

**Regular Meeting – Plan Commission/Zoning Board of Appeals  
Gregory J. Bielawski Municipal Center, DuPage County, Carol Stream, Illinois**

***All Matters on the Agenda may be Discussed, Amended and Acted Upon  
April 24, 2023.***

Chairman Parisi called the Regular Meeting of the Combined Plan Commission/Zoning Board of Appeals to order at 6:00 p.m. and directed Patty Battaglia, Planning and Permitting Assistant, to call the roll.

The results of the roll call vote were:

Present: 6 Commissioners Christopher, Meneghini, Morris, Petella, Tucek and Chairman Parisi

Absent: 1 Commissioner Battisto

Also Present: Bob Mellor, Village Manager; Don Bastian, Community Development Director; Tom Farace, Planning and Economic Development Manager; Bravo Berisha, Assistant Planner; Patty Battaglia, Planning and Permitting Assistant; a representative from County Court Reporters

**MINUTES:**

Commissioner Meneghini moved and Commissioner Tucek seconded the motion to approve the minutes of the Regular Meeting held on April 10, 2023.

The results of the roll call vote were:

Ayes: 6 Commissioners Christopher, Meneghini, Morris, Petella, Tucek and Chairman Parisi

Nays: 0

Abstain: 0

Absent: 1 Commissioner Battisto

The motion passed by a unanimous vote.

**PUBLIC HEARING:**

Chairman Parisi asked for a motion to open the Public Hearing. Commissioner Christopher moved and Commissioner Morris seconded the motion.

The results of the roll call vote were:

Ayes: 6 Commissioners Christopher, Meneghini, Morris, Petella, Tucek and Chairman Parisi

Nays: 0

Abstain: 0

Absent: 1 Commissioner Battisto

The motion passed by unanimous vote.

**Case #23-0013 – JJ Therapeutic Massage – 1430 W. Army Trail Road**  
*Special Use Permit for a Massage Establishment*

Chairman Parisi swore in Mr. James Jackson, business owner.

Mr. Jackson stated the purpose of this business is to offer the community a place where they can relax, heal and recover from injuries and illness. This is not only traditional massage. We also offer CBD oil massage, isolation sports massage to heal a muscle and Himalayan salt and yoga massage.

Chairman Parisi asked for questions or comments from the audience and there were none.

Mr. Berisha began the Staff Report by reading an email from Phil Stevens, a Bartlett resident residing at 1784 Penny Lane. Mr. Steven's email mentioned his concern for many massage establishments being operated as a front for sex work. He asked the Plan Commission to proceed cautiously and consider this establishment being close to homes, a pizza place, a convenience store and other businesses where younger people often go for snacks and drinks. His email also read, "Frankly, I'd rather it be a cannabis dispensary than a massage place."

Chairman Parisi informed Mr. Jackson he did not to respond to the email unless you feel you need to make a statement to that.

Mr. Jackson stated he understands the history of some massage establishments were not used for what they were intended to be, but in order to be a successful business you have to be honest and if you go down that path, it is short term and the business will not last very long. To invest into a business with a short term is a waste of time and money.

Mr. Berisha continued the Staff Report by stating the applicant is not proposing any interior remodeling and the floor plan will remain with 5 massage rooms and a waiting area. One employee will work the front desk and the other employee will be a therapist. Additional staff will be hired based on business needs. The hours of operation are proposed to be 10 a.m. – 9 p.m. seven days week. The applicant has been informed and acknowledges all the conditions for massage establishment regulations. The parking study showed a surplus of 88 parking spaces in total. Staff supports the Special Use request and recommends approval.

Chairman Parisi asked for questions or comments from the Commission.

Commissioners Meneghini, Morris, Christopher, Tucek and Chairman Parisi had no questions.

Commissioner Petella asked Mr. Jackson how long he has been in business and if this was his first attempt at a massage parlor.

Mr. Jackson replied that he has a restaurant background but the massage manager has over 15 years of experience as a licensed therapist and this is his first attempt with a massage business.

