



# City of Highland

## Building and Zoning

Combined Planning & Zoning Board  
Virtual Meeting Minutes  
City Hall – 1115 Broadway  
August 5, 2020 7:00 P.M.

1. Call to Order – **7:00PM**

2. Roll Call

**CPZB Members – Present via phone – Chairman Brad Korte, Al Stoecklin, Bob Vance, Shirley Lodes, Deanna Harlan, and Anthony Walker**

**CPZB Members – Absent – Bill Koehneman**

**Staff – Present - Breann Speraneo, Mike McGinley, J.D. Brandmeyer, Mallord Hubbard, and Kim Kilcauski**

**Breann Speraneo explained that Chairman Brad Korte was originally not going to be able to participate in the August 5, 2020 meeting, but things had changed and he was able to join by phone.**

**Mike McGinley asked for a motion for an appointment of a temporary chairman for the Combined Planning and Zoning Board Meeting on August 5, 2020. Al Stoecklin made the motion, seconded by Shirley Lodes. Mike McGinley asked Breann Speraneo who would be the temporary board chairman be for the evening. Breann Speraneo responded that the temporary board chairman would be Anthony Walker.**

**Mike McGinley asked for a roll call vote to appoint Anthony Walker as the temporary board chairman. 6 ayes and 0 nays. Motion carried.**

**Breann Speraneo asked that everyone besides the board and staff on the call state their name for the minutes. Those that spoke up included Dale Eyman, Brandy and Bill Holman, Mike and Jean Gilomen and Peg Bellm.**

3. General Business:

Approval of the June 3, 2020 Minutes

**Motion to approve the minutes as written made by Brad Korte, seconded by Deanna Harlan – 6 Ayes, 0 Nays. Motion approved.**

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.

**Chairman Anthony Walker opened the Public Comment Section regarding items not on the agenda at this time.**

**Wayne Sway spoke and wanted to discuss the April 1, 2020 Combined Planning and Zoning Board Meeting that addressed Agenda Item B that on TJO Holdings request for a special use permit for a craft brewery on the square and Item D requesting a text amendment of Chapter 90 of the municipal code**



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allowing for craft growing facilities to be a special use in industrial zoning districts. Mr. Sway went on to express his concern about the text amendment allowing for craft growing facilities stating that just prior to that meeting the public took a referendum vote and voted against a marijuana dispensary. He said this particular item is listed as a craft growing facility and there is no mention of cannabis until you get to page 47 in the agenda. He continued that he feels the voters have been betrayed in this item because they could not appear publicly and they can't tonight either. Mr. Sway added that an item that the voting public voted down by 67% was brought up at a private meeting like one of these meetings. He continued that the item will go to city council and he feels that the same people that voted against the dispensary are going to feel the same way about the growing facility. Mr. Sway said during the time when we just do essential business this was a hot button topic and should not be brought up in a private phone session. He asked if anyone had any comments.

Mike McGinley responded that he could provide history on the item. Mike McGinley said first that all of the virtual meetings were very specifically and have been very specifically following the guidelines of the governor and the open meetings act. He added that the city has been very careful. He provided that if anyone wants to comment or be involved they can be. He assured Mr. Sway that the city's utmost concern with these meetings during this time of COVID have been to be 100% transparent and have all of the interaction possible from the general public during these strange times. He went on to explain the reason why the city has gone to great lengths not to vote on this issue at council level has everything to do with what it is that Mr. Sway had brought up. Mike McGinley said the city is well aware that this is a hot button issue and people are going to want to be heard. He added that the city is also aware that without removing some of the restrictions that we have to function under in this COVID time the city does not want to bring this issue up in a council meeting until anybody and everybody who can get in there can say their peace and be heard.

