



**AGENDA PACKET**  
**VILLAGE OF LAKE ZURICH**  
**Planning and Zoning Commission Meeting Agenda**

**October 20, 2021**  
**07:00 pm**

# **VILLAGE OF LAKE ZURICH**

## **PLANNING AND ZONING COMMISSION MEETING AGENDA**

**OCTOBER 20, 2021**  
**07:00 PM**  
**AGENDA**

**1. CALL TO ORDER AND ROLL CALL**

Chairperson Orlando Stratman, Vice-Chair William Riley, Antonio Castillo, Ildiko Schultz, Craig Dannegger, Joe Giannini and Mike Muir.

**2. CONSIDERATION OF MINUTES AND FINDINGS OF THE COMMISSION**

Minutes of the Planning and Zoning Commission Meeting, on September 15, 2021.

Attachment: [2A.pdf](#)

**3. PUBLIC MEETING - No items at this time.**

**4. PUBLIC HEARING**

(This agenda item includes proposals presented to the Planning & Zoning Commission requiring public testimony, discussion and recommendation to the Village Board for final action.)

**A. 676 South Rand Road -- Special Use Permit (PZC 2021-11):**

Special Use Permit to allow for the establishment of a cannabis dispensary in a building in the B-3 Regional Shopping Business District.

Applicant: Botavi Wellness, LLC, d/b/a Justice Cannabis Company

Owner: HP/R LLC

Attachment: [4A.pdf](#)

**5. OTHER BUSINESS**

**A. Approval of 2022 PZC Meeting Schedule**

**6. STAFF REPORTS**

This is an opportunity for staff of the Community Development Department to report on matters of interest to the Planning & Zoning Commission

**7. PUBLIC COMMENT**

This is an opportunity for residents to comment briefly on matters included on the agenda and otherwise of interest to the PZC.

**8. ADJOURNMENT**

unapproved  
**VILLAGE OF LAKE ZURICH**  
**PLANNING & ZONING COMMISSION MINUTES**  
**September 15, 2021**

Village Hall  
70 E Main Street, Lake Zurich, IL 60047

The meeting was called to order by Chairman Stratman at 7:00 p.m.

**ROLL CALL:** *Present* – Chairman Stratman, Commissioners Castillo, Danegger, Riley, and Schultz. Chairman Stratman noted a quorum was present.

Commissioner Giannini arrived at 7:15p.m.

Commissioner Muir was absent and excused.

*Also present:* Community Development Director Sarosh Saher and Management Services Director Michael Duebner.

**CONSIDERATION OF MINUTES AND FINDINGS OF THE COMMISSION**

Approval of the August 18, 2021 Meeting Minutes of the Planning & Zoning Commission:

MOTION was made by Commissioner Castillo, seconded by Commissioner Riley to approve the August 18, 2021 minutes of the Planning and Zoning Commission with changes to the vote counts as recommended by Commissioner Schultz.

Upon roll call:

AYES: 4 Chairman Stratman, Commissioners Danegger, Riley, Castillo.

NAYS: 0

ABSTAIN: 2 Commissioners Schultz and Muir.

ABSENT: 1 Commissioner Schultz

MOTION CARRIED

**PUBLIC MEETING** – No items were received.

**PUBLIC HEARING:**

MOTION was made by Commissioner Schultz, seconded by Commissioner Riley to open the following public hearings at 7:05p.m. for New Applications PZC 2021-10, at 363 Enterprise Parkway and PZC 2021-11 at 570A Telser Road.

Upon roll call:

AYES: 5 Chairman Stratman, Commissioners Danegger, Riley, Castillo, and Schultz .

NAYS: 0

ABSENT: 2 Commissioner Muir

Commissioner Giannini had not yet arrived.

MOTION CARRIED

Those wishing to speak were sworn in by Chairman Stratman.

The following continued application was considered:

A. 363 Enterprise Parkway – Special Use Permit (PZC 2021-10):

Public Hearing to consider a Special Use Permit to allow for the establishment of a youth baseball instruction and training facility within a tenant space in a building in the I Industrial District.

*Applicant: Lake County Stars Baseball*

*Owner: Midlothian Partnership, LLC*

Commissioner Castillo recused himself from discussion and voting on the matter due to his voluntary connections with the organization. Commissioner Giannini arrived midway through the presentation and discussion.

The item was presented by Mr. Aaron Zarkowsky, Attorney for Lake County Stars. Mr. Cynthia Zarkowsky, Operations Director was available to answer questions. There was no objection to the application either prior to or at the meeting. Statements were made in support of the application.

MOTION was made by Commissioner Schultz, seconded by Commissioner Danneegger to close the public hearing.

Upon roll call:

AYES: 4 Chairman Stratman, Commissioners Riley, Danneegger and Schultz.

NAYS: 0

RECUSAL: 1 Commissioner Castillo

ABSTAIN: 1 Commissioner Giannini

ABSENT: 1 Commissioner Muir

MOTION CARRIED

Upon closing the hearing, there was no further deliberation by the PZC.

MOTION was made by Commissioner Castillo, seconded by Commissioner Danneegger, to receive into the public record the staff review of compliance of this Application with the zoning standards as presented by staff; and to receive the testimony presented by the Applicants, by members of the public, by the PZC Members, and by Village Staff at the Public Hearing; and make these standards and testimony a part of the official record for the Application and Findings of the PZC; AND to recommend that the Village Board approve the Application PZC 2021-10 for a special use permit to allow for a new youth baseball training and instruction facility at the subject property.

Upon roll call:

AYES: 4 Chairman Stratman, Commissioners Riley, Danneegger and Schultz.

NAYS: 0

RECUSAL: 1 Commissioner Castillo

ABSTAIN: 1 Commissioner Giannini

ABSENT: 1 Commissioner Muir

MOTION CARRIED

**B. 570A Telser Road – Special Use Permit (PZC 2021-11):**

Public Hearing to consider a Special Use Permit to allow for the establishment of an indoor badminton sports training facility within a tenant space in a building in the I Industrial District.

*Applicant: Chicago Badminton Academy, LLC*

*Owner: Chicago Title Land Trust Co Trust #114290-08 (Telser Building Account)*

The Application was presented by Mr. Robert Nauman, attorney for the Applicant. The Applicant, Jimmy Sun was present and answered questions of the Commission. There was no objection to the application either prior to or at the meeting.

MOTION was made by Commissioner Castillo, seconded by Commissioner Schultz to close the public hearing.

Upon roll call:

AYES: 6 Chairman Stratman, Commissioners Riley, Castillo, Dannegger, Schultz and Giannini.

NAYS: 0

ABSENT: 1 Commissioner Muir.

MOTION CARRIED

Upon further deliberation the PZC discussed, in general, the increase in the number of these types of uses (sports, recreation and fitness) within the industrial park. The Commission had questions asked whether the number of these uses should be regulated, and how that could be done. Staff responded that this could potentially be done by reviewing the land use designations of the industrial districts in the Comprehensive Plan, through dispersion requirements and through either clustering them in certain areas or prohibiting them in others. But staff also indicated that these uses are already allowed uses within the industrial park and recommended that the market be allowed to determine when and where they could be established. Regulations such as these could restrict owners of these buildings from gainfully leasing their spaces.

Staff further pointed out that the discussion did not directly pertain to the matter being considered and that the Commission focus on discussion related to the application.

MOTION was made by Commissioner Castillo, seconded by Commissioner Dannegger, to receive into the public record the staff review of compliance of this Application with the zoning standards as presented by staff; and to receive the testimony presented by the Applicants, by members of the public, by the PZC Members, and by Village Staff at the Public Hearing; and make these standards and testimony a part of the official record for the Application and Findings of the PZC; AND to recommend that the Village Board approve the Application PZC 2021-11 for a special use permit to allow for a new badminton sports training facility at the subject property.

Upon roll call:

AYES: 6 Chairman Stratman, Commissioners Riley, Castillo, Giannini, Schultz and Dannegger.

NAYS: 0

ABSENT: 1 Commissioner Muir

MOTION CARRIED

**OTHER BUSINESS** – None.

Planning & Zoning Commission Meeting Minutes, September 15, 2021

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**STAFF REPORT:**

Director Saher reported that there was one potential item submitted for the September meeting of the Commission as of that date – Special Use Permit for a Cannabis retailer at the former TGIF building on Rand Road. The Applicants were scheduled to present their application at a Courtesy Review the following Monday.

**PUBLIC COMMENT:**

No additional public comment was provided.

**ADJOURNMENT:**

Upon roll call:

AYES: 6 Chairman Stratman, Commissioners Riley, Castillo, Giannini, Schultz and Dannegger.

NAYS: 0

ABSENT: 1 Commissioner Muir

MOTION CARRIED

The meeting was adjourned at 7:56 p.m.

*Submitted by: Sarosh Saher, Community Development Director*

Approved by:

*At the Heart of Community*

## COMMUNITY DEVELOPMENT DEPARTMENT

505 Telser Road  
Lake Zurich, Illinois 60047(847) 540-1696  
Fax (847) 726-2182  
LakeZurich.org**APPLICATION PZC 2021-12**  
**PZC Hearing Date: October 20, 2021****AGENDA ITEM 4.A****STAFF REPORT**

To: Chairperson Stratman and Members of the Planning & Zoning Commission

From: Sarosh Saher, Community Development Director

CC: Tim Verbeke, Planner  
Mary Meyer, Building Services Supervisor

Date: October 20, 2021

Re: PZC 2021-12 Zoning Application for 676 South Rand Road  
Special Use Permit for a Cannabis Dispensary – “Bloc”

**SUBJECT**

Botavi Wellness, LLC, d/b/a Justice Cannabis Company and represented by Counsel Mr. Craig Krandel (the “Applicant”) requests a Special Use Permit to allow a Cannabis Dispensing Organization (otherwise known as a cannabis dispensary) at the property commonly known as 676 South Rand Road, within an existing building in the B-3 Regional Shopping Business District, and legally described in Exhibit A attached hereto (the “Subject Property”).

**GENERAL INFORMATION**

|                    |   |
|--------------------|---|
| Requested Action:  | <u>Special Use Permit</u>                                   |
| Current Zoning:    | <u>B-3 Regional Shopping District</u>                       |
| Existing Use       | <u>Vacant Commercial Building (former restaurant)</u>       |
| Proposed Uses:     | <u>Cannabis Dispensing Organization (SIC #5912)</u>         |
| Property Location: | <u>676 South Rand Road</u>                                  |
| Applicant:         | <u>Botavi Wellness, LLC, d/b/a Justice Cannabis Company</u> |
| Owner:             | <u>HP/R LLC</u>   |
| Staff Coordinator: | <u>Sarosh Saher, Community Development Director</u>         |

**Staff Report**  
**APPLICATION PZC 2021-12**

**Community Development Department**  
**PZC Hearing Date: October 20, 2021**

**LIST OF EXHIBITS**

- A. Legal Description
- B. Public Hearing Sign
- C. Site Photos
- D. Aerial Map
- E. Zoning Map
- F. Parcel Map
- G. Development Application and Attachments
- H. Development Review Comments

**BACKGROUND**

Botavi Wellness, LLC, d/b/a Justice Cannabis Company and represented by Counsel Craig Krandel (the “Applicant”), with the consent of the owners, HP/R LLC (Hamilton Partners), is proposing a cannabis dispensary at the Subject Property, legally described in Exhibit A attached hereto (the “Subject Property”).

The land use is classified as a special use under “Cannabis Dispensing Organization (5912)” in the B-3 Regional Shopping Business district and as such requires consideration through the public hearing process with Village Board approval. The establishment of cannabis dispensaries was approved by the Village Board through Ordinance 2020-12-394 entitled “An Ordinance Amending Title 9 of the Lake Zurich Municipal Code (Regulations for Recreational Cannabis Organizations)” on December 21, 2020.

The regulations allowing for cannabis dispensing organizations are contained within Section 9-4-3 entitled “Special Uses,” of Chapter 4 entitled “Business Districts” of Title 9 of the Lake Zurich Municipal Code, added under Subsection C entitled “Retail Trade” Item No. 15 entitled “Cannabis Dispensing Organization,” as it pertains to the requested land use. The definitions of such land uses are contained within Chapter 9-24-2 entitled “Definitions.”

By definition, the zoning code defines the proposed land use (cannabis dispensing organization) as follows:

**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 TaxAct, (P.A. 101-0027), Pursuant to 410 ILCS 705/1, et seq, as it may be amended from time-to-time, and regulations promulgated thereunder.

Specifically, the activities allowed by the code at the Subject Property only allow Cannabis Dispensing Organizations and Cannabis Infusing Organizations. (Cannabis growing, cultivation and processing are only allowed in the I Industrial District).



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The Applicant has therefore filed an application with the Village of Lake Zurich received on September 21, 2021 (the “Application”) seeking:

- Special Use Permit approval for a Cannabis Dispensing Organization (5912)

The land use is proposed on a 1.6-acre (69,260 square-foot) parcel of land containing a vacant commercial building and parking areas. The parcel is part of a larger zoning lot that comprises Home Depot, Costco and a two-tenant retail building containing Verizon Wireless and Pearle Vision immediately across its parking lot.

All activities related to the proposed land use are proposed to be conducted within the existing building envelope with modifications to the interior to suit the use. No requests for zoning relief on bulk regulations such as lot area, setbacks, building height, etc., are being requested by the applicant.

Within the envelope of its 1.6-acre parcel (as depicted in the submitted Plat of Survey), the subject property has 50 parking spaces in front of and to the rear of the building and 23 across the frontage drive adjacent to the Home Depot and Costco parking lots. Additionally, both parking areas are part of larger shared lots that offer additional parking should the need arise. The minimum required number of parking spaces by code is 4 spaces per 1,000 square feet of gross floor area. The gross floor area of the building on the subject property is approximately 6,800 square feet and requires a minimum of 28 parking spaces.

Hours of operation are currently proposed to be between 8:00 a.m. and 8:00 p.m., 7 days a week. The store is anticipated to employ 20 full and part-time employees, with around 6-12 employees on site at all times during operating hours.

