

## RIDER TO APPLICATION FOR SPECIAL USE

Applicant, Maxxam Partners, LLC, a Delaware limited liability company ("**Applicant**"), for its Application for a Special Use, states as follows:

### Property Information:

Parcel Number(s): 08-03-100-009; 05-34-300-032; 05-34-400-025  
Street Address: 41W400 Silver Glen Road, St. Charles, Illinois 60175

### Applicant / Contract Purchaser Information:

Name: Maxxam Partners, LLC  
Address: c/o Andrew E. Kolb, Esq. & F. Keith Brown, Esq., Meyers & Flowers, LLC, 3 Second Street, Suite 300, St. Charles, Illinois 60174  
Phone: Andrew E. Kolb: 630-513-9800  
Fax: Andrew E. Kolb: 630-513-9802  
Email: Andrew E. Kolb: [akolb@vklawfirm.com](mailto:akolb@vklawfirm.com)

Applicant's Team: Copies of the biographies and/or curriculum vitae of Applicant's team members are incorporated herein as **Exhibit A**.

### Co-Applicant / Owner of Record Information:

Name: Glenwood Academy, an Illinois not-for-profit corporation.  
Address: c/o Mary Hollie, President, Glenwood Academy, 500 West 187<sup>th</sup> Street, Glenwood Illinois, 60425.  
Phone: c/o Mary Hollie, President, Glenwood Academy; (708) 576-5054  
Fax: c/o Mary Hollie, President, Glenwood Academy; (708) 756-5676  
Email: c/o Mary Hollie, President, Glenwood Academy; [mhollie@glenwoodschoool.org](mailto:mhollie@glenwoodschoool.org).

## I. General Background

- 1.1 The Property – The Subject Property is comprised of approximately 120.0574 acres and is located at 41W400 Silver Glen Road, St. Charles, in unincorporated Kane County, Illinois. The Subject Property is located south of McDonald Road, west of Corron Road and north of Silver Glen Road, in unincorporated Kane County. The ("**Subject Property**") is legally described in **Exhibit B** attached hereto.
- 1.2 Previous Use – Kane County approved the existing special use for the Subject Property on May 9, 1989. The approval granted the Glenwood School for Boys (subsequently renamed, Glenwood Academy) permission to operate a private boarding school for at-risk children on the Subject Property. The special use has existed since 1989 without incident or revocation. The special use remains in effect; however the Glenwood Academy permanently closed the school in June 2012 and the Subject Property is currently unoccupied.
- 1.3 Applicable Code Provisions - The Subject Property is located in the "**F**" **Farming Zoning District** of the Kane County Zoning Ordinance.

Pursuant to Section 25-8-1-2(dd) of the Kane County Zoning Ordinance, Special Uses within the “F” district also include:

“Other uses **similar** to those permitted herein as special uses.”

In accordance with Section 25-8-1-2(a) of the Kane County Zoning Ordinance, the enumerated “special uses” in the “F” Farming Zoning Classification include by cross-reference, all “special uses allowed in the R1 District.” Thus, all special uses permitted in the “F” district include all special uses permitted in the R1 District by reference.

Pursuant to Section 25-9-5-2(c), the following special use is expressly permitted within the R1 District (and by reference thereby within the “F” Farming District where the Subject Property is Located):

**“Hospitals, general, for human beings. This may include power plants, residence for nurses and similar facilities.”**

Pursuant to Section 25-8-1-2(q), Special Uses within the “F” district also include:

“Monasteries, nunneries, religious retreats, **nursing and convalescent homes**, assisted living facilities, boarding schools and orphanages.”

Furthermore, Section 5.3(b) of the Kane County Zoning Ordinance states that “no section, clause or provision of this Ordinance is intended nor shall be construed as contrary to the Federal Fair Housing Act,” *and it implicitly acknowledges the County’s* mandate to provide such accommodations to persons with disabilities.

Additionally, pursuant to Section 5.15 of the County Ordinance, “the Enforcing Officer may allow land-uses which, though not contained by name in a zoning district list of permitted or special uses, are deemed to be similar in nature and clearly compatible with the listed uses.”

Applicant submits the legal opinions of Holland & Knight, LLP and Meyers & Flowers, LLC attached herein as **Tab #12** and **Tab #13**, respectively, in support of the zoning analysis outlined above.

- 1.4 **Applicant’s Proposed Use** - Applicant proposes to use the existing buildings and infrastructure on the Subject Property for a 120-bed exclusively private-pay alcoholism and substance abuse treatment facility. The facility will offer patients a full continuum of care while they reside at Applicant’s facility. The average duration of a patient’s stay will be between 30 – 90 days. The duration of a patient’s stay is determined by the patient’s addiction and treatment plan. Applicant will treat all addictions with the exceptions of methamphetamine and sexual addictions. Applicant will also treat patients with eating disorders. Applicant will not accept Medicare or Medicaid. “Private-pay” patients will be pre-screened to ensure that they meet Applicant’s patient standards, medically and financially.

Applicant's treatment programs are personalized using what evidence tells the staff will work for each particular patient. Applicant's professional staff assesses and diagnoses patients, collaborates with the patient and devises a treatment plan that will meet their individual needs. Among the resources Applicant's staff will use in alcoholism and substance abuse treatment are dialectical behavioral therapy, cognitive behavioral therapy, medication-assisted treatment, psychotherapy, art therapy, and a sobriety curriculum.

The Subject Property is ideally suited for the proposed use as an alcoholism and substance abuse treatment facility. The existing facility (with minor interior cosmetic updates and renovations) provides a private residential setting for patients. Applicant proposes to maintain the original footprint of the former Glenwood Academy and will limit renovation activities solely to the existing structures. No new buildings or structures will be constructed.

Per the submitted aerial overlay (**Tab #7**); there are eight existing residential dormitories that will be used as patient lodges. The eight patient lodges will house patients with separate buildings for men and women. Patient Lodge #1 will be used for "medically managed detoxification." Patient Lodges #2 - #8, will house patients according to their needs and the type of treatment they will be receiving.

The "Dining/Multi-Purpose Building" will be used as a central dining room and a multi-purpose room for movies, motivational speakers, and other group therapy activities. The "Therapy and Activity Building" contains twelve rooms that will be utilized for individual and group therapy sessions, art therapy, music therapy, yoga and meditation. The Applicant considers exercise to be an important component of treatment. As such, the existing Gymnasium will become a 25,000 square foot recreation center for exercise, yoga, basketball, volleyball, and other physical activities. Applicant plans to convert certain interior spaces within the recreation center into modern weight training and cardiovascular fitness rooms.

