

**VILLAGE OF NORTH RIVERSIDE  
BOARD OF TRUSTEES MEETING, JUNE 17, 2013  
COUNCIL ROOM, 7:30 P.M.**

Mayor Hermanek opened the meeting with a Pledge of Allegiance and a Roll Call, In attendance were Trustees Bianco, Czajka, Decosola, Demopoulos, Mengoni and Wilt.

Others in attendance were Administrator Belmonte, Attorney Odelson, Fire Chief Basek, Police Chief Niemann, Public Works Director Kutt, Recreation Director Frampton, and Honorable Mayor Scheck.

**APPROVAL OF AGENDA**

Trustee Demopoulos moved, seconded by Trustee Bianco, to approve the agenda for this meeting as presented. Roll Call Vote:

AYES: Trustees Bianco, Czajka, Decosola, Demopoulos, Mengoni, Wilt

NAYS: None. Motion Carried

**BIDS**- None

**CASH RECEIPTS REPORT**- None

**APPROVAL OF MINUTES**

Trustee Demopoulos moved, seconded by Trustee Bianco, to approve the minutes of the June 3, 2013 Village Board Meeting as presented. Roll Call Vote:

AYES: Trustees Bianco, Czajka, Decosola, Demopoulos, Mengoni, Wilt,

NAYS: None. Motion carried.

**REPORT OF THE TRUSTEES**

Trustee Bianco ( Streets, Alleys, Sidewalks & Refuse) - No Report

Trustee Czajka( Buildings, Public Grounds, Lights, Public Services & Transportation) – No Report

Trustee Decosola ( Judiciary, Ordinances, Recreation)-

1. Day Camp started today and they had a fun day of games and activities. There are still a few spots open so stop by to register.
2. Concerts begin June 25<sup>th</sup> and the first band is the Riverside Township Band. Concessions are available.

**REPORT OF TRUSTEES (continued)**

- 3. Still looking for softball teams for our coed and softball tournaments held on July 3<sup>rd</sup> and 4<sup>th</sup>.
- 4. Second sessions for recreation classes will begin next week, check recreation book for details.
- 5. We have a few tickets left for our Cirque Shanghai Dragons Thunder trip. Purchase your tickets at the Recreation Department.
- 6. Picnic in the Park for Seniors will be held on Thursday June 27<sup>th</sup>. Tickets are \$10.00 which includes fried chicken, coleslaw, chips, dessert and coffee. Also includes bocci ball, bags, prizes and a raffle.

**Trustee Demopoulos ( Water, Sewers, Drainage & Zoning)-**

Trustee Demopoulos filed the Water Commission Meeting Minutes with Clerk Ranieri. Trustee Demopoulos also read the Finding and Recommendations report from the Zoning Board of Appeals and the Plan Commission in reference to the Scottish Home’s Request for Conditional Use and Variances. (See Exhibit A)

Trustee Demopoulos moved, seconded by Trustee Wlitt, to concur with the findings and recommendations of the Zoning Board of Appeals and Plan Commission and direct the Village Attorney to prepare an Ordinance in accordance with the Findings and Recommendations and Conditions granting the conditional use and variances for the Scottish Home at 2800 S. DesPlaines Avenue. Roll Call Vote:

AYES: Trustees Bianco, Czajka, Decosola, Demopoulos, Mengoni, Wilt  
NAYS: None. Motion carried

**Trustee Mengoni ( Police, Fire and License)-**

Trustee Mengoni scheduled a Police and Fire Committee meeting for July 22, 2013 at 6:00 P.M. Trustee Mengoni gave the Police and Fire Activity Report for the month of May, 2013 as follows:

Fire Activity-

EMS Calls.....92	YTD.....463
Fire Calls.....90	YTD.....475
Inspection..... 58	YTD.....288
Compliances.....39	YTD.....159

