Plan and Zoning Commission
6:00 p.m. Tuesday, June 6, 2023
Village of Mahomet - Administrative Office
Meeting Viewing Available Via Zoom

Join Zoom Meeting
https://us02web.zoom.us/j/85444948275?pwd=YVZWR0ZOcEtNWVRBMVJnanNNdGtOQT09
Meeting ID: 854 4494 8275
Passcode: 61853

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 by placing them in the drop box outside of the Administrative Office (503 E. Main Street, Mahomet) before 2:00 pm on June 6, 2023 or by email submission to Abby Heckman, aheckman@mahomet-il.gov no later than 4:00 pm on June 6, 2023 to ensure placement of such comments in the official record of the meeting. PUBLIC COMMENT NOT PERMITTED VIA VIDEO OR AUDIO.

4. **MINUTES:** APRIL 4, 2023
   MAY 2, 2023

5. **PUBLIC HEARING(S):**
   ZA2023-04: TREY AND MARIA RASCHE
   A RESOLUTION CONCERNING A REZONING FOR 6.0± ACRES OF LAND FROM R-1A SINGLE-FAMILY RESIDENTIAL TO C-2 GENERAL COMMERCIAL DISTRICT LOCATED ALONG THE WEST SIDE OF PRAIRIEVIEW ROAD (COUNTY ROAD 525E) APPROXIMATELY 1160 FEET SOUTH OF OAK STREET (US 150), COMMONLY KNOWN AS 2065 COUNTY ROAD 525E CHAMPAIGN IL

   VAR2023-01: UNLIMITED HOLDINGS LLC
   A RESOLUTION CONCERNING VARIANCE REQUESTS RELATING TO MINIMUM SIDE YARD SETBACK AND MINIMUM LAND AREA PER DWELLING ON 0.50± ACRE OF LAND ZONED R-2 TWO-FAMILY RESIDENTIAL LOCATED NORTH OF OLIGER DRIVE ALONG THE WEST SIDE OF COLE LANE AND NORTH SIDE OF RAPP DRIVE (LOTS 709 AND 710 OF HUNTERS RIDGE SEVENTH SUBDIVISION)

   CU2023-02: PETER PARASKIS / KRISHNA PATEL (DUNKIN)
   A RESOLUTION CONCERNING A CONDITIONAL USE PERMIT TO ESTABLISH A COMMERCIAL DRIVE-THROUGH FACILITY ON 0.42± ACRE OF LAND ZONED C-1 NEIGHBORHOOD COMMERCIAL LOCATED ON AT THE NORTHWEST CORNER CHURCHILL ROAD AND PATTON DRIVE, SOUTH OF OAK STREET

CU2021-02 AMENDMENT: ADAM AND JODI KIMBALL
A RESOLUTION CONCERNING AN AMENDMENT TO CONDITIONS OF AN APPROVED CONDITIONAL USE PERMIT WHICH ESTABLISHED A SELF-STORAGE FACILITY AND MIXED USE COMMERCIAL BUILDING ON 4.6± ACRES OF LAND ZONED C-2 GENERAL COMMERCIAL LOCATED ON THE NORTH SIDE OF CLARK STREET APPROXIMATELY 230 FEET WEST OF PRAIRIEVIEW ROAD, COMMONLY KNOWN AS 2004 CLARK STREET

6. RESOLUTIONS and MOTIONS (TO BE ACTED UPON):

ZA2023-04: TREY AND MARIA RASCHE
A RESOLUTION CONCERNING A REZONING FOR 6.0± ACRES OF LAND FROM R-1A SINGLE-FAMILY RESIDENTIAL TO C-2 GENERAL COMMERCIAL DISTRICT LOCATED ALONG THE WEST SIDE OF PRAIRIEVIEW ROAD (COUNTY ROAD 525E) APPROXIMATELY 1160 FEET SOUTH OF OAK STREET (US 150), COMMONLY KNOWN AS 2065 COUNTY ROAD 525E CHAMPAIGN IL

VAR2023-01: UNLIMITED HOLDINGS LLC
A RESOLUTION CONCERNING VARIANCE REQUESTS RELATING TO MINIMUM SIDE YARD SETBACK AND MINIMUM LAND AREA PER DWELLING ON 0.50± ACRE OF LAND ZONED R-2 TWO-FAMILY RESIDENTIAL LOCATED NORTH OF OLIGER DRIVE ALONG THE WEST SIDE OF COLE LANE AND NORTH SIDE OF RAPP DRIVE (LOTS 709 AND 710 OF HUNTERS RIDGE SEVENTH SUBDIVISION)

CU2023-02: PETER PARASKIS / KRISHNA PATEL (DUNKIN)
A RESOLUTION CONCERNING A CONDITIONAL USE PERMIT TO ESTABLISH A COMMERCIAL DRIVE-THROUGH FACILITY ON 0.42± ACRE OF LAND ZONED C-1 NEIGHBORHOOD COMMERCIAL LOCATED ON AT THE NORTHWEST CORNER CHURCHILL ROAD AND PATTON DRIVE, SOUTH OF OAK STREET

CU2021-02 AMENDMENT: ADAM AND JODI KIMBALL
A RESOLUTION CONCERNING AN AMENDMENT TO CONDITIONS OF AN APPROVED CONDITIONAL USE PERMIT WHICH ESTABLISHED A SELF-STORAGE FACILITY AND MIXED USE COMMERCIAL BUILDING ON 4.6± ACRES OF LAND ZONED C-2 GENERAL COMMERCIAL LOCATED ON THE NORTH SIDE OF CLARK STREET APPROXIMATELY 230 FEET WEST OF PRAIRIEVIEW ROAD, COMMONLY KNOWN AS 2004 CLARK STREET

7. COMMISSIONER / STAFF COMMENTS:

NEXT PZC MEETING – MONDAY JULY 10, 2023

8. ADJOURN

PLAN AND ZONING COMMISSION
MEETING MINUTES - DRAFT
April 4, 2023

CALL TO ORDER: The meeting was called to order at 6:00pm on Tuesday April 4, 2023.

ROLL CALL:
Members Present: Steve Briney, Robert DeAtley, Phillip Schaefer and Mandi Simeone

Members Absent: Bob Buchanan and Mike Buzicky

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

PUBLIC COMMENT: Mr. DeAtley asked if there were any public comments related to items that are not on the agenda and no one came forward. Abby Heckman stated staff received no written comments.

MINUTES: March 7, 2023

Briney moved to approve March 7, 2023 minutes as presented. Schaefer seconded the motion. ROLL CALL. 3-0-1. Simeone Abstained. Motion Passed.

PUBLIC HEARING(S):
ZA2023-03: UNLIMITED HOLDINGS LLC
A RESOLUTION CONCERNING A REZONING FOR 1.48± ACRES OF LAND WITHIN HUNTERS RIDGE SEVENTH SUBDIVISION FROM R-1C SINGLE-FAMILY RESIDENTIAL TO R-2 TWO-FAMILY RESIDENTIAL DISTRICT LOCATED NORTH OF OLIGER DRIVE ALONG THE WEST SIDE OF COLE LANE AND NORTH SIDE OF RAPP DRIVE

Mr. DeAtley read through the public hearing procedure for those that wanted to speak at the public hearing.

Mr. DeAtley asked staff to provide an overview of the case.

Abby Heckman presented information from the case report. Abby Heckman stated that she did speak to one neighbor that asked clarifying questions and no one had submitted any comments in writing related to the case.

Jake Frerichs, with Unlimited Holdings, stated a rezoning would provide a benefit to current and future single-family homes in the area due to proximity to Interstate 74 and topography of the land. The current attached homes are the best fit for the neighborhood because they help reduce the intensity of the interstate noise and block traffic lights at night. The northwestern portion of Hunters Ridge is nearly level with the interstate which allows direct exposure to the traffic and noise for this portion of the subdivision. By allowing two additional homes, it will complete the gap in this quarter for the greater benefit of Hunters Ridge Subdivision. Lots 709 and 710 have rear sloping yards which require daylight basements. Daylight basements are a significant cost increase over traditional basements or slab foundations, they require decks instead of concrete patios and a conditioned basement due to their rear elevations. Those features are cost prohibitive given the lots would be in the least desirable portion of the neighborhood. The market shows a strong preference to be farther away from the noisy interstate. The addition of two additional homes would help offset the loss from the location and allow them to construct the same high quality attached home as is currently adjacent. The current attached homes have a 100 percent occupancy and there is demand for more. There is no evidence of a negative impact to the land value of the homes adjacent given the value of the attached homes is equal or greater than the adjacent homes. The additional driveways for these lots are directly across from a single corner lot and the attached homes have designated storage areas in the basements so cars can be parked in the garage rather than garage spaced used as storage. Mailboxes in this area are located in a single cluster mailbox location on Cates

Drive and therefore parking would not interfere with mailboxes. R1 and R2 classifications are meant to transition and don't require a buffer. Jake Frerichs presented photo exhibits showing the land topography, other features of the lots and the area, and examples of other areas in Mahomet where R1 and R2 zoning is adjacent.

Mr. Briney asked how whether there is negative impact to surrounding properties is determined.

Jake Frerichs explained how they determine costs on new construction and then they compare it to neighboring home values. Recent sales or County estimates could be used to determine value of existing homes.

Mr. Briney asked if that was their opinion or if there were studies done.

Jake Frerichs stated they use public data from the County or Zillow which has past listings.

Mr. DeAtley stated that the neighbors were very concerned when this development came in the first time around and it took a couple attempts before everyone was satisfied with what got approved. The one lot which abuts an existing single-family lot he considered more of a challenge. He asked if the three lots adjacent to the south had been sold and built on.

Jake Frerichs stated no, those lots have not sold.

Ms. Simeone asked why the detention basin lot was being rezoned.

Jake Frerichs stated that was just for continuity.

Kelly Pfeifer stated they could have chosen to just rezone the two buildable lots but it could look like spot zoning. Detention basins can be in any zoning district.

Abby Heckman stated the subdivision documents indicate the use of the common lot as detention.

Jake Frerichs stated that the land area of the two buildable lots would allow them to meet the minimum lot size for attached homes.

Mr. Schaefer asked if the homes would be sold or rented.

Jake Frerichs stated that was a popular question but wasn't relevant. He asked if the answer was pertinent to the decision.

Mr. Schaefer stated yes it was for him.

Jake Frerichs stated it would be up to the market to decide that. He stated someone else could buy them and rent them out just as easily.

Kelly Pfeifer asked if the lots would be replatted in a similar way to the other attached homes to the north.

Jake Frerichs stated they intend to replat the lots to make them individual homes on individual lots. He stated they plan to build more of the same design of the existing.

DRAFT

Patrick Brown asked what the attached homes rent for.

Jake Frerichs stated about 2500 dollars per month. It is a good price for those.

Rob Frerichs, with Unlimited Homes, stated he wanted to clarify that they are real estate professionals, and it is their professional option that there is no negative impact to home values. He stated that he wished rezoning could be conditional because they fully intend to build the same product that exists along the interstate. The attached homes have been well received and have knocked down the interstate noise.

DeAtley asked if there was anyone else to speak. No one came forward.

Rob Frerichs asked if there were reservations from the Commission, he would like to know what they were.

Mr. DeAtley stated his assumption was that many of the people in the audience were here to speak to this issue but they are not here for this case.

Rob Frerichs stated the people that would be most affected would be buying lots from them and the attached home will already be there when they buy.

Mr. Briney stated it appears there could be parking congestion because it is on a curve.

Rob Frerichs stated they provide storage areas in their homes to help eliminate the need to use garage space for storage. He explained the driveway locations of the attached homes and the single lot across the street.

Mr. DeAtley asked how many bedrooms are in each unit.

Rob Frerichs answered three bedrooms up and finished basements.

DeAtley asked if there was anyone else to speak. No one came forward.

Briney moved to close the public hearing for ZA2023-03. Simeone seconded the motion. ROLL CALL. 4-0. Motion Passed.

RESOLUTIONS and MOTIONS (TO BE ACTED UPON):
ZA2023-03: UNLIMITED HOLDINGS LLC
A RESOLUTION CONCERNING A REZONING FOR 1.48± ACRES OF LAND WITHIN HUNTERS RIDGE SEVENTH SUBDIVISION FROM R-1C SINGLE-FAMILY RESIDENTIAL TO R-2 TWO-FAMILY RESIDENTIAL DISTRICT LOCATED NORTH OF OLIGER DRIVE ALONG THE WEST SIDE OF COLE LANE AND NORTH SIDE OF RAPP DRIVE

Abby Heckman stated there is a draft resolution included in the meeting packet.

Mr. Briney asked what staff's reservations were.

Kelly Pfeifer stated staff's analysis was done before the public hearing. She stated topography and noise level is compelling. Staff is more supportive of the rezoning with the given testimony.

The Commission discussed some of the findings of fact components.

DRAFT

Mr. DeAtley went through the findings of fact and asked that commissioners speak up if they do not agree.

Simeone moved to strike number 29 from the findings of fact for ZA2023-03. Schaefer seconded the motion. ROLL CALL. 3-1. DeAtley voted no. Motion Passed.

Simeone moved to grant ZA2023-03 with the findings of fact as stated below. Schaefer seconded the motion. ROLL CALL. 4-0. Motion Passed.

BE IT THEREFORE RESOLVED this 4th day of April, 2023 by the Plan and Zoning Commission of the Village of Mahomet that:

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

1. The procedural requirements for zoning establishment or amendment HAVE been met.
2. The proposed zoning DOES conform with the intent of the Village Comprehensive Plan.
3. The proposed zoning IS consistent with the proposed use of the site.
4. The proposed zoning WILL be compatible with the established land use pattern in the vicinity.
5. The proposed zoning DOES NOT create an isolated, unrelated zoning district.
6. The site IS suitable for the uses allowed in the proposed zoning district.
7. The proposed zoning WILL be consistent with the health, safety and general welfare of the public.
8. Major land uses in the neighborhood HAVE NOT changed since zoning was applied to this site.
9. The proposed zoning IS consistent with the existing zoning designations in the surrounding area.
10. The proposed zoning WILL NOT be contrary to the original purpose and intent of the Zoning Ordinance.
11. The proposed zoning WILL NOT be injurious to the use and enjoyment of adjacent properties.
12. The proposed zoning WILL promote the orderly development of the site and surrounding properties.
13. The proposed zoning WILL NOT significantly adversely impact existing traffic patterns.
14. Adequate facilities for municipal sanitary sewage disposal and water supply ARE available for the site.
15. Adequate provisions for stormwater drainage ARE available for this site.
16. The proposed zoning WILL NOT adversely impact police protection or fire protection.
17. The proposed zoning WILL NOT significantly adversely impact schools or other public facilities.
18. The proposed zoning WILL NOT conflict with existing public commitments for planned public improvements.
19. The proposed zoning WILL NOT adversely influence living conditions in the immediate vicinity.
20. The proposed zoning WILL preserve the essential character of the neighborhood in which it is located.
21. The proposed change WILL NOT significantly alter the population density pattern.
22. The value of adjacent property WILL NOT be diminished by the proposed zoning.
23. The proposed zoning WILL enhance the value of the petitioner's property.
24. The proposed zoning WILL NOT constitute an entering wedge affecting the use or development of adjacent property.
25. If denied, the petitioner WILL suffer deterioration to his or her property value.
26. The proposed zoning DOES NOT correct an error in the original zoning of this site.
27. If the property is currently vacant, the length of time the property has remained vacant as zoned HAS been considered in the context of land development in the area and in the vicinity of the subject property.

DRAFT

28. The proposed change in zoning WILL result in private investment that would be beneficial to the development or redevelopment of a vacant property or deteriorated neighborhood.
29. ~~There IS / IS NOT a need in the community for additional land within the requested zoning district.~~
30. The proposed zoning WILL NOT adversely impact agricultural farming operations in the vicinity of this site.
31. The proposed rezoning IS consistent with Village Comprehensive Plan policies concerning the protection of prime farmland when appropriate.
32. The proposed rezoning WILL NOT result in long term adverse environmental consequences to natural areas and wildlife habitat.
33. The LaSalle Factors for evaluation of zoning decisions HAVE been considered during the review of this proposed rezoning request.

B. The Plan and Zoning Commission does hereby recommend that the Board of Trustees of the Village of Mahomet GRANT the requested zoning map amendment for the subject property from R-1C Single-Family Residential to R-2 Two-Family Residential district.

PUBLIC HEARING(S):

CU2023-01: HARTMAN FAMILY DEVELOPMENT LLC
A RESOLUTION CONCERNING A CONDITIONAL USE PERMIT TO ESTABLISH A MIXED-USE COMMERCIAL DEVELOPMENT WITH DRIVE-THROUGH FACILITIES ON 2.28± ACRES OF LAND ZONED C-1 NEIGHBORHOOD COMMERCIAL LOCATED ON THE NORTH SIDE OF PATTON DRIVE, SOUTH OF OAK STREET, APPROXIMATLEY 100 FEET WEST OF CHURCHILL ROAD

Mr. DeAtley asked staff to provide an overview of the case.

Abby Heckman presented information from the case report.

Neil Finland, with Farnsworth Group representative for the property owner, stated they request the requirement to interconnect be removed from the conditions. He stated they would provide a landscaping plan prior to the BOT meeting.

The Commission, staff and the petitioner representative discussed the site circulation.

Abby Heckman stated that she did speak to someone from Sunset Funeral Home about this case. They asked clarifying questions, and no one had submitted any comments in writing related to the case.

DeAtley asked if there was anyone from the public that wanted to speak.

Jack Ware, 1613A Patton Drive, stated he had concerns about traffic increases in the area. He stated his dining room looks out to Patton Drive and was interested in the landscaping plan and hoped it would help with vehicle lights shining in their home.

Carol Ware, 1613A Patton Drive, stated everyone here tonight lives on Patton Drive. She pointed out traffic issues in the area.

DRAFT

Neil Finland stated he understands their concerns. He stated they are trying to manage the traffic by only having two entrances on Patton Drive. He stated they would prepare a more detailed landscaping plan to provide some screening. He stated he would communicate with the neighbors on the landscaping plan.

The Commission discussed landscaping and screening for vehicle headlights.

Mr. Schaefer asked if there was any requirement for traffic study in this area.

