

PLANNING COMMISSION

City of LaSalle – City Council Chambers

June 24, 2024

Chairman Pigati called the meeting to order at 4:35 pm.

Chairman Pigati started the meeting by leading the committee in the Pledge of Allegiance.

ROLL CALL

Present: Tom Pigati, John Sienkiewicz, Charlie Faletti, John Fletcher, Larry Happ, Don Spayer, Nicole Girton, Mike Nieslawski

Absent: Tyler Ketter, Luke Tomsha, Bart Hartauer

Others Present: City Attorney Jim McPhedran, Deputy City Clerk Brent Bader, Economic Development Director Curt Bedei

A quorum was present.

Chairman Pigati mentioned that there were three different discussions that will be discussed tonight. The first having actually two parts to it. Attorney Jim McPhedran mentioned that it would be best to have discussion for the first topic together but to take two separate votes on the items that were up for discussion.

Green Monk Representative Jeff Scales introduced himself to the committee. He is looking to install Green Monk craft grow facility and solar farm at 745 Progress Parkway. They are an Illinois cannabis company. They currently have eight brick and mortar stores, and this build will be intended to be a craft grow facility. It will be a secured facility where they have 15,000 sq.ft. of canopy to grow, along with processing and packaging will take place at the facility. Their products will then be shipped to each of their dispensaries. The solar farms will be used to run their building to keep their carbon footprint neutral. They plan on also adding power into the Ameren grid.

Chairman Pigati asked after he was done talking to swear to tell the truth, and nothing but the truth. Mr. Scales raised his right hand and agreed to tell the truth and nothing but the truth.

Moved by Larry Happ and seconded by Nicole Girton to accept and mark as Exhibit A the Public Notice Regarding Request for Special Use Permit.

Voice vote, all ayes. Motion is carried.

Mr. Scales mentioned that the 55,000 sq.ft. building is a pre-engineered standard building that they will react on the property that will be used for their facility.

Chairman Pigati asked about the property and the tree line. Mr. Scales mentioned that they will be taking some trees down to clear a little more space for solar panels. He also mentioned that they are at the beginning phase of this project and was first looking to see

if the city was even interested before they moved forward with some more details to their project. He also knew that he would need to speak with Ameren to see what they would even allow from this property, knowing that Ameren will play a huge part in this as well.

Scales stated that they do currently have eight dispensaries. This will not be a dispensary; it will strictly be a craft grow. It will be a very secure facility, with no public access. Anyone that enters the facility will need to be checked with the State, have a special ID, and fingerprinted. He mentioned that they do grow medical grade marijuana and every room will be highly secured to avoid any outside biomes away from their crops. Scales plans on having approximately 22-35 employees. There will be certain times of their grow cycle that they will need more employees depending on the job.

Don Spayer asked if each of his stores or facilities have the same rules for running them. Mr. Scales stated they would not have the same rules as his other eight are stores and this one will be only a grow facility with no sales out of it. Spayer also asked if this would be the first solar farm for him. Scales stated that he does have investors that are already part of a group that are involved in solar. This solar farm would be the first for cannabis grow for Green Monk. Scales mentioned that they will be using solar companies that have installed all around Illinois. He mentioned that they will be certified solar installers and are certified by the state to cultivate cannabis.

Mike Nieslawski asked if there will be an odor out of this facility and if there was a study done on that. Mr. Scales stated that they do try to mitigate it as much as possible because they do not want to exchange it with the outside air. He says that he can't guarantee that you won't smell it from time to time when you are up near the building. He mentioned that the facility is non-residential and the closest neighbors are several 100 of linear feet away. He did stress that their main goal is to control all of that.

Don Spayer asked if they would be installing the water and Scales said that they would be.

Charlie Falletti asked if it would all be self-contained. Scales said that it would be all contained inside their double-door, secured facility.

Larry Happ asked if there were state regulations in regard to the smell or if too much of the smell was released from the facility. Scales did not believe them to be a state regulation on such a thing. Happ also asked if the secured facility would be having a security fence. The property around solar panels will have fencing around it however.

Happ also asked about the runoff from the facility. Scales stated that it would not run-off into the creek. The facility does recycle a lot and it will go through a reverse osmosis system. If they are unable to use all of their recycled material, they do try to give it away to local golf courses. It is gray water, so they are unable to give it to any farms. Scales stated that they want to make their facility very carbon neutral. He did mention that they do plan on looking into growing crops under the solar fields. There will be no dumping of

their water. If they do have to get rid of it, they will make sure it disposed of properly and hauled away.

