



CITY OF WASHINGTON, ILLINOIS

City Council Agenda Communication

Meeting Date: August 17, 2020

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

Agenda Item: First Reading Ordinance – James Kellerstrass Special Use Request, 300 Muller Road

Explanation: James Kellerstrass has submitted a special use application for the allowance of an auction service business and flea market to operate at 300 Muller Road. The property is zoned I-1 (Light Industrial) and the Comprehensive Plan recommendation is Light Industrial. The zoning code allows for any C-2 and C-3 permitted uses such as these to be located on I-1 properties upon approval of a special use.

The lot is approximately 0.8 acres in size and is owned by Dick Miller. A 7,500 square foot three-unit warehouse building was constructed in 1977. Three small office units are in the front of the building. Two of the warehouse units are currently occupied with truck storage being the primary use. Mr. Kellerstrass has proposed to utilize the remaining vacant unit (about 3,400 square feet) along with one of the office units (approximately 200 square feet) for use as an online auction service and state-licensed auction house. The on-site auction service is envisioned to be held once per week on Tuesday evenings starting in the Spring of 2021. He would also like to offer a community flea market in which people would be able to rent table space one weekend a month to offer their goods for sale.

While the corridor is almost exclusively zoned I-1, there are a variety of land uses ranging from office to commercial to light industrial. The two parcels to the south, while having been vacant for about 15 years, formerly housed a concrete plant. The proposed uses at 300 Muller would not appear to be detrimental to the public's health and safety nor would they impact the development potential along the corridor. There does not figure to be a significant amount of traffic generation and the site should be able to handle any off-street parking needs. There also likely would not be much additional noise production, though some noise would typically be customary with I-1 uses. The proposed uses would bring more activity to this corridor and fill a vacant space.

Fiscal Impact: There could be limited sales tax collection. The Department of Revenue sets a general threshold for collection at having cumulative gross receipts of \$100,000 or more from sales to Illinois purchasers or having 200 or more separate transactions with Illinois purchasers.

Recommendation/

Committee Discussion Summary: Staff recommends approval of the special use request to allow for an auction service business and flea market. The Planning and Zoning Commission held a public hearing at its meeting on August 5 and voted 5-0 to recommend approval.

Action Requested: Approval of the attached ordinance. A first reading ordinance is scheduled for August 17 and a second reading ordinance will be scheduled for September 8.

ORDINANCE NO. _____

(Synopsis: Adoption of this ordinance would allow for an auction service business and flea market to operate at 300 Muller Road).

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW AN AUCTION SERVICE BUSINESS AND FLEA MARKET TO OPERATE AT 300 MULLER ROAD

WHEREAS, the City of Washington Zoning Ordinance adopted February 20, 1961, as amended, provides for a special use for the allowance of permitted uses in the C-2 and C-3 district within §154.107 where conditions are met; and

WHEREAS, a petition has been filed with the City of Washington and referred to the Planning and Zoning Commission requesting a special use for the operation of an auction service business and flea market at 300 Muller 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 August 5, 2020, 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 Ordinance:

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 Ordinance. 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 legally described property (the "Property") owned by Richard B. Miller, Trustee, be granted a special use permit for the operation of an auction service business and flea market:

SEC 23 T26N R3W MORRIS MANOR SEC 2 LOT 11 NE 1/4

Section 3. That the City Zoning Officer be directed to issue any permits to allow the operation of an auction service business and flea market to operate on the 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 _____, 2020.

AYES _____

NAYS _____

ATTEST:

Mayor

City Clerk

CITY OF WASHINGTON, ILLINOIS

APPLICATION FOR SPECIAL USE

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

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

Address or location of property: 300 Maller Rd, Washington

Property Tax ID (PIN) number: 02 - 02 - 23109 - 018

Current zoning classification of the property: _____

Current use of the property: Vacant

What is the Special Use for? Auction Service

How will you meet other requirements of the zoning code (such as parking or landscaping, if applicable)? yes

Name of Applicant: James Kellersrass Phone Number of Applicant: 309-339-5469

Address of Applicant: 26218 Liberty Lane, Washington, IL

Owner of Property: Dick Miller, Trustee

Address of Owner: 25816 Schuck Rd.

I would like to receive correspondence by: _____ Mail ☒ Email Email address: JKautionSold@gmail.com

PLAT REQUIREMENTS: Your special use plat must show:

- Building or site plan layout and locations of proposed special uses, including square footage
- Adjacent properties, 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. A special use cannot be recommended by the Planning and Zoning Commission unless the Commission finds, based upon the application and evidence presented at the public hearing, that all of the following conditions have been met:

- 1) The special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare; 2) The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity, or substantially diminish or impair property values; 3) The special use will not impede development of surrounding property; 4) Adequate utilities, access roads, drainage, or necessary facilities will be provided; 5) Adequate ingress and egress provided to minimize traffic congestion in public streets; 6) The special use will conform to all other application regulations of the zoning district; and 7) If the special use would not otherwise be acceptable, the Planning Commission may recommend certain conditions be met to make the use acceptable, such as, but not limited to: landscape screening or fencing, specific hours of operation, night lighting or lighting restrictions, parking area requirements, signage restraints, outdoor storage limitations.

