



# City of Highland

## Building and Zoning

### Combined Planning & Zoning Board

#### Meeting Minutes

City Hall – 1115 Broadway

December 2, 2020 7:00 P.M.

1. Call to Order – **7PM**

2. Roll Call

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

**Staff – Present – Breann Speraneo, Mike McGinley (attended by phone), Mallord Hubbard, Matt Kundrat and Kim Kilcauski**

3. General Business:

Approval of the November 4, 2020 Minutes

**A motion was made by Al Stoecklin to approve the November 4, 2020 meeting minutes as written, seconded by Deanna Harlan. 7 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 Korte opened the Public Comment Section regarding items not on the agenda at this time. Hearing none, he asked if any comments not on the agenda had been received and needed to be read into the minutes. Kim Kilcauski responded that the comments received by email or through the Citizen Portal were for items on the agenda. Chairman Korte closed the Public Comment Section.**

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 Korte reviewed the meeting process and administered the oath to those guests in attendance wishing to address the board. Guests taking the oath included Dale Eyman, Kelly Hunt and John Cronin (attended by phone).**

6. New Business

- a) Netemeyer Engineering Associates, Inc. (101 S. Page St, Aviston, IL 62216), on behalf of DK7 Properties LLC (1402 Mercantile Drive), is submitting a preliminary plat for DK7 Subdivision on Highland Road.

**Chairman Korte opened the public hearing on item “a”. Breann Speraneo presented on DK7’s Subdivision preliminary plat explaining that in order to split the existing parcel into three separate lots, the subdivision process is necessary. However, this subdivision does not involve any new infrastructure. She added that both the Public Works and Light and Power departments have verified that all necessary utility easements are shown on the preliminary**



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plat. Breann Speraneo stated that staff recommends approval of the DK7 Subdivision preliminary plat in order to split the existing parcel into three separate lots. She asked if there were questions for her or Mr. Eyman, representative of DK7. Chairman Korte verified that there were no questions. Chairman Korte opened the public comment portion of the hearing. He asked if there were further questions. Hearing none, Chairman Korte will close the public comment portion of the hearing. Chairman Korte asked if staff had anything to add. Breann Speraneo said there was nothing to add. Chairman Korte asked for a motion to approve the preliminary plat for the DK7 Subdivision on Highland Road. A motion was made by Deanna Harlan and seconded by Bob Vance. Chairman Korte asked for any further discussion. Hearing none, he requested a roll call vote. 7 Ayes, 0 Nays. Motion approved. Chairman Korte closed the public hearing.

- b) Kelly Hunt & Matthew Bugger (1306 6<sup>th</sup> Street) are requesting a Special Use Permit for a short-term rental at 1306 6<sup>th</sup> Street.

Chairman Korte opened the public hearing on item “b”. Matt Kundrat presented the request for Special Use Permit for a short-term rental at 1306 6<sup>th</sup> Street. He stated that the applicant and property owner is Kelly Hunt & Matthew Bugger and they are requesting a Special Use Permit to allow for a short term rental in the R-1-D district. The zoning matrix identifies “short term rental” as Special Use within the R-1-D single family residential zoning district. The subject property is denoted as downtown on the Comprehensive Plan’s Future Land Use Map. A short-term rental is an appropriate Special Use for the downtown area. Westrock Packaging is located to the North and is zoned Industrial. Single-family residences zoned R-1-D are located to the South, East and West. Matt Kundrat presented the Standards of Review for Special Use Permits which included that the proposed Special Use is consistent with the Comprehensive Plan and would not have an adverse effect on public utilities or traffic circulation on nearby streets. He added that off-street parking may need to be identified. The proposed Special Use will adequately protect the public health, safety and welfare, and the physical environment. The proposed Special Use will not have a detrimental impact on the value of neighboring property. It will contribute to the City’s overall tax base through the hotel-motel tax generated. The proposed Special Use will utilize public utilities. There are no facilities near the proposed Special Use that require the need for special protection. Matt Kundrat stated in the Staff Discussion that there is a need for more hospitality businesses in Highland, especially during special events and a new short-term rental would help to relieve this problem. The proposed unit is nicely furnished to accommodate guests. Matt Kundrat asked if there were any questions for him or applicant. Chairman Korte asked if off street parking was available at that location. Breann Speraneo stated there is off street parking; however, the applicant could address it in more detail and the City did receive comments and questions from citizens. She read the email received on November 17, 2020 from Nicole Shaw. “Hello. I received a letter about Matt and Kelly wanting to rent out their upstairs apartment for an Air BNB. This brings much concern about the parking and traffic issues that come with that. I'm not sure if they plan to allow them to park out back, because there is no room in back. It’s just an alley and there is no additional parking available at their



