

PLAN AND ZONING COMMISSION
MEETING MINUTES
December 7, 2021

CALL TO ORDER: The meeting was called to order at 7:00pm on Tuesday December 7, 2021.

ROLL CALL:

Members Present: Jay Roloff, Robert DeAtley, Bob Buchanan, Mike Buzicky, and Steve Briney.

Members Absent: Earl Seamands.

Patrick Brown stated that Daimen Spencer resigned from the Commission.

Others Present: Village Attorney Joe Chamley, Village Administrator Patrick Brown, Village Engineer Ellen Hedrick and Planner Abby Heckman.

PUBLIC COMMENT: No one came forward.

PUBLIC HEARINGS:

ZA2021-06: UNLIMITED HOLDINGS LLC

A RESOLUTION CONCERNING A REZONING FOR 18.9± ACRES OF LAND FROM R1B SINGLE-FAMILY RESIDENTIAL DISTRICT TO R1C SINGLE-FAMILY RESIDENTIAL DISTRICT LOCATED SOUTHWEST OF THE INTERSECTION OF SOUTH MAHOMET ROAD AND COUNTY ROAD 425E AND WITHIN THE UNDEVELOPED PORTION OF HARVEST EDGE SUBDIVISION

Abby Heckman presented information provided in the staff memo. The request is related to changes proposed to the South Mahomet Road roadway and expected railroad crossing.

Jake Frerichs, developer representative, stated the original Area General Plan showed attached homes. The proposed Area General Plan shows only detached single-family homes.

Mr. Roloff asked if there were any comments submitted related to the case.

Abby Heckman stated that one letter had been submitted and it was requested that the letter be read into the public record as follows:

PUBLIC COMMENTS REGARDING REZONING HEARING
APPLICATION ZA2021-06 BY UNLIMITED HOLDINGS LLC

Submitted by: William and Mary Moehring, 1910 Littlefield Lane, Mahomet, IL (Harvest Edge Lot # 124)

Date Submitted: December 7, 2021

As current residents of Harvest Edge since August 2018, we have several concerns about the proposed rezoning application and would like to comment as follows:

General Comments:

G1: The Village Staff Report on this application page 1, "Site Location / Details" states: "The petitioner would like to rezone the subject property to provide a transitional residential zoning district between the R-1B zoned area of the subdivision that will remain within Harvest Edge Subdivision and the adjacent South Mahomet Road and County Road 425E due to the fact that homes adjacent to the higher traffic roads can be less desirable for future lot owners." We would argue that the petitioner knew of the property location, surrounding roads, and existing zoning when they bought the property and that, if anything, the volume of traffic adjacent to Harvest Edge on South Mahomet Road and CR 425E has been greatly reduced by the resurfacing of Sunny Acres Road, thus negating the petitioner's concerns about

“higher traffic roads”. In addition, the existing homeowners on R-1B lots in Harvest Edge bought their lots assuming that the lots would all remain R-1B lots.

G2: The Village Staff Report on this application page 2, Streets and Sidewalks states: “One additional entrance to the subdivision is proposed along County Road 425 East”. This is referring to the extension of Country Ridge Drive east all the way to CR 425E. While it is not clear when this will occur, we would hope that this will be completed along with the development of streets for Phase II. Otherwise, all construction traffic will continue to be forced to use Littlefield Lane. We think we can speak for other current residents on Littlefield Lane that we are ready to be done with construction vehicles and equipment disrupting our lives and potential safety in getting in and out of Harvest Edge.

G3: The Village Staff Report on this application page 2, Streets and Sidewalks states: “No other entrances are proposed along South Mahomet Road”. This is referring to the elimination of two planned entrances in the original plat for Harvest Edge, leaving Littlefield Lane as the only entrance along South Mahomet Road and result in even more traffic on Littlefield Lane with such traffic greatly increasing over the years as new phases of construction are completed. We therefore ask whether it would be possible to add an entrance along South Mahomet Road at either lot 220 or 339? It should also be noted that the existing homeowners in Harvest Edge bought their lots assuming that there would be three entrances along South Mahomet Road.

G4: What assurance do we have that the petitioner will not come back later and request that additional areas within Harvest Edge be rezoned from R-1B to R-1C or another district?

Comments Regarding Findings of Fact:

12: We would argue that the requested rezoning will delay the development of the remaining undeveloped R-1B lots since prospective purchasers of those lots would now know that Harvest Edge would ultimately contain R-1C lots that would sell for less and include less expensive homes, thereby reducing the fair value of their home if they were to buy an R-1C lot.

13: The proposed rezoning will significantly adversely impact existing traffic patterns unless Country Ridge Drive east is extended all the way to CR 425E as part of developing the streets for Phase II.

14: The proposed rezoning will significantly adversely impact fire protection unless Country Ridge Drive east is extended all the way to CR 425E as part of developing the streets for Phase II. It is not safe to have only one entrance to a subdivision for fire protection.

