

**MINUTES
VILLAGE OF HINSDALE
PLAN COMMISSION
JUNE 8, 2011
MEMORIAL HALL
7:30 P.M.**

Chairman Byrnes called the meeting to order at 7:30 p.m., Wednesday, June 8, 2011 in Memorial Hall, the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois.

PRESENT: Chairman Byrnes, Commissioner Stifflear, Commissioner Moore, Commissioner Kluchenek and Commissioner Crnovich

ABSENT: Commissioner Johnson, Commissioner Sullins, Commissioner Brody and Commissioner Nelson

ALSO PRESENT: Sean Gascoigne, Village Planner

Approval of Minutes

The Plan Commission reviewed the minutes from the May 11, 2011 meeting. Commissioner Moore motioned to approve the minutes of May 11, 2011 as amended. Commissioner Crnovich seconded. The motion passed unanimously.

Findings and Recommendations

A-05-2011 – 10 N. Washington Street – Eden Supportive Living – Special Use for a Planned Development, Special Use for a Personal Care Facility and Exterior Appearance Site Plan Review.

Chairman Byrnes provided a brief summary of the discussion that took place on this agenda item at the last Plan Commission meeting and highlighted the findings and recommendations that were included based on these discussions. Commissioner Kluchenek motioned to approve the findings and recommendations for case A-05-2011 – 10 N. Washington Street – Eden Supportive Living for a Special Use for a Planned Development, Special Use for a Personal Care Facility and Exterior Appearance Site Plan Review. Commissioner Moore seconded. The motion passed unanimously.

A-08-2011 – 149 E. Ogden (BP) – Design Review Overlay Permit, Special Use for Carryout and Exterior Appearance/Site Plan Review for a New Quick Serve Restaurant Facility.

Chairman Byrnes provided a brief summary of the discussion that took place on this agenda item at the last Plan Commission meeting and highlighted the findings and recommendations that were included based on these discussions. The Commission requested that the language be modified to reference the decorative fence required, also be protective. Commissioner Moore motioned to approve the findings and recommendations

Plan Commission Minutes

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for case A-08-2011 – 149 E. Ogden (BP) – Design Review Overlay Permit, Special Use for Carryout and Exterior Appearance/Site Plan Review for a New Quick Serve Restaurant Facility as amended. Commissioner Crnovich seconded. The motion passed unanimously.

Scheduling of Public Hearings

A-11-2011 – Text Amendment to Article III, Section 3-110 of the Hinsdale Zoning Code as it relates to the Elimination of the Floor Area Ratio Requirement for New Single-Family Residences that Receive Design Review Approval from the Design Review Commission.

Chairman Byrnes stated the public hearing would be scheduled for July 13, 2011.

Sign Permit Review

550 W. Ogden Avenue – Hinsdale Orthopaedics – Two Ground Signs

Bill Gilligan, Doctor with Hinsdale Orthopaedics provided a brief description and history of the proposal.

Chairman Byrnes confirmed that the signs would be the same location as the existing signs.

Mr. Gilligan confirmed and indicated that part of the need for the Monroe Street sign was for safety and to properly identify their entrance due to potential confusion with other parking lots immediately adjacent to theirs.

General discussion ensued regarding the proposed properties of the signs.

Chairman Byrnes asked Village Planner Gascoigne if these signs were code compliant.

Mr. Gascoigne indicated that while one ground sign is normally permitted, the Commission is afforded the ability to approve one additional sign of any type already allowed. The one caveat being that if the Commission deemed a second sign appropriate, both signs would now need to comply with the single sign square footage requirement of 50 square feet which these would.

Commissioner Moore stated that because these are replacing existing signs, it is corner lot with two entrances and it meets the square footage requirements, she felt the request was fine.

Commissioner Stifflear asked the Commission to consider that this was adjacent to residential properties and the potential precedence that could be created regarding illuminated signage next to residential districts.

Mr. Gascoigne indicated that the zoning code does already take into consideration, signage next to residential districts by regulating the hours they can be illuminated, setbacks and the foot candle allowances at residential property lines.

Plan Commission Minutes

June 8, 2011

Chairman Byrnes indicated that some patients come from a good distance, aren't familiar with Hinsdale and have night appointments, which he felt justified the need for the signs to be illuminated.

General discussion ensued regarding the location of the sign on Monroe and the impact the illumination would have on the neighboring residential.

Commissioner Crnovich expressed interest in seeing landscaping around the signs and questioned if the applicant had given any thought to reducing the size of the sign on Monroe.

Mr. Gilligan stated that they didn't feel that was appropriate and they were simply replacing what was already there and not increasing the size.

Commissioner Moore asked if there would be any objections to placing low-growing shrubs around the signs.

Mr. Gilligan indicated that they would have no problem with that at all.

General discussion ensued regarding the types and sizes of plants that could be used around the signs.

Commissioner Stifflear motioned for the approval of signage for 550 W. Ogden Avenue – Hinsdale Orthopaedics for two ground signs, with the condition that the applicant provide two-tiered, four-season landscaping around both signs. Commissioner Moore seconded. The motion passed unanimously.


Adjournment

Commissioner Kluchenek moved to adjourn. Commissioner Moore seconded and the meeting adjourned at 8:00 p.m. on June 8, 2011.

Respectfully Submitted,

Sean Gascoigne
Village Planner

Memorandum

To: Chairman Byrnes and Plan Commission Members
From: Sean Gascoigne, Village Planner 
Date: July 13, 2011
Re: Sign Review – 111 S. Lincoln – CHT Orthodontics

SIGN PERMIT REVIEW

The applicant is proposing placement of two wall-mounted signs, on the subject building. The building is located on Washington and is zoned B-2 Central Business District.

The signs would be located along the west and south elevations of the building with the sign along the north elevation being 15 square feet (1'-2" x 3'11") and the sign along the south elevation being 7.5 square feet (1'-6" x 5'0"). According to the applicant, the proposed signs would be installed on the brick façade and at the same height as the existing Wachovia Securities sign. The signs would not be illuminated.

Subsection 9-106J of the Zoning Code provides the requirements for wall signage in the O-2 District and allows two wall signs totaling twenty five square feet for each business that has a separate ground level principal entrance directly to the outside of the building onto a street. The maximum overall height of a wall sign is not more than 20 feet or no higher than the bottom of any second floor window, whichever is less. As such, the proposed sign application meets the requirements of Section 9-106 – Signs of the Zoning Code.

Attachment

Cc: President Cauley and Board of Trustees
David Cook, Village Manager

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT DEPARTMENT
APPLICATION FOR SIGN PERMIT**

Applicant

Name: CHT ORTHODONTICS
Address: DR. CARRIE THANGAMANI
111 S. LINCOLN
City/Zip: HINSDALE, IL 60521
Phone/Fax: (⁶³⁰) 323 - 1325 / 7039
1201
E-Mail: chedin126@yahoo.com
Contact Name: CARRIE THANGAMANI

Contractor

Name: SIGNS NOW
Address: 1548 DODGEN AVE
City/Zip: DOWNERS GROVE, IL 60515
Phone/Fax: (⁶³⁰) 515-1085 / 515-1087
E-Mail: info@signsnowdownersgrove.com
Contact Name: JIM KRICK

ADDRESS OF SIGN LOCATION:

111 S. LINCOLN

ZONING DISTRICT:

Sign Type:

- ☒ Permanent ☐ Temporary
☐ Ground Sign
☒ Wall Sign
☐ Pole Sign

Sign Information:

Overall Size (Square Feet): ^{SOUTH:} 4.57 (14 x 47)
^{5F}
Overall Height from Grade: 15 Ft.
Proposed Colors (Maximum of Three Colors):
① BEIGE ② DARK BLUE
③ _____
Type of Illumination: N/A
Foot Candles: NON-ILLUMINATED

Site Information:

Lot/Street Frontage: 85.2F
Building/Tenant Frontage: 57.5 2F
Existing Sign Information:
Business Name: WACHOVIA SECURITIES
Size of Sign: 8.3 Square Feet
Business Name: _____
Size of Sign: _____ Square Feet

I hereby acknowledge that I have read this application and the attached instruction sheet and state that it is correct and agree to comply with all Village of Hinsdale Ordinances.

Signature of Applicant

NAI HIFFMAN
SEE ATTACHED LETTER

Date

5/24/11

Signature of Building Owner

Date

5/3/11

FOR OFFICE USE ONLY:

Fee: \$4.00 per square foot, not less than \$75.00 per sign

Total square footage: _____ x \$4.00 = _____

Plan Commission Approval Date: _____



Commercial Real Estate Services, Worldwide.

One Oakbrook Terrace Suite 600
22nd Street and Butterfield Road
Oakbrook Terrace IL 60181
tel 630 932 1234
fax 630 629 1951
www.hiffman.com

Asset Management LLC

May 3, 2011

Dr. Carrie Thangamani
CHT Orthodontics
111 South Lincoln
Suite 300
Hinsdale, Illinois 60521

**VIA Email and
Regular USPS Mail**

**Re: 111 S. Lincoln
Signage Approval**

Dear Dr. Thangamani:

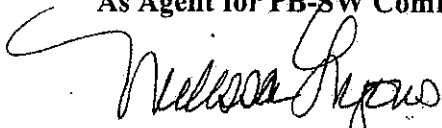
Kindly be advised that the Landlord has reviewed the email request, dated April 29, 2011, for approval to install your company signage on the south and west elevation of the building. The Landlord has approved your request with the following conditions set forth.

- CHT Orthodontics shall be responsible for procuring any permits and/or municipal approvals. CHT Orthodontics shall provide Landlord with a copy of any such permits.
- CHT Orthodontics shall provide the certificate of insurance, including Landlord's requirement, for installing contractor prior to commencing any work.
- CHT Orthodontics shall schedule all work in advance with the Property Manager.
- CHT Orthodontics shall be responsible for all expenses associated with procuring and installing the signage. CHT Orthodontics is responsible for any and all maintenance that may be required.
- CHT Orthodontics shall be responsible for removal of signage and mounting apparatus as well as the restoration of the exterior surface where sign is mounted, at the end of the lease term or when vacating the premises.

Should you have any questions or if we can be of further assistance, please feel free to contact me at 630.317.0730.

Sincerely,

**NAI Hiffman Asset Management, LLC
As Agent for PB-SW Commercial, LLC**



Melissa M. Lyons, RPA
Property Manager

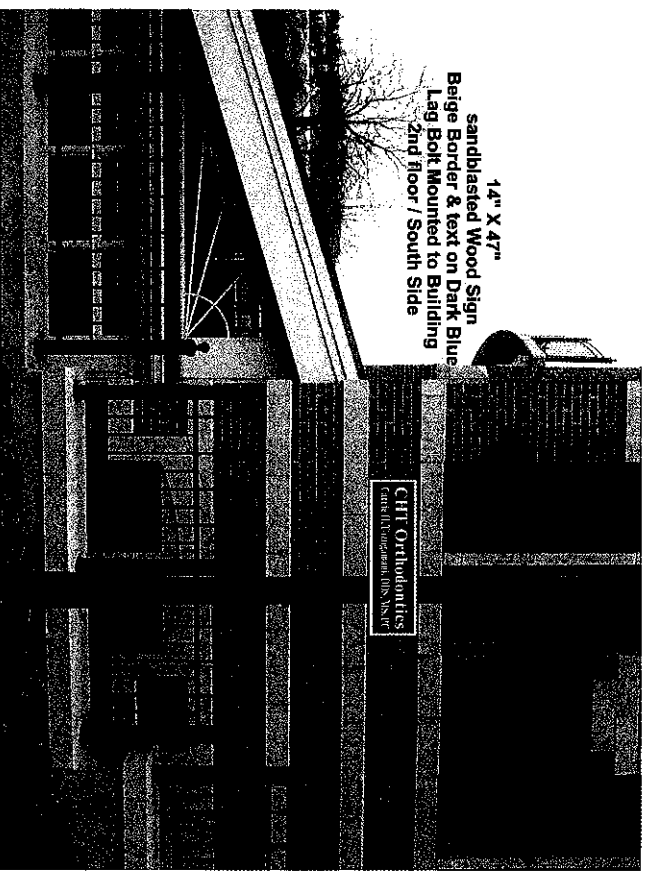
111 S. Lincoln

18" X 60"
sandblasted Wood Sign
Beige Border & Text on Dark Blue
Lag Bolt Mounted to Building
2nd floor / West Side



West Side


14" X 47"
sandblasted Wood Sign
Beige Border & text on Dark Blue
Lag Bolt Mounted to Building
2nd floor / South Side



South Side

Memorandum

To: Chairman Byrnes and Plan Commissioners

From: Sean Gascoigne, Village Planner 

Cc: Robb McGinnis, Director of Community Development/Building Commissioner
David Cook, Village Manager

Date: July 13, 2011

Re: 300 E. Ogden Avenue – Bill Jacobs Land Rover/Range Rover – Exterior Appearance and Site Plan Review Approval

REQUEST

The applicant is requesting exterior appearance and site plan review approval, to allow for façade improvements at the subject property. The site is currently improved with a one-story auto dealership. The property is zoned B-3, General Business District.

The applicant is proposing façade improvements along the north, east and west walls of the of the subject property as well as re-cladding the two existing “towers” attached to the building’s north and east façade’s. As illustrated in the attached elevations, the applicant is proposing to install a stone veneer base around the bottom of the building where currently just a painted surface exists. In addition, they are proposing to replace the existing “tower” materials with Alucobond, an aluminum composite. The appearance and material will be very similar to what exists today and the color will be a direct match. While not required as part of the approval process, the applicant has indicated that they will also be performing general maintenance to the building, including painting and touching up weathered areas requiring fresh coats of paint which will match existing colors. It should be noted that this property falls within 250 feet of a single-family residential zoning district. Staff has confirmed that proper notification has been provided by the applicant as required.

The petitioner should be aware that if this proposal is approved, building permits are still required, prior to any work being initiated.

Other

In review of the application submitted the Commission must review the following criteria as stated in the Zoning Code:

1. Subsection 11-604F pertaining to Standards for site plan disapproval; and
2. Subsection 11-606E pertaining to Standards for building permits (exterior appearance review), which refers to Subsection 11-605E Standards and considerations for design review permit.

attachment

Cc: President Cauley and Village Board of Trustees
David Cook, Village Manager

VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT DEPARTMENT
19 East Chicago Avenue
Hinsdale, Illinois 60521-3489
630.789.7030

Application for Certificate of Zoning Compliance

You must complete all portions of this application. If you think certain information is not applicable, then write "N/A." If you need additional space, then attach separate sheets to this form.

Applicant's name: Bill Jacobs Motorsports - Denise Guardino

Owner's name (if different): Land Rover/Range Rover - Hinsdale

Property address: 300 East Ogden Avenue

Property legal description: [attach to this form]

Present zoning classification: B-3 General Business District

Square footage of property: 42,400 SF

Lot area per dwelling: N/A

Lot dimensions: 245' Deep x 175' Width

Current use of property: Car Dealership for the sale of new and used cars.

Proposed use: Single-family detached dwelling
Other: _____

Approval sought:

<u>Building Permit</u> <u>Special Use Permit</u> <u>Site Plan</u> <u>Design Review</u> Other: _____	<u>Variation</u> <u>Planned Development</u> <u>Exterior Appearance</u>
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Brief description of request and proposal:

Update exterior elements of the existing facility to the current Land Rover Corporate standards and incorporate the Range Rover image within the Land Rover business. Proposed work includes updating the two tower elements with metal panels, adding a cultured stone base to the facade, and painting.

Plans & Specifications: [submit with this form]

Provided: Required by Code:

Yards:

front:	_____ / _____	_____ / _____
interior side(s)	_____ / _____	_____ / _____

Provided:

Required by Code:

corner side	_____	_____
rear	_____	_____
Setbacks (businesses and offices):		
front:		
interior side(s)	_____ / 10'	_____ / 58'
corner side	25'	25'
rear	124'	20'
others:	N/A	N/A
Ogden Ave. Center:	66'	100'
York Rd. Center:	N/A	N/A
Forest Preserve:	N/A	N/A

Building heights:

principal building(s):	29'	30'
accessory building(s):	N/A	N/A

Maximum Elevations:

principal building(s):	N/A	N/A
accessory building(s):	N/A	N/A

Dwelling unit size(s):	N/A	N/A
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Total building coverage:	N/A	N/A
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Total lot coverage:	75%	90%
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Floor area ratio:	$\frac{42,400\text{SF}}{10,530\text{SF}} = .25$.50
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Accessory building(s):	N/A	_____
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Spacing between buildings: [depict on attached plans]

principal building(s):	N/A	_____	_____
accessory building(s):	N/A	_____	_____

Number of off-street parking spaces required: 1 Space for each 200SF Net Floor Area
Existing Total = 90

Number of loading spaces required: N/A

Statement of applicant:

I swear/affirm that the information provided in this form is true and complete. I understand that any omission of applicable or relevant information from this form could be a basis for denial or revocation of the Certificate of Zoning Compliance.

By: Denise Guardino
Applicant's signature

Denise Guardino
Applicant's printed name

Dated: June 21, 2011.

VILLAGE OF HINSDALE

Certificate of Zoning Compliance

Subject to the statements below, the Village has determined that, based on the information included in the Plan Commission File for 300 E. Ogden – Bill Jacobs Land Rover/Range Rover of Hinsdale – regarding Exterior Appearance in 2011 for a Certificate of Zoning Compliance, the proposal described in this certificate appears to comply with the standards made applicable to it by the Hinsdale Zoning Code.

This certificate is issued to:

Bill Jacobs Land Rover/Range Rover of Hinsdale

Address or description of subject property:

300 E. Ogden Ave. Hinsdale, IL 60521

Use or proposal for subject property
for which certificate is issued:

Facade improvements to the north, east and west facades of Land
Rover/Range Rover of Hinsdale.

Plans reviewed, if any: *See attached plans, if any.* See Plan Commission File for 300 E. Ogden Ave. – Bill Jacobs Land Rover/Range Rover of Hinsdale, regarding a Site Plan and Exterior Appearance Review in 2011.

Conditions of approval of this certificate:

- The petitioner must apply for and obtain Exterior Appearance and Site Plan Review Approval for the proposed changes.
- Section 11-606 of the Hinsdale Zoning Code pertaining to the Exterior Appearance Review.
- Section 11-604 of the Hinsdale Zoning Code governing Exterior Appearance/Site Plan Review in 2011.

Note: other conditions may be attached to approval of any pending zoning application.

NOTE ALL OF THE FOLLOWING CAREFULLY:

This approval granted in this certificate has been granted based on the information provided to the Village and the Village's understanding of the facts and circumstances related to the proposal at this time. If (a) any information provided to the Village changes, (b) any new information is becomes available or is discovered, or (c) the Village's understanding of the facts and circumstances otherwise changes, then this certificate may be rescinded.

This certificate does not signify Building Code Review or approval and is not authorization to undertake any work without such review and approval where either is required. See the Hinsdale Building Code for details.

Before any structure to which this certificate is applicable may be occupied or used for any purpose, a Certificate of Occupancy must be obtained. See Section 11-402 of the Hinsdale Zoning Code and the Hinsdale Building Code for details.

Subject to an extension of time granted pursuant to the Hinsdale Zoning Code, this certificate shall become null and void six months after the date on which it was issued unless construction, reconstruction, remodeling, alteration, or moving of a structure is commenced or a use is commenced.

If this certificate is issued in violation of the provisions of the Hinsdale Zoning Code, whether intentionally, negligently, or innocently, then it shall be void *ab initio* and shall give rise to no rights whatsoever.

By:



Village Manager

Dated:

6/21, 20 11



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

**PLAN COMMISSION APPLICATION
FOR BUSINESS DISTRICTS**

I. GENERAL INFORMATION

Applicant

Name: Bill Jacobs Motorsports - Denise Guardino

Address: 2495 Aurora Avenue

City/Zip: Naperville, IL 60540

Phone/Fax: (630) 357-1200 /

E-Mail: denise.guardino@billjacobs.com

Owner

Name: Land Rover/Range Rover - Hinsdale

Address: 300 East Ogden Avenue

City/Zip: Hinsdale, IL 60521

Phone/Fax: (630) 325-9955 /

E-Mail: denise.guardino@billjacobs.com

Others, if any, involved in the project (i.e. Architect, Attorney, Engineer)

Name: Healy, Bender & Associates, Inc.

Title: Clifford A. Bender, AIA, Architect

Address: 4040 Helene Avenue

City/Zip: Naperville, IL 60564

Phone/Fax: (630) 904-4300 /

E-Mail: cbender@healybender.com

jbeen@healybender.com
jwoodley@healybender.com

Name:

Title:

Address:

City/Zip:

Phone/Fax: () /

E-Mail:

Disclosure of Village Personnel: (List the name, address and Village position of any officer or employee of the Village with an interest in the owner of record, the Applicant or the property that is the subject of this application, and the nature and extent of that interest)

- 1)
- 2)
- 3)

II. SITE INFORMATION

Address of subject property: 300 East Ogden Avenue; Hinsdale, IL 60521

Property identification number (P.I.N. or tax number): 09 - 01 - 210 - 038

Brief description of proposed project: Update exterior elements of the existing facility to the current

Land Rover Corporate standards and incorporate the Range Rover image within the Land Rover business. Proposed work
includes updating the two tower elements with metal panels, adding a cultured stone base to the facade, and painting.

General description or characteristics of the site: _____

The existing dealership is located in a business district at the corner of Ogden Avenue and Elm Street. The facility
is currently used for the sale of new and used cars.

Existing zoning and land use: B-3 General Business District

Surrounding zoning and existing land uses:

North: O-3 General Office District

South: R-4 Single Family Residential District

East: B-3 General Business District

West: B-3 General Business District

Proposed zoning and land use: No change proposed

Please mark the approval(s) you are seeking and attach all applicable applications and standards for each approval requested:

☐ Site Plan Disapproval 11-604

☐ Design Review Permit 11-605E

☒ Exterior Appearance 11-606E

☐ Special Use Permit 11-602E

Special Use Requested: _____

☐ Map and Text Amendments 11-601E
Amendment Requested: _____

☐ Planned Development 11-603E

☐ Development in the B-2 Central Business
District Questionnaire

TABLE OF COMPLIANCE

Address of subject property: 300 East Ogden Avenue; Hinsdale, IL 60521

The following table is based on the B-3 Zoning District.

	Minimum Code Requirements			Proposed/Existing Development
	B-1	B-2	B-3	B-3, Existing
Minimum Lot Area	6,250	2,500	6,250	42,400 SF
Minimum Lot Depth	125'	125'	125'	245'
Minimum Lot Width	50'	20'	50'	175'
Building Height	30'	35'	30'	29'-0"
Number of Stories	2	3	2	1
Front Yard Setback	25'	0'	25'	27'
Corner Side Yard Setback	25'	0'	25'	25'
Interior Side Yard Setback	10'	0'	10'	58'
Rear Yard Setback	20'	20'	20'	124'
Maximum Floor Area Ratio (F.A.R.)*	.35	2.5	.50	$42,400\text{SF}/10,530\text{SF} = .25$
Maximum Total Building Coverage*	N/A	80%	N/A	N/A
Maximum Total Lot Coverage*	90%	100%	90%	75%
Parking Requirements				1 Space for each 200 SF of net floor areas Existing Total = 90
Parking front yard setback				0
Parking corner side yard setback				0
Parking interior side yard setback				0
Parking rear yard setback				0
Loading Requirements				N/A
Accessory Structure Information (height)	15'	15'	15'	N/A

* Must provide actual square footage number and percentage.

Where any lack of compliance is shown, state the reason and explain the Village's authority, if any, to approve the application despite such lack of compliance: _____

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that he or she consents to the filing of this application and that all information contained in this application is true and correct to the best of his or her knowledge.
- B. The applicant understands that an incomplete or nonconforming application will not be considered. In addition, the applicant understands that the Village may require additional information prior to the consideration of this application which may include, but is not limited to, the following items:
1. Minimum yard and setback dimensions and, where relevant, relation of yard and setback dimensions to the height, width, and depth of any structure.
 2. A vehicular and pedestrian circulation plan showing the location, dimensions, gradient, and number of all vehicular and pedestrian circulation elements including rights-of-way and streets; driveway entrances, curbs, and curb cuts; parking spaces, loading spaces, and circulation aisles; sidewalks, walkways, and pathways; and total lot coverage of all circulation elements divided as between vehicular and pedestrian ways.
 3. All existing and proposed surface and subsurface drainage and retention and detention facilities and all existing and proposed water, sewer, gas, electric, telephone, and cable communications lines and easements and all other utility facilities.
 4. Location, size, and arrangement of all outdoor signs and lighting.
 5. Location and height of fences or screen plantings and the type or kind of building materials or plantings used for fencing or screening.
 6. A detailed landscaping plan, showing location, size, and species of all trees, shrubs, and other plant material.
 7. A traffic study if required by the Village Manager or the Board or Commission hearing the application.
- C. The Applicants shall make the property that is the subject of this application available for inspection by the Village at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicants shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than ten days following the change, and that failure to do so shall be grounds for denial of the application; and
- E. The Applicant understands that he/she is responsible for all application fees and any other fees, which the Village assesses under the provisions of Subsection 11-301D of the Village of Hinsdale Zoning Code as amended April 25, 1989.
- F. THE OWNER OF THE SUBJECT PROPERTY AND, IF DIFFERENT, THE APPLICANT ARE JOINTLY AND SEVERALLY LIABLE FOR THE PAYMENT OF THE APPLICABLE APPLICATION FEE. BY SIGNING THE APPLICATION, THE OWNER HAS AGREED TO PAY SAID FEE, AND TO CONSENT TO THE FILING AND FORECLOSURE OF A LIEN AGAINST SUBJECT PROPERTY FOR THE FEE PLUS COSTS OF COLLECTION, IF THE ACCOUNT IS NOT SETTLED WITHIN THIRTY (30) DAYS AFTER THE MAILING OF A DEMAND FOR PAYMENT.

On the 6, day of June, 2011, I/We have read the above certification, understand it, and agree to abide by its conditions.

Denise Guardino
Signature of applicant or authorized agent

DENISE GUARDINO
Name of applicant or authorized agent

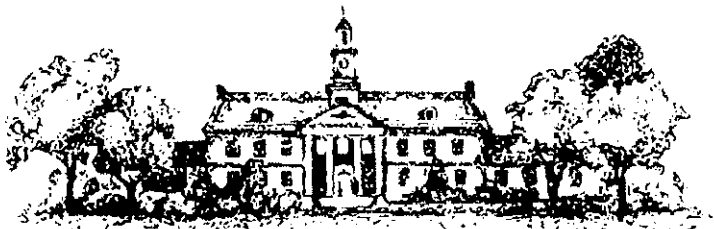
Signature of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 6 day of
June, 2011.

Angela Hanni
Notary Public





VILLAGE OF HINSDALE

FOUNDED IN 1873

COMMUNITY DEVELOPMENT DEPARTMENT EXTERIOR APPEARANCE AND SITE PLAN REVIEW CRITERIA

Address of proposed request: 300 East Ogden Avenue; Hinsdale, IL 60521

REVIEW CRITERIA

Section 11-606 of the Hinsdale Zoning Code regulates Exterior appearance review. The exterior appearance review process is intended to protect, preserve, and enhance the character and architectural heritage and quality of the Village, to protect, preserve, and enhance property values, and to promote the health, safety, and welfare of the Village and its residents. Please note, that Subsection Standards for building permits refers to Subsection 11-605E Standards and considerations for design permit review.

*****PLEASE NOTE***** If this is a non-residential property within 250 feet of a single-family residential district, additional notification requirements are necessary. Please contact the Village Planner for a description of the additional requirements.

Below are the criteria that will be used by the Plan Commission, Zoning and Public Safety Committee and Board of Trustees in reviewing Exterior Appearance Review requests. Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.

1. *Open spaces.* The quality of the open space between buildings and in setback spaces between street and facades. N/A. The proposed modifications do not affect existing open spaces.
2. *Materials.* The quality of materials and their relationship to those in existing adjacent structures. The proposed work includes the application of a cultured stone product along the lower 2'-10" portion of the storefront glazing. Proposed work also includes refacing the existing masonry tower with a metal panel system. The tower color will remain dark green. The neutral stone color and use of metal panels will not detract from those used on adjacent structures.
3. *General design.* The quality of the design in general and its relationship to the overall character of neighborhood. The design is intended to be an improvement while complementing the existing business district.
4. *General site development.* The quality of the site development in terms of landscaping, recreation, pedestrian access, auto access, parking, servicing of the property, and impact on vehicular traffic patterns and conditions on-site and in the vicinity of the site, and the retention of trees and shrubs to the maximum extent possible. N/A. There are no changes proposed for these items.
5. *Height.* The height of the proposed buildings and structures shall be visually compatible with adjacent buildings. N/A. There are no changes proposed to the overall height of the building.

6. *Proportion of front façade.* The relationship of the width to the height of the front elevation shall be visually compatible with buildings, public ways, and places to which it is visually related. Other than the installation of cultured stone to the lower portion of the existing storefront system, there are no changes to the proportions of the front façade.
7. *Proportion of openings.* The relationship of the width to the height of windows shall be visually compatible with buildings, public ways, and places to which the building is visually related. The installation of cultured stone to the lower portion of the existing storefront system will reduce the visible amount of glazing to the east, north and west facades. The proportions will remain visually compatible with the existing building and adjacent structures.
8. *Rhythm of solids to voids in front facades.* The relationship of solids to voids in the front façade of a building shall be visually compatible with buildings, public ways, and places to which it is visually related. The cultured stone will run continuous along the base of the existing storefront system. The rhythm will remain visually compatible with the existing building and adjacent structures.
9. *Rhythm of spacing and buildings on streets.* The relationship of a building or structure to the open space between it and adjoining buildings or structures shall be visually compatible with the buildings, public ways, and places to which it is visually related. N/A. There are no changes proposed to the rhythm of spacing and buildings on streets.
10. *Rhythm of entrance porch and other projections.* The relationship of entrances and other projections to sidewalks shall be visually compatible with the buildings, public ways, and places to which it is visually related. N/A. There are no changes proposed to the rhythm of existing entries, soffits, or canopies.
11. *Relationship of materials and texture.* The relationship of the materials and texture of the façade shall be visually compatible with the predominant materials to be used in the buildings and structures to which it is visually related. The installation of the cultured stone and metal panel materials will be visually compatible with the existing materials used on the building and adjacent structures.
12. *Roof shapes.* The roof shape of a building shall be visually compatible with the buildings to which it is visually related. N/A. There are no changes proposed to the existing roof shapes.
13. *Walls of continuity.* Building facades and appurtenances such as walls, fences, and landscape masses shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual compatibility with the buildings, public ways, and places to which such elements are visually related. N/A. There are no changes proposed to existing walls of continuity.
14. *Scale of building.* The size and mass of buildings and structures in relation to open spaces, windows, door openings, porches, and balconies shall be visually compatible with the buildings, public ways, and places to which they are visually related. N/A. There are no changes proposed to the scale of the building.
15. *Directional expression of front elevation.* The buildings shall be visually compatible with the buildings, public ways, and places to which it is visually related in its directional character, whether this be vertical character, horizontal character, or nondirectional character. The installation of cultured stone will maintain the horizontal character of the existing display showroom as viewed from the street facades. The installation of metal panels to the existing masonry tower will maintain the vertical character of the tower element.

16. *Special consideration for existing buildings.* For existing buildings, the Plan Commission and the Board of Trustees shall consider the availability of materials, technology, and craftsmanship to duplicate existing styles, patterns, textures, and overall detailing.

The materials proposed for the existing building are in keeping with the attractive image of this dealership. It is our opinion the proposed materials will complement the existing masonry and glass used on the building and will further serve to improve perceptions of the greater neighborhood.

REVIEW CRITERIA – Site Plan Review

Below are the criteria that will be used by the Plan Commission and Board of Trustees in determining if the application does not meet the requirements for Site Plan Approval. Briefly describe how this application will not do the below criteria. Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.

Section 11-604 of the Hinsdale Zoning Code regulates Site Plan Review. The site plan review process recognizes that even those uses and developments that have been determined to be generally suitable for location in a particular district are capable of adversely affecting the purposes for which this code was enacted unless careful consideration is given to critical design elements.

1. The site plan fails to adequately meet specified standards required by the Zoning Code with respect to the proposed use or development, including special use standards where applicable. N/A. There are no significant changes to the existing site plan.
2. The proposed site plan interferes with easements and rights-of-way. N/A. There are no significant changes to the site plan that would make conditions different than what currently exists.
3. The proposed site plan unreasonably destroys, damages, detrimentally modifies, or interferes with the enjoyment of significant natural, topographical, or physical features of the site. N/A. There are no significant changes to the site plan that would make conditions different than what currently exists.
4. The proposed site plan is unreasonably injurious or detrimental to the use and enjoyment of surrounding property. N/A. There are no significant changes to the site plan that would make conditions different than what currently exists.
5. The proposed site plan creates undue traffic congestion or hazards in the public streets, or the circulation elements of the proposed site plan unreasonably creates hazards to safety on or off site or disjointed, inefficient pedestrian or vehicular circulation paths on or off the site. N/A. There are no significant changes to the site plan that would make conditions different than what currently exists.
6. The screening of the site does not provide adequate shielding from or for nearby uses. N/A. There are no significant changes to the site plan that would make conditions different than what currently exists.
7. The proposed structures or landscaping are unreasonably lacking amenity in relation to, or are incompatible with, nearby structures and uses. N/A. There are no significant changes to the site plan that would make conditions different than what currently exists.

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-
8. In the case of site plans submitted in connection with an application for a special use permit, the proposed site plan makes inadequate provision for the creation or preservation of open space or for its continued maintenance. N/A. There are no significant changes to the site plan that would make conditions different than what currently exists.
9. The proposed site plan creates unreasonable drainage or erosion problems or fails to fully and satisfactorily integrate the site into the overall existing and planned ordinance system serving the community. N/A. There are no significant changes to the site plan that would make conditions different than what currently exists.
10. The proposed site plan places unwarranted or unreasonable burdens on specified utility systems serving the site or area or fails to fully and satisfactorily integrate the site's utilities into the overall existing and planned utility system serving the Village. N/A. There are no significant changes to the site plan that would make conditions different than what currently exists.
11. The proposed site plan does not provide for required public uses designated on the Official Map. N/A. There are no significant changes to the site plan that would make conditions different than what currently exists.
12. The proposed site plan otherwise adversely affects the public health, safety, or general welfare. N/A. There are no significant changes to the site plan that would make conditions different than what currently exists.

PAINING COLOR SCHEDULE

- EXISTING BUILDING AREA TO BE PAINTED WITH THE FOLLOWING COLOR TO MATCH BENJAMIN MOORE 1029 - EX. O P 55, YOK P 50, OR O P 55 (LAND ROVER REFERENCE NUMBER P-7)
- EXISTING BUILDING AREA TO BE PAINTED WITH THE FOLLOWING COLOR TO MATCH BENJAMIN MOORE 1029 - EX. O P 55, YOK P 50, OR O P 55 (LAND ROVER REFERENCE NUMBER P-7)
- EXISTING BUILDING AREA TO BE PAINTED WITH THE FOLLOWING COLOR TO MATCH BENJAMIN MOORE 1029 - EX. O P 55, YOK P 50, OR O P 55 (LAND ROVER REFERENCE NUMBER P-7)
- EXISTING BUILDING AREA TO BE PAINTED WITH THE FOLLOWING COLOR TO MATCH BENJAMIN MOORE 1029 - EX. O P 55, YOK P 50, OR O P 55 (LAND ROVER REFERENCE NUMBER P-7)

ACM COLOR SCHEDULE

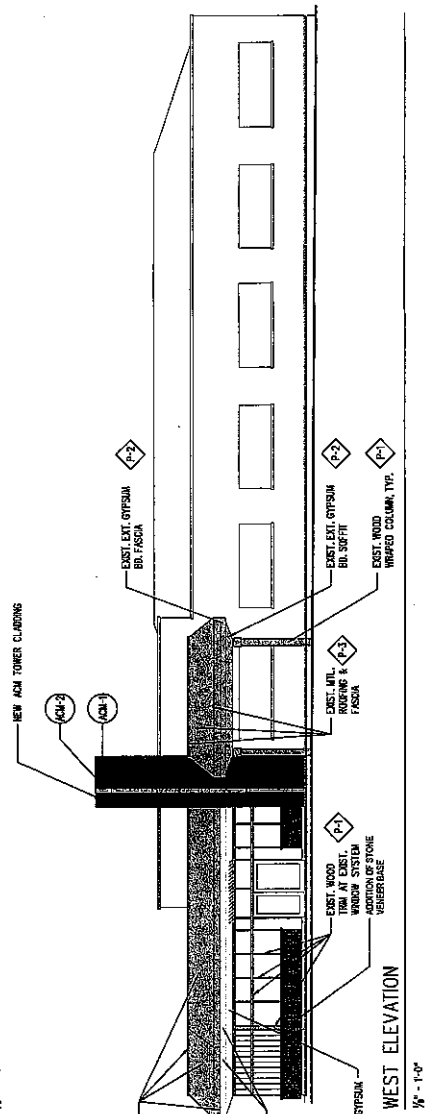
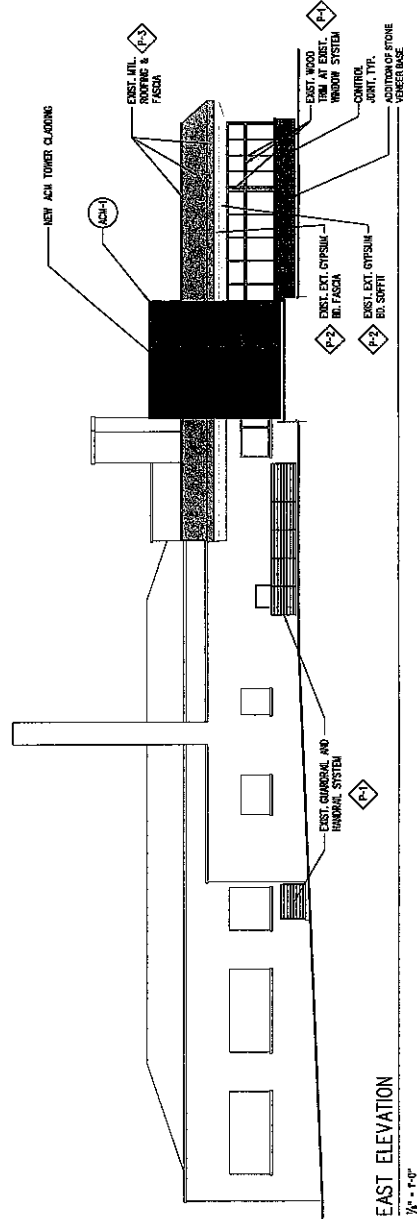
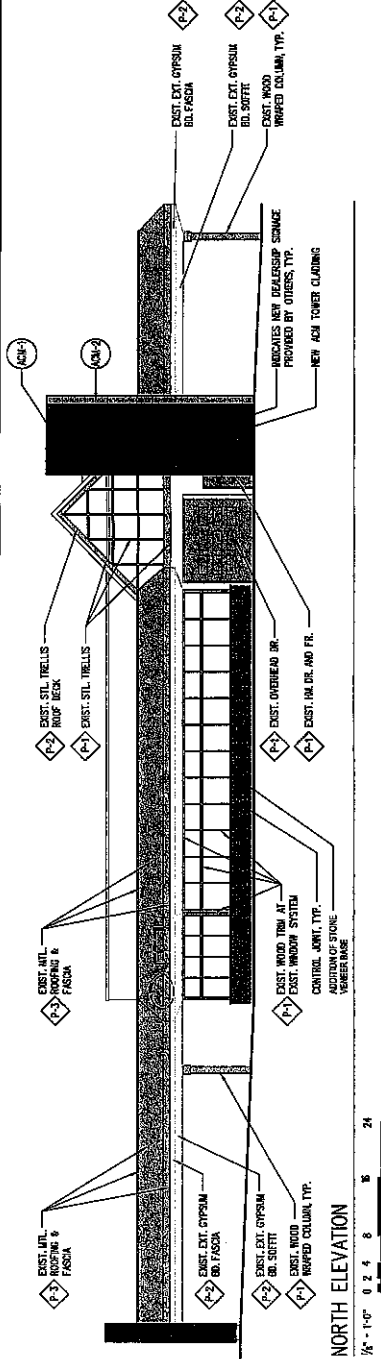
- ALUMINUM COMPOSITE MATERIAL (ACM) CUSTOM "ROVER GREEN" P-4854/5050P TO MATCH CM 1655 95/208 "BELLAR" BY ALUCORND
- ALUMINUM COMPOSITE MATERIAL (ACM) CUSTOM "ROVER GREEN" P-4854/5050P TO MATCH CM 1655 95/208 "BELLAR" BY ALUCORND

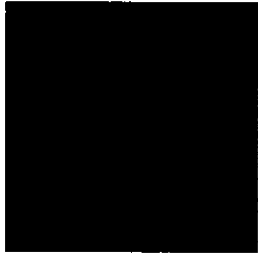
PRELIMINARY

DO NOT USE FOR CONSTRUCTION PURPOSES

EXTERIOR ELEVATIONS	DATE: 2-23-27	SHEET NO. A-1
SIGNAGE AND EXTERIOR UPGRADES	PROJECT NO. 02-00-11	OF 2
BILL JACOBS LAND ROVER DEALERSHIP FACILITY	LOCATION: DEERFIELD COUNTY, ILLINOIS	
PREPARED BY: KENNY, KENNEDY & ASSOCIATES, INC.	DESIGNED BY: KENNY, KENNEDY & ASSOCIATES, INC.	

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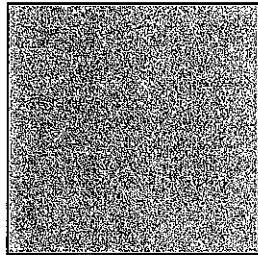




ACM-1

Material
Reference Number
Style
Color
Location
Manufacturer
Notes

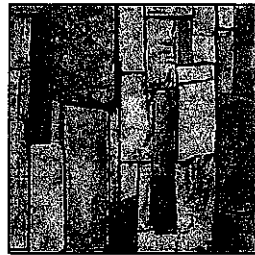
Aluminum Composite Material
AMC-3
Treated Dry Panel System with matching
Extrusions
Custom "Rover Green II" #5NMG94280P
to match ICI # 103G 10/203 "Billard"
Lend Rover Landmark Tower
Alucobond
Jack Finn
800-254-2284 x 2257#
Colors on website may not be accurate
Please refer to actual samples



ACM-2

Material
Reference Number
Style
Color
Location
Manufacturer
Notes

Aluminum Composite Material
ACM-4
Treated Dry Panel System with matching
Extrusions
Silver Metallic
Lend Rover Landmark Tower
Alucobond
Jack Finn
800-254-2284 x 2257#
Colors on website may not be accurate
Please refer to actual samples



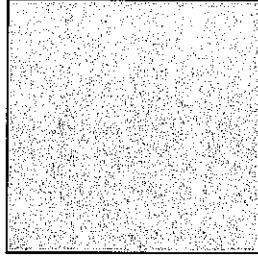
STONE VENEER BASE

Material
Style
Color
Location
Manufacturer
Notes

Stone Veneer - Option 2
To match "Cultured Stone Country
Leigstone"
"Chardonnay"
Joints: Tight fitted
Re-cled portion under window sill at 2".
10" AFF or UNLO
Local Supplier
Colors on website may not be accurate
Please refer to actual samples



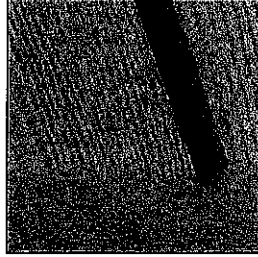
NORTH ELEVATION -
HINSDALE LAND ROVER REFRESH IMAGE



P-1 (To match following color)

Material
Reference Number
Style
Color
Location
Manufacturer
Notes

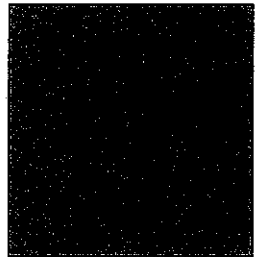
Paint
P-7
4308-0110 Galton Formula
BLK O P 58, YOX P 10, OXR O P 56
*To match existing Benjamin Moore 1129
Window Mullion / Door Frame
ICI
Diana Trout
800-344-8042 x343-8451
Colors on website may not be accurate
Please refer to actual samples



P-2 (To match following color)

Material
Reference Number
Style
Color
Location
Manufacturer
Notes

Wood Stain
WS-1
2402-0100 Galton Formula
BLK O P 20, YOX O P 58, OXR O P 6
Finish: 100% Acrylic Satin, *to match
existing Benjamin Moore 952
Hardy Plank Siding
ICI
Diana Trout
800-344-8042 x343-8451
Colors on website may not be accurate
Please refer to actual samples



P-3 (To match following color)

Material
Reference Number
Style
Color
Location
Manufacturer
Notes

Metal Roofing
RF-1
Structural Standing Seam Metal Roof
System
Slate Gray
Roof System
Uni-Clad
Rock Krieger
800-428-7737
Colors on website may not be accurate
Please refer to actual samples

PRELIMINARY

JUNE 8, 2011
DO NOT USE FOR CONSTRUCTION PURPOSES

NEW MATERIAL SPECIFICATIONS		DATE	BY	REV
SIGNAGE AND EXTERIOR UPGRADES		JUN		
FOR				
BILL JACOBSON AND ROVER		07-08-11		
DEALERSHIP FACILITY				
HINSDALE, CHARGE COUNTY, ILLINOIS				
HEAT, BENDER & ASSOCIATES, INC.				
A-2				
OF 2				

Memorandum

To: Chairman Byrnes and Plan Commissioners

From: Sean Gascoigne, Village Planner



Cc: Robb McGinnis, Building Commissioner
David Cook, Village Manager

Date: July 13, 2011

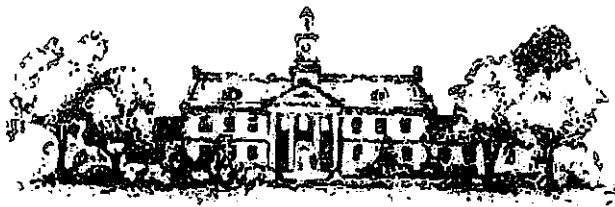
Re: Public Hearing for Case A-05-2011

Applicant: Eden Assisted Living

Request: Special Use Permits for a Planned Development, Personal Care Facility and Senior Citizen Housing, as well as Site Plan/Exterior Appearance approval at 10 N. Washington Street.

As you are aware, on June 21st, 2011, the Board of Trustees remanded the proposal pertaining to the above referenced item back to the Plan Commission for their review and consideration. At the meeting on the 21st, the Board determined that the location requirement stated in the zoning code stating that no personal care facility, except in connection with a senior citizen housing development, be allowed across the street or contiguous to any single-family residential district, was not a permitted waiver and as such could not be requested as part of the Planned Development. The Board advised the applicant to return to the Plan Commission to request an additional Special Use for Senior Citizen Housing, which would satisfy this requirement and allow the applicant to move forward with the proposed request. Additionally, the Board advised the applicant that they would expedite the process as quickly as they could and asked staff to proceed accordingly. As such the applicant is reappearing before you at the direction of the Village Board. Attached you will find the applicant's revised applications and any additional information as a result of the direction given to the applicant by the Board or requested by the Plan Commission.

Cc: President Cauley and the Village Board of Trustees
David Cook



**VILLAGE
OF HINSDALE** FOUNDED IN 1873
19 EAST CHICAGO AVENUE
HINSDALE, ILLINOIS 60521-3489 (630) 789-7000
Village Website: <http://www.villageofhinsdale.org>

POLICE DEPARTMENT 789-7070
FIRE DEPARTMENT 789-7060
21 N. M. SYMONDS DRIVE

VILLAGE PRESIDENT
Tom Casley
TRUSTEES
J. Kimberly Angelo
Christopher J. Elder
Doug Goetz
William N. Harlow
Laura LaPlaca
Bob Leigh

June 29, 2011

By Email and Regular Mail

Michael J. Hamblet
Eden Supportive Living
311 S. Lincolnway
North Aurora, IL 60542

Re: **Case A-05-2011**

Dear Mr. Hamblet:

At the Board of Trustees meeting on June 21, 2011, Eden Assisted Living ("Eden") voluntarily agreed to remand to the Plan Commission its application in the above-referenced case for a special use permit to operate a personal care facility pursuant to Section 4-107(C) of the Hinsdale Zoning Code. At that same Board meeting, Eden also stated that it intended to amend its remanded zoning application to seek a special use permit to operate a combined senior housing facility (pursuant to Section 4-107(B)) and a personal care facility (pursuant to Section 4-107(C)). As I understand it, Eden chose to remand and amend its application to avoid the prohibition in Section 4-107(C)(2), which clearly states that, "No nursing home or personal care facility . . . shall be located across the street from, or with any portion contiguous to, any [single-family residential district]."

As we discussed at the June 21 Board meeting, while seeking a special use permit for a combined senior citizen housing/personal care facility will avoid the prohibition against the facility operating across the street from a residential neighborhood¹, Eden must now comply with the additional requirements necessary to obtain a special use permit for a senior citizen housing facility. In particular, Section 4-107(B)(1), which applies to senior citizen housing, specifically provides that

"Community Need: No special use permit for senior citizen housing shall be granted except on evidence satisfactory to the board of trustees that there is, and will for the foreseeable future continue to be, a ready

¹ Section 4-107(C) does not apply where the personal care facility is "in connection with a senior citizen housing development."

market demand among current area residents for all of the dwelling units in the senior housing development."

In my view, the Board will base its decision whether to grant or deny Eden's amended application for a special use permit in large part on Eden's ability to demonstrate current and future demand for all 83 dwelling units among "current area residents," which I understand to include residents of Hinsdale and the surrounding communities. I anticipate that for Eden's application for a special use permit to be granted, Eden will need to come forward with concrete proposals to ensure that the 83 units can be filled with residents from Hinsdale and the surrounding area.

I anticipate that the Board will not view generalized plans to market the facility locally or general statistics or projections concerning the number of disabled individuals and senior citizens in the area as sufficient to satisfy the requirement of Section 4-107(B)(1). To be clear, the attachment to the memorandum that you provided the Board on June 21, 2011, which you entitled "Section by Section Analysis of Eden's Compliance with the Affected Code Provisions" (referred to herein as the "Eden Analysis"), falls far short of the evidence necessary to show compliance with Section 4-107(B)(1).² Section 4-107(B)(1) calls for evidence of ready market demand in the Hinsdale area for the proposed facility at 10 N. Washington specifically, not for general evidence of the number of disabled individuals and senior citizens in the area.

As an initial matter, Eden needs to explain, with specificity, the types of local area residents it anticipates will occupy the proposed facility. Eden has made clear that it plans to operate a personal care facility for individuals as young as 22 years of age with disabilities, in combination with a facility for senior citizens with age-related disabilities. Given that the facility Eden now proposes includes such a broad range of potential occupants, with vastly different needs and interests, I am concerned that the proposed facility will appeal to no one, and will attract few local area residents. In addition, Eden representatives have previously testified that the average length of time that an individual would stay at the proposed facility would be approximately three years. The Board would like an explanation from Eden as to how such a short average length of stay is consistent with serving the community's need for senior housing. In short, the Board expects that Eden will offer evidence concerning the specific types of local area residents that Eden anticipates will occupy the 83 dwelling units, as well as an explanation as to why Eden believes those local area residents will elect to live at the proposed facility.

² In the Eden Analysis, Eden contends (incorrectly in my view) that Section 4-107(B)(1) is satisfied by the following statement --

"Section 4-107B. Senior Citizen Housing

1. Ready market demand among current Hinsdale residents: Testimony of residents establishes the existing need. With the impending surge of baby boomers the need will only increase. Adding persons age 55 and over to persons with disabilities substantially increases the available pool of local residents, their immediate relatives and dependents. National statistics show about 12%-15% of people in the U.S have disabilities, which is consistent with reports from Hinsdale high school and projects to about 2000-2500 residents of Hinsdale itself, not counting persons for whom the infirmities of aging alone have made them potential candidates for residency. Even at the end Washington Square had about 39 residents. Adding the above classifications, Eden's market capabilities and the advantages of increased levels of supervised care available, will be more than sufficient to maintain high occupancy at the building."

In addition, to satisfy Section 4-107(B)(1) Eden should be prepared to offer on or more of the following:

1. A rate discount for residents of Hinsdale and the surrounding areas who may wish to live at the proposed facility;
2. Priority for residents of Hinsdale and the surrounding area who may wish to live at the facility over residents from outside the area;
3. A commitment that a certain percentage of the occupants of the proposed facility will come from residents of Hinsdale and the surrounding communities; and
4. To the extent that the propose facility has a waiting list, priority for residents of Hinsdale and the surrounding area on that waiting list.

Such discounts and priority to local area residents would be an important factor in the Board's determination as to whether Eden's proposed facility satisfies the requirement of Section 4-107(b)(1).

In addition to giving discounts and priority to area residents, it is my view that Eden will need to provide the Board with evidence that the facility will be the type of facility that will attract local area residents. In that regard, I believe that the Board would like to see detailed information concerning the interior spaces in the proposed facility, so that the Board can assess whether the facility will likely be populated by local area residents. Recall that Joyce Skoog of Washington Square has testified repeatedly that, because of the configuration of the interior space at 10 N. Washington, Washington Square could not fill the facility with local area residents when Washington Square operated the facility. Thus, as the Washington Square Board freely admits, the design of the interior space is directly relevant to the requirement that there be sufficient local demand for all of the proposed facility's dwelling units. I also believe that the Board would like to know, specifically, what amenities Eden plans to provide at the proposed facility that Eden believes will attract local area residents to the facility.

In addition, 4-107(C)(2), which applies to personal care facilities, and which Eden also must satisfy, requires Eden to "specifically establish minimum standards for supervision" of its proposed personal care facility. The response in the Eden Analysis that "As a licensed 'assisted living facility,' the State will require personnel and supervision more than adequate to meet this provision," is inadequate, in my view. Section 4-107(C)(4) requires the proposed facility to obtain the proper State licenses before it can begin operation. Section 4-107(C)(2), therefore, is an additional requirement that requires Eden to provide detailed standards of supervision, which will become part of any special use permit. The Board expects Eden to comply with this provision to obtain a special use permit.

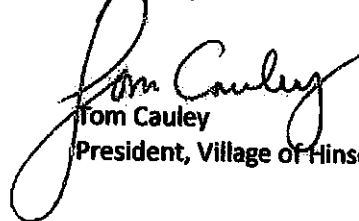
As you know, in connection with Eden's application for a Planned Development, Eden separately needs to show a benefit to Hinsdale. See 11-602E(2) and 11-603. It is undisputed that the existing facility at 10 N. Washington would never have been built under our current Zoning Code because it is far too dense, and is not even close to complying with numerous requirements of the Zoning Code. Moreover, Eden's proposed facility will generate very little in the way of revenue for Hinsdale, but will put a significant strain of the Village's resources. Thus, I believe that Eden should provide some form of compensation to the Village to obtain a special use permit for a Planned Development at 10 N. Washington.

Because Hinsdale has reached its property tax cap, if the Eden project is approved, it will not result in any additional property tax revenue to the Village. The only revenue Hinsdale stands to receive from the proposed facility is revenue from water usage and from other utilities, which will amount to less than \$20,000 per year. Based on an analysis done by Chief Kelly of the Hinsdale Fire Department, the proposed Eden facility will likely result in 200 additional calls per year for fire or ambulance services, which would make it the largest user of our fire department's services. Given that 25% of the calls to our fire department are already simultaneous calls (meaning that the fire department is responding to two calls at the same time), I am concerned that the proposed Eden facility will over tax our fire department. Thus, I recommend that Eden seriously consider a cash contribution to compensate Hinsdale for some of the burden that the fire department will likely incur in connection with the proposed facility. For example, Hinsdale has two ambulances, one of which is twelve years old and badly needs to be replaced. I encourage Eden to consider contributing to the cost of a new ambulance. By my calculations, if the amended zoning application is granted, the proposed facility will be extremely profitable to Eden, and I do not believe a request for a significant cash contribution, particularly given the strain the proposed facility will place on Hinsdale's fire department, is unreasonable.

Finally, please be advised that the Board will not consider any evidence concerning Eden's amended zoning application that has not first been presented to the Plan Commission. As I stated at the June 21 Board meeting, the Plan Commission is the Village's fact finding body, and any and all evidence that you plan to offer in support of Eden's amended zoning application must first be submitted at the public hearing before the Plan Commission before it will be considered by the Board.

I hope this is helpful.

Sincerely yours,



Tom Cauley
President, Village of Hinsdale

cc: Neale Byrnes

Memo

To: Tom Cauley, Village President
From: Chief Kelly
CC: Dave Cook, Village Manager
Date: 6/17/2011
Re: EMS response related to 10 N. Washington

Based on your request, I have the following information related to EMS response to an assisted/supportive care facility.

I spoke to Captain Miller at the North Aurora Fire Department who provided me their statistics on EMS and Fire response to the Edens facility that is in their jurisdiction. In 2010, their Department responded to a total of 406 responses to that facility. This is broken down into 389 EMS responses and 17 fire related responses. Their Department responded to a total of 2018 emergency responses in 2010, so 20% of their emergency responses in 2010 were to this facility. Captain Miller informed me that this facility was by far their most active, in terms of EMS requests, in their jurisdiction. He also informed me that the resident population at this facility is 152 residents and their capacity is 156 residents.

In comparison, our most active facility is Manor Care located at 600 W. Ogden. In 2010, we had 144 total responses to this facility, 133 EMS related and 11 fire related. In 2010, we responded to a total of 2,724 emergency responses of which Manor Care accounted for 5% of our responses. Additionally, when 10 N. Washington was operating as a senior housing facility we responded to a total of 26 responses, 14 EMS related and 12 fire related from January 2008-April 2009.

Based on the information gathered from North Aurora, and the fact that the proposed Hinsdale facility would house slightly over half the residents of the North Aurora facility, we could anticipate an increase in emergency requests of approximately 200 per year. This would make this facility the most active, in terms of emergency responses, in the Village. An increase of 200 emergency responses is not particularly overburdening as we do see fluctuations in emergency requests from year to year that fall in this range, however an area of concern would be the impact

on simultaneous calls. Currently, approximately 24% of our emergency calls occur when we are already handling another call. An increase in call volume increases the potential of simultaneous calls which could result in a delay in service if we are not available and need to rely on our surrounding Departments. It is difficult to predict how often this may occur based on the unpredictable nature of emergency requests. If you need further information, please contact me.

VILLAGE OF HINSDALE

Certificate of Zoning Compliance

Subject to the statements below, the Village has determined that, based on the information included in Application # A-05-2011 for a Certificate of Zoning Compliance, the proposal described in this certificate appears to comply with the standards made applicable to it by the Hinsdale Zoning Code.

This certificate is issued to:

Eden Assisted Living

Address or description of subject property:

10 N. Washington Street, Hinsdale Illinois 60521

Use or proposal for subject property for which certificate is issued:
Operation of a Personal Care Facility and Senior Citizen Housing.

Plans reviewed, if any: *See attached plans, if any. – PC Case A-05-2011*

Conditions of approval of this certificate:

- The petitioner must apply for and obtain a Planned Development, including all necessary waivers.
- The petitioner must apply for and obtain a Special Use Permit to operate a Personal Care Facility.
- The petitioner must apply for and obtain a Special Use Permit for Senior Citizen Housing.

The Board of Trustee's adopt an Ordinance that grants the following requests:

- Subsection 11-602E pertaining to Standards for special use permits;
- Subsection 11-603E pertaining to Standards for planned developments (including all necessary waivers);
- Section 11-604 of the Zoning Code governing Site Plan Review.
- Section 11-606 of the Hinsdale Zoning Code pertaining to the Exterior Appearance Review.

Note: other conditions may be attached to approval of any pending zoning application.

NOTE ALL OF THE FOLLOWING CAREFULLY:

This approval granted in this certificate has been granted based on the information provided to the Village and the Village's understanding of the facts and circumstances related to the proposal at this time. If (a) any information provided to the Village changes, (b) any new information is becomes available or is discovered, or (c) the Village's understanding of the facts and circumstances otherwise changes, then this certificate may be rescinded.


This certificate does not signify Building Code Review or approval and is not authorization to undertake any work without such review and approval where either is required. See the Hinsdale Building Code for details.

Before any structure to which this certificate is applicable may be occupied or used for any purpose, a Certificate of Occupancy must be obtained. See Section 11-402 of the Hinsdale Zoning Code and the Hinsdale Building Code for details.

Subject to an extension of time granted pursuant to the Hinsdale Zoning Code, this certificate shall become null and void six months after the date on which it was issued unless construction, reconstruction, remodeling, alteration, or moving of a structure is commenced or a use is commenced.

If this certificate is issued in violation of the provisions of the Hinsdale Zoning Code, whether intentionally, negligently, or innocently, then it shall be void *ab initio* and shall give rise to no rights whatsoever.

By:


Village Manager

Dated:

7/8, 20 11



**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

GENERAL APPLICATION

I. GENERAL INFORMATION

Applicant

Name: Eden Assisted Living LLC (to be formed)
Address: c/o Mitch Hamblet 1404 N LaSalle St,
Chicago, IL
Phone/Fax: (312) 446-6262/(630) 896-5814
E-Mail: mhamblet@edenslf.com

Owner

Name: Washington Square, Inc.
Address: 10 North Washington Street
City/Zip: Hinsdale, Illinois 60521
Phone/Fax: (630) 323-0122
E-Mail: cswroble@comcast.net

Others, if any, involved in the project (i.e. Architect, Attorney, Engineer)

Name:

Name: _____
Title: _____
Address: _____
City/Zip: _____
Phone/Fax: () _____ / _____
E-Mail: _____

Disclosure of Village Personnel: (List the name, address and Village position of any officer or employee of the Village with an interest in the owner of record, the Applicant or the property that is the subject of this application, and the nature and extent of that interest).

