

# 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](mailto:joliphant@ci.washington.il.us)

### MEMORANDUM

TO: Mayor Manier and City Council  
FROM: Jon R. Oliphant, AICP, Planning & Development Director  
SUBJECT: First Reading Ordinance – Request by Samuel LaHood to Rezone a Property on Hawk Street from R-1A to R-2  
DATE: May 2, 2019

**Summary:** Samuel LaHood, has requested the rezoning of a property on Hawk Street (PIN: 02-02-15-405-007) from R-1A (Single-Family Residential) to R-2 (Multi-Family Residential). The lot is currently a detention basin and is owned by the City of Washington. Staff recommends approval of the rezoning as detailed below.

**Background:** Joe LaHood recently finalized Phase 1 of the Eagle Point Condos on two tornado-impacted lots on the north side of Eagle Avenue east of Hawk Street. That development includes 18 condominium units consisting of eight duplexes and two single-family structures. Two 12-unit apartment buildings had been there pre-tornado. Mr. LaHood has begun focusing on Phase 2 of this redevelopment, which includes the 1505 Eagle parcel that also had a 12-unit apartment building, and a 0.22-acre vacant parcel at the north end of Hawk Street.

Mr. LaHood's brother, Sam, approached staff recently about the possible purchase of a City-owned detention basin immediately north of 1505 Eagle. If the lot was purchased, the plan would be to reconfigure the basin to allow for four condominium units consisting of two duplexes. The lot would be designed to continue providing adequate capacity as a regional basin and the engineer (Austin Engineering) has attested to the calculations as part of the redesign. The City needs to solicit bids for the possible sale, which is scheduled for a bid opening on May 28 prior to City Council consideration. Municipalities are not limited to accepting the high bid and may accept any other bid as long as at least  $\frac{3}{4}$  of the Council approves that.

The subject property is zoned R-1A (Single-Family Residential) and is approximately 0.79 acres. Sam LaHood has asked for the property to be rezoned to R-2 to allow for the addition of the two units. Many of the properties on Eagle, Flossmoor, Hawk, and W. Jefferson were rezoned to R-2 in 2003. According to a staff memo from the then-Planning & Development Director, the basin property was intended to be part of that rezoning but the City's legal staff could not find an accurate legal description of the tract, so it was removed from the ordinance. The draft site plan, including the redesign of the basin parcel, would allow for 14 condo units consisting of seven duplexes. The total for the development would have 32 units compared to the 36 units that were on the site pre-tornado.

The properties to the north, east, and south are zoned R-2 while those to the west are zoned R-1A. The proposed rezoning is consistent with the Comprehensive Plan designation for the property and most of the properties on Eagle and Flossmoor. Staff feels that this proposed rezoning would allow for the continuance of a successful redevelopment. It would also potentially eliminate the maintenance and liability of owning a detention basin should the property be sold. If sold, its maintenance would be the responsibility of a new owner.

Due to these reasons, the property is suitable for the proposed rezoning. Staff recommends approval of the rezoning of the Hawk Street property from R-1A to R-2.

The Planning and Zoning Commission held a public hearing on this request at its meeting on Wednesday, May 1 and unanimously recommended approval. A first reading ordinance is scheduled for the May 6 Council meeting with a second reading to be scheduled for May 20.

Enclosures

**ORDINANCE NO. \_\_\_\_\_**

(Adoption of this ordinance would rezone the Hawk Street detention basin from R-1A, Single-Family Residential, to R-2, Multi-Family Residential)

**AN ORDINANCE AMENDING THE ZONING ORDINANCE  
OF THE CITY OF WASHINGTON, TAZEWEILL COUNTY,  
ILLINOIS, BY REZONING THE HAWK STREET DETENTION BASIN FROM R-1A TO R-2**

**WHEREAS**, a Petition has been filed by Samuel LaHood 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 R-2;

**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 1, 2019, and the recommendation of staff contained in its Memorandum to the Planning and Zoning Commission of April 22, 2019, 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 R-2.

