

City of Highland Building and Zoning

Combined Planning & Zoning Board Agenda City Hall – 1115 Broadway March 4, 2020 7:00 P.M.

- 1. Call to Order
- 2. Roll Call
- 3. General Business: Approval of the February 5, 2020 Minutes
- 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. <u>No action will be taken.</u>

- 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
- 6. Unfinished Business

determined by the City Attorney.

- a) Jason Mettler, of 12359 Highland Rd, is re-submitting a preliminary plat for Carbay Crest Phase II at the northwest quadrant of Sportsman and Vulliet.
- 7. New Business
  - a) Dwight Rutz of 28 Willow Creek Drive, Highland IL is requesting a Special Use Permit to allow for self-storage within the C-3 zoning district at 2650 Plaza Drive (PIN # 02-2-18-32-13-301-017).
  - b) Cathy Yockey, representing Walmart Stores, Inc. of 2608 SE J Street, Bentonville, AR, is requesting a variance for signage at 12495 State Route 143 (PIN # 02-2-18-29-03-301-001).
- 8. Calendar
  - a) February 5, 2020– Combined Planning and Zoning Board Meeting
  - b) Adjournment

Anyone requiring ADA accommodations to attend this public meeting, please contact Dylan Stock, ADA Coordinator, at 618-654-7115.



Meeting Date: March 4, 2020

From: Breann Speraneo, Planning & Zoning Administrator

**Description: Carbay Crest Phase II Preliminary Plat Amendment** 

#### **Proposal Summary**

Jason Mettler, of 12359 Highland Rd, is re-submitting a preliminary plat for Carbay Crest Phase II at the northwest quadrant of Sportsman and Vulliet.

#### Purpose

This is an amendment to the preliminary plat recommended for approval at the June 6, 2018 Combined Planning & Zoning Board meeting and approved at the June 18, 2018 City Council meeting.

The amendment proposes removing the subdivision's second entrance off Sportsman Road. The entrance off Vulliet Road would serve as the subdivision's sole entrance.

#### Staff Discussion

Staff comments provided to Netemeyer Engineering Associates, Inc. and Mettler Development, LLC are enclosed.

Note: Staff did not receive a written response to staff comments from Netemeyer Engineering Associates, Inc.

#### EXHIBIT "A" CITY OF HIGHLAND Preliminary Plat Application

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Return	Form	10.
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Administrative Official City of Highland 2610 Plaza Drive Highland, IL 62249 (618) 654-7115 (618) 654-5570(fax)

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#### **APPLICANT INFORMATION:**

Applicant: Jason Mettler	Phone: (618) 779-4695	
Address: 12359 Highland Road, Highland, IL	Zip: 62249	
Email Address: jason@mettlerdevelopment.com		
Owner:	Phone:	
Address:	Zip:	
Email Address:	~·····	

#### **ENGINEER/ DESIGN PROFFESSIONAL INFORMATION:**

Name of Firm: <u>Netemeyer Engineering Associates</u> , Inc.	Phone: (618) 228-7816 Ext. 10
Address: 101 South Page Street, Aviston, IL	Zip: 62216
Project Manager: Clifford Huelsmann	
Email Address: cliff@netemeyerengineering.com	

#### **PROPERTY INFORMATION:**

Location of Property: Northwest quadrant of Sportsman Road and Vulliet Road

Legal Description: Part of the Northwest Quarter of Section 31, Township 4 North, Range 5 West of the 3rd P.M., City of Highland, Madison County, Illinois

Present Zoning Classification: R1C

Acreage: 11.89

Present Use of Property: Agricultural

Proposed Number of lots: 25

Description of proposed use of Development: single family residential

#### ADJACENT ZONING AND LAND USE:

	Land Use	Zoning
North	Residential	R-1-C
South	Residential	R-1-C; R-2-A
East	Residential	R-1-C; Agricultrual
West	Residential, Agricultural	R-1-C; Agricultural

#### Does the proposed Subdivision Development meet the following standards? If not, attach a separate sheet explaining why. Yes No

- A. The extent to which the proposed development is consistent with the City's comprehensive plan and with the purposes of this Article and of all other applicable codes and ordinances.
- B. The extent to which the proposed development deviates from the regulations that are generally applicable to the property (including, but not limited to, the X use and lot and building regulations of the district), and the apparent merits (if any) of said
- C. Whether the proposed design of the Subdivision makes adequate provisions for vehicular and pedestrian circulation, off-street parking, green space, X separation of residential and commercial uses, open space, recreational facilities, preservation of natural features, and so forth.
- D. The compatibility of the proposed Subdivision with adjacent properties and X surrounding area; and
- E. Any other reasonable criteria that the Combined Planning and Zoning Board X may devise.

#### ATTACHMENTS REQUIRED:

- 1. Completed application.
- 2. Completed Preliminary Plat Checklist
- 3. Application fee of \$100 plus \$10 for each lot.
- 4. Eighteen (18) folded copies of the signed and sealed plat.
- 5. All utilities shall be shown on the plat, including water, sewer, electric, gas, and cable.
- 6. Copy of current deed.
- 7. Copy of subdivision covenants.

Applicant's Signature

2-11-19

Date

### Exhibit 2. - Checklist for Preliminary Plat

Name of subdivision: <u>Carbay Crest 1st Addition</u>

Date of submission:

Eighteen (18) copies of the preliminary plat shall be submitted. To properly execute this checklist, the subdivider, or engineer, shall:

- Insert the required information.
- Denote compliance with applicable ordinances by placing initials in all spaces where applicable.
- Denote those items which the subdivider, or engineer, considers "not applicable" to the particular subdivision by the abbreviation "N.A."

