



City of Pekin

**CITY COUNCIL MEETING
WEDNESDAY, SEPTEMBER 8, 2021
5:30 PM**

1.	Pledge of Allegiance
2.	Call to Order
3.	Approve Agenda
4.	Public Input
5.	Consent Agenda
5.1.	Resolution No. 315-21/22 Appointment of Amy McCoy to Represent City on PACVB Board ACTION REQUESTED: Approve and Adopt the Resolution.
6.	New Business
6.1.	Resolution No. 316-21/22 Sponsorship of Marigold Festival ACTION REQUESTED: Approve and Adopt the Resolution.
6.2.	Ordinance No. 3009-21/22 Side Letter Agreement with Pekin Firefighters' Local 524 Regarding EMS Service Level ACTION REQUESTED: Approve and Adopt the Ordinance.
6.3.	Ordinance No. 3010-21/22 An Ordinance Establishing Ambulance Service Operational Requirements Within the City of Pekin ACTION REQUESTED: Approve and Adopt the Ordinance.
6.4.	Ordinance No. 3011-21/22 Approving a special use request by Riverway Craft Laboratories, LLC for the establishment of a cannabis craft growing facility in an I-1 Light Industrial District at 300 and 310 Hanna Drive ACTION REQUESTED: Approve and Adopt the Ordinance.
6.5.	Ordinance No. 3012-21/22 Approving a special use request by Riverway Craft Laboratories, LLC for the establishment of a cannabis dispensary facility in an I-1 Light Industrial District at 300 and 310 Hanna Drive ACTION REQUESTED: Approve and Adopt the Ordinance.

7.	VII. City Council or Staff Reports
8.	EXECUTIVE SESSION 5 ILCS 120/2 (c) (11.) Litigation
9.	Adjourn



REQUEST FOR COUNCIL ACTION

Agenda Date: September 8, 2021
To: Council Members
From: Mark Rothert, City Manager

AGENDA ITEM: Resolution No. 315-21/22 Appointment of Amy McCoy to Represent City on PACVB Board

ACTION REQUESTED: Approve and Adopt the Resolution.

DESCRIPTION:

FINANCIAL IMPACT:

Requested Amount:

Line Item:

Budgeted Amount:

Remaining Funds:

IMPACT IF APPROVED:

IMPACT IF DENIED:

ALTERNATIVES:

RELATED TO THE 2019-2021 CITY COUNCIL GOALS:

5 Year CIP. The Five-Year Capital Improvement Plan reflects all current and future capital improvement needs of the City of Pekin. The Plan is designed to be updated annually by staff and submitted to the Council for review and approval prior to the annual budget process.

Enhance Code Enforcement Services. The Council understands the importance of a strong Code Enforcement Program in that it has an impact on many facets of living and doing business inside the City of Pekin.

Business Friendly Community. The Council strives to bring new businesses to Pekin while helping to maintain and expand all existing businesses. It is therefore essential to work cooperatively to make Pekin a "Business-Friendly" Community.

Efficient and Effective Municipal Operations. A fundamental responsibility of elected officials, City Staff and Employees is the exercise of good stewardship over public funds. Therefore, it is important that municipal services be delivered with maximum efficiency and effectiveness.

Employee Residency. It is the goal of the Council to develop a policy that encourages more full-time non-union employees who participate in a City funded pension program to reside within the city limits of Pekin.

REQUIRED SIGNATURES

Finance Department (Certification of Availability of Funds):

Date:

City Manager:

Mark A. Rothert

Mark A. Rothert, City Manager

9/3/2021

Mark A. Rothert

Mark A. Rothert, City Manager

9/3/2021

Date:

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PEKIN, ILLINOIS that the Mayor's appointment of Amy McCoy as the City's appointment to the Peoria Area Convention and Visitors Bureau board of directors is hereby approved until such time as her successor shall be named.

ADOPTED AND APPROVED at a regular meeting of the City Council of the City of Pekin this _____ day of _____, 20____.

MAYOR

ATTEST:

CITY CLERK



REQUEST FOR COUNCIL ACTION

Agenda Date: September 8, 2021
To: Council Members
From: Mark Rothert, City Manager

AGENDA ITEM: Resolution No. 316-21/22 Sponsorship of Marigold Festival

ACTION REQUESTED: Approve and Adopt the Resolution.

DESCRIPTION:

The Pekin Marigold Festival Committee is requesting sponsorship assistance from the City in the amount of \$6,500. The Marigold Festival was started in 1973 to honor one of Pekin's "favorite sons", Senator Everett Dirksen. It is Pekin's biggest annual festival and is held the first weekend after Labor Day in September. Activities include a carnival, music, festive foods, entertainment, kid events, parade, and Art in the Park with craft vendors that attract exhibitors from five surrounding states. The Pekin Marigold Festival Committee coordinates the efforts of more than 1,000 volunteers for this event and involving many local participating organizations that use the financial proceeds from their concession sales to help support their own charitable not-for-profit organization. The City has historically supported the Marigold Festival through its annual contribution to the Pekin Chamber of Commerce, however, this year the Festival Committee is asking for a direct contribution in the amount of \$6,500.

Staff recommends approval of a pledge of \$6,500 with funds to come from the Tourism Fund budget.

FINANCIAL IMPACT:

Requested Amount: \$6,500
 Line Item: 208-208-597700
 Budgeted Amount: \$117,341
 Remaining Funds: \$99,099

IMPACT IF APPROVED: City supports the Marigold Festival

IMPACT IF DENIED: City does not support the Marigold Festival

ALTERNATIVES: N/A

RELATED TO THE 2019-2021 CITY COUNCIL GOALS:

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REQUIRED SIGNATURES

Finance Department (Certification of Availability of Funds):

Date:

City Manager:

Mark A. Rothert

Mark A. Rothert, City Manager

9/3/2021

Mark A. Rothert

Mark A. Rothert, City Manager

9/3/2021

Date:

WHEREAS, the Pekin Marigold Festival is an annual event that has been held in the City of Pekin since 1973; and

WHEREAS, the Festival draws people from throughout the region and neighboring states who help support the local economy by buying goods and staying in hotels; and

WHEREAS, the City of Pekin has annually provided financial support for the Festival through its Chamber of Commerce contributions, but is now being asked by the Festival Committee to make a direction contribution to the event in the amount of \$6,500.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Pekin, Tazewell County, Illinois that the City provides a grant in the amount of \$6,500 from the Tourism Fund to support the 2021 Pekin Marigold Festival.

ADOPTED AND APPROVED at a regular meeting of the City Council of the City of Pekin this _____ day of _____, 20_____.

MAYOR

ATTEST:

CITY CLERK



Pekin Area Chamber of Commerce
402 Court Street
Pekin, IL 61554
(309) 346-2106
info@pekinchamber.com

6.1.a

Invoice

Invoice Date: 9/3/2021
Invoice Number: 10692

City of Pekin
Mark Rotherth
111 S. Capitol
Pekin, IL 61554

Terms	Due Date
Due on receipt	9/3/2021

Description	Quantity	Rate	Amount
Marigold Sponsorship	1	\$6,500.00	\$6,500.00
Subtotal:			\$6,500.00
Tax:			\$0.00
Total:			\$6,500.00
Payment/Credit Applied:			\$0.00
Balance:			\$6,500.00

Dues paid to the Chamber are not a charitable tax deduction for federal income tax purposes. However, dues may be deductible as an ordinary and necessary business expense. Please consult your tax professional.

Attachment: 2021 Marigold - City of Pekin (2753 : Resolution No. 316-21/22 Sponsorship of Marigold Festival)



REQUEST FOR COUNCIL ACTION

Agenda Date: September 8, 2021
To: Council Members
From: Trent Reeise, Fire Chief

AGENDA ITEM: Ordinance No. 3009-21/22 Side Letter Agreement with Pekin Firefighters' Local 524 Regarding EMS

ACTION REQUESTED: Approve and Adopt the Ordinance.

DESCRIPTION: Attached is a Side Letter Agreement with Pekin Firefighter's Local 524 regarding EMS service levels. The Fire Department has recognized an operational need to move the department's EMS level from the Intermediate life support –ILS (EMT-Intermediate) level of care to the Advanced Life Support-ALS (EMT-Paramedic) level of Emergency medical care. Currently, the State of Illinois Department of Public Health is only training at the Basic and Paramedic levels and seemingly phasing out the Intermediate level. A change to Pekin's Fire Department's EMS level will offer a higher level of service to the community and will allow for even more advanced medical care to be performed by the Pekin Fire Department at emergency incidents. Due to a change in working conditions, a side letter agreement is necessary with the labor force, Pekin Firefighter Local 524. In 2000, the Department upgraded the service from the basic level to the ILS level, and the City and the local agreed on contract language at that time. The same language was used to prepare this side letter agreement.

Staff recommends approval.

