



City of Galena, Illinois

AGENDA

ZONING BOARD OF APPEALS

**WEDNESDAY, NOVEMBER 13, 2019
6:30 P.M. – CITY HALL 101 GREEN STREET**

ITEM	DESCRIPTION
19Z-2001	Call to Order by Presiding Officer
19Z-2002	Roll Call
19Z-2003	Establishment of Quorum

APPROVAL OF MINUTES

ITEM	DESCRIPTION	PAGE
19Z-2004	Approval of the Minutes of the Regular Meeting of September 11, 2019.	3-9

UNFINISHED BUSINESS

None.

NEW BUSINESS

ITEM	DESCRIPTION	PAGE
19A-05, 19S-13 & 19S-14	ILWAB Farms, LLC – Request for Map Amendment to rezone property in Galena Scenic Meadows Unit 2 from Limited Agriculture to Planned Industrial; and property in Cobblestone Crossing Plat 2 from Medium Density Residential to Limited Agriculture. Request for Special Use Permits to allow Adult-Use Cannabis Craft Grower and Adult-Use Cannabis Dispensing Organization uses.	10-27

OTHER BUSINESS

ITEM	DESCRIPTION	PAGE
19Z-2005	Public Comments Not to exceed 15 minutes as an agenda item Not more than 3 minutes per speaker	
19Z-2006	Adjournment	

CALENDAR INFORMATION

BOARD/COMMITTEE	DATE	TIME	PLACE
Zoning Board of Appeals	Wednesday, December 11, 2019	6:30 P.M.	City Hall, 101 Green Street

Posted: November 8, 2019 at 4:00 p.m. Posted By: Matt Oldenburg

**MINUTES
ZONING BOARD OF APPEALS
SEPTEMBER 11, 2019**

CALL TO ORDER:

Chairperson Rosenthal called the regular meeting of the Zoning Board of Appeals to order at 6:30 PM on Wednesday, September 11, 2019 at City Hall, 101 Green Street, Galena, IL.

ROLL CALL AND DECLARATION OF QUORUM:

As Roll Call was:

Baranski	Present
Bochniak	Present
Calvert	Present
Cook	Present
Jansen	Present
Nybo	Present
Rosenthal	Present

A quorum was declared.

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

APPROVAL OF MINUTES

MOTION: Cook moved, seconded by Calvert to approve the August 14, 2019 minutes.

Motion carried.

UNFINISHED BUSINESS

Cal. No. 19S-11 & 19S-12, Applicant: Alan Trebian, 3379 S. Girot Road, Hanover, IL 61041 and Owner: Larry Aschebrook, 624 Spring Street, Galena, IL 61036. Location: Parcel: 22-101-016-00, N Part of E ½ of Lot 1, N Part of W 180' of Lot 2, Lots 1, 2 and N 17' of Lot 3 in the Subdivision of the West ½ of Lot 1, Block 59, Original Lots of Galena, Galena, Jo Daviess County, Illinois. Common Address is 624 Spring Street, Galena, IL 61036. Request for Special Use Permit for Accommodations, Vacation Rental in Neighborhood Commercial District; Special Use Permit for Removable Outdoor Display in Neighborhood Commercial District.

MOTION: Jansen moved, seconded by Baranski to approve the Finding of Fact for Cal. No. 19S-11 and Cal. No. 19S-12.

As Roll Call was:

Bochniak	Yes
Calvert	Yes
Cook	Yes
Jansen	Yes
Nybo	Abstain
Baranski	Yes
Rosenthal	Yes

Motion carried.

NEW BUSINESS

Cal. No. 19A-04, Applicant: City of Galena, 101 Green Street, Galena, IL 61036. Request for Text Amendment to Zoning Code of Ordinances to allow Adult-Use Cannabis Land Uses in select zoning districts.

MOTION: Calvert moved, seconded by Cook to open the Public Hearing for Cal. No. 19A-04.

Motion carried on voice vote.

Nack swore all those in wishing to testify at tonight's public hearing.

Matt Oldenburg, Zoning Administrator presented for the city. Oldenburg said over the past month the city council discussed whether to allow Adult Use Cannabis as a result of the Illinois Cannabis Regulation and Tax Act. The state will phase in these businesses. In 2020 existing Medical Cannabis companies will be able to claim state licenses in the initial phase. In 2021 Conditional Adult Use Cannabis licenses will be issued with preference going to candidates under a Social Equity program. Finally, in 2022 the licenses will be open to anyone else who qualifies. The Illinois Municipal League crafted a model ordinance which they sent out to municipalities. We took that information and formed it to our regulations. The council wants to make provisions to allow it in the city.

The first section of tonight's proposal is in the definitions including growing facilities, dispensaries and manufacturing type activities.

The second section is the table of permitted land uses. First are agricultural uses which include cultivation centers and craft growing facilities allowed by Special Use Permit only in limited ag and three industrial districts. Next are commercial uses of dispensing which would be allowed by SUP only in the downtown commercial district and the three industrial districts. Finally, the industrial uses which involve infusing operations, processing operations and transportation operations which would only be allowed in the three industrial districts. Dispensing organizations could be co-located with industrial uses.

The detailed land use regulations have all the detailed regulations for each type of land use and was based on the model ordinance. There is a recurring theme running through this. Generally, there is a 250-foot requirement from any residentially zoned district and a 1000-foot requirement from any school, day care or

preschool. A map was developed showing the areas where any of this activity would be prohibited. There are other layers involved with the state tax act such as no adult cannabis facilities can be located within 1500 feet of each other. This is also overlaid with the city's zoning districts to further define locations. Additionally, there are parking requirements specified in the land uses.

