



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	David Binder				
Address	2110 W. Pershing Rd				
City	Decatur	State	IL	Zip	62526
Telephone	217-519-0303	Fax		E-mail	dbinder@dbinderplumbing.com
Property Owner	D. Binder Mechanical, Inc				
Address	2110 W. Pershing				
City	Decatur	State	IL	Zip	62526
Telephone	217-519-0303	Fax		E-mail	dbinder@dbinderplumbing.com
Representative	David Binder				
Address	2110 W. Pershing Rd				
City	Decatur	State	IL	Zip	62526
Telephone	217-519-0303	Fax		E-mail	dbinder@dbinderplumbing.com

SECTION TWO: SITE INFORMATION


Street Address	1975 E. Pershing Rd					
Legal Description						
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 type="checkbox"/> NO
	<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 checked="" type="checkbox"/> M-1	<input checked="" type="checkbox"/> M-2	<input type="checkbox"/> M-3	<input type="checkbox"/> PMR-1		
Please list all improvements on the site:						
Size of Tract	1.06 <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? <input type="checkbox"/> YES <input type="checkbox"/> NO
	<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 checked="" 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>
To make the entire lot the same zone	

SECTION FOUR: JUSTIFICATION
<i>The petitioner submits to the City Plan Commission and City Council the following facts (additional pages may be attached):</i>
Zoning line runs through the middle of the property

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	12/5/2019

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	

1708731 MCT

1925721
CORPORATE
WARRANTY DEED



Macon Co, Illinois
S.S. by Mary A. Eaton, Recorder
Book: 4590 Page: 850

Receipt #: 87433
Pages Recorded: 2

Recording Fee: \$80.00
County Real Estate Tax: \$130.00
Rental Housing - State: \$8.00
Authorized By: Mary A. Eaton

Date Recorded: 10/18/2017 9:21:53 AM

Mail Tax Statement

D. BINDER MECHANICAL, INC.

2110 W. Pershing Rd.

Decatur, IL 62526

This space for use of Recorder

Name of Grantor(s): BINDER PLUMBING & HEATING, INC., an Illinois Corporation, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, conveys and warrants to:

Name and Address of Grantee(s): D. BINDER MECHANICAL, INC., an Illinois corporation, 2110 W. Pershing Rd., Decatur, IL 62526, the following described real estate:

The West 100 feet of the following described tract: Beginning at a point on the South right of way line of S. B. I. Routes 48 and 121 located 81.17 feet South of the North line of Section 1, Township 16 North, Range 2 East of the 3rd P.M. and 330 feet East of the West line of the East Half (E 1/2) of the North West Quarter (NW 1/4) of said Section 1, thence East along said right of way line 325 feet to a point located 82.57 feet South of the North line of said Section 1, thence South 500 feet, thence West 325 feet to a point located 330 feet East of the West line of the East Half (E 1/2) of the North West Quarter (NW 1/4) of said Section 1, thence North 500 feet to the point of beginning, together with any and all rights party of the first part may have to connect to and use any sanitary sewers now located on the above-described premises for the purposes of disposing of sanitary sewage that may originate upon the above-described land.

Commonly known as: 1975 E. Pershing Rd., Decatur, IL 62526

PIN: 04-12-01-126-002

SUBJECT TO all restrictions, reservations, and easements of record, and to all coal or mineral rights reserved or conveyed of record.
SUBJECT TO general real estate taxes for the year 2017 payable in 2018, and thereafter.

Which real estate is situated in the County of Macon, in the State of Illinois, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of this State.

This deed is made, executed, and delivered pursuant to authority vested in the undersigned officers by resolution duly adopted by the directors and shareholders of the Grantor Corporation.

STATE OF ILLINOIS }
COUNTY OF MACON } ss.

The foregoing instrument was acknowledged before me this day, October 16, 2017, on behalf of BINDER PLUMBING & HEATING, INC., an Illinois corporation, by ARTHUR D. BINDER, JR., corporate President and by CINDY OSBORN, corporate Secretary.

