

ORDINANCE 2021-015

PASSED: APRIL 12, 2021

AMENDMENT TO THE SPECIAL USE PERMIT APPROVED BY ORDINANCE 2020-029 TO EXTEND THE TIME LIMIT TO OBTAIN A STATE ISSUED CANNABIS DISPENSARY LICENSE FOR THE PROPERTY LOCATED AT 818 W. LINCOLN HIGHWAY (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 (the "Petitioner") petitioned the City for approval of an amendment to the special use permit approved by Ordinance 2020-029 to extend the time limit to July 1, 2022 to obtain a State issued cannabis dispensary license for the property located at 818 W. Lincoln Highway (the "Subject Property"),

WHEREAS, pursuant to proper legal notice, a public hearing was conducted by the City's Planning and Zoning Commission on April 5, 2021; and

WHEREAS, the City and Petitioner conducted all required public hearings before the City's Planning and Zoning Commission for the amendment to 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's corporate authorities find that it is in the best interests of the City's welfare, public health, and safety to amend the special use permit approved by Ordinance 2020-029 in accordance with this Ordinance; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEKALB, ILLINOIS:

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 depicted in Exhibit A attached hereto and incorporated herein and legally 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.

Common Address: 818 West Lincoln Highway Suite 7, DeKalb, IL 60115;
Parcel Identification Number ("PIN"): 08-22-152-010.

SECTION 3: The City's corporate authorities hereby amend Ordinance 2020-029 to extend the time limit for a State issued medical and adult use cannabis dispensary license for the Subject

Property subject to the following conditions:

1. Petitioner shall obtain a state-issued medical and adult use cannabis dispensary license for the subject site by July 1, 2022.
2. Petitioner 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) in compliance with all applicable law and City Codes.
3. Petitioner 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: Except as otherwise provided by this Ordinance, Ordinance 2020-029 shall remain in full force and effect. To the extent that there is any conflict between this Ordinance and Ordinance 2020-029, this Ordinance shall prevail.

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 as provided by law. The City Clerk or Executive Assistant shall record a copy of this Ordinance after execution of this Ordinance.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 12th day of April 2021 and approved by me as Mayor on the same day. Passed on First Reading by an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None. Second Reading waived by an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None.

ATTEST:



RUTH A. SCOTT, Executive Assistant



JERRY SMITH, Mayor

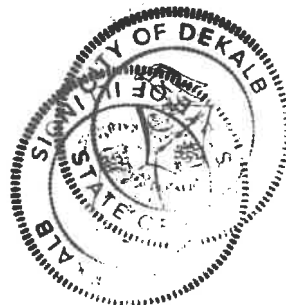
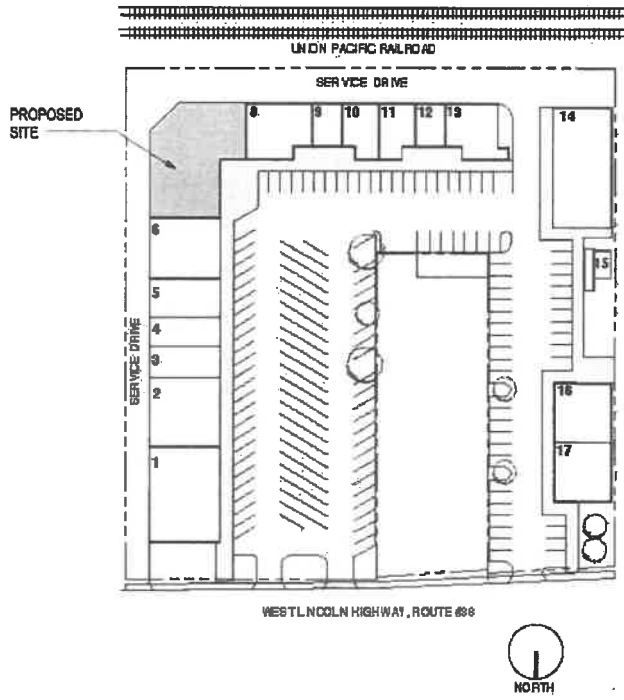
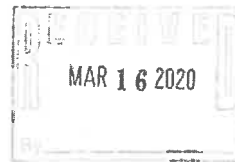


EXHIBIT A



OKW
Architects
OKW ARCHITECTS
800 W. Jackson, Suite 250
Chicago, IL 60661



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

01



2021005390

DOUGLAS J. JOHNSON
RECORDER - DEKALB COUNTY, IL
RECORDED: 4/26/2021 01:33 PM
REC FEE: 55.00

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

PAGES: 4

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 2021-015

AMENDMENT TO THE SPECIAL USE PERMIT APPROVED BY ORDINANCE 2020-029 TO EXTEND THE TIME LIMIT TO OBTAIN A STATE ISSUED CANNABIS DISPENSARY LICENSE FOR THE PROPERTY LOCATED AT 818 W. LINCOLN HIGHWAY (NUMED PARTNERS, LLC).

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, on the 12th day of April 2021.

WITNESS my hand and the official seal of said City this 26th day of April 2021.

RUTH A. SCOTT, Executive Assistant



Prepared by and Return to:

City of DeKalb
City Manager's Office
Attention: Ruth A. Scott
164 E. Lincoln Highway
DeKalb, Illinois 60115