

MINUTES OF THE MEETING
OF THE
DECATUR PLAN COMMISSION

Thursday, October 6, 2016
City Council Chamber, Decatur Civic Center

The October 6, 2016 meeting of the Decatur City Plan Commission was called to order at 3:00 P.M. in the City Council Chamber, Third Floor of the Decatur Civic Center, by Acting Chairman Kent Newton who determined a quorum was present.

Members Present: Bruce Frantz, Ed Harris, Jack Myatt, Kent Newton,
Terry Smith

Members Absent: Bill Clevenger, Susie Peck, Glenn Livingston

Staff Present: Billy Tyus, Griffin Enyart, Troy Hall,
John Robinson, Janet Poland

It was moved and seconded (Frantz/Harris) to approve the minutes of the September 23, 2016 Special meeting of the Decatur City Plan Commission. Motion carried with Jack Myatt abstaining from the vote.

New Business

Cal. No. 16-41

Petition of Iroquois, LLC, to rezone property located in the 2500-2600 Blocks of South Business Route 51 and the 900 Block of West Grove Road from B-1 Neighborhood Shopping District, R-6 Multiple Dwelling District, R-1 Two Family Residence District to B-2 Commercial District

Mr. Billy Tyus was sworn in by Mrs. Janet Poland.

Mr. Tyus presented the recommendation of staff:

The subject sites located in the 2500-2600 Blocks of South Business Route 51 and the 900 Block of West Grove Road are currently zoned B-1 Neighborhood Shopping District, R-6 Multiple Dwelling District and R-5 Two Family Residence District, in total, the sites consist of approximately 5 acres.

These subject sites are smaller portions of a much larger parcel located at the Northeast corner of South Business Route 51 and West Grove Road. The majority of the approximately 23.8 acres is currently zoned B-2 Commercial District.

The petitioner proposes to rezone the subject sites from B-1 Neighborhood Shopping District, R-6 Multiple Dwelling District and R-5 Two Family Residence District to B-2 Commercial District that would allow for all those uses permitted in the B-2 Commercial District and allow for the entire parcel to be located in the same zoning district.

Rezoning the sites from B-1 Neighborhood Shopping District, R-6 Multiple Dwelling District and R-5 Two Family Residence District to B-2 Commercial District should not create any adverse effects on the adjacent properties or the City as a whole as a majority of the adjacent area is zoned B-2 Commercial District and has been zoned as such for more than 30 years.

The adjacent zoning includes R-5 Two Family Residence District and R-6 Multiple Dwelling District to the north and east. B-2 Commercial District to the south and west. The Macon County and Decatur Comprehensive Plan shows this area as Residential-Low Density, however, Staff is of the opinion that rezoning these portions of the larger, approximately 23.8 acre, parcel is consistent with a decision by the City Council to rezone the property to B-2 Commercial District more than 30 years ago. The uses permitted in the B-2 Commercial District are compatible with being located at the corner of a large intersection being South Business Route 51 and West Grove Road. The existing districts to the south and west are compatible with the B-2 Commercial District.

Section XXIX. of the City of Decatur Zoning Ordinance requires the Plan Commission to hold a public hearing on a rezoning request, and then forward its report and recommendation to the City Council for final approval. A motion to forward Calendar Number 16-41 to the City Council with a recommendation for approval is suggested.

Mrs. Mary Cave, representative, was sworn in by Mrs. Poland.

Mrs. Cave stated that the site in question was made up of multiple zoning districts and that the petitioner was requesting the rezoning to be able to subdivide the site.

There were no questions and no objectors present.

It was moved and seconded (Myatt/Harris) to forward Calendar No. 16-41 to the City Council with a recommendation for approval. Motion carried unanimously.

Cal. No. 16-42	Petition of IROQUOIS, LLC, to allow for no frontage or direct access to a public street located in the 2500-2800 BLOCKS OF SOUTH BUSINESS ROUTE 51 and 900-1000 BLOCKS OF WEST GROVE ROAD
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Mr. Tyus presented the recommendation of staff:

The approximately 23.8 acre subject site is currently agricultural and undeveloped. It consists of two (2) parcels of land and is located at the northeast corner of South Business Route 51 and West Grove Road.

The Final Minor Plat of Iroquois Addition was reviewed by Engineering, Fire and Planning. The petitioner is requesting the approval of no direct access to a public street and no frontage on a public street. The petitioner proposes to subdivide the property into two (2) lots in which the proposed Lot One (1) will have no frontage on and no direct access to a public street. According to the Zoning Ordinance each lot shall have frontage on, direct access to, a public street or way that is improved to City standards, unless the Council shall otherwise direct, by approval of a subdivision plat so showing submitted, heard and considered in the manner provided in the subdivision Regulations for the City.

The purpose of the subdivision is to create two (2) lots for immediate development and the potential for more lots for future development.

The petitioner proposes to subdivide the property into two (2) lots. The proposed Lot One (1) will have no frontage on and no direct access to a public street.

The developer proposes to construct a private access road that will meet city standards in a proposed 60 foot wide ingress/egress easement that will run along the west side of the entire proposed west line of Lot One (1). This proposed easement lines up with the current easement of the north/south portion of Rotary Way. This easement along with the current easement of Rotary Way running to South Business Route 51 will give proposed Lot One (1) access to the public right of way.

This action is being proposed to allow flexibility to potentially develop other portions of the proposed site in the future while ensuring that immediate development can occur and will be done in a manner that benefits the health, safety and welfare of the community.

Staff will support the no frontage on and no direct access to a public street for the proposed Lot One (1) if a private access road is built to City Standards and maintained as such to ensure proper emergency vehicle access.

Staff recommends approval of the no frontage on and no direct access to a public street with the following condition:

- A. A private access road disclaimer and maintenance statement shall be required on the Final Plat in order to ensure properly maintained access for emergency vehicles as approved by the Public Works Department.

Mr. Tyus stated discussions are ongoing concerning future ownership and maintenance of the road. Staff is asking for the Plan Commission's recommendation pending an agreement on an ownership/maintenance plan.

Mr. Terry Smith asked if the developer would maintain the road until an agreement is made.

Mr. Tyus said the property owner would maintain the road until the time the City would take ownership.

Section IV.A.8. of the City of Decatur Zoning Ordinance requires the Plan Commission to hold a public hearing to review Plats when there is no frontage and no direct access to a public street and report its findings to the City Council. A motion to forward Calendar Number 16-42 to the City Council with a recommendation for approval is suggested.

Mrs. Mary Cave, representative, stated the petitioner is requesting to create a two (2) lot subdivision which would utilize a private roadway from Rotary Park. In this area, Route 51 is access controlled by the Illinois Department of Transportation (IDOT). Additional driveways from Route 51 will not be allowed as per IDOT. Lot One (1) will be a commercial school and will be used as a destination which will not need the pass by traffic. The petitioner prefers to be offset from the road.

There were no questions and no objectors present.

It was moved and seconded (Myatt/Frantz) to forward Calendar No. 16-42 to the City Council with a recommendation for approval as presented by staff. Motion carried unanimously.

There being no further business, it was moved and seconded (Smith/Harris) to adjourn the meeting. Motion carried unanimously. Acting Chairman Newton declared the meeting adjourned at 3:17 P.M.

Kent Newton, Secretary
Decatur City Plan Commission