

**ORDINANCE NO. 17,736**

**AN ORDINANCE APPROVING A SPECIAL USE IN A CLASS C-2 (LARGE SCALE COMMERCIAL) DISTRICT FOR ADULT USE CANNABIS DISPENSARY FOR THE PROPERTY LOCATED AT 3125 N UNIVERSITY STREET (PARCEL IDENTIFICATION NO. 14-29-376-021), PEORIA IL.**

WHEREAS, the property herein described is now zoned in a Class C-2 (Large Scale Commercial) District; and

WHEREAS, said Planning & Zoning Commission has been petitioned to approve an amendment to the Special Use for Adult Use Cannabis Dispensary under the provisions of Section 2.9 of Appendix A, the Unified Development Code of the City of Peoria; and

WHEREAS said Planning & Zoning Commission held a public hearing on December 5, 2019, pursuant to a notice of the time and place thereof in a newspaper of general circulation in the City of Peoria, not less than fifteen (15) days nor more than thirty (30) days prior to said hearing as required by law; and

WHEREAS, said Planning & Zoning Commission has submitted its report of said hearing and the City Council finds that to permit such special use will not adversely affect the character of the neighborhood, and will not unduly burden the public utility facilities in the neighborhood;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS, AS FOLLOWS:

Section 1. That an amendment to an existing Special Use for Adult Use Cannabis Dispensary for the following described property:

From Special Warranty Deed Recorded May 12, 2014 as Doc. No. 2014-008813

A part of the Southwest Quarter of Section 29, Township 9 North, Range 8 East of the Fourth Principal Meridian, More particularly bounded and described as follows: Beginning at the Southeast corner of said Southwest Quarter in the intersection of West Forrest Hill Avenue with North University Street, running thence North along the said Quarter Section line, a distance of 225 feet to a point, which is the place of beginning of the tract to be described; thence running Westerly parallel with the South line of said Quarter Section along the Northerly line of the premises now owned by the University National Bank, a distance of 260 feet; thence parallel with the East line of said Quarter Section line Southerly along the Westerly line of said premises owned by said University National Bank, a distance of 225 feet to the South line of said Section 29 in West Forrest Hill Avenue; thence West along said Section line in West Forrest Hill Avenue, a distance of 40 feet; thence Northerly and parallel with the Easterly line of said Quarter Section line, a distance of 460 feet; thence Easterly and parallel with the South line of said Quarter Section line, a distance of 300 feet, more or less, to the center Section line in North University Street; thence Southerly along said Quarter Section line, a distance of 235 feet to the place of beginning, EXCEPT therefrom that portion of the premises in question conveyed to the State of Illinois, for the use of the Department of Public Works and Buildings, by the Deeds recorded May 15, 1962, in Book 1230, Page 674, and in Book 1230, Page 675, situated in Peoria County, Illinois.

Engineer's Note: Property is also subject to right of way of University Street and Forrest Hill Avenue along the east and west sides of the above described property, including that portion of the above described property conveyed to the City of Peoria in Dedication Deed recorded July 21, 2000 as Document No. 2000-023060.

Said Ordinance is hereby approved per the submitted Site Plan (Attachment A) with the following conditions:

1. Replace R7-8 sign for each of the two existing accessible parking spaces.

2. Any unscreened refuse dumpsters must be screened pursuant to City Code Chapter 13, Section 40.b.
3. Landscaping shall meet alternative landscaping provisions.

Section 2. All provisions of Appendix A, the Unified Development Code of the City of Peoria, with respect to the Class C-2 (Large Scale Commercial) District shall remain applicable to the above-described premises, with exception to the Special Use herein permitted.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval according to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS THIS

10TH DAY DECEMBER, 2019.

APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

  
  
\_\_\_\_\_  
City Clerk

EXAMINED AND APPROVED:

  
\_\_\_\_\_  
Corporation Counsel



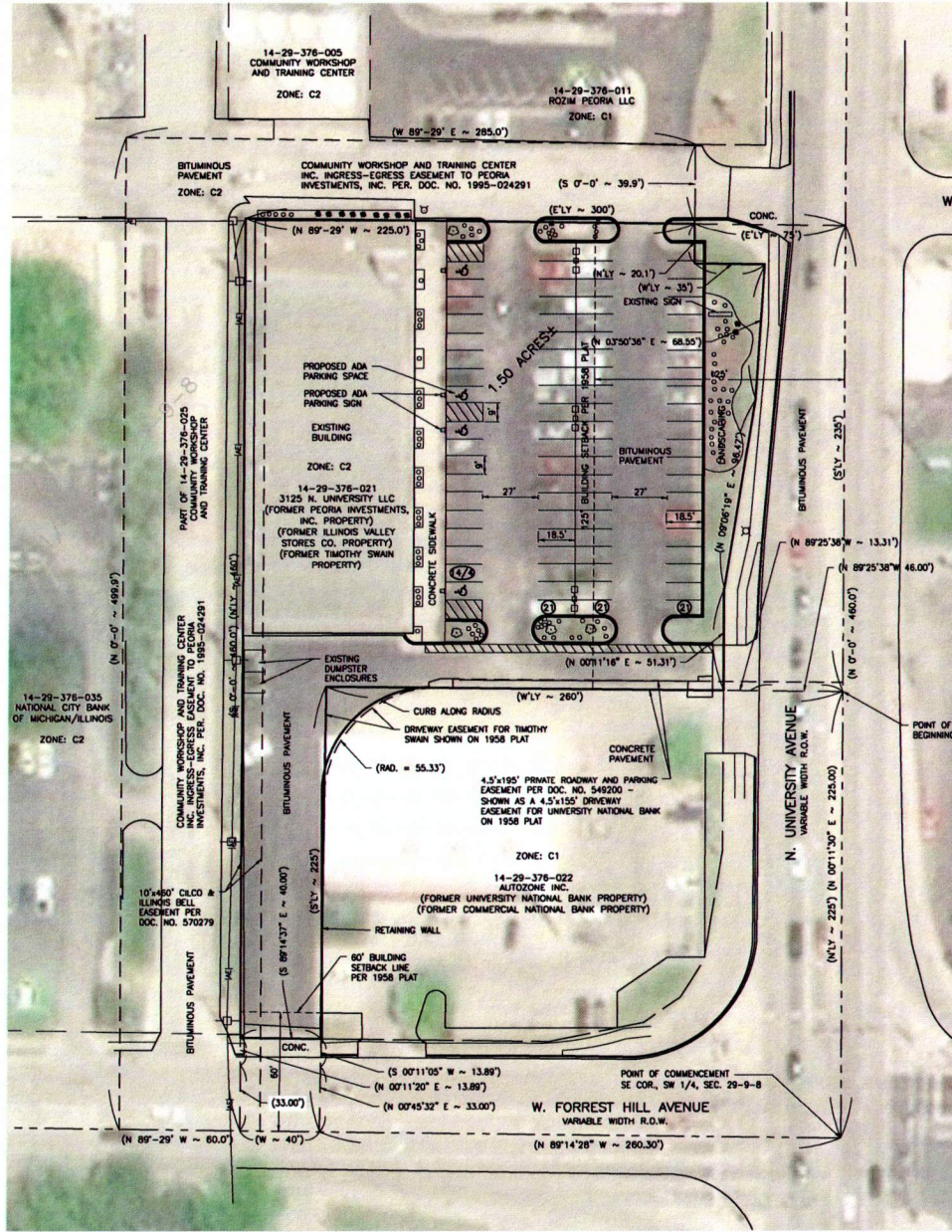
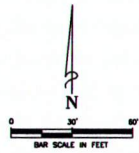
Attachment A to Ordinance

