STAFF REPORT
Decatur City Plan Commission

Hearing Date	January 2, 2020
Calendar No.	20-02
Proposal	Amendments to Zoning Ordinance (Ordinance #3512, as amended) including but not be limited to Section XI.C. - B-1 Neighborhood Shopping District-Conditional Uses and Section XII.B. - B-2 Commercial District-Conditional Uses related to school: public, parochial or private
Petitioner	Raymond Lai, Economic and Community Development Director

BACKGROUND

The current City of Decatur Zoning Ordinance was adopted in May of 2002. Over time, Staff has determined certain amendments are necessary to make the Zoning Ordinance more comprehensive and applicable to the changing built urban environment while keeping the charge of making Decatur a quality place to live, work and play.

Currently, "school: public, parochial, or private" is a Permitted Use in all residential zoning districts, but not in any of the commercial or industrial zoning districts. However, Schools, Commercial: Para-Professional e.g. barber and beauty school, and Trade and Technical e.g. training and technical programs in welding and carpentry, are Permitted Uses and/or Conditional Uses in all commercial zoning districts as well as M-1 Intense Commercial-Light Industrial District. Specifically, amendments to SECTION XI.C. B-1 Neighborhood Shopping District and SECTION XII.B. – B-2 Commercial District are proposed to add "school: public, parochial or private" to the list of Conditional Uses in the B-1 Neighborhood Shopping District and B-2 Commercial District.

DESCRIPTION/ANALYSIS

The proposed amendments are to allow for "School: public, parochial or private" by a Conditional Use Permit in the B-1 Neighborhood Shopping District and B-2 Commercial District. Schools: public, parochial or private are currently allowed as permitted uses in the R-1 Single Family Residence District, R-2 Single Family Residence District, R-3 Single Family Residence District, R-5 Two Family Residence District, and R-6 Multiple Dwelling District when they are located at least forty (40) feet from any side or rear lot line.

The proposed amendments for the B-1 and B-2 Districts would provide consistency with these types of use in all the residential zoning districts. As a conditional use, they would be subject to a public hearing and approval process that each petition would be reviewed and evaluated on a case-by-case basis. Appropriate development conditions could be imposed if warranted for each Conditional Use Permit.

Further, the proposal would add to greater flexibility for the conversion of existing commercial buildings for such school uses at certain neighborhood and larger commercial strip centers. As Commercial Schools (Para-Professional/Trade and Technical) are currently allowed as Permitted and/or Conditional Uses in the B-1 and B-2 Districts, "School: public, parochial or private" would not be inconsistent with those types of schools, considering they are all educational in nature and have traffic generation impact that could be reviewed in association with a specific proposed facility and location.

STAFF RECOMMENDATION
Staff recommends approval of the amendments as proposed.

PLAN COMMISSION ACTION
Section XXIX.G. of the Zoning Ordinance requires the Plan Commission to hold a public hearing and make recommendations to the City Council on amendments to the Zoning Ordinance. A motion to forward Calendar Number 20-02 to City Council with a recommendation of approval is suggested.

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

ATTACHMENTS
1. Petition
2. Marked-Up

ADDITIONS AND ~~DELETIONS~~
- ZONING ORDINANCE –

SECTION XI.C.

B-1 Neighborhood Shopping District-Conditional Uses

School: public, parochial or private.

SECTION XII.B.

B-2 Commercial District-Conditional Uses

School: public, parochial or private.

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	
Property Owner					
Address					
City		State		Zip	
Telephone		Fax		E-mail	
Representative					
Address					
City		State		Zip	
Telephone		Fax		E-mail	

SECTION TWO: SITE INFORMATION						
Street Address	N/A					
Legal Description	N/A					
Present Zoning	☐ R-1	☐ R-2	☐ R-3	☐ R-5	☐ R-6	Is this property a Planned Unit Development?
	☐ B-1	☐ B-2	☐ B-3	☐ B-4	☐ O-1	☐ YES Approval Date: _____
	☐ M-1	☐ M-2	☐ M-3	☐ PMR-1		☐ NO
Please list all improvements on the site:						
Size of Tract	☐ SF ☐ AC					

SECTION THREE: REQUESTED ACTION						
Rezone Property To:	☐ R-1	☐ R-2	☐ R-3	☐ R-5	☐ R-6	Will this property be a Planned Unit Development?
	☐ B-1	☐ B-2	☐ B-3	☐ B-4	☐ O-1	☐ YES
	☐ M-1	☐ M-2	☐ M-3	☐ PMR-1		☐ NO
Other:	Amend Zoning Ordinance (Ord. #3512, As Amended) including but not be limited to Sec. XI.C. - B-1 Neighborhood Shopping District - Conditional Uses and Section XII.B. - B-2 Commercial District - Conditional Uses related to School: public, parochial or private.					

Section Three Continued	
Purpose	*Please state the purpose of the proposed ~~rezoning~~* Ordinance Amendments

To allow "School: public, parochial or private" as a Conditional Use in the B-1 Neighborhood Shopping District and B-2 Commercial District

SECTION FOUR: JUSTIFICATION

The petitioner submits to the City Plan Commission and City Council the following facts (additional pages may be attached):

The proposed amendments would allow "School: public, parochial or private" be located in neighborhood commercial or regional commercial areas, subject to a public hearing ~~pro~~ and approval process ~~as~~ for Conditional Uses. This adds to flexibility for new construction and/or conversion of commercial building(s) for such school uses at certain commercial areas. This type of school would not be inconsistent with Commercial Schools (Para-Professional / Trade + Technical) that are already allowed as Permitted and/or Conditional Uses in B-1 and B-2 Districts.

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	Raymond Tai	**Date**	12/5/2019

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.

Rev. 2 - 4/01

OFFICE USE ONLY	
Date Filed	
By	