

**Meeting Held Electronically**



**COMMITTEE OF THE WHOLE MEETING  
MONDAY, AUGUST 1, 2022**

(Immediately following the Village Board Meeting)

**AGENDA**

**CALL TO ORDER**

**ROLL CALL**

**AUDIENCE COMMENTS**

**TRUSTEE COMMENTS**

**DISCUSSION**

1. Petition #22-04: Pharmacann Special Use
2. Pedestrian Signal at Randall Road & Dogwood-Ritter
3. Village Logo Use Policy

**EXECUTIVE SESSION**

**ADJOURN**

Initials: \_\_\_\_\_ SB \_\_\_\_\_

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**VILLAGE OF NORTH AURORA  
BOARD REPORT**

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**TO:** VILLAGE PRESIDENT & BOARD OF TRUSTEES  
CC: STEVE BOSCO, VILLAGE ADMINISTRATOR

**FROM:** MIKE TOTH, COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR

**SUBJECT:** PETITION 22-04: 2080 WEST ORCHARD ROAD ADULT-USE CANNABIS DISPENSING ORGANIZATION SPECIAL USE

**AGENDA:** AUGUST 1, 2022 COMMITTEE OF THE WHOLE MEETING

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**DISCUSSION**

PharmaCann, Inc. (d.b.a. Verilife) is petitioning for a special use from the Village to relocate its existing medical and adult-use cannabis dispensing organization from 161 S. Lincolnway to 2080 West Orchard Road. Medical Cannabis Dispensaries are classified as a permitted use in the B-2 General Business District; however, Adult-Use Cannabis Dispensing Organization (recreational cannabis sales) are classified as a special use in the B-2 District. The proposed use would be located within a 4,250 square foot, one-story building in the Orchard Commons B-2 General Business District Planned Unit Development. Staff notes the building was approved as part of a 2021 PUD amendment, but has not yet been constructed.

Staff notes the following Zoning Ordinance use standards apply to Adult-Use Cannabis Dispensing Organizations in North Aurora:

1. *Purpose and Applicability. It is the intent and purpose of this Section to provide regulations regarding the cultivation, processing and dispensing of adult-use cannabis occurring 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.*
2. *There shall be a maximum of two (2) Adult-Use Cannabis Dispensing Organizations located in the Village of North Aurora.*
3. *Adult-Use Cannabis Dispensing Organizations shall be located a minimum of 1,000 feet from the property line of any school grounds, public playground, public recreation center, child care center, public park, public library, or game arcade to which admission is not restricted to persons 21 years of age or older located in the Village of North Aurora.*
4. *On-site consumption of cannabis shall be prohibited.*
5. *Adult-Use Cannabis Dispensing Organizations shall be located a minimum of 1,500 feet from the property line of any pre-existing Adult-Use Cannabis Dispensing Organization located in the Village of North Aurora.*

A public hearing was conducted on this item before the Plan Commission at their July 5, 2022 meeting. The meeting was well-attended by the public who voiced concerns regarding area traffic, parking and crime. Seven of the nine Plan Commission members were in attendance at

the meeting. Upon voting, the special use application failed to receive the recommendation of the Plan Commission. The Plan Commission members who voted 'no' on the special use cited the following underlined Standards for Special Use not being met:

1. *The proposed special use is, in fact, a special use authorized in the zoning district in which the property is located.*
2. *The proposed special use is deemed necessary for the public convenience at that location.*
3. *The proposed special use does not create excessive additional impacts at public expense for public facilities and services, and will be beneficial to the economic welfare of the community.*
4. *The proposed use is in conformance with the goals and policies of the Comprehensive Plan, and all Village codes and regulations.*
5. *The proposed special use will be designed, located, operated, and maintained so as to be harmonious and compatible in use and appearance with the existing or intended character of the general vicinity.*
6. *The proposed special use will not significantly diminish the safety, use, enjoyment, and value of other property in the neighborhood in which it is located.*
7. *The proposed special use is compatible with development on adjacent or neighboring property.*
8. *The proposed special use minimizes potentially dangerous traffic movements, and provides adequate and safe access to the site.*
9. *The proposed special use provides the required number of parking spaces and maintains parking areas, in accordance with the requirements of this Ordinance.*
10. *The proposed special use is served by adequate utilities, drainage, road access, public safety, and other necessary facilities.*
11. *The proposed special use conforms with the requirements of this Ordinance and other applicable regulations.*

In order to provide history and context on the subject matter, staff has included the following information:

1. July 5, 2022 Plan Commission Staff Report
2. Application for Special Use, submitted by Pharmacann Inc, dated June 6, 2022
3. July 5, 2022 Draft Plan Commission Meeting Minutes
4. Verilife Relocation Letter, submitted by Pharmacann, dated July 20, 2022
5. Traffic Evaluation Summary, submitted by Pharmacann, Inc., prepared by KLOA, dated July 28, 2022

Staff would like to take this opportunity to solicit feedback from the Village Board on the proposed special use associated with Petition #22-04.

# **Staff Report to the Village of North Aurora Plan Commission**

**FROM: Mike Toth, Community and Economic Development Director**

## **GENERAL INFORMATION**

**Meeting Date:** July 5, 2022

**Petition Number:** 22-04

**Petitioner:** Pharmacann, Inc.

**Request:** Special use to allow an Adult-Use Cannabis Dispensing Organization

**Location:** 2080 West Orchard Road

**Parcel Number:** 15-06-126-013

**Property Size:** Approximately 0.59 acres

**Current Zoning:** B-2 General Business District Planned Unit Development

**Contiguous Zoning:** North – B-2 General Business District, South – F - Farming District (unincorporated Kane County), East – B-2 General Business District, West – B-2 General Business District

**Comprehensive Plan Designation:** Regional Commercial



## **BACKGROUND**

On July 21, 2014, the Village Board approved Ordinance #14-07-21-01, which allows Medical Cannabis Dispensaries as a permitted use in all non-residential zoning districts and Medical Cannabis Cultivation Centers as a special use in the I-2 General Industrial District.

On October 21, 2019, the Village Board approved Ordinance #19-10-21-01, which allows for the sales of recreational cannabis in approved Adult-Use Cannabis Dispensing Organizations as a special use in all non-residential zoning districts and Adult-Use Cannabis Craft Grower Organization, Adult-Use Cannabis Infuser Organization, Adult-Use Cannabis Processing Organization, Adult-Use Cannabis Transporting Organization as special uses in the I-2 General Industrial District.

A Certificate of Occupancy was issued to PharmaCannis on November, 9, 2015 to allow them to sell medical cannabis at 161 S. Lincolnway. On December 2, 2019 the Village Board granted a special use to Pharmacann, LLC to allow them to operate an Adult-Use Cannabis Dispensing Organization at 161 S. Lincolnway. Pharmacann (d.b.a. Verilife) began selling cannabis to the general public, as made legal by the Cannabis Regulation and Tax Act on January 1, 2020.

On January 4, 2021 the Village Board granted a special use to Pharmacann, Inc. to allow them to expand their Adult-Use Cannabis Dispensing Organization at 161 S. Lincolnway. Staff notes their facility at 161 S. Lincolnway facility was never expanded.

### **PROPOSAL**

PharmaCann, Inc. is now petitioning to relocate its existing medical and adult-use cannabis dispensing organization to 2080 West Orchard Road. The proposed use would be located within a 4,250 square foot, one-story building in the Orchard Commons Planned Unit Development. Staff notes the building was approved as part of a 2021 PUD amendment and has not yet been constructed.

The petitioner is proposing to sell cannabis to the general public, as made legal by the Cannabis Regulation and Tax Act, and continue medical cannabis sales. The Zoning Ordinance defines *Adult-Use Cannabis Dispensing Organization* as follows:

*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.*

### **Hours of Operation**

The anticipated hours of operation for the dispensary would be 9:00 a.m. to 9:00 p.m. Monday through Saturday and 9:00 a.m. to 7:00 p.m. on Sundays.

### **Parking**

There is no specific parking requirement for Adult-Use Cannabis Dispensing Organizations; as such, it is classified as a general retail goods establishment, which requires four (4) off-street parking spaces per 1,000 square foot gross floor area. With 4,250 total square feet of area, the proposed use would require seventeen (17) parking spaces. The subject property would provide a total of twenty-four (24) parking spaces.

Use standards regulating Adult-Use Cannabis Dispensing Organizations were also added to the Zoning Ordinance when the Village Board approved Ordinance #19-10-21-01. The following information includes each of the use standards and their applicability to the proposed petition:

#### ***G. Adult-Use Cannabis.***

- 1. Purpose and Applicability. It is the intent and purpose of this Section to provide regulations regarding the cultivation, processing and dispensing of adult-use cannabis occurring 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.***

**The proposed facility shall be required to comply with the Compassionate Use of Medical Cannabis Program Act and the Cannabis Regulation and Tax Act.**

2. *There shall be a maximum of two (2) Adult-Use Cannabis Dispensing Organizations located in the Village of North Aurora.*

**The petitioner is the only Adult-Use Cannabis Dispensing Organization located in the Village of North Aurora at this time. The petitioner has indicated they would be relocating their facility to the subject property. According to the petitioner, their license will only allow them to operate one facility.**

3. *Adult-Use Cannabis Dispensing Organizations shall be located a minimum of 1,000 feet from the property line of any school grounds, public playground, public recreation center, child care center, public park, public library, or game arcade to which admission is not restricted to persons 21 years of age or older located in the Village of North Aurora.*

**Staff has included a buffer map, dated June 22, 2022, which illustrates the 1,000 foot buffer from the property line of any school grounds, public playground, public recreation center, child care center, public park, public library, or game arcade. The subject property is not located within 1,000 feet of any of the aforementioned uses.**

4. *On-site consumption of cannabis shall be prohibited.*

**On-site consumption of cannabis would be prohibited.**

5. *Adult-Use Cannabis Dispensing Organizations shall be located a minimum of 1,500 feet from the property line of any pre-existing Adult-Use Cannabis Dispensing Organization located in the Village of North Aurora.*

**There would only be one Adult-Use Cannabis Dispensing Organization if the petitioner were to relocate their operations. The subject property is greater than 1,500 feet from the property line of their existing facility.**

### **RECOMMENDATIONS**

Staff finds that the information presented meets the Standards for Specials Uses as submitted by the petitioner and the Use Standards regulating Adult-Use Cannabis Dispensing Organizations as set forth in the Zoning Ordinance. Based on the above considerations, staff recommends approval of Petition #22-04.

## APPLICATION FOR SPECIAL USE

VILLAGE OF NORTH AURORA  
Board of Trustees  
25 East State Street  
North Aurora, IL 60542

PETITION NO: 22-04

FILENAME: Pharmacann, Inc Special Use

DATE STAMP: 6-6-22

### I. APPLICANT AND OWNER DATA

Name of Applicant Pharmacann, Inc

Applicant Address 190 South LaSalle Street, Suite 2950, Chicago, Illinois 60603

Applicant Telephone # 312-543-3164

Email Address Karen.Eltz@PharmaCann.com

Property Owner(s) Orchard Commons North Aurora LLC

Owner Address 226 N. Morgan Street, Suite 300 Chicago, IL 60607

Owner Telephone # Christopher Ileakis (312)985-0980

### II. ADDRESS, USE AND ZONING OF PROPERTY

Address of Property 2080 West Orchard, North Aurora  
(indicate location if no common address)

Legal Description: see attached

Parcel Size 25,918 s.f.

Present Use Vacant  
(business, manufacturing, residential, etc.)

Present Zoning District B2 - General Business District  
(Zoning Ordinance Classification)

### III. PROPOSED SPECIAL USE

Proposed Special Use Medical and Adult-Use Cannabis Dispensing Organization  
(Zoning Ordinance Classification)

Code Section that authorizes Special Use Title 17.8.2

Has the present applicant previously sought to rezone or request a special use for the property or any part thereof? No

If so, when? \_\_\_\_\_ to what district? \_\_\_\_\_

Describe briefly the type of use and improvement proposed \_\_\_\_\_

The applicant seeks to relocate its existing medical and adult use cannabis dispensary to the subject property.

The proposed use will be located within a 4,250 s.f. 1-story new construction building with 24 parking spaces.

What are the existing uses of property within the general area of the Property in question? \_\_\_\_\_

Uses of existing property in the area are vacant land, commercial and retail uses, and residential developments.

To the best of your knowledge, can you affirm that there is a need for the special use at the particular location? (Explain) \_\_\_\_\_

Based on the applicant's experience in North Aurora, there is a need and demand for an adult use cannabis dispensary. The proposed location is well suited for cannabis operations as it is in close proximity to other commercial/retail uses with similar operating hours.

**Attach hereto a statement with supporting data that the proposed special use will conform to the following standards:**

1. The proposed special use is, in fact, a special use authorized in the zoning district in which the property is located.
2. The proposed special use is deemed necessary for the public convenience at that location.
3. The proposed special use does not create excessive additional impacts at public expense for public facilities and services, and will be beneficial to the economic welfare of the community.
4. The proposed use is in conformance with the goals and policies of the Comprehensive Plan, and all Village codes and regulations.

5. The proposed special use will be designed, located, operated, and maintained so as to be harmonious and compatible in use and appearance with the existing or intended character of the general vicinity.
6. The proposed special use will not significantly diminish the safety, use, enjoyment, and value of other property in the neighborhood in which it is located.
7. The proposed special use is compatible with development on adjacent or neighboring property.
8. The proposed special use minimizes potentially dangerous traffic movements, and provides adequate and safe access to the site.
9. The proposed special use provides the required number of parking spaces and maintains parking areas, in accordance with the requirements of this Ordinance.
10. The proposed special use is served by adequate utilities, drainage, road access, public safety, and other necessary facilities.
11. The proposed special use conforms with the requirements of this Ordinance and other applicable regulations.

#### **IV CHECKLIST FOR ATTACHMENTS**

The following items are attached here to and made a part hereof:

1. Introduction Letter. Please include information relevant to the proposed use of the property and business operations (hours of operation, number of employees, etc.).
2. Legal Description of the subject property(s).
3. Illinois Land Surveyor's plat of survey.
4. Site Plan illustrating all existing and proposed improvements.
5. Statement and supporting data regarding Standards for Special Uses (above).
6. Filing fee in the amount of \$300.00, if paid by check make payable to the Village of North Aurora.
7. Specified escrow deposit (\$4,000 minimum). May be included with filing fee. Remaining funds refundable upon project completion.
8. Visit the Illinois Department of Natural Resources' website [www.dnr.state.il.us](http://www.dnr.state.il.us) and initiate a consultation using DNR's [EcoCat](#) online application.
9. Visit the Kane DuPage Soil and Water Conservation District's website [www.kanedupageswcd.org](http://www.kanedupageswcd.org) for a Land Use Opinion Application

The Applicant authorizes the Village of North Aurora representatives to enter on to the property to make inspection during the hearing process.

The Applicant is responsible for publishing a legal notice in the newspaper, sending United States mail notices to properties within 250 feet, and posting a sign on the property advertising the public hearing. These shall be in accordance with village Ordinances at the times decided by the Village of North Aurora.

The undersigned hereby agrees to reimburse the Village for all costs of court reporter fees for attendance at and transcript of hearing(s) and other professional service fees for services rendered in connection with this application as defined in Appendix B of the North Aurora Zoning Ordinance. Such reimbursement shall be made promptly upon receipt of invoices from the Village, whether or not this application for special use is approved.

I (we) certify that all of the above statements and the statements contained in any documents submitted herewith are true to the best of my (our) knowledge and belief.

DocuSigned by:



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Applicant or Authorized Agent

6/2/2022

Date



Owner



Date

Narrative for Special Use Application  
2080 West Orchard Rd, North Aurora  
Applicant: PharmaCann, Inc

Pharmacann, Inc., d/b/a Verilife (the "Applicant"), seeks a special-use permit for an adult-use cannabis dispensing organization at 2080 W. Orchard Rd in order to relocate its existing medical and adult-use cannabis dispensary. The Applicant would relocate from its current North Aurora cannabis dispensary located at 161 South Lincolnway, Suite 302.

The Applicant has been operating a medical cannabis dispensary under its Verilife brand in North Aurora since 2016. In 2019, the Village of North Aurora approved a special use permit for the Applicant to begin adult-use sales at its existing location. Since January 1, 2020, when the state authorized adult-use cannabis sales to customers 21 and over, Verilife North Aurora has been serving both medical patients and adult-use consumers.

The proposed site is an approximate half-acre parcel located at the northwest corner of Oak Street and Orchard Road. The proposed location is a one-story, single-tenant building consisting of approximately 4,250 square feet, and will be constructed for the proposed dispensary. The site will have approximately twenty-four (24) dedicated parking spaces.

The dispensary will contain an approximate 1,550 square foot sales floor area, with approximately twelve point-of-sale stations. The sales floor area will be accessed through a single entry at the northwest corner of the building, while a separate egress door will be available at the southwest corner of the site. The processing areas, office, employee break room/lockers, secured vault/night storage area and other back-office uses will not be accessible to the public. These areas of the facility are restricted by a security-monitored access control system, requiring our credentialed and background-checked employees to enter security codes and swipe their agent cards to enter, and logging a time stamp of each dispensary agent's entry into the restricted access areas of the facility. The restricted access area is intentionally separated from the sales floor, and cannot be viewed from the sales floor or entrance areas.

Carrying over our established practice of strong and open communication with local North Aurora officials, our dispensary premises and high-definition surveillance footage will always remain available to North Aurora law enforcement members upon request. We are always open to offering tours for local officials upon request as well.

Hours of operation for the dispensary are 9 AM to 9 PM Monday through Saturday and 9 AM to 7 PM on Sundays. The dispensary will employ approximately 25 to 30 workers, including management staff, customer service, and inventory control specialists. Our Verilife retail employees are provided living-wage compensation and comprehensive benefit packages, including healthcare, vision, dental, 401K savings options, and discretionary bonuses. We seek to hire locally from the North Aurora community.

In accordance with our past security operations and state regulation, our proposed dispensary facility will be closely monitored by a 24/7 internal surveillance monitoring system during operational and non-operational hours, covering the entirety of the internal facility and perimeter. The surveillance system is remotely accessible to our state regulators and state police inspectors at all hours. An alarm and motion sensor system are activated during non-operational hours, and panic and duress alarms are readily available to our employees in the event of an emergency within the facility. On-site security will be provided by Metro One during operational hours, seven

days per week, with a third-party security agent monitoring the facility and its perimeter in accordance with State of Illinois law. As patrons approach the dispensary, Metro One security agents ensure that they have a valid reservation or are seeking to confer with a customer service associate to place an order, and upon entrance into the public access area, an electronically scanned age and identification verification takes place, including medical card check if applicable.

To prevent lines or congestion around the premises, customers and patients are encouraged to place their orders online. Reservations can be booked 48 hours in advance of their scheduled pickup, helping create a streamlined transactional process and customer throughput. The online ordering system functions similarly to a Starbucks mobile ordering process, allowing patients and customers upon age or credential verification to conduct their transactions in approximately 90 seconds. Additionally, our new proposed dispensary will be designed to handle a significant increase in customer throughput during peak hours, with approximately twelve (12) point-of-sale stations as opposed to four (4) at our current site. The revamped internal design to allow us to handle expanded throughput, ensuring we minimize disruption and act as good neighbors and business members, is one of the primary drivers of our relocation application.

Secure, discrete deliveries to the dispensary follow strict guidelines as set forth by the State of Illinois. Deliveries are made only into the restricted access area which is not accessible to the public and are monitored by GPS while in transit, and constant video surveillance upon arrival at the dispensary. The vehicle GPS and video monitoring are remotely accessible in real time to state police and state regulators. Delivery times are intentionally randomized, and known only to the agent-in-charge and security personnel who monitor the entirety of the delivery process to ensure a safe transfer into the secured vault. Deliveries arrive in small utility vehicles that are unmarked, and will have two delivery agents present for every delivery.

Upon delivery into the vault, our inventory control and management team inspect the delivery manifest to ensure all products are accounted for, and matches the delivery manifest prepared at the cultivation site. The delivered products are then immediately entered into the state's electronic "seed-to-sale" inventory tracking system, which remains accessible at all times to state regulators and state police.

**PharmaCann Inc.**

**2080 West Orchard, North Aurora**

**Special Use Application - Recreational Cannabis Dispensary**

- 1) The proposed special use is, in fact, a special use authorized in the zoning district in which the property is located.**

The proposed site is in the B2 – General Business District, which permits Recreational Cannabis Dispensaries as a special use.

- 2) The proposed special use is deemed necessary for the public convenience at that location.**

The proposed special use is deemed necessary for the public convenience. The applicant has operated a medical and adult use dispensary in North Aurora since January 1, 2020. Demand for the applicant's products is strong and generates increased tax revenues into the Village. This particular location is well-suited to accommodate this use due to the commercial nature of the area.

- 3) The proposed special use does not create excessive additional impacts at public expense for public facilities and services, and will be beneficial to the economic welfare of the community.**

The proposed special use does not create excessive additional impacts at the public expense. The applicant is an experienced operator. The dispensary will be operated in a manner that meets or exceeds State of Illinois regulations as to security, deliveries and space plan. As set forth in the narrative, the applicant utilizes an online reservation system which allows the applicant to manage the flow of customers the dispensary. Ample parking is provided on-site for the dispensary customers and employees.

This use will be beneficial to the economic welfare of the community as sales of cannabis for adult use can be taxed beyond general sales taxes for the benefit of the municipality, generating additional revenue for the municipality.

- 4) The proposed use is in conformance with the goals and policies of the Comprehensive Plan and all Village codes and regulations.**

The proposed special use will help to further enhance a vibrant and unique commercial use consistent with the goals of the Comprehensive Plan which calls for this area to be developed for Regional Commercial Uses, which are defined as uses including retail, restaurant and service uses to serve North Aurora and surrounding communities. The site is within the West Gateway Subarea Plan which calls for smaller scale commercial uses at this particular location.

The proposed dispensary will specifically address the Village's objective to develop this area with smaller-scale retail uses.

The proposed use will be operated in accordance with all Village codes and regulations.

- 5) The proposed special use will be designed, located, operated, and maintained so as to be harmonious and compatible in use and appearance with the existing or intended character of the general vicinity.**

The proposed dispensary will be located in a new building being constructed for the applicant, following the necessary approvals. The dispensary is designed to be operated in a manner that is harmonious and compatible in use and appearance with the surrounding uses. The construction of a new, high-quality retail building will enhance the character of the area as a whole.

- 6) The proposed special use will not significantly diminish the safety, use, enjoyment and value of the property in the neighborhood in which it is located.**

The proposed special use will not significantly diminish the safety, use, enjoyment and value of the property in the neighborhood. The applicant is an experienced operator with a proven track record in North Aurora. Consistent with State of Illinois requirements, the operator will have a robust safety and security plan to ensure no diminution in safety for the neighborhood. Furthermore, the reservation system allows the applicant to control the number of customers at any given time.

- 7) The proposed special use is compatible with development on adjacent or neighboring property.**

The proposed special use is compatible with development on adjacent or neighboring property. The area consists of commercial and retail uses.

- 8) The proposed special use minimizes potentially dangerous traffic movements, and provides adequate safe access to the site.**

The proposed dispensary will be in a single-use building with dedicated parking. Access to the site will be from Oak Street or Orchard Rd through access points intended to serve the entire commercial development. The parking area is designed to promote traffic and pedestrian safety and to minimize potentially dangerous traffic movements.

- 9) The proposed special use provides the required number of parking spaces and maintains parking areas, in accordance with the requirements of the Ordinance.**

The dispensary location will provide 25 parking spaces, exceeding what is required by village ordinance. The parking areas will be landscaped.

- 10) The proposed special use is served by adequate utilities, drainage, road access, public safety, and other necessities.**

The proposed special use will be adequately served by adequate utilities, drainage, road access, public safety and other necessities, in the same way that the existing use is served at this location.

- 11) The proposed special use conforms with the requirements of this ordinance and other applicable regulations.**

The proposed site is in the B2 – General Business District, which permits Recreational Cannabis Dispensaries as a special use. The existing site otherwise complies with the requirements of the zoning ordinance and other applicable regulations.

