

7/29/2014

59-R-14

A RESOLUTION

**Authorizing the City Manager to Execute Letters of Contingent Lease
Approval for City Owned Property Located at 1800 Maple Avenue**

WHEREAS, in August 2013, Illinois Governor Pat Quinn signed Public Act 098-0122 "*The Compassionate Use of Medical Cannabis Pilot Program Act*" (the "Act") into law with an effective date of January 1, 2014; and

WHEREAS, the statute allows for the establishment of medical cannabis dispensaries and cultivation centers and the prescribing of medical cannabis to patients throughout Illinois; and

WHEREAS, the Act mandates that medical cannabis dispensaries cannot be located within one thousand feet (1,000') of the lot line of any pre-existing Public Educational Institution, Private Educational Institution, Child Daycare Center, and/or Child Daycare Home. No Medical Cannabis Dispensary shall be located in any Dwelling Unit, Rooming Unit, or Residential District; and

WHEREAS, based on the aforementioned restrictions for medical cannabis dispensaries, there are limited locations in the City of Evanston that are permissible sites for a dispensary to be sited, including a commercial space within the City owned property at 1800 Maple Avenue (the "Subject Property"); and

WHEREAS, the City Council desires to release a letter of contingent lease approval to potential tenants that seek to explore lease of the Subject Property as a medical cannabis dispensary,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: The foregoing recitals are incorporated herein as findings of the City Council of the City of Evanston, Illinois.

SECTION 2: The resolution authorizes the City Manager to execute a letter to potential tenants regarding the Subject Property to express the City's willingness negotiate a lease agreement with the referenced party for the purpose of locating a medical cannabis dispensary if the party is selected as a state licensed medical cannabis dispensary. The letter to potential tenants is attached as Exhibit 1 and incorporated herein.

SECTION 3: This Resolution 59-R-14 shall be in full force and effect from and after its passage and approval in the manner provided by law.


Elizabeth B. Tisdahl, Mayor

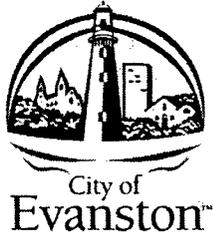
Attest:


Rodney Greene, City Clerk

Adopted: August 11, 2014

EXHIBIT 1

LETTER TO APPLICANTS FOR A MEDICAL CANNABIS DISPENSARY



August 15, 2014

To Medical Marijuana Dispensary Applicant:

This letter indicates the City of Evanston's interest and willingness to negotiate a lease for the 2,200 square foot space that is located in City-owned property located at 1800 Maple Avenue for use as a medical cannabis dispensary with your entity, if it is 1) to become a State of Illinois licensed medical cannabis dispensary and 2) the property is available for rent when that license is awarded.

The City Council of the City of Evanston adopted Resolution 59-R-14, "Authorizing the City Manager to Execute a Letter of Contingent Lease Approval for City-Owned Property located at 1800 Maple Avenue". This resolution is an attachment to this correspondence. At the time of this letter's drafting, the aforementioned City property is available for lease. This letter in no way binds the City to lease to the bearer of this letter, but rather provides indication that this property is available and that the City is willing to negotiate a lease for your proposed use at this location if your entity is to become a State of Illinois licensed medical cannabis dispensary.

The City does reserve the right to lease to another party or use if it is determined that it is in the best interests of the City to lease to that entity. This letter does not encumber the City to provide a right of first refusal if another entity is identified by the State of Illinois as a licensed medical cannabis dispensary and eligible to lease the space.