Rosenthal asked about parking. No other businesses in the downtown area are required to have parking.

Oldenburg said the parking requirement is exempt in the downtown district or if there is a change of use to an existing building. All operations would have to show compliance with the state act.

Baranski said the only two aspects that can be regulated by the city are the parking and distance requirements.

Oldenburg said the state act for local ordinance describes what the city's powers are – we can prohibit it completely, regulate how close they are to each other while still honoring the 1500-foot state requirement and we cannot make it more restrictive than the state act.

Jansen asked about restrictions for parks.

Oldenburg said they were not in the model ordinance, but we could include this.

Jansen asked about Rec Park.

Oldenburg said the majority of Rec Park is restricted due to its proximity to a residential district. Rec Park is owned by the city so no facility would be located here.

Baranski asked about Washington Park. If parks were included in the 1000-foot restriction nothing could be allowed on Main or Commerce streets.

Oldenburg said the council does not want anything on Main Street, but they indicated they would be fine if a facility were on Commerce Street.

Calvert asked about businesses that are also residences in the industrial district.

Oldenburg said these were zoned general commercial. To include this use would allow the downtown examples of this so it was omitted. If the Board wanted to exclude in some areas but allow in the industrial districts, we could talk about an overlay district.

Cook asked about co-locations. Why wouldn't everyone want to do this.

Oldenburg said there are a lot of factors to this. Some only want to do one facet. The cost of starting a business is quite large. Some cultivation or craft growers may want to have distribution or infusion. Most dispensing organizations do it independently unless it is an accessory of the growing facility.

Rosenthal said the only co-locations would be in the industrial districts.

Oldenburg said basically yes.

Baranski asked about smoking on site. The state act allows this correct.

Oldenburg said if the municipality allows this. The powers given to municipalities state we can allow or disallow the onsite smoking. The city does not handle any of the licensing – the state controls all of that as well as regulating personal use: how much a person can have on them, how much they can consume on site, etc. All people involved with the organization and the products distributed or grown will be carefully monitored. We are regulating the locations only. How the businesses operate is controlled by the state.

Jansen asked about tax collection.

Oldenburg said the city is working on passing an occupation tax which would allow them to collect 3% of the gross sales as well as a 2% of sales tax.

Cook asked about taxes on the medical cannabis companies.

Oldenburg said the provider would pay the tax. This use cannot be regulated by us – they can be located anywhere.

Calvert asked if a medical cannabis company could also have an adult use distribution.

Oldenburg said he thought they could, but they would have to have a secondary license. Currently there are very few available licenses and every district has a license limit so companies must choose the communities where they locate which will be market driven.

Nack said the medical facility would still need to comply with our set back regulations if they were to seek a secondary license.

Jansen asked if the county would allow this.

Nack said they could.

Rosenthal asked anyone in favor of the request to come forward. No one did.

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

Rick Pariser, 113 South High Street Galena said he is specifically opposed to the dispensing of cannabis. The other facets of the operations would be closed to the public. He is not in favor of dispensing in the downtown area. The zoning board is charged with determining where these facilities can be allowed. On behalf of the image of Galena and all those who live here and visit a dispensing facility should not be located where our main source of income comes from. He would like to see the dispensaries limited to the industrial districts. The city would not have to rush into this; we could later expand it to a site such as Commerce Street. It seems we have enough legal vices and now as a government we are sanctioning something that is injurious to our health.

MOTION: Bochniak moved, seconded by Cook to close the Public Hearing for Cal. No. 19A-04.

MOTION: Baranski moved, seconded by Jansen to send a positive recommendation to the City Council for Cal. No. 19A-04.

Discussion: Baranski said the information provided by Oldenburg was very well done. Much of this has been handed done by the State so the zoning board's task is to decide where the facilities can be located and what the parking requirements are. The council voted to go forward with this.

Oldenburg said all but the mayor voted in favor of this.

Baranski said the map and overlay districts are appropriate. He understands Pariser's point but this issue has evolved, and people are more open to it. The state has mandated it and having one or two dispensaries is okay. He's fine with it.

Rosenthal said it is going to happen in the county so when the city had the opportunity, they decided to pursue it. East Dubuque has already agreed to it. The proposal has done a good job of protecting sensitive areas. He has no problem with it.

Cook agreed with Rosenthal but said she was unsure if it should be allowed in the downtown area with all the tourism we have. Allowing it in the industrial district is fine.

Nybo agreed with Cook. He asked if we only allowed it in the industrial district could we later expand to downtown commercial.

Oldenburg said we could with a text amendment.

Calvert agreed. It was put in the state act to have residential setbacks and protections. It is much more well suited to the industrial districts than it is in the downtown commercial district.

Bochniak said he agrees but where is everyone who is against this. Pariser did a good job with his testimony but where is everyone else.

Baranski said it is pretty well known that the council agreed on a 6-1 vote to allow this. The suggestion is that people agree with this. He believes the council knew of this map and agreed to allow it in the downtown commercial district.

Nybo said we could say it should be limited to the industrial district and the council can override if they want.

Baranski said they could. We had one person speak against this. Where is everyone else.

Nybo said where is everyone in favor of it.

Rosenthal said he doesn't believe that people will stop coming to historic Galena because one dispensary opens on Commence Street. There may be people who come to Galena that bring their own. The bars that are on Main Street don't stop people from coming to town.

Nybo said that may be 100% correct. Why do we have to decide it right now?

Rosenthal said if we make it too restrictive the businesses will go somewhere else in the county. The reason the city decided on it right now is because they didn't want to lose the opportunity to collect the tax monies. He's heard it before – every time something comes to town it's going to kill Galena. It hasn't yet.

