



Village of Lemont  
***Planning and Zoning Commission***

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418 Main Street · Lemont, Illinois 60439  
phone 630-257-1595 · fax 630-257-1598

**PLANNING & ZONING COMMISSION**  
**Regular Meeting**  
**Wednesday, October 17, 2012**  
**6:30 p.m.**

**Planning and Zoning  
Commission**

Dennis Schubert,  
Chairman

**Commission Members:**

Ryan Kwasneski  
David Maher  
Gregory Messer  
Katherine Murphy  
Jason Sanderson  
Anthony Spinelli

**Community Development  
Department Staff**

James A. Brown, Director

Charity Jones, AICP Planner

**I. CALL TO ORDER**

**A. Pledge of Allegiance**

**B. Verify Quorum**

**C. Approval of Minutes: September 19, 2012  
meeting**

**II. CHAIRMAN'S COMMENTS**

**III. PUBLIC HEARINGS**

**A. Case 12-18 – Magnolia House, 1 Povalish Court.**

A public hearing for a special use for group living, not otherwise defined.

**B. Case 12-19 – UDO Amendments.** A public hearing for various text amendments to the Unified Development Ordinance, including residential design standards and landscaping in M zoning districts.

**IV. ACTION ITEMS**

**A. Joint PZC/COW Follow Up.** Presentation of draft UDO amendments regarding electronic message centers and internally illuminated monument signs (*materials to be distributed at meeting*).

**V. GENERAL DISCUSSION**

## VI. ADJOURNMENT

**Village of Lemont**  
**Planning and Zoning Commission**  
Regular Meeting of September 19, 2012

A meeting of the Planning and Zoning Commission of the Village of Lemont was held at 6:30 p.m. on Wednesday, September 19, 2012, at the Lemont Police Department, 14600 127<sup>th</sup> Street, Lemont, Illinois.

**I. CALL TO ORDER**

**A. Pledge of Allegiance**

Chairman Schubert led the Pledge of Allegiance. He then asked the audience to stand and raise his/her right hand. He then administered the oath.

**B. Verify Quorum**

Upon roll call the following were:

Present: Kwasneski, Maher, Messer, Sanderson, Spinelli, Schubert

Absent: Murphy

Village Planner Charity Jones and Village Trustee Ron Stapleton were also present.

**C. Approval of Minutes**

Commissioner Spinelli made a motion, seconded by Commissioner Kwasneski to approve the minutes from August 15, 2012 meeting with no changes. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

**II. CHAIRMAN'S COMMENTS** None

**III. PUBLIC HEARINGS**

**A. Case 12-16 – 423 Holmes Street Variation.** A public hearing for a variation to allow a driveway to exceed 22' feet wide in the R-4A zoning district.

Chairman Schubert called for a motion to open the public hearing.

Commissioner Spinelli made a motion, seconded by Commissioner Messer to open the public hearing for Case 12-16. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

Mrs. Jones stated the applicant was present and this variation was to allow a driveway in the R-4A district to exceed 22' feet in width. She said the applicant applied for a

building permit to put in an asphalt driveway and went ahead and put the asphalt driveway in to the maximum extent that is allowed under the code. They are now seeking a variation to extend that width. Mrs. Jones stated prior to the asphalt driveway there was a gravel driveway on the site with a pre-existing garage.

Mrs. Jones stated there are three standards for a variation with the first one being that it is in harmony with the general purpose and intent of the Unified Development Ordinance. She said that staff finds that it is and will have minimal impact on the character of the neighborhood. Many of the homes in area have similar asphalt driveways. Mrs. Jones stated the second standard is the plight of the owner is due to unique circumstances and that strict enforcement of the code would create practical difficulties or hardships. She said in the staff report you could see that the property is located on a hill with a retaining wall very near the driveway. Mrs. Jones stated the difference between the retaining wall and the asphalt driveway at the 22' foot maximum is seven feet at the most and tapers down. She said as the area gets smaller it gets less and less usable. She said staff feels that this creates a hardship for the owner and that it is unique due to the retaining wall on the property line. Mrs. Jones stated that they also consider whether the hardship was created by the person who is applying for the variation. In this circumstance, the conditions of the site were there when the applicant purchased the home. Mrs. Jones said the last criteria is the variation will not alter the essential character of the locality. She said staff feels there are unique circumstances to grant the variation request, it would not set precedence and would have little or no impact on the character of the neighborhood.

Chairman Schubert asked if the Board had any questions for staff. None responded.

Chairman Schubert stated he would like to make a comment. He said he applauds the owner for doing the driveway according to the standard and not proceeding to go further without asking. He said a lot of people would have tried to sneak that in. Chairman Schubert said in the past they have granted variations to driveways or on the side of garages. He said with the change of grade, being able to plow it in the wintertime and not shoot gravel it would be a good idea to grant the variation.

Commissioner Spinelli asked what the driveway width is at the sidewalk.

Mrs. Jones said she thinks it is around 12' feet.

Mike Madden, Jr., 423 Holmes Street, Lemont stated between the steps and the north property line it would be 13' feet. He said where the sidewalk is it is much narrower.

Commissioner Messer asked if any of the neighbors had any comments.

Mrs. Jones stated one of the neighbors were present.

Chairman Schubert asked if the applicant had anything else they wanted to say.

Gina Madden, 423 Holmes Street, Lemont said that she is a municipal attorney and is rarely on this side of the podium. She said she would like to thank the Board and Mrs. Jones for their time and effort. She stated they agree with staff's recommendation. Mrs. Madden stated just for a matter of housekeeping she would like to tender into evidence the affidavit of public notice. She said it is stated that the list which is attached as an exhibit, she had received from the Village. Every homeowner within 250 feet was sent notice by certified mail with return receipt requested. Mrs. Madden stated they did receive some of the green cards back but not all of them. She said the only exception was Mrs. Dentzman who they hand delivered her notice to her. She stated that her signature is indicated on the copy of the notice which is exhibit C to the affidavit.

Dawn Dentzman, 419 Holmes Street, Lemont, stated she lived just north of the Maddens. She said she would feel it would look much better to have the whole driveway completed. There is just a little spot there, you can't grow anything, and it is just a nuisance. Ms. Dentzman said it would be better for the community and make the home and community look a lot better.

Chairman Schubert asked if there were any more questions. None responded.

Chairman Schubert called for a motion to close the public hearing.

Commissioner Messer made a motion, seconded by Commissioner Maher to close the public hearing for Case #12-16. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

Chairman Schubert then called for a motion to recommend approval for the variation to 423 Holmes Street.

Commissioner Maher made a motion, seconded by Commissioner Sanderson to recommend approval of the variation for Case #12-16. A roll call vote was taken:

*Ayes: Kwasneski, Maher, Messer, Sanderson, Spinelli (with comment listed below), Schubert*

*Nays: None*

*Motion passed*

Commissioner Spinelli commented that he was voting yes based on the fact that this house and driveway were existing prior to UDO being changed.

Commissioner Spinelli made a motion, seconded by Commissioner Kwasneski to authorize the Chairman to approve the Findings of Fact as prepared by staff. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

#### **IV. ACTION ITEMS**

**A. Lemont 2030 Comprehensive Plan Update, Housing.** A discussion of a draft housing element.

Mrs. Jones stated that Jim Brown, Planning and Economic Development Director, will be arriving shortly to cover the housing section. She said the Comprehensive Plan usually covers land use, economic development, environmental resources, public facilities, and housing. This is the first discussion covering housing issues. She stated out of the vision statements the components that relate to housing are that Lemont will have diverse housing options that are financially attainable for residents in all stages of life. These housing options will ensure that multiple generations of families can continue to call Lemont home. Another is that Lemont's downtown population will be increased through continued residential development. Mrs. Jones stated that those are the things that came out of the visioning process that relate specifically to housing.

Mrs. Jones stated within the housing element, staff is trying to accomplish a plan for housing creation. This would include providing housing for current and future population and housing preservation. She said housing preservation is something that is often overlooked in Comprehensive Plans, but it is an important component; often when it comes to providing affordable housing because older homes are priced more attainable for lower income bracket people.

Mr. Brown arrived for the meeting at 6:48 p.m.

Mrs. Jones stated that there is a strategic plan that the Village is putting together, which is a three year plan, trying to attract more residents. Mrs. Jones then put the zoning map on the overhead screen for the Board to see.

Mr. Brown said he would like to cover a couple of different topics related to housing. He said the Board can ask questions as they go along. He stated the next thing he would like to cover is what should be in the housing element. The first thing would be issues related to growth management. Some of issues are how much new housing is appropriate, where it should be located, and what form it should take. Mr. Brown said there would be a certain portion of answers to those questions found in this element as well as the Land Use element. Another part of the element is preservation of community character. Mr. Brown said to an extremely large extent the identity of a community is forged by its housing stock. He stated the housing element should also address affordable housing and fair housing.

