



**CITY OF WASHINGTON, ILLINOIS**  
**City Council Agenda Communication**

**Meeting Date:** April 1, 2024

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

**Agenda Item:** First Reading Ordinance – Request by B.A. Bodner Co., LLC, to Rezone Two Parcels Near Centennial Drive, McClugage Road, and Spring Creek Road (the “Subject Properties”) from R-1A to C-2

**Explanation:** Bruce Bodner of B.A. Bodner Co., LLC, an Indiana limited liability company (the “Company”), has requested the rezoning of two parcels located on or near Centennial Drive, McClugage Road, and Spring Creek Road from the R-1A District (Single-Family Residential) to the C-2 District (General Retail) to allow for possible future commercial development. An analysis of the pertinent facts is offered below.

**Background:** Mr. Bodner, via his Company, has a pending purchase of the Subject Properties from Kenneth L. Haag and Donna L. Haag, as Trustees of the Kenneth L. Haag and Donna L. Haag Joint Revocable Trust Agreement Dated September 12, 2019. Mr. and Mrs. Haag have consented to the request. The annexation of the parcels was approved on January 2 and are zoned the City’s default zoning of R-1A.

The Haag’s have owned the subject parcels totaling approximately 10.63 acres for several years. The smaller of the two parcels totals 2.21 acres while the larger piece is 8.42 acres. They also own an adjacent undeveloped 1.51-acre parcel at the intersection of Centennial and McClugage (US Business 24) that is in the city limits. The parcel at Centennial and McClugage is zoned C-3 (Service Retail) and would likely be the first to develop with a small portion of the 8.42-acre parcel. Mr. Bodner plans on a commercial development near the McClugage and Centennial intersection as early as the first half of 2024. City water and sanitary sewer are in close proximity and there are no significant infrastructure deficiencies for development at that intersection. Sewer would need to be extended to serve the two unincorporated parcels.

Mr. Bodner does not have immediate plans to develop the unincorporated parcels, though the smaller parcel is likely to serve at least partially as stormwater detention for the overall development. He is exploring possible options for the future development of the larger parcel.

The majority of the two parcels are open except for some mature trees on the western half of the 2.21-acre parcel and a small grove of trees near the southeast corner of the 8.42-acre parcel. The property slopes gently from east to west and provides some elevation change that is not common among most properties in Washington. They are located near a primary shopping corridor and this corner of the McClugage and Centennial intersection is the only undeveloped piece. The annual average daily traffic (AADT) count on McClugage is slightly more than 10,000. Freedom Parkway has an AADT of about 11,000 while Centennial is 3,750. Access to the properties would only likely be served from Centennial and Spring Creek, as McClugage is under the jurisdiction of the IL Department of Transportation. The following are factors to consider in light of the rezoning request:

<p>1. The existing uses and zoning of nearby properties:</p>	<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, Institutional</li> <li>○ Zoning: County A-1 District (Agricultural Preservation)</li> </ul> </li> <li>• Properties located East of the Subject Property: <ul style="list-style-type: none"> <li>○ Use: Undeveloped, Retail</li> <li>○ Zoning: C-3 District.</li> </ul> </li> <li>• Properties located South of the Subject Property: <ul style="list-style-type: none"> <li>○ Use: Undeveloped</li> </ul> </li> </ul>
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	<ul style="list-style-type: none"> <li>○ Zoning: C-3 District</li> <li>• Properties located West of the Subject Property: <ul style="list-style-type: none"> <li>○ Use: Low-Density Residential</li> <li>○ Zoning: County R-1 District (Low-Density Residential)</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. Property values do not figure to diminish due to the rezoning request.</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>• The proposed zoning is compatible with nearby incorporated properties.</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 south of the Subject Properties. The proposed rezoning would allow for commercial uses to be developed near existing commercial uses and permit residential uses above the ground floor.</li> </ul>
5. The suitability of the property for zoned purposes:	<ul style="list-style-type: none"> <li>• The proposed rezoning matches the classifications of the properties located east and south of the Subject Properties. The Subject Properties can meet each of the C-2 District zoning regulations.</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 Properties have not previously been annexed into the Washington city limits and have not been subject to the City's zoning regulations.</li> </ul>
7. The community need for the proposed use:	<ul style="list-style-type: none"> <li>• Additional commercial uses are desired to increase property and sales tax generation.</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 Properties 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. The Subject Properties' location between commercial and residential uses also allows for the consideration of a mix of uses to transition between lower density residential development to the west and higher density commercial development to the east.</li> </ul>

