

AGENDA
ZONING BOARD OF APPEALS

December 11, 2013

6:30 PM

CITY HALL, 312 ½ N. MAIN ST., GALENA, IL

1. Call to Order
2. Roll Call and Declaration of Quorum
3. Approval of October 9, 2013 Meeting Minutes

OLD BUSINESS

4. Cal. No. 11A-04, Applicant: City of Galena - 312 ½ North Main Street Galena, IL 61036. Request for Text Amendment to Section 154.015 and Section 154.406 (H) (6) to revise the Definition of Recreational Vehicles and the Storage Regulations for Recreational Vehicles. *This was recommended for approval by the ZBA at the October 12, 2011 meeting, but never made the agenda at City Council. Zoning Administrator asks ZBA for consideration to reinitiate the Text Amendment and place on the Council's agenda at the next available meeting.*

NEW BUSINESS

5. Cal. No. 13S-05, Applicant: Eric Dregne, Prairie Ridge of Galena, LLC – PO Box 6425, Galena, IL 61036. Owner: Midwest Medical Center, 1 Medical Center Drive, Galena, IL 61036. Location: Lot Three (3) of Midwest Regional Medical Center Subdivision, being a part of the South Half of the SW Quarter of Section 2, T28N, R1W of the 4th P.M., Rawlins Township, County of Jo Daviess in the State of Illinois. Request for Special Use Permit to allow a new 60-unit, Senior Living Community, Large Group Residential Use in a General Commercial District.
6. Cal. No. 13HCO-02, Applicant: Eric Dregne, Prairie Ridge of Galena, LLC – PO Box 6425, Galena, IL 61036. Owner: Midwest Medical Center, 1 Medical Center Drive, Galena, IL 61036. Location: Lot Three (3) of Midwest Regional Medical Center Subdivision, being a part of the South Half of the SW Quarter of Section 2, T28N, R1W of the 4th P.M., Rawlins Township, County of Jo Daviess in the State of Illinois. Request for Non-Administrative Highway 20 Development Permit to construct a new 60-unit, Senior Living Community and associated site improvements.

COUNTY ZONING

7. None

WORKSESSION & OTHER

8. None

PUBLIC COMMENTS

9. Public Comments

10. Adjourn

Persons who have difficulty using the front stairs are invited to use the lift located at the Bench Street entrance to City Hall. Anyone who may require special assistance or special accommodation should contact City staff during office hours at 777-1050, prior to the meeting.

*Posted December 5, 2013
By Matt Oldenburg*



MINUTES
ZONING BOARD OF APPEALS
OCTOBER 9, 2013

DRAFT

CALL TO ORDER:

Chairperson Rosenthal called the regular meeting of the Zoning Board of Appeals to order at 6:30 PM on Wednesday, October 9, 2013 at City Hall, 312 ½ N. Main Street, Galena, IL.

Kim Cook was appointed by Mayor Renner and approved by the City Council to fill Robert Carlisle's unexpired term.

ROLL CALL AND DECLARATION OF QUORUM:

As Roll Call was:

Baranski	Present
Bochniak	Present
Cook	Present
Holman	Absent
Nybo	Present
O'Keefe	Present
Rosenthal	Present

A quorum was declared.

Matt Oldenburg, Zoning Administrator, Joe Nack, City Attorney, and Deb Price, Secretary, were also present.

APPROVAL OF MINUTES

MOTION: O'Keefe moved, seconded by Bochniak to approve the minutes from the August 14, 2013 meeting.

Motion carried on voice vote.

OLD BUSINESS

Cal. No. 13A-02, Applicant & Property Owner: Daniel Balocca – Address commonly known as "The Felt Manor", located at 125 South Prospect Street, Galena, IL 61036; PIN: 22-100-565-00. Request for Text Amendment to Zoning Ordinance Table 154.403.1 Permitted Land Uses and associated Small Inn definition in §154.015 to amend Low Density Residential District to allow for Public Accommodations, Small Inns to operate by Special Use Permit only. The Felt Manor currently operates as a Bed & Breakfast with 5 guest rooms within a Low Density Residential District. Small Inns are allowed 6-8 guest rooms by Special Use Permit only in Commercial and Neighborhood Office Districts. The proposed Text Amendment will affect

Public Guest Accommodations in Low Density Residential Districts within corporate boundaries of the City of Galena. The Applicant's request was concurrently requested with a Special Use Permit to allow a 6th guest room in the Carriage House at the rear of the property. This public hearing is a directed continuation, by City Council, of the public hearing held with the Zoning Board of Appeals on July 10, 2013.

Nybo asked to be recused due to the fact that he is the owner of a small inn.

Rosenthal granted Nybo's request.

MOTION: Baranski moved, seconded by Bochniak to open the Public Hearing on Cal. No. 13A-02.

Motion carried on voice vote with O'Keefe voting no.

City Attorney Nack swore all those in who wished to testify at the Public Hearing.

Dan Balocca, 125 S Prospect Street, Galena said he is asking for the Text Amendment to allow Small Inns in Low Density Residential Districts by Special Use Permit only. Currently Small Inns are not allowed in Residential Districts and there is no measure which allows someone to apply for a SUP to operate a Small Inn. This request aligns with the City's intent in Section 154.406. This section was modified in December of 2012 to add the words large and historic. He wants the City to provide the process so one is allowed to apply for a Special Use Permit. All he asks is that the Board do their job by hearing his request and determining its merit. There are currently four small inns in Low Density Residential areas. There are few if any complaints that he knows of. Guest accommodations contribute to the hotel motel tax - which helps pay for the visitor's center, they contribute with increased tourism, the improved properties generate more taxes for the interpretive history sites and they help provide for a total experience for those visiting Galena. Tourists want a total package when visiting Galena. The City's ordinance allows for maintenance of large buildings. Balocca said he has invested a great deal of money into his property and would continue to do so if allowed to apply for a SUP.

Rosenthal asked all those wishing to speak in favor of the request to come forward and testify,

Adam Johnson, 211 Fourth Street, Galena said as an architect he has had to apply for a Special User Permit before. It is not a rubber stamp of approval. Allowing someone to apply for a SUP would mean a property owner would be able to derive the maximum use of their property and help offset expenses associated with the maintenance of such large historical properties. We don't want these properties demolished. A SUP allows the City to have controls in place; if these are violated the SUP can be revoked. The city should allow the possibility for one to apply.

O'Keefe asked if all B and B's should be allowed to apply.

Johnson said no. Each property is unique. The application process needs to be gone through to see if the use fits.

Baranski asked Johnson if he felt the ordinance should allow someone to apply for a SUP.

Johnson said yes. You should be able to apply, but that does not mean all should or would get approval.

Anna Hemm, 226 S High Street, Galena said this Special Use would be needed to save the outbuildings. Would the City rather see these buildings decay and ultimately be destroyed. Be open minded and allow this use. The historical buildings are what bring people to Galena.

O'Keefe asked if buildings were more important than the residences which would neighbor a Small Inn.

Hemm said these buildings are important. She thought when someone moves to Galena and into these areas you should probably expect that there will be additional traffic in these historic districts. Everyone who lives on High Street parks on the street. Why should parking negatively impact a Small Inn.

Carter Newton, 129 S High Street, Galena has lived on High Street for many years near several Bed and Breakfast establishments. Before that his wife's parents lived here. In the 1980's there were two zoning issues on Park Avenue that drew much concern. The proposed 4-plex and the group home had residents worried about the quality of the projects and how they would impact their daily lives on Park Avenue. Both projects provided much needed services for Galena and have caused no real problems for the neighbors. Newton supports the request and asks that the Board approve it.

Bill Fawell, 617 Ridge Street, Galena said he is in favor of the right to apply for a Special Use Permit. In this historically rich town a property owner should be able to apply. We want these properties maintained. Commercial properties need support. If the Text Amendment is approved the scrutiny would come upon the individual Special Use Permit application.

Rosenthal asked all those opposed to the request to come forward and testify.

Rick Pariser, 113 S High Street, Galena said he was addressing the Text Amendment request only. He is asking the Zoning Board to protect his rights in his Low Density Residential home. There are places for Small Inns – Commercial Districts. More of something is not always better. You would be taking tranquil neighborhoods where home owners should be able to expect that this type of environment continue. Allowing Small Inns encroaches on neighboring homeowners rights. Small Inns are Commercial properties and should be in Commercial Districts.

Baranski asked Pariser if someone should have the right to apply. There would be a change in the text so an applicant could apply for a SUP to allow a Small Inn on their property. The Board would need to review the application to see if it was a good fit for a Small Inn.

Pariser said he feels Small Inns should not be in allowed in Residential Districts. He does not believe there should be the ability to apply for a SUP for Small Inns in Residential Districts.

Richard Luther, 32 Cemetery Ridge Road, Galena said he has 37 years of experience in the public sector working in planning and historic planning in California and Iowa. He loves this area; Galena is a unique historic community with dynamic tourism. The idea of introducing Commercial uses into Low Density Residential neighborhoods where single family homes should be most protected is controversial. Bed and Breakfast and small home occupations are allowed in LDR. This district is important because of the historic nature of the homes. Small Inns are for visitors. Small numbers of these should be in Commercial Districts. He does understand why some owners would want a change allowing a Small Inn. He thinks that changing to allow this, no matter how well intended, will result in unintended problems. If this change is approved there could be more requests than expected. He does feel that SUP's can be a good way to address a request. The Board may find that during individual SUP requests there may be many more opposed to the request. Commercial uses are not compatible in residential areas. The City of Galena code does allow B and B's and that seems to be working. He asks that the Zoning Board deny or table the request until they are able to determine what the specific impacts would be. There may be other solutions to resolve the preservation of certain buildings.

Baranski asked what problems would be created if a five room B and B was allowed to add an additional room.

Luther said it depends on the circumstances. In some instances there may not be any problems.

Baranski said the Zoning Board controls a Special Use Permit and can include language to protect the neighborhood.

Luther said that depending on the size and development conditions of the property that may be helpful. Even with some B and B's the additional rooms can cause difficulties. There is an expectation in the code that these properties be compatible with the Residential Districts they reside in.

James Wirth, 121 S High Street, Galena has studied the Text Amendment ordinance. Section 154.005 reads that the purpose is to preserve and protect. The code is not written for Commercial uses to be located in Residential neighborhoods. A Small Inn could end up virtually anywhere in Galena. Property owners would never know if their location was safe from this type of development. Other Commercial type properties would never be allowed in a Residential District - why would a Small Inn be appropriate. A SUP can dictate some conditions, but the general conditions of encroachment, transient rental, not being owner occupied, property values and salability may not be able to be remedied by the Zoning Board. Wirth is very much concerned about preservation, but alternatives should be looked at. What other options are there. A higher intensity use should not be pursued.

O' Keefe believes Small Inns should only be allowed in Commercial Districts.

Wirth concurred.

Baranski asked what impact a sixth room would have if added to a five room B and B.

Wirth said if it was that simple it wouldn't be a problem. Fire code states when you have six rooms there are numerous conditions that must be complied with.

Baranski asked how one more room affects Wirth's neighborhood.

O'Keefe said a Small Inn does not have to be owner occupied.

Baranski said almost any condition can be written into a Special Use Permit. In essence it is one more room. The Board reviews the applications and can place restrictions of the SUP.

Wirth said if it were one more room it would be one thing. Why would anyone want to have just six rooms when they could have eight rooms as the ordinance allows for Small Inns?

Rosenthal asked Balocca if he wished to rebut the testimony of those opposed.

Balocca said a B and B is a Commercial use. He is asking the Board to do their job – listen to requests, approve and if needed limit the permit with conditions.

MOTION: Baranski moved, seconded by Bochniak to close the Public Hearing on Cal. No. 13A-02.

MOTION: Baranski moved, seconded by Bochniak to approve the request for a Text Amendment allowing Small Inns to operate in Low Density Residential Districts by Special Use Permit only.

Discussion: Baranski said he appreciates everyone who has taken time to attend these meetings. He referred to Carter Newton's testimony concerning Park Avenue. There were concerns, but everything has worked out with both of those projects. He said he cannot indicate a specific area where a Small Inn would be appropriate in a Residential District, but currently you can't even apply to be considered for one. Bed and Breakfasts are Commercial uses. This could definitely be a low impact use. He would like the Board to be able to hear a request. The SUP process allows the Board to look at each request. The Board is under no pressure or expectation to approve a request. There are situations where a Small Inn makes sense.

O'Keefe said the intent of the B and B ordinance was to help homeowners off set the high costs of maintaining large historic single family homes. Some of these were grandfathered in. The biggest difference between a B and B and a Small Inn is that Small Inns are not owner occupied. This changes the character of the property. A change like this is major - the Board would be making a significant change to the B and B ordinance. The Board has looked at the B and B code several times since it was written. Opinions do change. O'Keefe said he has nothing against what Balocca is trying to do. Making a change to the B and B ordinance is a big deal. He lived across from a B and B for twenty years and it wasn't a problem, but now that he doesn't live near one - guess what. He prefers not living across from a B and B.

Rosenthal said when looking at the seven approval criteria he doesn't think anything has changed. You have to protect the neighborhoods. He understands that each application is

reviewed on its own merits. Once this door is opened you have to live with it. There is a reason it is written the way it is.

Baranski said he believes the Zoning Board can do their job and objectively review each application on its own merit.

Rosenthal said the current board members will not always be sitting in these chairs. Others may not be concerned with the integrity of the current Board's decisions.

O'Keefe said he thought the City Council should be making these changes.

Baranski said a change could be made that in a Residential District any new Small Inn would have to be owner occupied. The Comprehensive Plan often refers to historic integrity. There may be certain situations where a Small Inn would be ideal in a Residential District.

Rosenthal asked why the City Council sent this back to the Zoning Board.

Baranski said due to a technicality related to when the original Public Notice was published in the Galena Gazette.

O'Keefe said the City Council could always over turn their decision.

Nack said the Board should review the approval criteria.

Baranski said he was not sure if there had been an error in the writing of the text as #1 asks. We have made other changes to the code. It's hard to know.

Baranski said #2 – change of character in the area or throughout the city – does not apply.

O'Keefe said the request does not meet the broad definition of #3 – compatibility with the surrounding area and defining characteristics of the proposed zoning district He said this was his main reason for opposing the request.

Baranski said he thinks it could – depending on the SUP request.

Baranski said the request does comply with #4 – the proposal is in compliance with and in furtherance of the implementation of the goals and policies of the Comprehensive Plan.

O'Keefe said he disagrees. Looking at the definition of Small Inn in the B and B ordinance does not comply with #4.

Baranski said # 5 – adequate public facilities and services are available or will be made available - would be determined by the individual SUP requests.

