



# City of Galena, Illinois

## **AGENDA**

### **ZONING BOARD OF APPEALS**

**WEDNESDAY, JANUARY 8, 2020**

**6:30 P.M. – CITY HALL 101 GREEN STREET**

<b>ITEM</b>	<b>DESCRIPTION</b>
20Z-2001	Call to Order by Presiding Officer
20Z-2002	Roll Call
20Z-2003	Establishment of Quorum

### **APPROVAL OF MINUTES**

<b>ITEM</b>	<b>DESCRIPTION</b>	<b>PAGE</b>
20Z-2004	Approval of the Minutes of the Regular Meeting of December 11, 2019.	3-9

### **UNFINISHED BUSINESS**

<b>ITEM</b>	<b>DESCRIPTION</b>	<b>PAGE</b>
19S-15	Fotis Investments, LLC – Request for Special Use Permits to allow Adult-Use Cannabis Dispensing Organization in the Downtown Commercial District at 115 Perry Street. Ratification of Findings of Fact.	9-14
19V-05	pb2 architecture + engineering – Request for Variance to allow a second internally-illuminated wall sign on the building for new Pick-up business at Walmart, 10000 Bartell Blvd. Ratification of Findings of Fact.	15-18

**NEW BUSINESS**

<b>ITEM</b>	<b>DESCRIPTION</b>	<b>PAGE</b>
20S-01	MB Geronimo, LLC d/b/a Bard Materials – Request for Special Use Permits to allow corrugated steel siding in the Highway 20 Corridor Overlay District. This request is a Public Hearing.	19-25
20S-02	UHCC, LLC d/b/a Bridge City Collective – Request for Special Use Permit to allow Adult-Use Cannabis Dispensing Organization in the Downtown Commercial District at 216 South Commerce Street. This request is a Public Hearing.	26-45

**OTHER BUSINESS**

<b>ITEM</b>	<b>DESCRIPTION</b>	<b>PAGE</b>
20Z-2005	Public Comments Not to exceed 15 minutes as an agenda item Not more than 3 minutes per speaker	
20Z-2006	Adjournment	

**CALENDAR INFORMATION**

<b>BOARD/COMMITTEE</b>	<b>DATE</b>	<b>TIME</b>	<b>PLACE</b>
Zoning Board of Appeals	Wednesday, February 12, 2020	6:30 P.M.	City Hall, 101 Green Street

Posted: January 3, 2020 at 4:00 p.m. Posted By: Matt Oldenburg

**MINUTES  
ZONING BOARD OF APPEALS  
DECEMBER 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, December 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	Absent
Cook	Present
Jansen	Present
Nybo	Absent
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:** Bochniak moved, seconded by Cook to approve the November 13, 2019 minutes.

Motion carried.

**UNFINISHED BUSINESS**

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.

**MOTION:** Baranski moved, seconded by Jansen to approve the Finding for Cal. No. 19S-13 and Cal. No 19S-14.

As Roll Call was:

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

Motion carried.

### **NEW BUSINESS**

Cal. No. 19S-15, Applicant and Owner: Fotis Investments, LLC, 201 N Main, Galena, IL 61036. Parcel: 22-100-485-00, Lots 2 of the Subdivision of 1<sup>st</sup> National Bank between Commerce and Water Streets in the City of Galena, Jo Daviess County, Illinois. Common address is 115 Perry Street, Galena, IL 61036. Request for Special Use Permit to allow Adult-Use Cannabis Dispensing Organization in the Downtown Commercial district.

**MOTION:** Jansen moved, seconded by Bochniak to open the Public Hearing for Cal. No. 19S-15.

Motion carried on voice vote.

Nack swore in all those who wished to testify at this public hearing.

Pat Ready 4155 Pennsylvania Avenue Dubuque Iowa works for IIW and is consulting on this project. The site and building plans show that the former bank would be modified to allow for distribution and consumption on site. All changes would comply with the city's building and zoning requirements. The approximate proposed hours would be Monday thru Saturday 11-7 and Sunday 12-5. The impact to traffic would be minimal with an additional 260 trips for persons visiting Galena for the first time. The business will have about ten employees. The first floor will be used for the business with about the same amount of space for resale as consumption. They have plenty of parking with the 50 stalls and they will utilize what is there. There will be some changes to the exterior. The existing canopy will be removed which makes room for deliveries. The ATM depot will be removed and recaptured for parking. New signage will be added and the windows frosted for security and privacy.

Bochniak asked about the number of entrances.

Ready said there would be one main entry – off Perry Street as it is now. The other entrance would have double doors to accommodate deliveries and act as an emergency exit. There will be a significant amount of security and cameras are required.

Rosenthal asked about plans for the second floor.

Ready said at this time they would not occupy that floor.

Baranski asked if this area be used if they wanted to expand.

Ready said yes with approval.

Baranski asked about consumption.

Ready said per state law this would only be allowed in the lounge area.

Bochniak asked about compliance to odor regulations.

Oldenburg said they would have to comply. They will need a mechanical filter or scrubber to handle the odor.

Ready said the mechanical system will be completely overhauled. They do not want the odor to impact the public.

Rosenthal asked those in favor of the request to come forward and testify.

Gary Kirst 2782 Red Gates Drive Galena spoke about the negative impact of allowing distribution and consumption of cannabis.

Rosenthal reminded Kirst that the City Council had already approved an ordinance allowing this. The zoning board's task was to review the request to see if it met the approval criteria for a Special Use Permit.

Paul Connor 211 Park Avenue Galena said he is a tenant in the building next to the proposed development. He does not see this as detrimental to his business.

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

Bill Fawell 617 Ridge Street Galena stated the city had no idea just how many people would be coming to Galena once this business was operational. The city needs to look at the traffic and parking impact this business will have on the downtown area. By his estimation, annually, there would be an additional 960,000 trips.

Rosenthal asked if the applicant wished to rebut any of the testimony.

Don Manning 6735 Vistagreen Way Rockford IL 61107, attorney for the applicant, said none of their studies show anything close to the traffic impacts that Fawell presented. There is nothing to indicate the business would cause that number of additional trips into Galena.

**MOTION:** Bochniak moved, seconded by Cook to close the Public Hearing for Cal. No. 19S-15.

Motion carried on voice vote.

**MOTION:** Baranski moved, seconded by Jansen to draft a positive Finding of Fact for Cal. No. 19S-15.

Baranski said the Zoning Board is not political. The City Council has approved this use and now the Zoning Board can only look at the request to see if it meets the specified criteria set forth in the zoning ordinance. Businesses in the downtown commercial district are exempt from meeting parking requirements, but this proposal does have ample parking for employees and patrons.

Baranski reviewed the approval criteria:

**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.**

The request meets the approval criteria.

As Roll Call was:

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

Motion carried.

Cal. No. 19V-05, Applicant: pb2 architecture + engineering, 2809 Ajax Avenue, Suite 100, Rogers, AR 72758; and Owner: Walmart Real Estate Business Trust, 10000 Bartell Blvd. – Walmart #5044, Galena, IL 61036. Parcel: 13-001-106-11, Lot 1 of Block 1 of Galena Scenic Meadows Unit 2, Galena, Jo Daviess County, Illinois. Common address is 10000 Bartell Blvd., Galena, IL 61036. Request for Variance to allow a second internally-illuminated wall sign on the building for new Pick-up business.

**MOTION:** Baranski moved, seconded by Bochniak to open the Public Hearing for Cal. No. 19V-05.

Motion carried on voice vote.

Nack swore in all those who wished to testify at this public hearing.

Amy Miles 2809 Ajax Avenue, Suite 100 Rogers Arkansas 72758 spoke on behalf of Walmart. She explained that the signage would direct patrons to the pickup area on the left side of the building. The signage will help eliminate confusion for those looking for the pickup area and will prevent shoppers from distractedly driving around in the parking lot trying to figure out where to go.

No one spoke in favor of or in opposition to the request.

**MOTION:** Jansen moved, seconded by Bochniak to close the Public Hearing for Cal. No. 19V-05.

Motion carried on voice vote.

**MOTION:** Baranski moved, seconded by Bochniak to draft a positive Finding of Fact for Cal. No. 19V-05.

Baranski reviewed the approval criteria:

**Approval Criteria & Recommendation for Variance:**

A variance is not a right. It may be granted to an applicant only if the applicant establishes that strict adherence to this code will result in practical difficulties or undue hardships because of site characteristics that are not applicable to most properties in the same zoning district. Such variances shall be granted only when the applicant establishes that all of the following criteria, as applicable, are satisfied:

- (1) *Hardship unique to property, not self-inflicted.* There are exceptional conditions creating an undue hardship, applicable only to the property involved or the intended use thereof, which do not apply generally to the other land areas or uses within the same zone district, and such exceptional conditions or undue hardship was not created by the action or inaction of the applicant or owner of the property;
- (2) *Special privilege.* The variance will not confer on the applicant any special privilege that is denied to other lands or structures in the same zoning district;
- (3) *Literal interpretation.* The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant;
- (4) *Reasonable use.* The applicant and the owner of the property cannot derive a reasonable use of the property without the requested variance;
- (5) *Minimum necessary.* The variance is the minimum necessary to make possible the reasonable use of land or structures;
- (6) *Compatible with adjacent properties.* The variance will not be injurious to, or reduce the value of, the adjacent properties or improvements or be detrimental to the public health, safety or welfare. In granting a variance, the decision-maker may impose conditions deemed necessary to protect affected property owners and to protect the intent of this code;
- (7) *Conformance with the purposes of this code.* The granting of a variance will not conflict with the purposes and intents expressed or implied in this Code; and
- (8) *Conformance with the Comprehensive Plan.* The granting of a variance will not conflict with the goals and principles in the adopted Comprehensive Plan.

**The Zoning Board of Appeals can approve, approve with conditions, or deny requests for variances. If the Board would like to approve the request, a motion to draft Finding of Facts should be entertained. The Findings of Facts will then be presented for final consideration at the next Board Meeting.**

The request meets the approval criteria.

