



**REGULAR ZONING BOARD OF APPEALS MEETING
WEDNESDAY, MARCH 12, 2025
5:00 PM**

1. Pledge of Allegiance

2. Call to Order

3. Approve Agenda

4. Approval of Minutes

4.1. Minutes from the February 12, 2025 Meeting

5. City Council Action Report

5.1. City Council Action Report

6. New Business

- 6.1. **Case V 2025-04** A Variance request submitted by Austin Engineering on behalf of Tazewell County for the property located at 1 Capitol Street to reduce the minimum parking requirements as well as remove the requirement for a parking lot screening wall on the west side of the property.
- 6.2. **Case SPR 2025-02** A Site Plan Review request submitted by Austin Engineering on behalf of Tazewell County for the construction of the proposed Tazewell County Justice Center on the property located at 1 Capitol Street.
- 6.3. **Case SU 2025-04** A Special Use Request Submitted by VHEA, LLC for the Operation of an Adult-Use Cannabis Dispensary at 2910 Court Street.
- 6.4. **Case PPR 2025-01** Preliminary Plat Review for Part of Lot 8 and Lot 25 of Leander Kings Subdivision for Assessment Purposes and Part of the Northwest Quarter of Fractional Section 3, Township 24 North, Range 5 West of the Third Principal Meridian, Tazewell County, Illinois. Property Being Subdivided is Currently Part of P.I.N. 04-10-03-100-002
- 6.5. **Case PPR 2025-02** Preliminary Plat Review for Part of Lot 3 in Riverway Business Park, Second Addition Being a Part of the Northeast Quarter of Section 10, Township 24 North, Range 5 West of the Third Principal Meridian, Tazewell County, Illinois. Property Being Subdivided is Currently Part of P.I.N. 10-10-10-

200-008

- 6.6. **Case ZTA 2025-01** City of Pekin, Applicant, is Requesting the Approval of a Zoning Text Amendment to the City of Pekin Zoning Ordinance. Specifically, the Request is to Division 12-Tobacco Products Dealer

7. Any Other Business Before the Board

8. Public Input

9. Adjourn

**REQUEST FOR COUNCIL ACTION**

Agenda Date: March 12, 2025
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: Minutes from the February 12, 2025 Meeting

DESCRIPTION: Minutes from the February 12, 2025 Meeting

FINANCIAL IMPACT:
N/A

REVIEWED BY:

Nic Maquet, Chief Building Official

Final Approval - 3/8/2025



City of Pekin

**PROCEEDINGS OF THE REGULAR MEETING
OF THE ZONING BOARD OF APPEALS OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 S. CAPITOL ST
ON WEDNESDAY, FEBRUARY 12, 2025 AT 5:00 PM
CHAIRMAN DON HILD PRESIDING**

Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Hild.

Call to Order

The regular meeting of the Pekin Zoning Board of Appeals was called to order. A quorum was declared by Chairman Hild.

Attendee Name	Organization	Title	Status	Arrived
Chris Deverman	Zoning Board of Appeals	Commissioner	Present	5:00 PM
Donald Hild	Zoning Board of Appeals	Chair	Present	5:00 PM
David Huskisson	Zoning Board of Appeals	Commissioner	Present	5:00 PM
Kim Joesting	Zoning Board of Appeals	Commissioner	Present	5:00 PM
Mary Lanane	Zoning Board of Appeals	Commissioner	Absent	--:-- PM
Kelly Madden	Zoning Board of Appeals	Commissioner	Present	5:00 PM
Amy Wilson	Zoning Board of Appeals	Commissioner	Present	5:02 PM

Approve Agenda

RESULT:	PASSED (UNANIMOUS)
MOVER:	Commissioner Deverman
SECONDER:	Commissioner Madden
AYES:	Commissioners Deverman, Hild, Huskisson, Joesting, Madden and Wilson
ABSENT:	Commissioner Lanane

Approval of Minutes

4.1. Minutes from the January 8, 2025 Meeting

RESULT:	PASSED (UNANIMOUS)
MOVER:	Commissioner Deverman
SECONDER:	Commissioner Madden
AYES:	Commissioners Deverman, Hild, Huskisson, Joesting, Madden and Wilson
ABSENT:	Commissioner Lanane

City Council Action Report

5.1. City Council Action Report January 27, 2025

The cases presented to City Council were all approved.

New Business

6.1. Case SU 2025-03 A Special Use request submitted by Miggy's Shop, LLC for the operation of an Adult-Use Cannabis Dispensary at 359 Court Street.

RESULT:	PASSED 5-1
MOVER:	Commissioner Deverman
SECONDER:	Commissioner Madden
AYES:	Commissioners Deverman, Hild, Huskisson, Madden and Wilson
DENIED:	Commissioner Joesting

Public Input Open: 5:03PM Public Input Closed: 5:06 PM

Motion to approve made by Commissioner Deverman and seconded by Commissioner Madden.

Thomas Howard, applicant and a local attorney, began the practice of cannabis approximately five years ago. Thomas was drawn to the property due to the location (downtown), a nice parking lot, large windows and his desire to bring the current building to life.

Commissioner Joesting asked Thomas what he was referring to by "light retail". Thomas said that some of the possibilities are homemade Oreos, bread, baked goods, etc, but said the products would not be infused.

Commissioner Huskisson asked if this was medical or recreational use and Thomas said it is going to be a hybrid (CRTA Adult Use Social Equity Licenses). Chairman Hild felt confused by the parking and Nic clarified that in the existing B2 building you can utilize street parking (if Thomas was to build a loft living space, they would need designated parking). Nic asked what the hours of operation would be and Thomas said he would be sure to keep their hours line with the state, which is between the hours of 6am-10pm. However, it is not their plan to be open that entire time. Commissioner Joesting does not feel this business is the right fit for that area. Commissioner Joesting has

concerns about the courthouse being so close, parents (with kids), etc. Nic stated and Thomas agreed there would not be any display outside the building. Thomas chose this area because of the proximity to the police dept and the courthouse (for safety purposes). Thomas also explained his desire to give back to the community. Commissioner Huskisson asked if Thomas had any interest in TIF money and Thomas said they would be looking for TIF dollars. Chairman Hild did express his approval of this being a regulated dispensary rather than a "gas station" dispensary.

Any Other Business Before the Board

Public Input

There was no further public input.

Adjourn

Motion to adjourn made by Chairman Hild and seconded by Commissioner Madden.



REQUEST FOR COUNCIL ACTION

Agenda Date: March 12, 2025
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: City Council Action Report

DESCRIPTION: No Report to be Given. Case SU 2025-03 has not been brought forward to the City Council at the time of this report.



REQUEST FOR COUNCIL ACTION

Agenda Date: March 12, 2025
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: **Case V 2025-04** A Variance request submitted by Austin Engineering on behalf of Tazewell County for the property located at 1 Capitol Street to reduce the minimum parking requirements as well as remove the requirement for a parking lot screening wall on the west side of the property.

DESCRIPTION: A Variance request submitted by Austin Engineering on behalf of Tazewell County for the property located at 1 Capitol Street to reduce the minimum parking requirements as well as remove the requirement for a parking lot screening wall on the west side of the property. Said property is zoned B-2 Central Business District with a legal description, THE EAST ONE AND TWO TWELFTHS FEET OF LOT 4 AND LOTS 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 AND 18, AND THAT PART OF THE PUBLIC ALLEY FROM THE WESTERLY RIGHT OF WAY LINE OF CAPITOL STREET TO THE WEST SIDE OF THE EAST ONE AND TWO TWELFTHS FEET OF LOT 4, ALL IN BLOCK 46, IN THE ORIGINAL TOWN, NOW CITY OF PEKIN, AND THAT PART OF ELIZABETH STREET LYING BETWEEN BLOCK 45 AND BLOCK 46 IN THE ORIGINAL TOWN, NOW CITY OF PEKIN, BOUNDED BY THE EASTERLY RIGHT OF WAY LINE OF THIRD STREET AND THE WESTERLY RIGHT OF WAY LINE OF CAPITOL STREET, SITUATED IN SECTION 34, TOWNSHIP 25 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWEILL COUNTY, IL. With the following PINs: 04-04-34-438-010, 04-04-34-438-011, 04-04-34-438-012, 04-04-34-438-013, 04-04-34-438-014, 04-04-34-438-015, 04-04-34-438-016, 04-04-34-438-017, 04-04-34-438-018, 04-04-34-438-019, 04-04-34-438-020 in Tazewell County, Illinois.

Applicants Comments

We are requesting a variance to the off-street parking requirements found in Sec. 4-3-9-4 as well as the requirement for parking lot screen wall found in Sec. 4-3-9-2(4) and requirement for landscape plantings between the parking lot and the CN Railroad ROW on the Westerly side of the property as required by Sec. 4-3-8-6(b)(3)(e). These variance requests are necessary to provide a development that is in harmony with the surrounding and adjacent uses and more representative to the change in the overall use of the property as it relates to existing County Facilities nearby.

1. Variances are intended to relieve situations involving a hardship in meeting Zoning Code requirements. What is the hardship that this variance request is intended to relieve? Examples of hardships can include the topography of the lot, unique shape of the lot or other physical conditions that prevent the request from meeting the requirements of the Zoning Code.

Response: With respect to the variance request of the required off-street parking spaces, the unique nature, purpose and public use of the Tazewell County facilities located in downtown Pekin create a specific hardship with respect to meeting the off-street parking facilities requirement. The off-street parking requirements found in Sec. 4-3-9-4 do not accurately reflect the proposed use of

the new Justice Center Annex. The best fit according to the City of Pekin Zoning staff is to utilize the "Business Office or Usable Office Space" use designation. This would require the project to construct 386 new off-street parking spaces. The fact of the matter at hand is, that the construction of a new Justice Center will not create an increase in demand or functional need for off-street parking spaces. The project will not see an increase in County employee numbers, nor will it see an increase in the public use and traffic to this area of Downtown Pekin as a result of the completion of this project.

With respect to the variance request of the required parking lot wall, Sec. 4-3-9-2(4), a hardship is created due to the unique characteristic of the property being located adjacent to an existing railroad line and an arterial highway. The residential properties that would typically require a parking lot wall to be constructed on an adjacent parking lot are located and separated from the proposed off-street parking lot by 3rd Street and an existing railroad. Constructing the wall would provide no real benefit to the residential properties and would cause the County properties to be inconsistent with past approved plans for development on adjacent County properties to the South, which do not have parking lot screen walls. Further, the residential properties in question are multi-family zoned properties, which have off-street parking facilities of their own without parking lot screen walls.

With respect to the variance request of the required parking lot landscaping, Sec. 4-3-8- 6(b)(3)(e), the CN Railroad ROW sits directly adjacent to the Westerly, S. 3rd Street ROW frontage for this project. The rules and regulations regarding improvements adjacent to the CN Railroad ROW will not allow for landscaping to be placed on the perimeter of the parking lot at this location. Due to this hardship, we ask that a variance be granted.

2. Is the variance needed due to special and unique circumstances not caused by the applicant's or owner's own actions?

Response: The location of the project and the unique circumstances described above were not caused by the applicant or owners own actions. They are inherently caused by existing conditions and surrounding uses already in place by the Owner.

3. Should the request be approved, will the variance negatively impact adjoining properties in any way?

Response: The off-street parking facilities proposed for the project along with existing off-street parking facilities will adequately serve the public use proposed and will not negatively impact adjoining properties. The absence of an off-street parking lot screen wall will align with the existing conditions found on surrounding uses, and will not negatively impact adjoining properties. The absence of landscaping between the CN Railroad and the parking lot will be consistent with the adjoining properties.

4. Will the variance be consistent with the purpose and intent of the Zoning Code and not alter the essential character of the locality?

Response: Yes. The intent of these sections of the code will be honored due to the special circumstances that exist for this geographic location and for the public use of the property.

5. Does the benefit(s) of granting the variance outweighs any anticipated negative impacts to the surrounding properties (if any)?

Response: There are no negative impacts to granting these variances and they will enhance the public benefit of the Tazewell County Justice System.

Staff Comments

Staff does recommend that a variance be granted, and it should relieve the requirements for the required wall that is meant to screen the off-street parking as it would provide no real benefit. Staff does recommend that this variance should also waive the requirements for landscaping along the westerly, south 3rd street frontage due to the rules and regulations regarding improvements near the railroad right-of-way.

Staff does recommend that this variance should also reduce the off-street parking requirements, as the city code does not clearly identify the unique mixed use of this building and its parking requirements. Staff recognized this and provided the closest parking schedule requirements that resembled the use of the building and the total of spaces required totaled 386 new parking spaces. The site plan that has been provided shows a total of 71 new parking spaces, which is 315 fewer parking spaces than what would be required by the current city code requirements. Staff have recognized that in the B-2 district there is ample public parking and the county does have numerous other parking lots for its employees and the public within walking distance of the proposed building.

FINANCIAL IMPACT:

N/A

REVIEWED BY:

Nic Maquet, Chief Building Official

Final Approval - 3/8/2025



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 478-5364

Board of Appeals Application for Consideration

<u>Type of Request (check one):</u> ☐ A. Special Use (\$125) ☐ B. Residential Variance (\$125) ☒ C. Non-Residential Variance (\$125) ☐ D. Map Amendment/Rezoning (\$125) ☐ E. Annexation (\$125)	Request Property Address or PIN: <u>1 Capitol Street, Pekin, IL 61554</u> Current Zoning (if known): <u>B-2 Central Business</u> Proposed Zoning (if rezoning request): <u>No Change</u> Current Use: <u>Vacated</u> Proposed Use (if different): <u>Justice Center Annex</u>
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Property Owner Name:	Tazewell County
Mailing Address:	11 South 4th Street, Suite 432, Pekin, IL 61554
Phone:	(309) 478-5704
Alternative Phone:	(309) 397-3834
E-Mail Address:	mdeluhery@tazewell-il.gov

Applicant Name (if different):	Austin Engineering
Mailing Address:	311 SW Water Street, Suite 215, Peoria, IL 61602
Phone:	(309) 691-0224
Alternative Phone:	(309) 208-6889
E-Mail Address:	dbirch@austinengineeringcompany.com



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 478-5364

Please summarize your request and explain why it is necessary:

We are requesting a variance to the off-street parking requirements found in Sec. 4-3-9-4 as well as the requirement for parking lot screen wall found in Sec. 4-3-9-2(4) and requirement for landscape plantings between the parking lot and the CN Railroad ROW on the Westerly side of the property as required by Sec. 4-3-8-6(b)(3)(e). These variance requests are necessary to provide a development that is in harmony with the surrounding and adjacent uses and more representative to the change in the overall use of the property as it relates to existing County Facilities nearby. For more justification please see the answers to 5 questions found in Section III of this application.

CERTIFICATION BY PROPERTY OWNER

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

Signed by:
Michael Deluhery
13EA2868FE644C3...

3/5/2025

Owner Signature Michael Deluhery
County Administrator

Date

CERTIFICATION BY THE APPLICANT (if different)

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.

Signed by:
Devin L. Birch, PE
2B55C57AD076478...

3/5/2025

Applicant Signature Devin L. Birch, PE

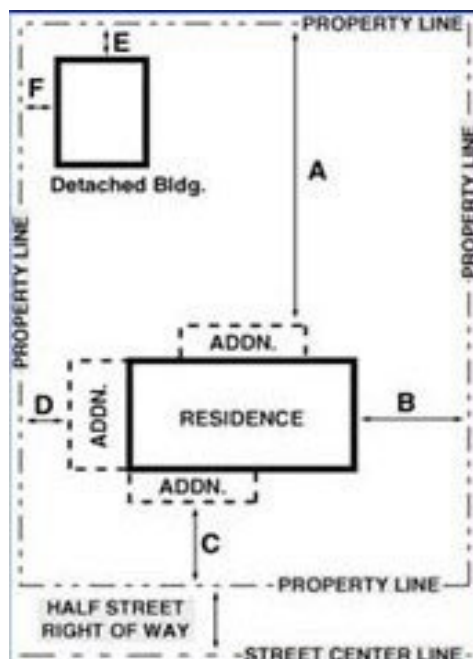
Date



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 478-5364

The following attachments are required for consideration of your request:

- I. Site Plan:** An electronic copy (preferred) or two physical copies of a site plan for the proposal showing:
1. 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.
 2. 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.
 3. 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.
 4. The names, addresses, and phone numbers of the architect, planner, designer, engineer or person responsible for the preparation of the site plan (commercial projects only).





Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 478-5364

II. Payment: Payment of the amount indicated on the first page to accompany your application. If making payment via check, please make payment payable to the “City of Pekin”.

III. Variance: If requesting a variance, you must complete and attach this page to your application:

1. Variances are intended to relieve situations involving a hardship in meeting Zoning Code requirements. What is the hardship that this variance request is intended to relieve? Examples of hardships can include the topography of the lot, unique shape of the lot or other physical conditions that prevent the request from meeting the requirements of the Zoning Code.

See attached.

2. Is the variance needed due to special and unique circumstances not caused by the applicant’s or owner’s own actions?

See attached.

3. Should the request be approved, will the variance negatively impact adjoining properties in any way?

See attached.

4. Will the variance be consistent with the purpose and intent of the Zoning Code and not alter the essential character of the locality?

See attached.

5. Does the benefit(s) of granting the variance outweighs any anticipated negative impacts to the surrounding properties (if any)?

See attached.



AUSTIN ENGINEERING CO., INC.

Consulting Engineers / Landscape Architects / Surveyors
Peoria, IL - Davenport, IA – Chattanooga, TN

austinengineeringcompany.com

Date: 03-05-2025

The following shall serve as a supplemental attachment to Section III of the City of Pekin Board of Appeals Variance Application for the proposed Tazewell County Justice Center Annex project located at 1 Capitol Street, Pekin, IL 61554.

Section III Questions and Responses:

- 1. Variances are intended to relieve situations involving a hardship in meeting Zoning Code requirements. What is the hardship that this variance request is intended to relieve? Examples of hardships can include the topography of the lot, unique shape of the lot or other physical conditions that prevent the request from meeting the requirements of the Zoning Code.*

Response:

With respect to the variance request of the required off-street parking spaces, the unique nature, purpose and public use of the Tazewell County facilities located in downtown Pekin create a specific hardship with respect to meeting the off-street parking facilities requirement. The off-street parking requirements found in Sec. 4-3-9-4 do not accurately reflect the proposed use of the new Justice Center Annex. The best fit according to the City of Pekin Zoning staff is to utilize the “Business Office or Usable Office Space” use designation. This would require the project to construct 386 new off-street parking spaces. The fact of the matter at hand is, that the construction of a new Justice Center will not create an increase in demand or functional need for off-street parking spaces. The project will not see an increase in County employee numbers, nor will it see an increase in the public use and traffic to this area of Downtown Pekin as a result of the completion of this project.

With respect to the variance request of the required parking lot wall, Sec. 4-3-9-2(4), a hardship is created due to the unique characteristic of the property being located adjacent to an existing railroad line and an arterial highway. The residential properties that would typically require a parking lot wall to be constructed on an adjacent parking lot are located and separated from the proposed off-street parking lot by 3rd Street and an existing railroad. Constructing the wall would provide no real benefit to the residential properties and would cause the County properties to be inconsistent with past approved plans for development on adjacent County properties to the South, which do not have parking lot screen walls. Further, the residential properties in question are multi-family

zoned properties, which have off-street parking facilities of their own without parking lot screen walls.

With respect to the variance request of the required parking lot landscaping, Sec. 4-3-8-6(b)(3)(e), the CN Railroad ROW sits directly adjacent to the Westerly, S. 3rd Street ROW frontage for this project. The rules and regulations regarding improvements adjacent to the CN Railroad ROW will not allow for landscaping to be placed on the perimeter of the parking lot at this location. Due to this hardship, we ask that a Variance be granted.

2. *Is the variance needed due to special and unique circumstances not caused by the applicant's or owner's own actions?*

Response:

The location of the project and the unique circumstances described above were not caused by the applicant or owners own actions. They are inherently caused by existing conditions and surrounding uses already in place by the Owner.

3. *Should the request be approved, will the variance negatively impact adjoining properties in any way?*

Response:

The off-street parking facilities proposed for the project along with existing off-street parking facilities will adequately serve the public use proposed and will not negatively impact adjoining properties.

The absence of an off-street parking lot screen wall will align with the existing conditions found on surrounding uses, and will not negatively impact adjoining properties.

The absence of landscaping between the CN Railroad and the parking lot will be consistent with the adjoining properties.

4. *Will the variance be consistent with the purpose and intent of the Zoning Code and not alter the essential character of the locality?*

Response:

Yes. The intent of these sections of the code will be honored due to the special circumstances that exist for this geographic location and for the public use of the property.

5. *Does the benefit(s) of granting the variance outweighs any anticipated negative impacts to the surrounding properties (if any)?*

Response:

There are no negative impacts to granting these variances and they will enhance the public benefit of the Tazewell County Justice System.

EXISTING SITE PHOTO



311 SW Water St., Suite 215, Peoria, IL 61602
220 Emerson Pl., Suite 101-A, Davenport, IA 52801
2115 Stein Drive, Suite 201, Chattanooga, TN 37421
P 1 (844) 691-AECI
Incorporated August 18, 1947

EXISTING SITE PHOTO



311 SW Water St., Suite 215, Peoria, IL 61602
220 Emerson Pl., Suite 101-A, Davenport, IA 52801
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EXISTING SITE PHOTO



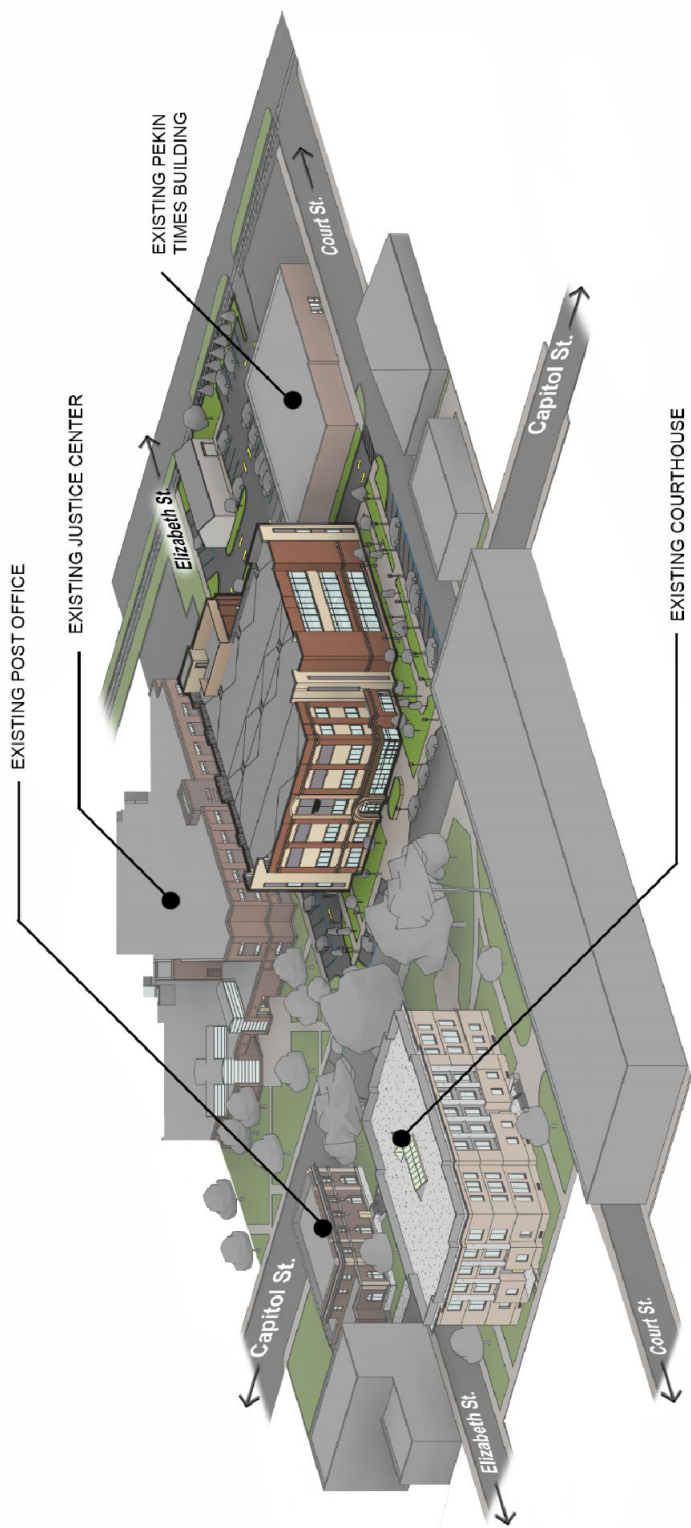
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PROPOSED RENDERING



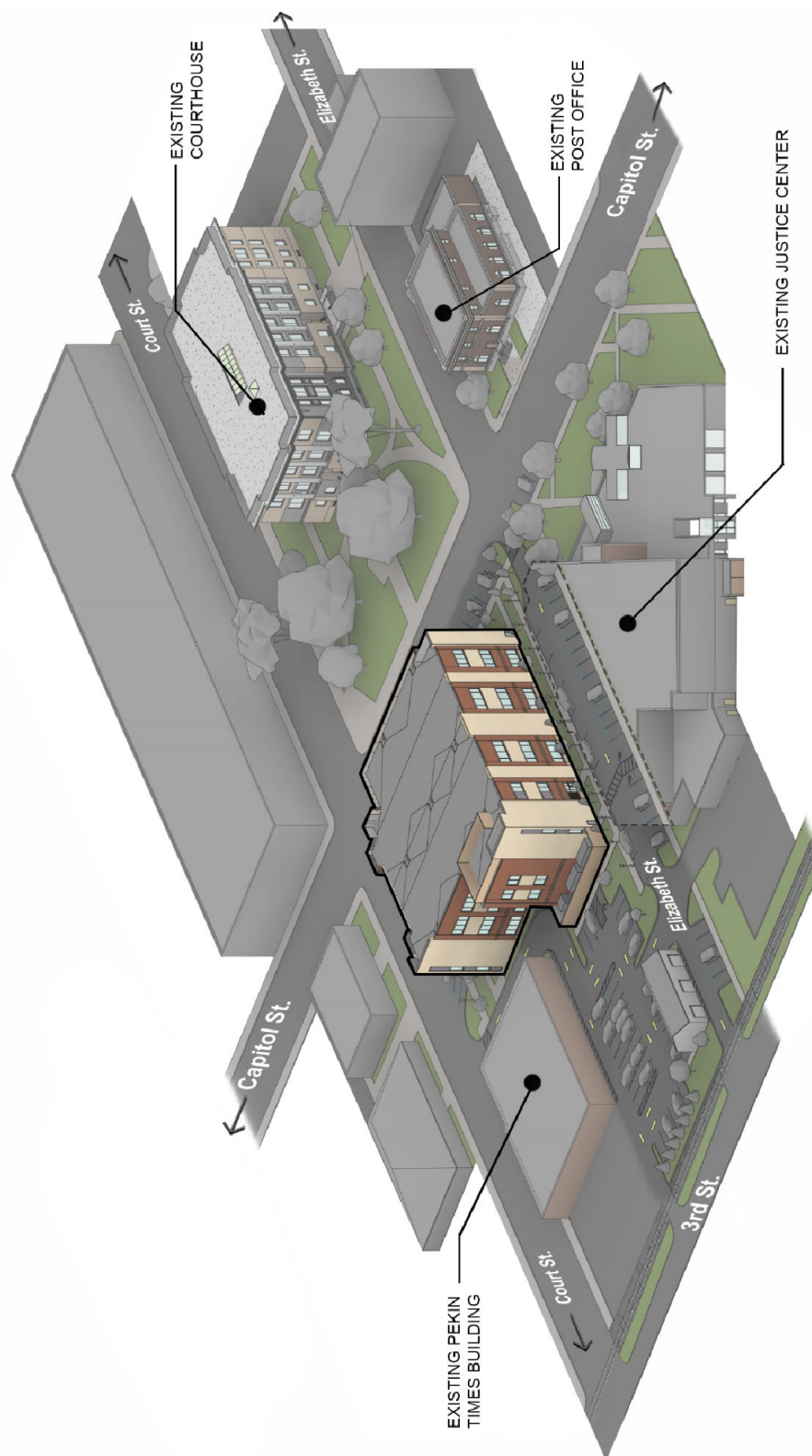
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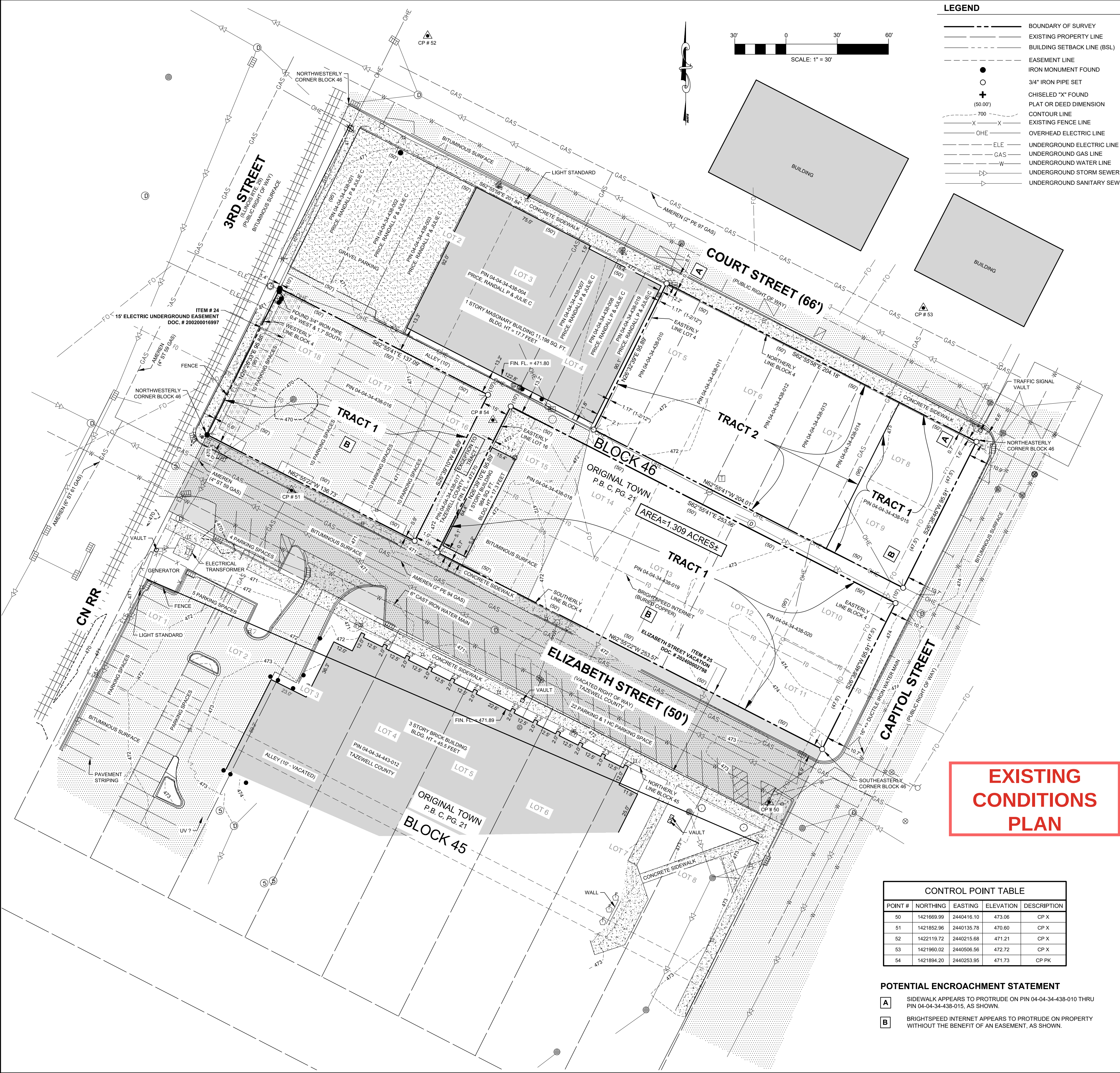
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LEGEND

- BOUNDARY OF SURVEY
- EXISTING PROPERTY LINE
- BUILDING SETBACK LINE (BSL)
- EASEMENT LINE
- IRON MONUMENT FOUND
- 3/4" IRON PIPE SET
- CHISELED "X" FOUND
- PLAT OR DEED DIMENSION
- CONTOUR LINE
- EXISTING FENCE LINE
- OVERHEAD ELECTRIC LINE
- ELE
- GAS
- UNDERGROUND GAS LINE
- UNDERGROUND WATER LINE
- UNDERGROUND STORM SEWER LINE
- UNDERGROUND SANITARY SEWER LINE
- BOLLARD
- AIR CONDITIONER
- UTILITY POLE
- WATER STOP
- SANITARY SEWER MANHOLE
- STORM SEWER INLET
- STORM SEWER INLET
- STORM SEWER MANHOLE
- SIGN
- MAIL BOX
- FLAG POLE
- UTILITY POLE W/TRANSFORMER
- GUY ANCHOR
- LIGHT POLE
- ELECTRICAL TRANSFORMER
- ELECTRIC VAULT
- ELECTRIC METER
- WATER METER
- FIRE HYDRANT
- WATER VALVE
- GRAVEL SURFACE
- CONCRETE SURFACE
- BITUMINOUS SURFACE
- ITEM # 25 VACATION OF ELIZABETH STREET
- ITEM # 24 - 15' WIDE CENTRAL ILLINOIS LIGHT COMPANY EASEMENT

GENERAL NOTES:

BEARINGS ARE BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, NAD 83, WEST ZONE 1202.
ELEVATIONS SHOWN ARE FROM FIELD SURVEY AND ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
AREA SURVEYED = 1.309 ACRES±

PROPERTIES SURVEYED ARE:
(NOTE: PIN 04-04-34-438-017 IS NOT INCLUDED IN LEGAL.)
PIN 04-04-34-438-10 PIN 04-04-34-438-11
PIN 04-04-34-438-12 PIN 04-04-34-438-13
PIN 04-04-34-438-14 PIN 04-04-34-438-15
PIN 04-04-34-438-16 PIN 04-04-34-438-18
PIN 04-04-34-438-19 PIN 04-04-34-438-20

THE PROPERTY DESCRIBED ON THE SURVEY IS THE SAME AS THE PROPERTY IN FIRST AMERICAN TITLE INSURANCE COMPANY'S COMMITMENT FOR TITLE INSURANCE, COMMITMENT No. 2024-00522, DATED APRIL 17, 2024

THIS PROPERTY HAS DIRECT ACCESS TO CAPITOL STREET AND COURT STREET, EACH OF WHICH ARE PUBLIC RIGHT OF WAYS AND ELIZABETH STREET WHICH IS VACATED (TITLED TO TAZEWELL COUNTY).