Kelly Pfeifer stated one wouldn't be required because a significant traffic study was done for this entire area related to the traffic light at Churchill and Oak Street. All of this land was projected to be built out as part of that study. The current infrastructure was built to support the expected uses in the area.

Patrick Brown stated before and after school traffic has increased in that area. When South Mahomet Road opens with the railroad crossing there will be relief for traffic cutting through this area. A turn lane to turn south onto Churchill Road from Oak Street is planned and a turn lane from the south turning east on Oak Street from Churchill is planned. Those are planned in the next couple years unless a new traffic study stated they are not warranted.

Ms. Simeone asked for more information about the previous traffic study.

Kelly Pfeifer provided background for the traffic study.

Staff and the Commission discussed future South Mahomet Road connections and traffic patterns.

Mr. DeAtley asked if there was any additional public comment. No one came forward.

Simeone moved to close the public hearing for CU2023-01. Briney seconded the motion. ROLL CALL. 4-0. Motion Passed.

RESOLUTIONS and MOTIONS (TO BE ACTED UPON):
CU2023-01: HARTMAN FAMILY DEVELOPMENT LLC
A RESOLUTION CONCERNING A CONDITIONAL USE PERMIT TO ESTABLISH A MIXED-USE COMMERCIAL DEVELOPMENT WITH DRIVE-THROUGH FACILITIES ON 2.28± ACRES OF LAND ZONED C-1 NEIGHBORHOOD COMMERCIAL LOCATED ON THE NORTH SIDE OF PATTON DRIVE, SOUTH OF OAK STREET, APPROXIMATLEY 100 FEET WEST OF CHURCHILL ROAD

Kelly Pfeifer stated there is a draft resolution attached and the petitioner has requested that item E be stricken. Staff supports the change based on testimony.

Staff updated the Commission on timing of the South Mahomet Road project.

Mr. DeAtley went through the findings of fact and asked that commissioners speak up if they do not agree.

Schaefer moved to grant ZA2023-01 removing condition e with findings of fact as stated below. DeAtley seconded the motion. ROLL CALL. 4-0. Motion Passed.

DRAFT

BE IT THEREFORE RESOLVED this 4th day of April, 2023 by the Plan and Zoning Commission of the Village of Mahomet that:

1. The Plan and Zoning Commission does hereby recommend the Board of Trustees GRANT the requested Conditional Use Permit for mixed-use commercial development with drive-through facilities at the above described property.
2. The Plan and Zoning Commission does hereby further state that the conditional use shall be subject to the following conditions:
   a) Site development and building design must substantially comply with the Site Plan and Building Renderings as presented to the PZC (dated April 4, 2023).
   b) Landscaping plan must be submitted which provides a perimeter parking lot buffering.
   c) Only exterior lighting fixtures that are full cut-off / fully shielded which minimizes skyglow, glare and light trespass shall be permitted.
   d) A shared use monument style freestanding sign of up to 75 sq ft in area and a maximum of six (6) feet in height will be permitted along the frontage of Oak Street. No other freestanding signage allowed along the frontage of Oak Street.
   ~~e) The six {6} parking spaces at the southwest corner of the parking lot must be designated as a future cross-access connection to future development on adjacent property to the west. A cross-access connection would only be required when the Village identifies a need for the connection to accommodate access to the adjacent lot. Proper access easements must be provided upon request by the Village.~~
   f) 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.
   g) 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.
   h) The site must comply with all applicable provisions of the Zoning Ordinance.
   i) The lots must be assembled by replat subdivision, zoning lot formation or other mechanism assuring the land functions, operates and is owned by one entity.
3. The Plan and Zoning Commission does hereby confirm the following findings of fact regarding the requested Conditional Use Permit:
   a) The establishment, maintenance, or operation of the Conditional Use WILL NOT be detrimental to or endanger the public health, safety, morals, comfort or general welfare;
   b) The conditional use WILL NOT be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor substantially diminish and impair property values within the neighborhood;
   c) The establishment of the conditional use WILL NOT impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
   d) Adequate utilities, access roads, drainage, and/or other necessary facilities WILL be provided;
   e) The conditional use DOES in all other respects conform to the applicable regulations of the district in which it is located;
   f) There IS a public necessity for the conditional use at this site;
   g) The proposed conditional use DOES conform with the intent of the Village Comprehensive Plan.
   h) The proposed conditional use WILL be compatible with the established land use pattern in the vicinity.
   i) The site IS suitable for the proposed conditional use.
   j) The proposed conditional use WILL NOT significantly adversely impact existing traffic patterns.
   k) Adequate facilities for municipal water supply and wastewater disposal ARE available for the site.

DRAFT

l) Adequate provisions for stormwater drainage ARE available for the site.
m) The proposed conditional use WILL NOT adversely impact police protection, fire protection, schools, or public facilities.
n) The proposed conditional use WILL NOT conflict with existing public commitments for planned public improvements.
o) The proposed conditional use WILL preserve the essential character of the neighborhood in which it is located.
p) The proposed conditional use WILL alter the population density pattern and WILL NOT adversely impact public facilities.
q) The proposed conditional use WILL result in private investment that will be beneficial to the proper development of the community.

4. The approval recommended above shall be subject to the fulfillment of the conditions set forth in Item 2 above. In the event that these conditions are not fulfilled, the Conditional Use Permit may become void and no occupancy permit for the project may be issued, or the occupancy permit previously issued may be revoked.

MAP2023-01(LSRD2021-02): PRAIRIESIDE LSRD SUBDIVISION PHASE 1 (FINAL PLAT)
A RESOLUTION CONCERNING A FINAL PLAT FOR PRAIRIESIDE LSRD SUBDIVISION PHASE 1 ON 6.54± ACRES OF LAND LOCATED ON THE NORTH SIDE OF FUTURE SOUTH MAHOMET ROAD (CURRENLTY UNDER CONSTRUCTION) APPROXIMATLEY 1900 FEET WEST OF THE SOUTH MAHOMET ROAD / CHURCHILL ROAD ROUNDABOUT

Abby Heckman presented information from the case report.

Kelly Pfeifer explained phasing for the subdivision.

Ms. Simeone asked what the reasoning was for requesting a waiver of the preliminary plat.

Kelly Pfeifer stated the waiver is standard when the developer is willing to go to the expense to submit a final plat with the construction plans.

Staff pointed out there is an outlot for the location of a neighborhood cluster mailbox.

Neil Finland stated the complexity of the drainage through the subdivision would not have been figured out with a preliminary plat.

Mr. DeAtley stated he wanted to make his objection known about allowing sidewalks only on one side of the street. He finds it frustrating that the Board approved that waiver.

Briney moved to grant three requested waivers and approve MAP2023-01 final plat with findings of fact as stated below. DeAtley seconded the motion. ROLL CALL. 4-0. Motion Passed.

BE IT THEREFORE RESOLVED this 4th day of April, 2023, by the Plan and Zoning Commission of the Village of Mahomet, that:

A. The Plan and Zoning Commission does hereby recommend APPROVAL of the Final Plat for the Prairieside LSRD Subdivision Phase 1 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.

DRAFT

B. The Plan and Zoning Commission does hereby recommend the following action concerning the requested waiver:
   1. GRANT Waiver of the requirement to submit a preliminary plat for approval prior to final plat approval.
   2. GRANT Waiver of the maximum cul-de-sac length to allow a cul-de-sac that exceeds 800 feet in length.
   3. GRANT Waiver cul-de-sac right of way dedication and full radius from 110' diameter to a 60' easement to be vacated later with future extension and platting.

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. 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.

COMMISSIONER / STAFF COMMENTS: NEXT PZC MEETING – MAY 2, 2023

Mr. DeAtley asked if waivers that are customary should be changed to automatically be allowed.

Kelly Pfeifer stated many waivers are related to conditions between phasing and staff isn't prepared to allow certain waivers without review.

Neil Finland stated he thinks the town is trendy but traditional and it is a special place.

ADJOURN:
Schaefer moved to adjourn the meeting. Simeone seconded the motion. ROLL CALL. 4-0. The meeting was adjourned at 8:11pm.

Respectfully,
Abby Heckman, Planner

DRAFT

PLAN AND ZONING COMMISSION
MEETING MINUTES - DRAFT
May 2, 2023

CALL TO ORDER: The meeting was called to order at 6:17pm on Tuesday May 2, 2023.

ROLL CALL:
Members Present: Steve Briney, Bob Buchanan and Robert DeAtley

Members Absent: Phillip Schaefer, Mandi Simeone and Mike Buzicky

Others Present: Village Administrator Patrick Brown, Village Attorney Joe Chamley and Planner Abby Heckman.

PUBLIC HEARING(S):
ZA2023-04: TREY AND MARIA RASCHE
A RESOLUTION CONCERNING A REZONING FOR 6.0± ACRES OF LAND FROM R-1A SINGLE-FAMILY RESIDENTIAL TO C-2 GENERAL COMMERCIAL DISTRICT LOCATED ALONG THE WEST SIDE OF PRAIRIEVIEW ROAD (COUNTY ROAD 525E) APPROXIMATELY 1160 FEET SOUTH OF OAK STREET (US 150), COMMONLY KNOWN AS 2065 COUNTY ROAD 525E CHAMPAIGN IL

Mr. DeAtley opened the public hearing and asked if there was anyone to speak. No one came forward.

There was no motion to close the public hearing.

Joe Chamley stated that the public hearing would remain open until the next PZC meeting on June 6, 2023 since there was not a quorum to close the hearing.

COMMISSIONER / STAFF COMMENTS: NEXT PZC MEETING – JUNE 6, 2023

ADJOURN:
Mr. DeAtley administratively adjourned the meeting at 6:19pm.

Respectfully,

Abby Heckman, Planner

Plan and Zoning Commission
Staff Report
Meeting June 6, 2023

FROM: Abby Heckman, Planner
Community Development Department

PROJECT: **Rezoning – ZA2023-04**

PETITIONER: **Trey and Maria Rasche**

PUBLIC HEARING / PROCEDURAL ISSUES:
The Plan and Zoning Commission (PZC) is required to hold a public hearing upon request for a Zoning Map Amendment. A public hearing was opened at the May 2, 2023 PZC meeting. The PZC did not have a quorum on May 2, 2023 therefore the public hearing was not closed. Another public hearing is scheduled for the PZC meeting on June 6, 2023, at 6:00 pm. 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 April 16, 2023, and again on May 21, 2023. Courtesy notice letters were sent via USPS to property owners within 250 feet of the rezoning boundary. The PZC acts in an advisory role to the Board of Trustees (BOT) regarding zoning map amendments. The PZC is asked to make a recommendation to the BOT concerning rezoning requests. A draft resolution is attached for consideration by the PZC. The BOT will approve or deny the proposed zoning map amendment.

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

The petitioner has applied for and submitted all documentation in accordance with the Zoning Ordinance and requests consideration of the proposed zoning map amendment. The PZC is asked to consider all documents concerning the proposed zoning map amendment. The rezoning request includes 6.0± acre of land. Current zoning on the subject property is R-1A Single-Family Residential district. The proposed zoning is C-2 General Commercial district. The property owner would like to rezone the subject property to establish an event center venue.

SITE LOCATION / DETAILS: The subject property is located along the west side of Prairieview Road (County Road 525E) approximately 1160 feet south of Oak Street (US 150), commonly known as 2065 County Road 525 E Champaign IL. The subject property includes an existing single-family dwelling and associated accessory uses. The north property line of the subject property will be directly adjacent to planned public right-of-way for future South Mahomet Road. South Mahomet Road will come to a T-intersection at Prairieview Road along the north side of this property.

BACKGROUND: The subject property is not part of a subdivision and was wholly bounded annexed into the Village in 1999. The subject property is a buildable lot currently with an existing single-family dwelling and associated accessory uses and structures.

CONFORMANCE TO COMPREHENSIVE PLAN: The Village of Mahomet 2016 Comprehensive Plan currently designates this site as part of the East US150 Gateway functional framework area which is characterized currently by predominantly agriculture and a few commercial uses near the interstate interchange. The area is envisioned to develop as a regional commercial, warehousing, distribution and industrial core. The Comprehensive Plan Land Use Plan shows Corridor Commercial, Institutional and Industrial / Business Park uses on this site and adjacent lands. The Comprehensive Plan urges development which is compatible with adjacent existing and future land uses. General Commercial zoning allows uses that could take advantage of the interstate interchange. The proposed event venue will likely have traffic surges therefore locating along Prairieview Road can take advantage of the already improved and widened Prairieview Rd. The rezoning request is consistent with the principles and goals of the Comprehensive Plan.

LAND USE AND ZONING:

Direction	Current Land Use	Current Zoning
On-Site	Single-Family Residential	R-1A Single-Family Residential
North	Undeveloped / Agriculture / Future SMR ROW	C-2 General Commercial R-1A Single-Family Residential
South	Undeveloped / Agriculture	R-1A Single-Family Residential
East	Undeveloped / Agriculture	C-2 General Commercial
West	Undeveloped / Agriculture	R-1A Single-Family Residential

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

POLICE / FIRE PROTECTION: The Village of Mahomet Police Department currently provides police protection to this site and is approximately 2.5 miles from the police station. This property is within the Cornbelt Fire Protection District and is approximately 2.7 miles from the Main Street fire station.

SANITARY SEWER AND WATER FACILITIES: Public sanitary sewer and water services are available for expansion to this site. The developer would add additional lines and taps onto the mains which can accommodate any increase from uses permitted in the proposed district.

STORMWATER DRAINAGE AND TOPOGRAPHY: The property slopes westerly nearly 24 feet from the high point of Prairieview Road to the western property line. The eastern half of the property is developed as a residential property with landscape groundcover and customary structures and access. The western portion of the property is in agricultural production. Commercial development will require stormwater detention that is likely to be in the western portion of the property. Erosion control will be important with any disturbance given the sloping nature of the site. Soils have not been studied but no onsite septic systems are proposed. Future uses would be on public water and sanitary sewer.

STREETS AND SIDEWALKS: The subject property fronts along Prairieview Road and the location of future South Mahomet Road right-of-way. Essentially, this property will be a corner lot of the intersection of two major collector roadways. No sidewalks exist along Prairieview Road.

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

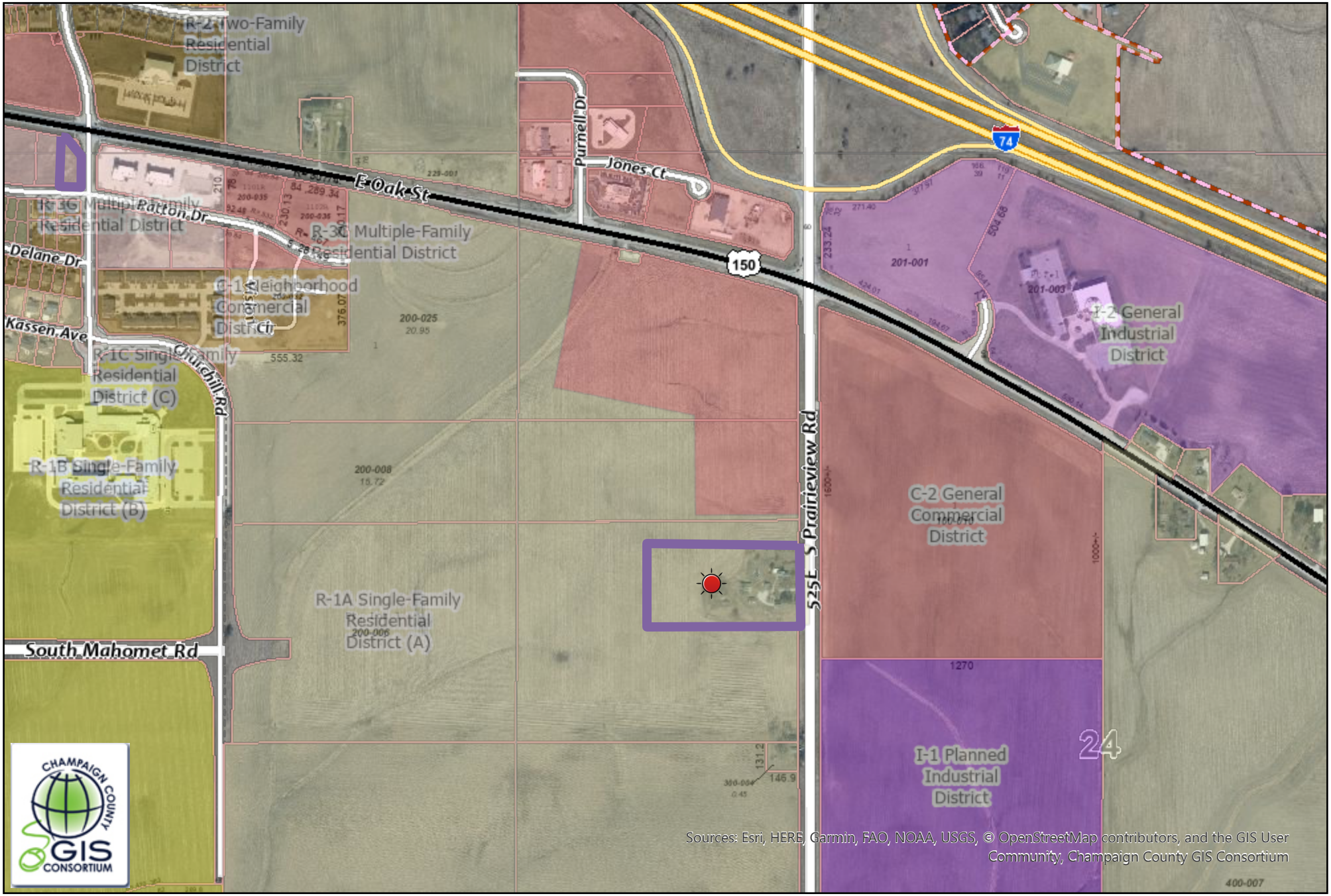
1. The existing uses and zoning of nearby property.
2. The extent to which property values are diminished.
3. The extent to which the destruction of property value of the plaintiff promotes the health, safety, morals or general welfare of the public.
4. The relative gain to the public as opposed to the hardship imposed upon the individual property owner.
5. The suitability of the subject property for the zoned purposes
6. The length of time the property has been vacant as zoned considered in the context of land development in the area.
7. The care with which a community has undertaken to plan its land-use development.