Mr. Brown said Lemont is part of a much larger region and has neighboring communities. A lot of the trends that occurred in Lemont were really part of a larger trend over the last 30 years or so. He stated that Lemont experienced tremendous growth in population and housing over the last 30 some years. He then presented a

graph showing the housing boom that occurred in Lemont and surrounding communities from 1980's to current. Mr. Brown said in 2005 they were doing about 200 building permits and now it has been less than 40 for the past two years. He stated if you looked at the other communities Lemont did not grow as much as them. He said he had noted a couple of reasons why he thought Lemont did not grow as much. One being is that Lemont did not have that much available green space. He stated that they are running out of green space now. Another reason being there has always been an aversion to track housing. Mr. Brown said that Village staff did not want these developers coming into Lemont and building these 600 home subdivisions. He stated lastly they did everything by annexation agreement and wanted to see a certain standard maintained which might have kept the totals lower than other communities.

Chairman Schubert asked what other larger pieces of land are there left in Lemont.

Mr. Brown stated there are several golf courses in Lemont. He stated that the Village has had serious talks with Glen Eagles. Their long range plan is to at least entertain the idea of converting it into something else. He said Mid Iron is another large track that would have potential for housing. Mr. Brown stated there are a few other pieces of property, but other than that there is not much green space. He said there are smaller parcels, but for the big 100 plus acres there is not much left.

Mr. Brown then went on to talk about "smart growth". He said these would be smaller lots, alleys, narrower streets, different mix of housing and are usually walkable communities. He said the last Comprehensive Plan mentioned certain concepts that pertained to smart growth, but nothing was ever really done that could be labeled smart growth. Another concept he talked about was "transit orientated development". He stated it is where housing is put around transportation nodes. There were two plans that were looked at, but again nothing was ever adopted or approved by the Village Board. Mr. Brown stated he liked this idea, but the Village is missing the transportation element.

Mr. Brown said in the last Comprehensive Plan the housing element was only one paragraph. He stated staff's goal is to have a very strong housing element. He said when looking at housing issues it can bring up very touchy subjects such as affordable housing. Mr. Brown stated he would like to take this head on and recognize some of the issue.

Chairman Schubert stated that he would like to hear what the definition of fair housing is.

Mr. Brown said fair housing is often confused with affordable housing. He stated affordable housing policy addresses the economic attainability for segments of the community. Fair housing policy addresses equal access to housing and that means you are not discriminated on the basis of protective classes. Mr. Brown stated there is a fair housing ordinance. He said there are currently 6,100 housing units in town. He stated most would say that the housing in Lemont is single family homes all over town. Mr.

Brown said that they have added quite a bit of town houses over the last decade. He stated that the only multi-family home project he can think of is the Lofts.

Mr. Brown stated he wanted to talk very briefly about the quality of housing stock. He said the age and quality of housing stock has great implications on the future of your community. He stated there have been a lot of changes in communities as their housing stock has deteriorated and when people don't reinvest in their housing. Mr. Brown stated some researchers have identified a 30 year threshold when housing starts to deteriorate and people move out. Mr. Brown then gave an example and talked about Park Forest. He said there are certain areas of Lemont that would not meet certain expectations of today homebuyers. He stated it is hard to determine what level of reinvestment is taking place in any of these segments of town. Mr. Brown said he does think this idea of reinvestment in the community and quality of housing stock is something long term that needs to be monitored and addressed.

Commissioner Messer asked would a consideration be a reclamation type of a program where an entity started buying property up.

Mr. Brown said the Village would be limited to what they could do, or willing to do, or the grants that they could get for it. He stated that there is community development block grant money and there is one housing track here in town that is eligible for that. He said he would talk about that later.

Mr. Brown said he would like to go through the charts that are provided in the staff report. He said he has Implementation Action Areas and the first one is Amend Zoning Regulations. He stated the first recommendation was to change zoning standards for R-4 zoning to allow smaller lots with reduced yard setbacks. The reason for this is that the Village should consider the creation of a new zoning district for altering the R-4A to allow single family home construction on smaller lots. Mr. Brown said it seems they are always granting variations in lot size or granting variations in side yard setbacks in every single development that comes in. He stated why not change the zoning so people don't have to jump through hoops. He said that he does not hear any complaints about any of the setbacks that were granted for these subdivisions. Mr. Brown stated should they consider another zoning classification and that would become their default or just alter the R-4 as it exist now. He said they could reduce the standard size from 12,500 square feet to 10,500 square feet and change the setbacks.

Commissioner Spinelli stated that he did not have any problems with it, but did not want to change the front yard setback. The problem with a 20 foot yard setback is you can barely get a normal size vehicle in the driveway without blocking the sidewalk.

Commissioner Maher asked what the intent is by making it smaller.

Mr. Brown said it fits in with growth management and conservation design principals. He stated that you intend to make more walkable neighborhoods. It can also open up



the possibility of getting more green space. He said it could be a trade off with a developer for letting them make the lot smaller and in trade demand more green space.

Mrs. Jones stated a couple of reasons why this would be a good idea is one it has been allowed. She said secondly we bemoan a lack of retail activity and what drives retail activity is a certain concentration of population.

Commissioner Messer stated that it sounds like Lago Vista in Lockport.

Discussion continued on lot sizes and side yard setbacks.

Chairman Schubert said he liked the idea of getting more green space by allowing 10 foot side yard setbacks.

Commissioner Maher said he feels that they would be getting less green. He stated that unless you tie it to more green space it would only be increasing density.

Commissioner Sanderson stated that they are already doing it.

Commissioner Spinelli stated that he has seen municipalities that have an alternate R-4B. He said one of the criteria is that the builder has to design the subdivision based on the R-4A. They will let them go to R-4B but the number of lots would be based on what they could get in R-4A.

Discussion continued on the R-4A lot size.

Mr. Brown then asked if the Board was embracing the idea of going with smaller lot sizes as long as there is more green space. He also asked if they were not in favor a new blanket R-4 set of standards or the creation of a new zoning district with smaller lot sizes and not linking it to green space.

Commissioner Spinelli stated that you would have to link the smaller lot sizes to the open green space. If not you will just get more density.

Mrs. Jones reiterated setting aside the idea of green space, was the Board not in favor of having a variety of zoning districts and housing types.

Commissioner Sanderson stated that you have to make something attractive if you want to develop it. He said if you are not in a rush to get it developed you can stay on your high horse and say this is what we want and we are willing to wait. Commissioner Sanderson said with today's economy people are just not looking to develop.

Commissioner Spinelli stated he does not mind an 80 foot lot. However, you are not going to be attracting these builders because they are not building in Joliet with 60 foot lots.

Commissioner Maher stated that he would agree with smaller lots. He said his concern is the lot coverage.

Mr. Brown summarized Commissioner Maher's concern as, if it is a smaller lot than it should be a smaller house. He then asked the Board if they felt any of the Lemont's subdivisions were cramped. None felt that it was cramped.

Mr. Brown said he wanted to move on to the next point. The zoning ordinance states that it does not allow "rowhouses". This would be a row of units with a party wall, townhouses, more than four abreast. Mr. Brown stated that he feels that rowhouses are perfect for the downtown area. He said to make it easier to come into the downtown and other places in town we need to accommodate in the zoning ordinance for rowhouses.

All Commissioners agreed that the downtown area would be a good place for rowhouses.

Mr. Brown said the third thing for the Implementation Action Area is allow construction of two-flats and/or duplexes on corner locations within otherwise exclusively single-family zoning districts. He stated that he likes the idea of two-flats. He said he has been approached a couple of times in the last few months with people asking if the Village would consider two-flats in certain areas. Mr. Brown stated it would have to be integrated through policy or a zoning statement for a mixture of two-flats in otherwise a single-family area. He said it can be done so that the two-flat looks like a single-family home. He stated he wanted to see if the Board would embrace this idea.

Discussion continued as to where two-flats would be allowed.

Chairman Schubert stated he was not opposed, but you would have to respect the area it was going in.

Mrs. Jones stated having it on a corner lot would help split up the parking.

Mr. Brown said developers are very concerned with their housing mix. Mr. Brown asked if the Board liked the idea in limited applications. All Board members agreed.

Mr. Brown stated they would move on to Implementation Action Area #2, Obtain and Maintain Right Housing Mix. He said they are trying to find different housing products and mixing up developments with different housing products in it. Mr. Brown stated it would be a policy that they would embrace that encourages different housing types and mixes within a development. He said this would help when they sit down with developers and they start talking about different products or green space that they can look at several different types of housing.

Commissioner Spinelli stated that he would not like to see single-family and rowhouses together. He said he would not like to see one extreme to another.

Mr. Brown said the next recommendation, which is tied to the Land Use Map, is that staff should monitor dwelling unit construction and home buying trends periodically so to provide elected officials with reports of those trends. He stated it is trying to get us as a community to periodically reevaluate that housing mix. Then change the Comprehensive Plan respectively.

