



**Plan and Zoning Commission
6:00 p.m. Tuesday, November 7, 2023
Village of Mahomet - Administrative Office**

AGENDA

1. CALL TO ORDER

2. ROLL CALL

- 3. PUBLIC COMMENT:** The Commission welcomes your input. Interested citizens are invited to provide comments either in person at the public hearing or by prior written statement. Public comments may be submitted in hard copy either in person during business hours or by placing the hard copy in the drop box outside of the Administrative Office (503 E. Main Street, Mahomet) before 2:00 pm on November 7, 2023 or by email submission to Abby Heckman, aheckman@mahomet-il.gov no later than 4:00 pm on November 7, 2023 to ensure placement of such comments in the official record of the meeting.

4. MINUTES: October 3, 2023

5. PUBLIC HEARING(S):

ZA2023-05: TABELING DEVELOPMENT COMPANY

A RESOLUTION CONCERNING A REZONING FOR 10.0± ACRES OF LAND FROM I-2 INDUSTRIAL TO C-2 GENERAL COMMERCIAL DISTRICT LOCATED AT THE NORTHEAST CORNER OF THE OAK STREET (US 150) AND PRAIRIEVIEW ROAD INTERSECTION

6. RESOLUTION(S) and MOTION(S) (TO BE ACTED UPON):

ZA2023-05: TABELING DEVELOPMENT COMPANY

A RESOLUTION CONCERNING A REZONING FOR 10.0± ACRES OF LAND FROM I-2 INDUSTRIAL TO C-2 GENERAL COMMERCIAL DISTRICT LOCATED AT THE NORTHEAST CORNER OF THE OAK STREET (US 150) AND PRAIRIEVIEW ROAD INTERSECTION

7. COMMISSIONER / STAFF COMMENTS:

NEXT PZC MEETING – TUESDAY DECEMBER 5, 2023

8. ADJOURN

PLAN AND ZONING COMMISSION
MEETING MINUTES - DRAFT
October 3, 2023

CALL TO ORDER: The meeting was called to order at 6:00pm on Tuesday October 3, 2023.

ROLL CALL:

Members Present: Bob Buchanan, Mike Buzicky, Robert DeAtley, Mandi Simeone and Philip Schaefer

Members Absent: Steve Briney

Others Present: Village Administrator Patrick Brown and Planner Abby Heckman.

PUBLIC COMMENT: Mr. DeAtley asked if there were any public comments related to items that are not on the agenda.

Bill Schriever came forward and stated he was concerned about the deferrals that are part of the subdivision request on the agenda.

Abby Heckman stated staff received no written comments prior to the meeting and will address the deferral requests when the case is discussed.

MINUTES: August 1, 2023

Mr. Schaefer asked staff to correct the spelling of his first name.

Buchanan moved to approve the August 1, 2023 minutes with the correction stated. Schaefer seconded the motion. ROLL CALL. 4-0-1. Simeone abstained. Motion Passed.

RESOLUTIONS and MOTIONS (TO BE ACTED UPON):

MAP2023-03: LIVING WORD OMEGA MESSAGE CHURCH SUBDIVISION (FINAL PLAT)

A RESOLUTION CONCERNING A FINAL PLAT FOR LIVING WORD OMEGA MESSAGE CHURCH SUBDIVISION ON 45.04± ACRES OF LAND LOCATED ON THE EAST SIDE OF LOMBARD STREET (IL ROUTE 47) AND ON THE SOUTH SIDE OF THORNEWOOD DRIVE

Abby Heckman presented information from the case report. The deferrals would have language in the subdivision owner's certificate that would delay the requirements until future development or until the Village requests, they be installed. The owner is looking to prepare the land for possible future development. The Village has met with the Church and Thornewood developer to work through language in the Thornewood development agreement which requires reimbursement for Thornewood Drive.

Patrick Brown, Abby Heckman and the commission discussed the bike path along IL-47 and future connections, deferral requests, the tree line along Thornewood Drive and zoning of property to be annexed.

Wayne Wickboldt, representative for Living Word Omega Message Church, stated he did not have anything else to add.

Mike Buzicky asked about Sangamon Valley related to the deferral requests.

Abby Heckman stated the process for subdivision approval requires the applicants engineer to notify utilities and other agencies. Sangamon Valley Public Water District would have been notified and had an opportunity to provide comments. No comments were received related to this subdivision request.

Buchanan moved to recommend approval of MAP2023-03 and grant the requested waivers with the findings of fact as stated below. Schaefer seconded the motion. ROLL CALL. 5-0. Motion Passed.

