

## MINUTES OF THE ZONING BOARD OF APPEALS MEETING OF DECEMBER 14, 2022

### **22Z-2001 – CALL TO ORDER**

Chairperson Rosenthal called the regular meeting to order at 6:30 p.m. in the Board Chambers at 101 Green Street on 14 December 2022.

### **22Z-2002 – ROLL CALL**

**Roll Call:** AYES: Baranski, Laity, Gates, Monahan, Nybo, Rosenthal  
NAYS: None  
ABSTAIN: None  
ABSENT: Jansen

The motion carried.

Upon roll call, the following members were present: Bill Laity, Roger Gates, Steve Monahan, Jim Baranski, Bill Nybo, & John Rosenthal

Absent was Dave Jansen

### **22Z-2003 – ESTABLISHMENT OF QUORUM**

Chairperson Rosenthal announced a quorum of board members were present to conduct city business.

## **APPROVAL OF MINUTES**

### **22Z-2004 – APPROVAL OF THE MINUTES OF THE REGULAR ZONING BOARD OF APPEALS MEETING OF November 9, 2022**

Baranski recused himself and left the room.

**Discussion:** City Attorney Nack explained that corrections were requested by Wendy Clark by email today at 4:41 P.M. Joe stated the secretary writes a summary of what is spoken and it's not appropriate for the public to be amending the minutes. Nack does not believe any amendment should be made unless the members of the board choose to.

**Motion:** Gates moved, seconded by Monahan to approve the minutes of the regular Zoning Board of Appeals meeting of November 9, 2022.

**Roll Call:** AYES: Laity, Gates, Monahan, & Rosenthal  
NAYS: None  
ABSTAIN: Nybo  
ABSENT: Jansen  
Recused: Baranski  
The motion carried.

## UNFINISHED BUSINESS

None.

## NEW BUSINESS

**22PD-03, 22S-07, & 22HCO-03 (PUBLIC HEARING)** Owner and Applicant: Midwest Regional Medical Center. Request for an amendment to the final development plan to construct an expansion to Midwest Medical Center, a Special Use Permit to exceed the max building size allowed without a Special Use Permit, and approval of a non-administrative Highway 20 Development Permit to allow the construction of an addition to Midwest Medical Center in the Highway 20 Corridor.

Nack noted Baranski rejoined the meeting.

**Motion:** Gates moved, seconded by Laity, to Open the Public Hearing on item 22PD-03.

Nack swore those in that wanted to speak. Everyone had signed in that wanted to speak.

Motion carried.

Each item was discussed separately as follows-

**22PD-03** Midwest Regional Medical Center. Request for an amendment to the final development plan to construct an expansion to Midwest Medical Center.

### **Speaking in Favor of the Application**

#### **Applicant**

Tracy Bauer, 577 S Snipe Hollow Rd, Elizabeth, IL 61028. Tracy thanked the zoning board for reviewing their request. She is the CEO of Midwest Medical Center (MMC) and introduced the people in the audience that were with her. Steve Campbell from River Valley Architects, Nick Lange from MSA, Jason Frank, hospital maintenance director, Deb Hoppman hospital director of nursing, and two of the board members John Lorenzen and Tim Vincent.

We are very happy to be here as this is exciting. The Turn Lane Project and main entrance has been in the works since 2006. MMC got approval in 2019 from IDOT. MSA and IDOT worked together to get turn lane project approved. MMC couldn't acquire the needed additional land, so were allowed to decrease the turn lane length by 600 feet, which does not require extra land. Expecting official IDOT approval by end of this month or early January.

MMC wants to work with City of Galena on the escrow agreement. Budgeted funds are set aside with escrow agreement at First Community Bank.

Second is an expansion project, which includes plans for new clinic entrance, new surgery center, improved office space, indoor track, physical therapy, occupational therapy, speech therapy. The expansion will allow providers to be in a collaborative space. This all started in 2019, but the design has improved since the pandemic. This expansion allows 26 additional physicians who will be hired over 3

years. The Illinois Department of Health has approved their certificate of need as of yesterday (12/13/22) and the USDA loan soon will be obligated for expansion project. MMC has updated our timeline to approve bids by the board all at once to assure the City that one project will not be done without the other.

I'd be happy to answer any questions?

Gates – Can you clarify the reduced turning lane length is from the West?

Bauer – The 600 feet decrease came in because they could not obtain the needed property to the North.

Laity- So the 600 feet is on the east side of the Highway?

Monahan- What changed IDOT to ok this? How did it come about.

Bauer- After unable to purchase additional land it became the only option. MSA worked with IDOT on the design.

