

STAFF REPORT
Decatur City Plan Commission

COMMON NAME: 450 East Pershing Road

GENERAL INFORMATION

Hearing Date June 1, 2017
Calendar No. 17-20
Property Location 450 East Pershing Road
Requested Action Rezoning from B-3 Planned Shopping Center District to B-2 Commercial District
Petitioner Aldi, Inc
Representative Mark Foster

LAND USE AND ZONING

<i>Direction</i>	<i>Existing Land Use</i>	<i>Zoning</i>	<i>Comprehensive Plan</i>
Subject Property	Vacant	B-3	Retail
North	Undeveloped	B-3	Retail
South	Commercial	M-1, B-3	Retail
East	Commercial	B-2, B-3	Retail
West	Commercial	B-3	Retail

BACKGROUND

1. The subject site is approximately four (4) acres and is located at 450 East Pershing Road and is currently vacant. It was formerly the home of a motel that has since been demolished. The subject site was a part of a 40 acre rezoning to B-3 Planned Shopping Center District approved by the City Council in 1961.

PROJECT DESCRIPTION

1. The petitioner proposes to rezone from B-3 Planned Shopping Center District to B-2 Commercial District which would allow for all those uses permitted in the B-2 Commercial District with the intent of redevelopment

STAFF ANALYSIS

1. The surrounding zoning includes B-2 Commercial District to the east, M-1 Intense Commercial/Light Industrial District to the south and B-3 Planned Shopping District is also found in all directions. There is significant B-2 Commercial District in the area along East Pershing Road. The Macon County and Decatur Comprehensive Plan shows this area as Retail. The permitted uses in the B-2 Commercial District are compatible with retail as shown in the Comprehensive Plan. The proposed zoning is compatible with all adjacent uses and zoning districts.
2. Rezoning the subject site to B-2 Commercial District will make it more easily redeveloped. The B-3 Shopping District is designed for the purpose of a planned shopping center. When the property was annexed to the City, the entire 40 acres was rezoned to B-3 Planned Shopping Center District

to allow for Brettwood Village to exist and be in conformance with the ordinance at the time. The subject site is a small portion of the original 40 acres and was developed as a motel. The motel was an eyesore for the area and City as whole, it had not been operational for many years, fell into disrepair and has since been demolished. The rezoning of this property to B-2 Commercial District should make this property more marketable and hopefully make for an attractive retail development site.

STAFF RECOMMENDATION

1. Staff recommends approval of the rezoning.

PLAN COMMISSION ACTION

1. Section XXIX. of the City of Decatur Zoning Ordinance requires the Plan Commission to hold a public hearing on a rezoning request, and then forward its report and recommendation to the City Council for final approval. A motion to forward Calendar Number 17-20 to the City Council with a recommendation for approval is suggested.

The above report constitutes the testimony and recommendation of the Planning and Sustainability Division, Department of Planning and Building Services, City of Decatur.

Suzan Stickle
Senior Planner

ATTACHMENTS

1. Petition
2. Site Map



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	ALDI INC.				
Address	1 ALDI DRIVE				
City	DWIGHT	State	ILLINIOS	Zip	60420
Telephone	815-941-6020	Fax		E-mail	mike.rosch@aldi.us
Property Owner	SOY CAPITAL BANK AND TRUST COMPANY AS TRUSTEE OF LAND TRUST NO. 8113				
Address	455 N. MAIN STREET				
City	DECATUR	State	IL	Zip	62523
Telephone	(217) 428-0905	Fax	(217) 428-9742	E-mail	tmslaw@aol.com
Representative	MARK FOSTER				
Address	301 NORTH MAIN STREET				
City	SOUTH BEND	State	IN	Zip	46601
Telephone	574-400-2167	Fax		E-mail	mfooster@ingenae.com