Commissioner Meneghini moved and Commissioner Christopher seconded the motion with no further discussion.

The results of the roll call vote were:

Ayes: 6 Commissioners Christopher, Meneghini, Morris, Petella, Tucek and Chairman Parisi  
Nays: 0  
Abstain: 0  
Absent: 1 Commissioner Battisto

The motion passed by unanimous vote.

This case will go before the Village Board on Monday, May 1, 2023, at 6:00 PM for review.

**Case #23-0015 – Village of Carol Stream Public Works Facility – 124 Gerzevske Lane**  
*Amendment to a Special Use Permit for a Governmental Use in the form of Additional Outdoor Storage*

Chairman Parisi swore in Mr. Brad Fink, Assistant Director of Public Works for the Village of Carol Stream.

Mr. Fink stated the overall intent of the project is to create more space on the existing footprint to improve storm water management, protect against runoff to an adjacent property and the overall efficiency within the site. The current police impound lot is housed at our facility and we are looking to move that off site to allow us more space to construct outdoor storage containers for stone and various materials. The property is not being expanded, but we will be replacing the existing fence and are asking for a Special Use Permit to move forward.

Chairman Parisi asked for any comments or questions from the audience and there were none.

Mr. Farace began his Staff Report by stating an amendment to a Special Use Permit is being requested to relocate the police impound lot, new material storage bins and two storage containers in the northwest corner of the property. There are some pavement modifications proposed, new fencing and replacing the existing security gate. Staff has reviewed the proposed modifications and are recommending approval.

Chairman Parisi asked for questions or comments from the Commission.

Commissioner Tucek stated as a resident he would prefer to keep the police impound away from the residence instead of moving it closer to them, but he understands the need for space.

Commissioners Christopher, Meneghini, Morris, Petella and Chairman Parisi had no questions.

Commissioner Morris moved and Commissioner Petella seconded the motion with no further discussion.

The results of the roll call vote were:

Ayes: 6 Commissioners Christopher, Meneghini, Morris, Petella, Tucek and Chairman Parisi  
Nays: 0  
Abstain: 0  
Absent: 1 Commissioner Battisto

The motion passed by unanimous vote.

This case will go before the Village Board on Monday, May 1, 2023, at 6:00 PM for review.

**Case #23-0016 – Carol Stream Water Reclamation Center – 245 N. Kuhn Road**  
*Special Use Permit for a Governmental Use in the form of Additional Outdoor Storage*

Since Mr. Fink was previously sworn in he began his presentation by stating this project consists of paving what is currently dirt and we are proposing to pave the entire lot which will house the impound lot that will be located on the entire north, third of the lot, striped and hold approximately 30 vehicles. The Police Department is proposing to house two storage containers for any items needing protection from the elements. The bottom third will be utilized by Public Works to construct more storage bins for material and a washout bay for a street sweeper. The lower third is for material storage. The bottom half is going to be construction debris like organic trees that are cut down which are stored until they are cut grinded in order to offer mulch to the residents. This location is secure needing a card gate access and the impound area will have 24 hour surveillance with a camera and card access.

Chairman Parisi asked for any comments or questions from the audience and there were none.

Mr. Farace provided a Staff Report stating this parcel was purchased separately as part of the water reclamation center property, and the majority of the WRC was granted approval of a Special Use Permit. This parcel was on its own and did not ever obtain Special Use approval. They are proposing to relocate the Police impound lot from the Public Works Facility to this location to approximately house 30 vehicles. New fencing will be installed around the impound lot area. As of last week, Public Works and Police changed the fence height request from a 10-foot tall fence with barbed wire on top to 8-foot in height with the barbed wire on top so a variation is not required because the 8 feet is an allowable height. The area will be secured, have an open and a covered storage bin and storage containers. The residential area is 300 feet away with some other improvements in between the residents and the Water Reclamation Center. Staff is supportive of the request and is recommending approval.

Chairman Parisi asked for questions or comments from the Commission.