**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 \_\_\_\_\_, 2019.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**EXHIBIT A**

**LEGAL DESCRIPTION**

SEC 23 T26N R3W PT LOT 31 (EXC TRACTS & 2.73 AC SUBD) SE 1/4

PIN: 02-02-15-405-007

# 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: HAWK STREET

Property Tax ID (PIN) number: 02 - 02 - 15 - 405 - 007

Current zoning classification of the property: R1-A Proposed zoning classification of the property: R2

Current use of the property: DETENTION

Proposed use of the property: DETENTION AND RESIDENTIAL HOUSING

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? \_\_\_\_\_

Name of Applicant: JON OLIPHANT Phone Number of Applicant: (309) 444-1135

Address of Applicant: 301 WALNUT STREET, WASHINGTON IL, 61571

Owner of Property: CITY OF WASHINGTON

Address of Owner: 301 WALNUT STREET, WASHINGTON IL, 61571

I would like to receive correspondence by:    Mail   X   Email Email address: joliphant@ci.washington.il.us

**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.

[Signature]  
Signature of Applicant

04-03-19  
Date

[Signature]  
Signature of Owner

4/3/19  
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: \_\_\_\_\_

**DEED**

11-07-1

THIS INDENTURE WITNESSETH, that the Grantor, TAZEWEILL COUNTY, TRUSTEE, (for all taxing districts having an interest herein), of the State of Illinois, for the consideration of the sum of TEN AND NO/100 Dollars, and pursuant to authority given by the County Board of Tazewell County, Illinois, under Resolution duly adopted on November 28, 2007, does hereby CONVEY AND QUIT CLAIM TO:

200800004688  
Filed for Record in  
TAZEWEILL COUNTY, IL  
ROBERT LUTZ  
03-07-2008 At 09:50 am.  
DEED 35.75  
RHSP Surcharge 10.00

**CITY OF WASHINGTON**

An Illinois Municipal Corporation

Whose address is: //

115 W. Jefferson  
Washington, IL 61571

all interest in the following described real estate, situated in the County of Tazewell and State of Illinois:

Part of Lot 31 in the Southeast Quarter of Section 15, Township 26 North, Range 3 West of the Third Principal Meridian, in Plat Book and Page K-49, further described as follows: Beginning at the intersection of the Southwest Corner of Lot 211 of Washington Estates 12<sup>th</sup> Extension; and the West right of way line of Hawk Street; thence South along said Hawk Street to the intersection of the Northeast Corner of Lot 4 of Grandyle Arms, thence West along the North line of said Lot 4 a distance of 180 feet to the Northwest Corner of Lot 4 said point also being the Southeast Corner of Lot 168 of Washington Estates 9<sup>th</sup> Extension; thence North along the East lines of Lots 168 and 169 in said Washington Estates 9<sup>th</sup> Extension to the Northeast Corner of said Lot 169; Thence East to the intersection of the West line of Lot 211 in said Washington Estates 12 Extension, said point being 117.53 feet Northerly of the point of beginning; thence South along the Westerly line of said Lot 211 a distance of 117.53 feet to the Point of Beginning, Township of Washington

Permanent Parcel No.: 02-02-15-405-007

Common Address: Hawk St., Washington, IL

Purchaser hereby assumes all taxes and assessments on the subject premises from the date of conveyance.

"Exempt under provisions of Paragraph "F or G",  
Section 31-45, Property Tax Code of 1993  
**TAZEWEILL COUNTY TRUSTEE**  
Buyer, Seller or Representative  
Date: November 28, 2007

IN WITNESS WHEREOF, the said TAZEWEILL COUNTY, TRUSTEE, has caused its name to be signed hereto and its corporate seal affixed hereto by the Chairman of the County Board of Tazewell County, Illinois, on the 27th day of February, 2008.

ATTEST:

Christina C. Calkins  
County Clerk of Tazewell County, Illinois

TAZEWEILL COUNTY TRUSTEE

By: James C. Albrecht  
Chairman, County Board of Tazewell County, Illinois

STATE OF ILLINOIS  
COUNTY OF TAZEWEILL

} ss.

