



# City of Highland

## Building and Zoning

Combined Planning & Zoning Board Meeting Minutes  
City Hall – 1115 Broadway  
September 4, 2019 7:00 P.M.

1. Call to Order – 7PM

2. Roll Call

**CPZB Members – Present – Brad Korte, Deanna Harlan, William Koehnemann, Anthony Walker, Bob Vance, Al Stoecklin and Shirley Lodes**

**Staff – Breann Speraneo, Mike McGinley, Scott Hanson and Kim Kilcauski**

3. General Business:

Approval of the July 2, 2019 Minutes

**Motion to approve the minutes with the inclusion of the votes and outcome of the second motion of Item C made by Deanna Harlan, seconded by Al Stoecklin - 7 Ayes, 0 Nays. Motion carried.**

4. Public Comment Section

Persons who wish to address the Combined Planning and Zoning Board regarding items not on the agenda may do so at this time. Speakers shall be limited to five (5) minutes or a reasonable amount of time as determined by the City Attorney. Any presentation is for informational purposes only. No action will be taken.

**Chairperson Korte opened the Public Comment Section. Chairperson Korte thanked Jim Gallatin for his years of service on the Combined Planning and Zoning Board. Chairperson Korte also welcomed Al Stoecklin to board. Bob Vance suggested the minutes be distributed within a week following the CPZB meeting for review and comment. There were no additional comments from those in attendance. The Public Comment Section was closed.**

5. Public Hearings and Items Listed on the Agenda

Persons wishing to address the Combined Planning and Zoning Board regarding items on the agenda may do so after the Chairperson opens the agenda item for public hearing or for public comment. Speakers shall be limited to five (5) minutes or a reasonable amount of time as determined by the City Attorney.

**Chairperson Korte noted no citizens were present.**

6. New Business

**Breann Speraneo thanked Jim Gallatin for his 27 years of service on the CPZB and welcomed Al Stoecklin to the board.**



## City of Highland Building and Zoning

- a) The City of Highland (1115 Broadway) is requesting a text amendment to Chapter 90, Article IV “Supplemental Regulations,” Section 90-209 of the Zoning Code to amend home occupation application procedures.

**Chairperson Korte opened the public hearing on the text amendment to Chapter 90, Article IV “Supplemental Regulations,” Section 90-209 of the Zoning Code to amend home occupation application procedures. Breann Speraneo presented the staff report. The current zoning code does not match the current procedures and needs to be brought up to date. There is no need for home occupation permitting as long as residents are complying with the ordinance including maintaining the neighborhood and not creating a traffic nuisance, fire hazard or having an adverse effect of commercial uses being conducted in residential areas. For home occupations that would exceed the set standards, a Special Use Permit would still be required.**

**Anyone applying for a home occupation that requires a Special Use Permit must complete a checklist along with the SUP application. Checklist items include things affecting neighborhoods. The state regulates daycares, so they have been removed from the city’s list. Item “L” has been added to the checklist stating “All materials or products are stored in an enclosed area of the homeowner’s property. No outdoor storage or materials or products are allowed.” Breann stated that Item “L” would restrict a home auto repair business with vehicles and parts present on the property, for example.**

**Deanna Harlan said the revision made sense; however, she was not a part of the board when this originally went into effect. She remembers residents not being very happy. Chairperson Korte provided background stating that it was super strict due to internet based businesses. The original ordinance was meant to encourage home businesses to have brick and mortar offices. Chairperson Korte added that several went under the radar. Shirley Lodes said that there were safety concerns as well. For example, if a business had flammable material, then the fire department would be aware because of the home occupation permit. Chairperson Korte said that permits were to be renewed each January and people were not coming back to renew. Shirley Lodes stated that it cost more to enforce the ordinance than fees being collected for the permits. Deanna added that it would be hard to enforce this now.**

**Chairperson Korte closed the public hearing and asked for a motion to accept the amended text to Chapter 90, Article IV “Supplemental Regulations,” Section 90-209 of the Zoning Code. Chairperson Korte asked if there were further comments from staff or questions from the board. Hearing no further comments or questions, Chairperson Korte closed the discussion.**

**Motion to approve Item A as presented made by Bob Vance, seconded by Deanna Harlan – 7 Ayes, 0 Nays. Motion carried.**



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- b) The City of Highland (1115 Broadway) is requesting a text amendment to Chapter 90, Article II "Administration and Enforcement," Section 90-63 of the Zoning Code to amend the site plan review process.