BE IT THEREFORE RESOLVED this 3rd day of October, 2023, 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 **Living Word Omega Message Church 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 Plan and Zoning Commission does hereby further recommend the following actions concerning waivers from the standards and procedures of the Subdivision Ordinance requested for the Final Plat of **Living Word Omega Message Church Subdivision**:
 - 1. **GRANT** Waiver of the requirement to submit an Area General Plan.
 - 2. **GRANT** Waiver of the requirement to submit a Preliminary Plat.
 - 3. **GRANT** Waiver to allow deferral of the extension of water mains.
 - 4. **GRANT** Waiver to allow deferral of the extension of sanitary sewer.
 - 5. **GRANT** Waiver to allow deferral of the stormwater drainage improvements.
 - 6. **GRANT** Waiver to allow deferral of a Stormwater Management Plan.
 - 7. **GRANT** Waiver to allow deferral of the installation of sidewalks along Lombard Street (IL Route 47).
 - 8. **GRANT** Waiver to allow deferral of the installation of right-of-way lighting along Lombard Street (IL Route 47).
 - 9. **GRANT** Waiver to allow the use of an existing on-site wastewater disposal system for lot 2 until such time when sanitary sewer is extended to the lot.
- C. 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. Compliance with the Thornewood Drive reimbursement requirement of the Thornewood Development Agreement (recorded as document 2021R06798) or an alternative scenario as agreed upon by the Village, Thornewood developer and the landowner.
 - 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.
- D. It is further directed that this approval recommendation shall not be valid until such time as compliance with the Thornewood Drive reimbursement requirement has been achieved or an alternative scenario agreed upon by the parties has been reached. Accordingly, this recommendation shall be withheld and shall not be presented to the Board of Trustees. The following additional conditions apply:

1. The applicant shall have 180 days to achieve compliance.
2. If compliance is achieved the recommendation for approval above shall remain valid and the subdivision shall be forwarded to the Board of Trustees for consideration.
3. If compliance is not achieved the recommendation for approval here in shall be null and void. Under such circumstances the Plan and Zoning Commission recommends denial of the Living Word Omega Message Church Subdivision and does hereby authorize the Chairman to sign said Final Plat indicating a recommendation for denial.

COMMISSIONER / STAFF COMMENTS: NEXT PZC MEETING – NOVEMBER 7, 2023

Mr. DeAtley stated Patton Drive was being used for material storage for construction activities in the area and it was hard to turn around.

Abby Heckman stated she would notify code compliance to address it.

Patrick Brown stated we expect a rezoning case next month.

Mr. Buzicky gave kudos to the Village for a successful Music Festival.

ADJOURN:

DeAtley moved to adjourn the meeting. Simeone seconded the motion. ROLL CALL. 5-0. The meeting was adjourned at 6:35pm.

Respectfully,
Abby Heckman, Village Planner



**Plan and Zoning Commission
Staff Report
Meeting November 7, 2023**

FROM: Abby Heckman, Village Planner
Community Development Department

PROJECT: Rezoning – ZA2023-05

PETITIONER: Tabeling Development Company

PUBLIC HEARING / PROCEDURAL ISSUES:

The Plan and Zoning Commission (PZC) is required to hold a public hearing upon request for a Zoning Map Amendment. The public hearing is scheduled for November 7, 2023, at 6:00pm. 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 October 22, 2023. Courtesy notice letters were sent via USPS to property owners within 250 feet of the rezoning boundary. The PZC acts in an advisory role to the Board of Trustees (BOT) regarding zoning map amendments. The PZC is asked to make a recommendation to the BOT concerning rezoning requests. A draft resolution is attached for consideration by the PZC. The BOT will approve or deny the proposed zoning map amendment.

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

The petitioner has applied for and submitted all documentation in accordance with the Zoning Ordinance and requests consideration of the proposed zoning map amendment. The PZC is asked to consider all documents concerning the proposed zoning map amendment. The rezoning request includes 10.0± acres of land. The current zoning on the subject property is I-2 Industrial district. The proposed zoning is C-2 General Commercial district. The property owner would like to rezone the subject property to establish a commercial development site.

SITE LOCATION / DETAILS: The subject property is located at the northeast corner of the Oak Street (US 150) and Prairieview Road intersection. The subject property is an undeveloped lot. The right-of-way for Farm Credit Drive was dedicated as part of the subdivision and is to provide access to the site. No direct access from Oak Street or Prairieview Road will be provided.

