

# CITY OF WASHINGTON

## PLANNING & DEVELOPMENT DEPARTMENT

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### MEMORANDUM

TO: Chairman Burdette and Planning and Zoning Commission  
FROM: Jon R. Oliphant, AICP, Planning & Development Director  
SUBJECT: Public Hearing – Request by Jakob Spitzer to Rezone 2140 Washington Road (the “Subject Property”) from the C-2 District to the C-3 District  
DATE: September 29, 2023

**Current Zoning:** C-2 District (General Retail)

**Comprehensive Plan Designation:** GC (General Commercial)

**Request Summary:** Jakob Spitzer of Spitzer Properties LLC, an Illinois limited liability company (the “Company”), has requested the rezoning of 2140 Washington Road (IL Route 8) from the C-2 District (General Retail) to the C-3 District (Service Retail) to allow for his dumpster rental business to operate there. An analysis of the pertinent facts is offered below.

**Background:** Mr. Spitzer, via his Company, recently purchased the Subject Property from Veronica Fore. Ms. Fore owned the Subject Property at the time the rezoning application was submitted to the City and she consented to the request. Mr. Spitzer operates a dumpster rental business that is currently temporarily located at 640 N. Cummings Lane. The closest permitted use to Mr. Spitzer's business in the City's Zoning Code is “Machinery, equipment, and vehicle rental,” which is allowed in the C-3 District. It is also allowed as a special use in the C-2 District. The Subject Property is approximately 9.08 acres in size. According to the City's permitting records, a single-family house on the Subject Property was demolished in 2004. No improvements have been made to the Subject Property since that time.

The Subject Property has numerous mature trees, with the vast majority located at the rear. It is located on a portion of Route 8 with an average daily traffic (“ADT”) count of 13,000. Access can only be gained from Route 8. If the rezoning request is approved, Mr. Spitzer tentatively plans to construct a 4-bay building. One of the bays would be allocated for the Company and the remaining bays would be rented to other tenants. It would tentatively be placed near the west property line about 100 feet from the front property line. The roll-off dumpster storage would tentatively be placed closer to the east property line and about 400 feet from the front property line. According to Mr. Spitzer, there would initially be up to eight 10-, 15-, and 20-yard dumpsters on the Subject Property at any given time. These dumpsters range between 10 and 16-feet in length. The dumpsters are driven from the Subject Property directly to the client. Upon the completion of the client's use, the dumpsters are taken to the landfill, where they are cleaned before they are returned to the Subject Property. Mr. Spitzer represents that there will be no odor emitting from the dumpsters upon their return to the Subject Property. Small repairs to the dumpsters would be done on the Subject Property while larger repairs involving fabricating, welding, or painting are done at another facility. The following are factors to consider in light of the rezoning request:

1. The existing uses and zoning of nearby properties:	<ul style="list-style-type: none"><li>• Properties located North of the Subject Property:<ul style="list-style-type: none"><li>○ Use: Low-Density Residential</li><li>○ Zoning: CE District (Country Estates)</li></ul></li><li>• Properties located East of the Subject Property:<ul style="list-style-type: none"><li>○ Use: Vehicle Repair</li><li>○ Zoning: C-3 District. The property located at 2136 Washington Road was rezoned from the C-2 District to the C-3 District in 2013.</li></ul></li><li>• Properties located South of the Subject Property:</li></ul>
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	<ul style="list-style-type: none"> <li>○ Use: Restaurant and Undeveloped</li> <li>○ Zoning: C-2 District.</li> <li>• Properties located West of the Subject Property: <ul style="list-style-type: none"> <li>○ Use: Self-Storage</li> <li>○ Zoning: C-3 District. The property located at 2154 Washington Road was rezoned from the C-2 District to the C-3 District in 2012.</li> </ul> </li> </ul>
2. The extent to which property values are diminished by particular zoning restrictions:	<ul style="list-style-type: none"> <li>• The C-2 District allows for many office, service, and retail uses. It also allows for "Machinery, equipment, and vehicle rental" as a special use. Property values do not figure to diminish due to the rezoning request, as other uses are permitted in the C-3 District.</li> </ul>
3. The extent to which destruction of value of some property promotes the health, safety, morals or general welfare of the public:	<ul style="list-style-type: none"> <li>• It is difficult to determine the impact that the proposed rezoning and use would have on nearby properties. The properties that neighbor the Subject Property to the east and west are currently zoned to allow for the proposed business use by-right.</li> </ul>
4. The relative gain to the public compared to the hardship imposed upon individual property owners:	<ul style="list-style-type: none"> <li>• The proposed rezoning matches the classifications to the properties located east and west of the Subject Property. The proposed use would not commonly be one that the public desires as a destination.</li> </ul>
5. The suitability of the property for zoned purposes:	<ul style="list-style-type: none"> <li>• The proposed rezoning matches the classifications to the properties located east and west of the Subject Property. The Subject Property can meet each of the C-3 District zoning regulations. However, the proposed use may not be compatible with other uses in the area.</li> </ul>
6. The length of time the property has been vacant as zoned, considered in the context of land developed in the vicinity:	<ul style="list-style-type: none"> <li>• The Subject Property has been zoned the C-2 District since a single-family house was demolished in 2004. The Route 8 corridor has seen some development since that time, though there are several undeveloped parcels on the north side of IL Route 8.</li> </ul>
7. The community need for the proposed use:	<ul style="list-style-type: none"> <li>• Staff is not aware of a feasibility study to accurately quantify the community need for this business. Dumpster rental businesses are generally not the types of uses that are highly valued in spite of every business needing at least a single dumpster for its waste disposal.</li> </ul>
8. The compatibility with the Comprehensive Plan:	<ul style="list-style-type: none"> <li>• The designation denoted in the Comprehensive Plan for the Subject Property is General Commercial. This category serves a variety of possible uses and is most commonly associated with those that pertain to the sale of goods or services. It should be noted that some goals that are articulated in the Plan are to encourage new development that increases the City's daytime population, create jobs, and maintain and create tax revenue generating businesses.</li> </ul>

**Conclusion:** The requested zoning change from the C-2 District to the C-3 District does not substantially change the character and potential uses of the Subject Property. However, a dumpster rental business may not be perceived to be a desirable use located across the street from a restaurant. The City's landscaping and screening regulations would be applicable, as is the case with developments other than single- and two-family residential. Under the City's landscaping regulations, the Subject Property must contain certain landscaping materials and quantities for three (3) components (Streetside, Parking Lot, and Transitional Buffer Yard). Staff recommends approval of the rezoning request. If there is a recommendation from the Planning and Zoning Commission to approve this rezoning request, staff recommends that the minimum quantity (*i.e.* points) for each

landscaping component required for the Subject Property be doubled. Mr. Spitzer could utilize the existing mature trees on the Subject Property, if they are healthy and rigorous, toward calculating the landscaping points. Additionally, staff recommends that a provision be included that additional screening in the form of a solid 6' fence be provided around the perimeter of the Subject Property. These additional requirements would provide a substantial buffer between the Subject Property and neighboring parcels.

A public hearing will be held by the Planning and Zoning Commission at their meeting on Wednesday, October 4 to make a recommendation to the City Council.

Enclosures

**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: 2140 WASHINGTON ROAD, WASHINGTON, IL 61571

Property Tax ID (PIN) number: 02-02-20-200-Q15

Current zoning classification of the property: C-2 Proposed zoning classification of the property: C-3

Current use of the property: VACANT LOT, NO STRUCTURES

Proposed use of the property: 4-bay building with dumpster storage lot in rear.

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: JAKOB SPITZER, SPITZER PROPERTIES LLC

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

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

Owner of Property: VERONICA FORE

Address of Owner: \_\_\_\_\_

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.

Signature of Applicant

Date

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: \_\_\_\_\_

# Tazewell County, Illinois

generated on 9/27/2023 9:40:59 AM CDT

## Parcel

<b>Parcel ID</b>	<b>Alt. PIN</b>	<b>Parcel Address</b>	<b>Data as of</b>
02-02-20-200-015		2140 WASHINGTON RD, WASHINGTON	9/23/2023

### Tax Payer Information

<b>Tax Payer</b>	FORE VERONICA Y
<b>Tax Payer Address</b>	
<b>Transfer Date</b>	10/23/2006

