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Return to:

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

2019R20666
STATE OF ILLINOIS
MADISON COUNTY
07/03/2019 12:15 PM
AMY H. MEYER, RECORDER
REC FEE: 36.00
CO STAMP FEE:
ST STAMP FEE:
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**THIS PAGE BEING ADDED
FOR RECORDER'S USE ONLY**

Resolution 2019-11

RESOLUTION OF THE CITY COUNCIL REGARDING THE GRANTING OF A VARIATION TO THE SUBDIVISION ORDINANCE

Whereas, PM Office Park, LLC, applicants and owners of record of Hampton Glen filed a request for a variation to Section 153.086 of the Troy Subdivision Code for some consideration on the Green Space requirement of 10% or 12.76 acres; and

Whereas, the Planning Commission met on June 13, 2019 to consider a variation to Section 153.086 of the Subdivision Ordinance for property located at Hampton Glen - Phase 4 and future phases with a parcel numbers 09-1-22-15-00-000-001; and

Whereas, the Planning Commission reviewed the application for compliance with the provisions of the Troy Subdivision Ordinance and recommended granting the application with the following stipulations, if any: See Planning Commission Recommendation 2019-05PC attached.; and

Whereas, on July 1, 2019 the City Council accepted the Planning Commission's Recommendation No. 2019-05PC as per the meeting minutes as hereto referenced.

Now Therefore, be it resolved by the City Council of the City of Troy, Illinois to


Grant the variation to the Subdivision Code with the following stipulation:


To protect the nearby creek and take advantage green space credits as provided for in the ordinance, incorporate conservation easements as shown on the attached map for a 25% credit and consider one-half of the 3.71 acres dedicated for the Country Lane right-of-way resulting in approximately 9.25 acres of green space

Deny the variation to the Subdivision Code

One copy of this resolution shall be given to the Applicant and the City Clerk shall give the Code Administrator a certified copy of the Council's decision, clearly stating their reasons therefor and the exact terms of any variation granted, that shall be attached to both the preliminary and final plats, if applicable.

Dated this 1st day of July, 2019.

By 
Allen P. Adomite, Mayor

Attest 
Andrea Lamberti, City Clerk

Seal

RECOMMENDATION NO. 2019 ~ 05PC

Of the Planning Commission of the City of Troy, Illinois
Recommending/Not Recommending an Application for a Variation to the
Subdivision Ordinance Requested By: PM Office Park, LLC

WHEREAS, the Planning Commission met on June 13, 2019 to consider an application for a variation to the Subdivision Ordinance filed by PM Office Park, LLC. A copy of the application is incorporated by reference; and

WHEREAS, this application applies to property located at Hampton Glen - Phase 4 and future phases with permanent parcel ID number 09-1-22-15-00-000-001; 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 as noted on the attached sign-in sheet; and

WHEREAS, the Planning Commission considered the variation standards as described in Subdivision Ordinance Section 153.194 Review by the Planning Commission and has attached an Advisory Report of their findings to support this recommendation; and

WHEREAS, following the testimony and deliberations, members of the Planning Commission voted as recorded below:

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

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION AS FOLLOWS:

1. That the application for the following: To permit a variation from Section 153.086 Provisions of Green Space of the Subdivision Ordinance as detailed in the attached variation application.

[] Variation IS NOT recommended; [] Variation IS recommended with the following stipulations, if noted: To protect the nearby creek and take advantage of green space credits as provided for in the ordinance, incorporate conservation easements as shown on the attached map for a 25% credit and consider one-half of the 3.71 acres dedicated for the Country Lane right-of-way resulting in approximately 9.25 acres of green space.

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

ADOPTED this 13th day of June, 2019.

