



# City of Highland

## Building and Zoning

### Combined Planning & Zoning Board Agenda Virtual Meeting March 3, 2021 7:00 P.M.

1. Call to Order
2. Roll Call
3. General Business:
  - Approval of the February 3, 2021 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. No action will be taken.
5. Public Hearings and Items Listed on the Agenda

Persons wishing to address the Combined Planning and Zoning Board regarding items on the agenda may do so after the Chairperson opens the agenda item for public hearing or for public comment. Speakers shall be limited to five (5) minutes or a reasonable amount of time as determined by the City Attorney.
6. New Business
  - a. Trouw Nutrition USA, LLC (115 Executive Drive, Highland, IL) is requesting variance to Section 90-223 Table 5.1 of the Municipal Code to decrease the minimum number of required parking spaces for an industrial use at 80 Executive Drive. (PIN# 02-2-18-32-00-000-031)
  - b. Trouw Nutrition USA, LLC (115 Executive Drive, Highland, IL) is requesting variance to Section 90-301 of the Municipal Code to waive the minimum landscaping requirements of one tree and two shrubs per 5,000 square feet of total lot area at 80 Executive Drive. (PIN# 02-2-18-32-00-000-031)
  - c. Mike Jascur (2130 Broadway, Highland, IL) on behalf of DD & SD Properties, LLC (11410 Hickory Flat Road, Highland, IL) is requesting to rezone 429 Walnut Street from C-2 Central Business District to Industrial. (PIN# 02-2-18-32-19-401-009)
  - d. Karie Schuck (2003 Zschokke Street, Highland, IL) is requesting a text amendment to Table 3.1.B of the Municipal Code to allow for "Pet Care and Pet Related Sales and Service" as a Special Use within the C-2 central business district.
  - e. Zen Paws LLC (1513 Broadway, Highland, IL), on behalf of Karie Schuck (2003 Zschokke Street, Highland, IL), is requesting a Special Use Permit for a dog training service within the C-2 central business district at 708 Laurel Street. (PIN# 02-2-18-32-19-403-004)
7. Calendar
  - a. April 7, 2021– Combined Planning and Zoning Board Meeting
  - b. Adjournment



## City of Highland Building and Zoning

**NOTICE:** *The March 3, 2021 CPZB meeting at 7:00pm will be conducted virtually. To monitor the meeting, call 618-882-4358 and use conference ID# 267091. To have a comment read into the meeting minutes, email your comment to [kkilcauski@highlandil.gov](mailto:kkilcauski@highlandil.gov) or submit it through our Citizen Request portal on our website.*

*Anyone requiring ADA accommodations to attend this public meeting, please contact Breann Speraneo, ADA Coordinator, at 618-654-7115.*



## City of Highland Building and Zoning

**Meeting Date:** March 3, 2021

**From:** Breann Speraneo, Director of Community Development

**Location:** 80 Executive Drive

**Zoning Request:** Variance

**Description:** Parking Variance

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### Proposal Summary

The applicant and property owner is Trow Nutrition USA, LLC (115 Executive Drive, Highland, IL). The applicant of this case is requesting the following variance to Table 5.1 of the City of Highland Municipal Code:

- To decrease the minimum number of required parking spaces for an industrial use.

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.

### Table 5.1 of the City of Highland Municipal Code

Wholesale, manufacturing, warehousing or other industrial use: 1 space for each 2 employees or 1 space for each 1000 square feet of ground floor area, whichever is greater

### Need for Variance

Per code, Trow would be required to have 31 parking spaces, as they anticipate the total square footage of the facility to be 31,000 square feet. They are requesting to have 9 parking spaces. There will be 7 total employees at the facility at one time.

### Standards of Review for Variances

Below are the seven (7) consideration items listed in Section 90-94, Section (1) Item (b) of the Zoning Code which the Combined Planning and Zoning Board shall take into account while reviewing a variance.

1. 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 need for a variance is the result of parking requirements for industrial uses.**



## City of Highland Building and Zoning

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 will need to revise the site plan to add 22 parking spaces.**

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 size of the proposed parking lot cannot accommodate 31 parking spaces.**

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); and

**The variance is a more appropriate remedy than an amendment to the zoning code.**

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 variance will not alter the essential character of the area.**

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.

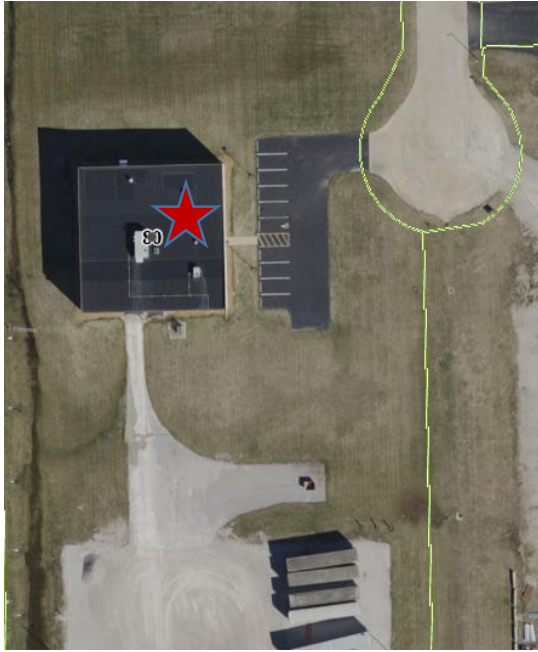
### **Staff Discussion**

The request does meet the ratio of parking spaces per employee, but it does not meet the ratio of parking spaces per square foot. Staff believes the 9 requested parking spaces are sufficient for the site given that there will be enough parking spaces for employees at each shift, the facility is not open to the public, and there are other parking options nearby on Trouw Nutrition's campus.



