

STAFF REPORT
Decatur City Plan Commission

Hearing Date June 6, 2019
Case No. 19-26
Property Location 2000 Block of South Imboden Court
Request Rezone from M-1 Intense Commercial /Light Industrial District to M-2 Heavy Industrial District with a Conditional Use Permit (CUP) to allow for Industrial and Commodity Scrap Processing and Storage Yards.
Petitioner Raymond Lai, Director of Economic and Community Development, on behalf of the City of Decatur.

BACKGROUND

The subject site is 22.73 acres in size, zoned M-1 Intense Commercial /Light Industrial District. The property, currently owned by the City of Decatur, is occupied by a business incubator with office/warehouse space for multiple tenants.

On February 4, 2019, the Decatur City Council approved a resolution for the sale of the subject site to Decatur RAS LLC/Mull LLC, which current owns the asphalt shingle recycling facility on West Eldorado Street, just west of Mueller Company. As part of the contract of sale attached to the approved resolution, the seller (City of Decatur) agrees to rezone the properties from M-1 Intense Commercial /Light Industrial District to M-2 Heavy Industrial if required by the Zoning Ordinance to facilitate the buyer’s operation. Subsequently, it was determined that such rezoning with a Conditional Use Permit (CUP) is warranted. The sale would support the continued economic development of both this company and the planned expansion of Mueller Company facilities on West Eldorado Street. Closing of the land sale is anticipated soon.

Surrounding Land Use and Zoning

<i>Direction</i>	<i>Existing Land Use</i>	<i>Zoning</i>	<i>Comprehensive Plan</i>
Subject Property	Small Business Incubator	M-1	Schools – Public & Private
North	Warehouses	M-1	Employment
South	Sports Facility (Ballfields)	M-1	Schools – Public & Private
East	Marine and Lumber Yard	M-1	Schools – Public & Private and Retail
West	Sports Complex (Ballfields)	M-1	Schools – Public & Private

PROJECT DESCRIPTION

The petitioner proposes the current M-1 Intense Commercial /Light Industrial District zoning of the subject site be changed to M-2 Heavy Industrial District with a CUP for industrial and commodity scrap processing and storage yards. The intent is to facilitate the planned operations of Decatur RAS LLC/Mull LLC for an asphalt shingle recycling facility to be relocated to this site,

as discussed in the previous Background section. The existing office/warehouse buildings are anticipated to be maintained to support the proposed use.

STAFF ANALYSIS

Staff supports the requested rezoning and the Conditional Use Permit for an industrial and commodity scrap processing and storage yards in essence an asphalt shingle recycling facility with outdoor storage yards. While the subject site is surrounded by properties in the “M-1” District, rezoning the site from “M-1” District to “M-2” District at this location meets the purpose of the “M-2” District as stated in Section III of the Zoning Ordinance “The purpose of this district is to assure that sufficient land is set aside, with sufficient infrastructure and access to transportation modes and corridors, for heavy and intensive manufacturing, agricultural processing, and other uses that are vital to the community's economic development.” The site with 22.73 acres, has sufficient land set aside and available for permitted uses in the “M-2” District. Since development conditions can be imposed with a CUP, the compatibility and appropriateness of the proposed use with the adjoining properties in the “M-1” District can be ensured. Also, the site is located next to a railroad and in proximity to U.A. Highway 51, allowing easy access to transportation and corridors.

According to Section XXII.A.3. there are three standards which must be met in order to grant a Conditional Use Permit. The first standard requires that the use be “necessary for the public convenience at the location.” The proposed use of an asphalt shingle recycling facility (industrial and commodity scrap processing and storage yard) would not take place for at least another 12 months to allow the tenants of the incubator to find a new location of their business based on the land sale agreement. The surrounding uses are enclosed warehouses to the north, sports facility (ballfields) to the south and west, and a industrial buildings and offices to the southeast and east. Per the Comprehensive Plan, the recommended uses “schools – public & private,” “employment,” and “retail” could be compatible to the proposed use and there is not a key development strategy for the subject site identified. The requested Conditional Use Permit does preserve employment because the asphalt shingle recycling facility require employees to operate at this location.

The second standard is that the proposed “conditional use is designed, located, and proposed to be operated that the public health, safety and welfare will be protected.” Currently, the existing building does meet the second standard. If the requested CUP is approved, the future owner of the subject site will have to submit proposed site plans, which staff will make sure the second standard will be met. The facility is located and designed to be operated in a manner in which the public health, safety and welfare will be protected. Considering the sporting facilities (ballfields) to the immediate south and west, staff recommends a landscaping buffer of twenty-five (25) feet in width with evergreen trees of a minimum of six (6) feet in height along the southern and western property line where they adjoin the ballfields. This would minimize the visual impact of the outdoor storage yards and asphalt plant.

