VILLAGE OF BRADLEY

ORDINANCE NO. 0-03-22-02

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR CERTAIN PROPERTY WITHIN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS (1300 Locke Dr, Bourbonnais, IL 60914)

> ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BRADLEY

THIS 14 DAY OF March, 2022

Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley, Kankakee County, Illinois this ut day of <u>march</u>, 2022

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AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR CERTAIN PROPERTY WITHIN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS (1300 Locke Dr, Bourbonnais, IL 60914)

WHEREAS, the President and Board of Trustees of the Village of Bradley, Kankakee County, Illinois, have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the health, safety, and welfare of its citizens; and

WHEREAS, the land described in Section 2 of this Ordinance (the "Subject Property"), *infra*, is located within the corporate boundaries of the Village; and

WHEREAS, the Subject Property is presently zoned B-3 (Village Center Shopping); and

WHEREAS, the Subject Property is presently owned by Piggush Simoneau, Inc. (the "Owner"); and

WHEREAS, on February 4, 2022, the Owner and Deer Park Partners, LLC, (collectively the "Applicant"), submitted an application to the Village requesting that the Village grant the Applicant a special use permit authorizing the operation of an Adult-Use Cannabis Dispensing Organization on the Subject Property (the "Special Use Permit"); and

WHEREAS, the operation of an Adult-Use Cannabis Dispensing Organization is a permissible special use for a B-3 (Village Center Shopping) District pursuant to Section 60-154(2)(m) of the Village of Bradley Code of Ordinances (the "Village Code"); and

WHEREAS, the Applicant's application, along with all necessary documentation and supporting data (collectively the "Application"), has been submitted to the President and Board of Trustees of the Village by the Village of Bradley Planning and Zoning Commission (the "Plan Commission"); and

WHEREAS, the Plan Commission held a public hearing to consider the Application on Tuesday, March 1, 2022, with notice having been properly given for the same, and at that time made all findings of fact required by and pursuant to the Village Code; and

WHEREAS, the Plan Commission has recommended that the President and Board of Trustees approve the Application and pass this Ordinance granting the Applicant's request; and

WHEREAS, the Plan Commission has supported its recommendation by setting forth its findings of fact, attached hereto as <u>Exhibit A</u> and fully incorporated herein, in accordance with the requirements of the Village Code; and

WHEREAS, the President and Board of Trustees of the Village hereby approve and adopt the Plan Commission's findings of fact; and

WHEREAS, the President and Board of Trustees of the Village have determined that the Special Use Permit (and the Adult-Use Cannabis Dispensing Organization proposed to be operated thereunder) granted by this Ordinance:

- (1) Is necessary for the public convenience at the location of the Subject Property; and
- (2) Is designated, located, and proposed to be operated in a fashion that will protect the public health, safety, and welfare; and
- (3) Will not cause substantial injury to the value of other properties in the surrounding neighborhood; and
- (4) Conforms to the applicable regulations of the B-3 (Village Center Shopping) District in which the Subject Property is located.

WHEREAS, the President and Board of Trustees of the Village hereby find that it is in the best interest of the citizens of the Village to grant the Applicant a special use permit authorizing the Applicant to operate an Adult-Use Cannabis Dispensing Organization on the Subject Property.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:

SECTION 1. The President and Board of Trustees hereby find that all of the recitals contained in the preamble to this Ordinance are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

SECTION 2. That the President and Board of Trustees of the Village hereby accept the recommendations of the Plan Commission and grant and approve a special use permit for the purpose of operating an Adult-Use Cannabis Dispensing Organization pursuant to Section 60-154(2)(m) of the Village Code over and upon the land legally described in this Section (hereinafter the "Subject Property"). The Subject Property is zoned B-3 (Village Center Shopping) and is legally described as follows:

PARCEL 1:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 31 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 53 MINUTES 57 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 45.00 FEET; THENCE SOUTH 89 DEGREES 22 MINUTES 58 SECONDS WEST ON THE NORTH RIGHT OF WAY LINE OF ARMOUR ROAD A DISTANCE OF 236.50 FEET; THENCE NORTH 44 DEGREES 22 MINUTES 58 SECONDS EAST A DISTANCE OF 63.64 FEET; THENCE NORTHEASTERLY ON A CURVE CONVEX TO THE NORTHWEST HAVING A RADIUS OF 150.00 FEET, AN ARC DISTANCE OF 117.82 FEET AND A CHORD BEARING OF NORTH 21 DEGREES 52 MINUTES 28 SECONDS EAST TO A POINT TANGENT; THENCE NORTH 44 DEGREES 22 MINUTES 58 SECONDS EAST A DISTANCE OF 22.00 FEET; THENCE NORTH 45 DEGREES 37 MINUTES 02 SECONDS WEST A DISTANCE OF 30.00 FEET; THENCE SOUTH 42 DEGREES 41 MINUTES 09 SECONDS WEST A DISTANCE OF 42.37 FEET TO THE PONT OF BEGINNING FOR THIS LAND DESCRIPTION: THENCE CONTINUING SOUTH 42 DEGREES 41 MINUTES 09 SECONDS WEST A DISTANCE OF 42.60 FEET; THENCE SOUTH 89 DEGREES 22 MINUTES 58 SECONDS WEST A DISTANCE OF 283.87 FEET; THENCE NORTH 00 DEGREES 37 MINUTES 15 SECONDS WEST A DISTANCE OF 31.00 FEET; THENCE NORTH 89 DEGREES 22 MINUTES 58 SECONDS WEST A DISTANCE OF 31.00 FEET; THENCE NORTH 89 DEGREES 22 MINUTES 58 SECONDS WEST A DISTANCE OF 31.00 FEET; THENCE NORTH 89 DEGREES 22 MINUTES 58 SECONDS WEST A DISTANCE OF 31.00 FEET; THENCE NORTH 89 DEGREES 22 MINUTES 58 SECONDS WEST A DISTANCE OF 31.00 FEET; THENCE NORTH 70 THE POINT OF BEGINNING, ALL IN KANKAKEE COUNTY, ILLINOIS.