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 Special Use.

Signature of Applicant

Date

6th JULY 2020

Signature of Owner

Date

7.6.2020

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: _____

Documentation of Authority Submitted: _____

Commission Action: _____

Fee Paid? Y / N / N/A Amount: _____ Date: _____

Landscaping Plan Submitted? Y / N / N/A Date: _____

Date to go before the Planning and Zoning Commission: _____

Ordinance Review: (first reading) _____ (second reading) _____

Tazewell County, Illinois

generated on 7/4/2020 11:41:28 AM CDT

Parcel

Parcel ID	Alt. PIN	Parcel Address	Data as of
02-02-23-109-018		300 MULLER RD, WASHINGTON	7/4/2020

Tax Payer Information

Tax Payer	MILLER RICHARD B TRUSTEE
Tax Payer Address	25816 SCHUCK RD WASHINGTON IL 615710000
Transfer Date	08/05/2003

Location Information

GIS	Section & Plat
District No. 02021	State Assigned District No. 020
Township No. 002,	Routing No.
Parcel Address 300 MULLER RD, WASHINGTON	Legal Desc. SEC 23 T26N R3W MORRIS MANOR SEC 2 LOT 11 NE 1/4

Parcel Information**Topography****Services**

Property Class Code 60 COMMERCIAL BUSINESS	Level N	Water	
Neighborhood Code 229	High N	Sewer	
Neighborhood Factor .00	Low N	Gas	
Neighborhood Type	Rolling N	Electricity	N
Street or Road Code	Swampy N	Sidewalk	
	Flood Hazard	Alley	N
	Waterfront Property Type		

City of Washington, Illinois
Special Use Permit Application
Additional Information

Landscaping Plan: Planted area along the building front would be maintained in a manner that is deemed attractive and appealing as part of the overall presentation.

Business Operations to be carried out at this location:

James Kellerstrass, has completed professional auction school training at Missouri Auction School. A copy of that diploma is attached. James Kellerstrass has completed and passed the Illinois Department of Professional Regulation Division of real estate auctioneer examination. A copy of this passed examination is attached.

James Kellerstrass is the sole member of JASK LLC which will be conducting business (DBA) JK Auctions and is currently registered with the State of Illinois. Application has been made to register JK Auctions as a licensed Auction House with James Kellerstrass as the prosiding auctioneer. Certificates showing this registration and recent certificate in good standing is included.

On-Line Auctions : Using the space to intake, photograph, stage, display and store items offered
Through an online auction service base. The current planned service is Hi-Bid but
May include other professional sites such as Proxibid.

Bidders would be offered 1 or 2 days / evenings to preview the items. All bidding
for the auction takes place on-line through an auction service by registered bidders.

Winning bidders would have a scheduled date / time to pick up their purchases.

Ideally we would have 2 to 3 on-line auctions concurrently running at any given
time.

In- Person Auctions: Currently planned to start up in the Spring of 2021. The current plan calls for
in person auctions to be occurring 1 night a week taking place on Tuesday
evening from about 6 pm to 8 pm. This would be similar to the weekly auction
taking place at an auction house in Morton on Thursday nights.

Community Flea Market: We would like to offer a community flea market one weekend a month. The
flea market would offer tables to rent by individuals. Table renters would then offer
their wares for sale similar to a garage sale operation.

EK
pg 1 of 2

Auction & Flea Market notes: None of the sale venues would be offering any firearms nor liquor for sale at this location as the business would not be licensed to offer these in this sale format. James Kellerstrass nor JK Auctions has any intention of seeking an FFL or liquor license.

JASK LLC, as owners of Needle in a Haystack has a long history of ensuring family friendly items are offered for sale and would continue that tradition as JK Auctions.

JASK LLC operating as Needle in a Haystack at 2390 Washington Road, has a long exemplified history of being part of the community. In the past 4 years Needle in a Haystack has sponsored a variety of area school teams, activities, events and community non-profit organizations.

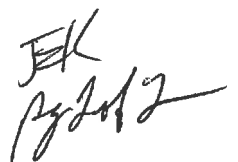
As with many auction houses and flea markets we anticipate these sale venues to bring consumers into the community who will also support other local businesses.

We are happy to answer any questions anyone may have about our planned operation and look forward to working with the City of Washington and the community in developing this opportunity.

With Great Appreciation,



James Kellerstrass
JASK LLC dba
JK Auctions
26218 Liberty Lane
Washington, IL 61571
(309) 285-5479
jkauctionsold@gmail.com



Missouri Auction School

This Certifies That

James E. Kellerstrass

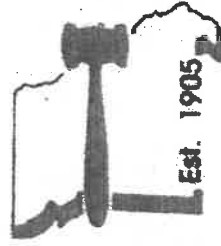
has successfully completed the course of study in

Auctioneering

As offered by this school and is hereby granted this

Diploma

Given this 22nd day of June, 2020



Paul J. Davis

President

Johnson Accounting

Gym Corner

11

-018

615

23

VNC Prarie IL
Prarie materials
-019

13

-019

comes supply

mullet Rd
storage

I-155

US 24

29

1-474

Streets

98

1-74

US 150

US 150

Keys



1:540

0.013 mi

0.02 km

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: July 28, 2020