By: Elizabeth Hellrung, Chairman, Planning Commission

Attest: [Signature] Secretary, Planning Commission

Planning Commission's Advisory Report

As per Section 153.194 Review by the Planning Commission, the Planning Commission shall review the application for variation and the Code Administrator's comments, and submit its advisory report to the City Council together with its recommendation. The Planning Commission's advisory report shall be responsive to all of the variance standards:

Variance Standards:	Findings:
(1) The proposed variations are consistent with the general purposes of this chapter;	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
(2) Strict application of the subdivision design and improvement requirements would result in great practical difficulties or hardship to the applicant, not a mere convenience;	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
(3) The proposed variances are the minimum deviation from the subdivision requirements that will alleviate the difficulties/hardship;	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
(4) The plight of the applicant is due to peculiar circumstances not of his or her own making;	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
(5) The peculiar circumstances engendering the variation requests are not applicable to other tracts and, therefore, that variations would be a more appropriate remedy than amendments; and	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
(6) The variations, if granted, will not substantially impair implementation of the Comprehensive Plan, including the Official Map.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

Additional comments:

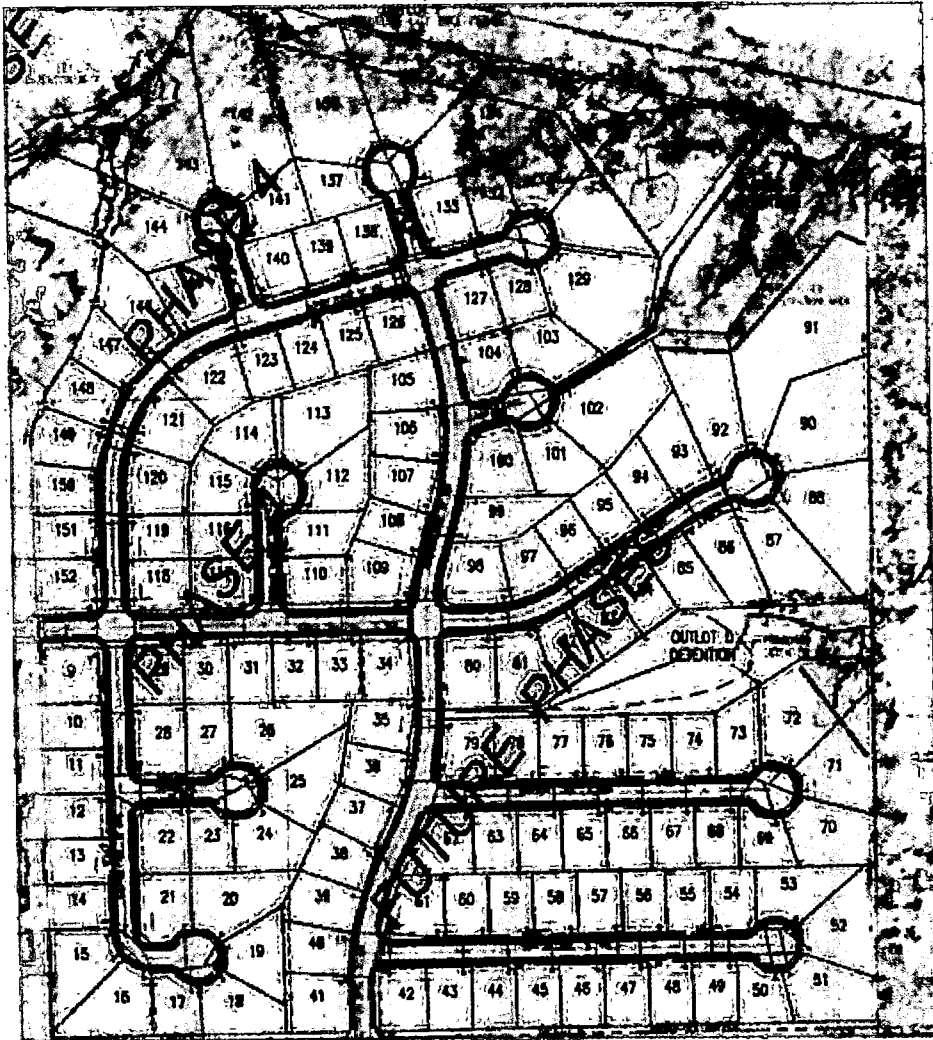
Elizabeth Helwing
Chairman, Planning Commission

6/13/19
Date

Jinda Yake
Secretary, Planning Commission

6/13/19
Date

Building & Zoning Department



APPLICATION FOR VARIATION

116 E. Market Street • Troy, Illinois 62294 • (618) 667-8734 Ext. 4 • www.troyil.us

Fee: \$250.00

Date Fee Paid: 5/23/19

[\$ 153.193]

IMPORTANT INSTRUCTIONS

Variations are usually limited to those situations when a Subdivider/Developer can show that the strict application of certain regulations would cause great practical difficulties or a particular hardship, rather than simply an inconvenience. The applicant must be prepared to prove that the request for a variation meets the requirements as outlined in the Subdivision Code under Section 153.193 and may submit any plans, plats or other documents which illustrate or support this request.

