

**ORDINANCE NO. O2022-34**

**AN ORDINANCE GRANTING AN EXTENSION OF THE SPECIAL USE FOR THE OPERATION OF AN ADULT USE CANNABIS DISPENSARY AT 4S120 NORTH ILLINOIS ROUTE 59**

WHEREAS, Rockbuild Enterprises, Inc. ("**Owner**") is the owner of that certain real property commonly known as 4S120 North Illinois Route 59 within in the corporate limits of Warrenville, Illinois, and legally described on **Exhibit A ("Property")**; and

WHEREAS, on September 9, 2020, the City Council adopted Ordinance No. O2020-32 approving a special use permit ("**Approvals**") to allow the operation of an adult use cannabis dispensary on the Property ("**Dispensary**"); and

WHEREAS, in addition to the operation of the Dispensary, the Approvals authorizes the Owner to remodel the building on the Property, remove the drive-through lanes and canopy, and install seven additional parking spaces; and

WHEREAS, pursuant to Section 2.B.9.c(1) of the Warrenville Zoning Ordinance, the Approvals expire after one year unless a building permit is issued and construction is actually begun within that period; and

WHEREAS, on July 6, 2021, the City Council adopted Ordinance No. O2021-28, approving the extension of the Approvals through and including September 9, 2022; and

WHEREAS, on August 29, 2022, the Owner requested a second 12-month extension of the Approvals for the Property ("**Extension Request**"); and

WHEREAS, pursuant to the City's powers under applicable law, including its home rule powers under the Illinois Constitution of 1970, the Mayor and the City Council have determined that it is in the best interest of the City and the public to approve the Extension Request;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF WARRENVILLE, DUPAGE COUNTY, ILLINOIS, AS FOLLOWS:

**SECTION 1: Recitals.** The recitals listed above are incorporated in this Ordinance as if fully set forth in this Ordinance.

**SECTION 2: Approval of Extension Request.** The City Council hereby approves the Extension Request and extends the Approvals for the Property through and including September 9, 2023, which extension is subject to, and contingent upon, the same terms and conditions set forth in Ordinance No. O2020-32.

**SECTION 3: Effective Date.** This Ordinance will be in full force and effect from and after its passage, approval, and publication in pamphlet form according to law.

*[Signatures and Voting Record on Following Page]*

PASSED THIS 6th day of September, 2022.

AYES: Aids: Lockett, Krischel, Davolos, Weidner, Aschauer, Kruckengerg, Barry, and Goodman

NAYS: None

ABSENT: None

ABSTAIN: None

APPROVED THIS 6th day of September, 2022.

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY CLERK

## EXHIBIT A

### LEGAL DESCRIPTION OF THE PROPERTY

Lot 1 in Safranski's Addition to Warrenville, being a subdivision of part of the West 1/2 of the Northwest 1/4 of Section 3, Township 38 North, Range 9, East of the Third Principal Meridian, according to the Plat thereof recorded September 23, 1983 as Document R83-068897, in DuPage County, Illinois, except that part of Lot 1 conveyed to the County of DuPage in Document Number R2004-059115, recorded March 14, 2004, described as follows:

Beginning at the most Southerly Southeast corner of said Lot 1; thence on an assumed bearing of North 70 degrees 42 minutes 19 seconds West, along the Southerly line of said Lot 1, a distance of 3.323 meters; thence North 53 degrees 40 minutes 01 seconds East, 18.048 meters to Easterly line of said Lot 1; thence South 05 degrees 25 minutes 03 seconds East, along said Easterly line, 3.197 meters to an angle point in said Lot; thence South 53 degrees 40 minutes 0.1 seconds West, along said Southerly line of Lot 1, a distance of 14.529 meters to the point of beginning, in DuPage County, Illinois.

**Permanent Index Number:** 07-03-100-010-0000