PARCEL 2:

A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 31 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN IN KANKAKEE COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 16 THENCE NORTH 0 DEGREES 53 MINUTES 57 SECONDS WEST ON THE EAST LINE OF THE SOUTHWEST QUARTER OF A DISTANCE OF 45.00 FEET TO A 1/2 INCH IRON ROD ON THE NORTHRIGHT OF WAY LINE OF ARMOUR ROAD, THENCE SOUTH 89 DEGREES 22 MINUTES 58 SECONDS WEST ON THE NORTH RIGHT OF WAY LINE A DISTANCE OF 161.50 FEET TO A POINT, THENCE NORTH 0 DEGREES 37 MINUTES 02 SECONDS WEST A DISTANCE OF 45.00 FEET TO A POINT, THENCE SOUTH 89 DEGREES 22 MINUTES 58 SECONDS WEST A DISTANCE OF 30.00 FEET TO A ½ INCH IRON ROD BEING THE POINT OF BEGINNING FOR THE LAND DESCRIPTION, THENCE SOUTH 44 DEGREES 22 MINUTES 58 SECONDS WEST A DISTANCE OF 63.64 FEET TO A 1/2 INCH IRON ROD ON THE NORTH RIGHT OF WAY LINE, THENCE SOUTH 89 DEGREES 22 MINUTES 58 SECONDS WEST ON THE NORTH RIGHT OF WAY LINE OF ARMOUR ROAD A DISTANCE OF 258.87 FEET TO A 1/2 INCH IRON ROD, THENCE NORTH 0 DEGREES 37 MINUTES 02 SECONDS WEST A DISTANCE OF 126.00 FEET TO A 1/2 INCH IRON ROD, THENCE NORTH 89 DEGREES 22 MINUTES 58 SECONDS EAST A DISTANCE OF 283.87 FEET TO A ¹/₂ INCH IRON ROD. THENCE NORTH 42 DEGREES 41 MINUTES 09 SECONDS EAST A DISTANCE OF 84.97 FEET TO 1/2 INCH IRON ROD, THENCE SOUTH 45 DEGREES 37 MINUTES 02 SECONDS EAST A DISTANCE OF 30.00 FEET TO A 1/2 INCH IRON ROD, THENCE SOUTH 44 DEGREES 22 MINUTES 58 SECONDS WEST A DISTANCE OF 22.00 FEET TO ½ INCH IRON ROD, THENCE SOUTHWESTERLY AND SOUTHERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 150 FEET, ARC LENGTH OF 117.81 FEET, AND A CHORD OF SOUTH 21 DEGREES 52 MINUTES 58 SECONDS WEST A DISTANCE OF 114.81 FEET TO THE POINT OF BEGINNING, ALL IN KANKAKEE COUNTY.

PARCEL 3:

A PARCEL OF LAND IN THE SOUTWEST QUARTER OF SECTION 16, TOWNSHIP 31 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF

BRADLEY, KANKAKEE COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 16, THENCE NORTH 0 DEGREES 53 MINUTES 57 SECONDS WEST ON THE EAST LINE OF THE SOUTHWEST QUARTER, A DISTANCE OF 45.00 FEET TO AN IRON ROD ON THE NORTH RIGHT OF WAY LINE OF ARMOUR ROAD, THENCE SOUTH 89 DEGREES 22 MINUTES 58 SECONDS WEST ON THE NORTH RIGHT OF WAY LINE OF ARMOUR ROAD, A DISTANCE OF 495.37 FEET TO AN IRON ROD BEING THE POINT OF BEGINNING FOR THIS LAND DESCRIPTION, THENCE CONTINUING SOUTH 89 DEGREES 22 MINUTES 58 SECONDS WEST ON THE NORTH RIGHT OF WAY LINE OF ARMOUR ROAD, A DISTANCE OF 144.63 FEET TO AN IRON ROD, THENCE NORTH 45 DEGREES 37 MINUTES 02 SECONDS WEST ON THE NORTHEAST RIGHT OF WAY LINE OF LOCKE DRIVE, A DISTANCE OF 65.23 FEET TO AN IRON ROD, THENCE NORTHWESTERLY ON A CURVE TO THE LEFT ON THE EASTERLY RIGHT OF WAY LINE OF LOCKE DRIVE, WITH A RADIUS OF 550 FEET, AN ARC LENGTH OF 119.32 FEET AND A CHORD BEARING OF NORTH 12 DEGREES 15 MINUTES 26 SECONDS WEST A DISTANCE OF 119.09 FEET TO A POINT, THENCE NORTH 72 DEGREES 46 MINUTES 47 SECONDS EAST, A DISTANCE OF 21.83 FEET TO AN IRON ROD, THENCE NORTH 89 DEGREES 22 MINUTES 58 SECONDS EAST, A DISTANCE OF 193.86 FEET TO AN IRON ROD, THENCE SOUTH 0 DEGREES 37 MINUTES 02 SECONDS EAST, A DISTANCE OF 169.00 FEET TO THE POINT OF BEGINNING, ALL IN KANKAKEE COUNTY, ILLINOIS.

