

PLAN AND ZONING COMMISSION
MEETING MINUTES
November 10, 2020

CALL TO ORDER: The meeting was called to order at 7:02pm on Tuesday November 10, 2020.

ROLL CALL:

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

Members Absent: None.

Others Present: Village Attorney Joe Chamley, Village Administrator Patrick Brown, Village Planner Kelly Pfeifer, and Planner Abby Heckman.

PUBLIC COMMENT: No one came forward.

REVIEW/APPROVE MINUTES: August 4, 2020 and September 1, 2020.

Mr. Roloff stated he would entertain a motion to approve the August minutes.

DeAtley moved to approve the August 4, 2020 as submitted. Buchanan seconded the motion. ROLL CALL. 6-0-1. Seamands abstained. Motion Passed.

Abby Heckman stated the September draft minutes had been emailed to the PZC members in advance of the meeting and the meeting packet posted online had been updated to include the September minutes.

Mr. Roloff stated he would entertain a motion to approve the September minutes.

Buchanan moved to approve the September 1, 2020 as submitted. Roloff seconded the motion. ROLL CALL. 5-0-2. Spencer and Buzicky abstained. Motion Passed.

PUBLIC HEARING:

LSRD2020-01: HUNTERS RIDGE LSRD SUBDIVISION

A RESOLUTION CONCERNING ESTABLISHMENT OF A LARGE SCALE RESIDENTIAL DEVELOPMENT ON 14.5± ACRES OF LAND LOCATED IMMEDIATELY NORTH OF OLIGER DRIVE AT CATES DRIVE, EAST OF SANDY RIDGE SUBDIVISION AND SOUTH OF INTERSTATE 74

Abby Heckman introduced the LSRD request and staff memo. She stated a public hearing is being held because it is a zoning issue and it was advertised in the paper on November 10th. She stated she had received no communication from the public regarding the request. She stated the land is the remaining undeveloped land within Hunters Ridge Subdivision. She stated that last LSRD done was for Sangamon Fields Subdivision. She stated that the LSRD regulations in the zoning ordinance outlines criteria to take the overall density that's allowed for the site and allows internal adjustments to lot sizes and setbacks to make the development work. She stated the request is consistent with the comprehensive plan which designates this area to be single family or two family and senior housing types. She stated all of the land is zoned R1C and restated the development area calculations in the staff memo. She stated the total allowed dwelling units would be 63 and the developer is proposing 55 dwellings. She stated total open space to be provided is just over an acre. She stated the park area was discussed with the previous rezoning request. She stated a preliminary plat which includes this land was approved August 2017 and it is still valid. She stated this request does not change the roadway layout or what we would expect for the drainage, and therefore the preliminary plat does not need to be amended to

apply the LSRD designation. She stated if this is approved and the developer decides to enter into a development agreement with the Village, once the agreement is approved, then the developer can go forward with final plats. She stated there are three (3) zoning variations: lot widths at the setback line of not less than 50.6 feet on the lots numbered 706 to 718, which back up to Interstate 74; lot areas of not less than 6,353 square feet on the lots numbered 708 to 715; and a minimum side yard setback of five feet except the sideyard setback reduction wouldn't apply for any of the lots around the perimeter of the subdivision. She stated the developers is proposing 3 common lot areas, lot 749 is the park area, a mid-block crosswalk between Cole Lane, Cates Drive, and Rapp Drive and the dry detention area that is at the northwest corner. She stated a resolution was prepared for your consideration. She stated she could answer any questions about the request. She stated the developer was present and could answer questions.

Mr. Roloff asked the petitioner for any additional comments.