City of Highland  
Building and Zoning

**Aerial Photograph**



**Site Photos**







## City of Highland Building and Zoning

**Meeting Date:** March 3, 2021

**From:** Breann Speraneo, Director of Community Development

**Location:** 80 Executive Drive

**Zoning Request:** Variance

**Description:** Variance to waive minimum landscaping requirements

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### Proposal Summary

The applicant and property owner for this case is Trouw Nutrition USA, LLC (115 Executive Drive, Highland, IL). The applicant of this case is requesting the following variance to Section 90-301 of the City of Highland Municipal Code:

- **Trouw Nutrition USA, LLC (115 Executive Drive, Highland, IL) is requesting variance to Section 90-301 of the Municipal Code to waive the minimum landscaping requirements of one tree and two shrubs per 5,000 square feet of total lot area at 80 Executive Drive. (PIN# 02-2-18-32-00-000-031)**

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.

### Section 90-242 of the City of Highland Municipal Code

- (a) The minimum landscaping requirements shall be one tree and two shrubs per 5,000 square feet of total lot area, except in the central business district no landscaping shall be required.*

### Standards of Review for Variances

Below are the seven (7) consideration items listed in Section 90-94, Section (1) Item (b) of the Zoning Code which the Combined Planning and Zoning Board shall take into account while reviewing a variance.

1. 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 need for a variance is a result of the area not currently containing landscaping. This is also a feed-grade facility, in which the highest standard of cleanliness is necessary. Landscaping could attract pests to the site.**



## City of Highland Building and Zoning

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 will be required to alter the site plan to adhere to landscaping requirements. This could pose a risk to the cleanliness required for the site's use.**

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;

**Landscaping is not common within this area. The feed-grade facility's needs are specific to this site.**

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); and

**A variance is a more appropriate remedy than an amendment to the zoning code.**

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 variance will not alter the essential character of the area.**

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**

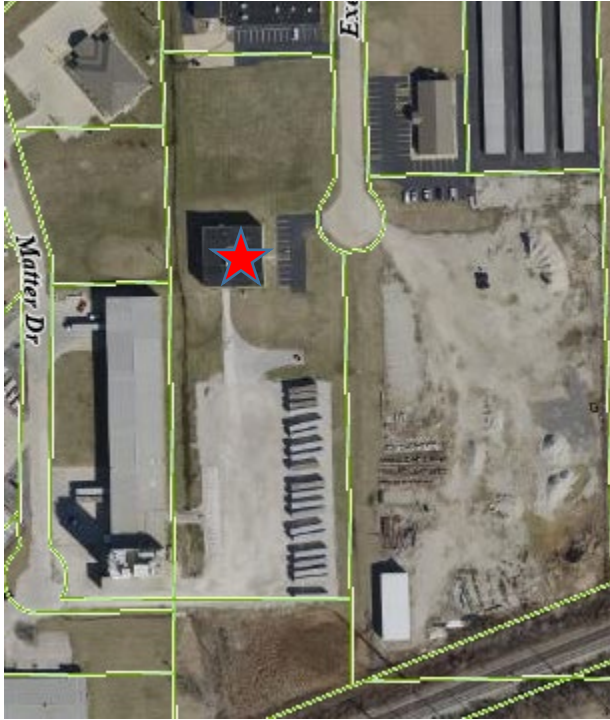
Landscaping is not prevalent within this area, given that it is within a secluded industrial district. Staff recommends waiving the landscaping requirements, as they could jeopardize the clean environment that is needed for a feed-grade facility.





City of Highland  
Building and Zoning

**Aerial Photograph**



**Site Photos**





City of Highland  
Building and Zoning



**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 1-29-21  
Date Submitted: \_\_\_\_\_  
Filing Fees: \$200  
Date Paid: 2-11-21  
Date Advertised: 2-10 & 2-11  
Date Notices Sent: 2-10-21  
Public Hearing Date: 3-3-21  
Zoning File #: \_\_\_\_\_

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**APPLICANT INFORMATION:**

Applicant: Trouw Nutrition USA, LLC Phone: 317-775-4526  
Address: 115 Executive Drive, Highland IL Zip: 62249  
Email Address: robert.boss@trouwnutrition.com  
Owner: Trouw Nutrition USA, LLC Phone: 317-775-4526  
Address: 115 Executive Drive, Highland IL Zip: 62249  
Email Address: robert.boss@trouwnutrition.com

**PROPERTY INFORMATION:**

Street Address of Parcel ID of Property: 80 Executive Drive, Highland IL 62249

Present Use of Property: Light Manufacturing and Warehouse

Proposed Use of Property: Light Manufacturing and Warehouse

Variance Requested: Variance to section 90-223 to allow for parking that conforms to the number of employees at the facility.

Variance to section 90-301 to waive landscape requirements for facility.

