



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION  
WEDNESDAY, MARCH 16, 2016  
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS**

The meeting was called to order by Chairman Hayden at 7:30 p.m. On roll call, members Batastini, Esposito, Goss, Greenman, Jouron, Skluzacek, and Hayden were present.

Michelle Rentzsch, Director of Community Development, Katie Cowlin and Elizabeth Maxwell both Planners, and Dave Pardys, Special Counsel, were present from Staff.

Mr. Hayden asked Matt Knauf, a Boy Scout going for his Citizenship badge, to lead those in attendance to rise to say the Pledge of Allegiance. He led those in attendance in the Pledge.

Mr. Hayden read a prepared statement regarding the purpose of the public hearing and the need to conduct the proceedings in an orderly manner.

Mr. Hayden stated that this meeting was being televised now as well as recorded for future playback on the City's cable station.

**APPROVE MINUTES OF THE MARCH 2, 2016 PLANNING AND ZONING COMMISSION MEETING**

Mr. Jouron moved to approve the minutes from the March 2, 2016 Planning and Zoning Commission meeting as presented. Mr. Skluzacek seconded the motion. On roll call, all members present voted aye. Motion passed.

**2016-09 NEW DIRECTIONS – 171 N. Lincoln Pkwy. – PUBLIC HEARING**

Rezone the property from R-1 (Single-Family Residential) to R-3A (Two-Family Residential) and a Special Use Permit for a group dwelling.

Mr. Hayden stated that the sign had been posted. He said the surrounding property owners were notified and the Certificate of Publication was in the file. Mr. Hayden waived the reading of the legal notice without objection.

Alex Wimmer, real estate attorney representing New Directions Addition Recovery Services, Mike Ledvora, VP New Directions, Aaron Cutler, Customer Support. Mr. Wimmer presented the slideshow regarding 171 N. Lincoln as their request for the rezoning and the necessary Special Use Permit to allow the group home for a sober living house. He presented evidence that the use would not affect the surrounding residential neighborhood. This location was desirable as it was close to local jobs, the Downtown and the Metra line for public transportation. There is an essential need for this service as there is a 30+ person waiting list for the current sober living house on 2<sup>nd</sup> Street and this follows the Comprehensive Land Use Plan by encouraging a diverse use of properties and variety of life style.

Mr. Wimmer said the current sober living house - Last Chance House on 2<sup>nd</sup> Street - has operated for over 5

years with no issues. There currently is a 6-8 week waiting period to get into that house and it is too long for the people who need this service. There were many fears that were brought up by residents regarding drug addicts. This is a misconception as this house would help people get past their addictions and become productive members of society. Since Last Chance House was approved, there have been no effects to property values in the area; in fact the trend is for property values to be rising. This is for the Downtown area and is the same for the City as a whole. There is no effect on the property values by a sober living house.

Mr. Wimmer said the house would be staffed from 5 pm to 8 am and by a Case Manager during the day. The case manager would assist the residents on finding gainful employment, participate in volunteer opportunities, and make sure they attend their required meetings. Mr. Wimmer said they intend to do some extensive interior and exterior renovations on the property to bring it back up to a good quality property. The exterior renovations would blend with the neighborhood.

Mr. Wimmer stated that there is a widely under addressed drug abuse epidemic in the community. There needs to be more services for people who have just come out of rehab in order to avoid the old influences and integrate back into society. He said there are no other houses or uses of this type currently proposed for Crystal Lake. Their group operates The Other Side, a sober gathering place in Crystal Lake. This is a safe gathering place where people can enjoy a time out and not be encouraged to drink.

Mr. Hayden stated that the petitioner's presentation only addressed the Special Use Criteria, he asked him to go through the rezoning criteria and how the project meets those Findings of Fact. Mr. Wimmer went through the criteria on how this use meets the criteria. He stated that one of the concerns was that once the zoning was approved, an apartment building could be placed here but the lot is not large enough to support this type of use and is an unrealistic concern. There is no evidence that the property values would be negatively affected. Mr. Wimmer said the use supports the health, safety and welfare of the general public by addressing the problem of addiction in our society. He went through the remaining criteria on how this use would meet those. Also, he stated that if they did not purchase the property it could go to a tax sale and those types of sales do actually have an effect on property taxes. He added that Staff points out in their report how this use meets the goals of the Comprehensive Plan.

