

CITY OF WASHINGTON

PLANNING & DEVELOPMENT DEPARTMENT

301 Walnut St. · Washington, IL 61571

Ph. 309-444-1135 · Fax 309-444-9779

<http://www.washington-illinois.org>

joliphant@ci.washington.il.us

MEMORANDUM

TO: Chairman Burdette and Planning and Zoning Commission
FROM: Jon R. Oliphant, AICP, Planning & Development Director
SUBJECT: Public Hearing – Request by B.A. Bodner Co., LLC, to Rezone Two Parcels Near Centennial Drive, McClugage Road, and Spring Creek Road (the “Subject Properties”) from the R-1A District to the C-2 District
DATE: December 20, 2023

Current Zoning: County A-1 District (Agricultural Preservation) – Prior to Annexation Consideration
Comprehensive Plan Designation: GC (General Commercial)

Request Summary: Bruce Bodner of B.A. Bodner Co., LLC, an Indiana limited liability company (the “Company”), has requested the rezoning of two parcels located on or near Centennial Drive, McClugage Road, and Spring Creek Road from the R-1A District (Single-Family Residential) to the C-2 District (General Retail) to allow for possible future commercial development. An analysis of the pertinent facts is offered below.

Background: Mr. Bodner, via his Company, has a pending purchase of the Subject Properties from Kenneth L. Haag and Donna L. Haag, as Trustees of the Kenneth L. Haag and Donna L. Haag Joint Revocable Trust Agreement Dated September 12, 2019. Mr. and Mrs. Haag have consented to the request. The parcels are currently unincorporated and the Haags have an approaching annexation request. As of this writing, a first reading ordinance was heard at the December 18 City Council meeting. A second reading ordinance and vote will be scheduled for the January 2, 2024, Council meeting. This request by Mr. Bodner to rezone the two parcels would only be considered by the Planning and Zoning Commission on January 3 if the annexation is approved by the City Council. The properties would be zoned the City’s default zoning R-1A upon that annexation.

The Haags have owned the subject parcels totaling approximately 10.63 acres for several years. The smaller of the two parcels totals 2.21 acres while the larger piece is 8.42 acres. They also own an adjacent undeveloped 1.51-acre parcel at the intersection of Centennial and McClugage (US Business 24) that is in the city limits. The parcel at Centennial and McClugage is zoned C-3 (Service Retail) and would likely be the first to develop with a small portion of the 8.42-acre parcel. Mr. Bodner plans on a commercial development near the McClugage and Centennial intersection as early as the first half of 2024. City water and sanitary sewer are in close proximity and there are no significant infrastructure deficiencies for development at that intersection. Sewer would need to be extended to serve the two unincorporated parcels.

Mr. Bodner does not have immediate plans to develop the unincorporated parcels, though the smaller parcel is likely to serve at least partially as stormwater detention for the overall development. He is exploring possible options for the future development of the larger parcel.

The majority of the two parcels are open except for some mature trees on the western half of the 2.21-acre parcel and a small grove of trees near the southeast corner of the 8.42-acre parcel. The property slopes gently from east to west and provides some elevation change that is not common among most properties in Washington. They are located near a primary shopping corridor and this corner of the McClugage and Centennial intersection is the only undeveloped piece. The annual average daily traffic (AADT) count on McClugage is slightly more than 10,000. Freedom Parkway has an AADT of about 11,000 while Centennial is 3,750. Access to the properties would only likely be served from Centennial and Spring Creek, as McClugage is under the jurisdiction of the IL Department of Transportation. The following are factors to consider in light of the rezoning request:

<p>1. The existing uses and zoning of nearby properties:</p>	<ul style="list-style-type: none"> • Properties located North of the Subject Properties: <ul style="list-style-type: none"> ○ Use: Low-Density Residential, Institutional ○ Zoning: County A-1 District (Agricultural Preservation) • Properties located East of the Subject Properties: <ul style="list-style-type: none"> ○ Use: Undeveloped, Retail ○ Zoning: C-3 District • Properties located South of the Subject Properties: <ul style="list-style-type: none"> ○ Use: Undeveloped ○ Zoning: C-3 District • Properties located West of the Subject Properties: <ul style="list-style-type: none"> ○ Use: Low-Density Residential ○ Zoning: County R-1 District (Low-Density Residential)
<p>2. The extent to which property values are diminished by particular zoning restrictions:</p>	<ul style="list-style-type: none"> • The C-2 District allows for many office, service, and retail uses. Property values do not figure to diminish due to the rezoning request.
<p>3. The extent to which destruction of value of some property promotes the health, safety, morals or general welfare of the public:</p>	<ul style="list-style-type: none"> • The proposed zoning is compatible with nearby incorporated properties.
<p>4. The relative gain to the public compared to the hardship imposed upon individual property owners:</p>	<ul style="list-style-type: none"> • The proposed rezoning matches the classifications to the properties located east and south of the Subject Properties. The proposed rezoning would allow for commercial uses to be developed near existing commercial uses and permit residential uses above the ground floor.
<p>5. The suitability of the property for zoned purposes:</p>	<ul style="list-style-type: none"> • The proposed rezoning matches the classifications to the properties located east and south of the Subject Properties. The Subject Properties can meet each of the C-2 District zoning regulations.
<p>6. The length of time the property has been vacant as zoned, considered in the context of land developed in the vicinity:</p>	<ul style="list-style-type: none"> • The Subject Properties have not previously been annexed into the Washington city limits and have not been subject to the City's zoning regulations.
<p>7. The community need for the proposed use:</p>	<ul style="list-style-type: none"> • Additional commercial uses are desired to increase property and sales tax generation.
<p>8. The compatibility with the Comprehensive Plan:</p>	<ul style="list-style-type: none"> • The designation denoted in the Comprehensive Plan for the Subject Properties is General Commercial. This category serves a variety of possible uses and is most commonly associated with those that pertain to the sale of goods or services. The Subject Properties' location between commercial and residential uses also allows for the consideration of a mix of uses to transition between lower density residential development to the west and higher density commercial development to the east.

Conclusion: The requested zoning change from the R-1A District (if the annexation of the Subject Properties is approved on January 2) to the C-2 District is reasonable given the proximity to other commercial development and higher nearby traffic counts, particularly on McClugage and Freedom. Staff recommends approval of the rezoning request.

A public hearing will be held by the Planning and Zoning Commission at their meeting on Wednesday, January 3, 2024, to make a recommendation to the City Council.

Enclosures

CITY OF WASHINGTON, ILLINOIS

APPLICATION FOR REZONING

To have a complete application for a rezoning, you must submit the following:

- Signed and completed application
- Plat showing subject property and all adjacent properties – See below for plat requirements
- Ownership documentation (lease, deed, mortgage, etc.)
- Accurate legal description obtained from the Warranty Deed
- Application fee of \$100 payable to the City of Washington

Address or location of property: Centennial Drive, McClugage Rd, & Spring Creek Rd.

Property Tax ID (PIN) number: 02 - 02 - 16 - 300 - 014 & 022

Current zoning classification of the property: Tazewell County Proposed zoning classification of the property: C-2 City of Washington

Current use of the property: Agricultural

Proposed use of the property: Commercial

Does the proposed zoning meet the City's Comprehensive Plan? YES NO

If not, what unique characteristics about your property warrant a rezoning? _____

Name of Applicant: B. A. Bodner Co., LLC Phone Number of Applicant: [REDACTED]

Address of Applicant: 47 S. Meridian St, #307, Indianapolis, IN 46207

Owner of Property: Kenneth L. Haag and Donna L. Haag, as Trustees of the Kenneth L. Haag and Donna L. Haag, Joint Revocable Trust Agreement Dated September 12, 2019

Address of Owner: 164 Southwards Drive, Sarasota, FL 34231

I would like to receive correspondence by: Mail Email Email address: [REDACTED]

PLAT REQUIREMENTS: Your rezoning plat must show:

- The subject property and all adjacent properties (including across rights-of-way)
- Each property shall be labeled to show the owner or business name, address, current zoning, and proposed zoning
- Adjacent rights-of-way, streets, roads, railroads, waterways, and other physical features

PUBLIC HEARING: Your case will be referred with staff's recommendation to the next regularly scheduled Planning and Zoning Commission meeting for a public hearing. The Planning and Zoning Commission meets the first Wednesday of every month at 6:30 p.m at the Washington District Library meeting room at 380 N. Wilmor Road. At the Planning and Zoning Commission meeting, you will present your request. The Planning Commission will consider the following factors before making their recommendation to the City Council:

- 1) Existing uses and zoning of nearby property;
- 2) Extent to which property values are diminished by particular zoning restrictions;
- 3) Extent to which destruction of value of some property promotes health, safety, morals or general welfare of the public;
- 4) Relative gain to public compared to hardship imposed upon individual property owners;
- 5) Suitability of property for zoned purposes;
- 6) Length of time property has been vacant as zoned, considered in context of land developed in vicinity;
- 7) Community need for the proposed use;
- and 8) Compatibility with the Comprehensive Plan.