Code Section: Sections 90-223 and 90-301

**SURROUNDING LAND USE AND ZONING:**

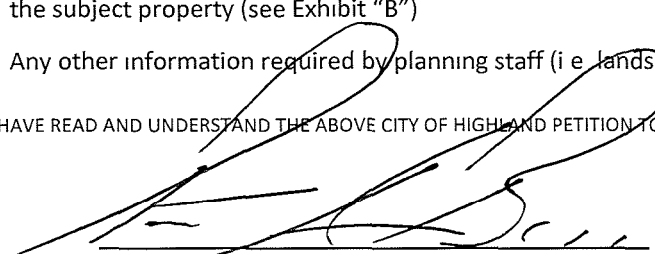
	<u>Land Use</u>	<u>Zoning</u>
North	<u>Business Park</u>	<u>Industrial</u>
South	<u>Vacant Parcel</u>	<u>Industrial</u>
East	<u>Storage Yard</u>	<u>Industrial</u>
West	<u>Manufacturing</u>	<u>Industrial</u>

<i>The Combined Planning and Zoning Board shall not grant any zoning variance unless, based upon the evidence presented to them, they determine that:</i>	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	X	
2 <b><u>Zoning Code Compliance:</u></b> The granting of the variance desired will not be opposed to the general spirit and intent of the zoning regulations	X	
3 <b><u>Hardship.</u></b> Strict application of this Chapter of which the variance is requested would constitute unnecessary hardship upon the property owner represented in the application;	X	
4 <b><u>Minimal Deviation</u></b> The proposed variance is the minimum deviation from such requirements that will alleviate the difficulties/hardship and allow a reasonable return on the property;	X	
5 <b><u>Uniqueness:</u></b> 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 <b><u>Public Interest:</u></b> The variance is not applicable to other property within the district, and therefore, that a variance would be a more appropriate remedy than an amendment (rezoning), and	X	
7 <b><u>Comprehensive Plan Compliance:</u></b> 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



Applicant's Signature

JAN. 27, 2021  
Date



12441 U.S. Highway 40  
Highland, Illinois 62249  
Telephone: 618/654-8611

## Narrative Statement

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Date: January 28, 2021 (revised February 19, 2021)

Project: Trouw Nutrition USA – MSBC Expansion Project

Project No.: 40813

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Trouw Nutrition USA, LLC requests that the City of Highland grant a variance for the following items;

1. Section 90-223 Tale 5.1 Parking requirements for wholesale, manufacturing, warehousing or other industrial use; 1 space for each 2 employees or 1 space for each 1,000 square feet of ground floor area, whichever is greater.
2. Section 90-301 (a) Minimum landscaping requirements shall be one tree and two shrubs per 5,000 square feet of total lot area.

The current parking for the facility consist of 9 parking spaces and 1 ada compliant space for a total of 10 parking spaces. Trouw Nutrition is anticipating that they will have 7 total employees working 1 shift after the new expansion is complete. Based on coordination with the city fire department, one of these stalls should be stripped to provide access to the existing fire department connection. Providing 9 parking spaces for these 7 employees would exceed the 1 to 2 ratio in the zoning code, but does not conform to the 1 space for every 1,000 square feet of floor space. Providing 1 space for every 1,000 square foot would pose site challenges with their existing operational layout and the proposed building expansion footprint. Trouw also has an adjacent existing facility to the south with a parking area that could be utilized for additional parking if needed, ensuring that street parking would not occur.

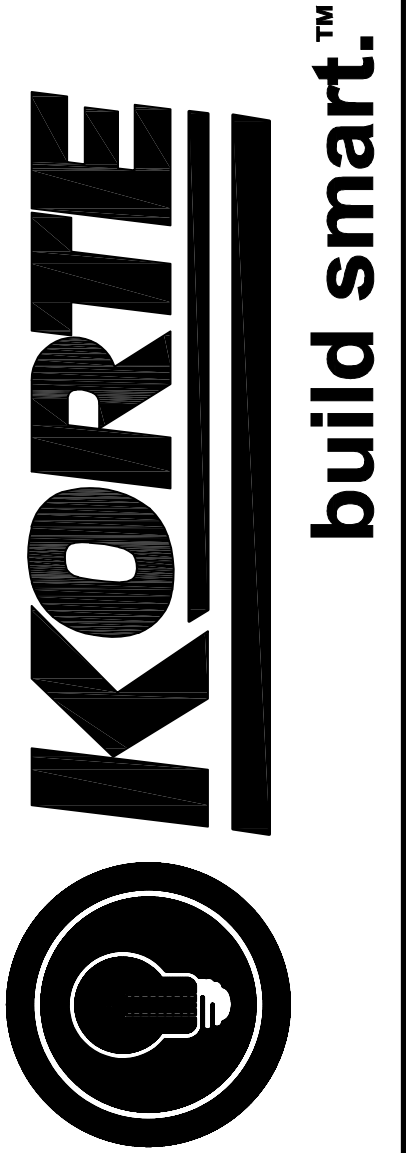
Trouw Nutrition is proposing that the landscape requirements be waived for the expansion. The current facility does not have any existing landscaping. The facility is also a feed-grade facility in which cleanliness is a key component to operations and passing inspections. Landscaping would attract and/or harbor animals and pest, producing an environment undesirable for feed-grade facilities.

Granting a variance for these items will not alter the existing land use, which is currently zoned I Industrial District. Since all parking will still be on site, existing traffic conditions will not be impacted. Surrounding properties are of similar characteristics, so the proposed change will have no impact on them.

NOT VALID FOR BUILDING PERMIT UNLESS SIGNED AND SEALED BY THE REGISTERED PROFESSIONAL ENGINEER RESPONSIBLE FOR WORK OF THIS SHEET.

THIS ARCHITECTURAL AND ENGINEERING DRAWING IS GIVEN IN CONFIDENCE AND USE OR DISSEMINATION MAY BE MADE WITHOUT PRIOR WRITTEN CONSENT OF THE ARCHITECT. ALL COMMON LAW RIGHTS OF COPYRIGHT AND OTHERWISE ARE HEREBY SPECIFICALLY RESERVED.

