



#2016-27 New Directions Addiction Recovery Services Special Use Permit Project Review for Planning and Zoning Commission

<u>Meeting Date:</u>	July 20, 2016
<u>Requests:</u>	Special Use Permit for a group dwelling.
<u>Location:</u>	131 Ellsworth Street
<u>Acreage:</u>	Approximately 0.20 acres
<u>Zoning:</u>	R-3A (Two-Family Residential)
<u>Surrounding Properties:</u>	North: R-3A (Two-Family Residential) South: R-3A (Two-Family Residential) East: R-3A (Two-Family Residential) West: R-3A (Two-Family Residential)
<u>Staff Contact:</u>	Kathryn Cowlin (815.356.3615)

Background:

- **Existing Use:** The home is a duplex, two-family home.
- **Previous Approvals:** There are no previous approvals for the subject property.
- **New Directions Addiction Recovery Services:** The petitioner is a nonprofit that currently operates The Other Side, a sober bar, at 93 E. Berkshire. The petitioner received a Special Use Permit and Use Variation for a “nightclub without alcohol” at 93 E. Berkshire in 2012.
- The petitioner previously requested a rezoning and special use permit for a property located in the R-1 zoning district. That request was withdrawn by the Petitioner prior to final action by the City Council. The Petitioner has submitted this new request for the subject, R-3A zoned property. As group dwellings are allowed as a specially permitted use in the R-3A zoning district, no rezoning request is required for this application.

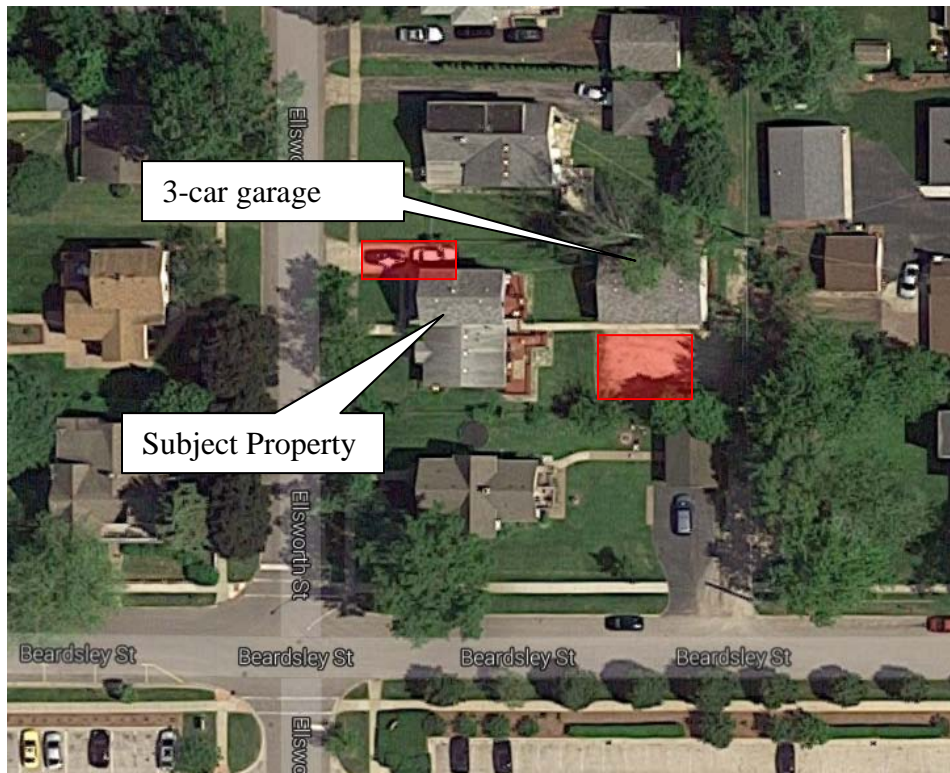
Development Analysis:

- **Request:** The petitioner is requesting a Special Use Permit for a group dwelling at 131 Ellsworth Street.
- **Land Use:** The Comprehensive Land Use map shows the area as Urban Residential which is an appropriate land use designation given the residential character of the area.
- **Zoning:** The site is zoned R-3A Two-Family Residential. Group dwellings are allowed as a special use in the R-3A and R-3B zoning districts.

