



# City of Highland

## Building and Zoning

Combined Planning & Zoning Board Agenda  
City Hall – 1115 Broadway  
July 6, 2022 7:00 P.M.

1. Call to Order
2. Roll Call
3. General Business:  
Approval of the June 1, 2022 Regular Meeting 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) Summit Ridge Energy (1515 Wilson Blvd., Suite 300, Arlington, VA 22209), on behalf of Grandview Farms Limited Partnership (10295 State Rt. 143, Marine, IL 62601), is requesting a variance to Section 90-214 of the Municipal Code to allow for above ground wiring between electric components within a solar farm on a presently unaddressed property located on the north side of Highland Road and approximately 1/3 mile west of the intersection of Highland Road and Hemlock Street. PIN# 01-1-24-06-00-000-017.002
  - b) Jean Schellenger LLC (1106 New Trenton Rd) is requesting a Special Use Permit for a bar/tavern at 1106 New Trenton Rd. PIN# 01-1-24-06-12-201-034
  - c) BS Merkle LLC (1014 Pine Street), on behalf of Kevin Kapp (1816 Parkview Drive), is requesting a Special Use Permit for a bar/tavern at 1014 Pine Street. PIN# 01-2-24-05-07-202-030
  - d) Cedarhurst of Highland Real Estate LLC (300 Hunter Ave., Suite 200, St. Louis, MO) is requesting a variance to Section 90-73 of the Municipal Code to allow for a storage shed to be located within the eastern front setback on a corner lot with two street frontages at 220 Field Crossing Drive. PIN# 02-2-18-31-00-000-045
  - e) Options HME Inc. (25 Shannon Ct.) is requesting to rezone 713 5<sup>th</sup> Street from C-2 Central Business District to Industrial. PIN# 02-2-18-32-18-301-019
  - f) Plocher Construction Company (2808 Thole-Plocher Road), on behalf of Rehberger Holdings, LLC (3945 N. Neenah Ave., Chicago, IL 60634) is requesting a Special Use Permit for a drive-through at 916 6th Street, 608 Washington Street, and 620 Washington Street. PIN# 02-2-18-32-19-403-017, 02-2-18-32-19-403-018, 02-2-18-32-19-403-019



## City of Highland Building and Zoning

- g) Plocher Construction Company (2808 Thole-Plocher Road), on behalf of Rehberger Holdings, LLC (3945 N. Neenah Ave., Chicago, IL 60634) is requesting a preliminary plat to combine 916 6th Street, 608 Washington Street, and 620 Washington Street into one parcel. PIN# 02-2-18-32-19-403-017, 02-2-18-32-19-403-018, 02-2-18-32-19-403-019
- h) The City of Highland is requesting a text amendment to Section 90-201, Table 3.1.B of the Municipal Code to allow for data processing, hosting and related services as a Special Use within the Industrial District.
- i) Quatrain LLC (651 N. Broad St., Suite 206, Middletown, DE), on behalf of Trow Nutrition USA LLC (115 Executive Drive) is requesting a Special Use Permit for data processing, hosting and related services at 1 Ultraway Drive. PIN# 01-2-24-06-08-202-004; 01-2-24-06-08-202-002

### 7. Calendar

- a) August 3, 2022– Combined Planning and Zoning Board Meeting
- b) Adjournment

Citizens may attend in person or monitor the meeting by phone. 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 [highlandzoning@highlandil.gov](mailto:highlandzoning@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 Vazquez, ADA Coordinator, at 618-654-9891.*



## City of Highland Building and Zoning

**Meeting Date:** July 6, 2022

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

**Zoning Request:** Solar Farm Variance

**Description:** Variance to allow for above ground wiring between electric components

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### **Proposal Summary**

The applicant is Summit Ridge Energy (1515 Wilson Blvd., Suite 300, Arlington, VA 22209) and the property owner is Grandview Farms Limited Partnership (10295 State Rt. 143, Marine, IL 62601). The applicant is requesting the following variance to Section 90-214 of the Municipal Code:

- To allow for above ground wiring between electric components within a solar farm on a presently unaddressed property located on the north side of Highland Road and approximately 1/3 mile west of the intersection of Highland Road and Hemlock Street. PIN# 01-1-24-06-00-000-017.002
- 

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.

### **Case History**

In 2018, the City Council approved the following two Special Use Permits with conditions as recommended by the Combined Planning & Zoning Board:

SUP #1: Summit Ridge Energy (1401 Wilson Boulevard, STE 800 Arlington, VA 22209) on behalf of Grandview Farm Limited Partnership (10205 State Route 143, Marine, IL) is requesting a Special Use Permit to allow for a Solar Energy Farm on a presently unaddressed property located on the north side of Highland Road approximately 1/3 mile west of the intersection of Highland Road and Hemlock Street and zoned I Industrial District PIN# 01-1-24-06-00-000-017.002. Property is referred to as Site #1 and is comprised of approximately 14 acres.

SUP #2: Summit Ridge Energy (1401 Wilson Boulevard, STE 800 Arlington, VA 22209) on behalf of Grandview Farm Limited Partnership (10205 State Route 143, Marine, IL) is requesting a Special Use Permit to allow for a Solar Energy Farm on a presently unaddressed property located on the north side of Highland Road approximately 1/2 mile west of the intersection of Highland Road and Hemlock Street and zoned I Industrial District PIN# 01-1-24-06-00-000-017.002. Property is referred to as Site #2 and is comprised of approximately 14 acres.

The following conditions were applied as recommended by the Combined Planning & Zoning Board:



## City of Highland Building and Zoning

1. This Special Use Permit is perpetually granted for the sole usage of Grandview Farm Limited Partnership. Any change of Operator will require a new Special Use Permit.
2. There shall be no off-site parking.
3. The Operator shall be in compliance with all Illinois Department of Public Health licensing requirements.
4. The Operator shall apply for an amendment to this Special Use Permit for any future alterations, modifications, or expansions of the use.
5. The Operator's failure to adhere to the conditions of the Special Use Permit will cause revocation of the same, and require immediate removal of the Solar Energy Farm operation.
6. Vegetation is not to exceed 18".

In May 2022, the Combined Planning & Zoning Board approved the following variances with conditions:

- a. Summit Ridge Energy (1515 Wilson Blvd., Suite 300, Arlington, Virginia 22209), on behalf of Grandview Farms Limited Partnership (10295 State Rt. 143, Marine, IL 62601), is requesting a variance to Section 90-214 of the Highland Municipal Code to allow for a reduction of the side and rear yard setbacks from 75 feet to 50- feet. (PIN# 01-1-24-06-00-000-017.002)

Conditions: None.

- b. Summit Ridge Energy (1515 Wilson Blvd., Suite 300, Arlington, Virginia 22209), on behalf of Grandview Farms Limited Partnership (10295 State Rt. 143, Marine, IL 62601), is requesting a variance to Section 90-214 of the Highland Municipal Code to allow for the transitional buffer yard to be reduced from four sides of the project boundary down to two sides (South and West) of the project boundary. (PIN# 01-1-24-06-00-000-017.002)

Conditions: Allow for the required transitional buffer yards to be reduced from four sides of the project boundary down to three sides (excluding the North side) of the project boundary.

### **Need for Variance**

#### **Section 90-214 – Solar Energy Farms**

##### *(c) Design and installation requirements.*

(3) *Electrical components.* All electrical components of a solar energy farm shall conform to all applicable local utility standards and national electric codes. All electrical wires and lines that are used in conjunction with the solar energy farm, including all electrical control wiring and connections to power lines, shall be installed underground unless specifically allowed otherwise by the Highland Combined Planning and Zoning Board.



## City of Highland Building and Zoning

### 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 the need for above ground wiring between solar farm components.

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 adhere to the code.

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;

This variance request is unique to solar farm guidelines. This is the only approved solar farm within the City.

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.



## City of Highland Building and Zoning

The variance will not alter the essential character of the area. Screening will be required along three sides of the property.

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**

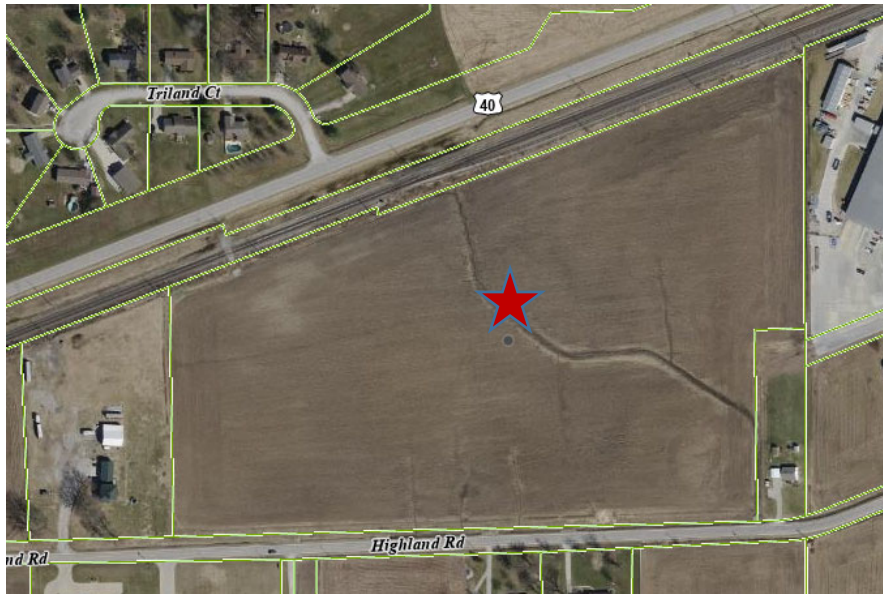
Staff has no concern with allowing for above ground wiring between electric components within the solar farm, as this is standard practice within the industry and screening measures will be applied.