1) NO VILLAGE PERSONNEL HAVE AN INTEREST IN THE OWNER OF RECORD

2) _____

3) _____

II. SITE INFORMATION

Address of subject property: 10 North Washington Street, Hinsdale, Illinois 60521

Property identification number (P.I.N. or tax number): 09-01-331-011

Brief description of proposed project: Conversion and adaptive re-use of the existing structures and improvements as an assisted living center for persons 55 years of age and older, as licensed under the laws and regulations of the State of Illinois. The facility is proposed for operation within the existing structures and improvements at 10 N. Washington Street. The facility has operational aspects serving individuals with disabilities under Title 24, Chapter IX, Subpart A of the Code of Federal Regulations (24 CFR Sec. 945.105). Aspects of these services for individuals with disabilities may fall within the regulations of the Hinsdale Zoning Code for a Personal Care Facility and for Senior Citizen Housing. The concept of assisted living in this area gained prominence following the adoption of the 1989 Zoning Code, but the Standards Industry Classifications and the North American Industry Classification System view assisted living in a fashion that permits Hinsdale to authorize the use without a text amendment. Applicant's use has components of a Personal Care Facility and Senior Citizen Housing as noted in the Zoning Code. Please see Exhibit C.

General description or characteristics of the site: The site is situated west of Memorial Hall, bordered on the south by a business use and otherwise by Village rights of way. Parking within the site is situated across an alley from the existing buildings and the drive aisle has ingress and egress onto North Lincoln Street as well as the alley. The site presently contains the improvements and structures described in Exhibit C, hereto, depicted in Exhibit B and in Group Exhibit D, as well as depicted in the building and engineering plans on file with the Village. The street faces of the structures have a lower height and the three-story portions are on the interior. The buildings adjacent to the alley and in the rear yard have parking in the lower levels except for the southernmost building which has service and common area. The site is sloped from north to south, with the appearance from the north being one of a one- or two-story development until the grade change occurs. Please see Exhibit C.

Existing zoning and land use: R-5 (east of public alley) and O-1 (west of public alley)

Surrounding zoning and existing land uses: See Exhibit C

North: I-B (religious institutional building)

South: O-1, B-1 (law office, vac. real estate office, bank)

East: I-B (library, Village Hall)

West: O-1, B-1 (law office, vac. builder office, Fuller's)

Proposed zoning and land use: R-5 and O-1 with special use for assisted living,

Existing square footage of property: +/- 49,262 square feet

Please mark the approval(s) you are seeking and attach all applicable applications and standards for each approval requested:

☒ Site Plan Disapproval 11-604

☐ Map and Text Amendments 11-601E
Amendment Requested:

☐ Design Review Permit 11-605E

☒ Planned Development 11-603E

☒ Exterior Appearance 11-606E

☐ Development in the B-2 Central Business District Questionnaire

☒ Special Use Permits (2) 11-602E. Special Uses Requested: See Exh. C. Permits for Personal Care Facility and Senior Citizen Housing in assisted living format.

☒ Major Adjustment to Final Plan Development

PLEASE NOTE THAT APPLICANT SEEKS APPROVAL OF A MAJOR ADJUSTMENT TO THE EXISTING SPECIAL USE FOR PLANNED DEVELOPMENT. THIS IS EXPLAINED IN EXHIBIT C.

TABLE OF COMPLIANCE

Address of subject property: 10 North Washington Street, Hinsdale, Illinois 60126

The following table is based on the R-5 Zoning District.

	Minimum Code Requirements	Proposed/Existing Development
Minimum Lot Area	Townhouse: 15,000 Senior Citizen: 15,000 Personal Care: 30,000 PD: 18,000	49,262 s.f.
Minimum Lot Depth	125 ft.	247 ft.
Minimum Lot Width	70 ft.	165 ft.
Building Height	30 (R-5)/35 (Sen. Cit.)	34 ft.
Number of Stories	2 (R-5)/3 (Sen. Cit.)	3 stories
Front Yard Setback	25 ft. (R-5)/14.5 ft. (avg)	9.78 ft.
Corner Side Yard Setback	18.5 ft.	0.0 ft.
Interior Side Yard Setback	8 ft.	1.74 ft.
Rear Yard Setback	25 ft. (6 ft. accessory under 4-112(G)(13))	14 ft. to main (10 ft. to accessory structure)
Maximum Floor Area Ratio (F.A.R.)*	0.45 or 22,167.9 s.f.	1.16 or 57,143.92 s.f.
Maximum Total Building Coverage*	0.35 or 17,241.7 s.f.	.4382 or 21,584.6 s.f.
Maximum Total Lot Coverage*	Not Applicable	Not Applicable
Parking Requirements	Sen. Cit. 9-104(J)(1)(a) (iii) reqs. 1/du plus ½ per employee. Pers. Care 9-104(J)(1)(e)(viii) 1 for each 3 beds plus 1 for each licensed practitioner, not including nurses and assistants, plus 1 for each additional 2 employees (35 spaces) 32 parking spaces are existing pre-Code. Please see 9-104(C)(2).	35
Parking front yard setback	N/A (See 9-104(D)(2))	N/A(See 9-104(D)(2))
Parking corner side yard setback	N/A (See 9-104(D)(2))	N/A(See 9-104(D)(2))
Parking interior side yard setback	N/A (See 9-104(D)(2))	N/A(See 9-104(D)(2))
Parking rear yard setback	N/A (See 9-104(D)(2))	N/A(See 9-104(D)(2))
Loading Requirements	1 (See 9-105(B)(1)(b))	1 (existing)
Accessory Structure Information	10 ft. separation (R-5) 7.5 ft. separation as PD 30% of Rear Yard 10% of lot area, 4926.2	Existing per PD Ord. <30% of Rear Yard <10% of lot area

* Must provide actual square footage number and percentage.

Where any lack of compliance is shown, state the reason and explain the Village's authority, if any, to approve the application despite such lack of compliance:

Applicant submits that the Village Board possesses the authority to approve the special use for planned development. This authority arises under the zoning ordinance as it governs a new planned development or as a major adjustment to a planned development. Where waivers are necessary, Applicant requests them on the basis that the proposal is to adapt the use of the existing structures to a use that is similar in impact to the earlier use.

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that he or she consents to the filing of this application and that all information contained in this application is true and correct to the best of his or her knowledge.
- B. The applicant understands that an incomplete or nonconforming application will not be considered. In addition, the applicant understands that the Village may require additional information prior to the consideration of this application which may include, but is not limited to, the following items:
 - 1. Minimum yard and setback dimensions and, where relevant, relation of yard and setback dimensions to the height, width, and depth of any structure.
 - 2. A vehicular and pedestrian circulation plan showing the location, dimensions, gradient, and number of all vehicular and pedestrian circulation elements including rights-of-way and streets; driveway entrances, curbs, and curb cuts; parking spaces, loading spaces, and circulation aisles; sidewalks, walkways, and pathways; and total lot coverage of all circulation elements divided as between vehicular and pedestrian ways.
 - 3. All existing and proposed surface and subsurface drainage and retention and detention facilities and all existing and proposed water, sewer, gas, electric, telephone, and cable communications lines and easements and all other utility facilities.
 - 4. Location, size, and arrangement of all outdoor signs and lighting.
 - 5. Location and height of fences or screen plantings and the type or kind of building materials or plantings used for fencing or screening.
 - 6. A detailed landscaping plan, showing location, size, and species of all trees, shrubs, and other plant material.
 - 7. A traffic study if required by the Village Manager or the Board or Commission hearing the application.
- C. The Applicants shall make the property that is the subject of this application available for inspection by the Village at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicants shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than ten days following the change, and that failure to do so shall be grounds for denial of the application; and
- E. The Applicant understands that he/she is responsible for all application fees and any other fees, which the Village assesses under the provisions of Subsection 11-301D of the Village of Hinsdale Zoning Code as amended April 25, 1989.
- F. THE OWNER OF THE SUBJECT PROPERTY AND, IF DIFFERENT, THE APPLICANT ARE JOINTLY AND SEVERALLY LIABLE FOR THE PAYMENT OF THE APPLICABLE APPLICATION FEE. BY SIGNING THE APPLICATION, THE OWNER HAS AGREED TO PAY SAID FEE, AND TO CONSENT TO THE FILING AND FORECLOSURE OF A LIEN AGAINST SUBJECT PROPERTY FOR THE FEE PLUS COSTS OF COLLECTION, IF THE ACCOUNT IS NOT SETTLED WITHIN THIRTY (30) DAYS AFTER THE MAILING OF A DEMAND FOR PAYMENT.

On the _____, day of _____, 2_____, I/We have read the above certification, understand it, and agree to abide by its conditions.

Signature of applicant or authorized agent

Signature of applicant or authorized agent

Name of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this _____ day of _____.

Notary Public

VILLAGE OF HINSDALE

CERTIFICATION OF PROPER NOTICE

REGARDING APPLICATION FOR PUBLIC HEARINGS AND MEETINGS

I, _____, being first duly sworn on oath, do hereby certify that I caused written notice of the filing of my application for a public hearing and or meeting to be given to owners of record of property within 250 feet of any part of the subject property. I further certify that I gave such notice in the form required by the Village (Certified Mail) and that I gave such notice on _____.

Attached is a list of all of the addresses of property to whom I gave such notice and the receipts of mailings.

By: _____

Name: _____

Address: _____

Subscribed and sworn to before me

This _____ day of _____, _____.

By: _____
Notary Public

EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1: THE NORTH 82½ FEET OF LOT 1 BLOCK 4 IN STOUGH'S ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION OF THE SOUTH ½ OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1868 AS DOCUMENT 9593, IN DUPAGE COUNTY, ILLINOIS. AND;

PARCEL 2: THE SOUTH ½ OF LOT 1 AND THE NORTH ½ OF LOT 2 IN BLOCK 4 IN STOUGH'S ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION OF THE SOUTH ½ OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1868 AS DOCUMENT 9593, IN DUPAGE COUNTY, ILLINOIS. AND;

PARCEL 3: THE NORTH ½ OF THE SOUTH ½ OF LOT 1 IN BLOCK 4 IN STOUGH'S ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION OF THE SOUTH ½ OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1868 AS DOCUMENT 9593, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 4: THE NORTH 50 FEET OF THE SOUTH 100 FEET OF LOT 4 IN STOUGH'S ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION OF THE SOUTH ½ OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1868 AS DOCUMENT 9593, IN DUPAGE COUNTY, ILLINOIS.

LINCOLN AVE.

ALL DIMENSIONS NEED TO BE VIEWED IN FIELD
BEFORE CONSTRUCTION STARTS

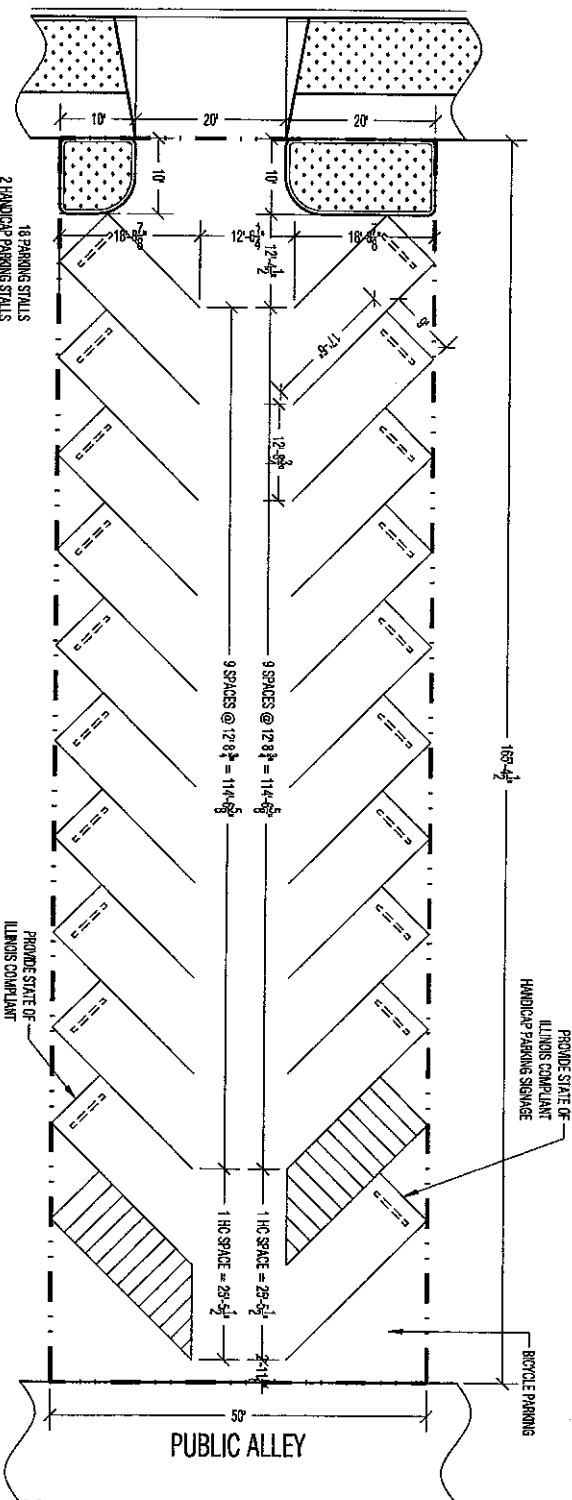
TOTAL LOT AREA - 8,209 S.F.
VEHICULAR USAGE AREA - 7,991 S.F.
LANDSCAPED AREA - 208 S.F.

18 PARKING STALLS
2 HANDICAP PARKING STALLS
20 TOTAL PARKING STALLS
5 BICYCLE STALLS

1 NORTH
1 HANDICAP PARKING STORAGE

PROPOSED PARKING

Scale: 1/8" = 1' (1/16")



NOTICE OF COPYRIGHT

YOU ARE HEREBY ADVISED THAT THESE DOCUMENTS WERE PREPARED BY THE DESIGN PROFESSIONAL, REGISTERED HEREIN AND ARE TO BE CONSIDERED INSTRUMENTS OF SERVICE FOR USE SOLELY WITH RESPECT TO THE PROJECT. THE DESIGN PROFESSIONAL, AS THE AUTHOR AND OWNER OF THESE INSTRUMENTS OF SERVICE, AND BEING ALL COMMON LAW, STATUTORY AND OTHER RESERVED RIGHTS, INCLUDING COPYRIGHT, ACCORDINGLY, ANY REPRODUCTION OR USE OF THESE INSTRUMENTS OF SERVICE FOR THE PURPOSE OF FULFILLING THE OBLIGATIONS OF THIS PROJECT BY ANYONE OTHER THAN THE DESIGN PROFESSIONAL, SHALL CONSTITUTE A VIOLATION OF THE DESIGN PROFESSIONAL'S RESERVED RIGHTS AND SHALL ENTITLE EACH TO RECOVER ALL DAMAGES AS ALLOWED FOR BY ANY APPLICABLE LAW, INCLUDING REASONABLE ATTORNEY'S FEES AND COSTS, IN THE EVENT OF SUCH UNAUTHORIZED REPRODUCTION OR USE. THE DESIGN PROFESSIONAL, OR ITS ASSIGNEE, SHALL NOT BE RESPONSIBLE FOR THE ACCURACY, COMPLETENESS OR CONSISTENCY OF THE INSTRUMENTS OF SERVICE, ACCORDINGLY, IN THE EVENT OF SUCH UNAUTHORIZED REPRODUCTION OR USE, THE PERSON OR ENTITY REPRODUCING OR USING THE INSTRUMENTS OF SERVICE WITHOUT WRITTEN AUTHORIZATION AGREES, AS ENFORCED BY SUCH REPRODUCTION OR USE, TO INDEMNIFY, DEFEND AND HOLD HARMLESS ABSOLUTE ARCHITECTURE, P.C., ITS OFFICERS, DIRECTORS, EMPLOYEES AND THE DESIGN PROFESSIONAL, TO THE FULLEST EXTENT PERMITTED BY LAW, FROM ANY DAMAGES, LIABILITIES OR COSTS, INCLUDING REASONABLE ATTORNEY'S FEES AND DEFENSE COSTS, ARISING OR ALLEGEDLY ARISING FROM SUCH UNAUTHORIZED REPRODUCTION OR USE.

A1.0

PROPOSED PARKING
PLAN
45 DEG PARKING

PROPOSED PARKING FOR EDEN ASSISTED LIVING

10 N. WASHINGTON
HINSDALE, ILLINOIS

ABSOLUTE
ARCHITECTURE PC
914 GREEN BAY RD. SUITE 202
WINSTON, ILLINOIS 60093
TEL: 312.283.7565
FAX: 312.283.7566

EXH B

EXHIBIT "C"

Zoning Analysis in Support of Eden Assisted Living

EDEN ASSISTED LIVING'S REQUESTS

Major adjustment to an existing special use for planned development to afford the continuation of the existing structures, including accessory structures, with interior modifications to provide for the same number of units (71)—all in their current location and exterior design.

Special use for an assisted living facility as the R-5 zoning classification contemplates such a facility under Section 4-107(B) (C).

Special Use for Planned Development to permit the use of the existing structures and improvements at the Subject Property as an assisted living facility. Certain waivers from bulk regulations are within the scope of the application.

Exterior Appearance Review and Approval.

GENERALLY APPLICABLE STATEMENTS

The Subject Property is comprised of a single zoning lot bisected by an alley. The current structures were constructed with the approval of the Village of Hinsdale. Initially, a pre-1989 planned development approval authorized construction and development of the independent senior living use at the Subject Property. Washington Square opened in 1974. Through 1994 it operated at capacity, but changes in housing needs and the methods of providing housing to seniors made it difficult for Washington Square to avoid a declining occupancy rate. Not only are seniors living longer, but their lives are more active. The means of providing housing to seniors now lies along a continuum of care from independent living to assisted living to full nursing or personal care.

The Subject Property was also the subject of modern (post-1989) approvals of modifications to the special use planned development to allow the facility to exist in its current form. The last Village zoning approval on January 4, 1994 (Ordinance No. O94-01) led to the current configuration and improvements at the Subject Property and allowed various waivers of and deviations from certain regulations.

The Subject Property is sloped heavily from north-to-south and construction progressed in a fashion to have lower-profile structures on the north and east exterior of the Subject Property (adjacent to Maple and Washington). The structure is 34 feet tall. On the north and east exteriors of the Subject Property, the appearance is one of two-story structures, but the interior and the south buildings are three stories. The two western buildings are two stories above parking.

The Subject Property has two zoning classifications. The bulk of the land lies within the R-5 Multiple Family Residential District, but the western parking area (across the alley) lies in the O-1

Specialty Office District. The O-1 zoning regulations are less restrictive than the R-5 zoning regulations and the setbacks on the parking area.

The Subject Property is the only R-5 parcel in this particular R-5 zoning district. To the north and east of the Subject Property lies an Institutional Building zoning district (possibly two) that spans from east of Garfield to Lincoln (this area includes the water works, fire station, police station, two churches and Memorial Hall). West of the alley between Washington and Lincoln, land is situated in the O-1 (north) or the B-1 (south) zoning districts (current uses include professional offices, two of which are vacant). South of the subject property in the B-1 zoning district is an existing Northern Trust Bank facility with complete screening from the Subject Property. East of the Subject Property lies the public library and Village Hall.

Access to the Subject Property is convenient. The Subject Property lies downtown, near the METRA train stations and many downtown businesses. Weekend street parking is commonly available on Lincoln, Maple and Chicago, as well as on the west side of Washington (although occasional vehicles will park there when the library is busy). The only recent observed use of street parking spaces on Lincoln was by Fuller's automotive service. During weekday, work hours, there is significant available street parking on a regular basis and Fuller's use of the rights of way continues to be frequent.

SPECIAL USE FOR ASSISTED LIVING FACILITY (SECTIONS 4-107(B)(C))

GENERAL STANDARDS

1. Code and Plan Purposes. The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established. ***Response: While harmony with the zoning ordinance can occasionally be in the eye of the beholder, this case is a bit different than many because the Applicant seeks to adapt the use of the Subject Property and its existing improvements from independent senior living to assisted living. As a result, the Village has nearly 37 years of history behind how the structures fell into harmony with the general and specific purposes of the zoning ordinance. Much of this is addressed above or in relation to other factors (i.e., the blend of housing opportunity, the transitioning of land use intensity and structures, the interpretation of the code for these purposes and in light of applicable state and federal laws and regulations). The proposed assisted living use is in harmony with the following general and specific purposes of the zoning ordinance as follows:***

1-102(A): The use completes the housing stock in Hinsdale by filling a void and curing the absence of assisted living.

1-102(A): The use will serve the local residents by providing for an appropriate percentage of occupancy for the local residents. The use will provide volunteers and an opportunity for volunteerism.

1-102(B)(1): Approval will further the Comprehensive Plan as described herein.

1-102(B)(2): Approval of the use will continue the viability of the Subject Property as a transitional structure and land use between the single family and institutional uses to the north and west, on one hand, and the downtown commercial and office areas, on the other hand.

1-102(B)(3): The use will be a business operation for residential purposes, with townhomes closest to the R-4 single family district and lower-profile structures closest to the larger setback Memorial Hall and downtown open space.

1-102(B)(4): The use will provide an opportunity for families in Hinsdale to plan for relatives who need assisted living services and it may relieve burdens on families that are faced with the choice of (a) relocating with parents, spouses or children or (b) providing for them in their single family home in what may be a difficult situation or (c) traveling to more distant facilities to visit them. The local option will permit existing single family home occupants to plan for a local assisted living facility when this option does not exist and allow the entire family to claim Hinsdale as their home.

1-102(B)(5): The use will occur within existing buildings that were planned for a greater interior density with lower-profile buildings and less bulk on the perimeter near Maple and Washington.

1-102(B)(6): Applicant submits that the structure is not a non-conforming structure inasmuch as a valid special use for planned development remains operable.

1-102(B)(7): In light of the hierarchy of zoning districts (Section 2-102) and the intent to use districts and development to transition from one classification to another, the R-5 use remains as a logical transition inasmuch as expansion of the IB District is unlikely and office use at the site would not preserve the character of the adjacent office buildings and properties (which are vacant and for sale or lease).

1-102(B)(9): The re-use of the buildings will preserve a development that is well-built and designed into the slope southward from Maple toward Chicago. Additionally, volunteers from the location will be able to serve roles that benefit the parks and forest preserves programs in the area.

1-102(B)(10): The use will promote the public health, safety, morals and general welfare of the Village by opening a currently non-existent opportunity for seniors and others who would benefit from the assisted living facility. The health of local residents is at stake inasmuch as many residents would prefer not to leave the Village where they have spent much of their lives and their families would not wish to see them depart to more remote locations. The use will also add to the diversity of Hinsdale and approval would indicate Hinsdale's acceptance of an important component of society as people age.

1-102(C)(1): The structures are existing quasi-public facilities and re-use is more efficient than the waste that would occur otherwise.

1-102(C)(2): Streets, street parking and sidewalks in the area are sufficient and many metered and non-metered spaces will remain available on a daily basis because 35 parking spaces are sufficient for

the use. As noted later, Applicant will agree to restrictions on the number of parking spaces for residents. Other public facilities such as the library, parks and forest preserves will not be overburdened by the use because Applicant provides meaningful programs and opportunity as a part of its operations. Applicant is willing to contribute fifty percent (50%) to the cost of a new ambulance as a condition of the approval of the special use for the assisted living facility without further discussion of need or a nexus.

1-102(C)(4): The Subject Property has access from Maple, Chicago and Washington and egress onto Lincoln—all at points where these streets are non-residential in character. Parking restrictions and metering would inhibit or prevent any long-term parking in the same fashion that it does in relation to commuter traffic for the METRA users.

1-102(C)(5): The location of assisted living facilities in the downtown area serves to reduce traffic inasmuch as downtown is where many businesses and activities are located. The location of the use near the METRA station is also beneficial in reducing congestion.

1-102(D)(1): Preservation of the existing structures in an assisted living concept protects and respects the expectations of businesspeople and taxpayers that land use patterns will remain constant. The structures and prior use have a 37 year history and there has been no detriment to the pattern and pace of the development, maintenance and repair of residential properties in the area. The use of the major adjustment or a new planned development will also respect expectancy.

1-102(D)(2): It is difficult to imagine any other development that would have the same space and taxable floor area inasmuch as the assessed value of improvements is concerned. The use of the major adjustment process or the approval of a new special use permit and new special use for planned development will preserve the buildings for their use. The return of the Subject Property to a viable use will not only preserve the taxable value of this land, but it will also enhance it. This will benefit Hinsdale residents by effectively reducing burdens for the real estate tax levy of the Village (and, though less so, other taxing bodies).

2-102(A): Approval will permit the Village to recognize and accomplish the purpose of the R-5 zoning district in opening up a variety of housing. (See Section 4-101, 4-102(A))

3-101: Approval will allow the Village "to provide a reasonable range of opportunity for the development and preservation of housing types consistent with the existing residential character of the village." Note that Section 3-101 explicitly recognizes that this range is to be accomplished "in combination with the multiple family residential districts."

4-101: Assisted living is a use deemed compatible under the NAICS (and under the SIC as SIC codes have been interpreted since their last publication in 1987) and it is one that is aligned in the same category of services. The proposed use provides "a transition between single-family detached and other zoning districts." There is no assisted living use in Hinsdale and the use will provide this "alternate housing type in a suburban environment."

4-102(A): The use continues the 37 years of logical transition between the R-4 district north of Maple and downtown Hinsdale. Compared to other downtown tracts of land, this is a large parcel (49,262 s.f.) and it is inappropriate for any more restrictive classification. The open space within the use will continue to be usable common space with walkways, trees and landscaping.

9-104: Applicant provides 35 off-street parking spaces in the O-1 area of the zoning lot. The setbacks of the west parking area are consistent with O-1 design. As addressed elsewhere, the parking is conservatively planned based on higher estimates of employees and the result is a more stringent standard than the Cordia facility in Westmont which mandates a 5:1 bed-to-parking ratio plus a requirement of 1:1 for full-time employees. The use will foster safe and efficient circulation of vehicles and pedestrians both on private property and on adjacent public streets. Inasmuch as general traffic to the site is concerned, there is anticipated to be no change in the types of vehicles using the streets and delivery vehicles would have no reason to use more remote residential areas of the abutting streets.

2. No Undue Adverse Impact. The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare. **Response: Please see discussions above and below.**

7. Compliance with Standards. The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use. **Response: Please see discussions above and below.**

8. Special standards for specified special uses. When the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district. **Response: Please see above and below.**

9. Considerations. Public benefit. Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community. Response: Applicant will provide evidence at hearing, including an analysis of need and demand. Please see discussions elsewhere in the applications.

ADDITIONAL STANDARDS FOR SENIOR CITIZEN HOUSING

1. Community Need: No special use permit for senior citizen housing shall be granted except on evidence satisfactory to the board of trustees that there is, and will for the foreseeable future continue

to be, a ready market demand among current area residents for all of the dwelling units in the senior citizen housing development. ***Response: Market demand exists in the Hinsdale area. Most assisted living facilities in the region are operating above the national occupancy rates. There is no assisted living facility in Hinsdale.***

2. Location: Every senior citizen housing development shall be located in an area of the village that is conducive to the special needs of senior citizens. This typically will require a location with convenient access to public transportation, retail stores, and medical services. ***Response: Please see response to Item 3 of this narrative.***

3. Facilities And Staff: Every senior citizen housing development shall provide such on site facilities and staff as may be necessary and appropriate to satisfy the social, cultural, recreational, and, when appropriate, medical needs of its residents, including walkways, ramps, benches, special lighting, and the like. The name and telephone number of at least one person having direct responsibility for the operation of the development shall be kept on file with the village manager and shall be listed in the Hinsdale telephone directory under the name of the development. ***Response: Applicant directly provides nature and outdoor activities through trips and other activities. Nearby parks, forest preserves, Graue Mill and other local amenities allow more than ample opportunity for residents to enjoy planned activities appropriate for their needs. Applicant also provides opportunities that strengthen the faith of residents through its non-denominational chapel. Applicant provides a state-of-the-art theatre environment for movie night, lectures and presentations. Applicant also assists residents by providing recreational and special interest club opportunities as well as team and individual athletic and fitness activities. Applicant also assists in family get-togethers and hosting family nights, brunches and pot luck. Applicant also hosts several seasonal and themed events, parties, cookouts and dances. Applicant sponsors several life skills activities in fields such as cooking, computer training, job training and volunteerism. Groups exist for intellectual activities such as poetry/writing, book clubs, discussion groups and other interests. Medical care is readily available in Hinsdale through Adventist/Hinsdale Hospital, Wheaton Eye Clinic and other qualified medical professionals unaffiliated with these two respected entities. The downtown location provides ready access to METRA, the library, restaurants, dry cleaners, pharmacies, coffee shops, automobile service and repair, banking and insurance among other goods and services.***

4. Required Approvals: No senior citizen housing development shall be established without the prior licensing, certification, or other approval of every public agency charged with the regulation or supervision of any facet of the activity of the proposed facility. Every application for a special use permit for a senior citizen housing development shall set forth each agency that must approve the establishment or operation of the facility and shall be accompanied by a formal acknowledgment of

approval from each such agency; provided, however, that in the event any such approval has been delayed, the application shall set forth the status of each such application and shall state any facts known to the applicant that might have contributed to the delay of any required approval that has not been obtained as of the time of the filing of the application for a special use permit. **Response:**

Applicant's complete application for licensing as an "assisted living facility" under the laws of Illinois is on file with the Illinois Department of Public Health. Applicant's licensing attorney testified before the Plan Commission and the license will be granted once the Applicant's purchase of the former Washington Square building is consummated.

5. Financial Stability: No special use permit for a senior citizen housing development shall be granted unless the applicant therefor shall establish, to the satisfaction of the board of trustees, that there exists a reasonably certain source of continuous and sufficient funds to provide for the operation and maintenance of such facility in accordance with the representations of the application and the various standards applicable to such facility by reason of this code and other laws and regulations. **Response:** ***Applicant has furnished all requested information concerning the operations of its other facilities in North Aurora and Chicago showing the companies to be operating profitably and generating sufficient cash flows to guaranty the financial backing of the proposed operation of the assisted living facility in Hinsdale.***

6. Fire Protection: Every senior citizen housing development shall be equipped with a fire suppression system, a fire protection signaling system, and an automatic fire detection system in accordance with the requirements of section 9-2-2 of the village code. **Response:** ***Applicant will comply with all fire and life safety requirements as carried out and enforced by the Village and fire department. The existing building is equipped with a fire alarm system and sprinklered. When reopened, it will also have a 24/7 manned concierge as well as video cameras and a nurse call system.***

ADDITIONAL STANDARDS FOR NURSING AND PERSONAL CARE FACILITIES

COMMENT: APPLICANT RESPONDS TO THESE STANDARDS EVEN THOUGH THE USE IS NOT A NURSING AND PERSONAL CARE FACILITY. THE FACILITY WILL HAVE COMPONENTS THAT ALIGN WITH NURSING AND PERSONAL CARE. ASSISTED LIVING FACILITIES COMMONLY HAVE NURSING AVAILABLE.

1. Location: No nursing or personal care facility, except in connection with a senior citizen housing development, shall be located on any lot across the street from, or with any portion of any side lot line contiguous to, any R-1, R-2, R-3, or R-4 district. **Response:** ***The land and zoning classification northeast of the Subject Property drew some concern in earlier hearing and meeting phases. The property at the northeast corner of Maple and Washington is clearly zoned within the large R-4 zoning district between downtown and Ogden Avenue. The zoning map is unclear (by reason of coloring, multiple lines and the extent of the aforementioned IB zoning district) as to where the zoning district***

boundaries for the R-5, R-4 and IB zoning districts are located. The Village raised a concern that the Subject Property lies "across the street from, or with any portion of a side lot line contiguous to any ... R-4 district." (See Section 4-107(C)(1)). No portion of any relevant side lot line is contiguous to an R-4 district. No part of the frontage for the Subject Property opposes frontage from the corner lot with the R-4 zoning classification.

Section 12-206 defines the term "street" as follows: "The paved portion of a public or private right of way, other than a driveway, that affords the principal means of vehicular access to abutting property." The intersection of two streets does not provide access to any property inasmuch as there is (and can be) no access at the intersection to any abutting lots. Moreover, the Zoning Code defines street and Section 4-107(C)(1) uses the term street. Section 4-107(C)(1) does not use the term "street intersection" as that term is used elsewhere in the Village Code. (See Section 7-1D-1 concerning daylighting regulations). Even if the Village considered the Title 6 (Motor Vehicles) definition of street, a street is that entire area between the lines of the right-of-way. Maple is one right-of-way. Washington is another right-of-way. Under either interpretation, the districts "across the street" to the north and east are IB Districts. The R-4 classification is across two streets under each analysis. This is so even though the R-4 District lies at an angle across one intersection. Nevertheless, the home to the northeast faces directly west and does not face the Subject Property (much unlike the home to the northwest of Adventist/Hinsdale Hospital). Since the home does not take its character from the Subject Property, this interpretation is not only legally proper, but appropriate from a planning perspective.

This question concerning the R-4 district is not relevant if the assisted living use is approved as Senior Citizen Housing with waivers appropriate for assisted living

2. Supervision: Every nursing or personal care facility shall provide qualified and experienced supervisory personnel in sufficient numbers, and during sufficient and appropriate hours of the day, to meet all standards of any agency responsible for the licensing or regulation of the nursing or personal care facility and such additional services as may be required by the Board of Trustees. Response: The special use permit shall specifically establish minimum standards for supervision. The name and telephone number of at least one person having direct responsibility for the operation of the facility shall be listed in the Hinsdale telephone directory under the name of the facility. Response: For parking purposes, Applicant has utilized a figure of 14 employees on site during its peak staffing period. This conservative approach is not a representation of actual planning inasmuch as it is possible that the peak staffing at any time will be 10-12 employees. Regardless, the use will be staffed 24 hours each day, every day of the year. Supervisory personnel will be hired, trained and managed in accord with the Illinois Administrative Code concerning assisted living facilities, as enforced and administered by the Illinois Department of Public Health. Staff levels will increase shortly before the first of three daily meals and decrease shortly thereafter, or after the activities for the day wind down. Overnight staffing will include at least 3-4 employees. Applicant has a proven ability and track record in meeting state regulations in this field. Applicant's principal owner and officer has received awards for his activities in the field and Applicant is proudly engaged in the adaptive re-use of properties and their

structures to increase the availability of assisted living as a housing option for seniors and the disabled members of several communities. To the extent that Hinsdale has or will have licensing schemes for assisted living facilities, Applicant will meet them.

3. Availability of facilities. Every nursing and personal care facility shall be provided with, or have ready access to, facilities and services necessary and appropriate to the needs of its residents for active and passive recreation; medical care; educational, cultural, and religious activities; consumer goods and services; and public transportation. **Response: Please see response to similar inquiry in section above.**

4. Required approvals. No nursing or personal care facility shall be established without the prior licensing, certification, or other approval of every public agency charged with the regulation or supervision of any facet of the activity of the proposed facility. Every application for a special use permit for a nursing or personal care facility shall set forth each agency that must approve the establishment or operation of the facility and shall be accompanied by a formal acknowledgement of approval from each such agency; provided, however, that in the event any such approval has been delayed, the application shall set forth the status of each such application and shall state any facts known to the applicant that might have contributed to the delay of any required approval that has not been obtained as of the time of the filing of the application for a special use permit. **Response: Please see response to similar inquiry in section above.**

5. Financial stability. No special use permit for a nursing or personal care facility shall be granted unless the applicant therefore shall establish, to the satisfaction of the Board of Trustees, that there exists a reasonably certain source of continuous and sufficient funds to provide for the operation and maintenance of such facility in accordance with the representations of the application and the various standards applicable to such facility by reason of this Code and other laws and regulations. **Response: Please see response to same inquiry in above section.**

PROPOSED CONDITIONS ON SPECIAL USE PERMITS

1. Applicant shall construct a redesigned west parking area using 45-degree parking spaces, egress onto Lincoln and appropriate landscape screening and signage as set forth in the parking plan and landscape plan submitted with the application.
2. Applicant shall preserve, and maintain as unobstructed, all views from parking under the west buildings that takes its access from the alley.
3. As a condition of receipt of its occupancy permit, Applicant shall issue payment in the amount of fifty percent of the cost of a new ambulance of similar design and purpose to the Village's

current 1999 - International/Horton Fully equipped paramedic ambulance with a medium duty chassis (Type I).

4. No modification of the building heights on Washington and Maple shall be permitted unless applicant submits the entire project to the special use for planned development process under Section 11-603 of the zoning ordinance.
5. Applicant's wall signage shall not exceed the area of the existing wall signage on the Subject Property. Applicant shall be permitted to place signage on all common entry doors and common area windows, but it must do so in accordance with the provisions of Section 9-104.
6. Provided that it may do so in light of existing occupancies, Applicant shall afford a priority to persons who, at the time of application for occupancy at the Subject Property, are either residents of Hinsdale or their relatives and who are qualified under applicable state or federal regulations and creditworthy..

MAJOR ADJUSTMENT TO SPECIAL USE FOR PLANNED DEVELOPMENT

Eden seeks a major adjustment to an existing special use for planned development to afford the continuation of the existing structures, including accessory structures, with interior modifications to provide for the same number of units (71)—all in their current location and exterior design. Staff considered Section 11-603(K) of the Zoning Ordinance and concluded that an amendment to, variation from or alteration to the planned development (following completion) was at hand. Applicant applied for an amendment to the special use for planned development as it was last approved in January 1994. Section 11-603(L) refers to such an effort as a major adjustment. This application remains pending as originally filed and as supplemented with the additional information in the remainder of the applications. Major adjustments can be approved without a hearing, but the Village Board and staff seem to believe that the major adjustment is not in substantial conformity with the special use for planned development. The hearing and review proceed under Section 11-603(D)(3) which states that a Detailed Plan shall be submitted for review to determine whether it is in substantial conformity with the prior plan. This Detailed Plan can be approved by the Village if it is in substantial conformity or if it is not in substantial conformity but still merits approval. Conditions and modifications can be made part of the approval.

Notably, under the major adjustment process, the current status of the application appears to place Eden within Section 11-603(D)(3)(f)(iii): "Referral back to plan commission. In any case other than that specified in Subparagraph D3(f)(i) of this Section, the Board of Trustees may refer the Detailed Plan back to the Plan Commission for further consideration of specified matters."

Applicant respectfully submits that the proposal for an adaptive re-use of the Subject Property meets the standards for a major adjustment as either (a) being in substantial conformity or (b) not being in substantial conformity but meriting approval.

The Village Board could approve a major adjustment.

VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT DEPARTMENT
19 East Chicago Avenue
Hinsdale, Illinois 60521-3489
630.789.7030

Application for Certificate of Zoning Compliance

You must complete all portions of this application. If you think certain information is not applicable, then write "N/A." If you need additional space, then attach separate sheets to this form.

Applicant's name: Eden Assisted Living LLC (to be formed)

Owner's name (if different): Washington Square, Inc.

Property address: 10 North Washington Street, Hinsdale, Illinois 60521

Property legal description: Please see Exhibit A

Present zoning classification: R-5 (east of alley), O-1 (west of alley)

Square footage of property: +/- 49,262 s.f.

Lot area per dwelling: 693 s.f. (retained), please see building and engineering plans on file with Village (too voluminous to attach)

Lot dimensions: Roughly 247.52' x 165.31' x 247.65' x 165.44' plus west parking area

Current use of property: Senior independent living facility.

Proposed use: An assisted living center for persons 55 years of age and older, as licensed under the laws and regulations of the State of Illinois. The facility is proposed for operation within the existing structures and improvements at 10 N. Washington Street. The facility has operational aspects serving individuals with disabilities under Title 24, Chapter IX, Subpart A of the Code of Federal Regulations (24 CFR Sec. 945.105). Aspects of these services for individuals with disabilities may fall within the regulations of the Hinsdale Zoning Code for a Personal Care Facility and for Senior Citizen Housing.

Approval sought:

Building Permit	Variation
<u>Special Use Permit</u>	<u>Planned Development</u>
<u>Site Plan</u>	<u>Exterior Appearance</u>
Design Review	
<u>Other:</u> Alternatively, Maj. Adj. or Reinstatement of PD	

Brief description of request and proposal: Please see applications, including Exhibit C, for a description of the proposal to operate the Proposed Use at the property within its existing structures and improvements in their current condition.

Plans & Specifications: Please see plans on file with Village and parking plan provided as Exhibit B.

NOTE CONCERNING BULK REQUIREMENTS: The Proposed Use will continue the combination of Multiple-Family Dwellings and Townhouse Dwellings at the property. The Proposed Use will occur in the structures and improvements on the property, and it will do so in their current design. The intent of the applications for special use permits and special use planned development approval is to seek all approvals (including waivers within the approvals) necessary to fix this use in a current ordinance reflecting the post-1989 development of the assisted living concept that is not captured entirely by the 1989 Hinsdale Zoning Code. Some bulk and other requirements vary based on the treatment of the Proposed Use as one for a Personal Care Facility or one for Senior Citizen Housing. Components of each use exist in the Proposed Use, and this is described in great detail in Exhibit C. Section 12-202 calls for the interpretation of the Zoning Code in a fashion that is consistent with the United States Fair Housing Amendments Act and with the Illinois Compiled Statutes (including those pertaining to assisted living). Applicant respectfully submits that the 1989 Zoning Code allows for the interpretation of the Village's use lists and bulk regulations in a fashion that will permit the approval of the special use permits and the special use planned development.

	Provided:	Required by Code:
Yards:		R-5
front:	9.78 ft.	14.5 ft.
interior side(s)	1.74 ft.	8 ft.
corner side	0.0 ft.	18.5 ft.
rear	23 ft. (14 ft. to refr.)	25 ft.
	10 ft. to shed	6 ft
Setbacks (businesses and offices):		
front:	NOT APPLICABLE	
interior side(s)	NOT APPLICABLE	
corner side	NOT APPLICABLE	
rear	NOT APPLICABLE	
others:	NOT APPLICABLE	
Ogden Ave. Center:	NOT APPLICABLE	
York Rd. Center:	NOT APPLICABLE	
Forest Preserve:	NOT APPLICABLE	
Building heights:		
principal building(s):	34 ft./3-stories	35/3-stories*
*(Senior Housing, Sec. 4-112(G)(1)(a))		(30 ft. R-5)
accessory building(s):	NOT APPLICABLE	
Maximum Elevations:		
principal building(s):	NOT APPLICABLE	
accessory building(s):	NOT APPLICABLE	
Dwelling unit size(s):	NOT APPLICABLE (71 rooms; 83 beds)	
Total building coverage:	43.82% (21,584.6 s.f.)	35% (17,241.7 s.f.)
Total lot coverage:	NOT APPLICABLE	
Floor area ratio:	116% (57,143.92 s.f.)	45% (22,167.9 s.f.)

Accessory building(s): One shed, > 6 ft. from south lot line, <10% coverage,
<30% rear yard coverage

Spacing between buildings: [depicted on attached plans]

principal building(s): >10 feet among all principal buildings

accessory building(s): Existing per PD Ordinance

Number of off-street parking spaces required: 32 (existing), 35 (4:1 plus employee)

Number of loading spaces required: 35

Statement of applicant:

I swear/affirm that the information provided in this form is true and complete. I understand that any omission of applicable or relevant information from this form could be a basis for denial or revocation of the Certificate of Zoning Compliance.

By:

Applicant's signature

Applicant's printed name

Dated: July 6, 2011.

EXHIBIT A

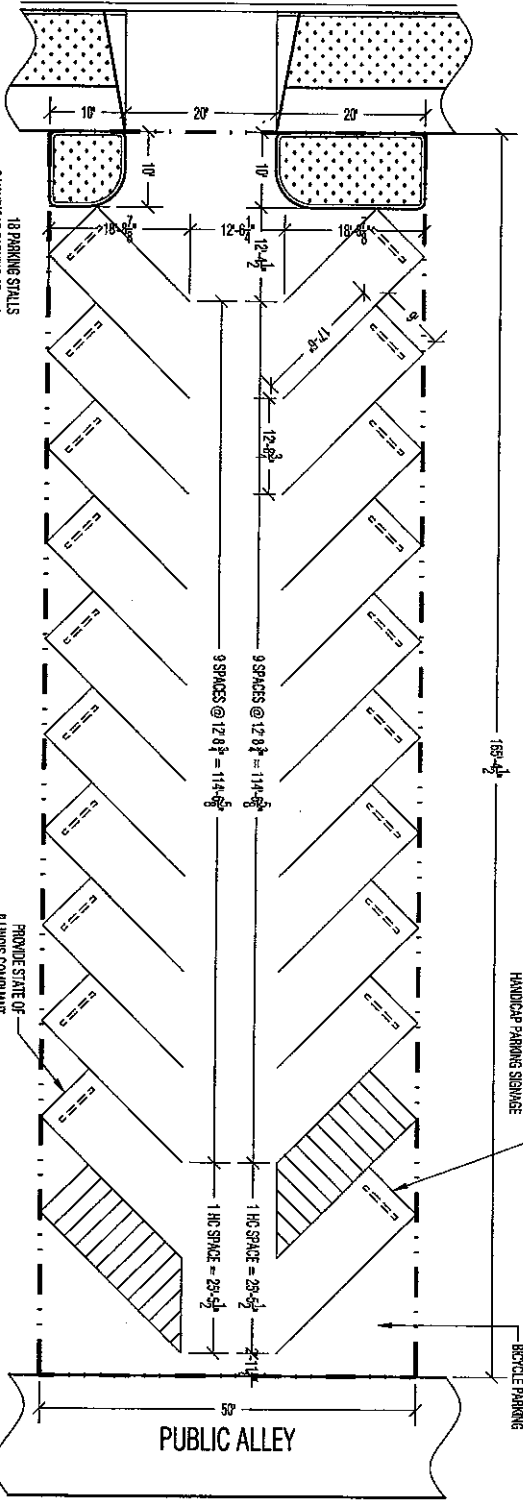
LEGAL DESCRIPTION

PARCEL 1: THE NORTH 82½ FEET OF LOT 1 BLOCK 4 IN STOUGH'S ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION OF THE SOUTH ¼ OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1868 AS DOCUMENT 9593, IN DUPAGE COUNTY, ILLINOIS. AND;

PARCEL 2: THE SOUTH ¼ OF LOT 1 AND THE NORTH ½ OF LOT 2 IN BLOCK 4 IN STOUGH'S ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION OF THE SOUTH ¼ OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1868 AS DOCUMENT 9593, IN DUPAGE COUNTY, ILLINOIS. AND;

PARCEL 3: THE NORTH ½ OF THE SOUTH ¼ OF LOT 1 IN BLOCK 4 IN STOUGH'S ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION OF THE SOUTH ¼ OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1868 AS DOCUMENT 9593, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 4: THE NORTH 50 FEET OF THE SOUTH 100 FEET OF LOT 4 IN STOUGH'S ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION OF THE SOUTH ¼ OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1868 AS DOCUMENT 9593, IN DUPAGE COUNTY, ILLINOIS.



ALL DIMENSIONS NEED TO BE VERIFIED IN FIELD BEFORE CONSTRUCTION STARTS

TOTAL LOT AREA - 8,269 S.F.
VEHICULAR USAGE AREA - 7,961 S.F.
LANDSCAPED AREA - 288 S.F.

18 PARKING STALLS
2 HANDICAP PARKING STALLS
20 TOTAL PARKING STALLS
5 BICYCLE STALLS

HANDICAP PARKING SIGNAGE

NORTH

1

PH

PROPOSED PARKING

Scale: 1/16" = 1' (11x17)

[illegible]

PROPOSED PARKING FOR EDEN ASSISTED LIVING

10 N. WASHINGTON
HINSDALE, ILLINOIS

**PROPOSED PARKING
PLAN
45 DEG PARKING**

A1.0

**ABSOLUTE
ARCHITECTURE PC**
914 GREEN BAY RD. SUITE 202
WINNETKA, ILLINOIS 60093
PH 312.283.7345
FAX 312.263.7346

EX 41,
B

**PARKING ADDENDUM TO
APPLICATION FOR CERTIFICATE OF ZONING COMPLIANCE**

	Provided*	Required
Senior Housing	35	78
Personal Care and Nursing	35	35 (32 existing)
Lot Area (west area only)	8,268.75 s.f.	
Lot Width (west area only)	50 ft.	60 ft. (50 ft. pre-existing)
Lot Depth (west area only)	165'4.5"	125 ft.
Lot Coverage	96.51% (7,981 s.f.)	80% (6,615.2 s.f.)
Driveway Width	20 ft.	25 ft.
Width at Curbline	25 ft.	25 ft.
Driveway Setback/Spacing	7.5 ft., 17.5 ft./>10 ft.	5 ft./10 ft.
Return Radii	20 ft.	20 ft.
Curb Cut Width	25 ft.	30 ft.
Car Stops	All	All
One Way Aisle Width (45-degree)	12'6.25"	12'6"
Space Dimensions (45-degree)	12'8.75" x 17'6"	9' x 17'6"
Accessible Parking	25'5.5"	16'
Landscape	10' (on west), 0.0 (existing)	10' (on west), 0.0 (existing)

* The west parking area contains the larger portion of the proposed parking spaces via an existing paved area on an existing lot of record. The parking is proposed/existing west of the alley and not in the development's front or corner side yard.

EXHIBIT "C"

Zoning Analysis in Support of Eden Assisted Living

EDEN ASSISTED LIVING'S REQUESTS

Major adjustment to an existing special use for planned development to afford the continuation of the existing structures, including accessory structures, with interior modifications to provide for the same number of units (71)—all in their current location and exterior design.

Special use for an assisted living facility as the R-5 zoning classification contemplates such a facility under Section 4-107(B) (C).

Special Use for Planned Development to permit the use of the existing structures and improvements at the Subject Property as an assisted living facility. Certain waivers from bulk regulations are within the scope of the application.

Exterior Appearance Review and Approval.

GENERALLY APPLICABLE STATEMENTS

The Subject Property is comprised of a single zoning lot bisected by an alley. The current structures were constructed with the approval of the Village of Hinsdale. Initially, a pre-1989 planned development approval authorized construction and development of the independent senior living use at the Subject Property. Washington Square opened in 1974. Through 1994 it operated at capacity, but changes in housing needs and the methods of providing housing to seniors made it difficult for Washington Square to avoid a declining occupancy rate. Not only are seniors living longer, but their lives are more active. The means of providing housing to seniors now lies along a continuum of care from independent living to assisted living to full nursing or personal care.

The Subject Property was also the subject of modern (post-1989) approvals of modifications to the special use planned development to allow the facility to exist in its current form. The last Village zoning approval on January 4, 1994 (Ordinance No. 094-01) led to the current configuration and improvements at the Subject Property and allowed various waivers of and deviations from certain regulations.

The Subject Property is sloped heavily from north-to-south and construction progressed in a fashion to have lower-profile structures on the north and east exterior of the Subject Property (adjacent to Maple and Washington). The structure is 34 feet tall. On the north and east exteriors of the Subject Property, the appearance is one of two-story structures, but the interior and the south buildings are three stories. The two western buildings are two stories above parking.

The Subject Property has two zoning classifications. The bulk of the land lies within the R-5 Multiple Family Residential District, but the western parking area (across the alley) lies in the O-1

Specialty Office District. The O-1 zoning regulations are less restrictive than the R-5 zoning regulations and the setbacks on the parking area.

The Subject Property is the only R-5 parcel in this particular R-5 zoning district. To the north and east of the Subject Property lies an Institutional Building zoning district (possibly two) that spans from east of Garfield to Lincoln (this area includes the water works, fire station, police station, two churches and Memorial Hall). West of the alley between Washington and Lincoln, land is situated in the O-1 (north) or the B-1 (south) zoning districts (current uses include professional offices, two of which are vacant). South of the subject property in the B-1 zoning district is an existing Northern Trust Bank facility with complete screening from the Subject Property. East of the Subject Property lies the public library and Village Hall.

Access to the Subject Property is convenient. The Subject Property lies downtown, near the METRA train stations and many downtown businesses. Weekend street parking is commonly available on Lincoln, Maple and Chicago, as well as on the west side of Washington (although occasional vehicles will park there when the library is busy). The only recent observed use of street parking spaces on Lincoln was by Fuller's automotive service. During weekday, work hours, there is significant available street parking on a regular basis and Fuller's use of the rights of way continues to be frequent.

SPECIAL USE FOR ASSISTED LIVING FACILITY (SECTIONS 4-107(B)(C))

GENERAL STANDARDS

1. Code and Plan Purposes. The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established. ***Response: While harmony with the zoning ordinance can occasionally be in the eye of the beholder, this case is a bit different than many because the Applicant seeks to adapt the use of the Subject Property and its existing improvements from independent senior living to assisted living. As a result, the Village has nearly 37 years of history behind how the structures fell into harmony with the general and specific purposes of the zoning ordinance. Much of this is addressed above or in relation to other factors (i.e., the blend of housing opportunity, the transitioning of land use intensity and structures, the interpretation of the code for these purposes and in light of applicable state and federal laws and regulations). The proposed assisted living use is in harmony with the following general and specific purposes of the zoning ordinance as follows:***

1-102(A): The use completes the housing stock in Hinsdale by filling a void and curing the absence of assisted living.

1-102(A): The use will serve the local residents by providing for an appropriate percentage of occupancy for the local residents. The use will provide volunteers and an opportunity for volunteerism.

1-102(B)(1): Approval will further the Comprehensive Plan as described herein.

1-102(B)(2): Approval of the use will continue the viability of the Subject Property as a transitional structure and land use between the single family and institutional uses to the north and west, on one hand, and the downtown commercial and office areas, on the other hand.

1-102(B)(3): The use will be a business operation for residential purposes, with townhomes closest to the R-4 single family district and lower-profile structures closest to the larger setback Memorial Hall and downtown open space.

1-102(B)(4): The use will provide an opportunity for families in Hinsdale to plan for relatives who need assisted living services and it may relieve burdens on families that are faced with the choice of (a) relocating with parents, spouses or children or (b) providing for them in their single family home in what may be a difficult situation or (c) traveling to more distant facilities to visit them. The local option will permit existing single family home occupants to plan for a local assisted living facility when this option does not exist and allow the entire family to claim Hinsdale as their home.

1-102(B)(5): The use will occur within existing buildings that were planned for a greater interior density with lower-profile buildings and less bulk on the perimeter near Maple and Washington.

1-102(B)(6): Applicant submits that the structure is not a non-conforming structure inasmuch as a valid special use for planned development remains operable.

1-102(B)(7): In light of the hierarchy of zoning districts (Section 2-102) and the intent to use districts and development to transition from one classification to another, the R-5 use remains as a logical transition inasmuch as expansion of the IB District is unlikely and office use at the site would not preserve the character of the adjacent office buildings and properties (which are vacant and for sale or lease).

1-102(B)(9): The re-use of the buildings will preserve a development that is well-built and designed into the slope southward from Maple toward Chicago. Additionally, volunteers from the location will be able to serve roles that benefit the parks and forest preserves programs in the area.

1-102(B)(10): The use will promote the public health, safety, morals and general welfare of the Village by opening a currently non-existent opportunity for seniors and others who would benefit from the assisted living facility. The health of local residents is at stake inasmuch as many residents would prefer not to leave the Village where they have spent much of their lives and their families would not wish to see them depart to more remote locations. The use will also add to the diversity of Hinsdale and approval would indicate Hinsdale's acceptance of an important component of society as people age.

1-102(C)(1): The structures are existing quasi-public facilities and re-use is more efficient than the waste that would occur otherwise.

1-102(C)(2): Streets, street parking and sidewalks in the area are sufficient and many metered and non-metered spaces will remain available on a daily basis because 35 parking spaces are sufficient for

the use. As noted later, Applicant will agree to restrictions on the number of parking spaces for residents. Other public facilities such as the library, parks and forest preserves will not be overburdened by the use because Applicant provides meaningful programs and opportunity as a part of its operations. Applicant is willing to contribute fifty percent (50%) to the cost of a new ambulance as a condition of the approval of the special use for the assisted living facility without further discussion of need or a nexus.

1-102(C)(4): The Subject Property has access from Maple, Chicago and Washington and egress onto Lincoln—all at points where these streets are non-residential in character. Parking restrictions and metering would inhibit or prevent any long-term parking in the same fashion that it does in relation to commuter traffic for the METRA users.

1-102(C)(5): The location of assisted living facilities in the downtown area serves to reduce traffic inasmuch as downtown is where many businesses and activities are located. The location of the use near the METRA station is also beneficial in reducing congestion.

1-102(D)(1): Preservation of the existing structures in an assisted living concept protects and respects the expectations of businesspeople and taxpayers that land use patterns will remain constant. The structures and prior use have a 37 year history and there has been no detriment to the pattern and pace of the development, maintenance and repair of residential properties in the area. The use of the major adjustment or a new planned development will also respect expectancy.

1-102(D)(2): It is difficult to imagine any other development that would have the same space and taxable floor area inasmuch as the assessed value of improvements is concerned. The use of the major adjustment process or the approval of a new special use permit and new special use for planned development will preserve the buildings for their use. The return of the Subject Property to a viable use will not only preserve the taxable value of this land, but it will also enhance it. This will benefit Hinsdale residents by effectively reducing burdens for the real estate tax levy of the Village (and, though less so, other taxing bodies).

2-102(A): Approval will permit the Village to recognize and accomplish the purpose of the R-5 zoning district in opening up a variety of housing. (See Section 4-101, 4-102(A))

3-101: Approval will allow the Village “to provide a reasonable range of opportunity for the development and preservation of housing types consistent with the existing residential character of the village.” Note that Section 3-101 explicitly recognizes that this range is to be accomplished “in combination with the multiple family residential districts.”

4-101: Assisted living is a use deemed compatible under the NAICS (and under the SIC as SIC codes have been interpreted since their last publication in 1987) and it is one that is aligned in the same category of services. The proposed use provides “a transition between single-family detached and other zoning districts.” There is no assisted living use in Hinsdale and the use will provide this “alternate housing type in a suburban environment.”

4-102(A): The use continues the 37 years of logical transition between the R-4 district north of Maple and downtown Hinsdale. Compared to other downtown tracts of land, this is a large parcel (49,262 s.f.) and it is inappropriate for any more restrictive classification. The open space within the use will continue to be usable common space with walkways, trees and landscaping.

9-104: Applicant provides 35 off-street parking spaces in the O-1 area of the zoning lot. The setbacks of the west parking area are consistent with O-1 design. As addressed elsewhere, the parking is conservatively planned based on higher estimates of employees and the result is a more stringent standard than the Cordia facility in Westmont which mandates a 5:1 bed-to-parking ratio plus a requirement of 1:1 for full-time employees. The use will foster safe and efficient circulation of vehicles and pedestrians both on private property and on adjacent public streets. Inasmuch as general traffic to the site is concerned, there is anticipated to be no change in the types of vehicles using the streets and delivery vehicles would have no reason to use more remote residential areas of the abutting streets.

2. No Undue Adverse Impact. The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare. **Response: Please see discussions above and below.**

7. Compliance with Standards. The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use. **Response: Please see discussions above and below.**

8. Special standards for specified special uses. When the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district. **Response: Please see above and below.**

9. Considerations. Public benefit. Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community. **Response: Applicant will provide evidence at hearing, including an analysis of need and demand. Please see discussions elsewhere in the applications.**

ADDITIONAL STANDARDS FOR SENIOR CITIZEN HOUSING

1. Community Need: No special use permit for senior citizen housing shall be granted except on evidence satisfactory to the board of trustees that there is, and will for the foreseeable future continue

to be, a ready market demand among current area residents for all of the dwelling units in the senior citizen housing development. **Response: Market demand exists in the Hinsdale area. Most assisted living facilities in the region are operating above the national occupancy rates. There is no assisted living facility in Hinsdale.**

2. Location: Every senior citizen housing development shall be located in an area of the village that is conducive to the special needs of senior citizens. This typically will require a location with convenient access to public transportation, retail stores, and medical services. **Response: Please see response to Item 3 of this narrative.**

3. Facilities And Staff: Every senior citizen housing development shall provide such on site facilities and staff as may be necessary and appropriate to satisfy the social, cultural, recreational, and, when appropriate, medical needs of its residents, including walkways, ramps, benches, special lighting, and the like. The name and telephone number of at least one person having direct responsibility for the operation of the development shall be kept on file with the village manager and shall be listed in the Hinsdale telephone directory under the name of the development. **Response: Applicant directly provides nature and outdoor activities through trips and other activities. Nearby parks, forest preserves, Graue Mill and other local amenities allow more than ample opportunity for residents to enjoy planned activities appropriate for their needs. Applicant also provides opportunities that strengthen the faith of residents through its non-denominational chapel. Applicant provides a state-of-the-art theatre environment for movie night, lectures and presentations. Applicant also assists residents by providing recreational and special interest club opportunities as well as team and individual athletic and fitness activities. Applicant also assists in family get-togethers and hosting family nights, brunches and pot luck. Applicant also hosts several seasonal and themed events, parties, cookouts and dances. Applicant sponsors several life skills activities in fields such as cooking, computer training, job training and volunteerism. Groups exist for intellectual activities such as poetry/writing, book clubs, discussion groups and other interests. Medical care is readily available in Hinsdale through Adventist/Hinsdale Hospital, Wheaton Eye Clinic and other qualified medical professionals unaffiliated with these two respected entities. The downtown location provides ready access to METRA, the library, restaurants, dry cleaners, pharmacies, coffee shops, automobile service and repair, banking and insurance among other goods and services.**

4. Required Approvals: No senior citizen housing development shall be established without the prior licensing, certification, or other approval of every public agency charged with the regulation or supervision of any facet of the activity of the proposed facility. Every application for a special use permit for a senior citizen housing development shall set forth each agency that must approve the establishment or operation of the facility and shall be accompanied by a formal acknowledgment of

approval from each such agency; provided, however, that in the event any such approval has been delayed, the application shall set forth the status of each such application and shall state any facts known to the applicant that might have contributed to the delay of any required approval that has not been obtained as of the time of the filing of the application for a special use permit. **Response:**

Applicant's complete application for licensing as an "assisted living facility" under the laws of Illinois is on file with the Illinois Department of Public Health. Applicant's licensing attorney testified before the Plan Commission and the license will be granted once the Applicant's purchase of the former Washington Square building is consummated.