- UDO Standard:
 - The UDO defines a **group dwelling** as a nonmedical facility containing permanent accommodations in which there are common dining facilities for more than five persons, other than a family, such as boarding houses, congregate care facilities, dormitories, fraternity and sorority houses, convents, monasteries. Group dwellings are permitted as a special use in the R-3A and R-3B zoning districts.
 - The UDO requires group dwellings to meet specific criteria, the criteria can be found in the Finding of Facts section of this report.
 - Group dwellings are required to provide 1 parking space per employee + 1 parking space per 3 adults. The required number of parking spaces for the subject property would be 5 spaces.

GROUP DWELLING

- The petitioner is requesting a Special Use Permit for a group dwelling. The group dwelling would be used as a sober living home for men who are in the early stages of sobriety.
- The property has a 3-car garage, a parking area that can accommodate at least 3 vehicles in the rear of the property and a parking area in the front that can accommodate 2 vehicles.



Comprehensive Land Use Plan 2030 Vision Summary Review:

The Comprehensive Plan designates the subject property as Urban Residential, which allows for existing and future single-family residential uses. The following goal is applicable to this request:

Land Use – Urban Residential

Goal: Encourage a diversity of high quality housing in appropriate locations throughout the city that supports a variety of lifestyles and invigorates community character.

This can be accomplished with the following supporting action:

Supporting Action: Preserve and enhance the character and livability of existing residential area with architectural and development guidelines. Promote safe, clean and well-maintained housing by encouraging regular repair and maintenance of housing.

Findings of Fact:

SPECIAL USE PERMIT

The petitioner has requested a Special Use Permit for a group dwelling. Special Uses require a separate review because of their potential to impact surrounding properties and the orderly development of the City. Section 2-400 of the Unified Development Ordinance establishes standard for all Special Uses in Crystal Lake. The criteria are as follows:

1. That the proposed use is necessary or desirable, at the location involved, to provide a service or facility which will further the public convenience and contribute to the general welfare of the neighborhood or community.

Meets Does not meet

2. That the proposed use will not be detrimental to the value of other properties or improvements in the vicinity.

Meets Does not meet

3. That the proposed use will comply with the regulations of the zoning district in which it is located and this Ordinance generally, including, but not limited to, all applicable yard and bulk regulations, parking and loading regulations, sign control regulations, watershed, wetlands, and flood plain regulations, Building and Fire Codes and all other applicable City Ordinances.

The proposed use would be required to meet all applicable City Codes for the proposed use.

Meets Does not meet

4. That the proposed use will not negatively impact the existing off-site traffic circulation; will adequately address on-site traffic circulation; will provide adequate on-site parking facilities; and, if required, will contribute financially, in proportion to its impact, to upgrading roadway and parking systems.

Meets Does not meet

5. That the proposed use will not negatively impact existing public utilities and municipal service delivery systems and, if required, will contribute financially, in proportion to its impact, to the upgrading of public utility systems and municipal service delivery systems.

Meets Does not meet

6. That the proposed use will not impact negatively on the environment by creating air, noise, or water pollution; ground contamination; or unsightly views.

Meets *Does not meet*

7. That the proposed use will maintain, where possible, existing mature vegetation; provide adequate screening to residential properties; provide landscaping in forms of ground covers, trees and shrubs; and provide architecture, which is aesthetically appealing, compatible or complementary to surrounding properties and acceptable by community standards, as further detailed in Article 4, Development and Design Standards.

Meets *Does not meet*

8. That the proposed use will meet standards and requirements established by jurisdictions other than the City such as Federal, State or County statutes requiring licensing procedures or health/safety inspections, and submit written evidence thereof.

Meets *Does not meet*

9. That the proposed use shall conform to any stipulations or conditions approved as part of a Special Use Permit issued for such use.

Meets *Does not meet*

10. That the proposed use shall conform to the standards established for specific special uses as provided in this section.

Meets *Does not meet*

Section 2-400 of the Unified Development Ordinance also establishes standards for specific uses in Crystal Lake. All group dwellings must comply with the following standards:

- a. Spacing between group homes: Group dwelling uses shall not be located within 1,000 feet of another group dwelling use. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the property line of the proposed use to the property line of the existing use.

Meets *Does not meet*

There are no other group dwellings within 1,000 feet.

- b. Government approvals: Users and occupants must receive any and all required approvals from county, state, and federal government entities which permit the use of the premises in conformance with the approval for which they have applied.

Meets *Does not meet*

There are no state or federal governmental standards for a sober living home, the only requirement is the City's special use permit for a group dwelling.

c. Size requirements and occupancy limitation: A minimum of 50 square feet of bedroom space per resident for residential uses shall be provided.

