

ZONING BOARD OF APPEALS
MINUTES OF NOVEMBER 9, 2022 – 7:00 P.M.

1. The regularly scheduled meeting of the Zoning Board of Appeals was called to order at 7:00 p.m.
2. A quorum was present. Rhonda Santana, Bruce Boreson. Kathy Mennella, Frank Grieshamer, Jenny Corral, Wayne Bernacki, Chairman Mark Cwik, Lisa Manzo (Secretary), Ryan Morton (Village Attorney), Rudy Repa (Village Planner, Ryan Adriatico (Village Planner), Nick Walny (Village Planner) and John Schneider (Dir of Community Development). All members were present.
3. Member Grieshamer made a motion to accept the amended minutes of October 5, 2022. The motion was seconded by Member Mennella and approved to place them on file as presented.
4. Old Business: None
5. New Business: ZBA 22-17
EEL – Illinois LLC- Catalyst Cannabis
3010 Mannheim Road

Chairman Cwik stated that this hearing is for a Conditional Use for “Adult-Use Cannabis Dispensing Organization” in the C-3, General Commercial District per 9-2 of the Franklin Park Zoning Code.

Mr. Walny stated that the Village has passed Use Standards on Cannabis on December 4, 2019 and also the new Zoning Code regarding same was passed in August of 2022. He also stated that this case has gone through the Village departments for review. Chief Witz told Mr. Walny that the location was good for this type of use and confirmed that there would be no consumption on site.

Chairman Cwik called the petitioners up at this time. He asked the petitioners to sign in and be sworn in. Mr. Nick Standiford, attorney, and Mr. Elliot Lewis, owner of Catalyst, petitioner, came forward. They signed in and were sworn in.

Mr Standiford began his power point presentation at this time. He gave the members an overview of the site in question. He briefed the members of the zoning of this particular property in question as well as displaying a rendering of the prospective building once built. The property will be split into four (4) store front/retail spaces.

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Mr. Standiford went over the security and state regulations that are going to be put into place for a use such as that.

Mr. Lewis stated that he currently has 14 locations in California. They are good corporate citizens and give back to the community through various charities and events that are held throughout the year. He provides employment opportunities with good salaries and health care benefits. He stated that they have a social equity license and holds various community outreach programs. He also added that his stores have very reasonable prices and will be very competitive to the dispensaries currently in the Chicagoland area.

The members asked some questions regarding the construction of the space, how the HVAC system will be run, how the lighting would affect neighboring property owners, parking, etc. Mr. Lewis answered all the questions as far as the construction of the space, how the product will be stored during business hours and after, and that the lighting would be directed onto the property and not toward the neighbors.

Mr. Lee Fry, developer of the site came forward. He was sworn in and signed in for the record; as was Mr. Anthony DiMauro, owner of the A&W Restaurant and part of the development team for the building, also came forward at this time to answer any questions regarding the building. They answered questions regarding the lighting as it would “dim down” from the top of the building to the concrete floor as to not veer off to the neighboring properties. The HVAC system would capture any odors and draw them back in, and not escape to the outside air so any patrons from the other retail spaces nor neighbors will be impeded. The actual construction of the building will be brought forward to the Building Department as well as other staff that will review the plans prior to any permits being issued.

The members questioned how the employees will handle customers and lines of people frequenting the establishment. Mr. Lewis stated that he has surveillance technology on his phone and monitors the customer density at his locations. If there is an abundance of customers, he ensures that there will be staff on hand to control and take care of their sales needs as quickly as possible.

Chairman Cwik opened this hearing to the public at this time. Chairman Cwik stated that since no public came forward, he closed public session.

Board Discussion began at 7:36 p.m.

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There was some discussion regarding this hearing. The members discussed the address for this hearing. It is listed as 3010 Mannheim, but sliced into four (4) spaces, A through D. The question was posed whether to include the numbered space/suite in the address of the Conditional Use to ensure the use would be limited to the applicant.

Mr. Morton, Village Attorney, suggested that the Conditional Use be addressed to 3010 Mannheim only but with the applicant's name attached. Once plan review and permitting is addressed through the Building Department, the Fire inspectors may address the suite/unit number with the post office differently.

The members had favorable reviews regarding this hearing and discussed placing conditions on this use.

Board Discussion ended at 7:40 p.m.