Pursuant to public notice published on October 2, 2021, in the Daily Herald, a public hearing has been scheduled with the Lake Zurich Planning & Zoning Commission for October 20, 2021, to consider the Application. On October 4, 2021 the Village posted a public hearing sign on the Subject Property (Exhibit B).

Staff offers the following additional information:

- A. **Courtesy Review.** The Applicant presented their project at a courtesy review of the Village Board on September 20, 2021. The feedback was generally positive and the Village Board recommended that the Applicant proceed with a formal application to the PZC for consideration at a public hearing. Information on the Courtesy Review is enclosed along with this report and the video stream of the meeting can be viewed at the following link: <https://play.champds.com/lakezurichil/event/37>
- B. **Zoning History.** The property is located on Lots 5 of Lake Zurich Retail Center Subdivision that was platted on July 7, 2000. Including the subject property, the subdivision contains 9 lots and includes the lots containing the Costco and Home Depot stores, the former Fifth Third Bank building which is now being used for a dental clinic,

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the two-tenant retail building and the various outlots for stormwater detention facilities and open space.

The building on Lot 5 (the Subject Property) was constructed in 2002 specifically for the TGI Fridays (TGIF) Restaurant. The building was used as a restaurant until last year when TGIF closed. The building has remained vacant since that time.

- C. Surrounding Land Use and Zoning.** The subject property is located within the B-3 Regional Shopping District along the Rand Road commercial corridor. The land to the north, south, east, and west of the Subject Property is zoned within the B-3 district and improved with a variety of office, retail and service uses.

The land uses surrounding the subject property are as follows:

1. Costco Wholesale Store (680 South Rand Road) to the northeast
2. Home Depot hardware and building materials (670 South Rand Road) to the north
3. Verizon Wireless and Pearle Vision (668 South Rand Road) to the immediate west
4. Oral Implant and Dental Surgery (660 South Rand Road) farther to the west in the former Fifth Third Bank building
5. Regal Cinemas (755 South Rand Road) to the south across Rand Road
6. Beelow's Steakhouse (763 South Rand Road), Walker Brothers Original Pancake House (767 South Rand Road) and Starbucks Café (775 South Rand Road) are located to the southeast of the Subject Property across Rand Road.
7. Metro Self Storage (737 South Rand Road) is located to the southwest across Rand Road.

As a matter of note, the nearest day care facility "Tutor Time" (759 South Rand Road) is located to the south of the three restaurants listed in Item 6 above and at a distance of approximately 590 feet (lot line to lot line) or 800 feet (building corner to building corner) and outside of the required 500-foot buffer.

The nearest residences are located approximately 680 feet to the east along Grand Avenue, approximately 700 feet to the north within Concord Village (behind the Costco and Home Depot), and approximately 900 feet to the south within Deer Park. It should be noted that no separation/buffer is required from residential uses.

- D. Trend of Development.** The subject property is located in a well-established retail center along the Rand Road corridor. Rand Road is a regional arterial street that connects a number of communities in Southwest Lake County and surroundings counties to Lake Zurich. The intersection of the access drive to the property and Rand Road is a signalized intersection.

The proposed cannabis dispensary is a retail use being proposed within the well-established retail center.

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- E. Zoning District.** The B-3 Regional Shopping District is intended to provide locations for major retail centers. The regulations are designed to encourage a broad range of attractive retail and compatible service uses in those centers.

**GENERAL FINDINGS**

Staff of the Village's Development Review Team (DRT) has evaluated the development against the various standards and provisions of the Lake Zurich Municipal Code and offers findings on specific sections of the Code.

**9-19-3: STANDARDS FOR SPECIAL USE PERMITS.**

Staff has reviewed the plan and found that the development proposal will continue to remain in substantial conformance with the standards for Special Use Permits as outlined below.

- A. General Standards:** No special use permit shall be recommended or granted unless the applicant shall establish substantial conformance with the following:

1. **Zoning Code and Plan Purposes:** The proposed use and development will be in harmony with the general and specific purposes for which this zoning code was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the official comprehensive plan.

**Staff Response: Standard met. The proposed retail use will continue to remain in substantial conformance with the purpose and intent of the B-3 regional shopping business district, and the land use designation of the adopted Comprehensive Plan.**

2. **No Undue Adverse Impact.** The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

**Staff Response: Standard met. The cannabis dispensary is a land use that is allowed as a special use within the B-3 regional shopping business district. All activities will take place within the enclosed commercial building and will have minimal impact to the immediately adjacent parcels. The surrounding parcels contain larger retail establishments such as Costco and Home Depot. As such the retail center is designed to handle the larger amount of customer traffic entering and leaving the property from Rand Road and the areas to the north.**

**The Applicant, Justice Cannabis Company, has a National Security Director that will oversee the operations at the Subject Property. The facility will be operated under security and surveillance plans in accordance with State Statute 410 ILCS 705/15-100 for such businesses.**

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**The business has demonstrated that it will not have any substantial or undue adverse effect upon any adjacent properties and does not adversely impact the public health, safety, and general welfare of the Village.**

3. No Interference with Surrounding Development. The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.

**Staff Response: Standard met. The entirety of the business and its activities will be operated within a 6,800 square-foot enclosed building. The building is an existing building that was constructed for use by a restaurant. Modifications to the interior are proposed to accommodate the new cannabis retail dispensary. The exterior of the building will be modified to replace the former TGIF corporate branded design with a new exterior design for the facades suited to the proposed land use. New wall signage with the name “Bloc” will be installed.**

4. Adequate Public Facilities. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.

**Staff Response: Standard met. The proposed development is currently served by and will continue to be served adequately by essential public facilities and services such as streets, utilities, drainage (stormwater management facilities) and other municipal services. No change in impact these are anticipated at this time.**

5. No Traffic Congestion. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through the surrounding streets.

**Staff Response: Standard met. The Subject Property is primarily served by Rand Road. Rand Road is a regional arterial street that connects a number of communities in Southwest Lake County and surrounding counties to Lake Zurich. Secondary access to the Subject Property is by means of June Terrace a local street that connects the Subject Property to IL Rt 22 and residential properties to the north and northeast.**

**The subject property has 50 parking spaces in front of and to the rear of the building and 23 across the frontage drive adjacent to the Home Depot and Costco parking lots. Additionally, both parking areas are part of larger shared lots that offer additional parking should the need arise. The minimum required number of parking spaces by code is 4 spaces per 1,000 square feet of gross floor area. The gross floor area of the building on the subject property**

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is approximately 6,800 square feet and requires a minimum of 28 parking spaces.

6. No Destruction of Significant Features. The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

**Staff Response: Standard met. The proposed use will not result in the destruction or removal of any natural features. The proposed use will be conducted entirely within an existing building on an already improved lot.**

7. Compliance with Standards. The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use.

**Staff Response: Standard met. No modifications to the site are being proposed that would require additional compliance with the requirements of the zoning code.**

8. Positive Effect. The proposed special use creating a positive effect for the zoning district, its purpose, and adjacent properties shall be placed before the benefits of the petitioner.

**Staff Response: Standard met. The proposed land use will continue to have a positive effect on the zoning district by utilizing an otherwise vacant retail space in the B-3 regional shopping business district.**

- B. Special Standards for Specified Special Uses. When the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district, a permit for such use in such district shall not be recommended or granted unless the applicant shall establish compliance with such special standards.

**Staff Response: Standard met. Cannabis dispensaries are subject to the following additional standards for the special use. The proposed dispensary meets these requirements. These conditions will additionally be added to the conditions for approval within the enabling ordinance.**

- a. *The establishment and operation of such uses shall conform to the provisions of Title 3 "Business Licensing, Regulation, Taxation, and Fees."*  
**The business will be required to obtain a Certificate of Occupancy and Business License from the village before commencing operations.**
- b. *Such uses shall not be located within five hundred feet (500 feet) of the property line of any school, daycare facility or group home*  
**The use will not be located within 500 feet of any of these uses. Of the three types of uses mentioned above, the nearest is a daycare facility (Tutor Time),**

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**which is located approximately 590 feet (lot line to lot line) or 800 feet (building corner to building corner) and outside of the required 500-foot buffer.**

- c. *Such uses shall not be located within two hundred fifty feet (250 feet) of the property line of any parks or property intended for recreational purposes.*  
**There are no parks or properties intended for recreational purposes located within 250 feet of the Subject Property.**
- d. *Such uses shall not be located within 1,500 feet (state law) of any other Cannabis Business Establishment as defined in Chapter 9-24-2.*  
**There are no other cannabis business establishments located within 1,500 feet of the Subject Property. This is the only land use of its kind proposed within the community.**
- e. *Such uses may open for operation no earlier than 6:00 a.m. and close no later than 10:00 p.m.*  
**The proposed hours of operation are 8:00 a.m. to 8:00 p.m. with the possibility of reduced hours on certain days, once the business is established.**
- f. *Such Uses shall prohibit any person who is under the age of twenty-one (21) years of age from entering such facility, except for cardholders over eighteen (18) years of age who are granted medical access under the Compassionate Use of Medical Cannabis Act.*  
**The Applicant is required to comply with this requirement by State statute and will be required to post signs stating such requirement.**
- g. *The on-premise use of cannabis and cannabis-related products shall be prohibited.*  
**The Applicant has agreed to that requirement and will be required to post signs stating such requirement.**
- h. *No cannabis related uses shall be maintained or operated in a manner that causes, creates, or allows the public viewing of cannabis, or cannabis-related products from any sidewalk, public or private right of way, or any property other than the lot on which such use is located. No portion of the exterior of the facility shall utilize or contain any flashing lights, search lights, right-of-way spot lights or any similar lighting system.*  
**The applicant proposed to install signage that will only contain the dispensary name "Bloc" which will be in line with all other dispensaries owned and operated by the Justice Cannabis family of dispensaries. The Applicant has also stated that they do not include any cannabis type decorations or blatant verbiage anywhere in company advertising. Additionally, no flashing lights, search lights, right-of-way spot lights or any similar lighting system are being proposed on the exterior of the building.**
- i. *All cannabis related uses shall implement and maintain a security and surveillance plan in accordance with state statute 410 ILCS 705/15-100 for such businesses.*

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The Applicant has applied for and been awarded a license by the state to operated under the requirements of state statute 410 ILCS 705/15-100. The security and surveillance plan are as follows:

- The facility will have 30 to 50 high-definition cameras located throughout the building inside and out.
- The cameras will have facial recognition ability and the ability to read license plates.
- The company will offer the local police a direct feed into all cameras.
- The store will have two (2) armed security guards on site during all business hours.
- Access to all money, product and technology is biometrically protected and limits access to Manager and Assistant Manager.

C. Considerations. In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission and the Board of Trustees shall consider:

1. Benefit. Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.

**Staff Response: Standard met. The proposed land use will bring a new activity to the community that was recently approved by the Village Board in December 2020. Residents of the village will be provided with a convenient location to purchase recreational cannabis within a retail establishment.**

2. Alternative Locations. Whether the purposes of the zoning code can be met by the location of the proposed use and development in some other area or zoning district that may be more appropriate than the proposed site.

**Staff Response: Standard met. There is no evidence that the proposed location is inappropriate for the proposed land use, so an alternative location would not be any more appropriate than the proposed location. Additionally, the zoning classification, separation and disbursement requirements of the regulations restricts the location of the establishment to a few locations within the office, business and industrial districts.**

3. Mitigation of Adverse Impacts. Whether all steps possible have been taken to minimize any substantial or undue adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening.

**Staff Response: Standard met: The existing commercial building offers an ideal location for the proposed land use. The cannabis dispensary will be established and operated in a manner to prevent any undue adverse effect on itself or on adjacent surrounding property in relation to its location, design**

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**and operation. All primary activities of the proposed use are to be conducted within the enclosed 6,800 square-foot building.**

**RECOMMENDATION**

The recommendation of the Planning and Zoning Commission should be based on the standards included in the following Sections of the Lake Zurich Municipal Code:

- Section 9-19-3: Standards for Special Use Permits

Based on the review of staff, the standards for approval have been met and/or clarified and therefore staff recommends that the Planning and Zoning Commission make these standards a part of the official record of the Application.

Staff of the Community Development Department therefore recommends the approval of Application PZC 2021-12, subject to the following conditions:

1. Substantial conformance with the following documentation submitted as part of the application subject to revisions required by Village Staff and applicable governmental agencies:
  - a. Zoning Application, Cover Letter, and background information dated September 21, 2021, prepared by Mr. Craig S. Krandel, Counsel for the Applicant.
  - b. Exhibit A: Legal Description of the Subject Property
  - c. Plat of Survey prepared by Gremley & Biedermann, dated October 9, 2021.
  - d. Site Plan Submitted on September 21, 2021, depicting location of the building and parking lot.
  - e. Extract from the Plat of Subdivision depicting Lot 5 of Lake Zurich Retail Center Subdivision
  - f. Exterior Elevations Sheet DD01 prepared by Architectures SP dated September 15, 2021
  - g. Interior Demolition Plan, Sheet AD100, prepared by Verve Design Studio, dated September 15, 2021
  - h. Floor Plan (Interior), Sheet A100, prepared by Verve Design Studio, dated September 15, 2021.
  - i. Presentation to the Village of Lake Zurich, September 10, 2021 containing information, background, and general information on the Justice Cannabis Company.
2. All activity related to the operation of the business shall be conducted within the enclosed building. The special use constituting this cannabis dispensary shall be located within approximately 6,800 square feet of space within the commercial building addressed at 676 South Rand Road as depicted on the Site and Floor Plans submitted by Mr. Craig Krandel, dated September 21, 2021. Such Special Use shall be allowed to continue under successive ownership, so long as the general design and operation is in substantial conformance with the approvals granted by this ordinance. Such Special Use shall expire if this cannabis



**Staff Report**  
**APPLICATION PZC 2021-12**

**Community Development Department**  
**PZC Hearing Date: October 20, 2021**

dispensary is not established within two (2) years of the effective date of this ordinance or ceases operating at the Subject Property for a period of six (6) consecutive months or more.