Upon submission of this application, the Code Administrator will review the request, prepare an advisory report and submit it to the Planning Commission. The Planning Commission will in turn review the application and the Advisory Report and make a recommendation to the City Council along with their recommendation regarding approval of the Preliminary Plat. The City Council will render a decision in the form of a written resolution which will note if the request is granted and the conditions thereof.

NAME OF SUBDIVISION: Hampton Glen DATE: 5/22/19
 ADDRESS OF PROPERTY: Country Lane PARCEL ID#: _____ ZONING DISTRICT: R1
 SUBDIVIDER/DEVELOPER: PM Office Park LLC 09-1-22-15-00-000-001
 Contact Person: Jaime Eads Phone #: 618-655-7979
 Address: 514 E Vandalia Street City: Edwardsville State: IL Zip: 62025
 Check If: Property Owner Contract Purchaser
 ENGINEER'S NAME: TWM Inc PHONE #: 618 624-4488
 Address: 4940 Old Collinsville Rd City: Swansea State: IL Zip: 62226

Explain the grounds for the variation request, and specify the section(s) of the Subdivision Code that, if strictly applied, would cause great practical difficulty or particular hardship:

See attached

Describe in detail the cause of this difficulty or hardship and when it first occurred:

See attached

Describe in detail the relief requested:

See attached

Does this difficulty or hardship affect any other nearby properties? Yes No

By my signature below, I certify all of the above statements and the information contained in any document or plans submitted herewith, are true and accurate.

SUBDIVIDER/DEVELOPER: [Signature] DATE: 5/22/19

APPLICATION FOR VARIANCES – HAMPTON GLEN

Since the property was originally developed prior to the City's new subdivision code we are respectfully requesting a variance with respect to the following code items.

- Code Section 153.086 - Green Space requirement of 10% - These lots are zoned R-1 which are the largest residential lots in the City of Troy. The minimum lot size required by zoning is 11,500 square feet and corner lots at 13,000 square feet. The lots in Troy are 10% to 47% larger as compared to Edwardsville, Highland, and Glen Carbon which have minimum requirements of 7,500 square feet, 10,000 square feet and 10,000 square feet respectively. In addition, the side yard and front yard setbacks for Troy are larger than these 3 municipalities. The additional side and front yard setbacks equate to 4.5 acres of additional green space on the single-family residential lots as compared to the adjacent cities. Furthermore, the development of Hampton Glen along Country Lane required right-of-way dedication of 3.71 acres as the existing pavement for Country Lane is not located in right-of-way and lies within the boundaries of Hampton Glen.