Mr. Hayden asked him to elaborate on item "A" on how existing uses will be impacted. Mr. Wimmer said more people would be living on the property than if it was a typical single-family house. They would be allowed up to 14 residents and one employee. This would require 6 parking spaces and the property has sufficient room for those spaces on the site. He added that there is a 1-car garage on the property and no major construction would be necessary to meet the parking needs of the use and of the Ordinance. Mr. Hayden asked about the total number of residents, an increase to 14 residents and that this would increase the cars to 6 and would be a change for the area. Mr. Wimmer said that they are required to have 6 parking spaces, but not likely to have 6 cars as most residents won't have a driver's licenses. The benefit to the neighborhood will be that they will improve the home, as well as adding a fence and landscaping. With these renovations the property value should also increase.

Mr. Pardys pointed out that once the rezoning is approved that any use under that zoning district would be allowed for the property. Mr. Wimmer thanked him for the clarification and even if their Special Use Permit were to go away the most intense use would be the two-family use.

Mr. Hayden decided to break the issue into two separate issues. The first would be to discuss the rezoning as this must be approved before the Special Use Permit could be reviewed.

Mr. Hayden opened the Public Hearing.

Brad Johnson, 107 Lincoln Parkway, discussed that over 100 people signed the petition representing 65 homes that he presented to staff. He was all for helping people with addiction problems, but this was not the right location. He stated that this is a single-family area and not intended for a multi-family use. If this was rezoned how would this rezoning improve the area? Mr. Johnson went through 9 points. The first was harmony in the community. Zoning creates harmony in an area. Mr. Hayden asked for a show of hands on who agreed with that point and who did not, the vote was about 50/50. Mr. Johnson said the consequence was the second point where he discussed that the new zoning would allow for a variety of other uses. You can't unring that bell. It's a very slippery slope. Mr. Hayden also took another vote and the room was divided. The half that did not agree had several people that lived in Crystal Lake, but not all. Mr. Johnson said the third point was a moral hazard that there was a reasonable expectation that their neighborhood would be R-1 single-family and this rezoning is a breach of that expectation. Future homeowners would not have any assurances that their neighbors' homes would not be rezoned to a similar use. The fourth point was that the homes did not need this type of use to renovate the properties, many of the single-family homeowners did a great job of maintaining their properties even after the market difficulties. There is already diversity in the neighborhood. Mr. Johnson said he worked in data analysis and that there could be no correlation that this use would increase or decrease property values. The fifth point is that this is a business. The property owner would create projects. This is an area that is not intended for a business or projects. The sixth point is far-reaching consequences that potentially the adjacent homes would be impacted by the necessary additional parking. The homeowners have not seen how this would look so they cannot understand. The seventh point is that this is very close to Bernotas Middle School and North Elementary and there are many children in this neighborhood. This is not an appropriate location for this type of facility and rezoning effort. The eighth point is the property values there is no factual basis that this would bring down or raise up property values. The gut-check factor is likely higher that if someone was looking at a neighboring property and found there was 14 men recovering from alcohol addiction that they would have a concern. The precedent that this rezoning could create would be detrimental to other single-family neighborhoods in Crystal Lake. If they receive tax-exempt status then this property would be taken out of the tax contributing properties for the City. This rezoning is not what was envisioned for Crystal Lake.

Carolyn Paine, 100 Lincoln Parkway, stated that she has family members in recovery situations, but also that she is putting her house for sale. She doesn't want to support the NIMBY idea, but although she knows so many people in recovery, she still has concerns. She thinks there could be an available property already meeting the required zoning. The single-family is defined as 5 unrelated people living together and not 14.

Edward Hancock, 168 Evergreen Parkway, said this is behind his property. He has lived here since 1976 then came back after military service. There is a certain historic character to this single-family area. This use would not improve the character of the area by changing the zoning of this property. He is asking that the property not be rezoned.

Brady Coleman, 8105 Ackman Road, grew up in Crystal Lake. He has been in recovery for 9 years and able to now become a part of the community through his recovery. He is looking to purchase a home near this neighborhood, even to start a family next to this type of use. There are so many uses in this neighborhood including within ¼ mile there are multi-family dwellings and apartments in the area. He has lived in several recovery homes when he was in the program and finds that these uses give back to the community. The residents are told to give back and volunteer and the residents of this home would do the same.

