



CITY OF WASHINGTON, ILLINOIS

Public Works Committee Agenda Communication

Meeting Date: March 2, 2020

Prepared By: Jon Oliphant, AICP, Planning & Development Director

Agenda Item: N. Cummings Property Development Infrastructure Assistance Consideration

Explanation: A local resident has indicated strong interest in developing a portion of Lot 3 in Heilman's Commercial Park on the east side of N. Cummings Lane immediately south of IVP Plastics. The tentative plan would be to build an 8,000 sf retail center and a 12,500 sf warehouse facility further east on the property that would house his business along with others that would benefit from having higher ceilings. This would split approximately 6.15 acres from the parent 14.42-acre tract.

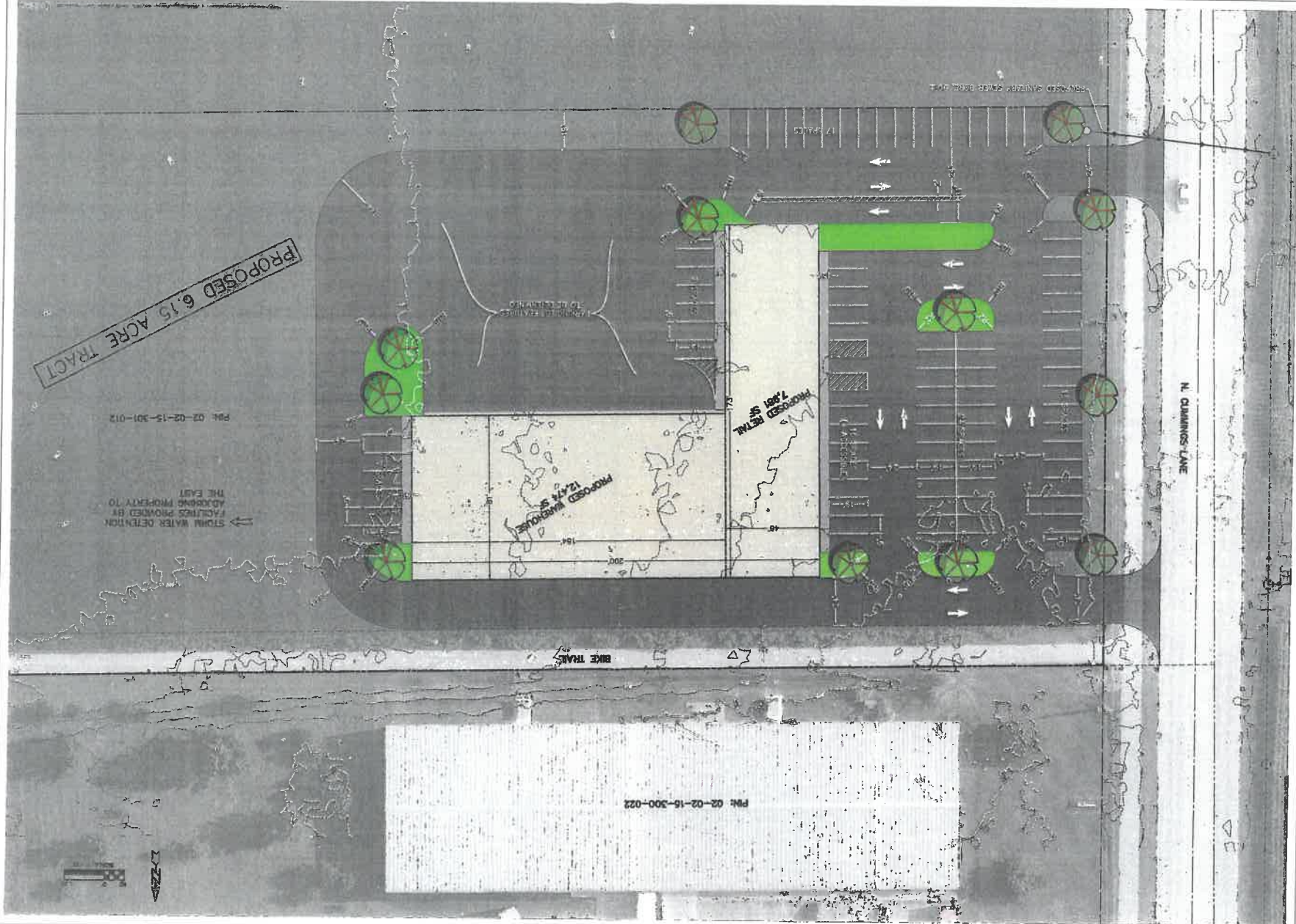
The City's sanitary sewer line is located on the west side of N. Cummings. There is also a line along Constitution Street. Connecting to the line on N. Cummings is the more desirable of the two options because tapping into the Constitution line would require an easement as well as a longer run. The estimated construction cost to bore under N. Cummings and setting a manhole on the southwest corner of this property is \$40,000-50,000. This would also establish a stubbed pipe and an easement for future connection for the remainder of Lot 3.

