

PLAN AND ZONING COMMISSION
MEETING MINUTES
January 4, 2022

Kelly Pfeifer stated that the chair would not be at the meeting and therefore an acting chair needed to be chosen.

Buchanan moved to nominate himself as the acting chair for the meeting. DeAtley seconded the motion. ROLL CALL. 4-0. Motion Passed.

CALL TO ORDER: The meeting was called to order at 7:00pm on Tuesday January 4, 2022.

ROLL CALL:

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

Members Absent: Jay Roloff and Mike Buzicky.

Others Present: Village Administrator Patrick Brown, Village Attorney Joe Chamley, Community Development Director Kelly Pfeifer, Village Engineer Ellen Hedrick and Planner Abby Heckman.

PUBLIC COMMENT: No one came forward.

PUBLIC HEARINGS:

CU2022-01: VISION SOUTH FIRST SUBDIVISION LOT 1102R (TABELING DEVELOPMENT CO LLC)
A RESOLUTION CONCERNING A CONDITIONAL USE PERMIT TO ESTABLISH A MIXED USE COMMERCIAL DEVELOPMENT ON 1.99± ACRES OF LAND ZONED C-2 GENERAL COMMERCIAL LOCATED ON THE NORTH SIDE OF PATTON DRIVE, SOUTH OF OAK STREET, APPROXIMATELY 845 FEET EAST OF CHURCHILL ROAD

Abby Heckman presented information provided in the staff memo. The request is related the establishment of three (3) mixed-use commercial buildings.

Austin Tabeling, with Tabeling Development Company, one (1) building would have up to four (4) units. Construction on the first building has started with two (2) other buildings planned and shown as pads on the plan. This site has a higher elevation, so they did not plan to do the parking lot screening.

Mr. Buchanan asked if there was anyone present in person or only to make comments. No one came forward to comment.

DeAtley moved to close the public hearing for CU2022-01. Buchanan seconded the motion. ROLL CALL. 4-0. Motion Passed.

CU2022-02: VISION SOUTH FIRST SUBDIVISION LOT 102 (TABELING DEVELOPMENT CO LLC)
A RESOLUTION CONCERNING A CONDITIONAL USE PERMIT TO ESTABLISH A MULTIPLE-FAMILY DEVELOPMENT AND TO ESTABLISH DWELLINGS WITH A COMMERCIAL USE ON 5.9± ACRES OF LAND ZONED R-3C MULTIPLE-FAMILY RESIDENTIAL AND C-2 GENERAL COMMERCIAL LOCATED ON THE SOUTH SIDE OF PATTON DRIVE, APPROXIMATELY 600 FEET EAST OF CHURCHILL ROAD

Abby Heckman presented information provided in the staff memo.

Austin Tabeling, with Tabeling Development Company, stated there are ten (10) single units currently being built now. They already have a waiting list for the units. They are also involved in the Middletown Place

development that is adjacent and those units are already full. He stated there is demand for these types of units. They plan to have both single-units and multi-unit town home buildings.

Mr. Buchanan asked if there was anyone present in person or only to make comments. No one came forward to comment.

Briney moved to close the public hearing for CU2022-02. Buchanan seconded the motion. ROLL CALL. 4-0. Motion Passed.

RESOLUTIONS and MOTIONS (TO BE ACTED UPON):

ZA2021-07: VICTOR J FUENTES

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

Abby Heckman stated this case was continued from last month since Commissioners had questions and the petitioner was unable to attend last month. One of the concerns was impact to the property to the north. Since the last meeting the petitioner has submitted a letter in support of the request from the property owner to the north and east. The property owner to the west had already submitted a letter in support of the request. The petitioner is at the meeting for any questions.

Kelly Pfeifer stated the property was unique due to the large size and our ordinances are not set-up for extremely large residential lots. To have larger ag buildings needed to store equipment for property maintenance either ag zoning is needed or a creative subdivision of land. The owner chose to pursue rezoning.

Mr. Buchanan asked if there were any questions from the Commissioners.

The Commission and Village Attorney discussed the process for the findings of fact. The motion from last month did not pass so findings of fact need to be re-established or it can go to the Board without a recommendation.

