

**Return to:**

City Clerk  
116 E. Market Street  
Troy, Illinois 62294



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***Ordinance No. 2021 - 26***

An Ordinance Concerning Chapter 154 of the Troy Municipal Zoning Code (also known as the Troy Zoning Code) for the Purpose of Granting a Special Use on a Specific Parcel (i.e. Adult-use Cannabis Dispensary at 904 Edwardsville Road)

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ADOPTED BY THE CITY COUNCIL

OF THE CITY OF TROY, ILLINOIS

THIS FIRST DAY OF NOVEMBER, 2021

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***WHEREAS***, the City of Troy, County of Madison, State of Illinois, presently has in force the Troy Zoning Code, which is contained in Chapter 154 of the Troy Municipal Code, also known as Ordinance No. 2004-21, adopted August 2, 2004 and as amended from time to time; and

***WHEREAS***, Gregory Yurovsky, owner pending close of sale, is requesting a special use permit to operate an adult-use cannabis dispensary at 904 Edwardsville Road currently zoned C-3 Highway Commercial within the corporate limits; and

***WHEREAS***, notice of such petition and hearing has been given as required by law; and

***WHEREAS***, a hearing on such petition was held by the Planning Commission on October 21, 2021; and

***WHEREAS***, the Planning Commission considered the testimony and exhibits offered on behalf of the application and the standards for issuance as described in Section 154.141(E) of the City of Troy Zoning Code; and

***WHEREAS***, in accordance with Section 154.141(F) of the City of Troy Zoning Code, the Planning Commission has submitted their recommendation, including findings of fact, to the City Council that such petition for special use be granted with the stipulations as stated in Recommendation No. 2021-07PC; and

***WHEREAS***, the City Council finds that the requested special use is in the best interest of the City of Troy, Illinois.

***NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TROY, MADISON COUNTY, ILLINOIS AS FOLLOWS:***

**SECTION 1:** The recitals contained above in the preamble of this Ordinance are hereby incorporated by reference, the same as if set forth in this section of this Ordinance verbatim, as findings of the City Council of the City of Troy, Illinois.

**SECTION 2:** The City Council hereby grants a special use permit to operate an adult-use cannabis dispensary at 904 Edwardsville Road that is zoned C-3 Highway Commercial.

**SECTION 3:** The special use permit is not transferable to any other person or any other property.

SECTION 4: That all other provisions of said Chapter 154 shall remain unchanged and in full force and effect except as specifically amended by this ordinance.

SECTION 5: This Ordinance shall be effective upon its passage, signing, and publication as required by law.

***PASSED*** by the City Council of the City of Troy, Madison County, Illinois, approved by the Mayor, and deposited in the office of the City Clerk this first day of November, 2021.

Aldermen:

Dawson YES

Italiano NO

Total:

Flint YES

Knoll YES

6 Ayes

Hellrung YES

Manley NO

2 Nays

Henderson YES

Turner YES

0 Abstain

APPROVED BY:



David Nonn  
Mayor

ATTEST:



Kimberly Thomas, City Clerk

(SEAL)

RECOMMENDATION No. 2021 ~ 07PC

Of the Planning Commission of the City of Troy, Illinois Recommending/Not Recommending an Application for a Special Use Permit Requested By Gregory Yurovsky (i.e. to operate an adult-use cannabis dispensary at 904 Edwardsville Road)

WHEREAS, the Planning Commission met on October 21, 2021, to consider an application for a Special Use Permit filed by Gregory Yurovsky. A copy of the application and certification by the City Clerk regarding publication of the notice of hearing and notification to surrounding property owners are incorporated by reference; and

WHEREAS, this application applies to property commonly known as 904 Edwardsville Road with a permanent parcel identification number 09-2-22-06-04-401-009; and

WHEREAS, the Planning Commission considered the testimony and exhibits offered on behalf of the application; and the following citizens also testified regarding the application:

\_\_\_\_\_ ; and

WHEREAS, the Planning Commission, as per Section 154.141(E) Standards for Issuance and 154.141(F) Findings of Fact of the Zoning Ordinance of the City of Troy, Illinois, has attached as Exhibit A their findings to support this recommendation; and

WHEREAS, the Planning Commission voted as recorded below:

Table with 4 columns: Name, Vote, Name, Vote, Total. Rows include Adams, Boeren, Burnett, Lawrenz, Nehrt, Niermann, Reiter, Stone, Talbert, and Totals for Yeas and Nays.

