 2009 I.R.C.

W.L.F. NOTE:
DOUBLE WIRE JOINT REINFORCEMENT IS TO
BE USED ABOVE CORNERS OF MASONRY
EXTENDING A MIN. OF 12" BEYOND EACH
SIDE OF OPENING (TYP)

NOTE:
ANY PIPE THAT PASSES THROUGH A FOUNDATION WALL SHALL PASS THROUGH A PIPE SLEEVE OF A GREATER SIZE THAT ALLOWS THE INSTALLATION OF A SEALANT I.A.M. SEALANT MANUFACTURER'S SPECS. ALL ANNULAR SPACES BETWEEN SLEEVES AND PIPES SHALL BE FILLED AND WATER SEALED I.A.M. BUILDING REQUIREMENTS OR AS APPROVED BY THE BUILDING OFFICIAL.

INSULATION FOAM MATERIALS, FACING, AND VAPOR RETARDERS MUST BE LABELED WITH A FLAME SPREAD INDEX NOT GREATER THAN 25 AND A SMOKE DEVELOPMENT INDEX NOT TO EXCEED 450 WHEN LEFT EXPOSED IN BASEMENTS, CRAWL SPACES, ATTICS, OR OTHER UNFINISHED SPACES, OR OTHERWISE COVERED WITH DRYWALL OR PANELS.

BASEMENT FND NOTES:

DO NOT SCALE DRAWINGS

1. THE BASEMENT/FOUNDATION SLAB:
 - a. 4" CONC. SLAB W/ 6"x6"x10/10MM ON 6" MIL POLY VAPOR BARRIER OVER MIN 4" GRAVEL FILL ON COMPACTED EARTH.
2. TYPICAL GRAVEL:
 - a. 2" SLUSH COAT OVER
 - b. 4" GRAVEL COVER OVER
 - c. 4" MIL VAPOR BARRIER
3. TYPICAL PORCH SLAB:
 - a. 4" CONCRETE SLAB W/ 5# REBAR @ 24" O.C. OVER COMPACTED FILL
 - b. PROVIDE DRY LAY BACKFILL UNDER PORCH SLABS (UNEXCAVATED LOCATIONS)
5. PROVIDE CIRCULAR BLOCK OUTS AT STEEL COLUMN LOCATIONS
6. CONTROL JOINTS TO CONSIST OF "ZIP STRIP" OR TOOLED JOINTS AS SHOWN WITH MIN. DEPTH OF 1/4 OF SLAB THICKNESS
11. ALL ANGLED WALLS AND FOOTINGS ARE 45 DEGREES UNLESS OTHERWISE NOTED
8. SLOPE CONCRETE SLAB TO FLOOR DRAINING WITH 5'-0" OF DRAIN
9. MECH. TRADES RESPONSIBLE FOR PROVIDING AND LOCATING FOUNDATION SLEEVES. LOCATION OF SLEEVES FOR UTILITIES SHALL BE DETERMINED BY BUILDER PRIOR TO CONSTRUCTION IN ACCORDANCE WITH LOCAL CODES.
10. PROVIDE 2x6 TREATED PLATES ON ALL STEEL UNLESS OTHERWISE NOTED
11. ALL CONCENTRATED LOADS FROM BEAMS OR GIRDER TRUSSES TO TRANSFER TO FOUNDATION VIA POSTS BEAMS OR SLOD BLOCKING
12. TOP OF FOUNDATION IS AT 0'-0" UNLESS OTHERWISE NOTED
13. PROVIDE 1/2" DIA ANCHOR BOLTS @ 6'-0" O.C. MAX. 1 1/2" MAX FROM EACH END OF SILL PLATE MIN. 2 PER SILL
14. PROVIDE MIN. 4" CONCRETE COVER AT BELOW SLAB UTILITY LOCATION. WHEN CONCRETE ENGAGEMENT OF UTILITY LINES IS REQUIRED, UTILITIES SHALL BE PLACED SUFFICIENTLY BELOW SLAB TO ALLOW CONCRETE COVERAGE.
15. PROVIDE ALL MECH. ROUGH-INS WHEN A/C PAD LOCATION REQUIRES PENETRATION OF POURED CONCRETE SLAB FOR HOOK-UPS TO HVAC EQUIPMENT.
16. FIELD VERIFY LOCATIONS OF ALL METERS, PLUMBING FIXTURES, ELECTRICAL PANEL AND SERVICE LINES PRIOR TO POURING CONCRETE SLAB.
17. ALL DESIGN REVISIONS, ENGINEERING INSTALLATION AND LIABILITY OF SOIL CONDITIONS AND STRUCTURAL DESIGNS DUE TO INADEQUATE SOILS SHALL BE THE RESPONSIBILITY OF THE 'BUILDING DEVELOPER' OR ITS SUBCONTRACTORS INVOLVED WITH DESIGN AND INSTALLATION OF SUCH AND THE ARCHITECT SHALL NOT BE HELD LIABLE OR RESPONSIBLE FOR THEIR IMPLEMENTATIONS.
18. LOCATION OF A/C SHALL BE VERIFIED BY BUILDER PRIOR TO CONSTRUCTION IN ACCORDANCE WITH LOCAL CODES.
19. BOTTOM OF STEEL COLUMNS (INSIDE & OUT) SHALL HAVE A COAT OF RUST INHIBITIVE PAINT OR EQUAL.
20. ELECTRICAL PLAN FOR BASEMENT HAS BEEN INCORPORATED IN THE FOUNDATION PLAN.
21. PROVIDE (2) 48" LONG 4# REBAR AT TOP & BOTTOM IN FOUNDATION WALL AND AT FOOTING GRADE CHANGES
22. FOR ADDITIONAL NOTES SEE SPECIFICATIONS AND DETAILS

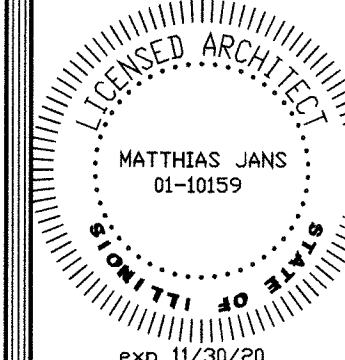
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3358 MICHIGAN AVENUE
PALATINE, ILLINOIS 60067



[Signature]

REVISION DATES DATE 1 	
PROJ. START 09/16/19	
RBC	
JOB # 190XX	

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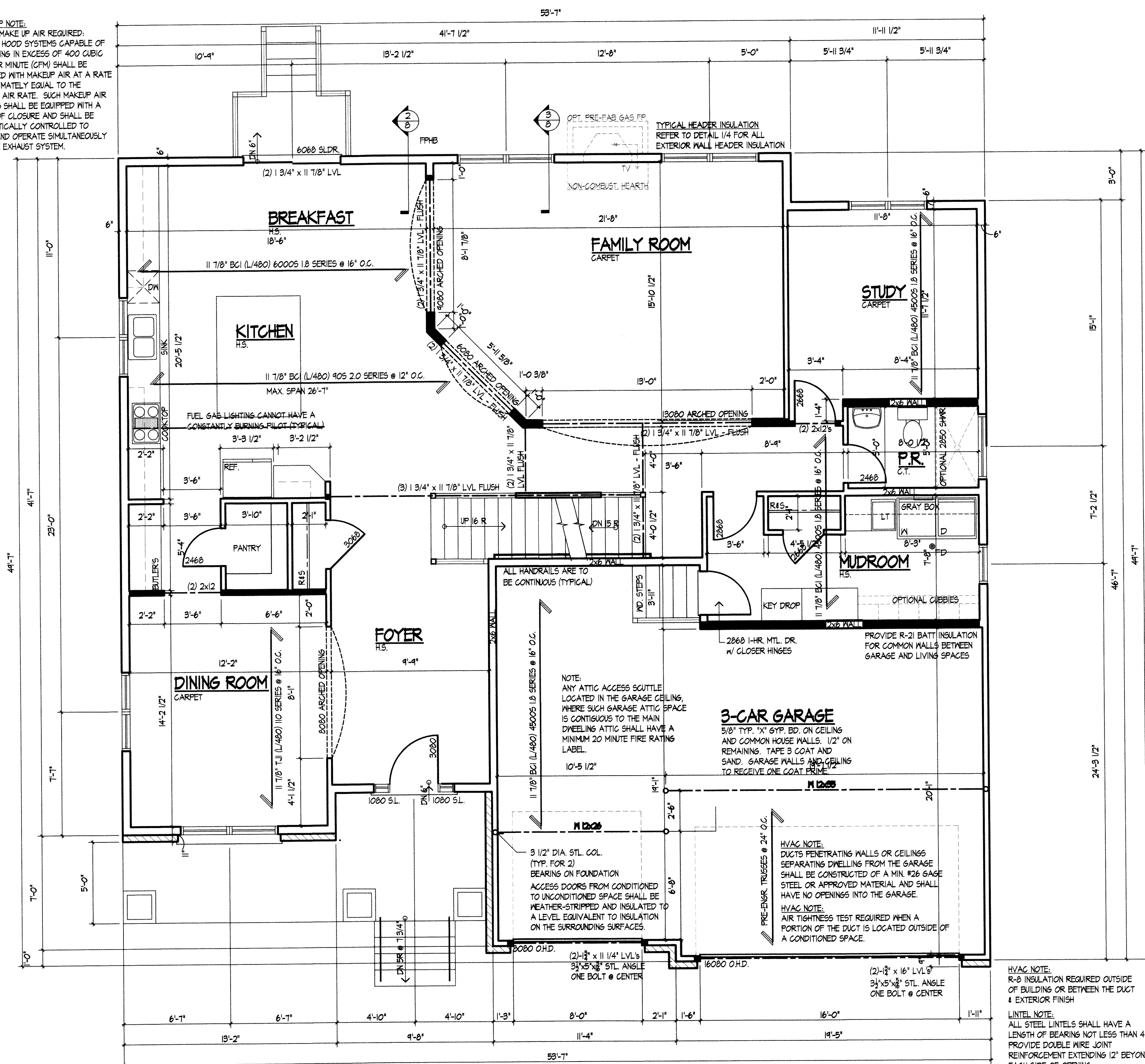
COOKTOP NOTE:
HBO3 MAKE UP AIR REQUIRED.
EXHAUST HOOD SYSTEMS CAPABLE OF
EXHAUSTING IN EXCESS OF 400 CUBIC
FEET PER MINUTE (CFM) SHALL BE
PROVIDED WITH MAKEUP AIR AT A RATE
APPROXIMATELY EQUAL TO THE
EXHAUST AIR RATE. SUCH MAKEUP AIR
SYSTEMS SHALL BE EQUIPPED WITH A
MEANS OF CLOSURE AND SHALL BE
AUTOMATICALLY CONTROLLED TO
START AND OPERATE SIMULTANEOUSLY
WITH THE EXHAUST SYSTEM.

LP SMARTSIDE SIDING
PLYWOOD SHEATHING w/
TYVEK
2x6 STUDS @ 16" O.C. w/ R-21
BATT INSULATION IN CAVITIES

NOTE:
HEADER HEIGHT MAY VARY. REFER
TO WALL SECTIONS ON SHEET B.
1-2x12 HEADER ON WARM SIDE OF WALL
1" RIGID FOAM INSULATION
2-2x12 HEADER ON COLD SIDE OF WALL
1/2" G/M.B. FINISH OVER
INTEGRAL VAPOR BARRIER

① HEADER DETAIL

SCALE: 1 1/2" = 1'-0"



FIRST FLOOR PLAN

FIRST FLR. 1,746 S.F.
SECOND FLR. 1,585 S.F.
TOTAL = 3,331 S.F.
GARAGE 674 S.F.

■ = BEARING WALL

DOUBLE ALL JOISTS UNDER
BATHTUBS AND LAUNDRY
EQUIPMENT.

ALL INTERIOR WALLS
ARE 3 1/2" UNLESS
OTHERWISE NOTED

PER I.E.C.C. SEC. 402.4.2.1
BLOWER TEST IS REQUIRED

LEAKAGE NOTE:
BUILDING SHALL BE TESTED AND VERIFIED AS HAVING AIR LEAKAGE NOT
EXCEEDING 3 CHANGES PER HOUR AFTER CREATION OF ALL PENETRATIONS OF
THE BUILDING THERMAL ENVELOPE. TESTING SHALL BE CONDUCTED WITH
BLOWER AT A PRESSURE OF 50 PASCALS. A WRITTEN AIR LEAKAGE REPORT
SHALL BE PROVIDED TO THE CODE OFFICIAL.

CERTIFICATE NOTE:
A PERMANENT CERTIFICATE SHALL BE COMPLETED AND POSTED ON OR
IN ELECTRICAL DISTRIBUTION PANEL BY THE BUILDER LISTING THE
FOLLOWING:
- PREDOMINANT R-VALUE OF INSULATION INSTALLED IN OR ON
CEILING, ROOF, WALLS, FOUNDATION WALL, SLAB, BASEMENT WALL,
CRAWLSPACE WALL, AND/OR FLOOR, DUCTS OUTSIDE CONDITIONED
SPACES
- U-FACTORS OF PENETRATION
- RESULTS OF ANY REQUIRED DUCT SYSTEM, AND BUILDING ENVELOPE
AIR LEAKAGE TEST, LIST TYPES AND EFFICIENCIES OF HEATING, COOLING,
AND SERVICE WATER HEATING EQUIPMENT.

JACK STUD REQUIREMENTS FOR 16" STUD SPACING

SIZE OF OPENING (FEET-INCHES)	No. OF JACK STUDS	No. OF KING STUDS
UP TO 3'-6"	1	1
> 3'-6" TO 5'-0"	1	2
> 5'-0" TO 5'-6"	2	2
> 5'-6" TO 8'-0"	2	2
> 8'-0" TO 10'-6"	2	3
> 10'-6" TO 12'-0"	3	3
> 12'-0" TO 13'-0"	3	3
> 13'-0" TO 14'-0"	3	4
> 14'-0" TO 16'-0"	3	4
> 16'-0" TO 18'-0"	4	4

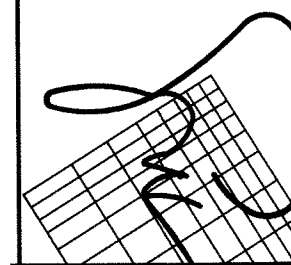
FLOOR PLAN NOTES:

- DO NOT SCALE DRAWINGS
- ALL INTERIOR NON-LOAD BEARING WALLS TO BE 2x4 STUD @ 16" O.C. UNLESS OTHERWISE NOTED.
- ALL UNDIMENSIONED PARTITIONS ARE 3 1/2" RQUISH.
- ALL ANGLED PARTITIONS ARE 45 DEGREES UNLESS OTHERWISE NOTED.
- 3-2x4s MIN AT EACH END OF ALL BEAMS AND GIRDER JOISTS UNLESS OTHERWISE NOTED. ALL SUCH CONCENTRATED LOADS SHALL BE TRANSFERRED TO FOUNDATION VIA BEAMS, POSTS OR SOLID BLOCKING.
- ALL EXTERIOR DIMENSIONS ARE TO FACE OF SHEATHING UNLESS OTHERWISE NOTED.
- ALL TRUSSES TO BEAR ON EXTERIOR WALLS AND/OR GIRDER TRUSSES UNLESS OTHERWISE NOTED.
- TRUSS MFG. TO SIZE MEMBERS, FASTENERS, HANGERS AND SET SPACING FOR ALL TRUSSES.
- WINDOW SUPPLIER TO VERIFY AT LEAST ONE WINDOW IN EACH BEDROOM TO HAVE A CLEAR EGRESS OPENING OF 5.7 SQ. FT. WITH MIN. DIMENSION OF 24" IN HEIGHT AND 20" IN WIDTH AND SILL HEIGHT NO GREATER THAN 44" ABOVE FLOOR.
- ALL BALLON FRAMED WALLS TO BE FIRE STOPPED AT TOP OF SILL AND BRACED AT MIDSPAN.
- ALL HANDRAIL BALUSTERS TO BE SPACED SUCH THAT 4" SPHERE CAN NOT PASS BETWEEN BALUSTERS.
- ALL ELECTRICAL AND MECHANICAL EQUIPMENT 4 METERS ARE SUBJECT TO RELOCATION DUE TO FIELD CONDITIONS. CONTRACTOR TO VERIFY.
- ALL WINDOW HEAD HEIGHTS AT 6'-10 3/4" UNLESS OTHERWISE NOTED
- PROVIDE 3/4" SOLID CORE 1 HR RATED STEEL DOOR AT HOUSE TO GARAGE DOOR.
- ENCLOSED ACCESSIBLE SPACE UNDER STAIRS SHALL HAVE 1/2" 61P BD ON THE WALLS AND CEILING.
- PROVIDE DOUBLE JOISTS AT PARALLEL PARTITIONS AND SOLID BLOCKING AT PERPENDICULAR PARTITIONS.
- PROVIDE 2-2x12 W/ 1/2" FLY. HEADERS OVER ALL EXTERIOR OPENINGS UNLESS OTHERWISE NOTED
- ALL EXTERIOR 2x DECKING JOISTS, POSTS, STAIRS, HANDRAILS AND BALUSTERS TO BE PRESSURE TREATED UNLESS OTHERWISE NOTED.
- FOR ADDITIONAL NOTES SEE SPECIFICATIONS AND SHEET DETAILS.
- ALL WINDOW AND DOOR STEEL LINTELS ARE TO BE 3 1/2"x4"x5/16" ANGLES UNLESS OTHERWISE NOTED.