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place. It can get quit congested driving through with their own vehicles parked there, let alone when they have visitors over at times. I wish them well with this idea, but I cannot be on board if there is parking allowed "out back". I would be happy to show pictures or urge the board to go take a look for themselves at the situation. I am also concerned about having strangers coming through our alley way making more traffic in the area, several of us have small children that ride bikes and such in the alley. Anyone not familiar with our street and neighborhood will not proceed with caution and may not be on the look out for kids. If they want guests, they need to be parking along Cypress and NOT the alley "out back". I hope you guys take this seriously because I'm afraid to see accidents happen or someone get killed because of negligence. Sincerely. Nicole Shaw". Breann Speraneo noted the photos that Ms. Shaw had also emailed were included in the presentation. Breann Speraneo then read the email received on December 1, 2020 from Daniel Mueller at 608 Cypress Street in Highland. "Hello - due to the covid pandemic I do not wish to attend the meeting in person, but would like to make this comment. I don't have a problem with my neighbors getting a special use permit, so long as the parking situation is addressed. The property in question has no parking to the North (there's a factory there), and no parking on 6th street. The property is built up all the way to the alley in the back, so that just leaves Cypress St. There is a "no parking from here to corner" sign in place now there on the East side of Cypress next to this property. You could move that sign 10-15 feet north and that would get you one new spot, aside from that, I don't know where these renters/visitors would park. Thank you for letting me comment this way, and again, I support their efforts for a special use permit, but please discuss the parking aspect of it. Daniel Mueller, 608 Cypress St, Highland, IL 62249". She noted that she had spoken with Ms. Hunt prior to the meeting to let her know there were a few neighbors concerned with parking. Breann Speraneo added Ms. Hunt had advised that there are three spots on their property for guest parking and that they, the homeowners, actually park in the garage. She continued by saying that they are allowed to have two parking spots along the street as well. Chairman Korte commented that if someone lived there full-time there could be five cars at the house. He went on to say that he understood the concern with parking, but if people lived there full-time there could still be a lot of cars. He continued by saying he found it difficult to think that parking could be worse with short-term renters. Kelly Hunt addressed the board stating parking was a concern for them as well, because they have had problems in the past. She said Matt has a huge family and there have been times when they have had several people in the home for Christmas. Ms. Hunt added that her daughter and fiancé use the two parking spaces out front, but will be moving out leaving the two spots out front available for guests. She said they have three spots in back of the garage. Kelly Hunt stated that Jennifer Ostrander of Wicks said that guests could park at Wicks and then be shuttled back and forth. Ms. Hunt said that they would be happy to shuttle their guests if need be. She said when anyone is staying upstairs in their home they will be present, so they would be there to shuttle people back and forth. Deanna Harlan said that the three parking spots behind the garage are not viable, because if Ms. Hunt parks in the garage and three additional people park behind it then it would be impossible to get the cars out of the garage. Kelly Hunt stated that she understood the concern. She added when people are visiting that



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as homeowners they will be present and will not be leaving. Kelly Hunt said that they have talked to other companies that have done this and the maximum amount of people that they would want staying there is twelve. She continued by saying that they are thinking even less than that. She added that there is no way to park more than five cars, and three or four at a time is preferred. She said that she believes guests would travel together which would limit the number of cars onsite. Deanna Harlan mentioned events like Kirchenfest and a group possibly meeting at the house. She said there could be several cars. Kelly Hunt said they would discuss parking with guests. She added that there will be rules or guests will not be able to stay. Kelly Hunt said their plan is to work with the city and the renters will need to abide by the rules or not come. Ms. Hunt stated that along with posting the rules, emergency numbers and other information would also be provided. Breann Speraneo suggested based on Airbnb experience the board could approve a contingency to limit onsite parking, which can then be posted by the homeowners. Breann Speraneo then read from an email that Kelly Hunt had received from Jennifer Ostrander stating that they (Wicks) have had over 10,000 people attend 42 weddings last year and the 59 rooms at Baymont are not cutting it. In the email, Jennifer Ostrander noted that out of town guests are having to go to Greenville, Troy and Edwardsville for lodging and it would be great to keep them in town. Breann Speraneo also noted that Jennifer Ostrander pointed out that there would be hotel/motel tax being paid and there is side street parking. Chairman Korte asked if there were further comments or questions. Shirley Lodes commented that she likes what has been done to the property and it is great that they have thought about how to handle the parking problem. She continued that Cypress Street has places to park and if visitors need to park there they could. Kelly Hunt said that kids are crossing the alley all the time and they are very careful in the alley. She added that there are people that are not careful and 6<sup>th</sup> Street seems to have drag racing at times. Kelly Hunt said that they will work through the parking with guests that want to stay with them. Shirley Lodes stated that many times at hotels, motels or rentals you have to walk a block or two. Chairman Korte asked if there were further questions. Chairman Korte asked if staff had anything to add. Breann Speraneo said there was nothing to add. Chairman Korte asked for a motion to approve the request for Special Use Permit. A motion was made by Bill Koehnemann and seconded by Anthony Walker. Chairman Korte asked for any further discussion. Hearing none, he closed the comment section and requested a roll call vote. **7 Ayes, 0 Nays. Motion approved. Chairman Korte closed the public hearing.**

