

**MINUTES OF THE MEETING  
OF THE  
DECATUR CITY PLAN COMMISSION**

Thursday, June 7, 2018  
City Council Chamber, Decatur Civic Center

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**I. Call to Order and Determination of a Quorum**

The June 7, 2018 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 Susie Peck who determined a quorum was present.

Members Present: Bill Clevenger, Bruce Frantz, Bruce Jeffery,  
Jack Myatt, Mike Peoples, Susie Peck

Members Absent: Glenn Livingston, Kent Newton, Terry Smith

Staff Present: Joselyn Stewart, Ray Lai, Griffin Enyart,  
John Robinson, Janet Poland

**II. Approval of Minutes of the April 5, 2018 City Plan Commission Meeting**

It was moved and seconded (Jeffery/Frantz) to approve the minutes of the April 5, 2018 meeting of the Decatur City Plan Commission. Motion carried with Jack Myatt abstaining.

**III. New Business**

**Case No. 18-09      Petition of MOUND ROAD PROPERTIES, LLC, to rezone property located at 110-140 WEST MOUND ROAD from R-3 Single Family Residence District to PD Planned Development District to allow for the uses of Office, Retail, Restaurant including a Drive-Thru Facility, and Medical Office.**

It was moved and seconded (Jeffery/Myatt) to forward Case No. 18-19 to the City Council with a recommendation for approval as set forth in the staff recommendation.

Mrs. Joselyn Stewart was sworn in by Mrs. Janet Poland.

Mrs. Stewart discussed and presented slides of the site and surrounding properties (available for viewing upon request) along with the recommendation of staff:

The subject site has three (3) single family residential structures and one vacant lot on approximately 3.3 acres. The site is generally located at the northwest quadrant of West Mound Road and North Water Street (U.S. 51) with frontage on West Mound Road. The public utility building at the northwest corner of said roadways is not part of the petitioned area.

The petitioner proposes to rezone the subject site from R-3 Single Family Residence District to PD Planned Development District in order to construct a commercial center for multiple uses including offices, retail, medical office, and a restaurant with drive-thru facility.

The petitioner proposes to construct two commercial buildings, 12,577 square feet (east building) and 4,800 square feet (west building with a drive-thru facility) respectively. The overall area is proposed to be subdivided into two (2) lots. The petitioner will be required to submit a subdivision plat to the City for review and approval and the final site plan will not be approved until the plat has been approved by the City and recorded with Macon County.

Staff recommends approval of the proposed PD Planned Development District petition with the following conditions:

1. The permitted uses in this Planned Development District are retail, no more than one (1) freestanding restaurant with a drive-through facility; and medical and professional offices in no more than two (2) buildings. Consumer credit services; outdoor storage of merchandise, construction equipment and/or building materials; check cashing services; pawnbroker; tattoo or body piercing parlor; gas stations; and video-gaming parlor are prohibited.
2. The combined total square footage of both buildings shall not exceed 17,400 square feet.
3. Building elevations and construction materials primarily of masonry shall be as approved by the Economic and Community Development Department in conjunction with the final site plan review.
4. There is concern that the storm sewer system along Mound Road does not have the capacity to take any additional storm water. The drainage design must be studied further, and a report, sealed by a professional engineer, must be submitted. Storm water runoff must be managed according to City of Decatur Storm Water Policy and must consider the impact on downstream properties and infrastructure. The final design of the detention area and where it outlets must be reviewed and approved by the City prior to the approval of site plan.
5. A public sanitary sewer runs through the property where the buildings are proposed. The sewer will have to be relocated around the building with a new permanent easement surrounding the sewer.
6. Signs prohibiting left turns are required at the two exit points for the site.
7. The overall development will be permitted to have no more than two (2) freestanding monument style signs along the frontage of West Mound Road, one on each of the two (2) proposed lots. One of the permitted freestanding signs shall be a maximum of 160 square feet in area and not exceeding twenty (20) feet in height. The second permitted sign shall not exceed one hundred (100) square feet in area or ten (10) feet in height. Electronic Message Unit (EMU) signage, if proposed, on the freestanding monument style signage shall be permitted, subject to the requirements of the Zoning Ordinance for EMUs. An electronic message unit shall be permitted on the menu/order board for the drive-through facility. All other signage within the development will be prohibited from having EMUs.
8. Hours of operation for a restaurant, if proposed, shall be between the hours of 6:00 AM and 11:00 PM.
9. No outside speakers shall be permitted except for the drive-through facility with the restaurant.
10. All lights facing the west, north and east shall be shielded from the adjoining properties.
11. A two lot final subdivision plat will be required to be submitted, approved and recorded prior to a final site plan being approved.
12. Except as otherwise required by the Zoning Ordinance regarding buffer yards, a minimum of fifteen (15) foot wide landscaped buffer yard shall be provided along the respective east and west property limits of the overall development where they adjoin residentially-zoned

properties. A mix of trees and shrubs, in sizes as prescribed by the Zoning Ordinance, shall be provided within the required buffer yards.