As Roll Call was:

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

Motion carried.

**OTHER BUSINESS**

None

**PUBLIC COMMENTS**

None

**MOTION:** Bochniak moved, seconded by Cook to adjourn the meeting at 7:15 pm.

Motion carried on voice vote.

Respectfully submitted by

Deb Price  
Zoning Board Secretary

**DECISION**

**ZONING BOARD OF APPEALS  
OF THE CITY OF GALENA**

**REGARDING**

**CALENDAR NUMBER:** Cal. No. 19S-15

**APPLICATION BY:** Fotis Investments, LLC, 115 Perry Street, Galena, IL 61036

**FOR:** A Special Use Permit to allow Adult-Use Cannabis Dispensing Organization.

**FINDINGS OF FACT**

**PROCEDURES**

Pursuant to law, a public hearing was held by the Galena Zoning Board of Appeals regarding this matter on December 11, 2019. 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 is requesting a Special Use Permit to allow the use of Adult-Use Cannabis Dispensing Organization at their property at 115 Perry Street. The applicant proposes to initially utilize the entire first-floor level for the dispensing organization operations, storage and administration, with possible expansion to a portion of, or all of, the second-floor level in the future. The applicant also wishes to request on-site consumption as part of the dispensing organization use, which is provided-for in our ordinance.

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 building improvements and are subject to State inspection. The applicant provided floor plans, elevations with conceptual signage and a site plan. 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. Projected traffic analysis, hours of operation, staffing levels, parking requirements, landscaping

requirements, lighting standards, natural protection standards and performance standards all meet the zoning code regulations.

Staff recommends approval of this request. Land uses surrounding the property include other Downtown Commercial uses.

**Testimony Presented on Behalf of the Applicant:**

- **Pat Ready, 4155 Pennsylvania Avenue, Dubuque, IA,** works for IIW and has been consulting on this project. The site and building plans show that the former bank would be modified to allow for distribution and consumption on site. All changes would comply with the city's building and zoning requirements. The approximate proposed hours would be Monday thru Saturday 11-7 and Sunday 12-5. The impact to traffic would be minimal with an additional 260 trips for persons visiting Galena for the first time. The business will have about ten employees. The first floor will be used for the business with about the same amount of space for resale as consumption. They have plenty of parking with the 50 stalls and they will utilize what is there. There will be some changes to the exterior. The existing canopy will be removed which makes room for deliveries. The ATM depot will be removed and recaptured for parking. New signage will be added and the windows frosted for security and privacy.

Bochniak asked about the number of entrances.

Ready said there would be one main entry – that would be off Perry Street as it is now. The other entrance would have double doors to accommodate deliveries and act as an emergency exit. There will be a significant amount of security and cameras are required.

Rosenthal asked about plans for the second floor.

Ready said at this time they would not occupy that floor.

Baranski said would this area be used if they wanted to expand the operation.

Ready said yes but only if approved.

Baranski asked about consumption.

Ready said per state law this would only be allowed in the lounge area.

Bochniak asked about compliance to odor regulations.

Oldenburg said they would have to comply. They would have to have some type of mechanical filter or scrubber to handle the odor.

Ready said the mechanical system will be completely overhauled. They do not want to impact the public.

- **Gary Kirst, 2782 Red Gates Drive, Galena,** spoke about the negative impact of allowing the distribution and consumption of cannabis would create.

Rosenthal reminded Kirst that the City Council had already approved an ordinance allowing this. The zoning board’s task was to review the request to see if it met the approval criteria for a Special Use Permit.

- **Paul Connor, 211 Park Avenue, Galena,** said he was a tenant in the building next door to the proposed development. He does not see this as being detrimental to his business.

**Testimony Presented in Opposition to the Request:**

- **Bill Fawell, 617 Ridge Street, Galena,** stated the City had no idea just how many people would be coming to Galena once this business was operational. The City needs to look at the traffic and parking impact this business would have on the downtown area. By his estimation, annually, there would be an additional 960,000 trips.

**Applicant’s Rebuttal:**

- **Don Manning, 6735 Vistagreen Way, Rockford, IL 61107,** attorney for the applicant, said none of their studies show anything close to the traffic impacts that Fawell presented. There is nothing to indicate the business would cause that number of additional trips into Galena.

**APPLICABLE SECTIONS OF THE ZONING ORDINANCE**

- Section 154.005 sets forth the Intent and Purpose of the Zoning Ordinance.
- Section 154.015 defines Adult-Use Cannabis Dispensing Organization
- Section 154.201 (C) (6) provides a definition and description of the Downtown Commercial District.
- Table 154.403.1 lists the Permitted Land Uses permitted by right or by Special Use Permit for all Zoning Districts.
- Section 154.406 (D) (19) (b) defines and outlines the regulations for Adult-Use Cannabis Dispensing Organization as a principal commercial land use.
- Section 154.914 lists the criteria for Site Plan Review.
- Section 154.924 sets forth the Purpose, Applicability, Review Criteria, Decision-Maker, Application and Review Procedures and Validity for Special Use Permits.

## **CONCLUSIONS**

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

1. The subject property is located in the Downtown Commercial District.
2. The Zoning Ordinance provides for Adult-Use Cannabis Dispensing Organization as follows:
  - a. Adult-Use Cannabis Dispensing Organization is permitted only by Special Use Permit as a principal commercial land use in the Downtown Commercial District.
3. The Downtown Commercial District is intended to permit both large-and small-scale downtown commercial development at an intensity which provides significant incentives for infill development, redevelopment and the continued economic viability of existing development. Accordingly, the district standards are crafted to work in conjunction with the requirements of the Historic District. A wide range of office, retail and lodging land uses are permitted within the district. Consistent with existing development patterns, no requirements for on-site landscaping or parking or required in this district for Permitted Uses. This district is strictly limited to central city.
4. The applicant seeks a Special Use Permit to allow Adult-Use Cannabis Dispensing Organization with on-site consumption.

## **DETERMINATION**

Based upon the facts in this case, the Zoning Board of Appeals does find and conclude that the request by Fotis Investments, LLC for a Special Use Permit to allow Adult-Use Cannabis Dispensing Organization should be approved for the following reasons:

1. The site plan review met the applicable criteria for this request.
2. The request meets the district standards for the Downtown Commercial District and is appropriate for the defining characteristics of the district.
3. The request meets the detailed land use regulations established for Adult-Use Cannabis Dispensing Organization land uses.
4. Complimentary uses are available.
5. The request is compatible with adjoining properties through:
  - a. The protection of privacy will be maintained;
  - b. The elements of the plan are designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property;
  - c. The elements of the plan will coexist in a harmonious manner with nearby existing properties.

**DECISION**

NOW, THEREFORE BE IT RESOLVED, that this Zoning Board of Appeals has determined that this request by Fotis Investments, LLC for a Special Use Permit to allow Adult-Use Cannabis Dispensing Organization as a principal commercial land use in a Downtown Commercial District should be approved.

**SPECIAL USE PERMIT: PASSED AND APPROVED** this 11<sup>th</sup> day of December, A.D. 2019, by the Galena Zoning Board of Appeals by a vote of 4 ayes, 1 nay, 2 absent, 0 abstain, 0 recused.

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John Rosenthal, Chairperson

## **DECISION**

### **ZONING BOARD OF APPEALS OF THE CITY OF GALENA**

#### **REGARDING**

**CALENDAR NUMBER:** 19V-05

**APPLICATION BY:** pb2 architecture + engineering, 2809 Ajax Ave., Suite 100,  
Rogers, AR 72758

**FOR:** Request for a Variance to allow a second internally-  
illuminated wall sign for Pick-up business at Walmart at  
10000 Bartell Blvd.

#### **FINDINGS OF FACT**

#### **PROCEDURES**

Pursuant to law, a public hearing was held by the Galena Zoning Board of Appeals regarding this matter on December 11, 2019. 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 is requesting a Variance to allow a second internally-illuminated wall sign on the Walmart primary façade to communicate a new Pick-up business. Essentially, Walmart will offer a service where online orders can be made, then items are shopped-for by the Walmart personnel, then they deliver it to you in your car in the parking lot.

The ordinance allows only one internally-illuminated wall sign per building. Given the 800+ feet setback from the highway, the applicant wishes to illuminate the wall sign to help indicate the new business is available at the property and to direct them to that side of the building for pick-up. As you can see on the attached elevation, the sign is relatively small-scale compared to the size of the façade. Additionally, new development in front of Walmart will hinder visibility of the building.

A similar variance was granted to Galena Square in 1994 as well as Hartig's for setback reasons.

## **PUBLIC SUPPORT AND/OR OBJECTIONS**

In accordance with Article 9, Table 154.918.1 of the City of Galena Zoning Ordinance, a public hearing was held for the Variance Request. The Zoning Board of Appeals heard testimony regarding the application 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 and in Support of the Proposal:**

- **Amy Miles, 2809 Ajax Avenue, Suite 100, Rogers, AR 72758**, spoke on behalf of Walmart. She explained that the signage would direct patrons to the pickup area on the left side of the building. The signage will help eliminate confusion for those looking for the pickup area and will prevent shoppers from distractedly driving around in the parking lot trying to figure out where to go.

### **Testimony Presented in Opposition to the Proposal:**

- No one spoke in opposition to the request.

## **APPLICABLE SECTIONS OF THE ZONING ORDINANCE**

- Section 154.005 sets forth the Intent and Purpose of the Zoning Ordinance.
- Section 154.201 (C) (5) provides a definition and description of the General Commercial District.
- Section 154.806 sets forth the regulations for Permitted Sign Types.
- Section 154.807 sets forth the Sign Illumination Standards.
- Section 154.919 sets forth the non-administrative development review common elements of procedures.
- Section 154.925 sets forth the Purpose, Applicability, Review Criteria, Decision-Maker, Application and Review Procedures for Variances.

## **CONCLUSIONS**

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

1. The subject property is located in the General Commercial District.
2. The applicant is requesting a second, internally-illuminated wall sign on the building.

