



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

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www.dupageco.org/building

MEMORANDUM

TO: DuPage County Development Committee

FROM: DuPage County Zoning Board of Appeals

DATE: November 2, 2023

RE: **ZONING-23-000067 28W510 Washington Avenue Investments, LLC. (Winfield/ District 6)**

Development Committee: November 21, 2023:

Zoning Board of Appeals Meeting: November 2, 2023: The Zoning Board of Appeals 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 Z20-046 28W510 Washington Avenue Investments, LLC. on January 12, 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-23-000067 28W510 Washington Avenue Investments, LLC.** dated September 28, 2023.
2. The Conditional Use shall terminate in the event that Monte Nido Real Estate Holdings, LLC. sells, discontinues operation of the subject property located at 28W510 Washington Avenue, Winfield, 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.
4. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
5. That in conjunction with the submittal of a building permit the developer provides a landscape plan showing partial landscape screens around the perimeter of the development.

6. That as part of the submittal of a building permit the developer shall provide a photometric plan demonstrating that the level of light shall not exceed 0.5 foot-candles of illumination at all property lines.
7. That the subject Group Quarters residents shall not have their own automobiles at the Group Quarters nor otherwise drive themselves to and from the subject Group Quarters.
8. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

ZBA VOTE (to Approve): 6 Ayes, 0 Nays, 1 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 adults seeking treatment for eating disorders, per approved zoning relief Z20-046 28W510 Washington Avenue Investments, LLC. on January 12, 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 **Z20-046 28W510 Washington Avenue 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 effect treatment for eating disorders in a non-institutional setting.
5. That petitioner testified since their last Zoning Board of Appeals public hearing in 2020, they have installed landscape buffering, adjusted lighting on the subject property so that all lighting is less than a half-foot candle away from all property lines and installed a fire truck turnaround area towards the north end of the property.
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, as the property adjacent to the west of the subject property sold for more than list price and faster than the average in the market in 2021.
7. Furthermore, that petitioner testified that they 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 Z20-046 28W510 Washington Avenue Investments, LLC. on January 12, 2021, by the DuPage County Board, petitioners have adhered to all conditions placed on the zoning case for approximately three (3) years, followed the Group Quarters operations that were set forth in that that zoning relief, and that the Group Quarters have been an 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 Z20-046 28W510 Washington Avenue Investments, LLC.

STANDARDS FOR CONDITIONAL USES:

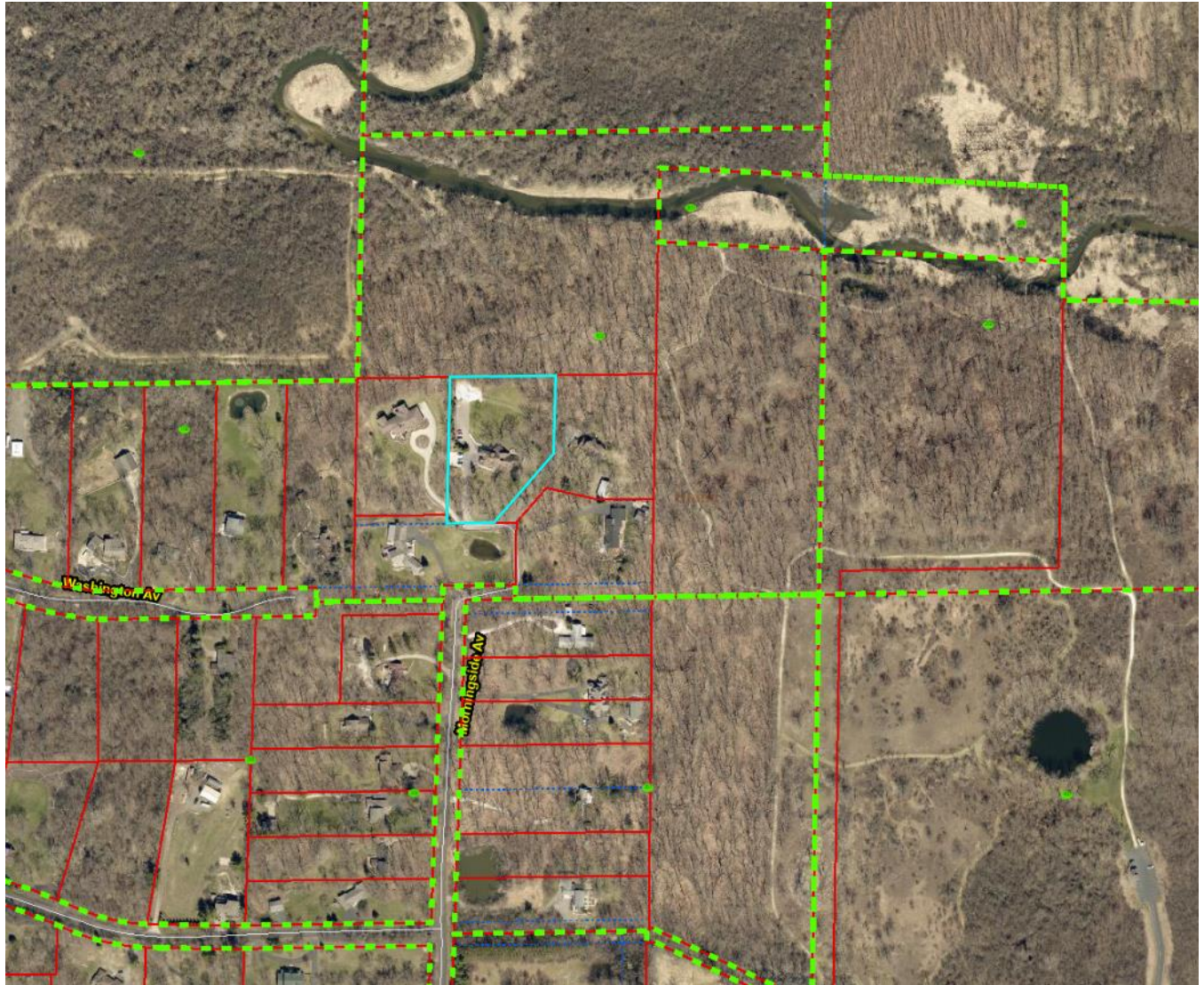
1. That the Zoning Board of Appeals finds that petitioner **has demonstrated** that the granting of the Conditional Use is in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the 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 the 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 subject, 8,400 sq. ft. home 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 noticeably 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 approximately three (3) years with up to twelve (12) adults with no noticeable impact on surrounding properties, and the use and property beautification is a benefit to the surrounding area and DuPage County.

