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DOUGLAS J. JOHNSON
RECORDER - DEKALB COUNTY, IL
RECORDED: 4/30/2020 01:12 PM
REC FEE: 55.00

STATE OF ILLINOIS)
COUNTY OF DEKALB) SS
CITY OF DEKALB)

PAGES: 6

CERTIFICATION

I, **RUTH A. SCOTT**, am the duly qualified and appointed Executive Assistant of the City of DeKalb, DeKalb County, Illinois, as authorized by Local Ordinance 2019-059, and as such Executive Assistant, I maintain and am safe-keeper of the records and files of the Mayor and City Council of said City.

I do hereby certify that the attached hereto is a true and correct copy of:

ORDINANCE 2020-029

APPROVING A SPECIAL USE PERMIT TO ALLOW A CANNABIS BUSINESS ESTABLISHMENT FOR AN ADULT USE AND MEDICAL CANNABIS DISPENSARY TO BE LOCATED AT 818 WEST LINCOLN HIGHWAY, DEKALB, ILLINOIS (NUMED PARTNERS, LLC).

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, on the 27th day of April 2020.

WITNESS my hand and the official seal of said City this 28th day of April 2020.

RUTH A. SCOTT, Executive Assistant



Prepared by and return to:

City of DeKalb
City Manager's Office
Attention: Ruth A. Scott
200 S. Fourth Street
DeKalb, Illinois 60115

APPROVING A SPECIAL USE PERMIT TO ALLOW A CANNABIS BUSINESS ESTABLISHMENT FOR AN ADULT USE AND MEDICAL CANNABIS DISPENSARY TO BE LOCATED AT 818 WEST LINCOLN HIGHWAY, DEKALB, ILLINOIS (NUMED PARTNERS, LLC).

WHEREAS, the City of DeKalb (the "City") is a home rule unit of local government which may exercise any power and perform any function pertaining to its government and affairs pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, NuMed Partners LLC (herein referred to as "Petitioner"), has petitioned the City for approval of a special use permit to allow a cannabis business establishment - adult use and medical cannabis dispensary to be located at 818 W. Lincoln Highway (herein referred to as "Subject Property"),

WHEREAS, pursuant to proper legal notice, a public hearing was conducted by the City's Planning and Zoning Commission on April 22, 2020; and

WHEREAS, the City and Petitioner have conducted all required public hearings before the City's Planning and Zoning Commission for the special use permit for the Subject Property, and have otherwise satisfied all conditions precedent to the adoption of this Ordinance; and

WHEREAS, the City Council has reviewed and adopts the following findings of fact of the Planning and Zoning Commission of the City of DeKalb, finds that the proposed special use permit is in conformance with the applicable factors contained therein, and finds that approval of the special use permit for the Subject Property is in the public interest and promotes the public health, safety and welfare;

STANDARDS OF A SPECIAL USE – ARTICLE 14.03.05 (2) OF THE UNIFIED DEVELOPMENT ORDINANCE

1. The proposed special use complies with all provisions of the applicable district regulations.

The proposed "Cannabis Business Establishment" will comply with all regulations of the "LC" Light Commercial District and Article 7.18 of the Unified Development Ordinance (the "UDO"). The 2005 Comprehensive Plan recommends the subject site for commercial uses. The proposed cannabis dispensary will be locating in a multi-tenant building along a highly visible roadway and compatible with adjacent uses. In addition, the cannabis dispensary will have adequate parking and provide a security plan meeting the requirements of the UDO and the Police Department.

- 2. The proposed special use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or to the public welfare at large.**

The proposed special use will not have a detrimental effect on adjacent properties or land uses. The site has been zoned commercial for decades. The subject site is in proximity to a variety of other commercial uses including restaurants, and other retail and service uses. The nearest residential property to the proposed special use is approximately 350 feet to the west of the tenant space. One of the conditions with the special use permit is an approved security plan with the Police Department prior to a final certificate of occupancy.

- 3. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations.**

The granting of the special use will not dominate the immediate area and will not prevent development on the neighboring properties. The surrounding area is already fully developed with a variety of commercial and retail uses and some residential properties. The proposed cannabis business will operate in a manner that is not detrimental to the surrounding neighborhood.

- 4. Adequate utility, drainage and other such necessary facilities have been or will be provided.**

Adequate public services and utilities are already provided to the subject tenant space. A full alarm and security system including lighting and surveillance cameras will be added to the facility. The parking lot serving the proposed special use has 170 parking spaces and 167 parking spaces are required per the Unified Development Ordinance. The previous use of a bookstore has the same parking demand as the proposed cannabis dispensary.

- 5. The proposed use, where such developments and uses are deemed consistent with good planning practice, or can be operated in a manner that is not detrimental to the permitted developments and uses in the district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; shall in all other respects conform to the applicable regulations of the district in which it is located; and is deemed essential or desirable to preserve and promote the public health, safety and general welfare of the City of DeKalb.**

The proposed special use will not be detrimental to the permitted developments and uses on the site or to the surrounding area. The proposed adult use and medical

cannabis dispensary will take up a vacant commercial tenant space along W. Lincoln Highway and will be an economic benefit to the corridor and City. As extensively documented by academic research on the subject, cannabis dispensaries pose no threat to the public health, safety, morals, or general welfare of a community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL of the City of DeKalb, Illinois as follows:

SECTION 1: The recitals set forth in the preamble are hereby incorporated herein by reference and made a part of this Ordinance.

