

Resolution approving Request of Bethany Lutheran Homes for waiver of the 2500 foot rule for a Community Based Residential Facility and the 1% of population capacity limit in an aldermanic district for facility proposed at 622 Bennora Lee Ct. (Eagle Crest South)

AMENDED RESOLUTION

WHEREAS, Bethany Lutheran Homes submitted a request seeking the City Council to provide an exception to the 2500 foot community living arrangement as provided in Wis. Stat. §62.23(7)(i)1 and City of La Crosse Municipal Ordinance §15.42(A), and

WHEREAS, Bethany Lutheran Homes' request also seeks an exception to the 1% density requirement pursuant to Wis. Stat. §62.23(7)(i)2.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of La Crosse that it hereby conditionally grants a waiver of the 2500 foot community living arrangement and the 1 percent density requirement as provided in Wis. Stat. §62.23(7)(i)1 and 2 and City of La Crosse Municipal Ordinance §15.42(A) to the Eagle Crest South Project.

BE IT FURTHER RESOLVED that this waiver is expressly conditioned on:

1. Bethany Lutheran Homes, Inc. signing and delivering the Payment for Municipal Services Agreement dated November 13, 2013 to the City Clerk's Office on or before 5:00 pm on Monday, November 18, 2013;
2. Gundersen Lutheran Medical Center, Inc. and Gundersen Lutheran Administrative Services, Inc. signing and delivering the Partial Release of Covenants and Restrictions in Development Agreement and Amendment to Restrictive Covenant on or before 5:00 pm on Monday November 18, 2013.

BE IT FURTHER RESOLVED that any future alteration, expansion or change to said project shall require separate approval.

BE IT FURTHER RESOLVED that City staff is hereby requested to take any and all steps necessary to effectuate this resolution.