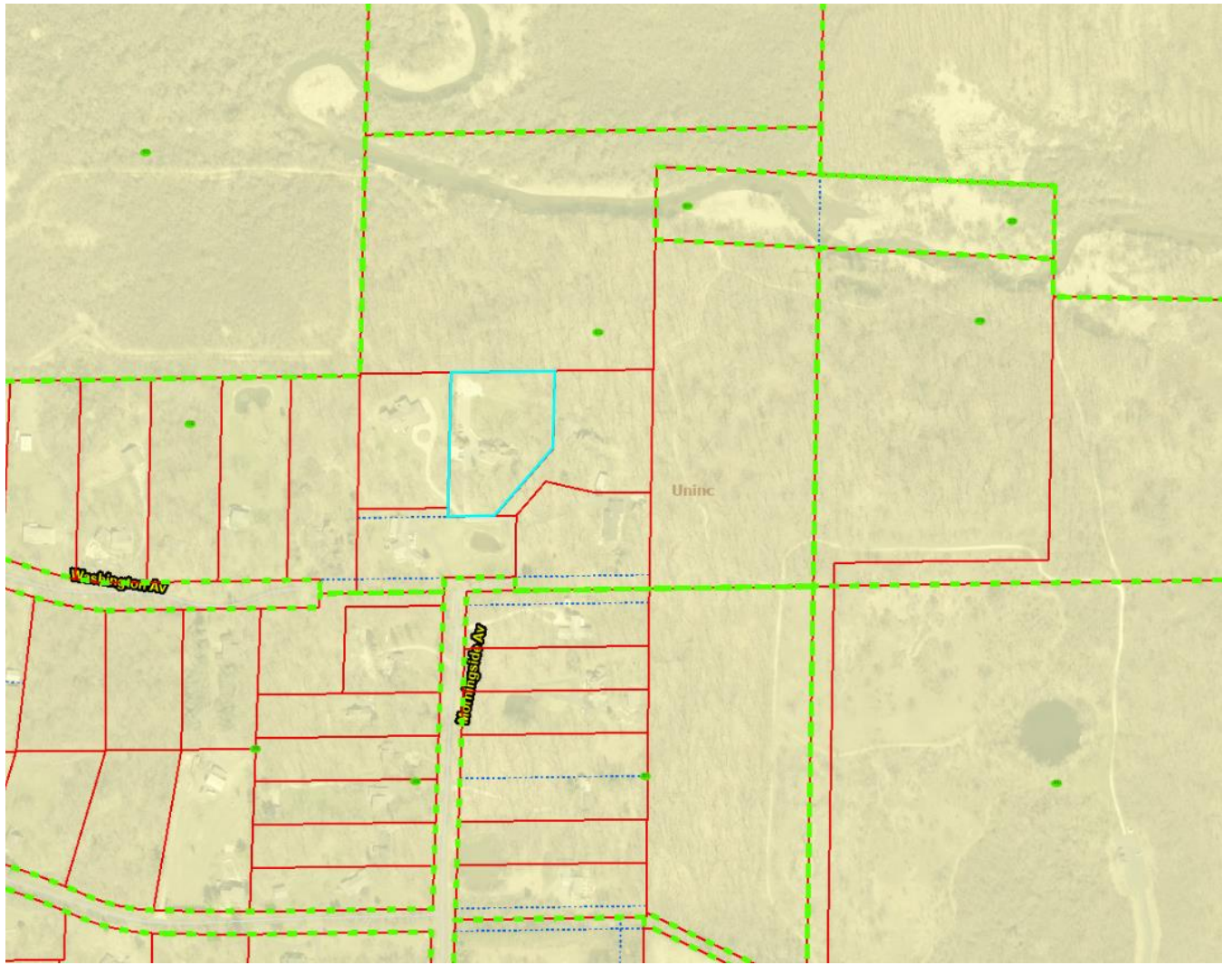
PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-23-000067 28W510 Washington Avenue 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 Z20-046 28W510 Washington Avenue Investments, LLC. on January 12, 2021, by the DuPage County Board.
OWNER	28W510 WASHINGTON AVENUE INVESTMENTS, LLC., 6100 SW 76 TH STREET, MIAMI, FL 33143 / AGENT: MARK GERSHON, POLSINELLI, PC, 150 N. RIVERSIDE PLAZA, CHICAGO, IL 60606
ADDRESS/LOCATION	28W510 WASHINGTON AVNEUE, WINFIELD IL 60190
PIN	04-14-102-011
TWSP./CTY. BD. DIST.	WINFIELD DISTRICT 6
ZONING/LUP	R-1 SF RES 0-5 DU AC
AREA	2.51 ACRES (109,335 SQ. FT.)
UTILITIES	WELL AND SEPTIC
PUBLICATION DATE	Daily Herald: SEPTEMBER 13, 2023
PUBLIC HEARING	THURSDAY, SEPTEMBER 28, 2023
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.
EXTERNAL:	
City of West Chicago:	<i>No Comments Received.</i>
Village of Winfield:	<i>No Comments Received.</i>
Winfield Township:	<i>No Comments Received.</i>
Township Highway:	Our office has no jurisdiction in this matter.
Winfield Fire Dist.:	<i>No Comments Received.</i>
Sch. Dist. 33:	<i>No Comments Received.</i>
Forest Preserve:	"No concerns for this petition."

LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-1 SF RES	GROUP QUARTERS	0-5 DU AC
North	R-1 SF RES	FOREST PRESERVE	OPEN SPACE
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







Monte Nido
Application for Conditional Use Permit and Variation:
Group Quarters
28W510 Washington Avenue, Winfield, Illinois

I. THE APPLICATION:

Monte Nido Real Estate Holdings, LLC is the sole owner of 28W510 Washington Avenue Investments, LLC (“Applicant”). The Applicant owns the property located at 28W510 Washington Avenue in Winfield, Illinois (the “Property”). Monte Nido Illinois, LLC (“Monte Nido”) is the operator of the Group Quarters located at the Property. The Property is located in a designated R-2 Zoning District. As such, operation of the Property as “Dwelling - Group Quarters,” requires conditional use zoning relief. Previously, DuPage County granted conditional use and variation to the Applicant pursuant to DuPage County Ordinance DC-O-0002-21 (the “Existing Ordinance”). The Existing Ordinance was enacted and approved by DuPage County on January 12, 2021. Due to the upcoming expiration of the Existing Ordinance, the present application is provided in support of zoning relief in the form of a Conditional Use Permit (the “CUP”), for purposes of continued and seamless operation, with a maximum number of twelve occupants, as “Group Quarters”. Additionally, Applicant seeks to renew the variation relief previously granted, as related to the current and historic side yard setback on the Property.

Due to the significant demand for Monte Nido’s services, the focus on mental health as highlighted due to the Covid-19 pandemic, and the upcoming expiration of the Existing Ordinance, the Applicant seeks relief to maintain maximum occupancy of twelve residents. The 8,400 square foot house has provided adequate space to provide consistent, quality programing to twelve residents. As described further below, the core staff required to operate the Property is in place, and the increase in resident numbers has not negatively impacted neighboring property value, nor placed a strain on County resources and roads. The present application does not require Applicant to make changes to the interior or exterior of the house, or to the Property, to accommodate the desired relief sought herein. Additionally, the applicant has maintained compliance with all conditions of the Existing Ordinance, inclusive of installation of a landscape buffer and an emergency turn around on the Property. Applicant communicates with surrounding neighbors and extends goodwill to the community at large.

II. ABOUT MONTE NIDO AND THE PROJECT:

Monte Nido & Affiliates oversees the operation of the Group Quarters at the Property and is a leading national treatment provider for adults and adolescents with eating disorders. As an established, trusted, and proven residential treatment for eating disorders, the tenured teams of Monte Nido multidisciplinary professionals deliver necessary services to communities across the country. Monte Nido operates multiple locations, and is accredited by the Joint Commission, a global driver of quality improvement and patient safety in behavioral health care. The staff at the center is led by Sarah Berger Clark, who serves as the Clinical Director. Ms. Clark has extensive experience in treatment of eating disorders and program administration and has served as an effective liaison with its neighbors and the community at large.

The Property currently operates as a twelve-bed Group Quarters, offering state-of-the-art care to adults seeking treatment for eating disorders. The Applicant provides a desperately needed service to members of this community. With this Application, Monte Nido seeks to maintain the increase in resident occupancy under the Existing Ordinance, so that a maximum of twelve clients may be treated at any one time. The Group Home opened in March 2020, and at present and pursuant to the Existing Ordinance, the average daily occupancy is twelve residents. The increased demand and consistent twelve resident occupancy pursuant to the Existing Ordinance, presently set to expire in January of 2024, is the basis for the current application for zoning relief.

