DUPAGE COUNTY

BUILDING & ZONING DEPARTMENT

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www.dupagecounty.gov/building

Building Division

Zoning & Planning Division

Environmental Division

M E M O R A N D U M

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: June 18, 2024

RE: **ZONING-24-000017 80th St. Investments, LLC. (Naperville/ District 5)**

DuPage County Board: June 25, 2024

Development Committee: June 18, 2024: The DuPage County Development Committee recommended to approve the following zoning relief:

To renew/extend a Conditional Use for Group Quarters with a maximum occupancy of twelve residents, which was previously approved under Z21-023 27W121 80th Street Investments, LLC. on July 13, 2021, by the DuPage County Board.

Subject to the following conditions:

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition #**ZONING-24-000017 80th St. Investments, LLC.** dated April 18, 2024.

2. That the Conditional Use shall terminate in the event that Monte Nido Real Estate Holdings, LLC. sells or discontinues operation of the subject use on the property located at 27W121 80th Street Naperville, Illinois or otherwise transfers ownership of the subject property to another entity.

3. That no more than twelve (12) residents shall reside within the subject property and that the residents shall be of adolescent age only.

4. That there shall be no more than seventeen (17) parking spaces on the property, (four {4} spaces inside the two attached garages of the home and thirteen {13} spaces in the two designated outside parking areas as depicted on the site plan dated April 18, 2024).

a. That there shall be no parking in the driveway of the home and no parking on the grass areas of the home and no parking in the adjacent streets and public rights-of-way's adjacent to the home.

b. That during any special event or emergency event that necessitates more people on the property, certain staff will park off-site in legal parking areas and be shuttled to and from the Group Dwelling Quarters to the extent necessary to ensure that not more than 17 vehicles are parked on the legal parking spaces on the property.

c. That residents of the home shall not have their own automobiles at the Group Dwelling Quarters nor otherwise drive themselves to and from the Group Dwelling Quarters.

5. That all outside group activities shall only occur in the rear south yard and side west yard in the designated outdoor areas as depicted on the site plan dated April 18, 2024.

   a. That all outside group activities shall only occur between the hours of 8 AM and 10 PM.

   b. That all outside group activities shall be supervised by staff of the Group Dwelling Quarters.

6. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.

7. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

Development Committee VOTE (to Approve): 5 Ayes, 0 Nays, 1 Absent

DEVELOPMENT COMMITTEE FINDINGS OF FACT:

1. That the Development Committee removed the five (5) year time limit on the subject zoning relief originally placed by the Zoning Board of Appeals, as any concerns regarding parking have been mitigated by the updated parking agreements and conditions of the subject zoning relief, and that an expiration of the Conditional Use is no longer needed.

Zoning Board of Appeals Meeting: June 6, 2024: The Zoning Board of Appeals considered the following zoning relief:

To renew/extend a Conditional Use for Group Quarters with a maximum occupancy of twelve residents, which was previously approved under Z21-023 27W121 80th Street Investments, LLC. on July 13, 2021, by the DuPage County Board.

Subject to the following conditions:

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition #**ZONING-24-000017 80th St. Investments, LLC.** dated April 18, 2024.

2. That the Conditional Use shall terminate in the event that Monte Nido Real Estate Holdings, LLC. sells or discontinues operation of the subject use on the property located at 27W121 80th Street Naperville, Illinois or otherwise transfers ownership of the subject property to another entity.

3. That the Conditional Use zoning relief shall expire after five (5) years from the date of approval of the subject zoning relief by the DuPage County Board or upon one of the following circumstances, whichever shall come first:

    a. The structure or use is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.

    b. The property is conveyed to new ownership.

4. That no more than twelve (12) residents shall reside within the subject property and that the residents shall be of adolescent age only.