I, the undersigned, a notary public in and for said County in the State aforesaid, Do hereby Certify that the CHAIRMAN OF THE COUNTY BOARD OF TAZEWEILL COUNTY, ILLINOIS, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day, in person, and acknowledged that he signed, sealed and delivered the said instrument as such Chairman of the County Board of Tazewell County, Illinois, and caused the corporate seal of said County to be affixed thereto, pursuant to authority given by the County Board of said County of Tazewell, Illinois, for the purposes therein set forth.

Given under my hand and notarial seal this 28th day of February, 2008.

Acquired by Document No. 200600020840

Return To GRANTEE, or:

Tax bills to GRANTEE, or:

(Copy to Trustee)



Unimproved - \$600 (0707912)

This instrument drafted by Stephen P. Schimpf, Attorney at Law, P.O. Box 96, Edwardsville, IL 62025

**END OF DOCUMENT**

# LEGEND



BOUNDARY TO BE REZONED FROM R-1A TO R-2



## GENERAL NOTES

BEARINGS ARE BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, WEST ZONE 1202.

AREA TO BE REZONED FROM R-1A TO R-2 = 0.790 ACRE±

PROPERTY TO BE REZONED IS PIN 02-02-15-405-007.

## LEGAL DESCRIPTION TO BE REZONED TO R-2

(DOCUMENT NO. 200800004688)

PART OF LOT 31 IN THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 26 NORTH, RANGE 2 WEST OF THE THIRD PRINCIPAL MERIDIAN, IN PLAT BOOK AND PAGE K-49, FURTHER DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTHWEST CORNER OF LOT 211 OF WASHINGTON ESTATES 12TH EXTENSION; AND THE WEST RIGHT OF WAY LINE OF HAWK STREET; THENCE SOUTH ALONG SAID HAWK STREET TO THE INTERSECTION OF THE NORTHEAST CORNER OF LOT 4 OF GRANDYLE ARMS, THENCE WEST ALONG THE NORTH LINE OF SAID LOT 4 A DISTANCE OF 180 FEET TO THE NORTHWEST CORNER OF LOT 4 SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 168 OF WASHINGTON ESTATES 9TH EXTENSION; THENCE NORTH ALONG THE EAST LINES OF LOTS 168 AND 169 IN SAID WASHINGTON ESTATES 9TH EXTENSION TO THE NORTHEAST CORNER OF SAID LOT 169; THENCE EAST TO THE INTERSECTION OF THE WEST LINE OF LOT 211 IN SAID WASHINGTON ESTATES 12TH EXTENSION, SAID POINT BEING 117.53 FEET NORTHERLY OF THE POINT OF BEGINNING; THENCE SOUTH ALONG THE WESTERLY LINE OF SAID LOT 211 A DISTANCE OF 117.53 FEET TO THE POINT OF BEGINNING, TOWNSHIP OF WASHINGTON.

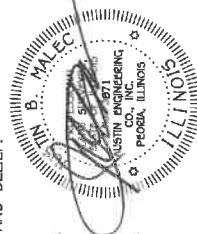
PERMANENT PARCEL NO.: 02-02-15-405-007

## SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)<sup>55</sup>  
COUNTY OF PEORIA)

I, JUSTIN B. MALEC, HEREBY STATE THAT THIS REZONING PLAT WAS COMPLETED UNDER MY DIRECTION AND IS A TRUE AND CORRECT REPRESENTATION OF THE PROPERTY TO BE REZONED TO MY BEST KNOWLEDGE AND BELIEF.

DATED THIS 3RD DAY OF APRIL, 2019.



