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BUILDING STANDARDS
COUNCIL OFFICE OF FINANCIAL ANALYSIS

December 6, 2020

Timothy Knudsen
Chairman
Zoning Board of Appeals
121 N. LaSalle St.
Chicago, IL 60602

RE: Opposition to Midway Dispensary Application for Cannabis Dispensary at 1420 S. Michigan Avenue

Dear Chairman Knudsen,

As the Alderman of the 3rd Ward, it is my responsibility to represent the best interest of my constituents. That includes overseeing the establishment and operation of businesses within my ward, especially businesses that have an outsized impact on a neighborhood's quality of life such as a cannabis dispensary. To that end, I write today to support my constituents overwhelming **opposition to Midway Dispensary's proposal to open a cannabis dispensary at 1420 S. Michigan Avenue.**

My opposition stems from information gathered during two open community meetings on the issue, hundreds of conversations with constituents about a potential dispensary in the area, having received 400 letters and emails opposing the dispensary – 177 of which I hand delivered to ZBA staff – and direct discussions with the proposed operator of the dispensary.

With this wealth of information, it is clear to me that Midway Dispensary's Special Use Permit application ("*the application*") would not only have a significant negative impact on the community, it fails to meet the requirements for issuance outlined in section 17-13-0905-A of the Chicago Zoning Ordinance. Specifically:

(1) Complies with all applicable Special Use (Cannabis Business Establishment) standards of the Chicago Zoning Ordinance

While the application technically meets the minimum distance requirements from a church or school, the 502/508 ft. distance (approximate depending measuring method used) of the proposed dispensary from Old St. Mary's Church and School complex clearly violates the spirit of the ordinance. This is especially

true as Michigan Ave. from 14th St. to 16th St. has no mid-block intersection separating the street at 15th St., meaning the two structures are located on the same block. This will force dispensary pedestrian and vehicle traffic to pass the school, and alternatively, require a high percentage of students and churchgoers to pass the dispensary to get to Old St. Mary's School at 1474 S. Michigan Ave. and Old St. Mary's Church at 1500 S. Michigan Ave. This mixing of dispensary customers and church/school communities is exactly what the minimum distance zoning requirements are in place to avoid.

Similarly, 1420 S. Michigan Ave. falls just blocks outside of the Downtown Exclusionary Zone, and is in the immediate vicinity of the Central Business District (CBD). This is another attempt to circumvent the spirit of the law, to keep cannabis-related businesses outside of the CBD, by locating the business along the established boundaries.

(2) is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community

A cannabis dispensary at 1420 S. Michigan Ave. will have a significant adverse impact on neighborhood public safety and the general welfare of the community. First, as the City has seen during the recent civil unrest, the South Loop neighborhood is one of the City's prime targets for looting, demonstrations, and riots. A cannabis dispensary, well-known as a cash business, is a very attractive target for looters (two existing Chicago dispensaries have already been targets of burglaries this year). This would further needlessly endanger neighboring businesses and residents. Moreover, 1420 S. Michigan Ave. is close to the Roosevelt CTA Station – one of the busiest in the City by volume – and Lake Shore Drive. Because of these transportation advantages, the area is already prone to car jackings, burglaries and robberies, as criminals can quickly hop on the train or Lake Shore Drive and escape without apprehension by police. A cannabis dispensary would only exacerbate this problem as the business and its customers are prime targets for criminal activity.

In addition, locating a cannabis dispensary just outside the Central Business District encourages tourist/non-resident business. The South Loop is home to many of the City's highest profile attractions, including Grant Park, McCormick Place, Soldier Field, and Wintrust Arena. These attractions draw millions of visitors to the area, and with the blanket ban on cannabis dispensaries in the Central Business District, this would be the closest location for customers to frequent. If even a fraction of these visitors attempt to patronize this business, the block will quite literally be overwhelmed with people. The quality of life residents and businesses currently enjoy would be imperiled. This area does not need another reason for an influx of tourists or additional potentially intoxicated customers hanging around the neighborhood, an existing issue after Bear's games, concerts, conventions, races, Chicago Fire matches and more.