This property is subject to payment of the N. Cummings Lane Water Assessment fee. This ordinance was approved by the Council in 1994 to recover some of the cost associated with extending water and sanitary sewer for many properties along and near N. Cummings. It established a primary, secondary, and tertiary per acreage cost depending on the property's proximity to water and set a set rate for the sewer fee. This property is classified as a "primary" benefit property and that carries a cost of \$840 per acre. The ordinance also includes an 8% per annum interest fee. The approximate current fee owed is about \$15,000, though this increases daily with the interest. An ordinance adopted by the Council in 2014 helps clarify which properties would be subject to paying these fees. This ordinance is attached.

The sewer subdivision development fee would also be in effect. This fee is also based on a per acre basis for non-residential developments and is currently set at \$2,672 per acre for 2020 (it increases by 3.5% or the rate of inflation each year, whichever is greater). At 6.15 acres, this fee would be \$16,432.80. Additionally, the builder would be responsible for the water and sewer utility connection fees. These are owed at the time of building permit issuance.

Fiscal Impact: Staff was asked if the City would entertain any cost share of the boring of the sanitary sewer and/or reducing the N. Cummings Water Assessment fee and sewer subdivision development fee. The total current estimated cost of the construction and those particular fees is approximately \$72,000-82,000.

Action Requested: Staff requests feedback on whether any relief should be given to the payment of the fees and/or the sanitary sewer construction. The 8% per annum interest rate in particular is making it difficult to develop some of the properties along and near N. Cummings that have not previously paid this fee.



C-1

PROJECT NO. 15-01-022
DATE 1-10-2020
DRAWN BY J. J. JONES
CHECKED BY J. J. JONES
SCALE

EXHIBIT

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100 |
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RETAIL/WAREHOUSE EXHIBIT

CLIENT: SANCHEZ ROOFING
N. CLANNING LANE
WASHINGTON, IL 61571



AUSTIN ENGINEERING CO., INC.
Consulting Engineers / Surveyors
P.O. Box 81620
Peoria, Illinois 61620-0215
License No. 184-001143



**CITY OF
WASHINGTON**
TAZEWELL COUNTY, ILLINOIS

LOCATION MAP



*Prepared by the City of Washington
Department of Planning and Development*

Printed: February 27, 2020

Ordinance No. 3086

(Adoption of this ordinance would repeal Ordinances 1828, 1838, and 2997, which separately established special fees to recoup a portion of the expenses for the extension of water and sanitary sewer mains constructed by the City of Washington with municipal funds to properties along and near North Cummings Lane as well as other areas throughout the city. The following ordinance will authorize and impose a single fee for those properties connecting onto the designated public water and/or sanitary sewer mains).

**AN ORDINANCE ESTABLISHING SPECIAL FEES AND CHARGES FOR
CONNECTING ONTO CERTAIN PUBLIC WATER MAINS AND PUBLIC
SANITARY SEWER MAINS OWNED AND OPERATED BY THE CITY OF
WASHINGTON, ILLINOIS**

WHEREAS, the City of Washington is an Illinois home-rule municipal corporation and is enacting this Ordinance in the exercise of its governmental powers pursuant to the 1970 Illinois Constitution; and

WHEREAS, the City has constructed certain public water mains and public sanitary sewer mains with municipal funds; and

WHEREAS, it is appropriate to assess reasonable fees and charges to persons who elect to connect onto said public water and sanitary sewer mains; and

WHEREAS, the areas to be benefited by the water main extensions are set forth in Exhibits "A" and "C" attached hereto and by reference expressly made a part hereof; and

WHEREAS, the areas to be benefited by the sanitary sewer main extension are set forth in Exhibits "D" and "F" attached hereto and by reference expressly made a part hereof; and

WHEREAS, the fee schedules to be charged the various areas under the control or ownership of the developers and owners is set forth in this ordinance and in Exhibits "B" and "E" attached hereto and by reference expressly made a part hereof; and

WHEREAS, the City has previously enacted subdivision development fees that are assessed against persons who connect new subdivisions onto the City's public water and sanitary sewer systems.