A critical aspect of the program provided in DuPage County by Monte Nido is that treatment and care is provided in a residential setting. Data supports that the most effective treatment of eating disorders is delivered in a non-institutional environment. The occupancy is low density and is intended to replicate a large family setting. All meals are prepared in the shared kitchen and meals are taken together, family-style, in the dining room. The peer interactions and shared residency are critical for reshaping how adults with eating disorders think about themselves, nutrition, and a healthy relationship with food. The facility currently is and will continue to be operated as a residential facility seven days/week, twenty-four hours/day.

Clients of the program engage in the following types of activities: group therapy, individual therapy, nutrition counseling, meal preparation, recreation, exercise, movement and art therapy. Services are provided by physicians, nurses, licensed therapists and registered dietitians. Most of the activities occur inside the dwelling. The large, comfortable home contributes to the clients' therapeutic experience.

As part of the therapeutic program, clients are not permitted to bring vehicles onto the Property. Currently, no more than approximately ~~ten~~ fifteen staff are present on the Property at any one time. Further, staff arrive at and depart from the facility at staggered times throughout the day. There are only two staff on duty overnight who do not sleep at the facility. Visitors are scheduled, primarily, during the early evening hours on weekdays ~~and on weekends~~. Staff and visitors park on site where there is capacity for up to seventeen cars. As noted above, the increase in residents from eight to twelve previously required an increase of just three additional staff, no more than two of which are at the site at any one time. Increased staffing to occurs mainly between the hours of 10:00 am and 3:30 pm on weekdays. Additionally, weekends typically contain less programming where staffing is maintained at no more than six employees at any one time on weekends.

Monte Nido has provided exceptional care to its clients while being a respectful and positive contributor to the neighborhood. The Group Home is located on a private road that was historically maintained by the five property owners. Following discussions and approval by the neighbors, Monte Nido repaved the entire road and assumed responsibility for managing and paying for snow removal services for this private road.

Additionally, Monte Nido has made improvements to the Property including the following:

- Removed the small house at the rear of the Property, which was in poor condition.

- Cut back the existing concrete pad adjacent to the garage that was extending onto the neighbor's property and installed fencing to block the headlights and view of parked cars on the Property.
- Removed the existing vegetation and re-landscaped the foundation planting.
- Re-landscaped the triangle of property across the street from the Property.
- Removed several dead trees and branches.
- Installed a new parking area in the rear of the lot to hide the view of the cars from the neighbors.
- Installed a 3-foot landscape berm and heavy landscape screening to block the view of cars parked on the parking area at the rear of the house.
- Installed a fire truck turn around lane

Please see the pictures, attached to this Application, depicting the above.

The granting of the requested CUP for the proposed Project is in harmony with the general purpose and intent of the Zoning Ordinance, compliant with the Existing 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.

III. THE CONDITIONAL USE:

The proposed use:

1. Will not impair an adequate supply of light and air to the adjacent properties.

There will be no changes to the exterior of the home or to the Property, and therefore the Project will not impair an adequate supply of light and air to the adjacent properties.

2. Will not increase the hazard from fire or other dangers to adjacent properties.

There will be no changes to the building or Property, and therefore the Project will not increase the hazard from fire or other dangers to adjacent properties. The increase in residents within the home has not contributed to any type of fire hazard or danger under the Existing Ordinance, as the 8,400 square foot home as proven able to accommodate all persons anticipated to spend any time at the facility, either as clients, staff or visitors, in relation to the Project. The Subject Property was previously upgraded by the Applicant, including the addition of an emergency vehicle turn around lane, and was further improved in accordance with the County and all applicable building and safety codes applicable to a Group Quarters with up to twelve residents.

3. Will not diminish the value of land and buildings in the vicinity of the proposed Conditional use.

Monte Nido operates residential programs in similar types of residential neighborhoods. There has been no diminishment in the value of land and buildings in those neighborhoods. The Applicant will provide expert testimony from an appraiser at the public hearing confirming the same, and further submits a property value impact report along with the present application.

4. Will not unduly increase traffic congestion in the public streets and highways.

Under the Existing Ordinance, only three additional staff members work at the home at any one time. The residents are not permitted to have personal vehicles on site, so the increase in four residents has had no effect on vehicles present under the Existing Ordinance. Further, staff members have and will continue to arrive and depart at staggered times throughout the day. Visitors to the residents of the home will continue to be scheduled so that there is no significant increase in traffic to visit the additional four residents. All significant construction work at the site, and the associated construction traffic, was previously completed. Under the Existing Ordinance, there has not been a noticeable increase in or impact to traffic in the area. The Applicant will provide expert testimony from a traffic consultant at the public hearing confirming the same, and further submits a current traffic study report along with the present application.

5. Will not increase the potential for flood damages to adjacent properties.

There will be no structural or physical changes to the building on the Property, and therefore the proposed use will not increase the potential for flood damages to adjacent properties.