Green Space Calculation – 10% required – 12.76 acres

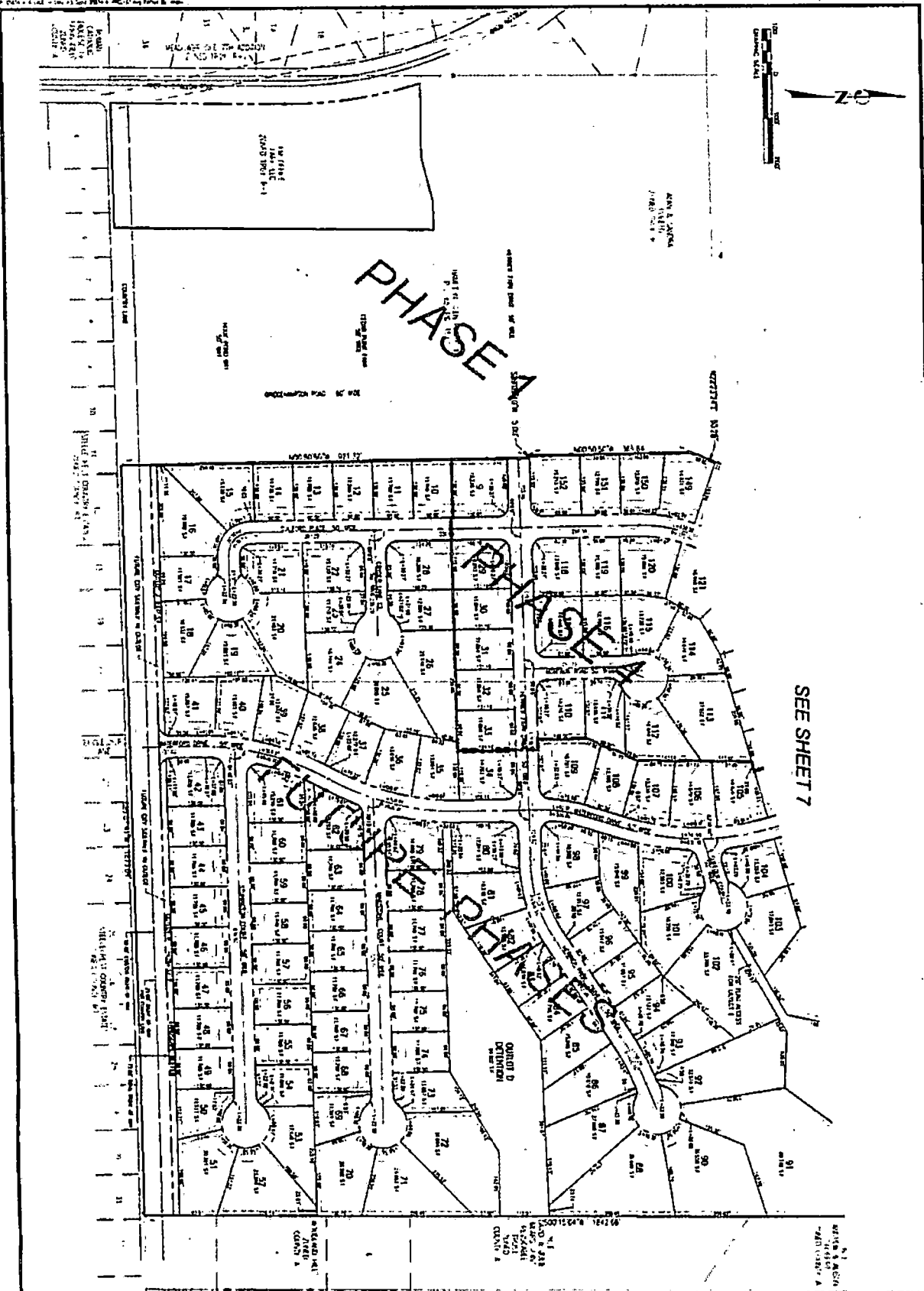
- 7.39 acres of green space included in the development
- 4.50 acres of green space with larger front and side yard setbacks