FINANCIAL IMPACT:

Requested Amount: \$26,067 (+2% pay incentive for 23 Paramedic licensed fire department employees)
 Line Item: 100-034-511600
 Budgeted Amount: \$4,686,231
 Remaining Funds:

IMPACT IF APPROVED: The Fire department will begin the process of upgrading EMS service level with a targeted completion date of no later than January 1, 2022.

IMPACT IF DENIED: The Fire Department will remain at the Intermediate Life Support service level.

ALTERNATIVES: N/A

RELATED TO THE 2019-2021 CITY COUNCIL GOALS:

5 Year CIP. The Five-Year Capital Improvement Plan reflects all current and future capital improvement needs of the City of Pekin. The Plan is designed to be updated annually by staff and submitted to the Council for review and approval prior to the annual budget process.

Enhance Code Enforcement Services. The Council understands the importance of a strong Code Enforcement Program in that it has an impact on many facets of living and doing business inside the City of Pekin.

Business Friendly Community. The Council strives to bring new businesses to Pekin while helping to maintain and expand all existing businesses. It is therefore essential to work cooperatively to make Pekin a "Business-Friendly" Community.

Efficient and Effective Municipal Operations. A fundamental responsibility of elected officials, City Staff and Employees is the exercise of good stewardship over public funds. Therefore, it is important that municipal services be delivered with maximum efficiency and effectiveness

Police & Fire Pension Obligation. To meet the 90% funding level by the year 2040 it is essential the City plan carefully and maintain financial discipline to meet its \$63 million dollar obligation.

Employee Residency. It is the goal of the Council to develop a policy that encourages more full-time non-union employees who participate in a City funded pension program to reside within the city limits of Pekin.

REQUIRED SIGNATURES

Finance Department (Certification of Availability of Funds):

Date:

City Manager:

Mark A. Rothert

Mark A. Rothert, City Manager

9/3/2021

Date:

WHEREAS, the Fire Department has recognized an operational need to move the department's EMS level from the Intermediate life support –ILS (EMT-Intermediate) level of care to the Advanced Life Support-ALS (EMT-Paramedic) level of Emergency medical care; and

WHEREAS, currently, the State of Illinois Department of Public Health is only training at the Basic and Paramedic levels and seemingly phasing out the Intermediate level; and

WHEREAS, a change to Pekin's Fire Department's EMS level will offer a higher level of service to the community and will allow for even more advanced medical care to be performed by the Pekin Fire Department at emergency incidents; and

WHEREAS, due to a change in working conditions, a side letter agreement is necessary with the labor force, Pekin Firefighter Local 524; and

WHEREAS, the City and the Pekin Firefighters IAFF Local 524 have been engaged in negotiation of a side letter agreement regarding an upgrade to the department's EMS level; and

WHEREAS, the parties have reached tentative agreement to terms of a side letter agreement, a copy of which is attached hereto as Exhibit A ("Agreement"); and

WHEREAS, the Union ratified the Side Letter Agreement on August 30, 2021.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS THAT:

Section 1. The findings and recitations set forth above are adopted and found to be true and correct.

Section 2. The Side Letter Agreement, as attached hereto as Exhibit A, between the City of Pekin and the Pekin Firefighters IAFF Local 524, acting as the exclusive bargaining representative of the Fire unit employees serving the City of Pekin Fire department, is hereby approved.

Section 3. The Mayor is authorized and directed to execute the Agreement on behalf of the City, to be effective immediately upon execution.

ADOPTED AND APPROVED at a regular meeting of the City Council of the City of Pekin this _____ day of _____, 20_____.

MAYOR

ATTEST:

CITY CLERK

SIDE LETTER OF AGREEMENT
between the
City of Pekin and Pekin Firefighters Local #524

Whereas, the City of Pekin (herein referred to as “the City”) and Pekin Firefighters Local #524 (herein referred to as “the Union”) are currently subject to a collective bargaining agreement (CBA) which doesn’t expire until April 30th, 2026, and the parties negotiated a re-opener in the form of Article 27 EMS Service, and

Whereas, the parties agree that the Pekin Fire Department’s mission to remain progressive while striving to provide the best services available to the citizens of the City of Pekin, and

Whereas, the best way to provide the best medical service to the citizens is for the Fire Department to upgrade its level of medical care to Advanced Life Support, utilizing the talents and skills of its highly trained members having paramedic licenses,

Now therefore be it resolved, that the City and the Union enter into a side letter of agreement to the CBA to replace Article 27 EMS Service to read;

Article 27 Advanced Life Support Services

No later than January 1, 2022 there shall be at least one (1) EMT-P/Paramedic at each station per shift, which may require personnel to be moved from one station to another. In the event there are not enough EMT-P/Paramedic certified firefighters on that shift, and a hire-back is required to attain the required number of EMT-P/Paramedic certified firefighters on that shift, personnel may be skipped on said hire-back list to obtain a certified EMT-P/Paramedic. Personnel skipped over to ensure there are enough EMT-P/Paramedics on shift do not lose their position on the list. All employees who hold a valid EMT-P/Paramedic license and are EMS system approved shall receive 2% increase to their base pay.

The parties enter into this agreement on this _____ day of _____ 2021.

Mark Luft, Mayor

Tom Veatch, President

Mark Rothert, City Manager

Ron Hawkins, Vice President

Trent Reeise, Fire Chief

Steve Tennant, Secretary

Sue McMillan, City Clerk



REQUEST FOR COUNCIL ACTION

Agenda Date: September 8, 2021
To: Council Members
From: Trent Reeise, Fire Chief

AGENDA ITEM: Ordinance No. 3010-21/22 Establishing Ambulance Service Operational Requirements within Pekin

ACTION REQUESTED: Approve and Adopt the Ordinance.

DESCRIPTION: As emergency medical calls annually increase due to societal changes and with the advancement of service levels by the City's Fire Department transitioning to EMT/Paramedic status, the City of Pekin has identified the need to define requirements and standards for ambulance services that operate within the City of Pekin and the areas served by the Pekin Fire Department. The attached ordinance therefore outlines several key standards of operation that clarifies:

- Incident command structure on Emergency Medical Service (EMS) incidents;
- Emergency response requirements;
- Ambulance service requirements; and
- Additional requirements regarding training and provision of service.

The intention is to establish and provide emergency medical response standards and coordination for all responding parties to an incident in the City of Pekin or extra-territorial areas served by the Pekin Fire Department.

Staff recommends approval.

FINANCIAL IMPACT: N/A

Requested Amount:
 Line Item:
 Budgeted Amount:
 Remaining Funds:

IMPACT IF APPROVED: The ordinance will be adopted, defining the operating rules, procedures, and coordination for all responding parties to an emergency medical services incident

IMPACT IF DENIED: Service will remain status quo.

ALTERNATIVES: N/A

RELATED TO THE 2019-2021 CITY COUNCIL GOALS:

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Enhance Code Enforcement Services. The Council understands the importance of a strong Code Enforcement Program in that it has an impact on many facets of living and doing business inside the City of Pekin.

Business Friendly Community. The Council strives to bring new businesses to Pekin while helping to maintain and expand all existing businesses. It is therefore essential to work cooperatively to make Pekin a "Business-Friendly" Community.

	Efficient and Effective Municipal Operations. A fundamental responsibility of elected officials, City Staff and Employees is the exercise of good stewardship over public funds. Therefore, it is important that municipal services be delivered with maximum efficiency and effectiveness
	Police & Fire Pension Obligation. To meet the 90% funding level by the year 2040 it is essential the City plan carefully and maintain financial discipline to meet its \$63 million dollar obligation.
	Employee Residency. It is the goal of the Council to develop a policy that encourages more full-time non-union employees who participate in a City funded pension program to reside within the city limits of Pekin.

REQUIRED SIGNATURES

Finance Department (Certification of Availability of Funds):

Date:

City Manager:

Mark A. Rothert

Mark A. Rothert, City Manager

9/3/2021

Date:

ADOPTED AND APPROVED at a regular meeting of the City Council of the City of Pekin this _____ day of _____, 20____.

MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO. _____

**AN ORDINANCE ESTABLISHING AMBULANCE SERVICE OPERATIONAL
REQUIREMENTS WITHIN THE CITY OF PEKIN**

WHEREAS, the City of Pekin is a home rule municipality as described in Section 6(a), Article VII of the 1970 Constitution of the State of Illinois; and

WHEREAS, the City of Pekin, as a home rule municipality, may exercise power and perform any function pertaining to its government and affairs, including, but not limited to, the power to legislate for the protection of the public health, safety, and welfare; and

WHEREAS, the City does not operate its own ambulance service, and authorizes third-party ambulance and emergency medical services (“EMS”) to operate within the City pursuant to a franchise agreement; and

WHEREAS, third-party ambulance and EMS providers must necessarily cooperate with emergency services provided by the City of Pekin, including the Fire and Police Departments; and

WHEREAS, the City Council finds it is in the best interests of the City to establish operational requirements for ambulance services within the City of Pekin to facilitate the coordination of emergency services by various entities within the City.