Meets *Does not meet*

12 residents would be permitted with the proposed floor plan.

d. Owner's association restrictions: Provide written documentation that the proposed group dwelling will not violate any lawful covenants recorded against the property or bylaws of any homeowner's association to which the property is subject.

Meets *Does not meet*

There are no homeowner associations in the neighborhood of the subject property.

Recommended Conditions:

If a motion is made to recommend approval of the petitioner's request, the following conditions are recommended:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (NDARS, dated 06/27/16, received 06/28/16)
 - B. Organization Information (NDARS, received 02/25/16)
 - C. Business Plan (NDARS, received 02/29/16)
2. Upon the sale of the property, any subsequent owner of the property must apply for and receive a special use permit in order to continue to operate the property as a group dwelling.
3. The maximum occupancy for the residence would be determined by the applicable codes.
4. Meetings for the current residents, staff and guest speakers may be held on the premises and shall not be open to the general public.
5. The petitioner shall comply with all of the requirements of the Community Development Department.

2016 27

City of Crystal Lake Development Application

Office Use Only

File # _____

Project Title: New Directors Sober Living

RECEIVED
JUN 28 2016
BY: _____

Action Requested

- Annexation
- Comprehensive Plan Amendment
- Conceptual PUD Review
- Final PUD
- Final PUD Amendment
- Final Plat of Subdivision
- Preliminary PUD
- Preliminary Plat of Subdivision
- Rezoning
- Special Use Permit
- Variation
- Other

Petitioner Information

Name: New Directors Addiction Recovery Services
 Address: 93 E Berkshire Dr & C
Crystal Lake IL 60014
 Phone: 847 307 1143
 Fax: _____
 E-mail: Info@NDARS.org

Owner Information (if different)

Name: Theresa PLUT
 Address: 5217 Briarwood
Woodstock IL 60098
 Phone: 815-382-1681
 Fax: _____
 E-mail: TTPLUT@gmail.com

Property Information

Project Description: Provide a Sober Living Residence for
12 people. Providing structure and guidance to
people who have struggled with addiction or
substance abuse

Project Address/Location: 131 Ellsworth Ave Crystal Lake IL
60014

PIN Number(s): 14-33-310-004

Development Team

Please include address, phone, fax and e-mail

Developer: _____

Architect: _____

Attorney: Alex Winner

Engineer: _____

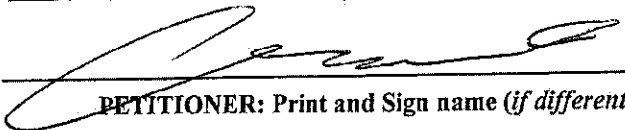
Landscape Architect: _____

Planner: _____

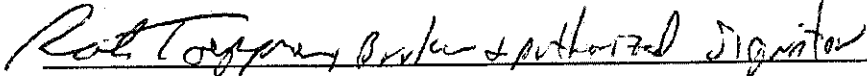
Surveyor: _____

Other: _____

Signatures

 6-27-16
PETITIONER: Print and Sign name (if different from owner) Date

As owner of the property in question, I hereby authorize the seeking of the above requested action.

 Rob. Toppens 6/27/16
OWNER: Print and Sign name Date

NOTE: If the property is held in trust, the trust officer must sign this petition as owner. In addition, the trust officer must provide a letter that names all beneficiaries of the trust.