## **DETERMINATION**

Based upon the facts in this case, the Zoning Board of Appeals does find and conclude that the request by pb2 architecture + engineering for a Variance to allow a second internally-illuminated wall sign for Pick-up business at Walmart should be approved for the following reasons:

A variance is not a right. It may be granted to an applicant only if the applicant establishes that strict adherence to this code will result in practical difficulties or undue hardships because of site characteristics that are not applicable to most properties in the same zoning district. Such variances shall be granted only when the applicant establishes that all of the following criteria, as applicable, are satisfied:

- (1) *Hardship unique to property, not self-inflicted.* There are exceptional conditions creating an undue hardship, applicable only to the property involved or the intended use thereof, which do not apply generally to the other land areas or uses within the same zone district, and such exceptional conditions or undue hardship was not created by the action or inaction of the applicant or owner of the property;
- (2) *Special privilege.* The variance will not confer on the applicant any special privilege that is denied to other lands or structures in the same zoning district;
- (3) *Literal interpretation.* The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant;
- (4) *Reasonable use.* The applicant and the owner of the property cannot derive a reasonable use of the property without the requested variance;
- (5) *Minimum necessary.* The variance is the minimum necessary to make possible the reasonable use of land or structures;
- (6) *Compatible with adjacent properties.* The variance will not be injurious to, or reduce the value of, the adjacent properties or improvements or be detrimental to the public health, safety or welfare. In granting a variance, the decision-maker may impose conditions deemed necessary to protect affected property owners and to protect the intent of this code;
- (7) *Conformance with the purposes of this code.* The granting of a variance will not conflict with the purposes and intents expressed or implied in this Code; and
- (8) *Conformance with the Comprehensive Plan.* The granting of a variance will not conflict with the goals and principles in the adopted Comprehensive Plan.

**DECISION**

NOW, THEREFORE, BE IT RESOLVED that this Zoning Board of Appeals has determined that this request by pb2 architecture + engineering for a Variance to allow a second internally-illuminated wall sign for Pick-up business at Walmart should be approved.

PASSED AND APPROVED this 11<sup>th</sup> day of December, A.D. 2019, by the Galena Zoning Board of Appeals by a vote of 5 ayes, 0 nays, 2 absent, 0 abstain, 0 recused.

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John Rosenthal, Chairperson

# 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: January 3, 2020

MATT

RE: Cal. No. 20S-01, Applicant and Owner: MB Geronimo, LLC d/b/a Bard Materials, 11375 Industrial Drive, Galena, IL. Location: Parcel: 13-001-078-39, Lot 1 of the Re-subdivision of Lot 6, Galena Industrial Park Subdivision, Section 11, T28N, R1W, Galena, Jo Daviess County, Illinois. Common Address is 11375 Industrial Drive, Galena, IL 61036. Request for approval of corrugated steel siding in the Highway 20 Corridor Overlay District.

### Summary:

The applicant is requesting a Special Use Permit to allow replacement of corrugated steel siding on the garage structure. According to the Highway 20 Corridor Design Manual, large-scale metal siding is a "Discouraged" material in the architectural section. Table X.1 requires that a Special Use Permit be requested for the use of "Discouraged" wall materials within 1200 LF of the centerline of Highway 20.

The structure currently has corrugated steel siding, which is preferred by the Owner, due to the industrial nature of activity at the site. The corrugation is more durable against the concrete production activity, in the immediate vicinity, as it would have a more damaging effect on other materials.

The applicant proposes to replace the existing siding as it is pretty beat-up from years of activity at the site. They propose to use a similar corrugation pattern and the color would be a gray tone to match the company's colors. The steel material will be PBR-Panel/R-Panel (36") on the attached cut sheet from the manufacturer. The color will be Ash Gray (25) for the main color and Patriot Red (73) for the trim.

This building is almost entirely unseen from the Highway 20 centerline, with the exception of a fleeting moment when rounding Scadden's Corner in the Eastbound Lane. Then, the façade facing Industrial Drive can be partially seen in that moment.

Staff recommends approval of this request. Land uses surrounding the property include other Industrial / Commercial uses.

### 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.

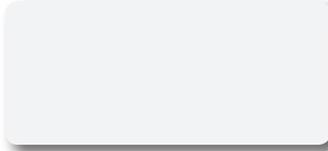
**The Zoning Board of Appeals can grant, conditionally grant, or deny all applications for a Special Use Permit or an amendment thereof. If the Board would like to grant the request, a motion to draft Findings of Fact should be entertained. The Findings of Fact will then be presented for final consideration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







## PVDF Paint System



Linen White (81)<sup>1</sup>

SR = 0.73	TE = 0.86	SRI = 89
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Khaki (88)

SR = 0.35	TE = 0.87	SRI = 37
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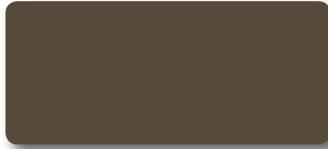
Classic Green (66)

SR = 0.32	TE = 0.86	SRI = 33
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Zinc Grey (29)

SR = 0.41	TE = 0.86	SRI = 45
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Burnished Slate (49)

SR = 0.30	TE = 0.85	SRI = 30
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Ocean Blue (35)

SR = 0.29	TE = 0.86	SRI = 29
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Patriot Red (73)

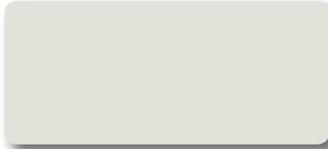
SR = 0.46	TE = 0.86	SRI = 52
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Acrylic Coated Galvalume<sup>®</sup> (41)<sup>2</sup>

SR = 0.67	TE = 0.14	SRI = 56
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## MS Colorfast45<sup>®</sup> Paint System



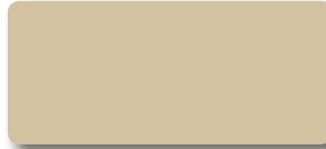
Polar White (80)

SR = 0.58	TE = 0.87	SRI = 68
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White (30)

SR = 0.57	TE = 0.88	SRI = 67
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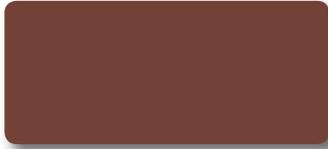
Light Stone (63)

SR = 0.50	TE = 0.88	SRI = 58
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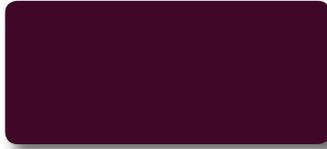
Mocha Tan (22)

SR = 0.52	TE = 0.87	SRI = 60
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Brown (12)

SR = 0.31	TE = 0.87	SRI = 32
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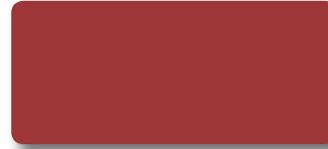
Burgundy (15)

SR = 0.25	TE = 0.87	SRI = 24
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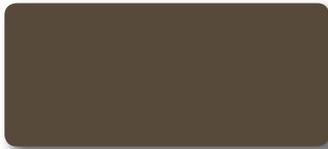
Patriot Red (73)

SR = 0.35	TE = 0.88	SRI = 38
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Red (24)

SR = 0.30	TE = 0.86	SRI = 30
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Burnished Slate (49)

SR = 0.31	TE = 0.87	SRI = 32
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Ocean Blue (35)

SR = 0.30	TE = 0.88	SRI = 31
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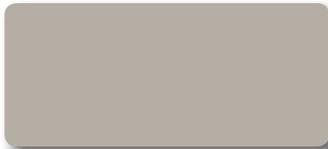
Hawaiian Blue (70)

SR = 0.32	TE = 0.87	SRI = 33
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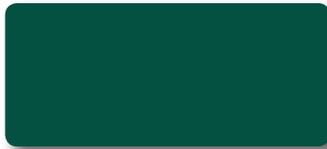
Charcoal (17)

SR = 0.30	TE = 0.87	SRI = 31
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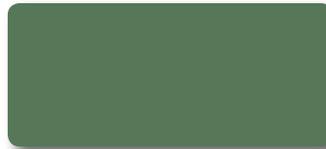
Ash Grey (25)

SR = 0.37	TE = 0.88	SRI = 40
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Forest Green (26)

SR = 0.27	TE = 0.87	SRI = 27
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Patina Green (58)

SR = 0.29	TE = 0.86	SRI = 29
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Black (06)

SR = 0.30	TE = 0.88	SRI = 31
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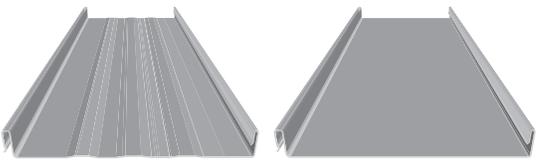
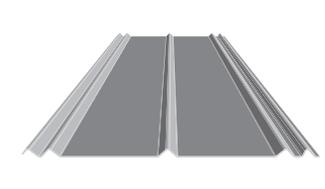
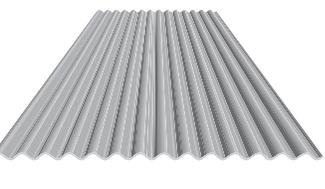
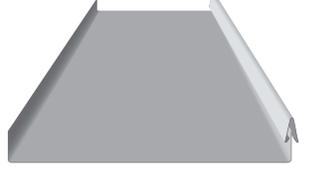
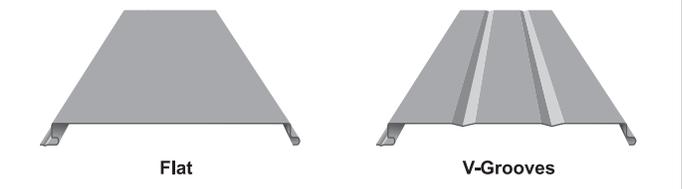
(Color Code) • SR = Initial Solar Reflectance • TE = Thermal Emittance • SRI = Solar Reflectance Index