Total Green Space – 11.89 acres – shortage of 0.87 acres

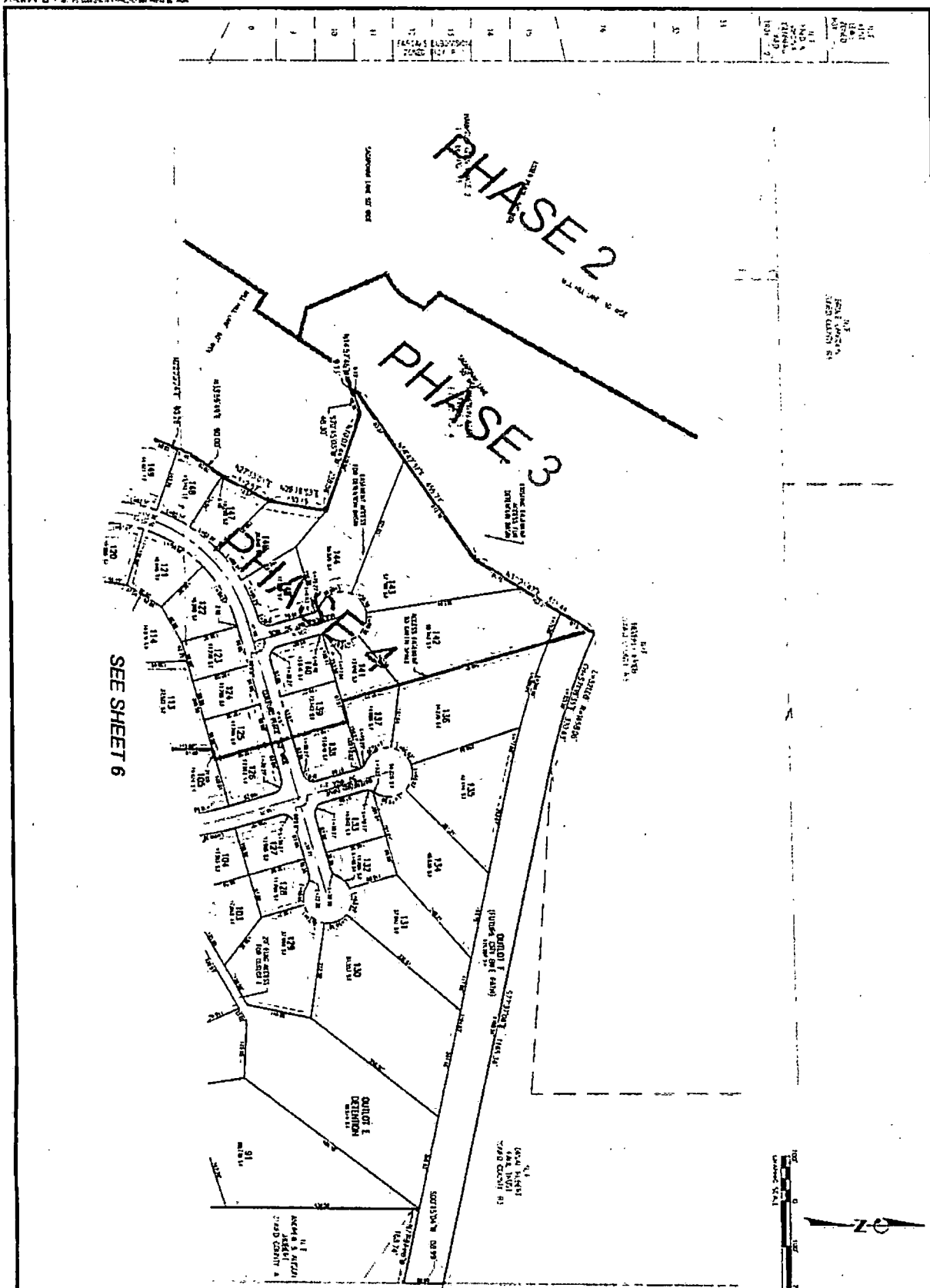
- 3.71 acres dedicated for Country Lane right-of-way
- Code Section 153.044 Concrete pavement – The developer is requesting a variance from the typical concrete pavement section of 8" concrete and 4" rock to 7" concrete on .12" lime stabilized subgrade which matches the City code requirement when this development was first started. The developer is only requesting the variance for the following streets:

- Guilford Place
- Montauk Road
- Cryder Lane
- Suffolk Court
- Herrick Park Drive – east of Waterford Drive
- Maidstone Court
- Stonington Court
- Mullford Way
- Waterford Drive – north of Guilford Place (A new street name will be provided in the future)

Hampton Glen was adversely impacted by the housing decline in 2007 and the development of this subdivision has taken substantially longer than anticipated. Since 2007 the City has modified its subdivision code adding costs to this development.