3. The establishment and operation of such uses shall conform to the provisions of Title 3 "Business Licensing, Regulation, Taxation, and Fees," requiring approval of a Certificate of Occupancy and Business License prior to commencing operations.
4. The proposed hours of operation of this land use constituting this cannabis dispensary shall be no earlier than 8:00 a.m. and not later than 8:00 p.m. with the possibility of reduced hours on certain days. On no instance shall the establishment open for operation earlier than 6:00 a.m. or close later than 10:00 p.m.
5. The proposed cannabis business establishment at the Subject Property at 676 South Rand Road shall prohibit any person who is under the age of twenty-one (21) years of age from entering such facility, except for cardholders over eighteen (18) years of age who are granted medical access under the Compassionate Use of Medical Cannabis Act.
6. The on-premise use of cannabis and cannabis-related products shall be prohibited. For the purposes of this condition the word "premises" shall mean the "...lot, plot or parcel of land, together with the buildings and structures thereon."
7. The proposed land use constituting this cannabis dispensary shall be maintained or operated in a manner that does not cause, create, or allow the public viewing of cannabis, or cannabis-related products from any sidewalk, public or private right of way, or any property other than the lot on which such use is located. No portion of the exterior of the facility shall utilize or contain any flashing lights, search lights, right-of-way spot lights or any similar lighting system. All exterior signage shall require approval through a sign permit.
8. The land use shall implement and maintain a security and surveillance plan in accordance with state statute 410 ILCS 705/15-100 for such businesses, and in accordance with the narrative included within the application submitted by Mr. Craig Krandel dated September 21, 2021.
9. The development containing the proposed land use shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich and with the compliance inspection as mandated by state statute 410 ILCS 705/15-100 for such businesses.

Respectfully Submitted,

Sarosh Saher  
 Community Development Director

**Staff Report**  
**APPLICATION PZC 2021-12**

**Community Development Department**  
**PZC Hearing Date: October 20, 2021**

**LAKE ZURICH PLANNING & ZONING COMMISSION**  
**FINAL FINDINGS & RECOMMENDATIONS**

**FOR 676 SOUTH RAND ROAD**  
**October 20, 2021**

The Planning & Zoning Commission recommends approval of Application PZC 2021-12, and the Planning & Zoning Commission adopts the findings as contained within the Staff Report dated **October 20, 2021** for this Application and subject to any changes or approval conditions as listed below:

1. Substantial conformance with the following documentation submitted as part of the application subject to revisions required by Village Staff and applicable governmental agencies:
  - a. Zoning Application, Cover Letter, and background information dated September 21, 2021, prepared by Mr. Craig S. Krandel, Counsel for the Applicant.
  - b. Exhibit A: Legal Description of the Subject Property
  - c. Plat of Survey prepared by Gremley & Biedermann, dated October 9, 2021.
  - d. Site Plan Submitted on September 21, 2021, depicting location of the building and parking lot.
  - e. Extract from the Plat of Subdivision depicting Lot 5 of Lake Zurich Retail Center Subdivision
  - f. Exterior Elevations Sheet DD01 prepared by Architectures SP dated September 15, 2021
  - g. Interior Demolition Plan, Sheet AD100, prepared by Verve Design Studio, dated September 15, 2021
  - h. Floor Plan (Interior), Sheet A100, prepared by Verve Design Studio, dated September 15, 2021.
  - i. Presentation to the Village of Lake Zurich, September 10, 2021 containing information, background, and general information on the Justice Cannabis Company.
2. All activity related to the operation of the business shall be conducted within the enclosed building. The special use constituting this cannabis dispensary shall be located within approximately 6,800 square feet of space within the commercial building addressed at 676 South Rand Road as depicted on the Site and Floor Plans submitted by Mr. Craig Krandel, dated September 21, 2021. Such Special Use shall be allowed to continue under successive ownership, so long as the general design and operation is in substantial conformance with the approvals granted by this ordinance. Such Special Use shall expire if this cannabis dispensary is not established within two (2) years of the effective date of this ordinance or ceases operating at the Subject Property for a period of six (6) consecutive months or more.
3. The establishment and operation of such uses shall conform to the provisions of Title 3 "Business Licensing, Regulation, Taxation, and Fees," requiring approval of a Certificate of Occupancy and Business License prior to commencing operations.

**Staff Report**  
**APPLICATION PZC 2021-12**

**Community Development Department**  
**PZC Hearing Date: October 20, 2021**

4. The proposed hours of operation of this land use constituting this cannabis dispensary shall be no earlier than 8:00 a.m. and not later than 8:00 p.m. with the possibility of reduced hours on certain days. On no instance shall the establishment open for operation earlier than 6:00 a.m. or close later than 10:00 p.m.
  5. The proposed cannabis business establishment at the Subject Property at 676 South Rand Road shall prohibit any person who is under the age of twenty-one (21) years of age from entering such facility, except for cardholders over eighteen (18) years of age who are granted medical access under the Compassionate Use of Medical Cannabis Act.
  6. The on-premise use of cannabis and cannabis-related products shall be prohibited. For the purposes of this condition the word “premises” shall mean the “...lot, plot or parcel of land, together with the buildings and structures thereon.”
  7. The proposed land use constituting this cannabis dispensary shall be maintained or operated in a manner that does not cause, create, or allow the public viewing of cannabis, or cannabis-related products from any sidewalk, public or private right of way, or any property other than the lot on which such use is located. No portion of the exterior of the facility shall utilize or contain any flashing lights, search lights, right-of-way spot lights or any similar lighting system. All exterior signage shall require approval through a sign permit.
  8. The land use shall implement and maintain a security and surveillance plan in accordance with state statute 410 ILCS 705/15-100 for such businesses, and in accordance with the narrative included within the application submitted by Mr. Craig Krandel dated September 21, 2021.
  9. The development containing the proposed land use shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich.
- ☐ Without any further additions, changes, modifications and/or approval conditions.
- ☐ With the following additions, changes, modifications and/or approval conditions:

---

Planning & Zoning Commission Chairman

**Staff Report**  
**APPLICATION PZC 2021-12**

**Community Development Department**  
**PZC Hearing Date: October 20, 2021**

**EXHIBIT A**

**LEGAL DESCRIPTION OF SUBJECT PROPERTY**

LOT 5 IN LAKE ZURICH RETAIL CENTER, BEING A SUBDIVISION IN THE SOUTHWEST ¼ OF SECTION 20, TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 7, 2000 AS DOCUMENT 4549283 IN LAKE COUNTY, ILLINOIS.

Parcels Involved: 14-20-307-007

**Staff Report**  
**APPLICATION PZC 2021-12**

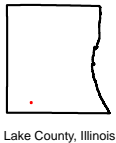
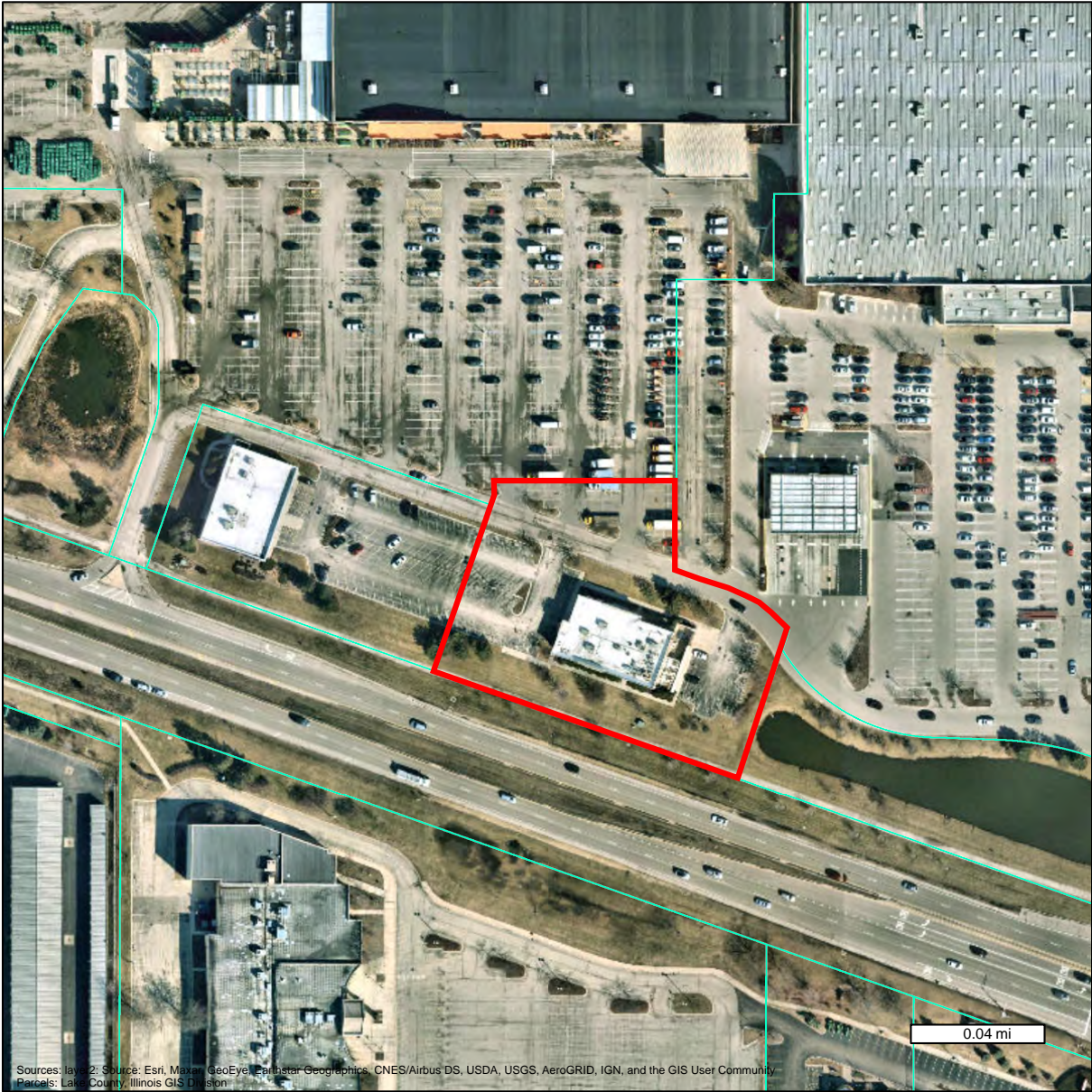
**Community Development Department**  
**PZC Hearing Date: October 20, 2021**

**EXHIBIT B**  
**PUBLIC HEARING SIGNS PRESENT AT SUBJECT PROPERTY**








676 S Rand



Map Printed on 10/14/2021



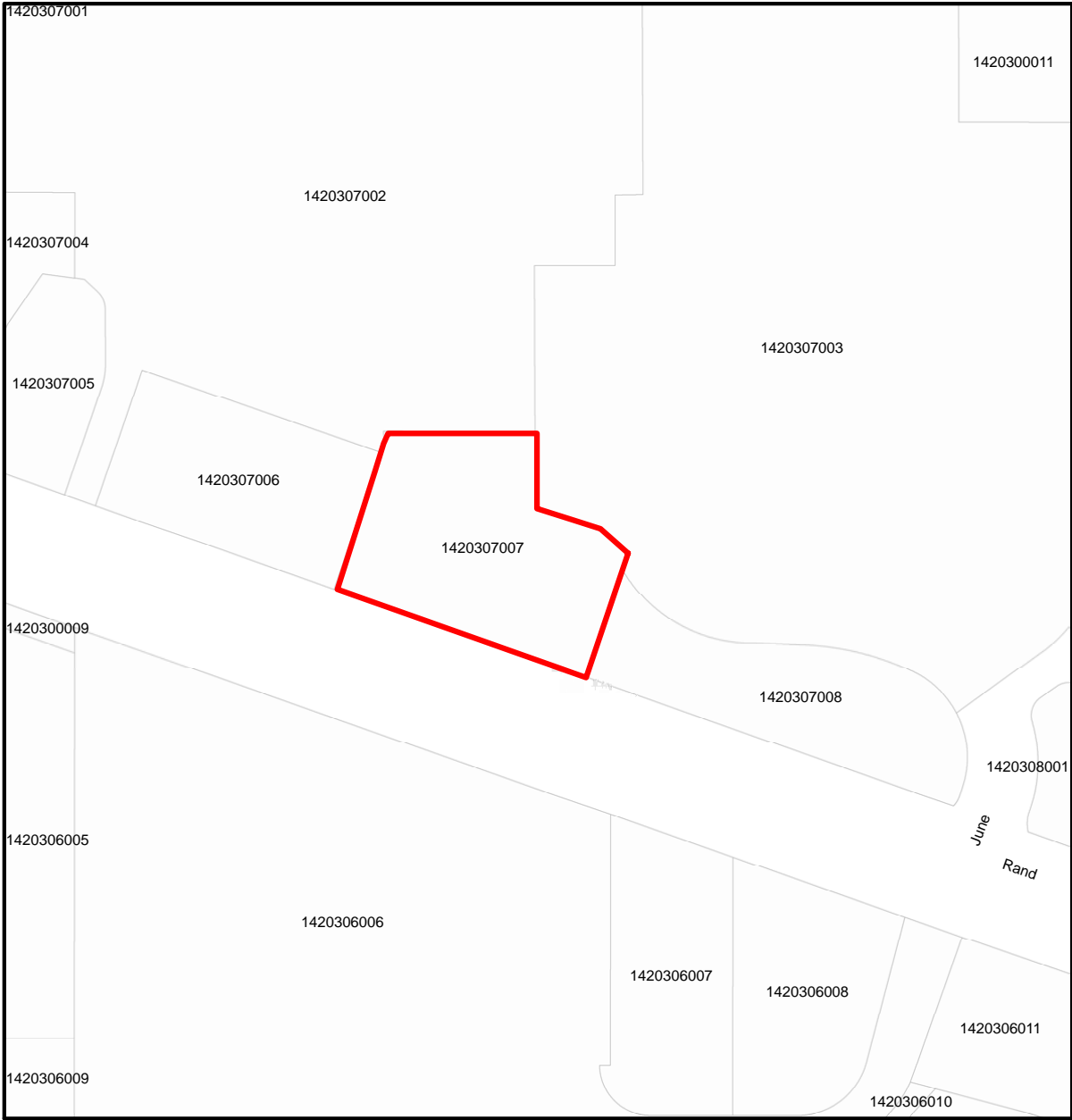
-  Tax Parcel Lines
-  Tax Parcel Information
-  Subject Parcel

**Disclaimer:** The selected feature may not occur anywhere in the current map extent. A Registered Land Surveyor should be consulted to determine the precise location of property boundaries on the ground. This map does not constitute a regulatory determination and is not a base for engineering design. This map is intended to be viewed and printed in color.