All Colors Meet or Exceed ENERGY STAR<sup>®</sup> Steep Slope Requirements  
<sup>1</sup> Meets or Exceeds ENERGY STAR<sup>®</sup> Low Slope Requirements  
<sup>2</sup> Non-Painted Finish



## COMMON 26 GAUGE PANEL PROFILES (COVERAGE)

<b>Vertical Seam (12" &amp; 16")</b>  <p style="text-align: center;">Striated                      Flat Pan</p>		<b>Image II (12" &amp; 16")</b>  <p style="text-align: center;">Striated                      16" Minor Rib                      12" Minor Rib</p>		
<b>5V-Crimp (24")</b> 	<b>PBR-Panel/R-Panel (36")</b> 	<b>PBU-Panel/U-Panel (36")</b> 	<b>V-Line 32 (32")</b> 	
<b>Classic Rib® (36")</b> 	<b>Pro-Panel II® (36")</b> 	<b>7/8" Corrugated (varies)</b> 	<b>2.5" Corrugated (varies)</b> 	
<b>Span-Line 36A (36")</b> 	<b>Mini-Batten (12" &amp; 16")</b> 	<b>Soffit Panel (12")</b>  <p style="text-align: center;">Flat                                      V-Grooves</p>		

*Panels are also available in other gauges, please inquire. Not all colors and gauges are stocked at all branches. Color samples are close representations but are limited by processing and viewing conditions. Actual samples are available by request. For all specific warranty, application, installation and technical information regarding these products, contact your sales representative.*

### PVDF PAINT PERFORMANCE

#### Salt Spray Resistance

ASTM B 117	1,000 Hours	Creep from scribe no more than 1/8", no blisters
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#### Humidity Resistance

ASTM D 2247	2,000 Hours	No blisters, cracking or peeling
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#### Abrasion Resistance

ASTM D 968	Method A	65 ± 5 liters/mil falling sand
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#### Chalk Resistance

ASTM D 4214	2,000 Hours	No chalking greater #8 rating
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### MS COLORFAST45® PAINT PERFORMANCE

#### Salt Spray Resistance

ASTM B 117	1,000 Hours	Creep from scribe no more than 1/8", no blisters
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#### Humidity Resistance

ASTM D 2247	1,200 Hours	No blisters, cracking or peeling
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#### Abrasion Resistance

ASTM D 968	Method A	30 liters/mil falling sand
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#### Chalk Resistance

ASTM D 4214	2,000 Hours	No chalking greater #8 rating
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11-2015 1095



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 Jefferson, OH: 800.321.5833

Mocksville, NC: 800.228.6119  
 Nashville, TN: 800.251.8508  
 Rock Island, IL: 800.747.1206  
 Rogers, MN: 800.328.9316

Sellersburg, IN: 800.999.7777  
 Sioux Falls, SD 888.299.0024  
 Temple, TX: 800.543.4415

# 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: January 3, 2020

MATT

RE: Cal. No. 20S-02, Applicant: UHCC LLC d/b/a Bridge City Collective, 4312 N. Williams Avenue, Portland, OR 97217; and Owner: Xochi, LLC, 216 S. Commerce Street, Galena, IL 61036. Location: Parcel: 22-100-491-00, Lot 68, S 22' of Lot 67 & S ½ of Lot 76, Lots between Commerce and Water Streets, Galena, Jo Daviess County, Illinois. Common Address is 216 South Commerce Street, Galena, IL 61036. Request for Special Use Permit to allow Adult-Use Cannabis Dispensing Organization in the Downtown Commercial district.

### Summary:

The applicant is requesting a Special Use Permit to allow the use of Adult-Use Cannabis Dispensing Organization at their property at 216 South Commerce Street. The applicant does not request on-site consumption as part of the dispensing organization use at this time.

The detailed land use regulations of the proposed use are satisfied by the application contents. Further detailed regulations, dictated by the State Act, will be applicable to the site development and building improvements and are subject to State inspection. The applicant provided floor plans, elevations with conceptual signage and a site plan. 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. Projected traffic analysis, hours of operation, staffing levels, parking requirements, landscaping requirements, lighting standards, natural protection standards and performance standards all meet the zoning code regulations.

Staff recommends approval of this request. Land uses surrounding the property include other Downtown Commercial uses.

### 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.**

**APPENDIX TO SPECIAL USE APPLICATION  
BRIDGE CITY COLLECTIVE  
216 S. COMMERCE STREET, GALENA, IL**

**Responses to Questions on Application**

**1. Please provide a written statement explaining the nature of the proposed special use.**

Bridge City Collective proposes to operate an Adult-Use Cannabis Dispensing Organization, as defined in Section 154.015 of the City of Galena Zoning Code (the “**Zoning Code**”), on the property commonly known as 216 S. Commerce Street in Galena, Illinois (the “**Property**”).

Our goal is to open a boutique dispensary that will create jobs and contribute to the vibrancy and appeal of the Downtown Commercial District in the City of Galena, Illinois (the “**City**”).

Bridge City Collective is a diverse group of Illinois professionals and experienced retail cannabis operators with the shared goal of making a positive, tangible change in people’s lives through this unique industry.

In 2014, our team opened one of the first licensed and regulated dispensaries in Portland, Oregon with a service-driven mission. Since then, Bridge City Collective has become a well-capitalized national brand with the financial resources to cultivate local entrepreneurs in emerging markets and invest in their neighborhoods. Now, as Illinois embraces the adult-use industry, we felt a moral duty to translate our achievement into the success of Illinois residents. Bridge City Collective has partnered with such esteemed individuals as Lee Farmer, our CEO. Mr. Farmer is a successful entrepreneur and businessman. He has founded multiple companies in the entertainment industry and has over ten years of experience in business development and management. Judge Shelli Hayes, our Chief Legal Officer, served as a Judge of the Circuit Court of Cook County, Illinois for 18 years. We will empower these community leaders and entrepreneurs with our compliant standard operating procedures, state-of-the-art security apparatus, respected brand, and quality assurance protocols to become world-class operators.

Our dispensary and operations will positively impact the public health, safety and general welfare of Galena residents and will never endanger the community. We have experienced an increase in property values, tax revenue, and local hiring near our Portland, Oregon dispensaries and anticipate the same beneficial economic impact in Galena, Illinois.

**2. Explain how the proposed use or expansion is necessary or desirable to provide a service or facility which is in the interest of the public convenience.**

The proposed dispensary will provide a service and facility that is in the interest of the public convenience by contributing to and strengthening the dynamic, vibrant character of the City’s Downtown Commercial District. The City’s downtown area offers a multitude of services, activities, and experiences that make it a nationally-recognized destination for visitors and a cherished resource for residents. The area features shopping, dining, lodging, historic sites, cultural institutions, and many other attractions that make downtown Galena an interesting and enjoyable place to live, work, and visit. The proposed dispensary will provide services and a facility that complements and enhances the downtown area’s diverse array of things to see and do in Galena.

**APPENDIX TO SPECIAL USE APPLICATION  
BRIDGE CITY COLLECTIVE  
216 S. COMMERCE STREET, GALENA, IL**

Bridge City Collective appreciates the City's rich history as a cultural and commercial center with small-town charm. We wish to bolster the vibrant Galena community by growing the City's diverse and robust local economy, providing employment opportunities for residents, and serving the needs of the Galena community and its visitors. We will design the dispensary using simple and classic architectural style with clean lines and simple colors for our aesthetic to be consistent with Galena's historic character. We strongly believe that the presence of a Bridge City Collective storefront on Commerce Street will generate additional economic development in downtown Galena, while preserving the rich history of the City. As experienced operators with strong local ties, our team chose Galena because of its welcoming people, promising growth, and pro-business policies. Our dispensary will emulate and reflect Galena's distinctive charm and character.

**3. Explain how the proposed use or expansion will contribute to the general welfare of the neighborhood or community.**

Bridge City Collective and the proposed dispensary will contribute to the general welfare of the community by transforming a vacant property in the City's downtown area into a state-of-the-art, aesthetically-pleasing, welcoming, and safe facility that will bring new life to an underutilized stretch of Commerce Street. Bridge City Collective will invest approximately \$900,000 to renovate the Property, using local contractors and professionals as much as possible. The dispensary will create approximately 20 new jobs and serve as many as 300 customers per day, driving foot traffic along Commerce Street for the benefit of neighboring businesses. Upon completion, the dispensary will be an anchor for additional community and economic development throughout downtown Galena.

Bridge City Collective strongly believes in becoming an integral part of the communities we serve. We strive to be a neighborhood leader and a force for good, and we measure our success by the positive impact we make on our communities. Community empowerment is at the core of Bridge City Collective's business model because a business can only be as successful as the community in which it operates. We will be an active and engaged member of the Galena community, supporting local initiatives and organizations, getting involved in local activities and events, and being a good neighbor.

**4. 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?**

The proposed dispensary will not in any way be detrimental to the health, safety, morals, or general welfare of persons working or residing in the vicinity of the Property. Our principals strongly believe cannabis businesses have a moral obligation to protect and promote the health and well-being of our patients, consumers, and the neighborhoods in which we operate. Bridge City Collective is committed to operating in a responsible manner that will protect the health, safety, and welfare of Galena residents and visitors and mitigate potential impacts from commercial cannabis activity. Our boutique dispensary will be designed, built, and operated with the goal of mitigating environmental, economic, social, and noise impacts of construction. We recognize the relationship between natural and built environments and will minimize the use of energy, water,

**APPENDIX TO SPECIAL USE APPLICATION  
BRIDGE CITY COLLECTIVE  
216 S. COMMERCE STREET, GALENA, IL**

and other natural resources to provide a safe and healthy environment for our clients and the community.

