

VILLAGE OF SOUTH ELGIN

ORDINANCE 2020-08

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR
AN ADULT USE CANNABIS CRAFT GROWER
IN THE VILLAGE OF SOUTH ELGIN, ILLINOIS

ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF SOUTH ELGIN
THIS 16TH DAY OF MARCH, 2020

Published in pamphlet form
by authority of the President
and Board of Trustees of the
Village of South Elgin
Kane County, Illinois, this
16th day of March, 2020

ORDINANCE NO. 2020 - 08

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR
AN ADULT USE CANNABIS CRAFT GROWER
IN THE VILLAGE OF SOUTH ELGIN, ILLINOIS

WHEREAS, the Village of South Elgin, County of Kane, State of Illinois has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, including the use of land within its corporate boundaries, and to protect the public health, safety, and welfare of its citizens; and

WHEREAS, the Petitioner, GRI Holdings, LLC ("Petitioner") is the owner of that real property located at 740 Schneider Drive which property is legally described in Exhibit A attached hereto and incorporated herein (the "Property"); and

WHEREAS, the Petitioner seeks a special use permit for an Adult Use Cannabis Craft Grower Operation pursuant to §156.07.C of the Village Unified Development Ordinance; and

WHEREAS, a notice of public hearing concerning the petition for a Special Use Permit was duly published in the Elgin Courier on January 31, 2020 and said public hearing was held before the Planning and Zoning Commission on the petition for special use on February 19, 2020; and

WHEREAS, the Planning and Zoning Commission made certain findings concerning the application for a Special Use and recommended to the Village Board of Trustees that the Village grant the requested Special Use Permit subject to certain conditions; and

WHEREAS, the Village hereby finds that it is in the best interest of the Village to adopt the findings of fact made by the Planning and Zoning Commission and to approve the Special Use Permit with the conditions recommended by the Planning and Zoning Commission, all of that in

order to achieve various beneficial goals, including, without limitation, the highest and best use of property within the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF SOUTH ELGIN, KANE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION ONE: The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION TWO: The Village hereby adopts the following findings of fact made by the Planning and Zoning Commission:

1. The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.
2. The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.
3. The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.
4. The proposed special use will be provided with adequate utilities, access roads, drainage, and/or other necessary facilities.
5. The proposed special use is consistent with the intent of the elements of the Comprehensive Plan, this Unified Development Ordinance, and the other land use policies of the Village.

SECTION THREE: The Village hereby approves the application for the Special Use Permit

for an Adult Use Cannabis Craft Grower subject to the following conditions:

- The special use permit shall be issued only to GRI Holdings, LLC only and is non-transferrable without the written consent of the Village Board of Trustees;
- GRI Holdings, LLC shall comply with all state regulations and rules;
- The use shall be in substantial compliance with the plans submitted;
- On-premise consumption of cannabis is prohibited;
- Issuance of the final Certificate of Occupancy by the Village is conditioned upon GRI Holdings, LLC providing all final applications, plans, and required state licenses to operate as an adult use cannabis business establishment to the Zoning Administrator;
- GRI Holdings, LLC shall maintain in force, effect and good standing, at all times, all required state licenses and failure to do so shall result in the immediate termination of the Special Use Permit;
- The Subject Property and the operation on the Subject Property shall be subject to random and unannounced inspections by law enforcement and safety or health inspectors;
- Where reasonable cause to suspect a violation exists, the Subject Property and the operation on the Subject Property shall also be subject to inspections by the Zoning Administrator and, as reasonable, other village agents, employees, and the Village Attorney;
- All exterior doors, including overhead doors, shall be numbered sequentially and signed with numbers measuring at least 3" in height;
- In addition to the other security cameras being installed per the Petitioner's Security Plan, additional security cameras shall be installed on the roof such that the entire roof is visible through the camera system;
- The Petitioner shall reimburse the Village for the expense to install a security camera in the Village's right-of-way in the immediate vicinity of the Subject Property. Such security camera shall connect to the Village's system;
- A representative of GRI Holdings, LLC shall meet annually with the Village of South Elgin Police Department to review the security plan and, where reasonably possible, GRI Holdings, LLC shall provide 5 days' written notice to the Village of South Elgin Police Department of any changes it intends to make to the Security Plan and, where notice is not reasonably possible, no later than three (3) days after making any such change.

SECTION FOUR: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent

jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION FIVE: All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION SIX: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

APPROVED AND ADOPTED by the Board of Trustees of the Village of South Elgin this 16th day of March, 2020, pursuant to roll call vote as follows:

AYES: Trustees Lieser, Sweet, Baroni, Richmond & Kolaczek (5)

NAYS: Trustee Guess (1)

ABSENT: (0)

ABSTAIN: (0)

APPROVED this 16th day of March, 2020.


Steven Ward, Village President

ATTEST:

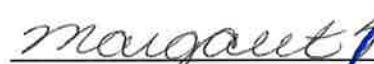

Margo Gray, Municipal Clerk



EXHIBIT A
Legal Description

740 Schneider Drive, South Elgin, IL 60177

LOTS 1 AND 5 OF SOUTH ELGIN INDUSTRIAL PARK, UNIT 3, IN THE VILLAGE OF SOUTH ELGIN,
KANE COUNTY, ILLINOIS.

PINs: 06-26-303-008 and 06-26-303-009

RESCINDED BY ORD. # 2025-23 ON 6/16/25

CERTIFICATION

I, the undersigned, do hereby certify that I am the Village Clerk of the Village of South Elgin, Kane County, Illinois, and that the foregoing is a true and exact copy of Ordinance 2020-08 enacted on March 16, 2020 and approved on March 16, 2020 as the same appears from the official records of the Village of South Elgin.


Margaret M. Gray, Village Clerk



RESCINDED BY ORD. # 2025-23 ON 6/16/25