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Troy, Illinois 62294



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2014R19282
STATE OF ILLINOIS
MADISON COUNTY
06/24/2014 4:06 PM
AMY M. MEYER, RECORDER
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29.00 CTY

Ordinance No. 2014 - 11

AN ORDINANCE Amending Ordinance 2004-21 of the Troy
Municipal Code Also Known as the Troy Zoning Ordinance
For the Purpose Of Rezoning Certain Property
(Namely, 2011 Formosa Road, from R-1 Single-family
Residential to C-3 Highway Commercial)

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

Whereas, the Hotel Ventures Management of Illinois, Inc. (hereinafter "Applicant") has filed an application for the rezoning of certain property as described in Exhibit A; and

Whereas, the map attached hereto as Exhibit B is an accurate map of the property so sought to be rezoned and such rezoning shall be in accordance with the boundaries indicated on the map; and

Whereas, the City Planning Commission has complied with the provisions of 65 ILCS 5/11-13-14 and Article 8, Section 8-4 of the Troy Zoning Ordinance regarding amendments of regulations and zoning districts by holding a public hearing on June 12, 2014 to consider the request for the rezoning of this property, pursuant to notice as required by Statute; and

Whereas, as a result of said hearing, the Planning Commission has submitted Recommendation No. 2014-03PC to the City Council confirming that it approves the request for rezoning; and

Whereas, the City Council has considered the recommendation of the Planning Commission and has determined that it is in the best interest of the public health, safety and welfare, and in compliance with the powers conferred upon the City and the objectives and purposes set out in 65 ILCS 5/11-13-1, to adopt an amendment to the Troy Zoning Ordinance for the purpose of rezoning the above referenced property in accordance with Exhibits A and B attached hereto.

Now, Therefore, Be It Ordained By the Mayor and the City Council of the City Of Troy, Madison County, Illinois As Follows:

SECTION 1: Ordinance 2004-21 of the City of Troy, as amended from time to time and commonly known as the Troy Zoning Ordinance, is hereby amended to change the zoning classification of the properties as described in Exhibit A and in accordance with the map attached hereto as Exhibit B.

SECTION 2: That all other provisions of said Ordinance 2004-21 shall remain unchanged and in full force and effect except as specifically amended by this ordinance.

SECTION 3: If a court of competent jurisdiction declares any provision of this Ordinance unconstitutional or invalid, that decision shall not affect the validity of the remainder of this Ordinance.

SECTION 4: 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 sixteenth day of June, 2014.

Aldermen:

DeCarli Aye
Evans Aye
Greenfield Aye
Hendrickson Aye

Italiano Aye
Jackson Aye
Lanahan Aye
Partney Absent

Total:
7 Ayes
0 Nays

APPROVED BY:

Allen P. Adomite
Mayor, City of Troy, Illinois

ATTEST:

Jamie Myers, City Clerk

(SEAL)

FINDINGS OF FACT

As per Section 8-4.4 Recommendation/Findings of Fact, the Planning Commission shall not recommend the adoption of any amendment unless they find that such amendment is in the public interest and not merely for the benefit of the party proposing it. Where the effect of a proposed amendment is to alter district boundaries or to change the status (permitted, special or prohibited) of any use, the Planning Commission shall make findings regarding all of the following matters:

a) Existing uses of property in the vicinity of the property in question:

C-3 to ~~east~~^{west} and south, County zoning "A" to the North (Restaurant & Hotels)

b) The district classification of property in the vicinity of the property in question:

C-3

c) The suitability of the property in question for uses already permitted under the existing district classification:

NA - Newly Annexed to City

d) The trend of development in the vicinity of the property in question, including changes (if any) which may have taken place since that property was placed in its present district classification:

Commercial

e) Whether the proposed amendment is in the public interest and not merely for the benefit of the party proposing it.

City will benefit by tourist spending time & money in the City of Troy

Chairman, Planning Commission

Date

Secretary, Planning Commission

Date

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