SECTION TWO: SITE INFORMATION						
Street Address	450 EAST PERSHING ROAD					
Legal Description	<small>A PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION THIRTY-FIVE (35), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWO (2) EAST OF THE 3RD P.M. IN MACON COUNTY, ILLINOIS. DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 251 FEET WEST OF THE INTERSECTION OF THE NORTH BOUNDARY LINE OF THE RIGHT OF WAY OF EAST PERSHING ROAD (ALSO KNOWN AS ROUTES 48 AND 121) AND THE WEST BOUNDARY LINE OF THE RIGHT OF WAY OF THE ILLINOIS TERMINAL RAILROAD COMPANY, THENCE DEFLECTING TO THE NORTH 91 DEGREES 30 MINUTES 00 SECONDS FOR 15 FEET TO A POINT FOR A PLACE OF BEGINNING; THENCE WEST 210.4 FEET ALONG A LINE PARALLEL, WITH THE NORTH RIGHT OF WAY LINE OF SAID S.B.I. ROUTES NO. 48 & 121; THENCE NORTH 481 FEET ALONG A LINE PERPENDICULAR TO THE LAST DESCRIBED COURSES, THENCE DEFLECTING TO THE EAST 90 DEGREES 10 MINUTES 30 SECONDS FOR A DISTANCE OF 486.24 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF THE ILLINOIS TERMINAL RAILROAD, THENCE SOUTH 280.25 FEET ALONG SAID WEST RIGHT OF WAY LINE, THENCE WEST 251.35 FEET ALONG A LINE 218 FEET NORTH OF AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SAID S.B.I. ROUTES 48 AND 121; THENCE DEFLECTING TO THE SOUTH 88 DEGREES 41 MINUTES 10 SECONDS FOR A DISTANCE OF 201 FEET TO THE PLACE OF BEGINNING, EXCEPT THAT PART DEEDED TO THE CITY OF DECATUR BY WARRANTY DEED RECORDED IN BOOK 1614, PAGE 332 AS DOCUMENT NO. 962894. SITUATED IN MACON COUNTY, ILLINOIS.</small>					
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? <input type="checkbox"/> YES Approval Date: _____ <input checked="" type="checkbox"/> NO
	<input type="checkbox"/> B-1	<input type="checkbox"/> B-2	<input checked="" type="checkbox"/> B-3	<input type="checkbox"/> B-4	<input type="checkbox"/> O-1	
	<input type="checkbox"/> M-1	<input type="checkbox"/> M-2	<input type="checkbox"/> M-3	<input type="checkbox"/> PMR-1		
Please list all improvements on the site:				SITE CONTAINED A HOTEL AND PARKING LOT THAT HAS BEEN RECENTLY DEMOLISHED		
Size of Tract	3.96	<input type="checkbox"/> SF	<input checked="" type="checkbox"/> AC			

SECTION THREE: REQUESTED ACTION						
Rezone 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? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
	<input type="checkbox"/> B-1	<input checked="" type="checkbox"/> B-2	<input type="checkbox"/> B-3	<input type="checkbox"/> B-4	<input type="checkbox"/> O-1	
	<input type="checkbox"/> M-1	<input type="checkbox"/> M-2	<input type="checkbox"/> M-3	<input type="checkbox"/> PMR-1		
Other:						

<i>Section Three Continued</i>	
Purpose	<i>Please state the purpose of the proposed rezoning.</i>
A B-2 ZONE WILL BE A MORE APPROPRIATE ZONING DESIGNATION FOR THE TYPE OF COMMERCIAL DEVELOPMENT THE OWNER IS PROPOSING FOR REDEVELOPMENT OF THE PROPERTY.	

SECTION FOUR: JUSTIFICATION	
<i>The petitioner submits to the City Plan Commission and City Council the following facts (additional pages may be attached):</i>	
THE PROPOSED USE(S) THE OWNER IS PURSUING FOR THE REDEVELOPMENT OF THE EXISTING VACANT PROPERTY WILL BE MORE CONSISTENT WITH THE TYPE OF DEVELOPMENT WITHIN A B-2 ZONING DISTRICT COMPARED WITH THE CURRENT B-3 ZONING DISTRICT. THE REZONING OF THE SITE WILL PROVIDE THE OWNER A BETTER OPPORTUNITY TO REDEVELOP THE EXISTING VACANT SITE.	

