



# City of Highland

## Building and Zoning

Combined Planning & Zoning Board Agenda  
Highland Area Senior Center – 187 Woodcrest Drive  
September 6, 2023 7:00 P.M.

1. Call to Order
2. Roll Call
3. General Business:  
Approval of the August 2, 2023 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) The City of Highland (1115 Broadway, Highland, IL) is requesting a text amendment to Table 3.1.C of the Municipal Code to allow for “ground mounted solar energy systems” as a special accessory use within any zone for governmental entities and only by special use permit.
  - b) Highland Community Unit School District No. 5 (400 Broadway Ave., Highland, IL) is requesting a Special Use Permit for a ground mount solar energy system within the R-1-C Single Family Residential at 2813 State Route 160. PIN# 02-1-18-29-00-000-012.
  - c) Well Care Home NFP Inc. (6 Indian Creek Lane, Frontenac, MO) is requesting to rezone 100 Faith Dr. from R-1-C Single Family Residential to R-3 Multifamily Residential. PIN# 01-1-24-08-00-000-002.005.
  - d) Well Care Home NFP Inc. (6 Indian Creek Lane, Frontenac, MO) is requesting Planned Unit Development approval to allow for convalescent care within the R-3 district. PIN# 01-1-24-08-00-000-002.005.
7. Calendar
  - a. October 4, 2023– Combined Planning and Zoning Board Meeting
8. 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 Jackie Heimbürger, ADA Coordinator, at 618-654-9891.*



# City of Highland

## Building and Zoning

**Meeting Date:** August 15, 2023

**From:** Mallord Hubbard, Economic Development Coordinator

**Text Amendment:** Section 90-201, Table 3.1.C; and Section 90-217(b)(2)

**Description:** Text amendment to allow for “ground mounted solar energy systems” for governmental entities as a Special Accessory Use in all zoning districts; and text amendment related to screening requirements.

### Proposal Summary

The City of Highland (1115 Broadway) is requesting a text amendment to Table 3.1.C of the Municipal Code to allow for “ground mounted solar energy systems” for governmental entities as a special accessory use within all zoning districts.

The City of Highland (1115 Broadway) is requesting an amendment to Section 90-217(b)(2) of the Municipal Code for ground mounted solar energy systems.

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

| Table 3.1.C — ACCESSORY USES  |     |     |      |      |      |      |    |    |    |    |    |   |   |    |                    |
|---|-----|-----|------|------|------|------|----|----|----|----|----|---|---|----|--------------------|
| Use   | R1A | R1B | R1 C | R1 D | R2 A | R2 B | R3 | C1 | C2 | C3 | C4 | I | M | MX | Supp. Regs.        |
| 14. Ground mounted solar energy systems                               |     |     |      |      |      |      |    |    |    | S  |    | S |   |    | <b>Sec. 90-217</b> |
| 15. Ground mounted solar energy systems<br>Governmental Entities Only | S   | S   | S    | S    | S    | S    | S  | S  | S  | S  | S  | S | S | S  | <b>Sec. 90-217</b> |

### Sec. 90-217. – Ground mounted solar energy systems.

The purpose of this section is to provide supplemental regulations for ground mounted solar systems within City limits. A special use permit shall be required for all ground mounted solar energy systems within City limits. All ground mounted solar energy systems shall adhere to the following regulations:



## City of Highland Building and Zoning

- a) Ground mounted solar energy systems shall be classified as accessory structures, and must comply with 90-71—90-74.
- b) Ground mounted solar energy systems shall require the issuance of a special use permit in compliance with the following:
  - 1) *Height.* Height shall not be greater than 15 feet at maximum tilt of the solar panel(s).
  - 2) *Screening.* Ground mounted solar energy systems must be substantially screened from adjacent residential uses that are within 100 feet of said ground mounted solar array by fencing, walls, plantings, or other architectural feature, or any combination thereof; provided however, that the screening shall not be required to be so dense, so tall, or so located as to render the equipment essentially non-functional.
  - 3) *Standards for Interconnection, Safety, and Operating Reliability.* *The interconnection of a Customer's generating facility and associated interconnection equipment to the Utility's distribution System shall meet the applicable provisions of the following publications:*
    - i. *ANSI/IEEE1547-2018 Standard for Interconnecting Distributed Resources with Electric Power Systems (including use of IEEE 1547.1-2020 testing protocols to establish conformity) as they may be amended from time to time. The following standards shall be used as guidance in applying IEEE 1547:*
    - ii. *IEEE Std 519-2014, IEEE Recommended Practices and Requirements for Harmonic Control in Electrical Power Systems*
    - iii. *IEEE1453, IEEE Recommended Practice for the Analysis of Fluctuating Installation on Power Systems*
    - iv. *UL1741 requirement for inverter based generation*
    - v. *NESC Electric Safety Code*
    - vi. *ANSI/NFPA 70, National Electrical Code*
    - vii. *OSHA (29 CFR § 1910.269)*
- c) *Filing requirements for a special use of a ground mounted solar energy system.* Submittal packets for a special use for the construction of a ground mounted solar energy system shall contain the following:
  - 1) *Application.* The applicant for a ground mounted solar energy system shall adhere to the provisions of article II, division V, Special use permits, of this chapter. In addition, every ground mounted solar energy system application shall include a site plan showing the following:
    - i. All proposed setback dimensions.
    - ii. All proposed structures on the property and the dimensions of the structures.
    - iii. Existing structures on subject property and the dimensions of the structures.
    - iv. All existing and proposed underground and aboveground utilities.
    - v. All rights-of-way, wetlands, wooded areas, and public conservation lands.
    - vi. Any screening mechanisms.

### Staff Discussion



## City of Highland Building and Zoning

Ground mounted solar energy systems are currently allowed in the C-3 highway business district and industrial districts as accessory special uses. We recommend allowing the use in all zoning districts for governmental entities as accessory special uses. Having this as a special use allows for staff to ensure that supplemental regulations pursuant to Section 90-217 will be met.

The supplemental regulations for ground mounted solar energy systems are in place to ensure that the use will be safe, operate as intended, and create standards for interconnection. The regulations also help ensure that the use does not cause any issues for surrounding property owners. As such, staff recommend modifying the screening requirement so that screening is only required when ground mounted solar panels are located within 100 feet of residential uses.

These proposed changes will allow for ground mounted solar arrays in a variety of locations, while still providing protection to residential uses within the City.



**City of Highland**  
 Building and Zoning

**Meeting Date:** August 25, 2023

**From:** Emily Calderon, AICP, Moran Economic Development

**Location:** PIN# 02-1-18-29-00-000-012

**Zoning Request:** Special Use Permit

**Description:** SUP to allow for ground mounted solar array at 2813 State Route 160 (Highland Middle School)

**Proposal Summary**

The applicant and property owner is Highland Community School District No. 5 (400 Broadway Ave.). The applicant of this case is requesting a **Special Use Permit to allow a ground mounted solar array** on the property located at 2813 State Route 160 in Highland, also known as Highland Middle School. The subject property is currently zoned R-1C, Single Family Residential District.

