

A regular meeting of the Troy Planning Commission was held in Council Chambers, City Hall on Wednesday, October 11, 2023, at 3:30 p.m. with Vice-Chairman Larry Wolke presiding. ATTENDING: Members – Ehrlich, Oda, Emerick, Westmeyer, Wolke, and Titterington; Development Staff – Eidemiller, Long and Bruner; Development Director – Tim Davis

APPROVAL OF MINUTES: Upon motion of Mr. Emerick, seconded by Mr. Titterington, the minutes of the September 27, 2023 meeting were approved by unanimous voice vote.

CITY BEAUTIFICATION COMMITTEE PRESENTATION OF PROPOSED PLANTINGS AND COLOR PALETTE FOR THE DOWNTOWN AREA FOR 2024. Gareth Johnston, Chair of the City Beautification Committee, and Renee Lavey, presented the proposed plants/colors, including for the downtown planters and pots, the Public Square area, and downtown and bridge hanging baskets. Ms. Lavey stated colors will mainly be purple, yellow, red, and scarlet. She mentioned that the bridge baskets may alternate solid and mixed plantings.

A motion was made by Mr. Titterington, seconded by Mrs. Ehrlich, to accept the proposed plantings and color palette as presented.

Voting: Yes - Ehrlich, Oda, Emerick, Westmeyer, and Titterington; abstain – Wolke (as his wife is a member of the City Beautification Committee

MOTION ADOPTED

ADDISON LANDING SUBDIVISION FOR PRELIMINARY PLAT APPROVAL; OWNER – LYTLE ROAD DEVELOPERS, LTD; APPLICANT – CHOICE ONE ENGINEERING. Staff reported: this is a new single-family subdivision located along Dorset Road and Lytle Road (Parcel ID's: D08-106896 and D08-107408); land is currently undeveloped and is located north of the Brook Park Subdivision and is currently controlled by First Troy Corp.; zoning is R-5 Single Family Residential (minimum lot size of 6,000 square feet); applicant wishes to create a new subdivision named Addison Landing; the submitted preliminary plan is the first step of the approval process; at a later date a Final Plat will follow to create the lots and to dedicate the streets and public utilities (in this case, a four-phase development is proposed); detailed engineering drawings will be required to be submitted for review and approval by the Development and Engineering staff; only Planning Commission approval is required for a Preliminary Plat, with Council being the final authoring on Final Plats; and details of the Preliminary Plat are:

Uses & Layout: The proposed subdivision, which consists entirely of single-family homes, encompasses 55.8 acres and includes 208 buildable lots that range from 0.149 acres to 0.338 acres and will be developed in four-phases. The first phase will create 51 lots and the second phase will create 55 lots.

Roadways: Access to this development will be provided by two separate points. The east access point is located off of the expanded Dorset Road will serve as the main entrance to the proposed subdivision. The remaining access point is located to the west of the proposed development off of Lytle Road. The internal roadway system consists of three cul-de-sacs (Addie Court, Cameron Court, and Blair Court) which stem off the main road named Addison Landing Drive. The City Engineer and Assistant Fire Chief have reviewed the street layout and indicated they have no issues with the proposal.

Utilities: This development will be served by city water and sewer lines. The plan seeks to mitigate storm water control by utilizing a 5.4 acre infiltration basin on the northeast corner of the development. Maintenance of storm water control facilities (including drainage swales) will be the responsibility of the Homeowners Association.

Parkland: The developer is proposing to provide private open space (15.95%) within the subdivision and received a unanimous positive recommendation from the Park Board.

Easements: A landscape easement has been provided along Dorset Road to prevent properties from having direct access and to buffer the properties from the expanded Dorset Road. A storm sewer & drainage easement is proposed along the north side of the development for a drainage swale. Easement areas are the responsibility of the Homeowners Association.

Staff recommends approval.

Discussion: Staff confirmed that the use of “expanded” under “Roadways”, should be “extended”. Staff confirmed that easements would be maintained by a HOA.

A motion was made by Mr. Westmeyer, seconded by Mayor Oda, to approve the Preliminary Plat for the Addison Landing Subdivision as submitted.

MOTION ADOPTED, UNANIMOUS ROLL CALL VOTE

PLANNED DEVELOPMENT APPLICATION AND GENERAL PLAN APPLICATION – SOMERSET RESERVE SUBDIVISION, LOCATED AT 3054 W. MARKET STREET, PART OF IL 11550, ALONG W. MARKET STREET AND NASHVILLE ROAD; APPLICATION IS FOR REVIEW OF THE GENERAL PLAN/REZONING FROM AGRICULTURE-RESIDENTIAL TO A PLANNED DEVELOPMENT-RESIDENTIAL (PD-R); THIS IS THE FIRST STEP IN THE PLANNED DEVELOPMENT PROCESS; OWNER: ANN HUEGEL AND CHARLES ISERN; APPLICANT: DDC MANAGEMENT LLC.