Michael Young, 1803 Cascade Dr, McHenry, works for Man of Recovery Solutions and has an alliance with New Directions, provides logistical support to people who are recovering from drug addiction. This is not just a zoning issue. The issue of character of the neighborhood would not be affected. These are people who are recovering from alcohol and not pedophiles or sex offenders and they would not be detrimental to the children in the neighborhood. The two largest areas where the most deaths have occurred from drug overdose are Crystal Lake and Wonder Lake. This use would be some way to give back to the community. There needs to be more services provided to people suffering from addiction and this use would do that.

Nick Castagna, 909 Woodbridge, Cary, Treasurer of New Directions, stated that there is a school nearby and the City cannot grant a liquor licenses within 100 feet of a school, but the neighbors are complaining because a rehab facility would be within 1,500 feet.

Tom Stanek lives at 1581 Driftwood Lane and recently purchased 145 and 155 Lincoln Parkway. This is a narrow street and is really busy. If there are 14 people here with only 6 parking spaces there could be a lot of family and friends who visit and the street may not support that number of on-street parking.

Karen Fox, 1196 Fieldstone Drive, said her son is 19 years old and they moved here because it was a great safe community. There was no mention of drug abuse at that time. Now the heroin epidemic is across the nation. Her son is in Florida at a recovery center trying to recover. These dealers are in these neighborhoods and they are selling to these kids in schools. There needs to be some way to address the needs of the people in the community. Her life has been rearranged after her son was addicted. The recovering addicts she has met are the most beautiful people she has ever met. This use would be part of the solution. If Crystal Lake approved this use she would be so proud to live next to this type of use. These people have done their time, they want to recover, they want to give back, and would be a support to the community.

Ed Mamola, 39 Woodstock Street, said this is a two-part request and both issues would need to pass. He went through the history on the house and stated that this was converted to a two-family dwelling and the neighbors knew about it and did not have any issues with that conversion. Mr. Hayden said the house may

be a two-family home, but it is not seen like that by the City. Mr. Pardys said this doesn't become a legal use because it was there for a length of time. Mr. Mamola said this is within walking distance of the Downtown zoning is different from this zoning. There are so many mixed of zonings in this area of Crystal Lake. He is supportive of the zoning change.

Lance Martin, 161 Lincoln Parkway, stated he supports most of the objections that have already been stated. His backdoor is close to their door. He already has problems getting his lawnmower between his house and this property and if there is a large fence that would be different than other homes in the area. He has been dealing with the multi-family living problems and did not know that it was not properly zoned for a two-family living situation. The people who rented these units were nothing but a problem. If he knew it was not an allowed use he would have contacted the City. He would like to restore the neighborhood to single-family use and not a more intense multi-family use. This will drive down the property value. The last tenants had a bunch of cars and there was no room for them, there would not be room on this property for 6 vehicles. This use would not be in keeping with character of the neighborhood. The houses are so close that he can hear the people who were arguing indoors on this property, so if there are any disagreements in this property or loud meetings he will be able to hear them from in his house. He doesn't want the area to go backwards. He applauds what they want to do, but this doesn't belong in this area.

Mr. Wimmer asked to clarify that this was not being rezoned to commercial or business, but only to two-family residential. Mr. Hayden asked how many electric or gas meters are on the building currently. Mr. Ledvora said there are two meters on the house.

Kevin Kohls, 144 Lincoln Parkway, restated that this is a very narrow street. Regarding the zoning if you allow up to 14 people this turns this into a commercial use.

Nancy Dagostino, 177 Evergreen Parkway, said there is a difference between this property and the Last Chance House where it is located along Route 176. This location is in the middle of a residential neighborhood.

Jack Goeddeke, 175 Lincoln Parkway, said his wife grew up in the house and always had great neighbors. This doesn't seem to be a neighborhood type of use and the other neighbors wouldn't get to know these residents. This seems like it would be a revolving door for people and no one you could get to know or would really be invested in the community.

Kathy Turner, 174 Evergreen Parkway, said her backyard was very important to her and having a safe place to raise her kids. This would feel like living near a multi-family use with multiple cars and headlights shining into her house. The fence would not help her. She never would have thought that this type of use could be approved next door. She purchased in a residential neighborhood and this won't be.

Dick Kloepfer, 88 Nelson Avenue, which he said is now called Lincoln Parkway. He has lived here 54 years and this use would not add to the homogeneity of the neighborhood.