5. Financial Stability: No special use permit for a senior citizen housing development shall be granted unless the applicant therefor shall establish, to the satisfaction of the board of trustees, that there exists a reasonably certain source of continuous and sufficient funds to provide for the operation and maintenance of such facility in accordance with the representations of the application and the various standards applicable to such facility by reason of this code and other laws and regulations. **Response:** ***Applicant has furnished all requested information concerning the operations of its other facilities in North Aurora and Chicago showing the companies to be operating profitably and generating sufficient cash flows to guaranty the financial backing of the proposed operation of the assisted living facility in Hinsdale.***

6. Fire Protection: Every senior citizen housing development shall be equipped with a fire suppression system, a fire protection signaling system, and an automatic fire detection system in accordance with the requirements of section 9-2-2 of the village code. **Response:** ***Applicant will comply with all fire and life safety requirements as carried out and enforced by the Village and fire department. The existing building is equipped with a fire alarm system and sprinklered. When reopened, it will also have a 24/7 manned concierge as well as video cameras and a nurse call system.***

ADDITIONAL STANDARDS FOR NURSING AND PERSONAL CARE FACILITIES

COMMENT: APPLICANT RESPONDS TO THESE STANDARDS EVEN THOUGH THE USE IS NOT A NURSING AND PERSONAL CARE FACILITY. THE FACILITY WILL HAVE COMPONENTS THAT ALIGN WITH NURSING AND PERSONAL CARE. ASSISTED LIVING FACILITIES COMMONLY HAVE NURSING AVAILABLE.

1. Location: No nursing or personal care facility, except in connection with a senior citizen housing development, shall be located on any lot across the street from, or with any portion of any side lot line contiguous to, any R-1, R-2, R-3, or R-4 district. **Response:** ***The land and zoning classification northeast of the Subject Property drew some concern in earlier hearing and meeting phases. The property at the northeast corner of Maple and Washington is clearly zoned within the large R-4 zoning district between downtown and Ogden Avenue. The zoning map is unclear (by reason of coloring, multiple lines and the extent of the aforementioned IB zoning district) as to where the zoning district***

boundaries for the R-5, R-4 and IB zoning districts are located. The Village raised a concern that the Subject Property lies "across the street from, or with any portion of a side lot line contiguous to any ... R-4 district." (See Section 4-107(C)(1)). No portion of any relevant side lot line is contiguous to an R-4 district. No part of the frontage for the Subject Property opposes frontage from the corner lot with the R-4 zoning classification.

Section 12-206 defines the term "street" as follows: "The paved portion of a public or private right of way, other than a driveway, that affords the principal means of vehicular access to abutting property." The intersection of two streets does not provide access to any property inasmuch as there is (and can be) no access at the intersection to any abutting lots. Moreover, the Zoning Code defines street and Section 4-107(C)(1) uses the term street. Section 4-107(C)(1) does not use the term "street intersection" as that term is used elsewhere in the Village Code. (See Section 7-1D-1 concerning daylighting regulations). Even if the Village considered the Title 6 (Motor Vehicles) definition of street, a street is that entire area between the lines of the right-of-way. Maple is one right-of-way. Washington is another right-of-way. Under either interpretation, the districts "across the street" to the north and east are IB Districts. The R-4 classification is across two streets under each analysis. This is so even though the R-4 District lies at an angle across one intersection. Nevertheless, the home to the northeast faces directly west and does not face the Subject Property (much unlike the home to the northwest of Adventist/Hinsdale Hospital). Since the home does not take its character from the Subject Property, this interpretation is not only legally proper, but appropriate from a planning perspective.

This question concerning the R-4 district is not relevant if the assisted living use is approved as Senior Citizen Housing with waivers appropriate for assisted living

2. Supervision: Every nursing or personal care facility shall provide qualified and experienced supervisory personnel in sufficient numbers, and during sufficient and appropriate hours of the day, to meet all standards of any agency responsible for the licensing or regulation of the nursing or personal care facility and such additional services as may be required by the Board of Trustees. Response: The special use permit shall specifically establish minimum standards for supervision. The name and telephone number of at least one person having direct responsibility for the operation of the facility shall be listed in the Hinsdale telephone directory under the name of the facility. Response: For parking purposes, Applicant has utilized a figure of 14 employees on site during its peak staffing period. This conservative approach is not a representation of actual planning inasmuch as it is possible that the peak staffing at any time will be 10-12 employees. Regardless, the use will be staffed 24 hours each day, every day of the year. Supervisory personnel will be hired, trained and managed in accord with the Illinois Administrative Code concerning assisted living facilities, as enforced and administered by the Illinois Department of Public Health. Staff levels will increase shortly before the first of three daily meals and decrease shortly thereafter, or after the activities for the day wind down. Overnight staffing will include at least 3-4 employees. Applicant has a proven ability and track record in meeting state regulations in this field. Applicant's principal owner and officer has received awards for his activities in the field and Applicant is proudly engaged in the adaptive re-use of properties and their

structures to increase the availability of assisted living as a housing option for seniors and the disabled members of several communities. To the extent that Hinsdale has or will have licensing schemes for assisted living facilities, Applicant will meet them.

3. Availability of facilities. Every nursing and personal care facility shall be provided with, or have ready access to, facilities and services necessary and appropriate to the needs of its residents for active and passive recreation; medical care; educational, cultural, and religious activities; consumer goods and services; and public transportation. **Response: Please see response to similar inquiry in section above.**

4. Required approvals. No nursing or personal care facility shall be established without the prior licensing, certification, or other approval of every public agency charged with the regulation or supervision of any facet of the activity of the proposed facility. Every application for a special use permit for a nursing or personal care facility shall set forth each agency that must approve the establishment or operation of the facility and shall be accompanied by a formal acknowledgement of approval from each such agency; provided, however, that in the event any such approval has been delayed, the application shall set forth the status of each such application and shall state any facts known to the applicant that might have contributed to the delay of any required approval that has not been obtained as of the time of the filing of the application for a special use permit. **Response: Please see response to similar inquiry in section above.**

5. Financial stability. No special use permit for a nursing or personal care facility shall be granted unless the applicant therefore shall establish, to the satisfaction of the Board of Trustees, that there exists a reasonably certain source of continuous and sufficient funds to provide for the operation and maintenance of such facility in accordance with the representations of the application and the various standards applicable to such facility by reason of this Code and other laws and regulations. **Response: Please see response to same inquiry in above section.**

PROPOSED CONDITIONS ON SPECIAL USE PERMITS

1. Applicant shall construct a redesigned west parking area using 45-degree parking spaces, egress onto Lincoln and appropriate landscape screening and signage as set forth in the parking plan and landscape plan submitted with the application.
2. Applicant shall preserve, and maintain as unobstructed, all views from parking under the west buildings that takes its access from the alley.
3. As a condition of receipt of its occupancy permit, Applicant shall issue payment in the amount of fifty percent of the cost of a new ambulance of similar design and purpose to the Village's

current 1999 - International/Horton Fully equipped paramedic ambulance with a medium duty chassis (Type I).

4. No modification of the building heights on Washington and Maple shall be permitted unless applicant submits the entire project to the special use for planned development process under Section 11-603 of the zoning ordinance.
5. Applicant's wall signage shall not exceed the area of the existing wall signage on the Subject Property. Applicant shall be permitted to place signage on all common entry doors and common area windows, but it must do so in accordance with the provisions of Section 9-104.
6. Provided that it may do so in light of existing occupancies, Applicant shall afford a priority to persons who, at the time of application for occupancy at the Subject Property, are either residents of Hinsdale or their relatives and who are qualified under applicable state or federal regulations and creditworthy..

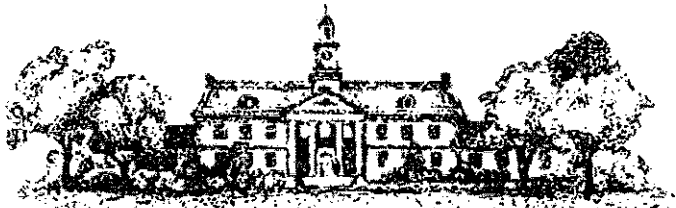
MAJOR ADJUSTMENT TO SPECIAL USE FOR PLANNED DEVELOPMENT

Eden seeks a major adjustment to an existing special use for planned development to afford the continuation of the existing structures, including accessory structures, with interior modifications to provide for the same number of units (71)—all in their current location and exterior design. Staff considered Section 11-603(K) of the Zoning Ordinance and concluded that an amendment to, variation from or alteration to the planned development (following completion) was at hand. Applicant applied for an amendment to the special use for planned development as it was last approved in January 1994. Section 11-603(L) refers to such an effort as a major adjustment. This application remains pending as originally filed and as supplemented with the additional information in the remainder of the applications. Major adjustments can be approved without a hearing, but the Village Board and staff seem to believe that the major adjustment is not in substantial conformity with the special use for planned development. The hearing and review proceed under Section 11-603(D)(3) which states that a Detailed Plan shall be submitted for review to determine whether it is in substantial conformity with the prior plan. This Detailed Plan can be approved by the Village if it is in substantial conformity or if it is not in substantial conformity but still merits approval. Conditions and modifications can be made part of the approval.

Notably, under the major adjustment process, the current status of the application appears to place Eden within Section 11-603(D)(3)(f)(iii): "Referral back to plan commission. In any case other than that specified in Subparagraph D3(f)(i) of this Section, the Board of Trustees may refer the Detailed Plan back to the Plan Commission for further consideration of specified matters."

Applicant respectfully submits that the proposal for an adaptive re-use of the Subject Property meets the standards for a major adjustment as either (a) being in substantial conformity or (b) not being in substantial conformity but meriting approval.

The Village Board could approve a major adjustment.



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

**COMMUNITY DEVELOPMENT DEPARTMENT
SPECIAL USE PERMIT CRITERIA**

Must be accompanied by completed Plan Commission Application

Address of proposed request: 10 North Washington Street, Hinsdale, Illinois 60521

Proposed Special Use request: Senior Citizen Housing (Section 4-107(B)) and Nursing and Personal Care Facility (Section 4-107(C)) for the development of an assisted living center for persons 55 years of age and older, as licensed under the laws and regulations of the State of Illinois. The facility is proposed for operation within the existing structures and improvements at 10 N. Washington Street. The facility has operational aspects serving individuals with disabilities under Title 24, Chapter IX, Subpart A of the Code of Federal Regulations (24 CFR Sec. 945.105). The North American Industrial Classification System places assisted living with on-site nursing and assisted living without on-site nursing under NAICS Code 623311 and 623312, respectively. Senior citizens' homes without nursing care are placed under NAICS Code 623312. Nursing care facilities are under NAICS Code 623310 and 623311 (latter as continuing care retirement communities). NAICS places all nursing and residential care businesses under lead NAICS Code 623. Since assisted living was not a known quantifiable concept in 1987, the last Standard Industrial Classification listings never included assisted living. The SIC system was abandoned in favor of the NAICS, and the NAICS aligns assisted living as lying between Senior Citizen Housing and Personal Care Facilities. Applicant submits that the assisted living is a listed special use and files this application as one for two special uses under Section 4-107(B)(C).

Is this a Special Use for a Planned Development? ☐ **No** ☐ **Yes** (If so this submittal also requires a completed Planned Development Application) Applicant submits applications for major adjustment to a special use for planned development (Section 11-603(L), 11-603(K)(2) and 11-603(D)(3)) and for a new special use for planned development (Section 11-603(D)).

REVIEW CRITERIA

Section 11-602 of the Hinsdale Zoning Code regulates Special use permits. Standard for Special Use Permits: In determining whether a proposed special use permit should be granted or denied the Board of Trustees should be guided by the principle that its power to amend this Code is not an arbitrary one but one that may be exercised only when the public good demands or requires the amendment to be made. In considering whether that principle is satisfied in any particular case, the Plan Commission and Board of Trustees should weigh, among other factors, the below criteria Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.

FEES for a Special Use Permit: \$1,225 (must be submitted with application)

PLEASE SEE EXHIBITS A (LEGAL DESCRIPTION), B (PARKING LAYOUT) AND C (NARRATIVE).

1. *Code and Plan Purposes.* The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established. **Response: Please see Exhibit C.**
2. *No Undue Adverse Impact.* The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare. **Response: Please see Exhibit C.**
3. *No Interference with Surrounding Development.* The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations **Response: The existing structures have not interfered with surrounding development. The lower profile portions of the structures abut Maple and Washington. The alley that serves as secondary access to the Subject Property and properties west of the alley will continue to serve these properties. The block is fully developed. The Ross Builders property at the southeast corner of Lincoln and Maple is vacant, for lease and ripe for redevelopment. However, this large parcel will suffer no detriment as a result of the adaptation of the structure for assisted living use. The dominant uses in the neighborhood are Memorial Hall, the two religious institutional uses and Fuller's automotive service center.**
4. *Adequate Public Facilities.* The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services. **Response: The site has direct access to Lincoln, presents substantial street frontage on Maple and Washington, and relies on a public alley along the west building faces and bisecting the Subject Property. Sewer and water connections are sufficient, but they will be modified if required by code during interior remodeling efforts. Storm facilities are adequate inasmuch as no known public storm sewer problems exist within the block or adjacent blocks. The site is situated near Memorial Hall—a longstanding asset to the Village that contains the Village Hall and the Hinsdale Public Library. The site does not require school service, but provides a source for intergenerational volunteer opportunities. Applicant provides programs for its residents. The location in downtown and proximity to the METRA train station will benefit Applicant and its residents, employees and visitors. Sidewalks are sufficient in the area. Additionally, abundant metered and non-metered street parking has been observed on evenings and weekends as well as during the workday. An evaluation of emergency calls in Hinsdale and anticipated emergency calls to the Subject Property indicates that roughly 200 calls per year may arise (again, conservatively estimated). In correspondence shared with the Applicant and news media, The Village President indicated in a public letter that he desired a commitment to share in the cost of a new ambulance. Applicant is willing to make a substantial contribution in the amount of one half (50%) of the cost of a new ambulance.**
5. *No Traffic Congestion.* The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets. **Response: Applicant proposed 35 parking spaces to be maintained and developed in accord with Exhibit C. Applicant will run a peak shift with 14 employees (conservatively calculated to provide more parking). Applicant notes that the Senior Housing parking standard**

should not compel a requirement to provide 1 for each dwelling unit plus 1 for each 2 employees (78 spaces) under Section 9-104(J)(1)(a)(iii). Applicant operates other facilities and has not encountered parking problems. Applicant notes that the Personal Care Facilities parking rating is more appropriate in requiring 1 for each 3 beds plus 1 for each licensed practitioner, not including nurses and assistants, plus 1 for each additional 2 employees (34). In light of the proposed use, Applicant evaluated Westmont's parking standard for its most recent assisted living facility and Section 10.06(K)(2)(f) requires "Nursing homes and similar types of establishments: one parking space for each five beds, one space for each two lodging accommodations, and one space for each full-time employee." Applicant provides 35 parking spaces for 71 units (apartments) (83 total bedrooms) and 14 employees. This amounts to one parking space for each two units (21) and one space for each full-time employee (14). Persons with disabilities are less likely to own and drive an automobile than many of the seniors who formerly resided at Washington Square and there were no significant parking problems during its peak years of operation. As noted above, there is ample street parking in the block and in the vicinity, but 35 spaces are more than adequate to serve the use. Streets serving the Subject Property are Washington, Maple, Lincoln and Chicago. In the area between the southern line of downtown and the north line of the Maple, none of these streets are residential in character. Traffic in relation to the proposed use will not alter the character of use for Washington, Garfield, Maple, Chicago or Lincoln—even where these streets gain some residential character in more remote locations.

6. **No Destruction of Significant Features.** The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance. **Response: Applicant proposes to adapt the existing structures and improvements to host the assisted living facility. No aspect of this adaptation will affect surrounding resources. Moreover, operational aspects of the assisted living facility will not unduly burden natural, scenic or historic features in the area. Indeed, from a prior design perspective, the existing structures along Washington and Maple have a lower profile and create visual separation and openness between Memorial Hall (to the east) and the two religious institutional uses (to the north). The shared lot line with The Northern Trust Bank (to the south) has board-on-board fencing and substantial mature landscaping and trees. The existing structures do not interfere with the attractive views of downtown Hinsdale from Maple and Washington.**
7. **Compliance with Standards.** The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use. **Response: Please see Exhibit C and Application for Certificate of Zoning Compliance.**
8. **Special standards for specified special uses.** When the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district. **Response: Please see Exhibit C. Applicant is in the process of collecting more information to present as a result of the Village President's aforementioned correspondence.**
9. **Considerations.** In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission shall consider the following:

Public benefit. Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the

interest of the public convenience or that will contribute to the general welfare of the neighborhood or community. **Response: Please see Exhibit C.**

Alternate locations. Whether and to what extent such public goals can be met by the location of the proposed use and development at some other site or in some other area that may be more appropriate than the proposed site. **Response: There is no particular aspect of the proposed use of the Subject Property that would indicate that the use is inappropriate for this location. No element of the use or the maintenance and remodeling of the existing buildings at the Subject Property, when the use, maintenance and other properties are considered as possible options on other properties in this or any other R-5 zoning districts, indicates that the use and operation at the Subject Property is inappropriate and should be denied. Public goals in the Village of Hinsdale have long included having a range of residential opportunity available to residents. (See Section 3-101) The use and maintenance of the existing structures at the Subject Property meets the goal in Section 4-101 of having an R-5 development that offers "a transition between single-family detached and other zoning districts and to provide for lower density multiple-family building types, which may result in higher densities than in single-family developments." Further, there are examples of Village residents who would much prefer a local opportunity for assisted living rather than availing their families of the more remote options for such housing. Indeed, there are also individuals in Hinsdale with disabilities that can be served by the use. The "overall character of the Village," as contemplated by Section 3-101, must include persons over 55 and persons with disabilities. Section 12-202 of the zoning ordinance and federal law call for interpretations "[t]o the greatest extent possible" that insure that regulations are applied in a fashion that is consonant with Illinois law concerning assisted living facilities and with the Fair Housing Amendments Act. The purpose of meeting the needs of all current and future residents of Hinsdale is well met by the proposed use. Converting a valuable, but vacant, property and structure to a viable use serves to benefit residents in this regard. More importantly, the proximity to METRA, downtown businesses and the public library is a special development consideration that cannot be ignored. Development in compliance with the codes for multiple family housing other than assisted living would lead to less benefit and a waste of existing capital improvements at the site. Single family use would create an isolated and underutilized area of single family housing. No other location downtown or elsewhere in the Village carries these same benefits. Indeed, some believe that the adaptive re-use of these buildings or the initiation of a use with similar structures would be legally impossible elsewhere in the Village. While area commercial parcels are available for sale, none of them could be aggregated to permit this style of development. Other properties presently zoned residential could be viewed as underutilized or available, but these residentially-zoned properties would have to be rezoned and, likely, replatted.**

Mitigation of adverse impacts. Whether and to what extent all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening. **Response: As noted above, the mitigation of adverse impacts has occurred through the provision of sufficient parking, screening and the placement of lower-profile structures on the Maple and Washington street faces of the facility. Mature landscaping and trees also screen the property. The natural grade in the area, in combination with the design and construction of the existing structures, operates to place the structures on par with the general appearance of mass and height in the neighborhood. Even from Chicago (at a**

EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1: THE NORTH 82½ FEET OF LOT 1 BLOCK 4 IN STOUGH'S ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION OF THE SOUTH ½ OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1868 AS DOCUMENT 9593, IN DUPAGE COUNTY, ILLINOIS. AND;

PARCEL 2: THE SOUTH ½ OF LOT 1 AND THE NORTH ½ OF LOT 2 IN BLOCK 4 IN STOUGH'S ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION OF THE SOUTH ½ OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1868 AS DOCUMENT 9593, IN DUPAGE COUNTY, ILLINOIS. AND;

PARCEL 3: THE NORTH ½ OF THE SOUTH ½ OF LOT 1 IN BLOCK 4 IN STOUGH'S ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION OF THE SOUTH ½ OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1868 AS DOCUMENT 9593, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 4: THE NORTH 50 FEET OF THE SOUTH 100 FEET OF LOT 4 IN STOUGH'S ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION OF THE SOUTH ½ OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1868 AS DOCUMENT 9593, IN DUPAGE COUNTY, ILLINOIS.

18 PARKING STALLS

10' 20' 20' 10' 10' 18' 12' 12' 17' 12' 9 SPACES @ 12' 8" = 114' 5" 9 SPACES @ 12' 8" = 114' 5" 1 HC SPACE = 25' 2" 1 HC SPACE = 25' 2" 4' 11"

165' 1/2

PROVIDE STATE OF ILLINOIS COMPLAINT HANDICAP PARKING SIGNAGE

BICYCLE PARKING

PUBLIC ALLEY

50'

18 PARKING STALLS
2 HANDICAP PARKING STALLS
20 TOTAL PARKING STALLS
5 BICYCLE STALLS

TOTAL LOT AREA - 8,269 S.F.
VEHICULAR USAGE AREA - 7,981 S.F.
LANDSCAPED AREA - 288 S.F.

ALL DIMENSIONS NEED TO BE VERIFIED IN FIELD BEFORE CONSTRUCTION STARTS

LEADING COMMUNITY LEADERS

BICYCLE PARKING
1

PUBLIC ALLEY

LEADING COMMUNITY LEADERS

PROPOSED PARKING

Scale: 1/16" = 1' (1x17)

NOTICE OF COPYRIGHT

YOU HEREBY AGREE THAT THESE DOCUMENTS WERE PREPARED BY THE DESIGN PROFESSIONAL IDENTIFIED HEREIN AND ARE TO BE CONSIDERED INSTRUMENTS OF SERVICE FOR USE EXCLUSIVELY WITH RESPECT TO THIS PROJECT. THE DESIGN PROFESSIONAL, AND THE AUTHOR AND OWNER OF THESE INSTRUMENTS OF SERVICE, ARE PROVIDING AND BELIEVE AN OMMANLY FAIR, SOLUTIONS AND OTHER REASONED REAGTS, INCLUDING COMMENTS, INCLUDING, ANY REPRODUCTION OR USE OF THESE INSTRUMENTS OF SERVICE FOR THE PURPOSE OF FULFILLING THE OBLIGATIONS OR CONSTRUCTING OF THIS PROJECT BY ANY OTHER PERSON THAN THE DESIGN PROFESSIONAL, IS ASSUMED OR DEEMED WITHOUT THE EXPRESS WRITTEN CONSENT OF THE DESIGN PROFESSIONAL, OR ITS ASSOCIATE. DAMAGES AS ALLOWED FOR BY LAW, FROM ANY DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, INCURRED BY THE DESIGN PROFESSIONAL, OR ITS ASSOCIATE, IN THE EVENT OF SUCH UNAUTHORIZED REPRODUCTION OR USE. THE DESIGN PROFESSIONAL, IN ITS ASSOCIATE, SHALL NOT BE RESPONSIBLE FOR THE ACCURACY, COMPLETENESS OR CONSISTENCY OF INFORMATION OF THE INSTRUMENTS OF SERVICE. ACCORDINGLY, IN THE EVENT OF SUCH UNAUTHORIZED REPRODUCTION OR USE, THE PERSON OR ENTITY REPRODUCING OR USING THE INSTRUMENTS OF SERVICE WITHOUT THEIR AUTHORIZATION AGREES, AS ENFORCEABLE BY THE DESIGN PROFESSIONAL, TO HOLD THE DESIGN PROFESSIONAL, AND HIM/HIMSELF, HUS/HERSELF, ITS OFFICERS, DIRECTORS, EMPLOYEES AND THE DESIGN PROFESSIONAL, TO THE HIGHEST EXTENT PERMITTED BY LAW, FROM ANY DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, INCURRED BY THE DESIGN PROFESSIONAL, OR ITS ASSOCIATE, IN THE EVENT OF SUCH UNAUTHORIZED REPRODUCTION OR USE.

PROPOSED PARKING FOR EDEN ASSSISTED LIVING

10 N. WASHINGTON
HINSDALE, ILLINOIS

**PROPOSED PARKING
PLAN
45 DEG PARKING**

A1.0



**ABSOLUTE
ARCHITECTURE PC**

8714 GREEN BAY RD, SUITE 202
WINNETKA, ILLINOIS 60093
PH: 312.263.7345
FAX: 312.263.7945

EXH
B

EXHIBIT "C"

Zoning Analysis in Support of Eden Assisted Living

EDEN ASSISTED LIVING'S REQUESTS

Major adjustment to an existing special use for planned development to afford the continuation of the existing structures, including accessory structures, with interior modifications to provide for the same number of units (71)—all in their current location and exterior design.

Special use for an assisted living facility as the R-5 zoning classification contemplates such a facility under Section 4-107(B) (C).

Special Use for Planned Development to permit the use of the existing structures and improvements at the Subject Property as an assisted living facility. Certain waivers from bulk regulations are within the scope of the application.

Exterior Appearance Review and Approval.

GENERALLY APPLICABLE STATEMENTS

The Subject Property is comprised of a single zoning lot bisected by an alley. The current structures were constructed with the approval of the Village of Hinsdale. Initially, a pre-1989 planned development approval authorized construction and development of the independent senior living use at the Subject Property. Washington Square opened in 1974. Through 1994 it operated at capacity, but changes in housing needs and the methods of providing housing to seniors made it difficult for Washington Square to avoid a declining occupancy rate. Not only are seniors living longer, but their lives are more active. The means of providing housing to seniors now lies along a continuum of care from independent living to assisted living to full nursing or personal care.

The Subject Property was also the subject of modern (post-1989) approvals of modifications to the special use planned development to allow the facility to exist in its current form. The last Village zoning approval on January 4, 1994 (Ordinance No. 094-01) led to the current configuration and improvements at the Subject Property and allowed various waivers of and deviations from certain regulations.

The Subject Property is sloped heavily from north-to-south and construction progressed in a fashion to have lower-profile structures on the north and east exterior of the Subject Property (adjacent to Maple and Washington). The structure is 34 feet tall. On the north and east exteriors of the Subject Property, the appearance is one of two-story structures, but the interior and the south buildings are three stories. The two western buildings are two stories above parking.

The Subject Property has two zoning classifications. The bulk of the land lies within the R-5 Multiple Family Residential District, but the western parking area (across the alley) lies in the O-1

Specialty Office District. The O-1 zoning regulations are less restrictive than the R-5 zoning regulations and the setbacks on the parking area.

The Subject Property is the only R-5 parcel in this particular R-5 zoning district. To the north and east of the Subject Property lies an Institutional Building zoning district (possibly two) that spans from east of Garfield to Lincoln (this area includes the water works, fire station, police station, two churches and Memorial Hall). West of the alley between Washington and Lincoln, land is situated in the O-1 (north) or the B-1 (south) zoning districts (current uses include professional offices, two of which are vacant). South of the subject property in the B-1 zoning district is an existing Northern Trust Bank facility with complete screening from the Subject Property. East of the Subject Property lies the public library and Village Hall.

Access to the Subject Property is convenient. The Subject Property lies downtown, near the METRA train stations and many downtown businesses. Weekend street parking is commonly available on Lincoln, Maple and Chicago, as well as on the west side of Washington (although occasional vehicles will park there when the library is busy). The only recent observed use of street parking spaces on Lincoln was by Fuller's automotive service. During weekday, work hours, there is significant available street parking on a regular basis and Fuller's use of the rights of way continues to be frequent.

SPECIAL USE FOR ASSISTED LIVING FACILITY (SECTIONS 4-107(B)(C))

GENERAL STANDARDS

1. Code and Plan Purposes. The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established. ***Response: While harmony with the zoning ordinance can occasionally be in the eye of the beholder, this case is a bit different than many because the Applicant seeks to adapt the use of the Subject Property and its existing improvements from independent senior living to assisted living. As a result, the Village has nearly 37 years of history behind how the structures fell into harmony with the general and specific purposes of the zoning ordinance. Much of this is addressed above or in relation to other factors (i.e., the blend of housing opportunity, the transitioning of land use intensity and structures, the interpretation of the code for these purposes and in light of applicable state and federal laws and regulations). The proposed assisted living use is in harmony with the following general and specific purposes of the zoning ordinance as follows:***

1-102(A): The use completes the housing stock in Hinsdale by filling a void and curing the absence of assisted living.

1-102(A): The use will serve the local residents by providing for an appropriate percentage of occupancy for the local residents. The use will provide volunteers and an opportunity for volunteerism.

1-102(B)(1): Approval will further the Comprehensive Plan as described herein.

1-102(B)(2): Approval of the use will continue the viability of the Subject Property as a transitional structure and land use between the single family and institutional uses to the north and west, on one hand, and the downtown commercial and office areas, on the other hand.

1-102(B)(3): The use will be a business operation for residential purposes, with townhomes closest to the R-4 single family district and lower-profile structures closest to the larger setback Memorial Hall and downtown open space.

1-102(B)(4): The use will provide an opportunity for families in Hinsdale to plan for relatives who need assisted living services and it may relieve burdens on families that are faced with the choice of (a) relocating with parents, spouses or children or (b) providing for them in their single family home in what may be a difficult situation or (c) traveling to more distant facilities to visit them. The local option will permit existing single family home occupants to plan for a local assisted living facility when this option does not exist and allow the entire family to claim Hinsdale as their home.

1-102(B)(5): The use will occur within existing buildings that were planned for a greater interior density with lower-profile buildings and less bulk on the perimeter near Maple and Washington.

1-102(B)(6): Applicant submits that the structure is not a non-conforming structure inasmuch as a valid special use for planned development remains operable.

1-102(B)(7): In light of the hierarchy of zoning districts (Section 2-102) and the intent to use districts and development to transition from one classification to another, the R-5 use remains as a logical transition inasmuch as expansion of the IB District is unlikely and office use at the site would not preserve the character of the adjacent office buildings and properties (which are vacant and for sale or lease).

1-102(B)(9): The re-use of the buildings will preserve a development that is well-built and designed into the slope southward from Maple toward Chicago. Additionally, volunteers from the location will be able to serve roles that benefit the parks and forest preserves programs in the area.

1-102(B)(10): The use will promote the public health, safety, morals and general welfare of the Village by opening a currently non-existent opportunity for seniors and others who would benefit from the assisted living facility. The health of local residents is at stake inasmuch as many residents would prefer not to leave the Village where they have spent much of their lives and their families would not wish to see them depart to more remote locations. The use will also add to the diversity of Hinsdale and approval would indicate Hinsdale's acceptance of an important component of society as people age.

1-102(C)(1): The structures are existing quasi-public facilities and re-use is more efficient than the waste that would occur otherwise.

1-102(C)(2): Streets, street parking and sidewalks in the area are sufficient and many metered and non-metered spaces will remain available on a daily basis because 35 parking spaces are sufficient for

the use. As noted later, Applicant will agree to restrictions on the number of parking spaces for residents. Other public facilities such as the library, parks and forest preserves will not be overburdened by the use because Applicant provides meaningful programs and opportunity as a part of its operations. Applicant is willing to contribute fifty percent (50%) to the cost of a new ambulance as a condition of the approval of the special use for the assisted living facility without further discussion of need or a nexus.

1-102(C)(4): The Subject Property has access from Maple, Chicago and Washington and egress onto Lincoln—all at points where these streets are non-residential in character. Parking restrictions and metering would inhibit or prevent any long-term parking in the same fashion that it does in relation to commuter traffic for the METRA users.

1-102(C)(5): The location of assisted living facilities in the downtown area serves to reduce traffic inasmuch as downtown is where many businesses and activities are located. The location of the use near the METRA station is also beneficial in reducing congestion.

1-102(D)(1): Preservation of the existing structures in an assisted living concept protects and respects the expectations of businesspeople and taxpayers that land use patterns will remain constant. The structures and prior use have a 37 year history and there has been no detriment to the pattern and pace of the development, maintenance and repair of residential properties in the area. The use of the major adjustment or a new planned development will also respect expectancy.

1-102(D)(2): It is difficult to imagine any other development that would have the same space and taxable floor area inasmuch as the assessed value of improvements is concerned. The use of the major adjustment process or the approval of a new special use permit and new special use for planned development will preserve the buildings for their use. The return of the Subject Property to a viable use will not only preserve the taxable value of this land, but it will also enhance it. This will benefit Hinsdale residents by effectively reducing burdens for the real estate tax levy of the Village (and, though less so, other taxing bodies).

2-102(A): Approval will permit the Village to recognize and accomplish the purpose of the R-5 zoning district in opening up a variety of housing. (See Section 4-101, 4-102(A))

3-101: Approval will allow the Village "to provide a reasonable range of opportunity for the development and preservation of housing types consistent with the existing residential character of the village." Note that Section 3-101 explicitly recognizes that this range is to be accomplished "in combination with the multiple family residential districts."

4-101: Assisted living is a use deemed compatible under the NAICS (and under the SIC as SIC codes have been interpreted since their last publication in 1987) and it is one that is aligned in the same category of services. The proposed use provides "a transition between single-family detached and other zoning districts." There is no assisted living use in Hinsdale and the use will provide this "alternate housing type in a suburban environment."

4-102(A): The use continues the 37 years of logical transition between the R-4 district north of Maple and downtown Hinsdale. Compared to other downtown tracts of land, this is a large parcel (49,262 s.f.) and it is inappropriate for any more restrictive classification. The open space within the use will continue to be usable common space with walkways, trees and landscaping.

9-104: Applicant provides 35 off-street parking spaces in the O-1 area of the zoning lot. The setbacks of the west parking area are consistent with O-1 design. As addressed elsewhere, the parking is conservatively planned based on higher estimates of employees and the result is a more stringent standard than the Cordia facility in Westmont which mandates a 5:1 bed-to-parking ratio plus a requirement of 1:1 for full-time employees. The use will foster safe and efficient circulation of vehicles and pedestrians both on private property and on adjacent public streets. Inasmuch as general traffic to the site is concerned, there is anticipated to be no change in the types of vehicles using the streets and delivery vehicles would have no reason to use more remote residential areas of the abutting streets.

2. No Undue Adverse Impact. The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare. **Response: Please see discussions above and below.**

7. Compliance with Standards. The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use. **Response: Please see discussions above and below.**

8. Special standards for specified special uses. When the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district. **Response: Please see above and below.**

9. Considerations. Public benefit. Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community. **Response: Applicant will provide evidence at hearing, including an analysis of need and demand. Please see discussions elsewhere in the applications.**

ADDITIONAL STANDARDS FOR SENIOR CITIZEN HOUSING

1. Community Need: No special use permit for senior citizen housing shall be granted except on evidence satisfactory to the board of trustees that there is, and will for the foreseeable future continue

to be, a ready market demand among current area residents for all of the dwelling units in the senior citizen housing development. ***Response: Market demand exists in the Hinsdale area. Most assisted living facilities in the region are operating above the national occupancy rates. There is no assisted living facility in Hinsdale.***

2. Location: Every senior citizen housing development shall be located in an area of the village that is conducive to the special needs of senior citizens. This typically will require a location with convenient access to public transportation, retail stores, and medical services. ***Response: Please see response to Item 3 of this narrative.***

3. Facilities And Staff: Every senior citizen housing development shall provide such on site facilities and staff as may be necessary and appropriate to satisfy the social, cultural, recreational, and, when appropriate, medical needs of its residents, including walkways, ramps, benches, special lighting, and the like. The name and telephone number of at least one person having direct responsibility for the operation of the development shall be kept on file with the village manager and shall be listed in the Hinsdale telephone directory under the name of the development. ***Response: Applicant directly provides nature and outdoor activities through trips and other activities. Nearby parks, forest preserves, Graue Mill and other local amenities allow more than ample opportunity for residents to enjoy planned activities appropriate for their needs. Applicant also provides opportunities that strengthen the faith of residents through its non-denominational chapel. Applicant provides a state-of-the-art theatre environment for movie night, lectures and presentations. Applicant also assists residents by providing recreational and special interest club opportunities as well as team and individual athletic and fitness activities. Applicant also assists in family get-togethers and hosting family nights, brunches and pot luck. Applicant also hosts several seasonal and themed events, parties, cookouts and dances. Applicant sponsors several life skills activities in fields such as cooking, computer training, job training and volunteerism. Groups exist for intellectual activities such as poetry/writing, book clubs, discussion groups and other interests. Medical care is readily available in Hinsdale through Adventist/Hinsdale Hospital, Wheaton Eye Clinic and other qualified medical professionals unaffiliated with these two respected entities. The downtown location provides ready access to METRA, the library, restaurants, dry cleaners, pharmacies, coffee shops, automobile service and repair, banking and insurance among other goods and services.***

4. Required Approvals: No senior citizen housing development shall be established without the prior licensing, certification, or other approval of every public agency charged with the regulation or supervision of any facet of the activity of the proposed facility. Every application for a special use permit for a senior citizen housing development shall set forth each agency that must approve the establishment or operation of the facility and shall be accompanied by a formal acknowledgment of

approval from each such agency; provided, however, that in the event any such approval has been delayed, the application shall set forth the status of each such application and shall state any facts known to the applicant that might have contributed to the delay of any required approval that has not been obtained as of the time of the filing of the application for a special use permit. **Response:**

Applicant's complete application for licensing as an "assisted living facility" under the laws of Illinois is on file with the Illinois Department of Public Health. Applicant's licensing attorney testified before the Plan Commission and the license will be granted once the Applicant's purchase of the former Washington Square building is consummated.

5. Financial Stability: No special use permit for a senior citizen housing development shall be granted unless the applicant therefor shall establish, to the satisfaction of the board of trustees, that there exists a reasonably certain source of continuous and sufficient funds to provide for the operation and maintenance of such facility in accordance with the representations of the application and the various standards applicable to such facility by reason of this code and other laws and regulations. **Response:** ***Applicant has furnished all requested information concerning the operations of its other facilities in North Aurora and Chicago showing the companies to be operating profitably and generating sufficient cash flows to guaranty the financial backing of the proposed operation of the assisted living facility in Hinsdale.***

6. Fire Protection: Every senior citizen housing development shall be equipped with a fire suppression system, a fire protection signaling system, and an automatic fire detection system in accordance with the requirements of section 9-2-2 of the village code. **Response:** ***Applicant will comply with all fire and life safety requirements as carried out and enforced by the Village and fire department. The existing building is equipped with a fire alarm system and sprinklered. When reopened, it will also have a 24/7 manned concierge as well as video cameras and a nurse call system.***

ADDITIONAL STANDARDS FOR NURSING AND PERSONAL CARE FACILITIES

COMMENT: APPLICANT RESPONDS TO THESE STANDARDS EVEN THOUGH THE USE IS NOT A NURSING AND PERSONAL CARE FACILITY. THE FACILITY WILL HAVE COMPONENTS THAT ALIGN WITH NURSING AND PERSONAL CARE. ASSISTED LIVING FACILITIES COMMONLY HAVE NURSING AVAILABLE.

1. Location: No nursing or personal care facility, except in connection with a senior citizen housing development, shall be located on any lot across the street from, or with any portion of any side lot line contiguous to, any R-1, R-2, R-3, or R-4 district. **Response:** ***The land and zoning classification northeast of the Subject Property drew some concern in earlier hearing and meeting phases. The property at the northeast corner of Maple and Washington is clearly zoned within the large R-4 zoning district between downtown and Ogden Avenue. The zoning map is unclear (by reason of coloring, multiple lines and the extent of the aforementioned IB zoning district) as to where the zoning district***

boundaries for the R-5, R-4 and IB zoning districts are located. The Village raised a concern that the Subject Property lies "across the street from, or with any portion of a side lot line contiguous to any ... R-4 district." (See Section 4-107(C)(1)). No portion of any relevant side lot line is contiguous to an R-4 district. No part of the frontage for the Subject Property opposes frontage from the corner lot with the R-4 zoning classification.

Section 12-206 defines the term "street" as follows: "The paved portion of a public or private right of way, other than a driveway, that affords the principal means of vehicular access to abutting property." The intersection of two streets does not provide access to any property inasmuch as there is (and can be) no access at the intersection to any abutting lots. Moreover, the Zoning Code defines street and Section 4-107(C)(1) uses the term street. Section 4-107(C)(1) does not use the term "street intersection" as that term is used elsewhere in the Village Code. (See Section 7-1D-1 concerning daylighting regulations). Even if the Village considered the Title 6 (Motor Vehicles) definition of street, a street is that entire area between the lines of the right-of-way. Maple is one right-of-way. Washington is another right-of-way. Under either interpretation, the districts "across the street" to the north and east are IB Districts. The R-4 classification is across two streets under each analysis. This is so even though the R-4 District lies at an angle across one intersection. Nevertheless, the home to the northeast faces directly west and does not face the Subject Property (much unlike the home to the northwest of Adventist/Hinsdale Hospital). Since the home does not take its character from the Subject Property, this interpretation is not only legally proper, but appropriate from a planning perspective.

This question concerning the R-4 district is not relevant if the assisted living use is approved as Senior Citizen Housing with waivers appropriate for assisted living

2. Supervision: Every nursing or personal care facility shall provide qualified and experienced supervisory personnel in sufficient numbers, and during sufficient and appropriate hours of the day, to meet all standards of any agency responsible for the licensing or regulation of the nursing or personal care facility and such additional services as may be required by the Board of Trustees. Response: The special use permit shall specifically establish minimum standards for supervision. The name and telephone number of at least one person having direct responsibility for the operation of the facility shall be listed in the Hinsdale telephone directory under the name of the facility. Response: For parking purposes, Applicant has utilized a figure of 14 employees on site during its peak staffing period. This conservative approach is not a representation of actual planning inasmuch as it is possible that the peak staffing at any time will be 10-12 employees. Regardless, the use will be staffed 24 hours each day, every day of the year. Supervisory personnel will be hired, trained and managed in accord with the Illinois Administrative Code concerning assisted living facilities, as enforced and administered by the Illinois Department of Public Health. Staff levels will increase shortly before the first of three daily meals and decrease shortly thereafter, or after the activities for the day wind down. Overnight staffing will include at least 3-4 employees. Applicant has a proven ability and track record in meeting state regulations in this field. Applicant's principal owner and officer has received awards for his activities in the field and Applicant is proudly engaged in the adaptive re-use of properties and their

structures to increase the availability of assisted living as a housing option for seniors and the disabled members of several communities. To the extent that Hinsdale has or will have licensing schemes for assisted living facilities, Applicant will meet them.

3. Availability of facilities. Every nursing and personal care facility shall be provided with, or have ready access to, facilities and services necessary and appropriate to the needs of its residents for active and passive recreation; medical care; educational, cultural, and religious activities; consumer goods and services; and public transportation. **Response: Please see response to similar inquiry in section above.**

4. Required approvals. No nursing or personal care facility shall be established without the prior licensing, certification, or other approval of every public agency charged with the regulation or supervision of any facet of the activity of the proposed facility. Every application for a special use permit for a nursing or personal care facility shall set forth each agency that must approve the establishment or operation of the facility and shall be accompanied by a formal acknowledgement of approval from each such agency; provided, however, that in the event any such approval has been delayed, the application shall set forth the status of each such application and shall state any facts known to the applicant that might have contributed to the delay of any required approval that has not been obtained as of the time of the filing of the application for a special use permit. **Response: Please see response to similar inquiry in section above.**

5. Financial stability. No special use permit for a nursing or personal care facility shall be granted unless the applicant therefore shall establish, to the satisfaction of the Board of Trustees, that there exists a reasonably certain source of continuous and sufficient funds to provide for the operation and maintenance of such facility in accordance with the representations of the application and the various standards applicable to such facility by reason of this Code and other laws and regulations. **Response: Please see response to same inquiry in above section.**

PROPOSED CONDITIONS ON SPECIAL USE PERMITS

1. Applicant shall construct a redesigned west parking area using 45-degree parking spaces, egress onto Lincoln and appropriate landscape screening and signage as set forth in the parking plan and landscape plan submitted with the application.
2. Applicant shall preserve, and maintain as unobstructed, all views from parking under the west buildings that takes its access from the alley.
3. As a condition of receipt of its occupancy permit, Applicant shall issue payment in the amount of fifty percent of the cost of a new ambulance of similar design and purpose to the Village's

current 1999 - International/Horton Fully equipped paramedic ambulance with a medium duty chassis (Type I).

4. No modification of the building heights on Washington and Maple shall be permitted unless applicant submits the entire project to the special use for planned development process under Section 11-603 of the zoning ordinance.
5. Applicant's wall signage shall not exceed the area of the existing wall signage on the Subject Property. Applicant shall be permitted to place signage on all common entry doors and common area windows, but it must do so in accordance with the provisions of Section 9-104.
6. Provided that it may do so in light of existing occupancies, Applicant shall afford a priority to persons who, at the time of application for occupancy at the Subject Property, are either residents of Hinsdale or their relatives and who are qualified under applicable state or federal regulations and creditworthy..

MAJOR ADJUSTMENT TO SPECIAL USE FOR PLANNED DEVELOPMENT

Eden seeks a major adjustment to an existing special use for planned development to afford the continuation of the existing structures, including accessory structures, with interior modifications to provide for the same number of units (71)—all in their current location and exterior design. Staff considered Section 11-603(K) of the Zoning Ordinance and concluded that an amendment to, variation from or alteration to the planned development (following completion) was at hand. Applicant applied for an amendment to the special use for planned development as it was last approved in January 1994. Section 11-603(L) refers to such an effort as a major adjustment. This application remains pending as originally filed and as supplemented with the additional information in the remainder of the applications. Major adjustments can be approved without a hearing, but the Village Board and staff seem to believe that the major adjustment is not in substantial conformity with the special use for planned development. The hearing and review proceed under Section 11-603(D)(3) which states that a Detailed Plan shall be submitted for review to determine whether it is in substantial conformity with the prior plan. This Detailed Plan can be approved by the Village if it is in substantial conformity or if it is not in substantial conformity but still merits approval. Conditions and modifications can be made part of the approval.

Notably, under the major adjustment process, the current status of the application appears to place Eden within Section 11-603(D)(3)(f)(iii): "Referral back to plan commission. In any case other than that specified in Subparagraph D3(f)(i) of this Section, the Board of Trustees may refer the Detailed Plan back to the Plan Commission for further consideration of specified matters."

Applicant respectfully submits that the proposal for an adaptive re-use of the Subject Property meets the standards for a major adjustment as either (a) being in substantial conformity or (b) not being in substantial conformity but meriting approval.

The Village Board could approve a major adjustment.



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

PLANNED DEVELOPMENT CRITERIA

Community Development Department

***Must be accompanied by completed Plan Commission Application**

Address of proposed request: 10 North Washington Street Hinsdale, Illinois 60521

Proposed Planned Development request: Operation of an Assisted Living Facility

REVIEW CRITERIA:

Section 11-603 of the Hinsdale Zoning Code regulates Planned developments. The Board of Trustees, in accordance with the procedures and standards set out in Section 11-603 and by ordinance duly adopted, may grant special use permits authorizing the development of planned developments, but only in the districts where such developments are listed as an authorized special use. Planned developments are included in the Zoning Code as a distinct category of special use. As such, they are authorized for the same general purposes as all other special uses. In particular, however, the planned development technique is intended to allow the relaxation of otherwise applicable substantive requirements based on procedural protections providing for detailed review of individual proposals for significant developments. This special regulatory technique is included in the Code in recognition of the fact that traditional bulk, space, and yard regulations of substantially developed and stable areas may impose inappropriate pre-regulations and rigidities upon the development or redevelopment of parcels or areas that lend themselves to an individual, planned approach.

1. *Special use permit standards.* No special use permit for a planned development shall be recommended or granted pursuant to this Section unless the applicant shall establish that the proposed development will meet each of the standards made applicable to special use permits pursuant to Subsection 11-602E of the Zoning Code Please see the special use permit application and other applications, including Exhibit C, parking plan and landscaping plan.
2. *Additional standards for all planned developments.* No special use permit for a planned development shall be recommended or granted unless the applicant shall establish that the proposed development will meet each of the following additional standards:
 - a. *Unified ownership required.* Unified ownership
 - b. *Minimum area.* We exceed the minimum required area
 - c. *Covenants and restrictions to be enforceable by village* Not Applicable

- d. *Public open space and contributions.* Unit count will not be changing. All structures are existing.
- e. *Common open space.*
Amount, location, and use. Intend to maintain all open space as it currently exists.

Preservation: We intend to preserve all open space as it currently exists.

Ownership and maintenance. Eden will take the responsibility for the maintenance and ownership of all common space.

Property owners' association. Not Applicable
- f. *Landscaping and perimeter treatment:* At this point we will only be cleaning up existing landscaping and replacing unhealthy and dead plants. Please see the landscaping plan and parking plan.
- g. *Building and spacing.* All buildings are existing.
- h. *Private streets.* Not Applicable
- i. *Sidewalks.* Already exist
- j. *Utilities.* Our use will not increase the demand for existing utilities. Please see Exhibit C.

Additional standards for specific planned developments. Any specific R5 standards for
planned developments do not apply as all structure are existing and we intend to maintain
all open space as it currently exists. Please see the special use permit application and other
applications, including Exhibit C, parking plan and landscaping plan.

List all waivers being requested as part of the planned development. Please see attached table
of compliance. Please see the special use permit application and other applications,
including Exhibit C, parking plan and landscaping plan.

EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1: THE NORTH 82½ FEET OF LOT 1 BLOCK 4 IN STOUGH'S ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION OF THE SOUTH ½ OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1868 AS DOCUMENT 9593, IN DUPAGE COUNTY, ILLINOIS. AND;

PARCEL 2: THE SOUTH ¼ OF LOT 1 AND THE NORTH ½ OF LOT 2 IN BLOCK 4 IN STOUGH'S ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION OF THE SOUTH ½ OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1868 AS DOCUMENT 9593, IN DUPAGE COUNTY, ILLINOIS. AND;

PARCEL 3: THE NORTH ½ OF THE SOUTH ½ OF LOT 1 IN BLOCK 4 IN STOUGH'S ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION OF THE SOUTH ½ OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1868 AS DOCUMENT 9593, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 4: THE NORTH 50 FEET OF THE SOUTH 100 FEET OF LOT 4 IN STOUGH'S ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION OF THE SOUTH ½ OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1868 AS DOCUMENT 9593, IN DUPAGE COUNTY, ILLINOIS.

Diagram illustrating a parking lot layout with various stalls and dimensions:

- Top Section:** Two large rectangular areas, each 20' wide and 10' high, separated by a 20' gap. Below these are two smaller rectangular areas, each 10' wide and 10' high, separated by a 20' gap.
- Stalls:** The main area contains two rows of stalls. The top row has 9 stalls, each 12' 9" wide and 14' 1" deep. The bottom row has 9 stalls, each 12' 9" wide and 14' 1" deep. The total width of the stall area is 165' 1/2".
- Handicapped Parking:** A single stall is located at the bottom right, labeled "1 HC SPACE = 25' 1/2" wide and 14' 1" deep.
- Bicycle Parking:** A designated area at the bottom right, labeled "BICYCLE PARKING".
- Public Alley:** A 50' wide alley runs along the bottom of the lot.
- Dimensions:**
 - Stall width: 12' 9"
 - Stall depth: 14' 1"
 - Handicapped space width: 25' 1/2"
 - Alley width: 50'
 - Total width of the lot: 165' 1/2"
- Notes:**
 - "PROVIDE STATE OF ILLINOIS COMPLIANT" (appears twice)
 - "PROVIDE STATE OF ILLINOIS COMPLIANT HANDICAP PARKING SIGNAGE"

**ALL DIMENSIONS NEED TO BE VERIFIED IN FIELD
BEFORE CONSTRUCTION STARTS**

PROPOSED PARKING

Scale: 1/16" = 1' (11x17)

NOTICE OF COPYRIGHT

[illegible]

10 N. WASHINGTON
HINSDALE, ILLINOIS

**PROPOSED PARKING
PLAN
45 DEG PARKING**

A1.0

EXT
B



**ABSOLUTE
ARCHITECTURE P.O.**
914 GREENWAY RD. SUITE 202
WINNETKA, IL 60093
PH: 312.268.7315
FAX: 312.268.7340

EXHIBIT "C"

Zoning Analysis in Support of Eden Assisted Living

EDEN ASSISTED LIVING'S REQUESTS

Major adjustment to an existing special use for planned development to afford the continuation of the existing structures, including accessory structures, with interior modifications to provide for the same number of units (71)—all in their current location and exterior design.

Special use for an assisted living facility as the R-5 zoning classification contemplates such a facility under Section 4-107(B) (C).

Special Use for Planned Development to permit the use of the existing structures and improvements at the Subject Property as an assisted living facility. Certain waivers from bulk regulations are within the scope of the application.

Exterior Appearance Review and Approval.

GENERALLY APPLICABLE STATEMENTS

The Subject Property is comprised of a single zoning lot bisected by an alley. The current structures were constructed with the approval of the Village of Hinsdale. Initially, a pre-1989 planned development approval authorized construction and development of the independent senior living use at the Subject Property. Washington Square opened in 1974. Through 1994 it operated at capacity, but changes in housing needs and the methods of providing housing to seniors made it difficult for Washington Square to avoid a declining occupancy rate. Not only are seniors living longer, but their lives are more active. The means of providing housing to seniors now lies along a continuum of care from independent living to assisted living to full nursing or personal care.

The Subject Property was also the subject of modern (post-1989) approvals of modifications to the special use planned development to allow the facility to exist in its current form. The last Village zoning approval on January 4, 1994 (Ordinance No. O94-01) led to the current configuration and improvements at the Subject Property and allowed various waivers of and deviations from certain regulations.

The Subject Property is sloped heavily from north-to-south and construction progressed in a fashion to have lower-profile structures on the north and east exterior of the Subject Property (adjacent to Maple and Washington). The structure is 34 feet tall. On the north and east exteriors of the Subject Property, the appearance is one of two-story structures, but the interior and the south buildings are three stories. The two western buildings are two stories above parking.

The Subject Property has two zoning classifications. The bulk of the land lies within the R-5 Multiple Family Residential District, but the western parking area (across the alley) lies in the O-1

Specialty Office District. The O-1 zoning regulations are less restrictive than the R-5 zoning regulations and the setbacks on the parking area.

The Subject Property is the only R-5 parcel in this particular R-5 zoning district. To the north and east of the Subject Property lies an Institutional Building zoning district (possibly two) that spans from east of Garfield to Lincoln (this area includes the water works, fire station, police station, two churches and Memorial Hall). West of the alley between Washington and Lincoln, land is situated in the O-1 (north) or the B-1 (south) zoning districts (current uses include professional offices, two of which are vacant). South of the subject property in the B-1 zoning district is an existing Northern Trust Bank facility with complete screening from the Subject Property. East of the Subject Property lies the public library and Village Hall.

Access to the Subject Property is convenient. The Subject Property lies downtown, near the METRA train stations and many downtown businesses. Weekend street parking is commonly available on Lincoln, Maple and Chicago, as well as on the west side of Washington (although occasional vehicles will park there when the library is busy). The only recent observed use of street parking spaces on Lincoln was by Fuller's automotive service. During weekday, work hours, there is significant available street parking on a regular basis and Fuller's use of the rights of way continues to be frequent.

SPECIAL USE FOR ASSISTED LIVING FACILITY (SECTIONS 4-107(B)(C))

GENERAL STANDARDS

1. Code and Plan Purposes. The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established. ***Response: While harmony with the zoning ordinance can occasionally be in the eye of the beholder, this case is a bit different than many because the Applicant seeks to adapt the use of the Subject Property and its existing improvements from independent senior living to assisted living. As a result, the Village has nearly 37 years of history behind how the structures fell into harmony with the general and specific purposes of the zoning ordinance. Much of this is addressed above or in relation to other factors (i.e., the blend of housing opportunity, the transitioning of land use intensity and structures, the interpretation of the code for these purposes and in light of applicable state and federal laws and regulations). The proposed assisted living use is in harmony with the following general and specific purposes of the zoning ordinance as follows:***

1-102(A): The use completes the housing stock in Hinsdale by filling a void and curing the absence of assisted living.

1-102(A): The use will serve the local residents by providing for an appropriate percentage of occupancy for the local residents. The use will provide volunteers and an opportunity for volunteerism.

1-102(B)(1): Approval will further the Comprehensive Plan as described herein.

1-102(B)(2): Approval of the use will continue the viability of the Subject Property as a transitional structure and land use between the single family and institutional uses to the north and west, on one hand, and the downtown commercial and office areas, on the other hand.

1-102(B)(3): The use will be a business operation for residential purposes, with townhomes closest to the R-4 single family district and lower-profile structures closest to the larger setback Memorial Hall and downtown open space.

1-102(B)(4): The use will provide an opportunity for families in Hinsdale to plan for relatives who need assisted living services and it may relieve burdens on families that are faced with the choice of (a) relocating with parents, spouses or children or (b) providing for them in their single family home in what may be a difficult situation or (c) traveling to more distant facilities to visit them. The local option will permit existing single family home occupants to plan for a local assisted living facility when this option does not exist and allow the entire family to claim Hinsdale as their home.

1-102(B)(5): The use will occur within existing buildings that were planned for a greater interior density with lower-profile buildings and less bulk on the perimeter near Maple and Washington.

1-102(B)(6): Applicant submits that the structure is not a non-conforming structure inasmuch as a valid special use for planned development remains operable.

1-102(B)(7): In light of the hierarchy of zoning districts (Section 2-102) and the intent to use districts and development to transition from one classification to another, the R-5 use remains as a logical transition inasmuch as expansion of the IB District is unlikely and office use at the site would not preserve the character of the adjacent office buildings and properties (which are vacant and for sale or lease).

1-102(B)(9): The re-use of the buildings will preserve a development that is well-built and designed into the slope southward from Maple toward Chicago. Additionally, volunteers from the location will be able to serve roles that benefit the parks and forest preserves programs in the area.

1-102(B)(10): The use will promote the public health, safety, morals and general welfare of the Village by opening a currently non-existent opportunity for seniors and others who would benefit from the assisted living facility. The health of local residents is at stake inasmuch as many residents would prefer not to leave the Village where they have spent much of their lives and their families would not wish to see them depart to more remote locations. The use will also add to the diversity of Hinsdale and approval would indicate Hinsdale's acceptance of an important component of society as people age.

1-102(C)(1): The structures are existing quasi-public facilities and re-use is more efficient than the waste that would occur otherwise.

1-102(C)(2): Streets, street parking and sidewalks in the area are sufficient and many metered and non-metered spaces will remain available on a daily basis because 35 parking spaces are sufficient for

the use. As noted later, Applicant will agree to restrictions on the number of parking spaces for residents. Other public facilities such as the library, parks and forest preserves will not be overburdened by the use because Applicant provides meaningful programs and opportunity as a part of its operations. Applicant is willing to contribute fifty percent (50%) to the cost of a new ambulance as a condition of the approval of the special use for the assisted living facility without further discussion of need or a nexus.

1-102(C)(4): The Subject Property has access from Maple, Chicago and Washington and egress onto Lincoln—all at points where these streets are non-residential in character. Parking restrictions and metering would inhibit or prevent any long-term parking in the same fashion that it does in relation to commuter traffic for the METRA users.

1-102(C)(5): The location of assisted living facilities in the downtown area serves to reduce traffic inasmuch as downtown is where many businesses and activities are located. The location of the use near the METRA station is also beneficial in reducing congestion.

1-102(D)(1): Preservation of the existing structures in an assisted living concept protects and respects the expectations of businesspeople and taxpayers that land use patterns will remain constant. The structures and prior use have a 37 year history and there has been no detriment to the pattern and pace of the development, maintenance and repair of residential properties in the area. The use of the major adjustment or a new planned development will also respect expectancy.

1-102(D)(2): It is difficult to imagine any other development that would have the same space and taxable floor area inasmuch as the assessed value of improvements is concerned. The use of the major adjustment process or the approval of a new special use permit and new special use for planned development will preserve the buildings for their use. The return of the Subject Property to a viable use will not only preserve the taxable value of this land, but it will also enhance it. This will benefit Hinsdale residents by effectively reducing burdens for the real estate tax levy of the Village (and, though less so, other taxing bodies).

2-102(A): Approval will permit the Village to recognize and accomplish the purpose of the R-5 zoning district in opening up a variety of housing. (See Section 4-101, 4-102(A))

3-101: Approval will allow the Village “to provide a reasonable range of opportunity for the development and preservation of housing types consistent with the existing residential character of the village.” Note that Section 3-101 explicitly recognizes that this range is to be accomplished “in combination with the multiple family residential districts.”

4-101: Assisted living is a use deemed compatible under the NAICS (and under the SIC as SIC codes have been interpreted since their last publication in 1987) and it is one that is aligned in the same category of services. The proposed use provides “a transition between single-family detached and other zoning districts.” There is no assisted living use in Hinsdale and the use will provide this “alternate housing type in a suburban environment.”