Mr. Buchanan asked if the Commission wanted to go through the findings of fact or adopt the findings of fact as presented last month.

Mr. Briney stated he thought it would be cleaner they just went through the findings of fact again.

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

Briney moved to recommend granting of the requested rezoning ZA2021-07 with the findings of fact as stated below. Buchanan seconded the motion. ROLL CALL. 4-0. Motion Passed.

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

- A. The Plan and Zoning Commission does hereby further set forth the following findings of fact concerning the requested zoning amendment:
 - 1. The procedural requirements for zoning establishment or amendment HAVE been met.
 - 2. The proposed zoning DOES conform with the intent of the Village Comprehensive Plan.
 - 3. The proposed zoning IS consistent with the proposed use of the site.
 - 4. The proposed zoning WILL be compatible with the established land use pattern in the vicinity.

5. The proposed zoning DOES NOT create an isolated, unrelated zoning district.
 6. The site IS suitable for the uses allowed in the proposed zoning district.
 7. The proposed zoning WILL be consistent with the health, safety and general welfare of the public.
 8. Major land uses in the neighborhood HAVE NOT changed since zoning was applied to this site.
 9. The proposed zoning IS consistent with the existing zoning designations in the surrounding area.
 10. The proposed zoning WILL NOT be contrary to the original purpose and intent of the Zoning Ordinance.
 11. The proposed zoning WILL NOT be injurious to the use and enjoyment of adjacent properties.
 12. The proposed zoning WILL promote the orderly development of the site and surrounding properties.
 13. The proposed zoning WILL NOT significantly adversely impact existing traffic patterns.
 14. Adequate facilities for municipal sanitary sewage disposal and water supply ARE NOT 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 / HAS NOT been considered in the context of land development in the area and in the vicinity of the subject property.~~
 28. The proposed change in zoning WILL result in private investment that would be beneficial to the development or redevelopment of a vacant property or deteriorated neighborhood.
 29. There IS a need in the community for additional land within the requested zoning district.
 30. The proposed zoning WILL NOT adversely impact agricultural farming operations in the vicinity of this site.
 31. The proposed rezoning IS consistent with Village Comprehensive Plan policies concerning the protection of prime farmland when appropriate.
 32. The proposed rezoning WILL NOT result in long term adverse environmental consequences to natural areas and wildlife habitat.
 33. The LaSalle Factors for evaluation of zoning decisions HAVE been considered during the review of this proposed rezoning request.
- B. The Plan and Zoning Commission does hereby recommend that the Board of Trustees of the Village of Mahomet **GRANT** the requested zoning map amendment for the subject property from R-1A Single-Family Residential to AG Agricultural district.

CU2022-01: VISION SOUTH FIRST SUBDIVISION LOT 1102R (TABELING DEVELOPMENT CO LLC)
A RESOLUTION CONCERNING A CONDITIONAL USE PERMIT TO ESTABLISH A MIXED USE COMMERCIAL DEVELOPMENT ON 1.99± ACRES OF LAND ZONED C-2 GENERAL COMMERCIAL LOCATED ON THE NORTH SIDE OF PATTON DRIVE, SOUTH OF OAK STREET, APPROXIMATELY 845 FEET EAST OF CHURCHILL ROAD

Abby Heckman stated that the draft resolution was prepared with conditions as stated in the staff report.

Kelly Pfeifer stated that the petition has stated they don't want to provide perimeter parking lot landscaping along Oak Street due to the land elevation.

Mr. Buchanan stated if the landscape buffering blocks visibility of the development then that could be a detriment.

Abby Heckman stated that the ordinance only required one (1) tree per ten (10) parking spaces to be planted internal to the parking lot no other parking lot landscaping is required.

Kelly Pfeifer stated that the Churchill Commons development has a condition that requires parking lot perimeter landscaping.

Mr. DeAtley stated that the purpose is to block headlights of cars parking.

Kelly Pfeifer stated that was correct.

Mr. Buchanan stated that there was residential planned across Patton Drive so it would be good there.

