

**HIGHLAND, ILLINOIS  
MINUTES OF REGULAR SESSION  
COMBINED PLANNING & ZONING BOARD  
CITY HALL, 1115 BROADWAY  
WEDNESDAY, DECEMBER 1, 2021  
7:00 PM**

**Call to Order:**

The December 1, 2021, meeting of the Combined Planning & Zoning Board was called to order at 7:00 PM by Chairman Anthony Walker.

**Roll Call:**

Members present: Chairman Anthony Walker, Deanna Harlan, Bill Koehnemann, Shirley Lodes, Alan Stoecklin, and Robert Vance.

Members absent: Brad Korte.

Also present: Director of Community Development Breann Vazquez; City Attorney Johanna Schallenberger; Economic & Business Retention Coordinator Mallord Hubbard; SIUE Intern Gretchen Arnold; Deputy City Clerk Lana Hediger; and, approximately 77 members of the public, including one member of the press.

**Approval of Minutes:**

Shirley Lodes made a motion to approve the minutes of the November 3, 2021, Regular Session meeting of the Combined Planning & Zoning Board; seconded by Deanna Harlan. Harlan, Koehnemann, Lodes, Stoecklin, Vance, and Walker voted aye; none voted no; the motion carried.

**Public Hearing Procedures:**

Chairman Walker reviewed the procedures for testifying on any items on this agenda during the hearings and swore-in members of the public wishing to testify on any issue. 18 members of the public took the oath.

**Public Comments Relating to Items Not on the Agenda:**

None

**New Business:**

*Note: Items A-H were carried over from the November 3, 2021, CPZB Meeting as General Orders, to be placed first on this agenda.*

**a. The City of Highland is requesting a text amendment to Section 90-201, Table 3.1.B of the Municipal Code to require a Special Use Permit for junkyards and commercial stables in the Industrial zoning district.**

Breann Vazquez, Director of Community Development noted that many people present at the meeting are here to speak to the Tut Development proposal. That will be Item E, on the agenda. The appropriate time to speak, will be when we get to that item. Items A-D are not specific to the Tut Development.

She reviewed a prepared Power Point presentation, giving a summary of this proposed text amendment, as follows:

- The City of Highland is requesting text amendments to Section 90-201 Table 3.1.B of the Municipal Code to require a Special Use Permit for junkyards and commercial stables in the Industrial zoning district.

- Junkyards and commercial stables are currently permitted outright in the Industrial zoning district. It is in the City's best interest to limit the number of these uses within the community and approve the uses on a case-by-case basis in order to ensure that any necessary provisions are established. Therefore, the text amendment will allow them in Industrial zoned areas by special use permit only. Special use permit applications are heard by the CPZB first and then forwarded, with a recommendation, to the city council for final action.

**The Public Hearing on this issue was opened:**

There were no online comments submitted, and no comments from anyone in attendance.

**The public hearing on this issue was closed.**

Vance made a motion to recommend approval of the text amendment to Section 90-201, Table 3.1.B of the Municipal Code to require a Special Use Permit for junkyards and commercial stables in the Industrial zoning district; seconded by Koehnemann.

The vote was taken by roll call. Harlan, Koehnemann, Lodes, Stoecklin, Vance, and Walker voted aye. The motion carried.

**b. The City of Highland is requesting a text amendment to Section 90-15 of the Municipal Code to provide a definition for truck stops.**

Director Vazquez noted that "truck stop" is not currently listed as a use in the city's code. Therefore, that use needs to be defined in order to entertain applications for them. The three steps necessary to incorporate it into the code, are to define "truck stop," allow "truck stop" as a special use within Industrial zoned districts, and establish parking requirements for "truck stops." She reviewed a prepared Power Point presentation, giving a summary of Items B through D combined, as follows:

- The City of Highland is requesting text amendments to Section 90-15, 90-201 Table 3.1.B and 90-223 Table 5.1 of the Municipal Code to:
  - *define "truck stop"*
  - *allow truck stops as a Special Use within the Industrial zoning district*
  - *establish parking requirements for truck stops.*
- Truck stops are not a listed use within the zoning code and are therefore currently disallowed. Staff does not believe that a truck stop falls within any currently defined category and the use is specific enough to require its own definition and parking regulations, as follows:

**Sec. 90-15. Definitions**

Truck stop: A facility that is at least a 3-acre facility with a convenience store, separate diesel islands for fueling commercial motor vehicles and parking spaces for commercial motor vehicles as defined in Section 18b-101 of the Illinois Vehicle Code. Truck stops may also include uses such as a car wash, dog wash, restaurant facilities primarily for the use of customers, overnight accommodations, showers, and the sale of accessories and equipment for commercial motor vehicles. Director Vazquez noted that she developed this definition using the ones from the state of Illinois and municipalities in the surrounding area.

This text amendment will allow "truck stops" in Industrial zoned areas by special use permit only.

**Sec. 90-223. Shared Parking**

Table 5.1 – Parking Requirements – Industrial

Truck Stop – 3 stalls per service bay, plus 4 spaces per 1,000 square feet of publicly accessible floor area.

**The Public Hearing on this issue was opened:**

No online comments were submitted on this item.

Wayne Sway asked if Item B is purely a definition. He took exception to the term "Industrial Zoning District." This is not an Industrial area. It is a residential area. A "truck stop" would be a commercial use. This site is a number of acres besides just the truck stop. Breann Vazquez explained that this is to create a definition for "truck stops" in our zoning code, creating a home for "truck stops" within our zoning matrix, and creating parking regulations for a "truck stop." This is not for any specific project. These are general code regulations. She was asked to reread the definition, which she did.

Donna Elliott also has a concern about truck stops being limited to Industrial Zoning. To her she believes situating Industrial next to Residential zoning is problematic. Chairman Walker clarified that this is to limit them to Industrial-zoned areas, with a Special Use permit.

Elizabeth Odell, asked for clarification on what "overnight accommodations" means. Director Vazquez said that it refers to "overnight parking" for trucks. Ms. Odell added that in her opinion it should say, "overnight parking for trucks" rather than "overnight accommodations." Vazquez added that the board can take that into consideration.

William Schultz stated that he believes that the text amendments are only being considered because of the proposed project further down on the agenda. He asked if the city would be considering these text amendments, were it not for item E. Vazquez indicated that we do our best to cover every use within the zoning code. Sometimes we receive proposals for which we have no definitions for. When that happens, it is our job to create a text amendment that we believe is in line with that use in general, not specific to any application we may have received. Mr. Schultz takes exception to that and believes that such applications should just be rejected on the basis that no language exists to accommodate them.

Director Vazquez reminded everyone to be respectful and come to the microphone if they have comments to share. When making comments, please state your name first.

