

ORDINANCE 2020-14

APPROVING A CHANGE IN ZONING AND AMENDMENT TO THE DISTRICT ZONING MAP OF THE CITY OF STREATOR FOR A PORTION OF PROPERTY LOCATED SOUTH OF 12TH STREET AND EAST OF ILLINOIS STREET FROM “AG” AGRICULTURAL TO “M-1” LIGHT MANUFACTURING UNDER THE PROVISIONS OF THE CITY’S ZONING CODE AS SET FORTH IN TITLE 17 OF THE STREATOR MUNICIPAL CODE

WHEREAS, Llerrem, Inc. filed a petition requesting a change in the zoning and amendment of the district zoning map of the City of Streator from an “AG” Agricultural zoning district to a “M-1” Light Manufacturing zoning district (the “Petition”), for the property legally described as:

Part of the Northeast Quarter of Section 1, Township 30 North, Range 3 East of the Third Principal Meridian Described as Follows: Commencing at the Intersection of the North Line of the Northeast Quarter of Said Section 1 and the Westerly Right-of-Way Line of the Abandoned Norfolk and Western Railroad (Former Wabash Railroad Company), Thence South 31 Degrees 59 Minutes 56 Seconds East 334.13 Feet along said West Right-of-Way Line to the True Point of Beginning; thence continue South 31 Degrees 59 Minutes 56 Seconds East 285.54 Feet along said Westerly Right-of-Way Line; thence North 89 Degrees 53 Minutes 00 Seconds West 555.34 Feet; thence North 00 Degrees 07 Minutes 00 Seconds East 351.85 Feet; thence South 89 Degrees 53 Minutes 00 Seconds East 72.60 Feet; thence North 00 Degrees 07 Minutes, 00 Seconds East 173 Feet to a Point on the North Line of the Northeast Quarter of Said Section 1; thence South 89 Degrees 53 Minutes 00 Seconds East 24.00 Feet along said North Line; thence South 00 Degrees 07 Minutes 00 Seconds West 283.00 Feet; Thence South 89 Degrees 53 Minutes 00 Seconds East 306.93 Feet to the Point of Beginning, Containing 3.00 Acres More or Less, All Situated in Livingston County, Illinois and Subject to the Right of Public to that Portion being used as a Public Roadway, located in Reading Township, Livingston County, Streator, Illinois; and
PIN# 01-01-201-007

and located as a portion of the agricultural property East of Illinois Street and South of 12th Street, Streator, Livingston County, Illinois.

WHEREAS, a public hearing on the Petition was held on April 14, 2020 by the Plan Commission of the City of Streator, pursuant to a notice of public hearing published in a newspaper of general circulation on March 19, 2020 as required by law.

WHEREAS, at its April 14, 2020 meeting, the Plan Commission considered the Petition, all evidence, both written and oral presented at the public hearing, and the report from City staff.

WHEREAS, at its April 14, 2020 meeting, the Plan Commission adopted Recommendation 2020-14 recommending that the Streator City Council approve the petition and rezone the Subject Property to “M-1” Light Manufacturing district.

WHEREAS, the City Council of the City of Streator has considered the findings and recommendation of the Plan Commission and the facts and circumstances concerning the Petition, and the City Council has determined that it is appropriate to grant the rezoning request as provided for in this Ordinance.

NOW, THEREFORE, be it ordained by the City Council of the City of Streator, LaSalle and Livingston Counties, Illinois, as follows herein.

Section 1: RECITALS. The City Council hereby finds the recitals contained in the preambles are true and correct and incorporate them into this Ordinance by this reference.

Section 2: ADOPTION OF FINDINGS OF FACT BY THE PLAN COMMISSION. The City Council hereby determines the findings stated in Plan Commission Recommendation 2020-12 are true and correct and incorporate the findings into this Ordinance by this reference.