SECTION 2: This Ordinance is limited and restricted to the Subject Property described as follows:

THE WEST 10 FEET OF LOT 8 AND ALL OF LOTS 9 AND 10, IN BLOCK 4 IN NORMAL PARK ADDITION TO THE CITY OF DEKALB, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK "D" OF PLATS, PAGE 20, (EXCEPTING THEREFROM THE NORTHERLY 8 FEET OF THE WEST 10 FEET OF SAID LOT 8 AND THE NORTHERLY 8 FEET OF SAID LOTS 9 AND 10, AS CONVEYED TO THE PEOPLE OF THE STATE OF ILLINOIS, DEPARTMENT OF TRANSPORTATION BY DEED RECORDED JUNE 26TH, 1975 AS DOCUMENT NO. 387038) SITUATED IN DEKALB COUNTY, ILLINOIS, COMMONLY KNOWN AS STORE NUMBERS 1-10 INCLUSIVE IN THE JUNCTION SHOPPING CENTER.

The property is commonly known as 818 West Lincoln Highway, Suite 7, DeKalb, Illinois 60115, and has a Parcel Identification Number ("PIN") of 08-22-152-010.

SECTION 3: The City's corporate authorities grant a special use permit for the Subject Property for a cannabis business establishment for an adult use and medical cannabis dispensary in the tenant space as shown on the site plan dated March 5, 2020 and attached as Exhibit A, subject to the following conditions:

1. The applicant shall obtain a state-issued medical and adult use cannabis dispensary license for the subject site within one year of approval of this ordinance.
2. The applicant shall complete all required build-out and tenant improvements within six months after issuance of the state-issued medical and adult use cannabis dispensary license (and prior to opening of the facility).
3. The applicant shall comply with the restrictions of Article 7.18 of the Unified Development Ordinance for "Cannabis Business Establishments" and have an approved security plan with the Police Department prior to a final certificate of occupancy.

SECTION 4: All ordinances or portions thereof in conflict with this ordinance, including the prior versions of the ordinances included above, are hereby repealed.

SECTION 5: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and affect the same as if the invalid provision had not been a part of this Ordinance.

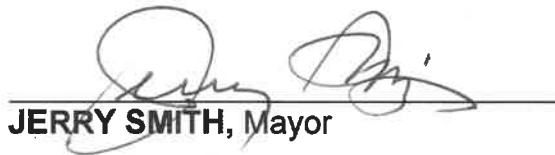
SECTION 6: That all provisions of the UDO shall remain in full force and effect and this Ordinance shall take effect upon its passage and approval according to Law. The City Clerk or Executive Assistant shall record a copy of this Ordinance after execution of this Ordinance.

ADOPTED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 27th day of April 2020 and approved by me as Mayor on the same day. Passed on First Reading by a 7-1 roll call vote. Aye: Morris, Finucane, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: Smith. Second Reading waived by a 7-1 roll call vote. Aye: Morris, Finucane, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: Smith.

ATTEST:



RUTH A. SCOTT
Executive Assistant



JERRY SMITH, Mayor

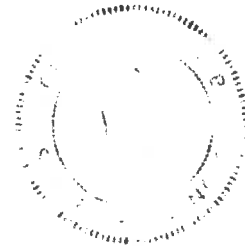
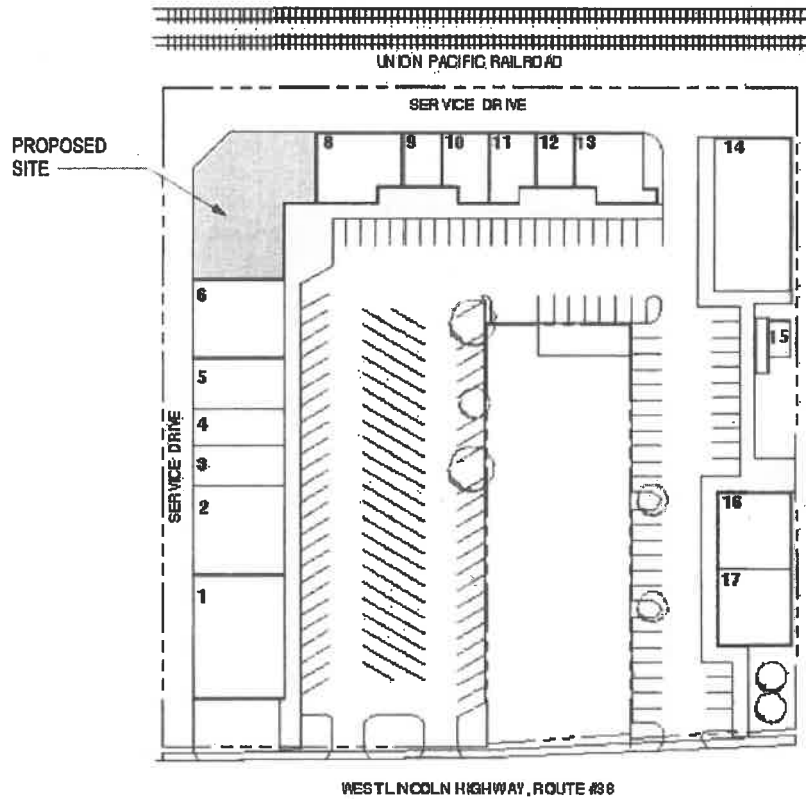
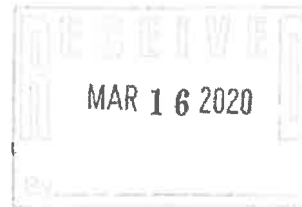


EXHIBIT A



OKW ARCHITECTS
600 W. Jackson, Suite 250
Chicago, IL 60661



JUNCTION CENTER
818 Lincoln Highway
Dekalb, IL
03/05/20 Project #: 19091

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