

STAFF REPORT
Decatur City Plan Commission

Hearing Date May 6, 2021
Case No. 21-04
Property Location 1170 East Riverside Avenue
Request Rezoning from R-3 Single-Family Residence District and O-1 Office District to B-1 Neighborhood Shopping District.
Petitioner TyKyna Cole
Representative N/A

BACKGROUND

The subject site is located at 1170 East Riverside Avenue and is currently zoned R-3 Single-Family Residence District and O-1 Office District. It is approximately 16,560 square feet (0.38 acres) and is currently developed as an office/business and parking lot.

Surrounding Land Use and Zoning

<i>Direction</i>	<i>Existing Land Use</i>	<i>Zoning</i>	<i>Comprehensive Plan</i>
Subject Property	Office/Business	R-3, O-1	Retail
North	Single Family Residence	R-3	Residential – Low Density
South	Single Family Residence	R-3	Residential – Low Density
East	Office/Commercial	B-1	Retail
West	Single Family Residence	R-3	Residential – Low Density

PROJECT DESCRIPTION

The petitioner proposes to rezone the site from R-3 Single-Family Residence District and O-1 Office District to B-1 Neighborhood Shopping District to create a uniform zoning district for the site.

STAFF ANALYSIS

The surrounding zoning districts include R-3 Single Family Residence District to the north, south and west and B-1 Neighborhood Shopping District to the east. The Macon County and Decatur Comprehensive Plan shows this area as Retail. The proposed B-1 zoning would be compatible and consistent with the surrounding zoning and uses. Also, rezoning the “R-3” District and O-1 District portion of the site to “B-1” District would bring uniformity in zoning for the entire site, i.e. B-1 District. As a result, this would allow zoning conformance to the existing business and any of its future expansion.

The subject site is located within a mixed-use area and rezoning to B-1 Neighborhood Shopping District should have no adverse effect on the general area or the City as a whole.

STAFF RECOMMENDATION

Staff recommends approval of the rezoning request.

PLAN COMMISSION ACTION

Section XXIX. 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 a final decision. A motion to forward Case 21-04 to City Council by the Plan Commission with a recommendation is warranted.

This report constitutes the testimony and recommendation of the Planning and Development Division, Community Development Department, City of Decatur.

Joselyn Stewart
Planner

ATTACHMENTS

1. Petition
2. Location Map



City of Decatur, Illinois

PETITION FOR REZONING

Petition before the Mayor, City Council and Members of the Plan Commission of Decatur, Illinois

Economic and Urban Development Department
 One Gary K. Anderson Plaza
 Decatur, Illinois 62523-1196

424-2793
 FAX 424-2728

Please Type

SECTION ONE: PETITIONER / OWNER / REPRESENTATIVE INFORMATION					
Petitioner	TyKyna Cole				
Address	4627 East Powers ave				
City	Decatur	State	IL	Zip	62521
Telephone	2177917202	Fax		E-mail	colecounselingservices@
Property Owner	TyKyna Cole				
Address	Same As Above				
City		State		Zip	
Telephone		Fax		E-mail	
Representative	Same As Above				
Address					
City		State		Zip	
Telephone		Fax		E-mail	

SECTION TWO: SITE INFORMATION						
Street Address	1170 East Riverside Ave Decatur, IL					
Legal Description	One business office with a side parking lot. 2 parcels					
Present Zoning	<input type="checkbox"/> R-1	<input type="checkbox"/> R-2	<input checked="" type="checkbox"/> R-3	<input type="checkbox"/> R-5	<input type="checkbox"/> R-6	Is this property a Planned Unit Development? <input type="checkbox"/> YES Approval Date: _____ <input type="checkbox"/> NO
	<input type="checkbox"/> B-1	<input type="checkbox"/> B-2	<input type="checkbox"/> B-3	<input type="checkbox"/> B-4	<input checked="" type="checkbox"/> O-1	
	<input type="checkbox"/> M-1	<input type="checkbox"/> M-2	<input type="checkbox"/> M-3	<input type="checkbox"/> PMR-1		
Please list all improvements on the site:						
Size of Tract	<input type="checkbox"/> SF <input type="checkbox"/> AC					

SECTION THREE: REQUESTED ACTION						
Rezoned Property To:	<input type="checkbox"/> R-1	<input type="checkbox"/> R-2	<input type="checkbox"/> R-3	<input type="checkbox"/> R-5	<input type="checkbox"/> R-6	Will this property be a Planned Unit Development? <input type="checkbox"/> YES <input type="checkbox"/> NO
	<input checked="" type="checkbox"/> B-1	<input type="checkbox"/> B-2	<input type="checkbox"/> B-3	<input type="checkbox"/> B-4	<input type="checkbox"/> O-1	
	<input type="checkbox"/> M-1	<input type="checkbox"/> M-2	<input type="checkbox"/> M-3	<input type="checkbox"/> PMR-1		
Other:	Both lots to be B-1					

<i>Section Three Continued</i>	
Purpose	<i>Please state the purpose of the proposed rezoning.</i>
To have all the lots I own and am purchasing to be the same zone.	

SECTION FOUR: JUSTIFICATION	
<i>The petitioner submits to the City Plan Commission and City Council the following facts (additional pages may be attached):</i>	
I own two lots that have different zoning and would like to use the back of those lots for a food trailer.	