Scales mentioned that there are 12 industrial grows that are 250,000 sq. ft. of canopy who have been in the state since 2014 and they are becoming vertically integrated with them. Chairman Pigati asked if Scales was an owner or manager. Scales stated that he is an owner of Green Monk and investor in their dispensaries which are located around the Chicago land area.

City Attorney Jim McPhedran introduced himself as the La Salle City Attorney. McPhedran wanted to clarify that Green Monk was the contract purchaser of the property from Cannon Farms. Scales stated that he was. McPhedran also asked if he had a hypothetical expected timeframe to acquire title to the property. Scales hopes to have title acquired within 45 days of approvals. McPhedran also asked if it would be acceptable timeframe to obtain things within six months of permits being issued. Scales understood.

Attorney McPhedran also asked if he also understood that if it were authorized that it would be subject to following any guidelines and requirements in regard to building permits and other city of La Salle ordinances. Scales understood.

McPhedran also asked if it would be required that Scales would comply with and other governmental rules and regulations of any other governmental entity including but not limited to any licenses or permits from other agencies. Scales understood.

McPhedran also asked if Scales understood that the exact location where they may be putting the solar farms or cannabis growing place would be subject to inspection of the building inspector and the approval of the city engineer. Scales understood.

McPhedran asked if Scales understood that in the year and a half period of time between the solar farm and/or the cannabis unit, if the activity was not progressing and the permit was not being used, the permit would be no longer good. Scales understood.

Scales stated that his company always works off of the forward momentum approach. There will be some paperwork that can tie a project up for a bit, but they will always continue to push ahead. Scales also mentioned that the building would be a super easy prefab building. Scales does plan on being operational between a year and a year and a half. Scales honestly hopes to be in within a year.

McPhedran also that if they were granted the permit, if Scales understood that they would still be subject to other ordinances such as nuisance ordinances. Scales understood.

Mayor Grove asked if Scales would be growing for his own store or other stores. Scales stated that they would be selling to other stores, but he believes it to be a pass through and the tax basis is very minimum.

Alderman Ptak asked what the cost of the building would be. Scales mentioned that the prefabricated metal building would be about \$850,000.00, with other parts of

infrastructure costing approximately \$1.2 million. He mentioned that other infrastructure may range from \$3million to \$12million as they grow.

Chairman Ptak and Scales both discussed how the maximum allowed in a craft grow was 14,000 sq. ft. Other industrial grows can have a way bigger canopy. Chairman Ptak mentioned that there have been complaints of an odor from the Oglesby factory. Scales believes that will a bigger canopy that you may get this but also that Oglesby purchased a pole barn as their building so the sealing of the building may be due to this.

Alderman Ptak asked about the name of the two dispensaries that Scales mentioned, SPARK'D and Dispensary 33, which are all in Illinois. He also asked Scales what the idea is behind a Craft grow. Scales mentioned that they hope to be able to offer a higher-grade product. They will only start out with 5,000 sq. ft. Until they have it up and growing.

Alderman Ptak asked if they would be doing edibles from this facility. They will be having a kitchen to allow for all these products. Scales mentioned that this was his venture legally in growing. He mentioned that he does have a grow team from around Ohio and Illinois.

Alderman Ptak also asked about the percentage of solar energy will be supplied to towards Scales' total consumption. Scales thought about 15%.

Alderman Lavieri questioned the use of the term medical marijuana since marijuana or cannabis is illegal federally because they have never been approved from DEA or FDA.

Scales did mention that there is medical and recreational marijuana that is allowed in the State. He mentioned how every plant and sampling does get tested in many different ways. Scales mentioned that between the team they have, the reverse osmosis, and the sealed environment, they hope to provide a higher quality cannabis that they want to be considered "medical grade" cannabis.

Alderman Lavieri stated that there has been no proof that it treats any medical problem other than what the legislature has said.

La Salle resident asked if they had investors or banks behind the financing of this facility. Scales mentioned that they are unable to get any banks to finance due to this being cannabis facility, because of FDIC regulations. They do have outside investors for every step of the way.

