

CITY OF WASHINGTON

PLANNING & DEVELOPMENT DEPARTMENT

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MEMORANDUM

TO: Mayor Manier and City Council
FROM: Jon R. Oliphant, AICP, Planning & Development Director
SUBJECT: First Reading Ordinances – Request by Sam Miller to Rezone 130 N. Wilmor Road from R-1A to C-3 and a Special Use Request by Sam Miller to Allow a Light Fabrication, Welding, and Repair Business at 130 N. Wilmor Road
DATE: May 31, 2018

Summary: Sam Miller has requested the rezoning of 130 N. Wilmor Road from R-1A (Single-Family Residential) to C-3 (Service Retail). Also included is a special use request on the same property for the operation of a light fabrication, welding, and repair business. The rezoning ordinance would be heard first, as the special use ordinance is contingent upon a rezoning being approved. Staff recommends approval of the rezoning and approval of the special use.

Background: Two buildings are currently on the property, which the County Assessor indicates were each constructed in 1920. The properties to the north and east are zoned R-1 (Single- and Two-Family Residential), those to the west are zoned R-1A, and the properties to the south are primarily zoned C-2 (General Retail) with one property on Business Route 24 zoned C-3. The area has a mixture of uses between institutional (Five Points, Washington Fire Department, and Washington High School), single-family housing, and retail/service.

The property is approximately 1.34 acres. The property formerly housed Spurgeon Construction and has been used for limited vehicle maintenance and storage in recent years. With the exception of the construction of Five Points about a decade ago, the mix of land uses has remained the same. Mr. Miller has indicated that the dairy barn on the south side of the property would house the business and office while the smaller barn on the north side would be used for the storage of materials. There would be minimal noise resulting from the fabrication, welding, and repair work and there would not be much traffic generation. The City's landscaping code would apply for the proposed use. Mr. Miller has indicated the typical working hours would be between 7 a.m. and 5 p.m.

Staff would refer to this property as one in transition, as it is located within close enough proximity to multiple uses that it could be relatively compatible with various uses. It would not fit as well if this were a greenfield site with no past history with construction activity or if the property was entirely surrounded by residential. But the proposed zoning and special use are more appropriate for this property with a previous history as a construction use. The comprehensive plan deems this property and those fronting N. Wilmor south of W. Jefferson as General Commercial, which would be compatible with the proposed zoning. The proposed use would not appear to be detrimental to surrounding property values and would allow for greater use of the subject property.

Due to these reasons, the property is fairly suitable for the proposed rezoning and special use. Staff recommends approval of the rezoning of 130 N. Wilmor from R-1A to C-3 and recommends approval of the special use for the operation of a light fabrication, welding, and repair business.

The Planning and Zoning Commission held public hearings on the proposed rezoning and special use at their meeting on May 23 and unanimously recommended approval of both. A first reading ordinance is scheduled for the June 4 City Council meeting with a second reading scheduled for June 18.

Enclosures

ORDINANCE NO. _____

(Adoption of this ordinance would rezone 130 N. Wilmor Road from R-1A, Single-Family Residential, to C-3, Service Retail)

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF WASHINGTON, TAZEWEILL COUNTY,
ILLINOIS, BY REZONING 130 N. WILMOR ROAD FROM R-1A TO C-3**

WHEREAS, a Petition has been filed by Sam Miller for the hereinafter-described tract of real property, more particularly described on Exhibit A, attached hereto, and by reference expressly made a part hereof, to have said property rezoned as C-3;

WHEREAS, all hearings required to be held before agencies of the City took place pursuant to proper legal notice:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON, TAZEWEILL COUNTY, ILLINOIS, as follows:

Section 1. That the minutes of the Planning and Zoning Commission made at the public hearing held on May 23, 2018, and the recommendation of staff contained in its Memorandum to the Planning and Zoning Commission of May 15, 2018, are hereby incorporated by reference as the findings of the City Council, as completely as if fully recited herein at length. Also, all exhibits submitted at the public hearing are hereby incorporated by reference as fully as if attached hereto.

Section 2. That the City Zoning Ordinance adopted February 20, 1961, as amended, and the Official Zoning Map which is a part of said ordinance, are hereby amended to rezone the property more particularly described from R-1A to C-3.

Section 3. That the City Clerk is hereby authorized to note the zoning grant made by this ordinance on the Official Zoning Map of the City of Washington, Tazewell County, Illinois.

Section 4. That this ordinance shall be in full force and effect from and after its passage and approval by the City Council of the City of Washington, Tazewell County, Illinois.

