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Prepared By  
Return to:

City Clerk  
116 E. Market Street  
Troy, Illinois 62294

2023R10735  
STATE OF ILLINOIS  
MADISON COUNTY  
04/26/2023 09:29 AM  
LINDA A. ANDREAS  
CLERK & RECORDER  
REC FEE: 50.00  
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# OF PAGES: 3



\$50<sup>00</sup> CTY

## Ordinance No. 2023 - 17

AN ORDINANCE Approving an Amendment to the Official Zoning Map  
Changing the Zoning Designation of Real Estate  
Owned by Belle Rose Manor LLC from C-2 General Commercial  
to PD-R Planned Development-Residential  
(i.e. Belle Rose Manor, a multi-family development on W. Center Street)

*Whereas*, Belle Rose Manor LLC (hereinafter "Applicant") has filed an application for a Planned Development-Residential (PD-R) and associated rezoning of a 3.45 acre site consisting of 11 townhomes at 120 W. Center Street as described in the attachment; and

*Whereas*, the attached map is an accurate map of the development 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 Sections 154.140-154.143 of the Troy Municipal Ordinances regarding amendments of regulations and zoning districts by holding a public hearing on March 9, 2023 to consider the request for the rezoning of the development and the associated preliminary development plan, pursuant to notice as required by Statute; and

*Whereas*, as a result of said hearing, the Planning Commission has submitted Recommendation No. 2023-07PC to the City Council confirming that it recommends the request for the PD-R and associated rezoning; and

*Whereas*, the City Council, in compliance with Section 154.064(L), adopted Resolution 2023-20 approving the amended preliminary development plan and authorizing the applicant to proceed with the preparation of the final development plan; 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 Official Zoning Map of the City of Troy for the purpose of rezoning the above referenced property.

*Now, Therefore*, be it ordained by the Mayor and the City Council of the City of Troy, Madison County, Illinois as follows:

**SECTION 1:** The City Council hereby accepts the Planning Commission's recommendation No. 2023-07PC to approve the requested zoning map amendment.

**SECTION 2:** The City Council agrees to waive the minimum Planned Development district size of five acres determining such waiver to be in the general public interest.

**SECTION 3:** The City Council hereby approves the requested zoning map amendment to change the zoning designation of the subject property, as depicted in Exhibits A and B attached hereto, from C-2 General Commercial to PD-R Planned Development-Residential and that any stipulations as noted on the Planning Commission's Recommendation 2023-07PC shall be in full force and effect.

**SECTION 4:** The Planning Commission's Recommendation 2023-07PC is based on the proposed alternate plan noting one less building (Building #7 at the south end of the development) and stipulates that Belle Rose Manor LLC endeavor to work in good faith on the traffic concerns at the corner of Washington Street and W. Center Street.

**SECTION 5:** The attached alternate preliminary development plan marked as Addendum 1 is referenced as the "preliminary development plan" (see Resolution 2023-20.)

**SECTION 6:** All conditions imposed as a part of any planned development shall run with the land and shall not lapse or be waived as a result of a subsequent change in ownership of any or all of the area.

**SECTION 7:** Approval of the preliminary development plan by the City Council is merely an authorization to proceed with the preparation of the final development plan.

**SECTION 8:** 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 twentieth day of March, 2023.

**Aldermen:**

Dawson AYE

Italiano AYE

**Total:**

Flint NAY

Knoll AYE

6 Ayes

Hellrung AYE

Manley AYE

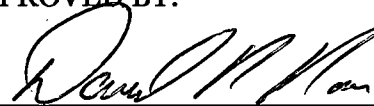
2 Nays

Henderson AYE

Turner NAY

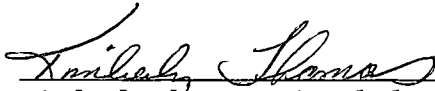
0 Abstains

APPROVED BY:



David Nonn, Mayor

ATTEST:

  
Kimberly Thomas, City Clerk

**END OF DOCUMENT**