**SECURITY**

Bridge City Collective has extensive experience in operating secure, incident free dispensary facilities. Our Security Manager, a retired Missouri Highway Patrolman who served as Commander of Ferguson Operations, has over thirty years of law enforcement experience. He will oversee the implementation of all security procedures and protocols. His decades of service make him intimately aware of the potential security challenges facing operators. Recognizing the value that experienced security professionals can bring, we have also partnered with Hillard Heintze, one of the leading security risk management firms in the world that has been serving Illinois cannabis industry operations since the inception of the Compassionate Use Act. We have developed comprehensive security protocols that will minimize any risk of security threat or diversion. Our site will be secured by on-site security services at all times of operation. Finally, our security features will benefit the broader neighborhood. If any crime or act of vandalism is committed in the neighborhood, Bridge City Collective will deploy any and all resources to assist in the investigation. This includes offering surveillance footage from our security system, fully cooperating with law enforcement, and volunteering our time and efforts on request.

**PROPERTY LOCATION AND IMPACT ON NEIGHBORS**

Bridge City Collective has strategically located our proposed dispensary to keep traffic out of neighborhoods and be consistent with the surrounding land uses. To minimize neighborhood impact, we chose a location on Commerce Street, a commercial corridor in the heart of the City's downtown area. Due to the commercial nature of the area, our dispensary will not have a detrimental effect on adjacent property, traffic patterns, or resident safety. As the operators of four dispensaries across two states, we understand strategic site selection is key for client accessibility and preventing neighborhood concerns. Our location at 216 S. Commerce Street accomplishes both goals.

**NUISANCE MITIGATION**

Due to our strategic nuisance mitigation and security protocols, the dispensary will never be injurious to the use and enjoyment of other property or substantially diminish and impair property values within the neighborhood. We will operate our business in a manner as to prevent noise, dust, vibration, glare, fumes, or odors from being detectable by our neighbors. The proposed dispensary will not result in the destruction, loss, or damage of natural, scenic, or historic features of significant importance because we are occupying an existing building. Construction will be focused on interior improvements and the installation of security features. Unlike ground-up construction, these improvements will not subject the community to considerable noise or other construction-related nuisances. We will also add landscaping, exterior safety lighting, and professional signage to beautify the building and surrounding area. The space will be compliant, accessible, and quintessentially Galena.

**APPENDIX TO SPECIAL USE APPLICATION  
BRIDGE CITY COLLECTIVE  
216 S. COMMERCE STREET, GALENA, IL**

Bridge City Collective will perform daily inspections to ensure the interior and exterior of the dispensary is properly maintained. Our store, associated exterior areas, and any sidewalk or alley, will be maintained in an attractive condition and will be kept free of obstruction, trash, litter, and debris at all times. Adequate illumination of the exterior of the building in the evening, along with visible exterior security cameras, will deter vandalism of any kind.

**PARKING**

The proposed dispensary complies with the Zoning Code's off-street parking requirements. Although the Property does not have off-street parking spaces, under the Zoning Code the proposed dispensary is not required to provide any. Bridge City Collective does not anticipate parking problems because historically the Property has not had off-street parking, even when it was occupied for uses that create much greater demand for parking than a dispensary. Comparatively, the proposed dispensary will reduce, not increase, parking demand at the Property. To the extent that any adverse parking impacts unexpectedly arise, Bridge City Collective is committed to working with the City to address them.

The Zoning Code's off-street parking requirements do not apply to the proposed dispensary on the Property. Pursuant to Section 154.601(H) of the Zoning Code, the minimum parking requirements of Table 154.601.3 do not apply in the Downtown Commercial District, where the Property is located. Additionally, pursuant to Section 154.601(B)(5) of the Zoning Code, off-street parking requirements do not apply to changes in use of an existing structure where, as here, "the change in use does not include any new structures or additions to existing structures." Accordingly, the minimum off-street parking requirement applicable to Adult-Use Cannabis Dispensing Organizations set forth in Table 154.601.3 of the Zoning Code (*i.e.*, one parking space per 300 square feet of gross floor area) is inapplicable.

Nevertheless, compared to prior uses of the Property, the proposed dispensary will reduce demand for parking at the Property. The Property previously was used as a restaurant. Under Table 154.601.3 of the Zoning Code, a restaurant is "Entertainment, Indoor Commercial," which must have one parking space per three patrons at maximum capacity. As a restaurant, the Property can accommodate approximately 140 patrons and, therefore, would be required to have approximately 47 parking spaces. That number of spaces far exceeds the number of parking spaces that would be required if Section 154.601 of the Zoning Code applied to the proposed dispensary. The Property has a gross floor area of approximately 4,598 square feet, which means that 15 parking spaces – 32 fewer spaces than a restaurant – would be required if Section 154.601 of the Zoning Code applied to the proposed dispensary.

The demand for parking by customers and employees of the proposed dispensary will be much less intense than the demand for parking by customers and employees of a restaurant. Bridge City Collective anticipates that up to 300 customers will visit the proposed dispensary each day, but the volume of customers will be spread throughout the day (rather than concentrated during peak meal hours), many customers will not drive, and customers will stay for relatively short periods of time. Taken together, customers' need for parking at the dispensary will be minimal compared to a restaurant. Additionally, the need for employee parking is scant, with only about 6-10 dispensary employees per shift.

**APPENDIX TO SPECIAL USE APPLICATION  
BRIDGE CITY COLLECTIVE  
216 S. COMMERCE STREET, GALENA, IL**

Bridge City Collective is committed to encouraging our customers and employees to utilize environmentally-friendly modes of transportation, such as walking or bicycle riding. To minimize vehicular traffic and reduce our carbon footprint, our proposed dispensary is conveniently located on Commercial Street, a pedestrian-friendly commercial corridor in the heart of downtown Galena. The building is a short walk from dozens of other shops, restaurants, hotels, and cultural and historical attractions. Additionally, the Property is located adjacent to two public parking lots. The lot directly to the north includes approximately 23 parking spaces. The lot directly to the south has approximately 21 parking spaces. Combined with ample street parking along Commerce Street, customers and employees of the proposed dispensary will have more than enough parking spaces to accommodate their needs.

In the case of ice or snow on any ground surfaces surrounding the Property, ice will be treated so that pedestrians and customers can safely walk and snow will be shoveled and placed in a manner that does not impair vehicular or pedestrian traffic. Snow or ice will be removed from public sidewalks and will not be placed upon a public right-of-way. Any exterior lighting on the proposed facility will be arranged so that it is deflected away from adjacent properties and does not impede the vision of traffic along adjacent streets.

**ELIMINATION OF ODOR AND OLFACTORY STIMULUS**

Bridge City Collective has developed an odor control plan to ensure that our facility serves as an environmental steward of the community and does not create a nuisance. Through our facility design process, we will be able to identify all potential sources of olfactory emissions and proactively design, construct, and operate a dispensary that follows industry best practices for odor mitigation. No marijuana vapors or odors will ever be detectable from the exterior of the boutique dispensary or from within any adjoining premises. Many of Bridge City Collective's odor prevention measures overlap with its hygiene protocols. Bridge City Collective will train all employees to maintain a sanitary facility reinforced with anti-contamination standard operating procedures, which will result in a clean, low-odor facility.

Bridge City Collective has implemented procedures to abate or eliminate all odor emissions. The dispensary Manager will ensure all activities that could produce a significant odor are isolated and mitigated. The dispensary Manager will assign different employees to implement and monitor procedural activities to mitigate odors. All employees will be responsible for ensuring that all doors remain closed and odor emitting activities are isolated. The dispensary Manager will also perform routine audits to ensure that odor mitigation equipment, filters, and ventilation are working effectively. If an employee notices any equipment malfunction, he or she will immediately report the situation to the dispensary Manager, who will develop a plan of action to repair or replace the equipment. Finally, as part of its administrative controls, Bridge City Collective will install weather stripping on all doors and windows to prevent any odor leakage. All staff have been instructed to report to management immediately upon detecting any odors from outside the facility. Upon receipt of a report, dispensary management will investigate to determine the source of the odor leak and develop and put into place steps that can be taken to alleviate the odor.

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Bridge City Collective has developed sufficient and compliant staff training procedures regarding the mitigation and elimination of odor emissions. The dispensary Manager will train all employees on odor detection, mitigation, and reporting. Additionally, each new hire must complete an odor control training curriculum, prior to reporting to work. The dispensary Manager will train employees on administrative and engineering activities for odor mitigation at least once a year. The duration of the training courses will be approximately sixty (60) minutes. The format of the training will be in person, using real world examples and hands-on learning. All Bridge City Collective employees will be trained on the company's specific administrative and engineering activities for odor mitigation.

**REDUCING COMMON VISUAL OBSERVATION**

Our proposed boutique dispensary will be designed to complement the general character and aesthetics of the Galena neighborhood. Out of respect for the constituents of the City of Galena, Bridge City Collective will thoughtfully design all exterior signage identifying the facility to be visually appealing and subtle. No pictures, photographs, drawings, or other depictions of cannabis will appear on the outside of the building. Our landscaping will be carefully designed to support local fauna, and ensure that trees, bushes, and other foliage do not allow people to conceal themselves from sight. We value the beauty of the night sky and understand our neighbors' desire to have a boutique dispensary that blends into the surrounding community. As such, Bridge City Collective will use downward-facing commercial security lighting where required, supplemented with instant-on lighting triggered by motion detectors as an added security measure. All dispensary lighting, including interior building lighting and exterior building lighting will comply with applicable regulations, ordinances and building codes. Bridge City Collective will not utilize any type of active outdoor facility lighting that would create light pollution issues. Should facility lighting give rise to a complaint, Bridge City Collective will work to develop a compliant lighting solution that makes community impact considerations without sacrificing facility security.

**ELIMINATING AUDITORY NUISANCES**

Our dispensary will never produce excessive noise that would be a nuisance to the surrounding neighborhood. When the boutique dispensary is closed, there will be no noise emitted from the establishment. Any alarms that are set off will include a device that automatically shuts off the sound of the alarm after it has sounded for fifteen (15) minutes. If any individual is excessively noisy, that individual will immediately be escorted off the premises and, if necessary, reported to law enforcement.