BACKGROUND: The subject property is part of the Prairieview Commons First Subdivision which was recorded in 1998. The property was annexed into the Village in 1996 and is part of the East Mahomet TIF district.

CONFORMANCE TO COMPREHENSIVE PLAN: The Village of Mahomet 2016 Comprehensive Plan currently designates this site as part of the East US150 Gateway functional framework area which is characterized currently by predominantly agriculture and a few commercial uses near the interstate interchange. The area is envisioned to develop as a regional commercial, warehousing, distribution and

industrial core. The Comprehensive Plan Land Use Plan shows Corridor Commercial uses on this site. The Comprehensive Plan urges development which is compatible with adjacent existing and future land uses. General Commercial zoning allows uses that could take advantage of the interstate interchange. The rezoning request is consistent with the principles and goals of the Comprehensive Plan.

LAND USE AND ZONING:

Direction	Current Land Use	Current Zoning
On-Site	Vacant / Agriculture	I-2 Industrial
North	Interstate 74	n/a
South	Undeveloped / Agriculture	R-1A Single-Family Residential
East	Undeveloped / Agriculture	C-2 General Commercial
West	Undeveloped / Agriculture	R-1A Single-Family Residential

CONFORMANCE TO ZONING ORDINANCE: The intent of the C-2 zoning district is to provide for a wide range of retail, service, mixed, office and commercial uses. These areas are intended as a moderate intensity commercial district serving a community wide trade area. The request is consistent with the intent of the proposed C-2 zoning classification.

POLICE / FIRE PROTECTION: The Village of Mahomet Police Department currently provides police protection to this site and is approximately 2.4 miles from the police station. This property is within the Cornbelt Fire Protection District and is approximately 2.6 miles from the Main Street fire station.

SANITARY SEWER AND WATER FACILITIES: Public sanitary sewer and water services are adjacent and available for this site.

STORMWATER DRAINAGE: Commercial development of this site will need to provide stormwater detention according to Village requirements. Public stormwater facilities exist along Farm Credit Drive.

STREETS AND SIDEWALKS: The subject property fronts along the eastbound on-ramp for Interstate 74, Prairieview Road, Oak Street (US 150) and Farm Credit Drive. Sidewalks for this lot were deferred when the subdivision was created. Sidewalks will need to be installed with development of the lot.

LASALLE FACTORS:

The Illinois Supreme Court has established a set of factors for evaluation of the constitutionality of zoning decisions. No single factor is controlling, and each case must be decided on its own facts although Illinois courts place substantial importance on the first factor.

1. The existing uses and zoning of nearby property.
2. The extent to which property values are diminished.
3. The extent to which the destruction of property value of the plaintiff promotes the health, safety, morals or general welfare of the public.
4. The relative gain to the public as opposed to the hardship imposed upon the individual property owner.
5. The suitability of the subject property for the zoned purposes

6. The length of time the property has been vacant as zoned considered in the context of land development in the area.
7. The care with which a community has undertaken to plan its land-use development.