Mr. Brown stated Action Area #3, Increase the supply of Affordable Housing, recommends reducing the practice of incorporating provision in development approvals that result in more expensive construction. He said one area is lot size, but they also reexamined the vinyl prohibition. He stated they have to realize that not everything should be done in all masonry.

Commissioner Spinelli stated municipalities in Will County started worrying about minimum bedroom size and roof pitches to the point that their fireman and policeman could not afford a brand new house in their town. He said their home rules were that they had to live in town.

Mr. Brown stated they need to stay away from minimum house sizes or bedroom numbers. He said there should be a policy statement so they would avoid that.

Mr. Brown said the next one for Action Area #3, in the downtown, remove regulatory barriers to the conversion of commercial space to residential space. He stated their goal is to increase the number of dwelling units in town in certain areas. He said right now there are fire codes and building codes that make it extremely difficult or expensive for someone to convert space above a storefront from commercial to residential. Mr. Brown stated there are a couple of people in the downtown who have been very vocal and upset with the Village for not changing this. He said the Village and LFPD should adopt the International Rehabilitation Code or make other appropriate changes to the existing building and fire codes. This would give the owners of the building other options that are less costly.

Discussion took place on who sets the codes.

Mr. Brown stated that he hopes that this is resolved this year and does not need to wait for the Comprehensive Plan. He asked if all the Commissioners were in agreement with this recommendation. All Commissioners agreed.

Mr. Brown said the last Action Area is #4, Remove impediments to Fair Housing, which would appoint a Fair Housing Officer. He stated that there should be someone who is appointed and publicized for an initial point of contact. Mr. Brown then gave some background information as to why an appointed officer is needed and how the Fair Housing Policy works.

Discussion ensued regarding the Community Development Block Grant program.

Commissioner Messer asked if Mr. Brown had written what the role and responsibilities were for the Fair Housing Officer.

Mr. Brown said there were a couple of bullet points in his memo, he then read those bullet points from his memo. He stated they would serve as a point of contact for people who feel that their access to fair housing have been violated and then do some type of investigation. Mr. Brown stated that he does not think there would be many complaints.

## **V. GENERAL DISCUSSION**

Mrs. Jones said next month there is a special use for 1 Povalish Court because Timberline Knolls was sold.

Mrs. Jones stated that the November meeting would also have to be moved because it falls on the day before Thanksgiving. She asked if there is something on the agenda would the Board agree to the week prior or a day earlier that week.

The Board agreed to the week prior.

## **VI. ADJOURNMENT**

Commissioner Kwasneski made a motion, seconded by Commissioner Maher to adjourn the meeting. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

*Minutes prepared by Peggy Halper*



Village of Lemont  
*Planning & Economic Development Department*

418 Main Street · Lemont, Illinois 60439  
phone 630-257-1595 · fax 630-257-1598

TO: Planning & Zoning Commission #112-12

FROM: Charity Jones, Village Planner

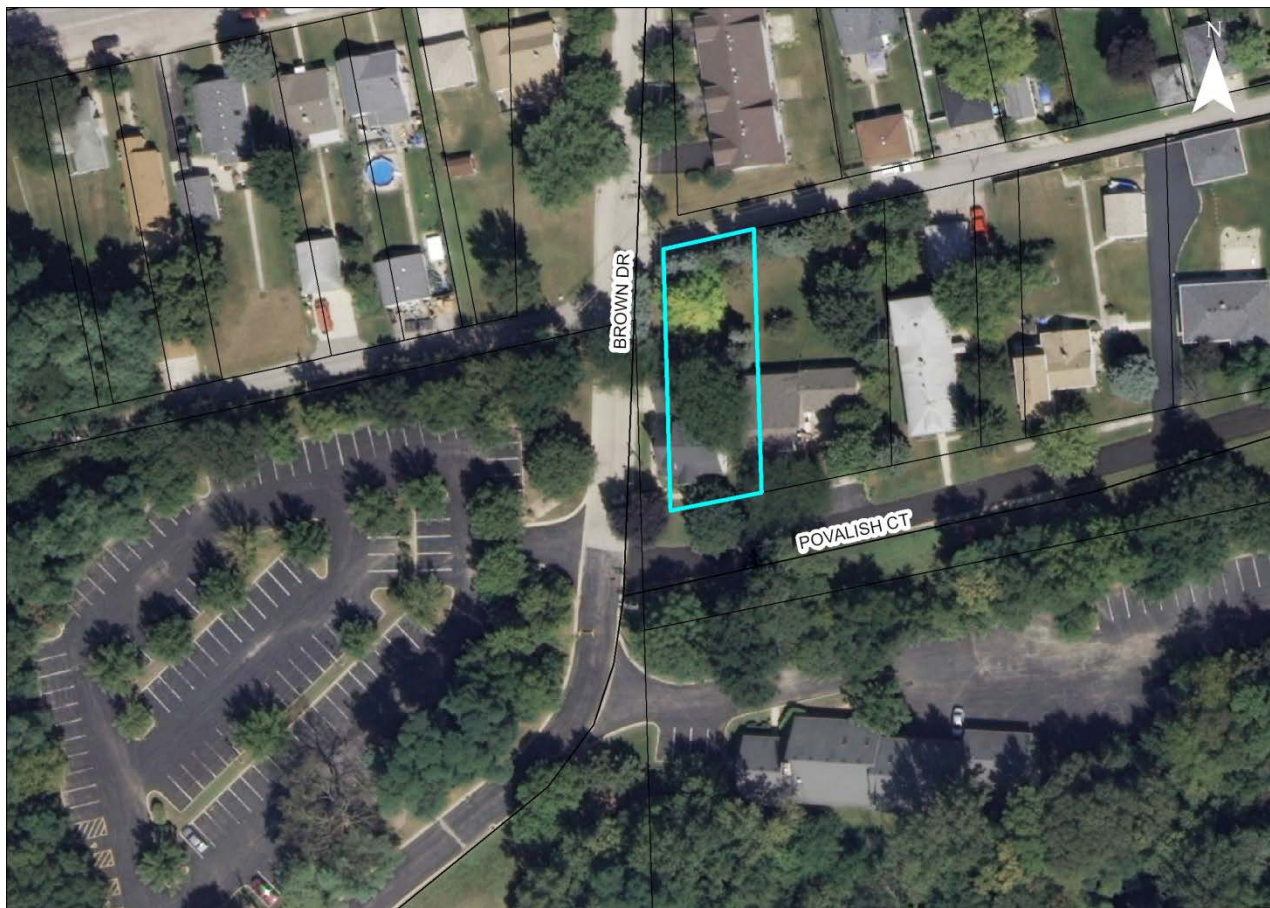
THRU: James A. Brown, Planning & Economic Development Director

SUBJECT: Case 12-18 Magnolia House, 1 Povalish Court

DATE: October 11, 2012

**SUMMARY**

Timberline Behavioral, LLC, a wholly owned subsidiary of Acadia Healthcare, Inc., owner of the subject property, has requested a special use for group living, not otherwise defined, to operate a six bed supportive living environment. Staff recommends approval.



**PROPOSAL INFORMATION**

Case No. 12.18  
Project Name Magnolia House, 1 Povalish Court

<b>General Information</b>	
Applicant	Timberline Behavioral, LLC
Agent for Applicant	Frederick Agustin
Status of Applicant	Facility owner and operator
Requested Actions:	Special use for group living not otherwise classified
Purpose for Requests	6-bed supportive living environment, 120 days or less
Site Location	1 Povolish Ct. (PIN: 22-20-305-024)
Existing Zoning	R-4
Size	51.5' X 142'
Existing Land Use	Residential
Surrounding Land Use/Zoning	North: Multifamily Residential, R-6
	South: Timberline Knolls, R-4 PUD
	East: Residential, R-4
	West: Timberline Knolls Parking, R-4 PUD
Comprehensive Plan 2002	The Comprehensive Plan map designates this area as low density residential.
Zoning History	In January 2008, a special use for group living, not otherwise defined, was approved for Magnolia House. That special use approval was granted solely to Timberline Knolls, LLC, hence the necessity for a new special use application.

<b>Special Information</b>	
Public Utilities	Water/sewer is available on site. Electrical is overhead.
Physical Characteristics	Primary structure is improved. There is an accessory structure in the rear yard. A stand of evergreens provides landscape screening. There is an alley running behind the structure and another across the street.

**BACKGROUND**

Timberline Knolls is a residential treatment center providing clinical, educational, and therapeutic support for young women dealing with eating disorders, addiction, or other co-occurring disorders. The facility was formerly operated by Four Winds/Rock Creek, which closed in 2002. Timberline Knolls began operation in 2006; in 2007, Timberline Knolls sought to expand its program to include a supportive living environment for graduates of its residential treatment program. Thus, Timberline Knolls applied for a special use to operate a group living facility at 1 Povalish Court. During the public hearing process, there were no objections raised from nearby property owners.

