



## CITY OF WASHINGTON, ILLINOIS

### City Council Agenda Communication

**Meeting Date:** March 6, 2023

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

**Agenda Item:** First Reading Ordinance – Request by WACR Properties, LLC, to Rezone 115 N. Cummings Lane from I-1 to C-3

**Explanation:** WACR Properties, LLC, has requested the rezoning of 115 N. Cummings Lane from I-1 (Light Industrial) to C-3 (Service Retail) to allow for a restaurant and retail redevelopment. Staff recommends approval of the rezoning as detailed below.

Core & Main or a similar business under at least three different names had operated at 115 N. Cummings since 1970. Core & Main recently vacated the premises following the opening of its new facility at 400 N. Cummings last fall. The requested rezoning would allow for the property to be redeveloped for a restaurant and retail. The sale of it to WACR Properties, LLC, is contingent upon approval of the rezoning. The properties to the north, south, and east on the east side of N. Cummings are zoned C-3. Cherry Tree Shopping Center and its outlots, located on the west side of N. Cummings, are zoned C-2 (General Retail). The area near the Cummings and Business Route 24 intersection is largely comprised of properties used and zoned for commercial and industrial.

The property is approximately 3.22 acres. The Cummings and Business 24 intersection has one of the two highest average daily traffic counts in Washington, which makes it attractive to possible commercial businesses. While the primary ingress/egress is from N. Cummings, the property has about 60 feet of width adjacent to Herman Essig Drive on the north side of Business 24 that intersects with Sterling Street. This serves as secondary property access. WACR Properties would likely demolish the existing building to allow for a more efficient redevelopment should the rezoning be approved, with a restaurant to serve as the initial phase. The City's building design guidelines, stormwater regulations, and landscaping code would apply for the proposed redevelopment upon the construction of any buildings.

The N. Cummings corridor contains a mix of commercial and industrial properties. The proposed zoning is appropriate for this property. The comprehensive plan deems this property and all of the immediately adjacent parcels 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. The property is in the Enterprise Zone.

**Fiscal Impact:** New sales tax and job creation would figure to be generated as a result of the redevelopment. The Enterprise Zone would abate property taxes for the new building improvements for five years.

#### **Recommendation/**

**Committee Discussion Summary:** The Planning and Zoning Commission held a public hearing on this request at its meeting on March 1. The PZC unanimously recommended approval of the proposed rezoning.

**Action Requested:** Staff supports the approval of the rezoning of 115 N. Cummings from I-1 to C-3. A first reading ordinance for the rezoning is scheduled for the March 6 City Council meeting with a second reading to be scheduled for March 20.

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

(Adoption of this ordinance would rezone 115 N. Cummings from I-1, Light Industrial, to C-3, Service Retail)

**AN ORDINANCE AMENDING THE ZONING ORDINANCE  
OF THE CITY OF WASHINGTON, TAZEWEILL COUNTY,  
ILLINOIS, BY REZONING 115 N. CUMMINGS LANE FROM I-1 TO C-3**

**WHEREAS**, a Petition has been filed by WACR Properties, LLC, 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 March 1, 2023, and the recommendation of staff contained in its Memorandum to the Planning and Zoning Commission of February 20, 2023, 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 I-1 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 \_\_\_\_\_, 2023.

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

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

\_\_\_\_\_  
Mayor

ATTEST:

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

**EXHIBIT A**

**LEGAL DESCRIPTION**

SEC 15 T26N R3W SUB LOT D-E & F OF TRACT 1 SW 1/4

PIN: 02-02-15-300-005

## 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: 115 N. Cummings Lane

Property Tax ID (PIN) number: 02 - 02 - 15 - 300 - 005

Current zoning classification of the property: I-1 Proposed zoning classification of the property: C-3

Current use of the property: waterworks infrastructure material development

Proposed use of the property: retail/restaurant

Does the proposed zoning meet the City's Comprehensive Plan? ☒ YES ☐ NO

If not, what unique characteristics about your property warrant a rezoning? \_\_\_\_\_