**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, principles, and recommendations in these documents. Changes and deviations are permissible, but they should be reasonably justified.

The subject property is denoted as Institutional / Public on the Comprehensive Plan’s Future Land Use Map. The applicant’s request is consistent with the Future Land Use Map and the goals and policies established within the Comprehensive Plan.

**Surrounding Uses**

| Direction | Land Use             | Zoning                        |
|-----------|----------------------|-------------------------------|
| North     | Agriculture          | Unincorporated Madison County |
| South     | Highland High School | R-1A                          |
| East      | Single Family Homes  | R-1C                          |
| West      | Agriculture          | Unincorporated Madison County |



## City of Highland Building and Zoning

### Standards of Review for Special Use Permits

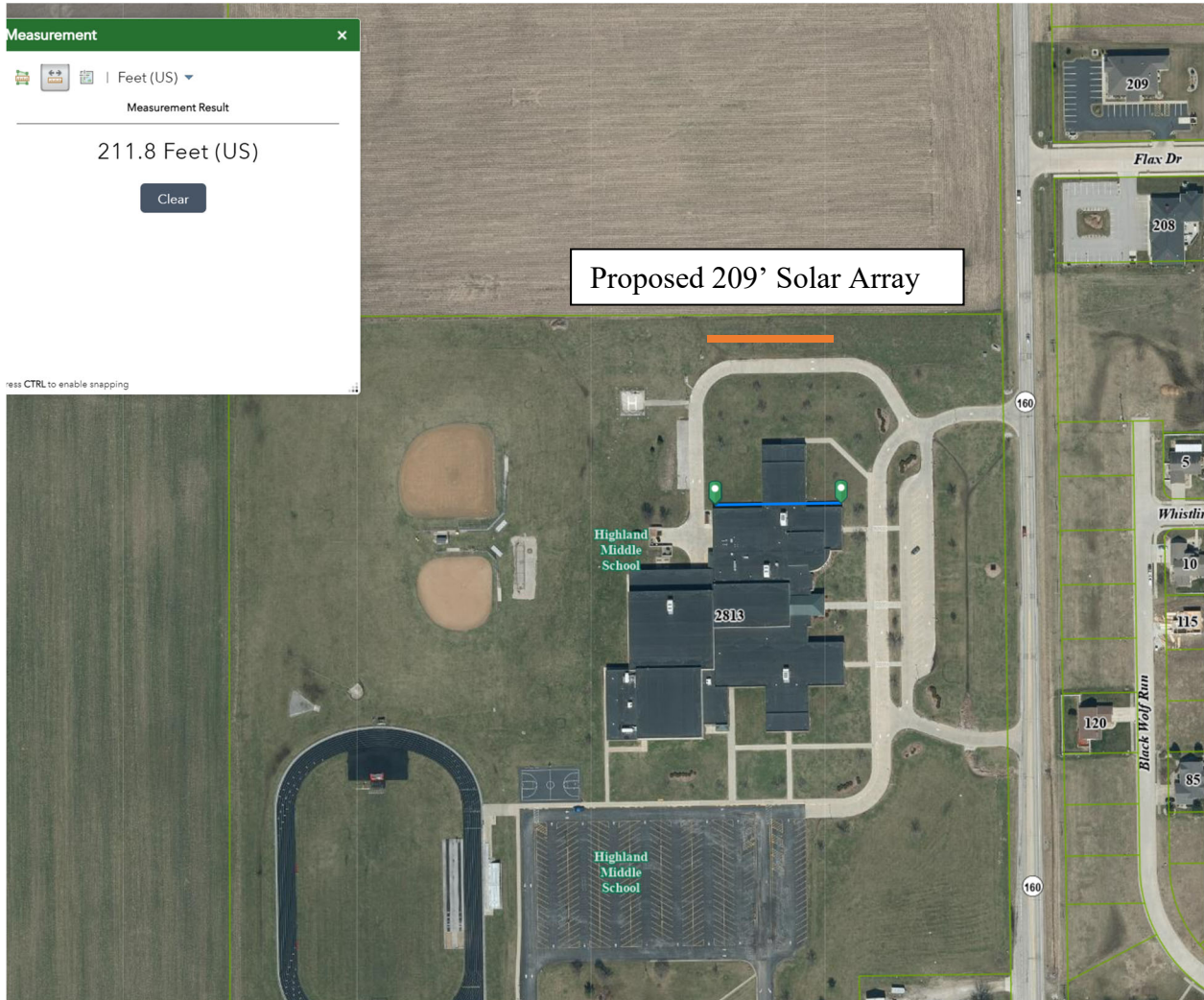
Below are the four (6) consideration items listed in Section 90-79 of the Zoning Code which the Combined Planning and Zoning Board shall take into account while reviewing a SUP request.

1. Whether the proposed amendment or special use is consistent with the city's comprehensive plans.  
**The proposed SUP 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 use would not negatively impact on traffic circulation or public utilities.**
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 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 negatively impact the neighborhood or the City. Instead, the District will save significantly on energy costs, resulting in a benefit to the taxpayers as a result of the savings realized by the District.**
5. The effect the proposed special use would have on public utilities.  
**The proposed special use will provide renewable energy, better positioning the school district (and the City) for future increasing energy demands.**
6. Whether there are any facilities near the proposed special use, such as schools or hospitals that require special protection.  
**There are no special facilities near the proposed special use which require special protection.**