## LEGAL DESCRIPTION

LOT 1 THE FINAL PLAT OF SUBDIVISION OF ORCHARD ACRES ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 18, 2022 AS DOCUMENT NUMBER 2022K003036, IN KANE COUNTY, ILLINOIS, BEING A RESUBDIVISION OF LOTS 1 AND 2 IN THE FINAL PLAT OF ORCHARD COMMONS, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING THE PLAT THEREOF RECORDED AUGUST 6, 2007 AS DOCUMENT 2007K081978, IN KANE COUNTY, ILLINOIS.

# ALTA/NSPS LAND TITLE SURVEY

## LEGAL DESCRIPTION

PARCEL 1:  
LOT 3 THE FINAL PLAT OF SUBDIVISION OF ORCHARD ACRES ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 18, 2022 AS DOCUMENT NUMBER 2022K003036, IN KANE COUNTY, ILLINOIS, BEING A RESUBDIVISION OF LOTS 1AND 2 IN THE FINAL PLAT OF ORCHARD COMMONS, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 6, 2007AS DOCUMENT 2007K081978, IN KANE COUNTY, ILLINOIS.

PARCEL 2:  
EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1 OVER AND ONTO PRIVATE DRIVE NOS. 1 AND 2 FOR INGRESS AND EGRESS AS CONTAINED IN THE PLAT OF SUBDIVISION RECORDED AUGUST 6, 2007 AS DOCUMENT 2007K081978, IN KANE COUNTY, ILLINOIS, AND ALSO AS CONTAINED IN PRIVATE ROAD EASEMENT AND MAINTENANCE AGREEMENT RECORDED NOVEMBER 17, 2021 AS DOCUMENT NUMBER 2021K086729, IN KANE COUNTY ILLINOIS.

PARCEL 3:  
NON-EXCLUSIVE, PERPETUAL EASEMENT APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1 OVER LOTS 1, 2 AND 4 IN ORCHARD ACRES SUBDIVISION FOR VEHICULAR AND PEDESTRIAN INGRESS, EGRESS AND ACCESS OVER DRIVEWAYS AS DEFINED, SET FORTH AND CONTAINED IN DECLARATION OF RECIPROCAL ACCESS EASEMENT AND USE RESTRICTIONS RECORDED JANUARY 24, 2022 AS DOCUMENT NUMBER 2022K004638, IN KANE COUNTY ILLINOIS.



LOCATION MAP  
NOT TO SCALE

## NOTES CORRESPONDING TO SCHEDULE B, PART TWO

1. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. ALL INFORMATION REGARDING DEEDS, EASEMENTS, RIGHTS, COVENANTS, CONDITIONS, RESTRICTIONS, ADJOINERS AND/OR OTHER DOCUMENTS THAT MIGHT EFFECT TITLE TO THE PROPERTY DEPICTED HEREON WAS APPLIED FROM FREEDOM TITLE CORPORATION, COMMITMENT NO. FR2001690, DATED FEBRUARY 1, 2022 AS PROVIDED TO THE SURVEYOR BY THE CLIENT, TITLE COMPANY AND/OR THEIR REPRESENTATIVES.

2. SCHEDULE B ITEM 8: PERMANENT TAX NUMBER 15-06-126-007 AS LISTED IN TITLE COMMITMENT. AFFECTS SUBJECT LAND AND OTHER LAND.

3. SCHEDULE B ITEM 14: SETBACK LINES AS SHOWN ON THE PLAT OF SUBDIVISION RECORDED AUGUST 6, 2007 AS DOCUMENT NO. 2007K081978 AND AS CONTAINED IN THE FINAL PLAT OF SUBDIVISION OF ORCHARD ACRES RECORDED JANUARY 18, 2022 AS DOCUMENT NO. 2022K003036 AS FOLLOWS:

A. 35 FOOT BUILDING LINE WESTERLY AND EASTERLY  
B. 25 FOOT YARD SETBACK LINE WESTERLY

AFFECTS SUBJECT PARCEL. SHOWN ON SAID SURVEY.

4. SCHEDULE B ITEM 15: EASEMENTS FOR INGRESS AND EGRESS AND IN FAVOR OF PUBLIC UTILITIES, AND ITS/ THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO INSTALL, OPERATE AND MAINTAIN ALL EQUIPMENT NECESSARY FOR THE PURPOSE OF SERVING THE LAND AND OTHER PROPERTY, TOGETHER WITH THE RIGHT OF ACCESS TO SAID EQUIPMENT, AND THE PROVISIONS RELATING THERETO CONTAINED IN THE PLAT OF SUBDIVISION RECORDED AUGUST 6, 2007 AS DOCUMENT NO. 2007K081978 AND AS CONTAINED IN THE FINAL PLAT OF SUBDIVISION OF ORCHARD ACRES RECORDED JANUARY 18, 2022 AS DOCUMENT NO. 2022K003036, AS FOLLOWS:

A. 35 FOOT PUBLIC UTILITY EASEMENT WESTERLY  
B. 20 FOOT INGRESS AND EGRESS EASEMENT WESTERLY (AS A PORTION OF PRIVATE DRIVE NO. 2)  
C. 10 FOOT KANE COUNTY HIGHWAY EASEMENT EASTERLY  
D. 15 FOOT KANE COUNTY PUBLIC UTILITY EASEMENT DESCRIBED AS THE WESTERLY 15 FEET OF THE EASTERLY 25 FEET  
AFFECTS SUBJECT PROPERTY. SHOWN ON SAID SURVEY.

5. SCHEDULE B ITEM 16: ORDINANCES OF VILLAGE OF NORTH AURORA AS TO REIMBURSEMENTS FOR WATER MAIN AND RELATED RECORDED SEPTEMBER 19, 1996 AS DOCUMENT 96K066842 AND RECORDED MARCH 3, 1997 AS DOCUMENT 97K013313. NOT SURVEY RELATED.

6. SCHEDULE B ITEM 17: WATER MAIN EASEMENT RECORDED NOVEMBER 20, 2002 AS DOCUMENT 2002K152339 TO THE VILLAGE OF NORTH AURORA, AFFECTING THE FOLLOWING: (SEE DOCUMENTS FOR LOCATION AND TERMS) THE EASTERLY LINE OF LOT 3.  
AFFECTS SUBJECT PARCEL. SHOWN ON SAID SURVEY.

7. SCHEDULE B ITEM 18: ACCESS RESTRICTIONS CONTAINED ON THE PLAT OF ORCHARD COMMONS, AFORESAID, AS FOLLOWS:

A. THERE SHALL BE NO ACCESS TO ORCHARD ROAD FROM LOTS 1, 2, 3 OR 4.  
B. THERE SHALL BE A SINGLE RIGHT-IN/RIGHT-OUT ACCESS TO OAK STREET ON THE COMMON LOT LINE OF LOTS 1 AND 5, IDENTIFIED AS PRIVATE DRIVE NO. 2. AFFECTS UNDERLYING LAND.

8. SCHEDULE B ITEM 19: TERMS, PROVISIONS AND CONDITIONS CONTAINED IN VILLAGE OF NORTH AURORA ORDINANCE NO. 10-12-06-12 RECORDED DECEMBER 28, 2010 AS DOCUMENT R2010K08177 ESTABLISHING SPECIAL SERVICE AREA NO. 40 (ORCHARD COMMONS). NOT SURVEY RELATED.

9. SCHEDULE B ITEM 20: TERMS AND PROVISIONS CONTAINED IN ORDINANCE 07-02-12-03 RECORDED MARCH 19, 2007 AS DOCUMENT NO. 2007K030838, APPROVING PRE-ANNEXATION FOR THE PROPOSED ORCHARD COMMONS DEVELOPMENT, AND AS AMENDED IN THE FOURTH AMENDMENT TO SAID PRE-ANNEXATION BY ORDINANCE NO. 21-08-16-02 RECORDED JANUARY 7, 2022 AS DOCUMENT NO. 2022K001427, RELATING IN PART TO THE CREATION OF A PLANNED UNIT DEVELOPMENT, RECAPTURE, ZONING AND LAND USE. THE ANNEXATION RELATING TO THE ABOVE IS CONTAINED IN ORDINANCE 07-07-23-02 RECORDED AUGUST 6, 2007 AS DOCUMENT NO. 2007K081977. NOT SURVEY RELATED.

10. SCHEDULE B ITEM 21: TERMS AND PROVISIONS CONTAINED IN ORDINANCE 07-07-23-03 RECORDED AUGUST 6, 2007 AS DOCUMENT NO. 2007K081976 CREATING A SPECIAL USE AS B2 PUD FOR ORCHARD COMMONS. NOT SURVEY RELATED.

11. SCHEDULE B ITEM 22: THE LAND LIES WITHIN THE FOX METRO RECLAMATION DISTRICT, WHICH HAS ACCEPTED FEDERAL GRANTS FOR SEWAGE TREATMENT WORKS PURSUANT TO PUBLIC LAW 92-500. FEDERAL LAW REQUIRES A USER CHARGE SYSTEM SEPARATE FROM GENERAL AD VALOREM PROPERTY TAXES. RELATIVE THERETO WE NOTE THE TERMS AND PROVISIONS CONTAINED IN THE ANNEXATION AGREEMENT BETWEEN THE FOX METRO WATER RECLAMATION DISTRICT AND ORCHARD COMMONS LLC RECORDED OCTOBER 10, 2008 AS DOCUMENT NO. R2008K078169 AND CONTAINED IN ANNEXATION AGREEMENT RECORDED JUNE 23, 2020 AS DOCUMENT NO. 2020K032958. NOT SURVEY RELATED.

## NOTES CORRESPONDING TO SCHEDULE B, PART TWO CONTINUED

12. SCHEDULE B ITEM 32: COVENANTS AND RESTRICTIONS CONTAINED IN THE LEASE TO STARBUCKS CORPORATION AFFECTING THE ENTIRE SUBDIVISION AS DISCLOSED BY THE MEMORANDUM OF LEASE RECORDED AS DOCUMENT NO. 2021K079471 DESCRIBED BELOW: LANDLORD SHALL NOT USE OR ALLOW ANY OTHER PERSON OR ENTITY (EXCEPT TENANT) TO USE ANY PORTION OF THE SHOPPING CENTER FOR THE SALE OF (A) WHOLE OR GROUND COFFEE BEANS, (B) ESPRESSO, ESPRESSO-BASED DRINKS, OR COFFEE-BASED DRINKS, (C) TEA OR TEA-BASED DRINKS, OR (D) BREWED COFFEE. NOTWITHSTANDING THE FOREGOING SENTENCE, (A) OTHER TENANTS MAY SELL BREWED COFFEE OR BREWED TEA WHICH IS NEITHER (I) GOURMET NOR (II) BRAND IDENTIFIED. FOR PURPOSES OF THIS LEASE, "GOURMET" SHALL BE DEFINED AS (A) BEVERAGES MADE USING ARABICA BEANS OR (B) SOURCED FROM A GOURMET COFFEE OR TEA BRAND SUCH AS COFFEE BEAN & TEA LEAF, INTELLIGENTSIA, PEETS, CARIBBOU, OR SIMILAR BRANDING. FOR PURPOSES OF THIS LEASE, "BRAND IDENTIFIED" SHALL MEAN BEVERAGES ADVERTISED OR MARKETED WITHIN THE APPLICABLE RETAIL SPACE USING A BRAND NAME OR SERVED IN A BRAND-IDENTIFIED CUP, (B) OTHER TENANTS MAY SELL PRE-BOTTLED TEA OR PRE-BOTTLED TEA-BASED BEVERAGES, (C) TENANT'S EXCLUSIVE USE RESTRICTION SET FORTH HEREIN SHALL NOT APPLY TO THE OPERATION OF A TACO BELL, BURGER KING, TROPICAL SMOOTHIE CAFE, AND SMOOTHIE KING, AND (D) ANY EXISTING TENANT IN THE SHOPPING CENTER WITH A LEASE WHICH PREDATES THE DATE OF THE LEASE (WHICH EXISTING TENANTS, WITH A STATEMENT OF THEIR PERMITTED USE CLAUSES, ARE SET FORTH IN THE LEASE WHOSE LEASE ALLOWS IT TO SELL ANY OF THE FOREGOING PRODUCTS SHALL NOT BE SUBJECT TO TENANT'S EXCLUSIVE USE RESTRICTION SET FORTH HEREIN, IF AND TO THE EXTENT THAT ANY SUCH EXISTING TENANT IS PERMITTED BY ITS LEASE TO SELL ANY OF TENANT'S EXCLUSIVE USE ITEMS, PROVIDED, HOWEVER, THAT WITH RESPECT TO THE TENANTS SET FORTH IN THE LEASE, LANDLORD AGREES THAT, TO THE EXTENT LANDLORD HAS REASONABLE CONTROL OVER ANY SUCH TENANT'S USE AND CHANGES IN USE, LANDLORD SHALL EXERCISE SUCH CONTROL TO ENFORCE AND PROTECT TENANT'S EXCLUSIVE USE RIGHTS DESCRIBED HEREIN, OTHER THAN TENANT AND ITS AFFILIATES. LANDLORD SHALL NOT ALLOW ANY OTHER USE (BY LEASE OR OTHERWISE), NOR ALLOW ANY OF LANDLORD'S AFFILIATES TO ALLOW ANY USE (BY LEASE OR OTHERWISE), WITHIN THE SHOPPING CENTER AS A COFFEE SHOP OR ANY OTHER BUSINESS USE WHICH HAS COFFEE SALES AS ITS PRIMARY USE.  
AFFECTS SUBJECT PARCEL. NOT SHOWN ON SAID SURVEY.

13. SCHEDULE B ITEM 33: TERMS AND PROVISIONS OF THE DECLARATION OF RECIPROCAL ACCESS EASEMENT AGREEMENT AND USE RESTRICTIONS DATED AS OF JANUARY 20, 2022 AND RECORDED JANUARY 24, 2022 AS DOCUMENT NO. 2022K004638 WHICH CONTAINS IN PART EXCLUSIVE RIGHTS IN FAVOR OF TACO BELL AND STARBUCKS, FOR PARTICULARS SEE DOCUMENT. AFFECTS SUBJECT PARCEL. NOT SHOWN ON SAID SURVEY. NO IMPROVEMENTS HAVE BEEN MADE TO LOTS 1, 2 AND 4.

14. SCHEDULE B ITEM 34: TERMS AND PROVISIONS OF PRIVATE ROAD EASEMENT AND MAINTENANCE AGREEMENT DATED AS OF NOVEMBER 15, 2021 AND RECORDED NOVEMBER 17, 2021 AS DOCUMENT NO. 2021K086729. AFFECTS SUBJECT PARCEL. SHOWN ON SAID SURVEY.

## SURVEYORS NOTES:

TABLE A NOTES:

1. TABLE A ITEMS 1, 3, 4, 8, 9, 13, 16, 17 AND 19 ARE SHOWN HEREON THIS SURVEY.

2. FIELD WORK WAS COMPLETED ON MARCH 3, 2022.

3. TABLE A ITEM 1: ALL MONUMENTS WERE EITHER FOUND OR SET ON THE SUBJECT PROPERTY.

4. TABLE A ITEM 3: UPON INSPECTION OF THE FLOOD INSURANCE RATE MAP FOR THE SUBJECT AREA, PANEL NUMBER 17089C0340H WITH AN EFFECTIVE DATE OF AUGUST 3, 2009, IT APPEARS THAT THE PROPERTY SHOWN HEREON WOULD LIE IN "ZONE X", AREA OF MINIMAL FLOODING.

4. TABLE A ITEM 4: GROSS LAND AREA = 20,909 SQUARE FEET OR 0.480 ACRES MORE OR LESS.

5. TABLE A ITEM 8: ALL SUBSTANTIAL FEATURES OF THE SUBJECT PROPERTY ARE SHOWN ON THE SURVEY.

6. TABLE A ITEM 9: NO IDENTIFIABLE PARKING SPACES WERE OBSERVED AT THE TIME OF SURVEY.

7. SCHEDULE A ITEM 13: NAMES OF ADJOINING OWNERS ACCORDING TO CURRENT TAX RECORDS SHOWN ON SURVEY.

8. SCHEDULE A ITEM 16: NO EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS WERE OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.

14. TABLE A ITEM 17, NO PROPOSED CHANGES IN STREET RIGHT OF WAY LINES HAVE BEEN DISCOVERED. NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS WAS OBSERVED.

15. TABLE A ITEM 19, REGIONAL LAND SERVICES, LLC CARRIES PROFESSIONAL LIABILITY INSURANCE.

**SURVEYORS NOTES:**  
1) ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.  
2) BEFORE STARTING ANY CONSTRUCTION OF IMPROVEMENTS OR FENCES FIELD MONUMENTATION SHOULD BE ESTABLISHED.  
3) REFER TO YOUR DEED, TITLE POLICY AND LOCAL ORDINANCES FOR RESTRICTIONS, BUILDING LINES AND EASEMENTS.  
4) PARCEL DIMENSIONS AND/OR BEARINGS WITHIN PARENTHESES ABBREVIATED REC. ARE RECORDED DOCUMENT DIMENSIONS AND/OR BEARINGS.

P.U.E. PUBLIC UTILITY EASEMENT  
P.U. & D.E. PUBLIC UTILITY & DRAINAGE EASEMENT  
B.S.L. BUILDING SETBACK LINE  
A ARC LENGTH  
CB CHORD BEARING  
R RADIUS  
BLDG BUILDING  
CLF CHAIN LINE FENCE  
WDF WOOD FENCE  
TGF FIBERGLASS FENCE  
WIF WROUGHT IRON FENCE  
ALF ALUMINUM FENCE  
FIP OR SIP FOUND OR SET IRON PIPE  
FIB OR SIF FOUND OR SET IRON ROD  
FCN OR SCN FOUND OR SET CROSS NOTCH  
FPK OR SPK FOUND OR SET MAGNETIC P.K. NAIL

## LEGEND

EXISTING LIGHT POLE  
EXISTING ELECTRIC PEDESTAL  
EXISTING TELEPHONE PEDESTAL  
EXISTING SPRINKLER CONTROL VALVE  
EXISTING SIGN  
EXISTING TRAFFIC HANDHOLE  
EXISTING TRAFFIC SIGNAL  
EXISTING TRAFFIC SIGNAL MAST ARM  
EXISTING SANITARY MANHOLE  
EXISTING STORM CATCH BASIN  
EXISTING STORM FLARED END SECTION  
EXISTING STORM INLET  
EXISTING STORM MANHOLE  
EXISTING FIRE HYDRANT  
EXISTING WATER BUFFALO BOX  
EXISTING WATER VALVE  
EXISTING WATER VALVE & VAULT  
EXISTING FIBER OPTICS MARKER POST  
EXISTING TELEPHONE MANHOLE  
EXISTING POWER POLE  
EXISTING GUY WIRE  
PARCEL LIMITS  
INGRESS EGRESS EASEMENT  
EASEMENT  
BUILDING SETBACK LINE  
CENTER LINE OF RIGHT OF WAY  
EXISTING CONTOUR MAJOR 5 FOOT  
EXISTING CONTOUR MINOR 1 FOOT  
EXISTING SANITARY LINE  
EXISTING STORM LINE  
EXISTING WATERMAIN LINE  
EXISTING CONCRETE PAVEMENT  
EXISTING ASPHALT PAVEMENT  
KANE COUNTY HIGHWAY EASEMENT  
KANE COUNTY PUBLIC UTILITY EASEMENT  
VILLAGE OF NORTH AURORA PUBLIC UTILITY EASEMENT

## UTILITY STATEMENT

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES DECLARE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

**811** Know what's below. **JULIE**  
Call before you dig. (OUTSIDE CHICAGO AREA)  
CALL 48 HOURS (2 WORKING DAYS) BEFORE YOU DIG  
811 or 1-800-892-0123

STATE OF ILLINOIS )  
COUNTY OF COLE ) SS

TO: MCGIE FAMILY, L.L.C., AN ILLINOIS LIMITED LIABILITY COMPANY  
CHICAGO TITLE INSURANCE COMPANY  
FREEDOM TITLE CORPORATION

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 3, 4, 8, 9, 13, 16, 17 AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MARCH 3, 2022.

REGIONAL LAND SERVICES, LLC  
PROFESSIONAL DESIGN FIRM NUMBER 007858-0010

*Rudy P. Dixon* 3/8/2022  
RUDY P. DIXON DATE  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003832  
LICENSE EXPIRES NOVEMBER 30, 2022

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



PROJECT NUMBER: 210128  
SCALE: 1" = 30'  
DRAWN BY: RWVH  
DATE: 3/8/2022  
CHECKED BY: RPD  
DATE: 3/8/2022

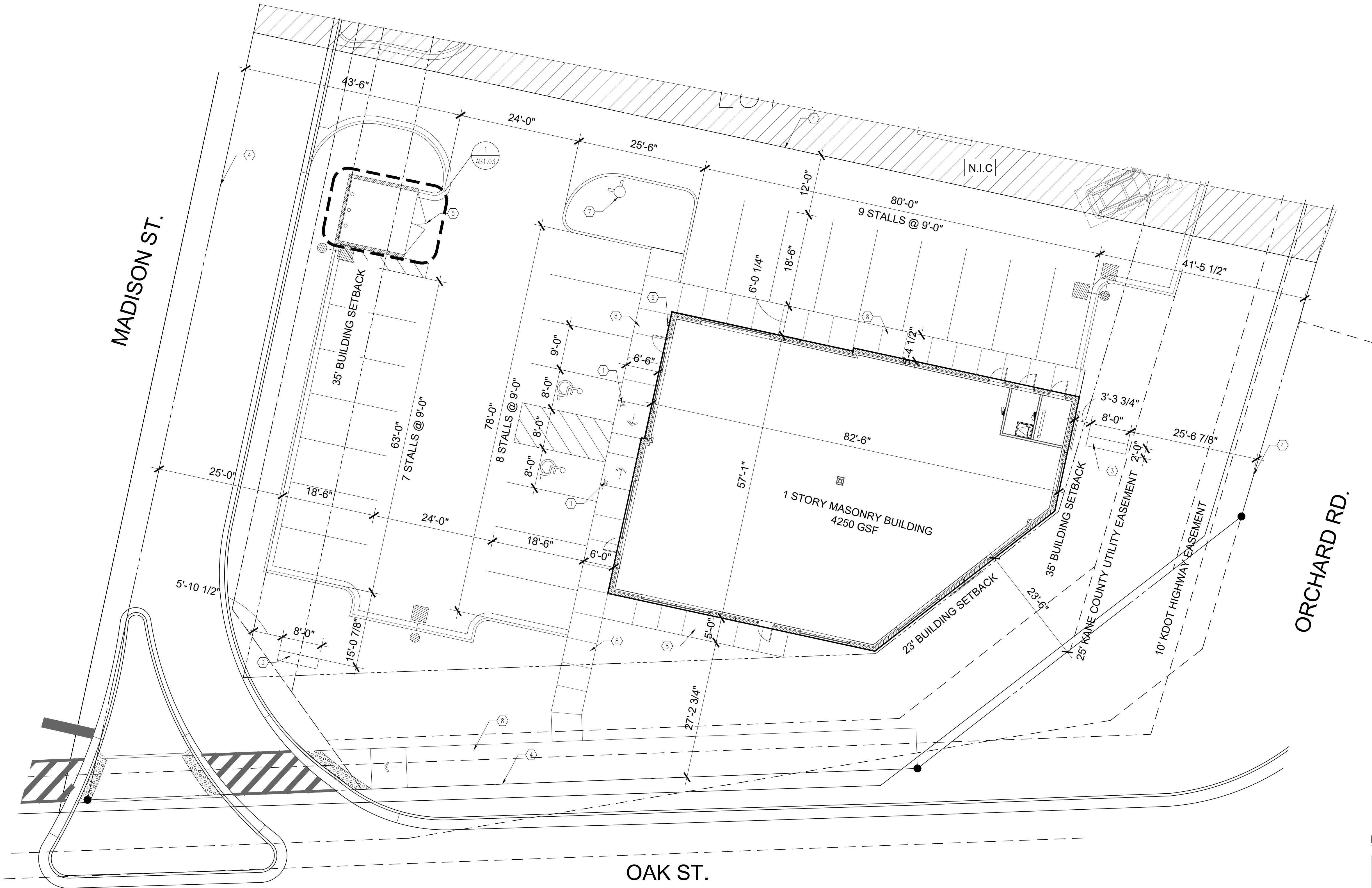
ORDERED BY: OSVALDO PASTRANA  
DATE: 3/3/2022

PROPERTY ADDRESS: 2060 ORCHARD ROAD  
NORTH AURORA, IL

**REGIONAL LAND SERVICES**  
9512 FOWLER ROAD  
ROCHELLE, ILLINOIS 61068  
PHONE: (618) 559-2260

CLIENT: CIVWORKS CONSULTING, LLC  
3343 N NEVA AVENUE CHICAGO, IL 60634  
PHONE: 1(312)637-9570

DRAWING NUMBER: ALTA  
SHEET: 1 OF 1  
DATE: 3/8/2022  
PROJECT NUMBER: 210128



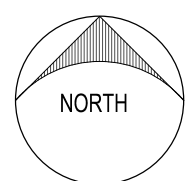
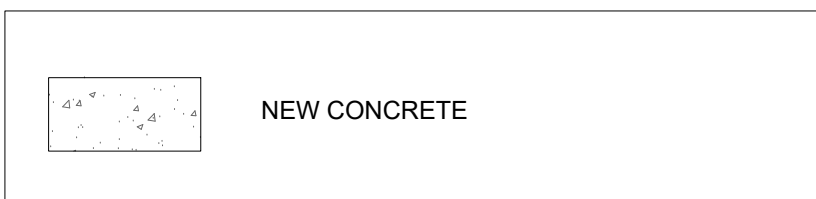
GENERAL NOTES:

- SEE CIVIL FOR GRADING PLAN. SEE CIVIL DRAWING FOR DEMOLITION, NEW PAVEMENT, SITE UTILITIES, SIGNAGE AND FINAL SITE DIMENSIONS.
- SEE AS1.03 FOR ADDITIONAL SITE DETAILS.
- VERIFY THE EXISTENCE OF AND PROTECT ALL EXISTING UTILITY LINES. EXCAVATE WITH CARE.
- INSTALL ADDRESS ON BUILDING AS REQUIRED BY LOCAL CODE.
- PROTECT ADJACENT SITE TO REMAIN AND REPAIR ANY SITE WORK DAMAGED BY CONSTRUCTION.
- PROVIDE KNOX BOX ON REAR OF PROPERTY, PER FIRE DEPARTMENT REQUIREMENTS.
- SEE CIVIL DRAWINGS FOR ADDITIONAL SITE SIGNAGE REQUIREMENTS.
- CLEAN LOT AFTER SITE WORK AND AFTER CONSTRUCTION COMPLETION.
- PROTECT ADJACENT PROPERTY. ANY DAMAGE IS TO BE REPAIRED AT CONTRACTOR EXPENSE WITH PERMISSION OF ADJACENT BUILDING OWNER. FOR EXAMPLE, IF SOD IS DAMAGED IT WILL BE REPLACED AND WATERED REGULARLY UNTIL ESTABLISHED.
- PROVIDE EXPANSION JOINTS IN CONCRETE PAVING AND CURBS AS REQUIRED BY MFGR SPECS, OR 30FT SPACING WHICHEVER IS LESS. REFER TO CIVIL DRAWINGS FOR MORE INFORMATION AND DETAILS.

