



**Plan and Zoning Commission
7:00 p.m. Tuesday, August 4, 2020
Village of Mahomet - Administrative Office
Virtual Meeting Via Zoom or Skype for Business**

Join Zoom Meeting
<https://us02web.zoom.us/j/2175864456>

Meeting ID: 217 586 4456
One tap mobile
+13126266799,,2175864456# US (Chicago)

Join by Skype for Business
<https://us02web.zoom.us/skype/2175864456>

AGENDA

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT:** The Commission welcomes your input. Due to the current COVID-19 emergency and the Governor's executive orders, the meeting will have an online live participation option. We encourage all interested citizens that can, to participate online (login in information provided above). Interested citizens are invited to provide comments either at the public hearing (online preferred) or by prior written statement. Public comments may be submitted in hard copy by placing them in the drop box outside of the Administrative Office (503 E. Main Street, Mahomet) before 2:00 pm on August 4, 2020. Other written comments may be submitted by emailing Abby Heckman, aheckman@mahomet-il.gov no later than the start of the meeting on August 4, 2020 to ensure placement of such comments in the official record of the meeting.
- 4. REVIEW/APPROVE MINUTES:** JULY 7, 2020
- 5. PUBLIC HEARINGS:**

ETHOS DESIGN BUILD, LLC
A RESOLUTION CONCERNING THE PETITION FOR RELIEF FROM MORATORIUM ORDINANCE #20-5-02 BY
ETHOS DESIGN BUILD, LLC

A copy of the Petition for Relief from Moratorium Ordinance #20-5-02 by Ethos Design Build, LLC with supporting documents ("Petition") is available for examination on the Village website www.mahomet-il.gov. If you cannot access the information online please contact the Village of Mahomet Administrative Office by phone (217) 586-4456 to make other arrangements to view the Petition. Due to the current COVID 19 emergency and the Governor's Executive Orders, the public hearing will have an online live participation option. We encourage all interested citizens

that can, to participate online. Information on how to view / participate in the public hearing is at the top of this Agenda.

All interested persons will be given an opportunity to be heard and present evidence and arguments for or against the Petition. All such interested persons must be present either via the online live option or in person and be sworn in under oath.

5. a. RESOLUTIONS and MOTIONS (TO BE ACTED UPON)

ETHOS DESIGN BUILD, LLC

A RESOLUTION CONCERNING THE PETITION FOR RELIEF FROM MORATORIUM ORDINANCE #20-5-02 BY ETHOS DESIGN BUILD, LLC

6. COMMISSIONER / STAFF COMMENTS

NEXT PZC MEETING – SEPTEMBER 1, 2020

7. ADJOURN – AT OR BEFORE 9:00PM

PLAN AND ZONING COMMISSION
MEETING MINUTES - DRAFT
July 7, 2020

Back to Agenda

Patrick Brown read a Mayoral declaration related to COVID-19 and remote meetings.

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

ROLL CALL:

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

Members Absent: Robert DeAtley and Damian Spencer.

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

PUBLIC COMMENT: No one came forward.

REVIEW/APPROVE MINUTES: June 2, 2020

Mr. DeAtley stated that there are minutes from the March meeting to approve.

Buchanan moved to approve the June 2, 2020 minutes as submitted. Seamonds seconded the motion. ROLL CALL. 4-0-1. Roloff abstained. Motion Passed.

PUBLIC HEARINGS:

ZONING ORDINANCE TEXT AMENDMENT

TEXT AMENDMENT TO ALTER PERMITTED AND CONDITIONAL USES IN THE R-3 MULTIPLE-FAMILY RESIDENTIAL DISTRICT; AMEND EXISTING AND ESTABLISH NEW DEVELOPMENT STANDARDS FOR MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS; AND TO AMEND AND ESTABLISH NEW DEVELOPMENT STANDARDS FOR PARKING LOTS.

Mr. Roloff opened the public hearing and asked if there was anyone present that wanted to speak.

Abby Heckman stated this information should look familiar since we presented and discussed this at the previous PZC meeting. The public hearing from last month was adjourned and continued to this month to allow the Commission, the public, and anyone else time to review and make comments and also for staff to have time to make minor adjustment based on what was heard at the last meeting. The staff memo is similar to last month. The minor changes to the text since last month have been highlighted in the document so you can tell what has change since the previous presentation.

Mr. Roloff asked for any other public participation.

Sean Widener stated he has heard many comments from the public thanking the PZC and the Village for taking this issue up and for taking a pause on R3 development.

Mr. Roloff stated he thinks it is the right time and a good thing.

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

ZA2020-03: UNLIMITED HOLDINGS LLC

A RESOLUTION CONCERNING A REZONING FROM R1B SINGLE-FAMILY RESIDENTIAL DISTRICT TO R1C SINGLE-FAMILY DISTRICT ON 3.814± ACRES OF LAND LOCATED WITHIN HUNTERS RIDGE SUBDIVISION NORTHWEST OF THE INTERSECTION OF COLE LANE AND OLIGER DRIVE NORTH TO INTERSTATE 74

Abby Heckman presented information in the staff memo. There was a rezoning in this area a few years back, but it only included land that was south of Oliger Drive. The developer decided at that time to wait on this area to see how the development of the area played out. The developer has now come back to finalize the zoning for the remainder of the subdivision. Staff thinks it is appropriate to not have this small area in the subdivision that has different zoning than the rest of the single-family homes.

At the request of the petitioner Rob Frerichs, Abby Heckman read a prepared statement from the petitioner as follows:

Unlimited Construction & Development, Inc. is requesting a zoning amendment to the portion of vacant land North of Oliger Dr and West of Cole Ln in the Hunters Ridge Subdivision. This zoning amendment will allow for a uniform zoning district throughout the remaining Hunters Ridge Subdivision. Home values in the current and recent phases have average around \$300,000.

In lieu of the additional lot gained from the zoning amendment and lot size change a greenspace/park is planned to be dedicated to the Hunters Ridge HOA upon completion.

This zoning amendment is consistent with the surrounding area and does not represent a negative impact to home values adjacent to the future development of the subject land. The objective of this request is to maintain the same number of lots in the future development while adding a common greenspace area for all Hunters Ridge Subdivision Members.

Mr. Roloff asked for public input.

Michelle Cleary, 815 Cates Drive, is a member of the Hunters Ridge HOA board. She stated that the HOA board is excited about the potential of having a park in the neighborhood. They feel that would increase their property values and they look forward to the use of the green space.

Ben Schmidt, 708 Heather Drive, asked why the property was zoned the way it is in the first place.

Abby Heckman stated the zoning for this area has been in place for a while. A different developer was involved when the zoning was put in place. The current developer was not involved in the early phases of Hunters Ridge. The zoning was done early and we know that over time things change, building practices and market conditions change, so we often have developers come back in to make changes. In this case it is a developer that has taken over a project from someone else and from my understanding the developer is coming back to make an adjustment to the zoning.

Ben Schmidt asked where the proposed park would be.

Abby Heckman stated that the exact location hasn't been determined at this point because we are at the zoning phase. This project if it goes forward would also need construction plan and final plat approval.

Jay Roloff stated things seemed to be going much better in Hunters Ridge under the current developer.

Abby Heckman stated there is an approved and active preliminary plat for this area. The developer mentioned in his statement that an additional lot would be gained by the rezoning which he plans to give to the HOA as green space. Under the current preliminary plat the developer would not be able to go over the number of lots approved for residential lots but could gain the additional space for shared green space.

Ben Schmidt stated he is all for green space but is trying to piece all of the information together.

Abby Heckman stated that the allowed uses in the R1C district are the same allowed uses allowed in the proposed district. There is no difference in the uses allowed, the difference is the minimum development standards for the lots. The proposed zoning classification would allow for a smaller lot and smaller lot width which would give flexibility of the lot configuration to gain the green space.

Mr. Buzicky asked the developer if he knew where the green space will be.

Rob Frerichs stated it would likely be on Cates Drive next to the mid-block sidewalk. One of the four (4) lots adjacent would be the most likely location.

Abby Heckman pointed out the mid-block sidewalk location on the map provided.

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

ORDINANCES, RESOLUTIONS and MOTIONS (TO BE ACTED UPON):

ZA2020-03: UNLIMITED HOLDINGS LLC

A RESOLUTION CONCERNING A REZONING FROM R1B SINGLE-FAMILY RESIDENTIAL DISTRICT TO R1C SINGLE-FAMILY DISTRICT ON 3.814± ACRES OF LAND LOCATED WITHIN HUNTERS RIDGE SUBDIVISION NORTHWEST OF THE INTERSECTION OF COLE LANE AND OLIGER DRIVE NORTH TO INTERSTATE 74

Abby Heckman stated there is a draft resolution in the packet for consideration with the usual 33 findings-of-fact questions.

Mr. Roloff went over the findings-of-fact questions and asked the Commission to speak up if they didn't agree with the answers.

Mr. Buzicky asked if the approval recommendation would be subject to providing the green space.

Kelly Pfeifer stated that zoning amendments cannot be conditional, but the developer has gone on record with his intent and has been in communication with the HOA. I'm aware that he is ready to promote the open space with lot sales.

Seamands moved to grant the rezoning 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 July, 2020 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.

ZONING ORDINANCE TEXT AMENDMENT

TEXT AMENDMENT TO ALTER PERMITTED AND CONDITIONAL USES IN THE R-3 MULTIPLE-FAMILY RESIDENTIAL DISTRICT; AMEND EXISTING AND ESTABLISH NEW DEVELOPMENT STANDARDS FOR MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS; AND TO AMEND AND ESTABLISH NEW DEVELOPMENT STANDARDS FOR PARKING LOTS.

Mr. Buchanan asked if this action would eliminate the moratorium that is in place.

Abby Heckman stated the action would not change the moratorium which would still be in place until the expiration date or if the Board of Trustees decided to end it earlier.

Buchanan moved to recommend approval of the Zoning Ordinance Text Amendment 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 July 2020 by the Plan and Zoning Commission of the Village of Mahomet, Illinois, that:

- A. The Plan and Zoning Commission **DOES** hereby recommend that the Board of Trustees of the Village of Mahomet amend Chapter 152 (Zoning Code) of Title XV (Land Usage) of the Village Code of Mahomet, Illinois, as stated in the Zoning Ordinance Omnibus Text Amendment dated July 7, 2020.
- B. The Plan and Zoning Commission **DOES** hereby further set forth the following findings of fact concerning the proposed Text Amendment:
 1. The Text Amendment is consistent with the purpose of the zoning ordinance 152.001.A, "... to protect and to promote adequate light, pure air and safety from fire and other dangers; that the taxable value of land and buildings throughout the municipality and contiguous area may be conserved, that congestion in the public streets may be lessened or avoided, and that the public health, safety, comfort, morals and welfare may otherwise be promoted."
 2. The Text Amendment will also modernize and update the Zoning Ordinance.
 3. The procedural requirements for amendments set forth in the current Ordinance have been met.

COMMISSIONER / STAFF COMMENTS:

Abby Heckman stated there will be a PZC meeting in August.

Kelly Pfeifer asked if the five (5) members present tonight will be able to attend the August meeting.

All of the Commissioners present indicated they could attend.

Mr. Briney stated he is thankful to be able to do the meetings over Zoom.

Mr. Roloff asked if there is information out there for people to submit comments in writing for the meetings.

Abby Heckman stated that our public hearing notice includes instructions for submission by email and in person.

ADJOURN:

Briney moved to adjourn the meeting. Buchanan seconded the motion. ROLL CALL. 5-0. The meeting was adjourned at 7:39pm.

Respectfully,

Abby Heckman, Planner

SCRIPT FOR PUBLIC HEARING

Introductory statement

Ladies and Gentlemen, this is a public hearing to consider a Petition for Relief from Moratorium Ordinance #20-5-02 by Ethos Design Build, LLC (“Petition”). At the conclusion of this hearing, the Plan and Zoning Commission will make certain recommendations as to findings of fact and make a recommendation to the Mahomet Board of Trustees.

Because this is a quasi-judicial public hearing, I will ask each presenter to state their name and to swear or affirm to tell the truth, and will be subject to cross-examination. In addition to the rules that normally apply to a public hearing before this Board, certain individuals have the right to cross-examine persons who offer testimony or evidence in favor of, or in opposition to, the Petition. The persons who may cross-examine those offering testimony or evidence include Village officials, the petitioner or a representative of the petitioner, and any citizen of the Village of Mahomet or any attorney representing such a person. Anyone who is eligible to cross-examine witnesses should alert the chair (me) that you wish to ask questions of a witness, when I ask for other persons who wish to cross-examine.

Any members of the public who choose not to cross-examine witnesses may still offer evidence or comments in favor of, or in opposition to, the Petition. After the questioning portion is complete, as members of the audience, you will be invited to make any statements you wish to make. After you finish, be prepared for questions. As part of this process, you too may be asked questions from Village Officials, the petitioner, the Commission members, or the audience members.

In addition, if you have any questions about the Petition or other evidence that has been presented, you may direct those questions to me, the Chair of the Plan and Zoning Commission.

Sequence of Questioning

(Prompts for sequence of presentations - questioning).

(Read Memo unless all parties waive that reading to place on record as written.)

(Each witness/presenter “swear or affirm to tell the truth”)

The petitioner may now present evidence regarding its Petition.

(When petitioner is done with that witness)

Questions by the Board of that witness?

Questions from those eligible to cross-examine witnesses? Please state your name and address and how you qualify to cross-examine in this case.

(Petitioner may call other witnesses)
(repeat until Petitioner is done with all of its witnesses)

(The Commission now opens the floor to the public to provide comments concerning this case.)

Evidence or comments from those in favor of the Petition?

Questions by the Board?

Questions from those eligible to cross-examine?

(repeat until no other witnesses in favor)

Evidence or comments from those opposed?

Questions by the Board?

Questions from those eligible to cross-examine?

(repeat until no other witnesses in opposition)

Further evidence from the petitioner in response to other testimony or questions?

Questions from Board Members?

Questions from cross-examiners?

Further evidence from proponents in response to evidence that has been presented?

(When no further questions)

Ok, now is the time for audience members to make statements about the case or place on the record any questions you think the Commission members should be asking or considering during their consideration of the case. But again, please provide your name and address, and swear or affirm to tell the truth.

This is the time for your opinions, your concerns, your support, information you have, etc. to be stated. When you are done, stay on the line. I will be asking everyone here if any of them have any questions for you.

Does anyone wish to speak?

(When witness is finished)

Any questions for this person?

Thank you. Would anyone else like to provide comment concerning this case?

(repeat until no other witnesses in opposition)

(When there are no further comments.)

Seeing no further comments, I will entertain a motion to close the public participation portion, suspend the rules and have a discussion among the members of Plan and Zoning Commission. This will be open and on the record.

(Motion made (and seconded))

“Staff, would you please call roll?”

(Discussion in open and on record)

OR IF PLAN & ZONING COMMISSION HAS MORE QUESTIONS OR REQUESTS
ADDITIONAL INFORMATION:

Motion to re-open public participation to gather more information?

After discussion, we will ask for a Motion and roll call vote on each element and on the final recommendations to grant or deny.

Is there a Motion of the first elements? Second?
Discussion, roll call
(proceed for each element and then final questions)

Then, Motion to close this public hearing and proceed to next item on Agenda.

OR IF MOTION TO CONTINUE

Given the ____ (issues raised this evening / number of questions that need further review / request by the petitioner), ____ I would entertain a motion to continue the public hearing to next month’s meeting)

(Motion made (and seconded))

(Seeing none) “Staff, would you please call roll?”



**Plan and Zoning Commission
Staff Report
Meeting August 4, 2020**

FROM: Community Development Department

PROJECT: Request for Relief – Temporary Moratorium

PETITIONER: Ethos Design Build, LLC (Miller, Hall & Triggs, LLC, attorney)

REQUESTED ACTION: PUBLIC HEARING
RECOMMENDATION TO BOARD OF TRUSTEES (BOT)

PUBLIC HEARING / PROCEDURAL ISSUES:

The Plan and Zoning Commission (PZC) is required to hold a public hearing upon request for relief from the Temporary Moratorium for site plan review and approval of multiple-family residential developments (Ord 20-05-02). The public hearing is scheduled for August 4, 2020 at 7:00pm. Public hearings can be closed or continued to another meeting without any action on the case. Public notice was published in the News-Gazette on July 16, 2020. The PZC is asked to make a recommendation, by resolution, to the Board of Trustees (BOT) regarding moratorium relief requests. A draft resolution is attached for consideration by the PZC to make a recommendation to the BOT.

BACKGROUND: The BOT adopted a Temporary Moratorium for site plan review and approval of multiple-family residential developments on May 26, 2020.

The petitioner has applied for and submitted documentation requesting relief from the Temporary Moratorium. The PZC is asked to consider all documents concerning the proposed moratorium relief request and conduct a public hearing to collect testimony from the petitioner, the public, Village officials, staff, the Commission and other interested parties. The Temporary Moratorium ordinance established criteria to be considered with requests for relief from the Temporary Moratorium:

1. The effect of the Temporary Moratorium has caused or will cause a significant economic hardship on the applicant.
2. The applicant has no other reasonable use of the property in question other than the proposed use.
3. The applicant has made substantial, irrevocable investment in the development that is affected by the Temporary Moratorium, which investment was made in reasonable reliance on the regulations in effect prior to the Temporary Moratorium and without knowledge of pending changes in such regulations (including this Temporary Moratorium), and based on a probability of zoning approval by the Village.
4. The development or construction as proposed complies with all other Village ordinances, regulations, and rules.

These criteria should be considered during the Commission's deliberations. The attached prepared resolution addresses these factors for consideration by the Commission.

ATTACHMENTS:

- A) BOT Ordinance 20-05-02
- B) Petitioner relief request documents
- C) Public Hearing Notice Affidavit
- D) Draft Resolution

ORDINANCE NO. 20-5-02

**ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON MULTIPLE-FAMILY
RESIDENTIAL SITE DEVELOPMENT PLAN REVIEWS**

WHEREAS, the Village of Mahomet, Champaign County, Illinois (the "**Village**") is an Illinois municipal corporation organized and operating pursuant to authority granted by the Constitution and Laws of the State of Illinois;

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, that protect the public health, safety and welfare of its citizens;

WHEREAS, Chapter 152 of the Village Code (the "Zoning Ordinance") comprehensively divides the Village into districts and classifies, regulates and restricts the location of land uses by reference to such districts and other sections of the Village Code mandate submission and review of site development plans (e.g. 51.07(B)(2), 152.003, 154.030, 154.042);

WHEREAS, the Village recently approved a significant number of multiple-family residential housing units. During the review and public comment of recent multiple-family residential developments, certain deficiencies in the Zoning Ordinance were identified. Prior to the most recent multiple-family developments, the last significant addition of multiple-family housing units was done at least 20 years ago. Village staff would like time to review the existing multiple-family residential development standards and requirements in the Zoning Ordinance and to develop updated development standards that are more in line with community desires vocalized during the course of the last few years related to the developments.

WHEREAS, the Village President and Board of Trustees (the "**Corporate Authorities**") of the Village desire to carefully review and consider the externalities associated with multiple-family residential development and their impact on the public health, safety, comfort, morals and welfare in

order to protect the vitality and character of development in the Village and the impact on other units of local government;

WHEREAS, the Corporate Authorities have determined that the Zoning Ordinance requires study and possible revision for proper regulation of multiple-family residential development and to study the possible effects of such uses of property and that such review will promote and enhance the public health, safety, and welfare of the Village and its residents;

WHEREAS, the Village has commenced a process of evaluation with the use of its planning and zoning staff and consultants to determine whether there should be any additional, different, or relaxed limitations on multiple-family residential development;

WHEREAS, continued development of multiple-family residential development during the pendency of the Village's consideration of such regulations may frustrate or prevent the implementation of such recommendations to the possible detriment of the Village and its residents;

WHEREAS, with the limitations imposed by various executive orders arising out of the current COVID-19 emergency, the Village wants to have adequate time to solicit and receive public input on any changes to the Zoning Ordinance;

WHEREAS, to preserve the status quo while the Village conducts the evaluation process, it desires to enforce a zoning moratorium on multiple-family residential development which is expected to last approximately seven (7) months from the effective date of this Ordinance;

WHEREAS, following due publication of notice on May 10, 2020 in the News-Gazette and also on May 15, 2020 in the Mahomet Citizen, a public hearing concerning the proposed moratorium was commenced by the Board on May 26, 2020; and

WHEREAS, following deliberation on the evidence and testimony elicited during the public hearing the Board has considered the proposed moratorium.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAHOMET, CHAMPAIGN COUNTY, ILLINOIS, as follows:

SECTION 1. RECITALS. The recitals listed above are incorporated in this Ordinance as the findings of the President and Board of Trustees.