Commonly known as: 1300 Locke Dr, Bourbonnais, IL 60914

Bearing the current PIN: 17-09-16-301-050

SECTION 3. That the Special Use Permit granted by this Ordinance is and shall be subject to the following conditions and restrictions pursuant to Section 60-400 of the Village Code:

- 1. The subject property must comply with all applicable requirements of the B-3 (Village Center Shopping) district at all times.
- 2. The facility must adhere to all cannabis facility standards and regulations established by the Village from time to time, including without limitation those set forth in Section 60-530 of the Bradley Zoning Ordinance.
- 3. Hours of operation shall be limited to the following timeframes:
 - a. Monday-Saturday: 9:00 a.m. through 8:00 p.m.
 - b. Sunday: 10:00 a.m. through 5:00 p.m.
- 4. The Applicant may not commence work on any interior or exterior building and/or development plans or improvements unless and until the Applicant has applied for and received any and all required approvals and permits, including without limitation building permits, from the Village.

- 5. The Applicant may not commence work on any interior or exterior site improvements unless and until (a) the Applicant has received final engineering approval of all engineering and construction plans from the Village Engineer, and (b) the Applicant has provided the Village with an irrevocable letter of credit or other financial surety, in a form acceptable to the Village, in an amount approved by the Village Engineer as sufficient to secure the construction of all public and private site improvements (including landscaping) associated with the proposed use. The Applicant understands and agrees that its exterior site improvements shall include, without limitation, an additional exit-only drive lane on the North side of the subject property if feasible from an engineering standpoint.
- 6. The Applicant shall not modify any existing signage or install any new signage on the Subject Property unless and until a site and building signage plan has been submitted to and approved by the Village in full compliance with Chapter 38 (Signs) of the Bradley Village Code.
- 7. In the event that the Adult-Use Cannabis Dispensing Organization authorized by this Ordinance is not established and fully operational within two (2) years of the effective date hereof, the Special Use Permit granted hereby shall lapse and shall be null and void without the need for any further action on the part of the village, provided that within the last six (6) months of said two-year period the Applicant may request, in writing, and the village board may grant, upon a showing of good cause, an extension of such period not to exceed twelve (12) additional months.
- 8. The Applicant shall not commence business operations unless and until it has provided a Flock Safety camera system (or other similar system acceptable to the Village) at the intersection of Locke Drive and Kinneman Drive, which system shall be installed and maintained to the satisfaction of the Village. The Flock Safety camera system required by this paragraph shall be maintained in continuous operation for the first twelve (12) months that the Applicant's business is in operation. The Applicant shall provide the Bradley Police Department (the "Department") with continuous and full access to said camera system.
- 9. The Applicant shall provide the Department with access to (i) any and all camera systems on the Subject Property and (ii) any and all footage captured thereby upon request during normal business hours. The Applicant shall further provide the Department with copies of any and all such footage upon request, and shall not delete any footage that has been requested by and/or produced to the Department without the Department's prior written consent.
- 10. The Applicant shall not permit or allow any illegal activity on the Subject Property. In the event that the Applicant, or any officer, director, manager, employee, or other agent of the Applicant, becomes aware of any illegal activity occurring or alleged to have occurred in, on, or within sight of the Subject Property, including without limitation any associated parking lot or area, at any time, it is and shall be the affirmative responsibility and duty of the Applicant, and of each such officer, director, manager, employee, or other agent thereof, to:
 - a. Promptly report such illegal activity to the Department (via a 9-1-1 telephone call if appropriate); and
 - b. Answer fully and truthfully all questions of any identified police officer who inquires regarding or otherwise investigates the alleged illegal activity, including without

limitation any and all persons or events in, around, or otherwise related to said illegal activity, alleged or otherwise; and

- c. Cooperate with any identified police officer in any such inquiry or investigation by giving oral or written statements to the police at reasonable times and locations in the course of any investigation; and
- d. Sign a complaint against any person if the Applicant (or any of said Applicant's officers, directors, managers, employees, or other agents) observes such person engaging in any illegal conduct or activity on or within sight of the Subject Property.

The Applicant shall be deemed to have accepted and agreed to the conditions and restrictions aforesaid as of the date on which the Applicant first begins to use the Subject Property as an Adult-Use Cannabis Dispensing Organization pursuant to the Special Use Permit granted by this Ordinance.

SECTION 4. In the event that the Applicant violates any of the conditions and restrictions set forth in Section 3 of this Ordinance, the Village shall have the ability, but not the obligation, to revoke the Special Use Permit granted pursuant to this Ordinance, provided that the Applicant shall be entitled to notice and a hearing prior to any revocation pursuant to this Section. Under no circumstances shall any failure to enforce any condition or restriction of this Ordinance on any particular occasion or occasions be deemed or interpreted as constituting a waiver or forfeiture of the Village's right to so enforce in the future, nor shall any such failure to enforce preclude the Village from considering any and all prior violations as part of any revocation proceeding under this Section.