### Staff Discussion & Recommendation

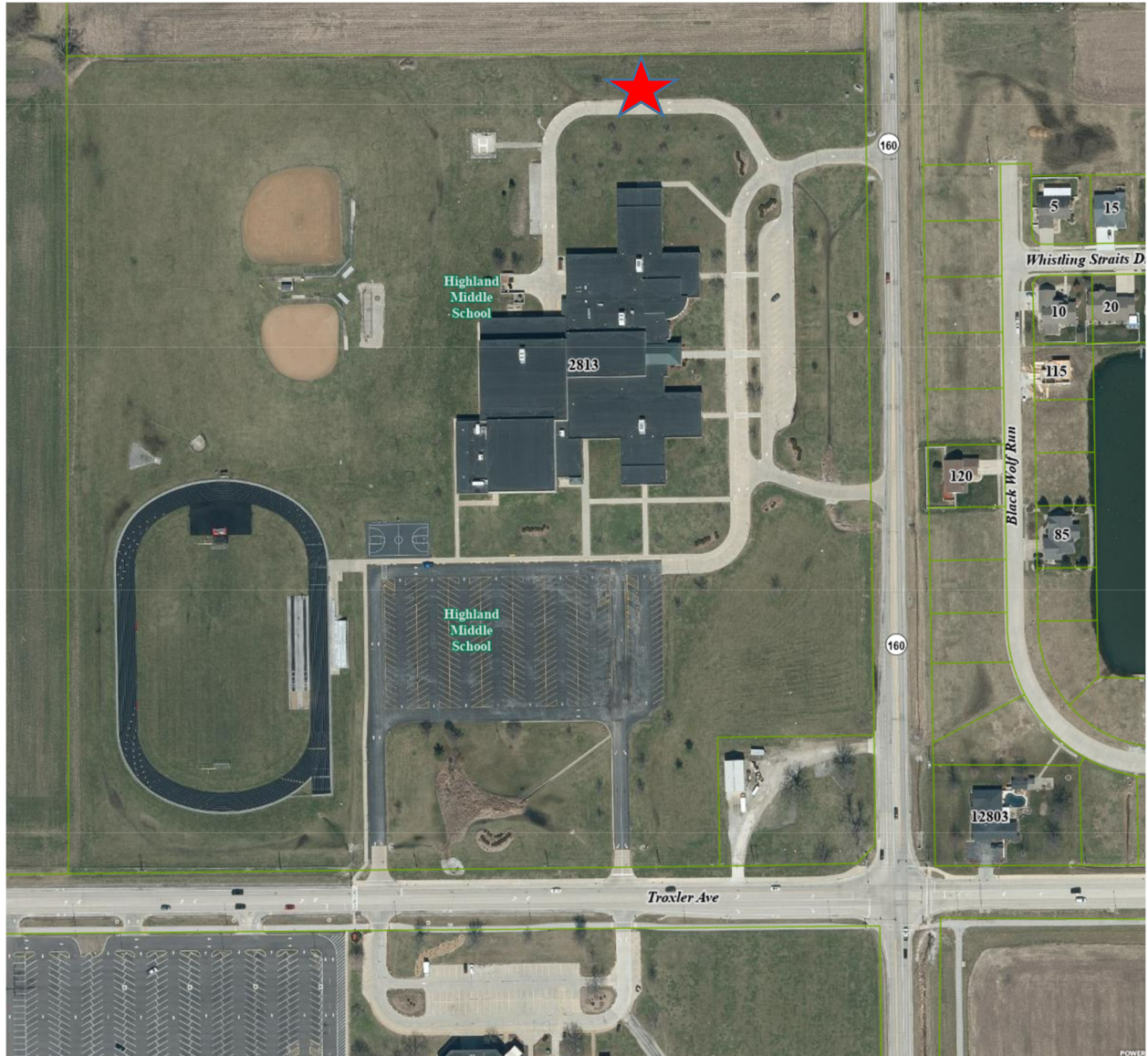
The only staff concern is the proposed solar array's setback from the east property line (Rt. 160). The City's new ordinance regulating ground mounted solar arrays requires them, in part, to meet the bulk regulations of "Accessory Structures." Accessory Structures are required to be setback at least as far as the principal building on the lot, so as not to be located between the principal building line and the front lot line. The solar array is proposed to be 9 feet a maximum tilt, which is less than the 15' height limit for ground mounted solar arrays.

The array is proposed to be approximately 219' in length, which approximately the depth of the school. (see image below). Even with moving the array 275' to the west, the solar array should not interfere with baseball fields or any school activity further west.



Staff recommend approving the Special Use Permit with the condition that the array is moved west to a point equal with the building line (approx. 275 feet from the front property line).

**Aerial Photograph**





**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: Highland Community Unit School District No. 5 Phone: 618-654-2106  
Address: 400 Broadway Ave. Zip: 62249  
Email Address: msutton@highlandcusd5.org  
Owner: Same as Applicant Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_  
Email Address: \_\_\_\_\_

**PROPERTY INFORMATION:**

Street Address of Parcel ID of Property: 2813 State Route 160 Highland, IL 62249  
Property is Located In (Legal Description): Parcel Number 02-1-18-29-00-000-012  
Legal Description SE SE EXC  
\_\_\_\_\_  
\_\_\_\_\_  
Present Zoning Classification: Residential Acreage: 39  
\_\_\_\_\_  
Present Use of Property: K-12 Public Education - Middle School  
\_\_\_\_\_  
\_\_\_\_\_  
Proposed Land Use: K-12 Public Education - Middle School  
\_\_\_\_\_  
\_\_\_\_\_

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

Seeking permission to mount solar panels on the ground, on the North edge of the property, in lieu of roof mounting the panels.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SURROUNDING LAND USE AND ZONING:**

|       | <u>Land Use</u>             | <u>Zoning</u> |
|-------|-----------------------------|---------------|
| North | 0230 - Agricultural Land    |               |
| South | 0183 - Unit District        |               |
| East  | 0420 - Vacant - Residential |               |
| West  | 0230 - Agricultural Land    |               |

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; | X   |    |
| B. Is the proposed special use consistent with this City's Comprehensive Plan;   | X   |    |
| C. Will the proposed special use have a minimal negative impact on the value of neighboring property and on this City's overall tax base;  | X   |    |
| D. Will the proposed special use have a minimal negative impact on public utilities and on traffic circulation on nearby streets; and  | X   |    |
| E. Will the proposed special use have a minimal impact on the facilities near the proposed special use, such as schools or hospitals require special protection?                       | X   |    |

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

1. One copy of a legal description AND warranty deed of the property. If the applicant is not the property owner, a notarized letter from the property owner granting the applicant permission to apply for the request will be required.
2. A current plat, site plan, survey, or other professional illustration.
3. One copy of a narrative statement describing the impact of the proposed change, including the purpose of the request, the desired land use, any traffic conditions that may result, how the proposed change may affect the character of the surrounding properties, and how the proposed change will benefit the City of Highland.
4. Application fee.
5. 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

8/2/2023  
 Date

2480 0986

STATE OF ILLINOIS  
MADISON COUNTY  
FILED FOR RECORD IN  
THE RECORDERS OFFICE

99 JUN 16 PM 4:33

*Daniel R. Donohoo*  
RECORDER

4332 3681

214300  
**WARRANTY DEED**

✓ Return Recorded Deed to:

*Prepared by:*

Mr. Robert A. Kohn  
Hodges, Loizzi, Eisenhammer, Rodick & Kohn  
3030 Salt Creek Lane, Suite 202  
Arlington Heights, IL 60005

✓ Mail Subsequent Tax Bills to:

Highland Community Unit School District No. 5  
Office of the Superintendent  
1800 Lindenthal, P. O. Box 149  
Highland, IL 62249

17.00  
CHICAGO TITLE  
CHICAGO TITLE

THE GRANTOR, School Land Acquisition Group, L.L.C., for and in consideration of Ten and No/00 Dollars (\$10.00) and other good and valuable consideration in hand paid, CONVEYS AND WARRANTS to the Board of Education of Highland Community Unit School District No. 5, Madison County, Illinois, the following described Real Estate situated in the County of Madison, State of Illinois, to wit:

*of: 1800 Lindenthal, P.O. Box 149  
Highland, IL 62249*

(See attached legal description)

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois, subject to general real estate taxes not yet due and payable as of the date of the closing, easements and restrictions of record.

Permanent Index Number: 02-1-18-29-00-000-012

Property Address: N.E. corner of Illinois Route 160 and Troxler Road, Highland, Illinois

Dated this 8th day of June, 1999.