5. That there shall be no more than seventeen (17) parking spaces on the property, (four {4} spaces inside the two attached garages of the home and thirteen {13} spaces in the two designated outside parking areas as depicted on the site plan dated April 18, 2024).

    a. That there shall be no parking in the driveway of the home and no parking on the grass areas of the home and no parking in the adjacent streets and public rights-of-way's adjacent to the home.

    b. That during any special event or emergency event that necessitates more people on the property, certain staff will park off-site in legal parking areas and be shuttled to and from the Group Dwelling Quarters to the extent necessary to ensure that not more than 17 vehicles are parked on the legal parking spaces on the property.

    c. That residents of the home shall not have their own automobiles at the Group Dwelling Quarters nor otherwise drive themselves to and from the Group Dwelling Quarters.

6. That all outside group activities shall only occur in the rear south yard and side west yard in the designated outdoor areas as depicted on the site plan dated April 18, 2024.

    a. That all outside group activities shall only occur between the hours of 8 AM and 10 PM.

    b. That all outside group activities shall be supervised by staff of the Group Dwelling Quarters.

7. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.

8. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

ZBA VOTE (to Approve): 7 Ayes, 0 Nays, 0 Absent

FINDINGS OF FACT:

1. That petitioner testified that the subject property is currently owned by Monte Nido Real Estate Holdings, LLC. and operated by Monte Nido Illinois, LLC. ("Monte Nido").

2. That petitioner testified that Monte Nido & Affiliates oversees the operation of the Group Quarters at the subject property and is a leading national treatment provider for adults and adolescents with eating disorders.

3. That petitioner testified that the subject property currently operates a twelve (12) bed Group Quarters and provides care to adolescents seeking treatment for eating disorders, per approved zoning relief Z21-023 27W121 80th Street Investments, LLC. on July 13, 2021, by the DuPage County Board.

    - Furthermore, that petitioner testified that the requested zoning relief is to renew/extend a Conditional Use for Group Quarters with a maximum occupancy of twelve residents, which was previously approved for a period of three (3) years under Z21-023 27W121 80th Street Investments, LLC., in order to review the operations and any possible impact of the Group Quarters after three (3) years.

4. That petitioner testified that the subject Group Quarters is a residential setting, intended to replicate a large family setting, with all meals prepared and taken together, as data supports that this is the most effective treatment for eating disorders in a non-institutional setting.
5. That petitioner testified that a resident's average stay is between fifty (50) to sixty (60) days.

6. That petitioner testified that in the last three (3) years, the Group Quarters has had a positive impact on adjacent properties and improved property values.

7. That petitioner testified that the completed a traffic study with KLOA and that the Group Quarters does not result in a significant increase in traffic on the roadways.

8. That the Zoning Board of Appeals finds that since the approval of Z21-023 27W121 80th Street Investments, LLC. on July 13, 2021 by the DuPage County Board, petitioners have adhered to the conditions placed on the zoning case for approximately three (3) years, followed Group Quarters operations that were set forth in that zoning relief, and that the Group Quarters have been added benefit to the surrounding area, with no impacts to adjacent properties.

    - Furthermore, that the Zoning Board of Appeals hereby removes the time limit condition originally placed on Z21-023 27W121 80th Street Investments, LLC

STANDARDS FOR CONDITIONAL USES:

1. That the Zoning Board of Appeals finds that petitioner **has demonstrated** that the granting of the Conditional Use is in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County's comprehensive plan for development; and specifically, that the granting of the Conditional Use will not:

    a. Impair an adequate supply of light and air to the adjacent property as petitioner **has demonstrated** that no changes will be made to exterior of the subject home or to the subject property, and therefore the proposed zoning relief will not impair an adequate supply of light and air to adjacent properties.

    b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that the 6,706 square foot subject home and property has easily accommodated twelve (12) residents and does not increase the hazard from fire or other dangers to adjacent properties.

    c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the Group Quarters is operated in the existing home and that petitioner owns/operates similar types of residential programs in residential neighborhoods throughout the country with no diminishment of value of land.

    d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the existing Group Quarters does not noticeable increase traffic in the area and that no residents have their own vehicles at the subject property.