4-102(A): The use continues the 37 years of logical transition between the R-4 district north of Maple and downtown Hinsdale. Compared to other downtown tracts of land, this is a large parcel (49,262 s.f.) and it is inappropriate for any more restrictive classification. The open space within the use will continue to be usable common space with walkways, trees and landscaping.

9-104: Applicant provides 35 off-street parking spaces in the O-1 area of the zoning lot. The setbacks of the west parking area are consistent with O-1 design. As addressed elsewhere, the parking is conservatively planned based on higher estimates of employees and the result is a more stringent standard than the Cordia facility in Westmont which mandates a 5:1 bed-to-parking ratio plus a requirement of 1:1 for full-time employees. The use will foster safe and efficient circulation of vehicles and pedestrians both on private property and on adjacent public streets. Inasmuch as general traffic to the site is concerned, there is anticipated to be no change in the types of vehicles using the streets and delivery vehicles would have no reason to use more remote residential areas of the abutting streets.

2. No Undue Adverse Impact. The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare. **Response: Please see discussions above and below.**

7. Compliance with Standards. The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use. **Response: Please see discussions above and below.**

8. Special standards for specified special uses. When the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district. **Response: Please see above and below.**

9. Considerations. Public benefit. Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community. Response: Applicant will provide evidence at hearing, including an analysis of need and demand. Please see discussions elsewhere in the applications.

ADDITIONAL STANDARDS FOR SENIOR CITIZEN HOUSING

1. Community Need: No special use permit for senior citizen housing shall be granted except on evidence satisfactory to the board of trustees that there is, and will for the foreseeable future continue

to be, a ready market demand among current area residents for all of the dwelling units in the senior citizen housing development. ***Response: Market demand exists in the Hinsdale area. Most assisted living facilities in the region are operating above the national occupancy rates. There is no assisted living facility in Hinsdale.***

2. Location: Every senior citizen housing development shall be located in an area of the village that is conducive to the special needs of senior citizens. This typically will require a location with convenient access to public transportation, retail stores, and medical services. ***Response: Please see response to Item 3 of this narrative.***

3. Facilities And Staff: Every senior citizen housing development shall provide such on site facilities and staff as may be necessary and appropriate to satisfy the social, cultural, recreational, and, when appropriate, medical needs of its residents, including walkways, ramps, benches, special lighting, and the like. The name and telephone number of at least one person having direct responsibility for the operation of the development shall be kept on file with the village manager and shall be listed in the Hinsdale telephone directory under the name of the development. ***Response: Applicant directly provides nature and outdoor activities through trips and other activities. Nearby parks, forest preserves, Graue Mill and other local amenities allow more than ample opportunity for residents to enjoy planned activities appropriate for their needs. Applicant also provides opportunities that strengthen the faith of residents through its non-denominational chapel. Applicant provides a state-of-the-art theatre environment for movie night, lectures and presentations. Applicant also assists residents by providing recreational and special interest club opportunities as well as team and individual athletic and fitness activities. Applicant also assists in family get-togethers and hosting family nights, brunches and pot luck. Applicant also hosts several seasonal and themed events, parties, cookouts and dances. Applicant sponsors several life skills activities in fields such as cooking, computer training, job training and volunteerism. Groups exist for intellectual activities such as poetry/writing, book clubs, discussion groups and other interests. Medical care is readily available in Hinsdale through Adventist/Hinsdale Hospital, Wheaton Eye Clinic and other qualified medical professionals unaffiliated with these two respected entities. The downtown location provides ready access to METRA, the library, restaurants, dry cleaners, pharmacies, coffee shops, automobile service and repair, banking and insurance among other goods and services.***

4. Required Approvals: No senior citizen housing development shall be established without the prior licensing, certification, or other approval of every public agency charged with the regulation or supervision of any facet of the activity of the proposed facility. Every application for a special use permit for a senior citizen housing development shall set forth each agency that must approve the establishment or operation of the facility and shall be accompanied by a formal acknowledgment of

approval from each such agency; provided, however, that in the event any such approval has been delayed, the application shall set forth the status of each such application and shall state any facts known to the applicant that might have contributed to the delay of any required approval that has not been obtained as of the time of the filing of the application for a special use permit. **Response:** *Applicant's complete application for licensing as an "assisted living facility" under the laws of Illinois is on file with the Illinois Department of Public Health. Applicant's licensing attorney testified before the Plan Commission and the license will be granted once the Applicant 's purchase of the former Washington Square building is consummated.*

5. Financial Stability: No special use permit for a senior citizen housing development shall be granted unless the applicant therefor shall establish, to the satisfaction of the board of trustees, that there exists a reasonably certain source of continuous and sufficient funds to provide for the operation and maintenance of such facility in accordance with the representations of the application and the various standards applicable to such facility by reason of this code and other laws and regulations. **Response:** *Applicant has furnished all requested information concerning the operations of its other facilities in North Aurora and Chicago showing the companies to be operating profitably and generating sufficient cash flows to guaranty the financial backing of the proposed operation of the assisted living facility in Hinsdale.*

6. Fire Protection: Every senior citizen housing development shall be equipped with a fire suppression system, a fire protection signaling system, and an automatic fire detection system in accordance with the requirements of section 9-2-2 of the village code. **Response:** *Applicant will comply with all fire and life safety requirements as carried out and enforced by the Village and fire department. The existing building is equipped with a fire alarm system and sprinklered. When reopened, it will also have a 24/7 manned concierge as well as video cameras and a nurse call system.*

ADDITIONAL STANDARDS FOR NURSING AND PERSONAL CARE FACILITIES

COMMENT: APPLICANT RESPONDS TO THESE STANDARDS EVEN THOUGH THE USE IS NOT A NURSING AND PERSONAL CARE FACILITY. THE FACILITY WILL HAVE COMPONENTS THAT ALIGN WITH NURSING AND PERSONAL CARE. ASSISTED LIVING FACILITIES COMMONLY HAVE NURSING AVAILABLE.

1. Location: No nursing or personal care facility, except in connection with a senior citizen housing development, shall be located on any lot across the street from, or with any portion of any side lot line contiguous to, any R-1, R-2, R-3, or R-4 district. **Response:** *The land and zoning classification northeast of the Subject Property drew some concern in earlier hearing and meeting phases. The property at the northeast corner of Maple and Washington is clearly zoned within the large R-4 zoning district between downtown and Ogden Avenue. The zoning map is unclear (by reason of coloring, multiple lines and the extent of the aforementioned IB zoning district) as to where the zoning district*

boundaries for the R-5, R-4 and IB zoning districts are located. The Village raised a concern that the Subject Property lies "across the street from, or with any portion of a side lot line contiguous to any ... R-4 district." (See Section 4-107(C)(1)). No portion of any relevant side lot line is contiguous to an R-4 district. No part of the frontage for the Subject Property opposes frontage from the corner lot with the R-4 zoning classification.

Section 12-206 defines the term "street" as follows: "The paved portion of a public or private right of way, other than a driveway, that affords the principal means of vehicular access to abutting property." The intersection of two streets does not provide access to any property inasmuch as there is (and can be) no access at the intersection to any abutting lots. Moreover, the Zoning Code defines street and Section 4-107(C)(1) uses the term street. Section 4-107(C)(1) does not use the term "street intersection" as that term is used elsewhere in the Village Code. (See Section 7-1D-1 concerning daylighting regulations). Even if the Village considered the Title 6 (Motor Vehicles) definition of street, a street is that entire area between the lines of the right-of-way. Maple is one right-of-way. Washington is another right-of-way. Under either interpretation, the districts "across the street" to the north and east are IB Districts. The R-4 classification is across two streets under each analysis. This is so even though the R-4 District lies at an angle across one intersection. Nevertheless, the home to the northeast faces directly west and does not face the Subject Property (much unlike the home to the northwest of Adventist/Hinsdale Hospital). Since the home does not take its character from the Subject Property, this interpretation is not only legally proper, but appropriate from a planning perspective.

This question concerning the R-4 district is not relevant if the assisted living use is approved as Senior Citizen Housing with waivers appropriate for assisted living

2. Supervision: Every nursing or personal care facility shall provide qualified and experienced supervisory personnel in sufficient numbers, and during sufficient and appropriate hours of the day, to meet all standards of any agency responsible for the licensing or regulation of the nursing or personal care facility and such additional services as may be required by the Board of Trustees. Response: The special use permit shall specifically establish minimum standards for supervision. The name and telephone number of at least one person having direct responsibility for the operation of the facility shall be listed in the Hinsdale telephone directory under the name of the facility. Response: For parking purposes, Applicant has utilized a figure of 14 employees on site during its peak staffing period. This conservative approach is not a representation of actual planning inasmuch as it is possible that the peak staffing at any time will be 10-12 employees. Regardless, the use will be staffed 24 hours each day, every day of the year. Supervisory personnel will be hired, trained and managed in accord with the Illinois Administrative Code concerning assisted living facilities, as enforced and administered by the Illinois Department of Public Health. Staff levels will increase shortly before the first of three daily meals and decrease shortly thereafter, or after the activities for the day wind down. Overnight staffing will include at least 3-4 employees. Applicant has a proven ability and track record in meeting state regulations in this field. Applicant's principal owner and officer has received awards for his activities in the field and Applicant is proudly engaged in the adaptive re-use of properties and their

structures to increase the availability of assisted living as a housing option for seniors and the disabled members of several communities. To the extent that Hinsdale has or will have licensing schemes for assisted living facilities, Applicant will meet them.

3. Availability of facilities. Every nursing and personal care facility shall be provided with, or have ready access to, facilities and services necessary and appropriate to the needs of its residents for active and passive recreation; medical care; educational, cultural, and religious activities; consumer goods and services; and public transportation. ***Response: Please see response to similar inquiry in section above.***

4. Required approvals. No nursing or personal care facility shall be established without the prior licensing, certification, or other approval of every public agency charged with the regulation or supervision of any facet of the activity of the proposed facility. Every application for a special use permit for a nursing or personal care facility shall set forth each agency that must approve the establishment or operation of the facility and shall be accompanied by a formal acknowledgement of approval from each such agency; provided, however, that in the event any such approval has been delayed, the application shall set forth the status of each such application and shall state any facts known to the applicant that might have contributed to the delay of any required approval that has not been obtained as of the time of the filing of the application for a special use permit. ***Response: Please see response to similar inquiry in section above.***

5. Financial stability. No special use permit for a nursing or personal care facility shall be granted unless the applicant therefore shall establish, to the satisfaction of the Board of Trustees, that there exists a reasonably certain source of continuous and sufficient funds to provide for the operation and maintenance of such facility in accordance with the representations of the application and the various standards applicable to such facility by reason of this Code and other laws and regulations. ***Response: Please see response to same inquiry in above section.***

PROPOSED CONDITIONS ON SPECIAL USE PERMITS

1. Applicant shall construct a redesigned west parking area using 45-degree parking spaces, egress onto Lincoln and appropriate landscape screening and signage as set forth in the parking plan and landscape plan submitted with the application.
2. Applicant shall preserve, and maintain as unobstructed, all views from parking under the west buildings that takes its access from the alley.
3. As a condition of receipt of its occupancy permit, Applicant shall issue payment in the amount of fifty percent of the cost of a new ambulance of similar design and purpose to the Village's

current 1999 - International/Horton Fully equipped paramedic ambulance with a medium duty chassis (Type I).

4. No modification of the building heights on Washington and Maple shall be permitted unless applicant submits the entire project to the special use for planned development process under Section 11-603 of the zoning ordinance.
5. Applicant's wall signage shall not exceed the area of the existing wall signage on the Subject Property. Applicant shall be permitted to place signage on all common entry doors and common area windows, but it must do so in accordance with the provisions of Section 9-104.
6. Provided that it may do so in light of existing occupancies, Applicant shall afford a priority to persons who, at the time of application for occupancy at the Subject Property, are either residents of Hinsdale or their relatives and who are qualified under applicable state or federal regulations and creditworthy..

MAJOR ADJUSTMENT TO SPECIAL USE FOR PLANNED DEVELOPMENT

Eden seeks a major adjustment to an existing special use for planned development to afford the continuation of the existing structures, including accessory structures, with interior modifications to provide for the same number of units (71)—all in their current location and exterior design. Staff considered Section 11-603(K) of the Zoning Ordinance and concluded that an amendment to, variation from or alteration to the planned development (following completion) was at hand. Applicant applied for an amendment to the special use for planned development as it was last approved in January 1994. Section 11-603(L) refers to such an effort as a major adjustment. This application remains pending as originally filed and as supplemented with the additional information in the remainder of the applications. Major adjustments can be approved without a hearing, but the Village Board and staff seem to believe that the major adjustment is not in substantial conformity with the special use for planned development. The hearing and review proceed under Section 11-603(D)(3) which states that a Detailed Plan shall be submitted for review to determine whether it is in substantial conformity with the prior plan. This Detailed Plan can be approved by the Village if it is in substantial conformity or if it is not in substantial conformity but still merits approval. Conditions and modifications can be made part of the approval.

Notably, under the major adjustment process, the current status of the application appears to place Eden within Section 11-603(D)(3)(f)(iii): "Referral back to plan commission. In any case other than that specified in Subparagraph D3(f)(i) of this Section, the Board of Trustees may refer the Detailed Plan back to the Plan Commission for further consideration of specified matters."

Applicant respectfully submits that the proposal for an adaptive re-use of the Subject Property meets the standards for a major adjustment as either (a) being in substantial conformity or (b) not being in substantial conformity but meriting approval.

The Village Board could approve a major adjustment.



COMMUNITY DEVELOPMENT
DEPARTMENT
EXTERIOR APPEARANCE AND
SITE PLAN REVIEW CRITERIA

Address of proposed request: 10 North Washington Street, Hinsdale, Illinois 60521

REVIEW CRITERIA

Section 11-606 of the Hinsdale Zoning Code regulates Exterior appearance review. The exterior appearance review process is intended to protect, preserve, and enhance the character and architectural heritage and quality of the Village, to protect, preserve, and enhance property values, and to promote the health, safety, and welfare of the Village and its residents. Please note that Subsection Standards for building permits refers to Subsection 11-605E Standards and considerations for design permit review.

*****PLEASE NOTE***** If this is a non-residential property within 250 feet of a single-family residential district, additional notification requirements are necessary. Please contact the Village Planner for a description of the additional requirements.

FEES for Exterior Appearance/Site Plan Review:

Standard Application: \$600.00

Within 250 feet of a Single-Family Residential District: \$800

Below are the criteria that will be used by the Plan Commission, Zoning and Public Safety Committee and Board of Trustees in reviewing Exterior Appearance Review requests. Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.

1. **Open spaces.** The quality of the open space between buildings and in setback spaces between street and facades. **Response: Applicant proposes the adaptation of existing structures and landscape spaces to allow an assisted living facility. No meaningful change is requested in the site design other than in relation to the west parking area with egress onto Lincoln. At the point of egress, there will be a 10-foot landscape area. The parking area will otherwise occupy the area between the north and south lot lines. For safety and maintenance purposes, the paved area abutting the west line of the public alley will remain paved. The development of the use in the 1970's led to construction on a nearly zero setback basis along Washington (corner side), Maple (front) and the alley (interior side). The zero or near-zero setback planning is common in to many non-residential uses in the neighborhood. The rear yard nearly meets the zoning code other than the refrigeration/freezer unit and shed. While the shed is a permitted accessory structure, separation of the shed from the main buildings can be created if required and if the Village believes that it should be separated further from the refrigeration/freezer unit. The refrigeration/freezer unit is situated in the rear yard and has its point of entrance from the interior of the south building's lower level. The current location of the shed and the refrigeration/freezer unit near the loading zone is a**

customary practice and leads to more open space in the remainder of the rear yard. The location of these structures arose from an approved modification to the planned development. The area along the shared lot line is substantially landscaped and has mature trees. A board-on-board fence divides the Subject Property from The Northern Trust Bank property. Interior common areas for courtyards offer a benefit to the use, residents and their visitors. This landscaping will be rehabilitated and maintained, as will be the common area pedestrian ways (subject to accessibility redesign, if any). The perimeter of the Subject Property on Washington and Maple features the lower-profile elements of the building in order to create the appearance of more open space along these two streets. The mass of the building does not create an offensive view from the south or the west in light of surrounding building types and heights. From the west, an elevated hallway provides a view from the public alley into one of the courtyards. A patio area along the south lot line lies just north of a patio or open area for The Northern Trust Bank.

2. **Materials.** The quality of materials and their relationship to those in existing adjacent structures. **Response: Adjacent structures are typically brick or brick and masonry structures. Two houses have been converted to law office and builder office use, and these continue to retain their historic residential appearance with wood or fabricated siding. The Brush Hill office building features brick and wood siding. The colors and tones of the existing brick is in general conformity with the brick for The Northern Trust Bank building, but it is a bit darker and more uniform in appearance than the differentiated brick at The Northern Trust Bank. Exterior brick on the current structures seems to be in good condition with minimal, if any, tuckpointing required. The existing construction provides for: (a) brick along Maple; (b) brick with a finished entry feature along Washington; (c) brick and glass (common dining area) with upper floor small balconies facing the south lot line; and (d) brick and masonry (resident parking areas) with upper floor small balcony features for the west facade of the buildings along the alley. The larger buildings have flat roofs. The structures closest to Maple and Washington feature lower-profile pitched roofs. Interior courtyards feature brick and glass, the reverse side of the finished main entry feature and a masonry and glass hall connection of a color and tone consistent with the color of the various bay windows throughout the Subject Property. Applicant will utilize a wall sign of similar size to the one that currently exists.**
3. **General design.** The quality of the design in general and its relationship to the overall character of neighborhood. **Response: The existing buildings have reflected a quality and style of design for the non-residential areas south of Maple. The brick components are consistent with all properties on the block with the exception of the two office properties on Lincoln. While the institutional uses and the two office properties in residential structures feature larger setbacks, uses common to the area of Chicago and Lincoln show a similar zero or near zero setback. The Northern Trust Bank property and its yards suffer no detriment from the existing structures inasmuch as the use developed after the 1974 origination of use at the Subject Property. Mature trees and landscaping also contribute to the general design of the development. Profiles from streets in all directions indicate that the height of the existing buildings fit within the neighborhood. The interior orientation of the courtyards and their design are not common features in the neighborhood, but the courtyard amenities are special to this development and their maintenance should benefit those on site and off-site.**

4. *General site development.* The quality of the site development in terms of landscaping, recreation, pedestrian access, auto access, parking, servicing of the property, and impact on vehicular traffic patterns and conditions on-site and in the vicinity of the site, and the retention of trees and shrubs to the maximum extent possible. **Response: Applicant proposes to retain most healthy existing trees while replanting and rearranging the remaining landscaping in accordance with a landscaping plan previously submitted and approved by the Plan Commission. The same is true of the general design of all parking and parking areas (though there is a slight expansion of impervious surface for the new 45-degree parking plan also submitted and approved by the Plan Commission in previous hearings). Ample pedestrian access exists to the townhome units along Maple, the main entrance on Washington and the private entrances just east of the alley. Servicing of the property will occur through the loading area that is situated along the alley. There are plans for reserved resident parking spaces underneath the two west buildings and these spaces have long existed under a common planning device that contemplates residential access to public alleys. The west parking area is intended for employee, guest and resident parking. This parking area takes its ingress from the alley and its egress onto Lincoln. To the extent that the Village requires improvements to the alley as a result of permitting for the 45-degree parking or the re-use of the resident parking east of the alley, Applicant will provide it. The alley itself has been observed frequently and there is no common pedestrian use of the alley inasmuch as the alley provides secondary access to properties and it does not serve as a primary source of pedestrian access to other uses. Vehicular traffic patterns in the area will remain similar to what they have been before 2009 and between 2009 and the present. Ample street parking in the area exists and Maple, Lincoln and Washington parking has been observed in summer and during school months to be underutilized. The Village has exercised caution to avoid long term commuter parking in its downtown area through the use of meters or posted regulations. This practice will also deter use of public parking spaces by Applicant's employees and residents in a fashion that would be inconsistent with the intent of parking regulations in downtown Hinsdale.**
5. *Height.* The height of the proposed buildings and structures shall be visually compatible with adjacent buildings. **Response: The 34-foot height of the buildings is compliant with the Senior Housing requirement of 35 feet. The nearby buildings are of a similar appearance in height even though they may be shorter or have heights measured differently based on the roof style. The institutional buildings in the area (Memorial Hall and two institutional uses dominate the perspectives on the north and east. The appearance of the property from the south and west is consistent with the heights of structures on the north side of Chicago and the west side of Lincoln. Additionally, the lower-profile components of the existing structures are all placed along Washington and Lincoln so as to avoid the appearance of height at the east and north lot lines. The three-story and 34-foot height appearance is minimized from the south by substantial mature landscaping and a fence along the south lot line. Lastly, the existing structures are constructed into the grade that has always sloped from the north along Maple to the south along Chicago.**
6. *Proportion of front façade.* The relationship of the width to the height of the front elevation shall be visually compatible with buildings, public ways, and places to which it is visually related. **Response: As noted above, the lower-profile townhome component of the existing structures lies along the front lot line (Maple). This avoids the appearance of mass along the front façade. Similar considerations apply to the corner side lot line along Washington, but the two-story appearance is more prominent at the lot line than**

along Maple. One will not generally observe three story appearances from the street inasmuch as these are set back from the lot lines and generally obscured by a combination of other building components and the change in grade.

7. *Proportion of openings.* The relationship of the width to the height of windows shall be visually compatible with buildings, public ways, and places to which the building is visually related. **Response: It is difficult to conclude that the existing buildings are visually related to one or more types of structures in this area because the uses vary substantially from one another. The brick and glass proportions are similar to aspects of The Northern Trust Bank building, yet the main entrance feature (with windows) may be more aligned to the main entrance features at Memorial Hall or the institutional uses to the north. The proportion of openings is consistent with multiple family residential housing, but this is the only use in this particular multiple family district. The openings to the existing building are compatible. Since 1974, there is no known concern for incompatibility that has arisen.**
8. *Rhythm of solids to voids in front facades.* The relationship of solids to voids in the front façade of a building shall be visually compatible with buildings, public ways, and places to which it is visually related. **Response: The appearance of solid wall faces is consistent with other uses in the area. The rhythm of solids to voids in the existing structures is consistent with the uses to the south and southwest and with the Unitarian Church of Hinsdale. The same is true of the relationship with Memorial Hall's west façade.**
9. *Rhythm of spacing and buildings on streets.* The relationship of a building or structure to the open space between it and adjoining buildings or structures shall be visually compatible with the buildings, public ways, and places to which it is visually related. **Response: Visual relationships with buildings to the southwest and west are consistent. The corner side yards of the Subject Property and of The Northern Trust Bank property are consistent in having landscaping along the sidewalk. This is so despite the larger yard provided in relation to The Northern Trust Bank use.**
10. *Rhythm of entrance porch and other projections.* The relationship of entrances and other projections to sidewalks shall be visually compatible with the buildings, public ways, and places to which it is visually related. **Response: There are no projections from the structures other than the bay windows. Exterior bay windows begin after the more significant grade change in the alley. There are no bay window projections along Maple or Washington. A railing existing along the west facade, and its white metal appearance, does not create any incongruity. The main entrance feature is an interior feature that adds a design feature that is removed from the Washington streetscape.**
11. *Relationship of materials and texture.* The relationship of the materials and texture of the façade shall be visually compatible with the predominant materials to be used in the buildings and structures to which it is visually related. **Response: Please see above discussion at #2.**
12. *Roof shapes.* The roof shape of a building shall be visually compatible with the buildings to which it is visually related. **Response: The use of the flat roof for the larger buildings avoids an appearance of mass and height. Additionally, the use of pitched roofs on Washington and Maple is considerate of Hinsdale's preference for a lower-profile along streetscapes even when the streets are not residential in character.**

13. *Walls of continuity.* Building facades and appurtenances such as walls, fences, and landscape masses shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual compatibility with the buildings, public ways, and places to which such elements are visually related. **Response: The existing buildings accomplish this and it apparent when walking the opposite sides of nearby rights of way from Washington west to Lincoln.**

14. *Scale of building.* The size and mass of buildings and structures in relation to open spaces, windows, door openings, porches, and balconies shall be visually compatible with the buildings, public ways, and places to which they are visually related. **Response: Please see above discussion of height and mass, of height and mass along Washington and Maple, and of surrounding zero or near-zero lot line developments in the area. The current structures have achieved visual compatibility.**

15. *Directional expression of front elevation.* The buildings shall be visually compatible with the buildings, public ways, and places to which it is visually related in its directional character, whether this be vertical character, horizontal character, or nondirectional character. **Response: Inasmuch as the R-5 District at issue includes only one parcel, the Subject Property, it is rational to use Washington for the main entrance. The sole vertical element of the building is the main entry feature that has been approved by the Village. The building has a horizontal character otherwise, and this is consistent with several area buildings. An exception lies for portions of Memorial Hall and the religious institution at the northwest corner of Maple and Washington. The deep setbacks and placement of the library offer separation between the chief vertical components of Memorial Hall. The grade changes and Maple itself separate the religious institution's vertical component from the Subject Property. Nevertheless, the chief vertical component of the religious institution directly north of the site lies at the points of entrance. The second religious institution has a horizontal character and its character has not led to incongruity in directional expressions of elevation in the neighborhood.**

16. *Special consideration for existing buildings.* For existing buildings, the Plan Commission and the Board of Trustees shall consider the availability of materials, technology, and craftsmanship to duplicate existing styles, patterns, textures, and overall detailing. **Response: The materials in place for the existing building are sufficient for the use and design. No changes are required in order to attempt to better blend this building with the neighborhood.**

REVIEW CRITERIA – Site Plan Review

Below are the criteria that will be used by the Plan Commission and Board of Trustees in determining if the application does not meet the requirements for Site Plan Approval. Briefly describe how this application will not do the below criteria. Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.

Section 11-604 of the Hinsdale Zoning Code regulates Site Plan Review. The site plan review process recognizes that even those uses and developments that have been determined to be generally suitable for location in a particular district are capable of adversely affecting the purposes for which this code was enacted unless careful consideration is given to critical design elements.

1. The site plan fails to adequately meet specified standards required by the Zoning Code with respect to the proposed use or development, including special use standards where applicable. **Response: Please see Exhibit C, the Application for Certificate of Zoning Compliance, the Application for Special Use Permit and the Application for Special Use for Planned Development.**
2. The proposed site plan interferes with easements and rights-of-way. **Response: The site plan draws traffic into the west parking area from a public alley. Since users of this parking area will be destination users, there is no expectation that confusion will occur and cause interference in the alley or nearby streets. The west parking area appropriately plans for 45-degree parking with its sole ingress from the alley and sole egress onto Lincoln. This will not cause a change in existing or past flows. Parking is sufficient and should not lead to congestion in the streets.**
3. The proposed site plan unreasonably destroys, damages, detrimentally modifies, or interferes with the enjoyment of significant natural, topographical, or physical features of the site. **Response: Since the proposal is to adapt the existing buildings for a new use, there is no proposal to change or modify anything in the area other than the west parking area. The minimal extension of paved surface will still provide a 10-foot landscaped buffer on the west. The buildings in place are designed and constructed into the existing grade. Applicant will improve the alley to the extent required in the permitting process when it slightly modifies the west parking area and restores the area for parking along the east line of the alley.**
4. The proposed site plan is unreasonably injurious or detrimental to the use and enjoyment of surrounding property. **Response: The modification of the west parking area will not obstruct views to signs for neighboring uses or affect daylighting or the sight triangle at the point of egress onto Lincoln. The existing buildings have existed without posing injury or harm to the use and enjoyment of surrounding properties since 1974.**
5. The proposed site plan creates undue traffic congestion or hazards in the public streets, or the circulation elements of the proposed site plan unreasonably creates hazards to safety on or off site or disjointed, inefficient pedestrian or vehicular circulation paths on or off the site. **Response: Pedestrian circulation is unaffected. Employees and some residents and visitors may cross an alley, but principal pedestrian circulation is from sidewalks on Maple and Washington and this will continue. Vehicular traffic will remain unaffected. The mid-block egress onto Lincoln lies between two office structures and is sufficiently distant from the intersections of Lincoln with Maple and Chicago and from drives for the Fuller's automotive service use. Circulation patterns should remain the same. Principal traffic flows will be similar to routes taken by those traveling to other downtown uses.**
6. The screening of the site does not provide adequate shielding from or for nearby uses. **Response: The existing buildings are situated close to Washington with landscape areas along the sidewalk. Typically, no screening is provided from alleys, particularly within the block. The mature trees and landscaping, coupled with The Northern Trust Bank fence operate to adequately screen the buildings from the south. The use of lower-profile design along Maple and Washington avoids the necessity for screening, but parkway trees do exist in the area. Applicant is willing to install evergreens along the base of the Washington façade, but it submits that it should not be required to do so in light of existing conditions in the neighborhood.**

7. The proposed structures or landscaping are unreasonably lacking amenity in relation to, or are incompatible with, nearby structures and uses. **Response: Please see discussion above. Comfort, convenience and enjoyment arise from the site plan for the existing buildings. There is a sense of relationship between the existing structures to the north and east as a result of their profile along Washington and Maple. Moreover, the brick, window spacing and placement of the mass of the structure away from Maple and Washington serve to increase the attractiveness of the site. Amenity also relates to social and moral aspects of the development, but the value of this aspect of amenity review does not ordinarily arise during site plan review and Applicant does not address it in this application. Please see the applications for Special Use Permit and Special Use Permit for Planned Development.**
8. In the case of site plans submitted in connection with an application for a special use permit, the proposed site plan makes inadequate provision for the creation or preservation of open space or for its continued maintenance. **Response: The sole purpose of the site plan is to continue existing structures and enhance the west parking area. The interior open space (courtyards) and the patio in the rear (south) of the existing buildings have survived since the mid-1970's—despite the changes that occurred at the site since the 1990's. This is an indication of adequate planning from a site plan perspective. As a result, Applicant can substantially rely on the matured landscaping and trees.**
9. The proposed site plan creates unreasonable drainage or erosion problems or fails to fully and satisfactorily integrate the site into the overall existing and planned ordinance system serving the community. **Response: The existing buildings have not been a source of concern for drainage or erosion problems since 1974. To the extent that use and run-off in the alley have caused erosion or deterioration of the alley, Applicant will be responding to this during the permit process. There will be some rehabilitation to the alley where erosion may have occurred. Otherwise, there are no internal or external flooding or drainage concerns known to the Applicant.**
10. The proposed site plan places unwarranted or unreasonable burdens on specified utility systems serving the site or area or fails to fully and satisfactorily integrate the site's utilities into the overall existing and planned utility system serving the Village. **Response: The re-use of existing structures and maintenance of the number of units and the number of beds is an indication that demands on utilities will not increase, be they water, sewer, gas or electrical. The site is currently fully integrated into the utility systems of the Village, and this has been the case continuously since 1974 (even during the period when the last resident moved away).**
11. The proposed site plan does not provide for required public uses designated on the Official Map. **Response: The plan is to adapt the use of the existing buildings. Public use areas are not required under the plan and map for the Village. Dedications or fees in lieu of dedications are also not necessary for the same reason.**
12. The proposed site plan otherwise adversely affects the public health, safety, or general welfare. **Response: Please see Exhibit C.**

EXHIBIT A

LEGAL DESCRIPTION

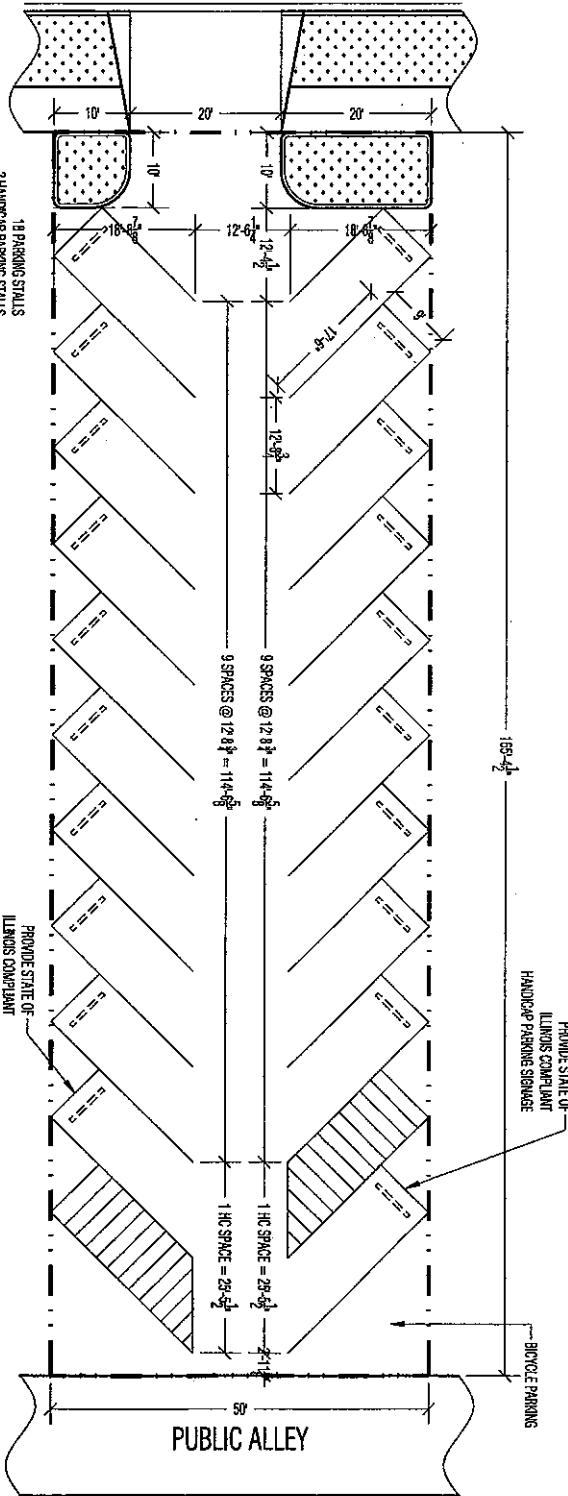
PARCEL 1: THE NORTH 82½ FEET OF LOT 1 BLOCK 4 IN STOUGH'S ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION OF THE SOUTH ¼ OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1868 AS DOCUMENT 9593, IN DUPAGE COUNTY, ILLINOIS. AND;

PARCEL 2: THE SOUTH ¼ OF LOT 1 AND THE NORTH ½ OF LOT 2 IN BLOCK 4 IN STOUGH'S ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION OF THE SOUTH ¼ OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1868 AS DOCUMENT 9593, IN DUPAGE COUNTY, ILLINOIS. AND;

PARCEL 3: THE NORTH ½ OF THE SOUTH ¼ OF LOT 1 IN BLOCK 4 IN STOUGH'S ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION OF THE SOUTH ¼ OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1868 AS DOCUMENT 9593, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 4: THE NORTH 50 FEET OF THE SOUTH 100 FEET OF LOT 4 IN STOUGH'S ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION OF THE SOUTH ¼ OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1868 AS DOCUMENT 9593, IN DUPAGE COUNTY, ILLINOIS.

LINCOLN AVE.



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PROPOSED PARKING FOR EDEN ASSISTED LIVING

10 N. WASHINGTON
HINSDALE, ILLINOIS

ABSOLUTE
ARCHITECTURE PC
514 JENNEY AVE. SUITE 402
HOMERIDGE, ILLINOIS 60143
PH: 312.280.7340
FAX: 312.280.7560

PROPOSED PARKING
PLAN
45 DEG PARKING

A1.0

EXH
B

EXHIBIT "C"

Zoning Analysis in Support of Eden Assisted Living

EDEN ASSISTED LIVING'S REQUESTS

Major adjustment to an existing special use for planned development to afford the continuation of the existing structures, including accessory structures, with interior modifications to provide for the same number of units (71)—all in their current location and exterior design.

Special use for an assisted living facility as the R-5 zoning classification contemplates such a facility under Section 4-107(B) (C).

Special Use for Planned Development to permit the use of the existing structures and improvements at the Subject Property as an assisted living facility. Certain waivers from bulk regulations are within the scope of the application.

Exterior Appearance Review and Approval.

GENERALLY APPLICABLE STATEMENTS

The Subject Property is comprised of a single zoning lot bisected by an alley. The current structures were constructed with the approval of the Village of Hinsdale. Initially, a pre-1989 planned development approval authorized construction and development of the independent senior living use at the Subject Property. Washington Square opened in 1974. Through 1994 it operated at capacity, but changes in housing needs and the methods of providing housing to seniors made it difficult for Washington Square to avoid a declining occupancy rate. Not only are seniors living longer, but their lives are more active. The means of providing housing to seniors now lies along a continuum of care from independent living to assisted living to full nursing or personal care.

The Subject Property was also the subject of modern (post-1989) approvals of modifications to the special use planned development to allow the facility to exist in its current form. The last Village zoning approval on January 4, 1994 (Ordinance No. O94-01) led to the current configuration and improvements at the Subject Property and allowed various waivers of and deviations from certain regulations.

The Subject Property is sloped heavily from north-to-south and construction progressed in a fashion to have lower-profile structures on the north and east exterior of the Subject Property (adjacent to Maple and Washington). The structure is 34 feet tall. On the north and east exteriors of the Subject Property, the appearance is one of two-story structures, but the interior and the south buildings are three stories. The two western buildings are two stories above parking.

The Subject Property has two zoning classifications. The bulk of the land lies within the R-5 Multiple Family Residential District, but the western parking area (across the alley) lies in the O-1

Specialty Office District. The O-1 zoning regulations are less restrictive than the R-5 zoning regulations and the setbacks on the parking area.

The Subject Property is the only R-5 parcel in this particular R-5 zoning district. To the north and east of the Subject Property lies an Institutional Building zoning district (possibly two) that spans from east of Garfield to Lincoln (this area includes the water works, fire station, police station, two churches and Memorial Hall). West of the alley between Washington and Lincoln, land is situated in the O-1 (north) or the B-1 (south) zoning districts (current uses include professional offices, two of which are vacant). South of the subject property in the B-1 zoning district is an existing Northern Trust Bank facility with complete screening from the Subject Property. East of the Subject Property lies the public library and Village Hall.

Access to the Subject Property is convenient. The Subject Property lies downtown, near the METRA train stations and many downtown businesses. Weekend street parking is commonly available on Lincoln, Maple and Chicago, as well as on the west side of Washington (although occasional vehicles will park there when the library is busy). The only recent observed use of street parking spaces on Lincoln was by Fuller's automotive service. During weekday, work hours, there is significant available street parking on a regular basis and Fuller's use of the rights of way continues to be frequent.

SPECIAL USE FOR ASSISTED LIVING FACILITY (SECTIONS 4-107(B)(C))

GENERAL STANDARDS

1. Code and Plan Purposes. The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established. ***Response: While harmony with the zoning ordinance can occasionally be in the eye of the beholder, this case is a bit different than many because the Applicant seeks to adapt the use of the Subject Property and its existing improvements from independent senior living to assisted living. As a result, the Village has nearly 37 years of history behind how the structures fell into harmony with the general and specific purposes of the zoning ordinance. Much of this is addressed above or in relation to other factors (i.e., the blend of housing opportunity, the transitioning of land use intensity and structures, the interpretation of the code for these purposes and in light of applicable state and federal laws and regulations). The proposed assisted living use is in harmony with the following general and specific purposes of the zoning ordinance as follows:***

1-102(A): The use completes the housing stock in Hinsdale by filling a void and curing the absence of assisted living.

1-102(A): The use will serve the local residents by providing for an appropriate percentage of occupancy for the local residents. The use will provide volunteers and an opportunity for volunteerism.

1-102(B)(1): Approval will further the Comprehensive Plan as described herein.

1-102(B)(2): Approval of the use will continue the viability of the Subject Property as a transitional structure and land use between the single family and institutional uses to the north and west, on one hand, and the downtown commercial and office areas, on the other hand.

1-102(B)(3): The use will be a business operation for residential purposes, with townhomes closest to the R-4 single family district and lower-profile structures closest to the larger setback Memorial Hall and downtown open space.

1-102(B)(4): The use will provide an opportunity for families in Hinsdale to plan for relatives who need assisted living services and it may relieve burdens on families that are faced with the choice of (a) relocating with parents, spouses or children or (b) providing for them in their single family home in what may be a difficult situation or (c) traveling to more distant facilities to visit them. The local option will permit existing single family home occupants to plan for a local assisted living facility when this option does not exist and allow the entire family to claim Hinsdale as their home.

1-102(B)(5): The use will occur within existing buildings that were planned for a greater interior density with lower-profile buildings and less bulk on the perimeter near Maple and Washington.

1-102(B)(6): Applicant submits that the structure is not a non-conforming structure inasmuch as a valid special use for planned development remains operable.

1-102(B)(7): In light of the hierarchy of zoning districts (Section 2-102) and the intent to use districts and development to transition from one classification to another, the R-5 use remains as a logical transition inasmuch as expansion of the IB District is unlikely and office use at the site would not preserve the character of the adjacent office buildings and properties (which are vacant and for sale or lease).

1-102(B)(9): The re-use of the buildings will preserve a development that is well-built and designed into the slope southward from Maple toward Chicago. Additionally, volunteers from the location will be able to serve roles that benefit the parks and forest preserves programs in the area.

1-102(B)(10): The use will promote the public health, safety, morals and general welfare of the Village by opening a currently non-existent opportunity for seniors and others who would benefit from the assisted living facility. The health of local residents is at stake inasmuch as many residents would prefer not to leave the Village where they have spent much of their lives and their families would not wish to see them depart to more remote locations. The use will also add to the diversity of Hinsdale and approval would indicate Hinsdale's acceptance of an important component of society as people age.

1-102(C)(1): The structures are existing quasi-public facilities and re-use is more efficient than the waste that would occur otherwise.

1-102(C)(2): Streets, street parking and sidewalks in the area are sufficient and many metered and non-metered spaces will remain available on a daily basis because 35 parking spaces are sufficient for

the use. As noted later, Applicant will agree to restrictions on the number of parking spaces for residents. Other public facilities such as the library, parks and forest preserves will not be overburdened by the use because Applicant provides meaningful programs and opportunity as a part of its operations. Applicant is willing to contribute fifty percent (50%) to the cost of a new ambulance as a condition of the approval of the special use for the assisted living facility without further discussion of need or a nexus.

1-102(C)(4): The Subject Property has access from Maple, Chicago and Washington and egress onto Lincoln—all at points where these streets are non-residential in character. Parking restrictions and metering would inhibit or prevent any long-term parking in the same fashion that it does in relation to commuter traffic for the METRA users.

1-102(C)(5): The location of assisted living facilities in the downtown area serves to reduce traffic inasmuch as downtown is where many businesses and activities are located. The location of the use near the METRA station is also beneficial in reducing congestion.

1-102(D)(1): Preservation of the existing structures in an assisted living concept protects and respects the expectations of businesspeople and taxpayers that land use patterns will remain constant. The structures and prior use have a 37 year history and there has been no detriment to the pattern and pace of the development, maintenance and repair of residential properties in the area. The use of the major adjustment or a new planned development will also respect expectancy.

1-102(D)(2): It is difficult to imagine any other development that would have the same space and taxable floor area inasmuch as the assessed value of improvements is concerned. The use of the major adjustment process or the approval of a new special use permit and new special use for planned development will preserve the buildings for their use. The return of the Subject Property to a viable use will not only preserve the taxable value of this land, but it will also enhance it. This will benefit Hinsdale residents by effectively reducing burdens for the real estate tax levy of the Village (and, though less so, other taxing bodies).

2-102(A): Approval will permit the Village to recognize and accomplish the purpose of the R-5 zoning district in opening up a variety of housing. (See Section 4-101, 4-102(A))

3-101: Approval will allow the Village "to provide a reasonable range of opportunity for the development and preservation of housing types consistent with the existing residential character of the village." Note that Section 3-101 explicitly recognizes that this range is to be accomplished "in combination with the multiple family residential districts."

4-101: Assisted living is a use deemed compatible under the NAICS (and under the SIC as SIC codes have been interpreted since their last publication in 1987) and it is one that is aligned in the same category of services. The proposed use provides "a transition between single-family detached and other zoning districts." There is no assisted living use in Hinsdale and the use will provide this "alternate housing type in a suburban environment."

4-102(A): The use continues the 37 years of logical transition between the R-4 district north of Maple and downtown Hinsdale. Compared to other downtown tracts of land, this is a large parcel (49,262 s.f.) and it is inappropriate for any more restrictive classification. The open space within the use will continue to be usable common space with walkways, trees and landscaping.

9-104: Applicant provides 35 off-street parking spaces in the O-1 area of the zoning lot. The setbacks of the west parking area are consistent with O-1 design. As addressed elsewhere, the parking is conservatively planned based on higher estimates of employees and the result is a more stringent standard than the Cordia facility in Westmont which mandates a 5:1 bed-to-parking ratio plus a requirement of 1:1 for full-time employees. The use will foster safe and efficient circulation of vehicles and pedestrians both on private property and on adjacent public streets. Inasmuch as general traffic to the site is concerned, there is anticipated to be no change in the types of vehicles using the streets and delivery vehicles would have no reason to use more remote residential areas of the abutting streets.

2. No Undue Adverse Impact. The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare. **Response: Please see discussions above and below.**

7. Compliance with Standards. The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use. **Response: Please see discussions above and below.**

8. Special standards for specified special uses. When the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district. **Response: Please see above and below.**

9. Considerations. Public benefit. Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community. **Response: Applicant will provide evidence at hearing, including an analysis of need and demand. Please see discussions elsewhere in the applications.**

ADDITIONAL STANDARDS FOR SENIOR CITIZEN HOUSING

1. Community Need: No special use permit for senior citizen housing shall be granted except on evidence satisfactory to the board of trustees that there is, and will for the foreseeable future continue

to be, a ready market demand among current area residents for all of the dwelling units in the senior citizen housing development. ***Response: Market demand exists in the Hinsdale area. Most assisted living facilities in the region are operating above the national occupancy rates. There is no assisted living facility in Hinsdale.***

2. Location: Every senior citizen housing development shall be located in an area of the village that is conducive to the special needs of senior citizens. This typically will require a location with convenient access to public transportation, retail stores, and medical services. ***Response: Please see response to Item 3 of this narrative.***

3. Facilities And Staff: Every senior citizen housing development shall provide such on site facilities and staff as may be necessary and appropriate to satisfy the social, cultural, recreational, and, when appropriate, medical needs of its residents, including walkways, ramps, benches, special lighting, and the like. The name and telephone number of at least one person having direct responsibility for the operation of the development shall be kept on file with the village manager and shall be listed in the Hinsdale telephone directory under the name of the development. ***Response: Applicant directly provides nature and outdoor activities through trips and other activities. Nearby parks, forest preserves, Graue Mill and other local amenities allow more than ample opportunity for residents to enjoy planned activities appropriate for their needs. Applicant also provides opportunities that strengthen the faith of residents through its non-denominational chapel. Applicant provides a state-of-the-art theatre environment for movie night, lectures and presentations. Applicant also assists residents by providing recreational and special interest club opportunities as well as team and individual athletic and fitness activities. Applicant also assists in family get-togethers and hosting family nights, brunches and pot luck. Applicant also hosts several seasonal and themed events, parties, cookouts and dances. Applicant sponsors several life skills activities in fields such as cooking, computer training, job training and volunteerism. Groups exist for intellectual activities such as poetry/writing, book clubs, discussion groups and other interests. Medical care is readily available in Hinsdale through Adventist/Hinsdale Hospital, Wheaton Eye Clinic and other qualified medical professionals unaffiliated with these two respected entities. The downtown location provides ready access to METRA, the library, restaurants, dry cleaners, pharmacies, coffee shops, automobile service and repair, banking and insurance among other goods and services.***

4. Required Approvals: No senior citizen housing development shall be established without the prior licensing, certification, or other approval of every public agency charged with the regulation or supervision of any facet of the activity of the proposed facility. Every application for a special use permit for a senior citizen housing development shall set forth each agency that must approve the establishment or operation of the facility and shall be accompanied by a formal acknowledgment of

approval from each such agency; provided, however, that in the event any such approval has been delayed, the application shall set forth the status of each such application and shall state any facts known to the applicant that might have contributed to the delay of any required approval that has not been obtained as of the time of the filing of the application for a special use permit. **Response:** *Applicant's complete application for licensing as an "assisted living facility" under the laws of Illinois is on file with the Illinois Department of Public Health. Applicant's licensing attorney testified before the Plan Commission and the license will be granted once the Applicant's purchase of the former Washington Square building is consummated.*

5. Financial Stability: No special use permit for a senior citizen housing development shall be granted unless the applicant therefor shall establish, to the satisfaction of the board of trustees, that there exists a reasonably certain source of continuous and sufficient funds to provide for the operation and maintenance of such facility in accordance with the representations of the application and the various standards applicable to such facility by reason of this code and other laws and regulations. **Response:** *Applicant has furnished all requested information concerning the operations of its other facilities in North Aurora and Chicago showing the companies to be operating profitably and generating sufficient cash flows to guaranty the financial backing of the proposed operation of the assisted living facility in Hinsdale.*

6. Fire Protection: Every senior citizen housing development shall be equipped with a fire suppression system, a fire protection signaling system, and an automatic fire detection system in accordance with the requirements of section 9-2-2 of the village code. **Response:** *Applicant will comply with all fire and life safety requirements as carried out and enforced by the Village and fire department. The existing building is equipped with a fire alarm system and sprinklered. When reopened, it will also have a 24/7 manned concierge as well as video cameras and a nurse call system.*

ADDITIONAL STANDARDS FOR NURSING AND PERSONAL CARE FACILITIES

COMMENT: APPLICANT RESPONDS TO THESE STANDARDS EVEN THOUGH THE USE IS NOT A NURSING AND PERSONAL CARE FACILITY. THE FACILITY WILL HAVE COMPONENTS THAT ALIGN WITH NURSING AND PERSONAL CARE. ASSISTED LIVING FACILITIES COMMONLY HAVE NURSING AVAILABLE.

1. Location: No nursing or personal care facility, except in connection with a senior citizen housing development, shall be located on any lot across the street from, or with any portion of any side lot line contiguous to, any R-1, R-2, R-3, or R-4 district. **Response:** *The land and zoning classification northeast of the Subject Property drew some concern in earlier hearing and meeting phases. The property at the northeast corner of Maple and Washington is clearly zoned within the large R-4 zoning district between downtown and Ogden Avenue. The zoning map is unclear (by reason of coloring, multiple lines and the extent of the aforementioned IB zoning district) as to where the zoning district*

boundaries for the R-5, R-4 and IB zoning districts are located. The Village raised a concern that the Subject Property lies "across the street from, or with any portion of a side lot line contiguous to any ... R-4 district." (See Section 4-107(C)(1)). No portion of any relevant side lot line is contiguous to an R-4 district. No part of the frontage for the Subject Property opposes frontage from the corner lot with the R-4 zoning classification.

Section 12-206 defines the term "street" as follows: "The paved portion of a public or private right of way, other than a driveway, that affords the principal means of vehicular access to abutting property." The intersection of two streets does not provide access to any property inasmuch as there is (and can be) no access at the intersection to any abutting lots. Moreover, the Zoning Code defines street and Section 4-107(C)(1) uses the term street. Section 4-107(C)(1) does not use the term "street intersection" as that term is used elsewhere in the Village Code. (See Section 7-1D-1 concerning daylighting regulations). Even if the Village considered the Title 6 (Motor Vehicles) definition of street, a street is that entire area between the lines of the right-of-way. Maple is one right-of-way. Washington is another right-of-way. Under either interpretation, the districts "across the street" to the north and east are IB Districts. The R-4 classification is across two streets under each analysis. This is so even though the R-4 District lies at an angle across one intersection. Nevertheless, the home to the northeast faces directly west and does not face the Subject Property (much unlike the home to the northwest of Adventist/Hinsdale Hospital). Since the home does not take its character from the Subject Property, this interpretation is not only legally proper, but appropriate from a planning perspective.

This question concerning the R-4 district is not relevant if the assisted living use is approved as Senior Citizen Housing with waivers appropriate for assisted living

2. Supervision: Every nursing or personal care facility shall provide qualified and experienced supervisory personnel in sufficient numbers, and during sufficient and appropriate hours of the day, to meet all standards of any agency responsible for the licensing or regulation of the nursing or personal care facility and such additional services as may be required by the Board of Trustees. Response: The special use permit shall specifically establish minimum standards for supervision. The name and telephone number of at least one person having direct responsibility for the operation of the facility shall be listed in the Hinsdale telephone directory under the name of the facility. Response: For parking purposes, Applicant has utilized a figure of 14 employees on site during its peak staffing period. This conservative approach is not a representation of actual planning inasmuch as it is possible that the peak staffing at any time will be 10-12 employees. Regardless, the use will be staffed 24 hours each day, every day of the year. Supervisory personnel will be hired, trained and managed in accord with the Illinois Administrative Code concerning assisted living facilities, as enforced and administered by the Illinois Department of Public Health. Staff levels will increase shortly before the first of three daily meals and decrease shortly thereafter, or after the activities for the day wind down. Overnight staffing will include at least 3-4 employees. Applicant has a proven ability and track record in meeting state regulations in this field. Applicant's principal owner and officer has received awards for his activities in the field and Applicant is proudly engaged in the adaptive re-use of properties and their

structures to increase the availability of assisted living as a housing option for seniors and the disabled members of several communities. To the extent that Hinsdale has or will have licensing schemes for assisted living facilities, Applicant will meet them.

3. Availability of facilities. Every nursing and personal care facility shall be provided with, or have ready access to, facilities and services necessary and appropriate to the needs of its residents for active and passive recreation; medical care; educational, cultural, and religious activities; consumer goods and services; and public transportation. **Response: Please see response to similar inquiry in section above.**

4. Required approvals. No nursing or personal care facility shall be established without the prior licensing, certification, or other approval of every public agency charged with the regulation or supervision of any facet of the activity of the proposed facility. Every application for a special use permit for a nursing or personal care facility shall set forth each agency that must approve the establishment or operation of the facility and shall be accompanied by a formal acknowledgement of approval from each such agency; provided, however, that in the event any such approval has been delayed, the application shall set forth the status of each such application and shall state any facts known to the applicant that might have contributed to the delay of any required approval that has not been obtained as of the time of the filing of the application for a special use permit. **Response: Please see response to similar inquiry in section above.**

5. Financial stability. No special use permit for a nursing or personal care facility shall be granted unless the applicant therefore shall establish, to the satisfaction of the Board of Trustees, that there exists a reasonably certain source of continuous and sufficient funds to provide for the operation and maintenance of such facility in accordance with the representations of the application and the various standards applicable to such facility by reason of this Code and other laws and regulations. **Response: Please see response to same inquiry in above section.**

PROPOSED CONDITIONS ON SPECIAL USE PERMITS

1. Applicant shall construct a redesigned west parking area using 45-degree parking spaces, egress onto Lincoln and appropriate landscape screening and signage as set forth in the parking plan and landscape plan submitted with the application.
2. Applicant shall preserve, and maintain as unobstructed, all views from parking under the west buildings that takes its access from the alley.
3. As a condition of receipt of its occupancy permit, Applicant shall issue payment in the amount of fifty percent of the cost of a new ambulance of similar design and purpose to the Village's

current 1999 - International/Horton Fully equipped paramedic ambulance with a medium duty chassis (Type I).

4. No modification of the building heights on Washington and Maple shall be permitted unless applicant submits the entire project to the special use for planned development process under Section 11-603 of the zoning ordinance.
5. Applicant's wall signage shall not exceed the area of the existing wall signage on the Subject Property. Applicant shall be permitted to place signage on all common entry doors and common area windows, but it must do so in accordance with the provisions of Section 9-104.
6. Provided that it may do so in light of existing occupancies, Applicant shall afford a priority to persons who, at the time of application for occupancy at the Subject Property, are either residents of Hinsdale or their relatives and who are qualified under applicable state or federal regulations and creditworthy..

MAJOR ADJUSTMENT TO SPECIAL USE FOR PLANNED DEVELOPMENT

Eden seeks a major adjustment to an existing special use for planned development to afford the continuation of the existing structures, including accessory structures, with interior modifications to provide for the same number of units (71)—all in their current location and exterior design. Staff considered Section 11-603(K) of the Zoning Ordinance and concluded that an amendment to, variation from or alteration to the planned development (following completion) was at hand. Applicant applied for an amendment to the special use for planned development as it was last approved in January 1994. Section 11-603(L) refers to such an effort as a major adjustment. This application remains pending as originally filed and as supplemented with the additional information in the remainder of the applications. Major adjustments can be approved without a hearing, but the Village Board and staff seem to believe that the major adjustment is not in substantial conformity with the special use for planned development. The hearing and review proceed under Section 11-603(D)(3) which states that a Detailed Plan shall be submitted for review to determine whether it is in substantial conformity with the prior plan. This Detailed Plan can be approved by the Village if it is in substantial conformity or if it is not in substantial conformity but still merits approval. Conditions and modifications can be made part of the approval.

Notably, under the major adjustment process, the current status of the application appears to place Eden within Section 11-603(D)(3)(f)(iii): "Referral back to plan commission. In any case other than that specified in Subparagraph D3(f)(i) of this Section, the Board of Trustees may refer the Detailed Plan back to the Plan Commission for further consideration of specified matters."

Applicant respectfully submits that the proposal for an adaptive re-use of the Subject Property meets the standards for a major adjustment as either (a) being in substantial conformity or (b) not being in substantial conformity but meriting approval.

The Village Board could approve a major adjustment.

STATEMENT CONCERNING APPLICATION FOR MAJOR ADJUSTMENT TO SPECIAL USE FOR PLANNED DEVELOPMENT

The Applicant maintains its Application For Major Adjustment To Special Use For Planned Development (on file with the Village) as originally filed. Applicant respectfully submits that the descriptions, details, plans and information submitted with all applications submitted to the Village as supplemented on July 6, 2011 also serve to supplement the Application For Major Adjustment To Special Use For Planned Development. This particularly includes, but is not limited to, the description of the use, the commitments made and the plans.

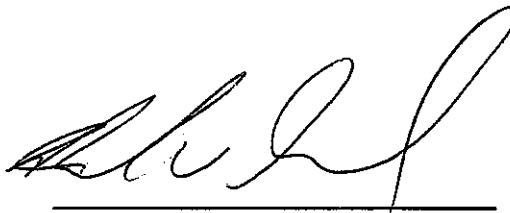
On the 6th day of July, 2011, I/We have read the above certification, understand it, and agree to abide by its conditions.

<u>Eden Assisted Living LLC by MyHambert</u>	<u>Partners</u>
Signature of applicant or authorized agent	Signature of applicant or authorized agent
<u>EDEN ASSISTED LIVING LLC by MyHambert</u>	<u>Partners</u>
Name of applicant or authorized agent	Name of applicant or authorized agent

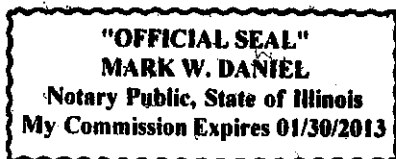
SUBSCRIBED AND SWORN

to before me this 6th day of

July, 2011.



Notary Public



Sean Gascoigne

From: Mjhamblet@aol.com
Sent: Friday, July 08, 2011 03:33 PM
To: Sean Gascoigne
Subject: Revised Edens Applications--Commissioners Inquiries

In response to several inquiries from members of the Plan Commission, I am able to provide the following information:

1. Luke Stifflear Inquiry:

The materials submitted are supplemental to and in clarification of the original application. The Commission voted the Village had the power to declare a PD abandoned, so the supplemental information became necessary inasmuch as Applicant did not originally anticipate the Plan Commission finding.

The revisions clarify that the proposed use is as an "assisted living facility" and seek approval under Subsections B and C of Section 4-107 of the Zoning Code. The applications seek either a Major Adjustment of the existing PD or a Special Use for Planned Development, plus Exterior Appearance Review. Insofar as the supplemental applications seek what was originally sought, the substance of the original applications are merely reasserted along with the new (as buttressed by facts and arguments advanced at prior hearings or to be introduced with the new applications).

The applicant fully understands that the Commission has already voted that the prior PD Special Use expired and is not expecting the Commission to reconsider this issue. Rather it is reasserted for the record as a procedural matter. By virtue of its presence in the application, the Commission is in a position to revisit the issue should it wish to take this approach. In effect the original applications are modified to include the applicant's entire case, with its original requests plus the new issue, knowing that portions of that case have already been decided. For purposes of the record, however, it is our view that the entire case be contained in the current filings to obviate the need of referring back to the original requests for actions.

2. Julie Crnovich Inquiry for Outside Consultants:

Attorney. Matthew Murer, Polsinelli Shughart, 2 Prudential Plaza, Suite 4525 Chicago, IL. 60601, 312-819-1900.

Attorney. Mark Daniel, Daniel Law Office, PC, 136 W Vallette St., Elmhurst, IL 60126 630-833-3311

Planning Consultant. Tim Bleuher, 5244 N. Larned Ave., Chicago, IL 60630, 773.942.4263

Architect. James Kapshe, Absolute Architechure, 914 Green Bay Rd. Suite 202, Winnetka, IL, 60093 (312) 263-7345,

Landscape Architecture. Clarence David (Company, 23900 W 127th St, Plainfield, IL 60544, 630-759-0055.

Market Research. Valerie S. Kretchmer Associates, Inc. (VSKA), 2707 Walnut Av., Evanston, IL 60201.

Market Research. Roberta Nechin Enterprises, Ltd., 339 Fullerton Pkway, IL 60614 773-929-5889.