Rob Frerichs, developer/owner, stated the homes recently put on Oliger Drive in Hunters Ridge Six are all averaging \$325,000 as will the next couple of builds we have started. He stated as they go north to finish the subdivision, they have struggled for many years now with what would be typical requests along the interstate like some type of row housing or zero-lot line dwellings like what's on the Timber Wolf Drive in the front of Hunters Ridge against US150 and the commercial area. He stated they were looking for an alternative to keep this area all detached single family. He stated he doesn't believe it was a good idea to try and sell \$325,000 homes that back up to Interstate 74. He stated this plan offers a buffer and transition from a little bit less of a home to the current homes which is what seems to be what the market is demanding. He stated in some regards they are grasping for more density, but in reality, I think we're really looking for less.

Abby Heckman stated that the developer is proposing less density than what would have been allowed through the LSRD process prior to the rezoning in July. She stated the rezoning had no bearing on this particular layout or what would have been allow.

Rob Frerichs stated he is thinking of the Windwood rowhouses that back up to Interstate 74 and are in the front of Hunters Ridge. He stated those types of row housing is what he is trying to avoid.

Mr. Roloff asked if there were any questions or comments from the public.

Kelly Pfeifer stated she was present at the Village Hall and no one from the public was there.

Mr. Roloff stated there was no one on the call that spoke up and that he would entertain a motion to close the public hearing.

DeAtley moved to close the public hearing. Buchanan seconded the motion. ROLL CALL. 7-0. Motion Passed.

RESOLUTIONS and MOTIONS (TO BE ACTED UPON):

LSRD2020-01: HUNTERS RIDGE LSRD SUBDIVISION

A RESOLUTION CONCERNING ESTABLISHMENT OF A LARGE SCALE RESIDENTIAL DEVELOPMENT ON 14.5± ACRES OF LAND LOCATED IMMEDIATELY NORTH OF OLIGER DRIVE AT CATES DRIVE, EAST OF SANDY RIDGE SUBDIVISION AND SOUTH OF INTERSTATE 74

Mr. Roloff stated there was a prepared resolution in the packet related to this Hunters Ridge LSRD. He stated there were three variations requested. He asked if there were any questions or comments on the resolution.

Mr. DeAtley asked staff to explain the difference between what would have been required and what's being requested.

Abby Heckman stated R1C requires a seven foot side yard setback which is a two foot difference, requires minimum lot areas of 8000 square feet, and minimum lot widths of 65 feet.

Rob Frerichs stated the variations would only apply to the lots that back up to Interstate 74.

Abby Heckman stated the rest of the lots would meet the R1C requirements.

Mr. Buzicky asked why some of the lots wouldn't meet the regular sideyard setback.

Kelly Pfeifer clarified that the petitioner was only requesting the variations on the small lots shown that back up to interstate 74 not the rest of the lots. She stated adding a reference to lots 706 to 718 at the end of items C3 in the resolution would be appropriate.

Rob Frerichs agreed with the clarification.

Abby Heckman stated the current wording after the 4 comma could be stricken and then add the qualifying language.

Mr. Roloff went over the wording changes to C3.

Kelly Pfeifer stated staff found it necessary for the PZC to go on record providing guidance for the development agreement about whether those three variation aspects of this plan are palatable to you. She stated the LSRD process is a tool to those variations.

Mr. DeAtley asked the developer his expectations on the value of the homes on the north end since they are considerably less lot. He stated he had some pause given the three requested variations on those lots.

Rob Frerichs stated he thought they would be around \$275,000. He stated row housing or duplex or zero lot line houses might be more typical for something up against the Interstate.

Mr. Roloff stated the variations made sense to him. He stated a \$275,000 house won't adversely affect the rest of the subdivision.

Rob Frerichs stated he is looking at the big picture and he has to sell 42 other lots next to these 13 lots.

Kelly Pfeifer stated she walked this site with the developer and the engineer a few weeks ago. She stated there is a big grade difference, so they'll either have daylight or a walk out type basement. She stated they will be narrower and likely three story with the way the topography is. She stated the interstate was very loud.

Mr. Roloff stated there was good news for triple pane windows.

Abby Heckman stated having the house a little closer and denser would likely provide a good sound barrier for the rest of the homes in the subdivision.