Commissioners Meneghini, Christopher, Tucek and Chairman Parisi had no questions.

Commissioner Morris asked how long do the 30 cars stay in the impound lot.

Mr. Fink replied it could vary – days or months.

Commissioner Morris asked what they mean by police evidence. Like from crimes or whatever and is that going to be secured. Also, is that one of the reasons for the barbed wire around the fence.

Mr. Fink stated that is his understanding and that needs to be protected from the elements.

Commissioner Petella stated he is okay with all of it except the barbed wire. It's closer to the homeowners. I understand the need to protect the evidence, but isn't there another way to protect it without 2 feet of barbed wire on top of an 8 foot fence. You have a water reclamation plant right there now. Currently you have a 5 feet fence, which seems to get by without the barbed wire, so is that something that is negotiable at all.

Mr. Fink stated it is something they can look at. It was requested by the Police Department due to the sensitive nature.

Chairman Parisi then asked if the 8 foot fence with the barbed wire complies with the UDO.

Mr. Farace stated it would.

Commissioner Petella asked if that is considered an industrial area and what is it zoned.

Mr. Farace stated our fence regulations are based on the use, not the zoning district. Since this is looked at as an Industrial Use, you are allowed to have an 8 foot tall fence and is zoned R-1.

Commissioner Meneghini moved and Commissioner Christopher seconded the motion with no further discussion.

The results of the roll call vote were:

Ayes: 5 Commissioners Christopher, Meneghini, Morris, Tucek and Chairman Parisi

Nays: 1 Commissioner Petella

Abstain: 0

Absent: 1 Commissioner Battisto

The motion passed by majority vote.

This case will go before the Village Board on Monday, May 1, 2023, at 6:00 PM for review.

**Case #23-0011 – Veltiste IL (Fuego Cannabis Dispensary) – 720 E. North Avenue**  
*Special Use Permit for an Adult Use Cannabis Dispensing Organization*

Chairman Parisi shared the per view of the Plan Commission. Tom and his team, along with Don Bastian, were in place to actually look at the compliance with the Unified Development Ordinance that the Village has implemented through a series of meetings with the Plan Commission, so we will actually be looking at the Special Use for adult use in compliance with that UDO. I know there might be a difference of opinion whether a cannabis dispensary should be in Carol Stream. I think that ship has sailed and the Village Board has actually approved it within that UDO.

Chairman Parisi swore in Mr. Dev Patel, Chief Executive Officer, and Mr. Christian Nitu, Chief Operations Officer, both from Fuego Cannabis Dispensary.

Mr. Patel thanked the Village of Carol Stream and Tom by stating the Village has been exceptional throughout this process. We have been in the cannabis business since 2015 and were issued our license over a couple years ago. We have been in a lot of municipalities and Carol Stream has really welcomed us with open arms. This will be our first of many retail stores and have focused heavily on the cultivation and processing aspects of the supply chain. We chose this site because egress is strong, traffic is strong, visibility is there and there is adequate parking. We believe in doing right by people and giving back to the community and gave back to at least a dozen charities over the last ten years. Every state has its own mandate on a dispensary and Illinois is one of the top three most regulated states in America from the security plan and not being able to have product on the sales floor. Mr. Nitu will speak about the retail operation.

Mr. Nitu stated there will be a GM, one or two assistant managers and an inventory manager (one of the most critical rolls in a dispensary have in and upwards of 300-400 SKUs), dispensary agents and the contracted vendors like security which will be during all hours of operation.

Mr. Patel stated we plan on brand new asphalt in the parking lot, striping, new landscaping, northwest and east elevations will be completely demolished, and some seating and cement structures will be removed. The southwest partition of the building will have new masonry, new exterior lighting, cameras

around 360 degrees of the property all with license plate recognition. The building will look clean when it is finished. The front façade will have the red on white and will be showcased throughout the interior.

Mr. Nitu stated we are not adding any new signage, just reformatting the existing. The monumental sign in the front will be used for informational purposes only. No cannabis products or sales at all will be advertised. It will provide the operating hours, date and time or weather. We will adhere to all local and state regulations when it comes to advertising.