**Fiscal Impact:** The Subject Properties have an equalized assessed value of \$13,650 as of the 2023 (Payable 2024) tax year. The property tax generation figures to increase somewhat significantly upon the construction of any buildings, which would benefit each of the applicable taxing authorities. Depending on the possible uses, there may be sales tax generation. The buildings would be subject to payment of the water and sewer utility connection fee of a minimum of \$4,732. New water and sewer revenue would also result from the development. While neither parcel is currently in the Enterprise Zone, staff will soon apply to the State of Illinois to extend the EZ and financially assist with the development of the property.

**Recommendation/**

**Committee Discussion Summary:** The Planning and Zoning Commission held a public hearing on this request at its meeting on January 3. The PZC unanimously recommended approval of the proposed rezoning.

**Action Requested:** Staff supports the approval of the rezoning of the Subject Properties from R-1A to C-2. A first reading ordinance is scheduled for the April 1 City Council meeting and a second reading ordinance will be scheduled for the April 15 meeting.

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

(Adoption of this ordinance would rezone two parcels near Centennial Drive, McClugage Road, and Spring Creek Road from the R-1A District, Single-Family Residential, to the C-2 District, General Retail)

**AN ORDINANCE AMENDING THE ZONING ORDINANCE  
OF THE CITY OF WASHINGTON, TAZEWELL COUNTY,  
ILLINOIS, BY REZONING TWO PROPERTIES NEAR CENTENNIAL DRIVE, MCCLUGAGE  
ROAD, AND SPRING CREEK ROAD  
FROM THE R-1A DISTRICT TO THE C-2 DISTRICT**

**WHEREAS**, a Petition has been filed by B.A. Bodner Co., LLC, an Indiana limited liability company, for the hereinafter-described tract of real property, more particularly described on Exhibit A (the “Premises”), attached hereto, said Premises being within the corporate limits of the City of Washington, Illinois and by reference expressly made a part hereof, to have the Premises rezoned; and

**WHEREAS**, the current zoning classification of the Premises is the R-1A District and it is the petitioner’s intent for the Premises to change to the C-2 District zoning classification; and

**WHEREAS**, after proper notice, a public hearing on said Petition was conducted by the Planning and Zoning Commission of the City of Washington on January 3, 2024; and

**WHEREAS**, on January 3, 2024, the Planning and Zoning Commission unanimously recommended that the Premises be rezoned pursuant to the Illinois Municipal Code; and

**WHEREAS**, it is in the best interest of the City of Washington, Illinois that said Premises be rezoned within the City of Washington, to meet future business growth.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON, TAZEWELL COUNTY, ILLINOIS**, as follows:

**Section 1.** That the Washington City Council hereby finds as facts the assertions set forth above.

**Section 2.** That the minutes of the Planning and Zoning Commission made at the public hearing held on January 3, 2024, and the recommendation of staff contained in its Memorandum to the Planning and Zoning Commission dated December 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 3.** 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 Premises from the R-1A District to the C-2 District.

**Section 4.** 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 5.** 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 \_\_\_\_\_, 2024.

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

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

\_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_

City Clerk

**EXHIBIT A**  
**LEGAL DESCRIPTION**

Tract 1-

The Southwest Quarter of the Southwest Quarter of the Southwest Quarter of Section 16, Township 26 North Range 3 West of the Third Principal Meridian; situated in Tazewell County, Illinois, EXCEPTING THEREFROM, 1.576 acres more or less, inclusive of 0.311 acres, more or less, now being used for existing roadway purposes, conveyed by Trustees Deed Dated 8/1/2003 as Document No. 200300028402.