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

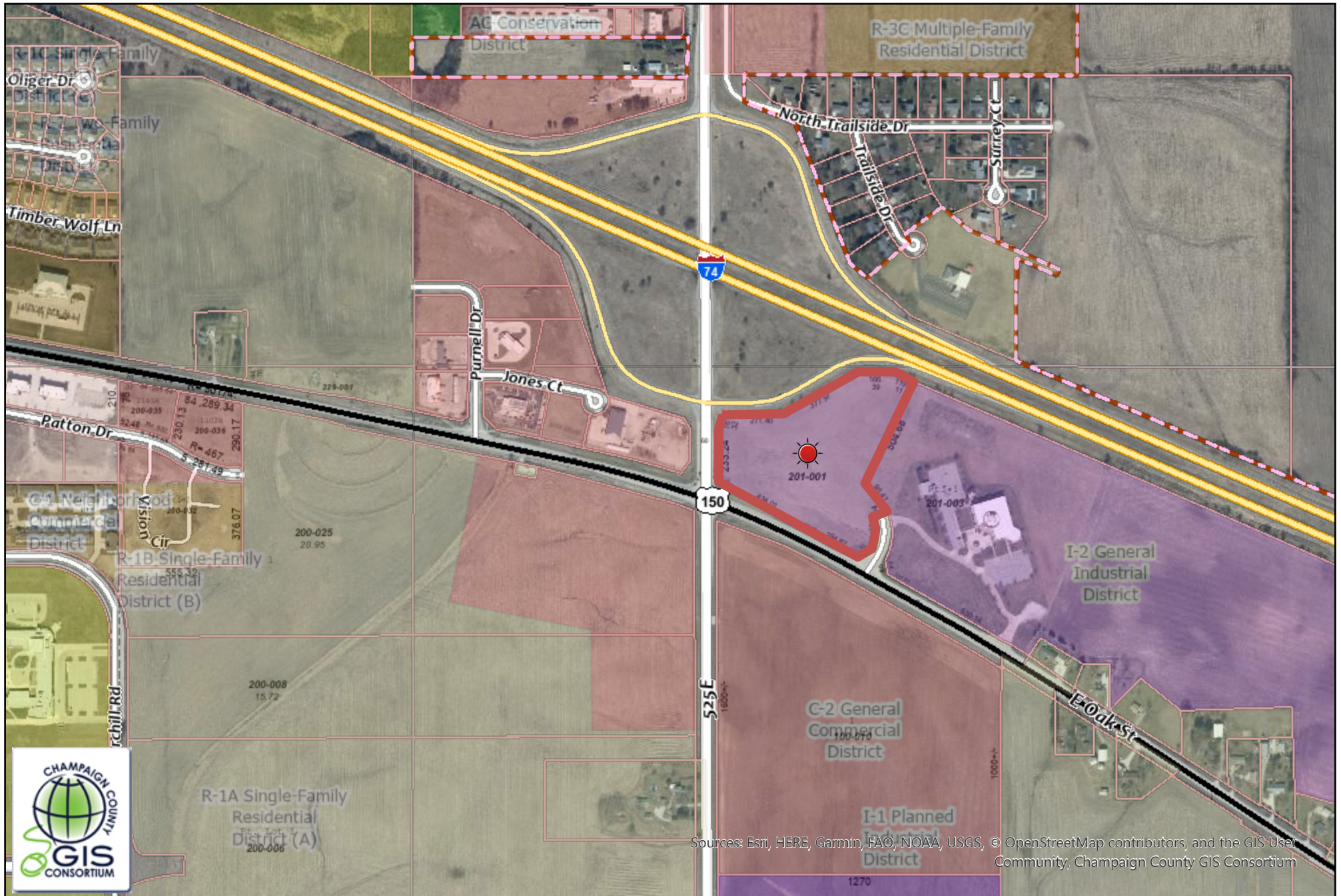
STAFF RECOMMENDATION

Village staff supports approval of the rezoning request.

ATTACHMENTS:

- A) Aerial Location / Zoning Map
- B) Draft Resolution
- C) Application

ZA2023-05 Labeling Development Co. (I-2 to C-2)



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mi

This map was prepared with geographic information system (GIS) data created by the Champaign County GIS Consortium (CCGIS), or other CCGIS member agency. These entities do not warrant or guarantee the accuracy or suitability of GIS data for any purpose. The GIS data within this map is intended to be used as a general index to spatial information and not intended for detailed, site-specific analysis or resolution of legal matters. Users assume all risk arising from the use or misuse of this map and information contained herein. The use of this map constitutes acknowledgement of this disclaimer.

Date: Monday, October 16, 2023



RESOLUTION FOR PLAN AND ZONING COMMISSION

Concerning Amending the Zoning Classification for 10.0± acres of land located at the northwest corner of the Oak Street (US 150) and Prairieview Road intersection from I-2 Industrial to C-2 General Commercial district.

- WHEREAS,** the Board of Trustees of the Village of Mahomet, pursuant to the authority conferred by the Statutes of the State of Illinois, has established certain standards and procedures, including Comprehensive Plan designations and policies for the use of land and for zoning establishment and amendment within the corporate Limits of the Village of Mahomet, Illinois; and,
- WHEREAS,** the Petitioner, Tabela Development Company, has requested a zoning map amendment for the subject property from I-2 Industrial to C-2 General Commercial; and,
- WHEREAS,** the subject property is located at the northeast corner of the Oak Street (US 150) and Prairieview Road intersection; and,
- WHEREAS,** the legal description for the property to be rezoned is as follows:
- Lot 1 of Prairieview Commons First Subdivision as per plat recorded April 30, 1998 as Document No. 98R12133, in Champaign County, Illinois.
- WHEREAS,** a Public Hearing concerning the proposed rezoning was held on November 7, 2023 by the Plan and Zoning Commission to solicit evidence and testimony from the public; and,
- WHEREAS,** the Village Planner, and Village Attorney provided the Village with technical and background information regarding the proposed rezoning; and,
- WHEREAS,** the Plan and Zoning Commission met and reviewed the evidence and testimony submitted and has considered all the available factual evidence concerning the requested action.