Every subdivision preliminary plat shall be prepared by a registered Professional Engineer and Professional Land Surveyor, State of Illinois, at any scale from one inch equals 10 feet through one inch equals 100 feet, provided the resultant drawing does not exceed 24 inches by 36 inches and shall contain the following:

- X 1. Small key map showing the relation of the proposed subdivision to platted subdivisions and dedicated roads within 2,500 feet of the proposed subdivision.
- X 2. Names and addresses of the owner, developer (if not the owner), Name and seal of Registered Professional Engineer of Illinois and Professional Land Surveyor, State of Illinois.
- X 3. Proposed name of the subdivision, location given by township, range, section, or other legal description.
- X 4. Title Block must include the wording Preliminary Plat
- $\times$  5. Zoning district classification of the tract to be subdivided, and of the adjacent land.
- N.A. 6. If the plat is shown on two or more sheets, an index shall be provided on each sheet alone with corresponding "match lines".
- X 7. North arrow, graphic scale, and date of map.
- X 8. The gross and net acreage area of the proposed subdivision, the acreage of streets, and of any areas reserved for the common use of the property owners within the subdivision and for public use
- X 9. All lot lines adjacent to and abutting the subdivision.
  - X a. Ownership of the surrounding land.
  - X b. Alignment of existing streets and rights-of-way.
  - X c. Section and corporate limit lines.
- X 10. Tract boundary lines showing dimensions, bearings, and references to known land lines.
- X 11. Topography of the tract to be subdivided as indicated by two-foot contour data for land having slopes of zero to four percent, five-foot contour data for land having slopes between

four to 12 percent, and ten-foot contour data for land having slopes of 12 percent or more. Benchmarks indicating location, description, and elevation.

- <u>N.A.</u> 12. Delineation of pre-development drainage basins showing directions of flow and downstream receiving facility.
- <u>N.A.</u> 13. Delineation of post-development drainage basins showing directions of flow and downstream receiving facility.
- $\times$  14. Any proposed alteration, adjustment or change in the elevation or topography of any area.
- X 15. Locations of such features as bodies of water, ponding areas, natural drainageways, railroads, cemeteries, bridges, parks, schools, permanent structures, buildings, etc.
- X 16. Streets and rights-of-way on and adjoining the site of the proposed subdivision; showing the names and including street right-of-way and paving widths; approximate gradients; types and widths of pavement, curbs, sidewalks, crosswalks, planting strips and other pertinent data, including classification of all existing or proposed streets as to function as arterial, collector, residential, major, minor or other roads.
- N.A. 17. A copy of the results of any tests made to ascertain subsurface rock and soil conditions and the water table.
- X 18. Locations, widths, and purposes of all existing and proposed easements.
- N.A. 19. A copy of the description of all proposed deed restrictions and covenants.
- X 20. Location and size of existing and proposed sanitary sewers, storm sewers and potable water lines.
- X 21. Locations, types, and approximate sizes of all other existing and proposed utilities.
- X 22. Front building setback or front yard lines and dimensions.
- <u>N.A.</u> 23. Locations, dimensions, and areas of all parcels to be reserved or dedicated for schools, parks/playgrounds, and other public purposes.
- X 24. Locations, dimension, and areas of all proposed or existing lots within the subdivision.
- X 25. Indication on drawing, or by certificate, that the developer is aware of the responsibility for installation of street signs.
- X 26. Electronic Submittal of preliminary plat to the City of Highland in a format compatible to the City of Highland GIS system.

#### Completed by:

Name: Clifford Huelsmann

Address: 101 South Page Street, Aviston, IL 62216

Telephone: (618) 228-7816 Ext. 10

Email: cliff@netemeyerengineering.com

Date: 12-13-2019



City of Highland Building and Zoning

## Exhibit "C" Determination of Subdivision Plat Review

Date Submitted: 12/18/19 Filing Fees: \$350 Date Paid: Public Hearing Date: 2/5/20

On February 5, 2020, the City of Highland Combined Planning and Zoning Board at its regular meeting **approved**, **denied**, **waived**, **tabled** Subdivision Plan Review of the following:

Jason Mettler, of 12359 Highland Rd, is re-submitting a preliminary plat for Carbay Crest Phase II at the northwest quadrant of Sportsman and Vulliet.

In recommending <u>**THBLING**</u> (action) of this Subdivision Plat Review, the Combined Planning and Zoning Board considered all standards listed in the zoning regulation and all other conditions listed for that use in other sections of these regulations. In addition, the Combined Planning and Zoning Board found that the proposed use **did/did not** provide safeguards to assure its compatibility with the surrounding area.

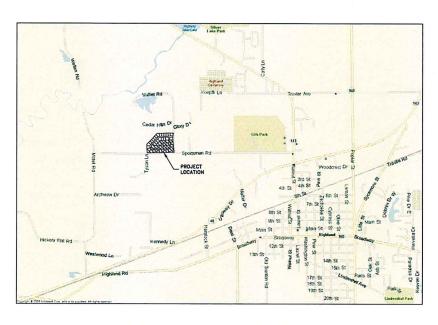
Conditions (if any): \_\_\_\_\_

Chairperson of the Combined Planning and Zoning Board

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PA TO

PRELIMINARY PLAT FOR CARBAY CREST - PHASE 2 PART OF THE NORTHWEST QUARTER OF SECTION 31, DWNSHIP 4 NORTH, RANGE 5 WEST OF THE 3RD P.M., CITY OF HIGHLAND, MADISON COUNTY, ILLINOIS ZONED - RIC DECEMBER 12, 2019 REVISED: JANUARY 16, 2020	NETEMEYER ENGINEERING MEAN AND ASSOCIATES, INC. ASSOCIATES, INC. ASSOCIATES, INC. MARKING MARK
INDEX OF SHEETS SHEET 1 – COVER SHEET SHEET 2 – PRELIMINARY PLAT-DETAILS & SECTIONS SHEET 3 – PRELIMINARY PLAT-DETAILS & SECTIONS	CARBAY CREST - PHASE 2 - PRELIMINARY PLAT PART OF THE NORTHWEST OUNTER OF SECTION 31. PART OF THE NORTHWEST OUNTER OF SECTION 31. TOWNSHIP A NORTH, RANGE 5 WEST OF THE 3RD P.M CRY OF HIGHLAND. MADISON COUNT, ILLINOIS SIGNARD A 9011071424 9 NORTH 2300 P.M 12359 HIGHLAND ROAD HIGHLAND. IL 62249 PHONE: (618) 6545127
SITE_ADDRESS: SPORTSMAN ROAD HIGHLAND, IL 62249 EXISTING ZONING: R1C FRONT SETBACK: 25' SIDE SETBACK: 7' REAR SETBACK: 20' BUILDING INFO: 25 LOTS 70' MINIMUM FRONTAGE AT BUILDING LINE COVERAGE: TOTAL AREA = 11.89 ACRES AREA IN LOTS = 9.75 ACRES AREA IN LOTS = 9.75 ACRES AREA IN COMMONS = 0.29 ACRES AREA IN COMMONS = 0.29 ACRES AREA IN R.O.W. = 1.85 ACRES	PATRICK R. NETENEYER PROJECT NO. 2017-105 DE: MILLE SUB-45-48-48-48-48-48-48-48 DE: MILLE SUB-45-48-48-48-48-48-48-48-48-48-48-48-48-48-