**LEGEND**

- SECTION LINE
- DEED LINE OR PARCEL LINE
- RIGHT OF WAY LINE
- EASEMENT LINE
- (AE) AERIAL ELECTRIC LINE
- ⊕ FIRE HYDRANT
- ⊕ LIGHT POLE
- ⊕ POWER POLE

**PARKING SPACES**

REGULAR	77
ADA	4



W. HUDSON STREET

- NOTES:**
- ALL ITEMS SHOWN ON THIS DRAWING ARE BASED ON RECORD DOCUMENTS, INFORMATION FROM PEORIA COUNTY GIS WEBSITE AND AERIAL PHOTOGRAPHS. NO BOUNDARY OR TOPOGRAPHIC SURVEY WAS PERFORMED.
  - OWNER, 3125 N. UNIVERSITY LLC PER SPECIAL WARRANTY DEED RECORDED MAY 12, 2014 AS DOCUMENT NO. 2014-008813.
  - CORPORATE WARRANTY DEED RECORDED DEC. 1, 1992 AS DOCUMENT NO. 1992-035913 (AUTOZONE, INC.) MENTIONS THAT THE AUTOZONE, INC. PROPERTY IS "SUBJECT TO A DRIVEWAY EASEMENT FOR THE BENEFIT OF THE PROPERTY TO THE NORTH OVER AND ACROSS THE PREMISES IN QUESTION AS SHOWN ON THE SURVEY BY CONSOLIDATED LAND SURVEYING, INC., DATED MAY 1, 1992 AND AS CREATED BY GRANT FROM COMMERCIAL NATIONAL BANK OF PEORIA AND UNIVERSITY NATIONAL BANK TO ILLINOIS VALLEY STORES, CO., DATED FEBRUARY 9, 1955." THE SURVEY AND GRANT DOCUMENT WERE NOT FOUND IN THE PEORIA COUNTY RECORDER'S OFFICE IN A SEARCH BY MAURER-STUTZ, INC.
  - INGRESS-EGRESS EASEMENT BENEFITING THE 3125 N. UNIVERSITY LLC PROPERTY WAS RECORDED OCTOBER 2, 1995 AS DOCUMENT NO. 1995-024291.
  - SUBJECT TO SETBACK ENCROACHMENT AGREEMENT RECORDED NOV. 28, 1995 AS DOCUMENT NO. 1995-030189.
  - SUBJECT TO SETBACK ENCROACHMENT AGREEMENT RECORDED FEB. 15, 1996 AS DOCUMENT NO. 1996-004240. (RE: FREE-STANDING SIGN ON FORREST HILL ELEV.)
  - RIGHT OF WAY FOR UNIVERSITY STREET PER WARRANTY DEED RECORDED MAY 15, 1962 IN BOOK 1230, PAGE 675 AS DOCUMENT NO. 1962-005995 AND QUIT CLAIM DEED RECORDED MAY 15, 1962 IN BOOK 1230, PAGE 674 AS DOCUMENT NO. 1962-005994.
  - RIGHT OF WAY FOR FORREST HILL AVENUE AND UNIVERSITY STREET PER DEED RECORDED JULY 21, 2000 AS DOCUMENT NO. 2000-023060.
  - SUBJECT TO NON-EXCLUSIVE EASEMENT FOR PRIVATE ROADWAY AND PARKING PURPOSES RECORDED APRIL 27, 1955 IN BOOK 1006, PAGE 248 AS DOCUMENT NO. 549200.
  - SUBJECT TO RIGHT OF WAY FOR ELECTRIC AND TELEPHONE UTILITIES RECORDED APRIL 13, 1956 IN BOOK 1046, PAGE 201 AS DOCUMENT NO. 570279.
  - A SURVEY PLAT BY HORTON ENGINEERING CO. SHOWING BUILDING SETBACK LINES AND DRIVEWAY EASEMENTS FOR TIMOTHY SWAN AND UNIVERSITY NATIONAL BANK IS INCLUDED IN LEASE AGREEMENT RECORDED OCTOBER 31, 1956 IN BOOK 1131, PAGE 633 AS DOCUMENT NO. 617448.

