

**ORDINANCE NO. 13-28**

**AN ORDINANCE REZONING A PART OF LOTS 1 AND 2 OF SOUTH CREEK SUBDIVISION, SIXTH ADDITION, FROM A C-2 COMMERCIAL DISTRICT TO I-1 LIGHT INDUSTRIAL DISTRICT**

TIMOTHY O. NUGENT

Village President

TIMOTHY J. BOYCE  
TODD CROCKETT  
DIANE DOLE  
JOEL GESKY  
SAMUEL J. MARTIN  
WENDELL PHILLIPS

Trustees

ALISA BLANCHETTE

Village Clerk

Prepared by  
LOUIS F. CAINKAR, LTD.  
Village Attorney

**ORDINANCE NO. 13-28**

**AN ORDINANCE REZONING A PART OF LOTS 1 AND 2 OF SOUTH CREEK SUBDIVISION, SIXTH ADDITION, FROM A C-2 COMMERCIAL DISTRICT TO I-1 LIGHT INDUSTRIAL DISTRICT**

WHEREAS, the Village of Manteno is a non-home rule municipality duly created and existing under the laws of the State of Illinois;

WHEREAS, Voortman USA Corporation, ("Petitioner"), purchaser of the real property commonly identified as a part of Lots 1 & 2 of the South Creek Subdivision, 6<sup>th</sup> Addition, Manteno, Illinois, ("Subject Property"), petitioned the Village of Manteno to rezone the Subject Property from a C-2 Commercial District to an I-1 Light Industrial District;

WHEREAS, on January 14, 2014, pursuant to notice, a public hearing was held before the Plan Commission of the Village of Manteno on Petitioner's request to rezone the Subject Property. The Plan Commission did consider all testimony and exhibits and, thereafter, recommended that the amendment be adopted through Plan Commission Recommendation No. PC-REZ-13-01;

WHEREAS, the corporate authorities of the Village of Manteno, having Plan Commission Recommendation No. PC-REZ-13-01, do hereby find that the proposed rezoning is reasonable, appropriate and in its best interests.

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of Manteno, Kankakee County, Illinois, as follows:

**Section 1**

The findings set forth in Plan Commission Recommendation No. PC-REZ-13-01 are adopted as the findings of the corporate authorities of the Village of Manteno and are incorporated herein as a part of this Ordinance.

**Section 2**

The real property identified as a part of Lots 1 & 2 of the South Creek Subdivision, 6<sup>th</sup> Addition, Manteno, Illinois and legally described as follows:

A part of Lots 1 and 2 of South Creek, Sixth Addition, being a Subdivision of part of the Northwest Quarter and the Southwest Quarter of Section 21, Township 31 North, Range 12 East of the Third Principal Meridian, Kankakee County, Illinois,

described as follows: Beginning at the Southwest corner of said Lot 1; thence North 20°49'55" East along the Westerly line of said Lot 1 a distance of 43.29 feet; thence North 21°42'15" East along the Westerly line of said Lot 1 a distance of 148.09 feet; thence South 69°10'05" East on a line parallel with the Southerly line of said Lot 1 a distance of 397.75 feet to the Easterly line of said Lot 1; thence South 20°49'55" West along the Easterly line of said lots 1 and 2 a distance of 392.82 feet; thence North 69°10'05" West on a line parallel with the Northerly line of said Lot 2 a distance of 400.00 feet to the Westerly line of said Lot 2; thence North 20°49'55" East along said Westerly line a distance of 201.46 feet to a point of beginning, containing 3.60 acres more or less, SUBJECT TO rights-of-way for roads, drainage and easements apparent or of record; P.I.N.: 03-02-21-300-017 & 03-02-21-100-020;

be rezoned from a C-2 Commercial Zoning District to the I-1 Light Industrial Zoning District.

**Section 3**

The rezoning provided for herein shall be contingent and effective upon the recording of the final plat of resubdivision, as approved by the Corporate Authorities of the Village of Manteno, in the offices of the Kankakee County Recorder.

**Section 4**

If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

**Section 5**

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict herewith.

**Section 6**


This ordinance shall be immediately in full force and effect after passage, approval, and publication. This ordinance is authorized to be published in pamphlet form.

PASSED by the President and Board of Trustees of the Village of Manteno, Illinois and deposited in the office of the Village Clerk this 20th day of January, 2014.

DEPOSITED with the Village Clerk  
this 21st day of January, 2014.

  
ALISA BLANCHETTE, Village Clerk

APPROVED by me this 21st  
day of January, 2014.

  
TIMOTHY O. NUGENT, Village President

I DO HEREBY CERTIFY that this Ordinance was, after its passage and approval, published in pamphlet form by authority of the Village of Manteno, in accordance with law, this 21st day of January, 2014.

