



CITY OF WASHINGTON, ILLINOIS

City Council Agenda Communication

Meeting Date: June 19, 2023

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

Agenda Item: First Reading Ordinance – Request by Joshua Kitterman to Rezone 206 Walnut Street from R-1 to C-1

Explanation: Joshua Kitterman has requested the rezoning of 206 Walnut Street from R-1 (Single- and Two-Family Residential) to C-1 (Local Retail) to allow for an office for a home service agency. Staff recommends approval of the rezoning as detailed below.

Mr. Kitterman and his wife, Jillian, are owners of Home Helpers Home Care, which offers on-site care to allow citizens to live independently. The company provides services within the tri-county area. The couple have sought a building in which to complete the administrative work associated with the business. Patients would not be seen at the 206 Walnut building. The 206 Walnut property is owned by Frank Boley and would be sold to the Kitterman's subject upon the approval of the rezoning request.

Just nine properties are zoned C-1, which only allows for limited office and service uses. City Hall at 301 Walnut is one of the C-1 properties. The type of use proposed by the Kitterman's is permitted as an administratively-approved home occupation if it were to retain the R-1 zoning. However, a home occupation requires a dwelling to be used as a principal use with the business functioning as incidental and subordinate to the residence. The Kitterman's do not intend to use the structure as a house. As a result, a rezoning is required to allow for the proposed commercial use.

The property is approximately 0.13 acres. It includes an adjacent alley that was vacated in 1961. The dwelling was constructed in 1936 and has been utilized as a residential use during that entirety to the best of staff's knowledge. The Business 24 corridor is an arterial with an average daily traffic count of about 6,000 at this location. The corridor east of the Square primarily contains residential properties with some institutional and commercial mixed in. The proposed zoning is suitable for this property. The immediate vicinity has a mix of properties zoned R-1 and C-2 (General Retail). The adjacent former First United Methodist Church parcel at 104 S. Elm was rezoned in 2004 from C-1 to C-2 to allow for a future banquet facility. The size of the 206 Walnut property and a C-1 zoning severely limits its potential uses as compared to a variety of possible retail uses that are permitted in the C-2 district.

The comprehensive plan deems this property as Mixed Use: Downtown Commercial and Residential, which would be compatible with the proposed zoning. As long as the corridor continues as a three-lane state highway, it figures to remain a mix of residential, institutional, office, and limited commercial uses. The proposed use would not appear to be detrimental to surrounding property values. The property has been zoned R-1 since zoning was first adopted in Washington in 1961. The property is in the Enterprise Zone, though any benefits would only be derived should there be an extensive renovation that requires a building permit.

Fiscal Impact: The C-1 district limits the viability for much sales tax generation. This rezoning would allow for limited employment on the premises.

Recommendation/

Committee Discussion Summary: The Planning and Zoning Commission held a public hearing on this request at its meeting on June 7. The PZC unanimously recommended approval of the proposed rezoning.

Action Requested: Staff supports the approval of the rezoning of 206 Walnut from R-1 to C-1. A first reading ordinance for the rezoning is scheduled for the June 19 City Council meeting with a second reading to be scheduled for July 3.

ORDINANCE NO. _____

(Adoption of this ordinance would rezone 206 Walnut Street from R-1, Single- and Two-Family Residential, to C-1, Local Retail)

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF WASHINGTON, TAZEWEILL COUNTY,
ILLINOIS, BY REZONING 206 WALNUT STREET FROM R-1 TO C-1**

WHEREAS, a Petition has been filed by Joshua Kitterman 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-1;

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 June 7, 2023, and the recommendation of staff contained in its Memorandum to the Planning and Zoning Commission of May 24, 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 R-1 to C-1.

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 24 T26N R3W ORIGINAL TOWN LOT 53 (EXC W 8') NW 1/4

PIN: 02-02-24-109-004

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: 206 S Walnut St. Washington, IL, 61571

Property Tax ID (PIN) number: 02 - 02 - 24 - 109 - 004

Current zoning classification of the property: R-1 Proposed zoning classification of the property: C-1

Current use of the property: Unoccupied Single Family Home

Proposed use of the property: Office for Home Helpers Home Care (Home Service Agency)

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: Joshua Kitterman

Phone Number of Applicant: [REDACTED]

Address of Applicant: 205 S Webster St. Mackinaw, IL, 61755

Owner of Property: Francis Boley

Address of Owner: 1405 Shellbank Ct. Washington, IL 61571

I would like to receive correspondence by: ☐ Mail ☒ Email Email address: [REDACTED]

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 of Applicant _____

04/11/2023

Date _____

Signature of Owner _____

4/11/23
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: _____

Tazewell County, Illinois

generated on 6/16/2023 8:12:28 AM CDT

Parcel

Parcel ID	Alt. PIN	Parcel Address	Data as of
02-02-24-109-004		206 WALNUT ST, WASHINGTON	6/10/2023

