

Village Board

Village President
Frank DeSimone

Trustees

Rosa Carmona
Ann Franz
Marie T. Frey
McLane Lomax
Nicholas Panicola Jr.
Armando Perez

Village Clerk
Nancy Quinn

Village Manager
Evan K. Summers



Village of Bensenville, Illinois VILLAGE BOARD COMMITTEE OF THE WHOLE AGENDA 6:30 PM April 16, 2024

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. PUBLIC COMMENT (3 minutes per person with a 30 minute meeting limitation)
- V. APPROVAL OF MINUTES
 1. *March 19, 2024 Committee of the Whole Meeting Minutes*
- VI. **REPORTS OF VILLAGE DEPARTMENTS**
 - A. Administration
 1. *Consideration of an Ordinance Amending Chapter Three of Title Three of the Bensenville Village Code to Regulate the Transfer of Liquor Licenses and Changes to Licensee Information*
 - B. Community and Economic Development
 1. *Consideration of an Ordinance for Text Amendments to Amend Title 10 (Zoning), Chapter 7 (Uses) & Chapter 11 (Definitions)*
 2. *Consideration of an Ordinance Granting a Special Use Permit (Day Care Center) at 1347 Irving Park Road*
 3. *Consideration of an Ordinance Granting Special Use Permit (Day Care Center) at 2 S Addison Street*
 4. *Consideration of an Ordinance Granting a Special Use Permit (Motor Vehicle Repair and/or Service) at 211 Beeline Drive Unit 1*
 5. *Consideration of an Ordinance Granting a Variation, Fence in the Corner Side Yard at 352 S Church Road*
 6. *Consideration of an Ordinance Granting Variations for a New Electronic Message Sign Within a New Monument Sign at 500 W Jefferson Street*

7. *Consideration of an Ordinance Denying a Special Use Permit, Medium Industrial, and Granting Variations, Driveway Width and Tree Replacement Rate Requirements for 740 County Line Road*

C. Finance – No Report

D. Police Department – No Report

E. Public Works

1. *Consideration of a Resolution Waiving Competitive Bidding and Authorizing the Execution of a Purchase Order to Polydyne Inc. for Purchase & Delivery of Polymer in the Not-to-Exceed Amount of \$24,515*
2. *Consideration of a Resolution Authorizing the Execution of a Contract with Midwest Mechanical for Removal and Installation of Village-Supplied Pump Package for the Cooling Tower at the Edge 2 in the Not-to-Exceed Amount of \$11,252*
3. *Consideration of a Resolution Authorizing the Execution of a Contract with Murphy Construction Services, LLC for Parking Lot Improvements at the Police Station at 345 E Green Street in the Not-to-Exceed Amount of \$11,000*
4. *Consideration of a Resolution Authorizing the Execution of a Purchase Order with Rovelocity for Two Utility Vehicles in the Not-to-Exceed Amount of \$31,616*
5. *Consideration of a Resolution Authorizing the Execution of a Contract with Corrective Asphalt Materials, LLC of Sugar Grove, IL for the 2024 Pavement Preventative Maintenance Program in the Amount of \$89,865.60*

F. Recreation

1. *Consideration of a Resolution Authorizing a Purchase Order for Zamboni Company USA, Inc. for the Purchase of an Ice Resurfacing Machine for the Not-to-Exceed Amount of \$123,300.30*

VII. INFORMATIONAL ITEMS

VIII. UNFINISHED BUSINESS

IX. EXECUTIVE SESSION

- A. Review of Executive Session Minutes [5 ILCS 120/2 (C) (21)]
- B. Personnel [5 ILCS 120/2 (C) (1)]
- C. Collective Bargaining [5 ILCS 120/2 (C) (2)]
- D. Property Acquisition [5 ILCS 120/2 (C) (5)]
- E. Litigation [5 ILCS 120/2 (C) (11)]

X. ADJOURNMENT

TYPE:Minutes**SUBMITTED BY:**Corey Williamsen**DEPARTMENT:**Village Clerk's Office**DATE:**April 16, 2024**DESCRIPTION:**March 19, 2024 Committee of the Whole Meeting Minutes**SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:****COMMITTEE ACTION:****DATE:****BACKGROUND:****KEY ISSUES:****ALTERNATIVES:****RECOMMENDATION:****BUDGET IMPACT:****ACTION REQUIRED:****ATTACHMENTS:****Description**

DRAFT_240319_COW

Upload Date

4/8/2024

Type

Cover Memo

**Village of Bensenville
Village Board Room
12 South Center Street
Bensenville, Illinois 60106
Counties of DuPage and Cook**

**MINUTES OF THE COMMITTEE OF THE WHOLE
March 19, 2024**

CALL TO ORDER: Village President, Frank DeSimone, called the meeting to order at 6:30 p.m.

PRESENT: Upon roll call by Village Clerk, Nancy Quinn, the following Board Members were present:

Franz, Frey, Panicola, Perez

Absent: Carmona, Lomax

A quorum was present.

Staff Present: E. Summers, J. Caracci, S. Flynn, K. Pozsgay, D. Schulze, C. Williamsen

Public Comment: There was no Public Comment

**Approval of
Minutes:**

The February 20, 2024 Committee of the Whole Meeting minutes were presented.

Motion: Trustee Franz made a motion to approve the minutes as presented. Trustee Frey seconded the motion.

All were in favor. Motion carried.

**Class E1 Liquor
License – Gigi's
Place:**

Village Manager, Evan Summer, presented an **Ordinance Amending Section 3-3-5 of the Bensenville Village Code – Liquor Regulations – to Increase the Number of Class E1 Liquor Licenses from 12 to 13 for the Issuance of a Liquor License to Gigi's Place.**

Deputy Village Clerk, Corey Williamsen, stated Section 3-3-5-E.3 of the Bensenville Village Code limits the number of Class E1 liquor licenses issued and outstanding at one time. Mr. Williamsen stated Class E1 licenses authorize the retail sale of liquor for consumption on the premise when food is offered. Mr. Williamsen stated Nigijo 5, Inc. DBA Gigi's Place is soon to operated space at 1203-1205 West Irving Park Road.

Mr. Williamsen stated a background check was conducted on the applicant, Kim Dellutri in January 2024 with no criminal history found by the State of Illinois and the FBI.

Mr. Williamsen stated Village Inspector, Ron Herff, is conducting inspections of the premise as part of the Village's building permit process.

Mr. Williamsen stated the current Village Code allows for no more than twelve (12) Class E1 liquor licenses to be issued. Currently all twelve licenses are issued to the following: Two Chef's, Bella Vista Banquets, Mamma Maria's, Mariscos El Amigo-3, Stella's Place, Taqueria El Toreo, Lucky Dog's, Green Street Grille, Los Buenos Diaz Mexican Grille, Tacos Puebla, Cilantro Taco Grill, La Pobltonita.

Mr. Williamsen stated in order to issue a Class E1 liquor licenses to Gigi's Place, the Village Board would have to increase the number of total licenses from 12 to 13.

Motion:

Trustee Perez made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Franz seconded the motion.

All were in favor. Motion Carried.

**Granicus
Agenda:**

Village Manager, Evan Summer, presented a **Resolution Granting Authorization to the Village Manager to Enter into an Agreement with Granicus for Peak Agenda and Video Software.**

Village Manager, Evan Summers stated Granicus is trusted by thousands of government agencies at all levels. Mr. Summers stated we currently are using Novus Agendas which is a program of Granicus since 2010. Mr. Summers stated we have found the software to be exceptional and fills our needs and purpose. Mr. Summers stated however, Novus Agendas has met its useful life and Granicus will be sunsetting the Novus program next year in 2025.

Mr. Summers stated after review of agenda software options, it was decided that the Granicus Peak Agenda and Video Software would fulfil the digital services needs by consolidating multiple applications into a single platform.

Mr. Summers stated Granicus, an innovation leader has secure programming that offers engagement, agenda meeting management, and video and digital services that will enhance the Village website transparency while improving ease of workflow and customer service.

Mr. Summers stated because the Village is currently using Novus Agendas, a Granicus product all historical and archived information will be easily transferred and available to existing Novus users.

Trustee Panicola asked how long it would take to implement the new software. Mr. Summers stated the lead time is 4-6 months.

Motion:

Trustee Panicola made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Franz seconded the motion.

All were in favor. Motion Carried.

**Chicago Business
VOIP:**

Village Manager, Evan Summer, presented a **Resolution to Purchase a New Village Phone System and Enter Into a Service Agreement with Chicago Business VOIP.**

Mr. Summers stated the current Avaya phone system is over 10 years old. Mr. Summers stated it is no longer supported by the manufacturer and is becoming increasingly harder to maintain. Mr. Summers stated additionally, Avaya no longer manufactures the phones we currently use. Any future replacements or repairs would be obsolete.

Mr. Summers stated the village received multiple proposals from Ring Central and Chicago Business VOIP. Mr. Summers stated the village decided to go with Chicago Business VOIP because they had the lowest monthly costs and are a local company with a strong reputation for customer service.

Mr. Summers stated they indicate a 99.99% service availability in their service agreements.

Motion:

Trustee Perez made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Frey seconded the motion.

All were in favor. Motion Carried.

Trustee Carmona entered the meeting at 6:36 p.m.

145 S. Ellis St.: Village Manager, Evan Summer, presented an **Ordinance Granting a Variation, Fence in the Corner Side Yard at 145 S Ellis Street.**

Director of Community and Economic Development, Kurtis Pozsgay stated the Petitioner is seeking approval of a variation to construct a fence in the corner side yard of their property.

Mr. Pozsgay stated the proposed fence is 5' high cedar wood fencing with an additional 1' of lattice at the top that will extend the fence line into the corner side yard. Mr. Pozsgay stated it will extend 48' feet northeast from the adjacent neighbor's fence before running 104' parallel to Grove Avenue.

Mr. Pozsgay stated the proposed fence location does not impact the east adjacent property driveway sight vision triangle.

Mr. Pozsgay stated variations for fences in the corner side yard are a common request.

Mr. Pozsgay stated the applicant has agreed to Village design standards with 5 feet of solid fence with 1 foot of lattice on top.

Mr. Pozsgay stated the fence stays behind the front facade of the neighbor's home to the east.

Motion:

Trustee Perez made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Franz seconded the motion.

All were in favor. Motion Carried.

700 Larsen Lane: Village Manager, Evan Summer, presented an **Ordinance Granting Variations, Outdoor Storage Setback Requirements and Rooftop Mechanical Equipment Screening Requirements, at 700 Larsen Lane.**

Mr. Pozsgay stated the Petitioner, CPI/DSP Larsen Lane Owner, L.L.C, is seeking approval of two variances.

Mr. Pozsgay stated the first variation seeks to reduce the 20' setback requirement on the west boundary of the storage area to 2' on the west boundary. Mr. Pozsgay stated they seek this to increase the usable area for outdoor storage while remaining under the allowable 25% of outdoor storage within the lot area.

Mr. Pozsgay stated the second variation seeks to remove the screening requirement for roof-mounted mechanical equipment, as the proposed 24" roof mounted make-up unit is over 10' from any supporting wall and over 1,000' from the main ROW.

Mr. Pozsgay stated the outdoor storage request is only for the south western portion of the lot. Mr. Pozsgay stated the south and southeast portions meet the setback requirements.

Mr. Pozsgay stated the rooftop mechanical location from the roofline, and being so far from the South Thorndale right of way, makes the screening unnecessary.

Motion:

Trustee Perez made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Frey seconded the motion.

All were in favor. Motion Carried.

**Amending
Title 9:**

Village Manager, Evan Summer, presented an **Ordinance Amending the Building Code Regulations, Title 9, and Repealing and Reserving Chapters 2 and 3 of Title 7 of the Village Code.**

Mr. Pozsgay stated the Village is empowered, under Sections 11-1-1 et seq. of the Illinois Municipal Code, 65 ILCS 5/11-1-1 et seq., to provide for regulation of building and construction, fire safety and property maintenance to ensure the health and safety of citizens of the Village.

Mr. Pozsgay stated the Village has previously adopted, by reference with amendments, certain nationally recognized and standardized codes including the 2015 International Residential Code; the 2015 International Building Code; the 2015 International Property Maintenance Code; the 2015 International Fire Code; the 2015 International Fuel Gas Code; and the 2015 International Mechanical Code.

Mr. Pozsgay stated these nationally recognized and standardized codes have been updated and published for the year 2021.

Mr. Pozsgay stated in addition to the updated code sets, the Village will adopt several Village specific amendments to the codes.

Mr. Pozsgay stated the Village will also be adding the 2021 International Swimming Pool and Spa Code published by the International Code Council; and The Existing Building Code.

Mr. Pozsgay stated the fire safety regulations set forth in Chapters 2 and 3 of Title 7 of the Village Code are no longer necessary in light of the adoption of the International Fire Code and the International Fuel Gas Code.

Motion: Trustee Panicola made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Frey seconded the motion.

All were in favor. Motion Carried.

2024 Zoning Map: Village Manager, Evan Summer, presented a **Resolution Approving the Adoption of the 2024 Village of Bensenville Zoning Map.**

Mr. Pozsgay stated pursuant of the Illinois Municipal Code, 65ILCS 5/11-13-19, the Village must adopt any amendments made to the Zoning District Map on an annual basis.

Mr. Pozsgay stated the 2024 Zoning map did not require any material changes, as no rezoning or annexation actions were completed in 2023.

Mr. Pozsgay stated State Statute requires the Village to approve a Resolution adopting the zoning map each year.

Motion: Trustee Perez made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Frey seconded the motion.

All were in favor. Motion Carried.

Amending 8-7-7: Village Manager, Evan Summer, presented an **Ordinance of the Village of Bensenville, DuPage and Cook Counties, Illinois Amending Section 8-7-7 of Chapter Seven of Title Eight of the Bensenville Village Code with Regard to Water and Sewer Rates.**

Mr. Summers stated the Village owns and operates Water and Sewer System. Mr. Summers stated the last water rate increase was approved by the Board as of November 1, 2022 rates were not increased in 2023.

Mr. Summers stated DuPage Water Commission Tentative budget has increased the water rates 3.4% effective May 1, 2024.

Mr. Summers stated Staff is recommending that rates be increased by 3.4%, which result in the rates presented on the draft Ordinance attached to this agenda item.

Mr. Summers stated based upon the average use of an incorporated residence, each residence would see an average monthly increase in cost of \$3.10

Mr. Summers stated a table showing the effect that the rates would have on varying residential customers based upon use is available in the agenda packet. Mr. Summers stated the table shows that an average residential customer using approximately 4,435 gallons per billing cycle would see an increase in their bill of about \$3.10, resulting in an annual increase of \$37.20.

Motion: Trustee Perez made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Panicola seconded the motion.

All were in favor. Motion Carried.

**Main Street Parking
Amendment:**

Village Manager, Evan Summer, presented an **Ordinance Creating Section 28 of Chapter Two of Title Five of the Bensenville Village Code to Regulate Permit Parking on Main Street.**

Police Chief, Daniel Schultze stated the Village does not permit overnight parking on Village Streets between the hours of 2:00am - 6:00am.

Chief Schultze stated at the February 13, 2024 Village Board Meeting; a Resident of Heritage Square addressed the Village Board with not enough parking on her property. Chief Schultze stated she stated she has been parking along Main Street since 2020 without any issues and recently received a ticket from the Bensenville Police Department.

Chief Schultze stated Village Staff drafted the attached Ordinance that will establish a parking permit for Main Street. Chief Schultze stated the parameters of the permit are as follows:

- Permits will be issued quarterly for one hundred dollars (\$100.00). The quarterly permit fee shall be prorated only in the following limited circumstances and amounts:
- Permits issued after the first day of the second month of the quarter will be issued for the remainder of the quarter for sixty dollars (\$60.00)
- Permits issued after the first day of the third month of the quarter will be issued for the remainder of the quarter for forty dollars (\$40.00).
- Daily permits are not allowed
- No transfers of permits shall be allowed except to a substitute owned vehicle by the same owner; no refunds of permit fees shall be issued
- Permits must be conspicuously displayed in the rear window
- No commercial, recreational vehicles or boats shall be issued a permit.
- Parking shall be “head in” parking (no “back in” parking) and within striped parking spaces.
- No repairs, oil changes, or other maintenance shall be permitted.
- Permits will only be issued to residents of Heritage Square and Parkview Apartments.

- Permits are to be issued to residents of the Village of Bensenville only. Proof of residency by driver's license and vehicle registration will be required upon purchase.
- Vehicles seeking a permit must have a valid vehicle sticker from the Village of Bensenville.

Motion: Trustee Perez made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Franz seconded the motion.

All were in favor. Motion Carried.

**Surplus Property
Bicycles:**

Village Manager, Evan Summer, presented a **Resolution Authorizing the Donation of Unclaimed Personal Property (Bicycles) Currently in the Custody of the Bensenville Police Department to Bensenville School District No. 2.**

Chief Schulze stated the Police Department is in possession of 29 bikes that have not been claimed by their owners during the statutory time period of 6 months from the time of their recovery or eligibility for release. Chief Schulze stated the bikes have been stored in a fenced in area at the Police Station 345 E Green St. In the past, the unclaimed bikes have been auctioned; however, the personnel costs for conducting an auction usually exceed the proceeds from the auction. Chief Schulze stated the bikes will be donated to School District 2 and used to transport children who do not qualify for bus service to and from school.

Chief Schulze stated the Village Police Department is in possession of 29 bicycles that have not been claimed after the statutory time period which is six months. Chief Schulze stated therefore, the Police Department will donate the inventory of unclaimed bicycles to Bensenville School District No. 2.

Motion: Trustee Panicola made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Frey seconded the motion.

All were in favor. Motion Carried.

Kara Company

Purchase Order:

Village Manager, Evan Summer, presented a **Resolution Authorizing the Execution of a Purchase Order with Kara Company, Inc. of Countryside, IL for Field Survey Equipment in the Not-to-Exceed Amount of \$24,985.07.**

Director of Public Works, Joe Caracci stated the Village has identified the need to perform in-house field surveys for use in preparing in-house engineering plans and assist with inventory of public work assets. Mr. Caracci stated the Village has started preparing in-house engineering plans with recently expanded engineering staff. Mr. Caracci stated the equipment the Village staff is requesting to purchase is a robotic total station, GPS GNSS receiver, data collector with accessories. Mr. Caracci stated in the past the Village retained an engineering firm for field survey data collection. Mr. Caracci stated performing this with in-house staff and equipment will be more cost effective with a possible rate of return on the equipment in a couple of years.

Mr. Caracci stated Staff solicited and received quotes for both new and used survey equipment from Kara Company of Countryside, Seiler Geospatial of Itasca, and Midwest Measurement of Lincoln, Nebraska.

Mr. Caracci stated Kara Company of Countryside, IL submitted and lowest pricing for the survey equipment that best suits the Village's needs in the amount of \$24,987.07.

Motion:

Trustee Perez made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Frey seconded the motion.

All were in favor. Motion Carried.

Automatic Building

Controls #1: Village Manager, Evan Summer, presented a **Resolution Authorizing the Execution of a Contract with Automatic Building Controls (ABC) to Upgrade Existing Building Automation System (BAS) Software and Hardware in the Police Station .**

Mr. Caracci stated the Building Automation System (BAS) controls all heating and cooling for the police station. Mr. Caracci stated the existing software is seven (7) years old and requires having some hardware components replaced to install and support the new software and graphics program. Mr. Caracci stated the current system is a Distech system.

Mr. Caracci stated staff sought proposals from three vendors who could provide upgraded hardware, software and integration services to move the current data into a new BAS system.

Motion: Trustee Panicola made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Frey seconded the motion.

All were in favor. Motion Carried.

Automatic Building

Controls #2: Village Manager, Evan Summer, presented a **Resolution Authorizing the Execution of a Contract with Automatic Building Controls (ABC) for the Installation of a Building Automation System (BAS) and the Upgrading of Outdated Controls for Three Dehumidification at Roof Top Units at the Edge 2.**

Mr. Caracci stated the Edge 2 currently does not have a Building Automation System. Mr. Caracci stated a Building Automation System can save thousands of dollars annually in energy costs alone by allowing the equipment to be on time schedules for evenings and weekends.

Mr. Caracci stated the BAS system also gives the end users, (Village staff) the ability to view every piece of mechanical equipment on any internet-based PC or cell phone in real time. Mr. Caracci stated this BAS install will be built on the same platform as the current system at the Police Station.

Mr. Caracci stated the current BAS system at the Police station is a Distech platform, the Edge 2 will be equipped with the same. To have the system fully functioning, the following work will take place:

- Install hardware, software and installation of sequencing controls and wiring for three rooftop dehumidification units.
- Install hardware, software and installation of controls along with wiring for five standard rooftop units designated according to current occupancy.
- Install hardware, software and installation of controls along with wiring for five exhaust fans that serve areas in association with the five rooftop units.

Mr. Caracci stated staff sought proposals from three qualified vendors. Mr. Caracci stated Automatic Building Controls (ABC) submitted the lowest proposal in the amount of \$163,404.

Motion:

Trustee Frey made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Franz seconded the motion.

All were in favor. Motion Carried.

**Schroeder
Asphalt:**

Village Manager, Evan Summer, presented a **Resolution Authorizing the Execution of a Construction Contract to Schroeder Asphalt Services, Inc. of Huntley, IL for the Eastview Avenue Roadway Reconstruction Project in the Not-to-Exceed Amount of \$249,714.82.**

Mr. Caracci stated the Eastview Avenue Roadway Reconstruction Project will consist of full depth pavement removal/replacement and widening from Irving Park Road (IL Route 19) extending 300 feet to the south. Mr. Caracci stated this section of Eastview Avenue accommodates two-way traffic on an existing 18-foot-wide pavement section. Mr. Caracci stated the proposed improvements will widen the pavement to Village's standard 27 foot, which is consistent with the adjacent cross section of Eastview Avenue to the south. Mr. Caracci stated the project also includes driveway removal and replacement, structure adjustment/reconstruction, new drainage structures and storm sewer, water main service and fire hydrant installation, concrete curb and gutter, pavement markings, and landscape restoration within the right-of-way.

Mr. Caracci stated A&E Luxury Apartment is currently in the planning phase to build a new 100+ unit apartment building on the southeast corner of Eastview Avenue and Irving Park Road. Mr. Caracci stated the development includes a proposed water service beneath Eastview Avenue. Mr. Caracci stated to avoid a pavement patch in this project new roadway pavement, the required water service beneath Eastview Avenue is included in the scope of the Eastview Avenue Roadway Reconstruction Project.

Mr. Caracci stated bids were advertised on February 15, 2024, with bids received on Tuesday March 5, 2024 for the project. Mr. Caracci stated nine (9) contractors submitted bids for this project. Schroeder Asphalt Services, Inc. submitted the lowest responsible bid.

Motion: Trustee Panicola made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Franz seconded the motion.

All were in favor. Motion Carried.

Civiltech: Village Manager, Evan Summer, presented a **Resolution Authorizing the Execution of a Construction Engineering Services Agreement with Civiltech Engineering, Inc. for the Eastview Avenue Roadway Reconstruction Project in the Not-to-Exceed Amount of \$62,388.**

Mr. Caracci stated the Eastview Avenue Roadway Reconstruction Project will consist of full depth pavement removal/replacement and widening from Irving Park Road (IL Route 19) extending 300 feet to the south. Mr. Caracci stated this section of Eastview Avenue accommodates two-way traffic on an existing 18-foot-wide pavement section. Mr. Caracci stated the proposed improvements will widen the pavement to Village's standard 27 foot, which is consistent with the adjacent cross section of Eastview Avenue to the south. Mr. Caracci stated the project also includes driveway removal and replacement, structure adjustment/reconstruction, new drainage structures and storm sewer, water main service and fire hydrant installation, concrete curb and gutter, pavement markings, and landscape restoration within the right-of-way.

Mr. Caracci stated A&E Luxury Apartment is currently in the planning phase to build a new 100+ unit apartment building on the southeast corner of Eastview Avenue and Irving Park Road. Mr. Caracci stated the development includes a proposed water service beneath Eastview Avenue. Mr. Caracci stated to avoid a pavement patch in this project new roadway pavement, the required water service beneath Eastview Avenue is included in the scope of the Eastview Avenue Roadway Reconstruction Project.

Mr. Caracci stated in 2022, the Village advertised for and selected through a Qualification Based System (QBS) approach a list of engineering firms to provide design as well as construction engineering services for the upcoming years. Mr. Caracci stated Civiltech Engineering, Inc. is one of the short-listed firms to provide construction engineering services.

Mr. Caracci stated Civiltech brings forth a very experienced project team that has successfully provided similar services to the Village, most recently on the Bryn Mawr Avenue & Birginal Drive Reconstruction Project. Mr. Caracci stated the proposed engineering scope includes on-site inspections, review of project layout, construction documentation, material testing and preparation of record drawings.

Mr. Caracci stated the material testing required for the project will be performed by Midland Standard Engineering and Testing as a sub-consultant, and includes all sub-grade, concrete and asphalt pavement assessments and observations.

Mr. Caracci stated Civiltech's negotiated proposed work effort and fee totals 62,388.

Motion: Trustee Frey made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Perez seconded the motion.

All were in favor. Motion Carried.

BLA, Inc.: Village Manager, Evan Summer, presented a **Resolution Authorizing a Phase I Design Engineering Services Agreement with BLA, Inc. of Itasca, IL for the Evergreen Street Reconstruction STP Project in the Not-to-Exceed Amount of \$353,487.**

Mr. Caracci stated the Village successfully applied for a Surface Transportation Program (STP) grant in the amount of \$4,235,000 (\$3,750,000 for construction and \$485,000 for construction engineering) to reconstruct Evergreen Street, from Green Street to Jefferson Street. Mr. Caracci stated the project scope includes replacing the deteriorated pavement with the Village's standard industrial PCC roadway pavement, new subbase, new curbs, gutters, and aprons, storm sewer improvements, addition of sidewalk in the corridor. Other items of work will include ADA ramps, pavement striping, signage replacement, and landscape restoration.

Mr. Caracci stated in addition to the federally funded work above, the Village will also utilize its own funding to include the reconstruction of the remainder of the Park Street and Pine Avenue horseshoe with new PCC pavement, new subbase, new curbs, gutters, and aprons, storm sewer improvements, the addition of sidewalk in the corridor, ADA ramps, pavement striping, signage replacement, and landscape restoration. All roadways (Pine, Park, and Evergreen) will receive new water mains prior to installation.

of the new roadway pavements, and the sanitary sewers will be evaluated for repairs and lining during this project.

Mr. Caracci stated funding for this project's construction is included in IDOT's 2027 fiscal year, which begins July 1, 2027. Depending on design approval, this project is anticipated to be let for construction in late 2027 or early 2028.

Mr. Caracci stated in 2022, the Village advertised for and selected through a Qualification Based System (QBS) approach a list of engineering firms to provide design as well as construction engineering services for the upcoming years. Mr. Caracci stated BLA, Inc. is one of the short-listed firms.

Mr. Caracci stated BLA has provided similar design engineering services for many municipalities on numerous projects in the Chicagoland Area. Mr. Caracci stated BLA has a diverse design group with expertise in IDOT phase I reports, environmental impacts, traffic analysis, drainage studies, and municipal engineering. Mr. Caracci stated village staff feels very confident in hiring BLA for the upcoming project due to their excellent professional skills, knowledge, and staff capabilities.

Mr. Caracci stated the proposed assignment scope includes data collection, utility coordination, geometric analysis, traffic analysis, drainage studies, Phase I design approval, environmental clearances, wetland delineation and study, tree survey and preparation of a Project Development Report. Mr. Caracci stated as design progresses and staff feel confident in the solutions that BLA is proposing, a more detailed Phase II engineering agreement will be brought to the Board for phase II engineering.

Mr. Caracci stated after scoping meetings and negotiations, BLA's proposed work effort for this project totals \$353,487. Mr. Caracci stated federally funded projects have to abide by rigorous federal requirements and deadlines to obtain approval. Mr. Caracci stated the requirements of federal process are similar regardless of the type, size or scope of the project.

Mr. Caracci stated at this time staff has estimated the entire project cost at approximately \$7,500,000 - \$8,000,000. Based on this estimate the phase I design costs are approximately 4.5% which is within the typical range of 5-8% that we expect for phase I design costs.

Motion: Trustee Perez made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Frey seconded the motion.

All were in favor. Motion Carried.

Christopher B. Burke:

Village Manager, Evan Summer, presented a **Resolution Authorizing the Execution of an Engineering Services Agreement with Christopher B. Burke Engineering, Inc. for Grant Assistance for the York Road at CP Railway / Metra MDW Grade Separation Project in the Not-to-Exceed Amount of \$49,510.**

Mr. Caracci stated the Village has evaluated grade separation concepts for York Road going over and under the CP/Metra crossing based on the CP Railway merger with the Kansas City Southern Railway. Mr. Caracci stated the merger is anticipated to result in increased rail traffic and roadway congestion in the downtown Bensenville area. Mr. Caracci stated the preliminary engineering has yielded an underpass as the desired alternative for this potential project. Mr. Caracci stated the next phase of work on this project will be to perform Phase I and Phase II engineering. Mr. Caracci stated the anticipated cost for the engineering phases and right-of-way acquisition is in the \$5-8 million range. Mr. Caracci stated securing funding for these phases is our next challenge.

Mr. Caracci stated this past week we officially received confirmation of a \$1 million grant from Congresswoman Ramirez. Mr. Caracci stated this is a great start to our funding needs, but we have a long way to go.

Mr. Caracci stated there are a number of grant programs that we are going to attempt to secure funds from in the coming months.

Mr. Caracci stated these programs include the following:

- CRISI (Consolidated Rail Infrastructure & Safety Improvements)
- RCE (Railroad Crossing Elimination)
- RAISE (Rebuilding America Infrastructure with Sustainability and Equity)
- Illinois Commerce Commission (ICC) – Crossing Safety Improvement Program.

Mr. Caracci stated the effort required to apply for all these grants is beyond our in-house capabilities.

Mr. Caracci stated the Village reached out to Christopher B. Burke Engineering, Ltd (CBBEL) to provide a proposal to assist with the grant application processes for each of these grant programs.

Mr. Caracci stated the scope of this proposal includes the following:

- Task 1 – Data Collection and BCA Analysis
- Task 2 – Prepare Draft Grant Applications
- Task 3 – Project Coordination
- Task 4 – Prepare Final Grant Applications and Submittal
- Task 5 – Project Management

Mr. Caracci stated the goal of this contract is to secure as much grant funding for the initial phases of engineering as possible. Mr. Caracci stated once we are able to fund the Phase I engineering, we will go through a Qualification Based Selectin Process to secure the engineering team to perform the design.

Mr. Caracci stated the fee associated with this contract is \$49,510.

Motion:

Trustee Perez made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Frey seconded the motion.

All were in favor. Motion Carried.

FH Paschen

Change Order #1: Village Manager, Evan Summer, presented a **Resolution Authorizing the Execution of Change Order No. 1 with FH Paschen, S.N. Nielsen & Associates, LLC for the Senior and Community Center Project in the Not-to-Exceed Amount of \$212,383.93 for a Revised Contract Cost of \$1,029,530.43.**

Mr. Caracci stated FH Paschen took over the construction of the Senior and Community Center as part of the tender agreement with the Surety. Mr. Caracci stated the contract included all previously approved changes to the Empire contract as well as all necessary work necessary to carry out the intent of the original contract documents. Mr. Caracci stated the value of the FH Paschen contract was \$817,146.50.

Mr. Caracci stated as part of any construction project, changes occur that were unforeseen that are necessary to complete the project as originally intended. Mr. Caracci stated changes also arise when the owner asks the contractor to perform work that may not have been included in the original scope of work. Mr. Caracci stated these changes are documented in the form of Change Orders.

Mr. Caracci stated through March 1, 2024, there have been twelve (12) changes that have been agreed upon between the owner and contractor. Mr. Caracci stated these items can be found on the attached Change Order Request Form. Mr. Caracci stated the value of the changes to the contract total \$212,383.93. Mr. Caracci stated some of these changes were integrally necessary to account for unforeseen conditions, while others were added to the project as upgrades to the original scope.

Mr. Caracci stated based on the change order, the new contract total is \$1,029,530.43.

Motion: Trustee Perez made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Frey seconded the motion.

All were in favor. Motion Carried.

Clarke

Environmental: Village Manager, Evan Summer, presented a **Resolution Authorizing a Contract with Clarke Environmental Mosquito Management, Inc. for the 2024 Mosquito Abatement Services Including Insecticide Tablets, in the Not-to-Exceed Amount of \$40,462.**

Mr. Caracci stated Clarke Environmental Mosquito Management has performed mosquito abatement services for the Village for over twenty years. The program includes the following tasks:

Task 1 - General Services (includes survey, mapping, public relations, consultation, etc.)

Task 2 - Surveillance and Monitoring (includes weather modeling, mosquito tracking, floodwater migration model)

Task 3 - Larval Control (includes 8 larval site monitoring inspections, larval control spraying, and tablet installation training for staff)

Task 4 - Adult Control (includes adult mosquito spraying for MIP, Libertyfest, and community wide spraying as necessary)

Mr. Caracci stated Clarke has increased pricing slightly from \$29,600 to \$30,630. They are a trusted & reputable vendor for these types of services.

Mr. Caracci stated Public Works also buys Natular which is a larval growth inhibitor product. Mr. Caracci stated after receiving an annual training from Clarke, the Village staff places the Natular in storm sewer catch basins. Mr. Caracci stated the product is effective for 180 days. Mr. Caracci stated the cost (\$9,832) of this is reflected in the overall contract amount.

Mr. Caracci stated Clarke continues to perform the work with exceptional quality and service to our residents. Mr. Caracci stated they also provide mosquito abatement for every DuPage County municipality and township that offers the program.

Motion: Trustee Perez made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Panicola seconded the motion.

All were in favor. Motion Carried.

Core & Main: Village Manager, Evan Summer, presented a **Resolution Authorizing the Execution of a Purchase Order with Core & Main for Replacement Water Meter Register Heads in the not to Exceed Amount of \$224,775.**

Mr. Caracci stated the Village installed new water meters throughout the community in 2014. Mr. Caracci stated included in this project were residential meters (iPerls) that came with a 20-year warranty, and larger commercial and industrial Sensus Omni meters that came with a ten (10) year warranty. Mr. Caracci stated as these warranty dates near, the batteries within the register head on the Omni meters are failing causing automatic reads to be missed. Mr. Caracci stated Staff tested meters and parts to make sure they were still operating within the allowable and anticipated tolerances. Mr. Caracci stated all meters tested came back within the recommended limits, therefore only the register head need to be replaced.

Mr. Caracci stated Core & Main is the local distributor of Sensus meters and therefore is the sole source provider for the replacement parts. Mr. Caracci stated Staff has identified 555 meters that require register head change outs. Mr. Caracci stated the cost of each register head is \$405. Mr. Caracci stated therefore, the total cost of this replacement project is \$224,775.

Mr. Caracci stated Customer Service appointments will be made, and register heads replaced in a timely manner.

Motion: Trustee Panicola made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Perez seconded the motion.

All were in favor. Motion Carried.

**2024 Senior
Grass Cutting
Guidelines:**

Village Manager, Evan Summer, presented a **Resolution Establishing Guidelines and Procedures for 2024 Senior/Disabled Grass Cutting Program.**

Mr. Caracci stated in 2018, President DeSimone and the Village Board established Senior/Disabled Grass Cutting Program meant to benefit Bensenville seniors and/or disabled residents. Mr. Caracci stated Public Works was tasked to implement the program. Mr. Caracci stated minor adjustments and changes have been implemented since 2018. Mr. Caracci stated because of the positive feedback, the Village will continue with the program in 2024 with minor changes from last year to the guidelines.

Mr. Caracci stated the program guidelines have been simplified over the years to ensure easier operational and administrative functions. Mr. Caracci stated after feedback from the residents and discussions with contractors, staff has determined that the services provided will remain the same and include:

Spring Cleanup
Weekly Cutting of Grass
Edging of Hardscape
Fall Cleanup

Mr. Caracci stated the only change in the program this year will be a modest price increase to the resident from \$12.50 per cut to \$15.00 per cut.

Mr. Caracci stated the Village subsidizes this program by paying the contractor 50% of the cost of each cut. Mr. Caracci stated the total cost of each cut is \$30 per visit, per parcel (PIN). Mr. Caracci stated the resident will pay \$15, and the Village will subsidize \$15. Mr. Caracci stated this includes an increase from previous years in order to keep up with cost of services and to help retain contractors. Mr. Caracci stated the price increase reflects recent ongoing CPI increases.

Mr. Caracci stated a full list of eligibility requirements is attached to this Resolution. Mr. Caracci stated accounts will be mapped, divided geographically and assigned to four (4) different contractors who agreed to perform the work.

Motion: Trustee Perez made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Carmona seconded the motion.

All were in favor. Motion Carried.

L.A.R. Lawn: Village Manager, Evan Summer, presented a **Resolution Authorizing the Execution of a Contract with L.A.R. Lawn & Ground Corp. for the 2024 Senior/Disabled Grass Cutting Program.**

Mr. Caracci stated the Village of Bensenville established a Senior/Disabled Grass Cutting Program in 2018 and will continue the 2024 Program with minor changes.

Mr. Caracci stated the program has been a great success and received a lot of positive feedback. Mr. Caracci stated L.A.R. Lawn & Ground Corp. is one of the Contractors who will perform the service. Mr. Caracci stated the contract includes the terms and expectations set forth by the Program.

Motion: Trustee Perez made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Frey seconded the motion.

All were in favor. Motion Carried.

Panoramic Landscaping: Village Manager, Evan Summer, presented a **Resolution Authorizing the Execution of a Contract with Panoramic Landscaping for the 2024 Senior/Disabled Grass Cutting Program.**

Mr. Caracci stated the Village of Bensenville established a Senior/Disabled Grass Cutting Program in 2018 and will continue the 2024 Program with minor changes.

Mr. Caracci stated the program has been a great success and received a lot of positive feedback. Mr. Caracci stated Panoramic Landscaping is one of the Contractors who will perform the service. Mr. Caracci stated the contract includes the terms and expectations set forth by the Program.

Motion: Trustee Perez made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Frey seconded the motion.

All were in favor. Motion Carried.

**Thomas Herrera
Landscaping:**

Village Manager, Evan Summer, presented a **Resolution Authorizing the Execution of a Contract with Tomas Herrera Landscaping for the 2024 Senior/Disabled Grass Cutting Program.**

Mr. Caracci stated the Village of Bensenville established a Senior/Disabled Grass Cutting Program in 2018 and will continue the 2024 Program with minor changes.

Mr. Caracci stated the program has been a great success and received a lot of positive feedback. Mr. Caracci stated Thomas Herrera Landscaping is one of the Contractors who will perform the service. Mr. Caracci stated the contract includes the terms and expectations set forth by the Program.

Motion: Trustee Perez made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Frey seconded the motion.

All were in favor. Motion Carried.

**KSK
Landscaping:**

Village Manager, Evan Summer, presented a **Resolution Authorizing the Execution of a Contract with KSK Landscaping & Handyman Corp. for the 2024 Senior/Disabled Grass Cutting Program.**

Mr. Caracci stated the Village of Bensenville established a Senior/Disabled Grass Cutting Program in 2018 and will continue the 2024 Program with minor changes.

Mr. Caracci stated the program has been a great success and received a lot of positive feedback. Mr. Caracci stated KSK Landscaping is one of the Contractors who will perform the service. Mr. Caracci stated the contract includes the terms and expectations set forth by the Program.

Motion: Trustee Perez made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Frey seconded the motion.

All were in favor. Motion Carried.

**My Hockey
Tournaments:**

Village Manager, Evan Summer, presented a **Resolution Authorizing an Ice Arena and Facility Usage License Agreement with MyHockey Tournaments, Inc.**

Director of Recreation, Sean Flynn stated the Village has encouraged MyHockey Tournaments to use the Edge Ice Arenas as one of its Chicago area tournament sites for the next seven hockey seasons, beginning with the 2024-25 season and concluding with the 2030-31 season. Mr. Flynn stated MyHockey Tournaments started its business exclusively at the Edge Ice Arenas nearly 25 years ago and has grown into the largest tournament company in the nation. Mr. Flynn stated MyHockey offers tournaments in Las Vegas, Tampa, Appleton, Austin, Charleston, Charlotte, Detroit, Fort Collins, Hampton Roads, Holland, Jacksonville, Madison, Minneapolis, Philadelphia, Pittsburgh, Provo, Rochester, Salt Lake City, St. Louis and Washington, D.C.

Mr. Flynn stated the Village has contracted with numerous tournament companies in the past and MyHockey Tournaments remains the gold standard in comparison to the rest of the field. Mr. Flynn stated MyHockey Tournaments draws teams to Bensenville from across the nation and Canada.

Mr. Flynn stated the company is the best tournament company at fulfilling their contracted ice times and paying their invoices within the terms established in their agreement.

Motion: Trustee Perez made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Frey seconded the motion.

All were in favor. Motion Carried.

**Informational
Items:**

There were no informational items.

**Unfinished
Business:**

There was no unfinished business.

**Executive
Session:**

Village Manager, Evan Summers, stated there was not a need for executive session.

ADJOURNMENT: Trustee Perez made a motion to adjourn the meeting. Trustee Frey seconded the motion.

All were in favor. Motion carried.

President DeSimone adjourned the meeting at 7:05 p.m.

Corey Williamsen
Deputy Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this ____ day, April 2024

TYPE:Ordinance**SUBMITTED BY:**Corey Williamsen**DEPARTMENT:**Village Clerk's Office**DATE:**April 16, 2024**DESCRIPTION:**

Consideration of an Ordinance Amending Chapter Three of Title Three of the Bensenville Village Code to Regulate the Transfer of Liquor Licenses and Changes to Licensee Information

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:☐*Financially Sound Village*☐*Enrich the lives of Residents**Quality Customer Oriented Services**Major Business/Corporate Center**X**Safe and Beautiful Village**Vibrant Major Corridors*

COMMITTEE ACTION:

Committee of the Whole

DATE:April 16, 2024

BACKGROUND:

The Village regulates its liquor licenses under Village Code. Village Staff is currently reviewing code regulations and have come across the Village's liquor regulations which have been outdated for some time. This particular section has not been updated since the Village's first adopted ordinance in 1976.

KEY ISSUES:

The proposed Ordinance regulates a change of owners, officers, or managers of a liquor licensee, requiring the licensee to notify the Liquor Commissioner 30 days prior to the change.

Any new owner, officer, or manager is required to meet all requirements for issuance of an initial license (i.e., no felonies or certain other convictions, has dram shop insurance, has a lease or deed for the property, etc.) or the license will be deemed forfeited if the change occurs. The Liquor Commissioner will require the new owner, officer, or manager to be fingerprinted prior to the change occurring.

The Ordinance also requires a licensee to submit a new application for a liquor license if the licensee intends to change the use of the premises (i.e., change from a restaurant to a bar).

ALTERNATIVES:

Discretion of the Committee of the Whole.

RECOMMENDATION:

Village Staff recommends the approval of the proposed Ordinance Amending Chapter Three of Title Three of the Bensenville Village Code to Regulate the Transfer of Liquor Licenses and Changes to Licensee Information.

BUDGET IMPACT:

There is no budget impact.

ACTION REQUIRED:

Approval of an Ordinance Amending Chapter Three of Title Three of the Bensenville Village Code to Regulate the Transfer of Liquor Licenses and Changes to Licensee Information.

ATTACHMENTS:

Description

Ordinance Liq License Transfer

Upload Date

4/11/2024

Type

Cover Memo

ORDINANCE NUMBER _____

**AN ORDINANCE OF THE VILLAGE OF BENSENVILLE, DUPAGE AND
COOK COUNTIES, ILLINOIS AMENDING CHAPTER 3 OF TITLE 3 OF
THE BENSENVILLE VILLAGE CODE TO REGULATE THE TRANSFER
OF LIQUOR LICENSES AND CHANGES TO LICENSEE INFORMATION**

WHEREAS, the Village of Bensenville, DuPage and Cook Counties, Illinois (the “*Village*”) is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the President and Board of Trustees of the Village of Bensenville (the “*Corporate Authorities*”) are charged with the responsibility of regulating the sale and distribution of alcoholic liquor within the Village; and

WHEREAS, Article IV of the Liquor Control Act of 1934, 235 ILCS 5/4-1, authorizes the Corporate Authorities to determine the number, kind and classification of licenses for the retail sale of alcoholic liquor and to establish such further regulations and restrictions upon the issuance of and operations under local licenses not inconsistent with law as the public good and convenience may require; and

WHEREAS, the Village’s Local Liquor Commissioner has the authority to issue, suspend, and revoke licenses, which authorize the sale and distribution of alcoholic liquor by individuals and entities within the Village; and

WHEREAS, the Local Liquor Commissioner is charged with adopting procedures, rules, and regulations for the licensing and operating of retail liquor establishments to insure compliance with the laws relating to the sale of alcoholic liquor; protect the health, safety, and welfare of the

residents of the Village; and foster and promote temperance in the consumption of alcoholic liquors; and

WHEREAS, the Corporate Authorities may from time to time amend the text of the Bensenville Village Code when it is determined to be in the best interests of the residents of the Village; and

WHEREAS, the Corporate Authorities find that it is in the best interests of the residents of the Village to provide for the regulations herein specified to promote the health, safety, and welfare of the residents of the Village and the general public.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois, as follows:

Section 1. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. The Corporate Authorities find and determine that it is necessary and desirable to amend the Bensenville Village Code for the purposes set forth herein and that the adoption of this Ordinance is in the best interests of the Village.

Section 3. Section 3-3-8 ("*Change of Owners or Managers*") of Chapter 3 ("*Liquor Regulations*") of Title 3 ("*Business Regulations*") of the Bensenville Village Code is hereby amended by deleting the following stricken language and adding the underlined language to read, as follows:

3-3-8: CHANGE OF ~~OWNERS OR MANAGERS~~ LICENSEE INFORMATION OR USE OF LICENSED PREMISES:

A. Following the issuance of any liquor license, every ~~Every~~ licensee shall notify the ~~Village President~~ Local Liquor Commissioner in writing of every change of ~~ownership or management~~ in the licensee's residence, management, partnership, officers, members, directors, persons holding directly or beneficially an aggregate of more than five (5) percent of the stock or

ownership interest in the licensee, or managers of the licensed premises, or the licensee's legal name or the licensee's assumed name provided that no change in the use of the premises or concept of the business described in the liquor license application or liquor license is proposed. which occurs from the time of the licensee's last application under this chapter. The Notice notice required under this section shall be given within forty eight (48) hours of to the Local Liquor Commissioner no less than thirty (30) days prior to any such change. Any person becoming a partner, officer, member, director, manager, or person holding such ownership interest (as the case may be) shall meet all of the applicable standards and requirements of this chapter for issuance of a liquor license. The Village President Local Liquor Commissioner shall may require the new owner or manager any such person to submit to a routine police examination or furnish such other information as may, in the discretion of the Village President Local Liquor Commissioner, be deemed necessary. Failure to comply with any requirement of this subsection shall render the liquor license forfeited.

B. Any liquor license issued shall automatically terminate upon a change in the use of the premises or the concept of the business described in the liquor license application or liquor license. If any licensee intends to change the use of the premises or the concept of the business in operation and as described in the liquor license application or liquor license, the licensee shall complete and submit a new application for a liquor license to the Local Liquor Commissioner in accordance with the requirements set forth in this chapter. Said application shall be made to the Local Liquor Commissioner no less than thirty (30) days prior to any such proposed change in use or concept taking effect.

Section 4. Section 3-3-10 ("*Transfer or Renewal of License*") of Chapter 3 ("*Liquor Regulations*") of Title 3 ("*Business Regulations*") of the Bensenville Village Code is hereby amended by deleting the following stricken language and adding the underlined language to read, as follows:

3-3-10: TRANSFER OR RENEWAL OF LICENSE:

A. A liquor license shall be purely a personal privilege, good for a period not to exceed one year after issuance unless sooner revoked according to law, and shall not constitute property, nor shall it be subject to attachment, garnishment or execution, nor shall it be alienable or transferable, voluntarily or involuntarily, or subject to being encumbered or hypothecated. Such license shall not descend by the laws of testate or intestate devolution, but shall cease upon the death of the licensee; provided, that executors or administrators of the estate of any deceased licensee, and the trustee of any insolvent or bankrupt licensee, when such estate consists in part of alcoholic liquor, may continue the business of the sale of alcoholic liquor under order of the appropriate court, and may exercise the privileges of the deceased or insolvent or bankrupt licensee after the death of such decedent, or such insolvency or bankruptcy, until the expiration of such license, but not longer than six (6) months after the death, bankruptcy or insolvency of such licensee.

B. Any licensee may renew ~~his~~ its liquor license at the expiration thereof, provided ~~he~~ it is then qualified to receive a license and the premises for which such renewal license is sought are suitable for such purpose; and provided further, that the renewal privilege herein provided for shall not be construed as a vested right which shall in any case prevent the ~~President and Board of Trustees of the Village Corporate Authorities~~ from decreasing the number of licenses to be issued within the Village jurisdiction of said President and Board of Trustees.

C. ~~No license may be transferred or moved to a new location without approval of the Corporate Authorities.~~ Any liquor license issued shall lapse and be declared forfeited and revoked automatically by order of the ~~Village President~~ Local Liquor Commissioner: (1) if a change in the use of the premises or the concept of the business described in the liquor license application or liquor license occurs without prior written approval from the Local Liquor Commissioner; or (2) if the licensee voluntarily terminates, closes the premises or ceases doing business for more than thirty (30) successive days without prior written permission approval from the Local Liquor Commissioner ~~Village President beforehand~~.

Section 5. This Ordinance, and its parts, are declared to be severable and any section, paragraph, clause, provision, or portion of this Ordinance that is declared invalid shall not affect the validity of any other provision of this Ordinance, which shall remain in full force and effect.

Section 6. If any part of this Ordinance is found to be in conflict with any other ordinance, resolution, motion, or order or parts thereof, the most restrictive or highest standard shall prevail.

Section 7. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

(Intentionally Left Blank)

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois, this ____ day of _____ 2024, pursuant to a roll call vote, as follows:

APPROVED:

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

TYPE:Ordinance**SUBMITTED BY:**K. Pozsgay**DEPARTMENT:**CED**DATE:**4.16.24**DESCRIPTION:**

Consideration of an Ordinance for Text Amendments to Amend Title 10 (Zoning), Chapter 7 (Uses) & Chapter 11 (Definitions)

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	Financially Sound Village	<input checked="" type="checkbox"/>	Enrich the Lives of Residents
<input checked="" type="checkbox"/>	Quality Customer Oriented Services	<input checked="" type="checkbox"/>	Major Business/Corporate Center
<input checked="" type="checkbox"/>	Safe and Beautiful Village	<input checked="" type="checkbox"/>	Vibrant Major Corridors

COMMITTEE ACTION:

COW

DATE:

4.16.24

BACKGROUND:

1. The Village received a technical assistance grant through the Metropolitan Mayor's Caucus called EV Readiness.
2. The assistance will certify that the Village is an EV friendly community, making it easier for businesses and residents seeking to install EV infrastructure.
3. As part of that certification, staff is seeking text amendments in order to define and allow for electric vehicle charging stations:
 1. Designation of a Definition for Electric Vehicles (EVs) and associated terms;
 2. Establishment of Use standards for Electric Vehicle Charging Stations

KEY ISSUES:

1. The EV Readiness Program relates to the objective "decarbonize transportation" and the strategies, "Adapt development processes to accelerate investment in EV charging infrastructure," and, "Transition fleets to low- and zero-emission vehicles" in the Climate Action Plan for the Chicago Region.
2. The Metropolitan Mayors Caucus has an underlying interest in clean transportation because it relates to many of the consensus goals of the Greenest Region Compact (GRC).
3. The Village of Bensenville will be part of the second Cohort of Chicagoland communities to receive recognition. Staff anticipates a Bronze designation by this summer.

ALTERNATIVES:

Discretion of the Committee

RECOMMENDATION:

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Text Amendments to the Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses), and Chapter 11 (Definitions).

BUDGET IMPACT:

NA

ACTION REQUIRED:

Approval of an Ordinance for Text Amendments to amend Title 10 (Zoning), Chapter 7 (Uses) & Chapter 11 (Definitions).

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
Cover Page	3/27/2024	Cover Memo
Legal Notice	3/27/2024	Backup Material
Chapter 10 Title 7	3/27/2024	Backup Material
Title 10 Chapter 11	3/27/2024	Backup Material
Staff Report	3/28/2024	Executive Summary
Draft CDC Minutes	4/8/2024	Backup Material
Draft Ordinance	4/11/2024	Ordinance



BENSENVILLE

GATEWAY TO OPPORTUNITY

Community Development Commission
Public Hearing 4.02.24

CDC Case #2024 – 10

Village of Bensenville

Amending Title 10 (Zoning Ordinance), Chapter 7 (Uses) & Chapter 11 (Definitions)

1. Legal Notice
2. Staff Report & Exhibits

**LEGAL NOTICE/PUBLIC NOTICE
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Meeting of the Community Development Commission of the Village of Bensenville, DuPage and Cook Counties, will be held on Tuesday, April 2, 2024 at 6:30 P.M., at which a Public Hearing will be held to review case No. 2024 – 10 to consider a request for:

Zoning Text Amendments
Municipal Code Section 10 – 7 – 4, Accessory Structures and Uses, Electric Vehicle
Charging Stations; and
Municipal Code Section 10 – 11 – 2, Definitions.

The proposed Text Amendments to the Village Code are to amend Title 10 (Zoning Ordinance), Chapter 7 (Uses) & Chapter 11 (Definitions).

The Public Hearing will be held in the Village Board Room at Village Hall, 12 S. Center Street, Bensenville.

The Zoning Text Amendments are being sought by the Village Board.

Any individual with a disability requiring a reasonable accommodation in order to participate in any public meeting held under the authority of the Village of Bensenville should contact the Village Clerk, Village of Bensenville, 12 S. Center St., Bensenville, Illinois 60106, (630) 766-8200, at least three (3) days in advance of the meeting.

Applicant's application and supporting documentation may be examined by any interested parties in the office of the Community and Economic Development Department, Monday through Friday, in the Village Hall, 12 South Center Street, Bensenville, IL 60106. All interested parties may attend the Public Hearing and be heard. A link for electronic viewing will be posted on the Village website at least 48 hours prior to the meeting date. Written comments mailed to Village Hall, and online comments submitted on the Village website, will be accepted by the Community and Economic Development Department through April 2, 2024 until 5:00 P.M.

Office of the Village Clerk
Village of Bensenville

**TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT
March 14, 2024**

(THIS SECTION IS TO MEET ZP-5A – Need to check with MMC)

10-7-4: ACCESSORY STRUCTURES AND USES:

Accessory structures and uses shall be subject to the requirements of this section.

A. General Provisions For Accessory Structures: Accessory structures shall be subject to the following standards, unless otherwise established by this title.

1. Construction Phasing: No accessory structure shall be constructed prior to the construction of the principal building to which it is accessory.

2. Location: Accessory structures may be located in the front, corner side, interior side, and rear yards, unless otherwise specifically prohibited by this title. Accessory structures shall not be allowed in any easement.

3. Setback: Accessory structures shall be located a minimum of three feet (3') from any interior lot line or rear lot line, except fences and walls.

4. Height: The maximum height of an accessory structure shall be twelve feet (12'), unless otherwise specifically permitted in this title.

B. Accessory Structures Table: Table 10-7-4-1, "Accessory Structures", of this subsection includes common accessory structures that may be located in each zoning district within the Village. For accessory structures not listed, the Zoning Administrator will review a proposed accessory structure and determine if it is similar to those listed and therefore subject to the applicable standards.

1. Permitted ("P"): A "P" indicates that the accessory structure does not require a building permit and is allowed by-right within the designated zoning district provided that it meets all applicable standards set forth in subsection C, "Use Standards For Accessory Structures", of this section.

2. Permitted With Building Permit ("B"): A "B" indicates that the accessory structure requires the approval of a building permit in accordance with title 9, "Building Regulations", of this Code and shall meet the use standards set forth in subsection C, "Use Standards For Accessory Structures", of this section in order to be allowed within the designated zoning district.

3. No Designation: The absence of a letter (a blank space) indicates that the structure is not allowed within the designated zoning district.

TABLE 10-7-4-1
ACCESSORY STRUCTURES

Table key:	
P:	Allowed by-right and shall meet the requirements of subsection C, "Use Standards For Accessory Structures", of this section when applicable.

B:	Allowed with building permit and shall meet the requirements of subsection C, "Use Standards For Accessory Structures", of this section when applicable.										
Accessory Structures	R-1	R-2	R-3	R-4	R-5	R-6	C-1	C-2	I-1	I-2	Use Standards/ Code Section
Apiary	P	P	P	P							10-7-4 C1
Arbor or trellis	P	P	P	P	P	P	P	P	P	P	None
Ball court	B	B	B	B	B	B	B	B	B	B	10-7-4 C2
Blue roof, green roof, white roof	B	B	B	B	B	B	B	B	B	B	None
Bollards							B	B	B	B	10-7-4 C27
Chicken coop	B	B	B	B							10-7-4 C3
Compost bin	P	P	P	P	P	P	P	P	P	P	10-7-4 C4
Deck	B	B	B	B	B	B	B	B	B	B	10-7-4 C5
Dog run	B	B	B	B	B	B	B	B		B	10-7-4 C6
Electric vehicle charging station	B	B	B	B	B	B	B	B	B	B	None 10-7-4 C28
Electrical generator	B	B	B	B	B	B	B	B	B	B	None
Fence or wall	B	B	B	B	B	B	B	B	B	B	10-7-4 C7
Flagpole	B	B	B	B	B	B	B	B	B	B	10-7-4 C8
Garage	B	B	B	B	B	B	B	B	B	B	10-7-4 C9
Garden	P	P	P	P	P	P	P	P	P	P	10-7-4 C10
Gazebo or pergola	B	B	B	B	B	B	B	B	B	B	10-7-4 C11
Greenhouse	B	B	B	B	B	B	B	B	B	B	None
Hoophouse	P	P	P	P	P	P	P	P	P	P	10-7-4 C12
Mechanical equipment	B	B	B	B	B	B	B	B	B	B	10-7-4 C13
Outdoor fire pit	P	P	P	P	P	P	P	P			10-7-4 C14
Outdoor sales and display area							P	P	P	P	10-7-4 C15
Patio	B	B	B	B	B	B	B	B	B	B	10-7-4 C16
Rain barrel or rainwater cistern	P	P	P	P	P	P	P	P	P	P	None
Rain garden	P	P	P	P	P	P	P	P	P	P	10-7-4 C17
Recreation equipment	P	P	P	P	P	P	P	P			10-7-4 C18

Refuse, recycling, or grease container	P	P	P	P	P	P	P	P	P	P	10-7-4 C19
Satellite dish	P	P	P	P	P	P	P	P	P	P	10-7-4 C20
Shed	B	B	B	B	B	B					10-7-4 C21
Small wind energy system	B	B	B	B	B	B	B	B	B	B	10-7-4 C22
Solar energy collection system	B	B	B	B	B	B	B	B	B	B	10-7-4 C23
Swimming pool	B	B	B	B	B	B	B	B			10-7-4 C24
Treehouse	P	P	P	P	P	P					10-7-4 C25
Wireless telecommunication antenna	B	B	B	B	B	B	B	B	B	B	10-7-4 C26

C. Use Standards For Accessory Structures: The following standards apply to accessory structures designated as permitted ("P") or permitted with building permit ("B") in the zoning districts noted in the "Use Standards/Code Section" column of subsection B, table 10-7-4-1, "Accessory Structures", of this section.

27. Bollards:

a. General Requirements: Bollards shall meet all applicable Village Building Code and Fire Code requirements.

b. Height:

(1) Bollards shall not exceed four feet (4') in height.

c. Design Requirements:

(1) Bollards shall be complimentary to the existing or proposed architectural design of the structure located on the lot and shall include design that contributes positively to the Village's aesthetic appearance.

(2) For bollards adjacent to pedestrian ways, decorative lighting shall be integrated into the design of the bollards when feasible and shall employ full cut-off or fully shielded fixtures.

(3) Bollard lighting shall meet all requirements outlined in section [10-9-8](#) of this title.

d. Design Approval: The Zoning Administrator is authorized to approve the design of bollards.

28. Electric Vehicle Charging Stations (EVCS)

- a. Districts: EVCS are allowed in all zoning districts.
- b. Location:
 - i. Make sure pedestrian pathways are considered when siting EVSEs by maintaining reasonable distances from EVSEs to pedestrian walkways.
 - ii. Electric charging station equipment may not block the public right-of-way for pedestrians where minimal unobstructed walkable sidewalks exist or be located in a place that obstructs or interferes with a driver's view of approaching, merging or intersecting traffic in and around the right-of-way."
- c. Height: EVSE ports and connector devices shall be no less than 36 inches and no higher than 48 inches from the ground or pavement surface where mounted.
- d. Safety:
 - i. EVSEs mounted on pedestals shall be designated and located so as not to impede pedestrian travel or create trip hazards on sidewalks.
 - ii. EV Charging Stations shall be protected by bollards, other structures, or curbs if located where EVs can otherwise make direct contact with the EVCS in a publicly accessible parking lot.
 - iii. Non-mountable curbing may be used in lieu of bollards if the charging station is setback a minimum of 24 inches from the face of the curb.
 - iv. Public EVSEs shall require retractable cords to prevent trip hazards and for a cleaner look.
- e. Landscaping: Landscaping is allowed in accordance with subsection 10-9-3 of Chapter 9.
- f. Signage: Advertising is only allowed in accordance with subsections 10-10-2D and 10-10-5 of Chapter 10.

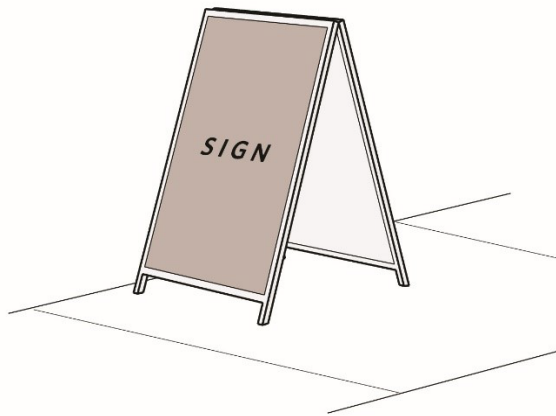
D. Home-Based Business: A home-based business is permitted within any dwelling unit in the Village as part of a principal or accessory structure, subject to approval of the Zoning Administrator and provided that the following standards are met. Home-based business standards do not apply to day care homes which are regulated in accordance with the requirements of subsection [10-7-3G](#), "Day Care Home", of this chapter.

1. Residential Character: The location and operation of the home-based business shall not alter the residential character of the dwelling.

10-11-2: DEFINITION OF TERMS:

A-FRAME SIGN: A movable sign placed on the ground and constructed in the shape of an "A" or some variation thereof. Refer to figure 11-2-A, "A-Frame Sign", of this definition.

FIGURE 11-2-A
A-FRAME SIGN



ACCESSIBILITY RAMP: An inclined structure that allows increased access to a building or structure.

ACCESSORY STRUCTURE: A structure located on the same lot as a principal structure, and that is subordinate in structure and use to the principal structure.

ACCESSORY USE: A use located on the same zoning lot as a principal use that is subordinate to the principal use.

ADDITION: Construction that increases the size of a building or structure in terms of height, length, depth, width, floor area, or impervious coverage.

ADJACENT: Property or a right-of-way that touches a lot line of the subject property or is separated by a public alley. Properties shall not be considered adjacent to one another if a street separates the properties.

ADMINISTRATIVE ADJUSTMENT: Authorization granted by the Zoning Administrator to allow development that deviates from the specific regulations of this title within a narrowly defined set of circumstances.

ADULT CABARET: An establishment that features any of the following: people who appear nude or seminude; live performances that are distinguished or characterized by an emphasis on the exposure, depiction, or description of "specified anatomical areas" or the conduct or simulation of "specified sexual activities"; or films, motion pictures, videos, slides, computer displays, or other visual representations or recordings that emphasize "specified anatomical areas" or "specified sexual activities".

ADULT STORE: An establishment having a substantial or significant portion of its sales or stock in trade devoted to books, magazines, periodicals, other printed matter, instruments, novelties, devices, paraphernalia, films, motion pictures, videos, digital materials, or other visual representations that are distinguished or characterized by their emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas". This shall include any establishment with a segment or section devoted to the sale or display of such materials, or an establishment that publicly claims itself as a purveyor of such materials based upon its signage, advertising, displays, actual sales, presence of booths, or any other factors showing the establishment's primary purpose is to purvey such material.

ADULT THEATER: An establishment that, as a substantial or significant portion of its business, presents films, motion pictures, videos, digital materials, or other visual representations that are distinguished or characterized by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas".

ADULT USE: "Adult use" shall include "adult cabarets", "adult stores", "adult theaters", and other similar uses.

ADULT-USE CANNABIS CRAFT GROWER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS CULTIVATION CENTER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS DISPENSING ORGANIZATION: A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS INFUSER ORGANIZATION OR INFUSER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS PROCESSING ORGANIZATION OR PROCESSOR: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS TRANSPORTING ORGANIZATION OR TRANSPORTER: An organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ALLEY: A narrow public or private right-of-way that provides a means of access to adjacent properties typically located at the side or rear of a lot.

ALTERATION: A change in the supporting members of a building or structure, such as bearing walls, partitions, columns, beams, or girders, or a substantial change to the roof or exterior walls.

ANIMAL BOARDING, HOSPITAL, OR SHELTER: An establishment where pet animals are temporarily boarded, treated for illness or injury, and/or temporarily cared for while permanent homes are found for them.

ANTENNA: A linear antenna designed to send and/or receive television, radio, communication, data, or other similar signals from other antennas.

ANTIQUE VEHICLE: A motor vehicle registered and licensed as an antique vehicle with the State of Illinois.

APIARY: An enclosure used to house bees.

ARBOR: A freestanding structure that serves to support climbing plants, often used to define an access point to a garden.

ASSISTED LIVING FACILITY: A residential facility that provides daily assistance and long-term residence for three (3) or more disabled and/or elderly individuals, but does not provide regular in-patient medical or nursing care. Such facilities provide a combination of housing, supportive services, personalized assistance, and health care designed to respond to the individuals who need help with common daily activities, such as dressing, grooming, and bathing. An "assisted living facility" does not include "community residence", "independent living facility", or "nursing home".

ATTENTION GETTING DEVICE: A sign that directs attention to a business, product, or service using streamers, spinners, propellers, paddle wheels, or other ornamentation designed to move in the wind. "Attention getting devices" do not include "banner flag signs" or "inflatable devices".

AWNING: A roof-like cover, often constructed of flexible fabric and/or metal, which projects from the wall of a structure over a window, sidewalk, or door and is designed for protection from the weather or as a decorative element.

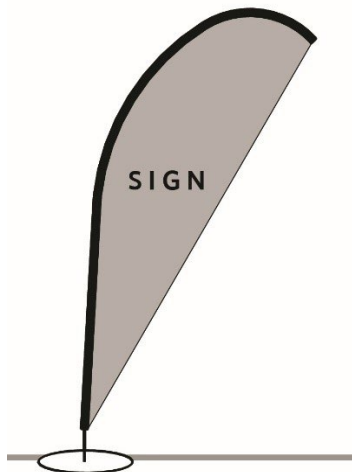
AWNING SIGN: A sign that is displayed on an awning.

BALCONY: A platform that projects from the exterior wall of a building, which is exposed to the open air, has direct access to the interior of the building, and is not supported by columns extending to the ground.

BALL COURT: A paved area used to play sports and/or games.

BANNER FLAG SIGN: A sign typically made of lightweight fabric or other flexible material that is mounted to a pole and designed to move in the wind. "Banner flag signs" do not include "attention getting devices". Refer to figure 11-2-B, "Banner Flag Sign", of this definition.

FIGURE 11-2-B
BANNER FLAG SIGN



BANNER SIGN: A sign typically made of lightweight fabric or other flexible material with or without a frame. "Banner signs" do not include "attention getting devices".

BANQUET HALL: An establishment that provides accommodations for private functions, such as weddings, anniversaries, or other similar celebrations. Such use may include facilities for the preparation of food, sale of alcoholic beverages for on-premises consumption, and outdoor reception facilities.

BAR/TAVERN: An establishment that sells alcoholic beverages for consumption on the premises, and may serve food for consumption on the premises in a manner that is incidental to the sale of alcoholic beverages.

BASEMENT: A portion of a building located partly underground that has no more than one-half ($1/2$) of its height above grade.

BAY WINDOW: A window built to project outward from an exterior wall, often with a flat front and angled sides.

BENCH SIGN: A sign located on a bench, seat, or similar structure which directs attention to a business, product, or service.

BATTERY ELECTRIC VEHICLE (BEV): vehicle that only uses energy stored in rechargeable battery packs onboard the vehicle to propel the vehicle. BEV's must be plugged into an external electricity source in order to recharge.

BICYCLE PARKING SIGN: A sign indicating the location of bicycle parking facilities.

BICYCLE PARKING SPACE: An area used to park a bicycle that may or may not be located on a right-of-way.

BIORETENTION: The process of utilizing a shallow vegetated basin to collect and absorb stormwater runoff as part of systems such as bioretention cells, bioretention curb extensions, and bioretention planters.

BLOCK: Land bounded on all sides by street rights-of-way, utility rights-of-way, and/or physical barriers such as bodies of water or public open spaces.

BLUE ROOF: A roof that is designed to store and discharge rainfall.

BODY ART ESTABLISHMENT: An establishment that provides physical body adornment, alteration or modification that may include, but shall not be limited to, tattooing, piercing, branding, braiding, implantation, or scarification.

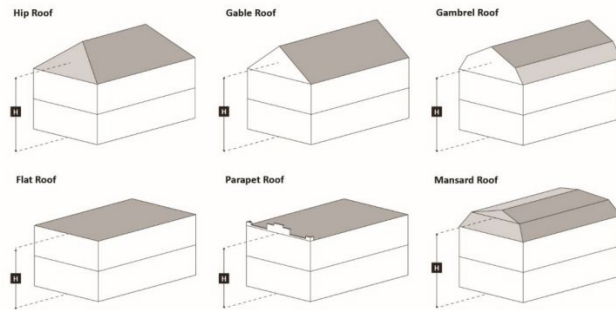
BOLLARD: Any of a series of short posts set at intervals to delimit an area or to exclude vehicles.

BUFFER YARD: A yard or landscape component used to separate uses or structures, provide a visual barrier, diminish light trespass, or for other similar purposes.

BUILDING: A structure with substantial walls and a substantial roof that is securely affixed to land and separated on all sides from similar structures by space or by walls that do not have communicating doors, windows, or similar openings.

BUILDING HEIGHT: The vertical distance measured from the mean average elevation of finished grade within twenty feet (20') of the front building line to the mean point between the eaves and the ridge for a building with a hip, gable, or gambrel roof; to the highest point of a flat roof; and to the deck line for a building with a mansard roof. Regardless of roof type, the following projections shall not be included when determining building height: chimneys, towers, spires, steeples, parapet walls, staircase enclosures, elevator enclosures, tanks, cooling towers, green roofs, blue roofs, mechanical equipment, and similar projections. See figure 10-11-2-1, "Building Height And Roof Types", of this definition.

FIGURE 10-11-2-1
BUILDING HEIGHT AND ROOF TYPES



BUILDING LINE: A line measured at the building wall of a structure that is parallel or nearly parallel to a lot line. For the purposes of establishing a building line, the building wall does not include permitted encroachments of architectural features, such as bay windows, eaves, stairs, and stoops.

CANOPY: A rigid roof-like cover, often constructed of metal and/or glass, which projects from the wall of a structure over a window, sidewalk, or door and is designed for protection from the weather or as a decorative element. A canopy may include ground-mounted support posts.

CANOPY-MOUNTED SIGN: A sign that is mounted on top of a canopy.

CAR-SHARE PARKING: A parking space designated for the exclusive use of members of a car share organization.

CAR WASH: An establishment engaged in the cleaning or detailing of motor vehicles, recreational vehicles, and/or other similar vehicles whether automatic or by hand.

CEMETERY: Land used for the burial of the dead, which may include offices, structures for performing religious ceremonies related to the entombment of the deceased, and related accessory structures for the storage of maintenance equipment.

CHICKEN COOP: An enclosure used to house chickens.

CHIMNEY: A vertical structure used to remove smoke and combustion gases from a building that is often of masonry construction.

CLUB, LODGE, OR HALL: A meeting, recreational, or social facility established for the use of the members and guests of a non-profit or private organization.

COLLEGE OR UNIVERSITY: A facility for post-secondary higher learning that grants associate or bachelor degrees. The institution may also have research facilities and/or professional schools that grant master and doctoral degrees. "College or university" includes ancillary uses such as dormitories, cafeterias, restaurants, retail sales, indoor or outdoor recreational facilities, and similar uses.

COMMERCIAL VEHICLE: A motor vehicle operated for the transportation of people or material as part of a commercial enterprise.

COMMUNITY GARDEN: Land that is collectively cultivated and maintained by a group of people.

COMMUNITY RESIDENCE: A group residence consisting of a group home or specialized residential care home serving people with disabilities that is licensed, certified, or accredited by the appropriate State or Federal agencies. Such residence shall serve as a single housekeeping unit for the housing of unrelated people with functional disabilities who share responsibilities, meals, social activities, and other aspects of residential living. "Community residence" does not include "assisted living facility", "independent living facility", "nursing home", or "residential care facility" and does not include a residence that serves as an alternative to incarceration for a criminal offense.

COMPOST BIN: A container used to store and break down organic matter to produce material that facilitates fertilizing and conditioning soil.

COMPREHENSIVE PLAN: The comprehensive plan of the Village of Bensenville.

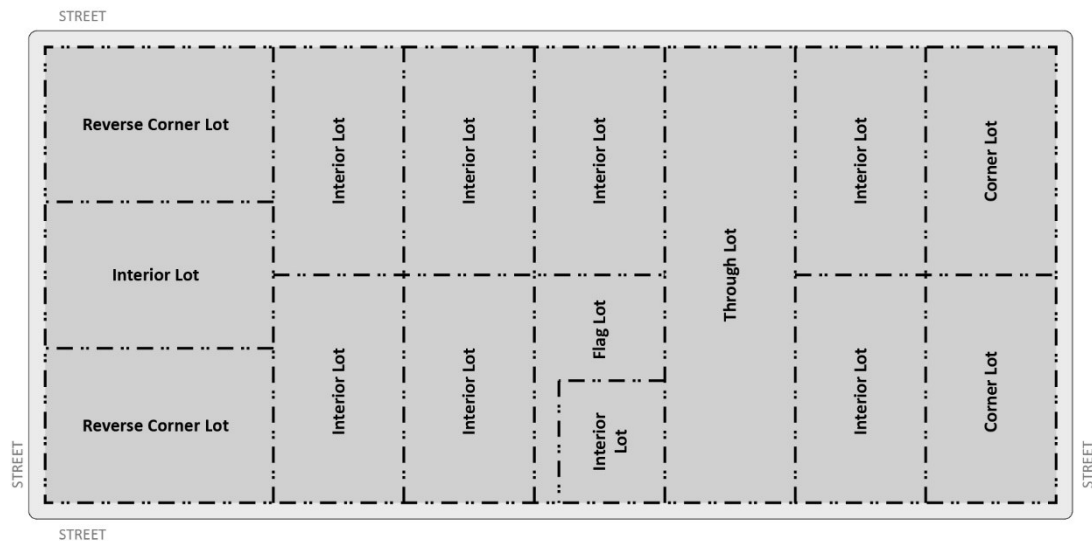
CONFORMING STRUCTURE: A structure that complies with the bulk and setback regulations of this title for the zoning district in which such structure is located.

CONFORMING USE: A use that complies with the use regulations of this title for the zoning district in which such use is located.

CONTRACTOR TRAILER: A portable building or structure that may include office space and/or facilities for equipment storage for a construction project.

CORNER LOT: A parcel of land located at the intersection of two (2) or more streets that has more than one street frontage, or a lot located at the bend of one street that has an interior angle no greater than one hundred thirty five degrees (135°). See figure 10-11-2-2, "Lot Types", of this definition.

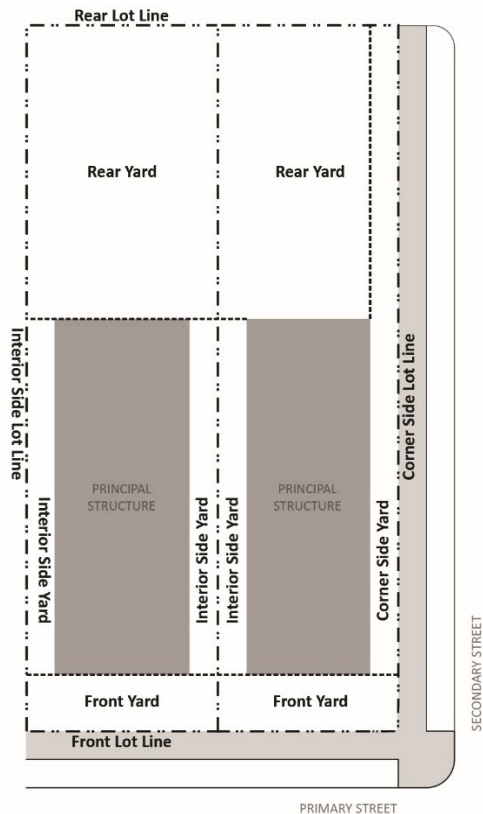
FIGURE 10-11-2-2
LOT TYPES



CORNER SIDE FACADE: Any facade that faces and is most closely parallel to the corner side lot line.

CORNER SIDE LOT LINE: The boundary of a lot that is approximately perpendicular to the front and rear lot lines, which separates the longest street right-of-way frontage of a corner lot from the street right-of-way. Refer to figure 10-11-2-3, "Lot Lines And Yards", of this definition.

FIGURE 10-11-2-3
LOT LINES AND YARDS



CORNER SIDE YARD: The area on a lot extending from the corner side facade of a building to the corner side lot line between the front yard and the rear lot line. Refer to figure 10-11-2-3, "Lot Lines And Yards", of this section.

CORNICE: A projecting horizontal architectural feature, often located on the wall of a building or structure below the roofline.

CROSS SLOPE: The incline of a path perpendicular to the direction of travel.

CULTURAL FACILITY: A use that provides cultural services including, but not limited to, museums, cultural centers, historical societies, and libraries.

CURRENCY EXCHANGE: An establishment engaged in providing services to cash checks, issue money orders, and prepare cashier's checks for a fee. "Currency exchange" does not include "financial institution" or "payday or title loan establishment".

DAY CARE CENTER: An establishment providing care for more than three (3) adults or children in a protective setting for less than twenty four (24) hours per day that is not

located within a residential dwelling unit. "Day care center" does not include day care programs operated by an "elementary, middle, or high school", "park", or "place of worship".

DAY CARE HOME: A facility within a residential dwelling unit that provides care for adults or children, including the family's natural or adopted children, in a protective setting for less than twenty four (24) hours per day.

DAY LABOR CENTER: An indoor establishment where assignments for occasional or irregular employment are made, characterized by the daily gathering of workers generally seeking low-skilled manual labor. "Day labor center" does not include "professional office".

DIRECT CURRENT FAST CHARGING (DCFC) (LEVEL 3): EV battery charging that uses DC power to refuel Battery Electric Vehicles (BEV) at various amperage levels and voltage levels, most commonly 480 VAC, with power outputs ranging between 25 and 175 kW of power and provides 50 to 500 range miles per hour connected. DCFCs convert Alternating Current (AC) from facility power and output Direct Current (DC) and Volts Direct Current (VDC), which then delivers DC power to the BEV through a standard connector. DCFCs are sometimes referred to as Level 3 EV Chargers.

DECK: A roofless outdoor platform often constructed of wood or composite wood that is elevated from the ground and connects to the exterior wall of a building.

DEVELOPMENT: Any human-made change to improved or unimproved real estate, including but not limited to construction of, or substantial improvements to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

DOG RUN: An enclosed area located within a yard that provides space for a dog to exercise.

DRIVE-THROUGH FACILITY: A facility used to provide products or services through a window, attendant, or automated machine to people in motor vehicles. A "drive-through facility" may be established in combination with other uses, such as a "financial institution", "personal services establishment", "restaurant", or "retail goods establishment". A "drive-through facility" shall not be considered to be established in combination with a "car wash", "gas station", or "motor vehicle repair and/or service".

DRIVE-THROUGH SIGN: A sign that displays items for sale or service at an establishment with "drive-through facilities".

DRIVEWAY: An unobstructed area that provides access to a parking or loading space.

DRIVEWAY ACCESS SIGN: A sign that guides the circulation of motorists, bicyclists, and pedestrians through a site, such as signs indicating parking lot entrances and exits, loading zones, and restrooms.

DRIVEWAY APRON: The portion of a driveway that passes through the sidewalk, parkway, and curb into the adjacent street.

DRIVEWAY PARKING PAD: A portion of a driveway used to park a motor vehicle that is generally wider than the portion of the driveway used to access the lot.

DWELLING ABOVE THE GROUND FLOOR: A dwelling unit located on the upper floor of a building that contains non-residential uses on its ground floor.

DWELLING UNIT: A structure, or portion thereof, designed for residential purposes as a single housekeeping unit that provides independent living facilities for one or more people, including permanent provisions for living, sleeping, eating, cooking, and sanitation. "Dwelling unit" does not include "hotel/motel", "model unit", "recreational vehicle", mobile home, trailer, tent, or portable building.

EASEMENT: Land that has been designated by lawful agreement between the owner of the land and another person for a specified use by such person.

EAVE: The projecting lower edge of a roof that overhangs the wall of a building.

ELECTRICAL GENERATOR: A device that generates electrical power.

ELECTRICAL VEHICLE CHARGING STATION: A location used to supply energy to electric vehicles.

ELECTRIC VEHICLES (EVs): vehicles that store electric energy to be used for propulsion.

ELECTRIC VEHICLE CHARGING INFRASTRUCTURE (EVCI): "make ready" electrical equipment including panels with circuit breakers, switchboards, transformers, conduit, wiring, junction boxes, conduit hangers and other interconnections necessary to delivery electrical power from a facility to an EVSE.

ELECTRIC VEHICLE CHARGING STATION (EVCS): equipment designed to safely supply and manage power into Plugin EVs. EV Charging Stations include hard-wired EV Charging Stations and EV Charging Stations that plug in to standard wall outlets and may also integrate communication, metering, GPS and other features that assist EV drivers and the host facility.

ELECTRIC VEHICLE POWER TRANSFER SYSTEM (EVPTS) - Electric power supply and management technology that 1) provides and manages power transferred from a power source to EVSEs, including power transformers, switchboards, panels, circuit breakers and interconnecting conduit and wiring (EVCI), 2) plus the EVSE(s).

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE): The conductors and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

ELECTRONIC MESSAGE SIGN: A sign that displays a changeable message with text, or simple images using an electronic display. "Electronic message signs" shall not include "video display signs".

ELEMENTARY, MIDDLE, OR HIGH SCHOOL: A public or private educational facility offering instruction to preschool, elementary school, middle school, junior high school, and/or high school students with a full range of curricular programs.

ENCROACHMENT: The location of a structure within a required setback.

ENVIRONMENTAL PERFORMANCE STANDARDS: Criteria established to regulate noise, odor, dust, air pollution, glare, heat, vibration, fire, explosion hazards, or hazardous materials generated by the use of land or buildings.

EXTERNALLY ILLUMINATED SIGN: A sign that is lit by a source of light located outside the sign so that light shines onto the sign face.

FACADE: The exterior face of a building, including, but not limited to, the wall, windows, windowsills, doorways, and design elements.

FARMERS' MARKET: An outdoor market located in a designated area for the sale of agricultural products, such as fruits, vegetables, juices, flowers, plants, herbs, spices, dairy goods, and meats, by the vendors who typically produce such items. "Farmers' markets" typically offer for sale items such as baked goods, arts and crafts, and other value-added goods.

FENCE: A barrier typically constructed of treated wood, simulated wood, PVC, steel, or a combination of materials, that is erected to separate, screen, or enclose an area that may have one or more gates.

FINANCIAL INSTITUTION: A bank, credit union, or savings and loan office, or an automated teller machine established by such an entity. "Financial institution" does not include "currency exchange" or "payday or title loan establishment".

FIRE ESCAPE: A structure located on the exterior wall of a building that is used to escape in case of a fire or other emergency.

FLAG: A sign made of flexible material which is mounted on a pole and symbolizes any governmental, political, civic, educational, religious, or corporate organization.

FLAG LOT: A lot where the vast majority of the lot can only be accessed from the right-of-way by means of a narrow strip of land between adjacent lots. See figure 10-11-2-2, "Lot Types", of this section.

FLAGPOLE: A ground-mounted or building-mounted structure used to display a flag.

FLASHING SIGN: A sign which contains an intermittent or sequential light source that may flash, blink, strobe, travel, chase, rotate, or change in intensity, brightness, or color. "Flashing signs" do not include "electronic message signs", or "video display signs".

FLAT ROOF: A flat roof structure with no visible slope, which is located on all street-facing facades and may or may not have overhanging eaves. See figure 10-11-2-1, "Building Height And Roof Types", of this section.

FOOT-CANDLE: A measure of the illuminance cast upon a surface that is one foot (1') from a uniform light source of one candela, and which is equal to one lumen per square foot.

FRONT FACADE: Any facade that faces and is most closely parallel to the front lot line.

FRONT LOT LINE: The boundary of a lot that is adjacent to a street right-of-way. For corner lots, the front lot line shall be the shortest street frontage of the lot. For irregular lots, the front lot line shall be the entire length of the lot line that is adjacent to a street right-of-way. Refer to figure 10-11-2-3, "Lot Lines And Yards", of this section.

FRONT YARD: The area on a lot extending from the front facade of a building to the front lot line between the side lot lines. Refer to figure 10-11-2-3, "Lot Lines And Yards", of this section.

FULLY SHIELDED LIGHTING: A fixture that prevents light from being emitted above a horizontal plane running from the lowest point of the fixture that emits light.

FUNERAL HOME: An establishment where services are conducted for the deceased, including facilities to prepare the deceased for display, burial, and/or cremation.

GARAGE: A building, either attached or detached, which is used or designed for the parking and storage of motor vehicles, and the storage of various equipment.

GARAGE OR YARD SALE: The sale of a variety of used household items, which is typically held in the garage or front yard of a residential dwelling unit.

GARDEN: An area dedicated to the cultivation of plants.

GARDEN CENTER: An establishment that sells plants grown or stored on site.

GAS STATION: An establishment where motor vehicle fuel, including non-petroleum fuel, is stored and dispensed from fixed equipment into motor vehicles. A "gas station" may also include accessory activities such as restaurants, car washes, and convenience retail stores. "Gas station" does not include "motor vehicle repair and/or service" or "truck stop".

GAZEBO: A freestanding open-sided structure, often hexagonal or octagonal in shape, that provides shade and shelter in outdoor areas.

GOLF COURSE OR DRIVING RANGE: A tract of land designed with at least nine (9) holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, and related accessory structures for the storage of maintenance equipment. A driving range may be designed as a standalone facility or included as part of a larger golf course.

GOVERNMENT FACILITY: A building or structure owned, operated, and/or occupied by a governmental agency to provide services to the public. "Government facility" includes public safety facilities, public works facilities, Post Offices, and administrative offices, but does not include "park", "elementary, middle, or high school".

GOVERNMENT SIGN: A sign, such as a traffic control sign, public safety sign, emergency sign, or public notice, that is required by applicable Federal, State, County, or local regulations.

GRADE: For structures five feet (5') or more from the front lot line, the average level of the finished surface of the ground adjacent to the exterior wall of the building. For structures less than five feet (5') from the front lot line, the average level of the finished surface of the ground at the center of the front lot line.

GREEN ROOF: A roof that is partially or completely covered with vegetation, a growing medium, and a waterproof membrane, that absorbs rainwater and reduces the heat absorbed by a building or structure.

GREENHOUSE: A building for the cultivation and protection of plants, which is typically constructed of transparent glass, metal, and/or plastic.

GROSS FLOOR AREA: The total horizontal area of the floors of a building as measured from the exterior face of the exterior walls, or from the centerline of a party wall to the exterior face of the exterior walls.

GUN RANGE: An establishment designed for discharging firearms to practice marksmanship.

GUN SALES ESTABLISHMENT: A commercial enterprise specifically engaged in the sale of guns and firearms.

GUTTER: A structure located at the eave of a roof to convey stormwater.

HALF STORY: The portion of a building located under a pitched roof.

HANGING SIGN: A sign suspended from an architectural feature of a building, such as an awning, canopy, or marquee, which is typically oriented perpendicular to the facade of the building.

HEADSTONE: A non-commercial sign in the form of a tombstone, tablet, grave marker, statuary, or memorial, that offers a remembrance of people or events.

HEAVY INDUSTRIAL: A use engaged in manufacturing, assembly, fabrication, packaging, storage, handling, or other industrial processing of products from unprocessed or raw materials, which may include the use of highly flammable material, or toxic matter. "Heavy industrial" uses may be engaged in processes that are likely to have a substantial impact on the environment or on adjacent properties. Typical "heavy industrial" uses include, but shall not be limited to, chemical processing, grain milling, metal casting, metal smelting, motor vehicle assembly, motor vehicle wrecking, petroleum refining, rendering, tire assembly, and asphalt, brick, concrete, or tile manufacturing.

HISTORICAL MARKER: A sign displaying information of historic significance such as a building's name, date of erection, or location.

HOME-BASED BUSINESS: An occupation carried on in a dwelling unit by a resident, which is accessory to the residential use of the dwelling unit.

HOOPHOUSE: A structure used to extend the growing season of agricultural crops that is generally semicircular in shape.