Baranski said that #6 was also dependent upon the individual SUP request: is there adequate supply of land available in the subject area and surrounding community to accommodate the zoning.

Baranski said #7 would apply - is there a need in the community for the proposal and will there be benefits derived by the community with the proposed rezoning.

Rosenthal said personally he does not agree with #7.

O'Keefe said the B and B definition of a Small Inn clearly states they are only permitted in Commercial Districts. It was intended to keep Residential Districts just that.

As Roll Call was:

Bochniak	Yes
Cook	No
Holman	Absent
Nybo	Recused
O'Keefe	No
Baranski	Yes
Rosenthal	No

Motion denied.

MOTION: O'Keefe moved, seconded by Cook to approve a negative recommendation to the City Council for Cal. No. 13A-02.

As Roll Call was:

Cook	Yes
Holman	Absent
Nybo	Recused
O'Keefe	Yes
Baranski	No
Bochniak	No
Rosenthal	Yes

Motion carried.

Cal. No. 13S-03, Applicant & Property Owner: Daniel Balocca –125 South Prospect Street, Galena, IL 61036. Location: Lot Fifteen (15) and Sixteen (16) in Block Number Three (3) in the City of Galena on the West side of the Galena River in the County of Jo Daviess in the State of Illinois, common address 125 S. Prospect Street, Galena, IL. Request for Special Use Permit to change the use of the Felt Manor from a 5-room Bed & Breakfast to a 6-room Small Inn in the Low Density Residential District, pending Text Amendment to allow Small Inns use in LDR by Special Use Permit. Request was denied at public hearing on August 14, 2013. Letter of withdrawal has been received on August 26, 2013 from Daniel Balocca to withdraw his request for Special Use Permit, Cal. No. 13S-03.

MOTION: O'Keefe moved, seconded by Baranski to allow the applicant to withdraw his Special Use Permit request - Cal. No. 13S-03.

As Roll Call was:

Holman	Absent
Nybo	Recused
O'Keefe	Yes
Baranski	Yes
Bochniak	Yes
Cook	Yes
Rosenthal	Yes

Motion carried.

Nybo returned to the table.

NEW BUSINESS

None

COUNTY ZONING

None

WORKSESSION/OTHER

None

PUBLIC COMMENTS

Dan Balocca stated the Board had now voted once to approve and once to deny his request. This is an inconsistent decision.

Rick Pariser said there was more input, more information and a new Board member to which to debate and make a decision.

MOTION: O'Keefe moved, seconded by Bochniak to adjourn the meeting.

Motion carried on voice vote.

Rosenthal adjourned the meeting at 7:57 PM.

Respectfully submitted by



Deb Price
Zoning Board Secretary

MEMO

To: The Zoning Board of Appeals

From: Matt Oldenburg, Zoning Administrator

Date: December 11, 2013

RE: Cal. No. 11A-04, Applicant: City of Galena – 312 ½ North Main Street Galena, IL 61036. Request for Text Amendment to Section §154.015 and Section §154.406 (H)(6) to revise the Definition of Recreational Vehicles and the Storage Regulations for Recreational Vehicles.

Project Summary:

This Text Amendment was recommended for approval by the ZBA at the October 12, 2011 meeting, but never made the agenda at City Council.

I have dealt with some instances this summer regarding recreational vehicle parking and noticed in previous cases where the current ordinance was not enforced due to the pending Amendment. This may have fallen off of the radar for the past two years. My predecessor and ZBA Members came up with a great Ordinance that provides a more practical approach to storing recreational vehicles as the current Ordinance is very restrictive. I believe the proposed Text Amendment will work much better for the Citizens of this community, while maintaining the aesthetic character of our town.

A recent survey of the town was conducted to see how many and what types of RV's/Trailers were being stored on properties. 117 properties were counted with 168 various campers, boats and utility trailers stored on them; 24 were campers of different sizes, 53 were boats (which most are probably only on property over winter months); 91 were utility trailers, covered and open. 32 of all types were in the driveways (20%). 10 were in the Right of Way (6%).

Please find the attached resolution and recommended amendment changes for your review.

I ask the ZBA for consideration to reinitiate the Text Amendment and place it on the Council's agenda at the next available meeting.

Resolution No. _____

ZONING BOARD OF APPEALS

**DETERMINATION & RECOMMENDATION TO THE CITY COUNCIL
OF THE CITY OF GALENA**

REGARDING

CALENDAR NUMBER: Cal. No. 11A-04

APPLICATION BY: City of Galena - 312 1/2 N. Main Street, Galena, IL 61036

FOR: Request for Text Amendment to Section 154.015 and Section 154.406 (H) (6) to revise the Definition of Recreational Vehicles and the Storage Regulations for Recreational Vehicles.

PROCEDURES

Pursuant to law, a public hearing was held by the Galena Zoning Board of Appeals regarding this matter on October 12, 2011. The hearing was advertised in an edition of the Galena Gazette that was available to the general public between 15 and 30 days prior to the hearing. They were invited to testify if they so desired. A quorum of the Board was present at the hearing in which the subject application and materials were reviewed and all persons were heard who desired to testify.

NATURE OF APPLICATION

The amendment being sought would revise Section 154.015 and Section 154.406 (H) (6) to modify the definition of Recreational Vehicles and the storage regulations for Recreational Vehicles. The amended storage regulations would limit Recreational Vehicle storage areas based on overall lot size.

The current ordinance text contains errors and is too restrictive to allow for the storage of average sized recreational vehicles typically owned by Galena area residents.

PUBLIC SUPPORT AND/OR OBJECTIONS

No one from the public was present to speak in favor of or in opposition to the request.

APPLICABLE SECTIONS OF THE ZONING ORDINANCE

- Article 0, Section 154.015 sets forth the definition of Recreational Vehicles.
- Article 4, Section 154.406 sets forth the storage regulations for Recreational Vehicles.

- Article 9, Section 154.920 sets forth the Review Criteria for Zoning Code Amendments and Rezoning

DETERMINATION

Based upon the facts in this case, the Zoning Board of Appeals does find and conclude that the request by the City of Galena for a text amendment as described above should be approved for the following reasons:

1. The existing code text regulating recreational vehicles contains errors in the dimensional requirements.
2. The current ordinance text is too restrictive to allow for the storage of average sized recreational vehicles typically owned by Galena area residents;
3. Limiting recreational vehicle storage areas based on overall lot size is a more logical and more practical than the existing regulations.
4. The request meets the Review Criteria for Text Amendments given in Section 154.920.

RECOMMENDATION

NOW, THEREFORE BE IT RESOLVED, that this Zoning Board of Appeals does recommend to the City Council of the City of Galena that this request by the City of Galena, for a Text Amendment as described above should be approved as proposed in the original application with the following revisions:

1. The time allowed for loading and unloading of recreational vehicles should be changed from 24 hours to 48 hours.

PASSED AND APPROVED this 12th day of October, A.D. 2011, by the Galena Zoning Board of Appeals by a vote of 5 ayes, 0 nays, 2 absent, 0 abstain, 0 recused.

John Rosenthal, Chairperson

REQUEST FOR AMENDMENT TO ZONING ORDINANCE

For Office Use Only	Date Filed <u>09/21/2011</u> Amendment Calendar No. <u>11A-04</u>
	Fee Paid <u>N/A</u> Receipt No. <u>N/A</u> Amount \$ <u>N/A</u> Date <u>N/A</u>
	Date Set For Public Hearing <u>10/12/2011</u> Date Hearing Held <u>10/12/2011</u>
	Date of Published Notice <u>09/28/2011</u> Newspaper <u>Galena Gazette</u>
	Name of Municipality Where Published <u>City of Galena</u>
	Action by Zoning Board on Amendment Request _____
Comments: _____	

1. Name of Applicant City of Galena Zoning Board of Appeals Telephone Number 815-777-1050
2. Address of Applicant 312 1/2 N. Main St., Galena, IL 61036
3. List land and/or property uses that this proposal would affect: All lots, parcels, or properties under the jurisdiction of the City of Galena.
4. Generally describe the amendment being sought (attach additional pages if necessary): The amendment being sought would revise Section 154.015 and Section 154.406 (H) (6) to modify the definition of Recreational Vehicles and the storage regulations for Recreational Vehicles. The amended storage regulations would limit Recreational Vehicle storage areas based on overall lot size.
5. Specifically describe the proposed amendment word for word (attach additional pages if necessary):
See attached sheets for specific proposed amendment text.
6. Explain why the amendment is being sought in terms of public need, health, safety and/or general welfare: (attach additional pages if necessary): The current ordinance contains errors and is too restrictive to allow for the storage of average sized recreational vehicles typically owned by Galena area residents.

Signature of Applicant DMN. KJ Date 09-22-2011
FOR CITY OF GALENA

Notary Public Debra K. Price Date 09-22-2011

My Commission Expires 9-9-12

* COMMENTS FROM
MAYOR AB HAS ~~STORAGE~~
UNLOAD / LOAD SAME
AS ON STREET TIME.



Application Form Question #5 - Specific Proposed Amendment Text

Section 154.015 - Definitions, definition of Recreational Vehicles to be revised as shown:

RECREATIONAL VEHICLE. A general term for a vehicular unit bearing current license and/or registration, ~~not exceeding 36 feet in overall length, 8 feet in height or 12 feet in overall height,~~ which includes but is not limited to the following specific vehicle types:

(1) **BOAT TRAILER.** A vehicle structure without its own motive power designed to transport a boat for recreation and vacation use to be licensed and registered for highway use.

(2) **CAMPER TRAILER.** A folding or collapsing vehicular structure without its own (motive) power designed as temporary living quarters for travel, camping, recreation and vacation uses; and to be licensed and registered for highway use.

(3) **HORSE TRAILER.** A vehicle structure without its own motive power designed primarily for the transportation of horses and which, in combination with the towing vehicle, to be licensed and registered for highway use.

(4) **MOTOR HOME.** A vehicular unit built on or as a part of a self-propelled motor vehicle chassis, primarily designed to provide temporary dwelling for travel, camping, recreation and vacation use; and to be licensed and registered for highway use. This category shall include converted bus campers.

(5) **RECREATIONAL BOAT.** A vessel, whether impelled by wind, oars or mechanical devices, which is designed primarily for recreation or vacation use. A recreation vessel when mounted upon a boat trailer shall be considered one unit.

6 (5) **TRAVEL TRAILER.** A rigid structure without its own motive power designed as a temporary dwelling for travel, camping, recreation and vacation use; to be licensed and registered for highway use; ~~and which, when equipped for the road, has a body width of not more than eight feet six inches.~~

7 (6) **TRUCK CAMPER.** A portable structure without its own motive power designed to be transported on a power vehicle as a temporary dwelling for travel, camping, recreation and vacation use; and which, in combination with the carrying vehicle to be licensed for highway use.

8 (7) **UTILITY TRAILER.** A vehicle structure without its own motive power designed primarily for the transportation of all manner of motor vehicles, goods or materials and licensed and registered for highway use.

Section 154.406 (H) (6) – Recreational Vehicle Storage regulations to be revised as shown:

~~(6) *Recreational vehicle storage.* On-site long term storage of a recreational vehicle that does not exceed 20 feet in overall length, eight feet in width or six feet in overall height. Recreational vehicles meeting these dimensions may be stored on residential property in accordance with the following regulations. Recreational vehicles which exceed any of those dimensions may not be stored on residential property under any circumstances.~~

~~(a) *Regulations:*~~

~~1. No recreational vehicle, as defined, shall be parked or stored on any lot in a residential district except in a required rear yard providing all yard setbacks are met by the recreation vehicle and the vehicle is parked on a concrete pad. However, such equipment may be parked anywhere on residential premises for a period of time not to exceed 24 hours during loading and unloading no more than twice in any consecutive period of seven days. At least 30 hours must separate each occurrence. No such equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use.~~

~~2. No recreational vehicle intended for portable temporary housing shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot, or in any other location not approved for such use.~~

~~3. No recreational vehicle shall be stored out of doors on residential premises unless it is in condition for safe and effective performance of the function for which it is intended or can be made so at a cost not exceeding the value of the equipment in its existing state. In no case shall any such equipment be so stored for a period of more than six months if not in condition for safe and efficient performance of the function for which it is intended.~~

(6) *Recreational vehicle storage.* On-site long term storage of a recreational vehicle. Recreational vehicles may be stored on a residential property in accordance with the following regulations.

(a) *Dimensional Limits for Stored Recreational Vehicles and Storage Area:*

1. For lots less than 5,000 square feet in size, the Recreational Vehicle storage area shall not exceed 200 square feet and the vehicle height shall not exceed 10'.

2. For lots 5,000 square feet or greater in size, Recreational Vehicle storage area shall not exceed 300 square feet and the vehicle height shall not exceed 12'.

3. Proposed Recreational Vehicle storage areas exceeding 300 square feet in area or vehicles exceeding 12 feet in height shall be allowed only by Special Use Permit.

(b) Storage Location Restrictions:

1. Recreational Vehicle storage area must be located behind the front yard setback line in a side or rear yard area.

2. Recreational Vehicle storage area setbacks from side and rear lot lines shall be equal to the height of the RV with a minimum setback of 5'.

3. Recreational Vehicle storage area must be an improved pad of gravel, concrete or asphalt.

(c) Additional Regulations:

1. Recreational Vehicles may be parked anywhere on residential premises for a period of time not to exceed 24 hours during loading and unloading no more than twice in any consecutive period of seven days. At least 30 hours must separate each occurrence. No such equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use.

2. No recreational vehicle intended for portable temporary housing shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot, or in any other location not approved for such use.

3. No recreational vehicle shall be stored out of doors on residential premises unless it is in condition for safe and effective performance of the function for which it is intended or can be made so at a cost not exceeding the value of the equipment in its existing state. In no case shall any such equipment be so stored for a period of more than six months if not in condition for safe and efficient performance of the function for which it is intended.



MEMO

To: The Zoning Board of Appeals

From: Matt Oldenburg, Zoning Administrator

Date: December 5, 2013

RE: Cal. No. 13S-05, Applicant: Eric Dregne, Prairie Ridge of Galena, LLC – PO Box 6425, Galena, IL 61036. Owner: Midwest Medical Center, 1 Medical Center Drive, Galena, IL 61036. Location: Lot Three (3) of Midwest Regional Medical Center Subdivision, being a part of the South Half of the SW Quarter of Section 2, T28N, R1W of the 4th P.M., Rawlins Township, County of Jo Daviess in the State of Illinois. Request for Special Use Permit to allow a new 60-unit, Senior Living Community as a Large Group Residential Use in a General Commercial District.