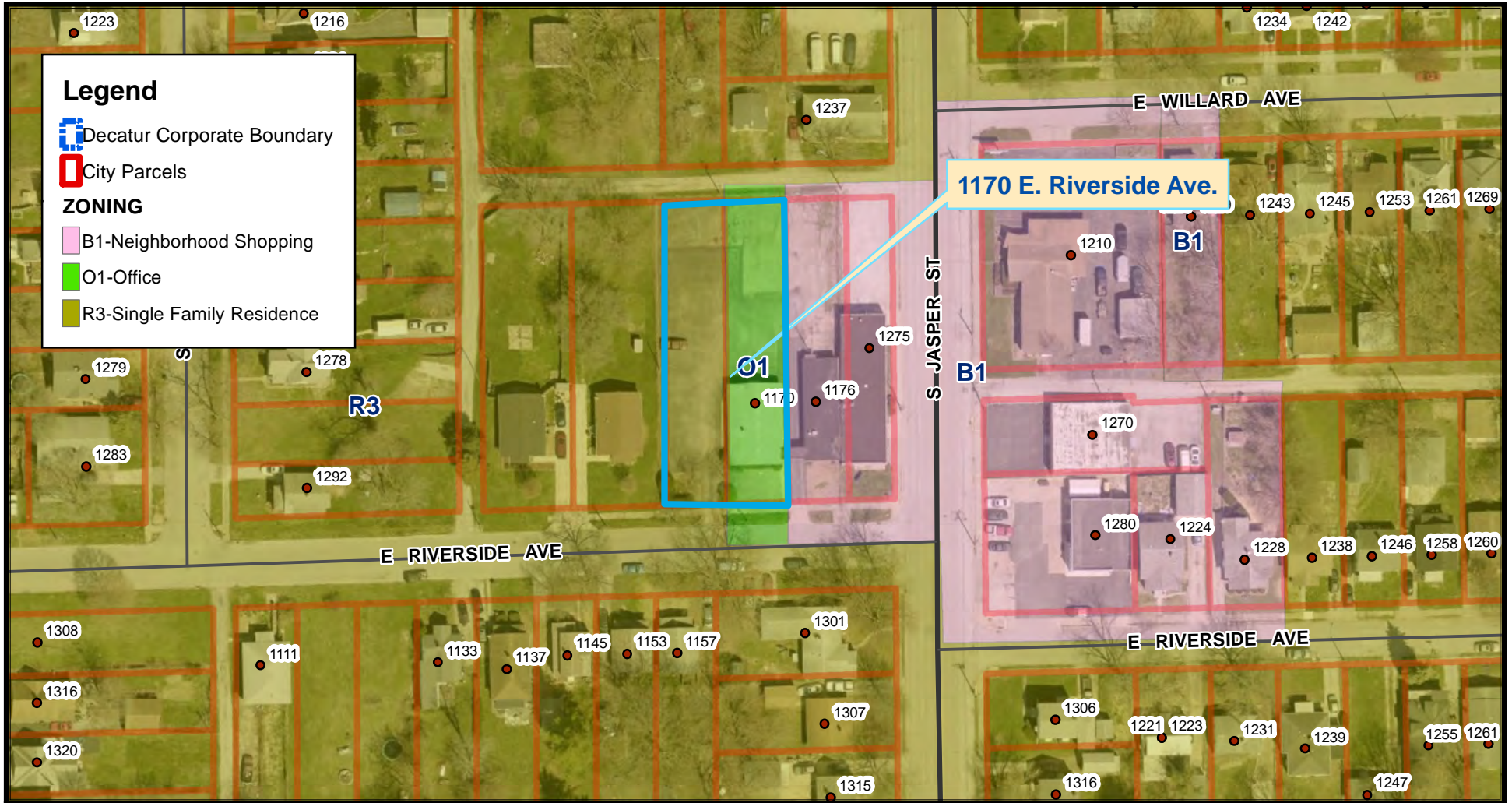
SECTION FIVE: CERTIFICATION	
	To be placed on the agenda of the regular meeting on the first Thursday of the month at 3:00 PM in the City Council Chambers, petition must be received on the first Thursday of the preceding month. Failure of the petitioner or the petitioner's representative to attend the Plan Commission hearing may result in items being tabled. Incomplete or erroneous petitions may delay items being heard by the Plan Commission.
Petitioner's Signature	<i>[Signature]</i>
Date	<i>4/8/21</i>

- NOTES:**
1. Please forward this completed form and attachments to the Economic and Urban Development Department, Third Floor, Decatur Civic Center. Please make checks payable to the City of Decatur. See Schedule "A" for fees.
 2. Signature of this petition grants permission to City staff to place a sign, indicating a request for zoning action, on the subject property at least 10 days prior to the Decatur City Plan Commission hearing. Said sign will be removed within 15 days of final action by City Council.
 3. In the event a petition for rezoning is denied by the Council, another petition for a change to the same district shall not be filed within a period of one year from the date of denial, except upon the initiation of the City Council or the City Plan Commission after showing a change of circumstances which would warrant a renewal.
 4. All petitions before the Decatur City Plan Commission are reviewed through the Development Technical Review (DTR) Process. Please consult the DTR Brochure for information related to this process.

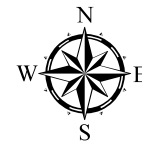
OFFICE USE ONLY	
Date Filed	
By	

City of Decatur Plan Commission

1170 E. Riverside Ave.



Case No: 21-04
Date: May 6, 2021
Petition of: TyKyna Cole
Requested Action: Rezoning from R-3 Single-Family Residence District and O-1 Office District to B-1 Neighborhood Shopping District



1 inch = 100 feet