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

Section 1. The findings and recitations set forth above are adopted and found to be true and correct.

Section 2. Chapter 3, Article IV of the Pekin City Code is hereby amended by the addition of a new Division 1 as follows:

Sec. 3-4-1-1. – Incident Command Structure.

- (a) The Fire Department, using the National Incident Management System (NIMS) Incident Command System (ICS), shall be in command of all Emergency Medical Service (EMS) incidents within the City of Pekin.
- (b) Any ambulance service operating in the City of Pekin shall assimilate into the Fire Department’s incident command system and operate under the command of the incident commander, or EMS division when used, during all incidents.
- (c) Requests for additional ambulances by the Fire Department or incident commander shall be fulfilled immediately and without circumventing the incident command system.

- (d) An ambulance service shall maintain authority and responsibility on all patient care matters and decisions for the individual patients that are in their direct care.

Sec. 3-4-1-2. – Emergency Response Requirements.

- (a) An ambulance service operating in the City of Pekin shall immediately respond to any emergency call for an ambulance directed to that ambulance service and originated by the Fire Department, Police Department, or any such Department's official dispatching agency.
- (b) If the ambulance service is not able to immediately respond to the emergency in a timely manner or is not able to respond with an appropriate or requested level of service, the ambulance service shall immediately report this situation to the requesting agency and shall follow the directions of that agency regarding the response.
- (c) It shall be unlawful for any ambulance service to respond in the City of Pekin to a call for an ambulance unless a specific request is directed to the ambulance service by an organized Fire or Police Department or any such Department's official dispatching agency.
- (d) Any ambulance service operating in the City of Pekin shall comply with all emergency dispatch procedures established by the Fire Department or its official dispatching agency.
- (e) In the event that an ambulance service operating in the City of Pekin receives an initial call for service, or recognizes the need for ambulance response during the carrying out of their normal daily activities, the ambulance service shall immediately relay the information to the Fire Department's official dispatching agency, per section 3-4-3-1 of this Code.
- (f) If for any reason an ambulance service operating in the City of Pekin is not able to comply with the operational requirements set forth in this section, it shall immediately report that status to the Fire Department in accordance with the Fire Department's emergency dispatch procedures.
- (g) An ambulance service shall not respond to any requests for emergency assistance unless it complies with the operational requirements set forth in this section, unless specifically authorized to respond by the Fire Chief or the Fire Chief's designee as provided for in the Fire Department's emergency dispatch procedures.

Sec. 3-4-1-3. – Ambulance Requirements.

- (a) Each ambulance used by an ambulance service operating in the City of Pekin shall meet the same design and equipment requirements that the ambulance would be required to meet in order to be licensed by the State of Illinois as an ambulance, as those requirements are now or may hereafter be amended.

- (b) An ambulance shall be considered available for use by the ambulance service if it is fully staffed, equipped, and licensed under the sole control of the ambulance service for its sole use and it is in operational condition.
- (c) When in use for emergency calls, each ambulance shall have as personnel in the ambulance at least one (1) EMT-P/Paramedic and one (1) EMT-B/EMT or EMT-I/Advanced EMT or two (2) EMT-P/Paramedics on all emergency calls. Personnel shall be licensed in the State of Illinois and approved by a bona fide EMS System affiliated with a resource hospital.
- (d) Personnel affiliated with an ambulance service operating in the City of Pekin may respond to an emergency scene in a vehicle other than an ambulance (i.e. a “chase vehicle”), however the arrival on scene of such other vehicle does not constitute an on-scene time for an ambulance and shall not be recorded as such. In addition, they are required to:
 - (1) Identify their response via radio to the Fire Department through the Fire Department’s official dispatch agency; and
 - (2) Be in compliance with all City, State, or Federal laws and regulations in regard to emergency response; and
 - (3) Be in compliance with the current Emergency Medical Dispatch System; and
 - (4) Have liability insurance naming the City as an additional insured.

Sec. 3-4-1-4. – Additional Requirements.

- (a) Each ambulance service operating in the City of Pekin shall provide emergency service without regard to a person's ability to pay for such service or the location of requested services.
- (b) Additional training requirements for operating within the City of Pekin include the following:
 - (1) Ambulance personnel shall be trained in NIMS/ICS.
 - (2) All management and supervisory personnel shall be trained and certified as NIMS complaint with or equivalent to NIMS 100, 200, 300, 400, 700, and 800, so they can assimilate into the overall command structure during a large-scale incident requiring ambulance services.
- (c) An ambulance service shall provide a copy of documentation to the Fire Department showing certification of required training upon request of the Fire Chief or designee.

Section 3. 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 4. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED AND APPROVED at the regular meeting of the City Council of the City of Pekin, this _____ day of _____, 20____; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED this _____ day of _____, 20____

Mayor

ATTEST:

City Clerk

CERTIFICATE

THE UNDERSIGNED CERTIFIES THAT SHE IS THE CITY CLERK FOR THE CITY OF PEKIN, ILLINOIS, AND THAT THE CITY COUNCIL AT A REGULARLY CONSTITUTED MEETING OF SAID CITY COUNCIL OF THE CITY OF PEKIN ON THE _____DAY OF _____, 20____ ADOPTED ORDINANCE NO. _____ A TRUE AND CORRECT COPY OF WHICH IS CONTAINED IN THIS PAMPHLET

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, 20____.

(SEAL)

CITY CLERK



REQUEST FOR COUNCIL ACTION

Agenda Date: September 8, 2021
To: Council Members
From: Mark Rothert, City Manager

AGENDA ITEM: Ordinance No. 3011-21/22 Approving a Special Use by Riverway Craft Laboratories, LLC for Craft Grow

ACTION REQUESTED: Approve and Adopt the Ordinance.

DESCRIPTION: Case SU 2021-07 - Riverway Craft Laboratories, LLC (the "Developer") is interested to move its development site location from Enterprise Drive (behind PAL Health) to a new location at 300 Hanna Drive. The subject parcel is south of Hanna Drive and bordered by Fifth Street to the east, Hanna Drive to the north, and a railroad right-of-way to the west, PIN I 0-10-400-006.

The Developer is proposing to purchase approximately 57.654 acres on the west side of the parcel (the "Property"). A plat of survey, with the desired parcel labeled Lot 2, is attached hereto as Exhibit A, and includes a 60-foot permanent drainage easement along the north side of the Property, for the City to continue to maintain the existing drainage ditch.

The Developer intends to construct a cannabis dispensary and cannabis craft grower facility on the Property (the "Development"). Those facilities will be leased to Riverway Craft Laboratories, LLC, which will operate the dispensary and craft grow operations. All operations will be run pursuant to state law. A site plan of the facilities is attached hereto as Exhibit B. Below are additional details about each operation:

Craft Grow Facility:

- a. Development: The initial construction will include an approximately 19,881 square foot operations building, 2,000 square foot warehouse, a greenhouse and other facilities. The facility will also accommodate a potential infuser building of more than 15,000 square feet.
- b. Employment: With the initial construction with the Phase I Greenhouse, it is estimated that the Facility will have 20 employees. With the Phase 2 and Phase 3 Greenhouse, we anticipate that 40 employees will be employed.

Dispensary:

- a. Development: 3,500 square foot building.
- b. Employment: It is estimated that initially, 8 employees will be employed for the dispensary.

Construction of the initial phase of the Craft Grower Facility is estimated to be completed within 6 to 12 months after approval from the State of Illinois. The construction commencement date of the Dispensary is unknown at this time.

The Developer appeared before the Zoning Board of Appeals at its September 1, 2021 meeting and made Special Use requests to subdivide the subject property as shown on the plat. If granted, the new parcel will be conveyed to Riverway Property Management, LLC. The Developer's application spells out how they are in compliance with the 400 ft. separation requirement from residential properties; that they exceed minimum parking requirements; and that they have all of the required approvals from the state, other than site ownership. Developer desires this location for expansion purposes if the State ever increases its 14,000 sq. ft. max growing limitation. Developer also acknowledged that they would be giving up the existing approval for the craft grow and dispensary behind PAL Health once they received the approval for the new location.

Staff recommends approval. The Zoning Board of Appeals approved it unanimously.

FINANCIAL IMPACT: N/A

Requested Amount:
Line Item:
Budgeted Amount:
Remaining Funds:

IMPACT IF APPROVED: Special Use will be granted

IMPACT IF DENIED: Special Use will not be granted

ALTERNATIVES:

RELATED TO THE 2019-2021 CITY COUNCIL GOALS:

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Employee Residency. It is the goal of the Council to develop a policy that encourages more full-time non-union employees who participate in a City funded pension program to reside within the city limits of Pekin.