SECTION 2. ESTABLISHMENT OF TEMPORARY MORATORIUM.

- A. A temporary moratorium shall be, and is hereby, established on the receipt of applications for, the processing of, the review of, and the approval of multiple-family residential site development plans, including without limitation, development approvals for the placement, installation, construction, erection, replacement, repair, modification, addition, use, maintenance, operation, or enlargement of multiple-family residential site development except as may be necessary to comply with previously executed development agreements or previously approved site development plans, or in the Village Administrator's sole discretion, to address safety issues associated with multiple-family residential development existing as of the date of this Ordinance ("Temporary Moratorium").
- B. The Temporary Moratorium established in Subsection 2.A of this Ordinance shall be, and is hereby, established for a period of time effective immediately upon passage of this Ordinance and shall expire on December 31, 2020, unless prior to that time the Village President and Trustees, in their sole and absolute discretion, terminate such Temporary Moratorium by ordinance duly adopted.
- C. Notwithstanding the limitations in Subsection 2.A above, an applicant for zoning approval, a building permit or a certificate of occupancy affected by the Temporary Moratorium may seek an exception from the provisions of the Temporary Moratorium by filing a request for relief with the Village. Such request for relief shall be considered at a public hearing by the Plan and Zoning Commission after

notice of such public hearing is published in accordance with applicable law. Based on the evidence presented at such hearing, the Plan and Zoning Commission shall make a recommendation to the Village Board. After receipt of the Plan and Zoning Commission's recommendation, the Village Board, by ordinance, may grant such applicant an exception to the provisions of the Temporary Moratorium. In order to receive an exception to the Temporary Moratorium, an applicant shall demonstrate by clear evidence, and the Village Board shall determine, (i) that the effect of the Temporary Moratorium has caused or will cause a significant economic hardship on the applicant; (ii) that the applicant has no other reasonable use of the property in question other than the proposed use; (iii) that the applicant has made substantial, irrevocable investment in the development that is affected by the Temporary Moratorium, which investment was made in reasonable reliance on the regulations in effect prior to the Temporary Moratorium and without knowledge of pending changes in such regulations (including this Temporary Moratorium), and based on a probability of zoning approval by the Village; and (iv) that the development or construction as proposed complies with all other Village ordinances, regulations, and rules.

SECTION 3. RESOLUTION OF CONFLICTS.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. SAVING CLAUSE.

If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance, which are hereby declared to be separable.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

SECTION 6. PAMPHLET PUBLICATION.

That the Village Clerk be authorized and directed to publish in pamphlet form this Ordinance.

ADOPTED by the Board of Trustees of the Village of Mahomet, Champaign County, Illinois, at a regular meeting of said Board on May 26, 2020.

Voting "aye" (names):

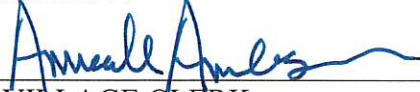
Harpst, Metzger, Lynn, Johnson,
Colravy, Olliger

Voting "nay" (names):

Abstained (names):

Absent (names):

ATTEST:


VILLAGE CLERK


PRESIDENT
VILLAGE OF MAHOMET



STATE OF ILLINOIS)
COUNTY OF CHAMPAIGN) SS
VILLAGE OF MAHOMET)

CERTIFICATION OF ORDINANCE

I, the undersigned, do hereby certify that I am the duly selected, qualified and acting Village Clerk of the Village of Mahomet, Champaign County, Illinois (the “**Municipality**”), and as such official I am the keeper of the records and files of the Municipality and of the President and Board of Trustees (the “**Corporate Authorities**”).

I do further certify that the foregoing constitutes a full, true and complete excerpt from the proceedings of the meeting of the Corporate Authorities held on May 26, 2020, insofar as same relates to the adoption of **Ordinance No. 20-5-02**, entitled:

ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON MULTIPLE-FAMILY RESIDENTIAL SITE DEVELOPMENT PLAN REVIEWS

a true, correct and complete copy of which ordinance (the “**Ordinance**”) as adopted at such meeting appears in the proceedings of the minutes of such meeting and is hereto attached. The Ordinance was adopted and approved by the vote and on the date therein set forth.

I do further certify that the deliberations of the Corporate Authorities on the adoption of such Ordinance were taken openly, that the adoption of such Ordinance was duly moved and seconded, that the vote on the adoption of such Ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the business being conducted, that such meeting was held at a specified time and place convenient to the public, that the agenda for the meeting was duly posted continuously on the Municipality’s website and at the Village Hall at least 48 hours prior to the meeting; that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the open meeting laws of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such open meeting laws and such Code and their procedural rules in the adoption of such Ordinance.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the Village of Mahomet, Champaign County, Illinois, on May 26, 2020.




Village Clerk



July 3, 2020

Via Email

416 MAIN STREET
SUITE 1125
PEORIA, IL 61602

PHONE: (309) 671-9600
FAX: (309) 671-9616

www.mhtlaw.com

ROBERT C. HALL *
DENNIS R. TRIGGS **
WILLIAM R. KOHLHASE
RICHARD M. JOSEPH ***
NATHAN R. MILLER
JAY E. GREENING
SCOTT A. BRUNTON
JEFFREY E. KRUMPE
MICHAEL A. KEETON
MARK D. WALTON
CHRISTOPHER D. OSWALD
ROBERT B. MCCOY
JOSHUA D. HERMAN
KATHERINE L. SWISE
KATHLEEN M. CARTER
MEGAN M. YENTES

(OF COUNSEL)

JENNIFER KLEIN VANDEWIELE
NANCY L. RABEL

ROBERT HOLLIS MILLER (RET.)
PATRICK A. MURPHEY (RET.)
MICHAEL J. TIBBS (RET.)
CHARLES H. YOUNG (RET.)
THOMAS R. DAVIS (1952-2005)
PAUL A. LEWIS (1949-2011)

ALSO LICENSED IN:
* FLORIDA
** DISTRICT OF COLUMBIA
*** ARKANSAS AND WISCONSIN

Village of Mahomet
Planning and Zoning Commission / Village Board
c/o Kelly D. Pfeifer
Village Planner and Community Development Director
503 E. Main Street
Mahomet, IL 61853-0259

RE: Petition for Relief from Moratorium Ordinance #20-5-02 by Ethos Design Build, LLC ("Petitioner")

Dear Ms. Pfeifer:

This letter and enclosed contents serve as a petition to the Village of Mahomet, Illinois ("Village") on behalf of Ethos Design Build, LLC for relief from the Ordinance Establishing a Temporary Moratorium on Multiple-Family Residential Site Development Plan Reviews, ordinance number 20-5-02 passed May 26, 2020 (the "Moratorium Ordinance") pursuant to Section 2.C. of the Moratorium Ordinance.

PART I: RESERVATION OF RIGHTS

Please note that this application is being filed under protest and reservation of rights and without waiver of any right or claim on behalf of the Petitioner, including without limitation, the foregoing:

A. Claims that the Village did not properly follow the zoning procedure to enact a moratorium on multi-family housing site development plan reviews in the Village;

B. Claims that the Petitioner has obtained vested rights in its proposed multi-family development project pursuant to its application filed May 26, 2020 prior to the hearing on the Moratorium Ordinance, and moreover as a result of significant expenditures and actions made in furtherance of its proposed development which was otherwise proper under the zoning ordinance;

C. Claims that the Moratorium Ordinance was adopted in an apparent effort to target the Petitioner's project when other similarly situated multi-family projects were permitted and supported by the Village;

D. Claims that the decision to allow a waiver from the Moratorium Ordinance is made by the same governing body imposing the moratorium, which would cause the request for relief to be futile.

Notwithstanding this petition being made under reservation of rights, Petitioner is doing so in an effort to exhaust its administrative remedies.

PART II: APPLICATION

Attached Exhibit A is the application previously provided to the City on May 26, 2020 together with a copy of the return of the application and copy of the check. At all relevant times, the Petitioner had the property which was the basis of the proposed project under development control and at all times was ready, willing, and able to proceed with the development.

Petitioner hereby re-submits its application by this petition in its entirety.

PART III: PRIOR PREPARATION

A. Exhibit B attached hereto provides a sample of various communications between the Petitioner (or its representatives) and the Village which began January 31, continued through the late winter and spring of 2020, and culminated on May 26, 2020.

B. Plans were submitted for site approval with the application for site plan review by the project architects and engineers on or prior to May 26, 2020; prior to the Village's hearing on the Moratorium Ordinance. Prior sets of architectural plans were previously submitted to the Village for review and comment in April of 2020.

C. The Petitioner was not provided actual notice of the moratorium by the Village until May 22, 2020, four days prior to the Village Board's hearing. The Village had apparently made publication of the proposed Moratorium Ordinance hearing on May 10, 2020, and certainly had internally discussed or made plans to pursue this path prior to that time, but did not notify Petitioner, despite Petitioner's continuing communication with the Village.

PART IV: MORATORIUM ORDINANCE IMPACT TO THE PETITIONER

A. Adverse Effects

The Village passing the Moratorium Ordinance has had an adverse effect on the Petitioner. As detailed more specifically in Exhibit C, the Petitioner has suffered a significant economic hardship from (1) loss of construction income; (2) loss of rental operating income from the potential project; (3) the loss of investment and predevelopment costs; and (4) potential loss of property control as a result of needing to terminate or delay the underlying real estate purchase agreement.

B. Substantial Irrevocable Investment

The Petitioner has suffered substantial irrevocable investment in the development in relation to the prior regulation. Without any knowledge of the pending moratorium and in fact with the seeming cooperation of the Village, the Petitioner continued to pursue its project as proposed in its site development plan. As a result, Petitioner expended significant sums (in excess of 10% of the total estimated project cost) as described in the predevelopment process as shown on Exhibit C. Moreover, the Petitioner has lost significant opportunity costs in that this predevelopment money and time spent by Petitioner's staff and professionals could have been directed to other projects in other communities or spent in pursuit of other matters.

C. Compliance with Ordinance

The proposed development otherwise complies with other Village ordinances, regulations, and rules. The underlying subject property was zoned R-3. No special use was required for development of the project as proposed. The development was allowed as of right prior to passage of the Moratorium Ordinance, and as described in the application, the site plan was in compliance with Village Code.

D. No Other Reasonable Use of the Property

The proposal for multi-family development of the property is the only reasonable use of the Property as it is zoned R-3 multi-family.

PART V: RELIEF REQUESTED

Based on the foregoing facts presented to the Planning and Zoning Commission and Village Board, the petitioner hereby requests the following relief:

- (1) Waiver from the effectiveness of the Moratorium Ordinance as to Petitioner and approval of the application for site plan approval;
- (2) Issuance of building permits; and
- (3) Other actions consistent with the zoning code in existence prior to the passage of the Moratorium Ordinance.

Please contact the undersigned regarding requests for clarification and coordination of appearance at hearing.

Sincerely,

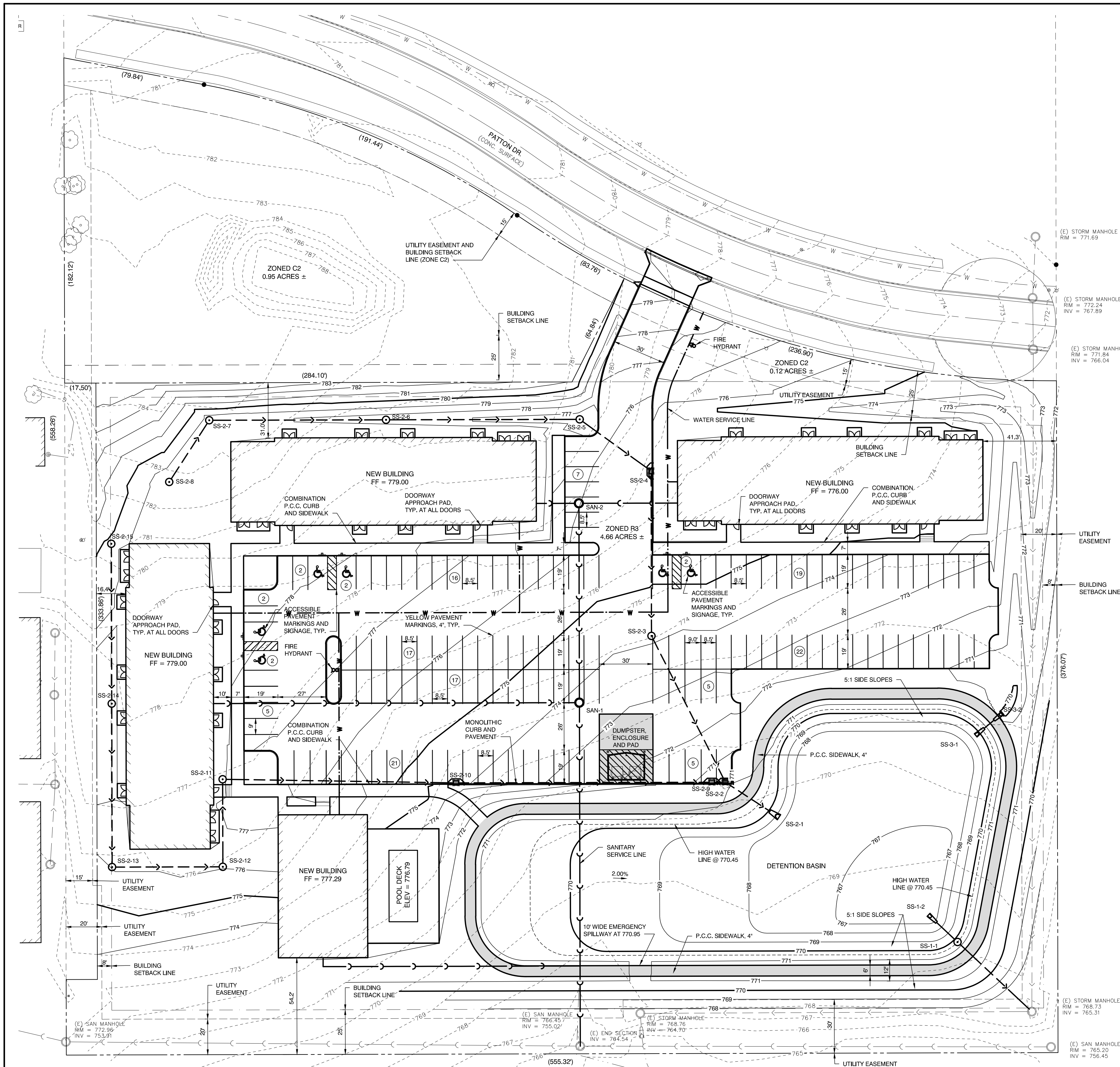


Christopher D. Oswald
for MILLER, HALL & TRIGGS, LLC

CDO/sls
Enclosures

Exhibit A

(See Enclosures)



ZONING

ZONE C2, GENERAL COMMERCIAL DISTRICT
AREA = 5401 SF = 0.12 ACRES

ZONE R3, MULTIPLE FAMILY RESIDENTIAL DISTRICT
AREA = 203,017 SF = 4.66 ACRES
APARTMENT UNITS ALLOWED = 1 UNIT PER 3000 SF
203,017 SF / 3000 SF = 67 UNITS ALLOWED

LOT AREA

LOT 4.78 ACRES±

SETBACKS

ZONE R3

REQUIRED:	PROVIDED:
FRONT = 25'	NORTH = 31.0'
SIDES = 8'	EAST = 41.3'
REAR = 25'	WEST = 16.4'
	SOUTH = 54.2'

BUILDINGS

(3) APARTMENT BUILDING	8,536 SF EACH
COMMUNITY CENTER BUILDING	4,000 SF

PARKING

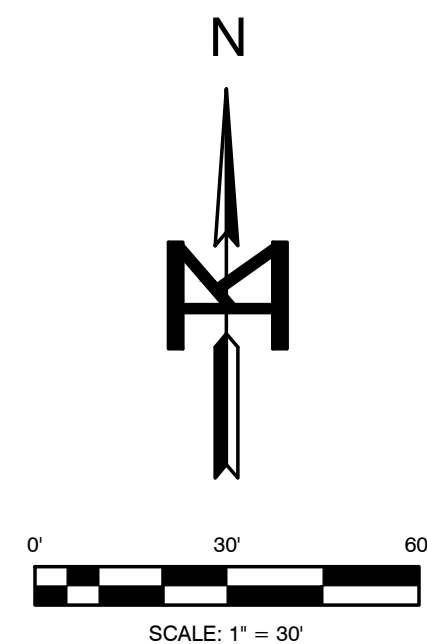
REQUIRED:

2 PARKING SPACES PER HOUSING UNIT (67 UNITS = 134 SPACES)
1 PARKING SPACE PER 400 SF OF COMMUNITY CENTER (4000 SF = 10 SPACES)

PROVIDED:

REGULAR SPACES	=	138 SPACES
ACCESSIBLE SPACES	=	6 SPACES
TOTAL PARKING SPACES	=	144 SPACES

- LEGEND**
- PROPERTY LINE
 - EASEMENT
 - BUILDING SETBACK LINE
 - STORM SEWER
 - SANITARY SEWER
 - WATER MAIN
 - PROPERTY LINE DISTANCE
 - FOUND IRON ROD
 - FIRE HYDRANT
 - WATER VALVE
 - MANHOLE
 - TELEPHONE PEDESTAL



SITE LAYOUT EXHIBIT
SCALE: 1" = 30'

PRELIMINARY ONLY
NOT FOR CONSTRUCTION

REV.	DATE	NATURE OF REVISION	CHECKED
FILE NAME: SITE GRADING ETHOS MAHOMET 20-067.dwg May 22, 2020			

SURVEYED	JMM
DRAWN	JMM
CHECKED	SDK
SCALE	1" = 30'
DATE	5-22-2020

CLIENT:

**ETHOS
MAHOMET APARTMENTS
MAHOMET, IL**

TITLE:

SITE LAYOUT EXHIBIT

PROJECT NO.	20-067
SHEET	1 OF 1
DRAWING NO.	1

Mohr and Kerr Engineering and Land Surveying, P.C.

