

STAFF REPORT
Decatur City Plan Commission

Hearing Date April 7, 2022
Case No. 22-06
Property Location 3035 North MacArthur Road
Request Rezoning from R-1 Single Family Residence District to O-1 Office District
Petitioner Gailey Eye Clinic
Representative Chastain & Associates, LLC

BACKGROUND

The subject site is located at 3035 North MacArthur Road and is currently zoned R-1 Single Family Residence District. It is approximately 0.40 acres (17,424 square feet) and is currently developed with a single family structure and shed.

Surrounding Land Use and Zoning

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

PROJECT DESCRIPTION

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

STAFF ANALYSIS

The surrounding zoning districts include R-1 Single Family Residence District to the north, O-1 Office District to the south and west and O-1 Office District and PD Planned Development District to the east. The Macon County and Decatur Comprehensive Plan shows this area as Residential-Low Density and Retail. The proposed O-1 zoning would be compatible and consistent with the current site and the surrounding zoning and uses.

The subject site is located within a mixed-use area and rezoning to O-1 Office 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 22-06 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, Economic and Community Development Department, City of Decatur.

Joselyn Stewart
Planner

ATTACHMENTS

1. Petition
2. Location and Zoning Map

	City of Decatur, Illinois	
	PETITION FOR REZONING	
	<i>Petition before the Mayor, City Council and Members of the Plan Commission of Decatur, Illinois</i>	
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	Gailey Eye Clinic				
Address	1008 N Main Street				
City	Bloomington	State	IL	Zip	61701
Telephone	217-875-0300	Fax		E-mail	
Property Owner	Veronica Lee				
Address	3035 N MacArthur Road				
City	Decatur	State	IL	Zip	62526
Telephone	217-412-9241	Fax		E-mail	vclee1@gmail.com
Representative	Chastain & Associates LLC				
Address	5 N. Country Club Road				
City	Decatur	State	IL	Zip	62521
Telephone	217-422-8544	Fax		E-mail	jozier@chastainengineer.com

SECTION TWO: SITE INFORMATION						
Street Address	3035 N. MacArthur Road					
Legal Description	Lot 2 of Wysong & Miller Addition, as per plat recorded in Book 802, Page 42 of the records in the Recorder's Office of Macon County, Illinois (except coal and other minerals underlying the surface of said land and all rights and easements in favor of the estate of said coal and other minerals).					
Present Zoning	<input checked="" type="checkbox"/> R-1	<input type="checkbox"/> R-2	<input 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 checked="" type="checkbox"/> NO
	<input 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		
Please list all improvements on the site:						
	Single family home.					
Size of Tract	.40	<input type="checkbox"/> SF	<input checked="" type="checkbox"/> AC			

SECTION THREE: REQUESTED ACTION						
Rezone 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 checked="" 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		
Other:						

<i>Section Three Continued</i>	
Purpose	<i>Please state the purpose of the proposed rezoning.</i>
To stay consistent with zoning in the area surrounding the property and prevent the occurrence of spot zoning.	

SECTION FOUR: JUSTIFICATION	
<i>The petitioner submits to the City Plan Commission and City Council the following facts (additional pages may be attached):</i>	
See attached.	

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>Tom Restivo</i>	dotloop verified 03/03/22 11:55 AM CST KPJW-UGWF-GC18-N951	Date

NOTES:	
<ol style="list-style-type: none"> 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	

Section Four - Justification

1. The subject property is currently zoning R-1 Single family and contains a single-family residence. The Zoning District to the west and south of the subject property is O-1 Office District. To the west is a medical clinic while to the south is the Social Security Administration Office and another medical clinic. Across MacArthur Road to the east is yet another medical clinic which is zoned PD Planned Development District. Across Pershing Road (IL Route 121 & 48) to the south, is zoned B-2 Commercial District and PD Planned Development District and contains mixed-use development. The Zoning District to the southeast, across the intersection of Pershing Road (IL Route 121 & 48), is zoned a B-3 Planned Shopping Center District and includes a CVS store and office building. The property to the north of the subject property is currently vacant and zoned R-1 Single Family Residence but is simultaneously requesting to be rezoned to O-1 Office District.
2. The property abuts a major arterial street.
3. The rezoning of this property will keep it consistent with the adjacent zoning districts and help prevent the occurrence of spot zoning.

City of Decatur Plan Commission

3035 North MacArthur Road



Legend

- Parcels
- ROW
- ZONING**
- B1-Neighborhood Shopping
- B2-Commercial
- B3-Planned Shopping
- O1-Office
- PD-Planned Development
- R1-Single Family Residence
- R2-Single Family Residence
- R3-Single Family Residence
- Overlay_Districts

Case No: 22-06
Date: April 7, 2022
Petition of: City of Decatur
Requested Action: Rezone from R-1 Single Family Residence District to O-1 Office District