Brian Garcia asked if anyone has ever applied for a truck stop in the history of Highland. Vazquez answered, "I do not believe so."

Lynn Hargus stated that it is his understanding that truck stops are not currently allowed and that this would text amendment would allow them. Chairman Walker indicated that is correct. Mr. Hargus asked why we need them?

Jeff McCray addressed Lynn Hargus directly and indicated that the truck stop is needed in order to put in online video gaming according to the state of Illinois. They require one floor facilities that are either a veterans' organization, a fraternal organization, a retail facility or a truck stop. Vazquez stated that the state of Illinois does grant gaming licenses to truck stops. They have separate definitions for convenience stores, gas stations and truck stops that have more to do with gaming, such as, 3 acre facilities, and the capability to sell diesel. Jeff McCray added that according to Illinois gaming laws, a truck stop must sell at least 10,000 gallons of fuel per month. Vazquez noted that the applicant asked for a truck stop, it is not the city's business to determine whether they will meet the state's qualifications on the amount of diesel sold. That would be up to the state to govern their permit.

McCray asked if the city has any zoning definitions regarding video gaming rooms. Chairman Walker indicated that is off topic. Vazquez indicated that the city has some liquor licenses that involve video gaming machines. This does not fall under a classification. It would be up to the state if they wanted to grant a gaming license for a truck stop. McCray asked if a truck stop would be allowed to sell package liquors. Vazquez said, "As part of a convenience store, yes." McCray continued, "So, say an entire wall of whiskey and Vodka?" Vazquez stopped the line of questions, as off topic.

Director Vazquez clarified that this definition includes "...a facility with a convenience store" and "convenience stores" may sell package liquors.

Mary Otis noted that the floor plan of the proposed facility depicts a gaming room. She asked why that is not included in this definition.

Director Vazquez indicated that this discussion is not about any specific proposal at this time. This discussion is strictly pertaining to the definition of "truck stop" as the city has requested to add it to the code.

Chairman Walker asked if there were any additional comments on this item. There were none.

**The public hearing on this issue was closed.**

Harlan made a motion to recommend approval of a text amendment to Section 90-15 of the Municipal Code to provide a definition for truck stops; seconded by Lodes.

The vote was taken by roll call. Harlan, Koehnemann, Lodes, Vance, and Walker voted aye. Stoecklin abstained. The motion carried.

**c. The City of Highland is requesting a text amendment to Section 90-201, Table 3.1.B of the Municipal Code to allow truck stops as a Special Use within the Industrial zoning district.**

There were no additional staff reports on this item.

**The Public Hearing on this issue was opened:**

There were no online comments submitted, and no comments from anyone in attendance.

**The public hearing on this issue was closed.**

Harlan made a motion to recommend approval of a text amendment to Section 90-201, Table 3.1.B of the Municipal Code to allow truck stops as a Special Use within the Industrial zoning district; seconded by Vance.

The vote was taken by roll call. Harlan, Lodes, Vance, and Walker voted aye. Koehnemann voted no. Stoecklin abstained. The motion carried.

**d. The City of Highland is requesting a text amendment to Section 90-223, Table 5.1 of the Municipal Code to create parking requirements for truck stops.**

There were no additional staff reports on this item.

**The Public Hearing on this issue was opened:**

Elizabeth Odell asked if there was a time limit on parking. Director Vazquez said, "There is not a time limit for any parking requirements in our zoning matrix. This section is intended to govern the number of spaces for parking. Time limits would be defined in other sections of the code.

**The public hearing on this issue was closed.**

Lodes made a motion to recommend approval of a text amendment to Section 90-223, Table 5.1 of the Municipal Code to create parking requirements for truck stops; seconded by Harlan.

Lodes asked if these requirements come from the state of Illinois. Vazquez indicated no, that this was from her research on the city's code and surrounding municipalities.

Walker asked if there are time limits for parking in the code. Director Vazquez responded that time limits would be for business hours on each specific proposal, which would be built into a special use permit or in special regulations on a proposal. Chairman Walker continued, asking for clarification on if someone was applying for a special use permit for a truck stop, the Combined Planning Zoning Board could recommend application of whatever restrictions they thought were necessary. Vazquez confirmed that.

The vote was taken by roll call. Harlan, Lodes, Vance, and Walker voted aye. Koehnemann voted no. Stoecklin abstained. The motion carried.

Director Vazquez reviewed a prepared Power Point presentation, giving a broad overview of the proposed project being considered tonight and information on key elements of it, as follows:

**Advertisement standards for this item were observed as follows:**

**Required:**

- Mailings to all property owners within 250 feet of the property (Mailed on 10/13/21 and 12/16/21)
- Advertisement in newspaper of general circulation within the city (Legal ad was in the 10/13/21 and 11/10/21 edition of the Pioneer)

**Additional steps:**

- Public hearing signs placed one week prior to public hearing (placed 10/27/21 and have remained in place)
- Full meeting agenda and packets posted to the City's website on the Combined Planning & Zoning Board's page

Slides showing the layout of the business on the property as well as floor plans of the facility were shown. The reason for calling this business a truck stop was reviewed.

**State of Illinois Truck Stop definition:**

- ***Truck Stop Establishment:*** a facility (i) that is at least a 3-acre facility with a convenience store, (ii) with separate diesel islands for fueling commercial motor vehicles, (iii) that sells at retail more than 10,000 gallons of diesel or biodiesel fuel per month, and (iv) with parking spaces for commercial motor vehicles as defined in Section 18b-101 of the Illinois Vehicle Code. The requirement of item (iii) of this paragraph may be met by showing that estimated future sales or past sales average at least 10,000 gallons per month.
- City's classification must align with State's classification to ensure proper permitting
- **Proposal includes:**
  - 12 standard vehicle gas pumping positions (6 dispensers)
  - 3 commercial truck diesel pumping positions (2 dispensers)
  - Convenience store
  - Car wash
  - Electric charging stations
  - Pet wash
- **Proposal does NOT include:**
  - Overnight truck parking
  - 24/7 operations
  - Showers
  - Diner
  - Truck service bays
- City is proposing that "truck stops" be classified as a Special Use within the Industrial district

- *Rezone from C-4 Limited Business District to Industrial*
  - *Special Use Permit for three parcels*
  - *Combine three parcels*
- Full site plan review and building permit reviews will be conducted; permits will not be issued until site plan and building plans meet code