Baranski reviewed the approval criteria:

Approval Criteria & Recommendation for Text Amendment:

In order to maintain internal consistency within this code and on the zoning map, proposed amendments to the text and zoning map must be consistent with the purposes stated herein.

- In determining whether the proposed amendment shall be approved, the following factors shall be considered:
 - (1) Whether the existing text or zoning designation was in error at the time of adoption; **N/A. This is a new ordinance.**
 - (2) Whether there has been a change of character in the area or throughout the city due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.; **N/A**
 - (3) Whether the proposed rezoning is compatible with the surrounding area and defining characteristics of the proposed zoning district or whether there may be adverse impacts on the capacity or safety of the portion of street network influenced by the rezoning, parking problems, or environmental impacts that the new zone may generate such as excessive storm water runoff, water, air or noise pollution, excessive nighttime lighting, or other nuisances; **N/A**
 - (4) Whether the proposal is in conformance with and in furtherance of the implementation of the goals and policies of the Comprehensive Plan, other adopted plans, and the policies, intents and requirements of this code, and other city regulations and guidelines; **It is arguable, but yes, it is.**
 - (5) Whether adequate public facilities and services are available or will be made available concurrent with the projected impacts of development in the proposed zone; **There are.**
 - (6) Whether there is an adequate supply of land available in the subject area and the surrounding community to accommodate the zoning and community needs; **Yes, there is.**
 - (7) Whether there is a need in the community for the proposal and whether there will be benefits derived by the community or area by the proposed rezoning; **There will but again it is arguable; some will say yes some will say no.**

The Zoning Administrator and Zoning Board of Appeals shall make recommendations and the City Council shall take final action.

- (1) **When the Zoning Board of Appeals or City Council deems it necessary or expedient, additional property in the zoning district may be considered for a zoning change provided that this additional property is also addressed in the public hearing notice, in accordance with § [154.919\(F\)](#).**
- (2) **In the event of a written protest against a proposed amendment signed and acknowledged by the owners of 20% of the frontage proposed to be altered or by the owners of 20% of the frontage immediately adjoining or across the alley or rear line therefrom or by the owners of 20% of the frontage directly opposite the frontage proposed to be altered as to such regulations or zoning district and filed with the City Clerk, such amendment shall not be passed except by the favorable vote of two-thirds of all of the selected members of the City Council.**

As Roll Call was:

Calvert	Yes
Cook	No
Jansen	Yes
Nybo	No
Baranski	Yes
Bochniak	Yes
Rosenthal	Yes

Motion carried.

OTHER BUSINESS

None

PUBLIC COMMENTS

None

MOTION: Bochniak moved, seconded by Jansen to adjourn the meeting at 7:05 pm.

Motion carried on voice vote.

Respectfully submitted by

Deb Price
Zoning Board Secretary

CITY OF GALENA, ILLINOIS

101 Green Street • P.O. Box 310 • Galena, Illinois 61036



MEMORANDUM

TO: The Zoning Board of Appeals

FROM: Matt Oldenburg, Zoning Administrator

DATE: November 8, 2019

MATT

RE: Cal. No. 19A-05, 19S-13 & 19S-14, Applicant and Owner: ILWAB Farms, LLC, 13275 Chetlain Lane, Galena, IL 61036. Parcel 1: 13-001-106-13, Lots 1 through 6 in Block 2 of Galena Scenic Meadows Unit 2; and Lot 7 in Block 1 of Galena Scenic Meadows Unit 2 in the City of Galena, Jo Daviess County, Illinois. Parcel 2: 13-000-105-15, Lot 5, Block 7 of the Cobblestone Crossing Plat 2, Section 12, T28N, R1W, Galena, Illinois. Request for Map Amendment to rezone Parcel 1, and a portion of right-of-way described in a concurrent Street Vacation request, from Limited Agriculture (former PUD) to Planned Industrial district. Request to rezone Parcel 2 from Medium Density Residential to Limited Agriculture district. Request for Special Use Permits to allow Adult-Use Cannabis Craft Grower and Adult-Use Cannabis Dispensing Organization land uses in Parcel 1.

Summary:

The applicant is requesting a map amendment and Special Use Permits to rezone Parcel 1 from Limited Agriculture to Planned Industrial and Parcel 2 from Medium Density Residential to Limited Agriculture to facilitate the uses of Adult-Use Cannabis Craft Grower and Dispensing Organization, contingent upon approval of rezoning.

Currently, the City does not have a Planned Industrial district established on the Zoning Map; this rezoning would establish an area near our commercial zone for indoor industrial uses comparable to Honeywell, which is compatible in that area. The description of Planned Industrial district is as follows:

This district is intended to permit both large- and small-scale industrial, research and development, and office at an intensity which is consistent with the overall desired character of the community. Beyond a relatively high minimum landscape area ratio (LSR), the primary distinguishing feature of this district is that it is geared to indoor activities which are not typically associated with high levels of noise, soot, odors and other potential nuisances for adjoining properties. In order to ensure a minimum of disruption to adjacent residential development, no development within this district shall take direct access to a local residential street or a residential collector street.

Staff recommends Planned Industrial as an appropriate district for rezoning because the proposed use most closely matches its description. Furthermore, the Scenic Meadows PUD proposed districts did not yield further development under Planned Office, High Density Residential and Medium Density Residential zoning for the last fifteen years. The proposed character of the request is an appropriate intensity, combined with the highest landscaping standards, that will complement the adjacent commercial uses with an appropriate transition back to agriculture districts as we transect outward from the highway corridor. There are existing water and sewer improvements already to the site.