**MINIMIZING OUR CARBON FOOTPRINT AND ENVIRONMENTAL IMPACT**

Bridge City Collective will minimize our environmental impact through the conservation of resources and the application of sustainable practices. We care deeply about the Galena environment and the judicious use of scarce resources. Through a combination of sustainable facility design and impact reducing operational measures, we believe that Bridge City Collective will become a leader in environmentally sustainable retail practices. Energy efficiency and sustainable operational practices are central to our environmental plan, with special focus on material selection and the minimization of resource needs. To implement this plan, we will audit

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our facility and processes for energy efficiency, utilize new sustainable technologies, and measure the success of our results so that we can improve wherever possible. Any building renovations will incorporate environmentally-friendly building practices, including the use of low VOC materials and recycled materials.

To promote water conservation and reduce water consumption, Bridge City Collective will install low flow restrictors on all water appliances such as sinks, toilets, and water fountains. This will greatly reduce our water utilization. We will calibrate all toilets to use only the minimum amount of water required per flush and will install sanitary waterless urinals. All sinks will be outfitted with a faucet aerator. Our water efficient technologies will be installed by a licensed Illinois plumber and will be maintained in compliance with International Plumbing Codes and all other applicable state and local laws, regulations, ordinances, and other requirements. The interior layout of the facility will be designed to create a controlled environment in which energy use is minimized and the spread of potential sources of contamination is prevented. We believe that sustainable design requires a comprehensive approach to choosing and integrating products and processes that account for environmental conservation in addition to long-term consumer satisfaction and security.

We will utilize sophisticated light-emitting diode (LED) longevity light fixtures wherever possible. LED lamps use only 6 to 9 Watts and can reduce electricity use substantially compared to fluorescent bulbs. The low voltage also reduces the risk of accidental fires or electric shocks if exposed to moisture. LED lamps do not experience degradation and rarely need replacing, thus minimizing waste. LED lamps are easy and safe to replace as they do not contain vapors, mercury, or glass. We will install smart meters throughout our dispensary to record and manage environmental control metrics, including temperature, humidity, airflow, and other complex efficiency measurements. We estimate that smart meters will reduce our energy consumption by 4% to 12% annually.

**MITIGATING UNFORESEEN IMPACTS**

Bridge City Collective understands other potential impacts may arise from normal business operations that are not currently contemplated. Although we believe that our Neighborhood Liaison will be able to prevent these issues from arising by cultivating healthy and frequent communication with our neighbors, company policies require any staff member receiving a complaint to immediately report the concern to his or her manager. All necessary actions will be taken to resolve a complaint, and all records of complaints will be kept on-site.

Bridge City Collective takes seriously the safety of our community, employees, and neighbors. In the unexpected event that the dispensary causes damage or injury to property or persons, including but not limited to an explosion, fire, or release of harmful substances, or a violation of a state or local law, code, or regulation, Bridge City Collective will take full responsibility for reimbursing any costs associated with the emergency response, property repair, remediation, and medical expenses caused by the event, and/or prosecution. Bridge City Collective is committed to developing and strengthening our ties to the community and to ensuring that our neighbors thrive along with us. We look forward to continuing to develop a synergistic relationship between our company and the Galena community.

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**COMMUNITY AND YOUTH DRUG PREVENTION**

It is important our community works together to denounce and discourage the unlawful use of cannabis in Illinois. Bridge City Collective wants Galena residents, especially young people, to know the unlawful use of cannabis has severe consequences. Although adult-use cannabis is legal in Illinois, there are still current penalties for recreational use by persons under the age of twenty-one (21). To raise awareness about the penalties for the unlawful use of cannabis, Bridge City Collective will explore partnering with the Galena Police Department to hold community discussions. During these community discussions, Bridge City Collective will solicit feedback from the community to understand the best way to reach our neighbors. Bridge City Collective will promote these community discussions through traditional media and social media. In order to drive attendance to these important events, Bridge City Collective will encourage the Galena Police Department and local elected officials to promote the community discussions as well.

**DISCREET SIGNAGE**

Bridge City Collective is committed to ensuring our signs and exterior storefront add value to Galena while respecting the historic culture of the community. All exterior signs will be designed to complement the general design, character, and aesthetics of the neighborhood, and will comply with all municipal regulations for size, area, and type of sign. Out of respect for Galena residents and neighboring businesses, our signs will be minimal.

**CREATING A NEIGHBORHOOD DIALOG**

Bridge City Collective will use multiple communication tools to engage Galena residents to address any concerns they may have. Each communication platform will be consistently staffed to respond to inquiries. Communication platforms may include:

- Twenty-four (24)-Hour Telephone Hotline Number.
- Active Social Media Accounts.
- Regularly Monitored Email and Website Contact Form.

We encourage all community members, neighbors, businesses, and clientele to immediately contact our Neighborhood Liaison should there be any issue with our operations. Bridge City Collective and our employees will always listen to our local community, share knowledge, and create an understanding of our services, objectives, and planned outcomes with all interested parties. We will frequently meet with public officials, the community, and stakeholders to hear about any issues or concerns related to our operations, or presence in the Galena community. Bridge City Collective is committed to maintaining positive relationships with the neighborhood. Our overall goal is to build a transparent relationship with the City and surrounding businesses to ensure that all feel comfortable and secure with our retail operation. One of the primary responsibilities of our Neighborhood Liaison will be to field community questions and concerns. Bridge City will also provide the Chief of Police or his or her designee with the name and telephone number (both landline and mobile, if available) of the Neighborhood Liaison to whom emergency notice can be provided at any hour of the day.

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**Additional Information Regarding Compliance with Zoning Code**

**SPECIAL USE REGULATIONS**

Section 154.924 of the Zoning Code, titled “Special Use Permits”, requires that the proposed dispensary comply with all of the following review criteria, some of which have been addressed above:

**1. Site plan review standards.** Bridge City Collective has submitted a floor plan that complies or will comply with all applicable site plan review standards. Before the issuance of building permits, Bridge City Collective will also prepare and submit a sign plan and any other plans required to be submitted by applicable City codes, ordinances, and regulations.

**2. District standards.** Based on a reasonably diligent investigation and the current preliminary plans for the dispensary, Bridge City Collective believes that the proposed dispensary and the Property comply or will comply with all applicable standards within the Downtown Commercial District set forth in Sections 154.204 and 154.208 of the Zoning Code.

**3. Specific standards.** Based on reasonably diligent investigation and the current preliminary plans for the dispensary, Bridge City Collective believes that the proposed dispensary and the Property comply or will comply with all of the land use regulations set forth in Section 154.405 of the Zoning Code.

**4. Availability of complementary uses.** As discussed above, the proposed dispensary will be located in the heart of downtown Galena, within which numerous complementary uses, such as shops, restaurants, hotels, and historic and cultural attractions, exist.

**5. Compatibility with adjoining properties.** As discussed above, the proposed dispensary will be compatible with and will safeguard neighboring properties by taking measures to protect the visual and auditory privacy of neighbors, protect the use and enjoyment of adjacent property, and ensure that the design of the dispensary is consistent with the existing aesthetic of the City’s downtown area.

**ADULT-USE CANNABIS DISPENSING ORGANIZATION REGULATIONS**

Section 154.406(D)(19) of the Zoning Code, titled “Adult-Use Cannabis Dispensing Organization”, provides that Adult-Use Cannabis Dispensing Organizations will be evaluated in accordance with certain criteria and must comply with certain requirements.

**1. Hours of operation.** Bridge City Collective will consult with the City regarding hours of operation that would best complement the commercial area within downtown Galena and minimize any potential concerns.

**2. Anticipated parking demand.** As discussed above, Bridge City Collective anticipates minimal parking demand, especially compared to the previous use of the Property as a restaurant. Bridge City Collective expects that many customers will not drive to the dispensary because it is located in a pedestrian-friendly area near many other downtown businesses. Any

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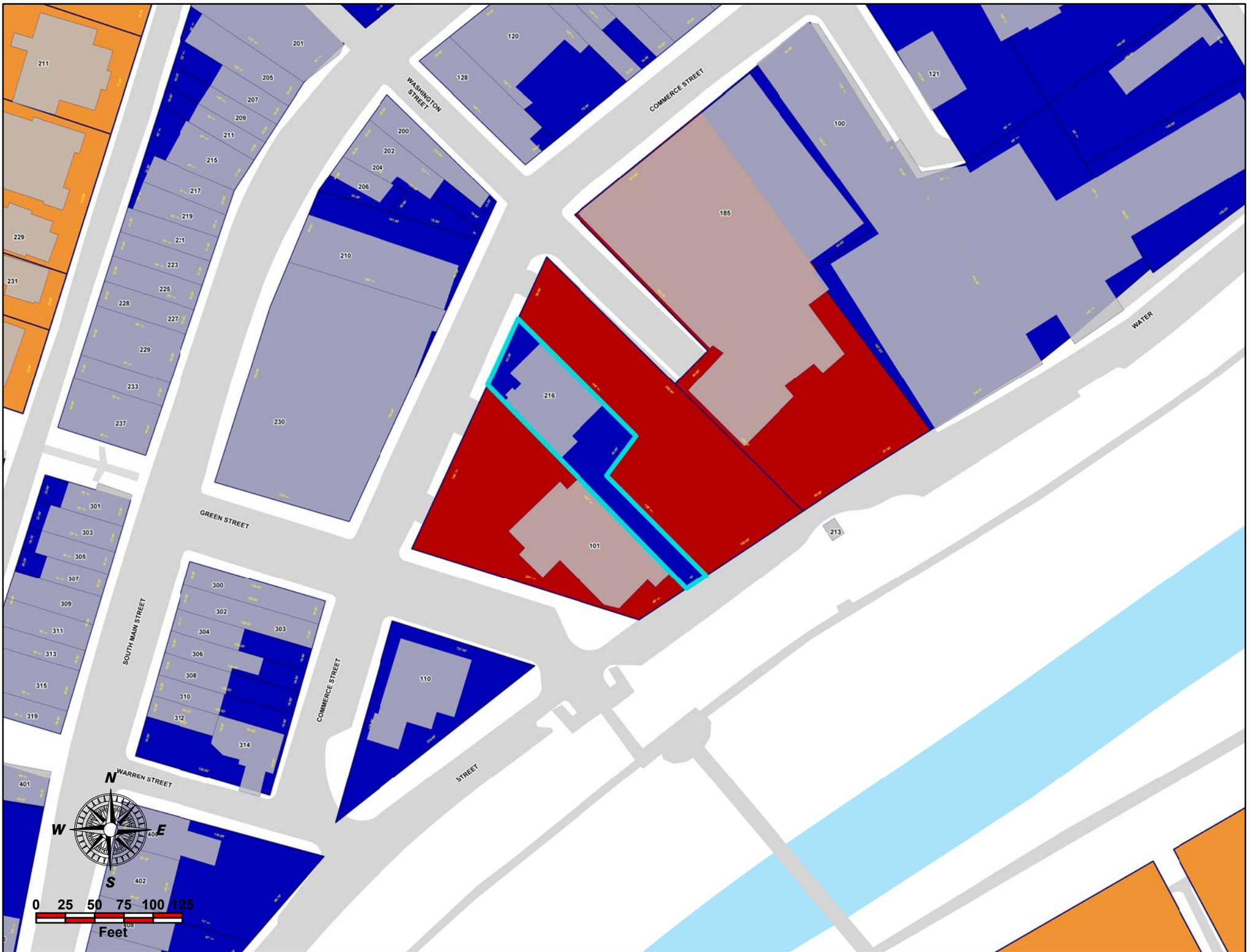
customers who do drive will visit during times spread throughout the day (rather than concentrated during certain times of day) and will not stay for long durations. Employee parking needs will be low. Bridge City Collective therefore anticipates that the existing street parking and 44 parking spaces of public parking adjacent to the Property will be more than adequate to satisfy parking demand.