PUBLIC NOTICE

**BEFORE THE PLANNING
AND ZONING COMMISSION
OF THE CITY OF CRYSTAL LAKE,
MCHENRY COUNTY, ILLINOIS**

IN THE MATTER OF THE
APPLICATION OF
NDARS

LEGAL NOTICE

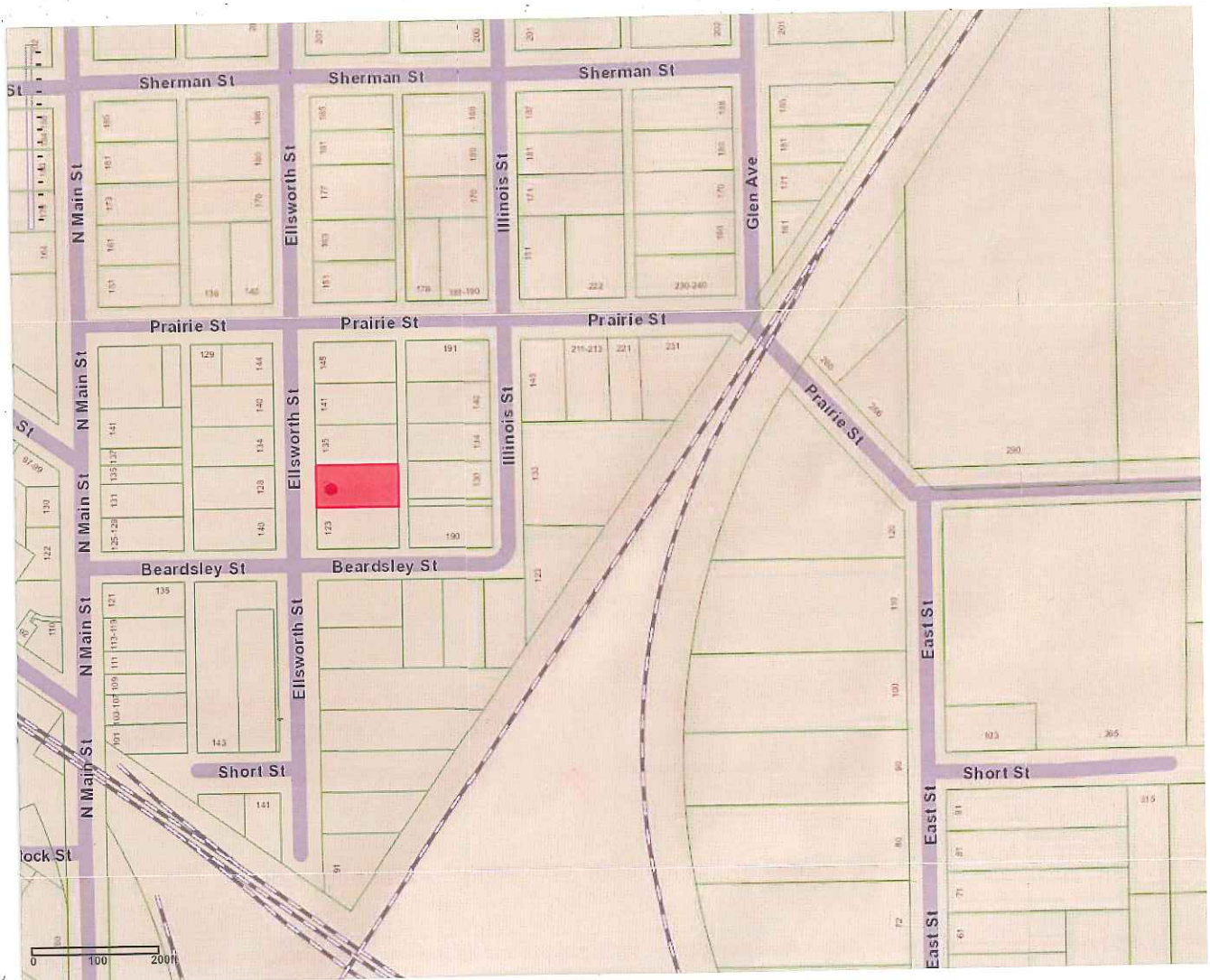
Notice is hereby given in compliance with the Unified Development Ordinance (UDO) of the City of Crystal Lake, Illinois, that a public hearing will be held before the Planning and Zoning Commission upon the application of New Directions Addiction Recovery Services seeking a Special Use Permit for a group dwelling, located at 131 Ellsworth St, Crystal Lake, Illinois. PIN 14-33-310-004

This application is filed for the purpose of seeking a special use permit for a group dwelling pursuant to Article 2-400(C)(4) to allow a sober living home at 131 Ellsworth Street as well as any other variations as necessary to complete the project as proposed. Plans for this project can be viewed at the Crystal Lake Community Development Department at City Hall.

A public hearing before the Planning and Zoning Commission for this request will be held at 7:30 p.m. on Wednesday July 20, 2016, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

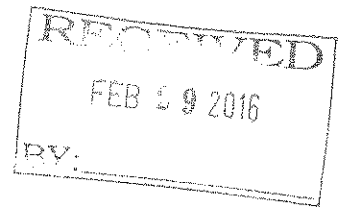
Tom Hayden, Chairperson
Planning and Zoning Commission
City of Crystal Lake

(Published in the Northwest Herald
on July 4, 2016) 1203114





2016 09



About The Organization

New Directions Addiction Recovery Services was founded roughly six years ago to address the issue of segmented drug abuse treatment services in our community. Our goal is to provide or facilitate %100 of the services that are needed for a person suffering from alcohol and drug addiction. Those needs range from Awareness & Education, Detox, residential rehab, outpatient care, support from the recovery community and housing.