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

STAFF RECOMMENDATION
Village staff supports approval of the rezoning request.

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

ZA2023-04: Rasche R-1A to C-2



0.1 mi

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

NORTH

Date: Friday, June 2, 2023

RESOLUTION FOR PLAN AND ZONING COMMISSION

Concerning Amending the Zoning Classification for 6.0± acres of land located along the west side of Prairieview Road (County Road 525E) approximately 1160 feet south of Oak Street (US 150), commonly known as 2065 County Road 525 E Champaign IL from R-1A Single-Family Residential to C-2 General Commercial district.

WHEREAS, the Board of Trustees of the Village of Mahomet, pursuant to the authority conferred by the Statutes of the State of Illinois, has established certain standards and procedures, including Comprehensive Plan designations and policies for the use of land and for zoning establishment and amendment within the corporate Limits of the Village of Mahomet, Illinois; and,

WHEREAS, the Petitioner, Trey and Maria Rasche, has requested a zoning map amendment for the subject property from R-1A Single-Family Residential to C-2 General Commercial; and,

WHEREAS, the subject property is located along the west side of Prairieview Road (County Road 525E) approximately 1160 feet south of Oak Street (US 150); and,

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

BEGINNING AT AN IRON PIN MONUMENT ON THE EAST LINE OF THE WEST HALF NORTHWEST QUARTER, SECTION 24, TOWNSHIP 20 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST (ASSUMED BEARING) 1171.60 FEET FROM AN ILLINOIS STATE HIGHWAY BRASS MONUMENT AT THE INTERSECTION OF SAID EAST LINE AND THE CENTERLINE OF STATE BOND ISSUE ROUTE NO. 39 (U.S. ROUTE 150); THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST 360.00 FEET ON SAID EAST LINE TO AN IRON PIN MONUMENT; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 726.00 FEET TO AN IRON PIN MONUMENT; THENCE NORTH 0 DEGREES 00 MINUTES 00 SECONDS EAST 360.00 FEET TO AN IRON PIN MONUMENT; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 726.00 FEET TO THE POINT OF BEGINNING, IN CHAMPAIGN COUNTY, ILLINOIS.

WHEREAS, a Public Hearing concerning the proposed rezoning was held on June 6, 2023 by the Plan and Zoning Commission to solicit evidence and testimony from the public; and,

WHEREAS, the Village Planner, and Village Attorney provided the Village with technical and background information regarding the proposed rezoning; and,

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

BE IT THEREFORE RESOLVED this 6th day of June, 2023 by the Plan and Zoning Commission of the Village of Mahomet that:

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

1. The procedural requirements for zoning establishment or amendment **HAVE / HAVE NOT** been met.

2. The proposed zoning **DOES / DOES NOT** conform with the intent of the Village Comprehensive Plan.

3. The proposed zoning **IS / IS NOT** consistent with the proposed use of the site.

4. The proposed zoning **WILL / WILL NOT** be compatible with the established land use pattern in the vicinity.

5. The proposed zoning **DOES / DOES NOT** create an isolated, unrelated zoning district.

6. The site **IS / IS NOT** suitable for the uses allowed in the proposed zoning district.

7. The proposed zoning **WILL / WILL NOT** be consistent with the health, safety and general welfare of the public.

8. Major land uses in the neighborhood **HAVE / HAVE NOT** changed since zoning was applied to this site.

9. The proposed zoning **IS / IS NOT** consistent with the existing zoning designations in the surrounding area.

10. The proposed zoning **WILL / WILL NOT** be contrary to the original purpose and intent of the Zoning Ordinance.

11. The proposed zoning **WILL / WILL NOT** be injurious to the use and enjoyment of adjacent properties.

12. The proposed zoning **WILL / WILL NOT** promote the orderly development of the site and surrounding properties.

13. The proposed zoning **WILL / WILL NOT** significantly adversely impact existing traffic patterns.

14. Adequate facilities for municipal sanitary sewage disposal and water supply **ARE / ARE NOT** available for the site.

15. Adequate provisions for stormwater drainage **ARE / ARE NOT** available for this site.

16. The proposed zoning **WILL / WILL NOT** adversely impact police protection or fire protection.

17. The proposed zoning **WILL / WILL NOT** significantly adversely impact schools or other public facilities.

18. The proposed zoning **WILL / WILL NOT** conflict with existing public commitments for planned public improvements.

19. The proposed zoning **WILL / WILL NOT** adversely influence living conditions in the immediate vicinity.

20. The proposed zoning **WILL / WILL NOT** preserve the essential character of the neighborhood in which it is located.

21. The proposed change **WILL / WILL NOT** significantly alter the population density pattern.

22. The value of adjacent property **WILL / WILL NOT** be diminished by the proposed zoning.

23. The proposed zoning **WILL / WILL NOT** enhance the value of the petitioner's property.

24. The proposed zoning **WILL / WILL NOT** constitute an entering wedge affecting the use or development of adjacent property.

25. If denied, the petitioner **WILL / WILL NOT** suffer deterioration to his or her property value.

26. The proposed zoning **DOES / DOES NOT** correct an error in the original zoning of this site.

27. If the property is currently vacant, the length of time the property has remained vacant as zoned **HAS / HAS NOT** been considered in the context of land development in the area and in the vicinity of the subject property.

28. The proposed change in zoning **WILL / WILL NOT** result in private investment that would be beneficial to the development or redevelopment of a vacant property or deteriorated neighborhood.

29. There **IS / IS NOT** a need in the community for additional land within the requested zoning district.

30. The proposed zoning **WILL / WILL NOT** adversely impact agricultural farming operations in the vicinity of this site.

31. The proposed rezoning **IS / IS NOT** consistent with Village Comprehensive Plan policies concerning the protection of prime farmland when appropriate.

32. The proposed rezoning **WILL / WILL NOT** result in long term adverse environmental consequences to natural areas and wildlife habitat.

33. The LaSalle Factors for evaluation of zoning decisions **HAVE / HAVE NOT** been considered during the review of this proposed rezoning request.

34. _____

B. The Plan and Zoning Commission does hereby recommend that the Board of Trustees of the Village of Mahomet **GRANT / DENY** the requested zoning map amendment for the subject property from R-1A Single-Family Residential to C-2 General Commercial district.

_____

Chair, Plan and Zoning Commission, Village of Mahomet, Illinois

Case Name: ZA2023-04

REQUEST FOR ZONING AMENDMENT
VILLAGE OF MAHOMET

DO NOT WRITE IN THIS SPACE – FOR OFFICE USE ONLY

Date Filed: 04/10/2023 Date of Hearing: May 2, 2023

Date of Published Notice: 04/16/2023 Newspaper News-Gazette

Fee Paid – Receipt No.: 2247 (CR) Amount: $300.00 Date: 04/11/2023

legal ad cost: 2248 ck# $144.80 04/17/2023

Comments: (indicate other actions such as continuances)

Action by Board on Request:

NOTICE TO APPLICANTS

1. A Zoning Amendment is a zoning adjustment, which permits a change of district requirements where an individual or group of properties are both harshly and uniquely burdened by the strict application of the law. The power to alter zoning districts is limited. No Zoning Amendment will be granted which would adversely affect surrounding property or the general neighborhood. All zoning amendments must be in harmony with the intent and purposes of the Zoning Ordinance. The applicant must show that there is need and justification for the proposed amendment.

2. There will be no refund of application fee for any Zoning Amendment not granted or withdrawn.

3. No incomplete applications will be acted upon.

4. Granting a Zoning Amendment requires that the Village hold a Public Hearing regarding the request, and publication of a Public Notice 15 days in advance of the Hearing. Applicants are urged to coordinate their activities with Village staff to assure consideration of their request is as timely a manner as is reasonably possible.

Case Name: ZA2023-04

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):

2. Other circumstances which justify the Amendment (Explain Fully: we have purchased the property and have the intentions of turning it into a wedding/event center.

3. Does any violation of the Village of Mahomet Zoning Ordinance exist on the property at this time?
YES _____ NO ✓ If yes, how? _____

4. Is the subject property planned to be improved? yes
When? we would like to start as soon as we have approval.
What improvements are planned? new venue building + parking lot.
What will be the actual use of the improvements events + parking.

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 _____ No ✓ Elaborate: _____

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

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 15-13-24-100-004

BEGINNING AT AN IRON PIN MONUMENT ON THE EAST LINE OF THE WEST HALF NORTHWEST QUARTER, SECTION 24, TOWNSHIP 20 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST (ASSUMED BEARING) 1171.60 FEET FROM AN ILLINOIS STATE HIGHWAY BRASS MONUMENT AT THE INTERSECTION OF SAID EAST LINE AND THE CENTERLINE OF STATE BOND ISSUE ROUTE NO. 39 (U.S. ROUTE 150); THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST 360.00 FEET ON SAID EAST LINE TO AN IRON PIN MONUMENT; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 726.00 FEET TO AN IRON PIN MONUMENT; THENCE NORTH 0 DEGREES 00 MINUTES 00 SECONDS EAST 360.00 FEET TO AN IRON PIN MONUMENT; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 726.00 FEET TO THE POINT OF BEGINNING, IN CHAMPAIGN COUNTY, ILLINOIS.

Copyright American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

AMERICAN LAND TITLE ASSOCIATION

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

REPORT TO PLAN AND ZONING COMMISSION
Meeting Date – June 6, 2023

FROM: Abby Heckman, Planner
Kelly Pfeifer, Community Development Director and Village Planner

CASE: **VAR2023-01**

PETITIONER: **VILLAGE OF MAHOMET**

REQUESTED ACTION: Two (2) variances are requested from the standards established by the Village of Mahomet Zoning Ordinance:

1. Reduce the side yard setback from the required eight (8) feet to a minimum of six (6) feet for both Hunters Ridge Seventh Subdivision lots 709 and 710 (§152.090 R-2).
2. Reduce the minimum land area per dwelling from the required 5,000 SF to a minimum of 4,673 SF for proposed future lot 802B (current lot 710) in Hunters Ridge Seventh Subdivision (§152.090 R-2).

PUBLIC HEARING: Village Zoning Board of Appeals will conduct a public hearing at its regular meeting on June 21, 2023 at 7 p.m. Notice was published in the June 4, 2023 issue of the News-Gazette.

LOCATION and SITE DESCRIPTION:

The subject property contains 0.50± acre and is located north of Oliger Drive along the west side of Cole Lane and north side of Rapp Drive. The subject property contains two (2) existing lots each zoned R-2 Two-Family Residential. The property owner is proposing two (2) common lot line dwellings on each existing lot and would like to subdivide the two (2) existing lots into four lots, each future lot with one (1) attached single-family dwelling on it.

HISTORY:

- Rezoning - R-1C to R-2 - Approved by the BOT April 25, 2023.
- Final Plat Amended - Hunters Ridge 7th Subdivision - Approved by BOT June 2021
- Subdivision Construction Plans – Hunters Ridge 7th Subdivision Phase 2 – Approved by BOT May 2021
- Subdivision Construction Plans – Hunters Ridge 7th Subdivision Phase 1 – Approved by BOT February 2021
- Final Plat – Hunters Ridge 7th Subdivision – Approved by BOT February 2021
- Rezoning (lots along I-74) – R1C to R2 – Approved by BOT April 2021
- Rezoning – R1B to R1C – Approved by BOT July 2020

CASE DETAILS:

The variance requests are to facilitate development of four (4) attached single-family dwellings, each on their own platted lot.

PROPOSED DEVELOPMENT'S CONFORMANCE TO ORDINANCES and COMPREHENSIVE PLAN:

The Village Comprehensive Plan designates the area which includes the subject property as part of the East Village functional framework area and encourages prioritizing incomplete subdivisions in the area. The Comprehensive Plan Land Use Plan shows single-family detached residential uses on this 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. It also acknowledges the need to provide buffering and mitigate the negative effects of the interstate from residential uses. Development of four (4) additional attached single-family dwellings would be compatible with the neighborhood and provide additional buffering from the Interstate to the north and existing and future detached single-family homes to the south.

STANDARDS FOR VARIATIONS:

The Mahomet Zoning Ordinance sets forth the requirement that the Board of Appeals may grant a variance only when it is determined that **ALL** of the following conditions have been met.

1. There are special circumstances or conditions applying to the land or building for which the variance is sought; and,
2. The said special circumstances or conditions are peculiar to such land or buildings and do not apply generally to land or buildings in this neighborhood; and,
3. The said special circumstances or conditions are such that the strict application of the provisions of the Zoning Ordinance could deprive the applicant of the reasonable use of such land and building; and,
4. The granting of the requested variance is necessary for the reasonable use of the land and building; and,
5. The variance requested is the minimum variance that will accomplish this purpose; and,
6. The granting of the requested variance will be in harmony with the general purpose and intent of the Zoning Ordinance; and,
7. The requested variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and,
8. The requested variance will not be in conflict with the Comprehensive Plan.

DEVELOPMENT TEAM RECOMMENDATION:

The variance request seems reasonable considering it enables the lots to be developed in a consistent manner with adjacent buildings and allows the platting of the individual lots as desired by the PZC and Board of Trustees. The lots are unusually shaped which makes locating the buildings on each lot challenging when keeping consistent front yard setbacks with surrounding lots and houses. And while the total land area of the two (2) existing lots could be platted in conformance with the minimum lot size per unit, the lots would be odd shaped. The PZC will need to determine any special circumstances as part of its recommendation and if the variance request meets the eight (8) variance standards listed above. The position of the land on the bend of a road creates challenges for siting of the dwellings and platting of single family attached units in full conformity with zoning regulations. Full conformity is achievable but would cause inconsistent driveway lengths / setbacks with adjacent development and confusion with property boundaries. The variances appear to be minimal and would alleviate those conditions. This enables the exact same structures on the lots that are adjacent and will complete the sound/visual break from the interstate.

SUMMARY:

A review of the factors and issues relevant to the requested variances are set forth above. The Plan and Zoning Commission acts in an advisory role to the Zoning Board of Appeals regarding variance requests. A draft resolution is attached for consideration by the PZC.

ATTACHMENTS:

1) Property Aerial / Zoning Map
2) Draft Resolution
3) Variance Exhibit (4 pages - provided by applicant)
4) Variance Application

VAR2023-01 Unlimited Holdings LLC



0.06 mi

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

NORTH

Date: Thursday, June 1, 2023

RESOLUTION FOR PLAN AND ZONING COMMISSION

A Resolution Concerning a variance request from
Village of Mahomet at Hunters Ridge Seventh Subdivision lots 709 and 710

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, Village of Mahomet, requested variances for the properties know as Hunters Ridge Seventh Subdivision lots 709 and 710; and,

WHEREAS, the subject site is located north of Oliger Drive along the west side of Cole Lane and north side of Rapp Drive; and,

WHEREAS, the legal description for the proposed variance is as follows:

Lot 709 in Hunters Ridge Seventh Subdivision per plat recorded January 24, 2022, as Document No. 2022R01487 in Champaign County, Illinois.

Lot 710 in Hunters Ridge Seventh Subdivision per plat recorded January 24, 2022, as Document No. 2022R01487 in Champaign County, Illinois.

WHEREAS, the two (2) requested variances are as follows:

1. Reduce the side yard setback from the required eight (8) feet to a minimum of six (6) feet for both Hunters Ridge Seventh Subdivision lots 709 and 710 (§152.090 R-2).
2. Reduce the minimum land area per dwelling from the required 5,000 SF to a minimum of 4,673 SF for proposed future lot 802B (current lot 710) in Hunters Ridge Seventh Subdivision (§152.090 R-2).