    e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the existing Group Quarters use has no structural or physical changes to the building, therefore there will be no increase in the potential for flood damages to adjacent properties.

    f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the existing Group Quarters does not increase any additional expense for flood protection, rescue, or relief.

    g. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage County as petitioner **has demonstrated** that the Monte Nido Group Quarters has operated the Group Quarters for over three (3) years with up to twelve (12)

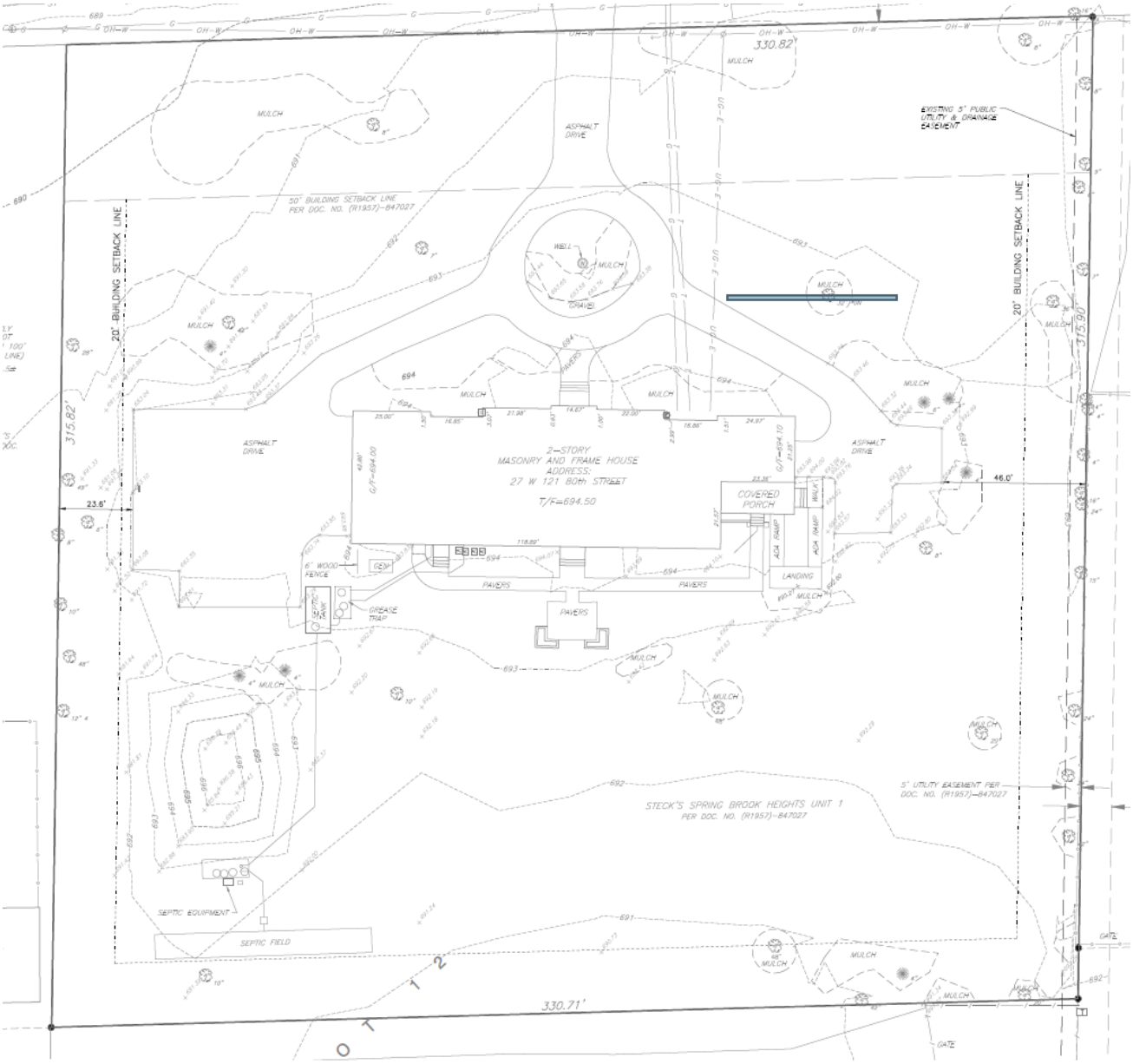
adolescents with no noticeable impact on surrounding properties, and that the use and property beautifications is a benefit to the surrounding area and DuPage County.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	**ZONING-24-000017 80th St. Investments, LLC.**	
ZONING REQUEST	To renew/extend a Conditional Use for Group Quarters with a maximum occupancy of twelve residents, which was previously approved under Z21-023 27W121 80th Street Investments, LLC. on July 13, 2021, by the DuPage County Board.	
OWNER	27W121 80TH ST INVESTMENTS, LLC., 6100 SW 76TH STREET, MIAMI, FL 33143 / AGENT: MARK GERSHON, POLSINELLI, PC, 150 N. RIVERSIDE PLAZA, CHICAGO, IL 60606	
ADDRESS/LOCATION	27W121 80TH STREET, NAPERVILLE, IL 60565-1270	
PIN	07-36-204-002	
TWSP./CTY. BD. DIST.	NAPERVILLE	DISTRICT 5
ZONING/LUP	R-1 SF RES	0-5 DU AC
AREA	2.4 ACRES (104,544 SQ. FT.)	
UTILITIES	WELL / SEPTIC	
PUBLICATION DATE	Daily Herald: APRIL 2, 2024	
PUBLIC HEARING	THURSDAY, APRIL 18, 2024	
ADDITIONAL INFORMATION:		
Building:	No Objections.	
DUDOT:	Our office has no jurisdiction in this matter.	
Health:	No Objections.	
Stormwater:	Our office has no jurisdiction in this matter.	
Public Works:	Our office has no jurisdiction in this matter. "We do not provide any services (sewer or water) to that area."	
EXTERNAL:		
City of Naperville:	*No Comments Received.*	
Naperville Township:	*No Comments Received.*	
Township Highway:	No Objections with the concept of the petition. Additional information may be required at time of permit application.	
Naperville Fire Dist.:	*No Comments Received.*	
Sch. Dist. 204:	*No Comments Received.*	
Forest Preserve:	"The Forest Preserve District of DuPage County staff has reviewed the information provided in this notice and due to the sizable distance between the subject property and District property, we do not have any specific comments. Thank you."	