Per Light & Power Director Dan Cook:

It is a common practice in solar panel wire management of the DC “homerun conductors” (the wires running from the solar panels themselves to the DC combiner boxes) to be suspended from the solar arrays. In most cases, the homerun conductors/messenger cables are bundled together and attached to the last panel structure of end rows providing access for grounds keeping purposes throughout the rest of the array structures.

It is, however, expected the wiring from the DC combiner boxes to the inverters, from the inverters to the AC panelboards, and the output circuit conductors shall all be underground, typically in buried conduit, but in concrete encased ductbanks at road crossings.

### **Aerial Photograph**



**EXHIBIT "A"**  
**Variance Application**

**Return Form To:**  
Administrative Official  
City of Highland  
2610 Plaza Drive  
Highland, IL 62249  
(618) 654-9891  
(618) 654-1901 (fax)

**For Office Use Only**

Date Submitted: \_\_\_\_\_  
Filing Fees: \_\_\_\_\_  
Date Paid: \_\_\_\_\_  
Date Advertised: \_\_\_\_\_  
Date Notices Sent: \_\_\_\_\_  
Public Hearing Date: \_\_\_\_\_  
Zoning File #: \_\_\_\_\_

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**APPLICANT INFORMATION:**

Applicant: Summit Ridge Energy C/O Kerri Neary Phone: 612-297-4489  
Address: 1515 Wilson Boulevard, Suite 300 Zip: 22209  
Email Address: mzwieg@srenergy.com  
Owner: Grandview Farms Limited Partnership C/O Dr. William Drake Phone: 618-887-9720  
Address: 10295 State Route 143, Marine IL Zip: 62601  
Email Address: wkdrake@ezeeweb.com

**PROPERTY INFORMATION:**

Street Address of Parcel ID of Property: 01-1-24-06-00-000-017.002  
Present Use of Property: Cultivated agricultural land  
Proposed Use of Property: Community Solar Farm  
Variance Requested: Requesting to allow for above ground wiring between electrical components within the Community Solar Farm.  
\_\_\_\_\_  
\_\_\_\_\_  
Code Section: Sec. 90-214 (c)(3)

**SURROUNDING LAND USE AND ZONING:**

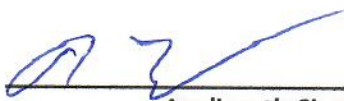
|       | <u>Land Use</u>                     | <u>Zoning</u>                              |
|-------|-------------------------------------|--|
| North | <u>Single Family Residential</u>    | <u>0040-Single Dwelling District</u>       |
| South | <u>Farm Home Site - Residential</u> | <u>0111-Farm with Home or Buildings</u>    |
| East  | <u>Improved - Industrial</u>        | <u>0080 - Industrial</u>                   |
| West  | <u>Single Family Residential</u>    | <u>00431 - Single Family - Residential</u> |

| <b>The Combined Planning and Zoning Board shall not grant any zoning variance unless, based upon the evidence presented to them, they determine that:</b>   | <b>Yes</b> | <b>No</b> |
|---|------------|-----------|
| 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.  |            |           |
| 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.   |            |           |
| 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;  |            |           |
| 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;  |            |           |
| 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. |            |           |
| 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   |            |           |
| 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.                 |            |           |

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

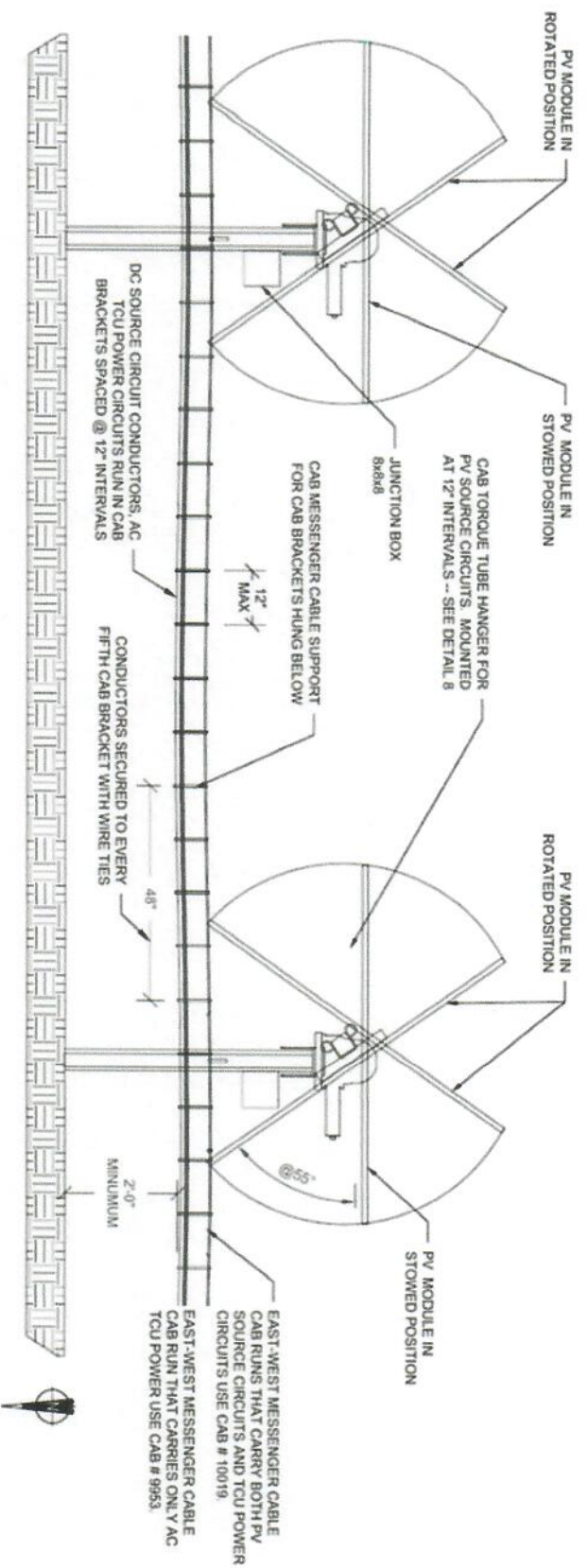
1. One copy of a legal description AND warranty deed of the property. If the applicant is not the property owner, a notarized letter from the property owner granting the applicant permission to apply for the request will be required.
2. A current plat, site plan, survey, or other professional illustration.
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. 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

  
 \_\_\_\_\_  
 Date





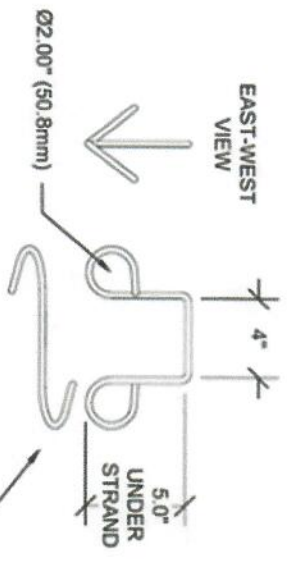
4

**CAB WIRE MANAGEMENT & BRACKET SPACING**

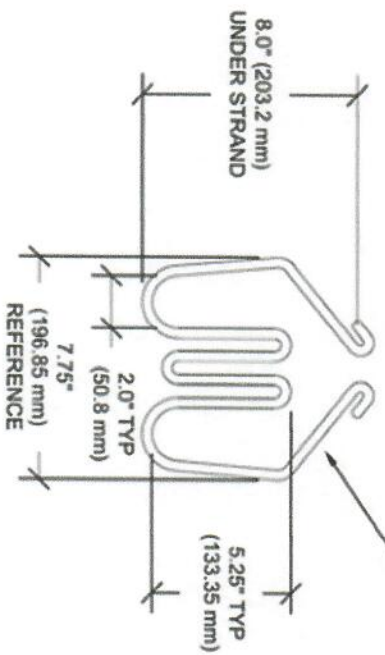
PV7.0

SCALE: 1/2"=1'0"

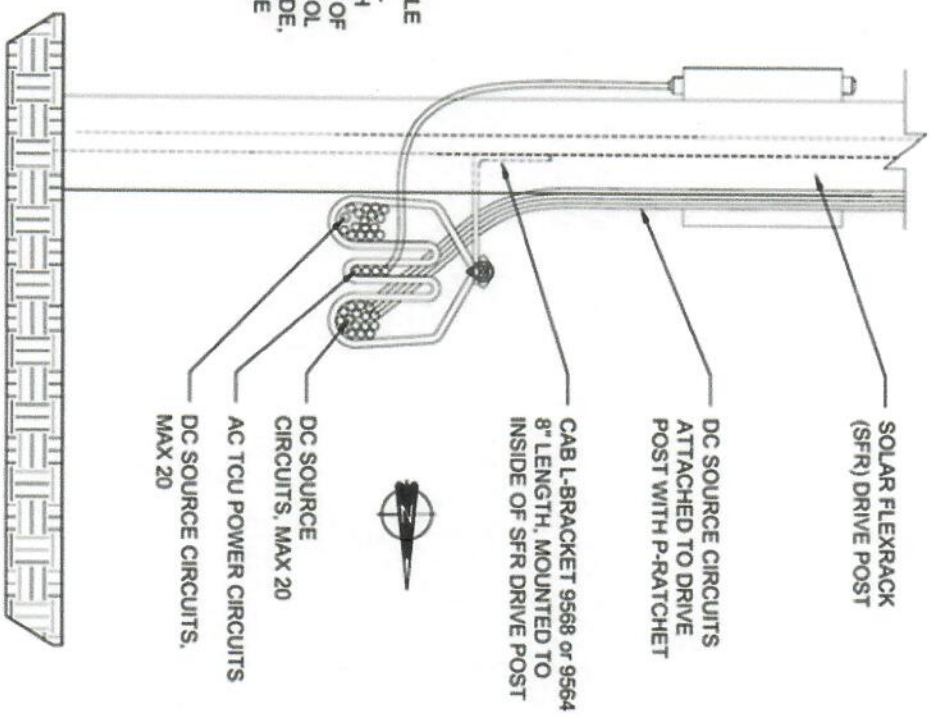
CAB TORQUE TUBE BRACKET PN 10002  
 (USED IN NORTH-SOUTH TORQUE TUBE  
 CAB RUNS FOR DC SOURCE CIRCUITS)