Abby Heckman stated that the parking spaces along Oak Street are facing south toward the building.

Mr. DeAtley stated the ordinance requirements need to be reconsidered for parking lot landscaping.

DeAtley moved to remove 2b from the draft resolution. Buchanan seconded the motion. ROLL CALL. 4-0. Motion Passed.

Mr. Buchanan asked if there were any comments on the uses listed in the attached exhibit.

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

Briney moved to recommend granting of the requested conditional use CU2022-01: Vision South First Subdivision Lot 1102R with the findings of fact as stated below. DeAtley seconded the motion. ROLL CALL. 4-0. Motion Passed.

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

1. The Plan and Zoning Commission does hereby recommend the Board of Trustees GRANT the requested Conditional Use Permit for mixed-use commercial development at the above described property.
2. The Plan and Zoning Commission does hereby further state that the conditional use shall be subject to the following conditions:
 - a) Site development must substantially comply with the Site Plan as presented to the PZC (Site Plan dated January 4, 2022).

- b) Only exterior lighting fixtures that are full cut-off / fully shielded which minimizes skyglow, glare and light trespass will be allowed.
 - c) A shared use monument style freestanding sign of up to 75 sq ft in area and a maximum of six (6) feet in height will be permitted along the frontage of Oak Street. No other freestanding signage allowed along the frontage of Oak Street.
 - d) Permitted uses are allowed as listed on the attached Exhibit Conditional Use Permit – Allowed Uses.
 - e) The site must obtain Site Development Plan approval prior to the start of any site construction and be fully compliant prior to any new building permit application or occupancy permit application.
 - f) All activities must be carried out in accordance with the appropriate Village, State, and Federal permits and rules and regulations. Any conflicts between the permit applications and the Site Plan must be resolved with the appropriate agencies.
 - g) The site must comply with all applicable provisions of the Zoning Ordinance.
3. The Plan and Zoning Commission does hereby confirm the following findings of fact regarding the requested Conditional Use Permit:
- a. The establishment, maintenance, or operation of the Conditional Use WILL NOT be detrimental to or endanger the public health, safety, morals, comfort or general welfare;
 - b. The conditional use WILL NOT be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor substantially diminish and impair property values within the neighborhood;
 - c. The establishment of the conditional use WILL NOT impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
 - d. Adequate utilities, access roads, drainage, and/or other necessary facilities WILL be provided;
 - e. The conditional use DOES in all other respects conform to the applicable regulations of the district in which it is located;
 - f. There IS a public necessity for the conditional use at this site;
 - g. The proposed conditional use DOES conform with the intent of the Village Comprehensive Plan.
 - h. The proposed conditional use WILL be compatible with the established land use pattern in the vicinity.
 - i. The site IS suitable for the proposed conditional use.
 - j. The proposed conditional use WILL NOT significantly adversely impact existing traffic patterns.
 - k. Adequate facilities for municipal water supply and wastewater disposal ARE available for the site.
 - l. Adequate provisions for stormwater drainage ARE available for the site.
 - m. The proposed conditional use WILL NOT adversely impact police protection, fire protection, schools, or public facilities.
 - n. The proposed conditional use WILL NOT conflict with existing public commitments for planned public improvements.
 - o. The proposed conditional use WILL preserve the essential character of the neighborhood in which it is located.
 - p. The proposed conditional use WILL NOT alter the population density pattern and WILL NOT adversely impact public facilities.
 - q. The proposed conditional use WILL result in private investment that will be beneficial to the proper development of the community.
4. The approval recommended above shall be subject to the fulfillment of the conditions set forth in Item 2 above. In the event that these conditions are not fulfilled, the Conditional Use Permit may become void and no occupancy permit for the project may be issued, or the occupancy permit previously issued may be revoked.