**Industrial Uses:**

**Principal Uses Allowed Outright:**

- Existing residential dwellings
- Public parks & playgrounds
- Agricultural – Farming Operations
- Automotive Service
- Bakery
- Body Art Establishment
- Co-Branding or Co-Branded Facility
- Construction Sales and Services
- Convenience Store
- Dry Cleaning Plants
- Furniture Appliance or Equipment Sales/Lease
- Garden Center, Greenhouse or Plant Nursery
- Government/Public Buildings
- Hospital
- Lumber or Building Materials Sales
- Manufacturing
- Manufactured Home Sales
- Medical or dental offices
- Medical or Dental Offices
- Office, General
- Parking Garage or Lot (private or public)
- Pet Care & Pet Related Sales & Service
- Pole Barn
- Print Shop (Copying Services)
- Printing & Publishing
- Professional Services
- Recreational Vehicle Sales, Lease or Rental
- Repair Service
- Truck & Equipment Sales, Lease & Rentals
- Used Car Lot
- Utilities (public)
- Warehouse, Mini (Self-Storage)

**Principal Uses Requiring a Special Use Permit:**

- Bar or Tavern
- Junkyard (*proposed*)
- Places of Public Assembly
- Public Service (other than Highland)
- Reception Venues
- Restaurant –
- General Solar Energy Farm
- Stable, Commercial (*proposed*)

- e. **Tut Properties, Inc. (10 Winged Foot Drive) is requesting to rezone 2210 Veteran's Honor Parkway, 2250 Veteran's Honor Parkway, and 2272 Veteran's Honor Parkway from C-4 Central Business District to Industrial.**  
**PIN# 01-2-24-03-00-000-029, 01-2-24-03-00-000-030, and 01-2-24-03-00-000-031**

BV reviewed a prepared Power Point presentation, as follows:

- Applicant & Property Owner: Tut Properties Inc.
- Summary: Rezone from C-4 Limited Business District to Industrial
- The Comprehensive Plan and Future Land Use Map are considered policy guides to 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 north parcel, 2272 Veteran's Honor Parkway, is labeled as "Mixed Use" on the Future Land use Map. The two parcels to the south, 2250 and 2210 Veteran's Honor Parkway are labeled as "Commercial."
- The three parcels will likely remain as a unit, so at the time of the next review of the Future Land Use Map, staff will recommend reclassifying all three parcels as "Industrial."

#### **Standards of Review for Zoning Map Amendments and Findings of Fact:**

Below are the nine (9) consideration items listed in Section 90-88 of the Zoning Code which the Combined Planning and Zoning Board shall take into account while reviewing a zoning map amendment request.

1. The property is currently used as farm land and is zoned C-4.
2. Property to the North is situated in Madison County, zoned Agricultural, and is currently used as farmland; to the South is the Highland-Pierron Fire Protection District Firehouse, zoned R-1-C; to the East, the property is situated in Madison County, zoned Agricultural, and is currently used as farmland; and, the property to the West is farmland and vacant multi-family residential lots, zoned C-4/R-2-A.
3. Nearby property is not anticipated to be negatively affected. The area contains a variety of zoning districts and is primarily undeveloped.
4. C-4 is a limited business district that is designed to provide retail goods and services to the residents living within the area. Given that much of the area is undeveloped and the City has developed commercial areas, C-4 is not the most appropriate zoning for the property.
5. The property is suitable for a truck stop. It is at the intersection of two major roadways.
6. The proposed zoning goes with the character of the area. This area has a mixture of zoning districts and is just beginning to be developed.
7. The proposed map amendment is consistent with the City's Comprehensive Plan.
8. There would not be a negative effect on public utilities, other needed public services and traffic circulation on nearby streets.
9. The map amendment will promote the health, safety, quality of life, comfort and general welfare of the city.

#### **Staff Discussion**

The property owner is proposing to develop a truck stop on the property. The truck stop would provide gas pumps and a convenience store for residents of subdivisions to the west, as well as services for traffic passing through the community. Given that this property is located on the corner of two major corridors, Veteran's Honor Parkway and St. Rose Road, this is an appropriate location for a truck stop. A truck stop requires industrial zoning, which is suitable for the currently undeveloped land.

**The Public Hearing on this issue was opened:**

Lynn Hargus is questioning why this proposed business must be in an Industrial area, as it is allowed in C-4, which is its current zoning.

**WRITTEN COMMENTS READ IN THE ORDER IN WHICH THEY WERE RECEIVED\*\*\*\*\***

**#1 (Director Vazquez read)**

Highland-Pierron Fire Department letter – attached

**#2 (Community Development Intern, Gretchen Arnold read the following comments)**

Dear Highland Building and Zoning Committee, City of Highland,

As I view the city’s plans for development, I would not have considered this part of town as industrial. We have substantial existing industrial areas that can be expanded. This seems to me to be a mistake.

Sincerely Yours,  
Dr. William Drake

**#3**

Dear Zoning Board,

As a long time resident of Highland, I have some concerns about the proposed truck stop on the East end of town. Additionally, my experience with zoning and best intentions for the community have ended very differently than were proposed. I have experienced that once these zoning changes have been made the projects always seem to change and/or move in a direction not described in the initial "tentative" plans, and not for the better good. I am very much against a truck stop/game shop located on the East end of town off of Veterans Parkway or Broadway/St. Rose road. I believe you have plenty of Industrial zoned areas on the West side of town for a truck stop. The East side should remain residential. I’m concerned about the extra traffic, questionable characters, and gaming located next to my children, possible 24 hour venue and property value issues.

Please share with the members of the zoning committee.

Thank you,

Patrick Keeney  
120 Quail Drive

**#4**

As a longtime citizen of Highland, I would like for my opinion to go on record as AGAINST the rezoning of the east side of Veterans Honor Parkway to Industrial. We have enough of Highland zoned Industrial. This lovely stretch of road, walking paths, parks and peaceful residential settings should not be infiltrated by the noise, trucks, pollution and increase in trucks, etc.

Sincerely, Donna Horstmann  
95 Arrowleaf St.  
Highland

**#5**



My name is Rebecca Klug and I reside at 35 Falcon Drive in Highland, IL. I approach the commission today to raise concerns over the proposed rezoning of 2210, 2250, and 2272 of Veteran's Honor Parkway from a C-4 Central Business District to Industrial and Pin# 01-2-24-03-00-000-010 from a R-1-C single family residential to Industrial, as well as the requested Special Use Permit to allow for a truck stop at the aforementioned location.

The City of Highland has worked tirelessly to provide a welcoming environment for its citizens. From the amazing parks and recreation opportunities to the many people who work hard to help make our city great, Highland truly does offer something for everyone. One of the best additions to Highland has been the walking trail that extends around the city. These proposed changes would directly impact this path that is utilized by hundreds of citizens on a daily basis. In fact, the entrances and exits would cross directly over it. In addition, this will invite more traffic to the area and increase noise pollution while creating safety concerns near a well-trafficked intersection with multiple pedestrians, including many families with small children. The proposed location's proximity to the St. Rose Rd. roundabout is another concern with the increase in traffic to the area, wear and tear on the roadways, and more large vehicular traffic.