HOSPITAL: An institution that provides healthcare and medical services for the sick and injured, which may include, but shall not be limited to, in-patient facilities, out-patient facilities, training facilities, offices, and laboratories.

HOTEL/MOTEL: An establishment that provides sleeping accommodations and lodging services on a short-term basis for a fee and amenities which may include, but shall not be limited to, restaurants, meeting rooms, health clubs, and swimming pools.

ILLEGAL STRUCTURE: A structure that did not legally exist prior to the adoption of this title and does not conform with the current ordinance requirements for the district in which it is located.

ILLEGAL USE: An activity or facility that does not enjoy a legal conforming or legal nonconforming status, as defined in this section.

IMPERVIOUS COVERAGE: The proportion of the area of a zoning lot occupied by surfaces that do not allow stormwater infiltration to the lot area of the zoning lot. Surfaces that do not allow stormwater infiltration may include, but shall not be limited to, principal structures, accessory structures, walkways, paved parking lots, and paved driveways.

INDEPENDENT LIVING FACILITY: A residential facility that contains dwelling units where at least one of the residents occupying a unit is fifty five (55) years or older. Such facilities do not provide regular in-patient medical or nursing care but may provide common areas for meals or socializing and limited convenience services. An "independent living facility" does not include "assisted living facility", "community residence", or "nursing home".

INDOOR ENTERTAINMENT: An enclosed building where spectator uses are conducted by a for-profit entity that typically charges patrons a fee to enter. Typical "indoor entertainment" uses include, but shall not be limited to, indoor theaters, indoor music venues, and indoor sports arenas. "Indoor entertainment" uses may include refreshment stands that provide products for consumption on the premises. "Indoor entertainment" does not include "adult use" or "indoor recreation".

INDOOR RECREATION: An enclosed building where recreational activities are conducted by a for-profit entity that typically charges patrons a fee to enter. Typical "indoor recreation" uses may include, but shall not be limited to, health clubs, bowling alleys, pool halls, children's play facilities, sporting or training facilities, arcades, indoor miniature golf courses, indoor swimming pools, indoor tennis courts, and indoor skating facilities. "Indoor recreation" uses may include refreshment stands that provide products for consumption on the premises. "Indoor recreation" does not include "gun range", "indoor entertainment", "park", "elementary, middle, or high school".

INFLATABLE DEVICE: An advertising display that consists of flexible fabric or similar material that can be filled with air or gas and that may or may not be tethered to a

specific location, and may move using a fan. "Inflatable devices" do not include "attention getting devices".

INTERIOR LOT: A parcel of land that has street frontage along at least one lot line and is flanked by lots along its side lot lines. See figure 10-11-2-2, "Lot Types", of this section.

INTERIOR SIDE FACADE: Any facade that faces and is most closely parallel to the interior side lot line.

INTERIOR SIDE LOT LINE: The boundary of a lot that is approximately perpendicular to the front and rear lot lines and is not adjacent to the street right-of-way. Refer to figure 10-11-2-3, "Lot Lines And Yards", of this section.

INTERIOR SIDE YARD: The area on a lot extending from the interior side facade of a building to the interior side lot line between the front yard and the rear yard. Refer to figure 10-11-2-3, "Lot Lines And Yards", of this section.

INTERNALLY ILLUMINATED SIGN: A sign that is lit by a source of light located inside the sign so that light shines outward from within the sign.

IRREGULAR LOT: A lot whose opposing lot lines are generally not parallel, such as a pie-shaped lot, or where one or more lot lines are curvilinear.

LAND-BANKED PARKING: A landscaped area that is reserved for future development as parking facilities.

LAUNDROMAT: An establishment that provides washing, drying, and/or ironing machines for use by customers on the premises.

LEVEL 1 EV CHARGING – LEVEL 1 EV CHARGING: EV battery charging that uses 110 to 120 VAC supply power, with a power range from 880 Watts (0.88 kilowatts, kW) to 1,920 kW (1.92 kW) and provides 3 to 6 range miles per hour connected. Level 1 EV chargers are supplied with Alternating Current (AC) and in turn provide AC power to the EV through a standard connector.

LEVEL 2 EV CHARGING – LEVEL 2 EV CHARGING: EV battery charging that uses 208 to 240 VAC supply power, with a range from 3.3 kW to 19.2 kW, and provides 16 to 80 range miles per hour connected. Level 2 EV chargers are supplied with Alternating Current (AC) and in turn provide AC power to the EV through a standard connector.

LIGHT INDUSTRIAL: A use engaged in manufacturing, assembly, fabrication, packaging, storage, handling, or other industrial processing of products primarily from prepared materials or finished products, which does not include the use of highly flammable material, or toxic matter. "Light industrial" uses may be engaged in processes that have a minimal impact on the environment and adjacent properties.

LIVE/WORK DWELLING: A dwelling unit consisting of both residential and commercial components.

LOADING SPACE: An unobstructed area provided and maintained for the temporary parking of motor vehicles in order to load and unload materials.

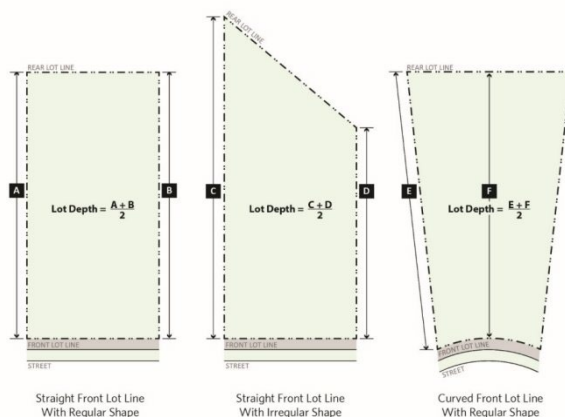
LONG-TERM BICYCLE PARKING: Bicycle parking intended for long-term or overnight storage, typically provided for employees, residents, or others requiring storage of a bicycle for a substantial portion of the day.

LOT: A parcel or tract of land intended to be separately owned, developed, or otherwise used.

LOT AREA: The area of a zoning lot contained within its lot lines.

LOT DEPTH: The mean distance between the front and rear lot lines of a lot. See figure 10-11-2-4, "Lot Depth", of this definition.

FIGURE 10-11-2-4
LOT DEPTH

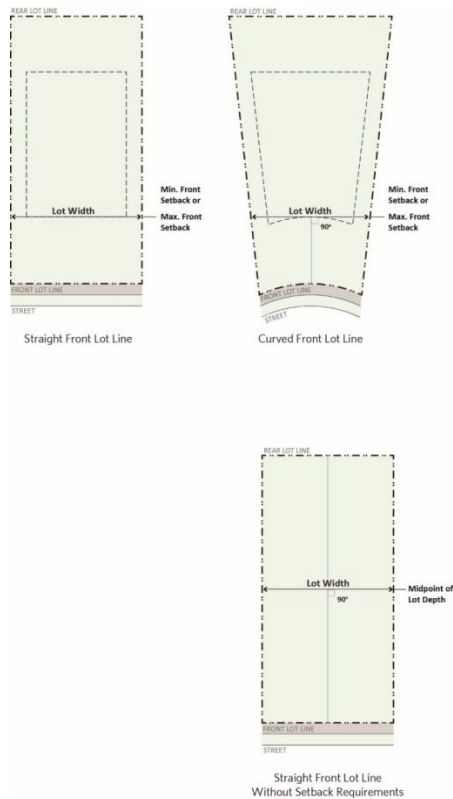


LOT LINE: The boundary line of any lot.

LOT OF RECORD: A legally created lot established by plat, deed, or contract, as recorded by the Cook or DuPage County Recorder of Deeds.

LOT WIDTH: For zoning lots with a straight front lot line, the distance between the side lot lines measured at the applicable minimum front setback or maximum front setback. For zoning lots with a curved front lot line, the distance between the side lot lines along a line that is tangent to the minimum front setback or maximum front setback. See figure 10-11-2-5, "Lot Width", of this definition.

FIGURE 10-11-2-5
LOT WIDTH



MACHINERY AND EQUIPMENT SALES AND RENTAL: Establishments primarily engaged in the sale or rental of tools, trucks, tractors, construction equipment, and similar industrial equipment. "Machinery and equipment sales and rental" includes the incidental storage, maintenance, and servicing of such equipment.

MANUALLY CHANGEABLE COPY SIGN: A sign designed to allow modifications of messages, letters, characters, illustrations, or other symbols by hand. "Manually changeable copy signs" shall not include "electronic message signs".

MARQUEE SIGN: A sign with two (2) or three (3) sign faces that is mounted to a permanent roof-like structure extending from the facade of a building.

MASSAGE THERAPY ESTABLISHMENT: An establishment that provides services for the manipulation of tissues for relaxation or therapeutic purposes. "Massage therapy establishment" does not include "adult use".

MAXIMUM CORNER SIDE SETBACK: The maximum distance that a building or structure shall be located from a corner side lot line, as required by the zoning district regulations.

MAXIMUM FRONT SETBACK: The maximum distance that a building or structure shall be located from a front lot line, as required by the zoning district regulations.

MECHANICAL EQUIPMENT: Ground-mounted and roof-mounted equipment such as heating, ventilating, and air-conditioning (HVAC) units.

MEDICAL MARIJUANA CULTIVATION CENTER: An establishment licensed, certified, or accredited by the appropriate State agencies to perform necessary activities in order to provide only registered medical cannabis dispensing organizations with usable medical cannabis.

MEDICAL MARIJUANA DISPENSARY: An establishment licensed, certified, or accredited by the appropriate State agencies to acquire medical cannabis from a registered "medical marijuana cultivation center" for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients.

MEDIUM INDUSTRIAL: A use engaged in manufacturing, assembly, fabrication, packaging, storage, handling, or other industrial processing of products from both unprocessed and prepared materials, which does not include the use of highly flammable material, or toxic matter. "Medium industrial" uses may be engaged in processes that are likely to have a moderate impact on the environment or on adjacent properties. Typical "medium industrial" uses include, but shall not be limited to, bottling, food processing, machine shops, or freight handling.

MICROBREWERY OR MICRODISTILLERY: A facility for the production and packaging of malt beverages of alcoholic content with a capacity of less than fifteen thousand (15,000) barrels per year, or a facility for the production and packaging of spirits and liquors with a capacity of less than twelve thousand (12,000) gallons per year. Microbreweries or microdistilleries include a tasting room, which allows customers to consume products manufactured on site, and/or a retail space for purchase of products manufactured on site and related items. Breweries that exceed a capacity of fifteen thousand (15,000) barrels per year, distilleries that exceed a capacity of twelve thousand (12,000) gallons a year, or facilities that only manufacture for distribution are considered "light industrial".

MINIMUM CORNER SIDE SETBACK: The minimum distance that a building or structure shall be located from a corner side lot line, as required by the zoning district regulations.

MINIMUM FRONT SETBACK: The minimum distance that a building or structure shall be located from a front lot line, as required by the zoning district regulations.

MINIMUM INTERIOR SIDE SETBACK: The minimum distance that a building or structure shall be located from an interior side lot line, as required by the zoning district regulations.

MINIMUM REAR SETBACK: The minimum distance that a building or structure shall be located from a rear lot line, as required by the zoning district regulations.

MINIMUM SETBACK ABUTTING A RESIDENTIAL DISTRICT: The minimum distance that a building or structure shall be located from any lot line shared with a lot located in a Residential District, as required by the zoning district regulations.

MINIMUM STREET FRONTAGE: The minimum proportion of a principal building required to be located adjacent to a right-of-way expressed as a percentage of the total length of the lot line adjacent to the right-of-way.

MISCELLANEOUS INFORMATION SIGN: A sign which displays information such as hours of operation, credit cards accepted, open/closed signs, and push/pull signs, and appears on or adjacent to entry doors or in display windows. Miscellaneous information shall include information located on vending machines, automated teller machines, and gasoline pumps.

MOBILE FOOD FACILITY: A motorized vehicle or mobile food unit, such as a pushcart, that is used to sell food items.

MODEL UNIT: A building or structure displayed as an example of the dwelling units available for sale or for rent in a residential development. A "model unit" may include sales or rental offices. "Model unit" does not include "dwelling unit".

MONUMENT SIGN: A sign mounted to a freestanding base with a width equal to or greater than the width of the sign. A monument sign does not include freestanding poles and is not attached to a building.

MOTOR VEHICLE OPERATIONS FACILITY: A facility for the dispatch, storage, and maintenance of emergency medical vehicles, taxis, school buses, and livery vehicles. "Motor vehicle operations facility" does not include "motor vehicle rental", "motor vehicle repair and/or service", "motor vehicle sales", or "government facilities" to dispatch, store, and maintain fire, police, public works, and other Municipal vehicles.

MOTOR VEHICLE RENTAL: An establishment that rents motor vehicles, including incidental facilities for parking and servicing such vehicles. "Motor vehicle rental" does not include "motor vehicle operations facility".

MOTOR VEHICLE REPAIR AND/OR SERVICE: An establishment that provides services to adjust, align, repair, repaint, and/or replace motor vehicle parts and systems. "Motor vehicle repair and/or service" includes facilities that sell motor vehicle parts and supplies in an incidental manner to the establishment's repair facilities. "Motor vehicle repair and/or service" does not include "gas station", "motor vehicle rental", "motor vehicle sales", or "truck repair".

MOTOR VEHICLE SALES: An establishment that sells or leases new or used motor vehicles, including incidental facilities for parking and servicing such vehicles.

MOTOR VEHICLE SALES (OFFICE ONLY): An establishment that sells or leases new or used motor vehicles, which does not include incidental facilities for parking and servicing such vehicles.

MOVING SIGN: A sign that moves or gives the appearance of movement, including any sign that revolves, rotates, or in any way alters position by natural or artificial means. "Moving signs" do not include barber poles, "electronic message signs", "flags", "inflatable devices", "pennant signs", signs displaying time and temperature, street clocks, and similar such signs.

MULTIPLE-UNIT DWELLING: A building that contains three (3) or more dwelling units where each unit has an individual entrance to a common stairway, hallway, or to the outdoors. "Multiple-unit dwelling" does not include "townhouse dwelling" or "two-unit dwelling".

NIT: A unit of luminous intensity equal to one candela per square meter.

NONCONFORMING LOT: A lot of record that at one time conformed to applicable zoning regulations, but no longer conforms due to subsequent amendments to this title.

NONCONFORMING STRUCTURE: A principal or accessory structure that at one time conformed to applicable zoning regulations, but no longer conforms due to subsequent amendments to this title. "Nonconforming structure" shall also include nonconforming signs, on-site development, off-street parking and loading facilities, and landscape characteristics.

NONCONFORMING USE: A use of land or a structure that at one time conformed to applicable zoning regulations, but no longer conforms due to subsequent amendments to this title.

NURSING HOME: A residential facility that provides ongoing medical care and inpatient services for people requiring regular medical attention. Such facilities do not provide emergency medical services, surgical services, or treatment for alcoholism, drug addiction, or mental illness. A "nursing home" does not include "assisted living facility", "community residence", or "independent living facility".

OBSCENE SIGN: A sign that displays content in which the dominant theme of the material depicts prurient representations of sexual matters that affront contemporary community standards and do not possess redeeming social value.

OFF-PREMISES PARKING FACILITY: A parking facility that is not located on the same premises as the use which it serves.

OFF-PREMISES SIGN: A sign that directs attention to a business, product, service, or other commercial activity that is conducted, sold, or offered at a location other than the premises where such sign is located.

OFF-STREET LOADING FACILITY: An area not located within a right-of-way that is provided and maintained for the temporary parking of motor vehicles in order to load and unload materials for commercial, civic, institutional, industrial, and multiple-unit dwelling uses.

OFF-STREET PARKING: An area not located within a right-of-way that is used to park a motor vehicle.

ON-STREET PARKING: An area located within a right-of-way that is used to park a motor vehicle.

OUTDOOR DINING: An outdoor seating area that is typically connected to an indoor seating area for a "restaurant" or "bar/tavern".

OUTDOOR ENTERTAINMENT: An open air or partially enclosed structure in which spectator uses are conducted by a for-profit entity that typically charges patrons a fee to enter. Typical "outdoor entertainment" uses include, but shall not be limited to, outdoor theaters, outdoor music venues, outdoor sports arenas, and amusement parks. "Outdoor entertainment" uses may include refreshment stands that provide products for consumption on the premises. "Outdoor entertainment" does not include "outdoor recreation".

OUTDOOR FIRE PIT: An outdoor fireplace that is open in design, or equipped with openings for a hearth and chimney and is generally constructed of steel, concrete, clay, or other noncombustible material.

OUTDOOR RECREATION: An open air or partially enclosed structure in which recreational activities are conducted by a for-profit entity that typically charges patrons a fee to enter. Typical "outdoor recreation" uses may include, but shall not be limited to, outdoor miniature golf courses, outdoor swimming pools, outdoor tennis courts, and outdoor skating facilities. "Outdoor recreation" uses may include refreshment stands that provide products for consumption on the premises. "Outdoor recreation" does not include "outdoor entertainment", "park", "elementary, middle, or high school".

OUTDOOR SALES AND DISPLAY: The sales and display of products and services outside of a building or structure.

OUTDOOR STORAGE AREA: An area for the storage of materials, equipment, machinery, or motor vehicles used in the conduct of a business.

OWNER: The legal or beneficial title-holder of land, or the holder of a written option to contract or purchase the land.

PARAPET ROOF: A low wall that projects above a roof along the perimeter of a building. See figure 10-11-2-1, "Building Height And Roof Types", of this section.

PARK: An area for active recreation, passive recreation, and/or resource protection that is open to the public. "Park" may include, but shall not be limited to, baseball fields, football fields, soccer fields, basketball courts, tennis courts, playgrounds, water parks, and field houses. "Park" does not include "indoor recreation" or "outdoor recreation".

PARKING GARAGE (Primary Use): A structure with two (2) or more levels that is used to park motor vehicles.

PARKING LOT (Primary Use): A paved area not located within a right-of-way that is used to park motor vehicles and is not ancillary to any other use on the same lot.

PARKING LOT PERIMETER LANDSCAPE: A planted area located between the boundary of a parking lot and a right-of-way.

PARKING LOT SIGN: A sign regulating a parking lot, with a message such as "No Parking" or "Tow Zone", that is oriented to an off- street parking area.

PATIO: A roofless hard surfaced area typically constructed of masonry, brick, or concrete that is attached to the ground adjacent to the wall of a building.

PAVED PARKING AREA: A motor vehicle parking area located adjacent to the entrance to a garage.

PAWN SHOP: An establishment licensed, certified, or accredited by the appropriate local and State agencies that lends money in exchange for personal property that is used as collateral. "Pawn shops" may purchase personal property outright or on the condition of selling it back to a customer with interest. "Pawn shops" may include cash for gold establishments, which have the primary business of purchasing precious metals, jewelry, watches, and other similar items. "Pawn shop" does not include "retail goods establishments" such as antique stores and consignment stores.

PAYDAY OR TITLE LOAN ESTABLISHMENT: An establishment that provides loans to individuals in exchange for personal checks or titles to motor vehicles. "Payday or title loan establishment" does not include "currency exchange" or "financial institution".

PENNANT SIGN: A sign consisting of tapered flags made of lightweight material that are hung in a series and may or may not contain a message. "Pennant signs" do not include "attention getting devices" or "banner flag signs".

PERGOLA: A freestanding structure with columns or posts topped with beams and open rafters, which may or may not be connected to the wall of a building.

PERMANENT SIGN: A sign constructed of durable materials that is intended to be displayed for the duration of time that the use or occupant is located on the premises.

PERMITTED USE: A use that is allowed to be established by-right in a zoning district, and does not require administrative review or approval.

PERSON: An individual, firm, corporation, partnership, or other similar entity.

PERSONAL SERVICES ESTABLISHMENT: A commercial enterprise primarily engaged in the provision of services of a personal nature. "Personal service establishment" uses may include, but shall not be limited to, dry cleaners, barbershops, beauty salons, animal day care establishments, animal grooming establishments, shoe repair shops, and tailor shops. "Personal service establishment" includes facilities that sell products and goods in an incidental manner to the establishment's provision of services. "Personal services establishment" does not include "adult use", "animal boarding, hospital, or shelter" or "tattoo parlor".

PLUG-IN HYBRID ELECTRIC VEHICLE (PHEV): vehicles with an electric motor and an internal combustion engine (gasoline, diesel, or other fuel). PHEVs can be powered with either the electric motor or the gasoline engine.

PITCHED ROOF: A pitched or sloped roof, including hipped roofs, gabled roofs, roofs with a combination of hips and gables, gambrel roofs, and mansard roofs. See figure 10-11-2-1, "Building Height And Roof Types", of this section.

PLACE OF WORSHIP: An institution maintained by a religious body where people assemble for religious purposes, ceremonies, and other similar events. "Place of worship" may include housing for members of religious orders, "day care centers", "preschools", or "elementary, middle, or high schools".

PLANNED UNIT DEVELOPMENT: A distinct category of special use permit intended to allow flexibility in the application of the standards of this title. "Planned unit developments" are intended for significant development proposals that provide amenities to the community which are not required from conventional development applications.

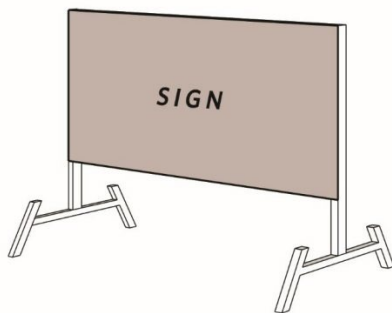
PLAT: A document that displays property lines and other information for the purpose of identifying and/or dividing land.

POLE SIGN: A sign mounted to one or more freestanding poles that does not include a freestanding base and is not attached to a building.

PORCH: An unenclosed roofed platform projecting from the exterior wall of a building.

PORTABLE SIGN: A sign with a supporting structure that is designed to be moved or relocated for display. Portable signs include, but shall not be limited to, signs mounted upon a trailer or other non-motorized mobile structure, which may or may not possess wheels. "Portable signs" do not include "A-frame signs" or "manually changeable copy signs". Refer to figure 11-2-C, "Portable Sign", of this definition.

FIGURE 11-2-C
PORTABLE SIGN



PRINCIPAL STRUCTURE: A structure where the primary use of the lot is conducted.

PRINCIPAL USE: The primary use of a lot or building as distinguished from an accessory use, which may be designated as a permitted use or a special use.

PROFESSIONAL OFFICE: An establishment that engages in the application, processing, or manipulation of business information or professional expertise, which may or may not offer services to the public or offer health-related outpatient treatment by licensed health professionals. A "professional office" shall not manufacture, assemble, warehouse, or repair goods and products for the retail or wholesale market, or engage in the repair of products or the provision of retail services. "Professional office" may include, but shall not be limited to, medical offices, dental offices, law firms, insurance agencies, accounting firms, real estate agencies, investment firms, and non-profit organizations. "Professional office" does not include "day labor center", "medical marijuana dispensary" or government offices, which are considered "government facilities".

PROJECTING SIGN: A sign attached to a building or other structure that extends beyond the surface of the building and is typically oriented perpendicular to the facade of the building. "Projecting signs" do not include "awning signs" or "marquee signs".

RAIN BARREL: A container for storing rainwater installed above- grade that generally has a capacity of less than five hundred (500) gallons.

RAIN GARDEN: A shallow vegetated basin that collects and absorbs stormwater runoff.

RAINWATER CISTERN: A container for storing rainwater that may be installed either above or below grade.

REAR FACADE: Any facade that faces and is most closely parallel to the rear lot line.

REAR LOT LINE: The boundary of a lot that is most distant from and approximately parallel to the front lot line. If the rear lot line is less than ten feet (10') in length, or if the lot forms a point in the rear, then the rear lot line shall be considered a line that is ten feet (10') in length between the side lot lines that is most distant from and approximately parallel to the front lot line. Refer to figure 10-11-2-3, "Lot Lines And Yards", of this section.

REAR YARD: The area on a lot extending from the rear facade of a building to the rear lot line between the side lot lines on an interior lot, and between the side lot line and the corner side yard on a corner lot. Refer to figure 10-11-2-3, "Lot Lines And Yards", of this section.

RECREATION EQUIPMENT: Structures typically used for children's active recreation, which may include, but not be limited to swing sets and jungle gyms. "Recreation equipment" does not include "treehouse".

RECREATIONAL VEHICLE: Vehicles or trailers for recreational or utilitarian uses that can be driven, towed, hauled, sailed, or flown. "Recreational vehicles" includes, but is not limited to, snowmobiles, all-terrain vehicles, race cars, off-road vehicles, travel trailers, pull campers, tent trailers, special purpose trailers, cargo trailers, utility trailers, vehicle trailers, power boats, cruisers, jet skis, fishing boats, hunting boats, pontoon boats, personal watercraft, row boats, and sail boats. "Recreational vehicle" does not include "dwelling unit".

REFUSE, RECYCLING, OR GREASE CONTAINER: A receptacle for the disposal of litter, recyclables, or grease.

RESEARCH/DEVELOPMENT FACILITY: A facility in which ideas and technologies are investigated, tested, and refined in industries that may include, but shall not be limited to, electronics, computer hardware and software, communications, information technology, biotechnology, and pharmaceuticals. "Research/development facility" may include the incidental manufacture and/or sale of products developed at the facility.

RESIDENTIAL CARE FACILITY: A group care facility licensed for 24-hour medical or non-medical care of people in need of personal services, supervision, or assistance essential for sustaining the activities of daily living, or for the protection of the individual. A "residential care facility" includes "assisted living facility", "independent living facility",

"nursing home", hospice, and continuum of care facilities. A "residential care facility" does not include "community residence".

RESIDENTIAL SIGN: A permanent sign located on a lot in a Residential Zoning District.

RESTAURANT: An establishment that prepares and sells food and beverages for consumption on the premises and/or for carry-out. "Restaurant" shall not include refreshment stands incidental to "indoor entertainment", "indoor recreation", "outdoor entertainment", or "outdoor recreation" uses.

RETAIL GOODS ESTABLISHMENT: A commercial enterprise primarily engaged in providing physical goods, products, or merchandise directly to the consumer, where such goods are typically available for immediate purchase and removal from the premises by the purchaser. "Retail goods establishment" may include, but shall not be limited to, grocery stores, clothing stores, jewelry stores, appliance stores, electronics stores, furniture stores, office supply stores, bookstores, and sporting goods stores. "Retail goods establishment" does not include "adult use", "gun sales establishment", "medical marijuana dispensary", or "tobacco shop".

REVERSE CORNER LOT: A type of corner lot where the corner side lot line is adjacent to the front lot line of the lot to its rear. See figure 10-11-2-2, "Lot Types", of this section.

RIGHT-OF-WAY: Land dedicated or utilized for a street, trail, sidewalk, utility, railroad, or other similar purpose.

ROOF SIGN (BUILDING-MOUNTED): A sign erected on the roof of a building that projects above the highest point of the roofline or parapet wall.

ROOF SIGN (PAINTED): A sign painted on the surface of the roof of a building or fastened to the roof with adhesives.

SATELLITE DISH: A parabolic antenna designed to send and/or receive television, radio, communication, data, or other similar signals from satellites and antennas.

SCREENING: Structures or landscaping elements used to conceal adjacent buildings or structures.

SELF-SERVICE STORAGE: A facility used for the storage of personal property where individuals rent storage spaces of various sizes on an individual basis.

SHADE TREE: A deciduous tree, generally having a single stem, planted primarily for shade. Trees with an expected canopy of over forty feet (40') are considered large shade trees. Trees with an expected canopy of thirty feet (30') to forty feet (40') are considered medium shade trees.

SHARED PARKING: The use of a parking space to serve two (2) or more individual land uses without conflict or encroachment.

SHED: A relatively small building typically used to store lawn, garden, and/or swimming pool equipment.

SHORT-TERM BICYCLE PARKING: Bicycle parking intended primarily for short-term use. Bicycles are typically secured to short-term parking facilities by means of a bicyclist's own lock.

SIGN: A message, image, display, or object used to advertise, direct attention to, or promote the interests of a person, business, organization, location, product, service, or activity. "Signs" do not include works of art.

SILL: A projecting horizontal architectural feature, often located below a window or door.

SINGLE-UNIT DWELLING: A building that contains one dwelling unit, which is not attached to any other dwelling units.

SMALL WIND ENERGY SYSTEM: A structure that converts wind energy to electric or mechanical power with a rated capacity of not more than one hundred kilowatts (100 kW). "Small Wind Energy Systems" consist of a wind turbine, tower or mounting device, and associated control or conversion electronics intended to reduce on-site consumption of utility power.

SNIPED SIGN: A sign affixed, hung, placed, applied, or posted to any tree, utility pole, hydrant, bench, fence, stake, trash receptacle, sidewalk, curb, parkway, street, median, or similar location, located on either public or private property, without the consent of the property owner.

SOLAR ENERGY COLLECTION SYSTEM: A structure that converts sunlight into electric or mechanical power. "Solar Energy Collection Systems" consist of photovoltaic panels, mounting device, and associated control or conversion electronics intended to reduce on-site consumption of utility power.

SPECIAL USE: A use that has unique characteristics inherent in its operation that may be allowed in a zoning district following administrative review and approval.

SPECIFIED ANATOMICAL AREAS: Less than completely and opaquely covered human genitals, pubic region, buttocks, or female breasts below a point immediately above the top of the areola; and human genitals, or any device worn to simulate human genitals, in a discernibly turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES: Human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse, oral copulation, or sodomy; and fondling or other erotic touching of human genitals, pubic regions, buttocks, or female breasts.

STACKING SPACE: A space designated as a waiting area, or queuing area, for vehicles at a drive-through establishment.

STAIRS: A structure made up of a series of steps used to move from one level of a building or structure to another.

STEALTH DESIGN: A technique that reduces the visual impact of a structure by enclosing, camouflaging, screening, or obscuring the structure in relation to the architectural features of a larger building or structure.

STOOP: A structure made up of stairs and a landing used to access a building or structure.

STORY: The portion of a building included between a floor and the floor above it, or if there is no floor above it, the space between the floor and the ceiling above the floor. A basement shall not be counted as a story.

STREET ADDRESS SIGN: A sign that displays the name or address of the occupant.

STRUCTURAL SOIL: Soil that includes aggregate to support concrete sidewalks and asphalt parking lots while providing nourishment to plant roots.

STRUCTURE: Anything constructed or erected that requires location on the ground or must be attached to something located on the ground.

SWIMMING POOL: An in-ground or aboveground basin of water constructed for swimming or wading.

TANDEM PARKING: A parking area consisting of two (2) or more parking spaces placed one behind the other, with the space nearest to the driveway or street serving as the only means of access to the other space.

TEMPORARY OUTDOOR ENTERTAINMENT: A live event that is intended to be in place for a limited period of time within an outdoor space. "Temporary outdoor entertainment" may include, but shall not be limited to, animal shows, carnivals, circuses, fireworks shows, live music, outdoor theater, and worship services.

TEMPORARY OUTDOOR SALE: The outdoor sale and display of merchandise of a seasonal nature, such as pumpkins or Christmas trees.

TEMPORARY SIGN: A sign that is intended to be displayed for a limited period of time.

TEMPORARY STORAGE CONTAINER: A temporary, moveable structure that may be used for the storage of possessions or products prior to being transported to a storage facility, or for collecting waste and other material associated with the construction and renovation of a structure.

TEMPORARY STRUCTURE: A structure that is intended to be in place for a limited period of time, which is typically constructed without a foundation.

TEMPORARY USE: A use that is intended to be in place for a limited period of time.

TEMPORARY WINDOW SIGN: A sign affixed, hung, placed, applied, or posted on the interior or exterior of a building window or door that is intended to be displayed for a limited period of time.

THROUGH LOT: An interior lot having frontage on two (2) generally parallel streets that do not intersect. On a through lot, both lot lines adjacent to the right-of-way shall be deemed front lot lines. See figure 10-11-2-2, "Lot Types", of this section.

TOBACCO SHOP: An establishment primarily engaged in the sales and display of cigarettes, cigars, chewing tobacco, electronic cigarettes, and other smoking related products.

TOWNHOUSE DWELLING: A building that contains three (3) or more dwelling units where each unit has an individual entrance to the outdoors and each unit is attached vertically using one or more party walls. "Townhouse dwelling" does not include "two-unit dwelling" or "multiple-unit dwelling".

TRANSITIONAL TREATMENT FACILITY: A facility that provides supervision, counseling, and therapy for individuals recovering from addiction that is licensed, certified, or accredited by the appropriate State or Federal agencies, and may dispense pharmaceutical products for off-site use. "Transitional treatment facility" does not include any residential facility.

TREEHOUSE: An accessory structure supported by one or more trees. "Treehouse" does not include "recreation equipment".

TRELLIS: A vertical latticework structure used in a garden to support climbing plants.

TRUCK REPAIR: An establishment that provides services to adjust, align, repair, repaint, and/or replace commercial vehicle and/or truck parts and systems for vehicles that weigh eight thousand (8,000) pounds or more. "Truck repair" includes facilities that sell commercial vehicle and/or truck parts and supplies in an incidental manner to the establishment's repair facilities. "Truck repair" does not include "gas station", "motor vehicle rental", "motor vehicle repair and/or service", "motor vehicle sales", or "truck stop".

TRUCK STOP: An establishment where motor vehicle fuel, including non-petroleum fuel, is stored and dispensed from fixed equipment into commercial vehicles and/or trucks that weigh eight thousand (8,000) pounds or more. A "truck stop" may also include accessory activities such as restaurants, shower facilities, truck washes, and convenience retail stores.

TWO-UNIT DWELLING: A building that contains two (2) dwelling units where each unit has an individual entrance to a common stairway, hallway, or to the outdoors. "Two-unit dwelling" does not include "townhouse dwelling" or "multiple-unit dwelling".

UNSHIELDED LIGHTING: A fixture that allows light to be emitted above a horizontal plane from the lowest point of the fixture that emits light.

USE: The purpose or activity for which a lot, building, or structure is designed, intended, occupied, or maintained.

UTILITY: The use of land for infrastructure facilities including, but not limited to, services for gas, electricity, water treatment and storage, sewage treatment and storage, telephone, cable television, data, cellular, and fiber.

VARIATION: Authorization granted by the Village to allow development that deviates from the specific regulations of this title.

VEHICLE FOR SALE SIGN: A sign used to sell a new or used vehicle, often placed in the window of the vehicle.

VEHICLE SIGN: A sign attached to or placed on a vehicle that is prominently visible from the public right-of-way where the primary purpose of the vehicle is to advertise a

business, product, or service rather than to be actively used or available for the daily function of the business to which the sign relates. "Vehicle sign" shall not include a vehicle for sale sign advertising a vehicle for lease or sale.

VIDEO DISPLAY SIGN: A sign that displays a message with text, detailed images, or video using digital screens, LED screens, plasma screens, flat screens, video screens, and holographic displays. "Video display sign" shall not include "electronic message sign".

VILLAGE: The Village of Bensenville, Illinois.

VOCATIONAL SCHOOL: A facility that offers instruction in industrial, clerical, commercial, managerial, building trades, or automotive skills. "Vocational school" also includes educational facilities conducted as commercial enterprises, such as driving schools, schools for general educational development, and other privately operated schools that do not offer a complete educational curriculum. "Vocational school" does not include "high school" or "college or university".

WALL: A vertical structure, typically constructed of concrete, stone, brick, masonry, or other similar material, that creates a physical barrier for light and air.

WALL SIGN: A sign mounted flat against the wall of a building or structure that is typically oriented parallel to the wall to which it is attached.

WAREHOUSING, STORAGE, OR DISTRIBUTION FACILITY: An establishment that stores and transports products or equipment, including, but not limited to warehouses, moving companies, storage facilities, freight transportation, and truck terminals.

WARNING SIGN: A sign that communicates a message of warning, danger, or caution, such as "Private Property", "No Trespassing", or "Beware of Dog".

WAYFINDING SIGN: A sign installed within the right-of-way by a government agency for the purpose of improving navigation and/or promoting local amenities.

WHITE ROOF: A roof that is white or light in color that provides high levels of solar reflectance and reduces the heat absorbed by a building or structure.

WINDOW SIGN: A sign affixed, hung, placed, applied, or posted on the interior or exterior of a building window or door which is intended to be viewed from the exterior of a building.

WINDOW WELL: Space maintained around an at grade or below-grade window to provide light, egress, and stormwater drainage.

WIRELESS TELECOMMUNICATION ANTENNA: A structure used to transmit and/or receive communication, data, or other similar signals in order to facilitate the use of wireless devices. "Wireless telecommunications antenna" does not include "antenna" or "satellite dish".

WIRELESS TELECOMMUNICATION FACILITY: A structure used to protect the equipment that processes communication, data, or other similar signals in order to facilitate the use of wireless devices.

WIRELESS TELECOMMUNICATION TOWER: A structure designed and constructed to support one or more "wireless telecommunications antennas" and all devices attached to it. "Wireless telecommunication towers" are typically freestanding and may be of either lattice or monopole construction.

YARD: The area on a lot between the principal structure and the lot line.

YARD SIGN: A temporary freestanding sign that is placed in a yard.

ZONING DISTRICT: A designation given to each lot within the Village under which certain development regulations and requirements are uniform.

ZONING LOT: One or more lots located within a block that is under single ownership and is designated as a unit of land for development by the owner of such land.

ZONING MAP: The map incorporated into this title, which designates the boundaries of the zoning districts of the Village.

STAFF REPORT

HEARING DATE: April 2, 2024
CASE #: 2024 – 10
PROPERTY: Village of Bensenville
PROPERTY OWNER: n/a
APPLICANT: Village of Bensenville
SITE SIZE: n/a
PIN NUMBERS: n/a
REQUEST: Text Amendments, Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses) Chapter 11 (Definitions)

PUBLIC NOTICE:

A Legal Notice was published in the Bensenville Independent on Thursday, March 14, 2024. A Certified copy of the Legal Notice is maintained in the Community Development Commission (CDC) file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.

SUMMARY:

The Village of Bensenville is seeking the aforementioned text amendments in order to refine the 2019 Village Zoning Ordinance. In late 2018, the Village underwent a complete overhaul of its current Zoning Ordinance, which had been adopted in 1999. Since the introduction of the current Ordinance, Staff has been able to identify certain shortcomings while enforcing the regulations and implementing the refurbished zoning application procedures. The proposed amendments are summarized as follows:

- Designation of a Definition for Electric Vehicles (EVs) and associated terms
- Establishment of Use standards for Electric Vehicle Charging Stations

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	Financially Sound Village
<input checked="" type="checkbox"/>	Quality Customer Oriented Services
<input checked="" type="checkbox"/>	Safe and Beautiful Village
<input checked="" type="checkbox"/>	Enrich the Lives of Residents
<input checked="" type="checkbox"/>	Major Business/Corporate Center
<input checked="" type="checkbox"/>	Vibrant Major Corridors

APPROVAL STANDARDS FOR ZONING TEXT AMENDMENTS:

- 1) **Public Welfare:** The proposed amendments will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: Since the adoption of the 2019 Zoning Ordinance, a complete overhaul of the previous Code, Staff has been able to find areas for improvement within the code.

The amendment to the code requirements for Electric Vehicles and Electric Vehicle Charging Stations will not endanger the health, safety, comfort, convenience, and general welfares of the public. The proposed amendments for Electric Vehicle definitions clarify aspects of the installation process for Electric Vehicles and make the process more accessible for village residents. The proposed amendments for Use standards allow Electric Vehicle Charging Standards to have a cohesive appearance and level of safety across the village. The proposed amendments keep in consideration and ensure that the general welfare of the public is not impacted.

- 2) **Amendment Objective:** The proposed amendments correct an error, add clarification, or reflect a change in policy.

Applicant's Response: The proposed amendments are requested to improve and refine the Zoning Ordinance to allow for orderly development in accordance with modern development techniques and add clarification and flexibility for common residential and commercial property zoning considerations.

- 3) **Consistent with Ordinance and Plan:** The proposed amendments are consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed amendments are consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village. Amendments do not contrast Village goals and guidelines, as the amendments are focused on maintaining and promoting orderly land use patterns and development, protect the Village's quality of life and the character of its neighborhoods by ensuring that development is compatible and cohesive, and to promote development that sustainably manages environmentally sensitive issues.

	Meets Standard	
Zoning Text Amendment Approval Standards	<i>Yes</i>	<i>No</i>
1. Public Welfare	X	
2. Amendment Objective	X	
3. Consistent with Ordinance and Plan	X	

RECOMMENDATIONS:

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Text Amendments to the Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses), and Chapter 11 (Definitions).

Respectfully Submitted,
Department of Community
& Economic Development

Village of Bensenville
Board Room
12 South Center Street
DuPage and Cook Counties
Bensenville, IL, 60106

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

April 2, 2024

CALL TO ORDER: The meeting was called to order by Chairman Rowe at 6:30p.m.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

STAFF PRESENT: K. Pozsgay, K. Quinn, C. Williamsen

JOURNAL OF

PROCEEDINGS: The minutes of the Community Development Commission Meeting of the March 5, 2024 were presented.

Motion: Commissioner Chambers made a motion to approve the minutes as presented. Commissioner Marcotte seconded the motion.

All were in favor. Motion carried.

Director of Community and Economic Development, Kurtis Pozsgay and Village Planner, Kevin Quinn were present and sworn in by Chairman Rowe.

PUBLIC

COMMENT: There was no Public Comment.

Continued

Public Hearing: CDC Case Number 2024-03

Petitioner: 2540 Flournoy LLC

Location: 740 County Line Road

Request: Site Plan Review

Municipal Code Section 10-3-2

Special Use Permit, Medium Industrial

Municipal Code Section 10-7-2-1

Variation, Driveway Width Requirements

Municipal Code Section 10 – 8 – 8c

Variation, Tree Replacement Rate Requirements

Municipal Code Section 10 – 9 – 2B1

Motion: Commissioner Rott made a motion to re-open CDC Case No. 2024-03. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe re-opened CDC Case No. 2024-03 at 6:32 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on February 15, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on February 15, 2024. Mr. Pozsgay stated on February 15, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, 2540 Flournoy LLC, is seeking approval of a site plan review, special use permit and two variances. Mr. Pozsgay stated the special use permit is to allow a medium industrial use (chemicals will be mixed on site) in a light industrial district. Mr. Pozsgay stated the first variance seeks to extend the driveway width beyond the 30 feet maximum, as stated in Municipal Code 10 – 8 – 8c. Mr. Pozsgay stated the proposed driveway exiting onto George Street would be 30.3 feet and the proposed driveway width exiting onto County Line Road would be 41.7 feet. Mr. Pozsgay stated the second variance is due to not being able to meet the tree replacement standards. Mr. Pozsgay stated they believe that meeting the Village Requirements stated in Municipal Code Section 10 – 9 – 2B1 would result in overplanting.

Jeff Hamilton of 2540 Flournoy LLC, were present and sworn in by Chairman Rowe. Mr. Hamilton stated 2540 Flournoy LLC attempted to host an open house to help educate the Public with their production in Elk Grove Village that they plan to move to Bensenville. Mr. Hamilton stated one neighbor showed up and they had a great conversation. Mr. Hamilton stated there is no steam, vapors or odors as a result of their operations. Mr. Hamilton stated in the past year, 2540 Flournoy LLC has one reported issue to OSHA from their Elk Grove Village location. Mr. Hamilton stated daily inspections occur at their facilities.

John Gross, Design Engineering hired by 2540 Flournoy, LLC was present and sworn in by Chairman Rowe. Mr. Gross stated he was aware of the concerns of trucks exiting the property and traveling west on George Street. Mr. Gross stated best practices would be to place signage on the property directing trucks to only exit the property traveling east on George Street and to educate staff on site to direct trucks when they leave the premise.

Commissioner Rowe asked how the well trap operated. Mr. Hamilton stated it's a pump that will drain into the sanitary sewer line.

Commissioner Wasowicz asked how the open house was promoted. Mr. Hamilton stated they placed signage outside on the property.

Matt Cronin, Architect, was present and sworn in by Chairman Rowe. Mr. Cronin stated they attempted to get a list of Commissioners and Village Board members from Staff to invite for the open house but were told because of conflicts, they could not obtain the list. Mr. Cronin stated shortly after they placed signage on the property, it was removed by someone.

Mr. Pozsgay stated Staff received direction from Legal that Commissions and Village Board members attending an open house would be in violation of the Open Meetings Act and that the place for discussion was in this meeting.

Commissioner Wasowicz asked for clarification on the size of tanks being proposed on site vs what is currently at the Elk Grove Location. Mr. Hamilton confirmed the proposed size tanks are going to be larger than what is currently in Elk Grove Village.

Commissioner Marcotte asked if there was a different site in Bensenville that would meet their needs. Mr. Hamilton stated he was unable to answer that question.

Commissioner Marcotte stated she was against the proposed operations moving into Bensenville being this close to Residential. Commissioner Marcotte raised concerns that it only takes one accident to affect the neighborhood.

Public Comment

Anna Lysy – 751 John Street, Bensenville, Illinois 60106

Mr. Lysy was present and sworn in by Chairman Rowe. Ms. Lysy stated the property behind her house dumps plastic containers behind their property and she fears the same would happen here. Mr. Pozsgay stated he will direct Staff to address the issue occurring behind Ms. Lysy's property.

Jennifer Yoo – 751 John Street, Bensenville, Illinois 60106

Mr. Yoo was present and sworn in by Chairman Rowe. Ms. Yoo raised concern with safety protocols should a event occur. Ms. Yoo shared a story of a chemical plant explosion in Texas in 2019. Ms. Yoo shared that the explosion caused the evacuation of properties within a two mile radius and a shelter in place order within a five mile radius. Ms. Yoo shared a list of Village properties that would be effect should a two mile radius evacuation occur. Ms. Yoo asked what protocols would be put into place by the company should a explosion occur and evacuations are needed; how will the Public be notified and where will they go?

Linda Bratland – 915 John Street, Bensenville, Illinois 60106

Ms. Bratland was present and sworn in by Chairman Rowe. Ms. Bratland stated the proposed operation belongs in an industrial park, not a residential area. Ms. Bratland stated the proposed site is too small for their operation.

Mr. Hamilton shared a list of chemicals that would be stored and mixed on the property. The list has been attached to the minutes as "Exhibit A".

Mr. Pozsgay reviewed the approval standards for site plan review:

1. **Surrounding Character:** The site plan for the proposed development is consistent with the existing character and

zoning of adjacent properties and other property within the immediate vicinity of the proposed development.

Applicant's Response: The subject parcel is zoned I-1. This aligns with the other adjacent properties to the north and south along County Line Road. The properties along the west side of County Line Road are primarily smaller industrial uses, and the uses on the east side are larger industrial. The parcel to the west is zoning R-2, a Single-Unit Dwelling District.

2. **Neighborhood Impact:** The site plan for the proposed development will not adversely impact adjacent properties and other properties within the immediate vicinity of the proposed development.

Applicant's Response: The proposed site plan will contain proposed truck movements within the site limits. While additional vehicular traffic is expected on-site compared to its existing vacant condition, adequate landscape screening is proposed along the western and southern property lines for neighboring properties. Additional landscape is also proposed along the northern property line to provide screening to George Street. Proposed lighting will follow Village of Bensenville requirements and will limit the footcandles along the property lines.

3. **Public Facilities:** The site plan for the proposed development will be provided with adequate utilities, access roads, parking, loading, drainage, stormwater flow paths, exterior lighting, and/or other necessary facilities.

Applicant's Response: Associated utilities for the proposed building include gas, electric, telecommunications, storm, sanitary, and water. Please refer to the included utility plan for details.

4. **Environmental Preservation:** The site plan for the proposed development is designed to preserve the environmental resources of the zoning lot.

Applicant's Response: The existing site is currently open space with an existing curb cut to County Line Road. While the site will be paved as needed to accommodate vehicular

movements on-site, additional plantings will be installed per Village of Bensenville requirements.

5. **On-Site Pedestrian Circulation System:** The site plan shall accommodate on-site pedestrian circulation from parking areas, plazas, open space, and public rights-of-way. Pedestrian and vehicular circulation shall be separated to the greatest extent possible.

Applicant's Response: The proposed site plan includes sidewalk for pedestrian traffic from public ROW and proposed ADA parking stalls. The site also accounts for a future right-of-way dedication along County Line Road.

6. **Vehicle Ingress and Egress:** The site plan shall locate curb cuts for safe and efficient ingress and egress of vehicles. The use of shared curb cuts and cross-access easements shall be provided when appropriate.

Applicant's Response: Two curb cuts are proposed as part of the development. One is located at the southeast corner of the site, connecting to County Line Road, and one is at the northwest corner of the site, connecting to George Street. The curb cuts are located as far from the existing intersection as possible to limit vehicular conflicts. Truck movements have been analyzed using Vehicle Tracking software. A WB-67 truck has been modeled to enter the site from County Line Road and leave the site via George Street.

7. **Architectural Design:** The site plan for the proposed development includes architectural design that contributes positively to the Village's aesthetic appearance.

Applicant's Response: The proposed development will adhere to the Village's design requirements for the industrial district including façade articulation and material standards. The proposed design includes a primarily natural colored stone or brick façade with accents of precast concrete wall panels. The building will follow suit with the architectural character of the Eastern Business District.

8. **Consistent with Title and Plan:** The site plan for the proposed development is consistent with the intent of the

Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The site falls within the Eastern Business District of the Comprehensive Plan. The future use is proposed to be commercial/industrial flex. As part of the proposed improvements, stormwater drainage will be designed in accordance with the Village of Bensenville standards, and the DuPage County Countywide Stormwater & Floodplain Ordinance.

Mr. Pozsgay reviewed the approval standards for the special use:

1. **Public Welfare:** The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: The proposed medium industrial use will not pose any health, safety, comfort, convenience, or general welfare concerns. This facility will manufacture and distribute dishwashing detergents and sanitizers for commercial dishwashing. The manufacturing activity on site can be described as diluting commodity corrosive liquids in stainless steel tanks for transfer into consumer-sized bottles. All life safety systems required by the building code will be provided, including secondary containment.

2. **Neighborhood Character:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed medium industrial use is compatible with the adjacent properties within the industrial zone of Bensenville and the adjacent industrial area of Franklin Park. It does not represent a significant change in use from the neighboring properties.

3. **Orderly Development:** The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed medium industrial use will not impede the development and improvement of adjacent properties within the immediate vicinity. This use is similar to the existing adjacent properties in the area.

4. **Use of Public Services and Facilities:** The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: The proposed special use will not require any disproportionate needs or demand that would place an undue burden upon the existing development in the area. These items are expected to be typical for a facility of this size.

5. **Consistent with Title and Plan:** The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed special use does not represent a significant change in use from the neighboring properties, or allowable uses under the Village's Zoning Ordinance. The Village's Comprehensive Plan identified several vacant and underutilized properties available for redevelopment in the Eastern Business District, which would include the proposed site for this special use. The medium industrial use is consistent with the surrounding character of the Village.

Mr. Pozsgay reviewed the approval standards for variations:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response:

Tree Removal: In discussions with the Village Forestry Division, overplanting on site is a concern. The amount of trees required may affect the chances of survival of the proposed trees. The Owner is open to a discussion as to

what the best route forward is. Paying the applicable fee to reduce the number of trees does not endanger the health, safety, comfort, convenience, and general welfare of the public.

Driveway: Due to the trucks that will enter the site, wider driveways are required on the east and north sides of the site. Truck turning movement diagrams have been included as part of this submittal, showing the truck path to the loading dock, and leaving the site. Driveways have been sized as efficiently as possible to meet the needs of the site. The larger driveways do not represent a danger to the health, safety, comfort, convenience, and general welfare of the public.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response:

Tree Removal: The proposed planting plan will improve the landscape of the current site, and will align with the adjacent uses.

Driveway: The proposed driveway is compatible with the character of the adjacent properties to the north, east, and south. The area is predominantly industrial, as is the proposed use. Various driveways along County Line Road appear to be similar widths, also exceeding the Village of Bensenville allowable widths.

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response:

Tree Removal: As noted above, the hardship is dependent on the Village Forestry Division's interpretation of how close trees can be to survive and overcrowding on site. Paying the fee in lieu of replacement will still provide benefit to the Village for the trees being removed, while ensuring success of the replacement trees planted on site.

Driveway: Without a variance for the driveway width, the end user will not be able to conduct the required business operations on site. The end user requires a WB-67 truck to

pass through the site for deliveries critical to the functionality of the business.

4. **Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response:

Tree Removal: Due to the necessary truck movements through the site, width of the parcel, building size, required parking, and setbacks, the open space available to provide replacement trees is limited. This creates a challenge fitting the required number of tree replacement per Village code.

Driveway: Due to the width of the property, it is not feasible to achieve the standard driveway width per Village code. Different vehicle movement patterns have been analyzed to understand alternatives, and the presented site plan results in the least chance of truck movements into George Street or County Line Road.

5. **Minimum Deviation Needed:** The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response:

Tree Removal: The design team has provided tree spacing which provides enough space to ensure growing success. As noted above, the landscape design will defer to the Village Forestry Department as to what is the best long-term approach for tree locations. Additional trees which are not being replaced will be accounted for via the fee in lieu.

Driveway: Driveway widths have been made only as wide as necessary to accommodate the incoming and outgoing truck movements.

6. **Consistent with Ordinance and Plan:** The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response:

Tree Removal: The planting and tree selection will follow Village Code and the Commercial / Industrial flex use

within the Eastern Business District requirements in the Comprehensive Plan.

Driveway: The proposed use and driveway width align with the uses listed in the Eastern Business District within the Comprehensive Plan.

Mr. Pozsgay stated:

1. Staff recommends the Denial of the Findings and therefore the denial of the Special Use Permit.
 - a. Should the CDC or Village Board recommend approval, staff recommends the following conditions:
 - i. Site Plan Review:
 1. The property be developed in general compliance, except as amended herein, with the plans submitted by Charles Vincent George Architects, G2 Consulting, and Kimley-Horn dated 01/04/2024 revised 02/28/24, and all other Village Code Requirements;
 2. Applicant shall provide a sidewalk along the property within the George Street right-of-way and a 10' multi-use path along the property within the County Line Road right-of-way to be approved by Public Works/Engineering during permitting;
 3. Final architectural design of the principal structure and parking blocks/bollards to be approved by Zoning Administrator prior to permit approval;
 4. Final mechanical equipment screening (rooftop and ground) to be approved by Zoning Administrator prior to permit approval;
 5. Applicant shall coordinate with staff during permitting to provide street trees when feasible within portions of the right-of-way where adequate spacing is present;

6. All landscape requirements outside of received variations shall be met during permitting. Final Landscape plan to be approved by zoning administrator prior to permit approval;
 7. All illumination standards as outlined in Village Code section 10-9-8 Outdoor Lighting shall be met at permitting;
 8. Applicant shall coordinate with staff to ensure proper striping and directional signage for the site during the permitting process.
 - ii. Special Use Permit:
 1. The Special Use Permit be granted solely to Auto Chlor System and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit.
2. Staff recommends the Approval of the Findings and therefore the approval of the Findings for the Variation for Driveway Width.
 - a. Applicant to work with staff on eliminating turning movements for trucks going west on George St.
 - b. Applicant to work with staff on design and placement of the County Line Rd driveway.

3. Staff recommends the Approval of the Findings and therefore the approval of the Findings for the Variation for Tree Replacement Rate.
 - a. Additional trees shall be added to the site on the final landscape plan where feasible. If tree replacement rates cannot be fully met on the final landscape plan for the property, then applicant shall coordinate with staff to determine an appropriate fee-in-lieu for the remaining required tree replacement, to be approved by the Zoning Administrator.

There were no questions from the commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-03. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-03 at 7:30 p.m.

Motion: Commissioner Marcotte made a motion to approve Special Use Permit, Medium Industrial; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: None

Nays: Rowe, Chambers, Marcotte, Rott, Wasowicz

Motion failed.

Motion: Commissioner Marcotte made a motion to approve Variation, Driveway Width Requirements; Municipal Code Section 10-8-8c with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte

Nays: Rott, Wasowicz

Motion carried.

Motion: Commissioner Chambers made a motion to approve Variation, Tree Replacement Rate Requirements; Municipal Code Section 10-9-2B-1 with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Wasowicz

Nays: Rott

Motion carried.

Continued

Public Hearing: CDC Case Number 2024-04
Petitioner: Bensenville Park District
Location: 500 West Jefferson Street
Request: Variation, Electronic Message Sign Location
Municipal Code Section 10 – 10 – 5 – 4A3
Variation, Monument Sign Height
Municipal Code Section 10 – 10 – 5 – 8c

Motion: Commissioner Marcotte made a motion to re-open CDC Case No. 2024-04. Commissioner Rott seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe re-opened CDC Case No. 2024-04 at 7:36 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on February 15, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on February 15, 2024. Mr. Pozsgay stated on February 15, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for

viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Bensenville Park District, is seeking approval of two variations. Mr. Pozsgay stated the first variation seeks to allow an electronic message sign within one mile of an established electronic message sign. Mr. Pozsgay stated the sign is located within one mile of an electronic message sign located at 1047 S York Road, thus requiring a variation from the requirements of the existing code. Mr. Pozsgay stated the proposed sign will be placed in the same location as the existing monument sign along Jefferson Road. Mr. Pozsgay stated the second variation seeks to allow the monument sign upon which the electronic message sign is based to exceed the maximum height allowed for monument signs- 8 feet. Mr. Pozsgay stated the proposed monument sign would be 8.75 feet. Mr. Pozsgay stated the total sign area for the electronic message sign is approximately 23.08 SF. Mr. Pozsgay stated this covers less than 50% of the total monument sign area.

Jospeh Vallez, Bensenville Park District Director, was present and sworn in by Chairman Rowe. Mr. Vallez stated he was present to answer any questions the Commission has.

Commissioner Marcotte asked what took so long for the Park District to update the signage. Mr. Vallez explained that at the Park District Board's direction, they explored the possibility of selling the property. Mr. Vallez stated after it was determined they would not sell the property, the Park District is no investing a lot of money into revamping the golf course.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the approval standards for variations:

1. Public Welfare: The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: Yes, the proposed variation will not endanger the health, safety, convenience, and general welfare of the public.

2. Compatible with Surrounding Character: The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response: The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

3. Undue Hardship: The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: Yes, the proposed variation alleviates an undue hardship created by the literal enforcement of this title.

4. Unique Physical Attributes: The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: Yes, the proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

5. Minimum Deviation Needed: The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: Yes, the proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvements of the subject property.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Yes, the proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Variation for Electronic Message Sign Location with the following conditions:

- a. Applicant must adhere to all illumination standards outlined in Village Code Section 10-10-5B-4d.
2. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Monument Sign Height with the following conditions:
 - a. Applicant must adhere to all landscaping standards outlined in Village Code Section 10-10-5B-8c.

There were no questions from the commission.

Motion: Commissioner Marcotte made a motion to close CDC Case No. 2024-04. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-04 at 7:45 p.m.

Motion: Commissioner Chambers made a motion to approve Variation, Electronic Message Sign Location; Municipal Code Section 10-10-5-4A-3 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Marcotte made a motion to approve Variation, Monument Sign Height; Municipal Code Section 10-10-5-8c with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-06
Petitioner: Partner Carries, Inc.
Location: 211 Beeline Drive, Unit 1
Request: Special Use Permit, Motor Vehicle Repair and/or Service
Municipal Code 10 – 7 – 2 – 1

Motion: Commissioner Rott made a motion to open CDC Case No. 2024-06. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-06 at 7:47 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Northside Automotive, is seeking approval of a special use permit for motor vehicle repair and/or service. Mr. Pozsgay stated they wish to “complete body work on higher end vehicles without the need to store vehicles outside.” Mr. Pozsgay stated the property is currently within an I – 2 General Industrial District, where motor vehicle repair and/or service are allowed with a special use permit. Mr. Pozsgay stated the site is .31 acres.

Marshall Subach, Attorney, was present and sworn in by Chairman Rowe. Mr. Subach stated his client did not own the building under the previous user. Mr. Subach stated the property has been cleaned up by his client. Mr. Subach shared that his client has been operating in Chicago for twelve years and will remain there as well. Mr. Subach stated there is already a paint booth on site.

Sair Arapovic, owner of Northside Automotive was present and sworn in by Chairman Rowe. Mr. Arapovic provided an overview of his operations and the need for a closer location to the suburbs. Mr. Arapovic stated he works on high end vehicles; all body repair.

Commissioner Chambers asked what the maximum storage of vehicles inside would be. Mr. Arapovic stated eight vehicles.

Commissioner Rott asked why the petitioner shared that he only works on high end vehicles. Mr. Arapovic explained that with the vehicles being high end, there would be no need for the vehicles to be stored outside.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the Approval Standards for the proposed special use consisting of:

1. **Public Welfare:** The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: The proposed Special Use will not endanger the health, safety, comfort, convenience and general welfare of the public. The proposed use for automotive repair is Special Use in the I-2 District. The proposed tenant will complete all body work on the interior of the building in compliance with all existing codes.

2. **Neighborhood Character:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Automotive repair is compatible with all of the existing industrial users within the 211 Beeline development and is consistent with the general character of the adjacent properties which are all industrial users. There is existing truck repair and auto repair located within the 211 Beeline building within other units.

3. **Orderly Development:** The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: All of the adjacent properties are improved with existing industrial users. The granting of the Special Use will have no effect on and future redevelopment, if any, of adjacent properties.

4. **Use of Public Services and Facilities:** The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: The proposed use will not require any expansion or strain on community facilities or services to a degree that is disproportionate to normal activities in the I2 district. The granting of the Special Use Permit will also not require any new utilities, access roads, drainage or other facilities.

5. **Consistent with Title and Plan:** The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Under the Comprehensive Plan, the Subject Property falls under the Northern Business District. The proposed development fulfills the objective of the Bensenville Comprehensive Plan to support regional growth of existing industrial properties and the rehabilitation of the existing industrial sites. Approval of the Special Use Permit will also fulfill a goal of supporting

existing property owners and wanting to fill existing vacant units with viable businesses to support the residents and tax base.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit with the following conditions:
 - a. The Special Use Permit be granted solely to Northside Automotive and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit.
 - b. A triple catch basin must be installed.
 - c. No outdoor storage of motor vehicles is permitted.

There were no questions from the commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-06. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-06 at 8:03 p.m.

Motion: Commissioner Marcotte made a motion to approve the Special Use Permit, Motor Vehicle Repair and/or Service; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-07
Petitioner: Jay Adkins
Location: 352 South Church Road
Request: Variation, Fence in the Corner Side Yard
Municipal Code Section 10 – 7 – 4C – 7a

Motion: Commissioner Marcotte made a motion to open CDC Case No. 2024-07. Commissioner Chambers seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-07 at 8:04 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Jay Adkins, is seeking approval of a variation in order to construct a fence in the corner side yard of their property. Mr. Pozsgay stated the proposed fence is a 5-foot solid vinyl fence with an additional foot of lattice. Mr. Pozsgay stated the proposed fence will extend 24' south towards 2nd Avenue, running 70' parallel to 2nd Avenue.

Mr. Pozsgay stated the proposed fence does not impact the west adjacent property driveway sight vision triangle.

Jay Adkins, property owner, was present and sworn in by Chairman Rowe. Mr. Adkins reviewed the proposed fence. Mr. Adkins stated the need for the fence is for his children and dogs.

There were no questions from the Commission.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the Approval Standards for the proposed variation consisting of:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: This proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response: This proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: The proposed variation alleviates the hardship of containing small children and pets from venturing towards the street into harm's way.

4. **Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: The proposed variation is necessary due to the unique physical attributes of our property, being the busy vehicular traffic on the cross street that border our property.

5. Minimum Deviation Needed: The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: The proposed variation represents the minimum deviation from the regulations of this title necessary to extend our backyard fence further south into the corner side yard.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed variation has proven to be consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Variation, Fence in the Corner Side Yard at 352 S Church Rd with the following conditions:
 - a. Fence shall be setback 1 foot from the south (2nd Avenue) property line, as shown in plans;
 - b. Fence shall be 5 feet high with an additional 1 foot of lattice, as proposed by the applicant.

There were no questions from the commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2024-07. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-07 at 8:09 p.m.

Motion: Commissioner Marcotte made a motion to approve the Variation, Fence in the Corner Side Yard; Municipal Code Section 10-7-4C-7a with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-08
Petitioner: Rocio Olvera
Location: 1347 West Irving Park Road
Request: Special Use Permit, Day Care Center
Municipal Code Section 10 – 7 – 2 – 1

Motion: Commissioner Chambers made a motion to open CDC Case No. 2024-08. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-08 at 8:10 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Primavera School, represented by Rocio Olvera, is requesting approval of a Special Use Permit for a day care center at 1347 W Irving Park Rd. Mr. Pozsgay stated the site is currently a vacant lot of roughly .45 acres. Mr. Pozsgay stated the building size is projected to be 8,000 square feet. Mr. Pozsgay stated no variances are sought at this time.

Rocio Olvera, business owner, was present and sworn in by Chairman Rowe. Ms. Olvera shared a power point presentation of the proposed operations. The power point has been attached to the minutes as “Exhibit B”. Ms. Olvera stated her mother has successfully operated a daycare location in Stone Park for the past twenty five years and this would be their second location.

Commissioner Rott asked what the proposed hours would be. Ms. Olvera stated the daycare would operate from 5:00am – 7:00pm.

Commission Rott asked what type of certifications are needed for the teachers. Ms. Olvera explained the requirements.

Public Comment

Nancy Ingold – 10 South Meadow Court, South Barrington, Illinois

Ms. Ingold was present and sworn in by Chairman Rowe. Ms. Ingold raised concern with parking on the proposed site and concerns with a long line of traffic trying to exit the property during pickup time.

Linda Bratland – 915 John Street, Bensenville, Illinois 60106

Ms. Bratland was present and sworn in by Chairman Rowe. Ms. Bratland stated she fully supports daycares, however, she feels that the applicant would have a difficult time filling spots with the other options available to Residents in town. Ms. Bratland also raised concern with the hours of operation.

Commissioner Chambers shared that his family is currently on a waitlist for after school programs for his children and supports the need for more daycare options in town.

Mr. Pozsgay reviewed the Approval Standards for the proposed special use permit consisting of:

1. Public Welfare: The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: Our childcare center (Primavera School) will not endanger the health, safety, comfort, convenience, and general welfare of the public.

2. Neighborhood Character: The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Our childcare center (Primavera School) is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

3. Orderly Development: The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Our childcare center (Primavera School) will not impeded the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

4. Use of Public Services and Facilities: The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: Our childcare center (Primavera School) will not require utilities, access roads, drainage, and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Our childcare center (Primavera School) is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit, Day Care Center at 1347 W. Irving Park Rd with the following conditions:
 - a. The Special Use Permit be granted solely to Primavera School and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
 - b. Before a Certificate of Occupancy can be issued, the Village needs to receive documentation of such State and County approvals and licenses.

Mr. Pozsgay stated Staff would also like to add the following condition:

Application must work with Staff on a Parking and Traffic management plan.

There were no objections from the Commission.

Commissioner Wasowicz asked why the application was seeking the special use before the property is even developed. Ms. Olvera explained they want to ensure their operation would be allowed before they close on the property.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-08. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-08 at 8:30 p.m.

Motion: Commissioner Marcotte made a motion to approve the Special User Permit, Day Care Center; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-09
Petitioner: Playful Minds Therapy of Bensenville
Location: 2 South Addison Road
Request: Special Use Permit, Day Care Center
Municipal Code Section 10 – 7 – 2 – 1

Motion: Commissioner Rott made a motion to open CDC Case No. 2024-09. Commissioner Wasowicz seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-09 at 8:31 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and

inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Playful Minds Therapy of Bensenville, represented by Wajahat Macci and Maliha Khan, is seeking approval of a Special Use Permit at 2 S Addison St. Mr. Pozsgay stated Playful Minds Therapy wishes to operate a specialized day care center at this location. Mr. Pozsgay stated it is a standalone building with two storefronts, roughly 5,400 square feet. Mr. Pozsgay stated this day care center will offer occupational therapy and other forms of therapy centered at aiding individuals with autism. Mr. Pozsgay stated in the past, there was previously a day care center at this location.

Wajahat Macci, business owner, was present and sworn in by Chairman Rowe. Mr. Macci provide an overview of their operations. Mr. Macci stated they offer therapy to autistic children from the ages of two to sixteen years old. Mr. Macci stated the majority of their operation is done digitally but there is a need for in person meetings.

Commissioner Rott asked how drop off and pickups would work with the limited space. Mr. Macci stated the operation is similar to a doctors appointment where the child will be dropped off and pick up; all are done via appointments.

Commission Rott asked how many people would be on site at once. Mr. Macci stated the occupancy would be thirty but feels they would never reach that amount.

Public Comment

Linda Bratland – 915 John Street, Bensenville, Illinois 60106

Ms. Bratland was present and sworn in by Chairman Rowe. Ms. Bratland asked if the operation would also include weekends. Ms. Bratland raised concern with limited downtown parking for the proposed operations.

Mr. Macci stated they will offer weekend appointments.

Mr. Pozsgay stated Staff feels there is enough downtown parking for the proposed operations. Ms. Bratland stated she disagrees.

Mr. Pozsgay reviewed the Approval Standards for the proposed special use permit consisting of:

1. Public Welfare: The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: Yes, it will not do the following.

2. Neighborhood Character: The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Yes, it is compatible within the vicinity.

3. Orderly Development: The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Yes, it will not impede the normal and orderly development of adjacent.

4. Use of Public Services and Facilities: The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: Yes, it will not require such a need.

5. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Yes, it is consistent with the comprehensive plan and land use policies.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit, Day Care Center at 2 S. Addison with the following conditions:
 - a. The Special Use Permit be granted solely to Playful Minds Therapy of Bensenville and shall be transferred only after a review by the Community Development

- Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
- b. Before a Certificate of Occupancy can be issued, the Village needs to receive documentation of such State and/or County approvals and licenses.
 - c. The two parking spaces along Addison St will remain short term temporary parking for loading and unloading only.
 - d. The area currently blocked off next to the railroad tracks will remain so. This is not to be accessed by any vehicles at any time.

There were no questions from the Commission.

Motion: Commissioner Marcotte made a motion to close CDC Case No. 2024-09. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-09 at 8:48 p.m.

Motion: Commissioner Chambers made a motion to approve the Special User Permit, Day Care Center; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-10
Petitioner: Village of Bensenville
Location: Village of Bensenville
Request: Text Amendments, Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses) Chapter 11 (Definitions)

Motion: Commissioner Wasowicz made a motion to open CDC Case No. 2024-10. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-10 at 8:49 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.

Mr. Pozsgay stated The Village of Bensenville is seeking the aforementioned text amendments in order to refine the 2019 Village Zoning Ordinance. Mr. Pozsgay stated in late 2018, the Village underwent a complete overhaul of its current Zoning Ordinance, which had been adopted in 1999. Mr. Pozsgay stated since the introduction of the current Ordinance, Staff has been able to identify certain shortcomings while enforcing the regulations and implementing the refurbished zoning application procedures. Mr. Pozsgay stated the proposed amendments are summarized as follows:

- Designation of a Definition for Electric Vehicles (EVs) and associated terms
- Establishment of Use standards for Electric Vehicle Charging Stations

There were no questions from the Commission.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the Approval Standards for the proposed text amendments consisting of:

- 1) **Public Welfare:** The proposed amendments will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: Since the adoption of the 2019 Zoning Ordinance, a complete overhaul of the previous Code, Staff has been able to find areas for improvement within the code.

The amendment to the code requirements for Electric Vehicles and Electric Vehicle Charging Stations will not endanger the health, safety, comfort, convenience, and general welfares of the public. The proposed amendments for Electric Vehicle definitions clarify aspects of the installation process for Electric Vehicles and make the process more accessible for village residents. The proposed amendments for Use standards allow Electric Vehicle Charging Standards to have a cohesive appearance and level of safety across the village. The proposed amendments keep in consideration and ensure that the general welfare of the public is not impacted.

- 2) **Amendment Objective:** The proposed amendments correct an error, add clarification, or reflect a change in policy.

Applicant's Response: The proposed amendments are requested to improve and refine the Zoning Ordinance to allow for orderly development in accordance with modern development techniques and add clarification and flexibility for common residential and commercial property zoning considerations.

- 3) **Consistent with Ordinance and Plan:** The proposed amendments are consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed amendments are consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village. Amendments do not contrast Village goals and guidelines, as the amendments are focused on maintaining and promoting orderly land use patterns and development,

protect the Village's quality of life and the character of its neighborhoods by ensuring that development is compatible and cohesive, and to promote development that sustainably manages environmentally sensitive issues.

Mr. Pozsgay stated:

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Text Amendments to the Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses), and Chapter 11 (Definitions).

There were no questions from the Commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2024-10. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-10 at 8:53 p.m.

Motion: Commissioner Wasowicz made a motion to approve the Text Amendments; Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses), Chapter 11 (Definitions) with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

**Report from
Community
Development:**

Mr. Quinn reviewed both recent CDC cases along with upcoming cases.

ADJOURNMENT: There being no further business before the Community Development Commission, Commissioner Marcotte made a motion to adjourn the meeting. Commissioner Rott seconded the motion.

All were in favor. Motion carried.

The meeting was adjourned at 8:55 p.m.

Substance Name	Approved Uses	Common Examples	Auto-Chlor Examples
Ammonium Hydroxide	FDA GRAS* : Safe for use as a food ingredient	Bread-Leavening Windex	Glass & All-Purpose Cleaners
Phosphoric Acid	FDA GRAS : Safe for use as a food ingredient	Coca-Cola Lime-Away Vegetable Wash	Lime Remover Tub & Tile Cleaner
Potassium Hydroxide	FDA GRAS : Safe for use as a food ingredient	Ice Cream Liquid Hand Soaps	Dishwashing Soaps Multi-Purpose Cleaners
Sodium Hydroxide	FDA GRAS : Safe for use as a food ingredient	Cured Olives Bar Soaps Dishwasher Gel	Dish Machine Soaps Handwashing Soaps
Sulfamic Acid	FDA GRAS : Safe for use in direct food-contact packages (fiberboard)	Coffee Maker Cleaner	Bathroom Cleaners
Fluorosilicic Acid (Flouride)	Drinking Water Treatment	Oral Care Products	Laundry Conditioner
Benzalkonium Chloride	Used in Antibacterial Hand Soaps & Hand Sanitizers	Antibacterial Hand Wash Bactine Antiseptic Cold Sore Treatment	Dishware Sanitizers Antibacterial Hand Soaps Disinfectants

*GRAS = Affirmed as *Generally Recognized As Safe* by the U.S. Food and Drug Administration for use in food or food manufacturing when used according to good manufacturing practice.



PRIMAERA SCHOOL

Bilingual Early Childhood Education



Rocio Olvera & Belen Olvera

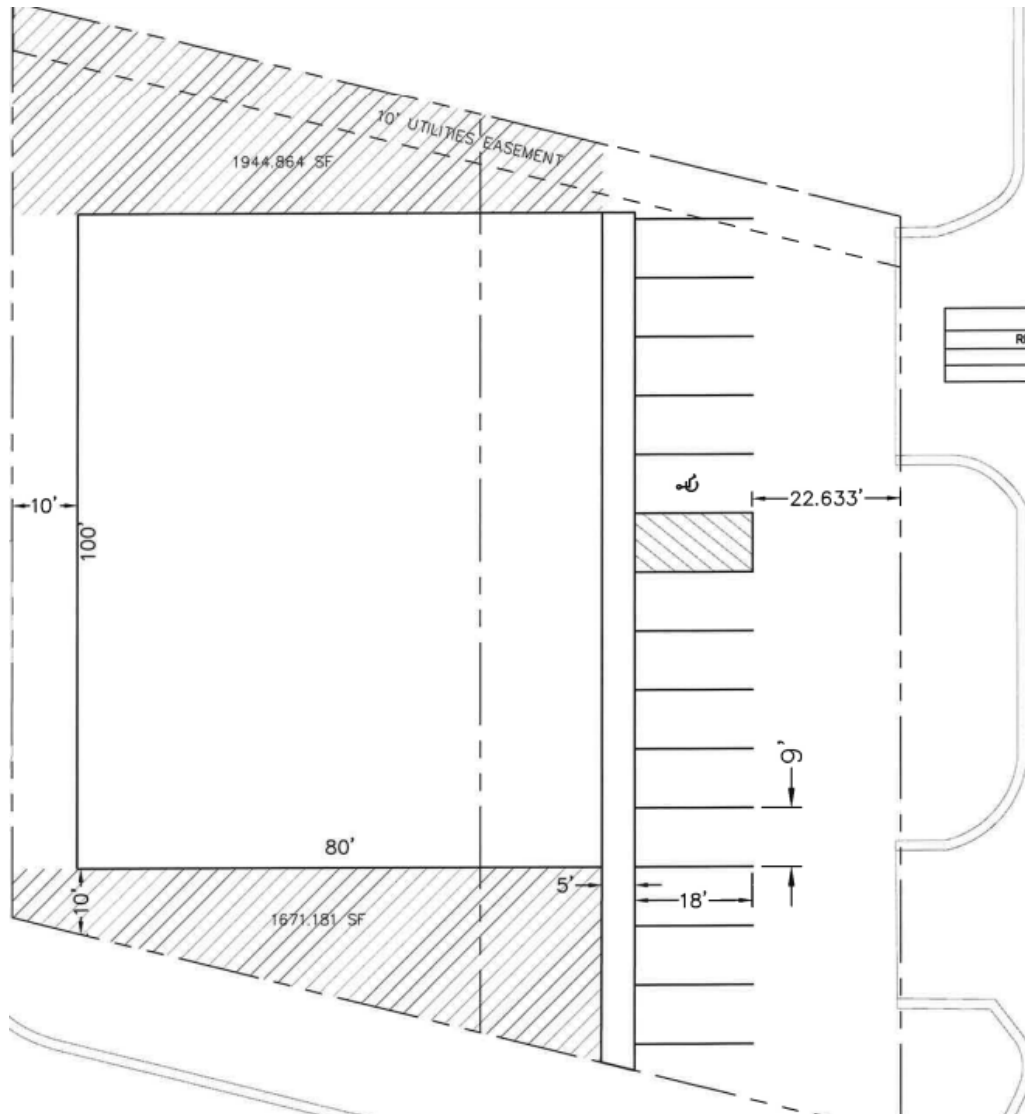
HISTORY: THE SHEPHERD'S LEARNING ACADEMY





Vision

- At Primavera School, our vision is to create a nurturing and inclusive environment where children thrive academically, socially, and spiritually. We strive to promote bilingualism and Christian values, fostering a strong foundation for their future success.



1347 Irving Park Road, Bensenville, IL



Classrooms

- Primavera School will be licensed for children as young as 3 months to 11 years of age.
- We will build 8 classrooms total; each classroom will be designated for a specific age of children:
- 1. Infants (2 classrooms)
- 2. Toddlers (2 classrooms)
- 3. Threes
- 4. Fours
- 5. Junior Kindergarten/Kindergarten
- 6. School Age
- License Capacity: 134 children

Operation Details

1

Hours of Operation:
5am-7pm

2

We plan to have 20
staff members

3

We will be licensed
by the Department
of Children and
Family Services,
DCFS.

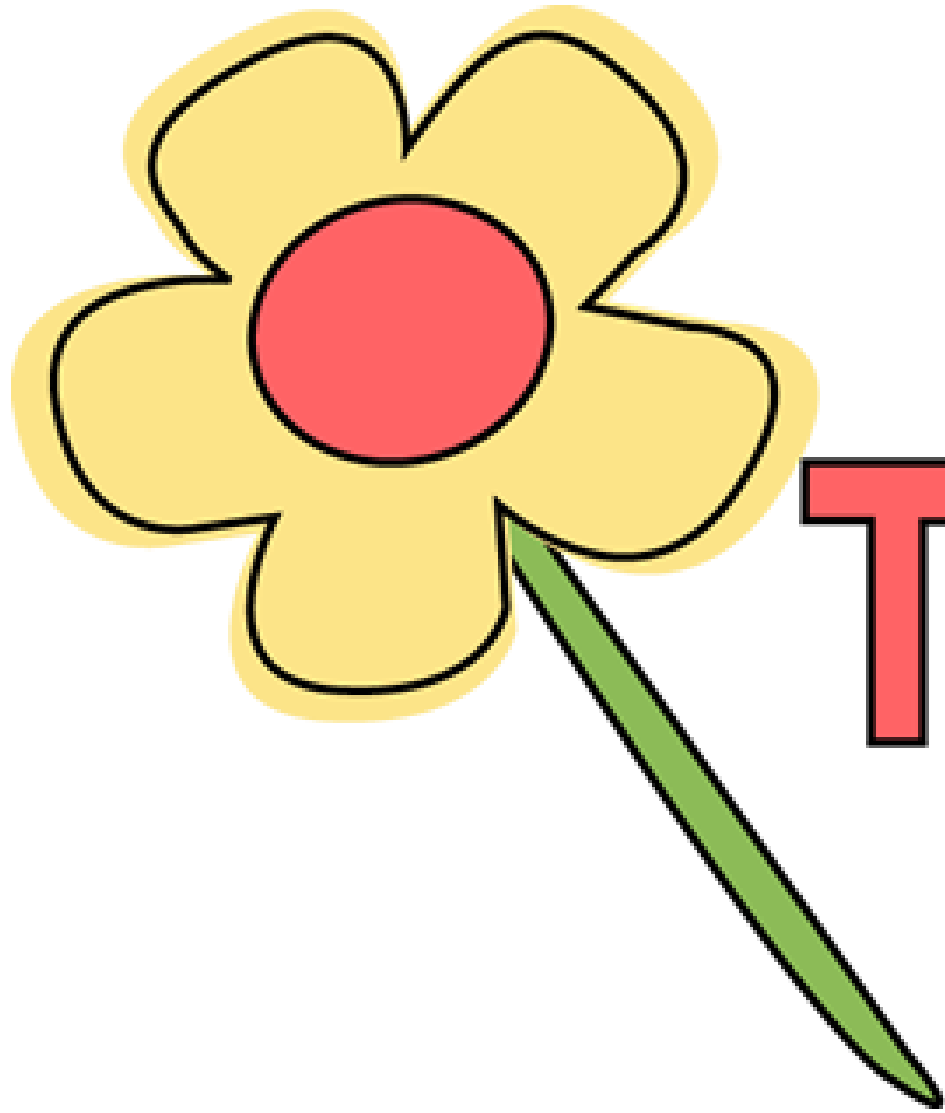
Community Impact

Strong and quality childcare services.

Opportunities for Bilingualism.

Job opportunities

Community partnerships



Thank
You

ORDINANCE # _____

**AN ORDINANCE AMENDING TITLE 10 (ZONING ORDINANCE), CHAPTER 7 (USES)
& CHAPTER 11 (DEFINITIONS)**

WHEREAS, the Village of Bensenville, DuPage and Cook Counties, Illinois (the “*Village*”) is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the President and the Board of Trustees of the Village of Bensenville (the “*Corporate Authorities*”) have heretofore exercised the power conferred on them pursuant to Chapter 11-13-1, *et seq.*, of the Illinois Municipal Code by adopting the Village of Bensenville Zoning Ordinance (Ord. 07-99), as amended from time to time (the “*Zoning Ordinance*”); and

WHEREAS, Village Staff has filed an application for recommended Text Amendments with the Community & Economic Development Department, as applicant, to add Electric Vehicle Charging Stations as an accessory use designation with specific use standards, Section 10-7-4C-28, and define relevant terms for Electric Vehicle Charging Stations operations; said application being available for inspection as part of the records of the Community & Economic Development Department; and

WHEREAS, the Village published Notice of Public Hearing with respect to the Text Amendments in the *Bensenville Independent* on Thursday, March 14, 2024 and notice of the hearing was provided, all as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, pursuant to said Notice, the Community Development Commission of the Village of Bensenville conducted a Public Hearing on April 2, 2024 (the “*Public Hearing*”), as

required by the statutes of the State of Illinois and the ordinances of the Village, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, at the conclusion of the Public Hearing, the Community Development Commission agreed with the findings of fact submitted by the Applicant, and thereafter, voted (5-0) to recommend approval of the Text Amendments, and forwarded its recommendations, including the Staff Report and findings relative to the requests, which are attached hereto and incorporated herein by reference as Exhibit A, to the Corporate Authorities; and

WHEREAS, the Corporate Authorities have duly considered the Community Development Commission's recommendation and findings of fact, and have determined that approval of the Text Amendments, as recommended by the Community Development Commission, with conditions, is consistent with the Zoning Ordinance; and

WHEREAS, the Corporate Authorities deem it advisable and in the best interest of the health, safety, and welfare of the residents of the Village to grant the Text Amendments requested and subject to the conditions identified herein.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, duly assembled at a regular meeting, as follows:

Section 1. That the Zoning Code of the Village of Bensenville be amended by adding the underlined and deleting the stricken as shown in Exhibit B;

Section 2. That all other ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are to the extent of such conflict, expressly repealed.

Section 3. That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville,
DuPage and Cook Counties, Illinois, this 23rd day of April 2024, pursuant to a roll call vote, as
follows:

APPROVED:

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

Ordinance # ____ - 2024
Exhibit “A”

Mr. Pozsgay reviewed the Approval Standards for the proposed text amendments consisting of:

- 1) **Public Welfare:** The proposed amendments will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant’s Response: Since the adoption of the 2019 Zoning Ordinance, a complete overhaul of the previous Code, Staff has been able to find areas for improvement within the code.

The amendment to the code requirements for Electric Vehicles and Electric Vehicle Charging Stations will not endanger the health, safety, comfort, convenience, and general welfares of the public. The proposed amendments for Electric Vehicle definitions clarify aspects of the installation process for Electric Vehicles and make the process more accessible for village residents. The proposed amendments for Use standards allow Electric Vehicle Charging Standards to have a cohesive appearance and level of safety across the village. The proposed amendments keep in consideration and ensure that the general welfare of the public is not impacted.

- 2) **Amendment Objective:** The proposed amendments correct an error, add clarification, or reflect a change in policy.

Applicant’s Response: The proposed amendments are requested to improve and refine the Zoning Ordinance to allow for orderly development in accordance with modern development techniques and add clarification and flexibility for common residential and commercial property zoning considerations.

- 3) **Consistent with Ordinance and Plan:** The proposed amendments are consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant’s Response: The proposed amendments are consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village. Amendments do not contrast Village goals and guidelines, as the amendments are focused on maintaining and promoting orderly land use patterns and development, protect the Village’s quality of life and the character of its neighborhoods by ensuring that development is compatible and cohesive, and to promote development that sustainably manages environmentally sensitive issues.

Mr. Pozsgay stated:

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Text Amendments to the Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses), and Chapter 11 (Definitions).

There were no questions from the Commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2024-10. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-10 at 8:53 p.m.

Motion: Commissioner Wasowicz made a motion to approve the Text Amendments; Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses), Chapter 11 (Definitions) with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Ordinance # ____ - 2024
Exhibit "B"

10-7-4: ACCESSORY STRUCTURES AND USES:

...

TABLE 10-7-4-1
ACCESSORY STRUCTURES

Table key:											
P:	Allowed by-right and shall meet the requirements of subsection C, "Use Standards For Accessory Structures", of this section when applicable.										
B:	Allowed with building permit and shall meet the requirements of subsection C, "Use Standards For Accessory Structures", of this section when applicable.										
Accessory Structures	R-1	R-2	R-3	R-4	R-5	R-6	C-1	C-2	I-1	I-2	Use Standards/ Code Section
Apiary	P	P	P	P							10-7-4C1
Arbor or trellis	P	P	P	P	P	P	P	P	P	P	None
Ball court	B	B	B	B	B	B	B	B	B	B	10-7-4C2
Blue roof, green roof, white roof	B	B	B	B	B	B	B	B	B	B	None
Bollards							B	B	B	B	10-7-4C27
Chicken coop	B	B	B	B							10-7-4C3
Compost bin	P	P	P	P	P	P	P	P	P	P	10-7-4C4
Deck	B	B	B	B	B	B	B	B	B	B	10-7-4C5
Dog run	B	B	B	B	B	B	B	B		B	10-7-4C6
Electric vehicle charging station	B	B	B	B	B	B	B	B	B	B	None 10-7-4C28
Electrical generator	B	B	B	B	B	B	B	B	B	B	None
Fence or wall	B	B	B	B	B	B	B	B	B	B	10-7-4C7
Flagpole	B	B	B	B	B	B	B	B	B	B	10-7-4C8
Garage	B	B	B	B	B	B	B	B	B	B	10-7-4C9
Garden	P	P	P	P	P	P	P	P	P	P	10-7-4C10
Gazebo or pergola	B	B	B	B	B	B	B	B	B	B	10-7-4C11
Greenhouse	B	B	B	B	B	B	B	B	B	B	None
Hoophouse	P	P	P	P	P	P	P	P	P	P	10-7-4C12

Mechanical equipment	B	B	B	B	B	B	B	B	B	B	10-7-4C13
Outdoor fire pit	P	P	P	P	P	P	P	P			10-7-4C14
Outdoor sales and display area							P	P	P	P	10-7-4C15
Patio	B	B	B	B	B	B	B	B	B	B	10-7-4C16
Rain barrel or rainwater cistern	P	P	P	P	P	P	P	P	P	P	None
Rain garden	P	P	P	P	P	P	P	P	P	P	10-7-4C17
Recreation equipment	P	P	P	P	P	P	P	P			10-7-4C18
Refuse, recycling, or grease container	P	P	P	P	P	P	P	P	P	P	10-7-4C19
Satellite dish	P	P	P	P	P	P	P	P	P	P	10-7-4C20
Shed	B	B	B	B	B	B					10-7-4C21
Small wind energy system	B	B	B	B	B	B	B	B	B	B	10-7-4C22
Solar energy collection system	B	B	B	B	B	B	B	B	B	B	10-7-4C23
Swimming pool	B	B	B	B	B	B	B	B			10-7-4C24
Treehouse	P	P	P	P	P	P					10-7-4C25
Wireless telecommunication antenna	B	B	B	B	B	B	B	B	B	B	10-7-4C26

C. Use Standards For Accessory Structures: The following standards apply to accessory structures designated as permitted ("P") or permitted with building permit ("B") in the zoning districts noted in the "Use Standards/Code Section" column of subsection B, table 10-7-4-1, "Accessory Structures", of this section.