Rob Frerichs agreed.

Mr. Roloff asked if there were more questions or comments. He asked the Village Attorney if there could be one motion on all five parts of the resolution.

Joe Chamley answered yes if that is the will of the PZC.

Mr. Buchanan made a motion to recommend approval of the LSRD.

Abby Heckman asked for clarification to the motion to see if it was intended to be subject to the discussed amended wording to C3 of the resolution.

Mr. Buchanan stated yes.

Buchanan moved to recommend approval of the Hunters Ridge LSRD designation with the findings of fact as stated below. Briney seconded the motion. ROLL CALL. 7-0. Motion Passed.

BE IT THEREFORE RESOLVED this 10th day of November, 2020, by the Plan and Zoning Commission of the Village of Mahomet, that:

- A. The Plan and Zoning Commission does hereby recommend that the Village of Mahomet Board of Trustees APPROVE the establishment of a Large Scale Residential Development to be known as Hunters Ridge LSRD.
- B. The Plan and Zoning Commission does hereby recommend that the Village of Mahomet Board of Trustees APPROVE the Development Plan (Hunters Ridge Seventh Subdivision – 3 pages dated October 14, 2020) for the Hunters Ridge LSRD upon completion of minor modifications identified by the Village staff and does hereby authorize the Chairman to sign the Certificate of Approval of said Plan upon completion of said minor modifications.
- C. The Plan and Zoning Commission does hereby recommend the following to the Village of Mahomet Board of Trustees related to requested zoning requirement variations for the Hunters Ridge LSRD:
 - 1. **APPROVE** Allow lot widths, as measured along the front yard setback line, of not less than 50.6 feet (lots 706 to 718).
 - 2. **APPROVE** Allow lot areas of not less than 6,353 (lots 708 to 715).
 - 3. **APPROVE** Allow a minimum side yard setback requirement of 5 feet (lots 706 to 718).
- D. The Plan and Zoning Commission does further recommend the following actions concerning the Hunters Ridge LSRD:
 - 1. A Final Plat(s) covering the site shall be prepared, reviewed, approved, and recorded, consistent with the standards and procedures of the Subdivision Ordinance.
 - 2. Submission of all supporting documentation in proper form.
 - 3. All site development shall be in compliance with the approved Development Plan.
 - 4. Revision of the Development Plan to incorporate any staff technical review comments.
 - 5. Compliance with the Building Permit requirements of the Village.
 - 6. An executed development agreement between the Village of Mahomet and the developer which reflects the development plans and commitments presented to the PZC at the November 10, 2020 meeting and other requirements of the Village as approved by the Board of Trustees.
- E. Approval of the Development Plan shall be further granted with the understanding that future minor modifications to the Development Plan shall be allowable, so long as those changes comply with applicable Village Ordinance requirements, do not change the use and character of the site, do not change the intent of the Development Plan, and are reviewed and approved by Village Staff.
- F. In the event that the minor modifications to the Development Plan is not completed and all supporting documents are not submitted in final form within 60 days from the date of approval by the Board of Trustees, the approvals recommended herein shall be null and void.
- G. The approval recommended above shall be subject to the fulfillment of the conditions set forth in Item D above. In the event that these conditions are not fulfilled, the Development Plan may become void.

PUBLIC HEARING:

DISCUSSION ONLY (NO ACTION):

ZONING ORDINANCE TEXT AMENDMENT

A RESOLUTION CONCERNING A TEXT AMENDMENT TO ADD ADDITIONAL MULTIPLE-FAMILY RESIDENTIAL DISTRICTS, ADD AND AMEND RELATED REQUIREMENTS AND OTHER SECTIONS RELATED TO BUT NOT LIMITED TO DEFINITIONS, PERMITTED USES, CONDITIONAL USES, ACCESSORY USES, DENSITY CRITERIA, LOT SIZES, SETBACKS AND OTHER NON-SUBSTANTIVE CHANGES AND REORGANIZATION OF RELATED TEXT.