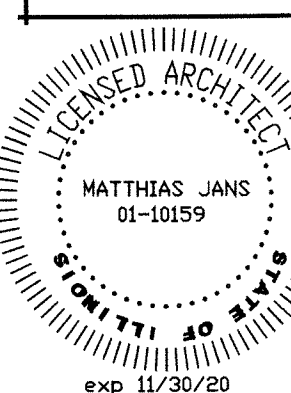
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TOWNSHIP H.S. DISTRICT 211
358 MICHIGAN AVENUE
PALATINE, ILLINOIS 60067



Matthias Jans

REVISION DATES

DATE 1

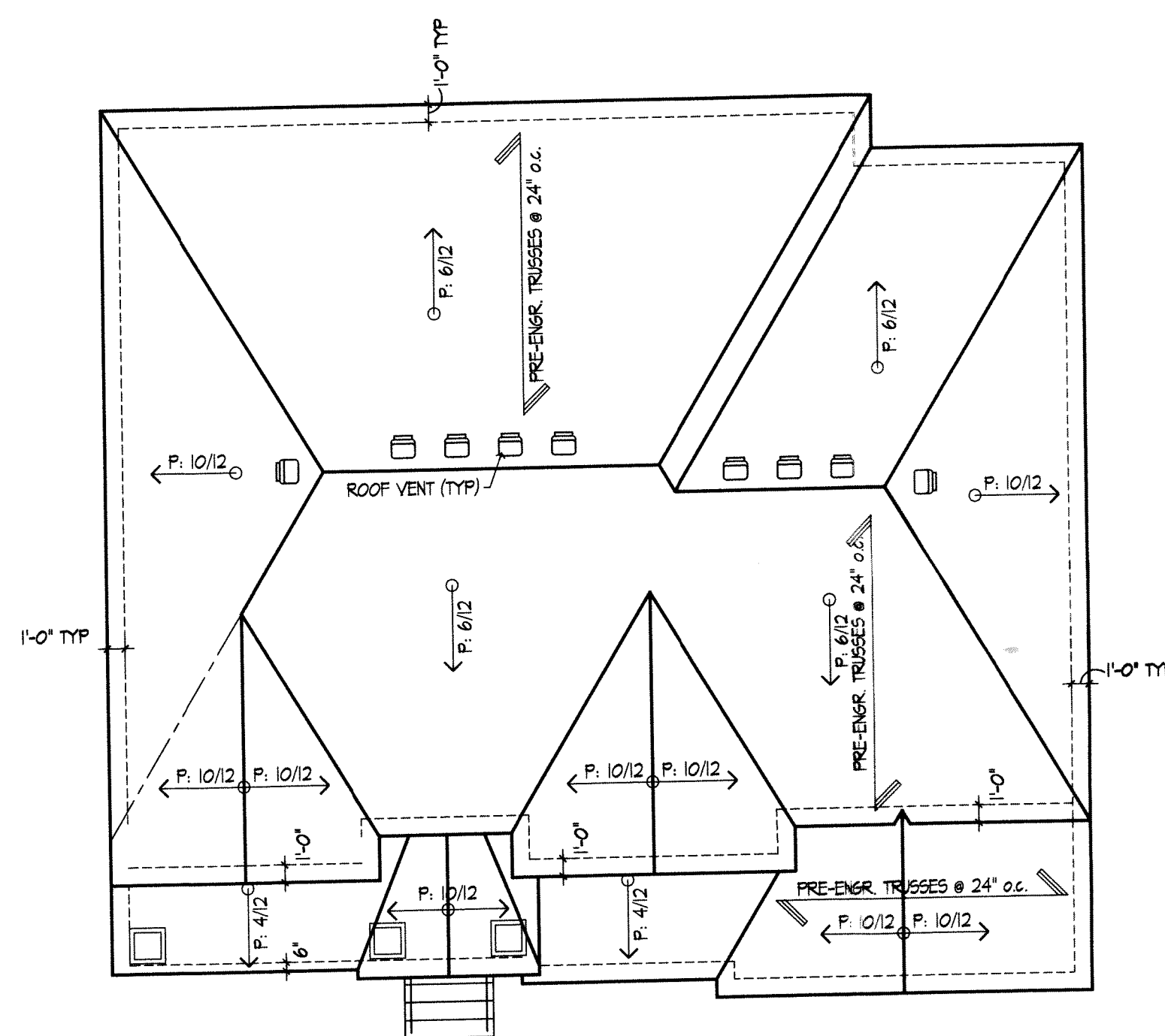
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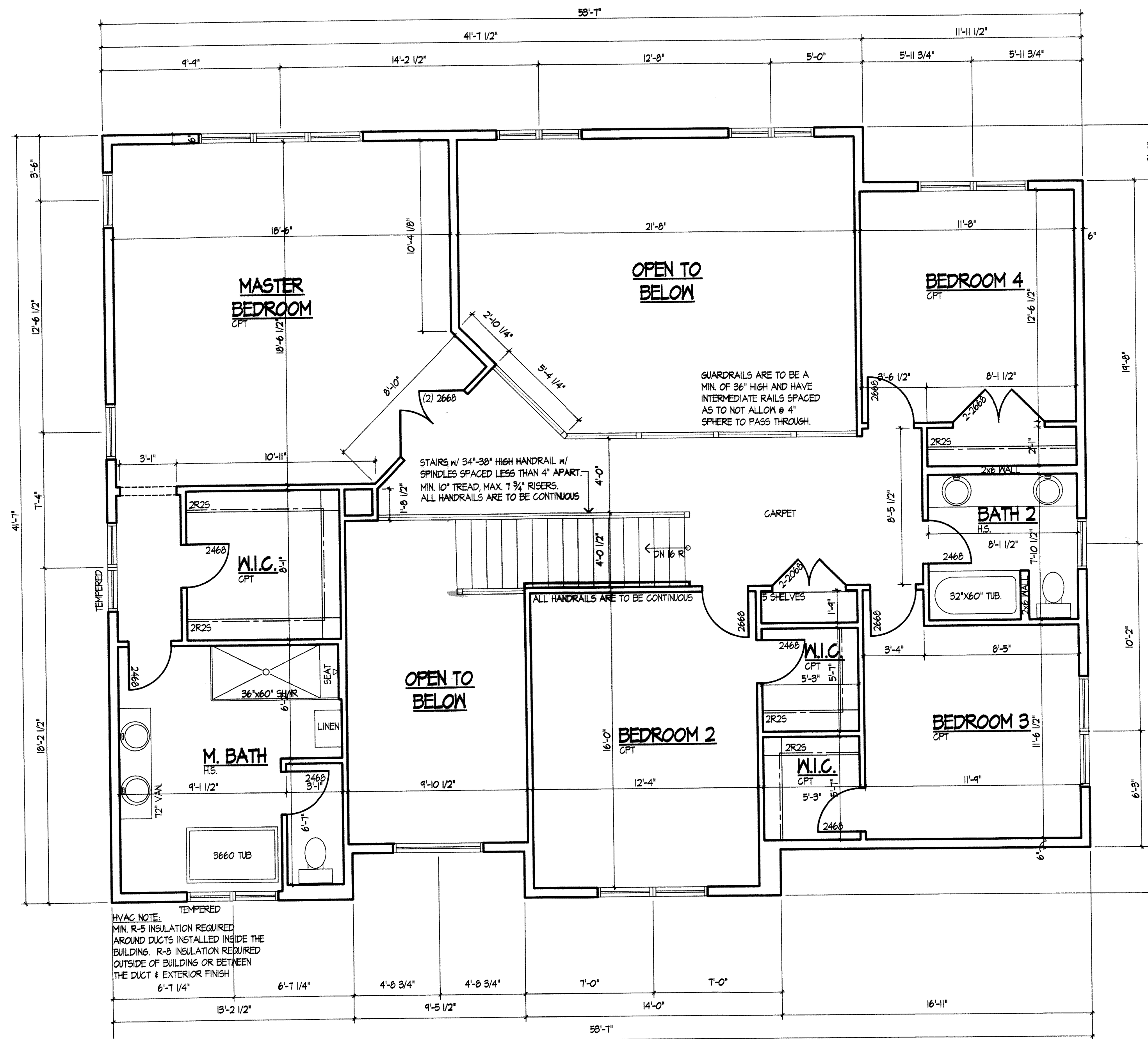
ROOF PLAN

SCALE: 1/8" = 1'-0"

TWO STORY HOUSE ROOF
2160 SQ. FT. OF ATTIC AREA TO BE VENTED
2160 X 1/800 = 7.20 SQ. FT. FREE AREA REQUIRED TOTAL
7.20 X 144 = 1036.8 SQ. IN. (2 = 518.4
518.4/60 = 8.64 (8 ROOF VENTS REQUIRED)
518.4/24 = 21.6 (22 SOFFIT VENTS REQUIRED)
GARAGE ROOF
228 SQ. FT. OF ATTIC AREA TO BE VENTED
228 X 1/800 = .76 SQ. FT. FREE AREA REQUIRED TOTAL
.76 X 144 = 109.4 SQ. IN.
109.4/24 = 4.6 (5 SOFFITS VENT REQUIRED)
PROVIDE SOFFIT VENTS @ 4'-0" O.C. FOR ENTIRE GARAGE ROOF

OVERFRAMING

NOTE
ALL ROOF TRUSSES ARE TO TRANSFER
LOADS TO EXTERIOR WALLS



SECOND FLOOR PLAN

FIRST FLR 1746 S.F.
SECOND FLR 1505 S.F.
TOTAL = 3251 S.F.
GARAGE 614 S.F.
SCALE: 1/4" = 1'-0"

DOUBLE ALL JOISTS UNDER
BATHTUBS AND LAUNDRY
EQUIPMENT.

ALL INTERIOR WALLS
ARE 3/2" UNLESS
OTHERWISE NOTED

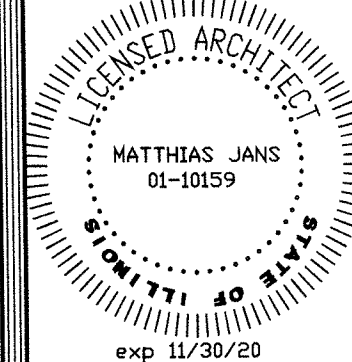
HVAC NOTE:
R-8 INSULATION REQUIRED OUTSIDE
OF BUILDING OR BETWEEN THE DUCT
& EXTERIOR FINISH

HVAC NOTE:
THE DUCTWORK WITHIN THE ATTIC MUST
BE SEALED AIRTIGHT AND INSULATED
TO A MINIMUM OF R-8 OTHER
DUCTWORK OUTSIDE THE THERMAL
ENVELOPE TO R-6.

FLOOR PLAN NOTES:

- DO NOT SCALE DRAWINGS
- ALL INTERIOR NON-LOAD BEARING WALLS TO BE 2X4 STUD @ 16" O.C. UNLESS OTHERWISE NOTED.
- ALL UNDIMENSIONED PARTITIONS ARE 3/2" ROUGH.
- ALL ANGLED PARTITIONS ARE 45 DEGREES UNLESS OTHERWISE NOTED.
- 3-2X4's MIN AT EACH END OF ALL BEAMS AND GIRDER JOISTS UNLESS OTHERWISE NOTED. ALL SUCH CONCENTRATED LOADS SHALL BE TRANSFERRED TO FOUNDATION VIA BEAMS, POSTS OR SOLID BLOCKING.
- ALL EXTERIOR DIMENSIONS ARE TO FACE OF SHEATHING UNLESS OTHERWISE NOTED
- ALL TRUSSES TO BEAR ON EXTERIOR WALLS AND/OR GIRDER TRUSSES UNLESS OTHERWISE NOTED.
- TRUSS MFG. TO SIZE MEMBERS, FASTENERS, HANGERS AND SET SPACING FOR ALL TRUSSES.
- WINDOW SUPPLIER TO VERIFY AT LEAST ONE WINDOW IN EACH BEDROOM TO HAVE A CLEAR EGRESS OPENING OF 5.7 SQ. FT. WITH MIN. DIMENSION OF 24" IN HEIGHT AND 20" IN WIDTH AND SILL HEIGHT NO GREATER THAN 44" ABOVE FLOOR.
- ALL BALCONY FRAMED WALLS TO BE FIRE STOPPED AT TOP OF SILL AND BRACED AT MIDSPAN
- ALL HANDRAIL BALUSTERS TO BE SPACED SUCH THAT 4" SPHERE CAN NOT PASS BETWEEN BALUSTERS.
- ALL ELECTRICAL AND MECHANICAL EQUIPMENT 4 METERS ARE SUBJECT TO RELOCATION DUE TO FIELD CONDITIONS. CONTRACTOR TO VERIFY.
- ALL WINDOW HEAD HEIGHTS AT 6'-10 3/4" UNLESS OTHERWISE NOTED
- PROVIDE 1 3/4" SOLID CORE 1 HR. RATED STEEL DOOR AT HOUSE TO GARAGE DOOR.
- ENCLOSED ACCESSIBLE SPACE UNDER STAIRS SHALL HAVE 1/2" GYP BD ON THE WALLS AND CEILING.
- PROVIDE DOUBLE JOISTS AT PARALLEL PARTITIONS AND SOLID BLOCKING AT PERPENDICULAR PARTITIONS.
- PROVIDE 2-2X12 W/ 1/2" PLY. HEADERS OVER ALL EXTERIOR OPENINGS UNLESS OTHERWISE NOTED
- ALL EXTERIOR 2X DECKING, JOISTS, POSTS, STAIRS, HANDRAILS AND BALUSTERS TO BE PRESURE TREATED UNLESS OTHERWISE NOTED.
- FOR ADDITIONAL NOTES SEE SPECIFICATIONS AND SHEET DETAILS.
- ALL WINDOW AND DOOR STEEL LINTELS ARE TO BE 3 1/2"x4"x5/16" ANGLES UNLESS OTHERWISE NOTED.

