

Planning, Zoning, and Agriculture
Committee Meeting
October 24, 2007

Members Present

Mr. Stauffenberg, Ms. Hertzberger, Mr. Whitten, Mr. Hess, Mr. Scholl, Mr. Bertrand, Ms. McBride, Mr. Marcotte, Mr. Tripp, and Mr. James

Members Absent

Mr. Olthoff, and Mr. Washington

In Attendance

Mr. Kruse, Mr. McLaren, Michelle Sadler, Mike Van Mill, Delbert Skimerhorn, Jim Greenstreet, Mike Lamme, Sam Payton, Ann Brezinski, Godwin Akpan, and Veronica Akpan

1. Call to Order

The meeting was called to order by the Vice-Chairman, Mr. Stauffenberg, at 9:00 a.m. Quorum present.

2. Public Comment

Ms. Ann Brezinski spoke concerning ZBA Case #07-17.

3. Approval of Minutes

A motion to approve the minutes of October 10, 2007 was made by Mr. Whitten and seconded by Mr. Marcotte. Motion carried.

4. Zoning

• ZBA Case #07-17

Mr. Skimerhorn stated this is a request by Goddy Law Farms, Inc. which is owned by Godwin and Veronica Akpan, owners and applicants. They are present today with their attorney, Ann Brezinski. The request is to rezone a five acre parcel located in Section 14 of Pembroke Township from R-1 to C-1. The parcel is 165 feet wide and has a depth of 1328 feet. The purpose of the rezoning is to establish a grocery store/market on the property which would be located on the first floor, and the second floor would be a residence for either the owner or the caretaker of the market. They would like to raise produce to sell on the market on the remaining acreage. They would also like to establish training programs about organic farming for area youths. The original application also suggested that they would be raising goats on the property for sale and market, but it was determined that would not be allowed in the C-1 Zoning District, so they have dropped that. The property is located within a mile and a half of Hopkins Park and is currently vacant. There was one objector present at the Zoning Board of Appeals Hearing, Mayor Samuel Payton from Hopkins Park. He objected based on two criteria, the Village would not receive tax revenues from the market, and there are plenty of locations in or near the Village that are already zoned Commercial and the Village provides services to those locations. The Zoning Board of Appeals voted 6 ayes to 0 nays to approve.

Motion

A motion to concur with the Zoning Board of Appeals was made by Mr. Marcotte and seconded by Ms. Hertzberger.

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Discussion on the Motion

Ms. McBride stated she has a problem with this. She has nothing against businesses coming out to Hopkins Park. However, there is no security in that area; there is no lighting where this business would be located. She has a problem with safety.

Mr. Scholl stated he has a number of reservations. The Committee has asked public officials time and again to express their opinions. Here the Committee has a mayor coming forward and saying this does not concur with what the Village has in mind. It is within a mile and a half of the Village; and therefore, the Committee should give deference to the local government's opinion. He is also concerned with respect to living quarters above a business. The other reservation is that Pembroke Township and Hopkins Park are currently within the process of establishing a comprehensive plan. He would give deference to the mayor's request that the Committee deny this rezoning.

Ms. Hertzberger stated Ms. McBride does have a good point. She wondered if the Committee could make some things conditional as far as lighting is concerned. Is this property on well and septic?

Mr. Skimerhorn stated yes it is on well and septic.

Ms. Hertzberger asked what restricted commercial means.

Mr. Skimerhorn stated that is the County's lowest Commercial Zoning District. There are 75 permitted uses in that particular zoning; they are less intense commercial uses.

Ms. Hertzberger asked if that zoning allows residential living.

Mr. Van Mill stated when the Committee looks at the two commercial districts; the lower district is more inclined to attract the local areas. The higher commercial is highway orientated, higher volumes of traffic that sort of thing.

Ms. Hertzberger stated as far as zoning is concerned could the Committee have a caveat to say that they have to certain lighting.

Mr. Van Mill stated when the Planning Department reviews this there are some aspects of the Zoning Ordinance that will come into play. When someone makes a commercial operation, there is off street parking and certain lighting requirements.

Mr. Stauffenberg stated the way he sees this is that the owner needs to have some land to grow the produce that he is going to sell, so to put this in a commercial district where there are already buildings the land isn't available. It is a catch-22 situation. The Zoning Board of Appeals does a pretty adamant job of going through the processes.

Ms. McBride asked if the owner is going to provide security.

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Ms. Brezinski stated that is one of the reasons that the owner or the caretaker would reside on the premises to address the security issue to some extent.

Vote on the Motion

Motion carried. Mr. Scholl and Ms. McBride are opposed.

5. Planning

• **Appointment of Kankakee County Regional Planning Commission Member**

Mayor Payton stated with his experiences that he has had over the past years he feels we would be a great asset to the Regional Planning Commission.

Mr. Van Mill stated he would strongly recommend Mayor Payton as a member of the Regional Planning Commission.

A motion to appoint Mayor Sam Payton to the Regional Planning Commission was made by Mr. Scholl and seconded by Ms. McBride. Motion carried.

6. Old/ New Business

None

7. Adjournment

A motion to adjourn the meeting at 9:16 a.m. was made by Ms. McBride and seconded by Mr. Marcotte. Motion carried.

Jim Stauffenberg, Vice-Chairman

Stephanie Jackson, Executive Coordinator