Mike McGinley went on to say that this particular issue came up as a request for a zoning text amendment and a request to bring this craft growing issue in front of the council before COVID. He continued that the city was in the process of publishing it. Mike McGinley noted that the city had advertised it and had said that it was going to be on a specific meeting agenda. He added that the table had been set to have this issue heard so that is why it went on the meeting that it did. Mike McGinley said that the code reads that if it is acted on by the Combined Planning and Zoning Board, then it has to be heard or at least brought up at the next council meeting and that is why it was brought up at the next council meeting. He added that in essence he didn't know if he wanted to call the item tabled, or postponed it indefinitely until the city could get the item heard for the same reason the issue went to a referendum with the dispensary the city wants to make sure that everyone has every opportunity so they can to speak to this. Mike McGinley assured Mr. Sway that the city is as frustrated with the restrictions that we have been put under as he is. Mike McGinley added that until 2PM today we had every intension of having this meeting live in council chambers, but then the city found out that someone tested positive that had been through city hall. Mike McGinley said that in an abundance of caution it was decided that the meeting would be virtual. He said that he had wanted to provide Mr. Sway with the procedure posture or the reasoning for why that meeting took place the way it did and then why we are taking every precaution possible to make sure everyone has a chance to be heard on this issue.



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Mr. Sway responded that he will postpone some of the things that he wanted to talk about on this issue. He said that he would put it off until we can all meet publicly at a city council meeting. He stated there wasn't any use trying to convey ideas over the phone. Mr. Sway thanked Counselor Mike McGinley.

Mike McGinley suggested Mr. Sway set up a meeting with the City Manager to discuss anything at any time about any issues. Mike McGinley said that he would join the meeting too and talk through things. He added that of course a meeting could first take place when face-to-face meetings are once again allowed. He added that the city wants the public engaged and involved in these decisions going forward.

Brad Korte added that he took calls on the subject. He offered to discuss why things happen the way they do at the meeting level. He said his number is published if Mr. Sway would like to call. Mr. Sway thanked Brad Korte.

Kim Kilcauski confirmed that no comments were received via email or through the website portal.

**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.

**Chairman Walker reviewed the process. Chairman Walker administered the oath to those guests in attendance wishing to address the board. Guests included Brandy Holman, Bill Holman, Dale Eyman, Michael Gilomen, and Jean Gilomen.**

### 6. Staff Reports

#### a) Site plan review process update

**Breann Speraneo provided an update on the site plan review process. Apex submitted a 3,000 sq. ft. shed for review. The site plan review was triggered since it was a non-residential structure over 2,500 sq. ft. She added that city staff followed the same standards that we always have, so we were able to speed this process up. The initial review was conducted within 10 days of receiving the application. Breann Speraneo noted that it was sent back for revisions and additional information. Once those items were received, we were able to approve the site plan and then move them forward to the building permit process. She stated that the new review process really worked well. She will continue to provide a monthly report if a site plan review takes place. Shirley Lodes said that was a great idea. Brad Korte added that it looks like it is working as the site plan got through a lot quicker. Anthony Walker said that he was happy that the process was expedited.**

### 7. New Business

- a) Michael Gilomen (518 Broadway) is requesting a Special Use Permit for 513/519 12th Street, pending the combination of two parcels. (PIN # 01-2-24-05-10-101-005 & 01-2-24-05-10-101-006) **Chairman Walker opened the public hearing on this item. Breann Speraneo noted that when the Gilomens went to Madison County to combine the parcels, the county suggested they apply**



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for the special use permit first for the duplex within the C-2 Central Business District. This duplex would allow for a live-in caretaker. Breann Speraneo presented the standards for review. Staff discussion noted that the proposed Special Use is consistent with the Comprehensive Plan and will not affect the surrounding properties. Staff has no concerns. Breann Speraneo asked if there were any questions for her or the Mr. Gilomen. Chairman Walker opened the public comment portion of the hearing. Hearing none, Chairman Walker closed the public comment portion of the hearing.

Motion to approve the Special Use Permit for 513/519 12th Street, pending the combination of two parcels made by Deanna Harlan, seconded by Al Stoecklin. Chairman Walker asked if there was any further discussion. Hearing none, he requested a roll call vote. 6 ayes and 0 nays. Motion approved.

- b) Brandy & Bill Holman (10830 Pocahontas Rd, Marine, IL) are requesting a Special Use Permit for 101 Walnut Street. (PIN # 02-2-18-32-15-401-002)

Chairman Walker opened the public meeting on this item. Breann Speraneo presented on the request for a Special Use Permit for a bar/tavern. She noted that some demo work has already been done. She added that a bar/tavern is a Special Use within the C-3 highway business district. A special use permit is required for bar service in the lounge area of the proposed special use. The business will include an upscale full service salon and spa with a lounge area and gaming. Breann Speraneo presented the standards of review. Staff discussion noted that the proposed use is consistent with the Comprehensive Plan and would allow for a property that has not hosted a business in several years to become operable. The area's aesthetics would also be greatly improved. City Council granted a liquor license for the proposed use at the property on April 20, 2020. A Special Use Permit is needed to finalize approval of the proposed use.