5901 N. Prospect Rd., Suite 6B

Peoria, IL 61614

Office: (309) 692-8500

Fax: (309) 692-8501

Detention Calculations Modified Rational Method - Ethos Apartments - Mahomet, IL**Storage Required per Mahomet code**

Area of lot	208414	SF
Multifamily requirement per SF	0.25	ft
Storage required	52103.5	CF

Proposed Areas

	Area - Ac.	C	CA
Paved/Roof	2.16	0.95	2.05
Residential/Grass	2.62	0.38	1.00
Total / Composite C	4.78		0.64

Proposed Stage Storage Table

Elevation	Area - sf	Volume	Cumulative Volume
766.00	0		
766.50	727	182	182
767.00	2806	883	1065
767.50	6461	2317	3382
768.00	11794	4564	7946
768.50	14013	6452	14397
769.00	16605	7655	22052
769.50	19474	9020	31072
770.00	22483	10489	41561
770.45	25645	10829	52390
771.00	30351	15399	67788

Top of berm	771.24
Emergency Overflow	770.95
High water line	770.45
Freeboard	0.5 ft

Outlet Sizing (per Mahomet code)

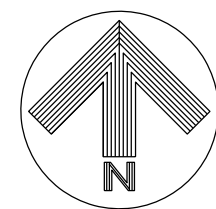
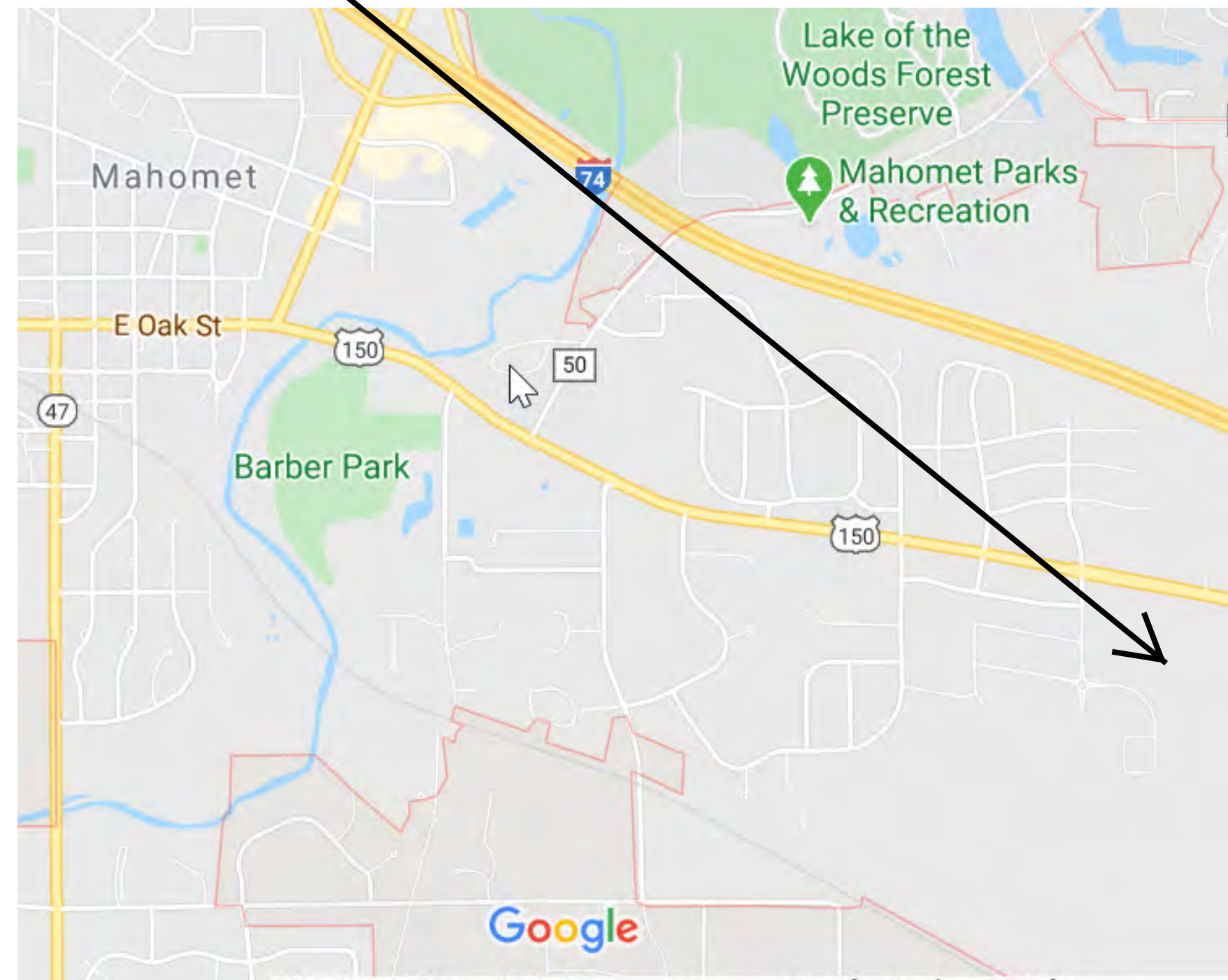
5 year release (0.20 CFS per acre)	0.96 cfs
$A=q/(C*\text{SQRT}(2*g*h))$	
q	0.96 cfs
g	32.2 ft/s
h	2.00 feet
C	0.64
Allowable Area	0.132 sf
Allowable Diameter	4.92 inches

Half full capacity (0.35 CFS per acre)	1.67 cfs
$A=q/(C*\text{SQRT}(2*g*h))$	
q	1.67 cfs
g	32.2 ft/s
h	3.30 feet
C	0.64
Allowable Area	0.180 sf
Allowable Diameter	5.75 inches

Full capacity (0.40 CFS per acre)	1.91 cfs
$A=q/(C*\text{SQRT}(2*g*h))$	
q	1.91 cfs
g	32.2 ft/s
h	4.45 feet
C	0.64
Allowable Area	0.177 sf
Allowable Diameter	5.70 inches

APARTMENT COMPLEX ETHOS DESIGN BUILD MAHOMET, IL

SITE LOCATION

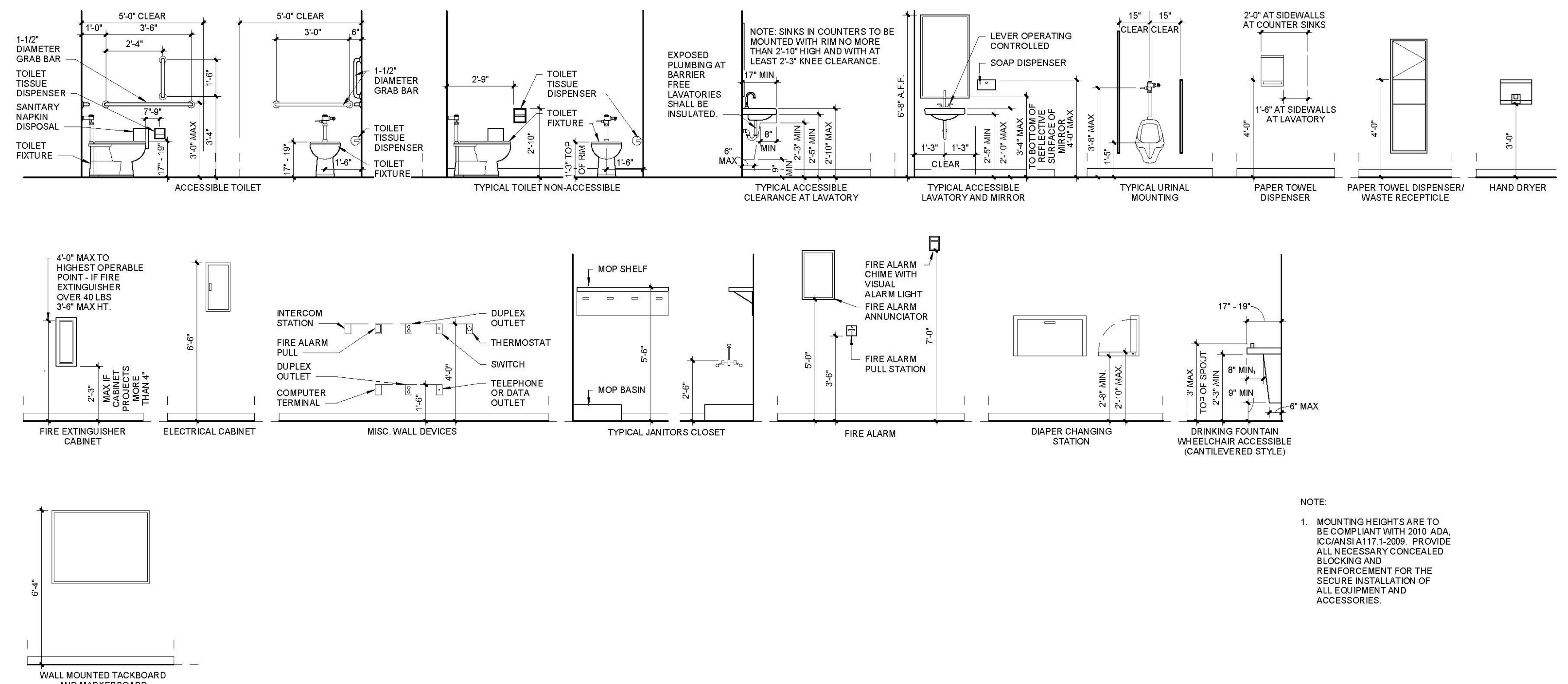


SITE

MUNICIPAL DATA

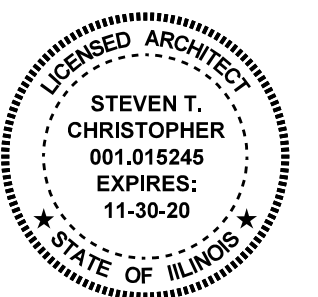
ZONING: R-3 MULTIPLE-FAMILY RESIDENTIAL DISTRICT
LOT CRITERIA: MIN LOT SIZE 10,000 SF, ACTUAL LOT = 203,017 SF
BLDG. CRITERIA: 8,154 SF PER FLOOR, 24,463 SF PER BUILDING, 73,386 SF TOTAL, 3 STORY (55' MAX. HT.)
OCCUPANCY: GROUP R-2, CONSTRUCTION TYPE 5A (3 STORY, 12,000 SF MAX PER FLOOR)
PARKING CRITERIA: MIN. - 134 STALLS (2 PER DWELLING UNIT), ACTUAL - 135 STALLS (6 ADA STALLS)
BUILDING CODES: 2012 IBC

ADA DESIGN CRITERIA



SHEET INDEX

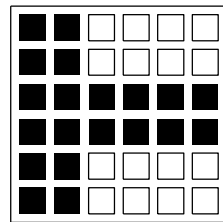
T-1	TITLE SHEET	A-1	FIRST FLOOR PLANS
C-1	XXX	A-2	SECOND & THIRD FLOOR PLANS
C-2	XXX	A-3	ELEVATIONS
C-3	XXX	A-4	ELEVATIONS & SECTIONS
C-4	XXX	A-5	FLOOR PLAN - COM. CNTR.
C-5	XXX	A-6	ELEVATIONS & SECTIONS - COM. CNTR.
C-6	XXX	S-1	FOUNDATION PLAN - APARTMENTS
C-7	XXX	S-2	FRAMING PLANS - APARTMENTS
		S-3	STRUCTURAL PLANS - COMM. CNTR.



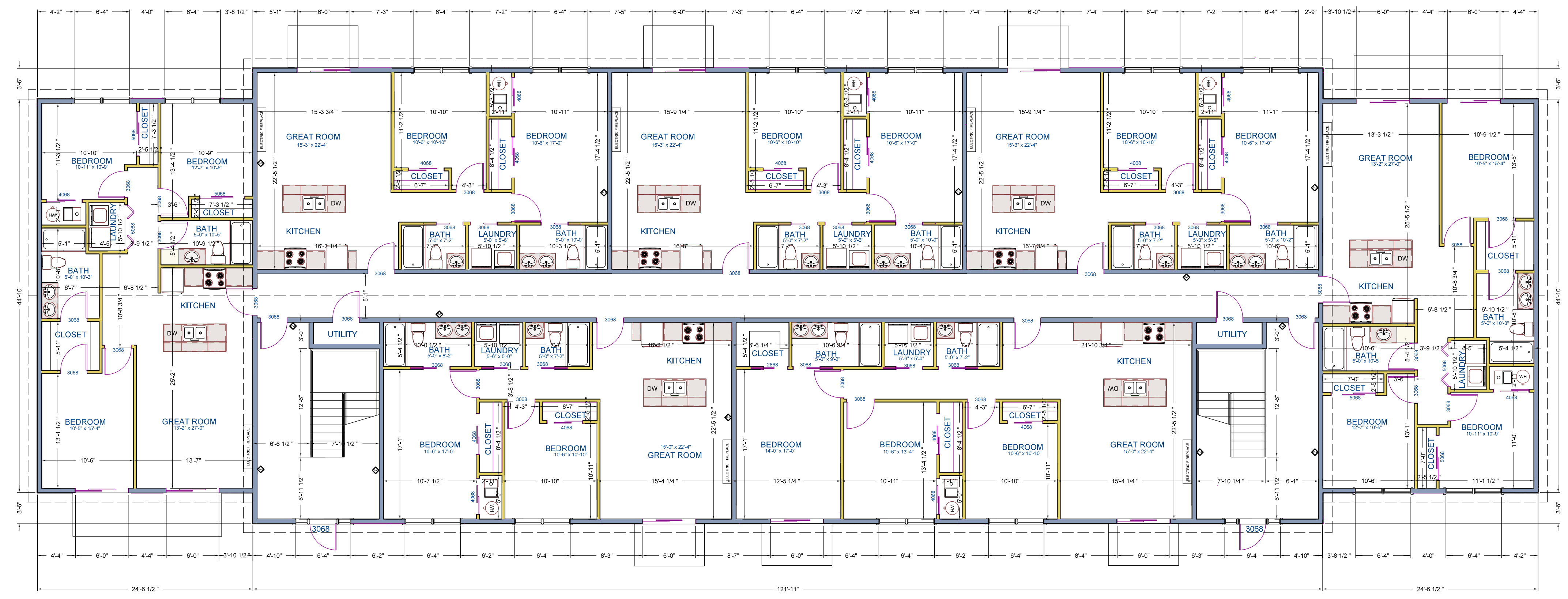
STEVEN T. CHRISTOPHER, AIA
3717 N. Harmon Ave. Peoria, IL 61614

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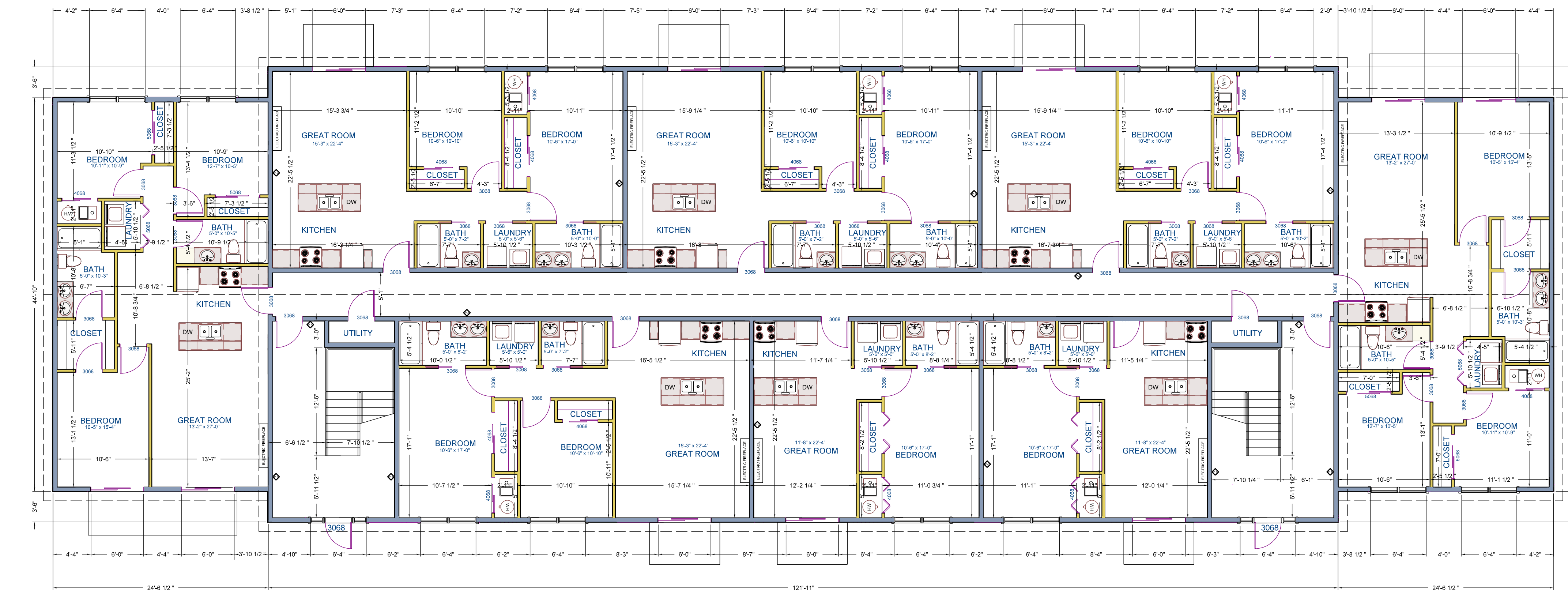
REVISIONS	DATE	APPROVED	CHECKED	STC	DRAWN BY
5-22-2020	5-28-2020				
PROJECT NO.	20-07	T-1	SHEET NO.		



- GENERAL WALL NOTES:
1. UNLESS NOTED OTHERWISE, ALL WALLS ARE TO BE 2 X 4 WOOD STUDS, 1/2" DRYWALL EACH SIDE (PARTITION TYPE P-1)
 2. PARTY WALLS BETWEEN DWELLING UNITS ARE TO BE 2 X 4 WOOD STUDS, 5/8" TYPE 'X' DRYWALL EACH SIDE, 1 HOUR RATED ASSEMBLY, WITH SOUND BATTS FULL HEIGHT.
 3. WALLS LABELED 6" ARE PLUMBING WALLS. TO BE 2 X 6 WOOD STUDS, 1/2" DRYWALL EACH SIDE. THESE WALLS SHOULD ALSO BE FIRE RATED OR SOUND ATTENUATED IF THEY ALSO FIT THE DEFINITION OF SUCH.
 4. CORRIDOR WALLS SHALL BE 2 X 4 WOOD STUDS, 5/8" TYPE 'X' DRYWALL EACH SIDE, MIN. 1/2 HOUR RATED ASSEMBLY, WITH SOUND BATTS FULL HEIGHT.
 5. WALLS AT STAIRS SHALL BE 2 X 4 WOOD STUDS, 2 LAYERS 5/8" TYPE 'X' DRYWALL EACH SIDE, WITH SOUND BATTS FULL HEIGHT, 2 HOUR FIRE RATED ASSEMBLY (1 1/2 HOUR DOORS). CONSULT ARCHITECT FOR ANY CLARIFICATIONS.
 6. DIMENSION SHOWN ARE TO WALL FACE OF STUD, UNLESS NOTED OTHERWISE.
 7. 2X6 EXTERIOR CONSTRUCTION-DIMENSIONED TO OUTSIDE 1/2" SHEATHING
 8. 5/8" DRYWALL ON CEILINGS, GREEN BOARD IN TUB/SHOWER AREAS
 9. FLOOR HEIGHT IS 9'-1 1/8" +/-
 10. PROVIDE TYPE B ACCESSIBLE UNITS ON THE FIRST FLOOR. THIS INCLUDES SOLID BLOCKING FOR FUTURE GRAB BARS, REMOVABLE VANITY CABINETS, SIDE APPROACH TO SINKS AND TUBS, ETC.
 11. EQUIPMENT DIMENSIONS AND CLEARANCES ARE NOMINAL AND SHOULD BE FIELD VERIFIED BASED ON ACTUAL EQUIPMENT SELECTION



FIRST FLOOR PLAN - BUILDINGS A & B
SCALE: 1/8" = 1'-0"



FIRST FLOOR PLAN - BUILDING C
SCALE: 1/8" = 1'-0"

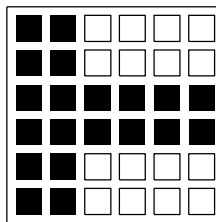
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STEVEN T. CHRISTOPHER, AIA
3717 N. Harmon Ave. Peoria, IL 61614

APARTMENT COMPLEX - ETHOS DESIGN BUILD
MAHOMET, IL

REVISIONS
DATE
5-22-2020
APPROVED
DATE
5-28-2020
CHECKED
DATE
11-30-20
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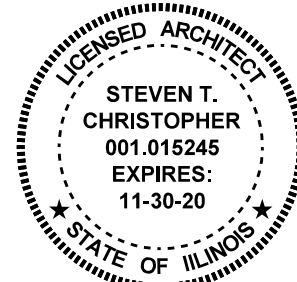
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20-07
A-1
SHEET NO.