Parcel 2 is requested to rezone to Limited Agriculture in order to increase the buffer between the proposed use and the Cobblestone Crossing Subdivision. It will also allow the facility to move to a better location on Parcel

I to avoid construction in a drainage-way, providing better advantage for foundation bearing on the spur above while maintaining the 250 LF proximity requirement from residentially zoned districts.

A street vacation request will be concurrently requested at the Council level to vacate Morel Court, which was part of the old Scenic Meadows PUD that defaulted in 2019. If approved by Council, this will be consolidated to form the legal description presented as Parcel 1 on the attached map. The consolidation plat will be approved administratively as it meets an exemption criteria of the Plat Act.

Please refer to the included narrative from the applicant. The detailed land use regulations of the proposed uses are satisfied by the application contents. Further detailed regulations, dictated by the State Act, will be applicable to the site development and subject to State inspection. Detailed building plans are not a requirement of this request; although, the applicant provided concept renderings to provide context. Subsequent submittals for building permits will be administratively reviewed by City Staff to ensure all applicable codes are met.

A site plan review of the proposed request has been conducted per the criteria listed in §154.914. Preliminary massing of the proposed structure with projected traffic analysis, parking requirements, landscaping requirements, lighting standards, natural protection standards and performance standards all meet the zoning code regulations. On-site stormwater detention is also required, which will improve the situation in that vicinity regarding discharge, scour and sedimentation.

Staff recommends approval of this request. Land uses surrounding the property include other agriculture, commercial and campgrounds.

Approval Criteria & Recommendation for Map Amendment:

In order to maintain internal consistency within this code and on the zoning map, proposed amendments to the text and zoning map must be consistent with the purposes stated herein.

In determining whether the proposed amendment shall be approved, the following factors shall be considered:

- (1) Whether the existing text or zoning designation was in error at the time of adoption;
- (2) Whether there has been a change of character in the area or throughout the city due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.;
- (3) Whether the proposed rezoning is compatible with the surrounding area and defining characteristics of the proposed zoning district or whether there may be adverse impacts on the capacity or safety of the portion of street network influenced by the rezoning, parking problems, or environmental impacts that the new zone may generate such as excessive storm water runoff, water, air or noise pollution, excessive nighttime lighting, or other nuisances;
- (4) Whether the proposal is in conformance with and in furtherance of the implementation of the goals and policies of the Comprehensive Plan, other adopted plans, and the policies, intents and requirements of this code, and other city regulations and guidelines;
- (5) Whether adequate public facilities and services are available or will be made available concurrent with the projected impacts of development in the proposed zone;

(6) Whether there is an adequate supply of land available in the subject area and the surrounding community to accommodate the zoning and community needs; or

(7) Whether there is a need in the community for the proposal and whether there will be benefits derived by the community or area by the proposed rezoning.

The Zoning Administrator and Zoning Board of Appeals shall make recommendations and the City Council shall take final action.

(1) When the Zoning Board of Appeals or City Council deems it necessary or expedient, additional property in the zoning district may be considered for a zoning change provided that this additional property is also addressed in the public hearing notice, in accordance with § [154.919\(F\)](#).

(2) In the event of a written protest against a proposed amendment signed and acknowledged by the owners of 20% of the frontage proposed to be altered or by the owners of 20% of the frontage immediately adjoining or across the alley or rear line therefrom or by the owners of 20% of the frontage directly opposite the frontage proposed to be altered as to such regulations or zoning district and filed with the City Clerk, such amendment shall not be passed except by the favorable vote of two-thirds of all of the selected members of the City Council.

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 § 154.406;
- (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.

PROPERTY HISTORY

The property has always had an agricultural use (generally crop fields) although it has been zoned Planned Unit Development for more than 20 years. The current owner acquired the property in 2017 and has been actively marketing the same. However, no viable development opportunities have arisen and the property has (or is about to be) reverting back to limited agricultural since there has been no development for more than 20 years.

REZONING

The property should be rezoned for a variety of reasons. Galena has recognized the need for Planned Industrial in its zoning ordinance by providing Planned Industrial District as one of its standard zoning district categories. To date, the City has not yet designated land as a Planned Industrial District. Under the zoning ordinance, the primary distinguishing feature of a Planned Industrial District is that this district is geared to indoor activities which are not typically associated with high levels of noise, soot, odors or other related nuisances. The land in question is ideally suited for such a designation.

The changing economy is creating the need for flexible space industries that require both on-site production/manufacturing and a "retail look" to distribute the manufactured products. Examples of industries thriving in these flexible spaces include breweries, distilleries, coffee roasting facilities, woodworking facilities, indoor entertainment areas (e.g. paintball, trampoline parks, etc.) as well as adult use cannabis growing and dispensing facilities. Planned Industrial Districts provide the necessary flexibility to combine production/manufacturing with facilities that look more storefront in nature. Traditional industrial districts simply do not have that retail/commercial feel necessary for these modern uses.

The property in question provides ample room for green space that many businesses desire together with sufficient space to address any storm water runoff issues that may arise from development. The site blends perfectly with the surrounding commercial/retail operations that are adjacent to the Highway 20 corridor. The proposed adult use cannabis craft growing operation and related dispensary is an indoor operation that will produce minimal impact on the surrounding area. There is no dust, noise, smoke, odors or other related nuisances that can typically occur in an industrial district.

Access to the premises is via controlled intersection that leads to the City's primary traffic artery, Highway 20. The site is adjacent to Wal-Mart which is the primary driver traffic in the area and complements nicely with the existing modern roadway and control traffic light intersections already constructed. The site is served by water and other utilities necessary for development of the types of activities contemplated by Planned Industrial. In short, the space is ideally situated to provide the City with the kind of flexible, minimum impact industries that have the potential to enlarge the tax base, increase local business activity and increase employment opportunities for the area.