SECTION 5. The Special Use Permit shall not run with the land and shall be immediately and automatically terminated and revoked if and when the Owner sells, conveys, or otherwise transfers its ownership interest in the Subject Property.

SECTION 6. That the Village Clerk is hereby instructed to record a certified copy of this ordinance with the office of the Kankakee County Recorder of Deeds.

SECTION 7. In the event that any provision or provisions, portion or portions, or clause or clauses of this Ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clauses.

SECTION 8. That all ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Ordinance, are hereby repealed to the extent of the conflict.

SECTION 9. That the Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

SECTION 10. That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED by the Board of Trustees on a roll call vote on the 14th day of March , 2022.

TRUSTEES:

RYAN LEBRAN	Aye – 🔀	Nay –	Absent –
BRIAN BILLINGSLEY	Aye – 🔀	Nay –	Absent –
DARREN WESTPHAL	Aye – 📐	Nay –	Absent –
BRIAN TIERI	Aye – 🔀	Nay –	Absent –
GRANT D. VANDENHOUT	Aye – 🗙	Nay –	Absent –
GENE JORDAN	Aye – 🗶	Nay –	Absent –

VILLAGE PRESIDENT:

TOTALS:	Ave – 6	Nay – 💋	Absent – 🖉
MICHAEL WATSON	Aye –	Nay –	Absent –

ATTEST:

JUI RK IE TAMBLING, VILL

APPROVED this 14th day of March, 2022.

MICHAEL WATSON, VILLAGE PRESIDENT

ATTEST:

AGE CLERK JU IE TAMBLIN

STATE OF ILLINOIS)) §§ COUNTY OF KANKAKEE)

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this day of , 2022.

(SEAL)



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EXHIBIT A

MILLER JOHNSON Attorneys

45 Ottawa Avenue SW Suite 1100 P.O. Box 306 Grand Rapids, MI 49501 0306

ERIC R. STARCK Attorney at Law 616.831.1767 616.988.1767 fax starcke@millerjohnson.com

VIA EMAIL & FEDERAL EXPRESS

Village of Bradley, Planning and Zoning Commission 147 S. Michigan Avenue Bradley, IL 60915

Attn: Bruce Page (bepage@bradleyil.org)

Rei Special Use Permit for an Adult-Use Cannabis Dispensing Organization for the Property Commonly Known as 1300 Locke Drive, Bourbonnais, IL

Dear Mr. Page:

We represent the owner of property commonly known as 1350 Locke Drive-Bourbonnais, He. The Village of Bradley Planning and Zoning Commission (the "Zoning Commission") recently issued that certain Notice of Public Hearing on a Proposed Special Use Permit for an Adult-Use Cannabis Dispensing Organization regarding the potential issuance of a special use permit authorizing a cannabis dispensing business to operate on the property commonly known as 1300 Locke Drive, Bourbonnais, H. (the "Subject Property). This letter shall serve as written notice of our client's opposition to the sistance of a special use permit authorizing the Subject Property to operate a cannabis dispensing business.

February 94

The proposed special use permit fails to meet each of the standards identified in Chapter 60. Article X, Division 7, Section 60-396 of the Bradley Village Code, which provides that no special use permit shall be granted unless it is shown that the proposed special use meets *all* of the following standards:

(i) The proposed special use is necessary for the public convenience at that location;
 (ii) The proposed special use profects the public health, safety and welfare, and

(iii) The proposed special use will not cause substantial injury to the value of any adjacent property.

With respect to item (i), the property adjacent to and surrounding the Subject Property consists of a grocery establishment, several eating establishments, a hotel establishment, and several automobile sales establishments. Based on the current uses of the properties adjacent to and immediately surrounding the Subject Property, we are not aware of any facts indicating that a cannabis dispensing businessis increasing for the public convenience. Such use would be autof character for the surrounding neighborhood

With respect to item (ii), the proposed special use permit would negatively affect the health, safety and welface of the adjacent properties, and the customers of the businesses located at such properties. While cannabis dispensing businesses are novel to the Village of Bradley, several other localities have authorized the use of cannabis dispensing business, and there is growing evidence that such businesses increases

Copy at 12

MILLER JOHNSON

Village of Bradley, Planning and Zoning Commission February 24, 2022 Page 2

property crime to adjacent properties." Such potential increase in crime would negatively affect the health, safety and welfate of the customers of our client's business and the businesses adjacent to and surrounding the Subject Property.

With respect to item (iii), the property value of our client's property, and the properties adjacent to and immediately surrounding the Subject Property, will likely substantially decrease if such special use permit is granted due to the potential increase incrime referenced above. In addition to the potential increase in crime, the proposed cannabis dispensing business will likely result in a substantial increase to vehicular and foot traffic near the properties adjacent to and immediately surrounding the Subject Property, which will interfere with access to and from the properties and would likely decrease the value of such properties.