TOWNSHIP H.S. DISTRICT 211
358 MICHIGAN AVENUE
PALATINE, ILLINOIS 60067



REVISION DATES

DATE 1

PROJ. START
09/16/19

RBC

JOB #
190XX

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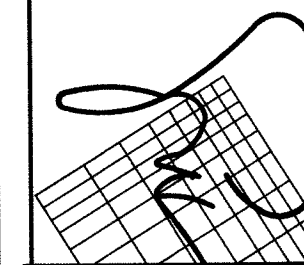
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Consider an Ordinance Amending the Village of Palatine Zoning Ordinance to allow Adult-Use Recreational Cannabis Dispensaries as Special Uses in the Manufacturing and B-5 Highway Business Districts

BACKGROUND:

In June 2019, Governor Pritzker signed Public Act 101-0027 (Cannabis Regulation and Tax Act). This Act legalizes the private consumption and possession of cannabis for Illinois residents over the age of 21. While the Act does not allow any municipality, including those with Home Rule Authority, to restrict the use or possession of cannabis, it does provide local authority relative to the production and sale of cannabis within a given community. Senate Bill 1557 further clarifies that public consumption will not be allowed at locations that have food or drink. Therefore, public consumption will not be allowed at restaurant and bars. It would only be allowed as a dispensary or retail tobacco store, which would have to seek waivers from the Smoke Free Illinois Act from their respective local governments. Therefore, the following text amendments were drafted for the Village Council's consideration:

Text Amendments to the Village of Palatine Zoning Ordinance - Appendix A of the Code of Ordinances - with regulations regarding adult-use cannabis in the Village. The proposed amendments are to Section 3.02 ("Specific definitions"), Section 11.06 (e) Special Uses - B-5 Highway Business District, Section 12.01 (h) Special Uses - Manufacturing District, and a new Article 15 - Adult-Use Cannabis.

KEY ISSUES:

The proposed text amendments were drafted for Village Council consideration for adult-use cannabis dispensing establishments. Many of the surrounding municipalities are also determining what Zoning Ordinance amendments are necessary for consideration by their respective elected officials for such uses.

Current Zoning Ordinance regulation for Adult-Use Cannabis - Sale and Production Uses:

- Prior to June 2019, any proposed cannabis use would not be allowed, as it was illegal. Subsequent to the adoption of Public Act 101-0027, the Zoning Ordinance does not contemplate such uses. Therefore, the existing process would require that any proposed use, which is not identified or listed in the Zoning Ordinance, follow the Special Use process as a Unique Use. Unique Uses are defined as follows:

Unique Uses. A use not otherwise listed as a Permitted Use or Special Use within any zoning district. (Ord. 0-72-07, §3, 5/14/07; Ord. 0-85-12, §2, 6/18/12)

- Unique uses are listed as Special Uses within all of the business districts and manufacturing district within the Village. As such, if the Zoning Ordinance is not amended, every zoning district, could be subject to the sale or production of cannabis, as a Special Use for a Unique Use or Accessory Unique Use.

Proposed Zoning Ordinance amendments regulating Adult-use cannabis dispensing establishments:

- In order to provide the Village Council with a draft ordinance for consideration, the proposed Ordinance identifies *Adult-Use Cannabis Dispensing Establishments*, as Special Uses with the B-5 (Highway Business District) and M (Manufacturing District) Districts, subject to specific requirements and operational compliance considerations.
- The proposed amendments relate only to dispensing establishments. There is no consideration of production or growing establishments, within the draft ordinance.
- This would be reflected in a new Section 15 (“Adult-Use Cannabis”) of the Zoning Ordinance and would require the following:
 - The proposed adult-use cannabis dispensing establishment must be licensed by the Illinois Department of Financial and Professional Regulation to operate a medical cannabis dispensing organization under the Compassionate Use of Medical Cannabis Pilot Program Act. The medical cannabis dispensing location need not be in Palatine but the licensee shall have gone through that process with the State.
 - Any adult-use cannabis dispensing establishments cannot be located within 1,500 feet of a building in which there is located a pre-existing public or private nursery school, pre-school, primary or secondary school, or day-care facility. Learning centers and vocational/trade centers shall not be classified as a public or private school for purpose of the proposed ordinance. ***At the Public Hearing, the Plan Commission recommended increasing the school separation to 2,500 feet (.47 miles). The draft ordinance for consideration maintains the initially proposed 1,500 feet, as it is consistent or exceeds other proposed municipal zoning regulations for such uses. The primary impact of the Plan Commission's suggested increase would be eliminating the entire Vermont Street area Manufacturing District. This is due to the distance from the District 211 Alternative School on Illinois Avenue, Kirk School, Sandborn School, and South Campus/New Connections Academy (located on E. Wilmette Road). The Plan Commission's suggested distance requirement would also impact a few parcels on Colfax Street due to the distance from Paddock School.***
 - Adult-use cannabis dispensing establishments shall not be located within 500 feet of any property that is either owned by a Park District or utilized

for Park District purposes, unless separated by railroad tracks. ***At the Public Hearing, the Plan Commission recommended increasing the park district separation to 1,000 feet (.19 miles). The draft ordinance for consideration maintains the initially proposed 500 feet, as it is consistent or exceeds other proposed municipal zoning regulations for such uses.***

- Adult-use cannabis establishments may not be located in a dwelling unit nor abutting or directly across the street from any residential use.
- Adult-use cannabis establishments cannot conduct sales or distribution of cannabis other than authorized by the Act. On-site consumption is also prohibited.
- The Village review process would follow the Special Use review process, with an evaluation of the following components for review:
 - Impact of the proposed facility on the existing or planned uses located within the vicinity of the Subject Property.
 - Site design and a review of the proposed structure in which the use will be located, including any co-tenancy, square footage, Building Code compliance, and security plan for the use.
 - Parking demand, available parking supply, and anticipated traffic generation.
 - Proposed signage plan.
 - Hours of operation and the anticipated number of customer and employees.
- Any requested Special Use would follow the typical Public Hearing notification process, per the Zoning Ordinance requirements, prior to a Public Hearing before the Zoning Board of Appeals or Plan Commission and subsequent Village Council review.
- The Plan Commission also included a recommendation for Village Council consideration regarding a limit to the total number of adult-use dispensaries to a maximum of 4. The draft ordinance requirements do not include a maximum number of dispensaries, as the proposed school and park district spacing requirements and minimum separation between dispensaries in the Act (1,500 feet) will be self-limiting.

ALTERNATIVES:

1. Approve the Text Amendments to Section 3.02 - Specific definitions, 11.06 - B-5 District Special Uses, 12.01 - Manufacturing district Special Uses, and a new Article 15 - Adult-use cannabis.
2. Do not Approve the Text Amendments to Section 3.02 - Specific definitions, 11.06 - B-5 District Special Uses, 12.01 - Manufacturing district Special Uses, and a new Article 15 - Adult-use cannabis.

RECOMMENDATION:

Public Hearing: Plan Commission - November 19, 2019

Residents testifying: 18: Concerns with the Village choosing to opt in for adult-use cannabis sales; proximity to schools, churches, and parks; concerns for the Colfax Street corridor as an eligible area. 1 person spoke in support for the allowing adult-use cannabis dispensaries and within Rand Road area.

Vote: The Plan Commission voted 8-0 to approve the amendments, with some recommended changes to the school and park district separation distances and total number of dispensaries allowed within the Village. The proposed ordinance for Village Council consideration maintains the initial separation distances for schools and parks and does not include a number limitation.

ACTION REQUIRED:

Motion to approve an ordinance amending the Zoning Ordinance to allow Adult-use cannabis dispensing establishments as Special Uses within the Village of Palatine's Manufacturing and B-5 Zoning Districts.

ATTACHMENTS:

- ORD - 11-12-2019 Text Amendment Adult-use cannabis dispensaries - clean
- Copy of Retail Cannabis Dispensaries Survey - NWMC
- Opt out petition submitted at the Plan Commission meeting
- DRAFT Plan Commission minutes - November 19th meeting
- Public Notice - Cannabis Text Amendments

RESULT:	MOTION CARRIED BY ROLL CALL [5 TO 2]
MOVER:	Kollin Kozlowski, District 5 Councilman
SECONDER:	Scott Lamerand, District 2 Councilman
AYES:	Schwantz, Lamerand, Myslinski, Solberg, Kozlowski
NAYS:	Tim Millar, Brad Helms

ORDINANCE NO. 2019 - _____

**AN ORDINANCE AMENDING THE VILLAGE OF PALATINE ZONING ORDINANCE
BY THE ADDITION OF REGULATIONS REGARDING ADULT-USE CANNABIS
IN THE VILLAGE OF PALATINE**

WHEREAS, the Village of Palatine, Illinois, has enacted Municipal Code Regulations for the purpose of improving and protecting the public health, safety, comfort, convenience and general welfare of the people; and

WHEREAS, the State of Illinois enacted the Cannabis Regulation and Tax Act (Act), which pertains to the possession, use, cultivation, transportation and dispensing of adult-use cannabis, which became effective June 25, 2019; and

WHEREAS, pursuant to the Act, the Village may enact reasonable zoning ordinances or resolutions not in conflict with the Act, regulating cannabis business establishments, including rules adopted governing the time, place, manner and number of cannabis business establishments, and minimum distance limitations between cannabis business establishments and locations the Village deems sensitive; and

WHEREAS, the Village staff has researched the regulations on adult-use cannabis, commonly referred to as recreational marijuana, in the Village; and

WHEREAS, the Plan Commission recommended approval of the proposed amendments to Chapter __, __, __ of the Zoning Ordinance on _____.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND VILLAGE COUNCIL OF THE VILLAGE OF PALATINE, COOK COUNTY, ILLINOIS, as follows:

Section 1. The foregoing recitals are hereby adopted and incorporated into and made a part of this Ordinance as if fully set forth herein.

Section 2. Article III of the Village Zoning Ordinance, entitled “Rules and Definitions” is hereby amended by adding the following definition to Section 3.02 in alphabetical order:

Adult-use cannabis dispensing establishments. A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act (P.A. 101-

0027), as it may be amended from time to time, and regulations promulgated thereunder. An adult-use cannabis dispensing establishment shall not include a cultivation center, craft grower, processing organization, infuser organization or transporting organization as defined by the Illinois Cannabis Regulation and Tax Act.

Section 3. Article XV entitled “Adult-Use Cannabis”, is hereby added to Appendix A of the Code of Ordinances, Village of Palatine, Illinois as follows:

- 15.01 *Purpose and Applicability. It is the intent and purpose of this Section Article XV to provide regulations controlling an adult-use cannabis dispensing establishment operating within the corporate limits of the Village. Such facilities shall comply with all regulations provided in the Cannabis Regulation and Tax Act (P.A. 101-0027) (Act), as it may be amended from time to time, and regulations promulgated thereunder, and the regulations provided below. In the event that the Act is amended, the more restrictive of the state or local regulations shall apply.*
- 15.02 *Adult-Use Cannabis. Adult-use cannabis dispensing establishments, as defined in Section 3.02 shall require an approval of a Special Use in either the B-5 Highway Business District or the M Manufacturing Districts and the Special Uses shall be processed in accordance with Section 14.05 et seq. (Special Uses) of the Village Zoning Ordinance as provided herein, and shall be subject to the conditions set forth in Section 15.04.*
- 15.03 *Adult-Use Cannabis Dispensing Establishment Components: In determining compliance with Section 14.05 (Special Uses), the following components of the adult-use cannabis dispensing establishment shall be evaluated based on the entirety of the circumstances affecting the particular property in the context of the existing and intended future use of properties:*
- (a) Impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.*
 - (b) Proposed structure in which the facility will be located, including the co-tenancy (if in a multi-tenant building), total square footage, security installations/security plan and building code compliance.*
 - (c) Hours of operation and anticipated number of customers and employees.*
 - (d) Anticipated parking demand and available private parking supply.*
 - (e) Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.*
 - (f) Site design, including access points and internal site circulation.*

- (g) *Proposed signage plan.*
- (h) *Compliance with all requirements provided in this Section 15.03.*
- (i) *Other criteria determined to be necessary to assess compliance with Section 14.05 (Special Uses).*

15.04 Adult-Use Cannabis Dispensing Establishment: An adult-use cannabis dispensing establishment must comply with the following:

- (a) *Facility must be operated by an organization or business that is currently licensed by the Illinois Department of Financial and Professional Regulation to operate a medical cannabis dispensing organization under the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130 et seq.)*
- (b) *Facility must keep a copy of the dispensing organization agent identification card issued pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act visible and conspicuously displayed at all times.*
- (c) *An adult-use cannabis dispensing establishment building shall not be located within 1,500 feet of the building in which is located a pre-existing public or private nursery school, pre-school, primary or secondary school, or day care facility. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.*
- (d) *An adult-use cannabis dispensing establishment building shall not be located within five hundred (500) feet of property either owned by a Park District or utilized for park district purposes, unless separated by railroad tracks.*
- (e) *An adult-use cannabis dispensing establishment shall not be located in a dwelling unit.*
- (f) *An adult-use cannabis dispensing establishment shall not abut nor be directly across the street from any residential use.*
- (g) *At least 75% of the floor area of any tenant space occupied by an adult-use cannabis dispensing establishment shall be devoted to the activities of the cannabis dispensing establishment as authorized by the Act, and other than cannabis infused food products, no cannabis dispensing establishment shall also sell food for consumption on the premises in the same tenant space.*

- (h) Facility shall not conduct any sales or distribution of cannabis other than as authorized by the Act.
- (i) Adult-use cannabis dispensing establishments are prohibited from allowing on-site consumption of cannabis under all circumstances.
- (j) For purposes of determining required parking, adult-use cannabis dispensing establishments shall be classified as “Business and Retail Uses” area as per Section 7.03 (b) (1), provided however that the Village may require that additional parking be provided as a result of the analysis completed through Section 14.05 (Adult-Use Cannabis: Special Use) herein.
- (k) Petitioner must submit a complete copy of their state license application and all plans submitted to the State of Illinois, or any agency thereof, as part of their special use application. Before issuance of a certificate of occupancy or otherwise opening to the public, adult-use cannabis dispensing establishments must provide a copy of their license to operate as an adult-use cannabis dispensing establishment from the respective state agency.
- (l) Petitioner shall file an affidavit with the Village affirming compliance with this Section 15.04 and all other requirements of the Act.

15.05 *Additional Requirements.* Petitioner shall install building enhancements, such as security cameras, lighting or other improvements, as set forth in the Special Use permit, to ensure the safety of employees and customers of the adult-use cannabis dispensing establishments, as well as its environs. Said improvements shall be determined based on the specific characteristics of the floor plan for an adult-use cannabis dispensing establishment and the site on which it is located, consistent with the requirements of the Act.

15.06 *Violation / Penalties* – Any violation of this Article XV shall be punishable as provided in Section 1-8 of the Code of Ordinances of the Village of Palatine, Illinois.

Section 4. Article XI entitled Business Districts is hereby amended by adding the following section to:

Section 11.06 (e) B-5 Special Uses: (42) *Adult-Use Cannabis Dispensing Establishment as defined in Section 3.02.*

Section 5. Article XII entitled Manufacturing Districts is hereby amended by adding the following section to:

Section 12.01 Manufacturing District Special Uses: *(h) (22) Adult-Use Cannabis Dispensing Establishment as defined in Section 3.02.*

Section 6. That consistent with this Ordinance, Appendix A of the Palatine Zoning Ordinance, of the Village Code shall be amended as set forth above.

Section 7. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 8. This Ordinance shall be in full force and effect from and after its passage and approval.