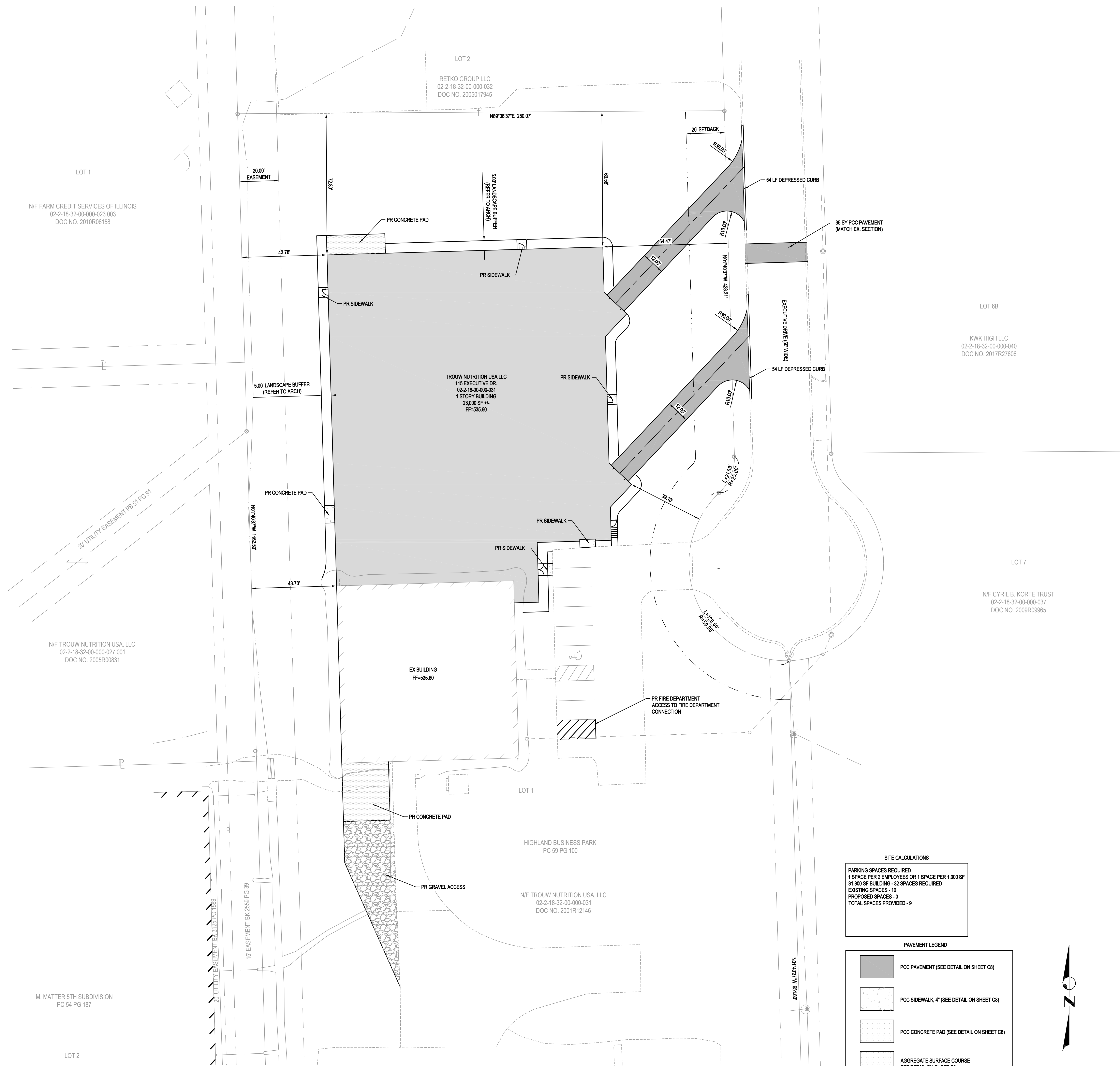
REVISIONS



CONSULTANT:  
**TWM**  
 ENGINEERING  
 GEOSPATIAL SERVICES  
 WWW.TWM-INC.COM  
 618.656.4040

A PLANT EXPANSION FOR:  
**TROUW NUTRITION USA, LLC**  
 MSEC PROJECT - PHASE 1  
 HIGHLAND, IL  
 SITE PLAN

2.10.2021  
 50% SUBMITTAL  
 CHECKED BY JUV JOB NO. 40813  
 DESIGNED BY JUV DRAWN BY PDH  
 SHEET NO. C4

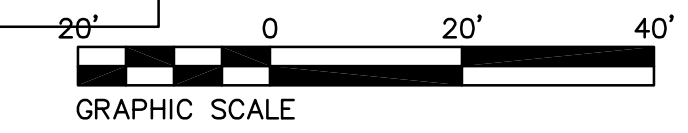


**SITE CALCULATIONS**

PARKING SPACES REQUIRED	1 SPACE PER 2 EMPLOYEES OR 1 SPACE PER 1,000 SF
EXISTING SPACES - 10	31,800 SF BUILDING - 32 SPACES REQUIRED
PROPOSED SPACES - 0	
TOTAL SPACES PROVIDED - 9	

**PAVEMENT LEGEND**

	PCC PAVEMENT (SEE DETAIL ON SHEET C8)
	PCC SIDEWALK, 4" (SEE DETAIL ON SHEET C8)
	PCC CONCRETE PAD (SEE DETAIL ON SHEET C8)
	AGGREGATE SURFACE COURSE (SEE DETAIL ON SHEET C8)