**Chairperson Korte opened the public hearing on the text amendment to Chapter 90, Article II "Administration and Enforcement," Section 90-63 of the Zoning Code to amend the site plan review process. Breann Speraneo began the staff report by saying that the majority of the time CPZB will still be aware of projects due to needed special use permits. The proposed ordinance updates could potentially save a developer a month and a half.**

**Scott Hanson presented the proposed changes to the site plan process using a flow chart. Chairperson Korte mentioned that he had requested the flow chart. Scott mentioned that when the site plan is distributed to city staff that includes the city manager, public works, electric department, fire department and police department. Scott said amongst other things, public works will determine whether or not a traffic study is needed. If there are issues, staff would update city administration so they would be aware prior to escalation of any issues.**

**Scott Hanson reviewed the land use regulation flow chart. An example of land use inconsistency occurred at the corner of State Route 143 and Lincoln. The property was zoned R-1 and the property owner wanted to re-zone to commercial, but the future land use plan did not support it. Staff did not recommend and CPZB agreed. Scott said that when a property is annexed into city limits it is automatically zoned R-1. The property owners then have to go through the re-zoning process.**

**Scott Hanson said that special use permits will always come before the CPZB. In theory, a property owner may come before the board two or three times prior to the site plan phase.**

**Deanna Harlan said that the text amendment makes sense. She asked how many times a site plan has come before the board with recommendation from staff and CPZB has found something that needed to be changed. No one could think of any right off hand. Scott mentioned that Burger King and Krispy Krunchy Chicken had come through in the last year. A traffic study was required for Burger King. Public Works then sent the information out for an independent third party review.**

**Breann Speraneo stated that drainage would be shown on the plat, which is an earlier phase. The plat would come before CPZB. Scott Hanson noted that staff relies on the board's opinions as does council. The goal is to streamline the process.**

**Chairperson Korte asked for confirmation that the site plan review is not subject to the public hearing process. Scott Hanson confirmed that any site plan that has come before the board has been a courtesy. If the board does not agree with the site plan nothing can really be done as long as applicant has complied with requirements. If the**



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applicant does not meet the requirements, then the zoning administrator will advise the applicant that they are not consistent with the ordinance.

Chairperson Korte asked what possible gray areas might exist. Scott Hanson said traffic studies may be a gray area because C-1 does not always trigger a traffic study. Scott Hanson stated that an undeveloped site is easier to do a traffic study on. IDOT also looks at traffic studies. Chairperson Korte asked for clarification that the site plan is reviewed and signed off on by the various city departments. Scott Hanson confirmed that is the case. Breann Speraneo stated that earlier phases of the building process flesh out items by the time a project gets to the site plan phase.

Breann Speraneo said that not every site plan will require a plat. Some may already be platted. If there is a variance or special use permit needed, then it would come to CPZB. Deanna Harlan provided the example of Imo's and if a restaurant had previously been at that location and no drive through was being added, then no variance would have been needed. Breann confirmed. Scott Hanson provided the example of Jimmy John's only being 2,100 square feet and a site plan was not needed. The new Dollar General was the same way.

Anthony Walker asked about the appeals process. An appeal used to go to the city council and with the proposed changes now goes to the city manager. Mike McGinley addressed the board and stated that the proposed appeal process does make sense if the applicant has complied with all requirements. If an appeal needs to be heard, then it would then go in front of the city manager. Staff and the city manager are more than capable of handling site plan appeals.

Chairperson Korte asked if staff has been sending site plans to council even though it is not required in the ordinance. Mike McGinley responded that copies are included in the council packets as a courtesy.

Chairperson Korte asked if there were further comments from staff or questions from the board. Hearing no further comments or questions, Chairperson Korte closed the public hearing.

Motion to approve Item B as presented made by Deanna Harlan, seconded by Anthony Walker – 7 Ayes, 0 Nays. Motion carried.

Breann Speraneo mentioned the October 29<sup>th</sup> training. Scott Hanson added that the training would be held at the conference center in Collinsville with the doors opening at 5:30PM and training from 6 – 8PM. Light au d'oeuvres and non-alcoholic drinks will be served. The training is a great opportunity to network and discuss issues.

Chairperson Korte plans on attending and recommends the training to other board members. Breann will share additional information as soon as it is available. Scott Hanson will provide a copy of the information for those unable to attend.

Chairperson Korte mentioned that UMSL training will also be offered this fall. Scott Hanson added that a different topic will be discussed each week. Breann Speraneo



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**will check to see if the city will cover any of the training. Deanna Harlan suggested online training.**

7. Calendar
  - a) October 2, 2019– Combined Planning and Zoning Board Meeting

**Breann Speraneo stated that there are currently two variances on the October agenda and the deadline has been extended to Friday, September 6, 2019 for possibly two additional variances.**

- b) Adjournment – **8PM**

*Anyone requiring ADA accommodations to attend this public meeting, please contact Dylan Stock, ADA Coordinator, at 618-654-7115.*