



Village of
Elmwood Park

Angelo "Skip" Saviano
Village President
Gina Pesko
Village Clerk
Paul A. Volpe
Village Manager
Michael Durkin
Village Attorney

Trustees
Alan T. Kaminski
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Angela Stranges
Anthony Del Santo
Angelo J. Lollino
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Ms. Anna Kim
akim@chicagotribune.com

July 13, 2020

RE: Freedom of Information Act Request

Dear Ms. Kim,

The Village of Elmwood Park is in receipt of your July 8, 2020 Freedom of Information Act (5 ILCS 140/1 et seq.) ("FOIA") for the following records:

" Special permit applications for cannabis craft grower and transporter from Botaniks, LLC"

Your request has been granted in part and denied in part. Enclosed are records responsive to your FOIA request. However, please be advised that certain information in the records being provided has been determined to be exempt from disclosure under FOIA, and that information has been redacted from the records being provided.

Section 7 (1) (b) of FOIA provides that "private information" is exempt from disclosure. "Private information" is defined in FOIA as, "unique identifiers, including a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person." 5 ILCS (140/2(c-5). Consequently, certain unique identifiers such as signatures, driver's license numbers, home or personal telephone numbers, and personal license plates have been redacted from the records being provided.

The person responsible for the decision to deny a portion of your FOIA request is the Village of Elmwood Park Freedom of Information Officer, Gina Pesko. In accordance with Section 9(a) of FOIA, you are hereby notified that you have the right to file a Request for Review regarding the decision made by the Village of Elmwood Park Freedom of Information Officer with the Public

Access Counselor at the Illinois Attorney General's Office. You can file your Request for Review with the Public Access Counselor by writing to:

Sarah Pratt

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-Mail: publicaccess@atg.state.il.us

If you choose to file a Request for Review with the Public Access Counselor, you must do so within 60 calendar days of the date of this letter. Please note that you must include a copy of your original FOIA request and this letter when filing a Request for Review with the Public Access Counselor.

You are also notified that you have the right to judicial review regarding the decision made by the Village of Elmwood Park Freedom of Information Officer pursuant to Section 11 of FOIA.

Should you have any questions, please do not hesitate to contact my office.

Sincerely,



Gina Pesko, Village Clerk
Freedom of Information Officer
Village of Elmwood Park
708-452-3948



VILLAGE OF ELMWOOD PARK

11 CONTI PARKWAY
ELMWOOD PARK, ILLINOIS 60707 • (708) 452-3920

APPLICATION FOR PUBLIC HEARING BEFORE THE ELMWOOD PARK PLAN, ZONING AND DEVELOPMENT (PZD) COMMISSION

PAID

APR 28 2020

VILLAGE OF ELMWOOD PARK

VARIATION SPECIAL USE TEXT/MAP AMENDMENT FEE 175⁰⁰ DATE FEE PAID APR 28 2020
(Code Administrator will check 1 only)

NAME OF APPLICANT: Makarchuk Yaryna/ Botanik, LLC
Last Name First Name Initial

ADDRESS OF APPLICANT: _____
Street Number Street Name City, State, Zip

TELEPHONE NO. OF APPLICANT: (____) _____ (____) _____ (____) _____
Home Business Fax

COMMON ADDRESS OF PROPERTY FOR HEARING REQUEST: 7829-7841 W Grand Ave, Elmwood Park

INDEX NUMBER: See Exhibit A

LEGAL DESCRIPTION OF PROPERTY AS CONTAINED ON DEED OR TITLE POLICY: See Exhibit A

DESCRIPTION OF THE REQUEST: Special use permit for Cannabis Craft Grower and Cannabis Transporter.

REASON FOR BUILDING PERMIT DENIAL:
(State all appropriate provisions of the Zoning Code - see Code Administrator for zoning code reference.)