LOT 1  
 N/F FARM CREDIT SERVICES OF ILLINOIS  
 02-2-18-32-00-000-023.003  
 DOC NO. 2010R06158

LOT 2  
 RETKO GROUP LLC  
 02-2-18-32-00-000-032  
 DOC NO. 2009017945

LOT 6B  
 KWK HIGH LLC  
 02-2-18-32-00-000-040  
 DOC NO. 2017R27606

LOT 7  
 N/F CYRIL B. KORTE TRUST  
 02-2-18-32-00-000-037  
 DOC NO. 2009R09965

N/F TROUW NUTRITION USA, LLC  
 02-2-18-32-00-000-027.001  
 DOC NO. 2005R00831

EX BUILDING  
 FF-536.60

LOT 1

HIGHLAND BUSINESS PARK  
 PC 59 PG 100

N/F TROUW NUTRITION USA, LLC  
 02-2-18-32-00-000-031  
 DOC NO. 2001R12146

M. MATTER 5TH SUBDIVISION  
 PC 54 PG 187

LOT 2

WATER DRIVE (BY OWNER)

20' UTILITY EASEMENT (REFER TO ARCH)  
 15' EASEMENT BK 2559 PG 39  
 20' UTILITY EASEMENT (REFER TO ARCH)

20' UTILITY EASEMENT (REFER TO ARCH)

5.00' LANDSCAPE BUFFER (REFER TO ARCH)

20.00' EASEMENT

20' SETBACK

55 SY PCC PAVEMENT (MATCH EX. SECTION)

54 LF DEPRESSED CURB

54 LF DEPRESSED CURB

EXECUTIVE DRIVE (BY OWNER)

PR FIRE DEPARTMENT ACCESS TO FIRE DEPARTMENT CONNECTION

PR GRAVEL ACCESS

PR CONCRETE PAD

PR CONCRETE PAD

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## City of Highland Building and Zoning

**Meeting Date:** March 3, 2021

**From:** Breann Speraneo, Director of Community Development

**Location:** 429 Walnut Street

**Zoning Request:** Rezoning

**Description:** Rezoning from C-2 Central Business District to Industrial

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### **Proposal Summary**

The applicant is Mike Jascur 2130 (Broadway, Highland, IL). The property owner is DD & SD Properties, LLC (11410 Hickory Flat Road, Highland, IL). The applicant of this case is requesting the following rezoning:

- Rezone 429 Walnut Street from C-2 Central Business District to Industrial. (PIN# 02-2-18-32-19-401-009)

This property is a vacant building that was formerly a speed lube. In the C-2 district, this is a nonconforming use and since the use has been discontinued for over a year the nonconforming use may not be continued. The rezoning is being requested in order to allow for a speed lube to occupy this building again.

### **Comprehensive Plan Consideration**

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 subject property is denoted as “multifamily” on the Comprehensive Plan’s Future Land Use Map. This property is not best suited for multifamily purposes and an update will be considered at the time of the next Future Land Use Map update.



# City of Highland Building and Zoning

## Zoning Map



### Legend

- |  |  |
|--|--|
| Corporate Boundary                                 | R-3 - Multiple Family Residence 60 FT. Lot Width         |
| R-1-A - Single Family Residence 150 FT. Lot Width  | C-2 - Central Business District No Lot Width Requirement |
| R-1-B - Single Family Residence 100 FT. Lot Width  | C-3 - Highway Business District None                     |
| R-1-C - Single Family Residence 70 FT. Lot Width   | C-4 - Limited Business No Lot Width Requirement          |
| R-1-D - Single Family Residence 50 FT. Lot Width   | I - Industrial District No Lot Width Requirement         |
| R-2-A - Multiple Family Residence 70 FT. Lot Width | MX - Mixed Use   |
| R-2-B - Multiple Family Residence 70 FT. Lot Width | Not In Corporate Limits                                  |

## Future Land Use Map



### Future Land Use

- Non-Urban/Ag
- Residential
- Med. Density Res.
- Multi-Family
- Institutional/Public
- Downtown
- Mixed Use
- Commercial
- Industrial





# City of Highland Building and Zoning

## 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. Existing use and zoning of the property in question.

The property is currently a vacant building and is zoned C-2.

2. Existing use and zoning of other lots in the vicinity of the property in question.

Direction	Land Use	Zoning
North	SF Residence/Pet Parlor	C-2
South	Edgecliff Services	Industrial
East	SF Residence	R-1-D
West	Highland Diner	C-2

3. The extent to which the zoning map amendment may detrimentally affect nearby properties.

Nearby property will not be negatively affected. The area to the south is zoned Industrial and this area contains a variety of uses.

4. Suitability of the property in question for uses already permitted under existing requirements.

C-2 is primarily for downtown commercial uses and, therefore, is not the most appropriate zoning classification.

5. Suitability of the property in question for the proposed uses.

The property is suitable for an automotive service. This building was previously an automotive service.

6. The type, density and character of development in the vicinity of the property in question, including changes, if any, which may have occurred since the property was initially zoned or last rezoned.

The proposed zoning goes with the character of the area. This area has a mixture of zoning districts, including Industrial.

7. The effect the proposed map amendment would have on the implementation of the City's Comprehensive Plan.

The proposed map amendment is consistent with the City's Comprehensive Plan.

8. The effect the proposed map amendment would have on public utilities, other needed public services and traffic circulation on nearby streets.

There would not be a negative effect on public utilities, other needed public services and traffic circulation on nearby streets.

9. Whether the map amendment will promote the health, safety, quality of life, comfort and general welfare of the city.

The map amendment will promote the health, safety, quality of life, comfort and general welfare of the city.

### Staff Discussion

This property was originally an automotive service, which is a legal nonconforming use in the C-2 district. The legal nonconforming status use has expired since the use has been discontinued for over a year. Given that this property was an automotive service before, staff supports this rezoning and agrees that rezoning this property is the most appropriate way to allow for an automotive service to operate at this location again.

Given that this area consists of a mixture of commercial uses and industrial uses, staff believes that rezoning to allow for an automotive service to operate on the property is appropriate.

