



Village of Itasca
Community Development Department

PUBLIC HEARING: September 18, 2019

PC 19-014

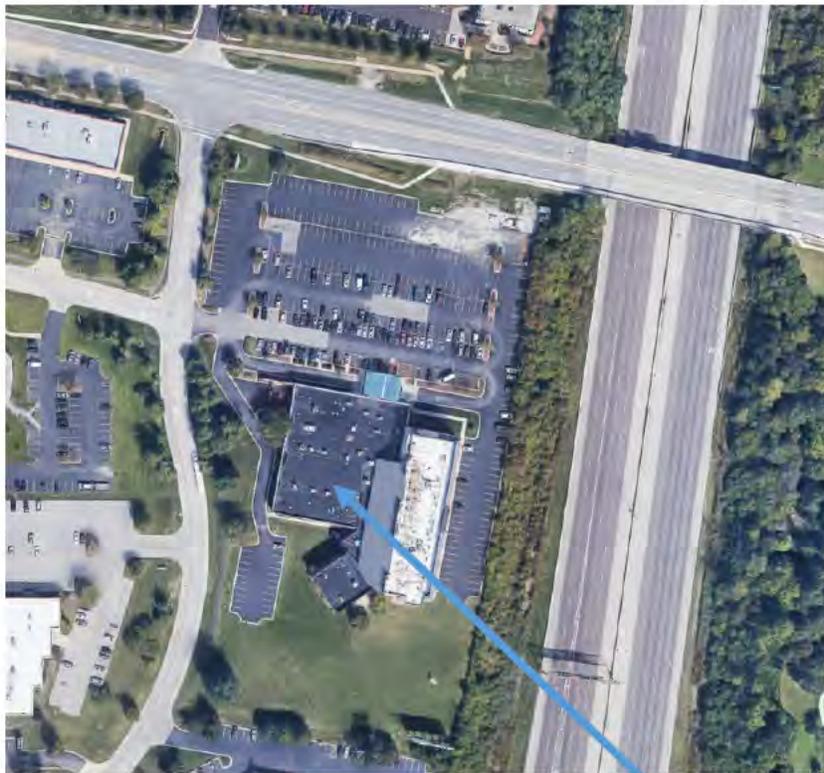
TITLE: Haymarket DuPage, LLC
ADDRESS: 860 W. Irving Park Road
PIN: 03-07-202-002

PROPOSAL: Dr. Daniel Lustig of Haymarket DuPage, LLC, petitioner, for the owner Pearl Hospitality, LLC; seeks approval for the following:

- A. Planned Development, with exceptions for:
 - a. Front yard building setback
 - b. Building height
 - c. Residential units on the first floor
- B. Class I Site Plan

Location

The proposed mixed-use residential and healthcare facility will occupy an existing structure located at 860 W. Irving Park Road, commonly known as the Holiday Inn Chicago West - Itasca hotel, a 5-story commercial lodging facility located south of W. Irving Park Road, immediately west and adjacent to I-290.



Air Photo (Source: Google Maps, 2019)

860 W. Irving Park Road



Tax Parcel Map (Source: DuPage County GIS, 2017)

860 W. Irving Park Road

BACKGROUND

Haymarket DuPage LLC is under contract to purchase the Holiday Inn property. As affirmed by the Plan Commission at their meeting of 8/21/19, the proposed use is only allowed at this location as a Planned Development by Special Use. Haymarket proposes to operate a residential and recovery facility within the existing building without exterior changes to the building or site. Haymarket will provide diagnosis, treatment, and recovery support for persons 18 years and older who are receiving treatment for substance use and mental health disorders. Services will include residential inpatient treatment, outpatient treatment, and recovery homes. Haymarket is an Illinois non-profit organization.

In addition to their primary services, Haymarket will provide, or arrange for the provision of, additional services to enhance recovery programs and serve the needs of individuals in long-term recovery. These services include:

- Child Care
- Parenting education

- Fatherhood programming
- GED preparation classes
- Job readiness and job placement services
- Health education
- Care coordination for chronic health conditions
- Residential facilities for children under 5 years old with mothers

Security will be provided 24 hours/day, seven days per week, 365 days per year. Haymarket plans to employ 163 full-time staff split between three shifts.



View looking south from Irving Park Road (September 2019)



View looking east from Spring Lake Drive – front entrance (Google Street View, 2018)



View looking northeast from Spring Lake Drive – rear elevation (Google Street View, 2018)



3D View looking south (Google Street View, 2018)

PLANNING & ZONING ANALYSIS

According to DuPage County records, the lot on which the Holiday Inn occupies was created in 1971 as part of the Itasca Center assessment plat approved by the Village under B-2 Community Business District zoning. The hotel was built soon thereafter, approximately around 1973. The B-2 District “is established to promote a harmonious, efficient, and convenient retail shopping environment.”

In 1987, the remaining property south and west of the hotel was annexed and developed as the Spring Lake Business Park with a business owners association created at the same time. The business park was developed under the O-R Office/Research zoning district.

The subject property has been operated as a hotel continuously for approximately 46 years, with at least three property sales transactions in 2006, 2008 and 2013 according to DuPage County tax information. The petitioner incorrectly indicates that the site is in an industrial park. In fact, the site is in a commercially zoned district.

Use Determination

Haymarket’s proposal consists of a number of uses, including residential inpatient and outpatient programming, and “recovery homes” which offer supportive residential occupancy accompanied by outpatient care and other services for up to 1 year. Haymarket seeks to provide a continuum of services for substance use disorders, with short and long-term overnight occupancies in accordance with the following service types:

- Crisis Stabilization – occupancy up to 7 days
- Withdrawal Management (Detox) – occupancy between 3 – 5 days
- High-Intensity Residential Substance Use Disorders Treatment – occupancy of 7, 14, 28, or 90 days
- Recovery Home Program – occupancy 90-365 days.

A review of the proposed floor plan indicates that the layout of the sleeping/bedroom units is not consistent with the categories listed above. There is not a clear break down on the number of rooms/beds to be used for “high intensity residential” vs. “recovery homes”, etc. Based on Staff’s analysis of the submitted floor plan, the breakdown of residential rooms is estimated as follows:

- Level 1- Assessment Center, Detox, Exam Rooms (48 beds in a mix of 1 and 2 bed units)
- Level 1*- Women’s Inpatient and Recovery (56 beds in a mix of 1 and 2 bed units)
- Level 2*- Men’s Inpatient and Recovery (56 beds in a mix of 1 and 2 bed units)
- Level 4- Men’s Inpatient and Recovery (56 beds in a mix of 1 and 2 bed units)
- Level 5- Inpatient and Men’s Recovery (56 beds in a mix of 1 and 2 bed units)

TOTAL: 272 beds based on a manual count

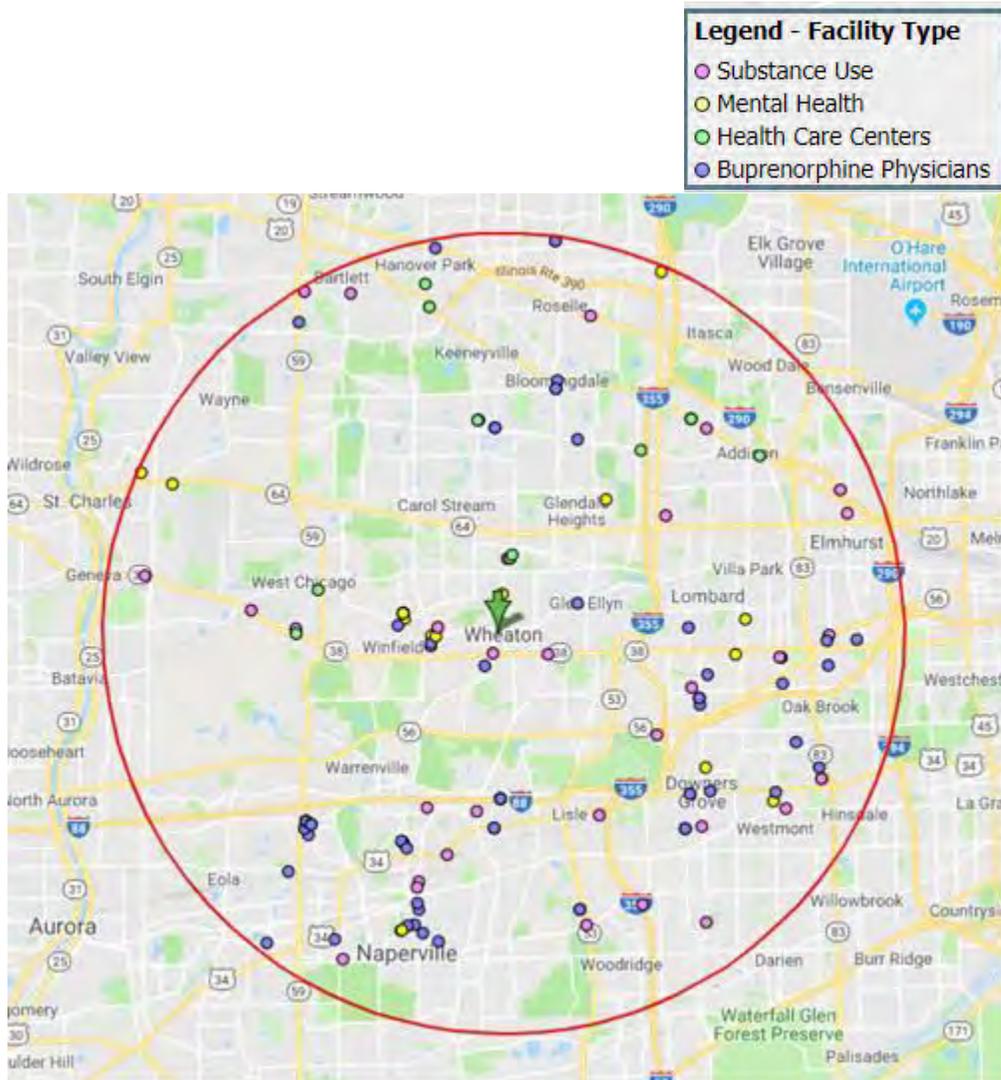
**Staff notes an apparent typo in the petitioner submitted floor plan.*

As the Plan Commission is aware, on August 21, 2019, the Commission heard Haymarket’s appeal of and affirmed Community Development Director Malik Jarmusz’s determination that the Haymarket proposal uniquely consists of several uses that are not provided for under the B-2 zoning district, necessitating a planned development by special use application. Importantly, neither of the primary uses proposed by petitioner -- hospitals and residential -- are permitted by right in the B-2 zoning district. Thus, as this Commission found, a Planned Development by

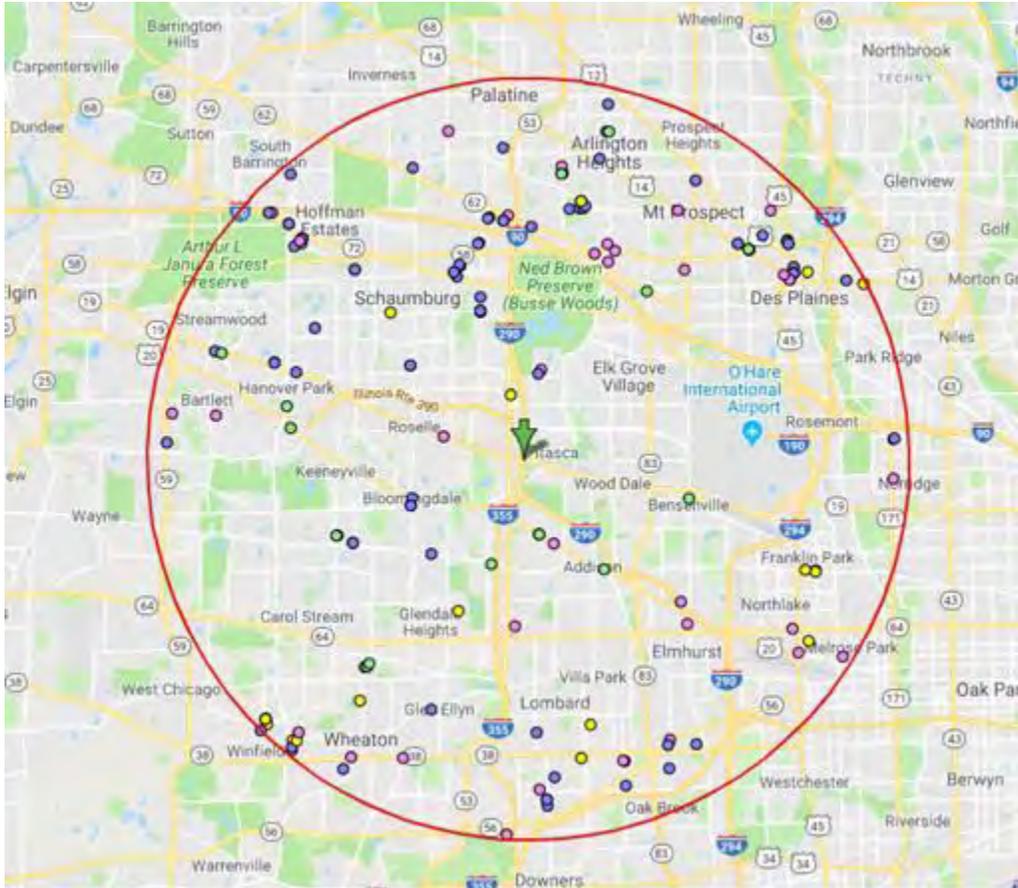
special use is the appropriate classification for the application. Section 14.12 of the Zoning Ordinance provides flexibility in types of uses that may be considered as part of a unified development.

Demonstration of Need

In their application, Haymarket provides data on the rising trend of substance abuse and the need for treatment facilities but does not provide information on how a facility located in the northernmost part of DuPage County will best respond to the need for services of DuPage residents. Haymarket indicates that treatment facilities in DuPage County are limited, with limited availability of residential substance use care. Research by Village Staff indicates that many treatment facilities exist within DuPage County and within the vicinity of Itasca. Data from the U.S. Department of Health and Human Services provides location information on other substance abuse treatment facilities. Staff provides an analysis of two 10-mile service areas in the documents below, with one service area centered on Wheaton IL, the approximate center of DuPage County, and one centered on Itasca. Both analyses indicate that there are approximately 40 substance abuse facilities in both service areas.



Substance Abuse Facilities (DuPage County)



Substance Abuse Facilities (Itasca Vicinity)

With regard to the decision to pursue the subject site, the petitioner provided limited information, indicating that this site is easily accessible for individuals seeking services; however, the traffic study indicates that clients and residents will not be allowed to have vehicles on the site.¹ If clients and residents are driven or bused to the site, then the location of the facility in Itasca is not necessary for convenience.

Questions for further consideration include:

- What are the services provided by other substance abuse facilities near Itasca?
- Where do clients and residents come from? Do hospitals and police departments refer patients to Haymarket, and if so where do clients and residents reside? Will this facility only provide services to DuPage County residents?
- How does the proposed facility in Itasca best serve DuPage residents?
- Could a facility as originally proposed in Wheaton or in another location in DuPage County or adjacent counties be better suited to the population in need of services?
- Can Haymarket provide information about other suitable locations they have considered and the reasons for not pursuing them?
- How will clients and residents access the subject property?

¹ It is not clear whether this is true for all clients and residents or just those in the high-intensity residential program. Traffic from patients in the outpatient program and the recovery homes program was not analyzed in the traffic study.

Economic Impact Analysis

The loss of local property and hotel taxes is one of the most important impacts of the Haymarket proposal. As a smaller community of 8,692, the 4th smallest in DuPage County, and with limited tax base constrained by the Illinois property tax cap and limited expansion potential, the Village relies heavily on its limited commercial areas to support local services. Commercial areas in the Village consist of areas primarily along major road corridors (Irving Park Road, Devon Avenue), Arlington Heights Road, and Rohlwing Road (Rt. 53). Additionally, the Village has suffered from the localized economic competition of other existing thriving commercial centers in adjacent larger communities, such as Addison, Bloomingdale, and Elk Grove Village. Therefore, the retention of commercially viable properties that do exist in the Village is of critical importance.

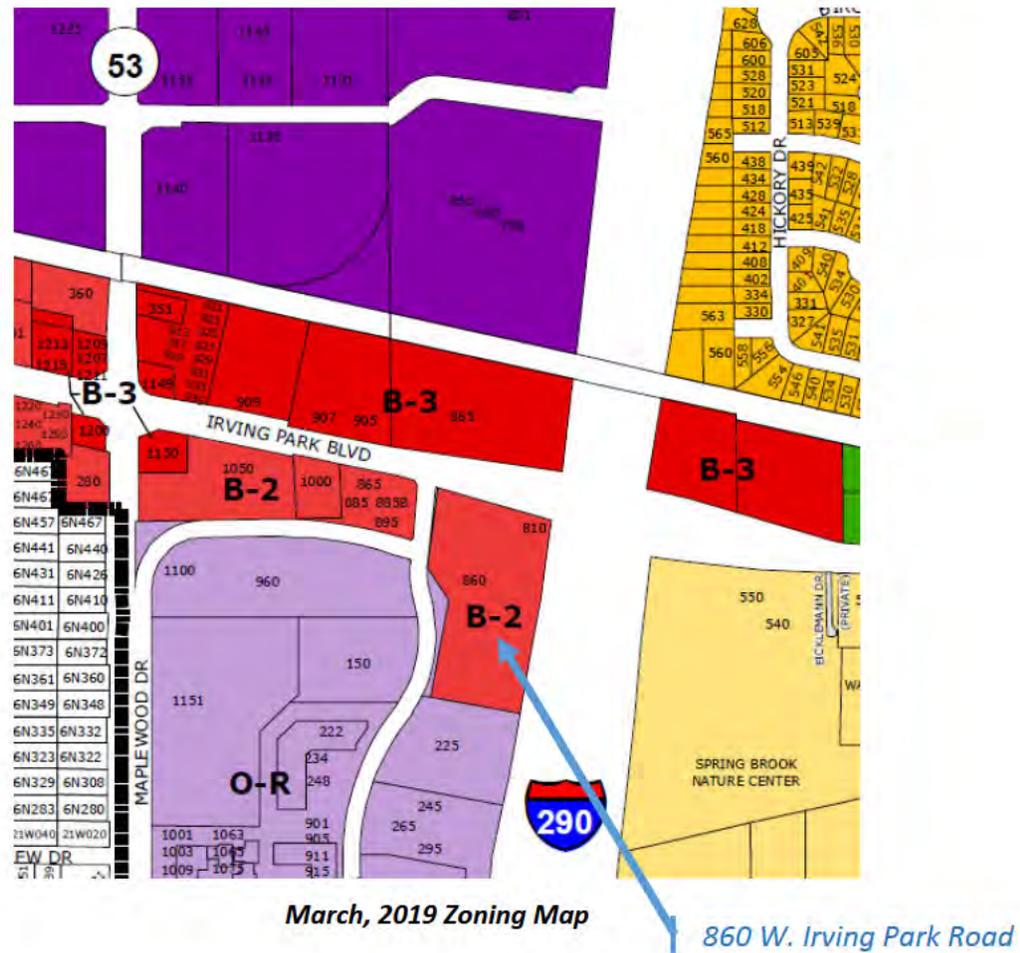
The subject site is located in the B-2 zoning district, which according to the Village Code, is intended to provide for retail business in convenient locations that have access and visibility to major roadways and interstate highways. The subject site is a prime commercial property as it is located at the intersection of two of the most important roadways in the Village, offering excellent access to both local and regional markets, and visibility to over 100,000 vehicles/day on I-290. The subject site is a significant commercial property consisting of 7 acres. Furthermore, hotels provide an important support service to other local businesses in the Village's manufacturing, office, and retail centers. The Holiday Inn services the adjacent Spring Lake office park and the Village's Central Manufacturing District. The availability of nearby conference space and overnight accommodations for clients, visitors, and vendors is an important part of the decision-making process for businesses considering whether to make Itasca their home or remain in the Village.

As provided in the Village's Comprehensive Plan, the subject site is planned for Regional/Corridor Commercial developments intended to preserve areas of the Village for intensive commercial land uses (business or shopping centers). Staff is concerned that the change from commercial to non-commercial use for the property may impact future economic development of the Irving Park Road corridor. The Village is currently working with property owners and developers to develop viable commercial and residential development along Irving Park Road. The Village recently approved funds for a TIF feasibility study for the west and north portions of the intersection at Irving Park Road and Rohlwing Road and the vacant land to the northwest of that intersection (Res. 1130-19). Staff has been working with the landowner and a potential townhome developer for the vacant property on the north side of Irving Park, just east of I-290. Further east, the Village has created multiple business districts to incentivize commercial development downtown. Staff is still evaluating what impact this proposal will have on the future economic development of the Irving Park Road corridor.

In addition to any key issues raised in the Village's consultant economic impact report, Village Staff provides the following observations for further consideration:

- The analysis of the impact on public safety services is deficient. The impact on police and EMS services is not addressed. The petitioner indicates that calls for EMS service will be provided by contractors. Additional information on anticipated calls for service is necessary to understand staff and financial impact to the taxing bodies.
- Need clarification on the existence of extended stay at the current facility and the taxes associated with this type of room arrangement. If this has been occurring the Holiday Inn operator does not have zoning authorization for long-term occupancy.

- The hotel is part of a special service area (SSA) tax district that includes the Spring Lake Business Park. As established by Village Ordinance #1329-06, revenue from the SSA provides for new construction and future maintenance of roadways and related roadway improvements. Haymarket has not clarified the impact of the loss of tax revenue on other business and property owners within the SSA.
- The under-performance of the existing hotel may be tied to the owners/operators lack of investment and desire to sell the property and may have no direct relation to the marketability of the subject property for other hotel operators or retail establishments.
- Need to clarify the contributions from the existing hotel to the food and beverage tax receipts and hotel/motel tax receipts. These are bundled into “Other Existing Tax Revenue” in the Teska Associates, Inc. (Teska) economic impact study.
- Haymarket claims that the current owner has unsuccessfully tried to market the property for similar uses but provides no evidence to support this claim. Furthermore, no evidence has been provided on the market potential for commercial uses other than a hotel. The report lacks any reference to a professional market study to verify the commercial value of the property. Village Staff notes that Itasca is located within one of the strongest real estate markets in the region surrounding O’Hare airport, with recent development in the Village and surrounding communities consisting of warehouse/ distribution and data centers, office developments, and major retail centers.
- The Teska report indicates an estimated 200 clients on-site, but the proposed floor plan indicates a capacity for 272 beds.
- The estimated value of property tax exemption in the Teska report should also be provided on a square foot basis for a better comparison.
- The Teska report indicates that hotel taxes have declined since 2015 but fails to indicate the impact of extended stay occupancies, which are not an allowed use, on the tax history.
- The Holiday Inn’s share of the total Village hotel tax revenue, as noted in the Teska report, is not necessarily an indicator of its performance but could just reflect the total number of hotel rooms in the Village, room rates, or other factors.
- There is conflicting information between the Teska report and petitioner’s information regarding the ability of clients and residents to leave the site and use local facilities, such as the Park District and Library.
- The Teska report states that the need for services and resultant tax impact on Village, Fire District and the Special Service Area #3 (SSA), will be the same as those currently provided to the Holiday Inn. The report fails to provide an analysis of the level of services needed from the proposed use.
- The increased tax benefit from an additional 110 employees on the Village needs to be quantified.



Zoning Review

The subject site is located in the B-2 Community Business District. The purposes of the B-2 district is:

“to promote a harmonious, efficient, and convenient retail shopping environment. The B-2 district encourages: traffic safety through provision for proper traffic routing and auto parking; freedom from traffic congestion on the public streets through provision for adequate off-street parking, off-street loading, and off-street circulation; the protection of the surrounding residential values; and the promotion of the general welfare of the surrounding residential area.”

The B-2 zoning of the subject property, as supported by the Village Comprehensive Plan is intended to support the tax base of the Village by encouraging commercial uses, such as the hotel presently operating on the subject site. The proposed use is inconsistent with the Comprehensive Plan and the B-2 zoning district. It is a non-retail sales tax generating use, and further, will provide no property or hotel/motel tax benefits if the proposal is approved. The proposed use is dissimilar from other nearby non-profits because those are office-oriented and on property specifically zoned O/R Office Research District.

Although there will be no exterior changes to the building, the petitioner and Village have determined that the existing building is non-conforming with regard to building height, and front yard setback from Spring Lake Drive. These issues are accounted for within the requested planned development exceptions. As part of their planned development special use petition, Haymarket requests that the following zoning exceptions be included with any approval of their proposal:

- Section 8.04.6.a of the Zoning Ordinance requires that the front yard building setback adjacent to Spring Lake Drive be 68 ½ feet. The current front yard is 36.7 ft. The zoning ordinance requires a front yard of not less than 25 ft. For buildings above 30 feet high, the front yard shall be increased by 2 ft. for each additional one foot of building height over 30 ft.
- Section 8.04.8 of the Zoning Ordinance requires that the building not exceed 2 stories or 30 ft., whichever is lower. The current building height is 5-stories or 51.8 ft.
- Section 8.04.2.j of the Zoning ordinance allows dwelling units as a special use when above the first story/floor. The proposed building remodel will include residence units on the first floor.

Petitioner also requires exceptions from certain standards contained in Section 14.12(7) (see Petitioner's Attachment D):

- Sections 14.12(4)(c)(3) and (4) requires the submittal of an economic impact statement and landscape plan. The petitioner requests relief from these requirements. Staff disagrees. Understanding the impact of the petitioner's proposal requires an analysis of the tax, resource, and economic impacts of the proposed use. Likewise, since the facility is approximately 46 years old and building codes have changed in that time, Staff recommends that the site to come into compliances with the current landscape standards of the Village Zoning Ordinance and to address site deficiencies.
- Section 14.12(7)(a)(7) establishes architectural consistency requirements. The petitioner requests relief from this requirement as no changes are proposed to the existing building. Staff agrees that the architectural consistency requirements in subsection (a)(7) are not applicable as there is no proposed new construction.
- Petitioner requests exemption from Section 14.12(7)(b)(1), (2), (3), and (4) which govern the standards for planned developments which contain residential components. The petitioner requests relief from these requirements, arguing that "no dwelling, dwelling units, or residential occupancy" are proposed. Staff disagrees and has categorized petitioner's "recovery homes" as a residential use. Therefore, petitioner should comply with all subsections of 14.12(7)(b).
- Section 14.12(7)(d) establishes various bulk, parking, access and landscaping requirements for businesses in a planned development. The petitioner requests relief from this requirement as no changes are proposed to the existing building. Staff agrees that subsections (1), (5), and (6) are not applicable as there will be no new construction. However, Staff recommends compliance with subsections (2), (3), and (4), which concern parking, paving of walking surfaces, and landscaping of areas not covered by the building.

- Petitioner requests exemption from Section 14.12(7)(e)(1), which allows the Plan Commission to consider and recommend variations from the applicable minimum requirements of the subdivision regulations when there is a separation of uses. Petitioner argues that this section is inapplicable because there is “no dwelling, dwelling units, or residential occupancy” proposed and thus no separation of uses. Staff disagrees and opines that the proposed use is mixed residential and healthcare. However, staff agrees that the bulk variations in subsection (e)(1) are not applicable as there is no proposed new construction.
- Section 14.12.7(e)(2) establishes various bulk requirements for businesses uses in a planned development. The petitioner requests relief from this requirement but do not adequately identify or define the exceptions needed.

Petitioner also requires exceptions from certain standards contained in Section 14.13, which governs site plan review (see Petitioner’s Attachment D):

- Section 14.13(3)(j) establishes requirements for signs submittal as part of Class 1 Site Plan Review. The petitioner requests relief from this requirement to allow the filing of sign elevation on or before July 31, 2019. As of the date of this report, the Staff has not received any information concerning the petitioner’s proposed signs. However, at this time, Staff recommends that sign reviews be processed under a separate sign application.
- Petitioner requests relief from Section 14.13(7)(c), which requires site signs to conform with the architectural elements, be compatible and harmonious with the building, compatible with adjoining premises and minimized in size and number. The petitioner requests relief from this requirement “because there will be no development or exterior remodeling.” Staff disagrees. Any signs on the property can be considered in a complete sign review package prior to installation and must comply with Section 14.13(7)(c).
- Section 14.13(7)(d) establishes open space and landscape requirements for Class 1 Site Plan Review. The petitioner requests relief from this requirement “because there will be no development or exterior remodeling.” Staff disagrees. Given the residential component of the proposed project and its visible location off of I-290 and Irving Park Road, the petitioner should address both open space and landscaping.
- Section 14.13(7)(e) establishes access and circulation requirements for Class 1 Site Plan Review. The petitioner requests relief from this requirement “because there will be no development or exterior remodeling.” Staff disagrees. The petitioner should address vehicular and pedestrian circulation and traffic.

Previously, this Commission considered the petitioner’s request for relief from certain submittal requirements of Sections 14.12 and 14.13 of the Zoning Ordinance. These sections require various submittal items to be reviewed as part of a planned development and site plan approval. Haymarket requested relief from many of these requirements. In her June 25, 2019 letter to Haymarket’s representative, Community Development Director Malik Jarmusz agreed to waive many of these requirements as provided for in Attachments A and B of that letter. The Plan Commission affirmed her decision on August 21, 2019.

Class I Site Plan Review

Site Plan, Landscaping Plan & Signage Plan

Haymarket has indicated in their petition that no changes will occur to the building exterior or site. However, Staff notes that this facility is approximately 46 years old and in addition to compliance with new building codes, the Village requires that the site come into compliance with the landscape standards of the Village Zoning ordinance and address site deficiencies in accordance with best practices. In response, Haymarket has provided a new landscape plan indicating various types of additional landscape improvements intended to comply with the Village code requirements. The following are Staff comments and recommended revisions to the landscape plan:

1. Increase the number of shade trees along the north lot line with an average spacing of 50 ft on center.
2. Expand the planting beds that serve to screen the parking areas along the north lot line so that a continuous planting area and screen is established.
3. Expand the planting beds that serve to screen the parking areas along the west lot line so that a continuous planting area and screen is established.
4. Add shrub, ornamental grasses or other ground cover to the landscape islands within the parking areas.
5. Add shade trees within the landscape area along the entry drive west of the covered entrance adjacent to the parking spaces.
6. Add foundation landscaping to the grass areas east of the main entrance.
7. The landscape plan shall include key numbers to identify where each type of plant material is to be installed and shall indicate the number/quantity of each type of plant material.
8. Provide an inventory of all existing dead, damaged and dying landscape material and replace with a similar type of vegetation.

Staff also observes that the site plan does not provide for outdoor or indoor community/recreational space for clients and residents and their children. Haymarket has not provided information on how clients and residents with overnight stays will access outside services such as recreational, entertainment, medical, and shopping.

The petitioner has indicated that the existing pylon sign at the northwest corner of the property will be replaced but has not provided information on the new sign proposal. Previous sign variances were granted but any change to the current sign will require compliance with current Zoning ordinance requirements. In addition to landscape improvements, Staff notes that the existing billboard at the southeast corner of the property is not a permitted sign type in the Village and shall be removed.

Parking

The parking and traffic study provided by KLOA, the petitioner's traffic consultant, indicates that clients and residents will not be allowed to have vehicles on the site. Within the traffic study, the determination of the amount of necessary parking is based on the analysis of one similar facility in Woodridge IL. Staff does not support the findings of the parking study based on only one comparable project. The parking consultant should provide additional information on

parking standards from the Institute of Traffic Engineers, American Planning Association or other similar sources.

For the purpose of determining the required amount of parking as provided in the Village zoning ordinance for the proposed mixed-use residential and healthcare facility, Staff finds that the proposal consists of a number of use types, each with different parking requirements. At the date of the preparation of this report, the petitioner has not responded to requests for additional information, as noted below, that is needed to analyze the parking required for Haymarket's proposed use.

1. Tabulation of all uses on the building by square footage and percent of total floor area (i.e., crisis stabilization, withdrawal management, high-intensity residential treatment, outpatient treatment, and recovery homes).
2. Confirm the number of residential facilities/rooms having overnight occupancy.
3. Clarify the area of the building that will be used for food service/cafeteria/dining.
4. Clarify how many employees will be present during each shift.

Although the proposed use does not have a specific classification in the parking section of the Village zoning ordinance, based on the list of proposed principal uses, the following parking standards will apply as provided for in Section 12.05:

- Lodging, Rooming and Boarding Houses – 1 space/lodging room, plus 1 space for the owner or manager.
- Medical or Dental Offices and Clinics – 6 spaces per 1,000 sq. ft. of gross floor area.
- Health Centers – 6 spaces for staff and visiting doctor, plus 1 per employee.

The parking requirements also provide for special consideration when a use is not specifically listed. In such instances, the Zoning Administrator shall make a determination as to the most similar use(s) listed and apply that standard(s).

Village Staff provides the following additional observations for further consideration:

- Haymarket has not provided information on how clients and residents will arrive and depart from the site for each level of care.
- Haymarket has not provided additional comparable parking information to support the conclusions of the parking study.
- Haymarket has not provided details on any travel arrangements provided by the proposed facility, i.e. to and from shopping, medical appointments, commuter train, outings, etc.

Photometric Lighting Plan

The plan provided is not legible, and additional information is needed to determine if the proposed plan is a change from existing conditions. The petitioner was requested to submit a larger size plan but at the time of the preparation of this report, this plan was not provided.

Comprehensive Plan Consistency

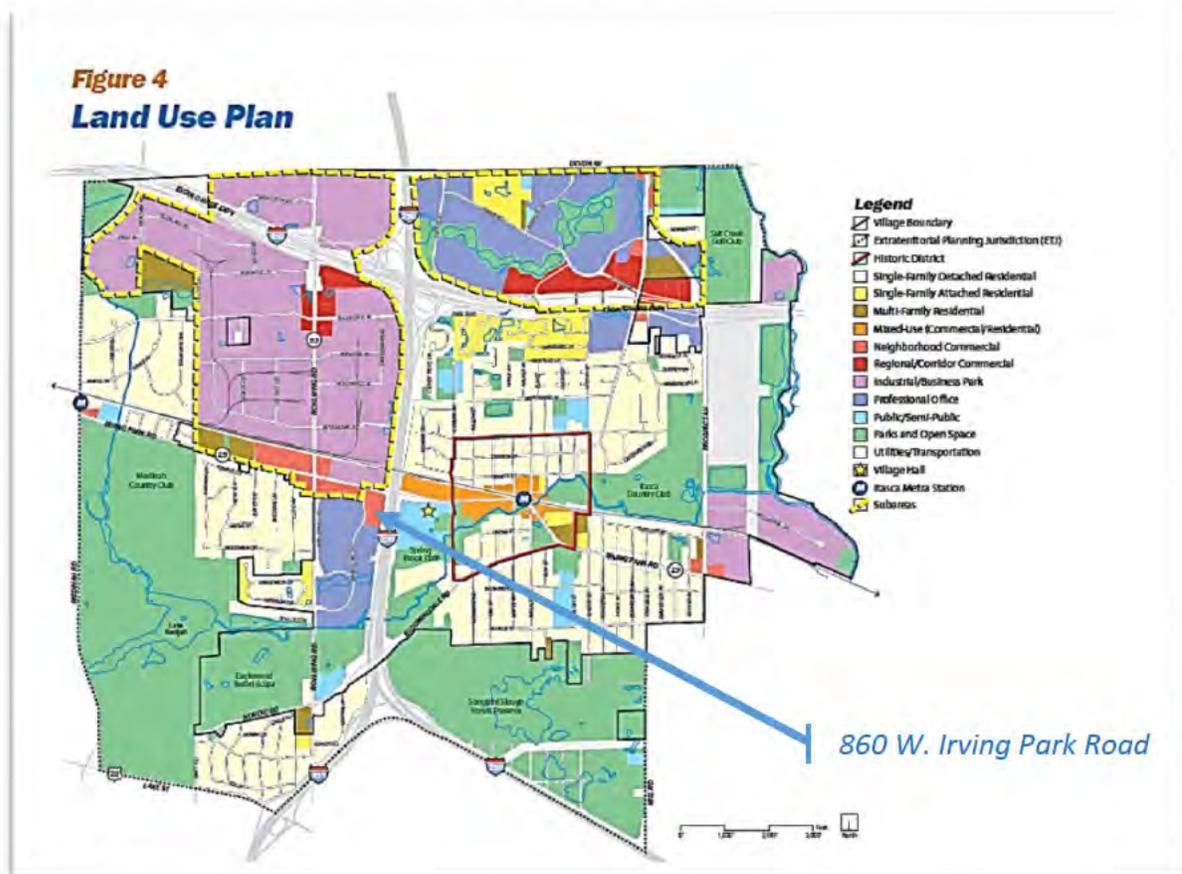
When comparing the petition to the adopted Comprehensive Plan, the general land use plan indicates that the site is planned for Regional/Corridor Commercial developments as the most

appropriate and highest and best use. The Regional/Corridor Commercial land use category is intended to preserve areas of the Village for intensive commercial land uses (business or shopping centers) consisting of larger properties along primary streets.

Furthermore, the Comprehensive Plan establishes certain goals, objectives, and policies to guide future development of Itasca. Relevant sections to this proposal include:

- Maintaining a range of retail and service activities throughout the Village.
- Maximizing the commercial potential of parcels accessible and visible to the larger region which are capable of drawing traffic from beyond Itasca to diversify the tax base and lessen the tax burden borne by residents.

Staff finds that the proposed use is incompatible with both the adopted Comprehensive Plan (Ordinance No. 1751-15) and the B-2 zoning of the property.



2015 Comprehensive Plan - General Land Use Plan

OTHER STAFF COMMENTS

Understanding the impact of Haymarket's proposal requires a thorough analysis of the impacts of the proposed use on both the tax base of the community, and on the ability for Village public safety services to respond to new uses. The Village has retained the services of a financial expert to evaluate the petitioner's economic impact statement. Their report will be provided upon receipt.

Police & Fire Review

Fire District, School District, and Police personnel will be available at the public hearing to provide information on anticipated impacts that the proposed uses would have on their services and finances.

Engineering

Preliminary Engineering Review comments dated September 13, 2019 are attached.

SUMMARY

Haymarket DuPage LLC seeks to convert an occupied commercial hotel to a mixed-use residential and healthcare facility, with other accessory uses, to provide a continuum of treatment services for people dealing with substance abuse. Haymarket's proposal to convert a commercial hotel, which generates significant revenue to the Village, to a non-profit, tax-exempt use presents both long-term fiscal concerns and impacts the Village's long-range plan to preserve and develop limited commercial properties for high-quality, tax producing uses. Further, the proposal is inconsistent with both the present zoning and the Village's Comprehensive Plan. Among the many issues and questions addressed in this report, Staff does not find that the petitioner has adequately demonstrated the need for the proposed facility at the subject site in Itasca.

STAFF RECOMMENDED CONDITIONS

In order to fully evaluate the Haymarket proposal, Staff has identified other issues, in addition to those in Village Exhibit A of this report, for which the petitioner shall comply if this project is approved, including but not limited to:

1. Permit documents must be in substantial compliance with Plan Commission and Village Board submittals.
2. The project must comply with all Village Ordinances, Building Codes, Standard Specifications, and the DuPage County Stormwater Ordinance in place at the time of permit application.
3. Approval is subject to compliance with all final engineering standards and fire codes of the Village
4. A complete sign review package will be required for review prior to installation. The sign plan shall show the setbacks of each ground sign from adjacent property lines.
5. Removal of the existing billboard sign.
6. Compliance with the requests for additional information as enumerated within this report and as summarized in Village Exhibit A.
7. Petitioner's application contemplates a maximum of 272 overnight clients and residents at any given time. If approved, any increase in the number of beds over 272 must be approved by the Plan Commission and Village

REQUIRED FINDINGS OF FACT FOR SPECIAL USE – PLANNED DEVELOPMENT

Per Section 14.11(7), the Plan Commission is required to make the following findings should it make a favorable recommendation on the Special Use Permit application:

- 1. The approval of such Special Use is in the public interest and is not solely for the interest of the applicant;*
- 2. The proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community;*
- 3. Such use will not under the circumstances of the particular case be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity; and*
- 4. The proposed use will comply with the regulations and conditions specified in the Itasca Zoning Ordinance for such use, and with the stipulations and conditions made a part of the authorization granted by the Village Board of Trustees.*

The petitioner has responded to the findings within the applications for special use as part of his application (see attachment). At the time of preparing this report, Staff has received several inquiries and statements from residents (See attachments)

REQUIRED FINDINGS OF FACT FOR EXCEPTIONS

Per Section 14.09(3) of the Zoning Ordinance, in making a determination on a request for Variance or Exceptions to the Planned Development, the Plan Commission is to determine whether there are any particular difficulties or particular hardships, take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:

- 1. The particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner, as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out;*
- 2. The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification;*
- 3. The purpose of the variation is not based exclusively upon a desire to make more money from the property, or merely for the convenience of the owner;*
- 4. The alleged difficulty or hardship has not been created by any person presently having an interest in the property;*
- 5. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; or*
- 6. The proposed variation will not impair an adequate supply of light on adjacent property or substantially increase the danger of fire or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood.*

REQUIRED STANDARDS FOR PLANNED DEVELOPMENTS

As provided for in Section 14.12.7 of the Zoning Ordinance No planned development shall be authorized unless the Plan Commission shall find and recommend, in addition to those standards established herein for Special Uses, that the following standards shall be met:

a. General:

- (1) *The uses permitted by such exceptions as may be requested or recommended are necessary or desirable and appropriate to the purpose of the development.*
- (2) *The uses permitted in such development are not of such nature or so located as to exercise an undue detrimental influence or effect upon the surrounding neighborhood.*
- (3) *That any industrial park areas established in the planned development conform to all requirements therefore, as set forth elsewhere in this Ordinance.*
- (4) *That all minimum requirements pertaining to commercial, residential, institutional, or other uses established in the planned development shall be subject to the requirements for each individual classification as established elsewhere in this Ordinance, except as may be specifically varied in the Ordinance granting and establishing a planned development use.*
- (5) *When private streets and common driveways are made a part of the planned development or private common open space recreational facilities are provided, the applicant shall submit, as part of the application, the method and arrangement whereby these private facilities shall be operated and maintained. Such arrangements for operating and maintaining private facilities shall be subject to the approval of the Village Board.*
- (6) *That any bulk exceptions shall be solely for the purpose of promoting an integrated site plan more beneficial to the residents or occupants of such development as well as neighboring property, that would be obtained under the bulk regulations of this Ordinance for building developed on separate zoning lots.*
- (7) *Architectural Consistency. The architectural style and features established for an approved planned development shall be maintained throughout the entire project unless otherwise recommended by the Plan Commission and approved by the Village Board.*

Public Comment

The Village has received a significant amount of public correspondence regarding this proposal as of the date that this report was finalized on September 13, 2019. All letters and emails received to date are attached.

DOCUMENTS ATTACHED

1. Village Exhibit A – Questions and Additional Information Summary
2. Zoning Petition Binder- Special Use for Planned Development
 - a. Cover letter from Ice Miller dated July 3, 2019
 - b. Legal Description
 - c. Statement of applicant ownership
 - d. Alta Survey dated April 26, 2019
 - e. Plat of Survey signed June 3, 2019
 - f. Existing Structure Elevations revised January 26, 2019
 - g. KLOA Traffic and Parking Study Executive Summary dated July 1, 2019
 - h. Photometric Plan dated June 5, 2019
 - i. Statement of Bulk Deviations undated
 - j. Floor plans
3. Supplemental Filing Received August 2, 2019
 - a. Cover letter from Ice Miller dated August 2, 2019
 - b. Photographs of existing site
 - c. Economic Impact Study by Teska Associates, Inc., dated August 1, 2019
 - d. Landscape Plans prepared by LG Workshp LLC, dated July 18, 2019
4. Community Development Staff Letters to Petitioner
 - a. May 9, 2019 regarding use categorization
 - b. June 25, 2019 summarizing filing standards (in petition)
 - c. July 24, 2019 finding application deficient
 - d. July 31, 2019 check returned for incorrect applications
5. Mayor’s Letter Requesting Additional Information, dated July 22, 2019
6. Haymarket and Ice Miller Letters to Village
 - a. July 18, 2019 regarding rejection of Health Care Facility
 - b. August 30, 2019 regarding a request for additional Plan Commission meetings
 - c. September 5, 2019 regarding a response to the Mayor’s questions
 - d. September 6, 2019 regarding signage
7. Village Administrator’s email response to sign ordinance inquiry dated September 12, 2019
8. Code Enforcement letters dated September 12, 2019 regarding Bank of America and Holiday Inn
9. Community Development Director’s email request for follow up on EMS and Police data dated September 12, 2019
10. Public Correspondence
11. Engineering Review Memo from Robinson Engineering
12. KRG Report – Tax and Resource Impact Analysis