Now, therefore, the City Council of the City of Washington, Illinois, hereby ordains as follows:

Section 1. Any person connecting their property onto and receiving, on and after the adoption of this Ordinance, public water service, either directly or indirectly, from any of the public water mains delineated in Exhibit "A" below shall be charged a fee based on

the location of the property near North Cummings Lane, provided these fees have not been otherwise paid on the property. Acreage within 300 feet of the water main on North Cummings and Santa Fe has primary benefit, acreage between 301 and 1,300 feet has secondary benefit, and acreage more than 1,300 feet away has tertiary benefit. The fee schedule to be charged the various areas under the control of private owners is set forth in Exhibit "B".

Section 2. Any person connecting their property onto and receiving, on and after the adoption of this Ordinance, public water service, either directly or indirectly, from any of the public water mains delineated in Exhibit "C" below shall be charged a fee equal to the Subdivision Development Fees for similar properties and uses as stipulated in Section 50.53(A) of the Washington City Code, provided the Section 50.53(A) fees have not been otherwise paid on the property.

Section 3. Any person connecting their property onto and receiving, on and after the adoption of this Ordinance, public sewer service, either directly or indirectly, from any of the public sanitary sewer mains delineated in Exhibit "D" below shall be charged a fee based on the location of the property near North Cummings Lane, provided these fees have not been otherwise paid on the property. The fee schedule to be charged the various areas under the control of private owners is set forth in Exhibit "E".

Section 4. Any person connecting their property onto and receiving, on and after the adoption of this Ordinance, public sanitary sewer service, either directly or indirectly, from any of the public sanitary sewer mains delineated in Exhibit "F" below shall be charged a fee equal to the Subdivision Development Fees for similar properties and uses as stipulated in Section 50.53(A) of the Washington City Code, provided the Section 50.53(A) fees have not been otherwise paid on the property.

Section 5. The fees and charges delineated in Sections 1, 2, 3, and 4 above shall be in addition to 1) the utility connection fees provided for in Section 50.53(B) and 2) any and all other fees and costs routinely charged to other customers connecting onto the City's water or sewer system, including but not limited to, fees for inspections, meters, remotes, connectors, etc.

Section 6. The fees and charges delineated in Sections 1, 2, 3, and 4 above shall not apply for those persons that previously paid fees in full for municipal water and/or sanitary sewer connections subject to Ordinances 1828, 1838, and/or 2997. This ordinance shall be enforced if no payment or partial payment has been made for municipal water and/or sanitary connections. Previous partial fee payment, if applicable, will help offset a portion of full fee payment.

Section 7. No permit authorizing a connection, either directly or indirectly, to the above listed municipal water or sanitary sewer mains shall be issued unless and until 1) all fees have been paid as required herein, 2) if the property to be served is not currently located within the Washington corporate limits but is contiguous thereto, the property owner applying for a connection permit files a valid, unconditional and irrevocable petition for annexation to the City in a form acceptable to the City, and 3) if the property to be

served is not currently located within the Washington corporate limits and is not contiguous thereto, the property owner signs an agreement that shall bind all present and future owners of the real estate to annex to the City when requested to do so by the City.

Section 8. All other City regulations and ordinances, including but not limited to those specifically pertaining to user fees, and the methods, means and materials required for making connections to the municipal water and sanitary sewer system, shall apply to all persons making said connections, without limitation.

Section 9. The fees collected pursuant to Section 1 above shall be used solely for the water main related capital improvements as set forth herein. In the event the City shall collect more than its actual cost in constructing the main extension, the balance will be used for the City's general corporate purpose.

Section 10. The fees collected pursuant to Section 2 above shall be deposited into the City's Water Subdivision Development Fee account.

Section 11. The fees collected pursuant to Section 3 above shall be used solely for the sanitary sewer main related capital improvements as set forth herein. In the event the City shall collect more than its actual cost in constructing the main extension, the balance will be used for the City's general corporate purpose.