THIS PROPERTY IS CURRENTLY ZONED ENTERPRISE ZONE SOUTH. (SURVEYOR WAS NOT PROVIDED WITH A ZONING REPORT).

ELIZABETH STREET WAS VACATED BY ORDINANCE NO. 4165-23/24 (ITEM #25), HOWEVER NO PORTION OF ELIZABETH STREET WAS INCLUDED WITHIN THE LEGAL DESCRIPTION PROVIDED IN THE TITLE COMMITMENT.

LEGAL DESCRIPTION FROM SCHEDULE "A" OF FIRST AMERICAN TITLE INSURANCE COMPANY'S COMMITMENT FOR TITLE INSURANCE, COMMITMENT No. 2024-00522, DATED APRIL 17, 2024

TRACT 1: LOTS 8, 9, 10, 11, 12, 13, 14, 15, 16 (EXCEPT THE EAST 15 FEET OF LOT 16), 17 AND 18 IN BLOCK 46 IN THE ORIGINAL TOWN, NOW CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS.

TRACT 2: LOTS 5, 6 AND 7 AND THE EAST ONE AND TWO TWELFTHS FEET OF LOT 4, IN BLOCK 46 IN THE ORIGINAL TOWN, NOW CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS.

INFORMATION TAKEN FROM SCHEDULE "B", PART II EXCEPTIONS OF FIRST AMERICAN TITLE INSURANCE COMPANY'S COMMITMENT FOR TITLE INSURANCE, COMMITMENT No. 2024-00522, DATED APRIL 17, 2024

- ITEM # 20 ORDINANCE NO. 1877 APPROVED ON FEBRUARY 24, 1993, AND RECORDED APRIL 13, 1993, IN BOOK 3824 AT PAGE 289, AMENDING ORDINANCE NO. 1567, BEING AN ORDINANCE DESIGNATING AN AREA WITHIN THE CITY OF PEKIN AS AN ENTERPRISE ZONE AND ALL AMENDATORY ORDINANCES THEREIN. (AFFECTS THE PROPERTY, UNABLE TO PLOT)
- ITEM # 21 ORDINANCE NO. 1568-A61 PASSED BY THE CITY COUNCIL OF THE CITY OF PEKIN ON MARCH 7, 1994, AND RECORDED MARCH 24, 1994, IN BOOK 4096 AT PAGE 121, AMENDING A PART AND PORTION OF ORDINANCE NO. 1568 OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS KNOWN AS THE ZONING ORDINANCE. (AFFECTS THE PROPERTY, UNABLE TO PLOT)
- ITEM # 22 PLAT OF THE ORIGINAL TOWN OF PEKIN RECORDED IN PLAT BOOK C AT PAGE 21. (AFFECTS THE PROPERTY, PLOTTED AND SHOWN HEREON)
- ITEM # 24 EASEMENT GRANTED TO CENTRAL ILLINOIS LIGHT COMPANY, AND ITS SUCCESSORS AND/OR ASSIGNS, TO INSTALL, OPERATE AND MAINTAIN EQUIPMENT NECESSARY FOR THE PURPOSE OF SERVING THE LAND AND OTHER PROPERTY, TOGETHER WITH THE RIGHT OF ACCESS TO SAID EQUIPMENT AND ALL PROVISIONS CONTAINED IN THE INSTRUMENT RECORDED JUNE 12, 2002 AS DOCUMENT NO. 200200016997. (AFFECTS LOT 18) (AFFECTS THE PROPERTY, PLOTTED AND SHOWN HEREON)
- ITEM # 25 ORDINANCE NO. 4165-23/24 APPROVING THE VACATION OF THE PORTION OF ELIZABETH STREET BETWEEN CAPITOL STREET AND 3RD STREET RECORDED MARCH 13, 2024 AS DOCUMENT NO. 202400002798. (AFFECTS LOTS 11-18) (DOES NOT AFFECT THE PROPERTY, PLOTTED AND SHOWN HEREON)

TABLE A NOTES:

- ITEM NO. 1 PERMANENT SURVEY MONUMENTS WERE PLACED AT ALL MAJOR CORNERS OF THE BOUNDARY OF THE PROPERTY.
- ITEM NO. 2 ADDRESS: MULTIPLE, PEKIN IL, 61554
- ITEM NO. 3 THIS PROPERTY LIES WITHIN FLOOD AREA, ZONE X, AREA OF MINIMAL FLOOD HAZARD AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND SHOWN ON FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY-PANEL NUMBER 17179C0160E, WHICH BEARS AN EFFECTIVE DATE OF FEBRUARY 17, 2017.
- ITEM NO. 4 AREA OF PROPERTY = 1.309 ACRES±
- ITEM NO. 5 ELEVATIONS SHOWN ARE FROM FIELD SURVEY AND ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
- ITEM NO. 6(a)(b) PROPERTY IS ZONED ENTERPRISE ZONE SOUTH. (ZONING MAP) <https://pekin.maps.arcgis.com/apps/webappviewer/index.html?id=e78f34b8b4b4e16b444d5bb2dea347> (CITY OF PEKIN) https://www.ci.pekin.il.us/departments/economic_development/southern_tazewell_enterprise_zone.php SURVEYOR WAS NOT PROVIDED WITH A ZONING REPORT.
- ITEM NO. 7(a)(b)(c) EXTERIOR DIMENSIONS, SQUARE FOOTAGE AND BUILDING HEIGHT ARE AS SHOWN ON THE SURVEY AND TAKEN AT GROUND LEVEL.
- ITEM NO. 8 ALL SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTING THE SURVEY ARE SHOWN.
- ITEM NO. 9 THERE ARE A TOTAL OF 40 PARKING SPACES LOCATED ON TRACT 1.
- ITEM NO. 11 SOURCE INFORMATION FROM PLANS PROVIDED TO THE SURVEYOR COMBINED WITH OBSERVED EVIDENCE OF UTILITIES PURSUANT TO SECTION 5 E W TO DEVELOP A VIEW OF THE UNDERGROUND UTILITIES. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY, AND RELIABLY DEPICTED. WITH REGARD TO UTILITY MARKINGS IN ILLINOIS. THE ILLINOIS ONE CALL SYSTEM DOES NOT ALLOW FOR MARKINGS TO BE REQUESTED FOR SURVEYING, ENGINEERING, OR PLANNING PURPOSES. ACTUAL EXCAVATION ACTIVITIES MUST BE PERFORMED ON SITE.
- ITEM NO. 13 NAMES OF ADJOINING OWNERS AS OF MAY 6, 2024 ARE SHOWN ON THE SURVEY.
- ITEM NO. 14 THE NEAREST INTERSECTING STREETS ARE ELIZABETH STREET AND CAPITOL STREET TO THE SOUTHEAST AND CAPITOL STREET AND COURT STREET TO THE NORTHEAST, WHICH ABUT THE TRACT.
- ITEM NO. 16 AT THE TIME OF THIS SURVEY, THERE ARE SIGNS OF RECENT DEMOLITION AND EVIDENCE OF RECENT EARTH MOVING WORK AND STREET RIGHT OF WAY CHANGES. THERE ARE NO KNOWN PROPOSED BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.
- ITEM NO. 17 SURVEYOR IS NOT AWARE OF ANY PROPOSED CHANGES TO STREET RIGHT OF WAY LINES AT THE TIME OF THIS SURVEY.
- ITEM NO. 18 THERE ARE OFFSITE EASEMENTS OR SERVITUDES SERVING THE PROPERTY AS PLOTTED AND SHOWN HEREON. NO PLOTTABLE OFFSITE EASEMENTS WERE PROVIDED TO THE SURVEYOR.

ALTA/NSPS CERTIFICATE

CERTIFICATE TO:

TAZEWELL COUNTY, ILLINOIS AS TO TRACT 1, CITY OF PEKIN AS TO TRACT 2 AND FIRST AMERICAN TITLE INSURANCE. THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(a), 6(b), 7(a), 7(b), 8, 9, 13, 16 AND 19 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON APRIL 15, 2024.

I FURTHER CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED AT PEORIA, ILLINOIS THIS 29 TH DAY OF JULY, 2024.

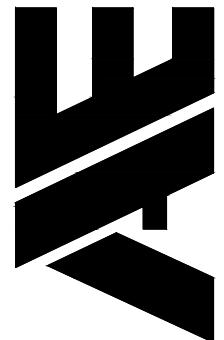
AUSTIN ENGINEERING CO., INC.

BY: JUSTIN B. MALEC
ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3871
AUSTIN ENGINEERING COMPANY, INC. (309) 691-0224
311 SW WATER ST., STE. 215 PEORIA, IL. 61602
jmalec@austinengineeringcompany.com



LICENSE EXPIRES NOVEMBER 30, 2024

AUSTIN ENGINEERING CO., INC.
Consulting Engineers / Surveyors
311 SW Water St., Suite 215
Peoria, Illinois 61602
License No. 184-001143



ALTA/NSPS LAND TITLE SURVEY

TRACT 1: LOTS 8, 9, 10, 11, 12, 13, 14, 15, 16 (EXCEPT THE EAST 15 FEET OF LOT 16), 17 AND 18 AND TRACT 2: LOTS 5, 6 AND 7 AND THE EAST ONE AND TWO TWELFTHS FEET OF LOT 4, IN BLOCK 46 IN THE ORIGINAL TOWN, NOW CITY OF PEKIN, BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 25 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWELL COUNTY, ILLINOIS
MULTIPLE, PEKIN IL, 61554

ISSUED	05/06/2024	ALTA/NSPS
	06/26/2024	ALTA/NSPS
	07/29/2024	ALTA/NSPS
	09/06/2024	ALTA/NSPS

ALTA/NSPS LAND TITLE SURVEY

PROJECT NO	79-24-021
DATE	06/26/2024
REVISED DATE	
SURVEYED WK	FIELD BOOK
DRAWN JAB	APPROVED JBM
SHEET	

**REQUEST FOR COUNCIL ACTION**

Agenda Date: March 12, 2025
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: **Case SPR 2025-02** A Site Plan Review request submitted by Austin Engineering on behalf of Tazewell County for the construction of the proposed Tazewell County Justice Center on the property located at 1 Capitol Street.

DESCRIPTION: A Site Plan Review request submitted by Austin Engineering on behalf of Tazewell County for the construction of the proposed Tazewell County Justice Center on the property located at 1 Capitol Street. Said property is zoned B-2 Central Business District with a legal description, THE EAST ONE AND TWO TWELFTHS FEET OF LOT 4 AND LOTS 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 AND 18, AND THAT PART OF THE PUBLIC ALLEY FROM THE WESTERLY RIGHT OF WAY LINE OF CAPITOL STREET TO THE WEST SIDE OF THE EAST ONE AND TWO TWELFTHS FEET OF LOT 4, ALL IN BLOCK 46, IN THE ORIGINAL TOWN, NOW CITY OF PEKIN, AND THAT PART OF ELIZABETH STREET LYING BETWEEN BLOCK 45 AND BLOCK 46 IN THE ORIGINAL TOWN, NOW CITY OF PEKIN, BOUNDED BY THE EASTERLY RIGHT OF WAY LINE OF THIRD STREET AND THE WESTERLY RIGHT OF WAY LINE OF CAPITOL STREET, SITUATED IN SECTION 34, TOWNSHIP 25 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWEILL COUNTY, IL. With the following PINs: 04-04-34-438-010, 04-04-34-438-011, 04-04-34-438-012, 04-04-34-438-013, 04-04-34-438-014, 04-04-34-438-015, 04-04-34-438-016, 04-04-34-438-017, 04-04-34-438-018, 04-04-34-438-019, 04-04-34-438-020 in Tazewell County, Illinois.

All the above-listed parcels will be combined into one parcel and will be known as 1 Capitol Street.

FINANCIAL IMPACT:
 N/A

REVIEWED BY:

Nic Maquet, Chief Building Official

Final Approval - 3/10/2025



Site Plan Review Application

Applicant Information:

Name: Austin Engineering Company, Inc.

Address: 311 SW Water Street, Suite 215, Peoria, IL 61602

Telephone: 309-691-0224 (Work) _____ (Home)

Other Applicants & Interested Parties:

Owner(s):

Name: Tazewell County

Address: 11 South 4th Street, Suite 432, Pekin, IL 61554

Telephone: (309) 478-5704 (Work) _____ (Home)

Developer(s):

Name: N/A

Address: N/A

Telephone: N/A (Work) N/A (Fax)

Engineer:

Name: Wold Architects

Address: 220 North Smith Street, Suite 310, Palatine, IL 60067

Telephone: (847) 241-6100 (Work) N/A (Fax)

Surveyor:

Name: Austin Engineering Company, Inc.

Address: 311 SW Water Street, Suite 215, Peoria, IL 61602

Telephone: 309-691-0224 (Work) _____ (Fax)

Agent / Attorney:

Name: N/A

Address: N/A

Telephone: N/A (Work) N/A (Fax)

Site Information:

Site Address: 1 Capitol Street, Pekin, IL 61554

Property Identification Number (PIN): SEE ATTACHED.

Legal Description: SEE ATTACHED.

Total Site Area (acres or square feet): 1.854 ACRES

Land Use and Zoning:

<u>Location</u>	<u>Current Zoning</u>	<u>Current Land Use</u>
Proposed Site	B-2 Central Business	Bus. & Government
Adjacent North of Site	B-2 Central Business	Bus. & Restaurant
Adjacent South of Site	B-2 Central Business	Government
Adjacent East of Site	B-2 Central Business	Government
Adjacent West of Site	RM-3 Multi-Family	Multi-Family

<u>Location</u>	<u>Proposed Zoning</u>	<u>Proposed Land Use</u>
Proposed Site	B-2 Central Business	Government

Anticipated Construction Time: Spring 2025 - Spring 2027

Will Development be Staged: No

Brief Description of Development / Project:

New Justice Center Annex, Court Rooms, Offices, Off-Street Parking, Maintenance Bldg.

Ground Coverage:

	<u>Buildings</u>				<u>Pavement</u>			
Existing:	<u>984</u>	<u>s.f.</u>	<u>1.2</u>	% of site	<u>61,742</u>	<u>s.f.</u>	<u>76.5</u>	% of site
Additional								
Proposed:	<u>24,757</u>	<u>s.f.</u>	<u>30.7</u>	% of site	<u>-19,359</u>	<u>s.f.</u>	<u>-24.0</u>	% of site
Total								
Proposed:	<u>25,741</u>	<u>s.f.</u>	<u>31.9</u>	% of site	<u>42,383</u>	<u>s.f.</u>	<u>52.5</u>	% of site

Gross Floor Area (GFA):

Existing:	984	s.f.
Additional		
Proposed:	89,270	s.f.
Total		
Proposed:	90,254	s.f.

Breakdown of Proposed Use(s) by GFA:

<u>USE</u>	<u>GFA</u>
Professional Office Space	47,598 SF
Courtrooms/Assembly	18,955 SF
Storage, Mechanical, Bathrooms, Hallways, Etc.	22,264 SF
Maintenance Building	1,437 SF

Describe in terms of any other units of measure the use of occupancy of the building(s) such as maximum seating capacity, number of employees, number of tables, etc.:

Seating Capacity of the Courtrooms at full build-out is 780 Seats

Effect of the project on public services, such as electric, gas, water, sewer, streets, schools, fire, waste disposal and recreational facilities:

Project will require Electric, Gas, Water, Sanitary, General Office Waste Disposal, Typical Fire Protection

Project will not impact Schools or recreational facilities

Parking and Traffic:

	<u>Parking Space(s)</u>	<u>Loading Space(s)</u>
Existing	67	0
Additional Proposed	4	1
Total Proposed	71	1

How many vehicles are used for business and parked on site: 0

	<u>A.M. Peak</u>	<u>P.M. Peak</u>
Estimated Traffic Flow Within the Site:	80	80
Estimated Traffic Flow on Streets Adjacent to Site:	120	120

Utility Usage:

A separate service (electric, gas, water) is required for each business or living unit.

	<u>Existing</u>	<u>Proposed</u>	<u>Total</u>
<u>Electric</u>			
Number of Service(s)		1	1
Primary / Secondary		Primary	Primary
Phase (1 or 3)		3	3
Voltage (120,208,240)		480V	480V
Usage Monthly (Kilowatt Hours)		N/A	N/A
<u>Gas</u>			
Number of Service(s)		1	1
Service Pressure (psi)		2	2
Usage Monthly (1,000 cf)		N/A	N/A
<u>Water</u>			
Number of Service(s)		1	1
Service Size (3/4,1,2, etc.)		4"	N/A
Population Equivalent (1PE=100gal sewage per day)			
Domestic		25	25
Process		N/A	N/A
Landscape		N/A	N/A

Wastewater

Number of Service(s)	<u>1</u>	<u>1</u>
Population Equivalent (1PE=100gal sewage per day)		
Domestic	<u>25</u>	<u>25</u>
Process	<u>N/A</u>	<u>N/A</u>
Describe or list products and their composition included in process wastewater: _____		

Site Work:

Amount of Grading: 18,000 CY cut 6,000 CY fill

Will the project require removal of soils from the site: XX yes no

If Yes, how may cubic yards and where is soil being relocated: 12,000 CY

The majority of the haul-off is good granular material that will be re-used on another project, we estimate +/- 1,000 CY of unclassified existing debris material will need to be taken to the Hopedale Landfill.

Erosion and Sediment Control Plan:

An erosion and sediment control plan conforming to Illinois Department of Transportation specifications, which are at least as protective as the requirements contained in the Illinois Environmental Protection Agency's Illinois Urban manual, must be shown. A Notice of Intent (NOI) must be filed with IEPA for land disturbing activities over 1 acre. This is a federal requirement. Be advised that the NOI and the EPA's acknowledgement letter must be posted in a conspicuous location at the job site or other location where public access is assured. The Storm Water Pollution Prevention Plan (SWPPP) must be kept on-site and available for inspection by City, State and/or Federal inspectors. Erosion and sediment control measures must be in place before excavation and grading can begin.

Applicant Notification:

The application shall be filled out completely so that there will be no ambiguity or uncertainty as to the applicant's intent in seeking approval of this application. Applicants are advised to review the City of Pekin Zoning Ordinances prior to filing an application and prior to appearing before the Zoning Board at the public hearing.

Certification:

Under penalty of perjury the undersigned hereby certifies that he/she has read and examined this application and that the proposed project is accurately represented in the statements made in this application.

Signed by: Michael Deluhery Date: 03-05-2025
Owner(s): _____
Michael Deluhery County Administrator Date: _____

Signed by: Devin L. Birch, PE Date: 03-05-2025
 Applicant: 2033COTAC0076478
 The signature of the property owner(s) is required for the application to be accepted.



AUSTIN ENGINEERING CO., INC.

Consulting Engineers / Landscape Architects / Surveyors
Peoria, IL - Davenport, IA – Chattanooga, TN

austinengineeringcompany.com

Date: 03-05-2025

The following shall serve as a supplemental attachment to the City of Pekin Site Plan Review Application for the proposed Tazewell County Justice Center project located at 1 Capitol Street, Pekin, IL 61554.

PIN Numbers for the Project:

04-04-34-438-010, 04-04-34-438-011, 04-04-34-438-012, 04-04-34-438-013,
04-04-34-438-014, 04-04-34-438-015, 04-04-34-438-016, 04-04-34-438-017,
04-04-34-438-018, 04-04-34-438-019, 04-04-34-438-020

Legal Description:

THE EAST ONE AND TWO TWELFTHS FEET OF LOT 4 AND LOTS 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 AND 18, AND THAT PART OF THE PUBLIC ALLEY FROM THE WESTERLY RIGHT OF WAY LINE OF CAPITOL STREET TO THE WEST SIDE OF THE EAST ONE AND TWO TWELFTHS FEET OF LOT 4, ALL IN BLOCK 46, IN THE ORIGINAL TOWN, NOW CITY OF PEKIN, AND THAT PART OF ELIZABETH STREET LYING BETWEEN BLOCK 45 AND BLOCK 46 IN THE ORIGINAL TOWN, NOW CITY OF PEKIN, BOUNDED BY THE EASTERLY RIGHT OF WAY LINE OF THIRD STREET AND THE WESTERLY RIGHT OF WAY LINE OF CAPITOL STREET, SITUATED IN SECTION 34, TOWNSHIP 25 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWEEL COUNTY, IL.

EXISTING SITE PHOTO



311 SW Water St., Suite 215, Peoria, IL 61602
220 Emerson Pl., Suite 101-A, Davenport, IA 52801
2115 Stein Drive, Suite 201, Chattanooga, TN 37421
P 1 (844) 691-AECI
Incorporated August 18, 1947

EXISTING SITE PHOTO



311 SW Water St., Suite 215, Peoria, IL 61602
220 Emerson Pl., Suite 101-A, Davenport, IA 52801
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EXISTING SITE PHOTO



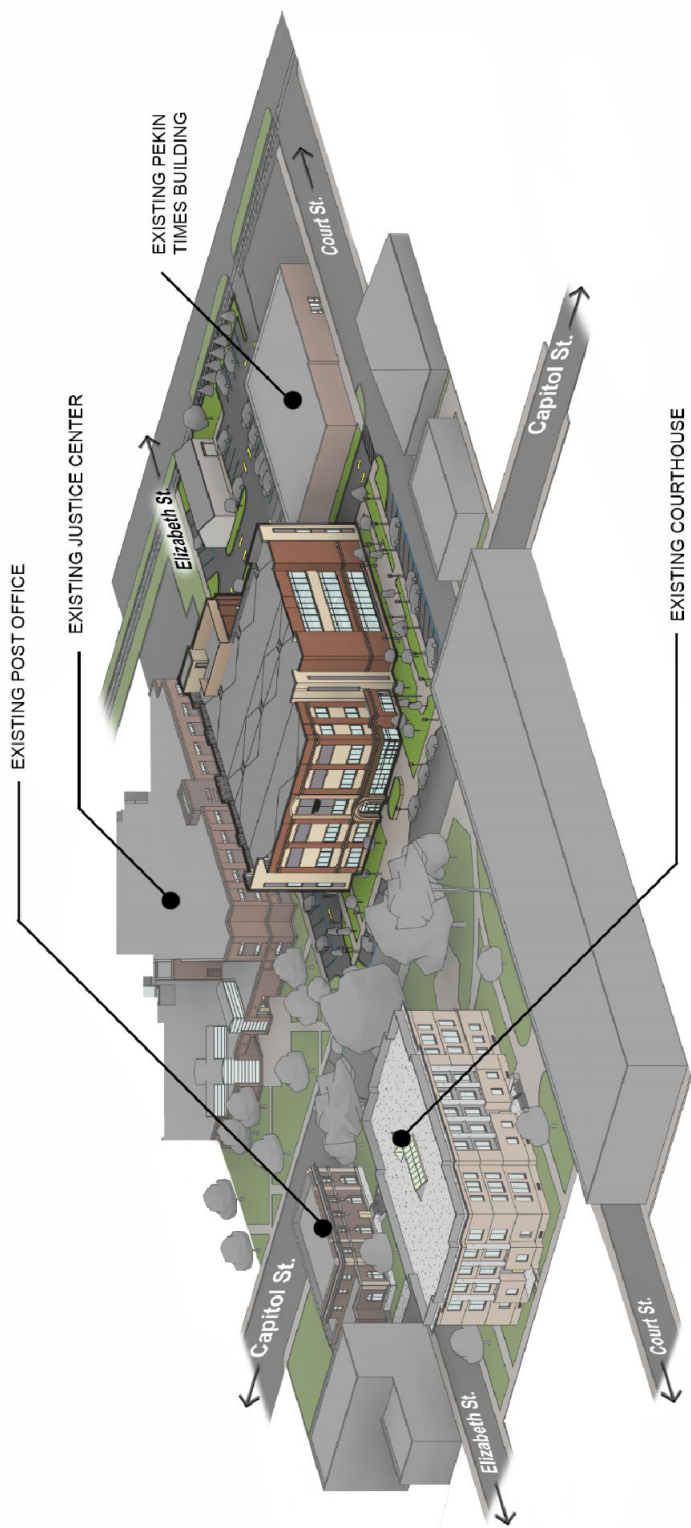
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PROPOSED RENDERING



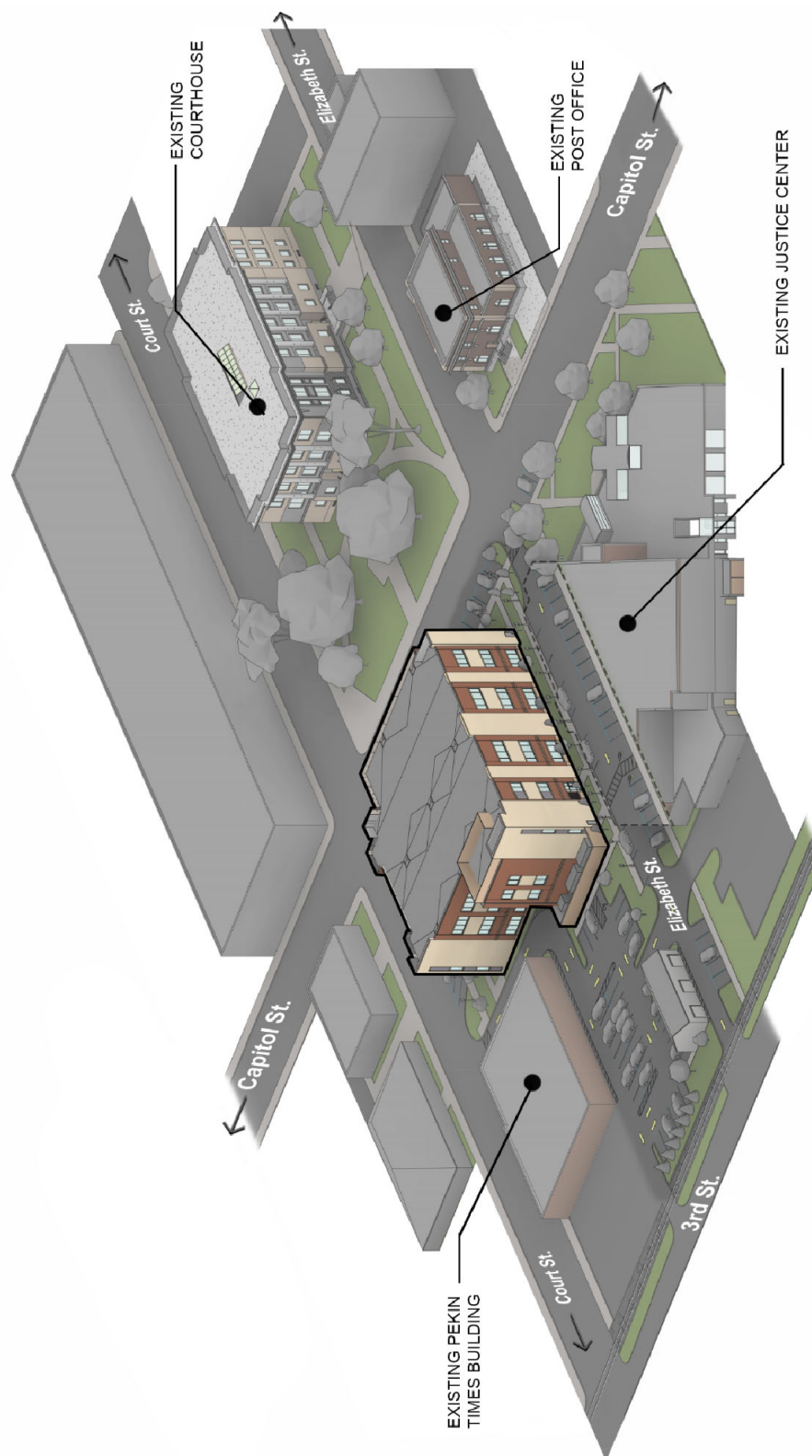
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IL

A

Justice Center
Annex

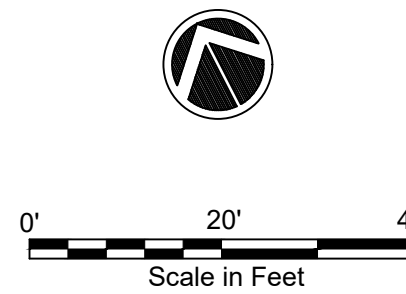
17 South Capitol Street
Pekin, IL 61554

Tazewell County
11 South Fourth Street
Pekin, IL 61554



**WOLD ARCHITECTS
AND ENGINEERS**
220 N. Smith Street, Suite 310
Palatine, Illinois 60067
wolda.com | 847 241 6100

AE
AUSTIN ENGINEERING
311 SW Water St., Suite 215
Peoria, Illinois 61602
License No. 184-001143



LEGEND

---	BOUNDARY OF SURVEY
---	EXISTING PROPERTY LINE
---	RIGHT OF WAY LINE
---	EASEMENT LINE
●	IRON MONUMENT FOUND
○	3/4" IRON PIPE SET
X	PLAT OR DEED DIMENSION
---	EXISTING FENCE LINE
---	UNDERGROUND SANITARY SEWER LINE
---	OHE
---	OHC
---	UNDERGROUND GAS LINE
---	OHT
---	UNDERGROUND FIBER OPTIC LINE
---	UNDERGROUND WATER LINE
---	UNDERGROUND STORM SEWER LINE
---	PROPOSED COMBINED SAN/STM SEWER
---	PROPOSED STORM SEWER
---	SIGN
---	ELECTRIC METER
---	SANITARY SEWER MANHOLE
---	STORM SEWER MANHOLE
---	UTILITY HAND HOLE
---	GAS METER
---	WATER METER
---	UTILITY POLE
---	CLEANOUT
---	STORM SEWER INLET
---	TELEPHONE SPLICE BOX
---	UTILITY POLE W/TRANSFORMER
---	LIGHT POLE
---	GUY ANCHOR
---	CABLE TELEVISION SPLICE BOX
---	GAS VALVE
---	AIR CONDITIONER
---	DECIDUOUS TREE
---	COMBINED SEWER MANHOLE
---	CURB INLET
---	AREA INLET
---	INLET PROTECTION
---	PAVEMENT
---	4" PCC SIDEWALK
---	PROPOSED TREE
---	PROPOSED SHRUB
---	EASEMENT LINE
---	BOUNDARY LINE
---	SOD/SEED AREA

LIGHTING NOTES:

ALL LIGHTING AND PHOTOMETRICS SHALL BE IN ACCORDANCE WITH THE CITY OF PEKIN'S STANDARDS AND PROVISIONS, SECTION 4-2-4-2-14(b)

A PHOTOMETRICS PLAN SHALL BE SUBMITTED AS A PART OF THE ARCHITECTURAL PLANS

LANDSCAPE NOTES:

ALL DECIDUOUS SHRUBS SHALL BE A MINIMUM OF 2' IN HEIGHT.