BE IT THEREFORE RESOLVED this 7th day of November, 2023 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 / HAVE NOT** been met.
 2. The proposed zoning **DOES / DOES NOT** conform with the intent of the Village Comprehensive Plan.
 3. The proposed zoning **IS / IS NOT** consistent with the proposed use of the site.
 4. The proposed zoning **WILL / WILL NOT** be compatible with the established land use pattern in the vicinity.
 5. The proposed zoning **DOES / DOES NOT** create an isolated, unrelated zoning district.

6. The site **IS / IS NOT** suitable for the uses allowed in the proposed zoning district.
7. The proposed zoning **WILL / WILL NOT** be consistent with the health, safety and general welfare of the public.
8. Major land uses in the neighborhood **HAVE / HAVE NOT** changed since zoning was applied to this site.
9. The proposed zoning **IS / IS NOT** consistent with the existing zoning designations in the surrounding area.
10. The proposed zoning **WILL / WILL NOT** be contrary to the original purpose and intent of the Zoning Ordinance.
11. The proposed zoning **WILL / WILL NOT** be injurious to the use and enjoyment of adjacent properties.
12. The proposed zoning **WILL / WILL NOT** promote the orderly development of the site and surrounding properties.
13. The proposed zoning **WILL / WILL NOT** significantly adversely impact existing traffic patterns.
14. Adequate facilities for municipal sanitary sewage disposal and water supply **ARE / ARE NOT** available for the site.
15. Adequate provisions for stormwater drainage **ARE / ARE NOT** available for this site.
16. The proposed zoning **WILL / WILL NOT** adversely impact police protection or fire protection.
17. The proposed zoning **WILL / WILL NOT** significantly adversely impact schools or other public facilities.
18. The proposed zoning **WILL / WILL NOT** conflict with existing public commitments for planned public improvements.
19. The proposed zoning **WILL / WILL NOT** adversely influence living conditions in the immediate vicinity.
20. The proposed zoning **WILL / WILL NOT** preserve the essential character of the neighborhood in which it is located.
21. The proposed change **WILL / WILL NOT** significantly alter the population density pattern.
22. The value of adjacent property **WILL / WILL NOT** be diminished by the proposed zoning.

23. The proposed zoning **WILL / WILL NOT** enhance the value of the petitioner's property.
24. The proposed zoning **WILL / WILL NOT** constitute an entering wedge affecting the use or development of adjacent property.
25. If denied, the petitioner **WILL / WILL NOT** suffer deterioration to his or her property value.
26. The proposed zoning **DOES / 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 / WILL NOT** result in private investment that would be beneficial to the development or redevelopment of a vacant property or deteriorated neighborhood.
29. There **IS / IS NOT** a need in the community for additional land within the requested zoning district.
30. The proposed zoning **WILL / WILL NOT** adversely impact agricultural farming operations in the vicinity of this site.
31. The proposed rezoning **IS / IS NOT** consistent with Village Comprehensive Plan policies concerning the protection of prime farmland when appropriate.
32. The proposed rezoning **WILL / 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 / HAVE NOT** been considered during the review of this proposed rezoning request.
34. _____

- B. The Plan and Zoning Commission does hereby recommend that the Board of Trustees of the Village of Mahomet **GRANT / DENY** the requested zoning map amendment for the subject property from I-2 Industrial to C-2 General Commercial district.

Chair, Plan and Zoning Commission
Village of Mahomet, Illinois

Case Name: ZA2023-05

**REQUEST FOR ZONING AMENDMENT
VILLAGE OF MAHOMET**

DO NOT WRITE IN THIS SPACE – FOR OFFICE USE ONLY

Date Filed: 10/05/2023 Date of Hearing: 11/07/2023

Date of Published Notice: 10/22/2023 Newspaper News-Gazette

Fee Paid – Receipt No.: ck#1417 Amount: \$300.00 Date: 10/05/2023
Legal Ad cost: ck#1417 \$88.40 10/27/2023

Comments: (indicate other actions such as continuances) _____

Action by Board on Request: _____

NOTICE TO APPLICANTS

1. A Zoning Amendment is a zoning adjustment, which permits a change of district requirements where an individual or group of properties are both harshly and uniquely burdened by the strict application of the law. The power to alter zoning districts is limited. No Zoning Amendment will be granted which would adversely affect surrounding property or the general neighborhood. All zoning amendments must be in harmony with the intent and purposes of the Zoning Ordinance. The applicant must show that there is need and justification for the proposed amendment.
2. There will be no refund of application fee for any Zoning Amendment not granted or withdrawn.
3. No incomplete applications will be acted upon.
4. Granting a Zoning Amendment requires that the Village hold a Public Hearing regarding the request, and publication of a Public Notice 15 days in advance of the Hearing. Applicants are urged to coordinate their activities with Village staff to assure consideration of their request is as timely a manner as is reasonably possible.

