

**HIGHLAND, ILLINOIS  
MINUTES OF REGULAR SESSION  
COMBINED PLANNING & ZONING BOARD  
HIGHLAND AREA SENIORS' CENTER, 187 WOODCREST DRIVE  
WEDNESDAY, JUNE 7, 2023  
7:00 PM**

**Call to Order:**

The June 7, 2023, 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, Larry Munie, and Robert Vance.

Members absent: None

Also present: City Attorney Michael McGinley; Deputy City Clerk Lana Hediger; Economic Development Coordinator Mallord Hubbard; and, sixteen members of the public.

**Approval of Minutes:**

Vance made a motion to approve the minutes of the April 5, 2023, Regular Session meeting of the Combined Planning & Zoning Board; seconded by Korte. Harlan abstained; Koehnemann, Korte, Lodes, Munie, 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. Nine people took the oath.

**New Business:**

- a. **Tut Properties, Inc. (10 Winged Foot Drive) is requesting Preliminary Plat approval for Tut Industrial Park Subdivision2, located at the northeast corner of the intersection of Veterans honor Parkway and St. Rose Road.**

This item was pulled from the agenda due to staff not receiving all required documents prior to the deadline and at the applicant's request.

- b. **Migliore Properties, LLC (8 Ginger Lea, Glen Carbon, IL 62034) is requesting Planned Unit Development approval to allow for a 5-unit multifamily dwelling structure within the R-3 district to the east of Oak Street, southwest of El Kay Court. (PIN #01-2-24-04-09-102-006.004).**

City Attorney Mike McGinley presented information related to this application for a Planned Unit Development Special Use Permit to allow a 5-unit multifamily dwelling, as follows:

**Consideration regarding the Comprehensive Plan and Future Land Use Map**

The subject property is denoted as Multi-Family 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.

## **Surrounding Uses**

The surrounding properties to the north, south, and west, are zoned R-1-D, Single-Family Residential. The properties to the east are zoned R-3, Multifamily Dwellings.

## **Findings of Fact based on the four standards of review with regard to this request include:**

1. The development is consistent with the Comprehensive Plan and with all other applicable codes and ordinances.
2. The proposed development does not deviate from regulations that are generally applicable to property zoned for multi-family uses.
3. The proposed design of the development makes adequate provisions for vehicular and pedestrian circulation, off-street parking and loading, separation of residential and commercial uses, open space, recreational facilities, preservation of natural features, and so forth. A site plan review will be required.
4. The proposed development is compatible with adjacent properties and the surrounding area.

## **Staff Discussion and Recommendation:**

Before construction may begin, a formal site plan review and a building permit review will be conducted by staff. Staff has no concerns with the Planned Unit Development at this time given that the area is zoned for multi-family uses and is flagged for multi-family uses in the comprehensive plan. .

McGinley added for more context, that a Planned Unit Development is approved pursuant to a Special Use Permit. Some factors from the City Code regarding PUD's state that, a planned unit development (PUD) allows mixed use development provided the total development density is not greater than the maximum density permitted under the existing zoning requirements. In addition, a planned unit development is encouraged to permit:

- (1) A maximum choice in the types of uses available to the public by allowing a development that would not be possible under the strict application of the other sections of this chapter.
- (2) Permanent preservation of common open space and recreation areas and facilities.
- (3) A pattern of development to preserve natural vegetation, topographic and geologic features.
- (4) A creative approach to the use of land and related physical facilities that results in better development and design and the construction of aesthetic amenities.
- (5) An efficient use of the land resulting in more economic networks of utilities, streets, schools, public grounds and buildings, and other facilities.
- (6) A land use which promotes the public health, safety, comfort, morals, and welfare.
- (7) Innovations in residential, commercial, and industrial development so that growing demands of the population may be met by greater variety in type, design, and layout of the buildings and by the conservation and more efficient use of open space ancillary to said buildings.

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

There were no comments submitted via phone or email.

The applicant expressed they were looking forward to the opportunity to build this building.

Charlotte Frey stated that she is concerned about the ditch next to the proposed site not being kept clean or maintained. She believes the condition of the ditch should be fixed and that the City of Highland should build a sidewalk along Oak Street before the applicants are allowed to build. She was told the property was zoned to allow 3 units, then 5 units. She asked which was correct. McGinley indicated that the current zoning allows 5 units. She asked if there was a

floorplan. McGinley showed her a drawing. She directed a question about background checks to the applicant, who indicated that they do background checks. She asked if there would be a traffic light installed where Oak Street exits onto St. Rose Road. She believes that the addition of this apartment building will lower the property value of her home. She is opposed to the proposed development.