In addition to our sober bar "The Other Side" which provides support from the recovery community; we also hold a Recovery Support group which is open to anyone affected by drug addiction: Parents and Families, Addicts reaching out for help, Members of the recovery community and residents from surrounding treatment centers all attend this meeting to offer support for each other. If a person reaches out to us for help; we can facilitate entry into a detox facility, find available treatment locations and transportation to those locations, and Provide support upon leaving treatment.

Our goal is to be a central hub of support for someone struggling with addiction; to be the only phone call necessary to start recovering from drug and alcohol addiction; to be a familiar support network among segmented treatment services. The ability to provide structured, safe, recovery oriented housing; would finally allow us to fully achieve those goals. It is desperately needed in our community.

Need For Sober Living in our Community

At the current moment there are no beds available at any structured recovery housing in McHenry County. Although there are existing sober living options in McHenry County, the current waiting lists often exceed 30+ applicants and grow faster than more beds will become available. This often means that after leaving the county for residential treatment; there is no suitable location for a person to return to. Often times houses in Chicago, Joliet or Aurora are the only available options. And even those houses experience similar waiting lists.

Additional sober living options in McHenry County would allow residents of the county the opportunity to return to a familiar environment while still providing the structure and support needed. It is beneficial for persons in early sobriety to have the structure of a recovery oriented living arrangement; as well as the support of nearby family. A location in Crystal Lake would allow significant opportunities to persons in the early stages of recovery.

The Benefits of the location

- Access to major transportation systems
- A centralized location surrounded by a community with job opportunities
- Convenient access to 12-Step meetings and support groups at "The Other Side"
- Opportunities to be involved in our organization/ volunteer
- Support of a Large community of fellow addicts with long term sobriety
- A location Large enough to comfortably house the residents



Memorandum

To: Kathryn Cowlin
From: Mike Magnussen
Date: June 23, 2016
Re: 131 Ellsworth

I conducted an evaluation of 131 Ellsworth to determine the allowable occupant load. The evaluation was based on the adopted Municipal Code chapter 302 section 404, floor plans with dimensions provided by others and a site visit to 131 Ellsworth. The house is an existing 2 unit dwelling containing 4 bedrooms with no direct interconnection between dwelling units. Based on this information I have calculated the following:

Unit 1

Occupant load- 2

150 sq/ft+100 sq/ft= 250 square feet habitable space required
288 square feet total habitable space provided

Living room- 120 square feet required
137 square feet provided

Kitchen- 60 square feet required
72 square feet provided

Unit 2

Occupant load- 7

150 sq/ft + 600 sq/ft= 750 square feet habitable space required
1,030 square feet habitable space provided

Living room- 120 square feet required
289 square feet provided

Kitchen- 60 square feet required
179 square feet kitchen/dining provided

Total occupant load- 9

There is a potential to increase the occupant load by making modifications to the basement area. The modifications would include the installation of code compliant egress windows, providing a minimum 7' ceiling height and relocating/installing walls to create a code compliant bedroom in the basement.

With modifications the load could reach the following:

Unit 1

Occupant load- 2

150 sq/ft+100 sq/ft= 250 square feet habitable space required
288 square feet total habitable space provided

Living room- 120 square feet required
137 square feet provided

Kitchen- 60 square feet required
72 square feet provided

Unit 2

Occupant load- 10

150 sq/ft + 900 sq/ft= 1,050 square feet habitable space required
1,188 square feet habitable space provided

Living room- 120 square feet required
289 square feet provided

Kitchen- 60 square feet required
179 square feet kitchen/dining provided

Total occupant load- 12

In addition to any proposed modifications to the space to increase the potential occupancy, the dwelling units must also comply with the following smoke detector and carbon monoxide detector regulations: in every bedroom, outside of the sleeping area in the immediate vicinity of the bedrooms and on every level of the house is required to have a smoke detector. A carbon monoxide detector is required within 15 feet of every bedroom.

I would request that an on-site meeting take place with the potential purchaser to discuss the possible modifications to the basement area to ensure that code compliance can be achieved and a full understanding of the requirements.