Resolution of the County Board
of
Kankakee County, Illinois

RE: ZBA CASE #17-12; REZONING FROM R2-HIGH DENSITY RESIDENTIAL DISTRICT TO I2-GENERAL INDUSTRIAL DISTRICT

WHEREAS, an application pursuant to the terms of the Kankakee County Zoning Ordinance, has been filed by Homestar Bank & Financial Services, property owner and applicant in the Office of the County Clerk of Kankakee County for a Rezoning from R2-High Density Residential District to I2-General Industrial District on a parcel legally described herein Exhibit A, a copy of which is attached; and,

WHEREAS, the Zoning Board of Appeals held a duly noticed public hearing, on the application March 5, 2018 and from the testimony and evidence presented findings were made as described in Exhibit B, a copy is attached and the ZBA recommends that the request of Homestar Bank & Financial Services, property owner and applicant, be approved; and,

WHEREAS, the Planning, Zoning, and Agriculture Committee (PZA), at its regularly scheduled and duly noticed meeting of March 21, 2018, having reviewed, discussed and considered the matter, has approved the request and adopted the findings and recommendation of the Zoning Board of Appeals, Exhibit B; and,

WHEREAS, all matters required by law of the State of Illinois and the Zoning Ordinance of Kankakee County have been completed; and,

WHEREAS the County Board at its regularly scheduled meeting of April 10, 2018 after review, discussion, and consideration, agrees with the findings of the Zoning Board of Appeals and committee minutes of the PZA Committee, and finds that the conclusions expressed are both reasonable and rationally supported by the evidence presented, and the rezoning will not be detrimental to the public health, safety, and economic and general welfare.

NOW, THEREFORE, be it resolved by the Kankakee County Board, State of Illinois as follows:

1. The findings of the Zoning Board of Appeals are hereby approved, confirmed, ratified, and adopted and the conclusions of the Planning, Zoning and Agriculture Committee based upon those findings are rational and in the public interest.

2. The findings, conclusions and recommendation expressed in the minutes of the Planning, Zoning, and Agriculture Committee meeting of March 21, 2018 are also supported by the record and are in the public interest and are also approved, confirmed, ratified and adopted.
3. The Rezoning from R2-High Density Residential District to I2-General Industrial District be approved on a parcel legally described in Exhibit A, a copy of which is attached herein and made a part hereof.

PASSED and adopted this 10th day of April, 2018.

Andrew H. Wheeler, County Board Chairman

ATTEST:

Dan Hendrickson, County Clerk
EXHIBIT A (ZBA CASE#17-12)

LEGAL DESCRIPTION:

LOT 21 IN ILLINOIS DEIVERSATECH CAMPUS BEING A SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 26 AND PART OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 32 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANKAKEE COUNTY, ILLINOIS.
FINDINGS OF FACT AND RECOMMENDATION
OF THE KANKAKEE COUNTY ZONING BOARD OF APPEALS

This is the findings of fact and the recommendation of the Kankakee County Zoning Board of Appeals concerning an application from property owner Home Star Bank & Financial Services in ZBA Case No. 17-12. The applicant and owner, Home Star Bank & Financial Services is requesting a rezoning from R2-High Density Residential to I2-General Industrial on a 2.81 acre parcel located in the Illinois Diversatech Campus in Section 26 of Manteno Township. The parcel is located at 420 Chestnut Street and is bound by Mulberry Street, Evergreen Street, Linden Street, and Chestnut Street.

The property is Lot 21 of the Illinois Diversatech Campus which was formerly the Manteno State Hospital until it closed in the 1980’s. The Campus, including this property, was rezoned to I2-General Industrial in 1986. Also, at this time, a special use permit for a Planned Unit Development (PUD) was also granted. See ZBA Case 86-01 for details concerning the PUD.

On October 14, 2014 the Kankakee County Board approved the rezoning of this property from I2-General Industrial to R2-High Density Residential along with a special use permit for Multi-Family Dwellings and a variance for the Floor to Area Ratio. The project that was to be built on this site never materialized and the special use permit became null and void on October 14, 2015. Now the owner has a buyer for the property who would like to utilize the property for a use consistent with original I2-General Industrial zoning and therefore prompting this request. The variance for floor to area ration and the underlying Planned Unit Development designation will remain in effect.