Police Activity-

Calls for service..... 1,350	YTD.....4,996
Parking Violations.....154	YTD.....770
Moving violations.....88	YTD.....529
Compliance Tickets.....65	YTD.....324
Size, Weight & Load.....1	YTD.....6
Total Violations.....324	YTD.....1,719

## **REPORT OF TRUSTEES (continued)**

### **Trustee Wilt ( Finance, Health & Appropriations)-**

Trustee Wilt called a Finance Committee Meeting to discuss the Fiscal Year 2014 Budget for Monday July 1<sup>st</sup> and Tuesday , July 2, 2013 starting at 6:00 P.M. Trustee Wilt also scheduled a Public Hearing to review the Appropriation Ordinance for Monday, July 29, 2013 at 7:00 P.M.

## **MAYORAL REPORT**

Mayor Hermanek asked for a motion to cancel the scheduled July 15, 2013 Village Board Meeting. Trustee Wilt motioned, seconded by Trustee Mengoni. Motion carried unanimously.

Mayor Hermanek asked for a motion to to schedule a special Village Board Meeting for Monday, July 29, 2013 at 7:30P.M. Trustee Mengoni moved, seconded by Trustee Demopoulos. Motion carried unanimously.

Mayor Hermanek thanked everyone that attended and helped out at the the Annual Youth Scholarship Golf Outing which was held on June 10, 2013 at the Riverside Country Club. A total of 77 North Riverside children were aided in an amount of \$28,700.

Mayor Hermanek also expressed his sympathy on the passing of Police Commander Tony Garvey. He thanked all the departments for aiding in the funeral procession.

## **CORRESPONDENCE**

A thank you note was received from the family of Cathy Steele, mother of pre-school teacher Kim O'Kane, thanking the village for the flowers.

A thank you note was received from from the Sons of the American Legions for allowing them to hold their Tag Day fundraiser in North Riverside and continually supporting their organization.

A thank you letter were received from the Arlington Heights Police Department , thanking Officer Chris Boenzi for his professionalism and dedication in aiding the Arlington Heights Police on a police matter.

A thank you letter was received from the Riverside Police Department, thanking Sergeant Frank Schmaltz for assisting the Riverside Police Department on April 28, 2013. He helped locate witnesses and helped bring the Riverside case to a successful conclusion.

A thank you letter was received from Kohl's Department Store's Loss Prevention Team. They thanked the entire North Riverside Police Department for helping the store reduce the shortage in their building by \$115,000 from last year.

Help for HD Families requested permission to host their annual fundraiser walk in Commons Park on August 31, 2013 from 10:00 to 2:00 P.M.

**CORRESPONDENCE (continued)**

Kelly Migacz from the 2300 block of Westover requested permission to hold a block party on Saturday August 24, 2013.

Trustee Czajka moved, seconded by Trustee Decosola, to grant permission to the above two requests. Motion carried unanimously.

**APPROVAL OF BILLS**

Trustee Wilt moved, seconded by Trustee Mengoni , to approve the list of bills submitted for this meeting totaling \$159,945.96 and to have these bills paid out of proper funds when such funds are available. Roll Call Vote:

AYES: Trustees Bianco, Czajka, Decosola, Demopoulos, Mengoni, Wilt

NAYS: None. Motion carried

**ORDINANCES AND RESOLUTIONS-** None

**UNFINISHED BUSINESS-** None

**NEW BUSINESS**

Mayor Hermanek congratulated and Clerk Ranieri swore in Probationary Officer Edward Chen to the North Riverside Fire Department.

**AUDIENCE**

Mrs. Susan Casey from the Miller Meadow Dog Park spoke to the audience and board about the new Dog Park that will be located on 1<sup>st</sup> Avenue just north of Cermak Road.

**ADJOURNMENT**

Trustee Bianco moved, seconded by Trustee Czajka, for adjournment at 8:12 P.M. Motion carried unanimously.