6. Will not cause DuPage County to incur additional public expense for fire protection, rescue or relief.

The house is fully sprinklered and has a commercial grade fire alarm system that includes smoke and carbon monoxide detectors, pull stations and audio-visual alarms. It also has an emergency generator, lighted exit signs and sufficient fire extinguishers. Staff and residents participate in monthly fire alarm drills (one per quarter on each shift) and semiannual disaster drills to ensure that the facility is operated in a safe manner, beneficial to all clients and without increased public expense for fire protection, rescue or other community services.

7. Will not otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage County, nor will it otherwise create a nuisance.

Under the Existing Ordinance, Monte Nido has operated a Group Home for up a maximum of twelve adults with eating disorders at this location. The Clinical Director at the home has stayed in close contact with the neighbors as have other support staff from Monte Nido to ensure that the operation of the home does not disrupt the neighborhood. Neighbors have continued to remark at how polite the staff and residents are. They have also acknowledged their satisfaction with improvements made to the road and to the Applicant's Property. Under the Existing Ordinance, increased occupancy to a maximum of twelve occupants

and three additional staff members has had no noticeable impact on the surrounding property. The community has benefited from the care and services provided by the Monte Nido team.

IV. THE VARIATION

In connection with its application for a CUP, Applicant is filing for a renewed variation from the DuPage County Zoning Regulations Section 37-702.4. If the present conditional use is granted for the Dwelling Group Quarters use, the DuPage County Zoning Regulations require a side yard with a minimum of 20 feet. The house currently has a pre-existing concrete parking area and turnaround to access the side-loading garage. When Monte Nido purchased the Property, it was determined that this pad encroached onto the neighbor's property by approximately 1 foot. Following discussions with the adjoining property owner, Monte Nido removed a portion of the concrete pad, resulting in an approximately 3-foot setback from the property line. During this time, and based on discussions with the neighbor, Monte Nido also installed a wooden board fence to provide additional privacy for the neighbor.

Based on this situation, the existing concrete parking and turnaround area is currently 3 feet from the western property line and therefore extends into the new 20' setback which will be required if the Conditional Use is granted/renewed. Monte Nido therefore requests a variation from this requirement to allow this concrete pad to stay in place.

The proposed variation meets the following requirements:

A. That there are practical difficulties or particular hardships in the way of carrying out the strict letter of the regulations of the Zoning Ordinance.

This pre-existing non-conformity has existed since the house was built in 2011. It allows proper access and turnaround for vehicles entering and exiting the garage and other visiting vehicles to turn around to be able to drive back down the driveway instead of reversing down. This is particularly important for larger vehicles, such as septic trucks, UPS delivery type vehicles and fire apparatus, which would be forced into unnecessarily risky maneuvers if they had no choice but to reverse down the driveway. The shape of the property creates a practical difficulty for use of the Property, and a particular hardship for anyone visiting the Property, if the strict letter of the ordinance were to be enforced and this concrete pad was required to be removed.

B. That the granting of any Variation 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.

This pavement has been in place since the house was built in 2011 and has existed in harmony with the neighborhood since that time. The improvements that were made by Monte Nido to eliminate the encroachment onto the neighboring property and the addition of the new fence and landscaping to block the headlights from shining into the neighbor's house have helped eliminate any possible conflicts. To allow the pavement to remain through this change in use shall be in continued harmony with the neighborhood and the

purpose and intentions of the Ordinance and Comprehensive Plan. Applicant maintains the property in harmony with the general purpose and intent of the Zoning Ordinance and maintains good relationships with its neighbors.

C. That the granting of the Variation will not:

- 1. Impair an adequate supply of light and air to the adjacent property;**
- 2. Increase the hazard from fire or other dangers to said property;**
- 3. Diminish the value of land and buildings throughout the County;**
- 4. Unduly increase traffic congestion in the public streets and highways;**
- 5. Increase the potential for flood damages to adjacent property;**
- 6. Incur additional public expense for flood protection, rescue or relief; or**
- 7. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage.**

There is no new construction or proposed improvements required to keep this area in a similar condition as it currently exists. The permission to keep the pavement in place will not have any of the detrimental effects listed in the first six items above, and will be a benefit to the health, safety, comfort and general welfare by allowing larger vehicles the space to adequately turn around as compared to being forced to reverse down the driveway or engage in any other complicated maneuvers on a smaller, paved area.