The facility will be licensed by the Division of Alcoholism and Substance Abuse of the Illinois Department of Human Services and will be accredited by the Joint Commission on Accreditation of Health Care Organizations (JCAHO). The level of care provided will be in accordance with that specified in the American Society of Addiction Medicine's (ASAM) Patient Placement Criteria and with the related administrative code.

## **II. Development Requests – Application for a Special Use “similar” to a Hospital and a Nursing and Convalescent Home.**

2.0 Development Requests – Applicant requests the following development approvals:

- (a) Applicant requests a Special Use to operate the Subject Property as an alcoholism and substance abuse treatment facility in accordance with the ordinances and analysis outlined in Section 2.1, this Rider, and the materials incorporated in Section III hereof; and

(b) Applicant requests “reasonable accommodation” with respect to Applicant’s proposed facility. Applicant’s proposed alcoholism and substance abuse treatment facility will provide in-patient residential treatment to persons with disabilities who are protected under the terms of the Federal Fair Housing Act.

2.1 Applicable Ordinances – As referenced in Section 1.3 above, the Subject Property is located in the “**F**” **Farming Zoning District** of the Kane County Zoning Ordinance.

Pursuant to Section 25-8-1-2(dd) of the Kane County Zoning Ordinance, Special Uses within the “F” district also include:

“Other uses **similar** to those permitted herein as special uses.”

In accordance with Section 25-8-1-2(a) of the Kane County Zoning Ordinance, the enumerated “special uses” with the “F” Farming Zoning Classification include by cross-reference, all “special uses allowed in the R1 District.” Thus, all special uses permitted in the “F” district include all special uses permitted in the R1 District by reference.

Pursuant to Section 25-9-5-2(c), the following special use is expressly permitted within the R1 District (and by reference thereby within the “F” Farming District where the Subject Property is Located):

**“Hospitals, general, for human beings. This may include power plants, residence for nurses and similar facilities.”**

Pursuant to Section 25-8-1-2(q), Special Uses within the “F” district also include:

“Monasteries, nunneries, religious retreats, **nursing and convalescent homes**, assisted living facilities, boarding schools and orphanages.”

Furthermore, Section 5.3(b) of the Kane County Zoning Ordinance states that “no section, clause or provision of this Ordinance is intended nor shall be construed as contrary to the Federal Fair Housing Act,” *and it* implicitly acknowledges the County’s mandate to provide such accommodations to persons with disabilities.

In further support of Applicant’s development petition, Applicant requests that the Commission and Board note Section 5.15 of the Kane County Zoning Ordinance. Section 5.15 is evidence that the overall spirit and intent of the Kane County Zoning Ordinance is to permit existing land uses consistent and similar to existing permitted and special uses. More specifically, Section 5.15 vests the Zoning Enforcement Office of Kane County with the authority to examine existing uses in the County that are not enumerated as either permitted or special uses under the Code, and thereafter, to make a determination that the use being examined is allowed based solely upon the fact that it is “similar” to an existing use enumerated under the Zoning Ordinance. This section is consistent with Applicant’s development petition.

Applicant submits the legal opinions of Holland & Knight, LLP and Meyers & Flowers, LLC attached herein as **Tab #12** and **Tab #13**, respectively, in support of its zoning analysis outlined above.

Analysis of similarity pursuant to Section 25-8-1-2(a) – Applicant’s proposed use for the Subject Property as an alcoholism and substance abuse treatment facility is substantially similar to that of a hospital, in terms of both facility operations and Illinois licensure law. These similarities include:

- (a) Compliance with National Fire Protection Association’s Life Safety Code,
- (b) Compliance with emergency care regulations,
- (c) Compliance with patient room and bath facility regulations,
- (d) Compliance with food preparation, nutrition, and dining facility regulations,
- (e) Compliance with housekeeping and laundry service regulations,
- (f) Compliance with patient rights standards,
- (g) Compliance with standards for maintenance of patient records,
- (h) Compliance with quality improvement and utilization review regulations,
- (i) Compliance with facility staffing and staff qualification standards,
- (j) Diagnostic services,
- (k) 24-hour observation, monitoring and treatment,
- (l) The administration of medicine,
- (m) Investigation of complaints in patient care,
- (n) Inspections before license renewals; and
- (o) Right to deny a license or impose a moratorium.

***Murer Consultants, Inc. – Expert Opinion***

Applicant hereby submits the expert opinion of Murer Consultants, Inc. (“Murer Consultants”), in support of Applicant’s position that the proposed use as an alcoholism and substance abuse treatment facility is “similar” to a hospital under the Kane County Zoning Ordinance.

Murer Consultants concluded that the proposed facility is similar to a hospital as the term is defined under the Kane County Zoning Ordinance. Murer Consultants based this finding on the fact that the proposed facility substantially meets the definition of a hospital as defined under the Kane County Zoning Ordinance. Murer Consultants concluded that under Illinois licensure law, the facility staffing and service requirements applicable to the proposed facility share similar characteristics as those applicable to hospitals and the services provided by the proposed facility are regularly and customarily provided by hospitals in Illinois. Applicant submits the expert opinion of Murer Consultants attached herein as **Tab #11**.

***Illinois Legislation***

The Illinois statutes governing the licensure requirements of a hospital directly support the Applicant’s position that the Applicant’s proposed use as an alcoholism and substance abuse treatment facility is “similar” to a “Hospital” but exempts alcoholism and substance abuse

treatment facilities from being licensed as a hospital. It is clear that the legislature made the distinction to avoid unfairly burdening alcoholism and substance abuse treatment facilities with any unintended hardship. Furthermore, Illinois law requires facilities providing these services to be licensed *either* as a hospital or as an alcoholism and substance abuse treatment facility.

### ***Illinois Hospital Licensing Act***

Section 3(a) of the Hospital Licensing Act provides the legal definition of a “Hospital” in the State of Illinois:

*“Hospital means any institution, place, building, buildings on a campus, or agency, public or private, whether organized for profit or not, devoted primarily to the maintenance and operation of facilities for the diagnosis and treatment or care of 2 or more unrelated persons admitted for overnight stay or longer in order to obtain medical, including obstetric, psychiatric and nursing, care of illness, disease, injury, infirmity, or deformity.”*

Section 3(a)(5) also states that:

*“The term “Hospital” does not include:*

*(5) any person or facility required to be licensed pursuant to the Alcoholism and Other Drug Abuse and Dependency Act.”*

Applicant’s proposed use requires licensure under the Alcoholism and Other Drug Abuse and Dependency Act. Devoid of the exemption provided under Section 3(a)(5) as mentioned above, the Applicant would have to be licensed as a “Hospital.” Thus, the definitions are so similar that the distinction was made in Section 3(a)(5) of the Illinois Hospital Licensing Act, so that alcoholism and substance abuse treatment facilities would not be burdened with any unintended hardship.