- c) The City of Highland (1115 Broadway) is requesting to rezone 1301, 1302, 1304, 1306, 1307, 1310, 1311, 1400, 1401, 1404, 1406, 1407, 1408, 1410, 1411, 1414, 1415 Lynn Street and 1302, 1314, 1318, 1400, 1402, 1406 Oak Street from C-2 Central Business District to R-1-D Single-Family Residential.

**Chairman Korte opened the public hearing on item "c". Breann Speraneo presented on the City of Highland's request to rezone 1301, 1302, 1304, 1306, 1307, 1310, 1311, 1400, 1401, 1404, 1406, 1407, 1408, 1410, 1411, 1414, 1415 Lynn Street and 1302, 1314, 1318, 1400, 1402, 1406 Oak Street from C-2 Central Business District to R-1-D Single-Family Residential. She stated that the Comprehensive Plan and Future Land Use Map are considered policy guides to**



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current and future development. While they do not have the force 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 Medium Density Residential on the Comprehensive Plan's Future Land Use Map. The applicant's request is consistent with the Future Land Use Map and the goals and policies established within the Comprehensive Plan. Breann Speraneo went through the Standards for Review for Zoning Map Amendments and Findings of Fact. She noted that the property is currently C-2 and consists of single-family homes. The existing uses and zoning includes single-family residences zoned R-1-D to the North and East, Widmer Floral zoned C-2 and single-family residences zoned R-1-D to the South, and one- and two-family residences zoned R-1-B to the West. The rezoning will not have a negative effect on nearby properties. The property is suitable for single-family residences. There are no proposed new uses. This property has become a residential area since it was initially zoned. The amendment is consistent with the Comprehensive Plan and will not affect public utilities, public services, or traffic. The amendment will promote the health, safety, quality of life, comfort and general welfare of the city. Breann Speraneo included in the staff discussion that it is City Staff's conclusion that Widmer Floral once owned a large portion of this area and the area was zoned C-2 for the floral company. It was never rezoned when it became a single-family residential area. It is important to rezone this area so that single-family homes are a conforming use. They are currently legal nonconforming in C-2. A letter that was mailed to the property owners has been provided to the board. City Staff has received 20 returned forms of support from property owners. At the time of this staff report, City Staff has been unable to make contact with 3 of the 23 property owners. Attempts of contact include a mailed letter, knocking on the door, and calling the number on file for each of the 3 property owners we have not received a response from. She asked if there were any questions. Chairman Korte verified that there were no questions. Chairman Korte opened the public comment portion of the hearing. He asked if there were further questions. Hearing none, Chairman Korte will close the public comment portion of the hearing. Chairman Korte asked if staff had anything to add. Breann Speraneo said there was nothing to add. Chairman Korte asked for a motion to approve the rezoning request. A motion was made by Deanna Harlan and seconded by Al Stoecklin. Chairman Korte asked for any further discussion. Hearing none, he closed the comment section and requested a roll call vote. 7 Ayes, 0 Nays. Motion approved. Chairman Korte closed the public hearing.

- d) Flax Meadow LP (28 E. Saint Charles Rd, Villa Park, IL) and Grandview Farm LP (10205 State Route 143, Marine, IL) are requesting to rezone 216, 217, 220, 221, 224, 225, 228, 229, 232, 233, 236, 237, 240, 241, 244, 245, 248, 249, 252, 253, 256, 257 Flax Drive from R-2-B Multiple Family Residential to R-3 Multiple Family Residential.