### Aerial Photograph



Site Photos



RECEIVED  
JAN 29 2021

EXHIBIT "A"  
Zoning Map Amendment Rezoning 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: 1-29-2021  
Filing Fees: \$ 200  
Date Paid: 1-29-2021  
Date Advertised: 2/10 & 2/11  
Date Notices Sent: 2/10  
Public Hearing Date: 3/3  
Zoning File #: REZON-0124-0002

APPLICANT INFORMATION:

Applicant: Mike Jascur Phone: 618-616-3113  
Address: 2130 Broadway Highland IL. Zip: 62249  
Email Address: mjascur@hotmail.com  
Owner: DD & SB Properties, LLC Phone: 618-781-3526  
Address: 11410 Hickory Flat Rd, Highland, IL Zip: 62249  
Email Address: \_\_\_\_\_

PROPERTY INFORMATION:

Street Address or Parcel ID of Property: 429 Walnut Street  
Property is Located In (Legal Description): Attached  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Present Zoning: C-2 Requested Zoning: Industrial Acreage: \_\_\_\_\_  
Present Use of Property: Vacant Building; Former Speed Lube

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	<u>SF Residence/Pet Parlor</u>	<u>C-2</u>
South	<u>Edgecliff Services</u>	<u>Industrial</u>
East	<u>SF Residence</u>	<u>R-1-D</u>
West	<u>Highland Diner</u>	<u>C-2</u>

**RELATIONSHIP TO EXISTING ZONING PATTERN:**

1. Would the proposed change create a small, isolated district unrelated to surrounding districts? Yes \_\_\_\_\_ No X If yes, explain: \_\_\_\_\_

2. Are there substantial reasons why the property cannot be used in accordance with existing zoning? Yes X No \_\_\_\_\_ If yes, explain: Automotive services are not

allowed in current zoning district.

**CONFORMANCE WITH COMPREHENSIVE PLAN:**

1. Is the proposed change consistent with the goals, objectives and policies set forth in the Comprehensive Plan? Yes X No \_\_\_\_\_

2. Is the proposed change consistent with the Future Land Use Map? Yes \_\_\_\_\_ No X


**UNIQUE CHARACTERISTICS OF PROPERTY AND ADDITIONAL COMMENTS:**

This property was formerly a speed lube. In the C-2 district, this is a legal nonconforming use and since the property has been vacant for over a year the nonconforming use may not be continued.

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

- ① One copy of a legal description AND warranty deed of the property proposed to be rezoned. 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. If the proposed zoning is a Planned Use or requires a special use permit, the rezoning application shall be accompanied by a use permit application defining the specifically requested use or list of uses.
5. Application fee.
6. 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").
7. 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

1/29/21  
Date

AUTHORIZATION TO REZONE PROPERTY

DD & SD Properties, LLC, an Illinois limited liability company, the owner of the real estate located at 429 Walnut, Highland, Illinois, hereby authorizes the rezoning request of Jascur Speed Lube, LLC / Michael Jascur from C-2 to Industrial.

Dated this 1 day of February 2021.

DD & SD PROPERTIES, LLC

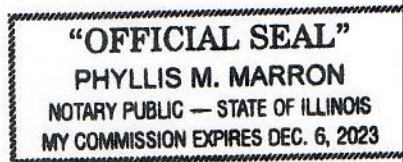
By: [Signature]  
Steven C. Dugan, Managing Member

STATE OF ILLINOIS     )  
  ) ss  
COUNTY OF MADISON    )

I, the undersigned, a Notary Public, in and for said County and State aforesaid, do hereby certify that STEVEN C. DUGAN, a duly authorized agent and managing member of DD & SD PROPERTIES, LLC, a limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument, as having executed the same, appeared before me this day in person and acknowledged that as such duly authorized agent and managing member of said limited liability company, pursuant to authority, given by the members of said limited liability company as their free and voluntary act, and as the free and voluntary act and deed of said limited liability company, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 1<sup>ST</sup> day of February, 2021.

[Signature]  
Notary Public



Dear Highland Community,

I'm writing this letter today to have the oil change facility zoned to be a C2 zoning. I don't feel that it should be a problem as it was an oil change facility once before and that's what the intended use for it is again. There are three different routes that can be taken to get to the back of the building where you pull in to have services done to your vehicle. There will be very little to no traffic impact since you enter from the back. One other point I would like to make is that it will also generate revenue for the city of Highland and create more jobs. Thank you for your time and consideration.

Thank You,

Mike Jascur



# City of Highland Building and Zoning

**Meeting Date:** March 3, 2021

**From:** Breann Speraneo, Director of Community Development

**Text Amendment:** Article III, Districts & Zoning Map, 90-201, Table 3.1.B

**Description:** Text amendment to allow for “Pet Care and Pet Related Sales and Service” as a Special Use within the C-2 Central Business District

### Proposal Summary

Karie Schuck (2003 Zschokke Street, Highland, IL) is requesting a text amendment to Table 3.1.B of the Municipal Code to allow for “Pet Care and Pet Related Sales and Service” as a Special Use within the C-2 central business district.

### Article III, Section 90-201, Table 3.1.A

Table 3.1.B — PRINCIPAL NON-RESIDENTIAL USES																
Use	R1A	R1B	R1 C	R1 D	R2 A	R2 B	R3	C1	C2	C3	C4	I	M	MX	Supp. Regs.	
44. Pet Care and Pet Related Sales and Service									S				.		.	

*Note: Red text is the proposed amendment.*

### Staff Discussion

This text amendment is proposed in order to allow for a dog training business at 708 Laurel Street. The property is currently zoned C-2, so the applicant’s options were to apply for a rezoning or to apply for a text amendment to allow for “pet care and pet related sales and service” as a Special Use within the C-2 district.