Mr. Castagna said that less than 1500 feet from this property there are other multi-family apartment complexes. The house would look like a single-family house and not a commercial endeavor. There would be no way that the residents could tell it's a not a residence.

There was no one else in the public who wished to comment on this petition. The public portion was closed at this time.

Mr. Hayden asked if the petitioner wanted to address the rezoning issue. Mr. Wimmer talked about the use and how they meet the criteria. The house was used as a two-family use and this would be no different. Actually they would improve the property and have an ownership stake to maintain the property. The rezoning would not create a danger to children and there is probably a lot of multi-family zoning near schools. Rezoning should not be voted on based on a gut-check feeling, but actual evidence.

Mr. Hayden turned it over to the Commission. Mr. Batastini started off thanking the members of the audience. He empathizes with the supporters of the project, who may or may not live here. There is a need for this type of use. There may not be another place for these residents to go to find the help that they need. He circled back around to the zoning issue. He showed the illustration of the zoning map that this property would be surrounded by single-family zoning. This would be challenging to grant the rezoning of any kind in the middle of a neighborhood. This would be looked at as spot-zoning. Multi-family zoning would not be appropriate for this location. Lincoln Parkway is a very narrow street and these are narrow lots with the houses close together. Providing all the required parking in the rear of the property is going to affect the surrounding neighbors. This would house up to 14 adults not a regular single family residence with a couple of adults and a few children. Mr. Hayden corrected the discussion that this would be two-family zoning not multi-family zoning. Mr. Batastini went through the Findings of Fact; the surrounding uses would be affected, property values could be affected because the site is so small for this type of use, there would be too much traffic for this area, the use could be accommodated elsewhere, the gain for the public is minimal here as there are other appropriately zoned properties that could accommodate this use, this site is not suitable for this type of use, the site has been occupied and would likely be redeveloped as a single-family home, this does not meet the Comprehensive Plan, and there is no need for this zoning in this area. This use does not meet the Findings of Fact for the rezoning.

Mr. Jouron said that he read all the heart-felt letters and feels for everyone involved. He also agrees that this is spot zoning and could not support this.

Mr. Esposito agrees that this is spot-zoning and they need to be consistent with their votes in the past.

Mr. Greenman stated that he echoes all the things from the previous commission members. He has listened to all the testimony and could not find that it supports the Findings of Fact. Mr. Greenman asked why this property. Mr. Cutler answered that he looked at many available properties in Crystal Lake after securing the funding and there were no other suitable properties in their price range for a house large enough to house the number of people they needed. This was the best fit that could accommodate the number of people that they needed to and within the proximity to services like the Metra and Downtown. Mr. Greenman appreciates

the petitioner discussing how they selected the property. Mr. Cutler stated that their board was created to address the lack of treatment services for the needs that are in McHenry County. Mr. Wimmer stated that this house could also be renovated to meet their needs also within their budget. They needed a large house that was close to existing 12-step programs, the PACE bus, the Metra and employment opportunities. Mr. Greenman said the Commission needs to look at your needs, but also the needs of the surrounding community. He needs to be wary of the precedent this could create for the City.

Mr. Cutler asked about the process if they would discuss the Special Use Permit. Mr. Hayden said that there are several scenarios and that their recommendation would proceed to the City Council.

Mr. Skluzacek commended the petitioner for trying to help recovering addicts. If this property was adjacent to existing multi-family zoning he could support, but not in the middle of single-family. The R-3A zoning allows a variety of other uses that would not be desirable at this location if this use were to leave that site.

Mr. Goss said this is a great use, but agrees that this is spot zoning. The Commission needs to think about the future for the City as a whole and if they start a trend that could be applied elsewhere in the City.

Mr. Hayden also concurs. He clarified item b. Also, that the remodeling that is planned for other properties in the area could be thwarted knowing that there is a two-family living situation down the street. The property is not suitable for this use. We would welcome this use, but in a different location. He said the Findings of Fact have not been met. Zoning is the only thing that residents can expect to remain constant when they purchase their property. Buying a house in a single-family neighborhood and seeing the Comprehensive Plan is for single-family this would be out of context for the area. Based on the Findings of Fact he can't support the rezoning request.

Mr. Batastini moved to deny the Rezoning of the property from R-1 (Single-Family Residential) to R-3A (Two-Family Residential) for 171 N. Lincoln Parkway. Mr. Esposito seconded the motion. On roll call, all members voted aye. Motion passed.

