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2023R25474
STATE OF ILLINOIS
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Ordinance No. 2023 – 51

AN ORDINANCE Approving an Amendment to the Official Zoning Map
Changing the Zoning Designation of Real Estate
Owned by Shadow Wood Development LLC from R-1 Single-family
Residential to PD-R Planned Development-Residential
(i.e. Shadow Wood Phase 3 – 72 single-family and 5 common area lots
on 29± acres southwest of Shadow Wood Subdivision)

Whereas, Shadow Wood Development LLC (hereinafter “Applicant”) has filed an application for a Planned Development-Residential (PD-R), consisting of 72 single-family and 5 common area lots on 29± acres southwest of Shadow Wood Subdivision 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

DR

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 September 14, 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. 2023-13PC to the City Council confirming 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 2023-36 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. 2023-13PC to approve the requested zoning map amendment.

SECTION 2: The City Council hereby approves the requested zoning map amendment to change the zoning designation of the subject property, as depicted in Exhibit A attached hereto, from R-1 Single-family Residential to PD-R Planned Development-Residential and that any stipulations as noted on the Planning Commission's Recommendation 2023-13PC shall be in full force and effect.

SECTION 3: The attached development plan marked as Addendum 1 is referenced as the "preliminary development plan" (see Resolution 2023-36.)

SECTION 4: 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 5: 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 6: 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, Illinois, approved by the Mayor, and deposited in the office of the City Clerk this eighteenth day of September, 2023.

Aldermen:

Dawson AYE

Flint ABSENT

Hellrung AYE

Henderson AYE

Italiano AYE

Knoll AYE

Manley ABSENT

Turner AYE

Total:

6 Ayes

0 Nays

0 Abstains



APPROVED:



David Nonn, Mayor

ATTEST:



Kimberly Thomas, City Clerk

City of Troy

RECOMMENDATION NO. 2023 ~ 13PC

**Of the Planning Commission of the City of Troy, Illinois
Regarding the Review of a Preliminary Development Plan and Associated Rezoning
(i.e. Shadow Wood Phase 3)**

Name of Subdivision: Shadow Wood Phase 3 Subdivider/Developer: Shadow Wood Development LLC

Location of Property: 72 single-family and 5 common area lots on 29± acres southwest of Shadow Wood Subdivision

The Planning Commission met on September 14, 2023 to consider the above referenced preliminary development plan. Copies of the supporting documents are incorporated by reference.

This application applies to property commonly known as Shadow Wood Phase 3 with PIN 09-1-22-14-00-000-001; See Planned Development Application and Preliminary Plat

The Planning Commission has reviewed the preliminary development plan and associated rezoning for compliance with the provisions of Chapter 153 Subdivision Code and Chapter 154 Zoning Code and voted as recorded below:

Adams Y
Bogue Y
Compton Y
Curtis Y
Lawrenz Y

Lybarger Y
Reiter Y
Stone Abstain
Talbert Y

Total:
8 Yeas
0 Nays
1 Abstains

The preliminary development plan:

Is approved with the following stipulations, if noted: Preliminary plat plan to clearly delineate the 30' buffer at the property lines long with details and etow

Is Not approved

If the preliminary development plan is not approved, the Planning Commission shall furnish to the applicant, within 30 days of the date of filing, a written statement specifying the aspects in which the proposed plan fails to conform to the Subdivision Code, Zoning Code and/or the Official Map.

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

Dated this 14th day of September, 2023.

By: Jami M Stone
Chairman, Planning Commission

Attest: Charles Lawrence
Secretary, Planning Commission