The third standard is the proposed “will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.” The current condition of the building is to remain, afterwards landscaping, remodeled building will help increase property value. The facility should not cause injury to the value of other properties in the areas as required by the third standard.

STAFF RECOMMENDATION

Staff recommends approval of the Conditional Use Permit with the following conditions for the future owner of the subject site:

1. The uses permitted for this site shall include industrial and commodity scrap processing and storage yards, offices, warehouses, and asphalt shingle recycling facility.
2. Landscaping buffer of twenty-five (25) feet in width with arborvitae trees of a minimum of six (6) feet in height along the southern and western property line where they adjoin the ballfields.
3. 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.

PLAN COMMISSION ACTION

Section XXIX. requires the Plan Commission to hold a public hearing of the rezoning and Conditional Use Permit request, and then forward its report and recommendation to the City Council for a final decision. A motion to forward Case 19-26 to City Council by the Plan Commission with a recommendation is warranted.

This report constitutes the testimony and recommendation of the Planning and Sustainability Division, Economic and Community Development Department, City of Decatur.

Scott Dedert
Senior Planner

ATTACHMENTS

1. Petition
2. Location Maps
3. Site Plan



City of Decatur, Illinois

PETITION FOR REZONING

Petition before the Mayor, City Council and Members of the Plan Commission of Decatur, Illinois

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	RAYMOND LAI, DIRECTOR OF ECONOMIC & COMMUNITY DEVELOPMENT				
Address	#1 Gary K. Anderson Plaza.				
City	Decatur	State	IL	Zip	62523
Telephone	217-424-2727	Fax		E-mail	rlai@decaturil.gov
Property Owner	City of Decatur				
Address	#1 Gary K. Anderson Plaza				
City	Decatur	State	IL	Zip	62523
Telephone	217-424-2727	Fax		E-mail	
Representative	RAYMOND LAI, DIRECTOR OF ECONOMIC & COMMUNITY DEVELOPMENT				
Address	Same as Above				
City		State		Zip	
Telephone		Fax		E-mail	

SECTION TWO: SITE INFORMATION


Street Address	2000 Block of Imboden Court						
Legal Description	See Attached						
Present Zoning	<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	Is this property a Planned Unit Development? Approval Date: _____	
	<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"/> YES
	<input checked="" type="checkbox"/> M-1	<input type="checkbox"/> M-2	<input type="checkbox"/> M-3	<input type="checkbox"/> PMR-1			<input checked="" type="checkbox"/> NO
Please list all improvements on the site:		Office/Warehouse Complex (Business Incubator)					
Size of Tract	22.73	<input type="checkbox"/> SF	<input checked="" type="checkbox"/> AC				

SECTION THREE: REQUESTED ACTION

Rezoned 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? Approval Date: _____	
	<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"/> YES
	<input type="checkbox"/> M-1	<input checked="" type="checkbox"/> M-2	<input type="checkbox"/> M-3	<input type="checkbox"/> PMR-1			<input checked="" type="checkbox"/> NO
Other:	WITH CONDITIONAL USE PERMIT (C.U.P.)						

Section Three Continued	
Purpose	Please state the purpose of the proposed rezoning with C.U.P.
To allow industrial and commodity scrap processing and storage yards (asphalt shingle recycling facility). Existing office/warehouse buildings will be maintained.	

SECTION FOUR: JUSTIFICATION	
The petitioner submits to the City Plan Commission and City Council the following facts (additional pages may be attached):	
<p>This allows relocation of the asphalt shingle recycling facility on West Eldorado Street just west of Mueller Co., to the subject site.</p> <p>The proposed rezoning to M-2 District for this site meets the purpose of M-2 District per the Zoning Ordinance. With sufficient landscape buffer to the west and southwest, its visual impact to the neighboring ballfield use will be minimized. Via Conditional Use Permit, appropriate development conditions can be imposed.</p> <p>This would fulfill the land sales contract between the City and the Buyer (Future Owner).</p>	