TWN	
CONSULTING ENGINEERING GEOTECHNICAL SERVICES	
LINDSEY STANLEY A. EDWARD W. III PEROMA ST. LOUIS MISSOURI TAMMERSVILLE, MISSOURI	THOUVENOT, WADE & MOENCHEN, INC. 2000 ACACIA DRIVE ST. LOUIS, MISSOURI 63114 (314) 435-1100 WWW.TWN-INC.COM
PROJECT: PHASE A PHASE B PHASE C PHASE D PHASE E PHASE F PHASE G PHASE H PHASE I PHASE J PHASE K PHASE L PHASE M PHASE N PHASE O PHASE P PHASE Q PHASE R PHASE S PHASE T PHASE U PHASE V PHASE W PHASE X PHASE Y PHASE Z PHASE AA PHASE AB PHASE AC PHASE AD PHASE AE PHASE AF PHASE AG PHASE AH PHASE AI PHASE AJ PHASE AK PHASE AL PHASE AM PHASE AN PHASE AO PHASE AP PHASE AQ PHASE AR PHASE AS PHASE AT PHASE AU PHASE AV PHASE AW PHASE AX PHASE AY PHASE AZ PHASE BA PHASE BB PHASE BC PHASE BD PHASE BE PHASE BF PHASE BG PHASE BH PHASE BI PHASE BJ PHASE BK PHASE BL PHASE BM PHASE BN PHASE BO PHASE BP PHASE BQ PHASE BR PHASE BS PHASE BT PHASE BU PHASE BV PHASE BW PHASE BX PHASE BY PHASE BZ PHASE CA PHASE CB PHASE CC PHASE CD PHASE CE PHASE CF PHASE CG PHASE CH PHASE CI PHASE CJ PHASE CK PHASE CL PHASE CM PHASE CN PHASE CO PHASE CP PHASE CQ PHASE CR PHASE CS PHASE CT PHASE CU PHASE CV PHASE CW PHASE CX PHASE CY PHASE CZ PHASE DA PHASE DB PHASE DC PHASE DD PHASE DE PHASE DF PHASE DG PHASE DH PHASE DI 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DATE: 10/15/11 DRAWN BY: JMM CHECKED BY: JMM APPROVED BY: JMM PROJECT NO: 11111	TITLE: LOT LAYOUT SHEET NO: 6 OF 9



TWN	TRUDENOT, WADDE & ROERCHEN, INC. SULLY, MISSOURI 11111 W. WILSON AVE. SULLY, MISSOURI 63158 TEL: 636-935-1111 WWW.TRUDENOTWADDE.COM
CONSULTING ENGINEERS GEOSPATIAL SERVICES ATLANTA ANN ARBOR DENVER EDWARDSVILLE PEORIA MISSOURI ST. LOUIS TENNESSEE MICHIGAN	PROJECT: HARRINGTON RESIDENTIAL PLAT HARRINGTON CENTRI ALWAYS
DATE: 10/1/2019	DATE: 10/1/2019
7 OF 9	

HAMPTON GLEN – PHASE 4
CITY OF TROY, ILLINOIS

Fact Sheet for the Public Hearing
Oates Associates, Inc.
JUNE 13, 2019

Purpose for the Green Space Variance

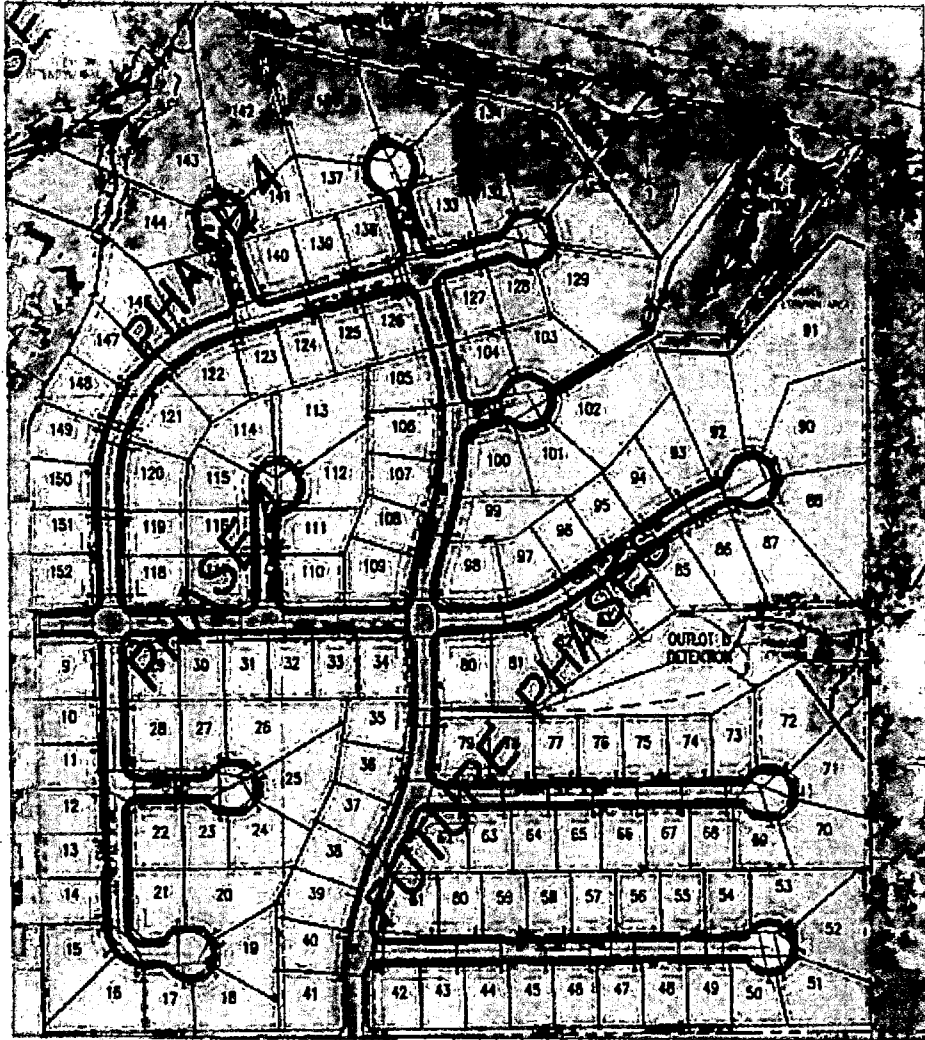
There was a preliminary plat submitted and approved in 2006. Since then, we revised the Subdivision Ordinance last year to include a green space requirement. The current requirement for a R-1 development is that 10% of the total area shall be green space. The original design for Phase 4 – and the already constructed Phase 1, 2, and 3 – does not contain greenspace.