ALL SHRUBS USED FOR SCREENING SHALL BE A DECIDUOUS HEDGE IN CONTINUOUS ALIGNMENT, SPACE 3' ON CENTER WITH A MINIMUM HEIGHT OF 3'

ALL TREES SHALL HAVE A 3" MINIMUM CALIPER AND BE SPACED A MINIMUM OF 20' AND A MAXIMUM OF 30' ON CENTER

ALL EVERGREEN TREES SHALL BE A MINIMUM OF 5' IN HEIGHT AND BE OF THE SPECIES SPECIFIED IN CITY OF PEKIN'S GREENBELT AND PLANT SCREEN REQUIREMENTS.

ALL LARGE DECIDUOUS TREES SHALL BE A MINIMUM OF 8' IN HEIGHT AND BE OF THE SPECIES SPECIFIED IN CITY OF PEKIN'S GREENBELT AND PLANT SCREEN REQUIREMENTS.

SITE DATA:

1. THIS SITE IS PART OF:

PIN 04-04-34-438-010
PIN 04-04-34-438-011
PIN 04-04-34-438-012
PIN 04-04-34-438-013
PIN 04-04-34-438-014
PIN 04-04-34-438-015
PIN 04-04-34-438-016
PIN 04-04-34-438-017
PIN 04-04-34-438-018
PIN 04-04-34-438-019
PIN 04-04-34-438-020

2. AREA OF SITE:

±1.854 ACRES

3. CURRENT ZONING: B-2 CENTRAL BUSINESS

4. SETBACKS REQUIRED: NONE

5. MAX LOT COVERAGE PERMITTED: 100%

6. MAX HEIGHT: N/A

7. PROPOSED USE: OFFICE/MEETING BUILDING

PARKING NOTES:

PROFESSIONAL OFFICE SPACE = 47,598 SF / 250 SF/SPACE = 191 SPACES

ASSEMBLY AREA = 780 SEATS / 4 SEATS/SPACE = 195 SPACES

EMPLOYEES = ACCOUNTED FOR IN PROFESSIONAL OFFICE SPACE COUNT

TOTAL OFF-STREET PARKING SPACES REQUIRED BY CODE = 386

PARKING SPACES PROVIDED ON PLANS = 71

GENERAL NOTES:

LANDSCAPING AS SHOWN IS AS REQUIRED BY ZONING CODE AT THE PARKING AREA. ENHANCED LANDSCAPING IS PLANNED THROUGHOUT THE SITE AND WILL BE AT THE DISCRETION OF THE OWNER AND WILL BE COHERIVE WITH EXISTING FACILITIES OWNED BY THE COUNTY ADJACENT TO THIS SITE.

OVERALL PROJECT BOUNDARY AREA = 1.854 ACRES

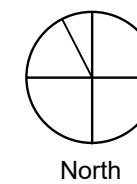
Description	Revisions	
	Date	Num

Comm: 2/23/2020

Date: 3/4/2025

Drawn: CAM

Check: DAR



SITE PLAN AND
CODE
COMPLIANT
LANDSCAPING
PLAN

Scale:

1 OF 1

Z:\VIA\SITE PLAN\TAZEWELL COUNTY JUSTICE CENTER\Civil Design\Pre & Post Development Exhibit\2025-02-21_TJDC_Pre Development-Phase 1-Exhibit.dwg



LEGEND:

— SITE BOUNDARY

▨ IMPERVIOUS AREA

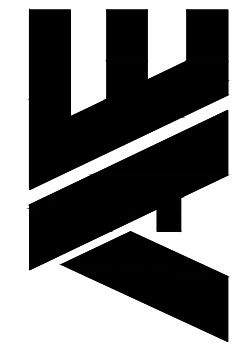
■ PERVIOUS AREA

TOTAL SITE AREA: 1.43 AC ±

TOTAL SITE PERVIOUS AREA: 0.30 AC±

TOTAL SITE IMPERVIOUS AREA: 1.13 AC±

AUSTIN ENGINEERING, CO., INC.
Consulting Engineers|Surveyors|Landscape Architects
311 SW Water St., Suite 215, Peoria, Illinois 61602
Peoria-IL|Chattanooga-TN|Davenport-IA
License No. 184-001143



EXHIBIT

TAZEWELL COUNTY JUSTICE CENTER ANNEX

101 S CAPITOL ST
PEKIN, IL 61554

ISSUED

**PRE-DEVELOPED
EXHIBIT - PHASE 1**

PROJECT NO	79-24-060
DATE	2/21/2025
SURVEYED	DESIGNED
DRAWN CAM	APPROVED

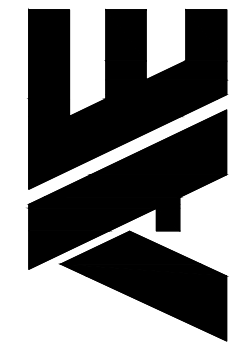
SHEET

1 OF 2

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EXHIBIT

TAZEWELL COUNTY JUSTICE CENTER ANNEX

101 S CAPITOL ST
PEKIN, IL 61554

ISSUED

**POST-DEVELOPED
EXHIBIT - PHASE 1**

PROJECT NO	79-24-060
DATE	2/21/2025
SURVEYED	DESIGNED
DRAWN CAM	APPROVED

SHEET

2 OF 2

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LEGEND:

- SITE BOUNDARY
- IMPERVIOUS AREA
- PERVIOUS AREA

TOTAL SITE AREA: 1.88 AC ±
TOTAL SITE PERVIOUS AREA: 0.31 AC±
TOTAL SITE IMPERVIOUS AREA: 1.57 AC±

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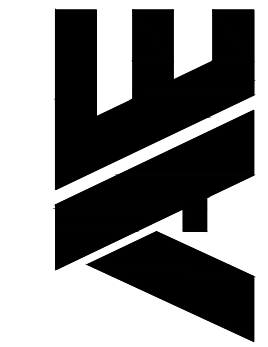


EXHIBIT
TAZEWELL COUNTY JUSTICE CENTER ANNEX
101 S CAPITOL ST
PEKIN, IL 61554

ISSUED

**PRE-DEVELOPED
EXHIBIT - PHASE 2**

PROJECT NO	79-24-060
DATE	2/21/2025
SURVEYED	DESIGNED
DRAWN CAM	APPROVED

SHEET

1 OF 2

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- LEGEND:**
- SITE BOUNDARY
 - IMPERVIOUS AREA
 - PERVIOUS AREA

TOTAL SITE AREA: 1.88 AC ±
TOTAL SITE PERVIOUS AREA: 0.32 AC±
TOTAL SITE IMPERVIOUS AREA: 1.56 AC±

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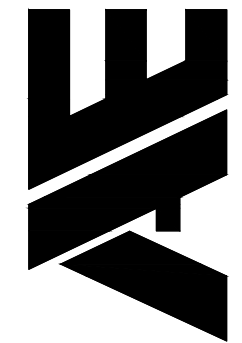


EXHIBIT
TAZEWELL COUNTY JUSTICE CENTER ANNEX
101 S CAPITOL ST
PEKIN, IL 61554

ISSUED

**POST-DEVELOPED
EXHIBIT - PHASE 2**

PROJECT NO	79-24-060
DATE	2/21/2025
SURVEYED	DESIGNED
DRAWN CAM	APPROVED

SHEET



REQUEST FOR COUNCIL ACTION

Agenda Date: March 12, 2025
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: **Case SU 2025-04** A Special Use Request Submitted by VHEA, LLC for the Operation of an Adult-Use Cannabis Dispensary at 2910 Court Street.

DESCRIPTION: A Special Use Request Submitted by VHEA, LLC for the Operation of an Adult-Use Cannabis Dispensary at 2910 Court Street. Said Property is Zoned B-3 General Business District With a Legal Description, SEC 12 T24N R5W SUNSET HILLS EXT 10 LOTS A,C,D,E,F,H,I; & 100 X 103 TRACT LOT 1 & LOT 1 (EXC OL B & 146.56 X 173 TRACT) NE 1/4, with the following P.I.N. 10-10-12-216-020 Tazewell County, Illinois

Subdivision V.-B-3 General Business District

Sec. 4-3-6-5-3(9) Special Uses

Adult-use cannabis dispensing organizations, subject to the conditions and procedures set forth in Division 10 of this Article.

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

Sec. 4-3-10-2. Special Use

A cannabis business establishment facility shall require approval as a special use in the respective zoning use district in which such facility is to be located, in accordance with the provisions of this Article.

(1) In determining compliance with this Article and eligibility as a special use, the following factors shall be considered, taking into account the entirety of the circumstances affecting the particular property for which the special use is sought in the context of the existing and intended future use of the adjacent and nearby properties:

- a. Impact of the proposed facility on existing or planned uses located within the vicinity of the subject property. **2910 Court St is within the Sunset Hills Plaza, a commercial retail plaza with suitable parking and additional retail, commercial and similar business in the immediate surrounding area. VHEA respectfully requests the ZBA to consider the letters of support from neighboring businesses**
- b. 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 space was previously a bank. It is within the plaza. See attached. It does not include a co-tenancy. The space is approximately 2500 square feet. The VHEA security installations and plan will be that submitted and approved by the IDPFR. See attached submission with the application to IDPFR. VHEA will substantially comply with the application submission. Finally, VHEA will comply with all other building code requirements and work with the City to ensure compliance and utilize a licensed and bonded consultant and GC.**

- c. Hours of operation and anticipated number of customers/employees. **The hours of operation will be within the approved hours pursuant to the City code. The exact hours need to be determined and are dependent on market conditions. It is unknown at this time the expected number of customers. VHEA intends to rely on its past experience to generate a loyal customer base. VHEA is committed to maintaining the integrity of the proposed business while maximizing revenues to the State and City. Employees will be determined as the business develops. However, the facility will employ and train sufficient staff to open and operate consistent with its obligations under the CRTA and City code.**
- d. Anticipated parking demand, available private parking supply, and parking requirements established in Division 9 of this Article. **Parking demand is contingent on the success of the business and other market factors, but the plaza has sufficient parking needs including proximity to the facility and lighting.**
- e. Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways. **VHEA does not anticipate any noticeable changes to overall traffic in the area, or any impact to the existing plaza business.**
- f. Site design, including access points and internal site circulation. **VHEA will comply with the requirements under the CRTA and City code. See attached site with single access point for customers.**
- g. Proposed signage plan. **VHEA has not contemplated its signage at this time, but will work with the City and comply with all guidelines and code provisions.**
- h. 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. **VHEA will ensure 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. See above responses to the Cannabis code.**
- i. Other criteria determined to be necessary to assess compliance with the provisions of this Article. **VHEA agrees to comply with other criteria determined necessary to assess compliance.**

COMPLIANCE WITH SECTION 4-3-10-5 OF THE CITY OF PEKIN CITY CODE

Sec. 4-3-10-5. Adult-use cannabis dispensing organization.

In those zoning use districts in which an adult-use cannabis dispensing organization may be located, the proposed facility must comply with the following:

- (1) The facility may not be located within 100 feet of the property line of a preexisting 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. **2910 Court St is in compliance following a physical inspection.**

(2) At least 75 percent 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: **VHEA will not conduct any other activity and will solely devote its floor area to the activities of the dispensing organization as authorized by the CRTA.**

(3) The facility may not conduct any sales or distribution of cannabis other than as authorized by the CRTA. **VHEA and its facility will not conduct any sales or distribution of cannabis other than as authorized by the CRTA.**

(4) For purposes of determining required parking, adult-use cannabis dispensing organizations shall be classified as retail stores, except as otherwise specified herein per Section 4-3-9-4; 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. **VHEA believes it currently has suitable parking but expressly agrees to adhere to any reasonable requirements set by the City following the result of the analysis.**

(5) No more than three adult-use cannabis dispensing organizations shall be granted a special use under this Article or otherwise permitted to operate in the City. **Currently, the City has One (1) Special Use for Adult Cannabis Dispensing issued and 1 Special Use pending before City Council and VHEA would become the third dispensing organization in Pekin, if approved.**

(6) 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. : **VHEA agrees that 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.**

(7) No person under the age of 21 years 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 years may be permitted to enter to the extent authorized by Section 4-3-10-10. **VHEA is not a medical cannabis licensee and as a result agrees that No person under the age of 21 years shall be allowed to enter an adult-use cannabis dispensing organization.**

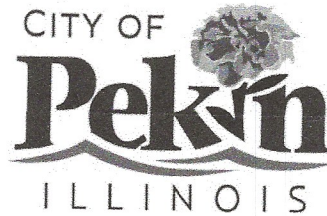
(8) No person shall reside in or permit any person to reside in an adult-use cannabis dispensing organization. **VHEA agrees that no person shall reside in or permit any person to reside in an adult-use cannabis dispensing organization.**

(9) No outdoor seating areas shall be permitted. **VHEA will not allow outdoor seating areas.**

(10) No drive-through services or sales shall be permitted. **VHEA will not provide drive-through services or sales.**

(11) The facility shall operate in compliance with all applicable state and local laws, including the CRTA and the provisions of this Article. **VHEA shall operate the facility in compliance with all applicable state and local laws, including the CRTA and the provisions of this Article.**

FINANCIAL IMPACT: N/A	
REVIEWED BY:	
Nic Maquet, Chief Building Official	Final Approval - 3/8/2025



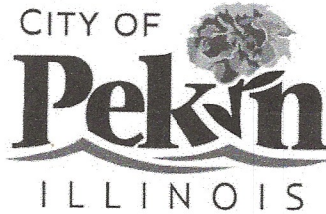
Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 478-5364

Board of Appeals Application for Consideration

Type of Request (check one): ☒ A. Special Use (\$125) ☐ B. Residential Variance (\$125) ☐ C. Non-Residential Variance (\$125) ☐ D. Map Amendment/Rezoning (\$125) ☐ E. Annexation (\$125)	Request Property Address or PIN: <u>2910 Court St.</u>
	Current Zoning (if known): <u>B-3 General Business</u>
	Proposed Zoning (if rezoning request): _____
	Current Use: <u>Closed Bank</u>
	Proposed Use (if different): <u>Adult Use Cannabis Dispensary</u>

Property Owner Name:	Sunset Plaza Inc.
Mailing Address:	14575 Grand Ave. Burnsville, MN 55306
Phone:	612-559-0150
Alternative Phone:	
E-Mail Address:	alexandra@financiallyfreellc.org

Applicant Name (if different):	VHEA LLC % Cory Aronovitz
Mailing Address:	VHEA LLC % Casino Law Group
Phone:	203 N LaSalle St. Ste 2100 Chicago IL 60601
Alternative Phone:	312 504 6154
E-Mail Address:	caronovitz@casinolawgroup.com



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 478-5364

Please summarize your request and explain why it is necessary:

Current Zoning B-3 General Business allows for
Adult-Use Cannabis dispensing facility with a
Special Use permit.

CERTIFICATION BY PROPERTY OWNER

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

2/16/2025

Owner Signature

Date

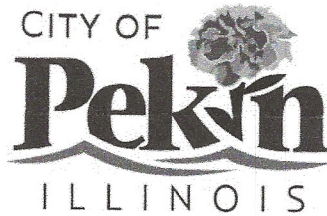
CERTIFICATION BY THE APPLICANT (if different)

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.

2/15/25

Applicant Signature

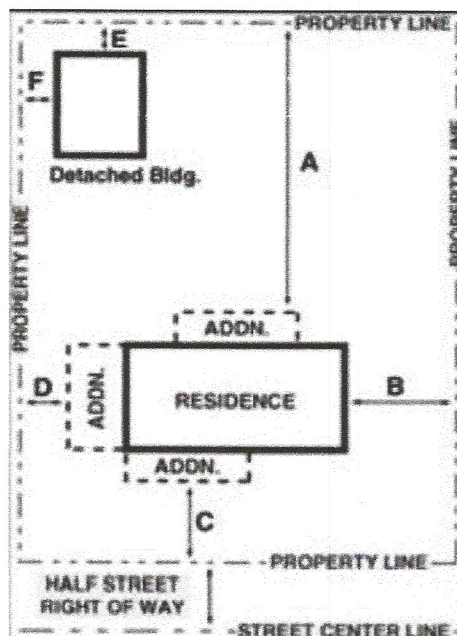
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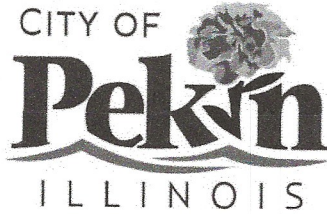


Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 478-5364

The following attachments are required for consideration of your request:

- I. Site Plan:** An electronic copy (preferred) or two physical copies of a site plan for the proposal showing:
1. 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.
 2. 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.
 3. 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.
 4. The names, addresses, and phone numbers of the architect, planner, designer, engineer or person responsible for the preparation of the site plan (commercial projects only).





Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 478-5364

II. Payment: Payment of the amount indicated on the first page to accompany your application. If making payment via check, please make payment payable to the "City of Pekin".

III. Variance: If requesting a variance, you must complete and attach this page to your application:

N/A
1. Variances are intended to relieve situations involving a hardship in meeting Zoning Code requirements. What is the hardship that this variance request is intended to relieve? Examples of hardships can include the topography of the lot, unique shape of the lot or other physical conditions that prevent the request from meeting the requirements of the Zoning Code.

2. Is the variance needed due to special and unique circumstances not caused by the applicant's or owner's own actions?

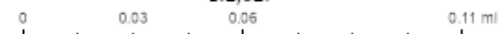
3. Should the request be approved, will the variance negatively impact adjoining properties in any way?

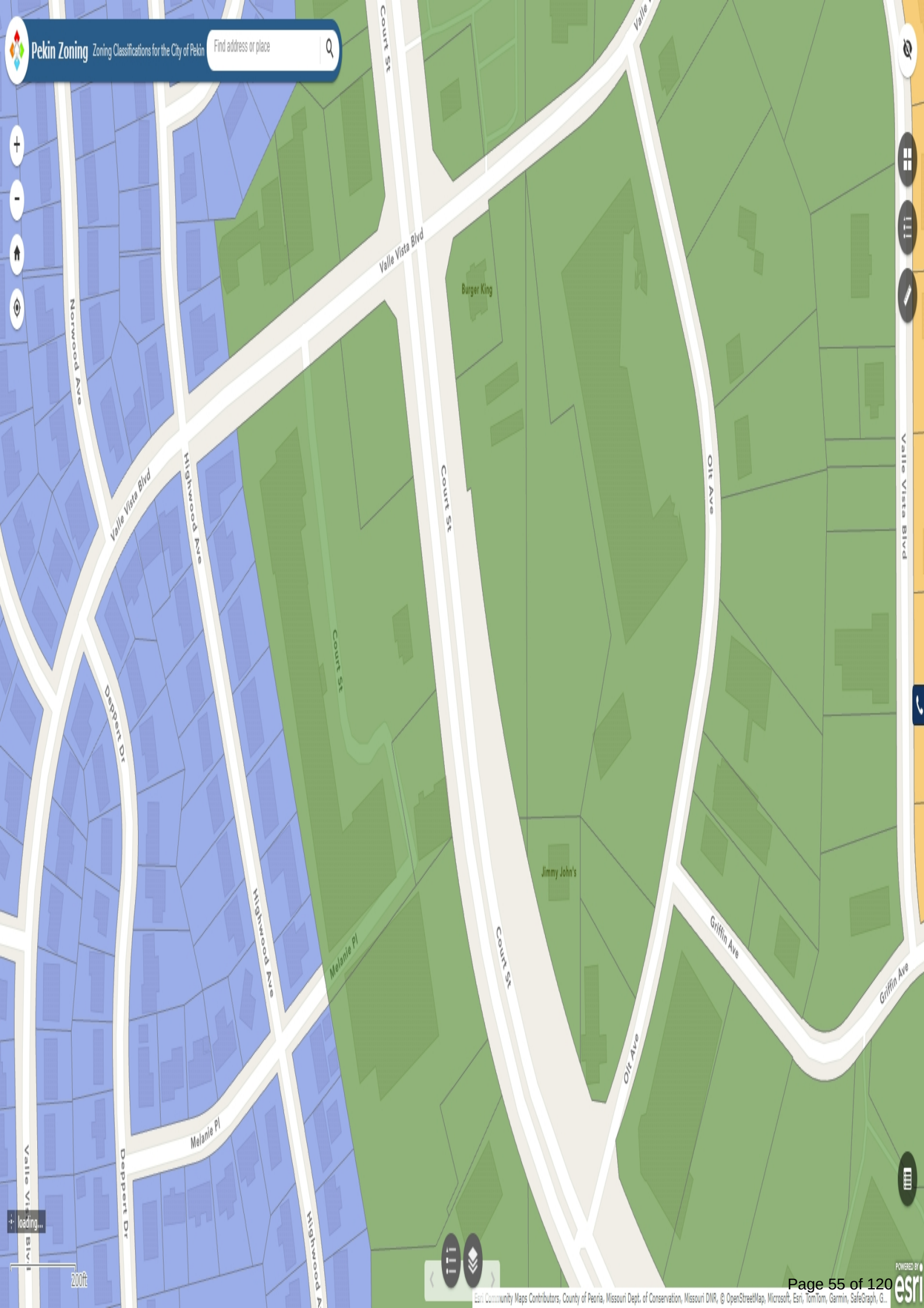
4. Will the variance be consistent with the purpose and intent of the Zoning Code and not alter the essential character of the locality?

5. Does the benefit(s) of granting the variance outweighs any anticipated negative impacts to the surrounding properties (if any)?



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ABOUT THE PROPERTY

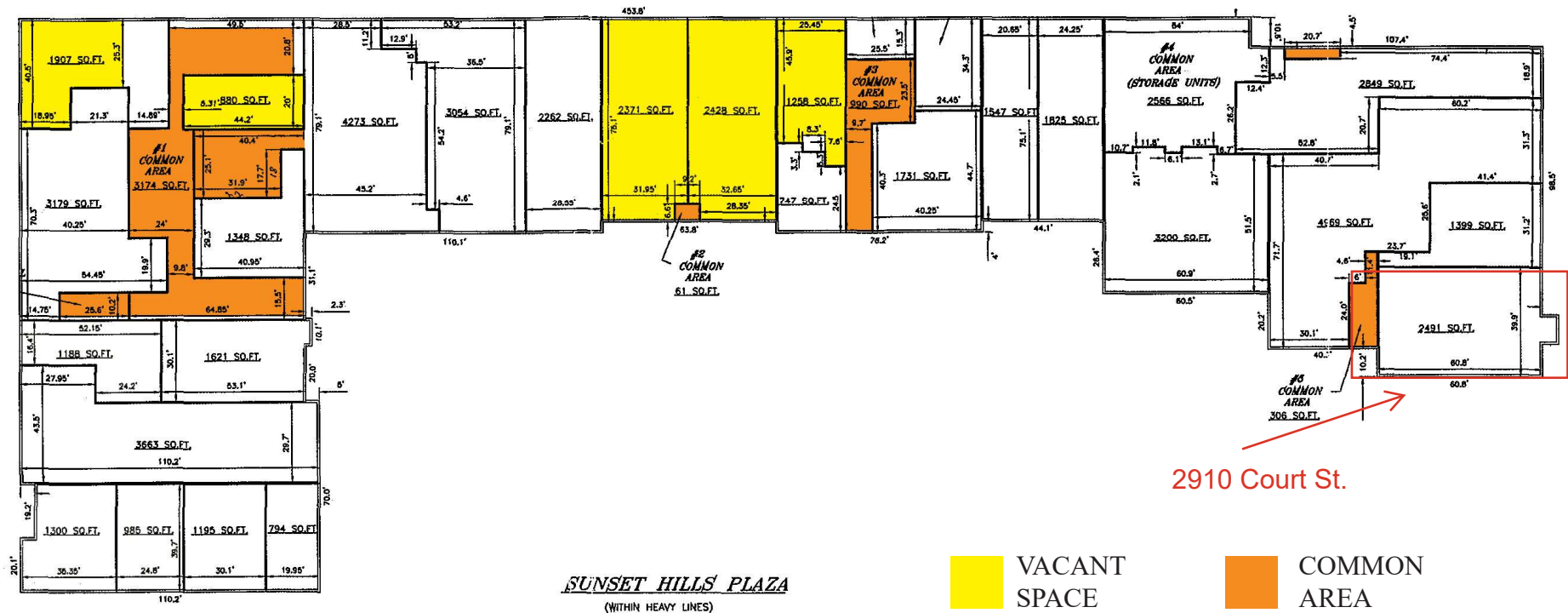


Exhibit H – Security Plan

The Applicant will implement and utilize the security measures, equipment and services already approved by the Department for the dispensary currently operating in Illinois and the second site approved by the Department and scheduled to open in January 2020 both of which are owned and operated and managed by two of the Applicant's Principal Officers. The Applicant will contract with Midwest Alarm Service for the alarm system. Midwest is responsible for the current alarm service provided to the Applicant's POs' existing dispensary and the soon to open second site. In addition, Applicant has contracted with Tactical Security to provide security services. Tactical is a certified MBE, a preferred SIEU vendor and has successfully provided plans and service to a current cultivation center and medical dispensary in Illinois.

As submitted to and approved by the Department, Applicant will:

Electronic Security System

The dispensary will use the First Alert Control Panel, an integrated burglary, fire, and access control system that can be configured for users to gain access and disarm the area using a unique code for each user. The system restricts access by schedule, scanning level, or other criteria. Facility installation access control devices are strategically located in the following areas throughout the dispensary: On the exterior perimeter doors.

The dispensary will also have a centrally monitored alarm/intrusion detection system in use and monitored 24 hours each day. The intrusion detection system is designed to provide protection to the building perimeter and critical storage areas. The system includes the following components: Door contacts; Glass break sensors motion; Sensors duress alarms; and Photoelectric beam sensors.

The intrusion detection system monitors all sensors on a 24-hour, seven-day basis as designated by a predetermined time schedule. Dispensary Security Officers and central monitoring stations will receive notification when an alarm is triggered. Intrusion detection devices are located at all exterior doors and windows, roof entry points. Additionally, the dispensary has installed two exterior day and night cameras, one located outside of the rear perimeter fire exit, the other outside the front perimeter entrance. The dispensary will have sufficient lighting outside of the premises for use each day between sunset and sunrise.

This will illuminate the immediate surrounding area, to include parking areas. The dispensary also will have exterior lighting near video surveillance devices to ensure proper illumination for the identification of people, vehicles, and license plates within 40 feet of the building and capable of identifying activity occurring adjacent to the building, with a recording resolution. The dispensary will have a closed-circuit video surveillance system, or CCTV system, designed with cameras located throughout. Video cameras will be recording at each point of sale location allowing for the identification of the dispensary agent distributing the cannabis. The camera or cameras shall capture the sale, the individuals and the computer monitors used for the sale. The camera system is digitally recorded in the secured server area and viewed in the security viewing area. The system is designed to be monitored on multiple screens, all being 19 inches or greater, controlled by computer and recorded on a digital recording device. The dispensary will maintain a color printer in the security viewing area capable of immediately producing a clear still photo from any video camera image. The video surveillance system will cover the dispensary's interior and exterior, including parking areas and all entrances to the building. We will use the following equipment for optimum coverage: Digital day/night cameras; 24 hour real-time digital recording at 8 frames per second; Color 19 inch flat-screen monitors; and UPSS (Uninterrupted Power Supply Systems). The video surveillance system will use digital day and night cameras with a recording resolution of at least 704 x

480 located both inside and outside the premises. All security cameras will record at a speed of 8 frames per second.

Remote viewing will be available for dispensary security officers as well as management at any time through an Internet login system. In addition, the central monitoring station monitors all alarms. If alerted to a possible intrusion, the monitoring station will verify the presence of an unauthorized intruder and alert local law enforcement. This ensures law enforcement will be on the scene quickly, since they will have verification that an alarm was due to a real intruder.

The video surveillance system will have the capability to record, archive, and play back video feed for a minimum of 90 days. The electronic recording system hub and all recording will be stored in a locked, tamper-proof compartment within the security viewing area. This is a restricted access area (vault) with entry restricted only to select authorized management employees as well as the security officers and Dispensary Agent-in-Charge. In addition, all security footage will be archived off-site. An electronic daily log of dispensary agents with access to the safe or vault, and who have knowledge of the access code or combination will be kept to protect the premises. This information can be retrieved from our security system. The card access system is a completely programmable system where each employee is issued a FOB for various access in the building. Each FOB has an identification number that is programmed into the system, and each FOB can be given specific rights and access to various doors in the facility. When a FOB is presented to the reader of the vault, that reader then records the person's name, date, and time and whether or not that employee has access to that given door. If that person has access then the person will gain entry and it will record authorized access. If not, the door will not release the door strike for entry and it will record an unauthorized access. Each and every FOB is recorded every time it is used at any card reader, and these reports can be printed to show all activities, or activities organized by each individual.

The electronic monitoring system will provide a failure notification system that will provide an audible, text, or visual notification of any failure in the surveillance system. The failure notification system shall provide an alert to designated dispensing organizations security agent or other designated agent within five minutes after the failure, either by telephone, email or text message.

All security equipment shall be inspected and tested each month, not to exceed one month from the previous inspection and tested to ensure the systems remain functional. This will be completed by the Operations Manager and/or an Agent-In-Charge. Hard copies of these tests will be kept on file at the dispensary and can be referred to upon any inspection.

The Corporation will utilize an uninterrupted power support system to ensure sufficient battery backup in the event of a power outage. Additionally, in order to ensure that the dispensary is secured and effectively monitored at all times, we will maintain an electronic recording system in good working order at all times. The system runs a testing protocol every 24 hours, and will have a 24-hour, seven-day transmission monitor that notifies users if a battery is low or a unit is no longer sending a signal. Anyone who has been authorized to oversee the functioning of the video monitoring system is required to report any malfunctioning of the system to the Office Manager and Security Manager immediately.

The dispensary will have several panic buttons for staff in strategic locations throughout. All employees will be trained on the procedures for triggering the panic alarm which is a duress alarm, panic button and alarm, holdup alarm or after hours intrusion detection alarm that by design and purpose will directly or indirectly notify by the most efficient means, the Public Safety Answering Point (PSAP) for the law enforcement agency having primary jurisdiction over the Dispensing Organization's facility.

Incident Management and Emergency Response

Smooth operations require well-laid contingency plans and a staff well-trained in their execution. Accordingly, with input from appropriate state and local agencies and enforcement authorities, we have developed a comprehensive Emergency Response Plan which includes contingencies for non-security related emergencies such as medical emergencies, bomb threats, fires, explosions, chemical release, and weather-related disasters to ensure an appropriate and orderly response. This will prevent non-security related emergencies from becoming aggravated security emergencies as well. Emergency procedures and emergency contact numbers will be provided in writing to all employees and posted prominently in all areas of the facility.

We also have developed a comprehensive set of guidelines for dealing with security threats. All staff will learn and be drilled in these procedures to ensure they are adequately prepared for emergencies. Preparedness means all staff members will know:

How to assess emerging situations to determine the type and level of threat they may pose;
How to respond to different kinds of security threats; Which types of situations warrant the activation of panic buttons; and How to proceed when a security alarm goes off or a panic buttons has been activated.

If a security breach is found to constitute an actual emergency, authorities will be notified as required. The dispensary will then follow the emergency response procedures for smoothly bringing the situation under their control. Procedures will be revised and updated as necessary, with local law enforcement input.

Suspicious Activity and Loitering

Staff will be trained to identify and respond appropriately to all levels of suspicious activity. Loitering will not be tolerated. Purchasers are advised orally at the first visit of our no loitering policy, and are given the Education handbook that contains the policy. Noncompliance will result first in a warning, then in a suspension of purchasing privileges at our dispensary. Loitering by non-purchasers will result first in a warning from our staff or Security Officer, and then notification of local law enforcement.