### 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>	2140 WASHINGTON RD, WASHINGTON	<b>Legal Desc.</b>	SEC 20 T26N R3W SUB LOT F; W 179.7 FT SUB LOT E & E 94 FT SUB LOT D NE 1/4 & SE 1/4 9.08 AC

### Parcel Information

<b>Property Class Code</b>	30 UNIMPROVED LOT
<b>Neighborhood Code</b>	211
<b>Neighborhood Factor</b>	109.00
<b>Neighborhood Type</b>	
<b>Street or Road Code</b>	

### Topography

<b>Level</b>	N
<b>High</b>	N
<b>Low</b>	N
<b>Rolling</b>	N
<b>Swampy</b>	N
<b>Flood Hazard</b>	
<b>Waterfront Property Type</b>	

### Services

<b>Water</b>	
<b>Sewer</b>	
<b>Gas</b>	
<b>Electricity</b>	N
<b>Sidewalk</b>	
<b>Alley</b>	N

## **Spitzer Properties LLC**

209 Hillcrest Drive  
Washington, IL 61571  
309.472.4090

City of Washington  
301 Walnut St  
Washington, IL 61571

August 31, 2023

To the City of Washington,

Spitzer Properties LLC would like to submit a rezoning request for the vacant property at 2140 Washington Rd, Washington, IL 61571. We have entered into an agreement with the seller for the purchase of this vacant lot and anticipate taking possession during the rezoning process. We are requesting rezoning from C-2 to C-3 to allow for storage of roll off dumpsters at the rear of the property. Specifically, up to 8 at any time of 10, 15, and 20 yard dumpsters, subject to increase as the company grows. We also anticipate constructing a 4-bay building in the coming months or years. We have included some drawings subject to change to illustrate our proposed use of this vacant property.

We would like to thank the Planning & Zoning Committee and the City Council for your consideration in reviewing our plan.

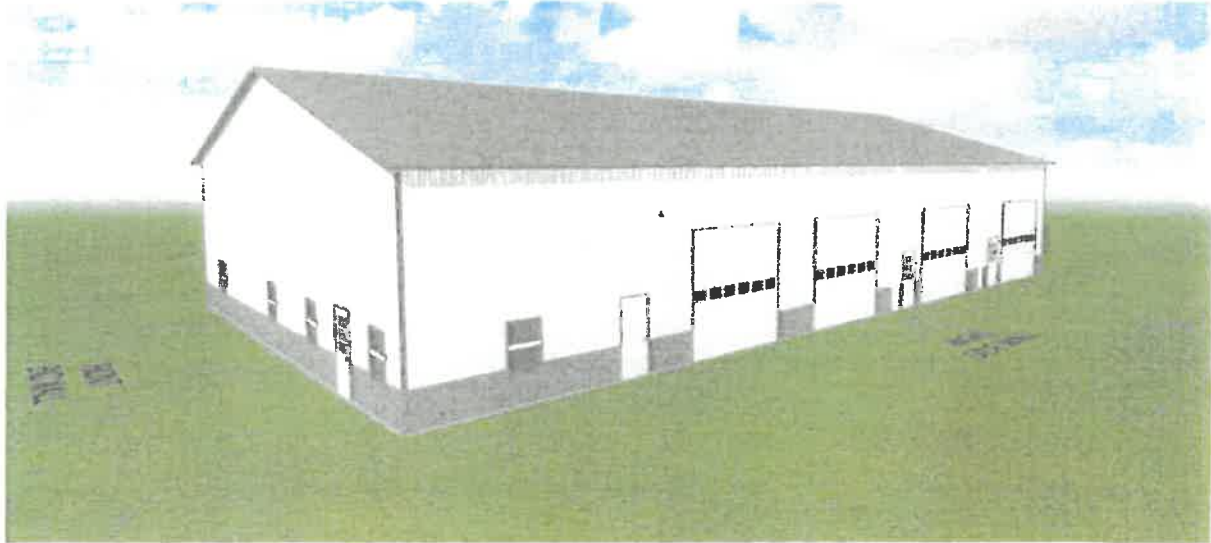
Warm Regards,

**Jakob & Hannah Spitzer**  
**Owners, Spitzer Properties LLC**

The subject property is 2140 Washington Rd. It is currently zoned C-2. Neighboring properties are zoned C-3. We are requesting a rezoning to C-3 to allow for roll off dumpster storage. (0 – 8 dumpsters, subject to change as the company grows.)