Gene Redman, stated that he and Paula have lived south of the subject property since 1975. The apartment tenants have never bothered them and he wouldn't expect that these new tenants would either. But, he is concerned about the addition of 10 additional cars to the traffic on that street. He also agrees that the ditch there is not maintained and he is concerned about its condition.

John Blandine, the applicant, stated for the record that he will be screening and performing background checks on any potential tenants.

Brad Korte, looking at the application asked for clarification on the figure of 4,000 sq. ft. per unit. Seth of Netemeyer Engineering indicated that that calculation is the size of the entire property in square feet divided by 4,000 square feet, which is the density permitted by the current code, which ultimately allows up to 5 units on this lot. The applicant indicated that this building is being designed similar to the building that is already there. Korte asked what the approximate square feet of living space per unit will be. Seth indicated roughly 20 x 36 and two story, so approximately 1400 square feet per unit. In addition, there is a laundry area in the basement.

Deanna Harlan asked if there is any consideration to any green screening on the south side of the lot to screen the sight of the building from surrounding single-family properties. Seth indicated that there is one existing tree and the south side of the lot is bounded by a city street and the ditch. Besides that, it would be difficult to plant into the side of the ditch.

Shirley Lodes agreed that traffic is a concern. She believes a sidewalk is a good idea. If she still lived there she would be going to city council meetings to suggest these things.

Mr. Redman noted that the previous city manager said that an Oak Street improvement would be done before he retired, and he has been gone for two years.

Charlotte Frey asked the members if they would want to look at an apartment building every day from their homes.

Brad Korte indicated that was an unfair question. It assumes that the applicants will be building an ugly building. He doesn't believe they will. It will be a new building.

Paul Holtgrave asked if this is going to bring the property value of his house down. It will cost \$600,000 to build, so day one it could improve your property values. Brad Korte agrees that devaluation is not a likely outcome, based upon research he has done over his years on this board. Mr. Holtgrave expressed additional concerns regarding the speed of school traffic. Speed bumps were suggested. McGinley noted that speed bumps make plowing snow difficult.

McGinley pointed out that when the new school is built, the K-3<sup>rd</sup> grade traffic may be all but eliminated from Oak Street.

Bill Napper, City Councilman, expressed that he is very concerned for the residents, because they have to live there. He added that the ditch is a hazard and unattractive. He believes that the city should maintain the ditch and build a sidewalk. He suggested that perhaps the residents would like to cost share over a ten year span with the city to make the needed improvements.

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

Lodes made a motion to recommend approval of the request for a Planned Unit Development Special Use Permit by Migliore Properties, LLC, to construct a 5-unit multifamily dwelling structure within the R-3 zoning district to the east of Oak Street, and southwest of El Kay Court (PIN #01-2-24-04-09-102-006.004); seconded by Harlan.

Chairman Walker expressed concerns about the stormwater management aspect of this project. Seth indicated that the storm water design will be included with the site plan. Right now, at this point in planning, they are considering an underground stormwater detention pipe under the back parking lot, which he stated would be adequate value, and possibly some up front, depending upon how the elevation works out. He added that there is a big detention pipe between the two multi-family structures to the east and that gets piped to the east. Chairman Walker stated that this is the time to address this to avoid future problems. Seth asked the citizens if the ditch ever fills up. There were several comments about standing water and trash in the ditch. Mr. Redman added that the ditch used to dry up if no rain within a week, but now there is always stagnate water standing.

Chairman Walker expressed concern about the traffic situation, specifically the vehicles exiting this development at the bottom of hills in both directions. McGinley suggested routing traffic up El Kay Court and removing the front/north access to Oak Street. The meeting erupted and several conversations were happening at once. The meeting was brought back to order. The board discussed the addition of potential conditions. The applicant indicated they would be agreeable to the proposed conditions.

Brad Korte made a motion to amend the pending motion to add the following conditions: 1) closure of the front/north access to Oak Street, and, 2) proper stormwater design. The motion to amend was seconded by Munie.

On the motion to amend, adding the conditions, the vote was taken by roll call. Harlan, Koehnemann, Korte, Lodes, Munie, Vance, and Walker voted aye; none voted no. The motion carried.

With no further board comment, the vote was taken on the original motion as amended, by roll call: Harlan, Koehnemann, Korte, Lodes, Munie, Vance, and Walker voted aye; none voted no. The motion carried. The board's recommendation will be forwarded to the City Council for their consideration at their meeting to be held on June 19, 2023.

**Next Meeting:**

The next meeting of the Combined Planning & Zoning Board is scheduled for Wednesday, July 5, 2023.

**Adjournment:**

Korte made a motion to adjourn; seconded by Vance. Chairman Walker announced that the meeting was adjourned at 7:55 PM.