CAB MESSENGER CABLE CARRIER BRACKET PN  
 10019 (USED IN EAST-WEST MESSENGER CABLE  
 RUNS FOR DC SOURCE CIRCUITS AND TCU  
 POWER CIRCUITS)



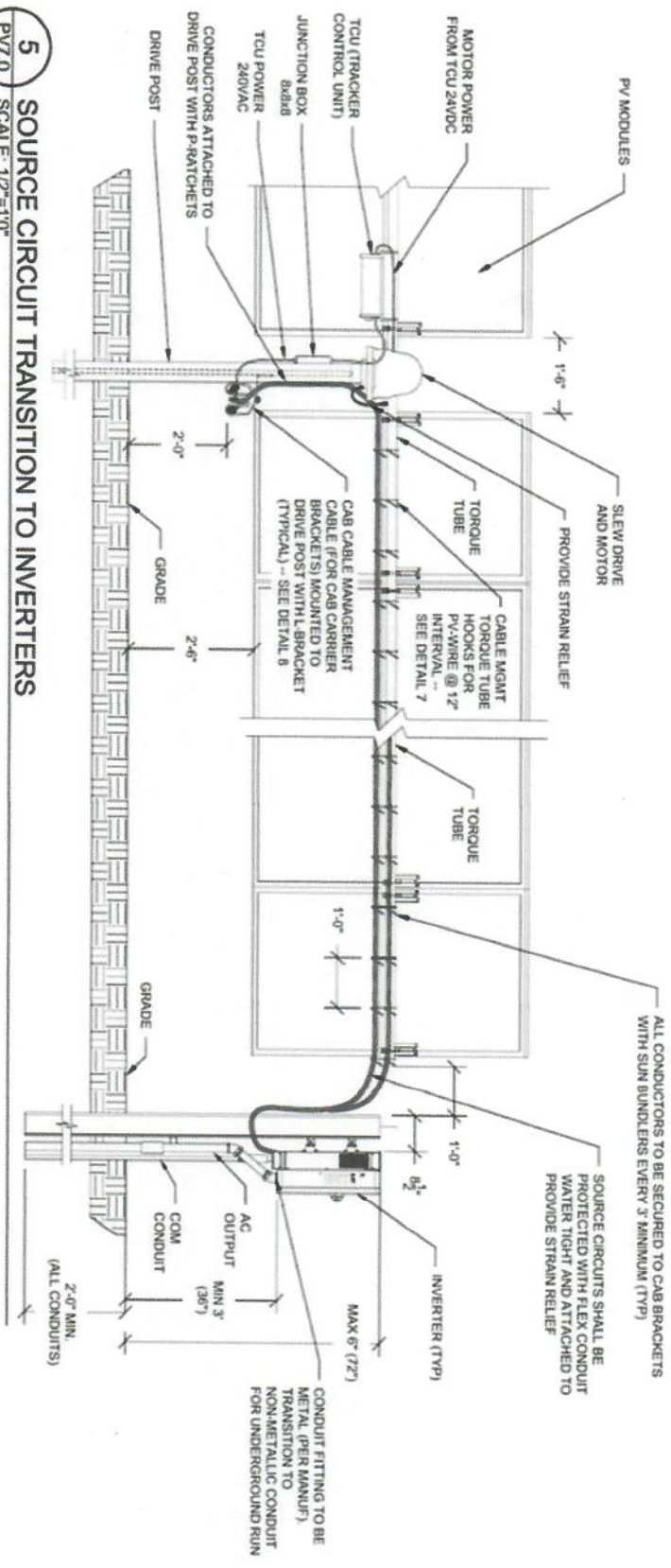
BASE MATERIAL 0.187"  
 DIAMETER CLASS 3  
 GALVANIZED HIGH TENSILE  
 SPRING STEEL WIRE. ALL  
 SURFACES COATED WITH  
 AN AVERAGE OF 80 MILS OF  
 PVC PLASTISOL. PLASTISOL  
 IS HIGH DIELECTRIC GRADE,  
 UV STABILIZED AND FLAME  
 RETARDANT.



**6 CAB CARRIER, TORQUE TUBE HANGER, AND L-BRACKET DETAIL**

PV7.0 SCALE: NTS

**5 SOURCE CIRCUIT TRANSITION TO INVERTERS**  
 PV7.0 SCALE: 1/2"=1'0"



## **Narrative Statement**

**The purpose of the variance request is to allow above ground wiring within the community solar farm facility. The above ground wiring installation will not be visible above the solar panels and is a standard practice in solar farm construction. The installation of above ground wiring also enables safe and efficient maintenance and operations of the community solar farm, as well as limiting the amount of soil disturbance during the eventual decommissioning of the community solar farm. The variance request will not affect the aesthetic view shed and overall character of the surrounding properties.**

5/27/22

City of Highland  
Attn; Breann Vazquez – Director of Community Development  
1115 Broadway  
Highland, IL 62249

**RE: Grant of Permission to File Variance Application– Highland Solar Farm**

I William Drake, as Authorized Manager of Grandview Farms Limited Partnership (property owner of the parcel of land referenced as P.I.N. 01-1-24-06-00-000-017.002), hereby grant permission to Mark Zwieg of Summit Ridge Energy to file for a variance for the placement of above ground wiring for the proposed solar farm located adjacent to Highland Road.

IN WITNESS THEREOF, each of the undersigned, dated this 25<sup>th</sup> day of May, 2022.

Property Owner Signature: \_\_\_\_\_

Printed Name: William Drake

This instrument was signed and acknowledged before me on May 25<sup>th</sup>, 2022, by William Drake.

Signature of Notary Public: Starla Kay Schuchardt (SEAL)





# City of Highland Building and Zoning

**Meeting Date:** July 6, 2022

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

**Location:** 1106 New Trenton Rd.

**Zoning Request:** Special Use Permit

**Description:** SUP for a bar/tavern within the Industrial district

## Proposal Summary

The applicant and property owner is Jean Schellenger LLC. 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”):

**Jean Schellenger LLC (1106 New Trenton Rd) is requesting a Special Use Permit for a bar/tavern at 1106 New Trenton Rd. PIN# 01-1-24-06-12-201-034**

The zoning matrix identifies a bar/tavern as a Special Use within the Industrial district.

## Comprehensive Plan Consideration

The subject property is denoted as Industrial on the Comprehensive Plan’s Future Land Use Map.

## Surrounding Uses

| Direction    | Land Use           | Zoning             |
|--------------|--------------------|--------------------|
| <b>North</b> | Deibert Electric   | Industrial         |
| <b>South</b> | American Legion    | Industrial         |
| <b>East</b>  | Single-Family Home | Madison County R-3 |
| <b>West</b>  | Single-Family Home | Industrial         |

## 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 use is consistent with the City’s Comprehensive Plan.**



## City of Highland Building and Zoning

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

The proposed use would not have an effect on public utilities or traffic circulation. The bar already exists on the property and the new owner must obtain a Special Use Permit in their name.

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 use currently exists on the property and adequately protects 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 use currently exists on the property and does not have an adverse effect on the value of neighboring property. The business contributes to the City's tax base.

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

The use currently exists on the property and utilizes 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**

The 501 Blues Club is a bar/tavern that is currently located on the property. The former owners have sold the property and the new owners must receive a Special Use Permit in their name in order to continue operations. Staff supports the continuance of this existing business.



City of Highland  
Building and Zoning

Aerial Photograph



Site Photo





**EXHIBIT "A"**  
**Special Use Permit Application**

Return Form To:

Administrative Official  
City of Highland  
2610 Plaza Drive  
Highland, IL 62249  
(618) 654-9891  
(618) 654-1901 (fax)

For Office Use Only

Date Submitted: \_\_\_\_\_  
Filing Fee: \_\_\_\_\_  
Date Paid: \_\_\_\_\_  
Date Advertised: \_\_\_\_\_  
Date Notices Sent: \_\_\_\_\_  
Public Hearing Date: \_\_\_\_\_  
Zoning File #: \_\_\_\_\_

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**APPLICANT INFORMATION:**

Applicant: Jean Schellenger LLC Phone: 618-972-1291  
Address: 1106 New Trenton Rd Zip: 62249  
Email Address: beckyblake@501bluesclub.com  
Owner: Jean Schellenger LLC Phone: 618-972-1291  
Address: 1106 New Trenton Rd, Highland, IL Zip: 62249  
Email Address: beckyblake@501bluesclub.com

**PROPERTY INFORMATION:**

Street Address of Parcel ID of Property: 1106 New Trenton Rd, PIN# 01-1-24-06-12-201-034  
Property is Located In (Legal Description): Attached  
\_\_\_\_\_  
\_\_\_\_\_  
Present Zoning Classification: Industrial Acreage: 0.5+ acres  
Present Use of Property: Bar/Tavern (501 Blues Club)  
\_\_\_\_\_  
Proposed Land Use: Bar/Tavern (501 Blues Club)  
\_\_\_\_\_

Description of proposed use and reasons for seeking a special use permit:  
The new owner of the bar will need a special use permit to be issued them, as bars/taverns are a special use in the industrial district.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SURROUNDING LAND USE AND ZONING:**

|       | <u>Land Use</u>           | <u>Zoning</u>             |
|-------|---------------------------|---------------------------|
| North | <u>Deibert Electric</u>   | <u>Industrial</u>         |
| South | <u>American Legion</u>    | <u>Industrial</u>         |
| East  | <u>Single-Family Home</u> | <u>Madison County R-3</u> |
| West  | <u>Single-Family Home</u> | <u>Industrial</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; | <b>X</b> |    |
| B. Is the proposed special use consistent with this City's Comprehensive Plan;   | <b>X</b> |    |
| 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;  | <b>X</b> |    |
| D. Will the proposed special use have a minimal negative impact on public utilities and on traffic circulation on nearby streets; and  | <b>X</b> |    |
| 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?                       | <b>X</b> |    |

**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. 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.

RBlake  
Applicant's Signature

5-18-22  
Date

I have purchased the 501 Blues Club at 1106 New Trenton Road. I have also purchased and am a manager for the Jean Schellenger LLC, which is the legal entity for the 501 Blues Club.