Shirley Lodes said that the original application showed the salon would be open and inquired what days. Brandy Holman responded that the salon should be open every day. Shirley Lodes then asked if the gaming and bar were going to be open to customers only or to the public. Brandy Holman responded that they would be open to the public as well. Shirley Lodes if there would be a full bar or just beer and wine. Brandy Holman responded that there would be a full bar. Shirley Lodes asked if there would be a walkway between the solon and bar/tavern. Brandy Holman stated they would be attached with two entrances. Shirley Lodes asked if there would be a total wall between the two buildings/entities. Brandy Holman said there would be a door to enter into the new addition. Shirley Lodes asked if there would be any problem if kids were present in the salon. She asked for clarification that kids would not be going into the other part. Brandy Holman stated it would be closed off. Shirley Lodes asked if this would only be opened when the solon is open or would it be open other hours. Brandy Holman said they believe it will be open after the salon closes. Brandy added that they have not figured out their hours yet.

Deanna Harlan asked about entrances and exits. She said that currently there is a drive next to drive-up facility for the bank and on the other side of the bank. She asked if those would remain the only entrances and exits or what the plans were. Bill Holman responded that at this time



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they are using an easement. Bill added that they are going to try and work with the state down the road to gain an access going to 40 where you can only enter while going east and exit while going east; however, with close proximity to the stop light they have to work with the state to see what they will be allowed to do. Deanna Harlan asked if the parking lot lighting with regards to the residents behind the property would be an issue. Bill Holman responded that it would not be an issue. The lights out front will be like Steve Schmidt's across the road. There will be no pole lighting in the back of the building. Bill added that the woods by the property would provide for a total separation from houses to the east.

Brad Korte asked for verification that there would be two things on the property, the bar/tavern and gaming and then the salon and spa. He also asked if both could operate independently if they wanted to do so. Bill Holman replied that was correct.

Chairman Walker asked for additional comments. Bob Vance asked how many different businesses were going to be at this location. Brandy Holman responded that it was going to be one that included a salon and spa with a gaming lounge that is attached. Brandy added that the hours have not been determined yet. Deanna Harlan asked for verification that there would be a wall dividing the two. Brandy confirmed that there would be a door between that could be locked if need be. Bob Vance asked how many entrances there will be. Brandy Holman replied that there will be three entrances total with two in the front and a back door. Bob Vance asked if there would be an entrance to the salon and spa and then an entrance to the lounge/gaming area. Brandy confirmed. Bob Vance asked why the businesses could not be ran separately. Breann Speraneo said the goal is to have one ownership with separate entrances the intension is to use separate entrances and exits maintaining separation. Brandy Holman thanked Breann confirmed and thanked Breann for helping explain.

Chairman Walker asked if there was further discussion. Hearing none, the hearing was closed.

A motion was made for a special use permit at 101 Walnut St. by Brad Korte, seconded by Al Stoecklin.

Chairman Walker requested a roll call vote. 6 ayes and 0 nays. Motion approved.

Mike McGinley has represented DK7 in other matters completely and totally independent from the items on the agenda as a result in an abundance of caution, he will mute the phone and leave the discussion. J.D. Brandmeyer from the same office will preside over this portion of the meeting.

- c) DK7 Properties, LLC (12258 Highland Rd) is requesting the rezoning of 12258 Highland Rd, pending annexation. (PIN # 01-1-24-06-00-000-024.001)

Chairman Walker opened the public hearing. Breann Speraneo presented both items, the requests for rezoning and the special use permit. She added this is all one parcel and the default zoning if annexed in would be R-1-C. The applicant is requesting rezoning if annexed to Industrial. Breann Speraneo stated that the Comprehensive Plan and Future Land Use Map are considered policy guides to current and future development. While they do not have the force