The Village Board approved the requested special use for group living, not otherwise defined by Ordinance O-03-08 in January 2008. The special use approval was contingent upon the following conditions:

1. The structure had to meet all applicable Fire District standards.

2. Designated parking for staff and/or visitors had to be provided in a nearby parking lot on the main Timberline Knolls property.
3. The group living had to operate in accordance with the resident rules of conduct, which were attached to the ordinance.
4. The special use was granted solely to Timberline Knolls, LLC and was not transferable.

Timberline Knolls was recently purchased by Acadia Healthcare. Since the ownership of the property has changed, a new special use approval is required for the continued operation of Magnolia House. The applicant is not seeking to change the existing operations or facility in any way. As stated in the application materials, the applicant is seeking to "maintain the same rules and regulations as outlined in Ordinance No. O-03-08."

### STANDARDS FOR SPECIAL USE

UDO Section 17.04.150.C states that special use requests must be consistent with the following six standards to be recommended by the PZC for approval:

1. The special use is deemed necessary for the public convenience at that location.

**Analysis.** Magnolia House functions as an extension of the larger Timberline Knolls facility, which provides services to women in need of mental health treatment and support. No other facility exists within Lemont to provide such services in an environment comparable to Magnolia House. The use is necessary for the public convenience in that it provides a needed service to local residents that they might otherwise have to leave the area to receive.

2. The special use is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected.

**Analysis.** The special use will be operated consistent with the rules and regulations governing resident behavior included in the 2008 special use approval. The site, structure, and parking arrangements shall remain as they currently exist. The Village is unaware of any public health or safety issues occurring since 2008 and the Lemont Fire Protection District has no objection to the re-granting of the special use approval for Magnolia House.

3. The special use will not cause substantial injury to the value of other property in the neighborhood in which it is located.

**Analysis.** The use is currently in operation and the property is well maintained. There are no proposed changes to the structure. Therefore, no change in property values is anticipated as a result of approving the special use application.

4. The special use shall not create excessive demands on Village service or impair the ability of the Village to maintain the peace and provide adequate protection for its citizens.

**Analysis.** As noted, the Fire Protection District has no objection to Magnolia House's continued operation at the subject site. The Village Code Enforcement Officer reported no issues with regard to Magnolia House. Staff is awaiting comment from the Lemont Police Department, but expects a report similar to Fire and Code Enforcement.

5. The special use is consistent with standards enumerated elsewhere in this ordinance for the specific use, including planned unit developments.

**Analysis.** The UDO does not contain any additional standards for a group living, not otherwise defined.

6. The special use meets, as applicable, the standards for planned unit developments found in Chapter 17.08 of this ordinance.

**Analysis.** Not applicable.

## GENERAL ANALYSIS

**Consistency with the Comprehensive Plan.** The Comprehensive Plan designates this area for low density residential use, with a conservation / cluster design overlay. The existing conditions of the area are higher density than the 0-2 dwelling units per acre called for by the Comprehensive Plan, but the proposed special use would have no impact on the existing physical conditions of the subject site or the density of the area.

**Aesthetic and Environmental.** No changes are proposed to the site.

**Engineering Comments.** The Village Engineer had no objection to the requested special use.

**Fire District Comments.** As previously noted, the Fire Marshal had no objection to the requested special use.

## CONCLUSIONS & RECOMMENDATIONS

The requested special use will merely allow the continued operation of Magnolia House, with no changes. Although the ownership of Timberline Knolls has changed, the administrative personnel in charge of daily operations remain the same. Therefore, staff fully expects the conditions on the site to remain as they have been for the past four years. In that time, there have been no known public health, safety, or other land use issues caused by the operation of Magnolia House. Therefore, staff recommends approval with the following conditions:

1. The special use approval is limited to the current owner/operator; any new owner/operator would have to reapply for special use approval.
2. The special use shall include the Magnolia House resident rules of conduct.
3. Parking for staff and/or visitors shall continue to be provided in designated areas on the main Timberline Knolls property, located at 40 Timberline Drive.



## ATTACHMENTS

1. Application Materials
2. Ordinance O-03-08
3. Site Photos

# Special Use Application Form

## APPLICANT INFORMATION

TK Behavioral, LLC, a wholly owned subsidiary of Acadia Healthcare, Inc.

Applicant Name

Company/Organization

830 Crescent Center Drive, Suite 610, Franklin, TN 37067

Applicant Address

615-861-7330

Telephone & Fax

scott.schwieger@acadiahealthcare.com

E-mail

### CHECK ONE OF THE FOLLOWING:

- Applicant is the owner of the subject property and is the signer of this application.
- Applicant is the contract purchaser of the subject property.
- Applicant is acting on behalf of the beneficiary of a trust.
- Applicant is acting on behalf of the owner.

## PROPERTY INFORMATION

1 Povalish Ct. Lemont, IL 60439

Address of Subject Property/Properties

22-20-305-024-0000

Parcel Identification Number of Subject Property/Properties

Approximately 7,313 square feet

Size of Subject Property/Properties

## DESCRIPTION OF REQUEST

Existing facility will remain, which is a six bed supportive living

Brief description of the proposed special use

environment for graduates from the residential portion of Timberline Knolls program.

Residents will be females, ages 18 or older who will be employed, seeking employment,

REQUIRED DOCUMENTS full time students and continuing treatment.

See Form 501-A, *Special Use Application Checklist of Required Materials*, for items that must accompany this application.

## FOR OFFICE USE ONLY

Application received on: \_\_\_\_\_

By: \_\_\_\_\_

Application deemed complete on: \_\_\_\_\_

By: \_\_\_\_\_

Current Zoning: \_\_\_\_\_

Fee Amount Enclosed: \_\_\_\_\_

Escrow Amount Enclosed: \_\_\_\_\_



## PROJECT SUMMARY

On January 14, 2008, the President and Board of Trustees of the Village of Lemont approved the facility known as Magnolia House at the property located at 1 Povalish Court, Lemont, Illinois (the "Subject Property"). TK Behavioral, LLC (the "Applicant") is the new owner of the Subject Property. Applicant will continue operating this facility, as well as maintaining the existing improvements.

Subject Property contains approximately 7,313 square feet. It is currently improved with a 1.5 story structure, as well as an accessory building at the rear of the Subject Property. The 1.5 story structure covers about 935.45 square feet, which is about 13% coverage of the Subject Property. The accessory building covers about 416.15 square feet, which is about 6% coverage of the Subject Property. The 1.5 story structure is a 6-bed supportive living environment.

Landscaping and open space exists at the front, side and rear of the facility. A large evergreen tree in the rear yard provides screening to the adjacent residential uses to the north.

There will be ample staff and visitor parking at the parking lots located across the street at the Timberline Knolls facility.

# Special Use Criteria Worksheet

Unified Development Ordinance (UDO) Section 17.04.140.C establishes the criteria for approval of special use requests; no special use will be recommended by the Planning & Zoning Commission unless it meets the following criteria.

Please describe below how your variation request meets the criteria of UDO Section 17.04.140.C. Attach additional sheets if necessary.

## **UDO Section 17.04.140.C.1**

The special use is deemed necessary for the public convenience at that location:

See No. 1 in attached Addendum

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## **UDO Section 17.04.140.C.2**

The special use is so designed, located and proposed to be operated that the public health, safety and welfare will be protected:

See No. 2 in attached Addendum

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## **UDO Section 17.04.140.C.3**

The special use will not cause substantial injury to the value of other property in the neighborhood in which it is located:

See No. 3 in attached Addendum

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**UDO Section 17.04.140.C.4**

The special use shall not create excessive demands on Village service or impair the ability of the Village to maintain the peace and provide adequate protection for its citizens:

See No. 4 in attached Addendum

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**UDO Section 17.04.140.C.5**

The special use is consistent with the standards enumerated elsewhere in the UDO for the specific use, including but not limited to, planned unit developments:

See No. 5 in attached Addendum

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**UDO Section 17.04.140.C.6**

The special use meets, as applicable, the standards for planned unit developments found in Chapter 17.08 of the UDO:

N/A

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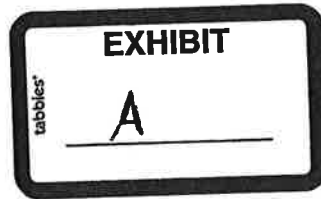
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## ADDENDUM

1. The special use is deemed necessary for the public convenience at that location because the existing facility known as Magnolia House will remain. Immediately across the street is Timberline Knolls, a residential treatment center ("Timberline"). Magnolia House functions as a part of Timberline in that residents of the facility are first required to complete an initial stay within the residential or partial hospitalization programs at Timberline before they are admitted into Magnolia House. Ample staff and visitor parking exists at the parking lots at Timberline.
2. The special use will be designed, located and operated so that the public health safety and welfare will be protected because the existing facility will remain and continue its operation. The facility will maintain the same rules and regulations as outline in Ordinance No. 0-03-08 granting the special use to Timberline Knolls, LLC. The rules and regulations for Magnolia House are attached hereto as Exhibit A.
3. The special use will not cause substantial injury to the value of other property in the neighborhood in which it is located because the existing facility will remain and continue its operation. This facility is compatible with Timberline, which is directly across the street. Moreover, the subject property is zoned R-4 Single-Family Detached Residential District (R-4). Many of the lots within the immediate area are also zoned R-4 and R-6. Thus, the existing facility fits within the character of the neighborhood, and would not cause substantial injury to the value of other property in the neighborhood in which it is located.
4. The special use will not create excessive demands on Village services or impair the ability of the Village to maintain the peace and provide adequate protection for its citizens because the existing facility will remain and continue its operation on the subject property. As stated previously, the facility will maintain the same rules as outline in Ordinance No. 0-03-08 granting the special use to Timberline Knolls, LLC.
5. The special use is consistent with the standards enumerated elsewhere in the UDO for the specific use. The existing facility is compatible with the surrounding character of the neighborhood and complies with a majority of the standards in the UDO, including the regulations under the R-4 District.