Operations Security

Making certain that our routine operations follow secure procedures is as important as physically securing the dispensary and having emergency response procedures in place. Consistent, proactive operational security policies and procedures greatly reduce the likelihood that emergencies will arise. This includes workforce security measures.

We will perform background checks on all employees, management, and board members. We will also perform background checks on any contractors or vendors who regularly work within the facility or will be employed there for an extended time. Copies of any public records obtained through the background check process will be provided to the individual concerned. To ensure transparency, the entire background checking process will be conducted by a third-party. We will not employ anyone who has been convicted of a felony as defined by Illinois law. Also, we elect not to engage any contractors or vendors who would have access on a regular basis or for an extended time to restricted areas of our dispensary if they have been convicted of any excluded felony offenses. Security and emergency response training is part of the comprehensive training required for all employees. Training also covers: Marijuana laws and regulations; Purchaser privacy, confidentiality, and secure electronic record keeping; Procedures for purchaser reception and registration; Procedures for product sales; and Personal safety, fire safety, and crime prevention.

In developing our official safety and security policies, we consult with local law enforcement. We also work with local police to develop effective ongoing employee training seminars and practices. Especially in developing our policies and training procedures on crime prevention and security threat response, we seek the involvement of local law enforcement.

System Specifications

Restricted access

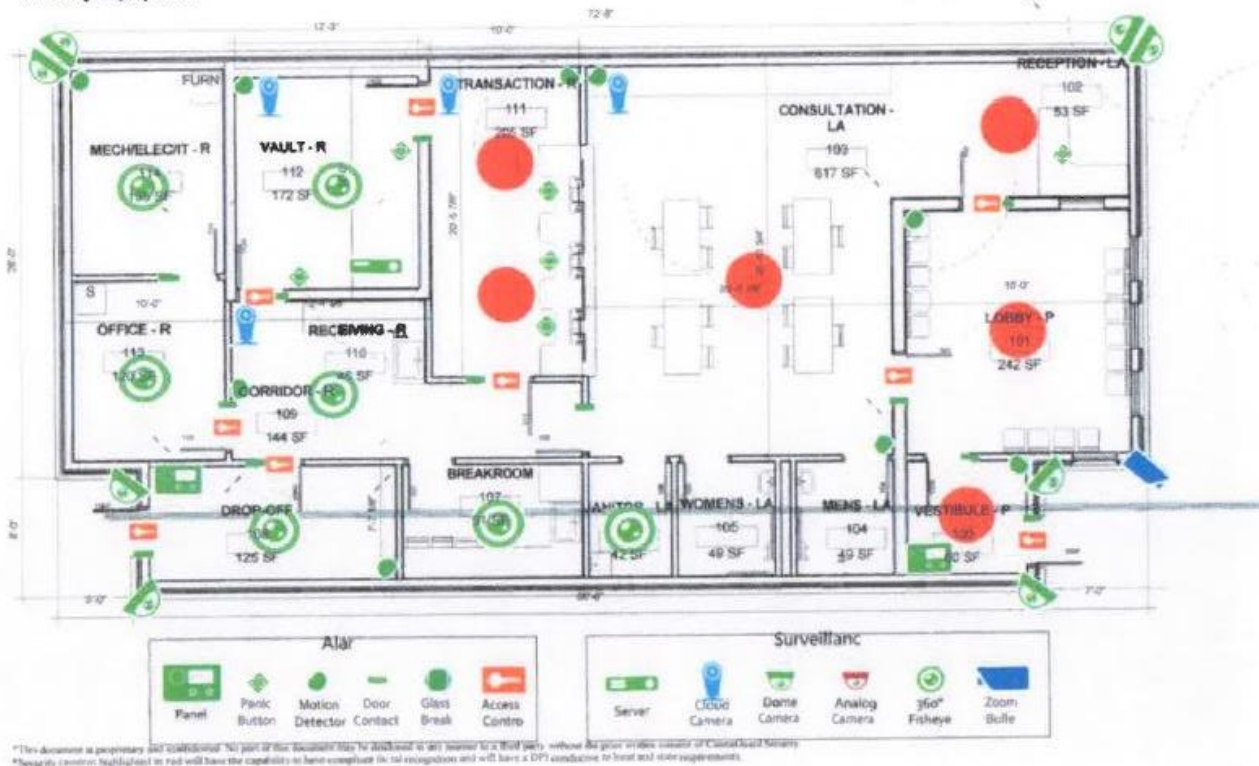
Midwest Alarms is proposing a CCURE 9000 server with Software House licensing to control access at all times to the building perimeter, as well as all restricted areas within the facility. The system will be programmed as fail secure in the event of power failure to either the access control panel, or the electric strike & lock door hardware. Access can be set to schedule for the building, as well as on an individual clearance level. Each door will be equipped with door status modules and a REX PIR. Server to be built to provide for 360 days storage of all access control records. Nature's Treatment to maintain signage, visitor manifests, and visitor log. All visitors will be escorted throughout the building by a credentialed employee.

Perimeter intrusion detection system

Midwest Alarms is proposing a Salient Systems server and surveillance software licensing. Server to be built to provide for 90 days of video storage. Intelligent software allows for auto-overwrite of stored footage on a FIFO method. Exportable in multiple industry standard formats from forensically captured footage. Server to be powered by a Universal Power Source to allow for continued operation in event of AC power loss. Cameras will be a combination of 1-5 megapixel IP resolution Axis Communications cameras, depending on the length/ field of view required for each camera view. Cameras will capture color images, based on minimal lighting requirements of all entry/exit points, the video surveillance control room, parking areas, as well as all areas of the facility containing cannabis. Server will provide for the ability to save footage to an external flash drive, in the event retention is required for a period of

90 days. Applicant to maintain required signage.

Security Equipment



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Security alarm system requirements

Midwest Alarms is proposing a Honeywell Vista Combo Fire/Burg 128FBPT control panel. This panel will allow for one monitored system to provide for both the fire and intrusion protection devices. Midwest Alarms will monitor the system via their UL Listed Monitoring Center via a cellular fire communicator to meet code criteria for communication path to the monitoring center. Fire system designed by NICET Certified personnel to NFPA72 code using any required Honeywell pull stations, strobes, horn/strobes, smoke detectors, heat detectors, and any riser water flow or tamper protections. Fire alarm inspections to be provided per code requirements, as well as annual inspection of the intrusion protection devices. Intrusion protection devices will consist of a combination of Honeywell door/window contacts, motion detectors, glass break detectors, panic/hold up alarms. System will contain, at minimum, one annunciator to provide audio & visual notification of system failure. Protection designed to detect any ingress into the facility. System will have battery back-up for continued operation in case of AC power failure.

Personnel identification system

Midwest Alarms is proposing, in conjunction with the previously mentioned access control system, to provide all authorized personnel an HID I-Class Prox Card with a lanyard to prominently display at all times. Cards will have an overlay displaying name, date of issuance and expiration, alpha-numeric ID number, and employee photo. Access control system software will allow for immediate revocation of access rights for any separated employee for any reason, and all attempts will be made to obtain the card to allow for destruction. Further applicant provides the following comprehensive security plan:

Applicant has a plan to recruit, retain, and continuously train vetted, qualified Agents and Security Staff, implement industry-leading security infrastructure, and adopt world-class policies and procedures that will effectively deter and prevent entry into and theft of cannabis or currency per Section 15-100(a). All staffing, infrastructure, and policy standards and thresholds are far in excess of the minimum requirements defined by the Department in Section 15-100 (as well as other Sections as applicable) and reflect globally-recognized best practices. These program components are derived from industry leading subject matter security experts, world-class practices, and government organizations, including (but not limited to): ASIS International - GDL Facilities Physical Security Measures (FPSM); Crime Prevention Through Environmental Design (CPTED); DEA Diversion Control Division - Controlled Substances Security Manual; FDA Drug Supply Chain Security Act (DSCSA); IESNA - Guidelines for Security Lighting; National Industrial Security Program Operating Manual (NISPOM); OSHA - Section 5(A)(1); UFC 4-010-05 Compartmented Facilities Planning, Design, and Construction; UFC 4-021-02 Electronic Security Systems; and Underwriters Laboratories UL-608 and GSA-AA-V-2737.

Applicant's security plan leverages industry best practices and direct advice by the world's leading Enterprise Security Risk Management Experts with critical input from select Federal, State, and Local Law Enforcement professionals. Applicant's concentrically layered and proactive security program significantly exceeds standards defined in Section 15-100 of Public Act 101-0027 and provides best-in-class solutions focused on maximizing protection, safety, and asset accountability. Applicant will comply with any additional requirements as dictated by the Department to meet or exceed additional standards if required pursuant to Section 15-100(j). Our fully-vetted and comprehensively trained staff will execute our **PREVENTION, RESPONSE, RECOVERY** program designed to produce highly-effective and demonstrable security and safety outcomes.

1.1 - Prevention

In developing the Applicant's Security Plan, our Chief Security Officer and Local Law Enforcement Liaison engaged numerous experts to develop an ALL-HAZARDS RISK IDENTIFICATION PROGRAM proprietary to the applicant. This program continually assesses risk factors against event probability metrics and utilizes gap-analyses to evaluate standing security measures and policies. Validated through years of successful employment in high-value asset and government-regulated distribution and retail programs around the world. Prevention measures include: Concentrically Layered and Redundant Physical Security Infrastructure; Integrated Security Lighting, Access Control Measures, and Video Surveillance and Monitoring; Best-in-Class Workplace Security Training for ALL STAFF; Biannual Third-Party Threat, Risk, Vulnerability Assessments (TRVAs); Focused Staffing, Employee Incentives, Security Culture Development; Continuous Industry Crime Reporting from Local and State Law Enforcement Liaisons as well as Out-of-State Industry Partners.

1.2 - Response

Through an extensive analysis of industry threat metrics and site-specific risk forecasts, Applicant has developed a concentric threat response program that optimizes identification, communications, and measured response to human and natural emergencies as well as violent and opportunistic crimes on-site. Applicant's response program employs redundant technological, manned, and policy-driven response protocols to quickly and effectively deal with a full array of emergency and security situations. Response measures include: Off-Duty Police Coverage During All Operating Hours; On-Site Emergency Dispatch Officer During All Operating Hours; Verified Local Police Response Time Within Five Minutes; On-Call ASIS Certified Protection Professional (CPP) Incident Management Advisor; Active Shooter Response as per FEMA IS-907 Guidelines; and Initial Emergency Response as per FEMA IS-200 Guidelines

1.3 – Recovery

Through continuous interaction and planning between security advisors, organization stakeholders, and local law enforcement, Applicant has developed an incident recovery plan for emergency events and/or security-related incidents. Recovery measures include: Immediate Third-Party Post-Incident Investigative Audit; Incident Report and Rectification Plan Developed and Reported within 24hrs; Full Staff After-Actions Review within 48hrs; Remedial Staff Training and/or Counseling; and Crime Scene Preservation Training.

2.0 - Security Department Composition

While the Security Staff, consisting of both the Organizational Security Team and Facility Security Team members, are responsible for the development and oversight of the security program, security will not be a sole function of the Security Staff. All staff members will be indoctrinated and trained to effectively assist in and carry out critical roles and responsibilities as outlined in the Security Program.

2.1 - Organizational Security Team

Organizational Security is a staff function, led by the Chief Security Officer, that provides policy, standards, and measurements of security for all dispensary locations. The Organizational Security Staff is responsible for establishing and interpreting security policy and standards for company security activity. Organizational Security provides counsel regarding security policies, standards, and training requirements in excess of minimal standards as presented by the Department. Organizational Security also acts as a coordinating unit that conducts investigations, performs Threat/Risk Vulnerability Assessments (TRVAs), makes recommendations and provides information relating to security. Applicant's Organizational Security Team will consist of no fewer than:

One (1) Chief Security Officer - Military or Law Enforcement Experience and Demonstrable Expertise and Experience in Corporate Security Management

Duties and Responsibilities: Continued Development and Refinement of Security Policies and Procedures; Management of Site Security Staff and Scheduling and Management of Third-Party Security Vendors and Contractors

One (1) Chief Law Enforcement Liaison - Current or Former Peace Officer Certified in Illinois Ranked Sergeant or Above.

Duties and Responsibilities: Development and Maintenance of Local and State Law Enforcement Relations with the Applicant; Continuous Crime Intelligence Reporting and Assistance in Off-Duty Police Officer Site Security Training.

One (1) Enterprise Security Risk Manager - ASIS International - Certified Protection Professional (CPP)

Duties and Responsibilities: Establish Security Policies and Procedures; Coordinate Threat/Risk Vulnerability Assessments (TRVAs); Coordinate and Manage Policy Adherence Audits; Coordinate and Manage Structured and Red-Team Penetration Tests

One (1) Chief Technical Officer- (ISC)² Certified CISSP or Equivalent; Working Knowledge of Integrated Systems and Network Security

Duties and Responsibilities: Maintain Competency and Awareness of Current and Developing Threats to Applicant's Network Security; Maintain Working Proficiency in all Integrated Security Technology Including: Surveillance and Monitoring Equipment and Access Control Hardware and Software.

All responsibility for security functions and operations throughout the organization fall to the Chief Security Officer.

2.2 - Dispensary Security Team

Dispensary Security staff are responsible for the administration of the security function at each dispensary location. The Dispensary Security Staff operations will be conducted by no fewer than the following:

One (1) Dispensary Protection Officer- Licensed Armed Security Contractor, Certified Current Illinois Peace Officer (excluding Department of Corrections Officers), or Qualified Retired Peace Officer with Current Illinois PERC and FCC.

Duties and Responsibilities: Protection of Law-Abiding Patrons and Staff Members; Security of Physical Property On-Site; Crime Deterrence and Risk Mitigation; Emergency Response

One (1) Emergency Dispatch Officer- Certified Illinois Security Contractor with valid PERC; Working Knowledge of Integrated Security Programs; Proficient with Encrypted Line-of-Sight (LOS) Communications Systems and Troubleshooting; Proficient with Microsoft Excel.

Duties and Responsibilities: Control and Monitoring of Integrated Surveillance Systems; Timely Communication and Reporting of Criminal Activity and Emergency Incidents to the Protection Officer on-duty, Staff, First Responders and Law Enforcement; Organized filing and investigative recall of surveillance footage and access control logs.

All Facility Security Staff will assume accountability to the Dispensary Manager, but will report directly to the Applicant's Chief Security Officer regarding all things security related.

2.3 - Procurement of Security Contractors

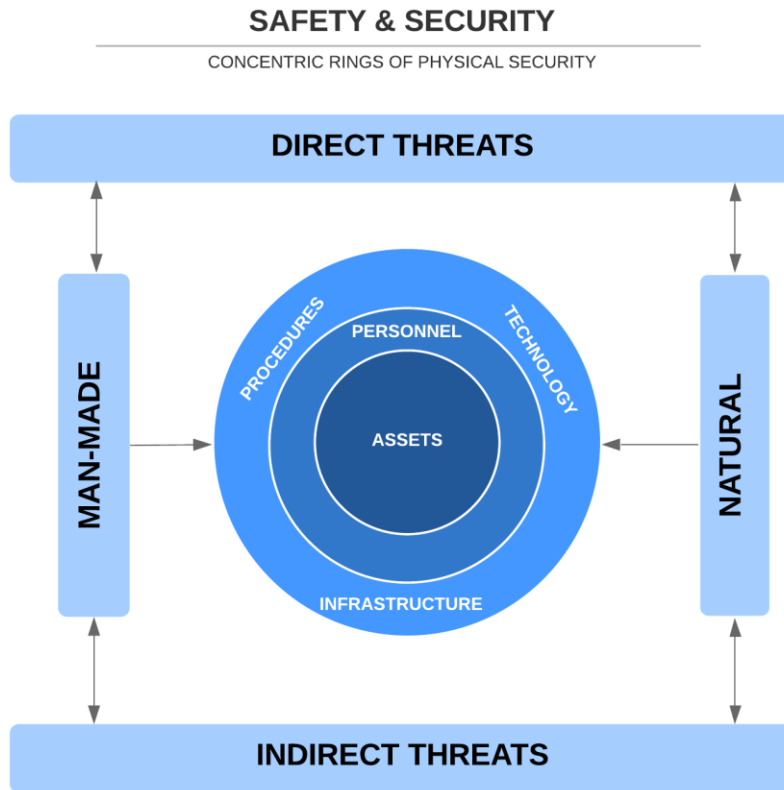
Upon approval of the Statement of Work (SOW), a procurement request was released in the form of a Request For Proposal (RFP) to three (3) qualifying Illinois Security Contractors. Each submitted proposal was assessed and scored based on seven (7) critical factors: Network/Provider Depth of Staffing; Licensing, Certification, and Representation; Personnel Selection; Initial and Continued Personnel Training; Quality Assurance; Management and Communication; and Pricing.

2.4 - Security Training

In an effort to develop and maintain a proactive and empowered Staff of Dispensary Agents, Applicant will provide best-in-class security training designed to enable sound decision-making and decrease reactionary-gap (the time between an event taking place and a decision being made) through on-site critical skills development training. Applicant will institute this proven and highly-effective training program driven by world-class educators, leading Subject Matter Experts (SMEs), and advanced adult-learning methods in addition to required prerequisite training and experience. This leading program will be overseen by Applicant's Chief Security Officer and implemented by a predetermined training cadre.

2.4.1 - Methodology

Applicant's Safety & Security Programs are designed around the globally recognized Concentric Security Model which utilizes trained personnel, proactive SOPs, technology, and hardened security infrastructure to create multiple redundant and interconnected layers of protection and security.



2.4.2 - Professional Instruction

Third-Party Security and Safety Compliance Advisors will provide new, adaptive training modules relevant to an ever-evolving, rapidly-growing industry to maintain the highest educational standard in all matters regarding security and safety.

2.4.3 - Standards & Guidelines

Applicant's initial and ongoing training programs cover all aspects of the Dispensary's Comprehensive Safety & Security Programs in excess of the requirements defined in **Section 15-30(1)**. All New-Hire Training will be conducted during the first administrative week of employment, prior to the employee's operational start date. The security and safety policies, procedures, guidelines, and performance thresholds taught in this program were all carefully selected following an exhaustive risk study and program development. *See list of major resources in graphic to the RIGHT:

TRAINING RESOURCES

- ILLINOIS ACT 410 ILCS 705/ART. 15
- ASIS INTERNATIONAL SECURITY GUIDELINES
- DEA DIVERSION CONTROL DIVISION
- FDA DRUG SUPPLY CHAIN ACT
- OSHA REGULATIONS
- NATIONAL FIRE PROTECTION ASSOCIATION
- LOCAL LAW ENFORCEMENT GUIDANCE
- FEMA INDEPENDENT STUDY (IS) PROGRAM

2.4.4 - General Staff Security Training

Applicant's Security Plan will be used to educate employees on the importance of controlled access and compartmentalized authorization; integrated monitoring and tracking capabilities; safe cash management; prevention of diversion, inversion, theft, or

loss of marijuana; prevention and response measures to an active threat; and effective integration with on-site Security Staff or Local Law Enforcement assets. Additionally, individuals tasked with providing site security will be subjected to additional training regarding crime scene protection, use of force, and other topics deemed necessary by the Chief Security Officer totaling a minimum of 8 classroom hours and 8 hands-on training hours. All Facility Employees will be 100% trained/certified in the following: Facility Knowledge; Basic Threat Awareness; Emergency Communications; Emergency Incident Response; FEMA IS-906: Workplace Security Awareness; FEMA IS-37.19: Managerial Safety and Health; FEMA IS-916: Theft and Diversion; FEMA IS-912: Retail Security Awareness: Understanding the Hidden Hazards; FEMA IS-907: Active Shooter: What Can You Do; and FEMA IS-200: Basic Incident Command System for Initial Response.

2.4.5 - Dispensary Protection Officer Training

Dispensary Protection Officers are Off-Duty Illinois Peace Officers with a minimum prerequisite training program consisting of no fewer than 400-hours, and a certificate of completion from an accredited Law Enforcement Academy. As their title suggests, these Protection Officers' primary responsibility is to safeguard law-abiding staff and customers on-site. In addition to extensive prior experience in Law Enforcement functions, candidates for this position will be required to complete a battery of proficiency tests and evaluations prior to being scheduled for duty specific training. These evaluations include: U.S. State Department - Protective Security Specialist (DS-PSS) Firearms Proficiency Evaluation; Physical Readiness Evaluation; Myers-Briggs Personality Type Indicator Assessment; and Professional Interview

Upon selection pending a passing completion of all candidate proficiency tests, Protection Officers will be required to attend a paid 16-hour specialized training course. This program will focus on seven (7) critical performance areas: Daily Operations; Behavioral Threat Analysis; Verbal De-escalation; Contact Control & Detention Methods; Violent Incident Response; Emergency Incident Management; and Reporting Procedures.

Each of these course modules and inherent skill sets will be instilled through professionally facilitated hands-on learning engagements and practical exercises. All candidates must pass each critical performance evaluation prior to being scheduled as a Dispensary Protection Officer.

2.4.6 - Emergency Dispatch Officer Training

Within the scope of dispensary operations, the Emergency Dispatch Officer serves three (3) critical roles: ¹Continually monitoring CCTV feeds for dangerous or illegal activity, ²Immediately establishing and maintaining communication with Emergency Responders, ³Providing physical support to the Protection Officer if necessary.

Emergency Dispatch Officers must be licensed as Security Contractors in the state of Illinois with a valid PERC on file at the time of hire. The Emergency Dispatch Officer may carry a firearm in the performance of his/her duties in accordance with company policy so long as he/she carries a valid Illinois Firearm Control Card (FCC) and requisite Illinois Firearm Owner Identification (FOID) Card.

Applicant's Emergency Dispatch Officer Training Program will consist of eight (8) training modules totaling twelve (12) hours. This program will be professionally instructed by a contracted third-party firm under the supervision of the Applicant's Chief Security Officer. Training modules within this program include: Daily Operations; Surveillance System Operation; Access Control System Operation; Technical Surveillance Methods; Emergency Communications; Contact Control Methods; Violent Incident Response; and Reporting & Recordkeeping Procedures.

3.0 - Physical Layout and Security Infrastructure

Starting with the build-out and design of the Facility and the implementation and integration of industry-best security infrastructure and equipment, world-class ASIS CPP expert security consultants have provided the knowledge, practical experience, and means to ensure that the physical layout and supporting infrastructure of the Dispensary provides the foundation on which to build a supremely fortified and operationally optimized venue. The specific thresholds defined and globally-recognized by the ASIS Facilities Physical Security Measures Guideline are at the foundation of the Applicant's security program as it pertains to design and infrastructure (among other components of the security program). The topics referenced in the ASIS FPSM Guideline and relevant sections of Applicant's Security Plan include: Crime Prevention Through Environmental Design (See: Section 3.1) Controlled Access Infrastructure (See: Section 3.2) Surveillance and Monitoring (See: Section 3.3) Security Lighting (See: Section 3.4) Intrusion Detection and Alarm System (See: Section 3.5) Physical Barriers, Entry, and Site Hardening (See: Sections 3.7 and 3.8) Security Personnel (previously covered in Section 2.0) Security Policies and Procedures (covered in Section 4.0)

Additional sections have been added beyond those covered in the ASIS FPSM Guideline to further augment the design and integrated security infrastructure of the Facility. It is the goal of the Applicant to build and maintain a 'hard target' from a security perspective, effectively discouraging and preventing any and all instances and attempts at criminal activity.

3.1 - Crime Prevention Through Environmental Design (CPTED)

Principles of Crime Prevention Through Environmental Design (CPTED) are at the core of the Facility design and infrastructure integration process.

NOTE:

The underlying goals of CPTED are to reduce crime and victimization, deter offender decisions that precede criminal acts, reduce opportunities and fear of crime, build a sense of community, and to establish and maintain a sense of territorial control over the premises of the Facility through urban and environmental design and building layout.

The principles of CPTED and associated goals are continually referenced throughout the design, layout, and infrastructure integration and implementation process through consultation from a third-party ASIS certified subject matter expert with vast business and operational experience throughout the entirety of the threat landscape in highly-regulated, high-value product industries. By leveraging these principles from the onset of Facility conception, a prime foundation has been established to ensure that all subsequent infrastructure and equipment can be optimally interconnected and fully-integrated whenever possible to provide the highest standards of security and safety to benefit Purchasers and the community as a whole.

3.2 - Controlled Access Infrastructure

Applicant has coordinated with a leading security systems integrator to facilitate the installation, training, and continued support of world-class Controlled Access Infrastructure. This system will ensure operational integrity and optimum accountability of all personnel and assets through multi-factor authentication while allowing for fast, yet secure operations. In addition to utilizing simple yet effective mechanical locks on all exterior doors, each electronic locking mechanism will be capable of sustaining functionality through the use of battery backups for a period of twelve (12) hours to ensure that locks are not released during a power outage per Section 15-100(h)(6). Accessibility to security infrastructure, including combination numbers, passwords, electronic, and biometric security systems will be strictly limited to specifically authorized dispensing organization Agents per Section 15-100(c)(12).

3.2.1 - Single-Factor Authenticated Access

MiFare DESFire EV1 credentialing provides a secure and reliable means to control access and drastically mitigate the possibility of falsified entry that has historically resulted from the utilization of standard, less costly RFID credentials. This technology is integrated into each access point throughout the Facility to provide industry-leading encryption by utilizing a digital key 'handshake' and unique RFID signature, resulting in an operationally efficient and secure access control system. An added benefit to this credentialing infrastructure is the ability to continually monitor and record employee actions while on site. This technology is truly a best-in-class solution to digital, credentialed, operationally efficient controlled access.

3.2.2 - Two-Factor Authenticated Access

All Restricted Access areas will employ, at a minimum, Two-Factor Authentication for Access. Due to the risks of Personal Identification Number (PIN) compromise made possible if entered within plain view of non-credentialed occupants of the Facility, security experts have advised the utilization of a fingerprint Biometric scan in conjunction with the aforementioned MiFare DESFire EV1 credential to meet the requirements of Two-Factor Authentication while facilitating quick access throughout general operational areas. This solution best suits the security needs and the operational integrity of the Facility and effectively removes any possibility that a key could be left in a lock or otherwise stored/placed in a location accessible to persons other than specifically authorized personnel per Section 15-100(c)(11). In addition, utilizing biometric and RFID credentials will eliminate an unauthorized individual from bypassing or defeating any Facility security measures per Section 15-100(c)(12). Access to the entirety of the Restricted Access Area will require Two-Factor Authentication for entry, to include the employee locker area, kitchen, and break room.

3.2.3 - Three-Factor Authenticated Access

Areas employing Three-Factor Authentication include [floor plan]. In addition to the aforementioned MiFare DESFire EV1 credential and associated Biometric scan required for Two-Factor Authentication, Three-Factor Authenticated Access areas require a five-digit Personal Identification Number (PIN). This PIN is unique to each specific, authorized user and add an additional layer of verification to ensure secure compartmentalization and role-specific, time-dependent access to the the Class-B High Security Area and Order Fulfillment Room.

3.2.4 - Four-Factor Authenticated Access

The Valued Asset Storage Vault features, among other key security characteristics, a Two-Phase, Four-Factor Authenticated Access control system. The first phase, a nondescript initial door featuring Three-Factor Authentication, provides an initial role- and time-specific security layer preceding the Vault. The interior door (the main Vault door) will feature yet another security measure consisting of a Group 1 Combination Lock. This concealed, layered design provides a best-in-class solution for optimizing valued asset storage, to include cannabis products and cash.

3.2.5 - Denials of Entry

Denials of entry, either by unrecognized credentials or unauthorized access attempts relative to a specific person to a particular area within the Facility, will be immediately flagged by the Intrusion Detection and Alarm system. Failed Biometric scans or associated PINs will be granted a second attempt, the failure of which will also trigger the automated system. This system responds relative to the date/time of the denial; during operations hours, on-site security and Dispensary Managers are immediately alerted via automated text messaging and an audible alert heard throughout the Facility. Outside of business hours, police are immediately notified as well as all key management personnel, to include the Chief Security Officer, Chief Operations Officer, and Inventory Manager. Any and all activity done within the vicinity of an access control point will be in plain view of the Surveillance and Monitoring infrastructure, which is explained in greater detail in Section 3.3.

3.2.6 - Distress Code

In the unlikely event that a credentialed Agent is, in some way, forced to utilize their credentials and PIN to facilitate access on behalf of an unauthorized individual, a Facility-wide 5-digit distress code will be disseminated to all staff members. This code will still permit entry when used in conjunction with RFID credentials as normal, but will immediately and automatically alert security and pre-designated key personnel with an automated text alert system and local law enforcement via the Public Safety Answering Point (PSAP). This system capability allows for the Dispensary Agent to comply in a potentially dangerous situation to ensure safety while immediately alerting law enforcement of an in-progress crime.

3.2.7 - Credential Overflow

The issue of 'Credential Overflow' is addressed through a two-part redundant system. The Server Software Module automatically deactivates old credentials upon issuance of new and provides the administrator the capability to instantly modify access and schedule rights for any existing credential. Additionally, third-party data integration through Microsoft Active Directory Database interfaces with Applicant's HR systems to administer automatic revocation of access rights in the event of termination.

3.2.8 - Maintenance and Function Checks

Every Access Control Point will be operated and inspected daily by qualified Dispensary Agents to ensure proper functionality. The third-party Security Integrator will conduct monthly Functions Checks and Penetration Tests to verify proper operation and to identify any potential security gaps or issues, if detected. Any repair or maintenance will be done at the soonest available opportunity, and physical locks will be available for use in the interim to maintain the multi-authentication standard required by the Dispensary's Security and Operations Plan. These frequent checks will ensure that all locks and security equipment will be kept in good working order per Section 15-100(c)(9).

3.2.9 - Access Control Log

All entry logs, to include denials of entry, as well as daily and monthly Maintenance Logs, Function Checks, and Penetration Tests will be continuously logged and recorded in the Access Control Log, Maintenance Log, Functions Check Log, Penetration Test Log, respectively. This information will be securely stored in physical form (if applicable) and electronically on a secure, cloud-based server for a period of no less than seven (7) years.

3.3 - Surveillance and Monitoring

Applicant has coordinated with a leading, vetted security systems integrator to install, employ, and provide continued support of industry-leading surveillance and monitoring technology in a seamless integration with access control and intrusion-detection systems that provide innovative, state-of-the-art capabilities in excess of 15-100(i). These standards and best practices are sourced from ASIS International CCTV/Digital Video Modules, Digital Video Surveillance and Security, and the Security Industry Association.

The Dispensary will be fully-monitored at all times by the surveillance system utilizing enhanced multi-angle coverage throughout the entirety of the Facility. All cameras will use remote focusing and vari-focal lenses that provide pixelation and frames-per-second capabilities maximized relative to function and placement throughout the facility. Seamless, dynamic surveillance and monitoring capabilities include: Unobstructed, multi-angle video surveillance of all enclosed areas within the Dispensary (except restrooms), capable of facial recognition, positive identification, and POS monitors to ensure and verify transaction accuracy pursuant to Section 15-100(i)(2),(10); Unobstructed, multi-angle video surveillance of the entirety of the outside of the Dispensary grounds and surrounding area, including the parking lot, capable of facial recognition, positive identification, and clear images of license plates pursuant to Section

15-100(i)(3); Printers capable of producing a clear, color photo from live or recorded footage per Section 15-100(i)(5); Still image and video export capabilities in industry standard formats as well as proprietary formatting to ensure authentication of footage per Section 15-100(i)(8); and Failure notification system integrated with Alarm System in the event of a failure in the video monitoring system that is capable of remotely notifying key personnel as well as emitting visual and audio alert notifications in excess of Section 15-100(i)(11).

4k, 30FPS seamless, dynamic surveillance and monitoring capabilities will be made possible via remote access to live feeds (available to local police and the Department at all times via web-based portal with reverse functionality), on-site monitors and printers, and a cloud-based data storage system providing a minimum 120 days of 24-hour footage in excess of the requirements in Section 15-100(i)(4),(12). Footage will have an accurate, synchronized date and time stamp embedded outside of the frame on all video surveillance recordings so as to not obscure the image pursuant to Section 15-100(i)(6). All monitors located in the Security Office will be greater than 19" per Section 15-100(i)(1). Additional redundant monitoring capabilities through the use of an integrated access alert system utilizing MiFare DESFire EV1 credentialing features state-of-the-art RFID encryption and provides yet another measure of employee monitoring and operational compartmentalization.

