

STAFF REPORT
Decatur City Plan Commission

COMMON NAME: 528 and 530 North Water Street

GENERAL INFORMATION

Hearing Date January 5, 2017
Calendar No. PC 17-01
Property Location 528 and 530 North Water Street
Requested Action Conditional Use Permit for a tattoo/body piercing parlor in a B-4 District
Petitioner Speakeasy Properties, LLC
Representative Jesse Blunt

LAND USE AND ZONING

| <i>Direction</i> | <i>Existing Land Use</i> | <i>Zoning</i> | <i>Comprehensive Plan</i> |
|------------------|----------------------------|---------------|-------------------------------------|
| Subject Property | Vacant Commercial Building | B-4 | Mixed-Use Commercial/Residential |
| North | Commercial | B-4 | Mixed-Use Commercial/Residential |
| South | Office | B-4 | Mixed-Use Commercial/Residential |
| East | Commercial | B-4 | Mixed-Use Commercial/Residential |
| West | Commercial | B-4 | Mixed-Use Commercial/Residential |

BACKGROUND

1. The subject site is located 528 and 530 North Water Street, contains approximately 4,964 square feet, and is the former location of Rupert's Sport Shop. The subject site is zoned B-4 Central Business District.

PROJECT DESCRIPTION

1. The subject petition requests a conditional use permit to allow for a tattoo/body piercing parlor in the B-4 Central Business District.
2. Tried & True is an established up-scale tattoo studio in Decatur currently located on South Taylorville Road. The proposed parlor on North Water Street will have one artist and is to be operated from the hours of 10:00 AM to 5:00 PM with artwork being carried out by appointment only.
3. Speakeasy Properties, LLC is looking to reuse the former Rupert's and convert to a tattoo/body piercing parlor as well as a record store and coffee shop.

STAFF ANALYSIS

1. Staff supports the proposed Conditional Use Permit and reuse of this downtown building. Staff believes the proposed use of a tattoo/ piercing parlor on this particular site is compatible with the B-4 zoning as well as the adjacent commercial and office uses.
2. Staff proposes to allow for future expansion and flexibility with operating hours allowed from 8:00 AM to 10:00 PM so that other artist(s) could be hired if the owner so desired or if they wished to adjust their current proposed schedule.
3. 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 is generally compatible with the area along North Water Street and the parlor will provide a service which can be utilized by residents.
4. The proposed use also meets the second standard. The facility is located and designed to be operated in a manner in which the public health, safety and welfare will be protected. The hours of operation allowed will be between 8:00 AM and 10:00 PM.
5. Last, the facility should not cause injury to the value of other properties in the area as stated by the third standard. This is an established studio to be located in a mixed use area.
6. The Conditional Use Permit has been reviewed by the City’s Technical Review Committee. Planning, Engineering, and Fire have all approved the proposed business location.

STAFF RECOMMENDATION

1. Based on the above analysis, staff recommends approval of the petition with the following condition:
 - a. Hours of operation shall be limited to the hours between 8:00 AM and 10:00 PM.

PLAN COMMISSION ACTION

1. Section XXII.A.2. requires the Plan Commission to hold a public hearing on a conditional use permit request, and then forward its report and recommendation to the City Council for final approval. A motion to forward Calendar Number 17-02 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. Location Maps



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

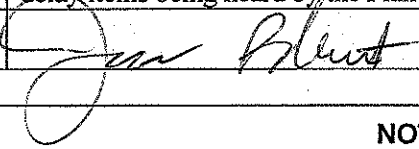
| SECTION ONE: PETITIONER / OWNER / REPRESENTATIVE INFORMATION | | | | | |
|--|--------------------------|---------|----------|--------|----------------------|
| Petitioner | SPEAKEASY PROPERTIES LLC | | | | |
| Address | 254 N. PARK PLACE | | | | |
| City | DECATUR | State # | ILLINOIS | Zip | 62522-1952 |
| Telephone | 217 521-7239 | Fax | — | E-mail | — |
| Property Owner | RICHARD E. VAUGHN | | | | |
| Address | 528-530 N. WATER | | | | |
| City | DECATUR | State | ILLINOIS | Zip | 62523 |
| Telephone | — | Fax | — | E-mail | — |
| Representative | JESSE W. BLUNT | | | | |
| Address | 4620 E. GLENWOOD DRIVE | | | | |
| City | DECATUR | State | ILLINOIS | Zip | 62521 |
| Telephone | 217 521-5941 | Fax | — | E-mail | jesseblunt@gmail.com |

| SECTION TWO: SITE INFORMATION | | | | | | | |
|---|------------------------------|--|------------------------------|---|------------------------------|--|------------------------------|
| Street Address | 528-530 N. WATER | | | | | | |
| Legal Description | SEE ATTACHED DEED | | | | | | |
| 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 checked="" type="checkbox"/> B-4 | <input type="checkbox"/> O-1 | | <input type="checkbox"/> YES |
| | <input type="checkbox"/> M-1 | <input type="checkbox"/> M-2 | <input type="checkbox"/> M-3 | <input type="checkbox"/> PMR-1 | | | <input type="checkbox"/> NO |
| Please list all improvements on the site: | | | | | | | |
| Size of Tract | 2,048 | <input checked="" type="checkbox"/> SF | <input 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 type="checkbox"/> M-2 | <input type="checkbox"/> M-3 | <input type="checkbox"/> PMR-1 | | | <input type="checkbox"/> NO |
| Other: | CONDITIONAL USE PERMIT | | | | | | |

| | |
|--------------------------------|---|
| <i>Section Three Continued</i> | |
| Purpose | <i>Please state the purpose of the proposed rezoning.</i> |
| TATTOO STUDIO | |

| |
|--|
| SECTION FOUR: JUSTIFICATION |
| <i>The petitioner submits to the City Plan Commission and City Council the following facts (additional pages may be attached):</i> |
| SEE ATTACHED |

| | | | |
|------------------------------------|--|-------------|----------|
| 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 | 11-30-16 |

| | |
|--|--|
| 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 | |

**WARRANTY DEED
JOINT TENANCY
1685851**

OK 3613PG416

Mail Tax Statement To:
(name and address)

Richard E Vaughn
530 W. Water St
Decatur, IL 62523

STATE OF ILLINOIS
MACON COUNTY SS
RECORDED AT

2005 JUN 27 A-11: 28

FEE 30.00 pd

This space for use of Recorder

I HEREBY CERTIFY THAT
THIS INSTRUMENT WAS
FILED

Mary A. Eaton
RECORDER

Name of Grantor(s)

Charlotte L. Vaughn, a widow,

for and in consideration of
in hand paid, conveys and warrants to:

Richard E. Vaughn
Ricki L. Vaughn

Ten Dollars + other Good + Valuable Considerations
Name and Address of Grantee(s)

Not in tenancy in common but in JOINT TENANCY, the following described real estate:

The East 139 feet of the North 1/2 of Lot 10 of the Assessor's Subdivision of the South 1/2 of Block 4 of Read & Co's Addition to Decatur, as per Plat recorded in Book 22 page 539 of the Records in the Recorder's Office of Macon County, Illinois, also known as the North 1/2 of the North 1/2 of the South West 1/4 of Block 4 of said Read & Co's Addition to the Town, now City of Decatur, being all that part of said lot lying East of the East line of North Water Street in the City of Decatur, Illinois, as now laid out,

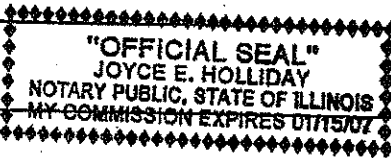
DOCUMENTARY STAMP

Exempt under provisions of Paragraph Section 31-45, Property Tax Code (95 ILCS 200/31-45)

6/27/05 Richard E Vaughn
Date Buyer, Seller or Representative

Which 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.

Dated this 10th day of June 2005
1999 (Seal)



[Signature] (Seal)
[Signature] (Seal)

STATE OF ILLINOIS)
COUNTY OF MACON) ss.
(SEAL)

The foregoing instrument was acknowledged before me this 10th day of June 2005 by Joyce E. Holliday
for the purposes therein set forth, including the release and waiver of the right of homestead.

MARY A. EATON
Recorder

Joyce E. Holliday
Notary Public

This instrument was prepared by Richard E. Vaughn 1812 Dipper Ln Decatur, IL 62521
(name) (address)

SECTION 4: JUSTIFICATION

"Tried & True Tattoo" is an established body art studio owned and operated by artist Jesse Blunt since 2014. Jesse, a Decatur native, has been tattooing professionally since 2009. He is a decorated Eagle Scout, graduated from Argenta/Oreana High School and has attended University of Illinois, Richland Community College, and Westwood College studying Art and Design.

The following are facts relating to his business "Tried & True Tattoo":

- Tried & True is an award winning, upscale tattoo studio specializing in artistic tattooing, cover and rework. Mr. Blunt is proficient in many styles, including portrait realism, calligraphy, Asian and American traditional tattooing.
- Operating as a solo studio, Jesse boasts a clientele that includes local law enforcement, fire and rescue, healthcare, local business owners, and a high percentage of adult professionals.
- Operates under the most updated, stringent health and safety standards and is regularly inspected by State and local health agencies.
- Finished in the top 3 tattoo establishments in the Herald & Review "2016 Reader's Choice Awards" and retains a 5 star Google business rating.
- Operating hours are 10am-5pm and work is carried out by appointment only.

The surrounding neighborhood is part of the greater downtown business district but currently suffers from a disconnection that requires intrepid, vibrant, thriving business owners to bring back from obscurity. Tried & True Tattoo is a progressively run studio which seeks to be more than simply a service business. Having purchased the building for which this zoning variance is requested, the corporation of which Mr. Blunt is a part is seeking to open a record store and coffee shop in the adjacent building space.

I look forward to the opportunity to join the diverse community of small local businesses operating in the downtown Decatur area.

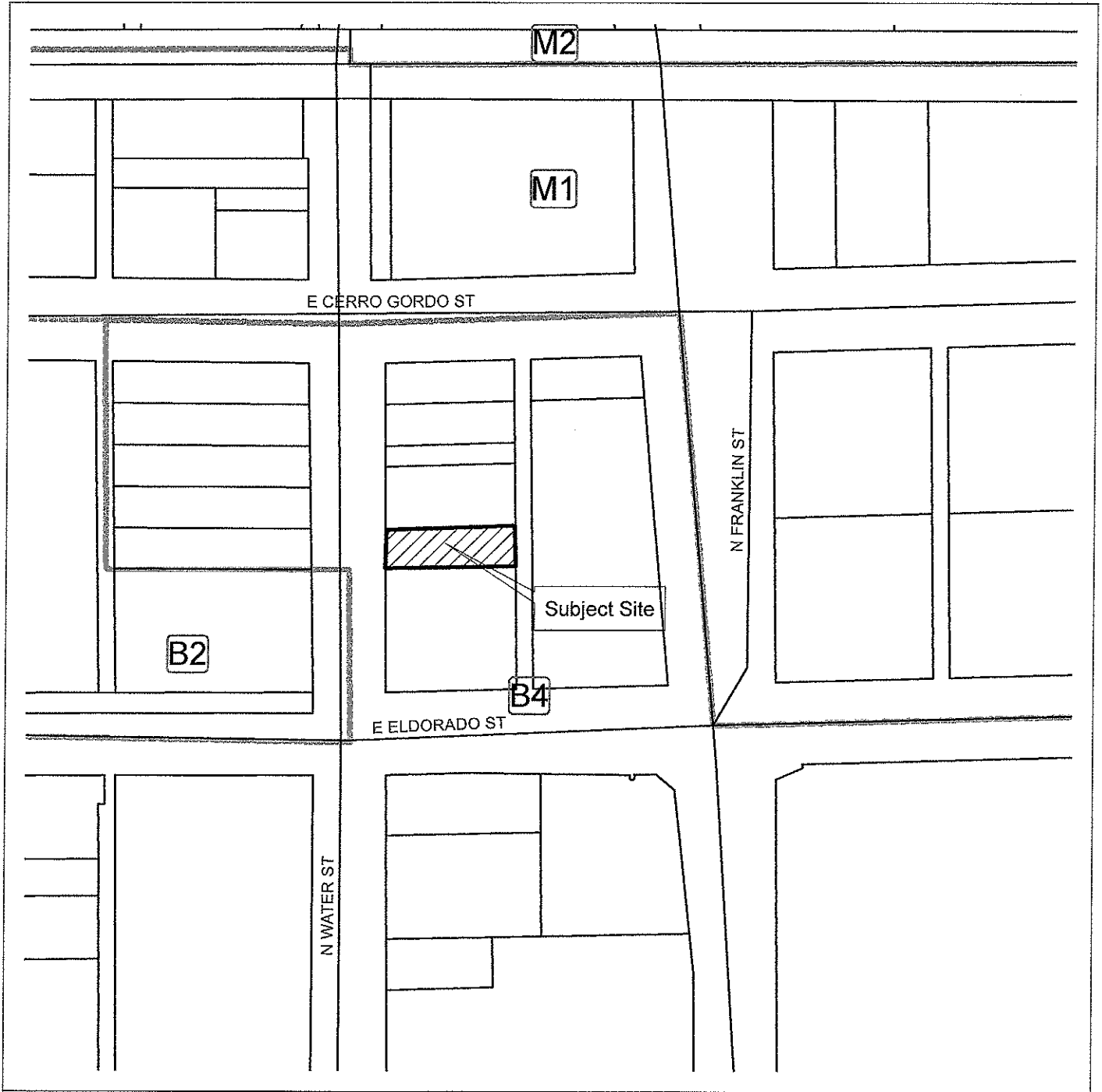


Jesse Blunt

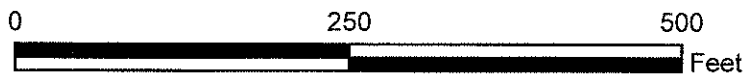
[SEC 4: JUSTIFICATION RE: PETITION FOR VARIANCE TRIED & TRUE TATTOO]

Decatur City Plan Commission

528 and 530 North Water Street



Cal. No.: 17-01
Date: January 5, 2017
Petition of: Speakeasy Properties, LLC
Requested Action: Conditional Use Permit



Legend

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