AYES: _____

NAYES: _____

ABSENT: _____

PASSED: _____, 2019

APPROVED: _____, 2019

APPROVED:

Jim Schwantz, Mayor

ATTEST:

Marg Duer, Village Clerk

C:\RCK\VOP\11-12-2019 Recreational marijuana draft ordinance

Retail Cannabis Dispensaries Survey

Municipality	Has your Village Board / City Council either opined or formally voted yet on authorizing or prohibiting retail cannabis dispensaries?	If your Village Board / City Council has not yet opined or formally voted, how likely is it that you think they will authorize at least on retail cannabis dispensary? (Very Likely 1 - 5 Not Likely)	If your municipality already has a medical cannabis dispensary operating, have you encountered any police-related / safety / security incidents at that location?	Comments
Antioch	UNKNOWN at this point.	3 Unknown at this point.	N/A.	
Bannockburn	UNKNOWN at this point.	3 We may consider a retail cannabis dispensary with restrictions. Our Plan Commission Zoning Board of Appeals will be reviewing the issue in October.		
Buffalo Grove	YES, they want to authorize. Public discussion will occur on August 5, at this point direction is still informal.	1	NO, zero incidents that we're aware of.	
Des Plaines	UNKNOWN at this point.	3	N/A.	
Glencoe	UNKNOWN at this point.	3 Unknown.	N/A.	The Village Board's most recent activity regarding recreational cannabis is attached. The resolution was passed in June 2019.
Glenview	UNKNOWN at this point.	4	N/A.	
Grayslake	YES, they want to prohibit. Village board is looking to prohibit it for a year and then make a decision on if they would like to allow it.	1		

Retail Cannabis Dispensaries Survey

6.B.1.A.b

Municipality	Has your Village Board / City Council either opined or formally voted yet on authorizing or prohibiting retail cannabis dispensaries?	If your Village Board / City Council has not yet opined or formally voted, how likely is it that you think they will authorize at least on retail cannabis dispensary? (Very Likely 1 - 5 Not Likely)	If your municipality already has a medical cannabis dispensary operating, have you encountered any police-related / safety / security incidents at that location?	Comments
Highland Park	UNKNOWN at this point. This matter was continued to our 8/12 COTW meeting.	3 The City currently permits medical dispensaries; the Council is divided on whether or not to permit retail cannabis. If there is support, staff recommends that the zoning be limited to those districts which allow medical as a conditional use (limited retail and industrial).	NO, zero incidents that we're aware of.	
Lake Forest	YES, they want to prohibit.			
Lake Zurich	UNKNOWN at this point. Expect to have the public discussion begin in August.	3	Do not have one.	
Lincolnshire	UNKNOWN at this point.	3		
Niles	UNKNOWN at this point.	3 Too soon to tell.	N/A.	
Palatine	UNKNOWN at this point.	3	NO, zero incidents that we're aware of. We don't have a medical dispensary.	
Park Ridge	UNKNOWN at this point. To be discussed at August 12 Committee of the Whole.			
Rolling Meadows	UNKNOWN at this point. We will be talking to the City Council at our August 20th Committee-of-the-Whole meeting on this subject.	Very likely because currently we do have a medical dispensary in town.	NO, zero incidents that we're aware of. Good neighbor and good business.	
Schaumburg	UNKNOWN at this point.	3	NO, zero incidents that we're aware of.	

Retail Cannabis Dispensaries Survey

Municipality	Has your Village Board / City Council either opined or formally voted yet on authorizing or prohibiting retail cannabis dispensaries?	If your Village Board / City Council has not yet opined or formally voted, how likely is it that you think they will authorize at least on retail cannabis dispensary? (Very Likely 1 - 5 Not Likely)	If your municipality already has a medical cannabis dispensary operating, have you encountered any police-related / safety / security incidents at that location?	Comments
Streamwood	UNKNOWN at this point.	3 Not really sure.		
Wheeling	YES, they want to authorize.	1	N/A.	
Wilmette	UNKNOWN at this point.	3 We have had no discussions so unsure at this point.	N/A.	We may consider a referendum for the community to determine whether they wish to allow the retail sale of cannabis.

page 2/2 29 out of 35 people signed "Opt Out" sheet at the meeting.
 please pass our voice to the board of trustee. Thank you!

Palatine meeting 11/1/19

OPT-OUT of Recreational Marijuana Sales in Vernon Hills



We the undersigned want the Vernon Hills Village Board to vote OPT OUT on allowing the retail sale of recreational marijuana in Vernon Hills!

	Print Name	Address (Vernon Hills)	Zip Code	Email Address	Signature	Date
18.	Weimin Sun					
19.	Jasun Sun					
20.	Kevin Yang					
21.	Mengweiliu					
22.	Pring Qr					
23.	Ticki Wilson					
24.	LISA MORAN					
25.	Hang Yuan					
26.	Nancy Hu					
27.	Helen PLao					
28.	Allen cheng					
29.	Qiang Tu					
30.	Joseph Qian					

please put the statistics of this fact into today's meeting minutes.
 THANK YOU ALL !!!

Attachment: Opt out petition submitted at the Plan Commission meeting (2019-109 : Adult-Use

Page 1/2.
~~30~~ out of 35 people signed 'Opt Out' sheet at the meeting.
 Please pass our voice to the board of trustee. Palatine
 meeting on 11/19/19

OPT-OUT of Recreational Marijuana Sales in Vernon Hills



Thanks! We the undersigned want the Vernon Hills Village Board to vote OPT OUT on allowing the retail sale of recreational marijuana in Vernon Hills!

Print Name	Address (Vernon Hills)	Zip Code	Email Address	Signature	Date
1. Di Yang					
2. Weirui Sun					
3. Yan Cui					
4. Steve Gran					
5. Jing Wang					
6. Yi Ruan					
7. Wenli Wang					
8. Bibin					
9. Ran Duan					
10. Shuhui Qiu					
11. SHI QI SHI					
12. Suchong Hua					
13. Hongmei Guo					
14. Jason Qiu					
15. Ling Qiu					
16. Joan Li					
17. Wenli Wang					

Dear Trustee,

Thank you for giving me the chance to speak. Before I left my home, I received an international call from my aunt calling from China. She is so worried after she knows that I'm getting involved in anti-drug activities. She heard from my father, who lives with me. She begged me not to do ^{it} ~~anything about~~ because she is afraid that I might be harmed by people who vote in.

2. Text Amendments to the Village of Palatine Zoning Ordinance - Adult-use cannabis - Article 3 - Rules and Definitions (Section 3.02), Article 11 (Section 11.06), Article 12 (Section 12.01), and a new Article 15 (Adult-Use Cannabis) -

Chairman Dwyer read the notice of public hearing that was published in the Daily Herald on November 4, 2019 and mailed to the owners of the surrounding properties.

The following petitioner's exhibits were introduced:

1. Public Notice
2. Proposed Text Amendments -Adult Use Cannabis Regulations- Appendix A dated 11/12/19
3. Copy of Retail Cannabis Dispensaries Survey- Lake Zurich

Sworn in Staff: Mr. Patrick Brankin Village attorney, Mr. Ben Vyverberg Director of Planning and Zoning, and Ms. Katie Rivard Planner II for the Department of Planning and Zoning

Mr. Brankin gave a brief overview of the new Cannabis regulations and tax act that will go into effect January 1, 2020, which legalizes the private use of Cannabis for persons over 21. He further explained municipalities cannot restrict the private possession and use of cannabis that is authorized by the act. He stated the act restricts the use of Cannabis in public places. Mr. Brankin explained licenses for businesses will be handled by the State of Illinois with no local license authority granted to municipalities. He spoke to license that are already being granted within the state of Illinois, with priority being given to businesses that already possess the medical marijuana license. Mr. Brankin explained land use regulations related to the sale, time, place, manner, and number was left to the municipalities to enact as part of the municipality zoning authority. He stated there is no license or prohibition authority that a municipality can enact, but rather can regulate through land use regulations. Mr. Brankin explained as the Village Council addresses the question whether to opt in or opt out, they directed staff to process a text amendment that would involve land use regulations to be considered in the event the Village Council makes the decision to opt in. He further explained this decision has not been made yet and will be discussed and debated at a future Village Council meeting. Mr. Brankin stated the policy decision to opt in or opt out is not before the board tonight, but rather from a land use aspect if the Village decides to opt in, if the text amendments are reasonable and sufficient regulations.

Mr. Vyverberg stated the state passed public act 101-0027 in June 2019 which was clarified with an amendment bill senate bill 15-57. He explained prior to the passing of this law the zoning ordinance was silent to this use and state law and the Village code prohibited the consumption or sale of marijuana, as it was illegal. He explained with the passage of this law since the use is not contemplated in the zoning ordinance, it would fall under a special use for a unique use process, in the zoning ordinance. He gave a brief overview of the text

amendment, referring to the slides and explaining the unique use process. Mr. Vyverberg explained the text amendment components for the proposed definition of an adult-use cannabis dispensaries and would be considered special uses in the B5 and Manufacturing Districts. There are also specific requirements, as part of the special use review. He explained there is guidance provided by the Illinois Municipal League model ordinance, as reviewed by the Village Attorney and within the state act. Mr. Vyverberg referred to the slide explaining the restrictions and requirements for application to open an adult use cannabis dispensing establishment. Mr. Vyverberg summarized the text amendment includes the definition, special use review within the B5 and the manufacturing districts, and the additional requirements will fall under a new Article 15, which specifically addresses adult use cannabis establishments. Staff prepared an initial map based upon these requirements, indicating what properties would be eligible given the specific separation and spacing requirements proposed.

Chairman Dwyer asked if the wording in the proposed text amendments is similar to other municipalities

Mr. Vyverberg explained the Illinois Municipal League drafted a model ordinances many communities are likely using a basis in drafting their specific ordinances.

Mr. Vyverberg referred to zoning map slides indicating potentially eligible and ineligible properties, within the proposed regulations.

Mr. Hansen asked about the zoning map on Rand and why there is a red x in the middle of the green x

Mr. Vyverberg explained if there is an active rental license it is deemed residential use any abutting properties would become ineligible.

Mr. Friedman referred to the slide showing Northwest Hwy and Hicks area asking why properties in the middle are disqualified.

Mr. Vyverberg explained there is a separation requirement to prevent properties that are within the regulations for residential and park district properties as well as school operated properties.

Mr. Vyverberg continued to review the zoning map slides.

Chairman Dwyer clarified the focus of the hearing is to establish places that adult use cannabis establishments could be located if the Village Council opts in.

Mr. Vyverberg answered yes.

Mr. Brankin stated the only distance requirements under the state act is 1,500 feet between dispensaries pointing out there is no distance regulations for schools. He explained the slides of locations are unique as in they take in account the draft regulations that are before the board tonight.

Mr. Kolososki asked about the impact if the distance from schools was increased to 2000 feet.

Mr. Vyverberg explained staff did not review varying distances. Staff used the

model distances for the draft ordinance and comparable communities and could not accurately comments on how many additional properties would be disqualified with an increase of 500 feet. The base number of 1500 feet was drafted with the Village attorney to be a reasonable requirement.

Mr. Friedman asked is there are other variables, other than placement and site safety measures listed in the ordinance that may be included during the special use process.

Mr. Vyverberg answered yes explaining that staff intended to develop a base for minimum standards and then allow the ZBA and the Village Council to judge based on the proposed special use location and specific business plan.

Ms. Robins asked if the state law says anything about how many dispensaries can be in Village

Mr. Brankin answered no, explaining the Village Council can further regulate the number allowed.

Mr. Bettenhausen asked if the board can discuss how many dispensaries allowed or if that is a Council decision.

Mr. Brankin explained that the Plan Commission can review and recommend as part of the text amendment.

Sworn in Mr. Steve Gran

Mr. Gran stated he is in favor of medical marijuana and thinks the Village has an organized ordinance for planning. He stated he wants the Village to opt out.

Chairman Dwyer interjected explaining that is not for discussion at this meeting.

Discussion on the focus of the meeting and when the meeting will be held to discuss the sale of cannabis in the Village.

Mr. Brankin explained the general location of sales is for discussion but the general policy question of whether to opt in or out will be discussed before the Village Council at a future date.

Mr. Gran expressed concern with locations relative to schools.

Chairman Dwyer asked if 1500ft. from schools not sufficient.

Discussion on the distance indicated in the ordinance for schools.

Mr. Vyverberg pointed out there is also a park district facility distance requirement, as well.

Mr. Gran expressed concern on effect on children comparing it to vaping. He stated he would like to see a limit of amount of businesses in the Village.

Discussion on other municipalities on the amount of facilities and how it is a policy decision.

Mr. Gran asked if that meeting will be announced

Mr. Brankin stated the meeting agendas are always posted online in advance.

Sworn in Mr. Joseph Chen - Palatine

Mr. Chen stated the majority of citizens don't want to see a marijuana sale store in community. He expressed concern with the distance from schools and recreation centers. He stated the sale of marijuana is targeting the children. Chairman Dwyer interjected stating his testimony is not relevant to this hearing.

Mr. Chen requested the location distance to be at least 1 mile from anywhere there are a lot of students because free bus service is only given to properties 1 mile away from schools. Chairman Dwyer asked for a show of hands on people who agree. Majority of room agreed.

Sworn in Paul Lopiccicolo

Mr. Lopiccicolo stated he is a Palatine resident and has been following the planning and appreciates the positioning and locations that are put up for the use. He expressed concern with the Colfax corridor. He stated it is not the best area for sales because it is too much into the heart of the city and will draw people into the area. Mr. Lopiccicolo stated it is a high traffic slow speed area that is great for industry. He stated he would like to see more by the Rand corridor where it is heavier traffic and easier access to 53. Mr. Lopiccicolo stated he would like to see restrictions of number of dispensaries rather than production.

Sworn in Ms. Weimin Sun 120 W Sycamore Ct.

Ms. Sun spoke to Schaumburg limiting the number of licenses to 5 and how it makes sense because it gives comfort to people that it won't be all over the place. She expressed concern with store locations being in high crime area.

Chairman Dwyer asked staff if the police consider the permitted use areas as high crime.

Mr. Vyverberg explained that the police department would review any proposed special use application for this use, during the special use process.

Chairman Dwyer clarified the use will still need to apply for a special use and go in front of zoning and council for approval.

Ms. Sun stated she trusts that the village will ensure the licenses won't be abused.

Discussion on how licenses will be applied for.

Ms. Sun asked if they can smoke at the dispensaries.

Mr. Brankin stated the text amendment prohibits consumption on premises.

Sworn in Ms. Amy Fell 162 S Fremont Palatine, IL

Ms. Fell agreed with Mr. Lopiccicolo about Colfax not being a great location based on the downtown plan and the possible goal to extend the downtown development up northwest Colfax. Ms. Fell asked if signage would be relevant to this meeting.

Chairman Dwyer stated there is a separate signage ordinance with limitations on the amount and size of signs.

Mr. Brankin explained the state act specifically addresses advertising.

Mr. Vyverberg noted there is a specific requirement in the special use process that states a business has to submit a sign plan review.

Chairman Dwyer clarified a special use is not automatic.

Mr. Vyverberg explained it is an evaluation of the subject property, proposal, and specific to all the circumstances that relates so is site specific.

Sworn in Ms. Susan Sun

Ms. Sun agreed that the distance should be increased to at least 1 mile from school, recreation centers, residential, daycare and government places. She also agreed to stay away from Colfax because of the high traffic and closeness to the Metra station, post office and YMCA.

Mr. Vyverberg explained there is a component of the proposed Article 15, which includes 3 things that speak to traffic including parking demand, traffic generation, and site design and internal site circulation.

Chairman Dwyer asked if the ordinance can include wording to limit locations to properties on a road that has 4 lanes or more to address traffic issues.

Mr. Brankin stated that is a place type restriction. He stated there can be limits to certain corridors or frontages but explained the board needs to be careful to not be overly restrictive. Mr. Brankin explained if the restrictions essentially prohibit it can lead to the zoning restrictions being subject to a challenge.

Chairman Dwyer pointed out the increase of distance from schools being a mile would probably not pass the reasonability test

Mr. Brankin explained if the result would be none allowed then the zoning restrictions would be subject to challenge. He further explained the 1 mile would be essentially a back door prohibition.

Sworn in Mr. Paul Shafer 304 N Carter

Mr. Shafer asked if the restrictions are comparable to those set forth for liquor stores.

Mr. Brankin stated it is greater for the dispensaries.

Sworn in Kevin Yang 4216 Forest Glen Dr. Hoffman Estates, IL

Mr. Yang asked if there is a list of locations that are included on the distance restrictions.

Mr. Vyverberg referred to the ordinance indicating what areas are included in the distance restrictions.

Mr. Yang requested that residential areas and churches be included in this list.

Chairman Dwyer asked staff if churches are included.

Mr. Vyverberg answered no and repeated the list pointing out the restrictions on residential, school, and park district properties.

Mr. Hansen asked Mr. Vyverberg what the definition of a learning center is.

