

**HIGHLAND, ILLINOIS
MINUTES OF REGULAR SESSION
COMBINED PLANNING & ZONING BOARD
CITY HALL, 1115 BROADWAY
WEDNESDAY, NOVEMBER 2, 2022
7:00 PM**

Call to Order:

The November 2, 2022, 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, Brad Korte, Shirley Lodes, Alan Stoecklin, and Robert Vance.

Members absent: None

Also present: Scott Hanson of Crawford, Murphy, & Tilly, representing the Director of Community Development; City Attorney Michael McGinley; Economic Development Coordinator Mallord Hubbard; Deputy City Clerk Lana Hediger; and, seven members of the public.

Approval of Minutes:

Korte made a motion to approve the minutes of the October 5, 2022, Regular Session meeting of the Combined Planning & Zoning Board; seconded by Harlan. Harlan, Koehnemann, Korte, Lodes, Stoecklin, Vance, and Walker voted aye; none voted no. The motion carried.

Public Comments Relating to Items Not on the Agenda:

There were none; and, no written comments were submitted by email or other means.

Public Hearing Procedures:

Chairman Walker reviewed the procedures for testifying on any items on this agenda during the hearings and offered to swear-in members of the public wishing to testify on any issue listed on the agenda. One person took the oath.

New Business:

- a. **Property owner, MRE Portfolio One, LLC (6538 W. Dakin St., Chicago, IL 60634) is requesting to rezone unaddressed property located on the north side of U.S. 40, approximately one-quarter mile east of the intersection of U.S. 40 and IL Route 143 (PIN#02-1-18-32-02-202-006) from R-1-C Single-Family Residential (annexation zoning) to C-3 Highway Business District following annexation into the city.**

Mr. Hanson reviewed a prepared Power Point presentation, summarizing this request, as follows:

- MRE Portfolio One, LLC, is the applicant and the property owner of the subject property located on the north side of U.S. Hwy 40, ¼ mile east of U.S. Hwy 40 and IL State Route 143.
- The purpose of the request is to rezone the unaddressed property on the north side of U.S. Hwy 40, ¼ mile east of U.S. Hwy 40 and IL State Route 143 from R-1-C Single-family Residential to C-3 Highway Business District, following annexation (PIN #02-1-18-32-02-202-006).

Consideration regarding the Comprehensive Plan and Future Land Use Map:

Most of the property is denoted as Multi-Family on the Future Land Use Map, with a portion in the NE corner shown as Commercial. If the rezoning is approved, the entirety of this parcel is be recommended to be reclassified marked as "Commercial" on the Future Land Use Map to match the surrounding parcels to the east and west.

Findings of Fact based on standards of review with regard to this request include:

1. The property is in unincorporated Madison County and is currently vacant/undeveloped. Pending annexation into Highland, the property will be zoned R-1-C Single-Family Residential (annexation zoning). The applicant is seeking an immediate rezoning to C-3 at the same City Council meeting as the annexation occurs.
2. The properties to the north are residential (zoned R-1-A, Single-family Residential), and the Highland High School (zoned C-3, Highway Business); properties to the south and east are commercial (zoned C-3, Highway Business); and, the properties to the west are commercial (zoned C-2 Central Business, and, C-3 Highway Business).
3. The proposed map amendment will not have a negative impact on nearby properties.
4. The parcel is currently vacant and is adjacent to existing commercial uses. The C-3 zoning designation is suitable at this location.
5. The property is suitable for highway commercial uses.
6. The proposed zoning is consistent with the character of the area. While the area consists of both residential commercial zoning to the north, commercial zoning exists in all other directions. There is an established commercial presence along the U.S. 40 street frontage.
7. While the proposed commercial zoning differs from the multi-family residential designation found on the Future Land Use Map in the Comprehensive Plan, the site remains highly suitable for commercial development. The Future Land Use map would need to be appropriately updated.
8. Due to excellent access to U.S. 40 and IL Route 160, there would be no significant effect on public services or traffic circulation on nearby streets.
9. The map amendment would promote the health, safety, quality of life, comfort, and general welfare of the City.

Staff Discussion and Recommendation:

This rezoning of this 42 acre parcel would allow for a vacant parcel adjacent to existing commercial uses to be utilized for additional commercial uses.

The rezoning would be contingent on the parcel being annexed into the City of Highland. Staff has no concerns.

The Public Hearing on this issue was opened:

The applicant was not present.

No comments were offered by anyone in person.

Harlan asked about a tree buffer, if one would be present btw this property and the HHS. City Attorney McGinley stated that there are no plans yet, but he believes that would be the prime location on this property for a detention/retention pond. Shirley Lodes spoke a bit about the drainage associated with this property. Harlan noted her concern was about something undesirable abutting the HHS property.

There were no comments submitted via phone or email.

The public hearing on this issue was closed.

Harlan made a motion to recommend approval of MRE Portfolio, LLC's request to rezone the unaddressed property on the north side of U.S. Hwy 40, approximately one quarter mile east of the intersection of U.S. Hwy 40 and IL State Route 143 from R-1-C Single-family Residential to C-3 Highway Business District, pending annexation of property into the city; seconded by Koehnemann.

With no board comment, the vote was taken by roll call. Harlan, Koehnemann, Korte, Lodes, Vance, and Walker voted aye; Stoecklin abstained; none voted no. The motion carried.