Section 12. The fees collected pursuant to Section 4 above shall be deposited into the City's Sewer Subdivision Development Fee account.

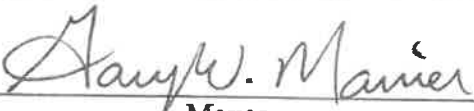
Section 13. That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

Section 14. That all ordinances or parts thereof in conflict herewith are hereby expressly repealed.

PASSED AND APPROVED this 4th day of August, 2014.

AYES: Schneider, T. Gee, Moss, Brucks, Butler, J. Gee, Brownfield, Dingleline

NAYS: -0-


Mayor

ATTEST:

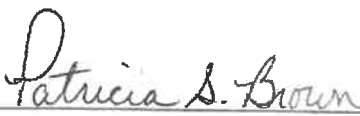

City Clerk

EXHIBIT A

Beginning at a point 1,300 feet North of the U.S. Business Route 24 (Washington Road) and North Cummings Lane intersection and running north a distance of 9,000 feet to the end of Santa Fe Road, and extending a primary benefit area, an additional 1,000 feet from the roadway and north of U.S. Route 24, a tertiary benefit area extending east an additional 660 feet and west and additional 1,320 feet, as depicted on the map below.



City of Washington Exhibit A

Legend

- Boundary
- Tertiary Benefit
- Secondary Benefit
- Primary Benefit

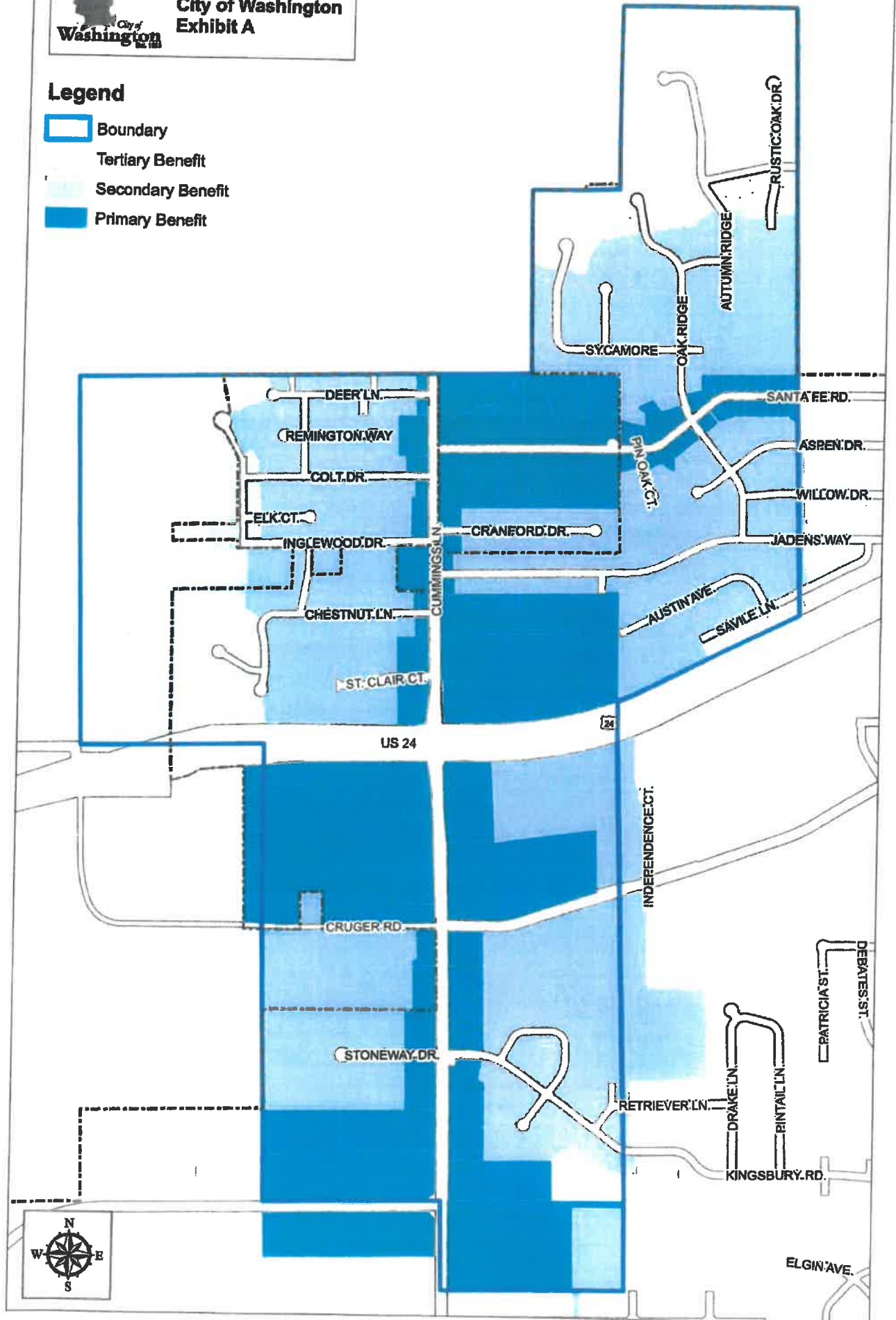


EXHIBIT B

An appropriate method of distributing private benefit across the benefiting properties is to apply a value per developable acre of land which could be either directly or indirectly benefited by this water main. It is clear that property which fronts on the water main, i.e., North Cummings Lane and Santa Fe, would realize a greater benefit than would property which requires the lengthy extension of water main from the North Cummings main to the subject site. With that in mind, an effort has been made to assign a value to acreage which has direct frontage along the water main and a lesser value per acre for acreage which is removed from the water main.