WHEREAS, a Public Hearing regarding the proposed variances has been duly noticed in the June 4, 2023 issue of the News-Gazette and will be held before the Mahomet Board of Appeals on June 21, 2023 to solicit evidence and testimony from the public; and,

WHEREAS, the Village staff reviewed the request and provided the technical background information to the Plan and Zoning Commission; 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 6th day of June, 2023 by the Plan and Zoning Commission of the Village of Mahomet that:

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

   A. That the special circumstances or conditions applying to the land or building for which the variances are sought are:
      1. _____
      2. _____

   B. That concerning the variances requested:

1. There **ARE / ARE NOT** special circumstances or conditions applying to the land or building for which the variances are sought; and,

2. The said special circumstances or conditions **ARE / ARE NOT** peculiar to such land or buildings and do not apply generally to land or buildings in this neighborhood; and,

3. The said special circumstances or conditions **ARE / ARE NOT** such that the strict application of the provisions of the Zoning Ordinance could deprive the applicant of the reasonable use of such land and building; and,

4. The granting of the requested variances **ARE / ARE NOT** necessary for the reasonable use of the land and building; and,

5. The variances requested **ARE / ARE NOT** the minimum variances that will accomplish this purpose; and,

6. The granting of the requested variances **WILL / WILL NOT** be in harmony with the general purpose and intent of the Zoning Ordinance; and,

7. The requested variances **WILL / WILL NOT** be injurious to the neighborhood or otherwise detrimental to the public welfare; and,

8. The requested variances **WILL / WILL NOT** be in conflict with the Comprehensive Plan.

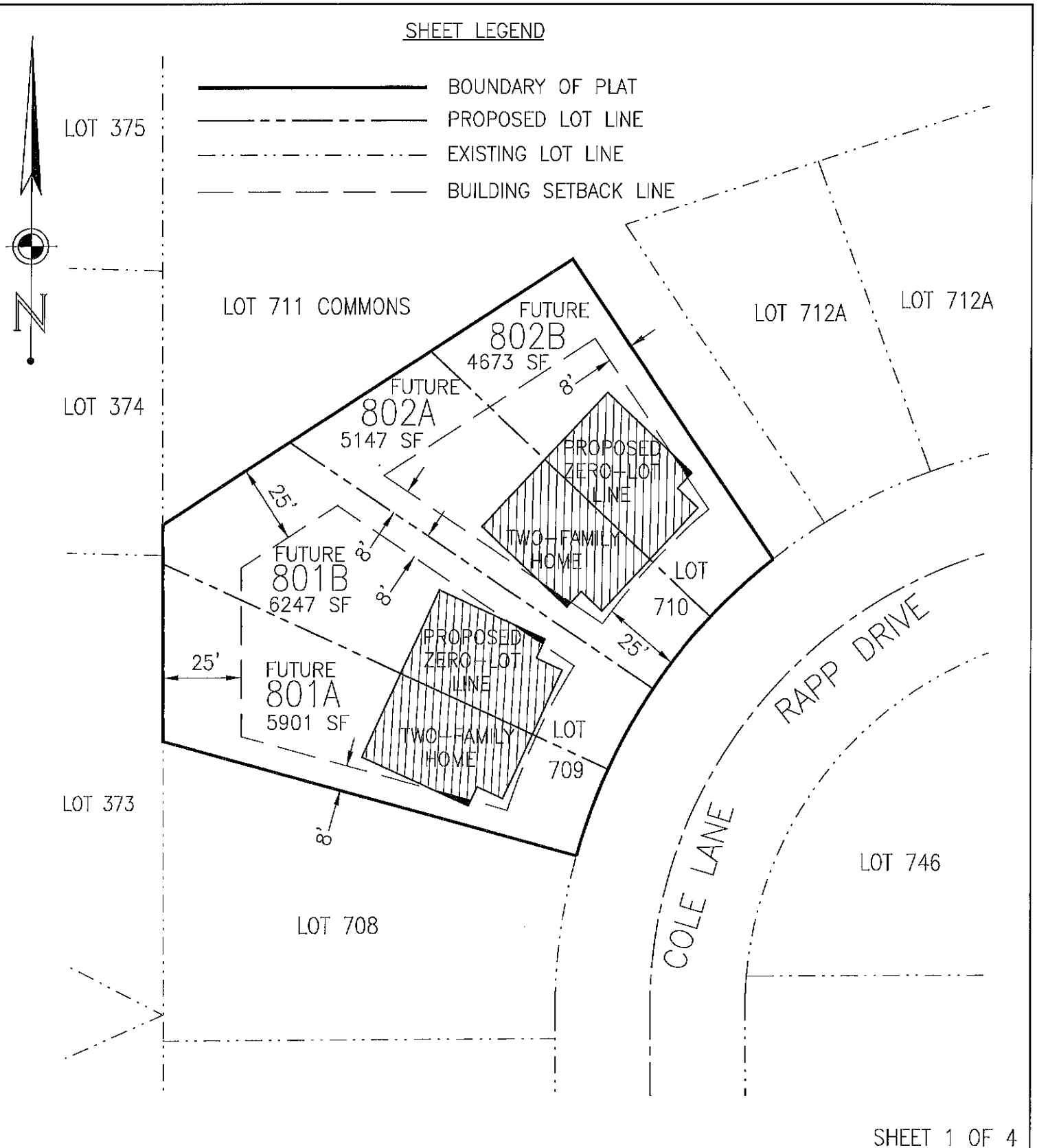
2) The granting of the variances, if approved, shall be subject to the following conditions:
   - Substantial compliance with the Variance Exhibit (4 pages) as presented to the PZC on June 6, 2023.

3) The Plan and Zoning Commission does hereby recommend that the Zoning Board of Appeals of the Village of Mahomet **GRANT / DENY** the requested variance to reduce the side yard setback from the required eight (8) feet to a minimum of six (6) feet for both Hunters Ridge Seventh Subdivision lots 709 and 710 (§152.090 R-2).

4) The Plan and Zoning Commission does hereby recommend that the Zoning Board of Appeals of the Village of Mahomet **GRANT / DENY** the requested variance to reduce the minimum land area per dwelling from the required 5,000 SF to a minimum of 4,673 SF for proposed future lot 802B (current lot 710) in Hunters Ridge Seventh Subdivision (§152.090 R-2).

_____

Chair, Plan and Zoning Commission
Village of Mahomet, Illinois



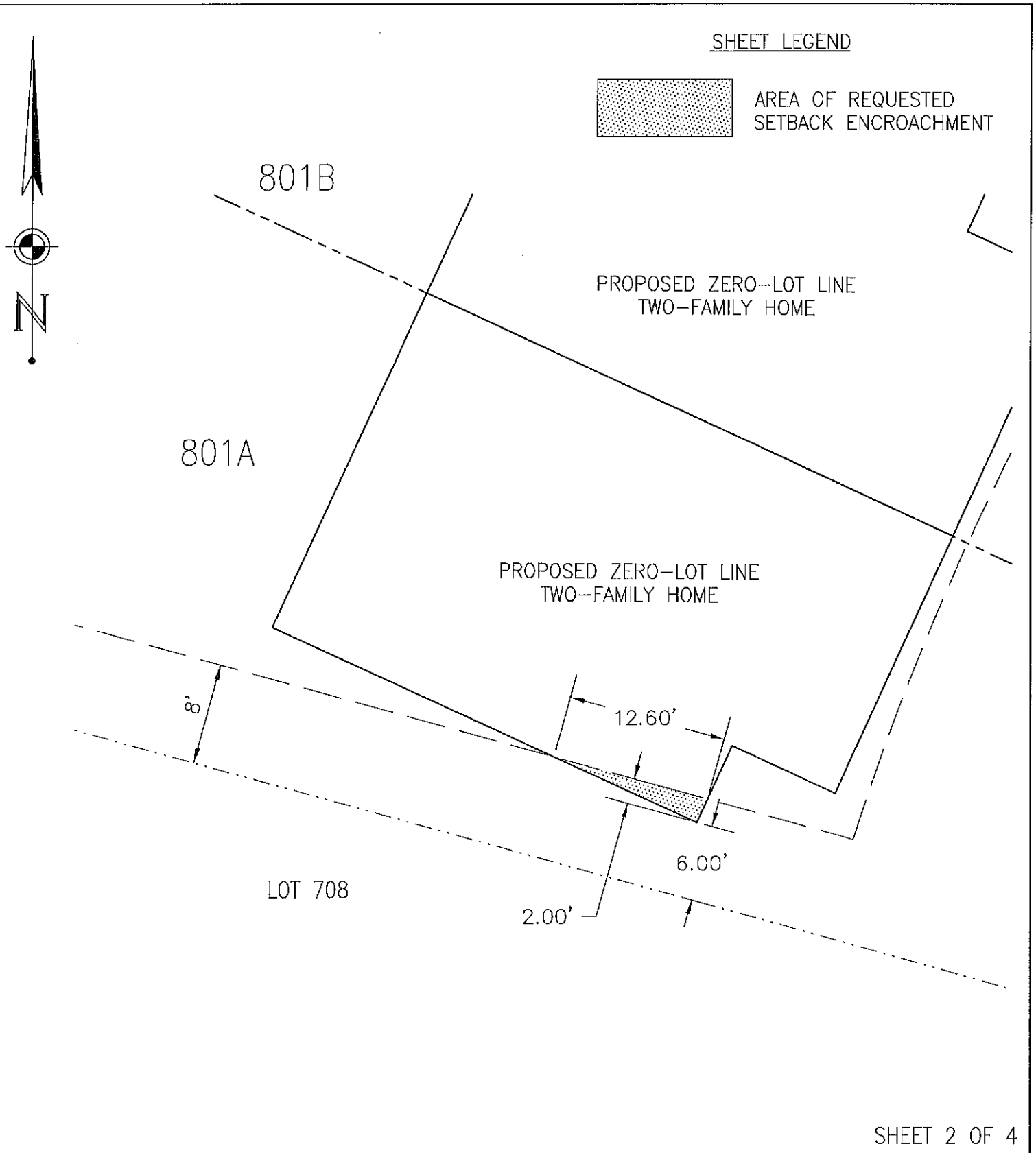
SHEET 1 OF 4

VARIANCE EXHIBIT

REPLAT OF LOTS 709 AND 710 OF HUNTERS RIDGE SEVENTH SUBDIVISION MAHOMET, IL

BKB ENGINEERING

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



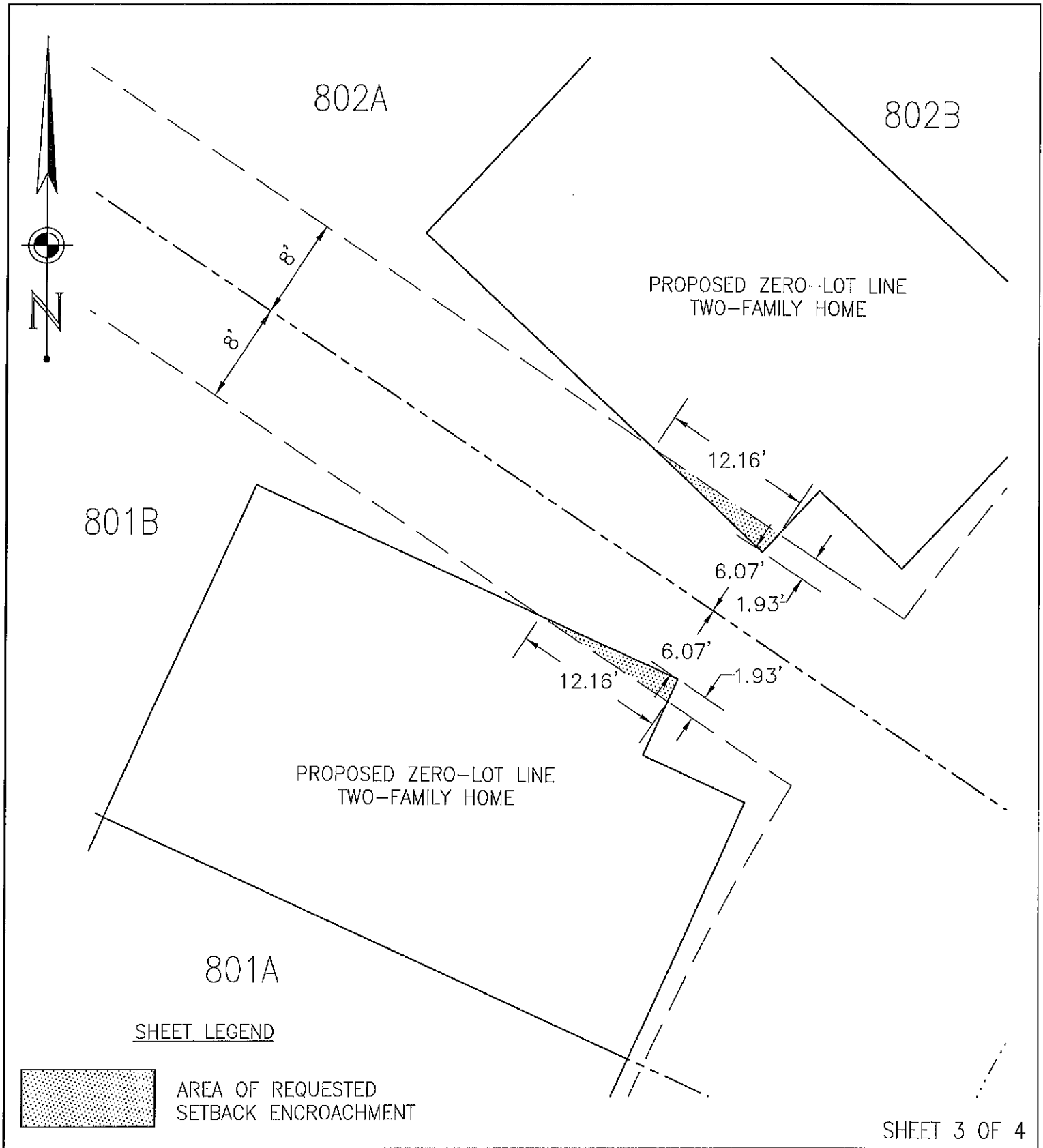
SHEET 2 OF 4

LOT 801A DETAIL

REPLAT OF LOTS 709 AND 710 OF
HUNTERS RIDGE SEVENTH SUBDIVISION
MAHOMET, IL

BKB ENGINEERING

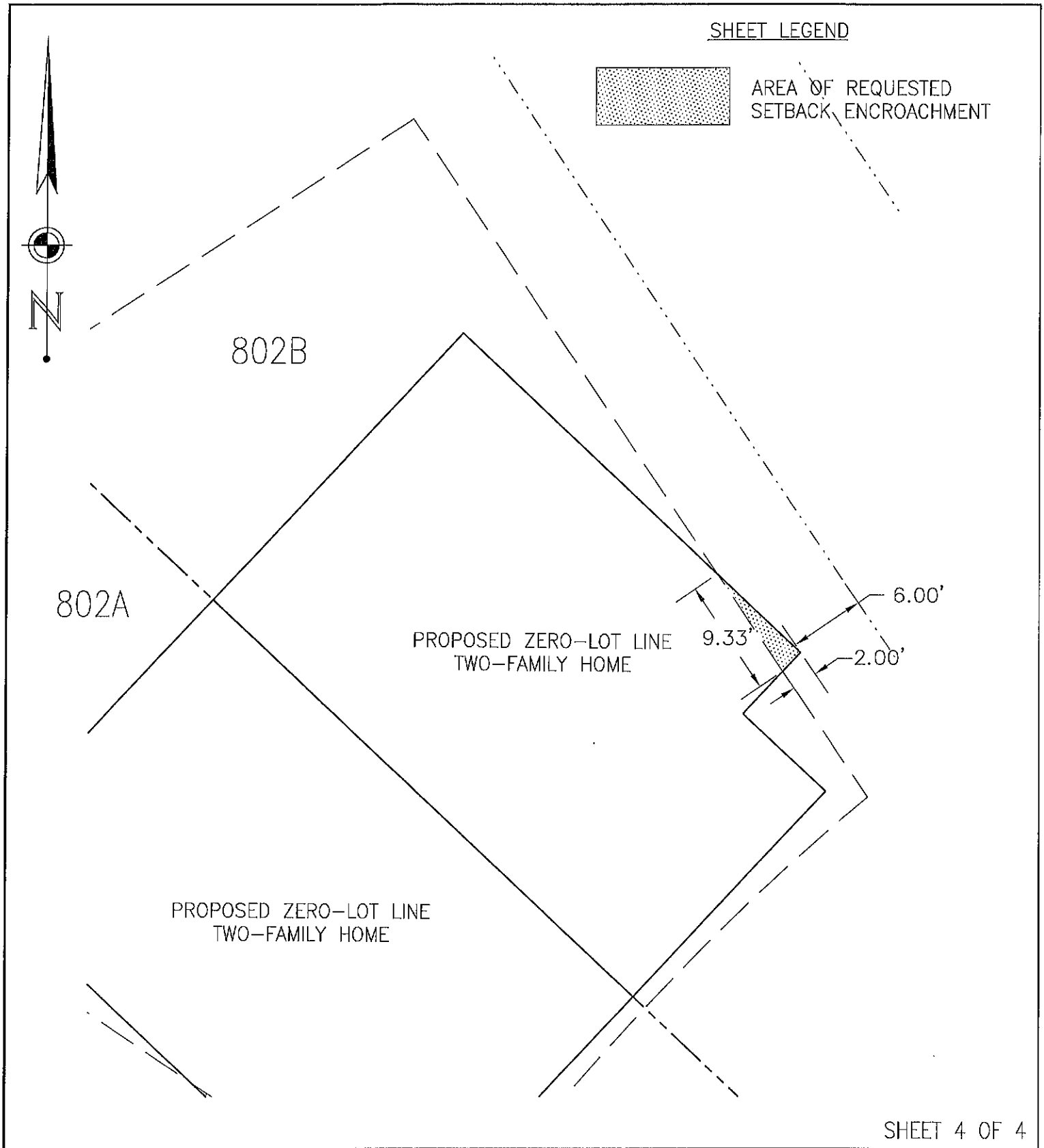
301 N. NEIL STREET, SUITE 400 | CHAMPAIGN, IL 61820
CELL 217.840.3546 | OFFICE 217.531.2971 | FAX 217.531.2211



LOT 801B / 802A DETAIL

REPLAT OF LOTS 709 AND 710 OF
HUNTERS RIDGE SEVENTH SUBDIVISION
MAHOMET, IL

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



SHEET 4 OF 4

LOT 802B DETAIL

REPLAT OF LOTS 709 AND 710 OF HUNTERS RIDGE SEVENTH SUBDIVISION MAHOMET, IL

BKB ENGINEERING

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

Case Name: VAR2023-01

REQUEST FOR VARIANCE

VILLAGE OF MAHOMET

DO NOT WRITE IN THIS SPACE – FOR OFFICE USE ONLY

. . . . . .

Date Filed: 05/04/2023 Date of Hearing: 06/21/2023

Date of Published Notice: June 4, 2023 Newspaper: News-Gazette

Fee Paid – ~~Receipt~~ CK No.: 2036 Amount: $300.00 Date: 05/04/2023

legal ad: $111.20

Comments: (indicate other actions such as continuances)

Action by Board on Request:

NOTICE TO APPLICANTS

1. A Variance is a zoning adjustment, which permits minor changes of district requirements where individual properties are both harshly and uniquely burdened by the strict application of the law. The power to vary is restricted and the degree of Variance is limited to the minimum change necessary to overcome the inequality inherent in the property.

2. A Variance recognizes that the same district requirements do not affect all properties equally. It was invented to permit minor changes to allow hardship properties to enjoy equal opportunities with properties similarly zoned. You must prove that your land is affected by special circumstances or unusual conditions. These must result in uncommon hardship and unequal treatment under the strict application of the Zoning Ordinance. Where hardship conditions extend to other properties a Variance cannot be granted. The remedy for general hardship is a change of the map or the text of the Zoning Ordinance.

3. You must provide that the combination of the Zoning Ordinance and the uncommon conditions of your property prevent you from making reasonable use of your land as permitted by your present zoning district. Since zoning regulates land and not people, the following conditions cannot be considered pertinent to the application for a Variance: (1) Proof that a Variance would increase the financial return from the land, (2) Personal hardship, (3) Self-imposed hardship. In the last case, the recognition of conditions created after the enactment of the Zoning Ordinance would encourage and condone violation of the law.

4. No Variance may be granted which would adversely affect surrounding property or the general neighborhood. All variances must be in harmony with the intent and purposes of the Zoning Ordinance.