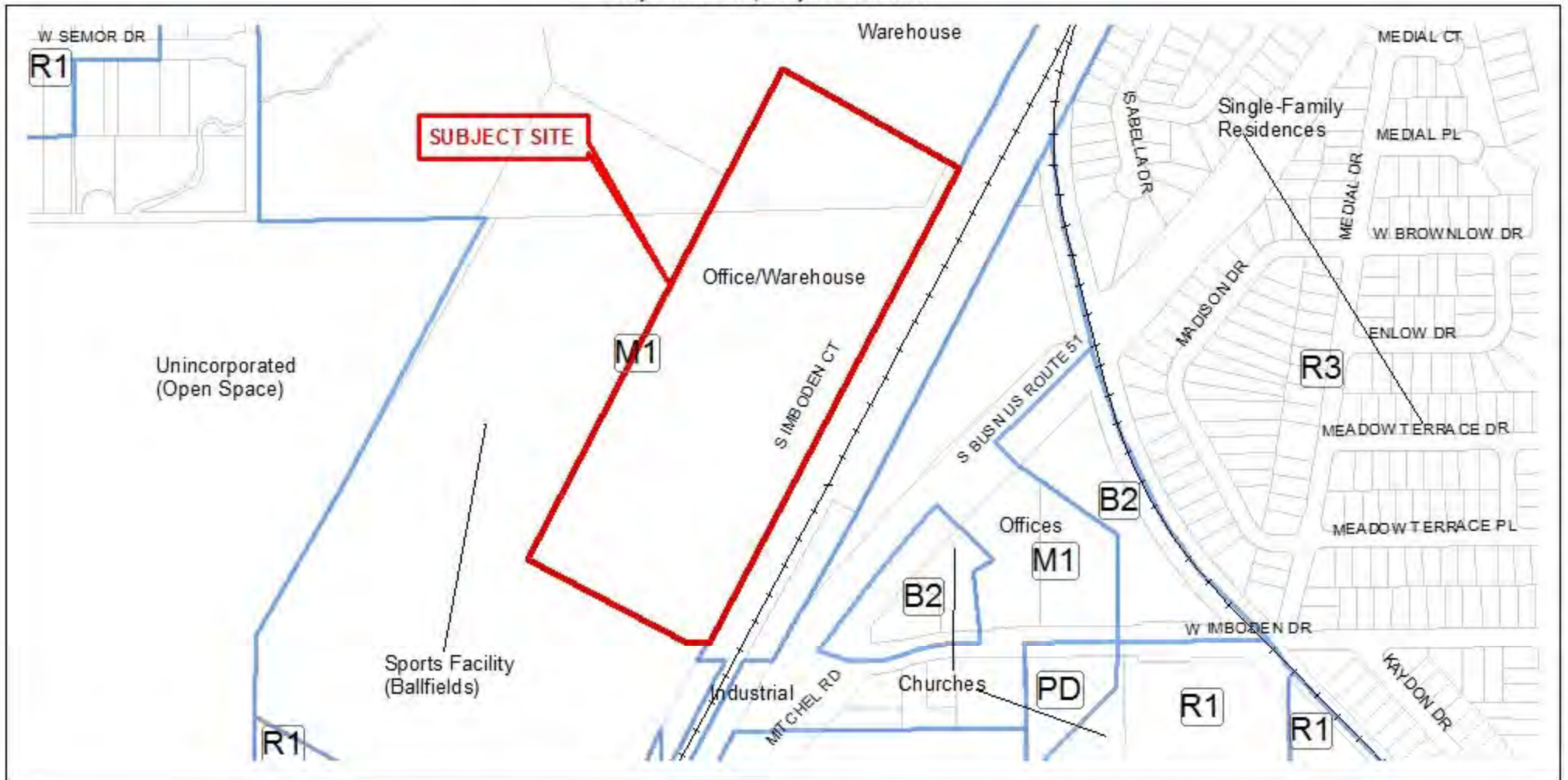
SECTION FIVE: CERTIFICATION	
To be placed on the agenda of the regular meeting on the first Thursday of the month at 3:00 PM in the City Council Chambers, petition must be received on the first Thursday of the preceding month. Failure of the petitioner or the petitioner's representative to attend the 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	
Date	5/20/2019