Ordinance

DC-O-0002-21

WHEREAS, a public hearing was held on October 15, 2020 and December 3, 2020 in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 6:00 P.M. before the DuPage County Zoning Board of Appeals and notice of said hearing was duly given; and

WHEREAS, a petition was presented at this hearing requesting the following zoning relief:

1. Variation to allow existing concrete parking area to remain within the 20' setback required under Group Quarters
2. Conditional use to allow change of use from Group Home to Group Quarters to increase occupancy from eight to twelve, on the property hereinafter described:

LOT 2 IN TALL OAKS FARM, A SUBDIVISION OF PARK OF LOT 2 OF OWNER'S ASSESSMENT DIVISION OF PARK OF SECTION 14, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 24, 1977 AS DOCUMENT R77-39371, IN DUPAGE COUNTY, ILLINOIS; and

WHEREAS, the Zoning Board of Appeals, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on December 3, 2020 does find as follows:

FINDINGS OF FACT:

1. That petitioner testified that they seek the subject zoning relief to allow for a Conditional Use to allow change of use from Group Home to Group Quarters to increase occupancy from eight to twelve.
 - That petitioner additionally requested a Variation to allow the existing concrete parking area to remain within the 20' setback required under Group Quarters; however, on December 30, 2020 petitioner withdrew the subject Variation request from Z20-046 28W510 Washington Avenue Investments, Inc.
2. 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").
3. That petitioner testified that Monte Nido & Affiliates oversees the operation of the Group Home at the subject property and is a leading national treatment provider for adults and adolescents with eating disorders.
4. That petitioner testified that the subject property currently operates as an eight (8) bed Group Home and provides care to adults seeking treatment for eating disorders.
 - Furthermore, that petitioner testified that the only change they seek is to increase the maximum number of residents from eight (8) to twelve (12). Petitioner testified that the average occupancy is seven (7) but that the existing Group Home has increasing demand and inquiries, requiring the requested zoning relief to increase the number of residents.

Ordinance

DC-O-0002-21

5. That petitioner testified that the subject Group Home 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.
6. That petitioner testified that as the proposed Group Quarters will have an increase in the number of residents, three (3) additional staff will be required, with increases occurring mainly between the hours of 10:00 AM and 3:30 PM on weekdays.

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 the 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 subject, 8,400 sq. ft. home can easily accommodate twelve (12) residents and will 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 will be operated in the existing home and owns/operates similar types of residential programs in residential neighborhoods throughout the county with no diminishment of value of land.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the proposed zoning relief will only have three (3) additional staff at any one time when the occupancy exceeds eight (8) residents and that staff will arrive and depart at staggered times throughout the day, therefore there will be no noticeable increase in traffic in the area. Furthermore, that no residents will have their own vehicles at the subject property.
 - e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the DuPage County Stormwater Department stated that they have no jurisdiction in this matter, as there will be no structural or physical changes to the building, therefore there will be no increase in the potential for flood damages to adjacent properties.

Ordinance

DC-O-0002-21

- f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the DuPage County Stormwater Department stated that they have no jurisdiction in this matter, as there will be no structural or physical changes to the building, therefore there will be no increase in 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 home has operated for over three (3) months with up to eight (8) adults with eating disorders with no noticeable impact on surrounding properties, and the this use is a benefit to the surrounding area and DuPage County.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	Z20-046 28W510 Washington Avenue Investments, LLC
ZONING REQUEST	Conditional use to allow change of use from Group Home to Group Quarters to increase occupancy from eight to twelve.
OWNER	28W510 WASHINGTON AVENUE INVESTMENTS, LLC 6100 SW 76 TH STREET, MIAMI, FL 33143
ADDRESS/LOCATION	25W510 WASHINGTON AVENUE, WINFIELD, IL 60190
PIN	04-14-102-011
TWSP./CTY. BD. DIST.	Winfield District 6
ZONING/LUP	R-1 SF Res 0-5 DU AC
AREA	2.51 acres (109, 336 sq. ft.)
UTILITIES	Well and Septic
PUBLICATION DATE	Daily Herald: September 30, 2020
PUBLIC HEARING	October 15, 2020
<u>ADDITIONAL INFORMATION:</u>	
Building:	No Objections with the concept of the petition. Additional information may be required at time of permit application.
DUDOT:	Our office has no jurisdiction in this matter.
Health:	No Objections.

Ordinance

DC-O-0002-21

Stormwater:	Our office has no jurisdiction in this matter.
Public Works:	Our office has no jurisdiction in this matter.
EXTERNAL:	
City of West Chicago:	No Comments Received.
Village of Winfield:	No Comments Received.
Winfield Township:	No Comments Received.
Township Highway:	Our office has no jurisdiction in this matter.
Winfield Fire Dist.:	Email from 10-14-2020 states that concerns have been remedied (See attached documentation)
Sch. Dist. 33:	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 nature of this request, we have no concerns. Thank you.”

LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-1 SF RES	Group Home	0-5 DU AC
North	R-1 SF RES	Forest Preserve	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

WHEREAS, the Zoning Board of Appeals, having considered in relation to the above and at the recommendation meeting held on December 3, 2020, recommends to approve the following zoning relief:

Conditional use to allow change of use from Group Home to Group Quarters to increase occupancy from eight to twelve.