  
ALISA BLANCHETTE, Village Clerk

PLANNING COMMISSION RECOMMENDATION NO. 13-11

**FINDINGS OF FACT AND RECOMMENDATION OF THE PLAN COMMISSION OF THE VILLAGE OF MANTENO FOR THE REZONING OF THE PROPERTY OWNED BY CENTRUE BANK, AND PETITIONED BY THE PURCHASER, VOORTMAN USA CORPORATION, FROM C-2 COMMERCIAL TO I-1 LIGHT INDUSTRIAL.**

Upon the petition of Voortman USA Corporation, ("Petitioner"), purchaser of the real property commonly known as a part of Lots 1 & 2 South Creek Subdivision 6<sup>th</sup> Addition, Manteno, Illinois, ("Subject Property"), to be rezoned from C-2 Commercial to I-1 Light Industrial, and after a public hearing on said Petition held before the Plan Commission of the Village of Manteno on January 14<sup>th</sup>, 2014, pursuant to duly published notice in accordance with the law, all interested persons having testified or otherwise participated therein, the said Plan Commission of the Village of Manteno hereby finds:

**Findings of Fact**

The Plan Commission of the Village of Manteno does hereby find that:

1. Petitioner is the purchaser of the Subject Property currently located in Manteno, Illinois and legally described as follows:

A part of Lots 1 and 2 of South Creek, Sixth Addition, being a Subdivision of part of the Northwest Quarter and the Southwest Quarter of Section 21, Township 31 North, Range 12 East of the Third Principal Meridian, Kankakee County, Illinois, described as follows: Beginning at the Southwest corner of said Lot 1; thence North 20°49'55" East along the Westerly line of said Lot 1 a distance of 43.29 feet; thence North 21°42'15" East along the Westerly line of said Lot 1 a distance of 148.09 feet; thence South 69°10'05" East on a line parallel with the Southerly line of said Lot 1 a distance of 397.75 feet to the Easterly line of said Lot 1; thence South 20°49'55" West along the Easterly line of said lots 1 and 2 a distance of 392.82 feet; thence North 69°10'05" West on a line parallel with the Northerly line of said Lot 2 a distance of 400.00 feet to the Westerly line of said Lot 2; thence North 20°49'55" East along said Westerly line a distance of 201.46 feet to a point of beginning, containing 3.60 acres more or less, SUBJECT TO rights-of-way for roads, drainage and easements apparent or of record.

P.I.N.: 03-02-21-300-017 & 03-02-21-100-020

2. The Petitioner has duly filed its petition with the Village Clerk requesting that the Subject Property be rezoned from C-2 Commercial to I-1 Light Industrial.

3. The proposed rezoning will not be injurious to the public health, welfare, safety or morals and will not otherwise have an adverse impact on property values in the vicinity of the Subject Property.

4. The proposed rezoning will not interfere with or impede the orderly development of other properties in the vicinity of the Subject Property.

5. The Subject Property, as rezoned, will be served adequately by public facilities and services such as streets, public utilities and drainage structures.

6. The proposed rezoning is necessary and useful at the location of the Subject Property.

7. The proposed rezoning will conform as near as possible to the comparable existing uses in the zoning districts adjacent to or near the Subject Property.

### *Conclusions and Recommendation*

THEREFORE, the Plan Commission of the Village of Manteno does hereby conclude and recommend that:

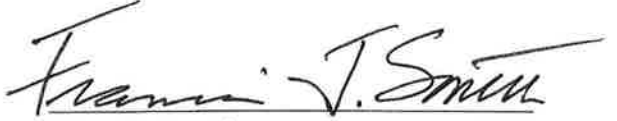
The subject property known as a part of Lots 1 & 2 South Creek Subdivision 6<sup>th</sup> Addition, and legally described as follows:

A part of Lots 1 and 2 of South Creek, Sixth Addition, being a Subdivision of part of the Northwest Quarter and the Southwest Quarter of Section 21, Township 31 North, Range 12 East of the Third Principal Meridian, Kankakee County, Illinois, described as follows: Beginning at the Southwest corner of said Lot 1; thence North 20°49'55" East along the Westerly line of said Lot 1 a distance of 43.29 feet; thence North 21°42'15" East along the Westerly line of said Lot 1 a distance of 148.09 feet; thence South 69°10'05" East on a line parallel with the Southerly line of said Lot 1 a distance of 397.75 feet to the Easterly line of said Lot 1; thence South 20°49'55" West along the Easterly line of said lots 1 and 2 a distance of 392.82 feet; thence North 69°10'05" West on a line parallel with the Northerly line of said Lot 2 a distance of 400.00 feet to the Westerly line of said Lot 2; thence North 20°49'55" East along said Westerly line a distance of 201.46 feet to a point of beginning, containing 3.60 acres more or less, SUBJECT TO rights-of-way for roads, drainage and easements apparent or of record; P.I.N.: 03-02-21-300-017 & 03-02-21-100-020;

Be rezoned from C-2 to the I-1 Zoning District.

The Official Zoning Map of the Village of Manteno shall be amended in accordance herewith.

Passed by the Plan Commission of the Village of Manteno at a Regular Meeting thereof held on the 14<sup>th</sup> day of January, 2014, and approved by me as Chairman on the same day.

  
Francis Smith  
Plan Commission Chairman

ATTEST:   
Deputy Village Clerk