Mr. Hayden stated that a super majority is needed at City Council to overturn their vote to deny the rezoning of the property. Mr. Hayden opened the discussion for the Special Use Permit.

Mr. Wimmer stated that he addressed the Special Use Permit criteria in their first presentation.

Mr. Hayden said a Special Use could not be issued since that is not permitted under the current R-1 zoning.

Mr. Hayden opened the Public Hearing.

Ms. Paine said this use with allowing 14 people at this location is too much for the single-family area.

Christine Gerhart currently lives in Genoa City, Wisconsin and went to school in Crystal Lake, said there has been a lot of effort to try to help these people. The Commission is looking at this the wrong the way and

she herself would be concerned if the use was going in near her. Ms. Gerhart said there would be no harm to the neighbors if this use was approved and the meeting of one of these people could change your life or the life of one of your children. The City is missing a great opportunity to do good and could change someone's life. There are always exceptions to the rule and even if they voted yes on this does not mean that they would have to vote yes on all the next petitions. If her daughter spoke to someone recovering from addiction and that stopped her from ever starting that path it could save a life, but they are missing this opportunity.

Tsuzsa Szabo, 168 Evergreen, said her concern is that this facility is all men and she is home alone a lot as her husband works. Even with fences there are a lot of men that would be living near her. There could be a lot of headlights.

Chris Larsen, 4700 Bonner Drive, McHenry and formerly lived on Woodstock Street, said he is a member of EMS and there is a severe problem with drug abuse in this area. Drug dealers and users do not care about your safety, the zoning of an area, the safety of your children. You will not be doing anyone a favor by ignoring this problem. He has been 5 years sober and needed to use an out-patient service. State budget cuts are removing needed services like Pioneer Center and there is a need for these types of facilities. The petitioner and their dedication and care of their residents would be top-notch. And these people would care about people and the neighborhood. These 14 people are supervised and rules are enforced, including a curfew, job searching requirements, meeting requirements, time limits, and progress updates. If there was ever a complaint the petitioner would be willing to immediately address the issue. Kids are dying every day from drug problems. There needs to be more services not just law enforcement. And the justification that says we need to help these people, just not here, is not a realistic goal. People are stating that this could be an inconvenience. The reality of the drug and alcohol problems in this area is inconvenient. Let's provide more resources and help people rather than shutting the door. Your own children could need to use this service in the future.

Mr. Hayden said the PZC can't look at the acts of the prior owner. That has nothing to do with this request.

Mr. Batastini said the Commission regulates home daycares. Kids are an innocent use, but they limit the number because it has an impact on the neighbors. He clarified that there is a need, but this is in the middle of a neighborhood. Having 14 adults in a home will have an impact on the area. It's not that we don't want this in the City, but another location would be better. Mr. Cutler said he would like to clarify the Findings of Fact. The original issue to discuss the rezoning was clouded by comments from the neighbors regarding the number of cars. They can regulate their use to not allow any cars and that would alleviate the concern with parking and headlights. If he could have discussed both issues at the same time then they could have addressed that issue. Mr. Hayden said that although the neighbors brought up other issues, when the Commission reviewed the Findings of Fact they only reviewed the ones about the rezoning and that is what they voted on.

Mr. Ledvora said that people have set in their heads the specific details of 14 people, 2 fences, 6 cars, etc. Their actual use of the property is open for discussion once they are granted approval. The 14 people were



based on the City Ordinance and not necessarily the total number would be living here. His job is to look at what is possible and not possible for the use of the property. This is based on the Ordinance and the Building Codes. The use should be decided, and not based on specifics – number of people, cars, etc. He is willing to discuss the specific operation of the use if this were approved.

Mr. Hayden opened it up to the Commission. Mr. Greenman appreciates the petitioners' position. He clarified the process and the information that they based their decision on. Also, the fact that they are a recommending body and this will proceed to the City Council. The petitioner can present their information again at the Council meeting. We will look at the maximum use for the zoning district.