DATE YOU RECEIVED THE PACKET THAT EXPLAINS THE PUBLIC HEARING PROCEDURE: _____

I ATTEST THAT THE ABOVE INFORMATION AND ATTACHMENTS ARE CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE.

SIGNATURE OF APPLICANT: _____ DATE: 3/17/2020

FOR OFFICE USE ONLY

Reviewed by Code Administrator Bourman Date 4-28-20 Reviewed by Village Attorney Stacie Jenkins Date 5/4/20
Received by Village Clerk M. Boho Date 4/28/20 Date Hearing is scheduled by Clerk: May 26, 2020

The Code Administrator will notify the PZD Commissioners of the Code sections that are applicable to this hearing

LETTER OF INTENT

1. ***SUBJECT PROPERTY***

- 7829-39 W Grand Ave, Elmwood Park, IL 60707

2. ***WHAT IS REQUESTED***

Issuance of Special Use in the Existing C-1 Zone Pursuant to the provisions of Section 1407.03 of the zoning ordinance the Applicant is requesting a change to the zoning ordinance to provide for a *Special Use* in the existing C-1 Zone, for the subject property to accommodate the following Cannabis Business Enterprises, as defined by Illinois', Cannabis Regulation and Tax Act (410 ILCS 705/):

- a. Cannabis Craft Grower Facilities;
- b. Cannabis Transporter;

The Request for Special Use Meets all Standards For Recommendation by the Plan Zoning and Development Commission. The Request for Special Use meets all standards for recommendation by the Commission as contained in section 1411.11 of the zoning ordinance, as well as, all generally accepted principles of land use planning and zoning.

- a. Is so designed, located and proposed to be operated that the public health, safety and welfare will be protected;**

1) Facilities shall at all times comply with all requirements, rules and restrictions, including without limitation, geographic location restrictions, as set forth in the Compassionate Use of Medical Cannabis Pilot Program Act (IL Public Act 098-0122) and the Cannabis Regulation and Tax Act (IL Public Act 101-0027) or as modified by applicable law, and shall at all times comply with the terms and conditions of any special use permit that may be granted in the future;

2) No cannabis shall be smoked, eaten or otherwise consumed or ingested on the premises;

3) Facilities shall have operating hours not earlier than 8 a.m. and not later than 10 p.m.;

4) Facilities shall provide evidence upon request of conformity to the performance standards for noise, vibration, smoke, dust, odor, heat, glare, fire hazard and other objectionable influences established by the State of Illinois and administered by the

Illinois Environmental Protection Agency, the United States of America and administered by the federal environmental agency, and any applicable County or Village ordinance;

5) A plan for disposal of any cannabis or byproducts that are not sold in a manner that protects any portion thereof from being possessed or ingested by any person or animal and shall abide by applicable state or local regulations;

6) A security plan that includes facility access controls, surveillance systems, on-site security personnel, and other security measures required by state or local regulations;

7) A copy of the operating procedures adopted in compliance with state statutes. Said operations procedures should include provisions with minimum requirements for facility employees or volunteers (paid or unpaid) including individuals must be at least 21 years of age and must pass a criminal background having not been convicted of a felony under any federal or state law or having been convicted of a violation of any federal, state or city law concerning the manufacture, possession or sale of controlled substances or alcoholic liquor;

8) A plan for ventilation of the facility that describes the ventilation systems that will be used to prevent any odor of cannabis off the premises of the business, such plan shall also include all ventilation systems used to control the environment for the plants and describe how such systems operate with the systems preventing any odor leaving the premises;

9) Exterior windows will be covered in a mirrored reflective bulletproof polycarbonate security panels, reflecting the natural surroundings of the area while giving the building a renewed appearance;

10) Lighting will be done with low voltage led, set low and tight with the building with shielded and downward angles, to prevent light from escaping to the surrounding environment, to correspond with international *dark sky* standards, without compromising security;

11) To always operate its business in a responsible and respectable manner, to insure minimum impact to the surrounding community, from light, sound, litter, traffic or other negative aspects of commercial enterprise;