Where any lack of compliance is shown, state the reason and explain the Village's authority, if any, to approve the application despite such lack of compliance:

Applicant submits that the Village Board possesses the authority to approve the special use for planned development. This authority arises under the zoning ordinance as it governs a new planned development or as a major adjustment to a planned development. Where waivers are necessary, Applicant requests them on the basis that the proposal is to adapt the use of the existing structures to a use that is similar in impact to the earlier use.

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that he or she consents to the filing of this application and that all information contained in this application is true and correct to the best of his or her knowledge.
- B. The applicant understands that an incomplete or nonconforming application will not be considered. In addition, the applicant understands that the Village may require additional information prior to the consideration of this application which may include, but is not limited to, the following items:
 1. Minimum yard and setback dimensions and, where relevant, relation of yard and setback dimensions to the height, width, and depth of any structure.
 2. A vehicular and pedestrian circulation plan showing the location, dimensions, gradient, and number of all vehicular and pedestrian circulation elements including rights-of-way and streets; driveway entrances, curbs, and curb cuts; parking spaces, loading spaces, and circulation aisles; sidewalks, walkways, and pathways; and total lot coverage of all circulation elements divided as between vehicular and pedestrian ways.
 3. All existing and proposed surface and subsurface drainage and retention and detention facilities and all existing and proposed water, sewer, gas, electric, telephone, and cable communications lines and easements and all other utility facilities.
 4. Location, size, and arrangement of all outdoor signs and lighting.
 5. Location and height of fences or screen plantings and the type or kind of building materials or plantings used for fencing or screening.
 6. A detailed landscaping plan, showing location, size, and species of all trees, shrubs, and other plant material.
 7. A traffic study if required by the Village Manager or the Board or Commission hearing the application.
- C. The Applicants shall make the property that is the subject of this application available for inspection by the Village at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicants shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than ten days following the change, and that failure to do so shall be grounds for denial of the application; and
- E. The Applicant understands that he/she is responsible for all application fees and any other fees, which the Village assesses under the provisions of Subsection 11-301D of the Village of Hinsdale Zoning Code as amended April 25, 1989.
- F. THE OWNER OF THE SUBJECT PROPERTY AND, IF DIFFERENT, THE APPLICANT ARE JOINTLY AND SEVERALLY LIABLE FOR THE PAYMENT OF THE APPLICABLE APPLICATION FEE. BY SIGNING THE APPLICATION, THE OWNER HAS AGREED TO PAY SAID FEE, AND TO CONSENT TO THE FILING AND FORECLOSURE OF A LIEN AGAINST SUBJECT PROPERTY FOR THE FEE PLUS COSTS OF COLLECTION, IF THE ACCOUNT IS NOT SETTLED WITHIN THIRTY (30) DAYS AFTER THE MAILING OF A DEMAND FOR PAYMENT.

On the 6th day of July, 2011, I/We have read the above certification, understand it, and agree to abide by its conditions.

Mytamblet
Signature of applicant or authorized agent

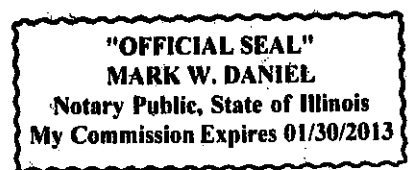
Signature of applicant or authorized agent

Mytamblet
Name of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 6th day of
July, 2011.

[Signature]
Notary Public



VILLAGE OF HINSDALE
CERTIFICATION OF PROPER NOTICE
REGARDING APPLICATION FOR PUBLIC HEARINGS AND MEETINGS

I, _____, being first duly sworn on oath, do hereby certify that I caused written notice of the filing of my application for a public hearing and or meeting to be given to owners of record of property within 250 feet of any part of the subject property. I further certify that I gave such notice in the form required by the Village (Certified Mail) and that I gave such notice on _____.

Attached is a list of all of the addresses of property to whom I gave such notice and the receipts of mailings.

By: _____
Name: _____
Address: _____

Subscribed and sworn to before me

This _____ day of _____.

By: _____
Notary Public

Eden Hinsdale vs. Other Housing Options

	MONTHLY EXPENSES			
	Eden	Apartment	Condo	Home
Housing (typical one bedroom avg.)*	\$2,000	\$2,000	\$2,000	\$2,000
Housing Maintenance/Assessments	\$0	\$25	\$250	\$300
Home Insurance**	\$18	\$18	\$38	\$41
Rela Estate Taxes	\$0	\$0	\$250	\$300
Landscaping	\$0	\$0	\$0	\$75
Utilites	\$0	\$150	\$175	\$225
Food***	\$0	\$488	\$488	\$488
Laundry & Housekeeping	\$0	\$120	\$120	\$120
Activities	\$0	\$100	\$100	\$100
24 Hour Concierge	\$0	\$50	\$50	\$50
First Alert Emergency Call System	\$0	\$40	\$40	\$40
Care Services****				
Medication Reminders	\$300	\$500	\$500	\$500
Transfer Assistance	\$350	\$400	\$400	\$400
Tranportation Coordination	\$0	\$50	\$50	\$50
Grooming & Dressing	\$350	\$500	\$500	\$500
Bathing Assistance	\$500	\$600	\$600	\$600
Unscheduled needs Assistance	\$0	\$500	\$500	\$500
Totals:	\$3,518	\$5,541	\$6,061	\$6,289

*A constant of \$2,000 was used for all other housing choices for compairson purpose only

**Renter's insurance vs. homeowner's insurance was used for Eden and Apartment comparisons

***Food cost was estimated (\$8 per meal at 2 meals per day X 30.5 days in the month = \$488)

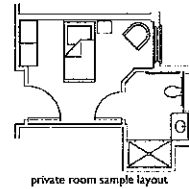
****Care service are estimated and have been broken down for example purposes only

VARIOUS RESIDENTIAL CARE FACILITIES

TYPICAL UNIT LAYOUTS

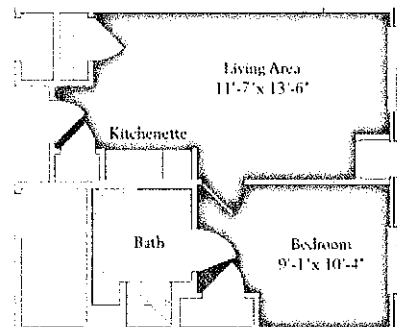
NURSING HOME

(Alden Courts Des Plaines)
120-150 sqft



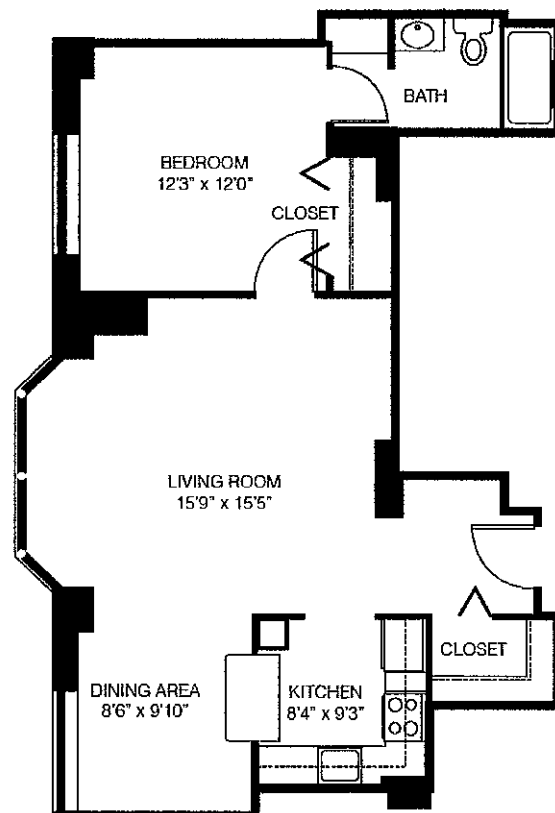
ASSISTED LIVING

(Cordia Senior Residences Westmont)
One Bedroom/One Bath
475 sqft

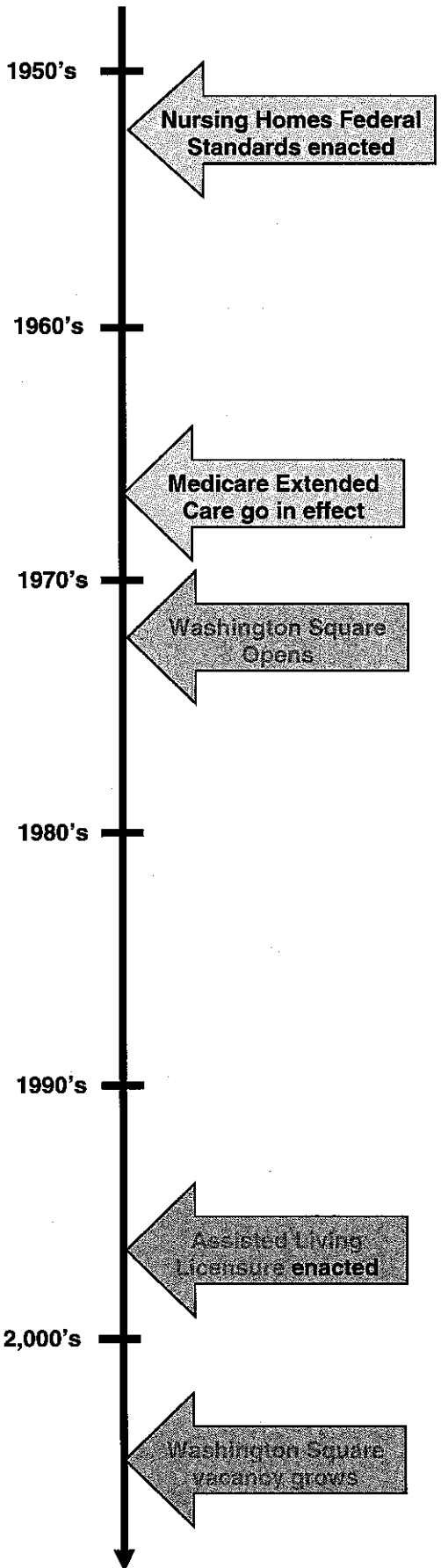


INDEPENDENT LIVING

(Holly Court Terrace)
One Bedroom/One Bath
723 sqft



Long Term Care Facilities Historic Timeline*



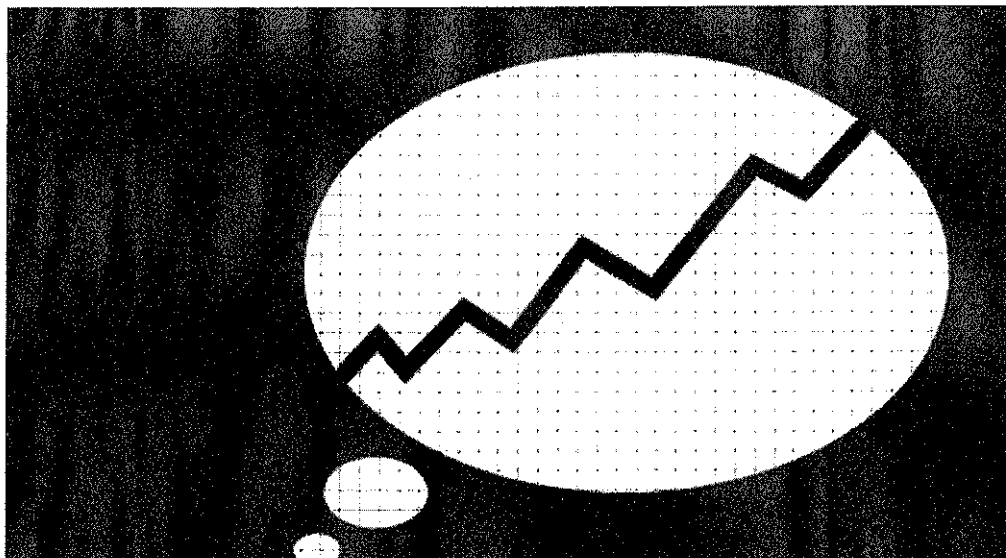
*A Brief History Of Long-term care December 1999 http://findarticles.com/p/articles/mi_m3830/is_12_48/ai_58572867/

Area Assisted Living Occupancy

Reference Number:	Name:	Address:	Occupancy Rate:	Number of Assisted Living Units:
1)	Cordia Senior Residence	865 North Cass Avenue Westmont, IL 60559	96%	47
2)	Bethlehem Woods	1571 West Ogden Avenue LaGrange Park, IL 60526	96%	64
3)	Plymouth Place	315 N. La Grange Road, La Grange Park, IL 60526	98%	53
4)	The Birches Assisted Living	215 55th St Clarendon Hills, IL 60514	91%	58
5)	King Bruwaert House	6101 South County Line Road Burr Ridge, IL 60527	97%	77
6)	Sunrise of Willowbrook	6300 Clarendon Hills Road Willowbrook, IL 60527	95%	83
7)	Emeritus of Burr Ridge	6801 High Grove Boulevard Burr Ridge, IL 60527	80%-85%	102
8)	Carmelite Carefree Village	8419 Bailey Road Darien, IL 60561	94%	45

* Interviews conducted between June 22nd, 2011 - July 7th, 2011

Deep Economic Impact



Study of assisted living industry's impact reveals a total financial output of \$109 billion annually, including \$40 billion in salary and wages

By: Jim Moore

The assisted living industry has continued to attract investor attention as its life cycle matures. Yet several questions about the future of the business have remained unanswered until now. For example, just how big is the assisted living industry? What is its real economic impact, both within and outside of the industry? And what does that mean for local and national economies?

The first extensive economic impact study conducted for the industry, and published by *Assisted Living Executive*, reveals that assisted living is a major business sector with impressive direct and indirect economic impacts. Assisted living directly employs more than 420,000 people, pays salaries and wages topping \$10.6 billion annually, and has an annual gross revenue of more than \$33 billion—making it a heavy hitter as far as Wall Street is concerned.

And assisted living's gross revenues have an even greater economic impact on many other industries within the overall U.S. economy. When considering those relationships, the assisted living industry's total financial output is nearly \$109 billion annually, affecting 1.3 million jobs and \$40 billion in salaries and wages.

Most importantly, the assisted living industry has added a major component to the senior living continuum of care by improving the quality of life for seniors, while making necessary health care more accessible and affordable.

Model Community

To measure assisted living's economic impact, senior housing consulting firm Moore Diversified Services (MDS) used the profile of a typical assisted living community (see "Typical Assisted Living Unit/Community" at right). This typical property consists of 80 units with an average occupancy rate of 93 percent or 74 residents. Total revenue for this typical community is \$3.2 million per year, which equates to 74 residents paying an average monthly service fee (MSF) of \$3,550, or \$42,600 per year in 2008 dollars. This includes base rents, additional direct-care tiered pricing charges for moderate acuity residents, and all other ancillary costs. High-acuity residents and those being served in an Alzheimer's or dementia-care setting pay higher monthly fees.

Assisted living communities typically employ an average of .5 full-time equivalent (FTE) employees per total unit count—in this case a total of 40 FTE employees. Labor rates, which include wages and salaries only, can vary widely by job description and from location to location. Labor costs as a percent of total revenue for operationally efficient assisted living communities can range from 28 to 37 percent. In this example, MDS uses 32 percent of \$3.2 million in annual revenue. This means the community will pay approximately \$1 million in salaries and wages.

While most sponsors and owner/operators can identify with these individual community characteristics, the total size and impact of the assisted living industry reveals some surprising numbers.

National Impact

To calculate the size and scale of the assisted living industry at the national level, MDS applies the characteristics of the typical 80-unit community to the total number of U.S. assisted living properties (see "Size and Scale of U.S. Assisted Living Industry" at right).

Fast Forward

> Assisted living directly employs more than 420,000 people, pays salaries and wages topping \$10.6 billion annually, and has an annual gross revenue of more than \$33 billion—making it a heavy hitter as far as Wall Street is concerned.

> At 93 percent occupancy, the number of occupied U.S. assisted living units is approximately 780,000. The assisted living industry's total annual gross revenue makes it equivalent to the 47th largest statewide economy in the country.

> Once the assisted living industry drops a dollar into the economy, part of that initial dollar expenditure extends to other organizations as it makes its way through the total economy. The total employment impact of the assisted living industry is more than 750,000 jobs.

An accurate industry estimate of the actual number of assisted living properties in the United States is currently a work in process. Today, there are at least 10,500 properties operating throughout the country. This conservative estimate was used in this analysis. When applying the typical 80-unit model, the estimated total unit count for assisted living communities in the United States is 840,000 units. Note that assisted living communities come in a variety of shapes and sizes—some in the 25- to 40-unit range and many offering 100 or more units. Assisted living is also included within many independent living communities and Continuing Care Retirement Communities (CCRCs). Surveys conducted on a sampling basis over the past 10 years consistently indicate that an average community size of 80 units is a reasonable assumption.

This broad industry composite benchmark is supported by a frequently relied upon industry report *The State of Seniors Housing*.

At 93 percent occupancy, the number of occupied U.S. assisted living units is approximately 781,000. With the conservative average monthly service fee per resident of \$3,550, or \$42,600 per year, the assisted living industry's total annual gross revenue (at 93 percent occupancy) is estimated at about \$33 billion. To put this in perspective, \$33 billion would make the assisted living industry the 47th largest business economy in the country, just about the total economy of the entire state of Montana. From a global perspective, the assisted living industry is the 69th largest economy in the world, just ahead of Ecuador. Not bad for a relatively young industry that is still in the middle of its life cycle throughout the country.

Total employment for all assisted living communities nationally is approximately 420,000 jobs (calculated by multiplying the total unit count of 840,000 units by the typical benchmark of .5 FTEs per unit). To put this data in perspective, the automotive industry has about 1.1 million employees.

Using the salary and wage factor of 32 percent of total gross revenues of approximately \$33 billion indicates that the assisted living industry generates nearly \$11 billion annually in salaries and wages.

Ripple Effect

While all of these numbers are impressive, that's only part of the story. The assisted living industry affects many other aspects of a local or national economy. The economist's term for this is called the economic impact multiplier effect. An economic multiplier is the key metric within the projection model developed by economists to evaluate the total economic impact that can be expected from an individual business or an entire industry. Simply stated, economic impact is an estimate of the total dollar or job impact that results from the operation of a particular business or industry like assisted living with the results flowing through the economy. For example, when an assisted living community spends a portion of its monthly service fees collected on items such as wages, office supplies, food, utilities, and other goods and materials, the result is more sales and more jobs for the companies that the assisted living community does business with directly.

Dollars also flow through these businesses to other organizations in which they do business, thus providing an indirect but very real economic impact. This economic impact is similar to the ripple effect occurring when a rock is dropped into a still pond of water. Once the assisted living industry drops a dollar into the economy, part of that initial dollar expenditure extends to and through many other organizations as it makes its way through the total economy.

The same ripple effect takes place as assisted living employees also spend their wages to run their households (see "Assisted Living's Economic Impact on Spending and Cash Flows" below).

Two primary techniques are used to calculate economic impact—direct-effect method and final-demand method. The direct-effect method uses actual dollars spent on assisted living salaries and wages and actual assisted living direct employment to determine the economic impact of the assisted living industry before many of these impacts spin-off and ripple through other entities and businesses with the entire economy. Final-demand economic impact uses total revenue of the assisted living industry to calculate the effect through the entire economy, including the assisted living industry.

The direct-effect method uses multipliers to calculate the assisted living economic impact in two major categories: earnings and employment.

Earnings: The total dollar change in value-added that occurs in all industries for each additional dollar of earnings paid directly to households employed by the assisted living industry.

Employment: The total change in number of jobs in all industries for each additional job in the assisted living industry.

The principal source of cash is the monthly service fee from residents, collected by the assisted living community and then distributed throughout the local economy as salaries to employees and goods and services purchased from local and remote vendors and suppliers.

When a new assisted living community is being developed, there's also the initial non-recurring impact to businesses for design, development, and construction services. This financial investment and new job creation process also has a ripple effect. This new round of household spending on local goods creates new jobs, which in turn stimulates additional rounds of spending.

Crunching Numbers

The U.S. Bureau of Economic Analysis has developed both state and national economic multipliers for each major industry. One has been specifically developed for the "Nursing & Residential Care" industry. A national direct-effect earnings economic impact multiplier of 2.2 times is used in conjunction with the actual dollars the assisted living industry spends on salaries and wages to calculate the value-added economic impact of these earnings through the economy. As illustrated in the accompanying charts, the assisted living industry's salaries and wages paid directly to employees totals approximately \$10.6 billion. Those employee households purchase goods and services, which results in the earnings multiplier of 2.2 times. So the total "value-added" earnings economic impact is approximately \$23.3 billion (\$10.6 billion x 2.2).

The direct-effect employment economic impact multiplier of 1.8 times is applied to the actual number of jobs created in the assisted living industry to estimate how many other jobs are created in other businesses and industries. The total employment impact of the assisted living industry is 756,000 jobs.

Local, regional, and national governments collect taxes and utility service fees from businesses and households. Of course, for-profits and not-for-profits are treated differently from a tax perspective, but they both can have a significant positive direct and indirect impact on the public sector of our economy.

The final demand multipliers take into consideration the final financial and employment output generated by the total revenue generated by the assisted living industry and then estimates the economic impact the industry has on the total economy. Final demand is comprised of four major categories, quantifying the broader economic impact of the \$33 billion in revenues collected annually by the assisted living industry (see the second chart on page 14):

\$109 billion in total output.

\$40 billion in earnings.

1.3 million jobs—total employment.

\$63 billion in value added.

For the assisted living industry the specific national final demand multipliers are: Output, 3.3x; Earnings, 1.2x; Employment, 36.1x; and Value Added, 1.9x.

The economic impact of assisted living on both the local and national economy is clearly substantial. This data can help providers quantify the impact of their business decisions—such as opening new communities and expanding operations. Economic impact is extremely important when local and state municipalities are weighing the cost/benefit of approving development and providing necessary services to this new assisted living development. Political leaders want to make sure that investment in capital infrastructure and added services will have a net positive financial impact for their constituents. Providers should inform the capital markets (lenders, retail and institutional investors, equity/ stock markets, etc.) as to the size and scale of the assisted living industry, to spur continued assisted living growth and development.

By Jim Moore is founder and president of Fort Worth, TX-based MDS Inc. and a well-known senior housing consultant. Reach him at 817/731-4266.

Web Link

Assisted Living Executive blog.

To comment on this article and/or share your experiences, go to the [ALFA Blog](#) to access the Assisted Living Executive blog.

Assisted Living and Shared Housing Licensed Establishments

City	Est Name	Address	ZIP	Ph #	Lic#	Issued	Expires	#AZ	Total Units
Alhambra	Hitz Memorial Home	201 Belle St	62001	(618) 488-2355	5101511	11/20/09	11/20/2011	0	25
Arlington Heights	Church Creek*	1250 West Central Rd	60005	(847) 506-3200	5102824	08/15/09	08/15/2011	21	34
Arlington Heights	Hearthstone of Arlington Heights	800 W Oakton St	60004	(847) 368-7300	5100729	8/25/09	08/25/2011	0	100
Arlington Heights	Home Sweet Home of Arlington Hts	717 S Belmont	60005	(847) 797-8646	5200958	6/16/11	10/14/2011	4	4
Arthur	Eberhardt Village	431 W. Palmer	61911	(217) 543-3705	5101917	11/15/10	11/15/2011	0	87
Aurora	Neighbors Next Door 701	701 Gerten Avenue	60505	(630) 650-5706	5200891	6/8/11	06/08/2013	0	4
Aurora	Neighbors Next Door Konen	735 Konen Avenue	60505	(630) 650-5706	5200909	6/8/11	06/08/2013	0	4
Aurora	Neighbors Next Door-Audrey	680 Audrey Ave	60505	(630) 650-5706	5200735	6/8/11	06/08/2013	0	4
Aurora	Neighbors Next Door-Gerten 700	700 Gerten Ave	60505	(630) 650-5706	5200743	6/8/11	06/08/2013	0	4
Aurora	Provena Fox Knoll (Senior Serv)*	421 N. Lake St	60506	(630) 844-0380	5101073	6/3/10	06/03/2012	15	79
Barrington	Prairieview at the Garlands*	6000 Garlands Ln	60010	(847) 756-3000	5101529	1/14/10	01/14/2012	15	50
Barrington	Sunrise of Barrington*	510 Northwest Highway	60010	(847) 382-8888	5102774	07/11/09	07/11/2011	24	45
Bartlett	Assisi HC Center at Clare Oaks**	829 Carillon Dr.	60108	(630) 483-4742	5102816	7/4/10	07/04/2012	16	33
Batavia	Holmstad (The)*	700 W. Fabyan Parkway	60510	(630) 879-4300	5100794	02/07/11	02/07/2013	13	62
Benton	Fifth Season Res., Benton	401 N. DuQuoin St	62812	(618) 439-6600	5101719	10/13/10	10/13/2011	0	28
Bloomington	Sunrise of Bloomington* (SZR Bloomington AL LLC)	129 E Lake St.	60108	(630) 295-8600	5101206	07/08/10	07/08/2011	30	82
Bloomington	Bickford - Bloomington	14 Heartland Dr	61704	(309) 661-0094	5100240	04/17/11	04/17/2013	0	50
Bloomington	Luther Oaks Inc.*	601 Lutz Rd	61704	(309) 664-5940	5102642	02/27/11	02/27/2013	18	58
Bloomington	Westminster Village AL	2025 E. Lincoln St	61701	(309) 663-6474	5102329	1/29/10	01/29/2012	0	60
Bourbonnais	Bickford - Bourbonnais House	100 Jones Dr	60914	(815) 936-9500	5100257	5/16/11	05/16/2012	0	35
Bradford	Courtyard Estates of Bradford	100 Courtyard Estates	61421	(309) 897-8316	5102683	04/15/11	04/15/2013	0	18
Breese	Unlimited Living Options	617 N. Main St	62230	(618) 233-0210	5200685	05/10/10	05/10/2011	0	9
Breese	Villas at St. James (The)	14335 Jamestown Road	62230	(618) 526-0100	5102568	8/11/09	08/11/2011	0	63
Brookfield	Woodlands at The British Home	3000 McCormick Ave	60513	(708) 485-0135	5101461	08/13/10	08/13/2012	0	73
Buffalo	Mary Lou's Country Home	111629 Maurer Rd	62515	(217) 525-3733	5201113	5/4/11	05/04/2012	0	7
Buffalo Grove	Belmont Village Buffalo Grove, LLC*	500 McHenry Rd	60089	(847) 537-5000	5102238	8/4/09	08/04/2011	24	112
Buffalo Grove	Sunrise of Buffalo Grove* (SZR Buffalo Grove AL,)	180 W Half Day Rd	60089	(847) 478-8484	5101214	07/08/10	07/08/2011	24	79
Bushnell	Courtyard Estates of Bushnell	1201 N. Cole St	61422	(309) 772-8000	5103012	7/7/10	07/07/2011	0	40
Canton	Red Oak Estates	435 N. 16th St	61520	(309) 647-2475	5101867	02/17/11	02/17/2013	0	43

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Assisted Living and Shared Housing Licensed Establishments

City	Est Name	Address	ZIP	Ph #	Lic#	Issued	Expires	#AZ	Total Units
Carbondale	Century Assisted Living I*	701 South Lewis Lane	62901	(618) 549-9898	5200867	4/14/11	04/14/2012	12	12
Carbondale	Century Assisted Living II*	703 Lewis Lane	62901	(618) 549-9898	5200875	4/14/11	04/14/2012	14	14
Carbondale	Chippewa House	24 Chippewa	62901	(618) 529-3060	5200602	02/20/11	02/20/2012	0	6
Carbondale	Violet Lane	101 N. Violet Lane	62901	(618) 529-3060	5200941	04/25/11	04/25/2012	0	6
Carlyle	Villa Catherine AL	491 Clinton St	62231	(618) 594-8363	5101388	10/21/09	10/21/2011	0	12
Carol Stream	Brighton Assisted Living	114 Windsor Park Dr	60188	(630) 510-5200	5103459	5/18/11	05/18/2012	0	76
Carol Stream	Windsor Park Manor*	124 Windsor Park Dr	60188	(630) 682-4491	5101453	09/17/10	09/17/2011	16	38
Carthage	Almost Home	510 Davis St	62321	(217) 357-2521	5200107	6/24/09	06/24/2011	0	5
Carthage	Heritage House/Carthage	601 Locust St	62321	(217) 357-3651	5200180	6/24/09	06/24/2011	0	6
Casey	Simple Blessings	203 E. Monro	62420	(217) 932-2603	5200750	11/15/10	11/15/2011	0	10
Champaign	Bickford - Champaign Cottage	1002 S. Staley Rd	61822	(217) 403-1900	5100232	10/04/09	10/04/2011	0	28
Chicago	Autumn Green At Midway Village	6700 S. Keating	60629	(773) 582-2888	5102717	10/20/10	10/20/2011	0	24
Chicago	Autumn Green at Wright Campus	4239 N. Oak Park Ave	60634	(773) 202-3388	5102725	10/20/10	10/20/2011	0	25
Chicago	Clare (The) at Water Tower	55 E. Pearson	60611	(812) 951-5690	5103103	11/24/10	11/24/2012	0	54
Chicago	Hallmark - Chicago (The)	2960 N. Lake Shore	60657	(773) 549-1010	5102378	03/21/11	03/21/2012	0	40
Chicago	Hartwell (The)*	5520 N. Paulina St	60640	(773) 275-2400	5100653	02/13/11	02/13/2013	29	29
Chicago	Kenwood of Lakeview	3121 N. Sheridan Rd	60657	(773) 404-9800	5101776	10/15/10	10/15/2011	0	44
Chicago	Montgomery Place*	5550 South Shore Drive	60637	(773) 453-4100	5103046	04/17/10	04/17/2012	8	22
Chicago	Norwood Crossing*	6016-20 N. Nina Ave	60631	(773) 631-4856	5103137	01/23/11	01/23/2013	20	55
Chicago	Resurrection Retirement Comm.	7262 W. Peterson Ave	60631	(773) 792-7930	5101685	02/14/11	02/14/2013	0	37
Chicago	Selfhelp Home, Inc	908 W Argyle	60640	(773) 271-0300	5102261	07/22/10	07/22/2011	0	60
Chicago	Smith Village*	2320 W. 113th Place	60643	(773) 474-7314	5102006	6/23/10	06/23/2012	24	82
Chicago	St. Joseph Village of Chicago	4021 W. Belmont	60641	(773) 328-5500	5102030	04/27/11	04/27/2013	0	40
Chicago	Sunrise of Lincoln Park*	2710 N. Clark St	60614	(773) 244-0005	5101263	6/23/11	06/23/2013	14	60
Clarendon Hills	Birches Assisted Living*	215 55th St	60514	(630) 789-1135	5100307	1/16/10	01/16/2012	32	90
Collinsville	Cedarhurst of Collinsville	1207 Vandalia Avenue	62234	(618) 343-0800	5103269	02/20/11	02/20/2012	0	68
Columbia	Bridges of Columbia	480 DD Road	62236	(618) 281-4200	5102659	11/24/10	11/24/2011	0	71
Columbia	Garden Place, LLC Columbia	710 S. Main	62236	(618) 282-3388	5103376	11/19/10	11/19/2011	0	10
Crest Hill	Inn of Willow Falls (The)*	1681 Willow Circle Dr	60403	(815) 725-5868	5100844	6/18/11	06/18/2013	31	113
Crete	St. James Villas*	1251 E. Richton Road	60417	(708) 672-6100	5103186	6/29/09	06/29/2011	26	60
Crete	Village Woods	2681 S. Route 394	60417	(708) 672-6111	5101404	11/04/09	11/04/2011	0	50
Crystal Lake	Autumn Leaves of Crystal Lake*	495 Alexandra Blvd	60014	(815) 459-7800	5102865	09/12/10	09/12/2012	36	36
Crystal Lake	Bickford - Crystal Lake Cottage*	717 McHenry Ave	60014	(815) 477-4200	5102956	5/14/11	05/14/2013	16	66
Crystal Lake	Fountains at Crystal Lake*	965 N. Brighton Circle	60012	(815) 455-8400	5102220	4/30/11	04/30/2012	15	135

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Assisted Living and Shared Housing Licensed Establishments

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Crystal Lake	Sunrise of Crystal Lake*	751 E Terra Cotta Ave	60014	(815) 444-6600	5101222	07/08/10	07/08/2012	13	58
Dallas City	Gilpin Home I	85 W. 1st St.	62330	(217) 852-8216	5200156	08/14/10	08/14/2011	0	4
Darien	Carmelite Carefree Village	8419 Bailey Rd	60561	(630) 960-4060	5102360	12/06/10	12/06/2012	0	50
Decatur	Imboden Creek Gardens	185 W. Imboden Dr	62521	(217) 233-1425	5100836	02/24/11	02/24/2013	0	46
Decatur	Keystone Meadows	1415 W Mound Rd.	62526	(217) 877-5327	5102386	5/30/11	05/30/2012	0	59
Decatur	Primrose Retirement Communities	1145 West Arbor Dr	62521	(217) 872-1800	5103111	11/30/10	11/30/2011	0	42
Deerfield	Weinberg Community*	1551 Lake Cook Rd	60015	(847) 347-0500	5101420	7/8/09	07/08/2011	35	160
Des Plaines	Heritage of Des Plaines	800 S River Rd	60016	(847) 294-0107	5101743	10/15/09	10/15/2011	0	34
Dixon	LifeHouse Liberty Court Assisted Living	124 Liberty Ct.	61021	(815) 285-2000	5102303	10/12/09	10/12/2011	0	36
East Dubuque	Bell Tower Retirement Community*	430 Sidney St	61025	(815) 747-6701	5102766	8/9/10	08/09/2011	9	49
East Moline	Park Vista Quad Cities	1451 20th Ave	61244	(309) 752-9711	5102808	6/5/09	06/05/2011	0	77
Effingham	Aspen Creek of Effingham East*	102 Blohm Ave	62401	(217) 342-3233	5201105	1/27/11	05/27/2011	12	12
Effingham	Aspen Creek of Effingham*+	100 Blohm Avenue	62401	(217) 273-6574	5200990	11/18/10	11/18/2011	12	12
Effingham	Glenwood of Effingham (The)	14061 E. 1600th	62401	(217) 347-8880	5103566	3/22/11	07/20/2011	0	39
Effingham	Villas of Holly Brook Effingham	904 W. Evergreen	62401	(217) 342-2345	5103624	5/10/11	09/07/2011	0	46
Elgin	Sunset Haven	361 N. Alfred Ave	60123	(847) 742-1448	5200669	7/28/09	07/28/2011	0	5
Elizabeth	Grandview Estates	540 Pleasant St	61028	(815) 858-2275	5100646	5/26/10	05/26/2012	0	23
Evanston	Highlands of Evanston	3200 Grant St	60201	(847) 866-1605	5100745	4/10/11	04/10/2013	0	85
Evanston	Mather (The)*	425 Davis St.	60201	(847) 492-7500	5103350	07/22/10	07/22/2011	12	22
Evanston	Three Crowns Park*	2323 McDaniel	60201	(224) 420-3044	5102915	3/11/10	03/11/2012	18	18
Fairbury	Fairview Assisted Living	605 North 4th St.	61739	(815) 692-2572	5102873	02/01/11	02/01/2013	0	13
Fairview Heights	Arbors at Parkway Gardens* (The)	375 Fountains Parkway	62208	(618) 798-0042	5201048	01/27/11	01/27/2012	16	16
Fairview Heights	Parkway Gardens	379 Fountains Parkway	62208	(618) 622-9940	5103517	01/27/11	01/27/2012	0	28
Flossmoor	Sunrise of Flossmoor*	19715 Governor's Hwy	60422	(708) 798-1600	5101230	7/8/10	07/08/2011	17	62
Forsyth	Hickory Point Christian Village*	565 W. Marion Ave	62535	(217) 872-1122	5102097	5/18/11	05/18/2013	18	48
Fox Lake	Paradise Park 16 Fox Lake+	16 Lilac Ave	60020	(847) 973-8800	5102048	8/12/09	08/12/2011	0	16
Fox Lake	Paradise Park 18 Fox Lake*+	18 Lilac Ave	60020	(847) 973-8800	5102055	8/12/09	08/12/2011	16	16
Fox Lake	Paradise Park 20 Fox Lake*+	20 Lilac Ave	60020	(847) 973-8800	5102071	8/12/09	08/12/2011	16	16
Fox Lake	Paradise Park 22 Fox Lake+	22 Lilac Ave	60020	(847) 973-8800	5102063	8/12/09	08/12/2011	0	16
Freeburg	Cedar Trails	490 Urbana Drive	62243	(618) 539-9190	5102758	11/28/10	11/28/2011	0	15
Freeport	Oakley Courts	3117 Kunkle Blvd	61032	(815) 233-5129	5100992	3/21/11	03/21/2013	0	46
Galena	Galena Stauss Assisted Living	200 Altenburg Dr	61036	(815) 776-7375	5100612	10/29/10	10/29/2012	0	24

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Assisted Living and Shared Housing Licensed Establishments

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Galesburg	Hawthorne Inn of Galesburg*	2245 N. Seminary St.	61401	(309) 343-5050	5101941	10/29/10	10/29/2011	13	52
Galva	Courtyard Estates of Galva	1000 Courtyard Estates	61434	(309) 932-2600	5102733	04/16/11	04/16/2013	0	32
Geneseo	Liberty Village of Geneseo	920 S Chicago St.	61254	(309) 944-0460	5100885	09/26/09	09/26/2011	0	15
Geneva	Robin's Nest Sr Liv 1522*	1522 Fargo Blvd	60134	(630) 584-3886	5200701	01/10/11	01/11/2012	7	7
Geneva	Robin's Nest Sr Liv 1819*	1819 Fargo Blvd	60134	(630) 584-3886	5200719	01/10/11	01/10/2012	7	7
Glen Carbon	Eden Retirement Center, Inc	300 S.Station Rd	62034	(618) 288-5014	5103020	8/26/10	08/26/2011	0	74
Glen Carbon	Meridian Village Assoc. II*	27 Auerbach Pl	62034	(618) 288-3700	5101701	4/25/11	04/25/2012	14	66
Glen Ellyn	Meadows of Glen Ellyn (The)	60 Nicoll Ave	60137	(630) 446-1600	5100976	08/21/10	08/21/2012	0	56
Glen Ellyn	Sunrise of Glen Ellyn* (ALI/Glen Ellyn Senior Hous	95 Carleton Ave	60137	(630) 469-5555	5101248	08/21/09	08/21/2011	20	85
Glenview	Vi at The Glen*	2401 Indigo Lane	60026	(847) 904-4710	5100398	11/19/09	11/19/2011	13	31
Godfrey	Fountains of Godfrey	1000 Airport Rd	62035	(618) 466-8831	5102212	06/03/10	06/03/2011	0	63
Godfrey	Provision Living at Godfrey	1373 D'Adrian Prof. Park	62035	(618) 467-7062	5103442	12/8/10	12/08/2011	0	79
Godfrey	United Methodist Village*	4601 Wesley Way	62035	(618) 467-0191	5101362	02/07/11	02/07/2013	11	44
Granite City	Fountains of Granite City	3450 Village Ln	62040	(618) 931-8988	5100539	09/12/10	09/12/2011	0	72
Granite City	Fountainview Manor Memory Care*	3432 Village Ln	62042	(618) 931-3999	5103129	09/29/10	09/26/2011	46	46
Green Valley	Autumn Accolade, Inc.	13516 Townline Rd	61534	(309) 348-1548	5100125	01/12/11	01/12/2013	0	40
Green Valley	Mardell Manor Ltd.	313 Morrison St	61534	(309) 352-3064	5200206	5/8/11	05/08/2012	0	8
Griggsville	Griggsville Estates	201 S. Oak	62340	(217) 838-2369	5102121	09/06/10	09/06/2012	0	20
Gurnee	Sunrise of Gurnee*	500 N Hunt Club Rd	60031	(847) 856-8100	5101255	8/21/10	08/21/2011	13	59
Hamilton	Our Home	1480 Walnut St	62341	(217) 847-3308	5200255	12/04/10	12/04/2012	0	5
Havana	Ems Haven of Rest	719 S. McKinley	62644	(309) 543-8647	5200404	11/28/10	11/28/2011	0	4
Hazel Crest	Waterford Estates	17400 S. Kedzie Ave	60429	(708) 335-1600	5101412	4/27/11	04/27/2012	0	54
Henry	Country Comfort Henry*	615 Patricia Ln	61537	(309) 364-3607	5200818	5/29/10	05/29/2011	8	8
Herrin	Hurricane Creek Affordable	400 Lou Ann Dr	62948	(618) 988-9540	5100810	03/19/11	03/19/2012	0	24
Herrin	Hurricane Creek Market	400 Lou Ann Dr	62948	(618) 942-4531	5100828	03/19/11	03/19/2012	0	28
Herschler	Harvest View+	100 Harvest View Ln	60941	(815) 426-2000	5103004	7/6/10	07/06/2011	0	42
Highland	Legacy Place	220 Field Crossing Dr.	62249	(618) 654-3737	5103525	4/14/11	08/11/2011	0	56
Highland	Providence Place	100 Faith Dr.	62249	(618) 654-4600	5101099	11/26/10	11/26/2012	0	36
Highland Park	Sunrise of Highland Park*	1601 Green Bay Rd	60035	(847) 681-1620	5102600	7/20/10	07/20/2011	19	75
Hillsboro	Tremont Ridge Assisted Living*	801 E Tremont	62049	(217) 532-2733	5101354	02/26/10	02/26/2012	10	38
Hoffman Estates	Devonshire of Hoffman Estates	1515 Barrington Rd	60169	(847) 490-5800	5101750	10/15/09	10/15/2011	0	30
Homer Glen	Marian Village	15624 Marian Dr	60491	(708) 226-3780	5100588	12/02/10	12/02/2012	0	27
Homer Glen	Victorian Inn*	12600 Renaissance Circle	60491	(708) 301-0800	5101870	6/5/11	06/05/2013	20	60
Hopedale	Hopedale Commons	221 SW Railroad St	61747	(309) 449-6790	5100802	12/22/10	12/22/2011	0	45

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Huntley	Heritage Woods of Huntley, LLC	12450 Regency Parkway	60142	(847) 869-5185	5103251	9/26/10	09/26/2012	0	72
Jerseyville	West Pine Ret Village	508 W. Pine	62052	(618) 498-5171	5102626	06/20/10	06/20/2011	0	22
Joliet	Emeritus at Joliet Courtyard*	3315 Executive Dr	60431	(815) 729-4773	5102857	08/02/10	08/02/2011	38	38
Joliet	Emeritus at Joliet	3320 Executive Dr.	60431	(815) 729-4773	5101818	08/02/10	08/02/2011	0	101
Kankakee	AL & Memory Care at Sojourn*	1485 Butterfield Trail	60901	(815) 933-0793	5100323	6/9/10	06/09/2012	20	96
Kankakee	Provena Heritage Lodge	995 N. Entrance Ave	60901	(815) 939-4506	5101081	07/29/10	07/29/2012	0	26
Kewanee	Courtyard Estates of Kewanee	141 Junior Ave South	61443	(309) 853-2460	5100414	12/02/09	12/02/2011	0	35
Kewanee	Courtyard Village of Kewanee	860 Sunset Dr	61443	(309) 853-4044	5101537	12/2/09	12/02/2011	0	39
LaGrange Park	Bethlehem Woods Ret. Community	1571 W. Ogden Ave	60526	(708) 579-3663	5100216	08/24/10	08/24/2012	0	64
LaGrange Park	Plymouth Place, Inc.*	815 N. LaGrange Rd	60526	(708) 482-6668	5102782	5/8/11	05/08/2013	26	78
Lake Barrington	Lake Barrington Woods	22320 Classic Ct.	60010	(847) 842-8900	5101875	09/28/10	09/28/2012	0	68
Lake Forest	Highlands of Lake Forest Place	1101 Pembroke Dr	60045	(847) 604-6700	5100752	09/24/09	09/24/2011	0	31
Lake Zurich	Silverado #550 Lake Zurich*	550 America Ct	60047	(847) 307-6990	5103715	04/01/11	07/30/2011	16	16
Lake Zurich	Silverado #555 Lake Zurich*	555 America Ct.	60047	(847) 307-6990	5103723	04/01/11	07/30/2011	16	16
Lake Zurich	Silverado #579 Lake Zurich*	579 America Ct.	60047	(847) 307-6990	5103731	04/01/11	07/30/2011	16	16
Lake Zurich	Silverado #600 Lake Zurich*	600 America Ct.	60047	(847) 307-6990	5103749	04/01/11	07/30/2011	16	16
Lawrenceville	United Methodist Village N. Campus	2101 James St	62439	(618) 943-3444	5200974	11/23/10	11/23/2011	0	6
Lemont	Franciscan Village of Lemont	1260 Franciscan Dr	60439	(630) 257-3500	5100570	01/24/10	01/24/2012	0	30
Lemont	Roma Home Care, Inc	27 Emily Lane	60439	(630) 330-5644	5201006	5/27/11	09/23/2011	0	3
Libertyville	Spring Meadows Libertyville*	901 Florsheim Drive	60048	(847) 816-9990	5103673	4/1/11	07/30/2011	14	100
Lincolnshire	Sedgebrook Health Center	960 Audubon Way	60069	(847) 793-1244	5103608	03/18/11	03/18/2012	0	44
Lindenhurst	Assisted Living at Victory Lakes*	1065 Victory Dr	60046	(847) 356-4550	5102980	11/12/10	11/12/2011	0	60
Lisle	Benedale Ctr-Villa St. Benedict*	1920 Maple Ave	60532	(630) 725-7000	5101396	10/06/09	10/06/2011	14	61
Lisle	Devonshire of Lisle	1700 Robin Ln	60532	(630) 963-1880	5101735	10/15/09	10/15/2011	0	56
Lombard	Lexington Sq LC Lombard, LLC	555 Foxworth Blvd	60148	(630) 629-2900	5103194	5/27/11	05/27/2013	0	70
Lombard	Sunrise of Fountain Square*	2210 Fountain Square	60148	(630) 953-8990	5103343	02/09/11	02/09/2012	20	80
Macomb	Bickford - Macomb Cottage	1600 Maple Ave	61455	(309) 836-9700	5100224	11/16/10	11/16/2012	0	28
Mahomet	Bridle Brook Assisted Living*	1505 Patton Dr	61853	(217) 586-3200	5103095	1/22/11	01/22/2013	30	78
Mahomet	Glenwood of Mahomet (The)	1709 S. Division St.	61853	(217) 586-5100	5102899	11/8/10	11/08/2012	0	38
Manteno	Manteno Springs	600 N Birch St	60950	(815) 468-6896	5100943	8/13/10	08/13/2011	0	22
Marion	Angel Acres, Inc.	8380 Worleys Mill Rd	62959	(618) 998-8570	5200453	02/16/11	02/16/2012	0	14
Marion	Country Acres	1100 N. Pentecost Rd	62954	(618) 998-1844	5200578	6/8/11	06/08/2012	0	16

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Marion	Country Acres II	1002 N. Pentecost Rd	62959	(618) 998-9390	5201089	6/8/11	06/08/2012	0	8
Marion	Fifth Season Res., Radcliffe	915 Radcliffe St	62959	(618) 993-2800	5100513	03/24/11	03/24/2013	0	18
Marion	Fifth Season Res., Reichert	401 Reichert Dr	62959	(618) 998-8408	5100521	03/24/10	03/24/2012	0	14
Marion	Hawthorne Inn of Parkway	3116 Williamson County Pk	62959	(618) 993-8600	5102253	6/30/09	06/30/2011	0	17
Marshall	Villas of Holly Brook Marshall	17050 N. Quality Lime Road	62441	(217) 826-5600	5103609	4/8/11	08/06/2011	0	46
Mascoutah	Assisted Living at Silver Creek	1227 Winding Oaks Ln	62258	(618) 566-4100	5102634	02/28/11	02/28/2012	0	33
Mattoon	Gowin Parc of Mattoon*	300 Lerma Road South	61938	(217) 234-3003	5103061	03/07/10	03/07/2011	28	28
McHenry	Fox Point	3300 Charles Miller Road	60050	(815) 385-9840	5103335	10/15/10	10/15/2011	0	97
McHenry	Fox Point Manor*	3350 Charles Miller Road	60050	(815) 759-9300	5103327	10/15/10	10/15/2011	40	40
Mendon	North Adams Assisted Living	2259 East 1100th Street	62351	(217) 936-2137	5103236	04/13/11	04/13/2012	0	12
Mendota	Stonecroft Village Ret. Community	1700 Burlington St	61342	(815) 538-5300	5102592	6/1/10	06/01/2012	0	32
Metamora	Snyder Village Assisted Living	1115 Harbers Lane	61548	(309) 367-2500	5100950	03/10/11	03/10/2013	0	41
Milan	Avonlea Cottage #1/Quad Cities*	2021 E. 1st St	61264	(309) 756-0755	5100133	4/10/11	04/10/2012	30	30
Milan	Avonlea Cottage #2/Quad Cities	2025 E. 1st St	61264	(309) 756-2257	5100141	4/10/11	04/10/2012	0	16
Millstadt	Garden Place, LLC Millstadt	208 S. Kossuth	62260	(618) 304-0952	5103178	08/19/10	08/19/2011	0	10
Mokena	Marley Oaks AL Residence	12631 W. 187th St	60448	(815) 485-5860	5101925	10/12/10	10/12/2012	0	10
Moline	Amber Ridge Moline Inc, II*	221 11th Ave	61265	(309) 757-7744	5102907	12/18/10	12/18/2011	41	41
Moline	Amber Ridge Moline, Inc. I	890 43rd Ave	61265	(309) 797-8181	5100109	09/14/10	09/14/2012	0	81
Moline	Bickford - Moline Cottage	3650 41st St	61265	(309) 736-0700	5101883	02/03/11	02/03/2013	0	28
Momence	Stonecrest Manor Inc	110 Harvard St	60954	(815) 472-2411	5101180	9/2/10	09/02/2011	0	26
Monmouth	Courtyard Estates of Monmouth	1 Courtyard Blvd	61462	(309) 734-9355	5101693	09/27/10	09/27/2012	0	51
Morton Grove	Terrace Gardens*	8415 Waukegan Rd	60053	(847) 470-4550	5103616	5/28/11	05/28/2012	25	45
Mt. Vernon	Greentree at Mt. Vernon*	208 Zachery Road	62864	(618) 244-5580	5103152	11/27/10	11/27/2011	30	116
Mt. Vernon	Lavender Ridge Inc *	1400 South 34th St.	62864	(618) 242-4050	5103087	07/10/10	07/10/2011	28	28
Mt. Zion	Glenwood of Mt. Zion (The)	1635 Baltimore Avenue	62549	(217) 864-1073	5103277	11/05/09	11/05/2010	0	38
Murphysboro	Big Muddy River Apt East	5 N. Shawnee Dr	62966	(618) 684-5818	5100299	03/19/11	03/19/2012	0	50
Murphysboro	Big Muddy River Apt West	11 N. Shawnee Dr	62966	(618) 684-5818	5100281	03/19/11	03/19/2012	0	24
Naperville	Spring Meadows Naperville*	504 N River Rd	60563	(630) 548-4488	5103665	4/1/11	07/30/2011	13	70
Naperville	Sunrise of Naperville North*	535 W Ogden Ave	60563	(630) 305-9400	5101289	3/28/10	03/28/2012	33	77
Naperville	Sunrise of Naperville* (AL)/Naperville Senior Hous	960 E Chicago Ave	60540	(630) 579-1400	5101271	07/08/09	07/08/2011	16	76
New Lenox	Paradise Park 1023 New Lenox+	1023 S. Cedar Rd	60451	(815) 463-8880	5102519	7/19/10	07/19/2012	0	16

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New Lenox	Paradise Park 1025 New Lenox+	1025 S. Cedar Rd	60451	(815) 463-8880	5102527	7/19/10	07/19/2012	0	16
New Lenox	Paradise Park 1027 New Lenox+	1027 S. Cedar Rd	60451	(815) 463-8880	5102535	7/19/10	07/19/2012	16	16
New Lenox	Paradise Park 1029 New Lenox+	1029 S. Cedar Rd	60451	(815) 463-8880	5102543	7/19/10	07/19/2012	16	16
New Lenox	Paradise Park 1031 New Lenox+	1031 S. Cedar Rd	60451	(815) 463-8880	5102550	7/19/10	07/19/2012	0	16
Newton	Villas of Holly Brook Newton	101 S. Gregory St	62448	(618) 783-4181	5103582	3/18/11	07/16/2011	0	41
Niles	St. Andrew Life Center*	7000 N Newark Ave	60714	(847) 647-8332	5101172	09/23/09	09/23/2011	12	47
Normal	Evergreen Place AL	801 W Gregory St	61761	(309) 451-9355	5100497	7/8/10	07/08/2012	0	60
Normal	Sugar Creek Alz Special Care Ctr*	505 E Vernon Ave	61761	(309) 451-3000	5102618	2/28/11	02/28/2012	38	38
Norridge	Central Baptist Village	4747 N Canfield Ave	60706	(708) 583-8500	5100364	5/15/11	05/15/2013	0	96
Northbrook	Covenant Hlth Cr Ctr-Northbrk	2195 Foxglove Dr	60062	(847) 480-6350	5102881	7/3/10	07/03/2012	0	58
Northbrook	Seasons at Glenview Place	4501 Concord Ln	60062	(847) 803-7100	5101131	07/08/10	07/08/2012	0	56
Oak Park	ARC Holley Court, LLC	1111 Ontario St	60302	(708) 383-1111	5100786	3/30/11	08/22/2011	0	36
Oak Park	Oak Park Arms	408 S. Oak Pk Ave	60302	(708) 386-4040	5100984	5/13/11	05/13/2012	0	60
Olney	Brookstone Estates-Olney	1110 N. East St	62450	(618) 392-5870	5103400	01/29/11	01/29/2012	0	46
Olney	Fox River Apartments	1016 Parker St	62450	(618) 392-6168	5100554	09/12/10	09/12/2011	0	30
Oregon	Family 1st Shared Home of Oregon	8 Terrace View Blvd	61061	(815) 732-4045	5200628	12/13/11	12/13/2012	0	16
Orland Park	Autumn Leaves of Orland Park*	8021 151st Street	60462	(708) 403-2400	5103293	10/24/10	10/24/2011	36	36
Orland Park	Emeritus at Orland Park*	16051 S. LaGrange Rd	60467	(708) 403-2001	5103574	3/1/11	06/29/2011	24	104
Orland Park	Smith Crossing*	10501 Emilie Ln	60467	(708) 326-2326	5101677	5/27/10	05/27/2012	16	62
Oswego	Bickford - Oswego Cottage*	3712 Grove Rd	60543	(630) 554-8811	5102998	5/14/10	05/14/2012	14	56
Ottawa	Pleasant View Hearthstone AL	505 College Ave	61350	(815) 587-1000	5103681	5/2/11	08/31/2011	0	24
Palos Park	Peace Village	10300 Village Circle Dr	60464	(708) 671-2470	5101085	8/19/09	08/19/2011	0	65
Palos Park	Sunrise of Palos Park* (SZR Palos Park LLC)	12828 S. LaGrange Rd	60464	(708) 361-3577	5101297	7/8/10	07/08/2011	25	85
Pana	Gowin Parc of Pana*	340 Illinois Route 29	62557	(217) 562-3004	5103285	10/07/10	10/07/2011	15	15
Park Ridge	Summit Square	10 N Summit	60068	(847) 825-1161	5101644	10/14/09	10/14/2011	0	28
Park Ridge	Sunrise of Park Ridge* (Karrington Park Ridge LLC)	1725 Ballard Rd	60068	(847) 824-1724	5101305	07/08/10	07/08/2011	28	109
Pekin	Grand Victorian of Pekin	2700 14th St	61544	(309) 846-1310	5103145	07/25/10	07/25/2011	0	61
Peoria	Apostolic Christian Skylines	7023 N. E. Skyline Dr	61614	(309) 691-8091	5200727	08/16/10	08/16/2012	0	16

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Peoria	Bethel Place-AZ Establishment*	6901 N. Galena Rd	61614	(309) 689-9658	5100208	12/29/09	12/29/2011	20	20
Peoria	Bickford - Peoria I House	1920 W. Willow Knolls Dr	61614	(309) 689-5400	5100273	4/19/11	04/19/2012	0	45
Peoria	Bickford - Peoria II Cottage*+	2000 W. Willow Knolls Dr.	61614	(309) 589-0800	5102469	4/19/11	04/19/2012	32	32
Peoria	Hawthorne Inn of Peoria*	6906 N Stalworth Dr.	61615	(309) 683-3560	5100687	02/28/11	02/28/2012	13	52
Peoria	Patrician Home	1511 N. Bigelow St	61604	(309) 685-8716	5101057	5/5/11	05/05/2012	0	10
Peoria	Samaritan Place	6901 N. Galena Rd	61614	(309) 689-9661	5101123	12/29/09	12/29/2011	0	40
Peru	Hawthorne Inn of Peru*	1101 31st St	61354	(815) 224-2200	5100695	2/7/10	02/07/2012	13	52
Peru	Simple Comfort Retirement Home	2412 Becker Dr	61354	(815) 223-3045	5200768	6/21/11	10/19/2011	0	6
Pittsfield	Hawthorne Inn of Pittsfield	610 Lowry St	62363	(217) 285-5200	5102295	6/27/10	06/27/2012	0	22
Plainfield	Park at Plainfield (The)* CHOW	12446 S. Van Dyke Rd	60585	(813) 287-3947	5103533	3/1/11	06/01/2011	30	110
Quincy	Bickford - Quincy Bickford Cottage*+	4221 Maine	62305	(217) 228-0800	5101909	10/21/10	10/21/2011	7	46
Quincy	Bradford Villa, LLC-I	1122 Koch's Ln	62305	(217) 222-2959	5200362	10/01/10	10/01/2012	0	8
Quincy	Bradford Villa, LLC-II	1122 Koch's Ln	62305	(217) 222-2959	5200560	10/01/10	10/01/2012	0	8
Quincy	Bradford Villa, LLC-III	1122 Koch's Ln	62305	(217) 222-2959	5200693	10/04/10	10/04/2012	0	8
Quincy	Casita Catherine AL	1510 N 10th St	62301	(217) 224-4850	5100356	10/21/09	10/21/2011	0	10
Rantoul	Prairie Village of Rantoul	200 International Dr	61866	(217) 892-2800	5102279	12/14/10	12/14/2011	0	76
Red Bud	Garden Place, LLC Red Bud	351 Lockwood	62278	(618) 282-7775	5103160	09/01/10	09/01/2011	0	10
Rochester	Wyndcrest Assisted Living Comm.	4817 Oak Hill Rd	62563	(217) 498-6959	5102196	7/8/10	07/08/2011	0	37
Rock Island	Friendship Manor of Illinois	1209 21st Ave	61201	(309) 786-9667	5101495	12/23/09	12/23/2010	0	102
Rockford	Anam Care Inc.*+	8104 Sayer Rd	61108	(815) 332-5566	5103590	10/20/10	10/20/2011	20	20
Rockford	Bickford - Rockford House	960 N. Mulford Rd	61107	(815) 397-7100	5100265	11/11/09	11/11/2011	0	40
Rockford	Crimson Pointe	7130 Crimson Ridge Dr	61107	(815) 398-7792	5103699	5/1/11	08/29/2011	0	73
Rockford	Emeritus at Rockford	1545 Temple Ln	61112	(815) 332-8484	5101669	11/27/10	11/27/2012	22	97
Rockford	LifeHouse The Atrium*	2885 McFarland Rd.	61107	(815) 282-3340	5102311	9/9/10	09/09/2011	40	40
Rockford	Luther Center	111 W. State St	61101	(815) 965-0055	5100935	2/7/10	02/07/2012	0	29
Rockford	Morning Star Village	1160 North Mulford Road	61107	(815) 484-9500	5103202	11/20/10	11/20/2011	0	75
Rockton	Highview in the Woodlands	1000 Falcon Point Place	61072	(815) 624-6700	5100760	10/08/09	10/08/2011	0	36
Romeoville	Senior Star at Weber Place*	600 S. Edward Dr	60446	(815) 439-9955	5103319	12/26/10	12/26/2011	77	77
Romeoville	Weber Place Assisted Living	605 S. Edward Dr.	60446	(815) 439-2033	5103368	5/4/11	05/04/2013	0	205
Roscoe	Northpointe Terrace	5601 E. Rockton Rd	61073	(815) 525-4800	5102352	4/25/11	04/25/2013	0	24
Ruma	R & R Country Care LLC	1026 Janet Dr	62278	(618) 282-8585	5200594	3/3/10	03/03/2012	0	15
Salem	Great Oaks Assisted Living of Salem, Inc.	1311 S Marion St.	62881	(618) 548-5778	5200172	11/23/10	11/23/2012	0	8

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Savoy	Windsor Court - Savoy	401 Burwash Ave	61874	(217) 351-1437	5102337	2/10/10	02/10/2012	0	36
Schaumburg	Friendship Village of Schaumburg*	350 W Schaumburg Rd	60194	(847) 884-5000	5100604	10/10/09	10/10/2011	25	100
Schaumburg	Sunrise of Schaumburg*	790 N Plum Grove Rd	60193	(847) 517-9700	5101313	7/8/10	07/08/2011	30	82
Shelbyville	Hawthorne Inn of Shelbyville	1111 W. North 12th St.	62565	(217) 774-1020	5102246	06/06/11	06/06/2013	0	20
Shelbyville	Villas of Holly Brook Shelbyville	2201 E. Main St	62565	(217) 774-1045	5103632	6/16/11	10/14/2011	0	46
Shiloh	Cedarhurst of Shiloh*	429 S. Main St	62269	(618) 622-9890	5108558	3/22/11	07/19/2011	31	87
Shiloh	Fountains of Shiloh	1201 Hartman Ln	62269	(618) 239-9282	5102501	03/07/11	03/07/2012	0	63
Shorewood	Timbers of Shorewood	1100 N. River Rd	60404	(815) 609-0669	5101347	3/1/10	03/01/2012	0	90
Silvis	Lighthouse at Silvis*	1900 Tenth St.	61282	(309) 792-2800	5102444	5/3/11	05/03/2013	18	71
Silvis	Pointe at Silvis*	1902 Eleventh St.	61282	(309) 792-2800	5101053	4/30/11	04/30/2013	13	13
Springfield	Bickford - Springfield House	2451 W. White Oak Dr	62704	(217) 787-9000	5101891	09/07/10	09/07/2012	0	45
Springfield	Christian Garden Villa	3408 W Washington St	62711	(217) 787-9600	5200925	4/20/11	04/20/2012	0	10
Springfield	Concordia Village	4101 West Iles	62711	(217) 793-9429	5103228	12/12/10	12/12/2011	0	48
Springfield	Mill Creek Alz. Special Care Center*	3319 Ginger Creek Dr	62711	(217) 726-7900	5102162	5/31/10	05/31/2012	38	38
Springfield	River Birch Estates at Cockrell-4008*	4008 Cockrell Ln	62711	(217) 306-0776	5201071	6/4/11	06/04/2012	14	14
Springfield	River Birch Estates at Cockrell-4012	4012 Cockrell Ln	62711	(217) 547-0400	5200933	6/4/11	06/04/2012	0	14
Springfield	River Birch Estates at Cockrell-4016*	4016 Cockrell Ln	62711	(217) 698-4016	5200966	6/4/11	06/04/2012	14	14
St. Charles	Brighton Gardens of St. Charles*	600 Dunham Rd	60174	(630) 587-6120	5101560	01/08/11	01/08/2012	24	106
St. Charles	Delnor Glen Senior Living*	975 North 5th Ave	60174	(630) 443-8220	5100430	8/21/10	08/21/2011	15	78
St. Charles	Bickford Cottage - St. Charles, LLC*	2875 Campton Hills Rd	60175	(630) 587-8800	5103210	9/9/09	09/09/2011	12	76
Sterling	Avonlea Cottage/Sterling	2201 E. LeFevre Rd	61081	(815) 626-5439	5100158	8/9/10	08/09/2011	0	32
Sterling	Grand Victorian Sterling	2705 Avenue E	61081	(815) 622-2800	5102972	10/11/10	10/11/2011	0	61
Streator	Liberty Village of Streator	2322 N Eastwood Ave.	61364	(815) 672-1900	5100901	09/20/10	09/20/2011	0	20
Sullivan	Aspen Creek of Sullivan*	411 N. West Street	61951	(217) 728-2092	5201121	4/6/11	08/04/2011	12	12
Swansea	Bradford Place	1463 Benchmark Ct	62226	(618) 624-0683	5103483	7/29/10	07/29/2011	0	29
Swansea	Sycamore Village*	225 Castellano Dr	62226	(618) 222-2571	5101339	05/13/09	05/13/2011	82	109
Sycamore	Grand Victorian of Sycamore	1440 Somonauk St	60178	(815) 895-1900	5103392	1/29/11	01/29/2012	0	61
Sycamore	Lincolnshire Place*	710 Vellagio	60178	(815) 895-9870	5103475	2/2/11	06/02/2011	40	40
Trenton	Trenton Village LLC	980 E. Broadway	62293	(618) 224-9465	5102170	07/01/10	07/01/2011	0	50
Troy	Fountains of Troy	39 Dorothy Dr	62294	(618) 667-1342	5102493	03/07/11	03/07/2013	0	63
Ullin	Cache Valley Apts	751 Ullin Ave	62992	(618) 845-9065	5100331	02/14/11	02/14/2012	0	40

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Urbana	Amber Glen AZ Spec Care Ctr*	1704 East Amber Ln	61802	(217) 384-0100	5102154	08/26/10	08/26/2012	38	38
Urbana	Emeritus at Canterbury Ridge	1706 E Amber Ln	61802	(217) 328-3150	5100349	10/25/10	10/25/2011	0	100
Vernon Hills	Autumn Leaves of Vernon Hills*	500 Atrium Dr	60061	(847) 996-1000	5102949	12/24/09	12/24/2011	36	36
Vernon Hills	Willows of Hawthorn Lake	10 E. Hawthorn Pkwy	60061	(847) 367-2516	5101768	10/15/09	10/15/2011	0	62
Washington	Grand Victorian Washington	100 Grand Victorian Place	61571	(309) 444-7400	5103301	02/14/11	02/14/2013	0	61
Washington Park	Anna Marie Senior Living Ctr	5727 Warren Ave	62204	(618) 274-6388	5200883	10/08/10	08/31/2011	0	5
Westmont	Cordia Senior Residence	865 N. Cass Ave	60559	(630) 887-7000	5100406	10/04/09	10/04/2011	0	116
Wheaton	Brighton Gardens of Wheaton*	831 E. Butterfield Rd	60189	(630) 681-1234	5101636	7/27/09	07/27/2011	21	119
Wheaton	Wyndemere LLC	500 Wyndemere Circle	60187	(630) 690-6662	5103467	7/10/10	07/10/2011	0	77
Wheeling	Addorata Villa*	553 McHenry Rd	60090	(847) 215-5854	5100562	01/29/11	01/29/2012	22	61
Willowbrook	Sunrise of Willowbrook*	6300 Clarendon Hill Rd	60527	(630) 734-9954	5101321	07/08/09	07/08/2011	18	82
Wilmette	Sunrise of Wilmette*	615 Ridge Rd	60091	(847) 256-1600	5101610	09/09/10	09/09/2011	28	28
Winnebago	Prairie View AL of Winnebago	500 E McNair	61088	(815) 335-1800	5102741	06/11/10	06/11/2011	0	30
Woodstock	Hearthstone Village	840 N. Seminary Ave	60098	(815) 338-2110	5101859	7/12/09	07/12/2011	0	74
Zion	Rolling Hills Place	3521 16th St	60099	(847) 746-2147	5101107	11/21/09	11/21/2011	0	61

* Contains designated Alzheimer's units

+ Provides adult day care

6/29/2011

By City

Page 10 of 10

Public Benefit

- Non-institutional housing with personal care is available
- Refurbishes a 40 year old building
- Extensive landscape design
- Property on tax rolls at refurbished value.
- Residents utilize public resources and local stores
- Building available for public events
- Jobs (including summer student jobs)
- Healthcare training for Hinsdale youth
- Affordable Housing targets and goals
- Increases Village census
- Brings consumers to the Village

Eden Assisted Living Economic Benefits

PROPOSED USE				
Eden Assisted Living*	Washington Square**	8 Townhomes***	3 Single Family Homes****	
\$5,760,000	\$1,448,430	\$5,760,000	\$5,400,000	
				Year 1
				Year 2
				Year 3
				Year 4
				SUB TOTALS

Estimated Real Estate Taxes

(Actual or estimated values are broken down below each PROPOSED USE)

Year 1	\$21,287	\$21,287	\$21,287	\$21,287
Year 2	\$83,806	\$21,287	\$21,287	\$21,287
Year 3	\$83,806	\$21,287	\$21,287	\$21,287
Year 4	\$83,806	\$21,287	\$83,806	\$78,568
SUB TOTALS	\$272,705	\$85,148	\$147,667	\$142,429

Estimated Consumer Spending Locally

(Consumer Spending dollars based on the Consumer Price Index, prepared by the Bureau of Labor Statistics, U.S. Department of Labor, Consumer Expenditure Survey for 2009 - Hinsdale had Total Retail Sales of \$453,747,000 for a 18,454 population which is average of \$24,588 per resident/per year. Assuming that 25% of the spending was done by hinsdale residents, one can conclude that each resident spends \$6,147 per year in Hinsdale on Total Retail Sales (including Food Services).

