MINUTES OF THE MEETING

OF THE

DECATUR CITY PLAN COMMISSION

Thursday, September 6, 2018
City Council Chamber, Decatur Civic Center

I. Call to Order and Determination of a Quorum

The September 6, 2018 meeting of the Decatur City Plan Commission was called to order at 3:02 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:	Tom Brinkoetter, Bill Clevenger, Bruce Frantz, Bruce Jeffery, Jack Myatt, Kent Newton, Susie Peck
Members Absent:	Mike Peoples
Staff Present:	Joselyn Stewart, Ray Lai, John Robinson, Griffin Enyart, Tim Dudley, Scott Dedert, Janet Poland

II. Approval of Minutes of the August 2, 2018 City Plan Commission Meeting

It was moved and seconded (Myatt/Clevenger) to approve the minutes of the August 2, 2018 meeting of the Decatur City Plan Commission. Motion carried with Bruce Jeffery and Kent Newton abstaining.

III. New Business

Case No. 18-35 **Petition of DONOVAN MARSCHNER, to rezone property located at 1048-1070 WEST WOOD STREET from R-6 Multiple Dwelling District to B-1 Neighborhood Shopping District.**

It was moved and seconded (Frantz/Myatt) to forward Case No. 18-35 to the City Council with a recommendation for approval as set forth in the staff report.

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:

Zoned R-6 Multiple Dwelling District, the subject site is a parking lot and four vacant lots of approximately 34,000 square feet located at 1048-1070 West Wood Street.

The petitioner proposes to rezone the subject site from R-6 Multiple Dwelling District to B-1 Neighborhood Shopping District.

The surrounding zoning includes B-2 Commercial District to the south, B-1 Neighborhood Shopping District to the west, R-6 Multiple Dwelling District to the east, and R-6, O-1 West Main Street Overlay District to the north. While Macon County and Decatur Comprehensive Plan shows this area as Residential-Low Density, the proposed B-1 zoning would be compatible with the surrounding zoning districts-primarily commercial and high density residential.

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.

If the property were to be developed for a commercial use in the future, a buffer yard with screening would be required along the north and east property line in order to protect the abutting residential use.

Staff recommends approval of the rezoning.

Mr. Donovan Marschner, petitioner, was sworn in by Mrs. Poland.

Mr. Marschner stated he is the owner of the Blue Spoon restaurant and would like to build a breakfast restaurant on the subject site. He would like to stay in the Millikin University area.

Mr. Bruce Frantz asked if the parking lot on the west side will remain. Mr. Marschner stated the parking lot is for parking for another business.

Mr. Frantz asked if the parking lot was to be rezoned also. Mr. Marschner said the parking lot is being rezoned along with the two (2) vacant lots he is purchasing.

Mr. Ray Lai stated this is a straight rezoning request to B-1 Neighborhood Shopping District and will be subject to the zoning requirements for B-1. If approved, permitted uses in the B-1 District would be allowed.

There were no objectors present.

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

Case No. 18-36 **Petition of CROSSING HEALTHCARE, to rezone property generally bounded by East Marietta Street, North Water Street, East Wabash Avenue and Martin Luther King Jr. Drive from R-6 Multiple Dwelling District, O-1 Office District, B-2 Commercial District, PD Planned Development District, M-1 Intense Commercial-Light Industrial District and M-2 Heavy Industrial District to PD Planned Development District to allow for a Community Care Campus.**

It was moved and seconded (Jeffery/Brinkoetter) to forward Case No. 18-36 to the City Council with a recommendation for approval as set forth in the staff report.

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 is approximately 22.7 acres and currently contains a community medical facility with a parking lot and a community garden (operated by Crossing Healthcare), as well as many vacant lots.

At the September 4, 2018 meeting, this past Tuesday, the City Council held a public hearing and approved the vacation of certain public rights-of-way (streets and alleyways) and conveyance of numerous City-owned vacant lots within the proposed subject site to Crossing Healthcare.

The petitioner proposes to rezone the subject site to PD Planned Development District to allow for a Community Care Campus, essentially and functionally a social service campus.

	Buildings	Location on site	Existing/ Proposed	Use	Total Size	Height	Notes
1	Crossing Healthcare	West-Central	Existing	Medical offices	29,143	1	Community Garden
2	Inpatient Care Facility	Southeast	Proposed	Detox and Residential Rehab	31,564	1	32 Bedrooms
3	Outpatient Facility	Central	Proposed	Medical offices	15,906	1	Theater room, gym, sports court & playground
4	Dormitory	South-Central	Proposed	Short-term Residences	17,742	2	32 Bedrooms/ 64 Beds
5	Baby Talk	Northwest	Proposed	Early childhood development center	18,193	1	
6	TBD	Northeast	Proposed	TBD	TBD	TBD	
7	North Community Fund	East-Central	Proposed	Community Service Center	16,800	1	

The façade for the proposed buildings will be mostly brick.

Given the 2010 Sustainable Decatur Plan, the developer is also exploring the potential of attaining green building certification with Leadership in Energy and Environmental Design (LEED) by the U.S. Green Building Council.

The City of Decatur Zoning Ordinance provides standards for reviewing applications for Planned District developments. An analysis of the review standards is discussed herein:

1. *Compatibility with the character of the surrounding neighborhood and general area.* is compatible
2. *Effect on area.* The proposed development will have a major positive impact to the nearby neighborhoods, City of Decatur, Macon County, and the State of Illinois.
3. *Consistency with comprehensive plan.* is consistent with the Comprehensive Plan as it currently calls for Residential Low-Density/Mixed Use Commercial/Residential.
4. *Traffic capacity.* The City received preliminary traffic generation numbers and the increase of traffic shown to the City is not expected to exceed the capacity of Water Street, Martin Luther King Jr. Drive or the adjacent intersections.
5. *Adequacy of utilities.* Storm water detention is proposed via three (3) detention basins. The public sanitary sewer and water main on Central Avenue will have to be relocated.
6. *Integration.* The proposed development will be coordinated and developed with consideration of sustainability design features.

7. *Adequacy of parking facilities.* 385 parking spaces will be provided for the entire campus, eight percent (8%) less than the required 419 spaces. However, many of their patients will be dropped off, walk-up, or use public transportation. Some may access the campus by bicycles. Thus, staff is of the opinion that the proposed parking would be adequate. Reciprocal cross-parking and cross-access easements shall be provided by all lots to allow better internal traffic circulation within the proposed campus.

Based on the analysis, staff recommends approval of the proposed PD Planned Development District petition with the following conditions:

1. The permitted uses in this Planned Development District for a community care campus shall include health care center, food pantry, early childhood development center, outpatient medical/healthcare facility, inpatient medical/healthcare facility, dormitory for temporary patients, medical and professional offices, detox/residential rehabilitation facility, community gardens and accessory uses as approved by the Department of Economic and Community Development.
2. Provide traffic analysis to determine if improvements will be needed to the intersections of Water Street with King Street and Martin Luther King Jr. Drive with King Street. IDOT approval must be received for any changes within the North Water Street right-of-way.
3. A maximum of eight percent (8%) reduction in the required overall number of parking spaces is allowed. Bicycle racks shall be provided in appropriate locations for employees and patients.
4. A maximum of seven (7) buildings, the existing Crossing Healthcare medical care facility included, shall be allowed within this Planned Development District, with a combined total square footage not to exceed 161,000 square feet. No building shall exceed 32,000 sq. ft. in size. All buildings shall be one-story in height, with the exception of the dormitory which may be two-story.
5. Building elevations and construction materials primarily of masonry shall be as approved by the Department of Economic and Community Development in conjunction with the final site plan review.
6. The overall development will be permitted to have no more than three (3) freestanding monument style signs – one (1) along the frontage of East Central Avenue and North Water Street, one (1) near the intersection of East King Street and North Warren Street, and one (1) along Martin Luther King Jr. Drive frontage. Wayfinding signs should not exceed four (4) square feet in area and shall not exceed three (3) feet in height each.
7. All lights facing residential uses shall be shielded.
8. Walking trails, decorative 6-foot high perimeter fencing, landscaped berms, community gardens, and orchards shall be provided as approved on the final site plan.
9. Sustainability features should be explored and provided as much as possible for the development of the subject site.
10. A four-lot final subdivision plat will be required to be submitted, approved and recorded prior to a final site plan being approved.
11. Reciprocal cross-access and cross-parking easements shall be provided as approved on the final site plan/subdivision plats and recorded with Macon County Recorder of Deeds.
12. Final site, landscaping/decorative fencing, 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.

Engineering staff is here to answer questions on traffic if need be.

Mr. Frantz asked if the blue area on the key map was a pond or a detention basin that is normally dry.

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

Mrs. Cave explained the blue area is a wet detention pond. The two green areas are dry basins. The wet pond will be ten (10) feet in depth so it can hold fish with a fountain.

Mr. Frantz asked if there would be a fence.

Mrs. Cave stated there will not be a fence and there will be large stone rip rap along the outside a couple of feet up from the water's edge. The pond is for use for the patients and their families. The area has a walking trail all the way around it and a playground. Sundays are family visit days for those seeking treatment. They will be able to use the walking trail, fish in the pond, use the playground. In the out-patient building there will be a small movie theatre, gym and basketball courts.

Ms. Tanya Andricks, CEO of Crossing Healthcare, was sworn in by Mrs. Poland.

Ms. Andricks said the country is facing an opioid epidemic. Currently, our community has fewer beds per population that all the surrounding counties. There are not enough beds for people seeking treatment and they are often placed on a waiting list. This campus will add 56 treatment beds to the community.

Acting Chairman Peck asked if anyone in the audience in support or in opposition to the request wanted to speak.

Mr. Jerry Pelz, Director of Northeast Community Fund, was sworn in by Mrs. Poland.

Mr. Pelz said he was not in opposition of the proposed project and expressed his concerns about the traffic design and impact in the area.

Mr. Bruce Jeffery asked if it was possible to have a stop sign or traffic signal on Martin Luther King Jr. Drive.

Mr. Lai stated the Public Works Department will gather traffic data to determine if the increased traffic warrants it.

There were no objectors present.

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

Case No. 18-38 **Petition of RAYMOND LAI, DIRECTOR OF ECONOMIC AND COMMUNITY DEVELOPMENT, for proposed amendments to the City of Decatur Zoning Ordinance (Ord. #3512, as amended) regarding licensed truck stop establishments, video gaming parlors, and video gaming terminals, including but not be limited to Section II Definitions and Section XVI M-1 Intense Commercial-Light Industrial District.**

It was moved and seconded (Myatt/Brinkoetter) to forward Case No. 18-38 to the City Council with a recommendation for approval as set forth in the staff report.

Mr. Ray Lai was sworn in by Mrs. Poland.

Mr. Lai discussed the case background and considerations along with the recommendation of staff:

The Illinois Video Gaming Act, 230 ILCS 40/1, *et seq.*, (the "Act") was signed into law in 2009, legalizing the operation of video gambling machines in "any licensed retail establishment where alcoholic liquor is drawn, poured, mixed, or otherwise served for consumption on the premises," including bars, truck stops, and fraternal and veteran organizations ("Establishments") throughout the state.

Under the Act (230 ILCS 40/5), a "Licensed Truck Stop Establishment" is defined as a facility (i) that is at least a 3-acre facility with a convenience store, (ii) with separate diesel islands for fueling commercial motor vehicles, (iii) that sells at retail more than 10,000 gallons of diesel or biodiesel fuel per month, and (iv) with parking spaces for commercial motor vehicles. "Commercial motor vehicles" has the same meaning as defined in Section 18b-101 of the Illinois Vehicle Code.

However, "Licensed Truck Stop Establishment" is not specifically defined in our City's Zoning Ordinance. There are uses under certain terms that may be easily confused with or claimed to be similar to a conventional truck stop. Thus, "self-claimed" truck stops could be located in urbanized areas or neighborhoods of inner city, attracting heavy truck traffic which is considered detrimental to the condition of city streets. Also, they could operate under the disguise of those other uses and qualify for placement of video gaming terminals under the "Act".

A conventional truck stop would typically be located near interstate highways, particularly adjacent to interchanges. It generally occupies on larger acreage. Inner city or urbanized areas away from interstate highway interchanges are not conducive to ideal locations for truck stops.

In order to avoid heavy truck traffic along city streets and to prevent ambiguity in interpretation of the Zoning Ordinance, staff recommends that licensed truck stop establishments be limited to locations within one-half mile of existing interchanges along Interstate 72, or the interchange of U.S. Business Highway 51 and U.S. Highway 51, within Decatur City limits. Further, it would only be allowed as a Conditional Use in B-2 Commercial District and a Permitted Use in M-1 Intense Commercial – Light Industrial District. In doing so, larger tracts of land must be assembled to meet the minimum size of three (3) acres and the users are more likely to be commercial motor vehicles or trucks in the outskirt of the City.

Staff recommends approval of the Zoning Ordinance amendments as detailed in the staff report.

There were no objectors present.

Upon call of the roll, Commission members Bruce Frantz, Bruce Jeffery, Jack, Myatt, Kent Newton, Tom Brinkoetter, Bill Clevenger 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

Mr. Lai introducted Mr. Scott Dedert as the new Senior Planner.

VI. Adjournment

There being no further business, and upon the call of roll, Acting Chairman Peck declared the meeting adjourned at 3:58 P.M.

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Kent Newton, SecretaryDecatur City Plan Commission