The applicant was advised that applying for a rezoning to Industrial or MX would create spot zoning amongst other zoning concerns and, therefore, is not recommended. Applying for a text amendment to allow for “pet care and pet related sales and service” as a Special Use within the C-2 central business district is the alternative course of action.

This text amendment would be integrated into the Zoning Code and allow property owners within the C-2 central business districts to apply for Special Use Permits for “pet care and pet related sales and service.” While each Special Use application would be reviewed individually, staff generally considers this use to be most appropriate within the Industrial and MX districts.



EXHIBIT "A"  
CITY OF HIGHLAND, ILLINOIS  
Zoning & Land Development Text Amendment

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: 2-1-21  
Filing Fees: \$200.00  
Date Paid: 2-1-21 CK 2572  
Date Advertised: 2/10 & 2/11  
Date Notices Sent: 2/10  
Public Hearing Date: 3/3  
Zoning Case # ZTA-0221-0001

APPLICANT INFORMATION:

Applicant: Karie L. Schuck Phone: 6184779393  
Address: 2003 Zschokke Street, Highland Zip: 62249  
Kschuck51  
Email Address: Kshuckst@gmail.com

TEXT AMENDMENT PROPOSED:

Amendment Proposed to (Check One):

City Zoning Regulations  City Land Development Regulations

Section(s) to Be Amended: Section Table 3.1.B - Zoning Matrix Section \_\_\_\_\_

Present Text: Attached

Proposed Text: Attached

Reason for Amendment: To allow for a dog training service via a SUP within the C-2 district

**IMPACT OF AMENDMENT**

	Yes	No
1. Does the amendment add language to the regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Does the amendment supplement an existing section?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Does the amendment modify an existing section?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Does the amendment repeal a section?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**MATTERS TO BE CONSIDERED**

	Yes	No
1. Is the proposed amendment consistent with the City's Comprehensive Plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Is the proposed amendment necessary because of changed or changing conditions in the physical areas and zoning districts affected or in the political jurisdiction(s) of such changed and changing conditions:	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Karrie L. Schuck  
Applicant's Signature

1-29-21  
Date

Table 3.1.B — PRINCIPAL NON-RESIDENTIAL USES

Use	R1 A	R1 B	R 1 C	R 1 D	R 2 A	R 2 B	R 3	C 1	C2	C 3	C 4	I	M	M X	Supp. Regs.
44. Pet Care and Pet Related Sales and Service												.		.	

**Current Text**

Table 3.1.B — PRINCIPAL NON-RESIDENTIAL USES

Use	R1 A	R1 B	R 1 C	R 1 D	R 2 A	R 2 B	R 3	C 1	C2	C 3	C 4	I	M	M X	Supp. Regs.
44. Pet Care and Pet Related Sales and Service												.		.	

Table 3.1.B — PRINCIPAL NON-RESIDENTIAL USES

Use	R1 A	R1 B	R 1 C	R 1 D	R 2 A	R 2 B	R 3	C 1	C2	C 3	C 4	I	M	M X	Supp. Regs.
44. Pet Care and Pet Related Sales and Service												.		.	

Table 3.1.B — PRINCIPAL NON-RESIDENTIAL USES

Use	R1 A	R1 B	R 1 C	R 1 D	R 2 A	R 2 B	R 3	C 1	C2	C 3	C 4	I	M	M X	Supp. Regs.
44. Pet Care and Pet Related Sales and Service												.		.	

Proposed Text Table 3.1.B — PRINCIPAL NON-RESIDENTIAL USES

Use	R1 A	R1 B	R 1 C	R 1 D	R 2 A	R 2 B	R 3	C 1	C2	C 3	C 4	I	M	M X	Supp. Regs.
44. Pet Care and Pet Related Sales and Service												.		.	

# Proposed Text

Table 3.1.B — PRINCIPAL NON-RESIDENTIAL USES

Use	R1 A	R1 B	R 1 C	R 1 D	R 2 A	R 2 B	R 3	C 1	C2	C 3	C 4	I	M	M X	Supp. Regs.
44. Pet Care and Pet Related Sales and Service												.		.	

Table 3.1.B — PRINCIPAL NON-RESIDENTIAL USES

Use	R1 A	R1 B	R 1 C	R 1 D	R 2 A	R 2 B	R 3	C 1	C2	C 3	C 4	I	M	M X	Supp. Regs.
44. Pet Care and Pet Related Sales and Service									S			.		.	



# City of Highland Building and Zoning

**Meeting Date:** March 3, 2021

**From:** Breann Speraneo, Director of Community Development

**Location:** 708 Laurel Street

**Zoning Request:** Special Use Permit

**Description:** SUP to allow for a dog training business

## Proposal Summary

The applicant is Zen Paws, LLC (1513 Broadway, Highland, IL). The property owner is Karie Schuck (2003 Zschokke Street, Highland, IL). 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”):

- **A Special Use Permit for a dog training service within the C-2 central business district at 708 Laurel Street. (PIN# 02-2-18-32-19-403-004)**

The zoning matrix identifies “pet care and pet related sales and service” as a Special Use within the C-2 central business district.\*

*\*This petition is only valid if the proposed text amendment allowing for “pet care and pet related sales and service” within the C-2 district is passed by City Council.*

## Comprehensive Plan Consideration

The subject property is denoted as downtown on the Comprehensive Plan’s Future Land Use Map. “Pet care and pet related sales and service” is not generally an appropriate Special Use for the downtown area, although each proposal should be individually considered.