The 501 Blues Club business will continue to function as a bar/tavern. We will be adding bar and grill food options to the menu. We will also be expanding our hours to be open on Mondays. Hours are 10am-1am Monday-Thursday, 10am-2am Friday and Saturday, and 12pm-1am on Sundays.

We will be upgrading the building's sign, which will improve the character of the area. There is on-site parking, so traffic and parking will not be an issue. This will benefit the City of Highland by keeping an existing business open.

*RBlake*

Becky Blake

Manager, Jean Schellenger LLC

*5-18-22*

Date



# City of Highland Building and Zoning

**Meeting Date:** July 6, 2022

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

**Location:** 1014 Pine Street

**Zoning Request:** Special Use Permit

**Description:** SUP for a bar/tavern within the C-2 district

## Proposal Summary

The applicant is BS Merkle LLC. The property owner is Kevin Kapp. 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”):

**BS Merkle LLC (1014 Pine Street), on behalf of Kevin Kapp (1816 Parkview Drive), is requesting a Special Use Permit for a bar/tavern at 1014 Pine Street. PIN# 01-2-24-05-07-202-030**

The zoning matrix identifies a bar/tavern as a Special Use within the C-2 central business district.

## Comprehensive Plan Consideration

The subject property is denoted as Industrial on the Comprehensive Plan’s Future Land Use Map.

## Surrounding Uses

| Direction | Land Use   | Zoning |
|-----------|--|--------|
| North     | Single-Family Home                               | C-2    |
| South     | Vacant Commercial Building/Multifamily Dwellings | C-2    |
| East      | Joseph Matthews Salon                            | C-2    |
| West      | Multifamily Dwellings/Retail                     | 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.

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

**The proposed use is consistent with the City’s Comprehensive Plan.**



## City of Highland Building and Zoning

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

The proposed use would not have an effect on public utilities or traffic circulation. The bar already exists on the property and the new owner must obtain a Special Use Permit in their name.

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 use currently exists on the property and adequately protects 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 use currently exists on the property and does not have an adverse effect on the value of neighboring property. The business contributes to the City's tax base.

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

The use currently exists on the property and utilizes 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.

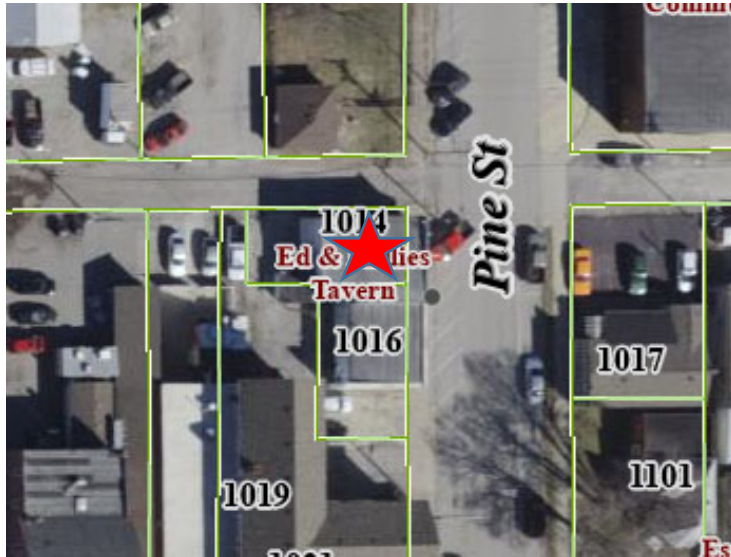
### **Staff Discussion**

Ed & Millie's is a bar/tavern that is currently located on the property. The current owners are selling the property and the new owners must receive a Special Use Permit in their name in order to continue operations. Staff supports the continuance of this existing business.



City of Highland  
Building and Zoning

Aerial Photograph



Site Photo



**EXHIBIT "A"**  
**Special Use Permit Application**

Return Form To:

Administrative Official  
City of Highland  
2610 Plaza Drive  
Highland, IL 62249  
(618) 654-9891  
(618) 654-1901 (fax)

For Office Use Only

Date Submitted: \_\_\_\_\_  
Filing Fee: \_\_\_\_\_  
Date Paid: \_\_\_\_\_  
Date Advertised: \_\_\_\_\_  
Date Notices Sent: \_\_\_\_\_  
Public Hearing Date: \_\_\_\_\_  
Zoning File #: \_\_\_\_\_

---

**APPLICANT INFORMATION:**

Applicant: BS Merkle LLC Phone: 618-420-5652  
Address: 1014 Pine Street, Highland, IL Zip: 62249  
Email Address: Smf\_89@hotmail.com  
Owner: Kevin Kapp Phone: 618-654-9028  
Address: 1816 Parkview Drive, Highland, IL Zip: 62249  
Email Address: N/A

**PROPERTY INFORMATION:**

Street Address of Parcel ID of Property: 1014 Pine Street; PIN# 01-2-24-05-07-202-030

Property is Located In (Legal Description): attached

Present Zoning Classification: C-2 Acreage: 0.04

Present Use of Property: Ed & Millie's (bar/tavern)

Proposed Land Use: Ed & Millie's

Description of proposed use and reasons for seeking a special use permit:  
The new owners of the bar/tavern will be required to get a Special Use Permit in their name.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SURROUNDING LAND USE AND ZONING:**

|       | <u>Land Use</u>   | <u>Zoning</u> |
|-------|---|---------------|
| North | <u>single-family residence</u>                          | <u>C-2</u>    |
| South | <u>vacant commercial building/multifamily dwellings</u> | <u>C-2</u>    |
| East  | <u>Joseph Matthews Salon</u>                            | <u>C-2</u>    |
| West  | <u>multifamily dwellings/retail</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? N/A

| <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; | <b>X</b> |    |
| B. Is the proposed special use consistent with this City's Comprehensive Plan;   | <b>X</b> |    |
| 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;  | <b>X</b> |    |
| D. Will the proposed special use have a minimal negative impact on public utilities and on traffic circulation on nearby streets; and  | <b>X</b> |    |
| 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?                       | <b>X</b> |    |

**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. 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.

Brand Keith Steph Moore  
Applicant's Signature

6/7/2022  
Date



We are planning to purchase Ed & Millie's at 1014 Pine Street from Kevin Kapp. We're Highland residents and we plan to keep the existing bar/tavern open. We are not proposing any major changes, although we do plan to expand the hours in which food are available by serving until at least 7:00 or 8:00pm.

This will not have a negative impact on traffic or the character of the surrounding area. This will allow an existing business to stay open within downtown Highland.

Thank you for your consideration,

Brandon & Stephanie Merkle  
BS Merkle LLC

I, Kevin Kapp, am the property owner of 1014 Pine Street, PIN# 01-2-24-05-07-202-030. I authorize BS Merkle LLC to apply for a special use permit for a bar/tavern at the above property.

Kevin J Kapp

Signature

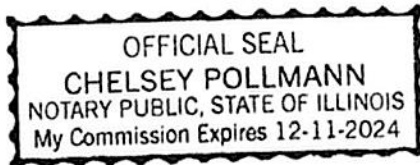
6-18-22

Date

State of Illinois, County of Clinton

Signed before me on June 18, 22 (date).

(seal)



Chelsey Pollmann

Signature of Notary Public



## City of Highland Building and Zoning

**Meeting Date:** July 6, 2022

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

**Location:** 220 Field Crossing Drive

**Zoning Request:** Variance

**Description:** Variance to allow for storage shed to be located on front setback of corner lot

---

### Proposal Summary

The applicant and property owner for this case is Cedarhurst Real Estate LLC. The applicant of this case is requesting the following variance to Section 90-73 of the City of Highland Municipal Code:

- **Allow for a storage shed to be located within the eastern front setback on a corner lot with two street frontages at 220 Field Crossing Drive. PIN# 02-2-18-31-00-000-045**

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.

### **Sec. 90-73. - Accessory structures and uses—Development criteria.**

*Intent:* Building additions or improvements are to be attached to the principal building in a manner consistent with the zoning provision of this chapter and the Building Regulations (chapter 18). When not so attached, buildings or uses shall be deemed either accessory structures or accessory uses and be in compliance with the requirements of this section.

(a) *Accessory structures.*

(5) No accessory structure shall:

e. Be built in a manner inconsistent with:

- (i) [Section 90-9](#) requiring corner or through lots to meet the front setback requirements of the zoning district in which it is located on every side having frontage; and
- (ii) Sight distance triangle requirements as defined in [section 90-15](#).