- b. It has been requested, by the property owner, John A. Gantner, that 12443 State Route 143 (Parcel ID #02-1-18-29-17-301-003.001) be rezoned from R-1-C Single-Family Residential (annexation zoning) to C-3 Highway Business District, following annexation into the city. The subject parcel is located on the north side of IL State Route 143, approximately 650 feet west of the intersection of Cally Lane and IL Route 143.
- c. Trustees of the John L. and Elvina Gantner Trust, property owner, have requested that 12449 State Route 143 (Parcel ID #02-1-18-29-17-301-003) be rezoned from R-1-C Single-Family Residential (annexation zoning) to C-3 Highway Business District, following annexation into the city. The subject parcel is located on the north side of IL State Route 143, approximately 500 feet west of the intersection of Cally Lane and IL Route 143.

Mr. Hanson reviewed a prepared Power Point presentation, summarizing the requests identified on the agenda as "New Business, Items b. and c.", combined, as follows:

- The John L. and Elvina Gantner Trust, owner of property identified as 12443 IL State Route 143; and, John A. Gantner, owner of property identified as 12449, are the applicants.
- These two adjacent parcels are not currently located within city limits.
- These two adjacent parcels are located on the north side of IL State Route 143, 400 feet and 600 feet west of Cally Lane.
- The purpose of the request is to rezone the two adjacent parcels (12443 and 12449 IL State Route 143) from R-1-C Single-Family Residential (annexation zoning), to C-3 Highway Business District, after they have been annexed to the city.

Consideration regarding the Comprehensive Plan and Future Land Use Map:

The subject properties are both denoted as "Commercial" on the Comprehensive Plan's Future Land Use Map.

Findings of Fact based on standards of review with regard to this request include:

1. The properties are in unincorporated Madison County, and both have a single-family home. In addition to the single-family home on 12449 IL State Route 143, there is a significant amount of vacant, undeveloped land. Upon annexation into the City of Highland, the property will be zoned R-1-C Single-Family Residential (annexation zoning).
2. The property to the north of the subject property is undeveloped and zoned C-3 Highway Business District; properties to the south are a mix of residential and commercial, and are zoned R-1-C, R-3, and C-2; the property to the East is commercial, and is zoned C-3; and, to the west the properties are residential and are in unincorporated Madison County.
3. The proposed amendment will not have a negative impact on nearby properties. The area is trending toward commercial uses in a manner consistent with the Future Land Use Map.
4. The parcels currently have single-family homes and are adjacent to existing commercial uses.
5. The property is suitable for highway business use (C-3).
6. The proposed zoning is consistent with the character of the area. This area contains both residential and commercial zoning, but the lots that front on IL State Route 143 are suitable for commercial development.
7. The proposed map amendment adheres to the city's Comprehensive Plan and the Future Land Use map.
8. There would be no significant effect on public services or traffic circulation on nearby streets.
9. This amendment would promote the health, safety, quality of life, comfort and general welfare of the city.

Staff Discussion and Recommendation:

This rezoning would allow for two parcels adjacent to existing commercial uses to be utilized for additional commercial uses. The rezoning would be contingent on the parcels being annexed into the City of Highland. Staff has no concerns.

The Public Hearing for Items B. and C. was opened:

The applicant had no comments.

There were no comments submitted via phone or email.

Dave Kunkel, with Kunkel Commercial Group, was asked to list this property for the owners. They believe that rezoning it to C-3 and getting it added to the city's existing business district will make it more attractive to a commercial developer.

Jana Beckman, resident of Holiday Manor Subdivision, having not taken the oath at the beginning of the meeting, took the oath, administered by Chairman Walker, and stated that she is concerned about the farmland behind this property. She stated that she is speaking for the residents of the Holiday Manor subdivision that do not want that farmland to be developed.

Mr. Hanson stated that staff has no objection to the rezoning to C-3.

Korte noted that the farmland, to which Ms. Beckman was referring, is already inside city limits and zoned commercial.

The public hearing on these two items (b. and c.) was closed.

b.)

Vance made a motion to recommend approval of John A. Gantner's request to rezone 12443 State Route 143 from R-1-C Single-Family Residential (annexation zoning) to C-3 Highway Business District, following annexation into the city (PIN #02-1-18-29-17-301-003.001); seconded by Korte.

Chairman Walker reiterated that nobody knows what might go here, as there is no plan at this time.

With no board comment, the vote was taken by roll call. Harlan, Koehnmann, Korte, Lodes, Stoecklin, Vance, and Walker voted aye; none voted no. The motion carried.

c.)

Koehnmann made a motion to recommend approval of the request to rezone 12449 State Route 143, submitted by the John L. and Elvina Gantner Trust, from R-1-C Single-Family Residential (annexation zoning) to C-3 Highway Business District, following annexation into the city (PIN#02-1-18-29-17-301-003); seconded by Korte.

With no board comment, the vote was taken by roll call. Harlan, Koehnmann, Korte, Lodes, Stoecklin, Vance, and Walker voted aye; none voted no. The motion carried.

Next Meeting:

The next meeting of the Combined Planning & Zoning Board is scheduled for Wednesday, December 7, 2022.

Adjournment:

Korte made a motion to adjourn; seconded by Harlan. Chairman Walker announced that the meeting was adjourned at 7:31 PM.