

PLAN AND ZONING COMMISSION
MEETING MINUTES
September 7, 2021

CALL TO ORDER: The meeting was called to order at 7:03pm on Tuesday September 7, 2021.

Abby Heckman stated the chair was not present and therefore an acting chair needed to be nominated.

Buchanan moved to nominate Robert DeAtley as the acting chair. DeAtley seconded the motion. ROLL CALL. 5-0. Motion Passed.

ROLL CALL:

Members Present: Robert DeAtley, Bob Buchanan, Mike Buzicky, Earl Seamands, and Steve Briney.

Members Absent: Jay Roloff and Damian Spencer.

Others Present: Village Attorney Joe Chamley, Community Development Director Kelly Pfeifer and Planner Abby Heckman.

PUBLIC COMMENT: No one came forward.

REVIEW/APPROVE MINUTES: JUNE 1, 2021
JULY 6, 2021

Buchanan moved to approve the June 1, 2021 meeting minutes as submitted. Briney seconded the motion. ROLL CALL. 5-0. Motion Passed.

Briney moved to approve the July 6, 2021 meeting minutes as submitted. Buchanan seconded the motion. ROLL CALL. 5-0. Motion Passed.

PUBLIC HEARINGS:

BRIDLEBROOK ADULT COMMUNITIES LLC

A RESOLUTION CONCERNING A REQUEST TO TERMINATE THE PUD DESIGNATION FOR 7.8± ACRES OF LAND LOCATED SOUTH OF PATTON DRIVE AND NORTH OF DELANE DRIVE BETWEEN HEATHER DRIVE AND CHURCHILL ROAD, COMMONLY KNOWN AS THE BRIDLEBROOK PUD

Kelly Pfeifer asked if there was anyone on the call that was interested in the Bridlebrook PUD termination.

Abby Heckman stated that there didn't appear to be anyone on the call that was interested but if there was then they needed to speak up. Noone indicated in the room or on the call that they wanted to speak to the Bridlebrook case.

Kelly Pfeifer introduced the information in the staff memo. Originally it was planned that all of the land in the Bridlebrook PUD would work together as one entity. Since that time, property interests have sold to separate entities, so they are no longer working together. A developer is interested in developing the land between the assisted living facility and the eight (8) villa homes. The Villa homes would like to separate and provide their property maintenance through a company that they contract with directly.

Noone from the public was present to speak to the public hearing.

Buzicky moved to close the public hearing for Bridlebrook PUD Termination. Buchanan seconded the motion. ROLL CALL. 5-0. Motion Passed.

CU2021-01: 203 and 205 E OAK STREET (CLAYTON CLARK, CONTRACT PURCHASER)
A RESOLUTION CONCERNING A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW MIXED-USE COMMERCIAL WITH A RESIDENTIAL COMPONENT ON 0.48± ACRES OF LAND ZONED C-2 GENERAL COMMERCIAL, COMMONLY KNOWN AS 203 AND 205 E OAK STREET, MAHOMET

Kelly Pfeifer introduced information in the staff memo. The plan is for two (2) buildings with each building having two (2) commercial units on the ground floor and up to three (3) apartments on the upper floor. The resolution is prepared to include restrictions on uses that staff identified as having excessive traffic or other uses that may not be compatible with residential.

Clayton Clark, petitioner, stated he could answer any questions and that the site plan presented is fairly set. Additional building renderings were presented as options for the exterior which has not been decided on.

Curt Mitchem, 603 Center Street, asked if there were four (4) total apartments planned above the buildings.

Clayton Clark stated there would be four to six (4-6) apartments.

Abby Heckman stated they only have room for a total of four (4) bedrooms above each building because of parking limitations. That could be two (2) two (2) bedroom apartments or two (2) one (1) bedroom apartments and one (1) two (2) bedroom apartment.

Curt Mitchem asked what the square footage was of each floor per building.

Clayton Clark answered that each floor would be about 2,800 square feet.