NOW THEREFORE BE IT RECOMMENDED BY THE PLANNING COMMISSION AS FOLLOWS:

That the application to operate an adult-use cannabis dispensary at 904 Edwardsville Road

Is Not Recommended; Is Recommended with the following stipulations, if any, noted below:

- 1. AN ACCEPTABLE OUTCOME OF A TRAFFIC STUDY, 2. APPROVED PARKING PLAN AND RESTRICT THE LOT, 3. ENSURE THE ENTRANCE ELEMENTS OF BOTH ENTRANCES, 4. INSTALLATION OF A FENCE BETWEEN PROPERTIES

This special use permit IS / IS NOT transferable to any other person or any other property.

Copies of this recommendation are presented to the City Council; the original shall be filed with the Code Administrator.

Dated this 21th day of October, 2021.

By: [Signature] Chairman, Planning Commission

Attest: [Signature] Secretary, Planning Commission

# FINDINGS OF FACT

As per Section 154.141(F) Finding of Fact, Recommendation, the Planning Commission shall submit such recommendation, including the reason or reasons for the recommendation, in writing to the City Council; and, the recommendation so submitted, shall be accompanied by findings of fact referring to any exhibits containing plans and specifications for the proposed special use, copies of which shall remain a part of the permanent record of the Planning Commission, and specifying the following:

As per Section 154.141(E) Standards for Issuance, the Planning Commission shall not make a recommendation to the City Council to grant any special use permit unless, in each specific case, the Planning Commission has found that:	Findings:
a) The establishment, maintenance or operation of the special use will not be detrimental to or endanger the public's health, safety, morals, comfort or general welfare;	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
b) The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d) Adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided;	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
e) Adequate measures have been or will be taken to provide ingress and egress so designated as to minimize traffic congestions in the public streets;	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
f) Adequate measures have been taken or will be taken to protect any facilities near the proposed special use, such as a school or nursing home that may require special protection.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
g) The special use shall in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the City Council pursuant to the recommendation of the Planning Commission.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
h) The special use, as conditioned, is in keeping with the general purposes of the Zoning Ordinance and the Troy Comprehensive Plan.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

1. The extent to which the proposed special use departs from the zoning and subdivision regulations of the City;

See Stipulations

2. The conformance or nonconformance of the proposed special use with the Standards for Issuance section;

3. The relationship and the compatibility of the proposed special use to adjacent properties and neighborhoods;

Traffic flow and online Ordering Only  
No Dunkin Donuts Scenario

4. The effect of the proposed special use on the development pattern, tax base, and economic well being of the City.

Stan Adams  
Chairman, Planning Commission

Date

10/21/21

Charles Lawson  
Secretary, Planning Commission

Date

10/21/21

**APPLICATION FOR  
SPECIAL USE PERMIT**

1. Names of all owners:

Name: Gregory Yurovsky Phone: 847-922-6272

Address: 6 Rockgate Ln, Glencoe, IL 60022

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

2. Property Information:

Street address or location of property: 904 Edwardsville Rd

Present use(s) of property: Retail

Present zoning of property: C-3

3. Special Use Information:

a. Nature of request for special use: Adult-use cannabis dispensary

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. Applicant's interest in property: Under contract

c. Legal description and map, plat or site plan showing the location, entrances, exits, etc., of the requested special use must be attached to application. 55/162 PLAZA PART LOT 1 EXC R-O-W 51.42 X 173.69 IRREGULAR

d. Nature of the order or decision of the Code Enforcement Official: \_\_\_\_\_

N/A

e. The reason the applicant feels the special use permit should be granted: Proposed use is in accordance with overall intended use of property (consumer retail). The proposed use will not present any additional safety, health, or nuisance risks. Facility will generate no unusual odors.

Building & Zoning Dept.  
116 E. Market Street  
Troy, Illinois 62294


(618) 667-8734 ext. 4  
[buildingzoning@trovil.us](mailto:buildingzoning@trovil.us)  
[www.trovil.us](http://www.trovil.us)

- f. What effect will the proposed special use have on the value of the neighboring property? \_\_\_\_\_  
Existing building is 2/3 vacant. Applicant expects increased property value due to increased retail traffic and sales. \_\_\_\_\_  
Direct and indirect increase due
- g. What effect will the proposed special use have on the City's overall tax base? to special cannabis taxes
- h. What effect will the proposed special use have on public utilities and on traffic circulation on nearby streets?  
Proposed use does not use any unusual amounts of energy, water, or gas for a similarly sized retail facility. As building is already constructed for retail, applicant expects traffic to remain usual for a similar facility. Applicant will instruct on-site security officers to direct traffic in the event of any heavy-traffic at facility.

