

Post Office Box 299
Peru, Illinois 61354

May 21, 2020

Mayor Scott J. Harl,
Peru City Clerk, and
Aldermen of the City of Peru

RE: Petition of the Jonathan Chamlin d/b/a Vermillion Partners
Property located at 2700 May Road, Peru, IL

Gentlemen:

Pursuant to legal notice published in the News Tribune in the manner provided by law, the Planning/Zoning Commission of the City of Peru convened for a public hearing on Wednesday, May 20, 2020, at 5:30 p.m. in the City Municipal Building, 1901 Fourth Street, Peru, IL, to consider the Petition of Jonathan Chamlin d/b/a Vermillion Partners (hereinafter "Petitioner") concerning property generally located at 2700 May Road, Peru, IL, legally described as follows:

PARCEL I: That part of the East 25 acres of the North 50 acres of the West Half of the Northwest Quarter of Section 5, Township 33 North, Range 1, East of the Third Principal Meridian lying and being North of the North boundary line of Interstate Route 80 in the County of LaSalle and State of Illinois being more particularly bounded and described as follows and bearings are for the purpose of description only:

Commencing at the Northwest corner of the Northwest Quarter of said Section 5, thence North 89 degrees 52 minutes 16 seconds East along the North line of the Northwest Quarter of said Section 5 a distance of 1167.03 feet to an iron pipe and the point of beginning of the tract to be described: thence South 00 degrees 19 minutes 14 seconds West 363.00 feet to an iron pipe; thence North 89 degrees 52 minutes 16 seconds East 150.00 feet to an iron pipe; thence North 0 degrees 19 minutes 14 seconds East 363.00 feet to an iron pipe; thence South 89 degrees 52 minutes 16 seconds West 150.00 feet to the point of beginning; all situated in LaSalle County, Illinois

PARCEL II: An ingress/egress and sign easements for the benefit of Parcel I as reserved in Warranty Deed dated July 1, 1999 recorded July 6, 1999 as Document No. 0099-17411 made by Donald L. Baker and Anne M. Baker, Grantors, to Robert J. Lenz, Grantee, together with the rights and obligations thereunder.

PIN: 17-05-111-000 (hereinafter "Property").

Petitioner, with consent of the Property owner, requests a special use under Section 11.05(d)(27) of the Zoning Ordinance to operate an Adult-Use Cannabis Dispensing Organization on the Property, which is located in a B-4 Highway District.

Planning/Zoning Commission Members Miller, Grabowski, Atkinson, Lucas, Kalsto, Brady, and Moreno were present at the hearing. No members were absent. Due to COVID-19, this meeting was also streamed live on the internet.

Petitioner Jonathan Chamlin and his attorney, Jonathan Brandt, appeared and were duly sworn. Petitioner previously submitted an Affidavit affirming compliance with Section 15.12 (Special Uses) and Section 4.19(c) (Adult-Use Cannabis Facility Components) of the Zoning Ordinance, a copy of which is attached hereto.

After a brief discussion in consultation with City Attorney Scott Schweickert and City Engineer Eric Carls, it was determined the Property is indeed located in a B-4 Highway Business District.

Attorney Brandt testified that if the City approved the request special use, the next step would be for the State of Illinois to approve. The City would still have control over the Property with approving design and occupancy. The exact plans of the building will be drawn in conformance with the requirements of the State of Illinois, which are much more stringent than the City of Peru's ordinances. The existing building on the Property is already in compliance with the Zoning Ordinance.

Attorney Brandt testified further that the only concern made known to him is whether there would be enough parking. The City Zoning Ordinance requires one parking spot for every 300 square feet of building space. This building is approximately 4,800 square feet and equates to 16 parking spaces. There are currently 68 regular parking spaces and 4 handicap parking spaces on the Property. There is also room for 20-22 more parking spaces if necessary. However, he believes the existing 72 spaces will be more than adequate.

Attorney Brandt stated it was his understanding that the City was in favor of having a cannabis dispensary for orderly progression of the law and for sales tax revenue but wanted it north of I-80. This Property is the perfect location. The anticipated sales based on other nearby dispensaries are \$2-5 million annually and would generate \$60,000 - \$150,000 in sales tax for the City annually.

In response to questioning from Member Grabowski, Petitioner stated that licenses were scheduled to be awarded by the State of Illinois on May 1st but the COVID-19 pandemic delayed that indefinitely. Petitioner stated that they might be awarded June 1st now.