Magnolia House is a six-bed supportive living environment for adult females in recovery from an eating disorder, addiction and/or other mental health issues who want daily support from others who are also in recovery in order to maintain abstinence. Magnolia House provides a safe environment that supports recovery through a positive peer support group and an alcohol and drug free environment. Residents develop individualized recovery plans related to their problems which include support services such as attendance at 12-Step meetings (Alcoholics Anonymous, Narcotics Anonymous, Overeaters Anonymous, Alanon, etc), individual therapy, group therapy, nutrition counseling, and medication management. At Magnolia House, women in recovery from addictions are strongly encouraged to live the concepts of the 12-Step program on a daily basis and maintain contact with their sponsor. Magnolia House encourages residents to develop new coping skills, interpersonal skills and independent living skills necessary for a healthy and successful life.

**Requirements for acceptance into Magnolia House include:**

- Prior to entry into Magnolia House, residents are required to complete an initial stay within the residential program or partial hospitalization program at Timberline Knolls.
- Residents are required to have a strong desire to sustain their recovery in an independent living environment.
- Residents must make a minimum commitment to reside at Magnolia House for 90 days and may stay up to 1 year.
- Residents are required to maintain a lifestyle that is conducive to recovery; therefore, all residents must be employed within 3 weeks, doing volunteer work and/or a full-time student.
- Residents recovering from an addiction must have an active 12-Step sponsor upon entering the house and must maintain a regular schedule of 12-Step meeting attendance.
- Since Magnolia House is a sober living environment, residents will have periodic, random drug and alcohol testing.

**Cost of the Program**

The cost of the Program is \$1500.00 per month for the first 3 months, then \$1250.00 per month for the 4th – 6th month of housing and then \$1000.00 per month for the 7th -12th month of housing. Payment for the first three months is due on the first day and on that same date every month thereafter. Residents are responsible for providing payment to the finance department. Any daily living costs such as food, toiletries, etc. are the responsibility of the resident.

Residents wishing to reserve a bed in Magnolia House must give a \$500.00 deposit. This deposit is fully refundable when the resident leaves Timberline Knolls as long as there are no extra costs incurred as a result of damages.

**House Structure & Meetings**

Residents provide daily support and encouragement to one another and are required to participate in weekly community meetings to discuss matters pertinent to the house operation, in addition to, daily 10<sup>th</sup> step house meetings. The residents are actively involved in the daily operation of the house. The house has an appointed chairwoman and secretary who are responsible for



maintaining a structure of accepted rules, requirements and practices. The chairwoman and secretary must be abstinent from drugs and alcohol for at least 3 months before being appointed to this position and can hold up to a three month term. If the chairwoman or secretary relapses, a re-election will occur. Residents will receive continuing support and advice from all.

### **Meetings**

- Residents in recovery from an addiction must attend 12-step meetings daily as indicated and show evidence of documented attendance by facilitators.
- Residents in recovery from an addiction must have a 12-Step Sponsor at the time of admittance.
- Residents are expected to attend all house meetings and be on time.
- Residents are expected to be respectful and honest in meetings.
- Residents are expected to respect the confidentiality of peers and what they share during meetings.

### **RULES, EXPECTATIONS AND GUIDELINES**

House rules help strengthen recovery by providing guidelines that provide a sense of order, responsibility and ownership for residents. Cooperation and teamwork are necessary in order for the house to function effectively. In order to foster an environment of responsible behavior, accountability, shared purpose and mutual respect, residents must abide by the following house rules. **Violation of any of the following rules listed below may result in dismissal from residency at Magnolia House.**

- ✓ **Drinking alcohol or using narcotics in any form**
- ✓ **Disrespectful and foul behavior, stealing and lying**
- ✓ **Fighting, verbal and/or physical abuse or violent behavior**
- ✓ **Destruction of property**
- ✓ **Racial or sexual harassment**
- ✓ **Possession of knives, weapons, firearms or fireworks of any kind**
- ✓ **Sexual contact with others on the premises**
- ✓ **Failure to attend 12-Step meetings regularly and to maintain contact with a sponsor when indicated in the recovery plan**

### **Curfew Hours**

- Each resident is required to sign in and out of the house indicating their approximate time of return and be accountable for their whereabouts.
- Residents are expected to be home by 10:00 PM on weekdays and 11:00 PM on weekends. If work hours conflict with this requirement, then arrangements must be made with the House Manager.
- No overnight guests are allowed in the residence.

### **Starting the day**

- Residents are expected to clean their rooms prior to leaving by 9:00AM Monday through Friday excluding holidays.
- Residents must be out of the house by 9:00am until 3:00 PM.

## Meals

- Residents are responsible for purchasing their own food.
- Residents should label their own food.
- Residents are responsible for cooking their own food.
- Residents must attend to the stove or oven any time it is in use.
- A menu of various cold food options is available in the dining hall at a cost to the resident.
- One community meal is prepared per week and the assignment of this responsibility is delegated at community meeting.
- Meals are prepared and served by the residents during the following times:
  - Breakfast: 6:30am – 8:30am
  - Lunch on weekends – 11:30pm – 1;00pm
  - Dinner: 5:00pm – 7:00pm
- Residents must wash their hands before cooking.
- Food stored in the refrigerator must be placed in each resident's bin that is labeled with the resident's name.
- All refrigerated items must be labeled with the residents initials and date of purchase.
- All refrigerated left over food shall be dated and disposed of within one week.

## Chores

- Residents are expected to clean up after themselves.
- Residents are expected to keep their bedrooms clean in a joint effort with their roommate. Rooms will be checked daily for cleanliness including:
  - Clothes put away in closets and drawers
  - Dirty clothes in the hamper.
  - Toiletries and electrical items put away
  - Garbage is properly disposed of daily in the provided outdoor receptacles.
- Residents are responsible for cleaning up their own dishes during the course of the day.
- Residents are responsible for doing their own laundry between the hours of 6am – midnight.
- The Chairwoman is responsible for creating with the cooperation of the residents at Sunday Community Meeting and posting a weekly chore list by Monday for chores starting on Monday. Chores are rotated on a weekly basis.
- Residents are responsible for finding someone to complete a chore when they are unable to.
- Resident must complete daily household chores by 9pm.
- Residents are expected to do more thorough weekly cleaning on weekends including activities such as:
  - Vacuuming
  - Dusting
  - Thorough cleaning of bathrooms and the kitchen.

### **Property of the House**

- Residents are not allowed to bring their own furniture into the house or to rearrange the furniture in the house.
- Residents are expected to close window coverings when dressing and at night.
- Residents are responsible for any property damage and the costs will be deducted from the deposit money.
- Pets are not allowed in the house.
- Residents may not hang pictures and other objects on walls, doors or ceilings.
- Residents shall complete an orientation as to fire escape routes and basic fire extinguisher use upon entry to the program.

### **Personal Property**

- Personal property must be kept in each resident's room.
- Only appropriate pictures may be hung or recovery items on the bulletin board provided.
- Timberline Knolls is not responsible for the loss of any resident's personal property. Residents should leave any valuables at home.
- In order to prevent the spread of infection, residents should not share personal items such as make-up, toothbrushes, toothpaste, shaving equipment, hair accessories, etc.
- Residents may not keep any items containing alcohol in the house such as mouthwash, astringents, or cold medications.
- Residents are expected to be considerate of others when using personal radios, computers or other electronic devices by keeping them at an appropriate volume and using them at appropriate times. Repeated failure to follow rules for radio will result in removal from the resident's room. Electric devices may not be used from 10:00 PM – 7:00 PM.
- Residents may have one automobile if it is in good working condition, not leaking fluids, registered and insured. Resident cars must be parked the reserved Timberline Knolls Parking spaces opposite of Magnolia House.

### **Attire**

- Residents are expected to wear appropriate clothing at all times.
- Pajamas are permitted before 8am and after 9:00pm only.
- Shirts must cover the midriff.
- Any clothing exhibiting drugs, alcohol, or gang related material is not permitted.