Mr. Vyverberg explained a learning center such as a tutoring facility.

Mr. Yang asked about the limitation on hours

Mr. Vyverberg repeated this would be a component of the special use process which includes providing a business plan which will be under review by staff including the police and fire department.

Chairman Dwyer clarified appropriate hours are based on location so would be better to leave it to staff review at the time of application.

Ms. Robins asked if the church has a school would it fall in the restricted area list. Mr. Vyverberg answered yes.

Sworn in Ms. Wendy Wang 5407 Deerfield Lane Rolling Meadows, IL

Ms. Wang stated she lives within the Palatine park district and suggested to include park recreation centers in the ordinance.

Chairman Dwyer clarified that it is already included

Ms. Wang expressed concern with the distance from the school.

Mr. Noonan asked Mr. Brankin at what age can marijuana be purchased

Mr. Brankin stated 21.

Mr. Friedman asked how this affects land use outside of Palatine such as properties that abuts Palatine

Mr. Brankin answered yes. He explained the maps were drawn to include those properties.

Chairman Dwyer stated the board would take surrounding areas into account during the special use process as well.

Sworn in Mr. Ran Duan 502 S Stuart lane

Mr. Duan stated the transaction of marijuana is against his religious belief

Chairman Dwyer interjected that is outside of the scope of the hearing.

Mr. Duan requested the distance be 1 mile from school and 2 miles from church

Sworn in Mr. Alan Chen Northbrook, IL

Mr. Chen stated he went to the plan commission meeting in Northbrook and was told he was at the wrong meeting. He stated when he went in front of the trustees they were told they were only discussing zoning, so he believes that his voice was never heard.

Chairman Dwyer asked Mr. Brankin if Northbrook had their opt in meeting yet Mr. Brankin stated he cannot speak to Northbrook

Sworn in Ms. Mengwei Liu Glenview, IL

Ms. Liu expressed concern with dispensaries selling to minors pointing out sometimes liquor stores sell to under 21.

Chairman Dwyer stated dispensaries check IDs because if they don't they go out of business.

Ms. Liu suggested their license be revoked if caught selling to under 21.
Chairman Dwyer stated that is outside the scope of the hearing.

Ms. Liu requested putting a limit on hours. She stated she would like to limit locations to at least 1 mile from kids' activities including parks and limit hours to 9-3 while kids are in school.

Sworn in Mr. Wei Wang 1149 S Parkside Dr.

Mr. Wang expressed his concern with distance putting too much restriction where he won't be able to find a location to open a store if the Council opts in.

Sworn in Ms. Di Yang 398 E Royal St George Vernon Hills, IL

Ms. Yang stated she understands the discussion is about location, but wants to say not to allow opening a store.

Chairman Dwyer stated that is not the scope of this hearing

Ms. Fell expressed concern with the area by Helen and Hicks having a few parcels that are being considered as possible permitted locations. She stated Helen is the entrance to a residential community and expressed concern with the increase of traffic this would cause.

Chairman Dwyer asked if Helen is 2 lanes

Ms. Fell answered it is 2 lanes

Mr. Qian requested adding residential areas to the 1 mile distance restriction.

Mr. Gran spoke to the rental programs crime free seminar and suggested they get info on high crime areas from them to assist on location planning.

Chairman Dwyer stated that would be part of the special use process.

Sworn in Ms. Vicky Wilson 104 Wilson Ct

Ms. Wilson expressed concern that the 1500 feet is too close being only .284 miles. She stated the property value is already struggling and is concerned this will make it worse. She asked about other village's distance requirements and spoke about the shopping center at Palatine and Quentin Roads.

Chairman Dwyer asked staff if 1500 feet is fairly common

Mr. Brankin explained it is typical, but zoning is purely local decision.

Ms. Wilson asked if staff has data.

Mr. Brankin explained the data is generally consistent.

Chairman Dwyer stated Schaumburg's proposed is 1500 feet, as well as Buffalo Grove.

Ms. Wilson expressed concern with the amount of data

Sworn in Ms. Weimin Sun 120 W Sycamore Ct Palatine, IL

Ms. Sun requested considering adding a limit of licenses like Schaumburg. She

asked if restrictions can be added for signs to not make obvious. Chairman Dwyer stated the state law puts limitations and this will be addressed during the special use process.

Ms. Sun asked when the opt in and opt out hearing will be heard and if there will be a limit on number of people who can present.

Mr. Brankin explained it will be a public meeting that will be posted on the Village website.

Ms. Sun requested that everyone have enough time to speak at the meeting.

Discussion on when the council meeting will be and where the information will be posted

Sworn in Ms. Wendy Wang 5047 Deerfield Lane Rolling Meadows, IL

Ms. Wang stated she wants to include Cotton Wood Park. She spoke to issues she has had at the park with teenagers that required police attention.

Chairman Dwyer stated if the teenagers are smoking cannabis they are not getting it from the dispensaries because they are not 21.

Discussion on location restrictions to park district properties.

Sworn in Mr. Michael (no last name provided) Palatine, IL

Mr. Michael expressed confusion stating it seems like the Village has already decided to opt in.

Chairman Dwyer clarified the text amendments discussed are in case Village Council decides to opt in.

Mr. Michael stated if the Village opts out then this meeting is a waste of planning. Chairman Dwyer explained this is to provide Council with more information. He stated he thinks other municipalities have done the same.

Mr. Michael stated if the Village opts out there is no reason to have this discussion

Sworn in Ms. Lisa Moran 658 Mallard Drive Palatine, IL

Ms. Moran expressed confusion on the process. She asked who asked the plan commission to draw this up

Chairman Dwyer answered the Village Council.

Ms. Moran asked if there was a vote that has been documented somewhere.

Mr. Vyverberg explained staff was given the direction from Village Council to examine the zoning ordinance to prepare a series of text amendments for Village Council consideration, when they determine in December to either Opt in or Opt out. He further explained if no action were taken to amend the zoning ordinance any commercial property would be able to apply under a unique use, so staff sees merit in at least proposing conditions, requirements, and possible locations.

Ms. Moran expressed concern with locations being in low income areas which

will cause an increased demand for general assistance.

Chairman Dwyer suggested she speak to staff after meeting pointing out the text amendments are proposing locations to be away from residential areas.

Ms. Moran asked about the distance

Discussion on distance limitations.

STAFF RECOMMENDATION:

In anticipation of an upcoming Village Council review and policy decision as to whether the Village should prohibit or allow such uses, the proposed text amendments were drafted for Plan Commission and Village Council consideration.

Chairman Dwyer summarized the areas of concern and up for discussion are separation distances, Colfax area being appropriate, number of dispensaries, and operational hours.

Mr. Noonan stated restricting the distance will affect the number of stores. He pointed out if it passes the hours of operations will be included under the special use process.

Mr. Friedman stated the Plan Commission has an opportunity to set limits and each use can be addressed individually within those limits.

Mr. Noonan asked Mr. Brankin if the Plan Commission can limit hours.

Mr. Brankin answered yes. He stated it would be good direction as this is a recommending body to council. Mr. Brankin stated hour limitation, number of dispensaries and distance restrictions are all appropriate items for review. The state regulations limit the hours from 6 AM to 10 PM.

Discussion on how to break down discussion.

Discussion on hour restriction

Mr. Brankin stated 10am-10pm seems to be consistent with other towns

Mr. Kolososki suggested 10-9 because most centers close at 9.

Discussion on store hours within the village.

**Chairman Dwyer asked the board by voice vote for a 10am start time
Vote was 7-1 in favor**

**Chairman Dwyer asked the board by voice vote for a 10pm end time
Vote was 6-2 in favor.**

Mr. Friedman asked correlation with medical dispensaries. He asked if the recreational facility also had a medical license do the hours differ. Mr. Friedman pointed out people with medical need may require earlier hours.

Mr. Brankin stated there is direct correlation as any recreational facility will have

to have a medical license to be eligible to apply for the special use. He explained this will ensure any business went through multiple levels of scrutiny with the state.

Mr. Friedman expressed concern with the 10am start for someone who has a medical need and is looking to pick up before their morning commute. Chairman Dwyer spoke to other medical facility time starting at 10 or 11am.

Chairman Dwyer spoke to the number of dispensaries recommendations

Mr. Noonan recommended limiting the number of dispensaries in the Village to 2-4.

Mr. Friedman expressed concern with all the dispensaries being in one area and asked about the possibility on spreading them out through districts. Chairman Dwyer stated it would be part of the special use process, but could recommend number to be scattered throughout the village.

Mr. Brankin stated there is a minimum distance in the act of 1500 feet between dispensaries, per the state law.

Discussion on the suitability of the Colfax Street area and Helen Road

Chairman Dwyer recommended adding wording to limit to roads of 4 lanes to address traffic concerns.

Discussion on limitations and effect with traffic volume.

Chairman Dwyer stated any discussion on distances needs to be reasonable. Mr. Kolosowski stated the board can propose a half a mile instead of the 1500 feet.

Chairman Dwyer asked the board by voice vote for the distance between schools to be increased to 2500 feet.

Vote was 7-1 in favor

Mr. Friedman asked the board if churches should be included.

Discussion on what defines church.

Chairman Dwyer pointed out churches are located in residential areas.

Ms. Robins pointed out if a church has a school it would be included and most include a school.

Mr. Friedman pointed out the amendment language does not include Sunday school

Discussion on definition of school in church.

Mr. Vyverberg explained a Sunday school would not be contemplated in the proposed definitions, but if the church included a grade school or a nursery it would be contemplated in the separation requirement.

Discussion on the reviewing and voting process.

Mr. Noonan made a motion to approve the text amendment as proposed subject to the additional spacing separation recommendations for Village Council to consider; seconded by Mr. Kolososki.

Mr. Brankin clarified the vote will be for approval subject to the additional items for Village Council to consider.

Mr. Brankin reiterate that the act does speak to the hours for dispensaries between the hours of 6am-10pm.

**Chairman Dwyer asked the board by voice vote on the approval of the text amendment as proposed subject to the additional recommendations
Vote was 8-0 in favor**

Mr. Noonan recommended limiting the total allowed dispensaries within the Village to 2-4 with no more than 1 per district.
Chairman Dwyer recommended changing wording to disperse throughout the Village.

Mr. Brankin pointed out the number restriction will limit the distance and expressed concern that district restrictions will pigeon hole these in a particular area. He suggested recommending a limitation of number of dispensaries and the other restrictions and marketplace will dictate to their locations.

Discussion on the vote being for number limitation with location being determined through other restrictions and during the special use process.

**Mr. Noonan made the motion recommending limiting the total allowed dispensaries within the Village to 2-4; seconded by Ms. Robins.
AYES: Robins, Noonan, Hansen, Friedman, Bettenhausen, Kolososki, Williams, Dwyer
Motion was 8-0 in favor**

Chairman Dwyer spoke to hour limitations pointing out the act limits from 6am-10pm

Mr. Brankin pointed out the board cannot extend the hours past the act but could be more restrictive.

Chairman Dwyer asked the board by voice vote on the approval of the hours of 6am-10pm set by the act.

AYES: Robins, Noonan, Friedman, Bettenhausen, Kolososki, Williams, Dwyer

NAYS: Hansen

Vote was 7-1 in favor

Mr. Hansen stated he doesn't think people need to buy recreational cannabis at

6:01am.

Mr. Noonan pointed out there are people who work third shifts and that is actually their night. Discussion on distance limitations.

Mr. Noonan made a motion recommending the distance limitation to be increased to 2500 feet; seconded by Ms. Robins.

AYES: Robins, Noonan, Hansen, Bettenhausen, Kolososki, Williams, Dwyer

NAYS: Friedman

Vote was 7-1 in favor

Mr. Friedman referred to the map on screen pointing out increasing the distance will restrict the remaining parcels along Vermont. He stated he doesn't see the added benefit to that restriction.

Chairman Dwyer agreed with Mr. Friedman requesting staff to determine the impact before it goes to Council.

Discussion on increase of distance possibly being unreasonable

Discussion on limiting to 4 lane roads for vehicular traffic and how many areas are eliminated

Mr. Friedman pointed out the special use process will include a traffic impact analysis which may show Colfax is already failing from the highway engineers standards.

Mr. Brankin stated the board could recommend eliminating the Colfax area using the downtown land use guide as location approx.

Discussion on traffic impact and restrictions.

Mr. Brankin pointed out traffic and parking would be evaluated during the special use process.

Chairman Dwyer asked if anyone on the board wants to add a condition for the Colfax area.

Mr. Noonan stated it should be left alone because a traffic and parking study will be required during the special use process

Discussion on including churches and how a church is defined.

Mr. Bettenhausen clarified if the church had a school it is included

Mr. Brankin stated a church with a school such as St Theresa would be subject to the limitations.

Mr. Bettenhausen clarified high schools are also include

Mr. Brankin answered yes

Discussion on the 500ft from the park facilities.

Mr. Noonan asked Mr. Brankin if the distance is from the model ordinance

Mr. Brankin answered yes explaining the information was taken from multiple places.

Mr. Kolososki made motion recommending increasing the distance limitation to 1000 feet from any park facilities; seconded Mr. Friedman.

AYES: Robins, Noonan, Hansen, Friedman, Bettenhausen, Kolososki, Williams, Dwyer

Vote was 8-0 in favor

Mr. Friedman asked about increasing the residential separation distance.

Chairman Dwyer expressed concern that it will remove a tremendous amount of properties He pointed out it is similar to a liquor store backing to residential

Mr. Friedman referred to the slides and pointed out the minimal buffers and kiddy corner properties that are included.

Chairman Dwyer pointed out the location will be reviewed during the special use process.

Mr. Vyverberg stated the proposed text amendments are tentatively scheduled for the Village Council review on December 9, 2019 at the Village Council meeting.

IV. COMMUNICATIONS**V. ADJOURNMENT**

PUBLIC NOTICE
 A public hearing will be held before the Palatine Plan Commission on Tuesday, November 19, 2019 at 7:00 PM, in the Village Council Chambers in the Palatine Village Hall, 200 E. Wood Street or if necessary, at another Public Location designated by the Village of Palatine in order to accommodate Public commentary, relative to a request for the following:
 1. Text amendments to Article 3 Rule and Definitions -Section 3.02 Specific Definitions; Article 11 - Business Districts- Section 11.06 (e) B-5 - Highway Business District Special Uses; Article 12 Manufacturing Districts - Section 12.01 (h) - Manufacturing District Special Uses; and a new Article 15 - Adult Use Cannabis.
 These amendments are all of Appendix A (Village of Palatine Zoning Ordinance) of the Village of Palatine Code of Ordinances.
 Pursuant to the State of Illinois enacting the Cannabis Regulation and Tax Act (Act), which pertains to the possession, use, cultivation, transportation and dispensing of adult-use cannabis, which became effective June 25, 2019, the proposed text amendments to the Village of Palatine Zoning Ordinance will incorporate recreational marijuana sales as Special Uses in the B-5 (Highway Business) and Manufacturing Districts for consideration by the Village Council.
 The above petition has been filed by the Village of Palatine and is available for examination in the office of the Village Clerk, 200 E. Wood Street.
 FILE #: 19-74
 VILLAGE OF PALATINE
 Dennis Dwyer, Chair
 Palatine Plan Commission
 Published in Daily Herald
 November 4, 2019 (4535121)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, North Aurora, Bannockburn, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Crystal Lake, Deerfield, Deer Park, Des Plaines, Elburn, East Dundee, Elgin, South Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Franklin Park, Geneva, Gilberts, Glenview, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Highland Park, Highwood, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Bluff, Lake Forest, Lake in the Hills, Lake Villa, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Melrose Park, Montgomery, Morton Grove, Mt. Prospect, Mundelein, Niles, Northbrook, Northfield, Northlake, Palatine, Park Ridge, Prospect Heights, River Grove, Riverwoods, Rolling Meadows, Rosemont, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake Park, Schaumburg, Schiller Park, Sleepy Hollow, St. Charles, Streamwood, Sugar Grove, Third Lake, Tower Lakes, Vernon Hills, Volo, Wadsworth, Wauconda, Waukegan, West Dundee, Wheeling, Wildwood, Wilmette

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and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 11/04/2019 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
 DAILY HERALD NEWSPAPERS

BY

Laurel Baetz
 Authorized Agent

Control # 4535121

Consider an Ordinance Amending the Palatine Code of Ordinances by the Addition of Article X to Chapter 17 Taxes to Impose a Municipal Cannabis Retailers' Occupations Tax

BACKGROUND:

On June 25, 2019, Illinois Gov. J.B. Pritzker signed into law the Cannabis Regulation and Tax Act (CRTA), legalizing and regulating the production, consumption, and sale of cannabis in Illinois. While the Village of Palatine has yet to take a formal action concerning whether or not to allow the retail sale of cannabis within the Village, the CRTA allows municipalities, by ordinance, to impose a Municipal Purchase Excise Tax on recreational cannabis products of up to 3% of the purchase price.