Respectfully submitted by,

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Kathy Ranieri  
VILLAGE CLERK

**ZONING BOARD OF APPEALS AND  
PLAN COMMISSION  
VILLAGE OF NORTH RIVERSIDE  
2401 South Desplaines Avenue  
North Riverside, Illinois 60546**

June 14, 2013

**FINDINGS AND RECOMMENDATIONS**

Mayor Hermanek and Board of Trustees  
Village of North Riverside, Illinois

Re: Scottish Home – Request for Conditional Use and Variances

Mayor/Board:

The Zoning Board of Appeals (“ZBA”) and Plan Commission (“PC”) of the Village of North Riverside hereby provide their joint findings and recommendations relative to a requested amendment to a conditional permitted use and a request for variances to allow the Scottish Home and Illinois Saint Andrew Society (“Applicant”) to construct a new assisted living/Alzheimer’s facility development on a lot at 2800 S. Desplaines Avenue (“Property”), said lot being located in an R-2 Residential District. Relative hereteto, please note the following:

**A. Application and Procedural History**

On or about December 6, 2012, the Applicant filed an Application for a Variation or Amendment (“Application”) with the Village. In the Application, the Applicant seeks a variation from Sections 5.05 and 6.03(F) Village’s Zoning Code to allow an additional principal building in excess of 27 feet in height on the Property, said lot being located in an R-2 Residential District. Specifically, the Applicant seeks permission to build a new assisted living/Alzheimer’s facility on the Property in addition to its existing structure on the Property. Applicant also seeks an amendment to their 1995 conditional permitted use to allow for the development of the additional principal building on the Property.

On February 7, 2013, a joint public hearing was held before the ZBA and PC pursuant to notice regarding the requested variance, as well as a request for an amendment to their conditional permitted use. The Applicant as well as residents were given the opportunity to speak at the hearing. After the hearing, the ZBA and PC made a motion to grant the variances to Section 5.05 of the North Riverside Zoning Ordinance to allow for more than one principal building on a lot, and to Section 6.03 to permit the building height to exceed the maximum height of 27 feet for structures located in an R-2 zoning district. The applicant was to follow all conditions and requirements listed in Karyn Byrne’s memorandum, dated January 22, 2013, including the

possible addition of a berm along 27<sup>th</sup> Street. The motion was seconded and approved unanimously by both the ZBA and PC.

On March 4, 2013, the Village Board moved to concur with the findings and recommendations of the ZBA and PC. The motion was seconded and approved unanimously.

On April 1, 2013, the Village Board did not make a motion to pass an Ordinance Approving Variations for Certain Property in the Village of North Riverside (Scottish Home) for the reason that the Ordinance was tabled pending a further hearing of the ZBA and PC on May 9, 2013.

On May 9, 2013, a further joint public hearing was held before the ZBA and PC pursuant to notice.

**B. Notice**

Notice of the May 9, 2013 hearing was published in the Landmark Newspaper.

**C. Members Present**

Members of the ZBA who were present at the May 9, 2013 public hearing: 5

Members of the PC who were present at the May 9, 2013 public hearing: 7

**D. Description of the Property**

The Property consists of approximately 4.9 acres in total area located at 2800 S. Desplaines Avenue. The Property is located in an R-2 Residential District. In 1910, the original retirement home was constructed at the Property. In 1995, Applicant obtained a conditional use to expand its facility at the Property through Ordinance No. 95-0-17.

**E. Description of Adjoining Properties**

The Property is surrounded on three sides by Cook County Forest Preserve land. On the north side of the Property is 27<sup>th</sup> Street, which is lined with approximately twenty-eight (28) single family detached residences.

**F. Description of Public Hearing**

The ZBA and PC conducted the joint hearing, which began on May 9, 2013 at approximately 7:00 p.m. in the Village Commons at 2401 S. Desplaines Avenue, North Riverside, Illinois. Applicant was represented by Alexander D. Kerr, Jr., Esq. The following individuals presented testimony on behalf of Applicant:

- Mr. Gus Noble, President, the Scottish Home of Illinois Saint Andrew Society;
- Mr. Ken Koziczkowski, Architect, Ganther Construction/Architecture;
- Mr. Jason R. Doland, Professional Engineer, Doland Engineering, LLC.