The applicant is asking for a Special Use Permit to allow a new 60-unit, Senior Independent Living Community as a Large Group Residential Use in a General Commercial District. The applicant states:

The proposed development will be constructed on Lot 3 of the Midwest Regional Medical Center Subdivision, PUD. This development, with all-inclusive amenities, will be the only Senior Living Community in Galena and Jo Daviess County that offers full services. The 60-apartment complex will begin to meet the high level of need for senior housing in our community. The development will provide housing for up to 120 senior citizens and a host of services for the residents. In addition, \$15,000,000.00 of new development will be the largest private investment in Galena in more than a decade. Ongoing economic impact to Galena and the surrounding area will be significant as well. A market assessment completed by Senior Housing Consultants, Inc. indicates that the selected site and amenities offered will be favorable and compatible with the needs of the target demographic in this area.

The original PUD agreement in June 2006, 06PD-02, rezoned Lot 3 with an underlying default zoning district as General Commercial for a proposed future use for an assisted living or long term care facility. City Staff has interpreted this proposed use as a Large Group Residential Use with long term care that is compatible with the intent of the original PUD agreement and therefore does not require a PUD Amendment.

Staff review indicates that the proposed project is consistent with the objectives of our Comprehensive Plan and that Large Group Residential Use is allowed by Special Use Permit only in General Commercial Districts. This property lies within the Highway 20 Corridor Overlay District and requires a Non-Administrative Highway 20 Development Permit, which is concurrently being requested (Cal No. 13HCO-02).

The Site Plan Review indicates that the proposed principal structure, parking area and landscaping surface ratio meets all residential bulk and density standards as required in §154.202 and §154.207. This proposal is in conformance with and in furtherance of the implementation of the goals and policies of the Comprehensive Plan, the Land Use Map and requirements of the Zoning Ordinance.

Please refer to §154.406 (A)(15)(b) for Large Group Residential Use regulations.

Staff Comments

The Building Official has reviewed the plans for this stage and approves the building height of 3 floors. The City Engineer has also reviewed the plans and requires confirmation that existing water main and sanitary sewer have sufficient capacity for development. He will also require detailed plans for water detention facilities by a certified engineer. These requirements can be submitted after approval of Special Use Permit and Highway 20 Development Permits.

Approval Criteria & Recommendation:

The purpose of a special use review is to provide an opportunity to utilize property for an activity, which under usual circumstances, could be detrimental to other permitted uses and which normally is not permitted within the same district. A special use may be permitted under circumstances particular to the proposed location and subject to conditions that provide protection to adjacent land uses. A special use is not a use by-right and one that is otherwise prohibited without approval of a special use permit.

The application shall demonstrate that the proposed development will comply with the following:

- (1) *Site plan review standards.* All applicable site plan review criteria in § 154.914.
- (2) *District standards.* The underlying zoning district standards established in §§ 154.201 through 154.209 including the defining characteristics of the district;
- (3) *Specific standards.* The land use regulations established in § 154.405;
- (4) *Availability of complementary uses.* Other uses complementary to, and supportive of, the proposed project shall be available including, but not limited to: schools, parks, hospitals, business and commercial facilities, and transportation facilities.
- (5) *Compatibility with adjoining properties.* Compatibility with and protection of neighboring properties through measures such as:
 - (a) *Protection of privacy.* The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and/or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants;
 - (b) *Protection of use and enjoyment.* All elements of the proposed plan shall be designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property.
 - (c) *Compatible design and integration.* All elements of a plan shall coexist in a harmonious manner with nearby existing and anticipated development. Elements to consider include: buildings, outdoor storage areas and equipment, utility structures, building and paving coverage, landscaping, lighting, glare, dust, signage, views, noise, and odors. The plan must ensure that noxious emissions and conditions not typical of land uses in the same zoning district will be effectively confined so as not to be injurious or detrimental to nearby properties.

The Zoning Board of Appeals can grant, conditionally grant, or deny all applications for a Special Use Permit or an amendment thereof. If the Board would like to grant the request, a motion to draft Findings of Fact should be entertained. The Findings of Fact will then be presented for final consideration at the next Board meeting.

CITY OF GALENA, ILLINOIS



Request for Special Use Permit

Name: Prairie Ridge of Galena, LLC. - contact Eric Dregne

Address of Applicant: PO Box 6425 Galena IL 61036

City State Zip

Phone #: 815-281-0061 Email: ericdregne@hotmail.com

Name of Property Owner (if different from applicant): Midwest Regional Medical Center

Address of Interest: PIN 13-000-056-10 Midwest Regional Medical Center Lot #3

Present Use of Property: vacant Proposed Use: senior living community

Zoning District: general commercial zoning district Within Historic District?: Yes No

Reason for Special Use

Please Note: The following questions must be answered completely. If additional space is needed, please attach extra pages to the application.

Please provide a written statement explaining the nature of the proposed special use: _____

60 unit group residential community with all inclusive ammenities - this land use requires a special use permit in a general commercial zoning district under chapter 154.403.1 permitted land use table for large group residential principal land use

Explain how the propose use or expansion is necessary or desirable to provide a service or facility which is in the interest of the public convenience: _____

Prairie Ridge of Galena will be the only senior living community in Galena and in Jo Daviess County that offers full services. The 60 apartment complex will begin to meet the high level of need for senior housing in our community.

Explain how the proposed use or expansion will contribute to the general welfare of the neighborhood or community: _____

The development will provide housing for up to 120 senior citizens and a host of services for the residents. In addition, the \$15,000,000 new development will be the largest private investment in Galena in more than a decade. On going economic impact to Galena and the surrounding area will be significant as well.

Will the proposed use or expansion create noise, glare, vibration, odor, or in any other way be detrimental to the health, safety, morals, or general welfare of persons working or residing in the vicinity?

Yes No If yes, please explain: _____

This proposed use meets the general performance standards as described in chapter 154.701 - 713

Supplemental Data

1. Provide photographs showing various pertinent views of the existing site and buildings.
2. Provide a map that shows the location of the property in the broad context of the City or neighborhood.
3. Provide building, structure, and sign plans to such a scale that all pertinent features are legible, if applicable.
4. Identify the general land use, zoning, and any special characteristics of the adjacent properties to the north, south, east, and west.

North: General Commercial Zone - Indoor Institutional Intensive Use

South: General Agriculture District - Agriculture Use

East: Planned Commercial District - part of MMC Campus

West: General Commercial and General Agriculture - Office land use and Agriculture land use

Names of Surrounding Property Owners

Following are the names and addresses of surrounding property owners from the property in question for a distance of two-hundred-fifty (250) feet in all directions, and the number of feet occupied by all public roads, streets, alleys, and public ways have been excluded in computing the 250 feet requirement. Said names are as recorded in the office of the County Recorder (or the Registrar of Titles of the County) and as appear from the authentic tax records of this County. If additional space is needed, please attach extra pages.

Name	Address
Kurt D Einsweiler	7143 IL RTE 84 North, Galena, IL 61036
Midwest Medical Center	1 Medical Center Drive, Galena, IL 61036
Terrance W. Cole Trustee	PO Box 291, Galena, IL 61036
Dirk A & Suzette M Einsweiler	10900 RTE 20 West, Galena, IL 61036

I (we) certify that all of the above statements and the statements contained in any papers or plans submitted here with are true to the best of my (our) knowledge and belief.

I (we) consent to the entry in or upon the premises described in this application by any authorized official of the County of Jo Daviess for the purpose of posting, maintaining, and removing notices as may be required by law.

[Signature] 11.7.13
Applicant's Signature Date

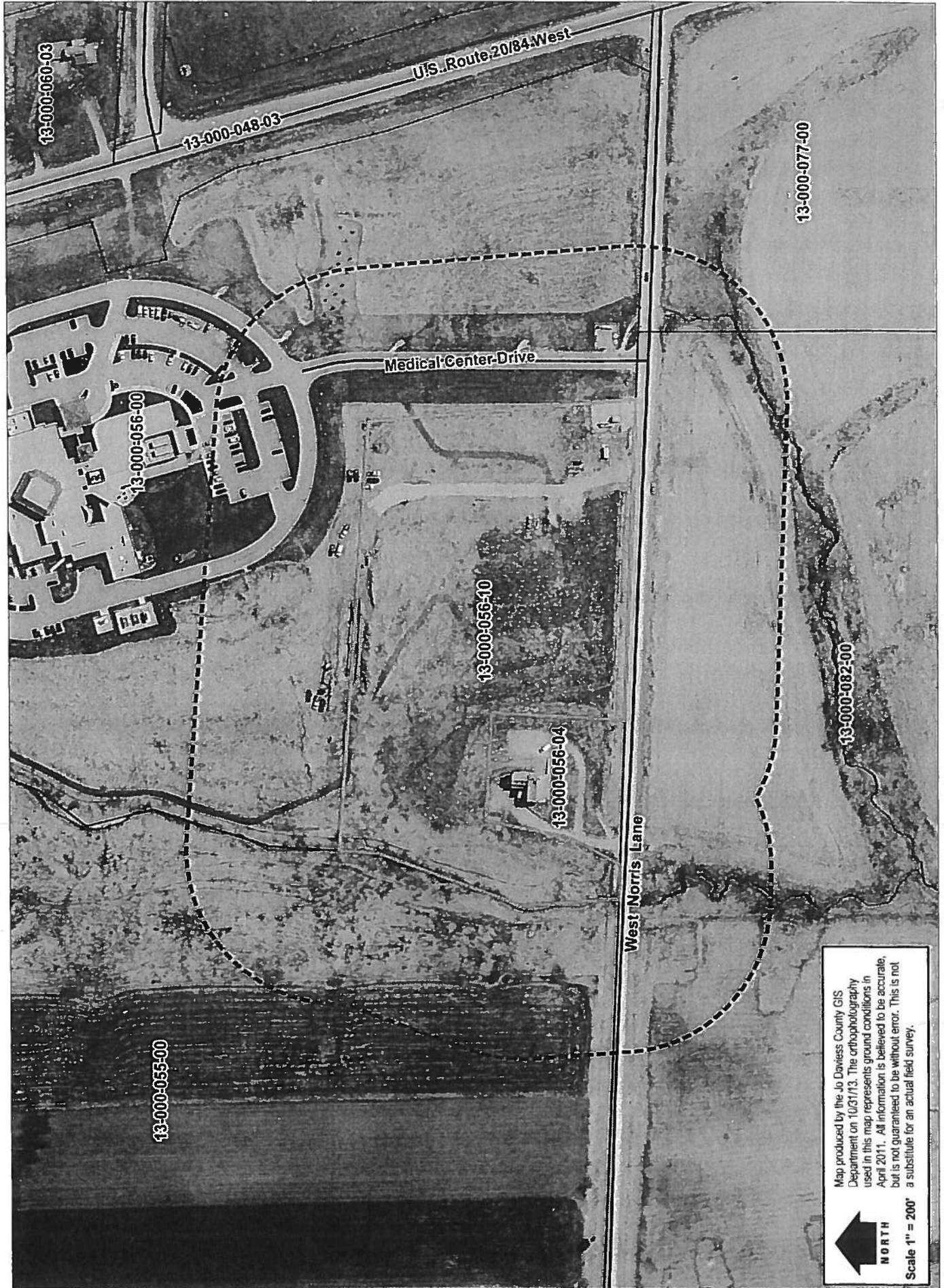
[Signature] 11.13.13
Property Owner's Signature Date

[Signature] 11-13-13
Notary Signature SEAL " ROBERT R. ROTH NOTARY PUBLIC, STATE OF ILLINOIS MY COMMISSION EXPIRES 1/20/2015 " Date Commission Expiration

Parcel_ID	site_address	full_name_1	address_1	csz_1
13-000-055-00	W NORRIS LN GALENA IL	EINSWEILER KURT D	7143 IL RTE 84 NORTH	GALENA IL 61036
13-000-056-00	1 MEDICAL CENTER DR GALENA IL	MIDWEST REGIONAL MEDICAL CENTER	1 MEDICAL CENTER DR	GALENA IL 61036
13-000-056-04	11672 W NORRIS LN GALENA IL	COLE TERRANCE W TRUSTEE	PO BOX 291	GALENA IL 61036
13-000-056-10	11636 W NORRIS LN GALENA IL	MIDWEST REGIONAL MEDICAL CENTER	1 MEDICAL CENTER DR	GALENA IL 61036
13-000-077-00		EINSWEILER DIRK A & SUSETTE M	10900 RTE 20 W	GALENA IL 61036
13-000-082-00		EINSWEILER DIRK A & SUSETTE M	10900 RTE 20 WEST	GALENA IL 61036

Parcel_ID	full_name_2	address_2	csz_2
13-000-055-00	EINSWEILER J ERIC	11022 W RED GATES RD	GALENA IL 61036
13-000-056-00			
13-000-056-04			
13-000-056-10			
13-000-077-00	EINSWEILER JOHN C ESTATE	10900 RTE 20 W	GALENA IL 61036
13-000-082-00	EINSWEILER JOHN C ESTATE	10900 RTE 20 WEST	GALENA IL 61036

Parcels within 250' of 13-000-056-10



Map produced by the Jo Daviess County GIS Department on 10/31/13. The orthophotography used in this map represents ground conditions in April 2011. All information is believed to be accurate, but is not guaranteed to be without error. This is not a substitute for an actual field survey.

▲
NORTH

Scale 1" = 200'

Notice to Applicants

The issuance of special use permits is intended to provide a mechanism whereby certain structures and/or uses that are necessary and desirable but are of a unique, special, or nonrecurring nature may be permitted within certain zoning districts. In all cases the focus of the decision to grant the special use is on the perceived benefit the public interest.

In order for your special use request to receive a positive recommendation from the Zoning Board of Appeals, and for the City Council to approve the permit, you must provide evidence during the public hearing to establish that:

1. The proposed special use is identified in the ordinance as appropriate to the district under consideration.
2. The proposed use complies with all regulations set forth in the Zoning Ordinance.
3. The establishment and operation of the proposed use will not be detrimental to or endanger the health, safety, morals, or general welfare of persons residing or working in the vicinity.
4. The proposed use will provide a necessary or desirable service of facility in the interest of public convenience.
5. The proposed use will be harmonious and compatible with other property in the immediate vicinity.
6. The proposed use will not be injurious to property values or improvements in the immediate neighborhood.
7. The proposed use will contribute to the general welfare of the neighborhood and the community at large.
8. The proposed use will further community development in accordance with the comprehensive plan.

If you have any questions about the application form, the checklist, or the public hearing; please contact the Zoning Department at 777-1050.