KEY ISSUES:

- In the event the Village of Palatine allows for the retail sale of cannabis, Staff recommends the Village Council approve an Ordinance amending Chapter 17 of the Code of Ordinances to impose a 3% municipal cannabis retailers' occupation tax.
- This tax would only be collected in the event the Village Council approves a recreational cannabis dispensary in the future.

ALTERNATIVES:

1. Approve the ordinance amending the Palatine Code of Ordinances by the addition of Article X to Chapter 17 Taxes to impose a Municipal Cannabis Retailers' Occupation Tax.

2. Do not approve the ordinance amending the Palatine Code of Ordinances by the addition of Article X to Chapter 17 Taxes to impose a Municipal Cannabis Retailers' Occupation Tax.

RECOMMENDATION:

Staff recommends approval of the ordinance if the Council approves the text amendments to allow the sale of recreational marijuana in Palatine.

ACTION REQUIRED:

A motion to approve the ordinance amending the Palatine Code of Ordinances by the addition of Article X to Chapter 17 Taxes to impose a Municipal Cannabis Retailers' Occupation Tax.

ATTACHMENTS:

- Rec Marijuana Tax Ord

RESULT:	MOTION CARRIED BY ROLL CALL [UNANIMOUS]
MOVER:	Kollin Kozlowski, District 5 Councilman
SECONDER:	Scott Lamerand, District 2 Councilman
AYES:	Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

ORDINANCE NO. 2019 - _____

**AN ORDINANCE AMENDING THE PALATINE CODE OF ORDINANCES BY THE
ADDITION OF ARTICLE X TO CHAPTER 17 TAXES TO IMPOSE A MUNICIPAL
CANNABIS RETAILERS' OCCUPATIONS TAX**

WHEREAS, the Village of Palatine is a Home Rule Unit pursuant to the Illinois Constitution of 1970; and

WHEREAS, the Village of Palatine, Illinois, has enacted Municipal Code Regulations for the purpose of improving and protecting the public health, safety, comfort, convenience and general welfare of the people; and

WHEREAS, the State of Illinois enacted the Cannabis Regulation and Tax Act (Act), which pertains to the possession, use, cultivation, transportation and dispensing of adult-use cannabis, which became effective June 25, 2019; and

WHEREAS, pursuant to the Act, the Village enacted zoning ordinances regulating cannabis business establishments; and

WHEREAS, this Ordinance is adopted pursuant to the provision of the Illinois Municipal Cannabis Retailer's Occupation Tax Law, 65 ICLS 5/11-8-22 et seq. (Act); and

WHEREAS, this ordinance is intended to impose the tax authorized by the Act providing for a municipal cannabis retailers' occupation tax which will be collected by the Illinois Department of Revenue;

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF PALATINE, COOK COUNTY, ILLINOIS, as follows:

Section 1. Recitals. The foregoing recitals are hereby adopted and incorporated into and made a part of this Ordinance as if fully set forth herein.

Section 2. Adoption of Tax. Title 3 of the Municipal Code of the Village of Palatine shall be amended by the addition of Article X that will read as follows:

Article X – Municipal Cannabis Retailer's Occupation Tax.

Section 17-99 – Tax Imposed; Rate.

- A. A tax is hereby imposed upon all persons engaged in the business of selling cannabis, other than cannabis purchased under the Compassionate Use of Medical Cannabis Pilot Program Act, at retail in the Village at the rate of 3% of the gross receipts from these sales made in the course of that business.

- B. The imposition of this tax is in accordance with the provisions of Section 8-11-22, of the Illinois Municipal Code (65 ILCS 5/8-11-22).

Section 17-100 – Collection of tax by retailers.

- A. The tax imposed by this Ordinance shall be remitted by such retailer to the Illinois Department of Revenue (Department). Any tax required to be collected pursuant to or as authorized by this Ordinance and any such tax collected by such retailer and required to be remitted to the Department shall constitute a debt owed by the retailer to the State. Retailers may reimburse themselves for their seller's tax liability hereunder by separately stating that tax as an additional charge, which charge may be stated in combination, in a single amount, with any State tax that sellers are required to collect.
- B. The taxes hereby imposed, and all civil penalties that may be assessed as an incident thereto, shall be collected and enforced by the Department. The Department shall have full power to administer and enforce the provisions of this article.

Section 3. That consistent with this Ordinance, Chapter 17, Palatine of the Village Code shall be amended as set forth above.

Section 4. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 5. This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED: This ____ day of _____, 2019

AYES: _____ NAYS: _____ ABSENT: _____ PASS: _____

APPROVED by me this ____ day of _____, 2019

Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk

this ____ day of _____, 2019

Village Clerk

Consider an Ordinance Amending the Village of Palatine Code of Ordinances by the Addition of Article XXX to Chapter 12 Prohibiting Cannabis Business Establishments

BACKGROUND:

In June 2019, Governor Pritzker signed Public Act 101-0027 (Cannabis Regulation and Tax Act). This Act legalizes the private consumption and possession of cannabis for Illinois residents over the age of 21. While the Act does not allow any municipality, including those with Home Rule Authority, to restrict the use or possession of cannabis, it does provide local authority relative to the production and sale of cannabis within a given community.

KEY ISSUES:

- If the desire of the Village Council is to prohibit the production and sale of cannabis within Palatine, then a corresponding amendment to the Village of Palatine Code of ordinances would be required.
- The attached ordinance includes the required amendments to prohibit the production and sale of cannabis within the Village of Palatine.

ALTERNATIVES:

1. Approve the ordinance prohibiting the production and sale of cannabis in Palatine.
2. Do not approve the ordinance prohibiting the production and sale of cannabis in Palatine.

RECOMMENDATION:

Action is at the discretion of the Village Council.

ACTION REQUIRED:

A motion to approve the ordinance amending the Village Code of the Village of Palatine by the Addition of Article XXX to Chapter 12 Prohibiting Cannabis Business Establishments

ATTACHMENTS:

- Ord - Text Amend Prohibiting Cannabis Production & Sale
- Ch. 12 Prohibit Cannabis Establish. EXHIBIT A

RESULT:	MOTION FAILED BY ROLL CALL [3 TO 4]
MOVER:	Kollin Kozlowski, District 5 Councilman
SECONDER:	Tim Millar, District 1 Councilman
AYES:	Tim Millar, Kollin Kozlowski, Brad Helms
NAYS:	Jim Schwantz, Scott Lamerand, Doug Myslinski, Greg Solberg

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE VILLAGE CODE OF THE VILLAGE
OF PALATINE BY THE ADDITION OF ARTICLE XXX TO CHAPTER 12 PROHIBITING
CANNABIS BUSINESS ESTABLISHMENTS**

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that protect the public health, safety, and welfare of its citizens; and

WHEREAS, this Ordinance is adopted pursuant to the provisions of the Illinois Cannabis Regulation and Tax Act, Public Act 101-0027, which provides that the Village has the authority to prohibit adult-use cannabis business establishments; and

WHEREAS, the Village has determined that the operation of cannabis business establishments would present adverse impacts upon the health, safety and welfare of the residents, and additional costs, burdens and impacts upon law enforcement and regulatory operations of the Village.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Village Council of the Village of Palatine, Cook County, Illinois, as follows:

SECTION ONE: The foregoing recitals are incorporated into, and made a part of, this Ordinance.

SECTION TWO: Cannabis Business Establishment Prohibited. The addition of Article XXX to Chapter 12 of the Village of Palatine Code of Ordinances, which shall read as follows and also outlined in the attached Exhibit A:

Secs. 12-325 – 12-329. Reserved.

Article XXX. Cannabis Business Establishments

Section 12-330. Definitions The following words and phrases shall, for purposes of this Article, have the meanings respectively ascribed to them by this section, as follows:

- a. **Adult-Use Cannabis Business Establishment:** A cultivation, center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization.
- b. **Adult-Use Cannabis Craft Grower:** A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure, and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, pre the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time to time, and regulations promulgated thereunder.
- c. **Adult-Use Cannabis Cultivation Center:** A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the

Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time to time, and regulations promulgated thereunder.

- d. **Adult-Use Cannabis Dispensing Organization:** A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time to time, and regulations promulgated thereunder.
- e. **Adult-Use Cannabis Infuser Organization or Infuser:** A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulations to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time to time, and regulations promulgated thereunder.
- f. **Adult-Use Cannabis Processing Organization or Processor:** A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time to time, and regulations promulgated thereunder.
- g. **Adult-Use Cannabis Transporting Organization or Transporter:** An organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time to time, and regulations promulgated thereunder.
- h. **Person:** Any person, firm, corporation, associations, club, society or other organization, including any owner, manager, proprietor, employee, volunteer or agent.

Section 12-331. Cannabis Business Establishments Prohibited

The following Adult-use Cannabis Business Establishments are prohibited in the Village of Palatine. No person shall locate, operate, own, suffer, allow to be operated or aide, abet or assist in the operation within the Village of Palatine of any of the following:

- a. Adult-Use Cannabis Craft Grower;
- b. Adult-Use Cannabis Cultivation Center;
- c. Adult-Use Cannabis Dispensing Organization;
- d. Adult-Use Cannabis Infuser Organization or Infuser;

- e. Adult-Use Cannabis Processing Organization or Processor;
- f. Adult-Use Cannabis Transporting Organization or Transporter; and
- g. Any and all other cannabis related business establishments authorized by the State of Illinois in the future.

Section 12-332. Public Nuisance Declared

Operation of any prohibited Cannabis Business Establishment within the Village in violation of the provisions of this Article is hereby declared a public nuisance and shall be abated pursuant to all available remedies.

Section 12-333. Violations

Violations of this Article may be enforced in accordance with this Article and other provisions of the Village of Palatine Code or Ordinances.

SECTION THREE: If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provisions or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

SECTION FOUR: This Ordinance shall be in full force and effect upon passage and approval as provided by law.

PASSED: This ____ day of _____, 2019

AYES: _____ NAYS: _____ ABSENT: _____ PASS: _____

APPROVED by me this ____ day of _____, 2019

Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk this ____ day of

_____, 2019

Village Clerk

EXHIBIT A

Chapter 12 OFFENSES AND MISCELLANEOUS PROVISIONS

- Art. I. In General, §§ 12-1 - 12-40
- Art. II. Fires, §§ 12-41 12-56
- Art. III. Explosives; Fireworks, §§ 12-57 12-69
- Art. IV. Plants and Weeds, §§ 12-70 12-90
- Art. V. Tag Days, §§ 12-91 12-100
- Art. VI. Public Gatherings, §§ 12-101 12-115
- Art. VII. Public Buildings, §§ 12-116 12-135
- Art. VIII. Sound Amplifiers, §§ 12-136 12-150
- Art. IX. State of Emergency, §§ 12-151 12-165
- Art. X. Dutch Elm Disease and Emerald Ash Borer Infestation, §§ 12-166 12-180
- Art. XI. Village Jail, §§ 12-181 12-190
- Art. XII. Antilitter Regulations, §§ 12-191 12-214
- Art. XIII. Regulation of Parades and Motorcades, §§ 12-215 12-229
- Art. XIV. Regulation of Adult Bookstores and Adult Movie Theaters, §§ 12-230 12-240
- Art. XV. Vandalism, §§ 12-241 12-249
- Art. XVI. Theft, §§12-250 12-259
- Art. XVII. Retail Theft (Shoplifting), §§ 12-260 12-267
- Art. XVIII. Parental Responsibility, §§ 12-268 12-275
- Art. XIX. Trespass, §§ 12-276 12-281
- Art. XX. Obstructing Public Easements, §§ 12-282 12-286
- Art. XXI. Burglary or Robbery Alarm Systems, §§ 12-287 12-291
- Art. XXII. Abatement of Nuisances, §§ 12-292, 12-293
- Art. XXIII. Penalty for Nuisance Violations, § 12-294
- Art. XXIV. Spray Paint, § 12-294.1
- Art. XXV. General Penalty; Citations, §§ 12-295 12-309
- Art. XXVI. Regulation of Lighting, §§ 12-310 12-316
- Art. XXVII. Graffiti, §§ 12-317--12-318
- Art. XXVIII. Drug Paraphernalia §§12-319--12-324
- Art. XXIX. Conflicts with Certain Home Rule County Ordinances
- Art. XXX. Cannabis Business Establishments, Secs. 12-325 – 12-329

Sec. 12 324. Penalty

Any person who is found guilty of violating section 12 320 or 12 321 shall be subject to a fine of not less than two hundred (\$200.00) dollars nor more than one thousand (\$1,000.00) dollars for each separate occurrence

Secs. 12-325 – 12-329. Reserved.

ARTICLE XXX. CANNABIS BUSINESS ESTABLISHMENTS

Sec. 12-330. Definitions.

The following words and phrases shall, for purposes of this Article, have the meanings respectively ascribed to them by this section, as follows:

Adult-Use Cannabis Business Establishment. A cultivation, center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization.

Adult-Use Cannabis Craft Grower. A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure, and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, pre the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time to time, and regulations promulgated thereunder.

Adult-Use Cannabis Cultivation Center. A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time to time, and regulations promulgated thereunder.

Adult-Use Cannabis Dispensing Organization. A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per

the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time to time, and regulations promulgated thereunder.

Adult-Use Cannabis Infuser Organization or Infuser. A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulations to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time to time, and regulations promulgated thereunder.

Adult-Use Cannabis Processing Organization or Processor. A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time to time, and regulations promulgated thereunder.

Adult-Use Cannabis Transporting Organization or Transporter. An organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time to time, and regulations promulgated thereunder.

Person. Any person, firm, corporation, associations, club, society or other organization, including any owner, manager, proprietor, employee, volunteer or agent.

Sec. 12-331. Cannabis Business Establishments Prohibited.

The following Adult-use Cannabis Business Establishments are prohibited in the Village of Palatine. No person shall locate, operate, own, suffer, allow to be operated or aide, abet or assist in the operation within the Village of Palatine of any of the following:

- a. Adult-Use Cannabis Craft Grower;
- b. Adult-Use Cannabis Cultivation Center;
- c. Adult-Use Cannabis Dispensing Organization;

- d. Adult-Use Cannabis Infuser Organization or Infuser;
- e. Adult-Use Cannabis Processing Organization or Processor;
- f. Adult-Use Cannabis Transporting Organization or Transporter; and
- g. Any and all other cannabis related business establishments authorized by the State of Illinois in the future.

Sec. 12-332. Public Nuisance Declared.

Operation of any prohibited Cannabis Business Establishment within the Village in violation of the provisions of this Article is hereby declared a public nuisance and shall be abated pursuant to all available remedies.

Sec. 12-333. Violations.

Violations of this Article may be enforced in accordance with this Article and other provisions of the Village of Palatine Code or Ordinances.