5. There will be no refund of application fees for Variances not granted or withdrawn.

6. No incomplete applications will be acted upon.

7. Granting a Variance requires that the Village hold a Public Hearing regarding the request, and publication of the 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 manner as is reasonably possible.

DATA ON APPLICANT AND OWNER

Name of Applicant (s): Unlimited Holdings, LLC Phone: 217-377-2206

Address of Applicant (s): 799 County Road 2300 N, Fisher, IL 61843

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

Name of Owner: Unlimited Holdings, LLC Phone: 217-377-2206

ADDRESS AND DESCRIPTION OF PROPERTY

Address: 701 Cole Lane, Mahomet (Lot 709)
602 Rapp Drive, Mahomet (Lot 710)

Width of Lot: variable 57.07'+ Length of Lot: 135.84'+ (lot 709)
114.15'+ (lot 710)

Lot Area (Square Feet): 11,930 (lot 709)
10,038 (lot 711) Tax Parcel Number: 15-13-14-308-046 (lot 709)
15-13-14-308-047 (lot 710)

Legal Description: (or attach legal description)
Lots 709 & 710 of Hunters Ridge Seventh Subdivision as recorded as document number 2022R01487 in the records of the Champaign County, Illinois Recorder's office.

Case Name:_____

LANE USE AND ZONING

Present Zoning: R-2

Present Land Use: Vacant

Proposed Land Use: Two-Family Residential Homes

	Surrounding Zoning	Surrounding Land Use
North	R-2	Stormwater Dry Detention Basin
South	R-1C	Single Family Home
East	R-1C	Single Family Home
West	R1-B	Single Family Home

REASONS FOR REQUEST FOR VARIANCE

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. Set forth specifically the nature of the variance requested, giving exact distances (e.g. to reduce the side yard requirements from 15 ft. to 10 ft. or to vary the height limitation from 35 ft. to 38 ft.)

   We are requesting to reduce the side yard setback from 8 feet to 6 feet. If the variance is approved, lots 709 and 710 will be replatted into four zero lot parcels. Each of the future zero-lot line parcels will need the requested side yard setback variance.

2. What circumstances, peculiar to this site, justify the need for the requested variance? Explain in detail:

   The subject properties are wedge shaped located on the outside of a sharp radius curve. The property's width significantly increases as the front yard setback is increased. Because of this, the requested encroachment into the side yard will be limited to a triangular shaped area with a width no greater than 2 feet and a length no greater than 13 feet resulting in a maximum encroachment area of 13 square feet at each side yard setback.

3. What characteristics of your property prevent its begin used for the uses permitted in your zone? (Describe the items giving dimensions where appropriate)

   Although a duplex could be constructed without this variance, this request will specifically allow the same duplex homes to be constructed on lot 709 and 710 (replatted) as are currently being constructed on lots 712-719, directly east of the subject tracts. The result will be uniform consistency that will be atheistically beneficial for the neighborhood.

4. How do the above site conditions prevent any reasonable use of your land under the terms of the Zoning Ordinance?

   The same duplex as is currently being constructed on lots 712-719 could be built on the subject tracts with an 8-foot side yard setback, although the front yard setback would need to be 40 feet. This would result in a 15-foot difference in the front yard setbacks between neighboring properties. The variance request allows a consistency of front yard setbacks in the neighborhood in addition to a consistency of home design.

5. To the best of your knowledge, was the hardship described above created by an action of anyone having property interests in the land after the Zoning Ordinance was enacted? 5. To the best of your knowledge, was the hardship described above created by an action of anyone having property interests in the land after the Zoning Ordinance was enacted? Yes___No_X_, If "yes", explain why the hardship should not be regarded as self-imposed (self-imposed hardships are not entitled to variances).

6. Does any violation of the Village of Mahomet Zoning Ordinance exist on the property at the present time? Yes___ No_X_ If yes, how?

7. Are the conditions on your property the result of other man-made changes (such as the relocation of a road or highway)? Yes___ No_X_ If yes, Describe:

8. Are the conditions of hardship for which you request a variance true only to your property? Yes
   If not, how many other properties are similarly affected?

9. Will the granting of a variance in the form required by in harmony with the neighborhood and not contrary to the intent and purpose of the Zoning Ordinance? Elaborate:

   With the requested variance, the same design of two-family homes can be built at the same front yard setback with only a minimal side yard encroachment. This will give the neighborhood a harmonious, planned community feel all in line with the intent of the zoning ordinance.

Case Name:_____

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:_____

· Variance exhibit - 4 pages

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 — Date: 5/4/23

(Signature) Owner — Date

Plan and Zoning Commission
Staff Report
Meeting June 6, 2023

FROM: Abby Heckman, Planner
Community Development Department

PROJECT: **CU2023-02 - CONDITIONAL USE PERMIT – 1616 Patton Drive**

PETITIONER: **Peter Paraskis / Krishna Patel (Dunkin)**

REQUESTED ACTION: The petitioner has requested consideration of a conditional use to establish a permitted commercial use with a drive-through facility. The petitioner would like to construct one (1) new commercial building with a drive-through facility and associated parking. A drive-through facility requires a conditional use permit in the C-1 zoning district.

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 June 6, 2023, at 6:00pm. Public hearings can be closed or continued to another meeting without any action on the case. Public notice was published in the News-Gazette on May 21, 2023. 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 0.42± acre of land and is located at the northwest corner of Churchill Road and Patton Drive, south of Oak Street. The subject area includes one (1) buildable lot that is zoned C-1 Neighborhood Commercial which is part of the Conway Farms Commercial Development Subdivision. The lot was created as part of Replat of lot 440 in Conway Farm Subdivision Commercial Development.

LAND USE AND ZONING:

Direction	Current Land Use	Current Zoning
On-Site	Undeveloped / Vacant lot	C-1 Neighborhood Commercial
North	Undeveloped / Vacant lot	C-2 General Commercial
South	Attached Residential Dwelling Development	R-3G Multiple-Family Residential
East	Multi-tenant Commercial Development	C-1 Neighborhood Commercial
West	Multi-tenant Commercial Development	C-1 Neighborhood Commercial

The Zoning Ordinance requires a conditional use permit for a drive-through facility in the C-1 district (152.030(B)(8, 9)).

PUBLIC WATER AND SANITARY SEWER FACILITIES: Water and sanitary sewer is available to this site.

AVAILABILITY OF PUBLIC UTILITIES: Public utilities exist to the site and are in the area.

STREET ACCESS / TRAFFIC: The subject property has shared access from Patton Drive. No direct access to Oak Street (US 150) is permitted due to access control by IDOT. The petitioner intends to utilize a shared driveway access and tie internal site circulation to the adjacent development to the west. Sidewalks exist along the frontage of both Oak Street, Churchill Road and Patton Drive. The development is addressed off of Patton Drive.

STORMWATER MANAGEMENT: The site will drain directly into an existing storm sewer network to carry runoff into the regional stormwater basin lake in Conway Farms. No onsite detention is required.

POLICE AND FIRE PROTECTION: The Village of Mahomet Police Department currently provides police protection to this site which is approximately 1.7 miles from the police station. This property is within the Cornbelt Fire Protection District and is approximately 2 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 East Village functional framework area which encourages a mix of medical-related office uses and convenience retailers. The Comprehensive Plan Land Use Plan shows neighborhood commercial uses on this 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. The conditional use request is consistent with these principles.

SUITABILITY OF PROPOSED CONDITIONAL USE: This site is located in the area of existing mixed use commercial development, adjacent to existing lots ready for commercial development and land that is zoned for multiple-family residential uses. The site is in an area of town that is developing commercially now that significant residential development is complete. Uses allowed in neighborhood commercial zoning are intended to be more compatible with the residential uses in the area. The proposed development is consistent with other similar commercial developments in the area.

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:

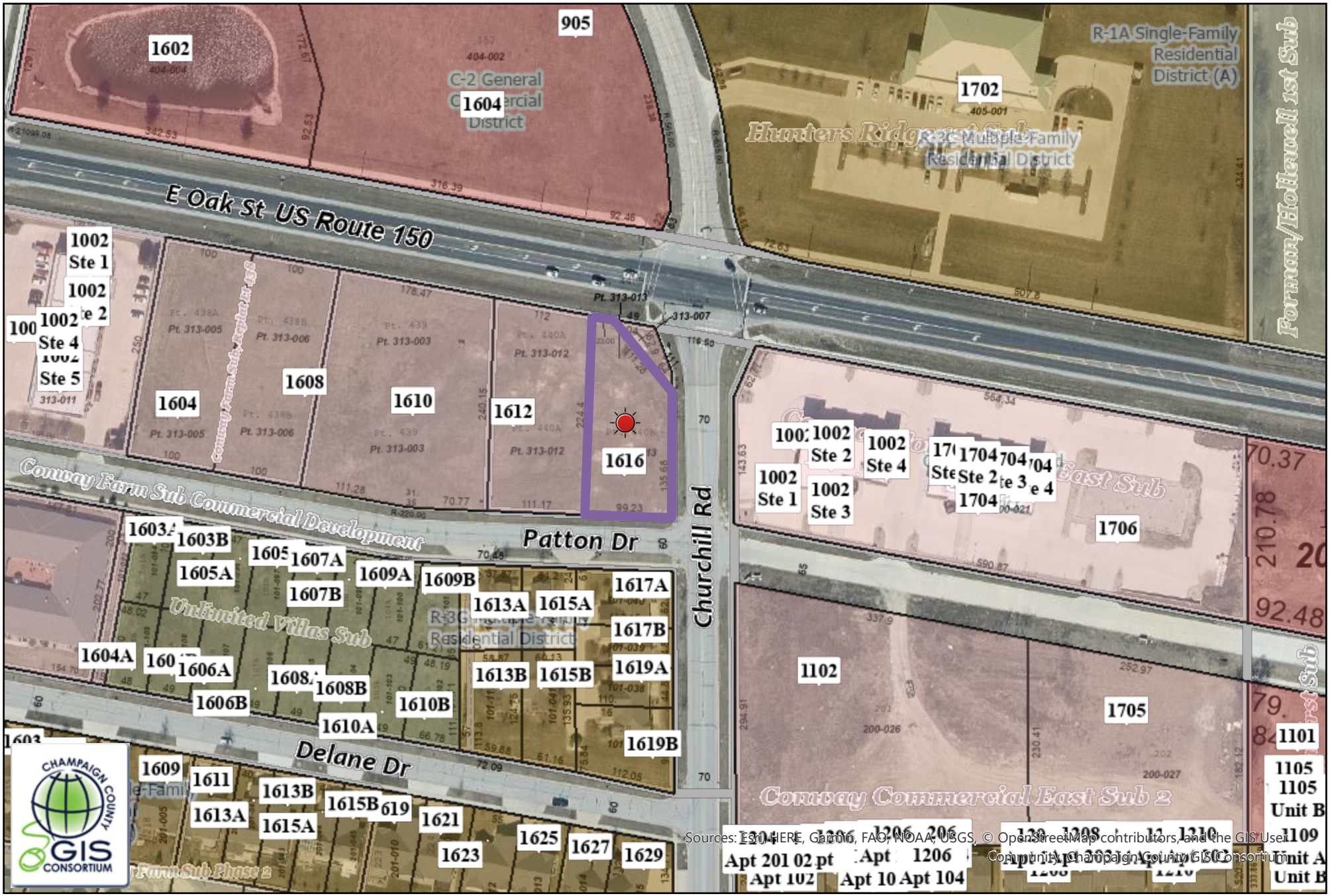
1. Site development and building design including signage must substantially comply with the Site Plan and Exterior Elevations as presented to the PZC (dated June 6, 2023).
2. Site landscaping must substantially comply with the Landscape Plan as presented to the PZC (dated June 6, 2023).
3. Only exterior lighting fixtures that are full cut-off / fully shielded which minimizes skyglow, glare and light trespass shall be permitted.
4. Any freestanding signage must be ground mounted and shall be no more than six (6) feet in height.
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. 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.
7. 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) Property Aerial / Zoning Map
2) Draft Resolution
3) Exhibit - Site Plan and Exterior Elevations
4) Exhibit – Landscape Plan
5) Exhibit – C-1 Uses
6) Conditional Use Application

CU2023-02 Dunkin



0.03 mi

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

NORTH

Date: Wednesday, May 31, 2023

RESOLUTION FOR PLAN & ZONING COMMISSION

A Resolution Concerning a Conditional Use Permit for a commercial development with a drive-through facility in the C-1 Neighborhood 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, Peter Paraskis (Krishna Patel), requested a conditional use permit be granted under the terms of the Village Zoning Ordnance to allow for a commercial development with a drive-through facility on land located within the C-1 Neighborhood Commercial District; and,

WHEREAS, the subject project is located at the northwest corner of Churchill Road and Patton Drive, south of Oak Street and the legal description for the proposed Conditional Use Permit is as follows:

LOT 440B OF A REPLAT OF LOT 440 OF CONWAY FARM SUBDIVISION COMMERCIAL DEVELOPMENT, AS PER PLAT RECORDED DECEMBER 8, 2022 AS DOCUMENT NUMBER 2022R21458, IN CHAMPAIGN COUNTY, ILLINOIS

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 June 6, 2023 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; and,

WHEREAS, the Plan and Zoning Commission adopted findings of fact and further provided a recommendation to the Board of Trustees to approve the requested action.

BE IT THEREFORE RESOLVED this 6th day of June, 2023 by the Plan and Zoning Commission of the Village of Mahomet that:

1. The Plan and Zoning Commission does hereby recommend the Board of Trustees **GRANT / DENY** the requested Conditional Use Permit for a commercial development with a drive-through facility at the above described property.

2. The Plan and Zoning Commission does hereby further state that the conditional use shall be subject to the following conditions:

   a) Site development and building design must substantially comply with the Site Plan and Exterior Elevations as presented to the PZC (dated June 6, 2023).

   b) Site landscaping must substantially comply with the Landscape Plan as presented to the PZC (dated June 6, 2023).

   c) Only exterior lighting fixtures that are full cut-off / fully shielded which minimizes skyglow, glare and light trespass shall be permitted.

   d) Any freestanding signage must be ground mounted and shall be no more than six (6) feet in height.

   e) The site must obtain Site Development Plan approval prior to the start of any site construction and be fully compliant prior to any new building permit application or occupancy permit application.

   f) All activities must be carried out in accordance with the appropriate Village, State, and Federal permits and rules and regulations. Any conflicts between the permit applications and the Site Plan must be resolved with the appropriate agencies.

   g) The site must comply with all applicable provisions of the Zoning Ordinance.

   h) _____

   i) _____

3. The Plan and Zoning Commission does hereby confirm the following findings of fact regarding the requested Conditional Use Permit:

   a. The establishment, maintenance, or operation of the Conditional Use **WILL / 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.

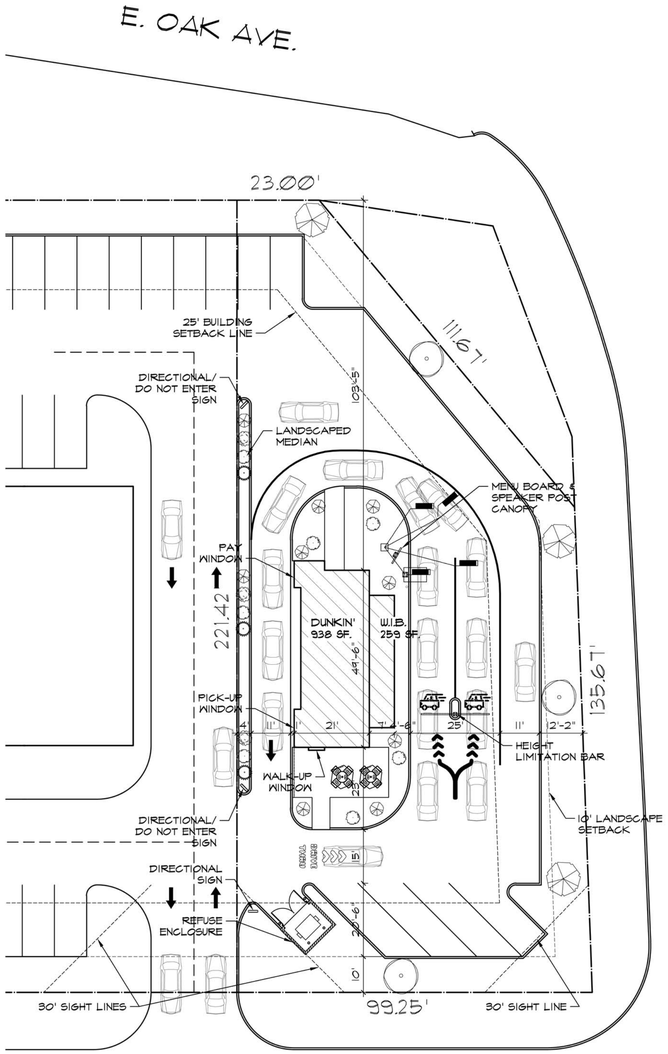
q. The proposed conditional use **WILL / WILL NOT** result in private investment that will be beneficial to the proper development of the community.

r. _____
_____
_____

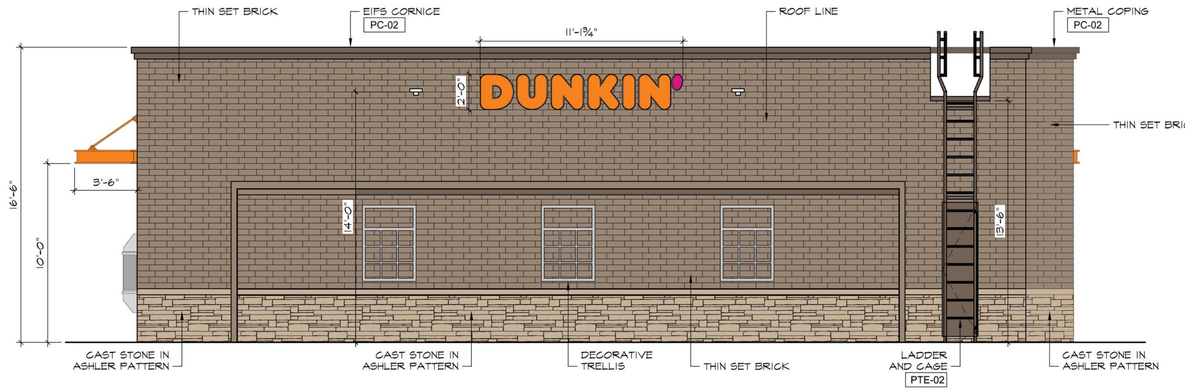
4. The approval recommended above shall be subject to the fulfillment of the conditions set forth in Item 2 above. In the event that these conditions are not fulfilled, the Conditional Use Permit may become void and no occupancy permit for the project may be issued, or the occupancy permit previously issued may be revoked.