*In the consideration of the requested special use permit, the Planning Commission and City Council base their findings and decisions on the City of Troy Code of Ordinances ONLY. In the event the special use permit is granted by the City Council, the City of Troy does not warrant or guarantee that this special use permit will conform to any restrictions which may be described in the applicant's deed, lease or subdivision restrictions. The City of Troy may not have authority to grant special use permits for those restrictions, if they exist.*

I (We) hereby certify that all of the above information given herein and in the attachments hereto is true and correct to the best of my (our) knowledge.

Dated this 27 day of August, 2021.

  
Signature of Owner

Gregory Yurously  
Printed name of Owner

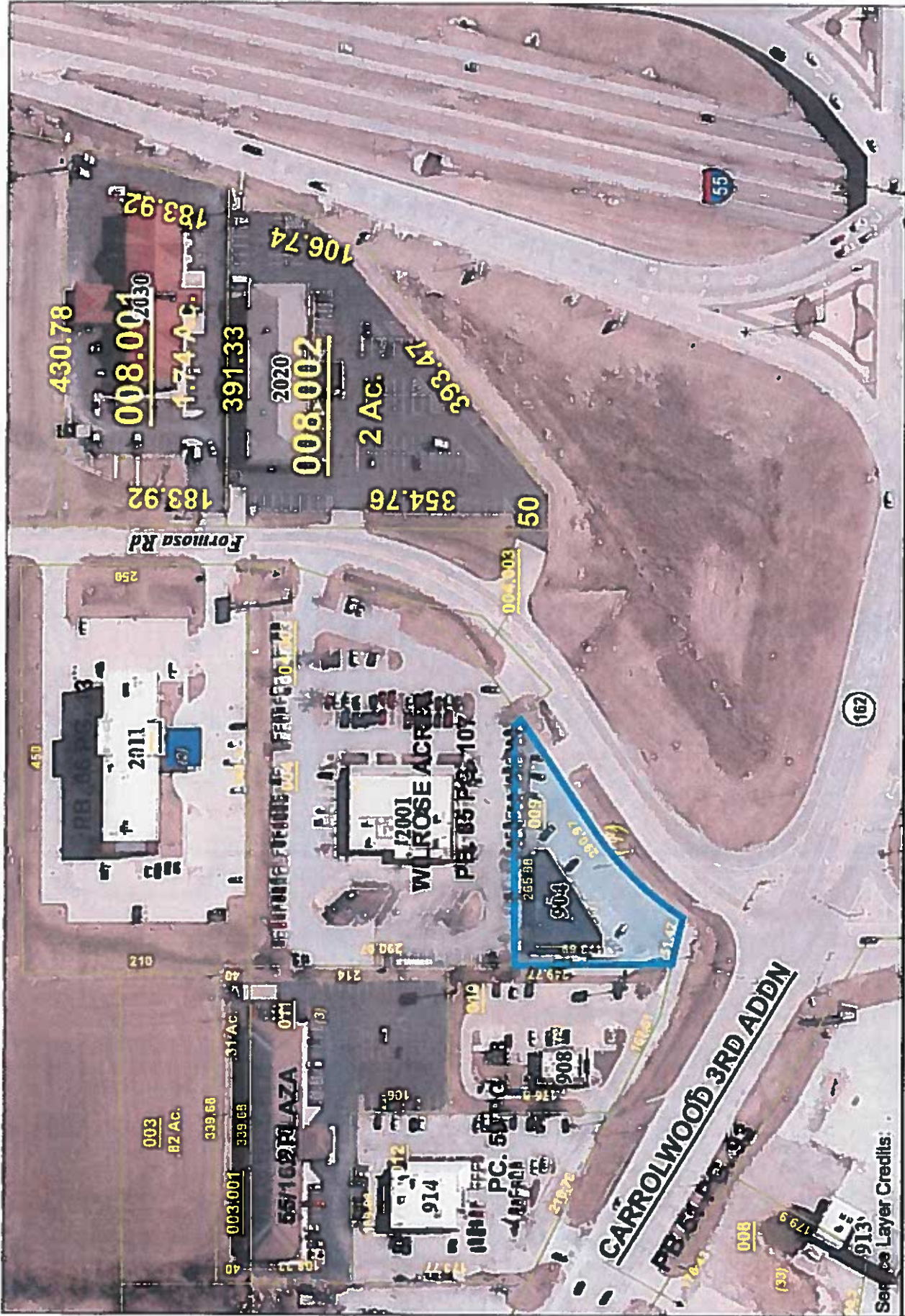
\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Printed name of Owner

