



Plan and Zoning Commission
6:00 p.m. Tuesday, April 2, 2024
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 April 2, 2024 or by email submission to Abby Heckman, heckman@mahomet-il.gov no later than 4:00 pm on April 2, 2024 to ensure placement of such comments in the official record of the meeting.

4. MINUTES: March 5, 2024 (Draft to be provided at the meeting)

5. PUBLIC HEARINGS:

CU2024-01: MONAHAN FREEDY PROPERTIES, LLC

A RESOLUTION CONCERNING A CONDITIONAL USE PERMIT TO ESTABLISH MIXED USE COMMERCIAL WITH FLEXIBLE OFFICE / WAREHOUSING IN COMPLETELY ENCLOSED STRUCTURES ON 9.4± ACRES OF LAND ZONED C-2 GENERAL COMMERCIAL LOCATED ON THE SOUTH SIDE OF S. LAKE OF THE WOODS ROAD APPROXIMATELY 700 FT EAST OF SUGAR LANE, COMMONLY KNOWN AS 214 S LAKE OF THE WOODS ROAD

ZA2024-03: STEVEN W ANDERSON TRUST

A RESOLUTION CONCERNING A REZONING FOR 4.51± ACRES OF LAND FROM R-1A SINGLE-FAMILY RESIDENTIAL TO C-3 PLANNED COMMERCIAL LOCATED ON THE WEST SIDE OF THE S DIVISION STREET (IL 47) AND FAWN DRIVE INTERSECTION, COMMONLY KNOWN AS 1405 S DIVISION STREET

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

CU2024-01: MONAHAN FREEDY PROPERTIES, LLC

A RESOLUTION CONCERNING A CONDITIONAL USE PERMIT TO ESTABLISH MIXED USE COMMERCIAL WITH FLEXIBLE OFFICE / WAREHOUSING IN COMPLETELY ENCLOSED STRUCTURES ON 9.4± ACRES OF LAND ZONED C-2 GENERAL COMMERCIAL LOCATED ON THE SOUTH SIDE OF S. LAKE OF THE WOODS ROAD APPROXIMATELY 700 FT EAST OF SUGAR LANE, COMMONLY KNOWN AS 214 S LAKE OF THE WOODS ROAD

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

7. COMMISSIONER / STAFF COMMENTS:

NEXT PZC MEETING – Tuesday May 7, 2024

8. ADJOURN



**Plan and Zoning Commission
Staff Report
Meeting April 2, 2024**

FROM: Abby Heckman, Village Planner
Community Development Department

PROJECT: CU2024-01 - CONDITIONAL USE PERMIT – 214 S Lake of the Woods Road

PETITIONER: Monahan Freedy Properties, LLC (David Monahan – The Brush Man)

REQUESTED ACTION: The petitioner has requested consideration of a conditional use to establish mixed use commercial development with flexible office / warehousing in completely enclosed structures. The petitioner would like to construct four (4) new commercial flex-warehousing buildings with potential multiple primary uses in each building. Mixed-uses and warehousing in completely enclosed buildings both require a conditional use permit in the C-2 zoning district (152.031(B)(7, 12)).

PUBLIC HEARING / PROCEDURAL ISSUES: The Plan and Zoning Commission (PZC) is required to hold a public hearing upon request for a Conditional Use permit. The public hearing is scheduled for April 2, 2024, 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 March 16, 2024. Courtesy notice letters were sent via USPS to property owners within 250 feet of the conditional use boundary. The PZC acts in an advisory role to the Board of Trustees (BOT) regarding conditional use requests. The PZC is asked to make a recommendation to the BOT concerning conditional use requests. A draft resolution is attached for consideration by the PZC. The BOT will approve or deny the proposed conditional use.

LOCATION / SITE DESCRIPTION: The site includes 9.4± acres of land zoned C-2 General Commercial and is located on the south side of S. Lake of the Woods Road approximately 700 ft east of Sugar Lane, commonly known as 214 S Lake of the Woods Road. The subject area includes one (1) existing commercial building. The subject property has never been subdivided. A major subdivision to create five (5) commercial lots is expected as indicated on the attached Conditional Use Plan exhibit. The existing commercial building will remain on the lot shown as lot 101 on the exhibit.

LAND USE AND ZONING:

Direction	Current Land Use	Current Zoning
On-Site	Existing business	C-2 General Commercial
North	Forest Preserve	County CR Conservation
South	Interstate 74 / Vacant - Undeveloped	Interstate and R-1A Single-Family Residential
East	Residential and Utility Use	R-1A Single-Family Residential
West	Village of Mahomet Public Works Facility	C-2 General Commercial

Site Plan which calculates parking spaces required. For warehousing uses, Village ordinances allow some of the parking to be delayed until the future. Per the ordinance language only 66 parking spaces are required to be installed initially on lots 102-105, 172 spaces are provided. The applicant plans to install the parking as shown on the Conditional Use Site Plan with construction of the development. Staff finds the number of parking spaces shown as adequate and no future addition of parking necessary.

PARKING TABLE			
<u>EXISTING BUILDING (LOT 101)</u>			
REQUIRED: 1 SPACE PER 300 SF @ 4,677 SF = 16 SPACES			
PROVIDED: 16 STANDARD SPACES & 1 ADA SPACE			
<u>FLEXIBLE WAREHOUSE (LOTS 102-105)</u>			
REQUIRED: 1 SPACE PER 500 SF @ 98,548 SF = 197 SPACES			
PROVIDED: (172 TOTAL)			
LOT	STANDARD	GARAGE SPACE	ADA
101	16	—	1
102	33	12	2
103	35	25	3
104	17	—	1
105	20	5	2
TOTAL	121	42	9

STORMWATER MANAGEMENT: The site will drain west to the dry detention basin provided on outlot 106. A stormwater review is required as part of the subdivision process which will ensure compliance with Village stormwater requirements.

POLICE AND FIRE PROTECTION: The Village of Mahomet Police Department currently provides police protection to this site which is approximately 1.4 miles from the police station. This property is within the Cornbelt Fire Protection District and is approximately 1.5 miles from the Main Street fire station.

CONFORMANCE TO COMPREHENSIVE PLAN: The Village of Mahomet 2016 Comprehensive Plan currently designates this site as part of the Northeast Mahomet functional framework area which encourages enhancement of parking lots and landscaping for existing commercial uses. The Comprehensive Plan Land Use Plan shows Light Industrial and Institutional uses in this on this site and the site to the west. The Comprehensive Plan includes policies that urge compact, orderly, and contiguous development in areas where public facilities and infrastructure can be extended to serve the site. The Comprehensive Plan also urges development which is compatible with adjacent existing and future land uses. The conditional use request is consistent with these principles.

SUITABILITY OF PROPOSED CONDITIONAL USE: This site is located in the area of existing commercial development to the west and north. The land is zoned C-2 General Commercial and is currently used for a single-commercial business. The conditional use request to establish flexible warehouse/office space and multiple businesses operating from each lot is reasonable given the space flexibility options for the buildings proposed. The buildings shown on the plan are positioned to provide a visual buffer from the residential properties to the east. Commercial activities, vehicles movements and material deliveries are limited to circulating on the interior of the site. The site has been zoned for commercial use for more than 20 years and is

in an area of town that has both commercial and residential uses. Flexible office and warehouse space is greatly needed in our community. The majority of spaces that currently exist are occupied and there are limited options for new businesses looking for this type of business space.

The applicant / property owner is also the owner of The Brush Man business currently located on Hickory Street in Mahomet. The business has outgrown their current space but would like to keep the business in Mahomet. Part of this development is expected to house The Brush Man along with space to lease to other businesses looking for similar space.

STANDARDS FOR CONDITIONAL USES: The standards set forth below may be assured through the imposition of specific conditions for the Conditional Use Permit. The Mahomet Zoning ordinance states that Conditional uses must be planned in such a manner to assure that:

1. 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.
2. 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 with the neighborhood.
3. The establishment on the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
4. Adequate utilities access roads, drainage and/or other necessary facilities will be provided.
5. Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. The conditional use shall, in all respects, conform to the applicable regulations of the district in which it is located and the Board shall find that this is a public necessity.

STAFF DISCUSSION / ANALYSIS: The Conditional Use Permit process allows the Village to establish site-specific conditions upon a particular use to assure that the use does not adversely impact the neighborhood. The Plan and Zoning Commission will need to consider what conditions, if any, should be a part of the conditional use permit. Staff recommended conditions are listed below and can be altered by the PZC as necessary.

VILLAGE STAFF RECOMMENDATION: Village staff recommend the PZC impose the following conditions on the conditional use permit:

1. Site development must substantially comply with the Conditional Use Site Plan as presented to the PZC and attached as exhibit A.
2. Site landscaping must substantially comply with the landscaping as shown on Conditional Use Site Plan (exhibit A) with the option to install an 8 ft privacy fence in the area of the easement along the north and east boundary of the parking area for building "C" instead of the trees as shown.
3. Only exterior lighting fixtures that are full cut-off / fully shielded which minimizes skyglow, glare and light trespass shall be permitted.
4. A shared user monument style sign of up to 75 square feet in area and a maximum of 6 ft in height may be located on lot 101. If a shared user sign is located on lot 101 then no other freestanding signage shall be allowed on lot 101. One (1) shared user sign of up to 50 sq ft may be located on both lots 103 and 105 or as

an alternative to shared freestanding signage, one (1) shared user wall sign may be located on the north face of building “B”. No individual freestanding signage shall be permitted when there is an existing shared user freestanding sign on the same lot.

5. 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.
6. Subdivision construction plan and final plat approval must be obtained and the plat must be recorded prior to the issuance of an occupancy for any new building on the site.
7. All portions of the site shall be located within 300 feet of a fire hydrant.
8. 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.
9. The site must comply with all applicable provisions of the Zoning Ordinance.

PROCEDURES: A draft resolution is presented with staff recommendations for conditions. However, the commission should consider the public hearing testimony and the testimony of the petitioner in the meeting and request modifications as needed.

ATTACHMENTS:

- 1) Draft Resolution
- 2) Exhibit A – Conditional Use Site Plan
- 3) Exhibit – Building / Site renderings
- 4) Exhibit – C-2 Uses
- 5) Conditional Use Application

RESOLUTION FOR PLAN & ZONING COMMISSION

A Resolution Concerning a Conditional Use Permit to establish a mixed use commercial development with flexible office / warehousing in completely enclosed structures in the 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, Monahan Freedy Properties, LLC (David Monahan), requested a conditional use permit be granted under the terms of the Village Zoning Ordinance to allow for a mixed use commercial development with flexible office / warehousing in completely enclosed structures on land located within the C-2 General Commercial District; and,

WHEREAS, the subject project is located on the south side of S. Lake of the Woods Road approximately 700 ft east of Sugar Lane, commonly known as 214 S Lake of the Woods Road and the legal description for the proposed Conditional Use Permit is as follows:

A PARCEL OF GROUND BEING PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 20 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN MONUMENT LYING 45.79 FEET NORTH OF THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 20 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN AND ALSO BEING ON THE NORTHERLY RIGHT OF WAY LINE OF INTERSTATE ROUTE 74; THENCE SOUTH 73°46'20" EAST ALONG SAID NORTHERLY RIGHT OF WAY 158.71 FEET TO A CONCRETE RIGHT OF WAY MARKER, BEING ON THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 14; THENCE CONTINUING ON SAID NORTHERLY RIGHT OF WAY, AND SAID SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 14, NORTH 89°27'40" EAST 638.68 FEET TO AN IRON PIN MONUMENT; THENCE NORTH 27°55'20" WEST 771.38 FEET TO AN IRON PIN MONUMENT, BEING THE SOUTHEAST CORNER OF TRACT A OF K.D. HEADLEE SURVEY BY GODFREY SPERLING, ILLINOIS REGISTERED LAND SURVEYOR NO. 796, ON APRIL 30TH, 1957; THENCE SOUTH 61°24'10" WEST 144.00 FEET TO AN IRON PIN MONUMENT, THE SOUTHWEST CORNER OF SAID TRACT A; THENCE NORTH 23°32'15" WEST 134.00 FEET TO AN IRON PIN MONUMENT, THE NORTHWEST CORNER OF SAID TRACT A AND BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF LAKE OF THE WOODS ROAD ALSO KNOWN AS COUNTY HIGHWAY NO. 50; THENCE SOUTH 64°56'30" WEST 277.90 FEET ON SAID SOUTHERLY RIGHT OF WAY LINE TO A POINT ON THE WEST LINE OF

THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14; THENCE SOUTH 0°00'00" EAST 580.20 FEET ON SAID WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TO THE POINT OF BEGINNING, SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

EXCEPT PARCEL "A" AS SHOWN ON IDOT RIGHT-OF-WAY PLAT FOR JOB NO. R-95-003-64, F.A.I. ROUT 74, SECTION 104, DATED 3/1/65, PREPARED BY ILLINOIS REGISTERED LAND SURVEORY #1557, RECORDED IN BOOK 816, PAGE205 IN THE RECORDS OF THE CHAMPAIGN COUNTY RECORDER'S OFFICE.

WHEREAS, the Petitioner has submitted certain documents for review and approval by the Village; and,

WHEREAS, a Public Hearing concerning the proposed Conditional Use Permit was held on April 2, 2024 by the Plan and Zoning Commission to solicit evidence and testimony from the public; and,

WHEREAS, the Village Planner, Village Engineer, and Village Attorney provided staff with technical background, review and analysis regarding the requested conditional use; and,

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

BE IT THEREFORE RESOLVED this 2nd day of April, 2024 by the Plan and Zoning Commission of the Village of Mahomet that:

- A. The Plan and Zoning Commission does hereby recommend the Board of Trustees **GRANT / DENY** the requested Conditional Use Permit for a mixed use commercial development with flexible office / warehousing in completely enclosed structures at the above described property.
- B. The Plan and Zoning Commission does hereby further state that the conditional use shall be subject to the following conditions:
 1. Site development must substantially comply with the Conditional Use Site Plan as presented to the PZC and attached as exhibit A.
 2. Site landscaping must substantially comply with the landscaping as shown on Conditional Use Site Plan (exhibit A) with the option to install an 8 ft privacy fence in the area of the easement along the north and east boundary of the parking area for building "C" instead of the trees as shown.
 3. Only exterior lighting fixtures that are full cut-off / fully shielded which minimizes skyglow, glare and light trespass shall be permitted.

4. A shared user monument style sign of up to 75 square feet in area and a maximum of 6 ft in height may be located on lot 101. If a shared user sign is located on lot 101 then no other freestanding signage shall be allowed on lot 101. One (1) shared user sign of up to 50 sq ft may be located on both lots 103 and 105 or as an alternative to shared freestanding signage, one (1) shared user wall sign may be located on the north face of building "B". No individual freestanding signage shall be permitted when there is an existing shared user freestanding sign on the same lot.
5. 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.
6. Subdivision construction plan and final plat approval must be obtained and the plat must be recorded prior to the issuance of an occupancy for any new building on the site.
7. All portions of the site shall be located within 300 feet of a fire hydrant.
8. 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.
9. The site must comply with all applicable provisions of the Zoning Ordinance.
10. _____
11. _____

- C. 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 / WILL NOT** be detrimental to or endanger the public health, safety, morals, comfort or general welfare;
 - b. The conditional use **WILL / 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 / 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 / WILL NOT** be provided;
 - e. The conditional use **DOES / DOES NOT** in all other respects conform to the applicable regulations of the district in which it is located;
 - f. There **IS / IS NOT** a public necessity for the conditional use at this site;
 - g. The proposed conditional use **DOES / DOES NOT** conform with the intent of the Village Comprehensive Plan.