_____

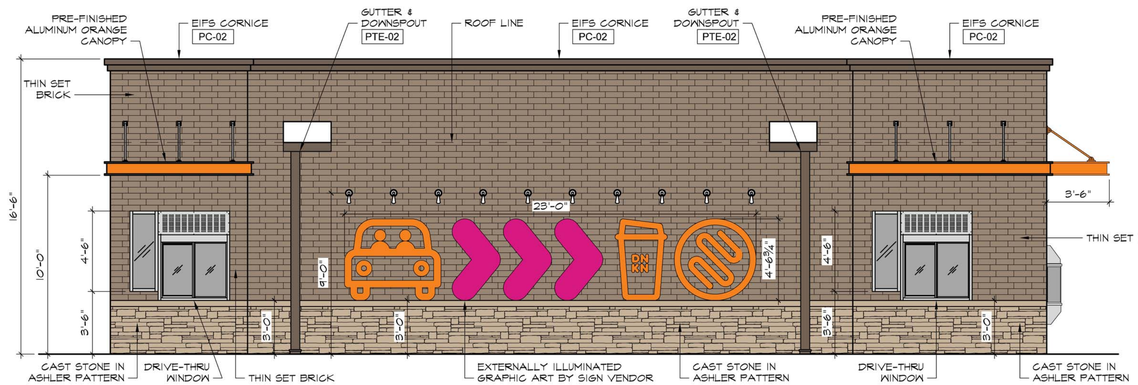
Chair, Plan and Zoning Commission



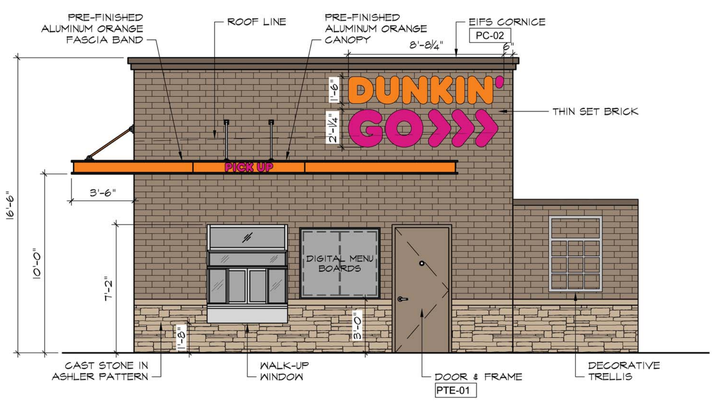
1 SITE PLAN
1" = 20'



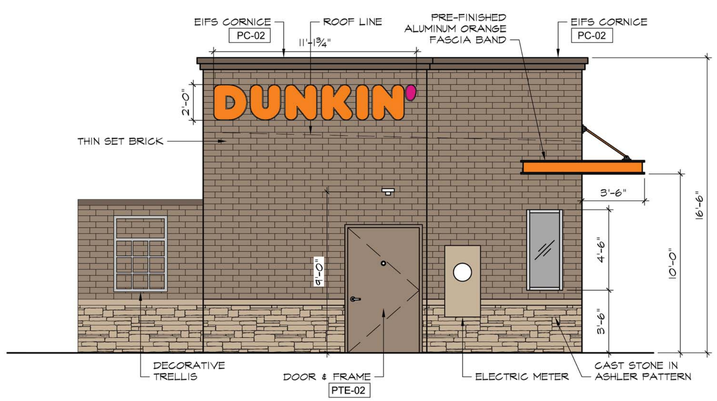
5 EAST ELEVATION
1/4" = 1'-0"



4 WEST ELEVATION
1/4" = 1'-0"



2 SOUTH ELEVATION
1/4" = 1'-0"



3 NORTH ELEVATION
1/4" = 1'-0"

REVISIONS
1 6-30-22
2 8-1-22
3 8-9-22

JOB# PGP2K22
DATE: 6-20-22

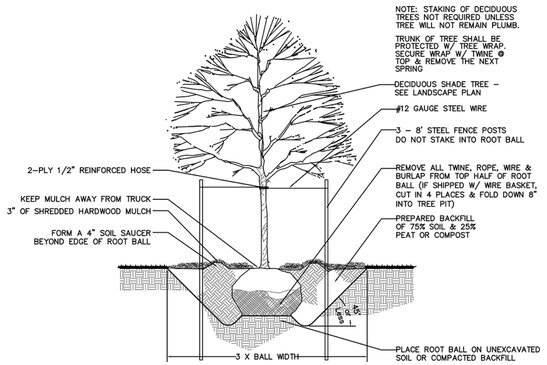
SW CORNER 150 & CHURCHILL
MAHOMET, IL 61853

DUNKIN'

PETER G. PARASKIS ARCHITECT, LTD.
TEL: 1-309-691-3986
FAX: 1-309-691-3988
PGP2K@COMCAST.NET
1407 OAK PARK AVENUE
BLOOMINGTON, IL 61701

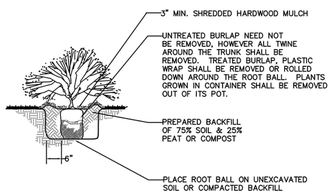
SITE PLAN & EXTERIOR ELEVATIONS

A1



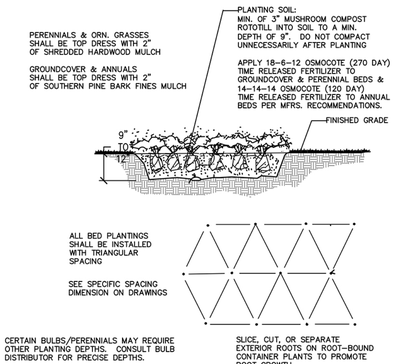
DECIDUOUS TREE

n.t.s.



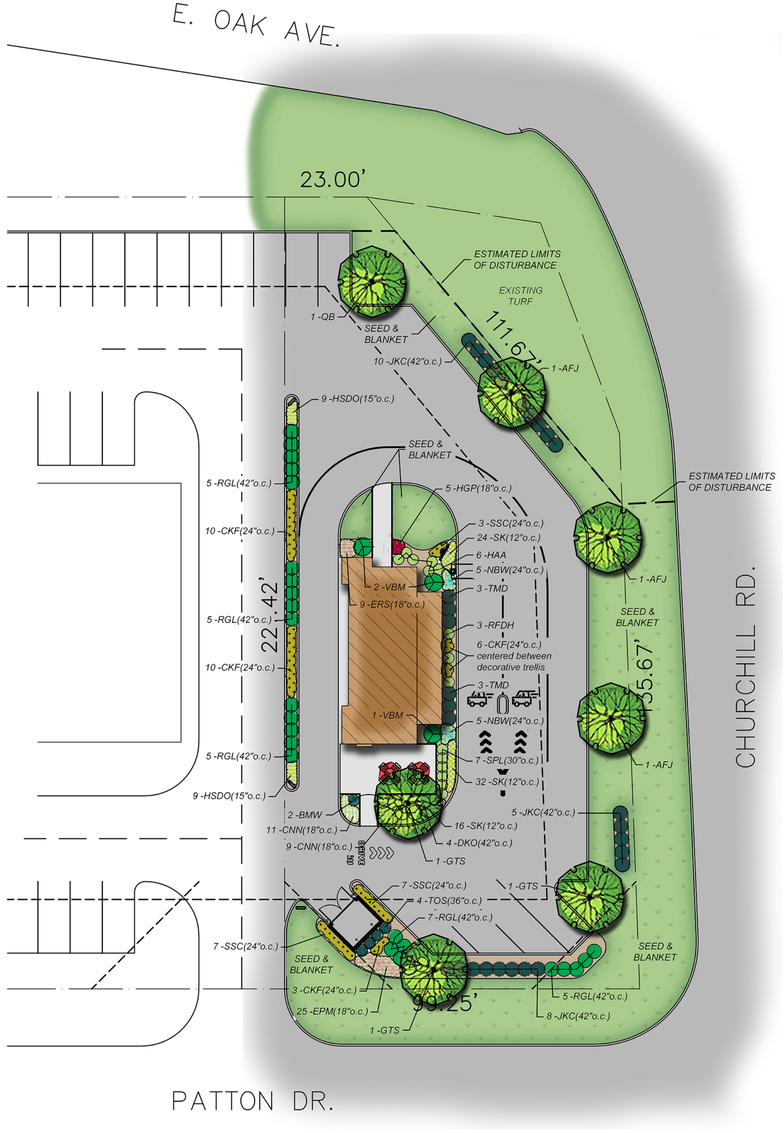
SHRUBS

n.t.s.



BED PLANTING DETAIL

(PERENNIALS, ORNAMENTAL GRASSES VINES, GROUNDCOVER & ANNUALS) n.t.s.



811 Know what's below. Call before you dig.

NORTH

0' 10' 20' 40'

GENERAL NOTES:

Plant material shall be nursery grown and be either balled and bur-lapped or container grown. Sizes and spreads on plant list represent minimum requirements.

The requirements for measurement, branching and ball size shall conform to the latest addition of ANSI Z60.1, AMERICAN STANDARD OF NURSERY STOCK by the American Nursery & Landscape Association.

Any materials with damaged or crooked/disfigured leaders, bark abrasion, sunscald, insect damage, etc. are not acceptable and will be rejected. Trees with multiple leaders will be rejected unless called for in the plant list as multi-stem or clump (cl.).

If any mistakes, omissions, or discrepancies are found to exist with the work product, the Landscape Architect shall be promptly notified so that they have the opportunity to take any steps necessary to resolve the issue. Failure to promptly notify the Landscape Architect and the Owner of such conditions shall absolve them from any responsibility for the consequences of such failure.

Under no circumstances should these plans be used for construction purposes without examining actual locations of utilities on site, and reviewing all related documents mentioned herein, including related documents prepared by the project Civil Engineer and Architect.

Civil Engineering or Architectural base information has been provided by others. The location of various site improvements on this set of drawings is only illustrative and should not be relied upon for construction purposes.

Quantity lists are supplied as a convenience. However, Bidders and the Installing Contractor should verify all quantities. The drawings shall take precedence over the lists. Any discrepancies shall be reported to the Landscape Architect.

Actions taken without the knowledge and consist of the Owner and the Landscape Architect or in contradiction to the Owner and the Landscape Architect's work product or recommendations, shall become the responsibility not of the Owner and the Landscape Architect, but for the parties responsible for the taking of such action.

Refer to Civil Engineering documents for detailed information regarding size, location, depth and type of utilities, as well as locations of other site improvements, other than landscape improvements,

Plant symbols illustrated on this plan are a graphic representation of proposed plant material types and are intended to provide for visual clarity. However, the symbols do not necessarily represent actual plant spread at the time of installation.

All plant species specified are subject to availability. Material shortages in the landscape industry may require substitutions. All substitutions must be approved by the Village, Landscape Architect and Owner.

The Landscape Contractor shall verify location of all underground utilities prior to digging by calling "J.U.L.I.E." (Joint Utility Location for Excavators) 1-800-892-0123 and any other public or private agency necessary for utility location.

All perennial, ornamental grass, groundcover and annual beds shall be top dressed with a minimum of three inches (3") of mushroom compost. The top dressing shall be worked into the soil to a minimum depth of nine inches (9") by the use of a cultivating mechanism. Upon completion perennials & ornamental grasses shall be mulched with an additional two inch (2") layer of shredded wood mulch; Annuals & groundcovers shall be covered with a two inch (2") layer of southern pine bark fines mulch.

All other planting beds and tree saucers shall be mulched with a minimum of three inches (3") of shredded wood mulch.

Planting beds adjacent to building shall be mulched in their entirety to the building foundation. Plant materials shall not be installed under building overhangs and other such areas which do not receive natural rainfall.

Mulch beds at the time of planting shall extend a minimum of two feet (2') beyond the center of a shrub.

All bed lines and tree saucers shall require a hand spaded edge between lawn and mulched areas.

Grading shall provide slopes which are smooth and continuous. Positive drainage shall be provided in all areas.

Sod shall be mineral base only.

Seed mixes shall be applied mechanically so that the seed is incorporated into the top one-half inch (1/2") of the seed bed. The seed shall then be covered with the specified blanket (installed per manufacturer's. specs) or Hydro-mulch.

All plant material shall be guaranteed for one (1) year from the date of acceptance.

PLANT LIST

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE/ TYPE
		DECIDUOUS SHADE TREES		
AFJ	3	Acer f.'Jeffersred'	Autumn Blaze Freeman Maple	3.0" BB
GTS	3	Gleditsia t.i.'Skycole'	Skyline Honeylocust	3.0" BB
QB	1	Quercus bicolor	Swamp White Oak	3.0" BB
		DECIDUOUS SHRUBS & SHRUB ROSES		
DKO	4	Diervilla r. 'G2X88544'	Orange Kodiak Diervilla	#3
HAA	6	Hydrangea a. 'Annabella'	Annabelle Hydrangea	#5
RGL	27	Rhus a.'Gro-Low'	Gro-Low Sumac	#5
RFDH	3	Rosa r. 'Frat Dagmar Hastrup'	Frau Dagmar Hastrup Rose	#3
SPL	7	Spiraea j. 'Minspi'	Painted Lady Double Play Spirea	#3/18"
VBM	3	Viburnum d. 'Christom'	Blue Muffin Arrowwood Viburnum	3' BB
		EVERGREEN SHRUBS		
JKC	23	Juniperus c.'Kalley's'	Kalleys Compact Juniper	#5/24"
TMD	6	Taxus m. 'Densiformis'	Dense Yew	24" BB
TOS	4	Thuja o. 'Smaragd'	Emerald Green Arborvitea	4' BB
		BROADLEAF EVERGREENS		
BMW	2	Buxus m var.Koreana 'Wintergreen'	Wintergreen Boxwood	#3
		ORNAMENTAL GRASS		
CKF	29	Calamgrostis a. 'Karl Foerster'	Feather Reed Grass	#1
SSC	17	Schizachyrium s. 'Carousel'	Carousel Little Bluestem	#1
		PERENNIALS & GROUNDCOVERS		
CNN	20	Calamintha n. ssp. Nepeta	Lesser Catamint	#1
EPM	25	Echinacea x. 'CBG Cone 2'	Pixie Meadowbrite Coneflower	#1
ERS	9	Echinacea x. 'Ruby Star'	Ruby Star Coneflower	#1
HSDO	18	Hemerocallis 'Stella-de-Oro'	Stella-de-Oro Daylily	#1
HGP	5	Heuchera 'Georgia Peach'	Georgia Peach Alumroot	#1
NBW	10	Nepeta r. 'Blue Wonder'	Blue Wonder Catmint	#1
		GROUNDCOVERS & VINES		
SK	3	Sedum kamtschaticum	Russian Sedum (72 plants)	from 24 flat

MATERIAL & LABOR LIST:

QTY	ITEM	DESCRIPTION
810 SY	Seed w/ Straw Blanket	IDOT Class 1A Salt Tolerant Turf Mxture S75 by North American Green (or equal)
20 CY	Mulch	Shredded Hardwood Bark
72 SF	Mulch	Southern Pine Bark Fines
5 CY	Mulch	Compost (Yard Waste or Mushroom)

REVISIONS

If this plan is not 24" x 36" in size, then it is a reproduction that may not be to scale

The design and any and all ideas contained herein are the sole property of Metz & Company. Any reproduction of the design or the concept embodied herein in any form, in whole or in part, without consent from Metz & Company is prohibited.

© Copyright 2023 all rights reserved.

DUNKIN

1616 PATTON DRIVE
MAHOMET, ILLINOIS

SEAL:

STATE OF ILLINOIS
RANDY F. METZ
no. 157-000422
LANDSCAPE

METZ & COMPANY
LANDSCAPE ARCHITECTURE/SITE PLANNING
826 East Maple Street
Lombard, Illinois 60148
PH: 630.561.3903
www.metz-company.com

TITLE

LANDSCAPE PLAN

PROJECT NO.: 23-226

DATE: 4-14-2023

SCALE: 1"=20'

SHEET

L-1.0

§ 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: CU2023-02

REQUEST FOR CONDITIONAL USE

VILLAGE OF MAHOMET

DO NOT WRITE IN THIS SPACE – FOR OFFICE USE ONLY

Date Filed: 05/12/2023 Date of Hearing: 06/06/2023

Date of Published Notice: 05/21/2023 Newspaper: News-Gazette

Fee Paid – Receipt No.: ck# 11531 Amount: $500.00 Date: 05/15/2023

Comments (indicate other actions such as continuances): legal ad cost: ck#11532 $102.80 05/30/2023

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): Peter Paraskis Phone: 708.687.5992

Address of Applicant(s): 14607 Oak Park Ave. Oak Forest, IL. 60452

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

Name of Owner: Krishna Patel

Address of Owner: 13238 Wood Duck Dr., Plainfield, IL. 60585

ADDRESS, AND DESCRIPTION OF PROPERTY

Address: 1616 Patton Dr. Mahomet, IL. 61853

Width of Lot: On Site Plan Length of Lot: On Site Plan Lot Area (Square feet): 18,104 SF

Tax Parcel Number: 15-13-14-313-013

Legal Description (or attach legal description): See Attached

LAND USE AND ZONING

Present Zoning: C-1 General Commercial

Present Land Use: Vacant Undeveloped

Proposed Land Use: Drive-through Coffee shop

	Surrounding Zoning	Surrounding Land Use
North	C-2 General Commercial	Vacant Undeveloped
South	R3G Multi-Family	Attached Residential Dwelling Development
East	C-1 Neighborhood Commercial	Multi-Tenant Commercial Development w/ DT
West	C-1 Neighborhood Commercial	Multi-Tenant Commercial Development w/ DT_x2

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.