### ***Existing Hospital Facilities***

Another factor demonstrating the similarity between a “Hospital” and an “alcoholism and substance abuse treatment facility,” is that many existing alcoholism and substance abuse treatment facilities in the State of Illinois are physically located in a hospital or on a campus and *are licensed as hospitals*. In addition to medically managed detoxification, many licensed hospital facilities also provide inpatient residential alcoholism and substance abuse treatment.

Examples of hospitals that provide in-patient residential alcoholism and substance abuse treatment include:

- (a) Captain James A Lovell Federal Health Care Center, 3001 Green Bay Road, Building 11, North Chicago, 60064;
- (b) Loretto Hospital Addiction Center, 645 South Central Avenue, Chicago, Illinois 60644;
- (c) Edward J. Hines Veterans Administration Hospital, Substance Abuse Section, 100 5<sup>th</sup> Avenue, Hines, Illinois;

- (d) Behavioral Health Services of Central DuPage Hospital, 27 West 350 High Lake Road, Winfield, Illinois 60190;
- (e) Saint Bernard Hospital, 326 West 64<sup>th</sup> Street, Chicago, Illinois 60621;
- (f) Holy Family Medical Center, “*Keys to Recovery Program*,” 100 North River Road, Des Plaines, Illinois, 60016,

Analysis of similarity pursuant to Section 25-8-1-2(q) – Applicant’s proposed use for the Subject Property as an alcoholism and substance abuse treatment facility is substantially similar to that of a “Nursing and Convalescent Home.” In support of the Applicant’s proposed use to that of a “Nursing and Convalescent Home,” Applicant hereby submits and incorporates herein the legal opinions of Holland & Knight, LLP and Meyers & Flowers, LLC attached herein as **Tab #12** and **Tab #13**, respectively. The Kane County Zoning Ordinance defines “Nursing and Convalescent Home” as “a building and premises for the care of sick, infirm, aged, or injured persons to be housed; or a place of rest for those who are bedfast or need considerable nursing care, but not including hospitals, assisted living facilities or group homes.” The law firm, Holland & Knight, states in their legal opinion that “the defined ‘Nursing and Convalescent Home’ use best describes the residential dwelling arrangements for the residents of the facility.” Furthermore, “the patients of the proposed residential alcoholism and substance abuse treatment facility are disabled and sick, and will be housed in seven separate resident lodges. Each lodge is a home or dwelling unit as it contains bedrooms with private bathrooms, a kitchen, and a dining/living room area.” Also “the patients’ medications will be administered to them in the lodges by the facility’s professional staff, the same as in a Nursing Home.”

Legal Opinions – In support of Applicant’s entitlement to this Special Use and Applicant’s request for “reasonable accommodation” under the Federal Fair Housing Act as set forth herein, Applicant hereby submits and incorporates herein the legal opinions of Holland & Knight, LLP and Meyers & Flowers, LLC attached herein as **Tab #12** and **Tab #13**, respectively.

### **III. Submission Materials**

Along with the filing of its Application, and in support thereof and in support of all standards applicable to a Special Use and Applicant’s development requests as set forth herein, the Applicant submits and incorporates herein the following required attachments and supplemental materials:

<b>Ex. A</b>	<b>Principal Biographies</b>
<b>Ex. B</b>	<b>Legal Description</b>
<b>Tab #1</b>	<b>ALTA Survey</b>
<b>Tab #2</b>	<b>Kane / DuPage Soil and Water Conservation District Land Use Opinion</b>
<b>Tab #3</b>	<b>Land Use Opinion Waiver(s)</b>
<b>Tab #4</b>	<b>IDNR – Endangered Species Report</b>
<b>Tab #5</b>	<b>Certification of Notice to Adjacent Property Owners / List of Adjacent Property Owners</b>
<b>Tab #6</b>	<b>Aerial Photo – Sidwell</b>
<b>Tab #7</b>	<b>Site Plan Aerial with Building Identifiers</b>
<b>Tab #8</b>	<b>Concept Meeting Power Point Presentation</b>
<b>Tab #9</b>	<b>Holland &amp; Knight – Legal Opinion</b>
<b>Tab #10</b>	<b>Meyers &amp; Flowers, LLC – Legal Opinion</b>
<b>Tab #11</b>	<b>Murer Consultants, Inc.- Expert Opinion - “Similarity”</b>
<b>Tab #12</b>	<b>Market Impact Study – MaRous &amp; Company</b>
<b>Tab #13</b>	<b>Fiscal Impact Study – Poletti and Associates, Inc.</b>
<b>Tab #14</b>	<b>Schaeffer &amp; Roland, Inc. – Wastewater System Evaluation</b>
<b>Tab #15</b>	<b>KLOA Summary Traffic Evaluation</b>
<b>Tab #16</b>	<b>Photographs of Property and Improvements</b>
<b>Tab #17</b>	<b>Digital Submission</b>
<b>Tab#18</b>	<b>Opinion from John Curtiss of The Retreat</b>
<b>Tab#19</b>	<b>Land Use Opinion – J. Christopher Lannert</b>
<b>Tab #20</b>	<b>Application Fee / Kane County Application Forms</b>

### **IV. Criteria**

**Special Uses** - Section 4.8 of the Kane County Zoning Ordinance sets forth the procedures and criteria for granting a Special Use hereby addressed by the Applicant. Section 4.8-1 states that:

*“Uses as hereinafter enumerated, which may be proposed for classification as "special uses," shall be considered at a public hearing before the Zoning Board, and its report of findings or fact and recommendations shall be made to the County Board following the public hearing; provided, that the County Zoning Board, in its report of findings or facts and recommendations to the County Board, shall not recommend a special use unless the Zoning Board shall find:*

**(a) That the establishment, maintenance or operation of the special use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare;**

The establishment of the specific special use sought here, an upscale, alcoholism and substance abuse treatment facility, will serve to improve the public health, safety, morals, comfort, and general welfare of the community. The proposed facility will provide upscale in-patient residential treatment as well as many opportunities for healthful recreation and recuperation on-site. The facility will commit to participating in substantial community outreach programs with local schools, religious groups and other agencies in an effort to improve alcoholism and substance abuse awareness within the community. The treatment and amenities provided by the proposed facility will improve the health of its patients and aid in their recovery and its outreach programs will aim do the same for members of the community.