Similar to other tenants at the City of Evanston, this business would be subject to:

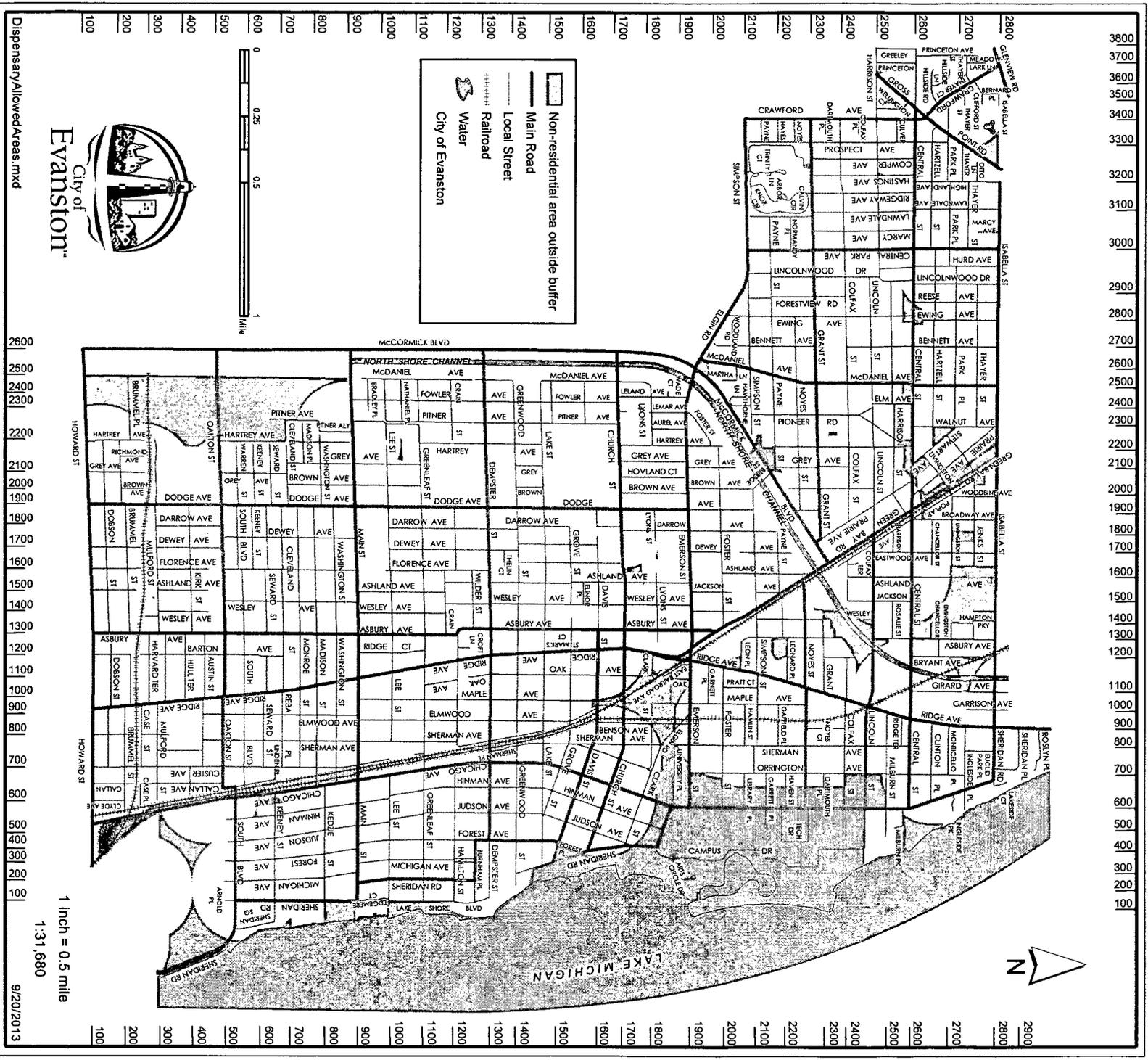
- Credit and background check;
- Demonstration of financial capacity to pay market level rent (market level rents are comparable rents to other downtown Evanston properties);
- Ability to provide sufficient capital to construct building improvements; and
- All other applicable local laws.

The City of Evanston is pleased that Evanston is among the locations you have considered. Good luck on your submission to the State of Illinois.

Sincerely,

Wally Bobkiewicz
City of Evanston

Areas within the City of Evanston zoned non-residential more than 1000' from schools and day care



This map is provided "as is" without warranties of any kind. See www.cityofevanston.org/mapdisclosures.html for more information.