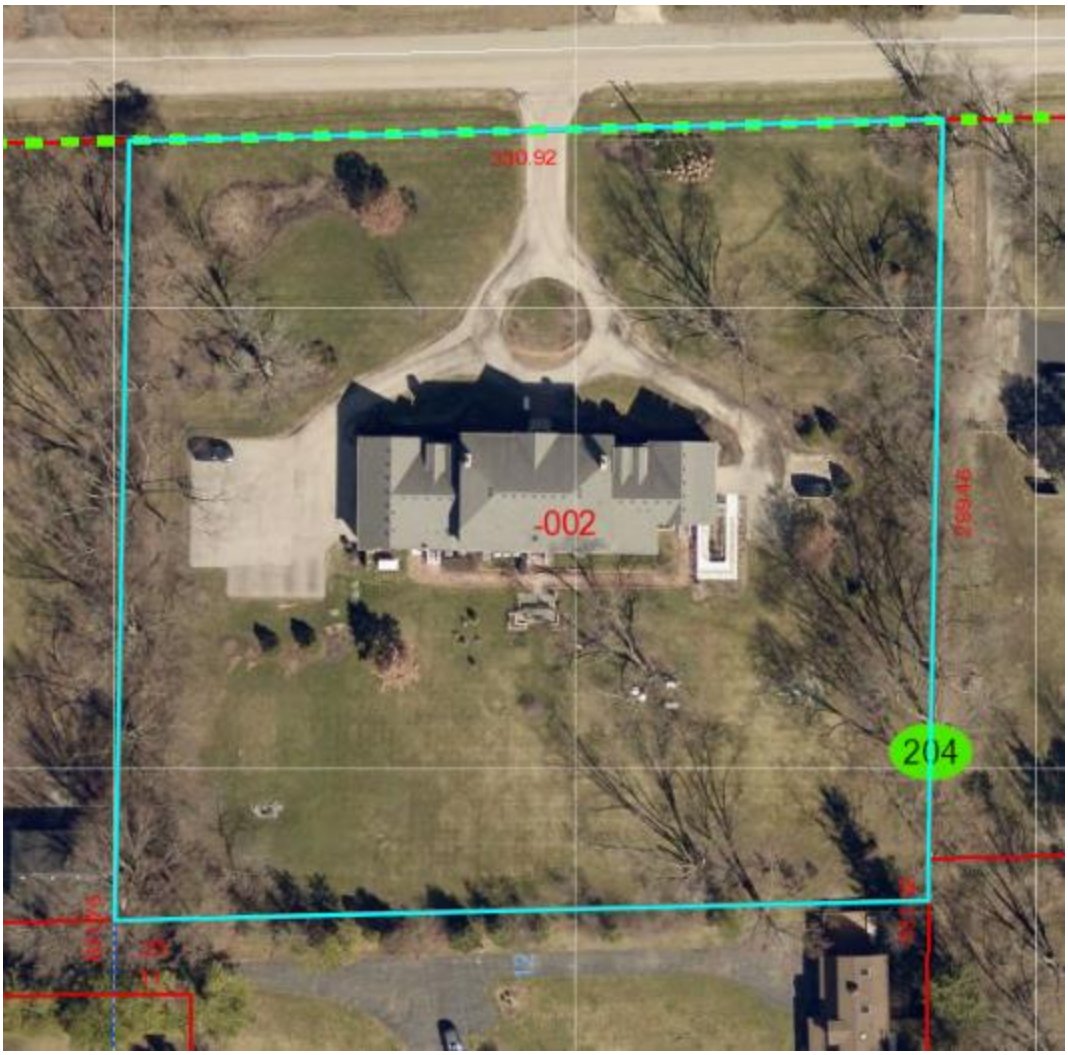
LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-1 SF RES	GROUP QUARTERS	0-5 DU AC
North	80TH STREET AND BEYOND R-1 SF RES	HOUSE	0-5 DU AC
South	R-1 SF RES	HOUSE	0-5 DU AC
East	R-1 SF RES	HOUSE	0-5 DU AC
West	R-1 SF RES	HOUSE	0-5 DU AC