*Gordon D. Smith*  
*Terence D. Peffer*

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF MADISON )

4332 3682

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT Gordon A. Smith, Wallace D. Ruffel personally known to me to be the same person(s) whose name is/are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that They signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth including the release and waiver of the right of homestead.

Given under my hand and notarial seal, this 8<sup>th</sup> day of June, 1999.

"OFFICIAL SEAL"  
SUSAN M. STOICHEFF  
NOTARY PUBLIC - STATE OF ILLINOIS  
MY COMMISSION EXPIRES JULY 22, 2002

Susan M. Stoicheff  
Notary Public

My commission expires on 7-22-, 2002

IMPRESS SEAL HERE

COUNTY - ILLINOIS TRANSFER STAMPS

EXEMPT UNDER PROVISIONS OF PARAGRAPH  
(b)(1) SECTION 4, REAL ESTATE TRANSFER ACT  
"(35ILCS 200/31-45)"

✓ NAME AND ADDRESS OF PREPARER:

DATE: June 8, 1999

Robert H. Kohn  
Hodges, Loizzi, Eisenhammer,  
Rodick & Kohn  
3030 Salt Creek Lane  
Suite 202  
Arlington Heights, IL 60005  
Hig-5\realesta\4acres.pur\warrantydeed.doc

Gordon A. Smith



EXHIBIT A

LEGAL DESCRIPTION

4332 3683

PARCEL 1:

THE SOUTH EAST QUARTER OF THE SOUTH EAST QUARTER OF SECTION 29, IN TOWNSHIP 4 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, MADISON COUNTY, ILLINOIS;

EXCEPTING THEREFROM THAT PART CONVEYED BY RAY M. WINET AND ELVA L. WINET, HIS WIFE, TO COUNTY OF MADISON BY WARRANTY DEED DATED APRIL 29, 1957 AND RECORDED APRIL 30, 1957 IN BOOK 1774 PAGE 228 AND SHOWN IN ROAD RECORD 7 AT PAGES 114-115.

EXCEPTING THEREFROM A TRACT OF LAND DESCRIBED AS FOLLOWS:  
BEGINNING AT AN IRON ROD AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF TROXLER ROAD WITH THE WEST RIGHT OF WAY LINE OF ILLINOIS ROUTE 160, SAID IRON ROD BEING 39.20 FEET SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST AND 20.00 FEET NORTH 0 DEGREES 23 MINUTES 05 SECONDS WEST OF A DRILL HOLE IN THE CONCRETE PAVEMENT MARKING THE SOUTH EAST CORNER OF SAID SECTION 29; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID NORTH RIGHT OF WAY LINE OF TROXLER ROAD 235.47 FEET TO AN IRON ROD; THENCE NORTH 0 DEGREES 23 MINUTES 05 SECONDS WEST PARALLEL TO THE WEST RIGHT OF WAY LINE OF ILLINOIS ROUTE 160, 185.00 FEET TO AN IRON ROD; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST PARALLEL TO SAID NORTH RIGHT OF WAY LINE 235.47 FEET TO AN IRON ROD ON SAID WEST RIGHT OF WAY LINE; THENCE SOUTH 0 DEGREES 23 MINUTES 05 SECONDS EAST ALONG SAID WEST RIGHT OF WAY LINE 185.00 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING ALL OF THE OIL, GAS AND OTHER MINERALS IN, UNDER AND THAT MAY BE FOUND UPON ALL OF THE ABOVE DESCRIBED PREMISES, TOGETHER WITH THE RIGHT TO ENTER UPON THE SAME AND TO CONDUCT MINING AND DRILLING OPERATIONS THEREON.

SITUATED IN THE COUNTY OF MADISON AND THE STATE OF ILLINOIS.

PARCEL 2:

ALL OIL, GAS AND OTHER MINERAL RIGHTS IN AND TO THE ABOVE DESCRIBED PARCEL 1.

*identical 4087/1108 ✓* 11

End of Document

## **HIGHLAND COMMUNITY UNIT SCHOOL DISTRICT NO. 5**

Serving the Communities of Alhambra, Grantfork, Highland, New Douglas, and Pierron

**MICHAEL S. SUTTON**  
SUPERINTENDENT OF SCHOOLS



**DEREK A. HACKE**  
ASSISTANT SUPERINTENDENT - INSTRUCTION  
**MARI E. NEKOLA**  
BUSINESS MANAGER

August 4, 2023

To Whom It May Concern:

Highland CUSD No. 5 has approved a solar project at each of 6 sites (Alhambra Primary, Grantfork Elementary, Highland Middle School, Highland High School, Highland Elementary and the Main Office) at a total cost of approximately \$5.75 million dollars. This project will create an energy savings to the district in addition several tax incentive and credits that will cover the cost for the entire project in approximately 8.8 years.

The remaining life of the solar arrays will benefit the district in energy costs greater than \$3 million over 20 years and much more if the life span reaches full expectation of 30 years. This savings impacts the district's budget and thus benefits the property taxpayers throughout the City of Highland. The district will still utilize a significant portion of its energy from the City of Highland.

The specific request for the special use permit is to allow the array at Highland Middle School to be placed on the ground rather than roof mounts. Other buildings within the city limits do not have the land space to consider ground mounts. The solar array will be located to the north of HMS between the building and the agriculture land on the north.

