



Agenda Item Details

Meeting	Jun 06, 2022 - Village Board Regular Meeting Agenda
Category	13. New Business - All Listed Items for Discussion and Possible Action
Subject	I. Ordinance Granting Special Use Approval to Permit the Operation of an Adult Use Cannabis Dispensary, 781 N. Milwaukee Avenue (CESAM LLC) [Docket No. 2022-19]
Type	Action
Fiscal Impact	No
Budgeted	No
Recommended Action	Motion to Approve

From: Ross Klicker, Director of Community Development

Subject: An Ordinance Granting a Special Use to Permit an Adult Use Cannabis Dispensary, 781 N. Milwaukee Avenue (CESAM LLC) [Docket No. 2022-19].

EXECUTIVE SUMMARY

Petitioner CESAM LLC is seeking a Special Use for the operation of a cannabis dispensary at 781 N. Milwaukee Avenue within the MXC (Commercial/Residential Mixed Use) Zoning District. At the May 25, 2022 Plan Commission hearing, the Commission unanimously recommended approval of this request. The complete staff report, including the description of the proposal and staff analysis, is attached.

MEMO

Applicant CESAM LLC, lessee, is seeking a special use to operate an adult use cannabis dispensary in the former Twin Peaks / Claim Jumper restaurant site at 781 N. Milwaukee Avenue. In addition to the cannabis dispensary, a portion of the former restaurant will be used as a bakery and brunch restaurant called West Town Bakery. A common, shared public entry will be used for both businesses, with a lobby that will provide a customer waiting area for both the dispensary and bakery. Although both the dispensary and bakery will be located within the same building, they are two separate business entities; West Town Bakery is operated by the Fifty/50 Group and will function independently. Per the Illinois Cannabis Regulation and Tax Act, the bakery is not permitted to (and will not) sell any cannabis-infused products.

Plan Commission Recommendation

At the May 25, 2022 Plan Commission hearing, Commissioner Hyken moved, seconded by Commissioner Berke, to recommend approval of Docket 2022-19, granting Special Use approval as required under Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19-10 Use Regulations, and associated sections, in order to permit an adult use cannabis establishment for CESAM LLC, located at 781 N. Milwaukee Avenue in accordance with the exhibits listed below, and subject to the following conditions:

1. The special use for the operation of a cannabis dispensary does not permit the on-site consumption of cannabis and/or cannabis related products.
2. Prior to any exterior building and/or façade modifications, including but not limited to painting, shall be first reviewed by the Plan Commission. This does not apply to any landscape replacements in adherence with the approved landscape plans.

There being six affirmative votes, the motion was approved.

Community Development Director's Review and Recommendation

I concur with the Findings of Fact and Recommendations provided by the Plan Commission. An ordinance is attached for the Board's consideration to reflect the Commission's recommendation for the granting of a special use to permit an adult use cannabis dispensary for the property located at 781 N. Milwaukee Avenue for CESAM LLC.

Attachments

Ordinance – Special Use Approval [Docket No. 2022-19]

Exhibits: Project Description Letter prepared by the Fifty/50 Group dated 4/28/2022

Plans prepared by steep architecture studio last revised 4/29/2022

PC Staff Report

Photos of Existing Conditions (staff)