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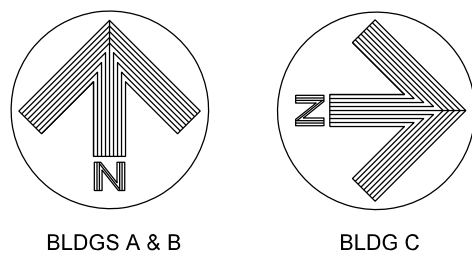
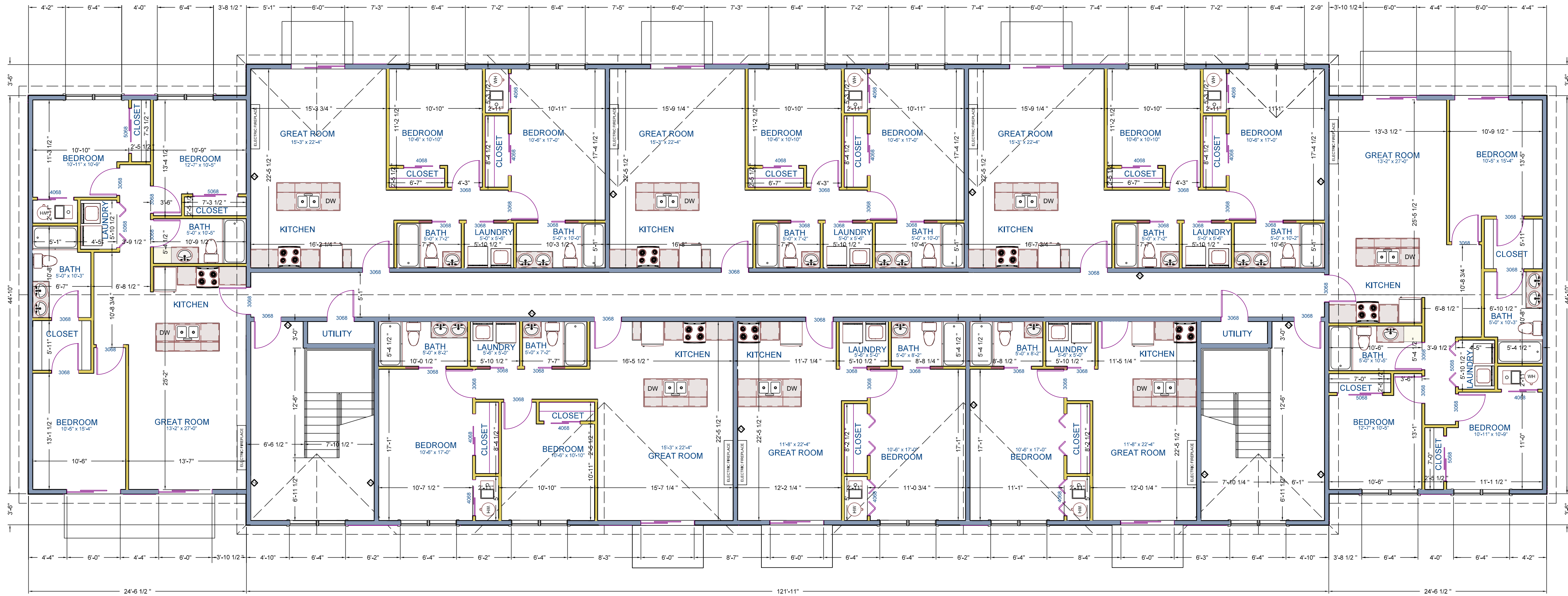
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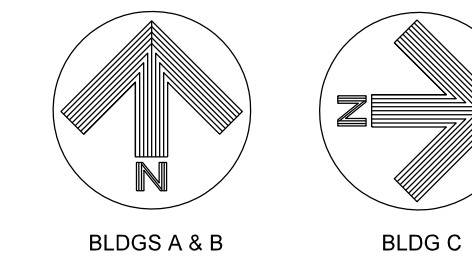
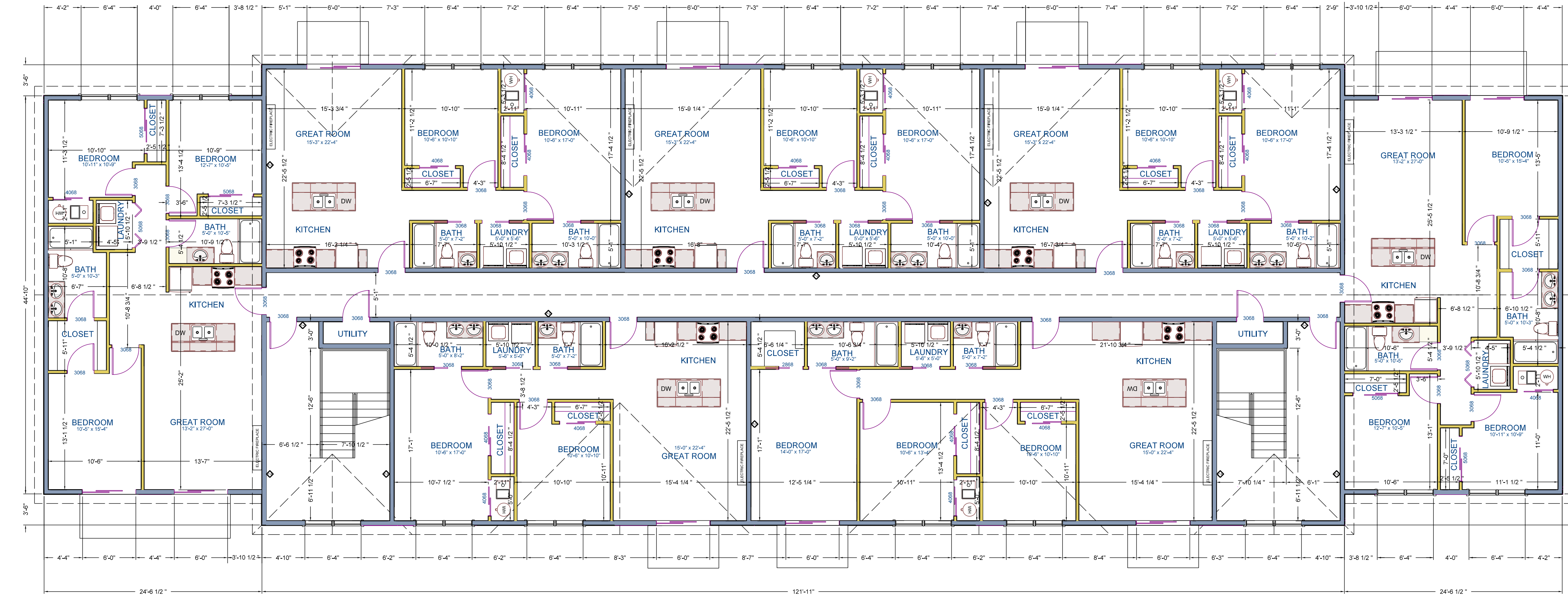
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5-22-2020	5-28-2020				
PROJECT NO. 20-07					
A-2 SHEET NO.					



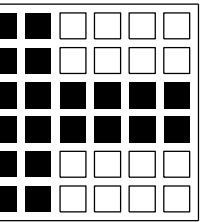
SECOND FLOOR PLAN - ALL BUILDINGS

SCALE: 1/8" = 1'-0"



THIRD FLOOR PLAN - ALL BUILDINGS

SCALE: 1/8" = 1'-0"



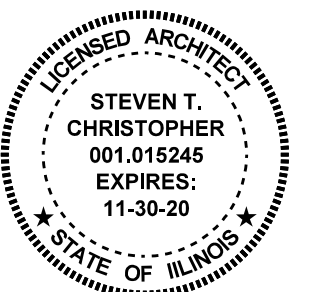
REAR ELEAVTION - ALL BUILDINGS

SCALE: 1/8" = 1'-0"



FRONT ELEVATION - ALL BUILDINGS

SCALE: 1/8" = 1'-0"



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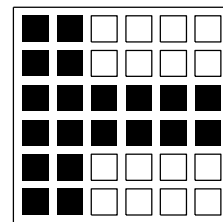
STEVEN T. CHRISTOPHER, AIA
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APARTMENT COMPLEX - ETHOS DESIGN BUILD
MAHOMET, IL

REVISIONS	DATE	APPROVED	CHECKED	STC	DRAWN BY
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20-07

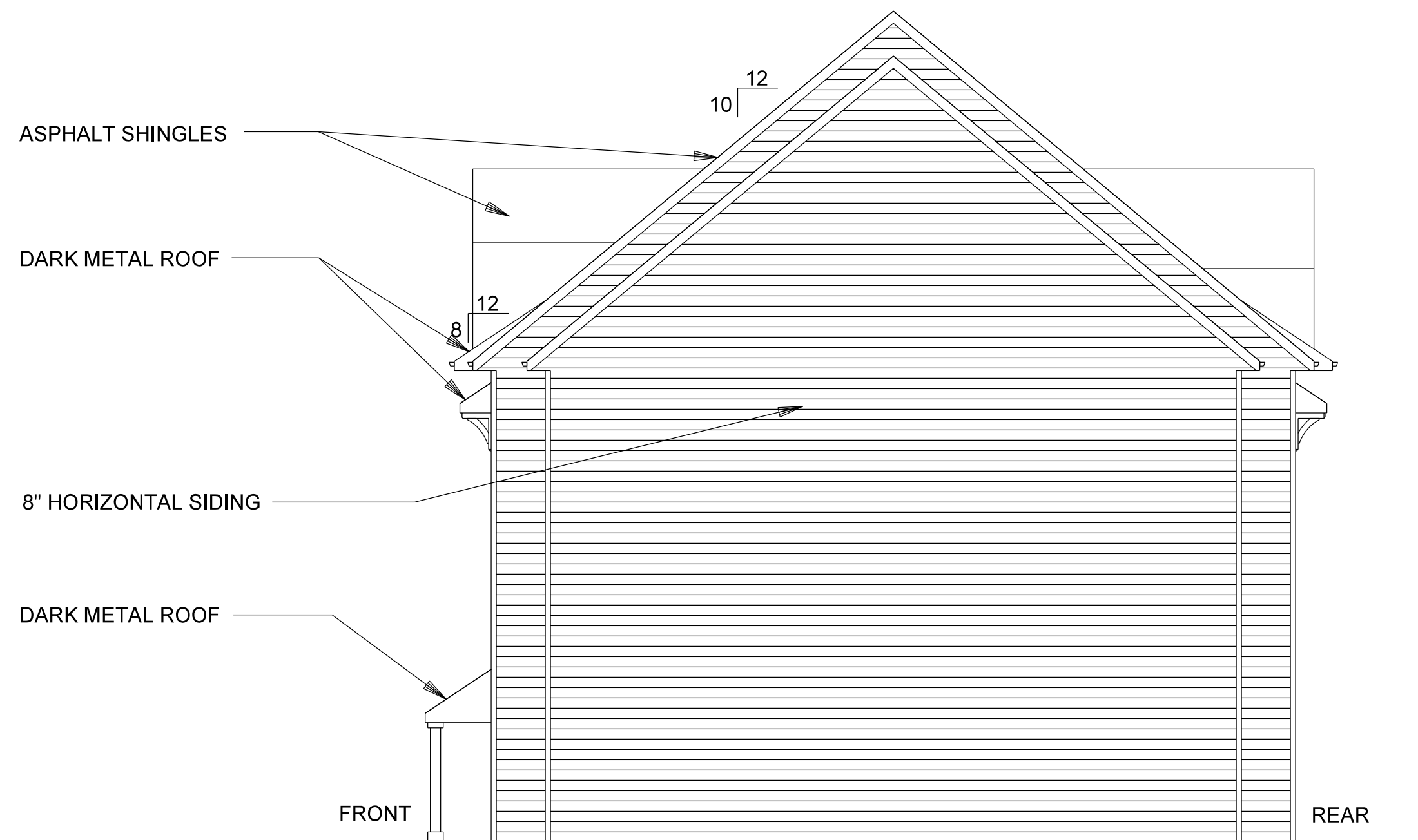
A-3
SHEET NO.



STEVEN T. CHRISTOPHER, AIA
3717 N. Harmon Ave. Peoria, IL 61614

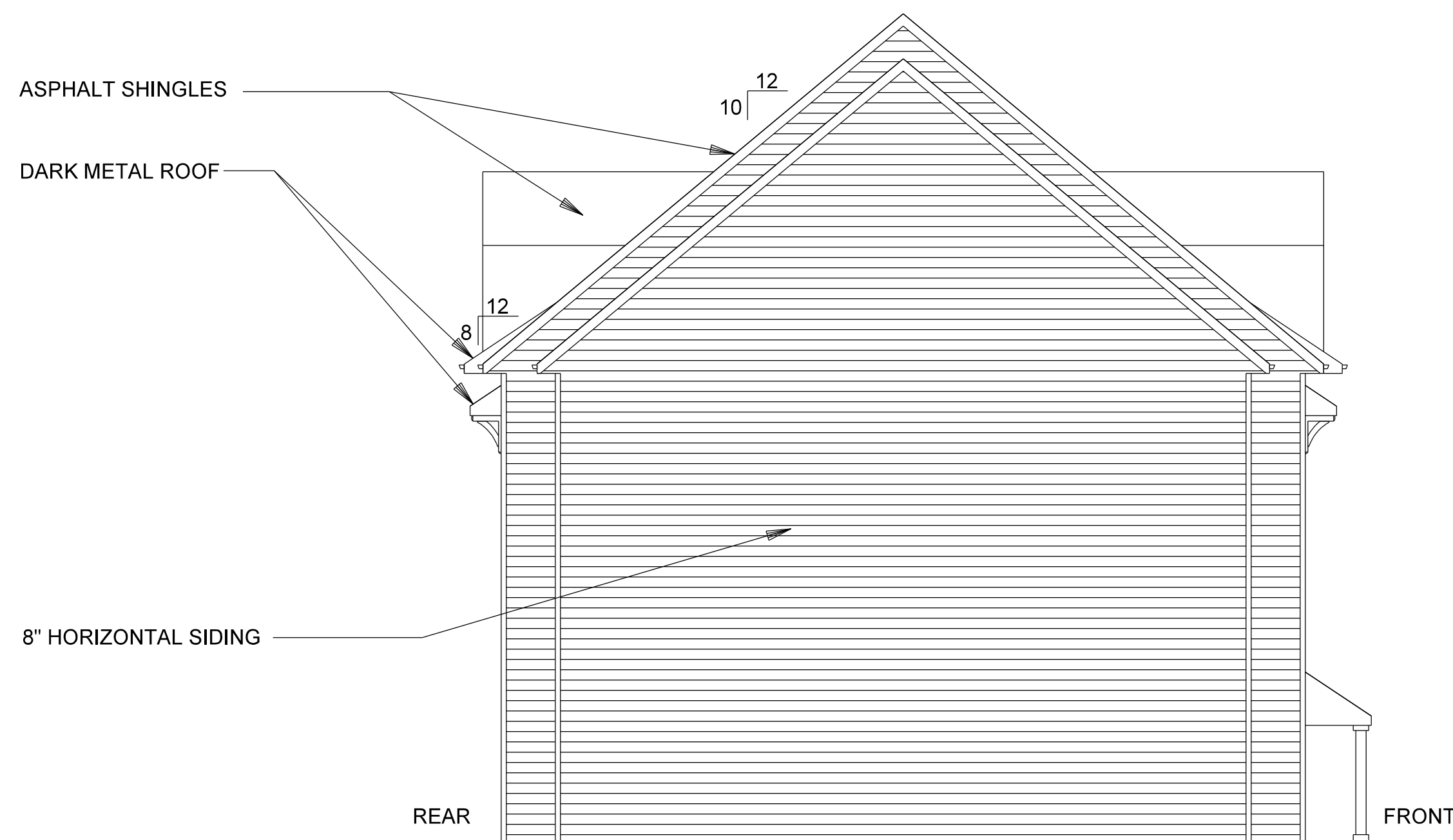
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MAHOMET, IL

REVISIONS	DATE	APPROVED	CHECKED	STC
5-22-2020	5-28-2020			
PROJECT NO. 20-07				
A-4 SHEET NO.				



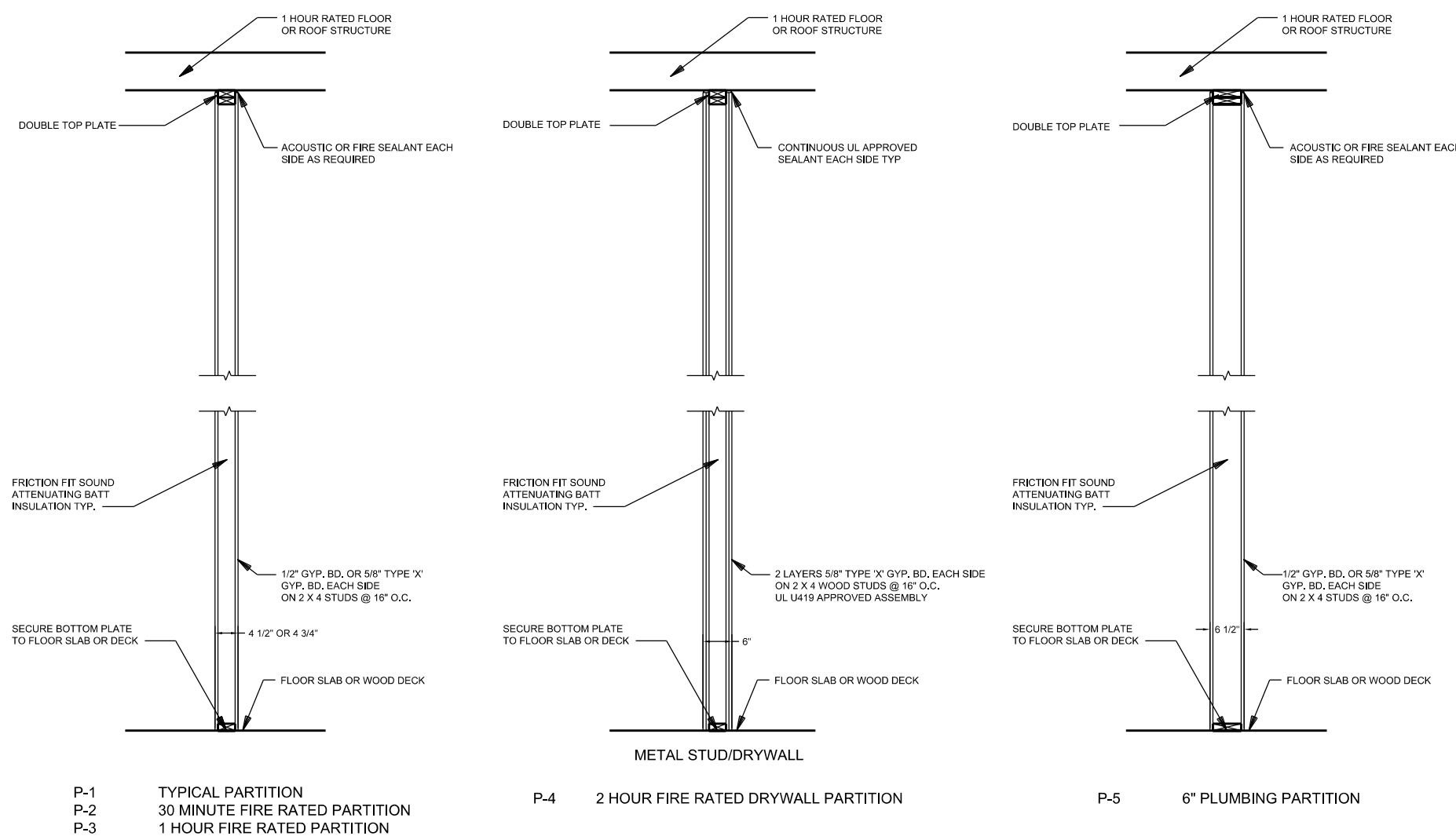
SIDE ELEVATION - ALL BUILDINGS

SCALE: 1/8" = 1'-0"