KEY NOTES:

- ADA PARKING SIGN, REFER TO CIVIL.
- LIGHT POLES, REFER TO PHOTOMETRIC SHEETS.
- PROPOSED MONUMENT SIGN. REFER TO AS1.04.
- PROPERTY LINE.
- TRASH ENCLOSURE, REFER TO AS1.03.
- NEW FIRE DEPARTMENT CONNECTION.
- NEW FIRE HYDRANT REFER TO CIVIL PLANS
- NEW CONCRETE SIDEWALK.

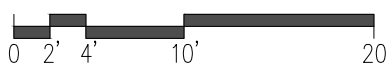
LEGEND:



1

SITE PLAN

SCALE: 3/32"=1'-0"



NOTE: SITE PLAN SHOWN FOR REFERENCE ONLY AND TO BE PERMITTED UNDER SEPARATE REVIEW.



Alphonse A. Ilekis

EXP. 11/30/2022

CITY APPROVAL

CLIENT:  
**vequity** | real estate. redefined.

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www.vequity.com

PROJECT TEAM:

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architects + planners

ILEKIS ASSOCIATES  
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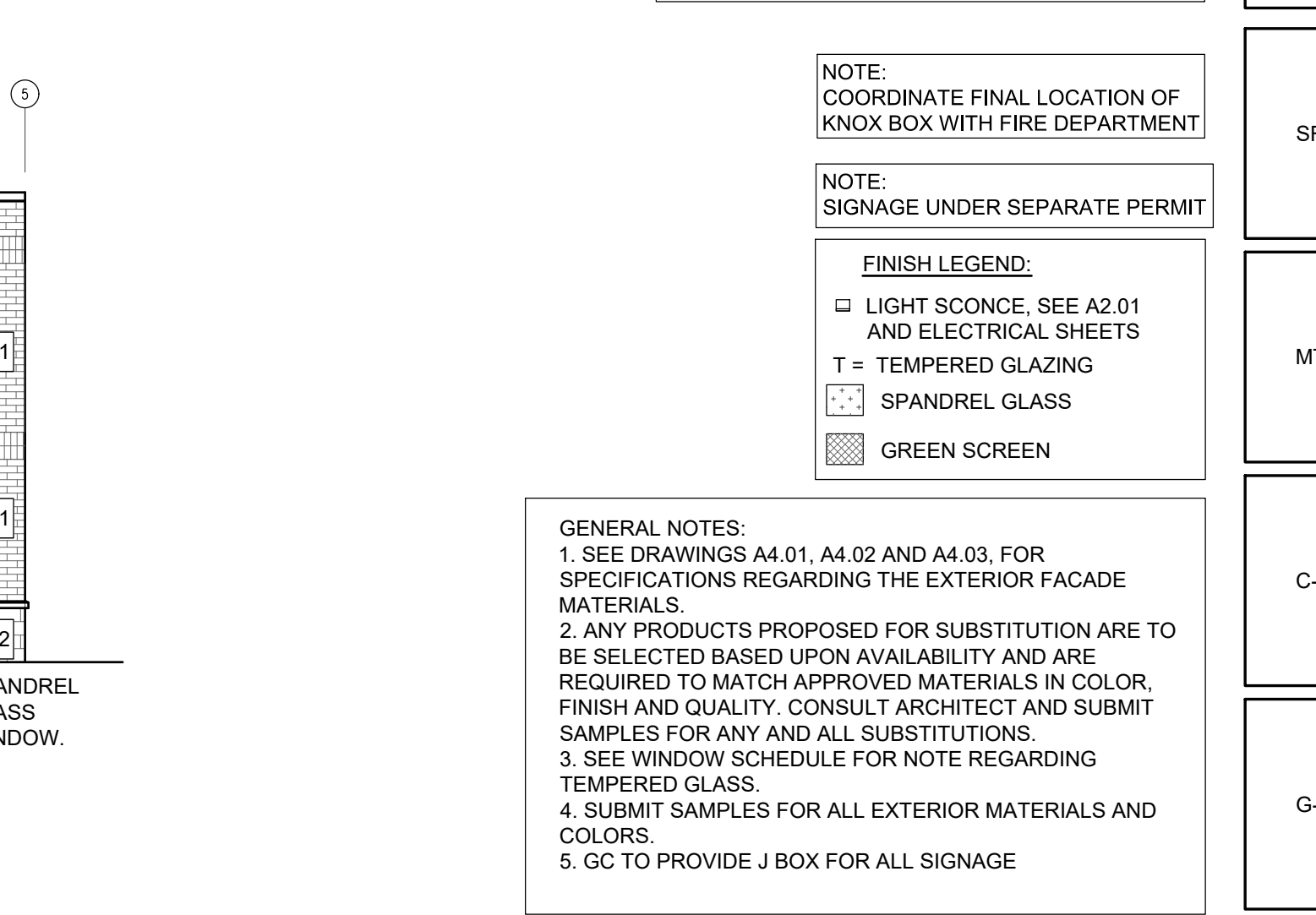
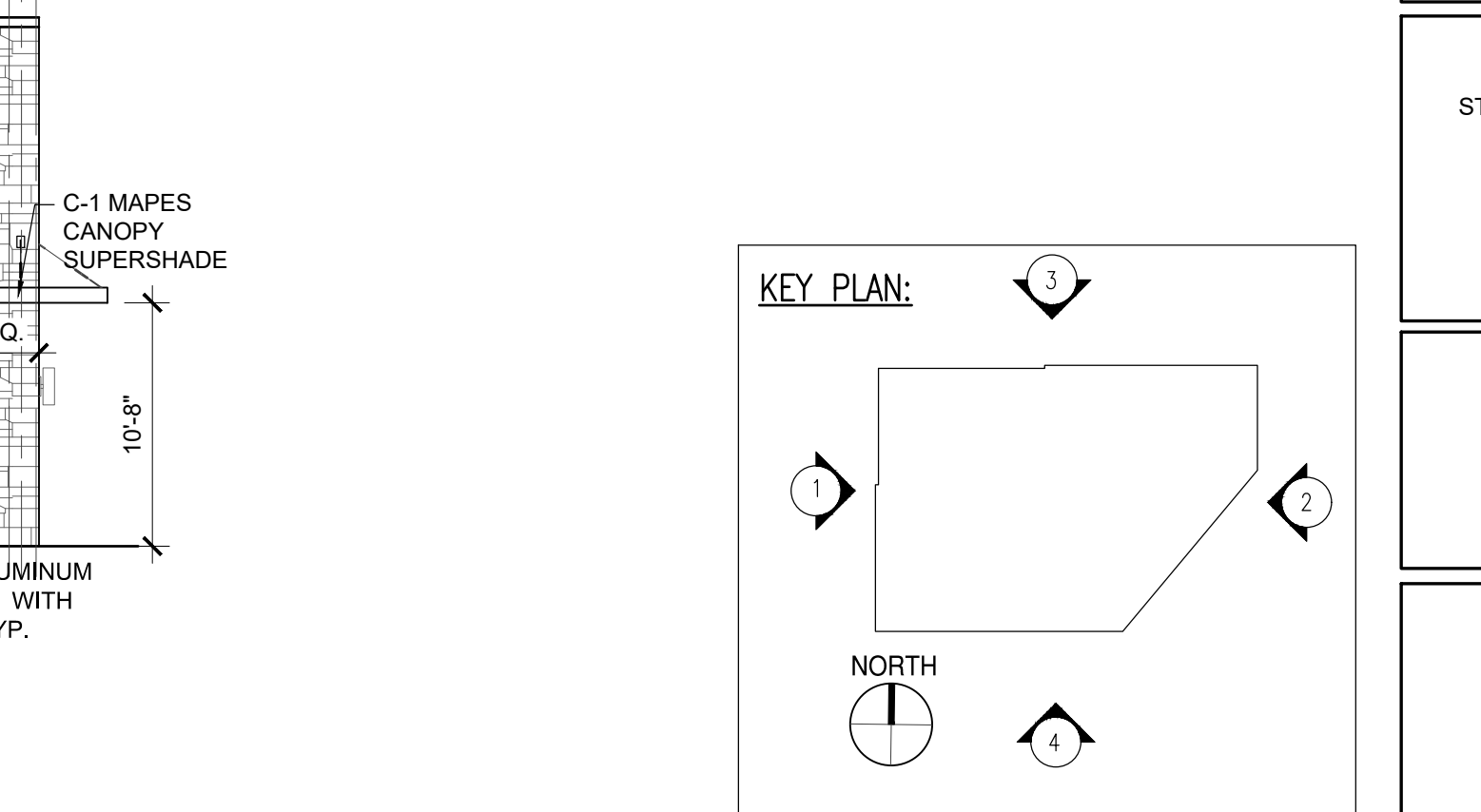
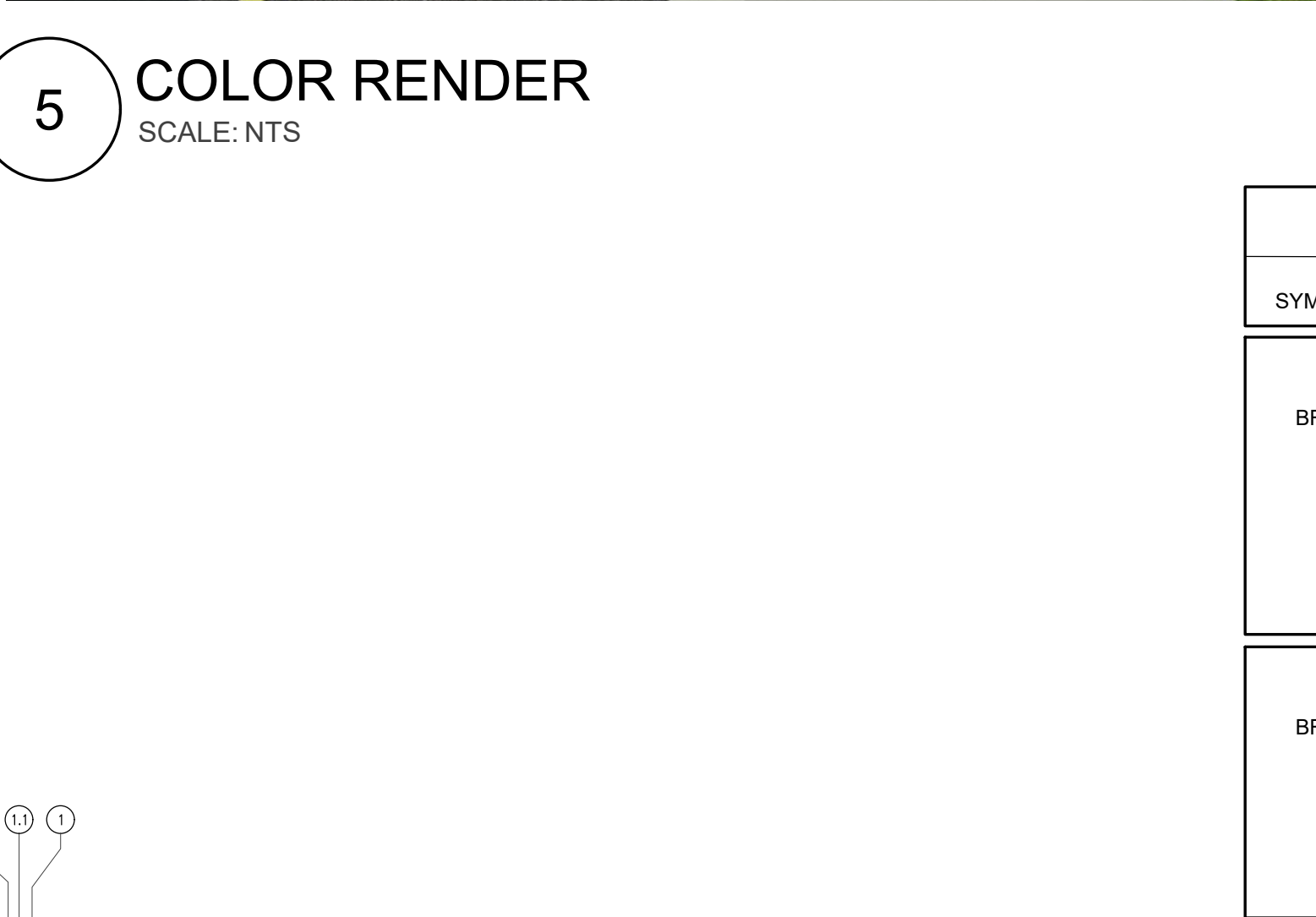
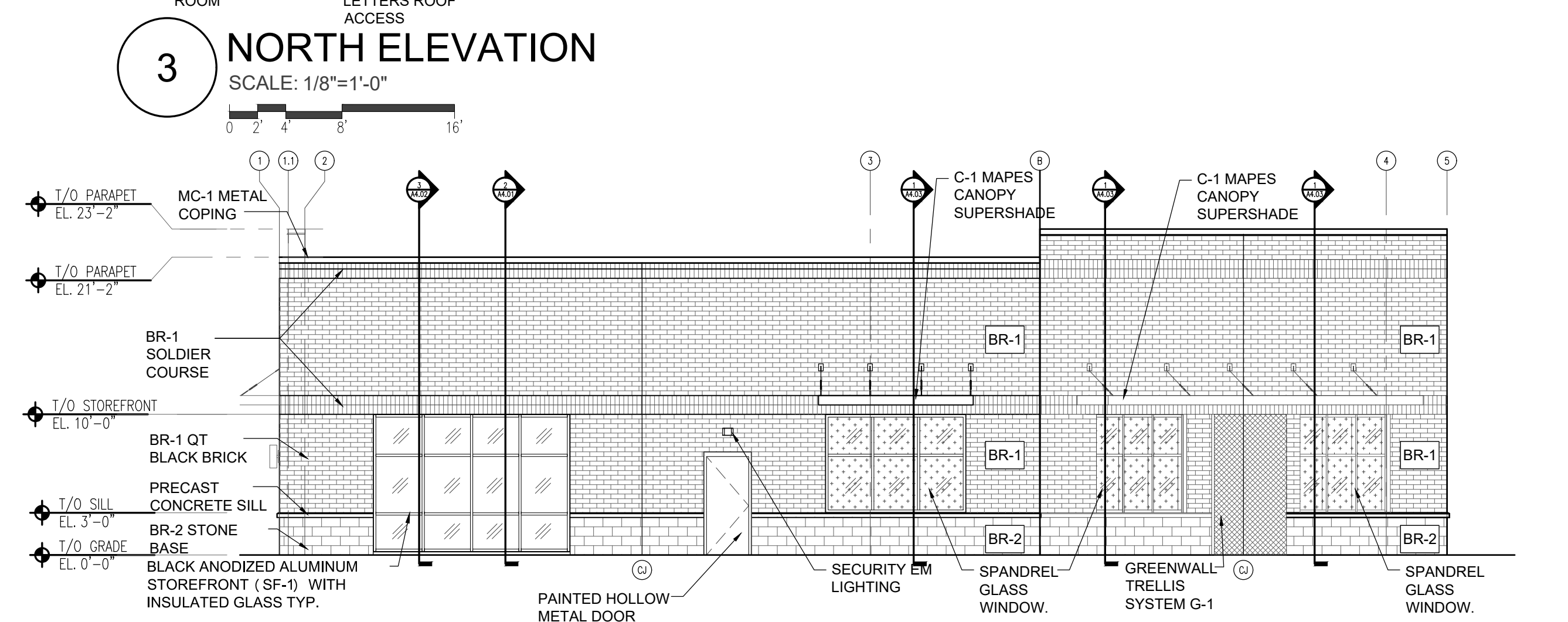
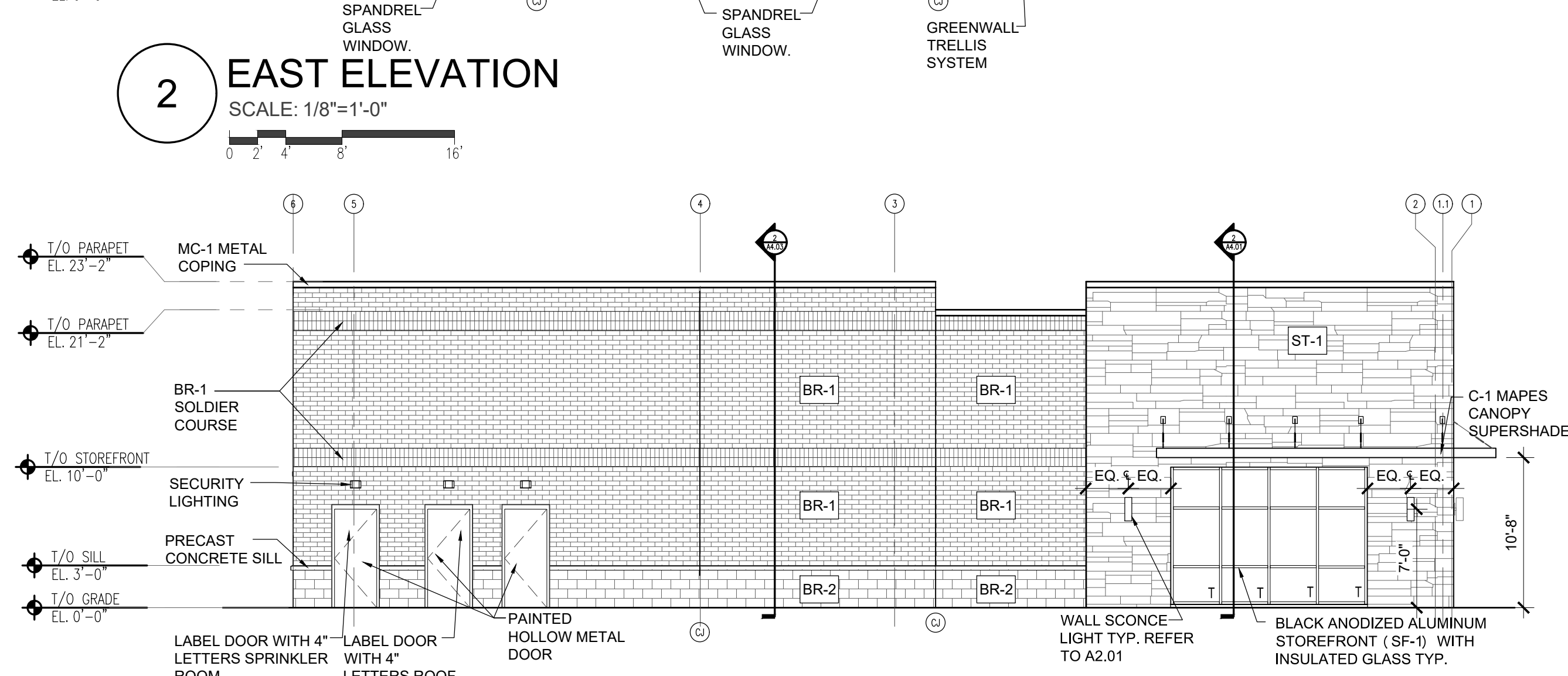
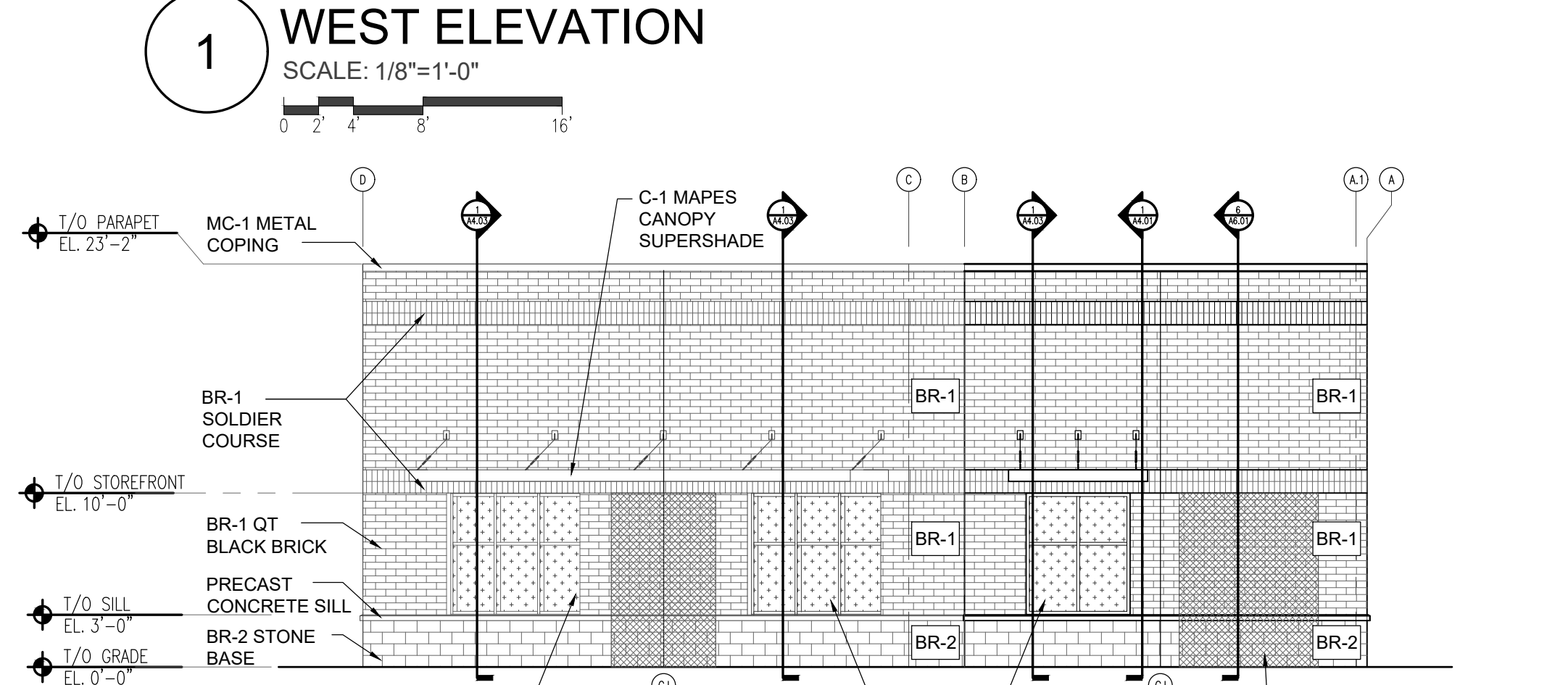
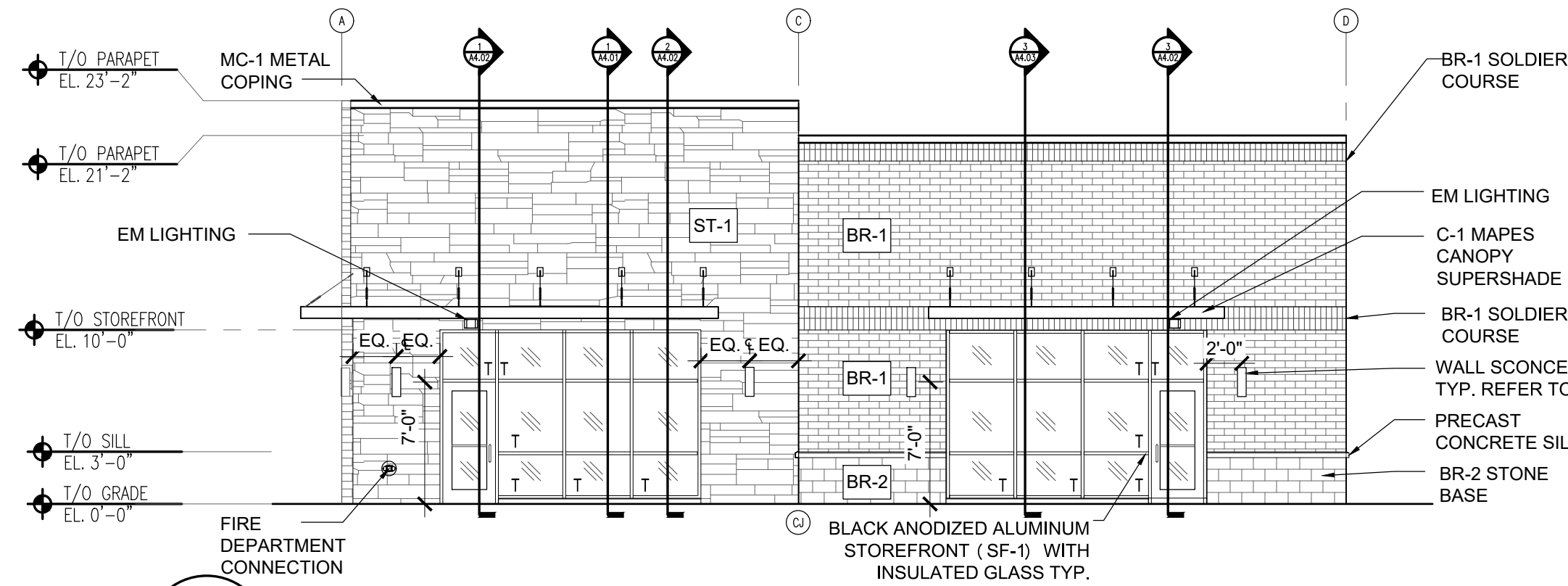
PROJECT # 2014-21  
LOT-1 BUILDING  
2080 W ORCHARD RD  
NORTH AURORA IL 60542

