

## MINUTES OF THE CITY OF PONTIAC PLANNING & ZONING BOARD

The City of Pontiac Planning and Zoning Board held a meeting on Monday, November 28, 2022 at 4:30 p.m. in the City Hall Council Chambers to consider the following:

Triumph 7 Investments LLC, Inc., doing business as Snap Canna, petitioner, requests a Special Use Permit to operate a licensed Adult Use Cannabis Dispensing Organization in a B-3 Zoning District. Ordinance 2019-O-025 Section 103-28 (2) states that Adult-Use Cannabis Business Establishment facilities require approval of a Special Use permit in respective districts in which they are requested. The legal description is as follows:

LOT 3 AND OUTLOT 5 IN SECOND ADDITION TO TRAINOR COMMERCIAL SUBDIVISION IN THE CITY OF PONTIAC, LIVINGSTON COUNTY, ILLINOIS, AS SHOWN BY PLAT RECORDED JULY 1, 1994 IN PLAT BOOK 12 AT PAGE 46 AS DOCUMENT NUMBER 470909 IN THE OFFICE OF THE RECORDER OF DEEDS OF LIVINGSTON COUNTY, ILLINOIS, EXCEPTING THEREFROM 4.0 FEET OF THE UNIFORM WIDTH OFF OF THE EAST SIDE OF LOT 3 IN SAID SECOND ADDITION TO TRAINOR COMMERCIAL SUBDIVISION, RESERVING UNTO ILLICO INCORPORATED AN EASEMENT FOR INGRESS AND EGRESS, ON, OVER, AND ACROSS A STRIP OF LAND OF THE UNIFORM WIDTH OF 35.0 FEET OFF OF THE FULL SOUTH SIDE OF LOT 3 IN SAID SECOND ADDITION TO TRAINOR COMMERCIAL SUBDIVISION. ALSO, THE WEST 100.0 FEET OF THE FOLLOWING DESCRIBED REAL ESTATE: A PART OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 28 NORTH, RANGE 5 EAST OF THE THIRD PRINCIPAL MERIDIAN, LIVINGSTON COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 4 IN THE SECOND ADDITION TO TRAINOR COMMERCIAL SUBDIVISION IN THE CITY OF PONTIAC, ILLINOIS, PER PLAT RECORDED JULY 1, 1994, AS DOCUMENT NUMBER 470909 IN THE RECORDER'S OFFICE OF LIVINGSTON COUNTY, ILLINOIS; FROM SAID PLACE OF BEGINNING; THENCE SOUTH 89 DEGREES 45 MINUTES 41 SECONDS WEST SOUTHWEST CORNER OF SAID LOT 3, SAID SOUTHWEST CORNER BEING ON THE EAST RIGHT OF WAY LINE OF DEERFIELD ROAD PER PLAT RECORDED DECEMBER 28, 1987 AS DOCUMENT NUMBER 427660 IN SAID RECORDER'S OFFICE; THENCE SOUTH 0 DEGREES 14 MINUTES 41 SECONDS EAST 100.00 FEET ALONG SAID EAST RIGHT OF WAY LINE; THENCE NORTH 89 DEGREES 45 MINUTES 41 SECONDS EAST 481.74 FEET ALONG A LINE PARALLEL WITH SOUTH LINES OF SAID LOTS 3 & 4 TO A POINT ON THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 4, WHICH SAID POINT LIES 100.00 FEET (AS MEASURED ALONG SAID SOUTHERLY EXTENSION) SOUTH OF THE PLACE OF BEGINNING; THENCE NORTH 0 DEGREES 01 MINUTES 15 SECONDS EAST 100.00 FEET ALONG SAID SOUTHERLY EXTENSION TO THE PLACE OF BEGINNING. ALSO, A PART OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 28 NORTH, RANGE 5 EAST OF THE THIRD PRINCIPAL MERIDIAN, LIVINGSTON COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 4 IN THE SECOND ADDITION TO TRAINOR COMMERCIAL SUBDIVISION IN THE CITY OF PONTIAC, ILLINOIS, PER PLAT RECORDED JULY 1, 1994, AS DOCUMENT NUMBER 470909 IN THE RECORDER'S OFFICE OF LIVINGSTON COUNTY, ILLINOIS; FROM SAID PLACE OF BEGINNING; THENCE SOUTH 89 DEGREES 45 MINUTES 41 SECONDS WEST 482.20 FEET ALONG THE SOUTH LINE OF SAID LOT 4 AND THE SOUTH LINE OF

