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City Clerk, City of Troy
116 E. Market Street
Troy, Illinois 62294

2021R20063
STATE OF ILLINOIS
MADISON COUNTY
05/10/2021 10:42 AM
DEBRA D. MING-MENDOZA
CLERK & RECORDER
REC FEE: 50.00
CO STAMP FEE:
ST STAMP FEE:
FF FEE:
RHSPS FEE:
OF PAGES: 6



50.00 CTY

Ordinance No. 2021 - 04

AN ORDINANCE Approving an Amendment to the Official Zoning Map
Changing the Zoning Designation of Real Estate
Owned by W G Real Estate LLC from
R-1 Single-family Residential to C-2 General Commercial
(16.97 acres on the west side of SrA Bradley Smith Drive)

Whereas, Jason Watters and Neil Goodwin (as applicants and owners) have filed an application with the City of Troy to change the zoning designation of 16.97 acres of real estate with PPID #09-1-22-08-00-000-009.015 located on the west side of SrA Bradley Smith Drive from R-1 Single-family Residential to C-2 General Commercial as depicted on Exhibit A – map and Exhibit B – legal description; and

Whereas, prior to the presentation of this ordinance to the City Council, the Planning Commission held a public hearing on March 25, 2021 in compliance with Section 154.143 of the Troy Municipal Code and the provisions of 65 ILCS 5/11-13-14 pursuant to proper legal notice; and

Whereas, as a result of said hearing, the Planning Commission has submitted Recommendation No. 2021-01PC to the City Council confirming that it recommends the request for a change in the zoning designation with stipulations, if any, as noted.

EW

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.2021-01PC 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 Exhibits A and B attached hereto, from R-1 Single-family Residential to C-2 General Commercial and that the stipulations, if any, as noted on the Planning Commission's Recommendation 2021-01 shall be in full force and effect.

SECTION 3: That the Code Official is hereby authorized to note the change made by this ordinance on the city's Official Zoning Map.

SECTION 4: That the authority and approval provided in the ordinance is granted subject to all ordinances, rules and regulations of the City of Troy.

SECTION 5: This Ordinance shall be effective upon its passage, signing, and publication as required by law.

Passed by the City Council and approved by the Mayor this fifth day of April, 2021.

Aldermen:

Dawson YES

Knoll YES

Total:

Hellrung YES

Levo YES

6 Ayes

Henderson YES


Manley ABSENT

0 Nays

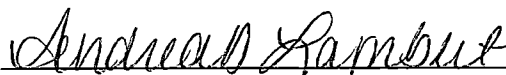
Italiano YES

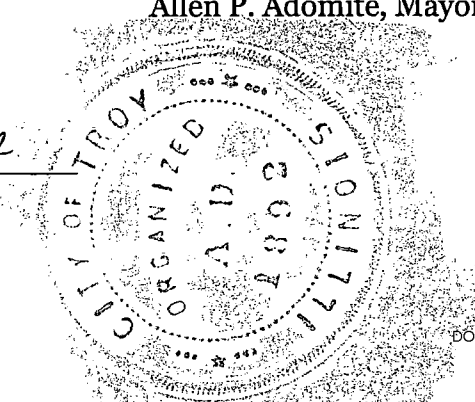
Turner ABSENT

2 Absent


Allen P. Adomite, Mayor

ATTEST:


Andrea D. Lambert, City Clerk



RECOMMENDATION NO. 2021~ 01PC

Of the Planning Commission of the City of Troy, Illinois Recommending/Not Recommending An Application for Rezoning Property from R-1 Single-family Residential to C-2 General Commercial 17± Acres on the West Side of SrA Bradley Smith Drive

WHEREAS, the Planning Commission met on March 25, 2021 to consider an application for rezoning filed by Jason Watters and Neil Goodwin. A copy of the application and certification regarding publication of the notice of hearing and of notification to surrounding property owners are incorporated by reference; and

