



CITY OF WASHINGTON, ILLINOIS

City Council Agenda Communication

Meeting Date: May 9, 2022

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

Agenda Item: First Reading Ordinance – Mallard Crossing Commercial Park Lots 5 and 6 Rezoning Request

Explanation: Brent Ricketts has submitted an application to rezone Mallard Crossing Commercial Park Lots 5 and 6 from R-2 (Multi-Family Residential) to C-2 (General Retail). The two parcels comprise approximately three acres and are currently zoned R-2. They were originally final platted in May 2006 and were zoned C-2 at that time. Lot 5 was rezoned in September 2006 to C-3 (Service Retail) while Lot 6 was rezoned in February 2007 to C-3. Both of these lots were rezoned to their current R-2 status in May 2011. Neither lot has been developed since its platting.

The lots are currently owned by Andrew Honegger. Lot 5 would be sold to Mr. Ricketts and Lot 6 would be sold to the parents of Mr. Ricketts contingent upon the lots being rezoned. Mr. Ricketts has proposed constructing a multi-unit building that would house his business as well as 2-3 other leased spaces for service-oriented establishments that would be permitted uses in the C-2 district. Access to both of these lots would be from W. Cruger Road.

There are a variety of nearby land uses and zoning classifications. Mallard Crossing Commercial Park Lots 1-4 adjacent to N. Cummings Lane are currently zoned C-2. The lots to the south that contain the Mallard Point Condos are zoned R-2, the lot to the east that houses AAA Storage is zoned I-1 (Light Industrial), and the north side of W. Cruger is zoned C-3.

The Comprehensive Plan identifies the subject properties as General Commercial and the proposed rezoning would be compatible with the plan. These lots are among many that due to their location, are transition lots that are flexible as either residential or commercial. The properties are suitable to be zoned C-2 and would not diminish the property values of the surrounding properties nor would the rezoning cause undue harm to the public's health, safety, or general welfare.

Fiscal Impact: The lots currently generate little property tax without improvements on the property. There would continue to be limited generation for five years upon the completion of the project due to the property being in the Enterprise Zone. The full property tax payment would take effect after that point.

Recommendation/

Committee Discussion Summary: The Planning and Zoning Commission held a public hearing on this request at its meeting on May 4. The PZC unanimously recommended approval of the rezoning.

Action Requested: Staff supports the proposed rezoning of Mallard Crossing Commercial Park Lots 5 and 6 from R-2 to C-2. A first reading ordinance is scheduled for a special City Council meeting on May 9 as a result of the inability to gather a quorum to originally hear this request at the April PZC meeting. A second reading ordinance will be scheduled for the May 16 Council meeting.

ORDINANCE NO. _____

(Adoption of this ordinance would rezone Mallard Crossing Commercial Park Lots 5 and 6 from R-2, Multi-Family Residential, to C-2, General Retail)

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF WASHINGTON, TAZEWEILL COUNTY,
ILLINOIS, BY REZONING MALLARD CROSSING COMMERCIAL PARK LOTS 5 AND 6
FROM R-2 TO C-2**

WHEREAS, a Petition has been filed by Brent Ricketts for the hereinafter-described tracts 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-2; and

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 draft minutes of the Planning and Zoning Commission made at the public hearing held on May 5, 2022, and the recommendation of staff contained in its Memorandum to the Planning and Zoning Commission of April 26, 2022, 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 properties more particularly described from R-2 to C-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 _____, 2022.

Ayes: _____

Nays: _____

Mayor

ATTEST:

City Clerk

EXHIBIT A

LEGAL DESCRIPTION

SEC 15 T26N R3W MALLARD CROSSING COMMERCIAL PARK LOT 5 (EXC WLY .15 AC & SLY 8 FT)
NW 1/4

PIN: 02-02-15-101-067

AND

SEC 15 T26N R3W MALLARD CROSSING COMMERCIAL PARK LOT 6 & SLY 8 FT OF LOT 5 NW 1/4

PIN: 02-02-15-101-070

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: 1860 N. Cuyler Road
Property Tax ID (PIN) number: 02-02-15-10-067
Current zoning classification of the property: R-2 Proposed zoning classification of the property: C-2
Current use of the property: Farm ground
Proposed use of the property: Lawn care business with rental bays
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? N/A

Name of Applicant: Brent A. Ricketts Phone Number of Applicant: 309-645-2563
Address of Applicant: 1819 Kern Road Washington, IL 61571
Owner of Property: Andrew H. Heger
Address of Owner: 29 Diamond Point Morton, IL 61550
I would like to receive correspondence by: ☐ Mail ☒ Email Email address: ricketts.brent@yahoo.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.