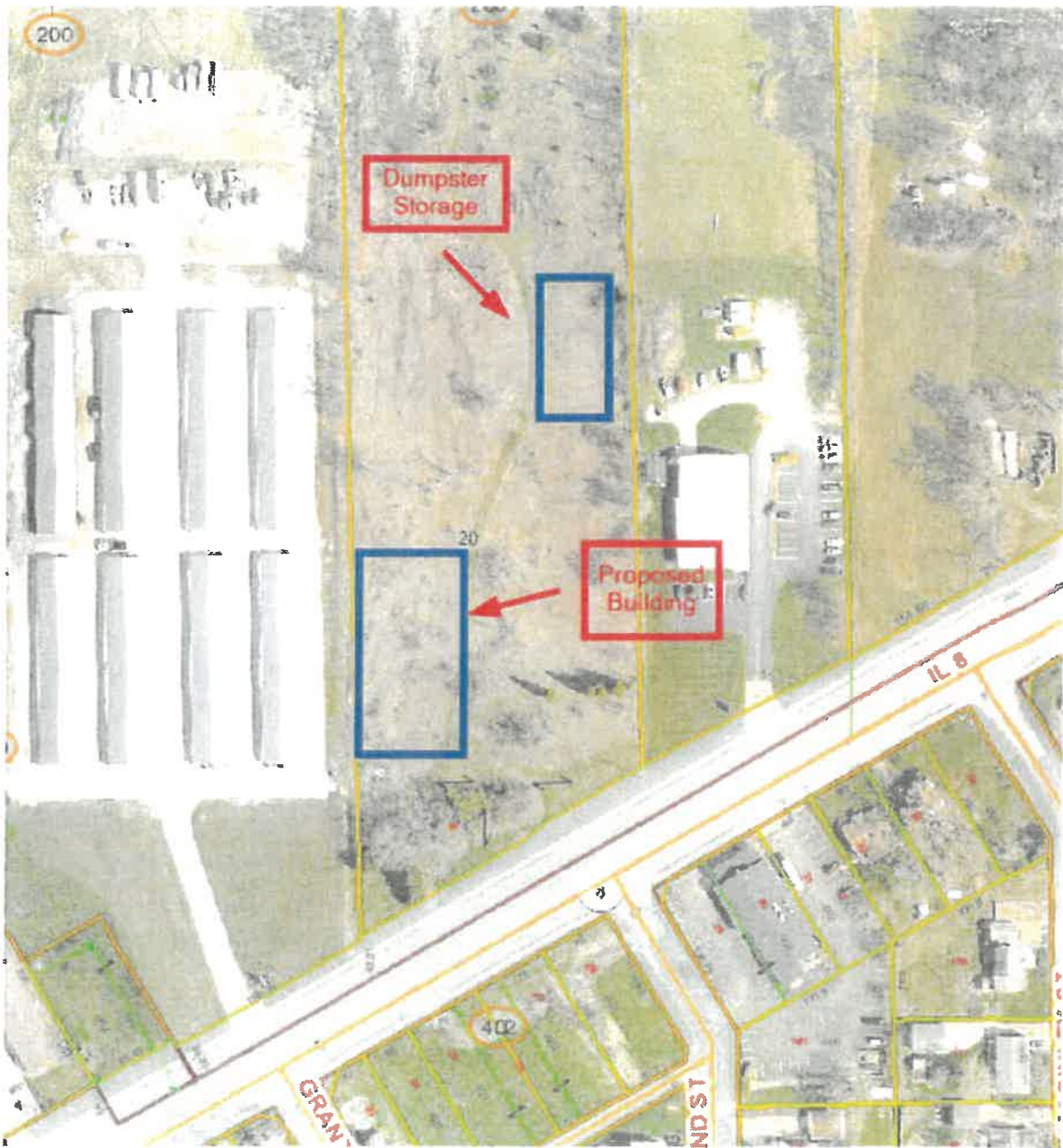


Preliminary drawing of a 4-bay building and subject to change. One bay is to be allocated for our dumpster company and the other 3 bays and office space to be rented out to other tenants.



