



TO: The Honorable Mayor and the City Council

FROM: Ty Livingston, Director of Planning & Community Development

DATE: January 15, 2020

SUBJECT: Petition of Keith McGinnis of NuMed for a Special Use to allow for the operation of an adult use cannabis dispensary located at 504 Riverside Dr.

BACKGROUND: The petitioner here is seeking a Special Use to operate a cannabis dispensary operation at their existing medical cannabis location. During its operation, staff is unaware of any issues with this location with regards to its operation. It is anticipated this new operation will function just as well.

At the ZBA hearing, the board voted 5-0 to recommend approval of this proposal to the City Council.

RECOMMENDATION: Approval, as presented.

ORDINANCE NO. 4478

**AN ORDINANCE AUTHORIZING A CONDITIONAL USE
FOR PROPERTY LOCATED AT 504 RIVERSIDE DRIVE
IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS**

WHEREAS, NuMed (the “Petitioner”) has petitioned for a conditional use to allow a recreational cannabis dispensary operation on property zoned “B-3, Business Service District” and located at 504 Riverside Drive in East Peoria, as shown and described at "Exhibit A" attached hereto and incorporated herein by reference (which property as so described hereinafter referred to as the "Property"); and

WHEREAS, under the provisions of the City’s Zoning Code, a recreational cannabis dispensary may only operate in the City in areas zoned B-3 (Business Service District) or M-1 (Manufacturing District Limited) as an approved “Conditional Use” in compliance with the Conditional Use provisions set forth in the City’s Zoning Code; and

WHEREAS, the Petitioner has operated a medical cannabis dispensary on the Property for several years in a facility that complies with the Conditional Use provisions of the City’s Zoning Ordinance; and

WHEREAS, after hearing pursuant to duly published notice, the East Peoria Zoning Board of Appeals has recommended approval of the proposed Conditional Use subject to certain conditions hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT:

Section 1. A Conditional Use to allow operation of an adult-use recreational cannabis dispensing organization (dispensary) on the Property is hereby approved.

Section 2. The establishment and continuation of the Conditional Use hereby authorized is contingent upon continual compliance with all applicable provisions of the City Code and the following special conditions:

1. Petitioner maintains the current security measures in place at the NuMed facility.
2. Petitioner continues to comply with all required provisions of the City’s Zoning Code for a Conditional Use for an adult-use recreational cannabis dispensing organization.

Upon the violation of or failure to comply with the forgoing conditions or with any provisions of the City Code applicable to the Property or its use, the City Council may, after providing reasonable notice and an opportunity for a hearing, terminate the Conditional Use hereby approved.

Section 3. This Ordinance is hereby ordered to be published in pamphlet form by the East Peoria City Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

Section 4. This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith excepting as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

Section 5. This Ordinance shall be in full force and effect from and after its passage, approval and ten (10) day period of publication in the manner provided by law.

PASSED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, IN REGULAR AND PUBLIC SESSION THIS _____ DAY OF _____, 2020.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel

Case 20-SU-4
504 Riverside Dr.
Keith McGinnis of NuMed

Exhibit "A"

Legal Description: P.I.N.: 01-01-29-406-009