CU2022-02: VISION SOUTH FIRST SUBDIVISION LOT 102 (TABELING DEVELOPMENT CO LLC)
A RESOLUTION CONCERNING A CONDITIONAL USE PERMIT TO ESTABLISH A MULTIPLE-FAMILY DEVELOPMENT AND TO ESTABLISH DWELLINGS WITH A COMMERCIAL USE ON 5.9± ACRES OF LAND ZONED R-3C MULTIPLE-FAMILY RESIDENTIAL AND C-2 GENERAL COMMERCIAL LOCATED ON THE SOUTH SIDE OF PATTON DRIVE, APPROXIMATELY 600 FEET EAST OF CHURCHILL ROAD

Kelly Pfeifer stated that there were specific site plans attached.

Abby Heckman went over rules related to multi-family developments that can be built without a conditional use permit. She also went over the landscaping information in the staff report.

Mr. DeAtley stated the information in the packet related to landscaping is clear.

Mr. Buchanan asked if anyone had any comments before he went over the findings of fact.

Mr. Buchanan went through the findings of fact.

Briney moved to recommend approval of the requested conditional use CU2022-02: Vision South First Subdivision Lot 102 with the findings of fact as stated below. Buchanan seconded the motion. ROLL CALL. 4-0. Motion Passed.

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

1. The Plan and Zoning Commission does hereby recommend the Board of Trustees GRANT the requested Conditional Use Permit for a multiple-family residential development at the above described property.
2. The Plan and Zoning Commission does hereby further state that the conditional use shall be subject to the following conditions:
 - a. Site development must substantially comply with the Site Plan as presented to the PZC (Site Plan dated January 4, 2022).
 - b. Site landscaping must substantially comply with the Landscaping Plan as presented to the PZC (Landscaping Plan dated January 4, 2022)
 - c. The site must obtain Site Development Plan approval prior to the start of any site construction and maintain compliance prior to any application for building or occupancy permit.
 - d. All activities must be carried out in accordance with the appropriate Village, State, and Federal permits and rules and regulations. Any conflicts between the permit applications and the Site Plan must be resolved with the appropriate agencies.
 - e. The site must comply with all applicable provisions of the Zoning Ordinance.
3. The Plan and Zoning Commission does hereby confirm the following findings of fact regarding the requested Conditional Use Permit:
 - a. The establishment, maintenance, or operation of the Conditional Use WILL NOT be detrimental to or endanger the public health, safety, morals, comfort or general welfare;
 - b. The conditional use WILL NOT be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor substantially diminish and impair property values within the neighborhood;
 - c. The establishment of the conditional use WILL NOT impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
 - d. Adequate utilities, access roads, drainage, and/or other necessary facilities WILL be provided;

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

VAR2022-01: VILLAGE OF MAHOMET

A RESOLUTION CONCERNING VARIANCE REQUESTS RELATING TO MINIMUM REAR YARD SETBACK, MINIMUM SIDE YARD SETBACK AND MAXIMUM FENCE HEIGHT ON 2.03± ACRES OF LAND ZONED R-1B SINGLE-FAMILY RESIDENTIAL LOCATED AT THE NORTHWEST CORNER OF DIVISION AND MAIN STREETS

Abby Heckman presented information provided in staff memo. The property formally had the old Middletown School and is now an open space park. The public hearing for this will be held before the Board of Appeals in two (2) weeks.

Joe Chamley stated the PZC provides a recommendation to the Board of Appeals.

Kelly Pfeifer stated staff suggested some special circumstances in the draft resolution.

Mr. Briney stated the special circumstances look good as written.

Mr. Buchanan went through the findings of fact.

Briney to recommend granting of the requested variances for VAR2022-01: Village of Mahomet with the findings of fact as stated below. Buchanan seconded the motion. ROLL CALL. 4-0. Motion Passed.