Video surveillance monitoring will be augmented by rules-based and learning algorithm software. The algorithm-based software will continually analyze footage to identify operational patterns relative to time of day, day of the week, and personnel movement throughout the facility. This technology allows for anomaly alerting capabilities that greatly exceed the capabilities of manual monitoring done by human staff. Preprogrammed rules that will trigger an anomaly alert are as follows and subject to be modified with continued development and gap analyses of the Security Plan: Movement outside of operations hours; Movement within a predetermined proximity of the Facility relative to time of day; Light contrast of a predetermined intensity or ratio relative to time of day; and Unscheduled activity in predetermined proximity of Delivery Access area.

The surveillance infrastructure includes an integrated access alert system and is backed up by an Uninterrupted Power Supply (Section 3.4) that maintains critical function and security in the event of a power interruption or wireless interference that inhibits the system's ability to communicate with the video management platform or other issues limiting operational effectiveness for 6 hours in excess of Section 15-100(i)(7),(9).

The integrated camera and access alert infrastructure will provide the following capabilities exceeding traditional reactionary camera monitoring systems: Unauthorized Access Attempt Instant Alert with Corresponding Video Clip; Motion Alerts During Periods of Low/No Expected Activity; Remote Live-Feed Capabilities Provided to Local Law Enforcement.

3.3.1 - Maintenance and Function Checks

The Surveillance and Monitoring Infrastructure will be inspected daily by qualified Dispensary Agents to ensure proper functionality, to include recording and storage capabilities. The third-party Security Integrator will conduct monthly Functions Checks and Penetration Tests to verify proper operation and to identify any potential security gaps or issues per Section 15-100(h)(4). Any repair or maintenance will be done at the soonest available opportunity, and backup cameras or posted personnel will be installed or staffed as needed in the interim to ensure these continuous monitoring capabilities can be upheld as required by the Dispensary's Security and Operations Plan.

3.3.2 - Surveillance and Monitoring Log

All recording equipment will be secured in a Class-B HSA (see: 3.8.4) and are accessible only to authorized Agents, law enforcement, licensed security integrator vendors, and the Department, with a current, exhaustive list of individuals authorized for access made available to the Department upon

request per Section 15-100(h)(3). To further prevent tampering with images or video, proprietary formatting that ensures authenticity will be utilized per Section 15-100(i)(8). These 24-hour recordings are available for immediate viewing by the Department upon request, shall not be destroyed or altered, and retained for at least 120 days or longer as needed if such evidence is pertinent to any criminal or legal issue as determined by the Department in excess of the minimum standards in Section 15-100(i)(4). Prior to disposal, all recordings shall be erased or destroyed per Section 15-100(i)(8). All recordkeeping, to include daily and monthly Maintenance Logs, Function Checks, and Penetration Tests will be continuously logged and recorded in the Maintenance Log, Functions Check Log, and Penetration Test Log, respectively. This information will be stored in physical form (when applicable) and electronically stored on-site in the Class-B HSA as well as backed up in a cloud-based, encrypted, secure server and available to the Department or any other regulatory entity as needed for a minimum of 7 years or until otherwise instructed.

3.4 - Security and Safety Lighting

Applicant understands the importance of integrating lighting conditions to facilitate full functionality of operations, the surveillance and monitoring infrastructure, and to ensure the safety and security of all individuals inside and on the Facility grounds. All lighting infrastructure will be pursuant to IESNA Security Lighting Standards and OSHA requirements to ensure the illumination and coverage throughout the entirety of the campus is in excess of any and all security and safety standards as dictated by the Department per Section 15-100(c)(13) and any other relevant regulatory or authoritative requirements.

3.4.1 - Exterior Security Lighting

The entirety of the Dispensary exterior and proximal grounds will be well-lit in accordance the the aforementioned standards and requirements. Existing lighting infrastructure will be augmented with additional lighting as required to ensure all areas are illuminated to a minimum standard of 2 foot-candles, and all entryways are illuminated to 15 foot-candles. All lighting infrastructure will be powered by solar (primary), hard-wired into the electrical grid (alternate), and linked to the dispensary's Uninterruptible Power Supply (UPS) System (contingency) to ensure continuous functionality.

3.4.2 - Interior Security Lighting

The interior of the Dispensary will be held to the same aforementioned standards, thresholds, and requirements to ensure the safety, security, and efficient operations of the Facility. All interior areas will be sufficiently lit to optimize the surveillance and monitoring infrastructure to an illumination of no less than 30 foot-candles. All lighting infrastructure will be hard-wired into the electrical grid (primary) and linked to the dispensary's Uninterruptible Power Supply (UPS) System (contingency) to ensure continuous functionality.

3.4.3 - Maintenance and Function Checks

All lighting infrastructure will be inspected daily by qualified Dispensary Agents and monthly by a licensed integrator to ensure proper functionality and illumination. Backup lighting infrastructure will be available on-site to immediately replace any failed lighting units to ensure the safety and security of the Dispensary.

3.5 - Intrusion Detection and Alarm System

Applicant's Intrusion Detection System will be fully integrated into the Surveillance and Monitoring infrastructure as well as into all windows and Access Control Points by the licensed third-party security integrator pursuant to Section 15-100(h)(1). Manual activation (Silent Alarm); anomaly detection by the rules-based and learning algorithm surveillance and monitoring software; loss of system functionality or power (including UPS); mechanical, electrical, or radio interference; forced entry; denial of access;

unscheduled or role-specific access attempts; or other unauthorized access or attempts will trigger the intrusion detection system. These Triggering Events will immediately alert relevant authoritative bodies through the Public Safety Answering Point (PSAP) and/or personnel via text-messaging, email alert, automated phone call, and/or alarm receiver to facilitate the fastest possible response in excess of the requirements defined in Section 15-100(h)(iii),(iv),(v). For the sake of brevity, the following chart will summarize the Triggering Events, the automated infrastructure response, and the subsequent recipients of the alerts:

3.5.1 - Triggering Event and Response Chart

Triggering Event	Infrastructure Response	Recipients of Alert
Manual Activation (Silent Alarm)	Vault Door Access Disabled	PSAP, COO, Dispensary Security, All Agents
PIN Distress Code	None	PSAP, Dispensary Security
Forced Entry, Including Windows	All Doors Except Exit Disabled	PSAP, COO, Dispensary Security, All Agents
Internal Rules/Algorithm Anomaly	All Doors Except Exit Disabled	PSAP, COO, Dispensary Security, All Agents
Non-Ops Hours Denial of Access	All Doors Except Exit Disabled	PSAP, COO, Dispensary Security & Manager
Interference, System or Power (Including UPS) Failure	Vault Door Access Disabled	PSAP, COO, Dispensary Security & Manager
External Rules/Algorithm Anomaly	None	PSAP, COO, Dispensary Security & Manager
Ops Hours Denial of Access	None	Dispensary Security & Manager
Test Procedure 1	Vault Door Access Disabled	Dispensary Security & Manager
Test Procedure 2	All Doors Except Exit Disabled	Dispensary Security & Manager

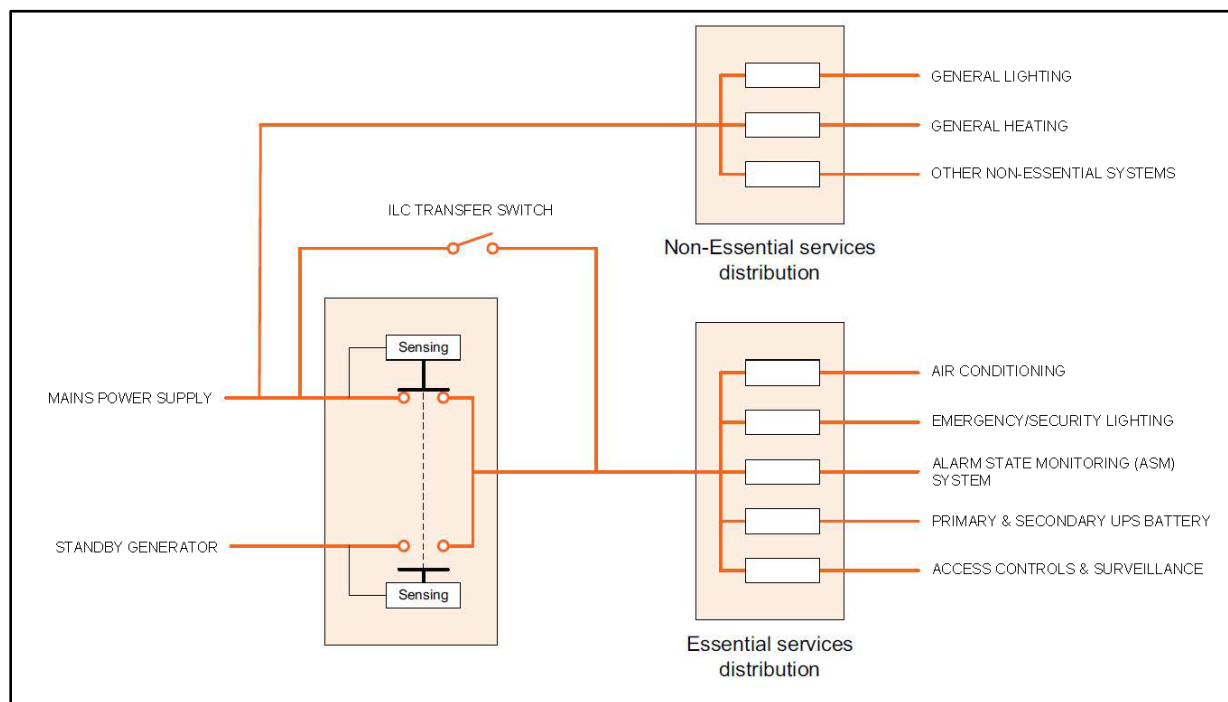
3.5.1 - Maintenance and Functions Checks

All Intrusion Detection and Alarm System infrastructure, to include logs, will be maintained in good working order in a Class-B HSA (see: 3.8.4) so as to prevent theft, loss, destruction, or alterations pursuant to Section 15-100(h)(2). As indicated by the Triggering Event and Response Chart, two test procedures will be programmed into the Intrusion Detection and Alarm System to ensure continuous functionality of the infrastructure. Both tests will be triggered daily prior to and immediately following operations hours to verify the operational security and alarm systems are working properly, and any system failure will immediately alert the appropriate recipients as designated by the Triggering Event and Response Chart per Section 15-100(c)(10).

3.6 - Emergency Power System

In the event of a primary power fault, Applicant will maintain critical security and safety systems through an on-site **Emergency Power System**. This system is comprised of a ¹**Standby Generator** and an ²**Uninterruptible Power Supply (UPS)** system. Applicant has also established a ³**Contingency Power Contract** with a local vendor should the on-site standby generator fail.

Emergency Power System

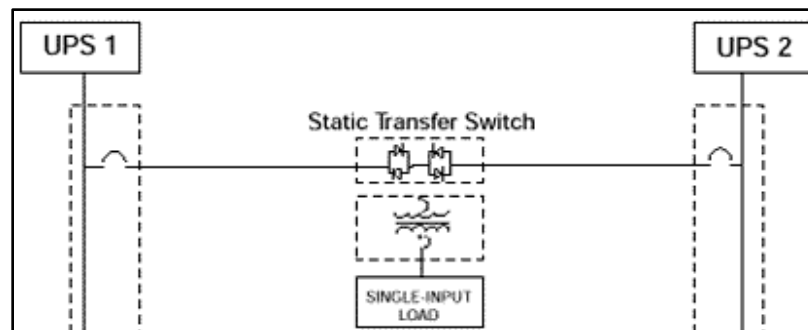


¹**Standby Generator** - To ensure continuous function of all critical security and safety systems including; Access Controls, Video Surveillance, Internal & External Communications, and Security/Emergency Lighting, Applicant will utilize a 30kW Generac® *Protector* Standby Generator fueled by clean-burning natural gas. This generator's *Mobile Link*™ Remote Monitoring System will automatically push status reports through the facility's integrated Alarm State Monitoring (ASM) system and run an automatic function-test weekly. The generator will also be outfitted with a Cold Weather Starter Kit which automatically turns on once temperatures fall below 40°F.

²**Uninterruptible Power Supply (UPS)** - To seamlessly bridge critical systems between sustained power sources and eliminate any single points of failure, the facility will maintain a **Distributed Redundant** -

Uninterruptible Power Supply (UPS) System utilizing two (2) independent CAT 354-1706-UPS batteries capable of a combined eight (8) hour supply to the dispensary's critical systems. Should the primary UPS (UPS 1) fail or fully discharge, the secondary UPS (UPS 2) will automatically assume the full transfer load. This system's fault tolerance is further increased through the use of a 200Amp Integrated Load Center (ILC) Transfer Switch and supporting independent Static Transfer Switches (STS) allowing extremely fast "break-before-make" transfers between power sources. This method will ensure the absolute highest dependability of security infrastructure functionality even in the unlikely event of multiple power supply failures. Applicant will conduct monthly inspections of all equipment and bi-annual failure tests of the system as a whole.

Distributed Redundant UPS System



³**Contingency Power Contract** - Should the main backup generator be compromised, Applicant has established a perpetual contract term with a local vendor for an industrial mobile generator. As per contract terms, the generator is guaranteed to be delivered and fully integrated within two (2) hours of initiating the order (well within UPS sustainment thresholds).

3.7 - Exterior Layout and Integration

Applicant, through consultation and oversight by security expert consultants and vetted security systems integrators, will intelligently implement and install security infrastructure and equipment optimized for the terrain, layout, and physical makeup of the exterior and proximal areas of the Facility as well as capitalize on and integrate existing assets and infrastructure whenever possible. This plan will provide concentric security and will conform to all aforementioned thresholds and standards described in the previous subsections. Pending a thorough, 360-degree gap analysis of a confirmed location, all necessary measures will be implemented to ensure that existing infrastructure is adequately augmented as necessary to provide a secure location for operations.

Security monitoring infrastructure will be strategically, effectively, and economically placed throughout the Facility exterior grounds, to include parking areas, in conjunction with appropriate lighting equipment to optimize surveillance and monitoring capabilities. Camera placement allows for multiple, complementary, redundant angles relative to the terrain and proximal infrastructure and neighboring buildings to provide thorough overwatch capabilities. Pursuant to CPTED principles, any trees, bushes, or other foliage outside of the Dispensary premises will be attended to to ensure a person does not have the ability to conceal themselves from sight, either by personnel or the surveillance and monitoring infrastructure per Section 15-100(c)(14). All exterior doors, including the internal door of the Security Vestibule, will be of steel construction equipped with reinforced frames, hinges, deadbolt strike plates, and dual internal locks, with the only exception being the main entrance door leading into the aforementioned Security Vestibule (this area is described in greater detail in Section 3.8.1).

All windows will be tinted and reinforced with 3M Security Window Film and rolling security shutters to thoroughly prevent any attempts at forced entry in excess of the requirements per Section 15-100(h)(ii). In addition, all doors and windows will be equipped with intrusion-detection or break protection systems, as applicable. Concrete bollards will be installed along the front of the Facility to further enhance the structural security of the building and safety of the occupants from forced vehicle access, whether intentional or accidental.

Applicant has consulted with a licensed, qualified, and experienced architect throughout the Facility Design process to ensure that the surrounding areas will comply with the Environmental Barriers Act and all ADA requirements, to include ADA designated parking and accessibility to the main entrance. A designated Agent positioned in the Security Vestibule will maintain a clear view of the proximal surroundings and call for assistance if needed.

3.7.1 - Proximal Assets

Applicant's Chief Security Officer in conjunction with the licensed security provider will coordinate with and continually cultivate a transparent, symbiotic working relationship with any and all local police assets. By facilitating walk-throughs and granting continued real-time access to the security monitoring and access control alert infrastructure, police assets can be proactively acclimated to the Facility grounds and have established channels of communication to effectively deter and respond to any and all attempts at criminal activity or any other issues that may arise which warrant police intervention.

Additionally, other emergency services, to include fire and EMT response, will have pre-established channels in place prior to operations to similarly ensure that response capabilities can be optimized in the event of a situation that calls for such assets to be utilized or called upon. Security integrators and service providers will be available to address any technological issues that may arise within a matter of hours, and appropriate replacement infrastructure or staffing policies are in place to maintain the highest standards of security in the interim. It is the Applicant's goal to operate a cooperative, transparent business to benefit and ensure the safety and security of all Agents, Purchasers, and the surrounding community.

3.8 - Facility Design (Reference Appendix A - Floor Plan)

Applicant's floor plan has been specifically designed to optimize operational efficiency, effectiveness, and access while also providing layered, concentric, security compartmentalization with frequent access control points to ensure that all attempts at theft, diversion, or any other criminal act is greatly deterred and mitigated to the fullest extent. The layout of the facility allows for effective infrastructure integration and optimal placement of Dispensary Agents and designated Security Staff to best provide overwatch and facilitate response capabilities. Applicant's floor plan is fully ADA and Environmental Barriers Act compliant and allows for easy access to all General Public Access Areas throughout the Facility, to include Purchaser restroom. The interior of the Facility is defined in increasing order of layered security as General Public Access Areas, Restricted Access Areas, and High-Security Areas (HSAs) B and A.

3.8.1 - General Public Access Area Infrastructure

The Facility's General Public Access Areas are fully monitored and compartmentalized areas generally accessible to all Dispensary Agents, Security Staff, positively identified Purchasers (see: 4.2.4), and escorted contractors (when applicable), defined as follows: Security Vestibule; Waiting Area; Showroom Floor; Restrooms (no monitoring/surveillance infrastructure).

Prior to accessing the General Public Access Area, an individual must first pass through the Security Vestibule: a narrow, compartmentalized entryway that is separated from the dedicated exit and waiting area by the Security Check-In desk. The interior door is defaulted to a 'locked' setting prohibiting

unauthorized or unverified entry to within. Access to the Waiting Area/Showroom Floor is preceded by an electronic lock engaged by a designated Facility Agent only upon positive identification which secures the front entrance door to prevent ‘piggybacking’ into the General Public Access Areas. By providing these measures prior to access, any unauthorized individuals will be immediately met with layered security infrastructure (as well as by trained Agents, security personnel, and established policies and procedures) to effectively prohibit entry.

The General Public Access Area is, as mentioned, fully-monitored by the integrated surveillance and controlled access infrastructure and staffed at all times, providing continuous, redundant oversight. Attempted access to the Facility’s Restricted Access Area would require an individual to defeat a Two-Factor Authenticated Access Door in plain view of multiple Dispensary Agents and Security Staff and all subsequent surveillance and alarm infrastructure equipped with the capability of instantaneously alerting law enforcement (PSAP) of forced or unauthorized entry attempts. That is, unauthorized access to the Restricted Access Area could only be accomplished through multiple, redundant, concentric, interconnected systems, personnel, and policy failures occurring simultaneously. This infrastructure far exceeds the minimum expectations required by the Department to establish a locked door or barrier between the Facility’s entrance and the limited access area (Restricted Access Area as defined by the Applicant) per Section 15-100(c)(1).

3.8.2 - Restricted Access Area

In addition to the layered, integrated security infrastructure and design as described in the General Public Access Area, the Facility’s Restricted Access Area is defined as the interior area of the building limited to only credentialed Dispensary Agents and escorted contractors (when applicable) who are authorized to access specific compartmented spaces. This access door will be clearly marked with an 18” x 18” sign that states “Do Not Enter - Restricted Access Area - Authorized Personnel Only” in 1.5” high lettering in excess of the minimal requirements defined in Section 15-100(g)(1). As described above, entry into this area requires a Two-Factor Authentication pursuant to Section 15-100(g)(3). Areas defined as Restricted Access Areas are as follows: General ‘Back Room’ Operations Area; Employee Break/Kitchen Area; Employee Personal Locker Area.

3.8.3 - Delivery/Emergency Egress Door

A compartmentalized area and designated access point to be used for delivery receipt and cash pickups is built into the facility design in the rear of the building. This door is not available for access from the outside, secured from within, and equipped with alarm infrastructure that will sound an audible alarm and immediately alert law enforcement in the event that it is opened without passing the three-factor authenticated access verification terminal. This configuration allows for a dedicated, secure access point and compartmentalized area within the Restricted Access Area of the Facility to manage the delivery of cannabis product or cash pickup services while still allowing for an emergency egress route in the event of an emergency.

3.8.4 - Class-B High-Security Area

The Class-B High-Security Areas (HSA-B) are feature enhanced security parameters consisting of further restrictive Three-Factor Authenticated credentialed access; Fail-Proof independent backup supply power and Fail-Proof independent mechanical locking mechanism; schedule-based access windows to provide industry-leading security prevention; response and security measures through deep concentric layering; and personnel accountability through trackable surveillance and access control infrastructure. These areas are defined as follows: Order Fulfillment; Security/Server/IT Office

The Order Fulfillment Room is the designated area from which cannabis products will be stored (in a limited quantity relative to a period’s sales predictions) and dispensed from during operational hours. Cannabis products will be organized and stored in locked cabinets in the Order Fulfillment Room. This

room will be accessible only through the Restricted Access Area and will provide the means to interface with a Purchaser through a reinforced teller window, providing optimum compartmentalization and security in excess of the requirements as defined by the Department in Section 15-100(c)(5). Any Agents with access to a Class-B HSA will be annotated on an electronic Daily Activity Log and stored on-site as well as on a secured, cloud-based server per Section 15-100(c)(8).

3.8.5 - Class-A High-Security Area

In addition to all aforementioned security design and infrastructure established throughout the entirety of the Facility, Class-A High-Security Area (HSA-A) - Valued Asset Storage Vault (Vault) - will be constructed of a minimum 8" reinforced concrete floor with the remaining five sides (to include ceiling) comprised of: 18-gauge structural studs made of galvanized sheet metal meeting requirements of ASTM A1003; 9-gauge, Type II, Class 1 carbon steel security mesh and attachment clips meeting ASTM F1267 on either side of studs; and An interior covered by UL and ULC Classified, Type X (per ASTM C1658), impact-resistant, moisture-resistant, noncombustible gypsum board tested to ASTM E136.

The door and frame unit will conform, at a minimum, to the following specifications: 30 man-minutes against surreptitious entry; 10 man-minutes against forced entry; 20 man-hours against lock manipulation; 20 man-hours against radiological techniques.

The Vault will only be accessed during BoD and EoD procedures or in the event that additional product is required; at all other times, the Vault will remain fully closed and secure. The walls of the Vault will be equipped with intrusion detection systems that transmits a signal directly to the licensed Security provider company, pre-coordinated police department(s) asset(s), and Applicant's key leadership and management team upon unauthorized entry. The Vault door will be equipped with contact switches and a Group 1 Combination Lock.

The Vault will be located behind a nondescript outer door employing the security features defined in Class-B HSAs to further mitigate risk of unauthorized access by providing concealment. Role-specific and time-dependent authenticated access through the outer HSA-B door and then the Vault door itself result in a Two-Phase, Four-Factor Access Control system. These measures provide best-in-breed security layering and world-class specifications to drastically prevent, deter, and delay unauthorized access attempts to the Vault. Outside of operational hours, all cannabis product and currency will be secured in the Vault per Section 15-100(c)(6). Any Agents with access to the Vault (HSA-A) will be annotated on an electronic daily log and stored on-site as well as on a secured, cloud-based server per Section 15-100(c)(8).

For any individual to force entry into the Vault in order to gain access to cannabis product or stored cash, even in the absence of any personnel on site, multiple interrelated systems of world-class security infrastructure would have to be defeated in an unrealistic amount of time relative to the capabilities and characteristics of the controlled access and surveillance infrastructure, silent alarm systems, coordinated law enforcement response time, and the burglary resistant rating of each increasingly difficult concentric layer that comprises the Facility design.

3.9 - Communications Equipment

Applicant understands that acquiring and maintaining multiple channels of reliable communications equipment is a vital aspect to the operational, safety, and security capabilities of the Dispensary. By sourcing and regularly training with the following equipment and service providers, Applicant has established the means to effectively, efficiently, and reliably communicate among the Dispensary staff, with Security personnel, with local police and emergency assets, and with the Department and any other relevant regulatory or authoritative entity to prevent, respond, and recover (to include reporting) from issues and ensure the safety, security, and operational continuity of the Facility.

Radio Communications - All facility staff will utilize encrypted digital Line-Of-Sight (LOS) Radio handsets (Motorola 7550 or comparable) for internal communication. Encryption loads and channel presets will be established and tested by an established and vetted Illinois-based communications equipment provider.

Telephonic Communications - This facility will maintain a VoIP telephone system which will be installed and maintained by an established Illinois-based VoIP provider. This system will be tested for functionality prior to the start of each workday as per Standard Operating Procedures (SOPs).

Emergency Communications - This facility will incorporate redundant systems, policies, and training designed to ensure communications to emergency response services remain unhindered and can be easily established from anywhere in the facility.

Manual Communications Systems: VoIP Telephone; Silent Emergency Alert System

Automated Communications Systems: Facility Alarm-State Monitoring (ASM) System; Avigilon Algorithm-Based Video Surveillance Alert System

Staff Emergency Communications Training: Mobile-Phone Emergency Alert Chart

3.10 - Signage

In an effort to deter attempts at theft and forced entry, signage notifying passersby and guests of limited cash stored on site, continuous monitoring and recording capabilities with live-feed police access, intrusion-detection systems, and armed security presence will be in clear view throughout the interior and exterior of the Dispensary and grounds. The Restricted Access Area will be clearly marked with an 18" x 18" sign that states "Do Not Enter - Restricted Access Area - Authorized Personnel Only" in 1.5" high lettering in excess of the minimal requirements defined in Section 15-100(g)(1). The facility layout and supporting infrastructure will deny Purchasers, escorted visitors, contractors, and pedestrians physical and visual access to High Security Areas. All cannabis products on display will not contain THC whenever possible and will have signs informing Purchasers as such. Indistinct internal facility markings and signage will further conceal key locations to non-employees. These simple, inexpensive, yet effectively layered prevention measures combined with integrated infrastructure have been shown to effectively deter and drastically reduce instances of and attempts at criminal activity and provide a best-in-class program optimized for the industry.

4.0 - Security Operations

Applicant's Security Operations and Standard Operating Procedures (SOPs) are applied throughout all facets of Dispensary operations and are built around a Zero-Loss Anti-Diversion goal. These policies and procedures ensure efficient and effective use of all staffing personnel and infrastructure, to include scheduled maintenance and function checks. These SOPs are built to mirror those from industries where the value of product creates risk for crime, theft, and diversion, to include the cannabis industry itself. World-class security experts and technological subject matter experts have been consulted and leveraged to refine and continually adapt best practices to result in an agile, integrated program that maximizes the safety and security of the population and facilitates complete control, accuracy, accountability, and traceability of cannabis product.

To ensure secure and accountable Facility operations, Applicant's staffing policy dictates that Facility Security Staff will be scheduled to duty starting one (1) hour prior to facility opening and one (1) hour after the Close of Business (COB) each workday. Facility Security Staff will also be scheduled in conjunction with any delivery receipt or other High-Value Asset Transportation as required.

While Facility Security staff are not exclusively responsible for the protection of personnel and the security of assets on-site, they are given primary responsibility for regulating and monitoring access

control as per state and company policies, providing effective initial response and communication in the case of an emergency, and providing continuous feedback regarding the functionality and effectiveness of supporting technological systems and procedures.

NOTE:

The duty of ensuring security and operational integrity in all facets of business is the collective responsibility of ALL Dispensary Agents.

All security departmental policies and procedures will be available and applicable to both employed and contracted security staff. These policies include: Company Security Policies and Procedures; Chain of Custody (section 4.1); Identification and Access Procedures (section 4.2); Agent and Purchaser Safety Procedures (section 4.3); Maintenance and Security Surveys (section 4.4); Communications Chart (section 4.5)

Each of the previous documents will be assessed in its entirety and updated bi-annually for the first three (3) years of operation, and then annually thereafter.

The Standard Operating Procedures (SOPs) adopted by the Applicant will be adapted to the specific physical and environmental requirements of the facility. All SOPs will be evaluated and updated regularly and as required in conjunction with updates to staffing, operations, and supporting systems. All changes will be communicated, taught, and integrated throughout the facility's staff within seven (7) days of the update being proposed by the Chief Security Officer and executed by the Chief Executive Officer (CEO).

4.1 - Chain of Custody

The ability to effectively and efficiently conduct all aspects of inventory management throughout every stage of the Chain of Custody process while optimizing security is at the core of the Dispensary's operations goal. Our plans incorporate standards and best practices defined by the DEA's Diversion Control Division and the FDA's Drug Supply Chain Security Act. Complete accountability, precision, and transparency is paramount to operational security and overall profitability.

4.1.1 - Change of Responsibility

The Chain of Custody process will be fully conducted at every instance a change of responsibility or audit occurs regarding cannabis or cannabis-infused product, including: Delivery Receipt; Intra-Facility Movement/Transfer; Sale of Product; Any Instance Involving Weighing or Quantifying; Waste and Destruction Management Activities; Reclaiming Possession of Returns/Recalls; Any Other Instance of Product Transfer, Counting, or Audit.

4.1.2 - Chain of Custody Standards

All inventory related activities, to include changes of responsibility, inventory counts, or audits, warrant the Chain of Custody process to be executed in its entirety without exception. This procedure requires a 'Two-Person' rule to ensure transparency, traceability, accountability, and accuracy. All Chain of Custody procedures are performed in clear view of at least two (2) angles of the Facility Surveillance and Monitoring infrastructure pursuant to Applicant's world-class security plan. A National Type Evaluation Program-approved scale, re-calibrated quarterly, will be used to weigh and measure all cannabis product.

4.1.3 - Beginning/End-of-Day Procedures

In preparation for normal operating hours, the Beginning-of-Day (BoD) inventory procedures are initiated. This process involves a minimum of two (2) assigned Dispensary Agents and one (1) Security Agent to access the Vault per section 4.2.2, conduct BoD inventory of all cannabis as required by Section 15-75(b)(1), and remove all display product for placement on the Showroom Floor as well as transport all

estimated product to be sold and necessary cash to be secured in the Order Fulfillment Room. This process will, as always, be subject to the Two-Person Rule and conducted in full view of the fully-integrated surveillance and monitoring system.

End-of-Day (EoD) inventory management procedures are the reverse of BoD; all displays, unsold product, and cash are similarly stored in the Vault per the Two-Person rule, inventoried per Section 15075(b)(1), and secured until the next business day's BoD procedures are initiated. This process will result in a completely sterilized Showroom Floor and Order Fulfillment Room which will effectively discourage any attempts at criminal activity and maximize the effectiveness of the interrelated, integrated security infrastructure during non-business hours.

4.1.4 - Delivery Receipt

To further enhance the security, compartmentalization, and accountability associated with the Delivery Receipt process, all deliveries are channeled to a dedicated, secure, continuously monitored delivery door in the rear of the Facility. This area is approximately 10' wide and spans approximately 35' long, otherwise used as the Employee Locker Area. This vicinity allows for the Chain of Custody procedure to be conducted in a secure, compartmentalized area out of view of the public. During this process, a designated Quality Assurance Manager and Security Officer will be present for inspection in addition to the required two (2) Dispensary Agents pursuant to the Two-Person Rule. Copies of the transport manifest will be produced for all parties. This duplication of effort performed by both transferee and recipient assures the product information is accurate at each change of responsibility throughout the chain of custody and ensures frequent checkpoints are in place to mitigate errors and immediately address discrepancies.

Assuming all inventory is accounted for and the Chain of Custody procedure is conducted without any discrepancies, the delivery is then transported directly to the Vault per section 4.2.3.

4.1.5 - Destruction

Applicant's Destruction and Disposal procedures employ the same redundant, accurate, and transparent Chain of Custody procedures to ensure proper and secure Destruction and Disposal of cannabis product in accordance with Section 15-100(c)(4), all relevant regulations in Section 15-65, and in accordance with all standards required by the Department or any other applicable regulatory entity. Cannabis and cannabis-infused products will be destroyed by rendering them unusable utilizing a compostable mixed-waste method, pursuant to all requirements as dictated by the Department per Section 15-90(a) as well as all other public health and legal entities associated with proper waste disposal procedures and in congruence with Applicant's Environmental Plan. Cannabis and cannabis-infused products will be destroyed by rendering them unusable utilizing a compostable mixed-waste method, pursuant to all requirements as dictated by the Department per Section 15-90(a) as well as all other public health and legal entities associated with proper waste disposal procedures and in congruence with Applicant's Environmental Plan.