Dated: October 16, 2017

BINDER PLUMBING & HEATING, INC.,
an Illinois Corporation, Grantor

BY:


ARTHUR D. BINDER, JR., President

Attest:


CINDY OSBORN, Secretary


Notary Public

(Seal)



(Corporate Seal)

PREPARED BY:
JOSHUA J. DURBELDE
SAMUELS, MILLER, SCHROEDER, JACKSON & SLY, LLP
P.O. BOX 1400, DECATUR, ILLINOIS 62525

STAFF REPORT
Decatur City Plan Commission

Hearing Date January 2, 2020
Case No. 20-01
Property Location 1975 East Pershing Road
Request Rezoning from M-2 Heavy Industrial District to M-1 Intense Commercial – Light Industrial District
Petitioner David Binder
Representative N/A

BACKGROUND

The subject site located at 1975 East Pershing Road is currently zoned both M-1 Intense Commercial – Light Industrial District (northern portion) and M-2 Heavy Industrial District (southern portion). The southern portion of the property proposed to be re-zoned consists of approximately 19,364 square feet and is currently occupied by an industrial building, while the northern portion is occupied by another industrial building.

Surrounding Land Use and Zoning

<i>Direction</i>	<i>Existing Land Use</i>	<i>Zoning</i>	<i>Comprehensive Plan</i>
Subject Property	Industrial	M-1, M-2	Heavy Commercial, Employment
North	Industrial	M-1	Heavy Commercial
South	Industrial	M-1	Employment
East	Industrial	M-1, M-2	Heavy Commercial, Employment
West	Industrial	M-1	Heavy Commercial

PROJECT DESCRIPTION

The petitioner proposes to rezone the southern portion (19,364 square feet) of the site from M-2 Heavy Industrial District to M-1 Intense Commercial – Light Industrial District to create a uniform zoning district for the site.

STAFF ANALYSIS

The surrounding zoning districts include M-1 Intense Commercial – Light Industrial District to the north, south and west and M-1 Intense Commercial – Light Industrial District and M-2 Heavy Industrial District to the east. The Macon County and Decatur Comprehensive Plan shows this area as Heavy Commercial and Employment. The proposed M-1 zoning would be compatible and consistent with the surrounding zoning and uses. Also, rezoning the “M-2” District portion of the site to “M-1” District would bring uniformity in zoning for the entire site, i.e. M-1 District. As a result, this would allow zoning conformance to the existing industrial facility and any of its future expansion.

The subject site is located within an industrial area and rezoning to M-1 Intense Commercial – Light Industrial District should have no adverse effect on the general area or the City as a whole.

STAFF RECOMMENDATION

Staff recommends approval of the rezoning request.

PLAN COMMISSION ACTION

Section XXIX. 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 a final decision. A motion to forward Case 20-01 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.