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

- 1) The Plan and Zoning Commission sets forth the following findings of fact concerning the requested variances;

- A. That the special circumstances or conditions applying to the land or building for which the variances are sought are:
 1. Preservation of memorial park features while accommodating large rectangular courts necessitate flexibility in the buildable area.
 2. The fencing desired for the facility does not meet the ordinance definition of fencing (a constructed barrier erected as a means of protection or confinement to enclose or screen areas of land). The fencing proposed serves as walls for the tennis court facility.
- B. That concerning the variances requested:
 1. There ARE special circumstances or conditions applying to the land or building for which the variances are sought; and,
 2. The said special circumstances or conditions ARE peculiar to such land or buildings and do not apply generally to land or buildings in this neighborhood; and,
 3. The said special circumstances or conditions ARE such that the strict application of the provisions of the Zoning Ordinance could deprive the applicant of the reasonable use of such land and building; and,
 4. The granting of the requested variances ARE necessary for the reasonable use of the land and building; and,
 5. The variances requested ARE the minimum variances that will accomplish this purpose; and,
 6. The granting of the requested variances WILL be in harmony with the general purpose and intent of the Zoning Ordinance; and,
 7. The requested variances WILL NOT be injurious to the neighborhood or otherwise detrimental to the public welfare; and,
 8. The requested variances WILL NOT be in conflict with the Comprehensive Plan.
- 2) The granting of the variances, if approved, shall be subject to the following conditions: n/a
- 3) The Plan and Zoning Commission does hereby recommend that the Zoning Board of Appeals of the Village of Mahomet GRANT the requested variance to reduce the rear yard setback from the required 25 feet to a minimum of 5 feet (§152.090 R-1B).
- 4) The Plan and Zoning Commission does hereby recommend that the Zoning Board of Appeals of the Village of Mahomet GRANT the requested variance to reduce the side yard setback from the required ten (10) feet to a minimum of five (5) feet (§152.090 R-1B).
- 5) The Plan and Zoning Commission does hereby recommend that the Zoning Board of Appeals of the Village of Mahomet GRANT the requested variance to exceed the maximum allowed fencing height of six (6) feet to a maximum of 15 feet in height (§152.050 (D)(3)).

VAR2022-02: JAMES HAY AND MARY CARRARA-HAY
A RESOLUTION CONCERNING VARIANCE REQUESTS RELATING TO MINIMUM PARKING LOT SETBACK AND MINIMUM SETBACK FOR AN ACCESSORY STRUCTURE ON 0.36± ACRE OF LAND ZONED C-2 GENERAL COMMERCIAL LOCATED AT 110 S LOMBARD STREET.

Abby Heckman presented information provided in staff memo. Staff has provided a draft resolution with suggested special circumstances. The public hearing for this will be held before the Board of Appeals in two (2) weeks.

James Hay stated he could answer any questions.

Mr. DeAtley stated the development is similar other properties developed in the area.

Mr. Buchanan stated that the placement of the existing structure limits the use of the land behind.

Mr. Briney stated the exit is shown through the YoYo's parking lot.

James Hay stated they would like to exit the rear parking are through the YoYo's site. He stated he has been talking with the property owner and they are very supportive of this.

Mr. Buchanan asked if an ingress egress easement was being prepared.

Kelly Pfeifer stated that is likely the legal tool they would use.

Mr. Buchanan stated a recorded easement should be a condition.

Kelly Pfeifer asked if that was an additional condition to be added.

Mr. Buchanan stated yes.

Kelly Pfeifer stated the intention is that it is a one way out.

Mr. Buchanan stated it should benefit both properties.

Joe Chamley stated we could put a condition on this property but didn't think we could add a condition on the other property owner.

Mr. Buchanan stated he understood but it should be a condition for this property.

Mr. DeAtley asked what the minimum number of required parking spaces for the site.

Abby Heckman stated the requirement is one (1) space per 300 square feet of gross floor area.

Todd Weger, architect for petitioner, stated they are providing 18 spaces on the plan and the building size requires 17 spaces.

Kelly Pfeifer stated a statement of recorded egress agreement for access through property to the north could be added to 2c on the resolution.

Mr. Buchanan went through the findings of fact.

DeAtley moved to recommend granting of the requested variances for VAR2022-02: James Hay and Mary Carrara-Hay with the additional condition 2c and with the findings of fact as stated below. Buchanan seconded the motion. ROLL CALL. 4-0. Motion Passed.

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

- 1) The Plan and Zoning Commission sets forth the following findings of fact concerning the requested variances;
 - A. That the special circumstances or conditions applying to the land or building for which the variances are sought are:

The property is a landlocked parcel with an existing building whose compliance with parking requirements can only be achieved by the removal of setbacks.