Based on the above, we ask the Zoning Commission to deny the application for the issuance of a second special use permit for the Subject Property to operate a cannabis dispensing business. Thank you for your altention to this important matter. Please contact me if you have any questions:

Very Iruly yours

By Enc R. Statek

¹ A 2019 study entitled 'The Criminogenio Effect of Marijuana Dispensaries in Denver, Colorado & Micro Synthetic Control Quasi Experiment and Cost Benefit Analysis' found that the areas adjacent to and surrounding cannabis dispensing businesses experienced an 18.8% increase in property crimes



Village of Bradley Community Development Department

111 N. Michigan * Brudley, IL 60915 * 815-936-5100 * Fax 815-933-5968 www.bradleyil.org * F-mail: communitydevelopment@bradleyil.org

PLANNING AND ZONING COMMISSION STAFF MEMORANDUM

TO: Planning and Zoning Commission

FROM Bruce Page, Community Development Director

DATE: March 1st, 2022

SUBJECT: Special Use Permit for the operation of an adult use cannabis dispensing organization in a B-3 district Sec. 60-529 (bvc)

BACKGROUND

The applicant Deer Park Partners, LLC, Michael Philips, owner has received a Conditional Adult Use Dispensing Organization License from the Illinois Department of Financial and Professional Regulation. Mr Phillips is requesting a special use permit to operate an adult use cannabis dispensary at 1300 Locke Drive, known as the old Salvation Army building. The hours of operation have been stated as Monday-Saturday from 9am-8pm and Sunday from 10am-5pm. The anticipated number of customers daily is 125-250. The parcel has 110 dedicated parking spots.

Surrounding Zoning & Land Use of adjacent property includes:

- North: B-3 with a Gordon Food Service store
- · South: B-3 Vacant ground
- East: B-3 Vacant ground
- West: B-3 Steak and Shake restaurant across Locke Drive

Public Hearing

A special use requires a public hearing. A newspaper notice and written notification to all property owners within 250 feet were prepared in accordance with Village requirements. The Certificate of Publication (from newspaper) and Affadvit of Notice Compliance (with certificate of mailing and listing of property owners notified – from applicant) have been received and placed in the project file.

REQUESTED ACTION

Should the Planning and Zoning Commission find the Special Use Permit for the operation of an Adult Use Cannabis Dispensary favorable, the following conditions should be considered:

- The subject property will need to comply with all other applicable requirements of the B-3 District.
- The facility will adhere to the cannabis facility standards as established by the Bradley Village Building Code Sec. 60-530.
- 3. The hours of operation will be Monday-Saturday 9am-8pm and Sunday 10am-5pm.
- 4. Any interior or exterior building and development plans will need to be submitted for Staff to review in order to be considered for the development to proceed and will require the submission of a building permit application.
- Prior to commencing any exterior site improvements, final engineering and construction plans will need to be approved by the Village Engineer and any required/approved financial guarantee for all public and private site improvements (including landscaping) will need to be submitted to the Village.
- 6. A site and building signage plan will need to be submitted and reviewed for compliance with Sec.38 of the Village of Bradley sign code.

ATTACHMENTS

- 1. Written Narrative
- 2. Aerial Map
- 3. Existing Site Plan
- 4. Interior layout of proposed site with note of security measures.
- 5. Site signage plan

I he applient i Present along w/ his attaney of Record the Parperty Owner . Security Neod of teom/Plon



IDFPR Illinois Department of Financial and Professional Regulation

Division of Professional Regulation

JB PRITZKER Governor MARIO TRETO, JR. Acting Secretary www.idfpr.com

CECILIA ABUNDIS Acting Director

Results of Tied Applicant Lottery for Conditional Licenses Per BLS Region

The Tied Applicant Lottery, with 17 BLS Region drawings, was conducted on August 19, 2021 for 75 Conditional Adult Use Dispensing Organization Licenses ("Conditional License"). Below are the results of the drawings for each BLS region identifying the order in which each Tied Applicant was drawn. This order determines the order in which the Department of Financial and Professional Regulation ("Department") will award the available Conditional Licenses in each BLS region.

Applicants who have the opportunity to be awarded a Conditional License in the Tied Applicant Lottery are subject to strict limitations on the number of total licenses, as mandated by Public Act 102-98. An applicant's failure to report to the Department that it has exceeded the statutory license limitations will result in the Department's refusal to issue any of the Conditional Licenses resulting from Tied Applicant Lottery.

Below are the Department's certified results of the Tied Applicant Lottery for each drawing by BLS Region. Each list identifies the applicants who have an opportunity to receive a Conditional License from that drawing. In order to receive a Conditional License, each applicant must satisfy the statutorily mandated abandonment periods and tax-compliance checks.

Those applicants who have been selected for a conditional license are subject to the statutory requirements of the principal officer and license limitations and tax compliance checks, available <u>here</u>. If an applicant is required to abandon a license because it exceeds the license limitations, the applicant shall have five business days, from the day the results of the Tied Applicant Lottery are posted to the Department's website, to abandon, and the next drawn applicant will be notified of their opportunity to be awarded a conditional license. Additionally, if an applicant cannot prove its tax compliance within 60 days of winning a conditional license in accordance with 68 IAC 1291.95, the Department will deny issuance of the Conditional License(s) and the next drawn applicant will be notified of their eligibility to be awarded a conditional license. Therefore, the result lists below may change pending the abandonment of an applicant's conditional license and/or an applicant's failure to prove tax compliance. This means additional applicants, whose draw order followed the abandoning applicant's order, may become an awarded applicant.

The announced conditional licenses to be awarded may be subject to change as a result of court orders or administrative review.

Term	Meaning	
Unique Lottery Number	Meaning The Unique Lottery Number is randomly assigne to a Unique Applicant Number. The Uniqu Lottery Number will be used to identify the resul of the lottery drawing.	