	Averaging 73 Residents	Averaging 0 Residents	Averaging 24 Residents	Averaging 11 Residents
Year 1	\$0	\$0	\$0	\$0
Year 2	\$448,731	\$0	\$0	\$0
Year 3	\$448,731	\$0	\$0	\$0
Year 4	\$448,731	\$0	\$147,528	\$67,617
SUB TOTALS	\$1,346,193	\$0	\$147,528	\$67,617

Estimated Employee Spending Locally

(\$1,848 per year, which is based on the average FTE working 22 days per month and spending \$7 per day/per employee)

	Averaging 40 Employees	Averaging 0 Employees	Averaging 0 Employees	Averaging 0 Employees
Year 1	\$0	\$0	\$0	\$0
Year 2	\$73,920	\$0	\$0	\$0
Year 3	\$73,920	\$0	\$0	\$0
Year 4	\$73,920	\$0	\$0	\$0
SUB TOTALS	\$221,760	\$0	\$0	\$0

Estimated Sales Tax Revenue from Business Purchases

(Based on food costs of \$9 PPD, operations costs affected by sales tax of \$6 PPD for 365 days a year multiplied by 8.25% sales tax)

	Averaging 73	N/A	N/A	N/A
Year 1	\$0	\$0	\$0	\$0
Year 2	\$32,973	\$0	\$0	\$0
Year 3	\$32,973	\$0	\$0	\$0
Year 4	\$32,973	\$0	\$0	\$0
SUB TOTALS	\$98,919	\$0	\$0	\$0

Estimated Cost to School System

(Based on the Hinsdale Township School District 86 financial report for 2010 - Operating Costs Per Pupil - Based on Average Daily Attendance (ADA) at \$16,186)

	Number of Children 0	Number of Children 0	Number of Children 10	Number of Children 4
Year 4	N/A	N/A	\$161,860	\$64,744
SUB TOTALS	N/A	N/A	-\$161,860	-\$64,744

TOTAL ECONOMIC BENEFIT TO HINSDALE

\$1,939,577 \$85,148 \$133,335 \$145,302

* For the purposes of this table, after 6 months, Eden Assisted living will have an estimated value after construction of **\$5,760,000**.

Washington Square actual 2010 Tax Assessor's value is **\$1,448,430.

** For purposes of this table, 8 Townhomes at 1,800 sqft each at \$400 per sqft could be sold at \$720,000 each for a total assessed value (after 3 years - estimating time for foreclosure, demolition, construction, market time, etc.) of **\$5,760,000**.

**** For purposes of this table, 3 Single Family Homes at 4,200 sqft each at \$400 per sqft could be sold at \$1,800,000 each for a total assessed value (after 3 years - estimating time for foreclosure, demolition, construction, market time, etc.) of **\$5,400,000**.

None of the numbers have been adjusted for CPI; however, it is assumed that all of the numbers would be affected equally.

List of Building Features & Amenities

List of Common Areas (*indicates pictures attached)

- Living room*
- Lounge
- Community dining room*
- Private dining room
- Computer/office center*
- Activity center
- Exercise/therapy room
- Library
- Beauty room
- Movie theater
- Mailroom
- Garden areas
- Reception*

List of Building Features

- Full commercial kitchen
- Contrasting wall and floor colors which assist residents with navigation
- Extensive wainscoting and millwork through out
- Energy efficient lighting systems
- Sprinklered plant and grass areas
- Energy efficient windows
- Loading dock
- Smokers area (beyond 15 feet from doorway located near the alley, out of neighbors' sight)
- Extensive landscaping and sensory gardens
- Improved buffer (landscaping) zones at the exit (Lincoln Ave.) of the parking lot
- 35 car parking (which includes 2 handicap spaces)
- 2 elevators
- Integrated music system (common areas only, excluding hallways)
- Community Living room w/ fireplace

- Transitional furnishings
- Extensive art work
- Resident driven Wellness Database

List of Apartment Features (*indicates pictures attached)

- Unit sizes range from 450 square feet to 875 square feet
- **Bathrooms*** will have higher toilets (19"), grab bars barrier free showers, limestone style tile and ADA compliant plumbing fixtures
- **Kitchens*** will have cherry cabinets, granite counters, ADA compliant plumbing fixtures, stainless appliances, tiled backsplash, stove, refrigerator and microwave and modifiable cabinetry
- Wall-to-wall carpeting except in kitchens and baths
- Each apartment will be handicapped accessible with emergency pull cords, roll-in showers, grab bars, raised lavatories and accessible entryways
- Emergency pull stations
- High speed internet availability
- Resident controlled heating and air conditioning
- Window coverings

List of Building Safety Features

- Emergency pull stations in every common area and public bathroom
- 32 IP video cameras stationed around the property (monitored on-site 24-hours a day)
- Updated sprinkler fire suppression system
- Updated smoke and fire alarm systems
- Alarmed exits

- 24-hour roaming CPR trained staff
- 24-hour concierge/security

List of Resident Amenities

- Includes all utilities except phone, cable and internet
- 24-hour emergency services on the property
- 24-hour monitored safety cameras in hallways, staircases and exterior entrances, so that staff may swiftly respond if a resident loses their balance
- Support for Activities of Daily Living
- Assistance with scheduled or unscheduled needs
- Daily physical fitness, creative, social, learning and spiritual activities, scheduled group trips and resident sponsored clubs for a variety of interest (our menu selections are dietician-approved and accommodate some special diets)
- Community volunteering opportunities
- Three delicious, well-balanced meals served daily featuring a variety of menu choices with snacks available throughout the day
- Weekly housekeeping and daily trash removal
- Wellness visits and care plan management by a licensed on-staff nurse
- Weekly personal laundry (except dry-cleaning)
- Social and educational programs for families
- Maintenance of building and grounds
- Full use of activity rooms and common areas
- Personal mailboxes
- Transportation services (at additional charge)
- Escort services (at additional charge)
- Scheduled resident and family meetings
- Holiday events

RECEPTION:

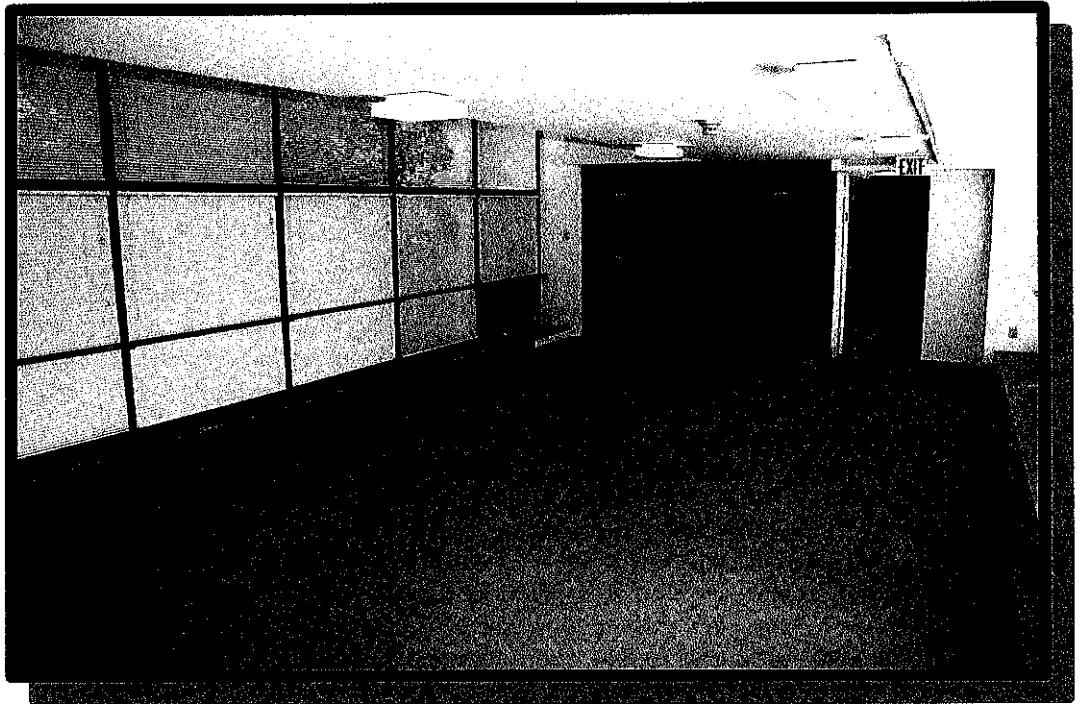


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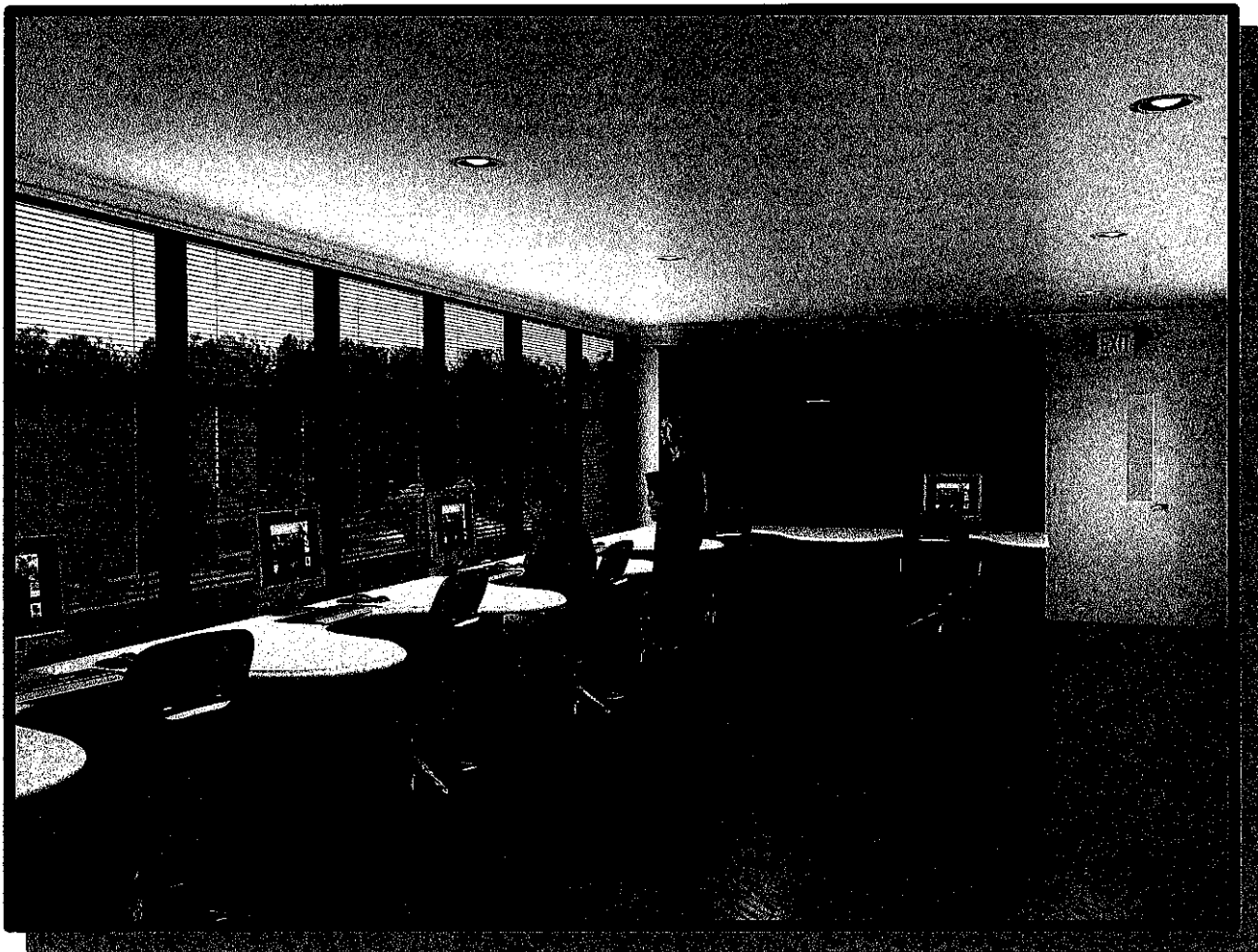


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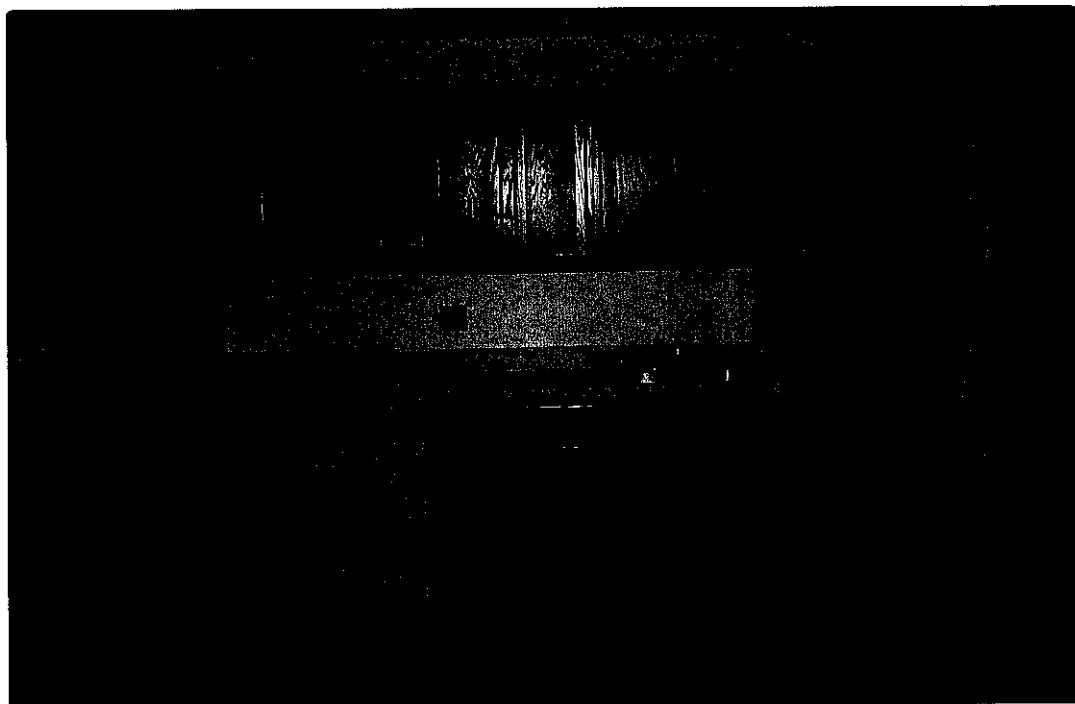


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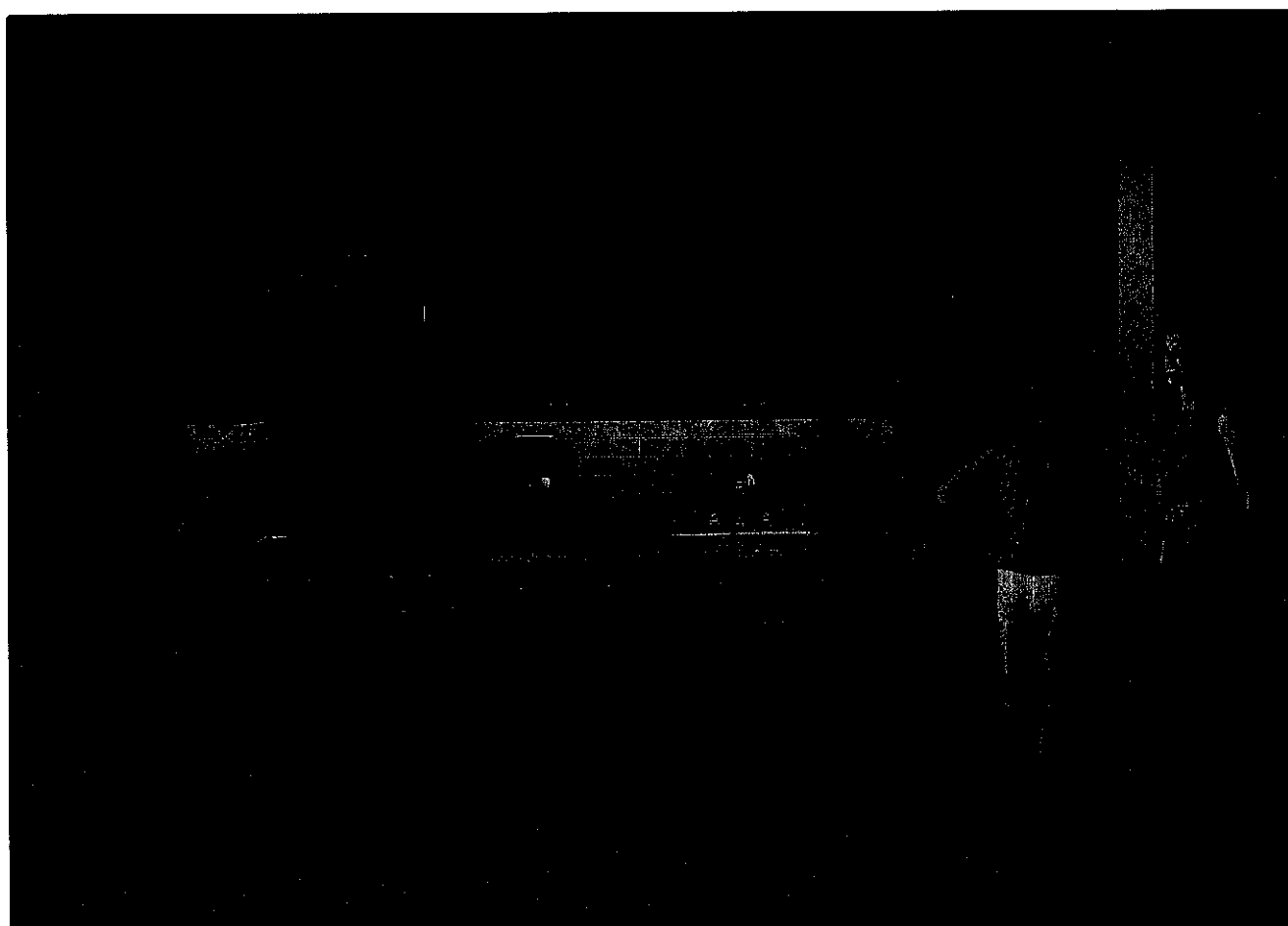


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KITCHEN:



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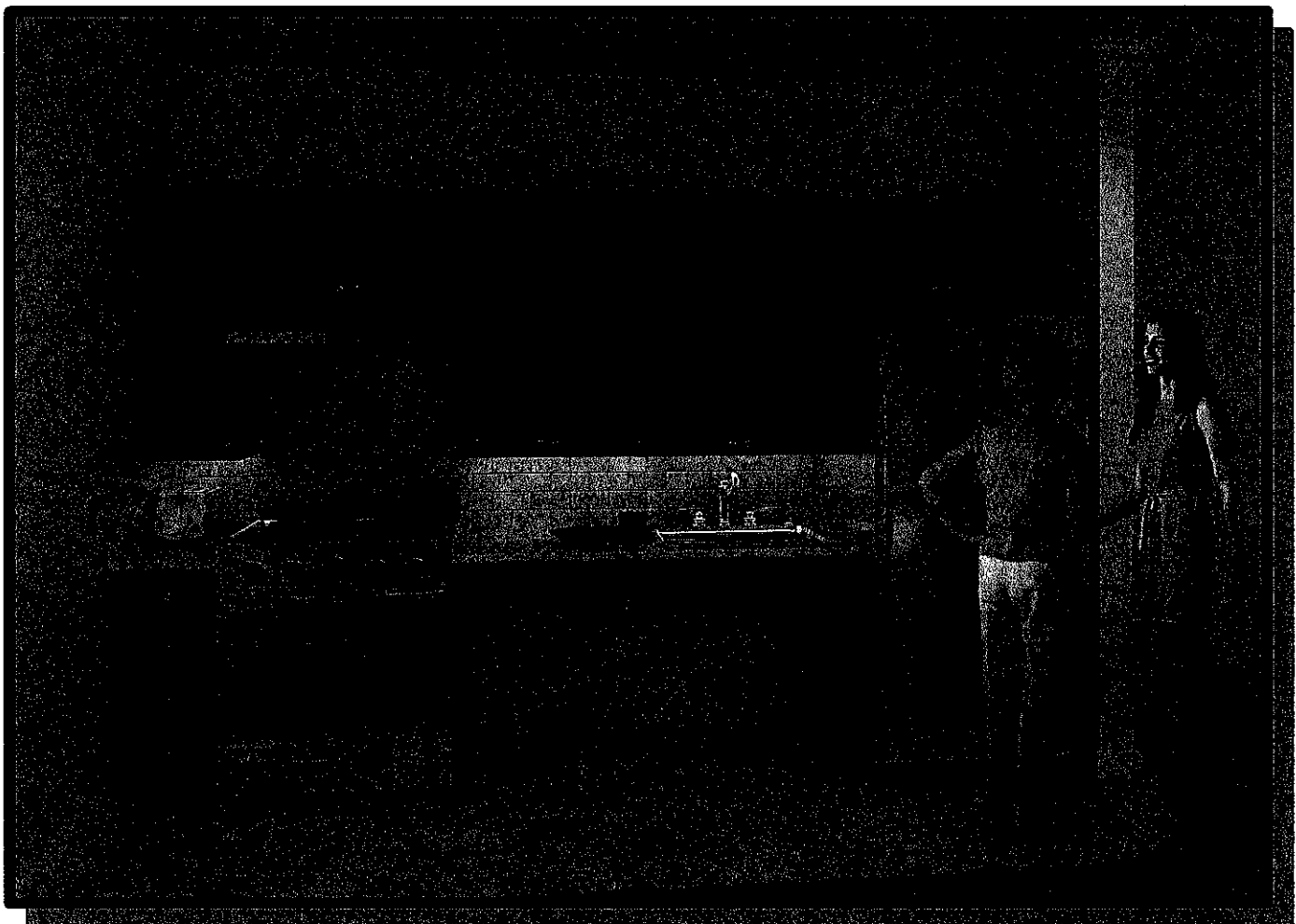


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KITCHEN:

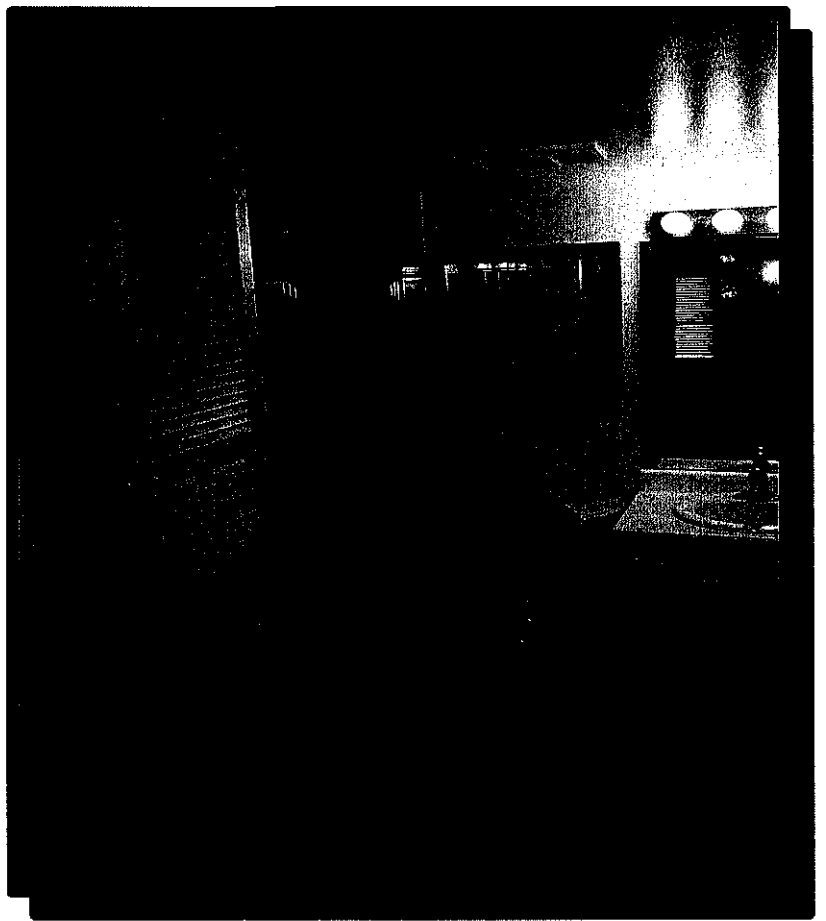


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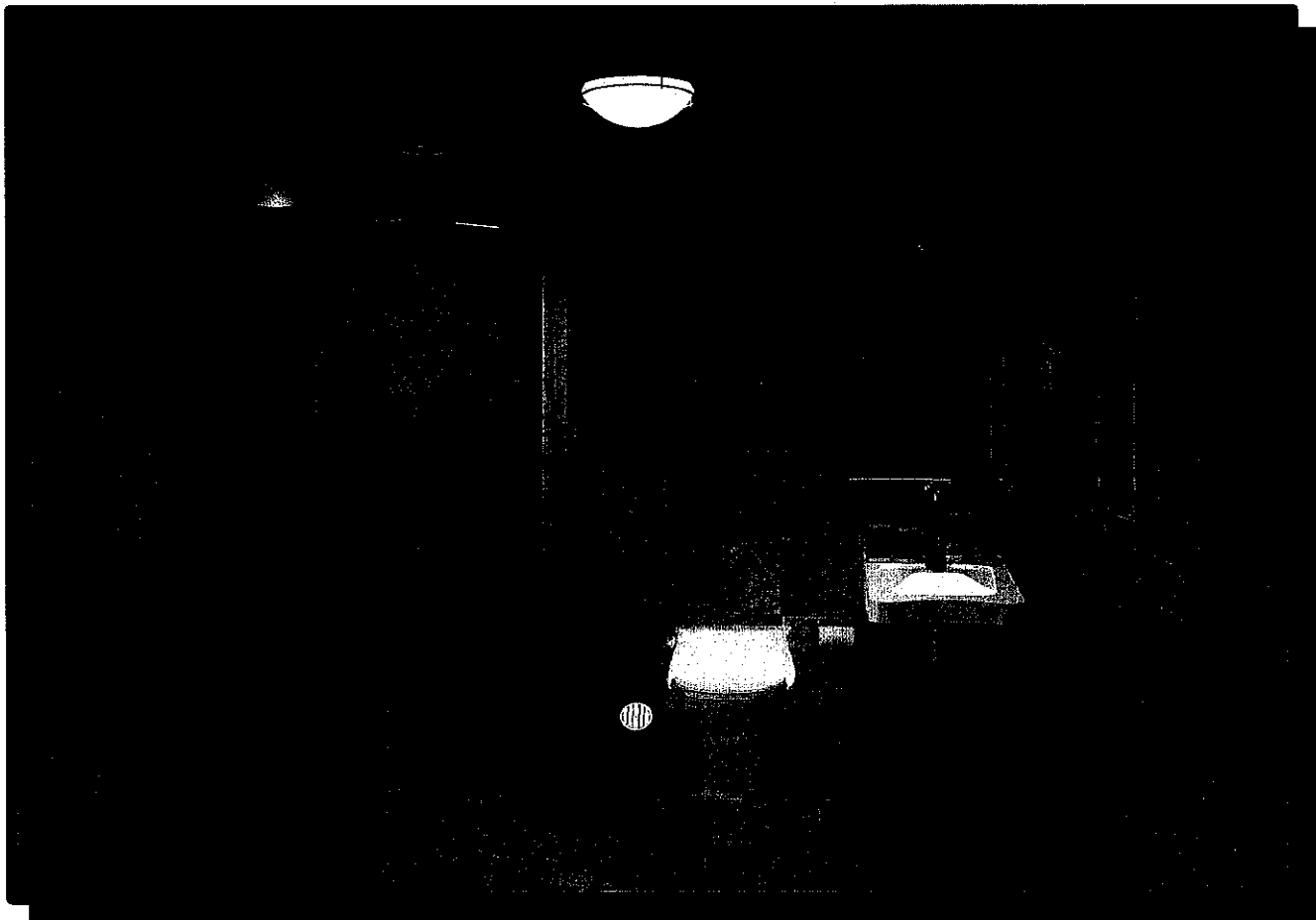


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BATHROOM:

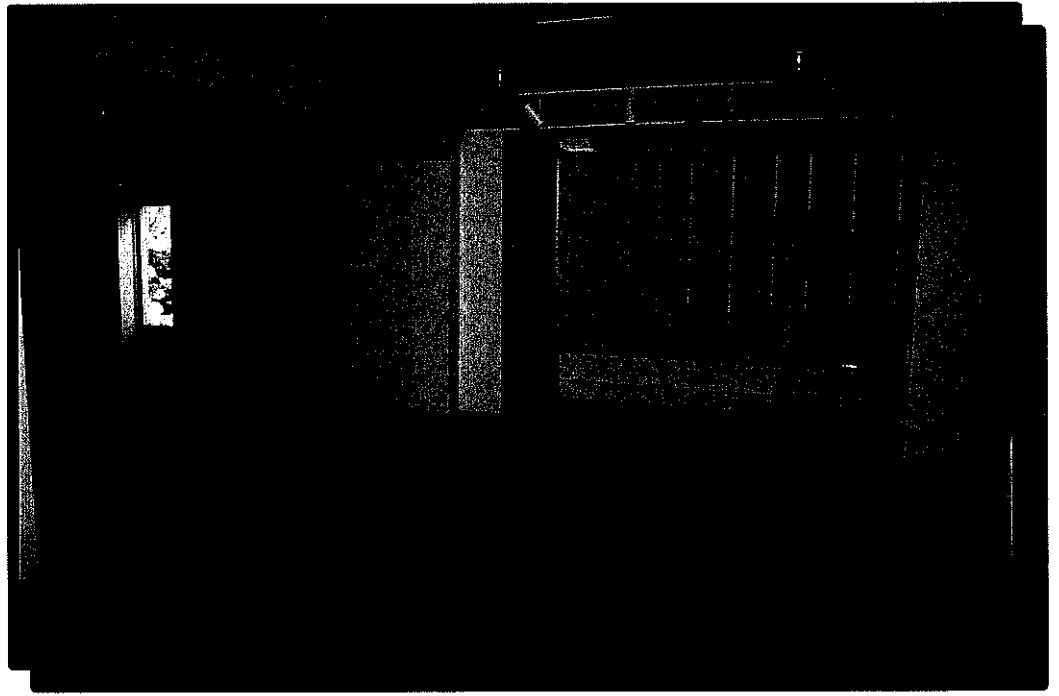


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AFTER:

DINING ROOM:

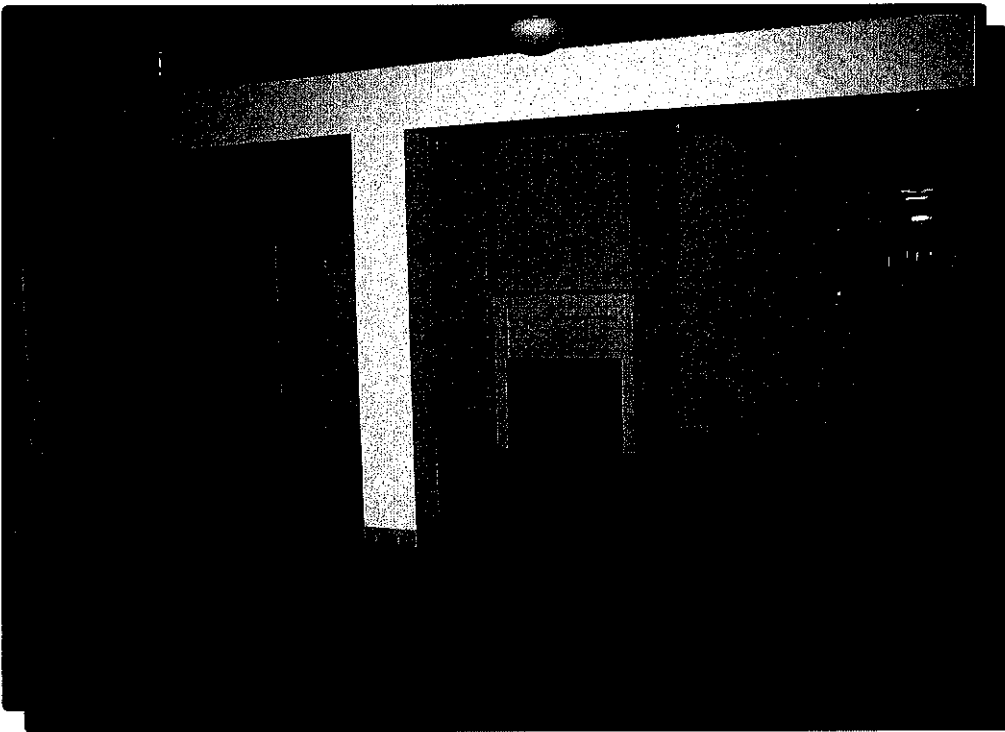


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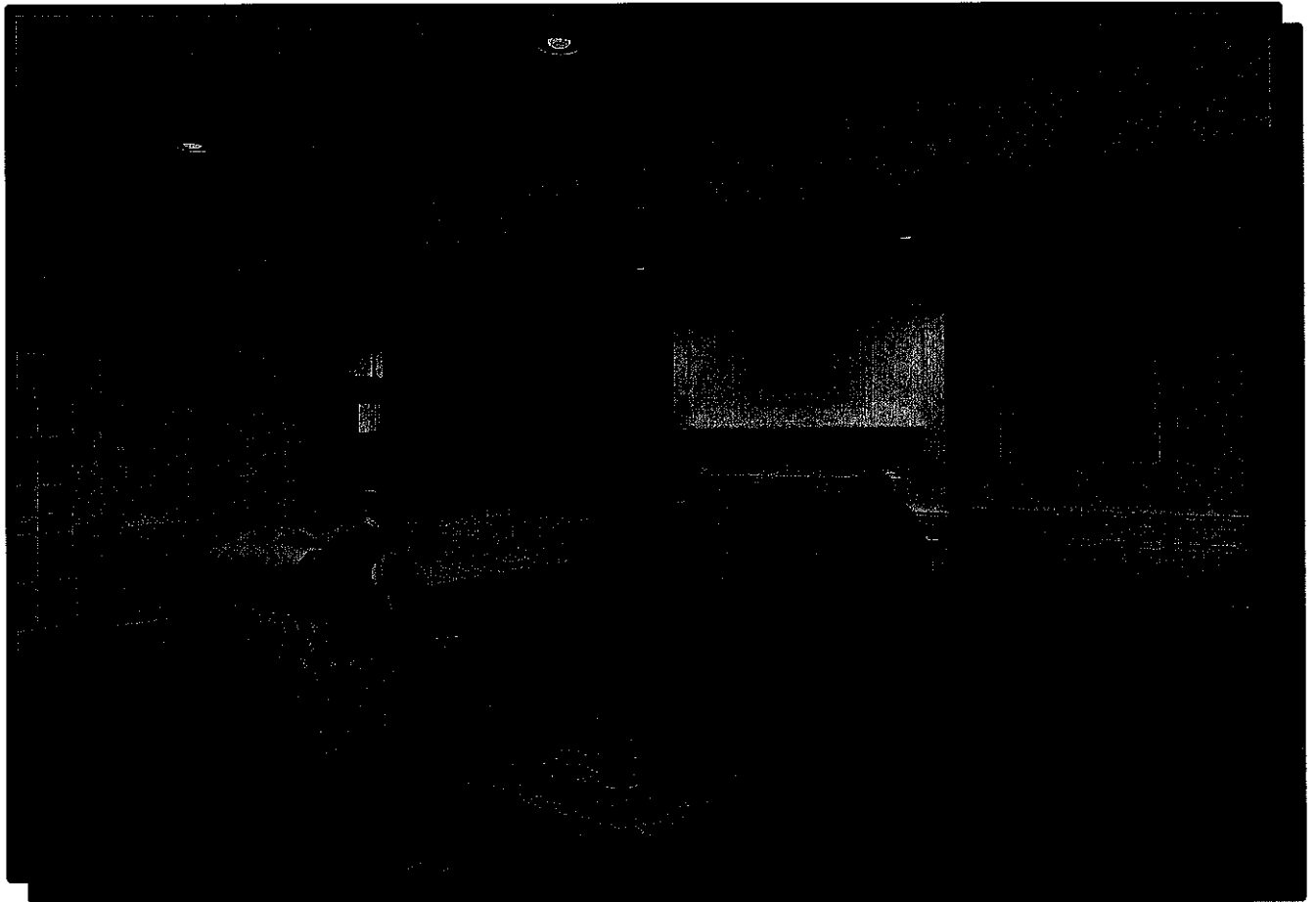


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LIVING ROOM:



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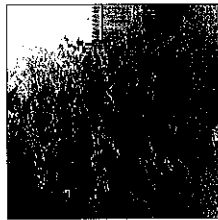


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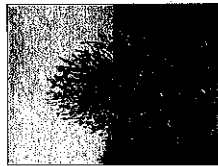
Trees and Shrubs



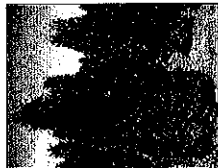
Dwarf Purple Birch



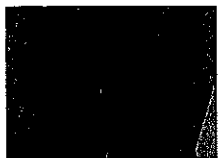
Apple Serviceberry



Magnolia 'Baty'



Holmstrup Alder/Willow



Redbud



Prairifire Crabapple



Expallered Ornamental Tree



Limelight Hydrangeas



Tanka Hydrangea



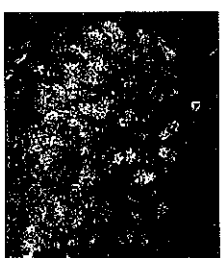
'Judo' Viburnum



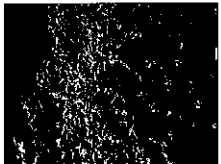
Rhododendron 'Northern Starburst'



Oldleaf Hydrangea



Dwarf Korean Lilac



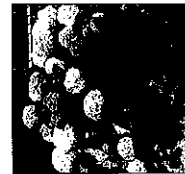
Dianella 'Butterfly'



Dianella 'Cool Splash'



'Bella Anna' Hydrangea



'Annabelle' Hydrangea



'Knockout Pink' Rose



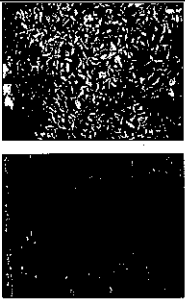
Weigala var. (Midnight Wine, Wine and Roses)



'Tauntun' Yew



'Hicks' Yew



Boxwood

Perennials, Ornamental Grasses, and Groundcovers



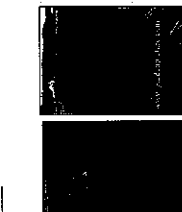
Feather Reed Grass



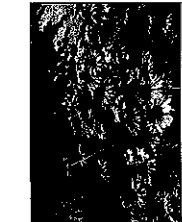
'Northwind' Switchgrass



'Prairie Fire' Switchgrass



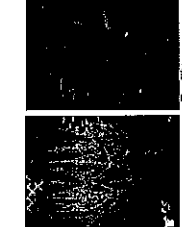
Autumn Moor Grass



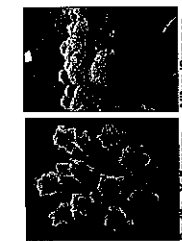
Purple Coneflower



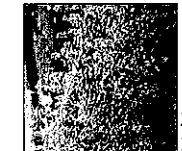
Black Eye Susan



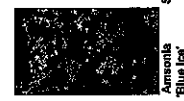
Russian Sage



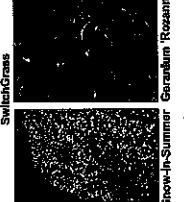
Daylily 'Cherry Cheeks'



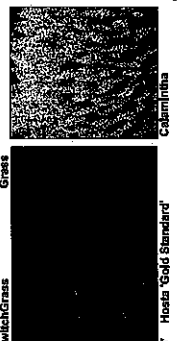
Daylily 'Yellow var.'



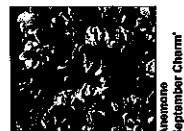
Amsonia 'Blue Ice'



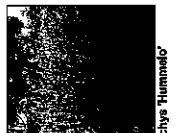
Snow-In-Summer



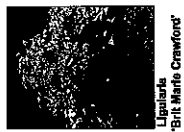
Geranium 'Rozanne'



Hosta 'Gold Standard'



Stachys 'Hummer'



Ligularia 'Brit Marie Crawford'



Salvia 'Winecup'



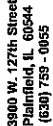
Astilbe 'Color Splash Lime'



Ghost Fern



Veronica 'Waterperry Blue'

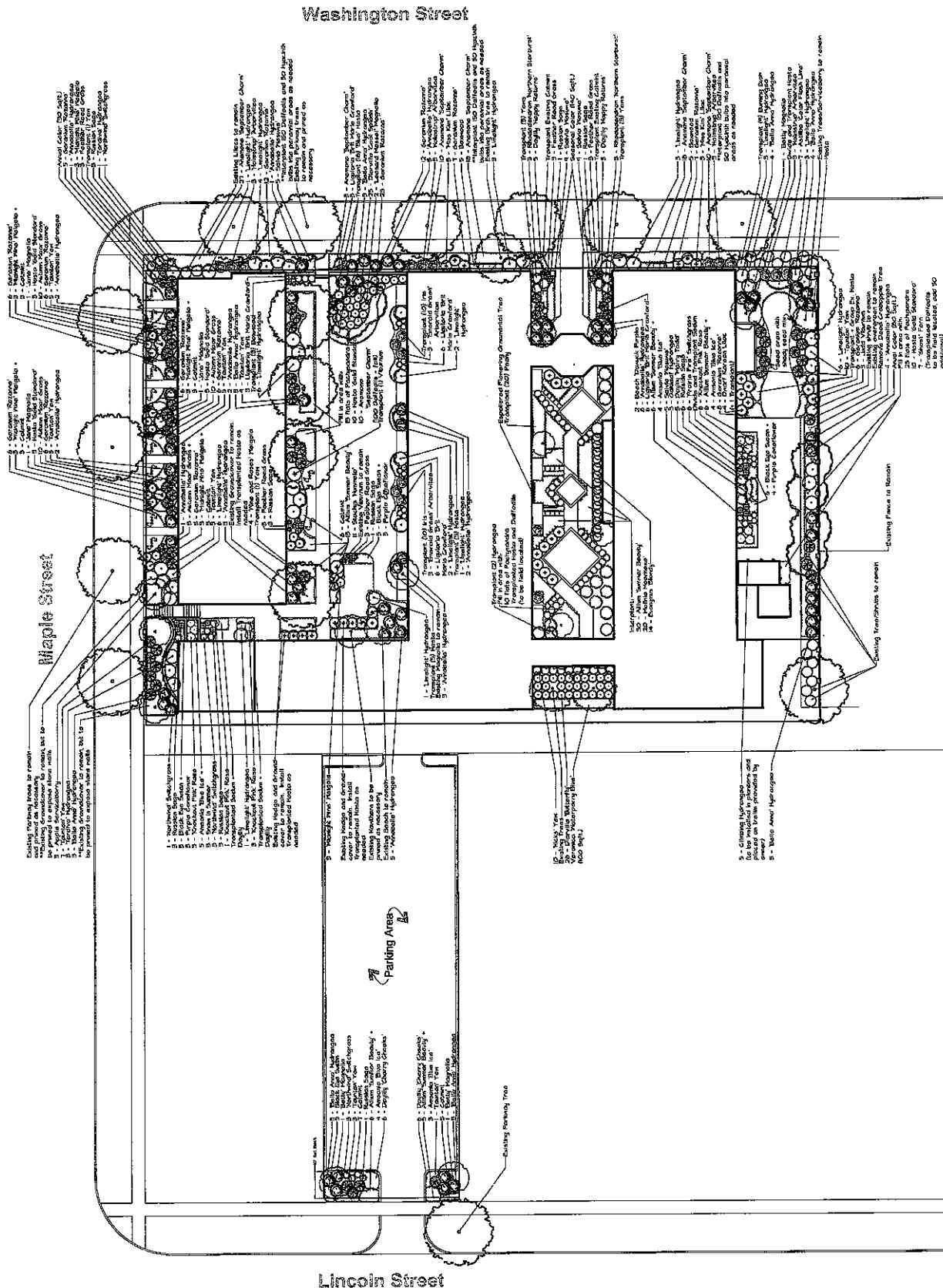


Landscape Plan



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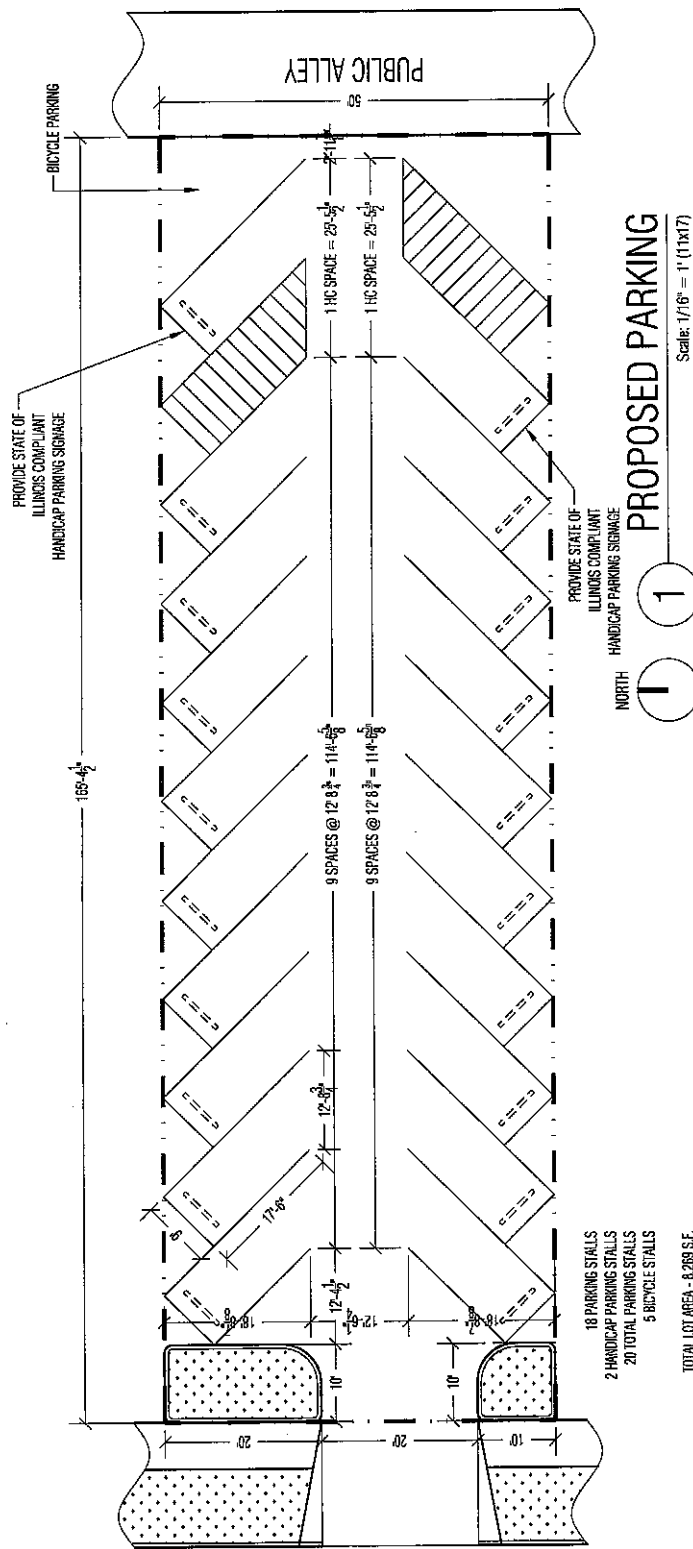




10 N. WASHINGTON
CHINSDALE, ILLINOIS

PROPOSED PARKING
PLAN
45 DEG PARKING

A1.0



ALL DIMENSIONS NEED TO BE VERIFIED IN FIELD BEFORE CONSTRUCTION STARTS

NOTICE OF COPYRIGHT

[illegible]

Market Study Eden Assisted Living Facility

Hinsdale, Illinois

Prepared for
Eden Assisted Living

July 2011

Prepared by
Valerie S. Kretchmer Associates, Inc.
2707 Walnut Avenue
Evanston, IL 60201
and
Nechin Enterprises, Ltd.
339 Fullerton Parkway
Chicago, IL 60614



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Real Estate and Planning Consulting

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TEL 847-864-8895
FAX 847-864-0103
E-MAIL vsk@kretchmerassociates.com

July 7, 2011

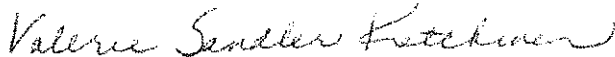
Mr. Mitch Hamblet
Eden Supportive Living
940 W. Gordon Terrace
Chicago, IL 60613

Dear Mitch:

Enclosed please find our market study for the proposed Eden Assisted Living Facility in downtown Hinsdale. Our analysis shows that the market area can support 83 units at this location. The site is convenient for shopping, health care, recreation and transportation and will be well received by seniors in need of assistance with activities of daily living.

Thank you for the opportunity to work on this interesting project for you.

Sincerely,


Valerie Sandler Kretchmer
President
Valerie S. Kretchmer Associates, Inc.

Roberta Nechin

Roberta Nechin
President
Nechin Enterprises, Ltd.

Table of Contents

I.	Purpose of the Study and Definition of Terms.....	1
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VI.	Penetration and Demand for Eden Assisted Living	21
VII.	Appendix.....	23

I. PURPOSE OF THE STUDY AND DEFINITION OF TERMS

A. Purpose of the Study

VALERIE S. KRETCHMER ASSOCIATES, INC. and NECHIN ENTERPRISES, LTD. were engaged by the Eden Supportive Living to conduct a market study of Hinsdale and the surrounding communities to determine the need for a facility that provides assisted living services to seniors, aged 55 and older. The study includes information on assisted living facilities in the market area, a demographic analysis of the market that includes an estimate of the potential user population, the number and percentage who will be eligible to live in a privately funded living arrangement, a survey of the types of individuals who are likely to need such a housing arrangement and anecdotal information from interviews.

B. Types of Senior Housing

Certain industry segments offer a wide range of long term care services. The basic industry segments, moving from least to most intense care giving, are:

- Independent living
- Congregate care facilities (CCFs)
- Assisted living facilities (ALFs)
- Skilled nursing facilities (SNFs)

1. Independent Living: Absence of Health Services

Independent living covers a broad range of settings in which persons, as a matter of preference and lifestyle, move into adult communities that impose age restrictions, offer some social activities, and, often, increased security. Medical services or emergency services are not normally provided. Unit sizes normally range from 500-1,200 square feet. This is the least expensive level of housing (due to the fact that the cost is substantially for housing and not for services).

Lack of any health services characterizes independent living settings. Size may range from a single building to a large campus of buildings as in Sun City and other large retirement communities that cater to active adults aged 55 years and older.

Independent Living Facilities are not licensed. The target population is generally aged 65-75.

2. Congregate Living (CCFs)

CCFs are characterized by the absence of health services but assistance with activities outside the facility (the *Independent Activities of Daily Living* or IADLs). Congregate care facilities provide social activities, some security and non-health related services such as meals, housekeeping services and transportation. Unit sizes normally range from 550-900 square feet.

Congregate care is an industry segment between independent living and the health-related services of the assisted living facility. The focus is on companionship, organized social activities and, in the event of a health related incident, some personal care of a temporary nature. Congregate care facilities typically assist residents with the IADLs that may include preparing meals, doing housework, and transportation to shopping and health care appointments.

Congregate care facilities are not required to be licensed. The target population is typically persons aged 75 to 82.

3. Assisted Living Facilities (ALFs)

ALFs provide 24-hour health services. The focus is on supervision, care coordination, monitoring of resident activities to help ensure their health, safety and well-being, and assistance with *Activities of Daily Living* (ADLs). Assistance may include the administration or supervision of medication, or personal care services provided by a trained staff person.

Assisted living as it exists today emerged in the 1990s as an eldercare alternative on the continuum of care for people, normally seniors 55+ that possessed one or more physical disability(ies), for whom Independent living is no longer appropriate but who do not need the 24-hour medical care provided by a nursing home. Assisted living is a philosophy of care and services promoting independence and dignity. Unit sizes normally range from 300-500 square feet.

Assisted living facilities are regulated and licensed at the state level. Each state licensing agency has its own definition of the term it uses to describe assisted living. The target population is typically persons aged 55+ in need of assistance, though most residents are much older.

4. Skilled Nursing Facilities (SNFs)

SNFs provide 24-hour medical care for residents. Also referred to as a nursing home or convalescent home, a skilled nursing facility (SNF) is a place for people who require constant nursing care and have significant physical or mental deficiencies. Residents in a skilled nursing facility may also receive physical, occupational, and other rehabilitative therapies following an accident or illness.

Unit sizes normally range from 90-120 square feet (per resident) and units are normally multiple occupancy. Residents include the elderly and/or younger adults with physical or mental disabilities.