...

27. Bollards:

a. General Requirements: Bollards shall meet all applicable Village Building Code and Fire Code requirements.

b. Height:

(1) Bollards shall not exceed four feet (4') in height.

c. Design Requirements:

(1) Bollards shall be complimentary to the existing or proposed architectural design of the structure located on the lot and shall include design that contributes positively to the Village's aesthetic appearance.

(2) For bollards adjacent to pedestrian ways, decorative lighting shall be integrated into the design of the bollards when feasible and shall employ full cut-off or fully shielded fixtures.

(3) Bollard lighting shall meet all requirements outlined in section [10-9-8](#) of this title.

d. Design Approval: The Zoning Administrator is authorized to approve the design of bollards.

28. Electric Vehicle Charging Stations (EVCS)

a. Districts: EVCS are allowed in all zoning districts.

b. Location:

i. Make sure pedestrian pathways are considered when siting EVSEs by maintaining reasonable distances from EVSEs to pedestrian walkways.

ii. Electric charging station equipment may not block the public right-of-way for pedestrians where minimal unobstructed walkable sidewalks exist or be located in a place that obstructs or interferes with a driver's view of approaching, merging or intersecting traffic in and around the right-of-way."

c. Height: EVSE ports and connector devices shall be no less than 36 inches and no higher than 48 inches from the ground or pavement surface where mounted.

d. Safety:

i. EVSEs mounted on pedestals shall be designated and located so as not to impede pedestrian travel or create trip hazards on sidewalks.

ii. EV Charging Stations shall be protected by bollards, other structures, or curbs if located where EVs can otherwise make direct contact with the EVCS in a publicly accessible parking lot.

iii. Non-mountable curbing may be used in lieu of bollards if the charging station is setback a minimum of 24 inches from the face of the curb.

iv. Public EVSEs shall require retractable cords to prevent trip hazards and for a cleaner look.

e. Landscaping: Landscaping is allowed in accordance with subsection 10-9-3 of Chapter 9.

f. Signage: Advertising is only allowed in accordance with subsections 10-10-2D and 10-10-5 of Chapter 10.

D. Home-Based Business: A home-based business is permitted within any dwelling unit in the Village as part of a principal or accessory structure, subject to approval of the Zoning Administrator and provided that the following standards are met. Home-based business standards do not apply to day care homes which are regulated in accordance with the requirements of subsection [10-7-3G](#), "Day Care Home", of this chapter.

10-11-2: DEFINITION OF TERMS:

...

BENCH SIGN: A sign located on a bench, seat, or similar structure which directs attention to a business, product, or service.

BATTERY ELECTRIC VEHICLE (BEV): vehicle that only uses energy stored in rechargeable battery packs onboard the vehicle to propel the vehicle. BEV's must be plugged into an external electricity source in order to recharge.

BICYCLE PARKING SIGN: A sign indicating the location of bicycle parking facilities.

...

DAY LABOR CENTER: An indoor establishment where assignments for occasional or irregular employment are made, characterized by the daily gathering of workers generally seeking low-skilled manual labor. "Day labor center" does not include "professional office".

DIRECT CURRENT FAST CHARGING (DCFC) (LEVEL 3): EV battery charging that uses DC power to refuel Battery Electric Vehicles (BEV) at various amperage levels and voltage levels, most commonly 480 VAC, with power outputs ranging between 25 and 175 kW of power and provides 50 to 500 range miles per hour connected. DCFCs convert Alternating Current (AC) from facility power and output Direct Current (DC) and Volts Direct Current (VDC), which then delivers DC power to the BEV through a standard connector. DCFCs are sometimes referred to as Level 3 EV Chargers.

DECK: A roofless outdoor platform often constructed of wood or composite wood that is elevated from the ground and connects to the exterior wall of a building.

...

ELECTRICAL VEHICLE CHARGING STATION: A location used to supply energy to electric vehicles.

ELECTRIC VEHICLES (EVs): vehicles that store electric energy to be used for propulsion.

ELECTRIC VEHICLE CHARGING INFRASTRUCTURE (EVCI): "make ready" electrical equipment including panels with circuit breakers, switchboards, transformers, conduit, wiring, junction boxes, conduit hangers and other interconnections necessary to delivery electrical power from a facility to an EVSE.

ELECTRIC VEHICLE CHARGING STATION (EVCS): equipment designed to safely supply and manage power into Plug-in EVs. EV Charging Stations include hard-wired

EV Charging Stations and EV Charging Stations that plug in to standard wall outlets and may also integrate communication, metering, GPS and other features that assist EV drivers and the host facility.

ELECTRIC VEHICLE POWER TRANSFER SYSTEM (EVPTS) - Electric power supply and management technology that 1) provides and manages power transferred from a power source to EVSEs, including power transformers, switchboards, panels, circuit breakers and interconnecting conduit and wiring (EVCI), 2) plus the EVSE(s).

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE): The conductors and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

ELECTRONIC MESSAGE SIGN: A sign that displays a changeable message with text, or simple images using an electronic display. "Electronic message signs" shall not include "video display signs".

...

LAUNDROMAT: An establishment that provides washing, drying, and/or ironing machines for use by customers on the premises.

LEVEL 1 EV CHARGING – LEVEL 1 EV CHARGING: EV battery charging that uses 110 to 120 VAC supply power, with a power range from 880 Watts (0.88 kilowatts, kW) to 1,920 kW (1.92 kW) and provides 3 to 6 range miles per hour connected. Level 1 EV chargers are supplied with Alternating Current (AC) and in turn provide AC power to the EV through a standard connector.

LEVEL 2 EV CHARGING – LEVEL 2 EV CHARGING: EV battery charging that uses 208 to 240 VAC supply power, with a range from 3.3 kW to 19.2 kW, and provides 16 to 80 range miles per hour connected. Level 2 EV chargers are supplied with Alternating Current (AC) and in turn provide AC power to the EV through a standard connector.

LIGHT INDUSTRIAL: A use engaged in manufacturing, assembly, fabrication, packaging, storage, handling, or other industrial processing of products primarily from prepared materials or finished products, which does not include the use of highly flammable material, or toxic matter. "Light industrial" uses may be engaged in processes that have a minimal impact on the environment and adjacent properties.

...

"Personal services establishment" does not include "adult use", "animal boarding, hospital, or shelter" or "tattoo parlor".

PLUG-IN HYBRID ELECTRIC VEHICLE (PHEV): vehicles with an electric motor and an internal combustion engine (gasoline, diesel, or other fuel). PHEVs can be powered with either the electric motor or the gasoline engine.

PITCHED ROOF: A pitched or sloped roof, including hipped roofs, gabled roofs, roofs with a combination of hips and gables, gambrel roofs, and mansard roofs. See figure 10-11-2-1, "Building Height And Roof Types", of this section.

...

DRAFT

TYPE:Ordinance**SUBMITTED BY:**K. Pozsgay**DEPARTMENT:**CED**DATE:**4.16.24**DESCRIPTION:**Consideration of an Ordinance Granting a Special Use Permit (Day Care Center) at 1347 Irving Park Road**SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:****SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:**

- | | |
|---|---|
| <input type="checkbox"/> Financially Sound Village | <input checked="" type="checkbox"/> Enrich the lives of Residents |
| <input type="checkbox"/> Quality Customer Oriented Services | <input type="checkbox"/> Major Business/Corporate Center |
| <input type="checkbox"/> Safe and Beautiful Village | <input checked="" type="checkbox"/> Vibrant Major Corridors |

COMMITTEE ACTION:

COW

DATE:

04/16/24

BACKGROUND:

1. The Petitioner, Primavera School is requesting approval of a Special Use Permit for a day care center at 1347 W Irving Park Rd.
2. The school is based on Christian values and will primarily focus on bilingual early childhood education.
3. They will be licensed for children from 3 months to 11 years of age. The planned license capacity is 134 children with a planned 8 classrooms.
4. They plan to have 20 staff members and operate from 5am to 7pm.
5. They will be licensed by the Department of Children and Family Services.

KEY ISSUES:

1. The Petitioner did not request any variations at this time. It is likely that another CDC process will be needed to approve issues with the development not being able to meet code.
2. The site is currently a vacant lot of roughly .45 acres.
3. The building size is projected to be 8,000 square feet.
4. Staff has concerns with the small nature of the site and the lack of parking. A parking and traffic management plan is needed.

ALTERNATIVES:

Discretion of the Committee

RECOMMENDATION:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit, Day Care Center at 1347 W. Irving Park Rd with the following conditions:
 1. The Special Use Permit be granted solely to Primavera School and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
 2. Before a Certificate of Occupancy can be issued, the Village needs to receive documentation of such State and County approvals and licenses.
 3. Applicant must work with Staff on a Parking and Traffic management plan.

BUDGET IMPACT:

NA

ACTION REQUIRED:

Approval of an Ordinance Granting a Special Use Permit (Day Care Center) at 1347 Irving Park Road.

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
Cover Page	3/26/2024	Cover Memo
Aerial & Zoning	3/26/2024	Backup Material
Legal Notice	3/26/2024	Backup Material
Application	3/26/2024	Backup Material
Approval Standards	3/26/2024	Backup Material
Site Plan	3/26/2024	Backup Material
Plat of Survey	3/26/2024	Backup Material
Staff Report	3/28/2024	Executive Summary
Draft CDC Minutes	4/8/2024	Backup Material
Draft Ordinance	4/11/2024	Ordinance



BENSENVILLE

GATEWAY TO OPPORTUNITY

Community Development Commission
Public Hearing 4.02.24

CDC Case #2024 – 08

Rocio Olvera, Primavera School
1347 W Irving Park Rd

Special Use Permit, Day Care Center
Municipal Code Sections 10 – 7 – 2 – 1

1. Aerial Photograph & Zoning Map of Subject Property
2. Legal Notice
3. Application
4. Staff Report & Exhibits
5. Plans





Village of Bensenville



**LEGAL NOTICE/PUBLIC NOTICE
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Meeting of the Community Development Commission of the Village of Bensenville, DuPage and Cook Counties, will be held on Tuesday, April 2, 2024 at 6:30 P.M, at which a Public Hearing will be held to review case No. 2024 – 08 to consider a request for:

Special Use Permit, Day Care Center
Municipal Code 10 – 7 – 2 – 1

At 1347 Irving Park Road is an existing C-2 Commercial District. The Public Hearing will be held in the Village Board Room at Village Hall, 12. S. Center Street, Bensenville.

The Legal Description is as follows:

LOTS 1 AND 2 IN BEN DALE RESUBDIVISION OF LOTS 6, 7, 8, 9 AND 10 AND THE SOUTH ½ OF VACATED ALLEY NORTH OF AND ADJOINING SAID LOTS IN BLOCK 47 OF THE FIRST ADDITION TO PERCY WILSON'S IRVING PARK MANOR, BEING A SUBDIVISION IN SECTIONS 10, 11, 14 AND 15, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID SUBDICISION RECORDED MAY 24, 1988 AS DOCUMENT R88-53077, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 1347 W. Irving Park Road, Bensenville, IL 60106

De Astis Partners Inc. LLC is the owner of the subject property and Rocio Olvera of Primavera School is the applicant for the subject property.

Any individual with a disability requiring a reasonable accommodation in order to participate in any public meeting held under the authority of the Village of Bensenville should contact the Village Clerk, Village of Bensenville, 12 S. Center St., Bensenville, IL 60106, (630) 766-8200, at least three (3) days in advance of the meeting.

Applicant's application and supporting documentation may be examined by any interested parties in the office of the Community and Economic Development Department, Monday through Friday, in the Village Hall, 12 South Center Street, Bensenville, IL 60106. All interested parties may attend the Public Hearing and be heard. A link for electronic viewing will be posted on the Village website at least 48 hours prior to the meeting date. Written comments mailed to the Village Hall, and online comments submitted on the Village website, will be accepted by the Community and Economic Development Department through April 2, 2024 until 5:00 PM.

Office of the Village Clerk
Village of Bensenville

**TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT
MARCH 14, 2024**



BENSENVILLE
COMMUNITY & ECONOMIC
DEVELOPMENT

COMMUNITY DEVELOPMENT
COMMISSION

**DEVELOPMENT
REVIEW PROCESS**

01.14.2021

PROCESS SUMMARY AND TIMELINE

1. Application Submittal and Requirements

Prior to submitting an application, it is suggested that applicants meet with the Community and Economic Development Staff to review the application requirements and procedures. Incomplete applications cannot be accepted and/or processed. All questions regarding the request should be directed to the Community and Economic Development Department at (630) 350- 3413.

2. Village Staff Review & Recommendations

1. Village Staff will transmit the complete application to Village Departments for their review.
2. The Village Staff then prepares a Staff report that is sent to the applicant.
3. The applicant shall respond to the Staff report either by making requested/required revisions or stating why such revisions should not be made.
4. Upon resubmittal the applicant's responses will be reviewed by the Village Departments.
5. Final Staff report and recommendation is prepared.
6. Only after this final Staff report and recommendation are complete can a Public Hearing date be scheduled and the public review portion of the process begins.

3. Public Review & Decision

There are three distinct sections to the Public Review; the Public Hearing before the CDC, the Village Board Committee of the Whole (COW) meeting, and the full Village Board meeting. All fees and Village Staff services associated with the Public Review can be found on the attached fee schedule. Not less than 15 days nor longer than 30 days prior to the Public Hearing a three-pronged notice approach is required:

1. The Village publishes a Legal Notice of the Public Hearing in a local newspaper. The cost is deducted from the application fees.
2. The Village will provide written notice to owners of record within 250' (exclusive of Rights – Of – Way). These written notices are sent via first-class mail by Village Staff. Village Staff will then complete the Certificate of Mailing Affidavit for the application. The cost of the mailing will be deducted from the application fees.
3. The Village posts the notice of Public Hearing sign(s) on the property. A small fee to be deducted from the application fees.

A) CDC Public Hearing & Non-binding Recommendation

The CDC conducts the Public Hearing on the 1st Tuesday evening of the month at 6:30 PM. The applicant, municipal Staff and general public will make presentations, written comments are also accepted. At the close of the Public Hearing, the CDC discusses the request and then makes Findings of Fact and a non-binding recommendation to the Village President and Board of Trustees.

B) Village Board Committee Of the Whole

The Committee Of the Whole meets on the 3rd Tuesday evening of the month at 6:30 PM. The committee reviews the application, Staff report Findings of Fact and recommendation from the CDC. The applicant should be present at this meeting to answer any questions or make a brief presentation if necessary. The COW will vote on the application and forward the vote to the full Village Board or remand the request back to the CDC for additional discussion.

C) Village Board

The full Village Board has the final decision making authority on the application. Our Village Board meets the 2nd and 4th Tuesday evening of the month at 6:30 PM. A draft Ordinance is prepared by Staff for the Village Board's review and consideration. The Board will discuss the request and vote on the Ordinance. The Village Clerk will forward a copy of the approved Ordinance to you in the weeks following the Village Board meeting.

For Office Use Only

Date of Submission: _____ MUNIS Account #: _____ CDC Case #: _____

COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: _____

Property Index Number(s) (PIN): _____

A. PROPERTY OWNER:

Name Corporation (if applicable)

Street

City State Zip Code

Contact Person Telephone Number Email Address

*If Owner is a Land Trust, attach a list of the names and addresses of the beneficiaries of the Trust.

B. APPLICANT: ☐ Check box if same as owner

Name Corporation (if applicable)

Street

City State Zip Code

Contact Person Telephone Number Email Address

B. ACTION REQUESTED (Check applicable):

- ☐ Site Plan Review
- ☐ Special Use Permit
- ☐ Variation
- ☐ Administrative Adjustment
- ☐ Zoning Text or Map Amendment
- ☐ Zoning Appeal
- ☐ Plat of Subdivision
- ☐ Annexation
- ☐ Planned Unit Development*

*See Staff for additional information on
PUD requests

SUBMITTAL REQUIREMENTS:

- ☐ Affidavit of Ownership** (signed/notarized)
- ☐ Application**
- ☐ Approval Standards**
- ☐ Plat of Survey/Legal Description
- ☐ Site Plan
- ☐ Building Plans & Elevations
- ☐ Engineering Plans
- ☐ Landscape Plan
- ☐ Tree Preservation and Removal Plan
- ☐ Application Fees
- ☐ Fees agreement**

**Item located within this application packet.

Brief Description of Request(s): (Submit separate sheet if necessary)

C. PROJECT DATA:

1. General description of the site: _____
2. Acreage of the site: _____ Building Size (if applicable): to be 8,000 sqft
3. Is this property within the Village limits? (Check applicable below)
 - ☐ Yes
 - ☐ No, requesting annexation
 - ☐ No, it is under review by another governmental agency and requires review due to 1.5 mile jurisdiction requirements.
4. List any controlling agreements (annexation agreements, Village Ordinances, site plans, etc.)

5. Character of the site and surrounding area:

	Zoning	Existing Land Use	Jurisdiction
Site:	Commerical	none	Bensenville
North:	Residential	Residential home	Bensenville
South:	Commerical	Asti Deli, Comic book store	Bensenville
East:	Commerical	Family Dentist	Bensenville
West:	Commerical	Residential Apartments	Bensenville

D. APPROVAL STANDARDS:


The applicant must compose a letter describing how the request(s) specifically meets the individual criteria from the appropriate Approval Standards, found in Village Code and on the following pages. The CDC will be unable to recommend approval of a request without a response to the pertinent "Approval Standards."

☐ **Approval Standards For Site Plan Review**

1. The site plan for the proposed development is consistent with the existing character and zoning of adjacent properties and other property within the immediate vicinity of the proposed development.
2. The site plan for the proposed development will not adversely impact adjacent properties and other properties within the immediate vicinity of the proposed development.
3. The site plan for the proposed development will be provided with adequate utilities, access roads, parking, loading, drainage, stormwater flow paths, exterior lighting, and/or other necessary facilities.
4. The site plan for the proposed development is designed to preserve the environmental resources of the zoning lot.
5. The site plan shall accommodate on-site pedestrian circulation from parking areas, plazas, open space, and public rights-of-way. Pedestrian and vehicular circulation shall be separated to the greatest extent possible.
6. The site plan shall locate curb cuts for safe and efficient ingress and egress of vehicles. The use of shared curb cuts and cross-access easements shall be provided when appropriate.
7. The site plan for the proposed development includes architectural design that contributes positively to the Village's aesthetic appearance.
8. The site plan for the proposed development is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

☒ **Approval Standards for Special Uses**

1. The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.
2. The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.
3. The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.
4. The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.
5. The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

We meet/ agree to the above mentioned approval
standards and will abide. 

☐ **Approval Standards for Variations**

1. The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.
2. The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.
3. The proposed variation alleviates an undue hardship created by the literal enforcement of this title.
4. The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.
5. The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.
6. The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

☐ **Approval Standards for Administrative Adjustment**

1. The proposed administrative adjustment will not endanger the health, safety, comfort, convenience, and general welfare of the public.
2. The proposed administrative adjustment is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed administrative adjustment.
3. The proposed administrative adjustment alleviates an undue hardship created by the literal enforcement of this title.
4. The proposed administrative adjustment is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.
5. The proposed administrative adjustment represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject adjustment.
6. The proposed administrative adjustment is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

☐ **Approval Standards for Zoning Text or Map Amendments**

1. Approval standards for text amendments:
 - a. The proposed amendment will not endanger the health, safety, comfort, convenience, and general welfare of the public.
 - b. The proposed amendment corrects an error, adds clarification, or reflects a change in policy.
 - c. The proposed amendment is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.
2. Approval standards for map amendments:
 - a. The proposed amendment will not endanger the health, safety, comfort, convenience, and general welfare of the public.
 - b. The proposed amendment is compatible with the existing uses, character, and zoning of adjacent properties and other property within the immediate vicinity of the proposed amendment.
 - c. The proposed amendment provides a relative gain to the public, as compared to any hardship imposed upon an individual property owner.
 - d. The proposed amendment addresses the community need for a specific use.
 - e. The proposed amendment corrects an error, adds clarification, or reflects a change in policy.
 - f. The proposed amendment is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

☐ **Approval Standards for Planned Unit Developments**

- A. The proposed planned unit development fulfills the objectives of the Comprehensive Plan, and other land use policies of the Village, through an innovative and creative approach to the development of land.
- B. The proposed planned unit development will provide walkways, driveways, streets, parking facilities, loading facilities, exterior lighting, and traffic control devices that adequately serve the uses within the development, promote improved access to public transportation, and provide for safe motor vehicle, bicycle, and pedestrian traffic to and from the site.
- C. The proposed planned unit development will provide landscaping and screening that enhances the Village's character and livability, improves air and water quality, reduces noise, provides buffers, and facilitates transitions between different types of uses.
- D. The proposed planned unit development will incorporate sustainable and low impact site design and development principles.
- E. The proposed planned unit development will protect the community's natural environment to the greatest extent practical, including existing natural features, water courses, trees, and native vegetation.
- F. The proposed planned unit development will be provided with underground installation of utilities when feasible, including electricity, cable, and telephone, as well as appropriate facilities for storm sewers, stormwater retention, and stormwater detention.

APPLICATION FEES

The fee schedule for items that require appearance before the Community Development Commission and/or Village Board as follows:

<u>ACTION REQUIRED</u>	<u>FEES</u>
Variation for Residential Use	\$100
Annexation Petition	\$250
Appeal of Director	\$500
Comprehensive Plan Map Amendment	\$500
Comprehensive Plan Text Amendment	\$500
Plat of Subdivision	\$500
Special Use Permit	\$500
Variation for Nonresidential Use	\$500
Zoning Map Amendment	\$500
Zoning Text Amendment	\$500
Planned Unit Development	\$750
PUD Amendment	\$500

Processing Fees: \$200

The Staff will provide, as a service to the applicant, the following as legally required:

- Publish the required legal notice in local publication
- Post a public hearing sign on the property visible from the public way
- Mail the legal notice to each property owner within 250 feet of the applicant property

Any required Recording of Documents will be the responsibility of the applicant with fees Assessed by the County.

****Application fees are non-refundable and payment does not constitute approval of project****

In cases where the developer is petitioning for more than one request, fees shall be collected for each request. An exception in instances where a planned unit development and subdivision plat are being requested simultaneously one fee is collected.

Reimbursement of Fees: In addition to the fixed fee(s) provided above, the petitioner/applicant shall enter into a reimbursement of fees agreement with the Village. The reimbursement of fees agreement shall encompass all applications or petitions pending with the Village, including any additional matters not set forth hereinabove. The reimbursement of fees agreement shall be in the following form:

Should the Village, in its sole and exclusive discretion, determine that it is necessary or desirable for the Village to obtain professional services, including, but not limited to, attorneys, engineers, planners, architects, surveyors, court reporters, traffic, appraisers, environmental, drainage or other consultants, including full and/or part time site inspection services during the actual construction of any required improvements, and/or to incur costs related to any required notices or recordations, in connection with any Petition or Application filed by the Petitioner/Applicant, then the Petitioner/Applicant shall liable for the payment of such professional fees and costs, as shall actually be incurred by the Village, plus an additional ten percent (10%) to cover the Village's administrative expenses.

Upon the failure of the Petitioner/Applicant to reimburse the Village in accordance with this Agreement, no further action shall be undertaken on any Petition or Application by the Village President and Board of Trustees, or by any other official or quasi-official individual or body thereunder, including the conduct of any hearings or deliberations, the granting of any relief or approvals, and the execution or recording of any documents, until all such outstanding fees are paid in full. Further, the Village may deny any application for a grading, building or other permit if such amounts have not been paid in full. Upon any failure to reimburse the Village in accordance with this Section, the Village may in its discretion, elect to place a lien against any real property associated with the Petitioner/Applicant's Petition or Application. In the event such amounts are not paid in full within sixty (60) days after the date when the statement of such amounts due is delivered or deposited in the U.S. mail by the Village, such amounts due shall be deemed delinquent and thereafter a delinquency charge of one percent (1%) per month, or portion thereof, with a minimum delinquency charge of \$5.00 per month, shall be added to the amount due until such amount, including all delinquency charges, is received by the Village. Said lien shall be in an amount equal to the outstanding amount owed to the Village.

The remedies available to the Village as set forth hereinabove are non-exclusive and nothing herein shall be deemed to limit or waive the Village's right to seek relief of such fees against any or all responsible parties in a court of competent jurisdiction.

BY SIGNING BELOW, THE PETITIONER/APPLICANT ACKNOWLEDGES THAT THEY HAVE READ THE FOREGOING PARAGRAPHS AND FULLY UNDERSTANDS AND AGREES TO COMPLY WITH THE TERMS SET FORTH HEREIN. FURTHER, BY SIGNING BELOW, THE SIGNATORY WARRANTS THAT THEY POSSESS FULL AUTHORITY TO SO SIGN.

THE PETITIONER/APPLICANT AGREES THAT THEY SHALL BE LIABLE FOR PAYMENT OF FEES REFERRED TO IN APPLICABLE SECTIONS OF THE ORDINANCES OF THE VILLAGE OF BENSENVILLE, AND AS SET FORTH HEREIN.



Petitioner/Applicant

February 26, 2024

Date

STATE OF ILLINOIS)
)SS.
COUNTY OF DUPAGE AND COOK)

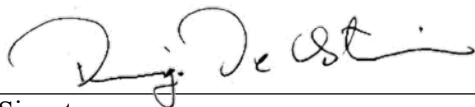
AFFIDAVIT OF OWNERSHIP

I _____ the undersigned Affiant, being first duly sworn, on
oath states:

1. That Affiant has personal knowledge of the representations and statements made herein, and has examined all necessary documents, records of ownership and such other information as is required to confirm the statements and representations herein;
2. That the owner(s) and contract purchaser(s), if any, as set forth on the Petition attached hereto is (are) the owner(s) of record and contract purchasers of said property;
3. That all consents to the attached Petition required of lenders or of others holding an interest in the property have been obtained;
4. This Affidavit of Ownership is given to induce the Village of Bensenville, without further inquiry as to ownership or purchase interest, to rely on said statements and representations and to process and set for Public Hearing the Petition as attached hereto; and,
5. Affiant is aware of and has been advised that any false statement set forth in this Affidavit of Ownership may subject Affiant to criminal sanctions for perjury, punishable as provided by the statutes of the State of Illinois in relation to the crime of perjury.

IN WITNESS WHEREOF, the undersigned has executed this Affidavit of Ownership this

_____ day of, _____.



Signature

SUBSCRIBED and SWORN to

before me this _____ day of, _____.

Notary Public

STATE OF ILLINOIS)
)SS.
COUNTY OF DUPAGE AND COOK)

AFFIDAVIT OF OWNERSHIP

I Azeco Reasys the undersigned Affiant, being first duly sworn, on
oath states:

1. That Affiant has personal knowledge of the representations and statements made herein, and has examined all necessary documents, records of ownership and such other information as is required to confirm the statements and representations herein;
2. That the owner(s) and contract purchaser(s), if any, as set forth on the Petition attached hereto is (are) the owner(s) of record and contract purchasers of said property;
3. That all consents to the attached Petition required of lenders or of others holding an interest in the property have been obtained;
4. This Affidavit of Ownership is given to induce the Village of Bensenville, without further inquiry as to ownership or purchase interest, to rely on said statements and representations and to process and set for Public Hearing the Petition as attached hereto; and,
5. Affiant is aware of and has been advised that any false statement set forth in this Affidavit of Ownership may subject Affiant to criminal sanctions for perjury, punishable as provided by the statutes of the State of Illinois in relation to the crime of perjury.

IN WITNESS WHEREOF, the undersigned has executed this Affidavit of Ownership this

20 day of, Feb.

[Signature]
Signature

SUBSCRIBED and SWORN to

before me this 23rd day of, February, 2024.

Notary Public



1. Our childcare center (Primavera School) will not endanger the health, safety, comfort, convenience and general welfare of the public.

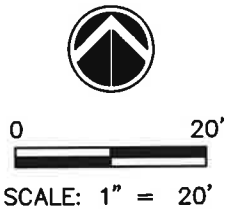
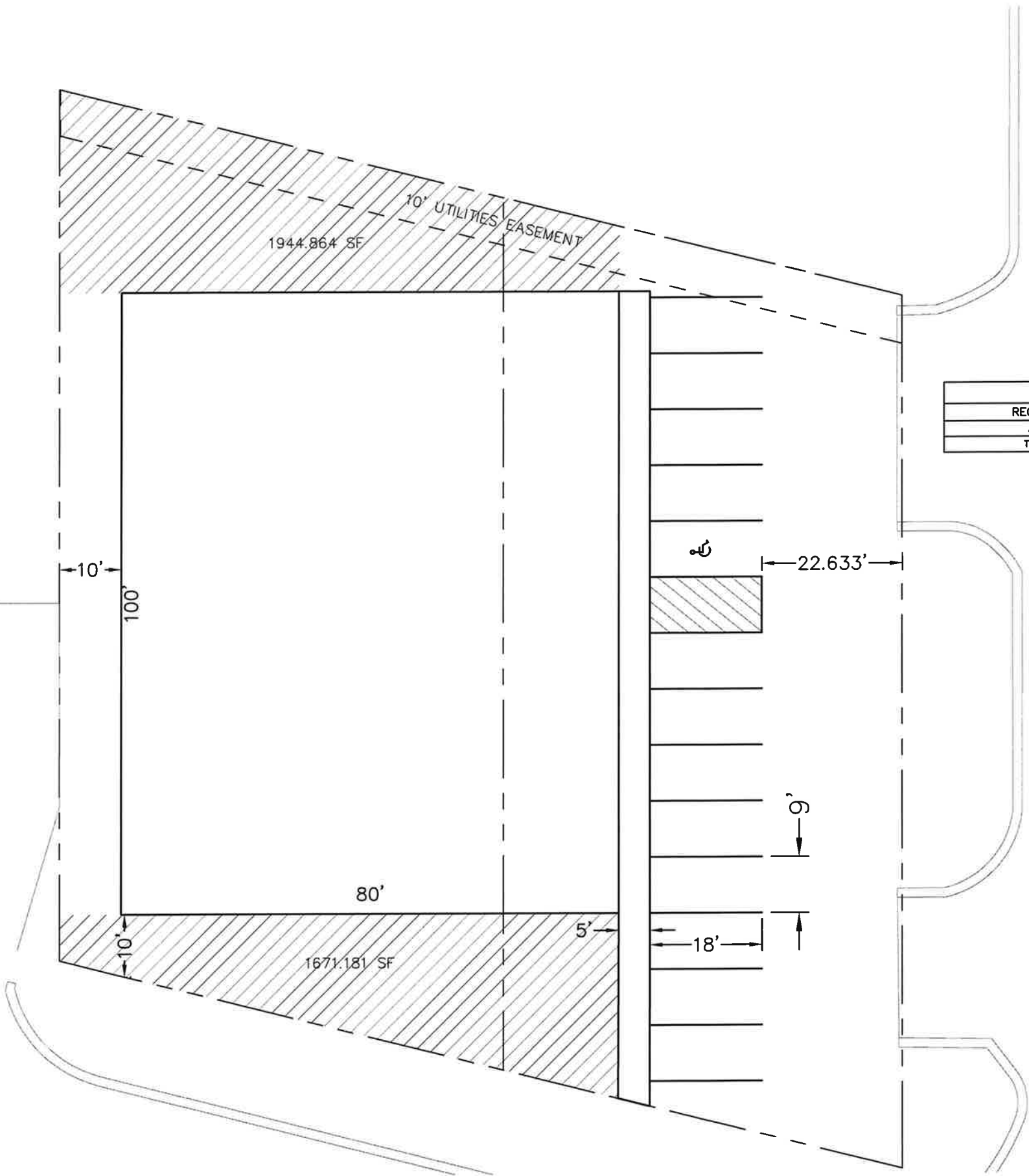
2. Our childcare center (Primavera School) is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

3. Our childcare center (Primavera School) will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

4. Our childcare center (Primavera School) will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

5. Our childcare center (Primavera School) is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

-Rocio Olvera



PARKING	
REGULAR	12
ADA	1
TOTAL	13

REVISIONS		DATE
No.	DESCRIPTION	



4650 GRAND AVENUE
GURNEE, IL 60031
PH: 847.238.7100
www.imegcorp.com

Illinois Design Firm Registration #134-007837-0014

1347 W IRVING PARK RD CONCEPT PLAN

BENSENVILLE, ILLINOIS

CONCEPT PLAN

IMEG Project No:
N/A

File Name:
Comcast East Illinois.dwg

© COPYRIGHT 2024
ALL RIGHTS RESERVED

Field Book No: N/A

Drawn By: SCM

Checked By: HMD

Date: 02/23/2024

C1

Sheet 1 of 1

SPIEWAK CONSULTING
PROFESSIONAL DESIGN FIRM LICENSE

NO.:184.006518
1030 W. HIGGINS RD. SUITE 218
PARK RIDGE, IL 60068

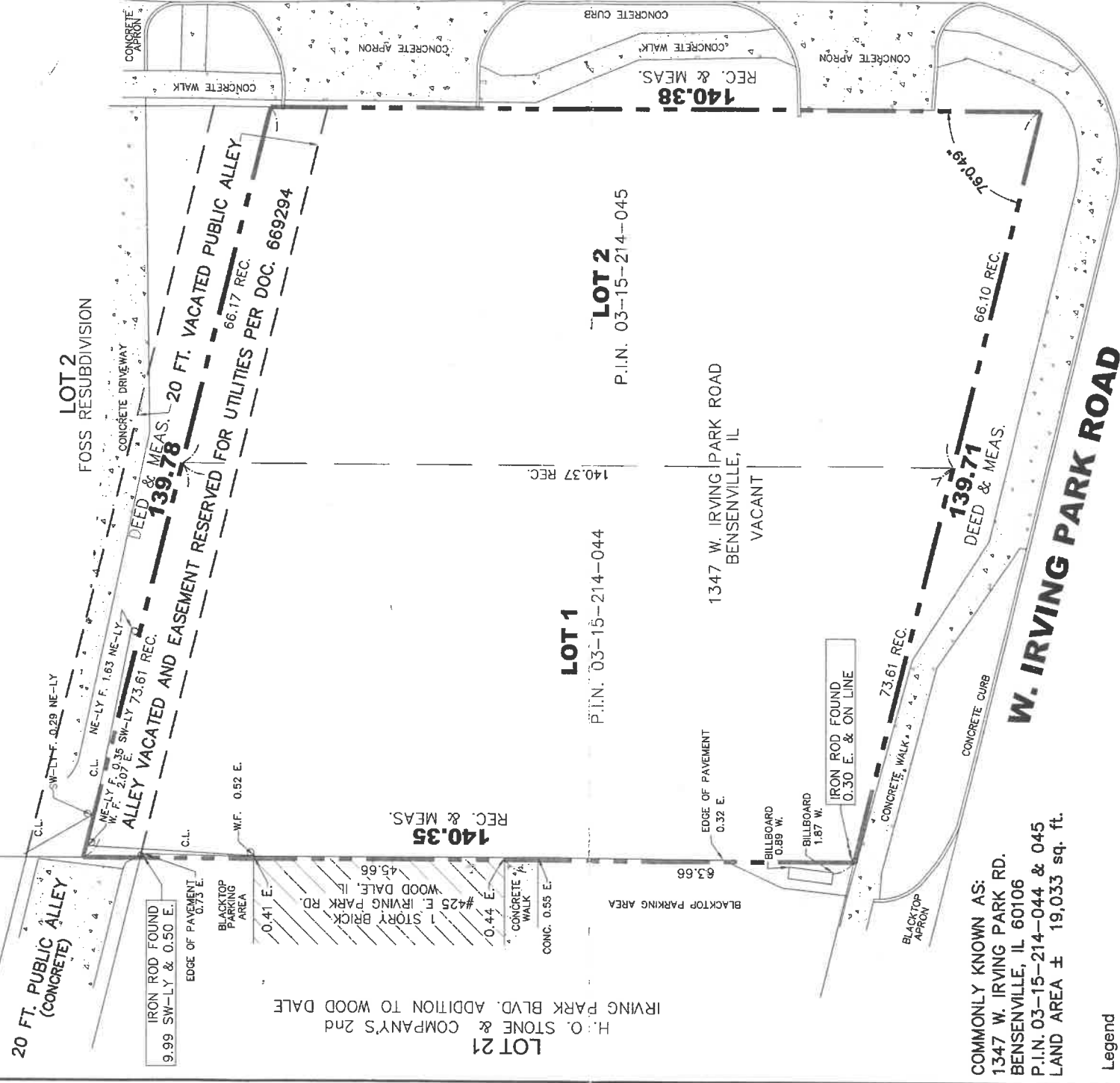
phone: (773) 853-2672 phone: (630) 351-9489
www.landssurveyors.pro
andrew@landssurveyors.pro

PLAT OF SURVEY


by
ANDREW SPIEWAK LAND SURVEYOR, INC.
of

LOTS 1 AND 2 IN BEN DALE RESUBDIVISION OF LOTS 6, 7, 8, 9 AND 10 AND THE SOUTH 1/2 OF VACATED ALLEY NORTH OF AND ADJOINING SAID LOTS IN BLOCK 47 OF THE FIRST ADDITION TO PERCY WILSON'S IRVING PARK MANOR, BEING A SUBDIVISION IN SECTIONS 10, 11, 14 AND 15, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID SUBDIVISION RECORDED MAY 24, 1988 AS DOCUMENT R88-53077, IN DUPAGE COUNTY, ILLINOIS.

BEARINGS ARE SHOWN FOR ANGULAR REFERENCE ONLY
AND ARE NOT RELATED TO TRUE OR MAGNETIC NORTH



Legend

 FENCE
 WD.= WOOD FENCE C.L.= CHAIN LINK
 N.F.= NORTH FACE S.F.= SOUTH FACE
 W.F.= WEST FACE E.F.= EAST FACE
 I.P.= IRON PIPE I.R.= IRON ROD
 I.F.= IRON FENCE
 MEAS.= MEASURED REC.= RECORD
 ● IRON ROD FOUND ○ IRON ROD SET
 ● IRON PIPE FOUND ○ IRON PIPE SET
 + CROSS FOUND & SET

SCALE: 1 INCH EQUALS 20 FEET.
DISTANCES ARE MARKED IN FEET AND DECIMAL
PARTS THEREOF

ORDERED BY: NICOLA VENTRELLA
COMPANY OR ORGANIZATION: TRELLA AUTO TECH LLC

SURVEYED BY: SJ

DRAWN BY: SJ

CHECKED BY: AFS

PROJECT No: 022-23

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)

ANDREW SPIEWAK LAND SURVEYOR, INC. A PROFESSIONAL DESIGN FIRM,
LAND SURVEYING CORPORATION, LICENSE No.: 184.006518
HEREBY CERTIFIES THAT A SURVEY HAS BEEN MADE UNDER THE DIRECTION
AND SUPERVISION OF AN ILLINOIS PROFESSIONAL LAND SURVEYOR OF THE
ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS A CORRECT
REPRESENTATION OF SAID SURVEY. THIS PROFESSIONAL SERVICE CONFORMS TO THE
CURRENT ILLINOIS MINIMUM STANDARDS FOR BOUNDARY SURVEYS.

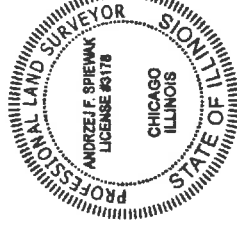
FIELD WORK WAS COMPLETED ON 10th DAY OF FEBRUARY A.D. 20 23.

CHICAGO III INOIS DATE OF PIAT 11th DAY OF FEBRUARY A.D. 2023.

Campylobacter

ILLINOIS PROFESSIONAL LAND SURVEYOR
ANDRZEJ F. SPIEWAK LICENSE No. 035.003178
LICENSE EXPIRES 11/30/2024

THIS SURVEY IS VALID ONLY WITH AN EMBOSSED SEAL



SPIEWAK CONSULTING

PROFESSIONAL DESIGN FIRM LICENSE

NO.:184,006518

1030 W. HIGGINS RD. SUITE 218

PARK RIDGE, IL 60068

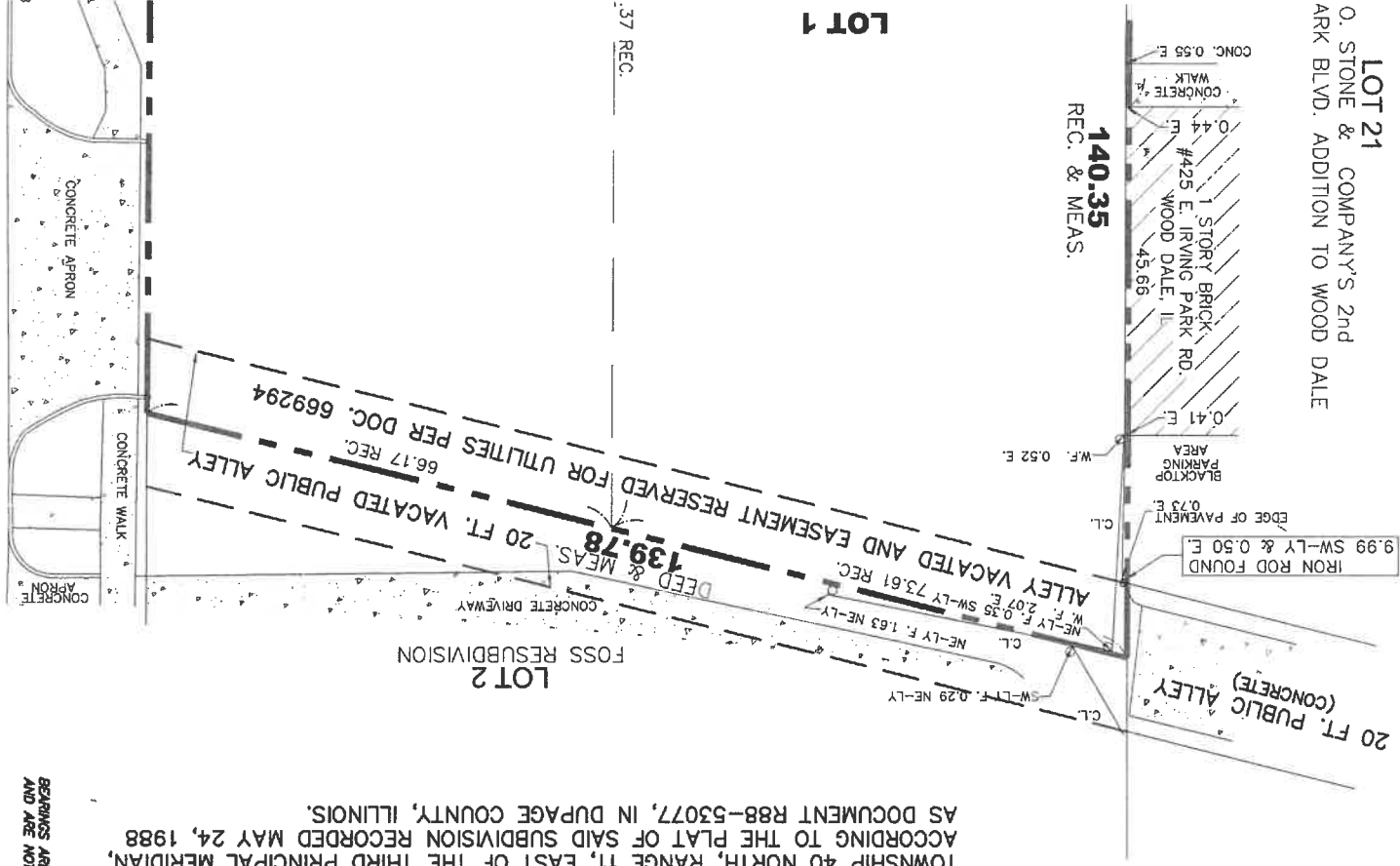
phone: (773) 853-2672 phone: (630) 351-9489

www.landsurveyors.pro

andrew@landsurveyors.pro

PLAT OF SURVEY
by
ANDREW SPIEWAK LAND SURVEYOR, INC.
of

LOTS 1 AND 2 IN BEN DALE RESUBDIVISION OF LOTS 6, 7, 8, 9 AND 10 AND THE SOUTH 1/2 OF VACATED ALLEY NORTH OF AND ADJOINING SAID LOTS IN BLOCK 47 OF THE FIRST ADDITION TO PERCY WILSON'S IRVING PARK MANOR, BEING A SUBDIVISION IN SECTIONS 10, 11, 14 AND 15, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID SUBDIVISION RECORDED MAY 24, 1988 AS DOCUMENT R88-53077, IN DUPAGE COUNTY, ILLINOIS.



LOT 21
O. STONE & COMPANY'S 2nd
ARK BLVD. ADDITION TO WOOD DALE

LOT 1

37 REC.

LANE

BEARINGS ARE SHOWN FOR ANGULAR ASSUMED ONLY
AND ARE NOT RELATED TO TRUE OR MAGNETIC NORTH.



PROJECT No: 022-23

CHECKED BY: AFS

DRAWN BY: SJ

SURVEYED BY: SJ

COMPANY OR ORGANIZATION: TRELLA AUTO TECH LLC

ORDERED BY: NICOLA VENTRELLA

FIELD WORK WAS COMPLETED ON 10th DAY OF FEBRUARY A.D. 20 23.
CHICAGO, ILLINOIS, DATE OF PLAT 11th DAY OF FEBRUARY A.D. 20 23.

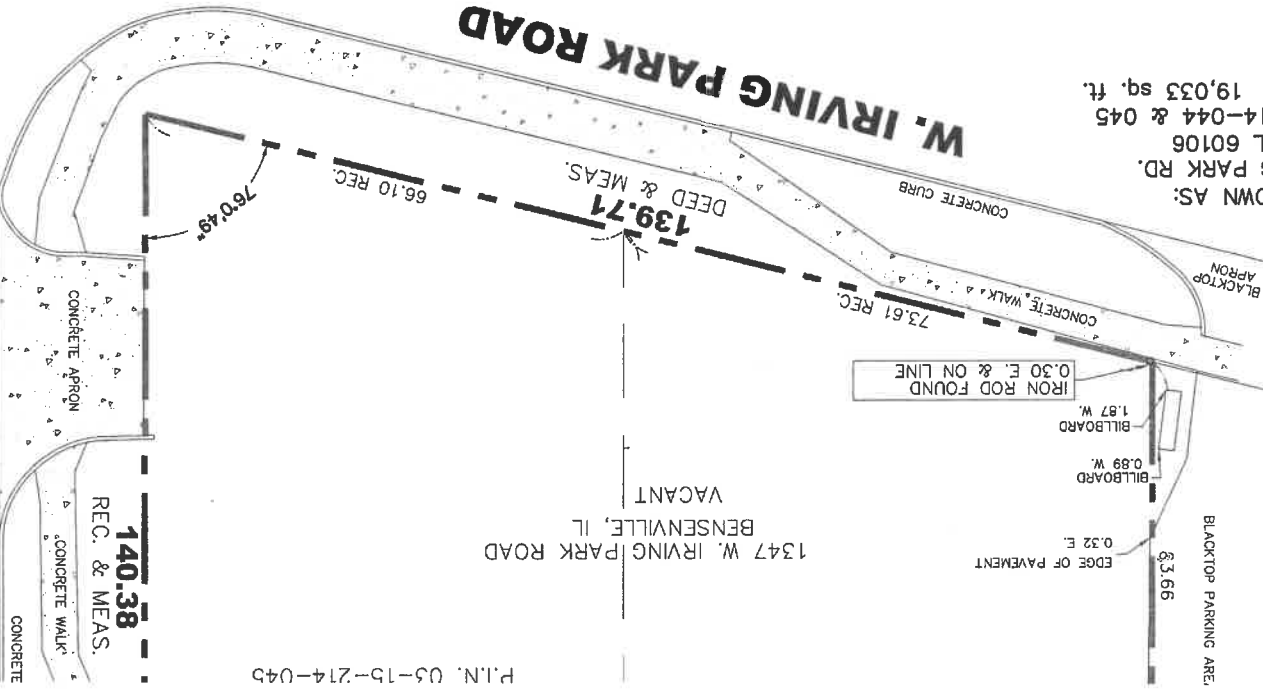
BY: ANDREW F. SPIEWAK
ILLINOIS PROFESSIONAL LAND SURVEYOR
ANDREW F. SPIEWAK LICENSE No. 036,003178
LICENSE EXPIRES 11/30/2024
PROFESSIONAL DESIGN FIRM, LAND SURVEYING CORPORATION,
LICENSE NO. 184,006518 EXPIRES 04/30/2023



ANDREW SPIEWAK LAND SURVEYOR, INC. A PROFESSIONAL DESIGN FIRM,
LAND SURVEYING CORPORATION, LICENSE No.: 184,006518
HEREBY CERTIFIES THAT A SURVEY HAS BEEN MADE UNDER THE DIRECTION
AND SUPERVISION OF AN ILLINOIS PROFESSIONAL LAND SURVEYOR OF THE
ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS A CORRECT
REPRESENTATION OF SAID SURVEY. THIS PROFESSIONAL SERVICE CONFORMS TO THE
CURRENT ILLINOIS MINIMUM STANDARDS FOR BOUNDARY SURVEYS.

STATE OF ILLINOIS) S.S.
(COUNTY OF COOK)

COMMONLY KNOWN AS:
1347 W. IRVING PARK RD.
BENSENVILLE, IL 60106
P.I.N. 03-15-214-044 & 045
LAND AREA ± 19,033 sq. ft.



- Legend
- WD = WOOD FENCE C.L. = CHAIN LINK
 - N.F. = NORTH FACE S.F. = SOUTH FACE
 - W.F. = WEST FACE E.F. = EAST FACE
 - LP = IRON PIPE L.R. = IRON ROD
 - MEAS. = MEASURED REC. = RECORD
 - IRON ROD FOUND ○ IRON ROD SET
 - IRON PIPE FOUND ○ IRON PIPE SET
 - + CROSS FOUND & SET
 - PROPERTY LINE

SCALE: 1 INCH EQUALS 20 FEET.
DISTANCES ARE MARKED IN FEET AND DECIMAL
PARTS THEREOF.

STAFF REPORT

HEARING DATE: April 2, 2024
CASE #: 2024 – 08
PROPERTY: 1347 Irving Park Rd
PROPERTY OWNER: De Astis Partners Inc. LLC
APPLICANT: Rocio Olvera
SITE SIZE: .45 acres
BUILDING SIZE: Proposed ~8,000 SF
PIN NUMBERS: 03-15-214-045 & 03-15-214-044
ZONING: C-2 Commercial District
REQUEST: Special Use Permit, Day Care Center
Municipal Code Section 10 – 7 – 2 – 1

PUBLIC NOTICE:

1. A Legal Notice was published in the Bensenville Independent on Thursday, March 14, 2024. A Certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.
2. Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on Friday, March 15, 2024.
3. On Thursday, March 14, 2024, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 300 feet of the property in question. An Affidavit of Mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

SUMMARY:

The Petitioner, Primavera School, represented by Rocio Olvera, is requesting approval of a Special Use Permit for a day care center at 1347 W Irving Park Rd. The site is currently a vacant lot of roughly .45 acres. The building size is projected to be 8,000 square feet. No variances are sought at this time.

SURROUNDING LAND USES:

	Zoning	Land Use	Comprehensive Plan	Jurisdiction
Site	C-2	Vacant	Local Commercial	Village of Bensenville
North	R-3	Single Family Residential	Single-Family Residential	Village of Bensenville
South	C-2	Commercial	Local Commercial	Village of Bensenville
East	C-2	Commercial	Local Commercial	Village of Bensenville
West	C-2	Commercial	N/A	Village of Wood Dale

DEPARTMENT COMMENTS:

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input type="checkbox"/>	Financially Sound Village
<input type="checkbox"/>	Quality Customer Oriented Services
<input type="checkbox"/>	Safe and Beautiful Village
<input checked="" type="checkbox"/>	Enrich the lives of Residents
<input type="checkbox"/>	Major Business/Corporate Center
<input checked="" type="checkbox"/>	Vibrant Major Corridors

Finance:

- 1) Inactive U/B account.

Police:

- 1) No comments.

Engineering and Public Works:

- 1) Stormwater Detention: Article 15-72. A.1 of the DuPage County Stormwater and Flood Plain Ordinance (DCSFPO) states that stormwater detention is required if the impervious area is being increased by at least 25,000 square feet. The entire parcel is only 19,034 SF, so this project does not appear to trigger detention requirements, but this will be confirmed in engineering review if approved.
- 2) Best Management Practices: Section 15-63 of the DCSFPO states that on-site postconstruction best management practices (PCBMPs) and volume control best management practices (VCBMPs) are required to treat stormwater runoff for pollutants and reduce runoff volume for all developments with 2,500 square feet or more net new impervious area since April 23, 2013. Based upon a comparison of the existing conditions in prior aerial photos, the site has been empty since at least 2006. The proposed development will result in a net impervious area of 90% of the parcel, or approximately 17,130 SF. In accordance with DCSFPO, PCBMPs will be required for this proposed development.
- 3) Sediment & Erosion Control: The construction area (disturbed area) appears to be less than 1 acre. A National Pollutant Discharge Elimination System (NPDES) permit is not required for discharge of storm water. However, all erosion control measures will need to meet all the requirements listed in Sections 15-58 through 15-60 of the DCSFPO.
- 4) Floodplain: The site includes no regulatory floodplain as shown on FEMA FIRM Map number 17043C0079J dated August 1, 2019. The nearest regulatory flood plain is the Zone AE floodplain of South Unnamed Creek (DPWL) located approximately 3,600 feet southeast of the site with an elevation of +/-666. Because the site is entirely outside the limits of the 100-year flood plain, compensatory storage will not be required for any proposed fill.
- 5) Wetlands and Buffers: It does not appear there are wetlands or wetland buffers on the site.
- 6) Permits: The proposed improvement will require Stormwater Management Certification. Since no impacts are proposed to Special Management Areas, the submittal does not require submittal to the DuPage County Stormwater for review and certification.
- 7) Plat of Survey: It looks like the Wood Dale building to the west is encroaching on the subject property by a considerable amount. If this property is to be developed, there should be a legal remedy for this problem, otherwise it could become a point of contention in the future. Examples could include an easement, a realignment of the property line, or a requirement to demolish the building. This needs to be rectified as part of this redevelopment.

- 8) A plat of consolidation will be required. All existing and proposed easements shall be clearly depicted. A Storm Water Management Easement will be required over any BMP, detention, or storm facility constructed on site.
- 9) Any work in the Irving Park Road right-of-way will require a permit from the Illinois Department of Transportation (IDOT).
- 10) The development will need to remove and/or reconstruct the appropriate curb cuts and driveway entrances to Pine Lane, depending on the location of the final entrance on the final approved site plan.
- 11) The site contained buildings on it at one time, and I am unsure what the use was. The existing water and sewer services for those buildings cannot be reused and the developer will need to disconnect any old services back at the mains and install new services as part of this development. For reference, water mains are located on both Irving Park Road and Pine Avenue; Sanitary main is located on Pine Lane.
- 12) A grease trap will be required if the facility will be cooking food as part of their operations.

Community & Economic Development:

Economic Development:

- 1) Vacant land is currently being taxed minimally at \$6,421.34.
- 2) A similarly sized new commercial building on Irving Park Road produced over \$36,000 in property taxes in 2022.

Fire Safety:

- 1) New building will require a fire alarm system.
- 2) New building will require a sprinkler system.
- 3) New building will require approval from IDPH.

Building:

- 1) No comments at this time.

Planning:

- 1) The 2015 Comprehensive Plan indicates “Local Commercial” for this property.
- 2) The current zoning is C-2 Commercial District.
- 3) The Petitioner is seeking approval of a Special Use Permit for a day care center.
- 4) Per Village Code 10 – 11 – 2, Day Care Center is defined as “an establishment providing care for more than three (3) adults or children in a protective setting for less than twenty-four (24) hours per day that is not located within a residential dwelling unit. “Day care center” does not include day care programs operated by an “elementary, middle, or high school”, “park”, or “place of worship.””
- 5) The Village Zoning Ordinance does not have any specific use standards applied to Day Care Centers.
- 6) Per Village Code 10-6-16B-2: The following Building Façade Material regulations apply:
 - a. Allowed Materials: The following materials are allowed on any building facade: durable and natural materials, such as stone, brick, stucco, metal, concrete, burnished concrete masonry units, and non-reflective glass, unless otherwise limited by subsection B2b, "Limited Materials", of this section.
 - b. Limited Materials: The following materials may only be utilized for trim or architectural details, and shall not exceed twenty percent (20%) of the total area of any building facade: utility brick, vinyl or metal siding, metal wall panels, exposed aggregate (rough finish) concrete wall panels, non-burnished concrete

- masonry units, exterior insulation and finishing systems, fiberglass, plastic, untreated wood, and mirrored glass. The painting of brick, limestone, or other natural stone is prohibited so such materials retain their natural colors.
- c. Building Details: Pedestrian-scale elements, such as decorative lighting not more than nine feet (9') in height, planters, and awnings, shall be included on any building facade fronting a public right-of-way.
- 7) Per Village Code 10-6-18-1 C-2 District Requirements: Minimum Transparency requirements are 60%.
 - a. Minimum Transparency: The amount of highly transparent, non- reflective glass required as a percentage of the total area of the street-facing ground story facades between two feet (2') and eight feet (8') above grade. Tinting of glass in excess of twenty percent (20%) is prohibited. Buildings larger than thirty thousand (30,000) square feet shall be exempt from these standards.
 - b. Staff recommends that ground floor windows are added to the street facing facades to ensure the façade transparency requirements are met.
 - 8) Per Village Code Section 10-6-18-1 C-2 District Requirements: Principal entrance location shall be on the Front or corner side façade.
 - 9) Per Village Code Section 10-8-1C-4 Encroachment: Parking facilities are allowed to encroach into the required front yard, corner side yard, interior side and/or rear yard, but shall be at least one foot (1') from any lot line, provided no parking lot perimeter landscape (see subsection 10-9-5B, "Parking Lot Perimeter Landscape", of this title) or buffer yard (see section 10-9-6, "Buffer Yards", of this title) is required.
 - a. Please note on plans the distance between parking facilities and the existing lot lines.
 - 10) Per Village Code Section 10-8-2A-2 Accessible Parking:
 - a. State Requirements: Accessible parking spaces shall be designed and provided as required by the Illinois Accessibility Code and all additional applicable laws.
 - 11) Per Village Code 10 – 8 – 2 – 1 Off-Street Parking Requirements, 1 off-street parking stall is required for every 500 SF of GFA.
 - 12) Per Village Code 10-8-6-1 Off-Street Parking Dimensions: 90-degree parking spaces shall be 9' by 18' with an aisle width of 24'.
 - 13) Per Village Code 10-8-6C-2 Parking Spaces: Each parking space within a parking lot shall open directly into an aisle or driveway of sufficient width to provide adequate means of vehicular access to the parking space.
 - 14) Per Village Code Section 10-8-6E Wheel Stops, Bumper Stops, And Curbing: Wheel stops, bumper stops, and/or curbing shall be permanently and securely installed along the perimeter of parking lots to prevent vehicles from encroaching on sidewalks, landscape areas, fencing, walls, or buildings.
 - a. Staff recommends showing proposed wheel stops and curbing in plans.
 - 15) Per Village Code Section 10-8-6K Snow Storage: Snow storage areas shall be provided on or adjacent to all off-street parking facilities.
 - a. Obstructions: Snow shall be stored in a manner that does not restrict access, circulation, or sight lines for pedestrians or vehicles at driveways, sidewalks, or other access points. Required off-street parking spaces, driveways, access aisles, and walkways shall not be used for snow storage.
 - b. Storage In Landscape Areas: Landscape areas shall not be used for snow storage unless designed for that purpose with non- compacted soils, adequate area for snow piles, and plantings selected for salt-tolerance and durability.

- c. Storage In Stormwater Management Facilities: Snow should not be stored on top of storm drain catch basins or within stormwater management facilities.
 - d. Off-Site Snow Storage: If snow storage cannot be accommodated on-site, the applicant shall make arrangements for off-site snow storage with approval from the Zoning Administrator.
- 16) Per Village Code 10 – 8 – 7 Pedestrian Circulation Systems, the following requirements apply:
- a. General Requirement: Off-street parking and loading areas require pedestrian circulation systems to ensure the safety of pedestrians, bicyclists, and motorists. Refer to subsection D, figure 10-8-7-1, "On-Site Pedestrian Circulation", of this section.
 - b. Connections On-Site: The on-site pedestrian circulation system must connect all buildings on the site to one another and provide connections to parking facilities, bicycle parking facilities, and other outdoor areas.
 - c. Connection To Public Rights-Of-Way: The on-site pedestrian circulation system must connect building entrances to adjacent public rights-of-way along direct routes that do not involve significant out-of-direction travel.
 - d. Connection To Adjacent Areas: The on-site pedestrian circulation system must provide at least one connection to adjacent properties along a shared street frontage. Connections must provide access to existing walkways on adjacent properties, or to the likely future location of walkways on those properties. The Zoning Administrator may waive this requirement upon determining that no walkway exists, a future walkway is unlikely to exist, or such connection would create a safety hazard.
 - e. Design Standards for On-Site Pedestrian Circulation Systems: Required on-site pedestrian circulation systems must be designed in accordance with the following requirements:
 - i. The pedestrian circulation system must be paved with a minimum width of five feet (5').
 - ii. Where the pedestrian circulation system crosses driveways, drive aisles, or loading areas, it must be clearly marked by a change in grade, a change in materials, special pavers, stamped asphalt or concrete. Painted striping does not meet this requirement.
 - iii. Where the pedestrian circulation system is parallel and adjacent to a driveway or drive aisle, it must be raised at least six inches (6") above the surface of the auto travel lane surface and separated from the auto travel lane by a raised curb. The pedestrian circulation system may also include intervening landscaping, decorative bollards, or other architectural features. If bollards are present, the Zoning Administrator may permit the pedestrian circulation system to be level with the surface of the travel lane.
 - iv. A sidewalk, with a minimum width of seven feet (7'), shall be required along the full length of any building frontage containing a primary entrance that is directly abutted by a parking row, driveway, or drive aisle. Refer to figure 10-8-7-2, "Frontage Sidewalk", of this subsection.
 - v. Pedestrian circulation systems should be integrated with required parking lot landscaping in accordance with section 10-9-5, "Parking Lot Landscaping", of this title, where appropriate.
- 17) Per Village Code 10 – 8 – 8 Driveways, the following requirements apply:

- a. Location: Driveways are permitted to encroach into the required front yard, corner side yard, interior side yard and/or rear yard, but shall be at least one foot (1') from the interior side lot line, except when the driveway provides shared access for two (2) adjacent properties. Driveways shall be essentially perpendicular to the right-of-way being accessed.
 - b. Quantity: One driveway per street frontage is allowed, provided that the minimum frontage requirements established in chapter 6, "Zoning District Regulations", of this title are met. Driveways shall be located at least sixty feet (60') from a signalized intersection, and thirty feet (30') from all other intersections, measured from edge of pavement. Lots with a street frontage of at least one hundred fifty (150) linear feet of frontage may incorporate one additional driveway along that frontage. On properties for which more than one driveway is permitted, the distance between the driveways shall be a minimum of fifty feet (50').
 - c. Driveway Width: Driveways shall be constructed in compliance with table 10-8-8-1, "Maximum Driveway Width", of this subsection. Driveway width shall be measured at the lot line.
 - d. Visibility: No building, structure, sign, or landscape element shall obstruct the area between 2.5 feet and eight feet (8') in height within the sight triangle area on each side of any driveway. Beginning at the intersection of the driveway with the lot line, the sight triangle shall be formed by measuring ten feet (10') along the lot line in the opposite direction of the driveway and ten feet (10') along the driveway in the opposite direction of the lot line, then connecting the endpoints of the lines across the subject property (refer to figure 10-8-8-1, "Visibility At Driveways", of this subsection).
 - e. Turning Radii:
 - i. Multiple-Unit Dwellings and Commercial Uses: Entrances to multiple-unit dwellings and commercial uses shall have a minimum turning radii of fifteen feet (15') and a maximum turning radii of thirty-five feet (35').
 - ii. Entrances to industrial uses shall have a minimum turning radii of twenty feet (20') and a maximum turning radii of thirty five feet (35').
 - f. Intersection Of Sidewalk and Driveway:
 - i. Sidewalk: In locations where a sidewalk is crossed by a driveway, the sidewalk shall be constructed of a permanent, concrete surface with a minimum width of five feet (5').
 - ii. Driveway Aprons: Driveway aprons shall not exceed the width of a driveway by more than three feet (3') on each side of the driveway. Driveway aprons shall be constructed of material as approved by the Village Engineer.
 - iii. A sidewalk shall remain level across the driveway with a running slope not to exceed the grade of the adjacent roadway, and a cross slope not to exceed two percent (2%). Refer to figure 10-8-8-2, "Sidewalk And Driveway Intersection Designs", of this subsection.
- 18) Per Village Code 10-8-8-1: Maximum two-way driveway widths for commercial uses is 26'.
- 19) Per Village Code 10-9-1D Landscape Plan: A landscape plan shall be submitted to the Village as part of any site improvement that meets the criteria of subsection B, "Applicability", of this section, and shall be approved by the Zoning Administrator. The landscape plan shall be evaluated and approved based on the standards included in this chapter.

20) Per 10 – 9 – 3 Design, Installation, and Maintenance, the following requirements apply:

a. Design And Installation:

- i. National Standards: All landscape elements shall be installed in accordance with the practices and procedures established by AmericanHort. Landscape elements shall be healthy and hardy upon installation and shall be planted with appropriate space and soils to ensure sustained growth.
- ii. Soil Requirements: Soil type, volume, width, and depth requirements shall be used as required by this chapter to ensure tree survival and growth. A minimum soil depth of thirty-six inches (36") and minimum planting bed width of six feet (6') is required for all tree planting areas. Refer to figures 10-9-3-1, "Minimum Soil Depth", and 10-9-3-2, "Planting Bed Width", of this subsection. In order to accommodate subsurface root expansion, a minimum volume of one thousand (1,000) cubic feet of structural soil is required per large shade tree or evergreen tree, and a minimum volume of seven hundred fifty (750) cubic feet of structural soil is required per medium shade tree. Whenever possible, tree plantings should be located to connect subsurface root spaces.
- iii. Plant Size Requirements: Landscape elements shall be installed in accordance with table 10-9-3-1, "Required Landscape Size At Installation", of this subsection, unless otherwise noted in this title.
- iv. Species Diversity: Tree and plant species that are native or naturalized to northeastern Illinois, as well as drought- and salt-tolerant plant materials, shall be used as required by this chapter, except for single-unit and two-unit dwellings. Refer to the most recent Morton Arboretum *Northern Illinois Tree Species List* for preferred plant species and table 10-9-3-2, "Species Diversity Requirements", of this subsection, for specifications.
- v. Runoff Infiltration: All required parking lot perimeter landscape, buffer yards, and landscape islands shall be designed to accept and facilitate stormwater runoff infiltration through curb design, adequate soil depth, appropriate plant selection, and site grading to convey stormwater to the landscaped areas. Where practical, all landscaped areas shall create bioretention and infiltration areas to assist in water quality protection and facilitate groundwater recharge.
- vi. Irrigation: Permanent irrigation systems are not required but may be installed as recommended by a landscape architect or the Zoning Administrator. All irrigation systems that are installed shall be designed to minimize the use of water and require certification that the system is water efficient (e.g., EPA WaterSense certified). Irrigation systems are not allowed in the right-of-way.

b. Planting Location and Visibility: All landscape elements shall be located in compliance with the visibility standards of subsections 10-6-6C, "Visibility Obstruction", and 10-8-8D, "Visibility", of this title.

c. Maintenance: All landscape elements shall be maintained in good condition at all times to ensure healthy vegetation and an orderly appearance.

- i. Maintenance Responsibility: Landscape elements, such as vegetation and trees, irrigation systems, fences, and walls, shall be maintained. The property owner shall be responsible for the maintenance, repair, and

replacement of landscape elements to keep them in good condition for the lifespan of the development and/or parking lot.

- ii. Surety: A letter of credit, escrow, performance bond, or other surety as approved by the Zoning Administrator, equal to one hundred twenty five percent (125%) of the value of the landscaping shall remain in place for two (2) years after installation to ensure proper maintenance in accordance with this chapter.
- iii. Establishment Of Landscape Elements: All installed landscape elements shall be watered, fertilized, and replaced as needed until fully established.
- iv. Ongoing Maintenance: All landscape elements shall be maintained in good condition in perpetuity and shall have a healthy, neat, and orderly appearance. Any landscape element that is removed due to disease, damage, death, or any other reason shall be replaced within thirty (30) days after the beginning of the growing season, in accordance with the requirements of this chapter and the approved landscape plan. (Ord. 67-2018, 12-18-2018)

21) Per 10 – 9 – 4B Street Trees, the following requirements apply:

- a. Frequency: Street trees shall be installed at a minimum rate of one large shade tree per forty (40) linear feet. Trees shall be spaced on center, or at a rate that matches the existing tree spacing pattern on adjacent parkways, whichever results in a greater density of tree plantings. Spacing may be adjusted to ensure adequate room for streetlights and utilities, with prior written Zoning Administrator approval.
- b. Tree Wells: Tree wells shall be utilized in locations where the sidewalk extends from the back of the curb to the lot line and there is no parkway present.
- c. Drought And Salt Tolerance: All street trees proposed to be planted shall be drought- and salt-tolerant. Refer to the most recent Morton Arboretum *Northern Illinois Tree Species List* for preferred plant species. (Ord. 67-2018, 12-18-2018; amd. Ord. 74- 2019, 12-17-2019)

22) Per 10 – 9 – 5 Parking Lot Landscaping, the following requirements apply:

- a. Tree Canopy Coverage: Tree canopy coverage requirements shall be met through tree plantings located within perimeter yards (subsection B, "Parking Lot Perimeter Landscape", of this section) and interior landscape islands (subsection C, "Parking Lot Interior Landscape Islands", of this section) such that shade canopy is provided for a minimum of forty percent (40%) of the parking area hardscape, including all parking spaces, travel lanes, and other impervious areas not exempted by this section. Refer to figure 10-9-5-1, "Tree Canopy Coverage", of this subsection.
 - i. Calculation: Coverage credit for each tree shall be calculated using the projected full canopy width of the tree at maturity. Coverage credit for trees planted in perimeter landscape or buffer yards shall be credited in the amount that such plantings cover the parking area hardscape. Refer to the most recent Morton Arboretum *Northern Illinois Tree Species List* for canopy coverage estimates.
 - ii. Loading Area Exemption: Designated loading areas shall be exempt from the amount of parking area hardscape for the purpose of this requirement.
 - iii. Solar Energy Collection Systems: Any portion of this requirement may be met through installation of solar energy collection systems that comply

with the standards of this title and provide shade to the parking area, with the approval of the Zoning Administrator.

- iv. Modification Of Requirements: The Zoning Administrator may modify shading requirements for sites located under power lines or other obstructions that prohibit strict compliance, and grant credit for new off-site trees provided in lieu of required on-site plantings, where appropriate.
- b. Parking Lot Perimeter Landscape: Refer to figures 10-9-5-2, "Location Of Landscape Requirements", and 10-9-5-3, "Parking Lot Perimeter Landscape", of this subsection.

- i. Landscape Requirements:

- 1. Location: Parking lot perimeter landscape shall apply to properties in all zoning districts in which parking facilities are located adjacent to the front or corner side lot line. The parking lot perimeter landscape shall be located directly adjacent to the front or corner side lot line.
- 2. Minimum Parking Lot Perimeter Landscape: A parking lot perimeter landscape with a minimum depth of eight feet (8') is required along the length of the parking lot that abuts the front or corner side lot line, excluding any driveways.
- 3. Landscape Elements: The parking lot perimeter landscape shall meet all of the standards of section 10-9-3, "Design, Installation, And Maintenance", of this chapter and include the following:
 - a. A continuous hedge comprised of individual small shrubs of an appropriate species that are adaptable to being grown as a hedge, with a minimum width of twenty-four inches (24"), spaced thirty-six inches (36") on center, and a maximum height at maturity of thirty inches (30") to forty-two inches (42").
 - b. One large shade tree per thirty (30) linear feet of perimeter area, or one medium shade tree per twenty-five (25) linear feet of perimeter area, or any combination thereof. Trees may be spaced evenly or grouped.
 - c. Any portion of the parking lot perimeter landscape not covered by hedges and trees shall be planted with turf, clump or no-mow grasses, other perennial groundcover, or mulch.
- 4. Fence: Fencing may be installed to further screen the parking lot from view of the street and shall be subject to the following:
 - a. The fence shall be located a minimum of two feet (2') from the back of the parking lot curb to allow for vehicle overhang. The required parking lot perimeter landscape shall be located between the fence and sidewalk to provide visual interest from the street.
 - b. The fence shall be a minimum height of three feet (3') and maximum height of four feet (4').
 - c. A paved opening with a minimum width of three feet (3') shall be provided at least every fifty feet (50') to allow pedestrian access to the parking lot.

- d. Ornamental metal, masonry, and wood are permitted fence materials. Chain link fences are prohibited.

23) Per 10 – 9 – 6: Buffer Yards, the following requirements apply:

- a. Applicability: Buffer yards separate more intensive zoning districts and uses from less intensive zoning districts and uses. A buffer yard is required adjacent to lot lines where the proposed development meets one or more of the following criteria. For the purposes of this section, properties shall not be considered directly adjacent to one another if a public alley or other right-of-way separates the properties. Any reconstruction of existing parking lots of less than fifteen (15) parking spaces shall be exempt from buffer yard requirements. Refer to subsection [10-9-5B](#), figure 10-9-5-2, "Location Of Landscape Requirements", of this chapter and figure 10-9-6-1, "Buffer Yards", of this section.

- i. Non-Residential District: A buffer yard is required if the property is located in the C-1, C-2, I-1, or I-2 District and is directly adjacent to property located in the R-1, R-2, R-3, R-4, R-5, or R-6 Districts.

- b. Buffer Yard Requirements:

- i. The buffer yard shall be located directly adjacent to the affected interior side and/or rear lot line, along the entire length of the lot line.
 - ii. Minimum Buffer Yard Area: The buffer yard shall have a minimum depth of ten feet (10').
 - iii. Landscape Elements: The buffer yard shall include the following:
 - 1. A continuous hedge comprised of individual small shrubs of an appropriate species that are adaptable to being grown as a hedge, with a minimum width of twenty-four inches (24"), spaced thirty six inches (36") on center.
 - 2. One evergreen tree for every ten (10) linear feet of buffer area. Trees may be spaced evenly or grouped.
 - 3. Any portion of the buffer yard not covered by hedges and trees shall be planted with turf, clump or no-mow grasses, perennial groundcover, or mulch.
 - 4. In Residential and Commercial Zoning Districts, a continuous hedge of individual shrubs may be allowed in lieu of providing evergreen trees within a buffer yard with prior written Zoning Administrator approval, provided that the hedge height at maturity is taller than forty two inches (42").
 - iv. Fence: Fences in buffer yards are required in the I-1 or I-2 District when the subject property is directly adjacent to property located in the R-1, R-2, R-3, R-4, R-5, or R-6 District. Fences in buffer yards are optional in all Residential and Commercial Zoning Districts, and in Industrial Zoning Districts when the subject property is not directly adjacent to property located in a Residential District.
 - 1. Location: The fence shall be located along the entire length of the affected interior side or rear lot line.
 - 2. Height: In Residential and Commercial Districts, fences shall not exceed a maximum of six feet (6') in height. In the Industrial Districts, fences shall not exceed a maximum of ten feet (10') in height.
 - 3. Type: Opaque fences are required for buffer yards.

24) Per 10 – 9 – 7 Screening Requirements, the following requirements apply:

- a. Applicability: The requirements of this section apply to refuse areas, ground-mounted mechanical equipment, ground-mounted utilities, outdoor storage areas, and off-street loading areas to screen them from view of the street and adjacent properties.
 - b. Refuse Area, Ground-Mounted Mechanical Equipment, Ground-Mounted Utility, And Outdoor Storage Area Screening Requirements: Refer to figure 10-9-7-1, "Refuse Area, Ground-Mounted Mechanical Equipment, Ground-Mounted Utility, And Outdoor Storage Area Screening", of this section.
 - i. Location: Refuse areas shall be located in the interior side yard or rear yard. Refer to subsections [10-7-3W](#), "Outdoor Storage Area", and 10-7-4C13, "Mechanical Equipment", of this title for location requirements for outdoor storage and ground-mounted mechanical equipment standards.
 - ii. Opaque Fence Or Wall: The refuse area or outdoor storage area shall be completely screened by an opaque masonry wall or fence on three (3) sides, and an opaque gate on the fourth side. The wall of a principal structure may serve as a screening wall.
 - 1. Height: The fence or wall shall not exceed eight feet (8') in height.
 - 2. Complementary Design: Screening elements should complement the architectural style of the primary building on-site and use building materials similar to those used for the primary building.
 - 3. Gate: The enclosure of the refuse area or outdoor storage area shall be gated, and remain locked except during times of refuse deposit or collection.
 - iii. Landscape Elements: Landscape shrubs or native grasses may be installed on three (3) sides of the area, with plantings located between the fencing and back of curb, and screening the full length of each side. Installed shrubs shall form a continuous hedge comprised of individual small shrubs of an appropriate species that are adaptable to being grown as a hedge, with a minimum width of twenty four inches (24"), spaced thirty six inches (36") on center.
 - c. Off-Street Loading Area Screening Requirements: The area adjacent to any off-street loading areas, shall be treated with landscaping and buffering per the requirements of subsection 10-9-5B, "Parking Lot Perimeter Landscape", of this chapter.
- 25) Per 10 – 9 – 8 Outdoor Lighting, the following requirements apply:
- a. Applicability: Outdoor lighting standards prevent light trespass, promote energy efficiency, and minimize light pollution. The requirements of this section apply to all new or replacement outdoor lighting, with the exception of unshielded lighting for holiday decorations or permitted temporary uses as established in section [10-7-5](#), "Temporary Structures And Uses", of this title. The Zoning Administrator may impose reasonable restrictions on the use of such lighting for temporary uses as necessary to protect the health, safety, and welfare of the public.
 - b. General Requirements
 - i. Photometric Plan: A photometric plan prepared by a professional shall be approved by the Zoning Administrator prior to installation of outdoor light fixtures for non-residential uses.
 - ii. Prohibited Lighting: Any outdoor lighting that may be confused with a traffic control device shall be prohibited except as authorized by Federal,

- State, County, or local government. Flashing lights, strobe lights, and laser lights are prohibited.
- iii. Design That Prevents Glare: All lighting shall be designed to prevent glare and interference with residential property, and motor vehicle, bicycle, and pedestrian traffic.
 - iv. Fixtures: All new and replacement outdoor lighting shall employ full cut-off or fully shielded fixtures.
 - v. Facade Illumination: Building facade illumination shall be limited to fully shielded fixtures directed towards the facade. All light from such fixtures shall be concentrated on the exterior wall surface of the building being illuminated.
 - vi. Automatic Lighting Controls: All outdoor lighting on non- residential properties shall be controlled by a photo sensor, occupancy sensor, or timer to automatically reduce outdoor lighting when sufficient daylight is available, and to automatically extinguish lights no more than one hour following the close of business, excluding security lighting.
 - vii. Energy-Efficient Technology: The use of light emitting diodes (LED) or similar technology is encouraged.
- c. Illumination Standards:
- i. Illumination:
 - 1. Non-Residential Uses: Outdoor lighting shall not exceed one foot-candle at any point on a lot line for a lot containing a non-residential use, unless otherwise specified in this title.
 - ii. Height: The maximum height of light poles and building-mounted lighting is established in this section unless otherwise required by title 9, "Building Regulations", of this Code.
 - 1. Non-Residential Uses: Light poles and building-mounted fixtures shall not exceed twenty four feet (24') in height for non-residential uses. Light poles for educational facilities or outdoor recreational facilities shall not exceed sixty feet (60') in height. Outdoor lighting for all outdoor recreation areas is subject to review of building permit and photometric plan.

Applicant Response:

APPROVAL STANDARDS FOR VARIATIONS:

1. Public Welfare: The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: Our childcare center (Primavera School) will not endanger the health, safety, comfort, convenience, and general welfare of the public.

2. Neighborhood Character: The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Our childcare center (Primavera School) is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

3. Orderly Development: The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Our childcare center (Primavera School) will not impeded the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

4. Use of Public Services and Facilities: The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: Our childcare center (Primavera School) will not require utilities, access roads, drainage, and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Our childcare center (Primavera School) is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Approval Standards for Special Use Permits	Meets Standard	
	<i>Yes</i>	<i>No</i>
1. Public Welfare	X	
2. Neighborhood Character	X	
3. Orderly Development	X	
4. Use of Public Services and Facilities	X	
5. Consistent with Title and Plan	X	

RECOMMENDATIONS:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit, Day Care Center at 1347 W. Irving Park Rd with the following conditions:
 - a. The Special Use Permit be granted solely to Primavera School and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is

- inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
- b. Before a Certificate of Occupancy can be issued, the Village needs to receive documentation of such State and County approvals and licenses.

Respectfully Submitted,
Department of Community & Economic Development

The CDC recommendation will be forwarded to the Village Board Committee of the Whole meeting on Tuesday, April 16, 2024, at 6:30pm in the Village Hall Board Room. A representative must be present for this meeting. Final decision on the case will be made at this Village Board of Trustees meeting on Tuesday, April 23, 2024, at 6:30pm in the Village Hall Board Room. A representative is not required to be present for this meeting.

Village of Bensenville
Board Room
12 South Center Street
DuPage and Cook Counties
Bensenville, IL, 60106

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

April 2, 2024

CALL TO ORDER: The meeting was called to order by Chairman Rowe at 6:30p.m.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

STAFF PRESENT: K. Pozsgay, K. Quinn, C. Williamsen

JOURNAL OF

PROCEEDINGS: The minutes of the Community Development Commission Meeting of the March 5, 2024 were presented.

Motion: Commissioner Chambers made a motion to approve the minutes as presented. Commissioner Marcotte seconded the motion.

All were in favor. Motion carried.

Director of Community and Economic Development, Kurtis Pozsgay and Village Planner, Kevin Quinn were present and sworn in by Chairman Rowe.

PUBLIC

COMMENT: There was no Public Comment.

Continued

Public Hearing: CDC Case Number 2024-03

Petitioner: 2540 Flournoy LLC

Location: 740 County Line Road

Request: Site Plan Review

Municipal Code Section 10-3-2

Special Use Permit, Medium Industrial

Municipal Code Section 10-7-2-1

Variation, Driveway Width Requirements

Municipal Code Section 10 – 8 – 8c

Variation, Tree Replacement Rate Requirements

Municipal Code Section 10 – 9 – 2B1

Motion: Commissioner Rott made a motion to re-open CDC Case No. 2024-03. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe re-opened CDC Case No. 2024-03 at 6:32 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on February 15, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on February 15, 2024. Mr. Pozsgay stated on February 15, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, 2540 Flournoy LLC, is seeking approval of a site plan review, special use permit and two variances. Mr. Pozsgay stated the special use permit is to allow a medium industrial use (chemicals will be mixed on site) in a light industrial district. Mr. Pozsgay stated the first variance seeks to extend the driveway width beyond the 30 feet maximum, as stated in Municipal Code 10 – 8 – 8c. Mr. Pozsgay stated the proposed driveway exiting onto George Street would be 30.3 feet and the proposed driveway width exiting onto County Line Road would be 41.7 feet. Mr. Pozsgay stated the second variance is due to not being able to meet the tree replacement standards. Mr. Pozsgay stated they believe that meeting the Village Requirements stated in Municipal Code Section 10 – 9 – 2B1 would result in overplanting.

Jeff Hamilton of 2540 Flournoy LLC, were present and sworn in by Chairman Rowe. Mr. Hamilton stated 2540 Flournoy LLC attempted to host an open house to help educate the Public with their production in Elk Grove Village that they plan to move to Bensenville. Mr. Hamilton stated one neighbor showed up and they had a great conversation. Mr. Hamilton stated there is no steam, vapors or odors as a result of their operations. Mr. Hamilton stated in the past year, 2540 Flournoy LLC has one reported issue to OSHA from their Elk Grove Village location. Mr. Hamilton stated daily inspections occur at their facilities.

John Gross, Design Engineering hired by 2540 Flournoy, LLC was present and sworn in by Chairman Rowe. Mr. Gross stated he was aware of the concerns of trucks exiting the property and traveling west on George Street. Mr. Gross stated best practices would be to place signage on the property directing trucks to only exit the property traveling east on George Street and to educate staff on site to direct trucks when they leave the premise.

Commissioner Rowe asked how the well trap operated. Mr. Hamilton stated it's a pump that will drain into the sanitary sewer line.

Commissioner Wasowicz asked how the open house was promoted. Mr. Hamilton stated they placed signage outside on the property.

Matt Cronin, Architect, was present and sworn in by Chairman Rowe. Mr. Cronin stated they attempted to get a list of Commissioners and Village Board members from Staff to invite for the open house but were told because of conflicts, they could not obtain the list. Mr. Cronin stated shortly after they placed signage on the property, it was removed by someone.

Mr. Pozsgay stated Staff received direction from Legal that Commissions and Village Board members attending an open house would be in violation of the Open Meetings Act and that the place for discussion was in this meeting.

Commissioner Wasowicz asked for clarification on the size of tanks being proposed on site vs what is currently at the Elk Grove Location. Mr. Hamilton confirmed the proposed size tanks are going to be larger than what is currently in Elk Grove Village.

Commissioner Marcotte asked if there was a different site in Bensenville that would meet their needs. Mr. Hamilton stated he was unable to answer that question.

Commissioner Marcotte stated she was against the proposed operations moving into Bensenville being this close to Residential. Commissioner Marcotte raised concerns that it only takes one accident to affect the neighborhood.

Public Comment

Anna Lysy – 751 John Street, Bensenville, Illinois 60106

Mr. Lysy was present and sworn in by Chairman Rowe. Ms. Lysy stated the property behind her house dumps plastic containers behind their property and she fears the same would happen here. Mr. Pozsgay stated he will direct Staff to address the issue occurring behind Ms. Lysy's property.

Jennifer Yoo – 751 John Street, Bensenville, Illinois 60106

Mr. Yoo was present and sworn in by Chairman Rowe. Ms. Yoo raised concern with safety protocols should a event occur. Ms. Yoo shared a story of a chemical plant explosion in Texas in 2019. Ms. Yoo shared that the explosion caused the evacuation of properties within a two mile radius and a shelter in place order within a five mile radius. Ms. Yoo shared a list of Village properties that would be effect should a two mile radius evacuation occur. Ms. Yoo asked what protocols would be put into place by the company should a explosion occur and evacuations are needed; how will the Public be notified and where will they go?

Linda Bratland – 915 John Street, Bensenville, Illinois 60106

Ms. Bratland was present and sworn in by Chairman Rowe. Ms. Bratland stated the proposed operation belongs in an industrial park, not a residential area. Ms. Bratland stated the proposed site is too small for their operation.

Mr. Hamilton shared a list of chemicals that would be stored and mixed on the property. The list has been attached to the minutes as "Exhibit A".

Mr. Pozsgay reviewed the approval standards for site plan review:

1. **Surrounding Character:** The site plan for the proposed development is consistent with the existing character and

zoning of adjacent properties and other property within the immediate vicinity of the proposed development.

Applicant's Response: The subject parcel is zoned I-1. This aligns with the other adjacent properties to the north and south along County Line Road. The properties along the west side of County Line Road are primarily smaller industrial uses, and the uses on the east side are larger industrial. The parcel to the west is zoning R-2, a Single-Unit Dwelling District.

2. **Neighborhood Impact:** The site plan for the proposed development will not adversely impact adjacent properties and other properties within the immediate vicinity of the proposed development.

Applicant's Response: The proposed site plan will contain proposed truck movements within the site limits. While additional vehicular traffic is expected on-site compared to its existing vacant condition, adequate landscape screening is proposed along the western and southern property lines for neighboring properties. Additional landscape is also proposed along the northern property line to provide screening to George Street. Proposed lighting will follow Village of Bensenville requirements and will limit the footcandles along the property lines.

3. **Public Facilities:** The site plan for the proposed development will be provided with adequate utilities, access roads, parking, loading, drainage, stormwater flow paths, exterior lighting, and/or other necessary facilities.

Applicant's Response: Associated utilities for the proposed building include gas, electric, telecommunications, storm, sanitary, and water. Please refer to the included utility plan for details.

4. **Environmental Preservation:** The site plan for the proposed development is designed to preserve the environmental resources of the zoning lot.

Applicant's Response: The existing site is currently open space with an existing curb cut to County Line Road. While the site will be paved as needed to accommodate vehicular

movements on-site, additional plantings will be installed per Village of Bensenville requirements.

5. **On-Site Pedestrian Circulation System:** The site plan shall accommodate on-site pedestrian circulation from parking areas, plazas, open space, and public rights-of-way. Pedestrian and vehicular circulation shall be separated to the greatest extent possible.

Applicant's Response: The proposed site plan includes sidewalk for pedestrian traffic from public ROW and proposed ADA parking stalls. The site also accounts for a future right-of-way dedication along County Line Road.

6. **Vehicle Ingress and Egress:** The site plan shall locate curb cuts for safe and efficient ingress and egress of vehicles. The use of shared curb cuts and cross-access easements shall be provided when appropriate.

Applicant's Response: Two curb cuts are proposed as part of the development. One is located at the southeast corner of the site, connecting to County Line Road, and one is at the northwest corner of the site, connecting to George Street. The curb cuts are located as far from the existing intersection as possible to limit vehicular conflicts. Truck movements have been analyzed using Vehicle Tracking software. A WB-67 truck has been modeled to enter the site from County Line Road and leave the site via George Street.