Brent A. Ricketts
Signature of Applicant

2/15/2022
Date

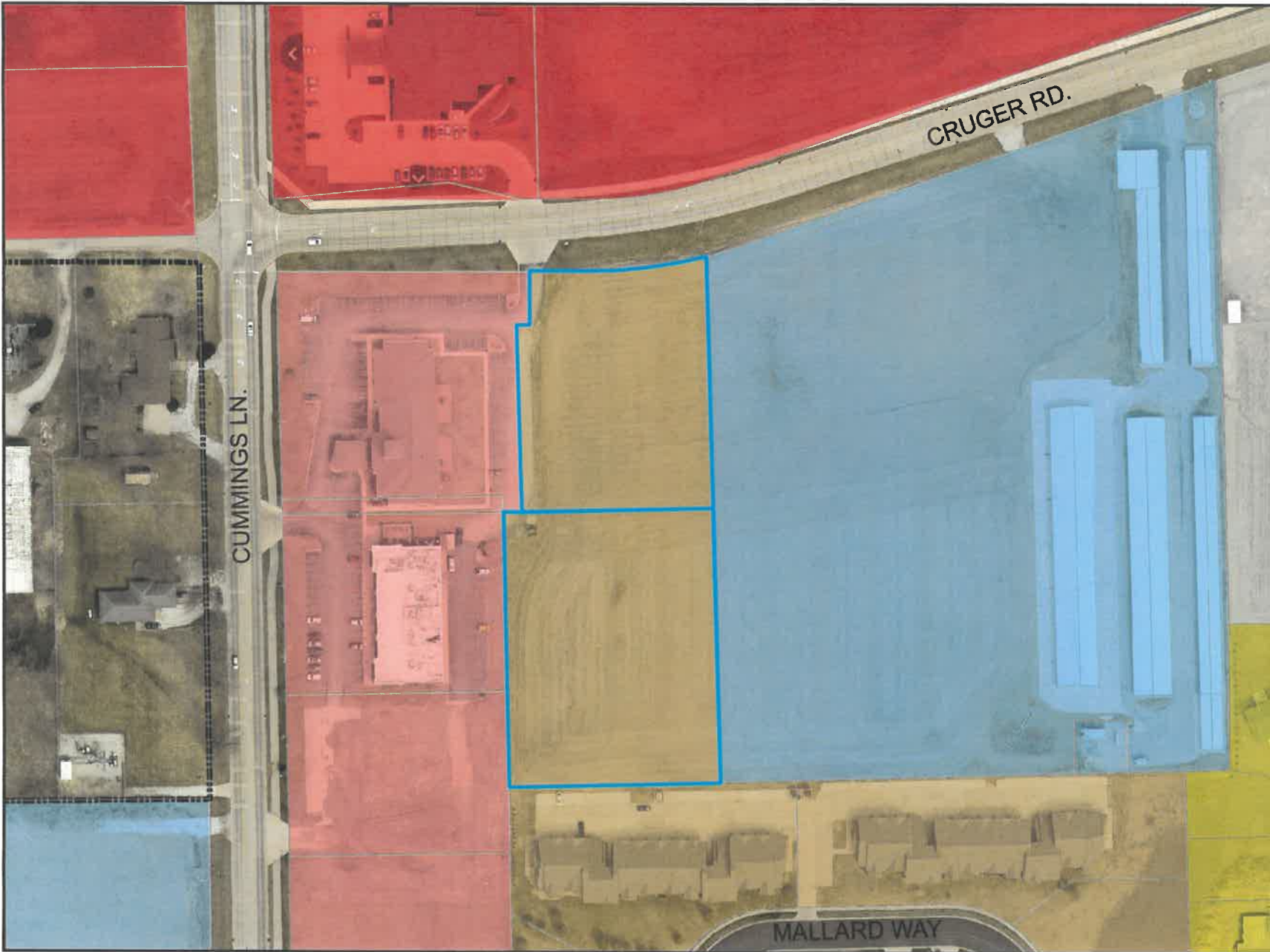
Andrew H. Heger
Signature of Owner

2/24/2022
