



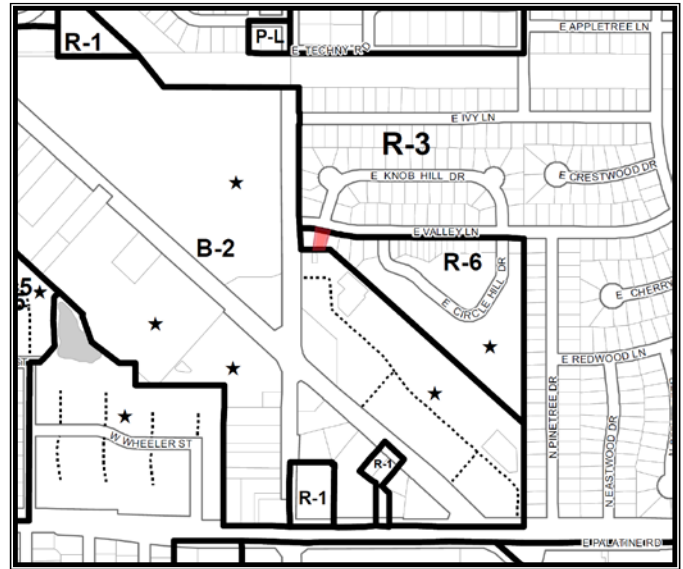
# **VILLAGE OF ARLINGTON HEIGHTS** **STAFF DEVELOPMENT** **COMMITTEE REPORT**

**Project Number:** PC 21-015  
**Project Title:** Shelter, Inc.  
**Location:** 207-209 E. Valley Lane  
**PIN:** 03-17-301-009

**To:** Plan Commission  
**Prepared By:** Sam Hubbard, Development Planner  
**Meeting Date:** September 22, 2021  
**Date Prepared:** September 17, 2021

**Petitioner:** Carina H. Santa Maria  
 Shelter, Inc.  
**Address:** 1616 Arlington Heights Road,  
 Arlington Heights, IL 60004

**Existing Zoning:** R-6: Multiple-Family Dwelling District  
**Comprehensive Plan:** Single-Family Detached



## **SURROUNDING LAND USES**

Direction	Existing Zoning	Existing Use	Comprehensive Plan
North	R-3, One-Family Dwelling District	Single-Family Homes	Single-Family Detached
South	B-2, General Business District	Northpoint Shopping Center (Chase Bank outlot w/drive-thru)	Offices Only
East	R-6, Multi-Family Dwelling District	Two-Family home	Single-Family Detached
West	R-6, Multi-Family Dwelling District	Two-Family home	Single-Family Detached

## **Requested Action:**

1. Special Use Permit to allow a "Sheltered Care" home on the subject property.

## **Variations Required:**

1. Variation to Chapter 28 of the Municipal Code, Section 6.12-1(3), to waive the requirement for a traffic and parking study from a qualified professional engineer.
2. Variation to Chapter 28 of the Municipal Code, Section 10.4, to reduce the required off-street parking spaces from 10 spaces to 2 spaces.

**Project Background:**

The subject property is located along East Valley Lane and is 7,932 square feet in size and currently occupied by a two-story duplex. The structure includes an attached two-car garage, as well as sufficient space to park two additional cars (each car tandem style to the garage) within the driveway. The site borders a Chase bank to the south, duplexes on both the east and west sides, and is located across the street from single-family homes. At its intersection with Arlington Heights Road approximately 80' to the west of the subject property, East Valley Lane provides a full access intersection under stop sign control at the westbound approach.

The petitioner, Shelter, Inc., submitted an application as contract purchaser and has subsequently purchased the property and would like to use the building for its Transitional Living Program (TLP), which provides a home for individuals assigned male at birth, under guardianship by DCFS, and are between the ages of 17.5-21 that are aging out of the welfare system. The residents would spend two years in the program and would then receive resources and guidance to find permanent housing and secure job opportunities. While residing at the subject property, the tenants would receive medical and dental care, clothing, and assistance with general living and social skills so they can be successful upon graduation.