7. **Architectural Design:** The site plan for the proposed development includes architectural design that contributes positively to the Village's aesthetic appearance.

Applicant's Response: The proposed development will adhere to the Village's design requirements for the industrial district including façade articulation and material standards. The proposed design includes a primarily natural colored stone or brick façade with accents of precast concrete wall panels. The building will follow suit with the architectural character of the Eastern Business District.

8. **Consistent with Title and Plan:** The site plan for the proposed development is consistent with the intent of the

Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The site falls within the Eastern Business District of the Comprehensive Plan. The future use is proposed to be commercial/industrial flex. As part of the proposed improvements, stormwater drainage will be designed in accordance with the Village of Bensenville standards, and the DuPage County Countywide Stormwater & Floodplain Ordinance.

Mr. Pozsgay reviewed the approval standards for the special use:

1. **Public Welfare:** The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: The proposed medium industrial use will not pose any health, safety, comfort, convenience, or general welfare concerns. This facility will manufacture and distribute dishwashing detergents and sanitizers for commercial dishwashing. The manufacturing activity on site can be described as diluting commodity corrosive liquids in stainless steel tanks for transfer into consumer-sized bottles. All life safety systems required by the building code will be provided, including secondary containment.

2. **Neighborhood Character:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed medium industrial use is compatible with the adjacent properties within the industrial zone of Bensenville and the adjacent industrial area of Franklin Park. It does not represent a significant change in use from the neighboring properties.

3. **Orderly Development:** The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed medium industrial use will not impede the development and improvement of adjacent properties within the immediate vicinity. This use is similar to the existing adjacent properties in the area.

4. **Use of Public Services and Facilities:** The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: The proposed special use will not require any disproportionate needs or demand that would place an undue burden upon the existing development in the area. These items are expected to be typical for a facility of this size.

5. **Consistent with Title and Plan:** The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed special use does not represent a significant change in use from the neighboring properties, or allowable uses under the Village's Zoning Ordinance. The Village's Comprehensive Plan identified several vacant and underutilized properties available for redevelopment in the Eastern Business District, which would include the proposed site for this special use. The medium industrial use is consistent with the surrounding character of the Village.

Mr. Pozsgay reviewed the approval standards for variations:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response:

Tree Removal: In discussions with the Village Forestry Division, overplanting on site is a concern. The amount of trees required may affect the chances of survival of the proposed trees. The Owner is open to a discussion as to

what the best route forward is. Paying the applicable fee to reduce the number of trees does not endanger the health, safety, comfort, convenience, and general welfare of the public.

Driveway: Due to the trucks that will enter the site, wider driveways are required on the east and north sides of the site. Truck turning movement diagrams have been included as part of this submittal, showing the truck path to the loading dock, and leaving the site. Driveways have been sized as efficiently as possible to meet the needs of the site. The larger driveways do not represent a danger to the health, safety, comfort, convenience, and general welfare of the public.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response:

Tree Removal: The proposed planting plan will improve the landscape of the current site, and will align with the adjacent uses.

Driveway: The proposed driveway is compatible with the character of the adjacent properties to the north, east, and south. The area is predominantly industrial, as is the proposed use. Various driveways along County Line Road appear to be similar widths, also exceeding the Village of Bensenville allowable widths.

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response:

Tree Removal: As noted above, the hardship is dependent on the Village Forestry Division's interpretation of how close trees can be to survive and overcrowding on site. Paying the fee in lieu of replacement will still provide benefit to the Village for the trees being removed, while ensuring success of the replacement trees planted on site.

Driveway: Without a variance for the driveway width, the end user will not be able to conduct the required business operations on site. The end user requires a WB-67 truck to

pass through the site for deliveries critical to the functionality of the business.

4. **Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response:

Tree Removal: Due to the necessary truck movements through the site, width of the parcel, building size, required parking, and setbacks, the open space available to provide replacement trees is limited. This creates a challenge fitting the required number of tree replacement per Village code.

Driveway: Due to the width of the property, it is not feasible to achieve the standard driveway width per Village code. Different vehicle movement patterns have been analyzed to understand alternatives, and the presented site plan results in the least chance of truck movements into George Street or County Line Road.

5. **Minimum Deviation Needed:** The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response:

Tree Removal: The design team has provided tree spacing which provides enough space to ensure growing success. As noted above, the landscape design will defer to the Village Forestry Department as to what is the best long-term approach for tree locations. Additional trees which are not being replaced will be accounted for via the fee in lieu.

Driveway: Driveway widths have been made only as wide as necessary to accommodate the incoming and outgoing truck movements.

6. **Consistent with Ordinance and Plan:** The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response:

Tree Removal: The planting and tree selection will follow Village Code and the Commercial / Industrial flex use

within the Eastern Business District requirements in the Comprehensive Plan.

Driveway: The proposed use and driveway width align with the uses listed in the Eastern Business District within the Comprehensive Plan.

Mr. Pozsgay stated:

1. Staff recommends the Denial of the Findings and therefore the denial of the Special Use Permit.
 - a. Should the CDC or Village Board recommend approval, staff recommends the following conditions:
 - i. Site Plan Review:
 1. The property be developed in general compliance, except as amended herein, with the plans submitted by Charles Vincent George Architects, G2 Consulting, and Kimley-Horn dated 01/04/2024 revised 02/28/24, and all other Village Code Requirements;
 2. Applicant shall provide a sidewalk along the property within the George Street right-of-way and a 10' multi-use path along the property within the County Line Road right-of-way to be approved by Public Works/Engineering during permitting;
 3. Final architectural design of the principal structure and parking blocks/bollards to be approved by Zoning Administrator prior to permit approval;
 4. Final mechanical equipment screening (rooftop and ground) to be approved by Zoning Administrator prior to permit approval;
 5. Applicant shall coordinate with staff during permitting to provide street trees when feasible within portions of the right-of-way where adequate spacing is present;

6. All landscape requirements outside of received variations shall be met during permitting. Final Landscape plan to be approved by zoning administrator prior to permit approval;
 7. All illumination standards as outlined in Village Code section 10-9-8 Outdoor Lighting shall be met at permitting;
 8. Applicant shall coordinate with staff to ensure proper striping and directional signage for the site during the permitting process.
 - ii. Special Use Permit:
 1. The Special Use Permit be granted solely to Auto Chlor System and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit.
2. Staff recommends the Approval of the Findings and therefore the approval of the Findings for the Variation for Driveway Width.
 - a. Applicant to work with staff on eliminating turning movements for trucks going west on George St.
 - b. Applicant to work with staff on design and placement of the County Line Rd driveway.

3. Staff recommends the Approval of the Findings and therefore the approval of the Findings for the Variation for Tree Replacement Rate.
 - a. Additional trees shall be added to the site on the final landscape plan where feasible. If tree replacement rates cannot be fully met on the final landscape plan for the property, then applicant shall coordinate with staff to determine an appropriate fee-in-lieu for the remaining required tree replacement, to be approved by the Zoning Administrator.

There were no questions from the commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-03. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-03 at 7:30 p.m.

Motion: Commissioner Marcotte made a motion to approve Special Use Permit, Medium Industrial; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: None

Nays: Rowe, Chambers, Marcotte, Rott, Wasowicz

Motion failed.

Motion: Commissioner Marcotte made a motion to approve Variation, Driveway Width Requirements; Municipal Code Section 10-8-8c with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte

Nays: Rott, Wasowicz

Motion carried.

Motion: Commissioner Chambers made a motion to approve Variation, Tree Replacement Rate Requirements; Municipal Code Section 10-9-2B-1 with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Wasowicz

Nays: Rott

Motion carried.

Continued

Public Hearing: CDC Case Number 2024-04
Petitioner: Bensenville Park District
Location: 500 West Jefferson Street
Request: Variation, Electronic Message Sign Location
Municipal Code Section 10 – 10 – 5 – 4A3
Variation, Monument Sign Height
Municipal Code Section 10 – 10 – 5 – 8c

Motion: Commissioner Marcotte made a motion to re-open CDC Case No. 2024-04. Commissioner Rott seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe re-opened CDC Case No. 2024-04 at 7:36 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on February 15, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on February 15, 2024. Mr. Pozsgay stated on February 15, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for

viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Bensenville Park District, is seeking approval of two variations. Mr. Pozsgay stated the first variation seeks to allow an electronic message sign within one mile of an established electronic message sign. Mr. Pozsgay stated the sign is located within one mile of an electronic message sign located at 1047 S York Road, thus requiring a variation from the requirements of the existing code. Mr. Pozsgay stated the proposed sign will be placed in the same location as the existing monument sign along Jefferson Road. Mr. Pozsgay stated the second variation seeks to allow the monument sign upon which the electronic message sign is based to exceed the maximum height allowed for monument signs- 8 feet. Mr. Pozsgay stated the proposed monument sign would be 8.75 feet. Mr. Pozsgay stated the total sign area for the electronic message sign is approximately 23.08 SF. Mr. Pozsgay stated this covers less than 50% of the total monument sign area.

Jospeh Vallez, Bensenville Park District Director, was present and sworn in by Chairman Rowe. Mr. Vallez stated he was present to answer any questions the Commission has.

Commissioner Marcotte asked what took so long for the Park District to update the signage. Mr. Vallez explained that at the Park District Board's direction, they explored the possibility of selling the property. Mr. Vallez stated after it was determined they would not sell the property, the Park District is no investing a lot of money into revamping the golf course.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the approval standards for variations:

1. Public Welfare: The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: Yes, the proposed variation will not endanger the health, safety, convenience, and general welfare of the public.

2. Compatible with Surrounding Character: The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response: The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

3. Undue Hardship: The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: Yes, the proposed variation alleviates an undue hardship created by the literal enforcement of this title.

4. Unique Physical Attributes: The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: Yes, the proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

5. Minimum Deviation Needed: The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: Yes, the proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvements of the subject property.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Yes, the proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Variation for Electronic Message Sign Location with the following conditions:

- a. Applicant must adhere to all illumination standards outlined in Village Code Section 10-10-5B-4d.
2. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Monument Sign Height with the following conditions:
 - a. Applicant must adhere to all landscaping standards outlined in Village Code Section 10-10-5B-8c.

There were no questions from the commission.

Motion: Commissioner Marcotte made a motion to close CDC Case No. 2024-04. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-04 at 7:45 p.m.

Motion: Commissioner Chambers made a motion to approve Variation, Electronic Message Sign Location; Municipal Code Section 10-10-5-4A-3 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Marcotte made a motion to approve Variation, Monument Sign Height; Municipal Code Section 10-10-5-8c with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-06
Petitioner: Partner Carries, Inc.
Location: 211 Beeline Drive, Unit 1
Request: Special Use Permit, Motor Vehicle Repair and/or Service
Municipal Code 10 – 7 – 2 – 1

Motion: Commissioner Rott made a motion to open CDC Case No. 2024-06. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-06 at 7:47 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Northside Automotive, is seeking approval of a special use permit for motor vehicle repair and/or service. Mr. Pozsgay stated they wish to “complete body work on higher end vehicles without the need to store vehicles outside.” Mr. Pozsgay stated the property is currently within an I – 2 General Industrial District, where motor vehicle repair and/or service are allowed with a special use permit. Mr. Pozsgay stated the site is .31 acres.

Marshall Subach, Attorney, was present and sworn in by Chairman Rowe. Mr. Subach stated his client did not own the building under the previous user. Mr. Subach stated the property has been cleaned up by his client. Mr. Subach shared that his client has been operating in Chicago for twelve years and will remain there as well. Mr. Subach stated there is already a paint booth on site.

Sair Arapovic, owner of Northside Automotive was present and sworn in by Chairman Rowe. Mr. Arapovic provided an overview of his operations and the need for a closer location to the suburbs. Mr. Arapovic stated he works on high end vehicles; all body repair.

Commissioner Chambers asked what the maximum storage of vehicles inside would be. Mr. Arapovic stated eight vehicles.

Commissioner Rott asked why the petitioner shared that he only works on high end vehicles. Mr. Arapovic explained that with the vehicles being high end, there would be no need for the vehicles to be stored outside.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the Approval Standards for the proposed special use consisting of:

1. **Public Welfare:** The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: The proposed Special Use will not endanger the health, safety, comfort, convenience and general welfare of the public. The proposed use for automotive repair is Special Use in the I-2 District. The proposed tenant will complete all body work on the interior of the building in compliance with all existing codes.

2. **Neighborhood Character:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Automotive repair is compatible with all of the existing industrial users within the 211 Beeline development and is consistent with the general character of the adjacent properties which are all industrial users. There is existing truck repair and auto repair located within the 211 Beeline building within other units.

3. **Orderly Development:** The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: All of the adjacent properties are improved with existing industrial users. The granting of the Special Use will have no effect on and future redevelopment, if any, of adjacent properties.

4. **Use of Public Services and Facilities:** The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: The proposed use will not require any expansion or strain on community facilities or services to a degree that is disproportionate to normal activities in the I2 district. The granting of the Special Use Permit will also not require any new utilities, access roads, drainage or other facilities.

5. **Consistent with Title and Plan:** The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Under the Comprehensive Plan, the Subject Property falls under the Northern Business District. The proposed development fulfills the objective of the Bensenville Comprehensive Plan to support regional growth of existing industrial properties and the rehabilitation of the existing industrial sites. Approval of the Special Use Permit will also fulfill a goal of supporting

existing property owners and wanting to fill existing vacant units with viable businesses to support the residents and tax base.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit with the following conditions:
 - a. The Special Use Permit be granted solely to Northside Automotive and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit.
 - b. A triple catch basin must be installed.
 - c. No outdoor storage of motor vehicles is permitted.

There were no questions from the commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-06. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-06 at 8:03 p.m.

Motion: Commissioner Marcotte made a motion to approve the Special Use Permit, Motor Vehicle Repair and/or Service; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-07
Petitioner: Jay Adkins
Location: 352 South Church Road
Request: Variation, Fence in the Corner Side Yard
Municipal Code Section 10 – 7 – 4C – 7a

Motion: Commissioner Marcotte made a motion to open CDC Case No. 2024-07. Commissioner Chambers seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-07 at 8:04 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Jay Adkins, is seeking approval of a variation in order to construct a fence in the corner side yard of their property. Mr. Pozsgay stated the proposed fence is a 5-foot solid vinyl fence with an additional foot of lattice. Mr. Pozsgay stated the proposed fence will extend 24' south towards 2nd Avenue, running 70' parallel to 2nd Avenue.

Mr. Pozsgay stated the proposed fence does not impact the west adjacent property driveway sight vision triangle.

Jay Adkins, property owner, was present and sworn in by Chairman Rowe. Mr. Adkins reviewed the proposed fence. Mr. Adkins stated the need for the fence is for his children and dogs.

There were no questions from the Commission.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the Approval Standards for the proposed variation consisting of:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: This proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response: This proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: The proposed variation alleviates the hardship of containing small children and pets from venturing towards the street into harm's way.

4. **Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: The proposed variation is necessary due to the unique physical attributes of our property, being the busy vehicular traffic on the cross street that border our property.

5. Minimum Deviation Needed: The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: The proposed variation represents the minimum deviation from the regulations of this title necessary to extend our backyard fence further south into the corner side yard.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed variation has proven to be consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Variation, Fence in the Corner Side Yard at 352 S Church Rd with the following conditions:
 - a. Fence shall be setback 1 foot from the south (2nd Avenue) property line, as shown in plans;
 - b. Fence shall be 5 feet high with an additional 1 foot of lattice, as proposed by the applicant.

There were no questions from the commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2024-07. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-07 at 8:09 p.m.

Motion: Commissioner Marcotte made a motion to approve the Variation, Fence in the Corner Side Yard; Municipal Code Section 10-7-4C-7a with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-08
Petitioner: Rocio Olvera
Location: 1347 West Irving Park Road
Request: Special Use Permit, Day Care Center
Municipal Code Section 10 – 7 – 2 – 1

Motion: Commissioner Chambers made a motion to open CDC Case No. 2024-08. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-08 at 8:10 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Primavera School, represented by Rocio Olvera, is requesting approval of a Special Use Permit for a day care center at 1347 W Irving Park Rd. Mr. Pozsgay stated the site is currently a vacant lot of roughly .45 acres. Mr. Pozsgay stated the building size is projected to be 8,000 square feet. Mr. Pozsgay stated no variances are sought at this time.

Rocio Olvera, business owner, was present and sworn in by Chairman Rowe. Ms. Olvera shared a power point presentation of the proposed operations. The power point has been attached to the minutes as “Exhibit B”. Ms. Olvera stated her mother has successfully operated a daycare location in Stone Park for the past twenty five years and this would be their second location.

Commissioner Rott asked what the proposed hours would be. Ms. Olvera stated the daycare would operate from 5:00am – 7:00pm.

Commission Rott asked what type of certifications are needed for the teachers. Ms. Olvera explained the requirements.

Public Comment

Nancy Ingold – 10 South Meadow Court, South Barrington, Illinois

Ms. Ingold was present and sworn in by Chairman Rowe. Ms. Ingold raised concern with parking on the proposed site and concerns with a long line of traffic trying to exit the property during pickup time.

Linda Bratland – 915 John Street, Bensenville, Illinois 60106

Ms. Bratland was present and sworn in by Chairman Rowe. Ms. Bratland stated she fully supports daycares, however, she feels that the applicant would have a difficult time filling spots with the other options available to Residents in town. Ms. Bratland also raised concern with the hours of operation.

Commissioner Chambers shared that his family is currently on a waitlist for after school programs for his children and supports the need for more daycare options in town.

Mr. Pozsgay reviewed the Approval Standards for the proposed special use permit consisting of:

1. Public Welfare: The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: Our childcare center (Primavera School) will not endanger the health, safety, comfort, convenience, and general welfare of the public.

2. Neighborhood Character: The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Our childcare center (Primavera School) is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

3. Orderly Development: The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Our childcare center (Primavera School) will not impeded the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

4. Use of Public Services and Facilities: The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: Our childcare center (Primavera School) will not require utilities, access roads, drainage, and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Our childcare center (Primavera School) is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit, Day Care Center at 1347 W. Irving Park Rd with the following conditions:
 - a. The Special Use Permit be granted solely to Primavera School and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
 - b. Before a Certificate of Occupancy can be issued, the Village needs to receive documentation of such State and County approvals and licenses.

Mr. Pozsgay stated Staff would also like to add the following condition:

Application must work with Staff on a Parking and Traffic management plan.

There were no objections from the Commission.

Commissioner Wasowicz asked why the application was seeking the special use before the property is even developed. Ms. Olvera explained they want to ensure their operation would be allowed before they close on the property.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-08. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-08 at 8:30 p.m.

Motion: Commissioner Marcotte made a motion to approve the Special User Permit, Day Care Center; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-09
Petitioner: Playful Minds Therapy of Bensenville
Location: 2 South Addison Road
Request: Special Use Permit, Day Care Center
Municipal Code Section 10 – 7 – 2 – 1

Motion: Commissioner Rott made a motion to open CDC Case No. 2024-09. Commissioner Wasowicz seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-09 at 8:31 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and

inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Playful Minds Therapy of Bensenville, represented by Wajahat Macci and Maliha Khan, is seeking approval of a Special Use Permit at 2 S Addison St. Mr. Pozsgay stated Playful Minds Therapy wishes to operate a specialized day care center at this location. Mr. Pozsgay stated it is a standalone building with two storefronts, roughly 5,400 square feet. Mr. Pozsgay stated this day care center will offer occupational therapy and other forms of therapy centered at aiding individuals with autism. Mr. Pozsgay stated in the past, there was previously a day care center at this location.

Wajahat Macci, business owner, was present and sworn in by Chairman Rowe. Mr. Macci provide an overview of their operations. Mr. Macci stated they offer therapy to autistic children from the ages of two to sixteen years old. Mr. Macci stated the majority of their operation is done digitally but there is a need for in person meetings.

Commissioner Rott asked how drop off and pickups would work with the limited space. Mr. Macci stated the operation is similar to a doctors appointment where the child will be dropped off and pick up; all are done via appointments.

Commission Rott asked how many people would be on site at once. Mr. Macci stated the occupancy would be thirty but feels they would never reach that amount.

Public Comment

Linda Bratland – 915 John Street, Bensenville, Illinois 60106

Ms. Bratland was present and sworn in by Chairman Rowe. Ms. Bratland asked if the operation would also include weekends. Ms. Bratland raised concern with limited downtown parking for the proposed operations.

Mr. Macci stated they will offer weekend appointments.

Mr. Pozsgay stated Staff feels there is enough downtown parking for the proposed operations. Ms. Bratland stated she disagrees.

Mr. Pozsgay reviewed the Approval Standards for the proposed special use permit consisting of:

1. Public Welfare: The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: Yes, it will not do the following.

2. Neighborhood Character: The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Yes, it is compatible within the vicinity.

3. Orderly Development: The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Yes, it will not impede the normal and orderly development of adjacent.

4. Use of Public Services and Facilities: The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: Yes, it will not require such a need.

5. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Yes, it is consistent with the comprehensive plan and land use policies.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit, Day Care Center at 2 S. Addison with the following conditions:
 - a. The Special Use Permit be granted solely to Playful Minds Therapy of Bensenville and shall be transferred only after a review by the Community Development

- Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
- b. Before a Certificate of Occupancy can be issued, the Village needs to receive documentation of such State and/or County approvals and licenses.
 - c. The two parking spaces along Addison St will remain short term temporary parking for loading and unloading only.
 - d. The area currently blocked off next to the railroad tracks will remain so. This is not to be accessed by any vehicles at any time.

There were no questions from the Commission.

Motion: Commissioner Marcotte made a motion to close CDC Case No. 2024-09. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-09 at 8:48 p.m.

Motion: Commissioner Chambers made a motion to approve the Special User Permit, Day Care Center; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-10
Petitioner: Village of Bensenville
Location: Village of Bensenville
Request: Text Amendments, Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses) Chapter 11 (Definitions)

Motion: Commissioner Wasowicz made a motion to open CDC Case No. 2024-10. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-10 at 8:49 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.

Mr. Pozsgay stated The Village of Bensenville is seeking the aforementioned text amendments in order to refine the 2019 Village Zoning Ordinance. Mr. Pozsgay stated in late 2018, the Village underwent a complete overhaul of its current Zoning Ordinance, which had been adopted in 1999. Mr. Pozsgay stated since the introduction of the current Ordinance, Staff has been able to identify certain shortcomings while enforcing the regulations and implementing the refurbished zoning application procedures. Mr. Pozsgay stated the proposed amendments are summarized as follows:

- Designation of a Definition for Electric Vehicles (EVs) and associated terms
- Establishment of Use standards for Electric Vehicle Charging Stations

There were no questions from the Commission.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the Approval Standards for the proposed text amendments consisting of:

- 1) **Public Welfare:** The proposed amendments will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: Since the adoption of the 2019 Zoning Ordinance, a complete overhaul of the previous Code, Staff has been able to find areas for improvement within the code.

The amendment to the code requirements for Electric Vehicles and Electric Vehicle Charging Stations will not endanger the health, safety, comfort, convenience, and general welfares of the public. The proposed amendments for Electric Vehicle definitions clarify aspects of the installation process for Electric Vehicles and make the process more accessible for village residents. The proposed amendments for Use standards allow Electric Vehicle Charging Standards to have a cohesive appearance and level of safety across the village. The proposed amendments keep in consideration and ensure that the general welfare of the public is not impacted.

- 2) **Amendment Objective:** The proposed amendments correct an error, add clarification, or reflect a change in policy.

Applicant's Response: The proposed amendments are requested to improve and refine the Zoning Ordinance to allow for orderly development in accordance with modern development techniques and add clarification and flexibility for common residential and commercial property zoning considerations.

- 3) **Consistent with Ordinance and Plan:** The proposed amendments are consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed amendments are consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village. Amendments do not contrast Village goals and guidelines, as the amendments are focused on maintaining and promoting orderly land use patterns and development,

protect the Village's quality of life and the character of its neighborhoods by ensuring that development is compatible and cohesive, and to promote development that sustainably manages environmentally sensitive issues.

Mr. Pozsgay stated:

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Text Amendments to the Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses), and Chapter 11 (Definitions).

There were no questions from the Commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2024-10. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-10 at 8:53 p.m.

Motion: Commissioner Wasowicz made a motion to approve the Text Amendments; Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses), Chapter 11 (Definitions) with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

**Report from
Community
Development:**

Mr. Quinn reviewed both recent CDC cases along with upcoming cases.

ADJOURNMENT: There being no further business before the Community Development Commission, Commissioner Marcotte made a motion to adjourn the meeting. Commissioner Rott seconded the motion.

All were in favor. Motion carried.

The meeting was adjourned at 8:55 p.m.

Substance Name	Approved Uses	Common Examples	Auto-Chlor Examples
Ammonium Hydroxide	FDA GRAS* : Safe for use as a food ingredient	Bread-Leavening Windex	Glass & All-Purpose Cleaners
Phosphoric Acid	FDA GRAS : Safe for use as a food ingredient	Coca-Cola Lime-Away Vegetable Wash	Lime Remover Tub & Tile Cleaner
Potassium Hydroxide	FDA GRAS : Safe for use as a food ingredient	Ice Cream Liquid Hand Soaps	Dishwashing Soaps Multi-Purpose Cleaners
Sodium Hydroxide	FDA GRAS : Safe for use as a food ingredient	Cured Olives Bar Soaps Dishwasher Gel	Dish Machine Soaps Handwashing Soaps
Sulfamic Acid	FDA GRAS : Safe for use in direct food-contact packages (fiberboard)	Coffee Maker Cleaner	Bathroom Cleaners
Fluorosilicic Acid (Flouride)	Drinking Water Treatment	Oral Care Products	Laundry Conditioner
Benzalkonium Chloride	Used in Antibacterial Hand Soaps & Hand Sanitizers	Antibacterial Hand Wash Bactine Antiseptic Cold Sore Treatment	Dishware Sanitizers Antibacterial Hand Soaps Disinfectants

*GRAS = Affirmed as *Generally Recognized As Safe* by the U.S. Food and Drug Administration for use in food or food manufacturing when used according to good manufacturing practice.



PRIMAERA SCHOOL

Bilingual Early Childhood Education



Rocio Olvera & Belen Olvera

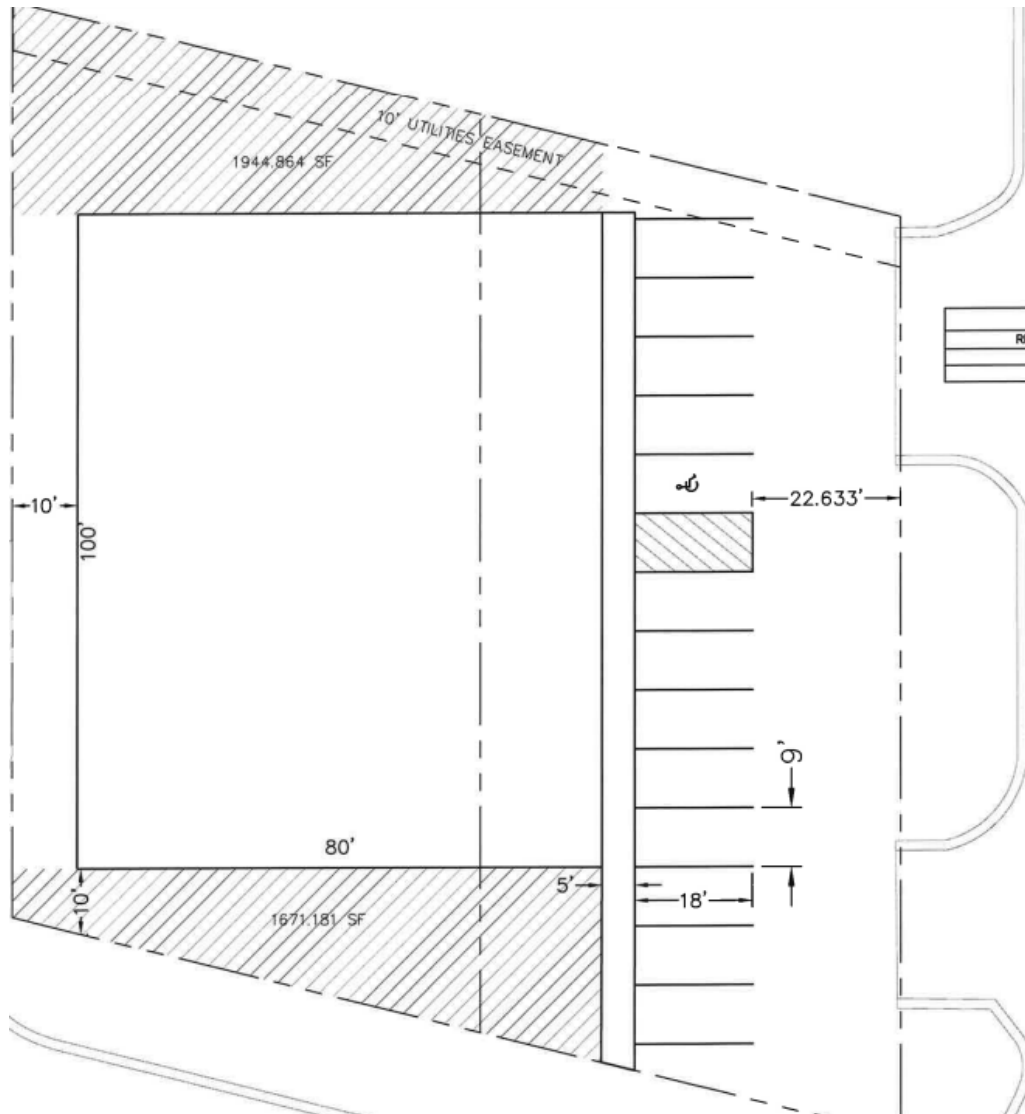
HISTORY: THE SHEPHERD'S LEARNING ACADEMY





Vision

- At Primavera School, our vision is to create a nurturing and inclusive environment where children thrive academically, socially, and spiritually. We strive to promote bilingualism and Christian values, fostering a strong foundation for their future success.



1347 Irving Park Road, Bensenville, IL



Classrooms

- Primavera School will be licensed for children as young as 3 months to 11 years of age.
- We will build 8 classrooms total; each classroom will be designated for a specific age of children:
- 1. Infants (2 classrooms)
- 2. Toddlers (2 classrooms)
- 3. Threes
- 4. Fours
- 5. Junior Kindergarten/Kindergarten
- 6. School Age
- License Capacity: 134 children

Operation Details

1

Hours of Operation:
5am-7pm

2

We plan to have 20
staff members

3

We will be licensed
by the Department
of Children and
Family Services,
DCFS.

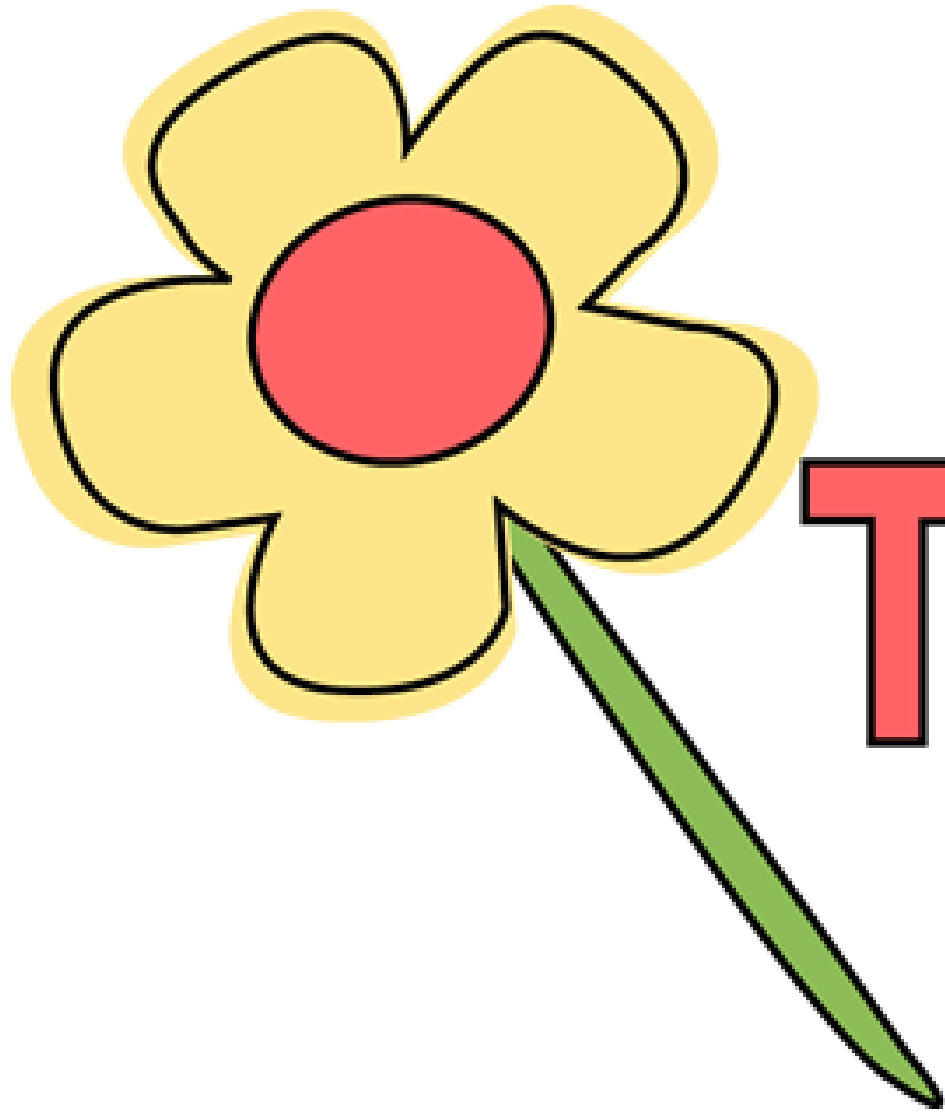
Community Impact

Strong and quality childcare services.

Opportunities for Bilingualism.

Job opportunities

Community partnerships



Thank
You

ORDINANCE # _____

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR DAY CARE CENTER
AT 1347 WEST IRVING PARK ROAD, BENSENVILLE, ILLINOIS**

WHEREAS, the Village of Bensenville, DuPage and Cook Counties, Illinois (the “*Village*”) is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the President and the Board of Trustees of the Village of Bensenville (the “*Corporate Authorities*”) have heretofore exercised the power conferred on them pursuant to Chapter 11-13-1, *et seq.*, of the Illinois Municipal Code by adopting the Village of Bensenville Zoning Ordinance (Ord. 07-99), as amended from time to time (the “*Zoning Ordinance*”); and

WHEREAS, De Astis Partners Inc., LLC of 123 N Central Avenue, Wood Dale IL 60191 (the “*Owner*”) owns the property contained within 1347 W Irving Park Road; and

WHEREAS, Primavera School (“*Applicant*”) of 646 W Belden Avenue, Elmhurst IL 60126 filed an application for Special Use Permit, Day Care Center Municipal Code Section 10-7-2-1 of the Bensenville Village Zoning Ordinance (“*Zoning Ordinance*”) for the property located at 1347 W Irving Park Road, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the “*Subject Property*”), a copy of said application being contained on file in the Community and Economic Development Department; and

WHEREAS, the Village published Notice of Public Hearing with respect to the Variations in the *Bensenville Independent* on Thursday, March 14, 2024, and notice was also given via posting of one Public Hearing Sign on the Subject Property on Friday, March 15, 2024, and via First Class

mail to taxpayers of record within 250 feet of the Subject Property on March 14, 2024, all as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, pursuant to said Notice, the Community Development Commission of the Village of Bensenville conducted a Public Hearing on April 2, 2024 (the “*Public Hearing*”), as required by the statutes of the State of Illinois and the ordinances of the Village, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, at the conclusion of the Public Hearing, the Community Development Commission agreed with the findings of fact submitted by the Applicant, and thereafter, voted (5-0) to recommend approval of the Special Use Permit, Day Care Center with certain conditions, and forwarded its recommendations, including the Staff Report and findings relative to the requests, which are attached hereto and incorporated herein by reference as Exhibit C, to the Corporate Authorities; and

WHEREAS, the Corporate Authorities have duly considered the Community Development Commission’s recommendation and findings of fact, and have determined that approval of the Special Use Permit, as recommended by the Community Development Commission, with conditions, is consistent with the Zoning Ordinance; and

WHEREAS, the Corporate Authorities deem it advisable and in the best interest of the health, safety, and welfare of the residents of the Village to grant the Special Use Permit requested and subject to the conditions identified herein.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, duly assembled at a regular meeting, as follows:

Section 1. That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

Section 2. That the Subject Property is currently zoned within the C-2 Commercial District, which zoning classification shall remain in effect subject to the Variations approved herein.

Section 3. That the Corporate Authorities hereby adopt by reference the findings of fact of the Community Development Commission as findings of the Village President and the Board of Trustees as if completely set forth herein and find that the Special Use Permit are proper and necessary, with certain modifications and additional conditions contained herein.

Section 4. That in addition to the findings set forth in Sections 3 hereof, the Corporate Authorities find as to the standards of special use in relation to the requests:

- i. The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.
- ii. The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.
- iii. The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.
- iv. The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.
- v. The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Section 5. That the Special Use Permit at 1347 W Irving Park Road in Bensenville, Illinois as legally described in Exhibit A, is hereby approved, provided that the project is constructed in substantial conformance with the following plans and specifications (collectively,

the “Plans and Specifications”), except as may be amended pursuant to Section 6 of this Ordinance:

- i. Application: submitted by Applicant on March 1, 2024 (Exhibit B; the “*Application*”);
- ii. Overall Site Plan: Submitted by Applicant in tandem with application (Exhibit B);
- iii. ALTA/NSPS Land Title Survey: prepared by Spiewak Consulting on February 11, 2023 (Exhibit B; the “*Survey*”).

The Plans and Specifications are hereby approved by this Ordinance.

Section 6. That the Special Use granted herein is further subject to the following conditions and restrictions which the Corporate Authorities deem necessary to protect the public interest:

- i. The Special Use Permit be granted solely to Primavera School and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
- ii. Before a Certificate of Occupancy can be issued, the Village needs to receive documentation of such State and County approvals and licenses.
- iii. Applicant must work with Staff on a Parking and Traffic management plan.

Section 7. No building permits shall be issued for construction related to the Special Use Permit unless the plans submitted in conjunction with the building permits are in substantial conformance with the Plans and Specifications and conditions, as approved herein.

Section 8. The Applicant hereunder shall at all times comply with the terms and conditions of the Ordinance and, in the event of non-compliance, said Ordinance shall be subject to revocation.

Section 9. All sections of the Zoning Ordinance not addressed in this Ordinance or another amending ordinance shall remain in full force and effect.

Section 10. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 11. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 12. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

DRAFT

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville,
DuPage and Cook Counties, Illinois, this 23rd day of April 2024, pursuant to a roll call vote, as
follows:

APPROVED:

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

Ordinance # ____ - 2024
Exhibit “A”

The Legal Description is as follows:

LOTS 1 AND 2 IN BEN DALE RESUBDIVISION OF LOTS 6, 7, 8, 9 AND 10 AND THE SOUTH ½ OF VACATED ALLEY NORTH OF AND ADJOINING SAID LOTS IN BLOCK 47 OF THE FIRST ADDITION TO PERCY WILSON’S IRVING PARK MANOR, BEING A SUBDIVISION IN SECTIONS 10, 11, 14 AND 15, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID SUBDICATION RECORDED MAY 24, 1988 AS DOCUMENT R88-53077, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 1347 W. Irving Park Road, Bensenville, IL 60106

Ordinance # ____ - 2024
Exhibit “B”
Plans and Specifications

On file in the Community and Economic Development Department.

DRAFT

Ordinance # ____ - 2024
Exhibit “C”
Findings of Fact

Mr. Pozsgay reviewed the Approval Standards for the proposed special use permit consisting of:

1. Public Welfare: The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant’s Response: Our childcare center (Primavera School) will not endanger the health, safety, comfort, convenience, and general welfare of the public.

2. Neighborhood Character: The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant’s Response: Our childcare center (Primavera School) is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

3. Orderly Development: The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant’s Response: Our childcare center (Primavera School) will not impeded the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

4. Use of Public Services and Facilities: The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant’s Response: Our childcare center (Primavera School) will not require utilities, access roads, drainage, and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant’s Response: Our childcare center (Primavera School) is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit, Day Care Center at 1347 W. Irving Park Rd with the following conditions:
 - a. The Special Use Permit be granted solely to Primavera School and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
 - b. Before a Certificate of Occupancy can be issued, the Village needs to receive documentation of such State and County approvals and licenses.

Mr. Pozsgay stated Staff would also like to add the following condition:

- c. Applicant must work with Staff on a Parking and Traffic management plan.

There were no objections from the Commission.

Commissioner Wasowicz asked why the application was seeking the special use before the property is even developed. Ms. Olvera explained they want to ensure their operation would be allowed before they close on the property.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-08. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-08 at 8:30 p.m.

Motion: Commissioner Marcotte made a motion to approve the Special User Permit, Day Care Center; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

DRAFT

TYPE:Ordinance**SUBMITTED BY:**K. Pozsgay**DEPARTMENT:**CED**DATE:**4.16.24**DESCRIPTION:**Consideration of an Ordinance Granting Special Use Permit (Day Care Center) at 2 S Addison Street**SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:****SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:**☐*Financially Sound Village**Quality Customer Oriented Services**Safe and Beautiful Village*☒*Enrich the lives of Residents**Major Business/Corporate Center**Vibrant Major Corridors***COMMITTEE ACTION:**

COW

DATE:

04/16/24

BACKGROUND:

1. The Petitioner, Playful Minds Therapy of Bensenville, is seeking approval of a Special Use Permit at 2 S Addison St.
2. Playful Minds Therapy wishes to therapy center for individuals with autism, with a focus on children.
3. Village code defines Day Care Center as "an establishment providing care for more than three (3) adults or children in a protective setting for less than twenty four (24) hours per day that is not located within a residential dwelling unit."
4. In the past, there was previously a day care center at this location.

KEY ISSUES:

1. The Special Use Permit is tied to the petitioner.
2. The two parking spaces along Addison St will remain short term temporary parking for loading and unloading only. Staff will utilize Village lot parking or on street parking.
3. Parents will not remain with child at drop off, not requiring the need for customer parking.
4. The area currently blocked off next to the railroad tracks will remain so. This is not to be accessed by any vehicles at any time.

ALTERNATIVES:

Discretion of the Committee

RECOMMENDATION:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit, Day Care Center at 2 S. Addison with the following conditions:
 1. The Special Use Permit be granted solely to Playful Minds Therapy of Bensenville and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
 2. Before a Certificate of Occupancy can be issued, the Village needs to receive documentation of such State and County approvals and licenses.
 3. The two parking spaces along Addison St will remain short term temporary parking for loading and unloading only.
 4. The area currently blocked off next to the railroad tracks will remain so. This is not to be

accessed by any vehicles at any time.

BUDGET IMPACT:

NA

ACTION REQUIRED:

Approval of an Ordinance Granting Special Use Permit (Day Care Center) at 2 S Addison Street

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
Cover Page	3/26/2024	Cover Memo
Aerial & Zoning	3/26/2024	Backup Material
Legal Notice	3/26/2024	Backup Material
Application	3/26/2024	Backup Material
Approval Standards	3/26/2024	Backup Material
Site Plan	3/26/2024	Backup Material
Plat of Survey	3/26/2024	Backup Material
Staff Report	3/28/2024	Executive Summary
Draft CDC Minutes	4/8/2024	Backup Material
Draft Ordinance	4/11/2024	Ordinance



BENSENVILLE

GATEWAY TO OPPORTUNITY

Community Development Commission
Public Hearing 4.02.24

CDC Case #2024 – 09

Wajahat Macci, Playful Minds Therapy of Bensenville
2 S Addison St

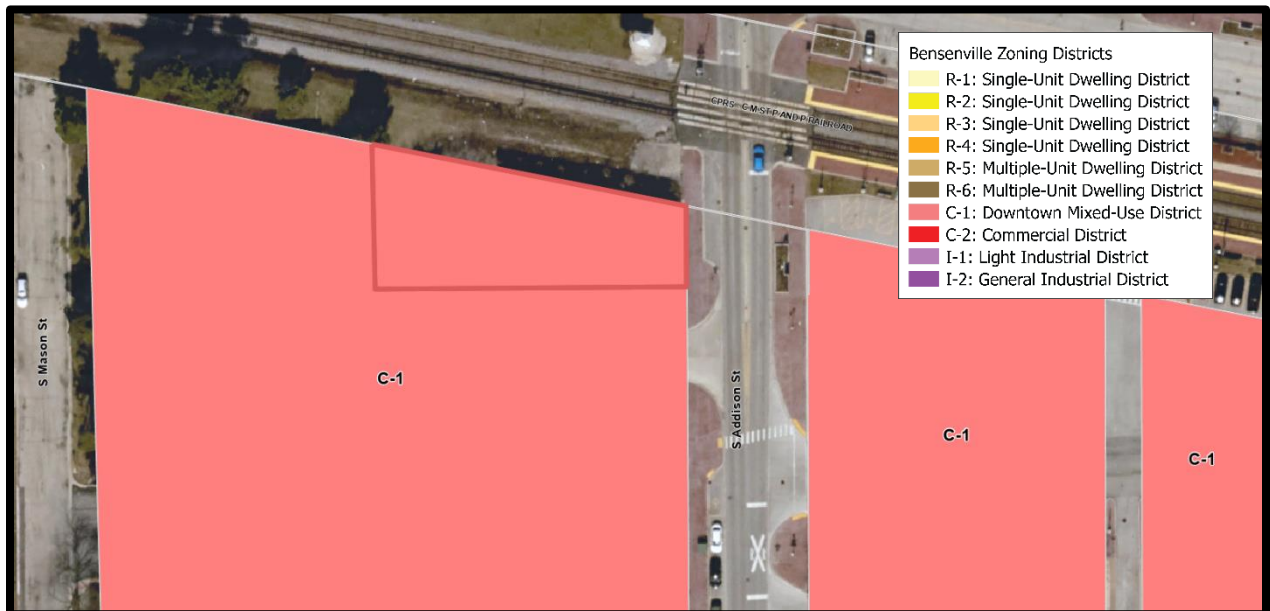
Special Use Permit, Day Care Center
Municipal Code Sections 10 – 7 – 2 – 1

1. Aerial Photograph & Zoning Map of Subject Property
2. Legal Notice
3. Application
4. Staff Report & Exhibits
5. Plans





Village of Bensenville



**LEGAL NOTICE/PUBLIC NOTICE
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Meeting of the Community Development Commission of the Village of Bensenville, DuPage and Cook Counties, will be held on Tuesday, April 2, 2024 at 6:30 P.M, at which a Public Hearing will be held to review case No. 2024 – 09 to consider a request for:

Special Use Permit, Day Care Center
Municipal Code 10 – 7 – 2 – 1

At 2 S. Addison Street is an existing C-1 Downtown Mixed-Use District. The Public Hearing will be held in the Village Board Room at Village Hall, 12. S. Center Street, Bensenville.

The Legal Description is as follows:

First Amhet Egun & Sirac Ergun are the owners of the subject property and Wajahat Macci of Play Minds Therapy of Bensenville is the applicant for the subject property.

Any individual with a disability requiring a reasonable accommodation in order to participate in any public meeting held under the authority of the Village of Bensenville should contact the Village Clerk, Village of Bensenville, 12 S. Center St., Bensenville, IL 60106, (630) 766-8200, at least three (3) days in advance of the meeting.

Applicant's application and supporting documentation may be examined by any interested parties in the office of the Community and Economic Development Department, Monday through Friday, in the Village Hall, 12 South Center Street, Bensenville, IL 60106. All interested parties may attend the Public Hearing and be heard. A link for electronic viewing will be posted on the Village website at least 48 hours prior to the meeting date. Written comments mailed to the Village Hall, and online comments submitted on the Village website, will be accepted by the Community and Economic Development Department through April 2, 2024 until 5:00 PM.

Office of the Village Clerk
Village of Bensenville

**TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT
MARCH 14, 2024**



BENSENVILLE
COMMUNITY & ECONOMIC
DEVELOPMENT

COMMUNITY DEVELOPMENT
COMMISSION

**DEVELOPMENT
REVIEW PROCESS**

01.14.2021

PROCESS SUMMARY AND TIMELINE

1. Application Submittal and Requirements

Prior to submitting an application, it is suggested that applicants meet with the Community and Economic Development Staff to review the application requirements and procedures. Incomplete applications cannot be accepted and/or processed. All questions regarding the request should be directed to the Community and Economic Development Department at (630) 350-3413.

2. Village Staff Review & Recommendations

1. Village Staff will transmit the complete application to Village Departments for their review.
2. The Village Staff then prepares a Staff report that is sent to the applicant.
3. The applicant shall respond to the Staff report either by making requested/required revisions or stating why such revisions should not be made.
4. Upon resubmittal the applicant's responses will be reviewed by the Village Departments.
5. Final Staff report and recommendation is prepared.
6. Only after this final Staff report and recommendation are complete can a Public Hearing date be scheduled and the public review portion of the process begins.

3. Public Review & Decision

There are three distinct sections to the Public Review: the Public Hearing before the CDC, the Village Board Committee of the Whole (COW) meeting, and the full Village Board meeting. All fees and Village Staff services associated with the Public Review can be found on the attached fee schedule. Not less than 15 days nor longer than 30 days prior to the Public Hearing a three-pronged notice approach is required:

1. The Village publishes a Legal Notice of the Public Hearing in a local newspaper. The cost is deducted from the application fees.
2. The Village will provide written notice to owners of record within 250' (exclusive of Rights - Of - Way). These written notices are sent via first-class mail by Village Staff. Village Staff will then complete the Certificate of Mailing Affidavit for the application. The cost of the mailing will be deducted from the application fees.
3. The Village posts the notice of Public Hearing sign(s) on the property. A small fee to be deducted from the application fees.

A) CDC Public Hearing & Non-binding Recommendation

The CDC conducts the Public Hearing on the 1st Tuesday evening of the month at 6:30 PM. The applicant, municipal Staff and general public will make presentations, written comments are also accepted. At the close of the Public Hearing, the CDC discusses the request and then makes Findings of Fact and a non-binding recommendation to the Village President and Board of Trustees.

B) Village Board Committee Of the Whole

The Committee Of the Whole meets on the 3rd Tuesday evening of the month at 6:30 PM. The committee reviews the application, Staff report Findings of Fact and recommendation from the CDC. The applicant should be present at this meeting to answer any questions or make a brief presentation if necessary. The COW will vote on the application and forward the vote to the full Village Board or remand the request back to the CDC for additional discussion.

C) Village Board

The full Village Board has the final decision making authority on the application. Our Village Board meets the 2nd and 4th Tuesday evening of the month at 6:30 PM. A draft Ordinance is prepared by Staff for the Village Board's review and consideration. The Board will discuss the request and vote on the Ordinance. The Village Clerk will forward a copy of the approved Ordinance to you in the weeks following the Village Board meeting.

For Office Use Only		
Date of Submission: _____	MUNIS Account #: 13783	CDC Case #: _____

COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: **2 S. Addison Bensenville IL 60106**

Property Index Number(s) (PIN): **0314404012**

A. PROPERTY OWNER:

Firat Ahmet Ergun & Sirac Ergun

Name 1320 Elliott St	Corporation (if applicable)	
Street Park Ridge	City Sirac	State IL
City Sirac	Telephone Number 773-766-8880	Zip Code 60068
Contact Person	Telephone Number	Email Address

*If Owner is a Land Trust, attach a list of the names and addresses of the beneficiaries of the Trust.

B. APPLICANT:

☐ Check box if same as owner

Wajahat Macci

Playful Minds Therapy of Bensenville

Name 2 S. Addison	Corporation (if applicable)	
Street Bensenville	City Maliha Khan	State IL
City Maliha Khan	Telephone Number 773-982-0593	Zip Code 60106
Contact Person	Telephone Number	Email Address mkhan@247dct.org

B. ACTION REQUESTED (Check applicable):

- ☐ Site Plan Review
- ☒ Special Use Permit
- ☐ Variation
- ☐ Administrative Adjustment
- ☐ Zoning Text or Map Amendment
- ☐ Zoning Appeal
- ☐ Plat of Subdivision
- ☐ Annexation
- ☐ Planned Unit Development*

*See Staff for additional information on PUD requests

SUBMITTAL REQUIREMENTS:

- ☒ Affidavit of Ownership** (signed/notarized)
- ☒ Application**
- ☒ Approval Standards**
- ☒ Plat of Survey/Legal Description
- ☐ Site Plan
- ☒ Building Plans & Elevations
- ☐ Engineering Plans
- ☐ Landscape Plan
- ☐ Tree Preservation and Removal Plan
- ☒ Application Fees
- ☒ Fees agreement**

**Item located within this application packet.

Brief Description of Request(s): (Submit separate sheet if necessary)

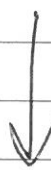
Opening a Child Care and Therapy Center

C. PROJECT DATA:

1. General description of the site: Stand alone building with 2 storefronts.
2. Acreage of the site: .24 Acres Building Size (if applicable): 5400 SQFT
3. Is this property within the Village limits? (Check applicable below)
 - ☒ Yes
 - ☐ No, requesting annexation
 - ☐ No, it is under review by another governmental agency and requires review due to 1.5 mile jurisdiction requirements.
4. List any controlling agreements (annexation agreements, Village Ordinances, site plans, etc.)

N/A

5. Character of the site and surrounding area:

	Zoning	Existing Land Use	Jurisdiction
Site:	C-1	Commerical	Village of Bensenville
North:	<i>C-1</i>	<i>Commercial</i>	
South:	<i>C-1</i>	<i>Commercial</i>	
East:	<i>C-2</i>	<i>Municipal</i>	
West:	<i>C-1</i>	<i>Commercial</i>	

D. APPROVAL STANDARDS:

The applicant must compose a letter describing how the request(s) specifically meets the individual criteria from the appropriate Approval Standards, found in Village Code and on the following pages. The CDC will be unable to recommend approval of a request without a response to the pertinent "Approval Standards."

Approval Standards For Site Plan Review

1. The site plan for the proposed development is consistent with the existing character and zoning of adjacent properties and other property within the immediate vicinity of the proposed development.
2. The site plan for the proposed development will not adversely impact adjacent properties and other properties within the immediate vicinity of the proposed development.
3. The site plan for the proposed development will be provided with adequate utilities, access roads, parking, loading, drainage, stormwater flow paths, exterior lighting, and/or other necessary facilities.
4. The site plan for the proposed development is designed to preserve the environmental resources of the zoning lot.
5. The site plan shall accommodate on-site pedestrian circulation from parking areas, plazas, open space, and public rights-of-way. Pedestrian and vehicular circulation shall be separated to the greatest extent possible.
6. The site plan shall locate curb cuts for safe and efficient ingress and egress of vehicles. The use of shared curb cuts and cross-access easements shall be provided when appropriate.
7. The site plan for the proposed development includes architectural design that contributes positively to the Village's aesthetic appearance.
8. The site plan for the proposed development is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Approval Standards for Special Uses

1. The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.
2. The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.
3. The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.
4. The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.
5. The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

□ Approval Standards for Variations

1. The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.
2. The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.
3. The proposed variation alleviates an undue hardship created by the literal enforcement of this title.
4. The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.
5. The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.
6. The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

□ Approval Standards for Administrative Adjustment

1. The proposed administrative adjustment will not endanger the health, safety, comfort, convenience, and general welfare of the public.
2. The proposed administrative adjustment is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed administrative adjustment.
3. The proposed administrative adjustment alleviates an undue hardship created by the literal enforcement of this title.
4. The proposed administrative adjustment is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.
5. The proposed administrative adjustment represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject adjustment.
6. The proposed administrative adjustment is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Approval Standards for Zoning Text or Map Amendments

1. Approval standards for text amendments:
 - a. The proposed amendment will not endanger the health, safety, comfort, convenience, and general welfare of the public.
 - b. The proposed amendment corrects an error, adds clarification, or reflects a change in policy.
 - c. The proposed amendment is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.
2. Approval standards for map amendments:
 - a. The proposed amendment will not endanger the health, safety, comfort, convenience, and general welfare of the public.
 - b. The proposed amendment is compatible with the existing uses, character, and zoning of adjacent properties and other property within the immediate vicinity of the proposed amendment.
 - c. The proposed amendment provides a relative gain to the public, as compared to any hardship imposed upon an individual property owner.
 - d. The proposed amendment addresses the community need for a specific use.
 - e. The proposed amendment corrects an error, adds clarification, or reflects a change in policy.
 - f. The proposed amendment is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Approval Standards for Planned Unit Developments

- A. The proposed planned unit development fulfills the objectives of the Comprehensive Plan, and other land use policies of the Village, through an innovative and creative approach to the development of land.
- B. The proposed planned unit development will provide walkways, driveways, streets, parking facilities, loading facilities, exterior lighting, and traffic control devices that adequately serve the uses within the development, promote improved access to public transportation, and provide for safe motor vehicle, bicycle, and pedestrian traffic to and from the site.
- C. The proposed planned unit development will provide landscaping and screening that enhances the Village's character and livability, improves air and water quality, reduces noise, provides buffers, and facilitates transitions between different types of uses.
- D. The proposed planned unit development will incorporate sustainable and low impact site design and development principles.
- E. The proposed planned unit development will protect the community's natural environment to the greatest extent practical, including existing natural features, water courses, trees, and native vegetation.
- F. The proposed planned unit development will be provided with underground installation of utilities when feasible, including electricity, cable, and telephone, as well as appropriate facilities for storm sewers, stormwater retention, and stormwater detention.

APPLICATION FEES

The fee schedule for items that require appearance before the Community Development Commission and/or Village Board as follows:

<u>ACTION REQUIRED</u>	<u>FEES</u>
Variation for Residential Use	\$100
Annexation Petition	\$250
Appeal of Director	\$500
Comprehensive Plan Map Amendment	\$500
Comprehensive Plan Text Amendment	\$500
Plat of Subdivision	\$500
Special Use Permit	\$500
Variation for Nonresidential Use	\$500
Zoning Map Amendment	\$500
Zoning Text Amendment	\$500
Planned Unit Development	\$750
PUD Amendment	\$500

Processing Fees: \$200

The Staff will provide, as a service to the applicant, the following as legally required:

- Publish the required legal notice in local publication
- Post a public hearing sign on the property visible from the public way
- Mail the legal notice to each property owner within 250 feet of the applicant property

Any required Recording of Documents will be the responsibility of the applicant with fees Assessed by the County.

****Application fees are non-refundable and payment does not constitute approval of project****

In cases where the developer is petitioning for more than one request, fees shall be collected for each request. An exception in instances where a planned unit development and subdivision plat are being requested simultaneously one fee is collected.

Reimbursement of Fees: In addition to the fixed fee(s) provided above, the petitioner/applicant shall enter into a reimbursement of fees agreement with the Village. The reimbursement of fees agreement shall encompass all applications or petitions pending with the Village, including any additional matters not set forth hereinabove. The reimbursement of fees agreement shall be in the following form:

Should the Village, in its sole and exclusive discretion, determine that it is necessary or desirable for the Village to obtain professional services, including, but not limited to, attorneys, engineers, planners, architects, surveyors, court reporters, traffic, appraisers, environmental, drainage or other consultants, including full and/or part time site inspection services during the actual construction of any required improvements, and/or to incur costs related to any required notices or recordations, in connection with any Petition or Application filed by the Petitioner/Applicant, then the Petitioner/Applicant shall be liable for the payment of such professional fees and costs, as shall actually be incurred by the Village, plus an additional ten percent (10%) to cover the Village's administrative expenses.

Upon the failure of the Petitioner/Applicant to reimburse the Village in accordance with this Agreement, no further action shall be undertaken on any Petition or Application by the Village President and Board of Trustees, or by any other official or quasi-official individual or body thereunder, including the conduct of any hearings or deliberations, the granting of any relief or approvals, and the execution or recording of any documents, until all such outstanding fees are paid in full. Further, the Village may deny any application for a grading, building or other permit if such amounts have not been paid in full. Upon any failure to reimburse the Village in accordance with this Section, the Village may in its discretion, elect to place a lien against any real property associated with the Petitioner/Applicant's Petition or Application. In the event such amounts are not paid in full within sixty (60) days after the date when the statement of such amounts due is delivered or deposited in the U.S. mail by the Village, such amounts due shall be deemed delinquent and thereafter a delinquency charge of one percent (1%) per month, or portion thereof, with a minimum delinquency charge of \$5.00 per month, shall be added to the amount due until such amount, including all delinquency charges, is received by the Village. Said lien shall be in an amount equal to the outstanding amount owed to the Village.

The remedies available to the Village as set forth hereinabove are non-exclusive and nothing herein shall be deemed to limit or waive the Village's right to seek relief of such fees against any or all responsible parties in a court of competent jurisdiction.

BY SIGNING BELOW, THE PETITIONER/APPLICANT ACKNOWLEDGES THAT THEY HAVE READ THE FOREGOING PARAGRAPHS AND FULLY UNDERSTANDS AND AGREES TO COMPLY WITH THE TERMS SET FORTH HEREIN. FURTHER, BY SIGNING BELOW, THE SIGNATORY WARRANTS THAT THEY POSSESS FULL AUTHORITY TO SO SIGN.

THE PETITIONER/APPLICANT AGREES THAT THEY SHALL BE LIABLE FOR PAYMENT OF FEES REFERRED TO IN APPLICABLE SECTIONS OF THE ORDINANCES OF THE VILLAGE OF BENSENVILLE, AND AS SET FORTH HEREIN.

Wajahat Macci



Petitioner/Applicant

2/28/24

Date

STATE OF ILLINOIS)
)SS.
COUNTY OF DUPAGE AND COOK)

AFFIDAVIT OF OWNERSHIP

I _____ the undersigned Affiant, being first duly sworn, on
oath states:

1. That Affiant has personal knowledge of the representations and statements made herein, and has examined all necessary documents, records of ownership and such other information as is required to confirm the statements and representations herein;
2. That the owner(s) and contract purchaser(s), if any, as set forth on the Petition attached hereto is (are) the owner(s) of record and contract purchasers of said property;
3. That all consents to the attached Petition required of lenders or of others holding an interest in the property have been obtained;
4. This Affidavit of Ownership is given to induce the Village of Bensenville, without further inquiry as to ownership or purchase interest, to rely on said statements and representations and to process and set for Public Hearing the Petition as attached hereto; and,
5. Affiant is aware of and has been advised that any false statement set forth in this Affidavit of Ownership may subject Affiant to criminal sanctions for perjury, punishable as provided by the statutes of the State of Illinois in relation to the crime of perjury.

IN WITNESS WHEREOF, the undersigned has executed this Affidavit of Ownership this

_____ day of, _____

Signature

SUBSCRIBED and SWORN to

before me this _____ day of, _____.

Notary Public

STATE OF ILLINOIS

)

)SS.

COUNTY OF DUPAGE AND COOK

)

AFFIDAVIT OF OWNERSHIP

I Faisal Ahmet Ege the undersigned Affiant, being first duly sworn, on oath states:

1. That Affiant has personal knowledge of the representations and statements made herein, and has examined all necessary documents, records of ownership and such other information as is required to confirm the statements and representations herein;
2. That the owner(s) and contract purchaser(s), if any, as set forth on the Petition attached hereto is (are) the owner(s) of record and contract purchasers of said property;
3. That all consents to the attached Petition required of lenders or of others holding an interest in the property have been obtained;
4. This Affidavit of Ownership is given to induce the Village of Bensenville, without further inquiry as to ownership or purchase interest, to rely on said statements and representations and to process and set for Public Hearing the Petition as attached hereto; and,
5. Affiant is aware of and has been advised that any false statement set forth in this Affidavit of Ownership may subject Affiant to criminal sanctions for perjury, punishable as provided by the statutes of the State of Illinois in relation to the crime of perjury.

IN WITNESS WHEREOF, the undersigned has executed this Affidavit of Ownership this

28 day of February 2024

Signature

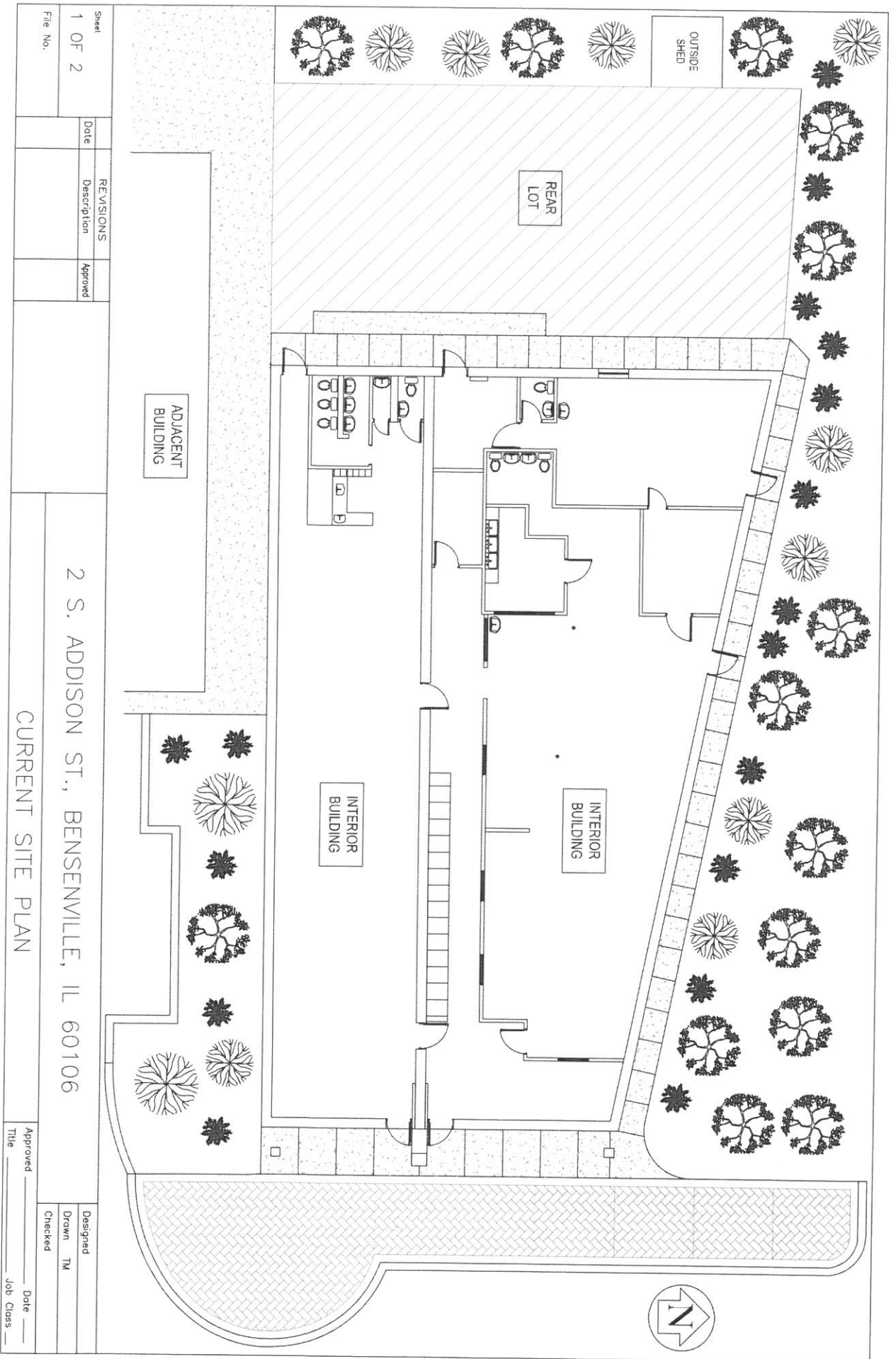


SUBSCRIBED and SWORN to

before me this 28 day of February 2024

Ada Pacheco
Notary Public





Sheet 1 OF 2	REVISIONS			Designed Drawn TM Checked Date Job Class
	Date	Description	Approved	
File No.				Approved Title Date

Playful Minds Therapy

2 S. Addison Bensenville IL 60106

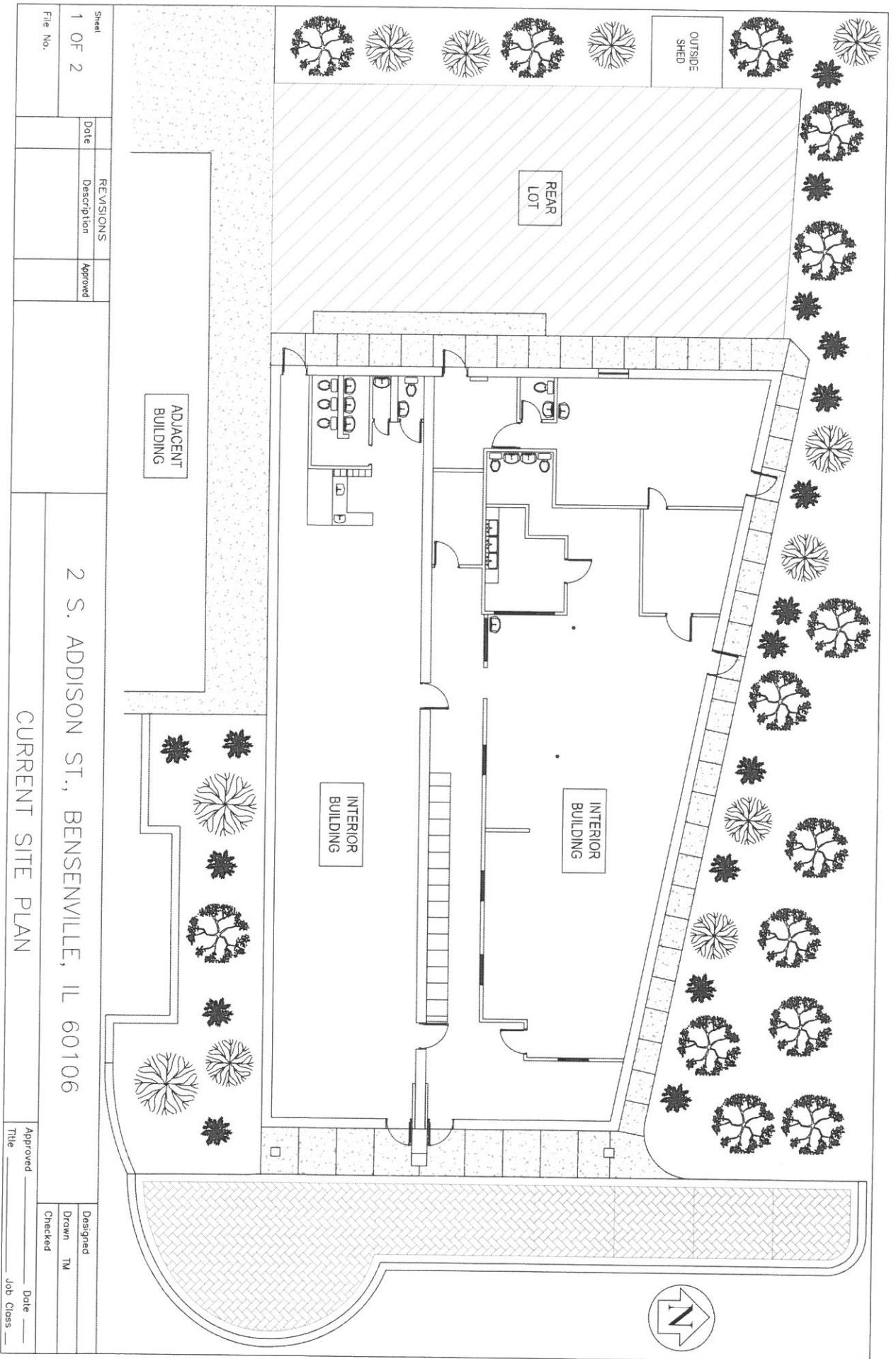
Approval Standards for Special Uses

1. The proposed special use will not endanger the health, safety, comfort, convenience, and general welfare of the public. Yes, it will not do the following.
2. The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use. Yes, it is compatible within the vicinity.
3. The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other properties within the immediate vicinity of the proposed special use. Yes, it will not impede the normal and orderly development and improvement of adjacent.
4. The proposed special use will not require utilities, access to roads, drainage, and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area. Yes, it will not require such a need.
5. The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village. Yes, is consistent with the comprehensive plan and land use policies.

Best Regards,

Wajahat Macci

Co-Founder Playful Minds Therapy



STAFF REPORT

HEARING DATE: April 2, 2024
CASE #: 2024 – 09
PROPERTY: 2 S Addison St
PROPERTY OWNER: Firat Ahmet Ergun & Sirac Ergun
APPLICANT: Playful Minds Therapy of Bensenville
SITE SIZE: .24 acres
BUILDING SIZE: 5,400 SF
PIN NUMBER: 0314404012
ZONING: C-1 Downtown Mixed-Use District
REQUEST: Special Use Permit, Day Care Center
Municipal Code Section 10 – 7 – 2 – 1

PUBLIC NOTICE:

1. A Legal Notice was published in the Bensenville Independent on Thursday, March 14, 2024. A Certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.
2. Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024.
3. On Thursday, March 14, 2024, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 300 feet of the property in question. An Affidavit of Mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

SUMMARY:

The Petitioner, Playful Minds Therapy of Bensenville, represented by Wajahat Macci and Maliha Khan, is seeking approval of a Special Use Permit at 2 S Addison St. Playful Minds Therapy wishes to operate a specialized day care center at this location. It is a standalone building with two storefronts, roughly 5,400 square feet. This day care center will offer occupational therapy and other forms of therapy centered at aiding individuals with autism. In the past, there was previously a day care center at this location.

SURROUNDING LAND USES:

	Zoning	Land Use	Comprehensive Plan	Jurisdiction
Site	C-1	Commercial	Mixed Multi Use	Village of Bensenville
North	C-1	MDW/CPKC Rail	NA	Village of Bensenville
South	C-1	Mixed-Use	Mixed Multi Use	Village of Bensenville
East	C-1	Municipal/Metra	Mixed Multi Use	Village of Bensenville
West	C-1	Mixed-Use	Mixed Multi Use	Village of Bensenville

DEPARTMENT COMMENTS:

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input type="checkbox"/>	Financially Sound Village
<input type="checkbox"/>	Quality Customer Oriented Services
<input type="checkbox"/>	Safe and Beautiful Village
<input checked="" type="checkbox"/>	Enrich the lives of Residents
<input checked="" type="checkbox"/>	Major Business/Corporate Center
<input type="checkbox"/>	Vibrant Major Corridors

Finance:

- 1) U/B account is up to date with no liens.

Police:

- 1) No comments.

Engineering and Public Works:

- 1) Traffic concern because the rear lot is inaccessible for drop off.

Community & Economic Development:

Economic Development:

- 1) Fills a vacancy.
- 2) The 2022 property tax bill for the property was \$9,762.58.
- 3) Staff does not believe the amount will change much once the business opens.

Fire Safety:

- 1) Needs to upgrade fire alarm system.
- 2) Needs IDPH approval.
- 3) Needs to update exit and emergency lighting.

Building:

- 1) No comments.

Planning:

- 1) The 2015 Comprehensive Plan indicates “Mixed Multi-Use” for this property.
- 2) The current zoning is C-1 Downtown Mixed-Use District.
- 3) The Petitioner is seeking approval of a Special Use Permit for a day care center.
 - a. Per Village Code 10 – 11 – 2, Day Care Center is defined as “an establishment providing care for more than three (3) adults or children in a protective setting for less than twenty-four (24) hours per day that is not located within a residential dwelling unit. “Day care center” does not include day care programs operated by an “elementary, middle, or high school”, “park”, or “place of worship.””
 - b. The Village Zoning Ordinance does not have any specific use standards applied to Day Care Centers.
- 4) There is no on site parking for this property.
- 5) The two spaces along Addison St will remain short term temporary parking for loading and unloading only.

- 6) The area currently blocked off north of the building next to the railroad tracks will remain so. This is not to be accessed by any vehicles at any time.
- 7) The applicant has not indicated how garbage will be stored and/or picked up. Staff encourages them to work with their neighbors on a possible solution.

Applicant Response: No comments.

APPROVAL STANDARDS FOR VARIATIONS:

1. Public Welfare: The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: Yes, it will not do the following.

2. Neighborhood Character: The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Yes, it is compatible within the vicinity.

3. Orderly Development: The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Yes, it will not impede the normal and orderly development of adjacent.

4. Use of Public Services and Facilities: The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: Yes, it will not require such a need.

5. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Yes, it is consistent with the comprehensive plan and land use policies.

	Meets Standard	
Approval Standards for Special Use Permits	<i>Yes</i>	<i>No</i>
1. Public Welfare	X	
2. Neighborhood Character	X	
3. Orderly Development	X	
4. Use of Public Services and Facilities	X	
5. Consistent with Title and Plan	X	

RECOMMENDATIONS:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit, Day Care Center at 2 S. Addison with the following conditions:
 - a. The Special Use Permit be granted solely to Playful Minds Therapy of Bensenville and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
 - b. Before a Certificate of Occupancy can be issued, the Village needs to receive documentation of such State and/or County approvals and licenses.
 - c. The two parking spaces along Addison St will remain short term temporary parking for loading and unloading only.
 - d. The area currently blocked off next to the railroad tracks will remain so. This is not to be accessed by any vehicles at any time.

Respectfully Submitted,
Department of Community & Economic Development

The CDC recommendation will be forwarded to the Village Board Committee of the Whole meeting on Tuesday, April 16, 2024, at 6:30pm in the Village Hall Board Room. A representative must be present for this meeting. Final decision on the case will be made at this Village Board of Trustees meeting on Tuesday, April 23, 2024, at 6:30pm in the Village Hall Board Room. A representative is not required to be present for this meeting.

Village of Bensenville
Board Room
12 South Center Street
DuPage and Cook Counties
Bensenville, IL, 60106

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

April 2, 2024

CALL TO ORDER: The meeting was called to order by Chairman Rowe at 6:30p.m.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

STAFF PRESENT: K. Pozsgay, K. Quinn, C. Williamsen

JOURNAL OF

PROCEEDINGS: The minutes of the Community Development Commission Meeting of the March 5, 2024 were presented.

Motion: Commissioner Chambers made a motion to approve the minutes as presented. Commissioner Marcotte seconded the motion.

All were in favor. Motion carried.

Director of Community and Economic Development, Kurtis Pozsgay and Village Planner, Kevin Quinn were present and sworn in by Chairman Rowe.

PUBLIC

COMMENT: There was no Public Comment.

Continued

Public Hearing: CDC Case Number 2024-03

Petitioner: 2540 Flournoy LLC

Location: 740 County Line Road

Request: Site Plan Review

Municipal Code Section 10-3-2

Special Use Permit, Medium Industrial

Municipal Code Section 10-7-2-1

Variation, Driveway Width Requirements

Municipal Code Section 10 – 8 – 8c

Variation, Tree Replacement Rate Requirements

Municipal Code Section 10 – 9 – 2B1

Motion: Commissioner Rott made a motion to re-open CDC Case No. 2024-03. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe re-opened CDC Case No. 2024-03 at 6:32 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on February 15, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on February 15, 2024. Mr. Pozsgay stated on February 15, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, 2540 Flournoy LLC, is seeking approval of a site plan review, special use permit and two variances. Mr. Pozsgay stated the special use permit is to allow a medium industrial use (chemicals will be mixed on site) in a light industrial district. Mr. Pozsgay stated the first variance seeks to extend the driveway width beyond the 30 feet maximum, as stated in Municipal Code 10 – 8 – 8c. Mr. Pozsgay stated the proposed driveway exiting onto George Street would be 30.3 feet and the proposed driveway width exiting onto County Line Road would be 41.7 feet. Mr. Pozsgay stated the second variance is due to not being able to meet the tree replacement standards. Mr. Pozsgay stated they believe that meeting the Village Requirements stated in Municipal Code Section 10 – 9 – 2B1 would result in overplanting.

Jeff Hamilton of 2540 Flournoy LLC, were present and sworn in by Chairman Rowe. Mr. Hamilton stated 2540 Flournoy LLC attempted to host an open house to help educate the Public with their production in Elk Grove Village that they plan to move to Bensenville. Mr. Hamilton stated one neighbor showed up and they had a great conversation. Mr. Hamilton stated there is no steam, vapors or odors as a result of their operations. Mr. Hamilton stated in the past year, 2540 Flournoy LLC has one reported issue to OSHA from their Elk Grove Village location. Mr. Hamilton stated daily inspections occur at their facilities.

John Gross, Design Engineering hired by 2540 Flournoy, LLC was present and sworn in by Chairman Rowe. Mr. Gross stated he was aware of the concerns of trucks exiting the property and traveling west on George Street. Mr. Gross stated best practices would be to place signage on the property directing trucks to only exit the property traveling east on George Street and to educate staff on site to direct trucks when they leave the premise.

Commissioner Rowe asked how the well trap operated. Mr. Hamilton stated it's a pump that will drain into the sanitary sewer line.

Commissioner Wasowicz asked how the open house was promoted. Mr. Hamilton stated they placed signage outside on the property.

Matt Cronin, Architect, was present and sworn in by Chairman Rowe. Mr. Cronin stated they attempted to get a list of Commissioners and Village Board members from Staff to invite for the open house but were told because of conflicts, they could not obtain the list. Mr. Cronin stated shortly after they placed signage on the property, it was removed by someone.

Mr. Pozsgay stated Staff received direction from Legal that Commissions and Village Board members attending an open house would be in violation of the Open Meetings Act and that the place for discussion was in this meeting.

Commissioner Wasowicz asked for clarification on the size of tanks being proposed on site vs what is currently at the Elk Grove Location. Mr. Hamilton confirmed the proposed size tanks are going to be larger than what is currently in Elk Grove Village.

Commissioner Marcotte asked if there was a different site in Bensenville that would meet their needs. Mr. Hamilton stated he was unable to answer that question.

Commissioner Marcotte stated she was against the proposed operations moving into Bensenville being this close to Residential. Commissioner Marcotte raised concerns that it only takes one accident to affect the neighborhood.

Public Comment

Anna Lysy – 751 John Street, Bensenville, Illinois 60106

Mr. Lysy was present and sworn in by Chairman Rowe. Ms. Lysy stated the property behind her house dumps plastic containers behind their property and she fears the same would happen here. Mr. Pozsgay stated he will direct Staff to address the issue occurring behind Ms. Lysy's property.

Jennifer Yoo – 751 John Street, Bensenville, Illinois 60106

Mr. Yoo was present and sworn in by Chairman Rowe. Ms. Yoo raised concern with safety protocols should a event occur. Ms. Yoo shared a story of a chemical plant explosion in Texas in 2019. Ms. Yoo shared that the explosion caused the evacuation of properties within a two mile radius and a shelter in place order within a five mile radius. Ms. Yoo shared a list of Village properties that would be effect should a two mile radius evacuation occur. Ms. Yoo asked what protocols would be put into place by the company should a explosion occur and evacuations are needed; how will the Public be notified and where will they go?

Linda Bratland – 915 John Street, Bensenville, Illinois 60106

Ms. Bratland was present and sworn in by Chairman Rowe. Ms. Bratland stated the proposed operation belongs in an industrial park, not a residential area. Ms. Bratland stated the proposed site is too small for their operation.

Mr. Hamilton shared a list of chemicals that would be stored and mixed on the property. The list has been attached to the minutes as "Exhibit A".

Mr. Pozsgay reviewed the approval standards for site plan review:

1. **Surrounding Character:** The site plan for the proposed development is consistent with the existing character and

zoning of adjacent properties and other property within the immediate vicinity of the proposed development.

Applicant's Response: The subject parcel is zoned I-1. This aligns with the other adjacent properties to the north and south along County Line Road. The properties along the west side of County Line Road are primarily smaller industrial uses, and the uses on the east side are larger industrial. The parcel to the west is zoning R-2, a Single-Unit Dwelling District.

2. **Neighborhood Impact:** The site plan for the proposed development will not adversely impact adjacent properties and other properties within the immediate vicinity of the proposed development.

Applicant's Response: The proposed site plan will contain proposed truck movements within the site limits. While additional vehicular traffic is expected on-site compared to its existing vacant condition, adequate landscape screening is proposed along the western and southern property lines for neighboring properties. Additional landscape is also proposed along the northern property line to provide screening to George Street. Proposed lighting will follow Village of Bensenville requirements and will limit the footcandles along the property lines.

3. **Public Facilities:** The site plan for the proposed development will be provided with adequate utilities, access roads, parking, loading, drainage, stormwater flow paths, exterior lighting, and/or other necessary facilities.

Applicant's Response: Associated utilities for the proposed building include gas, electric, telecommunications, storm, sanitary, and water. Please refer to the included utility plan for details.

4. **Environmental Preservation:** The site plan for the proposed development is designed to preserve the environmental resources of the zoning lot.

Applicant's Response: The existing site is currently open space with an existing curb cut to County Line Road. While the site will be paved as needed to accommodate vehicular

movements on-site, additional plantings will be installed per Village of Bensenville requirements.

5. **On-Site Pedestrian Circulation System:** The site plan shall accommodate on-site pedestrian circulation from parking areas, plazas, open space, and public rights-of-way. Pedestrian and vehicular circulation shall be separated to the greatest extent possible.

Applicant's Response: The proposed site plan includes sidewalk for pedestrian traffic from public ROW and proposed ADA parking stalls. The site also accounts for a future right-of-way dedication along County Line Road.

6. **Vehicle Ingress and Egress:** The site plan shall locate curb cuts for safe and efficient ingress and egress of vehicles. The use of shared curb cuts and cross-access easements shall be provided when appropriate.

Applicant's Response: Two curb cuts are proposed as part of the development. One is located at the southeast corner of the site, connecting to County Line Road, and one is at the northwest corner of the site, connecting to George Street. The curb cuts are located as far from the existing intersection as possible to limit vehicular conflicts. Truck movements have been analyzed using Vehicle Tracking software. A WB-67 truck has been modeled to enter the site from County Line Road and leave the site via George Street.

7. **Architectural Design:** The site plan for the proposed development includes architectural design that contributes positively to the Village's aesthetic appearance.

Applicant's Response: The proposed development will adhere to the Village's design requirements for the industrial district including façade articulation and material standards. The proposed design includes a primarily natural colored stone or brick façade with accents of precast concrete wall panels. The building will follow suit with the architectural character of the Eastern Business District.

8. **Consistent with Title and Plan:** The site plan for the proposed development is consistent with the intent of the

Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The site falls within the Eastern Business District of the Comprehensive Plan. The future use is proposed to be commercial/industrial flex. As part of the proposed improvements, stormwater drainage will be designed in accordance with the Village of Bensenville standards, and the DuPage County Countywide Stormwater & Floodplain Ordinance.

Mr. Pozsgay reviewed the approval standards for the special use:

1. **Public Welfare:** The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: The proposed medium industrial use will not pose any health, safety, comfort, convenience, or general welfare concerns. This facility will manufacture and distribute dishwashing detergents and sanitizers for commercial dishwashing. The manufacturing activity on site can be described as diluting commodity corrosive liquids in stainless steel tanks for transfer into consumer-sized bottles. All life safety systems required by the building code will be provided, including secondary containment.

2. **Neighborhood Character:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed medium industrial use is compatible with the adjacent properties within the industrial zone of Bensenville and the adjacent industrial area of Franklin Park. It does not represent a significant change in use from the neighboring properties.

3. **Orderly Development:** The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed medium industrial use will not impede the development and improvement of adjacent properties within the immediate vicinity. This use is similar to the existing adjacent properties in the area.

4. **Use of Public Services and Facilities:** The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: The proposed special use will not require any disproportionate needs or demand that would place an undue burden upon the existing development in the area. These items are expected to be typical for a facility of this size.

5. **Consistent with Title and Plan:** The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed special use does not represent a significant change in use from the neighboring properties, or allowable uses under the Village's Zoning Ordinance. The Village's Comprehensive Plan identified several vacant and underutilized properties available for redevelopment in the Eastern Business District, which would include the proposed site for this special use. The medium industrial use is consistent with the surrounding character of the Village.

Mr. Pozsgay reviewed the approval standards for variations:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response:

Tree Removal: In discussions with the Village Forestry Division, overplanting on site is a concern. The amount of trees required may affect the chances of survival of the proposed trees. The Owner is open to a discussion as to

what the best route forward is. Paying the applicable fee to reduce the number of trees does not endanger the health, safety, comfort, convenience, and general welfare of the public.

Driveway: Due to the trucks that will enter the site, wider driveways are required on the east and north sides of the site. Truck turning movement diagrams have been included as part of this submittal, showing the truck path to the loading dock, and leaving the site. Driveways have been sized as efficiently as possible to meet the needs of the site. The larger driveways do not represent a danger to the health, safety, comfort, convenience, and general welfare of the public.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response:

Tree Removal: The proposed planting plan will improve the landscape of the current site, and will align with the adjacent uses.

Driveway: The proposed driveway is compatible with the character of the adjacent properties to the north, east, and south. The area is predominantly industrial, as is the proposed use. Various driveways along County Line Road appear to be similar widths, also exceeding the Village of Bensenville allowable widths.

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response:

Tree Removal: As noted above, the hardship is dependent on the Village Forestry Division's interpretation of how close trees can be to survive and overcrowding on site. Paying the fee in lieu of replacement will still provide benefit to the Village for the trees being removed, while ensuring success of the replacement trees planted on site.

Driveway: Without a variance for the driveway width, the end user will not be able to conduct the required business operations on site. The end user requires a WB-67 truck to

pass through the site for deliveries critical to the functionality of the business.

4. **Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response:

Tree Removal: Due to the necessary truck movements through the site, width of the parcel, building size, required parking, and setbacks, the open space available to provide replacement trees is limited. This creates a challenge fitting the required number of tree replacement per Village code.

Driveway: Due to the width of the property, it is not feasible to achieve the standard driveway width per Village code. Different vehicle movement patterns have been analyzed to understand alternatives, and the presented site plan results in the least chance of truck movements into George Street or County Line Road.