The traffic and parking study showed we will need at least 36 spaces and currently we have 44 spaces allotted to our building. Mr. Patel had a conversation with the owner of Jubilee Furniture where there is a shared lot and excess parking will be available.

People can preorder their products from our site, we will hold it for reservation and that will minimize the transaction time to less than 3 minutes which will help the traffic. On average, we think it will take about 7 minutes per transaction and 5 minutes when it is a little bit busier. We believe our traffic study showed we have the space to handle all the traffic coming through.

Our hours of operation will be Monday-Saturday from 9 a.m. – 9 p.m. and on Sunday 10 a.m. – 8 p.m. We anticipate 300-400 customers on busy days, and 100-150 customers per day on non-busy days.

There will be 15-17 employees on site on busy days, and about 10-12 employees on non-busy days.

Delivery will be done during off peak hours during the morning, usually between 9 a.m. and 12 p.m. and will be confirmed 48 hours ahead of time through the rear. The security guard on site will assist and supervise the whole process. Typically the deliveries will take anywhere from 10-25 minutes.

In terms of waste, we will adhere to all the state regulations. Any cannabis that is expired or has been dropped, will be mixed with an organic material such as cat litter or soil, placed in a safe bin inside the vault (not accessible by the public at all) and then we will contract with a third party to haul.

After a customer parks on site, they will check in with security on staff who will be present in the blue room and their ID's will be checked to confirm they are of age. Then they will be buzzed in to the lighter blue part of the building which is the sales floor that only has vanity packaging since no product is allowed on the sales floor. They can either order on a kiosk or shop with a dispensary agent. After an order has been placed, you proceed to the POS area where there are fulfillment windows (only staff is back behind windows) so the order can be packed and sorted and passed through the fulfillment window. Then they will check out and go straight through the same room they came in. Forms of payment are cash, debit and there will be two ATMs on site. Only 15-18 people are allowed on the sales floor at a time, so the rest of the people will remain in the check-in room until we allow people to go through.

Every product is lab tested, sealed and prepackaged in opaque packaging resulting in very minimal odor coming from a retail establishment especially here in Illinois because no product can be opened or consumed on site. The interior and exterior of the building (including the parking lot) will be monitored to make sure no one is consuming on site.

We have contracted some of the best security vendors in the country. We'll have a 24/7 alarm system, reinforced doors and windows, video surveillance system with a backup battery, reinforced vault doors, security mesh around the building, intrusion protection alarm, a panic button at the check-in area, the POS area, the vault and the delivery area in the back of the building.

Once we receive approval at the local level, the State will perform a compliance check and inspection before we open.

We hope to start construction in May and complete it by July. Hire staff in June and have the first week in August the inspection week with the State. We hope to open on August 7<sup>th</sup> of this year.

Chairman Parisi asked for questions or comments from the audience.

Mr. Scott Pearson from Spraying Systems Company, 200 North Avenue, Glendale Heights, asked if the security guard on site would be there 24 hours a day or just during times when you are open.

Mr. Nitu replied we will have an unarmed security guard during open hours and then we will have a contracted third party that is remotely watching the exterior 24 hours a day.

Mr. Pearson asked how often does the State do a compliance inspection after the initial one.

Mr. Nitu stated it is periodically. I believe right now they are doing them quarterly.

Mr. Pearson mentioned a concern from the nearby residents walking over and then transferring to his property across North Avenue and asked how far their securities go. Mr. Pearson stated we have security cameras and a person at our building, but they can't watch everything on our 30 acres and we are in Glendale Heights.

Mr. Nitu replied it is our intention to have open dialogue with our neighbors. We will check in with you guys to make sure everything is good.

Ms. Karen Kulczycki, SVN Chicago Commercial, representing the current seller of the property wanted to have her presence known in case there were any questions for her and there were none.