# Justice Cannabis Company

## 676 S Rand Road



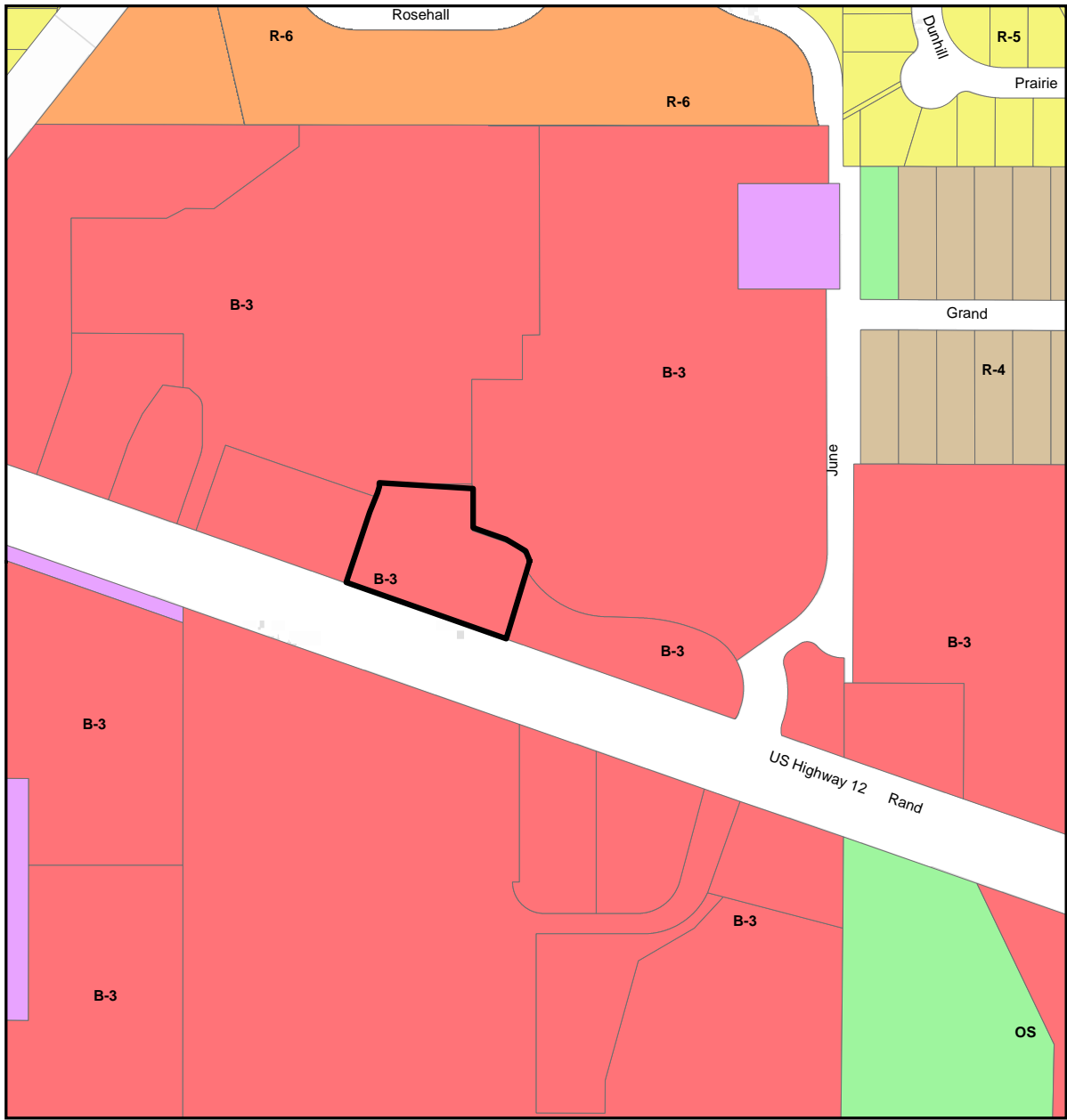
COMMUNITY SERVICES DEPARTMENT  
Building and Zoning Division  
505 Telser Road, Lake Zurich, Illinois 60047

(847) 540-1696  
Fax: (847) 726-2182  
LakeZurich.org



# Justice Cannabis Company

## 676 S Rand Road



COMMUNITY SERVICES DEPARTMENT  
Building and Zoning Division  
505 Telser Road, Lake Zurich, Illinois 60047

(847) 540-1696  
Fax: (847) 726-2182  
LakeZurich.org



Zoning Application Packet  
Prepared by Mr. Craig S. Krandel  
September 21, 2021

# TIMM & GARFINKEL, LLC

September 21, 2021

Village of Lake Zurich  
505 Telser Rd.  
Lake Zurich, IL 60047

Attn: Orlando Stratman  
Planning & Zoning Commission Chairperson

Re: **Botavi Wellness LLC Cannabis Dispensing Organization Application**  
**Property at: 676 South Rand Road (Former TGI Fridays' site)**  
**Our File: 21- 507**

Dear Chairperson Stratman:

We are pleased to have the opportunity to work with the Village of Lake Zurich in the redevelopment of the above property into a Cannabis Dispensary in accordance with the Village's recent amendments to Village Codes to allow for businesses of this nature in the Village. Our team has worked closely with Village Staff and look forward to the opportunity to appear before Planning and Zoning on October 20<sup>th</sup>.

In accordance with Village Ordinances attached please find our client's Application for Special Use pursuant to Section 9-4-3 C-15 for this property as currently Zoned B-3. As further outlined in the Narrative portion of our client's application, the proposed use will meet the requirements of this Section, as well as the overall Special Use standards pursuant to Chapter 19 Section 9-19-3 of Lake Zurich's Zoning Code. We feel that the proposed location and current structure is well-suited for an operation of this nature and will allow our client to meet these criteria without the need for significant structural changes to the exterior of the building as presently exists.

Our client, Botavi Wellness LLC, was fortunate to secure licenses in this region and excited to have the opportunity to open a dispensary in Lake Zurich. As part of the Justice Cannabis Co. family, Botavi will operate the facility under its "Bloc" brand as shall be operated for all of its dispensaries in Illinois. Currently, Justice Cannabis, formerly known as Justice Grown, operates five dispensaries across the United States with an additional fifteen currently under development in 4 other states.

The site proposed for this Application is the former TGI Fridays restaurant and currently is vacant as it was closed down in 2020. Our client feels that the transition of the property a great re-purposing of the building and a location that makes sense in the marketplace as well a major source of tax revenue for the Village. Our client presently wrapping up the terms of their lease of the premises with HP/R LLC, the current owner. The fully executed Letter of Intent for the premises is included as part of our submission package.

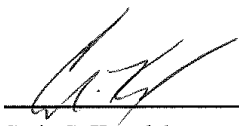
407 CONGRESS PARKWAY  
SUITE E  
CRYSTAL LAKE, IL 60014  
(P) 815.477.7476  
(F) 815.333.0480  
[WWW.LTGLEGAL.COM](http://WWW.LTGLEGAL.COM)

CRAIG KRANDEL  
(D) 815.477.7476  
[CKRANDEL@LTGLEGAL.COM](mailto:CKRANDEL@LTGLEGAL.COM)

We look forward to the opportunity to continue working with Village staff in this matter and to presenting before your Commission and ultimately the Village Board. If anything more you desire or wish to discuss in these regards please do not hesitate to reach back to me. I am best reached on my cell, 815-482-0208 or via email at [ckrandel@ltglegal.com](mailto:ckrandel@ltglegal.com)

Sincerely,

TIMM & GARFINKEL, LLC

By:   
Craig S. Krandel

cc: *Mitchell Zaveduk, Justice Cannabis Co. , Greg Winner, via email*



(Please Type or Print)

**ZONING APPLICATION**

Community Development Department  
505 Telser Rd.  
Lake Zurich, IL 60047  
Phone: (847) 540-1696  
Fax: (847) 540-1769

1. Address of Subject Property: 676 South Rand Road, Lake Zurich, 60047
2. Please attach complete legal description
3. Property Identification number(s): 14-20-307-007
4. Owner of record is: HP/R LLC Phone: 630.250.9700  
E-Mail tberlinghof@hpre.com Address: 300 Park Blvd., Suite 201, Itasca, IL 60143
5. Applicant is (if different from owner): BOTAVI WELLNESS LLC Phone: 847-989-9287  
E-Mail mitch@justicecannabisco.com Address: 2108 WEST ERIE, APT 2W CHICAGO, IL 60612
6. Applicant's interest in the property (owner, agent, realtor, etc.): Tenant in process
7. All existing uses and improvements on the property are: Former TGIF restaurant, vacated
8. The proposed uses on the property are: Cannabis Dispensary
9. List any covenants, conditions, or restrictions concerning the use, type of improvements, setbacks, area, or height requirements placed on the Subject Property and now of record and the date of expiration of said restrictions:  
None applicable
10. Describe any contract or agreement of any nature relevant to the sale or disposal of the Subject Property:  
None
11. For applications requiring a public hearing, please attach a list which contains the PIN, owner, and owner's mailing address of all properties located within 250 feet (excluding all Public Right-of-Ways) of the Subject Property.

THE APPLICANT'S SIGNATURE BELOW INDICATES THE INFORMATION CONTAINED IN THIS APPLICATION AND ON ANY ACCOMPANYING DOCUMENTS IS TRUE AND CORRECT.  
THE APPLICANT ALSO ACKNOWLEDGES IF THE CONSULTANT EXPENSES EXCEED THE INITIAL ESCROW DEPOSIT, THE APPLICANT WILL REIMBURSE THE ACCOUNT IMMEDIATELY.

(Name of applicant)

(Signature of applicant)

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 2021.

(Notary Public)

My Commission Expires \_\_\_\_\_

HP/R LLC a Delaware limited liability company  
By: H.P. Lake Zurich L.L.C., an Illinois limited liability company, its manager

(Name of Owner, if different)

Todd Berlinghof, Managing Member  
of H.P. Lake Zurich L.L.C.

Subscribed and sworn to before me this 20 day of September, 2021.

(Notary Public)

My Commission Expires 5/21/2023

OFFICIAL SEAL  
MARY J DUDEK  
NOTARY PUBLIC - STATE OF ILLINOIS  
MY COMMISSION EXPIRES 05/21/23



(Please Type or Print)

**ZONING APPLICATION**

Community Development Department  
505 Teisler Rd.  
Lake Zurich, IL 60047  
Phone: (847) 540-1696  
Fax: (847) 540-1769

1. Address of Subject Property: 676 South Rand Road, Lake Zurich, 60047
2. Please attach complete legal description
3. Property identification number(s): 14-20-307-007
4. Owner of record is: HP/R LLC Phone: 630.250.9700  
E-Mail: therlinghof@hpre.com Address: 300 Park Blvd., Suite 201, Itasca, IL 60143
5. Applicant is (if different from owner): BOTANI WELLNESS LLC Phone: 847-989-9287  
E-Mail: mlch@justicacannabisco.com Address: 2108 WEST ERIE, APT 2W CHICAGO, IL 60612
6. Applicant's interest in the property (owner, agent, realtor, etc.): Tenant in process
7. All existing uses and improvements on the property are: Former TGIF restaurant, vacated
8. The proposed uses on the property are: Cannabis Dispensary
9. List any covenants, conditions, or restrictions concerning the use, type of improvements, setbacks, area, or height requirements placed on the Subject Property and now of record and the date of expiration of said restrictions:  
None applicable
10. Describe any contract or agreement of any nature relevant to the sale or disposal of the Subject Property:  
None
11. For applications requiring a public hearing, please attach a list which contains the PIN, owner, and owner's mailing address of all properties located within 250 feet (excluding all Public Right-of-Ways) of the Subject Property.

THE APPLICANT'S SIGNATURE BELOW INDICATES THE INFORMATION CONTAINED IN THIS APPLICATION AND ON ANY ACCOMPANYING DOCUMENTS IS TRUE AND CORRECT.  
THE APPLICANT ALSO ACKNOWLEDGES IF THE CONSULTANT EXPENSES EXCEED THE INITIAL ESCROW DEPOSIT, THE APPLICANT WILL REIMBURSE THE ACCOUNT IMMEDIATELY.

KAREN HOROWITZ  
(Name of applicant)

Karen Horowitz  
(Signature of applicant)

Subscribed and sworn to before me this 20th day of September, 2021.

[Signature]  
(Notary Public)

My Commission Expires Oct 19, 2024  
NOTARY PUBLIC - STATE OF ILLINOIS  
CRAIG S KRANDEL  
OFFICIAL SEAL  
(Signature of Owner, if different)

(Name of Owner, if different)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

(Notary Public)

My Commission Expires \_\_\_\_\_

Please indicate what form of zoning relief your application requires. For assistance, please contact Staff:

☐ Zoning Code **Map** Amendment to change zoning of Subject Property from \_\_\_\_ to \_\_\_\_

☐ Zoning Code **Text** Amendment to amend the following section(s) of the Zoning Code \_\_\_\_\_

(See Section 18-103 of the Lake Zurich Zoning Code for specific standards. If a specific parcel is the subject of this amendment, then provide the additional information listed in Section 18-103C.)