19, 20, 21, and 22: As the rezoning request includes the addition of several smaller, R-1C lots on which smaller, lower value homes will be built and as the total number of lots within Harvest Edge will therefore be increased, (19) the living conditions within Harvest Edge will be adversely influenced by the resulting higher density, (20) the essential character of the Harvest Edge neighborhood will not be preserved as the new R-1C lots will contain smaller, lower value homes and the total number of lots within Harvest Edge will be increased, (21) the population density of Harvest Edge will be significantly altered by increasing the total number of lots within the subdivision, and (22) the value of our home and other existing R-1B lot owners within Harvest Edge will be diminished by the proposed zoning as the new R-1C lots will contain smaller, lower value homes and the total number of lots within Harvest Edge will be increased.

Abby Heckman stated that Mary Moehring was present and may want to speak further.

Mary Moehring stated their biggest concern was access, traffic and home sizes.

Jake Frerichs stated phase 2 construction of the subdivision would have a construction entrance that will also allow for use by emergency entrance. Zero-lot homes are no longer in the plan. The plan meets Cornbelt and

Village of Mahomet requirements for access. The subdivision is still bound by the same covenants related to home sizes.

Briney moved to close the public hearing for ZA2021-06 Unlimited Homes LLC. DeAtley seconded the motion. ROLL CALL. 5-0. Motion Passed.

ZA2021-07: VICTOR J FUENTES

A RESOLUTION CONCERNING A REZONING FOR 14.79± ACRES OF LAND FROM R1A SINGLE-FAMILY RESIDENTIAL DISTRICT TO AG AGRICULTURE DISTRICT LOCATED NORTHEAST OF THE INTERSECTION OF COPPERHILL DRIVE AND COUNTY ROAD 325E COMMONLY KNOWN AS 402 COPPERHILL DRIVE

Abby Heckman presented information provided in the staff memo.

Mr. Buzicky asked if the reasoning for the rezoning was to put up new accessory buildings.

Abby Heckman stated staff thought it was to possibly allow for expansion of existing accessory structures and it would allow animal uses on the site.

Mr. Buzicky asked if staff was concerned about it being adjacent to residential.

Abby Heckman stated staff was not concerned and the property owners most effected to the west has submitted a letter in support of the rezoning request. The agriculture zoning would be existing prior to any development of property to the north.

Mr. Buzicky stated it was hard to know what animal uses might happen there.

Abby Heckman stated that the existing covenants related to animal uses for Country Ridge South Subdivision would still apply.

Mr. DeAtley stated he was surprised that staff was supporting this request in light of residential development planned to surround this site.

Abby Heckman stated that even though our comprehensive plan shows residential development to the south of this site staff does not see development expanding to the south due to infrastructure constraints. Copperhill Drive is at the top of the hill and getting sanitary sewer to serve to the south of this site, or over the hill, would be very significant given the lower cost and desire for gravity sanitary sewer service.

Roloff moved to close the public hearing for ZA2021-07 Victor J Fuentes. Buchanan seconded the motion. ROLL CALL. 5-0. Motion Passed.

ZA2021-08: PARKHILL ENTERPRISES LLC

A RESOLUTION CONCERNING A REZONING UPON ANNEXATION FOR 0.34± ACRES OF LAND FROM COUNTY R-5 MOBILE HOME PARK DISTRICT TO VILLAGE C-2 GENERAL COMMERCIAL DISTRICT LOCATED NORTHEAST OF THE INTERSECTION OF PRAIRIEVIEW ROAD AND TIN CUP ROAD

Abby Heckman presented information provided in the staff memo.

Mr. Roloff asked if there was anyone that wanted to speak to the rezoning request.

Louis Luksander, 1100 Pearl Drive, asked if the Plan and Zoning Commission has created a Comprehensive Plan and has the ability to approve subdivisions.

Mr. Roloff stated the PZC would make a recommendation for subdivisions to the Board of Trustees for formal approval.

Louis Luksander asked if it was required to report to the County since they have jurisdiction.

Joe Chamley stated the case was a rezoning upon annexation.

Mr. Roloff stated the rezoning wouldn't happen until it was annexed into the Village.

Louis Luksander asked if it was correct that the Village has no power to implement zoning until it is annexed.

Abby Heckman stated yes, that is correct.

Louis Luksander stated that Illinois Municipal Code allows the PZC to act in an advisory role and asked if the petitioner had the right to go to the County to ask for a rezoning.

Mr. Roloff stated that yes, the petitioner could go to the County but this process would be more streamlined if annexation is also being considered.

Louis Luksander asked if the Village could recommend the petitioner go to the County for rezoning.

Jay Roloff stated the Village was looking at the zoning for when the property was annexed into the Village but he has the option to go to the County.

Louis Luksander stated he appreciated the work on this.

Roloff moved to close the public hearing for ZA2021-08 Parkhill Enterprises LLC. DeAtley seconded the motion. ROLL CALL. 5-0. Motion Passed.