5. **Minimum Deviation Needed:** The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response:

Tree Removal: The design team has provided tree spacing which provides enough space to ensure growing success. As noted above, the landscape design will defer to the Village Forestry Department as to what is the best long-term approach for tree locations. Additional trees which are not being replaced will be accounted for via the fee in lieu.

Driveway: Driveway widths have been made only as wide as necessary to accommodate the incoming and outgoing truck movements.

6. **Consistent with Ordinance and Plan:** The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response:

Tree Removal: The planting and tree selection will follow Village Code and the Commercial / Industrial flex use

within the Eastern Business District requirements in the Comprehensive Plan.

Driveway: The proposed use and driveway width align with the uses listed in the Eastern Business District within the Comprehensive Plan.

Mr. Pozsgay stated:

1. Staff recommends the Denial of the Findings and therefore the denial of the Special Use Permit.
 - a. Should the CDC or Village Board recommend approval, staff recommends the following conditions:
 - i. Site Plan Review:
 1. The property be developed in general compliance, except as amended herein, with the plans submitted by Charles Vincent George Architects, G2 Consulting, and Kimley-Horn dated 01/04/2024 revised 02/28/24, and all other Village Code Requirements;
 2. Applicant shall provide a sidewalk along the property within the George Street right-of-way and a 10' multi-use path along the property within the County Line Road right-of-way to be approved by Public Works/Engineering during permitting;
 3. Final architectural design of the principal structure and parking blocks/bollards to be approved by Zoning Administrator prior to permit approval;
 4. Final mechanical equipment screening (rooftop and ground) to be approved by Zoning Administrator prior to permit approval;
 5. Applicant shall coordinate with staff during permitting to provide street trees when feasible within portions of the right-of-way where adequate spacing is present;

6. All landscape requirements outside of received variations shall be met during permitting. Final Landscape plan to be approved by zoning administrator prior to permit approval;
 7. All illumination standards as outlined in Village Code section 10-9-8 Outdoor Lighting shall be met at permitting;
 8. Applicant shall coordinate with staff to ensure proper striping and directional signage for the site during the permitting process.
 - ii. Special Use Permit:
 1. The Special Use Permit be granted solely to Auto Chlor System and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit.
2. Staff recommends the Approval of the Findings and therefore the approval of the Findings for the Variation for Driveway Width.
 - a. Applicant to work with staff on eliminating turning movements for trucks going west on George St.
 - b. Applicant to work with staff on design and placement of the County Line Rd driveway.

3. Staff recommends the Approval of the Findings and therefore the approval of the Findings for the Variation for Tree Replacement Rate.
 - a. Additional trees shall be added to the site on the final landscape plan where feasible. If tree replacement rates cannot be fully met on the final landscape plan for the property, then applicant shall coordinate with staff to determine an appropriate fee-in-lieu for the remaining required tree replacement, to be approved by the Zoning Administrator.

There were no questions from the commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-03. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-03 at 7:30 p.m.

Motion: Commissioner Marcotte made a motion to approve Special Use Permit, Medium Industrial; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: None

Nays: Rowe, Chambers, Marcotte, Rott, Wasowicz

Motion failed.

Motion: Commissioner Marcotte made a motion to approve Variation, Driveway Width Requirements; Municipal Code Section 10-8-8c with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte

Nays: Rott, Wasowicz

Motion carried.

Motion: Commissioner Chambers made a motion to approve Variation, Tree Replacement Rate Requirements; Municipal Code Section 10-9-2B-1 with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Wasowicz

Nays: Rott

Motion carried.

Continued

Public Hearing: CDC Case Number 2024-04
Petitioner: Bensenville Park District
Location: 500 West Jefferson Street
Request: Variation, Electronic Message Sign Location
Municipal Code Section 10 – 10 – 5 – 4A3
Variation, Monument Sign Height
Municipal Code Section 10 – 10 – 5 – 8c

Motion: Commissioner Marcotte made a motion to re-open CDC Case No. 2024-04. Commissioner Rott seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe re-opened CDC Case No. 2024-04 at 7:36 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on February 15, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on February 15, 2024. Mr. Pozsgay stated on February 15, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for

viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Bensenville Park District, is seeking approval of two variations. Mr. Pozsgay stated the first variation seeks to allow an electronic message sign within one mile of an established electronic message sign. Mr. Pozsgay stated the sign is located within one mile of an electronic message sign located at 1047 S York Road, thus requiring a variation from the requirements of the existing code. Mr. Pozsgay stated the proposed sign will be placed in the same location as the existing monument sign along Jefferson Road. Mr. Pozsgay stated the second variation seeks to allow the monument sign upon which the electronic message sign is based to exceed the maximum height allowed for monument signs- 8 feet. Mr. Pozsgay stated the proposed monument sign would be 8.75 feet. Mr. Pozsgay stated the total sign area for the electronic message sign is approximately 23.08 SF. Mr. Pozsgay stated this covers less than 50% of the total monument sign area.

Jospeh Vallez, Bensenville Park District Director, was present and sworn in by Chairman Rowe. Mr. Vallez stated he was present to answer any questions the Commission has.

Commissioner Marcotte asked what took so long for the Park District to update the signage. Mr. Vallez explained that at the Park District Board's direction, they explored the possibility of selling the property. Mr. Vallez stated after it was determined they would not sell the property, the Park District is no investing a lot of money into revamping the golf course.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the approval standards for variations:

1. Public Welfare: The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: Yes, the proposed variation will not endanger the health, safety, convenience, and general welfare of the public.

2. Compatible with Surrounding Character: The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response: The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

3. Undue Hardship: The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: Yes, the proposed variation alleviates an undue hardship created by the literal enforcement of this title.

4. Unique Physical Attributes: The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: Yes, the proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

5. Minimum Deviation Needed: The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: Yes, the proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvements of the subject property.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Yes, the proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Variation for Electronic Message Sign Location with the following conditions:

- a. Applicant must adhere to all illumination standards outlined in Village Code Section 10-10-5B-4d.
2. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Monument Sign Height with the following conditions:
 - a. Applicant must adhere to all landscaping standards outlined in Village Code Section 10-10-5B-8c.

There were no questions from the commission.

Motion: Commissioner Marcotte made a motion to close CDC Case No. 2024-04. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-04 at 7:45 p.m.

Motion: Commissioner Chambers made a motion to approve Variation, Electronic Message Sign Location; Municipal Code Section 10-10-5-4A-3 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Marcotte made a motion to approve Variation, Monument Sign Height; Municipal Code Section 10-10-5-8c with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-06
Petitioner: Partner Carries, Inc.
Location: 211 Beeline Drive, Unit 1
Request: Special Use Permit, Motor Vehicle Repair and/or Service
Municipal Code 10 – 7 – 2 – 1

Motion: Commissioner Rott made a motion to open CDC Case No. 2024-06. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-06 at 7:47 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Northside Automotive, is seeking approval of a special use permit for motor vehicle repair and/or service. Mr. Pozsgay stated they wish to “complete body work on higher end vehicles without the need to store vehicles outside.” Mr. Pozsgay stated the property is currently within an I – 2 General Industrial District, where motor vehicle repair and/or service are allowed with a special use permit. Mr. Pozsgay stated the site is .31 acres.

Marshall Subach, Attorney, was present and sworn in by Chairman Rowe. Mr. Subach stated his client did not own the building under the previous user. Mr. Subach stated the property has been cleaned up by his client. Mr. Subach shared that his client has been operating in Chicago for twelve years and will remain there as well. Mr. Subach stated there is already a paint booth on site.

Sair Arapovic, owner of Northside Automotive was present and sworn in by Chairman Rowe. Mr. Arapovic provided an overview of his operations and the need for a closer location to the suburbs. Mr. Arapovic stated he works on high end vehicles; all body repair.

Commissioner Chambers asked what the maximum storage of vehicles inside would be. Mr. Arapovic stated eight vehicles.

Commissioner Rott asked why the petitioner shared that he only works on high end vehicles. Mr. Arapovic explained that with the vehicles being high end, there would be no need for the vehicles to be stored outside.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the Approval Standards for the proposed special use consisting of:

1. **Public Welfare:** The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: The proposed Special Use will not endanger the health, safety, comfort, convenience and general welfare of the public. The proposed use for automotive repair is Special Use in the I-2 District. The proposed tenant will complete all body work on the interior of the building in compliance with all existing codes.

2. **Neighborhood Character:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Automotive repair is compatible with all of the existing industrial users within the 211 Beeline development and is consistent with the general character of the adjacent properties which are all industrial users. There is existing truck repair and auto repair located within the 211 Beeline building within other units.

3. **Orderly Development:** The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: All of the adjacent properties are improved with existing industrial users. The granting of the Special Use will have no effect on and future redevelopment, if any, of adjacent properties.

4. **Use of Public Services and Facilities:** The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: The proposed use will not require any expansion or strain on community facilities or services to a degree that is disproportionate to normal activities in the I2 district. The granting of the Special Use Permit will also not require any new utilities, access roads, drainage or other facilities.

5. **Consistent with Title and Plan:** The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Under the Comprehensive Plan, the Subject Property falls under the Northern Business District. The proposed development fulfills the objective of the Bensenville Comprehensive Plan to support regional growth of existing industrial properties and the rehabilitation of the existing industrial sites. Approval of the Special Use Permit will also fulfill a goal of supporting

existing property owners and wanting to fill existing vacant units with viable businesses to support the residents and tax base.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit with the following conditions:
 - a. The Special Use Permit be granted solely to Northside Automotive and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit.
 - b. A triple catch basin must be installed.
 - c. No outdoor storage of motor vehicles is permitted.

There were no questions from the commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-06. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-06 at 8:03 p.m.

Motion: Commissioner Marcotte made a motion to approve the Special Use Permit, Motor Vehicle Repair and/or Service; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-07
Petitioner: Jay Adkins
Location: 352 South Church Road
Request: Variation, Fence in the Corner Side Yard
Municipal Code Section 10 – 7 – 4C – 7a

Motion: Commissioner Marcotte made a motion to open CDC Case No. 2024-07. Commissioner Chambers seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-07 at 8:04 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Jay Adkins, is seeking approval of a variation in order to construct a fence in the corner side yard of their property. Mr. Pozsgay stated the proposed fence is a 5-foot solid vinyl fence with an additional foot of lattice. Mr. Pozsgay stated the proposed fence will extend 24' south towards 2nd Avenue, running 70' parallel to 2nd Avenue.

Mr. Pozsgay stated the proposed fence does not impact the west adjacent property driveway sight vision triangle.

Jay Adkins, property owner, was present and sworn in by Chairman Rowe. Mr. Adkins reviewed the proposed fence. Mr. Adkins stated the need for the fence is for his children and dogs.

There were no questions from the Commission.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the Approval Standards for the proposed variation consisting of:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: This proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response: This proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: The proposed variation alleviates the hardship of containing small children and pets from venturing towards the street into harm's way.

4. **Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: The proposed variation is necessary due to the unique physical attributes of our property, being the busy vehicular traffic on the cross street that border our property.

5. Minimum Deviation Needed: The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: The proposed variation represents the minimum deviation from the regulations of this title necessary to extend our backyard fence further south into the corner side yard.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed variation has proven to be consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Variation, Fence in the Corner Side Yard at 352 S Church Rd with the following conditions:
 - a. Fence shall be setback 1 foot from the south (2nd Avenue) property line, as shown in plans;
 - b. Fence shall be 5 feet high with an additional 1 foot of lattice, as proposed by the applicant.

There were no questions from the commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2024-07. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-07 at 8:09 p.m.

Motion: Commissioner Marcotte made a motion to approve the Variation, Fence in the Corner Side Yard; Municipal Code Section 10-7-4C-7a with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-08
Petitioner: Rocio Olvera
Location: 1347 West Irving Park Road
Request: Special Use Permit, Day Care Center
Municipal Code Section 10 – 7 – 2 – 1

Motion: Commissioner Chambers made a motion to open CDC Case No. 2024-08. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-08 at 8:10 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Primavera School, represented by Rocio Olvera, is requesting approval of a Special Use Permit for a day care center at 1347 W Irving Park Rd. Mr. Pozsgay stated the site is currently a vacant lot of roughly .45 acres. Mr. Pozsgay stated the building size is projected to be 8,000 square feet. Mr. Pozsgay stated no variances are sought at this time.

Rocio Olvera, business owner, was present and sworn in by Chairman Rowe. Ms. Olvera shared a power point presentation of the proposed operations. The power point has been attached to the minutes as “Exhibit B”. Ms. Olvera stated her mother has successfully operated a daycare location in Stone Park for the past twenty five years and this would be their second location.

Commissioner Rott asked what the proposed hours would be. Ms. Olvera stated the daycare would operate from 5:00am – 7:00pm.

Commission Rott asked what type of certifications are needed for the teachers. Ms. Olvera explained the requirements.

Public Comment

Nancy Ingold – 10 South Meadow Court, South Barrington, Illinois

Ms. Ingold was present and sworn in by Chairman Rowe. Ms. Ingold raised concern with parking on the proposed site and concerns with a long line of traffic trying to exit the property during pickup time.

Linda Bratland – 915 John Street, Bensenville, Illinois 60106

Ms. Bratland was present and sworn in by Chairman Rowe. Ms. Bratland stated she fully supports daycares, however, she feels that the applicant would have a difficult time filling spots with the other options available to Residents in town. Ms. Bratland also raised concern with the hours of operation.

Commissioner Chambers shared that his family is currently on a waitlist for after school programs for his children and supports the need for more daycare options in town.

Mr. Pozsgay reviewed the Approval Standards for the proposed special use permit consisting of:

1. Public Welfare: The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: Our childcare center (Primavera School) will not endanger the health, safety, comfort, convenience, and general welfare of the public.

2. Neighborhood Character: The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Our childcare center (Primavera School) is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

3. Orderly Development: The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Our childcare center (Primavera School) will not impeded the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

4. Use of Public Services and Facilities: The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: Our childcare center (Primavera School) will not require utilities, access roads, drainage, and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Our childcare center (Primavera School) is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit, Day Care Center at 1347 W. Irving Park Rd with the following conditions:
 - a. The Special Use Permit be granted solely to Primavera School and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
 - b. Before a Certificate of Occupancy can be issued, the Village needs to receive documentation of such State and County approvals and licenses.

Mr. Pozsgay stated Staff would also like to add the following condition:

Application must work with Staff on a Parking and Traffic management plan.

There were no objections from the Commission.

Commissioner Wasowicz asked why the application was seeking the special use before the property is even developed. Ms. Olvera explained they want to ensure their operation would be allowed before they close on the property.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-08. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-08 at 8:30 p.m.

Motion: Commissioner Marcotte made a motion to approve the Special User Permit, Day Care Center; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-09
Petitioner: Playful Minds Therapy of Bensenville
Location: 2 South Addison Road
Request: Special Use Permit, Day Care Center
Municipal Code Section 10 – 7 – 2 – 1

Motion: Commissioner Rott made a motion to open CDC Case No. 2024-09. Commissioner Wasowicz seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-09 at 8:31 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and

inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Playful Minds Therapy of Bensenville, represented by Wajahat Macci and Maliha Khan, is seeking approval of a Special Use Permit at 2 S Addison St. Mr. Pozsgay stated Playful Minds Therapy wishes to operate a specialized day care center at this location. Mr. Pozsgay stated it is a standalone building with two storefronts, roughly 5,400 square feet. Mr. Pozsgay stated this day care center will offer occupational therapy and other forms of therapy centered at aiding individuals with autism. Mr. Pozsgay stated in the past, there was previously a day care center at this location.

Wajahat Macci, business owner, was present and sworn in by Chairman Rowe. Mr. Macci provide an overview of their operations. Mr. Macci stated they offer therapy to autistic children from the ages of two to sixteen years old. Mr. Macci stated the majority of their operation is done digitally but there is a need for in person meetings.

Commissioner Rott asked how drop off and pickups would work with the limited space. Mr. Macci stated the operation is similar to a doctors appointment where the child will be dropped off and pick up; all are done via appointments.

Commission Rott asked how many people would be on site at once. Mr. Macci stated the occupancy would be thirty but feels they would never reach that amount.

Public Comment

Linda Bratland – 915 John Street, Bensenville, Illinois 60106

Ms. Bratland was present and sworn in by Chairman Rowe. Ms. Bratland asked if the operation would also include weekends. Ms. Bratland raised concern with limited downtown parking for the proposed operations.

Mr. Macci stated they will offer weekend appointments.

Mr. Pozsgay stated Staff feels there is enough downtown parking for the proposed operations. Ms. Bratland stated she disagrees.

Mr. Pozsgay reviewed the Approval Standards for the proposed special use permit consisting of:

1. Public Welfare: The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: Yes, it will not do the following.

2. Neighborhood Character: The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Yes, it is compatible within the vicinity.

3. Orderly Development: The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Yes, it will not impede the normal and orderly development of adjacent.

4. Use of Public Services and Facilities: The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: Yes, it will not require such a need.

5. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Yes, it is consistent with the comprehensive plan and land use policies.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit, Day Care Center at 2 S. Addison with the following conditions:
 - a. The Special Use Permit be granted solely to Playful Minds Therapy of Bensenville and shall be transferred only after a review by the Community Development

- Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
- b. Before a Certificate of Occupancy can be issued, the Village needs to receive documentation of such State and/or County approvals and licenses.
 - c. The two parking spaces along Addison St will remain short term temporary parking for loading and unloading only.
 - d. The area currently blocked off next to the railroad tracks will remain so. This is not to be accessed by any vehicles at any time.

There were no questions from the Commission.

Motion: Commissioner Marcotte made a motion to close CDC Case No. 2024-09. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-09 at 8:48 p.m.

Motion: Commissioner Chambers made a motion to approve the Special User Permit, Day Care Center; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-10
Petitioner: Village of Bensenville
Location: Village of Bensenville
Request: Text Amendments, Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses) Chapter 11 (Definitions)

Motion: Commissioner Wasowicz made a motion to open CDC Case No. 2024-10. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-10 at 8:49 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.

Mr. Pozsgay stated The Village of Bensenville is seeking the aforementioned text amendments in order to refine the 2019 Village Zoning Ordinance. Mr. Pozsgay stated in late 2018, the Village underwent a complete overhaul of its current Zoning Ordinance, which had been adopted in 1999. Mr. Pozsgay stated since the introduction of the current Ordinance, Staff has been able to identify certain shortcomings while enforcing the regulations and implementing the refurbished zoning application procedures. Mr. Pozsgay stated the proposed amendments are summarized as follows:

- Designation of a Definition for Electric Vehicles (EVs) and associated terms
- Establishment of Use standards for Electric Vehicle Charging Stations

There were no questions from the Commission.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the Approval Standards for the proposed text amendments consisting of:

- 1) **Public Welfare:** The proposed amendments will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: Since the adoption of the 2019 Zoning Ordinance, a complete overhaul of the previous Code, Staff has been able to find areas for improvement within the code.

The amendment to the code requirements for Electric Vehicles and Electric Vehicle Charging Stations will not endanger the health, safety, comfort, convenience, and general welfares of the public. The proposed amendments for Electric Vehicle definitions clarify aspects of the installation process for Electric Vehicles and make the process more accessible for village residents. The proposed amendments for Use standards allow Electric Vehicle Charging Standards to have a cohesive appearance and level of safety across the village. The proposed amendments keep in consideration and ensure that the general welfare of the public is not impacted.

- 2) **Amendment Objective:** The proposed amendments correct an error, add clarification, or reflect a change in policy.

Applicant's Response: The proposed amendments are requested to improve and refine the Zoning Ordinance to allow for orderly development in accordance with modern development techniques and add clarification and flexibility for common residential and commercial property zoning considerations.

- 3) **Consistent with Ordinance and Plan:** The proposed amendments are consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed amendments are consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village. Amendments do not contrast Village goals and guidelines, as the amendments are focused on maintaining and promoting orderly land use patterns and development,

protect the Village's quality of life and the character of its neighborhoods by ensuring that development is compatible and cohesive, and to promote development that sustainably manages environmentally sensitive issues.

Mr. Pozsgay stated:

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Text Amendments to the Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses), and Chapter 11 (Definitions).

There were no questions from the Commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2024-10. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-10 at 8:53 p.m.

Motion: Commissioner Wasowicz made a motion to approve the Text Amendments; Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses), Chapter 11 (Definitions) with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

**Report from
Community
Development:**

Mr. Quinn reviewed both recent CDC cases along with upcoming cases.

ADJOURNMENT: There being no further business before the Community Development Commission, Commissioner Marcotte made a motion to adjourn the meeting. Commissioner Rott seconded the motion.

All were in favor. Motion carried.

The meeting was adjourned at 8:55 p.m.

Substance Name	Approved Uses	Common Examples	Auto-Chlor Examples
Ammonium Hydroxide	FDA GRAS* : Safe for use as a food ingredient	Bread-Leavening Windex	Glass & All-Purpose Cleaners
Phosphoric Acid	FDA GRAS : Safe for use as a food ingredient	Coca-Cola Lime-Away Vegetable Wash	Lime Remover Tub & Tile Cleaner
Potassium Hydroxide	FDA GRAS : Safe for use as a food ingredient	Ice Cream Liquid Hand Soaps	Dishwashing Soaps Multi-Purpose Cleaners
Sodium Hydroxide	FDA GRAS : Safe for use as a food ingredient	Cured Olives Bar Soaps Dishwasher Gel	Dish Machine Soaps Handwashing Soaps
Sulfamic Acid	FDA GRAS : Safe for use in direct food-contact packages (fiberboard)	Coffee Maker Cleaner	Bathroom Cleaners
Fluorosilicic Acid (Flouride)	Drinking Water Treatment	Oral Care Products	Laundry Conditioner
Benzalkonium Chloride	Used in Antibacterial Hand Soaps & Hand Sanitizers	Antibacterial Hand Wash Bactine Antiseptic Cold Sore Treatment	Dishware Sanitizers Antibacterial Hand Soaps Disinfectants

*GRAS = Affirmed as *Generally Recognized As Safe* by the U.S. Food and Drug Administration for use in food or food manufacturing when used according to good manufacturing practice.



PRIMAERA SCHOOL

Bilingual Early Childhood Education



Rocio Olvera & Belen Olvera

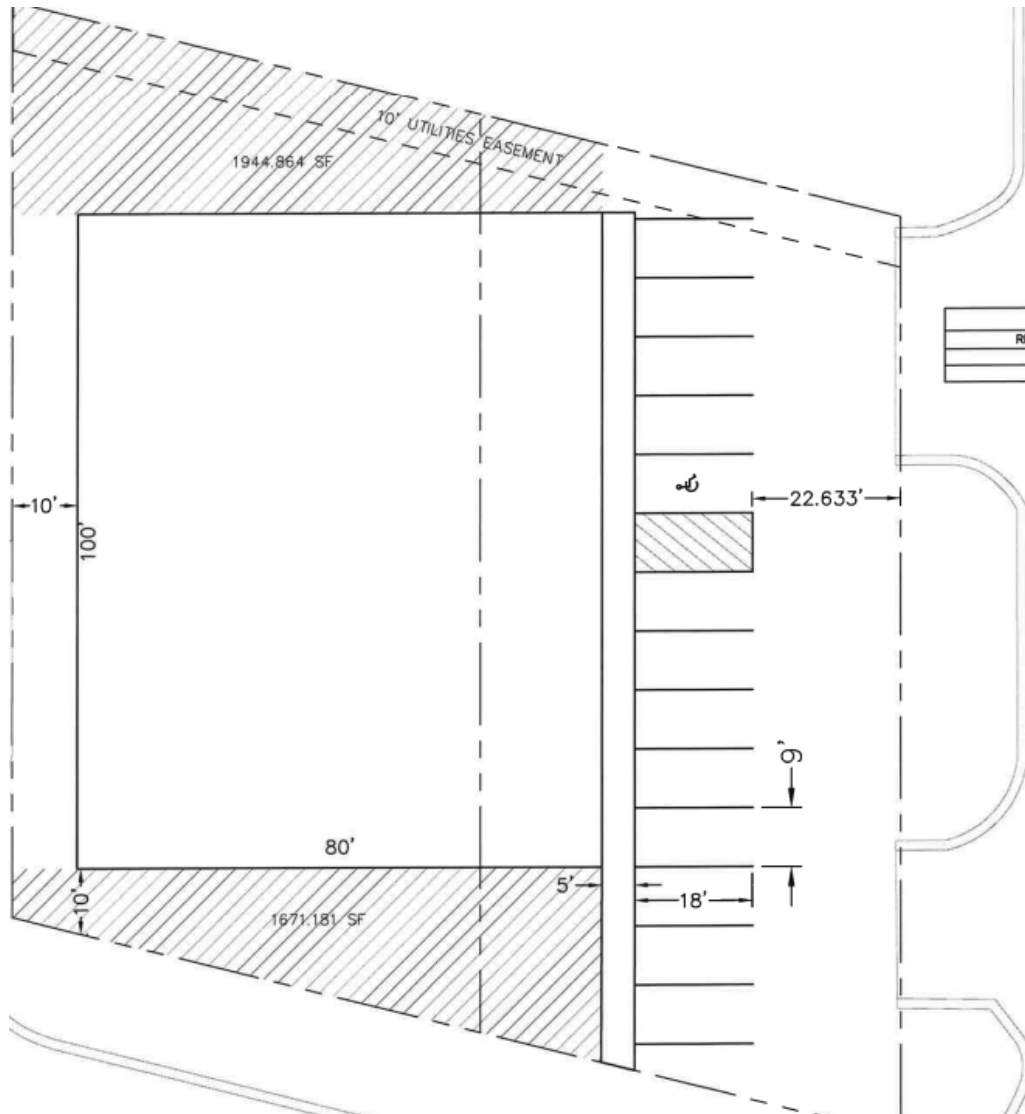
HISTORY: THE SHEPHERD'S LEARNING ACADEMY





Vision

- At Primavera School, our vision is to create a nurturing and inclusive environment where children thrive academically, socially, and spiritually. We strive to promote bilingualism and Christian values, fostering a strong foundation for their future success.



1347 Irving Park Road, Bensenville, IL



Classrooms

- Primavera School will be licensed for children as young as 3 months to 11 years of age.
- We will build 8 classrooms total; each classroom will be designated for a specific age of children:
- 1. Infants (2 classrooms)
- 2. Toddlers (2 classrooms)
- 3. Threes
- 4. Fours
- 5. Junior Kindergarten/Kindergarten
- 6. School Age
- License Capacity: 134 children

Operation Details

1

Hours of Operation:
5am-7pm

2

We plan to have 20
staff members

3

We will be licensed
by the Department
of Children and
Family Services,
DCFS.

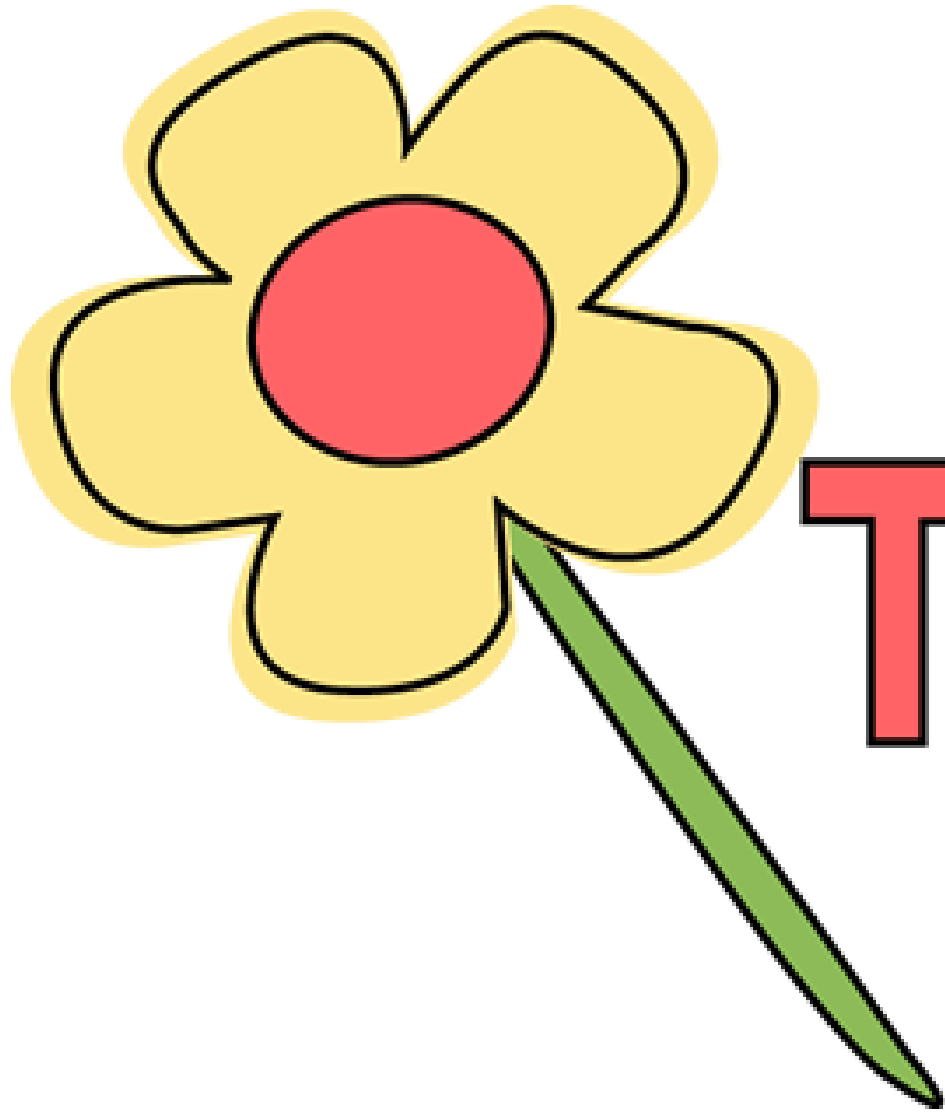
Community Impact

Strong and quality childcare services.

Opportunities for Bilingualism.

Job opportunities

Community partnerships



Thank
You

ORDINANCE # _____

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR DAY CARE CENTER
AT 2 SOUTH ADDISON STREET, BENSENVILLE, ILLINOIS**

WHEREAS, the Village of Bensenville, DuPage and Cook Counties, Illinois (the “*Village*”) is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the President and the Board of Trustees of the Village of Bensenville (the “*Corporate Authorities*”) have heretofore exercised the power conferred on them pursuant to Chapter 11-13-1, *et seq.*, of the Illinois Municipal Code by adopting the Village of Bensenville Zoning Ordinance (Ord. 07-99), as amended from time to time (the “*Zoning Ordinance*”); and

WHEREAS, Firat Ahmet Ergun & Sirac Ergun, 1320 Elliot St, Park Ridge, Illinois, 60068 (the “*Owner*”) own the property located at 2 S Addison St; and

WHEREAS, Playful Minds Therapy of Bensenville (“*Applicant*”) of 211 E Lake Street, STE 1S, Addison, IL 60101 filed an application for Special Use Permit, Day Care Center Municipal Code Section 10-7-2-1 of the Bensenville Village Zoning Ordinance (“*Zoning Ordinance*”) for the property located at 2 S Addison St, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the “*Subject Property*”), a copy of said application being contained on file in the Community and Economic Development Department; and

WHEREAS, the Village published Notice of Public Hearing with respect to the Variations in the *Bensenville Independent* on Thursday, March 14, 2024, and notice was also given via posting of one Public Hearing Sign on the Subject Property on Friday, March 15, 2024, and via First Class

mail to taxpayers of record within 250 feet of the Subject Property on March 14, 2024, all as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, pursuant to said Notice, the Community Development Commission of the Village of Bensenville conducted a Public Hearing on April 2, 2024 (the “*Public Hearing*”), as required by the statutes of the State of Illinois and the ordinances of the Village, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, at the conclusion of the Public Hearing, the Community Development Commission agreed with the findings of fact submitted by the Applicant, and thereafter, voted (5-0) to recommend approval of the Special Use Permit, Day Care Center with certain conditions, and forwarded its recommendations, including the Staff Report and findings relative to the requests, which are attached hereto and incorporated herein by reference as Exhibit C, to the Corporate Authorities; and

WHEREAS, the Corporate Authorities have duly considered the Community Development Commission’s recommendation and findings of fact, and have determined that approval of the Special Use Permit, as recommended by the Community Development Commission, with conditions, is consistent with the Zoning Ordinance; and

WHEREAS, the Corporate Authorities deem it advisable and in the best interest of the health, safety, and welfare of the residents of the Village to grant the Special Use Permit requested and subject to the conditions identified herein.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, duly assembled at a regular meeting, as follows:

Section 1. That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

Section 2. That the Subject Property is currently zoned within the C-1 Downtown Mixed-Use District, which zoning classification shall remain in effect subject to the Variations approved herein.

Section 3. That the Corporate Authorities hereby adopt by reference the findings of fact of the Community Development Commission as findings of the Village President and the Board of Trustees as if completely set forth herein and find that the Special Use Permit are proper and necessary, with certain modifications and additional conditions contained herein.

Section 4. That in addition to the findings set forth in Sections 3 hereof, the Corporate Authorities find as to the standards of special use in relation to the requests:

- i. The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.
- ii. The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.
- iii. The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.
- iv. The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.
- v. The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Section 5. That the Special Use Permit at 2 S Addison St in Bensenville, Illinois as legally described in Exhibit A, is hereby approved, provided that the project is constructed in

substantial conformance with the following plans and specifications (collectively, the “Plans and Specifications”), except as may be amended pursuant to Section 6 of this Ordinance:

- i. Application: submitted by Applicant on March 1, 2024 (Exhibit B; the “*Application*”);
- ii. Overall Site Plan: Submitted by Applicant in tandem with application (Exhibit B);
- iii. ALTA/NSPS Land Title Survey: prepared by United Survey Service on November 1, 2022 (Exhibit B; the “*Survey*”).

The Plans and Specifications are hereby approved by this Ordinance.

Section 6. That the Special Use granted herein is further subject to the following conditions and restrictions which the Corporate Authorities deem necessary to protect the public interest:

- i. The Special Use Permit be granted solely to Playful Minds Therapy of Bensenville and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
- ii. Before a Certificate of Occupancy can be issued, the Village needs to receive documentation of such State and/or County approvals and licenses.
- iii. The two parking spaces along Addison St will remain short term temporary parking for loading and unloading only.
- iv. The area currently blocked off next to the railroad tracks will remain so. This is not to be accessed by any vehicles at any time.

Section 7. No building permits shall be issued for construction related to the Special Use Permit unless the plans submitted in conjunction with the building permits are in substantial conformance with the Plans and Specifications and conditions, as approved herein.

Section 8. The Applicant hereunder shall at all times comply with the terms and conditions of the Ordinance and, in the event of non-compliance, said Ordinance shall be subject to revocation.

Section 9. All sections of the Zoning Ordinance not addressed in this Ordinance or another amending ordinance shall remain in full force and effect.

Section 10. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 11. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 12. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville,
DuPage and Cook Counties, Illinois, this 23rd day of April 2024, pursuant to a roll call vote, as
follows:

APPROVED:

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

Ordinance # ____ - 2024
Exhibit “A”

The Legal Description is as follows:

PARCEL ONE:

THAT PART OF LOT 1 DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1, THENCE SOUTH ALONG THE EAST LINE OF SAID LOT, 23.76 FEET; THENCE WEST TO A POINT IN THE WEST LINE OF SAID LOT 1, 58.69 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 58.69 FEET TO THE NORTHWEST CORNER THEREFORE, BEING ALSO THE SOUTH LINE OF THE RIGHT-OF-WAY OF THE CHICAGO, MILWAUKEE, ST. PAUL, AND PACIFIC RAILROAD' THENCE SOUTHERLY ALONG THE NORTHERLY LINE OF SAID LOT AND SOUTHERLY LINE OF THE RIGHT-OF-WAY OF SAID RAILROAD, 173.21 FEET TO THE NORTHEAST CORNER OF SAID LOT AND THE PLACE OF BEGINNING, IN BLOCK 4 IN TIOGA, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 24, 1873 AS DOCUMENT 17017, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF LOT 1 IN BLOCK 4 IN “TIOGA”, A SUBDIVISION IN THE SOUTHEAST QUARTER, OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 1, 23.75 FEET FOR A PLACE OF BEGINNING THENCE WEST TO A POINT IN THE WEST LINE OF SAID LOT 50.00 FEET SOUTH OF THE NORTHWEST CORNER THEREOF; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 100.00 FEET: THENCE EAST TO THE SOUTH EAST.

Commonly known as 2-4 S Addison Street, Bensenville, IL 60106.

Ordinance # ____ - 2024
Exhibit “B”
Plans and Specifications

On file in the Community and Economic Development Department.

DRAFT

Ordinance # ____ - 2024
Exhibit “C”
Findings of Fact

Mr. Pozsgay reviewed the Approval Standards for the proposed special use permit consisting of:

1. Public Welfare: The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant’s Response: Yes, it will not do the following.

2. Neighborhood Character: The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant’s Response: Yes, it is compatible within the vicinity.

3. Orderly Development: The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant’s Response: Yes, it will not impede the normal and orderly development of adjacent.

4. Use of Public Services and Facilities: The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant’s Response: Yes, it will not require such a need.

5. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant’s Response: Yes, it is consistent with the comprehensive plan and land use policies.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit, Day Care Center at 2 S. Addison with the following conditions:
 - a. The Special Use Permit be granted solely to Playful Minds Therapy of Bensenville and shall be transferred only after a review by the Community

Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;

- b. Before a Certificate of Occupancy can be issued, the Village needs to receive documentation of such State and/or County approvals and licenses.
- c. The two parking spaces along Addison St will remain short term temporary parking for loading and unloading only.
- d. The area currently blocked off next to the railroad tracks will remain so. This is not to be accessed by any vehicles at any time.

There were no questions from the Commission.

Motion: Commissioner Marcotte made a motion to close CDC Case No. 2024-09. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-09 at 8:48 p.m.

Motion: Commissioner Chambers made a motion to approve the Special User Permit, Day Care Center; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

TYPE:Ordinance**SUBMITTED BY:**K. Pozsgay**DEPARTMENT:**CED**DATE:**4.16.24**DESCRIPTION:**

Consideration of an Ordinance Granting a Special Use Permit (Motor Vehicle Repair and/or Service) at 211 Beeline Drive Unit 1

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:**SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:**☐*Financially Sound Village**Quality Customer Oriented Services**Safe and Beautiful Village*☒*Enrich the lives of Residents**Major Business/Corporate Center**Vibrant Major Corridors***COMMITTEE ACTION:**

COW

DATE:

04/16/24

BACKGROUND:

1. The Petitioner, Northside Automotive, is seeking approval of a special use permit for motor vehicle repair and/or service.
2. They wish to "complete body work on higher end vehicles without the need to store vehicles outside."
3. The property is currently within an I – 2 General Industrial District, where motor vehicle repair and/or service are allowed with a special use permit.

KEY ISSUES:

1. The Special Use Permit is tied to Northside Automotive.
2. No outside storage of vehicles is allowed.
3. The building must be brought up to code, including the installation of a triple catch basin should one not exist currently.

ALTERNATIVES:

Discretion of the Committee

RECOMMENDATION:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit with the following conditions:
 1. The Special Use Permit be granted solely to Northside Automotive and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit.
 2. A triple catch basin must be installed.
 3. No outdoor storage of motor vehicles is permitted.

BUDGET IMPACT:

NA

ACTION REQUIRED:

Approval of an Ordinance Granting a Special Use Permit (Motor Vehicle Repair and/or Service) at 211 Beeline Drive Unit 1.

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
Cover Page	3/26/2024	Cover Memo
Aerial & Zoning	3/26/2024	Backup Material
Legal Notice	3/26/2024	Backup Material
Application	3/26/2024	Backup Material
Approval Standards	3/26/2024	Backup Material
Plat of Survey	3/26/2024	Backup Material
Staff Report	3/28/2024	Executive Summary
Draft CDC Minutes	4/8/2024	Backup Material
Draft Ordinance	4/11/2024	Ordinance



BENSENVILLE

GATEWAY TO OPPORTUNITY

**Community Development Commission
Public Hearing 4.02.24**

CDC Case #2024 – 06

**Northside Automotive
211 Beeline St Unit 1**

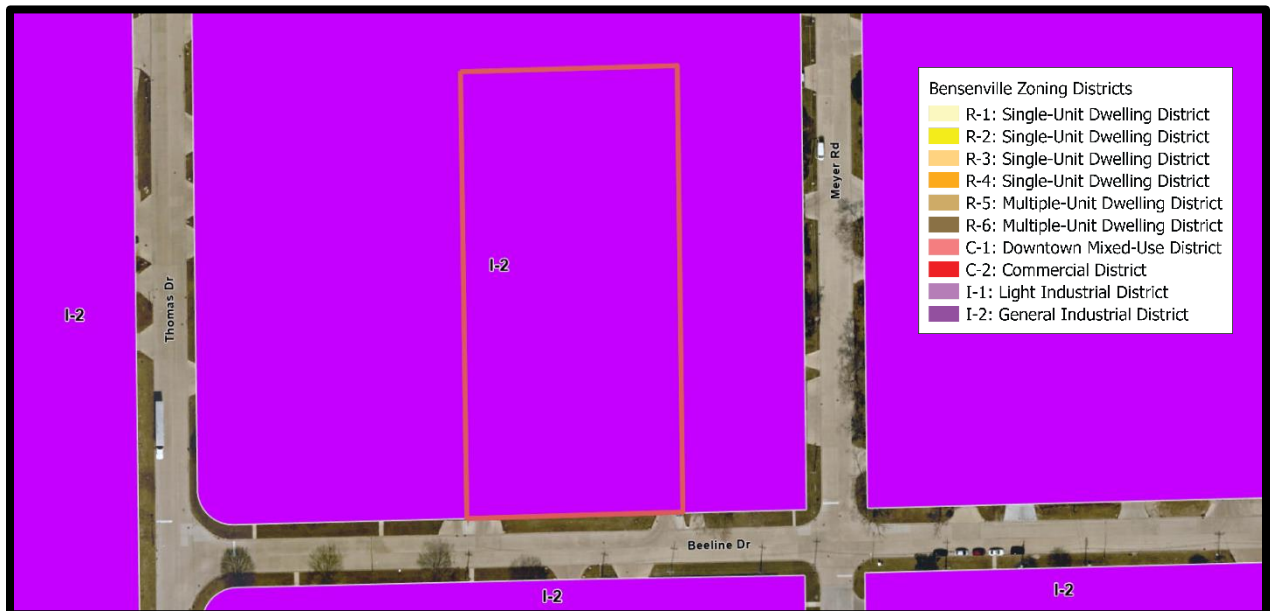
**Special Use Permit, Motor Vehicle Repair and/or Service
Municipal Code Section 10 – 7 – 2 - 1**

1. Aerial Photograph & Zoning Map of Subject Property
2. Legal Notice
3. Application
4. Staff Report & Exhibits
5. Plans





Village of Bensenville



**LEGAL NOTICE/PUBLIC NOTICE
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Meeting of the Community Development Commission of the Village of Bensenville, DuPage and Cook Counties, will be held on Tuesday, April 2, 2024 at 6:30 P.M, at which a Public Hearing will be held to review case No. 2024 – 06 to consider a request for:

Special Use Permit, Motor Vehicle Repair and/or Service
Municipal Code 10 – 7 – 2 – 1

At 211 Beeline Drive is an existing I-2 General Industrial District. The Public Hearing will be held in the Village Board Room at Village Hall, 12. S. Center Street, Bensenville.

The Legal Description is as follows:

PARCEL 1:

THE WEST 234.18 FEET LYING SOUTH OF A LINE DRAWN AT RIGHT ANGLE TO THE WEST LINE THEREOF, THROUGH A POINT 90.02 FEET NORTH OF THE SOUTHWEST CORNER THEREOF LOT 3 (EXCEPT THE SOUTHWEST 33 FEET THEREOF IN MOHAWK ACRES, A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 17, 1934 AS DOCUMENT 350561, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

EASEMENT FOR THE BENEFIT OF PARCEL 1 FOR INGRESS AND EGRESS AS SET FORTH IN THE DECLARATION RECORDED AS DOCUMENT R72-74496 AND SHOWN IN THE PLAT OF SUBDIVISION AFORESAID, DUPAGE COUNTY, ILLINOIS.

Commonly known as 211 Beeline Drive Unit 1, Bensenville, Illinois 60106.

Partner Carriers, Inc., represented by Sead Sabangic, is the owner and the applicant for the subject property.

Any individual with a disability requiring a reasonable accommodation in order to participate in any public meeting held under the authority of the Village of Bensenville should contact the Village Clerk, Village of Bensenville, 12 S. Center St., Bensenville, IL 60106, (630) 766-8200, at least three (3) days in advance of the meeting.

Applicant's application and supporting documentation may be examined by any interested parties in the office of the Community and Economic Development Department, Monday through Friday, in the Village Hall, 12 South Center Street, Bensenville, IL 60106. All interested parties may attend the Public Hearing and be heard. A link for electronic viewing will be posted on the Village website at least 48 hours prior to the meeting date. Written comments mailed to the Village Hall, and online comments submitted on the Village website, will be accepted by the Community and Economic Development Department through April 2, 2024 until 5:00 PM.

Office of the Village Clerk
Village of Bensenville

**TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT
MARCH 14, 2024**

For Office Use Only

Date of Submission: _____ MUNIS Account #: 13755 CDC Case #: _____

COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: 211 Beeline Drive Unit 1, Bensenville, Illinois 60106

Property Index Number(s) (PIN): 03-11-401-033

A. PROPERTY OWNER:

Partner Carriers Inc.

Name	Corporation (if applicable)	
<hr/>		
Street		
<u>211 Beeline Drive Unit 1</u>	<u>Bensenville</u>	<u>60106</u>
City	State	Zip Code
<u>Sead Sabanagic</u>	<u>(847)847-9509</u>	<u>seadceva@gmail.com</u>
Contact Person	Telephone Number	Email Address

*If Owner is a Land Trust, attach a list of the names and addresses of the beneficiaries of the Trust.

B. APPLICANT: ☒ Check box if same as owner

Partner Carriers, Inc.

Name	Corporation (if applicable)	
<hr/>		
<u>211 Beeline Drive Unit 1</u>		
Street		
<u>Bensenville</u>	<u>Illinois</u>	<u>60106</u>
City	State	Zip Code
<u>Sead Sabangic</u>	<u>(847)847-9509</u>	<u>seadceva@gmail.com</u>
Contact Person	Telephone Number	Email Address

B. ACTION REQUESTED (Check applicable):

- ☐ Site Plan Review
- ☒ Special Use Permit
- ☐ Variation
- ☐ Administrative Adjustment
- ☐ Zoning Text or Map Amendment
- ☐ Zoning Appeal
- ☐ Plat of Subdivision
- ☐ Annexation
- ☐ Planned Unit Development*

*See Staff for additional information on PUD requests

SUBMITTAL REQUIREMENTS:

- ☒ Affidavit of Ownership** (signed/notarized)
- ☒ Application**
- ☒ Approval Standards**
- ☒ Plat of Survey/Legal Description
- ☐ Site Plan
- ☐ Building Plans & Elevations
- ☐ Engineering Plans
- ☐ Landscape Plan
- ☐ Tree Preservation and Removal Plan
- ☒ Application Fees
- ☒ Fees agreement**

**Item located within this application packet.

Brief Description of Request(s): (Submit separate sheet if necessary)

Petitioner is seeking a special use permit for motor vehicle repair and
service

C. PROJECT DATA:

1. General description of the site: one story industrial building
2. Acreage of the site: .31 acres Building Size (if applicable): 3150
3. Is this property within the Village limits? (Check applicable below)
☒ Yes
☐ No, requesting annexation
☐ No, it is under review by another governmental agency and requires review due to 1.5 mile jurisdiction requirements.
4. List any controlling agreements (annexation agreements, Village Ordinances, site plans, etc.)
None

5. Character of the site and surrounding area:

	Zoning	Existing Land Use	Jurisdiction
Site:	I2	Industrial	Bensenville
North:	I2	Industrial	Bensenville
South:	I2	Industrial	Bensenville
East:	I2	Industrial	Bensenville
West:	I2	Industrial	Bensenville

D. APPROVAL STANDARDS:

The applicant must compose a letter describing how the request(s) specifically meets the individual criteria from the appropriate Approval Standards, found in Village Code and on the following pages. The CDC will be unable to recommend approval of a request without a response to the pertinent "Approval Standards."

Hunt & Subach Ltd.

ATTORNEYS AT LAW

THOMAS CASEY HUNT
MARSHALL J. SUBACH
STEPHEN SPIEGEL
SPENCER C. HUNT

1035 S. York Road
Bensenville, IL 60106
Phone 630-860-7800
Fax 630-860-8283
www.7800Law.com

Of Counsel

Daniel J. Kaiser
Mariam L. Hafezi
Brad S. Telander
Philip D. Blomberg

February 14, 2024

Mr. Kurtis Pozsgay
Community Development Director
Community and Economic Development Dept.
Village of Bensenville
12 S. Center Street
Bensenville, IL 60106

RE: Partner Carriers, Inc.
211 Beeline Drive Unit 1, Bensenville, IL 60106
Our file #: 23-0876
Response Letter for Special Use Permit

Dear Mr. Pozsgay:

My office represents the Petitioner, Partner Carriers, Inc. who is the owner of the property commonly known as 211 Beeline Drive Unit 1, Bensenville, Illinois 60106 ("Subject Property").

The Subject Property is a single story industrial building that is part of the 211 Beeline development. The property is already improved with a paint booth for automotive painting.

The Petitioner is seeking approval of a Special Use Permit for automotive repair in the Subject Property. The Petitioner had a proposed tenant that wants to occupy the property and complete automotive body work on high end vehicles. The tenant is Northside Automotive Inc.

The tenant has been in its current location at 4535 N Kedzie Avenue, Chicago for approximately 12 years. The Bensenville location will be an expansion of Northside Automotive's current business. The proposed tenant's current location contains approximately 12,000 square feet of inside storage. The proposed tenant will use the Bensenville location to complete body work on higher end vehicles and without the need to store vehicles outside. All of the body work would be completed indoors and in compliance with all applicable Bensenville Codes.

In response to the criteria for a **Special Use Permit**, the Petitioner responds as follows:

1. **Health and Safety.** The proposed Special Use will not endanger the health, safety, comfort, convenience and general welfare of the public. The proposed use for automotive repair is Special Use in the I-2 District. The proposed tenant will complete all body work on the interior of the building in compliance with all existing codes.
2. **Compatible with Character.** Automotive repair is compatible with all of the existing industrial users within the 211 Beeline development and is consistent with the general character of the adjacent properties which are all industrial users. There is existing truck repair and auto repair located within the 211 Beeline building within other units.
3. **Adjacent Development.** All of the adjacent properties are improved with existing industrial users. The granting of the Special Use will have no effect on and future redevelopment, if any, of adjacent properties.
4. **Utilities.** The proposed use will not require any expansion or strain on community facilities or services to a degree that is disproportionate to normal activities in the I2 district. The granting of the Special Use Permit will also not require any new utilities, access roads, drainage or other facilities.
5. **Comprehensvie Plan.** Under the Comprehensive Plan, the Subject Property falls under the Northern Business District. The proposed development fulfills the objective of the Bensenville Comprehensive Plan to support regional growth of existing industrial properties and the rehabilitation of the existing industrial sites. Approval of the Special Use Permit will also fulfill a goal of supporting existing property owners and wanting to fill existing vacant units with viable businesses to support the residents and tax base.

Should you have any questions or need any additional information for the responses to the criteria for Special Use Permit, please contact me by email at mjsubach@7800law.com.

Thank you for your time and consideration on this application.

Respectfully submitted,
HUNT & SUBACH, LTD.



Marshall J. Subach
Attorney for Petitioner

APPLICATION FEES

The fee schedule for items that require appearance before the Community Development Commission and/or Village Board as follows:

<u>ACTION REQUIRED</u>	<u>FEE</u>
Variation for Residential Use	\$100
Annexation Petition	\$250
Appeal of Director	\$500
Comprehensive Plan Map Amendment	\$500
Comprehensive Plan Text Amendment	\$500
Plat of Subdivision	\$500
Special Use Permit	\$500
Variation for Nonresidential Use	\$500
Zoning Map Amendment	\$500
Zoning Text Amendment	\$500
Planned Unit Development	\$750
PUD Amendment	\$500

Processing Fees: \$200

The Staff will provide, as a service to the applicant, the following as legally required:

- Publish the required legal notice in local publication
- Post a public hearing sign on the property visible from the public way
- Mail the legal notice to each property owner within 250 feet of the applicant property

Any required Recording of Documents will be the responsibility of the applicant with fees Assessed by the County.

****Application fees are non-refundable and payment does not constitute approval of project****

In cases where the developer is petitioning for more than one request, fees shall be collected for each request. An exception in instances where a planned unit development and subdivision plat are being requested simultaneously one fee is collected.

Reimbursement of Fees: In addition to the fixed fee(s) provided above, the petitioner/applicant shall enter into a reimbursement of fees agreement with the Village. The reimbursement of fees agreement shall encompass all applications or petitions pending with the Village, including any additional matters not set forth hereinabove. The reimbursement of fees agreement shall be in the following form:

Should the Village, in its sole and exclusive discretion, determine that it is necessary or desirable for the Village to obtain professional services, including, but not limited to, attorneys, engineers, planners, architects, surveyors, court reporters, traffic, appraisers, environmental, drainage or other consultants, including full and/or part time site inspection services during the actual construction of any required improvements, and/or to incur costs related to any required notices or recordings, in connection with any Petition or Application filed by the Petitioner/Applicant, then the Petitioner/Applicant shall be liable for the payment of such professional fees and costs, as shall actually be incurred by the Village, plus an additional ten percent (10%) to cover the Village's administrative expenses.

Upon the failure of the Petitioner/Applicant to reimburse the Village in accordance with this Agreement, no further action shall be undertaken on any Petition or Application by the Village President and Board of Trustees, or by any other official or quasi-official individual or body thereunder, including the conduct of any hearings or deliberations, the granting of any relief or approvals, and the execution or recording of any documents, until all such outstanding fees are paid in full. Further, the Village may deny any application for a grading, building or other permit if such amounts have not been paid in full. Upon any failure to reimburse the Village in accordance with this Section, the Village may in its discretion, elect to place a lien against any real property associated with the Petitioner/Applicant's Petition or Application. In the event such amounts are not paid in full within sixty (60) days after the date when the statement of such amounts due is delivered or deposited in the U.S. mail by the Village, such amounts due shall be deemed delinquent and thereafter a delinquency charge of one percent (1%) per month, or portion thereof, with a minimum delinquency charge of \$5.00 per month, shall be added to the amount due until such amount, including all delinquency charges, is received by the Village. Said lien shall be in an amount equal to the outstanding amount owed to the Village.

The remedies available to the Village as set forth hereinabove are non-exclusive and nothing herein shall be deemed to limit or waive the Village's right to seek relief of such fees against any or all responsible parties in a court of competent jurisdiction.

BY SIGNING BELOW, THE PETITIONER/APPLICANT ACKNOWLEDGES THAT THEY HAVE READ THE FOREGOING PARAGRAPHS AND FULLY UNDERSTANDS AND AGREES TO COMPLY WITH THE TERMS SET FORTH HEREIN. FURTHER, BY SIGNING BELOW, THE SIGNATORY WARRANTS THAT THEY POSSESS FULL AUTHORITY TO SO SIGN.

THE PETITIONER/APPLICANT AGREES THAT THEY SHALL BE LIABLE FOR PAYMENT OF FEES REFERRED TO IN APPLICABLE SECTIONS OF THE ORDINANCES OF THE VILLAGE OF BENSENVILLE, AND AS SET FORTH HEREIN.

Seod Sobonogic
Petitioner/Applicant

02-14-2024
Date

STATE OF ILLINOIS)
)SS.
COUNTY OF DUPAGE AND COOK)

AFFIDAVIT OF OWNERSHIP

I Sead Sabanagic the undersigned Affiant, being first duly sworn, on oath states:

1. That Affiant has personal knowledge of the representations and statements made herein, and has examined all necessary documents, records of ownership and such other information as is required to confirm the statements and representations herein;
2. That the owner(s) and contract purchaser(s), if any, as set forth on the Petition attached hereto is (are) the owner(s) of record and contract purchasers of said property;
3. That all consents to the attached Petition required of lenders or of others holding an interest in the property have been obtained;
4. This Affidavit of Ownership is given to induce the Village of Bensenville, without further inquiry as to ownership or purchase interest, to rely on said statements and representations and to process and set for Public Hearing the Petition as attached hereto; and,
5. Affiant is aware of and has been advised that any false statement set forth in this Affidavit of Ownership may subject Affiant to criminal sanctions for perjury, punishable as provided by the statutes of the State of Illinois in relation to the crime of perjury.

IN WITNESS WHEREOF, the undersigned has executed this Affidavit of Ownership this

14 day of, Feb, 2024.

Sead Sabanagic
Signature

SUBSCRIBED and SWORN to

before me this 14 day of, Feb, 2024.

Stephanie Hunt
Notary Public



Exhibit "A" – Legal Description

Parcel 1:

The West 234.18 feet lying South of a line drawn at right angle to the West line thereof, through a point 90.02 feet North of the Southwest Corner thereof Lot 3 (except the South 33 feet thereof) in Mohawk acres, a Subdivision in the Southeast quarter of Section 11, Township 40 North, Range 11, East of the Third Principal Meridian, according to the Plat thereof recorded October 17, 1934 as Document 350561, in DuPage County, Illinois.

Parcel 2:

Easement for the benefit of Parcel 1 for ingress and egress as set forth in the declaration recorded as Document R72-74496 and shown in the plat of Subdivision aforesaid, DuPage County, Illinois.





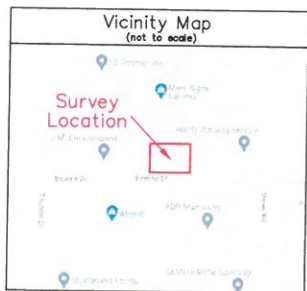
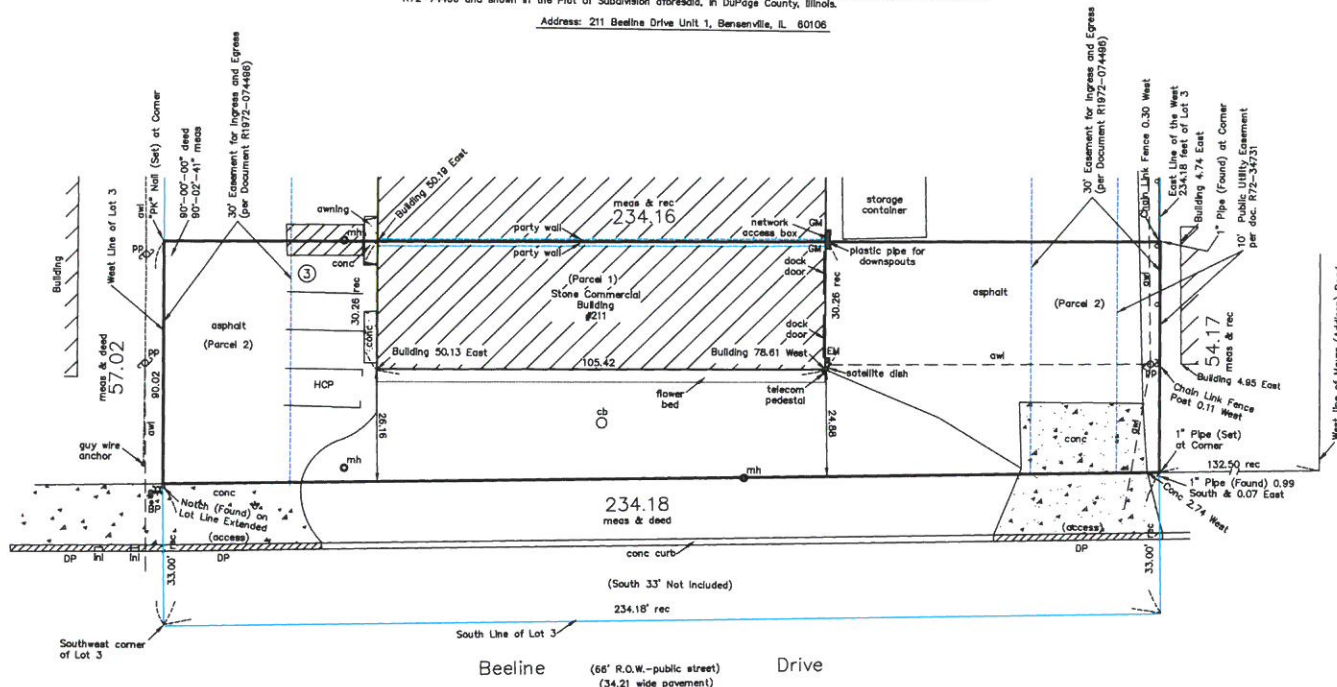
KABAL SURVEYING COMPANY
Land Surveying Services
ALTA/NSPS Land Title Survey

10407 West Cermak Road
Westchester, Illinois 60184
(708) 662-2652
Fax (708) 662-7314
email: kabal-surveying@comcast.net
website: kabal-surveying.com
Registration No. 184-003061

Parcel 1:
The West 234.18 feet lying South of a line drawn at right angle to the West line thereof, through a point 90.02 feet North of the Southwest corner thereof Lot 3 (except the South 33 feet thereof) in Mohawk Acres, a Subdivision in the Southeast quarter of Section 11, Township 40 North, Range 11, East of the Third Principal Meridian, according to the Plat thereof recorded October 17, 1934 as Document 350581, in DuPage County, Illinois.

Parcel 2:
Easement for the benefit of Parcel 1 for ingress and egress as set forth in the declaration recorded as Document R72-74468 and shown in the Plat of Subdivision aforesaid, in DuPage County, Illinois.

Address: 211 Beeline Drive Unit 1, Bensenville, IL 60106



SCHEDULE B EXCEPTIONS:

- 1) According to Schedule B, Part 2, Exceptions, Item 24 states "Terms, provisions, covenants, conditions and restrictions contained in and rights and easements established by the declaration of easement recorded December 5, 1972 as Document No. R1972-074498." Shown hereon.
- 2) According to Schedule B, Part 2, Exceptions, Item 25 states "Terms, provisions, covenants, conditions and restrictions contained in and rights and easements established by the grant of easement recorded June 23, 1972 as Document No. R1972-034731." Shown hereon.
- 3) According to Schedule B, Part 2, Exceptions, Item 26 states "Terms, provisions, covenants, conditions and restrictions contained in and rights and easements established by the Grant of Easement recorded January 24, 1980 as Document Number R80-005892." Does not affect our property.
- 4) According to Schedule B, Part 2, Exceptions, Item 30 states "Terms, provisions, covenants, conditions, restrictions and easements contained in and created by a plat of subdivision recorded 10/17/1934 as Document Number R1934-350581 and any amendments thereto." See document for details.
- 5) Schedule B, Part 2, Exceptions, Items 1-23, 27, 28, 29, and 31-37 are not survey related.

NOTES:

- 1) Monuments were placed (or a reference monument or witness to the corner) at all major corners of the boundary of the surveyed property, unless already marked or referenced by existing monuments or witnesses in close proximity to the corner. Shown hereon.
- 2) Addresses of the surveyed property was disclosed in documents provided by the client agrees with the addresses while conducting the fieldwork. Shown hereon.
- 3) According to FEMA QOV website, Flood Insurance Rate Map, Map Number 17043C0077J, Map Revised August 1, 2019, Panel 77 of 287 shows our property is located in Zone X defined as "Areas determined to be outside the 0.2% annual chance floodplain."
- 4) The gross land area of the property is approximately 13,019 square feet.
- 5) The exterior dimensions of the building at ground level are shown hereon.
- 6) The square footage of the building at ground level is approximately 3,162 square feet.
- 7) Substantial features observed in the process of conducting the fieldwork are shown hereon.
- 8) There are 3 Regular and 1 Handicap clearly identifiable parking spaces.
- 9) Observed evidence of utilities are shown hereon. Lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted.

CERTIFICATION

To Saturn Title LLC, and Partner Carriers, Inc.:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS and does not include Table A. The fieldwork was completed on August 21, 2023.

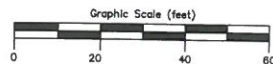
Date of Plot or Map: August 21, 2023

Mitchell P. Balex

Mitchell P. Balex

Registration Number 035-003250

Title Company: Saturn Title LLC
Commitment Number: 2335644
Effective Date: May 16, 2023
Proposed Insured: Partner Carriers, Inc.



This professional service conforms to the current Illinois minimum standards for an ALTA/NSPS survey

STATE OF ILLINOIS
COUNTY OF COOK

I, MITCHELL P. BALEX, an Illinois Professional Land Surveyor, hereby certify that I have surveyed the property described above and the plat hereon drawn is a correct representation of said survey.

Dimensions are in feet and decimal parts thereof and are corrected to a temperature of 62 degrees Fahrenheit.

Mitchell P. Balex

Illinois Professional Land Surveyor No. 035-003250
My license expires on November 30, 2024

ORIGINAL SEAL IN RED

LEGEND
meas = measured, S = South, pp = power pole
rec = record, E = East, W = West
R.O.W. = right-of-way, BP = bumper post
conc = concrete, A/V = auxiliary valve
pch = porch, N = North, EM = electric meter
DP = depressed curb, GM = gas meter
awl = aerial wire line, cb = catch basin
Inl = Inlet, HCP = handicap parking space
mh = manhole, wso = water shut off
hyd = fire hydrant, Inl = Inlet,

③ = Number of regular parking spaces

Please check Legal Description with Deed and report any discrepancy immediately.

Surveyed August 21, 2023

Scale: 1 inch = 20 ft.
Order No. 231412
Ordered By: Lazzara, Attorney at Law

Hunt & Subach Ltd.

ATTORNEYS AT LAW

THOMAS CASEY HUNT
MARSHALL J. SUBACH
STEPHEN SPIEGEL
SPENCER C. HUNT

1035 S. York Road
Bensenville, IL 60106
Phone 630-860-7800
Fax 630-860-8283
www.7800Law.com

Of Counsel

Daniel J. Kaiser
Mariam L. Hafezi
Brad S. Telander
Philip D. Blomberg

February 14, 2024

Mr. Kurtis Pozsgay
Community Development Director
Community and Economic Development Dept.
Village of Bensenville
12 S. Center Street
Bensenville, IL 60106

RE: Partner Carriers, Inc.
211 Beeline Drive Unit 1, Bensenville, IL 60106
Our file #: 23-0876
Response Letter for Special Use Permit

Dear Mr. Pozsgay:

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The Subject Property is a single story industrial building that is part of the 211 Beeline development. The property is already improved with a paint booth for automotive painting.

The Petitioner is seeking approval of a Special Use Permit for automotive repair in the Subject Property. The Petitioner had a proposed tenant that wants to occupy the property and complete automotive body work on high end vehicles. The tenant is Northside Automotive Inc.

The tenant has been in its current location at 4535 N Kedzie Avenue, Chicago for approximately 12 years. The Bensenville location will be an expansion of Northside Automotive's current business. The proposed tenant's current location contains approximately 12,000 square feet of inside storage. The proposed tenant will use the Bensenville location to complete body work on higher end vehicles and without the need to store vehicles outside. All of the body work would be completed indoors and in compliance with all applicable Bensenville Codes.

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1. **Health and Safety.** The proposed Special Use will not endanger the health, safety, comfort, convenience and general welfare of the public. The proposed use for automotive repair is Special Use in the I-2 District. The proposed tenant will complete all body work on the interior of the building in compliance with all existing codes.
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Should you have any questions or need any additional information for the responses to the criteria for Special Use Permit, please contact me by email at mjsubach@7800law.com.

Thank you for your time and consideration on this application.

Respectfully submitted,
HUNT & SUBACH, LTD.



Marshall J. Subach
Attorney for Petitioner



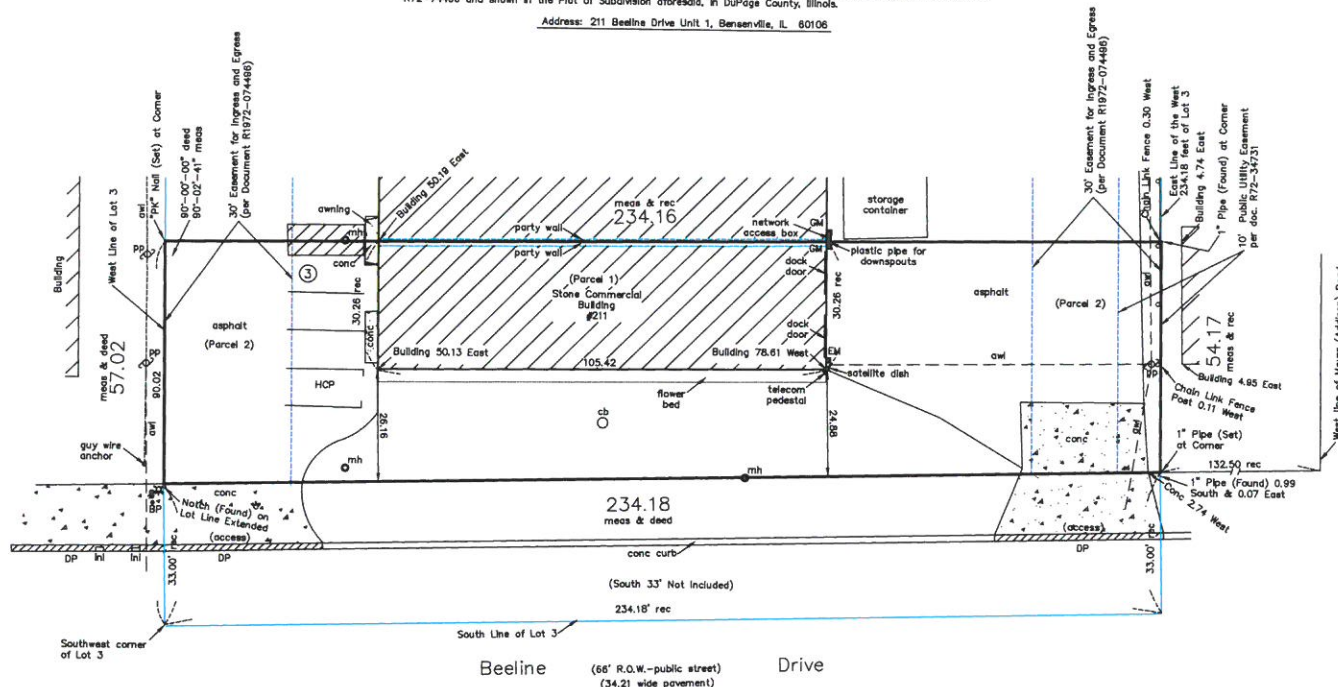
KABAL SURVEYING COMPANY
Land Surveying Services
ALTA/NSPS Land Title Survey

10407 West Cermak Road
Westchester, Illinois 60184
(708) 662-2652
Fax (708) 662-7314
email: kabal-surveying@comcast.net
website: kabal-surveying.com
Registration No. 184-003061

Parcel 1:
The West 234.18 feet lying South of a line drawn at right angle to the West line thereof, through a point 90.02 feet North of the Southwest corner thereof Lot 3 (except the South 33 feet thereof) in Mohawk Acres, a Subdivision in the Southeast quarter of Section 11, Township 40 North, Range 11, East of the Third Principal Meridian, according to the Plat thereof recorded October 17, 1934 as Document 350581, in DuPage County, Illinois.

Parcel 2:
Easement for the benefit of Parcel 1 for ingress and egress as set forth in the declaration recorded as Document R72-74468 and shown in the Plat of Subdivision aforesaid, in DuPage County, Illinois.

Address: 211 Beeline Drive Unit 1, Bensenville, IL 60106



SCHEDULE B EXCEPTIONS:

- 1) According to Schedule B, Part 2, Exceptions, Item 24 states "Terms, provisions, covenants, conditions and restrictions contained in and rights and easements established by the declaration of easement recorded December 5, 1972 as Document No. R1972-074498." Shown hereon.
- 2) According to Schedule B, Part 2, Exceptions, Item 25 states "Terms, provisions, covenants, conditions and restrictions contained in and rights and easements established by the grant of easement recorded June 23, 1972 as Document No. R1972-034731." Shown hereon.
- 3) According to Schedule B, Part 2, Exceptions, Item 26 states "Terms, provisions, covenants, conditions and restrictions contained in and rights and easements established by the Grant of Easement recorded January 24, 1980 as Document Number R80-005892." Does not affect our property.
- 4) According to Schedule B, Part 2, Exceptions, Item 30 states "Terms, provisions, covenants, conditions, restrictions and easements contained in and created by a plat of subdivision recorded 10/17/1934 as Document Number R1934-350581 and any amendments thereto." See document for details.
- 5) Schedule B, Part 2, Exceptions, Items 1-23, 27, 28, 29, and 31-37 are not survey related.

NOTES:

- 1) Monuments were placed (or a reference monument or witness to the corner) at all major corners of the boundary of the surveyed property, unless already marked or referenced by existing monuments or witnesses in close proximity to the corner. Shown hereon.
- 2) Addresses of the surveyed property was disclosed in documents provided by the client agrees with the addresses while conducting the fieldwork. Shown hereon.
- 3) According to FEMA QOV website, Flood Insurance Rate Map, Map Number 17043C0077J, Map Revised August 1, 2019, Panel 77 of 287 shows our property is located in Zone X defined as "Areas determined to be outside the 0.2% annual chance floodplain."
- 4) The gross land area of the property is approximately 13,019 square feet.
- 5) The exterior dimensions of the building at ground level are shown hereon.
- 6) The square footage of the building at ground level is approximately 3,162 square feet.
- 7) Substantial features observed in the process of conducting the fieldwork are shown hereon.
- 8) There are 3 Regular and 1 Handicap clearly identifiable parking spaces.
- 9) Observed evidence of utilities are shown hereon. Lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted.

CERTIFICATION

To Saturn Title LLC, and Partner Carriers, Inc.:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS and does not include Table A. The fieldwork was completed on August 21, 2023.

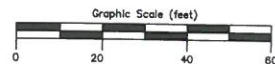
Date of Plot or Map: August 21, 2023

Mitchell P. Balex

Mitchell P. Balex

Registration Number 035-003250

Title Company: Saturn Title LLC
Commitment Number: 2335644
Effective Date: May 16, 2023
Proposed Insured: Partner Carriers, Inc.



This professional service conforms to the current Illinois minimum standards for an ALTA/NSPS survey

STATE OF ILLINOIS
COUNTY OF COOK }

I, MITCHELL P. BALEX, an Illinois Professional Land Surveyor, hereby certify that I have surveyed the property described above and the plat hereon drawn is a correct representation of said survey.

Dimensions are in feet and decimal parts thereof and are corrected to a temperature of 62 degrees Fahrenheit.

Mitchell P. Balex

Illinois Professional Land Surveyor No. 035-003250
My license expires on November 30, 2024

ORIGINAL SEAL IN RED

LEGEND
meas = measured, S = South, pp = power pole
rec = record, E = East, W = West
R.O.W. = right-of-way, BP = bumper post
conc = concrete, A/V = auxiliary valve
pch = porch, N = North, EM = electric meter
DP = depressed curb, GM = gas meter
awl = aerial wire line, cb = catch basin
Inl = Inlet, HCP = handicap parking space
mh = manhole, wso = water shut off
hyd = fire hydrant, Inl = Inlet,
③ = Number of regular parking spaces

Please check Legal Description with Deed and report any discrepancy immediately.

Surveyed August 21, 2023

Scale: 1 inch = 20 ft.
Order No. 231412
Ordered By: Lazzara, Attorney at Law



STAFF REPORT

HEARING DATE: April 2, 2024
CASE #: 2024 – 06
PROPERTY: 211 Beeline Dr Unit 1
PROPERTY OWNER: Partner Carriers, Inc.
APPLICANT: Northside Automotive
SITE SIZE: .31 acres
BUILDING SIZE: 3,150 SF
PIN NUMBER: 03-11-401-033
ZONING: I – 2 General Industrial
REQUEST: Special Use Permit, Motor Vehicle Repair and/or Service
Municipal Code 10 – 7 – 2 – 1

PUBLIC NOTICE:

1. A Legal Notice was published in the Bensenville Independent on Thursday, March 14, 2024. A Certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.
2. Village personnel posted 1 Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024.
3. On Thursday, March 14, 2024, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 300 feet of the property in question. An Affidavit of Mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

SUMMARY:

The Petitioner, Northside Automotive, is seeking approval of a special use permit for motor vehicle repair and/or service. They wish to “complete body work on higher end vehicles without the need to store vehicles outside.” The property is currently within an I – 2 General Industrial District, where motor vehicle repair and/or service are allowed with a special use permit. The site is .31 acres.

SURROUNDING LAND USES:

	Zoning	Land Use	Comprehensive Plan	Jurisdiction
Site	I-2	Industrial	Commercial/Industrial Flex	Village of Bensenville
North	I-2	Industrial	Commercial/Industrial Flex	Village of Bensenville
South	I-2	Industrial	Commercial/Industrial Flex	Village of Bensenville
East	I-2	Industrial	Commercial/Industrial Flex	Village of Bensenville
West	I-2	Industrial	Commercial/Industrial Flex	Village of Bensenville

DEPARTMENT COMMENTS:

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input type="checkbox"/>	Financially Sound Village
<input type="checkbox"/>	Quality Customer Oriented Services
<input type="checkbox"/>	Safe and Beautiful Village
<input type="checkbox"/>	Enrich the lives of Residents
<input checked="" type="checkbox"/>	Major Business/Corporate Center
<input type="checkbox"/>	Vibrant Major Corridors

Finance:

- 1) Account is current and no liens.

Police:

- 1) No comments.

Engineering and Public Works:

- 1) The applicant will need to show the existing and proposed conditions for both stormwater and sanitary water. We are interested in floor drains, slop sink drains, etc.
- 2) A triple basin will be required for the development since an auto repair facility is being proposed, and this should be in the conditions of approval.
- 3) Please complete Wastewater User Survey.

Community & Economic Development:

Economic Development:

- 1) Fills a vacancy.
- 2) 2022 tax bill for this property was \$12,583.60. There was no vacancy exemption.
- 3) Staff does not believe the taxes will change significantly.

Fire Safety:

- 1) Fire alarm panel must be upgraded to an addressable panel.
- 2) West side of the property is for only business and employee parking.
- 3) East side of the property is for only employee parking. Customer parking is prohibited.
- 4) Working on vehicles outside of the building is strictly prohibited.
- 5) Storage of vehicles is prohibited on the exterior of the property.
- 6) Unit #1 is responsible for upkeep and maintenance on the south side of multi-tenant building.

Building:

- 1) If a triple catch basin is not already installed, it must be.

Planning:

- 1) The 2015 Comprehensive Plan indicates "Commercial/Industrial Flex".
- 2) The current zoning is I-2 General Industrial District.
- 3) The applicant is seeking a special use permit for motor vehicle repair and/or service at 211 Beeline Dr Unit 1. There would be no outdoor storage of motor vehicles.
 - a. Staff is supportive of the special use permit request.

- 4) Per Village Code Section 10 – 7 – 3T Motor vehicle repair and/or service, the following regulations apply:
 - a. Outdoor Storage: Disabled or inoperable vehicles and those awaiting pick-up may be stored outdoors if the following conditions are met:
 - i. Location: Outdoor storage of vehicles is prohibited in the front yard and corner side yard.
 - ii. Screening: To the extent practicable, storage areas shall be screened from view of the street by building and/or landscape screening in accordance with the requirements of subsection 10 – 9 – 5B, “Parking Lot Perimeter Landscape”, of this title.
 - iii. Storage Duration: Motor vehicle repair and/or service facilities may not store the same vehicles outdoor for more than thirty (30) days.
 - b. Location for Repairs: All repairs must occur inside an enclosed building.
 - c. Screening: Street frontage not occupied by buildings or driveways shall be improved with landscape screening in accordance with the requirements of subsection 10 – 9 – 5B, “Parking Lot Perimeter Landscape”, of this title.
 - i. Due to the recommended condition of approval for no outdoor storage of vehicles, the above related requirements are not applicable.
- 5) Per Village Code 10 – 8 – 2 – 1 Off-street Parking Requirements
 - a. Maximum 2 spaces per service bay plus 1 per 300 square foot of retail space.
- 6) Per Village Code 10 – 8 – 6 Off-street Parking Dimensions
 - a. 90 degree spaces require:
 - i. 9 ft width
 - ii. 18 ft depth
 - iii. 24 ft aisle width
 - b. Parking must be stripped accordingly and requires a permit.
- 7) Per Village Code 10 – 8 – 6E Wheel Stops, Bumper Stops, And Curbing:
 - a. Wheel stops, bumper stops, and/or curbing shall be permanently and securely installed along the perimeter of parking lots to prevent vehicles from encroaching on sidewalks, landscape areas, fencing, walls, or buildings. The zoning administrator may approve an alternate configuration including the use of bollards to prevent vehicles from encroaching on pedestrian way or buildings.

Applicant Response: No comments.

APPROVAL STANDARDS FOR SPECIAL USE

1. **Public Welfare:** The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant’s Response: The proposed Special Use will not endanger the health, safety, comfort, convenience and general welfare of the public. The proposed use for automotive repair is Special Use in the I-2 District. The proposed tenant will complete all body work on the interior of the building in compliance with all existing codes.

2. **Neighborhood Character:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Automotive repair is compatible with all of the existing industrial users within the 211 Beeline development and is consistent with the general character of the adjacent properties which are all industrial users. There is existing truck repair and auto repair located within the 211 Beeline building within other units.

3. **Orderly Development:** The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: All of the adjacent properties are improved with existing industrial users. The granting of the Special Use will have no effect on and future redevelopment, if any, of adjacent properties.

4. **Use of Public Services and Facilities:** The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: The proposed use will not require any expansion or strain on community facilities or services to a degree that is disproportionate to normal activities in the I2 district. The granting of the Special Use Permit will also not require any new utilities, access roads, drainage or other facilities.

5. **Consistent with Title and Plan:** The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Under the Comprehensive Plan, the Subject Property falls under the Northern Business District. The proposed development fulfills the objective of the Bensenville Comprehensive Plan to support regional growth of existing industrial properties and the rehabilitation of the existing industrial sites. Approval of the Special Use Permit will also fulfill a goal of supporting existing property owners and wanting to fill existing vacant units with viable businesses to support the residents and tax base.

Approval Standards for Special Use Permits	Meets Standard	
	Yes	No
1. Public Welfare	X	
2. Neighborhood Character	X	
3. Orderly Development	X	
4. Use of Public Services and Facilities	X	
5. Consistent with Title and Plan	X	

RECOMMENDATIONS:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit with the following conditions:
 - a. The Special Use Permit be granted solely to Northside Automotive and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit.
 - b. A triple catch basin must be installed.
 - c. No outdoor storage of motor vehicles is permitted.

Respectfully Submitted,
Department of Community & Economic Development

The CDC recommendation will be forwarded to the Village Board Committee of the Whole meeting on Tuesday, April 16, 2024, at 6:30pm in the Village Hall Board Room. A representative must be present for this meeting. Final decision on the case will be made at this Village Board of Trustees meeting on Tuesday, April 23, 2024, at 6:30pm in the Village Hall Board Room. A representative is not required to be present for this meeting.

Village of Bensenville
Board Room
12 South Center Street
DuPage and Cook Counties
Bensenville, IL, 60106

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

April 2, 2024

CALL TO ORDER: The meeting was called to order by Chairman Rowe at 6:30p.m.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

STAFF PRESENT: K. Pozsgay, K. Quinn, C. Williamsen

JOURNAL OF

PROCEEDINGS: The minutes of the Community Development Commission Meeting of the March 5, 2024 were presented.

Motion: Commissioner Chambers made a motion to approve the minutes as presented. Commissioner Marcotte seconded the motion.

All were in favor. Motion carried.

Director of Community and Economic Development, Kurtis Pozsgay and Village Planner, Kevin Quinn were present and sworn in by Chairman Rowe.

PUBLIC

COMMENT: There was no Public Comment.

Continued

Public Hearing: CDC Case Number 2024-03

Petitioner: 2540 Flournoy LLC

Location: 740 County Line Road

Request: Site Plan Review

Municipal Code Section 10-3-2

Special Use Permit, Medium Industrial

Municipal Code Section 10-7-2-1

Variation, Driveway Width Requirements

Municipal Code Section 10 – 8 – 8c

Variation, Tree Replacement Rate Requirements

Municipal Code Section 10 – 9 – 2B1

Motion: Commissioner Rott made a motion to re-open CDC Case No. 2024-03. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe re-opened CDC Case No. 2024-03 at 6:32 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on February 15, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on February 15, 2024. Mr. Pozsgay stated on February 15, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, 2540 Flournoy LLC, is seeking approval of a site plan review, special use permit and two variances. Mr. Pozsgay stated the special use permit is to allow a medium industrial use (chemicals will be mixed on site) in a light industrial district. Mr. Pozsgay stated the first variance seeks to extend the driveway width beyond the 30 feet maximum, as stated in Municipal Code 10 – 8 – 8c. Mr. Pozsgay stated the proposed driveway exiting onto George Street would be 30.3 feet and the proposed driveway width exiting onto County Line Road would be 41.7 feet. Mr. Pozsgay stated the second variance is due to not being able to meet the tree replacement standards. Mr. Pozsgay stated they believe that meeting the Village Requirements stated in Municipal Code Section 10 – 9 – 2B1 would result in overplanting.

Jeff Hamilton of 2540 Flournoy LLC, were present and sworn in by Chairman Rowe. Mr. Hamilton stated 2540 Flournoy LLC attempted to host an open house to help educate the Public with their production in Elk Grove Village that they plan to move to Bensenville. Mr. Hamilton stated one neighbor showed up and they had a great conversation. Mr. Hamilton stated there is no steam, vapors or odors as a result of their operations. Mr. Hamilton stated in the past year, 2540 Flournoy LLC has one reported issue to OSHA from their Elk Grove Village location. Mr. Hamilton stated daily inspections occur at their facilities.

John Gross, Design Engineering hired by 2540 Flournoy, LLC was present and sworn in by Chairman Rowe. Mr. Gross stated he was aware of the concerns of trucks exiting the property and traveling west on George Street. Mr. Gross stated best practices would be to place signage on the property directing trucks to only exit the property traveling east on George Street and to educate staff on site to direct trucks when they leave the premise.

Commissioner Rowe asked how the well trap operated. Mr. Hamilton stated it's a pump that will drain into the sanitary sewer line.

Commissioner Wasowicz asked how the open house was promoted. Mr. Hamilton stated they placed signage outside on the property.

Matt Cronin, Architect, was present and sworn in by Chairman Rowe. Mr. Cronin stated they attempted to get a list of Commissioners and Village Board members from Staff to invite for the open house but were told because of conflicts, they could not obtain the list. Mr. Cronin stated shortly after they placed signage on the property, it was removed by someone.

Mr. Pozsgay stated Staff received direction from Legal that Commissions and Village Board members attending an open house would be in violation of the Open Meetings Act and that the place for discussion was in this meeting.

Commissioner Wasowicz asked for clarification on the size of tanks being proposed on site vs what is currently at the Elk Grove Location. Mr. Hamilton confirmed the proposed size tanks are going to be larger than what is currently in Elk Grove Village.

Commissioner Marcotte asked if there was a different site in Bensenville that would meet their needs. Mr. Hamilton stated he was unable to answer that question.

Commissioner Marcotte stated she was against the proposed operations moving into Bensenville being this close to Residential. Commissioner Marcotte raised concerns that it only takes one accident to affect the neighborhood.

Public Comment

Anna Lysy – 751 John Street, Bensenville, Illinois 60106

Mr. Lysy was present and sworn in by Chairman Rowe. Ms. Lysy stated the property behind her house dumps plastic containers behind their property and she fears the same would happen here. Mr. Pozsgay stated he will direct Staff to address the issue occurring behind Ms. Lysy's property.

Jennifer Yoo – 751 John Street, Bensenville, Illinois 60106

Mr. Yoo was present and sworn in by Chairman Rowe. Ms. Yoo raised concern with safety protocols should a event occur. Ms. Yoo shared a story of a chemical plant explosion in Texas in 2019. Ms. Yoo shared that the explosion caused the evacuation of properties within a two mile radius and a shelter in place order within a five mile radius. Ms. Yoo shared a list of Village properties that would be effect should a two mile radius evacuation occur. Ms. Yoo asked what protocols would be put into place by the company should a explosion occur and evacuations are needed; how will the Public be notified and where will they go?

Linda Bratland – 915 John Street, Bensenville, Illinois 60106

Ms. Bratland was present and sworn in by Chairman Rowe. Ms. Bratland stated the proposed operation belongs in an industrial park, not a residential area. Ms. Bratland stated the proposed site is too small for their operation.

Mr. Hamilton shared a list of chemicals that would be stored and mixed on the property. The list has been attached to the minutes as "Exhibit A".

Mr. Pozsgay reviewed the approval standards for site plan review:

1. **Surrounding Character:** The site plan for the proposed development is consistent with the existing character and

zoning of adjacent properties and other property within the immediate vicinity of the proposed development.

Applicant's Response: The subject parcel is zoned I-1. This aligns with the other adjacent properties to the north and south along County Line Road. The properties along the west side of County Line Road are primarily smaller industrial uses, and the uses on the east side are larger industrial. The parcel to the west is zoning R-2, a Single-Unit Dwelling District.

2. **Neighborhood Impact:** The site plan for the proposed development will not adversely impact adjacent properties and other properties within the immediate vicinity of the proposed development.

Applicant's Response: The proposed site plan will contain proposed truck movements within the site limits. While additional vehicular traffic is expected on-site compared to its existing vacant condition, adequate landscape screening is proposed along the western and southern property lines for neighboring properties. Additional landscape is also proposed along the northern property line to provide screening to George Street. Proposed lighting will follow Village of Bensenville requirements and will limit the footcandles along the property lines.