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DATE:	ISSUED FOR:
03/09/22	ISSUED PER FOX METRO
01/03/22	ISSUED FOR PERMIT

SITE PLAN

AS1.02



5 COLOR RENDER  
SCALE: NTS

MATERIAL SCHEDULE					
SYMBOL	LEGEND	MATERIAL	COLOR	MANUFACTURER	TYPE
BR-1		BRICK	QT BLACK	HARVARD BRIK-RAIN BLOCK-BY NORTHFIELD AN OLDCASTLE COMPANY (OR APPROVED EQUAL)	4"x8"x16"-SMOOTH FACE & MONOTONE PALLETTE
		MORTAR	SOLOMON COLORS: TBD	BMI OR APPROVED EQUAL	950 TYPE S /W WATER REPELLENT
		CONTROL JOINT SEALANT	COLOR: TBD	DOW CORNING	DOW CORNING 790
		METAL COPING	COLOR: MATTE BLACK	PAC-CLAD PETERSEN	
BR-2		STRUCTURAL BRICK	TRADITIONAL LIMESTONE	CORDOVA STONE-RAIN BLOCK-ARTISAN SERIES-RAIN BLOCK-BY OLDCASTLE (OR APPROVED EQUAL)	8"x8"x24"-SMOOTH FACE POLISHED FINISH
		MORTAR	SOLOMON COLORS: TBD	BMI OR APPROVED EQUAL	950 TYPE S /W WATER REPELLENT
		CONTROL JOINT SEALANT	COLOR: WHITE	DOW CORNING	DOW CORNING 790
ST-1		STONE VENEER	SILVER SHORE SCULPTED ASHLAR	CULTURE STONE	STONE VEER TO BE GROUTED. GROUT TO MATCH STONE VENEER.
		MORTAR	SOLOMON COLORS: TBD	BMI OR APPROVED EQUAL	950 TYPE S /W WATER REPELLENT
		CONTROL JOINT SEALANT	COLOR: MATCH STONE	DOW CORNING	DOW CORNING 790
		WALL SCONCE	TEXTURED ARCHITECTURAL BLACK	LITHONIA LIGHTING	11251BKT30 LED OUTDOOR UP& DOWN LANTERN - BKT 12"H X 5"W X 6 1/2"H MOUNTING HEIGHT: 7'-0" O.C. AFF
		EMERGENCY LIGHT	BLACK	NORA LIGHTING	OUTDOOR SLIM LED EMERGENCY LIGHT WITH PHOTOSENSOR
SF-1		STOREFRONT	BLACK ANODIZED		BLACK ANODIZED STOREFRONT WITH 1" INSULATED GLASS
MTL-1		METAL DOORS AND FRAME	BLACK 2132-10	BENJAMIN MOORE	
C-1		METAL CANOPY	BLACK ANODIZED	SUPERSHADE BY MAPES ARCHITECTURAL CANOPIES OR APPROVED EQUAL	OPEN CANOPIES. SEE ROOF PLAN
G-1		GREEN SCREEN	BLACK	GREENSCREEN	GREEN SCREEN TRELLIS SYSTEM FOR GREENSCREEN.COM

GENERAL NOTES:  
1. SEE DRAWINGS A4.01, A4.02 AND A4.03, FOR SPECIFICATIONS REGARDING THE EXTERIOR FACADE MATERIALS.  
2. ANY PRODUCTS PROPOSED FOR SUBSTITUTION ARE TO BE SELECTED BASED UPON AVAILABILITY AND ARE REQUIRED TO MATCH APPROVED MATERIALS IN COLOR, FINISH AND QUALITY. CONSULT ARCHITECT AND SUBMIT SAMPLES FOR ANY AND ALL SUBSTITUTIONS.  
3. SEE WINDOW SCHEDULE FOR NOTE REGARDING TEMPERED GLASS.  
4. SUBMIT SAMPLES FOR ALL EXTERIOR MATERIALS AND COLORS.  
5. GC TO PROVIDE J BOX FOR ALL SIGNAGE

NOTE:  
COORDINATE FINAL LOCATION OF KNOX BOX WITH FIRE DEPARTMENT

NOTE:  
SIGNAGE UNDER SEPARATE PERMIT

FINISH LEGEND:  
□ LIGHT SCONCE, SEE A2.01 AND ELECTRICAL SHEETS  
T = TEMPERED GLAZING  
SPANDREL GLASS  
GREEN SCREEN

CLIENT:  
**vequity** | real estate. redefined.  
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226 N Morgan Street  
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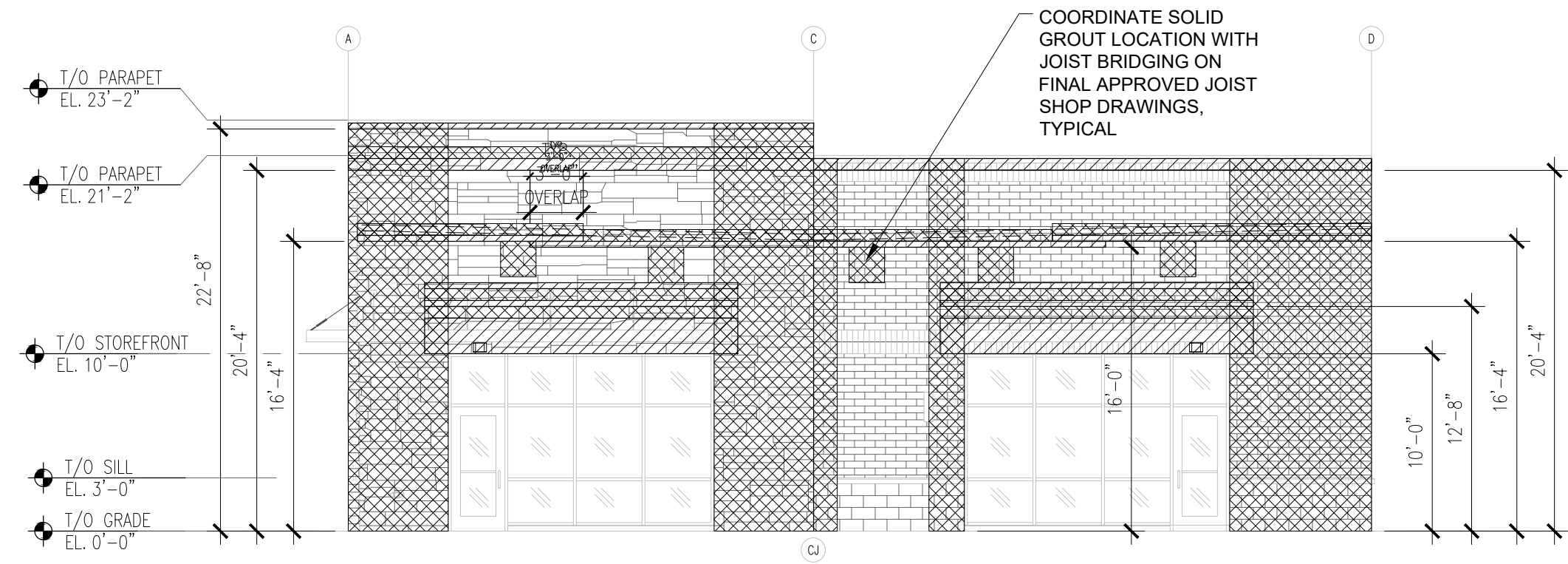
PROJECT TEAM:  
**ILEKIS**  
architects + planners  
ILEKIS ASSOCIATES  
223 W. JACKSON BLVD.  
SUITE 1000  
CHICAGO, IL 60606  
312-419-0009 www.ILEKIS.com  
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PROJECT # 2014-21  
LOT-1 BUILDING  
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NORTH AURORA IL 60542

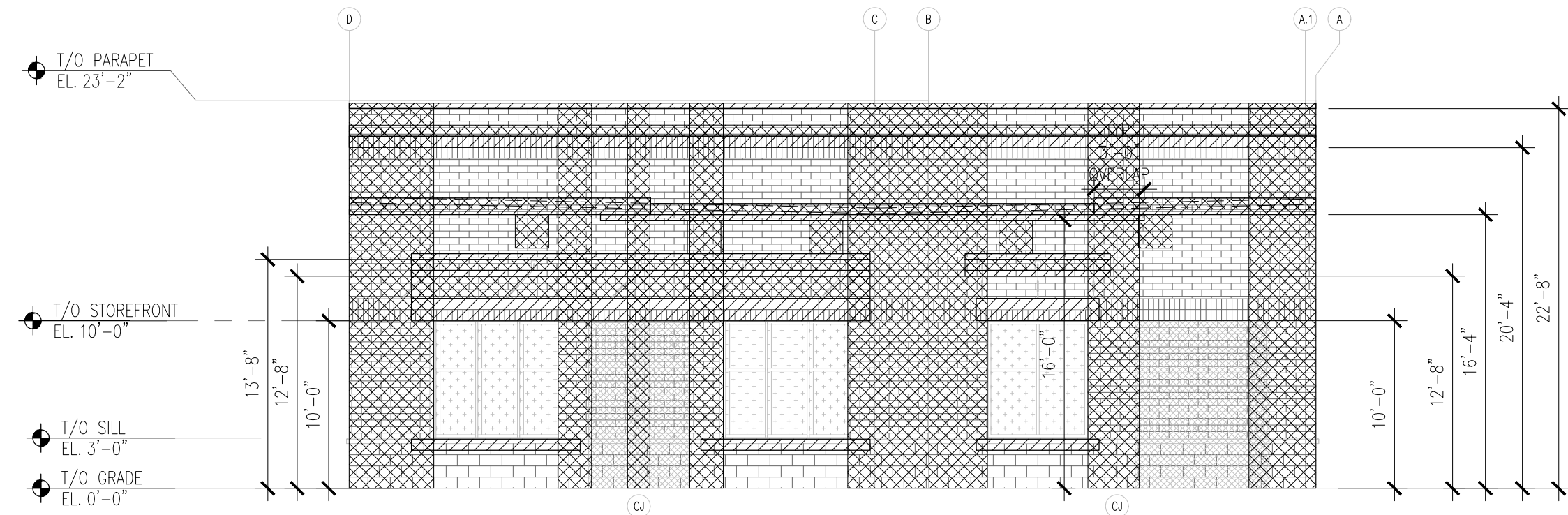
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DATE:	ISSUED FOR:
03/09/22	ISSUED PER FOX METRO
01/03/22	ISSUED FOR PERMIT

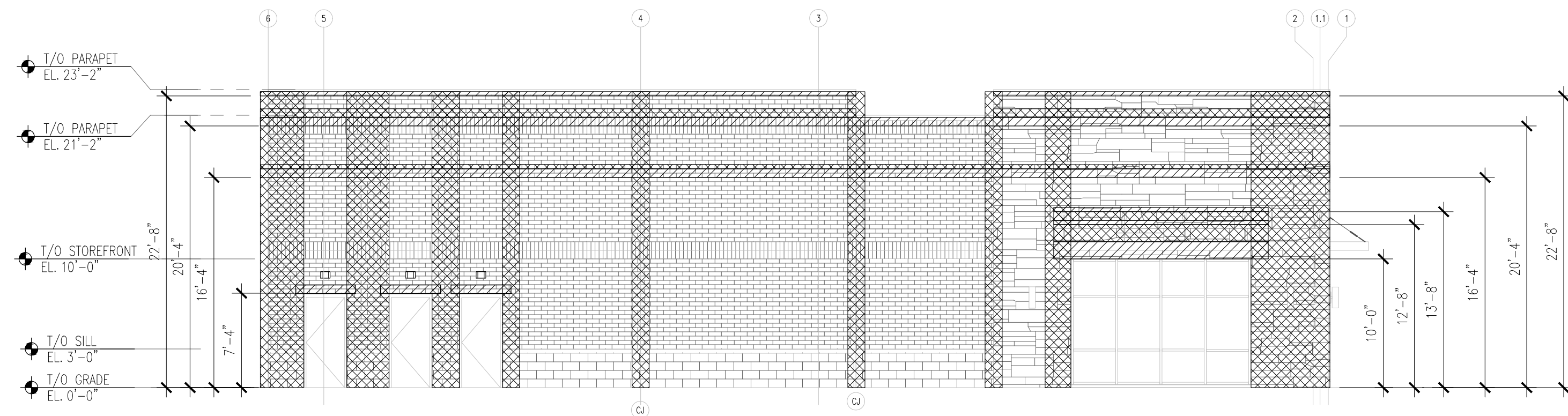
EXTERIOR COLOR  
ELEVATIONS  
BUILDING-1  
A3.01



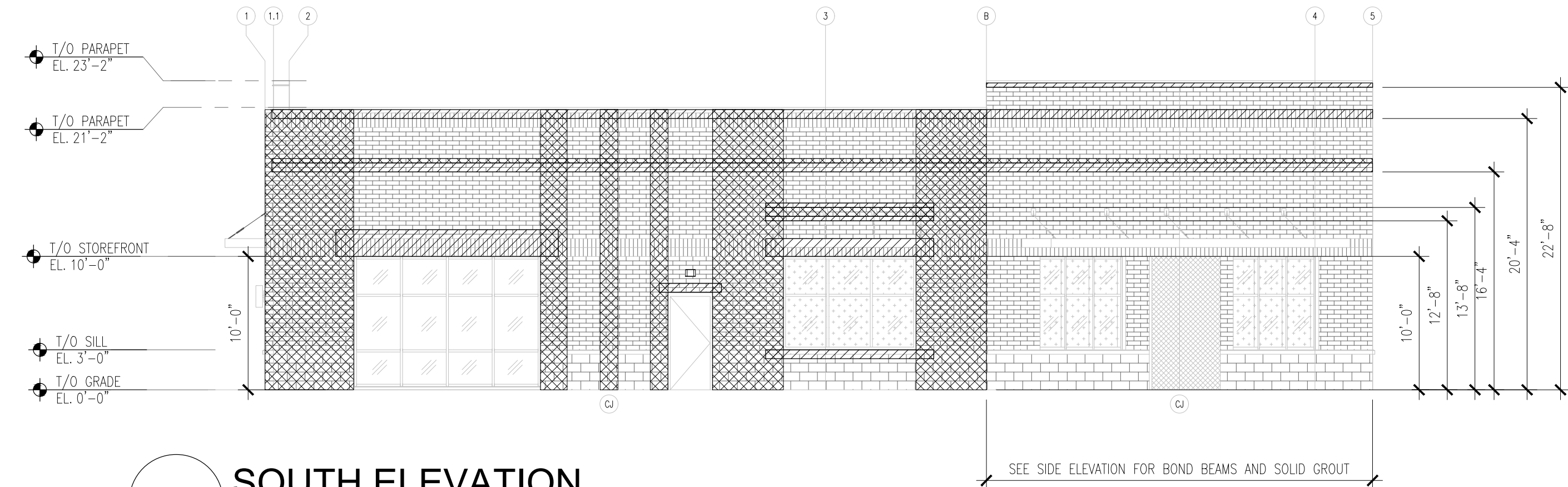
1 WEST ELEVATION  
SCALE: 1/8"=1'-0"



2 EAST ELEVATION  
SCALE: 1/8"=1'-0"

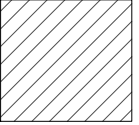


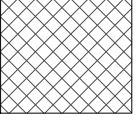
3 NORTH ELEVATION  
SCALE: 1/8"=1'-0"



4 SOUTH ELEVATION  
SCALE: 1/8"=1'-0"

**LEGEND:**

 BOND BEAM - REFER TO STRUCTURAL FOR MORE INFORMATION

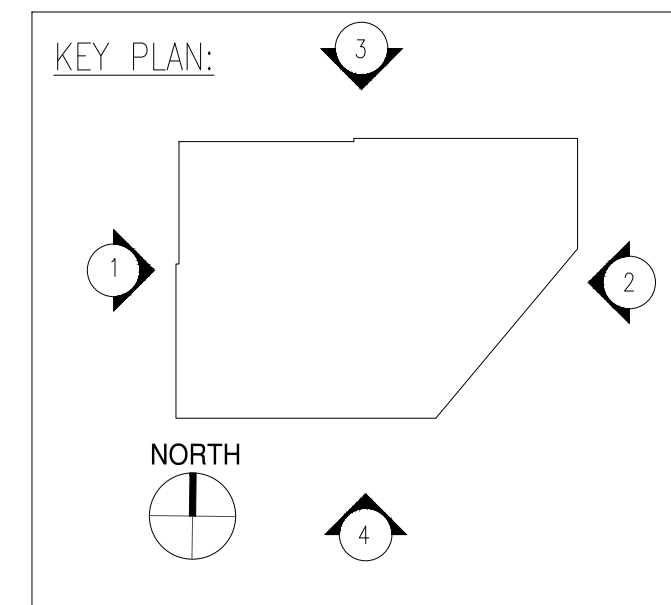
 SOLID GROUT - REFER TO STRUCTURAL FOR MORE INFORMATION

**NOTE:**  
GC TO COORDINATE FINAL LOCATION OF THE BOND BEAM WITH STRUCTURAL DRAWINGS.

GC TO INSTALL BLOCK FLASHING ABOVE ALL BOND BEAMS. REFER TO WALL SECTIONS A4.02 AND A4.03

SOLID GROUT ONE CELL EACH SIDE OF THE MASONRY CONTROL JOINT, TYPICAL AT ALL CONTROL JOINTS.

SOLID GROUT EACH SIDE OF THE OPENING. REFER TO STRUCTURAL.



*Alphonse A. Ilekis*  
EXP.  
11/30/2022

CITY APPROVAL

CLIENT:  
**vequity** | real estate. redefined.

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THESE DOCUMENTS WERE PREPARED UNDER MY SUPERVISION AND, TO THE BEST OF MY KNOWLEDGE, COMPLY WITH THE APPLICABLE CODES AND BUILDING REGULATIONS.  
ALPHONSE A. ILEKIS, AIA  
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NOTE:

PROJECT # 2014-21  
LOT-1 BUILDING  
2080 W ORCHARD RD  
NORTH AURORA IL 60542

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DATE:	ISSUED FOR:
03/09/22	ISSUED PER FOX METRO
01/03/22	ISSUED FOR PERMIT

EXTERIOR  
ELEVATIONS BOND  
BEAM LOCATIONS

A3.02



**VILLAGE OF NORTH AURORA  
PLAN COMMISSION MEETING MINUTES  
July 5, 2022**

**CALL TO ORDER**

Commissioner Tom Lenkart called the meeting to order.

**ROLL CALL**

**In attendance:** Commissioners Aaron Anderson, Anna Tuohy, Scott Branson, Richard Newell, Doug Botkin, Tom Lenkart and Mark Bozik.

**Not in Attendance:** Chairman Mike Brackett and Commissioner Alex Negro

**Staff in attendance:** Community & Economic Development Director Mike Toth and Planner David Hansen

**Also in attendance:** Village Attorney Kevin Drendel

**APPROVAL OF MINUTES**

**1. Approval of Plan Commission Minutes dated May 3, 2022**

Motion for approval was made by Commissioner Bozik and seconded by Commissioner Newell. All in favor. **Motion approved.**

**PUBLIC HEARING**

- 1. Petition #22-04:** The petitioner, Pharmacann, Inc, requests a Special Use to allow an Adult-Use Cannabis Dispensing Organization on the property located at 2080 West Orchard Road in North Aurora, Illinois.