CU2021-02: JODI AND ADAM KIMBALL

A RESOLUTION CONCERNING A CONDITIONAL USE PERMIT TO ALLOW A SELF-STORAGE / MINI-WAREHOUSE FACILITY ON 4.7± ACRES OF LAND ZONED C-2 GENERAL COMMERCIAL LOCATED ON THE NORTH SIDE OF CLARK STREET APPROXIMATELY 230 FEET WEST OF PRAIRIEVIEW ROAD

Abby Heckman presented information provided in the staff memo.

Mr. DeAtley asked if the petitioner had indicated that a dust-free surface was a deal breaker for the project.

Abby Heckman stated the petitioner was present and could answer any questions related to the project. Surfaces proposed for the project were indicated on the site plan.

Mr. Buchanan stated he would like to know the section of the ordinance that calls out recycled asphalt.

Abby Heckman stated the ordinance only states dust-free surface and that the Community Development Director and Village Engineer believes the surface meets the intent of the ordinance but conditions could be added related to the surface.

Mr. Buchanan stated he serves as an IDOT Certified Aggregate Technician and does gradations on types of aggregates. He stated he can guarantee that the surface is not dust-free. He stated in the past we have held other developers to a concrete or asphalt surface.

Abby Heckman stated the Commission could decide what surface it appropriate and the development directly to the south of this site is all concrete.

Mr. Buchana stated he felt strongly about this and that any future residential that may be in this area would not be happy.

Adam Kimball stated his engineer feels the surface meets the ordinance and Cornbelt drives big trucks on it and it has worked out well for them.

Roloff moved to close the public hearing for CU2021-02 Jodi and Adam Kimball. Briney seconded the motion. ROLL CALL. 5-0. Motion Passed.

RESOLUTIONS and MOTIONS (TO BE ACTED UPON):

ZA2021-06: UNLIMITED HOLDINGS LLC

A RESOLUTION CONCERNING A REZONING FOR 18.9± ACRES OF LAND FROM R1B SINGLE-FAMILY RESIDENTIAL DISTRICT TO R1C SINGLE-FAMILY RESIDENTIAL DISTRICT LOCATED SOUTHWEST OF THE INTERSECTION OF SOUTH MAHOMET ROAD AND COUNTY ROAD 425E AND WITHIN THE UNDEVELOPED PORTION OF HARVEST EDGE SUBDIVISION

Mr. Roloff went through the findings of fact on the resolution provided.

Mr. Roloff stated there was a resolution in the packet and went over the findings of fact in the resolution.

Buchanan moved to recommend granting of the requested rezoning ZA2021-06 with the findings of fact as stated below. Roloff seconded the motion. ROLL CALL. 5-0. Motion Passed.

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

A. The Plan and Zoning Commission does hereby further set forth the following findings of fact concerning the requested zoning amendment:

1. The procedural requirements for zoning establishment or amendment HAVE been met.
2. The proposed zoning DOES conform with the intent of the Village Comprehensive Plan.
3. The proposed zoning IS consistent with the proposed use of the site.
4. The proposed zoning WILL be compatible with the established land use pattern in the vicinity.
5. The proposed zoning DOES NOT create an isolated, unrelated zoning district.
6. The site IS suitable for the uses allowed in the proposed zoning district.
7. The proposed zoning WILL be consistent with the health, safety and general welfare of the public.
8. Major land uses in the neighborhood HAVE NOT changed since zoning was applied to this site.
9. The proposed zoning IS consistent with the existing zoning designations in the surrounding area.

10. The proposed zoning WILL NOT be contrary to the original purpose and intent of the Zoning Ordinance.
 11. The proposed zoning WILL NOT be injurious to the use and enjoyment of adjacent properties.
 12. The proposed zoning WILL promote the orderly development of the site and surrounding properties.
 13. The proposed zoning WILL NOT significantly adversely impact existing traffic patterns.
 14. Adequate facilities for municipal sanitary sewage disposal and water supply ARE available for the site.
 15. Adequate provisions for stormwater drainage ARE available for this site.
 16. The proposed zoning WILL NOT adversely impact police protection or fire protection.
 17. The proposed zoning WILL NOT significantly adversely impact schools or other public facilities.
 18. The proposed zoning WILL NOT conflict with existing public commitments for planned public improvements.
 19. The proposed zoning WILL NOT adversely influence living conditions in the immediate vicinity.
 20. The proposed zoning WILL preserve the essential character of the neighborhood in which it is located.
 21. The proposed change WILL NOT significantly alter the population density pattern.
 22. The value of adjacent property WILL NOT be diminished by the proposed zoning.
 23. The proposed zoning WILL enhance the value of the petitioner's property.
 24. The proposed zoning WILL NOT constitute an entering wedge affecting the use or development of adjacent property.
 25. If denied, the petitioner WILL suffer deterioration to his or her property value.
 26. The proposed zoning DOES NOT correct an error in the original zoning of this site.
 27. If the property is currently vacant, the length of time the property has remained vacant as zoned HAS been considered in the context of land development in the area and in the vicinity of the subject property.
 28. The proposed change in zoning WILL result in private investment that would be beneficial to the development or redevelopment of a vacant property or deteriorated neighborhood.
 29. There IS a need in the community for additional land within the requested zoning district.
 30. The proposed zoning WILL NOT adversely impact agricultural farming operations in the vicinity of this site.
 31. The proposed rezoning IS consistent with Village Comprehensive Plan policies concerning the protection of prime farmland when appropriate.
 32. The proposed rezoning WILL NOT result in long term adverse environmental consequences to natural areas and wildlife habitat.
 33. The LaSalle Factors for evaluation of zoning decisions HAVE been considered during the review of this proposed rezoning request.
- B. The Plan and Zoning Commission does hereby recommend that the Board of Trustees of the Village of Mahomet GRANT the requested zoning map amendment for the subject property from R-1B Single-Family Residential to R-1C Single-Family Residential district.