Chairman Korte opened the public hearing on item "d". Breann Speraneo presented on request to rezone 216, 217, 220, 221, 224, 225, 228, 229, 232, 233, 236, 237, 240, 241, 244, 245, 248, 249, 252, 253, 256, 257 Flax Drive from R-2-B Multiple Family Residential to R-3 Multiple Family Residential. Breann Speraneo stated that the rezoning is due to the following



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recent Zoning Code text amendment, recommended by the Combined Planning & Zoning Board on September 2, 2020 and approved by the City Council on September 7, 2020: The City of Highland (1115 Broadway) is requesting a text amendment to Section 90-127 of the Municipal Code to reduce R-2-A and R-2-B zoning districts to one and two unit dwellings and to correct an error pertaining to R-3. The purpose of this text amendment was to ensure that the Municipal Code's text aligns with the zoning matrix of allowed uses and to require future multifamily developments to be within a zoning district that allows for more than two-unit dwellings. This text amendment was not created to cause difficulty for existing multifamily developments. As a result of this text amendment, the existing Flax Meadows four-unit dwellings with the R-2-B district on Flax Drive are now considered legal nonconforming. Breann Speraneo included that City Staff recommends the rezoning of Flax Drive from R-2-B to R-3 to allow for the existing multifamily dwellings to be a conforming use and to allow for the Flax Meadows development to complete phase two of construction. A Planned Unit Development is also recommended in order to make the use conforming. The subject property is denoted as Mixed Use on the Comprehensive Plan's Future Land Use Map. The applicant's request is consistent with the Future Land Use Map and the goals and policies established within the Comprehensive Plan. Breann Speraneo presented the Standards of Review for Zoning Map Amendments and Findings of Fact. The property currently consists of Flax Meadows multifamily units and vacant lots. The surrounding property are vacant lots zoned C-4 to the North and West and R-1-C to the South and East. The rezoning will not have a negative effect on nearby properties. The property is suitable for Flax Meadows development. The property has not changed. This rezoning is the result of a text amendment, not land use. The amendment is consistent with the Comprehensive Plan. The amendment will not affect public utilities, public services, or traffic. The amendment will promote the health, safety, quality of life, comfort and general welfare of the city. Breann Speraneo stated in the staff discussion that this rezoning has been made necessary due to unintended consequences of a text amendment to correct an error in the code. Staff supports the rezoning. Chairman Korte asked there were any questions. John Cronin representing Flax Meadows LP said they are looking for support from the City on this to make sure that what has been built is fine and not a nonconforming use for the existing phase I. He continued by saying phase II that they are looking at in the near future has the right opportunity so the zoning is correct and in place for what they see as a continuation and a successful addition to the community. Chairman Korte opened the public comment portion of the hearing. He asked if there were further questions. Chairman Korte asked if staff had anything to add. Breann Speraneo said there was nothing to add. Chairman Korte asked for a motion to approve the rezoning request. A motion was made by Bob Vance and seconded by Shirley Lodes. Chairman Korte asked for any further discussion. Hearing none, he closed the comment section and requested a roll call vote. 7 Ayes, 0 Nays. Motion approved. Chairman Korte closed the public hearing.

- e) Flax Meadow LP (28 E. Saint Charles Rd, Villa Park, IL) is requesting a Planned Unit Development for 216, 220, 224, 228, 232, 236, 240, 244 Flax Drive.

Chairman Korte opened the public hearing on item "e". Breann Speraneo presented on request for a planned unit development for 216, 220, 224, 228, 232, 236, 240, 244 Flax Drive. The





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applicant is requesting a Planned Unit Development for eight 4-unit dwellings and an office building in an existing development. Breann Speraneo noted that the construction was nicely done and the Building and Zoning Department was satisfied with the work. This Planned Unit Development is needed due to the following recent Zoning Code text amendment, recommended by the Combined Planning & Zoning Board on September 2, 2020 and approved by the City Council on September 7, 2020: The City of Highland (1115 Broadway) is requesting a text amendment to Section 90-127 of the Municipal Code to reduce R-2-A and R-2-B zoning districts to one and two unit dwellings and to correct an error pertaining to R-3. The purpose of this text amendment was to ensure that the Municipal Code's text aligns with the zoning matrix of allowed uses and to require future multifamily developments to be within a zoning district that allows for more than two-unit dwellings. This text amendment was not created to cause difficulty for existing multifamily developments. As a result of this text amendment, the existing Flax Meadows four-unit dwellings with the R-2-B district on Flax Drive are now considered legal nonconforming. City Staff recommends a Planned Unit Development to be issued for the existing Flax Meadows dwelling units in order to make them a conforming use. The subject property is denoted as Mixed Use on the Comprehensive Plan's Future Land Use Map. The applicant's request is consistent with the Future Land Use Map and the goals and policies established within the Comprehensive Plan. Breann Speraneo continued with the Standards of Review for Planned Unit Development and Findings of Fact. The proposed amendment is consistent with the comprehensive plan. This is an already existing use. The existing use utilizes public utilities and does not have an effect on traffic circulation. The existing use adequately protects the public health, safety and welfare, and the physical environment. The existing uses does not have a negative effect on the value of the neighboring property and the city's overall tax base. The existing use utilizes public utilities. There are no facilities near the existing use that require special protection. The Breann Speraneo stated in the Staff Discussion that this PUD has been made necessary due to unintended consequences of a text amendment to correct an error in the code. Staff supports the PUD and has completed the paperwork on behalf of the applicants. Chairman Korte asked there were any questions. Chairman Korte opened the public comment portion of the hearing. He asked if there were further questions. Chairman Korte asked for a motion to approve the rezoning request. A motion was made by Al Stoecklin and seconded by Bill Koehnemann. Chairman Korte asked for any further discussion. Hearing none, he closed the comment section and requested a roll call vote. 7 Ayes, 0 Nays. Motion approved. Chairman Korte closed the public hearing.

