

PLAN AND ZONING COMMISSION
MEETING MINUTES
July 2, 2024

CALL TO ORDER: The meeting was called to order at 6:03 pm on Tuesday July 2, 2024.

ROLL CALL:

Members Present: Steve Briney (remote participant), Bob Buchanan, Mike Buzicky, Robert DeAtley, Philip Schaefer (remote participant) and Mandi Simeone

Members Absent: Chad Graham

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

PUBLIC COMMENT: Mr. DeAtley asked if there were any public comments related to items that are not on the agenda. No one came forward to speak. No comments were submitted to staff in advance of the meeting.

MINUTES: April 2, 2024, Minutes will be reviewed at the next meeting.

PUBLIC HEARING(S):

ZA2024-05: UNLIMITED HOMES LLC – HARVEST EDGE

A RESOLUTION CONCERNING A REZONING FOR 31.75± ACRES OF LAND FROM R-1B SINGLE-FAMILY RESIDENTIAL AND R-1C SINGLE-FAMILY RESIDENTIAL DISTRICTS TO R-1C SINGLE-FAMILY RESIDENTIAL AND R-2 TWO-FAMILY RESIDENTIAL DISTRICTS LOCATED ON THE SOUTH SIDE OF SOUTH MAHOMET ROAD APPROXIMATELY 150 FEET EAST OF LITTLEFIELD LANE AND SOUTH MAHOMET ROAD INTERSECTION, COMMONLY KNOWN AS THE UNDEVELOPED PORTION OF HARVEST EDGE SUBDIVISION

Mr. DeAtley introduced the public hearing case and asked staff to summarize the case.

Abby Heckman presented information in the staff memo for the case. Ms. Simeone asked about the number of lots and sizes and how they increased or decreased from the original plan. Mr. Chambley asked Abby Heckman to swear under oath that her previous testimony was the truth. Ms. Heckman affirmed that it was the truth.

Mr. DeAtley asked the petitioners to present any additional information that they had to submit. Mr. Chambley swore in the petitioners, before they presented their comments, that they were under oath to tell the truth. They affirmed they were telling the truth. Mr. Jake Frerichs stated, “our lots that we're proposing are between 69 and 74 feet in width. It actually will allow our current plans that have been built out in Harvest Edge to still be built in that area...The R1C gives us the flexibility to kind of change stuff around...basically the big thing here is keeping flexibility with the zoning. Obviously, we could do an LSRD and just do it that way. We think that a rezoning is just cleaner.” Then touched on the points that were submitted by Mr. Schreiber. There was some discussion and staff clarified where R2 zoning and single family attached homes are currently located. Rob Frerichs spoke about the present-day value of the two subdivisions and stated that they want to get it right. Staff answered a Board member’s question regarding the loss of the stub street to the South. That it is not a factor necessarily in this rezoning request, and staff have looked at it and felt like the request was reasonable given how close they are together.

The Commission opened the floor for audience participation:

Richard Heinemann asked if there should be another entrance, we only got three ways in here. Mr. DeAtley answered, “that tonight's discussion is on zoning and that the area of general plan will be reviewed in a future hearing and that is certainly something that should be considered at that time.”

Seeing no additional comments from the public, Mr. DeAtley entertained a motion to close the public hearing.

Buchanan moved to close the public hearing for ZA2024-05. Someone seconded the motion. ROLL CALL. 6-0. Motion Passed. Public hearing closed.

Members of the Commission continued to ask questions of the petitioners and held discussions amongst themselves.

RESOLUTIONS and MOTIONS (TO BE ACTED UPON):

ZA2024-05: UNLIMITED HOMES LLC – HARVEST EDGE

A RESOLUTION CONCERNING A REZONING FOR 31.75± ACRES OF LAND FROM R-1B SINGLE-FAMILY RESIDENTIAL AND R-1C SINGLE-FAMILY RESIDENTIAL DISTRICTS TO R-1C SINGLE-FAMILY RESIDENTIAL AND R-2 TWO-FAMILY RESIDENTIAL DISTRICTS LOCATED ON THE SOUTH SIDE OF SOUTH MAHOMET ROAD APPROXIMATELY 150 FEET EAST OF LITTLEFIELD LANE AND SOUTH MAHOMET ROAD INTERSECTION, COMMONLY KNOWN AS THE UNDEVELOPED PORTION OF HARVEST EDGE SUBDIVISION

Buchanan moved to grant approval of ZA2024-05 zoning change with the stipulations as read. Schaefer seconded the motion. ROLL CALL. 5 Yes – 1 No. Motion Passed.

BE IT THEREFORE RESOLVED this 2nd day of July 2024 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** 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 and R-1C Single-Family Residential districts to R-1C Single-Family Residential and R-2 Two-Family Residential districts.

COMMISSIONER / STAFF COMMENTS: NEXT PZC MEETING – Tuesday August 6, 2024

ADJOURN:

Simeone moved to adjourn the meeting. Buchanan seconded the motion. ROLL CALL. 6-0. The meeting was adjourned at 7:36pm.

Respectfully,
Abby Heckman, Village Planner