Case Name: ZA2023-05

ZONING AMENDMENT

DATA ON APPLICANT AND OWNER

Name of Applicant (s): Tabeling Development Co. Phone: 217.722.9374

Address of Applicant (s): 1826 Patton Dr #4, Mahomet

Property Interest of Applicant: Contract Purchaser
(Owner/Contract Purchases/Agent, etc.)

Name of Owner: BCP Realty & JCC Realty, LLC Phone: Attorney for Seller, Huck Bouma
847.289.3372

ADDRESS AND DESCRIPTION OF PROPERTY

Address: 10 acres on Farm Credit Rd & Prairieview Rd.

Width of Lot: IR Length of Lot: See attached map

Lot Area (Square Feet): 435,600 (10ac +/-) Tax Parcel Number: 15-13-24-201-001

Legal Description: (or attach legal description)

Lot 1 of Prairieview Commons First Subdivision as per plat recorded April 30, 1998 as

Document No. 98R12133, in Champaign County, Illinois. 2006R08474

LAND USE AND ZONING

Present Zoning: Industrial ^{I-2}

Proposed Zoning: C-2. Commercial (General Use)

Present Land Use: Vacant

Proposed Land Use: Commercial buildings

	Surrounding Zoning	Surrounding Land Use
North	<u>NA</u>	<u>Interstate 74</u>
South	<u>C2</u>	<u>Vacant/Farmground</u>
East	<u>Industrial</u>	<u>Office Building</u>
West	<u>C2</u>	<u>Misc Businesses</u>

Case Name: ZA2023-05

REASONS FOR REQUEST FOR ZONING AMENDMENT

NOTE: The following questions must be answered completely. If additional space is needed, attach extra pages to application. Before answering, read the NOTICE TO APPLICANTS attached hereto.

1. Error in the present Ordinance to be corrected by the proposed change in the Ordinance (Explain fully):

The community will be better served by commercial zoning at the interstate exit. Industrial users may have a negative impact on this gateway into Mahomet.

2. Other circumstances which justify the Amendment (Explain Fully):

The existing Farm Credit office building is a commercial use.

The change will allow traditional highway exit businesses to maximize potential of the location.

3. Does any violation of the Village of Mahomet Zoning Ordinance exist on the property at this time?

YES _____ NO x If yes, how? _____

4. Is the subject property planned to be improved? Yes

When? ASAP

What improvements are planned? Commercial multi-tenant buildings & lots.

What will be the actual use of the improvements Retail, hospitality, service related uses.

5. Will the grant of an Amendment in the form requested be in harmony with the neighborhood and not contrary to the intent and purpose of the Zoning Ordinance?

Yes x No _____ Elaborate: Highway exit & current office

6. Have there been major land changes since zoning was applied in 1963 (i.e. new expressway, new development, etc.)? Yes x No _____ Elaborate: Interstate exit

Case Name: ZA2023-05

ZONING AMENDMENT

7. Would the proposed change create an isolated district unrelated to adjacent land use or zoning?

Yes _____ No x Elaborate: _____

8. Can the owner of the property realize an economic benefit from uses in accordance with existing zoning? Yes _____ No x Elaborate: The site has been vacant.

9. Are there other sites available already zoned for the proposed use? Yes _____ No x Elaborate: _____

This is the only available, undeveloped highway exit with good access.

10. Additional comments by applicant: The site provides a great opportunity to offer

businesses a prime location with easy access to I-74.

SKETCH PLAN

- A) Is a scaled plot plan indicating the location of the premises and the nature of the variance attached.

Yes x No _____ (Application will not be processed without the required drawing)

- B) Additional exhibits submitted by applicants: Map of the site.

I (we) certify that all of the above statements and the statements contained in any papers or plan submitted herewith are true to the best of my (our) knowledge and belief.

(Signature) Applicant

08.17.23

Date

(Signature) Owner

Date