- f) North Arrow Development (28 E. Saint Charles Rd, Villa Park, IL), on behalf of Grandview Farm LP (10205 State Route 143, Marine, IL), is requesting a Planned Unit Development for 237, 241, 245, 248, 249, 252, 253, 256, 257 Flax Drive.

Chairman Korte opened the public hearing on item "f". Breann Speraneo presented on request for a planned unit development for 237, 241, 245, 248, 249, 252, 253, 256, 257 Flax Drive. The proposed development consists of (4) one-bedroom units (1 accessible & one sensory), (12) two-bedroom units (1 accessible), (16) three-bedroom units (2 accessible), Playground & community garden area and 64 parking spaces (6 ADA). This Planned Unit Development is needed due to the following recent Zoning Code text amendment, recommended by the Combined Planning & Zoning Board on September 2, 2020 and approved by the City Council on September 7, 2020. The City of Highland (1115 Broadway) is requesting a text amendment to Section 90-127 of the



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Municipal Code to reduce R-2-A and R-2-B zoning districts to one and two unit dwellings and to correct an error pertaining to R-3. The purpose of this text amendment was to ensure that the Municipal Code's text aligns with the zoning matrix of allowed uses and to require future multifamily developments to be within a zoning district that allows for more than two-unit dwellings. This text amendment was not created to cause difficulty for existing multifamily developments. As a result of this text amendment, the existing Flax Meadows development is must obtain a PUD for any future expansions. City Staff recommends a Planned Unit Development to be issued for the continuation of Flax Meadows. The subject property is denoted as Mixed Use on the Comprehensive Plan's Future Land Use Map. The applicant's request is consistent with the Future Land Use Map and the goals and policies established within the Comprehensive Plan. Breann Speraneo added that a site plan will be required, but the parking does satisfies parking requirements by code. Breann Speraneo continued with the Standards of Review for Planned Unit Development and Findings of Fact. The proposed amendment is consistent with the comprehensive plan. This is an already existing use. The existing use utilizes public utilities and does not have an effect on traffic circulation. The existing use adequately protects the public health, safety and welfare, and the physical environment. The existing uses does not have a negative effect on the value of the neighboring property and the city's overall tax base. The existing use utilizes public utilities. There are no facilities near the existing use that require special protection. The Breann Speraneo stated in the Staff Discussion that this PUD has been made necessary due to unintended consequences of a text amendment to correct an error in the code. Staff supports the PUD and has completed the paperwork on behalf of the applicants. Chairman Korte asked there were any questions. Chairman Korte opened the public comment portion of the hearing. He asked if there were further questions. Chairman Korte asked for a motion to approve the rezoning request. A motion was made by Deanna Harlan and seconded by Anthony Walker. Chairman Korte asked for any further discussion. Hearing none, he closed the comment section and requested a roll call vote. 7 Ayes, 0 Nays. Motion approved. Chairman Korte closed the public hearing.

### 7. Calendar

#### a) January 6, 2021– Combined Planning and Zoning Board Meeting

Breann Speraneo confirmed that there would be a January meeting. The meeting will include a variance and a special use permit.

#### b) Adjournment

A motion was made to adjourn by Deanna Harlan, seconded by Shirley Lodes. 7 Ayes, 0 Nays. Motion approved. Meeting adjourned at 7:50PM.

*Citizens may attend the meeting in person or monitor the meeting via phone. 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.*