Consider a Motion Authorizing the Village Manager to Purchase Three Cardiac Monitors

BACKGROUND: The Fire Department has staffed Advanced Life Support (ALS), non-transport vehicles, for over 20 years. Annually, each vehicle is inspected by the Northwest Community Emergency Medical Services System (NCEMSS) and the Illinois Department of Public Health (IDPH) and a waiver has been sought and granted to substitute Automated External Defibrillators (AED) en lieu of the more expensive Cardiac Monitor/Defibrillators. The Fire Department has been notified that NCEMSS and IDPH will no longer grant the cardiac monitor waiver beyond 2019. Three such monitors were purchased earlier this year and placed in front line service and this purchase will complete the outfitting of all 6 non-transport vehicles.

KEY ISSUES: In order for the Fire Department to continue to deliver ALS care by paramedics assigned to non-transport vehicles, the Fire Department must replace the currently used AED's with Cardiac Monitor/Defibrillators prior to the 2020 NCEMSS / IDPH vehicle inspection.

ALTERNATIVES:

1. Maintain the ALS status of all Fire Department non-transport vehicles by purchasing Cardiac Monitor/Defibrillators to replace the existing AED's.
2. Do not purchase Cardiac Monitor/Defibrillators and reduce the status of all Fire Department non-transport vehicles to Basic Life Support (BLS).

RECOMMENDATION:

Staff recommends approval of the purchase of 3 Cardiac Monitor/Defibrillators in an amount not to exceed \$75,000 direct from the manufacturer, ZOLL Medical Corporation, and as outlined in the 2020 capital budget.

ACTION REQUIRED:

A motion to approve the purchase of 3 Cardiac Monitor/Defibrillators direct from the manufacturer, ZOLL Medical Corporation, for an amount not to exceed \$73,000.

ATTACHMENTS:

- Cardiac Monitor Purchase Memo & Quote

RESULT:	APPROVED BY VOICE VOTE [UNANIMOUS]
MOVER:	Scott Lamerand, District 2 Councilman
SECONDER:	Kollin Kozlowski, District 5 Councilman
AYES:	Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

Memo



Date: **December 04, 2019**
To: **Chief Scott Andersen**
From: **Deputy Chief Scott Mackeben**
Subject: **Non-transport Vehicle Cardiac Monitor Purchase**

In August we purchased and placed three new Zoll monitors in service on non-transport vehicles. At that time we discussed the purchase of three more Zoll monitors to complete the outfitting of all of our front line non-transport vehicles as mandated by the Illinois Department of Public Health. It was agreed upon that we would buy three monitors in 2019 and the remaining three in 2020 with approved capital funds. With the adoption of the 2020 budget, I am requesting the purchase of those three monitors from 2020 capital funds.

The new monitors will be purchased directly from Zoll at a price not to exceed \$25,000 each. Although we are not aware of a 2020 price increase, by purchasing now we are assured of locking in 2019 pricing. Please see attached quote.

My recommendation is to order the monitors now from Zoll with an anticipated delivery date in late January or early February of 2020.

Attachment: Cardiac Monitor Purchase Memo & Quote (Cardiac Monitor Purchase)



TO: Palatine Fire Department
39 East Colfax Street
Palatine, IL 60067

Attn: **Lt Bret Nelson**

email: bnelson@palatine.il.us

Tel: 847-358-7500

ZOLL Medical Corporation

Worldwide Headquarters
269 Mill Rd
Chelmsford, Massachusetts 01824-4105
(978) 421-9655 Main
(800) 348-9011
(978) 421-0015 Customer Support
FEDERAL ID#: 04-2711626

QUOTATION 321278 V:2

DATE: December 04, 2019

TERMS: Net 30 Days

FOB: Shipping Point

FREIGHT: Free Freight

ITEM	MODEL NUMBER	DESCRIPTION	QTY.	UNIT PRICE	DISC PRICE	TOTAL PRICE
1	601-2221001-01	X Series® Manual Monitor/Defibrillator \$14,995 with 4 trace tri-mode display monitor/ defibrillator/ printer, comes with Real CPR Help®, advisory algorithm, advanced communications package (Wi-Fi, Bluetooth, USB cellular modem capable) USB data transfer capable and large 6.5" (16.5cm) diagonal screen, full 12 ECG lead view with both dynamic and static 12-lead mode display. Accessories Included: • MFC cable • MFC CPR connector • A/C power adapter/ battery charger • A/C power cord • One (1) roll printer paper • 6.6 Ah Li-ion battery • Carry case • Declaration of Conformity • Operator's Manual • Quick Reference Guide • One (1)-year EMS warranty Advanced Options: Real CPR Help Expansion Pack \$995 CPR Dashboard quantitative depth and rate in real time, release indicator, interruption timer, perfusion performance indicator (PPI)	3	\$33,780.00	\$24,321.60	\$72,964.80 *

To the extent that ZOLL and Customer, or Customer's Representative have negotiated and executed overriding terms and conditions ("Overriding T's & C's"), those terms and conditions would apply to quotation. In all other cases, this quote is made subject to ZOLL's Standard Commercial Terms and Conditions ("ZOLL T's & C's") which for capital equipment, accessories and consumables can be found at <http://www.zoll.com/GTC> and for software products can be found at <http://www.zoll.com/SSPTC> and for hosted software products can be found at <http://www.zoll.com/SSHTC>. Except in the case of overriding T's and C's, any Purchase Order ("PO") issued in response to this quotation will be deemed to incorporate ZOLL T's & C's, and any other terms and conditions presented shall have no force or effect except to the extent agreed in writing by ZOLL.

1. DELIVERY WILL BE MADE 60-90 DAYS AFTER RECEIPT OF ACCEPTED PURCHASE ORDER.
2. PRICES QUOTED ARE VALID UNTIL DECEMBER 31, 2019.
3. APPLICABLE TAX, SHIPPING & HANDLING WILL BE APPLIED AT TIME OF INVOICING.
5. ALL PURCHASE ORDERS ARE SUBJECT TO CREDIT APPROVAL BEFORE ACCEPTANCE BY ZOLL.
6. FAX PURCHASE ORDER AND QUOTATION TO ZOLL CUSTOMER SUPPORT AT 978-421-0015 OR EMAIL TO ESALES@ZOLL.COM.
7. ALL DISCOUNTS OFF LIST PRICE ARE CONTINGENT UPON PAYMENT WITHIN AGREED UPON TERMS.
8. PLACE YOUR ACCESSORY ORDERS ONLINE BY VISITING www.zollwebstore.com.

Caroline Guibord
EMS Territory Manager
773-425-0710

Attachment: Cardiac Monitor Purchase Memo & Quote (Cardiac Monitor Purchase)



TO: Palatine Fire Department
39 East Colfax Street
Palatine, IL 60067

Attn: Lt Bret Nelson

email: bnelson@palatine.il.us

Tel: 847--358-7500

ZOLL Medical Corporation

Worldwide Headquarters
269 Mill Rd
Chelmsford, Massachusetts 01824-4105
(978) 421-9655 Main
(800) 348-9011
(978) 421-0015 Customer Support
FEDERAL ID#: 04-2711626

QUOTATION 321278 V:2

DATE: December 04, 2019

TERMS: Net 30 Days

FOB: Shipping Point

FREIGHT: Free Freight

ITEM	MODEL NUMBER	DESCRIPTION	QTY.	UNIT PRICE	DISC PRICE	TOTAL PRICE
		• See - Thru CPR artifact filtering ZOLL Noninvasive Pacing Technology: \$2,550 Masimo Pulse Oximetry SP02 \$1,795 • Signal Extraction Technology (SET) • Rainbow SET End Tidal Carbon Dioxide monitoring (ETCO2) Oridion Microstream Technology: \$4,995 Order required Microstream tubing sets separately Interpretative 12- Lead ECG: \$8,450 • 12-Lead one step ECG cable- includes 4- Lead limb lead cable and removable precordial 6- Lead set *Reflects Silver Cross EMS Contract Pricing.				

To the extent that ZOLL and Customer, or Customer's Representative have negotiated and executed overriding terms and conditions ("Overriding T's & C's"), those terms and conditions would apply to quotation. In all other cases, this quote is made subject to ZOLL's Standard Commercial Terms and Conditions ("ZOLL T's & C's") which for capital equipment, accessories and consumables can be found at <http://www.zoll.com/GTC> and for software products can be found at <http://www.zoll.com/SSPTC> and for hosted software products can be found at <http://www.zoll.com/SSHTC>. Except in the case of overriding T's and C's, any Purchase Order ("PO") issued in response to this quotation will be deemed to incorporate ZOLL T's & C's, and any other terms and conditions presented shall have no force or effect except to the extent agreed in writing by ZOLL.

TOTAL \$72,964.80

Caroline Guibord
EMS Territory Manager
773-425-0710

1. DELIVERY WILL BE MADE 60-90 DAYS AFTER RECEIPT OF ACCEPTED PURCHASE ORDER.
2. PRICES QUOTED ARE VALID UNTIL DECEMBER 31, 2019.
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8. PLACE YOUR ACCESSORY ORDERS ONLINE BY VISITING www.zollwebstore.com.

Attachment: Cardiac Monitor Purchase Memo & Quote (Cardiac Monitor Purchase)

Consider a Motion Authorizing the Fire Department to Purchase Replacement Turnout Gear

BACKGROUND: The Fire Department's 2020 Operating Budget includes the purchase of replacement turnout gear. The intent is to replace worn out gear of existing personnel, while also providing quality hand-me-down gear for any new hires. In 2010, three vendors (Globe, Morning Pride, and Lion) were contacted and test gear was requested. Lion failed to provide the requested test gear and subsequently dropped out of the proposal process. Morning Pride and Globe both performed well and quotes were requested from each. The clothing committee ultimately recommended the Globe product based on price and familiarity given they are the Department's current vendor.

KEY ISSUES

1. The Fire Department has been using Globe Manufacturing for protective turnout gear for over 18 years.
2. Globe Manufacturing indicated a price increase effective January 1, 2020 not to exceed 5%.
3. The Fire Department is prepared to take advantage of the cost savings by ordering 10 sets of turnout gear by December 31, 2019, with delivery/payment to occur in 2020.
4. Globe Manufacturing has regional vendors (Air One) with defined territories who do not compete against one another, thus this is the best price available for this brand.

ALTERNATIVES

1. Authorize the Fire Department to purchase replacement Globe Manufacturing turnout gear from Air One.
2. Refer back to Staff with comment.

RECOMMENDATION:

Staff recommends that the Fire Department purchase 10 sets of Globe Manufacturing turnout gear from Air One consistent with previous years' purchases.

BUDGET IMPACT:

The cost of the turnout gear would fall within the approved 2020 Fire Department Operating Budget.

REQUIRED ACTION:

Motion authorizing the Fire Department to purchase replacement Globe Manufacturing turnout gear from Air One in an amount not to exceed \$21,800.

ATTACHMENTS:

- 2020 Turnout Gear Purchase

RESULT: **APPROVED BY VOICE VOTE [UNANIMOUS]**
MOVER: Jim Schwantz, Mayor
SECONDER: Tim Millar, District 1 Councilman
AYES: Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

Palatine Fire Department

Memo

To: Chief Scott Andersen
From: Lt. Keith VonderHeide
CC: Deputy Chief Gratziana, Deputy Chief Mackeben
Date: November 12, 2019
Re: 2020 Turnout Gear Purchase

Chief-

As in previous years, this is a request to purchase ten new sets of turnout gear for replacement as follows:

This proposal is to purchase 10 sets of turnout gear for the purpose of replacing 10 sets currently in service. The gear we are replacing ranges in age from 7 to 8 years old. We have been trying to work towards a revolving schedule of replacing turnout gear every six to seven years on average. Per NFPA 1851, the recommendation is that we cannot keep gear in service any longer than 10 years and we'd like to keep a fair share in reserve for emergency replacements and/or new hires. Replacement for any damaged or excessively worn gear always takes precedence over replacement based on age.

Each set of gear will cost approximately \$2180.00 for a total approximate purchase price of \$21,800.00. After a vendor switch beyond our control, the Palatine Fire Department still maintains a preferred customer status with our new gear vendor (Air One). This status qualifies us for no cost shipping of turnout gear and other firefighting items purchased through Globe. Total expenditure for the purchase equals \$21,800. This amount represents 100% of the total line item proposed budget amount (\$21,000.00) for replacement of turnout gear in 2020. The quoted price per set is our **2019 cost**. A price increase by the manufacturer (Globe) for 2020 will become effective 01/01/2020 and is not expected to exceed 5%. Our purchase prior to this date is expected to save up to \$1100.00. This order must be submitted to the manufacturer (Globe) no later than December 31, 2019 in order to receive 2019 pricing. Your consideration of this proposal and recommendation to the village administration to place this order prior to the price increase (01/01/2020) is most appreciated. Should you or any member of the village administration have any questions or require additional information, please contact me at your earliest convenience.



Air One Equipment, Inc.
 360 Production Drive, South Elgin IL 60177
 Telephone: (847) 289-9000
 Fax: (847) 289-9001

Quotation

TO: PALATINE FIRE DEPARTMENT
39 E. COLFAX ST.
PALATINE, IL. 60067

Date: 8/9/19

ATTN: LT. VONDERHEIDE

REF: PPE

We are pleased to submit the following quotation in accordance with your request and subject to the Terms and Conditions listed below.

Qty	Part Number	Description	Each	Extended
1	GLOBE GXLJ	GLOBE BLK GXCEL JACKET PALATINE: PCA ADVANCE/QUANTUM 3D2/CROSSTECH BLACK (3753G)	\$1,251.00	\$1,251.00
1	GLOBE GXLP	GLOBE BLK GXCEL PANT PALATINE: PCA ADVANCE/QUANTUM 3D2/CROSSTECH BLACK (3753G)	\$929.00	\$929.00
1	OPTION	7C HOOK & DEE IN/VELCRO OUT CLOSURE	\$18.30	
1	OPTION	SURVIVOR FLASHLIGHT HOLDER R CHEST	\$11.21	
1	OPTION	2X10X6 HALF HIGH EXP PKTS W/STD KEVLAR REIN	\$17.71	
1	OPTION	PBI HAND & WRIST GUARDS IPO STD NOMEX WRISTERS	\$17.81	
1	OPTION	NOMEX WRISTERS W/THUMB LOOP	\$9.10	
1	OPTION	6C ZIPPER IN/HOOK & DEE OUT CLOSURE	\$3.45	
1	OPTION	2X3.5X8 RADIO PKT ON SLEEVE IPO L CHEST	\$0.00	
			Total	\$2,180.00

By MARK PALMER
 Air One Equipment, Inc.

Attachment: 2020 Turnout Gear Purchase (FD Turnout Gear Purchase 2020)



360 Production Drive
South Elgin, IL 60177
Phone: 847-289-9000
Fax: 847-289-9001
Email: airone@aoe.net

QUOTATION

Date	Quote #
11/26/2019	2246

Sold To
PALATINE FIRE DEPT 39 E COLFAX PALATINE, IL 60067

Ship To
PALATINE FIRE DEPARTMENT LT. VONDERHEIDE 39 EAST COLFAX STREET PALATINE, IL 60067

Quoted By	P.O. No.	Terms	Salesman
MP		Net 45	MP

[illegible]

Freight charges are not included unless specifically indicated.

Subtotal	\$21,800.00
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Sales Tax (0.0%)	\$0.00
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Total	\$21,800.00
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Consider a Motion to Approve the Proposed Residence and Authorize District 211 as the Builder for Lot 12 in the Arcadia West Subdivision

BACKGROUND:

District 211 has acquired Lot 12 in Arcadia West and intends to construct a new single-family home upon it. The Final Planned Development Ordinance contained a condition requiring Village Council review and approval of the proposed residence for Lot 12, prior to the issuance of a building permit. Therefore, the Petitioner is requesting:

A motion approving the proposed residence and recognizing District 211 as the builder for Lot 12 in Arcadia West Subdivision

KEY ISSUES:

- When the Arcadia West Planned Development was approved, it was not known if the developer would develop this lot or transfer it to another builder for completion. Also, the final architectural plans were not completed for this lot and therefore the Planned Development Ordinance required Village Council review and approval of the proposed residence, prior to the issuance of a building permit.
- District 211 acquired Lot 12 and intends to develop this lot within their Building and Construction Program. This program utilizes juniors and seniors from Palatine and Fremd High Schools, in addition to construction trade professionals, to build the home.
- The Petitioner has contracted with the same architect for Lot 12 that completed all of the architectural plans for Arcadia West. And, the proposed plans comply with the Planned Development Ordinance requirements and are directly comparable to the architecture of all of the other homes within the subdivision.
- Lot 12 is included as part of the Homeowners' Association for Arcadia West and is a referenced lot in the approved declarations. As required, the Village maintains a Letter of Credit securing the completion of Lot 12, per the Planned Development Ordinance requirements. The Petitioner has not yet applied for a building permit for this lot.