Commissioner Tom Lenkart called the public hearing to order.

Community and Economic Director Mike Toth introduced Petition #22-04. The petitioner is requesting a special use to allow an Adult-Use Cannabis Dispensing Organization at 2080 West Orchard Road in the Orchard Commons Subdivision located at the northwest corner of Oak Street and Orchard Road. Toth shared currently there is no building on the property so the building and site plan is not under question this evening. The building was approved as part of Petition #21-06 in 2021 as part of the PUD amendment for Orchard Commons/Orchard Acres development, which consist of a four lot subdivision. The hearing and meeting tonight is only regarding the special use. Presently, the building's shell permit is in for permit right now with the Village. Toth mentioned tonight is the Plan Commission public hearing where the Plan Commission listens to the presented information, provides feedback and gives a recommendation to the Village Board. Toth clarified there is no final decision tonight, but the Plan Commission will provide a recommendation. The recommendation is then forwarded on to the Village Board for discussion and eventually for final consideration. The Board meetings are not publicly advertised with signage or adjacent property

owner letters as a public hearing is. Toth noted the Village Board meets on the first and third Monday of each month and the Board packets are typically posted on the Village website the Friday before the meeting.

The petitioner, Brandon Nemec (Government and Regulatory Affairs Director of Pharmacann Inc) presented Verilife's special use relocation application. Talar Berberian, with the law offices of Thompson/Coburn out of Chicago, introduced Brandon Nemec and represents Pharmacann. Also in attendance from Pharmacann included Monte Spiers, Senior Transaction Manager, and Pete Courlas, Project Manager. Berberian mentioned all four are available to answer any questions anyone may have.

Brandon Nemec shared Pharmacann is the parent company to Verilife. Verilife is currently operating at 161 S. Lincolnway in North Aurora and is a medical and adult-use recreational cannabis dispensary. Nemec mentioned Pharmacann is here tonight to present a special use relocation request for the existing dispensary to move to 2080 W. Orchard Rd. Nemec's presentation included detailing the history of Verilife's dispensary in North Aurora, the proposed relocation of the new dispensary's site plan and floor plan details, the purpose of relocating to a larger site, how the new site would include a redesigned floor space to improve patient customer flow and improve efficiencies to avoid bottlenecks that are currently taking place at the current site, any state laws Pharmacann operations are subject to, and Verilife's security plan.

Nemec shared in 2015, Verilife received one of the first Illinois State licenses to serve medical cannabis to patients through the Compassionate Use program. In 2015, the Village approved Verilife's medical cannabis dispensary use, which is located at 161 S. Lincolnway Suite 302 on the second floor. In June of 2019, the State of Illinois passed the adult-use cannabis law called the Cannabis Regulation and Tax Act. Prior to sales commencing for adult-use, the Village approved the colocation dispensary sales use at the 161 S. Lincolnway site, which allowed the dispensary to serve the existing medical patient base as well as new recreational adult-users 21 and over. In January of 2020, adult-use sales commenced at the site. In 2021, the State law changed and now allows dispensary's to relocate. When adult-use sales commenced Verilife started to serve a much broader consumer base. Verilife will continue to serve medical patients and by law are required to do so and prioritize medical patients. Nemec said medical patients are the core reason why the company was founded. Currently, the dispensary has four point of sales (POS) terminals, which is the same number of POS terminals originally setup for medical sales when the site opened in 2015.

Nemec added Verilife's current location has a bottleneck, which creates congestion for the identification, verification and security checks at the entryway. This entryway is where Verilife verifies if the consumer has a medical patient card or is of age, if an adult recreational user. Verilife also verifies identity again at the point of sale. Verilife has conducted hundreds of thousands transactions over the past couple of years. Nemec said the redesign they are proposing to the Plan Commission today will allow everyone to spread out, which was difficult to do at our current site during the pandemic. As part of the redesign Verilife is proposing twelve (12) POS terminals for a much faster customer throughput, which would increase efficiencies and flow for customers and patients both entering the site and the building.

Nemec mentioned the proposed location has been submitted to the State upon passage of the new state law in 2021. The proposed site would be a new build out at 2080 W. Orchard Rd, which

would be a one floor build out, single tenant floor retail space, surrounded by other commercial developments at the Northwest Corner of Oak St and Orchard Rd. The site is readily accessible off of Oak St. and Madison St, which would allow patients and customers to enter the facility and park. The site plan includes 24 dedicated parking spaces. Verilife's current location is under 2,000 square feet, but the new proposed build out would be 4,250 square feet. The new site would have a sales floor of approximately 1,550 square feet with 12 POS terminals. Verilife's hours of operation would be 8am to 9pm Sunday through Saturday and 9am to 9pm on Sunday, which are the same hours as the current site. 8am to 9am Monday through Saturday are reserved for medical patients only and allows for inventory to be prioritized for medical patients and time for consolation to better aid treatment. Currently this Verilife location provides 25 full time living wage jobs. The new larger site would increase the employee base by approximately five employees for a total of 30 full time employees. The proposed site plan would also include reserved medical parking spaces, which is currently implemented at the current site. The proposed site would have 24 dedicated parking spaces compared to the current site of a shared parking lot with multiple businesses. Nemec explained the site plan and floor plan layout which included a security checkpoint within the first five to seven feet into the building and a restricted access area for employees. The proposed site will have a restricted access entry area for deliveries to be dropped off directly into a secured vault area. Nemec showed internal and external renderings from other Verilife Illinois dispensaries (Rosemont and Galena), which he said included benign medically focused signage. Nemec said Verilife signage only shows their name and logo and doesn't use flashy signage, try to cater towards children or use provocative marketing in any way.

Nemec said security cameras are utilized and monitored 24 hours a day, 7 days a week by a third party security and remote access is provided to state regulators and state police at any time. Nemec also mentioned exterior lighting is located around the entire facility to deter and detect any bad actors should they show up to the facility. Nemec added customer service and patient care representatives will meet anyone to help facilitate orders, help educate customers on dosage, product types, and provide substance abuse information. Nemec shared building elevations and explained all glass must be tinted, screened and shatterproof and the inside can't be seen from the outside due to state law. Nemec also shared the security requirements Verilife follows, which he said meets and exceeds the terms required by State law. Nemec shared other security info, which includes 24 hour security, how every square inch is covered, and the entire external perimeter of the building as well as the parking lot is covered and monitored 24/7/365. Data retention is kept for 90 days and will coordinate with local law enforcement if there is a need. Nemec also said cameras can see license plates and faces up to 100-150 feet away and emergency buttons are located throughout the facility. Nemec said Verilife utilizes Metro One, a security company, for onsite/perimeter security and will continue to work with local law enforcement to establish a relationship. Nemec explained the inventory process, how the delivery schedule is randomized, how delivery vehicles are unmarked, and how the inventory is placed directly in a secured vault. Nemec mentioned there is a preorder option, which requires ID verification during pickup. Berberian said the store hours mentioned in the staff report appear to be incorrect. The hours of operation are 8am to 9pm Monday through Saturday and 9am to 9pm on Sunday's.

David Hansen shared in 2019, when zoning text amendments for various cannabis uses and definitions went before the Plan Commission and Village Board, five use standards for adult-use cannabis were also discussed and adopted. The five use standards for adult-use cannabis include: dispensaries must comply with the State of Illinois Cannabis Regulation and Tax Act and any

amendments to the act, a maximum of two (2) adult-use cannabis dispensing organizations are allowed to be located in the Village of North Aurora, Adult-Use Cannabis Dispensing Organizations shall be located a minimum of one thousand (1,000) feet from the property line of any school grounds, public playground, public recreation center, child care center, public park, public library, or game arcade to which admission is not restricted to persons twenty-one (21) years of age or older located in the Village of North Aurora, on-site consumption of cannabis shall be prohibited, Adult-Use Cannabis Dispensing Organizations shall be located a minimum of one thousand five hundred (1,500) feet from the property line of any pre-existing Adult-Use Cannabis Dispensing Organization located in the Village of North Aurora.

Hansen said upon review of Verilife's special use application, Pharmacann meets all five adult-use cannabis use standards outlined in the zoning ordinance, which were mentioned above. Hansen also said a cannabis dispensing organization is only allowed one license at a time and would need to move with that license to the new facility and close the existing site to satisfy the licenses requirement per State law. Toth shared that in 2019 when the Plan Commission was discussing the topic of cannabis, there was discussion about allowing an Adult-Use Cannabis Dispensing Organization as a permitted use with use standards or a special use with use standards. The zoning text amendment was ultimately adopted as a special use with use standards. Toth said regardless if the use was a permitted or special use, the use standards would still apply since they would be the standards for this particular use.

Commissioner Lenkart asked if the Plan Commission had any questions for the petitioner. Commissioner Mark Bozik asked what the ratio of medical vs recreational consumers is for the existing facility. Nemec said about 1/3<sup>rd</sup> of sales go towards medical patients currently. Commissioner Scott Branson asked how much tax revenue the dispensary brings in annually for the Village and if there was any police activity since the site opened. Nemec mentioned since Verilife is the only dispensary in the Village, giving exact tax revenues would disclose our annual revenue since it's an exact 3% based off the tax the Village receives so the information is deemed confidential. Nemec did say the sales are very strong and the projected tax revenues are approximately between \$300,000 and \$500,000 annually that come back to the Village. Nemec said with the current dispensary at 2,000 square feet and the proposed one just over 4,000 square feet, it would be difficult to find another location that brings in that type of tax revenue on an annual basis at that small of a footprint. Nemec mentioned there is a substantial State tax applied to adult-use sales and not medical sales that runs about 40% and dispensaries throughout the State, last year alone, brought in upwards of \$380 million and a portion of that is disbursed back to local government units. Nemec also said, to the best of our knowledge, there has been no police calls, but will check on that and get back to staff as soon as possible. Commissioner Branson asked if there was any security guards on site during the operational hours. Nemec said on-site security shows up a half an hour before store opening and will stay until the dispensary closes and cameras will monitor the site after hours.

Commissioner Anna Tuohy asked what Pharmacann's consumer demographic typically is and why this location would better serve that demographic. Nemec said a 1/3<sup>rd</sup> of our sales would be for the medical demographic and the remaining demographic would be all age ranges over 21, which would include the remaining 2/3<sup>rd</sup> of sales. Nemec mentioned there is no pinpoint demographic Verilife serves since it ranges from people in their 20's all the way into their 70's. Nemec said the location would be more accessible to consumers, not just by thoroughfare and a separate parking

not shared by other tenants, but also having a readily accessible location that is conveniently located next to other commercial retail and everyday shopping throughout the Village.

Commissioner Lenkart asked how many of the 24 parking spaces on the site plan would be used by employees during regular business hours. Nemec said there will be seven employees on-site on an average day and if there is a holiday (Christmas, 4/20 cannabis holiday, etc.) up to nine employees may be on site which leaves 15 parking spaces for customers and patients. Nemec believes that is an ample amount of parking for the customer and patient base since there should be a faster throughput with the new store redesign. Commissioner Lenkart mentioned that the first few months Verilife was open for recreational sales there was a lot of traffic control problems. Commissioner Lenkart asked if this will be a larger facility with 24 parking spaces, is there going to be a parking issue again and is there security going to be outside again to ensure people are moving in and out quickly and not parking in adjacent business lots or on the road. Toth added in January of 2020 when recreational sales began it was a chaotic, but this dispensary was one of the first dispensaries to open in the area and has since quieted down. Toth added at the current site at 161 S. Lincolnway there is a lot of parking, but there are multiple businesses including the VA center which uses a bulk of the parking behind the building adjacent to the river. According to the police, we haven't really had any incidents that staff is aware of. Commissioner Lenkart asked who controlled the traffic light frequency for the intersection at Orchard Rd and Oak St. Toth said the County would control it since they own Orchard Rd. Commissioner Lenkart was concerned of a backup due to all the developments that are currently being built in that area. Toth said each property pays a traffic impact fee to the County based on the use of the property, which can be relooked at in the future should it become an issue. Toth also said there are 24 parking spaces on the site and that the Village zoning code only requires 17 parking spaces due to it being a retail establishment, which by code requires 4 spaces per 1,000 square feet.

Jason Lloyd (2157 Bartram Rd. in Tanner Trails Subdivision)

Lloyd mentioned he appreciates what Pharmacann is trying to do, but has mixed feelings on the relocation and does not use their product. Lloyd said he is a 14-year army veteran who is disabled and goes to the Aurora VA clinic, which shares the current building at 161 S. Lincolnway with Verilife. Verilife has had an impact with access for veterans going to their appointments and parking is limited due to the dispensary. Lloyd mentioned the 17 parking spaces for the new site would be less than what is at their current site, which still has traffic issues. Lloyd is in favor in the relocation since the dispensary is a nuisance to the veteran community; however, their proposed area is in a family-friendly area and 30% of Tanner Trails have children and minors living in it. Lloyd said families were happy about Starbucks and Taco Bell going in near that location, but are now concerned Verilife will have a negative impact to that area and are terrified of the cannabis use proposing to go into the site. Lloyd mentioned he has 22 years' experience as a deputy and is still currently serving. Lloyd is concerned this use will bring crime to the area and feel the users of the product bring a threat to the peacefulness of the area. Lloyd mentioned his children walk from Tanner Trails across Deerpath through that property to get to Woodman's and McDonald's. Lloyd was concerned about the increase in traffic for the use and how it will disperse cars down Deerpath Rd and into subdivision, which will be used as a cut through. Lloyd mentioned a traffic light would need to be required at Tanner and Deerpath or vehicle and pedestrian accidents will occur because the use creates a traffic issue for the future. Lloyd is concerned the increase in floor space will lead to more traffic, parking and police issues. Lloyd mentioned many police-related issues in the Village would not happen if the dispensary did not draw the demographic into the

area and is afraid the same would happen at the new proposed location. Lloyd said he thinks the attraction is a nuisance to his subdivision. Lloyd said the reason security is that high is because the use has a history of violent crime happening at these facilities and is a key reason it is required by state law. Lloyd cited a quote from a previous review (source and location unnamed), that suggests crime tends to increase in areas of medical and recreational dispensaries by 26% to 1,452% than compared to subdivisions with no commercial marijuana activity. Lloyd is concerned the location is one street away from his neighborhood. Lloyd said Tanner Trails has a total population of 18,363 people. Lloyd said the location is prime for something good for our community and is not Verilife's only option. Lloyd said the location they are proposing is the subdivisions only route to get to the places they want to get too safely and would like to do it without traffic and attracting criminals to the area, not saying all clients are criminals, but that is why security is needed because of the crime. Lloyd said there are 2,178 homes in Tanner Trails that have children and many will be going to Taco Bell, but next door there will be armed guards protecting the dispensary. Lloyd said the use would be a detriment to the area and it's located practically in my neighborhood and will tarnish the area regardless what stores are next to it and is not a benefit to the community.

Lloyd continued and said the only serves a spotted amount of people around the community and the new location will bring everyone to that spot. Lloyd added a park isn't the only impact zone in the buffer map, but any residential neighborhood is too and the code should be redefined to say any residentially populated area is an impact zone. Lloyd mentioned a drug deal that went bad in the Woodman's parking lot and is concerned drugs will spill over into the surrounding neighborhoods with this use. The current dispensary location is not near a residential area. They need to move from their current location, but this site is not the place. Lloyd was concerned the 17 spots for parking are not enough since the current site takes up the entire VA parking lot. Lloyd said the 4/20 holiday is the criminal code for cannabis and made a national joking holiday because it's the criminal code and that's when people went out and got it and did it in defiance of law and order. Lloyd was unhappy that a professional person even mentioned what 4/20 is and said his kids know it in elementary school because it's such a joke. Lloyd said the use will still be a nuisance on a larger property and the current site has an armed person on the sidewalk letting people pass and walk in while traffic is backed up on Route 31. Lloyd shared data from the Chicago Police Department, which shows that there are 19 licensed dispensaries and a combined 13 of them had attempted burglaries since recreational cannabis sales opened in 2020 and I don't want that in my neighborhood. Lloyd also quoted the Journal of Studies for Alcohol and Drugs, which states dispensaries can be at risk for property crimes, such as burglary, and employees of dispensaries can be at risk for violent crimes such as robbery and assault. Lloyd said why are we putting a target in my neighborhood? Lloyd requested to have the Village grant Verilife's request to move from their current location due to being a nuisance to the VA, but also deny the proposed location Verilife is seeking since it is a threat to my family and neighborhood and the tax revenue is not worth it.

Village Attorney Kevin Drendel clarified the issue before us is a zoning issue and the Village does not have the authority to approve their relocation, that's a state issue, all we have in front of us is to entertain the application based on the zoning standards the Village has and we need to focus on those standards. Lloyd said the standards for an impact zone needs to be adjusted since his personal residence will be impacted by this.

Wes Jaros (2863 Leonard Ln. in Tanner Trails Subdivision)

Jaros said he is a newer resident that moved into the Village about two years ago and would be considered part of the grandparent demographic. Jaros said Tanner Trails is mainly a family residential area and we are one of the fewer empty nesters who live there. I have no children here that would be affected and am here as a concerned resident and want what is best for all children in town. Tanner Trails is the closest subdivision located to this site. Jaros said he can appreciate the remedy cannabis might have as a cure to anything that ails an individual, but has always been opposed to legalizing it for recreational use. Jaros mentioned state by state has been capitulating legalizing cannabis mainly due to the money and said think of the impact of marijuana on individuals. Jaros shared data (no source mentioned), that 30% of people become addicted to the product, and marijuana has 50% more benzaprine and 75% more benzathine than cigarette smoke, which is nasty stuff for people to put in their bodies. Why does the Plan Commission want to forward their recommendation to the Board that would make this product more accessible and the location more visible to the young people in our community? Jaros said this should be in an area that is commercially zoned and people passing by cannot see it unless they are looking for it. A high visible site is no place for a product that only 20 years ago, no one thought of legalizing marijuana in this country. Jaros said cannabis sales appear to be between \$300,000 to \$500,000 and was wondering if that number has been verified. Jaros provided articles about funding for cannabis sales and said that a majority of revenue goes down to Springfield and only 6 to 8% go into the local government distributive fund. Jaros said traffic flow area is a concern since there are two left turn lanes on Orchard Rd, which can only turn on green arrows even though there is a lot of site line visibility. Jaros was concerned that the toll road at Orchard Rd is in close in proximity to the dispensary proposed site and will increase traffic in the area and will make the area more congested especially turning right onto Deerpath. Jaros asked to verify the tax revenue coming to the Village since the dispensary revenue has none going to public schools although that's the number one ticket item on our tax bills. Jaros asked why the Commission would recommend to vote yes when this use can adversely affect the youth in our community.

Malora Carson (3039 Elleby Ct. in Lake Run Estates Subdivision)

Carson mentioned that she felt the proposal/notification was posted very late, in very small print, and added she didn't know this hearing was going to be today until last week and why was it chosen to have the hearing on a holiday weekend. Carson said this gave me no time to rally my neighbors or anyone in Tanner Trails to be here tonight. Carson said this area is the primary residential area filled with children of all ages and is hugely impactful. Carson said she understands this company has been part of the community for a few years, but this is not the location. Carson said although a security plan is in place their location needs to be closer to the Police Station. Carson added if Verilife wants more traffic, they are right off I-88 in their current location with an industrial area right by it, out of site and not impacting families. Carson said traffic is already bad in this area and turning right onto Deerpath from Oak St is already tough and people get cut off. Carson mentioned that part of the land, on the corner, should be family friendly for all ages and not just a spot for ages 21 and over because it sends the wrong message. Carson said I understand marijuana has been voted on and is legal, even though I don't believe of the benefits of a recreational usage, but this is the wrong location in this community for it. I don't think Verilife will lose any clients if it is tucked away since medical clients need it and will find it and recreational users will seek it out as well regardless where it is located.

Rich Szafluk (2224 Schrader Ln. in Tanner Trails Subdivision)

Szaflik shared his concern regarding the increase in employees and customer base and if the parking they are proposing is enough. Szaflik said medical was highlighted in their presentation, but only 1/3<sup>rd</sup> of the customer base is medical and this is more for a recreational move than from a medical standpoint. Szaflik also asked staff to look into their revenues to ensure the Village is receiving the maximum amount of tax dollars for this use.

Toth mentioned the property is zoned commercial and located in the B-2 General Business District. Nemec said Pharmacann appreciates the feedback provided and wanted to say we are not claiming there won't be traffic associated with the site and are up here for the purpose of moving to a new location to mitigate against the problems we are currently experiencing, which are congestion and bottlenecks in service. He anticipates the new location will have a better access and thoroughfare to our customers and patients. Nemec said they understand there are members of the community who will not come to the site and who do not use cannabis recreationally or believe in its medical benefits. Nemec added the State has voted on and decided recreational cannabis is legal in Illinois and the Village has already approved the use at our other site for recreational cannabis. In regards to the ancillary impact concerns to the surrounding community, our site has been highly secured and monitored by third-party security, internal security and on-site security since its inception. Nemec said the security is not a new practice or something the state mandated based on any crime problems. Verilife has been monitoring our employees as well to ensure there is no bad behavior. To our knowledge there has been no nuisance on or around our property since its inception seven years ago as medical and in 2020 when it became a collocate site.

Nemec said there are longitudinal studies from jurisdictions (no source provided) that have had adult-use recreational cannabis sales for a much longer period of time that shows there is a positive benefit to the surrounding crime in the community from legal, regulated and highly secured sales that mitigate against any of the examples brought out. Nemec added that one of the residents mentioned the illegal drug deal that took place and this is exactly what a safe and regulated cannabis market is designed to prevent against. Nemec also added positive foot traffic and highly secured facilities mitigate against crime on and around the facility and property values in the surrounding areas do go up when there are cannabis dispensaries located in the community. Nemec said in regards to the question about tax revenue, the prominent tax revenue will fall between the \$300,000 to \$500,000 range. Nemec also said this revenue is generated from a special adult use tax created by the State, in which the Village adopted at the inception of the adult use and takes 3% of adult use revenues directly into the Village coffers for reinvestment into the community. Toth mentioned he spoke with the Finance Director and can't give out exact numbers, but the range is accurate between \$300,000 to \$500,000 based on the Village's 1.5% sales tax and the additional 3% sales tax on adult-use cannabis the Village adopted in 2020.

Commissioner Richard Newell asked if there is room for expanded parking for the site since it appear that is one of the primary concerns. Nemec said they will use the maximize parking spaces on site and no plans for expanded parking. Nemec mentioned he checked with the District Manager and the only time that police was called to our facility, at 161 S. Lincolnway, was to assist with a customer that needed emergency response since he felt faint and needed police assistance.

Commissioner Tom Lenkart closed the public hearing.

Commissioner Lenkart thanked the audience for their comments and concerns. Commissioner Lenkart mentioned the Village only has a limited authority and cannot discuss if we are for or against cannabis since that was already decided by the State. Commissioner Lenkart added the facility is located in a proper business district and question becomes if the special use meets the special use standards according to Village code. Commissioner's vote in favor or against the use and are not the final decision makers. The Plan Commission is an advisory board that listens to petition first, looks at the petition through our zoning code and passes our comments onto the Village Board. We understand traffic issues can arise and we can share that concern with the Village Board, but they get to make the final decision. Lloyd asked if the community has the opportunity to rebuttal like the petitioner did. Commissioner Lenkart mentioned although public hearing was closed, the lady in the crowd could ask her question.

Sandra Pendzinski (942 Wilkinson Lane in Orchard Estates Subdivision)

Pendzinski shared she has lived in North Aurora for 22 years, has three children of all ages and her biggest concern was the dispensary will be located next to the other uses, Taco Bell and Starbucks, where children will riding their bikes to. Pendzinski said she was fine with Verilife moving, but feels this is the wrong location. Pendzinski had a concern about people at the other location loitering and standing around in the area waiting for transportation, people, and perhaps money since she has noticed that when she goes to the bike store nearby. Pendzinski also was concerned about the violence and safety in that area and the mentioned the armed robbery in Dixon that ended up getting off at Orchard Rd and went into her subdivision. The site altogether will be adding traffic to the community and believe this should be a family restaurant or something family friendly. Pendzinski said her family has been proud members of the community since 2000 and would like to uphold the aesthetics of the community.