Consistent with all Chain of Custody and security procedures, all cannabis and cannabis-infused waste and unusable product will be weighed utilizing a National-Type Evaluation Program-approved scale, recorded in the Destruction Report, and entered into the Inventory Management System before rendering it unusable. All actions related to destruction will be done in the presence of a minimum of two (2) qualified, designated Agents pursuant to the Two-Person rule and in clear view of at least two (2) angles of the security monitoring infrastructure per Section 15-90(c).

These strict Chain of Custody practices and utilization of all security personnel, infrastructure, and procedures ensure total accountability of personnel, thorough and redundant product traceability, and industry-leading counter-diversion and quality control standards to optimize operations and ensure the safety and security of the community.

4.2 - Identification and Access Procedures

The Company will utilize redundant integrated systems and associated policies to ensure ALL dispensing organization agents are openly identifiable and sufficiently monitored while on-site. Upon initial hire, staff members will be issued a MiFare DEZFire EV1 credential by the Contracted Security Integrator (see section 3.2.1). All Dispensary staff and supporting contractors will be required to display their issued Agent Identification Cards AT ALL TIMES while inside the facility.

The following identification and access policies will be in place: Facility Agent Uniform Standard; 'No Piggybacking' Strictly Monitored and Enforced; 100% Positive ID Monitoring from On-Site Dispensary Staff; 100% Employee Authenticated Access Logging Throughout Facility; Automated Access (Including Denied Access) Reports Generated and Stored for 5 Years; Remote Facility Video Feed Available to Local Law Enforcement; Off-Duty Police (Protection Officer) Escort for ALL High-Value Asset Transfers.

4.2.1 - Staff Access

All credentialed Dispensary personnel (including Security) will utilize their RFID badge and Agent Identification card in conjunction with biometric and PINs unique to each individual for controlled access throughout each multi-factor access area within the Facility as described in section 3.2. Access to each area of the Facility is determined by position, function, and time of day. For example, general Dispensary Agents whose function is to assist Purchasers on the showroom floor will have access to the Restricted Access Area, but not either HSA area (A or B). Also, an individual with Vault/HSA-A access (ie: a Dispensary Manager) will only have that role-specific access capability one (1) hour prior to and up to one (1) hour after business hours; attempted access outside of those times will result in a Non-Ops Hours Denial of Access Triggering Event (see: 3.5.1).

4.2.2 - Order Fulfillment Room

The Order Fulfillment Room is entirely enclosed within the Restricted Access Area and occupied solely by qualified Dispensary Agents to conduct the Purchaser Transaction as described in 4.2.6. The transfer of cannabis product from Dispensary control to qualified Purchaser is conducted through a teller window, which adds a very high degree of product security to the transaction process. As such, all cannabis product estimated to be sold during that operations period is contained within the Restricted Access area within cabinets secured with keyed locks, with the keys stored on the Dispensary Agent's person at all times with a lanyard, effectively prohibiting them from being left in the locks or stored/placed in a location accessible to persons other than specifically authorized personnel per Section 15-100(c)(11). These cabinets, located at the opposite end from the teller window, mitigate any possibility that an individual could access cannabis storage from the Limited Access Area through said teller window. This concentrically-layered design not only optimizes operations, but provides an industry-leading degree of security to keep the cannabis storage area in the Order Fulfillment Room securely locked and protected from unauthorized entry per Section 15-100(c)(7) and is accessible only to specifically authorized Agents per Section 15-100(c)(5).

4.2.3 - Vault Access

Vault access is limited specific to role and time of day, and the policies that allow a credentialed individual to access this HSA-A involve a two-phase method of entry. The initial Three-Factor Authenticated Access Control Door must first be entered by a credentialed Facility Agent, which allows access into a small, enclosed, and fully-monitored area prior to the Vault door itself. The Vault door can then only be accessed via Three-Factor Authenticated Access Control Point and then entering the combination into the Vault Door itself. This method adds yet another degree of compartmentalization in

the Vault access process to ensure that only authorized individuals are able to break the seal of the Vault in a secure setting and is executed at any time the Vault is accessed for any reason, to include: BoD/EoD procedures; Delivery storage; Inventory; Cash storage.

These practices ensure that the Vault is securely locked and protected from unauthorized entry in accordance to Section 15-100(c)(7).

4.2.4 - Purchaser Access

To ensure that all Purchasers are properly identified and that security, compartmentalization, and user experience is optimized, three (3) independent ID checks are done throughout the process of acquiring cannabis product. The first ID check is conducted in the security vestibule as defined in section 3.8.1. As previously explained, this area prevents ‘piggybacking’ by initiating a locking mechanism on the main entrance prior to the interior door leading to the Showroom Floor being unlocked. This procedure is performed by the qualified Dispensary Agent assigned specifically to verify Purchaser IDs in the Security Vestibule by physical inspection as well as with a Department-approved ID scanner.

Upon entry, Purchasers have the ability to access the entirety of the Showroom Floor and public restroom, interact with Dispensary Agents, and browse product displays (non-THC whenever possible, all securely stored in industry-specific TDL Display Cases (or similar). All access doors leading into the Restricted Access Area will be clearly marked with an 18” x 18” sign that states “Do Not Enter - Restricted Access Area - Authorized Personnel Only” in 1.5” high lettering in excess of the minimal requirements defined in Section 15-100(g)(1).

To facilitate accessibility and equality of purchasing opportunity for qualified Purchasers who have a disability, to include physical, cognitive, hearing, visual, or other, all Agents are prepared to assist all such Purchasers by request. Whether a need for aid is preempted by a phone call prior to Dispensary visit or a need is detected by the Agent occupying the Security Vestibule, Applicant will ensure quality treatment of any and all Purchasers regardless of need in accordance with the Americans with Disabilities Act and the Environmental Barriers Act.

4.2.5 - Purchaser Capacity

The maximum number of Purchasers allowed on the Showroom floor is either a 4:1 ratio relative to the number of available Dispensary Agents on the floor or pending guidance from the local fire department dictating maximum capacity, whichever is lesser per Section 15-100(c)(3). A queue may be formed awaiting entry in the waiting room area (adjacent to the Security Vestibule) or outside of the Facility per fire code. To sustain a reasonable operational tempo and to ensure all Purchasers have an opportunity to legally obtain product in a reasonable time frame, the Dispensary Manager has the authority to dismiss loiterers from the Facility if a purchase is not made within a reasonable time frame according to the judgement of the Manager per Section 15-100(c)(2).

4.2.6 - Purchaser Transaction

When a Purchaser is prepared to conduct a transaction to obtain cannabis product, the second and third ID verification takes place during the Chain of Custody procedure. Per the Two-Person Rule, the Agent in the Order Fulfillment Room and the Agent on the Showroom Floor are both present at the teller window to independently verify the Purchaser’s ID (each by way of physical inspection and electronic scan) as well as to perform the Chain of Custody Procedure for the Transaction. During this step, all identifying product information is recorded in accordance to Section 15-75(a), to include: Time/date of sale; Amount of sale; Price of product(s); Currency; Purchaser information ONLY when volunteered - Note: Purchaser information is only to be collected and stored if explicitly agreed to by the Purchaser. This information may only be used for the express purpose(s) that the Purchaser agrees to, to include product withdrawals

or recall notifications. Purchaser will reserve the right to revoke this information at any time. This policy is fully in compliance with Section 10-20(a).

Upon completion of the transaction, the Purchaser is then escorted to the dedicated exit door (separate from the Security Vestibule entrance) by the Dispensary Agent on the Showroom Floor. This dedicated exit-only door will not be accessible from the outside, and the Agent performing the escort to the exit will be tasked with ensuring that the Purchaser does not allow any unidentified individuals to gain access through this exit door and that the door is securely closed and latched before attending the next Purchaser. This process prevents 'piggybacking' and ensures that three (3) independent Dispensary Agents have verified Purchaser ID and two (2) Agents were present to verify that all information was accurately recorded during the Chain of Custody process at the POS system during each and every sale.

These access procedures as applied to Dispensary Agents (to include Security) and Purchasers are applied in tandem with Applicant's state-of-the-art, fully integrated security infrastructure to ensure maximum transparency, security, accuracy, and accountability throughout all facets of operations.

4.3 - Maintenance and Security Surveys (Internal)

As part of daily BoD and EoD procedures, assigned Dispensary Agents and Security Staff are tasked with conducting regular maintenance inspections and function checks on all infrastructure as well as daily security assessments, respectively. This practice is conducted to ensure that all supporting infrastructure related to security and operations is kept in good working order and that any problems, failures, or potential gaps are proactively detected whenever possible.

4.3.1 - Daily Security Survey

Facility Security Staff will be required to conduct both a site security survey, and an integrated systems test & analysis every day before and after business hours. The Daily Security Survey consists of three (3) parts:

1. External - This is a walking evaluation of any/all perimeter controls, parking areas, and major proximal features and supporting systems including fences, lighting, cameras, and other equipment. Pursuant to CPTED principles, any trees, bushes, or other foliage outside of the Dispensary premises will be attended to to ensure a person does not have the ability to conceal themselves from sight, either by personnel or the surveillance and monitoring infrastructure per Section 15-100(c)(14).
2. Mechanical Access Control - This is a physical evaluation of all exterior and interior doors, augmented security features on doors and windows, access control systems, surveillance and monitoring infrastructure, and the overall structural integrity of the Facility and supporting infrastructure.
3. Communications Equipment - This is a physical inspection of Primary and Secondary Communications Systems, including Line of Sight (LOS) Radios, Telephonic Systems, and Intrusion Detection and Silent Emergency Alert System (Panic Button)

4.3.2 - Daily Maintenance

A qualified, designated Facility Dispensary Agent will be tasked with completing Daily Maintenance checks on all security infrastructure in tandem with the above Daily Security Survey. These maintenance checks are described in detail throughout the following Infrastructure sections: Access Control: 3.2.8; Surveillance and Monitoring: 3.3.1; Lighting: 3.4.3.

The regular and consistent practice of inspecting all facets of the Dispensary grounds and supporting infrastructure twice daily will ensure that all equipment will be maintained in proper working order and

that any issues resulting from normal wear and tear, equipment malfunction, or environmental externality will be promptly detected and addressed.

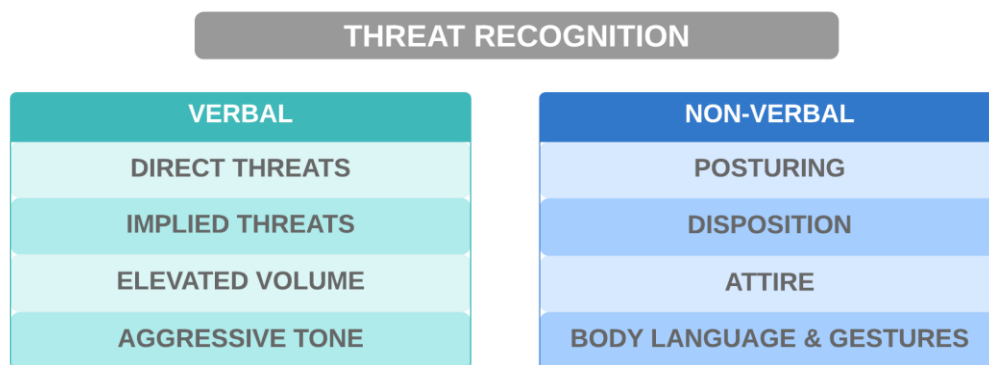
4.4 - Emergency Management and Response

While government response services are considered the “First Responders” to a given life-threatening event, the staff on-site must be considered the “Initial Responders” to an emergency incident. As such, all staff members will be trained to RECOGNIZE, RESPOND TO, and RECOVER FROM potentially life-threatening emergencies within, or near the facility. While the Security Staff will receive additional response training, they will be required to conduct Initial Responder Training with all other facility staff ensuring a “one-team” mentality and allowing trainers to conduct scenario-based training exercises.

4.4.1 - Recognition

Staff members are expected to remain situationally aware at all times and to communicate potential, likely, and imminent threats without hesitation. As part of each facility employee’s “Initial Responder” Training, all Agents will be fully trained in the following: FEMA IS-906: Workplace Security Awareness; FEMA IS-912: Retail Security Awareness: Understanding the Hidden Hazards.

A strong emphasis will be placed on human-threat recognition as staff is trained to recognize potential threat identifiers including:



By applying these Recognition concepts to normal Dispensary duties and interactions, the staff will be equipped to proactively detect behavior that may require the employment of Response procedures.

4.5.2 - Response

As Initial Responders, all staff members will be trained to respond to imminent and immediate threats with the primary goal of removing themselves from the threat area to a place of greater relative safety. All staff members will be trained in response decision-making methods and provided with fundamental response options and proficiencies as they pertain to the Facility. All facility staff must be able to demonstrate knowledge and proficiency of the following: Two (2) Methods of Emergency Communication; Two (2) Methods of Emergency Evacuation; Two (2) Bleed Control Kits; One (1) Space Capable of Being Barricaded; Law Enforcement/First Response Contact and Procedures

Training, preparation, pre-established communication channels, and equipment/infrastructure proficiency all tie in to a Dispensary Agent’s ability to effectively respond to a situation. All Agents will be fully trained in the following applicable Emergency Response training: FEMA IS-907: Active Shooter: What Can You Do; FEMA IS-200: Basic Incident Command System for Initial Response.

As always, the safety and security of Purchasers, Agents, and the surrounding community members is of vital importance to the Applicant. The activation of the silent alarm infrastructure (section 3.5) will immediately alert law enforcement entities of a developing incident in need of immediate response while maintaining an otherwise normal operational posture in the Dispensary.

4.5.3 - Recovery

After any such event has been immediately responded to, Recovery procedures are initiated to ensure that proper documentation and recordkeeping practices are maintained and an After-Action Report (AAR) occurs within five (5) days of the incident. These documentation, reporting, and recordkeeping standards are executed in excess of Departmental standards with physical copies and cloud-based backups stored for no less than seven (7) years. Any subsequent changes deemed necessary in staffing, training, infrastructure, or policies resulting from the incident and AAR will be carefully considered with expert input from subject matter experts and specialists and thoroughly tested prior to implementation. A pursuit of continued excellence is at the forefront of all facets of Dispensary operations, with the safety and security of the community being considered of the highest importance.

4.6 - Reporting and Records Maintenance

To ensure that any and all documentation, reports, logs, records, or other such evidential material that may be directly or indirectly applicable to an investigation, audit, After-Action Report, or other reason as required and applicable, extensive and redundant reporting and records maintenance procedures have been established. In line with Applicant's fully cooperative, compliant, and transparent business practices, any and all reports, documentation, and logs are readily accessible to the Department or any other authorized entity whenever such action is required or requested. All information will be maintained on-site in hard copy form (when applicable) as well as electronically, both on- and off-site (via secure, encrypted cloud based storage) for a period of seven (7) years to exceed the requirements required by the Department and to ensure that any and all relevant information that could be useful in any investigation or audit be properly maintained per Section 15-90(d). This minimum records maintenance standard applies, but is not limited, to:

Withdrawal/Recall	Quarantine Logs	Destruction Logs	Scheduling Records
Inventory Logs	Maintenance Logs	Financial Records	Surveillance Footage
Controlled Access Logs	Daily Activity Logs	Alarm System Logs	Penetration Tests
Functions Check Logs	Incident Reports	Training Logs	Waste Disposal Log

Any such information that is found to be relevant to an incident will be kept in perpetuity so that it can be continually utilized for future training, correction, and reference unless such information is expressly instructed to be destroyed by the Department or other regulatory entity.

4.6.1 - Incident Report

Aside from the myriad of information the Applicant will store and have available as needed, the Incident Report is a comprehensive, mandatory report directly tied in to any security-related incident that may occur. The Dispensary Manager and Chief Operations Officer will work with Security Staff to develop an

Incident Report comprised of: Incident Summary; Manager's Report; Witness Testimony; Evidential Records.

Part 1: Incident Summary

The Incident Summary section of the Incident Report serves to provide an overview of the incident, outlining the main components and relevant parties involved in the event. Identification of key parties and details regarding pertinent evidentiary records, including (but not limited to) file locations, CCTV time references, and access control records, are defined in this section.

Part 2: Manager's Report

The Dispensary Manager present at the time of the incident will provide a chronological summary of the events as they transpired. The Manager's Report aims to document a clear understanding of the incident and provide investigators and key leadership with a detailed understanding of the specifics of the events as they occurred.

Attachment(s): Witness Testimony

After any security-related incident, it is incumbent upon the staff to provide a documented testimony of events as they were perceived directly following the incident. Reports will be recorded (either digitally or in writing) in the following order: Primary Witness; Protection Officer On-Duty; Secondary Witnesses

All Incident Report Testimonies will be signed by the staff member and a witness and then scanned and cataloged in PDF format under the following naming convention:

[YYYYMMDD]_INCIDENT REPORT_TESTIMONY_[LAST NAME, FIRST NAME].pdf

Attachment(s): Evidential Records

During the time directly after the incident and during witness reporting, the CCTV monitoring room will remain off-limits to all non-security personnel including management and executive staff, unless otherwise stated and monitored by Law Enforcement Officials on-site. At this time, the Emergency Dispatch Officer, with the guidance of the Protection Officer and/or Law Enforcement Personnel, will download and catalog all facility CCTV footage and Access Control System logs from 24 hours prior to the incident (-24h:00m:00s) to two hours after the culmination of the incident (+02h:00m:00s).

Proprietary media extensions and redundant version control practices will ensure authenticity and provide version history to effectively provide protection against theft and diversion that may be facilitated or hidden by tampering with computers or electronic records per Section 15-100(h)(5).

CCTV footage will be cataloged under the following naming convention:

- [YYYYMMDD]_INCIDENT REPORT_CCTV_CAMERA[##].mov

The Access Control Log will be cataloged under the following naming convention:

- [YYYYMMDD]_INCIDENT REPORT_ACCESS CONTROL LOG.xlcs

This diligent practice of thorough reporting and redundant recordkeeping processes will ensure that all evidential and potentially evidential information is kept secure, authentic, and accessible to the Department and any other regulatory entity as needed. It is the Applicant's aim to demonstrate complete accountability, transparency, and compliance in all facets of operations.

5.0 - Agent and Purchaser Safety

This program is designed to apply cutting-edge solutions to health and life-safety risks potentially faced by employees, customers, and the surrounding community. Safety Risk Management Programs cannot

function as a fixed set of policies and guidelines. These programs must evolve with the internal and external risks they are designed to mitigate. To ensure this program is never outgrown by the advancement of threats, Applicant has opted to develop a proprietary Risk Management (RM) Cycle that closes numerous gaps within other standard RM Cycles.

Staff Safety Training

Applicant will provide all Dispensary Agents best-in-class training on employee health and safety as well as fire, weather, disaster, and medical response. Additionally, health-based incentives and wellness training will be implemented. These incentives have been shown to not only drastically reduce instances of injury and illness, but also reduce insurance and healthcare costs as well as improve productivity and continuity for the company. Initial and ongoing training will include Industry Best Practices (IBPs), standards, and guidelines as established by: FEMA IS-37.19: Managerial Safety and Health; Occupational Safety & Health Administration (OSHA) Standards - 29 CFR; National Safety Council (NSC) Accident Prevention Manual; National Fire Protection Association (NFPA) Codes; All Other State, Federal, and Industry-Specific Guidelines.

As shown in the graphic BELOW, dispensary management and staff will be held to a high responsibility of care and communication at every level. By increasing the number and magnitude of hazard assessments, and communicating threats sooner, Applicant's dispensary staff will be more empowered to work as a team in identifying timely and effective solutions.

ALL-HAZARDS DISPENSARY SAFETY PROGRAM

SAFETY RISK MANAGEMENT CYCLE



5.1 - All-Hazards Identification System

Applicant has developed an All-Hazards Identification System based on accepted industry-best-practice (IBP) as established by FEMA 452 and Interagency Security Committee (ISC) 2010 guidelines. This system of overlapping surveys, assessments, and daily inspections will help dispensary management and staff identify safety hazards that pose any indication, circumstance, or event with the potential to cause harm to an individual within or near the facility before those potential risks have an opportunity to manifest as real risk.

Applicant will employ three (3) main types of PROACTIVE Hazard Assessment: ¹Daily Operational Survey, ²Scheduled Threat/Risk Vulnerability Assessment (TRVA), ³Policy & Procedure Audit. Though they differ in modus, they are all designed to achieve the same goals:

- **Identify Hazards to Human Safety** - Whether internal, external, natural, or man-made, standardized and targeted surveys of facility infrastructure, operations, and equipment are

designed to help facility management maintain a safe and proactive environment for employees.

- **Determine Hazard Parameters** - Facility staff will analyze and determine the source and/or allowable conditions regarding the specific hazard. Understanding and evaluating this data will assist stakeholders in determining correct alarm-states and effective courses of action.
- **Determine Hazard Rating** - This rating determines the likelihood of a given hazard, or set of hazards affecting personnel and/or operations on-site. (See Hazard Rating Table BELOW)

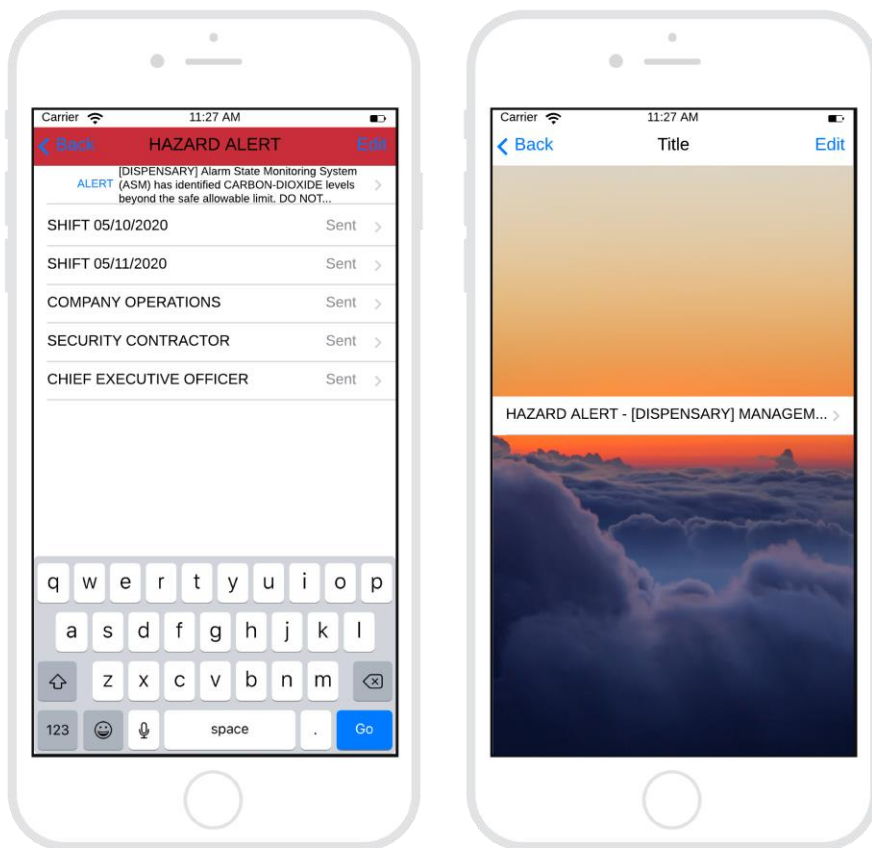
HAZARD RATING TABLE

VERY HIGH	10	Extremely high likelihood of one or more hazards impacting personnel and assets, history of numerous injuries or damages from past events.
HIGH	8-9	High likelihood of one or more hazards impacting personnel and assets, history of at least one event causing injury or damage.
MEDIUM HIGH	7	High likelihood of one or more hazards impacting the personnel and assets, history of one or more events nearly causing injury.
MEDIUM	5-6	Significant possibility of one or more hazards impacting personnel and assets, no known history of injury or damage from past events.
MEDIUM LOW	4	Moderate to low possibility of one or more hazards impacting personnel and assets, little or no history of injury or damage from past events.
LOW	2-3	Slight possibility of one or more hazards impacting personnel and assets, little or no history of injury or damage from past events.
VERY LOW	1	Little or no likelihood of one or more hazards impacting personnel and assets, no history of injury or damage from past events.

5.2 - Hazard Communication Protocols

Immediately upon identification of a safety hazard, dispensary management will notify all staff members and customers on-site that a hazard has been identified, followed by specific instructions to evacuate the affected area. If the hazard is of a nature requiring Emergency Response then the Dispensary Emergency

Dispatch Officer will immediately call 911, or the applicable non-emergency phone number providing information requested. Once all personnel on-site and emergency services (as required) have been notified, the Dispensary Manager will notify all staff and company leadership using the Company's Threat/Hazard Alert System. The Threat/Hazard Alert System (THAS) sends alerts directly to employees through their scheduling app, SMS text, and registered email address. Once received, employees must confirm receipt, otherwise initiating a call to the primary contact number on file.



5.3 - In-Depth Hazard Risk Assessment

Safety Risk Management personnel, including Applicant's Chief Security Officer, and Chief of Human Resources will work with third-party Risk Managers in assessing and analyzing the critical factors resulting in the hazard-state. This team will also determine and report overall Risk Values and Criticality to company leadership. This insight will provide decision-makers with the necessary information to design and implement mitigating policies and systems.

STEP 1 - Assessment Team will **Identify Risk-Enabling Factors** which allow/ed the hazard to manifest. These factors include: Nature of the Hazard; Environmental Conditions; Failures/Omissions of Mitigating Processes & Procedures.

STEP 2 - Assessment Team will **Evaluate Loss-Potential and Criticality of Risk** to begin determining necessary courses of action. These factors include: Loss Potential of Personnel; Loss Potential of Building & Assets; Loss Potential Due to Business Interruption; Economic & Social Impact to the Location; Exposed Population in Proximal Areas

5.4 - Policy Gap Analysis

Whether mitigating potential hazards to safety or reacting to a safety-related incident within the dispensary, it is incumbent upon company management, leadership, and associated stakeholders to scrutinize standing policies and standard operating procedures (SOPs) against leading industry standards and guidelines to ensure Applicant's staff is always afforded the very best solutions for safety.

In standing with Applicant's overall Security & Safety Program, numerous leading governmental and non-governmental policy-thresholds and guidelines are referenced in the design, development, and implementation of Dispensary Safety Policies. These resources include: FEMA IS-37.19: Managerial Safety and Health; OSHA Standards - 29 CFR Part-1910: General Industry; OSHA Standards - 29 CFR Part-1904: Recordkeeping; National Safety Council (NSC) - Accident Prevention Manual (APM); NSC - APM Environmental Management (3rd Edition); NSC - Fundamentals of Industrial Hygiene (6th Edition); NSC - Occupational Health & Safety (2nd Edition); National Fire Protection Association (NFPA) - Code 1: Fire Code; NFPA - Code 4: Standard for Integrated Fire Protection and Life Safety System Testing; NFPA - Code 10: Standard for Portable Fire Extinguishers; NFPA - Code 18A: Standard for Water Additives for Fire Control and Vapor Mitigation; NFPA - Code 70E: Standard for Electrical Safety in the Workplace; NFPA - Code 72: Standard for Fire Alarm and Signaling; NFPA - Code 101: Life Safety; NFPA - Code 101B: Code for Means of Egress for Buildings and Structures; NFPA - Code 170: Standard for Fire Safety and Emergency Symbols; NFPA - Code 297: Guide on Principles and Practices for Communications Systems.

5.5 - Safety Policy Selection and Implementation

Applicant's policy review and selection process is designed to perpetually research and identify best-available solutions to issues of workplace safety. Upon completing an exhaustive review of industry standards and guidelines, it is the responsibility of company leadership, namely the Director of Human Resources, Chief Security Officer, and Dispensary Manager to implement effective changes and additions to the Dispensary Safety Policy Manual. Once these amendments are made and circulated, the dispensary will immediately schedule staff training and evaluations as required. It is imperative that all policies, especially when dealing with staff and customer safety, are well communicated and entirely understood and enacted.

6.0 - Currency Management [see: (iii)]

To ensure the safe delivery and storage of cannabis currency, all staff will be well-vetted and thoroughly trained in all relevant security operations, industry-leading security infrastructure and software will be employed, and world-class high-value asset policies will be implemented during each and every stage of Dispensary operations. In congruence with Applicant's Zero-Loss Anti Diversion Goals, secure electronic transactions and fully accountable and secure physical cash management procedures will be in place at all times.

6.1 - Electronic Transactions

Applicant's POS vendor utilizes world-class security encryption and software to ensure that all cannabis transactions are secure and that all sensitive information is protected. Through Amazon Web Services (AWS) hosting infrastructure, various compliance and certification programs, to include SOC2, HIPAA, PCI, and FEDRAMP will facilitate the highest level of physical and network security on par with that of the Department of Defense. Account security is held to a high standard, requiring complex password length and character/symbol requirements, mandatory password changes every 90 days, multi-factor authentication, and automatic account disabling after three (3) failed attempts.

To ensure data security, to include electronic currency transaction information, all data-in-transit and data-at-rest is subjected to FIPS-compliant Row level AES-256 encryption by default, with the option of

employing additional encryption for backup files. Hypur, the third-party processing vendor, provides security designed specifically for use in high-risk markets. Several proprietary and standardized tools are employed to facilitate vulnerability assessments and regular testing of operating systems, applications, and network devices. All virtual machines are deployed with anti-malware and anti-virus applications, automatically updated, which actively scan, detect, and report potential threats to the environment.

6.2 - Cash Assets

While an ever-increasing majority of retail transactions are moving towards electronic purchases, Applicant is prepared to handle, store, and secure the entirety of each day's sales, if applicable, in physical cash. To ensure the secure storage and transport of physical cash assets, identically thorough, redundant, accountable, and accurate Chain of Custody procedures are employed as with all cannabis product storage and transport per section 4.1. Any and all cash handling procedures are subject to the Two-Person Rule, and a mandatory Security Agent must be present at any time cash is being transferred during BoD or EoD procedures or during a designated Secure Cash Pickup. All cash amounts are independently logged and verified by all Agents conducting the transfer to ensure complete accuracy and accountability. Any cash not picked up by an Armored Transport Service will be transferred and stored in the Class-A HSA Vault in accordance with the Chain of Custody standards and processes defined in 4.1.3.

6.2.1 - Secure Cash Pickup

Applicant will employ the services of a licensed, vetted, Armored Transport Service to conduct Secure Cash Pickups daily or as needed. This procedure will be conducted identically to that of the Product Delivery process, but with the Armored Transport Service assuming the responsibility for cash assets instead of cannabis product. All Chain of Custody procedures that apply to changes of responsibility with cannabis similarly apply to that of cash transfers.

These secure policies and supporting infrastructure will ensure the safe, responsible, accurate, and secure management, storage, and delivery of cash assets in accordance with all requirements dictated by the Department and any other legal authority as applicable.

7.0 - Anti-Diversion and Theft

Applicant's plan to prevent diversion and theft involved a thoroughly vetted and continuously trained staff adhering to industry-best policies and procedures employing the expert use of state-of-the-art security infrastructure. Each of these three critical components have been thoroughly outlined in sections 2.0, 3.0, and 4.0 and collectively make up the foundation of the Applicant's capability to continuously pursue a Zero-Loss Anti-Diversion goal to exceed requirements dictated by the Department in Section 15-100. We have worked with leading experts in Enterprise Security Risk Management and Federal Narcotics Law Enforcement to leverage current and well-established tactics in Cannabis and derivative product anti-diversion. These methods are continuously recounted and cataloged in an effort to identify the gaps in current industry best practices. This adaptable and up-to-date information combined with training plans, infrastructure, and industry-best policies provide the means for Applicant's Security Risk Management team develop truly best-in-class solutions to mitigate instances of theft or diversion of cannabis.

7.1 - Zero-Loss Anti-Diversion

This program consists of three (3) key mitigating factors: Culture, Policy, and Technology. Each component is thoroughly interconnected with the other two, resulting in a congruent and seamless amalgamation that allow for the highest degree of theft and diversion prevention reasonably attainable.

7.1.1 - Culture

Applicant will facilitate a Culture of Confidence among all staff members. All Facility employees are thoroughly vetted, expertly trained in excess of Departmental requirements, and held to the highest of standards in the industry. Applicant will continually work to cultivate long-term employment relationships and promote high morale in the workplace while aiming to disincentivize internal theft and/or product diversion through selective hiring and the inclusion of specific benefits: Above-Market Salary; Robust Benefits Packages; Purchase Discounts for Employees; Internal Training and Advancement Opportunities.