Staff reported: the established zoning on this property is Agricultural-Residential; it is undeveloped and currently being used for agricultural purposes; surrounding zoning districts include: R-4 Single Family, Planned Unit Development, and R-2 Single Family Residential to the east. County Zoning of A-2 General Agriculture is present to the west, north, and south; submittal of the General Plan is the first step of the approval process; each phase of development will require a Final Development Plan and Record Plan in order to create the lots to be sold and to dedicate the streets and public utilities (in this case, a three-phase development is proposed); detailed engineering drawings will be required to be submitted for review and approval by the Development and Engineering staff; the Record Plan will be reviewed by Planning Commission who will make a recommendation to City Council; Council ultimately will have final approval of the Record plan; and regarding this application:

PROPOSAL:

Uses & Layout: The proposed development will be completed in three (3) phases. The first phase of the development consists of 67 single-family residential lots which will be created on the west side of Nashville Road. The second phase will consist of 49 single-family residential lots. The final phase consists of 73 single family lots. The total density for the three phases will include 3.25 units per acre.

Roadways: Access to this development will be provided by two connections, one connection from Nashville Road which is aligned with Huntington Drive. The second access point will be from W. Market Street. A future third access point is stubbed on the south side of the development to the future Swailes Road connector. The development will provide private streets that will be accessed via access easements. Maintenance of the private streets will be the responsibility of the Homeowners Association (HOA). The City Engineer and Assistant Fire Chief have reviewed the street layout and have indicated they have no issues with the proposal.

Road Improvements include a realigned Nashville Road and widened W. Market Street. Future Right-of-Way is being proposed on the south side of the development for a Swailes Road connection in accordance with the Thoroughfare Plan. The Nashville Road realignment and Swailes Road connection are referenced in Figure 8-2 of the Comprehensive Plan.

Utilities: This development will be served by city water and sewer lines. Sanitary sewer is being expanded on the north side of W. Market Street to the boundary of the development. The plan seeks to mitigate storm water control by utilizing two storm water ponds throughout the development. Maintenance of these private storm water control facilities will be the responsibility of the HOA.

Parks & Recreation Facilities: This Planned Development proposes a total of 12.54 acres (21.6%) of private open space. The Zoning Code requires 10% of the entire acreage in the development to be used as open space. The proposed development has met the open space requirement for a Planned Development. Walking trails are being provided around both stormwater ponds with playground equipment on the south side of the development. Maintenance of the walking paths and playground equipment will be the responsibility of the HOA.

Protective Covenants: Staff will require the Protective Covenants and Restrictions be provided during the Final Record Plat submittal of this development. The Final Record Plat does require Planning Commission and City Council Approval.

Comprehensive Plan: The Comprehensive Plan's Future Land Use Map (Figure 14-5) displays this property as future industrial with a Neighborhood Commercial portion on the realigned Nashville/Wilson Road. However, it is important to note that the Comprehensive Plan was adopted in 2005 and is currently in the process of being updated. The Comprehensive Plan states “General residential is indicated south of Swailes Road and Nashville Road because of existing residential development and poor access to major roads or to I-75, these areas are most suitable for residential development to commensurate with City housing needs...”

It is important to note that City Council approved the rezoning of this parcel to A-R Agricultural Residential by O-28-2023.

GENERAL PLANS STANDARDS:

Section 1145.16 of the Zoning Code requires that Planning Commission review the proposed General Plan and may recommend the General Plan to City Council if it determines that the plan satisfies, at a minimum, all of the following criteria:

The General Plan should follow to the maximum extent practicable the Comprehensive Plan for the City, taking into account current facts and circumstances; **displays this property as future industrial with a Neighborhood Commercial portion on the realigned Nashville/Wilson Road. However, it is important to note that the Comprehensive Plan was adopted in 2005 and is currently in the process of being updated. The road improvements are in accordance with Figure 8-2 Thoroughfare Plan.**

An exemption to conventional zoning is justified because the Comprehensive Plan for the City can be more faithfully and reliably implemented by the use of PD zoning; **The exemption to conventional zoning is justified as the development will fill a need for this style of development inside the City.**

The General Plan is compatible with the location, topographic and other characteristics of the site and will bear a beneficial relationship with surrounding land uses in terms of noise, smoke, dust, debris, or other nuisances; **The Plan is compatible with these characteristics.**

The General Plan is carefully designed to support surrounding streets, utilities and other public improvements; **The public improvements have been designed to meet city recommendations (water, sewer, and road improvements). The majority of the infrastructure (streets and storm water will be privately owned and maintained).**

The General Plan represents an efficient and economic use of the land in view of the community's need for a balance of land uses; **The proposed use does fill a need in the market for this type of development.**

All public streets, utilities and services necessary to carry out the General Plan are available to the site, or will be extended or improved by the developer and/or City in time to permit the development to be properly served; **The public improvements will be installed to permit the development to be properly served. The road improvements are in accordance with Figure 8-2 Thoroughfare Plan. Sewer is being expanding on the north side of W. Market Street for the boundary of the development.**