REQUIRED SIGNATURES

Finance Department (Certification of Availability of Funds):

Date:

City Manager:

Mark A. Rothert

Mark A. Rothert, City Manager

9/3/2021

Mark A. Rothert

Mark A. Rothert, City Manager

9/3/2021

Date:

Ordinance No. 3011-21/22 Approving a special use request by Riverway Craft Laboratories, for the establishment of a cannabis craft growing facility in an I-1 Light Industrial District at 300 and 310 Hanna Drive

WHEREAS, Riverway Craft Laboratories, LLC ("Petitioner") wishes to construct a cannabis dispensary and cannabis craft grower facility on the property located at 300 Hanna Drive (the "Development"); and

WHEREAS, Petitioner has applied to the City for a Special Use to allow the cannabis dispensary and cannabis craft grower facility on the Property in an I-1 zoning district(a copy of Petitioners' Petition for Special Use is attached hereto as Exhibit A); and

WHEREAS, after a hearing pursuant to duly published notice, the City of Pekin Zoning Board of Appeals has recommended approval of the requested Special Use.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Pekin, Tazewell County, Illinois as follows:

Section 1. The findings and recitations hereinabove set forth are adopted and found to be true.

Section 2. The Special Use requested by Petitioner for Case SU 2021-07 to allow the operation of a cannabis craft grower facility on the Property in an I-1 zoning district, as described and depicted in Exhibit A, is hereby approved.

Section 3. 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 4. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

ADOPTED AND APPROVED at a regular meeting of the City Council of the City of Pekin this _____ day of _____, 20____.

MAYOR

ATTEST:

CITY CLERK

CITY OF PEKIN SPECIAL USE APPLICATION – Craft Grower Only

- A. Application Form (with plat and site plan attached)
- B. Responses to factors listed on form
- C. Requirements of Section 4-3-10-2 of Pekin City Code
- D. Compliance with Section 4-3-10-3 of Pekin City Code (Craft Grower)
- E. Affidavit of Aaron J. Rossi



City of Pekin- Zoning and Inspections Department

111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2315

SPECIAL USE APPLICATION

Address of Requested Special Use: Address for new parcel not yet assigned. Property lies south of Hanna Drive, between 5th Street to the east and a railroad right of way to the west (see attached plat).

The proposed landlord, Riverway Property Management, LLC, is requesting the subdivision of the subject property as shown on the plat. If granted, the new parcel will be conveyed to Riverway Property Management, LLC, with the same contact information.

Applicant Name: RIVERWAY CRAFT LABORATORIES, LLC (will be the lessee/operator of the facility)

Address: 1805 RIVERWAY DR, PEKIN, IL 61554

Phone #: _____ Cell Phone #: (309) 550-3242 E-Mail: a.rossi@palhealth.com

Owner Name: CITY OF PEKIN (current land owner)

Address: 111 S. CAPITOL ST., PEKIN, IL 61554

Phone #: 309-477-2300 Cell Phone #: _____ E-Mail: _____

Attorney: DAVID L. WENTWORTH II and WILLIAM P. STREETER

Address: 401 MAIN STREET, PEORIA, IL 61602

Phone #: 309-637-1400 Cell Phone #: (309) 369-3895

Phone #: _____ Cell Phone #: _____ E-Mail: dwentworth@hgsuw.com

Property Information:

Lot Area: 57.654 acres +/- Zoning District: I-1 Present Use: Vacant

Use of Adjacent Property & Zoning:

North: Agricultural (I-1)

South: Agricultural (PUD)

East: Agricultural (I-1) and Industrial (PUD)

West: Industrial (I-1) and Prison (I-1)

Property Identification Number: Will be subdivided from 10-10-10-400-006

Legal Description: (Attach Separate Page): See plat attached; Final plat to be recorded.



City of Pekin- Zoning and Inspections Department

111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2315

Brief Summary and Reason for Request: To construct and operate an adult use cannabis craft grower facility, all pursuant to the City of Pekin Zoning Code and the CRTA.

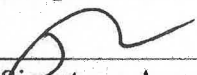
No Special Use shall be recommended for approval by the Plan Commission unless there is a concurring vote of a majority of all members regarding findings of fact. Clearly explain how the requested Special Use meets each of the following findings of fact standards: [SEE **ATTACHED RESPONSES**]

- 1.) The proposed Special use is consistent with the intent of the Comprehensive Plan.
- 2.) The establishment, Maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
- 3.) The Special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted nor substantially diminish property values within the neighborhood.
- 4.) The establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- 5.) Adequate utilities, access roads, drainage or necessary facilities have been or will be provided.
- 6.) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- 7.) The Special Use is necessary for public convenience at this location.

CERTIFICATION BY THE APPLICANT

Riverway Craft Laboratories LLC

I certify that all the information contained in this application form or any attachments, documents, or plans submitted herewith are true to the best of my knowledge and belief.

By: 
Applicant Signature: Aaron J. Rossi, CFO

8-26-21
Date

CERTIFICATION BY PROPERTY OWNER

City of Pekin

I certify that I am the owner of the property, which is the subject of this request. The applicant has received my approval to proceed with this request.

By: _____
Owner Signature: _____ Date _____



City of Pekin- Zoning and Inspections Department

111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2315

CHECKLIST OF REQUIRED SPECIAL USE ITEMS:

- _____ One original completed Special Use application form with all required signatures.
- _____ Payment of \$85.00 non-refundable filing fee. Checks should be made payable to “City of Pekin”.
- _____ Fifteen (15) copies of a Site Plan of the proposed development showing:
- * A scale of not less than one inch equals fifty feet (1" = 50') if the subject property is less than three (3) acres and one inch equals one hundred feet (1" = 100') if three (3) acres or more.
 - * Date, north point and scale.
 - * The dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties.
 - * The location of all existing and proposed structures on the subject property and all structures within one hundred feet (100') of the subject property.
 - * The location of all existing and proposed drives and parking areas.
 - * The location and right-of-way widths of all abutting streets and alleys.
 - * The names, addresses, and phone numbers of the architect, planner, designer, engineer or person responsible for the preparation of the site plan.
- _____ Attachments such as landscape plan, photograph or renderings of existing and proposed site, building layouts or elevations, etc. are commended in order to provide accurate and sufficient information for review by the Development Review Committee and consideration by the Plan Commission.
- _____ The applicant(s) or authorized agent must be present at the Planning Commission meeting to address any questions that may arise.

FOR OFFICE USE ONLY:

Filing Fee: \$85.00

Date Filed: _____

Publication Date: _____

Public Hearing Date: _____

City Council Action Date: _____

Approved: _____

Denied: _____

Ordinance #: _____

1.) The proposed Special Use is consistent with the intent of the Comprehensive Plan.

The City of Pekin “Comprehensive Plan 2006” (the “Plan”) states that:

An important part of any community is its economic activity. Existing commercial and industrial uses must be kept vibrant while new commercial and industrial growth is needed to maintain and increase economic opportunities and potential. (Section IV, p. IV-1).

The Plan further recognizes the Riverway Business Park as an important economic development project (p. IV-5), and specifically identifies the continuing development of the Riverway Business Park as an economic development objective for the City (p. IV-10). Moreover, the Plan refers to the City’s promotion of the Riverway Business Park for industrial development (p. IX-4).

The proposed development in the Riverway Business Park squarely fits within the Plan’s objectives.

2.) The establishment, Maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.

The City has specifically identified certain zoning classifications as appropriate for the proposed special use.

3.) The Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted nor substantially diminish property values within the neighborhood.

The adjacent properties all have PUD or I-1 zoning classification. The developed properties are used for industrial uses, and for a prison.

4.) The establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The surrounding property that is not already developed is zoned I-1. The proposed special use is consistent with other uses permitted in an I-1 district, and will not impede the development of those properties.

5.) Adequate utilities, access roads, drainage or necessary facilities have been or will be provided.

Such facilities are a necessary element of the proposed use and will be provided.

- 6.) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.**

The points of ingress and egress are shown on the attached site plan.

- 7.) The Special Use is necessary for public convenience at this location.**

The City has identified this area for this type of special use.

REQUIREMENTS OF SECTION 4-3-10-2 OF THE PEKIN CITY CODE:

- 1. Impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.**

The surrounding uses are agriculture and/or industrial. The City has determined that this Special Use is appropriate in the I-1 zoning district.

- 2. Proposed structure in which the facility will be located, including co-tenancy (if in a multi-tenant building), total square footage, security installations and security plan, and building code compliance.**

The site plan is attached. All design and construction will be in compliance with the City's building code. The applicant will install building enhancements, such as security cameras, lighting or other improvements to ensure the safety of employees and customers of the facility. Security will be in full compliance with the CRTA and any rules and regulations promulgated by the Illinois Department of Agriculture.

- 3. Hours of operation and anticipated number of customers/employees.**

Proposed hours of operation: Unknown – potentially 24 hrs/day

Number of customers: No retail customers

Number of employees: 20-40

- 4. Anticipated parking demand, available private parking supply, and parking requirements established in Division 9 of Article 3 of Chapter 4.**

The site plan shows the parking layout which is in compliance with this Code. Applicant anticipates parking demand will not exceed the planned parking availability.