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: _____



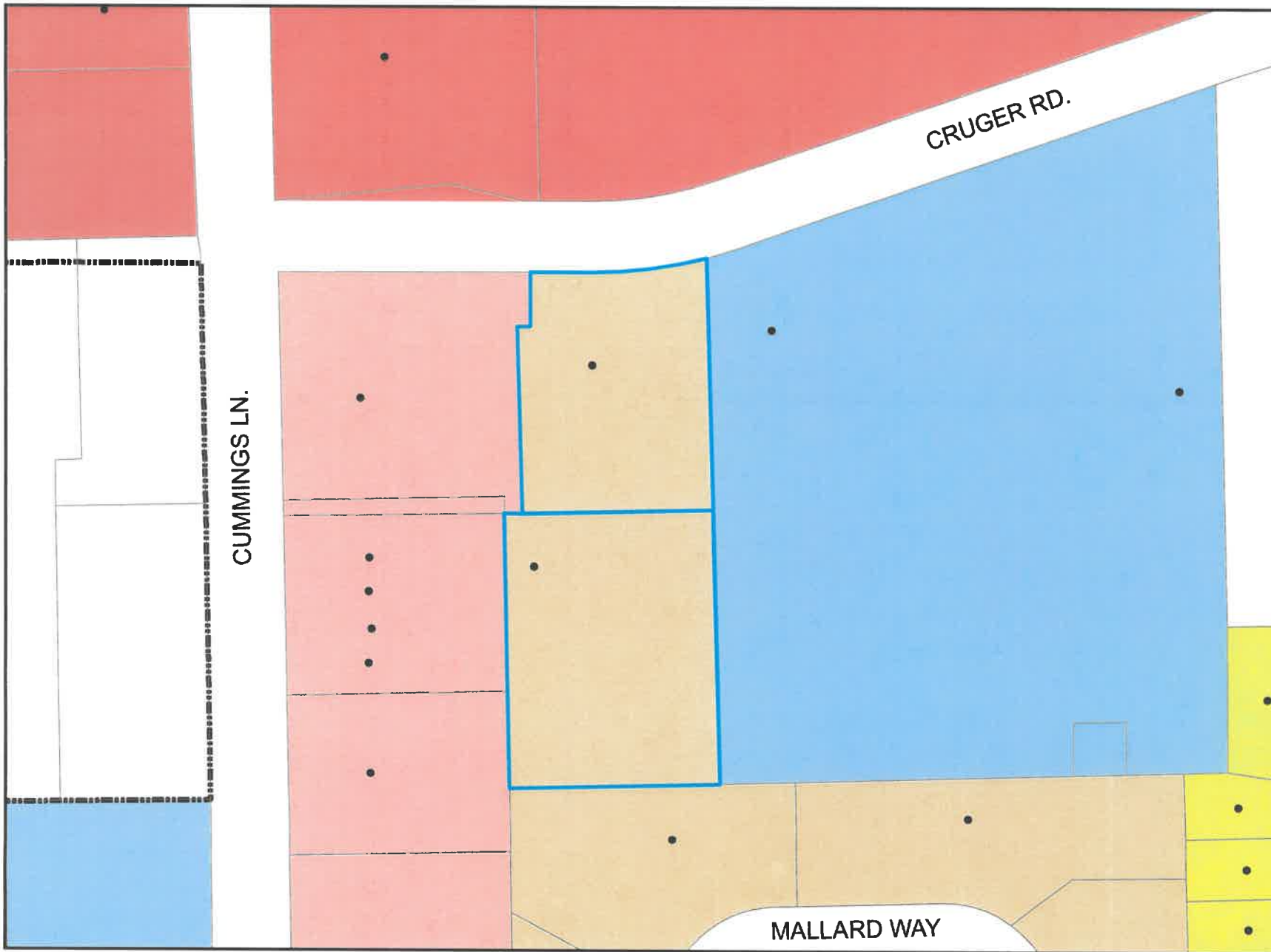
**CITY OF
WASHINGTON**
TAZEWELL COUNTY, ILLINOIS