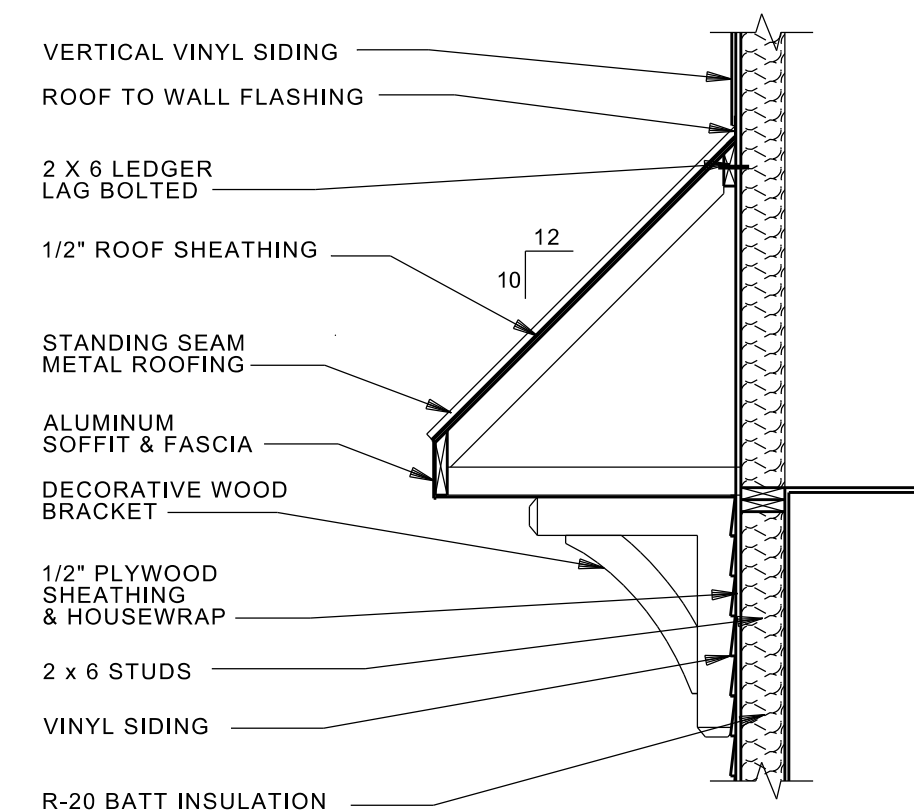
SIDE ELEVATION - ALL BUILDINGS

SCALE: 1/8" = 1'-0"



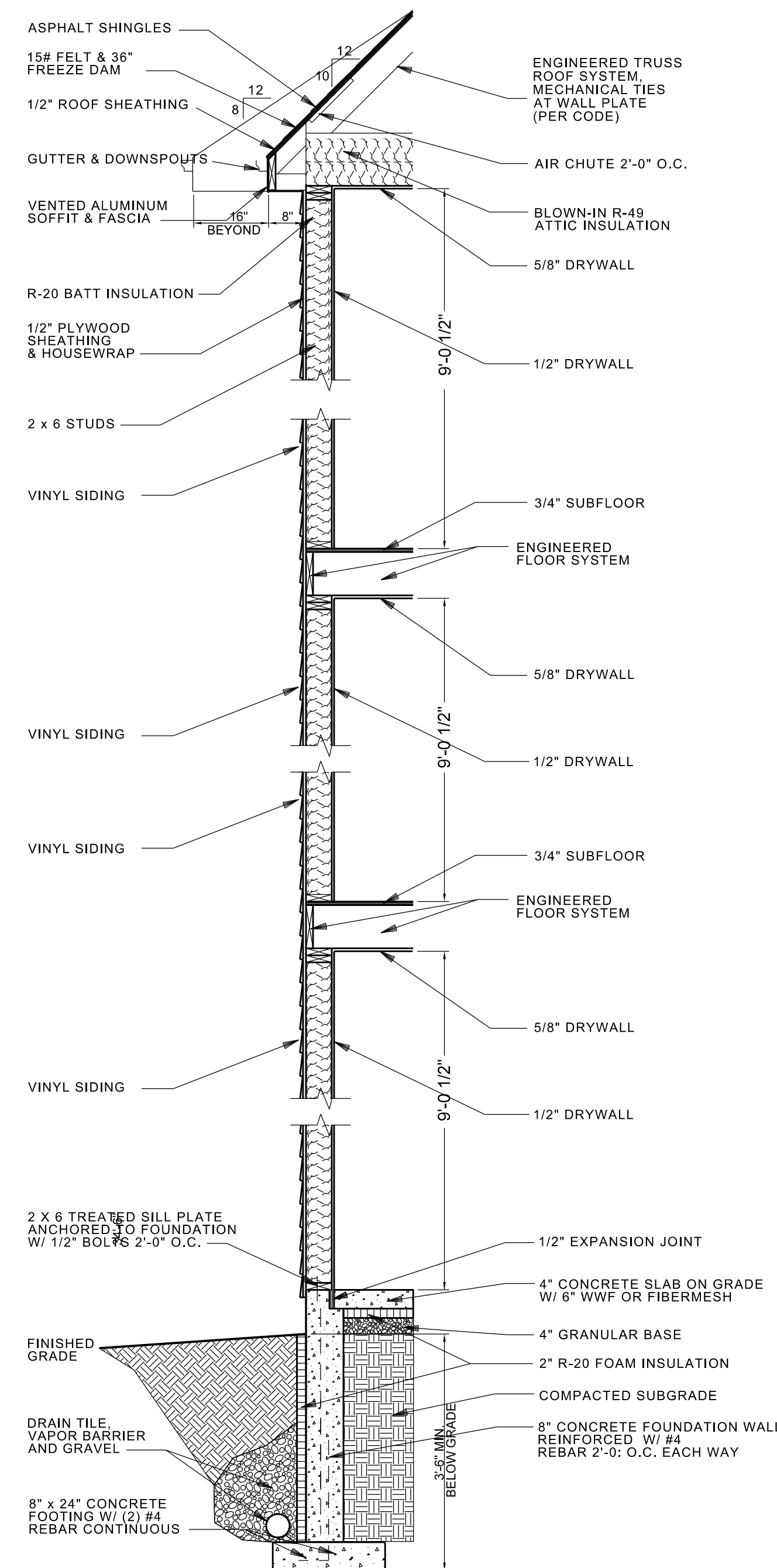
PARTITION TYPES

N.T.S.



WINDOW AWNING SECTION

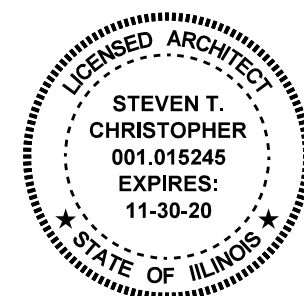
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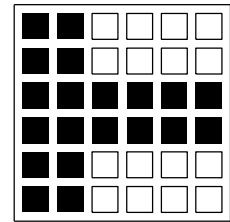


TYPICAL WALL SECTION

SCALE: 1/2" = 1'-0"

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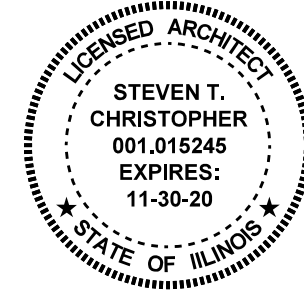




STEVEN T. CHRISTOPHER, AIA
3717 N. Harmon Ave. Peoria, IL 61614

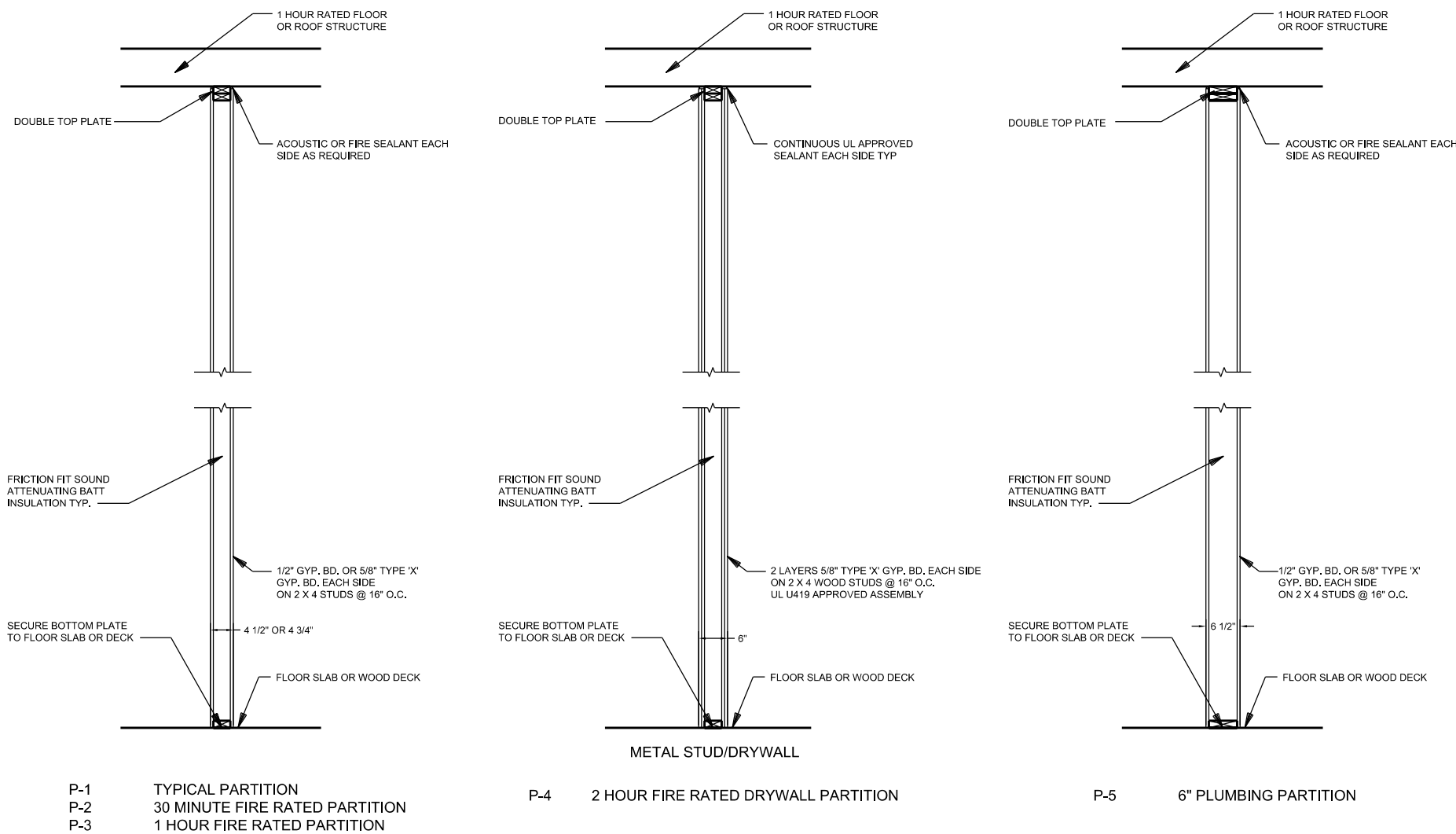
APARTMENT COMPLEX - ETHOS DESIGN BUILD
MAHOMET, IL

REVISIONS	DATE	APPROVED	CHECKED	STC
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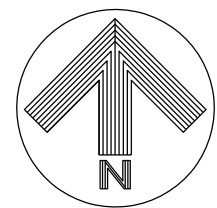
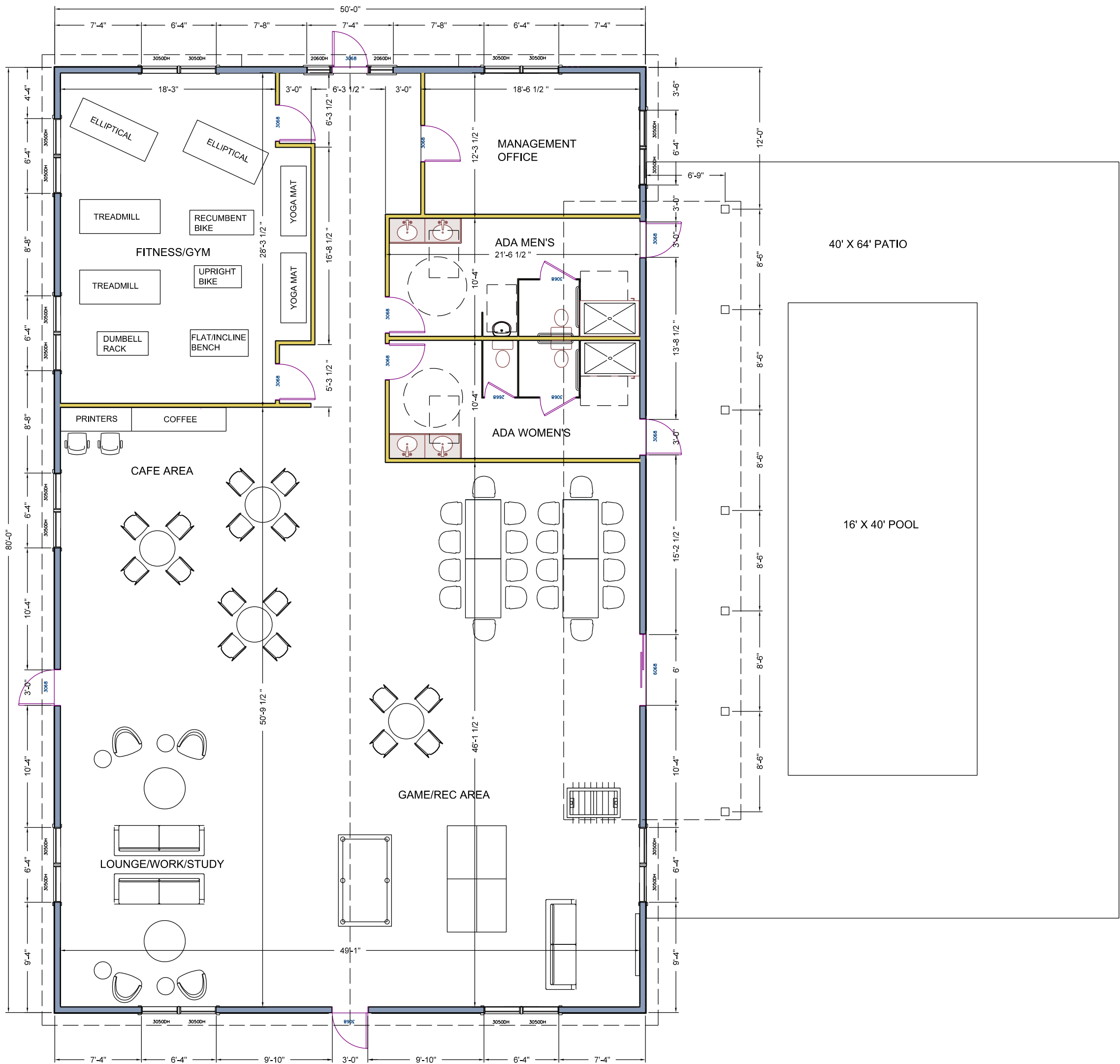
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- GENERAL WALL NOTES:
- UNLESS NOTED OTHERWISE, ALL WALLS ARE TO BE 2 X 4 WOOD STUDS, 1/2" DRYWALL EACH SIDE (PARTITION TYPE P-1)
 - PARTY WALLS BETWEEN DWELLING UNITS ARE TO BE 2 X 4 WOOD STUDS, 5/8" TYPE 'X' DRYWALL EACH SIDE, 1 HOUR RATED ASSEMBLY, WITH SOUND BATTS FULL HEIGHT.
 - WALLS LABELED 6" ARE PLUMBING WALLS, TO BE 2 X 6 WOOD STUDS, 1/2" DRYWALL EACH SIDE. THESE WALLS SHOULD ALSO BE FIRE RATED OR SOUND ATTENUATED IF THEY ALSO FIT THE DEFINITION OF SUCH.
 - CORRIDOR WALLS SHALL BE 2 X 4 WOOD STUDS, 5/8" TYPE 'X' DRYWALL EACH SIDE, MIN. 1/2 HOUR RATED ASSEMBLY, WITH SOUND BATTS FULL HEIGHT.
 - WALLS AT STAIRS SHALL BE 2 X 4 WOOD STUDS, 2 LAYERS 5/8" TYPE 'X' DRYWALL EACH SIDE, WITH SOUND BATTS FULL HEIGHT, 2 HOUR FIRE RATED ASSEMBLY (1 1/2 HOUR DOORS). CONSULT ARCHITECT FOR ANY CLARIFICATIONS.
 - DIMENSION SHOWN ARE TO WALL FACE OF STUD, UNLESS NOTED OTHERWISE.
 - 2X6 EXTERIOR CONSTRUCTION-DIMENSIONED TO OUTSIDE 1/2" SHEATHING
 - 5/8" DRYWALL ON CEILINGS, GREEN BOARD IN TUB/SHOWER AREAS
 - FLOOR HEIGHT IS 10'-1 1/8" +/-
 - PROVIDE TYPE B ACCESSIBLE UNITS ON THE FIRST FLOOR. THIS INCLUDES SOLID BLOCKING FOR FUTURE GRAB BARS, REMOVABLE VANITY CABINETS, SIDE APPROACH TO SINKS AND TUBS, ETC.
 - EQUIPMENT DIMENSIONS AND CLEARANCES ARE NOMINAL AND SHOULD BE FIELD VERIFIED BASED ON ACTUAL EQUIPMENT SELECTION



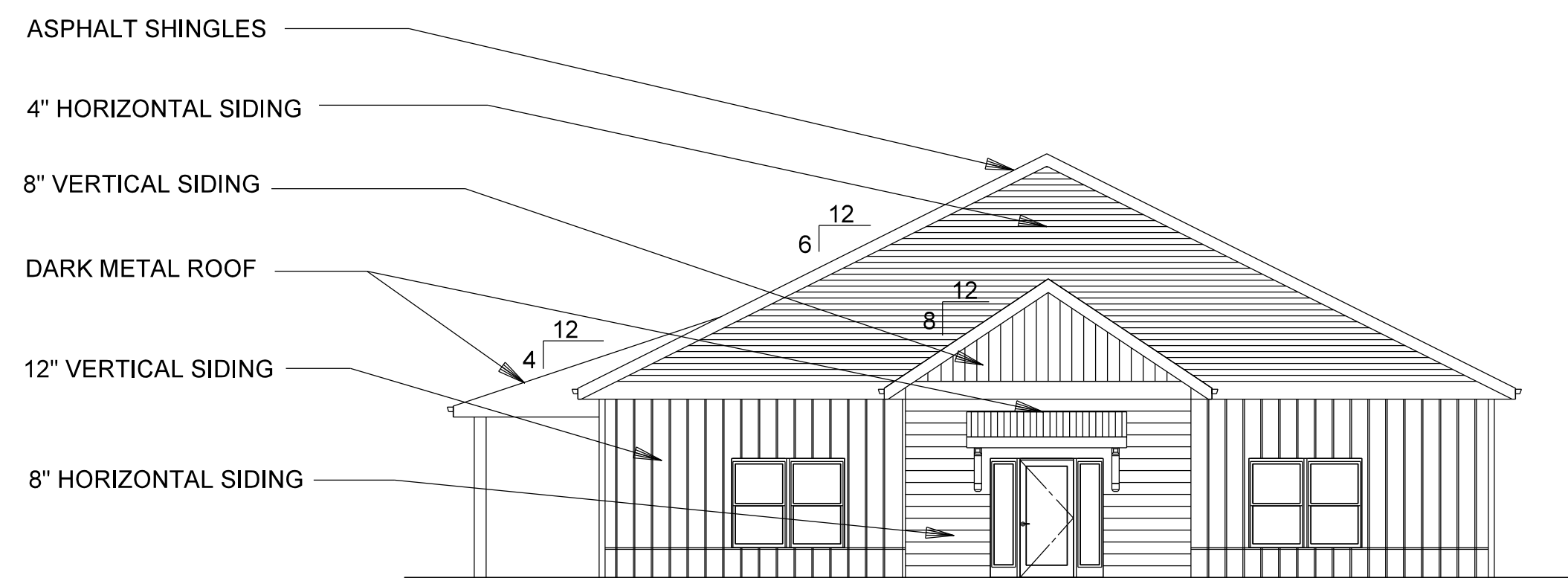
PARTITION TYPES

N.T.S.