C. Definition of Assisted Living Terms

1. **"Activities of Daily Living" (ADLs)** include: Medication reminders, personal hygiene, dressing, bathing, shopping, toileting, transfer, and food preparation.
2. **"Independent Activities of Daily Living" (IADLs)** include: Preparing meals, doing housework and outside the facility shopping and health care appointments.
3. **"Medication reminders"** means reminding residents to take pre-dispensed, self-administered medication, observing the resident, and documenting whether or not the resident took the medication.
4. **"Supervision of self-administered medication"** means assisting the resident with self-administered medication using any combination of the following: reminding residents to take medication, reading the medication label to residents, checking the self-administered medication dosage against the label of the medication, confirming that residents have obtained and are taking the dosage as prescribed, and documenting in writing that the resident has taken (or refused to take) the medication. If residents are physically unable to open the container, the container may be opened for them. Supervision of self-administered medication shall be under the direction of a licensed health care professional.
5. **"Medication administration"** refers to a licensed health care professional employed by an establishment engaging in administering insulin and vitamin B12 injections, oral medications, topical treatments, eye and ear drops, or nitroglycerin patches. Non-licensed staff may not administer any medication.

II. SUMMARY AND CONCLUSIONS

Eden Assisted Living will meet an unmet need in Hinsdale and the surrounding communities as demonstrated by the data presented in subsequent sections of this report. As a facility that is licensed by the Illinois Department of Public Health, Eden must comply with or exceed the staffing, dietary and services requirements of the licensing standards. The staffing plan, as developed by Eden, exceeds the minimum requirements, while providing a safe, caring environment for each resident, a place that is enhanced with activities and assistance.

The Eden license provides for persons ages 55 and over to reside in the property. The investigations performed for this report revealed that although some assisted living facilities licensed by the State are permitted to accept persons in the 55-64 year age group, they have decided only to accept applicants 65 and over. The significant number of individuals in the 55-64 year age group with disabilities indicates a definite unmet need. Too many times the only source for the younger population in need of assistance with the activities of daily living is a nursing home, an alternative that licensed assisted living is designed to avoid.

Eden Assisted Living is expected to draw the majority of its resident from the Village of Hinsdale and nearby communities. This area has an estimated population of 11,700 people over 65 years of age with disabilities and another 1,800 ages 55-64 years with disabilities who are the target renters. Incomes in the market area are very high, thus the vast majority of the targeted population will be able to afford the proposed rents.

There are ten facilities in the Primary and Secondary Market Area with a total of 633 units, however several are part of continuing care retirement communities and give priority to residents living in their independent living apartments. The vacancy rate at the assisted living facilities for which we were able to obtain information is low at this time. With the exception of Plymouth Place in La Grange Park, none of the facilities is within walking distance of a downtown area as is Eden, which is walking distance to Village Hall, medical offices, restaurants, shops, churches and recreational facilities. As noted in the narrative, most residents are ambulatory. With the advent of curb cuts, persons in wheelchairs and walkers have greater mobility. This is very true for the younger resident that Eden will endeavor to serve as well.

The researchers conclude that there is strong evidence of a sustained demand for the proposed housing in Hinsdale for the foreseeable future, assuming a high quality renovation and standard of care. The existing assisted living facilities currently penetrate 9% of the targeted assisted living population, a low rate for an overall area. The units at Eden Assisted Living will need to capture only 1% of this population, an extremely low rate for a single facility in an area with other facilities. Residents will come from their own homes, as well as from referrals from local nursing homes, independent living arrangements, hospital discharges and families in the area.

III. DESCRIPTION OF PROPOSED PROJECT

A. Project Description

Eden Assisted Living-is planning to acquire the property located at 10 North Washington Street in Hinsdale, Illinois. The property is a three story brick building built in 1972. It was constructed as an independent living facility for seniors. An aerial of the site and surrounding area is on the following page.

In late 2009, the facility moved out the residents, but continued to operate as a non-profit. In early February 2011, the prospective buyers determined there was a great need for assisted living housing and services in the Hinsdale area and concluded, that the property's location, layout and unit sizes would make a perfect Assisted Living Facility (ALF). In that pursuit, this document is prepared. Photographs of the property are included in the Appendix.

The property consists of 72 apartments. There are 10 studio apartments, 10 two bedroom apartments (five of which are townhome-style with entrances located on Maple Street) and 52 one bedroom units for a maximum occupancy of 83 individuals.

Unit sizes range from 450 square feet to 875 square feet for a two bedroom apartment. Each apartment unit will be made handicapped accessible with emergency pull cords, roll-in showers, grab bars, raised lavatories and accessible entryways. Each unit will have a complete kitchen featuring cherry cabinetry, granite counters, stainless steel appliances (stove, a microwave oven and refrigerator), limestone-styled ceramic tile, wall-to-wall carpeting and window coverings. The kitchens and bathrooms will be adaptable for persons in wheelchairs.

The building will include multiple common areas for the residents. The first floor will contain a concierge desk (manned 24-hours a day), a living room, full commercial kitchen, a common dining room, a private dining room, two elevators and a mail room. The lower level will feature a large activity room, a beauty room, exercise/therapy room, a movie theater and laundry facilities. The second floor will feature a resident computer/office center. The third floor will feature a resident library. The exterior will feature multiple garden areas and patios, an "*isolated from view*" smoking area and 35 parking spaces.

Each resident will bring their own furniture and furnishings, including bed and bath linens, rugs, blankets and pillows, dishes and pots and pans and other kitchen utensils and memorabilia. Window coverings and appliances will be provided with the unit.

Hinsdale Assisted Living - Aerial View of Site



Source: Demographics Now

SITE

B. Rent and Services

The average projected monthly rent and services per resident will range between \$3,200-\$3,700 (Rent range \$1,800-\$2,250 / Services range \$1,200-\$1,900). The fees will include all emergency services, concierge services (scheduling appointments, coordinating transportation, receiving, etc.), meals, activities, weekly housekeeping, laundry services (not dry cleaning) and full use of the building community areas. Health and wellness and consultation with the dietitian are part of the fee. Residents will have input into the planning and may suggest activities.

A review of the existing assisted living facilities in the market area reveals several have either a point or time system for charging for the assistance a resident may require. At Eden, there will be assistance packages ranging from \$1,200 to \$1,900 per month. Eden's concept is that not every resident will need assistance with all of the activities of daily living so why should he or she be forced to pay for them. The assistance packages will include:

Silver - \$1,200

Assistance with 1-2 ADLs
(time system applies)

Gold - \$1,500

Assistance with 2-3 ADLs
(time system applies)

Platinum - \$1,900

Assistance with 3 – 4 ADLs
(time system applies)

A resident may choose other assistance, such as housekeeping more than once per week for an additional charge.

The intake process will be a five stage procedure, with representatives from various service areas interviewing and assessing the applicant. The first step will be to learn why the prospect is in need of assisted living. This may be presented by the referring agency, a family member, doctor or other person involved in the prospect's life. The appropriate package will be chosen with the agreement of the applicant, the referring party and the staff of Eden. Note: Eden will accommodate unscheduled needs. The need for such interventions as CPR will be available at no charge at all times. The staff will remain flexible to the residents' needs and endeavor to accommodate their wishes.

C. Marketing Eden Assisted Living

In order to insure that first choice will be given to Hinsdale residents, Eden has indicated that notification stating, "Residents of Hinsdale will be given housing priority" will be prominently displayed on their website and informed to all prospective residents. It will also be indicated on marketing materials.

Eden has also indicated that they will offer a discount to Hinsdale residents, and when a waiting list develops, preference will continue to be given to residents.

D. Residents of Eden Assisted Living

"Who lives in assisted living facilities?" The answer is complex. To qualify for residency, the applicant must be in need of assistance with the activities of daily living as defined by (210 ILCS 9/) Assisted Living and Shared Housing Act and need some or all of the following services:

- Personal care assistance
- Health care monitoring,
- Limited health care services
- Help in preparing meals, bathing, dressing, toileting,, housekeeping, laundry
- Transportation and
- Assistance with confusion or memory problems

A typical assisted living resident is an 86 year old woman who is mobile, but needs assistance with approximately two activities of daily living, according to the published information from the National Center for Assisted Living. On average, assisted living residents need help with 1.6 ADLs. By activity, the percentages are:

Activity	% of Residents
Bathing	64%
Dressing	39%
Toileting	26%
Transferring	19%
Eating	12%

Residents come from a variety of settings to assisted living according to national studies:

- 70% move from a private home or apartment
- 9% came from a nursing facility
- 6% moved from a retirement or independent living community
- 7% from a family residence (such as living with adult children)
- 5% came from another assisted living residence or group home

Source: "2009 Overview of Assisted Living," published by the American Association of Homes and Services for the Aging, American Seniors Housing Association, Assisted Living Federation of America,

National Center for Assisted Living, and National Investment Center for the Seniors Housing & Care Industry.

The American Seniors Housing Association in its publication, The State of Senior Housing, provides the following profile of assisted living residents. We expect that Eden Assisted Living will have a similar profile, though the building will also be marketed to individuals age 55+ who have physical disabilities and need some assistance with activities of daily living. As such, Eden Assisted Living may have a younger profile than shown in the statistics below.

Characteristic	
Median Age	86 years
Median Age at Move-In	83 years
Widowed	71%
Married or with Significant Other	16%
Divorced or Never Married	13%
Female	76%
Median Length of Stay	20 months

Source: American Seniors Housing Association, The State of Senior Housing, 2007.

In addition, Eden expects that residents at this facility will have longer stays than shown above since those who are 55-64 years of age with disabilities and/or a long term physical condition are likely to stay longer than those who move in their 80s.

Presenting health issues of assisted living residents, according to the literature and interviews, include: advancing Parkinson's disease, advancing Multiple Sclerosis, stroke, Cerebral Palsy, falls, physical disabilities, general inability to care and inability to perform normal activities of daily living by themselves due to advancing age.

The basic difference between assisted living and nursing homes is the need for the administration of medicine and medical supervision. Assisted living facilities may provide "medicine reminders," but are excluded from administering medicines.

According to The State of Senior Housing, the median turnover for all assisted living was 54.2%, with little variation between those with low to moderate acuity (53.6%) and those with high acuity with Alzheimer's (54.7%).

F. Staffing

Eden Assisted Living will be a licensed assisted living facility governed by the State of Illinois, (210 ILCS 9/) Assisted Living and Shared Housing Act. The regulations set out minimum standards of care for residents. Unlike other housing alternatives in the state, the Illinois

Department of Public Health (IDPH), the agency that licenses private assisted living, relies on occasional visits to their licensees for information, according to Ms. Lynda Kovarik, Director, Assisted Living Nurse Program Manager for IDPH, Division of Assisted Living. They don't count arrivals and departures, unless there is a "red flag" relating to extreme number of deaths or departures.

Staffing patterns at Eden Assisted Living during a typical day will include:

- Eleven to fourteen staff members during the day, including:
 - One director
 - One activity person
 - Two to three CNAs
 - One licensed nurse
 - One marketing person
 - One housekeeper
 - One business manager
 - One concierge
 - Two kitchen personnel
 - One maintenance person

There will be evening supervision provided by a concierge and two CNAs or other CPR trained personnel. A licensed nurse will either be in-house or on-call over the weekend.

NOTE: Not all of the above will be in attendance all day. The shifts will vary depending on the time of day, position and programs for the residents.

IV. MARKET AREA DEMOGRAPHICS

A. Market Area Description

The Village of Hinsdale identified the Primary and Secondary Market Areas (PMA and SMA) for this analysis. VSKA analyzed the senior demographics for the Village of Hinsdale as well.

The **PMA** includes Hinsdale, Oak Brook, Oakbrook Terrace, Burr Ridge, Downers Grove, Clarendon Hills, LaGrange, LaGrange Park, Western Springs and Willowbrook.

The **SMA** includes Westmont, Westchester and Darien. A map that follows shows the boundaries of the PMA and SMA.

B. Senior Population Trends

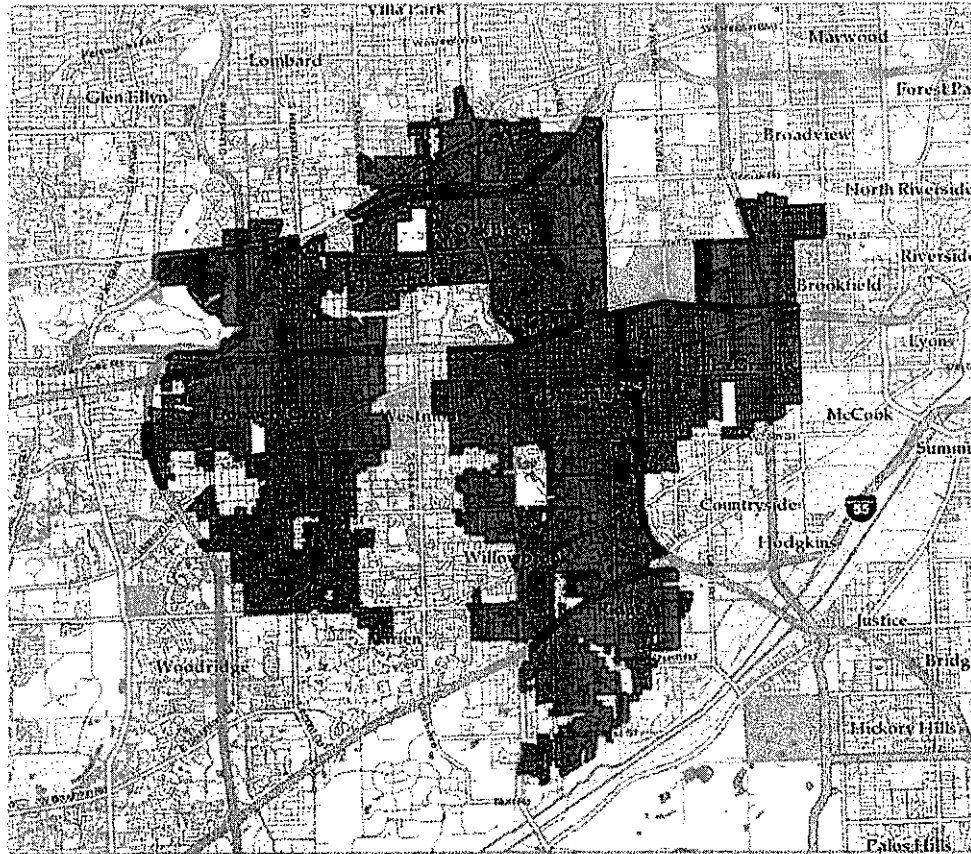
Table 1 that follows provides a summary of the senior residents in the Village of Hinsdale, the PMA and SMA. Detailed demographic tables are included in the Appendix. The Village of Hinsdale has 1,932 residents ages 65+ as of the 2010 Census representing 11.4% of the total population. In comparison, the PMA has over 24,000 seniors equal to a much higher 16.5% of the total population, while the SMA has another 11,200 seniors who account for a very high 17.9% of the total population. Hinsdale's lower share is due in part to the lack of senior housing in the community. The senior population in the Village, PMA and SMA is projected to increase significantly over the next five years. Hinsdale's population over 65 is projected to grow by 41% according to projections by Demographics Now, a demographic data vendor. The largest increase will be among those ages 65-74.

Assisted living typically attracts more people who are over 75 years of age than those 65-74, though it is expected that Eden Assisted Living will attract some younger seniors. The Village of Hinsdale has 949 75+ year old residents, while the PMA has 12,000 and the SMA has 5,800, indicating a very large base of potential residents for Eden Assisted Living.

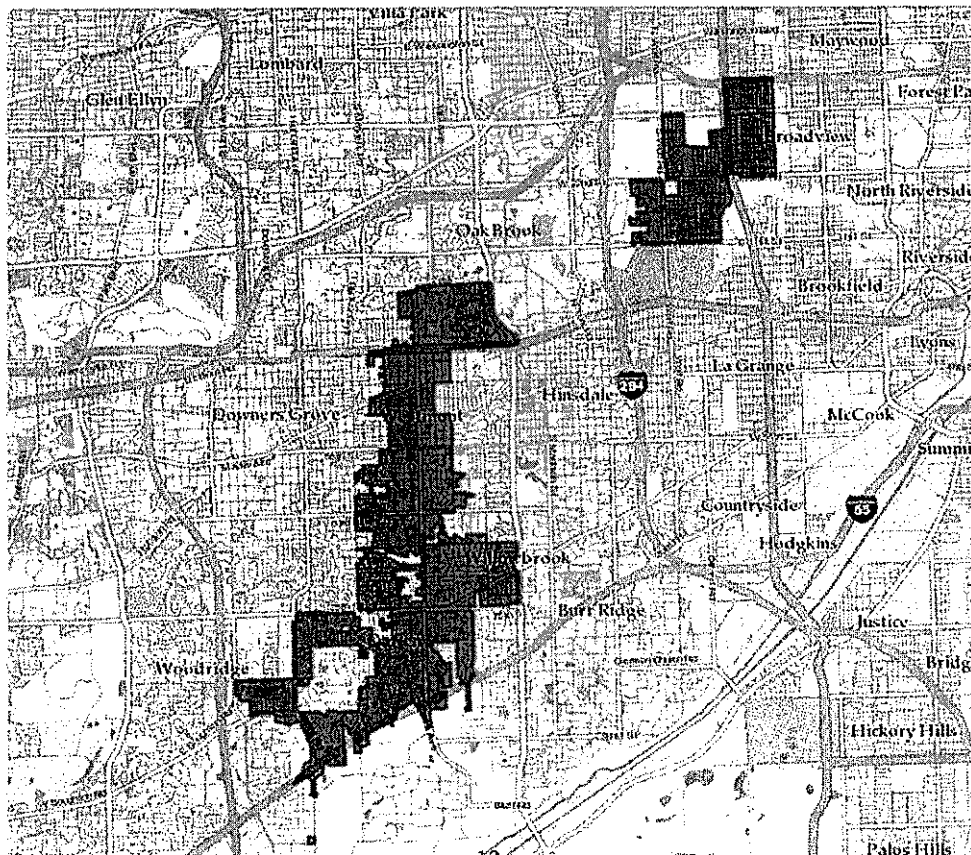
C. Seniors with Disabilities

Assisted living facilities are targeted to those who cannot live independently and need assistance with activities of daily living. The 2009 American Community Survey (by the U.S. Census) provides data on the percentage of those in different age groups with some type of disability. Table 2 provides data on the number of persons in Hinsdale, the PMA and SMA with a disability who are potential residents of Eden Assisted Living.

Hinsdale Assisted Living Market Areas



TOP:
Primary
Market
Area



BOTTOM:
Secondary
Market
Area

Table 1

**PRIMARY AND SECONDARY MARKET AREAS
SENIOR POPULATION BY AGE GROUP - 2000-2015**

Age Group	Population		Change 2000-2010		Change 2010-2015		
	2000	2010	2015	Number	Percent	Number	Percent
<u>Village of Hinsdale</u>							
55-64	1,518	2,093	2,520	575	37.8%	427	20.4%
65-74	930	983	1,568	53	5.7%	585	59.5%
75+	1,068	949	1,163	-119	-11.1%	214	22.6%
Total 55+	3,517	4,025	5,251	508	14.5%	1,226	30.5%
Total 65+	1,998	1,932	2,731	-66	-3.3%	799	41.3%
<u>Primary Market Area</u>							
55-64	14,315	20,036	22,781	5,721	40.0%	2,745	13.7%
65-74	10,367	12,031	15,240	1,664	16.0%	3,209	26.7%
75+	12,061	12,060	12,257	-1	0.0%	197	1.6%
Total 55+	36,743	44,127	50,277	7,384	20.1%	6,150	13.9%
Total 65+	22,428	24,091	27,497	1,663	7.4%	3,406	14.1%
<u>Secondary Market Area</u>							
55-64	6,495	8,850	9,794	2,354	36.2%	945	10.7%
65-74	4,982	5,490	6,738	508	10.2%	1,248	22.7%
75+	5,879	5,755	5,654	-125	-2.1%	-101	-1.7%
Total 55+	17,356	20,094	22,187	2,738	15.8%	2,093	10.4%
Total 65+	10,861	11,245	12,392	384	3.5%	1,148	10.2%

Note: Numbers may not total due to rounding.

Source: Demographics Now and U.S. Census 2010 for Village of Hinsdale.

Table 2
POPULATION BY AGE AND DISABILITY*
VILLAGE OF HINSDALE AND SENIOR MARKET AREAS

	Village of Hinsdale		Primary Market Area		Secondary Market Area	
	Number	Percent	Number	Percent	Number	Percent
<u>2010 Estimated Population</u>						
55-64 Years*	2,093		20,036		8,850	
% of Population 55-64 with disability		6.4%		6.4%		6.4%
Population 55-64 with disability	133		1,276		564	
65-74 Years	983		12,031		5,490	
% of Population 65-74 with disability		19.3%		19.3%		19.3%
Population 65-74 with disability	189		2,317		1,057	
Total 75+	949		12,060		5,755	
% of Population 75+ with disability		47.0%		47.0%		47.0%
Population 75+ with disability	446		5,669		2,705	
<u>2015 Projected Population</u>						
55-64 Years	2,520		22,781		9,794	
% of Population 55-64 with disability		6.4%		6.4%		6.4%
Population 55-64 with disability	161		1,451		624	
65-74 Years	1,568		15,240		6,738	
% of Population 65-74 with disability		19.3%		19.3%		19.3%
Population 65-74 with disability	302		2,935		1,298	
Total 75+	1,163		12,257		5,654	
% of Population 75+ with disability		47.0%		47.0%		47.0%
Population 75+ with disability	547		5,762		2,658	
<u>Change 2010-2015</u>						
55-64 Years	427	20.4%	2,745	13.7%	945	10.7%
Population 55-64 with disability	27	20.4%	175	13.7%	60	10.7%
65-74 Years	585	59.5%	3,209	26.7%	1,248	22.7%
Population 65-74 with disability	113	59.5%	618	26.7%	240	22.7%
Total 75+	214	22.6%	197	1.6%	-101	-1.7%
Population 75+ with disability	101	22.6%	93	1.6%	-47	-1.7%

* Disability calculation is based on 2009 American Community Survey data for DuPage County. Because more detailed age ranges are not available, disabled percentage for people age 35-64 is used to estimate the "55-64 Years" category.

Note: numbers may not total 100% due to rounding.

Source: U.S. Census 2000 and 2010, American Community Survey and Demographics Now

The combined PMA and SMA has over 11,700 persons over age 65 with a disability, 71% of whom are over 75 years of age. The number of people over 65 with a disability is projected to increase by 900 persons by 2015, indicating that there will be a growing population in need of assisted living.

In addition, there are an estimated 1,840 residents ages 55-64 in the PMA and SMA with a disability who will be eligible to live at Eden Assisted Living.

D. Senior Households by Income

It is also important to analyze the senior population by income. Typically seniors will need a minimum income of \$50,000 to afford market rate assisted living. Many seniors will be spending down their assets to pay for assisted living, so that VSKA considers \$35,000 the minimum income for Eden Assisted Living's residents. Some with incomes below \$35,000 may be able to live here if they receive financial assistance from family members.

In the Village of Hinsdale, 74% of those ages 65-74 and 60% of those 75+ have incomes over \$50,000 and will be able to afford the proposed rent at Eden Assisted Living. In the PMA, 64% of those ages 65-74 and 46% of those over 75 earn more than \$50,000. The SMA has slightly lower incomes, with 57% of those 65-74 and 40% of those 75+ earning more than \$50,000. Eighty-eight to ninety percent of those ages 55-64 have incomes over \$50,000.

These high income levels indicate that the majority of seniors will be able to afford the proposed rents at Eden Assisted Living.

V. COMPETITIVE ASSISTED LIVING FACILITIES

A. Primary Market Area

There are eight facilities in the PMA that offer assisted living. These include three free-standing facilities -- Emeritus of Burr Ridge, The Birches in Clarendon Hills and Sunrise of Willowbrook. The five other facilities are part of continuing care retirement communities that offer independent and assisted living, as well as skilled nursing care. These are King Bruwaert in Burr Ridge, Bethlehem Woods and Plymouth Place in LaGrange Park, and Fairview Baptist Village and Saratoga Grove in Downers Grove. In total, the PMA has 541 assisted living units.

Surveys of these facilities reveal strong occupancy rates at most of them. Those with lower occupancy rates are Emeritus of Burr Ridge and Fairview Baptist Village (which was recently sold). Most assisted living units are studio and one bedrooms with 300-500 square feet.

Monthly rental rates vary widely, due in part to what is included in the base rate. Typical services included in the rent include three daily meals, activities, transportation coordination, weekly housekeeping and laundry, assistance with dressing and bathing, and medication management or reminders. Some facilities such as Emeritus at Burr Ridge, charge a lower base rate but require a care package that starts at \$973. One property, The Birches, includes two daily meals in the base rent with a third available for \$245 per month. Monthly rents for studio units adjusted to include three daily meals, basic assistance with activities of daily living, transportation and activities range from \$3,400-4,500. Larger units have basic rates as high as \$7,700, though most one and two bedroom units are in the \$4,500-6,000 range.

B. Secondary Market Area

There are only two facilities in the SMA with 92 units of assisted living -- Cordia Senior Residence in Westmont and Carmelite Carefree Village in Darien. Both facilities also have independent living. Occupancy is high at both properties. Monthly rents for a studio apartment with a typical assisted living package range from \$3,239 at Carmelite to \$4,125 at Cordia.

C. Planned Development

According to the Illinois Department of Public Health, Bethlehem Woods has plans to add 23 assisted living units. However, most of Bethlehem Woods' assisted living residents came from their independent living, so we do not see these as direct competition to Eden Assisted Living.

D. Summary

Table 3 and the map that follow provide a summary of the properties offering assisted living in the PMA and SMA. A detailed table and photos are included in the Appendix. Most of the competitive facilities do not accept people ages 55-64, so that Eden Assisted Living will also fill this need.

Table 3

HINSDALE MARKET AREA ASSISTED LIVING FACILITIES

Name and Location	No. of Asst. Living Units	Unit Type	Rents*	Unit Size (SF)	Occupancy
Primary Market Area					
Emeritus at Burr Ridge Burr Ridge	102	Studio	\$2,395	375-425	80-85%
King Bruwaert Burr Ridge	77 asst.	Studio 2-Room Suite	\$3,600 5,200	300-400 300-400	97%
The Birches Clarendon Hills	58 asst.	Studio 1 BR 2 BR	\$3,595-3,795 4,051-4,995 6,126	282 297 622	NA
Sunrise of Willowbrook Willowbrook	83	Companion Suite Studio 1/1 2/1	\$3,290 3,992 4,791 5,461	413-500 302-456 360 600	NA
Bethlehem Woods LaGrange Park	64 asst.	Studio Large Studio 1/1	\$3,797 4,035 4,270	320 335 396	96% (asst. & indpt.)
Plymouth Place LaGrange Park	53 asst.	Studio 1/1 2/1 Large 2/1	\$4,243 4,358-5,160 6,192 7,224-7,683	656 680-842 963 1,130-1,509	92%
Fairview Baptist Village Downers Grove	59 asst.	Studio Level I Studio Level II Studio Level III Suite Level I Suite Level II Suite Level III	\$4,528 5,011 5,495 5,083/person 5,566/person 6,050/person	350 350 350 NA NA NA	63% (asst. & indpt.)
Saratoga Grove Downers Grove	45 asst.	Studio Two-room Suite Alcove	\$3,708 4,662 4,227	286 562 472	Some vacancies

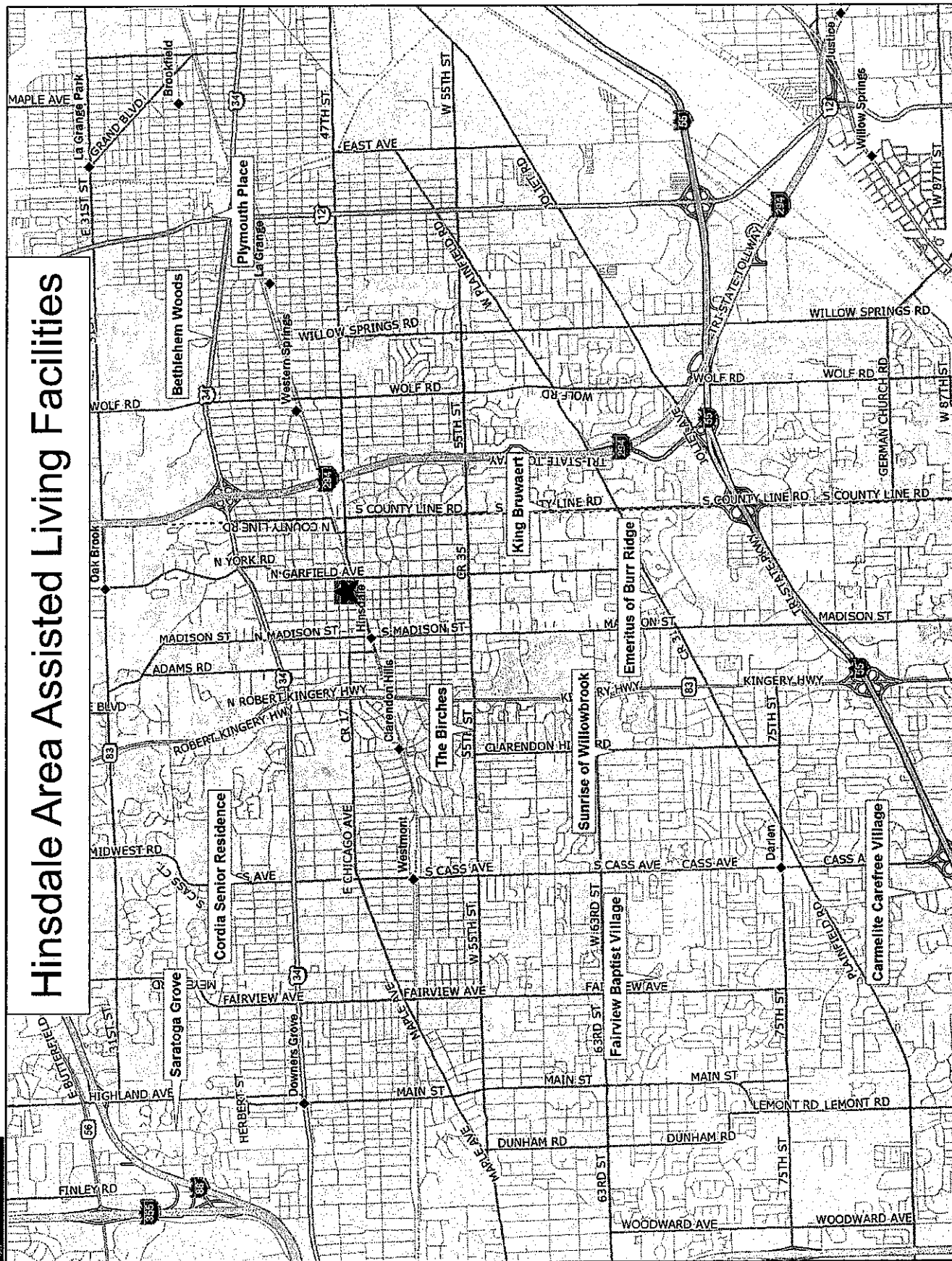
Name and Location	No. of Asst. Living Units	Unit Type	Rents*	Unit Size (SF)	Occupancy
Secondary Market Area					
Cordia Senior Residence	47	Studio	\$4,125	420	96%
Westmont		1/1	4,730	520	(asst. &
		2/1	5,940	730	indpt.)
Carmelite Carefree Village	45	Studio	\$2,444	276	94%
Darien	asst.	1/1 suite	3,495	552	(asst. & indpt.)

* Base rents shown. Some properties charge extra for basic care package. See table in Appendix for details on services included.

NA Not Available

Source: Valerie S. Kretchmer Associates, Inc. and Nechin Enterprises, Ltd.

Hinsdale Area Assisted Living Facilities



Data use subject to license.

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www.delorme.com

Scale 1 : 68,750



Data Zoom 11.5

VI. PENETRATION AND DEMAND FOR EDEN ASSISTED LIVING

A. Penetration and Demand

In order to determine the demand and need for additional assisted living units, VSKA compared the number of PMA and SMA residents age 65+ with disabilities to the number of existing assisted living units in 2010, as well as in 2015 with the addition of Eden Assisted Living. For purposes of this comparison, we focused on those over age 65. However, Eden Assisted Living will be open to those ages 55-64 with disabilities so that there will be some additional demand from this age segment.

Table 4 below shows this analysis. There are a total of 11,748 PMA and SMA residents age 65+ with disabilities and their number will increase by 904 over the next five years. Just over 7,000 of these people in the combined market area have incomes over \$35,000 in 2010. By 2015, their number is projected to increase to almost 8,000. The 633 assisted living units in the PMA and SMA currently penetrate 9.0% of these eligible households. By 2015 with the addition of 83 units at Eden Assisted Living and another 23 at Bethlehem Woods, the penetration rate increases slightly to 9.3% since the potential population is projected to increase. This indicates that the market area could absorb another 83 units at Eden Assisted Living without having any negative impact on the other assisted living facilities in the PMA and SMA.

Another measure of demand is the capture rate of a given property. Eden Assisted Living will need to capture only 1.0% of the population 65+ with disabilities with incomes over \$35,000, a very low rate for a single property. As such, VSKA concludes that there is ample demand for the proposed development at this time and into the future. This assumes that the facility will be renovated and operated to a high standard.

B. Source of Demand

As is the case in most assisted living facilities, most residents will come from Hinsdale and the nearby communities and will move here from their own homes. However, based on discussions with staff at area skilled nursing facilities, Eden Assisted Living will be able to attract some people who do not need such a high level of care, but cannot live independently. In addition, staff at several independent living facilities indicated that they occasionally have residents who need more care than they can provide and need to refer those people to a facility that offers a higher level of care. Eden will be marketed to staff at area nursing and independent living facilities, and we expect some residents to come from these referrals.

Table 4

**HINSDALE PRIMARY AND SECONDARY MARKET AREA
ASSISTED LIVING PENETRATION ANALYSIS**

	2010	2015
Existing and Planned Assisted Living Units with Eden	633	739
Population 65+ with Disabilities	11,748	12,652
Population 65+ with Disabilities by Income		
Income Under \$35,000	4,727	4,689
Income \$35,000-49,999	1,271	1,288
Income \$50,000-74,999	1,492	1,562
Income \$75,000+	<u>4,256</u>	<u>5,112</u>
Population 65+ with Disabilities with Income over \$35,000	7,019	7,962
Market Penetration Rate of Existing and Planned Market Rate Assisted Living Units of Population 65+ and Income over \$35,000	9.0%	9.3%
Eden Assisted Living Capture Rate of Population 65+ with Disabilities and Income over \$35,000		1.0%

Note: Numbers may not total due to rounding.

2015 unit count includes Eden Assisted Living and 23 planned units at Bethlehem Woods.

Source: Valerie S. Kretchmer Associates, Inc. based on estimates by Demographics Now.

Manor Care of Hinsdale, the closest SNF to the site, advised the interviewer that they have the opportunity to refer 10 – 15 individuals for assisted living every month. These are persons who entered a nursing facility in need of temporary nursing care. When their condition improves and the administration of medical interventions is no longer required, referrals to non-medical alternatives are made. Other nursing homes contacted said that the majority of their discharges are to home or family. However, the person interviewed did admit that many of them belong in assisted living. She believes that within a matter of weeks the individual will be in an assisted living arrangement. Some former patients and/or family members may contact the nursing home for a referral. If half of the referrals from Manor Care become residents of Eden Assisted Living, the apartments would be fully occupied within a year from this one source. This information is evidence of the on-going demand for assisted living into the foreseeable future.

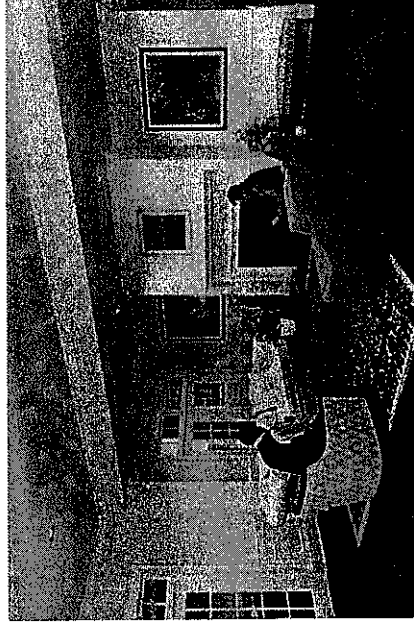
VII. APPENDIX

- A. Photographs of Eden Assisted Living
- B. Population Characteristics, Village of Hinsdale and Senior Market Areas
- C. Households by Age and Income, Village of Hinsdale and Senior Market Areas
- D. Hinsdale Market Area, Market Rate Assisted Living Properties
- E. Photographs of Market Rate Assisted Living Properties
- F. Qualifications of Valerie S. Kretchmer Associates, Inc. and Nechin Enterprises, Ltd.

Eden Assisted Living



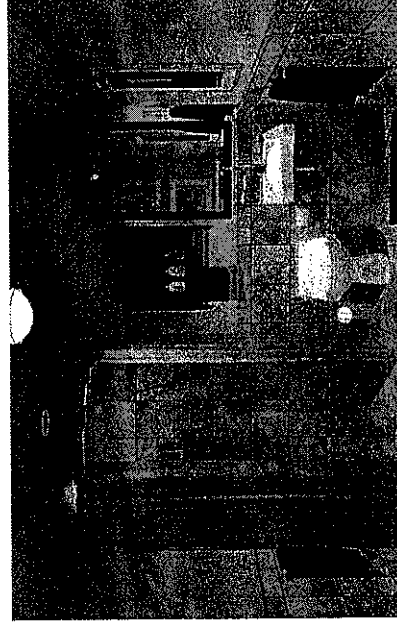
Building Exterior



Common Area



Reception Area



Bathroom

**POPULATION CHARACTERISTICS
VILLAGE OF HINSDALE AND SENIOR MARKET AREAS**

	Village of Hinsdale		Primary Market Area		Secondary Market Area	
	Number	Percent	Number	Percent	Number	Percent
<u>Population</u>						
2000 Census	17,175		144,925		63,768	
2010 Census	16,816		N/A		N/A	
2010 Estimated	17,188		146,169		62,879	
Change, 2000-2010*	-359	-2.1%	1,244	0.9%	-889	-1.4%
2015 Projected	17,401		150,439		62,904	
Change, 2010-2015*	585	3.5%	4,270	2.9%	25	0.0%
<u>Households</u>						
2000 Census	5,845		55,116		25,315	
2010 Census	5,488		N/A		N/A	
2010 Estimated	5,836		55,520		25,007	
Change, 2000-2010*	-357	-6.1%	404	0.7%	-308	-1.2%
2015 Projected	5,807		56,233		24,615	
Change, 2010-2015*	319	5.8%	713	1.3%	-392	-1.6%
Average Household Size, 2010*	3.06		2.63		2.51	
<u>Population by Age, 2010*</u>						
Under 5	974	5.8%	8,934	6.1%	3,500	5.6%
5-14	3,500	20.8%	19,453	13.3%	7,067	11.2%
15-24	2,051	12.2%	15,722	10.8%	7,046	11.2%
25-44	2,928	17.4%	33,628	23.0%	15,330	24.4%
45-54	3,338	19.9%	24,303	16.6%	9,839	15.6%
55-64	2,093	12.4%	20,036	13.7%	8,850	14.1%
65-74	983	5.8%	12,031	8.2%	5,490	8.7%
75+	949	5.6%	12,060	8.3%	5,755	9.2%
Median Age, 2010 (years)	41.4		42.9		43.3	

Note: Numbers may not total due to rounding.

* For Hinsdale, the Census 2010 numbers were used to calculate population change, household change, avg. household size, and age distribution. For the market area, 2010 estimates were used.

Source: U.S. Census, 2000 and 2010; estimates and forecasts from Demographics Now

HOUSEHOLDS BY AGE AND INCOME
VILLAGE OF HINSDALE AND SENIOR MARKET AREAS

Age/Income	2010		2015		Change 2010-2015	
	Number	Percent	Number	Percent	Number	Percent
Village of Hinsdale						
Households 55-64	1,204		1,319		115	9.6%
Under \$10,000	20	1.7%	16	1.2%	-4	-20.0%
\$10,000-\$19,999	20	1.7%	19	1.4%	-1	-5.0%
\$20,000-\$29,999	31	2.6%	29	2.2%	-2	-6.5%
\$30,000-\$34,999	18	1.5%	16	1.2%	-2	-11.1%
\$35,000-\$49,999	51	4.2%	47	3.6%	-4	-7.8%
\$50,000-\$74,999	86	7.1%	84	6.4%	-2	-2.3%
\$75,000+	977	81.1%	1,107	83.9%	130	13.3%
Households 65-74	709		882		173	24.4%
Under \$10,000	26	3.7%	28	3.2%	2	7.7%
\$10,000-\$19,999	44	6.2%	48	5.4%	4	9.1%
\$20,000-\$29,999	48	6.8%	53	6.0%	5	10.4%
\$30,000-\$34,999	21	3.0%	21	2.4%	0	0.0%
\$35,000-\$49,999	50	7.1%	58	6.6%	8	16.0%
\$50,000-\$74,999	68	9.6%	78	8.8%	10	14.7%
\$75,000+	454	64.0%	596	67.6%	142	31.3%
Households 75+	664		659		-5	-0.8%
Under \$10,000	44	6.6%	43	6.5%	-1	-2.3%
\$10,000-\$19,999	90	13.6%	76	11.5%	-14	-15.6%
\$20,000-\$29,999	62	9.3%	53	8.0%	-9	-14.5%
\$30,000-\$34,999	23	3.5%	20	3.0%	-3	-13.0%
\$35,000-\$49,999	49	7.4%	45	6.8%	-4	-8.2%
\$50,000-\$74,999	53	8.0%	45	6.8%	-8	-15.1%
\$75,000+	344	51.8%	378	57.4%	34	9.9%

Age/Income	2010		2015		Change 2010-2015	
	Number	Percent	Number	Percent	Number	Percent
Primary Market Area						
Households 55-64	11,419		12,581		1,162	10.2%
Under \$10,000	200	1.8%	205	1.6%	5	2.5%
\$10,000-\$19,999	299	2.6%	317	2.5%	18	6.0%
\$20,000-\$29,999	543	4.8%	531	4.2%	-12	-2.2%
\$30,000-\$34,999	275	2.4%	265	2.1%	-10	-3.6%
\$35,000-\$49,999	868	7.6%	855	6.8%	-13	-1.5%
\$50,000-\$74,999	1,545	13.5%	1,576	12.5%	31	2.0%
\$75,000+	7,689	67.3%	8,832	70.2%	1,143	14.9%
Households 65-74	7,201		8,852		1,651	22.9%
Under \$10,000	245	3.4%	294	3.3%	49	20.0%
\$10,000-\$19,999	627	8.7%	729	8.2%	102	16.3%
\$20,000-\$29,999	683	9.5%	783	8.8%	100	14.6%
\$30,000-\$34,999	282	3.9%	309	3.5%	27	9.6%
\$35,000-\$49,999	762	10.6%	861	9.7%	99	13.0%
\$50,000-\$74,999	1,070	14.9%	1,244	14.1%	174	16.3%
\$75,000+	3,532	49.0%	4,630	52.3%	1,098	31.1%
Households 75+	7,214		7,108		-106	-1.5%
Under \$10,000	550	7.6%	528	7.4%	-22	-4.0%
\$10,000-\$19,999	1,432	19.9%	1,326	18.7%	-106	-7.4%
\$20,000-\$29,999	919	12.7%	844	11.9%	-75	-8.2%
\$30,000-\$34,999	321	4.4%	284	4.0%	-37	-11.5%
\$35,000-\$49,999	698	9.7%	646	9.1%	-52	-7.4%
\$50,000-\$74,999	763	10.6%	711	10.0%	-52	-6.8%
\$75,000+	2,528	35.0%	2,769	39.0%	241	9.5%

Age/Income	2010		2015		Change 2010-2015	
	Number	Percent	Number	Percent	Number	Percent
Secondary Market Area						
Households 55-64	5,079		5,449		370	7.3%
Under \$10,000	114	2.2%	115	2.1%	1	0.9%
\$10,000-\$19,999	202	4.0%	194	3.6%	-8	-4.0%
\$20,000-\$29,999	281	5.5%	272	5.0%	-9	-3.2%
\$30,000-\$34,999	147	2.9%	138	2.5%	-9	-6.1%
\$35,000-\$49,999	557	11.0%	543	10.0%	-14	-2.5%
\$50,000-\$74,999	922	18.2%	933	17.1%	11	1.2%
\$75,000+	2,857	56.3%	3,252	59.7%	395	13.8%
Households 65-74	3,276		3,900		624	19.0%
Under \$10,000	126	3.8%	150	3.8%	24	19.0%
\$10,000-\$19,999	332	10.1%	384	9.8%	52	15.7%
\$20,000-\$29,999	335	10.2%	375	9.6%	40	11.9%
\$30,000-\$34,999	141	4.3%	152	3.9%	11	7.8%
\$35,000-\$49,999	462	14.1%	512	13.1%	50	10.8%
\$50,000-\$74,999	605	18.5%	694	17.8%	89	14.7%
\$75,000+	1,275	38.9%	1,633	41.9%	358	28.1%
Households 75+	3,115		2,993		-122	-3.9%
Under \$10,000	263	8.4%	249	8.3%	-14	-5.3%
\$10,000-\$19,999	665	21.3%	608	20.3%	-57	-8.6%
\$20,000-\$29,999	426	13.7%	383	12.8%	-43	-10.1%
\$30,000-\$34,999	146	4.7%	131	4.4%	-15	-10.3%
\$35,000-\$49,999	378	12.1%	347	11.6%	-31	-8.2%
\$50,000-\$74,999	406	13.0%	385	12.9%	-21	-5.2%
\$75,000+	831	26.7%	889	29.7%	58	7.0%

Note: Totals may not add due to rounding.

Source: Demographics Now

HINSDALE MARKET AREA
MARKET RATE ASSISTED LIVING PROPERTIES

Name and Address	Year Opened	# of Units	Net Rental Range		Square Footage	Average Rent/ S.F. (\$)	Occupancy %	Amenities/Comments
			Unit Type (Bed/Bath)	\$				

Primary Market Area
 Emeritus at Burr Ridge
 6801 High Grove Blvd.
 Burr Ridge
 (630) 920-2900

1994 102
 Studio
 Assisted
 \$2,395 375-425 \$5.64-6.37 80-85%
 Care Level Details:
 Marketed as "continuing care". Activities of daily living (ADL) services
 assessed on point system. \$973/month and up. Bottom level includes
 dressing and bathing assistance, no additional medication assistance.
 Average of \$1,565.
 Other fees:
 \$1,000 non-refundable "community fee"

Formerly Sunrise Senior Living's Brighton Gardens. Associated with 30-
 bed skilled nursing facility. No wait list. Three apartment lay-outs on two
 floors. Full bathrooms. No kitchenette - microwave and small refrigerator
 in room. Rent includes 3 daily meals (restaurant style) with dining help
 available, special diets. Included are utilities except phone, snacks, weekly
 housekeeping and laundry, daily assistance with bathing, dressing,
 medication management. Washer and dryer on each floor. Continence
 management, ambulatory assistance, orientation and reminders, 24-hr.
 emergency call system and monthly wellness visits with nurse. One bath &
 shower/week. Landscaped courtyard and garden, private dining room for
 reservation, living room, library, beauty salon/barber shop, activity center.
 Cultural and educational programs, exercise classes, parties, hobby and
 game groups, outings. Touts proximity to Oakbrook Center, Burr Ridge
 Promenade, Adventist Hinsdale and La Grange Memorial hospitals.
 Senior day program for non-residents.

King Bruwaert
 6101 S. County Line Road
 Burr Ridge
 630-323-2250

1933 77
 Studio
 2-Room Suite
 Basic Assisted
 \$3,600 300-400 \$9.00-12.00 97%
 5,200 300-400 13.00-17.34
 Other fees:
 2nd person fee - \$1,677/mo.

Rooms with private baths. Some have kitchenette. Units have woodwork
 and high ceilings. Rent includes 3 daily meals, laundry, medication
 management, housekeeping, transportation. Addl. care available for fee.
 Level 2 care inc. moderate asst. with dressing & personal care. Beauty
 shop, gift shop, movie theater, green-house, arts and crafts studio, fitness
 center, internet access, putting green, bocce ball court, planned activities,
 geriatric out-patient clinic. Separate area with maintenance free cottages
 for indpt. seniors. Preference given to residents from within campus. 2
 vacant 2-room suites. No wait list. Part of CCRC, which includes
 independent living. Facility also has 14 beds for memory loss & 35 beds
 for nursing care.

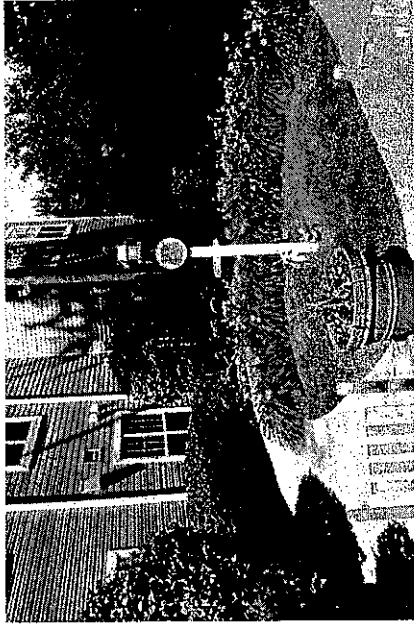
Name and Address	Year Opened	# of Units	Unit Type (Bed/Bath)	Net Rental Range \$	Square Footage	Average Rent/ S.F. (\$)	Occupancy %	Amenities/Comments
The Birches 215 55th Street Clarendon Hills 630-789-1135	1999	58 8 46 4	Assisted Studio 1 BR 2 BR	\$3,595-3,795 4,051-4,995 6,126	282 297 622	\$12.75-13.46 13.64-16.82 9.85	NA	Amenities include emergency call system, dining room, beauty parlor, bistro, fireplace lounge, library open 24-7, multi-purpose room, sun porch with accessible computer, three common terraces, activities and programs. 2 meals/day inc. in base rent. Private dining room for reservation. Assisted services include: bathing, dressing, medication management, safety checks, housekeeping, ambulatory assistance, health assessments, incontinence management. ADL assistance billed separately. Facility also includes 32 additional memory care units.
Other fees: 3rd meal/day available for \$245/mo. 2nd person meals: \$550/mo. - 2 meals/day, \$795/mo. - 3 meals/day								
Sunrise of Willowbrook 6300 Clarendon Hills Road Willowbrook 630-734-9954	2000	83	Assisted Companion Suite Studio 1/1 2/1	\$3,290 3,992 4,791 5,461	413-500 302-456 360 600	\$7.97-6.58 8.75-13.22 13.31 9.10	NA	Companion suites are for persons who need a personal assistant to live with them. 3 meals/day, weekly housekeeping, monthly wellness visits, 24-hour/day staffing, common areas, social outings.
Care Level Details: Levels of assistance from \$600-\$2,500								
Other fees: 2nd person fee - \$1,501-\$1,697/mo. Cable TV - \$15/mo.								
Bethlehem Woods 1571 W. Ogden Avenue LaGrange Park 708-579-3663	1990	64 52 12	Assisted Studio Large Studio 1/1	\$3,797 4,035 4,270	320 335 396	\$11.87 12.04 10.78	96% (asst. & indpt.)	Resurrection Retirement Community with indpt. and asst. living. Dining room and living room, library, chapel, country store, beauty shop, bank, café, outdoor dining patio, walking paths and gardens, greenhouse, fitness room, scheduled transportation, free surface parking, doctors and massage therapist on staff, nurses on-site weekdays. Monthly assisted living fee (care level 1) includes 3 meals daily, snacks, bathing assistance twice weekly, 3 medicine reminders daily, check-ins, weekly housekeeping, personal care reminders, dressing and grooming daily, escorts, weekly linen and light housekeeping. Additional housekeeping, maintenance, and supplies available for fee. Personal laundry can be done for \$8/load. 3-4 transfers per month to skilled nursing. 85% of assisted living residents from within Bethlehem Woods. Average age is 82, with many Parkinson's and stroke-disabled residents. Respite care offered at \$129/day for 60 days max. State-licensed assisted living. 270 independent living units ranging from \$2,341-\$3,888/mo. depending on unit size.
Care Level Details: Care level 1 included in assisted rent; care level 2 - \$375/mo. Some independent living units have optional assisted services for rents of \$4,341-\$5,888, or \$3,857-\$4,927 on 90% refundable fee plan.								
Other fees: \$4,000 non-refundable entrance fee for rates listed above Assisted 2nd person fee - \$1,550/mo., or \$770/mo. w/o services								

Name and Address	Year Opened	# of Units	Net Rental Range		Square Footage	Average Rent/ S.F. (\$)	Occupancy %	Amenities/Comments
			Unit Type (Bed/Bath)	\$				
Plymouth Place 315 N. LaGrange Road LaGrange Park 708-354-0340	2007-08 new constr.	53	Studio 1/1 2/1 Large 2/1	Assisted \$4,243 \$4,358-5,160 \$6,192 \$7,224-7,683	656 680-842 963 1,130-1,509	\$6.47 \$6.41-6.13 \$6.43 \$6.40-5.10	92%	CCRC dating to 1944 that was re-built in 2007. Can move into assisted living without living in indpt. living. Health care center with RNs, LPNs, CNAs, therapists & social workers. Asst. living includes 3 daily meals, all utilities exc. telephone, weekly linens and housekeeping, transportation. Units include washer/dryer and convection oven. Not all bathrooms are accessible. Resident nurse services include medication asst., vital signs/screenings, consultations. Common area amenities incl. multiple dining rooms, fitness center, arts studio, library, game room, bank, spa, beauty salon, ice cream parlor, garden, garage, therapeutic pool, wellness clinic, and sports bar. Walking distance to downtown LaGrange. Independent living with 90% refundable entrance fee ranges from high \$200,000s to \$800,000. 182 independent living units, 53 assisted, 26 memory care, 86 nursing beds, and 55 cottages that will eventually be torn down.
Fairview Baptist Village 250 Village Drive Downers Grove 630-769-6000	1973	59	Studio Level I Studio Level II Studio Level III Suite Level I Suite Level II Suite Level III	Assisted \$4,528 5,011 5,495 5,083/person 5,566/person 6,050/person	350 350 350 NA NA NA	\$12.94 14.32 15.70 NA NA NA	63% (asst. & indpt.)	Asst. living in nursing home portion of CCRC. Three levels of asst. living care available. Monthly fee includes 3 meals daily, 24-hour nursing staff, CNAs for care, weekly housekeeping & linen service, personal laundry. Numerous activities, extensive grounds, chapel, stores. Also includes 274 independent entry fee units on attractive campus. Does not accept Medicaid. About 90% of residents from Downers Grove. Property recently sold.
Saratoga Grove 3460 Saratoga Avenue Downers Grove 630-971-1995	1990	45	Studio Two-room Suite Alcove	Basic Assisted \$3,708 4,662 4,227	286 562 472	\$12.97 8.30 8.96	Some vacancies	Church-affiliated non-profit. Rents include 3 daily meals, all utilities except phone, weekly housekeeping, flat linen service, scheduled transportation, activities. Recreation rooms, beauty/barber shop, library, chaplain, gift shop, boutique, fitness center, patio. Units equipped with step-in showers, Cable TV hookups, emergency call system, A/C, surface parking. Adjacent nursing facility. Not state-licensed assisted living. Facility also has 45 independent units that range in price from \$2,210-\$2,869/mo. depending on size.

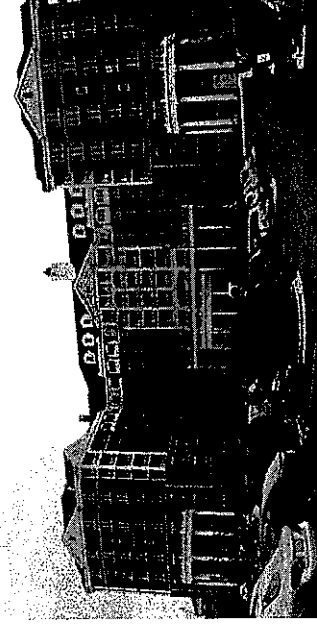
Eden Assisted Living

Competitive Properties Photographs

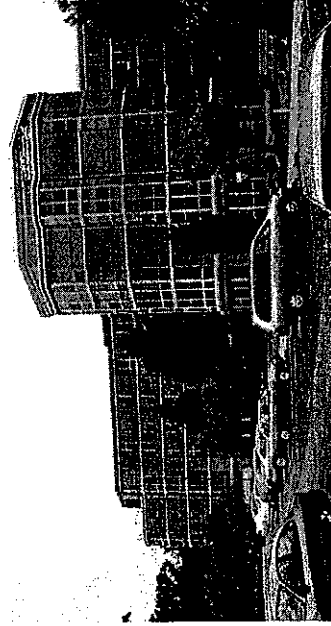
Competitive Properties



Sunrise of Willowbrook



Plymouth Place

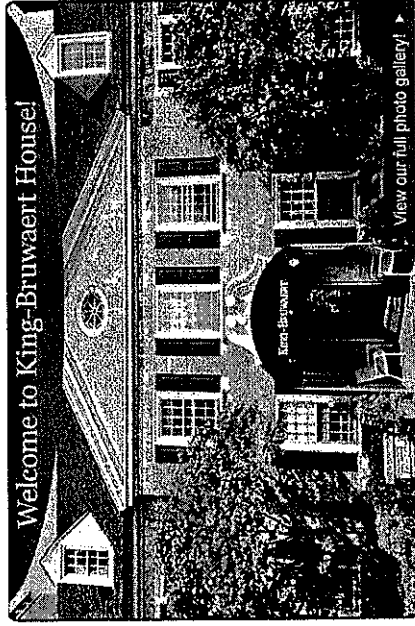


Bethlehem Woods

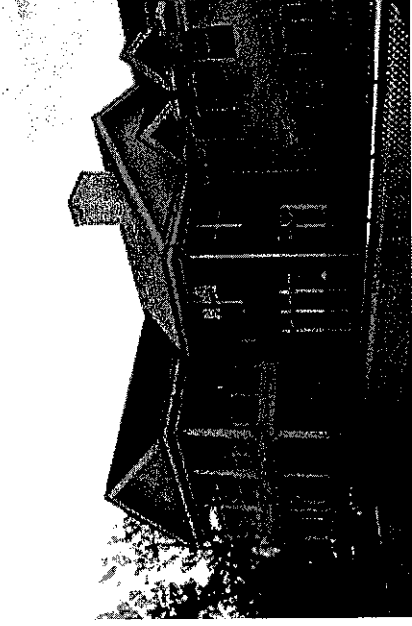


Emeritus of Burr Ridge

Competitive Properties



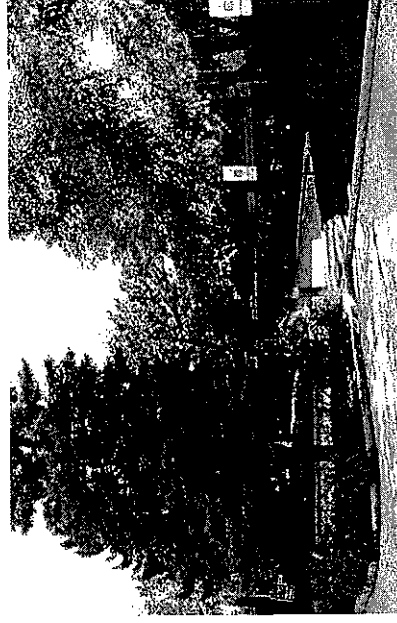
King Bruwaert



The Birches



Fairview Baptist Village



Saratoga Grove

Competitive Properties



Carmelite Carefree Village



Cordia Senior Residence

F. QUALIFICATIONS OF VALERIE S. KRETCHMER ASSOCIATES, INC.

Valerie S. Kretchmer Associates, Inc. (VSKA) is a 26-year old real estate and planning consulting firm based in Evanston. The firm specializes in real estate market analysis, economic development and planning. VSKA has conducted numerous feasibility analyses for market rate and affordable projects, including apartments, single-family detached and attached houses, condominiums, lofts, senior housing and supportive housing.