- h. The proposed conditional use **WILL / WILL NOT** be compatible with the established land use pattern in the vicinity.
- i. The site **IS / IS NOT** suitable for the proposed conditional use.
- j. The proposed conditional use **WILL / WILL NOT** significantly adversely impact existing traffic patterns.
- k. Adequate facilities for municipal water supply and wastewater disposal **ARE / ARE NOT** available for the site.
- l. Adequate provisions for stormwater drainage **ARE / ARE NOT** available for the site.
- m. The proposed conditional use **WILL / WILL NOT** adversely impact police protection, fire protection, schools, or public facilities.
- n. The proposed conditional use **WILL / WILL NOT** conflict with existing public commitments for planned public improvements.
- o. The proposed conditional use **WILL / WILL NOT** preserve the essential character of the neighborhood in which it is located.
- p. The proposed conditional use **WILL / WILL NOT** alter the population density pattern and **WILL / WILL NOT** adversely impact public facilities.
- q. The proposed conditional use **WILL / WILL NOT** result in private investment that will be beneficial to the proper development of the community.
- r. _____

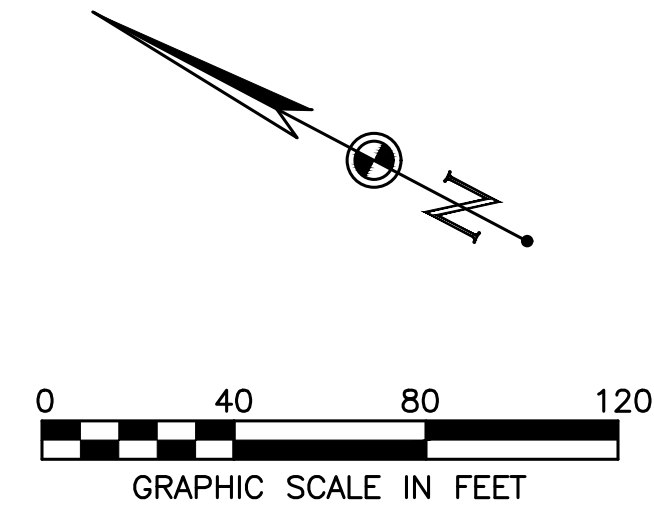
D. The approval recommended above shall be subject to the fulfillment of the conditions set forth in Item B above. In the event that these conditions are not fulfilled, the Conditional Use Permit may become void and no occupancy permit for the project may be issued, or the occupancy permit previously issued may be revoked.

Chair, Plan and Zoning Commission

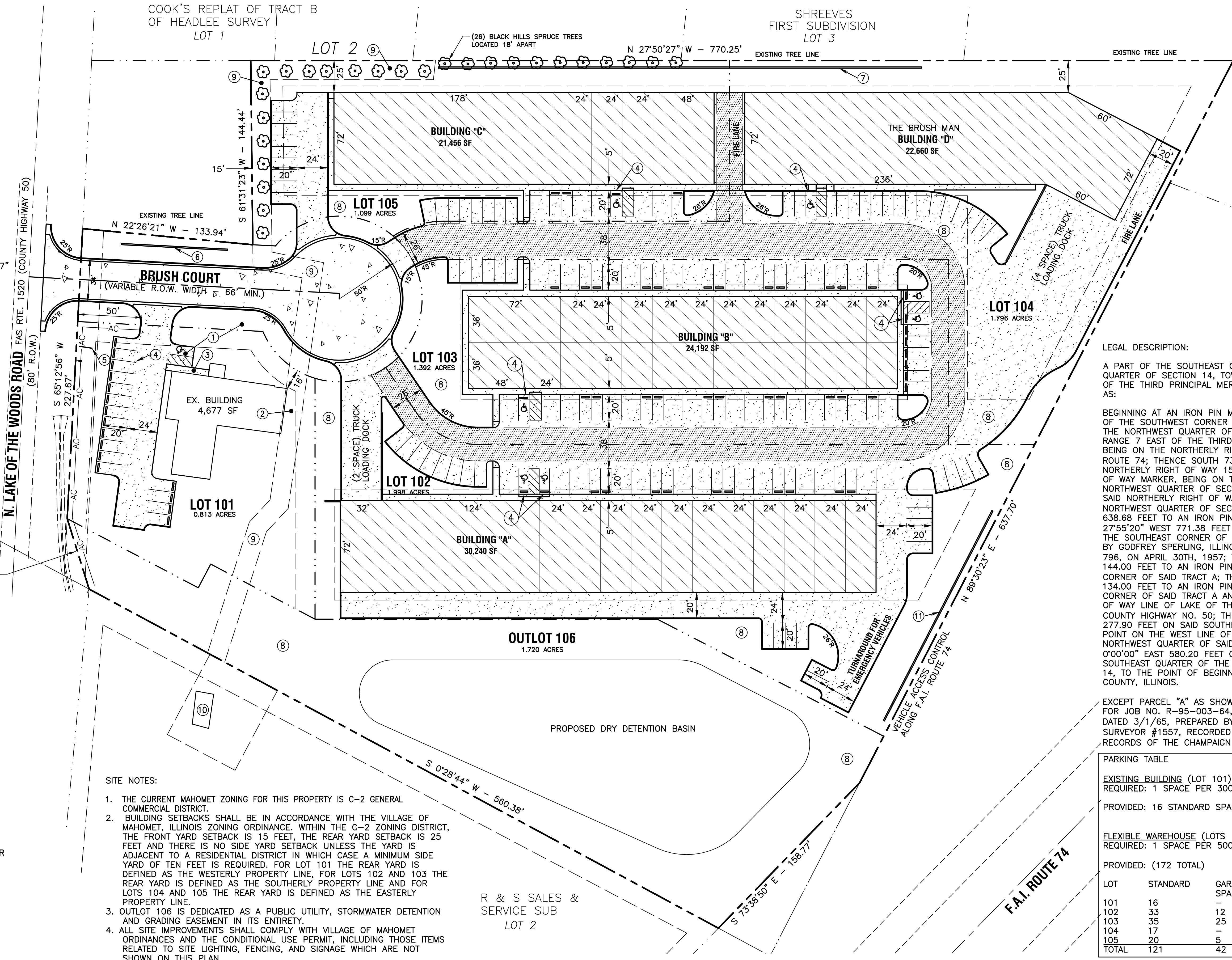
COOK'S REPLAT OF TRACT B
OF HEADLEE SURVEY
LOT 1

SHREEVES
FIRST SUBDIVISION
LOT 3

REPLAT OF LOT 4
OF SHREEVES
FIRST SUBDIVISION
LOT 4B



- SHEET LEGEND**
- PROPOSED INGRESS-EGRESS EASEMENT
 - P.C. CONCRETE PAVEMENT, 7" W/ COMBINATION C&G
 - P.C. CONCRETE PAVEMENT / SIDEWALK, 6"
 - PROPOSED TREE
 - BOUNDARY OF PLAT
 - PROPOSED LOT LINE
 - EXISTING LOT LINE
 - PUBLIC UTILITY AND DRAINAGE EASEMENT LINE
 - CENTERLINE
 - VEHICLE ACCESS CONTROL



LEGAL DESCRIPTION:
A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 20 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING FURTHER DESCRIBED AS:

BEGINNING AT AN IRON PIN MONUMENT LYING 45.79 FEET NORTH OF THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 20 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN AND ALSO BEING ON THE NORTHERLY RIGHT OF WAY LINE OF INTERSTATE ROUTE 74; THENCE SOUTH 73°46'20" EAST ALONG SAID NORTHERLY RIGHT OF WAY 158.71 FEET TO A CONCRETE RIGHT OF WAY MARKER, BEING ON THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 14; THENCE CONTINUING ON SAID NORTHERLY RIGHT OF WAY, AND SAID SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 14, NORTH 89°27'40" EAST 638.68 FEET TO AN IRON PIN MONUMENT; THENCE NORTH 27°55'20" WEST 771.38 FEET TO AN IRON PIN MONUMENT, BEING THE SOUTHEAST CORNER OF TRACT A OF K.D. HEADLEE SURVEY BY GODFREY SPERLING, ILLINOIS REGISTERED LAND SURVEYOR NO. 796, ON APRIL 30TH, 1957; THENCE SOUTH 61°24'10" WEST 144.00 FEET TO AN IRON PIN MONUMENT, THE SOUTHWEST CORNER OF SAID TRACT A; THENCE NORTH 23°32'15" WEST 134.00 FEET TO AN IRON PIN MONUMENT, THE NORTHWEST CORNER OF SAID TRACT A AND BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF LAKE OF THE WOODS ROAD ALSO KNOWN AS COUNTY HIGHWAY NO. 50; THENCE SOUTH 64°56'30" WEST 277.90 FEET ON SAID SOUTHERLY RIGHT OF WAY LINE TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14; THENCE SOUTH 0°00'00" EAST 580.20 FEET ON SAID WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TO THE POINT OF BEGINNING, SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

EXCEPT PARCEL "A" AS SHOWN ON IDOT RIGHT-OF-WAY PLAT FOR JOB NO. R-95-003-64, F.A.I. ROUTE 74, SECTION 10-4, DATED 3/1/65, PREPARED BY ILLINOIS REGISTERED LAND SURVEYOR #1557, RECORDED IN BOOK 816, PAGE 205 IN THE RECORDS OF THE CHAMPAIGN COUNTY RECORDER'S OFFICE.

- SITE LAYOUT KEYNOTES**
- ① REMOVE EXISTING GRAVEL PARKING AND REPLACE WITH 6-INCH TOPSOIL
 - ② REMOVE OFF-SITE OR RELOCATE CARPORT OUTSIDE OF BUILDING SETBACK LIMITS AND OUTSIDE OF EASEMENTS.
 - ③ 5-FOOT WIDE, P.C. CONCRETE SIDEWALK TO FRONT DOOR
 - ④ ADA PARKING STALL
 - ⑤ EXISTING SIGN TO REMAIN
 - ⑥ 85 L.F. - MODULAR BLOCK RETAINING WALL (2.5-FOOT HIGH (MAX.) AND VARIABLE)
 - ⑦ 380 L.F. - MODULAR BLOCK RETAINING WALL (3.5-FOOT HIGH (MAX.) AND VARIABLE)
 - ⑧ AREA OF PUBLIC UTILITY AND DRAINAGE EASEMENT
 - ⑨ 15' WIDE SANGAMON VALLEY PUBLIC WATER DISTRICT SANITARY SEWER EASEMENT
 - ⑩ EX. SANGAMON VALLEY PUBLIC WATER DISTRICT PUMP STATION
 - ⑪ 185 L.F. - MODULAR BLOCK RETAINING WALL (4.5-FOOT HIGH (MAX.) AND VARIABLE)

- SITE NOTES:**
1. THE CURRENT MAHOMET ZONING FOR THIS PROPERTY IS C-2 GENERAL COMMERCIAL DISTRICT.
 2. BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE VILLAGE OF MAHOMET, ILLINOIS ZONING ORDINANCE. WITHIN THE C-2 ZONING DISTRICT, THE FRONT YARD SETBACK IS 15 FEET, THE REAR YARD SETBACK IS 25 FEET AND THERE IS NO SIDE YARD SETBACK UNLESS THE YARD IS ADJACENT TO A RESIDENTIAL DISTRICT IN WHICH CASE A MINIMUM SIDE YARD OF TEN FEET IS REQUIRED. FOR LOT 101 THE REAR YARD IS DEFINED AS THE WESTERLY PROPERTY LINE, FOR LOTS 102 AND 103 THE REAR YARD IS DEFINED AS THE SOUTHERLY PROPERTY LINE AND FOR LOTS 104 AND 105 THE REAR YARD IS DEFINED AS THE EASTERLY PROPERTY LINE.
 3. OUTLOT 106 IS DEDICATED AS A PUBLIC UTILITY, STORMWATER DETENTION AND GRADING EASEMENT IN ITS ENTIRETY.
 4. ALL SITE IMPROVEMENTS SHALL COMPLY WITH VILLAGE OF MAHOMET ORDINANCES AND THE CONDITIONAL USE PERMIT, INCLUDING THOSE ITEMS RELATED TO SITE LIGHTING, FENCING, AND SIGNAGE WHICH ARE NOT SHOWN ON THIS PLAN.

PARKING TABLE

EXISTING BUILDING (LOT 101)
REQUIRED: 1 SPACE PER 300 SF @ 4,677 SF = 16 SPACES
PROVIDED: 16 STANDARD SPACES & 1 ADA SPACE

FLEXIBLE WAREHOUSE (LOTS 102-105)
REQUIRED: 1 SPACE PER 500 SF @ 98,548 SF = 197 SPACES
PROVIDED: (172 TOTAL)

LOT	STANDARD	GARAGE SPACE	ADA
101	16	-	1
102	33	12	2
103	35	25	3
104	17	-	1
105	20	5	2
TOTAL	121	42	9

R & S SALES &
SERVICE SUB
LOT 2

REVISIONS

NO.	DATE	DESCRIPTION

BKB
ENGINEERING
301 N. NEIL STREET, SUITE 400 | CHAMPAIGN, IL 61820
CELL 217.840.3546 | OFFICE 217.531.2971 | FAX 217.531.2211

CONDITIONAL USE SITE PLAN

214 S. LAKE OF THE WOODS ROAD
MAHOMET, ILLINOIS

PROJECT: 240-2301	SHEET:
DESIGN BY: BKB	1
DRAWN BY: BKB	
DATE: 3/4/24	











§ 152.031 C-2 GENERAL COMMERCIAL DISTRICT.

The purpose of the C-2 General Commercial District is to provide for a wide range of retail, service, mixed, office and commercial uses. The C-2 District is intended as a moderate intensity commercial district for uses serving a community wide trade area.