Mr. Batastini asked what is the typical duration of the time to stay at the house. Mr. Wimmer said that it ranges from 6 months to a year and if they aren't adhering to the rules of the house it would be shorter. Mr. Batastini asked how the residents are employed. Mr. Wimmer said that they need to leave the house by a certain time during the day and either be engaged in the community or looking for employment. They may need to meet with their case manager, which would take place off site at their offices. Mr. Batastini asked if there would be group meetings held at the house. Mr. Cutler said he intends to put in a garden and that would be one activity that the residents would participate in outside. Also, there are weekly house meetings that the residents need to attend. Mr. Batastini asked about the barn on the property. Mr. Ledvora stated that the barn would remain and be fixed up. They would not hold outside public gatherings on the property. Depending on funding, they could use the barn for services for the residents. Mr. Batastini asked would the basement be used for the residents. Mr. Ledvora said it would remain for its utility uses like the washer and dryer area, as well as storage.

Mr. Jouron asked about the comings and goings of the residents. Mr. Cutler said that the residents need to leave at a certain time, typically 8:00 am. There would be a time when they need to return for a group dinner.

Mr. Esposito said these residents are typically very nice and polite people that want to follow the rules. This is a needed use, but unfortunately this is in the middle of a single-family area. Another location would be better.

Mr. Greenman complemented the petitioner on going through the Findings of Fact. He urged them to make sure to address both sets for the rezoning and the Special Use when they go before the City Council. He went through the Special Use Findings of Fact and said how the petitioner did not meet those. Since the request doesn't meet all of the criteria, he cannot vote to support the Special Use.

Mr. Skluzacek also agreed with the other commission members. He asked if the house manager or case manager would be living in the house. Mr. Ledvora said only the house manager would live onsite. Most residents would live on the second floor and the total number would be subject to the building codes. Mr. Skluzacek asked if the single bathroom would be sufficient. Mr. Ledvora said they would like to renovate the space and install a larger or second bathroom upstairs.

Mr. Goss said to get more specifics on the site improvements before they go to the City Council – parking plan, residents and visitors, landscaping, fence, etc. The conditions of approval would run with this property if they received approval. Mr. Goss said there are too many open issues, as stated in the conditions. He suggested that they be finalized and plans presented for them to review before they can approve this item.

Mr. Hayden asked what other conditions would they treat and if someone could have mental health issues? Mr. Ledvora stated that they only house drug addiction rehabilitation which is regulated by the Mental Health Board. They do a vetting process and would not take someone that is on medication or has a mental health issue as they would need additional more specialized treatment. This use would be staffed to house and monitor people in recovery and they are not permitted to regulate or monitor medications. Mr. Cutler said they discussed this at length when beginning this process. Currently, their policy is reviewed on a case by case basis. They don't want to exclude anyone, but want to be sure of the other residents are safer.

Mr. Hayden asked about the staff review and what comments the various departments may have. Ms. Cowlin said each department reviewed the request. The Fire Department stated that there were concerns and a sprinkler system could be required for the house. One of the conditions of approval was to work with the Fire Department through the building permit process to meet the Life Safety codes. Also, Engineering reviewed the parking situation and the Police Department did not have any comments.

Mr. Greenman asked if residents can smoke within the house. Mr. Cutter said there would be a smoking area outside behind the house. Mr. Greenman said this is another issue to be thought about before this goes before the City Council. There have been a lot of comments from both the residents and Commissioners. He suggested they think through this and have their answers ready for City Council.

Mr. Hancock got up and talked about the fact that the petitioner would find a use for this barn. This structure is close to his door and he will hear the noise at his property. That barn is 80 feet from his back door. He will be living with it. This request is about usage. Will it be storage?

A resident asked how this use would be funded and what ongoing funding do they receive. Also is there any licensing and inspections to would occur in the future.

Tammy Kohls, 144 Lincoln Parkway, whose house is within 200 feet of the petitioner. This house was on the recent historic Annual Heritage Trolley Tour. The neighbors didn't know that the two-family rental use was against the code or they would have come to the City. They were happy when it went up for sale hoping that a good family would purchase the property. The 14 men living here could have past sexual crimes and she has young children and daughters. What guarantees is she going to have to protect her family? What type of care giver stays in this house and what services are they providing to the residents?

Jason Beaty, 2709 Walnut, said he is currently a recovering addict and used this service. He has been to prison 8 times until he found the help he needed at the halfway house. He is now a father and husband. These halfway houses require a background check including a psychiatric evaluation. These places give people chances, but not approving these uses you are limiting people's options on recovery. Mr. Hayden

thanked Mr. Beaty for speaking and said he should be very proud of his accomplishments.