LOCATION SKETCH

#### LIST OF UTILITIES

TELEPHONE – FRONTIER COMMUNICATIONS 3435 EDWARDSVILLE ST BUNKER HILL, IL 62014 PHONE: 618–493–9928

ELECTRIC – AMEREN–IP P.O. BOX 428 HIGHLAND, ILLINOIS 62249 PHONE: 618–236–6248

CABLE T.V. – CHARTER COMMUNICATIONS 210 WEST DIVISION STREET MARYVILLE, ILLINOIS 62062 PHONE: 618–345–8121

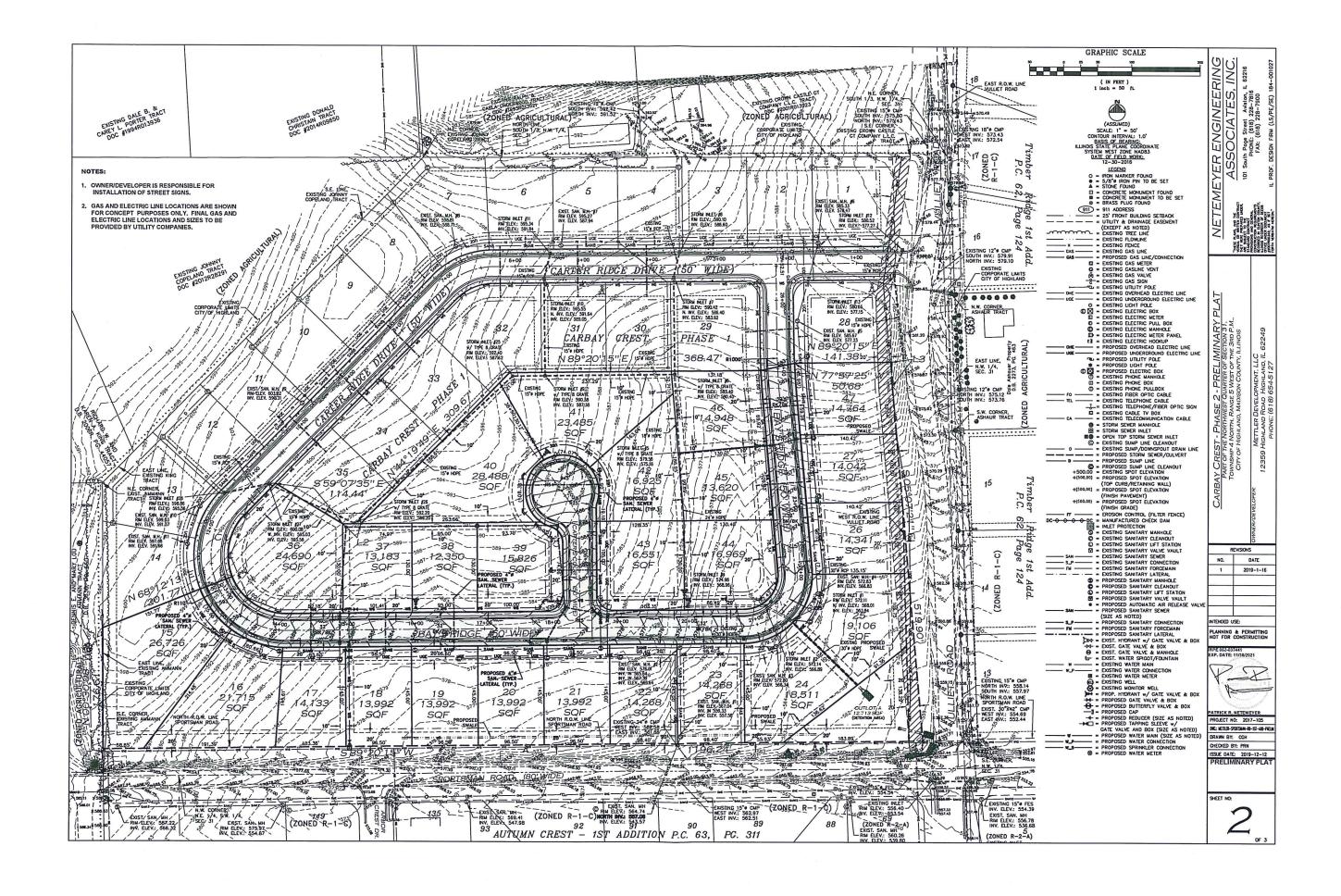
HIGHLAND COMMUNICATION SERVICES 1115 BROADWAY HIGHLAND, ILLINOIS 62249 PHONE: 618–654–6823