☒ Special Use Permit/Amendment for Operation of a Cannabis Dispensary

(See Section 19-103 of the Lake Zurich Zoning Code for specific standards.)

☐ Planned Unit Development/Major Adjustment/Amendment

(Planned Unit Developments are a distinct category of special use and are intended to create a more desirable environment than through strict application of the zoning and subdivision regulations. See Section 22-105 of the Lake Zurich Zoning Code for specific standards. Please list all the 'modifications' requested in the cover letter.)

☐ Variation for \_\_\_\_\_

(See Section 17-104 of the Lake Zurich Zoning Code for specific standards. Please indicate what your specific hardships are in the cover letter.)

☐ Modification to the Land Development Code (includes retaining walls more than 2 feet in height)

(See Section 10-6-18 of the Land Development Code for specific standards.)

☐ Preliminary Plat of Subdivision

☐ Final Plat of Subdivision or Amendment to Plat of Subdivision

(See Sections 10-5-2 and 10-5-9 of the Land Development Code for specific standards.)

☐ Site Plan Approval/Major Adjustment/Amendment

(See Section 20-103 of the Lake Zurich Zoning Code for specific standards.)

☐ Exterior Appearance Approval or Amendment

(See Section 21-103 of the Lake Zurich Zoning Code for specific standards.)

#### **APPLICATION TO ANNEX CERTAIN TERRITORY**

All land annexed to the Village is classified automatically after such annexation in the R-1\2 Single Family Residential District. The owner must file an application for a Zoning Map amendment if he or she desires a different zoning classification for the Subject Property.

☐ Petition to Annex Certain Territory (Please complete attached petition)

☐ Application to Annex Certain Territory

#### **COMPREHENSIVE PLAN APPLICATION**

☐ Comprehensive Plan **Map** Amendment for \_\_\_\_\_

☐ Comprehensive Plan **Text** Amendment for \_\_\_\_\_

**BOTAVI WELLNESS  
Legal Description  
676 South Rand Road  
Lake Zurich. IL**

LOT 5 IN LAKE ZURICH RETAIL CENTER, BEING A SUBDIVISION IN THE SOUTHWEST ¼ OF SECTION 20, TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 7, 2000 AS DOCUMENT 4549283 IN LAKE COUNTY, ILLINOIS.

**BOTAVI Wellness LLC, an Illinois limited liability company is applying for a Special Use designation for the property located at 676 South Rand Road (Former TGI Fridays' site) Lake Zurich, IL for the operation of a Cannabis Dispensary as provided for pursuant to Lake Zurich Zoning Code Section 9-4-3 C-15 as recently established by the Village of Lake Zurich for the operation of a fully legal, state-regulated Cannabis Dispensary. Botavi Wellness is an affiliate of Justice Cannabis Co. and has secured the necessary licensing required by the State of Illinois. If approved, the Dispensary shall be operated under the name "Bloc" as will all other dispensaries operated by JG IL LLC d/b/a Justice Cannabis Company an Illinois limited liability company.**

This Dispensary will be the first to be operating in Lake Zurich and we believe well located and fully compliant with all terms and requirements of. Section 9-4-3 C-15 as well for all Special Uses within Lake Zurich (details further outlined below) and will serve all citizens both recreationally, as well those who possess an Illinois Medical Marijuana Card as issued by the State of Illinois.

As noted above the property in question meets the location requirements in that it is located more than: (1) Five hundred feet (500 feet) of the property line of any school, daycare facility or group home, (2) two hundred fifty feet (250 feet) of the property line of any parks or property intended for recreational purposes, (3) 1,500 feet (state law) of any other Cannabis Business Establishment as defined in Lake Zurich Zoning Code Chapter 9-24-2.

In regard to the operation of the dispensary, and in response to some of the questions raised by the Village Staff and as required per Village Code:

### **Traffic and parking**

The parking at the facility is more than adequate for the needs of a dispensary of this size based on experience with the other dispensaries as operated by Justice Cannabis. In this regard:

1. Within the envelope of its 1.6-acre parcel, the subject property has forty-three parking spaces in front of and to the rear of the building and twenty-seven across the frontage drive adjacent to the Home Depot and Costco parking lots. Additionally, both parking areas are part of larger shared lots that offer additional parking should the need arise. The minimum required number of parking spaces by code is four spaces per 1,000 square feet of gross floor area. The gross floor area of the building on the subject property is 6,800 square feet and as such requires a minimum of twenty-eight parking spaces.
2. Many of the current customers at other facilities pre-order their products, limiting the time they spend in the store.
3. Justice Cannabis' clientele typically come throughout the day and do not follow "rush hour" patterns.



**Loitering/On-site consumption**

- A. Strictly prohibited by law. Our customers know this, and our experience indicates this is not a problem.
- B. Company security guards be enforcing

**Security**

- A. Justice Cannabis has a National Security Director that will oversee the operations. Facility shall be operated under security and surveillance plans in accordance with State Statute 410 ILCS 705/15-100 for such businesses
- B. The facility will have 30 to 50 high-definition cameras located throughout the building inside and out.
- B. The cameras will have facial recognition ability and the ability to read license plates.
- C. Justice Cannabis will offer the local police a direct feed into all cameras.
- D. We will have two (2) armed security guards on site during all business hours.

**Hours of operation**

- A. Typically ask for approvals requested for 8:00 AM to 8:00 PM, but likely will have fewer hours varying by day.
- B. Happy to work with the Community and adjust hours as requested.

**Lighting**

- A. The parking area is currently fully lit for prior use.
- B. Additional lighting to be added as suggested per Village review and applicable codes.
- C. All other applicable building codes for lumens to be followed so as not to disturb adjoining properties.

**Advertising**

- A. Dispensary name will be "Bloc" which will be in line with all other dispensaries operated by the Justice Cannabis family of dispensaries.
- B. We do not include any cannabis type decorations or blatant verbiage anywhere in company advertising.

**Impact on Local Economy –  
Employment**

- A. Generally, six to twelve employees on site at all times, depending on day and time.
- B. Location will employ up to twenty full and part time employees
- C. Will, to the extent possible, look to hire from the local community and typically will have job fairs on site prior to opening.
- D. Advertisement handled through local channels for employees

**Impact on Local Economy  
– Tax Revenue**

- A. As indicated, the Village will receive 3% of gross sales.
- B. Gross sales projected to be between \$500,000 and \$1,000,000 per month.
- C. Based on estimates for this location (based on experiences with other Justice Cannabis' existing dispensaries), it is anticipated that this dispensary will earn towards the high end of that range.

**Special Use Requirements**

In regard to the general Special Use Requirements of Section 9-19-3 of Lake Zurich Village Code we believe the Applicant's proposed use and property in question meet same for the reasons as noted below:

1. Zoning Code and Plan Purposes: The proposed use and development will be in harmony with the general and specific purposes for which this zoning code was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the official comprehensive plan. **The property in question is in a retail development which is well-suited for additional traffic and customers that may contribute to surrounding businesses, as well bring in others from outside of Lake Zurich. The current zoning allows for the proposed use as a Special Use.**

2. No Undue Adverse Impact: The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare. **The proposed use should be compatible to the adjoining uses and no reason to believe any negative impact, and as noted above moreso a positive impact with additional traffic to the area.**

3. No Interference with Surrounding Development: The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations. **The building is already in place and any adjustments or additions to landscaping or lighting shall have no impact to the other uses/properties.**

4. Adequate Public Facilities: The proposed use and development will be served by essential public facilities and services such as streets, public utilities, drainage structures, police, and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide for such services. **As referenced above, no material changes to be made to the property as currently constructed, and the operation proposed should be no drain upon any of the facilities as noted.**

5. No Traffic Congestion: The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through the surrounding streets. **There should be no significant impacts to the surrounding properties as there are adequate traffic controls in place for this property and able to support the proposed use for the facility.**

6. No Destruction of Significant Features: The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance. **With no proposed changes this Standard not applicable.**

7. Compliance with Standards: The proposed use and development complies with all additional standards imposed on it by the particular provision of this zoning code authorizing such use. **The use, pursuant to this process and outlined, will meet all criteria as necessary.**

8. Positive Effect: The proposed special use creating a positive effect for the zoning district, its purpose, and adjacent properties shall be placed before the benefits of the petitioner. **We feel that the proposed use will bring many positive impacts to the Village as well as the surrounding properties and owners.**

**ADJOINING PROPERTY OWNERS  
BOTIVA WELLNESS SPECIAL USE APPLICATION**

14-20-307-002  
HD DEVELOPMENT OF MARYLAND, INC.  
670 S RAND RD  
LAKE ZURICH IL 60047

14-20-307-006  
HAMILTON PARTNERS INC  
668 S RAND RD  
LAKE ZURICH IL 60047

14-20-307-003  
COSTCO WHOLESALE CORP  
680 S RAND RD  
LAKE ZURICH IL 60047

14-20-307-007  
HAMILTON PARTNERS INC  
676 S RAND RD  
LAKE ZURICH IL 60047

14-20-307-008  
HAMILTON PARTNERS INC  
0 RAND RD  
LAKE ZURICH IL 60047

1420306006  
REGAL CINEMAS INC  
755 S RAND RD  
LAKE ZURICH IL 60047

14-20-306-007  
B & B HOSPITALITY GROUP  
763 S RAND RD  
LAKE ZURICH IL 60047

14-20-306-006  
REGAL CINEMAS INC  
755 S RAND RD  
LAKE ZURICH IL 60047

14-20-306-008  
Hotcakes LLC  
767 S Rand Rd  
Lake Zurich, IL 60047



- ☼ Storm MI
- ☼ Storm CB
- ☼ San MH
- ☼ San Clean Cut
- ☼ Water MH
- ☼ Water Buffalo Box
- ☼ Water Fire Hydrant
- ☼ Telephone Pedestal
- ☼ Electric Vault
- ☼ Electric Meter
- ☼ Electric Light Pole
- ☼ Electric Ground Light
- ☼ Gas Meter
- ☼ Sign Post
- ☼ Bumper Post
- ☼ Hose Connection
- ☼ Cut Grass

GRAPHIC SCALE

A horizontal scale bar with alternating black and white segments. It is marked with the numbers 0, 10, and 20. Below the bar, the text "( IN FEET )" is centered, and below that, "1" = 500" is written.

2

GREMLEY &amp; BIEDERMANN

A DIVISION OF  
**PLCS Corporation**  
LICENSE NO. 134-000332

PROFESSIONAL LAND SURVEYORS  
4505 NORTH ELSTON AVENUE, CHICAGO, IL 60630  
TELEPHONE: (773) 685-5012 EMAIL: [INFO@PLCS-SURVEY.COM](mailto:INFO@PLCS-SURVEY.COM)

Plat of Survey

LOT 5 IN LAKE CURICH RETAIL CENTER, BEING A SUBDIVISION IN THE  
SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 43 NORTH, RANGE 10, EAST OF  
THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF  
RECORDED JULY 7, 2000 AS DOCUMENT 4548283 IN LAKE COUNTY, ILLINOIS,  
CONTAINING 69,127 SQUARE FEET OR 1.585 ACRES MORE OR LESS.

|   |                   |                  |
|---|-------------------|------------------|
| ORDERED BY: JUSTICE CANNADAY COMPANY  | ORDERED: 10/29/91 | ISSUED: 10/29/91 |
| ADDRESS: 316 SOUTH KAMEL AVE  | LP                | 10/29/91         |
|  <b>GREUTH &amp; BIEDERMANN</b><br>PAPER CORPORATION<br>P.O. BOX 16-00132<br>PHOENIX, ARIZ 85016-00132<br>1570 NORTON ELYSON AVENUE, CHICAGO, IL 60630<br>TELEPHONE (773) 485-5742 FAX: (773) 485-5700 |                   |                  |
| ORDER NO: 20-29391-001  | DATE: 10/29/91    | PRICE NO: 1 of 1 |
| © 1991/10/29/91/20-29391/001-29391-001-001  |                   |                  |

**SURVEY NOTES**  
**SURVEYS/LICENSING EXPIRES November 30, 2022**  
 Note: DRMSI doesn't Record and Measure dimensions respectively.  
 Dimensions are marked in feet and decimal parts thereof. Compare all points BEFORE building to same and at once report any differences BEFORE damage to stone.  
 For easements, building lines and other restrictions, not shown on survey, just refer to your address, deed, contract. Use policy and local building regulations.  
 NO dimensions shall be assumed by scale measurement used this plot.  
 Unless otherwise noted, bearing the Bearing Basis, Elevation Datum and Coordinate Datum Fixed is ASSUMED  
 COPYRIGHT © GARDNER & BIEDERMAN, INC. 201 "All Rights Reserved"

STATE OF ILLINOIS  
COUNTY OF COOK


WE, ORSMEY & BIEDERMAN, INC. HEREBY CERTIFY THAT WE HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY CORRECTED TO A TEMPERATURE OF 62° FAHRENHEIT.

FIELD MEASUREMENTS COMPLETED ON OCTOBER 9, 2021.

