

JUSTIFICATION FOR REQUESTED SPECIAL USE & VARIATION

Maryville Academy ("Maryville") 800 N. Fernandez, Arlington Heights (the "Property")

1. Special Use – to allow a Shelter Care facility within the R-3 Zoning District

a. *That said special use is deemed necessary for the public convenience at this location.*

Maryville will attest that there is an on-going need for this type of social outreach community service in the northwest Chicagoland community and for providing residential housing and counseling for children through the Federal Office of Refugee Resettlement (ORR) program. Maryville is an established provider of these types of services for more than 125 years, with the experience necessary for providing needed leadership and community services. The proposed facility is necessary for the public convenience at this location in that it will provide a necessary social service to the girls who will live there and be taken care of by Maryville. Staff is well trained to take care of children in this type of program and will address any and all needs of the girls in their care. This program will be run with the same level of excellence that Maryville runs other similar programs in the Chicagoland area. Maryville sees a need in the community to have this type of facility to serve these girls. The Narrative included with the special use application details the level of commitment and care that Maryville will dedicate to the girls.

The reason this particular location was selected by Maryville is that the Property has been established as an institutional/residential use for many years, previously used as a convent for the Sisters of the Living Word who lived and worked in the community for many years. The building encompasses bedrooms, a living area, a kitchen, as well as offices and a day care/preschool facility. The proposed use of the Property by Maryville will remain consistent with the prior residential group living nature of the Property.

Further, the Property was selected because it has been used as a residential use for group living in the past and so it has a floor plan and layout that are well suited to the proposed program Maryville hopes to implement at the Property.

Also in the interest of public convenience, the proposed use of the building is far less intense than prior uses of the building. In the past the Sisters of the Living Word occupied a portion of the building for living and working, but they also leased a portion of the building to a preschool that served approximately 80-100 children on a daily basis. And, before the Sisters of the Living Word owned the Property, the building was a public elementary school that could hold up to 250 children. The use of the building by Maryville is only for up to 16 teenage girls and possibly babies for 6 of these girls, along with staff needed to take care of the girls, which is far less intense programmatic activity than any prior use.

b. *That such case will not, under any circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity.*

The proposed use of the Property by Maryville will not be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity. The proposed use will be located in an existing building that once served as residential group living for the Sisters of the Living Word and the residential nature of the Property will be retained. Other prior uses, including a Montessori school with 80-100 children and a public school for up to 250 children, were far more intense than the proposed use of the Property by Maryville. Maryville has an excellent reputation for providing care for the most vulnerable children and expects to provide that same level of care for the girls in this facility. Girls will be well-supervised at all times and the facility will be staffed 24 hours per day, 7 days per week, with 3-6 staff members during day time and evening shifts and another 2-3 staff members overnight. The Narrative included with the special use application details the level of commitment and care that Maryville will dedicate to the girls, which also demonstrates Maryville's dedication to the local neighborhood. It is Maryville's hope that the girls become part of the local community, attending school, worship services, and other recreational activities, which Maryville hopes will contribute to the vibrancy of the community and will in no way detrimentally impact the health, safety, morals or welfare of people in the neighborhood.

c. *That the proposed special 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.*

Maryville agrees that it will comply with all application regulations, stipulations, and conditions made a part of any authorization granted by the Village Board of Trustees.

3. Variation to Section 6.12-1(2)b, to waive the requirement for a traffic and parking study by a certified traffic engineer.

a. *The proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property.*

As set forth in the Narrative, expected traffic generation from the proposed use of the Property will be minimal and there is parking for at least 43 cars on site, which is far more parking spaces than there will ever be cars on site. The girls living on the Property will not have cars and will not be allowed to have cars. Further, the proposed use of the Property is far less intense, in terms of parking and traffic, than any prior use of the Property, which included a Montessori school for 80-100 children and also a public elementary school. As a result, Maryville does not believe the character of the locality will be altered in any way and the proposed use will be compatible with the existing uses and zoning of nearby properties.

b. *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 use of the Property by Maryville is unique in that the girls who will be living on the Property will not have cars or be allowed to have cars, even if they are legally old enough to have a drivers license. There are 43 parking spaces on site that will only be used by staff coming to the Property and at peak times there will only be up to 15 staff/other authorized individuals such as therapists and case workers, on site at a time. Further, when considering prior uses of the Property, the proposed use of the Property is far less intense when it comes to traffic and parking. Therefore the request to waive the formal traffic study is one that is due to unique circumstances.

c. *The proposed variation is in harmony with the spirit and intent of this Chapter.*

The proposed variation – to waive the formal traffic study – is in harmony with the spirit and intent of the Chapter when considering the proposed unique use by Maryville and the amount of traffic and parking proposed to be associated with it.

d. *The variation requested is the minimum variation necessary to allow reasonable use of the property.*

A variation to waive the formal traffic study is the minimum variation that is possible since the proposed unique use of the Property by Maryville and the traffic and parking proposed are minimal for the size of the site and especially when compared with prior uses of the Property.