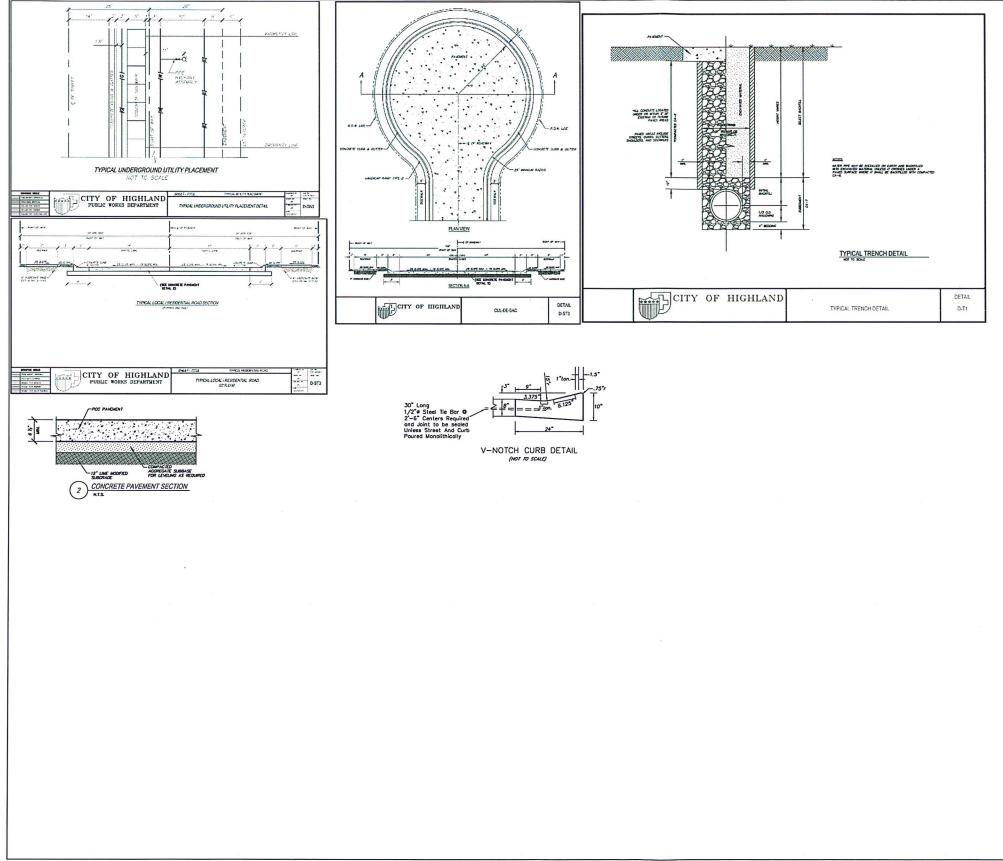
GAS – AMEREN-IP P.O. BOX 428 BELLEVILLE, ILLINOIS 62222 PHONE: 618–236–6271

WATER – CITY OF HIGHLAND 1115 BROADWAY HIGHLAND, ILLINOIS 62249 PHONE: 618–654–6823

SEWER – CITY OF HIGHLAND 1115 BROADWAY HIGHLAND, ILLINOIS 62249 PHONE: 618–654–6823

J.U.L.I.E. - 1-800-892-0123





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CARBAY CREST - PHASE 2 - PRELIMINARY PLAT     NETEMEYER ENGINEERING       Association     Image: Standard Crest - Phase 2 - PRELIMINARY PLAT     NETEMEYER ENGINEERING       Association     Image: Standard Crest - Phase 2 - PRELIMINARY PLAT     NETEMEYER ENGINEERING       Association     Image: Standard Crest - Phase 2 - PRELIMINARY PLAT     NETEMEYER ENGINEERING       Association     Image: Standard Crest - Phase 2 - Prelimineeric Standard     Image: Standard Crest - Prelimineeric Standard       Association     Image: Standard Crest - Prelimineeric Standard     Image: Standard Crest - Prelimineeric Standard     Image: Standard Crest - Prelimineeric Standard       Association     Image: Standard Crest - Prelimineeric Standard     Image: Standard Crest - Prelimineeric Standard     Image: Standard Crest - Prelimineeric Standard       Association     Image: Standard Crest - Prelimineeric Standard     Image: Standard Crest - Prelimineeric Standard     Image: Standard Crest - Prelimineeric Standard       Association     Image: Standard Crest - Prelimineeric Standard     Image: Standard Crest - Prelimineeric Standard     Image: Standard Crest - Prelimineeric Standard       Association     Image: Standard Crest - Prelimineeric Standard     Image: Standard Crest - Prelimineeric Standard     Image: Standard Crest - Prelimineeric Standard       Association     Image: Standard Crest - Prelimineeric Standard     Image: Standard Crest - Prelimineeric Standard     Image: Standard       Association     Image: Standard Crest -
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City of Highland Building and Zoning

February 10, 2020

Cliff Huelsmann Netemeyer Engineering 3300 Highline Road Aviston, IL 62216

Mr. Huelsmann,

The City of Highland's Planning & Zoning, Public Works, and Public Safety staff has reviewed the Carbay Crest Subdivision Phase II preliminary re-plat. Below are city staff comments requesting additional information and highlighting recommended changes/corrections. Please resubmit the plat with any corrections by **February 20, 2020**.

Upon resubmittal, please respond to all comments in writing so that staff knows how each comment was addressed. I would request eight (8) 24x36 copies of the resubmittal for our internal records, one (1) 11x17 version for the City Council packet, and an electronic (.pdf) version upon resubmittal.

The Phase II preliminary re-plat will go to the Combined Planning & Zoning Board for recommendation on March 4<sup>th</sup> and to City Council for approval on March 16<sup>th</sup>. Both meetings are at 7:00pm at City Hall. It is always suggested to have a representative at both meetings to answer any questions the board may have.

Please let me know if you have any questions or concerns.

Sincerely,

Brenn Sporaneo

Breann Speraneo Director of Community Development



#### **Planning & Zoning Comments**

Contact: Breann Speraneo, Director of Community Development

For planning purposes, staff prefers two streets for a subdivision to control traffic flow as the subdivision becomes occupied. Of primary concern is connectivity (ability to access the subdivision from more than one public road). Without the second entrance, all 47 lots within this subdivision will utilize Vulliet in addition to the 74 lots already required to use this street, bringing the total number of lots required to use Vulliet for access to 121 lots.

In communities surveyed by staff (Edwardsville, Glen Carbon, Highland, Maryville, St. Jacob, Troy) singleaccess point subdivisions are becoming much less common. While 10 single-access subdivisions were platted in these communities in the 1990s or prior, and 3 in the 2000s, none were platted in the 2010s.

While the City of Highland's Code of Ordinances does not currently regulate the number of required access points for subdivisions, it is my understanding that staff has worked at length with the developer and engineer throughout the platting process to ensure that two access points are installed.

#### **Public Works Comments**

Contact: Joe Gillespie, Director of Public Works

We encourage developers to construct a new street directly opposite an existing street whenever possible. This creates proper intersections without introducing a series of tee intersections. Had this development not originally shown a street connecting to Sportsman Rd., we would have recommended one at Arbor Crest Drive from the existing subdivision directly to the south. The other subdivision street accessing Vulliet Road doesn't have a street nearby to line up with.