Certification: *To the best of my knowledge, the information contained herein, and on the attachments, is true, accurate, and correct, and substantially represents the existing features and proposed features. Any error, misstatement, or misrepresentation of material fact or expression of material fact, with or without intention, shall constitute sufficient grounds for the revocation or denial of the proposed Rezoning.*

DocuSigned by:
Bruce Bodner
D2081033054048D...

11/27/2023

Signature of Applicant

Date

DocuSigned by:
Kenneth Haag
11D558F0CF9334BF...

11/27/2023

11/27/2023

Signature of Owner

Date

After receiving a completed application, the City Clerk will file notice of your request with the local newspaper and with the adjoining property owners. If you have any questions, please contact Jon Oliphant, Planning & Development Director at (309) 444-1135.

FOR OFFICE USE ONLY Case No.: _____

Fee Paid? Y / N Date: _____

Plat Submitted? Y / N Date: _____

Documentation of Authority Submitted: _____

Date to go before the Planning and Zoning Commission: _____

Commission Action: _____

Tazewell County, Illinois

generated on 12/22/2023 9:16:40 AM CST

Parcel

Parcel ID 02-02-16-300-022	Alt. PIN	Parcel Address SPRING CREEK RD (OFF OF), WASHINGTON	Data as of 11/18/2023
--------------------------------------	-----------------	---	---------------------------------

Tax Payer Information

Tax Payer	HAAG KENNETH L & DONNA
Tax Payer Address	125 E GLEN AVE 107B PEORIA IL 61614
Transfer Date	

Location Information

GIS		Section & Plat	
District No.	02017	State Assigned District No.	020
Township No.	002,	Routing No.	
Parcel Address	SPRING CREEK RD (OFF OF), WASHINGTON	Legal Desc.	SEC 16 T26N R3W SELY PT OF TRACT VI IN SW 1/4 SW 1/4 2.21 AC

Parcel Information

Property Class Code	30 UNIMPROVED LOT
Neighborhood Code	212
Neighborhood Factor	105.00
Neighborhood Type	
Street or Road Code	

Topography

Level	N
High	N
Low	N
Rolling	N
Swampy	N
Flood Hazard	
Waterfront Property Type	

Services

Water	
Sewer	
Gas	
Electricity	N
Sidewalk	
Alley	N

Tazewell County, Illinois

generated on 12/22/2023 9:17:03 AM CST

Parcel

Parcel ID 02-02-16-300-014	Alt. PIN	Parcel Address CENTENNIAL DR, WASHINGTON	Data as of 11/18/2023
--------------------------------------	-----------------	--	---------------------------------

Tax Payer Information

Tax Payer	HAAG KENNETH L & DONNA L TRUST HAAG KENNETH L & DONNA L CO-TRUSTEES
Tax Payer Address	125 E GLEN AVE 107B PEORIA IL 61614
Transfer Date	09/13/2019

Location Information

GIS		Section & Plat	
District No.	02017	State Assigned District No.	020
Township No.	002,	Routing No.	
Parcel Address	CENTENNIAL DR, WASHINGTON	Legal Desc.	SEC 16 T26N R3W SW 1/4 OF SW 1/4 OF (EXC TRACT) SW 1/4 8.42 AC