### **Sec. 90-9. - Front setbacks—For corner or through lots.**

Every lot with multiple frontages, such as corner or through lots, shall meet the front setback requirements of the zoning district in which it is located on every side having frontage.



# City of Highland

## Building and Zoning

### Land Use and Zoning of Surrounding Properties

| Direction | Land Use                | Zoning |
|-----------|-------------------------|--------|
| North     | Multi-Family Dwellings  | MX     |
| South     | San Gabriel Memory Care | R-1-C  |
| East      | Vacant Lot              | MX     |
| West      | Duplexes                | R-2-A  |

### 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;

This variance is the result of the property having two street frontages and is not caused by the property owner.

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

The variance is consistent with the general purpose of the code.

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 this variance is not granted, Cedarhurst will not be able to place a utility shed on the property.

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;

This is the minimum deviation to the code.

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 variance is the result of the property owner having two street frontages.

- 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 the most appropriate remedy.**

- 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.

**This variance will not alter the essential character of the area or affect implementation of the comprehensive plan.**

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 proposed storage shed will be out of the site distance triangle, so it would not cause safety issues. It will also be over 20' from Frank Watson Parkway and will not be within the front entrance setback. Staff has no concerns.

#### Aerial Photograph



Site Photos



**EXHIBIT "A"**  
**Variance Application**

Return Form To:  
Administrative Official  
City of Highland  
2610 Plaza Drive  
Highland, IL 62249  
(618) 654-9891  
(618) 654-1901 (fax)

For Office Use Only  
Date Submitted: \_\_\_\_\_  
Filing Fees: \_\_\_\_\_  
Date Paid: \_\_\_\_\_  
Date Advertised: \_\_\_\_\_  
Date Notices Sent: \_\_\_\_\_  
Public Hearing Date: \_\_\_\_\_  
Zoning File #: \_\_\_\_\_

---

**APPLICANT INFORMATION:**

Applicant: Cedarhurst of Highland Real Estate LLC Phone: 618-772-8858  
Address: 300 Hunter Ave, Suite 200, St. Louis, MO Zip: 63124  
Email Address: kwuebbels@cedarhurstliving.com  
Owner: Cedarhurst of Highland Real Estate LLC Phone: 618-772-8858  
Address: 300 Hunter Ave, Suite 200, St. Louis, MO Zip: 63124  
Email Address: kwuebbels@cedarhurstliving.com

**PROPERTY INFORMATION:**

Street Address of Parcel ID of Property: 220 Field Crossing Drive, PIN# 02-2-18-31-00-000-045

Present Use of Property: Cedarhurst Senior Living

Proposed Use of Property: Cedarhurst Senior Living (adding a storage shed)

Variance Requested: to allow for a storage shed to be within one of the two front yards on a corner lot in the R-1-C district

Code Section: Section 90-73-5e

**SURROUNDING LAND USE AND ZONING:**

|       | <u>Land Use</u>                | <u>Zoning</u> |
|-------|--------------------------------|---------------|
| North | <u>Multi-Family Dwellings</u>  | <u>MX</u>     |
| South | <u>San Gabriel Memory Care</u> | <u>R-1-C</u>  |
| East  | <u>Vacant Lot</u>              | <u>MX</u>     |
| West  | <u>Duplexes</u>                | <u>R-2-A</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. 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.

Jimmy Rahn  
Applicant's Signature

5/25/22  
Date





*Capable hands. Welcoming hearts.*

5/26/22

Cedarhurst of Highland needs an onsite storage unit due to lack of storage in the building. We are currently having off site storage that does not benefit the community. The location we plan on putting the storage shed does not impact traffic for the community. If you have any questions or concerns, please contact the information below.

**Katie Wuebbels**  
Executive Director

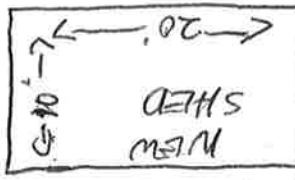
**Cedarhurst of Highland**  
220 Field Crossing Dr | Highland | IL | 62249  
Email: [kwuebbels@cedarhurstliving.com](mailto:kwuebbels@cedarhurstliving.com)  
Office: (618) 654-3737