7.1.2 - Policy

Applicant's operations continuity standards and procedures are designed to greatly enhance product control and containment. By employing thorough Chain of Custody procedures and ensuring accurate and accountable product traceability augmented by the best systems in the industry, Applicant's inventory control will set the example in the industry. This program will close the gaps which have allowed for product diversion in other states through the use of: Industry-Leading Tracking and Tracing Standards; Compartmentalized Facility Operations; Multi-Point Transfer Inspections; Two-Person Rule for all Chain of Custody Procedures.

7.1.3 - Technology

Applicant's state-of-the-art physical site security program employs systems and technology capable of providing a level of transparency, real-time monitoring, and control previously unattained in the Cannabis industry. Algorithm-driven monitoring enhancement software in concert with a multi-factor 100% Positive ID Access Control System will allow on-site security personnel and management to interface in a proactive rather than passive manner through the use of: Software Enhanced Multi-Angle 4k, 30FPS Video Surveillance; Multi-Factor Authenticated Access Controls; Automated and Manual Alarm Systems; Seamless Product Accountability; Integral-Input Active Risk Mapping.

7.2 - Incident Response

For an instance of theft and/or diversion to have occurred, multiple simultaneous failures of infrastructure and violations of policy would have to occur. While Applicant is exercising every reasonable precaution to prevent diversion and theft by vetting and employing the best staff, training them in excess of Departmental requirements, installing state-of-the-art security infrastructure, and leveraging world-class policies and procedures under the continuous advisement of subject matter experts, an Incident Response plan has been built to quickly, appropriately, and thoroughly respond in the highly unlikely event such an incident were to occur. In conjunction with all aforementioned components of the security plan to prevent instances of theft and/or diversion, all Facility Employees will be 100% certified in the following training: FEMA IS-906: Workplace Security Awareness; FEMA IS-916: CIS: Theft and Diversion; FEMA IS-912: Retail Security Awareness: Understanding the Hidden Hazards; FEMA IS-200: Basic Incident Command System for Initial Response; Crime Scene Preservation Training.

The Incident Response process involves three stages: Recognize, Respond, and Recover.

7.2.1 - Recognize

The Recognition of an instance of theft and/or diversion is first **Identified** upon discovery, then effectively **Communicated** to all relevant parties. Any in-progress incident or event that has any safety or security risk will be communicated via Silent Alarm to alert all Agents and law enforcement. In the event that a discovered instance of theft or diversion is overtly criminal, such as evidenced by damaged infrastructure or witnessed theft, all Agents, Managers, Security Staff, and the police are to be notified immediately via Silent Alarm (if such an event is in-progress or otherwise needs immediate police response intervention) or manually by phone if the discovery does not warrant an emergent response. Upon discovery of an instance of potential theft or diversion, such as an inventory discrepancy, all staff

members, managers, and security are to be notified immediately; law enforcement will be contacted upon verification of such an instance (see: 7.2.2 - Respond). Additional Security or Dispensary Agents will be contacted in the event that additional staffing is required to properly Respond to such an instance.

7.2.2 - Respond

The Response to an instance of theft and/or diversion is to immediately and continuously **Secure** the area, **Verify** the incident, and **Preserve** evidence. Emergency policies and procedures have been developed and will be continuously trained that facilitate the Dispensary staff's collective ability to secure all product and currency following any instances of diversion, theft, or loss of cannabis per Section 15-100(c)(15).

Secure - After discovery and proper communication of an incident, the immediate establishment of security and accountability is of primary concern (Note: 4.6 - Emergency Management and Response details the processes by which the Dispensary staff manages potentially dangerous or in-progress situations). If necessary to effectively secure the area, additional staffing will be added and/or daily operations will be stopped (ie: the Dispensary will close).

Verify - While maintaining full security and control of inventory, assets, and the environment, additional, redundant verification checks are done to ensure discrepancies, if applicable. Any verification procedures will be conducted according to the Chain of Custody principles and the Two-Person Rule to ensure accuracy, accountability, and transparency.

Preserve - To maintain validity of any evidence related to an instance of theft and/or diversion, Crime Scene Preservation procedures will be in place. This standard ensures that any inventory discrepancies, altered or damaged infrastructure, or any other such evidence can be utilized by law enforcement and any other entities conducting continued investigations.

7.2.3 - Recover

The Recovery stage of the Incident Response plan involves proper and thorough **Documentation** of all facets of the incident, conducting prompt and verified **Reporting** to all required entities, and subsequent **Adaptation** of security staffing, training, infrastructure, and/or procedures as necessary to prevent such an instance from reoccurring.

Documentation - All documentation necessary related to the instance of theft and/or diversion will be completed in its entirety by relevant Dispensary Agents, Security, and Management as required and overseen by the Chief Executive and Operations Officers during and immediately following the incident. Such documents include, but are not limited to: [insert a table with document names? a list?]

Reporting - Applicant will report any verifiable incident of theft, diversion, or other such criminal activity (as well as a multitude of other scenarios) within 24 hours to the Department and law enforcement (when applicable) by notifying the Department and State Police by phone and submitting the appropriate Incident Log and Post-Incident Report in writing. The phone call will be conducted by the Chief Operations Officer and the date, time, and person contacted will be logged to verify receipt. Any and all subsequent documentation, logs, accounting information, or other data that can be of any use to an investigation or to demonstrate compliance, transparency, and cooperation will be made immediately available to the Department or any other entity as needed.

Adaptation - Internal and external/third-party investigations as well as prompt After Action Reporting (AAR) conducted within five (5) days of the incident will provide valuable insight towards actionable solutions to any gaps or weaknesses that may have previously existed. Eye witness accounts, security subject matter experts, and specialized infrastructure integrators will be consulted to the fullest extent to ensure that the best people are examining the most complete evidence to detect deficiencies in the security plan. These revelations prove to be an incredibly valuable learning opportunity to improve staffing,

training, infrastructure, and/or policies as needed to prevent such an incident from reoccurring. This assessment will determine and assist in the development of additional, actionable safeguards necessary in response to any special security concerns as needed or required by the Department per Section(c)(15),(16).

As always, the intent of the Applicant is to assimilate into and continuously serve the surrounding community of which the Dispensary is a part. This pledge of constant improvement and refinement is at the core of promoting profitable and successful business relationships in the industry and ensuring the safety and security of the community.

8.0 - Program Compliance and Continued Excellence

Applicant is committed to ensuring that all facets of the security plan meet and exceed Departmental and other applicable regulatory compliance thresholds, to include the acquisition, retention, and training of personnel and contractors; continuing optimization and integration of all security infrastructure; and adopting policies, procedures, and best practices from industry leaders and subject matter experts. This ever-evolving, continuous pursuit of excellence requires the employment of vetted third-party security integrators, qualified subject matter experts, and retained legal counsel to conduct regularly scheduled surveys and assessments of all facets of the Dispensary grounds, infrastructure, design, and operations. By continually leveraging entities with specialized knowledge, Applicant will maintain the highest standards of security and a constant pursuit of excellence.

8.1 - Infrastructure and Systems Inspections

To further augment twice-daily inspections conducted by on-site Dispensary and Security Agents as described in section 4.3.2, Applicant has elected to employ the expertise of vetted, third-party security integrators for monthly inspections of all security-related infrastructure to ensure optimum functionality. In addition to having a qualified specialist verify proper maintenance and internal inspection procedures, the integrator will provide up-to-date training on the best and most efficient ways to carry out each respective daily maintenance duties. Applicant will also be able to stay as current as possible with upgrade opportunities that arise from technological advancements as well as be continuously informed of newly-discovered vulnerabilities that existing infrastructure may be susceptible to.

8.2 - Threat-Risk Vulnerability Assessment (TRVA)

Applicant will employ the use and knowledge of third-party Threat/Risk Vulnerability Assessment (TRVA) experts to provide a globally-accepted threshold is designed to provide insight into trending threats, current physical and non-kinetic (network) vulnerabilities, and best-in-class solutions to eliminate or mitigate those identified security risks.

This facility will conduct a TRVA bi-annually for the first three (3) years of licensed operation and annually thereafter. The Threat/Risk Vulnerability Assessment (TRVA) includes: Threat Analysis; Physical Security Survey; Network Security Survey; Security Policy Audit.

8.2.1 - Threat Analysis

To be performed by Company's Chief Law Enforcement Liaison following the Enterprise Security Threat Identification and Analysis reporting format, which will include: Historical Crime/Threat Report; Current and Emerging Threats; Defeat System Application Trends.

8.2.2 - Physical Security Survey

To be performed by an ASIS Certified Protection Professional (CPP) following the Security Survey Performance and Reporting methodology developed by the U.S. State Department's Bureau of

Diplomatic Security (DS) and accepted by the U.S. Interagency Security Committee (ISC) as standard best-practice.

8.2.3 - Network Security Survey

To be performed by an (ISC)² Certified Information Systems Security Professional (CISSP) following current industry best-practices for network architecture and engineering surveys and controlled penetration audits.

8.2.4 - Security Policy Audit

To be performed by an ASIS Certified Protection Professional (CPP) with demonstrable experience in Policy Development for Risk Management Conversions. Policy amendments will identify any/all variances from previous versions of the policy manual and establish staff responsibilities, operating procedures, and necessary training to actuate any/all: Updates to Security Staffing and Operating Hours; Updates to Standard Operating Procedures (SOPs); Updates to Physical Security Systems; Updates to Information Systems and Networks; Updates to Document Management Policies and Procedures.

By regularly employing these world-class and subject matter expert resources to provide continuous verification and updates regarding security-related infrastructure, operational practices, and the most current risks associated with the industry, every component of the security plan will maintain the highest of standards in an ever-evolving threat landscape to ensure the safety and security of the community.

8.3 - Regulatory Compliance Team

Applicant fully recognizes the importance of continued compliance in a rapidly growing and ever-evolving emerging industry. As such, the Internal Compliance Officer, Executive Director of Internal Compliance and VP of Government Affairs, and retained legal counsel constitute the Applicant's Regulatory Compliance Team (RCT). The RCT assumes the collective responsibility of ensuring that all employees, training, infrastructure, operations, and policies are continually compliant with all applicable laws, administrative rules, and the Act. All proposed changes to any component of the Dispensary's operations, design, equipment, or hiring will be reviewed by the RCT to ensure such change is permissible according to any and all applicable laws. In addition, the RCT will stay up-to-date on any regulatory changes that may retroactively result in any facet of the operations and security plan to become non-compliant and communicate any such change to the chain of command as necessary.

These multi-layered, interdependent, collaborative systems, policies, and procedures collectively result in a world-class security plan. Applicant will make every effort to proactively mitigate risks of theft or diversion of cannabis; ensure the safety of Purchasers, Dispensary Agents, and the community; ensure the safe delivery and storage of cannabis currency; and demonstrate the means to ensure that every facet of operations and security remains continually compliant with all applicable laws, administrative rules, and the Act.

To: Community Development City of Pekin

RE: 2910 Court Street

I am a business owner in the vicinity of 2910 Court St. I write in support of VHEA, LLC and its application for Special Use zoning approval to open a licensed Adult Use Cannabis Dispensary.

I have had an opportunity to talk with the owner/operator and know that the group has prior Illinois experience operating dispensaries. The principles have a good reputation in regard to operational experience and regulatory compliance.

I welcome the new business intended to take over an empty space and feel that the economic development will benefit the business community.

I am assured of collaborative and cooperative business relationship and am confident in the business model that will preserve the integrity of the business community while maximizing revenues for the City.

Name: VICTOR FUENTES

Address: 2912, COURT ST

To: Community Development City of Pekin

RE: 2910 Court Street

I am a business owner in the vicinity of 2910 Court St. I write in support of VHEA, LLC and its application for Special Use zoning approval to open a licensed Adult Use Cannabis Dispensary.

I have had an opportunity to talk with the owner/operator and know that the group has prior Illinois experience operating dispensaries. The principles have a good reputation in regard to operational experience and regulatory compliance.

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Name:

Sam Shah



Address:

Cricket Wireless

2925 Court St, Pekin, IL

To: Community Development City of Pekin

RE: 2910 Court Street

I am a neighbor in the vicinity of 2910 Court St. I write in support of VHEA, LLC and its application for Special Use zoning approval to open a licensed Adult Use Cannabis Dispensary.

I have had an opportunity to talk with the owner/operator and know that the group has prior Illinois experience operating dispensaries. The principles have a good reputation in regard to operational experience and regulatory compliance.

I welcome the new business intended to take over an empty space and feel that the economic development will benefit the business community.

I am assured of collaborative and cooperative business relationships and am confident in the business model that will preserve the integrity of the business community while maximizing revenues for the City.

Name: Joe Caldwell

Address: 2929 COURT ST

To: Community Development City of Pekin

RE: 2910 Court Street

I am a neighbor in the vicinity of 2910 Court St. I write in support of VHEA, LLC and its application for Special Use zoning approval to open a licensed Adult Use Cannabis Dispensary.

I have had an opportunity to talk with the owner/operator and know that the group has prior Illinois experience operating dispensaries. The principles have a good reputation in regard to operational experience and regulatory compliance.

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Name: Emily Null

Address: 2940 Court St. Pekin, IL 61554

To: Community Development City of Pekin

RE: 2910 Court Street

I am a neighbor in the vicinity of 2910 Court St. I write in support of VHEA, LLC and its application for Special Use zoning approval to open a licensed Adult Use Cannabis Dispensary.

I have had an opportunity to talk with the owner/operator and know that the group has prior Illinois experience operating dispensaries. The principles have a good reputation in regard to operational experience and regulatory compliance.

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I am assured of collaborative and cooperative business relationships and am confident in the business model that will preserve the integrity of the business community while maximizing revenues for the City.

Name: Kennifer Muller

Address: 2940 Court St Pekin IL 61554

To: Community Development City of Pekin

RE: 2910 Court Street

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I have had an opportunity to talk with the owner/operator and know that the group has prior Illinois experience operating dispensaries. The principles have a good reputation in regard to operational experience and regulatory compliance.

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Name: Chad Kautz

Address: 2936 Court St Pekin, IL 61554

To: Community Development City of Pekin

RE: 2910 Court Street

I am a neighbor in the vicinity of 2910 Court St. I write in support of VHEA, LLC and its application for Special Use zoning approval to open a licensed Adult Use Cannabis Dispensary.

I have had an opportunity to talk with the owner/operator and know that the group has prior Illinois experience operating dispensaries. The principles have a good reputation in regard to operational experience and regulatory compliance.

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I am assured of collaborative and cooperative business relationships and am confident in the business model that will preserve the integrity of the business community while maximizing revenues for the City.

Name:



Address:

2918 Court St Pekin. Il 61554

To: Community Development City of Pekin

RE: 2910 Court Street

I am a neighbor in the vicinity of 2910 Court St. I write in support of VHEA, LLC and its application for Special Use zoning approval to open a licensed Adult Use Cannabis Dispensary.

I have had an opportunity to talk with the owner/operator and know that the group has prior Illinois experience operating dispensaries. The principles have a good reputation in regard to operational experience and regulatory compliance.

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Name: Heather Hack

Address: 1200 Florence Ave. Apt. 7E

Presented to the City of Pekin ZBA

Regarding approval of Special Use Application

From VHEA, LLC IDPFR/Adult Use Dispensing Conditional Licensee No. 284.00344-CL

Thank you for the opportunity to address the City of Pekin's code Sec. 4-3-10-5. Adult-use cannabis dispensing organization and Sec. 4-3-10-2. Special use in connection with the Board of Appeals Application.

VHEA received its Conditional License following a successful appeal concerning the IDPFR's error in scoring. As a result, VHEA while winning in the BLS 10, was behind in terms of timing when compared to others that were awarded their CL. VHEA has until July 2025 to demonstrate substantial progress.

In deciding on a BLS 10 location, VHEA took into account typical market considerations and availability of local license and suitable/compliant space.

Pekin substantially met our considerations. We have entered into a Real Estate Purchase Agreement. Our team includes individuals with existing Illinois cannabis experience related to operations, financing and regulatory compliance. We intend to be a community leader in our business practices and our philanthropic and educational approach to the cannabis sector.

In addition to our application please accept the following:

Sec. 4-3-10-5. Adult-use cannabis dispensing organization.

In those zoning use districts in which an adult-use cannabis dispensing organization may be located, the proposed facility must comply with the following:

ANSWER: Per Director of Building & Development the 2910 Court St is in a B-3 zone and would qualify for special use.

- (1) The facility may not be located within 100 feet of the property line of a preexisting 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.

ANSWER: 2910 Court St is in compliance following a physical inspection.

- (2) At least 75 percent 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.

ANSWER: VHEA will not conduct any other activity and will solely devote its floor area to the activities of the dispensing organization as authorized by the CRTA.

- (3) The facility may not conduct any sales or distribution of cannabis other than as authorized by the CRTA.

ANSWER: VHEA and its facility will not conduct any sales or distribution of cannabis other than as authorized by the CRTA.

- (4) For purposes of determining required parking, adult-use cannabis dispensing organizations shall be classified as retail stores, except as otherwise specified herein per Section 4-3-9-4; 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.

ANSWER: VHEA believes it currently has suitable parking but expressly agrees to adhere to any reasonable requirements set by the City following the result of the analysis.

- (5) No more than three adult-use cannabis dispensing organizations shall be granted a special use under this Article or otherwise permitted to operate in the City.

ANSWER: VHEA would become the third dispensing organization in Pekin, if approved.

- (6) 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.

ANSWER: VHEA agrees that 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.

- (7) No person under the age of 21 years 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 years may be permitted to enter to the extent authorized by Section 4-3-10-10.

ANSWER: VHEA is not a medical cannabis licensee and as a result agrees that No person under the age of 21 years shall be allowed to enter an adult-use cannabis dispensing organization.

- (8) No person shall reside in or permit any person to reside in an adult-use cannabis dispensing organization.

ANSWER: VHEA agrees that no person shall reside in or permit any person to reside in an adult-use cannabis dispensing organization.

- (9) No outdoor seating areas shall be permitted.

ANSWER: VHEA will not allow outdoor seating areas.

- (10) No drive-through services or sales shall be permitted.

ANSWER: VHEA will not provide drive-through services or sales.

- (11) The facility shall operate in compliance with all applicable state and local laws, including the CRTA and the provisions of this Article.

ANSWER: VHEA shall operate the facility in compliance with all applicable state and local laws, including the CRTA and the provisions of this Article.

Further, VHEA respectfully submits the following for consideration:

Sec. 4-3-10-2. Special use.

A cannabis business establishment facility shall require approval as a special use in the respective zoning use district in which such facility is to be located, in accordance with the provisions of this Article.

ANSWER: VHEA is respectfully requesting approval of its special use application to develop its Adult-Use dispensary at 2910 Court St.

(1) In determining compliance with this Article and eligibility as a special use, the following factors shall be considered, taking into account the entirety of the circumstances affecting the particular property for which the special use is sought in the context of the existing and intended future use of the adjacent and nearby properties:

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

ANSWER: 2910 Court St is within the Sunset Hills Plaza, a commercial retail plaza with suitable parking and additional retail, commercial and similar business in the immediate surrounding area. VHEA respectfully requests the ZBA to consider the letters of support from neighboring businesses.

b. 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.

ANSWER: The space was previously a bank. It is within the plaza. See attached. It does not include a co-tenancy. The space is approximately 2500 square feet. The VHEA security installations and plan will be that submitted and approved by the IDPFR. See attached submission with the application to IDPFR. VHEA will substantially comply with the application submission. Finally, VHEA will comply with all other building code requirements and work with the City to ensure compliance and utilize a licensed and bonded consultant and GC.

c. Hours of operation and anticipated number of customers/employees.

ANSWER: The hours of operation will be within the approved hours pursuant to the City code. The exact hours need to be determined and are dependent on market conditions. It is unknown at this time the expected number of customers. VHEA intends to rely on its past experience to generate a loyal customer base. VHEA is committed to maintaining the integrity of the proposed business while maximizing revenues to the State and City. Employee will be determined as the business develops, however the facility will employ, and train sufficient staff to open and operate consistent with its obligations under the CRTA and City code.

d. Anticipated parking demand, available private parking supply, and parking requirements established in Division 9 of this Article.

ANSWER: Parking demand is contingent on the success of the business and other market factors, but the plaza has sufficient parking needs including proximity to the facility and lighting.

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

ANSWER: VHEA does not anticipate any noticeable changes to overall traffic in the area, or any impact to the existing plaza business.

f. Site design, including access points and internal site circulation.

ANSWER: VHEA will comply with the requirements under the CRTA and City code. See attached site with single access point for customers.

g. Proposed signage plan.

ANSWER: VHEA has not contemplated its signage at this time, but will work with the City and comply with all guidelines and code provisions.

h. 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.

ANSWER: VHEA will ensure 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. See above responses to the Cannabis code.

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

ANSWER: VHEA agrees to comply with other criteria determined necessary to assess compliance.

(2) Any special use permit authorized under this Article shall be issued by the Zoning Administrator, and must be renewed annually by the applicant. If, at any time, the applicant ceases to use said special use permit for the premises authorized, said special

use permit shall lapse and become void. The Zoning Administrator may provide further rules and regulations and/or fees to be charged to an applicant to obtain a permit.

ANSWER: VHEA expressly acknowledges this requirement and agrees to comply as necessary.

(3) Any special use permit issued pursuant to this Article may be revoked by the City Council upon finding that any conditions of the special use set forth herein have been violated. Prior to revocation of any special use permit issued hereunder, a hearing shall be held before the Zoning Board of Appeals of the City, which Commission shall make a report of its findings to the City Council regarding whether the conditions of the special use have been violated.

ANSWER: VHEA agrees and acknowledges this provision and requirement.

**REQUEST FOR COUNCIL ACTION**

Agenda Date: March 12, 2025
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: **Case PPR 2025-01** Preliminary Plat Review for Part of Lot 8 and Lot 25 of Leander Kings Subdivision for Assessment Purposes and Part of the Northwest Quarter of Fractional Section 3, Township 24 North, Range 5 West of the Third Principal Meridian, Tazewell County, Illinois. Property Being Subdivided is Currently Part of P.I.N. 04-10-03-100-002

DESCRIPTION: Preliminary Plat Review for Part of Lot 8 and Lot 25 of Leander Kings Subdivision for Assessment Purposes and Part of the Northwest Quarter of Fractional Section 3, Township 24 North, Range 5 West of the Third Principal Meridian, Tazewell County, Illinois. Property Being Subdivided is Currently Part of P.I.N. 04-10-03-100-002

The purpose of this subdivision plat is to split the city-owned parcel that includes the city wastewater treatment plant and the property that extends to the west side of Front Street where the existing city-owned grain silos exist. The city is moving forward with a sale agreement to sell the property to the west of Front Street that includes the grain silos and the property must be subdivided prior to the sale of the property. The Plat has been reviewed and approved by Chief Building Official Nic Maquet as well as the contracted City Engineer Justin Reeise

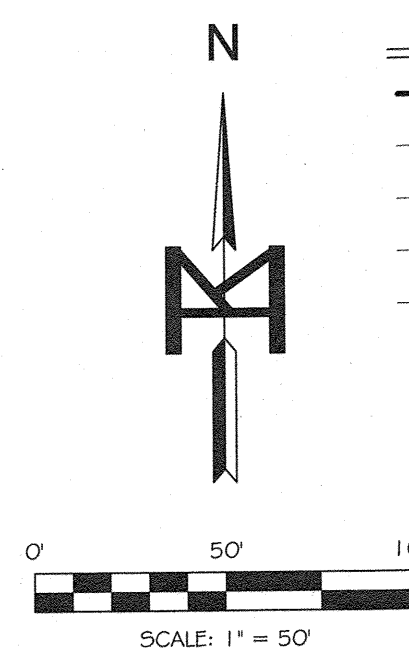
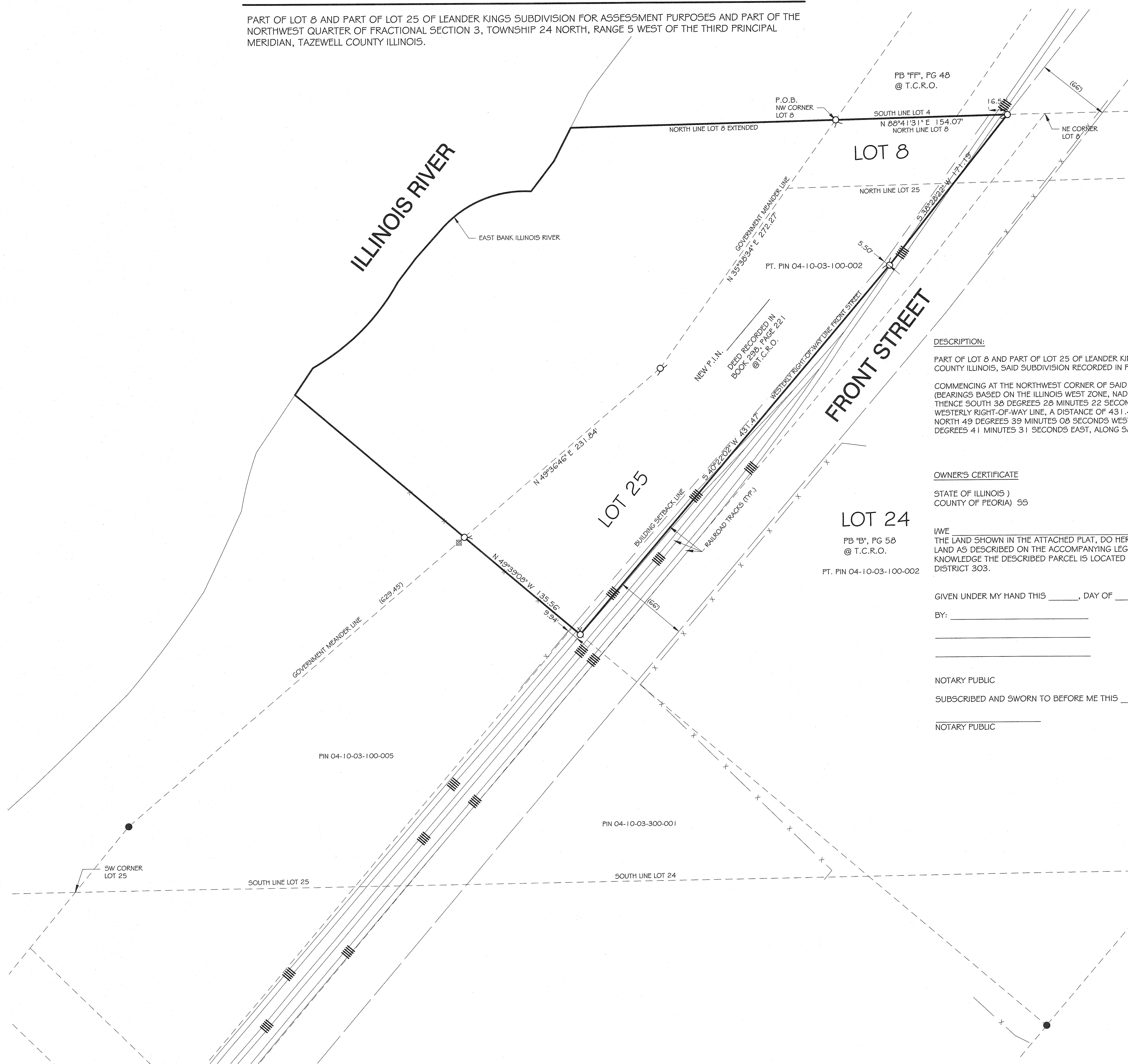
FINANCIAL IMPACT:
N/A

REVIEWED BY:

Nic Maquet, Chief Building Official

Final Approval - 3/8/2025

PART OF LOT 8 AND PART OF LOT 25 OF LEANDER KINGS SUBDIVISION FOR ASSESSMENT PURPOSES AND PART OF THE NORTHWEST QUARTER OF FRACTIONAL SECTION 3, TOWNSHIP 24 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWELL COUNTY ILLINOIS.



LEGEND	
	— DED LINE
	— ADJACENT PROPERTY LINE
	— RIGHT OF WAY LINE
	— BUILDING SETBACK LINE
	— FENCE LINE
	— MEASURED BEARING & DISTANCE
	— FENCE POST
	— FOUND IRON PIPE/ROD
	— FOUND PK NAIL
	— FOUND CONCRETE MARKER
	— SET IRON ROD
	— SET MAG SPIKE
T.C.R.O.	— TAZEVELL COUNTY RECORDER'S OFFICE
P.O.B.	— POINT OF BEGINNING

NOTES:

- | | | |
|---|----------|----------------------------|
| 1. PROPERTY BEING SURVEYED IS PART OF P.I.N. 04-10-03-100-002. | T.C.R.O. | 172ZELLWILL COUNTY RECORDS |
| 2. BEARINGS ARE BASED ON THE ILLINOIS, WEST ZONE, NAD83, 2011 ADJUSTMENT. | P.O.B. | POINT OF BEGINNING |
| 3. AS OF AUGUST, 2024 THIS PROPERTY IS ZONED I-2 GENERAL INDUSTRIAL. | | |
| 4. FIELD WORK COMPLETED, JANUARY 2025. | | |
| 5. THIS PROPERTY IS LOCATED IN FLOOD ZONE AE, AREAS DETERMINED TO BE WITHIN THE FLOODWAY AS PER FLOOD INSURANCE RATE MAP NO. 17179C0160E, COMMUNITY PANEL NO. 170654 0160E WITH AN EFFECTIVE DATE OF FEBRUARY 17, 2017. | | |
| 6. IT IS NOT WARRANTED THAT THIS PLAN OF SUBDIVISION CONTAINS COMPLETE INFORMATION REGARDING EASEMENTS, RESERVATIONS, RESTRICTIONS, RIGHT OF WAYS, BUILDING SETBACK LINES OR OTHER ENCUMBRANCES. FOR COMPLETE INFORMATION A TITLE OPINION OR OTHER COMMITMENT FOR TITLE INSURANCE SHOULD BE OBTAINED. | | |

DESCRIPTION:

PART OF LOT 8 AND PART OF LOT 25 OF LEANDER KINGS SUBDIVISION FOR ASSESSMENT PURPOSES OF FRACTIONAL SECTION 3, TOWNSHIP 24 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWELL COUNTY, IOWA. SAID SUBDIVISION RECORDED IN PLAT BOOK "B", PAGE 58 IN THE TAZEWELL COUNTY RECORDER'S OFFICE. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 8 SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED, THENCE NORTH 88 DEGREES 41 MINUTES 31 SECONDS EAST, (BEARINGS BASED ON THE ILLINOIS WEST ZONE, NAD 83, 2011 ADJUSTMENT), ALONG THE NORTH LINE OF SAID LOT 8, A DISTANCE OF 154.07 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF FRONT STREET; THENCE SOUTH 38 DEGREES 28 MINUTES 22 SECONDS WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 171.19 FEET; THENCE SOUTH 40 DEGREES 22 MINUTES 02 SECONDS WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 431.47 FEET; THENCE NORTH 49 DEGREES 39 MINUTES 08 SECONDS WEST, A DISTANCE OF 135.56 FEET TO THE GOVERNMENT MEANDER LINE; THENCE CONTINUING NORTH 49 DEGREES 39 MINUTES 08 SECONDS WEST TO THE EAST BANK OF THE ILLINOIS RIVER; THENCE NORTHEASTERLY, ALONG SAID EAST BANK TO THE NORTH LINE OF LOT 8 EXTENDED; THENCE NORTH 88 DEGREES 41 MINUTES 31 SECONDS EAST, ALONG SAID NORTH LINE EXTENDED TO THE POINT OF BEGINNING, SUBJECT TO ANY RESTRICTIONS, EASEMENTS, AND RIGHT-OF-WAY OF RECORD.

OWNER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF PEORIA) SS

I/WE _____, THE OWNER(S) OF RECORD OF
THE LAND SHOWN IN THE ATTACHED PLAT, DO HEREBY AUTHORIZE AND ACKNOWLEDGE THE SURVEY OF THE
LAND AS DESCRIBED ON THE ACCOMPANYING LEGAL DESCRIPTION. ALSO TO THE BEST OF MY/ OUR
KNOWLEDGE THE DESCRIBED PARCEL IS LOCATED IN GRADE SCHOOL DISTRICT 108 AND HIGH SCHOOL
DISTRICT 303.

GIVEN UNDER MY HAND THIS _____, DAY OF _____, 2025.

BY: _____

NOTARY PUBLIC

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____, DAY OF _____, 2025.