Member Moreno said that Attorney Brandt addressed the parking issue but expressed hope that parking will need to be expanded in the future because that means the business is successful.

In response to questioning from Member Lucas, Petitioner testified that, due to the limited number of dispensaries, parking has been a problem at other dispensary locations. That is why he chose this location. Petitioner testified that state law requires medical marijuana patients and adult-use cannabis customers be separated inside the building. The size of this building is more than enough to handle the anticipated customer foot traffic.

In response to questioning from Chairman Miller, Petitioner testified that the state limits hours of operation to between 8 a.m. and 9 p.m. However, most dispensaries are open from 9 a.m. to 6 p.m. Petitioner added that state imposes incredible regulations to ensure these dispensaries are dignified. In response to further questioning from Chairman Miller, Petitioner testified that there are still only 72 dispensaries in the

State of Illinois. He has seen that customers in some collar counties will drive downstate to wait in a 30-minute line rather than wait in a four-hour line there. As the state approves more locations, the amount of customer traffic will normalize.

Member Moreno stated that he believes this location is perfect for a dispensary and will not have the same parking issues he has seen in Ottawa. Petitioner added that this location gets cars off the street and has enough square footage that people will not be waiting outside in a line.

There were no objectors at the hearing.

The Planning/Zoning Commission found that the requested special use will not alter the essential character of the locality; will not be detrimental or injurious to other properties in the area; will not impair an adequate supply of light or air to adjacent properties, or increase the danger of fire, or endanger the public safety, or diminish or impair property values and will not increase street congestion and, therefore, recommends to the City Council that the special uses be granted.

Member Moreno moved, and Member Grabowski seconded, that the Petition as prayed for be favorably recommended to the City Council. The motion passed: 6 aye, Member Kalsto voting nay, and 0 Members absent.

Respectfully submitted,

CARY MILLER, Chairman of the
Planning/Zoning Commission

May 13th, 2020

Mayor Scott Harl
Peru City Clerk and
Alderman of the City of Peru

Re: Affidavit of Petition for Special Use Permit
2700 May Rd. Peru, IL 61354
by Vermillion Partners

Gentlemen,

Per Peru Ordinance No. 6415 Section 3: 4.19. Adult Use Cannabis, Vermillion Partners petitioned for a Special Use Permit March, 9th of 2020. The petition is for Adult Use Cannabis Dispensary only. Provided find affidavit as required by 4.19. (f) (8)

Affidavit

The Illinois Department of Financial and Professional Regulation (IDFPR) awards and strictly enforces compliance of laws governing Adult Use Cannabis Dispensaries. This includes confirmation of site compliance, review of construction documents, testing and commissioning to ensure facility construction compliances, and ongoing monitoring of operational compliance.

Strict compliance to and by the IDFPR regulations will insure the proposed facility shall have no negative impact to the M-2 zoned neighborhood where Adult Use Cannabis is a compliant use. Safety and Security of the neighborhood and greater community are of the highest priority and woven throughout every stage of the IDFPRs legislation.

Ordinance 6415 Section 3 Article IV : 4.19.

(c) (1) Impact of proposed facility: A compliant operation should have no negative impact to this neighborhood.

(c) (2) The proposed structure is an existing 4,200 square foot building. The building is ideal in that it stands alone and has no co-tenants. It complies to all local and state adjacency setbacks of schools, day care etc. A detailed Security Plan is vetted by the IDFPR and compliance verified prior to IDFPR certificate to conduct business. The City of Peru building department, fire department, and police will also have drawing and document review prior to Building Permit and Certificate of Occupancy issuance.

(c) (3) The IDFPR limits hours of operation to 6am to 10pm but hours of operation will likely be limited to 8am to 7pm as is the case in the vast majority of the state's existing dispensary operations. Customer numbers will be heaviest in the first years as there will be a limited number of dispensaries. The Guests should be nearly 100 or more daily and daily employees will number around 12 including sales people, management, and security staff of off duty police. Of these guests medical users will receive preferential service.

(c) (4) Parking is critical to this business and again 2700 May Rd. Peru was chosen for this reason. The facility has an existing private parking lot. The lot has a capacity of over 62 +/- full size stalls and is striped with 8 ADA stalls.