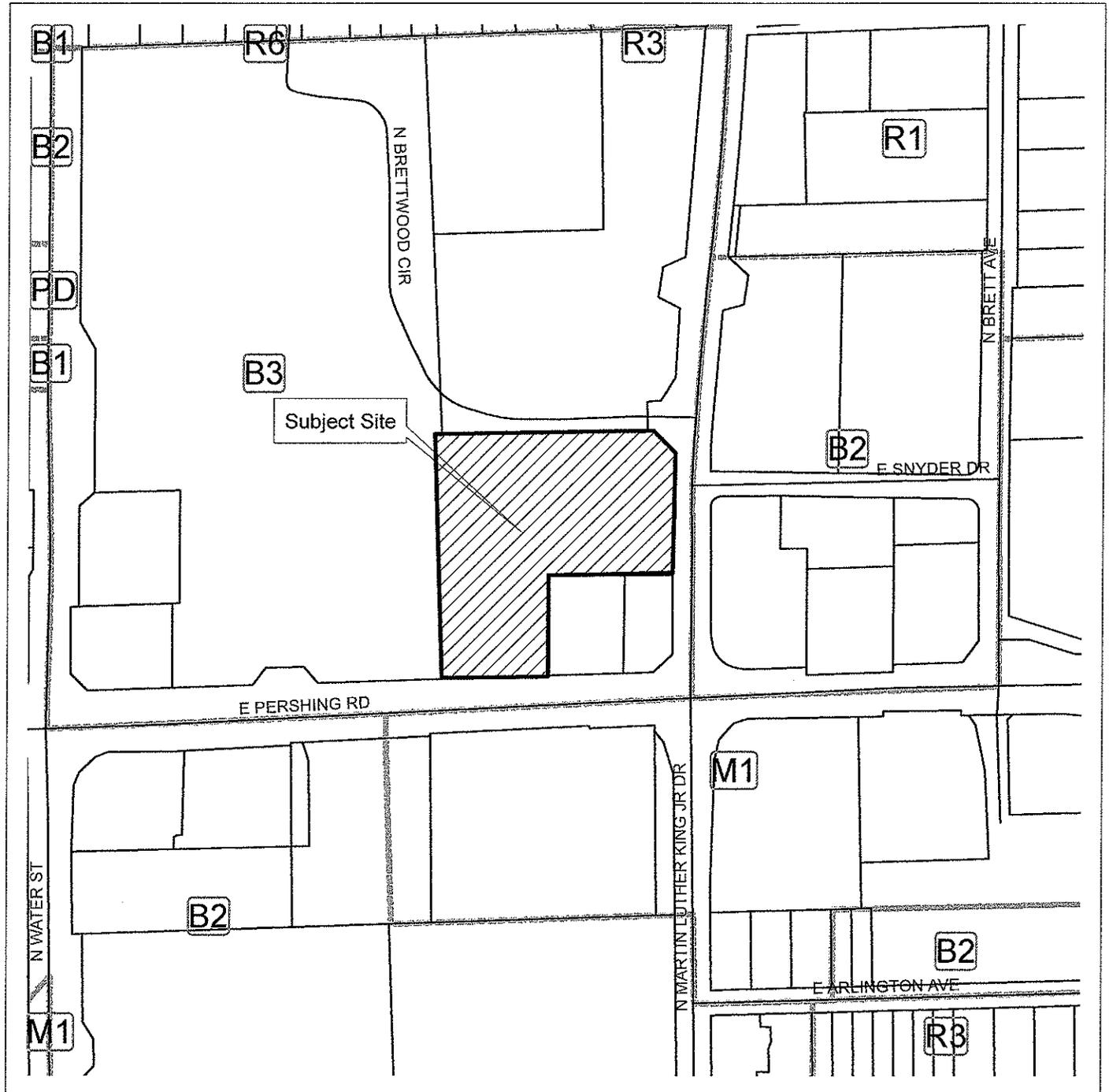
SECTION FIVE: CERTIFICATION	
	To be placed on the agenda of the regular meeting on the first Thursday of the month at 3:00 PM in the City Council Chambers, petition must be received on the first Thursday of the preceding month. Failure of the petitioner or the petitioner's representative to attend the 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	<i>Mike Koch</i>
Date	<i>4-25-17</i>

NOTES:	
<ol style="list-style-type: none"> 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. 	

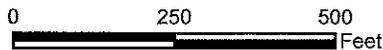
OFFICE USE ONLY	
Date Filed	
By	

Decatur City Plan Commission

450 East Pershing Road



Cal. No.: 17-20
Date: June 1, 2017
Petition of: Aldi, Inc
Requested Action: Rezone to B-2 Commercial District



Legend

- Decatur Roads
- ▨ subject site
- ▭ Decatur Parcel data
- ▭ Decatur Zoning