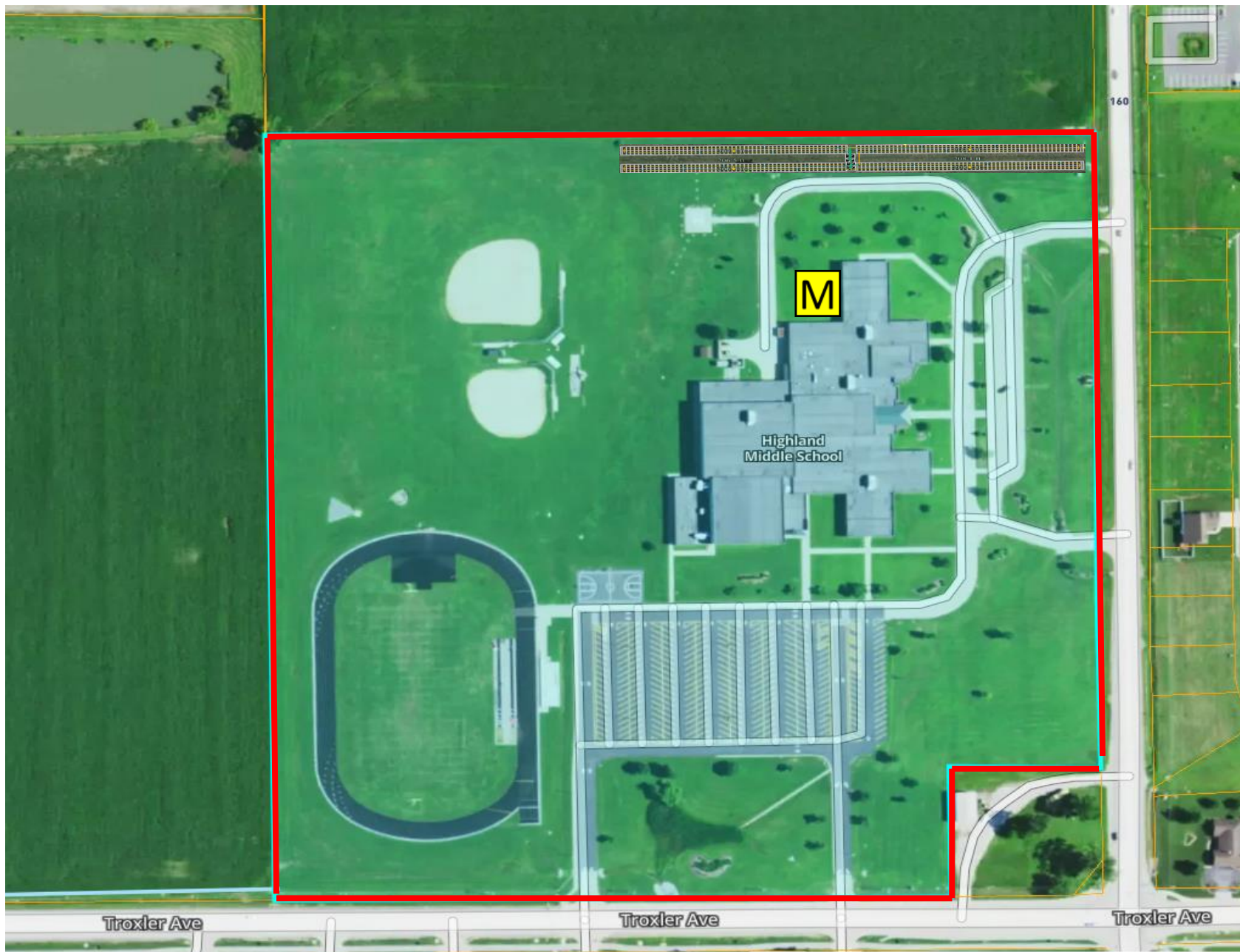
The solar array will not have significant presence to traffic on 140 and is surrounded by large agricultural fields on the north and west. There will be no traffic conditions created by this project. We anticipate that the solar array will be surrounded by fencing and rock will be used as ground cover within the fenced area for a clean tidy appearance. The ground mounts will allow the roof area of the middle school to be untouched and clean for future maintenance.

As always, we appreciate the cooperative and supportive relationship with the City of Highland and await approval to move forward with this project.

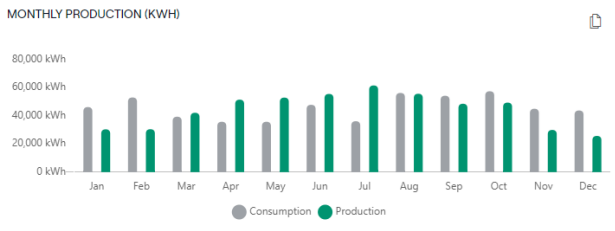
Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Michael S. Sutton".

Michael S. Sutton  
Superintendent



| ANNUAL PRODUCTION |          |               |
|-------------------|----------|---------------|
| 720               | 531.6MWh | 97%           |
| Panels            | Energy   | Energy Offset |



Array Height = Just under 9ft.  
 Array Length = 206 – 208ft.  
 Distance from property lines = 164.2ft.  
 Distance from North edge of property lines = 7.1ft.



Highland Middle School  
 2813 State Route 160 Highland, IL. 62249

388.8kW(DC) Preliminary



Highland Middle School  
 2813 State Route 160 Highland, IL. 62249

[388.8kW\(DC\) Preliminary](#)





# City of Highland

## Building and Zoning

**Meeting Date:** August 25, 2023

**From:** Emily Calderon, AICP, Moran Economic Development

**Location:** PIN# 01-1-24-08-00-000-002.005

**Zoning Request:** Zoning Amendment

**Description:** Rezone 100 Faith Dr. from R-1C to R-3

### Proposal Summary

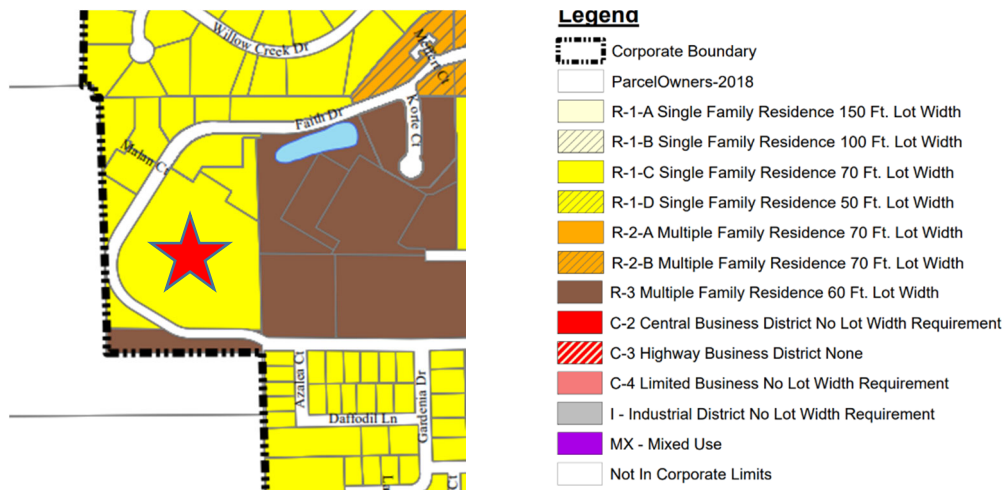
The applicant and property owner is Well Care Home NFP, Inc. (Ahsan Usman, 6 Indian Creek Lane, Frontenac, MO 63131). The applicant of this case is requesting the a text amendment to rezone the property known as 100 Faith Drive (PIN 01-1-24-08-00-000-002.005) from R-1C (Single Family Residence District) to R-3 (Multi-Family Residence District)