JUSTIN B. MALEC  
ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3871  
AUSTIN ENGINEERING COMPANY, INC. (309)691-0224  
311 S.W. WATER STREET, STE. 215, PEORIA IL 61602  
jmalec@austineengineeringcompany.com

LICENSE EXPIRES NOVEMBER 30, 2020

AUSTIN ENGINEERING CO., INC.  
Consulting Engineers / Surveyors  
311 S.W. WATER ST., Suite 215  
Peoria, Illinois 61602  
License No. 184-001143

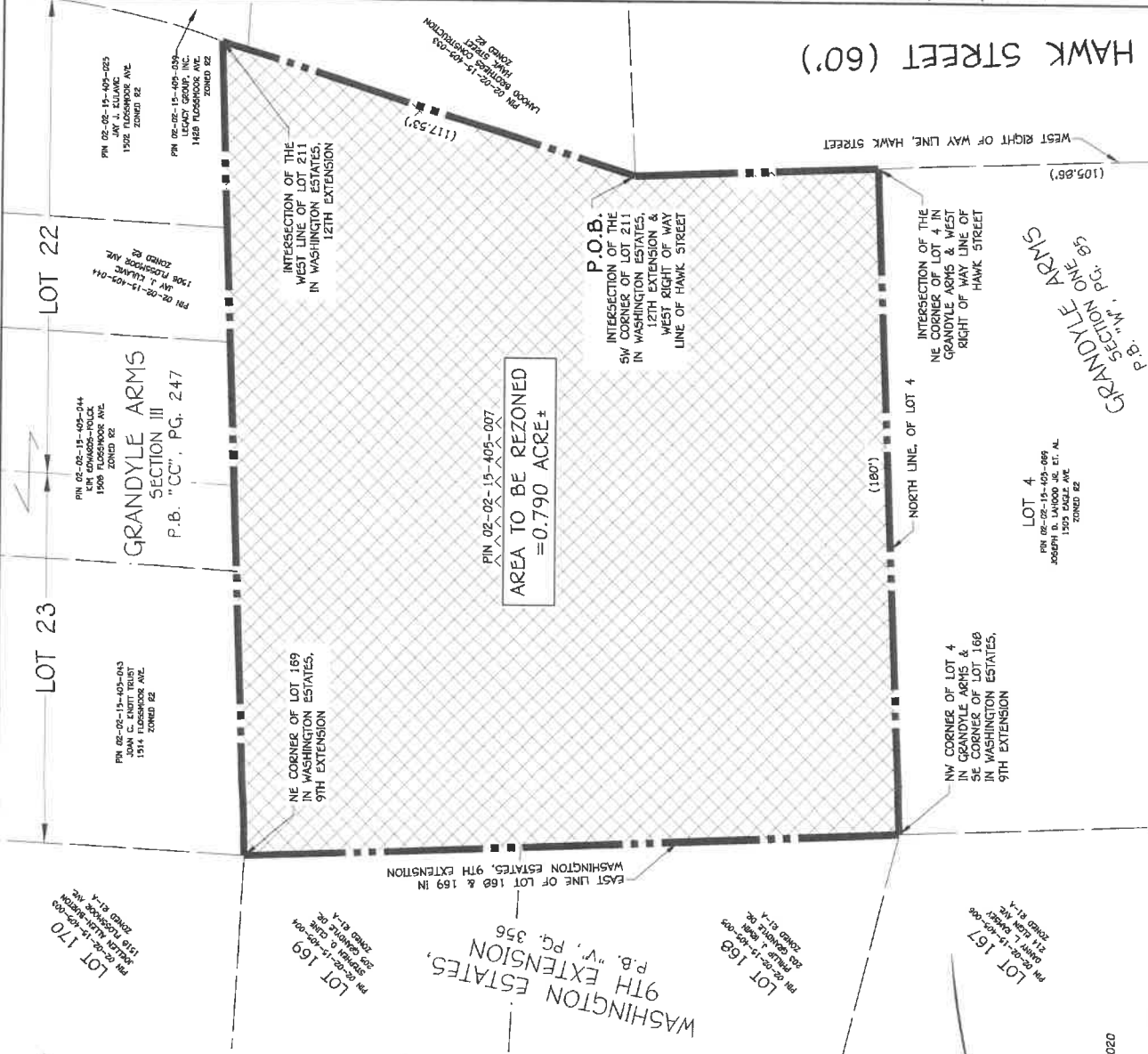


FOR: EAGLE POINT CONDOMINIUM ASSOCIATION  
ILLINOIS  
A PART OF LOT 31 IN THE SOUTHEAST QUARTER OF SECTION FIFTEEN (15), TOWNSHIP TWENTY-SIX (26) NORTH, RANGE THREE (3) WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWELL COUNTY.