With the background we address the specific matters identified in the application as follows:

1. Would the change be contrary to the general welfare of the community?

The change would be beneficial to the general welfare of the community. The change would create zoning in the community that is conducive to attracting industries that require both manufacturing and a "retail" look. The permitted activities are generally "indoor" in nature with minimal impact on surrounding areas. The rezoning has the potential to enlarge the tax base and increase employment opportunities for the area.

2. Would the change compromise the original purpose of the regulation?

The proposed change would enhance the original purpose of the zoning ordinances in that it would allow a district that is contemplated by the ordinances but which has not yet been established by the City.

3. Are there sites for the proposed use in existing districts that would permit such use?

The proposed use is permitted in existing industrial areas. However these areas are not conducive to the minimal impact operations being proposed which also require a commercial feel.

4. Is the change contrary to the established land use pattern?

The property was Planned Unit Development for more than 20 years. The proposed use is consistent with the adjacent commercial establishments.

5. Would the change create an isolated, unrelated district, i.e., "spot zoning"?

The zoning would not create an isolated related district. In fact, it would create a district contemplated by the City's zoning ordinance and place it in an appropriate area next to the Highway 20 corridor commercial activity.

6. Have major land uses changed since the zoning was applied subject property, i.e., street improvements, zoning changes of surrounding areas?

The development of commercial activity in the Highway 20 corridor together with improved controlled intersection access and improvements to the Highway 20 artery have made the subject property attractive to rezoning to a Planned Industrial District.

7. Is the existing development in the area contrary to the existing zoning ordinance (variations or violations)?

The existing development in the area is generally consistent with existing zoning ordinances and are complementary to the proposed use of the subject property.

8. Can you (the owner of the property) realize an economic benefit from uses permitted by the existing zoning classification?

The subject property has been zoned Planned Unit Development for more than 20 years and there were no viable developments during that time. Having the property revert to limited agricultural is not the highest and best use of this land which is adjacent to a commercial, major highway, corridor.

9. Would the change of present district boundaries be inconsistent in relation to existing uses?

Change of the subject property to Planned Industrial District would be consistent with, and complementary to, other commercial uses in the area.

10. Would the proposed change conflict with existing commitments or planned public improvements?

The proposed change would not conflict with any existing commitments or planned public improvements.

11. Would the change contribute to dangerous traffic patterns or congestion?

The change would not contribute to any dangerous traffic patterns or congestions. On the contrary, the area is ideally suited to handle traffic.

12. Would the change alter the population density pattern and thereby harmfully increase the load on: public facilities, schools, sewers, parks, other?

The change would not materially impact the load on public facilities, sewers, etc. In fact, the entire point of a Planned Industrial District is to attract low impact industries.

13. Would the change adversely influence living conditions in the vicinity due to any type of pollution?

No. There would be no anticipated pollution, dust, noise, smoke, etc. related to the proposed facility.

14. Would property values in the vicinity be adversely affected by the change?

No.

15. Would the change result in private investment which would be beneficial to the redevelopment of a deteriorated area?

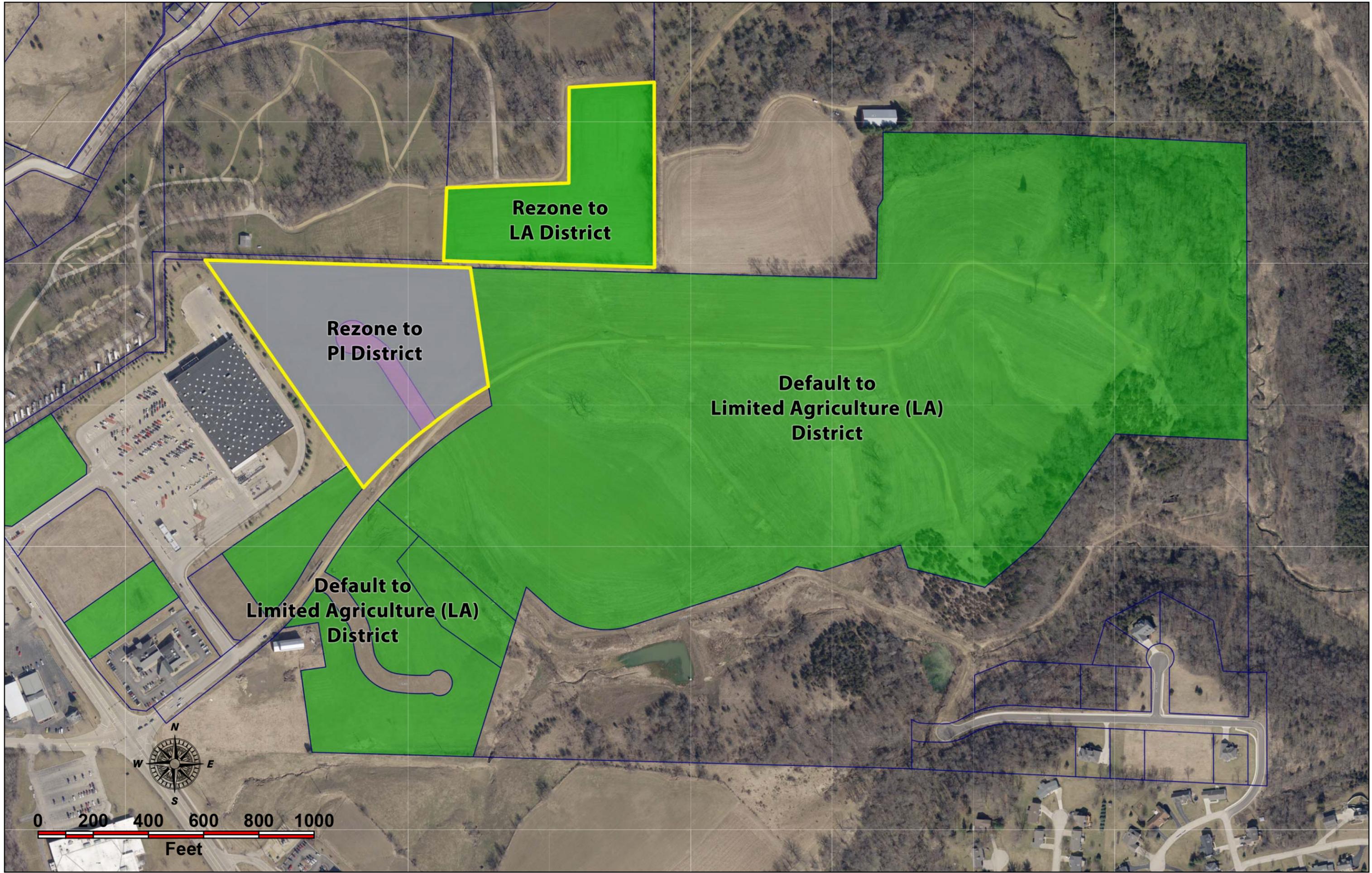
The existing area is not deteriorated. However, it is not being put to its highest and best use and the proposed zoning change would certainly increase local business activity and provide employment opportunities for the area and increase the tax base.