The developer has stated that these proposed changes will not affect traffic or the character of the area. I respectfully disagree. These proposed changes would certainly increase traffic and completely change the character of the area as it transitions from farmland (C-4 CBD) to Industrial. This would also open the door to line a main piece of the City of Highland's walking trail with industrial developments and industrial parks in the future, which will negatively affect nearby property values and permanently alter the landscape of the eastern entrance to Highland. I ask the committee to consider how these proposed changes would affect this area and carefully consider the impact on the city and the citizens of Highland. Thank you for your time.

#### **#6**

I formally object to the proposed junkyard, truck stop and commercial stable that is being proposed on Veteran's Honor Parkway. This area is heavily residential. Industrial type entities do not belong here. I live in this area and purposely moved from the center of town to enjoy the quietness this neighborhood offers. Any of the proposed industrial uses will ruin this area for its residents.

A junkyard will be a messy and perpetually dirty property in an otherwise clean area. A truck stop will invite many outside people who may or may not have the same values as Highland residents. It will also greatly increase the traffic in this area; an area already plagued with a lot of traffic. A commercial stable does not belong next to a residential area. While I am originally a farm girl and enjoy horses, some residents may not appreciate the smell the proposed stable may generate. They assumed by moving to their chosen home in this area, they would be living in a city, not next to a farm with many "animal smells."

I hope the City of Highland listens to its citizens and does the right thing and says NO to this development.

Sincerely,

Aimee Cole  
Highland, IL

#### **#7**

I live on Falcon Drive ,very close to the rezoning of the area on Veteran's Honor Parkway. This rezoning is totally out of character for this wonderful neighborhood. We have lived here 16 years.

Please reconsider this outrages rezoning.

Robert Wunderlich (Veteran)  
150 Falcon Drive  
Highland, Il

**#8**

Due to a prior commitment, I will be unable to attend the 12/1/21 meeting of the Combined Planning & Zoning Board, but I would like the following statement to be read during the public comments portion of the meeting, and I request that a copy be provided to every member of the City Council and the Mayor prior to their first meeting in December:

On 11/15/21, I visited Tut Properties' Lakeside Liquor & Gas store in Carlyle, just to look it over. There is no mistaking that this is first and foremost a liquor store, several times larger than Tut Properties' Liquor & Gas store on Walnut St. in Highland. The items sold inside the building at Lakeside Liquor & Gas are vastly different than the items sold inside, say, a QuikTrip or a Circle K. The inventory of hard liquor and beer available is overwhelming.

Although the entire property in Carlyle is very clean and tidy - and it is absolutely not a truck stop, as everyone but the State of IL defines it - it IS a huge liquor store, with a video gambling room and a car wash, that happens to sell a few food items and fuel for vehicles. I think this city, with its 44 existing active liquor licenses, already has way too many places that sell liquor, much of which winds up being consumed by minors. For those reasons, I strongly oppose the Tut Properties plan to put an establishment nearly identical to Lakeside Liquor & Gas at the NE corner of the intersection of Veterans Honor Parkway and St. Rose Road.

I urge every member of the Combined Planning & Zoning Board, and every member of the City Council, to perform a due diligence visit to Lakeside Liquor & Gas before voting on whether to allow what would immediately be Highland's largest liquor store, to open at this residential intersection. And finally, parents of teenagers, please take note: this store could easily play a major role in causing your worst nightmare to become a reality. I pray that our City Council will not grant Tut Properties that chance.

Thank you.

Rooney Barker  
25 Meadowlark Lane

**#9**

To the City of Highland Planning and Zoning Committee, Mayor, and City Council,

I am sending this email in full SUPPORT of the New Convenience Store being proposed for Veterans Parkway. Something like that was needed in that area years ago.

My name is Joyce (Vosholler) Barth. I was born and raised on the east end of Highland. When I was growing up on the corner of Helvetia and Broadway, my family home WAS the edge of town. As I grew up my family and I watched the steady number of homes, new streets etc that continued to go up east of us. My father worked for the city and also had the sanitation service in Highland, so he was involved in what was going on in the city at that time.

All those years, I always wondered why there was never a gas station/convenience store on that end of town, simply because of the growth and number of people that lived in the area. What a convenience it would be. Up until this spring, I lived in St. Rose for the last 20 years. I cannot tell you how many times I drove into Highland on FUMES hoping I would make it to the gas station and in my mind continued to wonder why there wasn't something on that end of town.

The fact that Veterans Parkway opened, if memory serves me correctly, was to eliminate so much traffic having to travel into town, using it as a bypass and convenience for all. With that being open, it gives access to a lot more traffic and there are lots of trucks that use that road, not to mention all the people that live on the end of town, as well as the sheer number of vehicles that pass thru there every day!!

I would think that everyone would be thrilled!! As I heard all of the quibbling and complaining about this business, it made ZERO sense to me!! We are talking growth here, not to mention the added tax dollars and jobs it will create within the community! Growth is good and change is good.....that means we continue to evolve.

I was so glad when Mr. Sunny Tut, made public what he is planning to build, everyone can see for themselves that its going to be a great addition for the City of Highland. If anyone is concerned about what it will look like when completed, take a drive over to Carlyle IL and check his convenience store out there. It looks great and is always busy.

Please feel free to contact me if you have any questions, concerns, or need clarification.

Thank you each for taking the time to read my message.

God Bless!

Joyce (Vosholler) Barth  
Returned Highland Resident as of March 2021

**#10**

Good afternoon!

Just wanted to drop you a line to express my support of the rezoning and approval for the "truck stop" by Sunny Tut on Veteran's Honor Parkway.

Overall, I think this is a solid plan by an individual who has already shown his willingness to invest in the town, and it will be beneficial to many.

Both for business in town making and receiving deliveries in large vehicles, and individuals with trailers for both work & play, the benefit of having ease-of-access to larger fuel pumps is immeasurable; and something sorely lacking at other gas stations in town. And the placement of this station, on the town bypass road of Veteran's Honor Parkway, is smart routing for those vehicles as well.

I could go on, but don't want to make this a chore to read. I'd be happy to share further thoughts upon request. But I do hope you move forward with this rezoning and new business proposal.

Thank you,  
Ryan Rick

**#11**

I am excited to hear that there is a gas station going up on the east side of town!! I've always said there should be one either east or south of town. There are so many people that will benefit from this gas station. A lot of people use Veterans Parkway and Frank Watson Parkway to avoid going through town, so this gas station is going to a Hugh asset.....

Just wanted to show my support for this new addition to our ever growing town!!!!