Tax Payer Information

Tax Payer	BOLEY FRANK
Tax Payer Address	1044 SPRING BAY RD EAST PEORIA IL 61611
Transfer Date	07/13/2021

Location Information

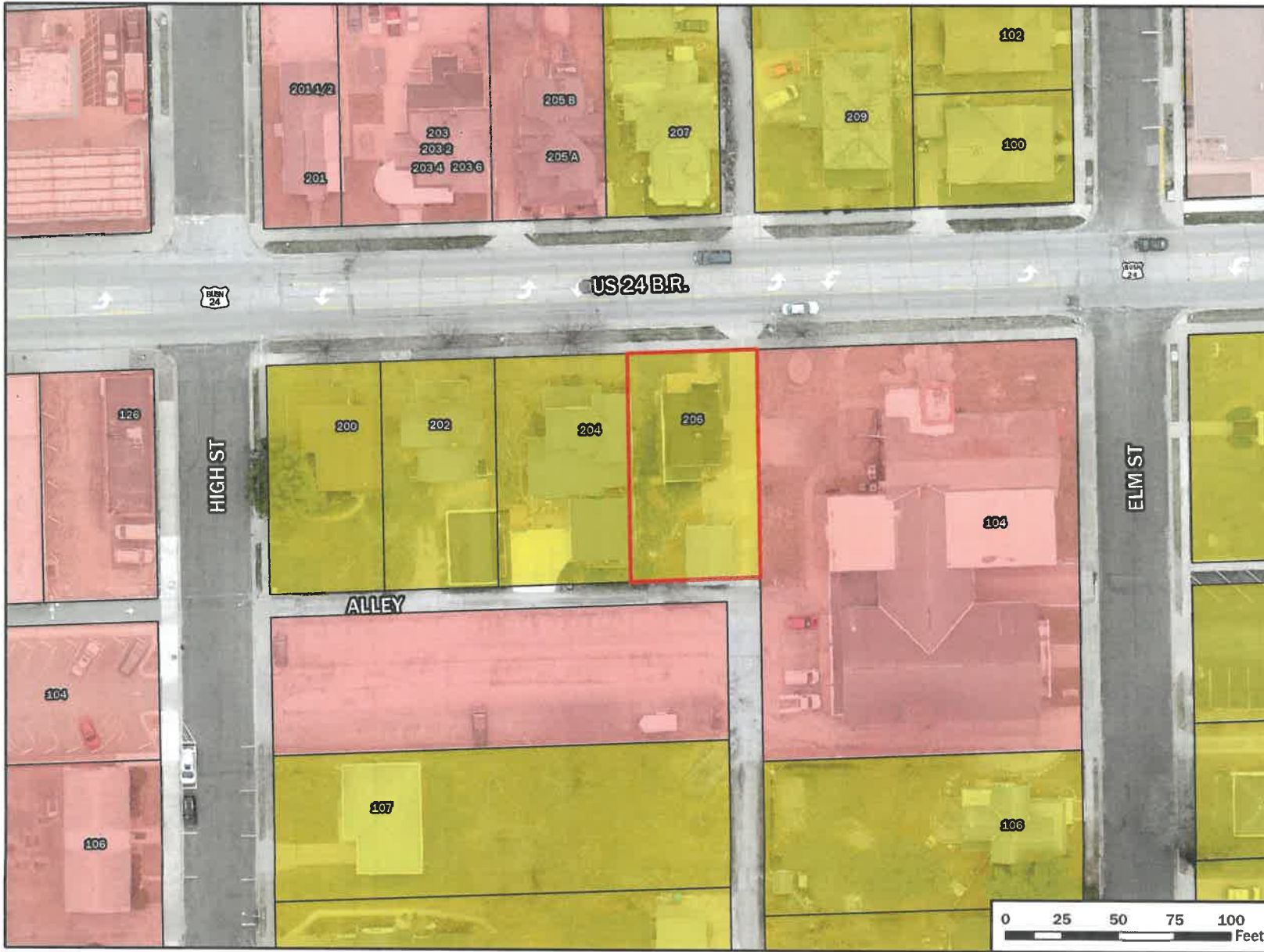
GIS		Section & Plat	
District No.	02038	State Assigned District No.	020
Township No.	002,	Routing No.	
Parcel Address	206 WALNUT ST, WASHINGTON	Legal Desc.	SEC 24 T26N R3W ORIGINAL TOWN LOT 53 (EXC W 8') NW 1/4