### Comprehensive Plan Consideration

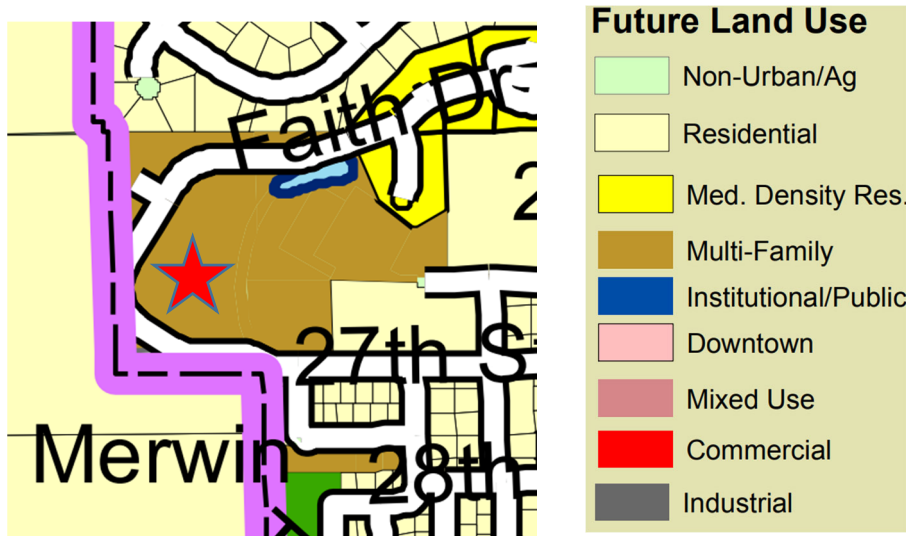
The Comprehensive Plan and Future Land Use Map are considered policy guides to current and future development. While they do not have the force of an ordinance, it is generally recommended that municipalities adhere to the findings, policies, principals, and recommendations in these documents. Changes and deviations are permissible, but they should be reasonably justified.

The subject property is denoted as Multi-Family on the Comprehensive Plan’s Future Land Use Map. The applicant’s request to rezone the property is consistent with the Future Land Use Map and the goals and policies established within the Comprehensive Plan.

### Zoning Map



**Future Land Use Map**



**Standards of Review for Zoning Amendments**

Below are the nine (9) consideration items listed in Section 90-85 of the Zoning Code which the Combined Planning and Zoning Board shall take into account while reviewing a Zoning Amendment (rezoning) request.

1. Existing use and zoning of the property in question.  
The subject property is currently used as a senior living facility and is zoned R-1C.
2. Existing use and zoning of other lots in the vicinity of the property in question.  
The land use and zoning of properties surrounding the subject property are identified below.

| Direction | Land Use                         | Zoning         |
|-----------|----------------------------------|----------------|
| North     | Duplex                           | R-1C           |
| South     | Vacant                           | R-3            |
| East      | Multifamily Dwellings            | R-3            |
| West      | Rural Residential / Agricultural | Unincorporated |

3. The extent to which the zoning amendment may detrimentally affect nearby property.  
The proposed rezoning will not negatively affect nearby properties because uses permitted in the proposed zoning district, R-3, are similar to the existing use of the property.
4. Suitability of the property in question for uses already permitted under existing requirements.  
The subject property is a developed site, which includes a multi-unit residential building. It is suitable for uses with the existing and proposed zoning districts.
5. Suitability of the property in question for the proposed uses.  
The subject property is a developed site, which includes a multi-unit residential building. It is suitable for uses with the existing and proposed zoning districts.



## City of Highland Building and Zoning

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 character of the proposed development aligns well with the existing neighborhood, especially since the proposed use is similar to the previous use and no site modifications are proposed.

7. The effect the proposed rezoning would have on implementation of the City's comprehensive plan.

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

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

The proposed use will not have a negative impact on public utilities, public services, or traffic circulation on nearby streets.

9. Whether the proposed amendment promotes the health, safety, quality of life, comfort and general welfare of the City.

The proposed zoning amendment promotes the health, safety, quality of life, comfort, and general welfare of the City

### Staff Discussion

Staff has no concerns with the requested zoning amendment (rezoning). The subject property, although already developed, meets the bulk requirements of the R-3 district. The applicant has also requested a PUD in conjunction with this zoning amendment request.

### Aerial Photograph



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: Well Care Home NFP Inc. Phone: 314 560 9648  
Address: 100 Faith Dr. Highland, IL Zip: 62249  
Email Address: ahsan.usman@gmail.com  
Owner: AHSAN USMAN Phone: 314-5609648  
Address: 6 Indian Creek Lane Frontenac, MD Zip: 63131  
Email Address: ahsan.usman@gmail.com

PROPERTY INFORMATION:

Street Address or Parcel ID of Property: 01-1-24-08-00-000-002.005

Property is Located In (Legal Description): attached

Present Zoning: R-1-C Requested Zoning: R-3 Acreage: 7.82

Present Use of Property: Vacant

SURROUNDING LAND USE AND ZONING:

|       | Land Use                       | Zoning                               |
|-------|--------------------------------|--------------------------------------|
| North | <u>Single Family Residence</u> | <u>R-1-C</u>                         |
| South | <u>Vacant</u>                  | <u>R-3</u>                           |
| East  | <u>Multi-Family Dwellings</u>  | <u>R-3</u>                           |
| West  | <u>Farm Land/Residential</u>   | <u>Unincorporated Madison County</u> |

**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: Convalescent care is an allowable use in R-3 with a PUD.  
\_\_\_\_\_  
\_\_\_\_\_

**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 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

Ahshan Usman  
Applicant's Signature

7/26/2023  
Date



# City of Highland

## DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT BUILDING AND ZONING DIVISION

### ZONING MAP AMENDMENT (REZONING) APPLICATION

A proposal for a change in district classification (rezoning) may be initiated by either the City Council, the Combined Planning and Zoning Board or by application of the owner of property affected.

1. Pre-Application Conference: A pre-application conference shall be required prior to submission of any application for rezoning pursuant to Section 90.057.
2. Application & Fee: A proposal for a zoning map amendment shall be filed with the Administrative Official on forms provided herein along with a \$250.00 review and processing fee as required pursuant to Section 90.067 of the City's Zoning Code. An application shall not be scheduled for public hearing until the application form has been fully completed, the filing fee paid, and all required information submitted.
3. Public Notice - City: The Office of the Administrative Official shall be responsible for having an official notice of the public hearing published in a newspaper of general circulation at least fifteen (15) days prior to the hearing. The Office of the Administrative Official shall be responsible for following the administrative procedures for a zoning district amendment as prescribed in the adopted zoning regulations. The notice shall fix the time and place of the hearing and shall describe generally the change requested.
4. Notice to Neighbors - City: It shall be the City's responsibility to submit a notice of intent to surrounding property owners by regular mail **no less than 15 days prior to the scheduled meeting date**. The notice shall contain the time and place of the public hearing and a statement regarding the purpose of the hearing, including, but not limited to, the location of the subject property(s) being considered for rezoning, the existing and proposed zoning classifications and proposed uses for the site. (Notice must entail a minimum of 250 feet from the applicant's property lines).
5. Public Hearing: The Combined Planning and Zoning Board shall hold a public hearing at which time citizens and parties of interest shall have an opportunity to be heard. At the hearing any interested party may appear and testify, either in person or by duly authorized agent or attorney. The public hearings are held in City Hall located at 1115 Broadway, Highland, IL in the Council Chambers.
6. Combined Planning and Zoning Board Recommendation: The public hearing may be adjourned from time to time and upon its conclusion, within a reasonable time after the public hearing on a zoning amendment the Combined Planning and Zoning Board shall submit their advisory report to the Council. This recommendation shall be submitted along with an accurate record of the public hearing. The report shall state the Combined Planning and Zoning Board recommendations regarding adoption of the proposed amendment, and their reasons for said action. If the effect of the proposed amendment would be to alter district boundaries or to change the status of any use, the Combined Planning and Zoning Board shall include in their advisory report findings of fact concerning each of the following matters:
  - a. Existing use and zoning of the property in question;
  - b. Existing use and zoning of other lots in the vicinity of the property in question;
  - c. Suitability of the property in question for uses already permitted under existing

requirements;