Sheryll Rider

Long time resident

**#12**

Please let highland continue to grow an accommodate our growth with new needed businesses at a needed location,

My full support of the new fuel station people need a place to get motor homes an trucks pulling campers or boats fueled up before leaving town currently we have to go elsewhere to spend our money due to tight parking lots for fueling an then u loose the ice beverages food purchases as well

**#13**

Frey Properties letter – attached

**#14**

Hello,

This is just a quick note to let you know I fully support the St. Rose Road development. I know the “anti” folks are always the loudest but in this case I think they are way off base. There are two large empty fields there. It's not anywhere close to the playground. The road is already a highway with a 55 MPH speed limit just past the roundabout. There's a sidewalk across the street and a fire station the other way. It won't negate the usefulness of the bike path. And of course, it's not the job of government to decide how many gas stations Highland needs.

BTW, I did go to Carlyle to check out the development there and I was impressed. As I believe you were quoted in the Pioneer, it's not really what people normally think of as a truck stop.

Please feel free to share my email and/or word of my support with government and city officials. I didn't see a time effective way to send an email to a large group.

Steve Hall

1200 Lindenthal Ave.

Highland, IL

**#15**

I am writing to support the proposed project at the corner of St. Rose Rd and Veterans Honor Parkway. I realize that the residents near the project have gotten used to the farm fields on the east side of the parkway and some would like to see it stay that way. On the other hand, when Mr. Tut purchased this property in 2017 it was already zoned commercial and so is the parcel on the west side of the road. In fact the parcel with the 3 lots where his convenience store is going to be located was advertised as a potential location for what he is proposing to build. The only difference, is that because of the way the of Illinois classifies a facility that sells diesel fuels on a site of this size must be classified as a truck

stop. Because the three parcels are in the city limits and the owner wants to use city services, they are requesting the rezoning to obtain the proper permits.

This location is at the intersection of a major local access road to Highland from the east and the peripheral route to the north and west of town. There is already significant traffic on this route which is why it is an ideal location for a service station with a convenience store. The residential expansion on this side of Highland makes it a great place for this type of business. There is proposed access off of St. Rose Rd from the east so traffic coming from that direction won't be adding to the vehicles on the Parkway. Realistically those vehicles would be exiting the roundabout and heading north and east anyway. If anything it may slow them down a bit. The benefit for those of us who live nearby is another reason I support the project. Being able to fill up close to home, grab a snack or beverage while on a walk or bike ride would be nice too. I feel there have been so many negative comments and I'm hoping to accentuate the benefits as well.

I am a lifelong resident of Highland and have been a Realtor in Highland for 40 years. We have a great community and it has undergone changes over the years. I remember residents objecting to Walmart, Glik Park and Korte Rec center. I think they are all widely accepted now. We have a Highland resident wanting to invest a significant amount of money to expand his business in the Highland city limits. I understand he has other options. Let's not waste this opportunity to bring more business in to the city. It's one of the ways that the city is able to provide the parks and recreation facilities we currently enjoy and hopefully provide more.

Diane Korte-Lindsey  
Coldwell Broker Brown Realtors

**#16**

Marshall Rinderer letter – attached

**#17**

City of Carlyle letter – attached

**#18 (Director Vazquez read)**

I am writing to you to show my support for this development. I run a local concrete company and pull a trailer with my skid loader on it daily. The current filling stations we have are very small, tight and outdated. They do not offer much accommodation for those of us that pull a trailer daily. The new filling station that is being proposed would help many small companies like myself with quicker and more convenient filling.

Sincerely,  
Benjamin Wolfe  
President Wolfe Concrete & Construction

\*\*\*\*\*

Janet Nicolaidis, who lives west of the proposed development, spoke in favor of the project. She thanked the board members for a doing a thankless task and thanked the citizens for attending as she noted that we are all hear because we care about Highland. She believes a gas station is needed on this end of town. She stated that it is hard to attract new business in Illinois and believes it is huge that a local owner wants to reinvest. In the last 30 years she has seen a lot of change

and growth, and is in favor of keeping the small town feel. She also believes Highland needs the tax base that this will provide. She is pleased with the number of local people who are investing in Highland lately. She ended by saying that Highland is a good place to live. She considers it God's country.

Brian Garcia stated he moved here in April with his wife. They lived an hour away and the place grew to a point where it lost its small town feel and wasn't safe anymore. He believes a truck stop across the road from a lot of families doesn't make any sense. He asked, "Can I put in a strip club?" Director Vazquez said, "No." Mr. Garcia said the board really needs to listen to the people. He is against this proposed development and says it doesn't jive in this community.

Jeff McCray asked Director Vazquez to show the slides showing the standards of consideration again. He then read item #3 and challenged the staff assessment as conclusory, stating that there is no other industrial zoning in that area and asking for details on how Director Vazquez arrived at her assessment. He similarly challenged other staff statements related to the standards of consideration, alluding to a lack of data supporting the findings. McCray referenced 65 ILCS 5/11-13-1, related to Zoning. He stated that the only reason to zone this industrial is so that the applicant can have gaming. He made reference to an article in The Pioneer and stated that the city has failed to lay it on the line and say what is really going there. He stated it is going to be gaming and alcohol sales. He noted that there is Industrial property elsewhere in Highland for anyone who wants to develop it.

Director Vazquez noted that the city staff has professional credibility and that she is a Planning & Zoning Professional. She made a call to the Helvetia Township Tax Assessor and asked his opinion on how neighboring residential properties would be affected by this proposed development. He responded that he does not anticipate any negative assessment on property values in the area.

Lorraine Barciszewski stated that she lives on Sunflower. She stated that the traffic on Sunflower has been like a speedway ever since the sidewalks were built. She is convinced that when the trucks leave the proposed gas station, they will start cutting through on Sunflower, endangering the children in the neighborhood.

Director Vazquez continued with her comments, stating that her staff uses their professional expertise and available information to compile the presentations for the CPZB meetings. She noted that the agenda packet with all the applications and reports, etc., are provided on the city's website, even though there is no requirement for that. She believes that the applicant has also been transparent with the information he has provided in his application, which included the proposed floor plan of the facility indicating space for gaming, and photos of his Carlyle business showing the interior spaces (alcohol sales and gaming). If this applicant were to apply to the state of Illinois to have gaming at this location, he would be permitted to have it. To date he has made no such application, therefore, it wouldn't be proper to include it in the presentation on this application.

William Schulz stated that kids don't matter because they don't gamble and drink. He reported on his research, saying that one gas station will service about 6,000 people. Based on Highland's population he believes there are already more than needed and questioned whether the city had done this same research.

Director Vazquez noted that it is not up to staff to decide what the city needs. When they receive an application, they have to review it. Whether or not a new business is supported by the community is up to the free market.

