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Illinois Church Action on Alcohol & Addiction Problems

Marijuana Alert - November 18, 2022



AN ANTI-POT SLINGSHOT?

David-and-Goliath battle brewing between River North man and clouted company over plans for weed shop inside old Rainforest Cafe

Three days after weed's high holiday of April 20, Robert Brown spotted a sign posted outside the shuttered Rainforest Cafe steps from his River North home.

The advisory stated only that a pair of companies were looking to set up shop in the space, still adorned with the massive frog and mushrooms left behind by the last tenant.

Curious about the posting, Brown asked a passerby.

"We're going to have another pot dispensary," Brown recalled the person saying, clearly referring to the growing number of marijuana shops in the area.

"Not if I have anything to say about it," Brown vowed.

He has since become a squeaky wheel, raising questions about the legality of the plan and organizing neighbors who feel another dispensary could tank property values and further drive up crime in the affluent neighborhood close to the Loop. "The neighborhood has just gone to pot," he said.

A decisive zoning hearing is set for Friday, setting up a David and Goliath fight with Brown going against a clouted pot firm hoping to open a dispensary at 605 N. Clark St.

Brown said he will argue that the plan is fraught with issues

and would set a dangerous precedent for future marijuana businesses.

The company behind the proposal, Progressive Treatment Solutions, ran into problems even before Brown got involved.

They had to scuttle an earlier plan to move an existing dispensary into the building, conceding it was illegal, shortly after the Sun-Times reported on the issue last April.

Under state law, a dispensary can't open within 1,500 feet of an existing pot shop unless it's owned by a so-called social equity applicant, a designation created to bolster minority ownership.

At least four weed stores have already opened in that area, and PTS didn't fit the bill as a social equity firm.

So the Palatine-based company went back to the drawing board, teaming with a social equity firm called Bio-Pharm that scored a conditional license in a state-run lottery.

But Brown successfully won a delay to the plans in August when the companies sought a special use permit from the zoning board. An economic disclosure form for the building owner included information about PTS, not the owner.

Another paperwork issue delayed the next scheduled hearing on Oct. 21: Zoning Administrator Patrick Murphy had listed PTS as the sole applicant in recommending approval of the site.

Brown maintains that the joint venture flies in the face of the law establishing the social equity program because PTS doesn't hold the dispensary license.

Under a management agreement, PTS will operate a Consume brand dispensary at the site using the license held by Bio-Pharm. Such agreements were only allowed by state rules that were revised in August — four months after the joint application to the zoning board.

“I think it's a classic case of trying to not follow the rules and trying to be as sneaky as you can,” he said. [READ](#)

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