

Return to:

City Clerk
116 E. Market Street
Troy, Illinois 62294



Ordinance No. 2021 - 27

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. Truck Light-maintenance Facility at 820 Edwardsville Road)

ADOPTED BY THE CITY COUNCIL

OF THE CITY OF TROY, ILLINOIS

THIS FIRST DAY OF NOVEMBER, 2021

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, Pilot Travel Centers LLC, owner, is requesting a special use permit to lease land to construct and operate a Southern Tire Mart light-maintenance (oil change, tire repair, etc.) facility on the west side of their lot behind the existing Pilot Travel Center at 820 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, if any, as stated in Recommendation No. 2021-08PC; 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 lease land to construct and operate a Southern Tire Mart light-maintenance (oil change, tire repair, etc.) facility on the west side of their lot behind the existing Pilot Travel Center at 820 Edwardsville Road that is zoned C-3 Highway Commercial.

SECTION 3: The special use permit is transferable to successive owners of the 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 YES

Total:

Flint YES

Knoll YES

8 Ayes

Hellrung YES

Manley YES

0 Nays

Henderson YES

Turner YES

0 Abstain

APPROVED BY:



David Nonn, Mayor

ATTEST:



Kimberly Thomas, City Clerk

(SEAL)

RECOMMENDATION No. 2021 ~ 08PC

Of the Planning Commission of the City of Troy, Illinois Recommending/Not Recommending an Application for a Special Use Permit Requested By Pilot Travel Centers LLC (i.e. to construct a truck maintenance facility on the west side of their lot behind the existing Travel Center at 820 Edwardsville Road)

WHEREAS, the Planning Commission met on October 21, 2021, to consider an application for a Special Use Permit filed by Pilot Travel Centers LLC. 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 820 Edwardsville Road with a permanent parcel identification number: No. 09-1-22-08-00-000-001; 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, Name, Vote, Total. Rows include Adams (YES), Boeren (ABSENT), Burnett (YES), Lawrenz (YES), Nehrt (YES), Niermann (ABSENT), Reiter (ABSENT), Stone (YES), Talbert (YES), Total: 6 Yeas, 0 Nays.

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

That the application to construct a truck maintenance facility on the west side of their lot behind the existing Travel Center at 820 Edwardsville Road to be leased and operated by Southern Tire Mart.

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

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 type="checkbox"/> No <input checked="" 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 type="checkbox"/> No <input checked="" 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 type="checkbox"/> No <input checked="" 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 type="checkbox"/> No <input checked="" 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 type="checkbox"/> No <input checked="" 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;

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;

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


10/21/21

10/21/21
 Chairman, Planning Commission Date Secretary, Planning Commission Date



APPLICATION FOR SPECIAL USE PERMIT

1. Names of all owners:

Name: Pilot Travel Centers LLC (care of Brad Alsup) Phone: 865-474-2417

Address: 5508 Lonas Drive Knoxville, TN 37909

Name: Phone :

Address:

2. Property Information:

Street address or location of property: 820 Edwardsville Rd, Troy, IL 62294

Present use(s) of property: Truck stop/gas station

Present zoning of property: C-3 Highway Commercial

3. Special Use information:

a. Nature of request for special use: Request for Special Use Permit for an addition to the parcel. Travel Center Realty will lease land from Pilot to develop a light truck maintenance facility (oil change, tire repair, etc.). No additional truck traffic should come to the site. Business will appeal to existing customers of the Pilot.

b. Applicant's interest in property: Leased area to develop a Southern Tire Mart

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.

d. Nature of the order or decision of the Code Enforcement Official: SUP Required

e. The reason the applicant feels the special use permit should be granted: Proposed development is complimentary to the existing Pilot store and offers customers added services in line with existing land use.

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

(618) 667-8734 ext. 4
buildingzoning@troyil.us
www.troyil.us

- f. What effect will the proposed special use have on the value of the neighboring property? None, this facility will service existing Pilot customers and will not impact adjacent properties.
- g. What effect will the proposed special use have on the City's overall tax base? +/- 8 to 10 jobs created additional tax revenue for the city
- h. What effect will the proposed special use have on public utilities and on traffic circulation on nearby streets?
None; the facility was planned to fit with existing on-site circulation and will not generate additional traffic. This development will have its own new utility connections but the sanitary and water utilities. The development will have an oil/water separator for any automotive sanitary

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 22nd day of September, 2021.



Signature of Owner

Brad Atsup, Director of Construction Development

Printed name of Owner

Signature of Owner

Printed name of Owner

Date submitted: 9/30/21

Hearing Deposit Paid: \$300⁰⁰

Receipt #: 2554