- 5. Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.**

Access to roadways is shown on the site plan.

- 6. Site design, including access points and internal site circulation.**

Please see the attached site plan.

7. **Proposed signage plan.**

Signage will be per CRTA requirements.

8. **Compliance with all requirements of the specific section in this Division for the particular type of Cannabis Business Establishment that is being proposed, as applicable.**

Please see the attached regarding compliance with Section 4-3-10-3 of the Pekin City Code.

9. **Other criteria determined to be necessary to assess compliance with the provisions of this Article.**

The applicant is pleased to provide any further information the City may deem necessary to assess compliance.

**COMPLIANCE WITH SECTION 4-3-10-3 OF THE PEKIN CITY CODE
(CRAFT GROWER):**

- A. Facility may not be located within 400 feet of the property line of a pre-existing place of worship, public or private nursery school, preschool, primary or secondary school, college, university, community or junior college, vocational or trade school, learning center or academy, driving school, cosmetology school, day care center, licensed day care home or group day care home, part day child care facility, licensed residential care home, or area zoned for residential use.**

Please see attached site plan.

- B. Facility may not conduct any sales or distribution of cannabis other than as authorized by the CRTA.**

The facility will be properly licensed and in full compliance with the CRTA.

- C. For purposes of determining required parking. Adult-Use Cannabis Craft Grower shall be classified as “Industrial or research establishments and related accessory offices” per Section 4-3-9-4 (Schedule of Parking Requirements), provided, however, that the City may require that additional parking be provided as a result of the analysis completed through Section 4-3-10-2.**

Please see attached site plan showing parking plan, with 47 spaces for the craft grower operation.

Section 4-3-9-4 requires 5 spaces plus 1 for every 1½ employees in the largest working shift.

Initial construction with Phase 1 Greenhouse (20 employees) requires 19 spaces.

Initial construction with Phase 2 and 3 Greenhouse (40 employees) requires 32 spaces.

- D. No more than one (1) Adult-Use Cannabis Craft Grower shall be granted a Special Use under this Article or otherwise permitted to operate in the City.**

Applicant is requesting a transfer of its existing Craft Grower Special Use granted by the City. Applicant is not aware of any other Craft Grower Special Uses granted by the City.

- E. Facility shall operate in compliance with all applicable state and local laws, including the CRTA and the provisions of this Title.**

The facility will operate in full compliance with all applicable state and local laws, including the CRTA and Article 3 of Chapter 4 of the Pekin City Code.

STATE OF ILLINOIS)
)
 COUNTY OF TAZEWELL)

SS.

AFFIDAVIT OF AARON J. ROSSI

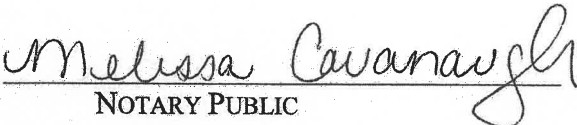
AARON J. ROSSI, being first duly sworn upon his oath, deposes and states as follows:

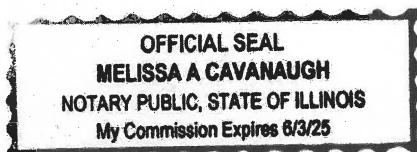
1. This affidavit is given pursuant to Section 4-3-10-14 of the City of Pekin's City Code.
2. I am the CFO of Riverway Craft Laboratories, LLC, the applicant herein.
3. The facility proposed in the Special Use application filed herewith shall operate in compliance with:
 - (a) All applicable sections of Article 3 of Chapter 4 of the Pekin City Code, including Section 4-3-10-3 (Craft Grower);
 - (b) All requirements of the Cannabis Regulation and Tax Act and/or Medical Cannabis Act; and
 - (c) Any stipulations or conditions imposed during the review and approval process.

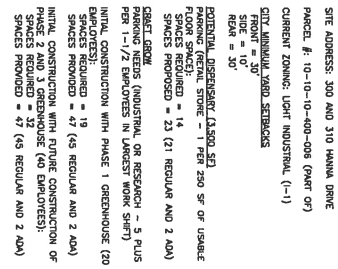
FURTHER AFFIANT SAYETH NOT.


 AARON J. ROSSI

Subscribed and sworn to before me
 this 26 day of August, 2021.


 NOTARY PUBLIC



**Packet Pg. 36**



For a Craft Grower:

- A. Facility may not be located within 400 feet of the property line of a pre-existing place of worship, public or private nursery school, preschool, primary or secondary school, college, university, community or junior college, vocational or trade school, learning center or academy, driving school, cosmetology school, day care center, licensed day care home or group day care home, part day child care facility, licensed residential care home, or area zoned for residential use.**

For a Dispensing Organization:

- A. Facility may not be located within 100 feet of the property line of a pre-existing place of worship, public or private nursery school, preschool, primary or secondary school, college, university, community or junior college, vocational or trade school, learning center or academy, driving school, cosmetology school, day care center, licensed day care home, or licensed residential care home.**

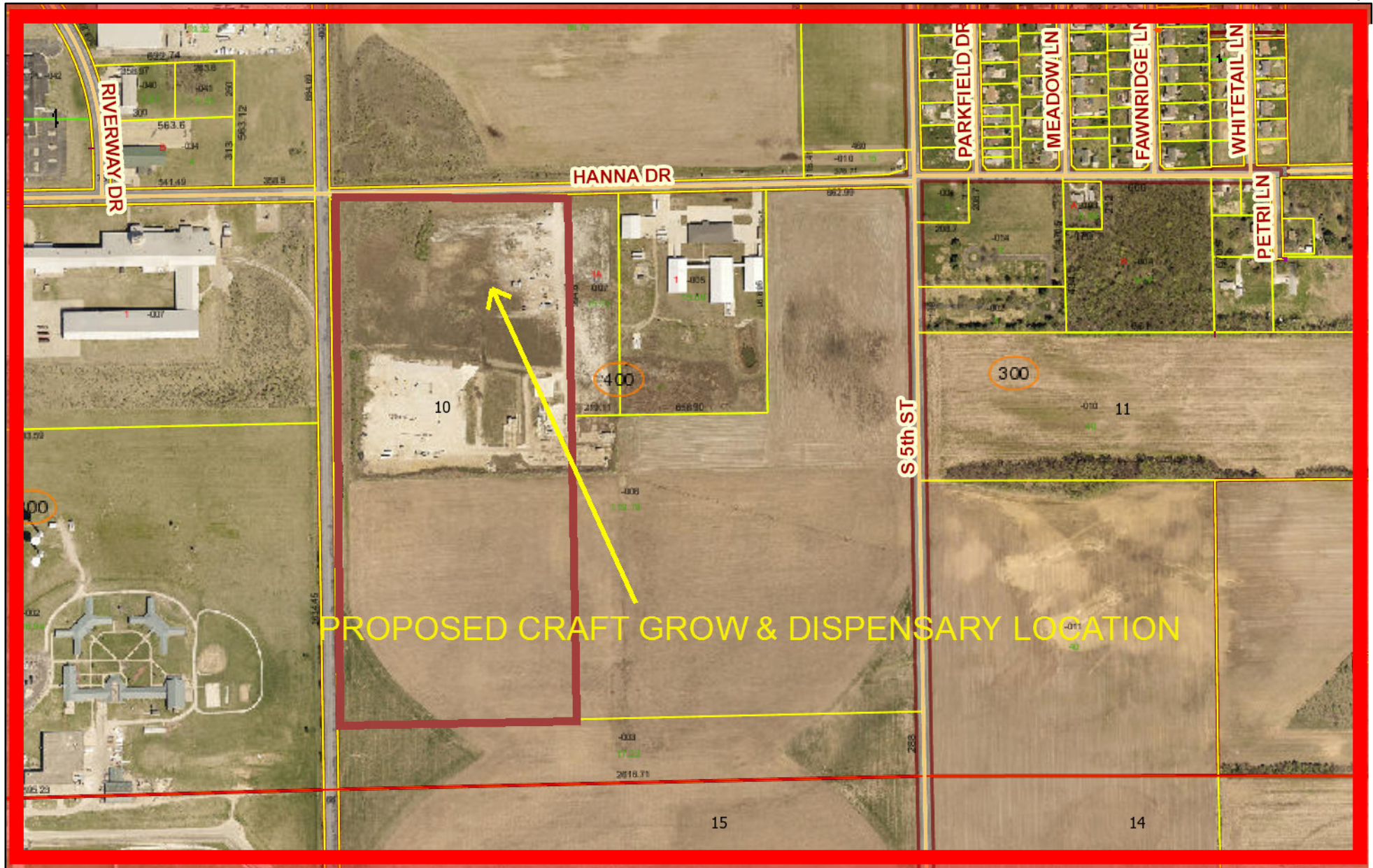
The proposed Facility is more than 400 feet away (and therefore more than 100 feet away) from any of the above pre-existing uses, measured property line to property line. The proposed Facility is more than 400 feet away from the nearest areas zoned for residential use. The nearest residentially zoned area is to the East, at 1841 Parkfield Drive, Pekin, IL 61554; PIN 10-10-11-106-013; Zoned R-T. The nearest college is to the west, 225 Hanna Drive, Pekin, IL 61550; PIN 10-10-10-100-034. For purposes of this analysis, the measurements were taken from the outer perimeter of the entire 57.654 acre lot, which will be subdivided from parcel 10-10-10-400-006.