100 West Randolph Street, 9th Floor Chicago, Illinois 60601 · (888) 473-4858 · TTY (866) 325-4949 320 West Washington Street, 3rd Floor Springfield, Illinois 62786 · (888) 473-4858 · TTY (866) 325-4949

Unique Application Number	A Unique Application Number was assigned to all applications.
Applicant Name	The Applicant Name reflects the entity's name as submitted on the original application.
Order Drawn	This reflects the order in which the Unique Lottery
	Numbers were drawn by the Illinois State Lottery.

BLS Region #1 (Bloomington) 1 Conditional License Available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	20	3945565	PROJECT EQUITY ILLINOIS, INC.

BLS Region #2 (Cape Girardeau) 1 Conditional License Available

Ord	ler Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
	1	3	3963613	BLOUNTS&MOORE

BLS Region #3 (Carbondale-Marion) 1 Conditional License available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	19	3956504	TOFINO SHORELINE PARTNERS LLC

BLS Region #4 (Champaign-Urbana) 1 Conditional License available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	13	3947041	FORTUNATE SON PARTNERS LLC

BLS Region #5 (Chicago-Naperville-Elgin) 47 Conditional Licenses Available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	82	3963113	BOTAVI WELLNESS LLC
2	703	3953534	SO BAKED TOO LLC
3	285	3953494	G P GREEN HOUSE LLC
4	463	3951611	GREEN & WILLIAMS, LLC
5	581	3953433	ILLINOIS HEALTH & WELLNESS, LLC

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6	214	3947835	EEL - ILLINOIS LLC
7	658		
8		3947917	
0	6	3951397	AMERICANNA DREAM
9	547	3947977	GRI HOLDINGS, LLC
	390		
10		3952145	
11	783	3950911	TOFINO SHORELINE PARTNERS LLC
12	35	3962777	BLOUNTS&MOORE
12	882	3949801	WORLD OF WEED
	875		WORLD OF WEED
14		3949801	
15	610	3950528	KANA GROVE NORTH LLC
16	376	3950381	GREEN & CAMPBELL LLC
17	714	3948861	SUITE GREENS, LLC
18	616	3963034	KAP-JG LLC
19	516	3947522	GREEN THERAPY LLC
20	165	3950459	CESAM, LLC
21	770	3953395	THE HERBAL CARE
			CENTER
22	546	3947977	GRI HOLDINGS, LLC
23	877	3949801	WORLD OF WEED
24	776	3951084	THF ILLINOIS, LLC DBA: GREENLIGHT
25	234	3962625	EMERALD COAST, LLC
26	80	3963113	BOTAVI WELLNESS LLC
27	338	3951363	GREEN & BRANSFORD,
	••-	••••	LLC
28	339	3951363	GREEN & BRANSFORD,
			uc
29	834	3948580	WAH GROUP, LLC
			D/B/A LEAFING LIFE
30	322	3951363	GREEN & BRANSFORD, LLC
31	606	3952765	ISLAND THYME, LLC.
32	394	3952145	GREEN & FOSTER, LLC
33	313	3950908	GREEN & ALAMO, LLC
33	821	3952950	VILL-OPS, INC (DBA
, , , , , , , , , , , , , , , , , , ,	521		VIOLA)
35	614	3963034	KAP-JG LLC
36	632	3953497	KWB ONE LLC
37	345	3952431	GREEN & BREADLEY,
			uc
38	410	3951950	GREEN & KINNICK, LLC

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39	443	3948754	GREEN & RANDLE, LLC
40	94	3963113	BOTAVI WELLNESS LLC
41	59	3962777	BLOUNTS&MOORE
42	559	3949886	GWB ILLINOIS, LLC (DBA GREENWELL)
43	681	3948380	PERCEPTION CANNABIS CHICAGO SOUTH INC.
44	619	3963034	KAP-JG LLC
45	264	3962625	EMERALD COAST, LLC
46	734	3962642	TC APPLICO LLC
47	613	3963034	KAP-JG LLC

BLS Region #6 (Danville) 1 Conditional License available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	16	3961942	MARIWORKS LLC

BLS Region #7 (Davenport-Moline-Rock Island) 1 Conditional License available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	5	3961466	BOLDEN INVESTMENTS I

BLS Region #8 (Decatur) 1 Conditional License available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	13	3961518	INDUS365, LLC

17BLS Region #9 (Kankakee) 1 Conditional License available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	9	3960532	DEER PARK PARTNERS,
			LLC

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BLS Region #10 (Peoria) 3 Conditional Licenses available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	45	3955466	NORTHERN CARDINAL
2	56	3955390	THE HERBAL CARE
3	71	3955300	WORLD OF WEED

BLS Region #11 (Rockford) 2 Conditional License available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	64	3943874	WAH GROUP, LLC D/B/A LEAFING LIFE
2	32	3956674	GREEN JUSTICE LLC

BLS Region #12 (St. Louis) 4 Conditional Licenses available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	70	3954583	PROJECT EQUITY ILLINOIS, INC.
2	12	3955272	BOLDEN INVESTMENTS I LLC
3	55	3954435	ILLINOISCANNABIS49, INC.
4	16	396 3630	BOTAVI WELLNESS LLC

BLS Region #13 (Springfield) 1 Conditional License available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	8	3956519	DEALERSHIP, LLC

BLS Region #14 (Northwest illinois nonmetropolitan) 3 Conditional License available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	74	3942045	UHCC INC.
2	18	3959499	CANNDID SPIRIT TOO, LLC
3	14	3962080	BOTAVI WELLNESS LLC

