

**MINUTES OF THE BEECHER PLANNING AND ZONING COMMISSION
(THE PZC)**

*Thursday, January 26, 2023 at 7:00 p.m.
Beecher Village Hall
625 Dixie Highway*

At 7:00 p.m., Chairman Phil Serviss called the meeting to order.

All present joined in the pledge to the flag.

ROLL CALL. Members present: Commissioners Bouchard, Gardner, Heim, Schuitema, Serviss and Weissbohn.

Member absent: Commissioner Hearn.

Staff present: Secretary Patty Meyer and Pete Iosue of Teska Associates.

Guests: Village President Marcy Meyer, Erik Gardner, Attorney Samie Ata, and petitioner Ahmed Dahwal.

CONSIDER APPROVAL OF THE MINUTES OF THE APRIL 28, 2022 MEETING.

Commissioner Weissbohn made a motion to approve the minutes of the April 28, 2022 PZC meeting as written. Commissioner Bouchard seconded the motion.

AYES: Commissioners Bouchard, Gardner, Schuitema, Serviss and Weissbohn.

NAYS: None.

ABSTAIN: Commissioner Heim.

Motion carried.

A WORKSHOP WAS HELD TO CONSIDER A MOTION AUTHORIZING A PUBLIC HEARING FOR THURSDAY, FEBRUARY 23RD AT 7:00 P.M. ON A REQUEST FOR A SPECIAL USE PERMIT IN A B-3 DISTRICT FOR A TOBACCO, VAPE AND HOOKAH SHOP AT 997 DIXIE HIGHWAY: BEECHER TOBACCO, INC. The petitioner has presented a formal application, paid the fee and is requesting a hearing for a special use permit for this retail business. It falls under the special use category since this use is not specifically mentioned as a permitted use in the current zoning ordinance and the Zoning Administrator has considered such a use as not prohibited since there are other retail sales of such items in the Village. There is also a store in town that “morphed” slowly into a vaping products store as it transitioned from video rentals to swimming pool product sales to an arcade and finally into a vaping products store. This store would have to be considered a legal non-conforming use and any change of location or ownership of that store would require a special use permit and that owner has been advised of this as well. Since that business is legal non-conforming, there is no precedent set for the granting of a special use permit for a similar use. Application and memo provided to petitioner regarding procedure was provided in the packet for review.

Pete Iosue provided requirements in Zoning Ordinance for a special use permit, findings of fact and recommendations.

Petitioner Ahmed Dahwal and his attorney Samie Ata were present. Mr. Dahwal feels Beecher is a good fit for his business. Tobacco products would consist of cigarettes, vaping products and cigars. He owns five other tobacco store locations. Items would be in glass cabinets, which customers can open themselves. He has a three-year lease, with three years optional.

Commissioner Heim asked what percentage would be tobacco products. Petitioner stated 65% of his items would be tobacco or vape products.

Attorney Ata stated that flavored tobaccos and hookah products (it would not be a hookah lounge) would also be sold. There would also be a glass humidor for cigars.

Commissioner Schuitema asked for percentage of revenues for various types of products sold in his store be provided for public hearing.

Commissioner Schuitema expressed concerns about age limits and properly checking identification of customers, ability to spot a fake ID and proper training to verify valid IDs. Mr. Dahwal stated customers must be over 21, and his employees check IDs.

Security cameras will be installed. There will be video surveillance inside the store, out in the parking lot, behind the store, at least 8 cameras, sometimes 12. He uses ADT alarms. Question was asked if buzzers are required to enter any of the other locations.

Petitioner stated that he does not currently sell CBD products- maybe in the future.

Commissioner Schuitema asked about number of police calls to any of his other locations regarding products or disturbances. According to petitioner there have been none, and he has never been cited for selling to minors. Petitioner was also asked about liability limits for insurance and his deductible. Petitioner stated that he has never had an insurance claim at any of his locations.

Commissioner Schuitema asked about number of employees in the store. Petitioner stated that he typically has one or two people working and does background checks on non-family employees. Employees must be a minimum of 21 years of age. Concerns were expressed on the ability to keep an eye out if a large group of customers enter the store at the same time.

Commissioner Bouchard asked about hours of operation. Petitioner stated that he plans to be open around 7-9 a.m. and close at 8 p.m.

Commissioner Serviss asked if there were any other questions for petitioner and his Attorney. There were none.

Commissioner Schuitema made a motion authorizing a public hearing for Thursday, February 23rd at 7 p.m. on a request for a special use permit in a B-3 district for a tobacco, vape and hookah shop at 997 Dixie Highway. Commissioner Heim seconded the motion.

AYES: Commissioners Bouchard, Gardner, Heim, Schuitema, Serviss and Weissbohn.

NAYS: None.

Motion carried.

NEW BUSINESS.

There was nothing new to report on the Industrial Park or the South Suburban Airport.

President Meyer reported that a bitcoin mining business recently purchased a building in the Village. There was a lot of confusion regarding required fire safety requirements. A meeting will be held soon with two Village trustees and two Fire District trustees to discuss the intergovernmental agreement and possible changes to be made.

President Meyer reported on upcoming improvements in Firemen's Park with ARPA funds which include: new lighting around walking path, new playground equipment and rebuilding walking bridge between Firemen's Park and Beecher Elementary School.

President Meyer stated that an intergovernmental agreement was recently signed with the School District for "Project Pickle" to repave tennis courts for pickleball, basketball and soccer practice. Improvements to Welton Stedt Park will be done as well.

President Meyer stated that the Village received a grant for HVAC to be installed in the Firemen's Park food stand.

The splash pad was a huge success last summer.

The 2022 4th of July celebration was a huge success. Car Raffle Committee is currently working on trying to obtain a car raffle vehicle.

The next regularly scheduled meeting for the PZC is Thursday, February 23, 2023 at 7:00 p.m.

ADJOURNMENT. Commissioner Heim made a motion to adjourn the meeting. Commissioner Schuitema seconded the motion.

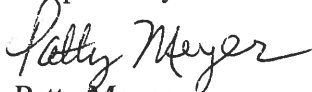
AYES: Commissioners Bouchard, Gardner, Heim, Schuitema, Serviss and Weissbohn.

NAYS: None.

Motion carried.

Meeting adjourned at 7:50 p.m.

Respectfully submitted,



Patty Meyer
Secretary