Residents Karen Bensfield, Tom Bensfield, and Kenneth Bensfield were represented at the hearing by attorney John N. Pieper and gave testimony. Karyn Byrne, the Village's Code Enforcement Officer, was questioned by Mr. Pieper. Mr. Jim Zak, Resident, also gave testimony.

#### **G. Summary of Applicant's Evidence**

*Gus Noble* – Testified as follows: The Scottish Home is owned by the Illinois Saint Andrew Society, a not-for-profit corporation. The Society acquired the Property in the early 1900s, before the Village was established and before any other buildings were built on the surrounding land. New wings were added to the Scottish Home's facility in the 1960s and the 1990s. The Scottish Home provides shelter care (similar to assisted living), intermediate care and skilled care.

The Scottish Home employs persons from the community and retains the services of local businesses. Visitors to the Scottish Home spend time and money in local businesses. Local community and church groups use the Scottish Home to host meetings and luncheons. Scottish Home provides meals to the local police force for persons in custody. Scottish Home hosts educational evenings on topics relating to aging, well-being and veterans benefits. The Scottish Home provides shelter and care to residents of the community.

The Scottish Home's current facilities no longer meet the demands of perspective residents and their adult children. Trying to renovate the Applicant's 100 year old building in order to best serve the Applicant's residents will be both logistically and financially impractical. To remain competitive in its field, against competitors such as the British Home, which has modernized, built larger rooms, and better facilities, Applicant will have to build a the proposed two-story, 24-bed Caledonian House in accordance with plans submitted to the ZBA and PC. The proposed additional structure will be licensed to provide assisted living, and will provide state-of-the-art, best-in-class memory care in a non-institutional setting.

The proposed additional structure will allow the Scottish Home to operate more efficiently by eliminating the need for vendors to provide housekeeping, food service, and nursing services. The Scottish Home has commissioned and completed a financial feasibility study, a market feasibility study and a fundraising feasibility study which establish that it can raise the support to build the proposed additional structure, that it will work financially, and that there is a crucially a need in North Riverside for the types of services the Scottish Home offers.

The number of Americans who will suffer from Alzheimer's disease will increase from 5.1 million in 2010 to 13.5 million by 2050. It is projected that the need for memory care will increase by 400 percent during that time period.

Cook County assessor's office records he examined show that property values on 27<sup>th</sup> Street were not negatively impacted in the 1990s when Applicant constructed the Georgeson wing on the Property. Several properties increased in value.

Noise issues in the past from the current structure's chiller were addressed with acoustic absorption tiles on the walls of the building, an acoustic blanket wrapped around the machinery, and custom barriers around the chiller, at a cost of \$30,000 total. Newer equipment is much less noisy. Any generator that may become necessary in the proposed additional structure would be designed to minimize neighbor complaints.

*Ken Koziczkowski* – Testified as follows: The proposed additional structure is designed on what is called the “household model,” where each floor represents its own 12-unit household, with each resident having a private bedroom, bathroom and shower, and limited corridors to foster interaction amongst residents.

The elements and finishes on the proposed additional structure will be residential in nature to fit into the look and feel of the community.

Traffic to the proposed additional structure will come along the existing drive path and pick up where the current fire lane is. Lighting for the proposed additional structure is going to be minimal, and as required by code. Emergency lighting will only be on when needed and that security lighting and parking lot lighting will be shielded and downcast. Any requirements of the Village as to lighting will be met.

Because the proposed additional structure will be set back 88 feet from the property line, the lighting necessary for the proposed additional structure will not affect the residential properties on 27<sup>th</sup> Street.