NOTARY PUBLIC

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF TAZEWELL) SS

I HEREBY CERTIFY THAT I FIND NO DELINQUENT TAXES, UNPAID CURRENT TAXES, DELINQUENT SPECIAL ASSESSMENTS OR UNPAID CURRENT SPECIAL ASSESSMENTS AGAINST ANY OF THE REAL ESTATE EMBRACED IN THE ATTACHED PLAT OF SURVEY AND DESCRIPTION.

GIVEN UNDER MY HAND AND SEAL THIS _____, DAY OF _____, 2025.

COUNTY CLERK _____ DEPUTY _____

CITY OF PEKIN CERTIFICATE

(STATE OF ILLINOIS) SS
(COUNTY OF TAZEWELL)

I HEREBY CERTIFY THAT BY RESOLUTION NO. _____ ADOPTED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY AND PEORIA COUNTY, ILLINOIS, AT ITS REGULAR MEETING HELD ON THE _____ DAY OF _____, A.D. 2025, THE ABOVE PLAN OF "FRONT STREET SUBDIVISION" WAS APPROVED AND THE STREETS AND EASEMENTS SHOWN THEREON WERE ACCEPTED.

CITY CLERK

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF PEORIA) ss

WE, MOHR & KERR ENGINEERING AND LAND SURVEYING, P.C. DO HEREBY STATE THAT WE HAVE SURVEYED AND SUBDIVIDED THE PROPERTY AS DESCRIBED AND SHOWN BY THE ATTACHED FINAL PLAT, TO BE KNOWN AS "FRONT STREET SUBDIVISION", WHICH IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION. ALL DISTANCES ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.

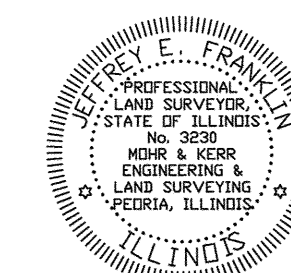
TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THE ATTACHED PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SUBDIVISION AS DRAWN TO A SCALE OF 1 INCH = 50 FEET.

WE FURTHER STATE THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 7th DAY OF FEBRUARY, 2025.

MOHR & KERR ENGINEERING AND LAND SURVEYING, P.C.


JEFFREY E. FRANKLIN
ILLINOIS REGISTERED PROFESSIONAL LAND SURVEYOR #035-3230
MOHR & KERR ENGINEERING & LAND SURVEYING, P.C.
5901 N. PROSPECT RD., SUITE 6B, PEORIA, IL 61614
PHONE: (309)692-8500, WEB SITE: WWW.MOHRANDKERR.COM
JFRANKLIN@MOHRANDKERR.COM



LICENSE EXPIRES NOVEMBER 30, 202

FINAL PLAT OF
FRONT STREET SUBDIVISION

MOHR & KERR ENGINEERING & LAND SURVEYING, P.C.
5901 N. Prospect Road, Suite 6B
Peoria, Illinois 61614
www.mohrandkerr.com

Office: (309) 692-8500
Fax: (309) 692-8501
Professional Design Firm #184.005091

				SURVEYED	MDP
				DRAWN	JEF
				CHECKED	MWM
REV.	DATE	NATURE OF REVISION	CHECKED	SCALE	1" = 50'
RLE NAME:				DATE	02-07-25

CLIENT:

CITY OF PEKIN

TITLE:
PART OF LOT 8 AND PART OF LOT 25 OF LEANDER KINGS SUBDIVISION FOR
ASSESSMENT PURPOSES AND PART OF THE NORTHWEST QUARTER OF FRACTIONAL
SECTION 3, TOWNSHIP 24 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL
MERIDIAN, TAZEWELL COUNTY ILLINOIS.

PROJECT NO.	24-601
SHEET 1 OF 1	
DRAWING NO.	1

**REQUEST FOR COUNCIL ACTION**

Agenda Date: March 12, 2025
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: **Case PPR 2025-02** Preliminary Plat Review for Part of Lot 3 in Riverway Business Park, Second Addition Being a Part of the Northeast Quarter of Section 10, Township 24 North, Range 5 West of the Third Principal Meridian, Tazewell County, Illinois. Property Being Subdivided is Currently Part of P.I.N. 10-10-10-200-008

DESCRIPTION: Preliminary Plat Review for Part of Lot 3 in Riverway Business Park, Second Addition Being a Part of the Northeast Quarter of Section 10, Township 24 North, Range 5 West of the Third Principal Meridian, Tazewell County, Illinois. Property Being Subdivided is Currently Part of P.I.N. 10-10-10-200-008

The purpose of this subdivision plat is to remove the city-owned well site from the larger parcel and to create a smaller parcel specifically for the well site and to establish an access easement for this newly created parcel. The Plat has been reviewed and approved by the Chief Building Official Nic Maquet as well as the contracted City Engineer Justin Reeise

FINANCIAL IMPACT:
 N/A

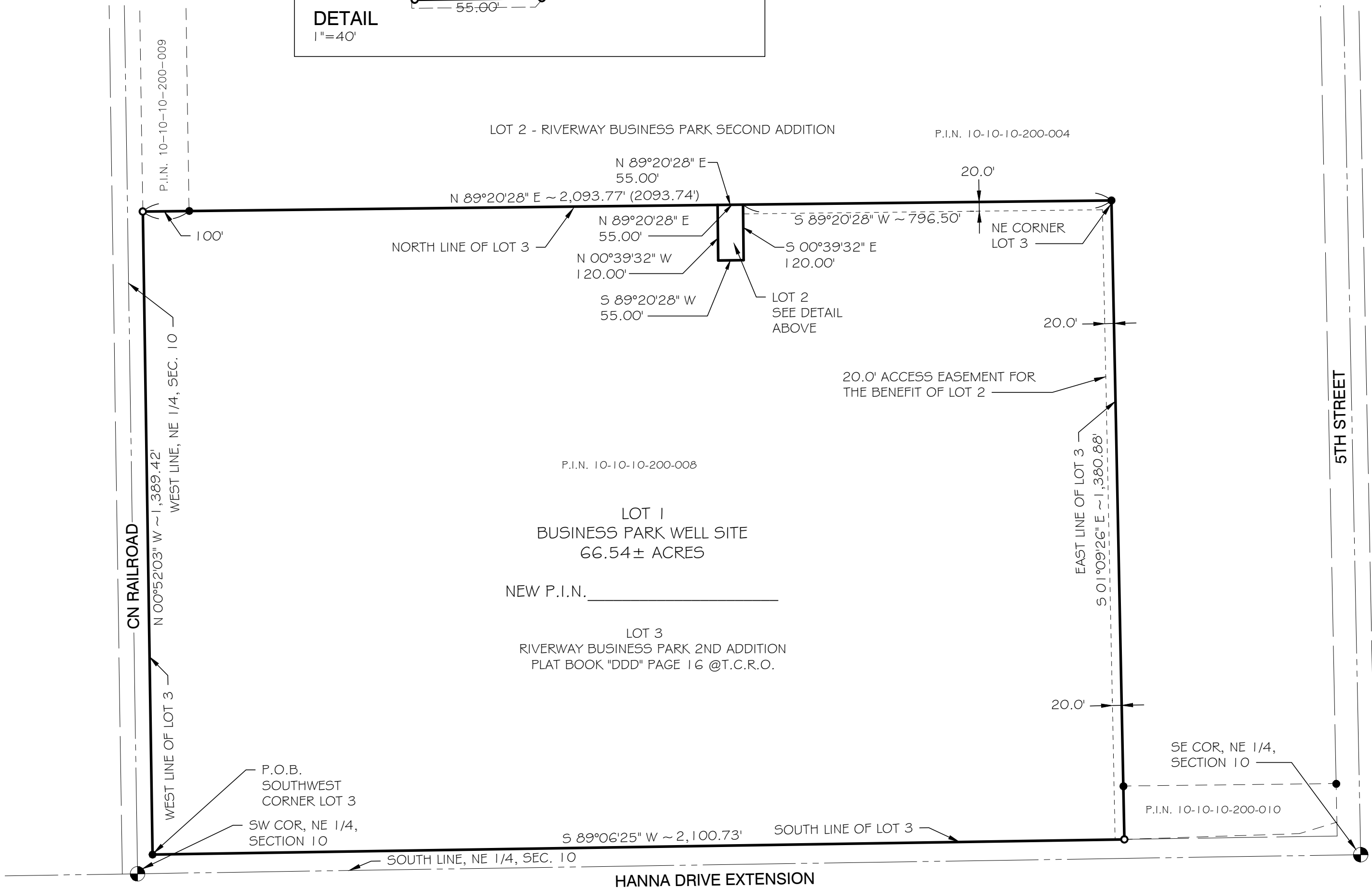
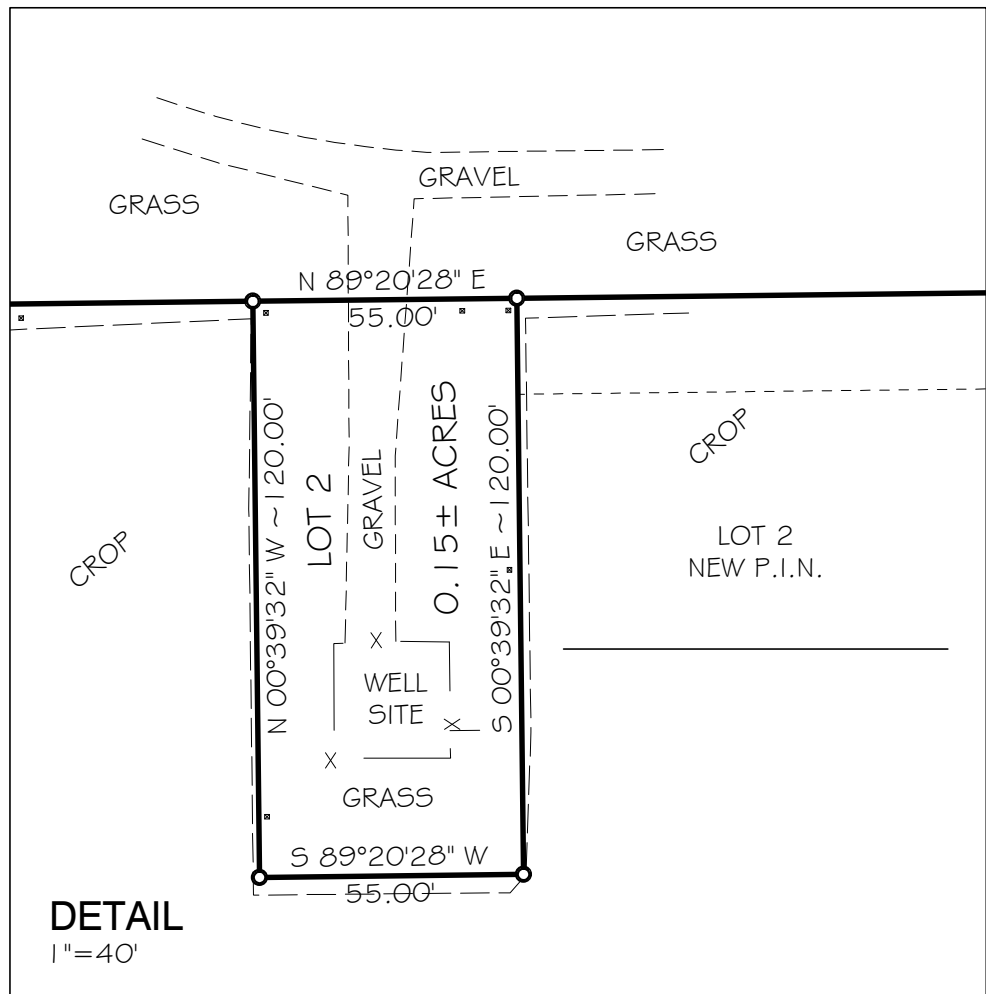
REVIEWED BY:

Nic Maquet, Chief Building Official

Final Approval - 3/8/2025

FINAL PLAT OF BUSINESS PARK WELL SITE

PART OF LOT 3 IN RIVERWAY BUSINESS PARK, SECOND ADDITION BEING A PART OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 24 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWELL COUNTY, ILLINOIS.



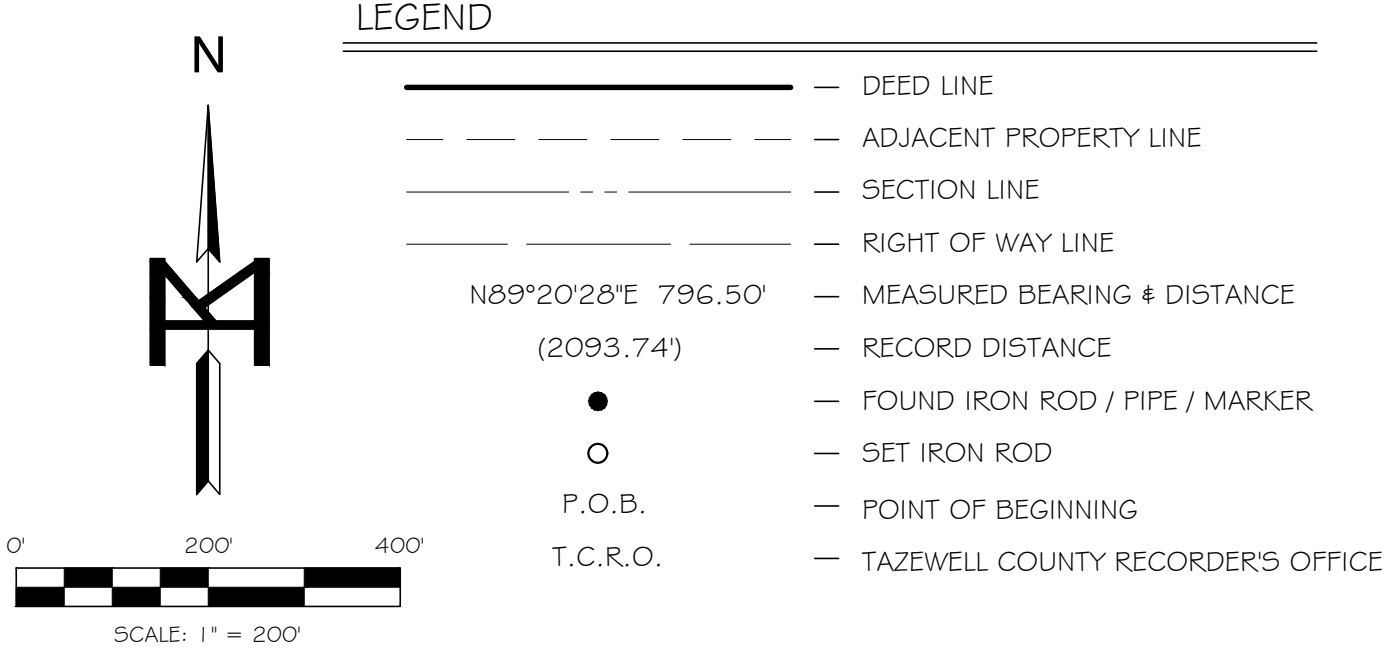
DESCRIPTION - BUSINESS PARK WELL SITE

PART OF LOT 3 IN RIVERWAY BUSINESS PARK, SECOND ADDITION BEING IN PART OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 24 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWELL COUNTY, ILLINOIS AS SHOWN ON A PLAT RECORDED IN PLAT BOOK "DDD" PAGE 16 IN THE TAZEWELL COUNTY RECORDER'S OFFICE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 3 AS THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED, THENCE NORTH 00 DEGREES 52 MINUTES 03 SECONDS WEST, (BEARINGS BASED ON THE ILLINOIS STATE PLANE, WEST ZONE, NAD 83, 2011 ADJUSTMENT), ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 1,389.42 FEET TO THE NORTH LINE OF SAID LOT 3; THENCE NORTH 89 DEGREES 20 MINUTES 28 SECONDS EAST, ALONG SAID NORTH LINE OF LOT 3, A DISTANCE OF 2,093.77 FEET TO THE EAST LINE OF SAID LOT 3; THENCE SOUTH 01 DEGREES 09 MINUTES 26 SECONDS EAST, ALONG SAID EAST LINE OF LOT 3, A DISTANCE OF 1,360.88 FEET TO THE SOUTH LINE OF SAID LOT 3; THENCE SOUTH 89 DEGREES 06 MINUTES 25 SECONDS WEST, ALONG SAID SOUTH LINE OF LOT 3, A DISTANCE OF 2,100.73 FEET TO THE POINT OF BEGINNING, CONTAINING 66.69 ACRES, MORE OR LESS, SUBJECT TO ANY EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHT OF WAY OF RECORD.

NOTES:

- PROPERTY BEING SURVEYED IS PART OF P.I.N. 10-10-10-200-008.
- BEARINGS ARE BASED ON THE ILLINOIS STATE PLANE, WEST ZONE, NAD83, 2011 ADJUSTMENT.
- AS OF FEBRUARY 2025, THE PROPERTY IS ZONED LIGHT INDUSTRIAL.
- FIELD WORK COMPLETED, FEBRUARY 2025.
- THIS PROPERTY IS LOCATED IN FLOOD ZONE "X". AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN AS PER FLOOD INSURANCE RATE MAP NO. 17179C0175E, COMMUNITY PANEL NO. 170815 0175E WITH AN EFFECTIVE DATE OF FEBRUARY 17, 2017.
- IT IS NOT WARRANTED THAT THIS FINAL PLAT OF "BUSINESS PARK WELL SITE" CONTAINS COMPLETE INFORMATION REGARDING EASEMENTS, RESERVATIONS, RESTRICTIONS, RIGHT OF WAYS,BUILDING SETBACK LINES OR OTHER ENCUMBRANCES. FOR COMPLETE INFORMATION A TITLE OPINION OR OTHER COMMITMENT FOR TITLE INSURANCE SHOULD BE OBTAINED.



OWNER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF TAZEWELL) SS

I/WE _____, THE OWNER(S) OF RECORD OF THE LAND SHOWN IN THE ATTACHED PLAT, DO HEREBY AUTHORIZE AND ACKNOWLEDGE THE SURVEY OF THE LAND AS DESCRIBED ON THE ACCOMPANYING LEGAL DESCRIPTION. ALSO TO THE BEST OF MY/ OUR KNOWLEDGE THE DESCRIBED PARCEL IS LOCATED IN GRADE SCHOOL DISTRICT 108 AND HIGH SCHOOL DISTRICT 303.

GIVEN UNDER MY HAND AND SEAL THIS _____, DAY OF _____, 2025.

OWNER OF RECORD _____

NOTARY PUBLIC _____

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____, DAY OF _____, 2025.

NOTARY PUBLIC _____

TAZEWELL COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF TAZEWELL) SS

I, HEREBY CERTIFY THAT I FIND NO DELINQUENT TAXES, UNPAID CURRENT TAXES, DELINQUENT SPECIAL ASSESSMENTS OR UNPAID CURRENT SPECIAL ASSESSMENTS AGAINST ANY OF THE REAL ESTATE EMBRACED IN THE ATTACHED PLAT OF SURVEY AND DESCRIPTION.

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, 2025.

TAZEWELL COUNTY DEPUTY CLERK _____

TAZEWELL COUNTY CLERK _____

CITY OF PEKIN CERTIFICATE

(STATE OF ILLINOIS)
(COUNTY OF TAZEWELL)

I HEREBY CERTIFY THAT BY RESOLUTION NO. _____ ADOPTED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS, AT ITS REGULAR MEETING HELD ON THE _____ DAY OF _____, A.D. 2025, THE ABOVE PLAT OF "BUSINESS PARK WELL SITE" WAS APPROVED AND THE ACCESS AND EASEMENTS SHOWN THEREON WERE ACCEPTED.

CITY CLERK _____

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF PEORIA) SS

WE, MOHR & KERR ENGINEERING AND LAND SURVEYING, P.C. DO HEREBY STATE THAT WE HAVE SURVEYED PART OF LOT 3 IN RIVERWAY BUSINESS PARK, SECOND ADDITION BEING IN PART OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 24 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWELL COUNTY, ILLINOIS.

WE FURTHER STATE THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THE ATTACHED PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY AS DRAWN TO A SCALE OF 1" = 200 FEET. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.

WE FURTHER STATE THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS _____ DAY OF _____, 2025.

MOHR & KERR ENGINEERING AND LAND SURVEYING, P.C.

MICHAEL W. MOHR
ILLINOIS REGISTERED PROFESSIONAL LAND SURVEYOR #035-3116
MOHR & KERR ENGINEERING & LAND SURVEYING, P.C.
5901 N. PROSPECT RD., SUITE 6B, PEORIA, IL 61614
PHONE: (309)692-8500, WEB SITE: WWW.MOHRANDKERR.COM
MWMOHR@MOHRANDKERR.COM

LICENSE EXPIRES NOVEMBER 30, 2026

MOHR & KERR ENGINEERING & LAND SURVEYING, P.C.
5901 N. Prospect Road, Suite 6B
Peoria, Illinois 61614
www.mohrandkerr.com
Office: (309) 692-8500
Fax: (309) 692-8501
Professional Design Firm #184.005091

REV.	DATE	NATURE OF REVISION	CHECKED	SURVEYED	WLC/NPM
				DRAWN	MJF
				CHECKED	MWM
				SCALE	1"=200'
				DATE	2/19/2025

FILE NAME: N:\25-043 City of Pekin\Civil\3d\25-043 City of Pekin Well.dwg Feb 19, 2025

CLIENT:

CITY OF PEKIN

TITLE: **FINAL PLAT OF BUSINESS PARK WELL SITE**
PART OF LOT 3 IN RIVERWAY BUSINESS PARK, SECOND ADDITION BEING A PART OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 24 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWELL COUNTY, ILLINOIS.

PROJECT NO.
25-043
SHEET 1 OF 1
DRAWING NO.
1

**REQUEST FOR COUNCIL ACTION**

Agenda Date: March 12, 2025
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: **Case ZTA 2025-01** City of Pekin, Applicant, is Requesting the Approval of a Zoning Text Amendment to the City of Pekin Zoning Ordinance. Specifically, the Request is to Division 12-Tobacco Products Dealer

DESCRIPTION: The City Council had placed a moratorium on tobacco dealers' licenses until the Zoning Board of Appeals could make recommendations to the current code. The Code was very outdated and was not up-to-date with current state requirements. The biggest changes found within the updated code include definitions, age restrictions to come in line with state law, removing the use of vending machines, updating the location requirements and better defining how that measurement is achieved.

Staff does recommend the ZBA approve this updated code version and forward this to City Council for adoption.

FINANCIAL IMPACT:
N/A

REVIEWED BY:

Nic Maquet, Chief Building Official

Final Approval - 3/8/2025

DIVISION 12. TOBACCO PRODUCTS DEALER¹

Sec. 5-1-12-1. Definitions.

The following words, terms and phrases, when used in this Division, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Alternative nicotine product means a product or device not consisting of or containing tobacco that provides for the ingestion into the body of nicotine, whether by chewing, smoking, absorbing, dissolving, inhaling, snorting, sniffing, or by any other means. The term "alternative nicotine product" excludes cigarettes, tobacco products, as defined in section 10-5 of the Tobacco Products Tax Act of 1995, tobacco products and electronic cigarettes as defined in this section, and any product approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for that approved purpose.

Electronic cigarettes.

- (1) The term "electronic cigarettes" means:
 - (a) Any device that employs a battery or other mechanism to heat a solution or substance to produce a vapor or aerosol intended for inhalation;
 - (b) Any cartridge or container of a solution or substance intended to be used with or in the device or to refill the device; or
 - (c) Any solution or substance, whether or not it contains nicotine intended for use in the device.
- (2) The term "electronic cigarettes" includes, but is not limited to, any electronic nicotine delivery system, electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, vape pen, or similar product or device, and any components or parts that can be used to build the product or device. The term "electronic cigarettes" does not include cigarettes and tobacco products, as defined in section 10-5 of the Tobacco Products Tax Act of 1995; tobacco products and alternative nicotine products as defined in this section; any product approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for that approved purpose; any asthma inhaler prescribed by a physician for that condition and is being marketed and sold solely for that approved purpose; or any therapeutic product approved for use under the Compassionate Use of Medical Cannabis Pilot Program Act.

Smoke or tobacco shop means any business that derives more than 50 percent of its gross sales from tobacco or smoking-related products and merchandise, which includes the sale of alternative nicotine products, electronic cigarettes, and/or tobacco products. For the purposes of determining gross sales as provided herein, the term "smoking-related products" also includes any equipment, apparatus, material, storage container, or furnishing that is used in, used with, or necessary for the activity of smoking or preparing to smoke, such as, but not limited to, ashtrays, rolling papers, pipes, hookah pipes, lighting devices, or matches. The term "smoking-related products"

¹State law reference(s)—Prevention of Tobacco Use by Persons under 21 Years of Age and Sale and Distribution of Tobacco Products Act, 720 ILCS 675/0.01 et seq.

further includes clothing or apparel that displays any alternative nicotine products, electronic cigarettes, tobacco products, cannabis, or any other natural or synthetic substances used for inhalation, or any maker, user, manufacturer, distributor, or retailer of such products. The term "smoking-related products" does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for that approved purpose. The term "smoke or tobacco shop" does not include any adult-use cannabis business operating as a special use under Chapter 4, Division 10.

Tobacco products means any product containing or made from tobacco that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, snus, and any other smokeless tobacco product which contains tobacco that is finely cut, ground, powdered, or leaf and intended to be placed in the oral cavity. The term "tobacco products" includes any component, part, or accessory of a tobacco product, whether or not sold separately. The term "tobacco products" does not include electronic cigarettes and alternative nicotine products as defined in this section; or any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for that approved purpose.

(Prior Code, § 3-13-1)

Sec. 5-1-12-2. License required.

- (a) It shall be unlawful to sell or offer for sale at retail, to give away, deliver or to keep with the intention of selling at retail, giving away or delivering, tobacco products, alternative nicotine products, or electronic cigarettes within the City of Pekin without having first obtained a tobacco dealer's license pursuant to this Division.
- (b) Application for a license hereunder shall be made in writing to the City Clerk.
- (c) Issuance; term. All annual licenses shall be due on May 1 of each year. All licenses shall terminate on April 30 of each year. At least three weeks prior to the date of expiration, the City Clerk shall send to all City licensees, by first-class mail or electronic mail or other electronic means, a statement of the time of license expiration and the costs of licenses, provided that a failure to send out such notice or the failure of the licensee to receive it shall not excuse the licensee from a failure to obtain a new license, or a renewal thereof, nor shall it be a defense in an action from operation without a license.
- (d) No licenses shall be transferable to another person or entity or another location.

(Prior Code, § 3-13-2)

Sec. 5-1-12-3. Fees.

The annual license fee for a tobacco products dealer license shall be set from time to time by the City Council and shall be paid to the City for each location where tobacco products, alternative nicotine products, and electronic cigarettes are sold and dispensed. However, only one license shall be required where tobacco products are dispensed in a place of business having more than one checkout counter in that individual business.

(Prior Code, § 3-13-3)

Sec. 5-1-12-4. Ownership; display.

- (a) *Ownership.* The license shall be issued to the owner or proprietor of the place or building in which the tobacco products are sold or dispensed.
- (b) *Display.* The license or a copy thereof shall be displayed at the place where the tobacco products are sold over the counter.

(Prior Code, § 3-13-4)

Sec. 5-1-12-5. Location restrictions.

- (a) No license shall be issued for the sale at retail of any tobacco products, alternative nicotine products, and electronic cigarettes within 500 feet of any school, childcare facility or other building used for educational or recreational programs for persons under the age of 21 years. The distance of 500 feet shall be measured from the property line of the licensed premises to the property line of the school, childcare facility or other building used for educational or recreational programs for persons under the age of 21 years.
- (b) If a lawful use of a structure as a tobacco products dealer exists immediately prior to the effective date of adoption or amendment of the ordinance from which this Subdivision is derived that would not be permitted under the terms of this Subdivision, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:
 - (1) If such nonconforming use of a structure as a tobacco products dealer ceases for any reason for a period of more than 180 days, the use of the structure as a tobacco products dealer shall not be allowed.
 - (2) There may not be a change of tenancy or ownership of any existing nonconforming tobacco products dealer

(Prior Code, § 3-13-5)

Sec. 5-1-12-6. Prohibited sales and delivery; signs.

- (a) It shall be unlawful for any person, including any licensee to sell, offer for sale, give away or deliver tobacco products, alternative nicotine products, and electronic cigarettes to any person under the age of 21 years.
- (b) Signs informing the public of the age restrictions provided for herein shall be posted by every licensee at the place where tobacco products, alternative nicotine products, and electronic cigarettes are dispensed or sold. Each such sign shall be plainly visible and shall state:

“The sale of tobacco products, alternative nicotine products, and electronic cigarettes to persons under 21 years of age is prohibited by law.”

The text of such signs shall be in red letters on a white background, said letters to be at least one inch high

(Prior Code, § 3-13-6; Ord. No. 2838-19/20, § 2, 6-10-2019; Ord. of 7-8-2019, § 2(3-13-6))

State law reference(s)—Similar provisions, 720 ILCS 675/1.

Sec. 5-1-12-7. Minimum age to sell tobacco products.

It shall be unlawful for any licensee or any officer, associate, member, representative, agent or employee of such licensee, to engage, employ or permit any person under 18 years of age to sell tobacco products in any licensed premises.

(Prior Code, § 3-13-7)

Sec. 5-1-12-8. Certain free distributions prohibited.

It shall be unlawful for any licensee or any person in the business of selling or otherwise distributing, promoting or advertising tobacco products, or any employee or agent of any such licensee or person, in the course of such licensee's or person's business, or any other person, to distribute, give away or deliver tobacco products free of charge to any person in any right-of-way, park, playground or other property owned by the City, or any property owned by any school district, park district or public library.

(Prior Code, § 3-13-8)

Sec. 5-1-12-9. Vending machines; locking devices.

- (a) It shall be unlawful for any licensee to sell or offer for sale, give away, deliver or to keep with the intention of selling, giving away or delivering tobacco products by the use of a vending machine

(Prior Code, § 3-13-9)

Sec. 5-1-12-10. Acts and omissions.

Every act or omission of whatever nature, constituting a violation of any of the provisions of this Article by any officer, director, manager or other agent or employee of any licensee shall be deemed and held to be the act of such licensee; and such licensee shall be punishable in the same manner as if such act or omission had been done or omitted by the licensee personally.

(Prior Code, § 3-13-10)

Sec. 5-1-12-11. Suspension, revocation of license; fines; costs.

- (a) The Mayor shall be charged with the administration of this Division. The Mayor may suspend or revoke any license issued under the provisions of this Division if the Mayor determines that the licensee has violated any of the provisions of this Division. In lieu of suspension or revocation of a license, the Mayor may instead levy a fine on the licensee of not less than \$200.00 nor more than \$750.00.
- (b) No license shall be suspended or revoked and no licensee shall be fined except after a hearing with the Mayor with a seven-day written notice to the licensee affording the licensee an opportunity to appear and defend against the charges contained in such notice. The seven-day notice provision shall begin the day following delivery by certified mail or by personal service.
- (c) The Mayor shall, within seven days after such hearing, if the Mayor determines after such hearing that the license should be revoked or suspended, or that the licensee should be fined, state the reason for such determination in a written order and either the amount of the fine, the period of suspension or that the license has been revoked and serve a copy of such order upon the licensee within 14 days after such hearing.

-
- (d) Any licensee determined by the Mayor to have violated any of the provisions of this Division shall pay to the City the costs of the hearing before the Mayor on such violation. The Mayor shall determine the costs incurred by the City for said hearing, including, but not limited to, court reporter's fees, the costs of transcripts or records, attorney's fees, the cost of preparing and mailing notices and orders and all other miscellaneous expenses incurred by the City or such lesser sum as the Mayor may allow.
 - (e) The licensee shall pay said fine and/or costs to the City within 30 days of notification of the costs by the Mayor. Failure to pay said costs within 30 days of notification is a violation of this Division and may be cause for license suspension, revocation, levy of a fine or other civil remedy.

(Prior Code, § 3-13-11)

Sec. 5-1-12-12. Use of premises after revocation.

When any license shall have been revoked for any cause, no license shall be granted to said licensee for the period of six months thereafter for the conduct of the business of selling tobacco products as defined in Section 5-1-12-1.

(Prior Code, § 3-13-12)

Sec. 5-1-12-13. Fines and penalties.

Any violation of this Division shall be punishable by a fine in accordance with Section 1-1-15.

(Prior Code, § 3-13-13)