Moved by Larry Happ and seconded by to John Fletcher to find the requests of Green Monk LLC, as contract purchaser from Cannon Farms Venture LLC (Lyle Sitterly) for issuance of a Special Use Permit related to the proposed construction and operation of a cannabis craft grow facility and related endeavors on premises commonly known as 745 Cannon Parkway, LaSalle, Illinois is overall complaint with requirements of the City of La Salle Zoning Ordinance and State Law, and I further move that we hereby recommend that the City Council approve the requests for issuance of a Special Use Permit for construction and operation of a cannabis craft grow facility and related endeavors on said

premises, subject to such other terms and provisions as the City Council within the exercise of its reasonable discretion should deem fair, just, and appropriate.

ROLL CALL

AYE: Chairman Pigati, Committee Members Sienkiewicz, Falletti, Fletcher, Happ, Spayer, Girton, Nieslawski

NAY: NONE

MOTION CARRIED: 8-0

Moved by Larry Happ and seconded by Charlie Faletti to find it requests of Green Monk LLC, as contract purchaser from Cannon Farms Venture LLC (Lyle Sitterly) for issuance of a Special Use Permit related to the proposed installation of a solar farm and related endeavors on the premises commonly known as 745 Cannon Parkway, LaSalle, Illinois is overall complaint with requirements of the City of La Salle Zoning Ordinance and State of Illinois Law, and I further move that we hereby recommend that the City Council approve the requests for issuance of a Special Use Permit of the installation of a solar farm and related endeavors on said premises, subject to such other terms and provisions as the City Council within the exercise of its reasonable discretion should deem fair, just, and appropriate.

ROLL CALL

AYE: Chairman Pigati, Committee Members Sienkiewicz, Falletti, Fletcher, Happ, Spayer, Girton, Nieslawski

NAY: NONE

MOTION CARRIED: 8-0

Chairman Pigati mentioned that both motions were approved unanimously but he informed Mr. Scales that they only make the recommendation to the City Council, and it is up to them to have the final vote.

Chairman Pigati began to explain the next topic up for conversation was the shipping containers that could possibly be used for living facilities and/or storage unit. City Attorney James McPhedran explained some research that he had done in regard to the use of shipping containers. He provided the following information to the public and the committee members:

A container storage unit and/or container building would be hereby defined as including each and all of any of the following:

1. Any unit and/or structure that utilizes an intermodal shipping container as a structural or design element thereof, and/or

2. Any unit originally and/or specifically used or designed to store goods or other merchandise during shipping and/or hauling by vehicle, including, but not limited to rail cars of any kind, truck trailers, or multimodal shipping containers and/or
3. Any building, including, but not limited to, any dwelling that has been converted from a steel shipping container.

He explained that the above definitions were the general idea that they need to discuss and consider as far as regulating in the city's zoning ordinance and giving consideration as to whether it should be limited in regard to which zoning district it would be contained or allowed in prospectively.

McPhedran also brought up to the committee for them to consider if these types of storage units and/or container buildings as defined herein, they would be only allowed prospectively in either M-1 and/or M-2 zoning which is defined in city's ordinance. And then if and only if, in regard to specific premises involved, that premises was allowed a special use permit in regard to those types of storage units and/or buildings.

McPhedran and Pigati both discussed that these shipping containers could be used as a storage unit and/or living units. Mr. McPhedran stated that it was mentioned by the mayor and other committee members that it was reasonable to consider in regard to further regulation because of concerns to someone potentially moving into residential and/or downtown and concerns as to whether that would be something that is in the best interest of the city, the citizens, and the public.

There is no specific location as to where these were set to go. The committee wanted to be proactive in regulating the possibility of them even being allowed in the city.

John Fletcher asked if the containers out by Senica's were related to this topic. It was unknown if they had anything to do with this topic, but that location is zoned M-1 and they have been having shipping containers and such out there for many, many years. McPhedran stated how this ordinance is not intended to disturb that existing business.

Fletcher did ask if living quarters could be in M-1 or M-2 and McPhedran stated that they could.

Mayor Grove stated that he brought this topic to the attention of the city council and to Mr. McPhedran because he has seen a lot of discussion of this type of living all over social media. He feels that this would be more detrimental to property taxes to La Salle residents. The city does have some containers that they have used for fire training and for storage at the Public Works facility, but the mayor does not feel that they should be in residential neighborhoods. Mayor Grove is looking for the city to be proactive with this topic.

If this ordinance were to pass, they would still have to be in an M-1 or M-2 and have to apply for a special use permit. Their neighbors would then be able to come in and say whether that particular locale and the type would comply.