PIN: 02-02-16-300-014

Commonly known as: Centennial Drive, Washington, IL 61571  
Tazewell County, Illinois

Tract 2-

A part of Tract VI, being part of the Northwest Quarter of the Southwest Quarter of the Southwest Quarter of Section 16, Township 26 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois, being more particularly described as follows:

Commencing at the Southwest corner of the Southwest Quarter of said Section 16; thence North 00° 47'28" West (bearings assumed for descriptive purposes only) along the West line of the Southwest Quarter of said Section 16, a distance of 680.21 feet to the Southwest corner of the Northwest Quarter of said Southwest Quarter of Section 16, said point being the point of beginning of the tract to be described;

From the Point of Beginning; thence North 00°47'28" West, along the West line of the said Northwest Quarter of the Southwest Quarter a distance of 86.36 feet thence North 89°23'46" East a distance of 37.46 feet to the Easterly right-of-way line of Spring Creek Road (TR-5A South); thence North 00°36'17" West along the said Easterly right-of-way line a distance of 172.92 feet; thence North 32°07'41" East a distance of 359.93 feet to the Southwesterly right-of-way line of U.S. Route 24 (F.A.U. 6717); thence the following seven courses are along the said Southwesterly right-of-way line of U.S. Route 24 (F.A.U. 6717) South 30°13'24" East a distance of 11.86 feet; thence South 53°05'49" East a distance of 212.13 feet thence South 45°32'23" East a distance of 100.00 feet; thence South 17°29'33" East a distance of 56.36 feet; thence South 44°58'00" East a distance of 100.00 feet; thence South 74°12'56" East a distance of 57.31 feet; thence South 44 °58'00" East a distance of 67.40 feet to the East line of the Northwest Quarter of the Southwest Quarter of the Southwest Quarter; thence South 00°42'31" East along the said East line of the Northwest Quarter of the Southwest Quarter of the Southwest Quarter a distance of 158.59 feet to the Southeast corner of the said Northwest Quarter of the Southwest Quarter of the Southwest Quarter; thence South 89°06'05" West along the South line of the said Northwest Quarter of the Southwest Quarter of the Southwest Quarter a distance of 665.26 feet to the Point of Beginning.

EXCEPTING THEREFROM:

A part of Tract VI, being a part of the Northwest Quarter of the Southwest Quarter, of the Southwest Quarter of Section 16, Township 26 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois more particularly described as follows: Commencing at the Southwest corner of Section 16, Township 26 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois; thence North 00 degrees 47 minutes 28 seconds West along the West line of Section 16 a distance of 660.21 feet to the Point of Beginning. From the Point of Beginning North 00 degrees 47 minutes 28 seconds West 86.36 feet; thence North 89 degrees 23 minutes 46 seconds East 37.46 feet; thence North 00 degrees 36 minutes 17 seconds West 172.92 feet; thence North 32 degrees 07 minutes 41 East 139.58 feet; thence South 51 degrees 15 minutes 26 seconds East 243.35 feet; thence South 16 degrees 04 minutes 55 seconds West 230.96 feet; thence South 89 degrees 06 minutes 31 seconds West 234.52 feet to the Point of Beginning, situated in Tazewell County, Illinois.

PIN: 02-02-16-300-022

Commonly known as: Spring Creek Road (Off Of), Washington, IL 61571  
Tazewell County, Illinois

# 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: Centennial Drive, McClugage Rd, & Spring Creek Rd.

Property Tax ID (PIN) number: 02 - 02 - 16 - 300 - 014 & 022

Current zoning classification of the property: Tazewell County Proposed zoning classification of the property: C-2 City of Washington

Current use of the property: Agricultural

Proposed use of the property: Commercial

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: B. A. Bodner Co., LLC Phone Number of Applicant: [REDACTED]

Address of Applicant: 47 S. Meridian St, #307, Indianapolis, IN 46207

Owner of Property: Kenneth L. Haag and Donna L. Haag, as Trustees of the Kenneth L. Haag and Donna L. Haag, Joint Revocable Trust Agreement Dated September 12, 2019