Abby Heckman stated staff is asking the PZC to hold a public hearing for the Zoning Ordinance text amendment to get any public feedback or feedback from the PZC. She introduced the case and information in the staff memo. She stated there was interest in making some changes to our current multi-family requirements and establishing more multi-family residential districts will provide opportunity for various densities of dwelling units and enable more transitional opportunities between residential and commercial. She stated there are three new multi-family residential zoning districts proposed, R3A, R3B and R3G. She stated the current R3 zoning district would convert to what would be called R3C. She stated staff reviewed the uses allowed in each district, permitted, conditional and accessory uses. She stated there was some reorganization proposed because right now our accessory uses for all districts is in a separate section of the ordinance, and staff thinks it would be beneficial to have all of those accessory uses in the zoning district chapter itself to eliminate the need to flip to multiple sections. She stated only accessory uses for the zoning classifications that we are touching now will be moved. She stated an accessory use chapter will still exist until we touched the other chapters in a future text amendment. She stated changes are proposed to the row house chapter to better accommodate row house development since staff has realized that our current rules don't really work very well for the desires of those wanting to build those types of houses. She stated there were slight wording changes proposed to the multi-family text amendment that was done back in July to help clarify those. She stated some changes are proposed to the development standards chart. She stated staff requests that the public hearing not be closed but adjourned and continued to the December PZC meeting to allow any text adjustments or changes based on feedback from the PZC or any other feedback to be discussed again next month.

Joe Chamley suggested that since staff is recommending the public hearing not be close the PZC can certainly have their full discussion as part of the public hearing.

Mr. Roloff asked for any questions or comments.

Abby Heckman stated staff expects and wants your comments.

Kelly Pfiefer stated staff appreciates others being devil's advocate and looking at what this means for development. She stated writing a zoning ordinance can be like a whack a mole game. She stated staff wanted the text changes to be consumable for the next month so we can have an in-depth conversation in December. She stated staff has not conceived of specific lands for any of these zones right now. She stated this is a way we can have a variety of densities. She stated right now there is only one district to provide a multi-family buffer which hasn't been working so adding districts will help. She stated they needed to dive into the text amendment to see if it lines up with feedback they hear from the community

Mr. DeAtley stated the agenda item lists other non-substantive changes. He asked if the entirety of the zoning ordinance changes are in this document.

Kelly Pfeifer answered yes.

Abby Heckman stated we advertised it that way in case there was something we missed something and needed to add something.

Joe Chamley stated he had suggested that wording as a catch all.

Abby Heckman stated there were no other changes proposed other than what was shown in the document and attached charts presented.

Mr. DeAtley stated on the whole it looks like a good dive into correcting or addressing some of the community concerns since there is some hesitation towards larger apartment developments, multifamily type developments. He stated this provides for more review and extremely limits by right development. He stated he was concerned that it might be too restrictive in that regard but if it is the direction that the community prefers then it is the tool to help take us in that direction.

Mr. Buzicky stated he echoed that he thought it was a good step. He asked if there would be a challenge for existing multi-family developments.

Abby Heckman stated that is why we are converting it from R3 to R3C and not changing the density on the existing at this time.

Kelly Pfeifer stated there isn't much land right now that is undeveloped and zoned R3. She stated that most of east Mahomet will need some zoning transition between the school 150, the railroad tracks, and Prairie View. She stated that most of the land in that area is zoned R1A which is our default zoning. She stated there is discomfort from the BOT and the PZC with just blindly rezoning land for multi-family and we cannot develop everything with a development agreement. She stated the additional multi-family zoning classifications will enable us to put some other types of zoning in place.

Abby Heckman stated is it also good for use in the downtown areas where we will have transition areas to make things fit and work when we're transitioning from the commercial area along Main Street.