The Conditional Use requested is for a Drive-Through Facility operating as a Coffee Shop.

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

None that meet the Criteria for the National Brand.

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

Immediate proximity to existing roadways used by commercial and residential customers. Cirrent market trends demand this type of convenient service.

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? Single Story commercial drive-through coffee shop with paved parking lot, lighting, landscaping and signage.

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 granting of this request will be in complimentary harmony with the intended purpose of the Zoning Ordinance and serve the neighborhood.

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

Roadways have been extended and widened for the future growth of the community since 1963.

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

The proposed use will be similar to the conditional uses granted in the adjacent Muti-tenant developments.

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

Due to the size of the property, permitted uses would not provide an economic benefit to both the owner and the Village. The Conditional Use requested would provide that benefit.

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

Several similar Conditional Uses in the Village currently operate as, McDonald's Monical's Pizza, Arby's, Jimmy Johns and Whisk Coffee & Wine Bar.

11. Additional comments by the Applicant:

The owners are exciting about serving the Village as they currently operate similar businesses in neighboring communities and several states.

SKETCH PLAN

1. Is there a scaled plot plan attached that indicates the location of the premises and the nature of the site? Yes X No_____ (Application will not be processed without the required drawing)

2. Additional exhibits submitted by Applicant: Site Plan, Landscape Plan, and Elevations.

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.

Peter G. Rosakis — 5-11-2023
(Signature) Applicant — Date

Krishna Patel — 5-12-2023
(Signature) Owner — Date

Plan and Zoning Commission
Staff Report
Meeting June 6, 2023

FROM: **Abby Heckman, Planner**
Kelly Pfeifer, Community Development Director and Village Planner

PROJECT: **CU2021-02 Amendment - CONDITIONAL USE PERMIT – 2004 and 2008 Clark Street**

PETITIONER: **Adam and Jodi Kimball (property owners)**

REQUESTED ACTION: The petitioner has requested consideration of an amendment to a previously approved conditional use which established a self-storage facility and a mixed use commercial building in the C-2 zoning district (152.031(B)(12 and 13). The proposed conditional use amendment is a substantial change from what was previously approved and therefore requires a new public hearing and consideration by the PZC and BOT.

PUBLIC HEARING / PROCEDURAL ISSUES: The Zoning Ordinance requires the Plan and Zoning Commission (PZC) to hold a public hearing upon request for a Conditional Use permit. The public hearing is scheduled for the June 6, 2023 PZC meeting. Public notice was published in the News-Gazette on May 21, 2023. Courtesy notice letters were sent to neighbors via USPS. The PZC acts in an advisory role to the Board of Trustees regarding conditional use requests.

LOCATION / SITE DESCRIPTION: The site is located on the north side of Clark Street approximately 230 feet west of Prairieview Road on 4.6± acres of land zoned C-2 General Commercial District. The subject property is known as lots 101 and 102 of Kimball Subdivision.

LAND USE AND ZONING:

Direction	Current Land Use	Current Zoning
On-Site	Self-Storage Facility / Undeveloped	C-2 General Commercial District
North	Undeveloped	C-2 General Commercial District
South	Self-Storage Facility	C-2 General Commercial District
East	Gas Station (not operational)	R-1a Residential Suburban District
West	Undeveloped / Drainage Area	AC Conservation

BOT Resolution 21-12-09 was approved December 21, 2021 which approved (with conditions) a conditional use permit to allow a mixed use commercial and self-service storage / mini-warehouse facility. A copy of the resolution is attached.

REQUESTED CONDITIONAL USE PERMIT AMENDMENT: The applicant has requested that outdoor storage / parking of vehicles, trailers, RVs, and boats be permitted on lot 102. The currently approved site plan indicates the construction of six (6) storage buildings on lot 102 and no outdoor storage of materials or vehicles. The applicant has provided a drawing (see attached) which indicates a change to the west of the two (2) existing

buildings. Two (2) buildings have been constructed on the site and are located to the east of the location proposed for outdoor parking. The applicant has requested that 30,000 SF of outdoor parking be permitted until such time that the remaining western three (3) buildings have been constructed. No outdoor storage of vehicles will be located to the east of the existing two (2) buildings. The concrete associated with the eastern most building on lot 102 has been poured to prepare for future construction of a building in that location.

PUBLIC WATER AND SANITARY SEWER FACILITIES: Water and sanitary sewer service in this area is provided by Sangamon Valley Public Water District. Water and sanitary sewer main extension and service connections were constructed as part of the recorded subdivision for this property.

AVAILABILITY OF PUBLIC UTILITIES: Public utilities exist to the site and are in the area.

STREET ACCESS / TRAFFIC: The site has street frontage and access from Clark Street cul-de-sac. The design of public infrastructure included analysis of turning movements for personal trucks with trailers anticipating such being necessary to deliver and move storage contents for clients. No assessment has been done for large vehicle, trailer navigation in relation to the site. Temporary backups may occur while waiting for access through the gated system. Internal circulation has not been analyzed by staff.

STORMWATER MANAGEMENT: The site plan complies with the stormwater management ordinance and no changes are proposed that would necessitate any changes.

POLICE AND FIRE PROTECTION: The Village of Mahomet Police Department currently provides police protection to this site which is approximately 2.7 miles from the police station. This property is within the Cornbelt Fire Protection District and is approximately 2.8 miles from the Main Street fire station.

CONFORMANCE TO COMPREHENSIVE PLAN: The Comprehensive Plan designates this site as part of the Northeast Mahomet functional framework area which encourages commercial development along Prairieview Road in proximity to the interstate interchange. The Comprehensive Plan Future Land Use Map designates this area for Corridor Commercial land uses. Corridor Commercial uses are characterized by auto-oriented development that caters to nearby residents as well as motorists passing through the Village. Corridor Commercial areas are best suited to accommodate more intense development and mid- to large-scale commercial users. The proposed land uses are consistent with the recommended future uses in the area.

SUITABILITY OF PROPOSED CONDITIONAL USE: Outdoor storage is often complementary with mini warehousing. The position of it behind the existing buildings is a favorable situation to assure little change in the public view.

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 amended conditional use permit:

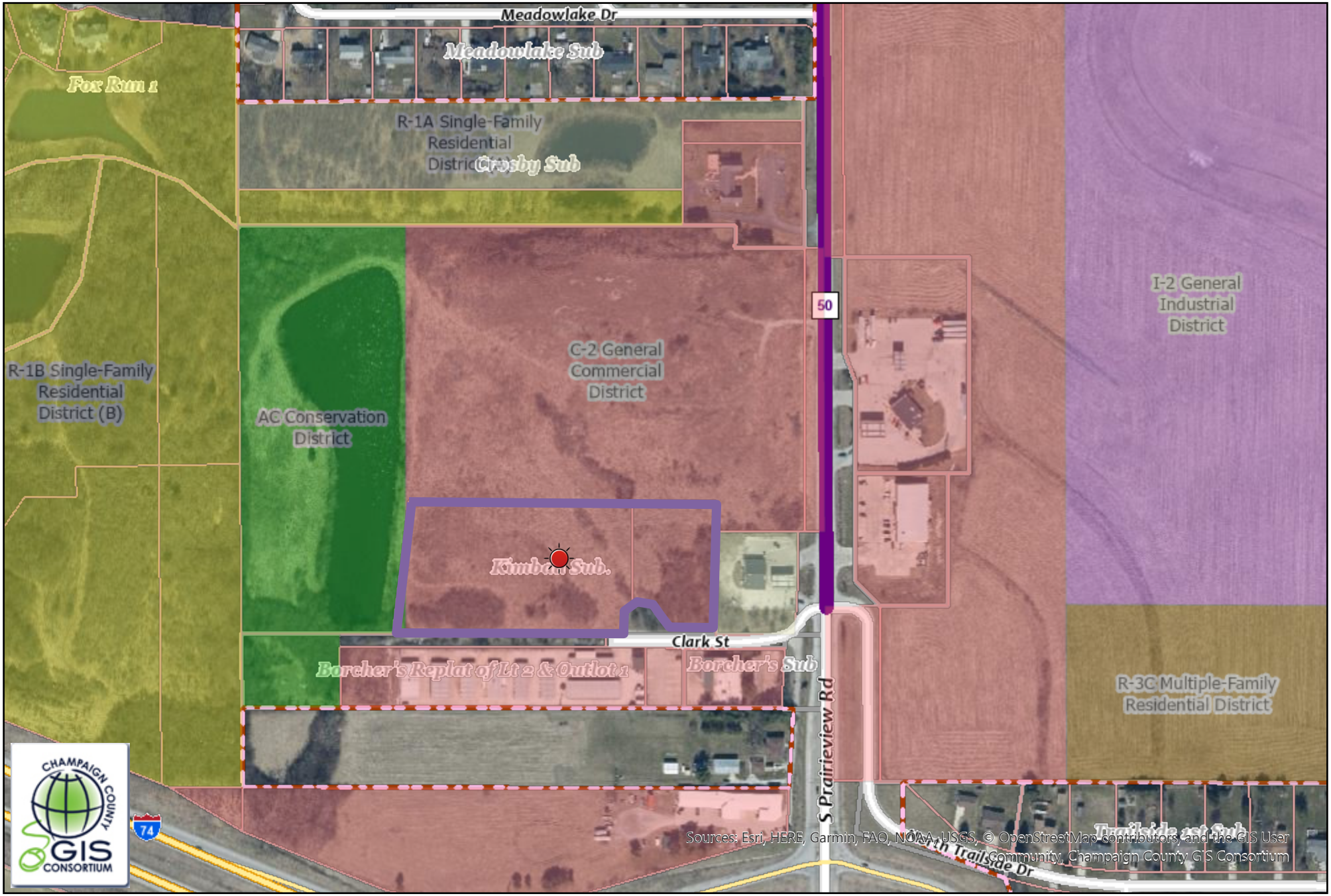
1. All conditions as approved with BOT Resolution 21-12-09, other than any conditions as amended by the terms of this Resolution.
2. Site development must substantially comply with the updated site plan presented to the PZC on June 6, 2023. The updated site plan replaces the site plan approved as part of BOT Resolution 21-12-09. Approved surface materials shall comply with condition 2.c. as indicated with BOT Resolution 21-12-09.
3. 30,000 SF of outdoor vehicle storage shall be permitted west of the existing two (2) buildings (as indicated on the Site Plan as presented to the PZC - Site Plan dated June 6, 2023). Up to 30,000 SF of outdoor vehicle storage may be located in the area of the mini-warehouse building numbered 4, 5, or 6 and the area for outdoor parking area may move to the west as construction of buildings 4 and 5 commence.
4. The site must comply with all applicable provisions of the Zoning Ordinance.
5. 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.

SUMMARY: A draft resolution is presented with staff recommendations for conditions as stated above. 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) Property Aerial / Zoning Map
2) BOT Resolution 21-12-09 (5 pages)
3) Proposed site plan exhibit (1 page - dated June 6, 2023)
4) Draft Resolution
5) Application

CU2021-02 Amendment: Kimball



0.06 mi

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

NORTH

Date: Friday, June 2, 2023

RESOLUTION 21-12-09

A Resolution Concerning a Conditional Use Permit for a mixed use commercial and self-service storage / mini-warehouse facility in the C-2 General Commercial District located north of Clark St and west of Prairieview Rd

WHEREAS, the Board of Trustees of the Village of Mahomet, pursuant to authority conferred by the statutes of the State of Illinois, has established certain standards and procedures for zoning establishment and amendment within the Corporate Limits of the Village of Mahomet; and,

WHEREAS, the Petitioner, Adam and Jodi Kimball, requested a conditional use permit be granted under the terms of the Village Zoning Ordnance to allow for a mixed use commercial and self-service storage / mini-warehouse facility on land located within the C-2 General Commercial District; and,

WHEREAS, the subject project is located on the north side of Clark Street approximately 230 feet west of Prairieview Road and the legal description for the proposed Conditional Use Permit is as follows:

A PART OF THE NORTH 20 ACRES OF THE SOUTH 30 ACRES OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 20 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT AN IRON ROD SURVEY MONUMENT AT THE NORTHWEST CORNER OF LOT 103 OF A REPLAT OF LOT 2 AND OUTLOT 1 OF BORCHERS SUBDIVISION RECORDED AS DOCUMENT NO. 2002R23661 IN THE CHAMPAIGN COUNTY RECORDER'S OFFICE, SAID CORNER BEING A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 20 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, A DISTANCE OF 989.42 FEET SOUTH OF THE NORTHWEST CORNER THEREOF; THENCE SOUTH 89 DEGREES 51 MINUTES 56 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 103, SAID LINE ALSO BEING THE SOUTH LINE OF THE NORTH 20 ACRES OF THE SOUTH 30 ACRES OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER, A DISTANCE OF 222.40 FEET TO THE NORTHEAST CORNER OF SAID LOT 103 ALSO BEING THE NORTHWEST CORNER OF THE DEDICATED RIGHT-OF-WAY OF CLARK STREET (AUGGIE'S WAY DRIVE); THENCE SOUTH 89 DEGREES 51 MINUTES 56 SECONDS EAST, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID CLARK STREET AND SAID SOUTH LINE OF THE NORTH 20 ACRES OF THE SOUTH 30 ACRES OF THE NORTHWEST QUARTER OF SOUTHWEST QUARTER, A DISTANCE OF 157.92 FEET TO A CONCRETE SURVEY MONUMENT BEING THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 06 MINUTES 33 SECONDS WEST, A DISTANCE OF 297.10 FEET TO AN IRON ROD SURVEY MONUMENT; THENCE SOUTH 89 DEGREES 51 MINUTES 56 SECONDS EAST, A DISTANCE OF 688.00 FEET TO AN IRON ROD SURVEY MONUMENT; THENCE SOUTH 00 DEGREES 06 MINUTES 33 SECONDS EAST, A DISTANCE OF 64.86 FEET TO AN IRON ROD SURVEY MONUMENT BEING THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN WARRANTY DEED RECORDED AS DOCUMENT NO. 2021R01026 IN THE CHAMPAIGN COUNTY RECORDER'S OFFICE; THENCE SOUTH 00 DEGREES 06 MINUTES 33 SECONDS EAST, ALONG THE WEST LINE OF SAID TRACT OF LAND, A DISTANCE OF 232.24 FEET TO AN IRON ROD SURVEY MONUMENT BEING THE SOUTHWEST CORNER OF SAID TRACT OF LAND, ALSO BEING A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF CLARK STREET AND SAID SOUTH LINE OF THE NORTH 20 ACRES OF THE SOUTH 30 ACRES OF THE NORTHWEST QUARTER OF SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 51 MINUTES 56 SECONDS WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE OF CLARK STREET AND SAID SOUTH LINE OF THE NORTH 20 ACRES OF THE SOUTH 30 ACRES OF THE NORTHWEST QUARTER OF SOUTHWEST QUARTER, A DISTANCE OF 688.00 FEET TO THE POINT OF BEGINNING, ENCOMPASSING 4.692 ACRES, MORE OR LESS, SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

WHEREAS, the Village Planner, Village Administrator, Village Engineer, and Village Attorney have provided technical background information, review, and analysis regarding the requested conditional use amendment; and,

WHEREAS, a Public Hearing concerning the proposed Conditional Use Permit amendment was held on December 7, 2021 by the Plan and Zoning Commission to solicit evidence and testimony from the public; and,

WHEREAS, the Plan and Zoning Commission reviewed the evidence and testimony submitted, considered the factual evidence regarding the subject request, and adopted a resolution indicating a recommendation to grant the conditional use subject to certain conditions; and,

WHEREAS, the Board of Trustees reviewed the evidence and testimony submitted and considered the factual evidence regarding the subject request.

BE IT THEREFORE RESOLVED this 21st day of December, 2021, by the Board of Trustees of the Village of Mahomet, that:

1. The Board of Trustees does hereby **GRANT** the requested Conditional Use Permit for establishment of a mixed-use development at the above described property.

2. The Board of Trustees does further hereby confirm that the conditional use be subject to the following conditions:

    a. A subdivision is required to create lots ready for development. The site must comply with all applicable provisions of the Subdivision Ordinance or waivers granted thereof.

    b. An approved Site Development Plan is required before any excavation on the property. A building permit is required for each building and must be compliant with all Village regulations.

    c. Other than as required by the terms contained in this Resolution, site development must substantially comply with the Site Plan as presented to the PZC (Site Plan dated December 7, 2021). Surface materials as indicated on the Site Plan are not approved as shown on the Site Plan, but instead must be as follows:

        1. Inside the self-storage facility fenced area, as shown on the Site Plan, any surface installed in this area may be recycled asphalt with NTEA sealer installed and maintained in compliance with condition f as stated below.

        2. Any surface installed outside of the self-storage facility fenced area, as shown on the Site Plan, must be a solid ridged pavement of either concrete or bituminous concrete (asphalt) installed and maintained in compliance with condition f as stated below.

    d. Driveway approach locations (within the public right-of-way) are subject to compliance review and approval.

    e. Fencing must be provided around the perimeter of the self-storage area of the site as indicated on the attached Site Plan.

    f. Drive lanes and parking areas on the site must be constructed of a solid, dust-free surface that will ensure that none of the surface will be tracked off site by vehicles and site maintenance operations.

    g. The site must comply with all applicable provisions of the Zoning Ordinance.

    h. 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.

3. The Board of Trustees does hereby confirm the following findings of fact regarding the requested Conditional Use Permit amendment:

    a. The establishment, maintenance, or operation of the Conditional Use **WILL NOT** be detrimental to or endanger the public health, safety, morals, comfort or general welfare;

    b. The conditional use **WILL NOT** be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor substantially diminish and impair property values within the neighborhood;

c. The establishment of the conditional use **WILL NOT** impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;

d. Adequate utilities, access roads, drainage, and/or other necessary facilities **WILL** be provided;

e. The conditional use **DOES** in all other respects conform to the applicable regulations of the district in which it is located;

f. There **IS** a public necessity for the conditional use at this site;

g. The proposed conditional use **DOES** conform with the intent of the Village Comprehensive Plan.

h. The proposed conditional use **WILL** be compatible with the established land use pattern in the vicinity.

i. The site **IS** suitable for the proposed conditional use.

j. The proposed conditional use **WILL NOT** significantly adversely impact existing traffic patterns.

k. Adequate facilities for municipal water supply and wastewater disposal **ARE** available for the site.

l. Adequate provisions for stormwater drainage **ARE** available for the site.

m. The proposed conditional use **WILL NOT** adversely impact police protection, fire protection, schools, or public facilities.

n. The proposed conditional use **WILL NOT** conflict with existing public commitments for planned public improvements.

o. The proposed conditional use **WILL** preserve the essential character of the neighborhood in which it is located.

p. The proposed conditional use **WILL NOT** alter the population density pattern and **WILL NOT** adversely impact public facilities.

q. The proposed conditional use **WILL** result in private investment that will be beneficial to the proper development of the community.