330.82'
EXISTING 5' PUBLIC UTILITY & DRAINAGE EASEMENT
50' BUILDING SETBACK LINE PER DOC. NO. (R1957)-847027
20' BUILDING SETBACK LINE
315.82'
315.90'
2-STORY MASONRY AND FRAME HOUSE
ADDRESS:
27 W 121 80th STREET
T/F=694.50
COVERED PORCH
ASPHALT DRIVE
WELL
GRAVEL
MULCH
PAVERS
LANDING
6' WOOD FENCE
GEM
SEPTIC TANK
GREASE TRAP
SEPTIC EQUIPMENT
SEPTIC FIELD
5' UTILITY EASEMENT PER DOC. NO. (R1957)-847027
STECK'S SPRING BROOK HEIGHTS UNIT 1
PER DOC. NO. (R1957)-847027
330.71'
GATE
23.6'
46.0'

Bovidae Cir
Bailey Rd
Russet Av
Applegate Dr
Goldland Dr
Cascade Ct
Estuary Ct
80th St
Meadowlark Ln
Modaff Rd
Quail Dr
Peacock Ct
81st St
Cloverleaf Ct
Prairie Knoll Dr
Delkir Ct

Bovidae Cir
Bailey Rd
Russet Av
Cascade Ct
80th St
Meadowlark Ln
Modaff Rd
Estuary Ct
Quail Dr
Peacock Ct
81st St
Cloverleaf Ct
Prairie Knoll Dr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