

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

Thursday, February 7, 2019
City Council Chamber, Decatur Civic Center

I. Call to Order and Determination of a Quorum

The February 7, 2019 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: Bruce Frantz, Terry Howley, Bruce Jeffery,
Mike Peoples, Tom Brinkoetter, Kent Newton, Susie Peck

Members Absent: Jack Myatt, Bill Clevenger

Staff Present: Ray Lai, Scott Dedert, Joselyn Stewart, John Robinson,
Griffin Enyart, David Greenwell, Kylie Reynolds

II. Approval of Minutes of the November 1, 2018 City Plan Commission Meeting

It was moved and seconded (Frantz/Peoples) to approve the minutes of the November 1, 2018 meeting of the Decatur City Plan Commission. Motion carried with Terry Howley, Tom Brinkoetter and Acting Chairman Susie Peck abstaining.

Mr. Bruce Jeffery entered the meeting at 4:03 P.M.

III. Approval of Minutes of the December 6, 2018 City Plan Commission Meeting

It was moved and seconded (Newton/Jeffery) to approve the minutes of the December 6, 2018 meeting of the Decatur City Plan Commission. Motion carried with Terry Howley, Tom Brinkoetter and Acting Chairman Susie Peck abstaining.

IV. Approval of Minutes of the January 3, 2019 City Plan Commission Meeting

It was moved and seconded (Newton/Jeffery) to approve the minutes of the January 3, 2019 meeting of the Decatur City Plan Commission. Motion carried with Mike Peoples, Tom Brinkoetter and Acting Chairman Susie Peck abstaining.

V. New Business

Case No. 18-48 Petition of HUMANE SOCIETY OF DECATUR AND MACON COUNTY, to rezone the northern half of the property located at 3373 North Woodford Street from B-2 Commercial District to M-1 Intense Commercial-Light Industrial District.

Mr. Tom Brinkoetter recused himself from this item.

It was moved and seconded (Jeffery/Howley) to forward Case No. 18-48 to the City Council with a recommendation of approval as set forth in the staff report.

Mr. Scott Dedert was sworn in by Ms. Kylie Reynolds.

Mr. Dedert discussed and presented slides of the site and surrounding properties (available for viewing upon request) along with staff's approval of the petition based on the staff report distributed to the Plan Commission prior to the meeting. (Staff report is on file and is available for reviewing by request)

Ms. Irene Peterson, representative for the petitioner, was sworn in by Ms. Reynolds.

Ms. Peterson stated when the property was purchased they did not realize the zoning was different. They would like to make the zoning consistent.

There were no questions and no objectors present.

Upon call of the roll, Commission members Bruce Frantz, Terry Howley, Bruce Jeffery, Mike Peoples, Kent Newton and Acting Chairman Susie Peck voted aye. Acting Chairman Peck declared the motion carried.

Case No. 19-01 Petition of SCHIMBERG PIPE COMPANY, to rezone the property located at 2110 Hubbard Avenue from M-1 Intense Commercial-Light Industrial District to Planned Development District to allow for a proposed warehouse building addition.

It was moved and seconded (Howley/Newton) to forward Case No. 19-01 to the City Council with a recommendation of approval.

Mr. Ray Lai was sworn in by Ms. Reynolds.

Mr. Lai discussed and presented slides of the site and surrounding properties (available for viewing upon request) along with staff's recommendation for denial of the petition based on the staff report distributed to the Plan Commission prior to the meeting. (Staff report is on file and is available for reviewing by request)

Mr. Lai stated staff does not have a concern with the proposed use. Staff believes the proposed building addition could be developed under the current M-1 Intense Commercial-Light Industrial District. It appears the primary intent of rezoning to a PD Planned Development District is to reduce the required buffer yard and a portion of the proposed building addition to be located in the buffer yard. This is prohibited by the Zoning Ordinance. The PD Planned Development District should not be used mainly as a means of avoiding standards. It states in the Zoning Ordinance that structures are prohibited in the buffer yard.