William Schulz noted that the World Health Organization has determined that there is no safe level of Benzene. Gasoline contains Benzene and other chemicals. He asked if the CPZB or staff had

performed a study to determine the toxicity of gasoline fumes. Director Vazquez indicated they had not. Schulz noted that there had been a study in 2015 that determined that gasoline caused cancer up to 1,000 feet away from pumps and noted concern for the kids in the nearby park. He also stated that there are FHA lenders who will not provide mortgages to property owners to build near gas stations that serve over 1,000 gallons of gasoline or other explosive materials. He summarized his statements saying, that kids are going to get sick and the city is going to be paying out; property values will go down; the tax assessments may not, but that doesn't affect resale value; the proposed development is unnecessary as it does not serve a need; the location and use are environmentally irresponsible; and, it will place undue hardship on the neighboring property owners. By recommending approval of this development, the board will be inviting blight, decreased property values, and a toxic environment.

Denise Lake stated that she lives outside city limits on Plocher Way. She moved to Highland in 1980 and lived on the west end of town. She complained about commercial developments that happened when she lived there, such as Frey Trucking paving their parking lot and transitioning to an over-the-road division; the addition of Zoeller Bus Line, a car wash, Ready Mix, the Recycling Center, and Korte Processing. At the time, when she complained to the city about all the truck traffic, their response was to rezone the area to Industrial. She talked about the city vacating Pine Street and taking down an historical home for the Schuette development years ago. She speculated that the proposed development would have an adverse effect on drainage in the area. She was opposed to the previously proposed Wilken multi-family project and the Highland Pierron Fire Protection District station recently built near there. She stated that drivers don't watch for pedestrians or bicycles. Please don't let this go industrial. You're messing with our area.

Wayne Sway addressed the board saying that the Carlyle Lakeside Liquor is a nice business in a commercial area. This is a residential area. He asked why Highland is even entertaining this. This is just a start toward blight. The businesses that can go there are going to go there. This is a huge mistake.

Steve Pfletcher, looking at the power point slides, asked who wrote the red writing, noting that in his opinion, it was written by someone who is in favor of this project.

Mary Otis asked who Mr. Tut is and why he doesn't speak for himself, instead of Director Vazquez speaking. She believes that this proposed development would create traffic issues. She indicated that she was surprised to learn that commercial development would be allowed along the peripheral route. She stated that St. Louis County voted down a similar project to this on the basis that it was too big and not aesthetically pleasing to the area. She stated that state and local government need to cut spending. She believes that this applicant can afford to lose money on this property but that his proposed development will place a hardship on residents by decreasing their property values. She indicated that this development is not needed because Highland has 10 businesses that sell liquor and 13 that sell convenience items. She is concerned that the employees will sell liquor to under-aged purchasers.

Lynn Hargus stated his concern about the industrial zoning as projects don't always pan out the way they are proposed. He asked why the city is promoting this and Mr. Tut is not.

Dale Kampwerth whose mother owns property in this area stated that his concern is the devaluation of their property. He is also concerned about children in the area, and the neighbors' property values. He is totally opposed to this project.

Donna Elliott of Falcon Drive is concerned that once you put something like this there, it will look like the other end of town, because no other homes will be built here. She stated that people are moving out into the country because there are no nice residential areas left in town. Her friend who walks the path to the dog park told her that she won't be walking that way if the truck stop is built.

Kathy Bryant asked why rezoning is being considered here, when the council turned down the previously proposed multi-family development because the comprehensive plan didn't support it.

Beth Hemann noted that the path on Veteran's Honor Parkway is beautiful. So many people walk on the path in the afternoons, and she believes they wouldn't if this development is approved.

Denise Lake said that she is appalled by use of the word underdeveloped. It is agricultural and residential and that is the way she wants it. She does not want to see a truck stop there.

Patty Parker, the welcome wagon lady, reported that people have told her that they move to Highland because of the school district, and because there are a lot of people who feel safe enough to walk and run. She believes that the safety of the area will be adversely affected and will take away from the reasons why people move here.

Jill Siever who lives outside of Highland on Becker Road stated that she has an issue with this location being identified as at the cross of two major roads. Someone told her that she should have known that the city would grow in that direction. There are other places in Highland that this could go. A residential area is not the right location for a truck stop. When the city vacated Pine Street and took out the home that was there, was the only other time she was in city hall. She was opposed to that at the time. She believes that allowing that back then, has turned out to be a failure in the long run.

Norman Conrad spoke, representing Tut Properties. They respect this process and all of the opinions expressed. Tut Properties, if allowed to do this project, will comply with every federal, state, and local law and regulation required.

Kurte Vonderhaar and Shawn Horstmann were present, representing Woodcrest Small Engine Repair. Mr. Vonderhaar read a prepared statement from both him and Mr. Hostmann, in favor of the proposed development. They believe it is important because Highland is gaining a reputation for being anti-business and anti-development. He encouraged the CPZB members to vote in favor of the zoning change to allow this project to continue. He believes there is a need for racing rigs, delivery vehicles and other big rigs to fuel up and get convenience store items. Mr. Vonderhaar spoke to the argument that if this is built property values will go down. His belief is contrary to that, as he thinks if it is not allowed, property taxes will continue to be flat, such that eventually, we will not be able to afford to maintain the services that we offer now. The argument that we already have enough gas stations, could have also been applied to Schlafly's, but they are being welcomed with open arms. Competition makes current businesses step up their game. Some citizens argue that they would like to keep the green space, rather than a new development. Mr. Vonderhaar notes that Highland already has over 180 acres of parks. His last point is that he already knows two other business owners that would like to locate along the peripheral route, if they have to go through this painful of a process, they might just choose to develop outside of city limits, and Highland would lose out on potential new sales taxes.

Mr. Horstmann added that it is hard to achieve growth in Highland. For six years he has been looking for the right opportunity to expand their business. He is excited to see new things happening here.

Lorraine Barciszewski asked why this development should be in a residential area when it could go into an existing commercial area. She believes it will destroy this whole area and her ability to live peacefully, will go down the drain if you let it go through.

Mary Otis noted that Mr. Tut's investment in this property is the same as if he had invested in the stock market...sometimes you win, sometimes you lose. She stated that the homeowner's in this



area don't have that kind of money to invest. She stated that that was his risk. The homeowners' risks were the purchases of their homes. If he loses a little, it will be a tax write off. For the homeowners, losing might mean their nursing home fees, or their grandchildren's college educations.

**The public hearing on this issue was closed.**

Lodes made a motion to recommend approval of the request to rezone 2210 Veteran's Honor Parkway, 2250 Veteran's Honor Parkway, and 2272 Veteran's Honor Parkway from C-4 Central Business District to Industrial. PIN# 01-2-24-03-00-000-029, 01-2-24-03-00-000-030, 01-2-24-03-00-000-031; seconded by Harlan.