(c) (5) Traffic generated by the business should be steady throughout the day with no one time producing a particularly high traffic count. The property lies on May Rd. between 2 traffic controlled intersections to the East and West. This light traffic should not adversely impact either of these intersections.

(c) (6) The site design will remain substantially similar to the existing with egress on both the East and West side of the facility an areal photo is attached for your review. Municipal comments will be incorporated into site improvements.

(c) (7) Signage is strictly regulated by the IDFPR. The existing sign on site is to be refurbished and reused. Signage and branding strictly forbid Names branding, or imagery that is deemed explicit or offensive or alludes to cannabis. This is reviewed by the IDFPR as part of the application. Furthermore, signage will be under the jurisdiction of the City of Peru for their review and approval.

(f) (1) In conformance with the ordinance the facility exceeds 1,500 feet from the property line of all existing public or private schools, day cares and residential day care homes. In addition the facility in conformance with state law is not within 1,500 feet of an existing Dispensary.

(f) (2) In conformance with the ordinance the facility is not within 250 feet of any residence or residentially zoned property line.

(f) (3) The facility will conduct all sales and distribution in compliance with all state, local laws in effect or forthcoming. This is rigorously enforced by the IDFPR and license suspension and forfeiture can be the result of failure to comply.

(f) (4) The facility is a freestanding building 100% occupied by the operator.

(f) (5) The sale of food for consumption on the premises is strictly forbidden as is the consumption of cannabis. If legislation allows in the future all permits required will be procured by the organization from all state, local and governing bodies of jurisdiction.

(f) (6) Though no event allowing onsite consumption is foreseen. The organization accepts the responsibility to procure any and all permits required by the IDFPR and local authorities.

(f) (7) For the purpose of determining parking requirements Section 7.03 will apply. The facility is classified "Business Retail" parking is ample and the organization will comply with state and local requirements regarding traffic flow, number of stalls and number and positioning of ADA compliant stalls.

(f) (8) This affidavit to the City of Peru, IL affirms compliance with Section 15.12 (Special Uses) and Section 4.19.(c) (Adult Use Cannabis Facility Components) as provided, and all other requirement of the Act.

15.12. Special Uses.

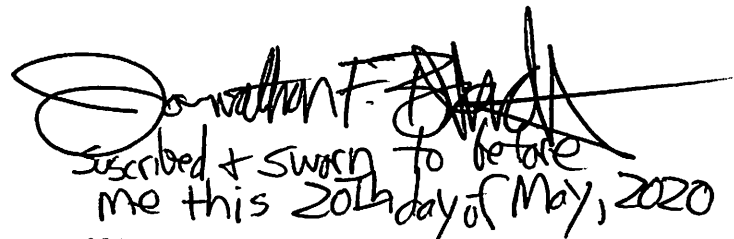
- (a) (2) The site was chosen to both comply to the IDFPRs requirements for conforming sites, and the municipalities' requirements as set forth in Ordinance 6415, and 15.12. Special Use's intent to choose appropriate locations that will not cause current or future neighbors harm.
- (b) Vermillion Partners has fee simple freehold of the subject property.
- (c) Application for Special Use was submitted to the plan commission March 9th, 2020. Affidavit requested March 6th, 2020 is made here. City of Peru published notification in the News Tribune Wednesday April 29th, 2020 twenty-one (21) days prior to hearing. Yard sign was installed April 29th, 2020 accompanied by a \$250 fee paid.

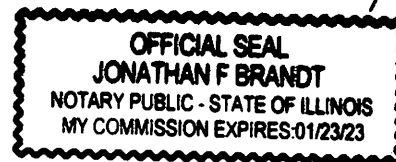
Attachments:

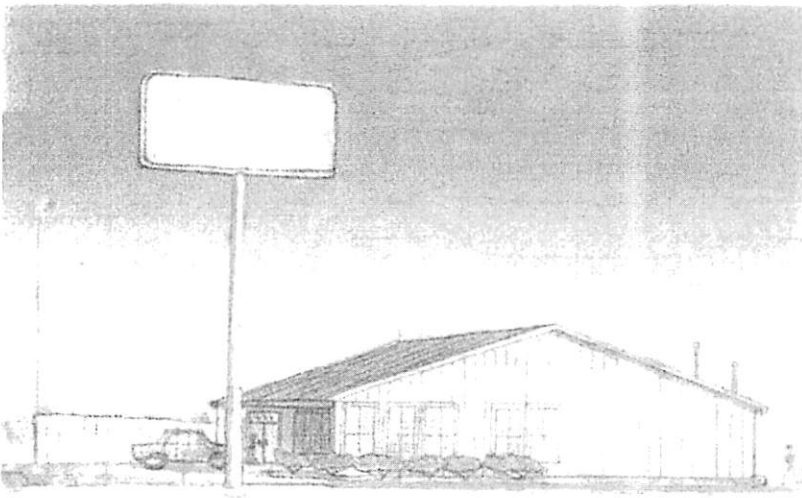
Photo West elevation
Rendering
Areal of Parking Lot
Plat

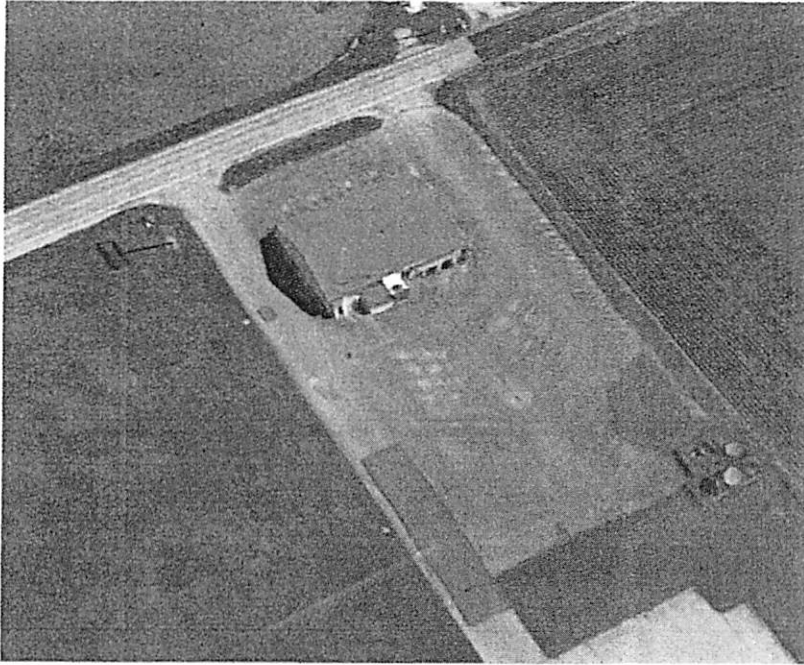

Jon Chamlin, Managing Partner
Vermillion Partners

CC:
Doug Arneson
Greg Wesbecker
Jon Brandt PC
Joseph Cantlin PC


Subscribed & sworn to before
me this 20th day of May, 2020







Chamlin & Associates, Inc.
consulting engineers & land surveyors
P.O. Box 111
Pittsboro, N.C. 27312



BAKER PROPERTY

PART OF THE N.W. 1/4 OF SEC. 5
T. 33 N., R. 1, E. OF 3rd P.M.

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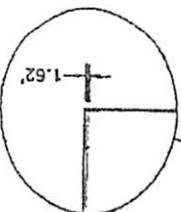
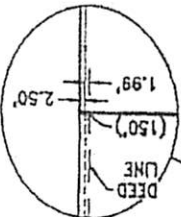
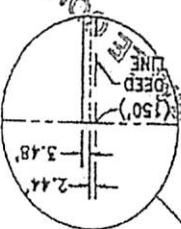
99-17411 PAGE 5

THE HOFFES FOREST LEGAL RESERVATION

INGRESS/EGRESS EASEMENT LEGAL DESCRIPTION

That part of the East 23 Acres of the North 50 Acres of the West One-Half of the Northwest Quarter of Section 5, Township 33 North, Range 1 East of the Third Principal Meridian, lying and being North of the North boundary line of Interstate Route 80, being more particularly described as follows:

Commencing at the Northwest corner of said Northwest Quarter of Section 5, thence North 83°52'16" East, along the North line of said Northwest Quarter of Section 5, for a distance of 1137.03 feet to the Point of Beginning; thence continuing North 83°52'16" East, along said North line, 30.00 feet; thence South 00°19'14" West 353.00 feet; thence South 83°52'16" West 30.00 feet; thence North 00°19'14" East 353.00 feet to the Point of Beginning.



SCALE: 1" = 100'