Parcel Information

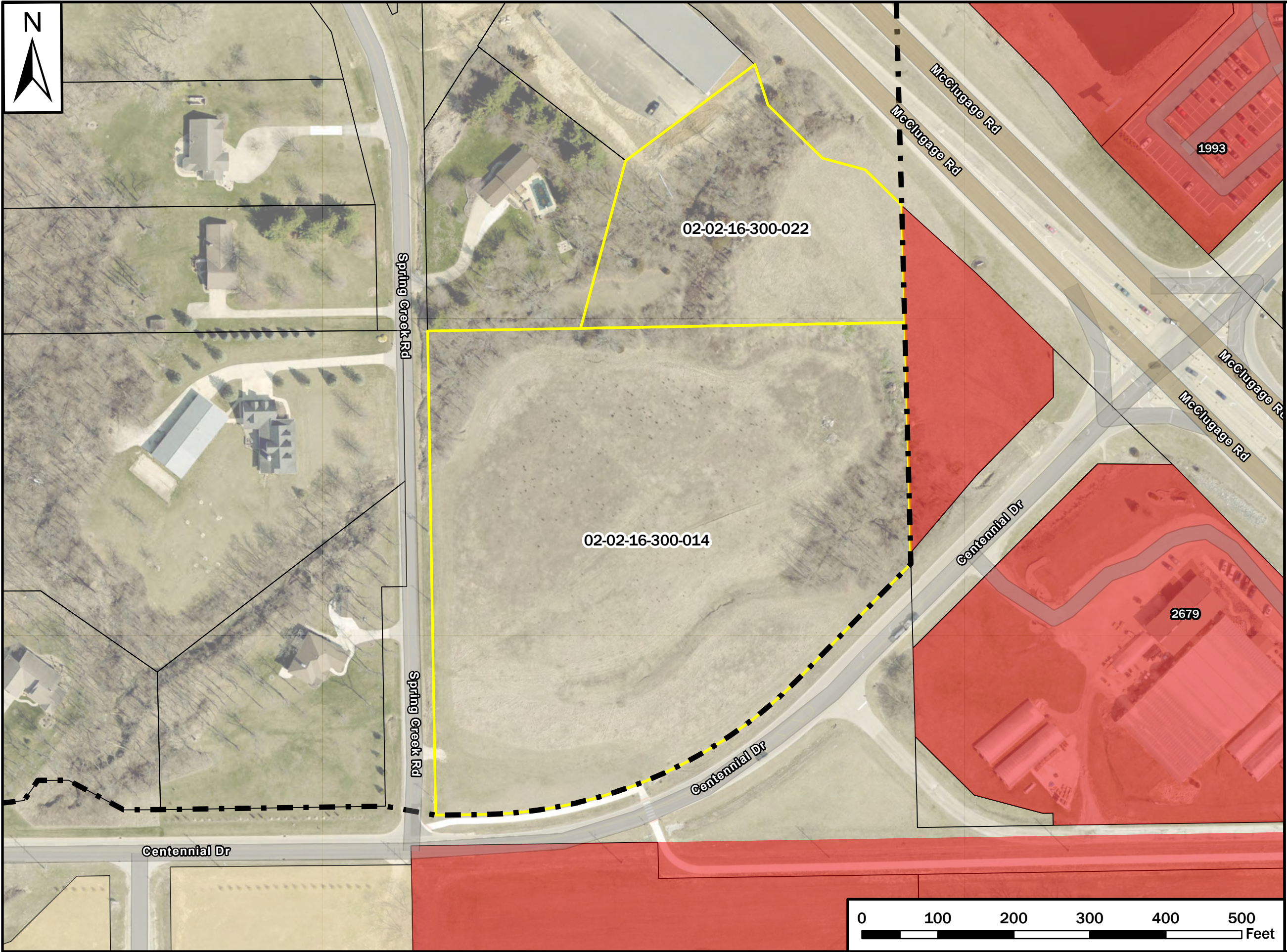
Property Class Code	21 RURAL UNIMPROVED FARM
Neighborhood Code	223
Neighborhood Factor	105.00
Neighborhood Type	
Street or Road Code	