City of Galena Use Only

Date Filed: 11/15/13 Site Visit?: Yes No If yes, date: 12/3/13

Fee Paid: _____ Receipt #: _____ Amount: \$ 400.00

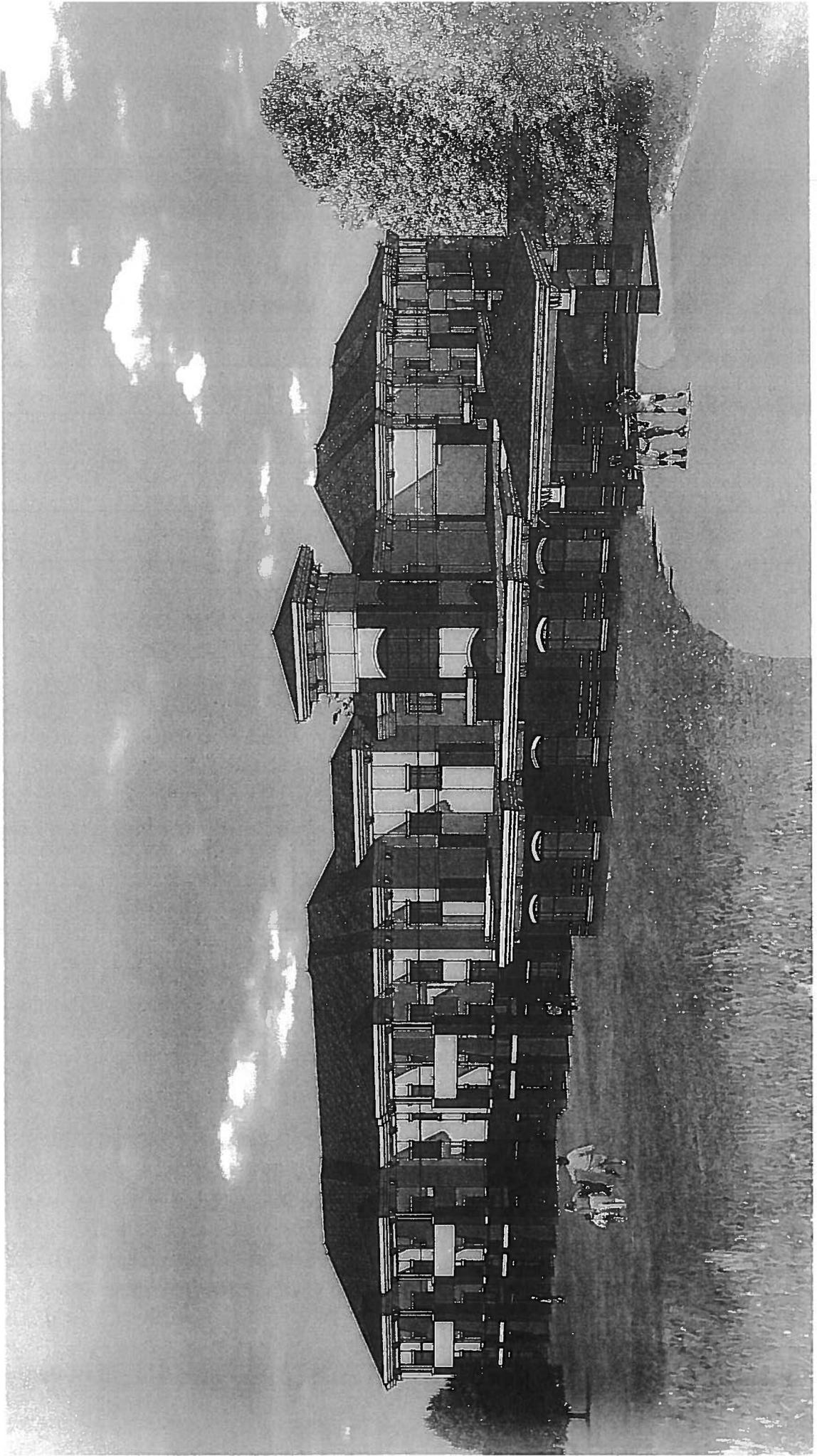
Original Special use Permit Calendar #: 13S-05 Change-of-Ownership Cal. #: _____

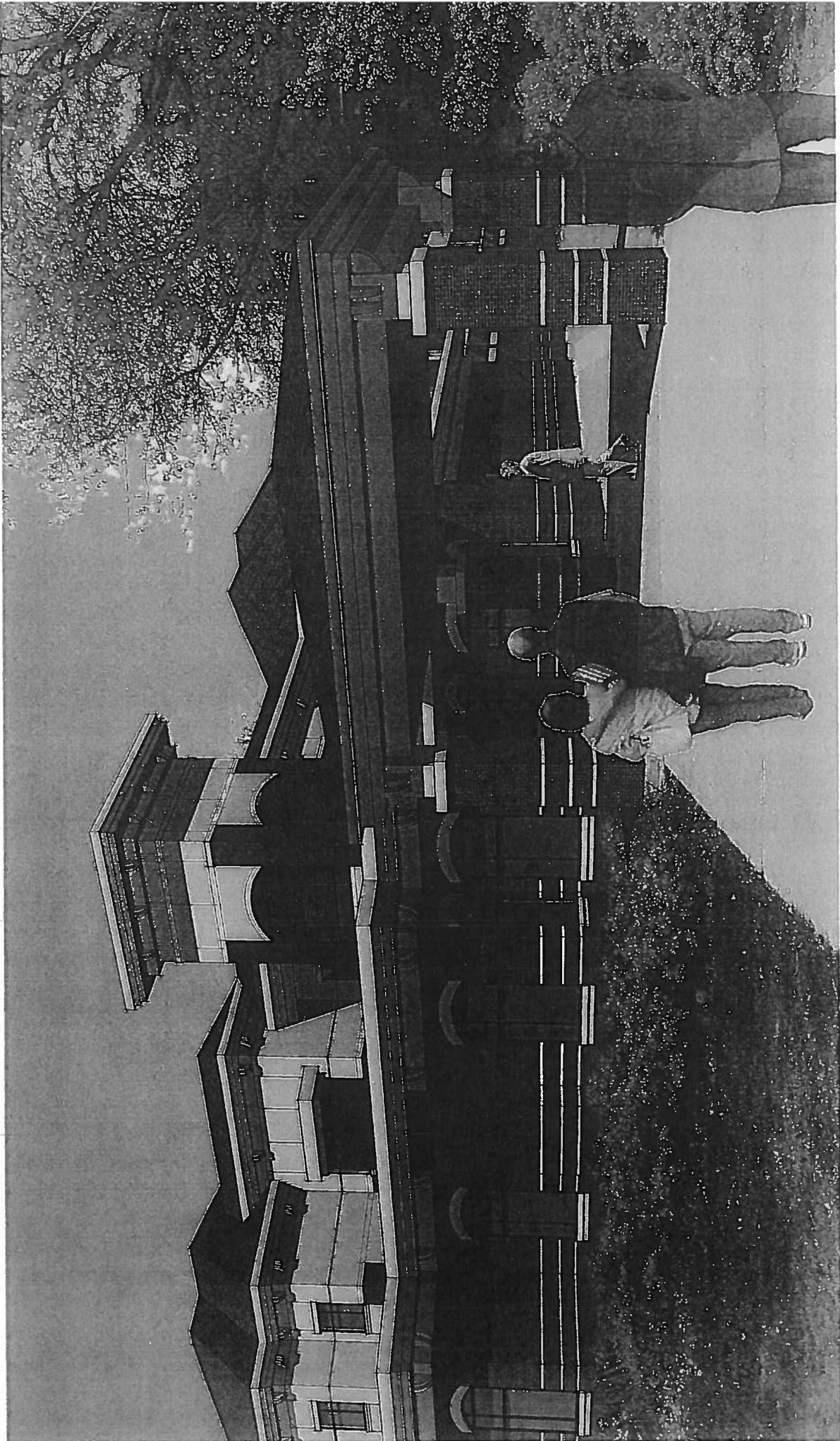
Date of published notice: 11/20/13 Newspaper: GALENA GAZETTE

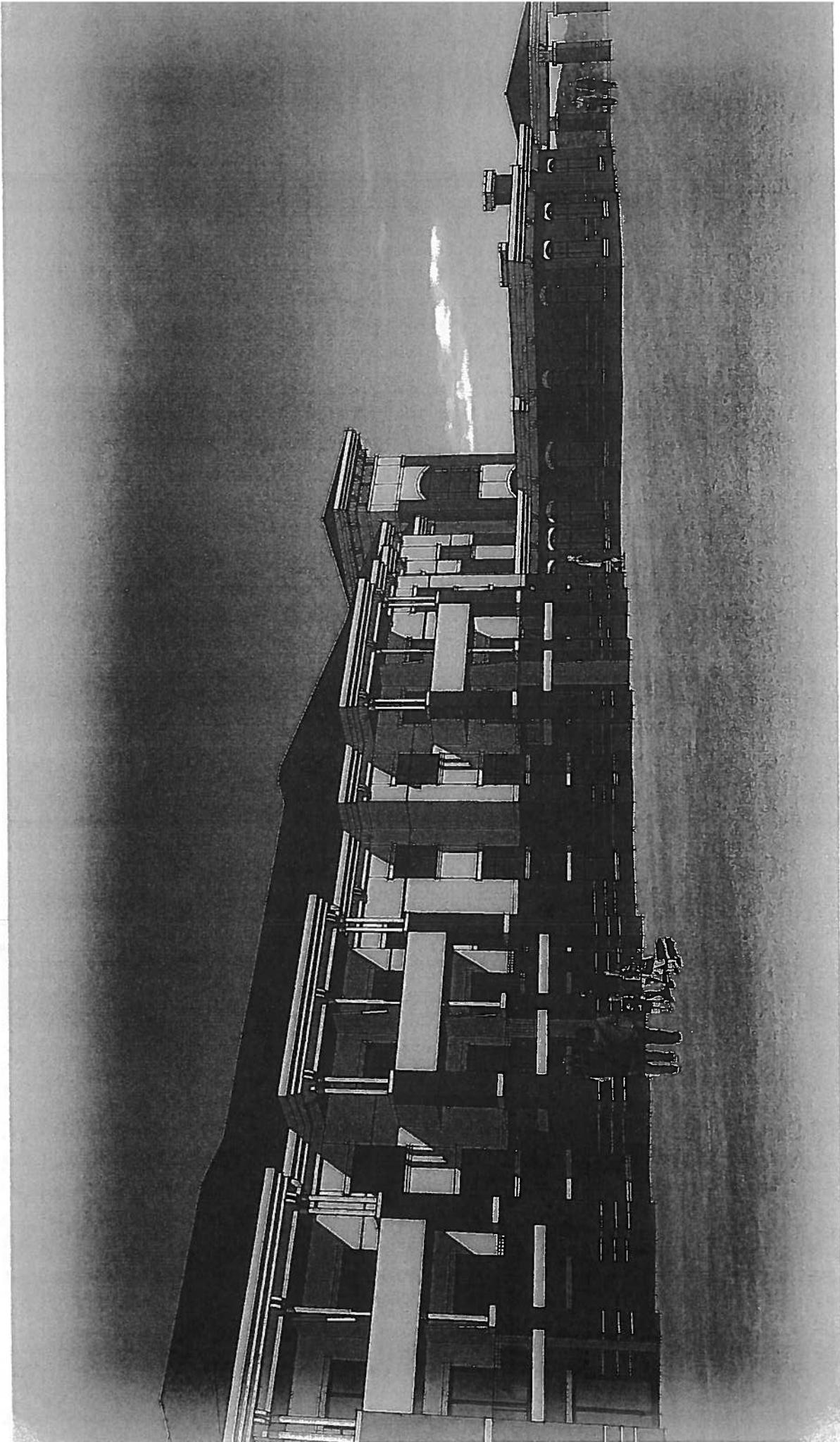
Name of municipality where published: GALENA, IL

Action by Zoning Board on special use request: _____

Comments: _____







CITY OF GALENA, ILLINOIS

312 ½ North Main Street, Galena, Illinois 61036



MEMORANDUM

TO: Prairie Ridge Senior Housing
FROM: Matt Oldenburg, Zoning Administrator *MATT*
DATE: October 1, 2013
RE: Zoning Site Plan Review

§154.202 RESIDENTIAL PRINCIPAL AND MAJOR ACCESSORY STRUCTURES BULK STANDARDS.

Zoning District: General Commercial, Refer to High Density Residential, Attached

Minimum Lot Area: 2,500 ft² Actual Lot Area: **302,001 ft²**

Minimum Lot Width / Street Frontage: 75 / 20 ft Actuals: **813 / 813 ft**

Minimum Setbacks Principal / Major Accessory

Front: 40 / 40 ft Least Side: 10 / 5 ft Sum of Sides: 20 ft Rear: 30 / 5 ft

Minimum Dwelling Separation: 20 ft

Maximum Building Height Principal / Major Accessory: 36 ft Actual: 36 ft

§154.207 RESIDENTIAL DENSITY STANDARDS.

Maximum Gross Density: 16.00 dwelling units/acre Actual: 8.65 du/ac

Principal Building Area: 31,779 ft² Accessory Building Area: N/A

Parking & Driveway Area: 25,738 ft²

Maximum Principal Building Coverage: 50% Actual: 10.5%

Maximum Major Accessory Building Coverage⁽¹⁾: 10% Actual: N/A
(1) Major accessory building coverage shall not exceed 90% of the coverage of the principal building.