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Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	23	3958501	DO MOR DEVELOPMENT, LLC
2	63	3958544	WESTSIDE SOCIAL JUSTICE LLC
3	61	3958544	WESTSIDE SOCIAL JUSTICE LLC

BLS Region #15 (West Central Illinois nonmetropolitan) 3 Conditional License available

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BLS Region #16 (East Central Illinois nonmetropolitan) 2 Conditional License available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	32	3960477	TC APPLICO LLC
2	24	3960292	HOLISTIC ILLINOIS LLC

BLS Region #17 (South Illinois nonmetropolitan) 2 Conditional License available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	1	3959288	127 IL, LLC
2	8	3962059	BOTAVI WELLNESS LLC

The proposed adult-use cannabis business at 1300 Locke Dr. should have little to no impact on the existing uses located within the vicinity of the subject property. The area surrounding the property is currently zoned B-3 and contains a wide variety of businesses and shopping areas. The proposed adultuse cannabis business anticipates that their hours of operation will be Monday-Saturday from 9am-8pm and Sunday from 10am-Spm. The anticipated number of full-time employees is 25-30. The anticipated number of customers is 125-250 per day. The parcel has 110 dedicated parking spots, which is more than enough parking for employees and customers. The property is located in a high traffic area near Route 50 and Armour Rd. The major area roadways near the proposed adult-use cannabis business see in excess of 20,000 cars per year, so the any additional traffic from the adult-use cannabis business should not have a major impact on traffic in the area. The area roadways have enough capacity to handle any additional traffic that will be generated by the adult-use cannabis business.

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The adult-use cannabis business has contracted with Silver Star Protection Group for the security of the facility. The security team is led by a former US Marshal who has experience in cannabis security in Illinois. The security team has enacted the following security plan:

Receiving deliveries of cannabis:

State Police Hove access to Comercas

- a. Pursuant to Illinois Department of Agriculture ("DOA") regulations, Deer-Park Partners will ensure cultivation centers send a shipping manifest (on a form prescribed by DOA) by a secure means of communication (such as encrypted digital transmission) to three entities at least 24 hours prior to transporting Cannabis. The notice must be sent to:
 - 1) The dispensary ordering the product
- 3) the cultivation center's transportation, logistics and security personnel
 b. Deer Park Partners will maintain a secure record of all cultivation center shipping manifests and willmake them available to DOA, ISP or other
 authorized agencies upon request. The manifest will contain precise information about the product to be shipped including product
 description, weight, size, and package type (bottle, bag, box, etc.).
- c. Deer Park Partners dispensary will only accept cannabis or cannabisinfused products from a licensed adult use cultivation center, craftgrower, infuser, or transporter.
- d. Deer Park Partners will inspect, and count product received by the adult use cultivation center before dispensing it.
- e. Deer Park Partners will only accept a cannabis product from a cultivation center unless it is prepackaged and labeled in accordance with this Part, 8 III. Adm. Code 1000 2104 and 77 III. Adm. Code 946.
 - Deer Park Partners will accept all cannabis deliveries directly into a restricted access area of the Dispensary. Deer Park Partners will receive and verify deliveries through the rear door of the facility directly into the restricted access area of the dispensary. Once the delivery team's credentials are verified, they will be escorted by SSPG security through the rear door of the facility. Once inside, the delivery will be inspected and counted in the product delivery area (just inside the rear door). Once counting and inspection are completed, all products will be moved to the daily inventory storage and/or the vault in the restricted

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access area and promptly. _ _

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- Deliveries may not be accepted through the public or limited access areas unless otherwise approved by the Department.
- Deer Park Partners will document the delivery of all cannabis into Stateh. verification system and Illinois Tracking System.
- Deer Park Partners will also maintain a cannabis delivery log. i.
- j. Upon cannabis delivery, Deer Park Partners will confirm the product's name, strain name, weight and identification number on the manifest matches the information on the cannabis product label and package. The product name listed, and the weight listed in the State verification system and Illinois Cannabis Tracking System shall match the product
 - packaging. ·· = =.
- A Deer Park Partners dispensary agent will document all deliveries and include the following information in the state-wide seed to sale and delivery log:

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- a: The quantity, strain, variety, and batch number of each product received. . a ÷
- b. The name and registration identification number of the licensed
- adult use cultivation center, craft grower, or infuser providing the cannabis or cannabis-infused products.
- c. The name and registry identification number of the licensed adult use cultivation center, craft grower, infuser, or transportation agent delivering the cannabis.....
- d. The name and registry identification number of the dispensing organization agent receiving cannabis.
- e. The date of acquisition.
- I. Deer Park Partners will only receive shipments of cannabis from Department of Agriculture licensed "Transport Organizations" who's officers produce transport organization identification cards upon arrival (once transport licenses are issued). - ----
- m. The dispensary agent will contact the cultivation center's transportation group the day prior to the scheduled delivery date to confirm the date and time of delivery and to obtain the transportation team's contact information.
- n. SSPG security personnel will require the transportation team to contact the dispensary when the delivery vehicle is approximately 15 minutes from the dispensary.
- o. SSPG will prepare the dispensary location for arrival. SSPG will monitor all 🗐 👼 🛒 facets of the location to ensure a safe arrival point for the cultivation transportation team. - - -

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- p. The Dispensary Agent and SSPG security will go to the rear door and delivery area of the dispensary to greet the transportation agents.
- q. SSPG personnel will have real time communication (via cell phones) with the cultivation center transportation team approximately one minute prior to its arrival. This will allow SSPG and the transportation team to communicate and coordinate efforts to ensure that the delivery 2421 proceeds smoothly and without incident.

r. Prior to the transportations team's arrival, SSPG security personnel will visually and physically sweep the delivery area ensuring safety. Upon arrival, SSPG security will meet the transportation at the rear door of the facility to ensure the safe and efficient arrival of the transportation team.