Acreage within 300 feet of the water main on North Cummings and Santa Fe has primary benefit, acreage between 301 and 1,000 feet has secondary benefit, and areas between 1,001 and 1,300 feet has tertiary benefit. Differential costs have been established for acres having differential benefit, as established in the Fee Schedule:

Fee Schedule

| Benefit | # Acres | Cost/Acre |
|----------------|----------------|------------------|
| Primary | 110 | 840 |
| Secondary | 367 | 280 |
| Tertiary | 73 | 95 |
| TOTAL | 550 | |

Payments made subsequent to January 1, 1995, shall be subject to an assessment of interest at eight percent (8%) per annum on the unpaid balance owing from time to time. Interest shall accrue from January 1, 1995, through the date of payment.

EXHIBIT C

Areas subject to the payment of the Water Subdivision Development Fee:

- Dallas Road – from Westminster to Cruger
- W. Cruger – from Main to Breeze Way
- W. Cruger – from Wellington to Kensington
- W. Cruger – from Dallas to Independence
- Nofsinger – from Cruger to North Corporate Limits
- S. Main – from Oakland to Guth
- W. Guth – from Main to West Corporate Limits
- N. Main – from Devonshire to Cruger
- Kern Road – from Muller to Hillcrest
- Hillcrest Drive – from Kern to Washington Road, subject to the exceptions noted in Ordinance 991, dated July 6, 1970
- S. Cummings – from Kern to English Oak
- Property at the northeast corner of N. Cummings Lane and Constitution Street
- Freedom Parkway – from Cummings to McCluggage
- Washington Road – from Cummings to Ernest
- All water mains from Ernest Street to School Street for properties not assessed for the Beverly Manor water main project.