(A) Permissive uses:

- (1) Assisted living retirement community;
- (2) Public park or playground;
- (3) Church;
- (4) Public school, elementary and high, or private school having a curriculum equivalent to a public elementary or public high school and having no rooms regularly used for housing or sleeping purposes;
- (5) Golf course;
- (6) Bank or financial institution;
- (7) Dressmaking, tailoring, shoe repairing, repair of household appliances and bicycles, catering, and other uses of a similar character;
- (8) Mortuary or funeral home;
- (9) Office or office buildings;
- (10) Personal service uses including barber shop, beauty parlor, photographic or art studio, newspaper, florist, laundry service, animal grooming and other uses of a similar character;
- (11) Nursery, pre-kindergarten, kindergarten, play, special and other private school or day care center;
- (12) General merchandise retail store, in connection with which there shall be no slaughtering of animals or poultry, nor commercial fish cleaning and processing on the premises;
- (13) Restaurants, cafeterias, bars and taverns, donut/bakery shop and other uses of a similar character;
- (14) Computer and personal electronics sales and repair;
- (15) Private indoor recreational or fitness facility;
- (16) Specialty retail store, such as apparel, jewelry, book, shoe, stationary, antique and other similar stores;
- (17) Automobile service station or gas station;
- (18) Bowling alley or billiard parlor;
- (19) Business, commercial or trade school;
- (20) Dancing or music academy;
- (21) Display and salesroom;
- (22) Hotel or motel;
- (23) Laboratory, research, experimental or testing;
- (24) Automobile repair shop;
- (25) Radio or television broadcasting station or studio;
- (26) Property rental or real estate agency;
- (27) Animal clinic or animal hospital;
- (28) Used or new car, trailer or boat sales or storage lot;
- (29) Dyeing, cleaning, laundry, printing, painting, plumbing, tin-smithing, tire sales and service, upholstering and other general service or repair establishment of similar character. Not more than 10% of the lot or tract occupied by the establishment shall be used for the open and unenclosed storage of materials or equipment;
- (30) Grocery store;

- (31) Packaged food storage and/or distribution center;
- (32) Drive-through or drive-in facility, see standards in § 152.053;
- (33) Animal boarding;
- (34) Automobile/vehicle sales building/lot;
- (35) Medical, chiropractic, eye, or dental clinic;
- (36) Check-cashing or short term loan service;
- (37) Heating and air conditioning sales and service;
- (38) Theater, not including drive-in theater;
- (39) Private club or lodge;
- (40) Car wash;
- (41) Convenience store with or without gasoline sales;
- (42) Automobile parking lot, storage lot or parking garage;

(B) Conditional uses:

- (1) Farm implements, sale and repair;
- (2) Farm store or feed store, including accessory storage of liquid or solid fertilizer;
- (3) Drive-in theater;
- (4) Lumberyard and building materials storage or sales;
- (5) Bakery for off-site sales;
- (6) Bottling works;
- (7) Wholesale equipment or warehouse in a completely enclosed building;
- (8) Taxi or bus terminal;
- (9) Greenhouse incidental to retail sale;
- (10) Public utility substation;
- (11) Shopping center;
- (12) Mixed-use;
- (13) Self-service storage or mini-warehouse facility;
- (14) Towing service;
- (15) Woodworking shop;
- (16) Animal daycare;
- (17) Hospital;
- (18) Travel plaza or truck stop;
- (19) Mobile or modular home sales lot;
- (20) Landscaping contractor/business;
- (21) Commercial outdoor recreation;
- (22) Micro-brewery;
- (23) Dwelling, when located with any use of the C-2 District.

(Ord. passed 7-23-2002; Ord. 12-01-01, passed 1-24-2012; Ord. 17-09-02, passed 9-26-2017; Ord. 17-11-06, passed 11-28-2017)

Case Name: CU2024-01

**REQUEST FOR CONDITIONAL USE
VILLAGE OF MAHOMET**

DO NOT WRITE IN THIS SPACE – FOR OFFICE USE ONLY

Date Filed: 03/04/2024 Date of Hearing: 04/02/2024

Date of Published Notice: 03/16/2024 Newspaper: News-Gazette

Fee Paid – Receipt No.: ck#424 Amount: \$500.00 Date: 03/04/2024
Legal Ad: \$213.20

Comments (indicate other actions such as continuances): _____

Action by Board on Request: _____

NOTICE TO APPLICANTS

1. A Conditional Use Permit is a Zoning adjustment which permits a change in district requirements and which permits uses not normally allowed by strict application of the ordinance. The Village of Mahomet may impose any conditions of acceptance which it deems to be in the best interests of the community, to which the applicant must abide. Those conditions may include compliance to a site development plan.
2. No Conditional Use Permit will be granted which would adversely affect surrounding property or the general neighborhood. All Conditional Uses must be in harmony with the intent and purpose of the Zoning Ordinance.
3. There will be no refund of application fee for any Conditional Use Permit not granted or withdrawn.
4. No incomplete applications will be acted upon.
5. Granting a Conditional Use Permit 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 in as timely a manner as is reasonably possible.

DATE ON APPLICANT AND OWNERS

Name of Applicant(s): David Monahan - Monahan Freedy Properties, LLC Phone: 217-508-8051

Address of Applicant(s): 602 Hickory St., Mahomet IL 61853

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

Name of Owner: same as applicant

Address of Owner: _____

ADDRESS, AND DESCRIPTION OF PROPERTY

Address: 214 S. Lake of the Woods Road, Mahomet, IL 61853

Width of Lot: Variable Length of Lot: Variable Lot Area (Square feet): 9.384 acres

Tax Parcel Number: 15-13-14-178-003

Legal Description (or attach legal description): See attached

LAND USE AND ZONING

Present Zoning: C-2

Present Land Use: Commercial

Proposed Land Use: Commercial

	Surrounding Zoning	Surrounding Land Use
North	<u>County - CR</u>	<u>Forest Preserve</u>
South	<u>n/a</u>	<u>Interstate I-74</u>
East	<u>R-1A</u>	<u>Residential</u>
West	<u>C-2</u>	<u>Village of Mahomet office and shop</u>

REASONS FOR REQUEST FOR CONDITIONAL USE PERMIT

NOTE: The Following questions must be answered completely. If additional space is needed, attach extra pages to the application. Before answering, read the **Notice to Applicants** attached.

1. Describe in detail the purposed conditional use being requested.

We are requesting a conditional use permit for The Brush Man office/warehouse and four additional flexible office / warehouse buildings located within a unified commercial development. Attached is a list of potential uses as allowed within Mahomet's C-2 zoning district.

2. Are there other sites available for the proposed use? Explain.

There are other undeveloped C-2 zoned properties in Mahomet but all would require a conditional use to be developed in a similar manner.

3. What circumstances justify the need for the proposed use at this location? Elaborate.

The Village of Mahomet and surrounding area does not have any vacant/available flex warehouse space which is available to lease. There is a significant need in Mahomet and the greater Champaign County area for warehouse space from 2,500 SF to 10,000 SF which includes a small office component. Service businesses are the biggest users of this space and Mahomet's lack of inventory for this type of use/property, creates situations where Mahomet is missing opportunities to attract and expand businesses in the Mahomet area.

4. Does any violation of the Village of Mahomet Zoning Ordinance exist on the property at the present time? Yes _____ No X _____ If yes, how?

5. Is the subject property planned to be improved? Yes X _____ No _____

When? Spring 2024

What improvements are planned? New 6 lot subdivision with public cul-de-sac, public utilities extensions, new flexible office / warehouse buildings and associated parking lots.

6. Will the grant of conditional use in the form requested be in harmony with the neighborhood and not contrary to the intent and purpose of the Zoning Ordinance? Elaborate.

The property has been a long-time commercial tract containing various businesses for over 50+ years and the current C-2 zoning would allow for various single commercial uses by right. The property is located off an arterial county highway and at a central location for the Mahomet community.

7. Have there been major land use changes since zoning was applied in 1963 i.e. new expressway, new dam, etc? Elaborate.

Major roadway improvements, commercial properties and residential developments have all occurred in the general area surrounding the subject tract.

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

The uses of the proposed conditional use would be similar to the existing or potential uses in the C-2 district tract located west of the subject property

9. Can the owner of the property realize an economic benefit from permitted uses in accordance with existing zoning? Elaborate.

Several permissive uses in the C-2 district could provide a potential economic benefit, however the highest and best use of this tract is the proposed flexible office/warehouse development.

10. Are there other sites available already zoned for the proposed use? Elaborate.

There are no known vacant lots in Mahomet with an approved conditional use allowing for the proposed development.

11. Additional comments by the Applicant:

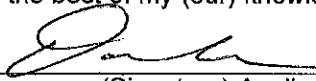
SKETCH PLAN

1. Is there a scaled plot plan attached that indicates the location of the premises and the nature of the site? Yes No (Application will not be processed without the required drawing)

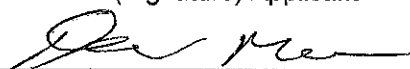
2. Additional exhibits submitted by Applicant:

Building elevations attached

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

3/4/24
Date


(Signature) Owner

3/4/24
Date

LEGAL DESCRIPTION

A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 20 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING FURTHER DESCRIBED AS:

BEGINNING AT AN IRON PIN MONUMENT LYING 45.79 FEET NORTH OF THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 20 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN AND ALSO BEING ON THE NORTHERLY RIGHT OF WAY LINE OF INTERSTATE ROUTE 74; THENCE SOUTH 73°46'20" EAST ALONG SAID NORTHERLY RIGHT OF WAY 158.71 FEET TO A CONCRETE RIGHT OF WAY MARKER, BEING ON THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 14; THENCE CONTINUING ON SAID NORTHERLY RIGHT OF WAY, AND SAID SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 14, NORTH 89°27'40" EAST 638.68 FEET TO AN IRON PIN MONUMENT; THENCE NORTH 27°55'20" WEST 771.38 FEET TO AN IRON PIN MONUMENT, BEING THE SOUTHEAST CORNER OF TRACT A OF K.D. HEADLEE SURVEY BY GODFREY SPERLING, ILLINOIS REGISTERED LAND SURVEYOR NO. 796, ON APRIL 30TH, 1957; THENCE SOUTH 61°24'10" WEST 144.00 FEET TO AN IRON PIN MONUMENT, THE SOUTHWEST CORNER OF SAID TRACT A; THENCE NORTH 23°32'15" WEST 134.00 FEET TO AN IRON PIN MONUMENT, THE NORTHWEST CORNER OF SAID TRACT A AND BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF LAKE OF THE WOODS ROAD ALSO KNOWN AS COUNTY HIGHWAY NO. 50; THENCE SOUTH 64°56'30" WEST 277.90 FEET ON SAID SOUTHERLY RIGHT OF WAY LINE TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14; THENCE SOUTH 0°00'00" EAST 580.20 FEET ON SAID WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TO THE POINT OF BEGINNING, SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

EXCEPT PARCEL "A" AS SHOWN ON IDOT RIGHT-OF-WAY PLAT FOR JOB NO. R-95-003-64, F.A.I. ROUTE 74, SECTION 10-4, DATED 3/1/65, PREPARED BY ILLINOIS REGISTERED LAND SURVEYOR #1557, RECORDED IN BOOK 816, PAGE 205 IN THE RECORDS OF THE CHAMPAIGN COUNTY RECORDER'S OFFICE.

Potential Flex Warehouse Space Uses
Conditional Use Permit
214 S. Lake of the Woods Road
Mahomet, IL

Permissive uses:

- (1) Assisted living retirement community;
- (6) Bank or financial institution;
- (7) Dressmaking, tailoring, shoe repairing, repair of household appliances and bicycles, catering, and other uses of a similar character;
- (8) Mortuary or funeral home;
- (9) Office or office buildings;
- (10) Personal service uses including barber shop, beauty parlor, photographic or art studio, newspaper, florist, laundry service, animal grooming and other uses of a similar character;
- (11) Nursery, pre-kindergarten, kindergarten, play, special and other private school or day care center;
- (12) General merchandise retail store, in connection with which there shall be no slaughtering of animals or poultry, nor commercial fish cleaning and processing on the premises;
- (13) Restaurants, cafeterias, bars and taverns, donut/bakery shop and other uses of a similar character;
- (14) Computer and personal electronics sales and repair;
- (15) Private indoor recreational or fitness facility;
- (16) Specialty retail store, such as apparel, jewelry, book, shoe, stationary, antique and other similar stores;
- (18) Bowling alley or billiard parlor;
- (20) Dancing or music academy;
- (21) Display and salesroom;
- (23) Laboratory, research, experimental or testing;
- (24) Automobile repair shop;
- (26) Property rental or real estate agency;
- (27) Animal clinic or animal hospital;
- (28) Used or new car, trailer or boat sales or storage lot;
- (30) Grocery store;
- (31) Packaged food storage and/or distribution center;
- (32) Drive-through or drive-in facility, see standards in § 152.053;
- (33) Animal boarding;
- (34) Automobile/vehicle sales building/lot;
- (35) Medical, chiropractic, eye, or dental clinic;
- (36) Check-cashing or short term loan service;
- (37) Heating and air conditioning sales and service;
- (39) Private club or lodge;
- (40) Car wash;
- (41) Convenience store with or without gasoline sales;
- (42) Automobile parking lot, storage lot or parking garage;

Conditional uses:

- (1) Farm implements, sale and repair;

- (2) Farm store or feed store, including accessory storage of liquid or solid fertilizer;
- (4) Lumberyard and building materials storage or sales;
- (5) Bakery for off-site sales;
- (6) Bottling works;
- (7) Wholesale equipment or warehouse in a completely enclosed building;
- (9) Greenhouse incidental to retail sale;
- (10) Public utility substation;
- (11) Shopping center;
- (12) Mixed-use;
- (13) Self-service storage or mini-warehouse facility;
- (14) Towing service;
- (15) Woodworking shop;
- (16) Animal daycare;
- (17) Hospital;
- (19) Mobile or modular home sales lot;
- (20) Landscaping contractor/business;
- (21) Commercial outdoor recreation;
- (22) Micro-brewery;
- (23) Dwelling, when located with any use of the C-2 District.



**Plan and Zoning Commission
Staff Report
Meeting April 2, 2024**

FROM: Abby Heckman, Village Planner
Community Development Department

CASE: ZA2024-03 – Rezoning from R-1A Single-Family Residential to C-3 Planned Commercial – 1405 S Division Street

PETITIONER: Steven W Anderson Trust (Steven Anderson)

REQUESTED ACTION: The petitioner has requested consideration of a rezoning from R-1A Single-Family Residential to C-3 Planned Commercial District. The petitioner currently has a non-conforming concrete contractor service business operating from the site. The petitioner would like to establish planned commercial zoning to keep the business operating in its current location and maintain the single-family dwelling that exists on the site with the business and residence on one lot and under a single ownership.