Exception from conventional zoning is warranted by design goals or other criteria and/or the need to provide a variety of development opportunities within the community; **An exemption is warranted from regular zoning as this PD proposes to provide different housing options for the community.**

The design of the development protects natural assets such as streams, wood lots, steep terrain, and other critical environments in the City; **Not applicable in this request.**

Taken as a whole the development of the proposed PD will have a positive effect on the health, safety, and general welfare of the City; **The proposed PD will create a positive effect on the community and will provide additional housing options.**

The General Plan appears capable of being implemented by a Final Development Plan which meets all requirements of this Section. **The General Plan is capable of implementation by a Final Development Plan.**

ZONING CODE:

In reviewing a rezoning proposal, Section 1139.07 outlines the criteria on which to base decisions:

(A) Whether the change in classification would be consistent with the intent and purpose of this Zoning Code.

The rezoning would be consistent with the following sections of the Zoning Code:

1131.02 (g) “To provide for creatively designed single-use and mixed-use Planned Developments, and to preserve their character and vitality through ongoing regulatory supervision.”

1131.02 (k) “To facilitate the efficient and economical development and use of land and public facilities.”

(B) Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions. **No changes in the area have created this rezoning request.**

(C) Whether the uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity. **The proposed use of the property is compatible with the other uses in the immediate vicinity. Abutting the eastern and northern property lines are residential developments with the same uses as proposed.**

(D) Whether adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified.

The proposed PD can and will be served by City water and sewer. All other public services can be provided with the proposed rezoning area.

(E) The amount of vacant land that currently has the same zoning classification as is proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, in any, that make a substantial part of such vacant land unavailable for development.

The property is surrounded by developed land to the east, and northeast that hold residential zoning districts. There is no other land that holds the proposed PD zoning district designation with the vicinity.

(F) Whether the proposed amendment would correct an error in the application of this Zoning Code as applied to the subject property.

Not applicable in this request.

Staff recommends that Planning Commission provide a positive recommendation to City Council to approve this request for PD Planned Development zoning and General Plan subject to the following conditions on the General Plan:

A second egress is established and maintained for each phase in accordance with the Troy Fire Department regulations, and,

The proposed rezoning is found to be consistent with the intent and purposes of the City of Troy Zoning Code, Comprehensive Plan and with similar zoning classifications and uses in the area.

DISCUSSION:

-Mr. Wolke stated he received an email from Council President William Lutz regarding the applicability of a Planned Development for this land. (Copy of email attached to original minutes.) Staff commented that when a traditional rezoning for this land was submitted to Council, a PD was indicated to be preferred and this submittal is in response.

-Mr. Wolke noted that the Comprehensive Plan indicated this land should be developed as industrial and he hopes that the new Comprehensive Plan Update looks at the diminishing industrial land in the City. Mr. Titterington commented that the Commission will be a “focus group” meeting with the consultant on the Comprehensive Plan update and this would be a topic of discussion at a meeting in that regard.

-Mr. Titterington commented that storm water management was a concern expressed by neighbors when the previous rezoning was discussed. It was stated that two areas of a total of 11 acres for storm water management is proposed for this development to address those concerns.

-Mr. Rider, for the applicant, commented that the plan is showing adequate area for storm water management, including room for expansion.

-Mrs. Ehrlich asked about the Swailes Road Thoroughfare connection, and was advise that the Thoroughfare Plan provides for an improvement of a Swailes Road connector to Wilson Road.

PUBLIC HEARING: A motion was made by Mrs. Ehrlich, seconded by Mr. Titterington, that the Commission not hold a public hearing on the rezoning of the Somerset Reserve Subdivision.

MOTION ADOPTED, UNANIMOUS ROLL CALL VOTE

RECOMMENDATION: A motion was made by Mr. Westmeyer, seconded by Mayor Oda, that the Troy Planning Commission recommends to Troy City Council that the 58.093 acre Somerset Reserve Subdivision Planned Development – Residential (PD-R), part of the property known as the Isern-Huegel Annexation, part of IL 11550, located at 3054 W. SR 55, along W. Market Street and Nashville Road, be rezoned from the County zoning classification of A-2, General Agriculture, to a City of Troy Planned Development- Residential (PD-R), and recommends approval of the General Plan, based on the findings of staff that:

- The proposed rezoning is found to be consistent with the intent and purposes of the City of Troy Zoning Code, Comprehensive Plan, and with similar zoning classifications and uses in the area, and
- subject to the condition that a second egress is established and maintained for each phase in accordance with Troy Fire Department regulations.

MOTION ADOPTED, UNANIMOUS ROLL CALL VOTE

OTHER: Staff commented that the October 25 meeting will primarily be the Commission meeting as a focus group with the consultant for the Comprehensive Plan update.

There being no further business, the meeting adjourned at 3:55 p.m. upon motion of Mrs. Ehrlich, seconded by Mr. Titterington, and approved by unanimous voice vote.

Respectfully submitted,

_____Chairman

_____Secretary