There will be fire lane access and the proposed additional structure will have a full sprinkler system with an alarm for the safety of residents tied directly to the fire department.

Sound from the proposed additional structure will be minimal, as it has to be for its residents to sleep. All sounds from the proposed additional structure will comply with the Village Code.

*Jason Doland* – Testified as follows: He is from Doland Engineering, LLC. He presented a contour map showing the natural terrain of the Property. Water flows from north to south, off of 27<sup>th</sup> Street, into the Property. The design of the proposed additional structure thus has to take that into account to avoid impeding water flow.

The design of the proposed additional structure incorporates storm sewer collection points to allow for the natural flow of water through Applicant's storm sewer system and to avoid adverse impact in terms of water flow.

The fire lane for the proposed additional structure will be built into the existing fire lane. The additional parking spaces for the proposed additional structure were orientated away from 27<sup>th</sup> Street.

He presented a utility plan showing the storm sewer network relating to the Property. Applicant will provide a hedge row or buffer between the Property and 27<sup>th</sup> Street so that when a car enters the Property driving northerly, there will be a filtering effect. A three feet tall berm with hedges on top of it would create a blockage higher than the headlights on a vehicle.

A three foot height is not a random figure but the maximum practically allowable. To have a maintainable slope would require a four-to-one ratio of width to height, so a three foot berm would have to have a twelve foot base. Widening the base disturbs the ground and tree root zones. There are 16 trees along the 27<sup>th</sup> Street border of the Property. A taller berm may impact the fire lane, which is only 20 feet from the Property line in places.

A 6 foot berm would effectively serve as a dam which would force water back towards the residents on 27<sup>th</sup> Street and cause ponding. He believes a berm could impact the existing oak trees in the area.

Geometrically, the proposed additional structure does not fit anywhere on the Property except where Applicant proposes to put it in the plans submitted to the ZBA and PC.

The loading dock for the proposed additional structure will be shielded from 27<sup>th</sup> Street. A 6 foot high berm would have to be supported by a retaining wall. Building a berm may impact the root system of the grove of trees on the north end of the property because they would have to fill over the root system for those trees. These trees provide buffering and filtering between the properties.

#### **H. Public Comments/Objections**

*Jim Zak* – Testified as follows: He believes a three-foot berm would block the headlights of 90 percent of any vehicles approaching it. He asked if any three-foot berm would be landscaped, to which Karyn Byrne answered in the affirmative.

*Karen Bensfield* – Testified as follows: She is a resident of 27<sup>th</sup> Street in North Riverside. She asked where the berm was going to go. Karyn Byrne identified the area on the exhibits. She mentioned lighting problems. Ms. Byrne answered that the parking area of the proposed additional structure would be shielded and will have to meet applicable North Riverside codes. She asked why the building could not be located on what she called a “pit” on the Property. Mr. Doland answered that in order to be a stand-alone building as designed, the proposed additional structure would not fit there. He also stated that the pit area is below ground and that licensing requirements require resident bedrooms be above grade with a window.

She asked whether a berm was a certainty on the Property. Mr. Doland answered that to put a berm on the north portion of the Property will carry risks to mature trees. She expressed concerns about the Scottish Home not putting a berm in back in 1990. She stated that she would like to see Scottish Home and the Village be more responsive to issues. She stated that she is concerned about property values and the proposed additional structure's height. As to property values, she stated she did not know whether property values will decrease or remain the same with a building right across the street from her house.

*Karyn Byrne* – Testified under questioning by Mr. Pieper, the Bensfields' attorney as follows: The property is not a planned development. The side yard for the proposed additional structure meets the Code requirements. A variance will be necessary for the proposed additional structure to be over 27 feet in height.

*Tom Bensfield* – Testified as follows: He lives at 8130 W. 27<sup>th</sup> Street, and has lived there for 55 years. He reviewed the site plans some months ago and the plans presented at the hearing. He feels that his property will be significantly adversely affected by the proximity of the proposed additional structure to his property. He feels that a height of 45 feet will be obtrusive from his front porch. Unless there is a significant amount of planting place, the proposed additional structure will be excessive compared to a single family residential home and will be overbearing by comparison to the neighborhood.