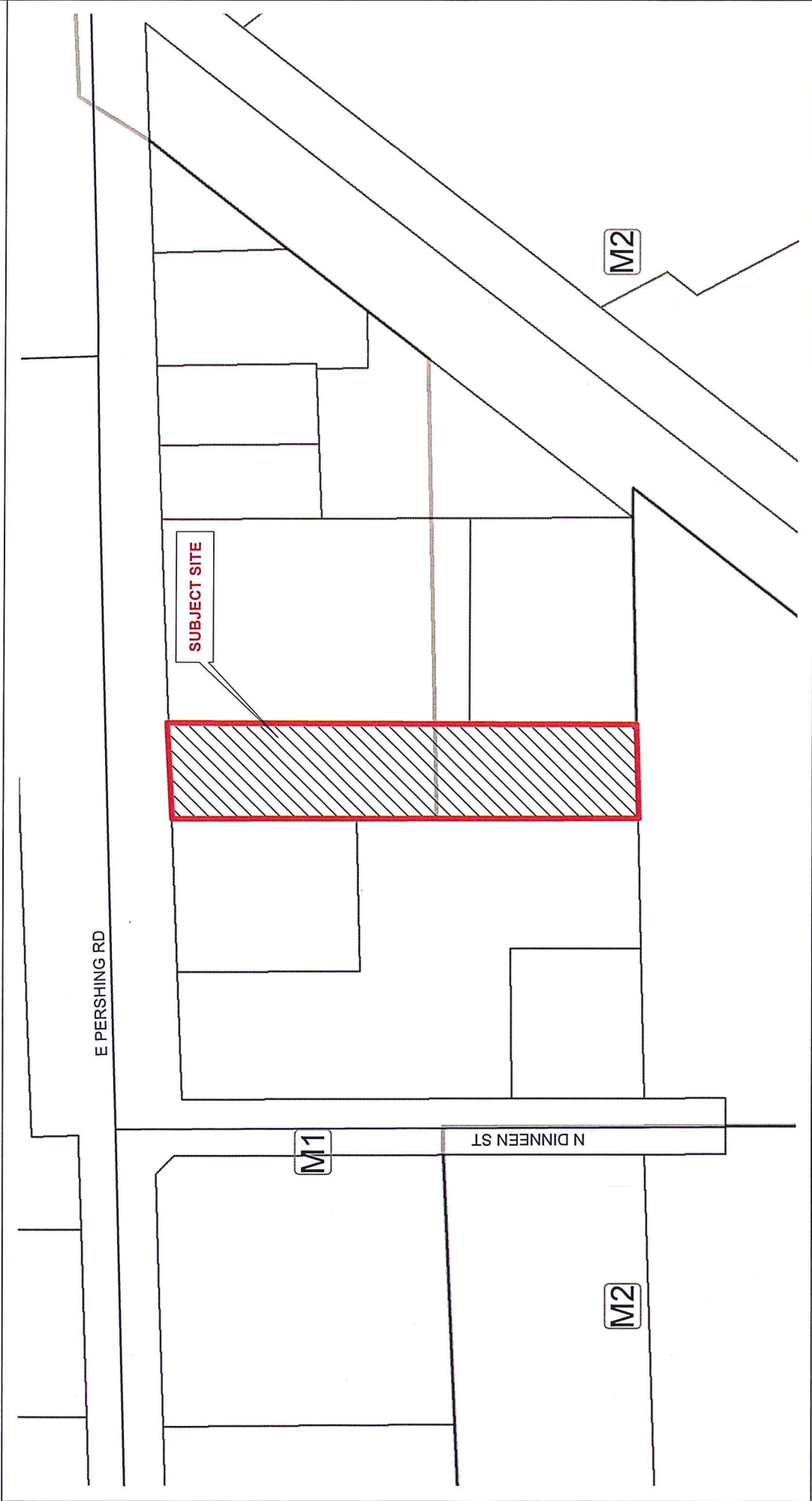
Joselyn Stewart
Transportation Planner

ATTACHMENTS

1. Petition
2. Location Map

Decatur City Plan Commission

1975 East Pershing Road



Case No.: 20-01

Date: January 2, 2020

Petition of: David Binder

Requested Action: Rezoning from M-2 to M-1

Legend

- Decatur Roads
- Decatur Zoning
- Subject Site

N

0 85 170 340 Feet

Decatur City Plan Commission

1975 East Pershing Road



Case No.: 20-01

Date: January 2, 2020

Petition of: David Binder

Requested Action: Rezoning from M-2 to M-1



Legend

— Decatur Roads

□ Decatur Zoning

▨ Subject Site

Excerpts from Plan Commission Meeting of January 2, 2020:

Case No. 20-01 Petition of DAVID BINDER, to rezone the southern portion of the property located at 1975 EAST PERSHING ROAD from M-2 Heavy Industrial District to M-1 Intense Commercial – Light Industrial District.

It was moved and seconded (Brinkoetter/Peoples) to forward Case No. 20-01 to the City Council with a recommendation of approval as set forth in the staff report.

Mr. Ray Lai was sworn in by Mrs. Janet Poland.

Mr. Lai discussed and presented slides of the site and surrounding properties (available for viewing upon request) along with staff's recommendation for 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).

Mr. David Binder, petitioner, was sworn in by Mrs. Poland. Mr. Binder stated the site is currently zoned both M-1 Intense Commercial – Light Industrial District and M-2 Heavy Industrial District. He would like the entire property to be zoned M-1.

There were no questions and no objectors present.

Upon call of the roll, Commission members Mike Peoples, Tom Brinkoetter, Bill Clevenger, Jason Drake, Bruce Frantz, Steve Kline and Chairman Susie Peck voted aye. Chairman Peck declared the motion carried.