## REZONING EXHIBIT

PROJECT NO.	78-19-211
DATE	07/27/2019
REVIEW DATE	
REVIEWED BY	JOHN MALEC
DATE	07/27/2019
REVIEWED BY	JOHN MALEC
DATE	07/27/2019
REVIEWED BY	JOHN MALEC
DATE	07/27/2019
REVIEWED BY	JOHN MALEC

## EXHIBIT - 1





**CITY OF  
WASHINGTON**  
TAZEWELL COUNTY, ILLINOIS

**LOCATION MAP**



**Legend**

- AG-1 (Agriculture)
- CE (Country 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)



Prepared by the City of Washington  
Department of Planning and Development  
Printed: April 23, 2019







AUSTIN ENGINEERING, CO., INC.  
Consulting Engineers / Surveyors  
311 SW Water St., Suite 215  
Peoria, Illinois 61602  
License No. 184-001143

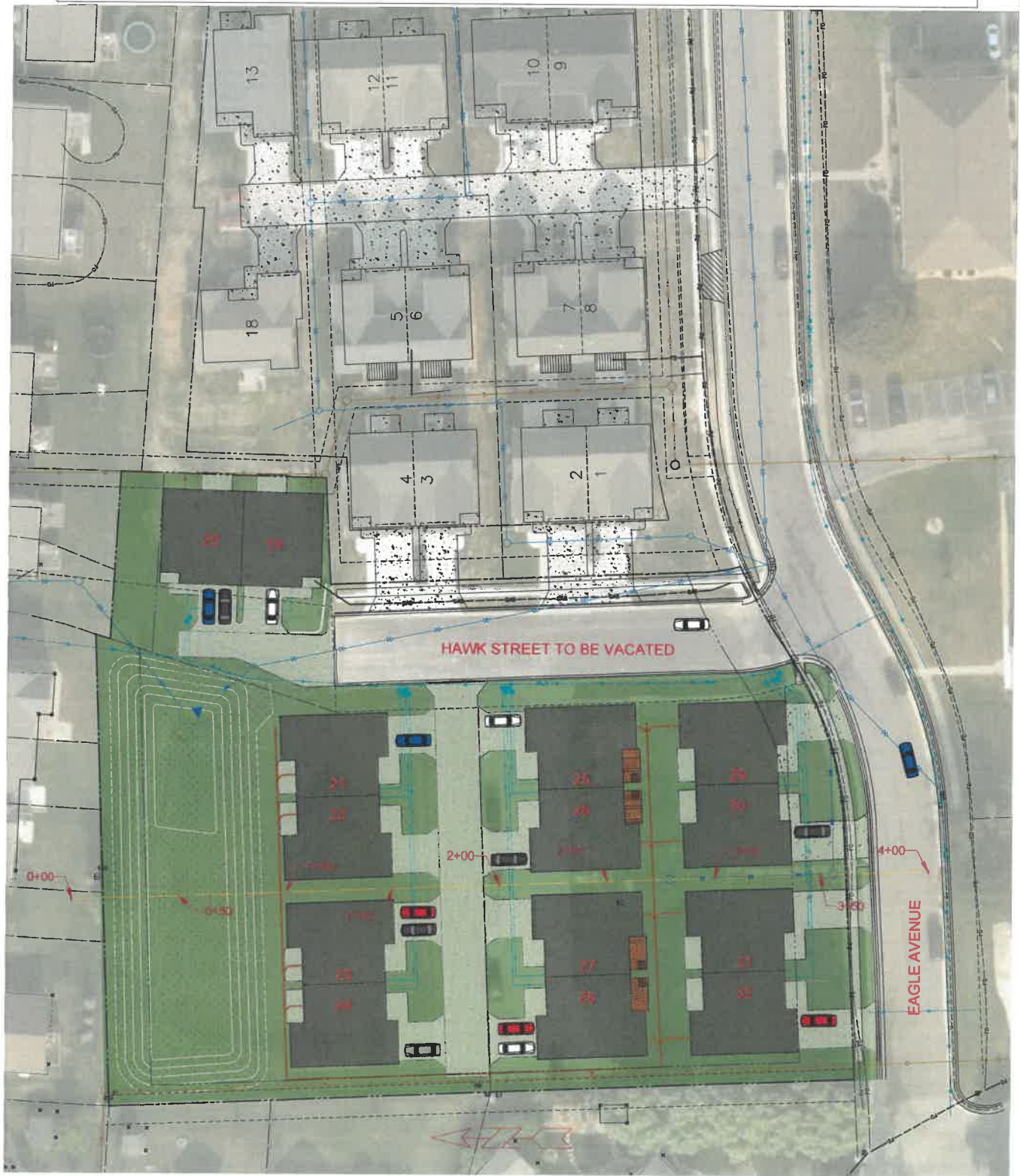
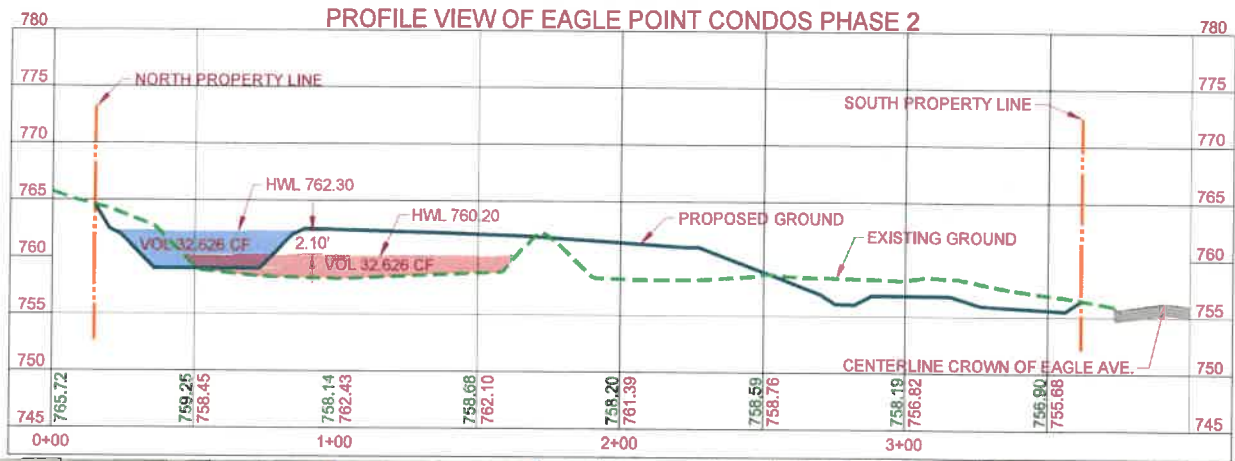