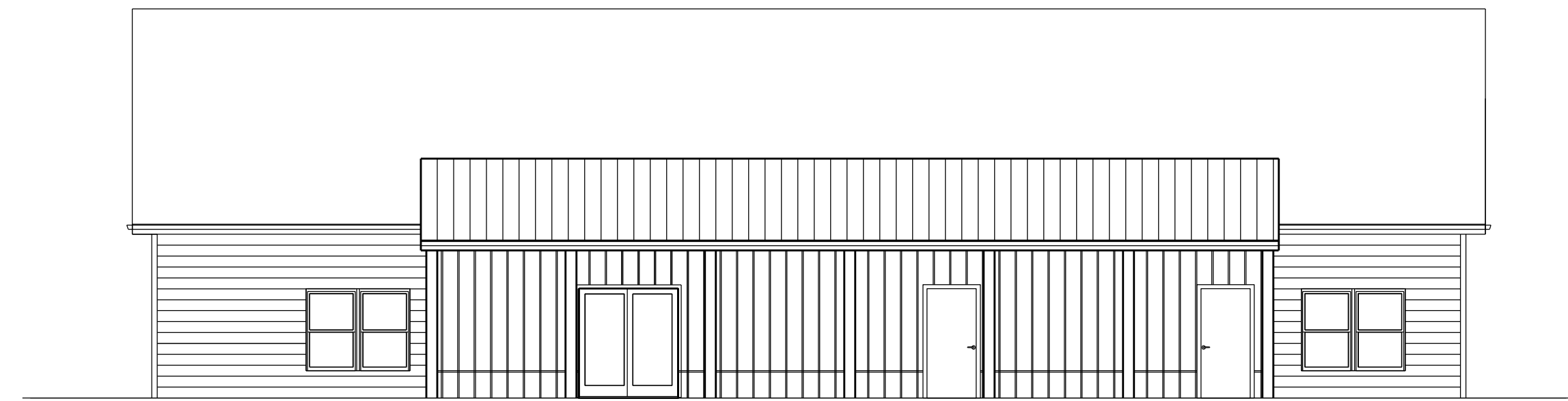


FLOOR PLAN - COMMUNITY CENTER

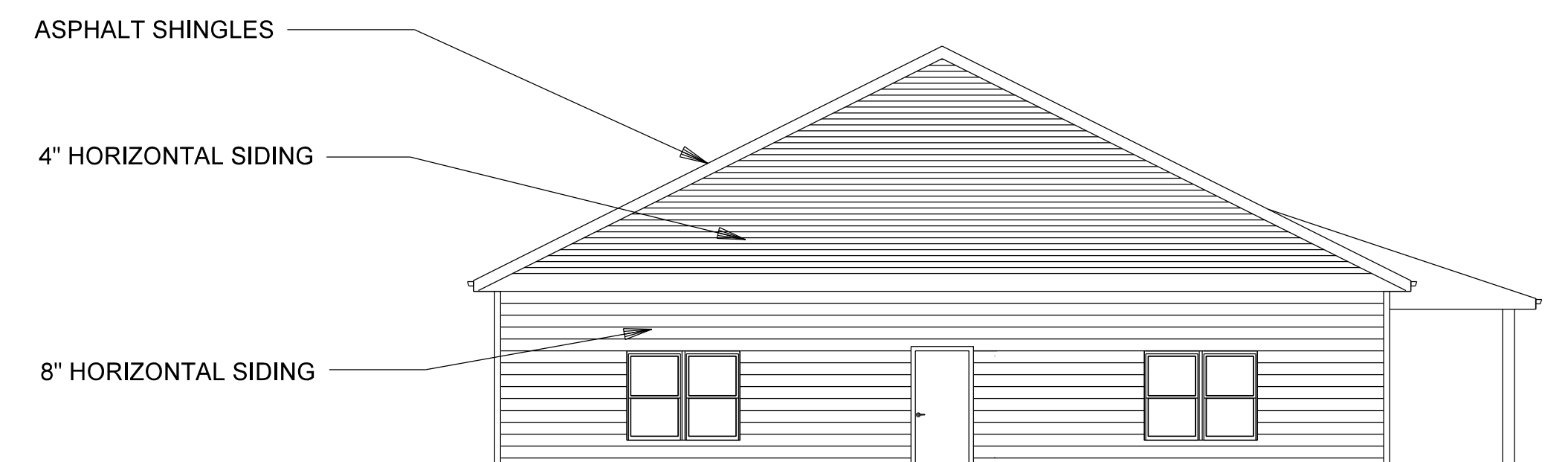
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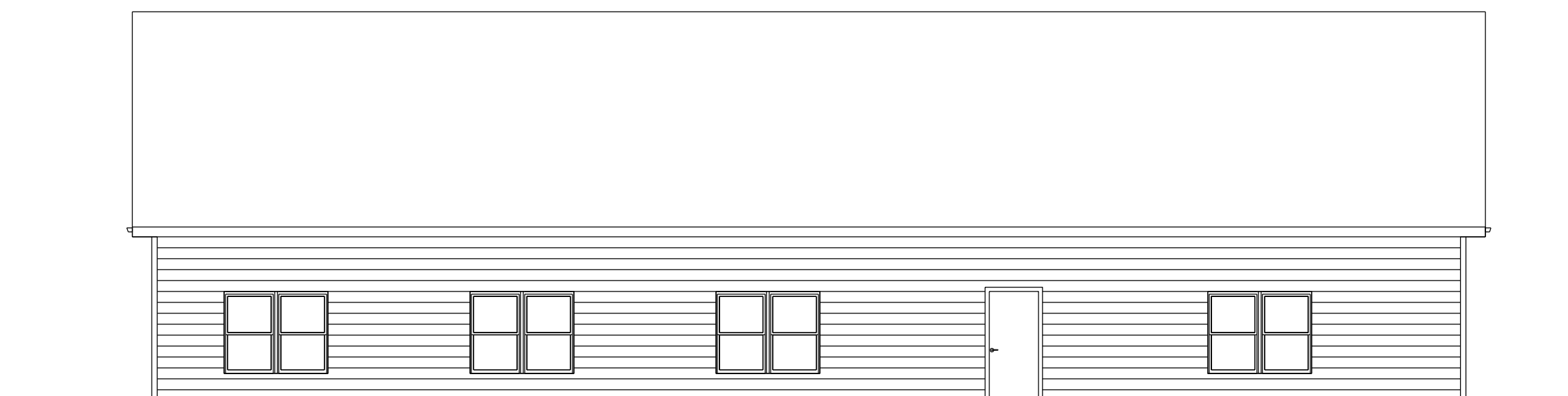
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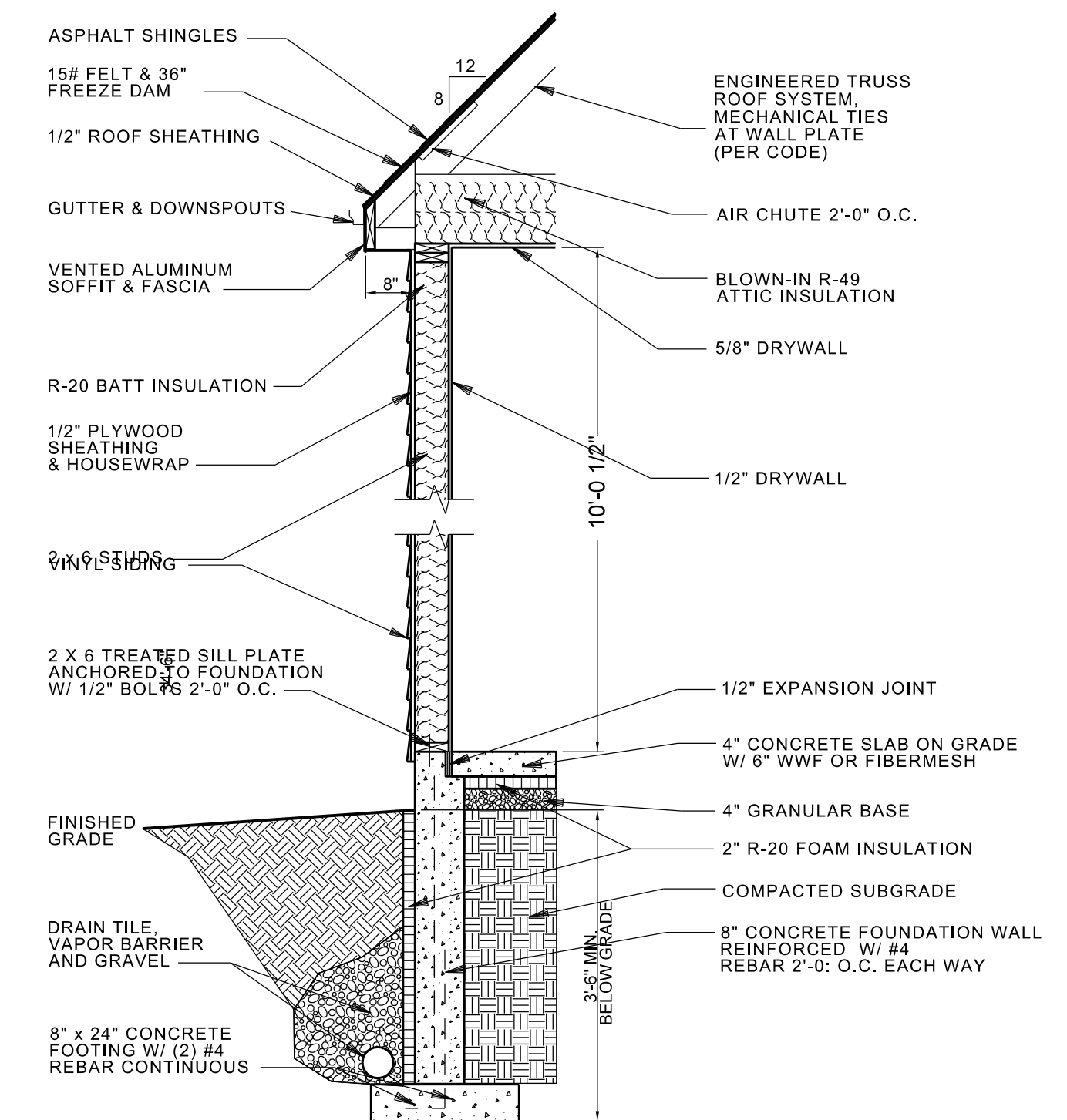
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SCALE: 1/8" = 1'-0"



SCALE: 1/8" = 1'-0"

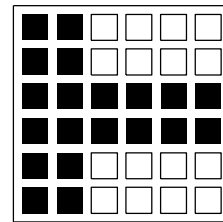


SCALE: 1/2" = 1'-0"



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A-6
SHEET NO.



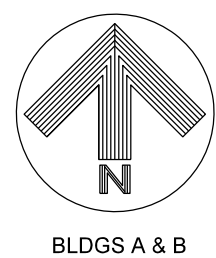
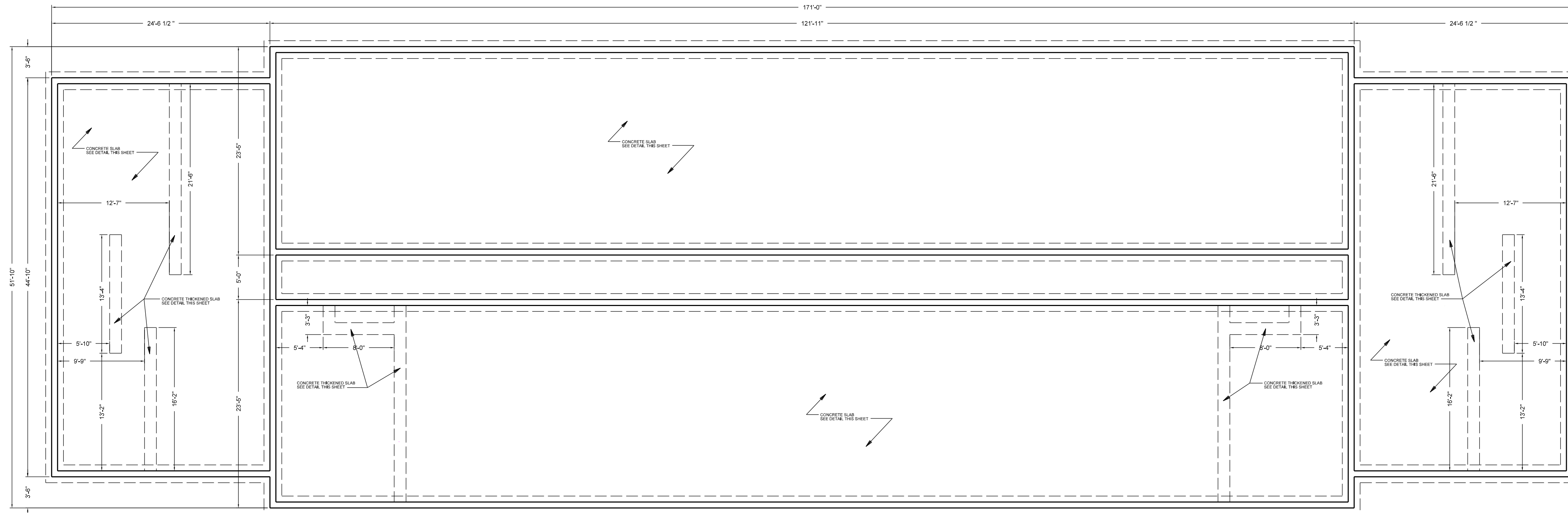
STEVEN T. CHRISTOPHER, AIA
3717 N. Harmon Ave. Peoria, IL 61614

APARTMENT COMPLEX - ETHOS DESIGN BUILD
MAHOMET, IL

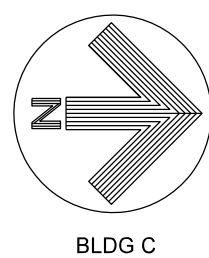
REVISIONS	DATE	APPROVED	CHECKED	SYC
5-22-2020	5-28-2020			

PROJECT NO.
20-07

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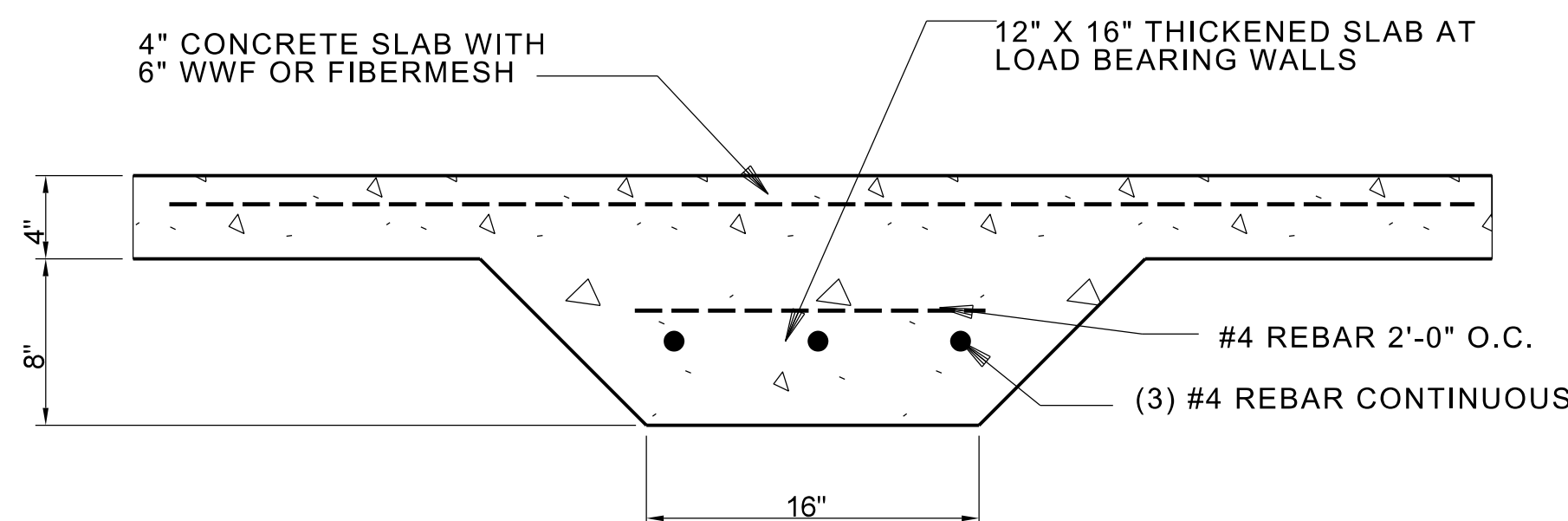
BLDGS A & B



BLDG C

FOUNDATION PLAN - ALL BUILDINGS

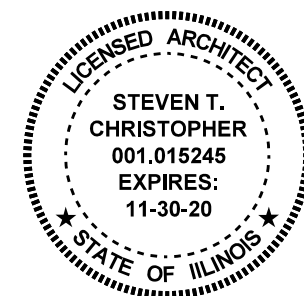
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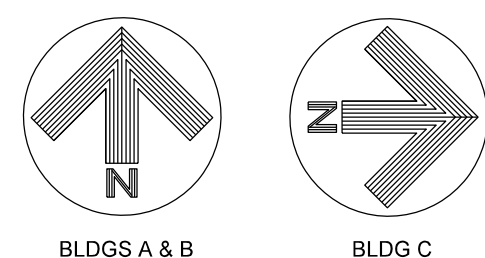
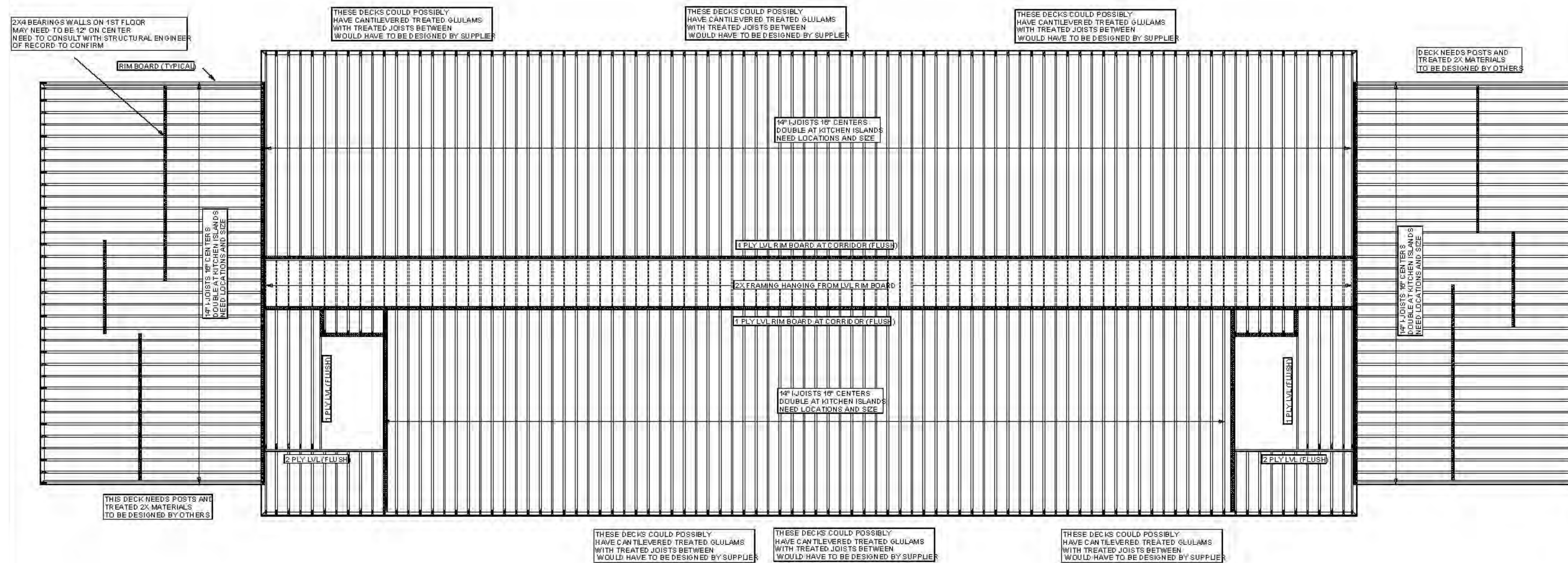
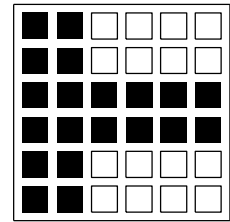