A 400 Foot Setback Exhibit Drawing is attached; none of the pre-existing uses are found or present on any property, in whole or in part, within the 400 foot setback. The uses of the property within or for which any portion of adjoining property is used include industrial, a prison, and agricultural.



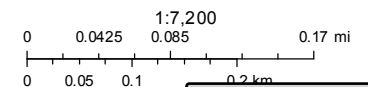
PROPOSED CRAFT GROW & DISPENSARY LOCATION

6.4.b



- | | | |
|---------|----------|-----------|
| — I-155 | — IL 29 | — US 24 |
| — I-474 | — IL 98 | — Streets |
| — I-74 | — US 150 | |

Tazewell County GIS parcel and map records contained herein are for property tax purposes only. This information has been compiled from the most accurate source data from the public records of Tazewell County. This information must be accepted and used with the understanding that the data was collected primarily for the use and purpose of creating a Property Tax Roll per Illinois Statute. The information contained herein is for reference purposes only, and should not be relied upon as a substitute for a title search. Any reliance on the information contained herein is at the user's own risk. The Tazewell County GIS assumes no responsibility for any use of the information contained herein or any loss resulting therefrom. Users of Tazewell County GIS site assume all risk and liability when accessing any third-party site linked to this site. All data is subject to change.





REQUEST FOR COUNCIL ACTION

Agenda Date: September 8, 2021
To: Council Members
From: Mark Rothert, City Manager

AGENDA ITEM: Ordinance No. 3012-21/22 Approving Special Use by Riverway Craft Laboratories, LLC for a Dispensary

ACTION REQUESTED: Approve and Adopt the Ordinance.

DESCRIPTION: Case SU 2021-07 - Riverway Craft Laboratories, LLC (the "Developer") is interested to move its development site location from Enterprise Drive (behind PAL Health) to a new location at 300 Hanna Drive. The subject parcel is south of Hanna Drive and bordered by Fifth Street to the east, Hanna Drive to the north, and a railroad right-of-way to the west, PIN I 0-10-400-006.

The Developer is proposing to purchase approximately 57.654 acres on the west side of the parcel (the "Property"). A plat of survey, with the desired parcel labeled Lot 2, is attached hereto as Exhibit A, and includes a 60-foot permanent drainage easement along the north side of the Property, for the City to continue to maintain the existing drainage ditch.

The Developer intends to construct a cannabis dispensary and cannabis craft grower facility on the Property (the "Development"). Those facilities will be leased to Riverway Craft Laboratories, LLC, which will operate the dispensary and craft grow operations. All operations will be run pursuant to state law. A site plan of the facilities is attached hereto as Exhibit B. Below are additional details about each operation:

Craft Grow Facility:

- a. Development: The initial construction will include an approximately 19,881 square foot operations building, 2,000 square foot warehouse, a greenhouse and other facilities. The facility will also accommodate a potential infuser building of more than 15,000 square feet.
- b. Employment: With the initial construction with the Phase I Greenhouse, it is estimated that the Facility will have 20 employees. With the Phase 2 and Phase 3 Greenhouse, we anticipate that 40 employees will be employed.

Dispensary:

- a. Development: 3,500 square foot building.
- b. Employment: It is estimated that initially, 8 employees will be employed for the dispensary.

Construction of the initial phase of the Craft Grower Facility is estimated to be completed within 6 to 12 months after approval from the State of Illinois. The construction commencement date of the Dispensary is unknown at this time.

The Developer appeared before the Zoning Board of Appeals at its September 1, 2021 meeting and made Special Use requests to subdivide the subject property as shown on the plat. If granted, the new parcel will be conveyed to Riverway Property Management, LLC. The Developer's application spells out how they are in compliance with the 400 ft. separation requirement from residential properties; that they exceed minimum parking requirements; and that they have all of the required approvals from the state, other than site ownership. Developer desires this location for expansion purposes if the State ever increases its 14,000 sq. ft. max growing limitation. Developer also acknowledged that they would be giving up the existing approval for the craft grow and dispensary behind PAL Health once they received the approval for the new location.

Staff recommends approval. The Zoning Board of Appeals approved it unanimously.

FINANCIAL IMPACT: N/A

Requested Amount:
Line Item:
Budgeted Amount:
Remaining Funds:

IMPACT IF APPROVED: Special Use will be granted

IMPACT IF DENIED: Special Use will not be granted

ALTERNATIVES:

RELATED TO THE 2019-2021 CITY COUNCIL GOALS:

5 Year CIP. The Five-Year Capital Improvement Plan reflects all current and future capital improvement needs of the City of Pekin. The Plan is designed to be updated annually by staff and submitted to the Council for review and approval prior to the annual budget process.

Enhance Code Enforcement Services. The Council understands the importance of a strong Code Enforcement Program in that it has an impact on many facets of living and doing business inside the City of Pekin.

Business Friendly Community. The Council strives to bring new businesses to Pekin while helping to maintain and expand all existing businesses. It is therefore essential to work cooperatively to make Pekin a "Business-Friendly" Community.

Efficient and Effective Municipal Operations. A fundamental responsibility of elected officials, City Staff and Employees is the exercise of good stewardship over public funds. Therefore, it is important that municipal services be delivered with maximum efficiency and effectiveness

Police & Fire Pension Obligation. To meet the 90% funding level by the year 2040 it is essential the City plan carefully and maintain financial discipline to meet its \$63 million dollar obligation.

Employee Residency. It is the goal of the Council to develop a policy that encourages more full-time non-union employees who participate in a City funded pension program to reside within the city limits of Pekin.

REQUIRED SIGNATURES

Finance Department (Certification of Availability of Funds):

Date:

City Manager:

Mark A. Rothert

Mark A. Rothert, City Manager

9/3/2021

Mark A. Rothert

Mark A. Rothert, City Manager

9/3/2021

Date:

Ordinance No. 3012-21/22 Approving a special use request by Riverway Craft Laboratories, for the establishment of a cannabis dispensary facility in an I-1 Light Industrial District at 300 and 310 Hanna Drive

WHEREAS, Riverway Craft Laboratories, LLC ("Petitioner") wishes to construct a cannabis dispensary and cannabis craft grower facility on the property located at 300 Hanna Drive (the "Development"); and

WHEREAS, Petitioner has applied to the City for a Special Use to allow the cannabis dispensary and cannabis craft grower facility on the Property in an I-1 zoning district(a copy of Petitioners' Petition for Special Use is attached hereto as Exhibit A); and

WHEREAS, after a hearing pursuant to duly published notice, the City of Pekin Zoning Board of Appeals has recommended approval of the requested Special Use.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Pekin, Tazewell County, Illinois as follows:

Section 1. The findings and recitations hereinabove set forth are adopted and found to be true.

Section 2. The Special Use requested by Petitioner for **Case SU 2021-08** to allow the operation of a cannabis dispensary facility on the Property in an I-1 zoning district, as described and depicted in Exhibit A, is hereby approved.

Section 3. 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 4. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

ADOPTED AND APPROVED at a regular meeting of the City Council of the City of Pekin this _____ day of _____, 20____.

MAYOR

ATTEST:

CITY CLERK

CITY OF PEKIN SPECIAL USE APPLICATION – Dispensing Organization

- A. Application Form (with plat and site plan attached)
- B. Responses to factors listed on form
- C. Requirements of Section 4-3-10-2 of Pekin City Code
- D. Compliance with Section 4-3-10-5 of Pekin City Code (Dispensing Organization)
- E. Affidavit of Aaron J. Rossi



City of Pekin- Zoning and Inspections Department

111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2315

SPECIAL USE APPLICATION

Address of Requested Special Use: Address for new parcel not yet assigned. Property lies south of Hanna Drive, between 5th Street to the east and a railroad right of way to the west (see attached plat).

The proposed landlord, Riverway Property Management, LLC, is requesting the subdivision of the subject property as shown on the plat. If granted, the new parcel will be conveyed to Riverway Property Management, LLC, with the same contact information.