Date submitted: 9/16/21 Hearing Deposit Paid \$300<sup>00</sup> Receipt #: 2531



# My Map



Date: 8/11/2021  
Time: 2:25:31 PM



Author: Madison County GIS  
Copyright: Madison County Government

Service Layer Credits:



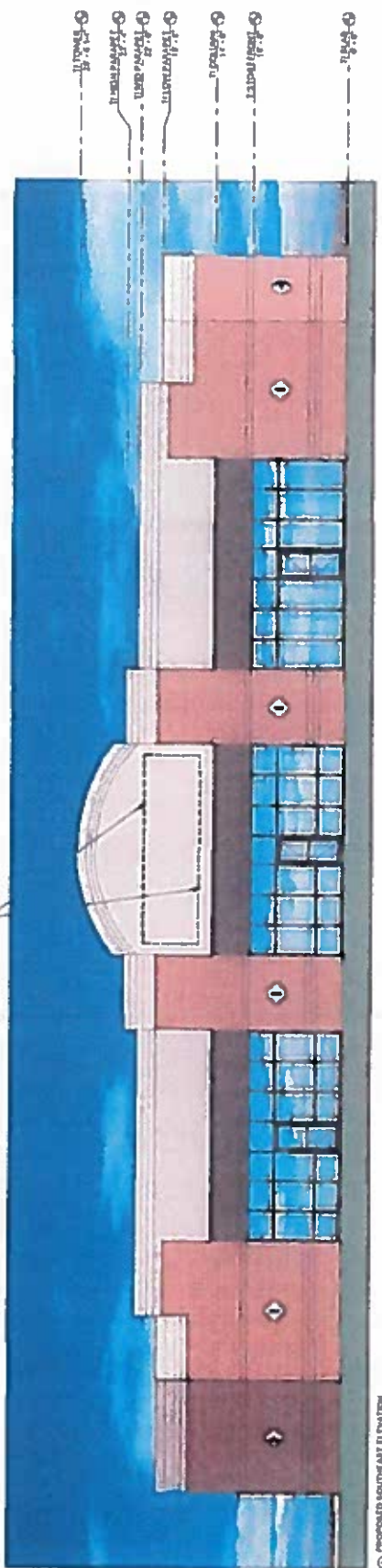




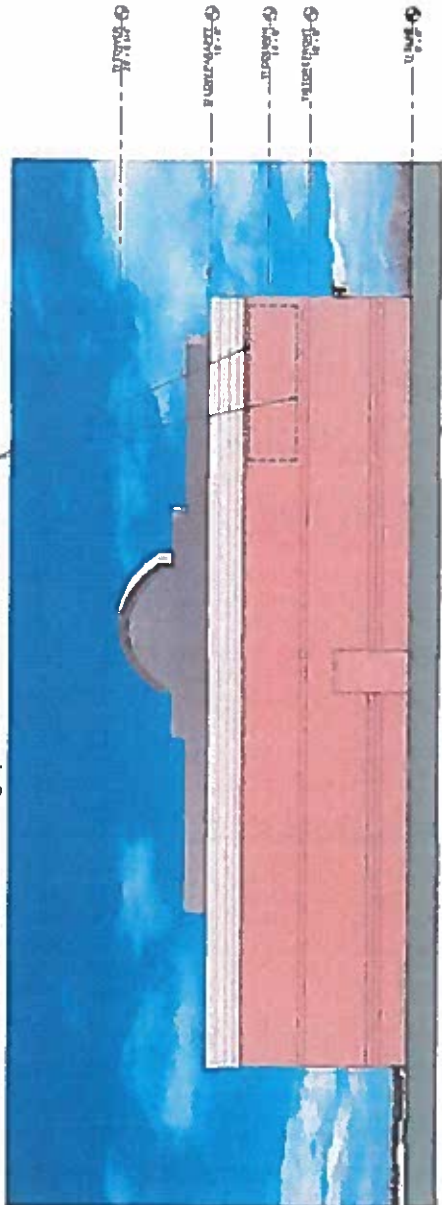




**FLUSH MOUNTED GRAPHICS BY TENANT** -Total square footage of flush-mounted graphics area shall not exceed 10% of the total square footage of the building face upon which placed.  
 building face this side = 2,567 SF \*0.10 = 256.70 SF of allowable flush-mounted graphics