WHEREAS, this application applies to a 16.97 acre tract with PPID # 09-1-22-08-00-000-009.015 on the west side of SrA Bradley Smith Drive; 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 considered the factors as described in Section 154.143(D) Recommendation/Findings of Fact of the Troy Code of Ordinances; and

WHEREAS, following the testimony and deliberations, Planning Commissioners voted as recorded below:

Table with 4 columns: Name, Vote, Name, Vote, Total. Rows include Adams (Yes), Boeren (Absent), Burnett (Yes), Delgado (Yes), Johnson (Absent), Lawrenz (Yes), Nehrt (Yes), Niermann (Yes), Reiter (Absent), Total: 6 Yeas, 0 Nays.

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION AS FOLLOWS, that the application for the following: To amend the Zoning Map and rezone a 16.97 acre tract with PPID 09-1-22-08-00-000-009.015 on the west side of SrA Bradley Smith Drive from R-1 Single-family Residential to C-2 General Commercial

IS NOT recommended [X] IS recommended with the following stipulations, if noted: N/A

A copy of this recommendation is presented to the City Council; the original shall be filed with the Code Administrator.

DATED this 25th day of March, 2021.

Attest: Charles Lawrence Secretary, Planning Commission

By: [Signature] Chairman, Planning Commission

FINDINGS OF FACT

As per Section 154.143(D) Recommendation/Findings of Fact of the Troy Code of Ordinances, 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:

Commercial

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

Commercial C-7

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

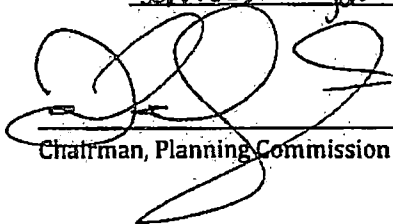
Property is currently vacant and ready for development

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:

Properties have been developed to C-7.

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

Proposed amendment will provide for the possibility of more services & job opportunities for the residents of Troy.