- d. Suitability of the property in question for the proposed uses;
  - e. 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;
  - f. The effect the proposed rezoning would have on implementation of this City's comprehensive plan;
  - g. The effect the proposed use would have on public utilities and on traffic circulation on nearby streets;
  - h. Whether the proposed amendment is consistent with the City's Comprehensive Plan and this Chapter;
  - i. Whether the proposed amendment promotes the health, safety, quality of life, comfort and general welfare of the City;
  - j. Adequacy of public utilities, traffic circulation and other needed public services;
  - k. Compatibility of the proposed amendment to the existing character of the neighborhood;
  - l. The extent to which the zoning amendment may detrimentally affect nearby property; and
  - m. Suitability of the uses to which the property has been restricted under its existing zoning.
7. Decision by Council: The Council shall act on every proposed zoning amendment at their next regularly scheduled meeting following submission of the Combined Planning and Zoning Board' advisory report. Without further public hearing, the Council may pass any proposed amendment or may refer it back to the Combined Planning and Zoning Board for further consideration, by simple majority vote of all the members then holding office.
8. Appeal: The favorable vote of at least two-thirds of all the members of the Council is required to pass an amendment to this chapter when the proposed amendment is opposed, in writing, by the owners of 20 percent of the frontage proposed to be altered, or by the owners of 20 percent of the frontage immediately adjoining or across an alley there from, or by the owners of 20 percent of the frontage directly opposite the frontage proposed to be altered. (See 65 ILCS 5 /11-13-14.)



# City of Highland Building and Zoning

**Meeting Date:** August 25, 2023

**From:** Emily Calderon, AICP, Moran Economic Development

**Location:** PIN# 01-1-24-08-00-000-002.005

**Zoning Request:** Planned Unit Development

**Description:** PUD to allow for a convalescent care center

## Proposal Summary

The applicant and property owner is Well Care Home NFP, Inc. (Ahsan Usman, 6 Indian Creek Lane, Frontenac, MO 63131). The applicant of this case is requesting the following Planned Unit Development to comply with Table 3.1 of Section 90-201 of the City of Highland Municipal Code (hereafter known as the “zoning matrix”):

- **A convalescent care center located in the R-3 district, located at 100 Faith Drive (PIN# 01-1-24-08-00-000-002.005)**

## 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 Multi-Family on the Comprehensive Plan’s Future Land Use Map. The applicant’s request is consistent with the Future Land Use Map and the goals and policies established within the Comprehensive Plan.

## Surrounding Uses

| Direction | Land Use                         | Zoning         |
|-----------|----------------------------------|----------------|
| North     | Duplex                           | R-1C           |
| South     | Vacant                           | R-3            |
| East      | Multifamily Dwellings            | R-3            |
| West      | Rural Residential / Agricultural | Unincorporated |





## City of Highland Building and Zoning

### Standards of Review for Planned Unit Developments

Below are the four (4) consideration items listed in Section 90-199 of the Zoning Code which the Combined Planning and Zoning Board shall take into account while reviewing a PUD request.

1. The extent to which the proposed development is consistent with the city's comprehensive plan and with the purposes of this article and of all other applicable codes and ordinances.  
**The development is consistent with the Comprehensive Plan and with all other applicable codes and ordinances.**
2. The extent to which the proposed development deviates from the regulations that are generally applicable to the property (including, but not limited to, the use and lot and building regulations of the district), and the apparent merits (if any) of said deviations.  
**The proposed development does not deviate from regulations that are generally applicable to property zoned for multi-family uses.**
3. Whether the proposed design of the PUD makes adequate provisions for vehicular and pedestrian circulation, off-street parking and loading, separation of residential and commercial uses, open space, recreational facilities, preservation of natural features, and so forth.  
**The existing site design will support the proposed use of a convalescent care center well. Because the site exists and no modifications are proposed, a site plan is not required for this PUD.**
4. The compatibility of the proposed PUD with adjacent properties and surrounding area.  
**The proposed PUD is compatible with adjacent properties and the surrounding area.**

### Staff Discussion

Staff has no concerns with the Planned Unit Development at this time given that the area is identified as multi-family within the comprehensive plan and the use of a convalescent care center is similar in use.

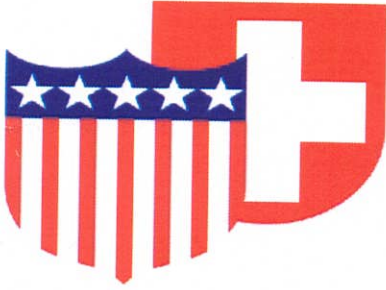
The applicant has already requested rezoning for the subject property, which should be considered collectively with this PUD application.



City of Highland  
Building and Zoning

Aerial Photograph





# City of Highland

DEPARTMENT OF ECONOMIC AND  
COMMUNITY DEVELOPMENT  
BUILDING AND ZONING DIVISION

## PLANNED UNIT DEVELOPMENT (PUD) 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: Well Care Home NFP Inc. Phone: 314-560-9648  
Address: 100 Faith Dr. Highland, IL Zip: 62249  
Email Address: au.ahsanusman@gmail.com  
Owner: AHSAN USMAN Phone: 314 560 9648  
Address: 6 Indian Creeks Lane Frontenac, MO 63131  
Email Address: au.ahsanusman@gmail.com

### PROPERTY INFORMATION:

Location of Property: 01-1-24-08-00-000-002.005  
Legal Description: attached  
Present Zoning Classification: R-1-C Acreage: 7.82  
Present Use of Property: Vacant  
Proposed Land Use Activity: Convalescent Care

Description of proposed use and reasons for seeking a Planned Unit Development/Special Use permit: The proposed use is convalescent care. Convalescent care is an allowable use in R-3 with a PUD.