3. **Public Facilities:** The site plan for the proposed development will be provided with adequate utilities, access roads, parking, loading, drainage, stormwater flow paths, exterior lighting, and/or other necessary facilities.

Applicant's Response: Associated utilities for the proposed building include gas, electric, telecommunications, storm, sanitary, and water. Please refer to the included utility plan for details.

4. **Environmental Preservation:** The site plan for the proposed development is designed to preserve the environmental resources of the zoning lot.

Applicant's Response: The existing site is currently open space with an existing curb cut to County Line Road. While the site will be paved as needed to accommodate vehicular

movements on-site, additional plantings will be installed per Village of Bensenville requirements.

5. **On-Site Pedestrian Circulation System:** The site plan shall accommodate on-site pedestrian circulation from parking areas, plazas, open space, and public rights-of-way. Pedestrian and vehicular circulation shall be separated to the greatest extent possible.

Applicant's Response: The proposed site plan includes sidewalk for pedestrian traffic from public ROW and proposed ADA parking stalls. The site also accounts for a future right-of-way dedication along County Line Road.

6. **Vehicle Ingress and Egress:** The site plan shall locate curb cuts for safe and efficient ingress and egress of vehicles. The use of shared curb cuts and cross-access easements shall be provided when appropriate.

Applicant's Response: Two curb cuts are proposed as part of the development. One is located at the southeast corner of the site, connecting to County Line Road, and one is at the northwest corner of the site, connecting to George Street. The curb cuts are located as far from the existing intersection as possible to limit vehicular conflicts. Truck movements have been analyzed using Vehicle Tracking software. A WB-67 truck has been modeled to enter the site from County Line Road and leave the site via George Street.

7. **Architectural Design:** The site plan for the proposed development includes architectural design that contributes positively to the Village's aesthetic appearance.

Applicant's Response: The proposed development will adhere to the Village's design requirements for the industrial district including façade articulation and material standards. The proposed design includes a primarily natural colored stone or brick façade with accents of precast concrete wall panels. The building will follow suit with the architectural character of the Eastern Business District.

8. **Consistent with Title and Plan:** The site plan for the proposed development is consistent with the intent of the

Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The site falls within the Eastern Business District of the Comprehensive Plan. The future use is proposed to be commercial/industrial flex. As part of the proposed improvements, stormwater drainage will be designed in accordance with the Village of Bensenville standards, and the DuPage County Countywide Stormwater & Floodplain Ordinance.

Mr. Pozsgay reviewed the approval standards for the special use:

1. **Public Welfare:** The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: The proposed medium industrial use will not pose any health, safety, comfort, convenience, or general welfare concerns. This facility will manufacture and distribute dishwashing detergents and sanitizers for commercial dishwashing. The manufacturing activity on site can be described as diluting commodity corrosive liquids in stainless steel tanks for transfer into consumer-sized bottles. All life safety systems required by the building code will be provided, including secondary containment.

2. **Neighborhood Character:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed medium industrial use is compatible with the adjacent properties within the industrial zone of Bensenville and the adjacent industrial area of Franklin Park. It does not represent a significant change in use from the neighboring properties.

3. **Orderly Development:** The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed medium industrial use will not impede the development and improvement of adjacent properties within the immediate vicinity. This use is similar to the existing adjacent properties in the area.

4. **Use of Public Services and Facilities:** The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: The proposed special use will not require any disproportionate needs or demand that would place an undue burden upon the existing development in the area. These items are expected to be typical for a facility of this size.

5. **Consistent with Title and Plan:** The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed special use does not represent a significant change in use from the neighboring properties, or allowable uses under the Village's Zoning Ordinance. The Village's Comprehensive Plan identified several vacant and underutilized properties available for redevelopment in the Eastern Business District, which would include the proposed site for this special use. The medium industrial use is consistent with the surrounding character of the Village.

Mr. Pozsgay reviewed the approval standards for variations:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response:

Tree Removal: In discussions with the Village Forestry Division, overplanting on site is a concern. The amount of trees required may affect the chances of survival of the proposed trees. The Owner is open to a discussion as to

what the best route forward is. Paying the applicable fee to reduce the number of trees does not endanger the health, safety, comfort, convenience, and general welfare of the public.

Driveway: Due to the trucks that will enter the site, wider driveways are required on the east and north sides of the site. Truck turning movement diagrams have been included as part of this submittal, showing the truck path to the loading dock, and leaving the site. Driveways have been sized as efficiently as possible to meet the needs of the site. The larger driveways do not represent a danger to the health, safety, comfort, convenience, and general welfare of the public.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response:

Tree Removal: The proposed planting plan will improve the landscape of the current site, and will align with the adjacent uses.

Driveway: The proposed driveway is compatible with the character of the adjacent properties to the north, east, and south. The area is predominantly industrial, as is the proposed use. Various driveways along County Line Road appear to be similar widths, also exceeding the Village of Bensenville allowable widths.

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response:

Tree Removal: As noted above, the hardship is dependent on the Village Forestry Division's interpretation of how close trees can be to survive and overcrowding on site. Paying the fee in lieu of replacement will still provide benefit to the Village for the trees being removed, while ensuring success of the replacement trees planted on site.

Driveway: Without a variance for the driveway width, the end user will not be able to conduct the required business operations on site. The end user requires a WB-67 truck to

pass through the site for deliveries critical to the functionality of the business.

4. **Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response:

Tree Removal: Due to the necessary truck movements through the site, width of the parcel, building size, required parking, and setbacks, the open space available to provide replacement trees is limited. This creates a challenge fitting the required number of tree replacement per Village code.

Driveway: Due to the width of the property, it is not feasible to achieve the standard driveway width per Village code. Different vehicle movement patterns have been analyzed to understand alternatives, and the presented site plan results in the least chance of truck movements into George Street or County Line Road.

5. **Minimum Deviation Needed:** The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response:

Tree Removal: The design team has provided tree spacing which provides enough space to ensure growing success. As noted above, the landscape design will defer to the Village Forestry Department as to what is the best long-term approach for tree locations. Additional trees which are not being replaced will be accounted for via the fee in lieu.

Driveway: Driveway widths have been made only as wide as necessary to accommodate the incoming and outgoing truck movements.

6. **Consistent with Ordinance and Plan:** The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response:

Tree Removal: The planting and tree selection will follow Village Code and the Commercial / Industrial flex use

within the Eastern Business District requirements in the Comprehensive Plan.

Driveway: The proposed use and driveway width align with the uses listed in the Eastern Business District within the Comprehensive Plan.

Mr. Pozsgay stated:

1. Staff recommends the Denial of the Findings and therefore the denial of the Special Use Permit.
 - a. Should the CDC or Village Board recommend approval, staff recommends the following conditions:
 - i. Site Plan Review:
 1. The property be developed in general compliance, except as amended herein, with the plans submitted by Charles Vincent George Architects, G2 Consulting, and Kimley-Horn dated 01/04/2024 revised 02/28/24, and all other Village Code Requirements;
 2. Applicant shall provide a sidewalk along the property within the George Street right-of-way and a 10' multi-use path along the property within the County Line Road right-of-way to be approved by Public Works/Engineering during permitting;
 3. Final architectural design of the principal structure and parking blocks/bollards to be approved by Zoning Administrator prior to permit approval;
 4. Final mechanical equipment screening (rooftop and ground) to be approved by Zoning Administrator prior to permit approval;
 5. Applicant shall coordinate with staff during permitting to provide street trees when feasible within portions of the right-of-way where adequate spacing is present;

6. All landscape requirements outside of received variations shall be met during permitting. Final Landscape plan to be approved by zoning administrator prior to permit approval;
 7. All illumination standards as outlined in Village Code section 10-9-8 Outdoor Lighting shall be met at permitting;
 8. Applicant shall coordinate with staff to ensure proper striping and directional signage for the site during the permitting process.
 - ii. Special Use Permit:
 1. The Special Use Permit be granted solely to Auto Chlor System and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit.
2. Staff recommends the Approval of the Findings and therefore the approval of the Findings for the Variation for Driveway Width.
 - a. Applicant to work with staff on eliminating turning movements for trucks going west on George St.
 - b. Applicant to work with staff on design and placement of the County Line Rd driveway.

3. Staff recommends the Approval of the Findings and therefore the approval of the Findings for the Variation for Tree Replacement Rate.
 - a. Additional trees shall be added to the site on the final landscape plan where feasible. If tree replacement rates cannot be fully met on the final landscape plan for the property, then applicant shall coordinate with staff to determine an appropriate fee-in-lieu for the remaining required tree replacement, to be approved by the Zoning Administrator.

There were no questions from the commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-03. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-03 at 7:30 p.m.

Motion: Commissioner Marcotte made a motion to approve Special Use Permit, Medium Industrial; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: None

Nays: Rowe, Chambers, Marcotte, Rott, Wasowicz

Motion failed.

Motion: Commissioner Marcotte made a motion to approve Variation, Driveway Width Requirements; Municipal Code Section 10-8-8c with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte

Nays: Rott, Wasowicz

Motion carried.

Motion: Commissioner Chambers made a motion to approve Variation, Tree Replacement Rate Requirements; Municipal Code Section 10-9-2B-1 with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Wasowicz

Nays: Rott

Motion carried.

Continued

Public Hearing: CDC Case Number 2024-04
Petitioner: Bensenville Park District
Location: 500 West Jefferson Street
Request: Variation, Electronic Message Sign Location
Municipal Code Section 10 – 10 – 5 – 4A3
Variation, Monument Sign Height
Municipal Code Section 10 – 10 – 5 – 8c

Motion: Commissioner Marcotte made a motion to re-open CDC Case No. 2024-04. Commissioner Rott seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe re-opened CDC Case No. 2024-04 at 7:36 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on February 15, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on February 15, 2024. Mr. Pozsgay stated on February 15, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for

viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Bensenville Park District, is seeking approval of two variations. Mr. Pozsgay stated the first variation seeks to allow an electronic message sign within one mile of an established electronic message sign. Mr. Pozsgay stated the sign is located within one mile of an electronic message sign located at 1047 S York Road, thus requiring a variation from the requirements of the existing code. Mr. Pozsgay stated the proposed sign will be placed in the same location as the existing monument sign along Jefferson Road. Mr. Pozsgay stated the second variation seeks to allow the monument sign upon which the electronic message sign is based to exceed the maximum height allowed for monument signs- 8 feet. Mr. Pozsgay stated the proposed monument sign would be 8.75 feet. Mr. Pozsgay stated the total sign area for the electronic message sign is approximately 23.08 SF. Mr. Pozsgay stated this covers less than 50% of the total monument sign area.

Jospeh Vallez, Bensenville Park District Director, was present and sworn in by Chairman Rowe. Mr. Vallez stated he was present to answer any questions the Commission has.

Commissioner Marcotte asked what took so long for the Park District to update the signage. Mr. Vallez explained that at the Park District Board's direction, they explored the possibility of selling the property. Mr. Vallez stated after it was determined they would not sell the property, the Park District is no investing a lot of money into revamping the golf course.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the approval standards for variations:

1. Public Welfare: The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: Yes, the proposed variation will not endanger the health, safety, convenience, and general welfare of the public.

2. Compatible with Surrounding Character: The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response: The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

3. Undue Hardship: The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: Yes, the proposed variation alleviates an undue hardship created by the literal enforcement of this title.

4. Unique Physical Attributes: The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: Yes, the proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

5. Minimum Deviation Needed: The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: Yes, the proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvements of the subject property.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Yes, the proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Variation for Electronic Message Sign Location with the following conditions:

- a. Applicant must adhere to all illumination standards outlined in Village Code Section 10-10-5B-4d.
2. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Monument Sign Height with the following conditions:
 - a. Applicant must adhere to all landscaping standards outlined in Village Code Section 10-10-5B-8c.

There were no questions from the commission.

Motion: Commissioner Marcotte made a motion to close CDC Case No. 2024-04. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-04 at 7:45 p.m.

Motion: Commissioner Chambers made a motion to approve Variation, Electronic Message Sign Location; Municipal Code Section 10-10-5-4A-3 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Marcotte made a motion to approve Variation, Monument Sign Height; Municipal Code Section 10-10-5-8c with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-06
Petitioner: Partner Carries, Inc.
Location: 211 Beeline Drive, Unit 1
Request: Special Use Permit, Motor Vehicle Repair and/or Service
Municipal Code 10 – 7 – 2 – 1

Motion: Commissioner Rott made a motion to open CDC Case No. 2024-06. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-06 at 7:47 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Northside Automotive, is seeking approval of a special use permit for motor vehicle repair and/or service. Mr. Pozsgay stated they wish to “complete body work on higher end vehicles without the need to store vehicles outside.” Mr. Pozsgay stated the property is currently within an I – 2 General Industrial District, where motor vehicle repair and/or service are allowed with a special use permit. Mr. Pozsgay stated the site is .31 acres.

Marshall Subach, Attorney, was present and sworn in by Chairman Rowe. Mr. Subach stated his client did not own the building under the previous user. Mr. Subach stated the property has been cleaned up by his client. Mr. Subach shared that his client has been operating in Chicago for twelve years and will remain there as well. Mr. Subach stated there is already a paint booth on site.

Sair Arapovic, owner of Northside Automotive was present and sworn in by Chairman Rowe. Mr. Arapovic provided an overview of his operations and the need for a closer location to the suburbs. Mr. Arapovic stated he works on high end vehicles; all body repair.

Commissioner Chambers asked what the maximum storage of vehicles inside would be. Mr. Arapovic stated eight vehicles.

Commissioner Rott asked why the petitioner shared that he only works on high end vehicles. Mr. Arapovic explained that with the vehicles being high end, there would be no need for the vehicles to be stored outside.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the Approval Standards for the proposed special use consisting of:

1. **Public Welfare:** The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: The proposed Special Use will not endanger the health, safety, comfort, convenience and general welfare of the public. The proposed use for automotive repair is Special Use in the I-2 District. The proposed tenant will complete all body work on the interior of the building in compliance with all existing codes.

2. **Neighborhood Character:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Automotive repair is compatible with all of the existing industrial users within the 211 Beeline development and is consistent with the general character of the adjacent properties which are all industrial users. There is existing truck repair and auto repair located within the 211 Beeline building within other units.

3. **Orderly Development:** The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: All of the adjacent properties are improved with existing industrial users. The granting of the Special Use will have no effect on and future redevelopment, if any, of adjacent properties.

4. **Use of Public Services and Facilities:** The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: The proposed use will not require any expansion or strain on community facilities or services to a degree that is disproportionate to normal activities in the I2 district. The granting of the Special Use Permit will also not require any new utilities, access roads, drainage or other facilities.

5. **Consistent with Title and Plan:** The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Under the Comprehensive Plan, the Subject Property falls under the Northern Business District. The proposed development fulfills the objective of the Bensenville Comprehensive Plan to support regional growth of existing industrial properties and the rehabilitation of the existing industrial sites. Approval of the Special Use Permit will also fulfill a goal of supporting

existing property owners and wanting to fill existing vacant units with viable businesses to support the residents and tax base.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit with the following conditions:
 - a. The Special Use Permit be granted solely to Northside Automotive and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit.
 - b. A triple catch basin must be installed.
 - c. No outdoor storage of motor vehicles is permitted.

There were no questions from the commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-06. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-06 at 8:03 p.m.

Motion: Commissioner Marcotte made a motion to approve the Special Use Permit, Motor Vehicle Repair and/or Service; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-07
Petitioner: Jay Adkins
Location: 352 South Church Road
Request: Variation, Fence in the Corner Side Yard
Municipal Code Section 10 – 7 – 4C – 7a

Motion: Commissioner Marcotte made a motion to open CDC Case No. 2024-07. Commissioner Chambers seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-07 at 8:04 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Jay Adkins, is seeking approval of a variation in order to construct a fence in the corner side yard of their property. Mr. Pozsgay stated the proposed fence is a 5-foot solid vinyl fence with an additional foot of lattice. Mr. Pozsgay stated the proposed fence will extend 24' south towards 2nd Avenue, running 70' parallel to 2nd Avenue.

Mr. Pozsgay stated the proposed fence does not impact the west adjacent property driveway sight vision triangle.

Jay Adkins, property owner, was present and sworn in by Chairman Rowe. Mr. Adkins reviewed the proposed fence. Mr. Adkins stated the need for the fence is for his children and dogs.

There were no questions from the Commission.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the Approval Standards for the proposed variation consisting of:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: This proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response: This proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: The proposed variation alleviates the hardship of containing small children and pets from venturing towards the street into harm's way.

4. **Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: The proposed variation is necessary due to the unique physical attributes of our property, being the busy vehicular traffic on the cross street that border our property.

5. Minimum Deviation Needed: The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: The proposed variation represents the minimum deviation from the regulations of this title necessary to extend our backyard fence further south into the corner side yard.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed variation has proven to be consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Variation, Fence in the Corner Side Yard at 352 S Church Rd with the following conditions:
 - a. Fence shall be setback 1 foot from the south (2nd Avenue) property line, as shown in plans;
 - b. Fence shall be 5 feet high with an additional 1 foot of lattice, as proposed by the applicant.

There were no questions from the commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2024-07. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-07 at 8:09 p.m.

Motion: Commissioner Marcotte made a motion to approve the Variation, Fence in the Corner Side Yard; Municipal Code Section 10-7-4C-7a with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-08
Petitioner: Rocio Olvera
Location: 1347 West Irving Park Road
Request: Special Use Permit, Day Care Center
Municipal Code Section 10 – 7 – 2 – 1

Motion: Commissioner Chambers made a motion to open CDC Case No. 2024-08. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-08 at 8:10 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Primavera School, represented by Rocio Olvera, is requesting approval of a Special Use Permit for a day care center at 1347 W Irving Park Rd. Mr. Pozsgay stated the site is currently a vacant lot of roughly .45 acres. Mr. Pozsgay stated the building size is projected to be 8,000 square feet. Mr. Pozsgay stated no variances are sought at this time.

Rocio Olvera, business owner, was present and sworn in by Chairman Rowe. Ms. Olvera shared a power point presentation of the proposed operations. The power point has been attached to the minutes as “Exhibit B”. Ms. Olvera stated her mother has successfully operated a daycare location in Stone Park for the past twenty five years and this would be their second location.

Commissioner Rott asked what the proposed hours would be. Ms. Olvera stated the daycare would operate from 5:00am – 7:00pm.

Commission Rott asked what type of certifications are needed for the teachers. Ms. Olvera explained the requirements.

Public Comment

Nancy Ingold – 10 South Meadow Court, South Barrington, Illinois

Ms. Ingold was present and sworn in by Chairman Rowe. Ms. Ingold raised concern with parking on the proposed site and concerns with a long line of traffic trying to exit the property during pickup time.

Linda Bratland – 915 John Street, Bensenville, Illinois 60106

Ms. Bratland was present and sworn in by Chairman Rowe. Ms. Bratland stated she fully supports daycares, however, she feels that the applicant would have a difficult time filling spots with the other options available to Residents in town. Ms. Bratland also raised concern with the hours of operation.

Commissioner Chambers shared that his family is currently on a waitlist for after school programs for his children and supports the need for more daycare options in town.

Mr. Pozsgay reviewed the Approval Standards for the proposed special use permit consisting of:

1. Public Welfare: The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: Our childcare center (Primavera School) will not endanger the health, safety, comfort, convenience, and general welfare of the public.

2. Neighborhood Character: The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Our childcare center (Primavera School) is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

3. Orderly Development: The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Our childcare center (Primavera School) will not impeded the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

4. Use of Public Services and Facilities: The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: Our childcare center (Primavera School) will not require utilities, access roads, drainage, and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Our childcare center (Primavera School) is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit, Day Care Center at 1347 W. Irving Park Rd with the following conditions:
 - a. The Special Use Permit be granted solely to Primavera School and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
 - b. Before a Certificate of Occupancy can be issued, the Village needs to receive documentation of such State and County approvals and licenses.

Mr. Pozsgay stated Staff would also like to add the following condition:

Application must work with Staff on a Parking and Traffic management plan.

There were no objections from the Commission.

Commissioner Wasowicz asked why the application was seeking the special use before the property is even developed. Ms. Olvera explained they want to ensure their operation would be allowed before they close on the property.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-08. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-08 at 8:30 p.m.

Motion: Commissioner Marcotte made a motion to approve the Special User Permit, Day Care Center; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-09
Petitioner: Playful Minds Therapy of Bensenville
Location: 2 South Addison Road
Request: Special Use Permit, Day Care Center
Municipal Code Section 10 – 7 – 2 – 1

Motion: Commissioner Rott made a motion to open CDC Case No. 2024-09. Commissioner Wasowicz seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-09 at 8:31 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and

inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Playful Minds Therapy of Bensenville, represented by Wajahat Macci and Maliha Khan, is seeking approval of a Special Use Permit at 2 S Addison St. Mr. Pozsgay stated Playful Minds Therapy wishes to operate a specialized day care center at this location. Mr. Pozsgay stated it is a standalone building with two storefronts, roughly 5,400 square feet. Mr. Pozsgay stated this day care center will offer occupational therapy and other forms of therapy centered at aiding individuals with autism. Mr. Pozsgay stated in the past, there was previously a day care center at this location.

Wajahat Macci, business owner, was present and sworn in by Chairman Rowe. Mr. Macci provide an overview of their operations. Mr. Macci stated they offer therapy to autistic children from the ages of two to sixteen years old. Mr. Macci stated the majority of their operation is done digitally but there is a need for in person meetings.

Commissioner Rott asked how drop off and pickups would work with the limited space. Mr. Macci stated the operation is similar to a doctors appointment where the child will be dropped off and pick up; all are done via appointments.

Commission Rott asked how many people would be on site at once. Mr. Macci stated the occupancy would be thirty but feels they would never reach that amount.

Public Comment

Linda Bratland – 915 John Street, Bensenville, Illinois 60106

Ms. Bratland was present and sworn in by Chairman Rowe. Ms. Bratland asked if the operation would also include weekends. Ms. Bratland raised concern with limited downtown parking for the proposed operations.

Mr. Macci stated they will offer weekend appointments.

Mr. Pozsgay stated Staff feels there is enough downtown parking for the proposed operations. Ms. Bratland stated she disagrees.

Mr. Pozsgay reviewed the Approval Standards for the proposed special use permit consisting of:

1. Public Welfare: The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: Yes, it will not do the following.

2. Neighborhood Character: The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Yes, it is compatible within the vicinity.

3. Orderly Development: The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Yes, it will not impede the normal and orderly development of adjacent.

4. Use of Public Services and Facilities: The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: Yes, it will not require such a need.

5. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Yes, it is consistent with the comprehensive plan and land use policies.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit, Day Care Center at 2 S. Addison with the following conditions:
 - a. The Special Use Permit be granted solely to Playful Minds Therapy of Bensenville and shall be transferred only after a review by the Community Development

- Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
- b. Before a Certificate of Occupancy can be issued, the Village needs to receive documentation of such State and/or County approvals and licenses.
 - c. The two parking spaces along Addison St will remain short term temporary parking for loading and unloading only.
 - d. The area currently blocked off next to the railroad tracks will remain so. This is not to be accessed by any vehicles at any time.

There were no questions from the Commission.

Motion: Commissioner Marcotte made a motion to close CDC Case No. 2024-09. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-09 at 8:48 p.m.

Motion: Commissioner Chambers made a motion to approve the Special User Permit, Day Care Center; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-10
Petitioner: Village of Bensenville
Location: Village of Bensenville
Request: Text Amendments, Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses) Chapter 11 (Definitions)

Motion: Commissioner Wasowicz made a motion to open CDC Case No. 2024-10. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-10 at 8:49 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.

Mr. Pozsgay stated The Village of Bensenville is seeking the aforementioned text amendments in order to refine the 2019 Village Zoning Ordinance. Mr. Pozsgay stated in late 2018, the Village underwent a complete overhaul of its current Zoning Ordinance, which had been adopted in 1999. Mr. Pozsgay stated since the introduction of the current Ordinance, Staff has been able to identify certain shortcomings while enforcing the regulations and implementing the refurbished zoning application procedures. Mr. Pozsgay stated the proposed amendments are summarized as follows:

- Designation of a Definition for Electric Vehicles (EVs) and associated terms
- Establishment of Use standards for Electric Vehicle Charging Stations

There were no questions from the Commission.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the Approval Standards for the proposed text amendments consisting of:

- 1) **Public Welfare:** The proposed amendments will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: Since the adoption of the 2019 Zoning Ordinance, a complete overhaul of the previous Code, Staff has been able to find areas for improvement within the code.

The amendment to the code requirements for Electric Vehicles and Electric Vehicle Charging Stations will not endanger the health, safety, comfort, convenience, and general welfares of the public. The proposed amendments for Electric Vehicle definitions clarify aspects of the installation process for Electric Vehicles and make the process more accessible for village residents. The proposed amendments for Use standards allow Electric Vehicle Charging Standards to have a cohesive appearance and level of safety across the village. The proposed amendments keep in consideration and ensure that the general welfare of the public is not impacted.

- 2) **Amendment Objective:** The proposed amendments correct an error, add clarification, or reflect a change in policy.

Applicant's Response: The proposed amendments are requested to improve and refine the Zoning Ordinance to allow for orderly development in accordance with modern development techniques and add clarification and flexibility for common residential and commercial property zoning considerations.

- 3) **Consistent with Ordinance and Plan:** The proposed amendments are consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed amendments are consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village. Amendments do not contrast Village goals and guidelines, as the amendments are focused on maintaining and promoting orderly land use patterns and development,

protect the Village's quality of life and the character of its neighborhoods by ensuring that development is compatible and cohesive, and to promote development that sustainably manages environmentally sensitive issues.

Mr. Pozsgay stated:

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Text Amendments to the Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses), and Chapter 11 (Definitions).

There were no questions from the Commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2024-10. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-10 at 8:53 p.m.

Motion: Commissioner Wasowicz made a motion to approve the Text Amendments; Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses), Chapter 11 (Definitions) with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

**Report from
Community
Development:**

Mr. Quinn reviewed both recent CDC cases along with upcoming cases.

ADJOURNMENT: There being no further business before the Community Development Commission, Commissioner Marcotte made a motion to adjourn the meeting. Commissioner Rott seconded the motion.

All were in favor. Motion carried.

The meeting was adjourned at 8:55 p.m.

Substance Name	Approved Uses	Common Examples	Auto-Chlor Examples
Ammonium Hydroxide	FDA GRAS* : Safe for use as a food ingredient	Bread-Leavening Windex	Glass & All-Purpose Cleaners
Phosphoric Acid	FDA GRAS : Safe for use as a food ingredient	Coca-Cola Lime-Away Vegetable Wash	Lime Remover Tub & Tile Cleaner
Potassium Hydroxide	FDA GRAS : Safe for use as a food ingredient	Ice Cream Liquid Hand Soaps	Dishwashing Soaps Multi-Purpose Cleaners
Sodium Hydroxide	FDA GRAS : Safe for use as a food ingredient	Cured Olives Bar Soaps Dishwasher Gel	Dish Machine Soaps Handwashing Soaps
Sulfamic Acid	FDA GRAS : Safe for use in direct food-contact packages (fiberboard)	Coffee Maker Cleaner	Bathroom Cleaners
Fluorosilicic Acid (Flouride)	Drinking Water Treatment	Oral Care Products	Laundry Conditioner
Benzalkonium Chloride	Used in Antibacterial Hand Soaps & Hand Sanitizers	Antibacterial Hand Wash Bactine Antiseptic Cold Sore Treatment	Dishware Sanitizers Antibacterial Hand Soaps Disinfectants

*GRAS = Affirmed as *Generally Recognized As Safe* by the U.S. Food and Drug Administration for use in food or food manufacturing when used according to good manufacturing practice.



PRIMAERA SCHOOL

Bilingual Early Childhood Education



Rocio Olvera & Belen Olvera

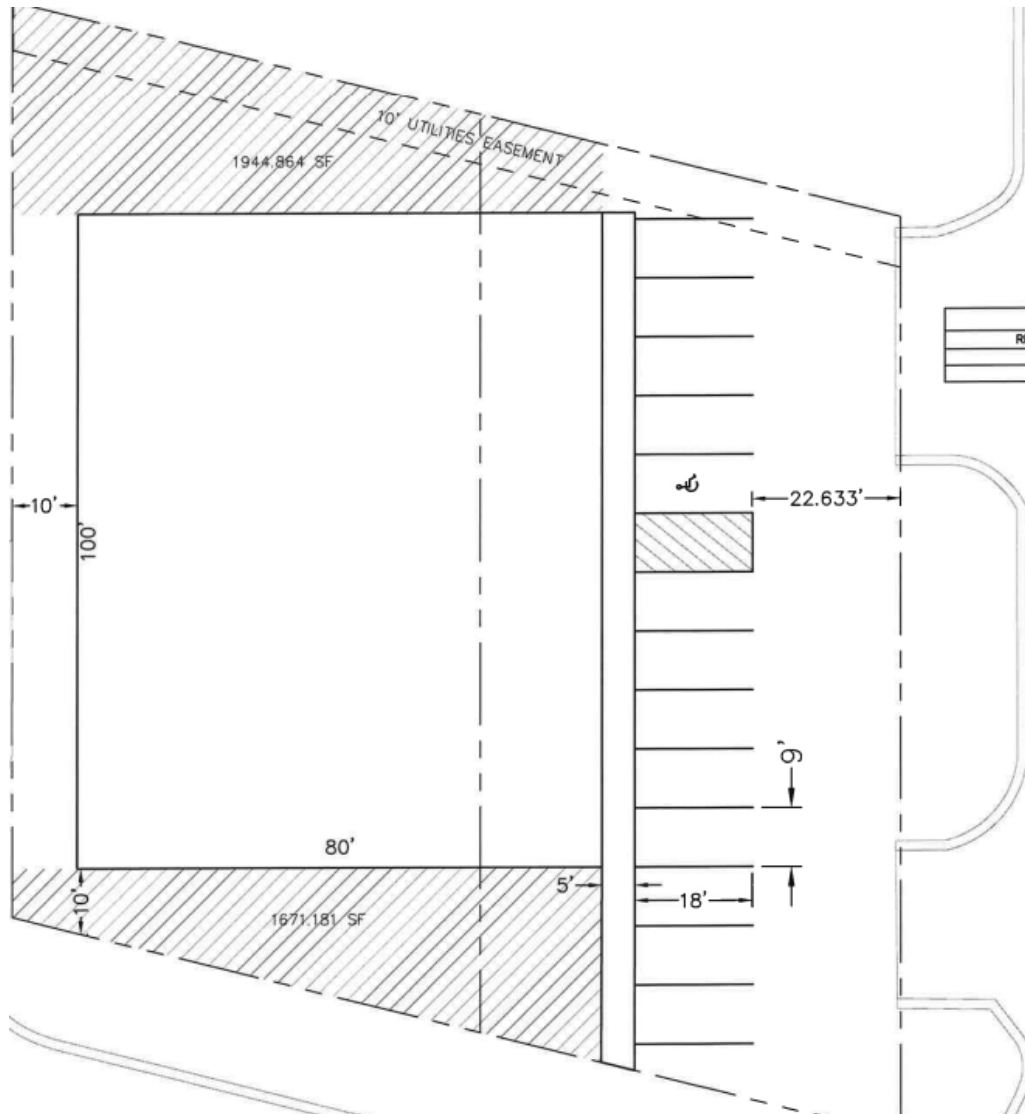
HISTORY: THE SHEPHERD'S LEARNING ACADEMY





Vision

- At Primavera School, our vision is to create a nurturing and inclusive environment where children thrive academically, socially, and spiritually. We strive to promote bilingualism and Christian values, fostering a strong foundation for their future success.



1347 Irving Park Road, Bensenville, IL



Classrooms

- Primavera School will be licensed for children as young as 3 months to 11 years of age.
- We will build 8 classrooms total; each classroom will be designated for a specific age of children:
- 1. Infants (2 classrooms)
- 2. Toddlers (2 classrooms)
- 3. Threes
- 4. Fours
- 5. Junior Kindergarten/Kindergarten
- 6. School Age
- License Capacity: 134 children

Operation Details

1

Hours of Operation:
5am-7pm

2

We plan to have 20
staff members

3

We will be licensed
by the Department
of Children and
Family Services,
DCFS.

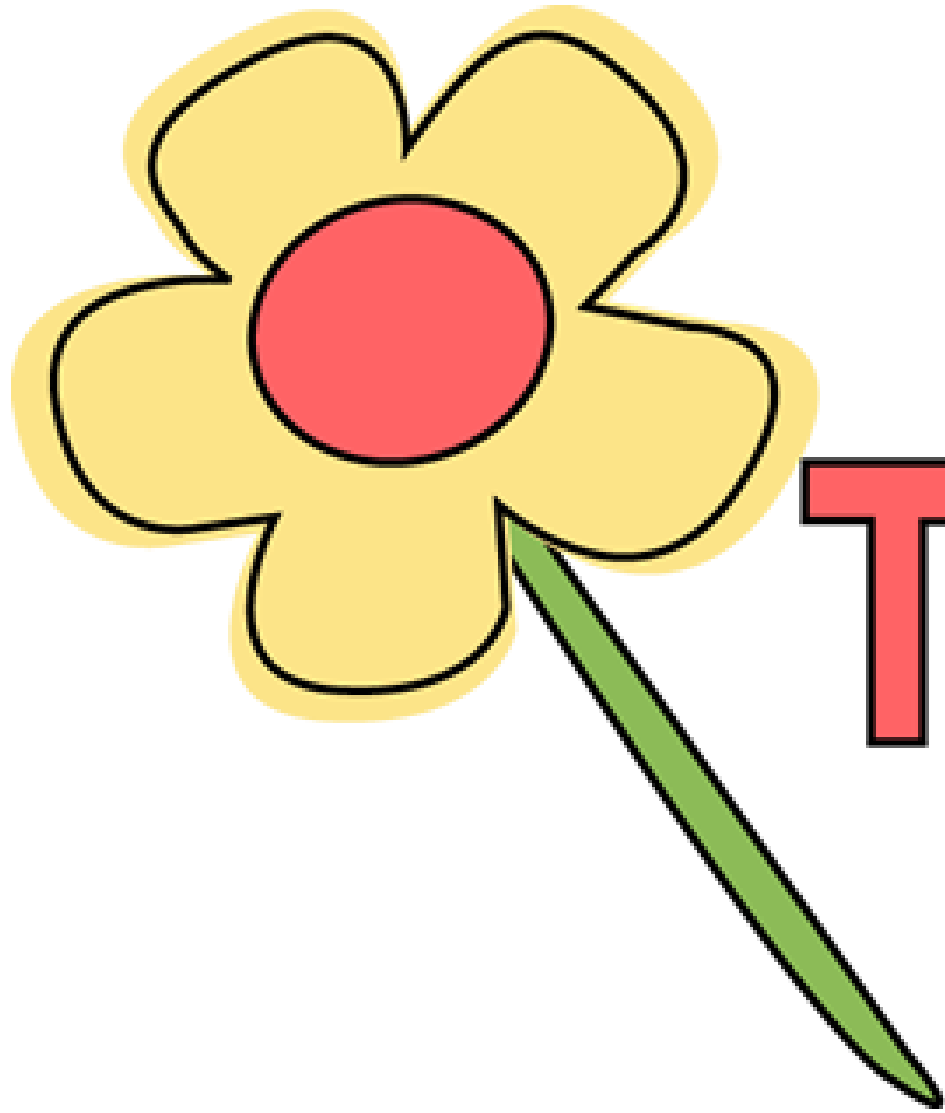
Community Impact

Strong and quality childcare services.

Opportunities for Bilingualism.

Job opportunities

Community partnerships



Thank
You

ORDINANCE # _____

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR MOTOR VEHICLE
REPAIR AND/OR SERVICE AT 211 BEELINE DRIVE UNIT 1, BENSENVILLE,
ILLINOIS**

WHEREAS, the Village of Bensenville, DuPage and Cook Counties, Illinois (the “*Village*”) is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the President and the Board of Trustees of the Village of Bensenville (the “*Corporate Authorities*”) have heretofore exercised the power conferred on them pursuant to Chapter 11-13-1, *et seq.*, of the Illinois Municipal Code by adopting the Village of Bensenville Zoning Ordinance (Ord. 07-99), as amended from time to time (the “*Zoning Ordinance*”); and

WHEREAS, Partner Carriers, Inc. of 211 Beeline Dr 1, Bensenville, IL 60106 (the “*Owner*”) owns the property located at 211 Beeline Dr 1; and

WHEREAS, Northside Automotive (“*Applicant*”) of 4535 N Kedzie Ave, Chicago, 60625, filed an application for Special Use Permit, Motor Vehicle Repair and/or Service Municipal Code Section 10-7-2-1 of the Bensenville Village Zoning Ordinance (“*Zoning Ordinance*”) for the property located at 211 Beeline Drive Unit 1, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the “*Subject Property*”), a copy of said application being contained on file in the Community and Economic Development Department; and

WHEREAS, the Village published Notice of Public Hearing with respect to the Variations in the *Bensenville Independent* on Thursday, March 14, 2024, and notice was also given via posting of one Public Hearing Sign on the Subject Property on Friday, March 15, 2024, and via First Class

mail to taxpayers of record within 250 feet of the Subject Property on March 14, 2024, all as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, pursuant to said Notice, the Community Development Commission of the Village of Bensenville conducted a Public Hearing on April 2, 2024 (the “*Public Hearing*”), as required by the statutes of the State of Illinois and the ordinances of the Village, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, at the conclusion of the Public Hearing, the Community Development Commission agreed with the findings of fact submitted by the Applicant, and thereafter, voted (5-0) to recommend approval of the Special Use Permit, Motor Vehicle Repair and/or Service with certain conditions, and forwarded its recommendations, including the Staff Report and findings relative to the requests, which are attached hereto and incorporated herein by reference as Exhibit C, to the Corporate Authorities; and

WHEREAS, the Corporate Authorities have duly considered the Community Development Commission’s recommendation and findings of fact, and have determined that approval of the Special Use Permit, as recommended by the Community Development Commission, with conditions, is consistent with the Zoning Ordinance; and

WHEREAS, the Corporate Authorities deem it advisable and in the best interest of the health, safety, and welfare of the residents of the Village to grant the Special Use Permit requested and subject to the conditions identified herein.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, duly assembled at a regular meeting, as follows:

Section 1. That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

Section 2. That the Subject Property is currently zoned within the I-2 General Industrial District, which zoning classification shall remain in effect subject to the Variations approved herein.

Section 3. That the Corporate Authorities hereby adopt by reference the findings of fact of the Community Development Commission as findings of the Village President and the Board of Trustees as if completely set forth herein and find that the Special Use Permit are proper and necessary, with certain modifications and additional conditions contained herein.

Section 4. That in addition to the findings set forth in Sections 3 hereof, the Corporate Authorities find as to the standards of special use in relation to the requests:

- i. The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.
- ii. The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.
- iii. The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.
- iv. The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.
- v. The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Section 5. That the Special Use Permit at 211 Beeline Dr 1 in Bensenville, Illinois as legally described in Exhibit A, is hereby approved, provided that the project is constructed in

substantial conformance with the following plans and specifications (collectively, the “Plans and Specifications”), except as may be amended pursuant to Section 6 of this Ordinance:

- i. Application: submitted by Applicant on February 1, 2014 (Exhibit B; the “*Application*”);
- ii. ALTA/NSPS Land Title Survey: prepared by the Kabal Surveying Company on August 21, 2023 (Exhibit B; the “*Survey*”).

The Plans and Specifications are hereby approved by this Ordinance.

Section 6. That the Special Use granted herein is further subject to the following conditions and restrictions which the Corporate Authorities deem necessary to protect the public interest:

- i. The Special Use Permit be granted solely to Northside Automotive and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit.
- ii. A triple catch basin must be installed
- iii. No outdoor storage of motor vehicles is permitted.

Section 7. No building permits shall be issued for construction related to the Special Use Permit unless the plans submitted in conjunction with the building permits are in substantial conformance with the Plans and Specifications and conditions, as approved herein.

Section 8. The Applicant hereunder shall at all times comply with the terms and conditions of the Ordinance and, in the event of non-compliance, said Ordinance shall be subject to revocation.

Section 9. All sections of the Zoning Ordinance not addressed in this Ordinance or another amending ordinance shall remain in full force and effect.

Section 10. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 11. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 12. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

DRAFT

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville,
DuPage and Cook Counties, Illinois, this 23rd day of April 2024, pursuant to a roll call vote, as
follows:

APPROVED:

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

Ordinance # ____ - 2024
Exhibit "A"

The Legal Description is as follows:

PARCEL 1:

THE WEST 234.18 FEET LYING SOUTH OF A LINE DRAWN AT RIGHT ANGLE TO THE WEST LINE THEREOF, THROUGH A POINT 90.02 FEET NORTH OF THE SOUTHWEST CORNER THEREOF LOT 3 (EXCEPT THE SOUTH 33 FEET THEREOF) IN MOHAWK ACRES, A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 17, 1934 AS DOCUMENT 350561, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

EASEMENT FOR THE BENEFIT OF PARCEL 1 FOR INGRESS AND EGRESS AS SET FORTH IN THE DECLARATION RECORDED AS DOCUMENT R72-74496 AND SHOWN IN THE PLAT OF SUBDIVISION AFORESAID, DUPAGE COUNTY, ILLINOIS.

Commonly known as 211 Beeline Drive Unit 1, Bensenville, Illinois 60106.

Ordinance # ____ - 2024
Exhibit “B”
Plans and Specifications

On file in the Community and Economic Development Department.

DRAFT

Ordinance # ____ - 2024
Exhibit “C”
Findings of Fact

Mr. Pozsgay reviewed the Approval Standards for the proposed special use consisting of:

1. **Public Welfare:** The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant’s Response: The proposed Special Use will not endanger the health, safety, comfort, convenience and general welfare of the public. The proposed use for automotive repair is Special Use in the I-2 District. The proposed tenant will complete all body work on the interior of the building in compliance with all existing codes.

2. **Neighborhood Character:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant’s Response: Automotive repair is compatible with all of the existing industrial users within the 211 Beeline development and is consistent with the general character of the adjacent properties which are all industrial users. There is existing truck repair and auto repair located within the 211 Beeline building within other units.

3. **Orderly Development:** The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant’s Response: All of the adjacent properties are improved with existing industrial users. The granting of the Special Use will have no effect on and future redevelopment, if any, of adjacent properties.

4. **Use of Public Services and Facilities:** The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant’s Response: The proposed use will not require any expansion or strain on community facilities or services to a degree that is disproportionate to normal activities in the I2 district. The granting of the Special Use Permit will also not require any new utilities, access roads, drainage or other facilities.

5. **Consistent with Title and Plan:** The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Under the Comprehensive Plan, the Subject Property falls under the Northern Business District. The proposed development fulfills the objective of the Bensenville Comprehensive Plan to support regional growth of existing industrial properties and the rehabilitation of the existing industrial sites. Approval of the Special Use Permit will also fulfill a goal of supporting existing property owners and wanting to fill existing vacant units with viable businesses to support the residents and tax base.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit with the following conditions:
 - a. The Special Use Permit be granted solely to Northside Automotive and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit.
 - b. A triple catch basin must be installed.
 - c. No outdoor storage of motor vehicles is permitted.

There were no questions from the commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-06.
Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-06 at 8:03 p.m.

Motion: Commissioner Marcotte made a motion to approve the Special Use Permit, Motor Vehicle Repair and/or Service; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

DRAFT

TYPE:Ordinance**SUBMITTED BY:**K. Pozsgay**DEPARTMENT:**CED**DATE:**04.19.2024**DESCRIPTION:**Consideration of an Ordinance Granting a Variation, Fence in the Corner Side Yard at 352 S Church Road**SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:**

<input type="checkbox"/>	Financially Sound Village	<input checked="" type="checkbox"/>	Enrich the lives of Residents
<input type="checkbox"/>	Quality Customer Oriented Services	<input type="checkbox"/>	Major Business/Corporate Center
<input checked="" type="checkbox"/>	Safe and Beautiful Village	<input type="checkbox"/>	Vibrant Major Corridors

COMMITTEE ACTION:

COW

DATE:

04/16/24

BACKGROUND:

1. The Petitioner, Jay Adkins, is seeking approval of a variation in order to construct a fence in the corner side yard of their property.
2. The proposed fence is a 5-foot solid vinyl fence with an additional foot of lattice.
3. The proposed fence will extend 24' south towards 2nd Avenue, running 70' parallel to 2nd Avenue.
4. The proposed fence does not impact the west adjacent property driveway sight vision triangle.

KEY ISSUES:

1. Variations for fences in the corner side yard are a common request.
2. The applicant has agreed to Village design standards with 5 feet of solid fence with 1 foot of lattice on top.

ALTERNATIVES:

Discretion of the Committee

RECOMMENDATION:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Variation, Fence in the Corner Side Yard at 352 S Church Rd with the following conditions:
 1. Fence shall be setback 1 foot from the south (2nd Avenue) property line, as shown in plans;
 2. Fence shall be 5 feet high with an additional 1 foot of lattice, as proposed by the applicant.

BUDGET IMPACT:

NA

ACTION REQUIRED:

Approval of an Ordinance Granting a Variation, Fence in the Corner Side Yard at 352 S Church Road

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
Cover Page	3/26/2024	Cover Memo
Aerial & Zoning	3/26/2024	Backup Material
Legal Notice	3/26/2024	Backup Material
Application	3/26/2024	Backup Material
Approval Standards	3/26/2024	Backup Material

Site Plan	3/26/2024	Backup Material
Sample	3/26/2024	Backup Material
Plat of Survey	3/26/2024	Backup Material
Staff Report	3/28/2024	Executive Summary
Draft CDC Minutes	4/8/2024	Backup Material
Draft Ordinance	4/11/2024	Ordinance



BENSENVILLE

GATEWAY TO OPPORTUNITY

Community Development Commission
Public Hearing 4.02.24

CDC Case #2024 – 07

Jay & Heather Adkins
352 S Church Rd

Variation, Fence in the Corner Side Yard
Municipal Code Sections 10 – 7 – 4C – 7a

1. Aerial Photograph & Zoning Map of Subject Property
2. Legal Notice
3. Application
4. Staff Report & Exhibits
5. Plans





Village of Bensenville



**LEGAL NOTICE/PUBLIC NOTICE
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Meeting of the Community Development Commission of the Village of Bensenville, DuPage and Cook Counties, will be held on Tuesday, April 2, 2024 at 6:30 P.M, at which a Public Hearing will be held to review case No. 2024 – 07 to consider a request for:

Variation, Fence in the Corner Side Yard
Municipal Code 10 – 7 – 4C – 7A

At 352 S Church Road is an existing R-3 Single-Unit Dwelling District. The Public Hearing will be held in the Village Board Room at Village Hall, 12 S. Center Street, Bensenville.

The Legal Description is as follows:

LOT 3 IN VOLK BROTHERS SECOND ADDITION TO EDGEWOOD, IN THE NORTHEAST QUARTER OF SECTION 22, AND THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 1926, AS DOCUMENT 213086, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 352 S. Church Road, Bensenville, Illinois 60106.

Jay Adkins of 352 S. Church Road, Bensenville, Illinois 60106 is the owner and the applicant for the subject property.

Any individual with a disability requiring a reasonable accommodation in order to participate in any public meeting held under the authority of the Village of Bensenville should contact the Village Clerk, Village of Bensenville, 12 S. Center St., Bensenville, IL 60106, (630) 766-8200, at least three (3) days in advance of the meeting.

Applicant's application and supporting documentation may be examined by any interested parties in the office of the Community and Economic Development Department, Monday through Friday, in the Village Hall, 12 South Center Street, Bensenville, IL 60106. All interested parties may attend the Public Hearing and be heard. A link for electronic viewing will be posted on the Village website at least 48 hours prior to the meeting date. Written comments mailed to the Village Hall, and online comments submitted on the Village website, will be accepted by the Community and Economic Development Department through April 2, 2024 until 5:00 PM.

Office of the Village Clerk
Village of Bensenville

**TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT
MARCH 14, 2024**

For Office Use Only

Date of Submission: _____ MUNIS Account #: 13772 CDC Case #: _____

COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: 352 S CHURCH RD

Property Index Number(s) (PIN): 0323105010

A. PROPERTY OWNER:

JAY & HEATHER ADKINS

Name Corporation (if applicable)

352 S CHURCH RD

Street

BENSENVILLE

IL

60106

City

State

Zip Code

JAY ADKINS

(630) 408-3037

JCASHFAN129@AOL.COM

Contact Person

Telephone Number

Email Address

*If Owner is a Land Trust, attach a list of the names and addresses of the beneficiaries of the Trust.

B. APPLICANT:

☒ Check box if same as owner

Name Corporation (if applicable)

Street

City State Zip Code

Contact Person Telephone Number Email Address

B. ACTION REQUESTED (Check applicable):

- ☐ Site Plan Review
- ☐ Special Use Permit
- ☒ Variation
- ☐ Administrative Adjustment
- ☐ Zoning Text or Map Amendment
- ☐ Zoning Appeal
- ☐ Plat of Subdivision
- ☐ Annexation
- ☐ Planned Unit Development*

*See Staff for additional information on PUD requests

SUBMITTAL REQUIREMENTS:

- ☒ Affidavit of Ownership** (signed/notarized)
- ☒ Application**
- ☒ Approval Standards**
- ☒ Plat of Survey/Legal Description
- ☐ Site Plan
- ☐ Building Plans & Elevations
- ☐ Engineering Plans
- ☐ Landscape Plan
- ☐ Tree Preservation and Removal Plan
- ☒ Application Fees
- ☒ Fees agreement**

**Item located within this application packet.

Brief Description of Request(s): (Submit separate sheet if necessary)

EXTEND CURRENT BACKYARD FENCE FURTHER
SOUTH TO THE CORNER SIDE YARD

C. PROJECT DATA:

1. General description of the site: SINGLE FAMILY HOUSEHOLD
2. Acreage of the site: 0.24 Building Size (if applicable): _____
3. Is this property within the Village limits? (Check applicable below)
☒ Yes
☐ No, requesting annexation
☐ No, it is under review by another governmental agency and requires review due to 1.5 mile jurisdiction requirements.
4. List any controlling agreements (annexation agreements, Village Ordinances, site plans, etc.)
N/A

5. Character of the site and surrounding area:

	Zoning	Existing Land Use	Jurisdiction
Site:	<u>R-3</u>	<u>Single Family Residence</u>	<u>Village of Bensenville</u>
North:	<u>R-3</u>	<u>Single Family Residence</u>	<u>Village of Bensenville</u>
South:	<u>R-3</u>	<u>Single Family Residence</u>	<u>Village of Bensenville</u>
East:	<u>R-3</u>	<u>Single Family Residence</u>	<u>Village of Bensenville</u>
West:	<u>N/A</u>	<u>N/A (SF Residential)</u>	<u>Unincorp. Village of Bensenville</u>

D. APPROVAL STANDARDS:

The applicant must compose a letter describing how the request(s) specifically meets the individual criteria from the appropriate Approval Standards, found in Village Code and on the following pages. The CDC will be unable to recommend approval of a request without a response to the pertinent "Approval Standards."

☐ **Approval Standards For Site Plan Review**

1. The site plan for the proposed development is consistent with the existing character and zoning of adjacent properties and other property within the immediate vicinity of the proposed development.
2. The site plan for the proposed development will not adversely impact adjacent properties and other properties within the immediate vicinity of the proposed development.
3. The site plan for the proposed development will be provided with adequate utilities, access roads, parking, loading, drainage, stormwater flow paths, exterior lighting, and/or other necessary facilities.
4. The site plan for the proposed development is designed to preserve the environmental resources of the zoning lot.
5. The site plan shall accommodate on-site pedestrian circulation from parking areas, plazas, open space, and public rights-of-way. Pedestrian and vehicular circulation shall be separated to the greatest extent possible.
6. The site plan shall locate curb cuts for safe and efficient ingress and egress of vehicles. The use of shared curb cuts and cross-access easements shall be provided when appropriate.
7. The site plan for the proposed development includes architectural design that contributes positively to the Village's aesthetic appearance.
8. The site plan for the proposed development is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

☐ **Approval Standards for Special Uses**

1. The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.
2. The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.
3. The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.
4. The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.
5. The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

☒ **Approval Standards for Variations**

1. The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.
2. The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.
3. The proposed variation alleviates an undue hardship created by the literal enforcement of this title.
4. The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.
5. The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.
6. The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

☐ **Approval Standards for Administrative Adjustment**

1. The proposed administrative adjustment will not endanger the health, safety, comfort, convenience, and general welfare of the public.
2. The proposed administrative adjustment is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed administrative adjustment.
3. The proposed administrative adjustment alleviates an undue hardship created by the literal enforcement of this title.
4. The proposed administrative adjustment is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.
5. The proposed administrative adjustment represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject adjustment.
6. The proposed administrative adjustment is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

☐ **Approval Standards for Zoning Text or Map Amendments**

1. Approval standards for text amendments:
 - a. The proposed amendment will not endanger the health, safety, comfort, convenience, and general welfare of the public.
 - b. The proposed amendment corrects an error, adds clarification, or reflects a change in policy.
 - c. The proposed amendment is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.
2. Approval standards for map amendments:
 - a. The proposed amendment will not endanger the health, safety, comfort, convenience, and general welfare of the public.
 - b. The proposed amendment is compatible with the existing uses, character, and zoning of adjacent properties and other property within the immediate vicinity of the proposed amendment.
 - c. The proposed amendment provides a relative gain to the public, as compared to any hardship imposed upon an individual property owner.
 - d. The proposed amendment addresses the community need for a specific use.
 - e. The proposed amendment corrects an error, adds clarification, or reflects a change in policy.
 - f. The proposed amendment is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

☐ **Approval Standards for Planned Unit Developments**

- A. The proposed planned unit development fulfills the objectives of the Comprehensive Plan, and other land use policies of the Village, through an innovative and creative approach to the development of land.
- B. The proposed planned unit development will provide walkways, driveways, streets, parking facilities, loading facilities, exterior lighting, and traffic control devices that adequately serve the uses within the development, promote improved access to public transportation, and provide for safe motor vehicle, bicycle, and pedestrian traffic to and from the site.
- C. The proposed planned unit development will provide landscaping and screening that enhances the Village's character and livability, improves air and water quality, reduces noise, provides buffers, and facilitates transitions between different types of uses.
- D. The proposed planned unit development will incorporate sustainable and low impact site design and development principles.
- E. The proposed planned unit development will protect the community's natural environment to the greatest extent practical, including existing natural features, water courses, trees, and native vegetation.
- F. The proposed planned unit development will be provided with underground installation of utilities when feasible, including electricity, cable, and telephone, as well as appropriate facilities for storm sewers, stormwater retention, and stormwater detention.

APPLICATION FEES

The fee schedule for items that require appearance before the Community Development Commission and/or Village Board as follows:

<u>ACTION REQUIRED</u>	<u>FEES</u>
Variation for Residential Use	\$100
Annexation Petition	\$250
Appeal of Director	\$500
Comprehensive Plan Map Amendment	\$500
Comprehensive Plan Text Amendment	\$500
Plat of Subdivision	\$500
Special Use Permit	\$500
Variation for Nonresidential Use	\$500
Zoning Map Amendment	\$500
Zoning Text Amendment	\$500
Planned Unit Development	\$750
PUD Amendment	\$500

Processing Fees: \$200

The Staff will provide, as a service to the applicant, the following as legally required:

- Publish the required legal notice in local publication
- Post a public hearing sign on the property visible from the public way
- Mail the legal notice to each property owner within 250 feet of the applicant property

Any required Recording of Documents will be the responsibility of the applicant with fees Assessed by the County.

****Application fees are non-refundable and payment does not constitute approval of project****

In cases where the developer is petitioning for more than one request, fees shall be collected for each request. An exception in instances where a planned unit development and subdivision plat are being requested simultaneously one fee is collected.

Reimbursement of Fees: In addition to the fixed fee(s) provided above, the petitioner/applicant shall enter into a reimbursement of fees agreement with the Village. The reimbursement of fees agreement shall encompass all applications or petitions pending with the Village, including any additional matters not set forth hereinabove. The reimbursement of fees agreement shall be in the following form:

Should the Village, in its sole and exclusive discretion, determine that it is necessary or desirable for the Village to obtain professional services, including, but not limited to, attorneys, engineers, planners, architects, surveyors, court reporters, traffic, appraisers, environmental, drainage or other consultants, including full and/or part time site inspection services during the actual construction of any required improvements, and/or to incur costs related to any required notices or recordations, in connection with any Petition or Application filed by the Petitioner/Applicant, then the Petitioner/Applicant shall be liable for the payment of such professional fees and costs, as shall actually be incurred by the Village, plus an additional ten percent (10%) to cover the Village's administrative expenses.

Upon the failure of the Petitioner/Applicant to reimburse the Village in accordance with this Agreement, no further action shall be undertaken on any Petition or Application by the Village President and Board of Trustees, or by any other official or quasi-official individual or body thereunder, including the conduct of any hearings or deliberations, the granting of any relief or approvals, and the execution or recording of any documents, until all such outstanding fees are paid in full. Further, the Village may deny any application for a grading, building or other permit if such amounts have not been paid in full. Upon any failure to reimburse the Village in accordance with this Section, the Village may in its discretion, elect to place a lien against any real property associated with the Petitioner/Applicant's Petition or Application. In the event such amounts are not paid in full within sixty (60) days after the date when the statement of such amounts due is delivered or deposited in the U.S. mail by the Village, such amounts due shall be deemed delinquent and thereafter a delinquency charge of one percent (1%) per month, or portion thereof, with a minimum delinquency charge of \$5.00 per month, shall be added to the amount due until such amount, including all delinquency charges, is received by the Village. Said lien shall be in an amount equal to the outstanding amount owed to the Village.

The remedies available to the Village as set forth hereinabove are non-exclusive and nothing herein shall be deemed to limit or waive the Village's right to seek relief of such fees against any or all responsible parties in a court of competent jurisdiction.

BY SIGNING BELOW, THE PETITIONER/APPLICANT ACKNOWLEDGES THAT THEY HAVE READ THE FOREGOING PARAGRAPHS AND FULLY UNDERSTANDS AND AGREES TO COMPLY WITH THE TERMS SET FORTH HEREIN. FURTHER, BY SIGNING BELOW, THE SIGNATORY WARRANTS THAT THEY POSSESS FULL AUTHORITY TO SO SIGN.

THE PETITIONER/APPLICANT AGREES THAT THEY SHALL BE LIABLE FOR PAYMENT OF FEES REFERRED TO IN APPLICABLE SECTIONS OF THE ORDINANCES OF THE VILLAGE OF BENSENVILLE, AND AS SET FORTH HEREIN.



Petitioner/Applicant

02/26/2024

Date

February 26, 2024

From:

Jay & Heather Adkins
352 S Church Road
Bensenville, IL 60106

To:

Village of Bensenville
C/O: Community Development Commission
12 S Center Street
Bensenville, IL 60106

Dear Village of Bensenville,

We, Jay & Heather Adkins, residing at 352 S Church Road of the Village of Bensenville, Illinois, USA request variance pertaining to Village of Bensenville code in an effort to extend our backyard fence further south into the corner side yard.

This proposed variation will not endanger the health, safety, comfort, convenience and general welfare of the public. Furthermore, this proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation. The proposed variation alleviates the hardship of containing small children and pets from venturing towards the street into harms way. The proposed variation is necessary due to the unique physical attributes of our property, being the busy vehicular traffic on the cross streets that border our property. The proposed variation represents the minimum deviation from the regulations of this title necessary to extend our backyard fence further south into the corner side yard. The proposed variation has proven to be consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

The variance that we seek includes the extension of the 6 foot vinyl fence already erected in our backyard to extend further south so that the extension of the fence stays at least a foot off the property line on 2nd Avenue and the last foot in the corner side yard to be furnished with lattice.

We appreciate your thoughtful consideration in request of this variance.

Sincerely,

Jay & Heather Adkins

STATE OF ILLINOIS

)

)SS.

COUNTY OF DUPAGE AND COOK

)

AFFIDAVIT OF OWNERSHIP

I JAY ADKINS the undersigned Affiant, being first duly sworn, on oath states:

1. That Affiant has personal knowledge of the representations and statements made herein, and has examined all necessary documents, records of ownership and such other information as is required to confirm the statements and representations herein;
2. That the owner(s) and contract purchaser(s), if any, as set forth on the Petition attached hereto is (are) the owner(s) of record and contract purchasers of said property;
3. That all consents to the attached Petition required of lenders or of others holding an interest in the property have been obtained;
4. This Affidavit of Ownership is given to induce the Village of Bensenville, without further inquiry as to ownership or purchase interest, to rely on said statements and representations and to process and set for Public Hearing the Petition as attached hereto; and,
5. Affiant is aware of and has been advised that any false statement set forth in this Affidavit of Ownership may subject Affiant to criminal sanctions for perjury, punishable as provided by the statutes of the State of Illinois in relation to the crime of perjury.

IN WITNESS WHEREOF, the undersigned has executed this Affidavit of Ownership this

26th day of, FEBRUARY.


Signature

SUBSCRIBED and SWORN to

before me this 26th day of, February, 2024.

Maria B. Flores
Notary Public



February 26, 2024

From:

Jay & Heather Adkins
352 S Church Road
Bensenville, IL 60106

To:

Village of Bensenville
C/O: Community Development Commission
12 S Center Street
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Sincerely,

Jay & Heather Adkins

LEGEND

A = ASSUMED
C = CALCULATED
CH = CHORD
CL = CENTERLINE
D = DEED
E = EAST
F.I.P. = FOUND IRON PIPE
F.I.R. = FOUND IRON ROD
FT. = FEET/FOOT
L = ARC LENGTH
M = MEASURED
N = NORTH
NE = NORTHEAST
NW = NORTHWEST
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
R = RECORD
RAD = RADIUS
R.O.W. = RIGHT OF WAY
S = SOUTH
S.I.P. = SET IRON PIPE
S.I.R. = SET IRON ROD
SE = SOUTHEAST
SW = SOUTHWEST
W = WEST

CHAIN LINK FENCE
WOOD FENCE
METAL FENCE
VINYL FENCE
EASEMENT LINE
SETBACK LINE
INTERIOR LOT LINE

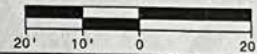
PLAT OF SURVEY

OF

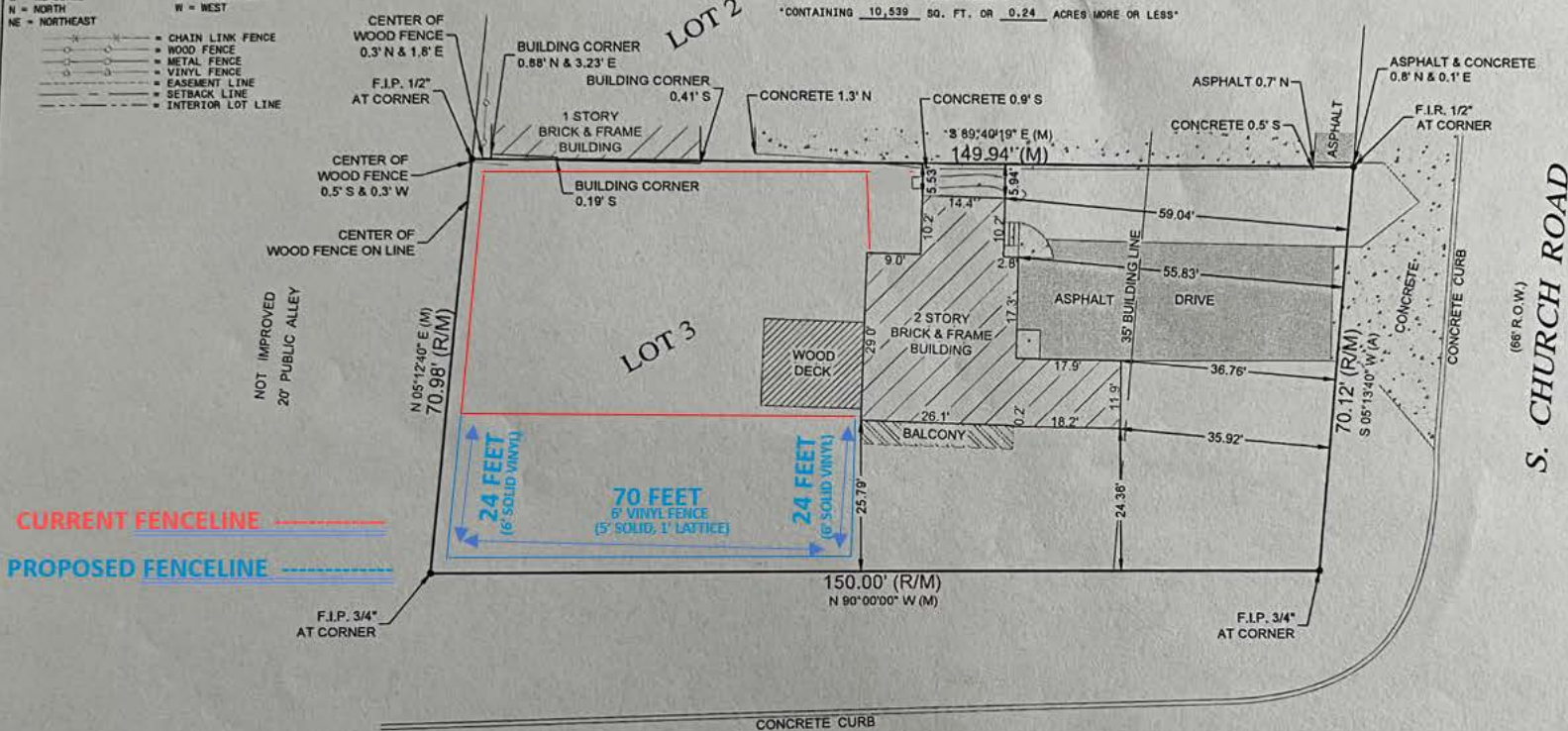
LOT 3 IN VOLK BROTHERS SECOND ADDITION TO EDGEWOOD, IN THE NORTHEAST QUARTER OF SECTION 22, AND THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 1926 AS DOCUMENT 213086, IN DUPAGE COUNTY, ILLINOIS.

AREA OF SURVEY:

CONTAINING 10.539 SQ. FT. OR 0.24 ACRES MORE OR LESS



BASIS OF BEARING:
WEST LINE OF S. CHURCH ROAD AS FOUND
MONUMENTED AND OCCUPIED PER RECORD
SUBDIVISION.
S 05°13'40" W (A)



CURRENT FENCELINE

PROPOSED FENCELINE

2ND AVENUE

STATE OF ILLINOIS } ss
COUNTY OF DUPAGE

I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY, AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

DATED, THIS 12TH DAY OF MARCH, A.D., 2020,
AT LISLE, ILLINOIS.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-2317
LICENSE EXPIRATION DATE NOVEMBER 30, 2020
ILLINOIS BUSINESS REGISTRATION NO. 184-001245



NOTE:

- ALL TIES SHOWN ON THIS SURVEY ARE MEASURED TO THE BUILDING'S SIDING (BRICK, FRAME, STUCCO, METAL, ETC.) AND NOT TO THE FOUNDATION, UNLESS NOTED OTHERWISE.
- ROOF LINES AND OVERHANGS ARE TYPICALLY NOT SHOWN HEREON.
- COMPARE ALL DISTANCES AND POINTS IN FIELD AND REPORT ANY DISCREPANCIES TO SURVEYOR AT ONCE.
- NO DIMENSIONS SHALL BE ASSUMED BY SCALING.

ADDRESS COMMONLY KNOWN AS 352 S. CHURCH ROAD
BENSENVILLE, ILLINOIS
CLIENT ANA M. MENCINI & ASSOCIATES
FIELDWORK DATE (CREW) 03/11/2020 (MM/JJ)
DRAWN BY: R.S. REVISED: JOB NO. 20-03-0098



Morris Engineering, Inc.
515 Warrenville Road, Lisle, IL 60532
Phone: (630) 271-0770
FAX: (630) 271-0774
WEBSITE: WWW.ECIVIL.COM

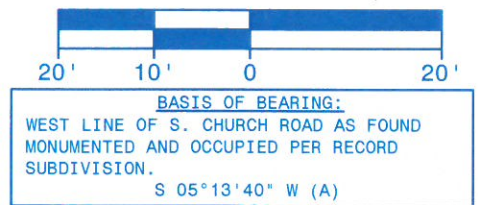
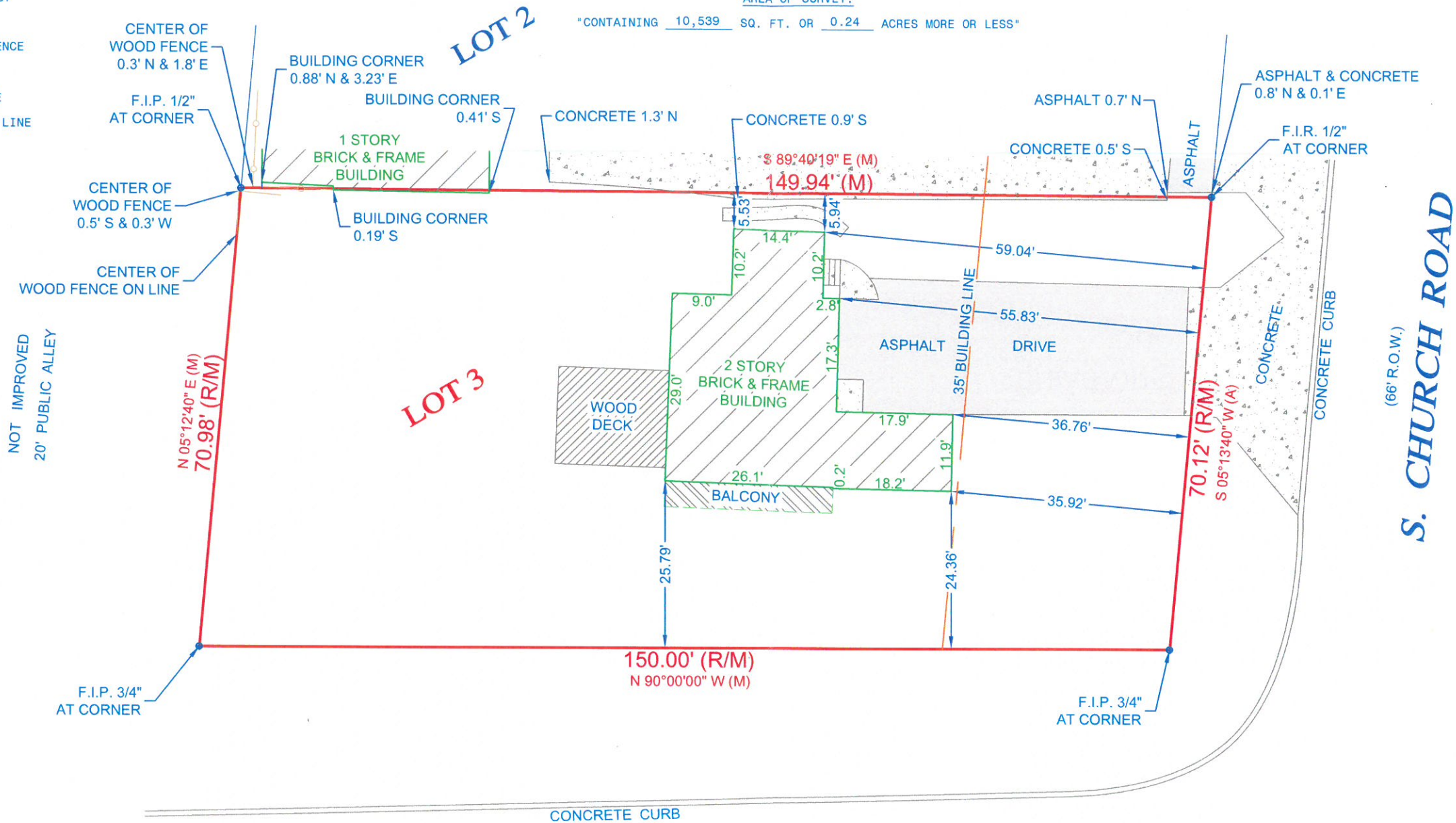


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PLAT OF SURVEY OF

LOT 3 IN VOLK BROTHERS SECOND ADDITION TO EDGEWOOD, IN THE NORTHEAST QUARTER OF SECTION 22, AND THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 1926 AS DOCUMENT 213086, IN DUPAGE COUNTY, ILLINOIS.

AREA OF SURVEY:
"CONTAINING 10,539 SQ. FT. OR 0.24 ACRES MORE OR LESS"



BASIS OF BEARING:
WEST LINE OF S. CHURCH ROAD AS FOUND
MONUMENTED AND OCCUPIED PER RECORD
SUBDIVISION.
S 05°13'40" W (A)



Morris Engineering, Inc.
515 Warrenville Road, Lisle, IL 60532
Phone: (630) 271-0770
FAX: (630) 271-0774
WEBSITE: WWW.ECIVIL.COM

STATE OF ILLINOIS }SS
COUNTY OF DUPAGE }
I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY
CERTIFY THAT "THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT
ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY," AND THAT THE PLAT
HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.
DATED, THIS 12TH DAY OF MARCH, A.D., 2020,
AT LISLE, ILLINOIS.

J. L. Morrison
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-2317
LICENSE EXPIRATION DATE NOVEMBER 30, 2020
ILLINOIS BUSINESS REGISTRATION NO. 184-001245

(66' R.O.W.)
2ND AVENUE



- NOTE:
1. ALL TIES SHOWN ON THIS SURVEY ARE MEASURED TO THE BUILDING'S SIDING (BRICK, FRAME, STUCCO, METAL, ETC.) AND NOT TO THE FOUNDATION, UNLESS NOTED OTHERWISE.
 2. ROOF LINES AND OVERHANGS ARE TYPICALLY NOT SHOWN HEREON.
 3. COMPARE ALL DISTANCES AND POINTS IN FIELD AND REPORT ANY DISCREPANCIES TO SURVEYOR AT ONCE.
 4. NO DIMENSIONS SHALL BE ASSUMED BY SCALING.

ADDRESS COMMONLY KNOWN AS 352 S. CHURCH ROAD
BENSENVILLE, ILLINOIS
CLIENT ANA M. MENCINI & ASSOCIATES
FIELDWORK DATE (CREW) 03/11/2020 (MM/JB)
DRAWN BY: R.S. REVISED: JOB NO. 20-03-0098

STAFF REPORT

HEARING DATE: April 2, 2024
CASE #: 2024 – 07
PROPERTY: 352 S Church Rd
PROPERTY OWNER: Jay Adkins
APPLICANT: Same as above
SITE SIZE: 0.24 Acres
BUILDING SIZE: N/A
PIN NUMBER: 0323105010
ZONING: R – 3 Single-Unit Dwelling District
REQUEST: Variation, Fence in the Corner Side Yard
Municipal Code Section 10 – 7 – 4C – 7a

PUBLIC NOTICE:

1. A Legal Notice was published in the Bensenville Independent on Thursday, March 14, 2024. A Certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.
2. Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on Friday, March 15, 2024.
3. On Thursday, March 14, 2024, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 300 feet of the property in question. An Affidavit of Mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

SUMMARY:

The Petitioner, Jay Adkins, is seeking approval of a variation in order to construct a fence in the corner side yard of their property. The proposed fence is a 5-foot solid vinyl fence with an additional foot of lattice. The proposed fence will extend 24' south towards 2nd Avenue, running 70' parallel to 2nd Avenue. The proposed fence does not impact the west adjacent property driveway sight vision triangle.

SURROUNDING LAND USES:

	Zoning	Land Use	Comprehensive Plan	Jurisdiction
Site	R-3	Residential	Single Family Residential	Village of Bensenville
North	R-3	Residential	Single Family Residential	Village of Bensenville
South	R-3	Residential	Single Family Residential	Village of Bensenville
East	R-3	Residential	Single Family Residential	Village of Bensenville
West	R-4	Residential	N/A	Unincorporated DuPage County

DEPARTMENT COMMENTS:*SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:*

<input type="checkbox"/>	Financially Sound Village
<input type="checkbox"/>	Quality Customer Oriented Services
<input checked="" type="checkbox"/>	Safe and Beautiful Village
<input checked="" type="checkbox"/>	Enrich the lives of Residents
<input type="checkbox"/>	Major Business/Corporate Center
<input type="checkbox"/>	Vibrant Major Corridors

Finance:

- 1) U/B account is up to date and no liens.

Police:

- 1) No comments.

Engineering and Public Works:

- 1) No comments.

Community & Economic Development:

Economic Development:

- 1) No comments.

Fire Safety:

- 1) No comments.

Building:

- 1) No comments.

Planning:

- 1) The 2015 Comprehensive Plan indicates “Single Family Residential” for this property.
- 2) The current zoning is R-3 Single-Unit Dwelling.
- 3) The Petitioner is seeking approval of a variation to construct a fence in the corner side yard of their property. The proposed fence is 5-foot-high solid vinyl with an additional foot of lattice.
- 4) Per Village code Section 10-7-4C-7 the following regulations apply to fences and walls:

- a. Location: In all zoning districts, fences and walls are allowed in the interior side yard and rear yard.
 - i. The petitioner is requesting a variation from this requirement. The fence is proposed to extend into the corner side yard of the property, on the 2nd Avenue side, roughly 1 foot off the property line.
 - ii. Staff is supportive of this variation request.
- b. Height: The maximum height of a fence or wall shall be measured from the ground at the base of the fence or wall. Residential And Commercial Districts: In Residential and Commercial Zoning Districts, the maximum height of a fence or wall shall be six feet (6').
 - i. The proposed fence is 5 feet high with 1 foot of lattice, which does not exceed the maximum height requirements.
- c. Per the proposed plans, the applicant is proposed to extend the fence 24 feet south of the existing fence post, leaving it roughly 1 foot from the 2nd Avenue property line. It would then run 70 feet parallel to the 2nd Avenue before running north 24 feet, connecting with the southwest corner of the home.
- d. In the past variations granted to allow corner side yard fences were done so with the condition that there shall be 1 foot of lattice atop the 5 feet of solid material. The proposal meets this standard.
- e. The proposed fence does not come within the 10-foot x 10-foot sight vision triangle, either on the applicant's or the neighboring properties.
- f. Traditionally, staff recommends that the fence be setback from the sidewalk within the public Right-of-Way to ensure that there is ample spacing between the sidewalk and the fence.

Applicant Response: No comments.

APPROVAL STANDARDS FOR VARIATIONS:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: This proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response: This proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: The proposed variation alleviates the hardship of containing small children and pets from venturing towards the street into harm's way.

4. Unique Physical Attributes: The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: The proposed variation is necessary due to the unique physical attributes of our property, being the busy vehicular traffic on the cross stress that border our property.

5. Minimum Deviation Needed: The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: The proposed variation represents the minimum deviation from the regulations of this title necessary to extend our backyard fence further south into the corner side yard.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed variation has proven to be consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Fence in the Corner Side Yard	Meets Standard	
Approval Standards for Variations	Yes	No
Public Welfare	X	
Compatible with Surrounding Character	X	
Undue Hardship	X	
Unique Physical Attributes	X	
Minimum Deviation Needed	X	

RECOMMENDATIONS:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Variation, Fence in the Corner Side Yard at 352 S Church Rd with the following conditions:
 - a. Fence shall be setback 1 foot from the south (2nd Avenue) property line, as shown in plans;
 - b. Fence shall be 5 feet high with an additional 1 foot of lattice, as proposed by the applicant.

Respectfully Submitted,
Department of Community & Economic Development

The meeting for the Village of Bensenville CDC Public Hearing will take place on Tuesday, April 2, 2024. A representative must be present for this meeting. The CDC recommendation will be forwarded to the Village Board Committee of the Whole meeting on Tuesday, April 16, 2023. A representative must be present for this meeting. Final decision on the case will be made at this Village Board of Trustees meeting on Tuesday, April 23, 2023. A representative is not required to be present for this meeting.

Village of Bensenville
Board Room
12 South Center Street
DuPage and Cook Counties
Bensenville, IL, 60106

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

April 2, 2024

CALL TO ORDER: The meeting was called to order by Chairman Rowe at 6:30p.m.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

STAFF PRESENT: K. Pozsgay, K. Quinn, C. Williamsen

JOURNAL OF

PROCEEDINGS: The minutes of the Community Development Commission Meeting of the March 5, 2024 were presented.

Motion: Commissioner Chambers made a motion to approve the minutes as presented. Commissioner Marcotte seconded the motion.

All were in favor. Motion carried.

Director of Community and Economic Development, Kurtis Pozsgay and Village Planner, Kevin Quinn were present and sworn in by Chairman Rowe.

PUBLIC

COMMENT: There was no Public Comment.

Continued

Public Hearing: CDC Case Number 2024-03

Petitioner: 2540 Flournoy LLC

Location: 740 County Line Road

Request: Site Plan Review

Municipal Code Section 10-3-2

Special Use Permit, Medium Industrial

Municipal Code Section 10-7-2-1

Variation, Driveway Width Requirements

Municipal Code Section 10 – 8 – 8c

Variation, Tree Replacement Rate Requirements

Municipal Code Section 10 – 9 – 2B1

Motion: Commissioner Rott made a motion to re-open CDC Case No. 2024-03. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe re-opened CDC Case No. 2024-03 at 6:32 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on February 15, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on February 15, 2024. Mr. Pozsgay stated on February 15, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, 2540 Flournoy LLC, is seeking approval of a site plan review, special use permit and two variances. Mr. Pozsgay stated the special use permit is to allow a medium industrial use (chemicals will be mixed on site) in a light industrial district. Mr. Pozsgay stated the first variance seeks to extend the driveway width beyond the 30 feet maximum, as stated in Municipal Code 10 – 8 – 8c. Mr. Pozsgay stated the proposed driveway exiting onto George Street would be 30.3 feet and the proposed driveway width exiting onto County Line Road would be 41.7 feet. Mr. Pozsgay stated the second variance is due to not being able to meet the tree replacement standards. Mr. Pozsgay stated they believe that meeting the Village Requirements stated in Municipal Code Section 10 – 9 – 2B1 would result in overplanting.

Jeff Hamilton of 2540 Flournoy LLC, were present and sworn in by Chairman Rowe. Mr. Hamilton stated 2540 Flournoy LLC attempted to host an open house to help educate the Public with their production in Elk Grove Village that they plan to move to Bensenville. Mr. Hamilton stated one neighbor showed up and they had a great conversation. Mr. Hamilton stated there is no steam, vapors or odors as a result of their operations. Mr. Hamilton stated in the past year, 2540 Flournoy LLC has one reported issue to OSHA from their Elk Grove Village location. Mr. Hamilton stated daily inspections occur at their facilities.

John Gross, Design Engineering hired by 2540 Flournoy, LLC was present and sworn in by Chairman Rowe. Mr. Gross stated he was aware of the concerns of trucks exiting the property and traveling west on George Street. Mr. Gross stated best practices would be to place signage on the property directing trucks to only exit the property traveling east on George Street and to educate staff on site to direct trucks when they leave the premise.

Commissioner Rowe asked how the well trap operated. Mr. Hamilton stated it's a pump that will drain into the sanitary sewer line.

Commissioner Wasowicz asked how the open house was promoted. Mr. Hamilton stated they placed signage outside on the property.

Matt Cronin, Architect, was present and sworn in by Chairman Rowe. Mr. Cronin stated they attempted to get a list of Commissioners and Village Board members from Staff to invite for the open house but were told because of conflicts, they could not obtain the list. Mr. Cronin stated shortly after they placed signage on the property, it was removed by someone.

Mr. Pozsgay stated Staff received direction from Legal that Commissions and Village Board members attending an open house would be in violation of the Open Meetings Act and that the place for discussion was in this meeting.

Commissioner Wasowicz asked for clarification on the size of tanks being proposed on site vs what is currently at the Elk Grove Location. Mr. Hamilton confirmed the proposed size tanks are going to be larger than what is currently in Elk Grove Village.

Commissioner Marcotte asked if there was a different site in Bensenville that would meet their needs. Mr. Hamilton stated he was unable to answer that question.

Commissioner Marcotte stated she was against the proposed operations moving into Bensenville being this close to Residential. Commissioner Marcotte raised concerns that it only takes one accident to affect the neighborhood.

Public Comment

Anna Lysy – 751 John Street, Bensenville, Illinois 60106

Mr. Lysy was present and sworn in by Chairman Rowe. Ms. Lysy stated the property behind her house dumps plastic containers behind their property and she fears the same would happen here. Mr. Pozsgay stated he will direct Staff to address the issue occurring behind Ms. Lysy's property.

Jennifer Yoo – 751 John Street, Bensenville, Illinois 60106

Mr. Yoo was present and sworn in by Chairman Rowe. Ms. Yoo raised concern with safety protocols should a event occur. Ms. Yoo shared a story of a chemical plant explosion in Texas in 2019. Ms. Yoo shared that the explosion caused the evacuation of properties within a two mile radius and a shelter in place order within a five mile radius. Ms. Yoo shared a list of Village properties that would be effect should a two mile radius evacuation occur. Ms. Yoo asked what protocols would be put into place by the company should a explosion occur and evacuations are needed; how will the Public be notified and where will they go?

Linda Bratland – 915 John Street, Bensenville, Illinois 60106

Ms. Bratland was present and sworn in by Chairman Rowe. Ms. Bratland stated the proposed operation belongs in an industrial park, not a residential area. Ms. Bratland stated the proposed site is too small for their operation.

Mr. Hamilton shared a list of chemicals that would be stored and mixed on the property. The list has been attached to the minutes as "Exhibit A".

Mr. Pozsgay reviewed the approval standards for site plan review:

1. **Surrounding Character:** The site plan for the proposed development is consistent with the existing character and

zoning of adjacent properties and other property within the immediate vicinity of the proposed development.

Applicant's Response: The subject parcel is zoned I-1. This aligns with the other adjacent properties to the north and south along County Line Road. The properties along the west side of County Line Road are primarily smaller industrial uses, and the uses on the east side are larger industrial. The parcel to the west is zoning R-2, a Single-Unit Dwelling District.

2. **Neighborhood Impact:** The site plan for the proposed development will not adversely impact adjacent properties and other properties within the immediate vicinity of the proposed development.

Applicant's Response: The proposed site plan will contain proposed truck movements within the site limits. While additional vehicular traffic is expected on-site compared to its existing vacant condition, adequate landscape screening is proposed along the western and southern property lines for neighboring properties. Additional landscape is also proposed along the northern property line to provide screening to George Street. Proposed lighting will follow Village of Bensenville requirements and will limit the footcandles along the property lines.

3. **Public Facilities:** The site plan for the proposed development will be provided with adequate utilities, access roads, parking, loading, drainage, stormwater flow paths, exterior lighting, and/or other necessary facilities.

Applicant's Response: Associated utilities for the proposed building include gas, electric, telecommunications, storm, sanitary, and water. Please refer to the included utility plan for details.

4. **Environmental Preservation:** The site plan for the proposed development is designed to preserve the environmental resources of the zoning lot.

Applicant's Response: The existing site is currently open space with an existing curb cut to County Line Road. While the site will be paved as needed to accommodate vehicular

movements on-site, additional plantings will be installed per Village of Bensenville requirements.

5. **On-Site Pedestrian Circulation System:** The site plan shall accommodate on-site pedestrian circulation from parking areas, plazas, open space, and public rights-of-way. Pedestrian and vehicular circulation shall be separated to the greatest extent possible.

Applicant's Response: The proposed site plan includes sidewalk for pedestrian traffic from public ROW and proposed ADA parking stalls. The site also accounts for a future right-of-way dedication along County Line Road.

6. **Vehicle Ingress and Egress:** The site plan shall locate curb cuts for safe and efficient ingress and egress of vehicles. The use of shared curb cuts and cross-access easements shall be provided when appropriate.

Applicant's Response: Two curb cuts are proposed as part of the development. One is located at the southeast corner of the site, connecting to County Line Road, and one is at the northwest corner of the site, connecting to George Street. The curb cuts are located as far from the existing intersection as possible to limit vehicular conflicts. Truck movements have been analyzed using Vehicle Tracking software. A WB-67 truck has been modeled to enter the site from County Line Road and leave the site via George Street.

7. **Architectural Design:** The site plan for the proposed development includes architectural design that contributes positively to the Village's aesthetic appearance.

Applicant's Response: The proposed development will adhere to the Village's design requirements for the industrial district including façade articulation and material standards. The proposed design includes a primarily natural colored stone or brick façade with accents of precast concrete wall panels. The building will follow suit with the architectural character of the Eastern Business District.

8. **Consistent with Title and Plan:** The site plan for the proposed development is consistent with the intent of the

Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The site falls within the Eastern Business District of the Comprehensive Plan. The future use is proposed to be commercial/industrial flex. As part of the proposed improvements, stormwater drainage will be designed in accordance with the Village of Bensenville standards, and the DuPage County Countywide Stormwater & Floodplain Ordinance.

Mr. Pozsgay reviewed the approval standards for the special use:

1. **Public Welfare:** The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: The proposed medium industrial use will not pose any health, safety, comfort, convenience, or general welfare concerns. This facility will manufacture and distribute dishwashing detergents and sanitizers for commercial dishwashing. The manufacturing activity on site can be described as diluting commodity corrosive liquids in stainless steel tanks for transfer into consumer-sized bottles. All life safety systems required by the building code will be provided, including secondary containment.

2. **Neighborhood Character:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed medium industrial use is compatible with the adjacent properties within the industrial zone of Bensenville and the adjacent industrial area of Franklin Park. It does not represent a significant change in use from the neighboring properties.

3. **Orderly Development:** The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed medium industrial use will not impede the development and improvement of adjacent properties within the immediate vicinity. This use is similar to the existing adjacent properties in the area.

