

**STAFF REPORT**  
**Decatur City Plan Commission**

**Hearing Date**                    March 7, 2024  
**Case No.**                            24-05  
**Property Location**            3840 North Martin Luther King, Jr. Drive  
**Request**                              Amend Conditional Use Permit  
**Petitioner**                        Elliot Christensen, Westwood Professional Services  
**Representative**                Jeff Westendorf, Project Manager

**BACKGROUND**

The subject site is approximately .75 acres and is currently developed as Rainstorm Carwash.

In July of 2008, the petitioner was granted a Conditional Use Permit (CUP) by the City Council (Ordinance No. 2008-45) to allow for a carwash to be constructed in a B-2 Commercial District. This permit allowed for six (6) parking stalls and seven (7) vacuums.

The CUP was once again amended to reduce the number of parking stalls from six (6) stalls to five (5) parking stalls and to also increase the number of vacuums on site from seven (7) to ten (10) vacuums. This amendment was approved by City Council on November 17, 2008 (Ordinance No. 2008-85).

**Surrounding Land Use and Zoning**

<i>Direction</i>	<i>Existing Land Use</i>	<i>Zoning</i>	<i>Comprehensive Plan</i>
Subject Property	Carwash	B-2	Retail
North	Undeveloped/Single-Family Residence District	B-2/R-1	Retail/ Residential – Low Density
South	Commercial	B-2	Retail
East	Commercial/Single-Family Residence District	B-2, R-1	Retail, Residential – Low Density, Institutional
West	Single-Family Residence District	R-1	Residential – Low Density

**PROJECT DESCRIPTION**

The petitioner is requesting to amend the approved B-2 CUP to allow the following: 1.) New pay station/entry equipment; 2.) New vacuum equipment; 3.) Additional vacuum stall parking; 4.) Additional employee parking; 5.) New landscape plantings to bring site back into compliance with previously approved CUP, including 3 overstory trees and 27 shrubs; and 6.) There will be no changes to the footprint of the existing building; however, they will be extending the height on the south end of the building. All changes will only occur within the extents of the current site.

## **STAFF ANALYSIS**

The proposed amendment to the CUP will allow the petitioner the highest and best use of the site. Staff supports the proposed amendments to the CUP. Staff believes the proposed variations to the approved CUP are compatible with the B-2 zoning as well as the neighboring commercial uses.

The proposed amendments to the facility do not appear that they will cause substantial injury to the value of other properties in the neighborhood. The proposed carwash will still be located next to a large gas station as well as next to an office warehouse building along Martin Luther King, Jr. Drive. The amendments meet all applicable City codes and standards.

## **STAFF RECOMMENDATION**

Staff recommends approval of the Conditional Use Permit amendment as submitted with the following conditions:

1. A detailed Site Plan shall be submitted to and approved by the Economic and Community Development Department and the Department of Public Works prior to the issuance of a permit.
2. Submit sealed building drawings for Commercial Building Plan Review.
3. A landscape bond in the amount of \$2,700.00 will be required.

## **PLAN COMMISSION ACTION**

Section XXIII.A.2. requires the Plan Commission to hold a public hearing on a conditional use request, and then forward its report and recommendation to the City Council for a final decision. A motion to forward Case No. 24-05 to City Council by the Plan Commission with a recommendation is warranted.