Harlan wanted everyone to know that the board members have put a lot of time, effort, research, and thought into this. She personally went into this looking for ways to disallow it. The walking path is wonderful, but many of the people she sees walking and running are on downtown streets going right past businesses. People learn to watch for traffic. She and her husband have lived here for 30 years. They drove into town for the very first time, with the thought that there was a lot of room for Highland to expand, due to the abundance of surrounding farm ground. She doesn't have a big truck or RV. She didn't give their fueling issues a thought until this came up and many people brought it to her attention. She noted that the peripheral route has long been advertised as potential area of new development. She hears the term, "purchased in good faith" in referring to purchase of property. Typically, this means the purchaser has done their research on nearby zoning, drainage issues, etc. She believes that 99% of people do not do this type of research before purchasing a home. Most don't have a clue what type of zoning exists around them. There are many uses that could currently go there by right. She listed many that could go up today without coming to the board at all. She has researched this and has visited the Carlyle site. Aesthetically, this design may not be her taste, but that is a matter of opinion, and is not something the board is allowed to vote on. Nothing she has heard this evening has changed her mind.

Lodes has live in town for 50 years. This has been stressful trying to figure out what to do. There are a lot of gas stations and businesses in town. No pedestrians have been hit to her knowledge. She stated that personal safety is not the responsibility of a business owner, it is the person who is biking, walking, running, etc. She measured that this is 6/10s of a mile from the dog park. She doesn't think that this will have an adverse effect on the dog park.

Walker concurs with Harlan and Lodes, and added that he has personally struggled with this. This property is currently C-4. He wasn't in town when the peripheral route was designed, but he understands that its purpose is to move traffic around the center of town and to keep the core of the town in tact. He can't say that he loves it, but it was set in motion before he came along. This board is asked to respond to that. Madison County will do this project in a heartbeat for the tax revenue. This will give us some influence in it. He is a little hesitant due to going to Industrial. The appearance standards are reduced in Industrial. He would like to see an amendment to put them back into this project through the special use permit.

Vance lived here over half his life. He has watched Highland grow and believes it has to grow or it will start dying. He understands that you have to grow wisely and noted that is one of the reasons he got on the CPZB. With the first proposed roundabout, he wrote a letter to the editor of the Highland News Leader. He did some research and found that there were some places that didn't like roundabouts. One of the good things about roundabouts is that they slow traffic down. One of the nice things about that corner is that traffic will be moving slowly there due to the roundabout. He bikes and walks all over town and on the country roads, too. This is a truck stop by definition, not a traditional truck stop. For many years, I have thought it would be nice to have a gas station/convenience store there. I do not like the gaming idea. I didn't like the gaming idea with two or three other applications, but they passed anyway.

Director Vazquez made the board aware that the applicant is willing to have C-3 design standards, no overnight parking, and no 24/7 operations imposed upon this project. C3 is more restrictive than C4.

The vote was taken by roll call. Harlan, Lodes, Vance, and Walker voted aye. Koehnemann voted no. Stoecklin abstained. The motion carried.

**f. Tut Properties, Inc. (10 Winged Foot Drive) is requesting a Special Use Permit to allow for a truck stop at 2210 Veteran's Honor Parkway, 2250 Veteran's Honor Parkway, and 2272 Veteran's Honor Parkway within the Industrial zoning district.**  
**PIN# 01-2-24-03-00-000-029, 01-2-24-03-00-000-030, 01-2-24-03-00-000-031**

Director Vazquez reviewed a prepared Power Point presentation, as follows:

- Applicant & Property Owner: Tut Properties Inc.
- Summary: Special Use Permit to allow for a truck stop at 2210, 2250, & 2272 Veteran's Honor Parkway.
- The parcels are currently zoned C-4 and a rezoning to Industrial is being proposed at the same meeting as the Special Use Permit proposal. The zoning matrix identifies "truck stop" as Special Use within the Industrial zoning district.
- Comprehensive Plan Consideration: The north parcel, 2272 Veteran's Honor Parkway, is labeled as "Mixed Use" on the Future Land Use Map. The two parcels to the south, 2250 Veteran's Honor Parkway and 2210 Veteran's Honor Parkway are labeled as "Commercial."
- At the time of the next review of the Future Land Use Map, staff will recommend reclassifying the parcels as "Industrial."
- Property to the North is situated in Madison County, zoned Agricultural, and is currently used as farmland; to the South is the Highland-Pierron Fire Protection District Firehouse, zoned R-1-C; to the East, the property is situated in Madison County, zoned Agricultural, and is currently used as farmland; and, the property to the West is farmland and vacant multi-family residential lots, zoned C-4/R-2-A.

**There are six Standards of Consideration with regard to this request, which include:**

1. The proposed Special Use is consistent with the Comprehensive Plan.
2. The proposed Special Use would not have an adverse effect on public utilities or traffic circulation on nearby streets.
3. The proposed Special Use will adequately protect the public health, safety and welfare, and the physical environment.
4. 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.
5. The proposed Special Use will utilize public utilities.
6. The nearby fire station will be appropriately protected. There are no other facilities near the proposed Special Use that require the need for special protection.

**Staff Discussion**

This Special Use Permit request may only be approved if the parcels are rezoned to Industrial. If the rezoning is denied at city council, the Special Use Permit cannot be considered.

The truck stop would provide gas pumps and a convenience store for residents of subdivisions to the west, as well as services for traffic passing through the community. The truck stop would bring new business into the community and generate additional revenue. Given that this property is located on the corner of two major corridors, Veteran's Honor Parkway and St. Rose Road, this is an appropriate location for a truck stop.

**Applicant's Statement reads:**

I am requesting to rezone 2210 Veteran's Honor Parkway, 2250 Veteran's Honor Parkway, and 2272 Veteran's Honor Parkway from C-4 Limited Business District to Industrial, as I plan to develop a truck stop on these parcels. I'm also requesting a Special Use Permit to allow for a truck stop to be located on this property. Finally, I am requesting preliminary plat approval to combine the three parcels into one parcel so that the use will be contained within the lot lines of one property.

The proposed truck stop will not be a traditional truck stop, although it needs to be designated as a truck stop to get the correct permits through the State of Illinois. The use will consist of 12 standard vehicle gas pumping positions (6 dispensers) and 1 commercial truck diesel lane (2 dispensers), and a convenience store. There will not be overnight truck parking, showers, an attached diner, or other traditional truck stop amenities.

There will not be a negative impact on traffic. Entrances off both Veteran's Honor Parkway and St. Rose Rd. are proposed in order to keep traffic flowing properly. We will exceed parking requirements.

The area will not be negatively impacted. This amenity is needed in this area, and it will not create excess noise, traffic, crime, or other concerns. It will have a high standard of design. The truck stop will create a new business within the City of Highland, use City utilities, and generate tax revenue.