Mr. Kent Newton asked if staff was able to look into the letter that was sent to the developer from the City granting the reduction of the buffer yard from the required fifty (50) feet to eight (8) feet. Mr. Lai stated the letter was signed in 2005 and staff follows the Zoning Ordinance as of today concerning the proposed addition to the building. Mr. Lai also pointed out that the building in 2005 then was 130 feet from the rear property limits.

Mr. Corey Ozier and Mrs. Mary Cave, representatives of the petitioner, were sworn in by Ms. Reynolds.

Mr. Ozier stated Schimberg Pipe Company has currently maxed out all of the interior space of their building and need to expand to meet the needs of their customers. The existing building is twenty-four (24) feet tall and the expansion will match the existing roof line. The expansion is warehouse only. The site currently has an eight (8) foot buffer yard. The existing fence is eight (8) feet from the property line. Schimberg is not opposed to a wooden fence. Expansion to the north and the east will be the best use of the property.

Mrs. Cave said the existing site is made up of two (2) lots. Lot one (1) is to the east and has the building on it. Lot two (2) was added in 2005 for an outdoor storage area. In 2005, the City approved by letter, an Alternative Compliance proposal from Schimberg Company to reduce their buffer yard from the required fifty (50) feet to eight (8) feet from the property line. Mr. Ozier handed out a packet to the Commission members. (Packet is on file and is available for reviewing by request) Mrs. Cave discussed the items in the packet. Mrs. Cave said the neighbors to the north of the site have trees in their backyard and there is an eight (8) foot buffer yard with a chain link fence that has slats along with landscaping. Schimberg is proposing to provide thirty (30) feet between the property line and the proposed addition. Mrs. Cave discussed the site line exhibit included in the handout. Mrs. Cave said the letter from Chastain, included in the packet, was sent to the residents in the neighborhood.

Mrs. Nadine Williams, resident behind Schimberg Co., was sworn in by Ms. Reynolds.

Mrs. Williams said that Comcast came and trimmed Schimberg's trees and left the limbs in her back yard. She called and asked Schimberg to clean them up and they refused, as did Comcast. Mrs. Williams stated there are a lot of retired people in the neighborhood and they are upset about this building addition. She was asked by the neighbors to come represent the neighborhood. There is enough noise now, they are concerned about the increase of noise when they are allowed to expand.

Mrs. Cave said the noise comes from the storage yard and moving the storage yard to the proposed addition will eliminate the trucks going back and forth. There will be no activity, it will become green space.

Mr. Bill Willis, Branch Manager of Schimberg Company, was sworn in by Ms. Reynolds.

Mr. Willis said they trimmed the buffer yard area. They had no control over Comcast trimming the lines above. They are hoping with the materials being stored in the proposed building addition there will be less noise. They will always be a 7 A.M. to 5 P.M. operation.

Mrs. Williams said they hardly ever go in the backyard and never have their windows open in the summer due to the noise.

Upon call of the roll, Commission members Bruce Frantz and Kent Newton voted aye. Commission members Terry Howley, Bruce Jeffery, Mike Peoples, Tom Brinkoetter and Acting Chairman Susie Peck voted nay. Acting Chairman Peck declared the motion denied.

Case No. 19-02 Petition of CROSSING HEALTHCARE, to amend the (PD) Planned Development District to allow additional accessory apartment buildings for the approved Community Care Campus generally bounded by East Marietta Street, North Water Street, East Wabash Avenue and Martin Luther King Jr. Drive.

It was moved and seconded (Frantz/Howley) to forward Case No. 19-02 to the City Council with a recommendation of approval as set forth in the staff report.