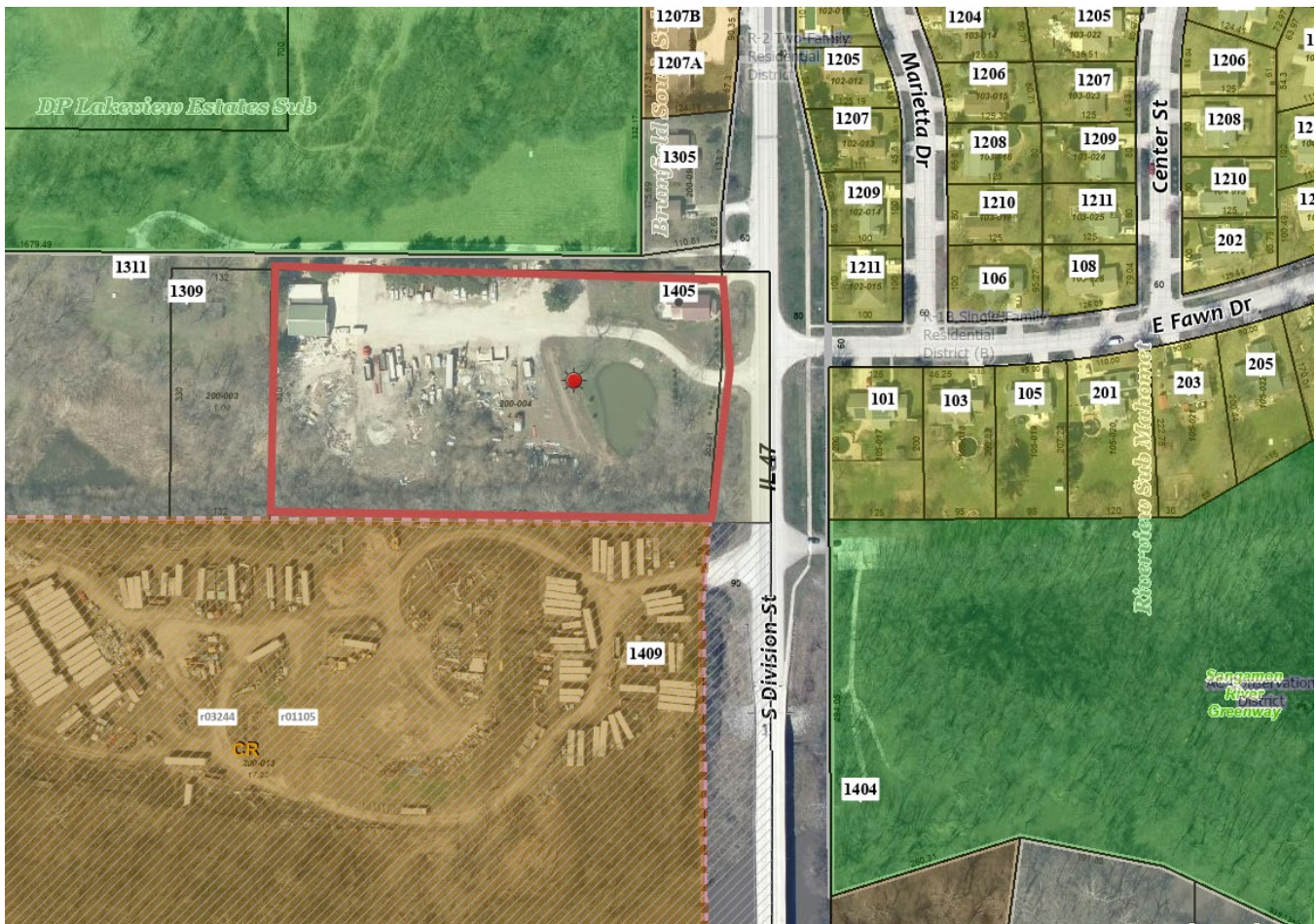
PUBLIC HEARING / PROCEDURAL ISSUES: The Plan and Zoning Commission (PZC) is required to hold a public hearing upon request for a rezoning. The public hearing is scheduled for April 2, 2024, at 6:00pm. Public hearings can be closed or continued to another meeting without any action on the case. Public notice was published in the News-Gazette on March 16, 2024. 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 rezoning requests and is asked to make a recommendation to the BOT concerning rezoning requests. With a C-3 rezoning request the PZC has the ability to recommend other zoning requirements that could improve the development of the site. These requirements could include architectural requirements, signage, lighting, landscaping, parking, and screening. A draft resolution is attached for consideration by the PZC. The BOT will approve or deny the proposed rezoning.

LOCATION / SITE DESCRIPTION: This 4.51± acre site is located on the west side of the S Division Street (IL-47) - Fawn Drive intersection, commonly known as 1405 S Division Street.

LAND USE AND ZONING:

Direction	Land Use	Current Zoning
On-Site	Single-Family Dwelling and Concrete Contractor Service Business	R-1A Single-Family Residential
North	Single-Family Dwelling / Conservation Area	R-1A Single-Family Residential and AC Conservation
South	Junkyard	County CR Conservation Recreation
East	Single-Family Dwellings Village Park – Sangamon River	R-1 B Single-Family Residential AC Conservation

	Greenway	
West	Single-Family Dwelling	R-1 B Single-Family Residential



CONFORMANCE TO COMPREHENSIVE PLAN: The Village of Mahomet 2016 Comprehensive Plan currently shows this property on the west edge of the Middletown functional framework but is not shown within a functional framework area. The Comprehensive Plan Land Use Plan shows Single-Family Residential and Open Space uses on the site. The Comprehensive Plan includes policies that urge compact, orderly, and contiguous development in areas where public facilities and infrastructure can be extended to serve the site. The Comprehensive Plan also urges development which is compatible with adjacent existing and future land uses. Due to its location on a major roadway (Division Street – IL 47) and the adjacent existing non-residential uses to the south along Division Street, commercial development could be viable in this location.

SUITABILITY OF PROPOSED ZONING: The site is currently zoned R-1A Single-Family Residential. One (1) single-family dwelling exists on the site and a concrete contractor service business is also operating from accessory structures at the rear of the site. A junkyard (County jurisdiction) is operating on the land directly south of the site and there are multiple non-single-family residential uses along the west frontage of Division Street (IL 47) to

the south. The IL 47 roadway is designed to handle the traffic that would be expected with the proposed rezoning.

The C-3 zoning district allows the Village the ability to create specialized commercial zoning to facilitate design of a unified commercial development with multiple uses on one property. Another approach would be to rezone the property to C-2 General Commercial district and process a Conditional Use to establish the contractor business. Village staff recommended rezoning to C-3 because there is an ability to include site specific conditions. If a zoning to C-2 occurred, conditions can only be applied to a Conditional Use and if the Conditional Use stopped, any permitted use within the C-2 district could be allowed without conditions. The C-3 rezoning approach seemed more appropriate given the proximity of residential uses to the site.

A draft list of potential permissive and conditional uses for the site has been provided (see attached list labeled "Exhibit B").

PUBLIC WATER AND SANITARY SEWER FACILITIES: The site is currently served by Village water. An existing 1 inch diameter service line connects to the existing house. It is unclear how water service is provided to the contractor buildings to the west. The existing contractor buildings are not provided with any sort of fire protection, as existing Village fire hydrants are located more than 300 feet away. The applicant needs to explain how they plan to provide water service to the contractor buildings and how fire protection will be made available to the site.

The existing home uses a septic system. Public sanitary sewers have not been extended to the site. Staff are working to determine whether extension of sanitary sewer is feasible. A private force main may be required to connect to Village sanitary sewer. The closest manhole is along Fawn Drive, 250 east of IL 47. The applicant needs to explain how they plan to handle accommodation for restrooms or other sanitary needs for the business. A feasibility determination will need to be made by the Village Engineer related to extension of the Village sanitary sewer system. It could be determined that a septic system is still appropriate at this time.

STREET ACCESS / SIDEWALKS / TRAFFIC CONSIDERATIONS: The site is located on the west side of the S Division Street (IL-47) and Fawn Drive intersection. S Division Street (IL 47) is not a Village roadway. Any driveway access points need approval by the State. Driveway permit approval will be required as part of a site construction plan approval process. The business has been operating from the existing driveway location that is across from Fawn Drive. The existing home has separate driveway access on to Division Street. Division Street (IL 47) infrastructure is designed to support the type of traffic resulting from the commercial use.

Sidewalks exist on the east side of Division Street. No sidewalks exist on the west side of Division Street to the north or south of this property. The property does not require a subdivision as it is a legal lot therefore any requirement for sidewalks along the frontage would need to be a requirement of the rezoning. The requirement for construction of sidewalks now or in the future when sidewalks become contiguous is possible with a C-3 rezoning.

AVAILABILITY OF PUBLIC UTILITIES: This site is in the general vicinity of standard public utilities. Extension of public utilities to serve the site is feasible.

STORMWATER MANAGEMENT: The owner’s engineer has worked with FEMA to determine the limits of the flood zone on this property. The proposed development area is outside of the flood zone. Stormwater runoff from the site will generally flow to an existing basin on the site and to the Sangamon River which is adjacent to the south. Modification to the existing basin may be necessary to accommodate the additional impervious surfaces planned for the site. A Stormwater Management Review will be required as part of the site development plan review for this property. There is no indication at this point that compliance cannot be achieved.

POLICE AND FIRE PROTECTION: The Village of Mahomet Police Department currently provides police protection to this site which is approximately 0.8 mile from the police station. This property is within the Cornbelt Fire Protection District and is approximately 1.2 miles from the Main Street fire station.

LA SALLE / SINCLAIR 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 compatibility with the existing uses and zoning of nearby property.
2. The extent to which property values are diminished by existing zoning restrictions.
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.
8. The extent that the proposed amendment will benefit the needs of the community.

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

COMMUNITY AND NEIGHBORHOOD CONSIDERATIONS: The overall site is adjacent to other non-residential uses and fronts onto Division Street (IL 47). There are existing residential homes located to the north, west and east, across Division Street. The site has been used as a non-conforming commercial use for an extended period of time. Staff became aware of the non-conforming use when fencing and tree buffering along with a new driveway access was installed on Division Street. A zoning violation was not officially pursued as staff allowed the owner and the owner’s engineer to work on the required paperwork for this submittal. The flood zone determination took an extended period of time to complete. In the past, staff received one complaint related to break noise and dust created when vehicles enter the property. The owner has shown a concrete entrance and site circulation areas that should eliminate the dust issue.

VILLAGE STAFF RECOMMENDATION: Staff supports a recommendation by the Plan and Zoning Commission for approval of the request for rezoning subject to the site development plan, an established list of permissive and conditional uses allowed on the property and additional requirements as stated on the attached draft resolution. The proposed C-3 Planned Commercial District would enable the business to continue to operate on

the same lot with a dwelling while imposing a requirement for a Conditional Use process for establishment of all other uses.

SUMMARY: A review of the factors and issues relevant to the requested zoning is set forth above. The Plan and Zoning Commission acts in an advisory role to the Board of Trustees regarding rezoning requests. A draft resolution is attached for consideration by the Commission.

ATTACHMENTS:

- 1) Draft Resolution
- 2) EXHIBIT A – Site Plan
- 3) EXHIBIT B – Allowable Uses
- 4) Zoning Ordinance - C1, C2 and C3 district uses
- 5) Application for Zoning Amendment

RESOLUTION FOR PLAN & ZONING COMMISSION

Concerning Amending the Zoning Classification of a 4.51+ acre parcel located a 1405 S Division Street from R-1A Single-Family Residential to C-3 Planned 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, Steven W Anderson Trust, has requested a zoning map amendment for the subject property from R-1A Single-Family Residential to C-3 Planned Commercial; and,

WHEREAS, the subject property is located on the west side of the S Division Street (IL-47) and Fawn Drive intersection, commonly known as 1405 S Division Street; and,

WHEREAS, the legal description for the property proposed to be rezoned is as follows:

The South 5.02 chains (331.32 feet) of the East 10 chains (660.00 feet) of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 21, Township 20 North, Range 7 East of the Third Principal Meridian, situated in Champaign County, Illinois, except the following described property:

From the Northeast Corner of said Section 21, measure South 00 Degrees 23 Minutes 08 Seconds West on the East line of said Section 21 for 977.75 feet to the Place of Beginning; from the Place of Beginning, continue the last described course for 340.79 feet to the South property line; thence North 89 Degrees 36 Minutes 52 Seconds West on the said South property line for 80.33 feet; thence North 06 Degrees 05 Minutes 45 Seconds West for 204.31 feet; thence North 00 Degrees 23 Minutes 08 Seconds East for 137.49 feet to the North property line; thence South 89 Degrees 36 Minutes 52 Seconds East on the North property line for 60 feet to the place of beginning.

WHEREAS, a Public Hearing concerning the proposed rezoning was held on April 2, 2024 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 considered all of the available factual evidence concerning the requested action.

BE IT THEREFORE RESOLVED this 2nd day of April, 2024 by the Plan and Zoning Commission of the Village of Mahomet that:

- A. The Plan and Zoning Commission does hereby recommend that the following requirements be established for the C-3 zoning district at this location:
 - 1. Substantial compliance with the Site Plan for the property as prepared by Precision Engineering Group as presented to the PZC and attached hereto as Exhibit A.

2. Establishment of the Permissive and Conditional Uses as set forth on the Allowable Uses for Steven W Anderson Trust Commercial Site as presented to the PZC and attached hereto as Exhibit B.
3. The owner of the property shall be responsible for installing, at their own expense, sidewalks along the frontage of the property. The construction of these sidewalks shall be in accordance with the Village of Mahomet Subdivision Ordinance and shall be completed within 6 months of the date of receipt by the owner of the request from Village of Mahomet governmental officials. The construction of the sidewalk shall be at the sole cost and expense of the owner or owners of the property adjacent to which said sidewalk is constructed.
4. Determination by the Village Engineer of feasibility of extension of sanitary sewers to the site. If the Village Engineer determines extension is not feasible, a septic system which appropriately permitted must be installed to accommodate the business activity.
5. Determination by the Village Engineer of feasibility of extension of watermain to the site. If the Village Engineer determines extension of watermain is not feasible then a service connection which is permitted by the Village must be installed to accommodate the business activity.

B. The Plan and Zoning Commission does hereby further set forth the following findings of fact concerning the requested zoning amendment:

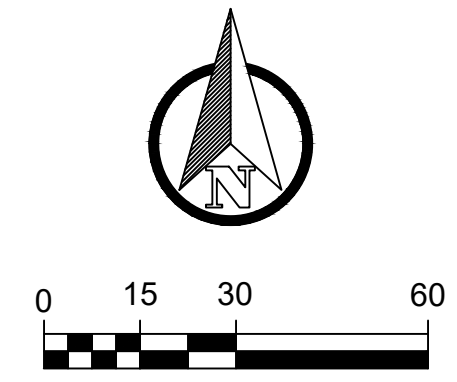
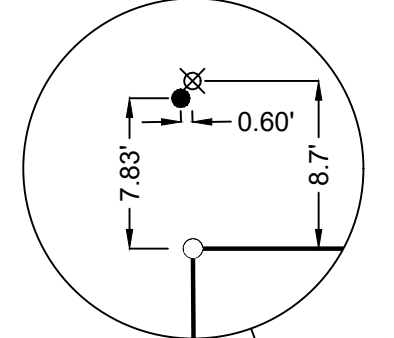
1. The procedural requirements for zoning establishment or amendment **HAVE / HAVE NOT** been met.
2. The proposed zoning **DOES / DOES NOT** conform with the intent of the Village Comprehensive Plan.
3. The proposed zoning **IS / IS NOT** consistent with the proposed use of the site.
4. The proposed 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 / Sinclair Factors for evaluation of zoning decisions **HAVE / HAVE NOT** been considered during the review of this proposed rezoning request.
34. _____

- C. The Plan and Zoning Commission does hereby recommend that the Board of Trustees of the Village of Mahomet **GRANT / DENY** the requested zoning amendment from the R-1A Single-Family Residential District to the C-3 Planned Commercial District for the above-described property with the requirements and findings of fact as stated above.