BUILDING

SIDE WALK

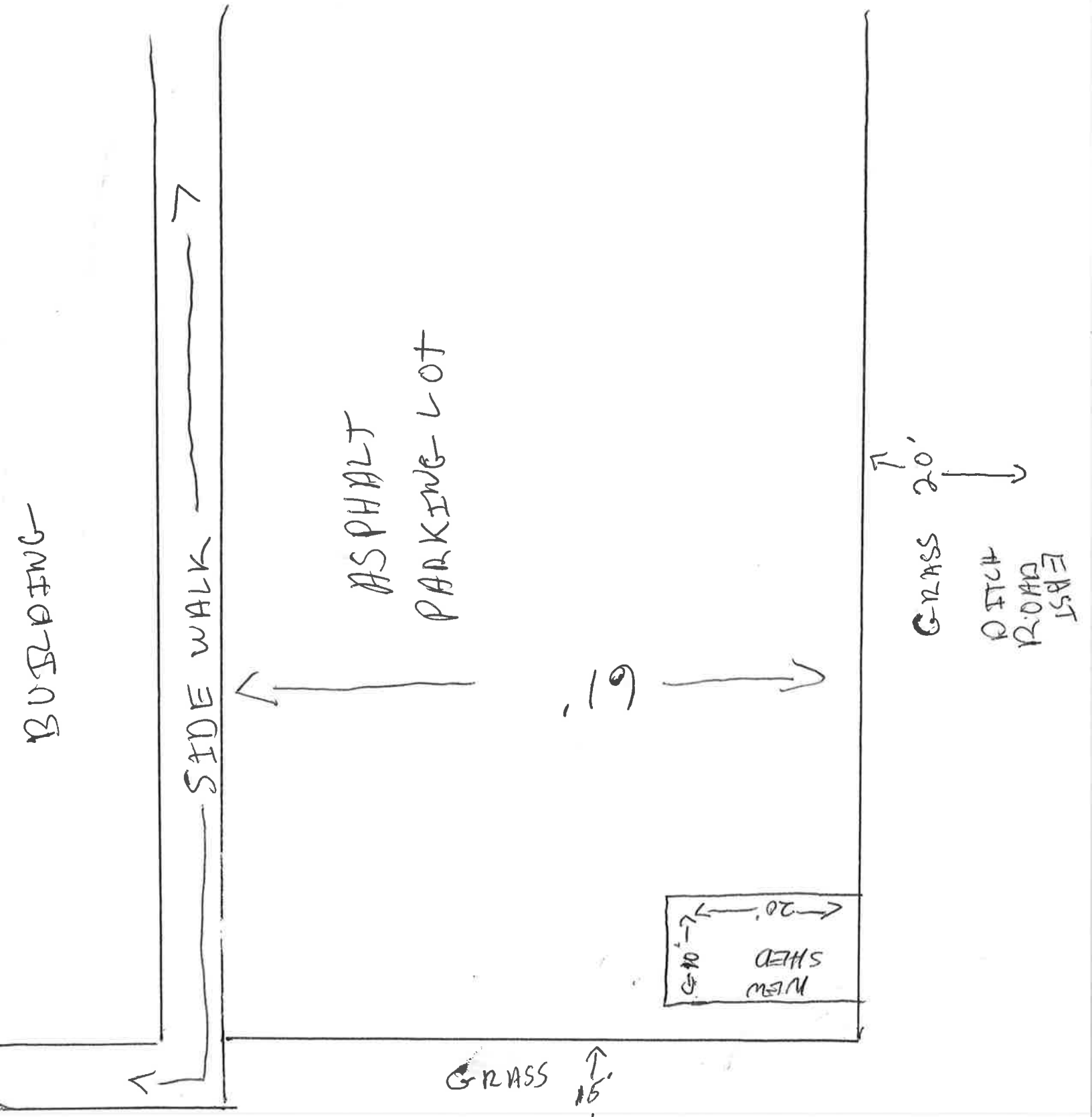
ASPHALT  
PARKING LOT

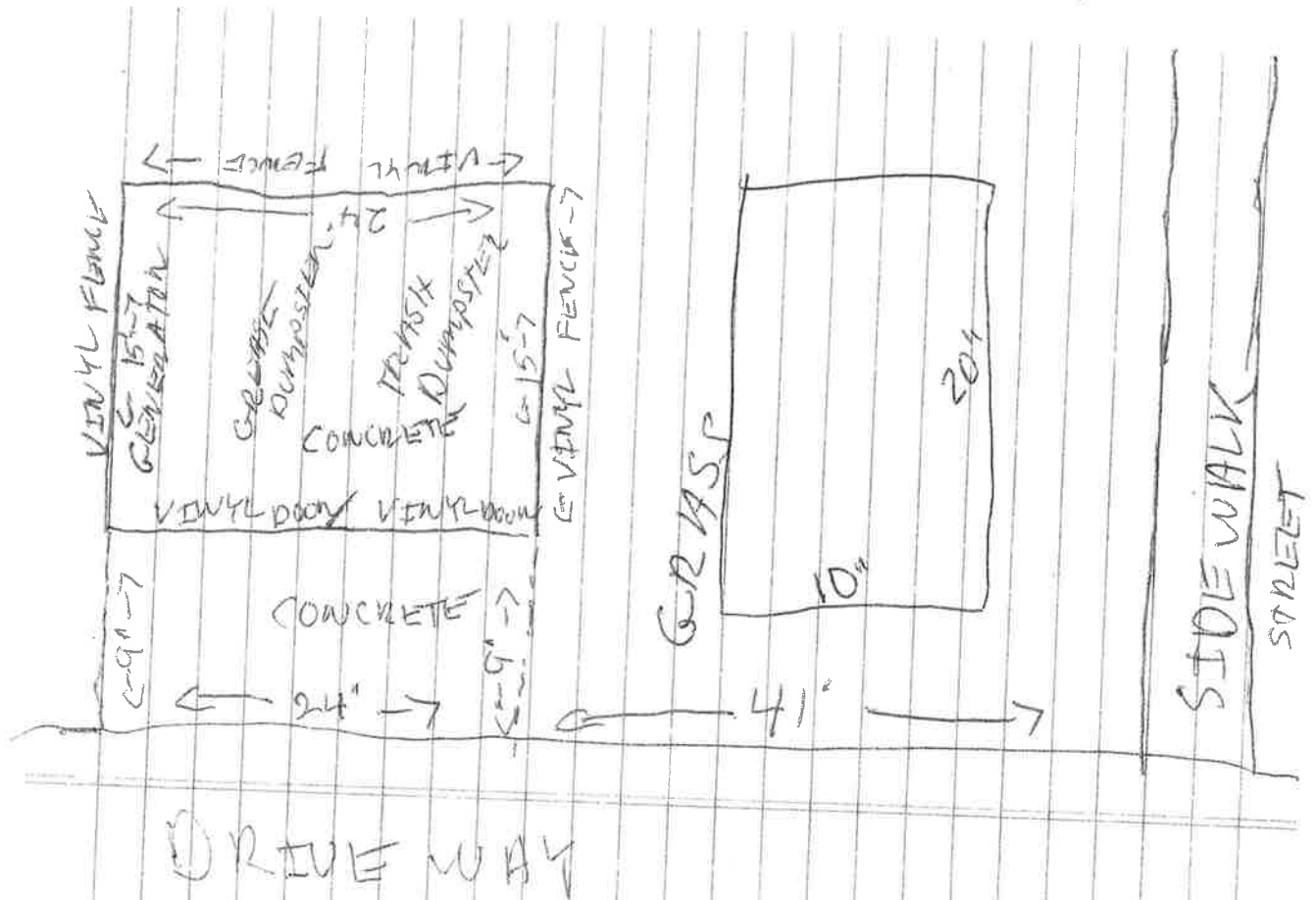
GRASS  
DITCH  
EAST ROAD



GRASS  
DITCH SOUTH

19





North Side



## City of Highland Building and Zoning

**Meeting Date:** July 6, 2022

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

**Location:** 713 5<sup>th</sup> Street

**Zoning Request:** Rezoning

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

---

### **Proposal Summary**

The applicant and property owner is Options HME, Inc. The applicant of this case is requesting the following rezoning:

- Rezone 713 5<sup>th</sup> Street from C-2 Central Business District to Industrial. (PIN# 02-2-18-32-18-301-019)

This property is currently Options HME, Inc., which manufactures and installs mobility equipment. The rezoning is being requested in order to allow for the business to place an additional warehouse on the property.

### **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 “commercial” on the Comprehensive Plan’s Future Land Use Map. It is adjacent to “industrial” areas. The commercial business is appropriate in this location.



# City of Highland Building and Zoning

## Zoning Map



### Legend

- Corporate Boundary
- R-1-A - Single Family Residence 150 FT. Lot Width
- R-1-B - Single Family Residence 100 FT. Lot Width
- R-1-C - Single Family Residence 70 FT. Lot Width
- R-1-D - Single Family Residence 50 FT. Lot Width
- R-2-A - Multiple Family Residence 70 FT. Lot Width
- R-2-B - Multiple Family Residence 70 FT. Lot Width
- R-3 - Multiple Family Residence 60 FT. Lot Width
- C-2 - Central Business District No Lot Width Requirement
- C-3 - Highway Business District None
- C-4 - Limited Business No Lot Width Requirement
- I - Industrial District No Lot Width Requirement
- MX - Mixed Use
- 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.

- Existing use and zoning of the property in question.  
The property is currently Options HME, Inc. and is zoned C-2.

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

| Direction | Land Use                | Zoning     |
|-----------|-------------------------|------------|
| North     | Vacant Lot; Mobile Home | C-2        |
| South     | Highland Machine        | Industrial |
| East      | Highland Auto Wash      | Industrial |
| West      | Vacant Lot              | C-2        |

- The extent to which the zoning map amendment may detrimentally affect nearby properties.  
Nearby property will not be negatively affected. The area to the east and south is zoned Industrial and this area contains a variety of commercial and industrial uses.
- 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.
- Suitability of the property in question for the proposed uses.  
The property is suitable for the existing business and future expansion.
- 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.
- 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.
- 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.
- 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.



# City of Highland

## Building and Zoning

### Staff Discussion

Options HME, Inc. is currently located on the property and will continue to remain there. Rezoning is necessary in order to allow for further warehouse expansion for routine business operations. Even without expansion, this property does not match the intent of the C-2 district and is better suited for industrial zoning. Staff has no concerns.

### Aerial Photograph



Site Photos





EXHIBIT "A"

Zoning Map Amendment Rezoning Application

Return Form to:

Administrative Official  
City of Highland  
2610 Plaza Drive  
Highland, IL 62249  
(618) 654-9891  
(618) 654-1901 (fax)

For Office Use Only

Date Submitted: \_\_\_\_\_  
Filing Fees: \_\_\_\_\_  
Date Paid: \_\_\_\_\_  
Date Advertised: \_\_\_\_\_  
Date Notices Sent: \_\_\_\_\_  
Public Hearing Date: \_\_\_\_\_  
Zoning File #: \_\_\_\_\_

APPLICANT INFORMATION:

Applicant: Options HME Inc. Phone: 618-920-1207  
Address: 25 Shannon Ct., Highland, IL Zip: 62249  
Email Address: jim.campbell@optionshme.com  
Owner: SAME Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_  
Email Address: \_\_\_\_\_

PROPERTY INFORMATION:

Street Address or Parcel ID of Property: 713 5th Street; PIN# 02-2-18-32-18-301-019  
Property is Located In (Legal Description): Attached  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Present Zoning: C-2 Requested Zoning: Industrial Acreage: 0.25

Present Use of Property: Options HME Inc.

SURROUNDING LAND USE AND ZONING:

|       | Land Use                      | Zoning     |
|-------|-------------------------------|------------|
| North | Vacant Lot; Manufactured Home | C-2        |
| South | Highland Machine              | Industrial |
| East  | Highland Auto Wash            | Industrial |
| West  | Vacant Lot                    | C-2        |

**RELATIONSHIP TO EXISTING ZONING PATTERN:**

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

2. Are there substantial reasons why the property cannot be used in accordance with existing zoning? Yes  No \_\_\_\_\_ If yes, explain: The existing business cannot add on a

warehouse to expand operations within the C-2 district.

**CONFORMANCE WITH COMPREHENSIVE PLAN:**

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

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

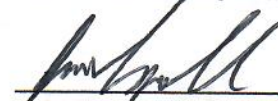
**UNIQUE CHARACTERISTICS OF PROPERTY AND ADDITIONAL COMMENTS:**

The FLU map shows this as C-2, although this area is currently and has been industrial,

**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. 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

6/2/22  
Date

# *Options* HME, Inc.

## **Dependable Home Mobility Equipment Services**

June 2, 2022

### **Narrative for Rezoning of 713 5<sup>th</sup> Street**

We are making the request to rezone our 713 5<sup>th</sup> street location from commercial to industrial so we may construct an additional warehouse to increase our product offering and reduce delivery time. This will help our business grow, increasing sales and employment opportunities.

There should not be a negative impact on the surrounding properties since we are surrounded by properties zoned as industrial. There will not be a negative impact on traffic. Currently 5<sup>th</sup> Street is used to service our industrial neighbors, Highland Machine and Clean.

*Missouri*  
(636) 489-0055

*Illinois*  
713 5<sup>th</sup> Street  
Highland, IL 62249  
(618) 310-0086

[www.optionshme.com](http://www.optionshme.com)



# City of Highland Building and Zoning

**Meeting Date:** July 6, 2022

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

**Location:** 916 6<sup>th</sup> Street, 608 Washington Street, 620 Washington Street

**Zoning Request:** Special Use Permit

**Description:** SUP to allow for a drive-through

## Proposal Summary

The applicant of this case is Plocher Construction on behalf of property owner Rehberger Holdings, LLC. 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”):

- **Plocher Construction Company (2808 Thole-Plocher Road), on behalf of Rehberger Holdings, LLC (3945 N. Neenah Ave., Chicago, IL 60634) is requesting a Special Use Permit for a drive-through at 916 6th Street, 608 Washington Street, and 620 Washington Street. PIN# 02-2-18-32-19-403-017, 02-2-18-32-19-403-018, 02-2-18-32-19-403-019**

The zoning matrix identifies “drive-through establishment” as a Special Use within the C-2 central business district.

## Comprehensive Plan Consideration

The subject property is denoted as downtown on the Comprehensive Plan’s Future Land Use Map. A drive-through establishment is an appropriate Special Use for the downtown area.

## Surrounding Uses

| Direction | Land Use               | Zoning     |
|-----------|------------------------|------------|
| North     | Barnett’s Pest Control | Industrial |
| South     | Single-Family Home     | C-2        |
| East      | Single-Family Home     | R-1-D      |
| West      | Single-Family Home     | 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.

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



## City of Highland Building and Zoning

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. Per Section 90-206 of the Municipal Code, a traffic study is required to ensure that the drive-through will not have a negative impact on traffic circulation.

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.