Subject to the following conditions:

Ordinance

DC-O-0002-21

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition #Z20-046 **Washington Avenue Investments, LLC**, dated October 15, 2020.
2. The Conditional Use shall terminate in the event that Monte Nido Real Estate Holdings, LLC, sells, discontinues operation of the subject property located at 28W510 Washington Avenue, Winfield, Illinois or otherwise transfers ownership of the subject property to another entity.
3. That the Conditional Use zoning relief shall expire after three (3) 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.
5. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
6. That in conjunction with the submittal of a building permit the developer provides a landscape plan showing partial landscape screens around the perimeter of the development.
7. That as part of the submittal of a building permit the developer shall provide a photometric plan demonstrating that the level of light shall not exceed 0.5 foot-candles of illumination at all property lines.
8. That the subject Group Quarters residents shall not have their own automobiles at the Group Quarters nor otherwise drive themselves to and from the subject Group Quarters.
9. 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

WHEREAS, the County Board Development Committee on January 5, 2021, considered the above findings and recommendations of the Zoning Board of Appeals and recommends to concur with the findings and recommends to approve the following zoning relief:

Conditional use to allow change of use from Group Home to Group Quarters to increase occupancy from eight to twelve.

Ordinance

DC-O-0002-21

Subject to the following conditions:

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition #Z20-046 **Washington Avenue Investments, LLC.** dated October 15, 2020.
2. The Conditional Use shall terminate in the event that Monte Nido Real Estate Holdings, LLC. sells, discontinues operation of the subject property located at 28W510 Washington Avenue, Winfield, Illinois or otherwise transfers ownership of the subject property to another entity.
3. That the Conditional Use zoning relief shall expire after three (3) 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.
5. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
6. That in conjunction with the submittal of a building permit the developer provides a landscape plan showing partial landscape screens around the perimeter of the development.
7. That as part of the submittal of a building permit the developer shall provide a photometric plan demonstrating that the level of light shall not exceed 0.5 foot-candles of illumination at all property lines.
8. That the subject Group Quarters residents shall not have their own automobiles at the Group Quarters nor otherwise drive themselves to and from the subject Group Quarters.
9. 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

NOW, THEREFORE, BE IT ORDAINED by the County Board of DuPage County, Illinois that the following zoning relief be granted:

Ordinance

DC-O-0002-21

Conditional use to allow change of use from Group Home to Group Quarters to increase occupancy from eight to twelve, on the property hereinafter described:

LOT 2 IN TALL OAKS FARM, A SUBDIVISION OF PARK OF LOT 2 OF OWNER'S ASSESSMENT DIVISION OF PARK OF SECTION 14, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 24, 1977 AS DOCUMENT R77-39371, IN DUPAGE COUNTY, ILLINOIS; and

The Zoning Relief is subject to the following conditions:

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition #Z20-046 **Washington Avenue Investments, LLC.** dated October 15, 2020.
2. The Conditional Use shall terminate in the event that Monte Nido Real Estate Holdings, LLC. sells, discontinues operation of the subject property located at 28W510 Washington Avenue, Winfield, Illinois or otherwise transfers ownership of the subject property to another entity.
3. That the Conditional Use zoning relief shall expire after three (3) 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.
5. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
6. That in conjunction with the submittal of a building permit the developer provides a landscape plan showing partial landscape screens around the perimeter of the development.
7. That as part of the submittal of a building permit the developer shall provide a photometric plan demonstrating that the level of light shall not exceed 0.5 foot-candles of illumination at all property lines.
8. That the subject Group Quarters residents shall not have their own automobiles at the Group Quarters nor otherwise drive themselves to and from the subject Group Quarters.
9. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

Ordinance

DC-O-0002-21

BE IT FURTHER ORDAINED by the County Board of DuPage County, Illinois that should any section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid; and

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be transmitted by the County Clerk to the DuPage County Finance Department; DuPage County Auditor; DuPage County Treasurer; Paul J. Hoss, Zoning; State's Attorney's Office; DuPage County Health Department; DuPage County Division of Transportation; 28W510 WASHINGTON AVENUE INVESTMENTS, LLC, 6100 SW 76TH STREET, MIAMI, FL 33143; and Township Assessor, Winfield Township, 130 Arbor Avenue, West Chicago, IL 60185.

Enacted and approved this 12th day of January, 2021.



DU PAGE COUNTY BOARD

At _____

AYES 16
NAYS 0
ABSENT 2

September 17, 2023

The County of DuPage
Zoning Board of Appeals
421 N. County Farm Rd.
Wheaton, IL 60187

Dear Board Members:

I am writing to express my support for the renewal of the conditional use permit application for Monte Nido Chicago's twelve bed adult eating disorder program.

As a client, I understand the need for the high quality and caring services offered by Monte Nido. In May of this year, my life was in shambles. I was severely ill due to my eating disorder—I was incredibly depressed, anxious, and very actively engaged with my eating disorder. I was having trouble living life, and searched for an eating disorder program. To say I was lucky to find Monte Nido Chicago (Winfield) is the understatement of the year. Never in my wildest dreams could I have hoped for a better situation to begin my journey into recovery.

One of the things that made my heart and my gut feel that Monte Nido was the right place for me to check into, is their commitment to providing treatment 'at home.' Living in the house in Winfield during my treatment—which was outstanding—was an incredible comfort. There are cozy bedrooms, open living spaces, a gorgeous kitchen & dining room, and nature surrounding the house. I truly felt like I was recovering at home, as opposed to some stories I heard of hospital-like settings other eating disorder treatment centers have.