PASSED AND APPROVED in due form of law at a regular meeting of the City Council of the City of Washington, Tazewell County, Illinois, on the _____ day of _____, 2018.

Ayes: _____

Nays: _____

Mayor

ATTEST:

City Clerk

EXHIBIT A

LEGAL DESCRIPTION

SEC 23 T26N R3W TRACT 2 NW 1/4

PIN: 02-02-23-100-001

ORDINANCE NO. _____

(Synopsis: Adoption of this ordinance would allow for a light fabrication, welding, and repair business to be located at 130 N. Wilmor Road)

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A LIGHT FABRICATION, WELDING, AND REPAIR BUSINESS TO OPERATE AT 130 N. WILMOR ROAD

WHEREAS, the City of Washington Zoning Ordinance adopted February 20, 1961, as amended, provides for a special use for the allowance of light assembling businesses in the C-3 (Service Retail) district per §154.093(B) provided entirely within enclosed buildings; and

WHEREAS, a petition has been filed with the City of Washington and referred to the Planning and Zoning Commission requesting such a special use for the operation of a light fabrication, welding, and repair business at 130 N. Wilmor Road; and

WHEREAS, public notice in the form required by law was given of the public hearing, and the Planning and Zoning Commission held such a public hearing on May 23, 2018, and has recommended such a special use; and

WHEREAS, the Planning and Zoning Commission has made its findings and recommendations concerning the special use permit and the corporate authorities have duly considered said findings and recommendations and find that the special use procedures have complied with the Washington Zoning Code:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON, TAZEWELL COUNTY, ILLINOIS, that:

Section 1. The reports, findings, and recommendations of the Planning and Zoning Commission are herein incorporated by reference as the findings of the City Council, as completely as if fully recited herein at length. Also, all exhibits submitted at the public hearing are hereby incorporated by reference as fully as if attached hereto. The City Council further finds that the proposed special use is in the public good and in the best interest of the City and its residents and is consistent with and fosters the purposes and spirit of the City of Washington Zoning Code. The special use granted will not be detrimental to the public health, safety, morals, comfort and general welfare, nor shall it be injurious to the use and enjoyment of other properties in the vicinity, nor substantially diminish or impair property values within the neighborhood.

Section 2. That the following described property owned by Richard and Samuel Miller be granted a special use permit for the operation of a light fabrication, welding, and repair business and legally described as follows:

SEC 23 T26N R3W TRACT 2 NW 1/4

PIN: 02-02-23-100-001

Section 3. That the City Zoning Officer be directed to issue any permits to allow the installation on the above-described property in compliance with this special use ordinance.

Section 4. That the Zoning Map of the City of Washington, Tazewell County, Illinois, be amended so as to conform to the Special Use Permit granted herein.

Section 5. That this ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law.

PASSED AND APPROVED this _____ day of _____, 2018.