Curt Mitchem stated that parking would be limited and they may run out of spaces and asked if the alley would be improved.

Abby Heckman stated that improvements to the alley would be made as part of the project by the developer along the alley frontage of his property to the east to Center Street.

Ruth Westfall, 206 E Sangamon Street, asked about the alley west of the property.

Abby Heckman stated the alley exists and would remain.

Ruth Westfall said it would be torn up.

Abby Heckman stated the alley was Village right-of-way which the Village was responsible for maintaining.

Curt Mitchem stated the neighborhood was old and the concept drawings showed a hip roof which would be more desired over a more modern design.

Clayton Clark stated the drawings were conceptual and he agreed that the design should complement the design of the buildings in the area.

Curt Mitchem stated he knew that this would develop and if what is there now was torn down it would be an improvement. Parking was a concern.

Abby Heckman stated that there is typically no parking in alleys and there will be no parking along US 150 so staff views parking as somewhat self regulating as the owner would need to make sure there is enough parking for the businesses that he leases to.

Curt Mitchem talked more about parking.

Abby Heckman stated that the number of parking spaces shown is compliant with Village requirements.

Curt Mitchem asked about hours of operation for the businesses.

Kelly Pfeifer staff was not recommending limiting hours of operation and that there is public parking opportunities near the police station because of the basketball court park that is on Center Street. Details of the site plan were presented. In the short term the property where the house will come down could be used for parking.

Mr. DeAtley stated parking regulations would limit the uses that could go in there.

Abby Heckman stated that most of the business uses allowed in the C2 zoning district fall under our general rule of one (1) space per 300 square feet of floor area and multiple family requires two (2) spaces per dwelling unit.

Kelly Pfeifer stated the project was going to be done in two (2) phases and the owner will be able to control how many dwelling units to make sure the minimum parking requirements are met.

Clayton Clark stated that he is up for feedback related to the building design and that he will continue to review to see if more parking will fit.

Mr. Buchanan stated that maybe some parallel parking could be added along the shared drive.

Ruth Westfall stated concern for the building design, lack of windows and the nuisance of the people that could live there.

Clayton Clark stated he is still working on the design and wants it to be nice.

Kelly Pfeifer stated that windows are required in all bedrooms so there will be windows and retail spaces typically want more glass. The building design is two (2) story.

Ruth Westfall stated she envisioned that the people living on the site would be associated with the business.

Kelly Pfeifer stated that the rental of the apartments is not limited to the business proprietor or owner.

Mr. DeAtley asked if there were any other comments and if not would entertain a motion to close the public hearing.

Mr. Buzicky asked for more information about how the commercial spaces would be split up.

Kelly Pfeifer stated that it is shown as two (2) set spaces but encouraged more of a vanilla box that would allow flexibility on the size of the commercial space but the developer will be able to respond to the market as desired.

Clayton Clark stated that he plans to take one (1) side of the first building for his plumbing office but it is possible that there could be just one (1) use if someone wanted the whole space.

Mr. Buzicky stated he hopes this is successful and agreed that the exterior building design should fit the neighborhood.

Buchanan moved to close the public hearing for CU2021-01. Briney seconded the motion. ROLL CALL. 5-0. Motion Passed.

Joe Chamley stated that they could go straight into the action item for the conditional use and come back to the other public hearing.

RESOLUTIONS and MOTIONS (TO BE ACTED UPON):

CU2021-01: 203 and 205 E OAK STREET (CLAYTON CLARK, CONTRACT PURCHASER)
A RESOLUTION CONCERNING A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW MIXED-USE COMMERCIAL WITH A RESIDENTIAL COMPONENT ON 0.48± ACRES OF LAND ZONED C-2 GENERAL COMMERCIAL, COMMONLY KNOWN AS 203 AND 205 E OAK STREET, MAHOMET

Mr. Buchanan asked if there was a possibility the ground floor could convert to a residence.

Kelly Pfeifer stated the site plan indicates retail office on the ground floor.