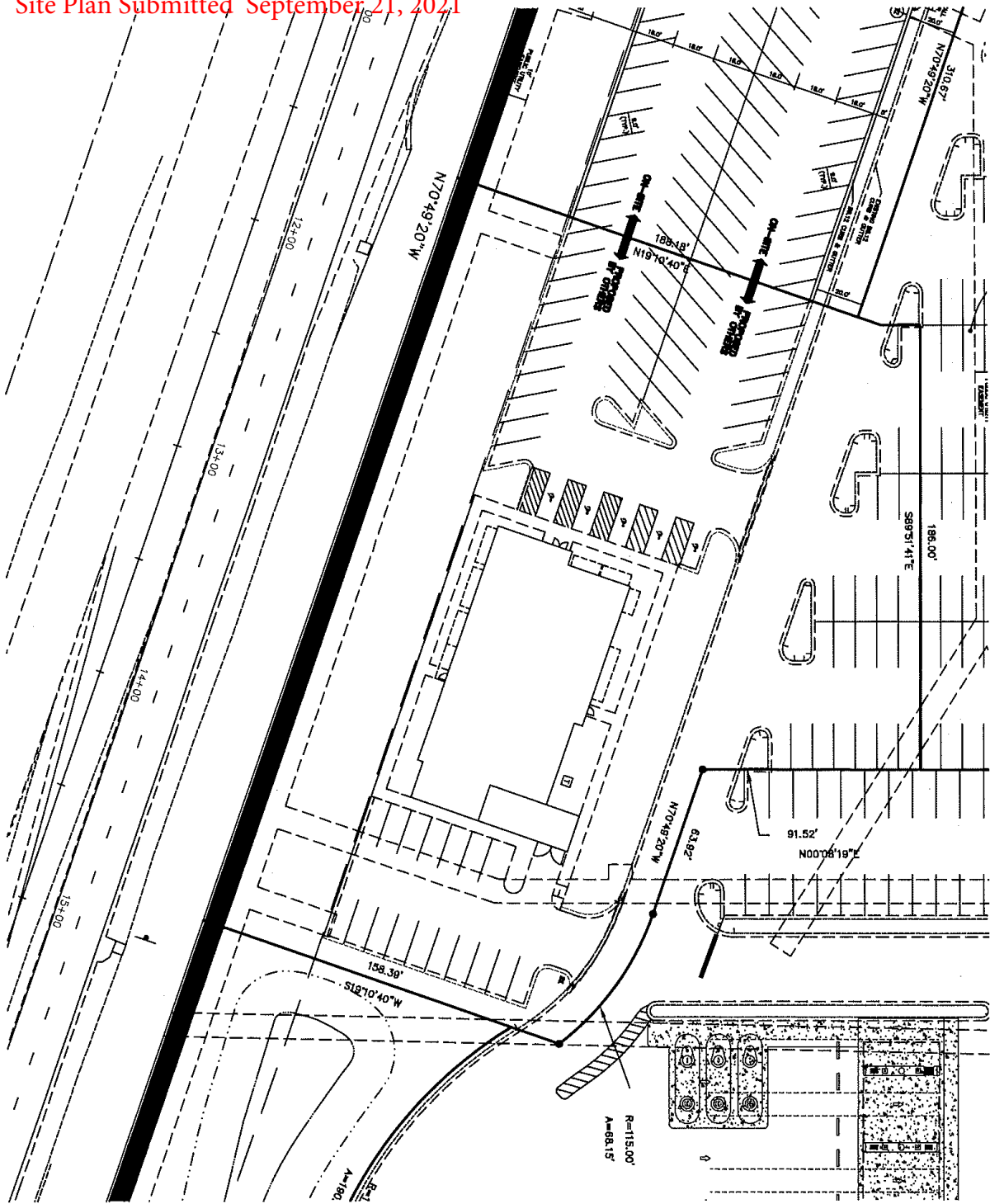
SIGNED ON OCTOBER 14, 2021.

BY: William E. Biederman

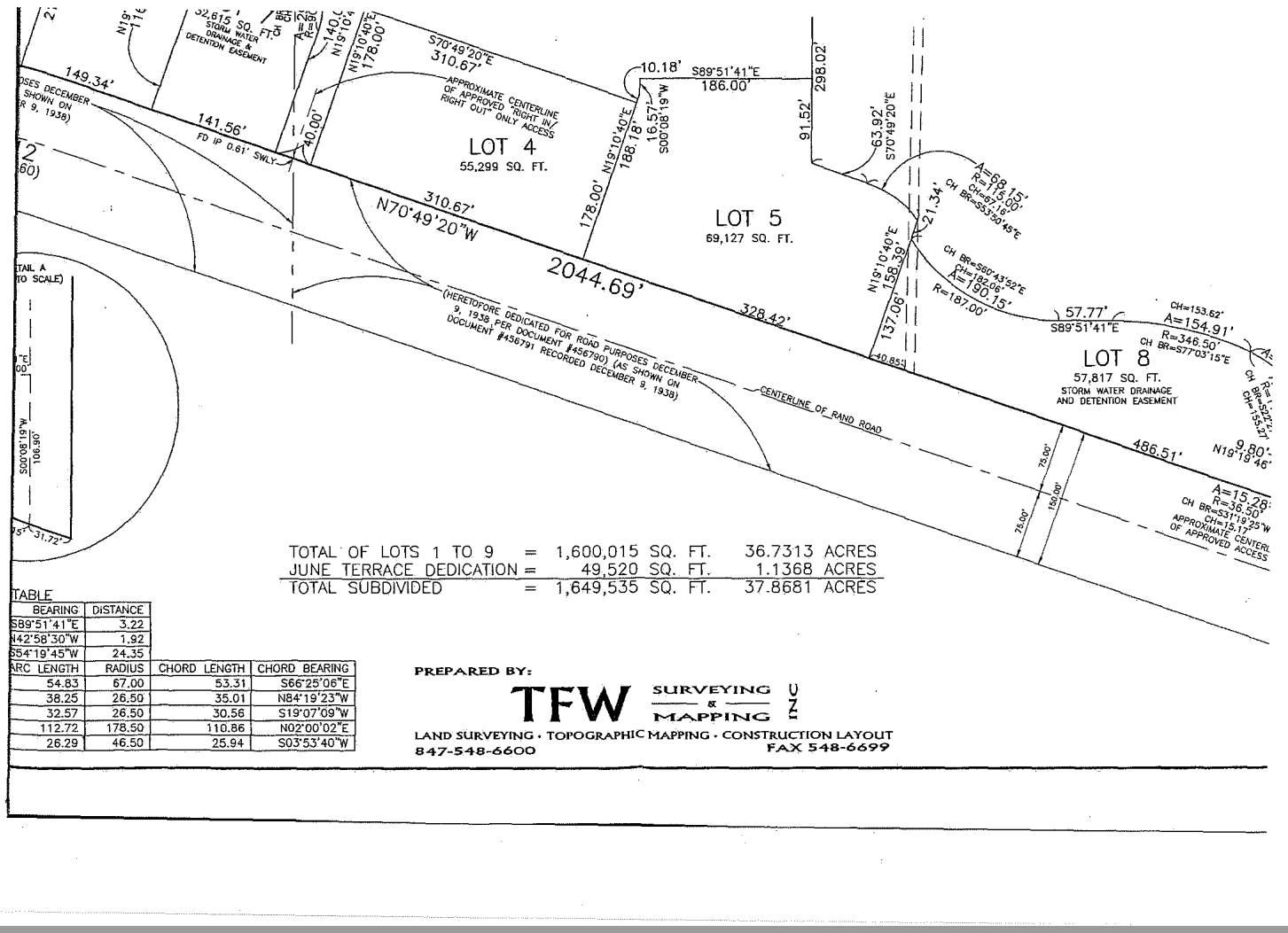
PROFESSIONAL ILLINOIS LAND SURVEYOR NO. 3168  
THIS PROFESSIONAL SURVEY CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARD PRACTICES FOR PROFESSIONAL SURVEYING.



Site Plan Submitted September 21, 2021



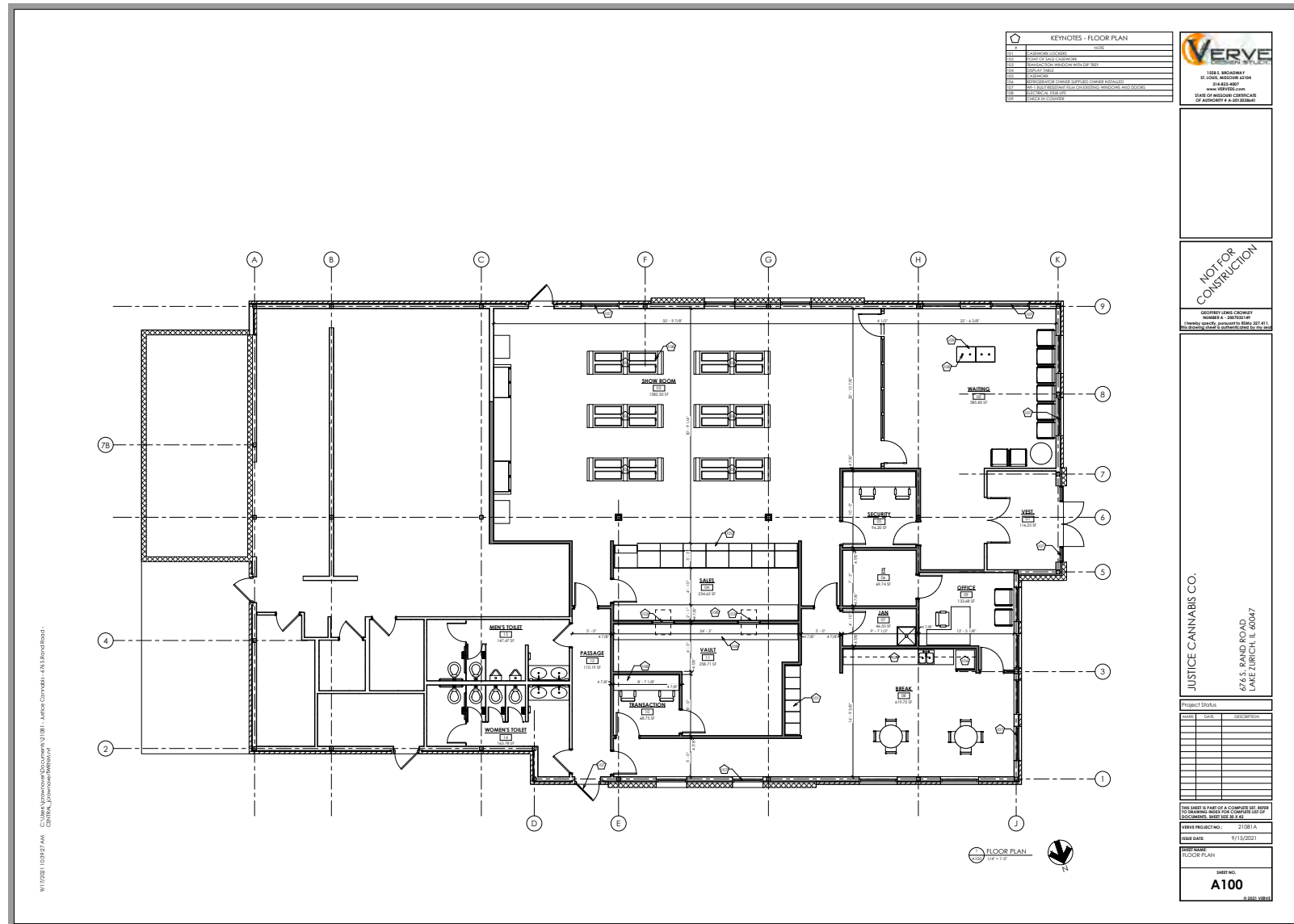
Extract from Plat of Subdivision depicting Lot 5







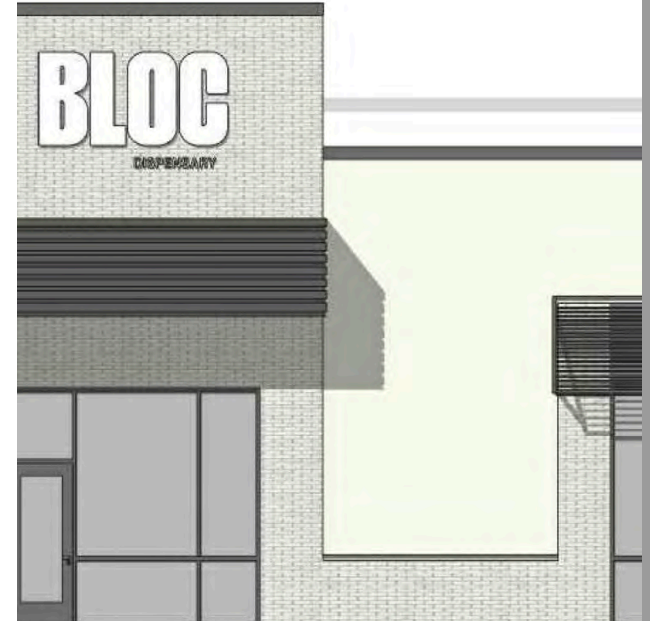






# Justice Cannabis Company f/k/a Justice Grown

- Founded in Chicago in 2014 by two civil rights attorneys
- Our Illinois dispensaries will be called Bloc
- We are very committed to Illinois
  - We have an existing cultivation site near Effingham, IL producing product since 2017
  - Through our network there will be over a dozen Bloc dispensaries in Illinois
- This license was won by Botavi Wellness LLC
  - Owned by a family member of one of the founders of Justice



# Justice Cannabis Co. & Dispensary

# Justice Cannabis Co. and Dispensary Operations

- Justice Cannabis Co. is comprised of a winning dispensary team
  - Team members that are experts in their fields from:
    - Real Estate
    - Retail Operations
    - Security
    - Compliance
  - Team members come to Justice Cannabis Co. with a history of successful results building and managing financially sustainable facilities.

## Our Plans for Lake Zurich, IL

- Lake Zurich will be one of our flagship dispensaries in Illinois
- We will be leasing the former TGIF property at 676 South Rand Road
- Will provide medical and recreational cannabis to the community
- Looking to partner with the community
  - Hiring local for all employees whenever possible
  - Enhance the security of this area with additional personnel
- Will have a supply agreement with our own cultivation center

## Job Creation in Lake Zurich

- Justice Cannabis Co. will have between six and twelve employees on site at all times, depending on the day and times.
- With shifts, up to twenty full- and part-time positions to filled locally.



## Traffic and Parking

- The parking at this facility is more than adequate for our needs based on experience with our other dispensaries.
- We have found our customers mostly pre-order their products, limiting the time they spend in the store.
- Our clientele typically come throughout the day and do not follow “rush hour” patterns.

## Loitering/On-site consumption

- This is strictly prohibited by law. Our customers know this and our experience indicates this is not a problem.
- Our security guards will enforce this.