After due notice required by law, the Zoning Board of Appeals held a public hearing on this case on March 5, 2018 in the County Board Room, 4th Floor, Kankakee County Administration Building, Kankakee, Illinois, and hereby report their findings of fact and their recommendation as follows:

Site Information: See Staff Report (attached herewith).

Public Comments: No public comment. (See transcripts)

Analysis of Ten Standards: After considering all the evidence and testimony presented at the public hearing, the Board makes the following analysis of the ten (10) standards listed in Section 17.03.E3 (Standards for Map Amendments) of the Kankakee County Zoning Ordinance that must all be found in the affirmative prior to recommending granting of the petition.

1. That the proposed rezoning is consistent with the purpose and intent of the Zoning Ordinance.

The Board finds that the rezoning will allow development of a vacant
lot on the Diversatech Campus. The zoning will revert back to the original intended use. Similar uses are adjacent to the site.

2. **That the proposed rezoning is consistent with the goals, objectives, and policies of the County Comprehensive Plan.**

   The Board finds that providing development of a vacant lot is consistent with the comprehensive plan. The lot will have similar uses to the surrounding area.

3. **Explain how and if all required utilities, drainage, access to public rights-of-way, recreational facilities, educational facilities, and public safety facilities have been or will be provided, and possess adequate capacity or manpower.**

   The Board finds that sanitary sewer, storm sewer, and water are adjacent to the site and have the capacity needed for this development. ROW access will be provided from streets surrounding the lot. Manteno provides public safety facilities for the area.

4. **That the proposed rezoning is compatible with the existing uses of property and the zoning classification of property within the general area.**

   The Board finds that the majority of the parcels surrounding the lot are industrial uses.

5. **That the permitted uses in the zoning classification being requested will not substantially increase the level of congestion on public rights-of-way.**

   The Board finds that there are adequate amounts of on street parking and fully developed roadways adjacent to the lot. Supplemental off street parking will be provided on the site to prevent congestion of the ROW.

6. **That the subject property is suitable for the permitted uses under the existing zoning classification.**

   The Board finds that the property is not suitable for permitted uses under the R2-High Density Residential District.

7. **That the subject property is suitable for the permitted uses under the proposed zoning classification.**

   The Board finds that the property is suitable for permitted uses under the R2-High Density Residential District.
8. What is the trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification?

The Board finds that the trend of development in this area is for industrial purposes.

9. Is the proposed rezoning/amendment within one and a half miles of a municipality?

The Board finds that the Village of Manteno is within one and one half miles of this site.

10. Does the LESA report reflect the suitability of the site for the proposed amendment requested and uses allowed therein?

The Board finds that a LESA report supports the suitability of this property for the proposed change in zoning.

Recommendation: We find that the proposed rezoning requested does meet all the standards for recommending granting as found in Section 17.03.E3 of the Kankakee County Zoning Ordinance and that such request is in the public interest. Therefore, the Zoning Board of Appeals hereby recommends that the zoning district classification of the property described above be changed from R2-High Density Residential to I2-General Industrial.

Roll Call Vote: A motion was made to approve the rezoning. The roll call vote was seven (7) members for the motion to recommend granting, zero (0) opposed.

Respectfully submitted this 5th day of March, 2018 by the Kankakee County Zoning Board of Appeals.

John Fetherling, Chairman – Aye
David Deyoung – Aye
William Sawyer – Aye
Edwin Meents – Aye
William Hemm – Aye
Beth Scanlon – Aye
Gene Raedemacher – Aye
Exhibit A – Location Map, Manteno Township
ZBA CASE 17-12

STAFF REPORT

Homestar Bank & Financial Services (Owner)
Rezone R-2 to I-2
P.I. No. 03-02-26-201-034
Manteno Township
The applicant and owner, Home Star Bank & Financial Services, is requesting a rezoning from R2-High Density Residential to I2-General Industrial on a 2.81 acre parcel located in the Illinois Diversitech Campus in Section 26 of Manteno Township. The parcel is located at 420 Chestnut Street and is bounded by Mulberry Street, Evergreen Street, Unden Street, and Chestnut Street.