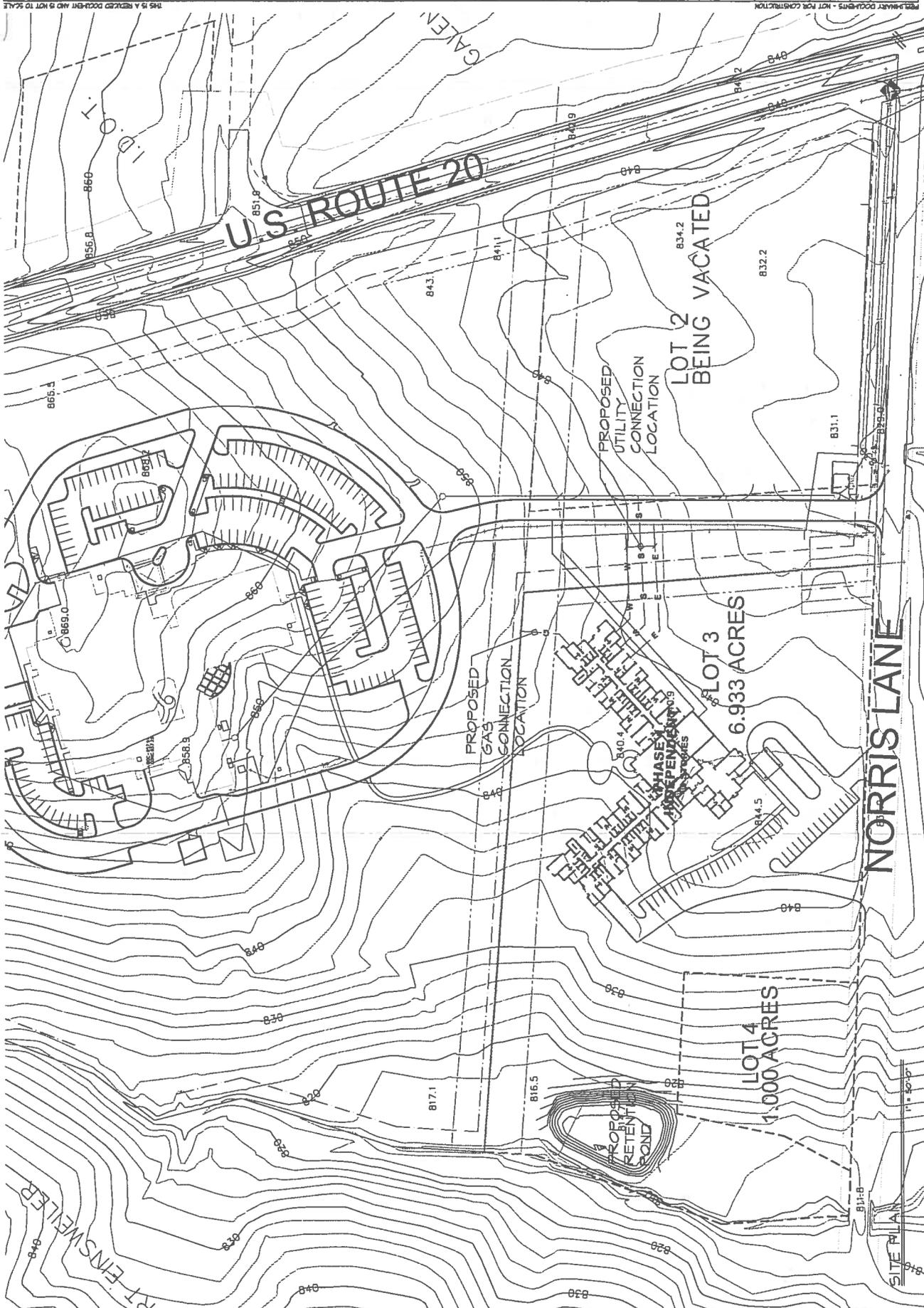
Minimum Landscape Surface Ratio: 30% Actual: 81% approx.

Architects
Straka Johnson
 1100 N. Dearborn
 Chicago, IL 60610
 Phone: 312.467.1000
 Fax: 312.467.1001
 Website: www.strakajohnson.com

The use of these drawings and the construction of the project is the responsibility of the contractor. The contractor shall be responsible for obtaining all necessary permits and for complying with all applicable laws, codes, and regulations. The contractor shall also be responsible for protecting the site and for restoring it to its original condition after construction is complete.

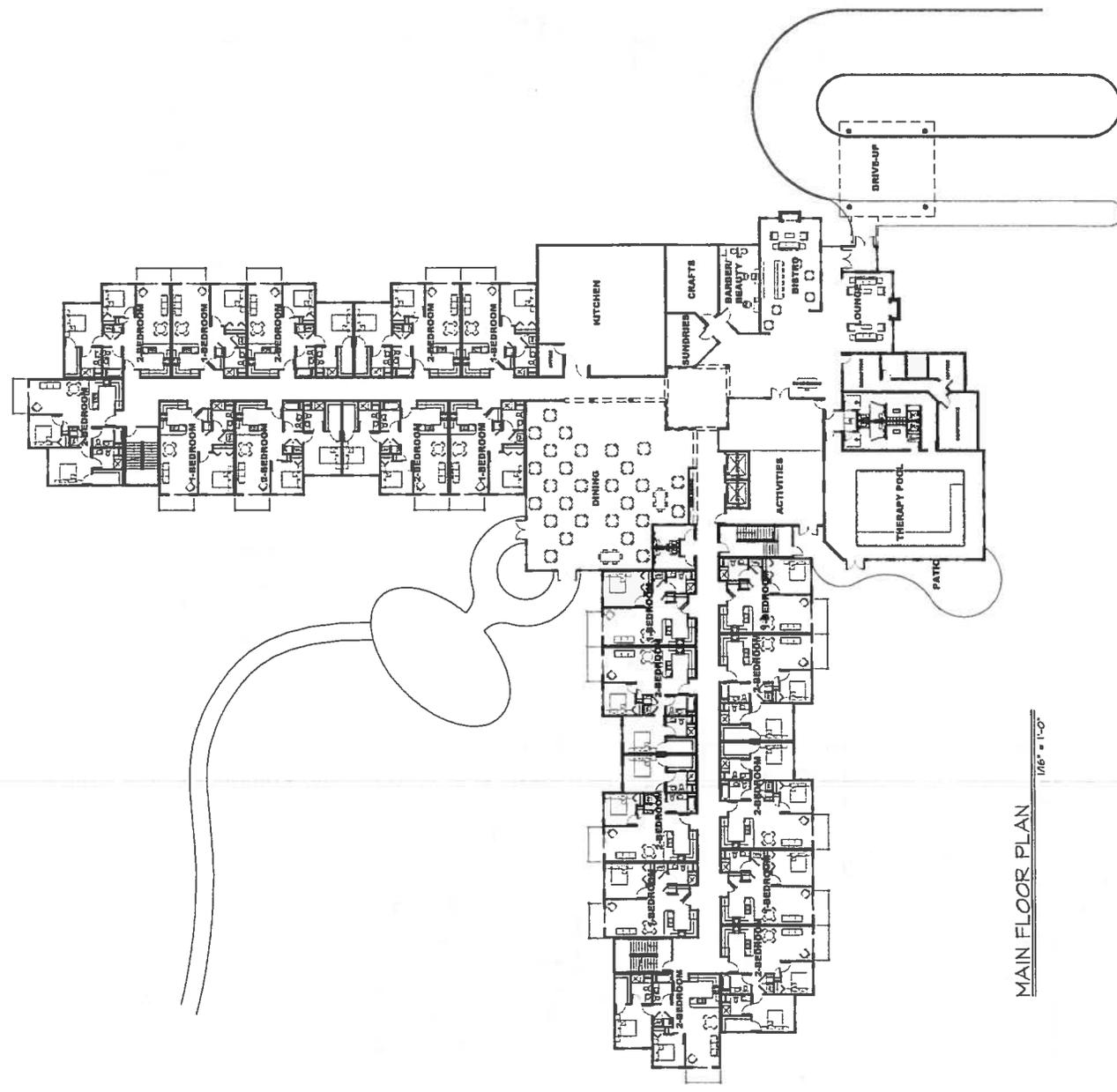
RAIRIE RIDGE SENIOR HOUSING
 DESIGN DEVELOPMENT
 GALENA, ILLINOIS

Date:	11/16/13
Drawn By:	M.J.
Project No.:	110506
Sheet No.:	1 of 6



THIS IS A REVISED DOCUMENT AND IS NOT TO SCALE.

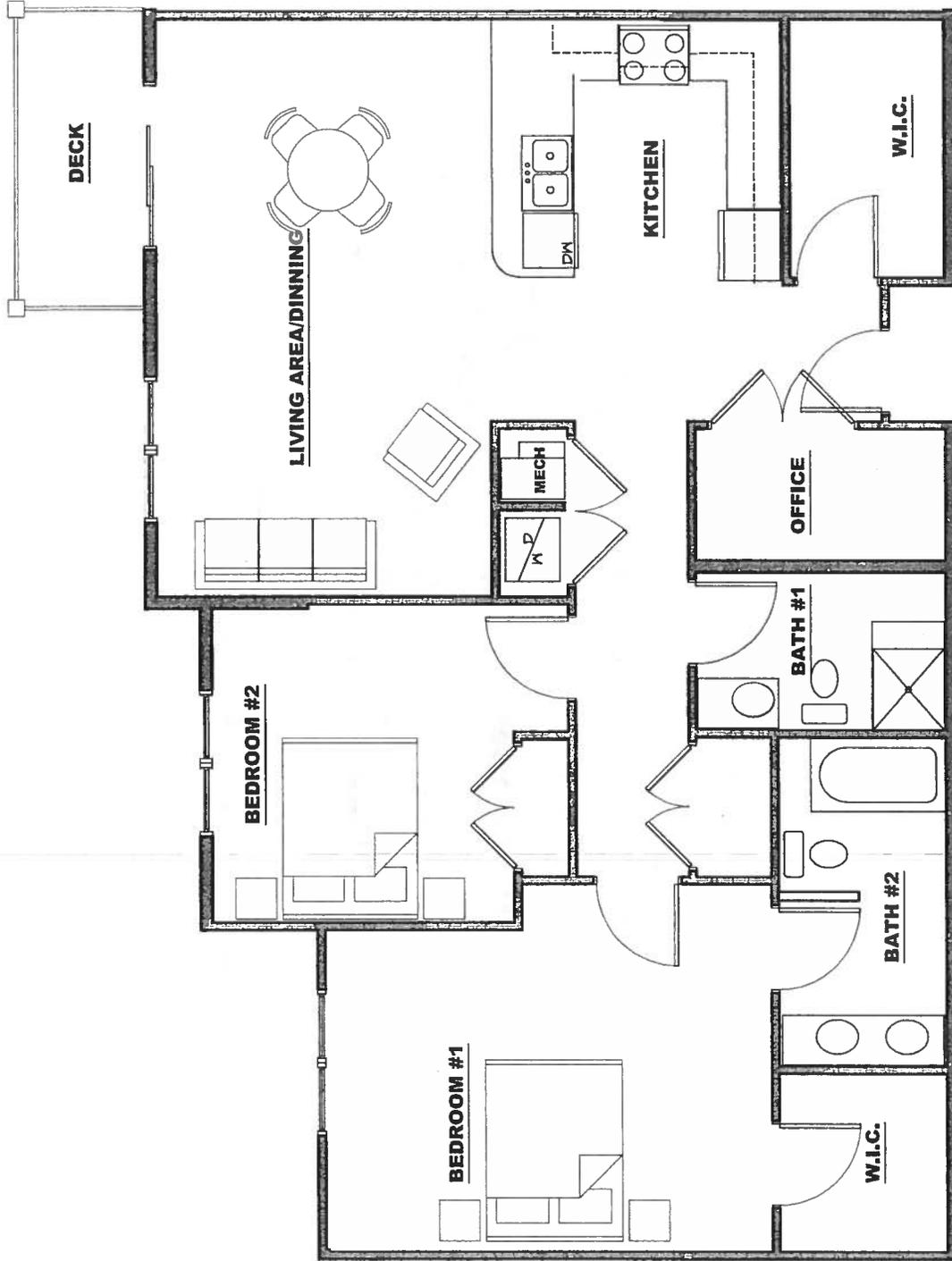
THIS IS A REVISION DOCUMENT AND IS NOT TO SCALE
 STRICKLAND ARCHITECTS, P.C.
 1000 N. WASHINGTON ST.
 CHICAGO, IL 60610
 PHONE: (312) 550-0547
 FAX: (312) 550-0547
 PROJECT NO. 110096



MAIN FLOOR PLAN
 1/16" = 1'-0"



TYPICAL UNIT PLAN
 1/4" = 1'-0"



DELUXE TWO BEDROOM

Ordinance #O-06-17

An Ordinance **AUTHORIZING THE EXECUTION OF A ANNEXATION AGREEMENT.**

Adopted by the City Council of the City of Galena this 26th Day of June 2006.

Published in pamphlet form by authority of the City Council of the City of Galena, Jo Daviess County, Illinois, this 26th Day of June 2006.

STATE OF ILLINOIS)
) City of Galena
COUNTY OF JO DAVIESS)

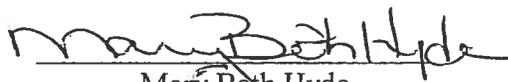
CERTIFICATE

I, Mary Beth Hyde, certify that I am the duly elected municipal clerk of the City of Galena, JoDaviess County, Illinois.

I further certify that on the 26th Day of June 2006, the Corporate Authorities of said municipality passed and approved Ordinance No. O-06-17 entitled **AN ORDINANCE AUTHORIZING THE EXECUTION OF A ANNEXATION AGREEMENT**, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No.O-06-17 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing the 26th Day of June 2006 and commencing for at least ten (10) days thereafter.

Dated at Galena, Illinois, this 26th Day of June 2006.



Mary Beth Hyde
City Clerk

(Seal)

ORDINANCE NO. #O-06-17

AN ORDINANCE AUTHORIZING THE EXECUTION OF A
ANNEXATION AGREEMENT

WHEREAS, it is in the best interests of the City of Galena, Jo Daviess County, Illinois, that a certain annexation agreement pertaining to the land described below be entered into; and

WHEREAS, a copy of such agreement is attached hereto and incorporated herein; and

WHEREAS, the legal owners of record of the property that is the subject of the annexation agreement are ready, willing and able to enter into that agreement and to perform the obligations as required thereunder; and

WHEREAS, the statutory procedures provided in Division 15.1 of Article 11 of the Illinois Compiled Statutes, as amended, 65 ILCS 5/11-15.1, for the execution of the annexation agreement have been fully complied with;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GALENA, JO DAVIESS COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: That the property covered by the Annexation Agreement is described in EXHIBIT A, and

SECTION 2: That the Mayor be and is hereby authorized and directed to execute, and the City Clerk is directed to attest, a document known as "Annexation Agreement" (a copy of which is attached hereto and made a part hereof), and

SECTION 3: The invalidity of any section part, provision, term or phrase of this Ordinance shall not affect the validity of the remainder hereof, and

SECTION 4: All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance shall be repealed to the extent of any such conflict or inconsistency, and

SECTION 5: This Ordinance shall be in full force and effect from and after its passage; approval and publication as provided by law.

PASSED AND APPROVED THIS 26th DAY OF June, 2006.

AYES:

**McCoy, Murdock, O'Keefe,
Lincoln, Brusch**

NAYS:

None

ABSENT: Murphy


Tom Brusch
Mayor

ATTEST:


Mary Beth Hyde
City Clerk

Prepared by:

John Cox
Galena City Attorney
612 Spring Street
Galena, Illinois 61036

Ordinance #O-06-18

An Ordinance **AMENDING THE ZONING MAP OF THE CITY OF GALENA.**

Adopted by the City Council of the City of Galena this 26th Day of June 2006.

Published in pamphlet form by authority of the City Council of the City of Galena,
Jo Daviess County, Illinois, this 26th Day of June 2006.

STATE OF ILLINOIS)
) City of Galena
COUNTY OF JO DAVIESS)

CERTIFICATE

I, Mary Beth Hyde, certify that I am the duly elected municipal clerk of the City of Galena, Jo Daviess County, Illinois.