Address of Owner: [REDACTED]

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.*

DocuSigned by:  
Bruce Bodner

11/27/2023

Signature of Applicant

Date

DocuSigned by:  
Kenneth Haag

DocuSigned by:  
Donna Haag

11/27/2023

11/27/2023

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 3/19/2024 9:49:48 AM CDT

## Parcel

<b>Parcel ID</b>	<b>Alt. PIN</b>	<b>Parcel Address</b>	<b>Data as of</b>
02-02-16-300-014		CENTENNIAL DR, WASHINGTON	11/18/2023

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### Tax Payer Information

<b>Tax Payer</b>	HAAG KENNETH L & DONNA L TRUST HAAG KENNETH L & DONNA L CO-TRUSTEES
<b>Tax Payer Address</b>	
<b>Transfer Date</b>	09/13/2019

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### Location Information

<b>GIS</b>		<b>Section &amp; Plat</b>	
<b>District No.</b>	02017	<b>State Assigned District No.</b>	020
<b>Township No.</b>	002,	<b>Routing No.</b>	
<b>Parcel Address</b>	CENTENNIAL DR, WASHINGTON	<b>Legal Desc.</b>	SEC 16 T26N R3W SW 1/4 OF SW 1/4 OF (EXC TRACT) SW 1/4 8.42 AC

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### Parcel Information

### Topography

### Services

<b>Property Class Code</b>	21 RURAL UNIMPROVED FARM	<b>Level</b>	N	<b>Water</b>	
<b>Neighborhood Code</b>	223	<b>High</b>	N	<b>Sewer</b>	
<b>Neighborhood Factor</b>	105.00	<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>			

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# Tazewell County, Illinois


generated on 3/19/2024 9:50:08 AM CDT

## Parcel

<b>Parcel ID</b> 02-02-16-300-022	<b>Alt. PIN</b>	<b>Parcel Address</b> SPRING CREEK RD (OFF OF), WASHINGTON	<b>Data as of</b> 11/18/2023
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### Tax Payer Information

<b>Tax Payer</b>	HAAG KENNETH L & DONNA
<b>Tax Payer Address</b>	
<b>Transfer Date</b>	

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### Location Information

<b>GIS</b>		<b>Section &amp; Plat</b>	
<b>District No.</b>	02017	<b>State Assigned District No.</b>	020
<b>Township No.</b>	002,	<b>Routing No.</b>	
<b>Parcel Address</b>	SPRING CREEK RD (OFF OF), WASHINGTON	<b>Legal Desc.</b>	SEC 16 T26N R3W SELY PT OF TRACT VI IN SW 1/4 SW 1/4 2.21 AC

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### Parcel Information

<b>Property Class Code</b>	30 UNIMPROVED LOT
<b>Neighborhood Code</b>	212
<b>Neighborhood Factor</b>	105.00
<b>Neighborhood Type</b>	
<b>Street or Road Code</b>	