The property is Lot 21 of the Illinois Diversitech Campus which was formerly the Manteno State Hospital until it closed in the 1980s. The Campus, including this property, was rezoned to I2-General Industrial in 1986. Also, at this time, a special use permit for a Planned Unit Development (PUD) was also granted. See ZBA Case 86-01 for details concerning the PUD.

On October 14, 2014 the Kankakee County Board approved the rezoning of this property from I2-General Industrial to R2-High Density Residential along with a special use permit for Multi-Family Dwellings and a variance for the Floor to Area Ratio. The project that was to be built on this site never materialized and the special use permit became null and void on October 14, 2015. Now the owner has a buyer for the property who would like to utilize the property for a use consistent with original I2-General Industrial zoning and therefore prompting this request. The variance for floor to area ratio and the underlying Planned Unit Development designation will remain in effect.

An aerial photograph of the general area can be seen on the left.

Finding of Fact Responses - Rezoning

The following sections highlight the Petitioner's responses to the findings and the Planning Department's comments for the proposed rezoning to RE - Rural Estate:

A. HOW IS THE PROPOSED REZONING/AMENDMENT CONSISTENT WITH THE PURPOSE AND INTENT OF THE ZONING ORDINANCE?

**Petitioner's Response:** "The rezoning will allow development of a vacant lot on the Diversitech Campus. The zoning will revert back to the original intended use. Similar uses are adjacent to the site."

**Planning Department Analysis:**

The proposed rezoning is consistent with the intent and purpose of the zoning ordinance by promoting the separation of industrial and residential uses and therefore reducing potential conflicts between uses.
B. How is the proposed rezoning/amendment consistent with the goals, objectives, and policies of the County Comprehensive Plan?

_Petitioner's Response:_ "Providing development of a vacant lot is consistent with the comprehensive plan. The lot will have similar uses to the surrounding area."

_Planning Department Analysis:_

It is a goal of the Kankakee County Comprehensive Plan to provide adequate locations for business and industrial uses. As such, the proposed project creates an industrial lot which is surrounded by industrial lots and existing industrial uses.

C. Explain how and if all required utilities, such as water and sanitary facilities, drainage, access to public rights-of-way, recreational facilities, educational facilities, and public sanitary facilities have been or will be provided, and possess or will possess adequate capacity and/or manpower to accommodate the permitted use within the zoning classification being requested.

_Petitioner's Response:_ "Sanitary sewer, storm sewer, and water are adjacent to the site and have the capacity needed for this development. ROW access will be provided from streets surrounding the lot. Manteno provides public safety facilities for the area."

_Planning Department Analysis:_

Staff agrees that all necessary utilities, right-of-ways, and public facilities are already in place and adjacent to the subject site. The Board will need to decide if these facilities are adequate to meet the demands of the development.

D. Explain how the proposed rezoning/amendment will be compatible with the existing uses of property and zoning classification of property within the general area of the property in question.

_Petitioner's Response:_ "The majority of the parcels surrounding the lot are industrial uses."

_Planning Department Analysis:_

The subject site sits in the middle of the Illinois Diversitech Campus which is an industrial planned unit development.
E. Explain how the permitted uses in the zoning classification being requested will not substantially increase the level of congestion on the public rights-of-way.

Petitioner's Response: "There are adequate amounts of on street parking and fully developed roadways adjacent to the lot. Supplemental off street parking will be provided on the site to prevent congestion of the ROW."

Planning Department Analysis:
Providing on site parking is a requirement of the zoning ordinance and, as stated by the applicant, will help to alleviate congestion on the right-of-ways. However, this finding relates more to how the traffic generated by the development will create congestion on the road network. There is an extensive network of roads in the area which should adequately accommodate the traffic generated from the development of this parcel.

F. Is the subject property suitable for the permitted uses under the existing zoning classification?

Petitioner's Response: "No."

Planning Department Analysis:
Apparently not, otherwise the rezoning to the R2-High Density Residential District should not have been approved in 2014. However, due to the surrounding uses and the Planned Unit Development, rezoning back to I2-General Industrial would appear to be a more compatible use of the land.

G. Is the subject property suitable for the permitted uses under the proposed zoning classification?

Petitioner's Response: "Yes."