ALTERNATIVES:

1. Approve a motion to approve the proposed residence and authorize District 211 as the builder for Lot 12 in the Arcadia West Subdivision.
2. Do not approve a motion to approve the proposed residence and authorize District 211 as the builder for Lot 12 in the Arcadia West Subdivision.

RECOMMENDATION:

Staff recommends approval of the proposed residence and builder for Lot 12 in the Arcadia West Subdivision (358 W. Michigan Avenue).

ACTION REQUIRED:

A motion to approve the proposed residence and authorize District 211 as the builder for Lot 12 in the Arcadia West Subdivision.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Scott Lamerand, District 2 Councilman
SECONDER:	Greg Solberg, District 4 Councilman
AYES:	Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

Consider a Motion Authorizing the Village Manager to Purchase Three Cardiac Monitors

BACKGROUND: The Fire Department has staffed Advanced Life Support (ALS), non-transport vehicles, for over 20 years. Annually, each vehicle is inspected by the Northwest Community Emergency Medical Services System (NCEMSS) and the Illinois Department of Public Health (IDPH) and a waiver has been sought and granted to substitute Automated External Defibrillators (AED) en lieu of the more expensive Cardiac Monitor/Defibrillators. The Fire Department has been notified that NCEMSS and IDPH will no longer grant the cardiac monitor waiver beyond 2019. Three such monitors were purchased earlier this year and placed in front line service and this purchase will complete the outfitting of all 6 non-transport vehicles.

KEY ISSUES: In order for the Fire Department to continue to deliver ALS care by paramedics assigned to non-transport vehicles, the Fire Department must replace the currently used AED's with Cardiac Monitor/Defibrillators prior to the 2020 NCEMSS / IDPH vehicle inspection.

ALTERNATIVES:

1. Maintain the ALS status of all Fire Department non-transport vehicles by purchasing Cardiac Monitor/Defibrillators to replace the existing AED's.
2. Do not purchase Cardiac Monitor/Defibrillators and reduce the status of all Fire Department non-transport vehicles to Basic Life Support (BLS).

RECOMMENDATION:

Staff recommends approval of the purchase of 3 Cardiac Monitor/Defibrillators in an amount not to exceed \$75,000 direct from the manufacturer, ZOLL Medical Corporation, and as outlined in the 2020 capital budget.

ACTION REQUIRED:

A motion to approve the purchase of 3 Cardiac Monitor/Defibrillators direct from the manufacturer, ZOLL Medical Corporation, for an amount not to exceed \$73,000.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Scott Lamerand, District 2 Councilman
SECONDER:	Greg Solberg, District 4 Councilman
AYES:	Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

Consider a Motion Authorizing the Fire Department to Purchase Replacement Turnout Gear

BACKGROUND: The Fire Department's 2020 Operating Budget includes the purchase of replacement turnout gear. The intent is to replace worn out gear of existing personnel, while also providing quality hand-me-down gear for any new hires. In 2010, three vendors (Globe, Morning Pride, and Lion) were contacted and test gear was requested. Lion failed to provide the requested test gear and subsequently dropped out of the proposal process. Morning Pride and Globe both performed well and quotes were requested from each. The clothing committee ultimately recommended the Globe product based on price and familiarity given they are the Department's current vendor.

KEY ISSUES

1. The Fire Department has been using Globe Manufacturing for protective turnout gear for over 18 years.
2. Globe Manufacturing indicated a price increase effective January 1, 2020 not to exceed 5%.
3. The Fire Department is prepared to take advantage of the cost savings by ordering 10 sets of turnout gear by December 31, 2019, with delivery/payment to occur in 2020.
4. Globe Manufacturing has regional vendors (Air One) with defined territories who do not compete against one another, thus this is the best price available for this brand.

ALTERNATIVES

1. Authorize the Fire Department to purchase replacement Globe Manufacturing turnout gear from Air One.
2. Refer back to Staff with comment.

RECOMMENDATION:

Staff recommends that the Fire Department purchase 10 sets of Globe Manufacturing turnout gear from Air One consistent with previous years' purchases.

BUDGET IMPACT:

The cost of the turnout gear would fall within the approved 2020 Fire Department Operating Budget.

REQUIRED ACTION:

Motion authorizing the Fire Department to purchase replacement Globe Manufacturing turnout gear from Air One in an amount not to exceed \$21,800.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Scott Lamerand, District 2 Councilman
SECONDER:	Greg Solberg, District 4 Councilman
AYES:	Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

Consider an Ordinance Amending the Village of Palatine Zoning Ordinance to allow Adult-Use Recreational Cannabis Dispensaries as Special Uses in the Manufacturing and B-5 Highway Business Districts

BACKGROUND:

In June 2019, Governor Pritzker signed Public Act 101-0027 (Cannabis Regulation and Tax Act). This Act legalizes the private consumption and possession of cannabis for Illinois residents over the age of 21. While the Act does not allow any municipality, including those with Home Rule Authority, to restrict the use or possession of cannabis, it does provide local authority relative to the production and sale of cannabis within a given community. Senate Bill 1557 further clarifies that public consumption will not be allowed at locations that have food or drink. Therefore, public consumption will not be allowed at restaurant and bars. It would only be allowed as a dispensary or retail tobacco store, which would have to seek waivers from the Smoke Free Illinois Act from their respective local governments. Therefore, the following text amendments were drafted for the Village Council's consideration:

Text Amendments to the Village of Palatine Zoning Ordinance - Appendix A of the Code of Ordinances - with regulations regarding adult-use cannabis in the Village. The proposed amendments are to Section 3.02 ("Specific definitions"), Section 11.06 (e) Special Uses - B-5 Highway Business District, Section 12.01 (h) Special Uses - Manufacturing District, and a new Article 15 - Adult-Use Cannabis.

KEY ISSUES:

The proposed text amendments were drafted for Village Council consideration for adult-use cannabis dispensing establishments. Many of the surrounding municipalities are also determining what Zoning Ordinance amendments are necessary for consideration by their respective elected officials for such uses.

Current Zoning Ordinance regulation for Adult-Use Cannabis - Sale and Production Uses:

- Prior to June 2019, any proposed cannabis use would not be allowed, as it was illegal. Subsequent to the adoption of Public Act 101-0027, the Zoning Ordinance does not contemplate such uses. Therefore, the existing process would require that any proposed use, which is not identified or listed in the Zoning Ordinance, follow the Special Use process as a Unique Use. Unique Uses are defined as follows:

Unique Uses. A use not otherwise listed as a Permitted Use or Special Use within any zoning district. (Ord. 0-72-07, §3, 5/14/07; Ord. 0-85-12, §2, 6/18/12)

- Unique uses are listed as Special Uses within all of the business districts and manufacturing district within the Village. As such, if the Zoning Ordinance is not amended, every zoning district, could be subject to the sale or production of cannabis, as a Special Use for a Unique Use or Accessory Unique Use.

Proposed Zoning Ordinance amendments regulating Adult-use cannabis dispensing establishments:

- In order to provide the Village Council with a draft ordinance for consideration, the proposed Ordinance identifies *Adult-Use Cannabis Dispensing Establishments*, as Special Uses with the B-5 (Highway Business District) and M (Manufacturing District) Districts, subject to specific requirements and operational compliance considerations.
- The proposed amendments relate only to dispensing establishments. There is no consideration of production or growing establishments, within the draft ordinance.
- This would be reflected in a new Section 15 (“Adult-Use Cannabis”) of the Zoning Ordinance and would require the following:
 - The proposed adult-use cannabis dispensing establishment must be licensed by the Illinois Department of Financial and Professional Regulation to operate a medical cannabis dispensing organization under the Compassionate Use of Medical Cannabis Pilot Program Act. The medical cannabis dispensing location need not be in Palatine but the licensee shall have gone through that process with the State.
 - Any adult-use cannabis dispensing establishments cannot be located within 1,500 feet of a building in which there is located a pre-existing public or private nursery school, pre-school, primary or secondary school, or day-care facility. Learning centers and vocational/trade centers shall not be classified as a public or private school for purpose of the proposed ordinance. ***At the Public Hearing, the Plan Commission recommended increasing the school separation to 2,500 feet (.47 miles). The draft ordinance for consideration maintains the initially proposed 1,500 feet, as it is consistent or exceeds other proposed municipal zoning regulations for such uses. The primary impact of the Plan Commission's suggested increase would be eliminating the entire Vermont Street area Manufacturing District. This is due to the distance from the District 211 Alternative School on Illinois Avenue, Kirk School, Sandborn School, and South Campus/New Connections Academy (located on E. Wilmette Road). The Plan Commission's suggested distance requirement would also impact a few parcels on Colfax Street due to the distance from Paddock School.***
 - Adult-use cannabis dispensing establishments shall not be located within 500 feet of any property that is either owned by a Park District or utilized

for Park District purposes, unless separated by railroad tracks. ***At the Public Hearing, the Plan Commission recommended increasing the park district separation to 1,000 feet (.19 miles). The draft ordinance for consideration maintains the initially proposed 500 feet, as it is consistent or exceeds other proposed municipal zoning regulations for such uses.***

- Adult-use cannabis establishments may not be located in a dwelling unit nor abutting or directly across the street from any residential use.
- Adult-use cannabis establishments cannot conduct sales or distribution of cannabis other than authorized by the Act. On-site consumption is also prohibited.
- The Village review process would follow the Special Use review process, with an evaluation of the following components for review:
 - Impact of the proposed facility on the existing or planned uses located within the vicinity of the Subject Property.
 - Site design and a review of the proposed structure in which the use will be located, including any co-tenancy, square footage, Building Code compliance, and security plan for the use.
 - Parking demand, available parking supply, and anticipated traffic generation.
 - Proposed signage plan.
 - Hours of operation and the anticipated number of customer and employees.
- Any requested Special Use would follow the typical Public Hearing notification process, per the Zoning Ordinance requirements, prior to a Public Hearing before the Zoning Board of Appeals or Plan Commission and subsequent Village Council review.
- The Plan Commission also included a recommendation for Village Council consideration regarding a limit to the total number of adult-use dispensaries to a maximum of 4. The draft ordinance requirements do not include a maximum number of dispensaries, as the proposed school and park district spacing requirements and minimum separation between dispensaries in the Act (1,500 feet) will be self-limiting.

ALTERNATIVES:

1. Approve the Text Amendments to Section 3.02 - Specific definitions, 11.06 - B-5 District Special Uses, 12.01 - Manufacturing district Special Uses, and a new Article 15 - Adult-use cannabis.
2. Do not Approve the Text Amendments to Section 3.02 - Specific definitions, 11.06 - B-5 District Special Uses, 12.01 - Manufacturing district Special Uses, and a new Article 15 - Adult-use cannabis.

RECOMMENDATION:

Public Hearing: Plan Commission - November 19, 2019

Residents testifying: 18: Concerns with the Village choosing to opt in for adult-use cannabis sales; proximity to schools, churches, and parks; concerns for the Colfax Street corridor as an eligible area. 1 person spoke in support for the allowing adult-use cannabis dispensaries and within Rand Road area.

Vote: The Plan Commission voted 8-0 to approve the amendments, with some recommended changes to the school and park district separation distances and total number of dispensaries allowed within the Village. The proposed ordinance for Village Council consideration maintains the initial separation distances for schools and parks and does not include a number limitation.

ACTION REQUIRED:

Motion to approve an ordinance amending the Zoning Ordinance to allow Adult-use cannabis dispensing establishments as Special Uses within the Village of Palatine's Manufacturing and B-5 Zoning Districts.

RESULT:	MOTION CARRIED BY ROLL CALL [4 TO 2]
MOVER:	Kollin Kozlowski, District 5 Councilman
SECONDER:	Scott Lamerand, District 2 Councilman
AYES:	Scott Lamerand, Doug Myslinski, Greg Solberg, Kollin Kozlowski
NAYS:	Tim Millar, Brad Helms

Consider an Ordinance Amending the Palatine Code of Ordinances by the Addition of Article X to Chapter 17 Taxes to Impose a Municipal Cannabis Retailers' Occupations Tax

BACKGROUND:

On June 25, 2019, Illinois Gov. J.B. Pritzker signed into law the Cannabis Regulation and Tax Act (CRTA), legalizing and regulating the production, consumption, and sale of cannabis in Illinois. While the Village of Palatine has yet to take a formal action concerning whether or not to allow the retail sale of cannabis within the Village, the CRTA allows municipalities, by ordinance, to impose a Municipal Purchase Excise Tax on recreational cannabis products of up to 3% of the purchase price.

KEY ISSUES:

- In the event the Village of Palatine allows for the retail sale of cannabis, Staff recommends the Village Council approve an Ordinance amending Chapter 17 of the Code of Ordinances to impose a 3% municipal cannabis retailers' occupation tax.
- This tax would only be collected in the event the Village Council approves a recreational cannabis dispensary in the future.

ALTERNATIVES:

1. Approve the ordinance amending the Palatine Code of Ordinances by the addition of Article X to Chapter 17 Taxes to impose a Municipal Cannabis Retailers' Occupation Tax.

2. Do not approve the ordinance amending the Palatine Code of Ordinances by the addition of Article X to Chapter 17 Taxes to impose a Municipal Cannabis Retailers' Occupation Tax.

RECOMMENDATION:

Staff recommends approval of the ordinance if the Council approves the text amendments to allow the sale of recreational marijuana in Palatine.

ACTION REQUIRED:

A motion to approve the ordinance amending the Palatine Code of Ordinances by the addition of Article X to Chapter 17 Taxes to impose a Municipal Cannabis Retailers' Occupation Tax.

RESULT:	MOTION CARRIED BY ROLL CALL [UNANIMOUS]
MOVER:	Tim Millar, District 1 Councilman
SECONDER:	Doug Myslinski, District 3 Councilman
AYES:	Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

Consider an Ordinance Amending the Village of Palatine Code of Ordinances by the Addition of Article XXX to Chapter 12 Prohibiting Cannabis Business Establishments

BACKGROUND:

In June 2019, Governor Pritzker signed Public Act 101-0027 (Cannabis Regulation and Tax Act). This Act legalizes the private consumption and possession of cannabis for Illinois residents over the age of 21. While the Act does not allow any municipality, including those with Home Rule Authority, to restrict the use or possession of cannabis, it does provide local authority relative to the production and sale of cannabis within a given community.

KEY ISSUES:

- If the desire of the Village Council is to prohibit the production and sale of cannabis within Palatine, then a corresponding amendment to the Village of Palatine Code of ordinances would be required.
- The attached ordinance includes the required amendments to prohibit the production and sale of cannabis within the Village of Palatine.

ALTERNATIVES:

1. Approve the ordinance prohibiting the production and sale of cannabis in Palatine.
2. Do not approve the ordinance prohibiting the production and sale of cannabis in Palatine.

RECOMMENDATION:

Action is at the discretion of the Village Council.

ACTION REQUIRED:

A motion to approve the ordinance amending the Village Code of the Village of Palatine by the Addition of Article XXX to Chapter 12 Prohibiting Cannabis Business Establishments

RESULT:	MOTION FAILED BY ROLL CALL [3 TO 4]
MOVER:	Kollin Kozlowski, District 5 Councilman
SECONDER:	Tim Millar, District 1 Councilman
AYES:	Tim Millar, Kollin Kozlowski, Brad Helms
NAYS:	Jim Schwantz, Scott Lamerand, Doug Myslinski, Greg Solberg