Rosenthal- Will you know by January if IDOT gives final approval?

Bauer-Yes, MSA is working with them. Turnaround time has been going quickly.

Rosenthal- Will the turn lane be done at the same time as you are doing construction on the expansion.

Bauer- Yes

Laity- Will the turn lane be first?

Bauer – Yes, that is plan, but MMC wants the ability to dig for expansion also.

Monahan- In the perspective it says the lane will be done first. I have an issue with the expansion coming first.

Nack- This would be dirt work only.

Monahan- So we are not at risk? They can't move forward if the lane is not done.

Nack- Turning Lane cost estimated at 2.5 million. The city should ask for an estimated \$3.4 Million performance bond, letter of credit from a local bank/escrow to make sure lane is complete. This protects the city.

Baranski- Suggested the turning lane is constructed before the building permit is issued.

Nack- No. They would have to obtain all the IDOT permits to move forward.

Baranski- If they want to build before turning lane is completed then the city could withhold the occupancy permit.

Nack -It must be completed, or the city takes over at no cost to the city. In August or September of 2023, the escrow contract could end. There would be no cost to City to complete the turn lane using the money in the escrow.

Baranski- Asked if this was a 24-month time frame for expansion?

Bauer- Said they will ask for occupancy at 12-14 months for the 1<sup>st</sup> phase. There are 3 phases and MMC wants all bids at once approved by board. Project 34.5 million total want to be set. 3–4-month completion of turning lane.

Baranski- Joe, once the permits from IDOT are issued they can move ahead on construction? How does projections fit timeline?

Bauer- The timeline changed for bids on the turn lane based on getting information back from City and having bids to fulfill promise to City. Timeline changed by about a month and a half.

Nack- Based on recommendation they are going to bid before they have IDOT permits.

Rosenthal- Said the City is covered with the surety bonds.

Baranski- Said the plan to put the shovel in the ground won't be until late March?

Bauer- Said they are looking at a May- June start date contingent on bids.

Baranski- Had a question for Nack. He asked if he could ask questions about other parts of plan?

Nack- Yes

Baranski- Said the hospital did a great job with lighting, are you extending this to new area?

Bauer- Yes

Baranski- The hospital has been open 15 years? Do you have matching brick?

Bauer- The rendering shows a match.

Steve Campbell stepped up and was sworn in.

Steve Campbell, 914 Ridge Pass, Hudson, WI. - To the best of his knowledge the brick is readily available. There could be a slight color change. The transition area should help this.

Baranski- Rendering shows elevator with vision glass.

Campbell- There would be some variance.

Baranski- Day light is more of a concern.

Campbell- The finished material should be a very close match.

Baranski- Said that is good.

Bauer- Stated that MSA built the Southwest Health Clinic in Platteville and the one in Cuba City.

Rosenthal asked if anyone else wanted to speak in favor of the request.

No one.

Rosenthal asked if anyone else wanted to speak in opposition to the request.

No one.

**Motion:** Gates moved, seconded by Baranski, to close the Public Hearing.

Motion carried.

**22S-07** Midwest Regional Medical Center. Request for a Special Use Permit to exceed the max building size allowed without a Special Use Permit.

**Motion:** Baranski moved, seconded by Monahan, to open the Public Hearing.

Motion carried.

Tracy Bauer, 577 S Snipe Hollow Rd, Elizabeth, IL said her testimony was unchanged.

Rosenthal asked if anyone else wanted to speak in favor of the request.

No one.

Rosenthal asked if anyone else wanted to speak in opposition to the request.

No one.

**Motion:** Baranski moved, seconded by Gates to close the Public Hearing.

Motion carried.

**22HCO-03** Midwest Regional Medical Center, request for approval of a non-administrative Highway 20 Development Permit to allow the construction of an addition to Midwest Medical Center in the Highway 20 Corridor.

**Motion:** Baranski moved, seconded by Gates, to Open the Public Hearing

Motion carried.

Tracy Bauer, 577 S Snipe Hollow Rd, Elizabeth, IL, said her testimony was unchanged.

Rosenthal asked if anyone else wanted to speak in favor of the request.

No one.

Rosenthal asked if anyone else wanted to speak in opposition to the request.

No one.

**Motion:** Gates moved, seconded by Monahan, to Close the Public Hearing

Motion carried.

**22PD-03** Midwest Regional Medical Center. Request for an amendment to the final development plan to construct an expansion to Midwest Medical Center.