(3) is compatible with the character of the surrounding area in terms of site planning and building scale and project design

The proposed cannabis dispensary is not compatible with the surrounding area in terms of project design or building scale, as the indoor space is far too small to accommodate the projected number of customers, nor does it have adequate parking on-site. This would force customers to add to the overwhelming number of pedestrians on the street, vehicles circling the area trying to find parking, and encumbrances on the public way. There are many other types of businesses that would be better suited for this footprint that would not cause the same type of disruption due to the small interior size.

(4) is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation

The street already faces significant traffic challenges stemming from the drop-off and pick-up of students at Old St. Mary's School. It has taken years of coordination between the Alderman's office, the 1st District Police, the Office of Emergency Management and Communications, Chicago Department of Transportation, residential neighbors, and the school to get to the point we are at today. The current plan requires extensive City and school resources and only after all this work now meets the needs of the community. Adding this type of retail businesses, and accounting for the hours of operation and projected number of daily customers, traffic coordination would be even more challenging. The school uses both the alley and the southbound traffic lane on Michigan Ave. to rotate vehicles into and out of the area. Armed deliveries in the alley would block egress for countless vehicles, while customers circling the area to find limited available parking would block the queuing of cars on Michigan Ave. This would make the block impassible at least twice a day, every day for hundreds of children and their families. Add in the extensive number of special events that impact the area every year, customers of a cannabis dispensary would add undue hardship to the pedestrian and traffic safety of the neighborhood.

Furthermore, the business is not within the character of the area as it would mostly serve customers from out of the neighborhood, unlike the existing businesses on Michigan Ave., which primarily cater to neighborhood residents. The South Loop community is a highly walkable, family-oriented area. Based on recent census data, the area in which the applicant proposes to establish a cannabis dispensary is THE MOST dense residential area in the city, with over 18,000 people from 10,000 households living within a two block radius of 1420 S. Michigan Ave. A cannabis dispensary providing daily service to tourists and customers from outside the neighborhood does not fit within that character.

The 1st District Police and the special event workers from the Office of Emergency Management and Communications already have a difficult enough time clearing the area of visitors after Soldier Field, Wintrust Area, Grant Park, and McCormick Place events. Adding a destination business like this would only make that process all the more challenging and lead to additional hardships for the thousands of residents in the community.

(5) is designed to promote pedestrian safety and comfort

The applicant can not ensure pedestrian safety and comfort, as the indoor space at 1420 S. Michigan Ave. is far too small to accommodate the number of customers the applicant has projected for its business. This will force customers to queue outside, clogging an already highly-congested and extremely narrow sidewalk (*see Exhibit A*) that sees extensive use throughout the day by a neighboring church, a school, a daycare facility, multiple parks, outpatient health care facilities and other local businesses. The block simply can not accommodate additional encumbrances in the public way. Even if queuing is prevented as a condition to granting the permit, the City has no means of enforcing such an agreement, unlike with other types of businesses that can enter into a Plan of Operation with the City. Additionally, with loitering permitted as a constitutional right, and the existing overwhelming prevalence of loitering already in the area, there will be no way to keep the sidewalks safe and clear for the thousands of residents in the area.

Finally, and while this is outside the exact guidelines for the ZBA's review of the permit application, I think it is important to note that I am more than willing to work with the applicant to find a more suitable location for their establishment elsewhere in the 3rd Ward.

Thank you for taking the time to review this letter. I implore you to stand with me and my community in opposing the issuance of a Special Use Permit to Midway Dispensary to operate a cannabis dispensary at 1420 S. Michigan Ave. Please feel free to reach out to me on this important issue anytime at Ward03@cityofchicago.org or at 773-373-9273.

Sincerely,

A handwritten signature in blue ink that reads "Pat Dowell". The signature is written in a cursive, flowing style.

Pat Dowell
Alderman, 3rd Ward

EXHIBIT A
(SIDEWALKS AT 1420 S. MICHIGAN AVE – 13 ft. 5 in.)