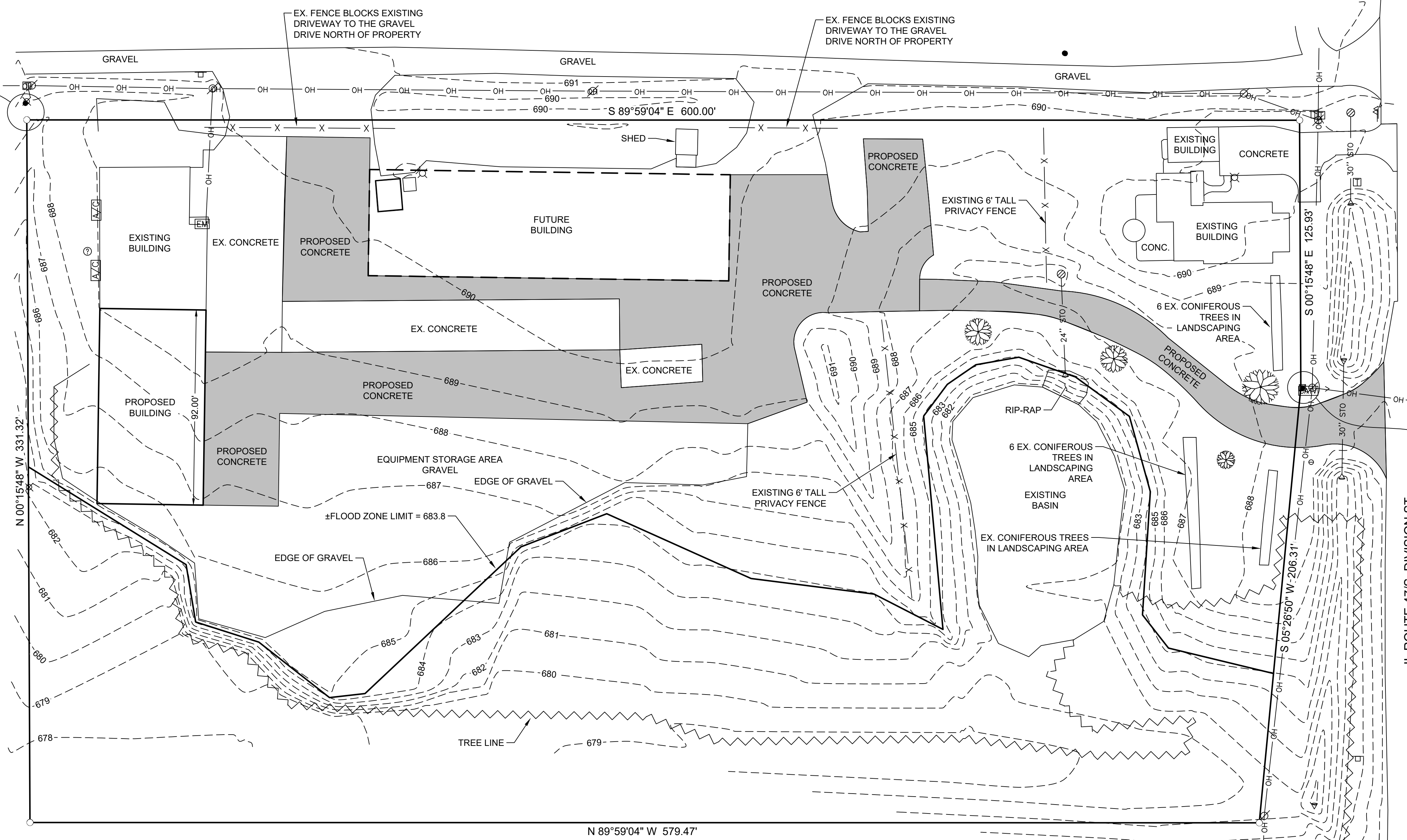
Chair, Plan and Zoning Commission
Village of Mahomet, Illinois



BM #1

LEGEND

- BOUNDARY OF TRACT SURVEYED
- EXISTING LOT LINE
- 30" STO ——— STORM LINE
- OH — OH — OVERHEAD UTILITY LINE
- X — X — FENCE LINE
- CENTER LINE
- S 90°00'00" W 100.00' MEASURED BEARING & DIMENSION (100')
- FOUND IRON ROD
- SET 1/2" X 30" IRON ROD WITH PLASTIC CAP "PRECISION"
- ⊞ HAND HOLE
- ⊙ STORM MANHOLE
- ⊞ TELEPHONE PEDESTAL
- ⊞ AIR CONDITIONING UNIT
- ⊞ ELECTRIC METER
- ⊙ UTILITY POLE
- < GUY ANCHOR
- ▽ FLARED END SECTION
- ⊞ MAIL BOX
- ⊙ LIGHT POLE
- - - - EX. CONTOUR LINE



PROPOSED PLAN - FOR PRESENTATION TO THE PZC 04/02/2024

BENCHMARK DATA:
BENCHMARK #1:
 TOP CAP BOLT OF FIRE HYDRANT BETWEEN "E" AND "L" IN MUELLER.
 HYDRANT LOCATED ±60' EAST OF THE CENTERLINE OF ROUTE 47 & ±240' NORTH OF THE CENTERLINE E. FAWN DRIVE.
ELEVATION = 693.50'

REV. # 1	REV. DATE: 03/18/24	REVISION MADE: PROPOSED CONCRETE AREA
DATE: 02/26/24	SCALE: AS SHOWN	<p>PRECISION ENGINEERING GROUP, INC. P.O. BOX 784 CHAMPAIGN, IL 61824-0784 PHONE: 217.202.8049 CIVIL ENGINEERING - LAND SURVEYING ILLINOIS DESIGN FIRM REGISTRATION NO. 184007585</p>
FIELD BOOK: 46/p. 61-63	DRAWN BY: MAM	
CHECKED BY: MAM		
PRELIMINARY SITE PLAN		FILE # 22123002
1405 S. DIVISION STREET PART OF SEC. 21, T.20 N., R. 7 E., 3rd P.M. MAHOMET, ILLINOIS		SHEET 1 OF 1

File Name: S:\000 Projects\221 Anderson, Steve\22123002 Building Addition\CAD\22123002 SITE.dwg

EXHIBIT B

ALLOWABLE USES FOR STEVEN W ANDERSON TRUST COMMERCIAL SITE

1405 S DIVISION STREET, MAHOMET, IL

Permissive Uses

1. Landscaping or contractor service business, with no manufacturing of concrete or other similar product on site and allowance of outdoor storage of equipment and supplies in the area as shown on the approved development plan (Exhibit A).
2. Dwelling when located on the same property as the permissive use described above and in conformance with the approved development plan (Exhibit A).

Conditional Uses

With exception of the two (2) permitted uses as stated above, all other permitted and conditional uses listed in the Village of Mahomet Zoning Ordinance related to the C-1 and C-2 zoning districts as of the date of approval shall be considered a conditional use within this C-3 zoning district.

§ 152.030 C-1 NEIGHBORHOOD COMMERCIAL DISTRICT.

The purpose of the C-1 Neighborhood Commercial District is to provide for the development of convenience shopping and personal service needs of surrounding residential neighborhoods. The C-1 District is intended as a low intensity commercial district to allow freestanding office buildings uses, and retail/office uses, and accommodate mixed use development.

(A) *Permissive uses:*

- (1) Community Living Facility Dwelling, Category I;
- (2) Community Living Facility Dwelling, Category II;
- (3) Community Living Facility Dwelling, Category III;
- (4) Public park or playground;
- (5) Church;
- (6) Public school, elementary and high, or private school having a curriculum equivalent to a public elementary or public high school and having no rooms regularly used for housing or sleeping purposes;
- (7) Golf course;
- (8) Bank or financial institution;
- (9) Dressmaking, tailoring, shoe repairing, repair of household appliances and bicycles, catering, and other uses of a similar character;
- (10) Mortuary or funeral home;
- (11) Office or office buildings;
- (12) Personal service uses including barber shop, beauty parlor, photographic or art studio, newspaper, florist, laundry service, animal grooming and other uses of a similar character;
- (13) General merchandise retail store, in connection with which there shall be no slaughtering of animals or poultry, nor commercial fish cleaning and processing on the premises;
- (14) Restaurants, cafeterias, bars and taverns, donut/bakery shop and other uses of a similar character, not including drive-in or drive-through establishments;
- (15) Convenience store;
- (16) Property rental or real estate agency;
- (17) Computer and personal electronics sales and repair;
- (18) Private indoor recreational or fitness facility;
- (19) Specialty retail store, such as apparel, jewelry, book, shoe, stationary, antique and other similar stores;
- (20) Assisted living retirement community;
- (21) Dwelling, when located with any permissive use of the C-1 district;
- (22) Chiropractic, eye, or dental clinic;
- (23) Nursery, pre-kindergarten, kindergarten, play, special and other private school or day care center;
- (24) Animal clinic.

(B) *Conditional uses:*

- (1) Dwelling, when located with any approved conditional use of the C-1 district;
- (2) Automobile service station or gas station;
- (3) General service and repair establishments, including dyeing or cleaning works, plumbing and heating, printing, painting, upholstering or appliance repair;
- (4) Motel and hotel;

- (5) Medical clinic;
- (6) Private club or lodge;
- (7) Public utility substation;
- (8) Mixed-use;
- (9) Drive-through or drive-in facility, see standards in § 152.053;
- (10) Automobile/boat/RV/motorcycle/ vehicle sales building/lot;
- (11) Garden store;
- (12) Shopping center;
- (13) Micro-brewery;
- (14) Theater, not including drive-in theater;
- (15) Automobile parking lot, storage lot or parking garage;
- (16) Campgrounds;
- (17) Public building erected by any governmental agency;
- (18) Dwelling, when located with any approved conditional use within the C-1 district;
- (19) Animal hospital.

(Ord. passed 7-23-2002; Ord. 12-01-01, passed 1-24-2012; Ord. 17-09-02, passed 9-26-2017; Ord. 17-11-06, passed 11-28-2017)

§ 152.031 C-2 GENERAL COMMERCIAL DISTRICT.

The purpose of the C-2 General Commercial District is to provide for a wide range of retail, service, mixed, office and commercial uses. The C-2 District is intended as a moderate intensity commercial district for uses serving a community wide trade area.

(A) Permissive uses:

- (1) Assisted living retirement community;
- (2) Public park or playground;
- (3) Church;
- (4) Public school, elementary and high, or private school having a curriculum equivalent to a public elementary or public high school and having no rooms regularly used for housing or sleeping purposes;
- (5) Golf course;
- (6) Bank or financial institution;
- (7) Dressmaking, tailoring, shoe repairing, repair of household appliances and bicycles, catering, and other uses of a similar character;
- (8) Mortuary or funeral home;
- (9) Office or office buildings;
- (10) Personal service uses including barber shop, beauty parlor, photographic or art studio, newspaper, florist, laundry service, animal grooming and other uses of a similar character;
- (11) Nursery, pre-kindergarten, kindergarten, play, special and other private school or day care center;
- (12) General merchandise retail store, in connection with which there shall be no slaughtering of animals or poultry, nor commercial fish cleaning and processing on the premises;
- (13) Restaurants, cafeterias, bars and taverns, donut/bakery shop and other uses of a similar character;
- (14) Computer and personal electronics sales and repair;
- (15) Private indoor recreational or fitness facility;

- (16) Specialty retail store, such as apparel, jewelry, book, shoe, stationary, antique and other similar stores;
 - (17) Automobile service station or gas station;
 - (18) Bowling alley or billiard parlor;
 - (19) Business, commercial or trade school;
 - (20) Dancing or music academy;
 - (21) Display and salesroom;
 - (22) Hotel or motel;
 - (23) Laboratory, research, experimental or testing;
 - (24) Automobile repair shop;
 - (25) Radio or television broadcasting station or studio;
 - (26) Property rental or real estate agency;
 - (27) Animal clinic or animal hospital;
 - (28) Used or new car, trailer or boat sales or storage lot;
 - (29) Dyeing, cleaning, laundry, printing, painting, plumbing, tin-smithing, tire sales and service, upholstery and other general service or repair establishment of similar character. Not more than 10% of the lot or tract occupied by the establishment shall be used for the open and unenclosed storage of materials or equipment;
 - (30) Grocery store;
 - (31) Packaged food storage and/or distribution center;
 - (32) Drive-through or drive-in facility, see standards in § 152.053;
 - (33) Animal boarding;
 - (34) Automobile/vehicle sales building/lot;
 - (35) Medical, chiropractic, eye, or dental clinic;
 - (36) Check-cashing or short term loan service;
 - (37) Heating and air conditioning sales and service;
 - (38) Theater, not including drive-in theater;
 - (39) Private club or lodge;
 - (40) Car wash;
 - (41) Convenience store with or without gasoline sales;
 - (42) Automobile parking lot, storage lot or parking garage;
- (B) Conditional uses:
- (1) Farm implements, sale and repair;
 - (2) Farm store or feed store, including accessory storage of liquid or solid fertilizer;
 - (3) Drive-in theater;
 - (4) Lumberyard and building materials storage or sales;
 - (5) Bakery for off-site sales;
 - (6) Bottling works;
 - (7) Wholesale equipment or warehouse in a completely enclosed building;
 - (8) Taxi or bus terminal;
 - (9) Greenhouse incidental to retail sale;

- (10) Public utility substation;
- (11) Shopping center;
- (12) Mixed-use;
- (13) Self-service storage or mini-warehouse facility;
- (14) Towing service;
- (15) Woodworking shop;
- (16) Animal daycare;
- (17) Hospital;
- (18) Travel plaza or truck stop;
- (19) Mobile or modular home sales lot;
- (20) Landscaping contractor/business;
- (21) Commercial outdoor recreation;
- (22) Micro-brewery;
- (23) Dwelling, when located with any use of the C-2 District.

(Ord. passed 7-23-2002; Ord. 12-01-01, passed 1-24-2012; Ord. 17-09-02, passed 9-26-2017; Ord. 17-11-06, passed 11-28-2017)

§ 152.032 C-3 PLANNED COMMERCIAL DISTRICT.

The purpose of the C-3 Planned Commercial District is to provide for a wide range of retail, service, office and commercial uses in a planned development setting. The C-3 District is intended to promote creative and quality developments while allowing for a mix of uses not normally considered acceptable without site specific restrictions. The C-3 District is intended as a moderate intensity commercial District for uses serving a community wide trade area.