**FLUSH MOUNTED GRAPHICS BY TENANT** -Total square footage of flush-mounted graphics area shall not exceed 10% of the total square footage of the building face upon which placed.  
 building face this side = 1,475 SF \*0.10 = 147.50 SF of allowable flush-mounted graphics



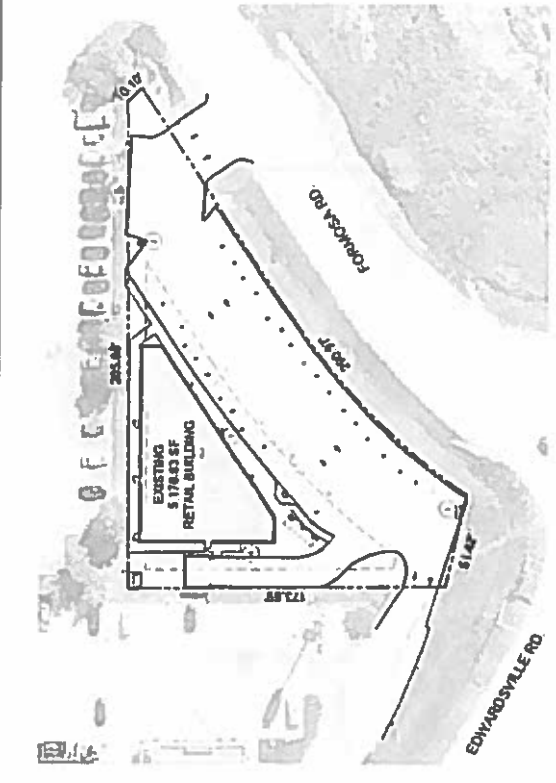
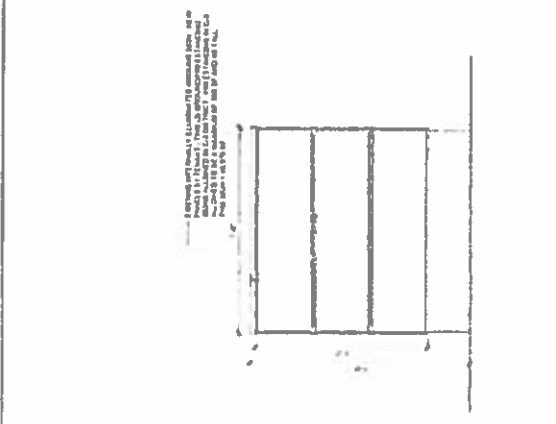
1. SIGNAGE