Planning Department Analysis:
The subject site appears to be suitable for all use listed under I2-General Industrial District section of the Zoning Ordinance.
H. WHAT IS THE TREND OF DEVELOPMENT, IF ANY, IN THE GENERAL AREA OF THE PROPERTY IN QUESTION, INCLUDING CHANGES, IF ANY, WHICH HAVE TAKEN PLACE SINCE THE DAY THE PROPERTY IN QUESTION WAS PLACED IN ITS PRESENT ZONING CLASSIFICATION.

Petitioner's Response: "The surrounding area with"

Planning Department Analysis:

The applicants answer to this finding is incomprehensible. There has been little new development in the area since 2014. The majority of the area surrounding the parcel continues to be used for industrial purposes.

I. IS THE PROPOSED ZONING AMENDMENT WITHIN ONE AND A HALF MILES OF A MUNICIPALITY?

Petitioner's Response: "Yes, the Village of Manteno.

Planning Department Analysis:

The planning staff agrees with the petitioner.

J. DOES THE USES REPORT REFLECT THE SUITABILITY OF THE SITE FOR THE PROPOSED ZONING / AMENDMENT REQUESTED AND USES ALLOWED THEREIN?

Petitioner's Response: "Yes."

Planning Department Analysis:

The planning staff agrees with the petitioner.
Subject site looking northwest from the intersection of Linden and Chestnut Streets.

Subject site looking northeast from the intersection of Linden and Evergreen Streets.

Chestnut Street looking north from Linden Street.

Chestnut Street looking south from Linden Street.

Linden Street looking east from Chestnut Street.

Mulberry Street looking east from Chestnut Street.
Subject site looking southwest from Mulberry Street.

Mulberry Street looking west from Chestnut Street.

Mulberry Street looking west from Evergreen Street.

Evergreen Street looking north from Mulberry Street.

Evergreen Street looking south from Mulberry Street.

Subject site looking southwest from the intersection of Chestnut and Mulberry Streets.

Kankakee County Planning Department
Chesnut Street looking north from Mulberry Street.

Kankakee County Planning Department
ZBA Case 17-12

1. Reference:
   - Hearing Date: January 22, 2018
   - Applicant's Name: Homestar Bank & Financial Services
   - Land Owner's Name: Homestar Bank & Financial Services
   - Legal Counsel: William F. Smith

2. Location:
   - Property Location: Lots 21 Illinois Diversitech Campus
   - Township: Manteno Township
   - Parcel Number: 03-02-26-201-034
   - 911 Address: 420 Chestnut Street, Manteno
   - Existing Land Use: Vacant Parcel (Former State Hospital)
   - Existing Zoning: R2-High Density Residential District and PUD (ZBA 86-01) [ZBA 14-11]
   - Applicant Request: Rezoning to R2-General Industrial District

3. Dimensions:
   - Size of Parcel: 2.61 Acres
   - Road Frontage: 1400'
   - Parcel Depth: 450'
   - Parcel History: Created December 8, 1986

4. Existing Land Use Features:
   - Public Road: Mulberry, Linden, Evergreen, & Chestnut
   - Floodplain: None
   - Wetland: None

5. Surrounding Zoning:
   - North: 12-General Industrial & PUD
   - West: 12-General Industrial & PUD
   - South: 12-General Industrial & PUD
   - East: 12-General Industrial & PUD

6. Surrounding Land Use:
   - North: Industrial / residential
   - West: Industrial
   - South: Industrial
   - East: Industrial

7. Municipal Planning Boundary:
   - Nearest Municipality: Manteno
   - Distance: 1.5 miles

Location Map - Manteno Township
Location Map - Kankakee County
8. Comprehensive Plan Designation:
Kankakee County: Community Growth Area
Municipality: Industrial
Township: N/A

Distance to Public Services and Facilities:
Police Protection: Kankakee County — 13 miles
Fire Protection: Manteno Fire Protection District— 1 Mile
School District: Manteno School District — 1.5 Miles
Sewer: KARMA— Onsite
Water: Aqua Illinois, Inc.— Onsite

10. Miscellaneous Information:
County Board District: Eight (8) - Mrs. Peters