Kelly Pfeifer stated that is why the row housing section is written to enable more than three dwellings in a row. She stated our downtown master plan has areas where there are groups of four or even six town houses right in a row. She stated the current zoning ordinance text wouldn't allow those. She stated staff is hoping that one of the new zones would help facilitate downtown development.

Mr. Buzicky stated he was definitely thinking of the downtown plan that was approved. He stated it might make sense to amend the downtown plan to show exactly where the new zoning classifications should be located.

Kelly Pfeifer agreed.

Mr. Roloff asked for any other questions or comments.

Mr. Buzicky asked staff for a brief summary of the differences between the classifications.

Abby Heckman stated the main differences between the classifications is density which you can see on the chart. She stated that our current R3 which will be R3C is our highest density R3C at one unit per 3000 square feet and the density gets lower from there. She stated the R 3G district is for units with individual ground floor access and not an apartment building with internal hallways. She stated R3G is the same density as R3C but with the ground floor access requirement staff believed the R3G zoning classification would benefit our downtown area because we anticipate row housing along our mews or fancy alleys with stoops and a front door

that come out onto the mews. She stated we want to facilitate individual ownership when possible by allowing those to plat individually. She stated staff adjusted the accessory uses allowed for each multi-family district. She stated the accessory uses for each district isn't exactly the same as what is currently allowed for multi-family. She stated staff wanted to facilitate shared garages which isn't exactly clear with our current rules. She stated the R3B is transitional between commercial and less intense residential which all of the multi-family districts would fall into that category where they would be able to be used as a buffer or zoning transition. She stated the main differences between zoning classifications is the density allowance.

Kelly Pfeifer stated R3A would be the lowest density but still enables duplexes, quads, small kinds of apartment communities and rowhouses but nothing that resembles commercial like retirement homes, assisted living facilities and higher density residential. She stated we had to think about what might be built and how the area might function. She stated as density goes up you have less private areas and more common shared and public facilities which is reflected in the district uses.

Mr. Seamands asked if there had been requests for commercial buildings with living quarters above.

Kelly Pfeifer stated we have had some requests but they had challenges with lending.

Abby Heckman stated that in our current ordinance C1 neighborhood commercial districts allows a dwelling to be above a commercial use, so there is current zoning available for that particular combination of uses.

Mr. Seamands asked if there are any already in town.

Abby Heckman stated she wasn't aware of any.

Patrick Brown stated there is one example that has been here for a while which is the commercial building across from Busey Bank and the post office.

Abby Heckman stated that was right and the residential above the commercial was established by a conditional use permit.

Kelly Pfeifer stated the owner has inquired about converting the 1st floor to apartments within the last 12 months which isn't permitted by zoning or the conditional use.

Mr. DeAtley stated section 152.055 standards for multifamily development limits the maximum building height to two stories and 30 feet but 45 feet is the allowable maximum height in some districts. He asked why they were different.

Kelly Pfeifer stated that if you are going to develop by right then you have to meet the criteria in 152.055 and if you want to go higher then the zoning ordinance would allow it but it would have to go through a conditional use process. She stated staff would double check the height.

Mr. DeAtley asked if the couple of large apartment complexes built in the last two years, one by the elementary school and one at Lake of the Woods Rd, were closer to the 45-foot height.

Kelly Pfeifer stated yes they are when there are three floors.

Kelly Pfeifer encouraged over the next week for the PZC to provide comments.

Mr. Roloff asked if there is any other questions or comments, hearing none asked for a motion to adjourn and continue the public hearing to the December 1, 2020 PZC meeting.

Seamands moved to adjourn and continue the public hearing to December. Roloff seconded the motion. ROLL CALL. 7-0. Motion Passed.

COMMISSIONER / STAFF COMMENTS:

Mr. Roloff asked if there were any other comments and hearing none asked for a motion to adjourn.

ADJOURN:

Roloff moved to adjourn the meeting. DeAtley seconded the motion. ROLL CALL. 7-0. The meeting was adjourned at 8:00pm.

Respectfully,

Abby Heckman, Planner