AGP2021-01 HARVEST EDGE SUBDIVISION

A RESOLUTION CONCERNING AN AREA GENERAL PLAN FOR 42.37± ACRES OF LAND LOCATED SOUTHWEST OF THE INTERSECTION OF SOUTH MAHOMET ROAD AND COUNTY ROAD 425E

Abby Heckman presented information provided in the staff memo. The proposed AGP is related to the rezoning request that was just acted on. This amended AGP is in response to the changes to the location of South Mahomet Road that the Board of Trustees has already approved. The staff memo stated there would be an increase in lots from 168 to 176 but that is incorrect based on information provided by the petitioner. Lots for

the proposed AGP would increase the home lots from 168 to 170. A development agreement will be presented to the BOT at a future meeting that will include elements of this plan.

Mr. Buzicky asked if connection to CR425E in the first phase was considered.

Rob Frerichs stated it was considered but the connection is a higher cost that would need to be done after the first phase.

Mr. Roloff asked for any questions and there were none.

Mr. Roloff went through the findings of fact on the resolution provided.

DeAtley moved approve AGP2021-01 Harvest Edge Subdivision with the findings of fact as stated below. Buchanan seconded the motion. ROLL CALL. 5-0. Motion Passed.

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

1. The Plan and Zoning Commission DOES hereby approve the Area General Plan for Harvest Edge Subdivision prepared by Bryan Bradshaw, BKB Engineering, Inc., dated October 26, 2021 and does hereby authorize the Chair to affix his signature upon the Plan indicating such approval.
2. The approval granted in item 1 above is subject to incorporation of all the minor modifications identified by the Village staff.
3. The approval granted in item 1 above is subject to the understanding that any infrastructure items shown on the Area General Plan are conceptual in nature and are subject to final design and review by the Village as part of later stages of the review of this development.
4. The approval granted in item 1 above is granted with the understanding that the Area General Plan is intended to provide a general indication of the overall layout of the site and that modifications to the final layout may occur as part of the final development process, as reviewed and approved by the Village of Mahomet, including lot sizes to comply with underlying zoning.
5. The approval granted in item 1 above is not intended to confer or recommend any waivers, deferrals or variances to the Ordinances of the Village of Mahomet.

ZA2021-07: VICTOR J FUENTES

A RESOLUTION CONCERNING A REZONING FOR 14.79± ACRES OF LAND FROM R1A SINGLE-FAMILY RESIDENTIAL DISTRICT TO AG AGRICULTURE DISTRICT LOCATED NORTHEAST OF THE INTERSECTION OF COPPERHILL DRIVE AND COUNTY ROAD 325E COMMONLY KNOWN AS 402 COPPERHILL DRIVE

Mr. Roloff asked if there were any additional comments from the Commissioners.

Mr. Roloff went through the findings of fact on the resolution provided.

Briney moved to recommend granting of the requested rezoning ZA2021-07: Victor J Fuentes with the findings of fact as stated below. Roloff seconded the motion. ROLL CALL. 2-3 (Buchanan, Buzicky, DeAtley). Motion Failed.

BE IT THEREFORE RESOLVED this 4th day of January, 2022 by the Plan and Zoning Commission of the Village of Mahomet that:

A. The Plan and Zoning Commission does hereby further set forth the following findings of fact concerning the requested zoning amendment:

1. The procedural requirements for zoning establishment or amendment HAVE been met.
2. The proposed zoning DOES conform with the intent of the Village Comprehensive Plan.
3. The proposed zoning IS consistent with the proposed use of the site.
4. The proposed zoning WILL be compatible with the established land use pattern in the vicinity.
5. The proposed zoning DOES NOT create an isolated, unrelated zoning district.
6. The site IS suitable for the uses allowed in the proposed zoning district.
7. The proposed zoning WILL be consistent with the health, safety and general welfare of the public.
8. Major land uses in the neighborhood HAVE NOT changed since zoning was applied to this site.
9. The proposed zoning IS consistent with the existing zoning designations in the surrounding area.
10. The proposed zoning WILL NOT be contrary to the original purpose and intent of the Zoning Ordinance.
11. The proposed zoning WILL NOT be injurious to the use and enjoyment of adjacent properties.
12. The proposed zoning WILL promote the orderly development of the site and surrounding properties.
13. The proposed zoning WILL NOT significantly adversely impact existing traffic patterns.
14. Adequate facilities for municipal sanitary sewage disposal and water supply ARE available for the site.
15. Adequate provisions for stormwater drainage ARE available for this site.
16. The proposed zoning WILL NOT adversely impact police protection or fire protection.
17. The proposed zoning WILL NOT significantly adversely impact schools or other public facilities.
18. The proposed zoning WILL NOT conflict with existing public commitments for planned public improvements.
19. The proposed zoning WILL NOT adversely influence living conditions in the immediate vicinity.
20. The proposed zoning WILL preserve the essential character of the neighborhood in which it is located.
21. The proposed change WILL NOT significantly alter the population density pattern.
22. The value of adjacent property WILL NOT be diminished by the proposed zoning.
23. The proposed zoning WILL enhance the value of the petitioner's property.
24. The proposed zoning WILL NOT constitute an entering wedge affecting the use or development of adjacent property.
25. If denied, the petitioner WILL suffer deterioration to his or her property value.
26. The proposed zoning DOES NOT correct an error in the original zoning of this site.
27. If the property is currently vacant, the length of time the property has remained vacant as zoned HAS been considered in the context of land development in the area and in the vicinity of the subject property.
28. The proposed change in zoning WILL result in private investment that would be beneficial to the development or redevelopment of a vacant property or deteriorated neighborhood.
29. There IS a need in the community for additional land within the requested zoning district.
30. The proposed zoning WILL NOT adversely impact agricultural farming operations in the vicinity of this site.
31. The proposed rezoning IS consistent with Village Comprehensive Plan policies concerning the protection of prime farmland when appropriate.
32. The proposed rezoning WILL NOT result in long term adverse environmental consequences to natural areas and wildlife habitat.
33. The LaSalle Factors for evaluation of zoning decisions HAVE been considered during the review of this proposed rezoning request.

B. The Plan and Zoning Commission does hereby recommend that the Board of Trustees of the Village of Mahomet GRANT the requested zoning map amendment for the subject property from R-1A Single-Family Residential to AG Agricultural district.

Mr. Roloff stated that given the previous action didn't pass is there an alternative motion and findings of fact.

Mr. Briney stated that none of the other Commissioners spoke up earlier when we went through the findings of fact.

Mr. Buchanan stated his biggest issue was that the properties around this are residential.

Abby Heckman stated the property to the north is within the Village limits and is zoned residentially. The property to the west has an existing residence and submitted a letter of support. The property to the north is a County property zoned for ag use.

Patrick Brown asked the Commission what was wrong with agriculturally zoned properties adjacent to residential areas given there are agricultural properties adjacent on the edge of town all over.

Mr. Roloff stated the property to the east is in the Village and zoned ag.

Abby Heckman stated she spoke casually on the phone with the property owner to the south and she was just getting clarifying information and did not express opposition to the rezoning over the phone.

Mr. Buzicky stated there wasn't enough information to determine if proposed ag would affect the planned residential to the north.

Mr. DeAtley stated he would like to prevent conflict between residential and ag uses in the future and that covenants could be changed or expire.

Abby Heckman stated some covenant changes the Village has control over and some changes the Village does not have control.

Mr. DeAtley stated he would have a different position on findings 2 and 9. He suspects that a denial won't pass either given it was 2-3.

Mr. Roloff asked the Village Attorney if the Commission can send the recommendation as it is.

Joe Chamley stated if the Commission wants to give it to the BOT as is then they could.

Jenny Park, attorney for petitioner, spoke up to state that she was actually in attendance for a different case but this petitioner is also her client. She asked if the Commission would be willing to table the issue to the next month to allow her client to provide more information to help with their decision.

Buzicky moved to table the requested rezoning action item for ZA2021-07: Victor J Fuentes to the next meeting so the petitioner can provide comments and the recorded covenants can be reviewed. Briney seconded the motion. ROLL CALL. 4-1 (DeAtley). Motion Passed.

ZA2021-08: PARKHILL ENTERPRISES LLC

A RESOLUTION CONCERNING A REZONING UPON ANNEXATION FOR 0.34± ACRES OF LAND FROM COUNTY R-5 MOBILE HOME PARK DISTRICT TO VILLAGE C-2 GENERAL COMMERCIAL DISTRICT LOCATED NORTHEAST OF THE INTERSECTION OF PRAIRIEVIEW ROAD AND TIN CUP ROAD

Mr. Roloff asked if there were any additional comments from the Commissioners.

Mr. Roloff went through the findings of fact on the resolution provided.