Member Grieshamer made a motion to “approve ZBA 22-17 for 3010 Mannheim Road for a Conditional Use for “Adult-Use Cannabis Dispensing Organization” in the C-3, General Commercial District per 9-2 of the Franklin Park Zoning Code with the following conditions: 1. That the applicant obtain and keep in good standing a state license to operate an adult-use cannabis dispensing organization; 2. That this proposed use complies with all State and Village regulations at all times. This includes Section 9-3-C of the Franklin Park Zoning Code which outlines use standards for Adult-Use Cannabis Dispensing Organizations.” Member Mennella seconded the motion. Roll Call Vote. Member Corral-Yes; Member Bernacki-Yes; Member Boreson-Yes; Member Grieshamer-Yes; Member Mennella-Yes; Chairman Cwik-Yes; Member Santana-Yes. Seven (7) Ayes, Zero (0) Nays, Zero (0) Absent, Zero (0) Abstain. The motion was carried.

Chairman Cwik reminded the applicant that this is a recommending body and all final decisions will be made by the Village Board of Trustees.

Chairman Cwik thanked everyone for attending this evening.

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6. New Business: ZBA 22-18
3010 F&B, LLC
3010 Mannheim Road

Chairman Cwik stated that this hearing is for a Conditional Use seeking a drive-thru lane under Section 9-2, Use Matrix Table 9-1 and Section 9.5.C (Accessory Use Standards for Drive Thru Lane) of the Franklin Park Zoning Code.

Chairman Cwik called the petitioners up at this time. He asked the petitioners to sign in and be sworn in. Mr. Nick Standiford, attorney, and Mr. Anthony DiMauro, owner of the A&W Restaurant, petitioner, came forward. They signed in and were sworn in.

Mr. Standiford began the presentation as he had with the one prior by giving a power point presentation at this time. He gave the members an overview of the site in question. He briefed the members of the zoning of this particular property in question as well as displaying a rendering of the prospective building once built. The property will be split into four (4) store front/retail spaces. The A&W Restaurant will be located at the very south side of the building. The hearing this evening is not for the restaurant as it is a permitted use, but a Conditional Use permit for the installation of a drive-thru lane.

Mr. DiMauro stated that 80% of his restaurant business is dedicated to the drive thru. He showed renderings to the members showing how the traffic flow would be conducted; going around the building and to the south side where the menu board would be located. There is plenty of room for stacking of vehicles.

Mr. Boreson asked for some visual description on the vehicle lanes going around the property as well as the drive-thru lanes. Mr. DiMauro displayed to the members how traffic would have the proper ingress and egress aside from the separate drive-thru lane. They are 12-foot lanes as shown on the renderings.

Chairman Cwik opened this hearing to the public at this time. Chairman Cwik stated that since no public came forward, he closed public session.

Board discussion began at 7:50 p.m.

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There was minimal discussion regarding this hearing. It was straight forward as the restaurant is a permitted use. This would be adding a drive thru window/lane.

Board Discussion began at 7:52 p.m.

Member Grieshamer made a motion to “approve ZBA 22-18 for 3010 Mannheim Road for a Conditional Use seeking a drive-thru at a permitted use (restaurant) in the C-3, General Commercial District per Section 9-2, Use Matrix Table 9-1 and Section 9.5.C (Accessory Use Standards for Drive Thru Lane) of the Franklin Park Zoning Code with the following conditions: 1. That the applicant install and maintain the required eight-foot screening on the west property line; 2. That the applicant install and maintain appropriate vehicular paint/directional signage within the parking lot for users of the drive thru; 3. That this proposed use complies with all Village regulations at all times.” Member Mennella seconded the motion. Roll Call Vote. Member Corral-Yes; Member Bernacki-Yes; Member Boreson-Yes; Member Grieshamer-Yes; Member Mennella-Yes; Chairman Cwik-Yes; Member Santana-Yes. Seven (7) Ayes, Zero (0) Nays, Zero (0) Absent, Zero (0) Abstain. The motion was carried.

Chairman Cwik reminded the applicant that this is a recommending body and all final decisions will be made by the Village Board of Trustees.

Chairman Cwik thanked everyone for attending this evening.

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7. Public Comment: None.

Mr. Adriatico discussed with the members other major improvements that have been taking place at the Grand and Mannheim site ulterior to the 3010 Mannheim prospective development. He stated that the Village has prepped two (2) lots for development at the Grand/Mannheim location. There has been storm water management at the site as well as the re-alignment of the property; an IDOT review of a stop light to be installed/street and sidewalk installations to accommodate the new Wyndham Garden Hotel that is beginning construction. It will adorn this new modern campus.

8. A motion was made by Member Grieshamer to adjourn the meeting of the Zoning Board of Appeals. It was seconded by Member Mennella. All in favor. Motion carried.

The meeting adjourned at 8:00 p.m.

Respectfully Submitted,

Lisa M Manzo

Lisa M. Manzo
Zoning Board of Appeals Secretary