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of an ordinance, it is generally recommended that municipalities adhere to the findings, policies, principals, and recommendations in these documents. Changes and deviations are permissible, but they should be reasonably justified. The subject property is denoted as residential on the Comprehensive Plan's Future Land Use Map. This property has not been used as residential in the past and future uses will not likely be residential. Given that this property is adjacent to an Industrial area on the Future Land Use Map and this is a more appropriate classification, staff will be proposing this change at the time of the next Comprehensive Plan update. She also presented the standards of review for zoning map amendments and findings of fact. Breann also noted in the staff discussion that the proposed map amendment is not consistent with the Future Land Use Map, which shows this parcel as Residential. While this is generally a concern, in this case staff believes an amendment to the Future Land Use Map may be warranted to show this parcel as Industrial. This property is best suited for industrial uses and will not be used for residential purposes in the foreseeable future. Staff supports the rezoning of this property from R-1-C to Industrial (pending annexation), as Industrial is most appropriate for current and future uses.

Breann Speraneo presented the information on the Special Use Permit for a bar/tavern within an Industrial district at 12258 Highland Rd., so eventually they may subdivide. The Special Use Permit will only be for the bar/tavern and not the terminal operations/more industrial side. The applicant Old Time Pub, LLC. The current owner is DK7 Properties, LLC. A Special Use Permit will not be granted if the annexation and rezoning does not take place. The standards for review for special use permits were presented. Breann included in staff discussion that while the Future Land Use Map currently classifies this area as residential, staff will propose to amend the FLU to reclassify this area as Industrial at the time of the next Comprehensive Plan Update. The proposed use would allow for a new business on a currently vacant property. The aesthetics of the lot would improve. Breann asked if anyone had any questions for her or the applicant representative, Dale Eyman.

Brad Korte asked if city council has taken any action on the property such as a liquor or gaming license. Breann Speraneo responded that it has been ran by city council as a discussion item as a courtesy to this board and to give staff some guidance. Council was open to hear more about this project, but they have not taken any official vote and nothing has been issued for this property as it is not annexed in yet.

Deanna Harlan asked Dale if he could help understand the drawing and rendering. Dale said the drawing of the proposed pub is the main building in the picture. They have added an outdoor pavilion to that. The terminal operator business will initially operator out of the terminal operator's home and eventually another building would be remodeled into an office. Deanna asked if the view in the rendering is the back lounge. Dale said that it was the west side of the building where the pavilion would be added. Deanna Harlan said she was trying to figure out directions. Dale said that the steps are the front of the building facing the road with the rendering looks at it from the west side. Discussion on the blue things on rendering must be an error per Dale.



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Shirley Lodes asked what side of the picture the rendering was from. Dale responded that it was the west side of the building where the pavilion is being added.

Brad Korte asked for verification that there were going to be two businesses. One being the terminal operator which will handle gaming machines for the end user. Dale confirmed.

Shirley asked if Dale felt there was adequate parking for both the business and bar/tavern. Dale said there is 1.44 acres total and there is some parking from the previous business. The terminal operator business will not require a lot of parking as the business will take place out in the field. He added that most of the parking will be for the bar business.

Chairman Walker asked about if gaming will be included in the bar/tavern. Dale replied that there would be gaming in the bar. Dale said the bar/tavern and the terminal business would be owned by separate entities.

Chairman Walker asked if there was further discussion on the rezoning or special use permit. Hearing none, the public hearing was closed.

Chairman Walker requested a motion be made to approve the rezoning of 12258 Highland Rd, pending annexation. Motion made by Deanna Harlan, seconded by Shirley Lodes. 6 ayes and 0 nays. Motion approved.

- d) DK7 Properties, LLC (12258 Highland Rd), on behalf of Old Time Pub, LLC is requesting a Special Use Permit for 12258 Highland Rd, pending annexation. (PIN # 01-1-24-06-00-000-024.001)  
**Chairman Walker requested a motion be made to approve the Special Use Permit for 12258 Highland Rd, pending annexation. Motion made by Shirley Lodes, seconded by Brad Korte. 6 ayes and 0 nays. Motion approved.**

### 8. Calendar

- a) September 2, 2020– Combined Planning and Zoning Board Meeting  
**Breann Speraneo stated that there would be a September CPZB Meeting.**
- b) Adjournment – **8PM**

Citizens may participate in person or remotely. To monitor the meeting via phone, call 618-882-4358 and use conference ID# 267091. To have a comment read into the meeting minutes, email your comment to [kkilcauski@highlandil.gov](mailto:kkilcauski@highlandil.gov) or submit it through our Citizen Request portal on our website.

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