The initial Carbay Crest design presented last summer showed a street directly opposite of Arbor Crest Drive. It promotes good traffic flow, limits the introduction of new intersections, has good flow for snow plowing, postal deliveries, emergency response, and trash services. If Vulliet Road had a street to tie into, it would be perfect. It was late in the stage of the improvement plan approval that the design was changed to move the street accessing Sportsman Road easterly to roughly line up with the property's former driveway access to Sportsman Road. After much discussion, the City approved the relocation of the street because we felt it was critical to the development.

Recent subdivisions developed after 2000 including Prestige Estates, Autumn Crest, Evergreen Court, and Augusta Estates were all preliminary platted with two or more entrance/exits because of the reasons stated above.

We believe it is in the best interest of the City and future residents of this subdivision to keep a local/residential street connecting to Sportsman Road for the reasons previously mentioned above.



City of Highland Building and Zoning

#### **Public Safety Comments**

Contact: Chris Conrad, Director of Public Safety/Chief of Police

I have received the updated proposed plats for Carbay Crest Phase 2 and have reviewed them with Emergency Services Chief Wilson. It is our opinion that removing the secondary entrance to the subdivision off of Sportsman Rd. would be irresponsible from an emergency management planning perspective.

**Discussion:** The development is proposing 46 lots. If you estimated an average of 2 cars per residence, you should account for a minimum of 92 cars a day coming and going, so conservatively 184 car passes per day, a rough estimate of 8 passes per hour.

Having a single entrance creates a single point of failure for the subdivision. Any type of incident of catastrophic event at lots 1-3 or 28-29, would effectively block the remaining 45 lots into the subdivision for the duration of the event. In checking with the City Engineer, it appears that every subdivision that has been proposed since 2003 has included a secondary ingress/egress point for not only emergency response purposes, but also for traffic load relief of connecting roadways.

I would point out to the board a subdivision that predates 2003 and only has a single point of ingress/egress, being the Willow Creek subdivision. We had a fatal car accident on Willow Creek Dr. that required police, fire, ems, coroner and accident reconstruction response. The investigation of fatal accidents is not a fast process and required the closing of the roadway for the duration. The location was towards the front of the subdivision near the bridge, so during the investigation all other residents where effectively blocked into the subdivision. Compare that scenario with the recent road construction in the Northwest Manor subdivision, or the current construction on East Broadway. With the exception of very few cul-de sac roads, every roadway effected by the construction has a secondary point of ingress/egress that allows traffic to flow, and the construction crews to work faster and safer.

**Recommendation:** It is our recommendation the developer not be allowed to remove the secondary ingress/egress point for the Carbay Crest Phase 2 Subdivision. From an emergency management and traffic flow perspective it is important to have 2 points of ingress/egress to a subdivision of this size. The proposal on the preliminary plat that located the secondary ingress/egress point directly across from Arbor Crest (approximately where lot 18 is on this proposal) would be the preferred choice and would have our support.



Meeting Date:	March 4, 2020
From:	Breann Speraneo, Director of Community Development
Location:	2650 Plaza Drive
Zoning Request:	Special Use Permit
Description:	SUP to allow for self-storage within the C-3 zoning district

#### **Proposal Summary**

The applicant and property owner for this case is Dwight Rutz of 28 Willow Creek Drive. The applicant of this case is requesting the following Special Use Permit to comply with Table 3.1 of Section 90-201 of the City of Highland Municipal Code (hereafter known as the "zoning matrix"):

- Dwight Rutz of 28 Willow Creek Drive, Highland IL is requesting a Special Use Permit to allow for self-storage within the C-3 zoning district at 2650 Plaza Drive (PIN # 02-2-18-32-13-301-017).

The zoning matrix identifies "Warehouse, Mini (Self-Storage)" as a Special Use within the C-3 highway business district. The proposed use would consist of indoor temperature-controlled self-storage and outdoor self-storage.

**NOTE:** This request is a continuation of the Special Use Permit granted to allow for self-storage at 2670 Plaza Drive in October 2019. In order to extend the use to this parcel, a Special Use Permit must be obtained for the entirety of the site.

#### **Comprehensive Plan Consideration**

The subject property is denoted as commercial on the Comprehensive Plan's Future Land Use Map. Selfstorage is a special use permitted within the C-3 zoning district.

Direction	Land Use	Zoning
North	City of Highland Parks & Rec	R-1-C
South	Self-Storage	C-3
East	City of Highland Building & Zoning	Industrial
West	Relevant Pregnancy Options Center	C-3

#### Surrounding Uses

#### **Standards of Review for Special Use Permits**



Below are the six (6) consideration items listed in Section 90-79 of the Zoning Code which the Combined Planning and Zoning Board shall take into account while reviewing a SUP request.

1. Whether the proposed amendment or Special Use is consistent with the City's Comprehensive Plan;

The proposed Special Use is consistent with the Comprehensive Plan.

2. The effect the proposed amendment or Special Use would have on public utilities and on traffic circulation;

The proposed Special Use would not have an adverse effect on public utilities or traffic circulation on nearby streets.

3. Whether the proposed design, location and manner of operation of the proposed Special Use will adequately protect the public health, safety and welfare, and the physical environment;

The proposed Special Use will adequately protect the public health, safety and welfare, and the physical environment.

4. The effect the proposed Special Use would have on the value of neighboring property and on this City's overall tax base;

The proposed Special Use will not have a detrimental impact on the value of neighboring property or on the City's overall tax base.

5. The effect the proposed Special Use would have on public utilities; and

The proposed Special Use will utilize public utilities for temperature-controlled self-storage.

6. Whether there are any facilities near the proposed Special Use, such as schools or hospitals that require special protection.

There are no facilities near the proposed Special Use that require the need for special protection.

#### **Staff Discussion**

The proposed Special Use is consistent with the Comprehensive Plan and will not affect the surround properties. This is an extension of a previously granted Special Use Permit to allow for self-storage. Staff has no concerns.



#### 2019 Aerial Photograph



Subject tract is marked in red.