4. **Use of Public Services and Facilities:** The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: The proposed special use will not require any disproportionate needs or demand that would place an undue burden upon the existing development in the area. These items are expected to be typical for a facility of this size.

5. **Consistent with Title and Plan:** The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed special use does not represent a significant change in use from the neighboring properties, or allowable uses under the Village's Zoning Ordinance. The Village's Comprehensive Plan identified several vacant and underutilized properties available for redevelopment in the Eastern Business District, which would include the proposed site for this special use. The medium industrial use is consistent with the surrounding character of the Village.

Mr. Pozsgay reviewed the approval standards for variations:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response:

Tree Removal: In discussions with the Village Forestry Division, overplanting on site is a concern. The amount of trees required may affect the chances of survival of the proposed trees. The Owner is open to a discussion as to

what the best route forward is. Paying the applicable fee to reduce the number of trees does not endanger the health, safety, comfort, convenience, and general welfare of the public.

Driveway: Due to the trucks that will enter the site, wider driveways are required on the east and north sides of the site. Truck turning movement diagrams have been included as part of this submittal, showing the truck path to the loading dock, and leaving the site. Driveways have been sized as efficiently as possible to meet the needs of the site. The larger driveways do not represent a danger to the health, safety, comfort, convenience, and general welfare of the public.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response:

Tree Removal: The proposed planting plan will improve the landscape of the current site, and will align with the adjacent uses.

Driveway: The proposed driveway is compatible with the character of the adjacent properties to the north, east, and south. The area is predominantly industrial, as is the proposed use. Various driveways along County Line Road appear to be similar widths, also exceeding the Village of Bensenville allowable widths.

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response:

Tree Removal: As noted above, the hardship is dependent on the Village Forestry Division's interpretation of how close trees can be to survive and overcrowding on site. Paying the fee in lieu of replacement will still provide benefit to the Village for the trees being removed, while ensuring success of the replacement trees planted on site.

Driveway: Without a variance for the driveway width, the end user will not be able to conduct the required business operations on site. The end user requires a WB-67 truck to

pass through the site for deliveries critical to the functionality of the business.

4. **Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response:

Tree Removal: Due to the necessary truck movements through the site, width of the parcel, building size, required parking, and setbacks, the open space available to provide replacement trees is limited. This creates a challenge fitting the required number of tree replacement per Village code.

Driveway: Due to the width of the property, it is not feasible to achieve the standard driveway width per Village code. Different vehicle movement patterns have been analyzed to understand alternatives, and the presented site plan results in the least chance of truck movements into George Street or County Line Road.

5. **Minimum Deviation Needed:** The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response:

Tree Removal: The design team has provided tree spacing which provides enough space to ensure growing success. As noted above, the landscape design will defer to the Village Forestry Department as to what is the best long-term approach for tree locations. Additional trees which are not being replaced will be accounted for via the fee in lieu.

Driveway: Driveway widths have been made only as wide as necessary to accommodate the incoming and outgoing truck movements.

6. **Consistent with Ordinance and Plan:** The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response:

Tree Removal: The planting and tree selection will follow Village Code and the Commercial / Industrial flex use

within the Eastern Business District requirements in the Comprehensive Plan.

Driveway: The proposed use and driveway width align with the uses listed in the Eastern Business District within the Comprehensive Plan.

Mr. Pozsgay stated:

1. Staff recommends the Denial of the Findings and therefore the denial of the Special Use Permit.
 - a. Should the CDC or Village Board recommend approval, staff recommends the following conditions:
 - i. Site Plan Review:
 1. The property be developed in general compliance, except as amended herein, with the plans submitted by Charles Vincent George Architects, G2 Consulting, and Kimley-Horn dated 01/04/2024 revised 02/28/24, and all other Village Code Requirements;
 2. Applicant shall provide a sidewalk along the property within the George Street right-of-way and a 10' multi-use path along the property within the County Line Road right-of-way to be approved by Public Works/Engineering during permitting;
 3. Final architectural design of the principal structure and parking blocks/bollards to be approved by Zoning Administrator prior to permit approval;
 4. Final mechanical equipment screening (rooftop and ground) to be approved by Zoning Administrator prior to permit approval;
 5. Applicant shall coordinate with staff during permitting to provide street trees when feasible within portions of the right-of-way where adequate spacing is present;

6. All landscape requirements outside of received variations shall be met during permitting. Final Landscape plan to be approved by zoning administrator prior to permit approval;
 7. All illumination standards as outlined in Village Code section 10-9-8 Outdoor Lighting shall be met at permitting;
 8. Applicant shall coordinate with staff to ensure proper striping and directional signage for the site during the permitting process.
 - ii. Special Use Permit:
 1. The Special Use Permit be granted solely to Auto Chlor System and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit.
 2. Staff recommends the Approval of the Findings and therefore the approval of the Findings for the Variation for Driveway Width.
 - a. Applicant to work with staff on eliminating turning movements for trucks going west on George St.
 - b. Applicant to work with staff on design and placement of the County Line Rd driveway.

3. Staff recommends the Approval of the Findings and therefore the approval of the Findings for the Variation for Tree Replacement Rate.
 - a. Additional trees shall be added to the site on the final landscape plan where feasible. If tree replacement rates cannot be fully met on the final landscape plan for the property, then applicant shall coordinate with staff to determine an appropriate fee-in-lieu for the remaining required tree replacement, to be approved by the Zoning Administrator.

There were no questions from the commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-03. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-03 at 7:30 p.m.

Motion: Commissioner Marcotte made a motion to approve Special Use Permit, Medium Industrial; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: None

Nays: Rowe, Chambers, Marcotte, Rott, Wasowicz

Motion failed.

Motion: Commissioner Marcotte made a motion to approve Variation, Driveway Width Requirements; Municipal Code Section 10-8-8c with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte

Nays: Rott, Wasowicz

Motion carried.

Motion: Commissioner Chambers made a motion to approve Variation, Tree Replacement Rate Requirements; Municipal Code Section 10-9-2B-1 with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Wasowicz

Nays: Rott

Motion carried.

Continued

Public Hearing: CDC Case Number 2024-04
Petitioner: Bensenville Park District
Location: 500 West Jefferson Street
Request: Variation, Electronic Message Sign Location
Municipal Code Section 10 – 10 – 5 – 4A3
Variation, Monument Sign Height
Municipal Code Section 10 – 10 – 5 – 8c

Motion: Commissioner Marcotte made a motion to re-open CDC Case No. 2024-04. Commissioner Rott seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe re-opened CDC Case No. 2024-04 at 7:36 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on February 15, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on February 15, 2024. Mr. Pozsgay stated on February 15, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for

viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Bensenville Park District, is seeking approval of two variations. Mr. Pozsgay stated the first variation seeks to allow an electronic message sign within one mile of an established electronic message sign. Mr. Pozsgay stated the sign is located within one mile of an electronic message sign located at 1047 S York Road, thus requiring a variation from the requirements of the existing code. Mr. Pozsgay stated the proposed sign will be placed in the same location as the existing monument sign along Jefferson Road. Mr. Pozsgay stated the second variation seeks to allow the monument sign upon which the electronic message sign is based to exceed the maximum height allowed for monument signs- 8 feet. Mr. Pozsgay stated the proposed monument sign would be 8.75 feet. Mr. Pozsgay stated the total sign area for the electronic message sign is approximately 23.08 SF. Mr. Pozsgay stated this covers less than 50% of the total monument sign area.

Jospeh Vallez, Bensenville Park District Director, was present and sworn in by Chairman Rowe. Mr. Vallez stated he was present to answer any questions the Commission has.

Commissioner Marcotte asked what took so long for the Park District to update the signage. Mr. Vallez explained that at the Park District Board's direction, they explored the possibility of selling the property. Mr. Vallez stated after it was determined they would not sell the property, the Park District is no investing a lot of money into revamping the golf course.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the approval standards for variations:

1. Public Welfare: The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: Yes, the proposed variation will not endanger the health, safety, convenience, and general welfare of the public.

2. Compatible with Surrounding Character: The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response: The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

3. Undue Hardship: The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: Yes, the proposed variation alleviates an undue hardship created by the literal enforcement of this title.

4. Unique Physical Attributes: The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: Yes, the proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

5. Minimum Deviation Needed: The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: Yes, the proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvements of the subject property.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Yes, the proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Variation for Electronic Message Sign Location with the following conditions:

- a. Applicant must adhere to all illumination standards outlined in Village Code Section 10-10-5B-4d.
2. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Monument Sign Height with the following conditions:
 - a. Applicant must adhere to all landscaping standards outlined in Village Code Section 10-10-5B-8c.

There were no questions from the commission.

Motion: Commissioner Marcotte made a motion to close CDC Case No. 2024-04. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-04 at 7:45 p.m.

Motion: Commissioner Chambers made a motion to approve Variation, Electronic Message Sign Location; Municipal Code Section 10-10-5-4A-3 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Marcotte made a motion to approve Variation, Monument Sign Height; Municipal Code Section 10-10-5-8c with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-06
Petitioner: Partner Carries, Inc.
Location: 211 Beeline Drive, Unit 1
Request: Special Use Permit, Motor Vehicle Repair and/or Service
Municipal Code 10 – 7 – 2 – 1

Motion: Commissioner Rott made a motion to open CDC Case No. 2024-06. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-06 at 7:47 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Northside Automotive, is seeking approval of a special use permit for motor vehicle repair and/or service. Mr. Pozsgay stated they wish to “complete body work on higher end vehicles without the need to store vehicles outside.” Mr. Pozsgay stated the property is currently within an I – 2 General Industrial District, where motor vehicle repair and/or service are allowed with a special use permit. Mr. Pozsgay stated the site is .31 acres.

Marshall Subach, Attorney, was present and sworn in by Chairman Rowe. Mr. Subach stated his client did not own the building under the previous user. Mr. Subach stated the property has been cleaned up by his client. Mr. Subach shared that his client has been operating in Chicago for twelve years and will remain there as well. Mr. Subach stated there is already a paint booth on site.

Sair Arapovic, owner of Northside Automotive was present and sworn in by Chairman Rowe. Mr. Arapovic provided an overview of his operations and the need for a closer location to the suburbs. Mr. Arapovic stated he works on high end vehicles; all body repair.

Commissioner Chambers asked what the maximum storage of vehicles inside would be. Mr. Arapovic stated eight vehicles.

Commissioner Rott asked why the petitioner shared that he only works on high end vehicles. Mr. Arapovic explained that with the vehicles being high end, there would be no need for the vehicles to be stored outside.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the Approval Standards for the proposed special use consisting of:

1. **Public Welfare:** The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: The proposed Special Use will not endanger the health, safety, comfort, convenience and general welfare of the public. The proposed use for automotive repair is Special Use in the I-2 District. The proposed tenant will complete all body work on the interior of the building in compliance with all existing codes.

2. **Neighborhood Character:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Automotive repair is compatible with all of the existing industrial users within the 211 Beeline development and is consistent with the general character of the adjacent properties which are all industrial users. There is existing truck repair and auto repair located within the 211 Beeline building within other units.

3. **Orderly Development:** The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: All of the adjacent properties are improved with existing industrial users. The granting of the Special Use will have no effect on and future redevelopment, if any, of adjacent properties.

4. **Use of Public Services and Facilities:** The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: The proposed use will not require any expansion or strain on community facilities or services to a degree that is disproportionate to normal activities in the I2 district. The granting of the Special Use Permit will also not require any new utilities, access roads, drainage or other facilities.

5. **Consistent with Title and Plan:** The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Under the Comprehensive Plan, the Subject Property falls under the Northern Business District. The proposed development fulfills the objective of the Bensenville Comprehensive Plan to support regional growth of existing industrial properties and the rehabilitation of the existing industrial sites. Approval of the Special Use Permit will also fulfill a goal of supporting

existing property owners and wanting to fill existing vacant units with viable businesses to support the residents and tax base.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit with the following conditions:
 - a. The Special Use Permit be granted solely to Northside Automotive and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit.
 - b. A triple catch basin must be installed.
 - c. No outdoor storage of motor vehicles is permitted.

There were no questions from the commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-06. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-06 at 8:03 p.m.

Motion: Commissioner Marcotte made a motion to approve the Special Use Permit, Motor Vehicle Repair and/or Service; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-07
Petitioner: Jay Adkins
Location: 352 South Church Road
Request: Variation, Fence in the Corner Side Yard
Municipal Code Section 10 – 7 – 4C – 7a

Motion: Commissioner Marcotte made a motion to open CDC Case No. 2024-07. Commissioner Chambers seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-07 at 8:04 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Jay Adkins, is seeking approval of a variation in order to construct a fence in the corner side yard of their property. Mr. Pozsgay stated the proposed fence is a 5-foot solid vinyl fence with an additional foot of lattice. Mr. Pozsgay stated the proposed fence will extend 24' south towards 2nd Avenue, running 70' parallel to 2nd Avenue.

Mr. Pozsgay stated the proposed fence does not impact the west adjacent property driveway sight vision triangle.

Jay Adkins, property owner, was present and sworn in by Chairman Rowe. Mr. Adkins reviewed the proposed fence. Mr. Adkins stated the need for the fence is for his children and dogs.

There were no questions from the Commission.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the Approval Standards for the proposed variation consisting of:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: This proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response: This proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: The proposed variation alleviates the hardship of containing small children and pets from venturing towards the street into harm's way.

4. **Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: The proposed variation is necessary due to the unique physical attributes of our property, being the busy vehicular traffic on the cross street that border our property.

5. Minimum Deviation Needed: The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: The proposed variation represents the minimum deviation from the regulations of this title necessary to extend our backyard fence further south into the corner side yard.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed variation has proven to be consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Variation, Fence in the Corner Side Yard at 352 S Church Rd with the following conditions:
 - a. Fence shall be setback 1 foot from the south (2nd Avenue) property line, as shown in plans;
 - b. Fence shall be 5 feet high with an additional 1 foot of lattice, as proposed by the applicant.

There were no questions from the commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2024-07. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-07 at 8:09 p.m.

Motion: Commissioner Marcotte made a motion to approve the Variation, Fence in the Corner Side Yard; Municipal Code Section 10-7-4C-7a with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-08
Petitioner: Rocio Olvera
Location: 1347 West Irving Park Road
Request: Special Use Permit, Day Care Center
Municipal Code Section 10 – 7 – 2 – 1

Motion: Commissioner Chambers made a motion to open CDC Case No. 2024-08. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-08 at 8:10 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Primavera School, represented by Rocio Olvera, is requesting approval of a Special Use Permit for a day care center at 1347 W Irving Park Rd. Mr. Pozsgay stated the site is currently a vacant lot of roughly .45 acres. Mr. Pozsgay stated the building size is projected to be 8,000 square feet. Mr. Pozsgay stated no variances are sought at this time.

Rocio Olvera, business owner, was present and sworn in by Chairman Rowe. Ms. Olvera shared a power point presentation of the proposed operations. The power point has been attached to the minutes as “Exhibit B”. Ms. Olvera stated her mother has successfully operated a daycare location in Stone Park for the past twenty five years and this would be their second location.

Commissioner Rott asked what the proposed hours would be. Ms. Olvera stated the daycare would operate from 5:00am – 7:00pm.

Commission Rott asked what type of certifications are needed for the teachers. Ms. Olvera explained the requirements.

Public Comment

Nancy Ingold – 10 South Meadow Court, South Barrington, Illinois

Ms. Ingold was present and sworn in by Chairman Rowe. Ms. Ingold raised concern with parking on the proposed site and concerns with a long line of traffic trying to exit the property during pickup time.

Linda Bratland – 915 John Street, Bensenville, Illinois 60106

Ms. Bratland was present and sworn in by Chairman Rowe. Ms. Bratland stated she fully supports daycares, however, she feels that the applicant would have a difficult time filling spots with the other options available to Residents in town. Ms. Bratland also raised concern with the hours of operation.

Commissioner Chambers shared that his family is currently on a waitlist for after school programs for his children and supports the need for more daycare options in town.

Mr. Pozsgay reviewed the Approval Standards for the proposed special use permit consisting of:

1. Public Welfare: The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: Our childcare center (Primavera School) will not endanger the health, safety, comfort, convenience, and general welfare of the public.

2. Neighborhood Character: The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Our childcare center (Primavera School) is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

3. Orderly Development: The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Our childcare center (Primavera School) will not impeded the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

4. Use of Public Services and Facilities: The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: Our childcare center (Primavera School) will not require utilities, access roads, drainage, and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Our childcare center (Primavera School) is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit, Day Care Center at 1347 W. Irving Park Rd with the following conditions:
 - a. The Special Use Permit be granted solely to Primavera School and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
 - b. Before a Certificate of Occupancy can be issued, the Village needs to receive documentation of such State and County approvals and licenses.

Mr. Pozsgay stated Staff would also like to add the following condition:

Application must work with Staff on a Parking and Traffic management plan.

There were no objections from the Commission.

Commissioner Wasowicz asked why the application was seeking the special use before the property is even developed. Ms. Olvera explained they want to ensure their operation would be allowed before they close on the property.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-08. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-08 at 8:30 p.m.

Motion: Commissioner Marcotte made a motion to approve the Special User Permit, Day Care Center; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-09
Petitioner: Playful Minds Therapy of Bensenville
Location: 2 South Addison Road
Request: Special Use Permit, Day Care Center
Municipal Code Section 10 – 7 – 2 – 1

Motion: Commissioner Rott made a motion to open CDC Case No. 2024-09. Commissioner Wasowicz seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-09 at 8:31 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and

inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Playful Minds Therapy of Bensenville, represented by Wajahat Macci and Maliha Khan, is seeking approval of a Special Use Permit at 2 S Addison St. Mr. Pozsgay stated Playful Minds Therapy wishes to operate a specialized day care center at this location. Mr. Pozsgay stated it is a standalone building with two storefronts, roughly 5,400 square feet. Mr. Pozsgay stated this day care center will offer occupational therapy and other forms of therapy centered at aiding individuals with autism. Mr. Pozsgay stated in the past, there was previously a day care center at this location.

Wajahat Macci, business owner, was present and sworn in by Chairman Rowe. Mr. Macci provide an overview of their operations. Mr. Macci stated they offer therapy to autistic children from the ages of two to sixteen years old. Mr. Macci stated the majority of their operation is done digitally but there is a need for in person meetings.

Commissioner Rott asked how drop off and pickups would work with the limited space. Mr. Macci stated the operation is similar to a doctors appointment where the child will be dropped off and pick up; all are done via appointments.

Commission Rott asked how many people would be on site at once. Mr. Macci stated the occupancy would be thirty but feels they would never reach that amount.

Public Comment

Linda Bratland – 915 John Street, Bensenville, Illinois 60106

Ms. Bratland was present and sworn in by Chairman Rowe. Ms. Bratland asked if the operation would also include weekends. Ms. Bratland raised concern with limited downtown parking for the proposed operations.

Mr. Macci stated they will offer weekend appointments.

Mr. Pozsgay stated Staff feels there is enough downtown parking for the proposed operations. Ms. Bratland stated she disagrees.

Mr. Pozsgay reviewed the Approval Standards for the proposed special use permit consisting of:

1. Public Welfare: The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: Yes, it will not do the following.

2. Neighborhood Character: The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Yes, it is compatible within the vicinity.

3. Orderly Development: The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Yes, it will not impede the normal and orderly development of adjacent.

4. Use of Public Services and Facilities: The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: Yes, it will not require such a need.

5. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Yes, it is consistent with the comprehensive plan and land use policies.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit, Day Care Center at 2 S. Addison with the following conditions:
 - a. The Special Use Permit be granted solely to Playful Minds Therapy of Bensenville and shall be transferred only after a review by the Community Development

- Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
- b. Before a Certificate of Occupancy can be issued, the Village needs to receive documentation of such State and/or County approvals and licenses.
 - c. The two parking spaces along Addison St will remain short term temporary parking for loading and unloading only.
 - d. The area currently blocked off next to the railroad tracks will remain so. This is not to be accessed by any vehicles at any time.

There were no questions from the Commission.

Motion: Commissioner Marcotte made a motion to close CDC Case No. 2024-09. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-09 at 8:48 p.m.

Motion: Commissioner Chambers made a motion to approve the Special User Permit, Day Care Center; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-10
Petitioner: Village of Bensenville
Location: Village of Bensenville
Request: Text Amendments, Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses) Chapter 11 (Definitions)

Motion: Commissioner Wasowicz made a motion to open CDC Case No. 2024-10. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-10 at 8:49 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.

Mr. Pozsgay stated The Village of Bensenville is seeking the aforementioned text amendments in order to refine the 2019 Village Zoning Ordinance. Mr. Pozsgay stated in late 2018, the Village underwent a complete overhaul of its current Zoning Ordinance, which had been adopted in 1999. Mr. Pozsgay stated since the introduction of the current Ordinance, Staff has been able to identify certain shortcomings while enforcing the regulations and implementing the refurbished zoning application procedures. Mr. Pozsgay stated the proposed amendments are summarized as follows:

- Designation of a Definition for Electric Vehicles (EVs) and associated terms
- Establishment of Use standards for Electric Vehicle Charging Stations

There were no questions from the Commission.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the Approval Standards for the proposed text amendments consisting of:

- 1) **Public Welfare:** The proposed amendments will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: Since the adoption of the 2019 Zoning Ordinance, a complete overhaul of the previous Code, Staff has been able to find areas for improvement within the code.

The amendment to the code requirements for Electric Vehicles and Electric Vehicle Charging Stations will not endanger the health, safety, comfort, convenience, and general welfares of the public. The proposed amendments for Electric Vehicle definitions clarify aspects of the installation process for Electric Vehicles and make the process more accessible for village residents. The proposed amendments for Use standards allow Electric Vehicle Charging Standards to have a cohesive appearance and level of safety across the village. The proposed amendments keep in consideration and ensure that the general welfare of the public is not impacted.

- 2) **Amendment Objective:** The proposed amendments correct an error, add clarification, or reflect a change in policy.

Applicant's Response: The proposed amendments are requested to improve and refine the Zoning Ordinance to allow for orderly development in accordance with modern development techniques and add clarification and flexibility for common residential and commercial property zoning considerations.

- 3) **Consistent with Ordinance and Plan:** The proposed amendments are consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed amendments are consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village. Amendments do not contrast Village goals and guidelines, as the amendments are focused on maintaining and promoting orderly land use patterns and development,

protect the Village's quality of life and the character of its neighborhoods by ensuring that development is compatible and cohesive, and to promote development that sustainably manages environmentally sensitive issues.

Mr. Pozsgay stated:

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Text Amendments to the Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses), and Chapter 11 (Definitions).

There were no questions from the Commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2024-10. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-10 at 8:53 p.m.

Motion: Commissioner Wasowicz made a motion to approve the Text Amendments; Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses), Chapter 11 (Definitions) with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

**Report from
Community
Development:**

Mr. Quinn reviewed both recent CDC cases along with upcoming cases.

ADJOURNMENT: There being no further business before the Community Development Commission, Commissioner Marcotte made a motion to adjourn the meeting. Commissioner Rott seconded the motion.

All were in favor. Motion carried.

The meeting was adjourned at 8:55 p.m.

Substance Name	Approved Uses	Common Examples	Auto-Chlor Examples
Ammonium Hydroxide	FDA GRAS* : Safe for use as a food ingredient	Bread-Leavening Windex	Glass & All-Purpose Cleaners
Phosphoric Acid	FDA GRAS : Safe for use as a food ingredient	Coca-Cola Lime-Away Vegetable Wash	Lime Remover Tub & Tile Cleaner
Potassium Hydroxide	FDA GRAS : Safe for use as a food ingredient	Ice Cream Liquid Hand Soaps	Dishwashing Soaps Multi-Purpose Cleaners
Sodium Hydroxide	FDA GRAS : Safe for use as a food ingredient	Cured Olives Bar Soaps Dishwasher Gel	Dish Machine Soaps Handwashing Soaps
Sulfamic Acid	FDA GRAS : Safe for use in direct food-contact packages (fiberboard)	Coffee Maker Cleaner	Bathroom Cleaners
Fluorosilicic Acid (Flouride)	Drinking Water Treatment	Oral Care Products	Laundry Conditioner
Benzalkonium Chloride	Used in Antibacterial Hand Soaps & Hand Sanitizers	Antibacterial Hand Wash Bactine Antiseptic Cold Sore Treatment	Dishware Sanitizers Antibacterial Hand Soaps Disinfectants

*GRAS = Affirmed as *Generally Recognized As Safe* by the U.S. Food and Drug Administration for use in food or food manufacturing when used according to good manufacturing practice.



PRIMAERA SCHOOL

Bilingual Early Childhood Education



Rocio Olvera & Belen Olvera

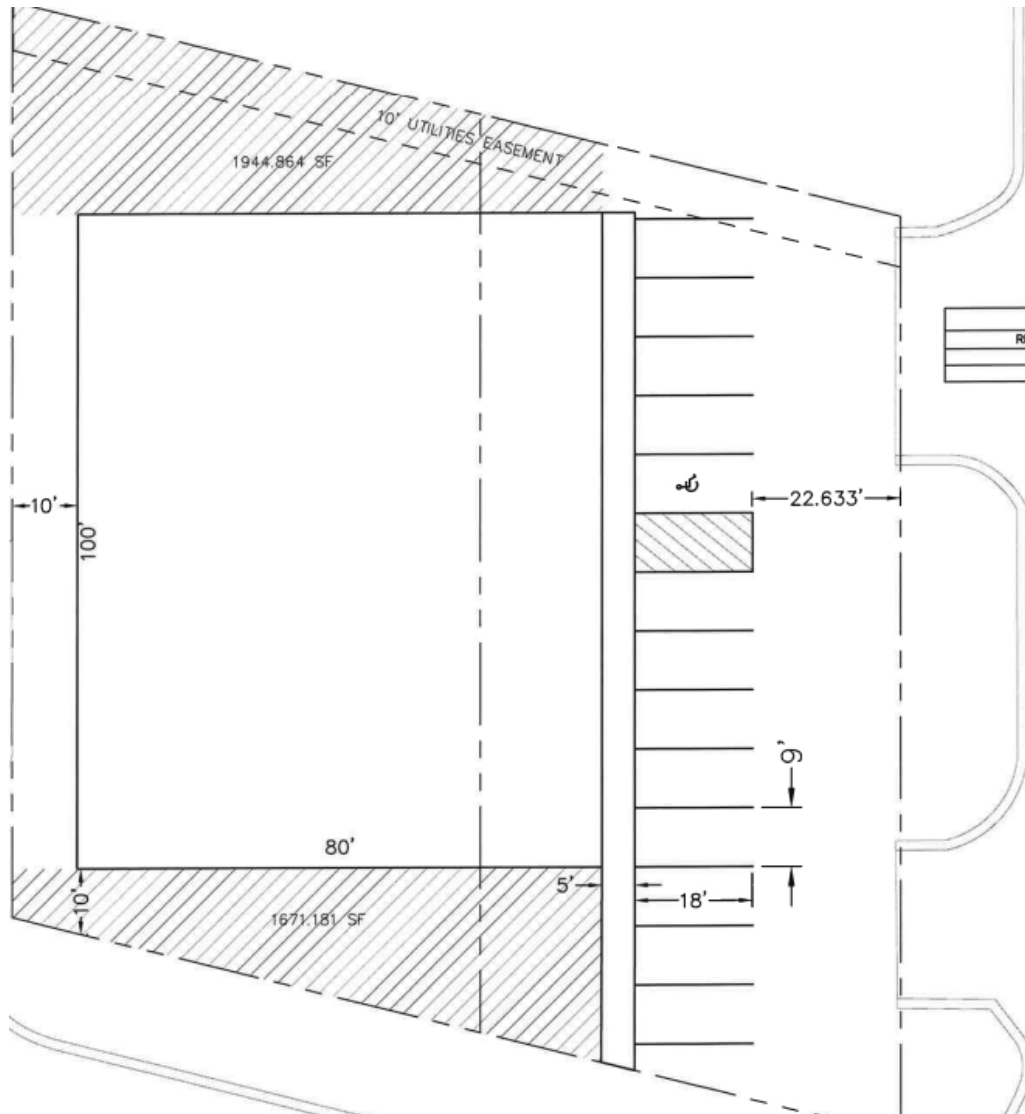
HISTORY: THE SHEPHERD'S LEARNING ACADEMY





Vision

- At Primavera School, our vision is to create a nurturing and inclusive environment where children thrive academically, socially, and spiritually. We strive to promote bilingualism and Christian values, fostering a strong foundation for their future success.



1347 Irving Park Road, Bensenville, IL



Classrooms

- Primavera School will be licensed for children as young as 3 months to 11 years of age.
- We will build 8 classrooms total; each classroom will be designated for a specific age of children:
- 1. Infants (2 classrooms)
- 2. Toddlers (2 classrooms)
- 3. Threes
- 4. Fours
- 5. Junior Kindergarten/Kindergarten
- 6. School Age
- License Capacity: 134 children

Operation Details

1

Hours of Operation:
5am-7pm

2

We plan to have 20
staff members

3

We will be licensed
by the Department
of Children and
Family Services,
DCFS.

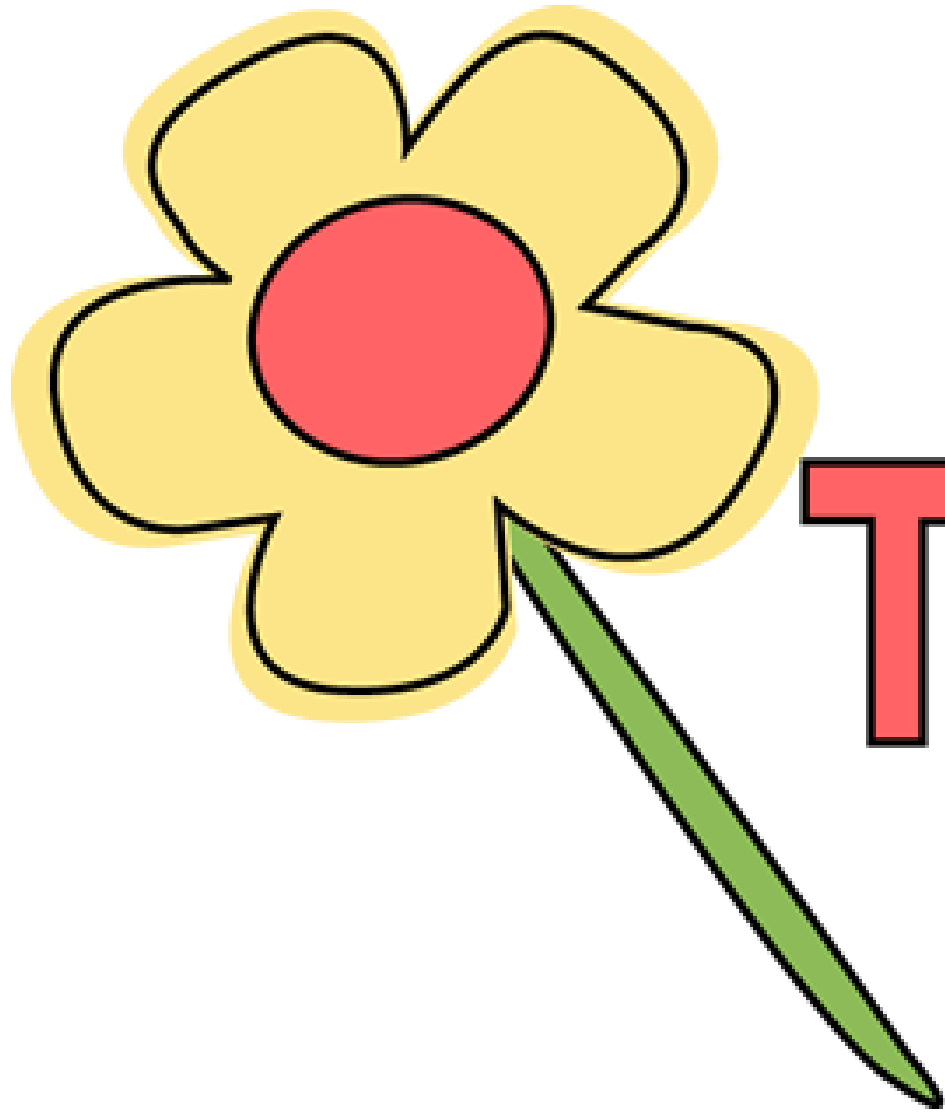
Community Impact

Strong and quality childcare services.

Opportunities for Bilingualism.

Job opportunities

Community partnerships



Thank
You

ORDINANCE # _____

**AN ORDINANCE APPROVING A VARIATION FOR A FENCE IN THE CORNER SIDE
YARD AT 352 S CHURCH ROAD, BENSENVILLE, ILLINOIS**

WHEREAS, the Village of Bensenville, DuPage and Cook Counties, Illinois (the “*Village*”) is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the President and the Board of Trustees of the Village of Bensenville (the “*Corporate Authorities*”) have heretofore exercised the power conferred on them pursuant to Chapter 11-13-1, *et seq.*, of the Illinois Municipal Code by adopting the Village of Bensenville Zoning Ordinance (Ord. 07-99), as amended from time to time (the “*Zoning Ordinance*”); and

WHEREAS, Jay Adkins of 352 S Church Road, Bensenville, IL 60106 (the “*Owner*”) owns the property contained within 352 S Church Road; and

WHEREAS, Jay Adkins of 352 S Church Road, Bensenville, IL 60106 (the “*Applicant*”) filed an application for variations, pursuant to Section 10-7-4C-7a of the Zoning Ordinance (the “*Application*”), to allow a Fence in the Corner Side Yard of the Owner’s property located at 352 S Church Road in Bensenville, Illinois as legally described in Exhibit A, attached hereto and incorporated herein by reference (the “*Subject Property*”). A copy of said application with all supporting documents is contained on file in the Community and Economic Development Department as Exhibit B; and

WHEREAS, the Applicant has requested variations from the Zoning Ordinance in order to install a fence in the corner side yard (“*Variation*”) specifically:

- A. Deviation from Section 10-7-4C-7a of the Zoning Ordinance, to allow a fence in the front yard setback on the south portion of the property, as shown in Exhibit B;

WHEREAS, the Village published Notice of Public Hearing with respect to the Variations in the *Bensenville Independent* on Thursday, March 14, 2024, and notice was also given via posting of one Public Hearing Sign on the Subject Property on Friday, March 15, 2024, and via First Class mail to taxpayers of record within 250 feet of the Subject Property on March 14, 2024, all as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, pursuant to said Notice, the Community Development Commission of the Village of Bensenville conducted a Public Hearing on April 2, 2024 (the “*Public Hearing*”), as required by the statutes of the State of Illinois and the ordinances of the Village, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, at the conclusion of the Public Hearing, the Community Development Commission agreed with the findings of fact submitted by the Applicant, and thereafter, voted (5-0) to recommend approval of the Variation for Fence in the Corner Side Yard, and forwarded its recommendations, including the Staff Report and findings relative to the requests, which are attached hereto and incorporated herein by reference as Exhibit C, to the Corporate Authorities; and

WHEREAS, the Corporate Authorities have duly considered the Community Development Commission’s recommendation and findings of fact, and have determined that approval of the Variations, as recommended by the Community Development Commission, with conditions, are consistent with the Zoning Ordinance; and

WHEREAS, the Corporate Authorities deem it advisable and in the best interest of the health, safety, and welfare of the residents of the Village to grant the Variations requested and subject to the conditions identified herein.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, duly assembled at a regular meeting, as follows:

Section 1. That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

Section 2. That the Subject Property is currently zoned within the R-3 Single-Unit Dwelling District, which zoning classification shall remain in effect subject to the Variation approved herein.

Section 3. That the Corporate Authorities hereby adopt by reference the findings of fact of the Community Development Commission as findings of the Village President and the Board of Trustees as if completely set forth herein, and find that the Variation is proper and necessary, with certain modifications and additional conditions contained herein.

Section 4. That in addition to the findings set forth in Sections 3 hereof, the Corporate Authorities find as to the standards of variations in relation to the requests:

- i. The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.
- ii. The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.
- iii. The proposed variation alleviates an undue hardship created by the literal enforcement of this title.
- iv. The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.
- v. The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.
- vi. The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Section 5. That the Variation at 352 S Church Road in Bensenville, Illinois as legally described in Exhibit A, is hereby approved, provided that the project is constructed in substantial

conformance with the following plans and specifications (collectively, the “Plans and Specifications”), except as may be amended pursuant to Section 6 of this Ordinance:

- i. Application: submitted by Applicant on February 27, 2024 (Exhibit B; the “*Application*”);
- ii. Overall Site Plan: Submitted by applicant in tandem with application (Exhibit B);
- iii. ALTA/NSPS Land Title Survey: prepared by Morris Engineering Inc. on March 12, 2020 (Exhibit B; the “*Survey*”).

The Plans and Specifications are hereby approved by this Ordinance.

Section 6. That the Variation granted herein are further subject to the following conditions and restrictions which the Corporate Authorities deem necessary to protect the public interest:

- a. Fence shall be setback 1 foot from the south (2nd Avenue) property line, as shown in plans;
- b. Fence shall be 5 feet high with an additional 1 foot of lattice, as proposed by the applicant.

Section 7. No building permits shall be issued for construction related to the Variation unless the plans submitted in conjunction with the building permits are in substantial conformance with the Plans and Specifications and conditions, as approved herein.

Section 8. The Applicant hereunder shall at all times comply with the terms and conditions of the Ordinance and, in the event of non-compliance, said Ordinance shall be subject to revocation.

Section 9. All sections of the Zoning Ordinance not addressed in this Ordinance or another amending ordinance shall remain in full force and effect.

Section 10. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 11. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 12. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

DRAFT

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois, this 23rd day of April 2024, pursuant to a roll call vote, as follows:

APPROVED:

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

Ordinance # ____ - 2024
Exhibit “A”

The Legal Description is as follows:

LOT 3 IN VOLK BROTHERS SECOND ADDITION TO EDGEWOOD, IN THE
NORTHEAST QUARTER OF SECTION 22, AND THE NORTHWEST QUARTER OF
SECTION 3, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL
MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 1926, AS
DOCUMENT 213086, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 352 S. Church Road, Bensenville, Illinois 60106.

Ordinance # ____ - 2024
Exhibit “B”
Plans and Specifications

On file in the Community and Economic Development Department.

DRAFT

Ordinance # ____ - 2024
Exhibit "C"
Findings of Fact

Mr. Pozsgay reviewed the Approval Standards for the proposed variation consisting of:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: This proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response: This proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: The proposed variation alleviates the hardship of containing small children and pets from venturing towards the street into harm's way.

4. **Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: The proposed variation is necessary due to the unique physical attributes of our property, being the busy vehicular traffic on the cross street that border our property.

5. **Minimum Deviation Needed:** The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: The proposed variation represents the minimum deviation from the regulations of this title necessary to extend our backyard fence further south into the corner side yard.

6. **Consistent with Ordinance and Plan:** The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed variation has proven to be consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Variation, Fence in the Corner Side Yard at 352 S Church Rd with the following conditions:
 - a. Fence shall be setback 1 foot from the south (2nd Avenue) property line, as shown in plans;
 - b. Fence shall be 5 feet high with an additional 1 foot of lattice, as proposed by the applicant.

There were no questions from the commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2024-07. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-07 at 8:09 p.m.

Motion: Commissioner Marcotte made a motion to approve the Variation, Fence in the Corner Side Yard; Municipal Code Section 10-7-4C-7a with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

TYPE:Ordinance**SUBMITTED BY:**K. Pozsgay**DEPARTMENT:**CED**DATE:**04.19.2024**DESCRIPTION:**

Consideration of an Ordinance Granting Variations for a New Electronic Message Sign Within a New Monument Sign at 500 W Jefferson Street

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input type="checkbox"/>	Financially Sound Village	<input checked="" type="checkbox"/>	Enrich the lives of Residents
<input type="checkbox"/>	Quality Customer Oriented Services	<input type="checkbox"/>	Major Business/Corporate Center
<input checked="" type="checkbox"/>	Safe and Beautiful Village	<input type="checkbox"/>	Vibrant Major Corridors

COMMITTEE ACTION:

COW

DATE:

04/19/2024

BACKGROUND:

1. The Petitioner, the Bensenville Park District, is seeking approval of two variations.
2. The first variation seeks to allow an electronic message sign within one mile of an established electronic message sign. The sign is located within one mile of an existing electronic message sign.
3. The proposed sign will be placed in the same location as the existing monument sign along Jefferson Road.
4. The second variation seeks to allow the monument sign upon which the electronic message sign is based to exceed the maximum height allowed for monument signs- 8 feet.
5. The proposed monument sign would be 8.75 feet.

KEY ISSUES:

1. The applicant has agreed to landscape around the base of the monument sign.
2. The applicant has agreed to adhere to Village illumination standards.

ALTERNATIVES:

Discretion of the Committee

RECOMMENDATION:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Variation for Electronic Message Sign Location with the following conditions:
 1. Applicant must adhere to all illumination standards outlined in Village Code Section 10-10-5B-4d.
2. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Monument Sign Height with the following conditions:
 1. Applicant must adhere to all landscaping standards outlined in Village Code Section 10-10-5B-8c.

BUDGET IMPACT:

NA

ACTION REQUIRED:

Approval of an Ordinance Granting Variations for a new Electronic Message Sign within a new Monument Sign at 500 W Jefferson Street.

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
Cover Page	2/29/2024	Cover Memo
Aerial & Zoning	2/29/2024	Backup Material
Legal Notice	2/29/2024	Backup Material
Application	2/29/2024	Backup Material
Sign Plans	2/29/2024	Backup Material
Plat of Survey	2/29/2024	Backup Material
Staff Report	3/28/2024	Executive Summary
Draft CDC Minutes	4/8/2024	Backup Material
Draft Ordinance	4/11/2024	Ordinance



BENSENVILLE

GATEWAY TO OPPORTUNITY

**Community Development Commission
Public Hearing 3.05.24**

CDC Case #2024 – 04

**Bensenville Park District
500 Jefferson Street**

**Variation, Electronic Message Sign Location
Municipal Code Section 10 – 10 – 5 – 4A3**

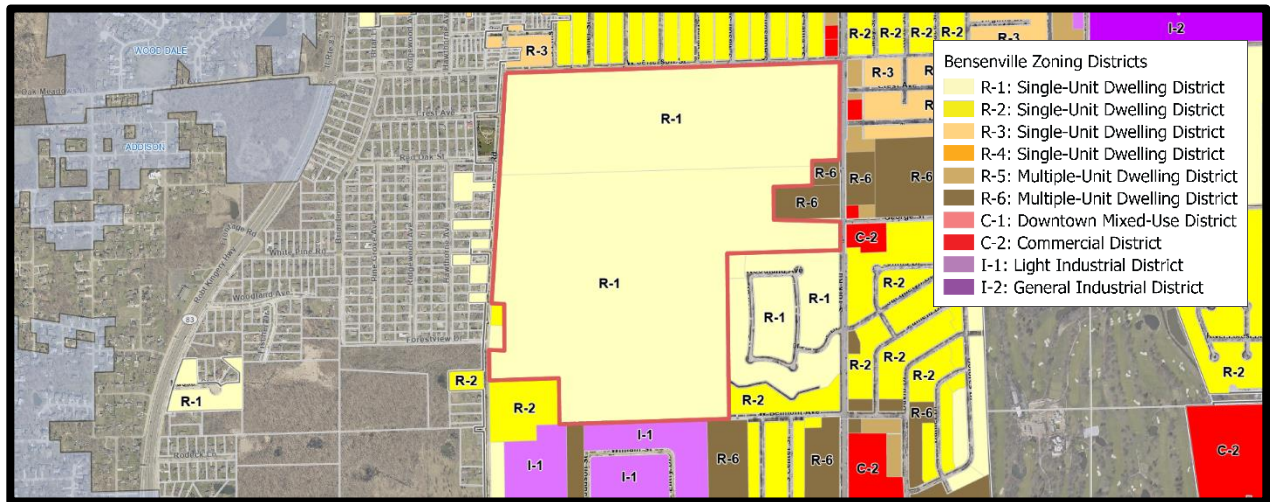
**Variation, Monument Sign Height
Municipal Code Section 10 – 10 – 5 – 8c**

1. Aerial Photograph & Zoning Map of Subject Property
2. Legal Notice
3. Application
4. Staff Report & Exhibits
5. Plans





Village of Bensenville



**LEGAL NOTICE/PUBLIC NOTICE
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Meeting of the Community Development Commission of the Village of Bensenville, DuPage and Cook Counties, will be held on Tuesday, March 5, 2024 at 6:30 P.M, at which a Public Hearing will be held to review case No. 2024 – 04 to consider a request for:

Variation, Electronic Message Signs Location
Municipal Code 10 – 10 – 5 – 4a – 3

Variation, Monument Sign Height
Municipal Code 10 – 10 – 5 – 8c

At 500 West Jefferson Street is an existing R-1 Single-Unit Dwelling District. The Public Hearing will be held in the Village Board Room at Village Hall, 12 S. Center Street, Bensenville.

The Legal Description is as follows:

PARCEL 1:

THAT PART OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE NORTH HALF OF SAID SECTION 23, AND RUNNING THENCE NORTH, ALONG THE EAST LINE OF SAID SECTION, 1126.62 FEET; THENCE SOUTH 87-3/4 DEGREES WEST, 3638 FEET TO THE CENTER LINE OF CHURCH ROAD; THENCE SOUTHERLY, ALONG THE OF SAID CHURCH ROAD, TO A POINT 492.16 FEET NORTHERLY FROM THE SOUTH LINE OF SAID SECTION 23 (MEASURED ALONG THE CENTER LINE OF SAID CHURCH ROAD); THENCE EAST, PARALLEL WITH THE SOUTH LINE OF SAID SECTION 23, TO AN IRON STAKE LOCATED 492.12 FEET NORHTERLY FROM A POINT IN THE SOUTH LINE OF SAID SECTION 23, 248.34 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION 23, 1809 FEET TO A STONE WHICH IS 1235.58 FEET WEST OF THE SOUTHEAST CORNER OF SAID SECTION 23, SAID POINT BEING THE SOUTHEAST CORNER OF CHURCH LANDS; THENCE NORTH ALONG THE EAST LINE OF CHURCH LANDS AND CONTINUING IN THE SAME LINE, 1756.5 FEET NORTH OF THE SOUTHEAST CORNER THEREOF; THENCE NORTH, ALONG THE EAST LINE OF SAID SECTION 23, 911.08 FEET TO THE PLACE OF BEGINNING EXCEPT THEFROM ALL THAT PART OF CHURCH ROAD RIGHT OF WAY LYING WEST OF AND ADJACENT TO THE ABOVE DESCRIBED TRACT OF LAND AND ALSO EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACTS:

1A) THE NORTH 5-1/3 CHAINS OF THE EAST 11-1/4 CHAINS OF THAT PART OF THE SOUTHEAST QUARTER OF SAID SECTION 23, LYING SOUTH OF THE NORTH 3.19 CHAINS THEREOF;
2A) THE NORTH 210.54 FEET OF THE EAST 330 FEET OF THE SOUTHEAST QUARTER OF SAID SECTION 23;
3A) THE SOUTH 53.46 FEET OF THE EAST 330 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 23;
4A) THAT PART OF THE SOUTHWEST QUARTER OF SAID SECTION 23, BEGINNING AT A POINT IN THE EAST LINE OF CHURCH ROAD AND THE NORTH LINE OF CURCH LANDS, BEING 826.32 FEET FORTH OF THE SOUTH LINE OF SAID SECTION 23 (MEASURE ON A LINE PARALLEL TO THE EAST LINE OF SAID SECTION 23); AND RUNNING THENCE EAST ALONG THE NORTH LINE OF CHURCH LANDS, 165 FEET; THENCE NORTH, PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 23, 134.84 FEET TO THE EAST LINE OF CHURCH ROAD; THENCE SOUTHERLY ALONG THE EAST LINE OF CHURCH ROAD; THENCE SOUTHERLY ALONG THE EAST LINE OF CHURCH ROAD, 497.8 FEET TO THE PLACE OF BEGINNING IN DUPAGE COUNTY, ILLINOIS. ALSO;

PARCEL 2:

LOTS 1, 2, 3, AND 4 IN BLOCK 2 IN BRANIGAR'S WHITE PINES, BEING A SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 23 AND THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 13, 1945, AS DOCUMENT 476240, IN DUPAGE COUNTY, ILLINOIS. ALSO;

PARCEL 3:

LOT 24 IN CRESTBROOK, A SUBDIVISION I THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 22, 1955, AS DOCUMENT 766038, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 4:

LOT 1 IN SCHULTZ'S RESUBDIVISION, BEING A RESUBDIVISION OF PART OF THE SOUTHWEST ¼ OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 1 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 10, 1990, AS DOCUMENT R 90-102309, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 5:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: FROM A POST IN THE EAST OF SAID SOUTHWEST QUARTER OF SECTION 23, LOCATED 2.95-1/2 CHAINS NORTH OF THE SOUTHEAST CORNER OF SAID QUARTER SECTION, RUNNING THENCE SOUTH 87-3/4 DEGREES WEST, PARALLEL WITH THE SOUTH LINE OF SAID QUARTER SECTION, 16.91 CHAINS MORE OR LESS TO THE EAST LINE OF THE ROAD KNOWN AS CHURCH ROAD, RUNNING IN A NORTHERLY AND SOUTHERLY DIRECTION THROUGH SAID SOUTHWEST QUARTER, AS SAID ROAD EXISTED SEPTEMBER 8, 1924: THENCE RUNNING NORTH ALONG SAID EAST LINE OF CHURCH ROAD, 9.56-1/2 CHAINS TO THE NORTH LINE OF A TRACT OF LAND KNOWN AS CHURCH LAND, AS SAID TRACT EXISTED ON SEPTEMBER 8, 1924, FOR A PLACE OF BEGINNING: THENCE EAST, ALONG NORTH LINE OF CHURCH LAND, 165 FEET: THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 23, 132 FEET: THENCE WEST, PARALLEL WITH SAID NORTH LINE OF CHURCH LAND, 165 FEET, MORE OR LESS, TO THE EAST LINE OF CHURCH ROAD: THENCE SOUTH, ALING SAID EAST LINE OF CHURCH ROAD, 132 FEET TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS. ALSO KNOWN AS LOT 5 IN VICTOR C. BARTH'S PLAT OF SURVEY.

CONTAINING 257.6 ACRES, MORE OR LESS.

Commonly known as 500 West Jefferson Street, Bensenville, Illinois 60106.

The Bensenville Park District of 1000 W. Wood Street, Bensenville, Illinois 60106, represented by Phyllis Schmidt, is the owner and the applicant for the subject property.

Any individual with a disability requiring a reasonable accommodation in order to participate in any public meeting held under the authority of the Village of Bensenville should contact the Village Clerk, Village of Bensenville, 12 S. Center St., Bensenville, IL 60106, (630) 766-8200, at least three (3) days in advance of the meeting.

Applicant's application and supporting documentation may be examined by any interested parties in the office of the Community and Economic Development Department, Monday through Friday, in the Village Hall, 12 South Center Street, Bensenville, IL 60106. All interested parties may attend the Public Hearing and be heard. A link for electronic viewing will be posted on the Village website at least 48 hours prior to the meeting date. Written comments mailed to the Village Hall, and online comments submitted on the Village website, will be accepted by the Community and Economic Development Department through March 5, 2024 until 5:00 PM.

Office of the Village Clerk
Village of Bensenville

**TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT
FEBRUARY 15, 2024**

For Office Use Only

Date of Submission: 2.6.24 MUNIS Account #: 13736 CDC Case #:

COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: 500 West Jefferson Street, Bensenville, Il. 60106

Property Index Number(s) (PIN): 0323400001

A. PROPERTY OWNER:

Bensenville Park District

Name	Corporation (if applicable)	
<u>1000 W. Wood Street</u>		
Street		
<u>Bensenville</u>	<u>Illinois</u>	<u>60106</u>
City	State	Zip Code
<u>Joseph C. Vallez</u>	<u>(630)766-7015</u>	<u>jvallez@bvilleparks.org</u>
Contact Person	Telephone Number	Email Address

*If Owner is a Land Trust, attach a list of the names and addresses of the beneficiaries of the Trust.

B. APPLICANT: ☐ Check box if same as owner

Bensenville Park District

Name	Corporation (if applicable)	
<u>1000 W. Wood Street</u>		
Street		
<u>Bensenville</u>	<u>Il</u>	<u>60106</u>
City	State	Zip Code
<u>Phyllis Schmidt</u>	<u>(630)766-7015</u>	<u>pschmidt@bvilleparks.org</u>
Contact Person	Telephone Number	Email Address

B. ACTION REQUESTED (Check applicable):

- ☐ Site Plan Review
- ☐ Special Use Permit
- ☒ Variation
- ☐ Administrative Adjustment
- ☐ Zoning Text or Map Amendment
- ☐ Zoning Appeal
- ☐ Plat of Subdivision
- ☐ Annexation
- ☐ Planned Unit Development*

*See Staff for additional information on PUD requests

SUBMITTAL REQUIREMENTS:

- ☒ Affidavit of Ownership** (signed/notarized)
- ☒ Application**
- ☒ Approval Standards**
- ☒ Plat of Survey/Legal Description
- ☒ Site Plan
- ☒ Building Plans & Elevations
- ☒ Engineering Plans
- ☒ Landscape Plan
- ☒ Tree Preservation and Removal Plan
- ☒ Application Fees
- ☒ Fees agreement**

**Item located within this application packet.

Brief Description of Request(s): (Submit separate sheet if necessary)

See Attached Document

C. PROJECT DATA:

1. General description of the site: Grass area located 20" from property line at Main Entrance
2. Acreage of the site: 248 Building Size (if applicable): _____
3. Is this property within the Village limits? (Check applicable below)
☒ Yes
☐ No, requesting annexation
☐ No, it is under review by another governmental agency and requires review due to 1.5 mile jurisdiction requirements.
4. List any controlling agreements (annexation agreements, Village Ordinances, site plans, etc.)

N/A

5. Character of the site and surrounding area:

	Zoning	Existing Land Use	Jurisdiction
Site:	R1	Golf Course	Village of Bensenville
North:	R2	Residential	Village of Bensenville
South:	i 1	Light Industrial	Village of Bensenville
East:	R6	Residential	Village of Bensenville
West:	R1	Residential	Village of Bensenville

D. APPROVAL STANDARDS:

The applicant must compose a letter describing how the request(s) specifically meets the individual criteria from the appropriate Approval Standards, found in Village Code and on the following pages. The CDC will be unable to recommend approval of a request without a response to the pertinent "Approval Standards."

Upon the failure of the Petitioner/Applicant to reimburse the Village in accordance with this Agreement, no further action shall be undertaken on any Petition or Application by the Village President and Board of Trustees, or by any other official or quasi-official individual or body thereunder, including the conduct of any hearings or deliberations, the granting of any relief or approvals, and the execution or recording of any documents, until all such outstanding fees are paid in full. Further, the Village may deny any application for a grading, building or other permit if such amounts have not been paid in full. Upon any failure to reimburse the Village in accordance with this Section, the Village may in its discretion, elect to place a lien against any real property associated with the Petitioner/Applicant's Petition or Application. In the event such amounts are not paid in full within sixty (60) days after the date when the statement of such amounts due is delivered or deposited in the U.S. mail by the Village, such amounts due shall be deemed delinquent and thereafter a delinquency charge of one percent (1%) per month, or portion thereof, with a minimum delinquency charge of \$5.00 per month, shall be added to the amount due until such amount, including all delinquency charges, is received by the Village. Said lien shall be in an amount equal to the outstanding amount owed to the Village.

The remedies available to the Village as set forth hereinabove are non-exclusive and nothing herein shall be deemed to limit or waive the Village's right to seek relief of such fees against any or all responsible parties in a court of competent jurisdiction.

BY SIGNING BELOW, THE PETITIONER/APPLICANT ACKNOWLEDGES THAT THEY HAVE READ THE FOREGOING PARAGRAPHS AND FULLY UNDERSTANDS AND AGREES TO COMPLY WITH THE TERMS SET FORTH HEREIN. FURTHER, BY SIGNING BELOW, THE SIGNATORY WARRANTS THAT THEY POSSESS FULL AUTHORITY TO SO SIGN.

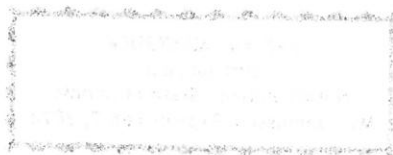
THE PETITIONER/APPLICANT AGREES THAT THEY SHALL BE LIABLE FOR PAYMENT OF FEES REFERRED TO IN APPLICABLE SECTIONS OF THE ORDINANCES OF THE VILLAGE OF BENSENVILLE, AND AS SET FORTH HEREIN.

Phyllis Schmidt

Petitioner/Applicant

February 6, 2024

Date



STATE OF ILLINOIS)
)SS.
COUNTY OF DUPAGE AND COOK)

AFFIDAVIT OF OWNERSHIP

I, Phyllis Schmidt the undersigned Affiant, being first duly sworn, on oath states:

1. That Affiant has personal knowledge of the representations and statements made herein, and has examined all necessary documents, records of ownership and such other information as is required to confirm the statements and representations herein;
2. That the owner(s) and contract purchaser(s), if any, as set forth on the Petition attached hereto is (are) the owner(s) of record and contract purchasers of said property;
3. That all consents to the attached Petition required of lenders or of others holding an interest in the property have been obtained;
4. This Affidavit of Ownership is given to induce the Village of Bensenville, without further inquiry as to ownership or purchase interest, to rely on said statements and representations and to process and set for Public Hearing the Petition as attached hereto; and,
5. Affiant is aware of and has been advised that any false statement set forth in this Affidavit of Ownership may subject Affiant to criminal sanctions for perjury, punishable as provided by the statutes of the State of Illinois in relation to the crime of perjury.

IN WITNESS WHEREOF, the undersigned has executed this Affidavit of Ownership this

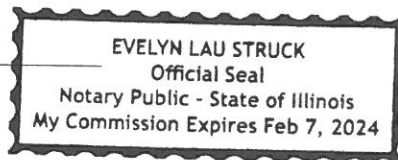
6 day of, February 2024.

Phyllis Schmidt
Signature

SUBSCRIBED and SWORN to

before me this 6th day of, February, 2024.

Evelyn Lau Struck
Notary Public





1000 W Wood Street
Bensenville, IL 60106
Phone (630) 766-7015
Fax (630) 238-4923

Approval Standards for Variations

1. Yes, the proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.
2. Yes, the proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.
3. Yes, the proposed variation alleviates an undue hardship created by the literal enforcement of this title.
4. Yes, the proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.
5. Yes, the proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvements of the subject property.
6. Yes, the proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Approval Height

1. Electronic Message Sign Location, Municipal Code 10-10-5-4A3
Yes, the electronic message signs shall not be located within one mile of the property line of a lot containing another electronic message sign, as measured along the nearest roadway.
2. Monument Sign Height, Municipal Code 10-10-5-8c
The monument sign is currently .75 feet above 8 feet.



1000 W Wood Street
Bensenville, IL 60106
Phone (630) 766-7015
Fax (630) 238-4923

Brief Description

A new sign for White Pines Golf Club will be located at the front entrance at Jefferson Street in the existing sign. The sign will be located 20 feet from the property line. The monument sign is 8.75 feet tall. Landscaping will be located around the base of the sign.

37
WARRANTY DEED

The Grantor, WHITE PINES INCORPORATED, a corporation created and existing under and by virtue of the laws of the State of Illinois, for and in consideration of the sum of TEN DOLLARS (\$10.00) in hand paid and other good and valuable consideration, and pursuant to authority given by its Board of Directors and Stockholders, CONVEYS AND WARRANTS unto BENSENVILLE PARK DISTRICT, a municipal corporation, organized and existing under and by virtue of the laws of the State of Illinois the following described real estate situated in the County of Du Page, State of Illinois, to wit:

Parcel 1: That part of Section 23, Township 40 North, Range 11, East of the Third Principal Meridian, described as follows: Beginning at the South East corner of the North half of said Section 23, and running thence North along the East line of said Section 1126.62 feet; thence South 87 3/4 degrees West 3638 feet to the center line of Church Road; thence Southerly along the center line of said Church Road to a point 492.16 feet Northerly from the South line of said Section 23 (measured along the center line of said Church Road); thence East parallel with the South line of said Section 23 to an iron stake located 492.12 feet Northerly from a point in the South line of said Section 23, 348.43 feet West of the South East corner of the South West quarter of said Section (measured along a line which makes an angle of 91 degrees 22 minutes measured from West to North with the South line of said Section); thence South 492.12 feet to an iron stake in the South line of said Section 23, 348.43 feet West of the South East corner of the South West quarter of said Section; thence East along the South line of said Section 23, 1809 feet to a stone which is 1235.58 feet West of the South East corner of said Section 23, said point being the South East corner of Church Lands; thence North along the East line of Church Lands and continuing in the same line 1756.6 feet to a stone; thence East 1244.2 feet to a point in the East line of said Section 1756.6 feet North of the South East corner thereof; thence North along the East line of said Section 23, 911.08 feet to the place of beginning, except therefrom the following described tracts:
(1) The North 5 1/3 chains of the East 11 1/4 chains of that part of the South East quarter of

R67 41619

FILED FOR RECORD IN RECORDERS
OFFICE OF DUPAGE COUNTY, ILLINOIS

OCT 16 1967 -11 55AM

Charles H. Becker
RECORDER

CHARGE DUPAGE CO. DIVISION

RG7-41619



By Harvey W. Branigan, Jr., President

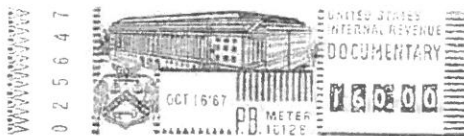
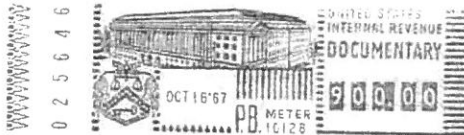
Robert D. Farr, Secretary
Robert D. Farr

GIVEN under my hand and official seal, this 13th day
of OCTOBER, 1967.

Walter H. Schwarz
Notary Public

Edw. Hartman
105 S. York
Elmh. Bensenville Park District
Mail to: RSO, Box 357
Bensenville, Illinois

Address of Property:
York Road
Bensenville, Illinois



PROJECT:		DATE: 2/5/2024	
CUSTOMER:	Bensenville Park District		CONTACT: Joe Vallez
SALESPERSON:	Serge Ruffolo		DESIGNER: Sassano
PROD. FILE NAME:	Bensenville Park district LED 2024.fs		PHONE:
CUSTOMER APPROVAL SIGNATURE:		FAX:	
		PRODUCTION USE ONLY	
		✓Printed/Cut ✗Laminated ✗Finished	
SCALE: 0.000			



PROJECT:		DATE: 2/5/2024	
CUSTOMER: Bensenville Park District		CONTACT: Joe Vallez	
SALESPERSON: Serge Ruffolo		PHONE:	
DESIGNER: Sassano		FAX:	
PROD. FILE NAME: Bensenville Park district LED 2024.fs		PRODUCTION USE ONLY	
CUSTOMER APPROVAL SIGNATURE:		✓Printed/Cut ✗Laminated ✗Finished	
SCALE: 0.000			

Lexan Identification Cover

LED Backlit

Frame Divider
(1.56")

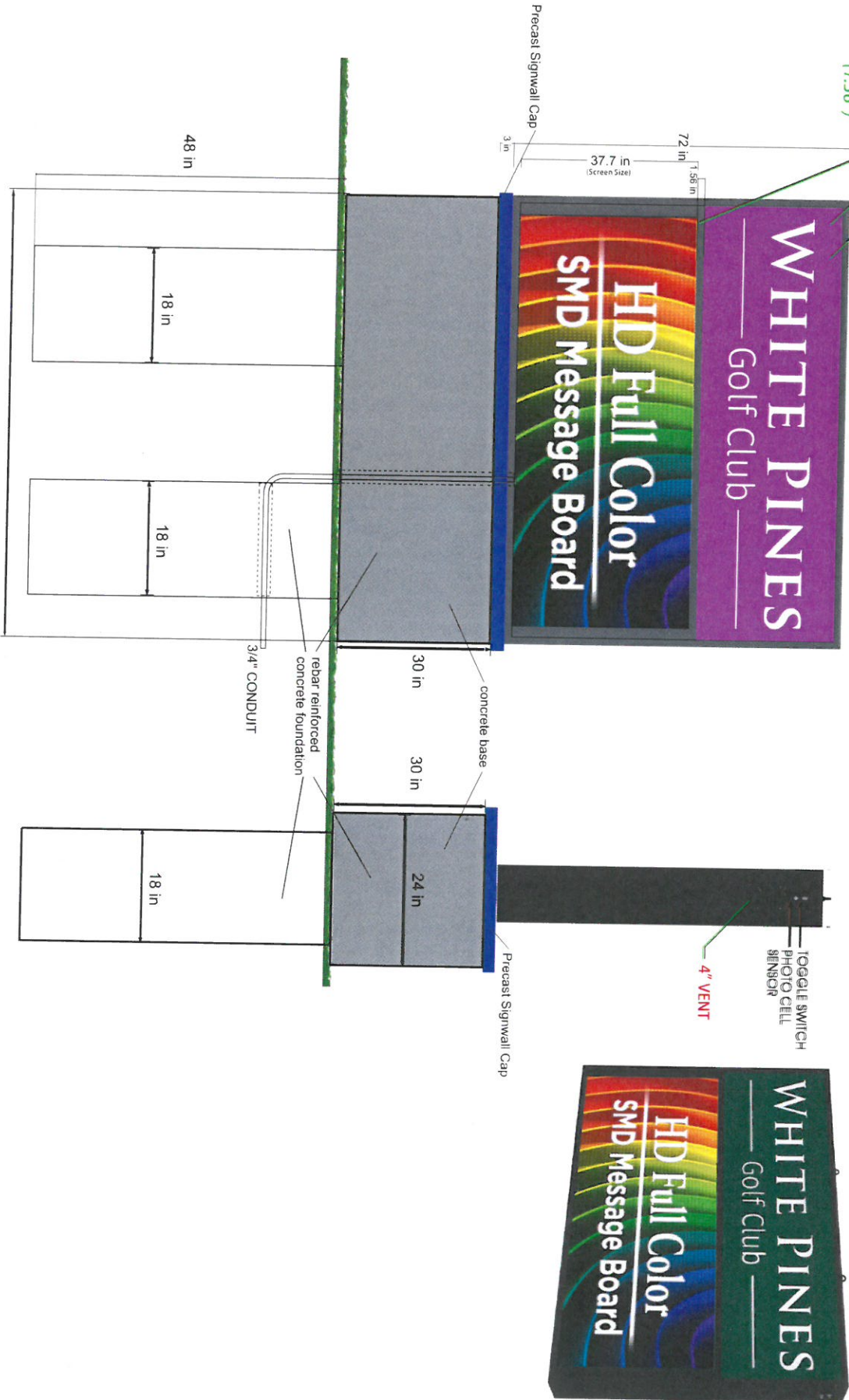
FRONT VIEW

96 in

(Screen Size)
88.2 in

SIDE VIEW

ISO VIEW



STATE OF ILLINOIS
COUNTY OF DUPAGE
THIS INSTRUMENT NO. **R2018-086404** WAS FILED FOR RECORD
IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS AFORESAID,
ON THE **13th** DAY OF **September**, A.D.
20**18**, AT **10:07** O'CLOCK **A**.M.
Fred Bucholz
RECORDER OF DEEDS

PLAT
R2018-086404
SEP. 13, 2018 10:07 AM
PLAT PAGECOUNT: 1
ACCOMPANYING PAPERS: Y

PLAT OF ANNEXATION TO THE VILLAGE OF BENSENVILLE



THAT PART OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHEAST CORNER OF THE NORTH HALF OF SAID SECTION 23, AND RUNNING THENCE NORTH ALONG THE EAST LINE OF
SAID SECTION, 1226.62 FEET; THENCE SOUTH 87-3/4 DEGREES WEST, 3638 FEET TO THE CENTER LINE OF CHURCH ROAD; THENCE SOUTHERLY
ALONG THE CENTER LINE OF SAID CHURCH ROAD, TO A POINT 492.16 FEET NORTHERLY FROM THE SOUTH LINE OF SAID SECTION 23 (MEASURED
ALONG THE CENTER LINE OF SAID CHURCH ROAD); THENCE EAST, PARALLEL WITH THE SOUTH LINE OF SAID SECTION 23, TO AN IRON STAKE
LOCATED 492.12 FEET NORTHERLY FROM A POINT IN THE SOUTH LINE OF SAID SECTION 23, 348.43 FEET WEST OF THE SOUTHEAST CORNER
OF THE SOUTHWEST QUARTER OF SAID SECTION (MEASURED ALONG A LINE WHICH MAKES AN ANGLE OF 91 DEGREES 22 MINUTES, MEASURED
FROM WEST TO NORTH WITH THE SOUTH LINE OF SAID SECTION); THENCE SOUTH 492.12 FEET TO AN IRON STAKE IN THE SOUTH LINE OF SAID
SECTION 23, 348.43 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE EAST ALONG THE
SOUTH LINE OF SAID SECTION 23, 1809 FEET TO A STONE WHICH IS 1235.58 FEET WEST OF THE SOUTHEAST CORNER OF SAID SECTION 23,
SAID POINT BEING THE SOUTHEAST CORNER OF CHURCH LANDS; THENCE NORTH ALONG THE EAST LINE OF CHURCH LANDS AND CONTINUING IN
THE SAME LINE, 1756.6 FEET TO A STONE; THENCE EAST, 1244.42 FEET TO A POINT IN THE EAST LINE OF SAID SECTION, 1756.6 FEET NORTH OF
THE SOUTHEAST CORNER THEREOF; THENCE NORTH, ALONG THE EAST LINE OF SAID SECTION 23, 911.08 FEET TO THE PLACE OF BEGINNING,
EXCEPT THEREFROM ALL THAT PART OF CHURCH ROAD RIGHT OF WAY LYING WEST OF AND ADJACENT TO THE ABOVE DESCRIBED TRACT OF
LAND AND ALSO EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACTS:
1A: THE NORTH 5-1/3 CHAINS OF THE EAST 11-1/4 CHAINS OF THAT PART OF THE SOUTHEAST QUARTER OF SAID SECTION 23, LYING SOUTH OF
THE NORTH 3-18 CHAINS THEREOF.
2A: THE NORTH 210.54 FEET OF THE EAST 330 FEET OF THE SOUTHEAST QUARTER OF SAID SECTION 23;
3A: THE SOUTH 53.46 FEET OF THE EAST 330 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 23;
4A: THAT PART OF THE SOUTHWEST QUARTER OF SAID SECTION 23, BEGINNING AT A POINT IN THE EAST LINE OF CHURCH ROAD AND THE
NORTH LINE OF CHURCH LANDS, BEING 828.32 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 23 (MEASURED ON A LINE PARALLEL TO THE
EAST LINE OF SAID SECTION 23); AND RUNNING THENCE EAST ALONG THE NORTH LINE OF CHURCH LANDS, 165 FEET; THENCE NORTH,
PARALLEL WITH THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23, 496 FEET; THENCE WEST, PARALLEL WITH THE SOUTH LINE
OF THE SOUTHWEST QUARTER OF SECTION 23, 134.84 FEET TO THE EAST LINE OF CHURCH ROAD; THENCE SOUTHERLY ALONG THE EAST LINE
OF CHURCH ROAD, 497.8 FEET TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.
5A: THAT PART OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN
DESCRIBED BY BEGINNING AT A POINT IN THE SOUTH LINE OF VOLK BROS. EDGEWOOD SUBDIVISION, SAID POINT BEING 40.0 FEET WEST OF THE
INTERSECTION OF SAID SOUTH LINE AND THE EAST LINE OF SECTION 23; THENCE WEST ALONG SAID SOUTH LINE A DISTANCE OF 300 FEET;
THENCE SOUTH ALONG A LINE PARALLEL WITH SAID EAST LINE A DISTANCE OF 151.0 FEET; THENCE SOUTHEASTERLY, 317.53 FEET TO A POINT
IN A LINE WHICH IS 40.0 FEET WEST OF AND PARALLEL WITH SAID EAST LINE OF SAID SECTION 23; THENCE NORTH ALONG AFOREMENTIONED
LINE A DISTANCE OF 230.0 FEET TO THE PLACE OF BEGINNING, TOGETHER WITH THE WEST PORTION OF THE YORK ROAD RIGHT OF WAY LYING
EAST OF AND ADJACENT TO EXCEPTION 5A, IN DU PAGE COUNTY, ILLINOIS.

PARCEL 2:
LOTS 1, 2, 3, AND 4 IN BLOCK 2 IN BRANIGAR'S WHITE PINES, BEING A SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 23 AND THE
NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT
THEREOF RECORDED APRIL 13, 1945, AS DOCUMENT 476240, IN DUPAGE COUNTY, ILLINOIS, ALSO

PARCEL 3:
LOT 24 IN CRESTBROOK, A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD
PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 22, 1955, AS DOCUMENT 766038, IN DUPAGE COUNTY, ILLINOIS, ALSO

PARCEL 4:
LOT 1 IN SCHULTZ'S RESUBDIVISION, BEING A RESUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 11,
EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 10, 1990, AS DOCUMENT R90-102309, IN DU PAGE
COUNTY, ILLINOIS, ALSO
LOT 2 IN SCHULTZ'S RESUBDIVISION, BEING A RESUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 40 NORTH,
RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 10, 1990 AS DOCUMENT R90-102309,
IN DUPAGE COUNTY, ILLINOIS, ALSO

PARCEL 5:
THAT PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN,
DESCRIBED AS FOLLOWS:
FROM A POST IN THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 23, LOCATED 2.95-1/2 CHAINS NORTH OF THE SOUTHEAST CORNER
OF SAID QUARTER SECTION, RUNNING THENCE SOUTH 87-3/4 DEGREES WEST, PARALLEL WITH THE SOUTH LINE OF SAID QUARTER SECTION,
16.91 CHAINS MORE OR LESS TO THE EAST LINE OF THE ROAD KNOWN AS CHURCH ROAD, RUNNING IN A NORTHERLY AND SOUTHERLY
DIRECTION THROUGH SAID SOUTHWEST QUARTER, AS SAID ROAD EXISTED SEPTEMBER 8, 1924; THENCE NORTH ALONG SAID EAST
LINE OF CHURCH ROAD, 9.56-1/2 CHAINS TO THE NORTH LINE OF A TRACT OF LAND KNOWN AS CHURCH LAND, AS SAID TRACT EXISTED ON
SEPTEMBER 8, 1924, FOR A PLACE OF BEGINNING THENCE EAST ALONG NORTH LINE OF CHURCH LAND, 165 FEET; THENCE NORTH, PARALLEL
WITH THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 23, 132 FEET; THENCE WEST, PARALLEL WITH SAID NORTH LINE OF CHURCH
LAND, 165 FEET, MORE OR LESS, TO THE EAST LINE OF CHURCH ROAD; THENCE SOUTH, ALONG SAID EAST LINE OF CHURCH ROAD, 132 FEET TO
THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS, ALSO KNOWN AS LOT 6 IN VICTOR C. BARTH'S PLAT OF SURVEY.

AREA TO BE ANNEXED
256.2 ACRES, MORE OR LESS
11,160,072 SQUARE FEET

STATE OF ILLINOIS
COUNTY OF DUPAGE) SS

THE ANNEXED PLAT IS IDENTIFIED AS REPRESENTATIVE OF THE PROPERTY INCORPORATED
INTO AND MADE PART OF THE BENSENVILLE PARK DISTRICT, AND ADOPTED BY
THE PRESIDENT AND BOARD OF TRUSTEES OF THE BENSENVILLE PARK DISTRICT ON THE

5 DAY OF September, A.D. 2018

BY: *[Signature]*
PRESIDENT

ATTEST: *[Signature]*
SECRETARY

STATE OF ILLINOIS
COUNTY OF DU PAGE) SS

THIS IS TO CERTIFY THAT WE, WEBSTER, McGRATH & AHLBERG, LTD., HAVE PLATTED FROM
THE AVAILABLE RECORDS THE ABOVE DESCRIBED PROPERTY WHICH IS A TRUE AND CORRECT
REPRESENTATION OF SAID ANNEXATION. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS
THEREOF.

GIVEN UNDER MY HAND AND SEAL AT WHEATON, ILLINOIS THIS 3rd DAY OF
AUGUST, A.D. 2018



WEBSTER, McGRATH & AHLBERG, LTD.

ILLINOIS LAND SURVEYOR NO. 3059
LICENSE EXPIRES: NOVEMBER 30, 2018
207 S. NAPERVILLE STREET
WHEATON, ILLINOIS 60187
(630) 668-7603

STATE OF ILLINOIS
COUNTY OF DU PAGE) SS

THE ATTACHED PLAT OF ANNEXATION IS IDENTIFIED AS THAT INCORPORATED INTO AND MADE

A PART OF THE VILLAGE OF BENSENVILLE, ORDINANCE NO. 32-2618

ADOPTED BY THE VILLAGE OF BENSENVILLE ON THE 14th DAY OF August

A.D. 2018

BY: *[Signature]*
VILLAGE PRESIDENT

ATTEST: *[Signature]*
CLERK

SUBMITTED BY

(VILLAGE OF BENSENVILLE)
C/O MONTANA & WELCH, LLC
192 N. YORK ROAD
ELMHURST, IL 60126

RETURN TO:

BENSENVILLE PARK DISTRICT
C/O BOND, DICKSON & ASSOCIATES
400 S. KNOLL STREET
UNIT C
WHEATON, IL 60187

P.I.N. NUMBERS

03-23-118-024
03-23-123-001
03-23-214-001
03-23-214-006
03-23-309-001
03-23-309-007
03-23-309-009
03-23-309-010
03-23-400-001
03-23-400-006
03-23-401-001

STATE OF ILLINOIS
COUNTY OF DUPAGE) SS

I, _____ COUNTY CLERK OF DUPAGE
COUNTY, ILLINOIS DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT TAXES, NO UNPAID
CURRENT TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST
ANY OF THE LAND INCLUDED IN THE ANNEXED PLAT. I FURTHER CERTIFY THAT I HAVE
RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE ANNEXED PLAT.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK AT WHEATON, ILLINOIS THIS

____ DAY OF _____, A.D. 20____

COUNTY CLERK



STAFF REPORT

HEARING DATE: March 5, 2024
CONTINUED DATE: April 2, 2024
CASE #: 2024 – 04
PROPERTY: 500 West Jefferson Street
PROPERTY OWNER: Bensenville Park District
APPLICANT: Same as Above
SITE SIZE: 248 Acres
BUILDING SIZE: N/A
PIN NUMBER: 03-23-214-001
ZONING: R – 1 Single-Unit Dwelling District
REQUEST: Variation, Electronic Message Sign Location
Municipal Code Section 10 – 10 – 5 – 4A – 3
Variation, Monument Sign Height
Municipal Code Section 10 – 10 – 5 – 8c

PUBLIC NOTICE:

1. A Legal Notice was published in the Bensenville Independent on Thursday February 15, 2024. A Certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.
2. Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on Thursday, February 15, 2024.
3. On Thursday, February 15, 2024, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 300' of the property in question. An Affidavit of Mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

SUMMARY:

The Petitioner, Bensenville Park District, is seeking approval of two variations. The first variation seeks to allow an electronic message sign within one mile of an established electronic message sign. The sign is located within one mile of an electronic message sign located at 1047 S York Road, thus requiring a variation from the requirements of the existing code. The proposed sign will be placed in the same location as the existing monument sign along Jefferson Road. The second variation seeks to allow the monument sign upon which the electronic message sign is based to exceed the maximum height allowed for monument signs- 8 feet. The proposed monument sign would be 8.75 feet. The total sign area for the electronic message sign is approximately 23.08 SF. This covers less than 50% of the total monument sign area.

SURROUNDING LAND USES:

	Zoning	Land Use	Comprehensive Plan	Jurisdiction
Site	R-1	Golf Course	Open Space	Village of Bensenville
North	R-2	Residential	Single-Family Residential	Village of Bensenville
South	I-1	Light Industrial	Industrial	Village of Bensenville
East	R-6	Residential	Multi-Family Residential	Village of Bensenville
West	R-1	Residential	Single-Family Residential	Village of Bensenville

DEPARTMENT COMMENTS:*SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:*

<input type="checkbox"/>	Financially Sound Village
<input type="checkbox"/>	Quality Customer Oriented Services
<input type="checkbox"/>	Safe and Beautiful Village
<input type="checkbox"/>	Enrich the lives of Residents
<input type="checkbox"/>	Major Business/Corporate Center
<input checked="" type="checkbox"/>	Vibrant Major Corridors

Finance:

- 1) Account up to date and no liens.

Police:

- 1) No Objections.

Engineering and Public Works:

- 1) Concerns about interference with neighborhood sleep habits.

Community & Economic Development:Economic Development:

- 1) No Comments.

Fire Safety:

- 1) No Comments.

Building:

- 1) No Comments.

Planning:

- 1) The 2015 Comprehensive Plan indicates “Open Space” for this property.
- 2) The current zoning is R-1 Single-Unit Dwelling District.
- 3) The applicant is seeking a variation for electronic message sign location to construct an electronic monument sign at 500 W Jefferson Street. The sign is proposed to be located within the same placement location as the existing monument sign on the property.

- a. Staff is supportive of the electronic monument sign with the condition that the sign follows all regulations so as not to become a nuisance for surrounding neighboring properties.
- 4) Per Village Code Section 10-10-5B-4: Electronic Message Signs, the following regulations apply:
 - a. Location:
 - i. Electronic message signs are allowed in the C-2 District and in all Residential Districts for parks, schools, libraries, and places of worship only.
 - ii. Electronic message signs shall be allowed as components of marquee or monument signs. An electronic message sign is subject to the regulations pertaining to the sign type upon which it is located.
 - 1. The proposed electronic message sign is proposed to be located on a monument sign.
 - iii. Electronic message signs shall not be located within one mile of the property line of a lot containing another electronic message sign, as measured along the nearest roadway.
 - 1. This sign is within one mile of the electronic message sign located at 1125 S York Road. The petitioner is requesting a variation to allow the electronic message sign at 500 W Jefferson.
 - b. Quantity: One electronic message sign is allowed per zoning lot.
 - c. Size: An electronic message sign shall not occupy more than fifty percent (50%) of the total sign area of the marquee or monument sign on which it is displayed.
 - i. The proposed electronic message sign does not occupy more than fifty percent of the monument sign to which it is proposed to be placed on.
 - d. Illumination:
 - i. Internally illuminated electronic message signs are allowed only in accordance with subsection 10-10-2D, "Illumination", of this chapter.
 - ii. Electronic message signs are allowed to change their message once every ten (10) seconds, and the transitions between messages shall be instantaneous.
 - iii. Electronic message signs shall display static messages that do not contain a light source that flashes, blinks, strobes, travels, chases, rotates, or changes in intensity, brightness, or color.
 - iv. Electronic message signs shall be designed to default to a static display in the event of mechanical failure.
 - 1. Petitioner must adhere to all illumination standards outlined in Village Code Section 10-10-5B-4d.
- 5) Per Village Code Section 10-10-2D Illumination: All signs shall comply with the following illumination standards.
 - a. Electrical Components: All electrical components used in the construction of a sign shall be installed and maintained as required by title 9, "Building Regulations", of this Code.
 - b. Light Level:

- i. LED Lighting: The light level of an illuminated sign lit with bulbs other than LED bulbs shall be no greater than one foot-candle at any time of day as measured at the curb line.
 - ii. Non-LED Lighting: The light level of an illuminated sign lit with bulbs other than LED bulbs shall be no greater than one foot-candle at any time of day as measured at the curb line.
 - c. Direct Light and Glare: All sign illumination shall be located shielded, and directed to illuminate only the sign face and to prevent direct light or glare from being cast upon adjacent rights-of-way and surrounding properties. No sign illumination may be combined with reflective materials, such as mirrors, polished metal, or highly-glazed tiles, which would increase glare.
 - d. Steady Illumination: Illuminated signs shall be illuminated by steady, stationary, fully shielded light sources concentrated on the face of the sign so as not to cause glare.
 - e. Hours of Operation: Illuminated signs shall be turned off from eleven o'clock (11:00) P.M. until seven o'clock (7:00) A.M., or thirty (30) minutes after close of business, whichever is later. Uses that remain in operation between eleven o'clock (11:00) P.M. until six o'clock (6:00) A.M. are exempt from this requirement during the period of operation only.
 - i. Applicant must conform with all illumination standards.
- 6) Per Village Code Section 10-10-5B-8: Monument Signs:
- a. Location:
 - i. Monument signs are allowed in the C-1, C-2, I-1, and I-2 Districts, and in all Residential Districts for residential development identification and non-residential uses.
 - ii. Monument signs shall be located a minimum of five feet (5') from any front or corner side lot line, and ten feet (10') from any interior side lot line.
 - b. Size: Monument signs shall not exceed fifty (50) square feet in area per sign and eight feet (8') in height.
 - i. The proposed monument sign area as measured per village code standards does not exceed 50 SF and is greater than 8' in height. The proposed plans have it at 8.75' in height.
 - c. Landscape: The area surrounding the base of all monument signs must be landscaped. The landscape area shall extend a minimum of three feet (3') in width on all sides of the sign base and consist of shrubs, perennials, and/or other vegetative groundcover. A landscape plan shall be submitted as part of any sign permit application (see section 10-3-9, "Sign Permit", of this title), and approved by the Zoning Administrator. The Zoning Administrator may approve alternative landscape designs when soil conditions, space constraints, or other factors beyond reasonable control of the applicant preclude the applicant from meeting the requirements set forth in this section
 - d. Materials: Monument signs shall be constructed of masonry, finished split face block, stone, hardwood, polymer material with a wood appearance, metal, or other sturdy material that matches or complements the face of the sign. If the primary

building on- site uses decorative masonry, the sign base should use the same material.

- 7) Per Village Code Section 10-6-6C: Visibility Obstruction: Nothing shall be erected, placed, or allowed to grow in a manner that will create a visibility obstruction for motorists, bicyclists, or pedestrians. No building, structure, sign, or landscape element shall obstruct the area between 2.5 feet and eight feet (8') in height within the sight triangle area. The sight triangle area is measured along thirty feet (30') of curb line, or edge of pavement where no curbs are present, from the point where two (2) or more streets intersect or where a street intersects railroad tracks.

Applicant Response: No comments.

APPROVAL STANDARDS FOR VARIATIONS:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: Yes, the proposed variation will not endanger the health, safety, convenience, and general welfare of the public.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response: The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: Yes, the proposed variation alleviates an undue hardship created by the literal enforcement of this title.

4. **Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: Yes, the proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

5. **Minimum Deviation Needed:** The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: Yes, the proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvements of the subject property.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Yes, the proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Electronic Message Sign	Meets Standard	
Approval Standards for Variations	<i>Yes</i>	<i>No</i>
Public Welfare	X	
Compatible with Surrounding Character	X	
Undue Hardship	X	
Unique Physical Attributes	X	
Minimum Deviation Needed	X	
Consistent with Ordinance and Plan	X	

Monument Sign Height	Meets Standard	
Approval Standards for Variations	<i>Yes</i>	<i>No</i>
Public Welfare	X	
Compatible with Surrounding Character	X	
Undue Hardship	X	
Unique Physical Attributes	X	
Minimum Deviation Needed	X	
Consistent with Ordinance and Plan	X	

RECOMMENDATIONS:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Variation for Electronic Message Sign Location with the following conditions:
 - a. Applicant must adhere to all illumination standards outlined in Village Code Section 10-10-5B-4d.
2. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Monument Sign Height with the following conditions:
 - a. Applicant must adhere to all landscaping standards outlined in Village Code Section 10-10-5B-8c.

Respectfully Submitted,
Department of Community & Economic Development

The CDC recommendation will be forwarded to the Village Board Committee of the Whole meeting on Tuesday, April 16, 2024, at 6:30pm in the Village Hall Board Room. A representative must be present for this meeting. Final decision on the case will be made at this Village Board of Trustees meeting on Tuesday, April 23, 2024, at 6:30pm in the Village Hall Board Room. A representative is not required to be present for this meeting.

Village of Bensenville
Board Room
12 South Center Street
DuPage and Cook Counties
Bensenville, IL, 60106

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

April 2, 2024

CALL TO ORDER: The meeting was called to order by Chairman Rowe at 6:30p.m.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

STAFF PRESENT: K. Pozsgay, K. Quinn, C. Williamsen

JOURNAL OF

PROCEEDINGS: The minutes of the Community Development Commission Meeting of the March 5, 2024 were presented.

Motion: Commissioner Chambers made a motion to approve the minutes as presented. Commissioner Marcotte seconded the motion.

All were in favor. Motion carried.

Director of Community and Economic Development, Kurtis Pozsgay and Village Planner, Kevin Quinn were present and sworn in by Chairman Rowe.

PUBLIC

COMMENT: There was no Public Comment.

Continued

Public Hearing: CDC Case Number 2024-03

Petitioner: 2540 Flournoy LLC

Location: 740 County Line Road

Request: Site Plan Review

Municipal Code Section 10-3-2

Special Use Permit, Medium Industrial

Municipal Code Section 10-7-2-1

Variation, Driveway Width Requirements

Municipal Code Section 10 – 8 – 8c

Variation, Tree Replacement Rate Requirements

Municipal Code Section 10 – 9 – 2B1

Motion: Commissioner Rott made a motion to re-open CDC Case No. 2024-03. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe re-opened CDC Case No. 2024-03 at 6:32 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on February 15, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on February 15, 2024. Mr. Pozsgay stated on February 15, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, 2540 Flournoy LLC, is seeking approval of a site plan review, special use permit and two variances. Mr. Pozsgay stated the special use permit is to allow a medium industrial use (chemicals will be mixed on site) in a light industrial district. Mr. Pozsgay stated the first variance seeks to extend the driveway width beyond the 30 feet maximum, as stated in Municipal Code 10 – 8 – 8c. Mr. Pozsgay stated the proposed driveway exiting onto George Street would be 30.3 feet and the proposed driveway width exiting onto County Line Road would be 41.7 feet. Mr. Pozsgay stated the second variance is due to not being able to meet the tree replacement standards. Mr. Pozsgay stated they believe that meeting the Village Requirements stated in Municipal Code Section 10 – 9 – 2B1 would result in overplanting.