16. Would the change combat economic segregation?

We don't believe that the subject property is an area that is currently experiencing economic segregation.

17. Would the change comply with the City's Land Use Map?

While the change does not comply with the existing land use map, it certainly complies with the districts contemplated by Galena Zoning Ordinance. In addition, given that the property is to revert to limited agricultural due to 20 years of non-development, a change to the City's land use map is certainly consistent with and complementary to the surrounding commercial activity.



**Rezone to
LA District**

**Rezone to
PI District**

**Default to
Limited Agriculture (LA)
District**

**Default to
Limited Agriculture (LA)
District**






NORTH
 HORIZONTAL SCALE IN FEET
 0 50 100
 DRAWING MAY HAVE BEEN REDUCED
 588.21 37'E 669.27'

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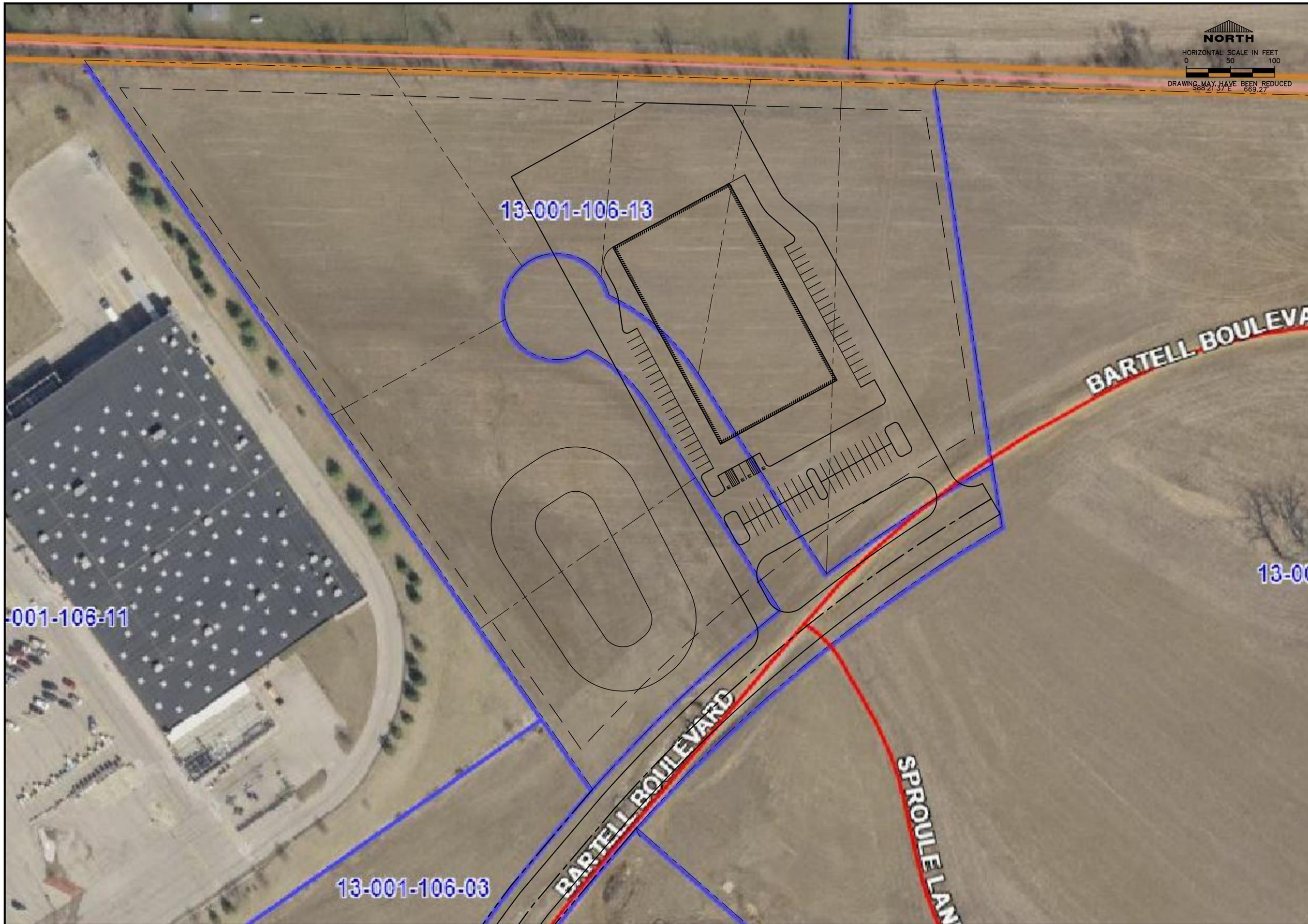
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Project Description
**CONCEPTUAL SITE PLAN
 WITH CONTOURS**
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 GALENA, IL
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Rev	Description	Date	By