(A) Planned Commercial developments are subject to review and approval of the following criteria:

(1) The commercial development may, upon approval by the Village, consist of any of the permissive or conditional uses of the C-1 or C-2 zoning districts. Minimum lot area, yard, height and accessory uses shall be determined by the requirements and procedures set out below, which shall prevail over conflicting requirements of this chapter or the Subdivision Ordinance;

(2) Before the land is used or any building erected or used for any of the above purposes, a preliminary plan and a final plan shall be approved by the Board of Trustees for all contiguous property within this district in any one location. The review process for the preliminary and final plan shall follow all applicable procedures, standards and requirements of the Village Subdivision and Development Ordinances as determined by the Plan and Zoning Commission;

(3) The development plans shall be prepared by and have the seal of an architect and/or engineer duly registered to practice in this state. No building permit shall be issued until a final plat of the proposed development is approved and recorded;

(4) The Plan and Zoning Commission shall review the conformity of the proposed development with the standards of the official Village plans and recognized principles of civic design, land use planning and landscape architecture. The Commission may impose conditions regarding the layout, circulation and performance of the proposed development and may require that appropriate deed restrictions be filed enforceable by the Village. A plat of development shall be recorded regardless of whether a subdivision is proposed and the plat shall show building lines, common land, streets, easements and other applicable features required by the ordinance regulating the subdivision of land;

(5) The Commission may hold one or more public hearings on the development plans. The recommendations of the Commission shall be forwarded to the Board of Trustees who shall approve or disapprove the action of the Commission with or without modification and after public hearing. After approval by the Board and after any required restrictions are in effect, the Building Inspector may issue permits enabling the approved final development plan to be carried out;

(6) From time to time the proponents may make minor changes in the approved final plan so long as the changes have been approved by the Plan and Zoning Commission or upon denial of approval by the Plan and Zoning Commission, with the approval of the Board of Trustees. What constitutes a "minor" change will be determined at the sole discretion of the Plan and Zoning Commission. No building permit or occupancy permits shall be issued for any building or use that is not in accordance with an approved final plan; and

(7) The final plan may be used as the plan required to obtain an occupancy or building permit, except that it shall also show the use or types of uses to be accommodated in each building or portion thereof in addition to the other requirements of the Village Subdivision or Development Ordinances.

(B) *Planned development fee*. The applicant must pay a fee, as determined from time to time by resolution of the Village Board of Trustees, prior to any hearing for the requirements of a Planned Development.

(Ord. passed 7-23-2002; Ord. 17-09-02, passed 9-26-2017)

Case Name: ZA2024-03

**REQUEST FOR ZONING AMENDMENT
VILLAGE OF MAHOMET**

DO NOT WRITE IN THIS SPACE – FOR OFFICE USE ONLY

Date Filed: 02/29/2024 Date of Hearing: 04/02/2024

Date of Published Notice: 03/16/2024 Newspaper: News-Gazette

Fee Paid – Receipt No.: ck#9553 Amount: \$300.00 Date: 02/29/2024

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: ZA2024-03

ZONING AMENDMENT

DATA ON APPLICANT AND OWNER

Name of Applicant (s): Steven Anderson Phone: 217.202.0304

Address of Applicant (s): 504 Elk Drive, Mahomet, IL 61853-3330

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

Name of Owner: Steven W Anderson Trust Phone: 217.202.0304

ADDRESS AND DESCRIPTION OF PROPERTY

Address: 1405 S. Division Street

Width of Lot: 335 Length of Lot: 660

Lot Area (Square Feet): 4.51 Tax Parcel Number: 15-13-21-200-004

Legal Description: (or attach legal description _____
See attached Deed

LAND USE AND ZONING

Present Zoning: R-1A Single-Family Residential District

Proposed Zoning: C-3 Planned Commercial District

Present Land Use: Residence & Commercial Yard for Anderson Brothers 3

Proposed Land Use: Residence & Commercial Yard for Anderson Brothers 3

	Surrounding Zoning	Surrounding Land Use
North	<u>AC & R-1A</u>	<u>Residential</u>
South	<u>Not in Village</u>	<u>Commercial</u>
East	<u>R-1B</u>	<u>Residential</u>
West	<u>R-1A</u>	<u>Residential</u>

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 lot has historically been used as a commercial business. The zoning amendment will allow the current use be a permitted use in the C-3 District.

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

The amendment will allow the current business to continue to operate in Mahomet.

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

YES X NO _____ If yes, how? Existing use in not permitted in R-1A

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

When? ASAP

What improvements are planned? New buildings and paving

What will be the actual use of the improvements Allow additional indoor storage and reduce dust.

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: Will allow the business to continue to operate.

Recent improvements (screening fence, landscaping, trees) have soften the look of the lot.

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

Case Name: ZA2024-03

ZONING AMENDMENT

7. Would the proposed change create an isolated district unrelated to adjacent land use or zoning?
Yes _____ No X Elaborate: Property to the south is a similar use.
8. Can the owner of the property realize an economic benefit from uses in accordance with existing zoning? Yes _____ No X Elaborate: Property has historically operated as a commercial business.
9. Are there other sites available already zoned for the proposed use? Yes X No _____ Elaborate: There are other areas but the owner desires to remain in his current location and continue to operate the business.
10. Additional comments by applicant: _____

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: _____

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]
(Signature) Applicant

(Signature) Owner

2/26/2024
Date

Date



**Plan and Zoning Commission
Staff Report
Meeting April 2, 2024**

FROM: Abby Heckman, Village Planner
Community Development Department

PROJECT: MAP2023-03 - Living Word Omega Message Church Subdivision (Final Plat - Revision)

PETITIONER: Living Word Omega Message Church

ENGINEER: Precision Engineering Group

REQUESTED ACTION: **Recommendation to the Board of Trustees (BOT)
Approval of Revised Final Plat and requested waivers**

INTRODUCTION / REVISION UPDATE: The Plan and Zoning Commission considered this final plat in October 2023. After the October PZC meeting, where the PZC voted to recommend approval of the plat and requested waivers, the petitioner requested to continue the case presentation to the BOT to allow them to consider revisions to the plat and to finalize their agreement with the Thornewood developers related to access on Thornewood Drive. A revised plat has been submitted and reviewed by staff and is now being brought back before the PZC for a recommendation on the revised plat. The PZC is asked to consider all the documents concerning the revised subject subdivision. The area of land to be subdivided includes the current land holdings for the Living Word Omega Message Church at 1202 N Lombard Street. The subdivision now contains three (3) lots instead of four (4) lots as previously presented. The plat is submitted in accordance with the standard procedures set forth in the Mahomet Subdivision Ordinance. Waiver requests for certain standards in the Subdivision Ordinance have been requested as part of this subdivision to support the plat as presented.

LOCATION / SITE DESCRIPTIONS: The site is located on the east side of N Lombard Street and south of Thornewood Drive. The proposed final plat includes 45.04± acres, 15.75± acres of which is currently unincorporated. The land within the plat is zoned Village R-1B Single-Family Residential, Village AG Agriculture and County AG-2. No rezoning upon annexation request has been submitted by the property owners so if annexation is approved, the unincorporated land would come into the Village as the translation zoning of R-1A Single Family Residential.

ANNEXATON: This plat includes 15.75± acres of land that is currently outside of the Village limits but the unincorporated land is adjacent and eligible for annexation. An annexation petition has been submitted by the property owner therefore, the BOT will consider annexation of the unincorporated land concurrently with this subdivision request.

CONFORMANCE TO ZONING ORDINANCE: The proposed lot sizes, lot widths, and yard setbacks comply with applicable requirements of the Village of Mahomet Zoning Ordinance. The area of land that is currently not within the Village limits has been reviewed based on the expected zoning if annexation is approved. Further review by Champaign County Planning would be necessary if the annexation is not approved.

WAIVER REQUESTS: The following waivers have been requested to support the plat as presented:

www.mahomet-il.gov

1. Waiver of the requirement to submit an Area General Plan.
2. Waiver of the requirement to submit a Preliminary Plat.
3. Waiver to allow deferral of the extension of water mains.
4. Waiver to allow deferral of the extension of sanitary sewer.
5. Waiver to allow deferral of the stormwater drainage improvements.
6. Waiver to allow deferral of a Stormwater Management Plan.
7. Waiver to allow deferral of the installation of sidewalks along Lombard Street (IL Route 47).
8. Waiver to allow deferral of the installation of right-of-way lighting along Lombard Street (IL Route 47).
9. 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.

The requested waiver/deferrals are reasonable considering the intent of the subdivision is to break up the land to facilitate future development and there are no planned improvements to the land. The language included in the subdivision owner's certificate will limit the use of lots 1 and 3 but would allow continuation of agriculture activities on the land until such time that a resubdivision is done.

PUBLIC IMPROVEMENTS: There are no public improvements proposed with this subdivision. See related requested waivers to allow deferral of required improvements to a later date. The purpose of the subdivision is to break up the land into separate areas for future development. The intention is to restrict all development on lot 1 until further subdivided and to only allow the establishment of a single farmstead with the current agricultural use of lot 3 until such time that a future rezoning request is made and/or resubdivision is requested.

AVAILABILITY OF PUBLIC UTILITIES: This site is adjacent to standard public municipal utilities (gas, cable, electric, phone, fiber/internet). Extension of public utilities to serve the subdivision is feasible. A waiver request to defer the installation of roadway improvements, sidewalks, water, sanitary sewer and stormwater requirements is part of this subdivision request.

STREET ACCESS / TRAFFIC: This final plat does not include the construction or dedication of right-of-way for any new roadways. It does include dedication of additional right-of-way along IL 47. Related waiver requests to allow deferrals of the required street improvements are included with this subdivision request. There is an existing access drive located on lot 2 which currently serves the church facility located on lot 2. Access control is shown along the frontage of Lombard Street (IL Route 47) which limits access to the area of the current access drive except for a single agricultural driveway access could be allowed for lot 3 as permitted by IDOT. Any future development of lot 3 would require review and approval by IDOT to establish access. No traffic increase is expected as a result of this subdivision.

Lot 1 has public road frontage along Thornewood Drive. Thornewood Drive was constructed as part of Thornewood Subdivision. A development agreement (recorded as document 2021R06798) between the Village and the Thornewood developers indicates that the Thornewood developer will be reimbursed by the owner of the fronting property per requirements in the development agreement. The Thornewood developer, the petitioner and the Village have signed an agreement which delays the need for the required payment until such time that access to lot 1 from Thornewood Drive is established. The Village Attorney has reviewed the assigned agreement and finds it acceptable. Language has been included in the attached resolution which addresses the reimbursement.

An easement for the purpose of drainage, utilities and sidewalks has been provided on the plat. A related waiver has been requested to defer the installation of sidewalks along Lombard Street (IL Route 47). Sidewalk installation would be required with any future development of the lots with frontage along Lombard Street or when requested at a future date by the Village. Sidewalks exist along Thornewood Drive.

STORMWATER MANAGEMENT: No construction of stormwater facilities is proposed with this subdivision. Related waivers requests to allow a deferral to construct stormwater facilities with future development are included in this subdivision request. Drainage easements have been provided on the plat along Lombard Street (IL Route 47) as appropriate and over the existing drainage way that runs through lot 3.

POLICE AND FIRE PROTECTION: The Village Police Department currently provides police protection and is approximately 1.7 miles from the site. The property is within the Cornbelt Fire Protection District and is approximately 1.5 miles from the site.

OUTSIDE AGENCY REVIEW: The Final Plat has been forwarded to outside agencies for review. No objections had been received at the time of this report and easements are included on the plat as necessary.

SUBSIDIARY DOCUMENTS: The Owner's Certificate and other legal documents are under review by Village staff. Staff is in process of working with the owner to finalize those documents.

FINAL PLAT / PROCEDURAL ISSUES: A complete Final Plat application has been submitted, and the application fee has been paid. Staff identified some minor modifications to the Final Plat and forwarded them to the developer's engineer as technical comments. Subject to revisions, the Final Plat appears to meet the technical requirements of the Village Subdivision Ordinance with the waivers as requested.

VILLAGE STAFF RECOMMENDATION / SUMMARY: A recommendation to the BOT by the PZC related to the approval of the final plat with stated waivers is requested by the developer. Staff supports a recommendation by the Plan and Zoning Commission for approval of the Final Plat with waivers subject to the standard conditions and an additional condition related to the Thornewood Development Agreement. A draft resolution is enclosed for consideration by the PZC. The Plan and Zoning Commission should feel free to modify the resolution as it sees fit.

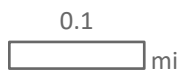
ATTACHMENTS:

- A. Aerial Exhibit with Zoning
- B. Final Plat - Revised
- C. Draft Resolution

MAP2023-03: Living Word Omega Message Church Subdivision (Final Plat)



Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Champaign County GIS Consortium



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LIVING WORD OMEGA MESSAGE CHURCH SUBDIVISION

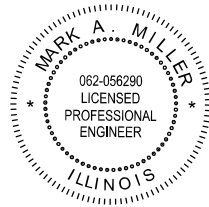
PART OF THE NORTHEAST QUARTER OF SECTION TEN, TOWNSHIP TWENTY NORTH, RANGE SEVEN EAST OF THE THIRD PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY, ILLINOIS.

DRAINAGE STATEMENT

WE HEREBY STATE THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS OF THIS PLAT WILL NOT BE CHANGED BY THE CONSTRUCTION OF THE IMPROVEMENTS OF THIS SUBDIVISION OR ANY PART THEREOF OR THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISIONS HAVE BEEN MADE FOR THE COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH THE GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

SIGNED AND SEALED THIS 26TH DAY OF DECEMBER, 2023.

MARK A. MILLER
ILLINOIS LICENSED PROFESSIONAL ENGINEER NO. 062.056290
LICENSE EXPIRES 11/30/2023



OWNER/DEVELOPER DATE
LIVING WORD OMEGA MESSAGE CHURCH
1202 N. LOMBARD ST
MAHOMET, IL 61853

THIS FINAL PLAT HAS RECEIVED A RECOMMENDATION FOR (APPROVAL) (DISAPPROVAL) BY THE PLAN AND ZONING COMMISSION OF MAHOMET, ILLINOIS, THIS ___ DAY OF ___, 20__.

CHAIRPERSON

THIS FINAL PLAT HAS RECEIVED APPROVAL BY THE BOARD OF TRUSTEES OF MAHOMET, ILLINOIS, THIS ___ DAY OF ___, 20__ OTHERWISE THIS PLAT SHALL BECOME NULL AND VOID.