Mr. Dedert discussed and presented slides of the site and surrounding properties (available for viewing upon request) along with staff's approval of the petition based on the staff report distributed

to the Plan Commission prior to the meeting (staff report is on file and is available for reviewing by request) 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, apartments and accessory uses including but not limited to apartments for patients 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. The access drive parking lot for the apartment buildings north of East King Street and the access drive to the parking lot south of East King Street serving the four buildings must be aligned.
5. A maximum of ten (10) 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 and apartments which may be two-story.
6. Building elevations and construction materials primarily of masonry for all permitted buildings shall be as approved by the Department of Economic and Community Development in conjunction with the final site plan review.
7. 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.
8. All lights facing residential uses shall be shielded.
9. Walking trails, decorative 6-foot high perimeter fencing, landscaped berms, community gardens, and orchards shall be provided as approved on the final site plan.
10. Sustainability features should be explored and provided as much as possible for the development of the subject site.
11. A four-lot final subdivision plat will be required to be submitted, approved and recorded prior to a final site plan being approved.
12. 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.
13. 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.

Mrs. Mary Cave stated this is an amendment to the PD Planned Development District which was previously approved. Mrs. Cave said that patients will first go to the detox rehab center where they will stay for several weeks and then go to the dormitory out-patient services. The next phase is to move into the apartment buildings within the same campus which provides a safe environment. Mr. Ozier passed out a site plan. (Site plan is on file and is available for reviewing by request) Mrs. Cave discussed the site plan.

There were no objectors present.

Upon call of the roll, Commission members Bruce Frantz, Terry Howley, Bruce Jeffery, Mike Peoples, Tom Brinkoetter, Kent Newton and Acting Chairman Susie Peck voted aye. Acting Chairman Peck declared the motion carried.

Case No. 19-04 Petition of DECATUR TRANSITIONAL HOUSING COMPLEX for a Non-Conforming Use Permit to allow for re-establishment of non-conforming Transitional Housing use in the M-2 Heavy Industrial District located at 2175 EAST PERSHING ROAD.

It was moved and seconded (Jeffery/Brinkoetter) to forward Case No. 19-04 to the City Council with a recommendation of approval as set forth in the staff report.

Mr. Dedert discussed and presented slides of the site and surrounding properties (available for viewing upon request) along with staff's approval of the petition based on the staff report distributed to the Plan Commission prior to the meeting (staff report is on file and is available for reviewing by request) with the following conditions:

1. The petitioner is required to maintain at minimum four (4) full-time and five (5) part-time employees for employment opportunities on site.
2. No additional beds or living units, nor building expansion or additions are allowed.
3. The existing building cannot allow overnight accommodation for more than fifty-three (53) occupants.
4. The petitioner is required to maintain at minimum twenty-three (23) parking stalls.

Mr. Jessie Bates, petitioner, was sworn in by Ms. Reynolds.

Mr. Bates stated he is wanting to establish the Decatur Transitional Housing Complex for the purpose of housing adult individuals that may be in housing transitional situations for social service agencies, churches and non-profit organizations and their clients. The goal is to partner with existing agencies in Decatur and central Illinois to provide emergency and short-term housing for their clients for three (3) to six (6) months. There will be a kitchen and dining area that will provide food. They also hope to hold job fairs and various programs to re-establish stability for the clients. The individuals will not come off of the street. They will have to come through an agency.

Mr. Terry Howley asked if the facility will be all male or a co-ed facility. Mr. Bates said co-ed.

There were no objectors present.

Upon call of the roll, Commission members Bruce Frantz, Terry Howley, Bruce Jeffery, Mike Peoples, Tom Brinkoetter, Kent Newton and Acting Chairman Susie Peck voted aye. Acting Chairman Peck declared the motion carried.

VI. Appearance of Citizens

No citizen expressed comments.

VII. Comments and Information from Commission Members

No commission member expressed comments.

VIII. Adjournment

There being no further business, and upon the call of roll, Acting Chairman Peck declared the meeting adjourned at 3:57 P.M.

Kent Newton, Secretary, Decatur City Plan Commission