Chairwoman, Planning Commission

3/25/21
Date


Secretary, Planning Commission

3/25/21
Date

Exhibit A

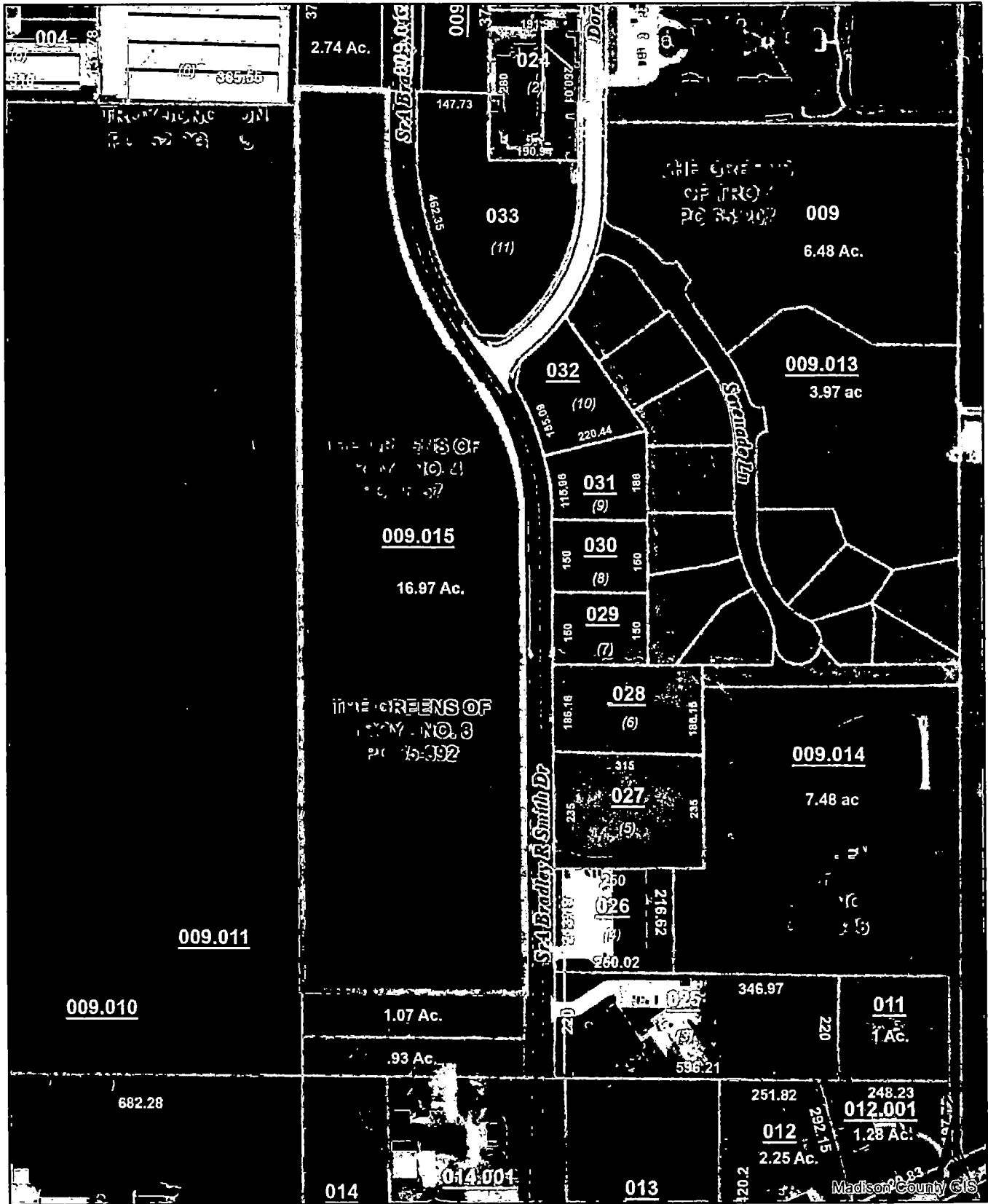


Exhibit B

Part of the Northeast Quarter of Section 8, Township 3 North, Range 7 West of the Third Principal Meridian, Madison County, Illinois, being more particularly described as follows: Commencing at a stone at the Southwest corner of the Northeast Quarter of Section 8; thence North 0 degrees 15 minutes 17 seconds East along the West line of the Northeast Quarter of Section 8 a distance of 178.65 feet to the Northwest corner of a tract conveyed to Jarvis Township by deed recorded as Document No. 2009R61252 of the Madison County Records and the point of beginning of the tract herein described; thence continuing North 0 degrees 15 minutes 17 seconds East along said West line 1836.10 feet to the South line of a tract conveyed to Buesking by deed recorded in Book 4378 on Page 4318 of the Madison County Records; thence South 89 degrees 25 minutes 51 seconds East along said South line 192.27 feet to an iron rod in the West right of way line of Bradley A. Smith Drive; thence South 0 degrees 14 minutes 45 seconds West along said West right of way line 103.23 feet to an iron rod; thence along said West right of way line on a curve to the left having a radius of 734.06 feet and a chord which bears South 18 degrees 35 minutes 36 seconds East 428.29 feet, an arc distance of 434.61 feet to an iron rod; thence South 35 degrees 36 minutes 17 seconds East along said West right of way line 115.55 feet to an iron rod; thence along said West right of way line on a curve to the right having a radius of 420.00 feet and a chord which bears South 17 degrees 57 minutes 00 seconds East 254.75 feet, an arc distance of 258.83 feet to an iron rod; thence South 0 degrees 17 minutes 44 seconds East along said West right of way line 954.50 feet to an iron rod at the Northeast corner of said Jarvis Township tract; thence North 89 degrees 30 minutes 32 seconds West along the North line of said Jarvis Township tract 487.47 feet to the point of beginning, containing 16.97 acres, in Madison County, Illinois.

Permanent Parcel No. 09-1-22-08-00-000-009.015

NOTE: The Permanent Parcel No. is given for informational purposes only and is not warranted or insured herein.

END OF DOCUMENT 6 of 6