Joe Chamley referenced the resolution that refers to the site plan.

Kelly Pfeifer stated that the site plan shows the uses for the ground floor spaces not as residential. The conditions within the resolution were discussed. Other conditions that the Commission would like could be added.

Mr. DeAtley went through the resolution findings of fact.

Joe Chamley wanted clarification if they wanted language added to address the residential limited to the second floor.

Mr. DeAtley stated he understood the reference to the site plan addressed that because of the reference to commercial on the first floor.

Mr. Buchanan agreed.

Buchanan moved to recommend approval of the requested conditional use CU2021-01 with the findings of fact and additional conditions as stated below. Briney seconded the motion. ROLL CALL. 5-0. Motion Passed.

BE IT THEREFORE RESOLVED this 7th day of September, 2021 by the Plan and Zoning Commission of the Village of Mahomet that:

1. The Plan and Zoning Commission does hereby recommend the Board of Trustees **GRANT** the requested Conditional Use Permit for mixed-use development at the above described property.
2. The Plan and Zoning Commission does hereby further state that the conditional use shall be subject to the following conditions:
 - a. The first phase of site development must substantially comply with the Site Plan as presented to the PZC (Site Plan dated September 7, 2021).
 - b. The second phase of development must substantially comply with the Site Plan as presented to the PZC (Site Plan dated September 7, 2021) by the addition of a second similar building mirrored on the west lot.
 - c. The existing residential home structure must be demolished within two (2) years of the approval of any related Site Construction Plans for any part of the site. At the time of demolition, the underlying land must be graded and seeded unless construction of the second phase of development is underway.
 - d. A driveway permit must be obtained from IDOT related to the site access (existing approach) from Oak Street (US 150).
 - e. The following uses are prohibited with the site for the requested Conditional Use:
 1. Automobile service station, automobile repair, gas station, vehicle sales and lot, vehicle storage lot, or other similar auto or vehicle-oriented use;
 2. Hotel or motel;
 3. Animal hospital or clinic or animal boarding;
 4. Nursery, pre-kindergarten, kindergarten, play, special and other private school or day care center
 - f. The site must obtain Site Development Plan approval prior to the start of any site construction, except for demolition of existing structures.
 - g. All activities must be carried out in accordance with the appropriate Village, State, and Federal permits and rules and regulations. Any conflicts between the permit applications and the Site Plan must be resolved with the appropriate agencies.
 - h. The site must comply with all applicable provisions of the Zoning Ordinance.
 - i. The adjacent alley to Center Street needs to be improved to Village standards prior to the construction of the second building.
3. The Plan and Zoning Commission does hereby confirm the following findings of fact regarding the requested Conditional Use Permit:
 - a. The establishment, maintenance, or operation of the Conditional Use **WILL NOT** be detrimental to or endanger the public health, safety, morals, comfort or general welfare;
 - b. The conditional use **WILL NOT** be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor substantially diminish and impair property values within the neighborhood;

- c. The establishment of the conditional use **WILL NOT** impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
 - d. Adequate utilities, access roads, drainage, and/or other necessary facilities **WILL** be provided;
 - e. The conditional use **DOES** in all other respects conform to the applicable regulations of the district in which it is located;
 - f. There **IS** a public necessity for the conditional use at this site;
 - g. The proposed conditional use **DOES** conform with the intent of the Village Comprehensive Plan.
 - h. The proposed conditional use **WILL** be compatible with the established land use pattern in the vicinity.
 - i. The site **IS** suitable for the proposed conditional use.
 - j. The proposed conditional use **WILL NOT** significantly adversely impact existing traffic patterns.
 - k. Adequate facilities for municipal water supply and wastewater disposal **ARE** available for the site.
 - l. Adequate provisions for stormwater drainage **ARE** available for the site.
 - m. The proposed conditional use **WILL NOT** adversely impact police protection, fire protection, schools, or public facilities.
 - n. The proposed conditional use **WILL NOT** conflict with existing public commitments for planned public improvements.
 - o. The proposed conditional use **WILL** preserve the essential character of the neighborhood in which it is located.
 - p. The proposed conditional use **WILL NOT** alter the population density pattern and **WILL NOT** adversely impact public facilities.
 - q. The proposed conditional use **WILL** result in private investment that will be beneficial to the proper development of the community.
4. The approval recommended above shall be subject to the fulfillment of the conditions set forth in Item 2 above. In the event that these conditions are not fulfilled, the Conditional Use Permit may become void and no occupancy permit for the project may be issued, or the occupancy permit previously issued may be revoked.