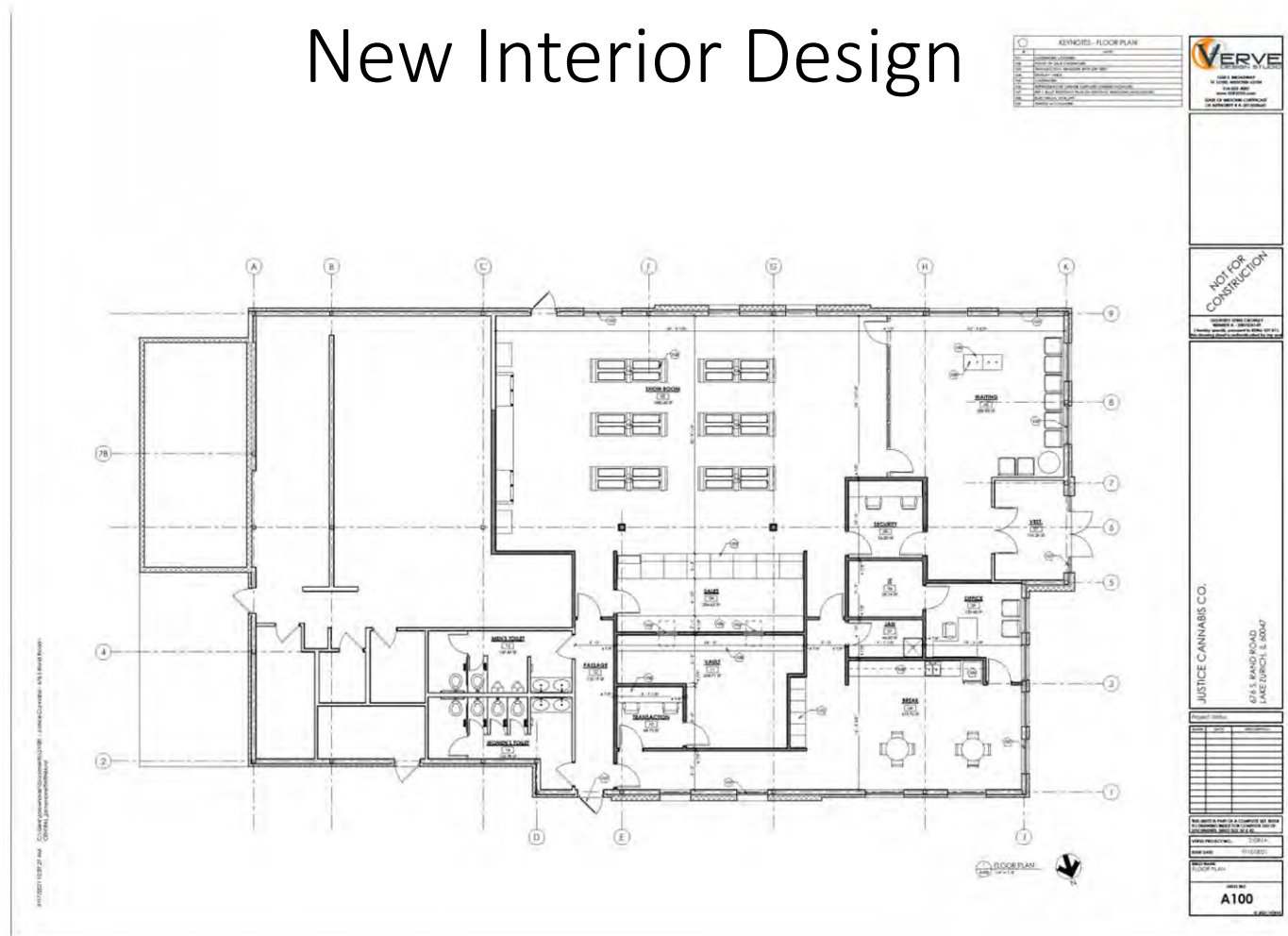
# Security

- We have a National Security Director that will oversee this.
- We will have 30 to 50 high-definition cameras located throughout the building inside and out
- The cameras will have facial recognition ability and the ability to read license plates
- We offer the local police a direct feed into all of these cameras.
- We will have two (2) armed security guards on site during all business hours.
- Our experience shows that communities have added security with our presence based on our protocols and added guards.

## Former TGIF Property



# New Interior Design



# Renderings of New Store



## Management



**Jon Loevy**  
Co-Founder

Jon Loevy and Mike Kanovitz are the founders and co-chairmen of a public interest oriented law firm in Chicago devoted primarily to civil rights and the protection of government and taxpayers from contractor fraud and waste.

Over the past twenty years, Mr. Loevy and Mr. Kanovitz have built their firm from scratch, and have since turned it into one of the largest law firms of its kind in the entire country. Under their leadership and management, the law firm has grown to more than fifty employees, and generates millions per year in revenue.



**Mike Kanovitz**  
Co-Founder

The firm's civil rights cases have appeared many times in national news, and they have won several hundred million dollars in jury verdicts and settlements for their clients, earning a reputation for integrity, justice, and legal excellence along the way.

Both Loevy and Kanovitz graduated with distinction from Ivy League law schools, and then worked at large corporate law firms before founding their law firm several years out of law school.

## Management



**Darin Carpenter**  
Chief Executive Officer

Darin has been responsible for the daily operations and management of several well-known profitable cannabis companies.

Darin was previously Chief Operating office of Flora where he oversaw and constructed over 300,000 sq. ft of high-tech efficient greenhouses as well as a state-of-the-art, high-throughput extraction lab in Monterey County, CA

Previous to Flora Darin was the Director of Operations for Tryke, where he managed all cultivation/extraction operations, driving \$70 million in annual revenue. Darin was responsible for 90,000 sq. ft of highly-efficient cannabis cultivation. He also led the design of 250,000 sq. ft of indoor cannabis cultivation,

Darin has an extensive military background, highlighted by his time as a decorated Special Operations Combat Medic in the elite 75th Ranger Regiment.



Page 1 of 7

**SPECIAL WARRANTY DEED**  
**(Corporation to Limited Liability Company)**  
**(Illinois)**

4549282

Filed for Record in:  
 LAKE COUNTY, IL  
 MARY ELLEN VANDERVENTER - RECORDER  
 On Jul 07 2000  
 At 8:55am  
 Receipt #: 238923  
 Doc/Type : WD  
 Deputy - Cashier #3

609066 ZC 1 of 7

THIS INDENTURE, made as of the 15<sup>th</sup> day of June, 2000, between W.R. GRACE & CO. - CONN., a Connecticut corporation, having an office at 7500 Grace Drive, Columbia, MD 21044 (the "Party of the First Part") which Party of the First Part is duly authorized to transact business in the State of Illinois, and HP/R LLC, a Delaware limited liability company, having an office c/o Hamilton Partners, Inc., 300 Park Boulevard, Suite 201, Itasca, IL 60143 (the "Party of the Second Part").

WITNESSETH, that the Party of the First Part, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other good and valuable consideration in hand paid by the Party of the Second Part, the receipt whereof and the sufficiency of which are hereby acknowledged, and pursuant to authority of the Board of Directors of said Party of the First Part, by these presents does REMISE, RELEASE, ALIEN AND CONVEY unto the Party of the Second Part and to its heirs and assigns, FOREVER, all that certain real estate, situated in the Village of Lake Zurich, County of Lake and State of Illinois, which real estate is more particularly described on Exhibit A attached hereto and hereby made a part hereof ("Property"), together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of the Party of the First Part, either in law or equity, of, in and to the aforesaid Property, with the hereditaments and appurtenances, TO HAVE AND TO HOLD the said Property, unto the Party of the Second Part, its heirs and assigns forever.

This instrument was prepared by:

ELIZABETH K. MCCLOY, ESQ.  
 Sidley & Austin  
 One First National Plaza  
 Chicago, Illinois 60603

1  
 2

Page 3 of 7

IN WITNESS WHEREOF, said Party of the First Part has caused these presents to be executed as of the day and year first above written.

**W. R. GRACE & CO. - CONN., a Connecticut corporation**

By: *AKOS L. NAGY*  
Name: AKOS L. NAGY  
Its: Director of Real Estate

Send Subsequent Tax Bills to:

HP/R LLC  
c/o Hamilton Partners, Inc.  
300 Park Boulevard, Suite 201  
Itasca, IL 60143  
Attn: James L. Sheridan

After recording return this document to:

Michael Quinn, Esq.  
D'Ancona & Pflaum  
111 E. Wacker Drive, Suite 2800  
Chicago, IL 60601

4549282

**EXHIBIT A**

**(TO SPECIAL WARRANTY DEED)**

**LEGAL DESCRIPTION OF THE PROPERTY**

See Attached for Legal Description

Address of Property: NE Corner of Intersection between Rand Road and EJ&E  
RR Right of Way, Lake Zurich, Illinois

Permanent Index Number(s): 14-20-300-008

Subject to:

1. Zoning regulations and ordinances;
2. General taxes not yet due and payable;
3. Title exceptions AA, D, R, S, T, U, Y and Z set forth on Schedule B to Chicago Title Insurance Company's Owner's Policy of Title Insurance issued for Order No. 1409 000609066, dated May 25, 2000; and
4. Any and all Permitted Exceptions, as such terms are defined in that certain Purchase and Sale Agreement dated as of October 22, 1998, by and between the Party of the First Part (as seller) and the Party of the Second Part (as purchaser).

**4549282**

Page 6 of 7

## LAKE COUNTY, ILLINOIS

Permanent Index Number: 14-20-300-008

EXHIBIT A  
Legal Description

PARCEL 1: THAT PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTHEASTERLY OF THE ELGIN, JOLIET AND EASTERN RAILWAY AND NORTHERLY OF THE CENTER LINE OF U.S. ROUTE NO. 12 (EXCEPT THAT PART THEREOF FALLING WITHIN THE NORTH 653.0 FEET OF SAID WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 20), IN LAKE COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTHERLY OF THE CENTER LINE OF U.S. ROUTE 12 AND SOUTHEASTERLY OF THE ELGIN, JOLIET AND EASTERN RAILWAY COMPANY RIGHT OF WAY (EXCEPTING THAT PART THEREOF DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE EAST LINE OF SAID HALF QUARTER SECTION, 766.37 FEET SOUTH OF THE NORTHEAST CORNER THEREOF; THENCE WEST AT RIGHT ANGLES TO SAID EAST LINE, 208 FEET; THENCE SOUTH PARALLEL WITH SAID EAST LINE, 208 FEET; THENCE EAST, 208 FEET TO THE EAST LINE OF SAID HALF QUARTER SECTION; AND THENCE NORTH ON SAID EAST LINE, 208 FEET TO THE PLACE OF BEGINNING) AND ALSO (EXCEPT THE NORTH 653.0 FEET THEREOF), IN LAKE COUNTY, ILLINOIS.

4549282

Page 7 of 7

## RECORDER

## AFFIDAVIT - METES AND BOUNDS

STATE OF ILLINOIS

COUNTY OF

} SS.

7500 Grace Drive, Columbia, MD 21044

DOCUMENT NO. \_\_\_\_\_

W.R. Grace & Co. - Conn., being duly sworn on oath, states that  
it has an office located at 4750 Clint Moore Road, Boca Raton, FL 33487. That the  
 attached deed is not in violation of 765 ILCS 205/1 for one of the following reasons:

- (1) The sale or exchange is of an entire tract of land not being a part of a larger tract of land.
2. The division or subdivision of the land is into parcels or tracts of five acres or more of size which does not involve any new streets or easements of access.
3. The division is of lots or blocks of less than one acre in any recorded subdivision which does not involve any new streets or easements of access.
4. The sale or exchange of parcels of land is between owners of adjoining and contiguous land.
5. The conveyance is of parcels of land or interests therein for use as right of way for railroads or other public utility facilities, which does not involve any new streets or easement of access.
6. The conveyance is of land owned by a railroad or other public utility which does not involve any new streets or easements of access.
7. The conveyance is of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.
8. The conveyance is made to correct descriptions in prior conveyances.
9. The sale or exchange is of parcels or tracts of land following the division into no more than two parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access.
10. The sale is of a single lot of less than five acres from a larger tract, the dimensions and configurations of said larger tract having been determined by the dimensions and configurations of said larger tract on October 1, 1973, and no sale prior to this sale, or any lot or lots from said larger tract having taken place since October 1, 1973, and a survey of said single lot having been made by a registered land surveyor.

CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

AFFIANT further states that it makes this affidavit for the purpose of inducing the Recorder of DuPage County, Illinois, to accept the attached deed for recording.

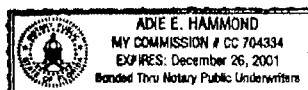
W.R. Grace &amp; Co. - Conn.

By: [Signature]  
 Its: Authorized Representative

SUBSCRIBED AND SWORN TO BEFORE ME

this 16th day of June, 2000.

[Signature]  
 Notary Public



DPPLATAF

4549282

7

Courtesy Review Documentation  
September 20, 2021



*At the Heart of Community*

# VILLAGE MANAGER'S OFFICE

70 East Main Street  
Lake Zurich, Illinois 60047

Phone (847) 540-1693  
Fax (847) 726-2182  
LakeZurich.org

## MEMORANDUM

Date: September 15, 2021

To: Ray Keller, Village Manager

From: Kyle Kordell, Assistant to the Village Manager  
Sarosh Saher, Community Development Director  
Roy Witherow, Assistant Village Manager

Re: **Courtesy Review Proposal for Bloc Cannabis Dispensary at 676 South Rand Road Operated by Justice Cannabis Company**

**Issue:** Justice Cannabis Company proposes to open a Lake Zurich cannabis dispensary called Bloc at 676 South Rand Road (formerly TGI Friday's restaurant), pending approval of a Special Use Permit from the Village Board.

In August 2021, the State of Illinois conducted three lotteries that issued another 185 State licenses for additional dispensary locations. Botavi Wellness, LLC doing business as Justice Cannabis Company secured four State licenses for the Bureau of Labor Statistics Region 5 during these three lotteries.

