

PLAN AND ZONING COMMISSION
MEETING MINUTES
July 7, 2020

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