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

Joselyn Stewart  
Senior Transportation and Land Use Planner

## **ATTACHMENTS**

1. Petition
2. Location 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**

<b>Petitioner</b>	ELLIOT CHRISTENSEN, WESTWOOD PROFESSIONAL SERVICES				
<b>Address</b>	12701 WHITEWATER DRIVE SUITE 300				
<b>City</b>	MINNETONKA	<b>State</b>	MINNESOTA	<b>Zip</b>	55343
<b>Telephone</b>	952.697.5726	<b>Fax</b>		<b>E-mail</b>	elliott.christensen@westwoodps.com
<b>Property Owner</b>	STORE Master Funding XII, LLC				
<b>Address</b>	8377 E HARTFORD DR SUITE 100				
<b>City</b>	SCOTTSDALE	<b>State</b>	ARIZONA	<b>Zip</b>	85255
<b>Telephone</b>	480.256.1100	<b>Fax</b>		<b>E-mail</b>	customerservice@storecapital.com
<b>Representative</b>	WALTER RUDD				
<b>Address</b>	1130 W WARNER RD				
<b>City</b>	TEMPE	<b>State</b>	ARIZONA	<b>Zip</b>	85284
<b>Telephone</b>	520.906.0471	<b>Fax</b>		<b>E-mail</b>	walter.rudd@truebluecw.com

**SECTION TWO: SITE INFORMATION**


<b>Street Address</b>	3840 N MARTIN LUTHER KING JR DR., DECATUR, ILL 62526					
<b>Legal Description</b>	SEC 26-17-2E DOWD-KALTENBACH THIRD ADD LT 2					
<b>Present Zoning</b>	<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 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		
<b>Please list all improvements on the site:</b>						
<b>Size of Tract</b>	.75	<input type="checkbox"/> SF	<input checked="" type="checkbox"/> AC			

**SECTION THREE: REQUESTED ACTION**

<b>Rezone Property To:</b>	<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 type="checkbox"/> M-1	<input type="checkbox"/> M-2	<input type="checkbox"/> M-3	<input type="checkbox"/> PMR-1		
<b>Other:</b>	AMEND PREVIOUSLY APPROVED CUP (ORDINANCE 2008-45)					

<b>Section Three Continued</b>	
<b>Purpose</b>	<i>Please state the purpose of the proposed rezoning.</i>
THE ADDITION OF PARKING SPACES HAS CREATED THE NEED TO AMEND PREVIOUSLY APPROVED CUP (ORD. 2008-45).	

<b>SECTION FOUR: JUSTIFICATION</b>	
<i>The petitioner submits to the City Plan Commission and City Council the following facts (additional pages may be attached):</i>	
THE SITE IMPROVEMENTS BEING MADE INCLUDE: NEW PAY STATION/ENTRY EQUIPMENT, NEW VACUUM EQUIPMENT, ADDITIONAL VACUUM STALL PARKING, ADDITIONAL EMPLOYEE PARKING, NEW LANDSCAPE PLANTINGS TO BRING SITE BACK INTO COMPLIANCE WITH PREVIOUSLY APPROVED CUP INCLUDING 3 OVERSTORY TREES and 27 SHRUBS. THERE WILL BE NO CHANGES TO THE FOOTPRINT OF THE EXISTING BUILDING, AND ALL CHANGES WILL ONLY OCCUR WITHIN THE EXTENTS OF THE CURRENT USE.	

<b>SECTION FIVE: CERTIFICATION</b>	
	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.
<b>Petitioner's Signature</b>	
<b>Date</b>	1/25/2024

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

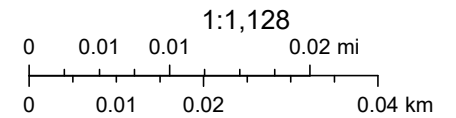
<b>OFFICE USE ONLY</b>	
<b>Date Filed</b>	
<b>By</b>	