#### Site Photos





#### EXHIBIT "A" Special Use Permit Application

Return Form To:	For Office Use Only
Administrative Official	Date Submitted: 1-27-20
City of Highland	Filing Fee: Wally 0
2610 Plaza Drive	Date Paid:
Highland, IL 62249	Date Advertised:
(618) 654-7115	Date Notices Sent:
(618) 654-1901 (fax)	Public Hearing Date: 3-4-20
	Zoning File #:

#### **APPLICANT INFORMATION:**

Applicant: Dwight Rutz, Trustee	Phone: 618-409-0309	
Address: 28 Willow Creek Drive, Highland, IL	Zip: 62249	
Email Address: dwrutz@gmail.com		
Owner: Dwight Rutz, Trustee	Phone: 618-409-0309	
Address: 28 Willow Creek Drive, Highland, IL	Zip: 62249	
Email Address: dwrutz@gmail.com		

#### **PROPERTY INFORMATION:**

Street Address of Parcel ID of Property: 2650 Plaza Drive, Highland, IL - 02-2-18-32-13-301-017

Property is Located In (Legal Description): Lot 17 in Community Plaza West, according to Plat recorded in Plat Cabinet 54 Page 112 in the Recorder's Office of Madison County, Illinois, and ratified at Book 3616 Page 284, EXCEPTING therefrom that part conveyed to the City of Highland from Speed Lube by Deed recorded August 27, 1996 in Book 4072 Page 1510

Present Zoning Classification: C-3

\_\_\_Acreage: \_\_\_70x100 IRR

Present Use of Property: Vacant building formerly used as a church.

Proposed Land Use: Outdoor self storage

Description of proposed use and reasons for seeking a special use permit: Remove building/trailer, and make outdoor self storage

Seeking a special use permit as required for this type of use in a C-3 Highway Business District Zone

#### SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	City of Highland Parks & Rec	R-1-C
South	Self Storage Units & Building	<u>C-3</u>
East	City of Highland Building & Zoning	Industrial
West	Relevant Pregnancy Options Center	<u>C-3</u>
Should this specia	al use be valid only for a specific time perio	d? Yes No_X

If Yes, what length of time? \_\_\_\_

eparate sheet explaining why.	Yes	No
A. Will the proposed design, location and manner of operation of the proposed special use will adequately protect the public health, safety and welfare, and the physical environment;	Χ	
B. Is the proposed special use consistent with this City's Comprehensive Plan;	x	
C. Will the proposed special use have a minimal negative impact on the value of neighboring property and on this City's overall tax base;	x	
D. Will the proposed special use have a minimal negative impact on public utilities and on traffic circulation on nearby streets; and	x	
E. Will the proposed special use have a minimal impact on the facilities near the proposed special use, such as schools or hospitals require special protection?	X	

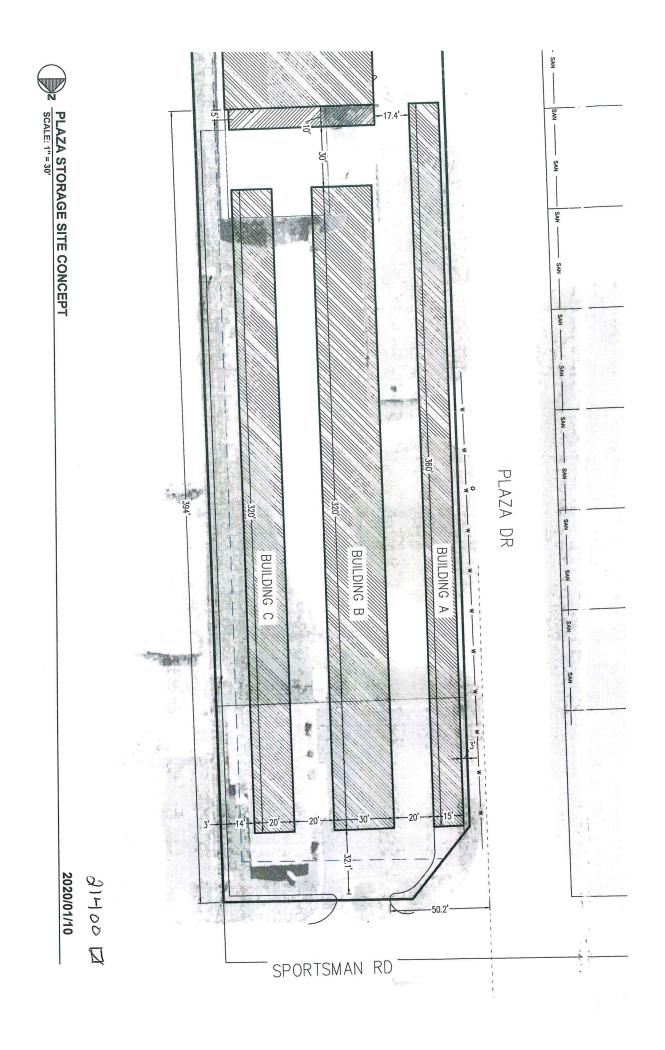
#### THE FOLLOWING ITEMS MUST ACCOMPANY YOUR APPLICATION:

- 1. One copy of a legal description AND warranty deed of the property. If the applicant is not the property owner, a notarized letter from the property owner granting the applicant permission to apply for the request will be required.
- 2. A current plat, site plan, survey, or other professional illustration.
- 3. One copy of a narrative statement describing the impact of the proposed change, including the purpose of the request, the desired land use, any traffic conditions that may result, how the proposed change may affect the character of the surrounding properties, and how the proposed change will benefit the City of Highland.
- 4. Application fee.
- 5. A stamped copy from the Madison County, Maps and Plats Department identifying all property owners within 250 feet of the subject property (see Exhibit "B").
- 6. Any other information required by planning staff (i.e. landscaping plan, elevation plan, exterior lighting plan, etc).

I HAVE READ AND UNDERSTAND THE ABOVE CITY OF HIGHLAND PETITION TO THE COMBINED PLANNING & ZONING BOARD REQUIREMENTS.

Applicant's Signature

1/27/2020 Date





Meeting Date:	March 4, 2020
From:	Breann Speraneo, Planning & Zoning Administrator
Location:	12495 State Route 143
Zoning Request:	Sign Variance
Description:	Variance to allow for an emergency exit that extends 36" over the side property line

#### **Proposal Summary**

The applicant is Cathy Yockey, representing Walmart Stores, Inc. of 2608 SE J Street, Bentonville, AR. The property owner is Walmart Stores. The applicant is requesting the following variance to Section 90-256 of the City of Highland Municipal Code:

- Cathy Yockey, representing Walmart Stores, Inc. of 2608 SE J Street, Bentonville, AR, is requesting a variance for signage at 12495 State Route 143 (PIN # 02-2-18-29-03-301-001).