LOT 3 IN SAID SECOND ADDITION TO THE SOUTHWEST CORNER OF SAID LOT 3, SAID SOUTHWEST CORNER BEING ON THE EAST RIGHT OF WAY LINE OF DEERFIELD ROAD PER PLAT RECORDED DECEMBER 28, 1987, AS DOCUMENT NUMBER 427660 IN SAID RECORDER'S OFFICE; THENCE SOUTH 0 DEGREES 14 MINUTES 41 SECONDS EAST 481.74 FEET ALONG A LINE PARALLEL WITH THE SOUTH LINES OF SAID LOTS 3 & 4 TO A POINT ON THE SOUTHERLY EXTENSION) SOUTH OF THE PLACE OF BEGINNING; THENCE NORTH 0 DEGREES 01 MINUTES 15 SECONDS EAST 100.00 FEET ALONG SAID SOUTHERLY EXTENSION TO THE PLACE OF BEGINNING; EXCEPT THE WEST 100.0 FEET THEROF; EXCEPTING ANY INTEREST OR ESTATE IN THE MINERALS UNDERLYING THE LAND, commonly known as 1910 W. Reynolds St., Unit A, Pontiac, Illinois.

Mary Lou Legner and Sue Smith, petitioners, would like to discuss chicken ownership in the City of Pontiac. At the meeting of September 26, 2022, petitioners stood before the Board discussing chicken ownership, and the Board asked petitioners to attend the next meeting with research to discuss a possible change to the City Ordinance to allow chickens in the City of Pontiac.

The following members were present: Bill Abraham, Tim Fogarty, Paul Giordano, Tim Lewis, and Pat Martin. Matt Stock and Rick Baier were absent. Also present were David Wilson from the Building and Zoning Office, City Administrator, Jim Woolford, and City Attorney, Alan Schrock. Kaushik Patel, CEO, Vishal Patel, Chief Operating Officer, and Andrew Cordes, Consultant were also in attendance with several family members on behalf of Triumph 7 Investments, LLC, Inc. Finally, Mary Lou Legner and Sue Smith were in attendance.

Tim Lewis made a motion to approve the minutes from the November 14, 2022 meeting, and with a second from Bill Abraham and a unanimous yes vote, the minutes were approved. Vishal Patel stood before the Board explaining the company's plans for business, stating that dispensary will be leasing from the gas station in which the business resides in. Jim Woolford read codes aloud to the Board, stating that the dispensary meets all criteria and that petitioners are required by Ordinance 2019-O-025 Section 103-28 (2) to obtain a Special Use permit. With little discussion regarding state laws and security measurements, Pat Martin made a motion to recommend approval for Special Use permit with the condition that the Special Use permit will expire in the event of new ownership. With a unanimous yes vote, the motion was passed.

Next, Sue Smith made a small presentation requesting an Ordinance regarding chicken ownership within City limits to the Board. Mrs. Smith mentioned that Pontiac is one of the only cities in the area that does not have an ordinance and that many residents and children would benefit from having chickens within the City. Mrs. Smith and Mrs. Legner created a potential Ordinance with the following conditions to be discussed:

- 1) No person shall possess chickens without a permit.
- 2) No slaughter of chickens in City limits.
- 3) No roosters allowed within City limits. Any developing chickens found to be roosters must be removed from residence.

- 4) Limit of 6 chickens per household.
- 5) Only single-family dwellings may be allowed a permit.
- 6) Chicken housing may not be visible from the street.
- 7) No chickens running at large.
- 8) Coop must have 4 square feet per hen.
- 9) All chicken housing must be covered including the run and the roof.
- 10) No coop shall be closer than 25' to residence on adjoining property.
- 11) No coop shall be within 5' of the property line.

Tim Lewis made a recommendation to City Council to discuss said ordinance first and then refer back to Planning Commission. With a second from Pat Martin and a unanimous yes vote, the motion was passed.

With no further discussion, Bill Abraham made a motion to adjourn the meeting and with a second from Pat Martin and a unanimous vote, the meeting was adjourned at 5:31 p.m.

Minutes written and submitted by

Brittney Miller  
Building and Zoning