I further certify that on the 26th Day of June 2006, the Corporate Authorities of said municipality passed and approved Ordinance No. O-06-18 entitled **AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GALENA**, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. O-06-18 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing the 26th Day of June 2006 and commencing for at least ten (10) days thereafter.

Dated at Galena, Illinois, this 26th Day of June 2006.



Mary Beth Hyde
City Clerk

(Seal)

**AN ORDINANCE AMENDING
THE ZONING MAP OF THE CITY OF GALENA**

BE IT ORDAINED by the City Council of the City of Galena, Jo Daviess County, Illinois as follows:

SECTION I: The official Zoning Map of the City of Galena shall hereby be amended to change the zoning on the property located on Part of the Southeast and Southwest Quarters of Section 2, Township 28 North, Range 1 West of the Fourth Principal Meridian, Jo Daviess County, Illinois and commonly known as the Einsweiler Farm and the site for the new hospital and regional medical care complex, 1160 US Rte. 20 W, and fully described in "Exhibit A", from Agricultural to Planned Development District, with underlying default districts of General Commercial on Lots 1 and 3, and Planned Commercial on Lot 2.

SECTION II: All other provisions of the Zoning Ordinance and the Zoning Map shall remain in full force and effect.

SECTION III: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV: This ordinance shall be in full force and effect within ten (10) days of its passage and legal publication.

SECTION V: Passed on this 26th day of June, A.D. 2006, in open Council.

AYES:

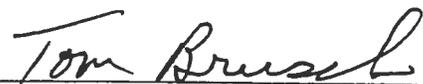
O'Keefe, Greene, Lincoln,
McCoy, Murdock, Brusch

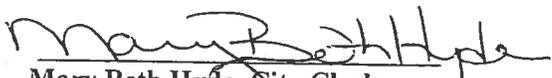
NAYS:

None

ABSENT: Murphy

ATTEST:


Tom Brusch, Mayor


Mary Beth Hyde, City Clerk

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE EXECUTION OF A
ANNEXATION AGREEMENT**

WHEREAS, it is in the best interests of the City of Galena, Jo Daviess County, Illinois, that a certain annexation agreement pertaining to the land described below be entered into; and

WHEREAS, a copy of such agreement is attached hereto and incorporated herein; and

WHEREAS, the legal owners of record of the property that is the subject of the annexation agreement are ready, willing and able to enter into that agreement and to perform the obligations as required thereunder; and

WHEREAS, the statutory procedures provided in Division 15.1 of Article 11 of the Illinois Compiled Statutes, as amended, 65 ILCS 5/11-15.1, for the execution of the annexation agreement have been fully complied with;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GALENA, JO DAVIESS COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: That the property covered by the Annexation Agreement is described in EXHIBIT A, and

SECTION 2: That the Mayor be and is hereby authorized and directed to execute, and the City Clerk is directed to attest, a document known as "Annexation Agreement" (a copy of which is attached hereto and made a part hereof), and

SECTION 3: The invalidity of any section part, provision, term or phrase of this Ordinance shall not affect the validity of the remainder hereof, and

SECTION 4: All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance shall be repealed to the extent of any such conflict or inconsistency, and

SECTION 5: This Ordinance shall be in full force and effect from and after its passage; approval and publication as provided by law.

PASSED AND APPROVED THIS _____ DAY OF _____, 2006.

AYES:

NAYS:

Tom Brusch
Mayor

ATTEST:

Mary Beth Hyde
City Clerk

Prepared by:

John Cox
Galena City Attorney
612 Spring Street
Galena, Illinois 61036

MEMO

To: Honorable Mayor Brusch, City Council, and City Administrator

From: Suzanne Hollingworth, Zoning Administrator

Date: June 26, 2006

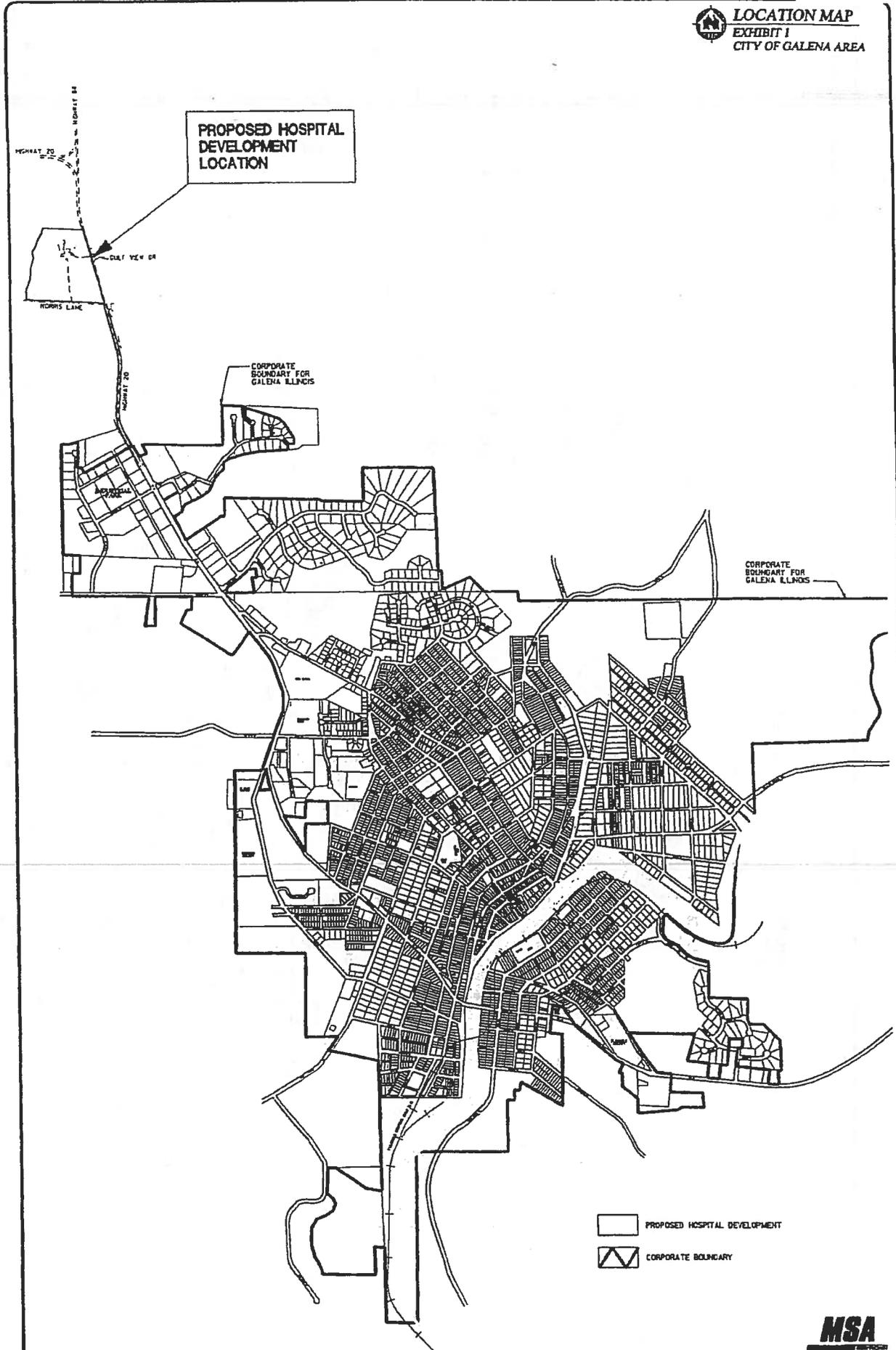
RE: Galena Stauss Hospital's request for Rezoning 34 acres to a Planned Unit Development and Approval of the Preliminary Plat in conjunction with their request for Annexation.

On May 10, 2006, the Zoning Board of Appeals held simultaneous public hearings on the Galena Stauss Hospital's requests for:

1. Rezoning a 34.44 acre parcel to a Planned Unit Development consisting of 3 Lots.
 - a. The underlying default zoning district for Lot 1 as General Commercial for the hospital and medical complex.
 - b. The underlying default zoning district for Lot 2 as Planned Commercial for a proposed future use for professional offices or medical related uses.
 - c. The underlying default zoning district for Lot 3 as General Commercial for a proposed future use for an assisted living or long term care facility.
2. Preliminary Plat Approval for the Planned Unit Development.
3. A threefold request for Special Use Permits:
 - a. A Special Use to permit a hospital in the General Commercial District;
 - b. A Special Use to permit a building that exceeds the maximum building size allowed without a special use in the General Commercial District. To qualify for a special use for a larger building, the use must be part of a Group Development.
 - c. A Special Use to permit a heliport as an accessory land use as part of the new hospital complex.

The Zoning Board of Appeals has forwarded to the City Council a Recommendation to Approve the Rezoning and the Preliminary Plat. The Findings of Fact were approved on June 14, 2006 by a vote of 6 ayes, 1 absent, and 0 nays. As presented in the Findings of Fact, the Zoning Board found that the proposed zoning was appropriate and the Preliminary Plat met the criteria listed in the Zoning Ordinance and met the goals and objectives of the Comprehensive Plan. Although the City Council is not the decision-maker for Special Uses, the Board determined that the City Council should be provided the Findings of Fact, with the Board's Determination for approval of the Special Uses, in order to provide a better understanding of the scope of the project. The Findings are included with this packet.

The Recommendation for Approval of the Rezoning and the Preliminary Plat has four conditions. Since the public hearing, the City has heard from IDOT that the Golf View Drive intersection will be permitted until such time as IDOT constructs the bypass and builds a new intersection and access road to the north of the hospital property. The Illinois Historic Preservation Agency was to be visiting the site to make a determination on the historic brick house sometime during these last two weeks of June. The Zoning Board's approval is contingent upon the applicant entering into an annexation agreement with the City.



**PROPOSED HOSPITAL
 DEVELOPMENT
 LOCATION**

**CORPORATE
 BOUNDARY FOR
 GALENA ILLINOIS**

**CORPORATE
 BOUNDARY FOR
 GALENA ILLINOIS**

-  **PROPOSED HOSPITAL DEVELOPMENT**
-  **CORPORATE BOUNDARY**

PROPOSED LANDSCAPING PLAN
EXHIBIT 6



MSA
LANDSCAPE ARCHITECTS
1000 N. GARDEN AVENUE
SUITE 100
DENVER, CO 80202
TEL: 303.733.1111
WWW.MSALANDSCAPE.COM

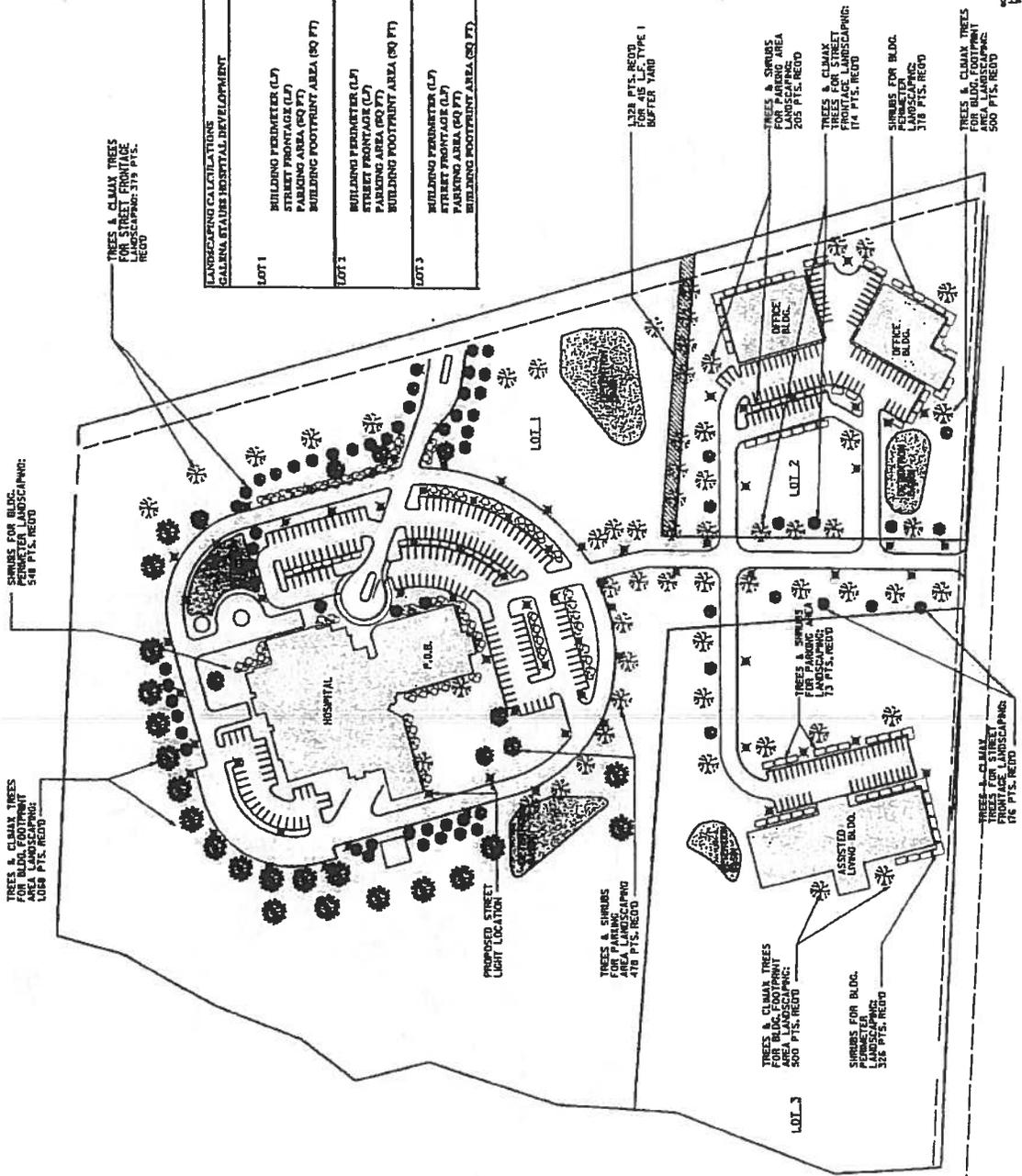
DATA	APPLY RATE	POINT RATE	PTS REQD
BUILDING PERIMETER (LP)	1371	13.71	548
STREET FRONTAGE (LP)	947	9.47	379
PARKING AREA (SQ FT)	79699	7.97	478
BUILDING FOOTPRINT AREA (SQ FT)	5375	53.8	148
LOT 1 TOTAL			1453
BUILDING PERIMETER (LP)	944	9.44	48
STREET FRONTAGE (LP)	434	4.34	40
PARKING AREA (SQ FT)	34145	3.41	48
BUILDING FOOTPRINT AREA (SQ FT)	23980	23.98	30
LOT 2 TOTAL			166
BUILDING PERIMETER (LP)	915	9.15	48
STREET FRONTAGE (LP)	434	4.34	40
PARKING AREA (SQ FT)	13176	13.18	60
BUILDING FOOTPRINT AREA (SQ FT)	35860	35.86	38
LOT 3 TOTAL			186

LANDSCAPE RATIOS:

LOT	OPEN/SHRUBS	OPEN/GREEN
LOT 1	2:1	2:1
LOT 2	1:1	1:1
LOT 3	1:1	1:1

LEGEND

- TREE
- CLIMAX TREE
- SHRUBS
- DOWNLIGHT LIGHT
- PROPOSED BLDG.
- DETENTION POND



DATE: 08/15/2011
DRAWN BY: [Name]
CHECKED BY: [Name]
APPROVED BY: [Name]

Resolution No. _____

ZONING BOARD OF APPEALS

**RECOMMENDATION TO THE CITY COUNCIL
OF THE CITY OF GALENA**

REGARDING

CALENDAR NUMBER: 06PD-02

APPLICATION BY: Galena Stauss Hospital and Healthcare Center
1160 US Rte. 20 W

FOR: Rezoning and Preliminary Plat Approval of 34.44 Acres from
Agricultural to a Planned Unit Development with the Underlying
Default District of General Commercial on Lot 1 and Lot 3 and the
Underlying Default District of Planned Commercial on Lot 2, for
the purpose of Constructing a new Hospital Facility and Medical
Related Facilities.