Mr. Farace started the Staff Report by stating in the beginning of 2020 the state enacted the Cannabis Regulation and Tax Act which allowed the legalized sell of cannabis and cannabis products in Illinois. Right before that was enacted, the Village did some amendments to allow cannabis dispensaries as a Special Use which was the B-4 District at that time. Currently, that has been retitled to the Office & Service District (O-S District). Late last year the Village Board started discussing some possible zoning updates in conjunction with the approved updates in DuPage County allowing cannabis dispensaries in unincorporated areas. Village Staff was then directed by the Village Board to propose some amendments, including to allow a dispensary to be a Special Use in the B-3 District (General Business District). This property is zoned B-3 and meets the criteria we established earlier this year including stipulations on distance requirements (cannot be closer than 100 feet) for dispensaries in conjunction with places of worship, senior housing facilities and schools. In addition, one dispensary cannot be allowed to be located within 1500 feet to another dispensary which is also a State of Illinois requirement. The parking lot will be resurfaced, replace existing landscaping with some lower, growing shrubs and plant material that was discussed with the Police Department. The Police Department also reviewed this project very thoroughly including the security plan.

The exterior of the building will be updated from a color scheme perspective proposed on the upper half on the north, west and east sides of the building.

The wall signs are proposed on the north and east sides of the building as well as the existing ground sign. Per Village requirements, signage on the building cannot have any type of symbol for cannabis and cannot include words such as weed or pot or display any information about the products.

Based on the square footage of the building and the net floor area, which is 2,300-2,400 square feet, there is more than enough parking. There is also a shared parking, cross access agreement with Jubilee Furniture that allows parking for each business.

Deliveries will be provided in a safe and secure manner. They will not be during peak times or weekend hours and done primarily in the morning hours. The delivery day and times will vary so if someone is monitoring the property they will not know exactly when a shipment is due to arrive. They will take place in the rear of the building with a security guard present.

Cannabis waste will not be intermixed with the garbage in the dumpster located in the back of the building. It will be stored in a waste area inside the building where only staff is allowed and will be collected by a third party waste collection company.

This will be a highly secured building with all points inside and outside being monitored 24/7, along with a special film on the windows to prevent break-ins.

No products will be consumed on site and parking lot lighting will be upgraded to more modern, LED lights.

Staff has reviewed the request based on the updated regulations that were established earlier this year for cannabis dispensaries and we are recommending approval of the request at this location.

Chairman Parisi thanked Mr. Patel and Mr. Nitu for a thorough presentation and asked for comments or questions from the Commission.

Commissioner Meneghini asked about the security guard and thought they told Mr. Pearson the guard would be armed.

Mr. Nitu replied that he said unarmed.

Commissioner Meneghini asked if they were aware of the eight conditions and if they would comply.

Mr. Patel read each one and answered yes to all of them.

Commissioner Morris asked if they would be doing a background check on their employees and if there are any criminal elements that are allowed to work there after a certain period of time.

Mr. Patel stated they are required to do background checks on everybody. I believe there is a delicate balance, based on some felonies, to give someone a second chance.

Mr. Nitu stated from a state regulatory perspective, when the dispensary agents are hired, we have to submit an application to the State. The State will review the application and issue them an identification card if nothing appears during the background checks.

Commissioner Morris asked since you will be generating a lot of cash, do you have an armored car service coming and picking up this cash on a daily basis or will it be put in the vault at night and will it be going to a bank.

Mr. Nitu replied we will have weekly pickups with an armored truck. The cash we do not use to pay our vendors will be picked up from an armored service and then taken to an approved bank.

Commissioner Morris asked if vendors are also paid in cash.

Mr. Nitu replied they will either be paid in cash or, if they have a bank account, we can wire them the money. We also have a bank or a credit union that works with us.

Commissioner Morris asked what kind of a daily balance of cash do you think you'll have on hand because I just see it right for something to happen.

Mr. Nitu stated we could see \$20,000-\$30,000 cash daily.

Commissioner Morris asked and you only get a pick-up once a week.