Village Attorney Drendel said the audience should be given the opportunity to rebuttal, but should be focused on what was being said in response and be limited to new information. Jason Lloyd mentioned from a financial impact, Verilife already has the finances and don't need to move to the new proposed location. Lloyd said security was brought up again and they keep saying how amazing it is. Any establishment that requires that level of security does not belong at a location directly outside a residential area. Lloyd mentioned although this is a commercial zone and we are looking at the special use permit, I think it should be put it in another location, not an area where my kids are welcome to go to and an area that is family friendly. Lloyd continued this is not a family friendly use and will be a nuisance to the businesses already there or going in and anything with this level of security should raise concern. Commissioner Lenkart mentioned to please keep comments to the petitioner's rebuttal. Berberian mentioned security was not put in place for any criminal activity and simply gave in depth details since it was a concern mentioned by multiple audience speakers. Lloyd mentioned every time he hears a block party is going to have security it always ends up being a problem. Lloyd said that level of surveillance and security shouldn't be bragged about and this use will kill any businesses looking to go in that area since we won't go and we will be trapped due to the traffic congestion it will cause in that area.

Jaro's added even though it's zoned commercial, the Plan Commission role is to plan functionally for North Aurora. A cannabis dispensary doesn't fit into this area with multiple restaurants and a grocery store in such close proximity. There are other locations in the Village that are more viable. The northbound Orchard Rd left two lanes are going to be filled with people going to the

dispensary and I ask everyone to visit that area if you haven't already to see how the traffic at that intersection currently operates.

## **NEW BUSINESS**

1. **Petition #22-04:** The petitioner, Pharmacann, Inc, requests a Special Use to allow an Adult-Use Cannabis Dispensing Organization on the property located at 2080 West Orchard Road in North Aurora, Illinois.

Commissioner Doug Botkin mentioned he has spoken extensively with a few police officers in the community as well as the two former police chiefs and there has been no indications of criminal issues. Commissioner Botkin said he is an engineer and I have not seen any data that this is causing a criminal problem. Commissioner Botkin added I respect the opinions expressed here tonight and understand the issues, but I am inclined to proceed forward. Commissioner Mark Bozik mentioned tonight is the first part of the process, which looks at the Village's zoning code to see if the use meets the standards and ordinances that are in place. The Village Board makes the final determination if a dispensary should be located there.

Commissioner Richard Newell had no additional comments. Commissioner Scott Branson mentioned the Village can only do so much and asks the petitioner to exhaust all other potential locations and take a look at them since this location doesn't make much sense. Commissioner Branson shared his sons are both medical customers who don't have seizures anymore and said he believes in their product. Commissioner Branson added however there are better locations in the Village for this business than what is being proposed.

Commissioner Aaron Andersen thanked the residents for coming out and for the nice presentation by the petitioner. Commissioner Andersen mentioned he has been on the Plan Commission for years and voted in favor for creating the zoning to allow for the medical dispensary and expanding the site to include adult use recreational space as well. Commissioner Andersen added I understand you are a business in our community and the Village has this process as a special use to consider your request in relation to what else is happening in the area in real-time. The fact of the matter is we have had recent developments in this general geographic area that is much more driven towards all residents and age groups in the Village. I live a mile from here, I am not worried about an increase in crime and have been to your dispensary on Route 31. I have five kids and counsel them on alcohol and drugs as a parent should. Commissioner Andersen said with more residential development coming to the north I don't think this is the right spot and will vote no.

Commissioner Anna Tuohy mentioned traffic is absolutely a concern here especially the northbound lane on Orchard Rd turning west onto Oak St. Commissioner Tuohy also said as part of the comprehensive plan pedestrian mobility is mentioned and I don't see this business use helping with that. Commissioner Tuohy added that the buffer map indicates there are other location options in the Village and I will not be in favor of this.

Village Attorney Drendel mentioned the standards for a Special Use are part of the application and the vote to approve or not approve should be made in regards to those standards. Toth mentioned there are specific use standards for Adult-Use Cannabis as well as the general special use standards.

Toth added the Plan Commission should be looking at it through the standards for a special use that are part of the application and there are eleven (11) of them. Village Attorney Drendel mentioned there are no one standard that is controlling and the Plan Commission can weigh them all to see if they meet or do not meet the standards. Village Attorney Drendel added not all standards need to be voted on, but calling out the standards that are not unanimously agreed upon would be helpful for making a motion to vote for or against.

Commissioner Tuohy read the eleven special use standards out loud, which included: 1. The proposed special use is, in fact, a special use authorized in the zoning district in which the property is located. 2. The proposed special use is deemed necessary for the public convenience at that location. 3. The proposed special use does not create excessive additional impacts at public expense for public facilities and services, and will be beneficial to the economic welfare of the community. 4. The proposed use is in conformance with the goals and policies of the Comprehensive Plan, and all Village codes and regulations. 5. The proposed special use will be designed, located, operated, and maintained so as to be harmonious and compatible in use and appearance with the existing or intended character of the general vicinity. 6. The proposed special use will not significantly diminish the safety, use, enjoyment, and value of other property in the neighborhood in which it is located. 7. The proposed special use is compatible with development on adjacent or neighboring property. 8. The proposed special use minimizes potentially dangerous traffic movements, and provides adequate and safe access to the site. 9. The proposed special use provides the required number of parking spaces and maintains parking areas, in accordance with the requirements of this Ordinance. 10. The proposed special use is served by adequate utilities, drainage, road access, public safety, and other necessary facilities. 11. The proposed special use conforms with the requirements of this Ordinance and other applicable regulations.

Motion for approval of a special use to allow an Adult-Use Cannabis Dispensing Organization was made by Commissioner Botkin and seconded by Commissioner Anderson. Vote: Tuohy – No, Anderson – No, Lenkart – Yes, Branson – No, Newell – No. Bozik – Yes, Botkin – Yes. Motion failed 4-3.

The Plan Commission members who voted no on the special use cited the following Standards for Special Use not being met:

2. *The proposed special use is deemed necessary for the public convenience at that location.*
6. *The proposed special use will not significantly diminish the safety, use, enjoyment, and value of other property in the neighborhood in which it is located.*
8. *The proposed special use minimizes potentially dangerous traffic movements, and provides adequate and safe access to the site.*

Commissioner Lenkart mentioned the next step includes the petition being presented to the Village Board. The Village's website will have the meeting dates and agendas. The Trustees will have the Plan Commission's recommendation vote and comments to review. The petitioner, staff and audience will all have the opportunity to speak at the meeting. The Village Board has the final say on this matter. Village Attorney Drendel added people submit applications for zoning approval to the Village. The Village does not choose the applications that come in front of it. The Village

simply receives those applications, processes them, which includes the Plan Commission conducting a hearing to allow for an opportunity for the audience to address the subject and allow the Plan Commission to make a recommendation to the Village Board. The Board will not have another hearing, but there will be other opportunities to speak, which includes audience comments on the agenda. Village Attorney Drendel added an item will usually go to two meetings in which the Village Board is present; the Committee of the Whole for discussion, and another Village Board meeting for a final consideration with a vote.

**OLD BUSINESS** – None

**PLAN COMMISSIONER COMMENTS AND PROJECT UPDATES**

Toth provided an update on Petition 22-03 (Sullivan Road/Smoke Tree Plaza Industrial Development). Toth mentioned the petition was received favorably by the Village Board at a Committee of the Whole meeting, but has not gone to final consideration yet. The Sullivan Road entrance is still being discussed by the developer and the City of Aurora.

Toth also mentioned that the Dairy Barn, which currently has a location in Oswego, is currently planning to develop a restaurant in Randall Highlands by The Turf Room.

**ADJOURNMENT**

Motion to adjourn made by Commissioner Bozik and seconded by Commissioner Tuohy. All in favor. **Motion approved.**

Respectfully Submitted,

Jessica Watkins  
Village Clerk



Mr. Michael Toth  
Director, Community and Economic Development  
Village of North Aurora  
25 E. State Street  
North Aurora, IL 60542

July 20, 2022

*Re: Relocation of Verilife Cannabis Dispensary to 2080 W. Orchard; Special-Use Permit Application*

Director Toth,

I write on behalf of PharmaCann, Inc. to provide supplemental information in support of our application for a special-use permit authorizing the relocation of our existing operation to a more suitable retail location at 2080 W. Orchard Road in North Aurora.

From the first days of our operation in North Aurora, there have always been limitations in site layout and design with our current dispensary property at the medical office space at 161 S. Lincolnway. As such, we believe that a relocation to an appropriate commercial retail area in the near term is not only warranted, but a necessity. Simply, the current site design and store layout does not serve the best interests of our patients and consumers, our business, or the Village.

We will always remain mindful of concerns that certain North Aurora residents may have about the presence of legal cannabis sales within the Village, particularly those who are unaware about the substantial steps that we have taken every day since we opened our doors in 2015 to maintain secure operations, prevent access to non-patient minors, and support revenues and resources for local community endeavors. We view this as an opportunity to not only address community concerns with objective data points and demonstrated experience, but also to educate the greater community about our safe business practices and the regulated cannabis market as a whole.

After seven years of safe operations in North Aurora, we are grateful for the ongoing and transparent communication that we have with the Village. Please do not hesitate to contact us with any further questions as you consider our application for a special use permit to relocate at 2080 W. Orchard Road in North Aurora.

Best regards,

Brandon Nemec  
Government and Regulatory Affairs Associate  
PharmaCann Inc.

## I. Impacts on Nearby Residential Properties

As you know, Verilife began operating in North Aurora at the inception of the Illinois medical cannabis program in 2015. At that time, the Village took a chance and granted Verilife permission to begin serving medical patients at our current 161 S. Lincolnway location. In 2019, the Village enacted its adult-use ordinance and granted Verilife permission to also begin serving adult-use customers age 21 and over at our site. Though we worked to address traffic and congestion issues in the first few weeks of January 2020 following the launch of adult-use sales, to date our dispensary operations have not negatively impacted quality of life or public safety in their communities.

The distance to residential properties at our current location (161 S. Lincolnway) is substantially similar to the distance between residential properties at our proposed site for relocation (2080 W. Orchard Road). With seven years of sales transactions securely serving hundreds of thousands of cannabis patients and consumers, there is no reason to believe that our highly regulated and secure business operations will result in a different experience for the residents near our proposed facility at 2080 W. Orchard.

Aligned with the purpose of our application to relocate, the proposed location at 2080 W. Orchard is far better suited for our retail operations, and will further ensure that our reputation as a quiet and safe operation will continue. The location is placed on the furthest border lot from nearby residential uses within the commercial development, separated by a brewery and three planned retail locations that include food service and coffee. A major thoroughfare at Deerpath Road and large hop farm also provides a buffer from residential developments to the west, and major thoroughfares on Orchard Rd to the east. The site will have a designated and direct vehicular access point on Madison Street (off of Oak Street), but is not designed to facilitate pedestrian or bicycle traffic, as there are no sidewalks on the major thoroughfares leading to the property.

In other words, with a dedicated lot at the proposed new construction and investment into 2080 W. Orchard Road, we will continue to operate out-of-sight and out-of-mind to those who do not desire or are not authorized to patronize our dispensary.

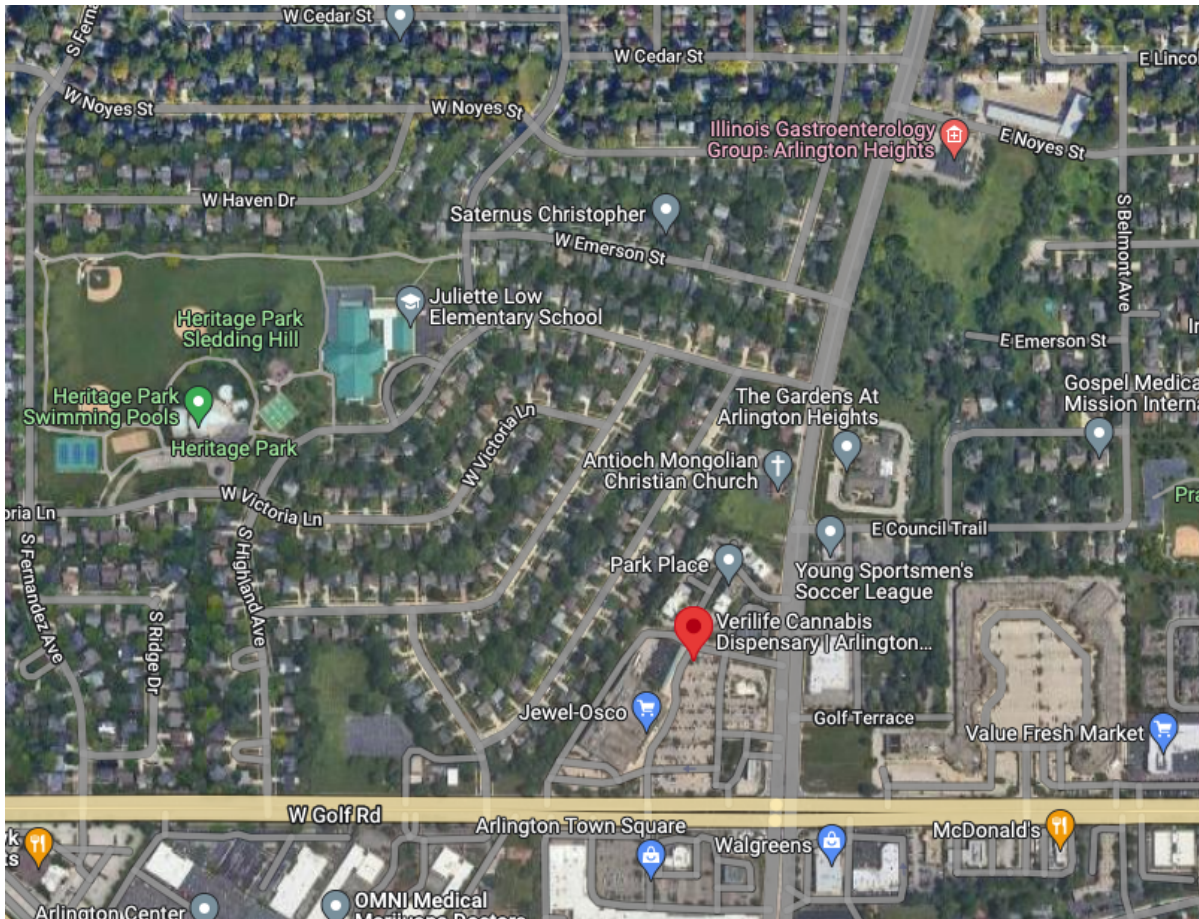
In Illinois, we also operate two other dispensaries that are directly adjacent to residential developments: Verilife Arlington Heights and Verilife Schaumburg. Like our North Aurora dispensary, these locations have operated without significant incident or issue with nearby residents collectively for several years. Importantly, these locations are also sited within traditional retail commercial developments suitable for their intended purpose, like the proposed 2080 W. Orchard Road site under our special-use application.

Specifically, our Verilife Arlington Heights location originally served adult-use consumers under a 20-month pilot program, in which the Village of Arlington Heights scrutinized all local impacts generated from the addition of adult-use cannabis sales at our dispensary. Like in North Aurora, we are the only dispensary to operate in the Village of Arlington Heights. Upon successful conclusion of the pilot program and the award of our business license, Arlington Heights conducted a thorough examination of parking, traffic congestion, crime reports, and the impact

on local businesses and communities. The Village of Arlington Heights determined that our store did not cause disruption or nuisance-related issues to the local community, and that our dispensary conducted operations at a professional, exemplary standard for others to emulate.

### **Arlington Heights**

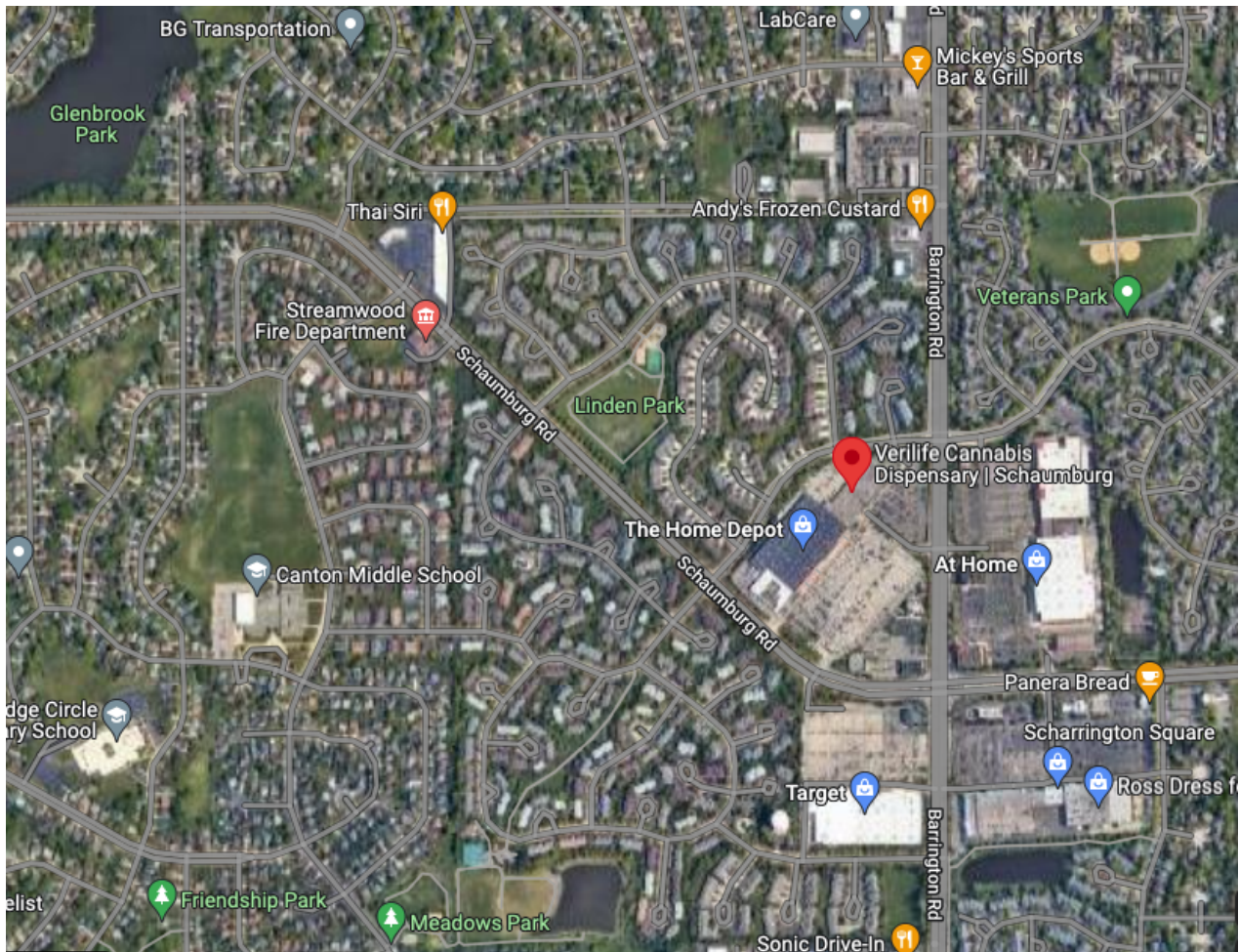
#### **1816 Arlington Heights Rd (Arlington Heights Rd & Golf Rd)**



- Medical and adult-use cannabis dispensary located adjacent to nearby residential developments:
  - Heritage Park Residences (NW),
  - Prairie Park Residences (NE), and
  - The Residences at Arlington Heights (SE)
- Located within a commercial retail development akin to the proposed location at 2080 W Orchard.
- Has been operating without incident as the Village's sole medical dispensary since 2018, and adult-use dispensary since 2020.

## Schaumburg

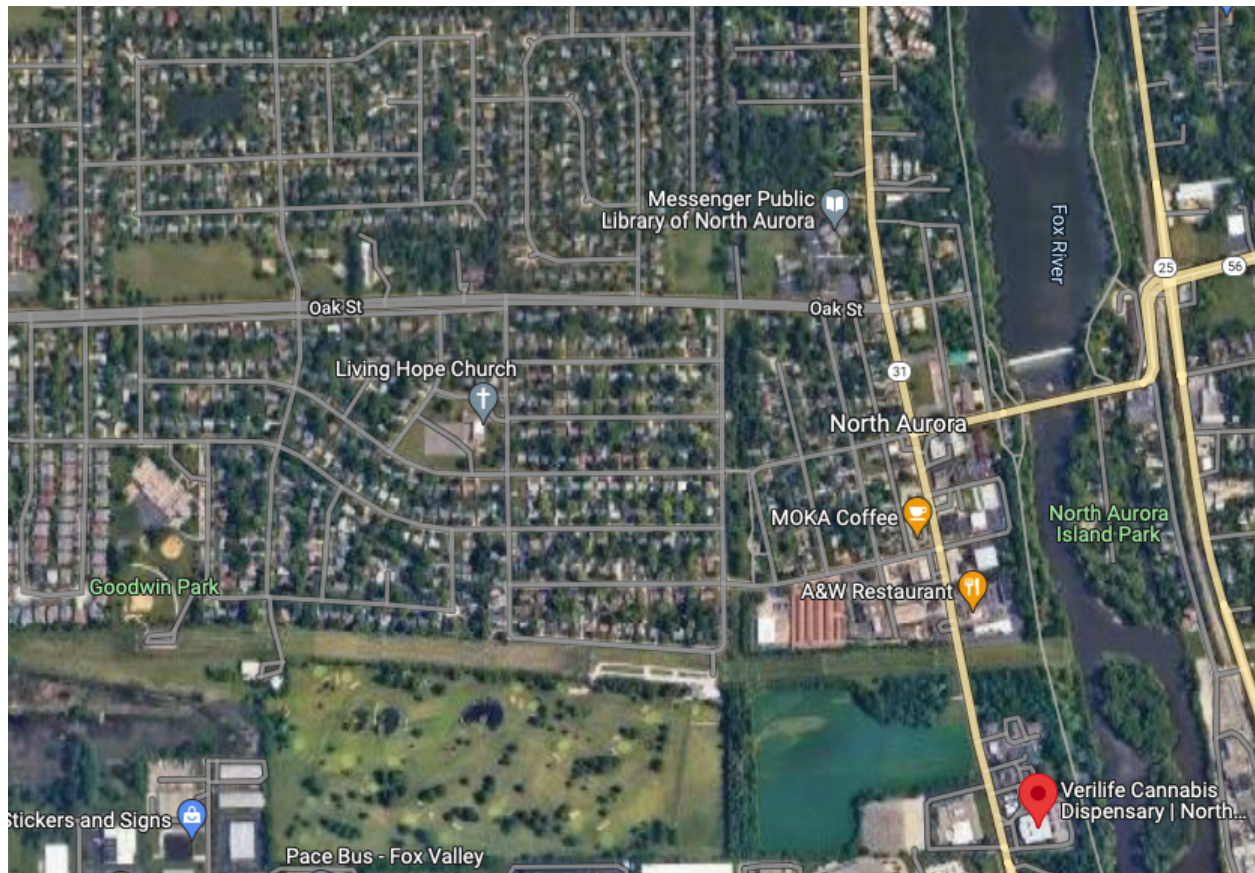
### **Verilife Schaumburg - 150 Barrington Rd (Corner of Barrington & Schaumburg Rd)**



- Adult-use cannabis dispensary adjacent to residential developments on all sides, and has been operating without incident since 2021.
  - Linden Park Residences (NW);
  - Belle Park Residences (SW);
  - Veterans Park Residences (NE); and
  - Pembroke Park Residences (SE)

**North Aurora (current location)**

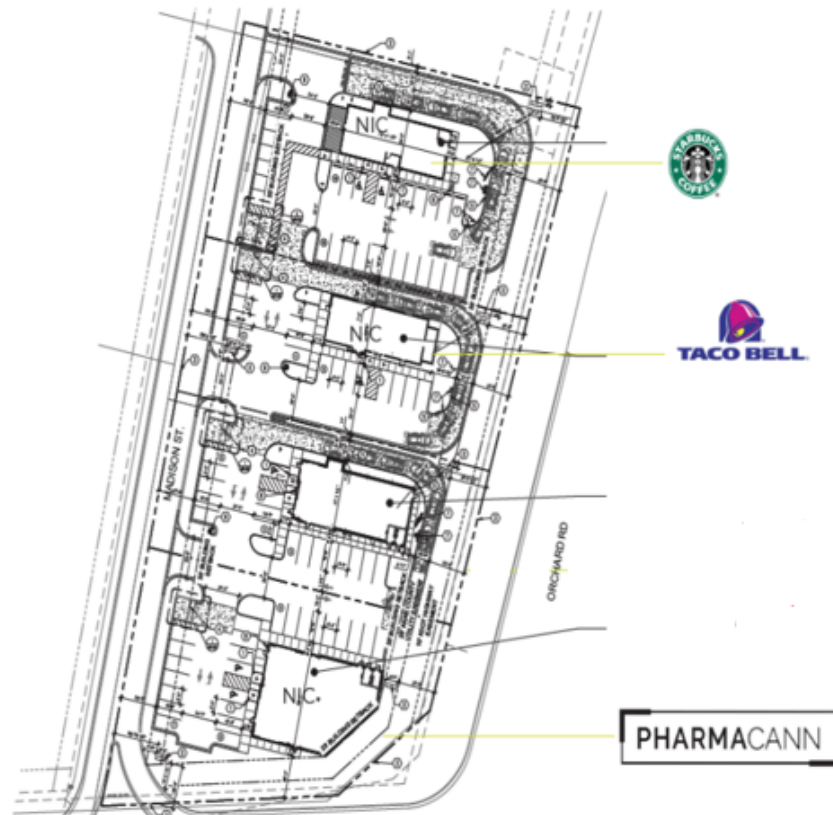
**161 S. Lincolnway**



- Verilife currently operates a medical and adult-use dispensary in North Aurora at a property adjacent to significant residential development to the northwest, without negative impacts or reports from nearby residents.
- The distance to residential units from our current location is substantially similar to the distance between residences at our proposed location (2080 W. Orchard).
- Verilife North Aurora has been in operation since 2015 as a medical cannabis dispensary, adding adult-use sales in 2020.