THICKENED SLAB SECTION

SCALE: 1 1/2" = 1'-0"

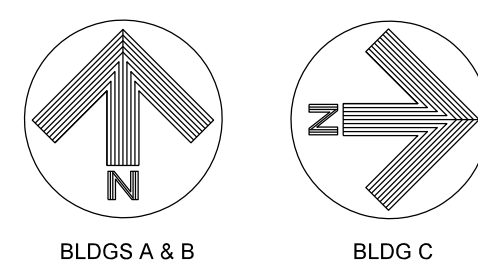
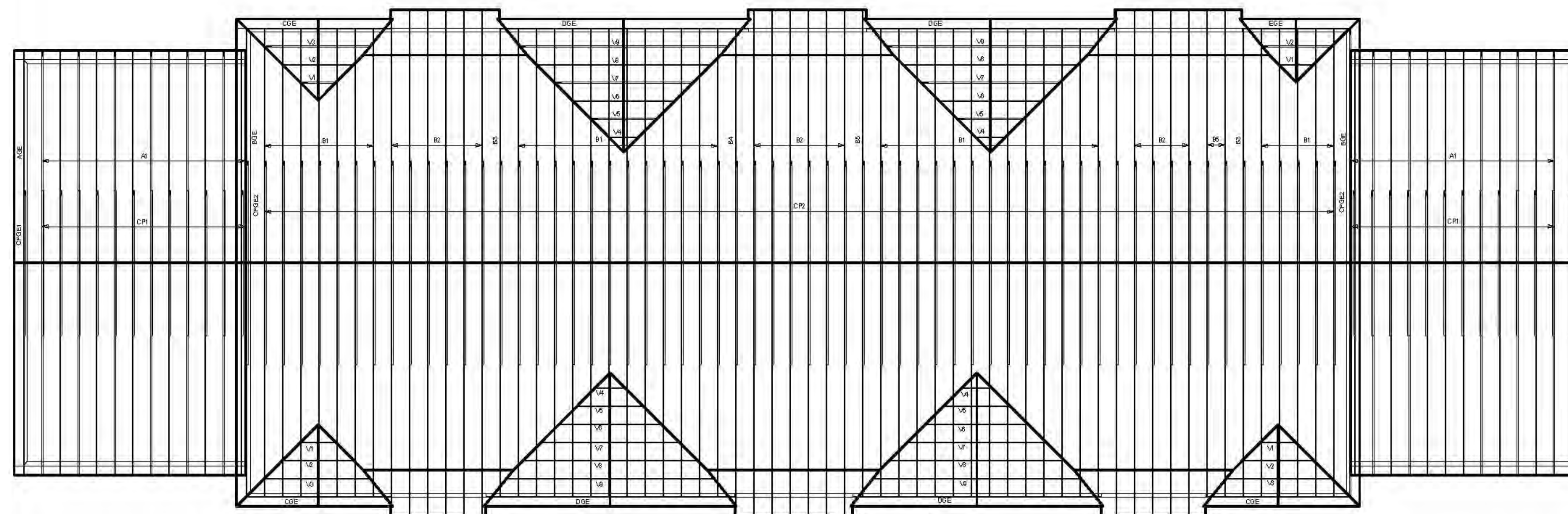
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FLOOR FRAMING PLAN - ALL BUILDINGS

SCALE: 1/8" = 1'-0"



ROOF FRAMING PLAN - ALL BUILDINGS

SCALE: 1/8" = 1'-0"

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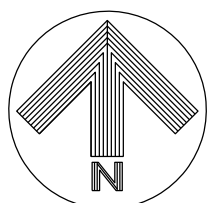
APARTMENT COMPLEX - ETHOS DESIGN BUILD
MAHOMET, IL

REVISIONS	DATE	APPROVED	CHECKED	STC	DRAWN BY
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2	5-28-2020				

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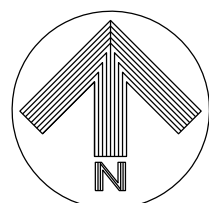
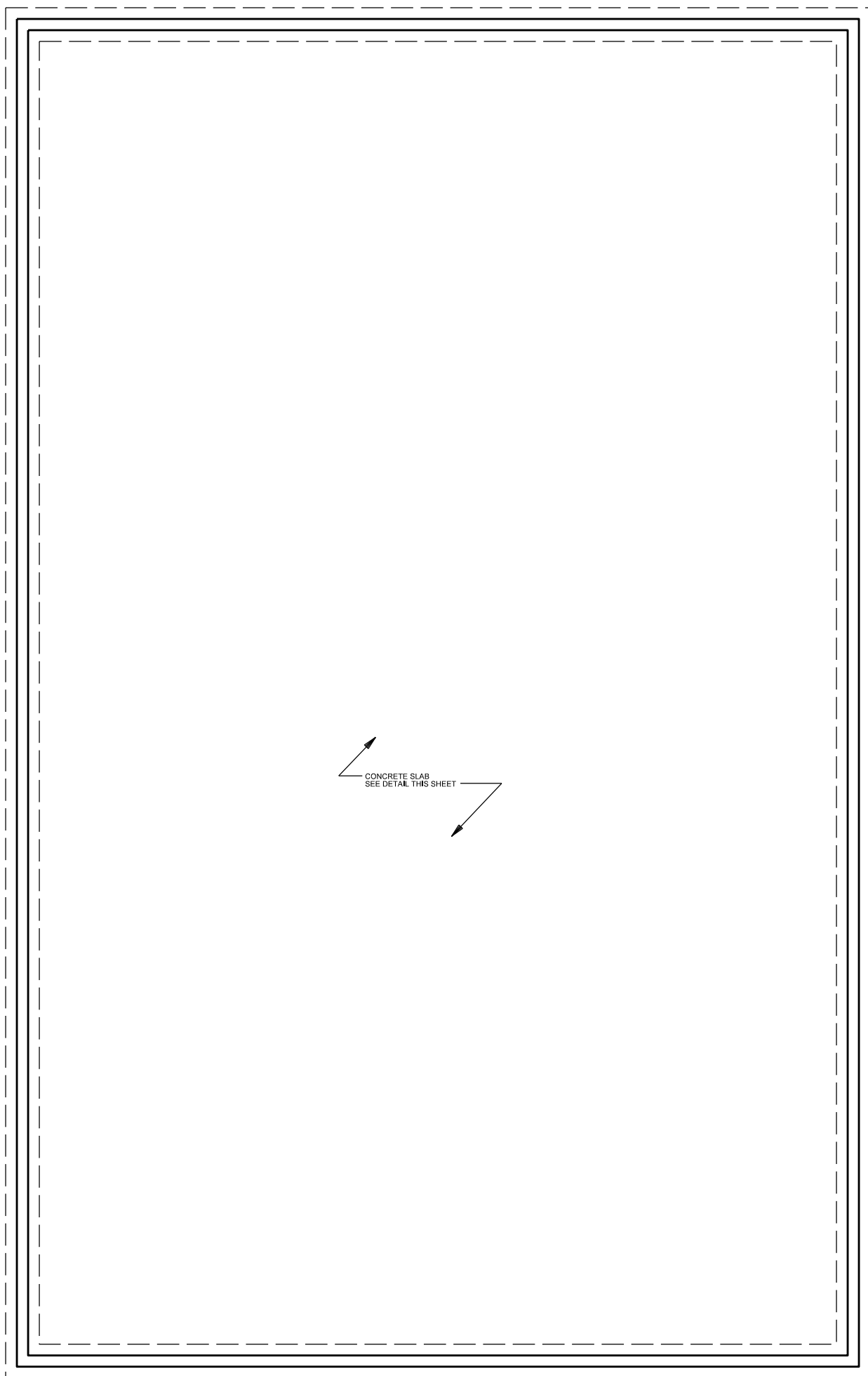
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S-2
SHEET NO.



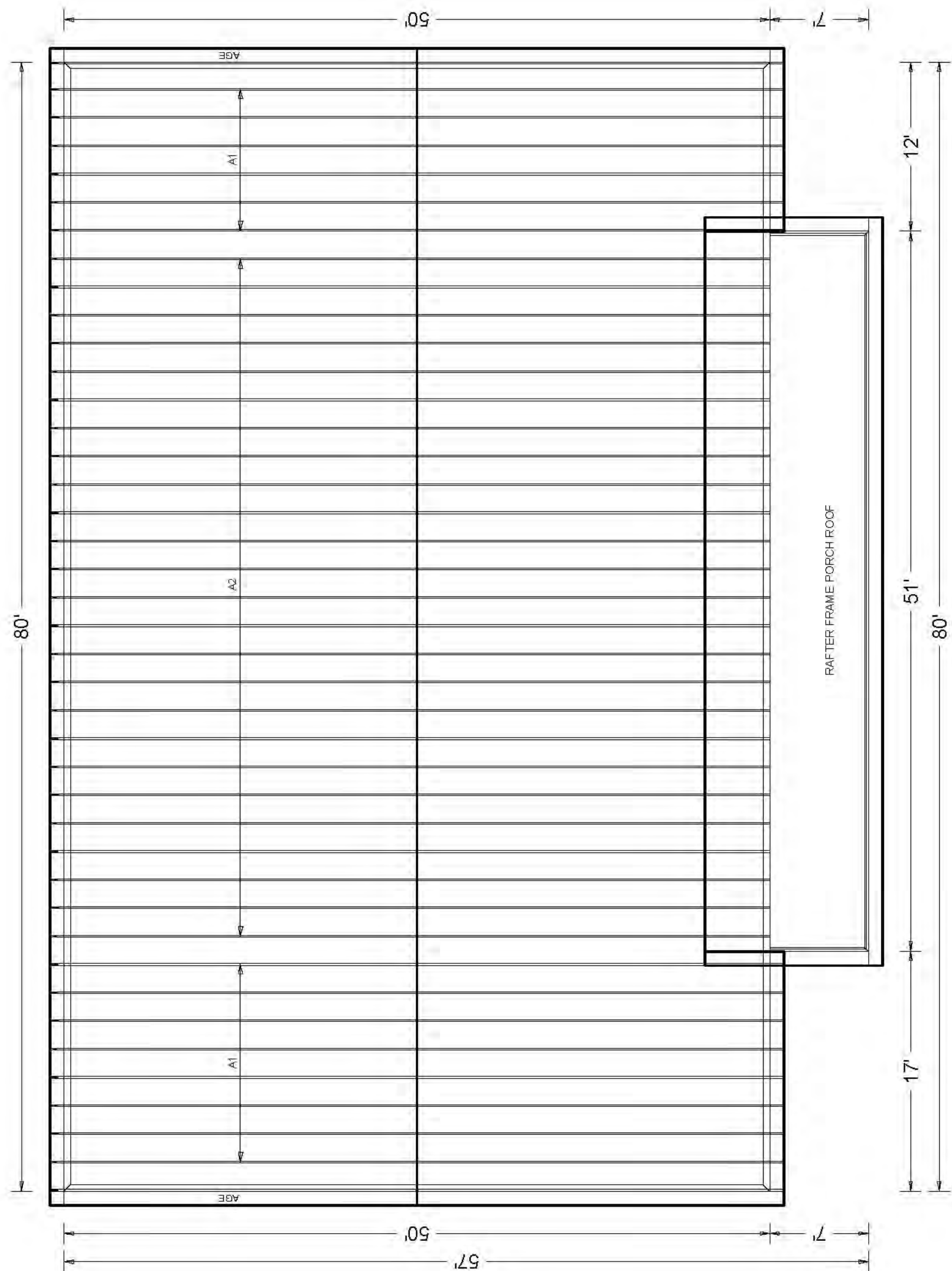
FOUNDATION PLAN - COMMUNITY CENTER

SCALE: 1/8" = 1'-0"



ROOF FRAMING PLAN - COMMUNITY CENTER

SCALE: 1/8" = 1'-0"



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5-22-2020	REVISIONS	DATE
5-28-2020	APPROVED	DATE
20-07	CHECKED	DATE
S-3	DRAWN BY	DATE
PROJECT NO.		
SHEET NO.		

APARTMENT COMPLEX - ETHOS DESIGN BUILD
MAHOMET, IL

STEVEN T. CHRISTOPHER, AIA
3717 N. Harmon Ave. Peoria, IL 61614

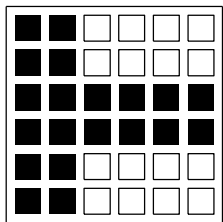


Exhibit A



Village of Mahomet Building Permit Application Form New Commercial Construction

Proposed Project			
☒ New Construction <u>67</u> Number of Units	☐ Renovation of Existing Building	☐ Fit Out of Existing Building	
Permit Fee			
Permit Fee	Sq Ft X \$0.09 = Fee	Sq Ft <u>71,000</u>	$\times \$0.09 = \underline{6,390}$ \$200 Minimum - \$1250 Maximum
Project Information			
Project Location/Physical Address <u>1801 Patton Drive Mahomet IL 61853</u>			
Development <u>Conway Vision South</u>	Suite # / Lot # <u>Lot #2</u>	Type of Structure *** <u>Multi-family</u>	
Applicant: Builder / General Contractor Information		Property Owners*	
Name <u>Ethos Design Build - Steve Lehman</u>	Name <u>Tabeling Development Company</u>		
Address <u>120 W. Jefferson #14 Morton IL 61550</u>	Address <u>PO Box 1217 Mahomet IL 61853</u>		
Phone <u>309-339-7270</u>	Phone <u>217-722-9374</u>		
* if different from the applicant			
Contractor Information			
	Site Supervisors *	Excavation *	Framing **
Name	<u>Fred Leuallen</u>	<u>Russ Weigand</u>	
Company	<u>Ethos Design Build</u>	<u>New Horizons</u>	<u>Mart Construction</u>
Cell phone		<u>309-261-1716</u>	
Email	<u>fred@ethos.build</u>	<u>russw@newhorizons.construction</u>	
	Plumbing **	HVAC **	Electrical **
Name	<u>TJ Paluska</u>	<u>Eric</u>	
Company	<u>Paluska Plumbing</u>	<u>Bratcher Heating</u>	<u>MX Electric</u>
Cell phone			
Email			
	Flat Work **	Grading **	Roofing **
Name	<u>Russ Weigand</u>	<u>Russ Weigand</u>	<u>Caleb Burton</u>
Company	<u>New Horizons</u>	<u>New Horizons</u>	<u>SK Exterior</u>
Cell phone			
Email			
* Needs to be completed at the time of application			
** Subcontractor information needs to be completed prior to the Final Occupancy Inspection			
*** Single unit, Condo, Multiple rentals, ...			

New Construction

Permit # _____

Requirements & Responsibilities

- 1 Maintain proper parking of all contractors / sub-contractors vehicles at all times to assure emergency vehicle access.
- 2 Will hold harmless the Village of Mahomet from all claims resulting from the construction, operation or maintenance of the approach.
- 3 Empty dumpster regularly. No dumpsters are to be located in the street or over public sidewalks. Permit holder is responsible for any damage to public improvements or property.
- 4 Contain materials on the subject lot. Dumping onto adjacent lots may result in fines. Exceptions: If builders owns adjacent lot or has permission from the owner to use the lot (must show proof of agreement.)
- 5 Keep entire building site in a maintainable state through out the building process and to be keep free of weeds or tall grass at ALL times. (Ordinance requires less than 8".)
- 6 Clean the streets and sidewalks all mud clods, rock, etc. DAILY.
- 7 Install and maintain construction drive 2" or larger rock with geotextile underneath and 16 " overlay on each side.
- 8 Install and maintain wattles on the property side of the sidewalk.
- 9 Install and maintain silt fence as needed to protect the swales and neighboring lots. and to meet finish grade requirements as set by ordinance;
- 10 Install and maintain siltation area at the lowest point along the street frontage 3" down 4' wide back of curb to front of sidewalk.
- 11 Obtain Architectural Review Committee approval as needed or required.

Inspections

- 1 Adequate notice for inspections:
 - a. Approach Inspections require at least 12 hours notice.
 - b. All other inspections require at least 48 hours notice.
 - c. Same day request (Expedited Inspections) will be honored as schedule permits and has a fee of \$35.00.
- 2 Stake out
 - a. Lot pins must be exposed for the stake-out approval. Inspector will not locate.
 - b. Place a grade stake at the elevation of the finished foundation height on a side property line.
- 3 Sump Line Connection

Send picture of connection and picture of connection relative to the house to: kbuchanan@mahomet-il.gov or text picture with explanation to 217-621-9186
- 4 Approach
 - a. 6" deep and constructed to the ordinance specifications contained in: CHAPTER 150 of the Village Mahomet Code
- 5 Temporary/Final Occupancy
 - a. Any agreements for the homeowner to assume responsibility to complete any requirements of the minimal housing standard or placement of sod or seed must be sent to Building Inspector. An email string will suffice.
 - b. Un-Releasable items include: proper slopes graded as per ordinance Title XV, Chapter 154, Appendix B, Article1; return all drainage swales to the designed elevations of the original engineered grading plans; erosion controls must be maintained until the site has been stabilized, repairs to infrastructure are agreed upon and documented.
 - c. House in move-in condition prior to inspection; exceptions at the discretion of the Building Inspector.
 - d. The permit holder is responsible for assuring that all required inspections have been performed and as well as all fees and fines are paid before any final occupancy inspection is scheduled.

Acknowledgement and Agreement

- 1 By submitting this permit form and signing below the builder also agrees to:
 - a. have any property pins replaced by a surveyor that become damaged or missing while permit is open.
 - b. pay all fees and fines prior to the occupancy inspection.
 - c. fulfill all of the requirements and responsibilities of this permit application.

I fully understand and agree to the above terms and conditions of obtaining this building permit.

Signed: _____

Date: _____

5/26/20



Village of Mahomet

503 E. Main Street - P.O. Box 259 - Mahomet, IL 61853-0259
phone (217) 586-4456 fax (217) 586-5696

May 27, 2020

Steve Lehman
ETHOS Design Build
120 W Jefferson, Suite #14
Morton, IL 61550

RE: Check return

Dear Steve,

Based on the ordinance passed last night, May 26, 2020, I am returning a check for the application fee for site plan approval for a project at 1801 Patton Drive. Ordinance is attached for your convenience.

Thanks,

Kelly Pfeifer
Community Development Director
Village Planner

CC: Joe Chamley, EFBC
Patrick Brown, Administrator

www.mahomet-il.gov

VILLAGE OF MAHOMET
303 E. MAIN ST.
PO BOX 259
MAHOMET, IL 61853-0259

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27 MAY '20
PM 4 L

FIRST CLASS



US POSTAGE
\$ 000.65⁰
02 74
0201232770 MAY 17 2020
MAILED FROM ZIP CODE 61853

Steve Lehman
ETHOS Design Build
120 W. Jefferson, Ste. #14
Morton, IL 61550

51550-184018



ANDREW DALLAS DBA AD CONSTRUCTION 1800 W UNIVERSITY AVE CHAMPAIGN, IL 61821		1019
DATE 5-26-20		
PAY TO THE ORDER OF Village of Mahomet		\$ 750.00
Seven Hundred Fifty + 00/100		DOLLARS
MEMO App Fee For Ethos Design Build		

Exhibit B

(See Enclosures)

Exhibit B

gary@ethos.build

From: steve@ethos.build
Sent: Wednesday, June 3, 2020 5:21 PM
To: gary@ethos.build
Subject: FW: Exhibit for Elm Street development

Thank you very much!