FINDINGS OF FACT

PROCEDURES

Pursuant to law, a public hearing was held by the Galena Zoning Board of Appeals regarding this matter on May 10, 2006. The hearing was advertised in an edition of the Galena Gazette that was available to the general public between 15 and 30 days prior to the hearing. Letters were sent out to notify property owners within 250 feet of subject property of the request and public hearing date. They were invited to testify if they so desired. A quorum of the Board was present at the hearing in which the subject application and materials were reviewed and all persons were heard who desired to testify.

NATURE OF APPLICATION

The applicant seeks rezoning and preliminary plat approval for 34.44 acres approximately one-half mile north of the city limits for the proposed Midwest Regional Medical Center. Upon execution of an annexation agreement, the Galena Stauss Hospital requests rezoning the property from County Agricultural-1 to a Planned Unit Development consisting of 3 lots. The request is for zoning Lot 1 and Lot 3 to General Commercial underlying default district and zoning Lot 2 to

zoning Lot 2 to Planned Commercial underlying default district. Concurrent with this request for PUD zoning, the hospital has applied for a Special Use for high intensity indoor institutional use and to construct a building larger than 25,000 square feet. The concept for this site is to construct a regional hospital facility on Lot 1 and relocation of the heliport from the existing hospital to the new facility. The preliminary concept for Lot 3 involves the construction of a long-term care/assisted living facility. The preliminary concept for Lot 2 includes the establishment of a medical related office and/or retail facility. There are no firmly established plans for Lots 2 and 3 at this time. The existing character of the land is generally agricultural. There are two residential structures and several farm buildings situated in the proposed Lot 1. The new facilities will change this character into that of a campus, with the main hospital facility surrounded by a considerable amount of green spaces and landscaping that will include many new tree plantings. The traffic impacts may include changes in traffic patterns resulting from proposed turning lanes and some increase in traffic quantity. The proposed lots in the development will be accessed by an internal private road system accessed from US Highway 20. A new intersection will be constructed at Golf View Drive along with new turning lanes to accommodate the traffic. An alternate entrance from Norris Lane will be constructed to accommodate emergency vehicles in the event the main entrance is not accessible.

PUBLIC SUPPORT AND/OR OBJECTIONS

In accordance with Article 9, Section 154.923(A) and (C) of the City of Galena Zoning Ordinance, the public hearing for Planned Unit Development Rezoning and Plan Review, the preliminary plat for the 3 lot development and the Midwest Regional Medical Center site plan were held concurrently. During the single public hearing, the Zoning Board of Appeals heard testimony regarding the applications from the applicant and the public.

Since the Zoning Board of Appeals is not bound by the strict rules of evidence, substantial latitude is procedurally given in all cases to the kind of evidence that may be made a part of the record. In this case, all testimony and exhibits entered into the record were evaluated and given weight by Board members on the basis of credibility and factuality.

The following persons presented testimony during the public hearings. Their testimony was recorded in the official minutes of the hearing, which are hereby made a part of the findings.

Testimony Presented on Behalf of the Applicant:

- Jeff Hill, Galena Stauss Hospital Administrator, Galena, IL
- Deb Hoppman, Galena Stauss Hospital Director of Nursing, Galena, IL
- Nate Kieffer, MSA Professional Services, engineer consultant for the project, Galena, IL
- Steve Schmidt, MSA Professional Services, engineer consultant for the project, Galena, IL
- Jim Bachert, Architect for the project, Earl Smith & Associates, Nashville, TN
- Carol Lockwood, Attorney for the Applicant, Hinshaw & Culbertson LLP, Rockford, IL
- Reid Bruehl, Project Manager, Centex Concord, Nashville, TN

Testimony Presented in Support of the Proposal:

No public testimony was expressly supportive of the proposal.

Testimony Presented with Concerns Regarding the Proposal:

- Carl Johnson, Historic District Advisory Board Chair, Galena, IL
- Marilyn Johnson, Landmarks Preservation of Illinois member, Galena, IL
- Dirk Einsweiler, Adjacent Property Owner, Galena, IL

APPLICABLE SECTIONS OF THE ZONING ORDINANCE

- Article 0, Section 154.005 through 154.008 sets forth the Purpose, Separability and Non-Liability, Abrogation and Rules of Interpretation of the Zoning Ordinance.
- Article 1, Section 154.104 sets forth the regulations for New or Annexed Lands.
- Article 2, Section 154.201(C) describes the Standard Nonresidential Zoning Districts.
- Article 2, Table 154.204.1 lists the Bulk Standards for Nonresidential Structures.
- Article 2, Table 154.205.1 lists and describes Nonresidential Minor Accessory Structures and Obstructions Permitted in Setbacks.
- Article 2, Section 154.206 lists and describes the Maximum Building Height Exceptions.
- Article 2, Table 154.208.1 lists the Intensity Standards for Nonresidential uses.
- Article 3, Section 154.301 sets forth the criteria for Planned Unit Developments (PUD).
- Article 3, Section 154.301(E) lists and describes the criteria for Planned Unit Development Types which include Planned Unit Development Districts and Planned Unit Development Sites.
- Article 4, Table 154.403.1 lists the land uses permitted by right or by special uses for each zoning district.
- Article 4, Section 154.406(C)(7) describes Indoor Intensive Institutional uses and lists the regulations for that use.
- Article 6, Section 154.601 sets forth the criteria for Off-Street Parking and Traffic Control Standards.
- Article 6, Section 154.604 sets forth the criteria for private-development Lighting Standards.
- Article 6, Section 154.605 sets forth the criteria for Landscaping Standards.
- Appendix A provides the City's Lighting Standards and Requirements.
- Appendix B provides the detailed classification of Plant Species.
- Article 9, Section 154.914 lists and describes the elements for Site Plan Review
- Article 9, Section 154.918 and Table 154.918.1 set forth the procedure for Required Non-Administrative Development Review.
- Article 9, Section 154.919 lists and describes the Non-Administrative Development Review Common Elements of Procedure.
- Article 9, Section 154.920 sets forth the purpose, applicability, approval criteria, decision maker, and application and review procedures for Rezoning.
- Article 9, Section 154.921 sets forth the purpose, applicability, review criteria, decision maker, and application and review procedures for a Concept Plan.

- Article 9, Section 154.923 sets forth the criteria for approval of PUD Rezoning and Plan Review.
- Article 3, Section 154.303 Highway Corridor Overlay and Highway Corridor Design Manual
 - Chapter III – Development Goals
 - Chapter IV – Corridor Development Standards
 - Chapter VI – Subdivision Area Development Standards
 - Chapter VII – Building Site/Small Area Development Design Standards
- Chapter 153 of the City Code of Ordinances for Subdivisions sets forth the requirements for the Engineering Standards for streets, curb and gutter, erosion control, etc.
- Chapter 152 of the City Code of Ordinances sets forth the requirements for Storm water Control.

APPLICABLE SECTIONS OF THE COMPREHENSIVE PLAN:

- City of Galena Vision and Mission Statement: Growth (p.8)
- Element 2 – Economic Development
 - §2.2 and 2.3 and Tables 2-2 and 2-3: Employment by Industry & Group, and Economy/Largest Employers (pp. 36-39)
- Element 5 – Public and Community Facilities and Services
 - §5.7 and 5.8 – Emergency Medical Services and Medical Care (p.64)
 - §5.18 – Issues and Opportunities (pp. 71-72)
- Element 10 –Goals, Objectives and Action Plan
 - §10.7 – Land Use and Development (pp. 128-140)
- Element 11 – Land Use Plan 2020
 - §11.3 – Commercial and §11.8 –Office Park (pp. 142-143)
- Plan Implementation
 - §12.1 – Regulatory Measures – Zoning Ordinance & Subdivision Ordinance Recommendations (pp. 146-147)

CONCLUSIONS

In applying the regulations and pertinent performance standards of the Zoning Ordinance to this particular case, the following conclusions are reached:

1. The applicant stated that the current hospital facility was built in the 1960's and is outdated.
 - a. The focus of care has changed from in-patient care to out-patient care.
 - b. The facility no longer is compliant with current ADA, building and fire safety codes.
 - c. It is cost prohibitive to update this facility.
 - d. It is located in a residential neighborhood.
 - e. The facility is a landlocked campus and expansion is not feasible.
2. The property is located within the City's 1.5 mile extra-territorial jurisdiction and Highway Corridor Overlay District (HCO) and is not contiguous to the corporate limits.

3. The request for rezoning and preliminary plat approval was submitted in conjunction with a request for an annexation agreement with the City.
4. Newly annexed land comes into the City as a Limited Agricultural District which is not an appropriate zoning district for the intended use as a medical center and related facilities.
5. Due to the size of the property, the intended and possible uses for the 3 lots, and the location within the HCO, the applicant requested rezoning for the property as a Planned Unit Development zoning district.
 - a. Lot 1 will contain the hospital and medical offices. The underlying default district will be General Commercial.
 - b. Lot 2 is planned for office buildings. The underlying default district will be Planned Commercial.
 - c. Lot 3 is planned for an assisted living facility. The underlying default district will be General Commercial.
6. Hospitals and related uses are defined as "Intensive Indoor Institutional" uses.
 - a. Intensive indoor institutional uses are permitted by Special Use in the General Commercial zoning district.
7. Norris Lane is identified as a nodal area. Lot 2 has been planned to intensify the use at the intersection of Norris Lane as required for nodal development in the Highway Corridor Design Manual.
 - a. Planned Commercial districts are defined as appropriate for HCO development.
 - b. The distance from the highway to the access road to Lot 2 is 540 feet, which exceeds the Highway Corridor Design Manual's nodal development preferred distance from the highway of not less than 350 ft. and no more than 500 ft.
 - c. The reason for the distance is due to the location of a gas pipe line facility at that intersection.
 - d. The applicant was requested to explore the feasibility of moving the access road off Norris Lane to within 350 to 500 feet of Highway 20 per the Highway Corridor Design Manual. The location of a wetland site on the adjoining property deems it appropriate that an exception be made in this case.
8. The intensity standards for each lot in the proposed development are well below the specified maximums allowed.
 - a. The floor area ratio (FAR) for Lot 1 is 0.09 out of a maximum of 0.5.
 - b. The FAR for Lot 2 is 0.18 out of a maximum of 0.3.
 - c. The FAR for Lot 3 is 0.09 out of a maximum of 0.5.
9. The percentage of green space meets the requirements of the Ordinance:
 - a. 72% of Lot 1 would remain in green space.
 - b. 68% of Lot 2 would remain in green space.

- c. 86% of Lot 3 would remain in green space.
10. The proposed storm water management plan is to remove excess storm water runoff through a series of small detention ponds and underground storm sewers.
 - a. Lot 1 will have 3 detention ponds;
 - b. Lots 2 & 3 will have their own ponds.
 - c. The Ordinance requires multi-stage risers and that 115% of the volume be stored.
 - d. The ponds are designed to handle 2, 10, and 100 year storm events.
11. Utilities will be placed underground.
12. Lighting fixtures will be fully shielded and downcast.
13. The landscaping, screening and buffering plan meets the number of required points for the types of land uses proposed.
14. The required number of parking spaces has been met for each land use.
15. This plan meets the view shed requirements for HCO set forth in the Highway Corridor Design Manual.
16. The medical complex buildings' exterior will be 70% brick and stone; the upper level will utilize an Exterior Insulation Finish System (EIFS) product and is designed in a prairie/arts and crafts style.
 - a. All mechanical systems will be enclosed in a penthouse.
 - b. The clock tower is 45 ft. high and meets the maximum building height exceptions.
17. The proposed project complies with the identified land uses on the Comprehensive Plan's Land Use Map #15.
 - a. The land to be occupied by the proposed development is identified on the Land Use Map as Office Park and the land to the immediate south of the property is identified as Commercial.
18. The applicant has worked with the City Engineer to determine the location of the water and sewer extensions to the property and the required EPA and IDOT permits.
19. The applicant has worked with the City Engineer and Fire Chief to determine the location for a fire fighting loop.
20. The applicant is working with the Illinois Historic Preservation Agency to determine what is to be done with the historic house on the property.

21. The applicant is working with the Illinois Department of Transportation on the plan for highway improvements for the intersection that will provide primary access to the property from the highway.
 - a. The primary access to the property is not identified on the City's limited access plan, however, with the proposed improvements, IDOT has given approval to the location until such time as IDOT builds the access road to the north when the bypass is built.
 - b. At the time the new road is constructed, the primary access will be relocated.
 - c. The intersection improvements will include right and left turn lanes and widening of the roadway.
22. The Illinois Department of Aeronautics is working on the design for the heliport.
23. The project will be a phased development. The first phase will be the hospital/medical complex. After completion of the hospital, the second phase will involve the development of Lot 2 and the third phase will be development of Lot 3. The applicant has no timetable for development.
24. The applicant stated that the project is about improving the health care opportunities in the community.