Name of Applicant: WACR Properties, LLC

Phone Number of Applicant: \_\_\_\_\_

Address of Applicant: \_\_\_\_\_

Owner of Property: Core & Main, LP

Address of Owner: c/o Tim Moorman, 1830 Craig Court, St. Louis, MO 63146

I would like to receive correspondence by: ☐ Mail ☒ Email Email address: \_\_\_\_\_

**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.

**SEE ATTACHED SIGNATURE PAGE**

Signature of Applicant

Date

**SEE ATTACHED SIGNATURE PAGE**

Signature of Owner

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.: \_\_\_\_\_

Fee Paid? Y / N

Date: \_\_\_\_\_

Plat Submitted? Y / N Date: \_\_\_\_\_

Documentation of Authority Submitted: \_\_\_\_\_

Date to go before the Planning and Zoning Commission: \_\_\_\_\_

Commission Action: \_\_\_\_\_

**SIGNATURE PAGE TO  
APPLICATION FOR REZONING**

Core & Main, LP

WACR Properties, LLC

By: Tim Moorman

By: Debra L. Braker, Manager

Name: Tim Moorman

Title: Director, Real Estate

**SIGNATURE PAGE TO  
APPLICATION FOR REZONING**

Core & Main, LP

WACR Properties, LLC

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

By: Debra L. Braker  
Debra L. Braker, Manager

323-75

# Tazewell County, Illinois

generated on 2/21/2023 2:28:10 PM CST

## Parcel

<b>Parcel ID</b>	<b>Alt. PIN</b>	<b>Parcel Address</b>	<b>Data as of</b>
02-02-15-300-005		115 N CUMMINGS LN, WASHINGTON	2/18/2023

### Tax Payer Information

<b>Tax Payer</b>	CORE & MAIN LP
<b>Tax Payer Address</b>	1830 CRAIG PARK CT MARYLAND HEIGHTS MO 63146
<b>Transfer Date</b>	02/10/2021