- NOTES:**
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	

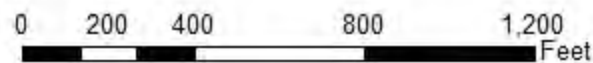
Decatur Plan Commission

Raymond Lai, City of Decatur






Date: June 6, 2019

Petition of: Raymond Lai,
City of Decatur



Legend

-  Subject Site
-  Railroads
-  Zoning
-  Parcels

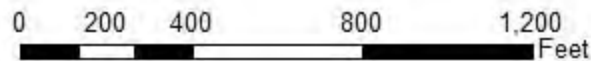
Decatur Plan Commission

Raymond Lai, City of Decatur







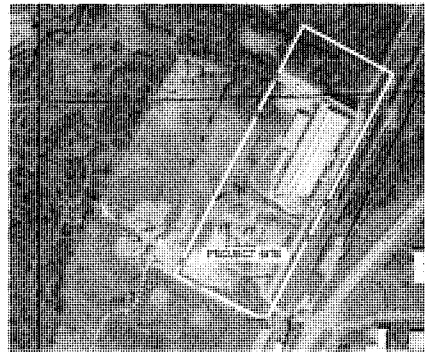
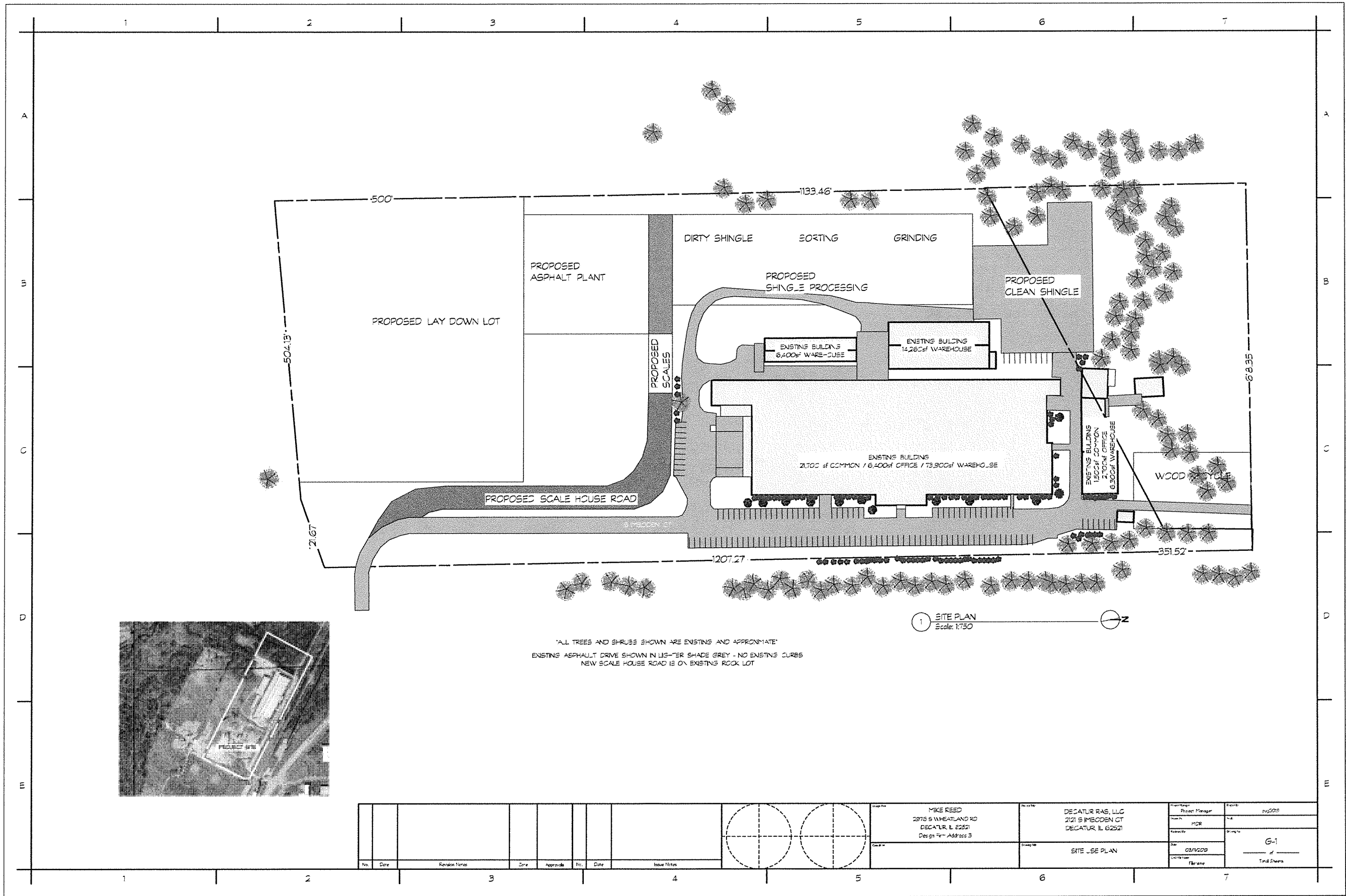
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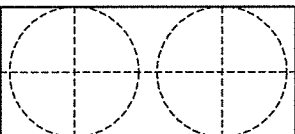


Legend

-  Subject Site
-  Railroads
-  Zoning
-  Parcels



No.	Date	Revision Notes	Drawn	Approved	No.	Date	Issue Notes



Design Firm
MIKE REED
 2975 S WHEATLAND RD
 DECATUR, IL 62521
 Design Firm Address 3

Client
DECATUR RAS, LLC
 2121 S MEDDEN CT
 DECATUR, IL 62521

Project Manager	Project No.	102505
Project	Project Name	G-1
Date	Sheet No.	6-1
Scale	Total Sheets	1 of 1