Roloff moved to recommend granting of the requested rezoning ZA2021-08: Parkhill Enterprises LLC 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 December, 2021 by the Plan and Zoning Commission of the Village of Mahomet that:

- A. The Plan and Zoning Commission does hereby further set forth the following findings of fact concerning the requested zoning amendment upon annexation:
1. The procedural requirements for zoning establishment or amendment HAVE been met.
 2. The proposed zoning DOES conform with the intent of the Village Comprehensive Plan.
 3. The proposed zoning IS consistent with the proposed use of the site.
 4. The proposed zoning WILL be compatible with the established land use pattern in the vicinity.
 5. The proposed zoning DOES NOT create an isolated, unrelated zoning district.
 6. The site IS suitable for the uses allowed in the proposed zoning district.
 7. The proposed zoning WILL be consistent with the health, safety and general welfare of the public.
 8. Major land uses in the neighborhood HAVE changed since zoning was applied to this site.
 9. The proposed zoning IS consistent with the existing zoning designations in the surrounding area.
 10. The proposed zoning WILL NOT be contrary to the original purpose and intent of the Zoning Ordinance.
 11. The proposed zoning WILL NOT be injurious to the use and enjoyment of adjacent properties.
 12. The proposed zoning WILL promote the orderly development of the site and surrounding properties.
 13. The proposed zoning WILL NOT significantly adversely impact existing traffic patterns.
 14. Adequate facilities for municipal sanitary sewage disposal and water supply ARE available for the site.
 15. Adequate provisions for stormwater drainage ARE available for this site.
 16. The proposed zoning WILL NOT adversely impact police protection or fire protection.
 17. The proposed zoning WILL NOT significantly adversely impact schools or other public facilities.
 18. The proposed zoning WILL NOT conflict with existing public commitments for planned public improvements.
 19. The proposed zoning WILL NOT adversely influence living conditions in the immediate vicinity.
 20. The proposed zoning WILL preserve the essential character of the neighborhood in which it is located.
 21. The proposed change WILL NOT significantly alter the population density pattern.
 22. The value of adjacent property WILL NOT be diminished by the proposed zoning.
 23. The proposed zoning WILL enhance the value of the petitioner's property.
 24. The proposed zoning WILL NOT constitute an entering wedge affecting the use or development of adjacent property.
 25. If denied, the petitioner WILL suffer deterioration to his or her property value.
 26. The proposed zoning DOES NOT correct an error in the original zoning of this site.

27. If the property is currently vacant, the length of time the property has remained vacant as zoned HAS been considered in the context of land development in the area and in the vicinity of the subject property.
 28. The proposed change in zoning WILL result in private investment that would be beneficial to the development or redevelopment of a vacant property or deteriorated neighborhood.
 29. There IS a need in the community for additional land within the requested zoning district.
 30. The proposed zoning WILL NOT adversely impact agricultural farming operations in the vicinity of this site.
 31. The proposed rezoning IS consistent with Village Comprehensive Plan policies concerning the protection of prime farmland when appropriate.
 32. The proposed rezoning WILL NOT result in long term adverse environmental consequences to natural areas and wildlife habitat.
 33. The LaSalle Factors for evaluation of zoning decisions HAVE been considered during the review of this proposed rezoning request.
- B. The Plan and Zoning Commission does hereby recommend that the Board of Trustees of the Village of Mahomet GRANT the requested zoning map amendment upon annexation for the subject property from County R-5 Manufactured Home Park to Village C-2 General Commercial district.

MIP2021-02: PARKHILL ENTERPRISES DEVELOPMENT SUBDIVISION (WAIVER / DEFERRAL REQUEST)
A RESOLUTION CONCERNING A WAIVER (DEFERRAL) REQUEST FOR A MINOR SUBDIVISION ON 18.2± ACRES OF LAND LOCATED NORTHEAST OF THE INTERSECTION OF PRAIRIEVIEW ROAD AND TIN CUP ROAD

Abby Heckman presented information provided in staff memo.

Mr. Roloff asked if resubdivision of lot 102 would have to come back before the PZC before anything could happen.

Abby Heckman stated the request does not permit administrative approval for resubdivision of lot 102.

Mr. Roloff went through the findings of fact.

Roloff moved to recommend approval of the requested waivers/deferrals for MIP2021-02: Parkhill Enterprises Development Subdivision 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 December, 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 deferral of the full requirements of the Subdivision Ordinance for the Final Plat for the Parkhill Enterprises Development Subdivision and the execution of same by the Administrative Review Committee, if they deem appropriate.
- B. The approval of the deferral recommended above is further subject to the following conditions:
 - a. The Final Plat, as proposed, shall be recorded identifying Lot 101 and Lot 102 with covenants that require lot 101 to be developed in compliance with all Village ordinances and regulations and resubdivision required before any development can occur on lot 102
 - b. The Final Plat, as proposed, shall be approved and signed by the members of Administrative Review Committee if substantially conforming to proposed Plat and meeting all other requirements for notifications, consultations and the receipt of required reports

- c. Annexation of the portion of the Property to be subdivided shall be recorded prior to the recording of the Final Plat.

PV403 DEVELOPMENTS LLC (WAIVER / DEFERRAL REQUEST)

A RESOLUTION CONCERNING A WAIVER (DEFERRAL) REQUEST FOR 26.04± ACRES OF LAND LOCATED ON THE WEST SIDE OF PRAIRIEVIEW ROAD AND ON THE NORTH SIDE OF CLARK STREET

Abby Heckman presented information provided in staff memo. This is the parent parcel on which the land area included in the CU2021-02 conditional use request is located.