Shelter, Inc. is a great asset to Arlington Heights and they provide a valuable service and benefit to the community. Currently, the TLP program is located in a home along Golf Road just west of Arlington Heights Road (397 W. Golf Road). From this location, Shelter, Inc. has been able to provide a home for hundreds of individuals over the last decade, helping those in need with stable housing, counseling, guidance, and a positive living environment for young adults in the custody of DCFS. The Golf Road location includes three bedrooms (total facility capacity is six residents – two per bedroom) and is within walking distance of jobs and transportation (two Pace bus routes and Pace “Call n Ride” service). However, the property owner has put the property up for sale, and so Shelter, Inc. needs a new home.

The East Valley Lane duplex includes one unit on each floor. Each unit contains three bedrooms, two bathrooms, a kitchen, and a living/common area. A two-car garage is shared between both units, and a separate laundry/storage room is located to the rear of the garage. DCFS requires that individuals in the TLP program be supervised 24 hours a day at a ratio of one staff member for every six residents. The proposed facility, with a maximum capacity of 12 individuals (six in each unit – two per bedroom), would have two staff members onsite at all times. However, if only six residents (or less) are in the program at any point, Shelter, Inc. has proposed clustering them in one unit with two per bedroom and one staff member onsite at all times.

The existing garage would be converted to storage and common areas, and the laundry room would be modified to include a staff office. Cameras would be installed through-out each unit and in certain areas on the exterior of the building. An existing rear storage shed, which is in a non-compliant location, would be removed. There are no other changes proposed to the exterior of the property or exterior of the building.

**Program Attributes**

As mentioned above, Shelter, Inc. delivers a valuable service to the community and the section below outlines some of the key characteristics of the TLP program, which takes a comprehensive approach and provides high-quality services for each participant.

- Prior to being accepted into the program, all young adults are screened and interviewed to determine if they are a good fit for the program and will be compatible with the current residents at the home. The screening process allows Shelter, Inc. access to each individuals case files, where

they can evaluate case notes, incident reports, historic service plans, integrated assessments, etc. prior to conducting an interview. Individuals with a significant criminal history, juvenile/adult sexual assault, or history of violence are not accepted into the program.

- Upon acceptance into the program and moving into the house, all residents are provided with a “Transitional Living Program Handbook”, which contains a copy of all the rules, regulations, resources, and expectations for the TLP program.
- The facility is staffed 24 hours a day at a ratio of one staff member per six residents. Staff members work in three shifts (7am-3pm, 3pm-11pm, 11pm-7am).
- Staff must be at least 25 years old and have a bachelor's degree in a related field. After completing a week-long agency orientation, all staff complete mandatory training on an annual basis that includes: CPR, mandated reporter training, Crisis Prevention Intervention (CPI) training to provide strategies for safely defusing anxious, hostile, or violent behavior at the earliest possible stage, and Think Trauma training to help staff understand trauma, its impact on youth, and appropriate care. Ongoing professional development courses are encouraged for each employee.
- Shelter, Inc. established its own clinical mental health program to streamline the provision of mental health services for residents. Counselling, therapy, and group sessions are offered onsite, and residents are encouraged (sometimes required) to participate in certain mental health support activities.
- Curfew for all residents is midnight. Residents that are not home by midnight are reported missing and a Police report is filed. No overnight visitors are allowed. Quiet hours are between 11pm and 7am.
- No visitors under the age of 18 are allowed on the property and visitors over the age of 18 must provide a valid form of ID.
- Residents are required to either work or go to school and residents who are consistently unable to meet this obligation will not be allowed to remain in the program.
- During waking hours, staff will be in the units engaging and working with residents. There will be times when staff will need to complete paperwork and will be in their office on the first floor of the property. During the overnight shifts, staff must do hourly room checks to ensure that all residents are on the property. Staff is responsible to know where each youth is at all hours of the day.
- Residents are allotted a certain amount of money per month for transportation costs, which can be used for public transportation, Uber/Lyft, or taxi's/cabs. If a resident is enrolled in college, DCFS provides additional transportation assistance.
- Residents are not prohibited from owning cars, however, cars cannot be stored on the property. Should a resident own a car, they would need to find an appropriate off-site location to store it overnight. However, it is not common for a resident to own a car.