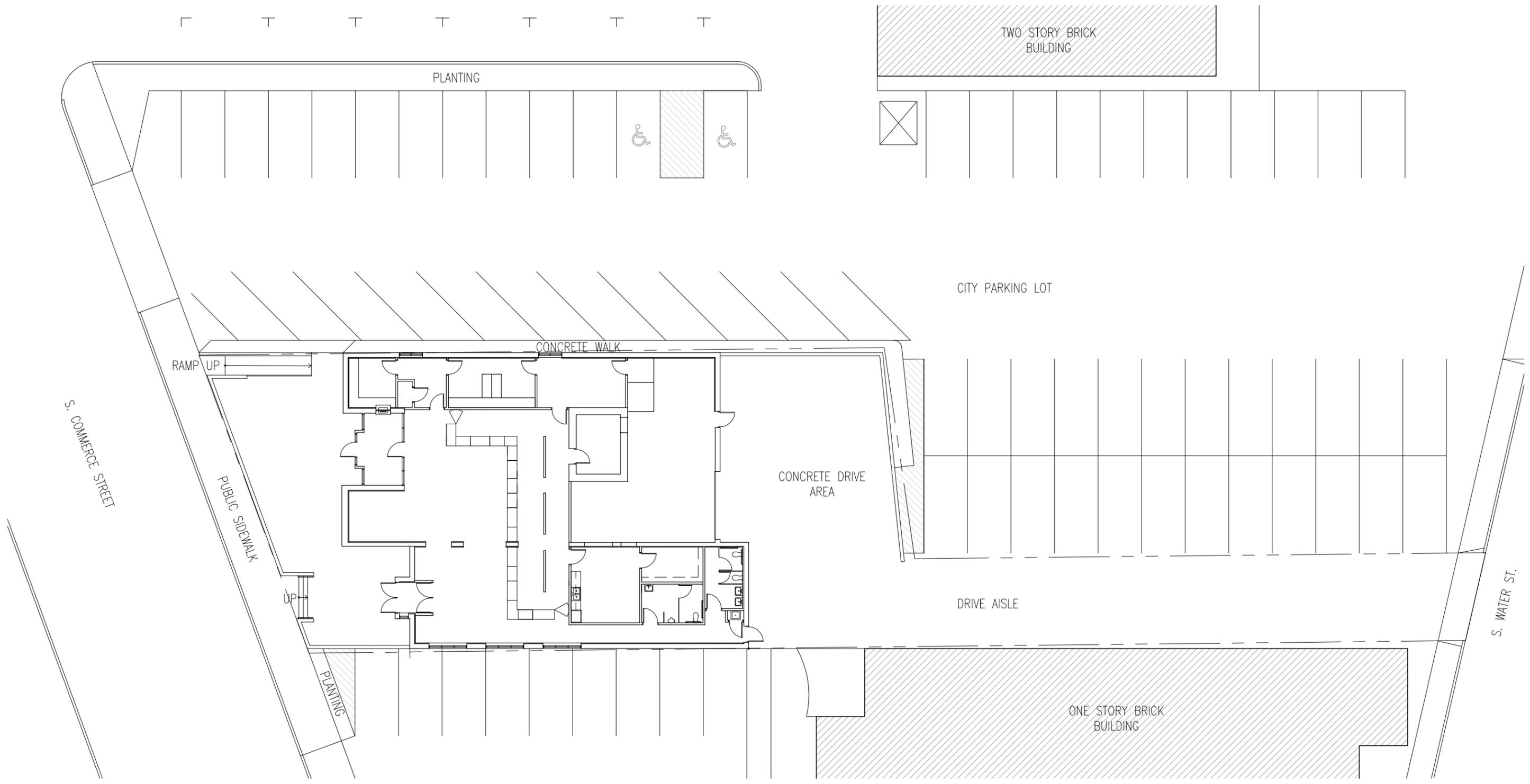
**3. Anticipated traffic generation.** For the same reasons, Bridge City Collective anticipates that the proposed dispensary will generate minimal additional vehicular traffic along Commerce Street. As a commercial corridor through downtown Galena, Commerce Street has adequate capacity to serve any modest increase in vehicular traffic that may occur.

**4. Sign plan.** As discussed above, before the issuance of building permits Bridge City Collective will submit sign plans to the City that comply with all applicable City codes, ordinances, and regulations.

**5. Compliance with Section 154.406(D)(19)(b)(1) of the Zoning Code.** Based on a reasonably diligent investigation and the current preliminary plans for the proposed dispensary, Bridge City Collective believes that the proposed dispensary complies or will comply with the provisions of Section 154.406(D)(19)(b)(1) of the Zoning Code. An affidavit of compliance is attached to this application, as required by Section 154.406(D)(19)(b)(1)(g) of the Zoning Code.

[ADDITIONAL PAGES FOLLOW]



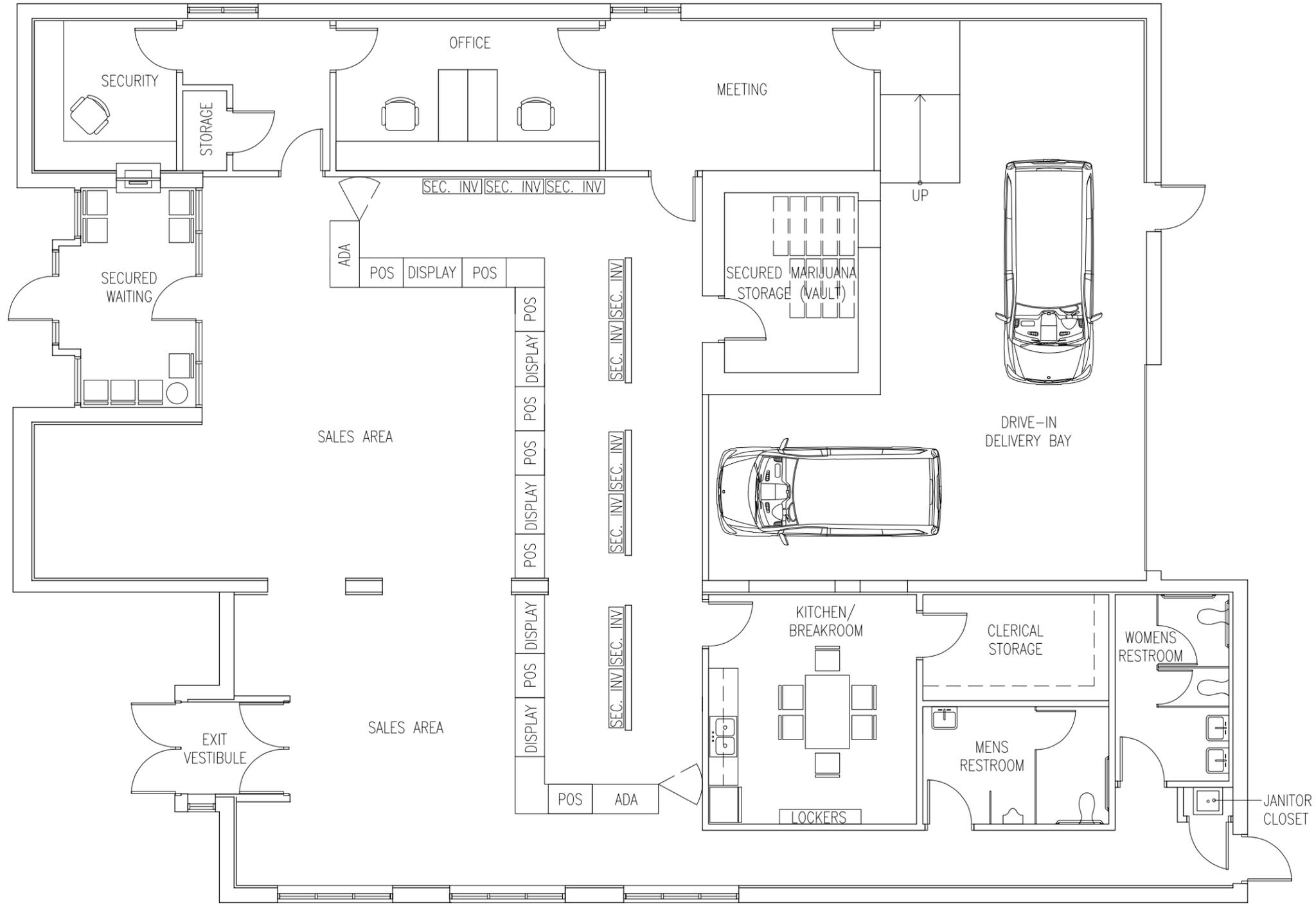


1

SITE PLAN - DRAFT

Scale: 1"=20'