Ms. Dagostino said they are not trying to undermine the accomplishments of these residents or the petitioner for trying to bring about this type of use. What are the credentials of the case manager? It is very important for the treatment process. Are they mental health professionals?

Mr. Castagna said everyone needs to step back and looked at this as a simple unemotional issue and if there is a net benefit to this area. If one life could be saved because of this use then the headlights, the people smoking, the building of a fence those minor issues are worth it. If you are shaking your head no then you are in it for yourself and only yourself and not concerned about the community. This use is working for the community.

Donald Rosen, 1949 Cherokee Road, Carpentersville, has worked volunteering with New Directions. He is an attorney who works for bars and nightclubs and recognizes the difficulties people have who have these addictions. This organization has been nationally recognized as being a prime advocate for this issue. These are young guys who get no compensation. The ends should justify the means and if that means spot-zoning then to get a use like this it should be worth it. The petitioners get nothing but the satisfaction of a job well done and have come to the community asking for help. This is a Christian community that talks about helping their neighbor, but then is not willing to make a sacrifice on something. You cannot state that there is a problem, but then offer no solution to it. He can sympathize with a neighbor that could be affected, but they have only discussed hypothetical issues that could happen. This agency has a lot to lose if they are not meeting the city codes versus a single family that moves in and might have a few teenagers and several cars and a garage band. This would be a family that you can screen, which gives you more control over a regular single-family. This Commission is denying this in a dog-whistle way.

Nancy Brieschke, 351 Maplewood, is concerned that her faith has been questioned. The property is in the middle of a neighborhood and was illegally used as a two-family residence. Two wrongs do not make a right. How many people are permitted in the R-3A zoning district? Ms. Cowlin answered the question regarding the number of people permitted for a single-family. Mr. Goss clarified that the rezoning might be appropriate if this property were adjacent to other multi-family zoning.

The Commission took a 5 minute recess. The meeting resumed.

John Niziolelik, 370 Woodstock Street, asked what about anyone who is unsuccessful with treatment, if this resident doesn't have a car and had to leave where would they go? Is there any structure to this facility? These residents would have erratic behavior and would warrant more City services. If there is a concern it would be for the life of the facility, whereas if it is teenagers in a single family home, they grow up and move away. What impact on the trash services would there be? He doesn't believe that Crystal Lake has a property maintenance laws in place to deal with a nuisance house.

Mr. Martin got up to discuss both the rezoning and the sober living house. He has lost a best friend three years ago and his fiancée in October to drug abuse. There is going to be a big revolving door with this use.

It will affect the neighbors and the neighborhood and the resale of houses.

There was no one else in the public who wished to comment on this petition. The public portion was closed at this time.

Mr. Wimmer said that there have been several comments about criminal activity. There are no facts and there have only been fears stated. The fact is that Last Chance has been operating for 5 years and has not had any police incidents at that house. The statements are not a reality and only fears. Unfortunately, less diligent organizations would abandon this type of use.

Mr. Goss said he would vote no because the R-1 zoning, but if it was rezoned he would vote yes. Mr. Greenman asked how the City would enforce this approval. Ms. Cowlin said that there are specific conditions of approval that need to be met. The City also has property maintenance and an adjudication process that could be enforced for any issues.

Mr. Goss asked about the Special Use Permit vote. Mr. Pardys explained that since this use is not allowed as a Special Use in the R-1 zoning district it could not be permitted without the rezoning, but they could vote on the SUP as if the zoning was approved so that criterion would be met.

Mr. Goss moved to deny the Special Use Permit for a group dwelling at 171 N. Lincoln Parkway. Mr. Greenman seconded the motion. On roll call, all members voted aye. Motion passed.

Mr. Goss stated that there were several criteria that were not met. Mr. Greenman thanked everyone for attending the meeting and instructed the petitioner to address some of the concerns that they heard tonight.

### **REPORT FROM PLANNING**

- Burger King – 855 E Terra Cotta Ave – SUP Amendment
- Ashwood Estates (formerly Crystal Estates)-W. Huntley; S. Lake Ave.; N. Bard – Plat extension

Ms. Cowlin reviewed the items on the agenda for the April 6, 2016 PZC meeting.

### **COMMENTS FROM THE COMMISSION**

There were no comments from the Commissioners.

The meeting was adjourned at 11:17 p.m.