Applicant Name: RIVERWAY CRAFT LABORATORIES, LLC (will be the lessee/operator of the facility)

Address: 1805 RIVERWAY DR, PEKIN, IL 61554

Phone #: _____ Cell Phone #: (309) 550-3242 E-Mail: a.rossi@palhealth.com

Owner Name: CITY OF PEKIN (current land owner)

Address: 111 S. CAPITOL ST., PEKIN, IL 61554

Phone #: 309-477-2300 Cell Phone #: _____ E-Mail: _____

Attorney: DAVID L. WENTWORTH II and WILIAM P. STREETER

Address: 401 MAIN STREET, PEORIA, IL 61602

Phone #: 309-637-1400 Cell Phone #: (309) 369-3895

Phone #: _____ Cell Phone #: _____ E-Mail: dwentworth@hgsuw.com

Property Information:

Lot Area: 57.654 acres +/- Zoning District: I-1 Present Use: Vacant

Use of Adjacent Property & Zoning:

North: Agricultural (I-1)

South: Agricultural (PUD)

East: Agricultural (I-1) and Industrial (PUD)

West: Industrial (I-1) and prison (I-1)

Property Identification Number: Will be subdivided from 10-10-10-400-006

Legal Description: (Attach Separate Page): See plat attached; Final plat to be recorded



City of Pekin- Zoning and Inspections Department

111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2315

Brief Summary and Reason for Request: To construct and operate an adult use cannabis dispensary facility, all pursuant to the City of Pekin Zoning Code and the CRTA.

No Special Use shall be recommended for approval by the Plan Commission unless there is a concurring vote of a majority of all members regarding findings of fact. Clearly explain how the requested Special Use meets each of the following findings of fact standards: **[SEE ATTACHED RESPONSES]**

- 1.) The proposed Special use is consistent with the intent of the Comprehensive Plan.
- 2.) The establishment, Maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
- 3.) The Special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted nor substantially diminish property values within the neighborhood.
- 4.) The establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- 5.) Adequate utilities, access roads, drainage or necessary facilities have been or will be provided.
- 6.) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- 7.) The Special Use is necessary for public convenience at this location.

CERTIFICATION BY THE APPLICANT

Riverway Craft Laboratories LLC

I certify that all the information contained in this application form or any attachments, documents, or plans submitted herewith are true to the best of my knowledge and belief.

By: _____

Applicant Signature: Aaron J. Rossi, CFO

Date

8-26-21

CERTIFICATION BY PROPERTY OWNER

City of Pekin

I certify that I am the owner of the property, which is the subject of this request. The applicant has received my approval to proceed with this request.

By: _____

Owner Signature:

Date



City of Pekin- Zoning and Inspections Department

111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2315

CHECKLIST OF REQUIRED SPECIAL USE ITEMS:

- _____ One original completed Special Use application form with all required signatures.
- _____ Payment of \$85.00 non-refundable filing fee. Checks should be made payable to “City of Pekin”.
- _____ Fifteen (15) copies of a Site Plan of the proposed development showing:
 - * A scale of not less than one inch equals fifty feet (1" = 50') if the subject property is less than three (3) acres and one inch equals one hundred feet (1" = 100') if three (3) acres or more.
 - * Date, north point and scale.
 - * The dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties.
 - * The location of all existing and proposed structures on the subject property and all structures within one hundred feet (100') of the subject property.
 - * The location of all existing and proposed drives and parking areas.
 - * The location and right-of-way widths of all abutting streets and alleys.
 - * The names, addresses, and phone numbers of the architect, planner, designer, engineer or person responsible for the preparation of the site plan.
- _____ Attachments such as landscape plan, photograph or renderings of existing and proposed site, building layouts or elevations, etc. are commended in order to provide accurate and sufficient information for review by the Development Review Committee and consideration by the Plan Commission.
- _____ The applicant(s) or authorized agent must be present at the Planning Commission meeting to address any questions that may arise.

FOR OFFICE USE ONLY:

Filing Fee: \$85.00

Date Filed: _____

Publication Date: _____

Public Hearing Date: _____

City Council Action Date: _____

Approved: _____

Denied: _____

Ordinance #: _____

1.) The proposed Special Use is consistent with the intent of the Comprehensive Plan.

The City of Pekin “Comprehensive Plan 2006” (the “Plan”) states that:

An important part of any community is its economic activity. Existing commercial and industrial uses must be kept vibrant while new commercial and industrial growth is needed to maintain and increase economic opportunities and potential. (Section IV, p. IV-1).

The Plan further recognizes the Riverway Business Park as an important economic development project (p. IV-5), and specifically identifies the continuing development of the Riverway Business Park as an economic development objective for the City (p. IV-10). Moreover, the Plan refers to the City’s promotion of the Riverway Business Park for industrial development (p. IX-4).

The proposed development in the Riverway Business Park squarely fits within the Plan’s objectives.

2.) The establishment. Maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.

The City has specifically identified certain zoning classifications as appropriate for the proposed special use.

3.) The Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted nor substantially diminish property values within the neighborhood.

The adjacent properties all have PUD or I-1 zoning classification. The developed properties are used for industrial uses, and for a prison.

4.) The establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The surrounding property that is not already developed is zoned I-1. The proposed special use is consistent with other uses permitted in an I-1 district, and will not impede the development of those properties.

5.) Adequate utilities, access roads, drainage or necessary facilities have been or will be provided.

Such facilities are a necessary element of the proposed use and will be provided.

- 6.) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.**

The points of ingress and egress are shown on the attached site plan.

- 7.) The Special Use is necessary for public convenience at this location.**

The City has identified this area for this type of special use.

REQUIREMENTS OF SECTION 4-3-10-2 OF THE PEKIN CITY CODE:

- 1. Impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.**

The surrounding uses are commercial and/or industrial. The City has determined that this Special Use is appropriate in the I-1 zoning district.

- 2. Proposed structure in which the facility will be located, including co-tenancy (if in a multi-tenant building), total square footage, security installations and security plan, and building code compliance.**

The site plan is attached. All design and construction will be in compliance with the City's building code. The applicant will install building enhancements, such as security cameras, lighting or other improvements to ensure the safety of employees and customers of the facility. Security will be in full compliance with the CRTA and any rules and regulations promulgated by the Illinois Department of Agriculture.

- 3. Hours of operation and anticipated number of customers/employees.**

Dispensary

Proposed hours of operation:	6am-10pm (per CRTA)
Number of customers:	Initially 85-100/day, up to 175 per day
Number of employees:	8

- 4. Anticipated parking demand, available private parking supply, and parking requirements established in Division 9 of Article 3 of Chapter 4.**

The site plan shows the parking layout which is in compliance with this Code. Applicant anticipates parking demand will not exceed the planned parking availability.

- 5. Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.**

Access to roadways is shown on the site plan. Applicant anticipates typical retail traffic for the proposed dispensing organization.

- 6. Site design, including access points and internal site circulation.**

Please see the attached site plan.

7. **Proposed signage plan.**

Signage will be per CRTA requirements. Pursuant to the CRTA, the dispensary is prohibited from “advertising”, as defined in the CRTA. There will be a sign on the building with the name of the organization.

8. **Compliance with all requirements of the specific section in this Article for the particular type of Cannabis Business Establishment that is being proposed, as applicable.**

Please see the attached regarding compliance with Sections 4-3-10-5 of the Pekin City Code.

9. **Other criteria determined to be necessary to assess compliance with the provisions of this Article.**

The applicant is pleased to provide any further information the City may deem necessary to assess compliance.

COMPLIANCE WITH SECTION 4-3-10-5 OF THE PEKING CITY CODE
(DISPENSING ORGANIZATION):

- A. Facility may not be located within 100 feet of the property line of a pre-existing place of worship, public or private nursery school, preschool, primary or secondary school, college, university, community or junior college, vocational or trade school, learning center or academy, driving school, cosmetology school, day care center, licensed day care home, or licensed residential care home.**

Please see attached site plan.

- B. At least 75% of the floor area of any tenant space occupied by the facility shall be devoted to the activities of the dispensing organization as authorized by the CRTA.**

Please see attached site plan. The entire floor area of the dispensary will be devoted to the activities of the dispensing organization.

- C. Facility may not conduct any sales or distribution of cannabis other than as authorized by the CRTA.**

The facility will be properly licensed and in full compliance with the CRTA.

- D. For purposes of determining required parking, Adult-Use Cannabis Dispensing Organization shall be classified as “retail stores, except as otherwise specified herein” per Section 4-3-9-4 (Schedule of Parking Requirements), provided, however, that the City may require that additional parking be provided as a result of the analysis completed through Section 4-3-10-2**

Please see attached site plan showing parking plan, with 23 spaces for the dispensing organization.

Dispensing organization is 3500 square feet, and therefore requires 14 spaces (1 for each 250 square feet of usable floor space).

- E. No more than three (3) Adult-Use Cannabis Dispensing Organizations shall be granted a Special Use under this Article or otherwise permitted to operate in the City.**

Applicant is requesting a transfer of its existing Dispensing Organization Special Use granted by the City.

- F. The hours of operation for an Adult-Use Cannabis Dispensing Organization shall not be earlier than 6:00 a.m. and not later than 10:00 p.m.**

The hours of operation for the dispensing organization will be from 6:00 a.m. to 10:00 p.m.