1. SIGNAGE



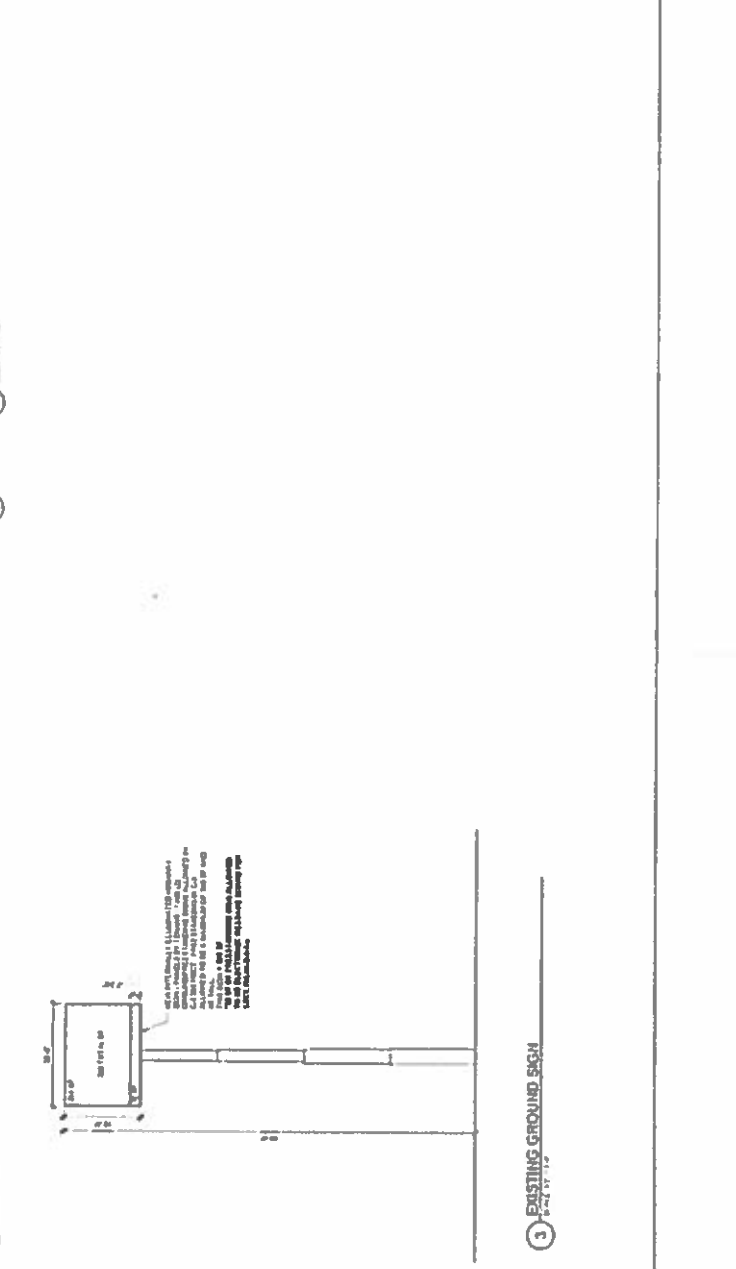
SIGNAGE INFORMATION	
<p>Material: 1/2" Aluminum                      Finish: White                      Dimensions: 12' x 12' x 12'</p>	<p>Quantity: 1                      Location: 12' x 12' x 12'</p>
<p>Notes:                      1. All signs shall be illuminated.                      2. All signs shall be weather resistant.                      3. All signs shall be maintained in good condition at all times.</p>	<p>Comments:                      1. All signs shall be illuminated.                      2. All signs shall be weather resistant.                      3. All signs shall be maintained in good condition at all times.</p>

SIGNAGE KEY	
1	EXISTING GROUND SIGN
2	EXISTING GROUND SIGN
3	EXISTING GROUND SIGN
4	EXISTING GROUND SIGN



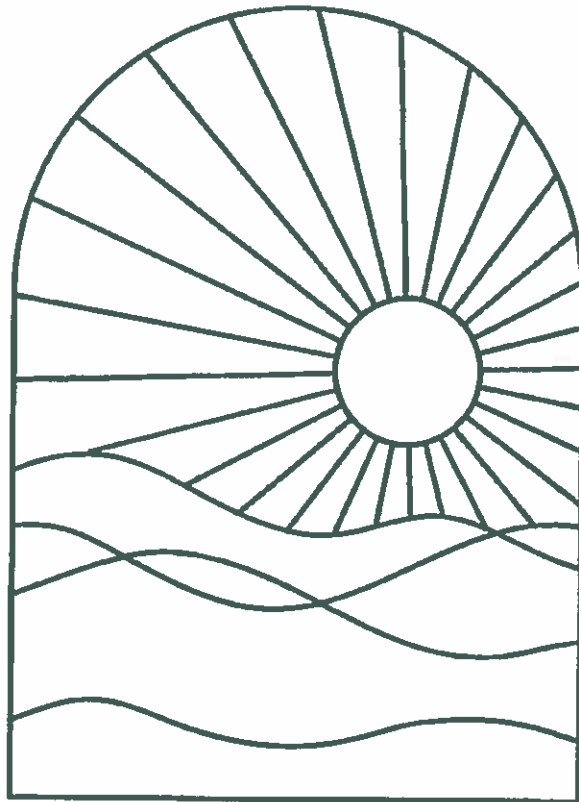
1 SIGNAGE PLAN  
 SCALE: 1" = 100'

2 EXISTING GROUND SIGN  
 SCALE: 1" = 100'



3 EXISTING GROUND SIGN  
 SCALE: 1" = 100'

BUSINESS PROPOSAL OVERVIEW



CTY ENTERPRISES LLC

Complete 39  
page document  
in file

KT

PREPARED FOR  
THE CITY OF TROY, ILLINOIS  
SEPTEMBER 22, 2021