**City of Washington
Exhibit C**

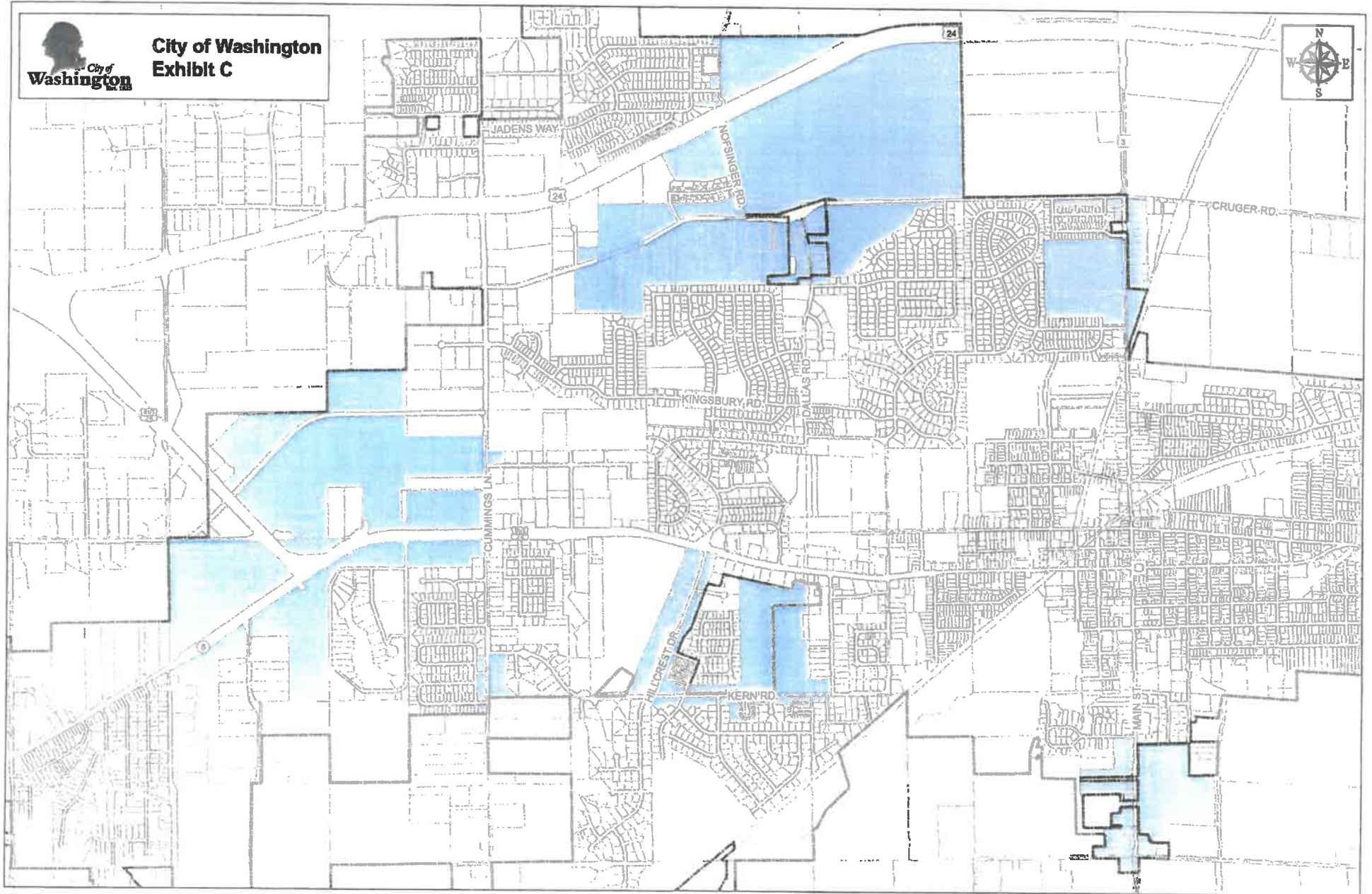


EXHIBIT D

Beginning on North Cummings Lane at the intersection with Cruger Road and extending north 1,400 feet north to US Route 24, and extending 1,300 feet east and west of this portion of North Cummings Lane; Continuing on North Cummings Lane north of U.S. Route 24 2,200 feet north to Santa Fe Road, and extending 2,000 feet east and 2,700 feet west on this portion of North Cummings lane; East on Santa Fe Road 1,300 feet to its termination, and extending from this point 1,300 feet or more to encompass all property served, as depicted on the map below.



City of Washington
Exhibit D



EXHIBIT E

An appropriate method of distributing private benefit across the benefitting properties is to apply a value per developable acre of land benefitted by the sanitary sewer force main. There are 370 benefitting acres within the area described in Exhibit "D". If the developable acres are assessed equally, a fee schedule described below will result:

Fee Schedule

| Benefiting Acres | Private Benefit Cost | Private Benefit Cost/Acre |
|-------------------------|---------------------------------|--------------------------------------|
| 370 | \$95,900 | \$258 |

Payments made subsequent to January 1, 1995, shall be subject to an assessment of interest at eight percent (8%) per annum on the unpaid balance owing from time to time. Interest shall accrue from January 1, 1995, through the date of payment.

EXHIBIT F

Areas subject to the payment of the Sewer Subdivision Development Fee:

- South side of Cruger Road and west of Dallas Road, including properties on the east side of Independence Court



**City of Washington
Exhibit F**