### **Zoning and Comprehensive Plan**

The subject property is zoned R-6, Multi-family Dwelling District, which is an appropriate district for the current duplex structure on the property. The proposed use is classified as a “Sheltered Care” home and

therefore only allowed within the R-6 District via a Special Use Permit. The definition of a “Sheltered Care” home is “*an establishment licensed to provide assistance, supervision or oversight to residents, usually short term. A sheltered care home may not provide skilled or intermediate nursing services nor care for those cases for which hospitalization is generally required.*” As a special use, the petition must therefore be evaluated under the following criteria and may only be approved should it be determined that all criteria has been met:

- 1. That said special use is deemed necessary for the public convenience at this location.***
- 2. That such case will not, under the circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity.***
- 3. That the proposed use will comply with the regulations and conditions specified in this ordinance for such use, and with the stipulations and conditions made a part of the authorization granted by the Village Board of Trustees.***

The petitioner has provided a written response addressing each criterion, which response has been included in the information transmitted to the Plan Commission. The Staff Development Committee has concerns that the proposed facility does not comply with all criteria as necessary for Special Use Permit approval, which concerns are outlined within the remainder of this report.

The Comprehensive Plan currently designates the property as “Single-Family Detached” which does not comply with the current duplex use or the proposed use of the property as a Sheltered Care facility. However, while the proposed Shelter Care Facility is not a single-family home as envisioned by the Comprehensive Plan, the use is primarily residential in nature and allowed (via Special Use Permit) in all one-family, two-family, and multiple-family residential districts.

#### **Conceptual Plan Review Committee:**

The petitioner appeared before the Conceptual Plan Review Committee twice, on both May 26 and June 9 of this year. During both appearances the CPRC expressed concerns with the ability of the facility to be compatible with the surrounding community. There was significant discussion on calls for police service, the merits of the facility and TLP program, and what location could be appropriate for this type of use. Both staff and the commissioners recommended the petitioner hold a neighborhood meeting in advance of any future Plan Commission hearing, to introduce the project to the community and understand what concerns they may have. The CPRC concluded that, should the petitioner elect to move forward, they would need to illustrate compliance with all criteria necessary for Special Use Permit approval.

#### **Neighborhood Meeting:**

As per the recommendation by the Conceptual Plan Review Committee, the petitioner coordinated and held a neighborhood meeting on August 24 of 2021. A summary of the discussion, as prepared by the petitioner, is included in the materials transmitted to the Plan Commission.

#### **Public Input:**

The Village has received a significant amount of public input relative to this project, both in favor and against. Several residents within the required 250’ radius of this project have submitted a petition in opposition to the proposed Special Use Permit, citing that due to their petition a super-majority vote by the Village Board is required to approve this development. However, it should be noted that this provision for a supermajority vote is only applicable to properties that immediately abut or are located directly across the street from the subject property. Furthermore, this provision is only applicable when a rezoning (map

amendment) or code change (text amendment) is required; a Special Use Permit application does not trigger this provision.