**SURROUNDING ZONING AND LAND USE:**

|       | <u>Land Use</u>                | <u>Zoning</u>                        |
|-------|--------------------------------|--------------------------------------|
| North | <u>Single Family Residence</u> | <u>R-1-C</u>                         |
| South | <u>Vacant</u>                  | <u>R-3</u>                           |
| East  | <u>Multi-Family Dwelling</u>   | <u>R-3</u>                           |
| West  | <u>Farm Land/ Residential</u>  | <u>Unincorporated Madison County</u> |

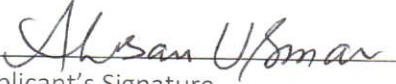
Should this Planned Unit Development/Special Use permit be valid only for a specific time period? Yes \_\_\_\_\_ No x

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

| <b><i>Does the proposed Planned Unit Development/Special Use permit meet the following standards? If not, attach a separate sheet explaining why.</i></b>   | <b>Yes</b>                          | <b>No</b>                |
|---|-------------------------------------|--------------------------|
| A. The extent to which the proposed development is consistent with the City's comprehensive plan and with the purposes of this Article and of all other applicable codes and ordinances.  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| B. The extent to which the proposed development deviates from the regulations that are generally applicable to the property (including, but not limited to, the use and lot and building regulations of the district), and the apparent merits (if any) of said                   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| C. Whether the proposed design of the PUD makes adequate provisions for vehicular and pedestrian circulation, off-street parking and loading, separation of residential and commercial uses, open space, recreational facilities, preservation of natural features, and so forth. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. The compatibility of the proposed PUD with adjacent properties and surrounding area; and   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E. Any other reasonable criteria that the Combined Planning and Zoning Board may devise.  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**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).

  
Applicant's Signature

  
Date

**Well Care Home, NFP, INC**  
**100 Faith Drive**  
**Highland, IL 62249**  
**Cell: 314-560-9648**

The purpose of this request is to gain permission to re-open this well built building as a healthcare facility. Well Care Home NFP, INC will provide healthcare services to our senior citizens by obtaining state licenses for assisted living facility and skilled nursing facility.

Assisted Living Facility comprises 36 studio apartments. We will be able to provide physical therapy, rehabilitation, nursing care and help with medication intake.

Skilled nursing facility comprise 60 beds of long term care and 14 beds as dementia unit. We will be able to provide very comprehensive health care and rehabilitation. If state allows then goal is to provide dialysis onsite for residents who need hemodialysis or peritoneal dialysis. There are not even a single nursing home in miles radius who provide dialysis onsite. Well care home NFP, INC and city of highland will be known for this unique and very rare service available in the region.

Well Care Home NFP, INC will be operated by the licensed administrators, registered nurses, CNAs and LPNs. Dr. Ahsan Usman board certified physician will be the medical director available to serve our residents 24/7. Physician will be available after hours and over the weekends which will make us stand out even more as compared to any other nursing homes in the area. Our commitment and dedication to serve our community will be exceptional and exemplary.

Well Care Home NFP, INC will be able to create more than 50 jobs when it is fully operational. Local residents will not have to go out of town for job opportunities. This vacant building will become an asset for the city of Highland by retaining our senior citizens in town and receiving outstanding comprehensive health care services right here close to their loved ones. This facility will attract several senior residents and families to come to the city of Highland to seek unmatched and extraordinary care.

*Ahsan Usman*

**Section 90.191:** Purpose; intent.

The purpose of this Section is to provide for permissive and/or alternative zoning procedures for the development of tracts of land under the continuing and uninterrupted ownership of an individual or of a legally existing entity, with such individual or entity having total control and dominion of all development and uses made of such tract. A planned unit development (PUD) allows mixed use development provided the total development density is not greater than the maximum density permitted under the existing zoning requirements. In addition, a planned unit development is encouraged to permit:

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

**Section 90.192:** Districts where allowed

Planned unit developments may be built in any zoning district, but only upon the issuance of a special use permit which will require for the life of the special use the continuing and uninterrupted ownership and control of development and uses of the tract of land by one individual or single legally existing entity.

**Section 90.193:** Permissible deviations from ordinance requirements.

The planned unit development concept is intended to afford both the developer and the City considerable flexibility in formulating development proposals. Consequently, to the extent indicated in this Subsection, PUD's may deviate from generally applicable ordinance requirements without a variance. Any proposed deviation not listed below, however, shall require a variance.

1. Mixed uses. PUD's may include all types of residential and commercial structures and other uses approved by the City Council; provided, that in approving such mixed uses, the City Council may attach any conditions necessary to protect the public welfare.
2. Lot and structure requirements. In PUD's the City Council may approve any reasonable deviation from the lot and structure requirements of the particular zoning district so long as

the different uses within the PUD are appropriately interrelated and property abutting the PUD is adequately protected from any potential adverse impacts of the development.

3. Accessory uses. In PUD's the City Council may allow the developer to disregard the usual restrictions on accessory uses other than the prohibition against using an accessory structure as a dwelling.
4. Location of parking/loading *spaces*. By permission of the City Council, off-street parking and loading spaces in PUD's need not be located in accordance with generally applicable requirements, except state handicap accessible parking requirements.

**Section 90.194:** PUD procedures

Every applicant for PUD approval shall comply with the procedural requirements of this Subsection. The required procedures are as follows:

1. Filing a site development plan pursuant to the Site Plan Submittal Requirements in Article II Division 3 with the Building and Zoning Division.
2. Provision by the developer of adequate assurance for the completion of required improvements as per the approved site plan.
3. Public hearing by the Combined Planning and Zoning Board.
4. Action by City Council on the development plan.
  - a. Advisory report; criteria considered. The Combined Planning and Zoning Board shall submit to the City Council a written advisory report concerning acceptance/ rejection of the development plan. In deciding what their advice should be, the Combined Planning and Zoning Board shall consider the following criteria:
    - i. The extent to which the proposed development is consistent with the City's comprehensive plan and with the purposes of this Article and of all other applicable codes and ordinances.
    - ii. The extent to which the proposed development deviates from the regulations that are generally applicable to the property (including, but not limited to, the use and lot and building regulations of the district), and the apparent merits (if any) of said deviations.
    - iii. Whether the proposed design of the PUD makes adequate provisions for vehicular and pedestrian circulation, off-street parking and loading, separation of residential and commercial uses, open space, recreational facilities, preservation of natural features, and so forth.
    - iv. The compatibility of the proposed PUD with adjacent properties and surrounding area.
    - v. Any other reasonable criteria that the Combined Planning and Zoning Board may devise.
  - b. Decision by City Council. After the Combined Planning and Zoning Board have submitted their advisory report, the City Council, by resolution, shall either approve or disapprove the PUD development plan. The City Council shall not approve any PUD development plan unless:



- i. The developer has posted a performance bond or escrow deposit in the amount equal to 50 percent of the cost of constructing the required improvements as certified by a registered professional engineer of Illinois.
- ii. The proposed PUD, as evidenced by the development plan, complies with all applicable codes.
- iii. The proposed PUD public improvements meet the design requirements of the City's Land Development Code.

**Section 90.195:** Changes in approved plans.

No changes shall be made to any approved PUD development plan except as follows:

1. Minor changes, which do not substantially affect the design or intent of the final development plan and are required by engineering or other circumstances not foreseen at the time the final development plan was approved, shall be submitted to the City upon written application to the administrative official.
2. All proposed changes will be reviewed by City staff and engineers and written recommendations forwarded to the administrative official.
3. Approval or denial of all minor changes shall be returned in writing to the applicant by the administrative official.
4. All other changes shall require a public hearing before the Combined Planning and Zoning Board and a resolution by the City Council.
5. No approved change shall have any effect until it is recorded with the Madison County Recorder of Deeds as an amendment to the recorded copy of the development plan.