Therefore, in the City Engineer's opinion, the developer is asking for a variance to provide some greenspace, but not the entire amount that is currently required. They are meeting us a little over half-way to our current requirements by providing about 6%.

Things to Consider for the Green Space Variance

- (1) The reason presented basically states that our lots have more "greenspace" incorporated in them that required in surrounding communities.
- (2) The developer also has provided a 3.71 acre right of way dedication for Country Lane – allowing future road improvements.
- (3) The development as proposed matches the character of Hampton Glen – Phase 1, 2, and 3.
- (4) According to Section 153.086, Greenspace requirements can be reduced by up to 30% by using some of the following methods that are incorporated into the design. Are they/ can they do any of these for up to a 25% credit?
 - a. Central location credit. If the entire green space requirement is made in one central location and interconnected to pedestrian routes, a 10% credit in total green space required area may be issued.
 - b. Structural improvements to centrally located green space. If there are structural improvements to the centrally located green space, up to a 10% additional credit in total green space required area may be issued.
 - c. Loop trail credit. If a subdivision includes a paved eight-foot wide loop trail connecting the majority of lots and accessing public rights-of-way, up to a 10% credit in total green space required area may be issued.
 - d. Natural preservation credit. If the subdivision green space is preserved in a natural wooded state or wetland, up to a 5% credit in total green space required may be issued.
 - e. Stream buffer credit. If the subdivision provides a minimum of a 50 feet buffer from any natural stream to private property, up to a 10% credit in total green space required may be issued.
 - f. Tree planting credit. If the subdivision plants a minimum of two canopy trees per lot, 2.5 inch caliper or greater, up to a 5% credit in total green space required may be issued.

- (5) We could request conservation easements as outlined in red and if they were incorporated, there would be a 25% credit to the greenspace requirement in the Code after considering 4c, 4d, and 4e. This seems like a good way to keep the layout/ lot sizes the same and justify the green space reduction.