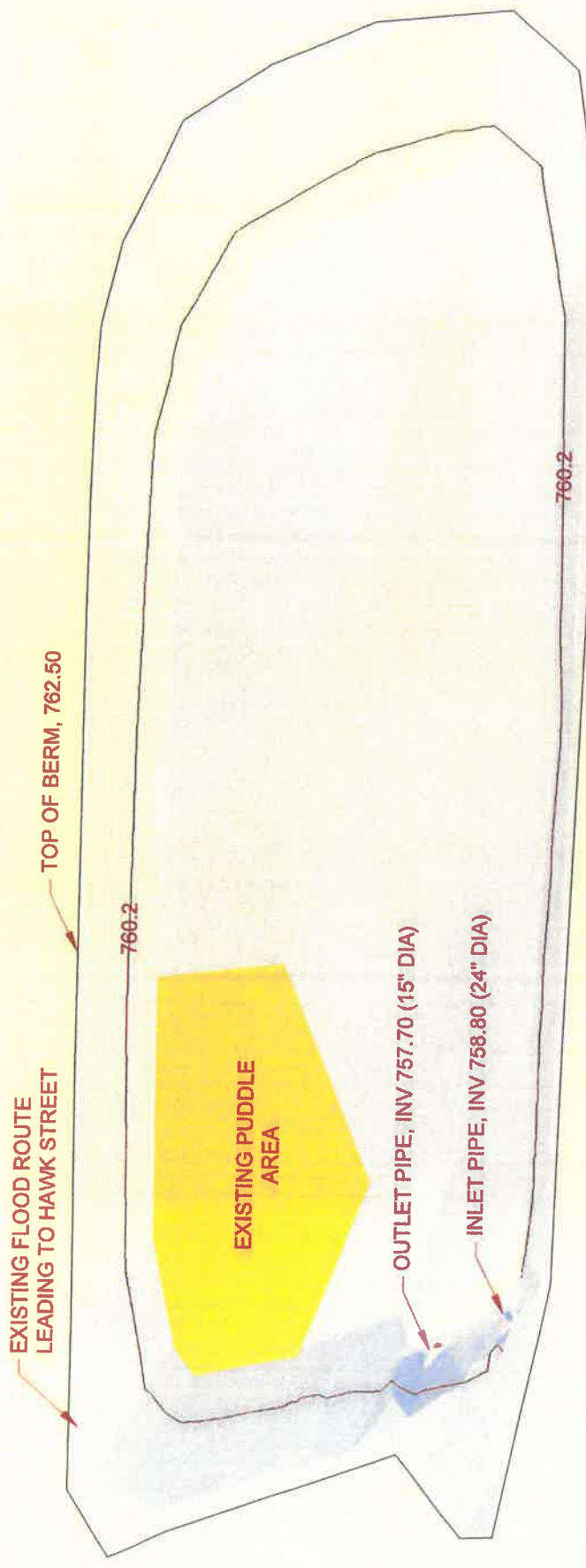
**SITE EXHIBIT**  
**EAGLE POINT CONDO'S - PHASE 2**  
**HAWK STREET**  
**WASHINGTON, IL 61571**

ISSUED	SITE EXHIBIT
03-29-19	

<b>SITE EXHIBIT</b>
PROJECT NO 72-19-011
DATE 03-29-19
SHEET 1 OF 1





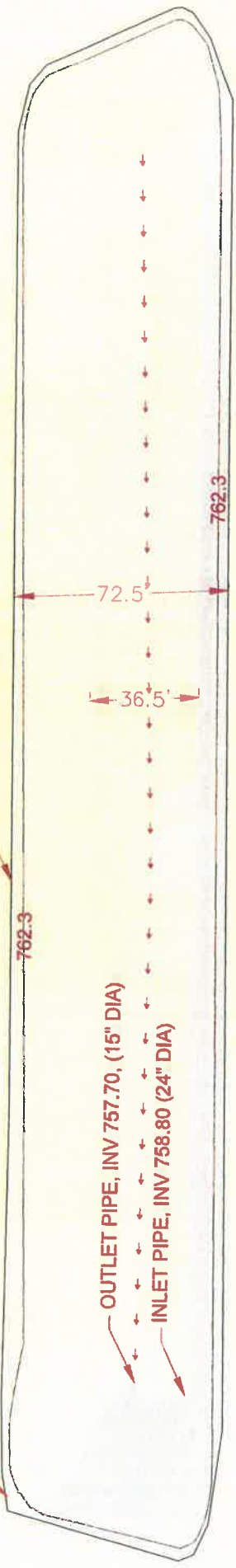


**EXISTING DETENTION BASIN**

25 YEAR VOLUME = 32,626 CF  
HWL = 760.20



PROPOSED FLOOD ROUTE LEADING TO VACATED HAWK STREET



**PROPOSED DETENTION BASIN**

25 YEAR VOLUME = 32,626 CF  
HWL = 762.30