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

A coffee drive-through establishment would be an asset to the community and this proposal would make use of three currently vacant lots, which will be combined into one lot. The applicant has proposed to meet all necessary site requirements, including drive-through queuing, parking, and setbacks. Each of these items will be verified in the site plan review and permitting phase. A traffic study is also required per code to ensure that traffic flow will not congest the surrounding area. Staff recommends approval of the SUP contingent upon staff's approval of the traffic study.



**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: \_\_\_\_\_  
Filing Fee: \_\_\_\_\_  
Date Paid: \_\_\_\_\_  
Date Advertised: \_\_\_\_\_  
Date Notices Sent: \_\_\_\_\_  
Public Hearing Date: \_\_\_\_\_  
Zoning File #: \_\_\_\_\_

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**APPLICANT INFORMATION:**

Applicant: Plocher Construction Company Phone: 618-654-9408  
Address: 2808 Thole-Plocher Road Zip: 62249  
Email Address: amkampwerth@plocherco.com  
Owner: Heiberger Holdings, LLC Phone: 800-818-2502  
Address: 3945 N Neenah Ave, Chicago, IL Zip: 60634  
Email Address: jeff@luckylincolngaming.com

**PROPERTY INFORMATION:**

Street Address of Parcel ID of Property: 02-2-18-32-19-403-017 02-2-18-32-19-403-018 02-2-18-32-19-403-019

Property is Located In (Legal Description): The corner of Washington Street and 6th Street. Old gas station location.  
The total site is the combination of 3 parcels in a row. Parcel numbers above.  
The three parcels will be combined in the city council meeting at the same time that special use permit is being discussed.

Present Zoning Classification: \_\_\_\_\_ Acreage: 0.45

Present Use of Property: Vacant gas station and vacant homes.

Proposed Land Use: Coffee lounge with gaming room.

Description of proposed use and reasons for seeking a special use permit:

The new coffee lounge will also have a drive thru on the South side of the building, which warrants a special use permit.

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**SURROUNDING LAND USE AND ZONING:**

|       | <u>Land Use</u>               | <u>Zoning</u>                      |
|-------|-------------------------------|------------------------------------|
| North | <u>Barnett's Pest Control</u> | <u>Commercial</u>                  |
| South | <u>House</u>                  | <u>Single Family - Residential</u> |
| East  | <u>House</u>                  | <u>Single Family - Residential</u> |
| West  | <u>House</u>                  | <u>Single Family - Residential</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; | <b>X</b> |    |
| B. Is the proposed special use consistent with this City's Comprehensive Plan;   | <b>X</b> |    |
| 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;  | <b>X</b> |    |
| D. Will the proposed special use have a minimal negative impact on public utilities and on traffic circulation on nearby streets; and  | <b>X</b> |    |
| 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?                       | <b>X</b> |    |

**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. 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.

*Arianna Kampwerth*  
Applicant's Signature

12/30/2021  
Date



To whom it may concern,

Molly's Mocha, with the help of Plocher Construction Company, is proposing to construct a new cafe and gaming room at the location of the vacated Kountry Store and the two vacated houses at 608 Washington Street and 620 Washington Street. Molly's Mocha will have a cozy spacious interior for diners and a drive thru window at the South side of the building for customers on the go.

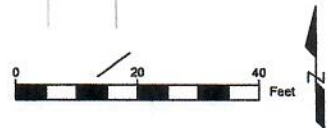
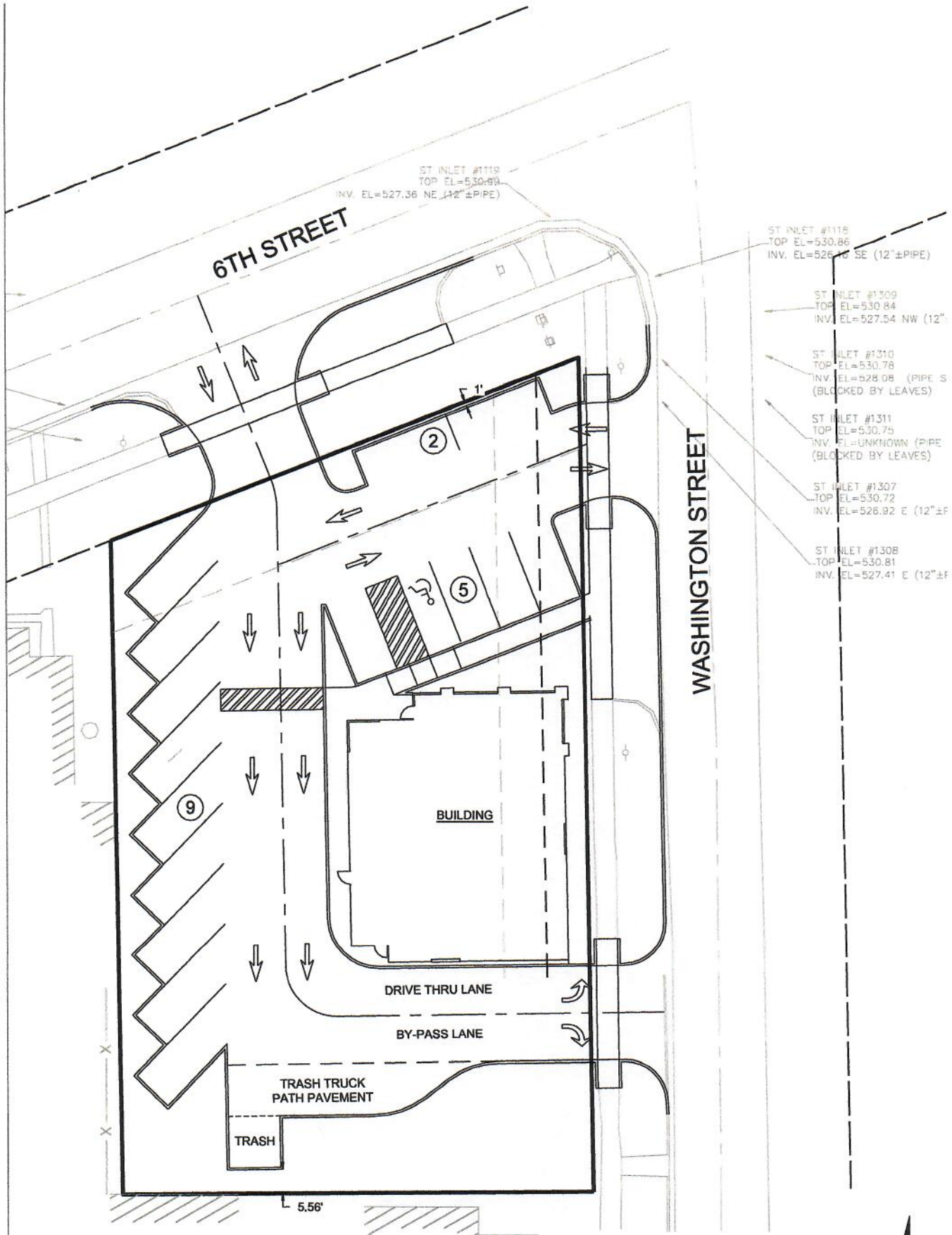
By bringing this relinquished corner back to life, Molly's Mocha intends on serving the many travelers who pass by this location on a daily basis. Molly's Mocha will have a very modern, clean finish from all angles, as shown in the attached renderings. A fence or landscape screening will be constructed, per City of Highland's ordinance, at property lines adjacent to residential properties. A traffic study has also been conducted to ensure proper site design.

*Arianna Kampwerth*

Project Manager  
Plocher Construction Company

2808 Thole Plocher Road Highland, IL 62249 • P 618.654.9408 F 618.654.6454 • [www.plocherco.com](http://www.plocherco.com)





**MOLLY'S MOCHA**  
PRELIMINARY SITE LAYOUT 06/23/2022  
16 TOTAL SPACES, INCLUDING ADA



# City of Highland

## Building and Zoning

**Meeting Date:** July 6, 2022  
**From:** Breann Vazquez, Director of Community Development  
**Description:** Preliminary Plat for Molly's Mocha Subdivision

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### Proposal Summary

Plocher Construction Company (2808 Thole-Plocher Road), on behalf of Rehberger Holdings, LLC (3945 N. Neenah Ave., Chicago, IL 60634) is requesting a preliminary plat to combine 916 6th Street, 608 Washington Street, and 620 Washington Street into one parcel. PIN# 02-2-18-32-19-403-017, 02-2-18-32-19-403-018, 02-2-18-32-19-403-019

### Purpose

In order to combine the three existing parcels into one lot, the subdivision process is necessary. However, this subdivision does not involve any new infrastructure. The lot combination is needed in order to contain a proposed use within one parcel.

The City has verified that all necessary utility easements are shown on the preliminary plat.

### Aerial View



Lot lines to be removed

# PLOCHER construction

To whom it may concern,

This letter serves as a request to review and approve the preliminary plat provided with this letter for Molly's Mocha. Existing properties, 916 6<sup>th</sup> Street, 608 Washington Street, and 620 Washington Street have been purchased by Molly's Mocha and will be combined before the construction of their new facility. Exhibits of this new proposed construction are provided in the corresponding Special Use Permit Application. Thank you in advance for your time and effort it will take to review and approve the preliminary plat.

*Arianna Kampwerth*

Project Manager  
Plocher Construction Company  
618.654.9408  
2808 Thole-Plocher Road, Highland, IL 62249

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PLOCHER  
construction  
*Constructing Your Vision*



# City of Highland Building and Zoning

**Meeting Date:** July 6, 2022

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

**Text Amendment:** Section 90-201, Table 3.1.B

**Description:** Text amendment to allow for “Data Processing, Hosting, and Related Services” as a Special Use within the Industrial District

## Proposal Summary

The City of Highland is requesting a text amendment to Section 90-201, Table 3.1.B of the Municipal Code to allow for data processing, hosting and related services as a Special Use within the Industrial District.