DETERMINATION

Based upon the facts in this case, the Zoning Board of Appeals does find and conclude that the request by Galena Stauss Hospital for Rezoning and Preliminary Plat Approval of 34.44 Acres from Agricultural to a Planned Unit Development with the underlying default district of General Commercial on Lot 1 and Lot 3 and the underlying default district of Planned Commercial on Lot 2, for the purpose of constructing a new hospital facility and medical related facilities should be approved for the following reasons:

A. Rezoning to Planned Unit Development with Underlying Default Districts:

1. The proposed rezoning complies with the land uses identified on the Comprehensive Plan Land Use Map #15 and the development objectives of the Comprehensive Plan.
2. Land that is subject to annexation comes into the City as Limited Agriculture.
 - a. Rezoning is required in order for the proposed uses to be permitted.
 - b. General Commercial zoning is required for Indoor Intensive Institutional uses.
 - c. Planned Commercial zoning is recommended for nodal development along the highway and permits professional offices and related retail uses.
3. The purpose of a Planned Unit Development zone applies to mixed-use and unique single-use projects where design flexibility is desired and is not available through applications of standard zoning districts. Planned Unit Development should be used when long-term

community benefits, which may be achieved through high quality planned development, will be derived. Specific benefits include, but are not limited to:

- a. More efficient infrastructure;
 - b. Reduced traffic demands;
 - c. Greater quality and quantity of open space;
 - d. Innovative designs;
 - e. Protection of natural resources.
4. The use, bulk, development, improvement and other standards for each Planned Unit Development (PUD) shall be derived from one or more of the standard zoning districts which are most similar in terms of permitted uses, density, and intensity to the proposed uses within the development. In a PUD context, those standards shall be referred to as default standards or default zones. The PUD shall be consistent with the default zones upon which the PUD is based.
- a. The default zone for Lot 1 is appropriate for the medical complex.
 - b. The default zone for Lot 2 is appropriate for the proposed use for professional offices or medical related uses.
 - c. The default zone for Lot 3 is appropriate for an assisted living or long term care facility.
5. The proposed PUD meets the development standards for the default zones regarding setbacks, open space, compatibility with the surrounding area, landscaping, parking, street/road development, and storm water management.
6. Rezoning to a PUD meets the Approval Criteria for rezoning:
- a. The proposed rezoning is compatible with the surrounding area;
 - b. The proposal is in conformance with and in furtherance of the implementation of the goals and policies of the Comprehensive Plan, the Land Use Map and requirements of the Zoning Ordinance.
 - c. There is a need in the community for the proposal and benefits will be derived by the community by the proposed rezoning.

B. The Preliminary Development Plan

1. The purpose of the preliminary plan is to ensure consistency with the uses, density/intensity, bulk, performance, and other standards of the proposed PUD for the specific area included in the preliminary plan.
2. The preliminary plan was well documented both in the written application, accompanying site plans and the oral testimony.
3. The preliminary plan demonstrates conformance with the approval criteria of the Zoning Ordinance, the Highway Corridor Design Manual and the Subdivision Ordinance.
4. The preliminary plan demonstrates conformance with the Comprehensive Plan.

RECOMMENDATION

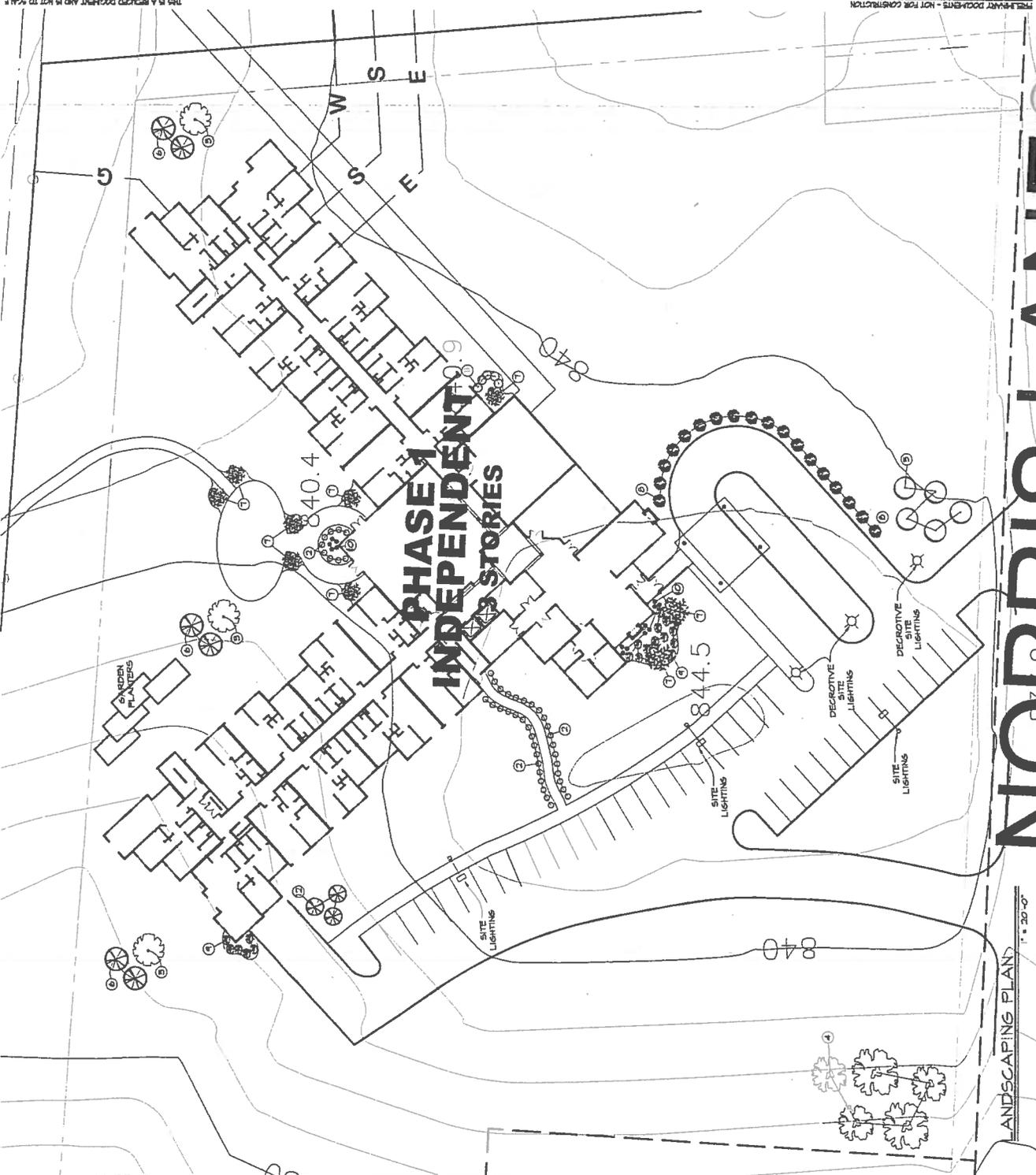
NOW, THEREFORE BE IT RESOLVED, that this Zoning Board of Appeals does recommend to the City Council of the City of Galena that this request by Galena Stauss Hospital for Rezoning and Preliminary Plat Approval of 34.44 Acres from Agricultural to a Planned Unit Development with the underlying default district of General Commercial on Lot 1 and Lot 3 and the underlying default district of Planned Commercial on Lot 2, for the purpose of constructing a new hospital facility and medical related facilities should be approved with the following recommendations and conditions:

1. Approval of the PUD rezoning and preliminary development plan is contingent upon the applicant entering into an annexation agreement with the City.
2. The applicant has agreed to closing the intersection at Golf View Drive if the intersection proposed to the north of the property, which has been approved by IDOT on the City's Limited Access Map, materializes.
3. Consistent with the determination of the Illinois Historic Preservation Agency, the main portion of the historic brick house should be preserved either at its current location or at another location.
4. The detention ponds are not finalized but they do not need to be finalized for a preliminary plan.

PASSED AND APPROVED this 14th day of June, A.D. 2006, by the Galena Zoning Board of Appeals by a vote of 6 ayes, 0 nays, 1 absent, 0 abstain.



Rich Machala, Acting Chair



LANDSCAPING LEGEND	QTY
1. [Symbol] DECORATIVE STREET LAMP	3
2. [Symbol] HOSTA	43
3. [Symbol] AUTUMN BLAZE MAPLE 4" cal.	5
4. [Symbol] ACQUADUE ELM 9" cal.	5
5. [Symbol] QUAKING ASPEN (B) @ 2.5" cal. (4) @ 1" cal. (2B) @ 1" Bear Root	5
6. [Symbol] AUSTRIAN PINE 6' TALL	6
7. [Symbol] PRAIRIE FIRE CRAB 2" cal.	4
8. [Symbol] DECIDUOUS SHRUB #5	10
9. [Symbol] JUNIPER #5	14
10. [Symbol] BLUE LYME GRASS #1	14
11. [Symbol] DAYLILIES #1	5
12. [Symbol] AUSTRIAN PINE 4" TALL	5

NOTES:
 1) ALL MATERIAL TO BE 4" OR SHREDED BARK FOR LANDSCAPE FABRIC WITH 6" FLEXIBLE RUBBER EDGING
 2) SEEDING IS REQUIRED IN ALL AREAS NOT PAVED OR LANDSCAPED
 3) SITE LIGHTING TO MEET DARK SKY CRITERIA W/ A TO DES. CUT OFF

THIS IS A REVISION DOCUMENT AND IS NOT TO SCALE.

MEMO

To: The Zoning Board of Appeals

From: Matt Oldenburg, Zoning Administrator

Date: December 11, 2013

RE: Cal. No. 13HCO-02, Applicant: Eric Dregne, Prairie Ridge of Galena, LLC – PO Box 6425, Galena, IL 61036. Owner: Midwest Medical Center, 1 Medical Center Drive, Galena, IL 61036. Location: Lot Three (3) of Midwest Regional Medical Center Subdivision, being a part of the South Half of the SW Quarter of Section 2, T28N, R1W of the 4th P.M., Rawlins Township, County of Jo Daviess in the State of Illinois. Request for Non-Administrative Highway 20 Development Permit to construct a new 60-unit, Senior Living Community and associated site improvements.

Project Summary:

The applicant is requesting approval of a Highway 20 Development Permit to construct a new 60-unit, Senior Independent Living Community. The plan as proposed includes one 31,779 square foot apartment building and associated parking, circulation, and landscaping features. The application, architect floor plan and site plan drawings have been included in the packet for your reference. The principal building will include materials and rooflines similar to the existing Midwest Medical Center Hospital (see elevation drawing). The applicant is concurrently applying for a Special Use Permit for Large Group Residential Use in a General Commercial District (Cal. No. 13S-05).

The site plan indicates access from Lot 3 to the cross street, Norris Lane, at a point approximately 900 feet from the highway, which is outside of the nodal development criteria.

Staff Comments:

The proposed parking, driveways, and circulation areas were reviewed and approved by Staff. Building floor area ratios and landscape surface ratios were reviewed and approved by Staff. The onsite storm water detention facility has been indicated in provided drawing tentatively. As-built documentation for the detention pond facilities will be prepared after approval of SUP & this request. Additionally, plans for water and sewer service laterals to the proposed buildings, lighting and landscaping will also be reviewed in more detail after approval of this request.

One item of consideration is the access to Norris Lane. This access must be granted by Rawlins Township and subsequently approved by the IDOT. Due to the increase in traffic on Norris Lane, there is an inherent increase in risk of traffic accidents along that stretch of Highway 20 with the existing lanes. If the ZBA approves this request, I recommend placing a condition that the project shall commence only after proper approval of access by Rawlins and IDOT. This will require further coordination by the petitioner with the Township, County and State agencies. IDOT currently has a copy of this plan and is conducting a traffic study to determine the impact of the development.

Approval Criteria & Decision:

Highway 20 Development Permit (Cal. No. 13HCO-02) - The application shall demonstrate that the proposed development will comply with the following:

- (1) All applicable site plan review criteria in § 154.914;
- (2) The overall context of the corridor and the goals for new development as described in Chapter III of the Design Manual;
- (3) The corridor development concepts described in Chapter IV of the Design Manual;
- (4) The proposed character of the applicable design districts as described in Chapter V of the Design Manual;
- (5) The proposed pattern of development for the Highway 20 Corridor as described in Chapter VI of the Design Manual;
- (6) The standards for building orientation, design and materials as described in Chapter VII of the Design Manual; and
- (7) The standards for site features and elements as described in Chapter VII of the Design Manual.

The Zoning Board of Appeals can approve, conditionally approve, or deny all applications for a Highway 20 development permit. Approval for this permit application should be contingent upon approval of the Special Use Permit Request Cal No. 13S-05.

CITY OF GALENA, ILLINOIS
REQUEST FOR HIGHWAY 20 DEVELOPMENT PERMIT

For Office Use Only	Date Filed <u>11/15/13</u> Highway 20 Development Permit Cal. No. <u>13HCO-02</u>
	Fee Paid _____ Receipt No. _____ Amount \$ <u>150.00</u> Date _____
	Date Set For Public Hearing <u>12/11/13</u> Date Hearing Held _____
	Date of Published Notice <u>11/20/13</u> Newspaper <u>GALENA GAZETTE</u>
	Name of Municipality Where Published <u>GALENA, IL</u>
	Administrative Review _____ or Non-Administrative Review <u>X</u>
Action by Zoning Board on Permit Request _____	

APPLICANT AND PROPERTY DATA

1. Name of Applicant: **Prairie Ridge of Galena, LLC. – Eric Dregne** Telephone Number: **815-281-0061**
2. Address of Applicant: **PO Box 6425, Galena, IL 61036**
3. Proposed Development Site Address or Legal Description: **Lot #3, Midwest Medical Center Campus**
4. Name of Property Owner(s): **Midwest Medical Center (Prairie Ridge of Galena holds a purchase option)**
5. Current Use of Property: **vacant** Proposed Use: **Senior Living Community w/services, 60 apartments**
6. 0-1,200 ft from Centerline of Highway 20 _____ or 1,200 to 2,400 ft from Centerline of Highway 20 **X**

SUPPLEMENTAL DATA

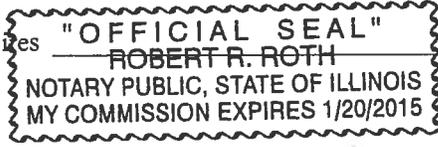
1. Complete Site Plans including all criteria in Site Plan Review checklist and in Section 154.914.
2. Complete Building Plans with licensed stamp/seal if required.
3. Written narrative including all required review criteria listed in Section 154.922 (C).
4. Names and Addresses of all surrounding property owners within 250 ft. of proposed site.

Signature of Applicant *Eric Dregne* Date Oct. 28, 2013

Signature of Property Owner *Judy S. Bau* Date 10.28.13

Notary Public *Robert R. Roth* Date 10/28/13

My Commission Expires _____



11/11/11