Abby Heckman stated that the action tonight was not the final decision for this case. The case would be presented to the Board of Trustees for discussion at their study session in two (2) weeks and then the first opportunity for final action would be at the BOT meeting in three (3) weeks.

Kelly Pfiefer stated that the public hearing was over but if anyone would like to submit information to the BOT in advance of the hearing, they could do that.

Mr. DeAtley stated that while the aesthetics of the project aren't addressed in this action that the developer has expressed on record that he is open to feedback.

Clayton Clark said that his contact information could be provided to others and that he would like feedback so the project can look as good as possible.

BRIDLEBROOK ADULT COMMUNITIES LLC

A RESOLUTION CONCERNING A REQUEST TO TERMINATE THE PUD DESIGNATION FOR 7.8± ACRES OF LAND LOCATED SOUTH OF PATTON DRIVE AND NORTH OF DELANE DRIVE BETWEEN HEATHER DRIVE AND CHURCHILL ROAD, COMMONLY KNOWN AS THE BRIDLEBROOK PUD

Kelly Pfeifer talked about the history of the PUD and how the Bridlebrook PUD was intended to function and how it is currently functioning. The Villa owners would like the PUD terminated so they can take care of their own shared services. The vacant landowner would also like the PUD terminated. Staff is working to contact the Assisted Living Center owner to present the termination option but this was delayed due to the facility going into foreclosure. The resolution is prepared with a condition that requires all landowners to sign that they agree with the termination. The Village Attorney has been in contact with the very new facility owner to explain the termination request.

DeAtley moved to recommend approval of the Bridlebrook PUD termination with the findings of fact as stated below. Buzicky seconded the motion. ROLL CALL. 5-0. Motion Passed.

BE IT THEREFORE RESOLVED this 7th day of September, 2021, by the Plan and Zoning Commission of the Village of Mahomet, that:

- A. The Plan and Zoning Commission does hereby recommend **APPROVAL** of the complete termination of the Bridle Brook PUD.
- B. The approval of the termination of the Bridle Brook PUD should be contingent upon the following conditions:
 - 1. Submission of all necessary documentation in proper form satisfactory to Village staff, Village Engineer and Village Attorney.
 - 2. Written consent of the termination of the Bridle Brook PUD by all owners of record of the land within said PUD.
 - 3. In the event that the termination of the Bridle Brook PUD is not completed, all supporting documents are not submitted in final form, or the conditions set forth above are not met within one hundred eighty (180) days from the date of approval by the Board of Trustees, the approvals recommended herein shall be null and void.

MAP2021-02 UNLIMITED VILLAS SUBDIVISION (FINAL PLAT – REPLAT)

A RESOLUTION CONCERNING A FINAL PLAT FOR UNLIMITED VILLAS SUBDIVISION ON 1.8± ACRES OF LAND LOCATED SOUTH OF PATTON DRIVE AND NORTH OF DELANE DRIVE APPROXIMATELY 230 FEET WEST OF CHURCHILL ROAD

Kelly Pfeifer introduced the information in the staff memo. The developer is proposing 16 attached single-family residences which is consistent with the housing that exists on the south side of Delane Drive. There will be no shared drives with the existing Villa homes and the proposed homes. The developer is in the room and can answer any questions.

Briney moved to recommend approval of MAP2021-02 with the findings of fact as stated below. DeAtley seconded the motion. ROLL CALL. 5-0. Motion Passed.