Parcel Information

Topography

Services

Property Class Code	40 IMPROVED RESIDENTIAL LOT	Level	N	Water	
Neighborhood Code	210	High	N	Sewer	
Neighborhood Factor	112.00	Low	N	Gas	
Neighborhood Type		Rolling	N	Electricity	N
Street or Road Code		Swampy	N	Sidewalk	
		Flood Hazard		Alley	N
		Waterfront Property Type			



206 Walnut Street

PIN: 02-02-24-109-004

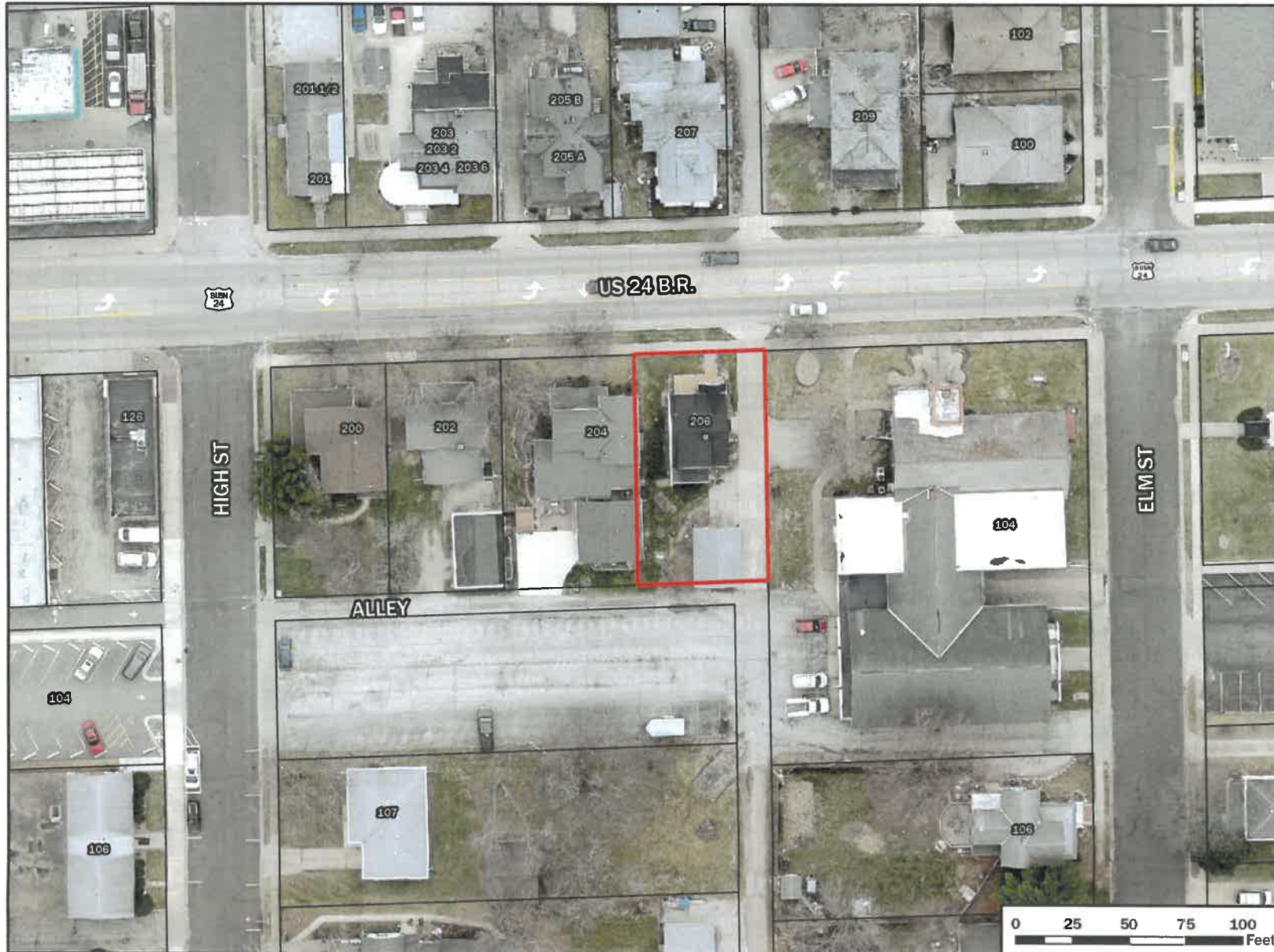
Legend

- 206 Walnut St
- Parcels
- Zoning
 - AG-1
 - I-1
 - CE
 - R-1A
 - R-1
 - R-2
 - C-1
 - C-2
 - C-3
 - I-2



Date: 5/23/2023

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



206 Walnut Street

PIN: 02-02-24-109-004

Legend

- 206 Walnut St
- Parcels



Date: 5/23/2023

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