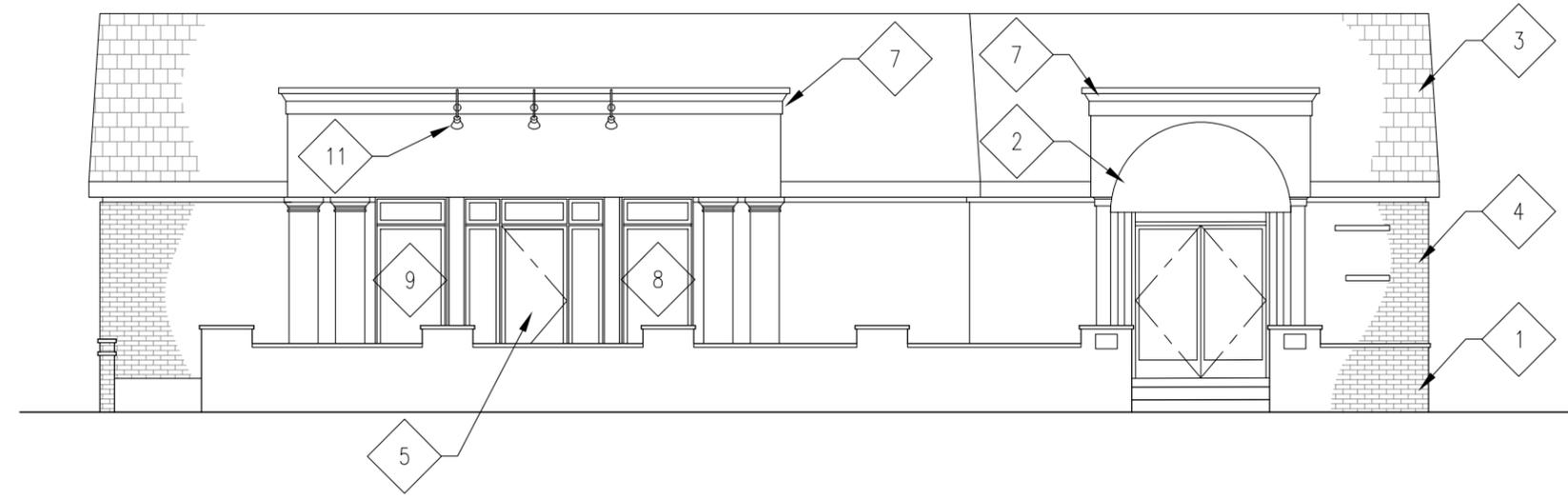
**1 FLOOR PLAN - DRAFT**

Scale: 1/8"=1'-0"

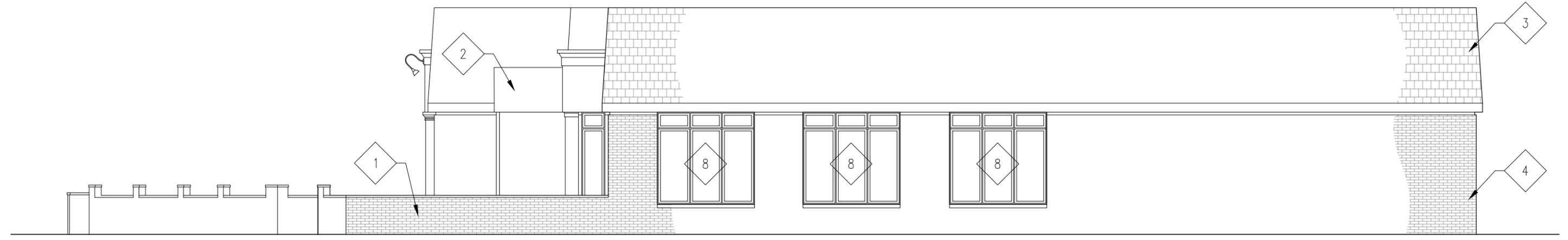


X KEYED NOTES

- 1. EXISTING PATIO WALL
- 2. EXISTING FABRIC CANOPY
- 3. EXISTING WOOD SHINGLE ROOF
- 4. EXISTING RUNNING BOND BRICK
- 5. NEW EXTERIOR DOOR
- 6. NEW ROLL-UP DOOR
- 7. EXISTING PAINTED ARCHITECTURAL FEATURE
- 8. EXISTING INSULATED WINDOW
- 9. NEW WINDOW SYSTEM TO MATCH EXISTING
- 10. EXISTING DOOR
- 11. EXISTING EXTERIOR LIGHT

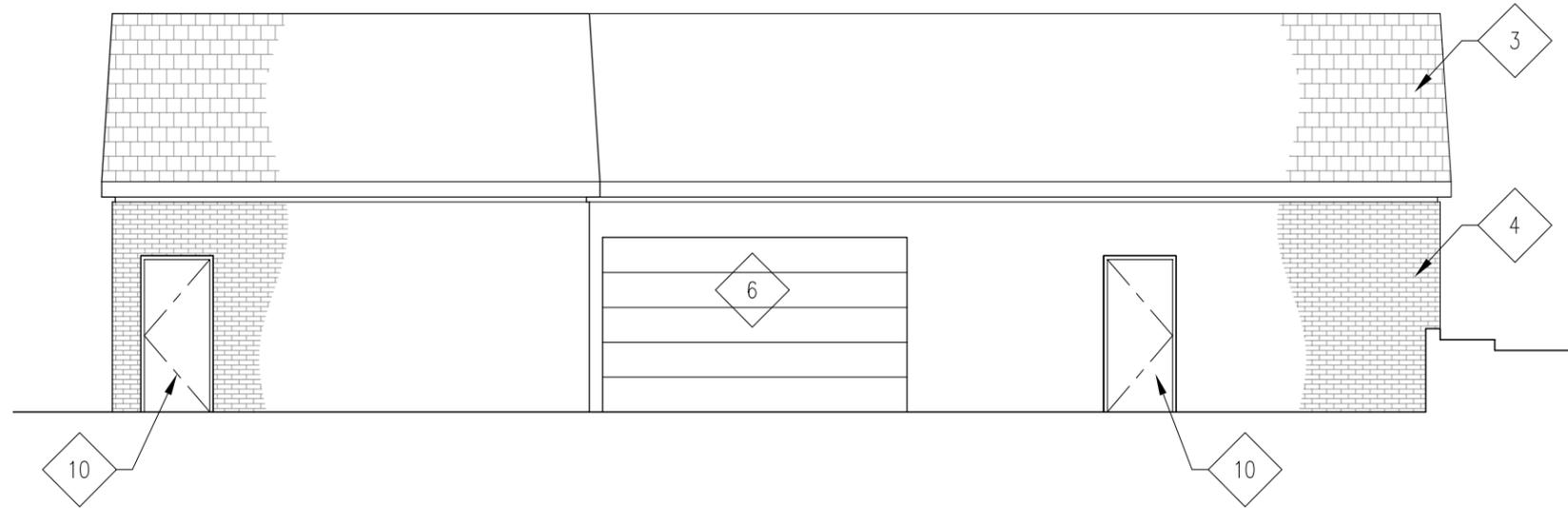


**1** NW ELEVATION - DRAFT  
 Scale: 1/8"=1'-0"

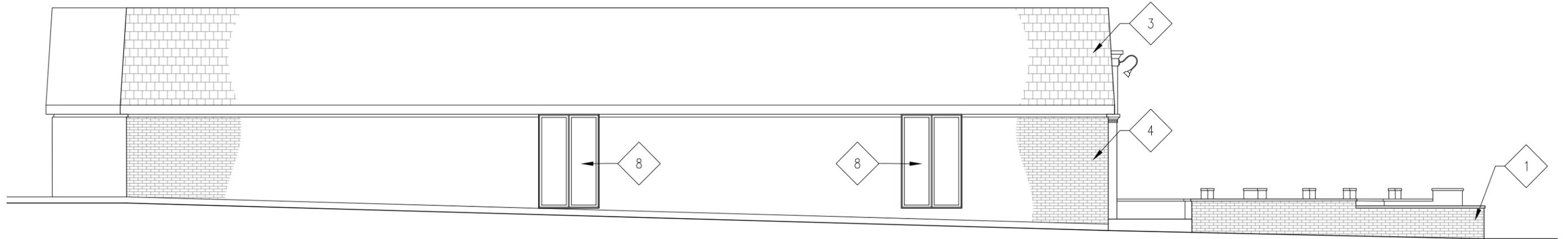


**2** SW ELEVATION - DRAFT  
 Scale: 1/8"=1'-0"

- X KEYED NOTES
1. EXISTING PATIO WALL
  2. EXISTING FABRIC CANOPY
  3. EXISTING WOOD SHINGLE ROOF
  4. EXISTING RUNNING BOND BRICK
  5. NEW EXTERIOR DOOR
  6. NEW ROLL-UP DOOR
  7. EXISTING PAINTED ARCHITECTURAL FEATURE
  8. EXISTING INSULATED WINDOW
  9. NEW WINDOW SYSTEM TO MATCH EXISTING
  10. EXISTING DOOR
  11. EXISTING EXTERIOR LIGHT



**1** SE ELEVATION - DRAFT  
 Scale: 1/8"=1'-0"



**2** NE ELEVATION - DRAFT  
 Scale: 1/8"=1'-0"





EDRUS  
DESIGN · BUILD