He believes that the previous addition to the Scottish Home was about 300 feet from the 27<sup>th</sup> Street property line and approximately 20 feet in height. He believes that the impact of that addition will be less than the impact of the proposed additional structure, but was still negative. He believes his property value will be significantly negatively impacted by the proposed additional structure.

Complaints relating to the Applicant's previous addition have fallen on deaf ears. He has had no problems with drainage off of 27<sup>th</sup> Street or along the fence line between the Property and his property. He has concerns about issues water may cause as a result of the proposed additional structure.

He asked Applicant whether the pit Karen Bensfield spoke about could be filled in and the proposed additional structure placed there. Mr. Koziczkowski answered that it could not based on the size and geometry of the structure. Mr. Koziczkowski said that while the proposed additional structure may physically fit in that area, placing the building in that area would create aesthetic problems for residents of the structure, such as having to look out at a brick wall. He also stated there would be fire access and handicap accessibility problems, as well as increased construction costs.

He asked Applicant whether a berm could be swaled and pitched east or west to a new storm runoff drain. Mr. Doland answered that a berm on the Property cannot be swaled due to elevation, drainage, and storm sewer limitations.

He presented a Revised Exhibit A and read it into the record. The Exhibit contains proposed restrictions on the proposed additional structure. The Exhibit was taken under advisement and given due consideration by the ZBA and PC.

He asked Mr. Noble how a 45-foot, 24-unit apartment complex sitting directly across from single family homes will be in harmony with those homes. Mr. Noble answered that the proposed additional structure has 24 rooms, not apartments, and that the proposed additional structure is designed to be a residence for the people who live there and look, feel and function as a residence inside and out. He further answered that the proposed additional structure is designed with architectural cues not just from Scotland but from the golf course in Deerfield. Noble stated that for that reason, he believes that the proposed additional structure will be in harmony with the community.

*Kenneth C. Bensfield* – Testified as follows: He lives at 8126 W. 27<sup>th</sup> Street and has lived on 27<sup>th</sup> Street for 54 years. Many years ago the Scottish Home put on an addition with new chillers, and that for quite a few years the noise had been horrendous. The Scottish Home spend hundreds of thousands of dollars fixing the chillers, putting barriers up, and sound barriers and insulating them.

He stated he would like to know what the decibel level is at his property before anything else is authorized for the Scottish Home. He stated he feels the Scottish Home and the Village have not abided by conditions placed on the Scottish Home in the 1990s.

He has what appears to be a 1,000 watt light shining across his property 24 hours per day, seven days per week. He lives 33 feet from the Applicant's property and another 35 feet from 27<sup>th</sup> Street. He has lights of Applicant's employees picking up, getting picked up, and turning their bright lights on continuously.

He stated that he does not believe the Village should allow the proposed additional structure to be built at a height greater than the existing buildings on the Property.

## **I. Findings and Recommendation**

The ZBA and PC unanimously recommend that Applicant be granted variances from Sections 5.05 and 6.03(F) of the Zoning Code and allowed to build an additional structure on the Property greater than 27 feet in height. In making this recommendation, the ZBA and PC considered all the evidence and testimony presented to them at the hearing and, pursuant to Section 12.07(E)(1) of the Zoning Code, determine that:

1. The Property cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located;
2. The plight of the Applicant is due to unique circumstances; and,

3. The proposed variations will not alter the essential character of the locality.

The ZBA and PC further find pursuant to Section 12.07(E)(2) of the Zoning Code that the evidence presented at the hearing established that the following facts are favorable to Applicant:

1. The particular physical surroundings, shape, and topographical conditions of the Property would bring a particular hardship upon the Applicant as distinguished from a mere inconvenience if the strict letter of the Code were to be carried out here;
2. The conditions upon which the petition for the variations was based would not be applicable generally to the other property within the same zoning classification;
3. The granting of the variances will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the Property is located; and,
4. The proposed variances will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

Pursuant to Section 12.07(E)(3) of the Zoning Code, the ZBA and PC suggest the following conditions and restrictions be placed upon the Property, in order to reduce or minimize any potential injurious effects that the proposed variances may have:

1. Applicant will locate all mechanical equipment necessary for the proposed additional structure on the south side of the proposed additional structure.
2. Applicant will only conduct maintenance and testing of generators or other mechanical equipment Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m.
3. Applicant will construct a berm of three (3) feet in height around the five-space parking area in the northwest corner of the subject property and will plant five-foot high spruce trees and evergreen shrubs. Both of these items will be constructed and planted in a way that provides for screening of light which the Village deems effective for the residential properties located on 27<sup>th</sup> Street.
4. Applicant will submit a planting, grading and maintenance plan ("Landscape Plan") to the Village which details the planting and grading to be performed pursuant to the construction of the proposed additional structure and its maintenance after the structure is completed. The Landscape Plan must be approved by the Village to confirm adequate

screening before any building permits to build the proposed additional structure will be given to Applicant.

5. Applicant will maintain all trees and shrubs planted pursuant to the Landscape Plan in accordance with the Landscape Plan. At a minimum, Applicant will remove all dead trees and shrubs and replace them with plantings of same species and height required by the Landscape Plan within a reasonable time.
6. Applicant will restore all existing landscaping affected by construction of the proposed additional structure within a reasonable time.
7. No exterior or excavation construction activity on the proposed additional structure shall occur before 8:00 a.m. Monday through Saturday or at any time on Sunday.
8. Interior construction may be conducted outside of these hours but must be conducted in accordance with Village code
9. All construction activities on the proposed additional structure will satisfy all applicable laws and ordinances of the Village of North Riverside.
10. All construction traffic relating in any way to the construction of the proposed additional structure will use 28th Street exclusively. Applicant will post any directional signs necessary to effectuate this at Des Plaines Avenue and 28th Street prior to being issued any building permits. Applicant will post a "no construction traffic" sign at Desplaines Avenue at 27th Street prior to being issued any building permits.
11. Exterior lighting relating to the proposed additional structure will satisfy all applicable laws and ordinances. Applicant will submit a photometric drawing to the Village for review, and no building permits will be issued until the Village approves the drawing.
12. Applicant will install diffusers or other devices on any exterior lights or relating to the proposed additional structure should they be deemed warranted by the Village at its discretion.
13. The height of the proposed additional structure shall not exceed the elevation specified on the drawings submitted by Applicant at the public hearing.
14. Applicant will permanently remove the gate in the far northwest corner of the subject property.

15. That the use of the Property complies with all other codes and ordinances of the Village of North Riverside; and,

16. That the conditional use granted further herein shall be limited to Scottish Home and Illinois Saint Andrew Society and shall not be transferable except upon reapplication, hearing and approval in the manner provided in the North Riverside Zoning Code.

In addition, the ZBA and PC unanimously find, pursuant to Section 12.11(D) of the Zoning Code, that the applicant established by a preponderance of the evidence that:

1. The proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community;
2. The proposed use will not, under the circumstances of the particular case and subject to the conditions set forth below, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property values of improvements in the vicinity; and,
3. The proposed use will comply with the regulations and conditions specified.

Therefore, the ZBA and PC unanimously recommend that the request for an amendment to Applicant's November 1995 Conditional Use (Ordinance No. 95-0-17) to build a new assisted living/Alzheimer's facility on the Property in addition to its existing structure on the Property also be granted.

Respectfully submitted,

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James Cashin, Chairman  
North Riverside Zoning Board of Appeals

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David Tomalis, Chairman  
North Riverside Plan Commission