Patrick Brown stated that the Village Attorney and the petitioner's attorney have talked at length and have agreed on the terms as presented. The parent parcel owner is not ready to submit a plan for development at this time.

Abby Heckman stated that the Village Attorney feels as though Village interests are protected and this would allow some flexibility to the Kimballs to start their project without the remaining parent parcel land to be included in the subdivision.

Joe Chamley agreed and is a win-win.

Mr. Buchanan stated that in past the discussions it was indicated that there would be dedication of right-of-way but now is indicated as a 39-foot easement.

Abby Heckman stated yes that has changed. The petitioner would be the effected property owner and any development they propose in the future may not happen if the 39-foot access is not adequate. The access easement does serve the same purpose as far as providing a secondary access point to get car to Clark Street.

Patrick Brown stated is offers flexibility for access but the property owner doesn't have plans at this time.

Abby Heckman stated that the functionality of the access easement could be addressed with subdivision recording documents.

Mike Buzicky asked about the shared drainage.

Abby Heckman stated that staff has looked at the drainage for the property preliminarily but no site plan for the self-storage site has been officially submitted for review. Our consulting engineer has evaluated the drainage for the self-storage site and believes there is adequate capacity but any future development of the remaining land will require further evaluation and possible changes to the drainage pond for future capacity needs.

Mr. Roloff asked for a motion on the provided resolution.

Roloff moved to recommend approval of the requested waivers/deferrals for PV403 Development LLC with the findings of fact as stated below. Briney seconded the motion. ROLL CALL. 5-0. Motion Passed.

BE IT THEREFORE RESOLVED this 7th day of December, 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 request for the waiver from the full requirements of the Subdivision Ordinance to PV403 Developments LLC ("Owner") to allow for the

subdivision of a portion of the property located within the northeast quarter of the southwest quarter of Section 13, Township 20 North, Range 7 East of the Third Principal Meridian, Champaign County, Illinois (identified by the Champaign County Assessor as a part of the PIN 15-13-13-300-001) (“Subdivided Land”).

- B. The following waivers, conditions and contingencies are recommended to be included, but for this transaction only:
1. Waive the area general plan phase, preliminary plat phase, construction plan phase and final plat phase for major subdivision and any and all requirement for a minor plat of subdivision for the Remaining Property.
 2. Allow a metes and bounds legal description to transfer the Subdivided Land from the Property, thereby the remaining portion of the larger parcel will be approximately 21.348 acres (“Remaining Property”).
 3. Allow for the platting and development of the Subdivided Land by Developer after closing between Owner and Developer.
 4. That the Remaining Property will not be considered in violation of the Subdivision Ordinances.
 5. Owner shall have the right and ability to present any and all future final subdivision requests including such platting as may be desired by Owner for the Remaining Property. Any minimum time period before future minor or other subdivision requests is waived.
 6. Developer shall have the right to apply for a subdivision and development of only the Subdivided Land without any requirement or inclusion of the Remaining Property.
 7. The Remaining Property may not be developed until Owner further plats the Remaining Property in accordance with then current Village subdivision ordinance. Owner shall have the right to apply for a subdivision and development of only the Remaining Property without any requirement or inclusion of the Subdivision Land.
 8. That any subdivision or development of the Subdivided Land shall include an access easement of at least 39 feet in width over the Subdivided Land from Clark Street to such new property line on the north, but no public right of way shall be required to be dedicated adjacent to the Remaining Property.
 9. There shall be shared detention via recorded document which runs with the Subdivided Land and the Remaining Property which such shared detention basin is located on the existing pond within the Remaining Property.
 10. Kimball subdivision, a one or two lot subdivision, of 4.692 acres is recorded within 1 year of today’s date. If the final plat of the Subdivided Land is not recorded within 1 year of today’s date, all waivers (for benefit of Remaining Property or Subdivided Land) contained herein are revoked and void, retroactively.
 11. All improvements required for Clark Street will be the responsibility of Kimball Subdivision to construct or obtain waivers or deferrals.

CU2021-02: JODI AND ADAM KIMBALL

A RESOLUTION CONCERNING A CONDITIONAL USE PERMIT TO ALLOW A SELF-STORAGE / MINI-WAREHOUSE FACILITY ON 4.7± ACRES OF LAND ZONED C-2 GENERAL COMMERCIAL LOCATED ON THE NORTH SIDE OF CLARK STREET APPROXIMATELY 230 FEET WEST OF PRAIRIEVIEW ROAD

Mr. Buzicky suggested that a seal coat over the recycled asphalt may provide a dust-free surface.

Adam Kimball stated that could be an option if that is what is needed to secure the use.

Patrick Brown stated there have been disagreements in the past on this surface. The surface has to be dust free so the developer could work with staff to determine what is needed.

Mr. Buchanan stated the Cornbelt facility surface referenced is not on a publicly used site. It is a private drive used to access their training facility. The site under consideration is a commercial site where the public will be

moving around freely. He doesn't know of any other commercial site in Mahomet that uses the surface proposed.