### **Police Call Volume**

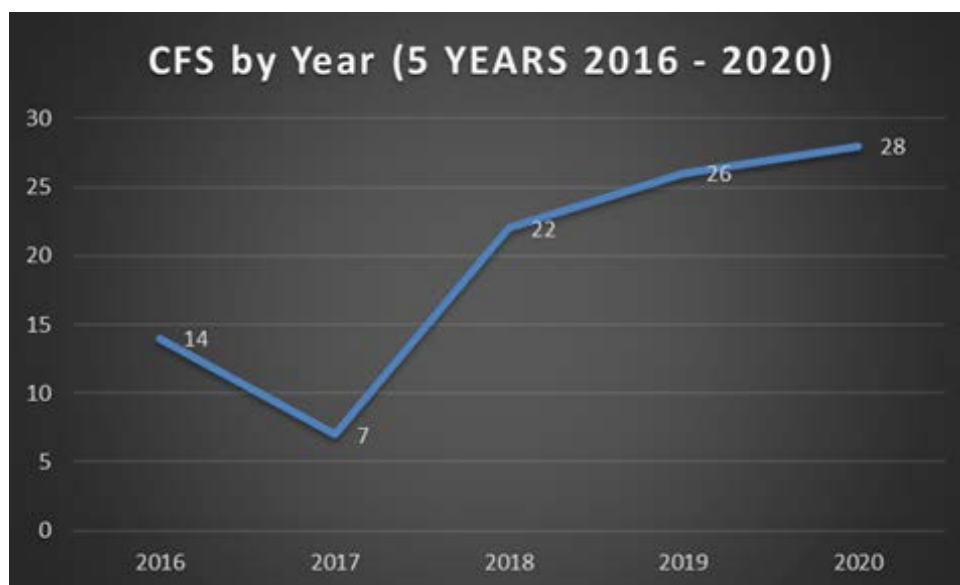
Because Shelter, Inc. has had their TLP program within Arlington Heights at 397 W. Golf Road since at least 2012 (and possibly earlier), the Village has been able to analyze the number of calls for police service that the six-person capacity facility generates. Over the last 10 years, the existing facility has made 553 calls for police service. Below is a breakdown on these calls:

- 358 Runaway/missing persons calls (65% of total)
- 120 Public Service calls (i.e. Check for Well-Being, Premise Checks, Information for Police, etc.) representing approximately 21.5% of the total.
- 49 Criminal Incidents and Public Complaints (i.e. Domestic Disturbances, Unwanted Subjects, Disputes, Theft, Drug Possession, etc.) representing approximately 13.5% of the total.
- 26 Public Complaint calls (5% of total)

On average, this breaks down to between four to five calls for police service per month. It should be noted that the Valley Lane facility would have 12 individuals, which is twice the size of the existing Golf Road facility and therefore it is assumed that the proposed facility would generate twice the volume of calls for police service, which equates to eight to ten calls for police service per month. For perspective, there has been one call for police service at the existing two-unit residence over the last five years.

Shelter, Inc. has been proactive over the last several years in implementing strategies to reduce the number of police calls and enable resolution of conflicts without outside assistance. This is evidenced by their CPI training, Think/Trauma training, enhanced screening, and the establishment of clinical services for their residents. They have pointed out that over the last five years, the majority of calls at their existing facility have been for curfew violations, mental health checks and other non-criminal reasons, although they acknowledge that there was a resident in 2020 that had increased mental needs and caused a spike in the number of calls. That resident was not able to receive the most appropriate services at Shelter, Inc. and is no longer in the program.

The Police Department has analyzed the Calls For Service (CFS) at the existing facility over the last several years and provided the chart below:



While the Police Department acknowledges that the 97 calls over the last five years is a 79% reduction over the 456 calls from the five years prior, they make the following points:

- Calls for service in the past five years have been slowly been trending upwards.
- 2020 experienced a 100% increase from 2016, and a 300% increase from 2017.
- While calls for service do appear to be trending downward for 2021, concerns still exist for a potential increase in the total calls for service, especially with a doubling of resident capacity.

The primary concern with the proposed facility is the high volume of calls for police service. While the high volume of police calls are not an issue from a capacity standpoint, i.e. the Police Department has capacity to accommodate for any increase in calls from the proposed facility, it is the impact that the number of calls would have on those living and working in the vicinity that is of concern to the Staff Development Committee.

The existing facility is located in an area that is not within close proximity to residential uses. The chart below summarizes its location relative to nearby residential uses, and compares that to the proposed facility on East Valley Lane.

	North	South	East	West
<b>Existing Facility</b> <b>397 W. Golf Road</b>	315'	N/A	N/A	N/A
<b>Proposed Location</b> <b>207-209 E. Valley Lane</b>	122'	N/A	22'	19'

A complete comparison is included in **Exhibit I** at the end of this report. One of the reasons for the success of the existing facility with regards to police impact on those living and working in the vicinity, is that it is not located directly abutting any residential property; the closest residential use is located at least 315' to the north. However, the location of the proposed facility directly abuts a two-family unit to the east and to the west. To the north across Valley Lane there are two single-family homes, one located 122' to the northwest and the other 132' to the northeast. When considering the number of police calls, the location of the subject property directly abutting residential uses, and the doubling in size of the facility, the Staff Development Committee has concerns that the requested Special Use could be detrimental to the general welfare of those living and working in the vicinity.