12) To have a zero-tolerance policy as to alcohol, drug use and criminal behavior of all types, by employees, staff and invitees;

13) To provide the best security for the facility and the public, through a combination of building materials, design and the use of the latest technological systems and trained private security personnel, acting hand in hand with Municipal law enforcement to prevent disturbance or disruptions of any kind on its premises and surrounding areas;

14) To maintain policies and procedures to respond to citizen complaint of any type and to participate in all community policing meetings and strategies, promulgated by the Municipality;

15) To be a good partner with the community and to support and participate, wherever possible, in activities for the betterment of the Municipality;

16) The Developers will execute performance bond, letter of credit or other acceptable surety to the Municipality, to insure the expeditious completion of the project, in accordance with all agreed standards and Municipal Codes.

17) The Developers commit to create a non-discriminatory set aside, for hiring Municipal residents, for thirty (30%) percent of all salaried and hourly positions all at living wage standards.

18) The Developers commit to pay the Municipality, an Annual Indirect Impact Fee that will be negotiated.

b. Will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.

1) **Present Outlook.** The subject property has been occupied by a tire shop and consists of a brick building in a covered area. The proposed Special Use will include a new building that will increase the curb appeal in the area, increase value of the property and the tax base.

2) **Impact on the Municipality.** The Special Use will create positive impact for the Municipality by:

a) Significantly increasing property value and the real estate tax;

b) Creating an attractive new construction building with modern design;

- c) Creating living wage jobs for municipal residents and fee revenue for the Municipality;
 - d) While creating very little negative impact on the surrounding area, much less than other forms of traditional manufacturing.
- c. Such special use shall conform to the applicable regulations of the district in which it is to be located.**
- 1) **The Request is in all other respects in conformance to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Council pursuant to the recommendations of the Plan, Zoning and Development Commission.** The Request is in conformance with the applicable regulation of the district and the developers, owners and operators of the use, commit to remain in strict conformity with all future recommendations of the Plan, Zoning and Development Commission, the Village Council or other municipal regulatory agencies, with jurisdiction over the project.
 - 2) **Why the Existing Unchanged C-1 Won't Work.** Economically, the unique nature of the Cannabis Use provides the sufficient capital investment necessary to renovate the existing C-1 structure, no other use will be able to attract the sufficient capital required to the property; Present economic climate, presents little if any, available opportunities for other manufacturing use of the property.

Conclusion. Special Use provides the Municipality with the best option to, increase the property tax revenue, provide new construction facility with modern design along with curb appeal, while providing jobs and sustainable tax and fee revenue to Municipality.

3. COMPANY AND MANAGEMENT

Company's structure. The Company is organized as an Illinois limited liability company. The organization of the Company is itself an expression of the Company's composite model, as well as, an element of achieving it. The Company's corporate structure of ownership and control, is a reflection of that model, matching a group of some of the country's most acknowledged business leaders, in the areas of marketing, management, financial controls, security and cannabis, with a group of veteran status, social equity participants ("VSE(s)"), comprised of men and women of diverse ethnic, racial and economic backgrounds, (also selected for their acknowledged individual achievements).

Company's objective. Our Company organization, structure and goals are unique. The Company financial model is not purely profit oriented, but a composite mix, of full financial sustainability, driven by goals of social impact. Even though our goal is to achieve, the maximum social impact, per dollar spent, the Plan never sacrifices economic viability. Our business plan is based on a combination of environmentally grounded technical innovation, community outreach and economic opportunity, to and for the people and the State of Illinois.