To address the safety and comfort of its patients and the community, Applicant will have strict written admittance and discharge policies for all patients. Prior to granting admission to the facility, a phone interview is conducted with the patient seeking treatment. During this initial phone interview, all prospective patients are thoroughly pre-screened by Applicant to ensure that all participants in the treatment programs meet (i) Applicant's financial admissions criteria; and (ii) Applicant's treatment criteria. Once patients are onsite they undergo further screening by staff members to ensure they are medically, socially, and emotionally stable enough to meet the requirements of Applicant's programs. Applicant has strict policies prohibiting guests from leaving the premises unaccompanied prior to completing the program.

In support of the position that the proposed use will not be detrimental to or endanger public health, safety, morals, comfort or general welfare, Applicant hereby submits the expert opinion letter of John H. Curtiss, President of The Retreat, a nonprofit residential alcoholism and substance abuse treatment facility located in Wayzata, Minnesota (**Tab #18**). Mr. Curtiss has 35-years of operational experience and his letter addresses possible concerns that may arise from the County Board and/or community. Mr. Curtiss, states that incomplete stays, voluntary discharges, and "walk-outs" are rare for high-end alcoholism and substance abuse treatment facilities. Mr. Curtiss, states that in his experience those who choose to invest in an expensive treatment program are highly motivated to complete the program successfully and are thus unlikely to leave prematurely. In the case of Applicant's facility, should a patient choose to leave the facility prior to completing the program, Applicant will provide a private car service to transport the patient from the facility to a pre-designated location selected by the patient prior to admission.

The proposed use will also serve to improve the safety and general welfare of the community by providing certainty with respect to the Subject Property. The Subject Property has been vacant since June 2012. The vacant nature of the property has led to numerous reported incidents on the property. These incidents include theft, trespass, loitering, yard waste dumping, and destruction of property. The most recent occurrence took place in April 2015, when criminal damage was reported to the authorities.

The Applicant will ensure the safety and security of its patients and the surrounding community by providing both onsite and third party monitoring systems with video cameras at the premises, security guards, and thermal cameras that will monitor the perimeter while maintaining the aesthetics of the surrounding Forest Preserve District.

**(b) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;**

The proposed alcoholism and substance abuse treatment facility will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted. The Applicant proposes to use the Subject Property “as-is” on its existing footprint, and Applicant does not intend to construct any new buildings or perform other exterior improvements which might impede the use or enjoyment of other property in the surrounding area. The only improvements planned for the campus are cosmetic updates to the interiors of the structures.

The proposed special use will not diminish or impair property values within the surrounding area. Applicant has commissioned two separate market impact studies to determine the impact, if any, of the proposed special use on the surrounding property owners. The studies were performed by MaRous & Company, and Poletti and Associates, Inc. and are incorporated herein as **Tab #12** and **Tab #13**, respectively.

*MaRous & Company*

Michael S. MaRous, MAI, CRE has appraised more than \$15 billion worth of primarily investment-grade real estate in more than 25 states. Mr. MaRous has provided highest and best use, marketability, and feasibility studies for a variety of properties. Many of the largest redevelopment areas and public projects, including Interstate 355, the O’Hare International Airport expansion, the Midway Airport expansion, and the McCormick Place expansion are part of Mr. MaRous’ experience. Mr. MaRous is a former Mayor of Park Ridge, Illinois and a member of the Appraisal Institute, MAI and has published numerous books on the topic of real estate. The complete biography of Mr. MaRous and a list of his representative clients and projects are found within his expert opinion incorporated herein.

Highest and Best Use. The MaRous & Company (“MaRous”) Market Impact Analysis study dated August 20, 2015 made a number of findings. Specifically, the study found that the approval of a special use permit for the proposed alcoholism and substance abuse treatment facility is the highest and best use of the property and is less intense than the prior use as a boarding school for at-risk children. According to the study, the facility will provide “on-going maintenance as opposed to a vacant and potentially neglected property, financial benefits to the taxing bodies, and a single access point into the facility. In addition, the client population will be tightly controlled. Therefore, the highest and best use of the existing facility is as a high-end alcoholism and substance abuse treatment facility.” The study found that there are few viable options for the use of a property of

this size and character, and that demand for such a property is minimal given that few buyers would have the resources to purchase and operate a facility of this quality and size.

No Negative Effect Upon Surrounding Property Values. The MaRous study also found that the proposed use as an alcoholism and substance abuse treatment facility will not have a measurable negative impact on either, (i) the character; or (ii) the property values of adjoining uses. Specifically, Mr. MaRous conducted a comprehensive “matched pair analysis” of a similar facility in a similar geographic area and a “‘Before’ and ‘After’ Value Assessment” on nearby residential property to confirm and conclude that the Applicant’s proposed facility will not result in a negative effect upon surrounding monetary property values due to the proximity of Applicant’s in-patient residential treatment facility. Furthermore, the study found that the uncertainty created by a vacant facility, and the long-term potential maintenance problems on the current abandoned site appear to be a bigger threat to property values in the area than the proposed treatment facility. MaRous pointed out that there are few viable options for the use of a property of this size and character, and that demand for such a property is minimal given that few buyers would have the resources to purchase and operate a facility of this quality and size.

#### *Poletti and Associates*

Dr. Peter J. Poletti, Jr., MAI holds degrees from the University of Illinois, Southern Illinois University, and St. Louis University. Dr. Poletti served as an Assistant Professor of geography at the University of Missouri-St. Louis and has taught college courses in both real estate and economics. Poletti is a certified appraiser through the Appraisal Institute and has over 30 years of real estate experience. A list of representative clients and projects on which he has performed analysis can be found within Dr. Poletti’s Resume affixed to his expert report incorporated herein.

The study performed by Poletti and Associates, Inc. (“Poletti”), dated June 21, 2015 provides an analysis and evaluation of the Subject Property and surrounding area. The study applied various elements from a variety of techniques to reach conclusions. The techniques used by Poletti include: Hedonic Price Modeling, Multiple Regression Modeling, a Comparison of Averages technique, and Paired Sales Analysis. In Poletti’s study, Poletti first created a Target Area together with a nearby Control Area in the vicinity of a currently operating alcoholism and substance abuse treatment facility to determine if the facility had a measurable effect upon property values based upon recent arms-length real estate transactions. In Poletti’s study, analysis was made of the Rosecrance Center in Rockford, Illinois and the Timberline Knolls facility in LeMont, Illinois.