#### **Building, Site, and Landscaping:**

The petitioner is not proposing any exterior changes to the building or site, other than upgrading the landscaping and removing the shed in the rear yard. As mentioned above, certain interior changes to the building are proposed and these changes will be required to conform to all Building Code requirements. Staff notes that the facility must have fire sprinklers, emergency escape windows in every bedroom, and fire rated construction separating the first floor from the second floor may be required. No Design Commission review is required as no exterior changes have been proposed.

#### **Parking, Traffic, and Transportation:**

Per code, a traffic and parking study is required for any Special Use Permit proposed for land that does not abut a major or secondary arterial. East Valley Lane is classified as a collector street and therefore the petitioner is required to provide a detailed traffic and parking study from a Certified Traffic Engineer that

assesses access (location, design, and Level of Service), on-site circulation, trip generation and distribution, and parking. However, the petitioner has requested the following variations:

- ***Variation to Chapter 28 of the Municipal Code, Section 6.12-1(3), to waive the requirement for a traffic and parking study from a qualified professional engineer.***

The petitioner has provided a written response to the four criteria necessary for variations approval, which criteria have been reiterated below:

- **The proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property.**
- **The plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned.**
- **The proposed variation is in harmony with the spirit and intent of this Chapter.**
- **The variance requested is the minimum variance necessary to allow reasonable use of the property.**

Staff does not take issue with this variation and would not expect the proposed development to have a substantial impact on traffic or parking. Since residents are not allowed park a car on the subject property, parking would not be an issue; the two driveway spaces are sufficient to accommodate for the two staff supervisors, and additional staff (as needed) can be accommodated via street parking. The 12-person capacity sheltered care home would not be anticipated to have a detrimental impact on traffic in the vicinity.

With regards to parking requirements, the Zoning Code does not contain a line item for a “Sheltered Care” home within the table of parking requirements, and as such, staff must apply the requirements for the most similar use listed in the table of parking requirements. Staff has determined the most similar use to be a “Dormitory”, which requires two spaces per three residents and one space for each staff member. At maximum capacity of 12 residents, eight spaces would be required for the residents and two spaces for each employee (10 total spaces required). As outlined above, the subject property currently provides a two-car garage, which is proposed for conversion to living space. Should the garage be converted to living space, it would open up the driveway to be used for parking, and the site would contain a total of two driveway parking spaces. Therefore, the following variation is required.

- ***Variation to Chapter 28 of the Municipal Code, Section 10.4, to reduce the required off-street parking spaces from 10 spaces to 2 spaces.***

The petitioner has submitted written justification addressing each of the four criteria necessary for variation approval. As stated above, because residents are not allowed to park cars on the subject property, the only parking demand would be for the two staff supervisors and occasional additional staff on an as needed basis. The staff supervisors can be accommodated in the two driveway spaces, and any auxiliary staff parking needed (which is not expected to be common) can be accommodated on the street. Overnight street parking in this neighborhood is not allowed. Per code, one bike parking space is required, which can be accommodated within the interior storage area on the first floor.

Because it is unlikely for a resident to have access to a car, it is important that the proposed facility be close to public transportation. The existing Golf Road TLP facility is within walking distance to two PACE bus routes and is within the PACE “Call N Ride” on-demand transportation service. The proposed facility is not in close proximity to any PACE bus routes and is not within the “Call N Ride” service zone. Therefore,

residents would need to find employment within walking distance, or pay for a Lyft/Uber. The TLP program provides a transportation stipend, which can be used for transportation expenses, and if a resident is enrolled in college, then DCFS offers additional transportation assistance. However, the lack of public transportation options in close proximity to the Valley Lane site is a concern to the Staff Development Committee.