**LEGAL DESCRIPTION**

From Special Warranty Deed Recorded May 12, 2014 as Doc. No. 2014-008813

A part of the Southwest Quarter of Section 29, Township 9 North, Range 8 East of the Fourth Principal Meridian, More particularly bounded and described as follows: Beginning at the Southeast corner of said Southwest Quarter in the intersection of West Forrest Hill Avenue with North University Street, running thence North along the said Quarter Section line, a distance of 225 feet to a point, which is the place of beginning of the tract to be described; thence running Westery parallel with the South line of said Quarter Section along the Northerly line of the premises now owned by the University National Bank, a distance of 260 feet; thence parallel with the East line of said Quarter Section line Southerly along the Westery line of said premises owned by said University National Bank, a distance of 225 feet to the South line of said Section 29 in West Forrest Hill Avenue; thence West along said Section line in West Forrest Hill Avenue, a distance of 40 feet; thence Northerly and parallel with the Easterly line of said Quarter Section line, a distance of 480 feet; thence Easterly and parallel with the South line of said Quarter Section line, a distance of 300 feet, more or less, to the center Section line in North University Street; thence Southerly along said Quarter Section line, a distance of 235 feet to the place of beginning, EXCEPT therefrom that portion of the premises in question conveyed to the State of Illinois, for the use of the Department of Public Works and Buildings, by the Deeds recorded May 15, 1962, in Book 1230, Page 674, and in Book 1230, Page 675, situated in Peoria County, Illinois.

Engineer's Note: Property is also subject to right of way of University Street and Forrest Hill Avenue along the east and west sides of the above described property, including that portion of the above described property conveyed to the City of Peoria in Dedication Deed recorded July 21, 2000 as Document No. 2000-023060.

**MAURER-STUTZ ENGINEERS-SURVEYORS**

3125 N. UNIVERSITY STREET  
PEORIA, ILLINOIS 61614  
TEL: 309.674.1111 FAX: 309.674.1112  
WWW.MAURER-STUTZ.COM

**SITE PLAN**

3125 N. UNIVERSITY STREET  
SPECIAL USE REQUEST

Scale: 1" = 40'

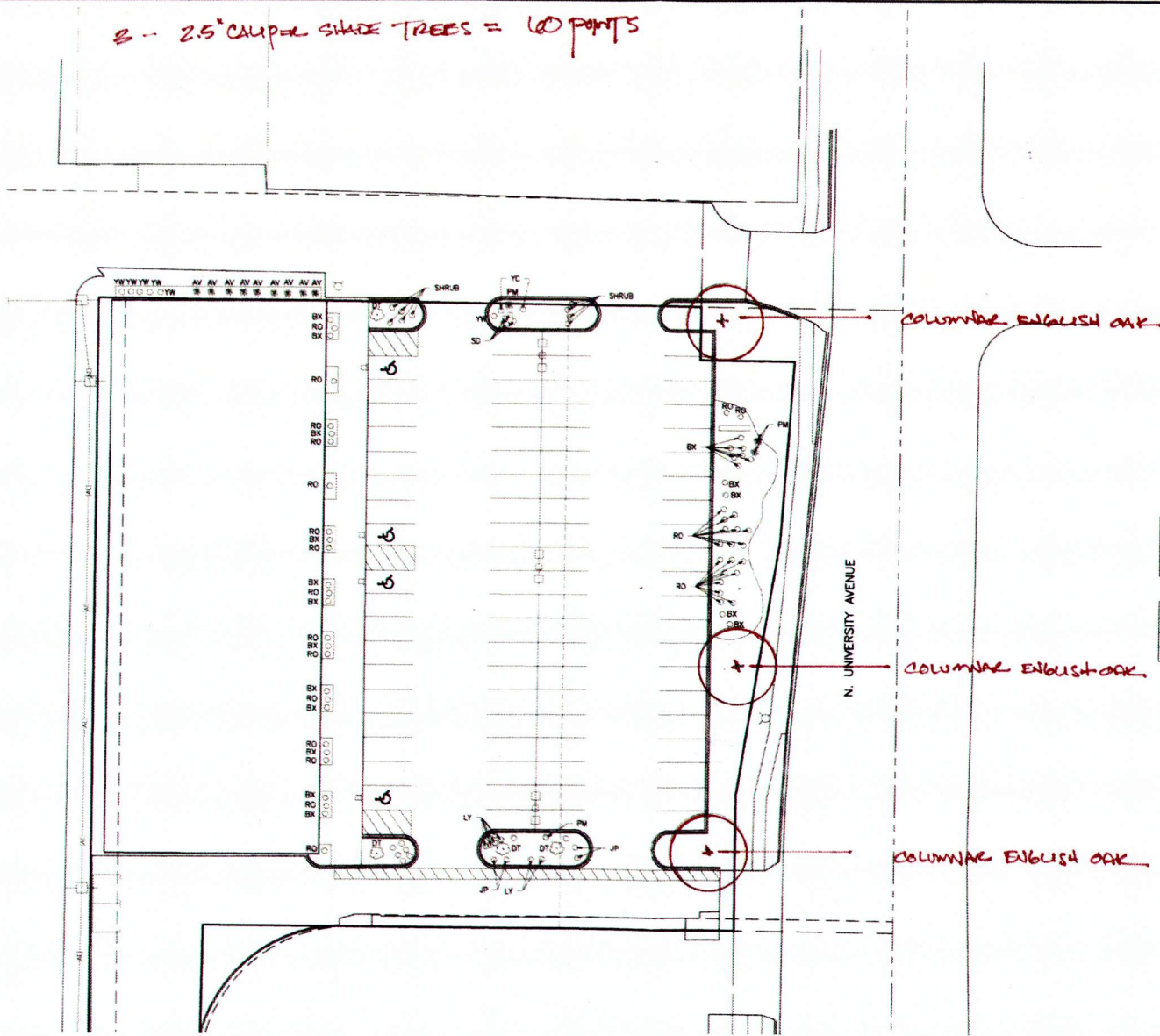
Designed By: KJP  
Drawn By: KDR  
Reviewed By: KJP  
Date: 12 October 2019  
Project No: 2319013.00  
Drawing: 1

1 OF 3



Attachment A to Ordinance

2 - 2.5" CALIPER SHADE TREES = 60 POINTS



LEGEND (EXISTING)

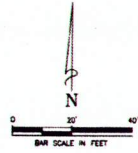
AV	ARBORVITAE (THUJA OCCIDENTALIS)
RO	ROSE (ROSA)
LY	LILY (LILUM)
BX	BOXWOOD (BUXUS)
YW	YEW (TAXUS)
JP	JUNIPER SHRUB (JUNIPERUS)
YC	YUCCA (YUCCA)
FM	PINE MUGO (PINUS MUGO)
SO	SEDUM
DT	DECIDUOUS TREE

LANDSCAPE REQUIREMENTS

	TREE POINTS	SHRUB POINTS
FRONT YARD	60	60
PARKING LOT		81

EXISTING LANDSCAPING

	TREE POINTS	SHRUB POINTS
FRONT YARD	0	111
PARKING LOT		219



DATE	
BY	
CHKD	
APP'D	

**MAURER-STUTZ**  
ENGINEERS SURVEYORS  
1000 N. UNIVERSITY STREET, SUITE 200, CHICAGO, ILLINOIS 60611  
TEL: 312.467.1100 FAX: 312.467.1101  
WWW.MAURER-STUTZ.COM

LANDSCAPE PLAN  
3125 N. UNIVERSITY STREET  
SPECIAL USE REQUEST

3125 N. UNIVERSITY LLC

Designed By: [Signature]  
Drawn By: [Signature]  
Reviewed By: [Signature]  
Date: 12 October 2019  
Project No: [Number]