### **Personal Space / Privacy / Boundaries**

- Residents are expected to respect other peers' right to confidentiality and anonymity.
- Residents are expected to be respectful towards others and act responsibly at all times.
- Residents may not have physical contact with each other except for an appropriate hug. Relationships with other residents may be grounds for termination.

### **Medication**

- Only medications that are prescribed by a doctor are allowed on the premises and other approved over-the-counter medications such as Tylenol, Motrin, etc.

- Residents are expected to maintain a current list of their medications with the House Manager.
- Residents are responsible for maintaining a supply of their own medication and taking their medications as prescribed.
- Medication should not be left out in open or unprotected areas and should be kept in a drawer or with the person.
- Methadone and other opiates are not permitted with the exception of prescribed Suboxone.
- Medications containing alcohol are not permitted.
- Abuse of medication will be considered a relapse and tenancy may be terminated.

### **Visitors**

- Guests may visit in common areas for up to 3 hours per day.
- Guests are expected to be appropriate and sober.
- Guests are not allowed after 10:00pm.

### **Phone**

- Phone hours are from 6am – midnight.
- Residents are expected to use their cellular phones. A land line will be provided in the house for emergencies only.
- When answering the phone, do not give any information to the caller. If the individual is not available, take a message. Write the date, time, who call was for, name of caller and phone number on the message board.

### **Health and Safety Rules**

- No smoking or chewing tobacco in the house. Smoking is only permitted outside the house and in the designated area outside the house. Residents are expected to safely dispose of cigarettes in the cigarette receptacle and not leave cigarettes on the ground.
- Residents are expected to wear feet coverings/shoes at all times outside of their bedrooms. Flip flops are recommended when sharing a bathroom.
- Food and beverages are only allowed in the dining room and are not allowed in the bedrooms or living room.
- Residents must shut off all electrical equipment when they leave a room.
- Residents should avoid using electrical items in the bathroom and use them in their rooms.
- Residents should report any non-emergency maintenance issues to the house manager in writing. Any house emergencies requiring emergency attention such as gas leaks, fires, etc. should be reported to the fire department.
- The exterior doors should be kept locked after curfew or when all residents go to bed.
- If any medical or psychiatric emergencies occur, call 911 or go to the nearest emergency room depending on the nature of the emergency.

**Grievances**

- Residents are expected to attempt to resolve any conflicts appropriately with the individual or by seeking assistance from their peers within the group. If residents are unable to resolve conflicts or have a grievance, they are expected to notify the house manager.
- Residents must take responsibility to notify the house manager if someone is drinking or using substances. A resident's belongings may be searched if possession of illegal substances is suspected.

I have read this document and agree to abide by the rules, guidelines and expectations required of me during my stay at Magnolia House. I understand that failure to maintain recovery behavior and failure to comply with the rules and expectations at Magnolia House may result in my being terminated from housing.

Resident Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness Signature \_\_\_\_\_ Date: \_\_\_\_\_

ORDINANCE NO. 0-03-08

AN ORDINANCE GRANTING THE REQUEST FOR A SPECIAL USE FOR  
A GROUP LIVING NOT OTHERWISE CLASSIFIED AT 1 POVOLISH  
COURT

(Timberline Knolls)

ADOPTED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF LEMONT

THIS 14<sup>TH</sup> DAY OF JANUARY, 2008

Published in pamphlet form by  
authority of the President and  
Board of Trustees of the Village  
of Lemont, Cook, DuPage, and Will  
Counties, Illinois this 14<sup>th</sup>  
day of January, 2008

ORDINANCE NO. 0.03.08

**AN ORDINANCE GRANTING THE REQUEST FOR A SPECIAL USE FOR  
A GROUP LIVING NOT OTHERWISE CLASSIFIED AT 1 POVOLISH  
COURT**

**(Timberline Knolls)**

**WHEREAS**, Timberline Knolls, LLC, hereinafter referred to as “the Petitioner”, is acting on behalf of the owner of property, hereinafter referred to as “the subject property”, located at 1 Povolish Court in Lemont, Illinois (PIN: 22-20-305-024) and described in the attached legal description as Exhibit “A”; and

**WHEREAS**, the Petitioner made application under the provisions in the Lemont Zoning Ordinance for a Special Use for a group living not otherwise classified to operate a living center for adult women with eating and other psychological disorders; and,

**WHEREAS**, the Petitioner has made provision for the strict enforcement of living guidelines among residents of the proposed Special Use as evinced by the rules attached hereto as Exhibit “B”; and,

**WHEREAS**, the Planning and Zoning Commission of the Village of Lemont, Illinois, in accordance with said Zoning Ordinance, conducted a Public Hearing on the petition on November 20, 2007; and,

**WHEREAS**, a notice of the aforesaid Public Hearing was made in the manner provided by law and was published in the Daily Southtown, a newspaper of general circulation within the Village; and,

**WHEREAS**, the Planning and Zoning Commission has recommended approval of the request for a Special Use to the Village Board with the findings of fact attached as Exhibit “C”; and,

**WHEREAS**, the President and Board of Trustees of the Village have determined that the best interests of the Village will be served by approving the Special Use by the standards of the Special Use Procedures, §XVIII.J of the Lemont Zoning Ordinance,

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, DuPAGE, AND WILL, ILLINOIS:**

**Section 1. Special Use:** A Special Use is granted to the Petitioner at the subject property to allow a group living not otherwise classified for adult women with eating and other psychological disorders pursuant to §XVIII.J of the Lemont Zoning Ordinance.

**Section 2. Conditions.** The following conditions shall apply:

- a. The structure shall comply with the minimum requirements of the fire code with local amendments in force at the time this ordinance shall be in force and effect; and,
- b. Designated parking spaces shall be established in the west parking lot for staff and/or visitors; and,
- c. The Special Use is granted solely to Timberline Knolls, LLC and shall terminate upon Timberline Knolls, LLC's cessation of operating the group living not otherwise classified; and,
- d. The granting of the Special Use shall be subject to the various rules attached as Exhibit "B", and incorporated herein by this reference.

**Section 3. Revocation.** The Village Board shall have the sole authority, at its discretion, to revoke said Special Use if the Petitioner engages in any conduct which is illegal or contrary to any provision of this ordinance, the provisions of the Lemont Municipal Code of 1988 as amended, or any applicable state, or federal law.

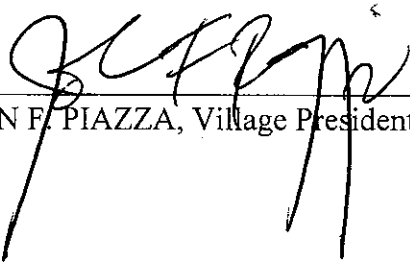
**Section 4.** That this ordinance shall be in force and effect from and after its passage, approval and publication in pamphlet form as provided by law.



**PASSED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, WILL, AND DU PAGE,  
ILLINOIS, on this 14th day of January, 2008.**

	<u>AYES</u>	<u>NAYS</u>	<u>PASSED</u>	<u>ABSENT</u>
DEBBY BLATZER	✓			
PETER COULES				✓
CLIFFORD MIKLOS	✓			
BRIAN REAVES	✓			
RON STAPLETON	✓			
JEANETTE VIRGILIO	✓			

Approved by me this 14<sup>th</sup> day of January, 2008.

  
\_\_\_\_\_  
JOHN F. PIAZZA, Village President

Attest:

  
\_\_\_\_\_  
CHARLENE SMOLLEN, Village Clerk

**EXHIBIT "A"**

LOT 10,(EXCEPT THE WEST TEN FEET OF SAID LOT 10) IN BLOCK 2 IN  
CONSTANT SPRINGS ADDITION TO THE VILLAGE OF LEMONT IN  
SECTION 20, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD  
PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

## **EXHIBIT "B"**

Magnolia House is a six-bed supportive living environment for adult females in recovery from an eating disorder, addiction and/or other mental health issues who want daily support from others who are also in recovery in order to maintain abstinence. Magnolia House provides a safe environment that supports recovery through a positive peer support group and an alcohol and drug free environment. Residents develop individualized recovery plans related to their problems which include support services such as attendance at 12-Step meetings (Alcoholics Anonymous, Narcotics Anonymous, Overeaters Anonymous, Alanon, etc), individual therapy, group therapy, nutrition counseling, and medication management. At Magnolia House, women in recovery from addictions are strongly encouraged to live the concepts of the 12-Step program on a daily basis and maintain contact with their sponsor. Magnolia House encourages residents to develop new coping skills, interpersonal skills and independent living skills necessary for a healthy and successful life.

### **Requirements for acceptance into Magnolia House include:**

- Prior to entry into Magnolia House, residents are required to complete an initial stay within the residential program or partial hospitalization program at Timberline Knolls.
- Residents are required to have a strong desire to sustain their recovery in an independent living environment.
- Residents must make a minimum commitment to reside at Magnolia House for 90 days and may stay up to 1 year.
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- Since Magnolia House is a sober living environment, residents will have periodic, random drug and alcohol testing.