### **Options**

The Staff Development Committee has identified three options for the Plan Commission to consider:

**Option #1: Approve the Special Use Permit as requested**, finding that the application conforms to all criteria. The Plan Commission would need to determine if the high volume of Police calls for service have decreased over the last five years to levels that are not detrimental to the safety, morals, and general welfare of person residing or working in the vicinity. The Plan Commission would need to find that the majority of calls for service relate to curfew violations, which normally do not result in a police car being dispatched to the site, and despite an increase in the size of the facility, the calls would not therefore be detrimental to those in the vicinity. Finally, the Plan Commission would need to find that the lack of public transportation options does not have a substantially negative impact on the facility being in this location.

**Option #2: Deny the Special Use Permit as requested**, finding that not all approval criteria have been met. Specifically, the Plan Commission would need to determine that the high volume of calls for police service would be detrimental to the safety, morals, and general welfare of persons residing in the vicinity. While the existing location is successful due to its' relative seclusion from adjacent residential uses, placing this use directly abutting residential uses on each side would increase the likelihood of detrimental neighborhood interactions and cause calls for police service at this location to be more impactful on surrounding neighbors. It is also a reasonable assumption that doubling of resident occupancy would cause an increase in the number of police calls. The Plan Commission would also need to determine that the proposed location, without sufficient access to fixed route public transportation or "Call N Ride" by Pace, is not necessary for the public convenience at this location.

**Option #3: Approve the Special Use Permit with a restriction on occupancy** of the facility to one resident per bedroom (6-bedrooms equals 6 residents maximum). If each youth/adult have their own space and privacy, it can assist in reducing conflicts within the house, whereby reducing calls for police service and protecting the safety, morals, and general welfare of the vicinity. This would allow for a facility that is more comparable in size to a typical household in the area relative to occupancy. For this option, the Plan Commission could find that the necessary criteria for approval have been met, but subject to the property and facility abiding by certain restrictions/limitations. Notably, the Plan Commission should deliberate on whether limits to the occupancy would help to preserve and protect the safety, morals, and general welfare of the residents living and working in the vicinity. Should the Plan Commission believe that the necessary criteria for approval can be met via restrictions on the property usage, a list of potential restrictions is included within the Recommendation below.

### **RECOMMENDATION**

The Staff Development Committee (SDC) reviewed application #PC 21-005, a request for a Special Use Permit to allow a "Sheltered Care" home on the subject property, as well as the following variations to Chapter 28 of the Municipal Code:

- Variation to Section 6.12-1(3), to waive the requirement for a traffic and parking study from a qualified professional engineer.



- Variation to Section 10.4, to reduce the required off-street parking spaces from 10 spaces to 2 spaces.

The Special Use Permit request was reviewed under the criteria for Special Use Permit approval as outlined within the Zoning Code and included below:

1. That the special use is deemed necessary for the public convenience at this location; and
2. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity; and
3. That the proposed use will comply with the regulations and conditions specified in this Chapter for such use and with the stipulations and conditions made a part of the authorization granted by the Village Board of Trustees.

The Staff Development Committee acknowledges the important role Shelter, Inc. provides to those in need. However, the Staff Development Committee does not find that all of the Special Use Criteria has been met for the proposed 12-person (plus staffing) Sheltered Care facility. The Staff Development Committee **cannot support** the proposed requested Special Use for a “Sheltered Care” home on the subject property, which would be double the capacity of the existing Shelter, Inc. facility located on Golf Road.

If the Plan Commission determines that the Special Use criteria has been met and approval of the Special Use Permit is warranted, then the Staff Development Committee recommends the following conditions of approval should be considered:

1. Capacity of the two units shall be a maximum of one individual per bedroom (maximum of six residents on the subject property with one in each bedroom) plus staff/counselors.
2. No less than one staff per six residents shall be present at the facility at all times, 24 hours a day, 365 days a year so adequate supervision can be provided between the two units.
3. All staff must be trained in CPI and Think/Trauma training (or substantially similar training) to be able to de-escalate conflict and provide appropriate care for residents.
4. The petitioner shall establish and follow screening procedures which will allow them to identify and accept the most appropriate candidates for the program.
5. Operation of the facility shall occur in substantial compliance to the “Transitional Living Program Handbook”, which shall be updated for review by staff prior to appearing at the Village Board.
6. The petitioner shall work with the Police Department to establish appropriate onsite security, as applicable, and shall establish regular reporting of statistics and resident contact information if warranted.
7. Residents living on the subject property shall not be allowed to park cars on the subject property.
8. The petitioner shall comply with all Federal, State, and Village Codes, Regulations, and Policies.