Drawing Issue Information
 Project Mgr: PRR
 Issued For Bidding: ..
 Drawn By: AMM
 Issued For Construction: ..
 Sheet No: **EX-B**
 Project No: 19192

NOTE: CONTOURS SHOWN UTILIZED LIDAR DATA AND SHOWN IN 2' AND 10' INTERVALS.




NORTH
 HORIZONTAL SCALE IN FEET
 0 50 100
 DRAWING MAY HAVE BEEN REDUCED
 588.21 37 E 669.27

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Project Description
**CONCEPTUAL SITE PLAN
 WITH AERIAL**
 ILWAB FARMS
 BARTELL BLVD
 GALENA, IL
 P:\19192\DRAWINGS\CIVIL\19192_CONCEPTUAL_EXHIBIT.DWG, 10/24/2019 12:45 PM ANTHONY MAGNITY

Rev	Description	Date	By

Sheet No:
EX-C
 Project No: 19192

13-001-106-11

13-001-106-13

13-001-106-03

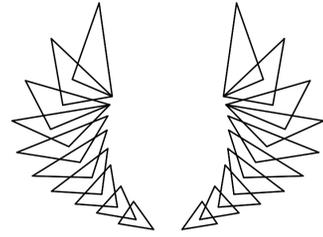
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BARTELL BOULEVARD

SPROULE LANE

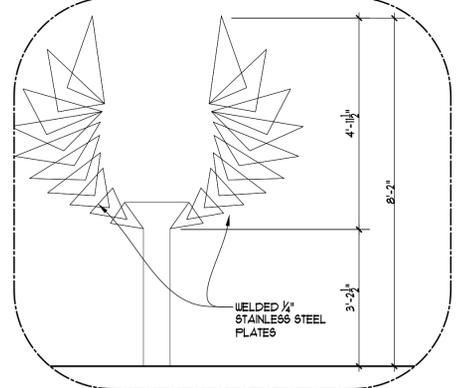
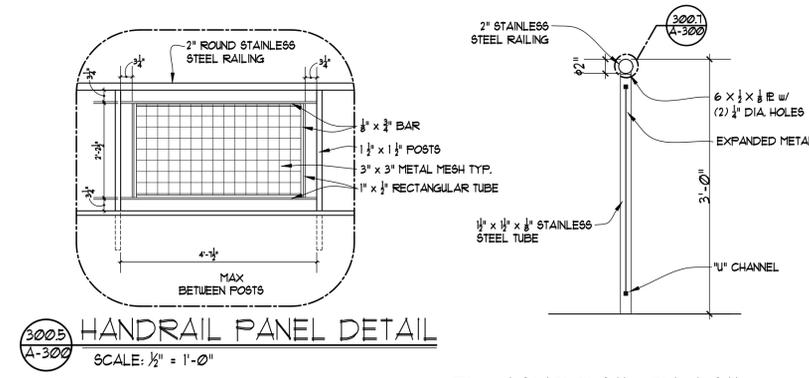
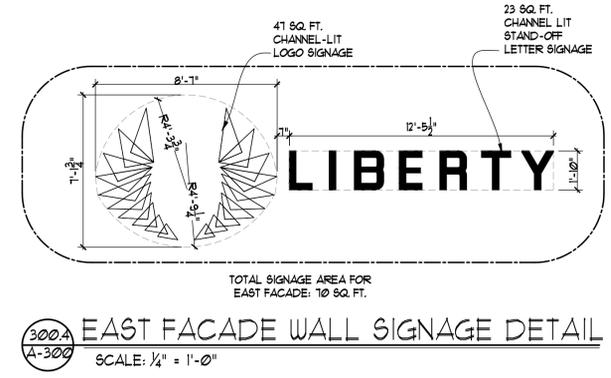
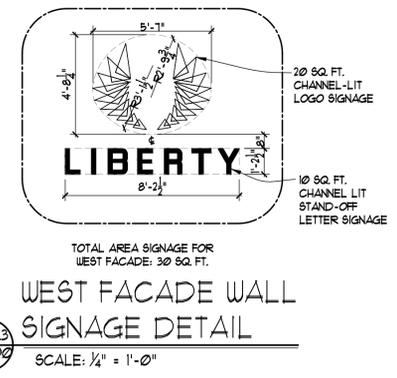
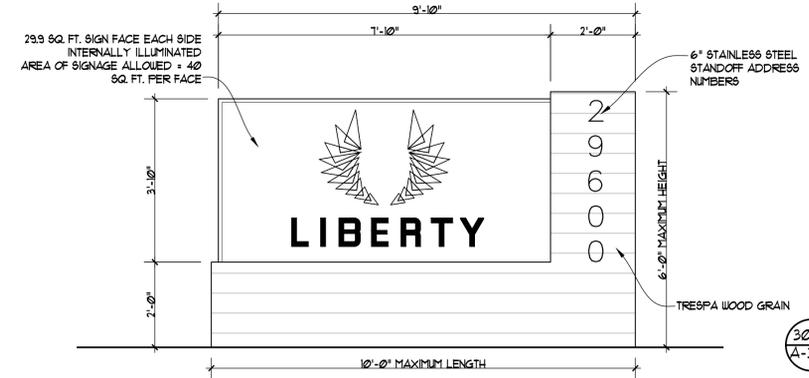
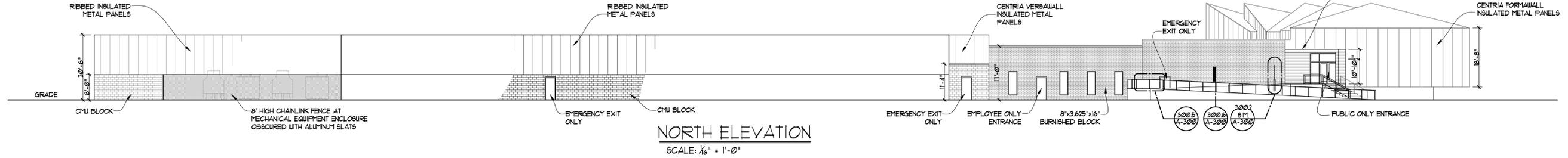
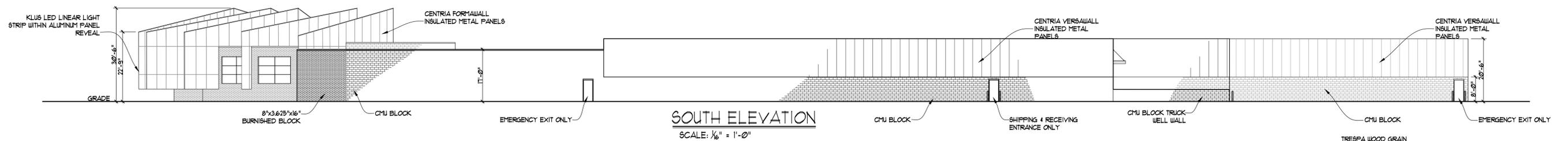
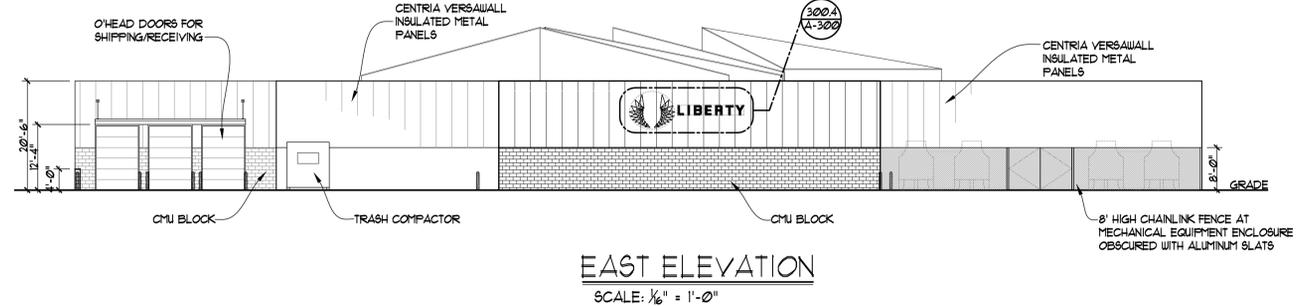
BARTELL BOULEVARD