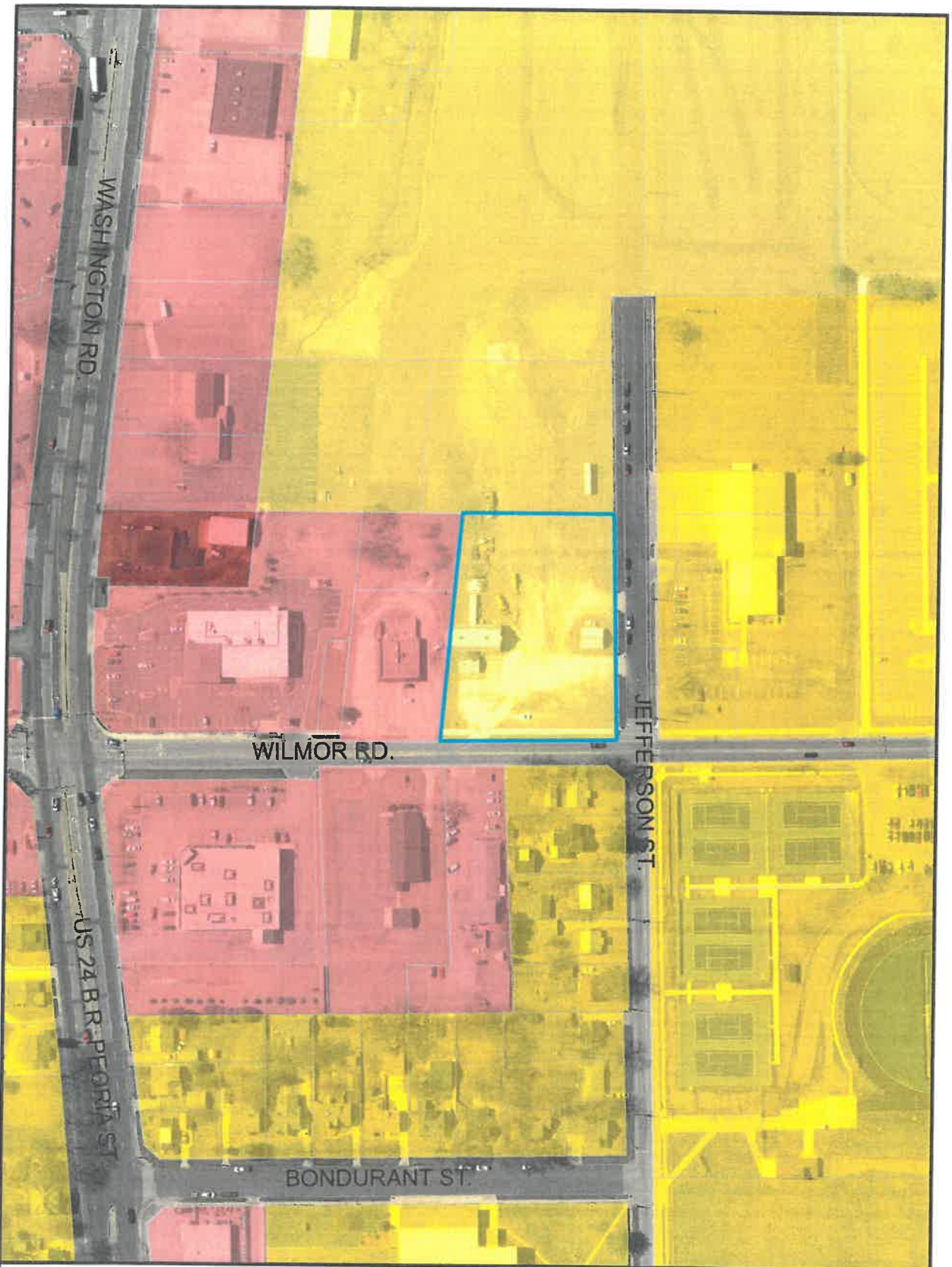
AYES _____

NAYS _____

ATTEST:

Mayor

City Clerk



**CITY OF
WASHINGTON**
TAEZEWELL COUNTY, ILLINOIS

LOCATION MAP



Legend

- AG-1 (Agriculture)
- CE (County Estates)
- R-1A (Single Family Residential)
- R-1 (1-2 Family Residential)
- R-2 (Multifamily Residential)
- C-1 (Local Retail)
- C-2 (General Retail)
- C-3 (Service Retail)
- I-1 (Light Industrial)
- I-2 (Heavy Industrial)





**CITY OF
WASHINGTON**
TAZEWELL COUNTY, ILLINOIS

LOCATION MAP



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: 160 WILMORE RD.

Property Tax ID (PIN) number: 02-02-23-100-001 & 028

Current zoning classification of the property: R1 Proposed zoning classification of the property: LIGHT INDUSTRIAL

Current use of the property: EQUIPMENT MAINT & REPAIR SHOP / STORAGE YARD FOR EQUIP & MATERIAL / OFFICE

Proposed use of the property: LIGHT FAB & WELDING & REPAIR & OFFICE

Does the proposed zoning meet the City's Comprehensive Plan? (circle one) YES (NO)

If not, what unique characteristics about your property warrant a rezoning? PROPOSED USE IS NOT THAT DIFFERENT FROM CURRENT USE

Name of Applicant: SAM MILLER Phone Number of Applicant: 309 696 8843

Address of Applicant: 26102 SCHUCK RD WASHINGTON ILL

Owner of Property: SAM MILLER & DICK MILLER (25816 SCHUCK RD)

Address of Owner: SAME AS ABOVE

I would like to receive correspondence by: ☐ Mail ☒ Email Email address: SMILLERPROPERTIES@GMAIL.COM

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. Wilmore 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.

Sam Miller
Signature of Applicant

April 3 2018
Date

Sam Miller
Signature of Owner

April 3 2018
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.: _____

Plat Submitted? Y / N Date: _____

Date to go before the Planning and Zoning Commission: _____

Fee Paid? Y / N Date: _____

Documentation of Authority Submitted: _____

Commission Action: _____