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

| 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. |
| 17. Short term rentals                       |     |     |      |      |      |      |    |    |    |    |    | S |   |    |             |

*Note: Red text is the proposed amendment.*

### Staff Discussion

This text amendment would allow for applicants to apply for a special use permit for data processing, hosting, and related services. This use is not currently a listed use within the zoning code and, therefore, is currently disallowed.

Data processing, hosting, and related services would be required to follow the Industrial District lot and building requirements, limitations, and parking requirements as outlined in the Municipal Code.

For comparison, Rantoul, IL (which has a data center within its municipal limits) allows for data centers outright within the industrial district and does not apply supplemental regulations to the use. Edwardsville, IL allows for data processing, hosting and related services as a PUD in their commercial – primary, commercial-urban, office building, and mixed-use building districts. The use is a Special Use within their live/work building district. They do not apply supplemental regulations to the use. Collinsville, IL allows for data processing, hosting, and related services in their Business Park-1, Business Park-2, Business Park-3, Business Park-4. And M-1 districts. They do not apply supplemental regulations to the use.

City staff has identified a need to allow for this use in some capacity within our municipal boundaries. This use is typically discreet and unobtrusive, while providing economic benefits such as high utility



## City of Highland Building and Zoning

consumption and property tax contribution. Given that the City has readily available property within the existing Industrial district, we have identified this as the most appropriate designation to allow for the use while preserving our commercial business districts for consumer-oriented industries.



# City of Highland Building and Zoning

**Meeting Date:** July 6, 2022

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

**Location:** 1 Ultraway Drive

**Zoning Request:** Special Use Permit

**Description:** SUP to allow for data processing, hosting, and related services in the Industrial district

## Proposal Summary

The applicant is Quatrain LLC. The property owner is Trow Nutrition USA LLC. The applicant of this case is requesting the following Special Use Permit to comply with Table 3.1.B of Section 90-201 of the City of Highland Municipal Code (hereafter known as the “zoning matrix”):

- **Quatrain LLC (651 N. Broad St., Suite 206, Middletown, DE), on behalf of Trow Nutrition USA LLC (115 Executive Drive) is requesting a Special Use Permit for data processing, hosting and related services at 1 Ultraway Drive. PIN# 01-2-24-06-08-202-004; 01-2-24-06-08-202-002**

The zoning matrix identifies “data processing, hosting, and related services” as a Special Use within the Industrial district.\*

*\*This petition is only valid if the proposed text amendment allowing for “data processing, hosting, and related services” as a Special Use within the industrial district is passed by City Council.*

## Comprehensive Plan Consideration

The subject property is denoted as industrial on the Comprehensive Plan’s Future Land Use Map. Pending a text amendment to allow for data processing, hosting, and related services within the industrial district, they are an appropriate Special Use for the industrial area.

## Surrounding Uses

| Direction | Land Use  | Zoning     |
|-----------|---|------------|
| North     | Medical Building  | Industrial |
| South     | Vacant Warehouse; Korte Meats                           | Industrial |
| East      | Phoenix Physical Therapy; Gateway Cylinder Technologies | Industrial |
| West      | Plant Maintenance Services                              | Industrial |





## City of Highland Building and Zoning

### 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 data processing, hosting and related services center would be a high consumer of public utilities. The business would not have an adverse effect on traffic circulation on nearby streets, as it does not attract a high volume of visitors.

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 would 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 would not have a detrimental impact on the value of neighboring property and would contribute to the City's overall tax base.

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

The proposed Special Use would heavily utilize public utilities.

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

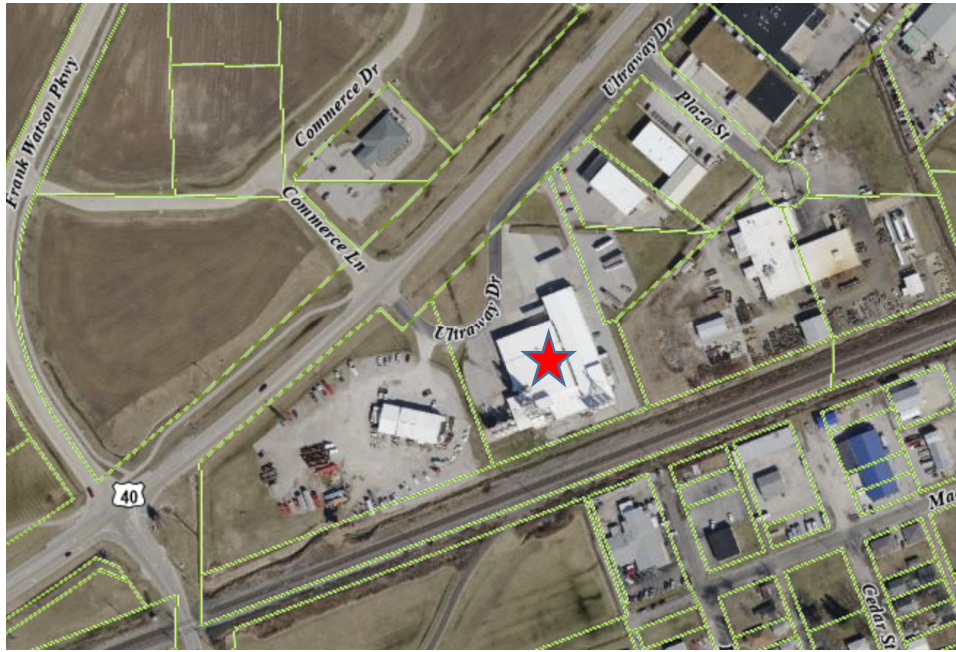
There are no facilities nearby that require special protection.

### Staff Discussion

This data hosting, processing, and related services center would be a private operation that would be a heavy consumer of public utilities, namely electric, therefore providing a steady stream of revenue for the City. The operations would be contained entirely inside the existing warehouse on the property and are not anticipated to have any negative effects on the area. Staff has no concerns.



**Aerial Photograph**



**Site Photos**





City of Highland  
Building and Zoning



**EXHIBIT "A"**  
**Special Use Permit Application**

Return Form To:

Administrative Official  
City of Highland  
2610 Plaza Drive  
Highland, IL 62249  
(618) 654-9891  
(618) 654-1901 (fax)

For Office Use Only

Date Submitted: \_\_\_\_\_  
Filing Fee: \_\_\_\_\_  
Date Paid: \_\_\_\_\_  
Date Advertised: \_\_\_\_\_  
Date Notices Sent: \_\_\_\_\_  
Public Hearing Date: \_\_\_\_\_  
Zoning File #: \_\_\_\_\_

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**APPLICANT INFORMATION:**

Applicant: Quatrain LLC Phone: 312-965-1289  
Address: 651 N. Broad St., Suite 206, Middletown, DE Zip: 19709  
Email Address: heath@quatrainllc.com  
Owner: Trouw Nutrition USA LLC Phone: (618) 654-7150  
Address: 115 Executive Drive, Highland, IL 62249 Zip: 62249  
Email Address: N/A

**PROPERTY INFORMATION:**

Street Address of Parcel ID of Property: 1 Ultraway Drive; PIN# 01-2-24-06-08-202-004; 01-2-24-06-08-202-002  
Property is Located In (Legal Description): Attached  
\_\_\_\_\_  
\_\_\_\_\_  
Present Zoning Classification: Industrial Acreage: 3.59 acres  
Present Use of Property: vacant warehouse  
\_\_\_\_\_  
Proposed Land Use: data processing, hosting, and related services  
\_\_\_\_\_

Description of proposed use and reasons for seeking a special use permit:  
Pending a text amendment allowing for "data processing, hosting and related services" as a Special Use within the Industrial zoning district, an SUP would be required.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SURROUNDING LAND USE AND ZONING:**

|       | <u>Land Use</u>  | <u>Zoning</u>     |
|-------|--|-------------------|
| North | <u>Medical Building</u>  | <u>Industrial</u> |
| South | <u>Vacant Warehouse; Korte Meats</u>                           | <u>Industrial</u> |
| East  | <u>Phoenix Physical Therapy; Gateway Cylinder Technologies</u> | <u>Industrial</u> |
| West  | <u>Plant Maintenance Services</u>                              | <u>Industrial</u> |

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

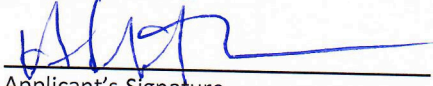
If Yes, what length of time? \_\_\_\_\_

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

**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. 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

6/14/22  
Date

The purpose of the SUP is to propose as change of use for the site located at 1 Ultraway to a data colocation and hosting center. As far as any external changes or impacts that may occur as a result of granting the SUP, the most likely (and intended) would be an expansion of the existing facility. This, of course, would create beneficial economic activity and impact in the area due to construction activities and increased business operations. In keeping with the ethos of sustainable business practices, it is the goal to improve the surrounding environment and landscape through our presence in the area, which, is achieved through sustainable and common sensical business practices.

I, Terri Boeser, am an authorized representative of Trow Nutrition USA LLC. Trow Nutrition USA LLC is the property owner of 1 Ultraway Drive, PIN# 01-2-24-06-08-202-004; 01-2-24-06-08-202-002. I authorize Quatrain LLC to apply for a special use permit for data processing, hosting and related services at the above property.

Terri B

Signature

6/16/2022

Date

State of Illinois, County of Madison

Signed before me on June 16, 2022 (date).

(seal)



Katie B Henrichs

Signature of Notary Public