Mr. Nitu replied the \$20,000-\$30,000 would be in total sales and 60% of that would be cash. As vendors come in we will be making some payments out and minimizing maybe less than \$50,000-\$70,000 cash that will go through the armored pick-up service. We will be monitoring it very closely so if we need to increase the pick-ups we can.

Commissioner Christopher had no questions.

Commissioner Petella asked about the security on the rooftop. The rooftop units can be removed and are a good way inside.

Mr. Nitu stated everything will be in the vault at night and we have a security mesh on top of the roof as well as video surveillance. The security company will be watching all of those access points.

Commissioner Tucek thanked the petitioners for a thorough submittal and stated hopefully you can hire from some Carol Stream residents.



Chairman Parisi asked about the waiting room and the flow of people. He said there is an establishment in Wrigleyville that at 10 o'clock in the morning is a line that goes down to the stadium. So, how many people can you hold in the vestibule, and, when you start forming a line, how do you handle that operationally.

Mr. Patel replied that establishment in Chicago is 3-4 times busier than our business. Our operation is made and designed for getting in and getting out in a timely manner. I believe, based on the amount of staff, we will be able to move the customers fluidly without long wait times.

Chairman Parisi asked if the vestibule is a check in point to check credentials and you are not actually holding anybody in there.

Mr. Patel stated that is correct and hopefully, they would not have to be in there for more than five minutes.

Chairman Parisi apologized and stated he was under the impression you would only take so many customers and service them at a time within your showroom floor. So you're telling me if you have 18 sales people you can put 25 customers in there and rotate people in and out.

Mr. Nitu stated the check-in room can hold 6-8 people. What we've done in the past, we'll have an employee go out and do line management on the exterior as well. Typically, security will monitor and we also have technology so people can check in with their phone and we will text them when their time is ready.

Chairman Parisi stated so there is an opportunity that someone could be waiting in their car until their order is ready.

Mr. Nitu replied yes.

Chairman Parisi asked if it was correct that they have an overflow agreement with Jubilee Furniture.

Mr. Nitu replied yes.

Commissioner Meneghini moved and Commissioner Petella seconded the motion with no further discussion.

The results of the roll call vote were:

Ayes:	6	Commissioners Christopher, Meneghini, Morris, Petella, Tucek and Chairman Parisi
Nays:	0	
Abstain:	0	
Absent:	1	Commissioner Battisto

The motion passed by unanimous vote.

This case will go before the Village Board on Monday, May 1, 2023, at 6:00 PM for review.

**PUBLIC HEARING:**

Chairman Parisi asked for a motion to close the Public Hearing. Commissioner Christopher moved and Commissioner Petella seconded the motion.

The results of the roll call vote were:

Ayes: 6 Commissioners Christopher, Meneghini, Morris, Petella, Tucek and Chairman Parisi  
Nays: 0  
Abstain: 0  
Absent: 1 Commissioner Battisto

The motion passed by unanimous vote.

**PRESENTATION:**

**NEW BUSINESS:**

**OLD BUSINESS:**

**OTHER BUSINESS:**

Mr. Farace stated the May 8, 2023 meeting can be canceled due to no cases for that date.

Chairman Parisi asked for a motion to cancel the meeting. Commissioner Christopher moved and Commissioner Meneghini seconded the motion to cancel the May 8, 2023 meeting.

**ADJOURNMENT:**

At 7:20 p.m. Commissioner Meneghini moved and Commissioner Christopher seconded the motion to adjourn the meeting.

The results of the roll call vote were:

Ayes: 6 Commissioners Christopher, Meneghini, Morris, Petella, Tucek and Chairman Parisi  
Nays: 0  
Abstain: 0  
Absent: 1 Commissioner Battisto

The motion passed by unanimous vote.

FOR THE COMBINED BOARD

Recorded and transcribed by,

Patty Battaglia

Patty Battaglia  
Planning and Permitting Assistant

Minutes approved by Plan Commission on this 26 day of JUNE, 2023.

  
Chairman