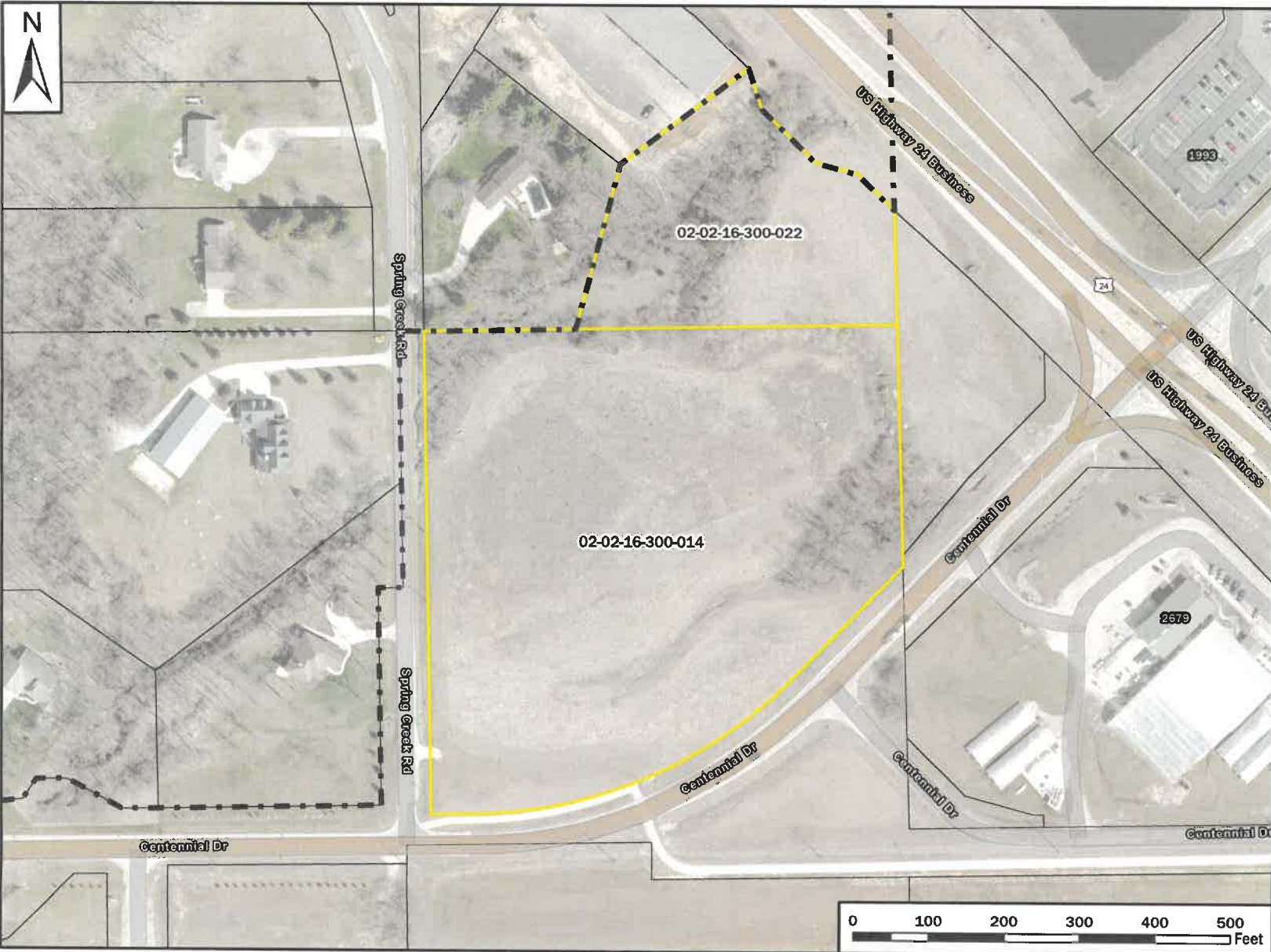
### Topography

<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

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# REZONING MAP

PROPERTIES PROPOSED TO BE REZONED TO C-2

PIN: 02-02-16-300-022  
 SHORT LEGAL: SEC 16 T26N  
 R3W SELY PT OF TRACT  
 VI IN SW 1/4  
 OF SW 1/4 2.21 AC

PIN: 02-02-16-300-014  
 SHORT LEGAL: SEC 16 T26N  
 R3W SW 1/4 OF SW 1/4  
 OF (EXC TRACT)  
 SW 1/4 8.42 AC

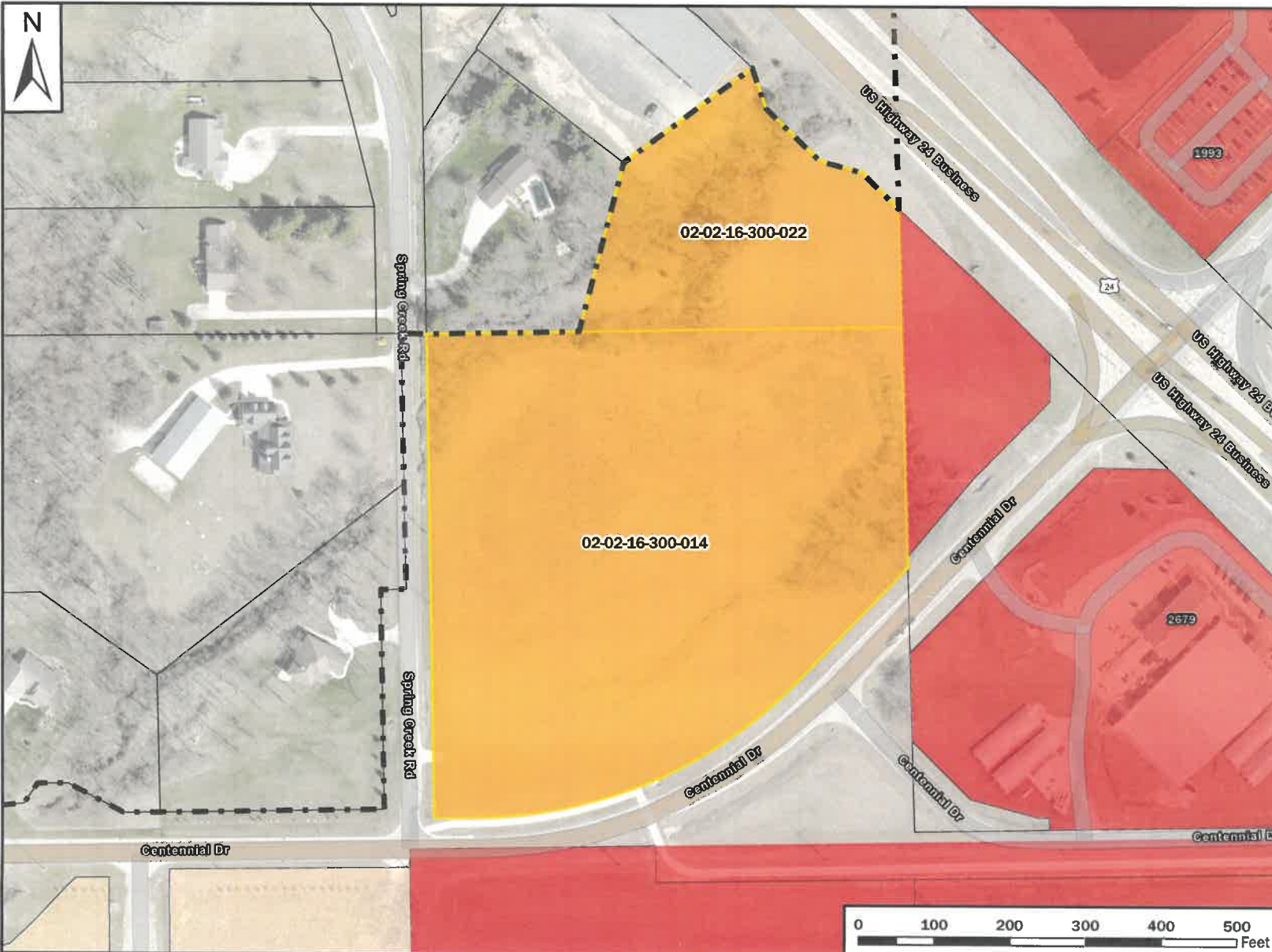
## Legend

-  City Boundary
-  Rezoning Properties
-  Parcels



Date: 3/19/2024

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



# REZONING MAP

PROPERTIES PROPOSED TO BE REZONED TO C-2

PIN: 02-02-16-300-022  
 SHORT LEGAL: SEC 16 T26N  
 R3W SELY PT OF TRACT  
 VI IN SW 1/4  
 OF SW 1/4 2.21 AC

PIN: 02-02-16-300-014  
 SHORT LEGAL: SEC 16 T26N  
 R3W SW 1/4 OF SW 1/4  
 OF (EXC TRACT)  
 SW 1/4 8.42 AC

## Legend

- City Boundary
- Zoning**
- C-3
- R-1A
- Rezoning Properties
- Parcels



Date: 3/19/2024

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