Timberline Knolls is a 164-bed alcoholism and substance abuse treatment facility similar to Applicant’s proposed facility and is located on 43 wooded acres in LeMont, Illinois. The Timberline Knolls facility was converted into its current use in 2005. The campus is a combination of older and newer structures. Poletti created both a Target Area in close

proximity to the facility and a nearby Control Area for comparison. Applying his techniques, Poletti concluded that the presence of the facility had no statistically measurable effect upon property values within the Target Area as compared to the nearby Control Area. In sum, with respect to Timberline Knolls, the presence of the facility did not negatively affect property values.

The Rosecrance Center in Rockford, Illinois is a rehabilitation facility similar to Applicant's proposed facility and is located on a 50 acre site. The Rosecrance Center's facility houses 96 beds within 67,000 square feet and includes a gymnasium and workout facility. The Rosecrance Center's facility is surrounded by farmland and a residential subdivision. In viewing this facility, Poletti applied a comparison of overall average prices technique, a multiple regression analysis and a paired sales analysis. As was the case with Timberline Knolls, Poletti again found that the presence of the Rosecrance Center's facility did not negatively affect property values based upon arm's length transactions.

In addition to the forgoing comparison studies, Poletti also examined the physical characteristics of the Applicant's proposed site in Kane County. Dr. Poletti in his study, concluded that the proposed alcoholism and substance abuse treatment facility will be located to minimize the effect on the property values of the surrounding property. The study focuses in part on the geographic layout of the site and the fact that the site does not appear to be visible from nearby residential properties. Poletti observes that to the south of the Subject Property the closest residential properties are the homes located in the Silver Glen Meadows Subdivision on the north side of Silver Glenn Road. The homes in this subdivision are set back from views of the facility by a combination of distance and existing tree lines.

Importantly, Poletti points out that the facility essentially is screened and is set back from nearby properties with residential uses, a key factor in reaching the conclusion that the facility will have no negative effect upon property values. In this regard, Poletti notes specifically that the facility is located in an area with a high proportion of open space and agricultural land that serves as a setback for adjacent property owners. Poletti points out that the Kane County Forest Preserve adjoins the property on the east, south, west, and partially on the north sides of the property. The designated Forest Preserve property is used to restore and preserve native prairie habitat and will not be developed for more intensive use.

Poletti also notes that the nature of the single point of access to the facility will also help minimize the effect on surrounding property values. The use of only one access point means that traffic to and from the facility will essentially be limited to Silver Glen Road (which was the case with the Glenwood Academy). In further support of the proposition that the single point of access will mitigate diminution of property values in the surrounding area, Applicant submits and incorporates herein the traffic study of Kenig, Lindgren, O'Hara, Aboona, Inc. (as further outlined in detail below in Standards (e) and (d).

Finally, Poletti found that the proposed use provides certainty, specifically the ongoing quality maintenance of an occupied facility, as opposed to vacant property which becomes an attractive nuisance if not maintained.

*Positive Fiscal Impact*

The proposed facility will have a positive fiscal impact on Kane County. The Subject Property is currently owned by Glenwood Academy, an organization that is tax-exempt under IRC §501(c)(3). Due to its tax-exempt status, Glenwood Academy did not pay income taxes to the Internal Revenue Service (IRS) or to the Illinois Department of Revenue. More importantly, Glenwood Academy did not pay real estate taxes to Kane County or its taxing bodies. The Applicant’s for-profit proposed use would not be tax-exempt and therefore the Subject Property would return to the real estate tax rolls of Kane County. The return of such a high value property to the tax rolls would provide for an increase in the real estate tax base and generate significant income for the school district, forest preserve district, library district, sanitary district, and other taxing bodies. Over \$250,000 of real estate tax revenue generated from the Subject Property will be earmarked for Kane County School District 301 without increasing the number of students in the district. A complete breakdown of property tax revenue is included below:

<b>Campton Township Taxing District</b>		
Purchase Price	\$9,750,000	
Estimated Assessment	\$3,250,000	
2014 Tax Rate	10.365477%	
Estimated RE Taxes	<u>\$336,878</u>	
Kane County	0.46836%	\$15,222
Forest Preserve	0.31263%	\$10,160
Campton Township	0.555845%	\$18,065
Campton Roads	0.26093%	\$8,480
Campton Cemetery	0.00277%	\$90
<b>Central School District 301</b>	<b>7.882872%</b>	<b>\$256,193</b>
Elgin College 509	0.607621%	\$19,748
Fox River Fire & Countryside Fire District	0.274449%	\$8,920
Campton Solid Waste	0.00000%	\$0
	10.365477%	\$336,878

In addition to the aforementioned taxation benefits, the proposed use of the facility will be a creator of jobs in the surrounding community. The facility will employ and/or contract with between 80-120 people in diverse job functions. The jobs that will be created by this project include medical directors, psychologists, therapists, counselors, registered nurses, receptionists, maintenance workers, as well as janitorial and kitchen

staff. The number of high-paying jobs created by the proposed facility will have a positive impact on the local economy. Furthermore, the number of professional jobs created by this facility may also have a positive effect on home values in the surrounding area by increasing the demand for such product due to the professional staff looking for homes close to the facility. Lastly, there will be immediate construction jobs created through the renovation of the existing structures on the campus, as Applicant will bid the renovation work to local contractors.

**(c) That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;**

The proposed facility will maintain the vast open space of the Subject Property and will not impede the development and improvement of the surrounding property. The Subject Property is predominately surrounded by property owned by the Kane County Forest Preserve District and thus Applicant's proposed use will not affect in any manner any permitted development in adjacent or nearby areas. The application contains a memorandum authored by land planning expert J. Christopher Lannert of The Lannert Group (attached herein as **Tab #18**). Mr. Lannert is an Illinois registered landscape architect with over 30-years' experience in all facets of land planning. This memorandum provides historical and present day context of the existing conditions that impact the property. Lannert concludes that the Applicant's proposed use will not and cannot affect the normal orderly development or improvement of the surrounding area. Lannert bases this conclusion on a number of factors including:

- (1) That the existing corporate limits of the surrounding communities will control future.
- (2) That the established uses in the area and permitted rights of the underlying zoning, dictate future development.
- (3) That the historical open space policies of the jurisdictions, the existing open space commitments on site, and the abutting Forest Preserve holdings, prevent any transitional impact on adjacent properties.
- (4) The self-contained, inward orientation of the existing facility will not affect future development.

Furthermore, as stated in Standard (b) above, the Market Impact Analyses performed by MaRous and Poletti indicate that the proposed treatment facility will have no measurable negative effect on the value of homes in the surrounding area.