On December 21, 2020, the Village Board approved zoning regulations to allow cannabis dispensaries in non-residential zoning districts and to formalize restrictions on the location, design and operation of such businesses. Since that time, the Village Board has also approved a municipal sales tax of 3% of the gross purchase price of recreational cannabis products.

**Strategic Plan Impacts:** This policy item is a strategic decision for the Village Board that could potentially impact the following objectives within the Strategic Plan:

- *Goal #1 Financial Sustainability*
  - Maximize existing and identify potential new revenue sources.
- *Goal #2 Economic Development*
  - Focus on Route 12 corridor development.
  - Become more business friendly and customer oriented.
  - Partner with business community to identify its needs and determine how they can be met.

**Background:** Justice Cannabis Company was recently rebranded from Justice Grown, which was founded in Chicago in 2014 by two civil rights attorneys, Jon Loevy and Mike Kanovitz.

Justice Cannabis Company is a growing multi-state operator of several recreational and medical dispensaries and cultivation centers with locations in eight states, including California, Illinois, Pennsylvania, Massachusetts, New Jersey, Michigan, Missouri, and Utah.

Its only location in Illinois is currently a cultivation facility in Edgewood. By November 2021, Justice is expected to break ground at this location on a 190,000 square foot modern glass greenhouse operation with kitchen and extraction capabilities. This is expected to be completed by July 2022.

Jon Loevy and Mike Kanovitz also manage Loevy & Loevy of Chicago, a law firm that focuses on social justice and civil rights issues, including wrongful convictions, police shootings, excessive force, and other constitutional claims.

A letter of intent to lease the property at 676 South Rand Road has been secured between Justice Cannabis Company and Hamilton Partners, the property owner. The property was most recently occupied by a TGI Friday's restaurant.

- **How long has this site been vacant?** TGIF closed in March 2020.
- **What are the LZ zoning regulations for recreational cannabis establishments?** The adult-use recreational cannabis zoning regulations approved by the Village Board in December 2020 allow for the location, design and operation of cannabis establishments within the business, office and industrial zoning districts with the approval of a Special Use Permit after a public hearing process.

Location: Cannabis establishments are required to be a minimum of 500 feet from a school, library, day care or group home; 250 feet from a park, and 1,500 feet away from another dispensary (the State's dispersion requirement).

Design: The building premises shall be designed such that no public viewing of cannabis, or cannabis-related products from any sidewalk, public or private right of way, or any property other than the lot on which such use is located will be allowed. The building exterior will not be allowed the use of flashing lights, search lights, right-of-way spot lights or any similar lighting system.

Operation: All activity related to the land use will be required to be conducted within the enclosed building. The zoning regulations also references the applicable State statutes that apply to this highly-regulated industry, such as security, storage and transportation requirements. The State statute for hours of operation are currently set at 6:00 AM to 10:00 PM. The onsite use or consumption of cannabis and cannabis-related products shall be prohibited

The subject property at 676 South Rand Road meets all of these zoning criteria.

- **What are the LZ tax implications?** Lake Zurich's 3% local sales tax on the sales generated from this recreational cannabis dispensary is expected to generate \$200,000 - \$360,000 in sales tax revenue, which is roughly equal to the \$350,000 in annual sales tax



lost by the Peapod closure in Quarter 1 of 2020. The State of Illinois's Cannabis Regulation and Tax Act provides municipalities the authority to issue a local retail tax on recreational cannabis purchased in the municipality in 0.25% increments, up to a maximum of 3% of the purchase price.

**What are nearby towns doing?** For municipalities that have allowed adult-use cannabis dispensary, none have reported issues with increased call volume on emergency services.

- *Wauconda* Board allowed recreational cannabis sales in December 2019, but has not attracted one yet.
- *Antioch* Board allowed recreational cannabis sales in December 2019, but has not attracted one yet.
- *Arlington Heights* Board allowed recreational cannabis sales in July 2020 only at one location, the same establishment that has been selling medical cannabis since mid-2018 on Arlington Heights Road. Police Department reports no impact in terms of public safety call volume. Arlington Heights formed a Cannabis Task Force to review any incidents related to the dispensary, but the task force was ultimately disbanded as the impact was minimal to non-existent.
- *Deerfield* Board allowed recreational cannabis sales in November 2019 but has not attracted one yet. Deerfield does have one medical-only dispensary at 151 South Pfingsten Road.
- *Buffalo Grove* Board agreed to allow recreational cannabis sales in October 2019 but has not attracted one yet. Buffalo Grove does have a medical-only dispensary at 830 Milwaukee Avenue.
- *Schaumburg* Board agreed to allow recreational cannabis sales in October 2019 and has attracted three dispensaries, two on Golf Road near Woodfield Mall and one on Barrington Road. Police report they have not seen an increase in call volume associated with these locations.
- *Skokie* Board agreed to allow recreational cannabis sales in October 2019 and has attracted one dispensary across the street from Old Orchard Mall on Skokie Boulevard. Police report zero increase in call volume or public safety impact.
- *Streamwood* Board agreed to allow recreational cannabis in December 2019 but has not yet attracted one.

- *Rolling Meadows* Agreed to allow recreational cannabis in December 2019. Rolling Meadows police report the only issue is an increase in vehicular and pedestrian traffic around its dispensary at 975 Rohlwing Road and nearby businesses complaining the dispensary customers were using their parking lots.
- *Northbrook* Board agreed to allow recreational cannabis in October 2019. Northbrook Police reports their dispensary has not depleted police resources or generated a notable volume of activity.
- *Deer Park* Amended its zoning code to allow for a dispensary as a Special Use within a limited geographic area but has not attracted one yet.
- *Hawthorn Woods* Banned recreational dispensaries in September 2020. Held an adult-use dispensary discussion in July 2021 to consider such a future use, although at this time no zoning regulations for dispensaries have approved.
- *Highland Park* Agreed to allow recreational cannabis in October 2020. Has attracted one recreational dispensary located on Old Skokie Valley Road. Highland Park reports zero issues or negative impacts on the community from this dispensary.
- *Kildeer* Banned recreational dispensaries in November 2019.
- *Long Grove* Banned recreational dispensaries in September 2019.
- *Barrington* Banned recreational dispensaries in November 2019.
- *North Barrington* Banned recreational dispensaries in November 2019.
- *Glencoe* Banned recreational dispensaries in December 2019.
- *Lincolnshire* Banned recreational dispensaries in December 2019.
- *Vernon Hills* Banned recreational dispensaries in November 2019.
- *Grayslake* Banned recreational dispensaries in August 2019.

**Staff Feedback:**

- **Police Department:**  
“Police departments in the region that have cannabis dispensaries in their jurisdictions do not report an increase in calls for service. We remain cautiously optimistic that this would hold true for Lake Zurich.” - Chief Husak
- **Community Development Department:**  
“The proposed dispensary will allow for increased regional economic activity in Lake Zurich related to a growing industry while limiting it in a way as to minimize potential impacts on the community and filling a building on Rand Road that has been vacant for 1½ years.” -Director Saher

**Facts about Cannabis Legalization in Illinois:** On January 1, 2020 it became legal for adults 21 and older to purchase, possess, and consume cannabis for recreational purposes.

Here are some important facts to keep in mind:

- Cannabis can only be legally sold at licensed dispensaries and, like alcohol, it is illegal to sell to minors under 21.
- Possession of cannabis by persons under 21 is illegal and can be grounds for revoking a minor’s driver’s license if a motor vehicle is involved at the time of an offense.
- It is illegal to consume cannabis in any public place, including parks, sidewalks, restaurants, bars, and any other place where smoking is prohibited under the Smoke Free Illinois Act.
- Adults are allowed to consume cannabis in their own residences, although landlords/management companies are able to prohibit the smoking of cannabis in rental properties. Residents in a rental unit or within the common areas of a condominium or apartment complex should check with their management company or landlord on their rules.
- It is still illegal to drive under the influence of cannabis.
- No driver or passenger may possess cannabis within any area of any motor vehicle except in a sealed, odor-proof, child-resistant cannabis container. Violation of this law is a Class A misdemeanor.

**Analysis:** Staff offers the following information for the Village Board to consider as it relates to the site and proposed development:

1. **Land Use.** The parcel of land on which the building and parking areas are presently located is 1.6 acres (69,260 square feet), based on Lake County GIS data. The parcel is part of a larger zoning lot that comprises Home Depot, Costco and a two-tenant retail building containing Verizon Wireless and Pearle Vision immediately across its parking lot. The subject property is zoned within the B-3 Regional Shopping Business District. The land use for a recreational

cannabis dispensary is allowed as a Special Use Permit and will need to be considered by the Planning and Zoning Commission at a public hearing with final approval by the Village Board.

Specifically, the activities allowed by the code include Cannabis Dispensing and Cannabis Infusing. (Cannabis growing, cultivation and processing are only allowed in the I Industrial District).

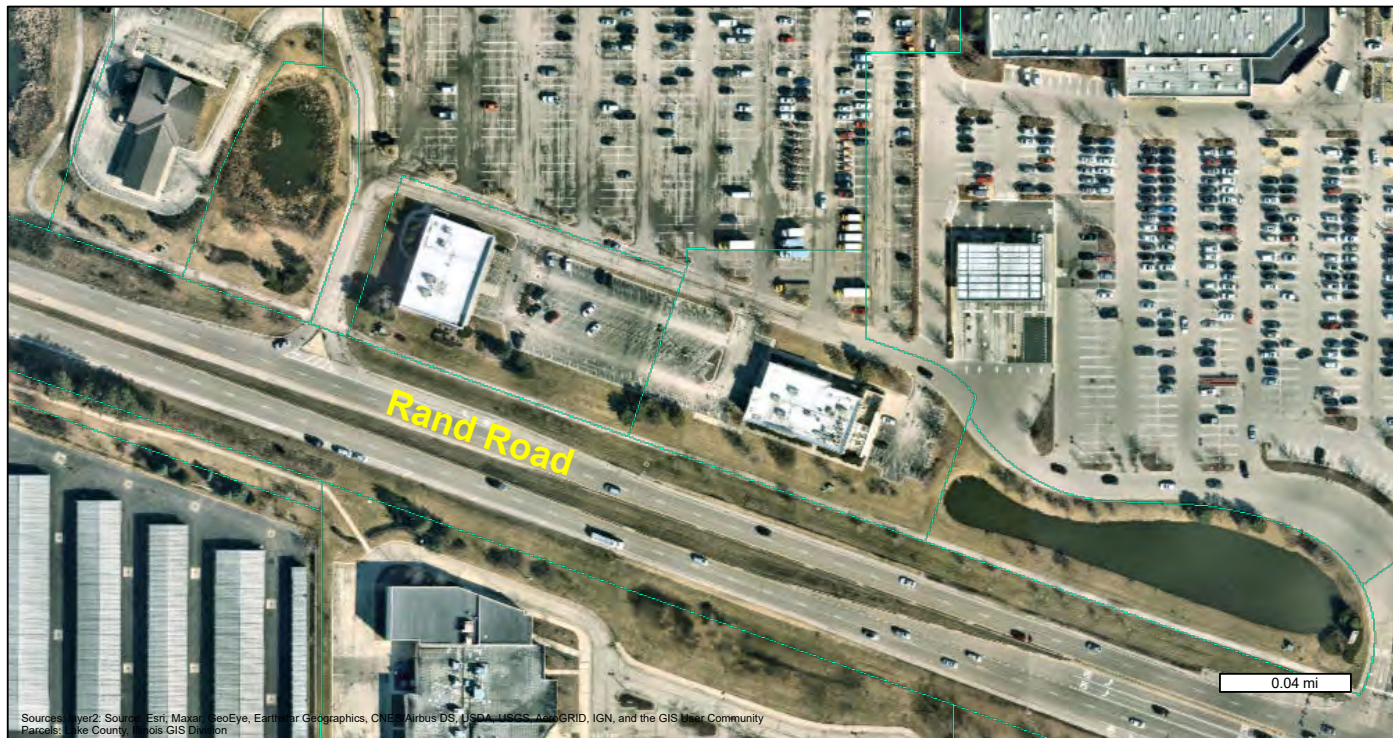
2. **Bulk Regulations.** All activities related to the proposed land use are proposed to be conducted within the existing building envelope with modifications to the interior to suit the use. There will be no need for zoning relief on bulk regulations such as lot area, setbacks, building height, etc.
3. **Parking.** Within the envelope of its 1.6 acre parcel, the subject property has 43 parking spaces in front of and to the rear of the building and 27 across the frontage drive adjacent to the Home Depot and Costco parking lots. Additionally, both parking areas are part of larger shared lots that offer additional parking should the need arise. The minimum required number of parking spaces by code is 4 spaces per 1,000 square feet of gross floor area. The gross floor area of the building on the subject property is approximately 6,800 square feet and requires a minimum of 28 parking spaces.
4. **Security.** Justice Cannabis Company has a full-time National Security Director on staff to oversee security detail at its multiple locations. They plan to have 30 – 50 high definition cameras located throughout the property, both inside the building and out. The cameras will have facial recognition ability and the ability to read license plates. They will provide the Lake Zurich Police Department a direct feed into all of the cameras. They will also have two armed security guards on-site during all business hours.





**Recommendation:** The land owner and proposed user of the property seek to understand the Village Board's preferences towards the proposed use of the property. The Village Board is requested to provide feedback to Justice Cannabis Company in preparation for a Public Hearing at the Planning and Zoning Commission to be potentially conducted on October 20, 2021.

Attachments:

1. Aerial Map of the Subject Property

## Lake County, Illinois



|  |  |  |  |
|--|--|--|--|
| <br>Lake County, Illinois   | <br>Map Printed on 8/9/2021 | <br>N | <div style="display: flex; align-items: center;"> <div style="margin-right: 10px;">  Tax Parcel Lines         </div> <div>           Tax Parcel<br/>Information         </div> </div> |
| <b>Disclaimer:</b> The selected feature may not occur anywhere in the current map extent. A Registered Land Surveyor should be consulted to determine the precise location of property boundaries on the ground. This map does not constitute a regulatory determination and is not a base for engineering design. This map is intended to be viewed and printed in color. |  |  |  |