4. The approval recommended above shall be subject to the fulfillment of the conditions set forth in Item 2 above. In the event that these conditions are not fulfilled, the Conditional Use Permit shall become void and no occupancy permit for the project may be issued, or the occupancy permit previously issued may be revoked.

Attest: VILLAGE OF MAHOMET CORPORATE SEAL 1872 ILLINOIS

Village Clerk

Sean Widener, President
Board of Trustees
Village of Mahomet

EXHIBIT - Site Plan presented to the PZC on December 7, 2021 (2 pages)

0 30 60 90
GRAPHIC SCALE IN FEET

N

SHEET LEGEND

- RECYCLED ASPHALT AGGREGATE SURFACE COURSE
- CONCRETE PAVEMENT, 7" (PUBLIC)
- CONCRETE PAVEMENT, 6" (DRIVEWAY)
- CONCRETE SIDEWALK, 6"



REVISIONS

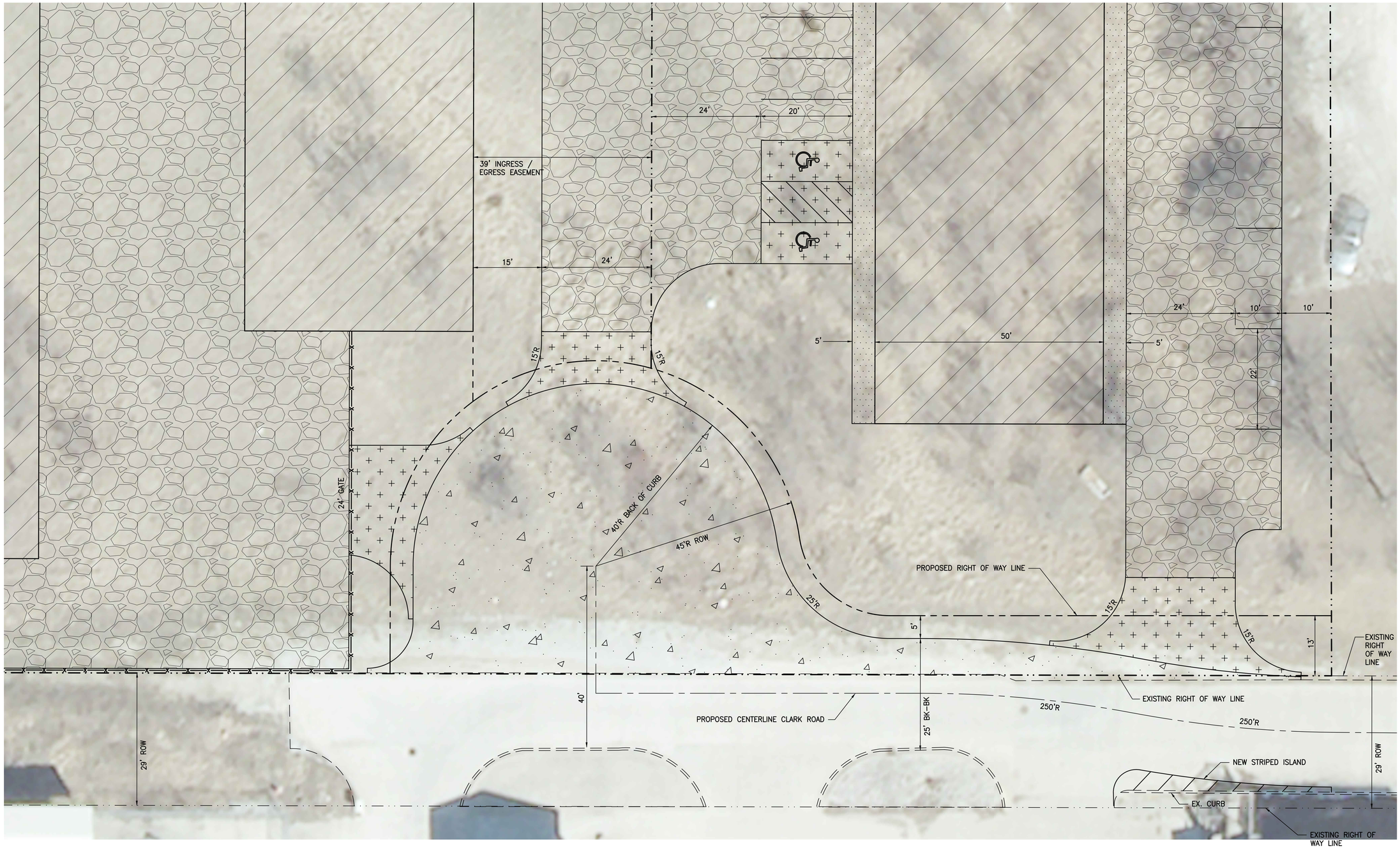
NO.	DATE	DESCRIPTION

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

PRELIMINARY PLAN

KIMBALL DEVELOPMENT
MAHOMET, ILLINOIS

PROJECT: 222-2101
DESIGN BY: BKB
DRAWN BY: BKB
DATE: 10/19/21
SHEET:
1 OF 2



REVISIONS

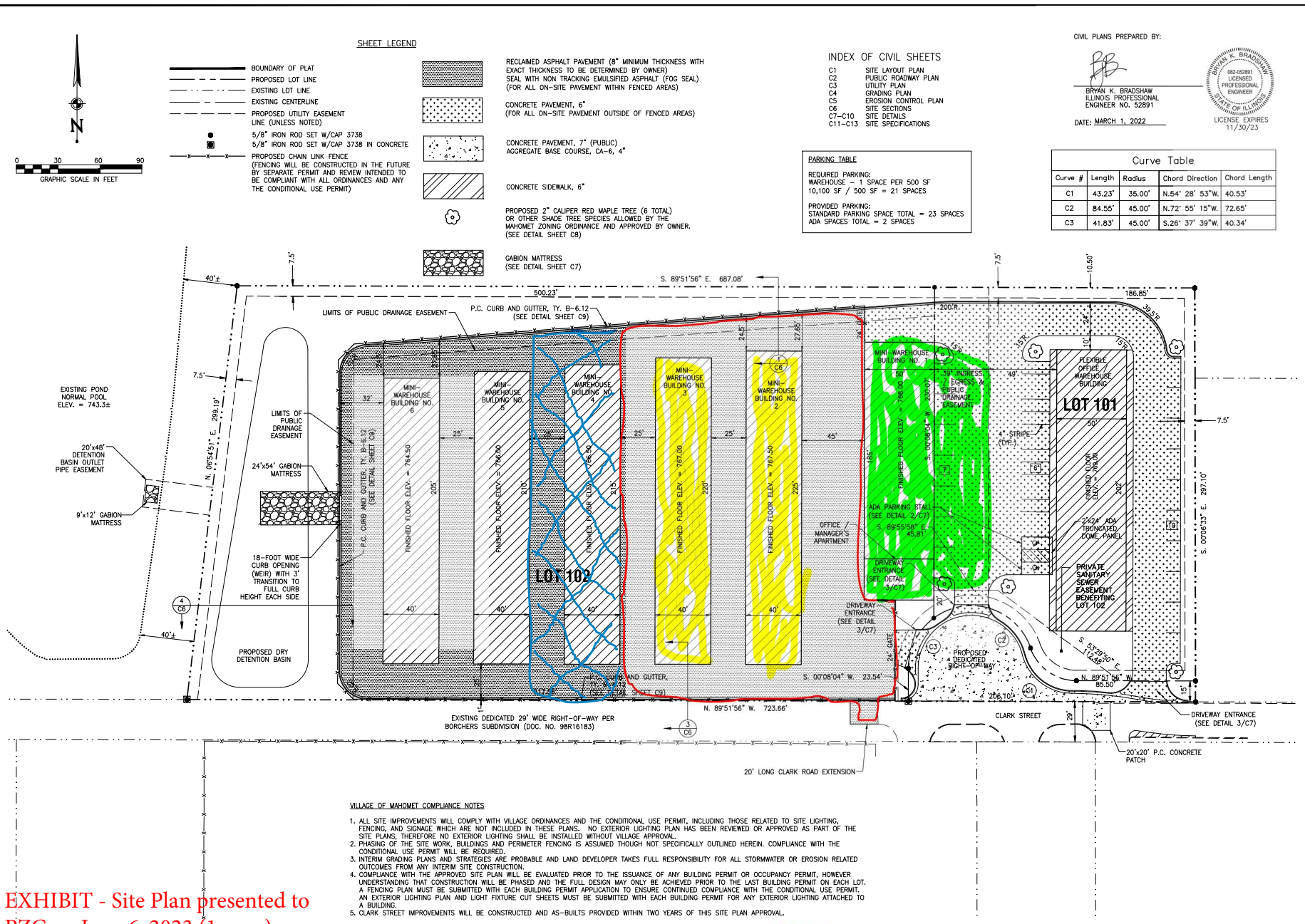
NO.	DATE	DESCRIPTION

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

PRELIMINARY PLAN

KIMBALL DEVELOPMENT
MAHOMET, ILLINOIS

PROJECT: 222-2101
DESIGN BY: BKB
DRAWN BY: BKB
DATE: 10/19/21
SHEET:
2 OF 2



VILLAGE OF MAHOMET COMPLIANCE NOTES

1. ALL SITE IMPROVEMENTS WILL COMPLY WITH VILLAGE ORDINANCES AND THE CONDITIONAL USE PERMIT, INCLUDING THOSE RELATED TO SITE LIGHTING, FENCING, AND SIGNAGE WHICH ARE NOT INCLUDED IN THESE PLANS. NO EXTERIOR LIGHTING PLAN HAS BEEN REVIEWED OR APPROVED AS PART OF THE SITE PLANS, THEREFORE NO EXTERIOR LIGHTING SHALL BE INSTALLED WITHOUT VILLAGE APPROVAL.
2. PHASING OF THE SITE WORK, BUILDINGS AND PERIMETER FENCING IS ASSUMED THOUGH NOT SPECIFICALLY OUTLINED HEREIN. COMPLIANCE WITH THE CONDITIONAL USE PERMIT WILL BE REQUIRED.
3. INTERIM GRADING PLANS AND STRATEGIES ARE PROBABLE AND LAND DEVELOPER TAKES FULL RESPONSIBILITY FOR ALL STORMWATER OR EROSION RELATED OUTCOMES FROM ANY INTERIM SITE CONSTRUCTION.
4. COMPLIANCE WITH THE APPROVED SITE PLAN WILL BE EVALUATED PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT OR OCCUPANCY PERMIT, HOWEVER UNDERSTANDING THAT CONSTRUCTION WILL BE PHASED AND THE FULL DESIGN MAY ONLY BE ACHIEVED PRIOR TO THE LAST BUILDING PERMIT ON EACH LOT. A FENCING PLAN MUST BE SUBMITTED WITH EACH BUILDING PERMIT APPLICATION TO ENSURE CONTINUED COMPLIANCE WITH THE CONDITIONAL USE PERMIT. AN EXTERIOR LIGHTING PLAN AND LIGHT FIXTURE CUT SHEETS MUST BE SUBMITTED WITH EACH BUILDING PERMIT FOR ANY EXTERIOR LIGHTING ATTACHED TO A BUILDING.
5. CLARK STREET IMPROVEMENTS WILL BE CONSTRUCTED AND AS-BUILTS PROVIDED WITHIN TWO YEARS OF THIS SITE PLAN APPROVAL.

EXHIBIT - Site Plan presented to PZC on June 6, 2023 (1 page)

- Yellow - completed buildings
- Green - Concrete only
- Red outlined - RAPS surface complete
- Blue Hatched area - proposed RAPS surface for temp parking

REVISIONS
NO. | DATE | DESCRIPTION
1 | 3/1/22 | VILLAGE REVIEW

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

SITE LAYOUT PLAN
KIMBALL DEVELOPMENT
MAHOMET, ILLINOIS

PROJECT: 222-2101
DESIGN BY: BKB
DRAWN BY: BKB
DATE: 2/7/22
SHEET: C1

RESOLUTION FOR PLAN & ZONING COMMISSION

A Resolution Concerning an amendment to an approved Conditional Use Permit for a mixed use commercial and self-service storage / mini-warehouse facility in the C-2 General Commercial District located north of Clark Street and west of Prairieview Road, commonly known as 2004 Clark Street

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, Adam and Jodi Kimball, requested an amendment to an approved conditional use permit be granted under the terms of the Village Zoning Ordnance to allow for a mixed use commercial and self-service storage / mini-warehouse facility on land located within the C-2 General Commercial District; and,

WHEREAS, the subject project is located on the north side of Clark Street approximately 230 feet west of Prairieview Road and the legal description for the proposed Conditional Use Permit is as follows:

Lots 101 and 102 of Kimball Subdivision as per Final Plat recorded April 27, 2022, in the office of the Champaign County Recorder as Document Number 2022R07441, situated in Champaign County, Illinois

WHEREAS, the Board of Trustees granted a Conditional Use Permit for the property for a mixed use commercial and self service / mini warehouse facility on the land that did not indicate any outside storage on December 21, 2021 with resolution 12-21-09; and,

WHEREAS, since approval, the Petitioner has constructed two buildings, poured the pad for building number 1, and completed the improvements to Clark Street, but has demand for outdoor vehicle storage; and,

WHEREAS, the Petitioner has submitted the approved site plan with proposed area for temporary outdoor storage with application and other pertinent documents for review and approval by the Village to amend the conditional use permit; and,

WHEREAS, a Public Hearing concerning the proposed Conditional Use Permit amendment was held on June 6, 2023 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; and,

WHEREAS, the Plan and Zoning Commission adopted findings of fact and further provided a recommendation to the Board of Trustees to approve the requested action.

BE IT THEREFORE RESOLVED this 6th day of June, 2023 by the Plan and Zoning Commission of the Village of Mahomet that:

1. The Plan and Zoning Commission does hereby recommend the Board of Trustees **GRANT / DENY** the requested Conditional Use Permit amendment for mixed use commercial and self-service storage / mini-warehouse facility with temporary outdoor storage at the above-described property.

2. The Plan and Zoning Commission does hereby further state that the conditional use shall be subject to the following conditions:

    a. All conditions as approved with BOT Resolution 21-12-09, other than any conditions as amended by the terms of this Resolution.

    b. Site development must substantially comply with the updated site plan presented to the PZC on June 6, 2023. The updated site plan replaces the site plan approved as part of BOT Resolution 21-12-09. Approved surface materials shall comply with condition 2.c. as indicated with BOT Resolution 21-12-09.

    c. 30,000 SF of outdoor vehicle storage shall be permitted west of the existing two (2) buildings (as indicated on the Site Plan as presented to the PZC - Site Plan dated June 6, 2023). Up to 30,000 SF of outdoor vehicle storage may be located in the area of the mini-warehouse building numbered 4, 5, or 6 and the area for outdoor parking area may move to the west as construction of buildings 4 and 5 commence.

    d. The site must comply with all applicable provisions of the Zoning Ordinance.

    e. 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.

    f. _____

    g. _____

3. The Plan and Zoning Commission does hereby confirm the following findings of fact regarding the requested Conditional Use Permit:

    a. The establishment, maintenance, or operation of the Conditional Use **WILL / 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. _____
_____
_____

4. The approval recommended above shall be subject to the fulfillment of the conditions set forth in Item 2 above. In the event that these conditions are not fulfilled, the Conditional Use Permit may become void and no occupancy permit for the project may be issued, or the occupancy permit previously issued may be revoked.

_____
Chair, Plan and Zoning Commission

Case Name:_____

_____

REQUEST FOR CONDITIONAL USE Amendment
VILLAGE OF MAHOMET

DO NOT WRITE IN THIS SPACE – FOR OFFICE USE ONLY

Date Filed:_____ Date of Hearing:_____

Date of Published Notice:_____ Newspaper:_____

Fee Paid – Receipt No.:_____ Amount:_____ Date:_____

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): Adam + Jodi Kimball Phone: 2173066271

Address of Applicant(s): 1103 Farm Lake

Property Interest of Applicant(s): 2004 Clark Street
(Owner, Contract Purchaser/Agent, etc.)

Name of Owner: Automated Storage Solutions llc

Address of Owner: 1103 Farm Lake

ADDRESS, AND DESCRIPTION OF PROPERTY

No Change!

Address: 2004 Clark Street

Width of Lot: 300 Length of Lot: 600 Lot Area (Square feet): 3.5 acres

Tax Parcel Number:_____

Legal Description (or attach legal description):_____

LAND USE AND ZONING

Present Zoning: Commercial

Present Land Use: Commercial

Proposed Land Use: Commercial

	Surrounding Zoning	Surrounding Land Use
North	Commercial	Vacant
South	Commercial	Storage
East	Commercial	Storage
West	Ag ?	Vacant

Amendment

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.

Temporary outdoor parking as show on noted-up resolution page 4 (sitemap)

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

Yes but full.

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

Mahomet citizens need a place to park that is not on the streets of the community.

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? In process

What improvements are planned? per approved site plan

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.

Yes

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

Already approved

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

Already approved

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

Already approved plan

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

Yes but full

11. Additional comments by the Applicant: This is an amendment request for temporary outdoor parking on the west side of the current buildings. This will allow more off-street parking for the community. Thanks

SKETCH PLAN

1. Is there a scaled plot plan attached that indicates the location of the premises and the nature of the site? Yes X No_____ (Application will not be processed without the required drawing)

2. Additional exhibits submitted by Applicant: Noted exp resolution page 4

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 — Date: 5/1/23

(Signature) Owner — Date