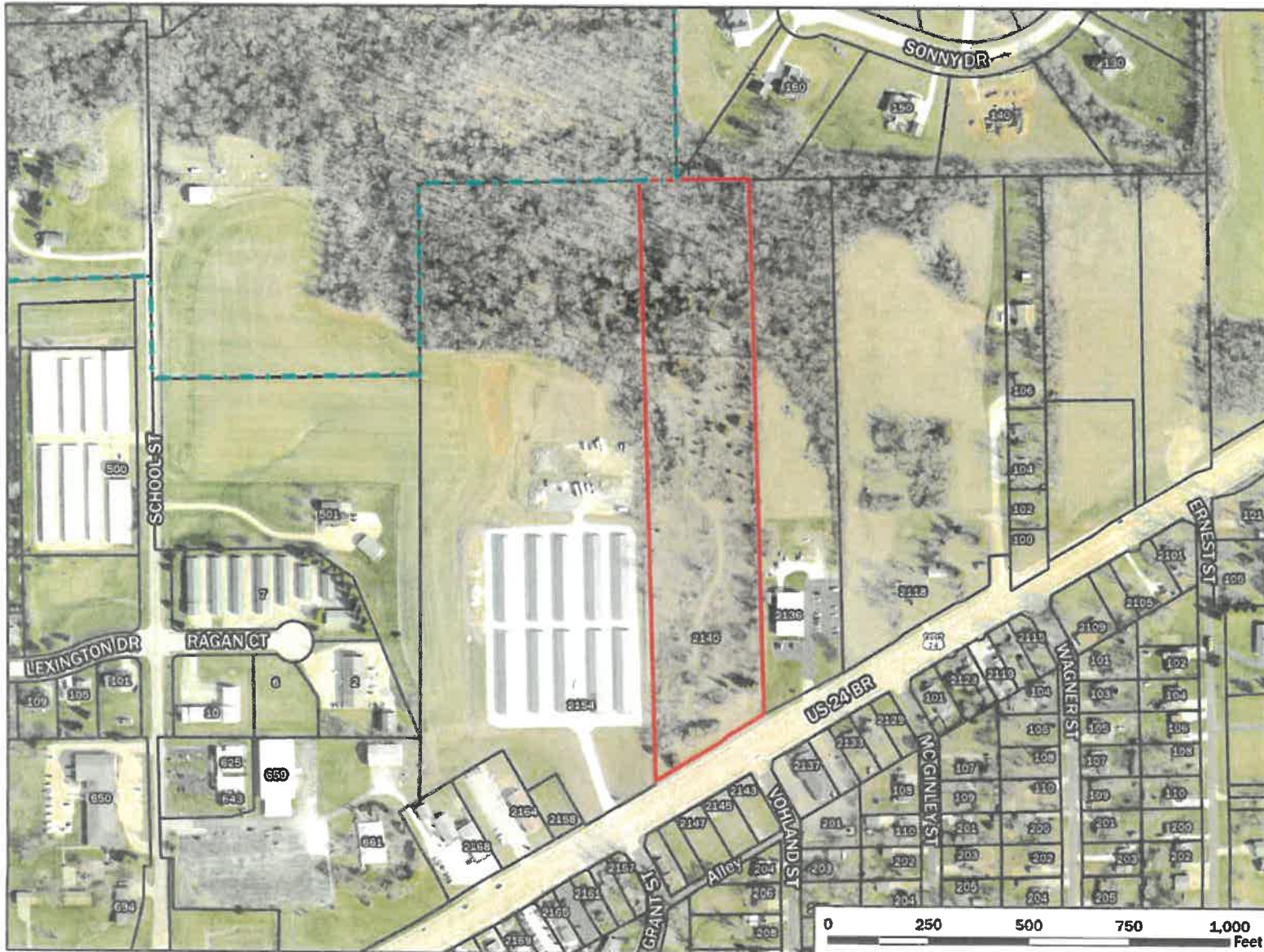


The building will be situated on the Southwest corner of the property as outlined in the drawing below.









# 2140 Washington Road

PIN: 02-02-20-200-015

## Legend

- City Boundary
- 2140 Washington Rd
- Parcels



Date: 9/1/2023

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

0 250 500 750 1,000  
Feet