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2015R22117
STATE OF ILLINOIS
MADISON COUNTY
07/01/2015 2:57 PM
AMY M. MEYER, RECORDER
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City Clerk
116 E. Market Street
Troy, Illinois 62294



33.00 CTY

Ordinance No. 2015 - 17

AN ORDINANCE amending Chapter 154 Zoning Ordinance
Of the Codified Ordinances of the City of Troy
For the Purpose Of Rezoning 25+ Acres on the
East Side of SrA Bradley Smith Drive From
AR Agricultural Reserve to PD-R Planned Development-Residential
(i.e. Serenade, a single-family development of individually-owned,
attached homes (duplexes) on 30 lots

Whereas, Merrill Ottwein (hereinafter "Applicant") has filed an application for a
Planned Development – Residential and associated rezoning of 25+ acres on the east
side of SrA Bradley Smith Drive as described in Exhibit B; and

Whereas, the map attached hereto as Exhibit A 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 Section 154.143 of the Troy Municipal Ordinances regarding amendments of regulations and zoning districts by holding a public hearing on June 11, 2015 to consider the request for the rezoning of the development, pursuant to notice as required by Statute; and

Whereas, as a result of said hearing, the Planning Commission has submitted Recommendation No. 2015-06PC 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 2015- ~~06PC~~ approving the 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 codified ordinances 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: Chapter 154 Zoning Ordinance of the codified ordinances of the City of Troy is hereby amended to change the zoning classification of the property as described in Exhibit B and in accordance with the map attached hereto as Exhibit A, from AR Agricultural Reserve to PD-R Planned Development-Residential.

SECTION 2: That the attached "residential narrative" and maps marked as Addendum 1 is referenced as the preliminary development plan.

SECTION 3: That the final development plan and plat shall be approved by the City Council prior to issuing building permits.

SECTION 4: That all other provisions of said Ordinances shall remain unchanged and in full force and effect except as specifically amended by this ordinance.

SECTION 5: 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 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, Madison County, Illinois, approved by the Mayor, and deposited in the office of the City Clerk this fifteenth day of June, 2015.

Aldermen:

DeCarli Nay
Dyer Aye
Greenfield Aye
Hendrickson Nay

Italiano Aye
Jackson Aye
Partney Absent
Turner Aye

Total:
5 Ayes
2 Nays

APPROVED BY:

Allen P. Adomite
Mayor, City of Troy, Illinois

ATTEST:

Jamie Myers
Jamie Myers, City Clerk

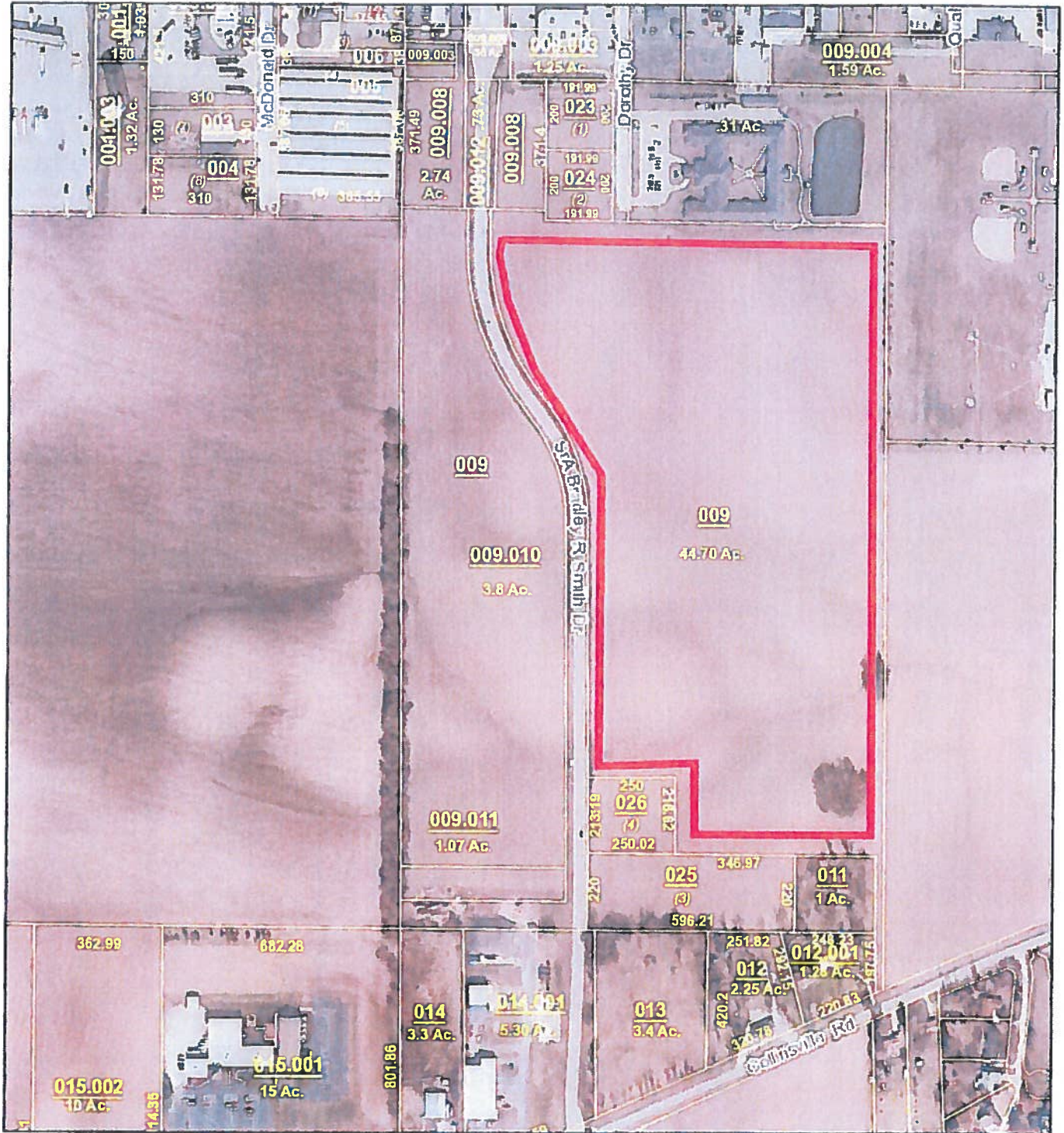
(SEAL) ANIZED

1892

ILLINOIS

Serenade PD-R

EXHIBIT A



May 11, 2015

1:4,800



Madison County Assessor's Office
Madison County GIS

Madison County Government IT/GIS Group
Madison County Government

Serenade – Legal Description

Being part of "The Greens of Troy" in part of the East Half of Section 8, Township 3 North, Range 7 West of the Third Principal Meridian, Madison County, Illinois and being more particularly described as follows:

Beginning at an iron rod found at the southwest corner of Ottwein Trust No. 1 Subdivision; as recorded in the Madison County Recorder's Office in Plat Cabinet 63 on page 66, thence on an assumed bearing of South 89 degrees 34 minutes 28 seconds East, on the south line of said Ottwein Trust No. 1 Subdivision, 720.32 feet to an iron rod found on the East Line of the West Half of the Northeast Quarter of said Section 8; thence the following two (2) courses and distances on said East line; 1.) South 00 degrees 36 minutes 52 seconds West, 615.94 feet to an iron rod found at the Northeast Corner of the Southwest Quarter of the Northeast Quarter of said Section 8; 2.) South 00 degrees 28 minutes 15 seconds West, 1,369.44 feet to the Southeast corner of the West Half of said Northeast Quarter of Section 8; thence South 00 degrees 08 minutes 49 seconds East, on the East line of the Northwest Quarter of the Southeast Quarter of said Section 8, a distance of 223.37 feet to the northerly right of way line of Collinsville Road; thence South 65 degrees 57 minutes 47 seconds West On said northerly right of way line, 21.87 feet; thence North 00 degrees 08 minutes 51 seconds West, parallel with said East line of the Northwest Quarter of the Southeast Quarter of said Section 8, a distance of 232.45 feet to the southeast corner of a tract described in Deed Book 2725 on page 231; thence North 00 degrees 29 minutes 23 seconds East, on the east line of said tract, 220.00 feet to an iron rod found at the northeast corner of said tract; thence North 89 degrees 31 minutes 44 seconds West, on the North line of said tract and the north line of The Greens of Troy No. 2, recorded in Plat Cabinet 65 on page 346, a distance of 547.26 feet to an iron rod found at the Southeast corner of The Greens of Troy No. 3; thence North 00 degrees 17 minutes 26 seconds West on the east line of said The Greens of Troy No. 3, a distance of 216.84 feet to an iron rod found at the Northeast Corner of The Greens of Troy No. 3; thence the following five (5) courses and distance on the easterly line of proposed The Greens Of Troy No. 4; 1.) North 89 degrees 38 minutes 07 seconds East, 64.67 feet; 2.) North 00 degrees 16 minutes 19 seconds West, 421.27 feet; 3.) South 89 degrees 40 minutes 22 seconds West, 114.94 feet; 4.) North 00 degrees 18 minutes 00 seconds West, 485.95 feet; 5.) North 35 degrees 35 minutes 57 seconds West, 292.09 feet to the easterly right of way line of Dorothy Drive; thence the following two (2) courses and distances on said easterly right of way line; 1.) northeasterly 271.82 feet on a curve to the left having a radius of 430.00 feet, the chord of which bears North 18 degrees 55 minutes 27 seconds East, 267.32 feet; 2;) North 00 degrees 48 minutes 53 seconds East, 151.83 feet to the Point of Beginning. Said parcel contains 25.72 acres, more or less. Subject to easement, conditions, and restrictions of record.

City of Troy

RECOMMENDATION NO. 2015 ~ 06PC

Of the Planning Commission of the City of Troy, Illinois
Regarding the Review of a Preliminary Development Plan and Associated Rezoning
(i.e. Serenade PD-R, SrA Bradley Smith Drive)

Name of Subdivision: Serenade Subdivider/Developer: Merrill Ottwein

Address/Location of Property: 25+ acres on the east side of SrA Bradley Smith Drive

The Planning Commission met on June 11, 2015 to consider the above referenced preliminary development plan (See Addendum 1). Copies of the supporting documents are incorporated by reference.

This application applies to property commonly known as Serenade with parcel identification number 09-1-22-08-00-000-009; See Preliminary Plat Checklist

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

Table with 4 columns: Name, Vote, Name, Vote, Total. Rows include Burnett (N), Delgado (Y), Hale (Y), Hellrung (Y), Johnson (Y), Lawrenz (Y), Nehrt (Y), Reiter (Y), Scott (Y), Total: 8 Yeas, 1 Nays.

The preliminary development plan and associated rezoning

[X] Is Recommended

With the following stipulations: Requirement of sidewalks on Encore Lane & Spruce Lane

[] Is Not Recommended

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 11th day of June, 2015.

Attest: [Signature] Secretary, Planning Commission

By: [Signature] Hellrung Chairman, Planning Commission

Building & Zoning Department

END OF DOCUMENT