Mr. Roloff stated that the concern is whether the surface proposed is truly dust free and item f in the resolution states it has to be dust-free.

Ellen Hedrick stated that if the surface isn't dust free then it would cause problems for the Kimballs because all of there buildings would be dirty.

Mr. Roloff stated the resolution is clear and if the surface isn't dust-free then the site would be out of compliance with the conditional use.

Patrick Brown stated that Chad Seiben was on the Zoom chat and had comments.

Chad Seiben, owner of Bulldog Storage which is on the property to the south, stated he had comments related to the related subdivision plat up for preliminary discussion next on the agenda.

Adam Kimball stated he was alright with the conditions but wanted the word privacy removed from condition e.

Mr. Roloff went through the findings of fact.

Roloff moved to recommend granting of the requested conditional use CU2021-02: Jodi and Adam Kimball with the findings of fact as stated below. Briney seconded the motion. ROLL CALL. 4-1 (Buchanan). Motion Passed.

BE IT THEREFORE RESOLVED this 7th day of December, 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 commercial and self-service storage / mini-warehouse facility 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. A subdivision is required to create lots ready for development. The site must comply with all applicable provisions of the Subdivision Ordinance or waivers granted thereof.
 - b. An approved Site Development Plan is required before any excavation on the property. A building permit is required for each building and must be compliant with all Village regulations.
 - c. Site development must substantially comply with the Site Plan as presented to the PZC (Site Plan dated December 7, 2021).
 - d. Driveway approach locations (within the public right-of-way) are subject to compliance review and approval.
 - e. Fencing must be provided around the perimeter of the self-storage area of the site as indicated on the attached Site Plan.
 - f. Drive lanes and parking areas on the site must be constructed of a solid, dust-free surface that will ensure that none of the surface will be tracked off site by vehicles and site maintenance operations.
 - g. The site must comply with all applicable provisions of the Zoning Ordinance.
 - h. 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.

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.

PRELIMINARY DISCUSSION:

KIMBALL SUBDIVISION (FINAL PLAT) – DISCUSSION OF SUBDIVISION DEVELOPMENT AND POTENTIAL WAIVERS FOR A TWO LOT SUBDIVISION ON 4.7± ACRES OF LAND LOCATED ON THE NORTH SIDE OF CLARK STREET APPROXIMATELY 230 FEET WEST OF PRAIRIEVIEW ROAD

Abby Heckman stated the property for preliminary discussion was discussed during the previous conditional use case.

Adam Kimball went through the potential list of waivers and how they relate to the upcoming subdivision plat. Details of expected improvements in the right-of-way and in the 39-foot access easement area.

Patrick Brown stated staff supports 1 and 4.

Ellen Hedrick stated staff is not ok with number 2 and 3. One of the reasons to have a functional cul-de-sac for turn arounds of stray traffic from interstate. Recycled asphalt in the cul-de-sac would be torn up.

Abby Heckman stated there may be changes to the waiver list due to the details of the actual construction plans. Biggest issues would be sidewalks and the delay of infrastructure. The PV403 waiver requires the plat to record within a year.

Adam Kimball talked about phasing and details of the subdivision infrastructure.

Ellen Hendrick stated a need for a sidewalk in this area is low but it is good to save space for it if it is needed in the future.

Chad Seiben, owner of adjacent Bulldog Storage, stated initial concerns was timing of the installation of the cul-de-sac due to access to his site. The cul-de-sac material is a concern. Description of how snow removal activities for the roadway happen. The aggregate surface may not hold up to plow activities and the impact to his site. He supports waiver 1 and would not want the other half-street roadway improvements. He would like consideration of vacation of the existing the right-of-way west of existing Clark Street.

Abby Heckman stated staff is aware of Chad Seiben's concerns and request related to the termination of Clark Street and vacation of excess right-of-way. Staff will communicate with Public Works for any design to verify functionality and maintainability of the roadway.

Mr. DeAtley stated he agreed with the pavement concerns. If there are no sidewalks put in, space should be saved.

Adam Kimball stated the cul-de-sac would be compliant with curbing but timing of when it is installed is in question.

Abby Heckman stated that staff is aware that temporary situations very often become permanent.

Mr. Buchanan asked when the cases from today would go to the Board.

Abby Heckman stated they would be presented at the study session next week and final decision possible at the regular Board meeting the following week.

COMMISSIONER / STAFF COMMENTS:

PROPOSED 2021 PZC / BOA MEETING SCHEDULE (DISCUSSION ONLY)

Abby Heckman stated the 2022 schedule was in the packet.

NEXT PZC MEETING – JANUARY 4, 2022

Abby Heckman stated there were agenda items for January. There will be two variances and two conditional uses.

ADJOURN:

DeAtley moved to adjourn the meeting. Roloff seconded the motion. ROLL CALL. 5-0. The meeting was adjourned at 9:32 pm.

Respectfully,
Abby Heckman, Planner