### **Cost of the Program**

The cost of the Program is \$1500.00 per month for the first 3 months, then \$1250.00 per month for the 4th – 6th month of housing and then \$1000.00 per month for the 7th -12th month of housing. Payment for the first three months is due on the first day and on that same date every month thereafter. Residents are responsible for providing payment to the finance department. Any daily living costs such as food, toiletries, etc. are the responsibility of the resident.

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House rules help strengthen recovery by providing guidelines that provide a sense of order, responsibility and ownership for residents. Cooperation and teamwork are necessary in order for the house to function effectively. In order to foster an environment of responsible behavior, accountability, shared purpose and mutual respect, residents must abide by the following house rules. **Violation of any of the following rules listed below may result in dismissal from residency at Magnolia House.**

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## Chores

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- Residents are expected to keep their bedrooms clean in a joint effort with their roommate. Rooms will be checked daily for cleanliness including:
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- Medication should not be left out in open or unprotected areas and should be kept in a drawer or with the person.
- Methadone and other opiates are not permitted with the exception of prescribed Suboxone.
- Medications containing alcohol are not permitted.
- Abuse of medication will be considered a relapse and tenancy may be terminated.

### **Visitors**

- Guests may visit in common areas for up to 3 hours per day.
- Guests are expected to be appropriate and sober.
- Guests are not allowed after 10:00pm.

### **Phone**

- Phone hours are from 6am – midnight.
- Residents are expected to use their cellular phones. A land line will be provided in the house for emergencies only.
- When answering the phone, do not give any information to the caller. If the individual is not available, take a message. Write the date, time, who call was for, name of caller and phone number on the message board.

### **Health and Safety Rules**

- No smoking or chewing tobacco in the house. Smoking is only permitted outside the house and in the designated area outside the house. Residents are expected to safely dispose of cigarettes in the cigarette receptacle and not leave cigarettes on the ground.
- Residents are expected to wear feet coverings/shoes at all times outside of their bedrooms. Flip flops are recommended when sharing a bathroom.
- Food and beverages are only allowed in the dining room and are not allowed in the bedrooms or living room.
- Residents must shut off all electrical equipment when they leave a room.
- Residents should avoid using electrical items in the bathroom and use them in their rooms.
- Residents should report any non-emergency maintenance issues to the house manager in writing. Any house emergencies requiring emergency attention such as gas leaks, fires, etc. should be reported to the fire department.
- The exterior doors should be kept locked after curfew or when all residents go to bed.
- If any medical or psychiatric emergencies occur, call 911 or go to the nearest emergency room depending on the nature of the emergency.

**Grievances**

- Residents are expected to attempt to resolve any conflicts appropriately with the individual or by seeking assistance from their peers within the group. If residents are unable to resolve conflicts or have a grievance, they are expected to notify the house manager.
- Residents must take responsibility to notify the house manager if someone is drinking or using substances. A resident's belongings may be searched if possession of illegal substances is suspected.

I have read this document and agree to abide by the rules, guidelines and expectations required of me during my stay at Magnolia House. I understand that failure to maintain recovery behavior and failure to comply with the rules and expectations at Magnolia House may result in my being terminated from housing.

Resident Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness Signature \_\_\_\_\_ Date: \_\_\_\_\_



EXHIBIT "C"

PLANNING & ZONING COMMISSION HEARING CHECKLIST

CASE No. ~~27.28~~ 27.35

PROJECT NAME/ADDRESS Timberline Knolls (# 27.35) / Povolish Et.

1. Open / re-open public hearing
2. Staff comments
3. Petitioner comments
4. Public comments
5. Commissioners' comments
6. Close public hearing
7. Commission discussion
8. Findings of fact and recommendation
  - a. The special use, if granted, will have little impact on the surrounding neighborhood, because:
    1. The number of occupants will be limited; and
    2. The occupants will have previously completed rehabilitated; and
    3. Timberline Knolls will enforce strict living guidelines; and
    4. The house will maintain the look of a single-family residence, which is consistent with the surrounding area; and
    5. The activities and nature of the program operated in the house will generate little traffic, noise, or illumination.

and

b. The special use, if granted, would be ancillary and consistent with the approved use of the existing Timberline Knolls facility, which is located directly across the street.

9. Roll call vote

*Alanna Schmitt*  
Chairman



Subject Site, as viewed from Povalish Court



North side of subject site, as viewed from Brown Drive



Timberline Knolls entrance, as viewed from subject site.



North of subject site



Village of Lemont  
***Planning & Economic Development Department***

418 Main Street · Lemont, Illinois 60439  
phone 630-257-1595 · fax 630-257-1598

TO: Planning & Zoning Commission #111-12

FROM: James A. Brown, Planning & Economic Development Director

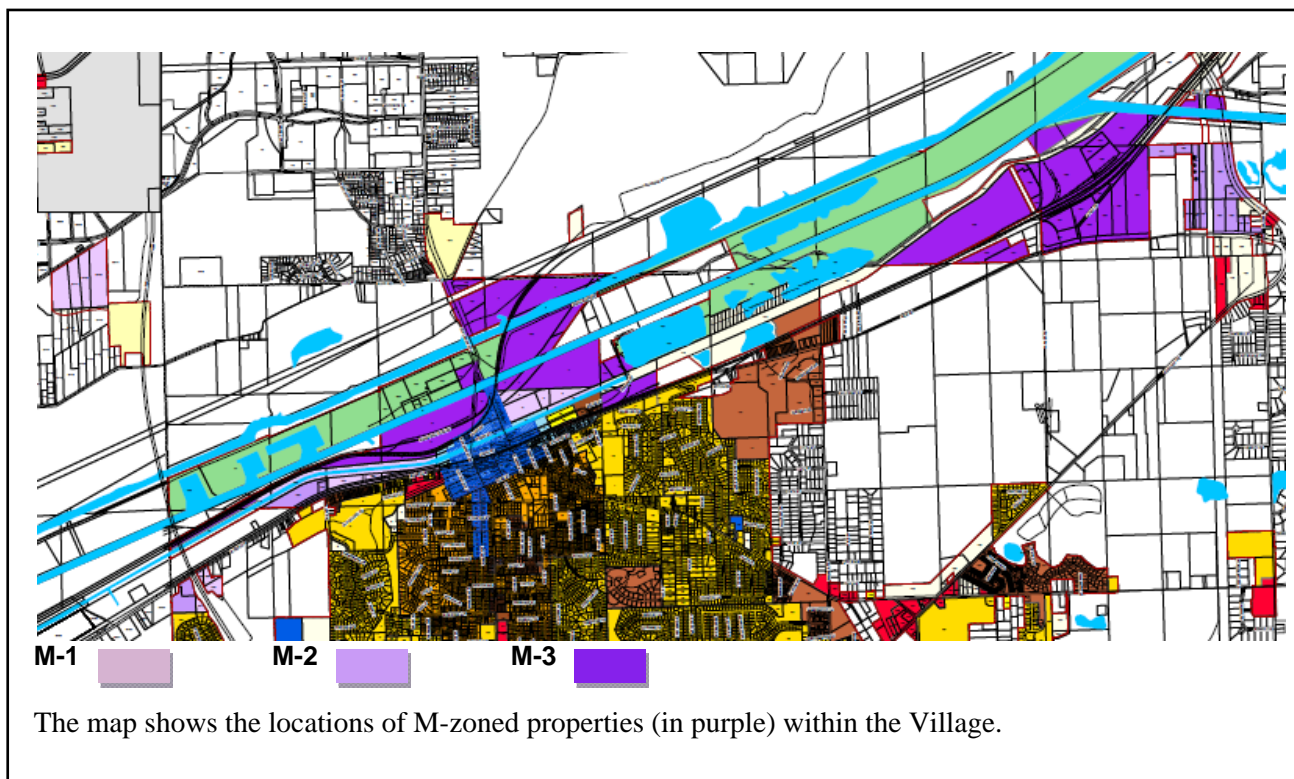
THRU

SUBJECT: Case 12-19 UDO Amendments

DATE: 12 October 2012

**SUMMARY**

This round of proposed amendments to the UDO primarily addresses landscaping for the M districts, architectural standards and anti-monotony provisions. Other minor changes for the DD district. A chart with the proposed amendments is attached.