### **Proposed Commercial Development Plan with Surrounding Uses**

- The image below shows the commercial development plan for our proposed relocation property, along with the intended new properties that will be constructed within the proposed development property. This is a multi-million dollar new construction project in the Village of North Aurora, not renovation of existing structures.



- Currently, a brewery is located north of the development. Between our proposed dispensary location and the nearest residential property, three additional retail operations will be constructed.
- The proposed location at 2080 W. Orchard is not designed to facilitate pedestrians or bicycles to the property, as none of the surrounding major thoroughfares have sidewalks or are heavily-traveled by bike or pedestrian traffic (Deerpath Road, Orchard Road, Oak Street). Regardless, our security team will monitor our premises and verify age at the sole public access point, continuing to prevent access to our facility by non-patient minors under the age of 21 as we have done since 2015.

- Our signage is intended to be understated in nature, not attractive to minors, and our dispensary windows contain shatterproof, tinted film to prevent unauthorized minors from seeing into the store premises.

## II. Parking Accommodations

At Verilife, we work to ensure a seamless and efficient experience. The 2080 W. Orchard site will contain 24 dedicated parking spaces for the combined medical and adult-use cannabis dispensary. The 24-spot parking accommodation was designed intentionally when we selected this site for relocation. In short, it does not serve our dispensary's business operations to select a site with inadequate parking, which would only frustrate our customers and diminish the commercial opportunity.

We operate a highly efficient customer throughput using an online pre-ordering system. Our technology platform allows our patients and customers to make a product selection through their mobile phone, computer, or by phone, and reserve a time slot. As such, we have the ability to manage reservation times in order to prevent congestion from forming within the dispensary, and to prevent parking spots from becoming unavailable.

Because patients and customers are now familiar with the product types they wish to purchase, the use of online pre-ordering has become the predominant method by which our transactions are executed. The vast majority of our purchases are made through online pre-ordering, at approximately 70% at the North Aurora location.

Following an online order, the patient or customer arrives at the chosen time slot, and upon verification of their identification, age, (and patient status, if applicable) via an electronic scan, he or she will proceed to the point-of-sale. Upon a second identification check and verification of the order by the customer service representative, the transaction is complete. The entire transaction can take 1-2 minutes to complete.

The efficiency of our customer throughput at the 2080 W. Orchard Road location will be enhanced by the store design and layout. The current dispensary at 161 S. Lincolnway was designed only to accommodate our medical patient base. Our current premises<sup>1</sup> requires patients and customers to traverse several flights of stairs, contains narrow bottlenecks at the security checkpoint, and only has four point-of-sale stations available to process transactions.

In contrast, our newly designed site will reduce friction and the potential for lines to form at either point with the availability of additional point-of-sale stations. In sum, the primary purpose of our relocation is to allow for our staff to have a true commercial retail environment to process transactions more efficiently, and reduce the opportunity for lines or congestion within the dispensary. In turn, we can spend more time on patient consultations, process pre-orders quickly, and create a better overall consumer experience.

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<sup>1</sup> Notably, the 161 S. Lincolnway office property is also home to two houses of worship.

The enhanced efficiency provided at 2080 W. Orchard Road makes 24 dedicated parking spaces more than ample to serve our patrons. On average, we project the following transactions in North Aurora:

- 50-60 transactions per hour during peak times (Thursday and Friday afternoons and early evenings, and midday Saturday), and
- 30-40 transactions per hour during non-peak times

With the vast majority of our transactions occurring by online ordering in a 1-2 minute transaction, customers and patients move in and out of our parking spots very quickly. With the benefit of the online ordering system and newly redesigned store layout, the 24 dedicated parking spots will be more than sufficient to manage our throughput.

To provide some supporting data points from Verilife Arlington Heights, during the pilot program, the staff of Arlington Heights commissioned a thorough 18-month parking study and analysis at one-month, six-month, and one-year intervals. The Verilife Arlington Heights store is approximately 4,800 s/ft, and operates as a medical and adult-use cannabis dispensary, similar in size and nature to the proposed 2080 W. Orchard Road site. The parking and traffic study determined that our site adequately managed patient and customer throughput, with the following metrics:

- Saturday midday - 36 “trips” or parking spots utilized within the hour
- Weekday midday - 35 “trips” per hour
- Weekday evening - 32 “trips” per hour

Again, with the vast majority of our transactions occurring via pre-orders akin to restaurant takeout orders, the 24 dedicated parking spaces at 2080 W. Orchard will be more than sufficient during our busiest transaction times.

When compared to the peak business times of a fast-casual restaurant that conducts higher-volume sales, our dispensary’s operations mitigate against congestion and traffic issues at the proposed development. A popular U.S. burrito chain restaurant publicly stated that transactions during peak business at lunch or dinner run an average 120 transactions per hour, and can run up to as high as 300 transactions per hour at its busiest locations. By comparison, our dispensary’s operations have just a fraction of this impact on local traffic and parking.

We are in the process of having a more detailed traffic and parking analysis prepared for the 2080 W. Orchard site, and will follow up with more specifics in the coming days.

### III. Verilife North Aurora is a Regional Destination for Medical Cannabis Sales

Verilife North Aurora is already a regional destination for medical cannabis sales. We operate as one of only 55 dispensaries in the State of Illinois serving medical patients. Regionally, the closest two dispensaries only serve adult-use consumers, not medical patients. As a result, medical patients make up approximately 30-35% of our dispensary sales.

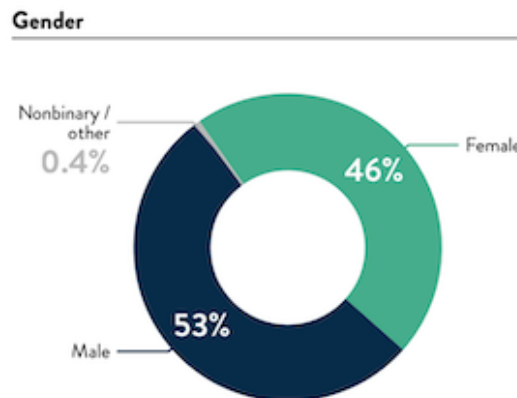
Our proposed location at 2080 W. Orchard Road will continue to ensure that North Aurora is even more accessible to medical patients in the region. Once we are relocated to a genuine commercial development complex, we will realize additional ancillary revenue to nearby business, and help support the overall North Aurora business community.

### IV. Cannabis Consumer Profile

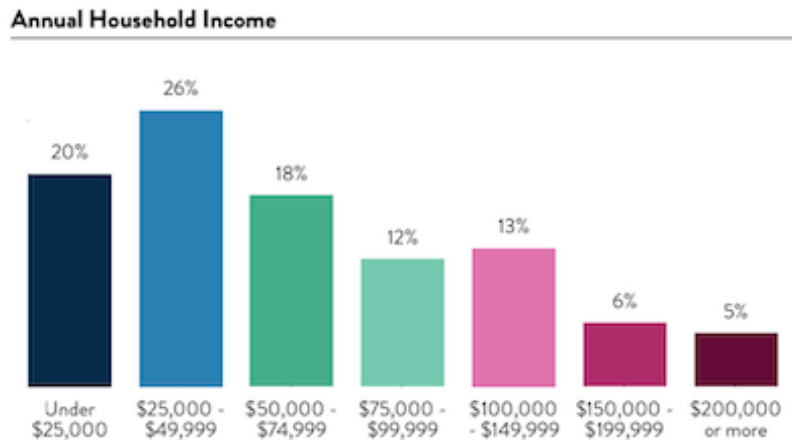
Questions were raised at our Commission hearing on demographic breakdowns of our consumers and patients. To provide an overview of some statistical data on the consumer profile of legal cannabis sales by age, gender, and annual income, national data reporting agencies provide information about cannabis consumers that purchase within the legal market. These figures are consistent with the types of consumers that frequent Verilife North Aurora

(Source: [New Frontier Data, "Current Consumers, Demographics 2021"](#)):

- Age
  - 37% are under the age of 35 years old
  - 63% are over the age of 35 years old
    - Of this portion, 21% are over the age of 55 years old
- Gender
  - 46% female, 53% male



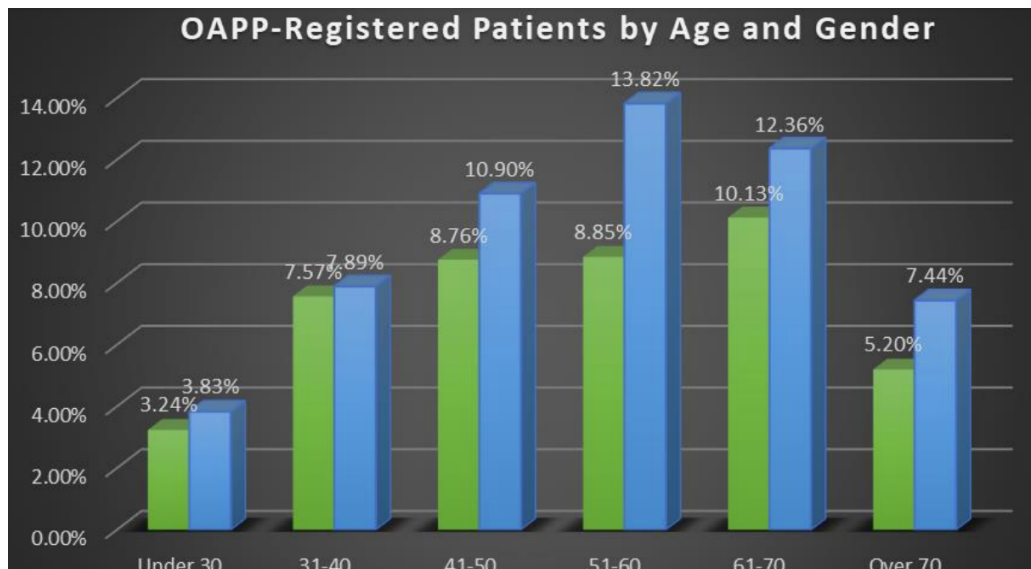
- Annual Income
  - 54% have an annual household income greater than \$50,000
    - 24% have an annual income of \$100,000 or more



Source: New Frontier Data, “Cannabis Consumers, Demographics 2021”

Additionally, the Illinois Department of Public Health publishes non-identifying medical cannabis patient data by age and gender. Medical patients make up approximately one-third of our sales at Verilife North Aurora, and have always been our focus since first beginning as a medical dispensary in 2015. (Source: [IDPH Medical Cannabis Program Annual Report 2021](#))

In the table below, on the whole, females (blue) outnumber males (green) in the medical patient program, 56% to 44%. 93% of medical patients are over the age of 30, and 58% are over the age of 50.



## V. Verilife Positively Impacts the Local Community

Verilife North Aurora provides a positive impact on the local community, which will only be enhanced by relocating within a commercial environment that suits the retail nature of our business.

- We provide good-paying, living-wage jobs with full benefits to our employees; this includes healthcare, dental, PTO, and 401K benefit options.
  - Throughout our tenure in North Aurora, we have employed nearly 100 local staff members. Currently, we employ 24 individuals at the current site, and with the approved relocation, we expect to make five additional full-time hires.
- Verilife generates sustained and meaningful direct sales revenue for the Village.
  - While we cannot reveal our exact local revenue breakdown as it would be deemed confidential business information, we estimate that the North Aurora location will generate approximately \$500,000 in local and cannabis sales taxes annually for the benefit of the Village.
  - In total, since inception, we have generated over \$1.5 million in direct tax revenues to the Village, and an additional \$1.7 million in revenue to Kane County. These local revenues are predominantly generated from the municipal and county cannabis retailers' taxes applied to adult-use sales.
  - Currently, we project a 25% increase in municipal adult-use sales tax revenues from the relocation to a more accessible retail-oriented location with greater efficiency in operations.
  - In addition are material state tax revenues that are generated from cannabis sales. In 2021 alone, \$387 million in state tax revenues were generated from cannabis sales, with 8% allocated to local government redistribution. Cannabis sales are also being reinvested in meaningful grant programs and construction projects that build youth facilities, job training, violence prevention, and substance abuse and mental health centers focused on opioid cessation.

Permitting our relocation to a more accessible site will ensure that these meaningful revenues continue forward for the benefit of the Village.

We recognize the pivotal importance of operating as a good business member. Over the past several years, we have provided approximately 63 hours of education and patient outreach in the community. We have contributed 16 hours of volunteer participation in local cleanup efforts, including within Gregory Island Park.

## VI. Our Security Plan and Personnel are a Deterrent to Crime

Verilife fosters a culture of compliance to Illinois and local law and regulations. We follow strict security, inventory, and facility management protocols to ensure the safety of our premises and patients. We act as good business members working closely with local officials and law enforcement, and as a result, further *enhance* the safety of the community in the vicinity of our dispensaries - we do not detract from it.

With seven years of lawful and compliant business operations, our track record within the Village demonstrates that our security plan is sufficient to maintain safe operations and deter bad actors. Our dispensary is not a target for criminal activity, and has not been for the better part of a decade. This is due to our stringent adherence to security and safety protocols.

We work to closely monitor the premises at all times and ensure that no associated loitering or criminal activity occurs at or near the location. Our dispensary cameras and security system are in constant communication and remotely accessible to both state police and state regulators. These safe and secure practices will only be enhanced with a dedicated property and parking area for our single dispensary, rather than a shared multi-unit premises.

### Overview of Our Security Protocols

- Our state-of-the-art cameras cover every square inch of the dispensary and the entire perimeter of the building, and record continuously with motion-activated sensors.
  - Regulators are provided remote access to cameras and monitor employees to ensure strict compliance with regulations and protocols.
  - Local law enforcement can pull retained video at any time -- with sophisticated perimeter lights, cameras, and security personnel, these facilities act as a deterrent to crime within the vicinity.
- Internal and external security personnel monitor the premises and surrounding area at all times during operational hours.
- Facilities have access controls at every point of ingress and egress, logging the key card of the individual granting access.
  - Patients are only permitted in limited access areas following an ID scan; restricted access areas are for authorized personnel only, and require key card access.
- The facility contains 24/7 emergency and duress alarms for use by our staff to contact local law enforcement immediately in the event of an emergency.
- We utilize shatter-proof windows, and products are stored in reinforced vaults that model DEA standards for storage of criminal evidence.

- Each patron is required to undergo an electronic security check-in, with identification verification to verify age and patient status.
- Each dispensary utilizes a “seed-to-sale” inventory tracking system with a unique product identifier for every single product that comes within the custody of the dispensary.
  - Inventory logs are reviewed daily, with results sent to the state, accounting for every single product in the dispensary by management and regulators on a daily basis.
  - An explanation and “inventory adjustment” is required to the state for even slight inventory errors, making it impossible for the unexplained diversion or loss of product in our custody when combined with the opportunity for review of camera footage.

With our intentionally-designed building construction, security personnel and equipment, and safe business practices, it is no surprise that the North Aurora location has not been the target of criminal activity since its inception in 2015. This holds true across our dispensary footprint in communities similar to North Aurora. Our security plan works, and will be even more effective in a traditional retail setting at 2080 W. Orchard Road.

## VII. Relocation Options Are Extremely Limited

State regulations require us to remain within our medical district for purposes of relocation. State law also bars us from relocating outside of the boundaries of our host community. In addition, North Aurora maintains setbacks or “buffer zones” from sensitive areas such as schools or daycares. As such, we have conducted an extremely thorough search of the available commercial retail sites in North Aurora.

Over the past year, we have surveyed seventeen (17) properties for potential relocation. The proposed relocation site at 2080 W. Orchard remains the only viable option that we have identified that meets local and state requirements for relocation, and is suitable for a retail use of our size.

While the options for suitable sites may have been limited, the dedicated site with ample parking, redesigned floor layout, and accessibility to major thoroughfares within a commercial development make this an ideal space for our operations. Approval for this relocation best serves the interests of the Village and our business.

## VIII. Conclusion

The Verilife dispensary has operated safely and securely within the Village for seven years. During our tenure, we have immediately addressed any and all concerns of local Village officials, police, and community members since we began operating in 2015. We continue to value the Village's ongoing dialogue with our business management and staff. There is no reason this dialogue will not continue at our new site.

Our local track record shows our ability to operate within a newly designed retail-oriented site without disruption or negative impacts on the local community. We have achieved a similar experience in retail corridors at similarly situated dispensaries across Illinois, and in other communities across our eight state footprint. Our medical focus, management team, security protocols, and strict adherence to regulatory compliance should leave no question as to the type of business practices that the Village can expect upon relocation to an appropriate retail environment for our customer and patient capacity.

After an exhaustive search of the limited, available properties that meet local setback requirements and state regulations, we made an intentional decision to invest millions into a new buildout at 2080 W. Orchard Road in North Aurora, with architectural designs that will improve our operations, customer throughput, and traffic flow. The location between two major thoroughfares, ample parking, site layout, and security features will only enhance our ability to continue safe and quiet operations within North Aurora. Our proposed relocation is much better suited on all fronts for our business, our patients and customers, and the Village as a whole.

We believe that this investment will pay dividends for our business and the Village. We intend to remain a long-term business and community member for many years to come.

### Appendix: Recent Studies On Dispensary Community Impacts

In consideration of continuing to allow cannabis sales and its associated community impacts, North Aurora does not have to make a routine relocation decision, like the present one, based on conjecture or anecdote. North Aurora has allowed lawful, state-legal, and licensed cannabis sales within its municipality for seven years, with the most recent two-and-half years of that time allowing adult-use sales. Our track record is already evident, with fears of the unknown at the outset of legal cannabis sales never having come to fruition.

Moreover, longitudinal data and research now demonstrate that the many fears expressed at the inception of legal cannabis sales have not manifested. In fact, in many cases, the data shows that creating a highly regulated and secure marketplace for cannabis has beneficial impacts on the local community.

The studies below are provided only to further enlighten Village officials on the impacts already experienced within North Aurora – that legal, regulated cannabis dispensaries do not become a target or contribute to criminal activity, cannabis-related traffic incidents and DUIs do not

increase, teen use remains unaffected or even declines, and substantial positive economic development can result from the presence of state-legal cannabis sales.

With our proposed relocation, North Aurora should continue to expect only an ongoing sustained revenue stream, local job creation, and the availability of a legal access point for lab-tested, unadulterated cannabis products to patients and adult-use consumers in a highly secured environment.

- Crime Impacts

- Appalachian State University Department of Economics; [Smoke and Fears: The Effects of Marijuana Legalization on Crime](#) (October 2021)
  - We estimate significant reductions in violent crime rates in states that legalize medicinal marijuana. Moreover, we find evidence that ending marijuana prohibition results in larger reductions in violent crime rates in states that border Mexico and in urban counties. We also find evidence that medical marijuana legalization reduces property crimes, with larger reductions in states that border Mexico. Our results indicate that when this heterogeneity is not accounted for the total effect of medical marijuana legalization on crime is underestimated.
- Regional Science and Urban Economics (September 2019) - [Not in My Backyard, Not So Fast. The Effect of Marijuana Legalization on Neighborhood Crime.](#)
  - The results imply that an additional dispensary in a neighborhood leads to a reduction of 17 crimes per month per 10,000 residents, which corresponds to roughly a 19 percent decline relative to the average crime rate over the sample period.
- Journal of Urban Economics (July 2017) - [The Impact of Dispensary Closures on Crime.](#)
  - Contrary to popular wisdom, we find an immediate increase in crime around dispensaries ordered to close relative to those allowed to remain open. The increase is specific to the type of crime most plausibly deterred by bystanders, and is correlated with neighborhood walkability. We find a similar pattern of results for temporary restaurant closures due to health code violations. A likely common mechanism is that 'eyes upon the street' deter some types of crime.
- Rand Corporation (May 2018) - [Exploring the Effects of Marijuana Dispensary Laws on California Counties.](#)
  - The results suggest no relationship between county laws that legally permit dispensaries and reported violent crime... These results are

consistent with some recent studies suggesting that dispensaries help reduce crime by reducing vacant buildings and putting more security in these areas.

- Leafly (May 2019) - [Debunking Dispensary Myths](#)
  - Using street-level data from cities including Sacramento, Washington, DC, and Los Angeles, studies suggest that licensed cannabis dispensaries have no impact, or an insignificant effect, on various kinds of crime (Zakrzewski, 2019; Brinkman, 2017).
- Impact on Property Values
  - Clever Real Estate - [2021 Study: How Legalizing Recreational Marijuana Impacts Home Values](#)
    - From 2017 to 2019, home values increased \$6,338 more in states where marijuana is legal in some form, compared to states that haven't legalized marijuana.
    - As states tax marijuana sales for the first time, the increased revenue drives new investment in things such as public services and infrastructure — which in turn drives higher demand in real estate, higher property values, and greater revenue from property taxes.
    - On average, home values increase by \$470 for every \$1 million increase in tax revenue.
    - States that have legalized and allowed sales of recreational marijuana see the biggest increases in home values.
    - We found that cities with more dispensaries are positively correlated with higher home values, suggesting legalization boosts jobs and economic growth.
      - Home values increased \$22,090 more in cities with recreational dispensaries, compared to home values in cities where recreational marijuana is legal but dispensaries are not available.
      - With each new dispensary a city adds, property values increase by \$519.
  - CATO Institute (July 2018) - [The External Effects of Retail Marijuana Establishments on House Prices](#)
    - Our results indicate that retail conversion has a large positive effect on neighboring property values after controlling for property attributes and

neighborhood characteristics. We find that after the law went into effect, single-family residences close to a retail conversion (within 0.1 miles) increased in value by approximately 8.4 percent relative to houses that are located slightly farther from a conversion (between 0.1 miles and 0.25 miles).