Senior Market Analyses in Illinois (Market Rate, Affordable, Assisted Living and Skilled Nursing)

Chicago (north, northwest, south,
southwest, southeast sides)

Lisle

Woodridge

Bloomington

Bensenville

Downers Grove

Naperville

Carol Stream

Barrington

St. Charles

Oak Park

Evanston

Highland Park

Hawthorn Woods

Sugar Grove

Oswego

Elk Grove Village

Hoffman Estates

Elgin

Des Plaines

Lake Villa

Lake Zurich

West Chicago

Grayslake

Willow Springs

Lockport

Lyons

Melrose Park

Country Club Hills

Calumet City

Channahon

Matteson

Park Forest

Oak Forest

Zion

Crete

Shorewood

Vernon Hills

Joliet

Romeoville

Bolingbrook

Orland Park

Chicago Ridge

Forest Park

Summit

Blue Island

Chicago Heights

Peoria

Chillicothe

Rock Island

Normal

Springfield

Wyoming

Rockford

Machesney Park

Belvidere

Roscoe

Carlinville

Watseka

Ottawa

Genoa

Pontiac

Aledo

Residential and Mixed Use Market Analysis

Chicago (numerous neighborhoods)	Waukegan
Wheaton	Volo
Woodridge	Harvey
Roselle	Wheeling
Wood Dale	Woodstock
Park Ridge	Lemont
Wilmette	Lake Zurich
Evanston	Skokie
Antioch	Lindenhurst
Gurnee	Fox Lake
Lyons	Zion
Niles	Urbana/Champaign
Oak Park	Hammond, IN
Matteson	Kenosha, WI
Mokena	Racine, WI
New Lenox	Milwaukee, WI
Olympia Fields	Madison, WI
Park Forest	Kansas City, MO

Representative Clients

Valerie S. Kretchmer Associates, Inc. has undertaken assignments for a variety of public, private and not-for-profit clients, including:

Public and Not-for-Profit

City of Chicago Department of Planning
and Development
City of Chicago Department of Aviation
City of Countryside, IL
City of Evanston, IL
City of Harvey, IL
City of Highland Park, IL
City of Joliet, IL
City of Lake Forest, IL
City of Madison, WI
City of Monona, WI
City of Park Ridge, IL
City of Urbana, IL
City of Washington, IL
City of Waukegan
City of Wheaton, IL
City of Wood Dale, IL
Village of Antioch, IL
Village of Addison, IL
Village of Barrington, IL
Village of Beach Park, IL
Village of Bellwood, IL
Village of Chicago Ridge, IL
Village of Crete, IL
Village of Hoffman Estates, IL
Village of Lemont, IL
Village of Lake Bluff, IL
Village of Lake Zurich, IL
Village of Markham, IL
Village of Mokena, IL

Village of Niles, IL
Village of Park Forest, IL
Village of Riverdale, IL
Village of Roselle, IL
Village of Skokie, IL
Village of Wheeling, IL
Village of Wilmette, IL
Village of Woodridge, IL
Illinois Housing Development Authority
Illinois State Toll Highway Authority
Metra
Regional Transportation Authority
Southeastern Wisconsin Regional
Planning Commission
Oak Park Township
Lake County Residential
Development Corporation
Bickerdike Redevelopment Corporation
Evanston Chamber of Commerce
Hispanic Housing Corporation
Housing Opportunity Development
Corporation
Neighborhood Housing Services
Preservation of Affordable Housing
The Methodist Home
Mercy Housing Lakefront
Franciscan Sisters of Chicago
Woodlawn Community Development
Corporation
Christian Community Health Center

Private Sector

Affordable Housing Continuum
Alden Realty Services
Blithfield Development
Bravo Properties
Cambridge Systematics
Carefree Development
CentrePoint Properties
Consecre Housing Network
The DeBruler Company
Del Webb Corporation
Devonshire Realty
DKI, Inc.
Draper and Kramer Incorporated
Evergreen Real Estate
Farr Associates
G&A Development
Genesis Enterprises
Hartz Construction
Heritage Enterprises
HNTB
Horizon Development Group
Jones Lang LaSalle
Love Funding
LandWhite Developers
Lee and Associates
Lighten-Gale Group

Ludwig and Company
McCollum Realty
MR Realty
New Frontier Companies
Norwood Builders
North Shore Development Company
The Orput Company
Pathway Senior Living
P/R Mortgage Co.
Ross Financial
Safeway Construction
SAK Management
Scott Canel and Associates
Senior Lifestyle Corporation
Seven Bridges
State Teachers Retirement System of
Ohio
Supportive Living Services, Inc.
The Community Builders
The Crown Group
The Laubacher Company
The Shaw Company
3 Diamond Development
TY Lin International
Waterton Associates

VALERIE SANDLER KRETCHMER
President

Education

Washington University in St. Louis, B.A. Phi Beta Kappa, 1974
New York University Graduate School of Public Administration, M.P.A., 1976

Experience

Valerie Sandler Kretchmer founded Valerie S. Kretchmer Associates, Inc. in 1985. She brings over 30 years of experience as a real estate and planning consultant for a wide range of public and private organizations, counseling clients in:

- Market and financial feasibility analysis
- Development and redevelopment strategies
- Downtown, neighborhood and commercial corridor revitalization strategies
- Real estate investment and disposition analysis
- Transit-oriented development
- Economic development
- Consumer research and surveys
- Fiscal impact analysis

VMS Realty Partners -- Assistant Vice President, Director of Real Estate Analysis/Due Diligence, Senior Real Estate Analyst

Real Estate Research Corporation -- Senior Analyst and Analyst

Community Improvement Agency (New Orleans, LA) -- Project Planner

Councilman Robert F. Wagner, Jr. (New York, NY) -- Aide

Professional Affiliations

Urban Land Institute
Lambda Alpha land economics honorary society
American Planning Association
Illinois Housing Council
Affordable Assisted Living Coalition
Evanston, IL Plan Commission – past member and chair
Metropolitan Planning Council

Representative Assignments

- Site and market studies for senior and family housing throughout Illinois for the Illinois Housing Development Authority and developers.
- Author of *Housing 1-2-3: A Workbook for Local Officials and Community Leaders* for the Metropolitan Planning Council.
- Market study for independent living, assisted living and memory care for a site in Lincolnwood for the property owner.
- Senior housing study for the Village of Woodridge.
- Senior housing review and resident survey for the Village of Lake Bluff.
- Senior housing feasibility study for independent and assisted living in Oak Park for Oak Park Township.
- Market analysis for independent living, assisted living, skilled nursing and memory care in Hawthorn Woods for the property owner.
- Market study for independent and assisted living facilities in Vernon Hills for the developer.
- Feasibility study for senior housing in Oswego for the developer.
- Portfolio analysis of senior properties in Springfield, IL for the owner.
- Portfolio analysis of properties serving seniors and handicapped individuals in Chicago and DuPage County for the refinancing of the buildings.
- Residential, office and retail market analysis for a transit oriented development project in New Lenox, IL for the Village of New Lenox and the RTA.
- Residential market analysis for townhouses, condominiums and single-family detached houses as part of the redevelopment of land adjacent to the University of Illinois Chicago campus, for the developer.
- Retail, office, condominium and apartment market analysis for sites in downtown Park Ridge as part of a comprehensive downtown plan for the City.
- Market analysis for residential, retail and office space in downtown Wheaton for the City.

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STATEMENT OF QUALIFICATIONS

Roberta Nechin, Principal of Nechin Enterprises, Ltd. began her career in housing and development as a Site and Market Officer at the Illinois Housing Development Authority. The assignment required Ms. Nechin to respond to proposals from developer applicants which entailed:

- Visits to the proposed sites
- Interviews with managers of comparable developments
- Scheduling rent and vacancy levels, determining mix of units
- Meeting with local officials to learn of support for the proposal
- Meetings with local housing authorities
- Determination of the competitive nature of the proposal
- Analysis of the site in relation to the needs of the intended tenancy
- Writing reports on the findings

After leaving that position, Ms. Nechin worked with a private consultant whose mission was the representation of developers seeking financing from public and private sources. In this capacity her tasks included many of the investigations mentioned above plus:

- Preparation of pro formas evidencing the feasibility of the development
- Consulting to the City of Chicago, Department of Housing on applications for special financing
- Preparing applications for financing to public and private sources
- Marketing to potential clients

After forming her own company, Ms. Nechin has worked on individual projects with for profit and non-profit developers and collaboratively with other consultants. Engagements included:

- Assisting with the investigation of markets for housing
- Collecting and analyzing data
- Visiting sites and interviewing parties involved in the proposal
- Completing market studies in various parts of the country

HEALTH FACILITIES

(210 ILCS 9/) Assisted Living and Shared Housing Act.

(210 ILCS 9/1)

Sec. 1. Short title. This Act may be cited as the Assisted Living and Shared Housing Act.

(Source: P.A. 91-656, eff. 1-1-01.)

(210 ILCS 9/5)

Sec. 5. Legislative purpose. The purpose of this Act is to permit the development and availability of assisted living establishments and shared housing establishments based on a social model that promotes the dignity, individuality, privacy, independence, autonomy, and decision-making ability and the right to negotiated risk of those persons; to provide for the health, safety, and welfare of those residents residing in assisted living and shared housing establishments in this State; to promote continuous quality improvement in assisted living; and to encourage the development of innovative and affordable assisted living establishments and shared housing with service establishments for elderly persons of all income levels. It is the public policy of this State that assisted living is an important part of the continuum of long term care. In support of the goal of aging in place within the parameters established by this Act, assisted living and shared housing establishments shall be operated as residential environments with supportive services designed to meet the individual resident's changing needs and preferences. The residential environment shall be designed to encourage family and community involvement. The services available to residents, either directly or through contracts or agreements, are intended to help residents remain as independent as possible. Assisted living, which promotes resident choice, autonomy, and decision making, should be based on a contract model designed to result in a negotiated agreement between the resident or the resident's representative and the provider, clearly identifying the services to be provided. This model assumes that residents are able to direct services provided for them and will designate a representative to direct these services if they themselves are unable to do so. This model supports the principle that there is an acceptable balance between consumer protection and resident willingness to accept risk and that most consumers are competent to make their own judgments about the services they are obtaining.

Regulation of assisted living establishments and shared housing establishments must be sufficiently flexible to allow residents to age in place within the parameters of this Act. The administration of this Act and services provided must therefore ensure that the residents have the rights and responsibilities to direct the scope of services they receive and to make individual choices based on their needs and preferences. These establishments shall be operated in a manner that provides the least restrictive and most homelike environment and that promotes independence, autonomy, individuality, privacy, dignity, and the right to negotiated risk in residential surroundings. It is not the intent of the State that establishments licensed under this Act be used as halfway houses for alcohol and substance abusers.

(Source: P.A. 91-656, eff. 1-1-01.)

(210 ILCS 9/10)

Sec. 10. Definitions. For purposes of this Act:

"Activities of daily living" means eating, dressing, bathing, toileting, transferring, or personal hygiene.

"Assisted living establishment" or "establishment" means a home, building, residence, or any other place where sleeping accommodations are provided for at least 3 unrelated adults, at least 80% of whom are 55 years of age or older and where the following are provided consistent with the purposes of this Act:

(1) services consistent with a social model that is based on the premise that the resident's unit in assisted living and shared housing is his or her own home;

(2) community-based residential care for persons who need assistance with activities of daily living, including personal, supportive, and intermittent health-related services available 24 hours per day, if needed, to meet the scheduled and unscheduled needs of a resident;

(3) mandatory services, whether provided directly by the establishment or by another entity arranged for by the establishment, with the consent of the resident or resident's representative; and

(4) a physical environment that is a homelike setting that includes the following and such other elements as established by the Department: individual living units each of which shall accommodate small kitchen appliances and

contain private bathing, washing, and toilet facilities, or private washing and toilet facilities with a common bathing room readily accessible to each resident. Units shall be maintained for single occupancy except in cases in which 2 residents choose to share a unit. Sufficient common space shall exist to permit individual and group activities.

"Assisted living establishment" or "establishment" does not mean any of the following:

(1) A home, institution, or similar place operated

by the federal government or the State of Illinois.

(2) A long term care facility licensed under the

Nursing Home Care Act or a facility licensed under the MR/DD Community Care Act. However, a facility licensed under either of those Acts may convert distinct parts of the facility to assisted living. If the facility elects to do so, the facility shall retain the Certificate of Need for its nursing and sheltered care beds that were converted.

(3) A hospital, sanitarium, or other institution, the

principal activity or business of which is the diagnosis, care, and treatment of human illness and that is required to be licensed under the Hospital Licensing Act.

(4) A facility for child care as defined in the Child

Care Act of 1969.

(5) A community living facility as defined in the

Community Living Facilities Licensing Act.

(6) A nursing home or sanitarium operated solely by

and for persons who rely exclusively upon treatment by spiritual means through prayer in accordance with the creed or tenants of a well-recognized church or religious denomination.

(7) A facility licensed by the Department of Human

Services as a community-integrated living arrangement as defined in the Community-Integrated Living Arrangements Licensure and Certification Act.

(8) A supportive residence licensed under the

Supportive Residences Licensing Act.

(9) The portion of a life care facility as defined in the Life Care Facilities Act not licensed as an assisted living establishment under this

Act; a life care facility may apply under this Act to convert sections of the community to assisted living.

(10) A free-standing hospice facility licensed under

the Hospice Program Licensing Act.

(11) A shared housing establishment.

(12) A supportive living facility as described in

Section 5-5.01a of the Illinois Public Aid Code.

"Department" means the Department of Public Health.

"Director" means the Director of Public Health.

"Emergency situation" means imminent danger of death or serious physical harm to a resident of an establishment.

"License" means any of the following types of licenses issued to an applicant or licensee by the Department:

(1) "Probationary license" means a license issued to an applicant or licensee that has not held a license under this Act prior to its application or pursuant to a license transfer in accordance with Section 50 of this Act.

(2) "Regular license" means a license issued by the Department to an applicant or licensee that is in substantial compliance with this Act and any rules promulgated under this Act.

"Licensee" means a person, agency, association, corporation, partnership, or organization that has been issued a license to operate an assisted living or shared housing establishment.

"Licensed health care professional" means a registered professional nurse, an advanced practice nurse, a physician assistant, and a licensed practical nurse.

"Mandatory services" include the following:

- (1) 3 meals per day available to the residents prepared by the establishment or an outside contractor;
- (2) housekeeping services including, but not limited to, vacuuming, dusting, and cleaning the resident's unit;
- (3) personal laundry and linen services available to the residents provided or arranged for by the establishment;
- (4) security provided 24 hours each day including, but not limited to, locked entrances or

building or contract security personnel;
(5) an emergency communication response system, which
is a procedure in place 24 hours each day by which a resident can notify building management, an emergency response vendor, or others able to respond to his or her need for assistance; and
(6) assistance with activities of daily living as
required by each resident.

"Negotiated risk" is the process by which a resident, or his or her representative, may formally negotiate with providers what risks each are willing and unwilling to assume in service provision and the resident's living environment. The provider assures that the resident and the resident's representative, if any, are informed of the risks of these decisions and of the potential consequences of assuming these risks.

"Owner" means the individual, partnership, corporation, association, or other person who owns an assisted living or shared housing establishment. In the event an assisted living or shared housing establishment is operated by a person who leases or manages the physical plant, which is owned by another person, "owner" means the person who operates the assisted living or shared housing establishment, except that if the person who owns the physical plant is an affiliate of the person who operates the assisted living or shared housing establishment and has significant control over the day to day operations of the assisted living or shared housing establishment, the person who owns the physical plant shall incur jointly and severally with the owner all liabilities imposed on an owner under this Act.

"Physician" means a person licensed under the Medical Practice Act of 1987 to practice medicine in all of its branches.

"Resident" means a person residing in an assisted living or shared housing establishment.

"Resident's representative" means a person, other than the owner, agent, or employee of an establishment or of the health care provider unless related to the resident, designated in writing by a resident to be his or her representative. This designation may be accomplished through the Illinois Power of Attorney Act, pursuant to the guardianship process under the Probate Act of 1975, or pursuant to an executed designation of representative form specified by the Department.

"Self" means the individual or the individual's designated representative.

"Shared housing establishment" or

"establishment" means a publicly or privately operated free-standing residence for 16 or fewer persons, at least 80% of whom are 55 years of age or older and who are unrelated to the owners and one manager of the residence, where the following are provided:

(1) services consistent with a social model that is based on the premise that the resident's unit is his or her own home;

(2) community-based residential care for persons who need assistance with activities of daily living, including housing and personal, supportive, and intermittent health-related services available 24 hours per day, if needed, to meet the scheduled and unscheduled needs of a resident; and

(3) mandatory services, whether provided directly by the establishment or by another entity arranged for by the establishment, with the consent of the resident or the resident's representative.

"Shared housing establishment" or "establishment" does not mean any of the following:

(1) A home, institution, or similar place operated by the federal government or the State of Illinois.

(2) A long term care facility licensed under the Nursing Home Care Act or a facility licensed under the MR/DD Community Care Act. A facility licensed under either of those Acts may, however, convert sections of the facility to assisted living. If the facility elects to do so, the facility shall retain the Certificate of Need for its nursing beds that were converted.

(3) A hospital, sanitarium, or other institution, the principal activity or business of which is the diagnosis, care, and treatment of human illness and that is required to be licensed under the Hospital Licensing Act.

(4) A facility for child care as defined in the Child Care Act of 1969.

(5) A community living facility as defined in the Community Living Facilities Licensing Act.

(6) A nursing home or sanitarium operated solely by and for persons who rely exclusively upon treatment by spiritual means through prayer

in accordance with the creed or tenants of a well-recognized church or religious denomination.

(7) A facility licensed by the Department of Human

Services as a community-integrated living arrangement as defined in the Community-Integrated Living Arrangements Licensure and Certification Act.

(8) A supportive residence licensed under the

Supportive Residences Licensing Act.

(9) A life care facility as defined in the Life Care

Facilities Act; a life care facility may apply under this Act to convert sections of the community to assisted living.

(10) A free-standing hospice facility licensed under

the Hospice Program Licensing Act.

(11) An assisted living establishment.

(12) A supportive living facility as described in

Section 5-5.01a of the Illinois Public Aid Code.

"Total assistance" means that staff or another individual performs the entire activity of daily living without participation by the resident.

(Source: P.A. 95-216, eff. 8-16-07; 96-339, eff. 7-1-10; 96-975, eff. 7-2-10.)

(210 ILCS 9/15)

Sec. 15. Assessment and service plan requirements. Prior to admission to any establishment covered by this Act, a comprehensive assessment that includes an evaluation of the prospective resident's physical, cognitive, and psychosocial condition shall be completed. At least annually, a comprehensive assessment shall be completed, and upon identification of a significant change in the resident's condition, the resident shall be reassessed. The Department may by rule specify circumstances under which more frequent assessments of skin integrity and nutritional status shall be required. The comprehensive assessment shall be completed by a physician. Based on the assessment, a written service plan shall be developed and mutually agreed upon by the provider and the resident. The service plan, which shall be reviewed annually, or more often as the resident's condition, preferences, or service needs change, shall serve as a basis for the service delivery contract between the

provider and the resident. Based on the assessment, the service plan may provide for the disconnection or removal of any appliance.
(Source: P.A. 91-656, eff. 1-1-01.)

(210 ILCS 9/20)

Sec. 20. Construction and operating standards. The Department shall prescribe minimum standards for establishments. These standards shall include:

- (1) the location and construction of the establishment, including plumbing, heating, lighting, ventilation, and other physical conditions which shall ensure the health, safety, and comfort of residents and their protection from fire hazards; these standards shall include, at a minimum, compliance with the residential board and care occupancies chapter of the National Fire Protection Association's Life Safety Code, local and State building codes for the building type, and accessibility standards of the Americans with Disabilities Act;

- (2) the number and qualifications of all personnel having responsibility for any part of the services provided for residents;

- (3) all sanitary conditions within the establishment and its surroundings, including water supply, sewage disposal, food handling, infection control, and general hygiene, which shall ensure the health and comfort of residents;

- (4) a program for adequate maintenance of physical plant and equipment;

- (5) adequate accommodations, staff, and services for the number and types of residents for whom the establishment is licensed;

- (6) the development of evacuation and other appropriate safety plans for use during weather, health, fire, physical plant, environmental, and national defense emergencies; and

- (7) the maintenance of minimum financial and other resources necessary to meet the standards established under this Section and to operate the establishment in accordance with this Act.

(Source: P.A. 96-975, eff. 7-2-10.)

(210 ILCS 9/25)

Sec. 25. License requirement. No person may establish, operate, maintain, or offer an establishment as an assisted living establishment or shared housing establishment as defined by the Act within this State unless and until he or she obtains a valid license, which remains unsuspended, unrevoked, and unexpired. No public official, agent, or employee may place any person in, or recommend that any person be placed in, or directly or indirectly cause any person to be placed in any establishment that meets the definition under this Act that is being operated without a valid license. No public official, agent, or employee may place the name of an unlicensed establishment that is required to be licensed under this Act on a list of programs. An entity that operates as an assisted living or shared housing establishment as defined by this Act without a license shall be subject to the provisions, including penalties, of the Nursing Home Care Act. No entity shall use in its name or advertise "assisted living" unless licensed as an assisted living establishment under this Act or as a shelter care facility under the Nursing Home Care Act that also meets the definition of an assisted living establishment under this Act, except a shared housing establishment licensed under this Act may advertise assisted living services.

(Source: P.A. 93-141, eff. 7-10-03.)

(210 ILCS 9/30)

Sec. 30. Licensing.

(a) The Department shall establish by rule forms, procedures, and fees for the annual licensing of assisted living and shared housing establishments; shall establish and enforce sanctions and penalties for operating in violation of this Act, as provided in Section 135 of this Act and rules adopted under Section 110 of this Act. The Department shall conduct an annual on-site review for each establishment covered by this Act, which shall include, but not be limited to, compliance with this Act and rules adopted hereunder, focus on solving resident issues and concerns, and the quality improvement process implemented by the establishment to address resident issues. The quality improvement process implemented by the establishment must benchmark performance, be customer centered, be data driven, and focus on resident satisfaction.

(b) An establishment shall provide the following information to the Department to be considered for licensure:

(1) the business name, street address, mailing address, and telephone number of the establishment;

(2) the name and mailing address of the owner or

owners of the establishment and if the owner or owners are not natural persons,

identification of the type of business entity of the owners, and the names and addresses of the officers and members of the governing body, or comparable persons for partnerships, limited liability companies, or other types of business organizations;

(3) financial information, content and form to be determined by rules which may provide different standards for assisted living establishments and shared housing establishments, establishing that the project is financially feasible;

(4) the name and mailing address of the managing agent of the establishment, whether hired under a management agreement or lease agreement, if different from the owner or owners, and the name of the full-time director;

(5) verification that the establishment has entered or will enter into a service delivery contract as provided in Section 90, as required under this Act, with each resident or resident's representative;

(6) the name and address of at least one natural person who shall be responsible for dealing with the Department on all matters provided for in this Act, on whom personal service of all notices and orders shall be made, and who shall be authorized to accept service on behalf of the owner or owners and the managing agent. Notwithstanding a contrary provision of the Code of Civil Procedure, personal service on the person identified pursuant to this subsection shall be considered service on the owner or owners and the managing agent, and it shall not be a defense to any action that personal service was not made on each individual or entity;

(7) the signature of the authorized representative of

the owner or owners;

(8) proof of an ongoing quality improvement program

in accordance with rules adopted by the Department;

(9) information about the number and types of units,

the maximum census, and the services to be provided at the establishment, proof of compliance with applicable State and local residential standards, and a copy of the standard contract offered to residents;

(10) documentation of adequate liability

insurance;

and

(11) other information necessary to determine the

identity and qualifications of an applicant or licensee to operate an establishment in accordance with this Act as required by the Department by rule.

(c) The information in the statement of ownership shall be public information and shall be available from the Department.

(Source: P.A. 96-975, eff. 7-2-10.)

(210 ILCS 9/32)

Sec. 32. Floating license. An establishment

(i) in which 80% of the residents are at least 55 years of age or older, (ii) that is operated as housing for the elderly, and (iii) that meets the construction and operating standards contained in Section 20 of this Act may request a floating license for any number of individual living units within the establishment up to, but not including, total capacity. An establishment requesting a floating license must specify the number of individual living units within the establishment to be licensed. Living units designated by the establishment as a licensed living unit shall, for the purposes of this Section, be referred to as a licensed living unit. An establishment utilizing a floating license must have staff adequate to meet the scheduled and unscheduled needs of the residents residing in licensed living units within the establishment. All staff providing services to licensed living units must meet the requirements of this Act and its rules. A living unit may only be designated as a licensed unit if the living unit and the living unit's resident meet the requirements of this Act and its rules. All mandatory services must be made available to residents of licensed living units, and residents of licensed living units may receive any optional services permitted under the establishment's license. Establishments may only provide services under this Act in the individual living units designated as licensed units. Designation as a licensed unit may be temporary to accommodate a resident's changing needs without requiring the resident to move.

An establishment with a floating license must keep a current written list of those units designated under the floating license. If a resident elects to receive services in a unit that is not licensed and the unit qualifies for licensure, the establishment must notify the

resident that the unit must be licensed and the requirements of this Act must be met before services can be provided to residents in that unit. Upon the initiation of an initial licensing inspection, annual inspection, or complaint investigation, the establishment shall provide to the Department a list of the units designated under the floating license in which residents are receiving services subject to this Act.
(Source: P.A. 93-141, eff. 7-10-03.)

(210 ILCS 9/35)

Sec. 35. Issuance of license.

(a) Upon receipt and review of an application for a license and review of the applicant establishment, the Director may issue a license if he or she finds:

- (1) that the individual applicant, or the corporation, partnership, or other entity if the applicant is not an individual, is a person responsible and suitable to operate or to direct or participate in the operation of an establishment by virtue of financial capacity, appropriate business or professional experience, a record of lawful compliance with lawful orders of the Department and lack of revocation of a license issued under this Act, the Nursing Home Care Act, or the MR/DD Community Care Act during the previous 5 years;

- (2) that the establishment is under the supervision of a full-time director who is at least 21 years of age and has a high school diploma or equivalent plus either:

- (A) 2 years of management experience or 2 years of experience in positions of progressive responsibility in health care, housing with services, or adult day care or providing similar services to the elderly; or

- (B) 2 years of management experience or 2 years of experience in positions of progressive responsibility in hospitality and training in health care and housing with services management as defined by rule;

- (3) that the establishment has staff sufficient in number with qualifications, adequate skills, education, and experience to meet the 24 hour scheduled and unscheduled needs of residents and who participate in ongoing training to serve the resident population;

- (4) that all employees who are subject to

the Health

Care Worker Background Check Act meet the requirements of that Act;

(5) that the applicant is in substantial compliance

with this Act and such other requirements for a license as the Department by rule may establish under this Act;

(6) that the applicant pays all required fees;

(7) that the applicant has provided to the Department

an accurate disclosure document in accordance with the Alzheimer's Disease and Related Dementias Special Care Disclosure Act and in substantial compliance with Section 150 of this Act.

In addition to any other requirements set forth in this Act, as a condition of licensure under this Act, the director of an establishment must participate in at least 20 hours of training every 2 years to assist him or her in better meeting the needs of the residents of the establishment and managing the operation of the establishment.

Any license issued by the Director shall state the physical location of the establishment, the date the license was issued, and the expiration date. All licenses shall be valid for one year, except as provided in Sections 40 and 45. Each license shall be issued only for the premises and persons named in the application, and shall not be transferable or assignable.

(Source: P.A. 95-79, eff. 8-13-07; 95-590, eff. 9-10-07; 95-628, eff. 9-25-07; 95-876, eff. 8-21-08; 96-339, eff. 7-1-10; 96-990, eff. 7-2-10.)

(210 ILCS 9/40)

Sec. 40. Probationary licenses. If the applicant has not been previously licensed under this Act or if the establishment is not in operation at the time the application is made and if the Department determines that the applicant meets the licensure requirements of this Act, the Department shall issue a probationary license. A probationary license shall be valid for 120 days unless sooner suspended or revoked. Within 30 days prior to the termination of a probationary license, the Department shall fully and completely review the establishment and, if the establishment meets the applicable requirements for licensure, shall issue a license. If the Department finds that the establishment does not meet the requirements for licensure, but has made

substantial progress toward meeting those requirements, the license may be renewed once for a period not to exceed 120 days from the expiration date of the initial probationary license.

(Source: P.A. 93-1003, eff. 8-23-04.)

(210 ILCS 9/45)

(Text of Section from P.A. 96-990)

Sec. 45. Renewal of licenses. At least 120 days, but not more than 150 days prior to license expiration, the licensee shall submit an application for renewal of the license in such form and containing such information as the Department requires. If the application is approved, and if the licensee (i) has not committed a Type 1 violation in the preceding 24 months, (ii) has not committed a Type 2 violation in the preceding 24 months, (iii) has not had an inspection, review, or evaluation that resulted in a finding of 10 or more Type 3 violations in the preceding 24 months, and (iv) has not admitted or retained a resident in violation of Section 75 of this Act in the preceding 24 months, the Department may renew the license for an additional period of 2 years. If a licensee whose license has been renewed for 2 years under this Section subsequently fails to meet any of the conditions set forth in items (i), (ii), and (iii), then, in addition to any other sanctions that the Department may impose under this Act, the Department shall revoke the 2-year license and replace it with a one-year license until the licensee again meets all of the conditions set forth in items (i), (ii), and (iii). If appropriate, the renewal application shall not be approved unless the applicant has provided to the Department an accurate disclosure document in accordance with the Alzheimer's Disease and Related Dementias Special Care Disclosure Act. If the application for renewal is not timely filed, the Department shall so inform the licensee.

(Source: P.A. 95-590, eff. 9-10-07; 95-876, eff. 8-21-08; 96-990, eff. 7-2-10.)

(Text of Section from P.A. 96-1275)

Sec. 45. Renewal of licenses. At least 120 days, but not more than 150 days prior to license expiration, the licensee shall submit an application for renewal of the license in such form and containing such information as the Department requires. If the application is approved, and if the licensee (i) has not committed a Type 1 violation in the preceding 24 months, (ii) has not committed a Type 2 violation in the preceding 24 months, (iii) has not had an inspection, review, or evaluation that resulted in a finding of 10 or more Type 3 violations in the preceding 24 months, and (iv) has not admitted or retained a resident in violation of Section 75 of this Act in the preceding 24 months, the Department may renew the license for an additional period of 2 years at the request of the licensee. If a licensee whose license has been renewed for 2 years under this Section subsequently fails to meet any of the conditions set forth in items (i), (ii), and (iii), then, in addition to any other sanctions that the Department may impose under this Act, the Department shall revoke the 2-year license and replace it with a one-year license until the licensee again meets all of the conditions set forth in items (i), (ii), and (iii). If appropriate, the renewal application shall not be approved unless the applicant has provided to the Department an accurate disclosure document in accordance with the Alzheimer's Special Care Disclosure Act. If the application for renewal is not timely filed, the Department shall so inform the licensee.

(Source: P.A. 95-590, eff. 9-10-07; 95-876, eff. 8-21-08; 96-1275, eff. 7-26-10.)

(210 ILCS 9/50)

Sec. 50. Transfer of ownership.

(a) Whenever ownership of an establishment is transferred from the person named in the license to any other person, the transferee must obtain a new probationary license. The transferee shall notify the Department of the transfer and apply for a new license at least 30 days prior to final transfer.

(b) The transferor shall notify the Department at least 30 days prior to final transfer. The transferor shall remain responsible for the operation of the establishment until such time as a license is issued to the transferee.
(Source: P.A. 91-656, eff. 1-1-01.)

(210 ILCS 9/55)

Sec. 55. Grounds for denial of a license. An application for a license may be denied for any of the following reasons:

(1) failure to meet any of the standards set forth in this Act or by rules adopted by the Department under this Act;

(2) conviction of the applicant, or if the applicant is a firm, partnership, or association, of any of its members, or if a corporation, the conviction of the corporation or any of its officers or stockholders, or of the person designated to manage or supervise the establishment, of a felony or of 2 or more misdemeanors involving moral turpitude during the previous 5 years as shown by a certified copy of the record of the court of conviction;

(3) personnel insufficient in number or unqualified by training or experience to properly care for the residents;

(4) insufficient financial or other resources to operate and conduct the establishment in accordance with standards adopted by the Department under this Act;

(5) revocation of a license during the previous 5 years, if such prior license was issued to the individual applicant, a controlling owner or controlling combination of owners of the applicant; or any affiliate of the individual applicant or controlling owner of the

applicant and such individual applicant, controlling owner of the applicant or affiliate of the applicant was a controlling owner of the prior license; provided, however, that the denial of an application for a license pursuant to this Section must be supported by evidence that the prior revocation renders the applicant unqualified or incapable of meeting or maintaining an establishment in accordance with the standards and rules adopted by the Department under this Act; or

(6) the establishment is not under the direct

supervision of a full-time director, as defined by rule.

The Department shall deny an application for a license if 6 months after submitting its initial application the applicant has not provided the Department with all of the information required for review and approval or the applicant is not actively pursuing the processing of its application. In addition, the Department shall determine whether the applicant has violated any provision of the Nursing Home Care Act or the MR/DD Community Care Act. (Source: P.A. 96-339, eff. 7-1-10.)

(210 ILCS 9/60)

Sec. 60. Notice of denial; request for hearing; hearing.

(a) Immediately upon the denial of any application or reapplication for a license under this Act, the Department shall notify the applicant in writing. Notice of denial shall include a clear and concise statement of the violations of this Act on which the denial is based and notice of the opportunity for a hearing. If the applicant or licensee wishes to contest the denial of a license, it shall provide written notice to the Department of a request for a hearing within 10 days after receipt of the notice of denial. The Department shall commence a hearing under this Section.

(b) A request for a hearing by aggrieved persons shall be taken to the Department as follows:

(1) Upon the receipt of a request in writing for a

hearing, the Director or a person designated in writing by the Director to act as a hearing officer shall conduct a hearing to review the decision.

(2) Before the hearing is held notice of the hearing

shall be sent by the Department to the person making the request for the hearing and to the person making the decision which is being reviewed. In the notice the Department shall specify the date, time, and place of the hearing, which shall be held not less than 10 days after the notice is mailed or delivered. The notice shall designate the decision being reviewed. The notice may be served by delivering it personally to the parties or their representatives or by mailing it by certified mail to the parties' addresses.

(3) The Department shall commence the hearing within

30 days after the receipt of request for hearing. The hearing shall proceed as expeditiously as practicable, but in all cases shall conclude within 90 days after commencement.

(c) The Director or hearing officer shall permit any party to appear in person and to be represented by counsel at the hearing, at which time the applicant or licensee shall be afforded an opportunity to present all relevant matter in support of his or her position. In the event of the inability of any party or the Department to procure the attendance of witnesses to give testimony or produce books and papers, any party or the Department may take the deposition of witnesses in accordance with the provisions of the laws of this State. All testimony shall be reduced to writing, and all testimony and other evidence introduced at the hearing shall be a part of the record of the hearing.

(d) The Director or hearing officer shall make findings of fact in the hearing, and the Director shall render his or her decision within 30 days after the termination of the hearing, unless additional time not to exceed 90 days is required by him or her for a proper disposition of the matter. When the hearing has been conducted by a hearing officer, the Director shall review the record and findings of fact before rendering a decision. All decisions rendered by the Director shall be binding upon and complied with by the Department, the establishment, or the persons involved in the hearing, as appropriate to each case.

(Source: P.A. 91-656, eff. 1-1-01.)

(210 ILCS 9/65)

Sec. 65. Revocation, suspension, or refusal to renew license.

(a) The Department, after notice to the applicant or licensee, may suspend, revoke, or

refuse to renew a license in any case in which the Department finds any of the following:

- (1) that there has been a substantial failure to
comply with this Act or the rules promulgated by the Department under this Act;
- (2) that there has been a conviction of the
licensee, or of the person designated to manage or supervise the establishment, of a felony or of 2 or more misdemeanors involving moral turpitude during the previous 5 years as shown by a certified copy of the record of the court of conviction;
- (3) that the personnel is insufficient in number or
unqualified by training or experience to properly care for the number and type of residents served by the establishment;
- (4) that the financial or other resources are
insufficient to conduct and operate the establishment in accordance with standards promulgated by the Department under this Act;
or
- (5) that the establishment is not under the direct
supervision of a full-time director, as defined by rule.

(b) Notice under this Section shall include a clear and concise statement of the violations on which the nonrenewal or revocation is based, the statute or rule violated, and notice of the opportunity for a hearing under Section 60.

(c) If an establishment desires to contest the nonrenewal or revocation of a license, the establishment shall, within 10 days after receipt of notice under subsection (b) of this Section, notify the Department in writing of its request for a hearing under Section 60. Upon receipt of the request the Department shall send notice to the establishment and hold a hearing as provided under Section 60.

(d) The effective date of nonrenewal or revocation of a license by the Department shall be any of the following:

- (1) until otherwise ordered by the circuit court,
revocation is effective on the date set by the Department in the notice of revocation, or upon final action after hearing under Section 60, whichever is later;
- (2) until otherwise ordered by the circuit court,
nonrenewal is effective on the date of expiration of any existing license, or upon final action after hearing under Section 60,

whichever is later; however, a license shall not be deemed to have expired if the Department fails to timely respond to a timely request for renewal under this Act or for a hearing to contest nonrenewal; or

(3) the Department may extend the effective date of

license revocation or expiration in any case in order to permit orderly removal and relocation of residents.

(e) The Department may refuse to issue or may suspend the license of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied.

(Source: P.A. 91-656, eff. 1-1-01.)

(210 ILCS 9/70)

Sec. 70. Service requirements. An establishment must provide all mandatory services and may provide optional services, including medication reminders, supervision of self-administered medication and medication administration as defined by this Section and nonmedical services defined by rule, whether provided directly by the establishment or by another entity arranged for by the establishment with the consent of the resident or the resident's representative.

For the purposes of this Section, "medication reminders" means reminding residents to take pre-dispensed, self-administered medication, observing the resident, and documenting whether or not the resident took the medication.

For the purposes of this Section, "supervision of self-administered medication" means assisting the resident with self-administered medication using any combination of the following: reminding residents to take medication, reading the medication label to residents, checking the self-administered medication dosage against the label of the medication, confirming that residents have obtained and are taking the dosage as prescribed, and documenting in writing that the resident has taken (or refused to take) the medication. If residents are physically unable to open the container, the container may be opened for them. Supervision of self-administered medication shall be under the direction of a licensed health care professional.

For the purposes of this Section, "medication administration" refers to a licensed health care professional employed by an establishment engaging in administering insulin and vitamin B-12 injections, oral medications, topical treatments, eye and ear drops, or nitroglycerin patches. Non-licensed staff may not administer any medication.

The Department shall specify by rule procedures for medication reminders, supervision of self-administered medication, and medication administration.

Nothing in this Act shall preclude a physician licensed under the Medical Practice Act of 1987 from providing services within the scope of his or her license to any resident.

(Source: P.A. 96-353, eff. 8-13-09.)

(210 ILCS 9/75)

Sec. 75. Residency Requirements.

(a) No individual shall be accepted for residency or remain in residence if the establishment cannot provide or secure appropriate services, if the individual requires a level of service or type of service for which the establishment is not licensed or which the establishment does not provide, or if the establishment does not have the staff appropriate in numbers and with appropriate skill to provide such services.

(b) Only adults may be accepted for residency.

(c) A person shall not be accepted for residency if:

(1) the person poses a serious threat to himself or herself or to others;

(2) the person is not able to communicate his or her needs and no resident representative residing in the establishment, and with a prior relationship to the person, has been appointed to direct the provision of services;

(3) the person requires total assistance with 2 or more activities of daily living;

(4) the person requires the assistance of more than one paid caregiver at any given time with an activity of daily living;

(5) the person requires more than minimal assistance in moving to a safe area in an emergency;

(6) the person has a severe mental illness, which

for the purposes of this Section means a condition that is characterized by the presence of a major mental disorder as classified in the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (DSM-IV) (American Psychiatric Association, 1994), where the individual is substantially disabled due to mental illness in the areas of self-maintenance, social functioning, activities of community living and work skills, and the disability specified is expected to be present for a period of not less than one year, but does not mean Alzheimer's disease and other forms of dementia based on organic or physical disorders;

(7) the person requires intravenous therapy or intravenous feedings unless self-administered or administered by a qualified, licensed health care professional;

(8) the person requires gastrostomy feedings unless

self-administered or administered by a
licensed health care professional;

(9) the person requires insertion,
sterile

irrigation, and replacement of catheter,
except for routine maintenance of urinary
catheters, unless the catheter care is
self-administered or administered by a
licensed health care professional;

(10) the person requires sterile wound
care unless

care is self-administered or administered by
a licensed health care professional;

(11) the person requires sliding scale
insulin

administration unless self-performed or
administered by a licensed health care
professional;

(12) the person is a diabetic requiring
routine

insulin injections unless the injections are
self-administered or administered by a
licensed health care professional;

(13) the person requires treatment of
stage 3 or

stage 4 decubitus ulcers or exfoliative
dermatitis;

(14) the person requires 5 or more
skilled nursing

visits per week for conditions other than
those listed in items (13) and (15) of this
subsection for a period of 3 consecutive
weeks or more except when the course of
treatment is expected to extend beyond a 3
week period for rehabilitative purposes and
is certified as temporary by a physician; or

(15) other reasons prescribed by the
Department by

rule.

(d) A resident with a condition listed in
items (1) through (15) of subsection (c) shall
have his or her residency terminated.

(e) Residency shall be terminated when
services available to the resident in the
establishment are no longer adequate to meet the
needs of the resident. This provision shall not
be interpreted as limiting the authority of the
Department to require the residency termination
of individuals.

(f) Subsection (d) of this Section shall not
apply to terminally ill residents who receive or
would qualify for hospice care and such care is
coordinated by a hospice program licensed under
the Hospice Program Licensing Act or other
licensed health care professional employed by a
licensed home health agency and the establishment
and all parties agree to the continued

residency.

(g) Items (3), (4), (5), and (9) of subsection (c) shall not apply to a quadriplegic, paraplegic, or individual with neuro-muscular diseases, such as muscular dystrophy and multiple sclerosis, or other chronic diseases and conditions as defined by rule if the individual is able to communicate his or her needs and does not require assistance with complex medical problems, and the establishment is able to accommodate the individual's needs. The Department shall prescribe rules pursuant to this Section that address special safety and service needs of these individuals.

(h) For the purposes of items (7) through (10) of subsection (c), a licensed health care professional may not be employed by the owner or operator of the establishment, its parent entity, or any other entity with ownership common to either the owner or operator of the establishment or parent entity, including but not limited to an affiliate of the owner or operator of the establishment. Nothing in this Section is meant to limit a resident's right to choose his or her health care provider.

(i) Subsection (h) is not applicable to residents admitted to an assisted living establishment under a life care contract as defined in the Life Care Facilities Act if the life care facility has both an assisted living establishment and a skilled nursing facility. A licensed health care professional providing health-related or supportive services at a life care assisted living or shared housing establishment must be employed by an entity licensed by the Department under the Nursing Home Care Act or the Home Health, Home Services, and Home Nursing Agency Licensing Act.

(Source: P.A. 94-256, eff. 7-19-05; 94-570, eff. 8-12-05; 95-216, eff. 8-16-07; 95-331, eff. 8-21-07.)

(210 ILCS 9/76)

Sec. 76. Vaccinations.

(a) Before a prospective resident's admission to an assisted living establishment or shared housing establishment that does not provide medication administration as an optional service, the establishment shall advise the prospective resident to consult a physician to determine whether the prospective resident should obtain a vaccination against pneumococcal pneumonia or influenza, or both.

(b) An assisted living establishment or shared housing establishment that provides medication administration as an optional service shall annually administer or arrange for administration of a vaccination against influenza to each resident, in accordance with the recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and

Prevention that are most recent to the time of vaccination, unless the vaccination is medically contraindicated or the resident has refused the vaccine. Influenza vaccinations for all residents age 65 or over shall be completed by November 30 of each year or as soon as practicable if vaccine supplies are not available before November 1. Residents admitted after November 30, during the flu season, and until February 1 shall, as medically appropriate, receive an influenza vaccination prior to or upon admission or as soon as practicable if vaccine supplies are not available at the time of the admission, unless the vaccine is medically contraindicated or the resident has refused the vaccine. In the event that the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention determines that dates of administration other than those stated in this Section are optimal to protect the health of residents, the Department is authorized to adopt rules to require vaccinations at those times rather than the times stated in this Section. An establishment shall document in the resident's medication record that an annual vaccination against influenza was administered, arranged, refused, or medically contraindicated.

An assisted living establishment or shared housing establishment that provides medication administration as an optional service shall administer or arrange for administration of a pneumococcal vaccination to each resident who is age 65 or over, in accordance with the recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention, who has not received this immunization prior to or upon admission to the establishment, unless the resident refuses the offer for vaccination or the vaccination is medically contraindicated. An establishment shall document in each resident's medication record that a vaccination against pneumococcal pneumonia was offered and administered, arranged, refused, or medically contraindicated.

(Source: P.A. 93-1003, eff. 8-23-04; 94-429, eff. 8-2-05.)

(210 ILCS 9/80)

Sec. 80. Involuntary termination of residency.

(a) Residency shall be involuntarily terminated only for the following reasons:

(1) as provided in Section 75 of this Act;

(2) nonpayment of contracted charges after the

resident and the resident's representative have received a minimum of 30-days written notice of the delinquency and the resident or the resident's representative has had at least 15 days to cure the delinquency; or

(3) failure to execute a service delivery contract

or to substantially comply with its terms and conditions, failure to comply with the assessment requirements contained in Section 15, or failure to substantially comply with the terms and conditions of the lease agreement.

(b) A 30 day written notice of residency termination shall be provided to the resident, the resident's representative, or both, and the

long term care ombudsman, which shall include the reason for the pending action, the date of the proposed move, and a notice, the content and form to be set forth by rule, of the resident's right to appeal, the steps that the resident or the resident's representative must take to initiate an appeal, and a statement of the resident's right to continue to reside in the establishment until a decision is rendered. The notice shall include a toll free telephone number to initiate an appeal and a written hearing request form, together with a postage paid, pre-addressed envelope to the Department. If the resident or the resident's representative, if any, cannot read English, the notice must be provided in a language the individual receiving the notice can read or the establishment must provide a translator who has been trained to assist the resident or the resident's representative in the appeal process. In emergency situations as defined in Section 10 of this Act, the 30-day provision of the written notice may be waived.

(c) The establishment shall attempt to resolve with the resident or the resident's representative, if any, circumstances that if not remedied have the potential of resulting in an involuntary termination of residency and shall document those efforts in the resident's file. This action may occur prior to or during the 30 day notice period, but must occur prior to the termination of the residency. In emergency situations as defined in Section 10 of this Act, the requirements of this subsection may be waived.

(d) A request for a hearing shall stay an involuntary termination of residency until a decision has been rendered by the Department, according to a process adopted by rule. During this time period, the establishment may not terminate or reduce any service for the purpose of making it more difficult or impossible for the resident to remain in the establishment.

(e) The establishment shall offer the resident and the resident's representative, if any, residency termination and relocation assistance including information on available alternative placement. Residents shall be involved in planning the move and shall choose among the available alternative placements except when an emergency situation makes prior resident involvement impossible. Emergency placements are deemed temporary until the resident's input can be sought in the final placement decision. No resident shall be forced to remain in a temporary or permanent placement.

(f) The Department may offer assistance to the establishment and the resident in the

preparation of residency termination and relocation plans to assure safe and orderly transition and to protect the resident's health, safety, welfare, and rights. In nonemergencies, and where possible in emergencies, the transition plan shall be designed and implemented in advance of transfer or residency termination.
(Source: P.A. 91-656, eff. 1-1-01.)

(210 ILCS 9/85)

Sec. 85. Contract requirements. No entity may establish, operate, conduct, or maintain an establishment in this State unless a written service delivery contract is executed between the establishment and each resident or resident's representative in accordance with Section 90 and unless the establishment operates in accordance with the terms of the contract. The resident or the resident's representative shall be given a complete copy of the contract and all supporting documents and attachments and any changes whenever changes are made. If the resident does not understand English and if translated documents are not available, the establishment must explain its policies to a responsible relative or friend or another individual who has agreed to communicate the information to the resident.
(Source: P.A. 91-656, eff. 1-1-01.)

(210 ILCS 9/90)

Sec. 90. Contents of service delivery contract. A contract between an establishment and a resident must be entitled "assisted living establishment contract" or "shared housing establishment contract" as applicable, shall be printed in no less than 12 point type, and shall include at least the following elements in the body or through supporting documents or attachments:

- (1) the name, street address, and mailing address of the establishment;
- (2) the name and mailing address of the owner or owners of the establishment and, if the owner or owners are not natural persons, the type of business entity of the owner or owners;
- (3) the name and mailing address of the managing agent of the establishment, whether hired under a management agreement or lease agreement, if the managing agent is different from the owner or owners;
- (4) the name and address of at least one natural person who is authorized to accept service on

behalf of the owners and managing agent;
(5) a statement describing the license status of the establishment and the license status of all providers of health-related or supportive services to a resident under arrangement with the establishment;
(6) the duration of the contract;
(7) the base rate to be paid by the resident and a description of the services to be provided as part of this rate;
(8) a description of any additional services to be provided for an additional fee by the establishment directly or by a third party provider under arrangement with the establishment;
(9) the fee schedules outlining the cost of any additional services;
(10) a description of the process through which the contract may be modified, amended, or terminated;
(11) a description of the establishment's complaint resolution process available to residents and notice of the availability of the Department on Aging's Senior Helpline for complaints;
(12) the name of the resident's designated representative, if any;
(13) the resident's obligations in order to maintain residency and receive services including compliance with all assessments required under Section 15;
(14) the billing and payment procedures and requirements;
(15) a statement affirming the resident's freedom to receive services from service providers with whom the establishment does not have a contractual arrangement, which may also disclaim liability on the part of the establishment for those services;
(16) a statement that medical assistance under Article V or Article VI of the Illinois Public Aid Code is not available for payment for services provided in an establishment, excluding contracts executed with residents residing in licensed establishments participating in the Department on Aging's Comprehensive Care in Residential Settings

Demonstration Project;

(17) a statement detailing the admission,
risk

management, and residency termination
criteria and procedures;

(18) a statement listing the rights
specified in

Section 95 and acknowledging that, by
contracting with the assisted living or
shared housing establishment, the resident
does not forfeit those rights;

(19) a statement detailing the
Department's annual

on-site review process including what
documents contained in a resident's personal
file shall be reviewed by the on-site
reviewer as defined by rule; and

(20) a statement outlining whether the
establishment

charges a community fee and, if so, the
amount of the fee and whether it is
refundable; if the fee is refundable, the
contract must describe the conditions under
which it is refundable and how the amount of
the refund is determined.

(Source: P.A. 93-775, eff. 1-1-05; 94-256, eff.
7-19-05.)

(210 ILCS 9/95)

Sec. 95. Resident rights. No resident shall
be deprived of any rights, benefits, or
privileges guaranteed by law, the Constitution of
the State of Illinois, or the Constitution of the
United States solely on account of his or her
status as a resident of an establishment, nor
shall a resident forfeit any of the following
rights:

(1) the right to retain and use personal
property

and a place to store personal items that is
locked and secure;

(2) the right to refuse services and to
be advised

of the consequences of that refusal;

(3) the right to respect for bodily
privacy and

dignity at all times, especially during care
and treatment;

(4) the right to the free exercise of
religion;

(5) the right to privacy with regard to
mail, phone

calls, and visitors;

(6) the right to uncensored access to the
State

Ombudsman or his or her designee;
(7) the right to be free of retaliation
for
criticizing the establishment or making
complaints to appropriate agencies;
(8) the right to be free of chemical and
physical
restraints;
(9) the right to be free of abuse or
neglect or to
refuse to perform labor;
(10) the right to confidentiality of the
resident's
medical records;
(11) the right of access and the right to
copy the
resident's personal files maintained by the
establishment;
(12) the right to 24 hours access to the
establishment;
(13) the right to a minimum of 90-days
notice of a
planned establishment closure;
(14) the right to a minimum of 30-days
notice of an
involuntary residency termination, except
where the resident poses a threat to himself
or others, or in other emergency situations,
and the right to appeal such termination; and
(15) the right to a 30-day notice of
delinquency and
at least 15 days right to cure delinquency.
(Source: P.A. 91-656, eff. 1-1-01.)

(210 ILCS 9/100)

Sec. 100. Notice of closure. An owner of an establishment licensed under this Act shall give 90 days notice prior to voluntarily closing the establishment or prior to closing any part of the establishment if closing the part will require residency termination. The notice shall be given to the Department, to any resident who must have their residency terminated, the resident's representative, and to a member of the resident's family, where practicable. The notice shall state the proposed date of closing and the reason for closing. The establishment shall offer to assist the resident in securing an alternative placement and shall advise the resident on available alternatives. Where the resident is unable to choose an alternative placement and is not under guardianship, the Department shall be notified of the need for relocation assistance. The establishment shall comply with all applicable laws and rules until the date of closing,

including those related to residency termination.
(Source: P.A. 91-656, eff. 1-1-01.)

(210 ILCS 9/105)

Sec. 105. Record retention. Service delivery contracts and related documents executed by each resident or resident's representative shall be maintained by an establishment subject to this Act from the date of execution until 3 years after the contract is terminated. The establishment shall also maintain and retain records to support compliance with each individual contract and with applicable federal and State rules. The records and supporting documents, as defined by rule, shall be made available for on-site inspection by the Department upon request at any time.
(Source: P.A. 91-656, eff. 1-1-01.)

(210 ILCS 9/110)

Sec. 110. Powers and duties of the Department.

(a) The Department shall conduct an annual unannounced on-site visit at each assisted living and shared housing establishment to determine compliance with applicable licensure requirements and standards. Additional visits may be conducted without prior notice to the assisted living or shared housing establishment.

(b) Upon receipt of information that may indicate the failure of the assisted living or shared housing establishment or a service provider to comply with a provision of this Act, the Department shall investigate the matter or make appropriate referrals to other government agencies and entities having jurisdiction over the subject matter of the possible violation. The Department may also make referrals to any public or private agency that the Department considers available for appropriate assistance to those involved. The Department may oversee and coordinate the enforcement of State consumer protection policies affecting residents residing in an establishment licensed under this Act.

(c) The Department shall establish by rule complaint receipt, investigation, resolution, and involuntary residency termination procedures. Resolution procedures shall provide for on-site review and evaluation of an assisted living or shared housing establishment found to be in violation of this Act within a specified period of time based on the gravity and severity of the violation and any pervasive pattern of occurrences of the same or similar violations.

(d) (Blank).

(e) The Department shall by rule establish penalties and sanctions, which shall include, but need not be limited to, the creation of a schedule of graduated penalties and sanctions to include closure.

(f) The Department shall by rule establish procedures for disclosure of information to the public, which shall include, but not be limited to, ownership, licensure status, frequency of complaints, disposition of substantiated complaints, and disciplinary actions.

(g) (Blank).

(h) Beginning January 1, 2000, the Department shall begin drafting rules necessary for the administration of this Act.
(Source: P.A. 96-975, eff. 7-2-10.)

(210 ILCS 9/115)

Sec. 115. Reports and access to information. The Department may require periodic reports and shall have access to and may reproduce or photocopy at its cost any books, records or other documents maintained by the establishment to the extent necessary to carry out this Act and shall not divulge or disclose the contents of a resident's record obtained under this Section in violation of this Act.
(Source: P.A. 91-656, eff. 1-1-01.)

(210 ILCS 9/120)

Sec. 120. Consent to review. A licensee or applicant for a license shall be deemed to have given consent to any authorized officer, employee, or agent of the Department to enter and review the establishment in accordance with this Act, except that entrance to individual rooms shall only be given with the consent of the resident or the resident's representative. Refusal to permit entry or review shall constitute grounds for denial, nonrenewal, or revocation of a license.
(Source: P.A. 91-656, eff. 1-1-01.)

(210 ILCS 9/125)

Sec. 125. (Repealed).

(Source: P.A. 95-628, eff. 9-25-07. Repealed by P.A. 96-975, eff. 7-2-10.)

(210 ILCS 9/130)

Sec. 130. (Repealed).

(Source: P.A. 91-656, eff. 1-1-01. Repealed by P.A. 93-1003, eff. 8-23-04.)

(210 ILCS 9/135)

Sec. 135. Civil penalties.

(a) The Department may assess a civil penalty not to exceed \$5,000 against any establishment subject to this Act for violations of this Act. Each day a violation continues shall be deemed a separate violation.

(b) Beginning 180 days after the adoption of rules under this Act, the Department may assess a

civil penalty not to exceed \$3,000 against any establishment subject to this Act for caring for a resident who exceeds the care needs defined in this Act. Each day a violation continues shall be deemed a separate violation.

(c) The Department is authorized to hold hearings in contested cases regarding appeals of the penalties assessed pursuant to this Section. (Source: P.A. 91-656, eff. 1-1-01.)

(210 ILCS 9/140)

Sec. 140. State and private funding. Nothing in this Act shall:

(1) require or authorize the State agency responsible for the administration of the medical assistance program established under Article V and Article VI of the Illinois Public Aid Code to approve, supply, or cover services provided in an assisted living or shared housing establishment, with the exception of licensed facilities that participate in the Department on Aging's Comprehensive Care in Residential Settings Demonstration Project, which may be covered under provisions of the Illinois Public Aid Code;

(2) require an agency or a managed care organization to approve, supply, or cover services provided in an assisted living or shared housing establishment; or

(3) require any other third party payer to approve, supply or cover medically necessary home care services provided in an assisted living establishment.

(Source: P.A. 93-775, eff. 1-1-05.)

(210 ILCS 9/145)

Sec. 145. Conversion of facilities. Entities licensed as facilities under the Nursing Home Care Act or the MR/DD Community Care Act may elect to convert to a license under this Act. Any facility that chooses to convert, in whole or in part, shall follow the requirements in the Nursing Home Care Act or the MR/DD Community Care Act, as applicable, and rules promulgated under those Acts regarding voluntary closure and notice to residents. Any conversion of existing beds licensed under the Nursing Home Care Act or the MR/DD Community Care Act to licensure under this Act is exempt from review by the Health Facilities and Services Review Board.

(Source: P.A. 96-31, eff. 6-30-09; 96-339, eff. 7-1-10; 96-1000, eff. 7-2-10.)

(210 ILCS 9/150)

Sec. 150. Alzheimer and dementia programs.

(a) In addition to this Section, Alzheimer and dementia programs shall comply with all of the other provisions of this Act.

(b) No person shall be admitted or retained if the assisted living or shared housing establishment cannot provide or secure appropriate care, if the resident requires a level of service or type of service for which the establishment is not licensed or which the establishment does not provide, or if the establishment does not have the staff appropriate in numbers and with appropriate skill to provide such services.

(c) No person shall be accepted for residency or remain in residence if the person's mental or physical condition has so deteriorated to render residency in such a program to be detrimental to the health, welfare or safety of the person or of other residents of the establishment. The Department by rule shall identify a validated dementia-specific standard with inter-rater reliability that will be used to assess individual residents. The assessment must be approved by the resident's physician and shall occur prior to acceptance for residency, annually, and at such time that a change in the resident's condition is identified by a family member, staff of the establishment, or the resident's physician.

(d) No person shall be accepted for residency or remain in residence if the person is dangerous to self or others and the establishment would be unable to eliminate the danger through the use of appropriate treatment modalities.

(e) No person shall be accepted for residency or remain in residence if the person meets the criteria provided in subsections (b) through (g) of Section 75 of this Act.

(f) An establishment that offers to provide a special program or unit for persons with Alzheimer's disease and related disorders shall:

- (1) disclose to the Department and to a potential or actual resident of the establishment information as specified under the Alzheimer's Disease and Related Dementias Special Care Disclosure Act;

- (2) ensure that a resident's representative is

- designated for the resident;

- (3) develop and implement policies and procedures

- that ensure the continued safety of all residents in the establishment including, but not limited to, those who:

- (A) may wander; and

- (B) may need supervision and assistance when

- evacuating the building in an emergency;

- (4) provide coordination of communications with each resident, resident's representative, relatives and other persons identified in the resident's service plan;

- (5) provide cognitive stimulation and activities to

- maximize functioning;

- (6) provide an appropriate number of staff for its

- resident population, as established by rule;

(7) require the director or administrator and direct care staff to complete sufficient comprehensive and ongoing dementia and cognitive deficit training, the content of which shall be established by rule; and
(8) develop emergency procedures and staffing patterns to respond to the needs of residents.
(Source: P.A. 96-990, eff. 7-2-10.)

(210 ILCS 9/155)
Sec. 155. Application of Act. An establishment licensed under this Act shall obtain and maintain all other licenses, permits, certificates, and other governmental approvals required of it, except that a licensed assisted living or shared housing establishment is exempt from the provisions of the Illinois Health Facilities Planning Act. An establishment licensed under this Act shall comply with the requirements of all local, State, federal, and other applicable laws, rules, and ordinances and the National Fire Protection Association's Life Safety Code.
(Source: P.A. 91-656, eff. 1-1-01.)

(210 ILCS 9/160)
Sec. 160. Assisted Living and Shared Housing Regulatory Fund. There is created in the State treasury a special fund to be known as the Assisted Living and Shared Housing Regulatory Fund. All moneys received by the Department under this Act and the Board and Care Home Act shall be deposited into the Fund. Subject to appropriation, moneys in the Fund shall be used for the administration of this Act and the Board and Care Home Act. Interest earned on moneys in the Fund shall be deposited into the Fund.
(Source: P.A. 94-21, eff. 1-1-06; 95-651, eff. 10-11-07.)

(210 ILCS 9/165)
Sec. 165. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.
(Source: P.A. 91-656, eff. 1-1-01.)

(210 ILCS 9/189)
Sec. 189. (Amendatory provisions; text omitted).
(Source: P.A. 91-656, eff. 1-1-01; text omitted.)

(210 ILCS 9/191)

Sec. 191. (Amendatory provisions; text omitted).

(Source: P.A. 91-656, eff. 1-1-01; text omitted.)

(210 ILCS 9/192)

Sec. 192. (Amendatory provisions; text omitted).

(Source: P.A. 91-656, eff. 1-1-01; text omitted.)

(210 ILCS 9/193)

Sec. 193. (Amendatory provisions; text omitted).

(Source: P.A. 91-656, eff. 1-1-01; text omitted.)

(210 ILCS 9/194)

Sec. 194. (Amendatory provisions; text omitted).

(Source: P.A. 91-656, eff. 1-1-01; text omitted.)

(210 ILCS 9/195)

Sec. 195. (Amendatory provisions; text omitted).

(Source: P.A. 91-656, eff. 1-1-01; text omitted.)

(210 ILCS 9/196)

Sec. 196. (Amendatory provisions; text omitted).

(Source: P.A. 91-656, eff. 1-1-01; text omitted.)

(210 ILCS 9/197)

Sec. 197. (Amendatory provisions; text omitted).

(Source: P.A. 91-656, eff. 1-1-01; text omitted.)

(210 ILCS 9/199)

Sec. 199. Effective date. This Act takes effect on January 1, 2001.

(Source: P.A. 91-656, eff. 1-1-01.)