Topography

Level	N
High	N
Low	N
Rolling	N
Swampy	N
Flood Hazard	
Waterfront Property Type	

Services

Water	
Sewer	
Gas	
Electricity	N
Sidewalk	
Alley	N



REZONING MAP

PROPERTIES PROPOSED TO BE REZONED TO C-2

PIN: 02-02-16-300-022
 SHORT LEGAL: SEC 16 T26N
 R3W SELY PT OF TRACT
 VI IN SW 1/4
 OF SW 1/4 2.21 AC

PIN: 02-02-16-300-014
 SHORT LEGAL: SEC 16 T26N
 R3W SW 1/4 OF SW 1/4
 OF (EXC TRACT)
 SW 1/4 8.42 AC

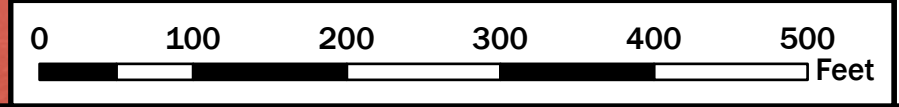
Legend

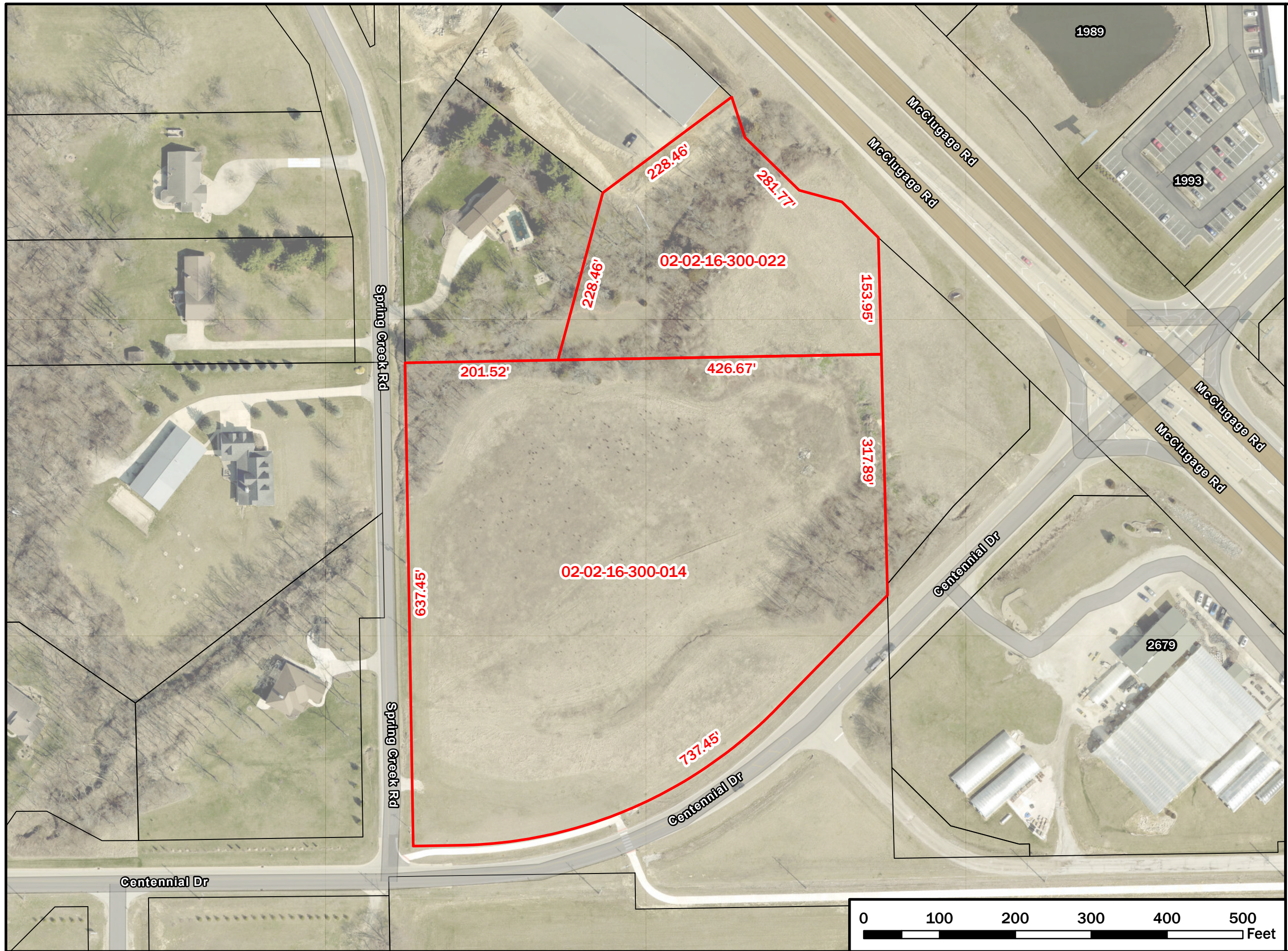
- City Boundary
- Zoning**
- CE
- C-3
- Rezoning Properties
- Parcels



Date: 12/26/2023

This map indicates approximate data locations and may not be 100% accurate. Parcels are provided and maintained by Tazewell County.





ANNEXATION MAP

PIN: 02-02-16-300-022
 SHORT LEGAL: SEC 16 T26N
 R3W SELY PT OF TRACT
 VI IN SW 1/4
 OF SW 1/4 2.21 AC

PIN: 02-02-16-300-014
 SHORT LEGAL: SEC 16 T26N
 R3W SW 1/4 OF SW 1/4
 OF (EXC TRACT)
 SW 1/4 8.42 AC

Legend

- Annexation Properties
- Parcels



Date: 12/13/2023

This map indicates approximate data locations and may not be 100% accurate. Parcels are provided and maintained by Tazewell County.