- Impacts on Traffic Collisions / DUI

- ResearchGate (May 2022) - [Marijuana Legalization and Truck Safety: Does the Pineapple Express Damage More Pineapples?](#)

- Using a state-level panel of heavy truck crash statistics from 2005 to 2019 and a difference-in-difference estimation strategy, we test whether legalization has affected the crash rates of heavy trucks. Our results show that legalization does not increase average crash rates. Crash responses are heterogeneous across states, with Vermont and Washington showing large crash reductions, while Nevada shows a large increase in crashes. These results suggest that heavy truck accidents are not closely related to marijuana legalization.

- Journal of Health Economics (June 2022) - [Medical Cannabis and Auto Accidents. Evidence from Auto Insurance](#)

- Employing a modern difference-in-differences framework and zip code-level premium data from 2014 to 2019, we find that premiums declined, on average, by \$22 per year following medical cannabis legalization. The effect is more substantial in areas near a dispensary and in areas with a higher prevalence of drunk driving before legalization. We estimate that existing legalization has reduced health expenditures related to auto accidents by almost \$820 million per year with the potential for a further \$350 million reduction if legalized nationally.

- Sage Journals (January 2022) - [Societal Costs and Outcomes of Medical and Recreational Marijuana Policies in the United States: A Systematic Review](#)

- MMLs and RMLs do not generate negative outcomes in the labor market, lead to greater criminal activity, or reduce traffic and road safety

- Journal of Drug & Alcohol Dependence: [Canada's cannabis legalization and drivers' traffic-injury presentations to emergency departments in Ontario and Alberta, 2015-2019](#) (September 2021)

- Utilizing provincial emergency department (ED) records (April 1, 2015-December 31, 2019) from Alberta and Ontario, Canada, we employed Seasonal Autoregressive Integrated Moving Average (SARIMA) models to assess associations between Canada's cannabis legalization (via the *Cannabis Act* implemented on October 17, 2018) and

weekly provincial counts of ICD-10-CA-defined traffic-injury ED presentations. For each province (Alberta/Ontario), SARIMA models were developed on two driver groups: all drivers, and youth drivers (aged 14-17 years in Alberta; 16-18 years, Ontario).

- Implementation of the *Cannabis Act* was not associated with evidence of significant post-legalization changes in traffic-injury ED visits in Ontario or Alberta among all drivers or youth drivers, in particular.
- American Surgeon - [Marijuana Legalization and Rates of Motor Vehicle Crashes Due to THC and Alcohol](#) (February 2021)
  - A retrospective analysis of data collected at trauma centers in Arizona, California, Ohio, Oregon, New Jersey, and Texas between 2006 and 2018 was performed. The percentage of patients testing positive for marijuana tetrahydrocannabinol (THC) was compared to the percentage of patients driving under the influence of alcohol (blood alcohol level >0.08 g/dL) that were involved in an MVC. The change in incidence of THC detection (percentage) over the time period where data were available are as follows: Arizona 9.5% (0.4 to 9.9), California 5.4% (20.8 to 26.2), Ohio 5.9% (6.7 to 12.6), Oregon 3% (3.0 to 6.0), New Jersey 2.3% (2.7 to 5.0), and Texas 15.3% (3.0 to 18.3). There did not appear to be a relationship between the legalization of marijuana and the likelihood of finding THC in patients admitted after MVC. In fact, in Texas, where marijuana remains illegal, there was the largest change in detection of THC. There was no apparent increase in the incidence of driving under the influence of marijuana after legalization.
- American Journal of Public Health - [Crash Fatality Rates After Recreational Marijuana Legalization in Washington and Colorado](#) (August 2017)
  - A study analyzing vehicle fatality rates in Colorado and Washington over the three years following adult use cannabis legalization found no statistically significant difference in crash fatalities when compared to control states without recreational cannabis.
- Adolescents and Teen Use
  - Colorado Department of Public Health (June 2022) - [Healthy Kids Colorado Survey Data](#)
    - CDPHE found that just over 13 percent of those students surveyed said that they've used marijuana in the past 30 days. Compare those figures to nearly 20 percent in 2013, when the department's biennial survey launched shortly after recreational marijuana legalization occurred in the state.

- Journal of Adolescent Health (May 2022) - [Trends in Alcohol, E-Cigarette, and Non-prescribed Pain Reliever Use Among Young Adults in Washington State After Legalization of Nonmedical Cannabis](#)
  - Contrary to concerns about spillover effects, implementation of legalized nonmedical cannabis coincided with decreases in alcohol and cigarette use and pain reliever misuse. The weakening association of cannabis use with the use of other substances among individuals ages 21–25 requires further research but may suggest increased importance of cannabis-specific prevention and treatment efforts.
- Substance Use and Addiction (September 2021) - [Association of Marijuana Legalization With Marijuana Use Among High School Students, 1993-2019](#)
  - Using data from the YRBS for the period 1993-2019, this study provides updated estimates of the association between legalization and adolescent marijuana use... In the fully adjusted models, medical marijuana law (MML) adoption was associated with a 6% decrease (OR, 0.94; 95% CI, 0.89-0.98) in the odds of current marijuana use and a 7% decrease (OR, 0.93; 95% CI, 0.87-0.99) in the odds of frequent marijuana use... Consistent with estimates from prior studies, there was little evidence that RMLs or MMLs encourage youth marijuana use. Contrary to results of the study by Anderson et al<sup>2</sup> the overall association between RML adoption and marijuana use among adolescents was statistically indistinguishable from zero.
- Journal of Substance Abuse and Treatment (December 2020) - [Treatment Admission for Opioids, Cocaine, and Methamphetamines Among Adolescents and Emerging Adults After Legalization of Recreational Marijuana](#)
  - A public health concern stemming from recreational marijuana legalization (RML) is the idea that marijuana may act as a “gateway” drug among youth and young adults, where growing marijuana use will lead to increasing substance use disorder (SUD) for “harder” illicit drugs... RML in Washington and Colorado was not associated with an increase in adolescent or emerging adult SUD treatment admissions for opioids, cocaine, or methamphetamines.
- Journal of Experimental Criminology (April 2021) - [Is marijuana really a gateway drug? A nationally representative test of the marijuana gateway hypothesis using a propensity score matching design](#)
  - Results from this study indicate that marijuana use is not a reliable gateway cause of illicit drug use. As such, prohibition policies are unlikely to reduce illicit drug use.

- Journal of Substance Abuse Treatment (July 2021) - [Legalization of Cannabis Use in Canada: Impacts on the cannabis use profiles of youth seeking services for substance abuse](#)
  - Minimal changes have occurred in the cannabis use patterns of service-seeking youth in the short term following legalization. This holds true both for youth who have reached the age of majority and those who have not.

MEMORANDUM TO: Monte Spiers  
PharmaCann

FROM: Luay R. Aboona, PE, PTOE  
Principal

DATE: July 28, 2022

SUBJECT: Traffic Evaluation Summary  
Proposed Marijuana Dispensary  
North Aurora, Illinois

This memorandum summarizes the results and findings of a site traffic evaluation conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) for the proposed marijuana dispensary to be located in the northwest corner of the intersection of Orchard Road with Oak Street in North Aurora, Illinois. **Figure 1** shows an aerial view of the site. As proposed, the plans call for an approximately 4,000 square-foot dispensary with 24 parking spaces. The dispensary will be part of a multi-building development that will also contain a Starbucks drive-through coffee shop, a drive-through Taco Bell restaurant, and a retail building. Access to the site will be provided off Madison Street, which has a restricted intersection with Oak Street at its southern terminus and a full-movement intersection with Tanner Road at its northern terminus.

## Existing Roadway Characteristics

As indicated earlier, the site is located in the northwest corner of the signalized intersection of Orchard Road with Oak Street. Land uses in the area include Hardware Sustainable Gastropub and Brewery, PNC Bank, and Springs at Orchard Road. The following is a brief description of the major roadways surrounding the site.

*Orchard Road (Kane County Highway 83)* is a north-south, major arterial roadway that has a four-lane undivided cross-section along the site frontage. At its signalized intersection with Oak Street, Orchard Road provides dual left-turn lanes, two through lanes, and an exclusive right-turn lane on the northbound and southbound approaches. At its unsignalized intersection with Tanner Road, Orchard Road provides two through lanes and an exclusive right-turn lane on the southbound approach and two through lanes on the northbound approach. Orchard Road is under the jurisdiction of the Kane County Division of Transportation (KDOT), is classified as a Strategic Regional Arterial (SRA) Route, carries an Annual Average Daily Traffic (AADT) volume of 12,400 vehicles north of Oak Street and 27,800 vehicles south of Oak Street (Illinois Department of Transportation [IDOT] 2018), and has a posted speed limit of 50 miles per hour.



Aerial View of Site

Figure 1

*Deerpath Road* is a north-south major collector roadway that provides one travel lane in each direction and is widened between Tanner Road and Oak Street to provide a striped median. At its all-way stop sign-controlled intersection with Tanner Road, Deerpath Road provides an exclusive left-turn lane, a through lane, and an exclusive right-turn lane on the northbound approach and an exclusive left-turn lane and a shared through/right-turn lane on the southbound approach. At its unsignalized intersection with Oak Street, Deerpath Road provides a shared through/right-turn lane on the northbound approach and an exclusive left-turn lane and a through lane on the southbound approach. North of Tanner Road, Deerpath Road is under the jurisdiction of the Village of North Aurora, carries an AADT volume of 7,450 vehicles, and has a posted speed limit of 45 miles per hour. Between Tanner Road and Oak Street, Deerpath Road is under the jurisdiction of KDOT and carries an AADT volume of 10,100 vehicles (IDOT 2018). South of Oak Street, Deerpath Road carries an AADT volume of 6,950 vehicles (IDOT 2018).

*Oak Street* is an east-west major collector roadway that generally provides a single travel lane in each direction. At its signalized intersection with Orchard Road, Oak Street provides dual left-turn lane, a through lane, and an exclusive right-turn lane on the eastbound and westbound approaches. At its unsignalized intersection with Deerpath Road, Oak Street provides an exclusive left-turn lane and an exclusive right-turn lane that are under stop-sign control. Between Deerpath Road and Orchard Road, Oak Street is under the jurisdiction of KDOT and carries an AADT volume of 3,900 vehicles (IDOT 2018). East of Orchard Road, Oak Street is under the jurisdiction of the Village of North Aurora, carries an AADT volume of 6,600 vehicles (IDOT 2018), and has a posted speed limit of 45 miles per hour.

*Tanner Road (Kane County Highway 15)* is an east-west major collector roadway that provides a single travel lane in each direction separated by a striped median. At its all-way stop sign-controlled intersection with Deerpath Road, Tanner Road provides a shared left-turn/through/right-turn lane on the eastbound approach and an exclusive left-turn lane and a shared through/right-turn lane on the westbound approach. At its unsignalized intersection with Orchard Road, Tanner Road provides a single lane that is under stop sign control and is restricted to right-turn movements only via a channelizing island and the existing landscaped median along Orchard Road. West of Deerpath Road, Tanner Road is under the jurisdiction of KDOT, carries an AADT volume of 2,650 vehicles (IDOT 2018), and has a posted speed limit of 50 miles per hour. Between Deerpath Road and Orchard Road, Tanner Road is under local jurisdiction and has a posted speed limit of 30 miles per hour.

*Madison Street* is a north-south, local roadway that provides one lane in both directions. The roadway extends between its restricted intersection with Oak Street north to its full-movement intersection with Tanner Road and provides access to the existing brewery. Its intersections with Oak Street and Tanner Road are under stop sign control.

## Proposed Dispensary

As previously indicated, the plans call for an approximately 4,000 square-foot dispensary with 24 off-street parking spaces.

### Access

Access to the proposed dispensary will be provided off Madison Street and will be shared with the proposed retail building to the north. This access drive will provide one inbound lane and one outbound lane with outbound movements under stop sign control. In addition, a cross-access connection to the adjacent uses (Taco Bell and Starbucks) will be provided, which will afford the site additional access off Madison Street. A copy of the site plan is included in the Appendix.

## Operational Characteristics of the Proposed Dispensary

Below is a summary of the operational characteristics of the proposed dispensary:

- The dispensary will generally be open between 9:00 A.M. and 9:00 P.M. on weekdays and weekends for adult use and between 8:00 A.M. and 9:00 P.M. for medical use.
- There will be eight employees per shift in the mornings and seven employees in the evenings.
- Nine to 12 deliveries per week are expected.
- It is anticipated that the dispensary will have an average of 500 daily customers on weekdays and 600 customers on weekends.
- The average customer stay will be ten minutes.

Based on the information provided by the operator, it is anticipated that approximately 70 percent of all orders will be pre-orders, thus reducing the processing time for customers and the parking demand.

## Proposed Dispensary Traffic Generation

The volume of traffic estimated to be generated by the proposed dispensary was based on trip generation rates found in the Institute of Transportation Engineers (*ITE Trip Generation Manual*, 11<sup>th</sup> Edition). **Table 1** shows the ITE trip generation estimates for the peak hours and on a daily basis.

Table 1

**PROJECTED PEAK HOUR SITE-GENERATED TRAFFIC VOLUMES**

<b>Type/Size</b>	<b>Weekday Morning Peak Hour</b>			<b>Weekday Evening Peak Hour</b>			<b>Saturday Midday Peak Hour</b>			<b>Daily</b>
	<b>In</b>	<b>Out</b>	<b>Total</b>	<b>In</b>	<b>Out</b>	<b>Total</b>	<b>In</b>	<b>Out</b>	<b>Total</b>	
Proposed Marijuana Dispensary (4,000 s.f.)	22	20	42	38	38	76	57	58	115	844

## Traffic Evaluation

When the estimated daily traffic volume estimated to be generated by the proposed facility is compared to the AADT traffic volumes at the intersection of Orchard Road with Oak Street, the increase in traffic will amount to less than two percent of the existing two-way traffic volumes. When compared to the weekday peak hour traffic volumes that travel through the intersection, the proposed dispensary will increase traffic by approximately two to 2.5 percent during the morning and evening peak hours, respectively. Along Deerpath Road, the proposed dispensary is projected to increase traffic by approximately two percent on a daily basis and by approximately one to two percent during the peak hours.

Given the low estimated traffic to be generated by the proposed facility and the minimal increases in traffic, the roadway system as well as the proposed access system via Madison Street will be adequate in accommodating the projected traffic volumes.

## Parking Evaluation

As proposed the existing parking lot will be modified to provide 24 off-street parking spaces. In order to determine the adequacy of the proposed parking supply, the parking demand was evaluated based on the following:

- Parking surveys
- Customer data

## Parking Surveys

Parking occupancy surveys were previously conducted by KLOA, Inc. in April 2022 at an existing dispensary located in Northbrook, Illinois. The surveys were conducted every half hour on a weekday and a Saturday between 8:00 A.M. and 8:00 P.M. The results of the surveys indicated that the peak demand occurred in late afternoon and translated into a ratio of 3.37 spaces per 1,000 square feet on a weekday and 4.0 spaces per 1,000 square feet on a Saturday. Applying these ratios to the size of the proposed dispensary yields a peak demand of 13 parking spaces on a weekday and 16 parking spaces on a Saturday. This peak demand is eight spaces less than the proposed supply.

## Customer Data

With a peak of eight employees expected to be on site and assuming all of them use their personal vehicle, 16 parking spaces will be available to customers. Given that 57 customers are expected during the Saturday midday peak hour, this means that the 16 parking spaces available for customers would have to turn over approximately 3.5 times during the hour, or every 17 minutes. Give that 70 percent of orders will be online and that the average time the customer will spend in the building will be ten minutes, which is less than the estimated 17-minute turnover, the proposed number of parking spaces will be adequate.

## Conclusion

Based on the proposed dispensary plan and the preceding evaluation, the following conclusions and recommendations are made:

- The proposed dispensary will be a low traffic generator with traffic distributed throughout the day.
- When compared to the traffic traversing the adjacent roadway system, the increase in traffic resulting from the proposed dispensary will not be significant and can be accommodated.
- The proposed access off Madison Street will be adequate and will ensure that projected traffic will be distributed efficiently via connections to Oak Street, Tanner Road, and Deerfield Road.
- The proposed 24 parking spaces will be adequate in accommodating the estimated parking demand.
- The demand for parking will be reduced due to the implementation of pre-ordering, resulting in shorter visits and higher turnover.
- To further reduce the parking demand and increase the turnover rate of parking spaces, the following measures can be implemented:
  - Continue to promote and encourage customers to pre-order in order to further reduce the amount of time customers spend on site.
  - Encourage visits during off-peak times with off-peak discounts.

# Appendix



PHARMACANN



## Memorandum

To: Mark Gaffino, Village President & Board of Trustees  
Cc: Steven Bosco, Village Administrator  
From: Brandon Tonarelli, Village Engineer  
Date: July 25, 2022  
Re: Pedestrian Signal at Randall Road & Dogwood-Ritter

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The Village has received requests from residents for a Pedestrian Signal at Randall Road & Dogwood-Ritter. The intersection is currently signalized and the project would require modifications of traffic signal equipment and installation of pedestrian signal heads and push buttons. Additionally, sidewalk at the intersection would need to be improved to meet current ADA requirements.

The nearest existing pedestrian crossing of Randall Road is located at Oak Street, which is approximately 0.5 miles away. The crossing of Randall Road at Dogwood-Ritter would create a pedestrian crossing from the Willow Lake subdivision to Randall Crossing.

The engineering and construction have been budgeted for in the Capital Projects Fund. The Village has received a proposal from EEI, which has been separated into three components, a design component, an outside services component, and a construction inspection component. The design component is in the amount of \$19,983. The outside services component is in the amount of \$4,256 and includes material inspection and environmental assessment. The construction inspection is estimated at \$21,702. Construction of the project is estimated to cost approximately \$60,000.

The engineering and construction have been budgeted for in the Capital Projects Fund. The total project is estimated to cost \$105,941. The project was budgeted for \$75,000. If the Village fills the Civil Engineer position prior to the project going to construction, the construction inspection portion of the contract could be eliminated from the engineering contract, bringing the total estimated project cost to \$84,239. There are sufficient funds in the Capital Fund to support the expenditure.

# PROJECT LOCATION MAP





# Memorandum

**To:** Village President and Village Board of Trustees

**Cc:** Steve Bosco, Village Administrator

**From:** Natalie Stevens, Executive Assistant

**Date:** July 27, 2022

**Re:** Village Logo Use Policy

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The Village was recently approached by a North Aurora organization expressing interest in utilizing the Village's logo in their own branding.

Staff discussed with the Village Attorney and determined it would be in the best interest of the Village to create a policy regarding the use of the Village logo by any other entity.

Please see the attached policy and resolution for discussion.



## **Village of North Aurora Village Logo Use Policy**

The Village of North Aurora owns all rights to the Village Logo that was created to aid the Village in establishing an identity for the North Aurora community. Allowing local, non-profit organizations to make use of the Village Logo to identify themselves with the North Aurora community will foster a greater sense of community and identity with North Aurora by members of the public who are involved with those non-profit organizations. This Village Logo Use Policy establishes the terms and conditions by which local, non-profit organizations shall be approved for use of the Village Logo in a fair and efficient manner. Local, non-profit organizations may be approved to use the Village Logo if they meet the following terms and conditions:

1. The organization by not-for-profit, must have a physical presence in the Village of North Aurora with directors, officers, members, and active participants who live in the Village of North Aurora, and the organization must serve the North Aurora community in some way;
2. All requests to use the Village of North Aurora's Logo must be presented to and approved by the Village Board
3. All requests must be submitted in writing and include a description of how the Village Logo will be used with an illustration of how the Village Logo will be incorporated into the organization's own branding;
4. The Village Logo may be used for non-commercial purposes only, which may include fundraising for a non-profit, tax exempt purpose;
5. The Village Logo may not be used for any political purpose in violation of the Illinois Election Code (10 ILCS 5/9-25-1), the State Officials and Employees Ethics Act (5 ILCS 430/1 et seq.), and any other laws limiting or prohibiting the use of governmental resources in political activities.
6. Use of the Village Logo by any organization is not an endorsement by the Village of North Aurora of that organization, and no organization shall claim that is endorsed or hold itself out as being endorsed by the Village of North Aurora;
7. The North Aurora Village corporate authorities may revoke permission to any organization using the Village Logo at any time in violation of this policy, if the Village Logo is changed or becomes obsolete, or the Village Logo is used in any way that reflects negatively or adversely on the Village, the North Aurora community, or any person or entity in the local community, class of persons or class of entities in the community, or on the local community as a whole.

VILLAGE OF NORTH AURORA

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION TO ADOPT A VILLAGE OF NORTH AURORA  
LOGO USE POLICY**

**WHEREAS**, the Village owns all rights to the Village Logo (attached hereto and incorporated herein by reference as “Exhibit A”) that was created to aid the Village in establishing an identity for branding purposes; and;

**WHEREAS**, the President and Board of Trustees have determined that allowing a local, non-for-profit entities to identify themselves with the North Aurora community using the Village Logo is in the best interests of the Village of North Aurora to foster pride, involvement, and identity with the Village; and

**NOW, THEREFORE, BE IT RESOLVED** by the President and Board of Trustees of the Village of North Aurora, Kane County, Illinois, as follows:

1. The recitals set forth above are adopted and incorporated herein as the material and significant findings of the President and the Board of Trustees as if fully stated herein.

2. The Village of North Aurora Village Logo Use Policy attached hereto and incorporated herein by reference as Exhibit “B” is hereby approved.

3. This Resolution shall take immediate force and effect from and after its passage and approval as provided by law.

Presented to the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_ day of \_\_\_\_\_, 2022 A.D.

Passed by the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_ day of \_\_\_\_\_, 2022 A.D.

Mark Carroll \_\_\_\_\_

Laura Curtis \_\_\_\_\_

Mark Guethle \_\_\_\_\_

Michael Lowery \_\_\_\_\_

Todd Niedzwiedz \_\_\_\_\_

Carolyn Bird Salazar \_\_\_\_\_

Approved and signed by me as President of the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_ day of \_\_\_\_\_, 2022 A.D.

\_\_\_\_\_  
Mark Gaffino, Village President

ATTEST:

\_\_\_\_\_  
Village Clerk

Exhibit A



EXHIBIT B



**Village of North Aurora Village Logo Use Policy**

The Village of North Aurora owns all rights to the Village Logo that was created to aid the Village in establishing an identity for the North Aurora community. Allowing local, non-profit organizations to make use of the Village Logo to identify themselves with the North Aurora community will foster a greater sense of community and identity with North Aurora by members of the public who are involved with those non-profit organizations. This Village Logo Use Policy establishes the terms and conditions by which local, non-profit organizations shall be approved for use of the Village Logo in a fair and efficient manner. Local, non-profit organizations may be approved to use the Village Logo if they meet the following terms and conditions:

1. The organization by not-for-profit, must have a physical presence in the Village of North Aurora with directors, officers, members, and active participants who live in the Village of North Aurora, and the organization must serve the North Aurora community in some way;
2. All requests to use the Village of North Aurora's Logo must be presented to and approved by the Village Board
3. All requests must be submitted in writing and include a description of how the Village Logo will be used with an illustration of how the Village Logo will be incorporated into the organization's own branding;
4. The Village Logo may be used for non-commercial purposes only, which may include fundraising for a non-profit, tax exempt purpose;
5. The Village Logo may not be used for any political purpose in violation of the Illinois Election Code (10 ILCS 5/9-25-1), the State Officials and Employees Ethics Act (5 ILCS 430/1 et seq.), and any other laws limiting or prohibiting the use of governmental resources in political activities.
6. Use of the Village Logo by any organization is not an endorsement by the Village of North Aurora of that organization, and no organization shall claim that is endorsed or hold itself out as being endorsed by the Village of North Aurora;
7. The North Aurora Village corporate authorities may revoke permission to any organization using the Village Logo at any time in violation of this policy, if the Village Logo is changed or becomes obsolete, or the Village Logo is used in any way that

## **VILLAGE OF NORTH AURORA**

reflects negatively or adversely on the Village, the North Aurora community, or any person or entity in the local community, class of persons or class of entities in the community, or on the local community as a whole.