Steve Lehman | DBIA, LEED AP
Design-Build | Construction Management
ETHOS :: DESIGN BUILD
120 W. Jefferson, Morton IL 61550
309.339.7270 | steve@ethos.build

From: Kelly Pfeifer <kpfeifer@mahomet-il.gov>
Sent: Friday, January 31, 2020 12:14 PM
To: Steve Lehman <steve@ethos.build>
Subject: RE: Exhibit for Elm Street development

Thanks! Have a nice weekend!

From: Steve Lehman <steve@ethos.build>
Sent: Friday, January 31, 2020 11:27 AM
To: Kelly Pfeifer <kpfeifer@mahomet-il.gov>
Subject: Re: Exhibit for Elm Street development

Okay. I'll plan on it.

On Jan 31, 2020, at 11:26 AM, Kelly Pfeifer <kpfeifer@mahomet-il.gov> wrote:

How about 10:00?

From: Steve Lehman <steve@ethos.build>
Sent: Friday, January 31, 2020 11:23 AM
To: Kelly Pfeifer <kpfeifer@mahomet-il.gov>
Subject: Re: Exhibit for Elm Street development

Yes. I'll be in Champaign that day. What times can we meet Tuesday? I'm pretty open.
Thanks.
Steve

On Jan 31, 2020, at 11:17 AM, Kelly Pfeifer <kpfeifer@mahomet-il.gov> wrote:

gary@ethos.build

From: steve@ethos.build
Sent: Thursday, July 2, 2020 3:15 PM
To: gary@ethos.build
Subject: FW: Patton Dr. Development

Thank you very much!

Steve Lehman | DBIA, LEED AP
Design-Build | Construction Management
ETHOS :: DESIGN BUILD
120 W. Jefferson, Morton IL 61550
309.339.7270 | steve@ethos.build

From: steve@ethos.build <steve@ethos.build>
Sent: Tuesday, April 7, 2020 3:06 PM
To: 'sdkerr mohrandkerr.com' <sdkerr@mohrandkerr.com>
Subject: RE: Patton Dr. Development

Let's coordinate with the seller and his group to get all things resolved and coordinated well.

Seller Contact Info:

Shawn Tabeling
217.722.9374
shawn@shawntabeling.com

Thank you very much!

Steve Lehman | DBIA, LEED AP
Design-Build | Construction Management
ETHOS :: DESIGN BUILD
120 W. Jefferson, Morton IL 61550
309.339.7270 | steve@ethos.build

From: sdkerr mohrandkerr.com <sdkerr@mohrandkerr.com>
Sent: Tuesday, April 7, 2020 2:40 PM
To: Steve Lehman <steve@ethos.build>
Subject: FW: Patton Dr. Development

FYI

Steven D. Kerr, PE

Mohr & Kerr Engineering & Land Surveying, P.C.
5901 N. Prospect
Suite 6B
Peoria, IL 61614
Phone: 309-692-8500
Fax: 309-692-8501
Cell: 309-696-5690

From: Kelly Pfeifer <kpfeifer@mahomet-il.gov>
Sent: Tuesday, April 7, 2020 1:37 PM
To: jmmohr mohrandkerr.com <jmmohr@mohrandkerr.com>; Ellen Hedrick <ehedrick@mahomet-il.gov>
Cc: sdkerr mohrandkerr.com <sdkerr@mohrandkerr.com>; Patrick Brown <pbrown@mahomet-il.gov>
Subject: Re: Patton Dr. Development

Hi Josh,

Nice to meet you. In order to provide you guidance for your site plan work, we need some more information about the project. The number of units, bedrooms, bathrooms, floors, non-resident facilities/spaces, and water metering servicing strategy for each building.

We also caution that you may be working with the incorrect property lines - specifically on the southwest property line as it is adjacent to the Middletown Place Apartments site. That property requires some of the platted lot that you are designing on to make its eastern buildings compliant with setbacks. The owner of the lot you are designing on is in process of transferring land through our certificate of exemption subdivision process. While we know the minimum land that will need to be transferred to make the buildings compliant, only the landowner can confirm the actual intended new property lines. I encourage you to speak with the owner rep to make sure you are designing for the resultant property. Every 3000 SF of land area translates to one multi-family housing unit that can be built on a property so every foot matters.

Also, the lot owner will have the latest information on the sanitary and water mains that feed the lot. Those record drawings have not yet been submitted to us for approval nor the lines accepted by our board of trustees. They will need to be before we approve any site development plan. If you secure the as-builts on the public utilities yourself, please note the status at this point so as to not get too far in front of the acceptance process. We have requested them from the developer's engineer anticipating the desire of the developer to have the board accept them within the next few months. But the developer also has sidewalk to build along US Route 150 that needs to be done before we present it. Before I saw this, I would have assumed they would be done and we would be presenting the subdivision to the board in July for acceptance. I am not sure your client's interest in this property but I wanted to make you aware of this.

Let me know what questions you have or please let me know what services you are providing your client and on what timeline so I may best assist you.

Thanks!

Kelly

Community Development Director
Village of Mahomet

From: jmmohr mohrandkerr.com <jmmohr@mohrandkerr.com>
Sent: Tuesday, April 7, 2020 9:38 AM
To: Ellen Hedrick <ehedrick@mahomet-il.gov>; Kelly Pfeifer <kpfeifer@mahomet-il.gov>
Cc: sdkerr mohrandkerr.com <sdkerr@mohrandkerr.com>
Subject: Re: Patton Dr. Development

Great. Thank you!

Joshua Mohr

Mohr & Kerr Engineering & Land Surveying, P.C.

5901 N. Prospect Rd., Suite 6B

Peoria, Illinois 61614

Office: (309) 692-8500

Fax: (309) 692-8501

From: Ellen Hedrick <ehedrick@mahomet-il.gov>
Sent: Tuesday, April 7, 2020 9:32 AM
To: jmmohr mohrandkerr.com <jmmohr@mohrandkerr.com>; Kelly Pfeifer <kpfeifer@mahomet-il.gov>
Cc: sdkerr mohrandkerr.com <sdkerr@mohrandkerr.com>
Subject: FW: Patton Dr. Development

Joshua,
At this point the appropriate person for you to deal with is Kelly Pfeifer our Planning Department Director. I copied her on this email and she will contact you soon.

Ellen Hedrick, P.E. | Engineer | Village of Mahomet
T 217.586.4456 ext. 202 C 217.991.0455
www.ChooseMahomet.com
www.mahomet-il.gov



From: jmmohr mohrandkerr.com <jmmohr@mohrandkerr.com>
Sent: Friday, April 3, 2020 2:26 PM
To: Ellen Hedrick <ehedrick@mahomet-il.gov>
Cc: sdkerr mohrandkerr.com <sdkerr@mohrandkerr.com>
Subject: Patton Dr. Development

Ellen,

Per our phone conversation, attached is a rough site layout exhibit. The owner plans to split out the NW corner of the lot since it is zoned commercial. The lot we are developing is 4.92 acres and the smaller lot is 0.95 acres.

Could you put me in contact with someone about the sewer/water? If main extensions are required, we will need to get the IEPA permits applied for as soon as we can.

If you have any questions, please let me know.

Thanks,

Joshua Mohr

Mohr & Kerr Engineering & Land Surveying, P.C.

5901 N. Prospect Rd., Suite 6B

Peoria, Illinois 61614

Office: (309) 692-8500

Fax: (309) 692-8501

From: steve@ethos.build
Sent: Thursday, July 2, 2020 3:19 PM
To: gary@ethos.build
Subject: FW: Ethos Apartments

Thank you very much!

Steve Lehman | DBIA, LEED AP
Design-Build | Construction Management
ETHOS :: DESIGN BUILD
120 W. Jefferson, Morton IL 61550
309.339.7270 | steve@ethos.build

From: Steve Lehman <steve@ethos.build>
Sent: Tuesday, May 26, 2020 1:01 PM
To: Kelly Pfeifer <kpfeifer@mahomet-il.gov>
Cc: sdkerr mohrandkerr.com <sdkerr@mohrandkerr.com>; Ellen Hedrick <ehedrick@mahomet-il.gov>; Steve Christopher <steve.christopher.caz1@statefarm.com>; jmmohr mohrandkerr.com <jmmohr@mohrandkerr.com>; Patrick Brown <pbrown@mahomet-il.gov>
Subject: Re: Ethos Apartments

Ok. We can get that over to you this afternoon. Thanks.

On May 26, 2020, at 12:38 PM, Kelly Pfeifer <kpfeifer@mahomet-il.gov> wrote:

Steve, your application fee is \$750 with that cost figure.

Thanks!

Kelly

From: steve@ethos.build <steve@ethos.build>
Sent: Tuesday, May 26, 2020 12:38 PM
To: Kelly Pfeifer <kpfeifer@mahomet-il.gov>; 'sdkerr mohrandkerr.com' <sdkerr@mohrandkerr.com>
Cc: Ellen Hedrick <ehedrick@mahomet-il.gov>; 'Steve Christopher' <steve.christopher.caz1@statefarm.com>; 'jmmohr mohrandkerr.com' <jmmohr@mohrandkerr.com>; Patrick Brown <pbrown@mahomet-il.gov>
Subject: RE: Ethos Apartments

Thanks for the feedback Kelly,
Cost of Sitework is anticipated to be \$265,000. Let me know what else you need.

Thank you very much!

Steve Lehman | DBIA, LEED AP
Design-Build | Construction Management
ETHOS :: DESIGN BUILD
120 W. Jefferson, Morton IL 61550
309.339.7270 | steve@ethos.build

From: Kelly Pfeifer <kpfeifer@mahomet-il.gov>
Sent: Tuesday, May 26, 2020 12:25 PM
To: steve@ethos.build; 'sdkerr mohrandkerr.com' <sdkerr@mohrandkerr.com>
Cc: Ellen Hedrick <ehedrick@mahomet-il.gov>; 'Steve Christopher' <steve.christopher.caz1@statefarm.com>; 'jmmohr mohrandkerr.com' <jmmohr@mohrandkerr.com>; Patrick Brown <pbrown@mahomet-il.gov>
Subject: RE: Ethos Apartments

Hi Steve,

Thanks. We appreciate the building permit application form, which sort of serves as a "project site development" permit application as you reference the total SF. We have no official application form for site development plan approval but do require a fee payment. That fee is based on the estimated cost of the site construction work: the construction cost of everything except the buildings. If you can provide me that cost estimate, I can tell you how much. The minimum is \$500.

Ultimately you will be submitting a building permit application form for each building and the related fee, but we are a ways off from that. So we do not need any other fee at this point in the process.

Thanks,

Kelly

Kelly D Pfeifer
Village Planner and Community Development Director

Village of Mahomet
503 E Main Street
Mahomet, IL 61853
217-586-4456 x 122

From: steve@ethos.build <steve@ethos.build>
Sent: Tuesday, May 26, 2020 12:14 PM
To: Kelly Pfeifer <kpfeifer@mahomet-il.gov>; 'sdkerr mohrandkerr.com' <sdkerr@mohrandkerr.com>
Cc: Ellen Hedrick <ehedrick@mahomet-il.gov>; 'Steve Christopher' <steve.christopher.caz1@statefarm.com>; 'jmmohr mohrandkerr.com' <jmmohr@mohrandkerr.com>
Subject: RE: Ethos Apartments

Thank you Kelly. Here is the building permit application as well. Let us know of anything else you need, or any feedback, as we proceed with our site plan review, permit application process, as we intend to begin construction within the next 30 days.

Thank you very much!

Steve Lehman | DBIA, LEED AP
Design-Build | Construction Management
ETHOS :: DESIGN BUILD
120 W. Jefferson, Morton IL 61550
309.339.7270 | steve@ethos.build

From: Kelly Pfeifer <kpfeifer@mahomet-il.gov>
Sent: Tuesday, May 26, 2020 9:23 AM
To: sdkerr mohrandkerr.com <sdkerr@mohrandkerr.com>
Cc: Ellen Hedrick <ehedrick@mahomet-il.gov>; steve@ethos.build; 'Steve Christopher' <steve.christopher.caz1@statefarm.com>; jmmohr mohrandkerr.com <jmmohr@mohrandkerr.com>
Subject: RE: Ethos Apartments

Thank you, Steve. I can confirm that I received the architectural floor plans as well in another email.

I will be in touch soon.

Kelly

From: sdkerr mohrandkerr.com <sdkerr@mohrandkerr.com>
Sent: Friday, May 22, 2020 3:58 PM
To: Kelly Pfeifer <kpfeifer@mahomet-il.gov>
Cc: Ellen Hedrick <ehedrick@mahomet-il.gov>; steve@ethos.build; 'Steve Christopher' <steve.christopher.caz1@statefarm.com>; jmmohr mohrandkerr.com <jmmohr@mohrandkerr.com>
Subject: Ethos Apartments

Kelly,

I have attached the following:

1. Site Plan
2. Detention Calculations

As discussed, we are requesting a review/meeting to obtain site plan approval so we can move forward to developing final plans for building permits.

The Architectural Floor Plans and Elevations will follow directly from the Architect.

Please let us know,

Steven D. Kerr, PE
Mohr & Kerr Engineering & Land Surveying, P.C.
5901 N. Prospect
Suite 6B
Peoria, IL 61614

Phone: 309-692-8500

Fax: 309-692-8501

Cell: 309-696-5690

Exhibit C

Predevelopment Project Costs to date:

Civil Engineering	\$ 35,000
Architect and Design	\$151,465
Pre-Construction	\$ 10,680
Planning	\$ 3,500
Estimating	\$ 7,120
Renderings	\$ 7,120
Marketing	\$ 7,120
Site Exploration	\$ 3,560
Geotechnical	\$ 3,500
Feasibility Study	\$ 4,500
Appraisal	\$ 4,500
Financial Funding	\$ 21,000
Investor Relations	\$ 4,875
Legal	\$ 4,500
Accounting	\$ 6,500
Insurance	\$ 3,000
Overhead	\$ 25,500
Printing, Supplies	\$ 4,500
Equipment	\$ 2,500
Miscellaneous	\$ 3,900

Total \$314,400

Lost Profit and Opportunity Costs:

2720 hours of Pre-Development time by Petitioner's staff

\$319,000 lost profit and overhead revenue from construction activities

\$379,000 annual net lost revenue per year from operation of development

Estimated Total Hard Project Cost: \$2,984,500

AFFP

780840 Mahomet village

Back to Staff Report

Affidavit of Publication

STATE OF ILLINOIS }
COUNTY OF CHAMPAIGN } SS

Paul Barrett, being duly sworn, says:

That he is Publisher of the News-Gazette, a daily newspaper of general circulation, printed and published in Champaign, Champaign County, Illinois; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

July 16, 2020

VILLAGE OF MAHOMET
NOTICE OF PUBLIC HEARING

Public notice is hereby given to all persons that the Village of Mahomet Plan and Zoning Commission will hold a public hearing on Tuesday August 4, 2020 at 7:00 pm in the Village of Mahomet Administrative Office, 503 East Main Street, Mahomet, Illinois, regarding a Petition for Relief From Moratorium Ordinance #20-5-02 by Ethos Design Build, LLC regarding the property described as a part of Lot 102 of Vision South First Subdivision, commonly known as 1801-1805 Patton Drive, Mahomet, IL 61853.

A copy of the Petition for Relief from Moratorium Ordinance #20-5-02 by Ethos Design Build, LLC with supporting documents ("Petition") is available for examination on the Village website www.mahomet-il.gov. If you cannot access the information online please contact the Village of Mahomet Administrative Office by phone (217)586-4456 to make other arrangements to view the Petition. Due to the current COVID 19 emergency and the Governor's Executive Orders, the public hearing will have an online live participation option. We encourage all interested citizens that can, to participate online. Information on how to view / participate in the public hearing will be posted with the meeting agenda on July 31, 2020.

All interested persons will be given an opportunity to be heard and present evidence and arguments for or against the Petition. All such interested persons must be present either via the online live option or in person and be sworn in under oath. For additional information concerning the Petition, please contact Abby Heckman at (217)586-4456 ext. 127 or by email at aheckman@mahomet-il.gov.

Amanda Andersen
Village Clerk
July 16, 2020
780840 7/16



, Authorized Agent, Champaign County, Illinois

99226748 00780840

JAN NIEMAN
EVANS FROEHLICH BETH & CHAMLEY
44 MAIN STREET
SUITE 310
CHAMPAIGN, IL 61820

RESOLUTION FOR PLAN AND ZONING COMMISSION

**Concerning the Petition for Relief from Moratorium Ordinance #20-5-02
by Ethos Design Build, LLC**

WHEREAS, the Board of Trustees of the Village of Mahomet, pursuant to the authority conferred by the Statutes of the State of Illinois, passed Ordinance No. 20-5-02, an Ordinance which imposed a temporary moratorium on review and approval of Multiple-family residential site development plans, and also provided that an applicant may seek relief from the moratorium by petitioning the Plan and Zoning Commission, which shall hold a public hearing and make a recommendation to the Village of Mahomet Board of Trustees.

WHEREAS, the factors the Plan and Zoning Commission and the Board of Trustees shall consider are:

- (i) that the effect of the Temporary Moratorium has caused or will cause a significant economic hardship on the applicant;
- (ii) that the applicant has no other reasonable use of the property in question other than the proposed use;
- (iii) that the applicant has made substantial, irrevocable investment in the development that is affected by the Temporary Moratorium, which investment was made in reasonable reliance on the regulations in effect prior to the Temporary Moratorium and without knowledge of pending changes in such regulations (including this Temporary Moratorium), and based on a probability of zoning approval by the Village; and
- (iv) that the development or construction as proposed complies with all other Village ordinances, regulations, and rules

WHEREAS, Ethos Design Build, LLC, ("Petitioner" or "Applicant"), has requested relief from the moratorium by lodging a Petition for Relief from Moratorium Ordinance #20-5-02 ("Petition") for a site plan for a multi-family development on Lot 102 of Vision South First Subdivision, currently addressed as 801 Patton Dr., Mahomet, IL 61853; and,

WHEREAS, a Public Hearing concerning the Petition was held on August 4, 2020, by the Plan and Zoning Commission; and,

WHEREAS, the Plan and Zoning Commission met and reviewed the evidence and testimony submitted and has considered all of the presented factual evidence concerning the requested action.

BE IT THEREFORE RESOLVED this 4th day of August, 2020, by the Plan and Zoning Commission of the Village of Mahomet that:

A. The Plan and Zoning Commission does hereby set forth the following recommended findings of fact concerning the requested relief:

1. That the effect of the Temporary Moratorium **HAS CAUSED OR WILL CAUSE / HAS NOT CAUSED AND WILL NOT CAUSE** a significant economic hardship on the applicant.

Reasons:

2. That the applicant **HAS NO OTHER / HAS SOME OTHER** reasonable use of the property in question other than the proposed use.

Reasons:

3. That the applicant **HAS / HAS NOT** made substantial, irrevocable investment in the development that is affected by the Temporary Moratorium, which investment **WAS / OR WAS NOT** made in reasonable reliance on the regulations in effect prior to the Temporary Moratorium and without knowledge of pending changes in such regulations (including this Temporary Moratorium), and based on a probability of zoning approval by the Village; and;

Reasons:

4. That the development or construction as proposed **DOES / DOES NOT** comply with all other Village ordinances, regulations, and rules.

Reasons:

- B. The Plan and Zoning Commission does hereby recommend that the Board of Trustees of the Village of Mahomet **GRANT / DENY** the Petition for Relief from Moratorium Ordinance # 20-5-02 by Ethos Design Build, LLC.

Chair, Plan and Zoning Commission
Village of Mahomet, Illinois