- B. That concerning the variances requested:
1. There ARE special circumstances or conditions applying to the land or building for which the variances are sought; and,
 2. The said special circumstances or conditions ARE peculiar to such land or buildings and do not apply generally to land or buildings in this neighborhood; and,
 3. The said special circumstances or conditions ARE such that the strict application of the provisions of the Zoning Ordinance could deprive the applicant of the reasonable use of such land and building; and,
 4. The granting of the requested variances ARE necessary for the reasonable use of the land and building; and,
 5. The variances requested ARE the minimum variances that will accomplish this purpose; and,
 6. The granting of the requested variances WILL be in harmony with the general purpose and intent of the Zoning Ordinance; and,
 7. The requested variances WILL NOT be injurious to the neighborhood or otherwise detrimental to the public welfare; and,
 8. The requested variances WILL NOT be in conflict with the Comprehensive Plan.
- 2) The granting of the variances, if approved, shall be subject to the following conditions:
- A. Installation of a public sidewalk along the Lombard Street frontage of the property.
 - B. Site development must substantially comply with the Site Plan as presented to the PZC (Site Plan dated January 4, 2022).
 - C. Recorded egress agreement for access through property to the north.
- 3) The Plan and Zoning Commission does hereby recommend that the Zoning Board of Appeals of the Village of Mahomet GRANT the requested variance to reduce the ten (10) foot minimum parking lot setback requirement to allow a setback of zero (0) (§152.108 (E)(1)).
- 4) The Plan and Zoning Commission does hereby recommend that the Zoning Board of Appeals of the Village of Mahomet GRANT the requested variance to reduce the minimum accessory rear yard setback of five (5) feet and the minimum accessory side yard setback of two (2) feet to allow a setback of zero (0) (§152.091(D)).

MAP2021-03: KIMBALL SUBDIVISION

A RESOLUTION CONCERNING A FINAL PLAT AND RELATED WAIVER REQUESTS FOR KIMBALL SUBDIVISION ON 4.7± ACRES OF LAND LOCATED NORTH SIDE OF CLARK STREET APPROXIMATELY 230 FEET WEST OF PRAIRIEVIEW ROAD

Abby Heckman presented information provided in staff memo. She stated last month there was a waiver request from the parent parcel for which this property is coming from. The waiver requests were approved by the Board of Trustees which will allow this property to subdivide on it's own. There are ten (10) waivers that were requested with this subdivision listed in the staff report. Details of each waiver request was presented.

Mr. Buchanan asked if staff thinks the 25 foot cul-de-sac size was adequate to accommodate the proposed and existing uses on Clark Street.

Kelly Pfeifer stated yes and that the Village Engineer had looked at traffic and truck movements and she is confident that it is sufficient for the two (2) new lots and the development plan provided by Kimball.

Mr. Buchanan asked about utility easements to the south since it was indicated that the remaining 29 foot right-of-way to the west might be vacated.

Kelly Pfeifer stated that when public right-of-way is vacated the underlying utility easements are not vacated, they remain but the ownership becomes private.

Mr. Buchanan stated there likely wouldn't be much foot traffic in the area.

Kelly Pfeifer stated that there was five (5) feet so that the Village could add a sidewalk adjacent to the street at a later date if desired.

Mr. Buchanan asked for any other comments.

Seamands moved to recommend approval of the requested subdivision and waivers for MAP2021-03: Kimball Subdivision with the findings of fact as stated below. Buchanan seconded the motion. ROLL CALL. 4-0. Motion Passed.

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

- A. The Plan and Zoning Commission does hereby recommend APPROVAL of the Final Plat for the Kimball Subdivision upon completion of modifications identified by the Village staff and does hereby authorize the Chairman to sign the said Final Plat upon completion of said modifications.
- B. The approval of the Final Plat recommended above is further subject to the following conditions:
 1. Submission of all supporting documentation in proper form
 2. The approval of the Final Plat recommended above is further subject to the review and approval of the Final Plat and supporting documents as applicable by other relevant agencies and utility service providers.
 3. The approval of the Final Plat recommended above is further subject to the submittal of a drainage and share maintenance agreement for offsite stormwater routing and detention in a form satisfactory to the Village Attorney.
 4. In the event that the modifications to the Final Plat are not completed, the outside agency reviews are not completed, all supporting documents are not submitted in final form, or the conditions set forth above are not met within sixty (60) days from the date of approval by the Board of Trustees, the approvals recommended herein shall be null and void.

