

TOWN OF TROY
St. Croix County, Wisconsin
Ordinance No. 2022-01

**ORDINANCE ESTABLISHING A PLANNED UNIT
DEVELOPMENT OVERLAY DISTRICT FOR TROY
COMMERCIAL PARK CONDOMINIUM**

The Town Board of the Town of Troy hereby ordains as follows:

WHEREAS, the Town of Troy has adopted a Zoning Ordinance which allows planned unit development overlay districts per Chapter 170-8(b)(3)(d) of the Town of Troy Ordinances; and

WHEREAS, E.W. Homes, Inc. has requested that the Town of Troy establish a Planned Unit Development Overlay District, the purpose of which is to allow a development of property as a Planned Unit Development; and

WHEREAS, E.W. Homes, Inc., in accordance with the Town of Troy Zoning Code, has submitted a General Development Plan outlining the proposed development of the property, a copy of which is incorporated in this Ordinance as Exhibit A; and

WHEREAS, E.W. Homes, Inc. has recorded a Condominium Plat for Troy Commercial Park Condominium, a copy of which is attached as Exhibit B; and

WHEREAS, the Town Plan Commission, on June 9, 2022, considered the request for establishment of a Planned Unit Development Overlay District in accordance with the terms of the Development Plan, and after conducting a Public Hearing, has recommended to the Town Board that the Planned Unit Development Overlay District be established as it relates to the property.

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF TROY HEREBY ORDAINS AS FOLLOWS:

1. In accordance with the General Development Plan submitted by the property owner, E.W. Homes, Inc., the Property described and shown on Exhibit B may be developed as Planned Unit Development, consistent with the underlying Commercial District zoning classification, subject to the following conditions:

A. The Developer's Agreement shall be modified to have the developer grant the Town a 25-foot temporary easement for construction purposes and a 15-foot permanent easement for a future bike/pedestrian path.

B. The Declarations of the Covenants, Conditions, Restrictions, and Easements shall be amended to reflect the changes to read as follows: Any and all amendment(s) to this Declaration shall not be effective until such time as the Town of Troy has approved said amendment(s) and the amendments(s) are recorded with the St. Croix County Register of Deeds.

C. The hard surface calculations of each phase of the development shall be submitted to the Town engineer by the developer at the time of final development plan approval for each phase.

D. The developer shall install the fire department requested lock box at all installed gates to allow access for emergency services.

E. The Developer shall provide the Town with copies of all approvals and permits from other relevant agencies.

F. Any revisions required by the Division of Industry Services to the State approved building plans shall also require approval from the Town staff.

G. The Developer shall submit to the Town all Wisconsin DNR approvals of the site grading and water system design.

H. The Developer shall submit to the Town all St. Croix County private wastewater permits.

I. The Developer's design engineer shall work with the Town engineer for the appropriate design parameters and post the road now known as Town Road 1 at 35 mph and the road now known as Town Road 2 shall be posted at 25 mph.

J. The Developer shall work with the town staff to legally designate the public roadways with the town's preferred names.

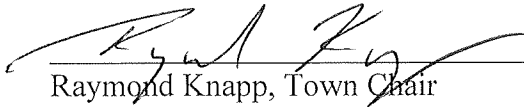
2. All ordinances or parts of ordinances contravening the terms and conditions of this ordinance are hereby to that extent repealed.

3. Each exhibit which is attached to this ordinance is deemed to be and is expressly made a part of an incorporated into this ordinance to the same extent as if each such exhibit and the plans identified therein had been set forth in its entirety in the body of this ordinance.

4. This Ordinance shall become effective upon passage and publication as required by law and upon the final approval of the Development Plans, as recommended by the Plan Commission, and the Town Clerk shall so amend the Code of Ordinances and zoning map of the Town of Troy.

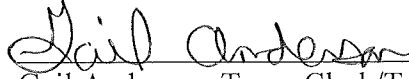
5. If any provision in this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such a decision shall not affect the validity of any other provision of this ordinance. It is hereby declared to be the intention of the Town of Troy that all provisions of this ordinance are separable.

Adopted this 28 day of June, 2022.


Raymond Knapp, Town Chair

Date: 6/28/22

Attest:


Gail Anderson, Town Clerk/Treasurer

Date: 6/28/22