The purpose of the request is to exceed the maximum allowed signage (300 sq ft). Walmart is requesting 541.71 sq ft of signage. The storefront currently has 472.40 sq ft of signage, but a sign variance was not on record for this address.

In order for the applicants to be granted variance approval, the request must first be reviewed and approved by the CPZB as per 90-93 'Variances – Public hearing and notice requirements' of the Zoning Code.

#### **Standards of Consideration**

The Combined Planning and Zoning Board must utilize the following standards of consideration when determining whether to grant the variance:

 The applicant acquired his property in good faith and where by reason of exceptional narrowness, shallowness or shape of his specific piece of property at the time of the effective date of this code, or where by reasons of exceptional topographical conditions or other extraordinary circumstances, that the strict application of the terms of the zoning regulations actually prohibit the use of this property in the manner similar to that of other property in the zoning district where it is located.

The applicant is seeking a variance as a result of upgrading signage and not having a previous variance on file.



2. The proposed variance is consistent with the general purpose of this chapter, section 90-1.

#### It is consistent.

3. Strict application of this chapter of which the variance is requested would constitute unnecessary hardship upon the property owner represented in the application.

If a variance is not granted, the applicant would not be able to upgrade existing signage.

4. The proposed variance is the minimum deviation from such requirements that will alleviate the difficulties/hardship and allow a reasonable return on the property.

#### It is the minimum deviation.

5. The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zoning district and is not created by an action or actions of the property owner or applicant.

The applicant is seeking a variance as a result of new corporate standards and an increase in services.

6. The peculiar circumstances engendering the variance request are not applicable to other property within the district, and therefore, that a variance would be a more appropriate remedy than an amendment (rezoning).

A variance is the most appropriate remedy.

7. The variance, if granted, will not alter the essential character of the area where the premises in question are located, nor materially frustrate implementation of this city's comprehensive plan.

The character of the area and comprehensive plan would not be affected.

In granting a variance, the board may impose such conditions, safeguards and restrictions upon the premises benefited by the variance as may be necessary to reduce or minimize any potentially injurious effect of such variance upon other property in the neighborhood, and to carry out the general purpose and intent of these regulations.

#### Staff Discussion

Businesses are allowed two square feet of sign area per one foot of lineal street frontage, up to a maximum allowance of 300 sq ft. A variance would not be required if there were not a 300 sq ft cap. Walmart has exceeded this cap since its existence, but a variance has not been obtained. The slight increase in signage is not substantial – it marks new services such as grocery pick-up locations. The proposal would be an upgrade to existing signage. Staff has no objections to this variance.



## City of Highland DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT BUILDING AND ZONING DIVISION

#### VARIANCE APPLICATION

When an applicant feels that the strict application of the requirements of the Zoning Regulations would create an undue hardship, they may request a variance from the Combined Planning and Zoning Board. The Combined Planning and Zoning Board must base its decision, to as great a degree as possible, on factual evidence and not the personal opinion of the applicant, neighbors, or others. The request for a variance should be based on a conflict between the restrictions on the development of the property due to the Zoning Regulations and the restrictions on the development of the property due to its physical characteristics. A variance should be issued only to the specific restrictions on physical construction and not to the list of permissible land uses within a given zone.

- 1. <u>Application and Fees:</u> Every application for a variance shall be filed with the Administrative Official on forms provided by the City along with a **\$200.00** review and processing fee established pursuant to Section 90-067. The administrator shall promptly route the application, to the Combined Planning and Zoning Board. The application shall contain sufficient information to allow the Board to make an informed decision, and shall include, at a minimum, the following:
  - a. Name and address of the applicant and a listing of the name and address of the owners of all property located within 250 feet of the boundaries of the property included in the application;
  - b. Location of the structure/use for which the variance is sought;
  - c. Relationship of the structure/use to existing structures/uses on adjacentlots;
  - d. Specific section of this chapter containing the requirements which, if strictly applied, would cause a serious problem;
  - e. Any other pertinent information that the administrator may require; and
- 2. <u>Public Hearing:</u> The Combined Planning and Zoning Board shall hold a public hearing on each zoning variance request within a reasonable time after the variance application is submitted to them. At the hearing, any interested party may appear and testify, either in person or by duly authorized agent or attorney. Notice indicating the time, date and place of the hearing, and the nature of the proposed variance, shall be given not more than 30 nor less than 15 days before the hearing by:
  - a. First class mail to the applicant and to all parties whose property would be directly affected by the proposed variance. and
  - b. Publication in a newspaper of general circulation within this City.
- 3. <u>Standards for Consideration:</u> The Combined Planning and Zoning Board shall not grant any zoning variance unless, based upon the evidence presented to them, they determine that the proposed variance meets the requirements below and as noted in Section 90.093 of the Zoning Code and also provided in the Application Checklist located at the end of this Section.
  - a. The applicant acquired his property in good faith and where by reason of exceptional

narrowness, shallowness or shape of his specific piece of property at the time of the effective date of this code, or where by reasons of exceptional topographical conditions or other extraordinary circumstances, that the strict application of the terms of the Zoning Regulations actually prohibit the use of this property in the manner similar to that of other property in the zoning district where it is located

- b. That the proposed variance is consistent with the general purpose of City's Zoning Code. (Section 90.001)
- c. Strict application of the Chapter of which the variance is being requested would constitute unnecessary hardship upon the property owner represented in the application;
- d. The proposed variance is the minimum deviation from such requirements that will alleviate the difficulties/hardship and allow a reasonable return on the property;
- e. The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zoning district and is not created by an action or actions of the property owner or applicant.
- f. The peculiar circumstances engendering the variance request are not applicable to other property within the district, and therefore, that a variance would be a more appropriate remedy that an amendment(rezoning), and
- g. The variance, if granted, will not alter the essential character of the area where the premises in question are located, nor materially frustrate the implementation of this City's comprehensive plan.
- 4. <u>Supplemental Requirements:</u> In granting a variance, the Board may impose such conditions, safeguards and restrictions upon the premises benefited by the variance as may be necessary to reduce or minimize any potentially injurious effect of such variance upon other property in the neighborhood, and to carry out the general purpose and intent of these regulations.
- 5. <u>Basis for Decision-Making</u>: The Combined Planning and Zoning Board shall render a decision on every zoning variance request within a reasonable time after the public hearing. In accordance with Illinois State Statute (65 ILCS 5/11-13-11), the Combined Planning and Zoning Board shall specify the terms of relief granted, if any, in one statement, and their findings of fact in another statement. The findings of fact shall clearly indicate the Board's reasons for granting or denying any requested variance.