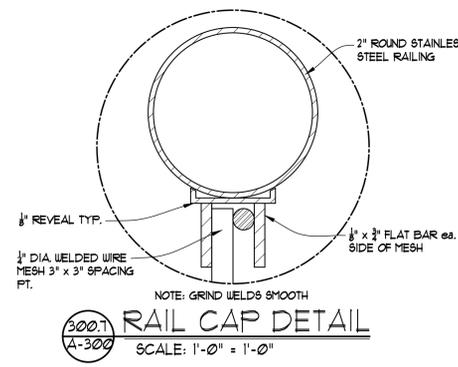


LIBERTY MADISON HEIGHTS
29600 STEPHENSON HIGHWAY, MADISON HEIGHTS, MI 48071





EXISTING NEIGHBORING SIGNAGE PHOTOGRAPHS
SCALE: NOT TO SCALE



Client
HOLISTIC INDUSTRIES
29600 WEST PARK DRIVE
#280
WEST BOROUGH, MA 01581

Project
LIBERTY
29600 STEPHENSON
HIGHWAY
MADISON HEIGHTS, MI
48071

Designed/Drawn	HJR/JA
Checked/Approved	HJR
Job #	296-2019
File	HOLISTIC INDUSTRIES_LICENSEING
Date/Revisions	Issue for
05/16/19	CLIENT REVIEW
05/21/19	CLIENT REVIEW
05/24/19	CLIENT REVIEW
06/14/19	CLIENT REVIEW
06/25/19	LICENSING
08/21/19	SITE PLAN APPROVAL



EXTERIOR BIRD'S EYE VIEW
 NOT TO SCALE



EXTERIOR VIEW
 NOT TO SCALE

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Client

**HOLISTIC
 INDUSTRIES**
 1900 WEST PARK DRIVE
 #200
 WEST BOROUGH, MA 01581

Project

LIBERTY
 29600 STEPHENSON
 HIGHWAY
 MADISON HEIGHTS, MI
 48071

Designed/Drawn	HJR/JA
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SHEET:



INTERIOR VIEW - PROVISIONING CENTER
 NOT TO SCALE



INTERIOR VIEW - RECEPTION
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Client
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Project
LIBERTY
 29600 STEPHENSON HIGHWAY
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Designed/Drawn	HJR/JA
Checked/Approved	HJR
Job #	296-2019
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