Every morning I would sit outside on the front porch to connect with nature, and look around in awe at the setting my healing was taking place in. There was also a sentimentality for me that I'd like to further explain. I grew up in Schaumburg, where my parents still live, and I currently live in Batavia with my fiancé. Monte Nido Chicago's location in Winfield brought me another level of grounding and comfort that I will never take for granted. My parents and fiancé could come during visiting hours with little to no effort, and I was literally 15 minutes from home, which allowed my intense worry to feel safe.

They have an outstanding staff of caring, kind, and professional individuals who provide therapeutic services that help people recover from their eating disorders. The staff provide a nurturing, safe, and supportive environment.

Monte Nido operates its programs in quiet residential neighborhoods much like where their clients live to enable a smooth transition for the clients to return home after treatment. The staff are committed to ensuring that the program operates in a way that is respectful of their neighbors.

Monte Nido has proven to be a quality operator and a needed resource for our community. I

RECEIVED

SEP 25 2023

Supervisor of Assessments

urge you, and beg you, to approve their application. They are a life-saving organization. Please give others the opportunity I was lucky to have. Please also reach out if you have any further questions—I would be happy to answer any the Board may have.

Most Sincerely,

Gretchen Schulz



150 N. Riverside Plaza, Suite 3000, Chicago, IL 60606 • (312) 819-1900

September 28, 2023

Mary B. Tobin
(312) 873-2967
(312) 275-7694 Fax
mtobin@polsinelli.com

DuPage County Zoning Board of Appeals
Jack T. Knuepfer Administration Building
421 North County Farm Road
Wheaton, Illinois 60187

Re: Monte Nido Illinois, LLC – Resident Visitation

To Whom It May Concern,

As you are aware, Monte Nido Illinois, LLC (referred to herein as the “Monte Nido”) is seeking a conditional use permit as a “Group Quarters” to extend the current category of its eating disorder treatment program for adults located at 28W510 Washington Ave in Winfield, Illinois.

We respectfully emphasize to the DuPage County Zoning Board of Appeals (“Board”) the family visitation needs of Monte Nido’s residents, as required by the accreditation standards that are applicable to this eating disorder treatment program. For almost three years, the existing twelve residents, and previously, the eight residents of Monte Nido have benefitted by visitation by family and friends and should have the right to continue to do so. Monte Nido is committed to providing the best care possible to its residents and meeting applicable standards. The standards under which Monte Nido operates reinforce our belief that allowing our residents access to regular family visitation is an essential part of their care and recovery process.

The Joint Commission whose Behavioral Health accreditation standards Monte Nido is subject to require Behavioral Health Care Programs to facilitate resident access to visitors. Monte Nido is committed to meeting these standards and facilitating the underlying positive benefits of family visitation to its residents’ progress and eventual transition back home.

The Joint Commission standards for Behavioral Health Care Programs require family and guardian involvement throughout the initial treatment assessment process (Joint Commission Standard CTS.02.03.01). Joint Commission-accredited organizations must also establish procedures for ongoing family involvement and communication with the resident, and care plans that address continued family involvement (Joint Commission Standard CTS.03.01.05).

Atlanta | Boston | Chattanooga | Chicago | Dallas | Denver | Fort Lauderdale | Houston
Kansas City | Los Angeles | Miami | Nashville | New York | Phoenix | Raleigh | Salt Lake City
San Diego | San Francisco | Seattle | St. Louis | Washington, D.C. | Wilmington

polsinelli.com

91338921.3

September 28, 2023

Page 2

The accreditation requirements outlined above are reflected in Monte Nido's policies and procedures. These policies and procedures form an essential component of the care and recovery support provided to its adolescent residents. Specifically, Monte Nido recognizes and elevates the importance of family visitation and encourage family members to take an active role in the treatment and recovery of its residents. Families are encouraged to support residents by visiting during approved times and attending Family Programming events. Monte Nido understands that contact with friends and family can be vital to a person feeling safe and connected during treatment and seek to facilitate and promote connections that are healthy and appropriate. Monte Nido policies therefore reflect the reality that visitation by family member and other significant persons in the life of its residents helps facilitate understanding of eating disorders and support the resident's recovery and transition back home at completion of their stay. Specifically:

Monte Nido Policy – Visitation

It is the policy of Monte Nido to allow reasonable visiting privileges. It is the policy of Monte Nido to ensure the privacy and safety of clients and staff when visitors are on-site. At Monte Nido, families are viewed as a part of the treatment team. This is why families are encouraged to attend visitation hours & Family Programming.

Monte Nido Policy – Family Involvement

It is the policy of the program that family members and other significant persons in the individuals' life will be encouraged to participate in treatment and increase their understanding of the eating disorder through psychoeducation to diminish the effects on the family caused by the illness.

Monte Nido Policy – Therapeutic Outings

Passes to temporarily leave the property and the program are granted by the treatment team in order for clients to go to appointments off-site or to have brief visits with friends or family.

In light of the essential role that family visitation plays to the well-being of Monte Nido's residents, as recognized and required by the Joint Commission standards referenced above, we believe it would not be beneficial to place restrictions on the visitation needs of Monte Nido residents.

Sincerely



Mary B. Tobin