PRELIMINARY DISCUSSION:

QUENTIN MCNEW - DISCUSSION OF LAND AREA WHICH INCLUDES TIN CUP CAMPGROUND AND UNDEVELOPED FOX RUN SUBDIVISION

Kelly Pfeifer stated that Quentin McNew and Nate Evans was present at the meeting. She summarized the discussion request. She stated that Quentin McNew is under contract to purchase the Tin Cup Campground and remaining undeveloped land within Fox Run Subdivision. There is no active Area General Plan for this site, but one was done many years ago which has since expired. Quentin would like feedback on the plan drawing provided.

Quentin Mc New presented options for phasing, layout, roadway connections and density.

Kelly Pfeifer talked about annexation of the property, zoning options and subdivision design and possible waivers necessary.

The Commission discussed the plan presented. If westbound street C cul-de-sac was connected back into street A it would mitigate concerns and might remove need for cul-de-sac waiver. Any lots adjacent to existing single-family lot should be single-family and any duplex or zero-lot homes should be toward the front of the development.

Kelly Pfeifer stated that he is trying to provide an appropriate buffer between the existing campground and the existing Fox Run lots. The low density concept was proposed to mitigate the excessive cul-de-sac length. If he connects the streets to reduce the cul-de-sac length even more, additional lots could be added per the current zoning. Many lots shown exceed the 10,000 square foot minimum lot size as currently shown.

The Commission discussed the alternative concept and it would be agreeable if they are meeting current zoning.

Patrick Brown stated that based on concerns and feedback from Fox Run HOA and residents, their biggest concerns are having too much traffic on Fox Run Drive and length of cul-de-sac. The trade-off for providing a street connection that will reduce traffic on Fox Run Drive and reduce cul-de-sac length would be more density than what is shown on the presented plan but still platted lots under the current zoning.

Kelly Pfeifer thanked the Commission for the discussion and recommended the developer contact his design engineer to make changes based on feedback.

Abby Heckman stated there was one person on Zoom that had already submitted comments and asked that anyone that wanted to speak needed to speak up now and state their name and address for the record.

Chad Collins, 407 Fox Run Drive, asked for clarification on the phasing.

Quentin McNew stated the first phase would be the front section near the campground and Tin Cup Road.

Abby Heckman stated the dry basin now shown behind 407 Fox Run Drive would be redesigned based on the feedback.

Chad Collins asked if there are any roads planned as asphalt and will they be designed with curb and gutter.

Patrick Brown stated Village rules allow the developer to choose either asphalt or concrete.

Kelly Pfeifer stated low impact development is an option in our ordinance which would allow roadway with roadside ditched instead of curb and gutter. If the large lot concept was constructed, then low impact design may be appropriate. Many developers still prefer curb and gutter design due to cost. All construction plans for a subdivision go to the Board of Trustees for approval prior to construction.

Chad Collins asked if the area behind his home would be redesigned with more house lots.

Abby Heckman stated based on the feedback, yes there would likely be homes backing up to your home then a street and homes on the other side.

Kelly Pfeifer stated that realistically no one builds a road unless they can sell lots on both sides due to infrastructure construction costs.

Mr. Buchanan stated the developer needs to do some homework and come back.

COMMISSIONER / STAFF COMMENTS:

Abby Heckman stated the next PZC meeting is on February 1, 2022

Mr. Briney thanked the Village for doing an extra leaf collection to help get things cleaned up.

ADJOURN:

DeAtley moved to adjourn the meeting. Briney seconded the motion. ROLL CALL. 4-0. The meeting was adjourned at 9:25 pm.

Respectfully,
Abby Heckman, Planner