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Upon arrival, SSPG personnel will request the transportation team's agent identification cards. SSPG will inspect the undercarriage of the delivery vehicle to ensure that no unauthorized persons or material are present... SSPG will ensure that at least one "Transportation Officer" remains with

the delivery vehicle to provide security for the transportation oniter remains with the delivery vehicle to provide security for the transportation vehicle. u. The Dispensary Agent-in-Charge or designee will supervise the verification of documents, the transfer of payment and the placement of the delivered products in the appropriate locations within the Restricted Access Area and will document the delivery in the electronic verification system. SSPG will maintain security while these activities take place.

v. The DAIC will make a copy of the signed manifest and provide the original to the transportation agent.

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w. Once the delivery transaction is concluded (and all cannabis and currency are properly secured) and the transportation team is ready to leave, the SSPG security professional will ensure that exterior conditions are safe for departure. SSPG security personnel will remain in contact with the transportation team until they have left the premises.

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SPACE AVAILABILITY (1)

		Dist	play Rate as	\$/SF/YR ~
SIZE	TERM	RATE	TYPE ①	
16,500 SF	Negotiable	Upon Request	Negotiable	~
		IX EQD FF	SIZE TERM RATE	16,500 SF MesoNoble

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1300 Locke Drive















PZC FINDINGS OF FACT AND RECOMMENDATION OF APPROVAL FOR A SPECIAL USE PERMIT

(1300 LOCKE DR, BOURBONNAIS, IL 60914 — ADULT-USE CANNABIS DISPENSING ORGANIZATION)

On March 1, 2022, at 6:30 p.m., at the Bradley Village Hall, 147 S. Michigan Avenue, Bradley, Illinois 60915, the Village of Bradley Planning and Zoning Commission conducted a public hearing, with public notice having been duly given for the same. At that hearing, the Planning and Zoning Commission considered whether to recommend approval or denial of a special use permit authorizing the use of certain property located within the corporate boundaries of the Village as an Adult-Use Cannabis Dispensing Organization (the "Proposed Use"). Having heard and considered all of the evidence presented at the hearing and being fully advised in the premises, the Planning and Zoning Commission hereby finds as follows:

- 1. The Proposed Use is an authorized special use in the B-3 (Village Center Shopping) district pursuant to Section 60-154(2)(m) of the Bradley Zoning Ordinance.
- 2. The Proposed Use is compatible with surrounding land uses and the general area surrounding the subject property.
- 3. The Proposed Use is not inconsistent with the zoning classifications of other property within the general area of the subject property.
- 4. The subject property is suitable for the uses permitted under its existing zoning classification of B-3 (Village Center Shopping).
- 5. The Proposed Use is not inconsistent with the trend of development in the general area of the subject property.
- 6. The Proposed Use and the subject property's existing zoning classification of B-3 (Village Center Shopping) are not inconsistent with the official comprehensive plan of the Village.
- 7. The approval of the special use permit is in the public interest and not solely for the interest of the applicant.
- 8. The Proposed Use is necessary and desirable on the subject property and will likely provide the Village and its residents with services that are convenient and beneficial to the public.
- 9. The Proposed Use will likely contribute to the general welfare of the surrounding neighborhood or community.
- 10. The Proposed Use is not likely to be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity of the subject property.
- 11. The Proposed Use is not likely to be injurious to property values or improvements in the vicinity of the subject property.
- 12. The Proposed Use is compliant with all applicable regulations and conditions specified in the Bradley Zoning Ordinance.

Based on the foregoing findings, the Planning and Zoning Commission hereby recommends that the Corporate Authorities of the Village <u>approve</u> the applicant's request and adopt an ordinance granting the applicant a special use permit authorizing an Adult-Use Cannabis Dispensing Organization, subject to the following conditions and restrictions:

- 1. The subject property will need to comply with all other applicable requirements of the B-3 District.
- 2. The facility will adhere to the cannabis facility standards as established by the Bradley Village Building Code Sec. 60-530.
- 3. The hours of operation will be Monday-Saturday 9am-8pm and Sunday 10am-5pm.
- 4. Any interior or exterior building and development plans will need to be submitted for Staff to review in order to be considered for the development to proceed and will require the submission of a building permit application.
- 5. Prior to commencing any exterior site improvements, final engineering and construction plans will need to be approved by the Village Engineer and any required/approved financial guarantee for all public and private site improvements (including landscaping) will need to be submitted to the Village.
- 6. A site and building signage plan will need to be submitted and reviewed for compliance with Sec.38 of the Village of Bradley sign code.

PASSED this 1st day of March. 2022, by roll call vote.

	Ауе	Nay	Absent
Ryland Gagnon (Chairman)	X		
Charlene Eads (Secretary)	_X		
Mike Dauphin		X	
James Guiss	<u>×</u>		
Rick White	<u>×</u>	<u> </u>	·
Bill Bodemer	_X		***************
Michael Williams	<u>×</u>		