

MINUTES OF THE PLANNING COMMISSION  
MEETING HELD ON May 10, 2021

The meeting was called to order by Chairman Nathan Rau at 7:30PM.

Roll call was taken: **Present: Rau, Hicks, Lutz, Voelker, Frederick, Gaitsch, Pittman**

Chairman Rau asked if there were any additions or corrections to the minutes from March 8, 2021 Planning Commission meeting. A motion was made by Gaitsch and seconded by Lutz to approve the minutes of the March 8, 2021 meeting as presented. **Motion carried.**

The Chairman asked if there were any citizens to address the Planning Commission. There were none.

The Chairman asked if there were any corrections or deletions to the agenda. There were none.

**NEW BUSINESS:** The Chairman asked if there was any new business. There was none.

**PETITIONS:**

**Z-21-05-01      Review and Comment on a Petition by Adrian and Leisa Martinez to consider a Zoning Text Amendment to have "Recovery Residences" added in Section 40-1-15 Definitions, and Section 40-2-3(B) as a Special Use in the B-2 General Business District.**

Adrian and Leisa Martinez were present to speak on behalf of the petition, but declined initially and stated they would be happy to comment and answer any questions as they arose.

Chairman Rau opened the floor up to public comment limiting individuals to two minutes because there were so many who wished to speak. Approximately thirty people addressed the Commission. Comments were split between individuals for and against the Cornerstone Laine Recovery Residence. Individuals who spoke against the center voiced concerns about the safety and security of the neighborhood and the potential stigma the Recovery Residence would attract to the neighborhood. Individuals who spoke for the center expressed the good service of the project to help women in need of substance abuse recovery within the local community.

Chairman Rau clarified through out public comment that the purpose of the meeting was to make a recommendation on the Zoning Text Amendment proposed to include the State of Illinois Statue definition of a Recovery Residence. The State of Illinois defines a Recovery Residence as "a sober, safe, and healthy living environment that promotes recovery from alcohol and other drug use and associated problems. These residences are not subject to Department licensure as they are viewed as independent living residences that only provide peer support and a lengthened exposure to the culture of recovery" (20 ILCS 301/55-35).

Chairman Rau also clarified that the property is already zoned B-2 and that the addition of the Recovery Residence definition to the City's Zoning Code of Ordinances would allow a Recovery Residence to be opened within any B-2 zoned property within the City limits, albeit the potential business would need to petition and be granted a Special Use Permit.

Chairman Rau clarified that the Planning Commission's only job is to make a recommendation to the Zoning Board of Appeals, the ZBA will make a recommendation to the City Council, and the City Council will decide whether or not to add the definition into the city's Code of Ordinances.

Leisa Martinez explained what would be included as a part of the Recovery Residence and the program. She defined the program as a 90-day voluntary recovery residence supported by peers within active recovery in which the structure would focus on developing life skills. Cornerstone Laine would not be a detox program or

a criminal rehabilitation center, but rather a support program to provide the tools needed to promote healthy and active recovery from substance addiction (Please refer to meeting packets for additional information about the program, daily schedules, security, etc...).

Based on a citizen comment, Chairman Rau asked the City's Attorney, Dan Hayes, if it were possible to tie a Special Use Permit to a specific owner. Hayes responded that the Special Use Permit would be tied to the property, not the owner.

Hicks asked Leisa Martinez if the women would be local. She responded that ladies in our community would be the first priority, but they are willing to bring in ladies from anywhere. Cornerstone Lane is a non-profit, private pay facility; they will also offer 2 scholarships every 90 days.

Hicks also asked about the facility's standards from a conflict standpoint and what would be the basis for dismissal. Martinez responded that upon entering the facility there is a series of agreements that are made, there will be weekly drug testing and if there is any drug abuse they are expelled. The process for removal from the program ranges from staff intervention, management intervention, licensed therapist intervention, to family intervention.

Pittman inquired about the visitation schedule. Martinez said that there will be no visitation allowed for the first 30 days. After, a rotating schedule will be established for the individual and all visitation must be scheduled and cleared by staff. The center would be staffed with 3 individuals during the day and 2 at night. Pittman also inquired about the possibility of individuals sneaking out of the center. Martinez responded that the doors and windows will be alarmed and that the only door not fenced would be the front door which is a buzzer entrance area. There will also be security cameras.

Lutz inquired about the success of the Deno's ACPD program and how closely this project would mimic his other programs. Art Deno responded that this would be their first official center. They are mimicking what has worked through other programs with which the Deno's have been involved.

Lutz asked how many centers like this there are in the St. Louis area. Deno responded none.

Frederick commented on the detailed packets and business proposal, but is hesitant to allow the Illinois definition of a recovery residence into our zoning code because of its vagueness. He recommended consideration for conditions tied to the definition and/or a Special Use Permit associated with a Recovery Residence.

Voelker asked about bringing the building up to code to support a Recovery Residence. The architect, Mike Schneider, was present and commented that he drew up the plans and is familiar with where the building is currently not in compliance. Leisa Martinez said they will bring the building up to code.

Discussion continued by the Planning Commission on how to make a recommendation, but still feels uncomfortable about the vagueness of the Illinois Statue definition. The Commission agreed that we should try to build upon the state's definition and add conditions to a request for Special Use Permit for a Recovery residence in B-2 zoning. City Attorney Hayes commented that we have 60 days from the request submission to officially make a recommendation which would be June 28, 2021.

**A motion was made by Hicks to favorably recommend the petition AS WRITTEN. Seconded by Pittman.**

**Members voted as follows:**

**YES – Hicks, Pittman**

**NO – Rau, Lutz, Voelker, Frederick, Gaitsch**

The Planning Commission agreed that the definition as set forth by the State of Illinois and in this petition is too broad and the Planning Commission would like to take a closer look at what an appropriate definition for the City of Waterloo would detail. The Commission agreed to set an internal deadline of May 18<sup>th</sup> and to aim for a Special Meeting the following week.

**A motion was made by Rau and Seconded by Hicks to table this petition so that the Planning Commission can modify the specific language of the Recovery Residence definition before making a final recommendation the Zoning Board of Appeals.**

**Members voted as follows:**

**YES – Rau, Hicks Lutz, Voelker, Frederick, Gaitsch, Pittman**

**Z-21-05-02 Review and comment on a Petition by Adrian and Leisa Martinez to consider a Special Use Permit to allow for a “Recovery Residence” to be located at 228 Mueller Lane as permitted by Section 40-2-3(B), B-2 General Business District, Special Use Permit Required (Parcel No. 07-25-101-025-000).**

The Commission discussed tabling or removing this petition from the agenda as this currently sits outside the purview of this meeting.

**A motion was made by Hicks and seconded by Voelker to remove this item from the May 10, 2021 agenda.**

**Members voted as follows:**

**YES – Rau, Hicks, Lutz, Voelker, Frederick, Gaitsch**

**NO - Pittman**

**OLD BUSINESS:** The Chairman asked if there was any old business. There was none.

**COMMENTS:** The Chairman asked if there were any comments. There were none.

**Motion to adjourn the meeting at 10:11PM was made by Voelker and seconded by Hicks. Motion carried.**

Minutes respectfully submitted by Lauren Voelker.