**Motion:** Baranski moved, seconded by Gates, to approve the final development plan as presented with the condition that the applicant enter into an escrow agreement with the city to cover the cost of the turn lane, and that MMC receive the necessary IDOT permits as they pertain to the turning lane prior to construction.

**Discussion:** Baranski- This is an ambitious and great project for the hospital. It meets all the requirements. The architecture is perfectly blended. The scales good, and it meets all the requirements.

Baranski went through criteria.

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

- (a) The approved ODP, if applicable; *not applicable.*
- (b) The approved preliminary development plan; *The proposed expansion plan is in character with previously approved preliminary and final development plans.*
- (c) The approved preliminary plat; *not applicable.*
- (d) The approved PUD/TND rezoning ordinance; *The amended final development plan is in conformance with the approved standards of the rezoned PUD ordinance.*
- (e) All other applicable development and construction codes, ordinances, and policies; *The amended final development plan meets all other applicable codes.*
- (f) The applicable site plan review criteria in § [154.914](#); and *The amended final development plan meets the applicable site plan review criteria.*
- (g) The applicable final plat criteria in [Chapter 153](#), Subdivision Regulations. *Not applicable.*

**Discussion:** Rosenthal said it is a great addition and a great job on the part of the hospital.

**Roll Call:** AYES: Gates, Monahan, Nybo, Baranski, Laity & Rosenthal  
NAYS: None  
ABSTAIN: None  
ABSENT: Jansen

The motion carried.

**22S-07** Midwest Regional Medical Center, A request for a Special Use Permit to exceed the max building size allowed without a Special Use Permit.

**Motion:** Baranski moved, seconded by Laity, to allow a special use permit to exceed the max building size allowed without a Special Use Permit.

**Approval Criteria (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. *Meets criteria.*
- (2) *District standards.* The underlying zoning district standards established in § 154.201 through 154.209 including the defining characteristics of the district; *Meets standards.*
- (3) *Specific standards.* The land use regulations established in § 154.406; *Meets standards.*
- (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. *Meets with complimentary uses.*
- (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. *Yes.*
  - (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. *Yes.*
  - (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. Yes.

**Roll Call:** AYES: Monahan, Nybo, Baranski, Laity, Gates, & Rosenthal  
NAYS: None  
ABSTAIN: None  
ABSENT: Jansen

The motion carried.

**22HCO-03** Midwest Regional Medical Center, Request for approval of a non-administrative Highway 20 Development Permit to allow the construction of an addition to Midwest Medical Center in the Highway 20 Corridor.

**Motion:** Baranski moved, seconded by Gates, to grant a non-administrative development permit for the construction of an addition to Midwest Medical Center.

**Highway 20 Development Permit** - The application shall demonstrate that the proposed development will comply with the following:

- (1) All applicable site plan review criteria in § [154.914](#); Yes.
- (2) The overall context of the corridor and the goals for new development as described in Chapter [III](#) of the Design Manual; Yes.
- (3) The corridor development concepts described in Chapter [IV](#) of the Design Manual; Yes.
- (4) The proposed character of the applicable design districts as described in Chapter [V](#) of the Design Manual; Yes.
- (5) The proposed pattern of development for the Highway 20 Corridor as described in Chapter [VI](#) of the Design Manual; *Does not apply.*
- (6) The standards for building orientation, design and materials as described in Chapter [VII](#) of the Design Manual; Yes.
- (7) The standards for site features and elements as described in Chapter [VIII](#) of the Design Manual. Yes.

**Roll Call:** AYES: Nybo, Baranski, Laity, Gates, Monahan, & Rosenthal  
NAYS: None  
ABSTAIN: None  
ABSENT: Jansen

The motion carried.

**22Z-2005 – PUBLIC COMMENTS**

Jim Boho, 1477 South Rocky Hill Rd, I came here tonight to say you are bringing disrespect (except Bill) to EMS, Police and Fire to say they have no problem with the Parker Project. Fourth St and Hwy 20, they would not approve of the use of this intersection. It's a problem there is a Class A critical warning on this intersection. This board is 100% wrong and stepping out of oath. Hwy department has asked you to address issues. The hospital here knows about turning lanes. There are laws to protect citizens. You are breaking laws. You are not following the Highway 20 corridor. You are creating a new corridor. You are sending the wrong message and sending your citizens into this dangerous intersection. You are breaking the laws. I am calling for the resignation of the 5 board members that voted for this Project.

**22Z-2006 – ADJOURNMENT**

**Motion:** Monahan moved, seconded by Gates to adjourn.

The motion carried on a voice vote.

The meeting adjourned at 7:13 p.m.

Respectfully submitted,

Sue Simmons  
Zoning Secretary