# 3840 NORTH MARTIN LUTHER KING JR. DRIVE

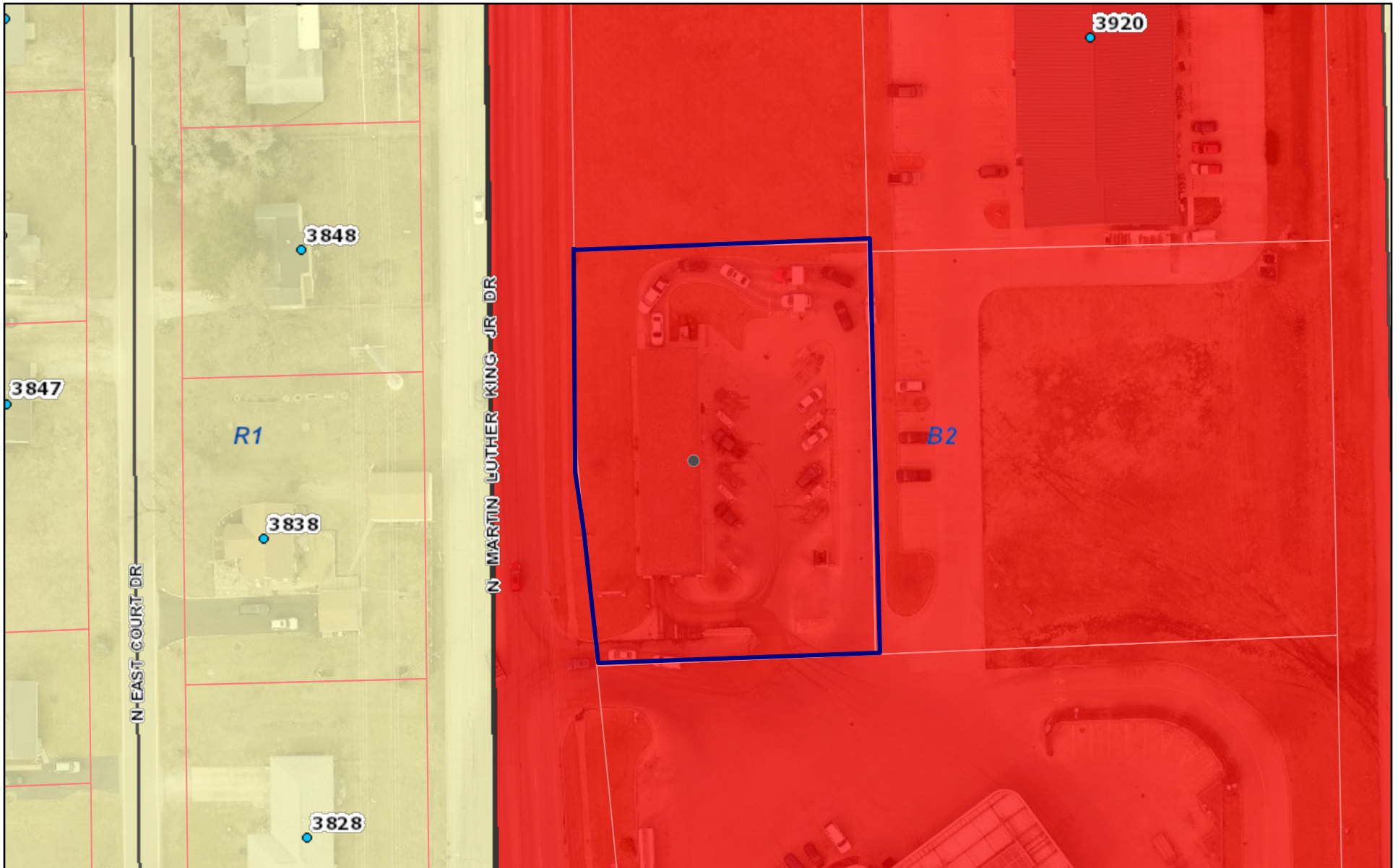


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|---------------------|-----------------------------|-----------------|---------------------------------|
| Roads (small scale) | State Route or U.S. Highway | County Highway  | Parcels (from Macon County GIS) |
| <all other values>  | Arterial                    | Railroad Tracks | Addresses                       |
| Interstate Highway  | Residential                 | Override 1      | Decatur City Limits             |



# 3840 NORTH MARTIN LUTHER KING JR. DRIVE



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|---------------------|-----------------------------|-----------------|---------------------------------|
| Roads (small scale) | State Route or U.S. Highway | County Highway  | Parcels (from Macon County GIS) |
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