Section 3: REZONING REQUEST GRANTED. The Petition filed by Llerrem Inc., requesting the rezoning of certain property is granted and the district zoning map of the City of Streator is hereby amended to rezone the property legally described as:

Part of the Northeast Quarter of Section 1, Township 30 North, Range 3 East of the Third Principal Meridian Described as Follows: Commencing at the Intersection of the North Line of the Northeast Quarter of Said Section 1 and the Westerly Right-of-Way Line of the Abandoned Norfolk and Western Railroad (Former Wabash Railroad Company), Thence South 31 Degrees 59 Minutes 56 Seconds East 334.13 Feet along said West Right-of-Way Line to the True Point of Beginning; thence continue South 31 Degrees 59 Minutes 56 Seconds East 285.54 Feet along said Westerly Right-of-Way Line; thence North 89 Degrees 53 Minutes 00 Seconds West 555.34 Feet; thence North 00 Degrees 07 Minutes 00 Seconds East 351.85 Feet; thence South 89 Degrees 53 Minutes 00 Seconds East 72.60 Feet; thence North 00 Degrees 07 Minutes, 00 Seconds East 173 Feet to a Point on the North Line of the Northeast Quarter of Said Section 1; thence South 89 Degrees 53 Minutes 00 Seconds East 24.00 Feet along said North Line; thence South 00 Degrees 07 Minutes 00 Seconds West 283.00 Feet; Thence South 89 Degrees 53 Minutes 00 Seconds East 306.93 Feet to the Point of Beginning, Containing 3.00 Acres More or Less, All Situated in Livingston County, Illinois and Subject to the Right of Public to that Portion being used as a Public Roadway, located in Reading Township, Livingston County, Streator, Illinois;

from "AG" Agricultural to "M-1" Light Manufacturing, provided, however, if the site is not awarded a license from the State of Illinois to operate as a cannabis craft grower facility within one year from the date of this ordinance, that is April 15, 2021, then the zoning of the subject real estate shall revert back to "AG" Agricultural.

Section 4: PLAN COMMISSION FINDS AS FOLLOWS.

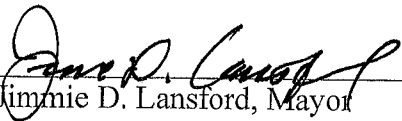
That said rezoning shall become in full force and effect from and after the completion of one unit of the proposed development no more than one year from the date of approval by this ordinance. In the event that development of one unit is not complete within one year than the "R-1A" Single Family Low Density zoning classification shall remain in effect.

Section 6: SEVERABILITY. Each section, paragraph, sentence, clause, and provision of this Ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof, other than that part affected by such decision.

Section 5: EFFECTIVE DATE AND PUBLICATION. This Ordinance shall in full force and effect from and after its passage and approval and publication as required by law.

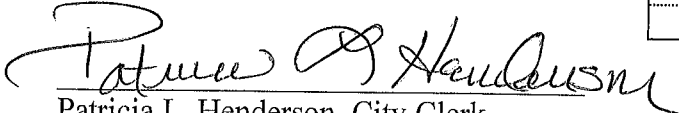
PASSED by the City Council of the City of Streator, LaSalle and Livingston Counties, Illinois at a regular meeting thereof on **April 15, 2020** and approved by me as Mayor on the same day.

APPROVED:


Jimmie D. Lansford, Mayor

	Yes	No	Abstain	Absent
Mayor Jimmie D. Lansford	√			
Councilwoman Tara Bedei	√			
Councilman Ed Brozak	√			
Councilman Brian Crouch	√			
Councilman Joe Scarbeary	√			

ATTESTED:


Patricia L. Henderson, City Clerk

PLAN COMMISSION RECOMMENDATION 2020-12

RECOMMENDING APPROVAL OF A CHANGE IN ZONING AND AMENDMENT OF THE DISTRICT ZONING MAP FOR A PORTION OF THE AGRICULTURAL PROPERTY LOCATED EAST OF ILLINOIS STREET AND SOUTH OF 12TH STREET FROM “AG” AGRICULTURAL TO “M-1” LIGHT MANUFACTURING UNDER THE PROVISIONS OF THE CITY’S ZONING CODE AS SET FORTH IN TITLE 17 OF THE STREATOR MUNICIPAL CODE

WHEREAS, Llerrem, Inc., has filed a petition requesting a change in the zoning and amendment of the district zoning map of the City of Streator from an “AG” Agricultural zoning district to a “M-1” Light Manufacturing zoning district (the “Petition”), for the property legally described as:

Part of the Northeast Quarter of Section 1, Township 30 North, Range 3 East of the Third Principal Meridian Described as Follows: Commencing at the Intersection of the North Line of the Northeast Quarter of Said Section 1 and the Westerly Right-of-Way Line of the Abandoned Norfolk and Western Railroad (Former Wabash Railroad Company), Thence South 31 Degrees 59 Minutes 56 Seconds East 334.13 Feet along said West Right-of-Way Line to the True Point of Beginning; thence continue South 31 Degrees 59 Minutes 56 Seconds East 285.54 Feet along said Westerly Right-of-Way Line; thence North 89 Degrees 53 Minutes 00 Seconds West 555.34 Feet; thence North 00 Degrees 07 Minutes 00 Seconds East 351.85 Feet; thence South 89 Degrees 53 Minutes 00 Seconds East 72.60 Feet; thence North 00 Degrees 07 Minutes, 00 Seconds East 173 Feet to a Point on the North Line of the Northeast Quarter of Said Section 1; thence South 89 Degrees 53 Minutes 00 Seconds East 24.00 Feet along said North Line; thence South 00 Degrees 07 Minutes 00 Seconds West 283.00 Feet; Thence South 89 Degrees 53 Minutes 00 Seconds East 306.93 Feet to the Point of Beginning, Containing 3.00 Acres More or Less, All Situated in Livingston County, Illinois and Subject to the Right of Public to that Portion being used as a Public Roadway, located in Reading Township, Livingston County, Streator, Illinois.

PIN# 01-01-201-007
See attached map.

WHEREAS, the Petition has been received and place on file with office of the Streator City Clerk and available for public inspection; and

WHEREAS, a notice of the public hearing was published in a newspaper of general circulation in the City of Streator on March 19, 2020 as required by law and notice of the public hearing was mailed to neighboring property owners in accordance with Section 17.20.020 of the Streator Municipal Code; and

WHEREAS, the Plan Commission of the City of Streator has considered the Petition at a public hearing held on April 14, 2020, all public testimony, both written and oral, as well as the written review and report prepared by City staff.

NOW, THEREFORE, be it resolved by the Plan Commission of the City of Streator, LaSalle and Livingston Counties, Illinois, as follows herein.

Section 1: The petition by Llerrem, seeking a change in zoning and amendment to the district zoning map of the City of Streator for the subject property from an “AG” Agricultural zoning district to a “M-1” Light Manufacturing zoning district under

the provisions of Title 17 of the Streator Municipal Code for the property legally described above is hereby recommended for approval by the Plan Commission of the City Council of City of Streator.

Section 2: The Plan Commission of the City of Streator finds as follows below.

- a) The Petition is filed in accordance with the provisions of the City's Zoning Code as set forth in Title 17 of the Streator Municipal Code.
- b) Notice of the public hearing was provided to neighboring property owners as required by Section 17.20.20 of the Streator Municipal Code.
- c) The Petition was duly considered at a regular meeting of the Plan Commission held on April 14, 2020 and following a public hearing conducted pursuant to notice of public hearing published on March 19, 2020 in a newspaper of general circulation in the City of Streator as required by law.
- d) The Subject Property is vacant.
- e) On the east side, the subject property abuts land which is zoned M-2 Heavy Industrial. The Future Land Use Map contained in Streator's Comprehensive Plan shows the property classified for Industrial Use.
- f) The proposed use of the Subject Property is consistent with the existing contiguous and adjacent land uses.
- g) The proposed change in zoning from "AG" Agricultural to "M-1" Light Manufacturing zoning would constitute the highest and best use of the Subject Property and is consistent with the provisions of the City's Comprehensive Plan and/or comprehensive strategic plan of the City of Streator.
- h) That if site is not awarded a cannabis craft grower license from the State of Illinois within one year of City Council action on the petition, the zoning of the subject property shall revert back to "AG" Agricultural.

Section 3: This recommendation shall immediately be transmitted together with a copy of the minutes of the public hearing and the City staff report to the City Council for final review and approval.

Passed by the Plan Commission of the City of Streator, LaSalle and Livingston Counties, Illinois at a regular meeting thereof on **April 14, 2020** and approved by me as chairman on the same day.

Doug Patterson
Doug Patterson, Chairperson

RECORD OF THE VOTE	Yes	No	Abstain	Absent
Dean Chalkey	✓			
Harry Godfrey	✓			
Bob Gubbels	✓			
Jeff Hatzer				✓
Chairman Doug Patterson	✓			
Richard Pierce				✓
Jeanette Strabala				✓