#### EXHIBIT "A" Variance Application

Return Form To:				
Administrative Official				
City of Highland				
2610 Plaza Drive				
Highland, IL 62249				
(618) 654-7115				
(618) 654-1901 (fax)				

 For Office Use Only

 Date Submitted:

 Filing Fees:

 Date Paid:

 Date Advertised:

 Date Notices Sent:

 Public Hearing Date:

 Zoning File #:

Zoning

#### APPLICANT INFORMATION:

Applicant: Cathy Yockey	Phone: 479-273-7780 ext 230	
Address: 1705 S Walton Blvd, Bentonville, AR	Zip: 72712	
Email Address: <a href="mailto:cathy.yockey@hfa-ae.com">cathy.yockey@hfa-ae.com</a>		
Owner: Walmart Stores, Inc.	Phone: 479-273-4000	
Address: 2608 SE J Street, Bentonville, AR	Zip: 72712	
Email Address: <a href="mailto:peter.clement@wal-mart.com">peter.clement@wal-mart.com</a>		

#### **PROPERTY INFORMATION:**

Street Address of Parcel ID of Property: 12495 State Route 143
Present Use of Property:
Proposed Use of Property: Mercantile
Variance Requested: exterior wall signage

Code Section: 90-256

#### SURROUNDING LAND USE AND ZONING:

Land Use

North	Residential	R2 and R3
South	Agriculture	A
East	Agriculture	A
West	Industry	M3

The Combined Planning and Zoning Board shall not grant any zoning variance unless, based upon the evidence presented to them, they determine that:	Yes	No
1. <b><u>Property Acquisition</u></b> : The property was acquired in good faith and strict application of the terms of the Zoning regulations would prohibit the use of the property.	Х	
<ol> <li><u>Zoning Code Compliance</u>: The granting of the variance desired will not be opposed to the general spirit and intent of the zoning regulations.</li> </ol>	Х	
3. <u>Hardship</u> : Strict application of this Chapter of which the variance is requested would constitute unnecessary hardship upon the property owner represented in the application;	Х	
4. <u>Minimal Deviation</u> : The proposed variance is the minimum deviation from such requirements that will alleviate the difficulties/hardship and allow a reasonable return on the property;	Х	
5. <u>Uniqueness</u> : The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zoning district and is not created by an action or actions of the property owner or applicant.	X	
6. <i>Public Interest:</i> The variance is not applicable to other property within the district, and therefore, that a variance would be a more appropriate remedy that an amendment (rezoning), and	Х	
7. <u>Comprehensive Plan Compliance</u> : The variance, if granted, will not alter the essential character of the area where the premises in question are located, nor materially frustrate the implementation of this City's comprehensive plan.	X	

#### THE FOLLOWING ITEMS MUST ACCOMPANY YOUR APPLICATION:

- 1. One copy of a legal description AND warranty deed of the property. If the applicant is not the property owner, a notarized letter from the property owner granting the applicant permission to apply for the request will be required.
- 2. A current plat, site plan, survey, or other professional illustration.
- 3. One copy of a narrative statement describing the impact of the proposed change, including the purpose of the request, the desired land use, any traffic conditions that may result, how the proposed change may affect the character of the surrounding properties, and how the proposed change will benefit the City of Highland.
- 4. Application fee.
- 5. A stamped copy from the Madison County Maps and Plats Department identifying all property owners within 250 feet of the subject property (see Exhibit "B").
- 6. Any other information required by planning staff (i.e. landscaping plan, elevation plan, exterior lighting plan, etc).

I HAVE READ AND UNDERSTAND THE ABOVE CITY OF HIGHLAND PETITION TO THE COMBINED PLANNING & ZONING BOARD REQUIREMENTS.

athy bakey

#### EXHIBIT "B"

#### SUMMARY OF PROPERTY OWNERS

All applicants shall attach a stamped copy of the computer listing of the most recent tax records available from Madison County Maps & Plats Department for the subject property and Names and Addresses of all property owners within 250 feet of subject property boundaries, excluding adjacent right-of-ways. Please be advised that the Maps and Plats Department has a processing fee of \$10 plus \$0.25 per parcel report.

The Madison County Maps and Plats Department may be reached at 157 North Main Street, Suite 229, Edwardsville, IL or (618) 692-7040 EXT 4586.

Subject Property Address: 12495 State Route 143, Highland IL 62249

Parcel ID Number: 02-2-18-29-03-301-001

Property Owner Name: Walmart Stores, Inc.

Please submit to highlandzoning@highlandil.gov



January 17, 2020

City of Highland Planning and Zoning 2610 Plaza Drive Highland IL 62249

RE: Walmart Store #435 - Remodel Highland IL Project Number 02-20-20435

Dear Planning and Zoning,

This letter is to detail our variance request for the above-mentioned project. We would like to request a variance, on behalf of Walmart Stores, Inc., to go above the maximum of 300 square feet in wall signs. Walmart is a very large building with multiple services that cannot be advertised with the limit of square feet of signage. We request additional square footage of signage due to the length of the façade and multiple services offered within the store to help direct traffic to the correct areas of the store.

Currently the store has a total of 472.40 square feet of wall signs and we are requesting a total of 541.71 square feet. Our request is asking for seven signs to be replaced like for like, two signs to replace existing signs with new wording, and the addition of two signs to advertise additional services in the building.

The proposed wall sign changes will not change the land use, affect the traffic conditions or affect the character of surrounding properties. This is a cosmetic upgrade that will bring more curb appeal to the City.

Sincerely,

Cathy Yockey Permit Administrator 479-273-7780 ext. 230 cathy.yockey@hfa-ae.com