Larry Happ questions that if this is a growing trend, the containers should be checked for any type of contamination. These containers are coming from all over the world. He believes that some sort of container testing would be added to the special use program. McPhedran also stated that if the individual was going to use a shipping container as a residence than they would have to comply with all of the other building codes and permits as well.

Alderman Lavieri asked about time limits on other zonings. He has seen buildings and businesses use them on the side of their buildings for extended timeframes. McPhedran mentioned that there is a difference between a store using a container to load and unload a truck verse a business trying to run something out of it and have it located for a month or so. This ordinance is intended to not have a regular use of a storage unit and/or house or building. Mayor Grove did suggest possibly looking into adding a timeframe to the pods and other temporary storage.

Moved by Charlie Faletti and seconded by Larry Happy to make the recommendation to the city council to accept the definition presented by the city attorney earlier in the meeting, as to a container storage unit and/or container building with the definition was for purposes of. Mr. Faletti stated that "we find that it is in the public good, further consistent with our overall with La Salle's comprehensive plan, and it is further in accord with the parameters of amending the City of LaSalle Zoning Ordinance in compliance with the LaSalle Ordinance and State Law, that the City of LaSalle Zoning Ordinances be amended to further regulate that which are commonly referred to as Container Storage Units and/or Container Buildings to provide that prospectively Container Storage Units and/or Container Buildings shall only be allowed on property zoned M-1 "Light Industrial" and/or M-2 "Heavy Industrial", and then only in regard to any specific premises, said premises shall have applied for and have granted a Special Use Permit pursuant to the Special Use Provisions of the City of La Salle Zoning Ordinance, subject to such other terms and provisions as the LaSalle City Council deems appropriate in exercise of appropriate discretion in the circumstances".

John Fletcher questioned the difference between container storage and container building and asked if that meant that someone could live in the building. Attorney McPhedran stated that it was one of the three things in the definition that wouldn't be allowed absent M-1 zoning and special use permit.

ROLL CALL

AYE: Chairman Pigati, Committee Members Sienkiewicz, Faletti, Fletcher, Happ, Spayer, Girton, Nieslawski

NAY: NONE

MOTION CARRIED: 8-0

Chairman Pigati reviewed the Definitions for Consideration Related to Smoke Shops, etc. (**Exhibit B**). This document was shared in packet to committee members. Attorney

McPhedran stated that this definition included smoking accessories for cannabis and not the cannabis itself.

Mayor Grove spoke in regard to these definitions being discussed. He stated that he was hoping to be proactive in not allowing too many smoke shops within the City of La Salle just like the city did with the gaming parlors. Attorney McPhedran stated that this is not intended to eliminate any of the current stores. He also mentioned that this definition is not intended to affect provisions otherwise provided in our zoning ordinances related to cannabis dispensaries. He stated that this could be added in addition to the definition.

Moved by Charlie Faletti and seconded by John Fletcher to accept the definitions (**Exhibit B**) with amendment indicated by Attorney McPhedran regarding cannabis dispensary.

Voice vote, all ayes. Motion carried.

Moved by John Fletcher and seconded by Charlie Faletti to find that it is the public good, further consistent with the overall La Salle's comprehensive plan. And it's further in accord with the parameters of amending the City of La Salle's Zoning Ordinance in compliance with will the La Salle ordinances and state law that the City of La Salle Zoning Ordinances be amended to further regulate that which are commonly referred to as smoke shops, tobacco shops, and/or E cigarettes shops hereinafter smoke shops to provide that prospectively smoke shops shall only be allowed on property zoned M-1 Light Industrial or M-2 Heavy Industrial and then only in the event that in regard to any specific premises, said premises shall apply for and have been granted a special use permit pursuant to special use provisions of the City of LaSalle zoning ordinances subject to such other terms and provisions as the La Salle City Council deems appropriate and the exercise of appropriate discretion in the circumstances.

ROLL CALL

AYE: Chairman Pigati, Committee Members Sienkiewicz, Faletti, Fletcher, Happ, Spayer, Girton, Nieslawski

NAY: NONE

MOTION CARRIED: 8-0

Chairman Pigati asked if there was any M-1 in the downtown. The committee believes there to be M-1 on the east side of La Salle and also in the area of the old 101 club.

Attorney McPhedran stated that there may be another solar farm request coming soon to the planning commission possibly soon.

Moved by Larry Happ and seconded by Nicole Girton to adjourn the meeting.

Voice vote, all ayes. Motion is carried.

ADJOURNED

5:42

pm

Amy Quinn

Amy Quinn, City Clerk