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)
 - City_Limit_Washington





**CITY OF
WASHINGTON**
TAZEWELL COUNTY, ILLINOIS

LOCATION MAP



Legend

- AG-1 (Agriculture)
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- I-2 (Heavy Industrial)
- City Limit_Washington



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

Printed: March 29, 2022

Tazewell County, Illinois

generated on 3/10/2022 9:01:55 AM CST

Parcel

Parcel ID 02-02-15-101-067	Alt. PIN	Parcel Address 1860 W CRUGER RD, WASHINGTON	Data as of 3/5/2022
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Tax Payer Information

Tax Payer	HONEGGER ANDREW
Tax Payer Address	29 DIAMOND POINT MORTON IL 61550
Transfer Date	01/03/2019

Location Information

GIS		Section & Plat	
District No.	02021	State Assigned District No.	020
Township No.	002,	Routing No.	
Parcel Address	1860 W CRUGER RD, WASHINGTON	Legal Desc.	SEC 15 T26N R3W MALLARD CROSSING COMMERCIAL PARK LOT 5 (EXC WLY .15 AC & SLY 8 FT) NW 1/4 1.33 AC DDD 1

Parcel Information

Property Class Code	62 COM PLATTED UNIMPROVED SUBD
Neighborhood Code	229
Neighborhood Factor	.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 3/10/2022 9:01:34 AM CST

Parcel

Parcel ID 02-02-15-101-070	Alt. PIN	Parcel Address W CRUGER RD (OFF OF), WASHINGTON	Data as of 3/5/2022
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Tax Payer Information

Tax Payer	HONEGGER ANDREW
Tax Payer Address	29 DIAMOND POINT MORTON IL 615500000
Transfer Date	01/03/2019

Location Information

GIS	Section & Plat
District No. 02021	State Assigned District No. 020
Township No. 002,	Routing No.
Parcel Address W CRUGER RD (OFF OF), WASHINGTON	Legal Desc. SEC 15 T26N R3W MALLARD CROSSING COMMERCIAL PARK LOT 6 & SLY 8 FT OF LOT 5 NW 1/4 1.68 AC

Parcel Information

Topography

Services

Property Class Code 62 COM PLATTED UNIMPROVED SUBD	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

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 Brent Ricketts to Rezone Mallard Crossing Commercial Park
Lots 5 and 6 from R-2 to C-2
DATE: April 26, 2022

Zoning: R-2 (Multi-Family Residential)
Comprehensive Plan: General Commercial

Summary: Brent Ricketts has submitted a rezoning application to rezone Mallard Crossing Commercial Park Lots 5 and 6 from R-2 (Multi-Family Residential) to C-2 (General Retail). Staff recommends approval of the rezoning as detailed below.

Background: The two parcels comprise approximately three acres and are currently zoned R-2. They were originally final platted in May 2006 and were zoned C-2 at that time. Lot 5 was rezoned in September 2006 to C-3 (Service Retail) while Lot 6 was rezoned in February 2007 to C-3. Both of these lots were rezoned to their current R-2 status in May 2011. Neither lot has been developed since its platting.

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The Comprehensive Plan identifies the subject properties as General Commercial and the proposed rezoning would be compatible with the plan. These lots are among many that due to their location, are transition lots that are flexible as either residential or commercial. The properties are suitable to be zoned C-2 and would not diminish the property values of the surrounding properties nor would the rezoning cause undue harm to the public's health, safety, or general welfare.

As a result, **staff supports the proposed rezoning of Mallard Crossing Commercial Park Lots 5 and 6 from R-2 to C-2.** A public hearing will be held by the Planning and Zoning Commission at its meeting on May 4, as a quorum was not gathered for a meeting on April 6. A first reading ordinance would tentatively be scheduled for a special City Council meeting on May 9 followed by a second reading and vote on May 16.

Attachments