I have developed a similar use in Carlyle, which is named Lakeside Liquor and Gas. I have attached photos and it can be located at 2610 12th Street in Carlyle, IL. This development has been well-received by the community and has not caused any negative impacts.

Shirley Lodes asked Director Vazquez what she had said about C-3 related to the special use permit. Vazquez indicated that pole barns are allowed in Industrial which has been mentioned as a concern. The applicant has agreed to abide by C-3 design standards if the board wishes to impose them. Pole barns are not allowed in C-3.

**The Public Hearing on this issue was opened:**

Chairman Walker asked the applicant if they had any comments first. They had none.

There were also no written or online comments submitted.

Lynn Hargus expressed his concern that this likely going to affect traffic going around the roundabout by causing distraction for drivers.

Janet thanked the board and elected officials for all they do for the city. She believes that roundabouts are very efficient, and ended with, whether we agree or disagree we are all in this together.

**The public hearing on this issue was closed.**

Harlan made a motion to recommend approval of the request for a Special Use Permit to allow for a truck stop at 2210 Veteran's Honor Parkway, 2250 Veteran's Honor Parkway, and 2272 Veteran's Honor Parkway within the Industrial zoning district. PIN# 01-2-24-03-00-000-029, 01-2-24-03-00-000-030, 01-2-24-03-00-000-031; seconded by Vance.

Lodes made a motion to amend the motion to add in the following conditions: C-3 design standards; no 24/7 operations and no overnight parking; seconded by Vance.

The vote on the amendment was taken by roll call. Harlan, Lodes, Vance, and Walker voted aye. Koehnmann voted no. Stoecklin abstained. The motion carried.

The vote was then taken on the original motion as amended. Harlan, Lodes, Vance, and Walker voted aye. Koehnmann voted no. Stoecklin abstained. The motion, as amended, carried.

**g. Tut Properties, Inc. (10 Winged Foot Drive) is requesting Preliminary Plat approval to combine 2210 Veteran's Honor Parkway, 2250 Veteran's Honor Parkway, and 2272 Veteran's Honor Parkway into one parcel.**  
**PIN# 01-2-24-03-00-000-029, 01-2-24-03-00-000-030, 01-2-24-03-00-000-031**

Director Vazquez reviewed a prepared Power Point presentation, as follows:

- Applicant: Tut Properties Inc.
- Tut Properties Inc. is requesting a preliminary plat approval to combine 2210 Veteran's Honor Parkway, 2250 Veteran's Honor Parkway, and 2272 Veteran's Honor Parkway into one parcel.
- In order to combine the three existing parcels into one lot, the subdivision process is necessary. However, this subdivision does not involve any new infrastructure. The lot combination is needed in order to contain a proposed use within one parcel.
- Both the Public Works and Light and Power departments have verified that all necessary utility easements are shown on the preliminary plat.

**The Public Hearing on this issue was opened:**

Chairman Walker asked the applicant if they had any comments first. They had none.

There were also no written or online comments submitted.

There were no comments from those in attendance.

**The public hearing on this issue was closed.**

Vance made a motion to approve the Preliminary Plat to combine 2210 Veteran's Honor Parkway, 2250 Veteran's Honor Parkway, and 2272 Veteran's Honor Parkway into one parcel. PIN# 01-2-24-03-00-000-029, 01-2-24-03-00-000-030, 01-2-24-03-00-000-031; seconded by Lodes.

The vote was taken by roll call. Harlan, Lodes, Vance, and Walker voted aye. Koehnemann voted no. Stoecklin abstained. The motion carried.

**h. Tut Properties, Inc. (10 Winged Foot Drive) is requesting to rezone PIN# 01-1-24-03-00-000-010 from R-1-C single-family residential to Industrial, pending annexation.**

Director Vazquez reviewed a prepared Power Point presentation, as follows:

- Applicant: Tut Properties Inc.
- The applicant is requesting Rezoning from R-1-C single-family residential to Industrial, pending annexation. PIN# 01-1-24-03-00-000-010
- The Comprehensive Plan and Future Land Use Map are considered policy guides to 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 property is labeled as "Residential" on the Future Land Use Map. At the time of the Future Land Use Map creation, development along the southern peripheral route was not clearly defined. Staff will be recommending designating this parcel as "Industrial" at the time of the next Future Land Use Map update.

**There are 9 Standards of Consideration with regard to this request, which include:**

1. The property is currently used as farm land and is zoned Madison County Agricultural. It will default to R-1-C zoning upon annexation.

2. Property to the North is situated in Madison County, zoned Agricultural, and is currently used as farmland; to the South is the Highland-Pierron Fire Protection District Firehouse, zoned R-1-C; to the East, the property is situated in Madison County, zoned Agricultural, and is currently used as farmland; and, the property to the West is farmland and vacant multi-family residential lots, zoned C-4/R-2-A.
3. Nearby property is not anticipated to be negatively affected. The area contains a variety of zoning districts and is primarily undeveloped.
4. This property will not be used for residential purposes in the foreseeable future. Therefore, R-1-C is not the most suitable zoning for this property.
5. The property is suitable for industrial zoning. There are no proposed uses at this time.
6. The proposed zoning goes with the character of the area. This area has a mixture of zoning districts and is just beginning to be developed.
7. The proposed map amendment is consistent with the City's Comprehensive Plan.
8. There would not be a negative effect on public utilities, other needed public services and traffic circulation on nearby streets.
9. The map amendment will promote the health, safety, quality of life, comfort and general welfare of the city.

#### **Staff Discussion**

The property owner is proposing to develop a truck stop to the west of this property, which will be zoned Industrial. Rezoning this parcel would allow for future developments to go along the southern peripheral route. The City supports annexation of this parcel and R-1-C upon annexation is not an appropriate classification in order to support development.

#### **The Public Hearing on this issue was opened:**

Chairman Walker asked the applicant if they had any comments first. They had none.

There were also no written or online comments submitted.

There were no comments from those in attendance.

#### **The public hearing on this issue was closed.**

Lodes made a motion to recommend approval of the request to rezone PIN# 01-1-24-03-00-000-010 from R-1-C single-family residential to Industrial, pending annexation; seconded by Harlan.

The vote was taken by roll call. Harlan, Lodes, Vance, and Walker voted aye. Koehnemann voted no. Stoecklin abstained. The motion carried.

Director Vazquez noted for the record that these items will proceed to city council for final approval on Dec. 6, at 7PM at city hall.

#### **Next Meeting:**

The next meeting of the Combined Planning & Zoning Board is scheduled for Wednesday, January 5, 2022.

#### **Adjournment:**

Chairman Walker announced that the meeting was adjourned at 9:55 PM.