## Surrounding Uses

Direction	Land Use	Zoning
North	Schuck Massage Therapy LLC	C-2
South	Single-Family Residence	C-2
East	Single-Family Residence	C-2
West	Keith’s Automotive Center	C-2

## 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.



## City of Highland Building and Zoning

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

This area is classified as “downtown” on the Comprehensive Plan’s Future Land Use Map. A dog training business is not traditionally considered to be a downtown use.

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. The physical environment will be protected so long as all elements of the dog training business (noise, traffic, etc.) are secured within the property’s premises.

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.

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

There are no facilities nearby that require special protection.

### Staff Discussion

“Pet care and pet related sales and service” businesses are allowed outright in the Industrial and MX districts, as such businesses often result in noise and outdoor use of space. Businesses within the C-2 central business district are typically solely indoors with minimal noise levels. Therefore, staff believes the Industrial and MX districts to be the most appropriate districts for a dog training business.

In order for a dog training business to be considered as a Special Use within the C-2 district, factors such as fencing, parking, noise buffers, hours of business, and surrounding uses should be considered.



City of Highland  
Building and Zoning

Aerial Photograph



Site Photos







EXHIBIT "A"  
Special Use Permit 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: 2-1-21  
Filing Fee: \$200.00  
Date Paid: 2-1-2021 CK1454  
Date Advertised: 2-10+2-11  
Date Notices Sent: 2-10  
Public Hearing Date: 3-3  
Zoning File #: SUP-0221-0004

**APPLICANT INFORMATION:**

Applicant: ZEN PAWS LLC Phone: 618-304-3921  
Address: 1513 BROADWAY Zip: 62249  
Email Address: nalex83@yahoo.com  
Owner: KARIE LSCHUCK Phone: 618-477-9393  
Address: 2003 ZSCHOKKE STREET Zip: 62249  
Email Address: KSCHUCK51@GMAIL.COM

**PROPERTY INFORMATION:**

Street Address of Parcel ID of Property: 708 Laurel Street; PIN#02-2-18-32-19-403-004  
Property is Located In (Legal Description): Attached  
Present Zoning Classification: C-2 Acreage: \_\_\_\_\_  
Present Use of Property: Vacant apartments  
Proposed Land Use: Dog training service

Description of proposed use and reasons for seeking a special use permit:  
"Pet care and pet-related sales and service" is a special use within the C-2 district

**SURROUNDING LAND USE AND ZONING:**

	<u>Land Use</u>	<u>Zoning</u>
North	<u>Schuck Massage Therapy</u>	<u>C-2</u>
South	<u>SF Residence</u>	<u>C-2</u>
East	<u>SF Residence</u>	<u>C-2</u>
West	<u>Keith's Automotive</u>	<u>C-2</u>

Should this special use be valid only for a specific time period? Yes \_\_\_\_\_ No X

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

<i>Does the proposed Special Use Permit meet the following standards? If not, attach a separate sheet explaining why.</i>	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;	<u>X</u>	
B. Is the proposed special use consistent with this City's Comprehensive Plan;	<u>X</u>	
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;	<u>X</u>	
D. Will the proposed special use have a minimal negative impact on public utilities and on traffic circulation on nearby streets; and	<u>X</u>	
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?	<u>X</u>	

**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.

*Michael L. Apodaca*  
Applicant's Signature

1/29/21  
Date

To Whom It May Concern,

My name is Nicki Alexander and I have been a Personal Dog Trainer at the same pet facility for 13 years. I reside in Highland and to my knowledge we do not have any dog training businesses. I feel that this business would help this community as I have had several locals contact me about providing this service in Highland, which will increase revenue. That being said, I've always wanted to open my own training business and hopefully will have the opportunity to do so. I greatly appreciate your consideration for this business. Below you will find details on what I plan to offer this community.

The only service I would like to offer is personal training as I do not want to take away from the other amazing small businesses that offer daycare, boarding, and grooming in this town. I actually hope to work with these businesses and refer clients to them and hope they will do the same for me.

**Services Offered:**

1. Private Lessons-One on one sessions with a client and their dog held at my business.
2. In Home Lessons-Same as above except I will travel to their home.
3. Day Training-This service will consist of a client dropping their dog off at my business in the morning and picking up in the afternoon/evening. I will offer this service for dogs that need extra help such as rescue dogs, puppies if their owners work all day, and anyone that would prefer a trainer to do more of the teaching.

**Business Hours:**

Monday-Friday  
7am or 8am-5pm or 6pm

My hours of operation may change weekly depending on which services clients choose that week and when I have appointments with owners. At most 7am-6pm and weekdays only. Traffic conditions will be mild, as I will be meeting with one client at a time. I will be sharing the parking lot with Schuck Massage Therapy, located in front of 708 Laurel Street. My business will not impact street parking.

**Capacity:**

I plan to keep this a small business and I will be the only trainer. I would like to keep my capacity at 3-5 dogs per day for day training services. I will be fencing in the backyard with a 6ft vinyl privacy fence. The yard will be used for potty breaks and play sessions between training as all dogs need recess. All dogs will be supervised at all time whether inside or out.

**Home/Business Space:**

I plan on using the 2nd floor apartment as my living space and the 1st level for my business.

Feel free to contact me with further questions. Once again, I appreciate you considering my business at 708 Laurel.

Kind regards,

Nicki Alexander  
[nalex83@yahoo.com](mailto:nalex83@yahoo.com)  
618-304-3921

January 29, 2021

To Whom It May Concern:

I, Karie L. Schuck, authorize Zen Paws LLC to apply for a Special Use Permit for a dog training business at 708 Laurel Street.

Thank you for your attention to this matter.



Karie L. Schuck  
Owner - 708 Laurel Street  
618-477-9393

✓ Brian Speraneo  
1-29-21