- G. No person under the age of twenty-one (21) shall be allowed to enter an Adult-Use Cannabis Dispensing Organization; provided, however, that if the facility is also licensed as a Medical Cannabis Dispensing Organization, persons under the age of 21 may be permitted to enter to the extent authorized by Section 4-3-10-10.**

No person under the age of twenty-one (21) will be allowed to enter the dispensing organization.

- H. No person shall reside in or permit any person to reside in an Adult-Use Cannabis Dispensing Organization.**

No person will reside in or permitted to reside in the facility.

- I. No outdoor seating areas shall be permitted.**

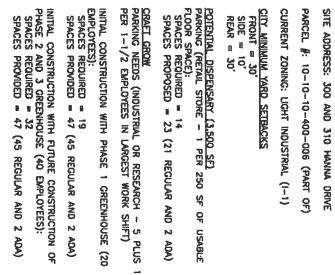
No outdoor seating areas will be used (see site plan).

- J. No drive-through services or sales shall be permitted.**

The facility will have no drive through (see site plan).

- K. Facility shall operate in compliance with all applicable state and local laws, including the CRTA and the provisions of this Title.**

The facility will operate in full compliance with all applicable state and local laws, including the CRTA and Article 3 of Chapter 4 of the Pekin City Code.





For a Craft Grower:

- A. Facility may not be located within 400 feet of the property line of a pre-existing place of worship, public or private nursery school, preschool, primary or secondary school, college, university, community or junior college, vocational or trade school, learning center or academy, driving school, cosmetology school, day care center, licensed day care home or group day care home, part day child care facility, licensed residential care home, or area zoned for residential use.**

For a Dispensing Organization:

- A. Facility may not be located within 100 feet of the property line of a pre-existing place of worship, public or private nursery school, preschool, primary or secondary school, college, university, community or junior college, vocational or trade school, learning center or academy, driving school, cosmetology school, day care center, licensed day care home, or licensed residential care home.**

The proposed Facility is more than 400 feet away (and therefore more than 100 feet away) from any of the above pre-existing uses, measured property line to property line. The proposed Facility is more than 400 feet away from the nearest areas zoned for residential use. The nearest residentially zoned area is to the East, at 1841 Parkfield Drive, Pekin, IL 61554; PIN 10-10-11-106-013; Zoned R-T. The nearest college is to the west, 225 Hanna Drive, Pekin, IL 61550; PIN 10-10-10-100-034. For purposes of this analysis, the measurements were taken from the outer perimeter of the entire 57.654 acre lot, which will be subdivided from parcel 10-10-10-400-006.

A 400 Foot Setback Exhibit Drawing is attached; none of the pre-existing uses are found or present on any property, in whole or in part, within the 400 foot setback. The uses of the property within or for which any portion of adjoining property is used include industrial, a prison, and agricultural.



STATE OF ILLINOIS)
)
 COUNTY OF TAZEWELL)

SS.

AFFIDAVIT OF AARON J. ROSSI

AARON J. ROSSI, being first duly sworn upon his oath, deposes and states as follows:

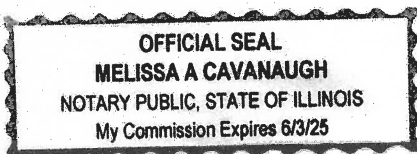
1. This affidavit is given pursuant to Section 4-3-10-14 of the City of Pekin's City Code.
2. I am the CFO of Riverway Craft Laboratories, LLC, the applicant herein.
3. The facility proposed in the Special Use application filed herewith shall operate in compliance with:
 - (a) All applicable sections of Article 3 of Chapter 4 of the Pekin City Code, including Section 4-3-10-5 (Dispensing Organization);
 - (b) All requirements of the Cannabis Regulation and Tax Act and/or Medical Cannabis Act; and
 - (c) Any stipulations or conditions imposed during the review and approval process.

FURTHER AFFIANT SAYETH NOT.

 AARON J. ROSSI

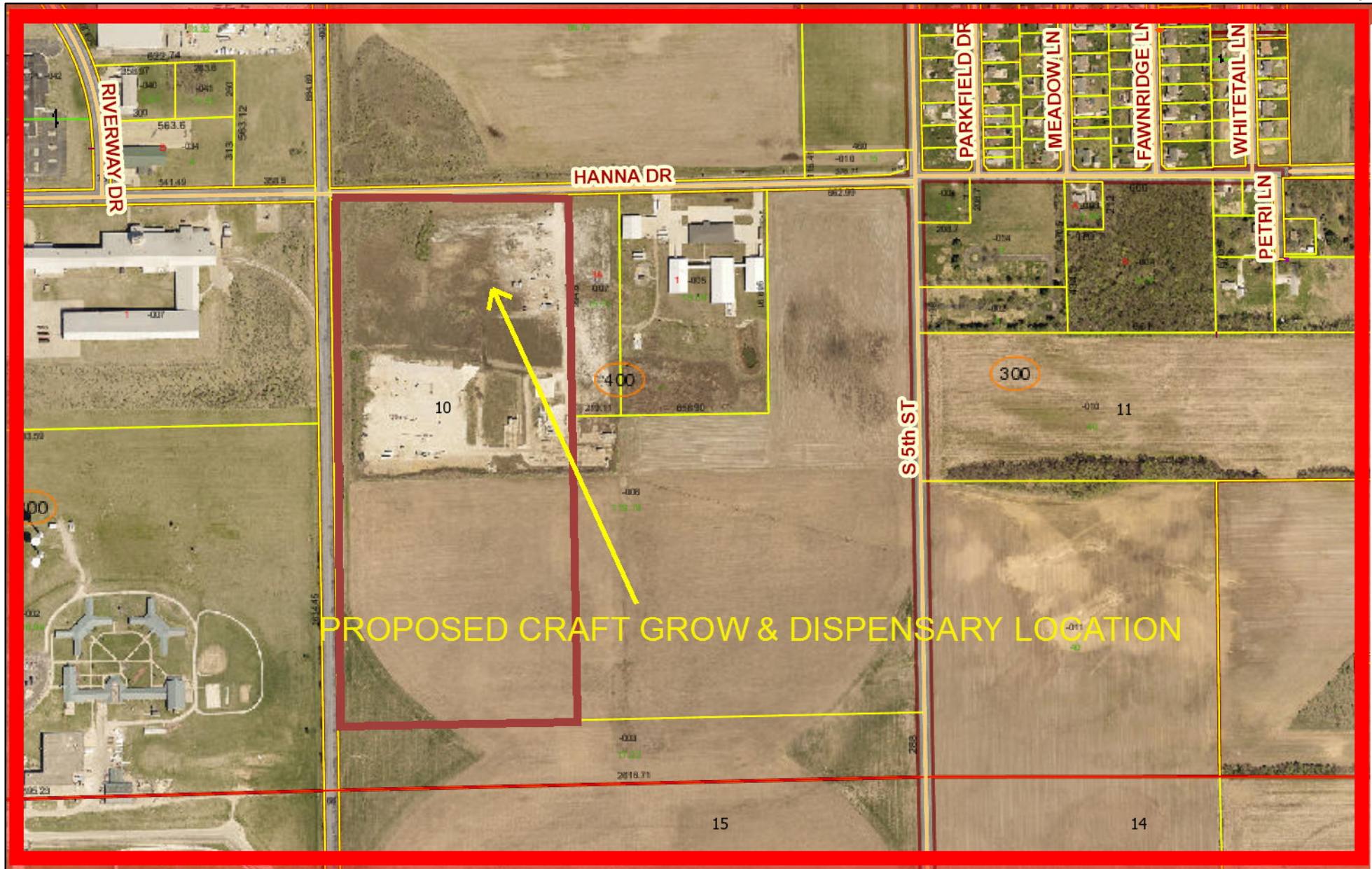
Subscribed and sworn to before me
 this 26 day of August, 2021.

Melissa Cavanaugh
 NOTARY PUBLIC



PROPOSED CRAFT GROW & DISPENSARY LOCATION

6.5.b



- | | | | | | |
|--|-------|--|--------|--|---------|
| | I-155 | | IL 29 | | US 24 |
| | I-474 | | IL 98 | | Streets |
| | I-74 | | US 150 | | |

Tazewell County GIS parcel and map records contained herein are for property tax purposes only. This information has been compiled from the most accurate source data from the public records of Tazewell County. This information must be accepted and used with the understanding that the data was collected primarily for the use and purpose of creating a Property Tax Roll per Illinois Statute. The information contained herein is for reference purposes only, and should not be relied upon as a substitute for a title search. Any reliance on the information contained herein is at the user's own risk. The Tazewell County GIS assumes no responsibility for any use of the information contained herein or any loss resulting therefrom. Users of Tazewell County GIS site assume all risk and liability when accessing any third-party site linked to this site. All data is subject to change.