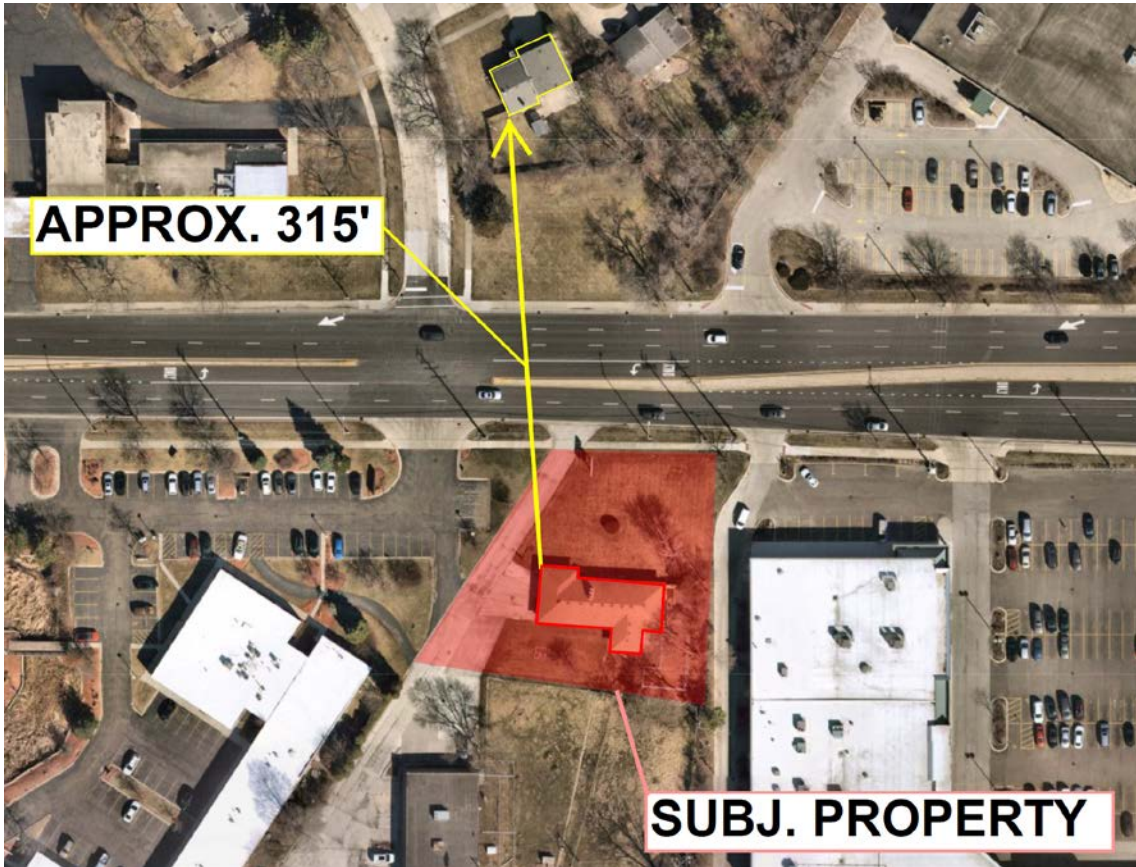
\_\_\_\_\_, September 16, 2021

Bill Enright, Assistant Director of Planning and Community Development

Cc: Randy Recklaus, Village Manager  
All Department Heads

## Exhibit I

Existing Location – 397 W. Golf Rd.:



Proposed Location – 207-209 E. Valley Ln.:

