

STAFF REPORT
Decatur City Plan Commission

Hearing Date March 7, 2019
Case No. 19-12
Property Location South of 800 Block of West King Street
Request Alley Vacation, 800 Block West King Street
Petitioner Wave Properties, Inc.
Representative Matt Cox

BACKGROUND

The petitioner is requesting vacation of the twenty (20) foot alleyway running east-west located south of 800 Block of West King Street between North Van Dyke Street and North Pine Street. The vacation would enable the petitioner to control the improved alley and utilize the area as part of the property. Separately, the petitioner has filed a petition to rezone the property to the north to construct additional self-service storage facility.

Surrounding Land Use and Zoning

<i>Direction</i>	<i>Existing Land Use</i>	<i>Zoning</i>	<i>Comprehensive Plan</i>
Subject Property	Alley	R-6	Employment, Residential – Low Density
North	Single-Family Residences, Vacant lots, Vacant commercial	R-6, M-1	Residential – Low Density
South	Commercial, Industrial	M-1	Employment
East	Single-Family Residences, Vacant lots	R-6	Residential – Low Density
West	Self-storage facility	M-1	Residential – Low Density

STAFF ANALYSIS

The alley has a width of 20-feet and has a length of 264-feet, with a total of 5,156-square feet. The property to the south of the alleyway is commercial and being used as a bar. The owner has been notified that the alleyway has the potential for vacation. Something in writing is still needed from the owner before the City Council meeting.

The City of Decatur has no future plans for the subject site, the alley does not have access to anything, and Department of Public Works has no issue with this vacation. The vacation will enable the petitioner to control the improved alley and utilize the area as part of the property. An easement will be maintained for utilities.

An appraisal was conducted on the 5,156 square foot alleyway. The proposed vacated alleyway has an estimated market value of \$1,300.00 which will be paid to the City. A second appraisal is not required.

STAFF RECOMMENDATION

Staff recommends approval of the alley vacation with the following conditions:

1. An easement for the vacated alley shall be maintained for utilities.
2. The alley must be maintained in a condition consistent with the remainder of the property.
3. The petitioner is required to get in writing from the owner if they are interested or not in half of the alley before the City Council meeting.

PLAN COMMISSION ACTION

The Administrative Policy and Procedure Manual of the City of Decatur requires that property vacation requests be submitted to the Plan Commission for a public hearing. Although a Plan Commission recommendation is not required, a motion to forward the vacation request to the City Council with a recommendation for City Council's consideration is suggested.

Scott Dedert
Senior Planner

ATTACHMENTS

1. Petition
2. Appraisal Sheet
3. Location Maps



CITY OF DECATUR, ILLINOIS
ECONOMIC AND URBAN DEVELOPMENT DEPARTMENT
 Planning Division
 Request for Vacation of
 Utility Easement or Public Right of Way
 (Please Type)

To: The Mayor and City Council
 Members of the City Plan Commission

Date: FEB 14 2019

The undersigned, WAVE PROPERTIES INC % BRYAN ZIMMERMAN, hereby requests the vacation of the following: EASEMENT VACATION ROW VACATION legally described as follows:

ALL THAT PART OF THE TWENTY (20) FOOT WIDE ALLEY RUNNING EAST & WEST THROUGH BLOCK ONE (1) OF E. B. DURFEE'S THIRD (3RD) ADDITION TO THE CITY OF DECATUR, LYING EAST OF THE RIGHT OF WAY OF THE P.D. #E. RAILROAD, AS PER PLAT RECORDED IN BOOK 22, PAGE 636 OF THE RECORDS IN THE RECORDER'S OFFICE OF MAHON COUNTY, IL. *SEE ATTACHED VACATION PLAT.

Located at: 800 BLOCK WEST KING STREET - DECATUR, IL

Address and phone number of petitioner/owner
 (Fax number and E-mail address optional)
WAVE PROPERTIES, INC
BRYAN ZIMMERMAN
2069 SHALE RIDGE COURT
COLUMBIA, MO 65203
309.275.6958

Address and phone number of representative
 (Fax number and E-mail address optional)
SURVEY SOLUTIONS, LLC
ROBERT M. COX, PLS
111 E ASHLAND AVE
MT. ZION, IL 62549
217.521.0612

PETITIONER REQUIREMENTS:

1. Plat of area proposed for vacation.
2. All appropriate utility companies and franchise holders will be contacted regarding the requested vacation. Please provide copies of utility letters.
3. All property owners with land abutting the property to be vacated shall be served proper notice by letter delivery by certified mail. Please provide copies of documentation.

UTILITY EASEMENTS ONLY

4. If compensation is required (due to the individual nature of each request) an approved recent appraisal, at the expense of the petitioner, will be required.

PUBLIC PROPERTY/ROW VACATIONS ONLY

4. Compensation shall be required, based upon an approved recent appraisal at the expense of the petitioner. Whenever any appraisal indicates compensation to be paid in excess of \$2000, a second appraisal at the expense of the City will be commissioned; the higher appraisal of the two will be utilized to determine compensation paid to the City.
5. All requests for property vacation should be submitted to the Plan Commission for public hearing.

Signature of Petitioner

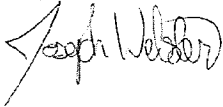
Wave Properties, Inc.
February 22, 2019

Appraisal of 5,156-square feet in a proposed alley vacation, Decatur, Illinois.

It is my opinion that the market value of the fee simple estate of the subject real property, as of February 18, 2019, was:

ONE THOUSAND THREE HUNDRED (\$1,300) DOLLARS.

Respectfully submitted,

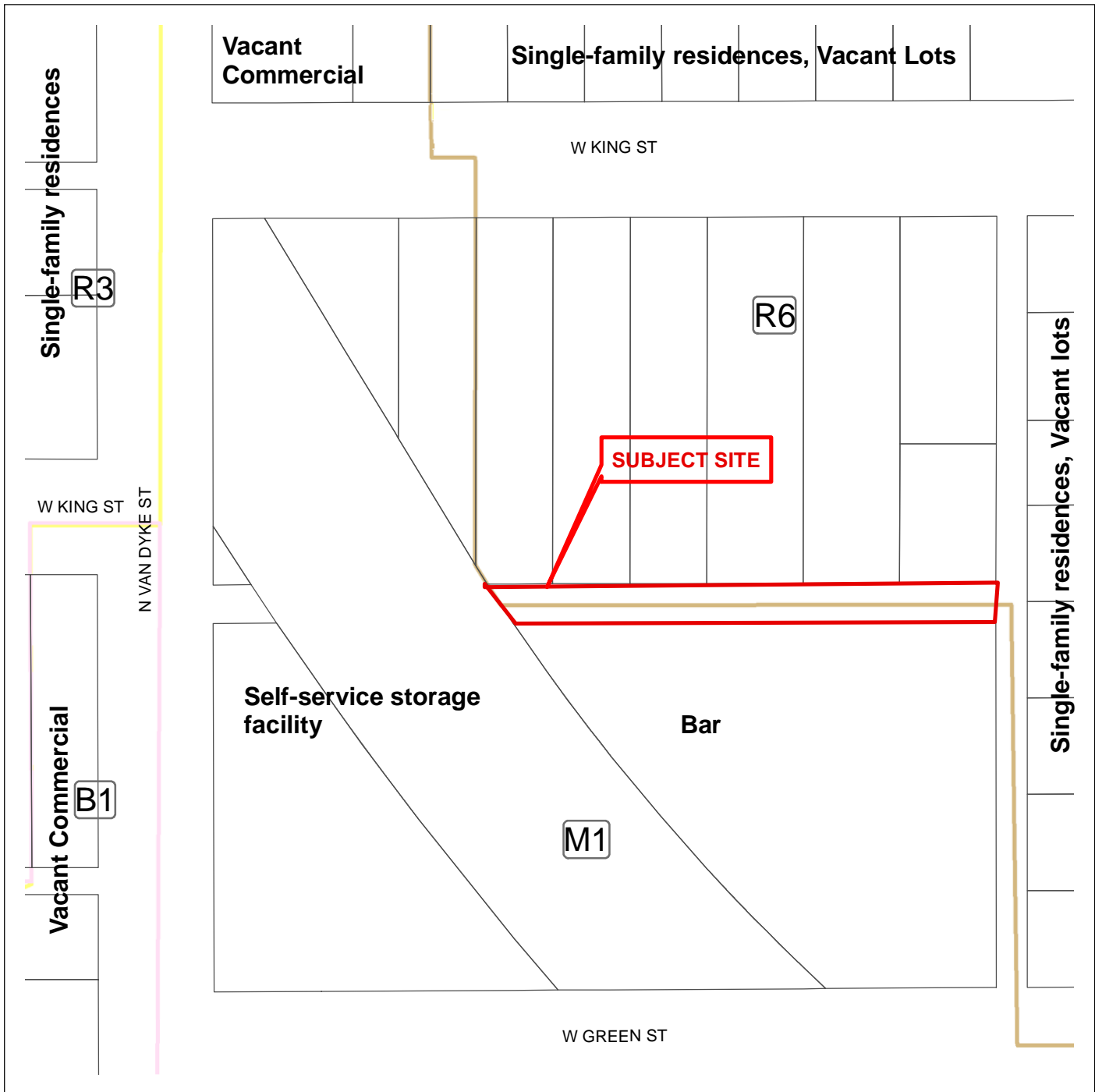


Joseph M. Webster, MAI
Illinois certified general
Real estate appraiser # 553.002003

W:\19-01210

City of Decatur

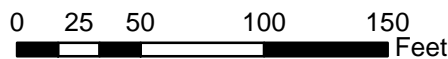
Wave Properties



Case No: 19-12

Date: March 7, 2019

Petition of: Wave Properties



Legend

- Subject Site
- Parcels
- Zoning**
- R3-Single Family Residence
- R6-Multiple Dwelling
- B1-Neighborhood Shopping
- M1-Intense Commercial / Light Industrial
- M2-Heavy Industrial

City of Decatur

Wave Properties



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Petition of: Wave Properties

0 50 100 200 Feet

N



Legend

-  Alleyway
-  Decatur Zoning
-  Parcels