

VILLAGE OF HOMEWOOD



BOARD AGENDA MEMORANDUM

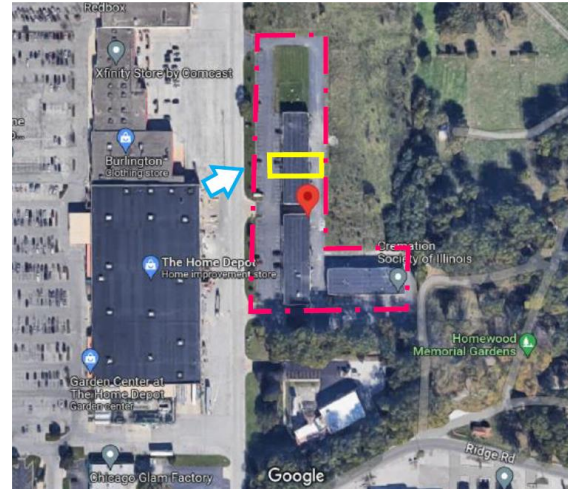
DATE OF MEETING: August 22, 2023

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Angela Mesaros, Director of Economic and Community Development

Topic: Special Use Permit for a Crematorium in the M-1 Limited Manufacturing District for “Manna Crematory” at 17803 Bretz Drive



PURPOSE

The applicant, Jeffrey N. Sachs, requests a special use permit to operate a crematorium “Manna Crematory” within a vacant 1,800 square foot commercial condominium in Building C of the Homewood Business Park Condominium, at 17803 Bretz Drive, in the M-1 Limited Manufacturing zoning district.

The proposed location is one unit within a multi-tenant commercial business park with three buildings. Other uses within the buildings include a plumbing contractor, a baseball academy, a crematorium, a brewery and taproom, and a baseball bat manufacturer (Homewood Bat).

The Homewood Zoning Ordinance classifies a crematorium as a special use in the M-1 District to allow the Planning and Zoning Commission to evaluate each requested special use permit individually and to consider the impact of the proposed use on neighboring properties and the public need for the proposed use at the subject location.

PROCESS

In 2008, the Zoning Ordinance was amended to allow a crematorium as a special use permit in the M-1 District. The Village granted a special use permit to the Cremation Society of Illinois to operate in the southeast building of the Homewood Business Park on Bretz Drive (17859 Bretz Drive). The crematorium is in operation and has recently expanded.

Section 44-04-10 (b) of the Village of Homewood Zoning Ordinance sets standards for all crematoriums that include minimum spacing from residential properties, schools or public playgrounds, parks, or recreational areas; exterior doors must remain closed so that the cremator/retort shall not be visible from any public right-of-way; all business vehicles containing human remains may not be visible from any public right-of-way; and the crematorium shall comply with all applicable State and Federal laws and regulations.

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At its regular meeting, on August 10, 2023, the Homewood Planning & Zoning Commission reviewed the request for a special use permit. The Commission, with six members present, voted four ayes to two nays. Four affirmative votes are needed for a recommendation to approve the application.

At the hearing, members of the audience spoke against the application stating that the business owner has never operated a crematory and with concerns about safety issues with the operation of the crematory. The treasurer of the condominium association stated that the applicant's lease had not been approved by the association.

Commissioners who voted against this application stated that the special use criteria had not been met and that the applicant had not provided answers to questions and concerns from the audience and Commission. In addition, the applicant does not have the required certifications and qualifications to operate the crematorium.

Those members in support of the proposal stated that this application is similar to the previous application for a crematory, which has had no issues since its opening, and that it would be compatible with adjacent uses.

OUTCOME

The Planning and Zoning Commission reviewed the application, heard testimony by the applicant's representative, and considered the applicant's response to the Standards for a Special Use. The following Findings of Fact were incorporated into the record:

- The subject property is located at 17803 Bretz Drive;
- The property is leased by the Manna Crematory, LLC of Burns Harbor, Indiana;
- The property is zoned M-1 Limited Manufacturing;
- The proposed use is regulated by State and Federal guidelines;
- The applicants must abide by the standards in Section 44-04-10b of the Village of Homewood Zoning Ordinance; and
- The proposed use is compatible with the adjacent uses.

FINANCIAL IMPACT

- **Funding Source:** N/A
- **Budgeted Amount:** N/A
- **Cost:** N/A

LEGAL REVIEW

Completed

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RECOMMENDED BOARD ACTION

Pass an ordinance granting a special use permit for a Crematorium on application by Jeffery N. Sachs, "Manna Crematory" at 17803 Bretz Drive, in the M-1 Limited Manufacturing zoning district, with the condition that the applicant must comply with all local, State, and Federal certifications and licenses.

ATTACHMENT(S)

Ordinance