### Location Information

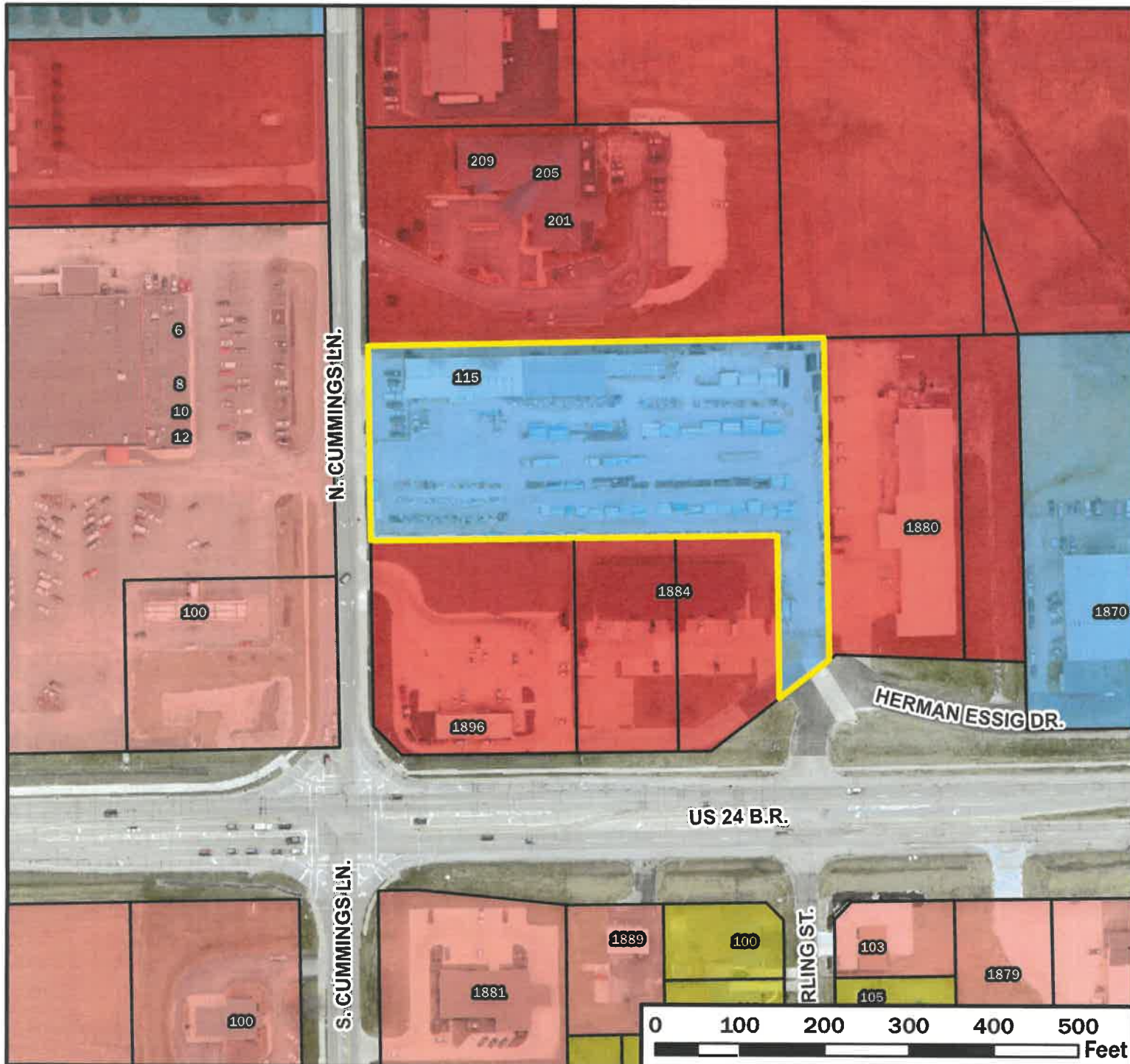
<b>GIS</b>		<b>Section &amp; Plat</b>	
<b>District No.</b>	02021	<b>State Assigned District No.</b>	020
<b>Township No.</b>	002,	<b>Routing No.</b>	
<b>Parcel Address</b>	115 N CUMMINGS LN, WASHINGTON	<b>Legal Desc.</b>	SEC 15 T26N R3W SUB LOT D-E & F OF TRACT 1 SW 1/4

### Parcel Information

### Topography

### Services


<b>Property Class Code</b>	60 COMMERCIAL BUSINESS	<b>Level</b>	N	<b>Water</b>	
<b>Neighborhood Code</b>	238	<b>High</b>	N	<b>Sewer</b>	
<b>Neighborhood Factor</b>	.00	<b>Low</b>	N	<b>Gas</b>	
<b>Neighborhood Type</b>		<b>Rolling</b>	N	<b>Electricity</b>	N
<b>Street or Road Code</b>		<b>Swampy</b>	N	<b>Sidewalk</b>	
		<b>Flood Hazard</b>		<b>Alley</b>	N
		<b>Waterfront Property Type</b>			



# Location Map

PIN: 02-02-15-300-005

## Legend

 02-02-15-300-005

 Parcels

## Zoning

AG-1

 I-1

 CE

 R-1A

 R-1

 R-2

 C-1

 C-2

 C-3

 I-2



Date: 2/15/2023

*This map indicates approximate data locations and may not be 100% accurate. 2019 Aerial Imagery & Parcels are provided and maintained by Tazewell County.*





# Location Map

PIN: 02-02-15-300-005

## Legend

-  02-02-15-300-005
-  Parcels



Date: 2/15/2023

*This map indicates approximate data locations and may not be 100% accurate. 2019 Aerial Imagery & Parcels are provided and maintained by Tazewell County.*