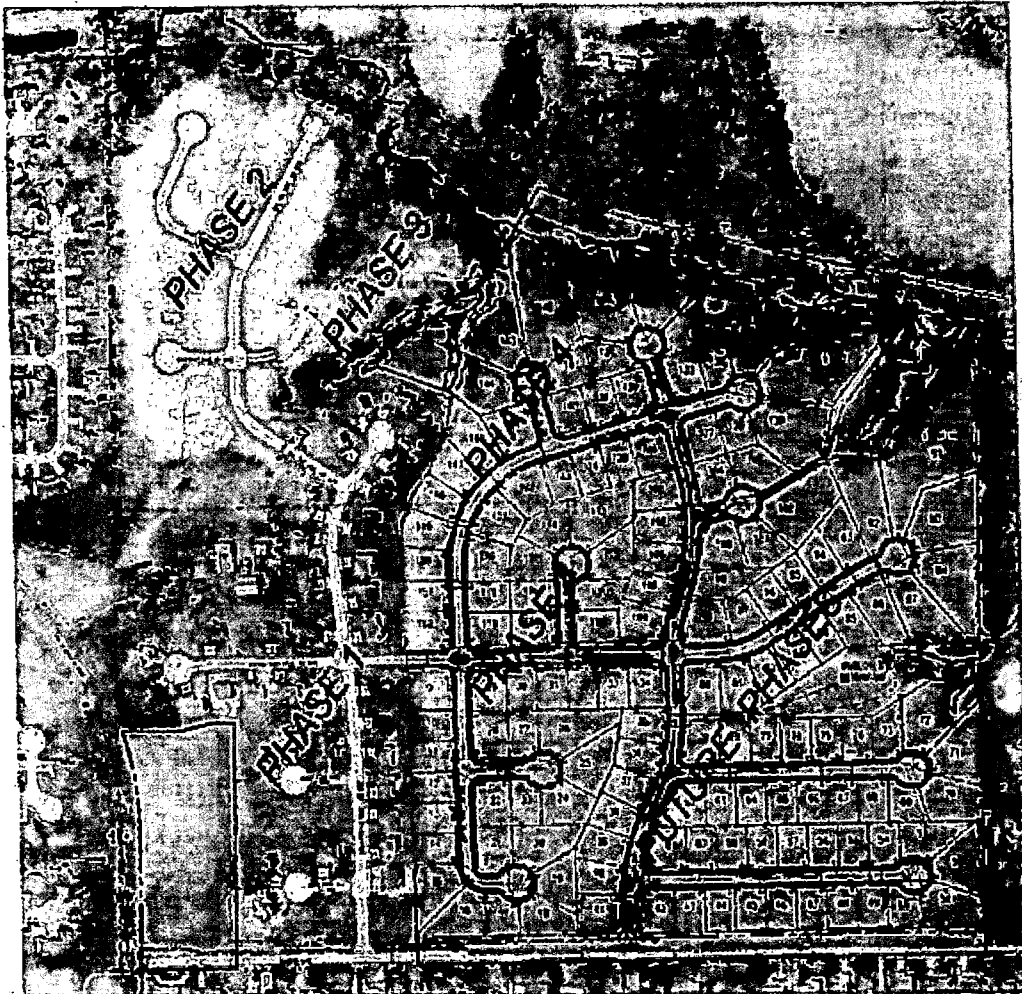
Purpose for the Concrete Street Variance

There was a preliminary plat submitted and approved in 2006. Since then, we revised the Subdivision Ordinance last year to include new street design standards. The current requirement for a residential street is 8" of concrete on 4" of rock and 12" of stabilized subgrade.

The developer is asking for a variance to provide 7" of concrete on 12" of stabilized subgrade on the lower traffic streets. This matches the requirement when the development was started.

Things to Consider for the Concrete Street Variance

- (1) The reason we increased the street design standards was because streets built in the 90s and 2000s needed major repairs/ patching throughout the City.
- (2) Phase 1 was constructed with asphalt. Phase 2 and 3 were constructed using 7" of concrete. Are any of these streets failing? Are they holding up well?
- (3) The development has taken longer than anticipated.
- (4) The PC is currently considering smaller lots and reduced setbacks.
- (5) As a minimum requirement, the major streets will remain 8" of concrete and 4" of rock on 12" of stabilized base as requested by the City. The streets that will remain thicker are highlighted:



Planning Commission Public Meeting

Thursday, June 13, 2019

Public meeting to consider variations from the Subdivision Code for Hampton Glen

Please Sign In:

	Name:	Address:	Phone#:
1	WICK SMOCK (TWM)	4940 OLD COLLINSVILLE RD	618-624-4488
2		SWANSEA IL 62226	
3			
4			
5			
6			
7			
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