13. Cross-access and cross-parking easements, as well as trash enclosure easement, shall be established, approved, and recorded for the two (2) proposed lots as part of the final subdivision plat approval procedure.
14. The design and location of the proposed curb cut(s) on West Mound Road shall be as approved by the Department of Public Works on the final site plan.
15. Final site, landscaping and lighting plans shall be submitted to and approved by the Economic and Community Development Department, Public Works Department and the Fire Department prior to building permits being released.

Staff discussed the limitations of permitted uses with the Commission.

Mrs. Mary Cave, representative of the petitioner, was sworn in by Mrs. Poland.

Mrs. Cave stated the medical office building is phase one (1) for the proposed development. The uses for the other building are not known at the present. She said they are working with City staff concerning the storm sewer system.

Mrs. Cave stated they take exceptions to two (2) of the conditions. The first item is #8 "Hours of Operation". The condition states the hours of operation shall be between 6:00 AM and 11:00 PM. They are asking the Commission members to change the hours of operation to 5:00 AM and 11 PM since Starbucks opens at 5:00 AM across the street. The additional hour in the morning would give a potential restaurant equal treatment. The second item #7 concerns the requested sign for the area. (An image of the requested sign is attached). Mrs. Cave said the image is the type of sign the future tenant of the medical facility is currently using in other communities. It is a three (3) sided LED/LCD sign. Staff has informed the petitioner that the Zoning Ordinance only allows an electronic message unit to be 50 square feet and it cannot be varied. The sign they are requesting is 272 square feet. The petitioner would like the Plan Commission to look at the design and quality of the sign for possible reconsideration.

Discussion was held on the entrances to the proposed development. The traffic flow will be right-in and right-out.

The Commission asked where the sign would be located on the property and how far off of Mound Road it would be. Mrs. Cave said the sign would most likely be placed between the two (2) entrances and would be approximately fifteen (15) feet from the City right-of-way.

City staff said they have no objection to the change in the hours of operation. After reviewing the Zoning Ordinance and discussion with the Legal Department variances cannot be granted on the size of signs (Electronic Message Unit).

There were no objectors present.

It was moved and seconded (Jeffery/Myatt) to amend the motion and forward Case No. 18-19 to the City Council with a recommendation for approval with the following changed condition:

8. Hours of operation for a restaurant, if proposed, shall be between the hours of 5:00 AM and 11:00 PM

Upon call of the roll, Commission members Bill Clevenger, Bruce Frantz, Bruce Jeffery, Jack Myatt, Mike Peoples and Acting Chairman Susie Peck voted aye. Acting Chairman Peck declared the motion carried.

**Case No. 18-22      Petition of BUILDING SYSTEMS OF ILLINOIS, INC., to rezone property located at 859 NORTH JASPER STREET from M-1 Intense Commercial-Light Industrial District to B-1 Neighborhood Shopping District.**

Mr. Bruce Jeffery stated he would be recusing himself from the discussion and vote for this item as he is the Executive Director for the Boys and Girls Club.

Mrs. Stewart discussed and presented slides of the site and surrounding properties (available for viewing upon request) along with the recommendation of staff:

The subject site located at 859 North Jasper Street is currently zoned both B-1 Neighborhood Shopping District and M-1 Intense Commercial-Light Industrial District. It consists of approximately 3.1 acres and occupied by a community center and accessory facilities.

The petitioner proposes to rezone the southern portion of the site (Lots 11-20) and the eastern most portion (Lots 1-3) of the site from M-1 Intense Commercial-Light Industrial District to B-1 Neighborhood Shopping District in order to create a uniform zoning district for the site. Community Center is a permitted use in the B-1 District but not in the M-1 District.

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 recommends approval of the rezoning.

Mr. Greg Mackling, representative for the petitioner, was sworn in by Mrs. Poland.

Mr. Mackling stated during the permit process it was discovered several lots were zoned differently and he is here to request the lots currently zoned M-1 Intense Commercial- Light Industrial District be rezoned to B-1 Neighborhood Shopping District.

There were no questions and no objectors present.

Upon call of the roll, Commission members Bill Clevenger, Bruce Frantz, Kent Newton, Jack Myatt and Acting Chairman Susie Peck voted aye. Acting Chairman Peck declared the motion carried.

**IV. Appearance of Citizens**

No citizen expressed comments.

**V. Comments and Information from Commission Members**

No commission member expressed comments.

**VI. Adjournment**

There being no further business, it was moved and seconded (Jeffery/Peoples) to adjourn the meeting. Motion carried unanimously. Acting Chairman Peck declared the meeting adjourned at 3:30 P.M.