**(d) That adequate utility, access roads, drainage and/or other necessary facilities have been or are being provided;**

Adequate utilities, access roads, drainage, and other necessary facilities exist on the Subject Property. The existing infrastructure and improvements were sufficient to serve the prior-existing use, the Glenwood Academy and have been demonstrated to be sufficient to serve the Applicant's proposed special use.

The Subject Property is presently served by a private water and wastewater system, which has been demonstrated to be capable of serving the proposed facility. Sheaffer & Roland, Inc. ("Sheaffer & Roland") conducted an evaluation on the Subject Property's private water and wastewater system. The study concluded that the water, fire, and wastewater systems currently in place are the correct size to accommodate the Applicant's proposed use as a treatment facility. The study found that the existing potable water storage can supply the target population for three days at its maximum demand level, and that the wastewater system is appropriately sized for the proposed facility. The study also concluded that all water systems in place have been well maintained and are in good operating condition. A copy of the report prepared by Sheaffer & Roland, dated May 9, 2015 titled "Glenwood School for Boys and Girls Water and Wastewater System Evaluation" is attached hereto as **Tab #14**.

The Applicant includes a copy of the Summary Traffic Evaluation prepared by Kenig, Lindgren, O'Hara, Aboona, Inc. ("KLOA"), which concludes that given the existing low volume of traffic along Silver Glen Road, additional traffic generated from Applicant's proposed facility will not have a detrimental effect on Silver Glen Road traffic. KLOA also concluded that the existing access drive and westbound right-turn lane on Silver Glen Road will adequately serve the traffic generated from Applicant's proposed facility and that a traffic signal is not warranted or necessary at the intersection of Silver Glen Road and the Access Drive. Given that the Applicant's facility will generate less traffic than the Glenwood Academy, the access road will meet the needs of Applicant. A copy of the traffic evaluation prepared by KLOA dated June 22, 2015 is attached as **Tab #15**.

**(e) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets and roads;**

As stated above in Standard (d), the Subject Property contains adequate means of ingress and egress that were designed to minimize traffic and congestion created by the more-intensive previous use of the property, the Glenwood Academy. The site contains a 1/2-mile access road that separates the property from Silver Glen Road.

The Applicant includes a copy of the Summary Traffic Evaluation prepared by KLOA, which concludes that given the low volume of traffic along Silver Glen Road, additional traffic generated from Applicant's proposed facility will not have a detrimental impact on Silver Glen Road traffic. KLOA also concluded that the existing access road and westbound right-turn lane on Silver Glen Road will adequately serve the traffic generated from Applicant's proposed facility and that a traffic signal is not warranted or necessary

at the intersection of Silver Glen Road and the Access Drive. No additional intersection or roadway improvements will be necessary to accommodate traffic for the site.

A copy of the traffic evaluation prepared by KLOA dated June 22, 2015 is attached as **Tab #15**.

**(f) That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County.**

The Applicant's proposed use conforms to the regulations of the "F" Farming Zoning District of the Kane County Zoning Ordinance. As referenced in Sections 1.3 and 2.1 above, the Subject Property is located in the "F" Farming Zoning District of the Kane County Zoning Ordinance.

Pursuant to Section 25-8-1-2(dd) of the Kane County Zoning Ordinance, Special Uses within the "F" district also include: "Other uses similar to those permitted herein as special uses." In accordance with Section 25-8-1-2(a) of the Kane County Zoning Ordinance, the enumerated "special uses" with the "F" Farming Zoning Classification include by cross-reference, all "special uses allowed in the R1 District." Thus, all special uses permitted in the "F" district include all special uses permitted in the R1 District by reference. Pursuant to Section 25-9-5-2(c), the following special use is expressly permitted within the R1 District (and by reference thereby within the "F" Farming District where the Subject Property is Located): "**Hospitals, general, for human beings. This may include power plants, residence for nurses and similar facilities.**" Pursuant to Section 25-8-1-2(q), Special Uses within the "F" district also include: "Monasteries, nunneries, religious retreats, nursing and convalescent homes, assisted living facilities, boarding schools and orphanages."

Applicant has established that its proposed use of the Subject Property conforms to the regulations set forth under the Kane County Zoning Ordinance and is similar to a "Hospital" and "Nursing and Convalescent Home."

The Applicant's proposed use will provide consistency in ensuring that county regulations will continue in the future. Furthermore, Applicant's proposed use conforms to the Kane County 2040 Lane Plan as described in the **Supplemental Exhibit** incorporated herein. Additionally, the physical features of the site, including soils, drainage, access, utilities, and vegetation demonstrate the Applicant's commitment to land stewardship and the historical goals of Kane County and the objectives of the Forest Preserve District of Kane County are consistent with the philosophy and practicality of the Applicant's proposed use.

Lastly, Applicant has no immediate need or intent to construct additional buildings or make other improvements except those requested by the county and set forth in a special use ordinance, and the special use is an allowed special use in the "F" District. The proposed institutional use is consistent with the prior institutional use for the Glenwood School.

**V. Miscellaneous.**

Applicant requests that copies of all notices given to Applicant hereunder (or in connection with the actions requested to be taken herein) be sent to the following parties:

Andrew E. Kolb, Esq.  
Meyers & Flowers, LLC  
3 N. Second Street, Suite 300  
St. Charles, Illinois 60174  
Phone: 630-513-9800  
Fax: 630-513-9802

**[akolb@vklawfirm.com](mailto:akolb@vklawfirm.com)**

**EXHIBIT A**  
**APPLICANT'S TEAM**

**Maxxam Partners, LLC – Principals**

**Mr. Elliott Messing** – Since 1980, Mr. Messing has been involved in the healthcare industry through the ownership of assisted living and alcoholism and substance abuse treatment facilities in Florida. The facilities provide high quality services through the facilities own professional and medical staffs.

The Recovery Village is a luxury alcoholism and substance abuse treatment facility located in Umatilla, Florida, a rural community 40 miles from Orlando. The facility is licensed by the State of Florida and provides a full continuum of care, which includes inpatient residential treatment, eating disorder stabilization, medical detoxification, and individual and group therapy. The facility only accepts private health insurance and self-pay patients.

Mr. Messing has had ownership interests in the following facilities:

- 2012 The Recovery Village, Umatilla, Florida**  
(80 bed Alcoholism and Substance Abuse and Detoxification Facility)
- 2005 The Renaissance, Deerfield Beach, Florida**  
(165 bed Assisted Living Facility with a 36 bed Alzheimer's Unit)
- 1990 Cresthaven East, West Palm Beach, Florida**  
(250 bed Assisted Living Facility with a 45 bed Alzheimer's Unit)
- 1980 Carlyle on the Bay, Miami, Florida**  
(117 unit Congregate Living Facility)

Prior to his career in healthcare, Mr. Messing served as Senior Vice President of Republic Mortgage Investors, a NYSE Real Estate Investment Trust, where he was responsible for the management, and redevelopment a distressed real estate portfolio. Mr. Messing graduated from the University of Miami School of Business with a Bachelor of Business Administration, *magna cum laude* and J.D. *cum laude* from the University of Miami School of Law Mr. Messing is a member of The Florida Bar and is a Certified Public Accountant (Retired Status).

**Mr. Steven Marco** - Mr. Steven Marco is a fourth generation real estate developer. He has worked on branded real estate development projects connected to the Ritz-Carlton Hotel Company and Six Senses Hotels Resorts Spas. Mr. Marco graduated from Washington University in St. Louis with a Bachelor of Science in Business Administration and an Honors Designation in Management. Mr. Marco is a member of the University of Chicago's Harris School of Public Policy's International Council.

## **Maxxam Partners, LLC - Board of Advisors**

**Mr. Billy Zane** – Mr. Billy Zane a native of Chicago and a graduate of Francis W. Parker School is a highly acclaimed actor, producer, artist and entrepreneur. Mr. Zane has been featured in more than 100 films. Mr. Zane’s role as Caledon Hockley in the 1997 film *Titanic* garnered him a Blockbuster Movie Award as Best Supporting Actor. Among his other best-known credits are *Back to the Future*, *Dead Calm*, *Tombstone*, *Sniper*, *Zoolander*, *Orlando*, *The Phantom*, and *Twin Peaks*. Among the critically acclaimed independent films he has made, he has produced and starred in the celebrated film noir classic *This World, Then the Fireworks* and the silent film *I Woke Up Early the Day I Died*, which he produced with Muse Productions. Beyond acting, Mr. Zane is a highly reviewed and celebrated abstract expressionist who has recently had solo exhibitions in Los Angeles, London and Miami. Mr. Zane was recently awarded the 2013 Chicago Man of the Year Award by Men’s Journal. In 2014, Mr. Zane starred as Captain von Trapp in the Lyric Opera of Chicago’s, “The Sound of Music.”

**Mr. Hill Harper** - Mr. Hill Harper is an award-winning actor, best-selling author, motivational speaker, and philanthropist. Mr. Harper starred on the CBS TV drama CSI: NY from 2004 to 2013. As of March 2013, he joined the USA spy drama Covert Affairs as a new series regular for season four. Mr. Harper is the author of four New York Times bestsellers and he has earned seven NAACP Image Awards for his writing and acting. Mr. Harper travels frequently as a motivational speaker, addressing a wide range of audiences, including, adults, couples, and business leaders. In July 2010, he was diagnosed with thyroid cancer. His best-selling book, *The Wealth Cure*, chronicles the cancer diagnosis and his journey to health. Mr. Harper graduated with his B.A., *magna cum laude* from Brown University and his J.D. *cum laude* from Harvard University Law School and Masters of Public Administration from the John F. Kennedy School of Government at Harvard University.

**Stephen Holtsford, M.D.** - Dr. Stephen Holtsford is the former Medical Staff President and attending physician in the emergency department of Delnor Community Hospital. He is Medical Director for the Southern Fox Emergency Medical Services System and currently resides in St. Charles, Illinois. Dr. Holtsford is the past Chair and a current member of Region IX’s Emergency Medical Services Advisory Council, an Illinois council that serves as an advisory body to the Department of Public Health. He currently serves on the Continuing Medical Education Committee for Delnor Community Hospital. Dr. Holtsford is a past President of the Board of Directors of the Tri-City Health Partnership, a no-cost medical clinic serving the disadvantaged in Kane County. Dr. Holtsford has continued to serve as member of the Board of Directors and volunteer physician of the Tri-City Health Partnership. Dr. Holtsford graduated with his B.A., *with honors* from the University of Illinois (Urbana-Champaign) and received his M.D. from the University of Illinois (Chicago). Dr. Holtsford completed a combined Emergency Medicine and Internal Medicine residency from the University of Illinois (Chicago). Dr. Holtsford is certified by both the American Board of Emergency Medicine and the American Board of Internal Medicine. Dr. Holtsford is a member of the American College of Emergency Physicians (Fellow), American Academy of Emergency Medicine (Fellow), and Physicians for Social Responsibility.

**EXHIBIT B**  
**LEGAL DESCRIPTION OF SUBJECT PROPERTY**

THAT PART OF THE SOUTH HALF OF SECTION 34, TOWNSHIP 41 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN AND PART OF THE NORTH HALF OF FRACTIONAL SECTION 3, TOWNSHIP 40 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN ALL DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 41 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, THENCE EASTERLY ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER 339.90 FEET; THENCE SOUTHERLY TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER; THENCE NORTHERLY ALONG THE LAST DESCRIBED COURSE 980.77 FEET TO THE CENTER LINE OF MCDONALD DRIVE; THENCE NORTHWESTERLY AND WESTERLY ALONG SAID CENTER LINE 2884.59 FEET TO A POINT THAT IS 62.70 FEET WESTERLY OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34 (MEASURED ALONG SAID CENTER LINE ) BEING THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO HENRY O. LARSON AND ELIZABETH V. LARSON BY DEED RECORDED AS DOCUMENT 648085; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID LARSON TRACT 776.0 FEET TO A POINT THAT IS 10.0 FEET NORTHERLY OF THE SOUTHEAST CORNER OF SAID LARSON TRACT; THENCE EASTERLY PARALLEL WITH THE SOUTH LINE OF SAID LARSON TRACT 24.85 FEET; THENCE SOUTHEASTERLY ALONG A LINE FORMING AN ANGLE OF 68 DEGREES 59 MINUTES 52 SECONDS WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE (MEASURED CLOCKWISE THEREFROM) 101.12 FEET; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 210.0 FEET, TANGENT TO THE LAST DESCRIBED COURSE 104.64; THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 390.0 FEET, TANGENT TO THE LAST DESCRIBED CURVE, 90.96 FEET; THENCE SOUTHWESTERLY TANGENT TO THE LAST DESCRIBED CURVE 104.0 FEET; THENCE SOUTHERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 360.0 FEET TANGENT TO THE LAST DESCRIBED COURSE 94.87 FEET T A LINE DRAW PARALLEL WITH THE 59.25 FEET NORTHERLY OF THE SOUTH LINE (MEASURED AT RIGHT ANGLES THERETO) OF THE SOUTHWEST QUARTER OF SAID SECTION 34 FOR A POINT OF BEGINNING; THENCE EASTERLY ALONG SAID PARALLEL LINE 336.05 FEET; THENCE SOUTHEASTERLY ALONG A LINE FORMING AN ANGLE OF 157 DEGREES 06 MINUTES 37 SECONDS WITH THE LAST DESCRIBED COURSE (MEASURED COUNTER CLOCKWISE THEREFROM) 1418.0 FEET: THENCE SOUTHERLY ALONG A LINE FORMING AN ANGLE OF 122 DEGREES 50 MINUTES 43 SECONDS WITH THE LAST DESCRIBED COURSE (MEASURED COUNTER CLOCKWISE THEREFROM) 892.0 FEET: THENCE SOUTHWESTERLY ALONG A LINE FORMING AN ANGLE OF 99 DEGREES 11 MINUTES 29 SECONDS WITH THE LAST DESCRIBED COURSE (MEASURED COUNTER CLOCKWISE THEREFROM) 1863.0 FEET: THENCE NORTHERLY ALONG A LINE FORMING AN ANGLE OF 142 DEGREES 54 MINUTES 33 SECONDS WITH LAST DESCRIBED COURSE (MEASURED COUNTERCLOCKWISE THEREFROM) 1448.0 FEET; THENCE NORTHERLY ALONG A LINE FORMING AN ANGLE 117 MINUTES 39 MINUTES 28 SECONDS WITH THE LAST DESCRIBED COURSE (MEASURED COUNTER CLOCKWISE THEREFROM) 867.0 FEET: THENCE NORTHERLY ALONG A LINE FORMING AN ANGLE OF 172 DEGREES 26 MINUTES 59 SECONDS WITH THE LAST DESCRIBED COURSE (MEASURED COUNTER CLOCKWISE THEREFROM) 741.0 FEET TO SAID PARALLEL LINE; THENCE EASTERLY ALONG SAID PARALLEL LINE 1514.95 FEET TO THE POINT OF THE BEGINNING, IN KANE COUNTY ILLINOIS.

**Parcel Number(s): 08-03-100-009; 05-34-300-032; 05-34-400-025**  
**Street Address: 41W400 Silver Glen Road, St. Charles, Illinois 60175**

## Supplemental Exhibit - Kane County 2040 Land Use Plan

The proposed use of the Subject Property promotes the goals of the Kane County 2040 Land Use Plan (“The 2040 Plan,”) in the ways described below:

- a. The 2040 Plan’s “Quality of Kane” model emphasizes healthy people, healthy living and healthy communities and the unique coverage of three principal planning processes: transportation, health, and land use.<sup>1</sup> The special use recognizes these concepts. In order to promote healthy communities, the special use will not only treat individuals who suffer from disease of alcoholism and drug addiction, but will also commit to participate in substantial community outreach to community schools, religious groups, and other agencies to improve alcoholism and substance abuse awareness within the community.
- b. The 2040 Plan recognizes that the following factors contribute to Health: Physical Environment (10%); Clinical Care (20%); Health Behaviors (30%); and Socio-Economic (40%).<sup>2</sup> The proposed special use fits in with these factors. The physical environment of the site will not change and will therefore not impact surrounding neighbors and at the same time are a critical component for the health and well-being of the facility’s patients. The high-end clinical care provided by the proposed facility will improve the health of its patients, and its outreach will do the same for others in the community. Part of the treatment regimen of the proposed facility includes helping patients understand and make healthy behavioral and physical (diet and exercise) choices.
- c. The 2040 Plan recognizes the benefits of “Re-inhabitation,” which is the adaptive re-use of existing structures for uses that provide for and contribute to society.<sup>3</sup> The proposed adaptive re-use of the former Glenwood School will address a societal need for the effective treatment of alcoholism and drug addiction with no substantial changes to the existing facility.
- d. The 2040 Plan’s focus on community health expressly recognizes that alcohol misuse is among the challenges that face the citizens of Kane County<sup>4</sup> and encourages environments that prevent excessive consumption of alcohol. The Facility’s treatment of individuals who have a dependency on alcohol and other substances combined with its community outreach programs address these important considerations.<sup>5</sup> The Facility’s treatment of individuals who are addicted to alcohol and/or other unlawful substances combined with community outreach programs organized by the facility address these

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<sup>1</sup> Kane County 2040 Plan, “Quality of Kane Model,” Page 11.

<sup>2</sup> Kane County 2040 Plan, “Contributing Factors to Health,” Page 41.

<sup>3</sup> Kane County 2040 Plan, “Opportunities for Retrofitting Sprawling Land Use Patterns,” Page 53.

<sup>4</sup> Kane County 2040 Plan “Community Health,” Page 79.

<sup>5</sup> Kane County 2040 Plan “Community Health,” Page 98.

important aspects of community health.

- e. The 2040 Plan contains a list of “Ten Essential Services of Public Health.” They include: (1) Monitor health status and understand health issues facing the community; (2) Protect people from health problems and health hazards; (3) Give people the information they need to make healthy choices; (4) Engage the community to identify and solve health problems; (5) Develop public health policies and plans; (6) Enforce public health laws and regulations; (7) Help people receive health services; (8) Maintain a competent public health workforce; (9) Evaluate and improve programs and interventions; and (10) Contribute to and apply the evidence base of public health.<sup>6</sup> The proposed special use contributes positively to these ten essential services outlined in The 2040 Plan.
- f. The 2040 Plan expressly recognizes the need for a policy of cross-sector collaboration to achieve community-wide wellness through partnerships with school districts, colleges, social service agencies, the faith-based community, non-profit organizations, hospitals, physicians, employers, park districts, municipal staff, elected officials, and other organization. The proposed facility is committed to significant community outreach and will assist in achieving the goal of cross-collaboration.
- g. The 2040 Plan expressly encourages the removal of barriers that unnecessarily discourage housing diversity.<sup>7</sup> The proposed special use would allow for a residential treatment facility for disabled adults suffering from alcoholism and substance addictions.
- h. The 2040 Plan seeks to preserve and protect open space and green infrastructure as the cornerstone of natural resource protection and community well-being. A considerable portion of the 120 acre Subject Property is open space, and the Application is intended to commit permanently a portion of that open space by way of easement or other appropriate action.

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<sup>6</sup> Kane County 2040 Plan, “Ten Essential Services of Public Health,” Page 83.

<sup>7</sup> Kane County 2040 Plan, “Housing Objectives,” Page 99.