Chapter/Section/Paragraph	Reason for Proposed Change
<p><b>Entire UDO</b>                      Change all references in Unified Development Ordinance from “Community Development Director” to “Planning and Economic Development Director.”</p>	<p>Title was changed three years ago.</p>
<p><i>Section 17.03.020, Paragraph B, amend as follows:</i>                      The <del>Community</del> <u>Planning and Economic</u> Development Director shall also serve as the Zoning Administrator. The Zoning Administrator shall have the authority to approve minor variations as follows:</p> <ol style="list-style-type: none"> <li>1. Transition yards. Zoning Administrator may reduce a required transition yard to 9 feet when the required width of 12 feet would prevent the installation of appropriately-sized driving lanes or fire lanes.</li> <li>2. Off-street parking standards. The Zoning Administrator may reduce required off-street parking by 10 percent to allow for additional landscaping.</li> <li>3. Placement of accessory structures. The Zoning Administrator may reduce the setback of an accessory structure by 10 percent in situations where topography, existing trees or shrubs, render it difficult or impossible to appropriately place the desired accessory structure.</li> <li>4. Errors in the field. The Zoning Administrator may approve minor errors made in the field during construction.</li> </ol>	<p>This amendment would expedite the approval of building permits. The scope of Zoning Administrator approvals has been designed to minimize potentially large or unwanted impacts on surrounding areas.</p>
<p><i>Table 17-06-01, change “Lodge, fraternal and civic assembly” from a prohibited use to a permitted use in the DD district;</i></p> <p>Table 17-06-02, amend as follows:</p> <p>Decks and terraces in a residential district, <u>DD</u>, or <u>INT</u> district, provided they are: at least 15 ft from all lot lines in districts R-1, R-2, R-3, and R-4; and in districts <u>DD</u>, <u>INT</u>, R-4A, R-5 and</p>	<p>This amendment corrects an oversight in the current code. the VFW is within the DD district, and staff sees no negative impacts in allowing other fraternal organizations. Likewise, there will be minimal impact from the provision for sheds, decks and terraces.</p>

Case 12-19 Proposed Amendments to UDO

<p>R-6 at least 10 ft from all lot lines or equal to the setback of a conforming principal structure, whichever is less.</p> <p>And</p> <p>Sheds, in <u>DD, INT and all</u> residential districts, up to a maximum of 160 sq ft</p>	
<p>▪ <i>Section 17.11.100, add the following new paragraph:</i></p> <p>G. Village Event Signs. The Village sponsors, coordinates, or otherwise promotes special events aimed at achieving economic development goals, e.g. attracting tourists to the downtown. i.e. the DD district. Signs for Village-sponsored events may be placed in the Village’s public right of way, on light poles, or fences on Village property. For the purposes of this section, “Village-sponsored events” shall mean festivals, parades and other seasonal activities that are funded entirely or in part by the Village, and which have a goal of attracting visitors to DD district and/or celebrating the heritage and history of Lemont.</p>	<p>I feel we need specific standards, expressed in the UDO like all of our other sign regulations, that govern the placement of these special event banners for car shows, parades, Heritage Fest, etc.</p>
<p>▪ <i>Add the following new section to Chapter 17.20:</i></p> <p><b>17.20.061      ADDITIONAL LANDSCAPE STANDARDS FOR LOTS ZONED “M”</b></p> <p>Lots zoned “M” that abut lots zoned B, DD, or INT, or that are separated by a public right of way from lots that are zoned B, DD, or INT, shall provide landscaping and/or screening as follows:</p> <p><b>A. Abutting B, DD, or INT.</b> Along the entire length of any property line of an M-zoned lot that abuts a B, DD, or INT-zoned lot, a wood fence with a minimum of 95% opacity and with a minimum height of six feet shall be erected and maintained; and</p>	<p>We need to strike a balance between requiring our industrial uses to present a good face, and not having overly burdensome requirements. This new section attempts to strike that balance, and it also corrects a deficiency in the current code: lack of requirement for a “transition yard” when an M district abuts a B district.</p> <p>PZC should consider whether a fence along a public road should be an option. Note that this would impact M-zoned areas along Lemont Rd, Main Street, and New Avenue. We already have some fences (along New Avenue) and I see a fence in such situations as an appropriate alternative. Heavy landscaping that totally screens these site borders along roads would be expensive.</p>

<p><b>B. Along a Public Street.</b> Along the property line of any M-zoned property that fronts a public street:</p> <ol style="list-style-type: none"> <li>1. At least 2.0 plant units per 100 linear feet shall be installed and maintained; or</li> <li>2. A wood fence with a minimum of 95% opacity and with a minimum height of six feet plus at least one plant unit per 100 linear feet shall be installed and maintained.</li> <li>3. M-zoned properties along Industrial Park Drive and Canal Bank Road are exempt from the provisions of this paragraph C.</li> </ol>	
<ul style="list-style-type: none"> <li>▪ <i>Amend 17.20.070, Paragraph A, as follows:</i> <ol style="list-style-type: none"> <li>A. <u>Applicability.</u> All parking lots in all B, R, DD, and INT districts containing 15 or more parking spaces shall be landscaped in accordance with the provisions of this section. <del>The requirements of this section do not apply storage of new or used motor vehicles or boats or to trucking or motor freight terminals that are not normally open to the public.</del></li> </ol> </li> </ul>	<p>Amendment attempts to clarify that landscaping would not be required for parking lots in M districts. This change is in conjunction with the proposed changes for additional landscaping around perimeter of site (see above)</p>
<ul style="list-style-type: none"> <li>▪ <i>Section 17.22.020, Add a new paragraph 5 allowing building massing as a standard for “design variety in residential construction” as follows:</i> <p>Building massing. Building massing shall differ in at least one of the following ways:</p> <ol style="list-style-type: none"> <li>a. Both the height and width, as viewed from the front of the residence, shall differ by at least 15 percent; or</li> <li>b. The length of the roofline, as viewed from the front of the</li> </ol> </li> </ul>	<p>Staff and home builders continue to struggle with our anti-monotony provisions. I feel we are very close to having provisions that accomplish the anti-monotony goals, provide flexibility, and are not burdensome. The additional of another criterion (massing) will allow more flexibility and it also acknowledges a major factor in making houses appear different.</p>

Case 12-19 Proposed Amendments to UDO

<p>residence, shall differ by at least 33 percent. In instances where one roofline, as viewed from the front of the residence, is a peaked roof, then the other roofline, as viewed from the front of the residence, shall have a horizontal run of at least 12 feet.</p> <p>c. The pitch of the roof?</p>	
<ul style="list-style-type: none"> <li>▪ <i>Section 17.22.020, Para D. Amend sub-paragraph 1.a as follows:</i></li> </ul> <p>The percentage of at least one exterior material, e.g. brick, on the proposed building shall be changed by at least <del>25</del> <u>20</u> percent from the same material on the other subject building.</p>	<p>Many facades have large areas of windows, doors, and other features that make it difficult to drastically change percentages of materials on the elevations. Lower the percentage required from 25 to 20 will make it easier to comply with the code and still maintain the intent of anti-monotony.</p>
<ul style="list-style-type: none"> <li>▪ <i>Section 17.22.020, Para D. Amend the sub-paragraph 1.b as follows:</i></li> </ul> <p>The color or <u>size/type</u> of brick, <u>decorative stone or synthetic stone</u> on the proposed building differs from the color or size/type of brick <u>or stone</u> on the other subject building.</p>	
<ul style="list-style-type: none"> <li>▪ <i>Section 17.22.020, Para D. Amend the sub-paragraph 1.d as follows:</i></li> </ul> <p>The presence or incorporation of belt courses, brick soldier course, or other brick <u>or stone detail</u> on the proposed building is extensively different from such architectural features on the other subject building.***</p>	
<ul style="list-style-type: none"> <li>▪ <i>Section 17.22.020, Para D. Amend this paragraph to read as follows:</i></li> </ul> <p>Criteria. When comparing the proposed new single-family</p>	<p>This, coupled with the new provision on massing, will allow greater flexibility for home builders to meet the code.</p>



Case 12-19 Proposed Amendments to UDO

<p>dwelling to another single-family dwelling subject to the proximity standards of paragraph B of this section, the two buildings shall be deemed dissimilar, i.e., not similar in appearance, when the criteria in the four of the five paragraphs <del>1,2,3,4</del> <u>1-5</u> below are met.</p>	
<p>▪ <i>Section 17.22.050, Para D. Amend the paragraph as follows:</i></p> <p><b>Permitted exterior materials.</b> The following materials, or combinations of the following materials, are expressly permitted on all exterior elevations:</p> <ol style="list-style-type: none"> <li>1. Brick</li> <li>2. Decorative natural stone or synthetic stone</li> <li>3. Wood</li> <li>4. Fiber cement siding, cement board siding, e.g. Hardie plank</li> <li>5. Stucco</li> <li>6. Cement or concrete</li> <li>7. <u>Vinyl, provided that no more than 33% of the total area of the façade is of vinyl</u></li> </ol>	<p>As previously discussed at the joint COW-PZC meeting, VINYL is added.</p>
<p><i>17.22.020.D.1.d. Amend as follows:</i></p> <p>The presence or incorporation of belt courses, brick soldier courses, or other brick <u>or stone</u> detail ...</p>	
<p>▪ <i>17.22.050, Paragraph E. Remove all references to vinyl as a prohibited material.</i></p>	