PRESIDENT, BOARD OF TRUSTEES

VILLAGE CLERK

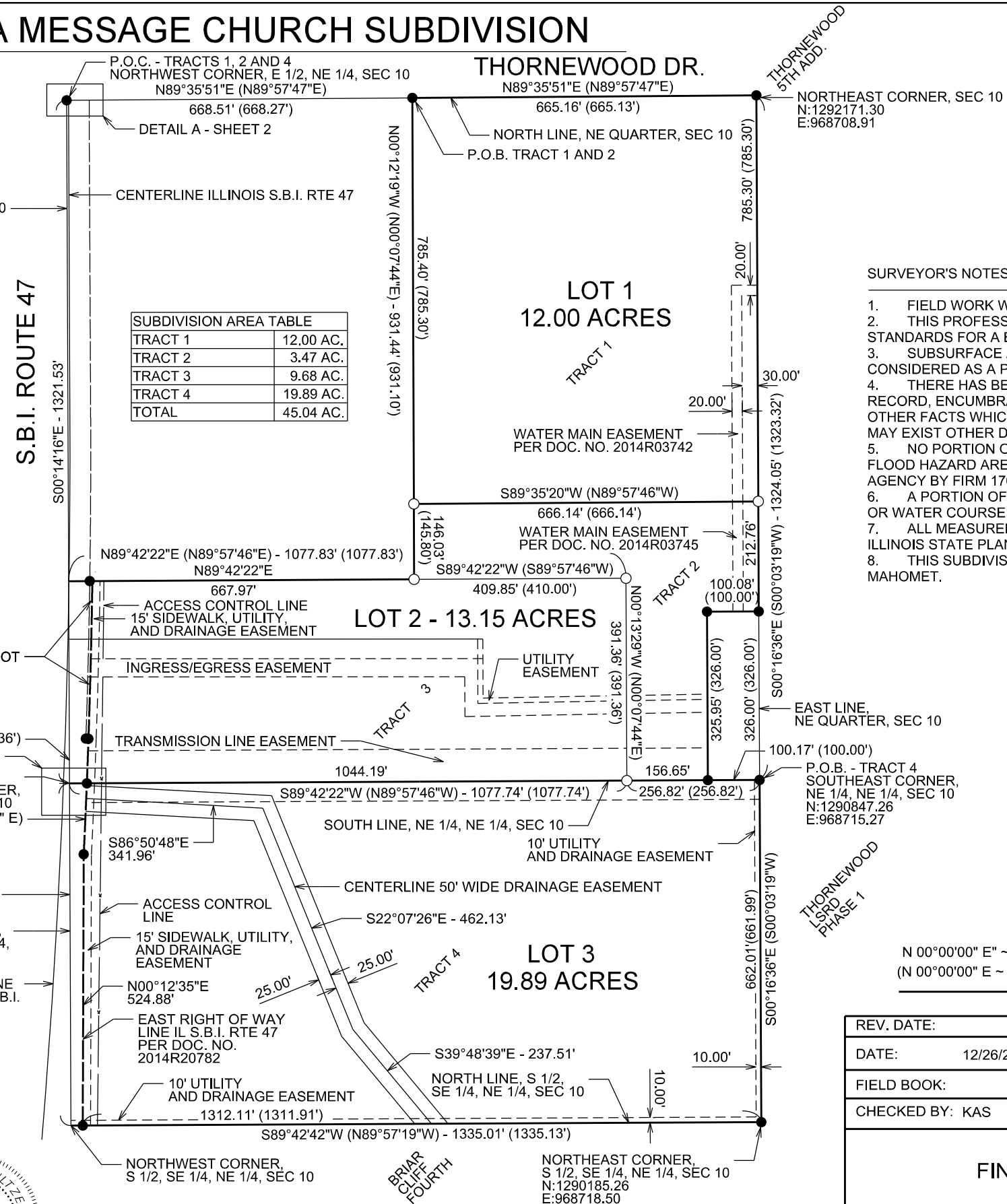
SURVEYOR'S CERTIFICATE

I, KYLE A. SCHULTZE, BEING ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER 3920, DO HEREBY CERTIFY THAT UNDER MY DIRECT SUPERVISION I HAVE CAUSED A SURVEY TO BE MADE AND A PLAT TO BE DRAWN OF THE TRACTS OF LAND DESCRIBED HEREON. I FURTHER CERTIFY THAT AS A PART OF THE SURVEY I HAVE FOUND OR SET SURVEYING MONUMENTS AS SHOWN AND THAT THIS PLAT IS A TRUE REPRESENTATION THEREOF.

SIGNED AND SEALED THIS 26TH DAY OF DECEMBER, 2023.



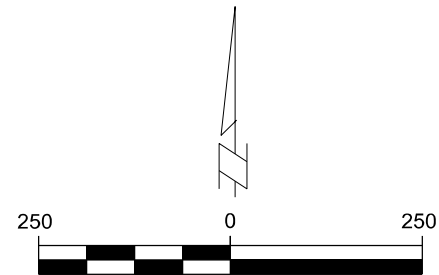
KYLE A. SCHULTZE
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3920
LICENSE EXPIRES 11/30/2024



SUBDIVISION AREA TABLE	
TRACT 1	12.00 AC.
TRACT 2	3.47 AC.
TRACT 3	9.68 AC.
TRACT 4	19.89 AC.
TOTAL	45.04 AC.

SURVEYOR'S NOTES

- FIELD WORK WAS COMPLETED ON JUNE 6, 2023.
- THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
- SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY.
- THERE HAS BEEN NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. THERE MAY EXIST OTHER DOCUMENTS OF RECORD WHICH WOULD AFFECT THIS PARCEL.
- NO PORTION OF THE PROPERTY COVERED BY THIS SUBDIVISION IS LOCATED WITHIN A FLOOD HAZARD AREA, AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY BY FIRM 17019C0259D DATED 10/02/2013.
- A PORTION OF THIS SUBDIVISION IS LOCATED WITHIN 500 FEET OF ANY SURFACE DRAIN OR WATER COURSE SERVING A TRIBUTARY AREA OF 640 ACRES OR MORE.
- ALL MEASURED BEARINGS AND COORDINATES ON THE FACE OF THE PLAT ARE ON ILLINOIS STATE PLANE COORDINATE SYSTEM - EAST ZONE (2011).
- THIS SUBDIVISION IS LOCATED WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF MAHOMET.



LEGEND

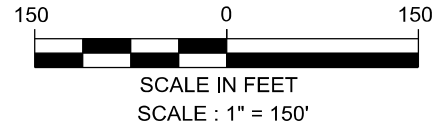
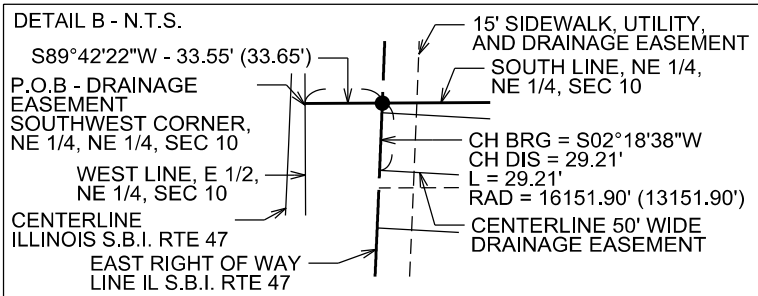
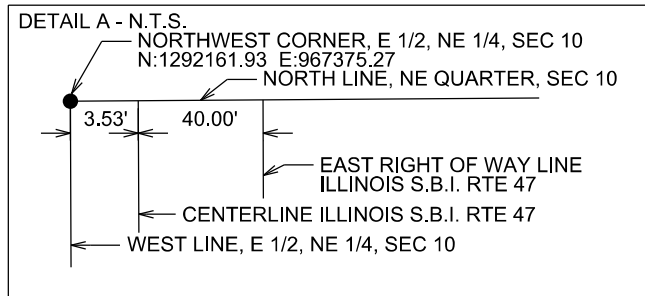
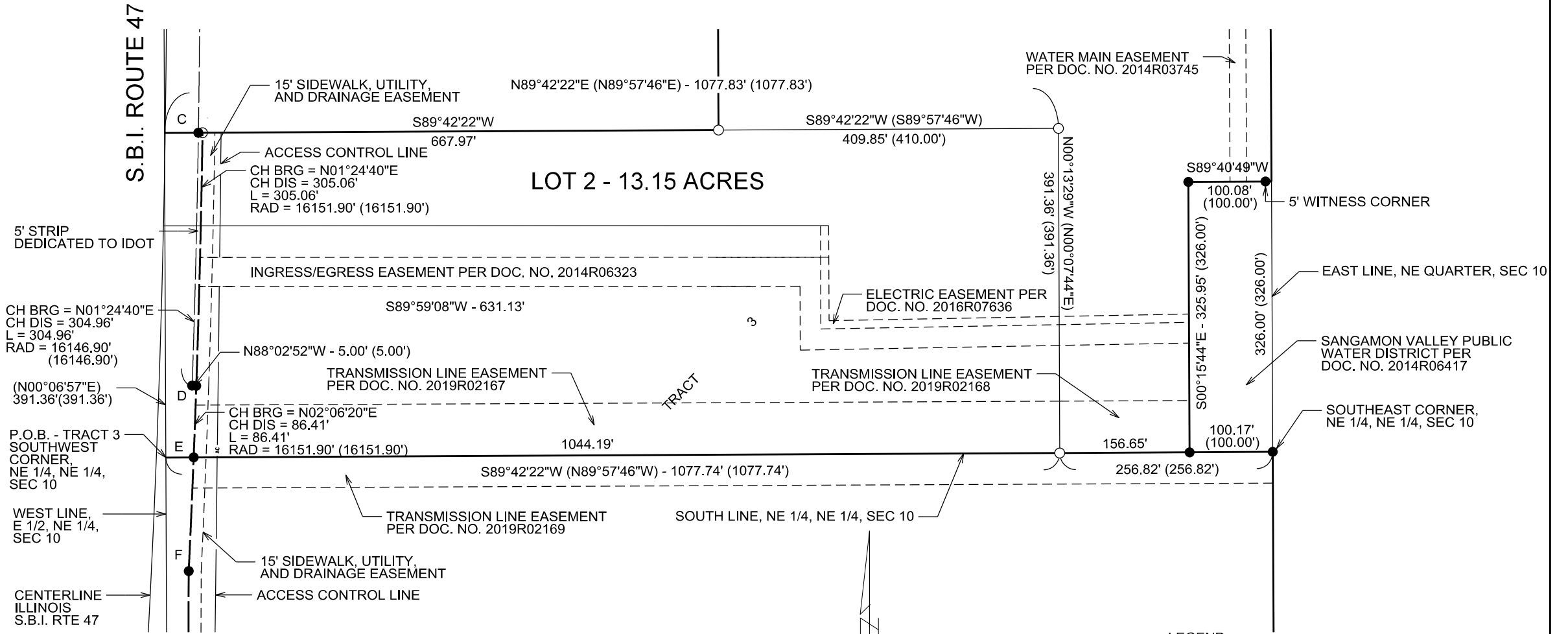
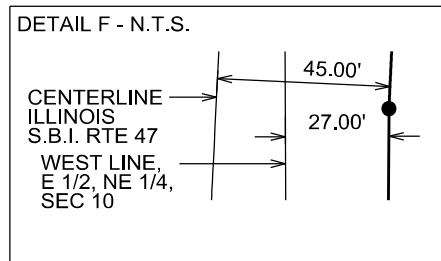
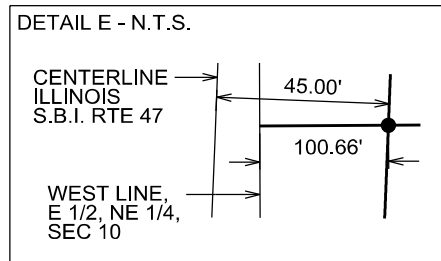
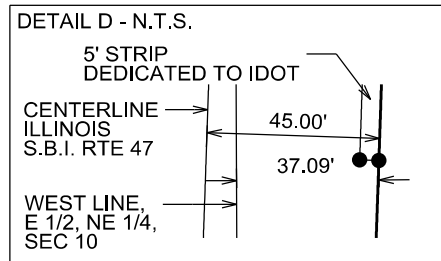
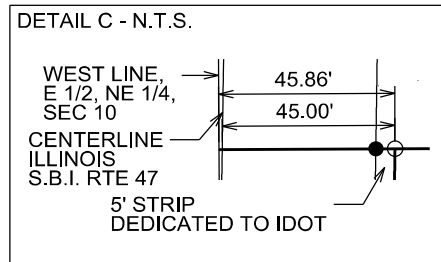
- IDOT VAULT FOUND
- IRON PIN FOUND UNLESS OTHERWISE NOTED
- △ MAG NAIL SET
- IRON PIN SET (1/2" DIA. X 30" LONG) WITH YELLOW SURVEYOR'S CAP "PRECISION FIRM 7585"
- MEASURED BEARING AND DISTANCE
- RECORD BEARING AND DISTANCE
- PROPERTY LINE

REV. DATE:	REVISION MADE:
DATE: 12/26/2023	SCALE: AS SHOWN
FIELD BOOK:	DRAWN BY: KAS
CHECKED BY: KAS	
FINAL PLAT	
PRECISION ENGINEERING GROUP, INC. P.O. BOX 784 CHAMPAIGN, IL 61824-0784 PHONE: 217.260.4751 CIVIL ENGINEERING - LAND SURVEYING ILLINOIS DESIGN FIRM REGISTRATION NO. 184007585	
LIVING WORD OMEGA MESSAGE CHURCH SUBDIVISION PART OF SEC. 10, T.20 N., R. 7 E., 3RD P.M. MAHOMET, ILLINOIS	FILE # 40323001 SHEET 1 OF 3

PRESENTED FOR RECORDING BY:
VILLAGE OF MAHOMET
405 E MAIN ST
MAHOMET, IL 61856

LIVING WORD OMEGA MESSAGE CHURCH SUBDIVISION

PART OF THE NORTHEAST QUARTER OF SECTION TEN,
TOWNSHIP TWENTY NORTH, RANGE SEVEN EAST OF
THE THIRD PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY, ILLINOIS.



- LEGEND
- IDOT VAULT FOUND
 - IRON PIN FOUND UNLESS OTHERWISE NOTED
 - △ MAG NAIL SET
 - IRON PIN SET (1/2" DIA. X 30" LONG) WITH YELLOW SURVEYOR'S CAP "PRECISION FIRM 7585"
 - MEASURED BEARING AND DISTANCE
 - - - RECORD BEARING AND DISTANCE
 - PROPERTY LINE


SURVEYOR'S CERTIFICATE

I, KYLE A. SCHULTZE, BEING ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER 3920, DO HEREBY CERTIFY THAT UNDER MY DIRECT SUPERVISION I HAVE CAUSED A SURVEY TO BE MADE AND A PLAT TO BE DRAWN OF THE TRACTS OF LAND DESCRIBED HEREON. I FURTHER CERTIFY THAT AS A PART OF THE SURVEY I HAVE FOUND OR SET SURVEYING MONUMENTS AS SHOWN AND THAT THIS PLAT IS A TRUE REPRESENTATION THEREOF.

SIGNED AND SEALED THIS 26TH DAY OF DECEMBER, 2023.



KYLE A. SCHULTZE
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3920
LICENSE EXPIRES 11/30/2024

REV. DATE:	REVISION MADE:	 PRECISION ENGINEERING GROUP, INC. P.O. BOX 784 CHAMPAIGN, IL 61824-0784 PHONE: 217.260.4751 CIVIL ENGINEERING - LAND SURVEYING ILLINOIS DESIGN FIRM REGISTRATION NO. 184007585
DATE: 12/26/2023	SCALE: AS SHOWN	
FIELD BOOK:	DRAWN BY: KAS	
CHECKED BY: KAS		FINAL PLAT
LIVING WORD OMEGA MESSAGE CHURCH SUBDIVISION PART OF SEC. 10, T. 20 N., R. 7 E., 3RD P.M. MAHOMET, ILLINOIS		
		FILE # 40323001
		SHEET 2 OF 3

LIVING WORD OMEGA MESSAGE CHURCH SUBDIVISION

PART OF THE NORTHEAST QUARTER OF SECTION TEN, TOWNSHIP TWENTY NORTH, RANGE SEVEN EAST OF THE THIRD PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY, ILLINOIS.