Sourcing Locally: Services, Materials, and Labor. Initially, the Company is fully committed to hiring, contracting, and spending locally. The Company values the potential of this new emerging market and the opportunity to make a significant impact on the community by buying and sourcing locally as much as possible, for example:

- a. Local hiring and associated compensation which will have a direct and immediate positive economic impact on the community.
- b. Purchasing supplies, services, and labor locally, effectively keeping dollars within the community and positively impacting neighboring businesses.
- c. Engaging locally based contractors on the craft grow business line but also in the veteran housing charity line.
- d. In-community purchases of products and services stimulate direct and indirect benefits which will continue the cycle of positive economic development, infrastructure improvement, job security, and stability.
- e. From the initial build out of the facility to the implementation of local community development, the Company intends to contract, buy, and hire locally. Current estimates project that significant portion of net spending for initial build-out and setup will be provided by local companies. The Company also intends to join trade associations, Chambers, and other local entities dedicated to growth and success. It is our belief and intention to assist community growth through supportive employment programs for youth adults, senior citizens and the disabled. All these supportive service programs build a mutually sustaining network.

Diversity and Inclusion Hiring Initiative. The Company recognizes the importance of efforts that directly contribute to the general local, city and state mandates and fully understand our role in contributing to their success. Our day-to-day operations will add

full-time employment positions for qualified diverse social equity community residents, further stimulating positive economic impact through job creation. In order to meaningfully impact the community and provide opportunities for individuals who have been under-represented or unfairly treated, the jobs that are created must go to those who need it most. Through diverse hiring practices, individuals who would qualify will have the opportunity to realize their potential in a workplace where there is room for continued community outreach, social interaction training for real world job skills, networking, and opportunities for continued advancement. The Company has a comprehensive *Diversity Plan* to address possible barriers to entry or employment, increase candidate diversity, and ensure those candidates have every opportunity to realize workplace and industry success. Beyond simply allowing for the equality of opportunity factor as described above, the length of retention of these individuals is telling of an effective and comprehensive *Diversity Plan* over time. Hiring or initiating a professional relationship is only the first step; fostering that relationship to facilitate ongoing employment opportunities is the key. Gaining and maintaining a job are steps in the process but thriving in an environment and achieving unforeseen heights is the culmination of collaborative effort and positive-sum economic and social success. The Company will prioritize promoting from within and provide ongoing qualification training and courses to advance employees' upward mobility. These hiring and advancement practices promote diversity throughout all organizational levels.

Veterans Employment Assistance Program. The Company will promote construction job related programs and contracts, geared towards all those Veterans that have the ability to work on construction related trades, whether it's plumbers, electricians, laborers, general laborers, whether they have a track record in this sector or not have experience or not in these trades. The Company will initiate this program in the process of the Craft Grow facility and we will encourage our organized labor contractors to return the favor of our commitment to them by taking up the cause and participating.


April 6, 2020

Planning/Zoning Commission
The Village of Flowerwood Park
11 Cona Parkway, Flowerwood Park, IL 60707

AUTHORIZATION LETTER

The undersigned does state that it is the owner of the property located at 7829 W Grand Ave, Flowerwood Park, IL 60707, and that Botanik LLC has been authorized to submit an application for the following action: special use permit for 3.0 acmb's Golf Course and Transporter upon the above-mentioned property.

BEATRICE GANU LIN, L.L.C., an Illinois limited liability company.

By: 
Name: Robert Jacobs, Manager
Address: 7829 W. Grand Ave
Flowerwood Park, IL 60707

Address: 782~~0~~-7839 W Grand Ave, Elmwood Park, IL 60707

LEGAL DESCRIPTION:

LOTS 22, 23, 25, 26, 27, 28, 29, 30, 31 AND 32 IN MONT CLARE HOME ADDITION, A SUBDIVISION OF THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 25, TOWNSHIP40 NORTH RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF CHICAGO, MILWAUKEE AND ST. PAUL RAILROAD, IN COOK COUNTY, ILLINOIS.

PIN numbers:

12-25-321-004-0000

12-25-321-005-0000

12-25-321-006-0000

12-25-321-007-0000

12-25-321-008-0000

12-25-321-009-0000