BE IT THEREFORE RESOLVED this 7th day of September, 2021, by the Plan and Zoning Commission of the Village of Mahomet, that:

- A. The Plan and Zoning Commission does hereby recommend **APPROVAL** of the **Unlimited Villas Subdivision** upon completion of modifications identified by the Village staff and does hereby authorize the Chairman to sign the said Replat upon completion of said modifications.
- B. The approval of the subdivision recommended above is further subject to the following conditions:
 - 1. Submission of all supporting documentation in proper form
 - 2. Termination of the PUD is required prior to recording of the subdivision plat
 - 3. The approval of the subdivision recommended above is further subject to the review and approval of the Final Plat and supporting documents as applicable by other relevant agencies and utility service providers.
 - 4. In the event that the modifications to the Final Plat are not completed, the outside agency reviews are not completed, all supporting documents are not submitted in final form, or the conditions set forth above are not met within one hundred eighty (180) days from the date of approval by the Board of Trustees, the approvals recommended herein shall be null and void.

Kelly Pfeifer stated that this case would be presented at a special Board meeting next week for consideration.

MAP2021-01(LSRD2021-01): THORNEWOOD LSRD SUBDIVISION PHASE 1(FINAL PLAT)
A RESOLUTION CONCERNING A FINAL PLAT FOR THORNEWOOD LSRD SUBDIVISION PHASE 1 ON 12.85± ACRES OF LAND LOCATED AT THE CURRENT SOUTH END OF BRIARWOOD LANE AND NORTH OF BRIAR CLIFF SUBDIVISION

Kelly Pfeifer presented information from the staff memo. The petitioner's engineer is on the call if there are any questions.

Mr. DeAtley asked about the speed hump planned and asked if there would be any signage indicating the hump.

Kelly Pfeifer stated there will be pavement markings painted for the speed hump.

Pat Moone, engineer with Farnsworth, stated the Ameren easement vacation is working its way through Ameren but they expect it to go through.

Mr. Buzicky wanted information about the connection with Briar Cliff Subdivision.

Kelly Pfeifer stated the emergency access / bikepath portion that is within Thornewood is in an outlot that will be owned by the HOA and the portion within Briar Cliff is in an easement on HOA property. The Village will maintain the pathway which will be restated in the subdivision Owner's Certificate.

Buchanan moved to recommend approval for MAP2021-01 final plat for Thornewood LSRD Subdivision Phase 1 with the findings of fact as stated below. Buzicky seconded the motion. ROLL CALL. 5-0. Motion Passed.

BE IT THEREFORE RESOLVED this 7th day of September, 2021 by the Plan and Zoning Commission of the Village of Mahomet, that:

- A. The Plan and Zoning Commission does hereby recommend **APPROVAL** of the Final Plat for the **Thornewood LRSD Subdivision Phase 1** upon completion of modifications identified by the Village staff and does hereby authorize the Chairman to sign the Certificate of Approval of said Plat upon completion of said modifications.
- B. The approval of the Final Plat recommended above is further subject to the following conditions:
 - 1. *Submission of all supporting documentation in proper form*
 - 2. *Subject to the review and approval of the Final Plat and supporting documents as applicable by other relevant agencies and utility service providers.*
 - 3. *In the event that the modifications to the Final Plat are not completed, the outside agency reviews are not completed, all supporting documents are not submitted in final form, or the conditions set forth above are not met within one hundred eighty (180) days from the date of approval by the Board of Trustees, the approvals recommended herein shall be null and void.*

COMMISSIONER / STAFF COMMENTS:

Abby Heckman stated staff expects an October PZC meeting.

Joe Chamley stated that he expects the meeting next month will allow Zoom meetings to continue.

ADJOURN:

Buchanan moved to adjourn the meeting. Buzicky seconded the motion. ROLL CALL. 5-0. The meeting was adjourned at 8:26 pm.

Respectfully,
Abby Heckman, Planner