TRACT 1
EXISTING DEED- 2014R08569

PART OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 20 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY, ILLINOIS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST ONE-HALF OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 20 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, PROCEED NORTH 89°57'47" EAST, 668.27 FEET ALONG THE NORTH LINE OF SAID EAST ONE-HALF OF THE NORTHEAST QUARTER TO AN IRON PIN MONUMENT AT THE NORTHEAST CORNER OF AN EXISTING 7.00 ACRE TRACT OF LAND, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°57'47" EAST, 665.13 FEET TO AN IRON PIN MONUMENT AT THE NORTHEAST CORNER OF SAID SECTION 10; THENCE SOUTH 00°03'19" WEST, 785.30 FEET ALONG THE EAST LINE OF SAID SECTION 10; THENCE NORTH 89°57'46" WEST, 666.14 FEET TO THE EAST LINE OF SAID EXISTING 7.00 ACRE TRACT OF LAND; THENCE NORTH 00°07'44" EAST, 785.30 FEET ALONG SAID EAST LINE OF THE TWO EXISTING 7.00 ACRE TRACTS OF LAND TO THE TRUE POINT OF BEGINNING, IN CHAMPAIGN COUNTY, ILLINOIS.

TRACT 2
EXISTING DEED- 2014R08569

PART OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 20 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY, ILLINOIS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST ONE-HALF OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 20 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, PROCEED NORTH 89°57'47" EAST, 668.27 FEET ALONG THE NORTH LINE OF SAID EAST ONE-HALF OF THE NORTHEAST QUARTER TO AN IRON PIN MONUMENT AT THE NORTHEAST CORNER OF AN EXISTING 7.00 ACRE TRACT OF LAND, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°57'47" EAST, 665.13 FEET TO AN IRON PIN MONUMENT AT THE NORTHEAST CORNER OF SAID SECTION 10; THENCE SOUTH 00°03'19" WEST, 1323.32 FEET ALONG THE EAST LINE OF SAID SECTION 10 TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE NORTH 89°57'46" WEST, 256.82 FEET ALONG SAID SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER TO THE SOUTHEAST CORNER OF AN EXISTING 9.68 ACRE TRACT OF LAND; THENCE NORTH 0°07'44" EAST, 391.36 FEET ALONG THE EAST LINE OF SAID EXISTING 9.68 ACRE TRACT OF LAND TO THE NORTHEAST CORNER OF SAID EXISTING 9.68 ACRE TRACT OF LAND; THENCE SOUTH 89°57'46" WEST, 410.00 FEET ALONG THE NORTH LINE OF SAID EXISTING 9.68 ACRE TRACT OF LAND TO AN IRON PIN MONUMENT AT THE NORTHEAST CORNER OF AN EXISTING 6.00 ACRE TRACT OF LAND (AS CONVEYED BY DOCUMENT NO. 76R12936); THENCE NORTH 00°07'44" EAST, 931.10 FEET ALONG THE EAST LINE OF AN EXISTING 7.00 ACRE TRACT OF LAND AND THE EAST LINE OF SAID EXISTING 7.00 ACRE TRACT OF LAND TO THE TRUE POINT OF BEGINNING; SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

EXCEPT THE FOLLOWING:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST ONE-HALF OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 20 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, PROCEED NORTH 89°57'47" EAST, 668.27 FEET ALONG THE NORTH LINE OF SAID EAST ONE-HALF OF THE NORTHEAST QUARTER TO AN IRON PIN MONUMENT AT THE NORTHEAST CORNER OF AN EXISTING 7.00 ACRE TRACT OF LAND, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°57'47" EAST, 665.13 FEET TO AN IRON PIN MONUMENT AT THE NORTHEAST CORNER OF SAID SECTION 10; THENCE SOUTH 00°03'19" WEST, 785.30 FEET ALONG THE EAST LINE OF SAID SECTION 10; THENCE NORTH 89°57'46" WEST, 666.14 FEET TO THE EAST LINE OF SAID EXISTING 7.00 ACRE TRACT OF LAND; THENCE NORTH 00°07'44" EAST, 785.30 FEET ALONG SAID EAST LINE OF THE TWO EXISTING 7.00 ACRE TRACTS OF LAND TO THE TRUE POINT OF BEGINNING, IN CHAMPAIGN COUNTY, ILLINOIS.

ALSO EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

A TRACT OF LAND BEING THE SOUTH 326.00 FEET OF THE EAST 100.00 FEET OF A 4.55 ACRE TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 20 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY, ILLINOIS, THE BOUNDARIES OF SAID 4.55 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 2 (CONTINUED)

COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 20 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN; PROCEED NORTH 89 DEGREES 57 MINUTES 47 SECONDS EAST 668.27 FEET ALONG THE NORTH LINE OF SAID EAST HALF OF THE NORTHEAST QUARTER TO AN IRON PIN MONUMENT AT THE NORTHEAST CORNER OF AN EXISTING 7.00 ACRE OF LAND, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUE NORTH 89 DEGREES 57 MINUTES 47 SECONDS EAST 666.14 FEET* TO AN IRON PIN MONUMENT; THENCE SOUTH 00 03 MINUTES 19 SECONDS WEST, 538.02 FEET* ALONG THE EAST LINE OF SAID SECTION 10; THENCE NORTH 89 DEGREES 57 MINUTES 40 SECONDS WEST, 256.83 FEET TO THE EAST LINE OF AN EXISTING 9.68 ACRE TRACT OF LAND; THENCE NORTH 00 DEGREES 07 MINUTES 44 SECONDS EAST, 391.36 FEET ALONG SAID EAST LINE OF THE EXISTING 9.68 ACRE TRACT OF LAND; THENCE WEST 410.00 FEET TO THE EXISTING 7.00 ACRE TRACT OF LAND AFOREMENTIONED; THENCE NORTH 145.80 FEET* TO THE TRUE POINT OF BEGINNING, IN CHAMPAIGN COUNTY, ILLINOIS.

*NOTE:
DISTANCE IS INCORRECT AND IS A SCRIVENER'S ERROR. THE TRUE DISTANCES AND MORE ACCURATE LEGAL DESCRIPTION OF THE EXCEPTION IS FOUND IN THE ORDER SANGAMON VALLEY PUBLIC WATER DISTRICT VS. DANIEL J. SCHNEIDER, WHICH DESCRIBES SAID ERROR, RECORDED AS DOCUMENT NUMBER 2014R06417 IN THE RECORDER'S OFFICE OF CHAMPAIGN COUNTY, ILLINOIS.

TRACT 3
EXISTING DEED- 2018R02307

A TRACT OF LAND BEING PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 20 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY, ILLINOIS, THE BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, PROCEED NORTH 0.06.57 EAST ALONG THE WEST LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER 391.36 FEET TO THE NORTHWEST CORNER OF THE SOUTH 6 ACRES OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 89.57.46 EAST ALONG THE NORTH LINE OF SAID SOUTH 6 ACRES AND AN EASTERLY EXTENSION OF SAID NORTH LINE, 1077.83FEET; THENCE SOUTH 0.07.44 WEST 391.36 FEET TO THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 89.57.46 WEST ALONG SAID SOUTH LINE, 1077.74 FEET TO THE POINT OF BEGINNING, ENCOMPASSING 9.68 ACRES MORE OR LESS AND EXCEPTING THEREFROM THE RIGHT-OF-WAY FOR ILLINOIS ROUTE 47 ALONG THE WEST SIDE OF SAID TRACT OF LAND.

DRAINAGE EASEMENT

A 50 FEET WIDE DRAINAGE EASEMENT WITHIN LOT 4 OF THE LIVING WORD OMEGA MESSAGE CHURCH SUBDIVISION OF SECTION 10, TOWNSHIP 20 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY, IL, BEING MORE PARTICULARLY DESCRIBED, WITH BEARINGS ON ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE (2011), AS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE SOUTH 89°42'22" W ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER FOR 33.55 FEET TO THE EAST RIGHT OF WAY LINE OF IL S.B.I. ROUTE 47; THENCE ALONG A CURVE TO THE RIGHT WITH A CHORD BEARING OF SOUTH 02°18'38" WEST, A CHORD DISTANCE OF 29.21 FEET, AN ARC LENGTH OF 29.21 FEET, AND A RADIUS OF 16151.90 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 56°50'48" EAST ALONG THE CENTERLINE OF SAID 50 FEET WIDE DRAINAGE EASEMENT FOR 341.96 FEET; THENCE SOUTH 22°07'26" EAST ALONG SAID CENTERLINE FOR 462.13 FEET; THENCE SOUTH 39°48'39" EAST ALONG SAID CENTERLINE FOR 237.51 FEET TO THE SOUTH LINE OF SAID LOT 4, AND BEING THE END OF SAID CENTERLINE.

TRACT 4:
EXISTING DEED- 2014R10487

PART OF THE NORTHEAST ONE-FOURTH OF SECTION 10, TOWNSHIP 20 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY, ILLINOIS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST ONE-HALF OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 20 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, PROCEED NORTH 89 DEGREES, 57 MINUTES, 47 SECONDS EAST, 1333.40 FEET ALONG THE NORTH LINE OF SAID EAST ONE-HALF OF THE NORTHEAST QUARTER TO AN IRON PIN MONUMENT AT THE NORTHEAST CORNER OF SAID SECTION 10; THENCE SOUTH 00 DEGREES, 03 MINUTES, 19 SECONDS WEST, 1323.32 FEET ALONG THE EAST LINE OF SAID SECTION 10 TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00 DEGREES, 03 MINUTES, 19 SECONDS WEST, 661.99 FEET ALONG THE EAST LINE OF SAID SECTION 10 TO AN IRON PIN MONUMENT AT THE NORTHEAST CORNER OF THE SOUTH ONE-HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE NORTH 89 DEGREES, 57 MINUTES, 19 SECONDS WEST, 1335.13 FEET ALONG THE NORTH LINE OF THE SOUTH ONE-HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10 TO THE NORTHWEST CORNER OF SAID SOUTH ONE-HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, SAID CORNER BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF ILLINOIS S.B.I. ROUTE 47; THENCE NORTH 00 DEGREES, 06 MINUTES, 19 SECONDS EAST, 175.00 FEET ALONG THE WEST LINE OF SAID EAST ONE-HALF OF THE NORTHEAST QUARTER OF SECTION 10 TO AN IRON PIN MONUMENT AT A CORNER ON SAID EASTERLY RIGHT-OF-WAY LINE OF ILLINOIS S.B.I. ROUTE 47; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF ILLINOIS S.B.I. ROUTE 47 AROUND THE ARC OF A CURVE TO THE LEFT HAVING A LONG CHORD WITH A COURSE AND LENGTH OF NORTH 03 DEGREES, 27 MINUTES, 34 SECONDS EAST, 487.68 FEET, A CENTRAL ANGLE OF 01 DEGREES, 43 MINUTES, 07 SECONDS, A RADIUS OF 16259.40 FEET FOR AN ARC LENGTH OF 487.70 FEET TO AN IRON PIN MONUMENT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SAID SECTION 10; THENCE SOUTH 89 DEGREES, 57 MINUTES, 46 SECONDS EAST, 1306.03 FEET ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER TO THE TRUE POINT OF BEGINNING, IN CHAMPAIGN COUNTY, ILLINOIS.


SURVEYOR'S CERTIFICATE

I, KYLE A. SCHULTZE, BEING ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER 3920, DO HEREBY CERTIFY THAT UNDER MY DIRECT SUPERVISION I HAVE CAUSED A SURVEY TO BE MADE AND A PLAT TO BE DRAWN OF THE TRACTS OF LAND DESCRIBED HEREON. I FURTHER CERTIFY THAT AS A PART OF THE SURVEY I HAVE FOUND OR SET SURVEYING MONUMENTS AS SHOWN AND THAT THIS PLAT IS A TRUE REPRESENTATION THEREOF.

SIGNED AND SEALED THIS 26TH DAY OF DECEMBER, 2023.

KYLE A. SCHULTZE
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3920
LICENSE EXPIRES 11/30/2024



REV. DATE:	REVISION MADE:	 <p>PRECISION ENGINEERING GROUP, INC. P.O. BOX 784 CHAMPAIGN, IL 61824-0784 PHONE: 217.260.4751 CIVIL ENGINEERING - LAND SURVEYING ILLINOIS DESIGN FIRM REGISTRATION NO. 184007585</p>
DATE: 12/26/2023	SCALE: AS SHOWN	
FIELD BOOK:	DRAWN BY: KAS	
CHECKED BY: KAS		
FINAL PLAT		
LIVING WORD OMEGA MESSAGE CHURCH SUBDIVISION PART OF SEC. 10, T. 20 N., R. 7 E., 3RD P.M. MAHOMET, ILLINOIS		FILE # 40323001 SHEET 3 OF 3

A RESOLUTION FOR THE PLAN AND ZONING COMMISSION

**CONCERNING THE FINAL PLAT FOR
LIVING WORD OMEGA MESSAGE CHURCH SUBDIVISION
VILLAGE OF MAHOMET, CHAMPAIGN COUNTY, ILLINOIS**

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 for review and approval of subdivisions within the Corporate Limits of the Village of Mahomet, Illinois and within one and one-half miles thereof; and,

WHEREAS, the owner of the proposed **Living Word Omega Message Church Subdivision** submitted certain documents, including a Final Plat, for review and approval by the Village of Mahomet; and,

WHEREAS, the owner submitted all required documents per Ordinance; and,

WHEREAS, the owner requested the following waivers to support the subdivision:

1. Waiver of the requirement to submit an Area General Plan.
2. Waiver of the requirement to submit a Preliminary Plat.
3. Waiver to allow deferral of the extension of water mains.
4. Waiver to allow deferral of the extension of sanitary sewer.
5. Waiver to allow deferral of the stormwater drainage improvements.
6. Waiver to allow deferral of a Stormwater Management Plan.
7. Waiver to allow deferral of the installation of sidewalks along Lombard Street (IL Route 47).
8. Waiver to allow deferral of the installation of right-of-way lighting along Lombard Street (IL Route 47).
9. 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.

WHEREAS, Village staff, Village Engineer and Village Attorney reviewed the Final Plat and supporting technical documents for **Living Word Omega Message Church Subdivision** and found that subject to minor modifications, the documents are satisfactory and in a form that complies with the Village of Mahomet Subdivision Ordinance requirements, and made recommendations concerning approval of said Final Plat; and,

WHEREAS, the Plan and Zoning Commission met and reviewed the Final Plat, and the various subsidiary documents submitted, and found that it is, with minor modifications, generally satisfactory and in the prescribed form.

BE IT THEREFORE RESOLVED this 2nd day of April, 2024, 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**:

Resolution for Plan and Zoning Commission
MAP2023-03 Living Word Omega Message Church Subdivision (revised)

April 2, 2024

Page 2 of 2

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 land owner.
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 until compliance has been achieved or an alternative scenario is agreed upon by the parties. 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.

Chair, Plan and Zoning Commission
Village of Mahomet