Jeff Hamilton of 2540 Flournoy LLC, were present and sworn in by Chairman Rowe. Mr. Hamilton stated 2540 Flournoy LLC attempted to host an open house to help educate the Public with their production in Elk Grove Village that they plan to move to Bensenville. Mr. Hamilton stated one neighbor showed up and they had a great conversation. Mr. Hamilton stated there is no steam, vapors or odors as a result of their operations. Mr. Hamilton stated in the past year, 2540 Flournoy LLC has one reported issue to OSHA from their Elk Grove Village location. Mr. Hamilton stated daily inspections occur at their facilities.

John Gross, Design Engineering hired by 2540 Flournoy, LLC was present and sworn in by Chairman Rowe. Mr. Gross stated he was aware of the concerns of trucks exiting the property and traveling west on George Street. Mr. Gross stated best practices would be to place signage on the property directing trucks to only exit the property traveling east on George Street and to educate staff on site to direct trucks when they leave the premise.

Commissioner Rowe asked how the well trap operated. Mr. Hamilton stated it's a pump that will drain into the sanitary sewer line.

Commissioner Wasowicz asked how the open house was promoted. Mr. Hamilton stated they placed signage outside on the property.

Matt Cronin, Architect, was present and sworn in by Chairman Rowe. Mr. Cronin stated they attempted to get a list of Commissioners and Village Board members from Staff to invite for the open house but were told because of conflicts, they could not obtain the list. Mr. Cronin stated shortly after they placed signage on the property, it was removed by someone.

Mr. Pozsgay stated Staff received direction from Legal that Commissions and Village Board members attending an open house would be in violation of the Open Meetings Act and that the place for discussion was in this meeting.

Commissioner Wasowicz asked for clarification on the size of tanks being proposed on site vs what is currently at the Elk Grove Location. Mr. Hamilton confirmed the proposed size tanks are going to be larger than what is currently in Elk Grove Village.

Commissioner Marcotte asked if there was a different site in Bensenville that would meet their needs. Mr. Hamilton stated he was unable to answer that question.

Commissioner Marcotte stated she was against the proposed operations moving into Bensenville being this close to Residential. Commissioner Marcotte raised concerns that it only takes one accident to affect the neighborhood.

Public Comment

Anna Lysy – 751 John Street, Bensenville, Illinois 60106

Mr. Lysy was present and sworn in by Chairman Rowe. Ms. Lysy stated the property behind her house dumps plastic containers behind their property and she fears the same would happen here. Mr. Pozsgay stated he will direct Staff to address the issue occurring behind Ms. Lysy's property.

Jennifer Yoo – 751 John Street, Bensenville, Illinois 60106

Mr. Yoo was present and sworn in by Chairman Rowe. Ms. Yoo raised concern with safety protocols should a event occur. Ms. Yoo shared a story of a chemical plant explosion in Texas in 2019. Ms. Yoo shared that the explosion caused the evacuation of properties within a two mile radius and a shelter in place order within a five mile radius. Ms. Yoo shared a list of Village properties that would be effect should a two mile radius evacuation occur. Ms. Yoo asked what protocols would be put into place by the company should a explosion occur and evacuations are needed; how will the Public be notified and where will they go?

Linda Bratland – 915 John Street, Bensenville, Illinois 60106

Ms. Bratland was present and sworn in by Chairman Rowe. Ms. Bratland stated the proposed operation belongs in an industrial park, not a residential area. Ms. Bratland stated the proposed site is too small for their operation.

Mr. Hamilton shared a list of chemicals that would be stored and mixed on the property. The list has been attached to the minutes as "Exhibit A".

Mr. Pozsgay reviewed the approval standards for site plan review:

1. **Surrounding Character:** The site plan for the proposed development is consistent with the existing character and

zoning of adjacent properties and other property within the immediate vicinity of the proposed development.

Applicant's Response: The subject parcel is zoned I-1. This aligns with the other adjacent properties to the north and south along County Line Road. The properties along the west side of County Line Road are primarily smaller industrial uses, and the uses on the east side are larger industrial. The parcel to the west is zoning R-2, a Single-Unit Dwelling District.

2. **Neighborhood Impact:** The site plan for the proposed development will not adversely impact adjacent properties and other properties within the immediate vicinity of the proposed development.

Applicant's Response: The proposed site plan will contain proposed truck movements within the site limits. While additional vehicular traffic is expected on-site compared to its existing vacant condition, adequate landscape screening is proposed along the western and southern property lines for neighboring properties. Additional landscape is also proposed along the northern property line to provide screening to George Street. Proposed lighting will follow Village of Bensenville requirements and will limit the footcandles along the property lines.

3. **Public Facilities:** The site plan for the proposed development will be provided with adequate utilities, access roads, parking, loading, drainage, stormwater flow paths, exterior lighting, and/or other necessary facilities.

Applicant's Response: Associated utilities for the proposed building include gas, electric, telecommunications, storm, sanitary, and water. Please refer to the included utility plan for details.

4. **Environmental Preservation:** The site plan for the proposed development is designed to preserve the environmental resources of the zoning lot.

Applicant's Response: The existing site is currently open space with an existing curb cut to County Line Road. While the site will be paved as needed to accommodate vehicular

movements on-site, additional plantings will be installed per Village of Bensenville requirements.

5. **On-Site Pedestrian Circulation System:** The site plan shall accommodate on-site pedestrian circulation from parking areas, plazas, open space, and public rights-of-way. Pedestrian and vehicular circulation shall be separated to the greatest extent possible.

Applicant's Response: The proposed site plan includes sidewalk for pedestrian traffic from public ROW and proposed ADA parking stalls. The site also accounts for a future right-of-way dedication along County Line Road.

6. **Vehicle Ingress and Egress:** The site plan shall locate curb cuts for safe and efficient ingress and egress of vehicles. The use of shared curb cuts and cross-access easements shall be provided when appropriate.

Applicant's Response: Two curb cuts are proposed as part of the development. One is located at the southeast corner of the site, connecting to County Line Road, and one is at the northwest corner of the site, connecting to George Street. The curb cuts are located as far from the existing intersection as possible to limit vehicular conflicts. Truck movements have been analyzed using Vehicle Tracking software. A WB-67 truck has been modeled to enter the site from County Line Road and leave the site via George Street.

7. **Architectural Design:** The site plan for the proposed development includes architectural design that contributes positively to the Village's aesthetic appearance.

Applicant's Response: The proposed development will adhere to the Village's design requirements for the industrial district including façade articulation and material standards. The proposed design includes a primarily natural colored stone or brick façade with accents of precast concrete wall panels. The building will follow suit with the architectural character of the Eastern Business District.

8. **Consistent with Title and Plan:** The site plan for the proposed development is consistent with the intent of the

Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The site falls within the Eastern Business District of the Comprehensive Plan. The future use is proposed to be commercial/industrial flex. As part of the proposed improvements, stormwater drainage will be designed in accordance with the Village of Bensenville standards, and the DuPage County Countywide Stormwater & Floodplain Ordinance.

Mr. Pozsgay reviewed the approval standards for the special use:

1. **Public Welfare:** The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: The proposed medium industrial use will not pose any health, safety, comfort, convenience, or general welfare concerns. This facility will manufacture and distribute dishwashing detergents and sanitizers for commercial dishwashing. The manufacturing activity on site can be described as diluting commodity corrosive liquids in stainless steel tanks for transfer into consumer-sized bottles. All life safety systems required by the building code will be provided, including secondary containment.

2. **Neighborhood Character:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed medium industrial use is compatible with the adjacent properties within the industrial zone of Bensenville and the adjacent industrial area of Franklin Park. It does not represent a significant change in use from the neighboring properties.

3. **Orderly Development:** The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed medium industrial use will not impede the development and improvement of adjacent properties within the immediate vicinity. This use is similar to the existing adjacent properties in the area.

4. **Use of Public Services and Facilities:** The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: The proposed special use will not require any disproportionate needs or demand that would place an undue burden upon the existing development in the area. These items are expected to be typical for a facility of this size.

5. **Consistent with Title and Plan:** The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed special use does not represent a significant change in use from the neighboring properties, or allowable uses under the Village's Zoning Ordinance. The Village's Comprehensive Plan identified several vacant and underutilized properties available for redevelopment in the Eastern Business District, which would include the proposed site for this special use. The medium industrial use is consistent with the surrounding character of the Village.

Mr. Pozsgay reviewed the approval standards for variations:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response:

Tree Removal: In discussions with the Village Forestry Division, overplanting on site is a concern. The amount of trees required may affect the chances of survival of the proposed trees. The Owner is open to a discussion as to

what the best route forward is. Paying the applicable fee to reduce the number of trees does not endanger the health, safety, comfort, convenience, and general welfare of the public.

Driveway: Due to the trucks that will enter the site, wider driveways are required on the east and north sides of the site. Truck turning movement diagrams have been included as part of this submittal, showing the truck path to the loading dock, and leaving the site. Driveways have been sized as efficiently as possible to meet the needs of the site. The larger driveways do not represent a danger to the health, safety, comfort, convenience, and general welfare of the public.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response:

Tree Removal: The proposed planting plan will improve the landscape of the current site, and will align with the adjacent uses.

Driveway: The proposed driveway is compatible with the character of the adjacent properties to the north, east, and south. The area is predominantly industrial, as is the proposed use. Various driveways along County Line Road appear to be similar widths, also exceeding the Village of Bensenville allowable widths.

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response:

Tree Removal: As noted above, the hardship is dependent on the Village Forestry Division's interpretation of how close trees can be to survive and overcrowding on site. Paying the fee in lieu of replacement will still provide benefit to the Village for the trees being removed, while ensuring success of the replacement trees planted on site.

Driveway: Without a variance for the driveway width, the end user will not be able to conduct the required business operations on site. The end user requires a WB-67 truck to

pass through the site for deliveries critical to the functionality of the business.

4. **Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response:

Tree Removal: Due to the necessary truck movements through the site, width of the parcel, building size, required parking, and setbacks, the open space available to provide replacement trees is limited. This creates a challenge fitting the required number of tree replacement per Village code.

Driveway: Due to the width of the property, it is not feasible to achieve the standard driveway width per Village code. Different vehicle movement patterns have been analyzed to understand alternatives, and the presented site plan results in the least chance of truck movements into George Street or County Line Road.

5. **Minimum Deviation Needed:** The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response:

Tree Removal: The design team has provided tree spacing which provides enough space to ensure growing success. As noted above, the landscape design will defer to the Village Forestry Department as to what is the best long-term approach for tree locations. Additional trees which are not being replaced will be accounted for via the fee in lieu.

Driveway: Driveway widths have been made only as wide as necessary to accommodate the incoming and outgoing truck movements.

6. **Consistent with Ordinance and Plan:** The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response:

Tree Removal: The planting and tree selection will follow Village Code and the Commercial / Industrial flex use

within the Eastern Business District requirements in the Comprehensive Plan.

Driveway: The proposed use and driveway width align with the uses listed in the Eastern Business District within the Comprehensive Plan.

Mr. Pozsgay stated:

1. Staff recommends the Denial of the Findings and therefore the denial of the Special Use Permit.
 - a. Should the CDC or Village Board recommend approval, staff recommends the following conditions:
 - i. Site Plan Review:
 1. The property be developed in general compliance, except as amended herein, with the plans submitted by Charles Vincent George Architects, G2 Consulting, and Kimley-Horn dated 01/04/2024 revised 02/28/24, and all other Village Code Requirements;
 2. Applicant shall provide a sidewalk along the property within the George Street right-of-way and a 10' multi-use path along the property within the County Line Road right-of-way to be approved by Public Works/Engineering during permitting;
 3. Final architectural design of the principal structure and parking blocks/bollards to be approved by Zoning Administrator prior to permit approval;
 4. Final mechanical equipment screening (rooftop and ground) to be approved by Zoning Administrator prior to permit approval;
 5. Applicant shall coordinate with staff during permitting to provide street trees when feasible within portions of the right-of-way where adequate spacing is present;

6. All landscape requirements outside of received variations shall be met during permitting. Final Landscape plan to be approved by zoning administrator prior to permit approval;
 7. All illumination standards as outlined in Village Code section 10-9-8 Outdoor Lighting shall be met at permitting;
 8. Applicant shall coordinate with staff to ensure proper striping and directional signage for the site during the permitting process.
 - ii. Special Use Permit:
 1. The Special Use Permit be granted solely to Auto Chlor System and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit.
2. Staff recommends the Approval of the Findings and therefore the approval of the Findings for the Variation for Driveway Width.
 - a. Applicant to work with staff on eliminating turning movements for trucks going west on George St.
 - b. Applicant to work with staff on design and placement of the County Line Rd driveway.

3. Staff recommends the Approval of the Findings and therefore the approval of the Findings for the Variation for Tree Replacement Rate.
 - a. Additional trees shall be added to the site on the final landscape plan where feasible. If tree replacement rates cannot be fully met on the final landscape plan for the property, then applicant shall coordinate with staff to determine an appropriate fee-in-lieu for the remaining required tree replacement, to be approved by the Zoning Administrator.

There were no questions from the commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-03. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-03 at 7:30 p.m.

Motion: Commissioner Marcotte made a motion to approve Special Use Permit, Medium Industrial; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: None

Nays: Rowe, Chambers, Marcotte, Rott, Wasowicz

Motion failed.

Motion: Commissioner Marcotte made a motion to approve Variation, Driveway Width Requirements; Municipal Code Section 10-8-8c with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte

Nays: Rott, Wasowicz

Motion carried.

Motion: Commissioner Chambers made a motion to approve Variation, Tree Replacement Rate Requirements; Municipal Code Section 10-9-2B-1 with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Wasowicz

Nays: Rott

Motion carried.

Continued

Public Hearing: CDC Case Number 2024-04
Petitioner: Bensenville Park District
Location: 500 West Jefferson Street
Request: Variation, Electronic Message Sign Location
Municipal Code Section 10 – 10 – 5 – 4A3
Variation, Monument Sign Height
Municipal Code Section 10 – 10 – 5 – 8c

Motion: Commissioner Marcotte made a motion to re-open CDC Case No. 2024-04. Commissioner Rott seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe re-opened CDC Case No. 2024-04 at 7:36 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on February 15, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on February 15, 2024. Mr. Pozsgay stated on February 15, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for

viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Bensenville Park District, is seeking approval of two variations. Mr. Pozsgay stated the first variation seeks to allow an electronic message sign within one mile of an established electronic message sign. Mr. Pozsgay stated the sign is located within one mile of an electronic message sign located at 1047 S York Road, thus requiring a variation from the requirements of the existing code. Mr. Pozsgay stated the proposed sign will be placed in the same location as the existing monument sign along Jefferson Road. Mr. Pozsgay stated the second variation seeks to allow the monument sign upon which the electronic message sign is based to exceed the maximum height allowed for monument signs- 8 feet. Mr. Pozsgay stated the proposed monument sign would be 8.75 feet. Mr. Pozsgay stated the total sign area for the electronic message sign is approximately 23.08 SF. Mr. Pozsgay stated this covers less than 50% of the total monument sign area.

Jospeh Vallez, Bensenville Park District Director, was present and sworn in by Chairman Rowe. Mr. Vallez stated he was present to answer any questions the Commission has.

Commissioner Marcotte asked what took so long for the Park District to update the signage. Mr. Vallez explained that at the Park District Board's direction, they explored the possibility of selling the property. Mr. Vallez stated after it was determined they would not sell the property, the Park District is no investing a lot of money into revamping the golf course.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the approval standards for variations:

1. Public Welfare: The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: Yes, the proposed variation will not endanger the health, safety, convenience, and general welfare of the public.

2. Compatible with Surrounding Character: The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response: The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

3. Undue Hardship: The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: Yes, the proposed variation alleviates an undue hardship created by the literal enforcement of this title.

4. Unique Physical Attributes: The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: Yes, the proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

5. Minimum Deviation Needed: The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: Yes, the proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvements of the subject property.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Yes, the proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Variation for Electronic Message Sign Location with the following conditions:

- a. Applicant must adhere to all illumination standards outlined in Village Code Section 10-10-5B-4d.
2. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Monument Sign Height with the following conditions:
 - a. Applicant must adhere to all landscaping standards outlined in Village Code Section 10-10-5B-8c.

There were no questions from the commission.

Motion: Commissioner Marcotte made a motion to close CDC Case No. 2024-04. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-04 at 7:45 p.m.

Motion: Commissioner Chambers made a motion to approve Variation, Electronic Message Sign Location; Municipal Code Section 10-10-5-4A-3 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Marcotte made a motion to approve Variation, Monument Sign Height; Municipal Code Section 10-10-5-8c with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-06
Petitioner: Partner Carries, Inc.
Location: 211 Beeline Drive, Unit 1
Request: Special Use Permit, Motor Vehicle Repair and/or Service
Municipal Code 10 – 7 – 2 – 1

Motion: Commissioner Rott made a motion to open CDC Case No. 2024-06. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-06 at 7:47 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Northside Automotive, is seeking approval of a special use permit for motor vehicle repair and/or service. Mr. Pozsgay stated they wish to “complete body work on higher end vehicles without the need to store vehicles outside.” Mr. Pozsgay stated the property is currently within an I – 2 General Industrial District, where motor vehicle repair and/or service are allowed with a special use permit. Mr. Pozsgay stated the site is .31 acres.

Marshall Subach, Attorney, was present and sworn in by Chairman Rowe. Mr. Subach stated his client did not own the building under the previous user. Mr. Subach stated the property has been cleaned up by his client. Mr. Subach shared that his client has been operating in Chicago for twelve years and will remain there as well. Mr. Subach stated there is already a paint booth on site.

Sair Arapovic, owner of Northside Automotive was present and sworn in by Chairman Rowe. Mr. Arapovic provided an overview of his operations and the need for a closer location to the suburbs. Mr. Arapovic stated he works on high end vehicles; all body repair.

Commissioner Chambers asked what the maximum storage of vehicles inside would be. Mr. Arapovic stated eight vehicles.

Commissioner Rott asked why the petitioner shared that he only works on high end vehicles. Mr. Arapovic explained that with the vehicles being high end, there would be no need for the vehicles to be stored outside.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the Approval Standards for the proposed special use consisting of:

1. **Public Welfare:** The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: The proposed Special Use will not endanger the health, safety, comfort, convenience and general welfare of the public. The proposed use for automotive repair is Special Use in the I-2 District. The proposed tenant will complete all body work on the interior of the building in compliance with all existing codes.

2. **Neighborhood Character:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Automotive repair is compatible with all of the existing industrial users within the 211 Beeline development and is consistent with the general character of the adjacent properties which are all industrial users. There is existing truck repair and auto repair located within the 211 Beeline building within other units.

3. **Orderly Development:** The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: All of the adjacent properties are improved with existing industrial users. The granting of the Special Use will have no effect on and future redevelopment, if any, of adjacent properties.

4. **Use of Public Services and Facilities:** The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: The proposed use will not require any expansion or strain on community facilities or services to a degree that is disproportionate to normal activities in the I2 district. The granting of the Special Use Permit will also not require any new utilities, access roads, drainage or other facilities.

5. **Consistent with Title and Plan:** The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Under the Comprehensive Plan, the Subject Property falls under the Northern Business District. The proposed development fulfills the objective of the Bensenville Comprehensive Plan to support regional growth of existing industrial properties and the rehabilitation of the existing industrial sites. Approval of the Special Use Permit will also fulfill a goal of supporting

existing property owners and wanting to fill existing vacant units with viable businesses to support the residents and tax base.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit with the following conditions:
 - a. The Special Use Permit be granted solely to Northside Automotive and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit.
 - b. A triple catch basin must be installed.
 - c. No outdoor storage of motor vehicles is permitted.

There were no questions from the commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-06. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-06 at 8:03 p.m.

Motion: Commissioner Marcotte made a motion to approve the Special Use Permit, Motor Vehicle Repair and/or Service; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-07
Petitioner: Jay Adkins
Location: 352 South Church Road
Request: Variation, Fence in the Corner Side Yard
Municipal Code Section 10 – 7 – 4C – 7a

Motion: Commissioner Marcotte made a motion to open CDC Case No. 2024-07. Commissioner Chambers seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-07 at 8:04 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Jay Adkins, is seeking approval of a variation in order to construct a fence in the corner side yard of their property. Mr. Pozsgay stated the proposed fence is a 5-foot solid vinyl fence with an additional foot of lattice. Mr. Pozsgay stated the proposed fence will extend 24' south towards 2nd Avenue, running 70' parallel to 2nd Avenue.

Mr. Pozsgay stated the proposed fence does not impact the west adjacent property driveway sight vision triangle.

Jay Adkins, property owner, was present and sworn in by Chairman Rowe. Mr. Adkins reviewed the proposed fence. Mr. Adkins stated the need for the fence is for his children and dogs.

There were no questions from the Commission.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the Approval Standards for the proposed variation consisting of:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: This proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response: This proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: The proposed variation alleviates the hardship of containing small children and pets from venturing towards the street into harm's way.

4. **Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: The proposed variation is necessary due to the unique physical attributes of our property, being the busy vehicular traffic on the cross street that border our property.

5. Minimum Deviation Needed: The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: The proposed variation represents the minimum deviation from the regulations of this title necessary to extend our backyard fence further south into the corner side yard.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed variation has proven to be consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Variation, Fence in the Corner Side Yard at 352 S Church Rd with the following conditions:
 - a. Fence shall be setback 1 foot from the south (2nd Avenue) property line, as shown in plans;
 - b. Fence shall be 5 feet high with an additional 1 foot of lattice, as proposed by the applicant.

There were no questions from the commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2024-07. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-07 at 8:09 p.m.

Motion: Commissioner Marcotte made a motion to approve the Variation, Fence in the Corner Side Yard; Municipal Code Section 10-7-4C-7a with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-08
Petitioner: Rocio Olvera
Location: 1347 West Irving Park Road
Request: Special Use Permit, Day Care Center
Municipal Code Section 10 – 7 – 2 – 1

Motion: Commissioner Chambers made a motion to open CDC Case No. 2024-08. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-08 at 8:10 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Primavera School, represented by Rocio Olvera, is requesting approval of a Special Use Permit for a day care center at 1347 W Irving Park Rd. Mr. Pozsgay stated the site is currently a vacant lot of roughly .45 acres. Mr. Pozsgay stated the building size is projected to be 8,000 square feet. Mr. Pozsgay stated no variances are sought at this time.

Rocio Olvera, business owner, was present and sworn in by Chairman Rowe. Ms. Olvera shared a power point presentation of the proposed operations. The power point has been attached to the minutes as “Exhibit B”. Ms. Olvera stated her mother has successfully operated a daycare location in Stone Park for the past twenty five years and this would be their second location.

Commissioner Rott asked what the proposed hours would be. Ms. Olvera stated the daycare would operate from 5:00am – 7:00pm.

Commission Rott asked what type of certifications are needed for the teachers. Ms. Olvera explained the requirements.

Public Comment

Nancy Ingold – 10 South Meadow Court, South Barrington, Illinois

Ms. Ingold was present and sworn in by Chairman Rowe. Ms. Ingold raised concern with parking on the proposed site and concerns with a long line of traffic trying to exit the property during pickup time.

Linda Bratland – 915 John Street, Bensenville, Illinois 60106

Ms. Bratland was present and sworn in by Chairman Rowe. Ms. Bratland stated she fully supports daycares, however, she feels that the applicant would have a difficult time filling spots with the other options available to Residents in town. Ms. Bratland also raised concern with the hours of operation.

Commissioner Chambers shared that his family is currently on a waitlist for after school programs for his children and supports the need for more daycare options in town.

Mr. Pozsgay reviewed the Approval Standards for the proposed special use permit consisting of:

1. Public Welfare: The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: Our childcare center (Primavera School) will not endanger the health, safety, comfort, convenience, and general welfare of the public.

2. Neighborhood Character: The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Our childcare center (Primavera School) is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

3. Orderly Development: The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Our childcare center (Primavera School) will not impeded the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

4. Use of Public Services and Facilities: The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: Our childcare center (Primavera School) will not require utilities, access roads, drainage, and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Our childcare center (Primavera School) is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit, Day Care Center at 1347 W. Irving Park Rd with the following conditions:
 - a. The Special Use Permit be granted solely to Primavera School and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
 - b. Before a Certificate of Occupancy can be issued, the Village needs to receive documentation of such State and County approvals and licenses.

Mr. Pozsgay stated Staff would also like to add the following condition:

Application must work with Staff on a Parking and Traffic management plan.

There were no objections from the Commission.

Commissioner Wasowicz asked why the application was seeking the special use before the property is even developed. Ms. Olvera explained they want to ensure their operation would be allowed before they close on the property.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-08. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-08 at 8:30 p.m.

Motion: Commissioner Marcotte made a motion to approve the Special User Permit, Day Care Center; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-09
Petitioner: Playful Minds Therapy of Bensenville
Location: 2 South Addison Road
Request: Special Use Permit, Day Care Center
Municipal Code Section 10 – 7 – 2 – 1

Motion: Commissioner Rott made a motion to open CDC Case No. 2024-09. Commissioner Wasowicz seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-09 at 8:31 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and

inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Playful Minds Therapy of Bensenville, represented by Wajahat Macci and Maliha Khan, is seeking approval of a Special Use Permit at 2 S Addison St. Mr. Pozsgay stated Playful Minds Therapy wishes to operate a specialized day care center at this location. Mr. Pozsgay stated it is a standalone building with two storefronts, roughly 5,400 square feet. Mr. Pozsgay stated this day care center will offer occupational therapy and other forms of therapy centered at aiding individuals with autism. Mr. Pozsgay stated in the past, there was previously a day care center at this location.

Wajahat Macci, business owner, was present and sworn in by Chairman Rowe. Mr. Macci provide an overview of their operations. Mr. Macci stated they offer therapy to autistic children from the ages of two to sixteen years old. Mr. Macci stated the majority of their operation is done digitally but there is a need for in person meetings.

Commissioner Rott asked how drop off and pickups would work with the limited space. Mr. Macci stated the operation is similar to a doctors appointment where the child will be dropped off and pick up; all are done via appointments.

Commission Rott asked how many people would be on site at once. Mr. Macci stated the occupancy would be thirty but feels they would never reach that amount.

Public Comment

Linda Bratland – 915 John Street, Bensenville, Illinois 60106

Ms. Bratland was present and sworn in by Chairman Rowe. Ms. Bratland asked if the operation would also include weekends. Ms. Bratland raised concern with limited downtown parking for the proposed operations.

Mr. Macci stated they will offer weekend appointments.

Mr. Pozsgay stated Staff feels there is enough downtown parking for the proposed operations. Ms. Bratland stated she disagrees.

Mr. Pozsgay reviewed the Approval Standards for the proposed special use permit consisting of:

1. Public Welfare: The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: Yes, it will not do the following.

2. Neighborhood Character: The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Yes, it is compatible within the vicinity.

3. Orderly Development: The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Yes, it will not impede the normal and orderly development of adjacent.

4. Use of Public Services and Facilities: The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: Yes, it will not require such a need.

5. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Yes, it is consistent with the comprehensive plan and land use policies.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit, Day Care Center at 2 S. Addison with the following conditions:
 - a. The Special Use Permit be granted solely to Playful Minds Therapy of Bensenville and shall be transferred only after a review by the Community Development

- Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
- b. Before a Certificate of Occupancy can be issued, the Village needs to receive documentation of such State and/or County approvals and licenses.
 - c. The two parking spaces along Addison St will remain short term temporary parking for loading and unloading only.
 - d. The area currently blocked off next to the railroad tracks will remain so. This is not to be accessed by any vehicles at any time.

There were no questions from the Commission.

Motion: Commissioner Marcotte made a motion to close CDC Case No. 2024-09. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-09 at 8:48 p.m.

Motion: Commissioner Chambers made a motion to approve the Special User Permit, Day Care Center; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-10
Petitioner: Village of Bensenville
Location: Village of Bensenville
Request: Text Amendments, Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses) Chapter 11 (Definitions)

Motion: Commissioner Wasowicz made a motion to open CDC Case No. 2024-10. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-10 at 8:49 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.

Mr. Pozsgay stated The Village of Bensenville is seeking the aforementioned text amendments in order to refine the 2019 Village Zoning Ordinance. Mr. Pozsgay stated in late 2018, the Village underwent a complete overhaul of its current Zoning Ordinance, which had been adopted in 1999. Mr. Pozsgay stated since the introduction of the current Ordinance, Staff has been able to identify certain shortcomings while enforcing the regulations and implementing the refurbished zoning application procedures. Mr. Pozsgay stated the proposed amendments are summarized as follows:

- Designation of a Definition for Electric Vehicles (EVs) and associated terms
- Establishment of Use standards for Electric Vehicle Charging Stations

There were no questions from the Commission.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the Approval Standards for the proposed text amendments consisting of:

- 1) **Public Welfare:** The proposed amendments will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: Since the adoption of the 2019 Zoning Ordinance, a complete overhaul of the previous Code, Staff has been able to find areas for improvement within the code.

The amendment to the code requirements for Electric Vehicles and Electric Vehicle Charging Stations will not endanger the health, safety, comfort, convenience, and general welfares of the public. The proposed amendments for Electric Vehicle definitions clarify aspects of the installation process for Electric Vehicles and make the process more accessible for village residents. The proposed amendments for Use standards allow Electric Vehicle Charging Standards to have a cohesive appearance and level of safety across the village. The proposed amendments keep in consideration and ensure that the general welfare of the public is not impacted.

- 2) **Amendment Objective:** The proposed amendments correct an error, add clarification, or reflect a change in policy.

Applicant's Response: The proposed amendments are requested to improve and refine the Zoning Ordinance to allow for orderly development in accordance with modern development techniques and add clarification and flexibility for common residential and commercial property zoning considerations.

- 3) **Consistent with Ordinance and Plan:** The proposed amendments are consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed amendments are consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village. Amendments do not contrast Village goals and guidelines, as the amendments are focused on maintaining and promoting orderly land use patterns and development,

protect the Village's quality of life and the character of its neighborhoods by ensuring that development is compatible and cohesive, and to promote development that sustainably manages environmentally sensitive issues.

Mr. Pozsgay stated:

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Text Amendments to the Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses), and Chapter 11 (Definitions).

There were no questions from the Commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2024-10. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-10 at 8:53 p.m.

Motion: Commissioner Wasowicz made a motion to approve the Text Amendments; Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses), Chapter 11 (Definitions) with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

**Report from
Community
Development:**

Mr. Quinn reviewed both recent CDC cases along with upcoming cases.

ADJOURNMENT: There being no further business before the Community Development Commission, Commissioner Marcotte made a motion to adjourn the meeting. Commissioner Rott seconded the motion.

All were in favor. Motion carried.

The meeting was adjourned at 8:55 p.m.

Substance Name	Approved Uses	Common Examples	Auto-Chlor Examples
Ammonium Hydroxide	FDA GRAS* : Safe for use as a food ingredient	Bread-Leavening Windex	Glass & All-Purpose Cleaners
Phosphoric Acid	FDA GRAS : Safe for use as a food ingredient	Coca-Cola Lime-Away Vegetable Wash	Lime Remover Tub & Tile Cleaner
Potassium Hydroxide	FDA GRAS : Safe for use as a food ingredient	Ice Cream Liquid Hand Soaps	Dishwashing Soaps Multi-Purpose Cleaners
Sodium Hydroxide	FDA GRAS : Safe for use as a food ingredient	Cured Olives Bar Soaps Dishwasher Gel	Dish Machine Soaps Handwashing Soaps
Sulfamic Acid	FDA GRAS : Safe for use in direct food-contact packages (fiberboard)	Coffee Maker Cleaner	Bathroom Cleaners
Fluorosilicic Acid (Flouride)	Drinking Water Treatment	Oral Care Products	Laundry Conditioner
Benzalkonium Chloride	Used in Antibacterial Hand Soaps & Hand Sanitizers	Antibacterial Hand Wash Bactine Antiseptic Cold Sore Treatment	Dishware Sanitizers Antibacterial Hand Soaps Disinfectants

*GRAS = Affirmed as *Generally Recognized As Safe* by the U.S. Food and Drug Administration for use in food or food manufacturing when used according to good manufacturing practice.



PRIMAERA SCHOOL

Bilingual Early Childhood Education



Rocio Olvera & Belen Olvera

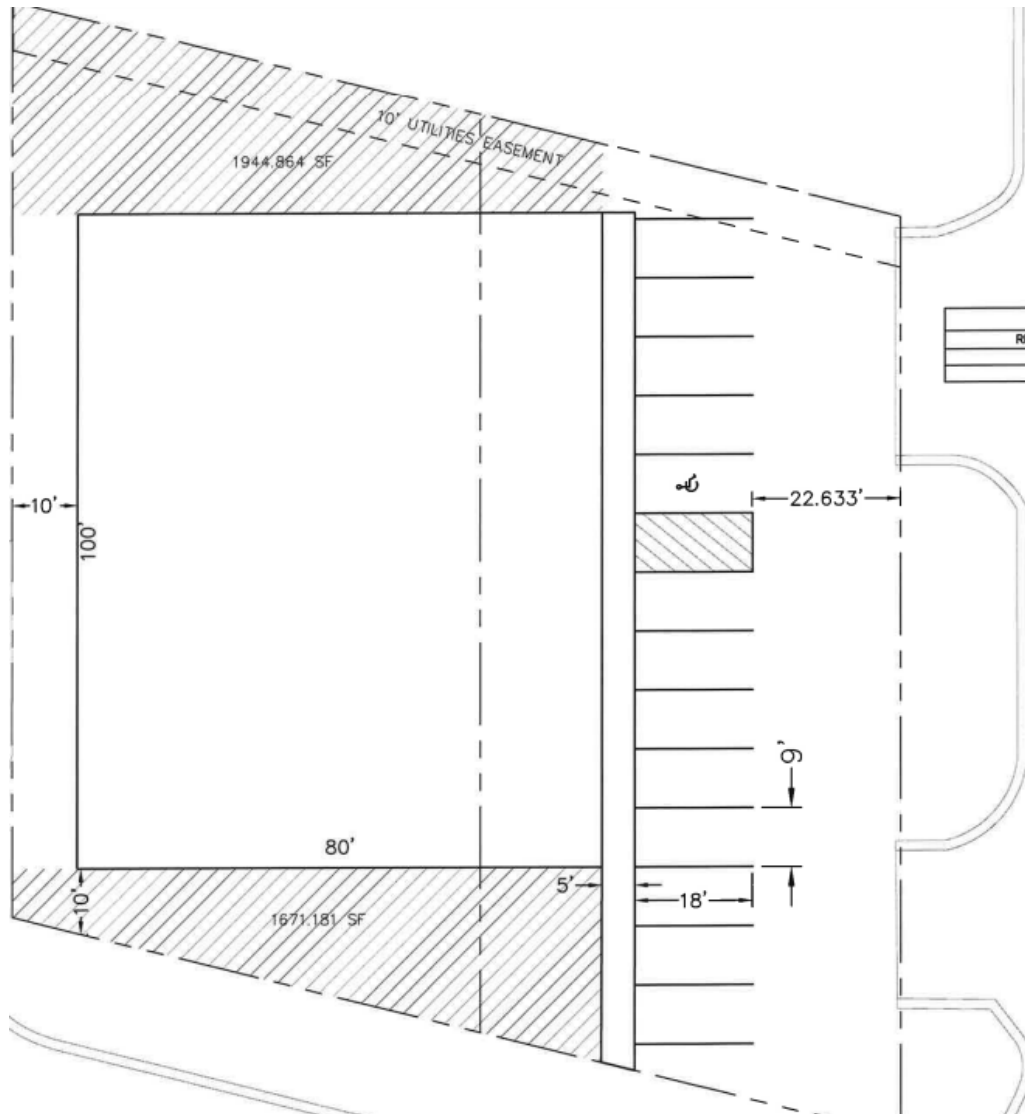
HISTORY: THE SHEPHERD'S LEARNING ACADEMY





Vision

- At Primavera School, our vision is to create a nurturing and inclusive environment where children thrive academically, socially, and spiritually. We strive to promote bilingualism and Christian values, fostering a strong foundation for their future success.



1347 Irving Park Road, Bensenville, IL



Classrooms

- Primavera School will be licensed for children as young as 3 months to 11 years of age.
- We will build 8 classrooms total; each classroom will be designated for a specific age of children:
- 1. Infants (2 classrooms)
- 2. Toddlers (2 classrooms)
- 3. Threes
- 4. Fours
- 5. Junior Kindergarten/Kindergarten
- 6. School Age
- License Capacity: 134 children

Operation Details

1

Hours of Operation:
5am-7pm

2

We plan to have 20
staff members

3

We will be licensed
by the Department
of Children and
Family Services,
DCFS.

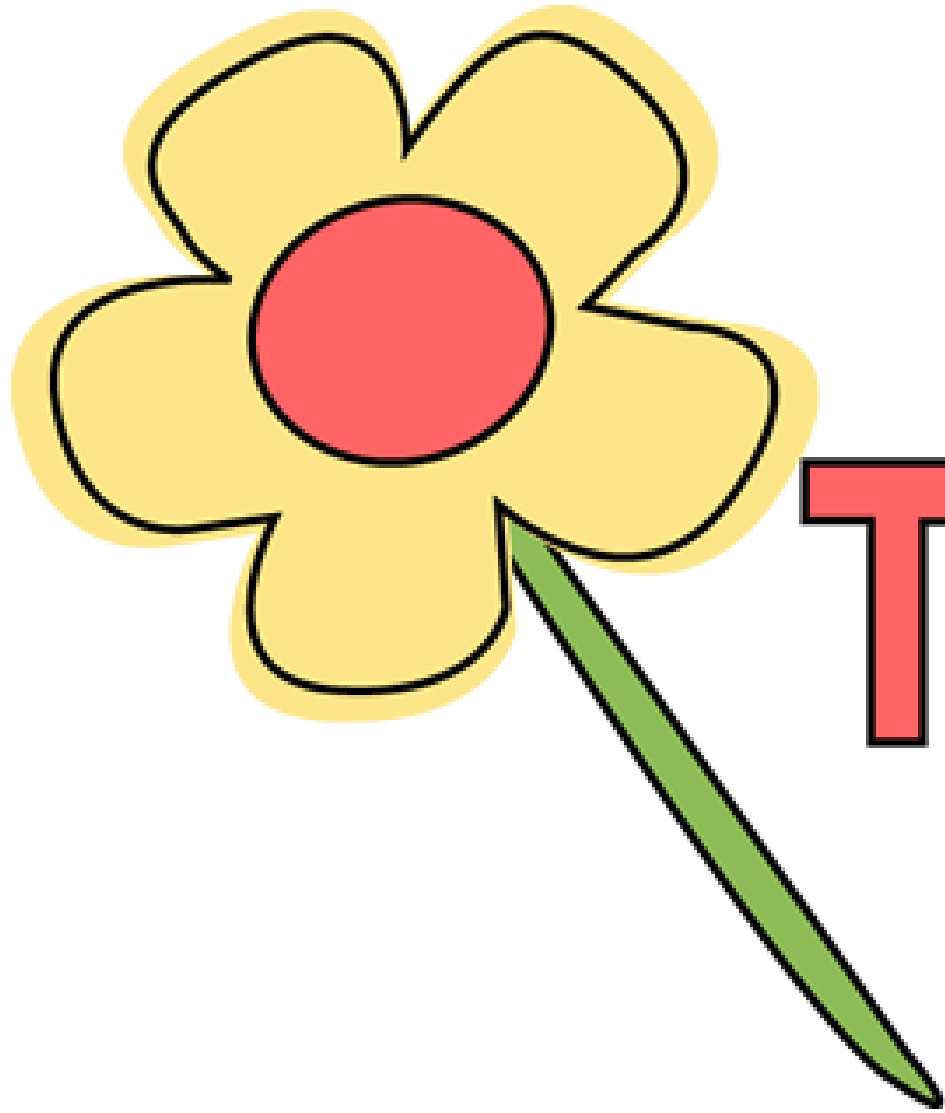
Community Impact

Strong and quality childcare services.

Opportunities for Bilingualism.

Job opportunities

Community partnerships



Thank
You

ORDINANCE # _____

**AN ORDINANCE APPROVING A VARIATION FOR ELECTRONIC MESSAGE SIGN
LOCATION AND MONUMENT SIGN HEIGHT AT 500 WEST JEFFERSON STREET,
BENSENVILLE, ILLINOIS**

WHEREAS, the Village of Bensenville, DuPage and Cook Counties, Illinois (the “*Village*”) is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the President and the Board of Trustees of the Village of Bensenville (the “*Corporate Authorities*”) have heretofore exercised the power conferred on them pursuant to Chapter 11-13-1, *et seq.*, of the Illinois Municipal Code by adopting the Village of Bensenville Zoning Ordinance (Ord. 07-99), as amended from time to time (the “*Zoning Ordinance*”); and

WHEREAS, Bensenville Park District of 1000 W Wood Street, Bensenville, Illinois 60106 (the “*Owner*”) owns the property located at 500 W Jefferson Street; and

WHEREAS, Bensenville Park District of 1000 W Wood Street, Bensenville, Illinois 60106 (the “*Applicant*”) filed an application for variations, pursuant to Sections 10-10-5-4A-3 & 10-10-5-8c of the Zoning Ordinance (the “*Application*”), to allow an electronic message sign within one-mile of another electronic message sign and to allow an increase of the monument sign height on a portion of the Owner’s property at 500 W Jefferson Street in Bensenville, Illinois as legally described in Exhibit A, attached hereto and incorporated herein by reference (the “*Subject Property*”). A copy of said application with all supporting documents is contained on file in the Community and Economic Development Department as Exhibit B; and

WHEREAS, the Applicant has requested variations from the Zoning Ordinance in order to install an electronic message sign within one mile of an existing electronic message sign and above the eight foot height limit (“*Variations*”) specifically:

- A. Deviation from 10-10-5-4A-3 of the Zoning Ordinance, to allow the location of an electronic message sign within one mile of another, as shown in Exhibit B;
- B. Deviation from 10-10-5-8c of the Zoning Ordinance, to allow relief from the height requirements for monument signs, as shown in Exhibit B;

WHEREAS, the Village published Notice of Public Hearing with respect to the Variations in the *Bensenville Independent* on Thursday, February 15, 2024, and notice was also given via posting of one Public Hearing Sign on the Subject Property on Friday, February 16, 2024, and via First Class mail to taxpayers of record within 250 feet of the Subject Property on February 16, 2024, all as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, pursuant to said Notice, the Community Development Commission of the Village of Bensenville conducted a Public Hearing on March 5, 2024, continued to April 2, 2024 (the “*Public Hearing*”), as required by the statutes of the State of Illinois and the ordinances of the Village, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, at the conclusion of the Public Hearing, the Community Development Commission agreed with the findings of fact submitted by the Applicant, and thereafter, voted (5-0) to recommend approval of the Variation, Electronic Message Sign Location, with certain conditions, and forwarded its recommendations, including the Staff Report and findings relative to the requests, which are attached hereto and incorporated herein by reference as Exhibit C, to the Corporate Authorities; and

WHEREAS, at the conclusion of the Public Hearing, the Community Development Commission agreed with the findings of fact submitted by the Applicant, and thereafter, voted (5-0) to recommend approval of the Variation, Monument Sign Height with certain conditions, and forwarded its recommendations, including the Staff Report and findings relative to the requests, which are attached hereto and incorporated herein by reference as Exhibit C, to the Corporate Authorities; and

WHEREAS, the Corporate Authorities have duly considered the Community Development Commission's recommendation and findings of fact, and have determined that approval of the Variations, Electronic Message Sign Location and Monument Sign Height, as recommended by the Community Development Commission, with conditions, are consistent with the Zoning Ordinance; and

WHEREAS, the Corporate Authorities deem it advisable and in the best interest of the health, safety, and welfare of the residents of the Village to grant the Variations requested and subject to the conditions identified herein.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, duly assembled at a regular meeting, as follows:

Section 1. That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

Section 2. That the Subject Property is currently zoned within the R-1 Single-Unit Dwelling District, which zoning classification shall remain in effect subject to the Variations approved herein.

Section 3. That the Corporate Authorities hereby adopt by reference the findings of fact of the Community Development Commission as findings of the Village President and the Board of Trustees as if completely set forth herein, and find that the Variations are proper and necessary, with certain modifications and additional conditions contained herein.

Section 4. That in addition to the findings set forth in Sections 3 hereof, the Corporate Authorities find as to the standards of variation in relation to the requests:

- i. The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.
- ii. The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.
- iii. The proposed variation alleviates an undue hardship created by the literal enforcement of this title.
- iv. The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.
- v. The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.
- vi. The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Section 5. That the Variations at 500 W Jefferson St in Bensenville, Illinois as legally described in Exhibit A, is hereby approved, provided that the project is constructed in substantial conformance with the following plans and specifications (collectively, the “Plans and Specifications”), except as may be amended pursuant to Section 6 of this Ordinance:

- i. Application submitted by Applicant on February 1, 2024 (Exhibit B; the “*Application*”);
- ii. Overall Site Plan: Submitted by Applicant in tandem with Application;
- iii. ALTA/NSPS Land Title Survey: prepared by Webster, McGrath & Ahlberg Ltd on September 5, 2018 (Exhibit B; the “*Survey*”).

The Plans and Specifications are hereby approved by this Ordinance.

Section 6. That the Variation, Electronic Message Sign Location, granted herein are further subject to the following conditions and restrictions which the Corporate Authorities deem necessary to protect the public interest:

- i. Applicant must adhere to all illumination standards outlined in Village Code Section 10-10-5B-4d.

Section 7. That the Variation, Monument Sign Height, granted herein are further subject to the following conditions and restrictions which the Corporate Authorities deem necessary to protect the public interest:

- i. Applicant must adhere to all landscaping standards outlined in Village Code Section 10-10-5B-8c.

Section 8. No building permits shall be issued for construction related to the Variations unless the plans submitted in conjunction with the building permits are in substantial conformance with the Plans and Specifications and conditions, as approved herein.

Section 9. The Applicant hereunder shall at all times comply with the terms and conditions of the Ordinance and, in the event of non-compliance, said Ordinance shall be subject to revocation.

Section 10. All sections of the Zoning Ordinance not addressed in this Ordinance or another amending ordinance shall remain in full force and effect.

Section 11. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 12. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 13. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

DRAFT

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois, this 26^h day of March 2024, pursuant to a roll call vote, as follows:

APPROVED:

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

Ordinance # ____ - 2024
Exhibit "A"

The Legal Description is as follows:

PARCEL 1:

THAT PART OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE NORTH HALF OF SAID SECTION 23, AND RUNNING THENCE NORTH, ALONG THE EAST LINE OF SAID SECTION, 1126.62 FEET; THENCE SOUTH 87-3/4 DEGREES WEST, 3638 FEET TO THE CENTER LINE OF CHURCH ROAD; THENCE SOUTHERLY, ALONG THE OF SAID CHURCH ROAD, TO A POINT 492.16 FEET NORTHERLY FROM THE SOUTH LINE OF SAID SECTION 23 (MEASURED ALONG THE CENTER LINE OF SAID CHURCH ROAD); THENCE EAST, PARALLEL WITH THE SOUTH LINE OF SAID SECTION 23, TO AN IRON STAKE LOCATED 492.12 FEET NORHTERLY FROM A POINT IN THE SOUTH LINE OF SAID SECTION 23, 248.34 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION 23, 1809 FEET TO A STONE WHICH IS 1235.58 FEET WEST OF THE SOUTHEAST CORNER OF SAID SECTION 23, SAID POINT BEING THE SOUTHEAST CORNER OF CHURCH LANDS; THENCE NORTH ALONG THE EAST LINE OF CHURCH LANDS AND CONTINUING IN THE SAME LINE, 1756.5 FEET NORTH OF THE SOUTHEAST CORNER THEREOF; THENCE NORTH, ALONG THE EAST LINE OF SAID SECTION 23, 911.08 FEET TO THE PLACE OF BEGINNING EXCEPT THEFROM ALL THAT PART OF CHURCH ROAD RIGHT OF WAY LYING WEST OF AND ADJACENT TO THE ABOVE DESCRIBED TRACT OF LAND AND ALSO EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACTS:

- 1A) THE NORTH 5-1/3 CHAINS OF THE EAST 11-1/4 CHAINS OF THAT PART OF THE SOUTHEAST QUARTER OF SAID SECTION 23, LYING SOUTH OF THE NORTH 3.19 CHAINS THEREOF;
- 2A) THE NORTH 210.54 FEET OF THE EAST 330 FEET OF THE SOUTHEAST QUARTER OF SAID SECTION 23;
- 3A) THE SOUTH 53.46 FEET OF THE EAST 330 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 23;
- 4A) THAT PART OF THE SOUTHWEST QUARTER OF SAID SECTION 23, BEGINNING AT A POINT IN THE EAST LINE OF CHURCH ROAD AND THE NORTH LINE OF CURCH LANDS, BEING 826.32 FEET FORTH OF THE SOUTH LINE OF SAID SECTION 23 (MEASURE ON A LINE PARALLEL TO THE EAST LINE OF SAID SECTION 23); AND RUNNING THENCE EAST ALONG THE NORTH LINE OF CHURCH LANDS, 165 FEET; THENCE NORTH, PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 23, 134.84 FEET TO THE EAST LINE OF CHURCH ROAD; THENCE SOUTHERLY ALONG THE EAST LINE OF CHURCH ROAD; THENCE SOUTHERLY ALONG THE EAST LINE OF CHURCH ROAD, 497.8 FEET TO THE PLACE OF BEGINNING IN DUPAGE COUNTY, ILLINOIS. ALSO;

PARCEL 2:

LOTS 1, 2, 3, AND 4 IN BLOCK 2 IN BRANIGAR'S WHITE PINES, BEING A SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 23 AND THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 13, 1945, AS DOCUMENT 476240, IN DUPAGE COUNTY, ILLINOIS. ALSO;

PARCEL 3:

LOT 24 IN CRESTBROOK, A SUBDIVISION I THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 22, 1955, AS DOCUMENT 766038, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 4:

LOT 1 IN SCHULTZ'S RESUBDIVISION, BEING A RESUBDIVISION OF PART OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 1 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 10, 1990, AS DOCUMENT R 90-102309, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 5:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 40 NORTH, RNAGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: FROM A POST IN THE EAST OF SAID SOUTHWEST QUARTER OF SECTION 23, LOCATED 2.95-1/2 CHAINS NORTH OF THE SOUTHEAST CORNER OF SAID QUARTER SECTION, RUNNING THENCE SOUTH 87-3/4 DEGREES WEST, PARALLEL WITH THE SOUTH LINE OF SAID QUARTER SECTION, 16.91 CHAINS MORE OR LESS TO THE EAST LINE OF THE ROAD KNOWN AS CHURCH ROAD, RUNNING IN A NORTHERLY AND SOUTHERLY DIRECTION THROUGH SAID SOUTHWEST QUARTER, AS SAID ROAD EXISTED SEPTEMBER 8, 1924: THENCE RUNNING NORTH ALONG SAID EAST LINE OF CHURCH ROAD, 9.56-1/2 CHAINS TO THE NORTH LINE OF A TRACT OF LAND KNOWN AS CHURCH LAND, AS SAID TRACT EXISED ON SEPTEMBER 8, 1924, FOR A PALCE OF BEGINNING: THENCE EAST, ALONG NORTH LINE OF CHURCH LAND, 165 FEET: THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 23, 132 FEET: THENCE WEST, PARALLEL WITH SAID NORTH LINE OF CHURCH LAND, 165 FEET, MORE OR LESS, TO THE EAST LINE OF CHURCH ROAD: THENCE SOUTH, ALING SAID EAST LINE OF CHURCH RAOD, 132 FEET TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS. ALSO KNOWN AS LOT 5 IN VICTOR C. BARTH'S PLAT OF SURVEY.

CONTAINING 257.6 ACRES, MORE OR LESS.

Commonly known as 500 West Jefferson Street, Bensenville, Illinois 60106.

Ordinance # ____ - 2024
Exhibit “B”
Plans and Specifications

On file in the Community and Economic Development Department.

DRAFT

Ordinance # ____ - 2024
Exhibit “C”
Findings of Fact

Mr. Pozsgay reviewed the approval standards for variations:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant’s Response: Yes, the proposed variation will not endanger the health, safety, convenience, and general welfare of the public.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant’s Response: The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant’s Response: Yes, the proposed variation alleviates an undue hardship created by the literal enforcement of this title.

4. **Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant’s Response: Yes, the proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

5. **Minimum Deviation Needed:** The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant’s Response: Yes, the proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvements of the subject property.

6. **Consistent with Ordinance and Plan:** The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant’s Response: Yes, the proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Variation for Electronic Message Sign Location with the following conditions:
 - a. Applicant must adhere to all illumination standards outlined in Village Code Section 10-10-5B-4d.
2. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Monument Sign Height with the following conditions:
 - a. Applicant must adhere to all landscaping standards outlined in Village Code Section 10-10-5B-8c.

There were no questions from the commission.

Motion: Commissioner Marcotte made a motion to close CDC Case No. 2024-04. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-04 at 7:45 p.m.

Motion: Commissioner Chambers made a motion to approve Variation, Electronic Message Sign Location; Municipal Code Section 10-10-5-4A-3 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Marcotte made a motion to approve Variation, Monument Sign Height; Municipal Code Section 10-10-5-8c with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

TYPE:Ordinance**SUBMITTED BY:**K. Pozsgay**DEPARTMENT:**CED**DATE:**04.16.2024**DESCRIPTION:**

Consideration of an Ordinance Denying a Special Use Permit, Medium Industrial, and Granting Variations, Driveway Width and Tree Replacement Rate Requirements for 740 County Line Road

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:**SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:**☐*Financially Sound Village**Quality Customer Oriented Services**Safe and Beautiful Village*☒*Enrich the lives of Residents*☒*Major Business/Corporate Center**Vibrant Major Corridors***COMMITTEE ACTION:**

COW

DATE:

04/16/24

BACKGROUND:

1. The Petitioner, 2540 Flournoy LLC, is seeking approval of a site plan review, special use permit, and two variances.
2. The special use permit request is to allow a medium industrial use (chemicals will be mixed on site) in a light industrial district.
3. The first variance seeks to extend the driveway width beyond the 30 feet maximum, as stated in Municipal Code 10 – 8 – 8c. The proposed driveway width exiting onto County Line Road would be 41.7 feet.
4. The second variance is due to not being able to meet the tree replacement standards.

KEY ISSUES:

1. The initial public hearing was continued due to additional information submitted late in the process.
2. Significant public comment was made regarding concerns with the delivery and mixing of chemicals so close to residential.
3. The CDC did not recommend approval of the request for a Special Use Permit, Medium Industrial.
4. The CDC did recommend approval of the two Variation requests.
5. The property could still be developed as presented, with approved conditions. However, the Medium Industrial use proposed would not be allowed to obtain a business license.

ALTERNATIVES:

Discretion of the Committee.

RECOMMENDATION:

1. Staff recommends the Denial of the Findings and therefore the denial of the Special Use Permit.
 1. Should the CDC or Village Board recommend approval, staff recommends the following conditions:
 1. Site Plan Review:
 1. The property be developed in general compliance, except as amended herein, with the plans submitted by Charles Vincent George Architects, G2 Consulting, and Kimley-Horn dated 01/04/2024 revised 02/28/24, and all other Village Code Requirements;
 2. Applicant shall provide a sidewalk along the property within the George Street right-of-way and a 10' multi-use path along the property within the County Line Road right-of-way to be approved by Public Works/Engineering during permitting;
 3. Final architectural design of the principal structure and parking blocks/bollards to be approved by Zoning Administrator prior to permit approval;

4. Final mechanical equipment screening (rooftop and ground) to be approved by Zoning Administrator prior to permit approval;
 5. Applicant shall coordinate with staff during permitting to provide street trees when feasible within portions of the right-of-way where adequate spacing is present;
 6. All landscape requirements outside of received variations shall be met during permitting. Final Landscape plan to be approved by zoning administrator prior to permit approval;
 7. All illumination standards as outlined in Village Code section 10-9-8 Outdoor Lighting shall be met at permitting;
 8. Applicant shall coordinate with staff to ensure proper striping and directional signage for the site during the permitting process.
2. Special Use Permit:
 1. The Special Use Permit be granted solely to Auto Chlor System and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit.
 2. Staff recommends the Approval of the Findings and therefore the approval of the Findings for the Variation for Driveway Width.
 1. Applicant to work with staff on eliminating turning movements for trucks going west on George St.
 2. Applicant to work with staff on design and placement of the County Line Rd driveway.
 3. Staff recommends the Approval of the Findings and therefore the approval of the Findings for the Variation for Tree Replacement Rate.
 1. Additional trees shall be added to the site on the final landscape plan where feasible. If tree replacement rates cannot be fully met on the final landscape plan for the property, then applicant shall coordinate with staff to determine an appropriate fee-in-lieu for the remaining required tree replacement, to be approved by the Zoning Administrator.

BUDGET IMPACT:

NA

ACTION REQUIRED:

Approval of an Ordinance Denying a Special Use Permit, Medium Industrial, and Granting Variations, Driveway Width and Tree Replacement Rate Requirements for 740 County Line Road.

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
Cover Page	2/29/2024	Cover Memo
Aerial & Zoning	2/28/2024	Backup Material
Legal Notice	2/28/2024	Backup Material
Application	2/28/2024	Backup Material
Approval Standards 1	2/28/2024	Backup Material
Approval Standards 2	2/28/2024	Backup Material
Site Plans	2/28/2024	Backup Material
Truck Turn Exhibit	2/28/2024	Backup Material
Plat of Survey	2/28/2024	Backup Material
3rd Submittal	2/29/2024	Backup Material
Safety Data Sheets	2/29/2024	Backup Material

Additional Materials
Staff Report
Draft CDC Minutes
Draft Ordinance

3/28/2024
3/28/2024
4/8/2024
4/11/2024

Backup Material
Executive Summary
Backup Material
Ordinance



BENSENVILLE

GATEWAY TO OPPORTUNITY

**Community Development Commission
Public Hearing 3.05.24**

CDC Case #2024 – 03

**2540 Flournoy LLC
740 County Line Road**

**Site Plan Review
Municipal Code Section 10 – 3 – 2**

**Special Use Permit, Medium Industrial
Municipal code Section 10 – 7 – 2 – 1**

**Variation, Driveway Width Requirements
Municipal Code Section 10 – 8 – 8c**

**Variation, Tree Replacement Rate Requirements
Municipal Code Section 10 – 9 – 2B1**

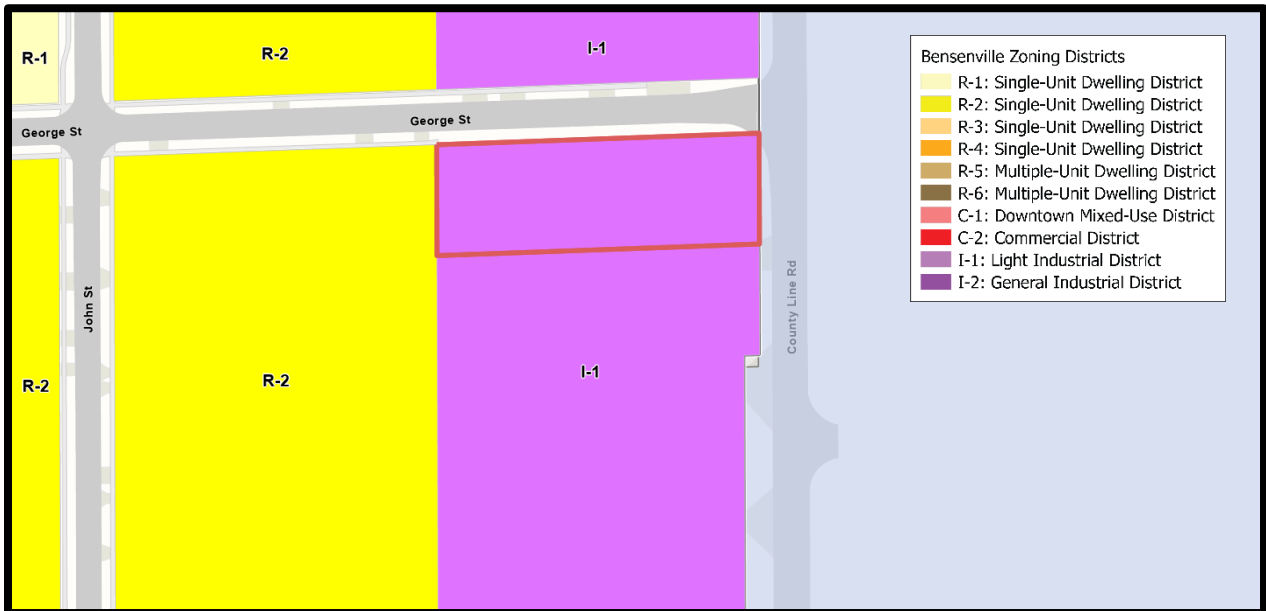
1. Aerial Photograph & Zoning Map of Subject Property
2. Legal Notice
3. Application
4. Staff Report & Exhibits
5. Plans







Village of Bensenville



**LEGAL NOTICE/PUBLIC NOTICE
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Meeting of the Community Development Commission of the Village of Bensenville, DuPage and Cook Counties, will be held on Tuesday, March 5, 2024 at 6:30 P.M, at which a Public Hearing will be held to review case No. 2024 – 03 to consider a request for:

Special Use Permit, Medium Industrial
Municipal Code Section 10 – 7 – 2 – 1

Variation, Driveway Width
Municipal Code 10 – 8 – 8C

Variation, Tree Removal Replacement Rate
Municipal Code 10 – 9 – 2B – 1

At 740 County Line Road is an existing I-1 Light Industrial District. The Public Hearing will be held in the Village Board room at Village Hall, 12 S. Center Street, Bensenville.

The Legal Description is as follows:

LOT 1 IN BLOCK 3 IN BENSENVILLE FARMS, BEING A SUBDIVISION IN SECTION 24, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 7, 1923 AS DOCUMENT 171311, IN DUPAGE COUNTY ILLINOIS.

2540 Flournoy LLC, represented by Ed Ivy, of 450 Ferguson Drive, Mountain View, California 94043, is the owner and applicant for the subject property.

Any individual with a disability requiring a reasonable accommodation in order to participate in any public meeting held under the authority of the Village of Bensenville should contact the Village Clerk, Village of Bensenville, 12 S. Center St., Bensenville, IL 60106, (630) 766-8200, at least three (3) days in advance of the meeting.

Applicant's application and supporting documentation may be examined by any interested parties in the office of the Community and Economic Development Department, Monday through Friday, in the Village Hall, 12 South Center Street, Bensenville, IL 60106. All interested parties may attend the Public Hearing and be heard. A link for electronic viewing will be posted on the Village website at least 48 hours prior to the meeting date. Written comments mailed to the Village Hall, and online comments submitted on the Village website, will be accepted by the Community and Economic Development Department through March 5, 2024 until 5:00 PM.

Office of the Village Clerk
Village of Bensenville

**TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT
FEBRUARY 15, 2024**



BENSENVILLE
COMMUNITY & ECONOMIC
DEVELOPMENT

COMMUNITY DEVELOPMENT
COMMISSION

**DEVELOPMENT
REVIEW PROCESS**

01.14.2021

PROCESS SUMMARY AND TIMELINE

1. Application Submittal and Requirements

Prior to submitting an application, it is suggested that applicants meet with the Community and Economic Development Staff to review the application requirements and procedures. Incomplete applications cannot be accepted and/or processed. All questions regarding the request should be directed to the Community and Economic Development Department at (630) 350- 3413.

2. Village Staff Review & Recommendations

1. Village Staff will transmit the complete application to Village Departments for their review.
2. The Village Staff then prepares a Staff report that is sent to the applicant.
3. The applicant shall respond to the Staff report either by making requested/required revisions or stating why such revisions should not be made.
4. Upon resubmittal the applicant's responses will be reviewed by the Village Departments.
5. Final Staff report and recommendation is prepared.
6. Only after this final Staff report and recommendation are complete can a Public Hearing date be scheduled and the public review portion of the process begins.

3. Public Review & Decision

There are three distinct sections to the Public Review; the Public Hearing before the CDC, the Village Board Committee of the Whole (COW) meeting, and the full Village Board meeting. All fees and Village Staff services associated with the Public Review can be found on the attached fee schedule. Not less than 15 days nor longer than 30 days prior to the Public Hearing a three-pronged notice approach is required:

1. The Village publishes a Legal Notice of the Public Hearing in a local newspaper. The cost is deducted from the application fees.
2. The Village will provide written notice to owners of record within 250' (exclusive of Rights – Of – Way). These written notices are sent via first-class mail by Village Staff. Village Staff will then complete the Certificate of Mailing Affidavit for the application. The cost of the mailing will be deducted from the application fees.
3. The Village posts the notice of Public Hearing sign(s) on the property. A small fee to be deducted from the application fees.

A) CDC Public Hearing & Non-binding Recommendation

The CDC conducts the Public Hearing on the 1st Tuesday evening of the month at 6:30 PM. The applicant, municipal Staff and general public will make presentations, written comments are also accepted. At the close of the Public Hearing, the CDC discusses the request and then makes Findings of Fact and a non-binding recommendation to the Village President and Board of Trustees.

B) Village Board Committee Of the Whole

The Committee Of the Whole meets on the 3rd Tuesday evening of the month at 6:30 PM. The committee reviews the application, Staff report Findings of Fact and recommendation from the CDC. The applicant should be present at this meeting to answer any questions or make a brief presentation if necessary. The COW will vote on the application and forward the vote to the full Village Board or remand the request back to the CDC for additional discussion.

C) Village Board

The full Village Board has the final decision making authority on the application. Our Village Board meets the 2nd and 4th Tuesday evening of the month at 6:30 PM. A draft Ordinance is prepared by Staff for the Village Board's review and consideration. The Board will discuss the request and vote on the Ordinance. The Village Clerk will forward a copy of the approved Ordinance to you in the weeks following the Village Board meeting.

For Office Use Only

Date of Submission: _____

MUNIS Account #: _____

CDC Case #: _____

COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: 740 County Line Road, Bensenville, IL

Property Index Number(s) (PIN): 0324406027

A. PROPERTY OWNER:

Ed Ivy	2540 Flourney LLC	
Name	Corporation (if applicable)	
<u>450 Ferguson Drive</u>		
Street		
<u>Mountain View</u>	<u>CA</u>	<u>94043</u>
City	State	Zip Code
<u>Ed Ivy</u>	<u>650-967-3085</u>	<u>ivye@autochlor.com</u>
Contact Person	Telephone Number	Email Address

*If Owner is a Land Trust, attach a list of the names and addresses of the beneficiaries of the Trust.

B. APPLICANT: ☒ Check box if same as owner

Name	Corporation (if applicable)	
Street		
City	State	Zip Code
Contact Person	Telephone Number	Email Address

B. ACTION REQUESTED (Check applicable):

- ☒ Site Plan Review
- ☒ Special Use Permit
- ☒ Variation
- ☐ Administrative Adjustment
- ☐ Zoning Text or Map Amendment
- ☐ Zoning Appeal
- ☐ Plat of Subdivision
- ☐ Annexation
- ☐ Planned Unit Development*

*See Staff for additional information on PUD requests

SUBMITTAL REQUIREMENTS:

- ☒ Affidavit of Ownership** (signed/notarized)
- ☒ Application**
- ☒ Approval Standards**
- ☒ Plat of Survey/Legal Description
- ☒ Site Plan
- ☒ Building Plans & Elevations
- ☒ Engineering Plans
- ☒ Landscape Plan
- ☒ Tree Preservation and Removal Plan
- ☒ Application Fees
- ☒ Fees agreement**

**Item located within this application packet.

Brief Description of Request(s): (Submit separate sheet if necessary)

New medium industrial facility in the I-1 district. This is an allowable special use within the district. Facility to be used for warehouse and processing of dishwashing detergents and sanitizers.

C. PROJECT DATA:

1. General description of the site: Currently vacant, proposed new dishwashing detergent facility
2. Acreage of the site: .965 Building Size (if applicable): ±16,000
3. Is this property within the Village limits? (Check applicable below)
 - ☒ Yes
 - ☐ No, requesting annexation
 - ☐ No, it is under review by another governmental agency and requires review due to 1.5 mile jurisdiction requirements.
4. List any controlling agreements (annexation agreements, Village Ordinances, site plans, etc.)

5. Character of the site and surrounding area:

	Zoning	Existing Land Use	Jurisdiction
Site:	I-1	Vacant	Bensenville
North:	I-1	Industrial / Commercial	Bensenville
South:	I-1	Industrial / Commercial	Bensenville
East:	I-2	General Industry	Franklin Park
West:	R-2	Single Family Home	Bensenville

D. APPROVAL STANDARDS:

The applicant must compose a letter describing how the request(s) specifically meets the individual criteria from the appropriate Approval Standards, found in Village Code and on the following pages. The CDC will be unable to recommend approval of a request without a response to the pertinent "Approval Standards."

□ Approval Standards For Site Plan Review

1. The site plan for the proposed development is consistent with the existing character and zoning of adjacent properties and other property within the immediate vicinity of the proposed development.
2. The site plan for the proposed development will not adversely impact adjacent properties and other properties within the immediate vicinity of the proposed development.
3. The site plan for the proposed development will be provided with adequate utilities, access roads, parking, loading, drainage, stormwater flow paths, exterior lighting, and/or other necessary facilities.
4. The site plan for the proposed development is designed to preserve the environmental resources of the zoning lot.
5. The site plan shall accommodate on-site pedestrian circulation from parking areas, plazas, open space, and public rights-of-way. Pedestrian and vehicular circulation shall be separated to the greatest extent possible.
6. The site plan shall locate curb cuts for safe and efficient ingress and egress of vehicles. The use of shared curb cuts and cross-access easements shall be provided when appropriate.
7. The site plan for the proposed development includes architectural design that contributes positively to the Village's aesthetic appearance.
8. The site plan for the proposed development is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

└ Approval Standards for Special Uses

1. The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.
2. The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.
3. The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.
4. The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.
5. The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

□ Approval Standards for Variations

1. The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.
2. The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.
3. The proposed variation alleviates an undue hardship created by the literal enforcement of this title.
4. The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.
5. The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.
6. The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

| Approval Standards for Administrative Adjustment

1. The proposed administrative adjustment will not endanger the health, safety, comfort, convenience, and general welfare of the public.
2. The proposed administrative adjustment is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed administrative adjustment.
3. The proposed administrative adjustment alleviates an undue hardship created by the literal enforcement of this title.
4. The proposed administrative adjustment is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.
5. The proposed administrative adjustment represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject adjustment.
6. The proposed administrative adjustment is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

□ Approval Standards for Zoning Text or Map Amendments

1. Approval standards for text amendments:
 - a. The proposed amendment will not endanger the health, safety, comfort, convenience, and general welfare of the public.
 - b. The proposed amendment corrects an error, adds clarification, or reflects a change in policy.
 - c. The proposed amendment is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.
2. Approval standards for map amendments:
 - a. The proposed amendment will not endanger the health, safety, comfort, convenience, and general welfare of the public.
 - b. The proposed amendment is compatible with the existing uses, character, and zoning of adjacent properties and other property within the immediate vicinity of the proposed amendment.
 - c. The proposed amendment provides a relative gain to the public, as compared to any hardship imposed upon an individual property owner.
 - d. The proposed amendment addresses the community need for a specific use.
 - e. The proposed amendment corrects an error, adds clarification, or reflects a change in policy.
 - f. The proposed amendment is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

□ Approval Standards for Planned Unit Developments

- A. The proposed planned unit development fulfills the objectives of the Comprehensive Plan, and other land use policies of the Village, through an innovative and creative approach to the development of land.
- B. The proposed planned unit development will provide walkways, driveways, streets, parking facilities, loading facilities, exterior lighting, and traffic control devices that adequately serve the uses within the development, promote improved access to public transportation, and provide for safe motor vehicle, bicycle, and pedestrian traffic to and from the site.
- C. The proposed planned unit development will provide landscaping and screening that enhances the Village's character and livability, improves air and water quality, reduces noise, provides buffers, and facilitates transitions between different types of uses.
- D. The proposed planned unit development will incorporate sustainable and low impact site design and development principles.
- E. The proposed planned unit development will protect the community's natural environment to the greatest extent practical, including existing natural features, water courses, trees, and native vegetation.
- F. The proposed planned unit development will be provided with underground installation of utilities when feasible, including electricity, cable, and telephone, as well as appropriate facilities for storm sewers, stormwater retention, and stormwater detention.

APPLICATION FEES

The fee schedule for items that require appearance before the Community Development Commission and/or Village Board as follows:

<u>ACTION REQUIRED</u>	<u>FEE</u>
Variation for Residential Use	\$100
Annexation Petition	\$250
Appeal of Director	\$500
Comprehensive Plan Map Amendment	\$500
Comprehensive Plan Text Amendment	\$500
Plat of Subdivision	\$500
Special Use Permit	\$500
Variation for Nonresidential Use	\$500
Zoning Map Amendment	\$500
Zoning Text Amendment	\$500
Planned Unit Development	\$750
PUD Amendment	\$500

Processing Fees: \$200

The Staff will provide, as a service to the applicant, the following as legally required:

- Publish the required legal notice in local publication
- Post a public hearing sign on the property visible from the public way
- Mail the legal notice to each property owner within 250 feet of the applicant property

Any required Recording of Documents will be the responsibility of the applicant with fees Assessed by the County.

****Application fees are non-refundable and payment does not constitute approval of project****

In cases where the developer is petitioning for more than one request, fees shall be collected for each request. An exception in instances where a planned unit development and subdivision plat are being requested simultaneously one fee is collected.

Reimbursement of Fees: In addition to the fixed fee(s) provided above, the petitioner/applicant shall enter into a reimbursement of fees agreement with the Village. The reimbursement of fees agreement shall encompass all applications or petitions pending with the Village, including any additional matters not set forth hereinabove. The reimbursement of fees agreement shall be in the following form:

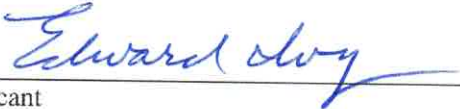
Should the Village, in its sole and exclusive discretion, determine that it is necessary or desirable for the Village to obtain professional services, including, but not limited to, attorneys, engineers, planners, architects, surveyors, court reporters, traffic, appraisers, environmental, drainage or other consultants, including full and/or part time site inspection services during the actual construction of any required improvements, and/or to incur costs related to any required notices or recordings, in connection with any Petition or Application filed by the Petitioner/Applicant, then the Petitioner/Applicant shall liable for the payment of such professional fees and costs, as shall actually be incurred by the Village, plus an additional ten percent (10%) to cover the Village's administrative expenses.

Upon the failure of the Petitioner/Applicant to reimburse the Village in accordance with this Agreement, no further action shall be undertaken on any Petition or Application by the Village President and Board of Trustees, or by any other official or quasi-official individual or body thereunder, including the conduct of any hearings or deliberations, the granting of any relief or approvals, and the execution or recording of any documents, until all such outstanding fees are paid in full. Further, the Village may deny any application for a grading, building or other permit if such amounts have not been paid in full. Upon any failure to reimburse the Village in accordance with this Section, the Village may in its discretion, elect to place a lien against any real property associated with the Petitioner/Applicant's Petition or Application. In the event such amounts are not paid in full within sixty (60) days after the date when the statement of such amounts due is delivered or deposited in the U.S. mail by the Village, such amounts due shall be deemed delinquent and thereafter a delinquency charge of one percent (1%) per month, or portion thereof, with a minimum delinquency charge of \$5.00 per month, shall be added to the amount due until such amount, including all delinquency charges, is received by the Village. Said lien shall be in an amount equal to the outstanding amount owed to the Village.

The remedies available to the Village as set forth hereinabove are non-exclusive and nothing herein shall be deemed to limit or waive the Village's right to seek relief of such fees against any or all responsible parties in a court of competent jurisdiction.

BY SIGNING BELOW, THE PETITIONER/APPLICANT ACKNOWLEDGES THAT THEY HAVE READ THE FOREGOING PARAGRAPHS AND FULLY UNDERSTANDS AND AGREES TO COMPLY WITH THE TERMS SET FORTH HEREIN. FURTHER, BY SIGNING BELOW, THE SIGNATORY WARRANTS THAT THEY POSSESS FULL AUTHORITY TO SO SIGN.

THE PETITIONER/APPLICANT AGREES THAT THEY SHALL BE LIABLE FOR PAYMENT OF FEES REFERRED TO IN APPLICABLE SECTIONS OF THE ORDINANCES OF THE VILLAGE OF BENSENVILLE, AND AS SET FORTH HEREIN.



Petitioner/Applicant

1-30-2024

Date

STATE OF ILLINOIS

)

)SS.

COUNTY OF DUPAGE AND COOK

)

AFFIDAVIT OF OWNERSHIP

I Edward Ivy the undersigned Affiant, being first duly sworn, on oath states:

1. That Affiant has personal knowledge of the representations and statements made herein, and has examined all necessary documents, records of ownership and such other information as is required to confirm the statements and representations herein;
2. That the owner(s) and contract purchaser(s), if any, as set forth on the Petition attached hereto is (are) the owner(s) of record and contract purchasers of said property;
3. That all consents to the attached Petition required of lenders or of others holding an interest in the property have been obtained;
4. This Affidavit of Ownership is given to induce the Village of Bensenville, without further inquiry as to ownership or purchase interest, to rely on said statements and representations and to process and set for Public Hearing the Petition as attached hereto; and,
5. Affiant is aware of and has been advised that any false statement set forth in this Affidavit of Ownership may subject Affiant to criminal sanctions for perjury, punishable as provided by the statutes of the State of Illinois in relation to the crime of perjury.

IN WITNESS WHEREOF, the undersigned has executed this Affidavit of Ownership this

30 day of, January, 2024.

Edward Ivy
Signature

SUBSCRIBED and SWORN to

before me this 30th day of, January, 2024.

See attached CA Not
Notary Public

JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Santa Clara

Subscribed and sworn to (or affirmed) before me on

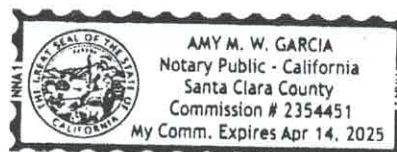
this 30th day of January, 20 24,

by Edward Iuy

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature AMG

(Seal)





charles vincent george
ARCHITECTS

January 31, 2024

Village of Bensenville
Community Development Commission
12 S. Center Street
Bensenville, IL 60106

Re: Auto Chlor System – Office and Warehouse Facility
740 County Line Road, Bensenville, IL 60106
CVG project # 2023-176

Dear Community Development Commission,

The following letter provides our responses to the Approval Standards for Site Plan Review and Special Uses for the proposed development located at 740 County Line Road.

Approval Standards for Site Plan Review Comments:

1. *The site plan for the proposed development is consistent with the existing character and zoning of adjacent properties and other property within the immediate vicinity of the proposed development.*

The subject parcel is zoned I-1. This aligns with the other adjacent properties to the north and south along County Line Road. The properties along the west side of County Line Road are primarily smaller industrial uses, and the uses on the east side are larger industrial. The parcel to the west is zoning R-2, a Single-Unit Dwelling District.

2. *The site plan for the proposed development will not adversely impact adjacent properties and other properties within the immediate vicinity of the proposed development.*

The proposed site plan will contain proposed truck movements within the site limits. While additional vehicular traffic is expected on-site compared to its existing vacant condition, adequate landscape screening is proposed along the western and southern property lines for neighboring properties. Additional landscape is also proposed along the northern property line to provide screening to George Street.

Proposed lighting will follow Village of Bensenville requirements and will limit the footcandles along the property lines.

3. *The site plan for the proposed development will be provided with adequate utilities, access roads, parking, loading, drainage, stormwater flow paths, exterior lighting, and/or other necessary facilities.*

Associated utilities for the proposed building include gas, electric, telecommunications, storm, sanitary, and water. Please refer to the included utility plan for details.

4. *The site plan for the proposed development is designed to preserve the environmental resources of the zoning lot.*

The existing site is currently open space with an existing curb cut to County Line Road. While the site will be paved as needed to accommodate vehicular movements on-site, additional plantings will be installed per Village of Bensenville requirements.

5. *The site plan shall accommodate on-site pedestrian circulation from parking areas, plazas, open space, and public rights-of-way. Pedestrian and vehicular circulation shall be separated to the greatest extent possible.*

The proposed site plan includes sidewalk for pedestrian traffic from public ROW and proposed ADA parking stalls. The site also accounts for a future right-of-way dedication along County Line Road.

6. *The site plan shall locate curb cuts for safe and efficient ingress and egress of vehicles. The use of shared curb cuts and cross-access easements shall be provided when appropriate.*

Two curb cuts are proposed as part of the development. One is located at the southeast corner of the site, connecting to County Line Road, and one is at the northwest corner of the site, connecting to George Street. The curb cuts are located as far from the existing intersection as possible to limit vehicular conflicts.

Truck movements have been analyzed using Vehicle Tracking software. A WB-67 truck has been modeled to enter the site from County Line Road and leave the site via George Street.

7. *The site plan for the proposed development includes architectural design that contributes positively to the Village's aesthetic appearance.*

The proposed development will adhere to the Village's design requirements for the industrial district including façade articulation and material standards. The proposed design includes a primarily natural colored stone or brick façade with accents of precast concrete wall panels. The building will follow suit with the architectural character of the Eastern Business District.

8. *The site plan for the proposed development is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.*

The site falls within the Eastern Business District of the Comprehensive Plan. The future use is proposed to be commercial/industrial flex. As part of the proposed improvements, stormwater drainage will be designed in accordance with the Village of Bensenville standards, and the DuPage County Countywide Stormwater & Floodplain Ordinance.

Approval Standards for Special Uses Comments:

1. *The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.*

The proposed medium industrial use will not pose any health, safety, comfort, convenience, or general welfare concerns. This facility will manufacture and distribute dishwashing detergents and sanitizers for commercial dishwashing. The manufacturing activity on site can be described as diluting commodity corrosive liquids in stainless steel tanks for transfer into consumer-sized bottles. All life safety systems required by the building code will be provided, including secondary containment.

2. *The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.*

The proposed medium industrial use is compatible with the adjacent properties within the industrial zone of Bensenville and the adjacent industrial area of Franklin Park. It does not represent a significant change in use from the neighboring properties.

3. *The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.*

The proposed medium industrial use will not impede the development and improvement of adjacent properties within the immediate vicinity. This use is similar to the existing adjacent properties in the area.

4. *The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.*

The proposed special use will not require any disproportionate needs or demand that would place an undue burden upon the existing development in the area. These items are expected to be typical for a facility of this size.

5. *The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.*

The proposed special use does not represent a significant change in use from the neighboring properties, or allowable uses under the Village's Zoning Ordinance. The Village's Comprehensive Plan identified several vacant and underutilized properties available for redevelopment in the Eastern Business District, which would include the proposed site for this special use. The medium industrial use is consistent with the surrounding character of the Village.

Please do not hesitate to contact us if you have any questions, or if any additional information should be necessary.

Sincerely,

A handwritten signature in blue ink, appearing to read 'AGC' with a stylized flourish.

Matthew D. Cronin, AIA
Charles Vincent George Architects, Inc.



charles vincent george
ARCHITECTS

February 8, 2024

Village of Bensenville
Community Development Commission
12 S. Center Street
Bensenville, IL 60106

Re: Auto Chlor System – Office and Warehouse Facility
740 County Line Road, Bensenville, IL 60106
CVG project # 2023-176

Dear Community Development Commission,

The following letter provides our responses to the Approval Standards for Variations for the proposed development located at 740 County Line Road. Based on initial feedback from Village Staff there are two items that require variations in the current design. We have outlined these items below and have provided responses to the Approval Standards for Variations.

As outlined in Village Code section 10-9-2B1, the applicant shall immediately pay the Village an amount equal to the full value of the tree to be removed if it is not replaced within one year of date of approval. We have reviewed this item with the Village Forestry Division and both agree that overplanting is a concern if we were to replace the trees as outlined in the Village code. We are proposing to provide replacement trees for a portion of the trees removed on site, while paying the fee as outlined in the section referenced above for the remaining trees.

Both driveways providing access to the site exceed the maximum allowable width laid out in the zoning code. This is required to accommodate the truck turning radius for the larger vehicles that need to pass through the site. This is consistent with the character of the surrounding industrial area.

Approval Standards for Variations:

1. *The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.*

Tree Removal: In discussions with the Village Forestry Division, overplanting on site is a concern. The amount of trees required may affect the chances of survival of the proposed trees. The Owner is open to a discussion as to what the best route forward is. Paying the applicable fee to reduce the number of trees does not endanger the health, safety, comfort, convenience, and general welfare of the public.

Driveway: Due to the trucks that will enter the site, wider driveways are required on the east and north sides of the site. Truck turning movement diagrams have been included as part of this submittal, showing the truck path to the loading dock, and leaving the site. Driveways have been sized as efficiently as possible to meet the needs of the site. The larger driveways do not represent a danger to the health, safety, comfort, convenience, and general welfare of the public.

2. *The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.*

Tree Removal: The proposed planting plan will improve the landscape of the current site, and will align with the adjacent uses.

Driveway: The proposed driveway is compatible with the character of the adjacent properties to the north, east, and south. The area is predominantly industrial, as is the proposed use. Various driveways along County Line Road appear to be similar widths, also exceeding the Village of Bensenville allowable widths.

3. *The proposed variation alleviates an undue hardship created by the literal enforcement of this title.*

Tree Removal: As noted above, the hardship is dependent on the Village Forestry Division's interpretation of how close trees can be to survive and overcrowding on site. Paying the fee in lieu of replacement will still provide benefit to the Village for the trees being removed, while ensuring success of the replacement trees planted on site.

Driveway: Without a variance for the driveway width, the end user will not be able to conduct the required business operations on site. The end user requires a WB-67 truck to pass through the site for deliveries critical to the functionality of the business.

4. *The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.*

Tree Removal: Due to the necessary truck movements through the site, width of the parcel, building size, required parking, and setbacks, the open space available to provide replacement trees is limited. This creates a challenge fitting the required number of tree replacement per Village code.

Driveway: Due to the width of the property, it is not feasible to achieve the standard driveway width per Village code. Different vehicle movement patterns have been analyzed to understand alternatives, and the presented site plan results in the least chance of truck movements into George Street or County Line Road.

5. *The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.*

Tree Removal: The design team has provided tree spacing which provides enough space to ensure growing success. As noted above, the landscape design will defer to the Village Forestry Department as to what is the best long-term approach for tree locations. Additional trees which are not being replaced will be accounted for via the fee in lieu.

Driveway: Driveway widths have been made only as wide as necessary to accommodate the incoming and outgoing truck movements.

6. *The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.*

Tree Removal: The planting and tree selection will follow Village Code and the Commercial / Industrial flex use within the Eastern Business District requirements in the Comprehensive Plan.

Driveway: The proposed use and driveway width align with the uses listed in the Eastern Business District within the Comprehensive Plan.

Please do not hesitate to contact us if you have any questions, or if any additional information should be necessary.

Sincerely,



Matthew D. Cronin, AIA
Charles Vincent George Architects, Inc.

Drawing name: K:\GIS_LDE\268230004_CVG_AutoChlor Bensenville\2 Design\CAD\PlanSheets\0.0 - TITLE SHEET.dwg 0.0 Feb 06, 2024 4:42pm By: Joseph.Dalio
This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

PRELIMINARY ENGINEERING PLANS

AUTO-CHLOR

740 COUNTY LINE ROAD

BENSENVILLE, IL 60106



UTILITY AND GOVERNING AGENCY CONTACTS

PLANNING DEPARTMENT
VILLAGE OF BENSENVILLE
12 SOUTH CENTER ST.
BENSENVILLE, IL 60106
TEL: (630) 350-3396
CONTACT: KURTIS POZSGAY, A.I.C.P. DIRECTOR

SANITARY/STORM/WATER SERVICE
VILLAGE OF BENSENVILLE, PUBLIC WORKS
12 SOUTH CENTER ST.
BENSENVILLE, IL 60106
TEL: (630) 594-1196
EMAIL: MPATEL@BENSENVILLE.IL.US
CONTACT: MEHUL PATEL

PUBLIC WORKS DEPARTMENT
VILLAGE OF BENSENVILLE
717 E. JEFFERSON STREET,
BENSENVILLE, IL 60106
TEL: (630) 350-3431
EMAIL: JCARACCI@BENSENVILLE.IL.US
CONTACT: JOSEPH M. CARACCI, P.E.
TEL: (630) 594-1196
EMAIL: WWW.BENSENVILLE.IL.US
CONTACT: JEFFREY MACZKO, P.E.

COOK COUNTY DEPARTMENT OF TRANSPORTATION
69 WEST WASHINGTON ST, 24TH FLOOR
CHICAGO, IL 60602
TEL: (312) 603-1670
EMAIL: HWY.PERMIT@COOKCOUNTYIL.GOV

NATURAL GAS COMPANY
NICOR GAS
TEL: (847) 598-4011
EMAIL: FSHAH@SOUTHERNCO.COM
CONTACT: FORAM SHAH

WEST SHORE/ BUCKEYE
TEL: (219) 741-0201
EMAIL: JOLTHOFF@BUCKEYE.COM
CONTACT: JANA OLTHOFF

POWER COMPANY
COMED
TEL: (630) 705-7439
CONTACT: VITO PICENO

TELEPHONE
VERIZON
TEL: (312) 617-2131
EMAIL: JOE.CHANEY@VERIZON.COM
CONTACT: JOE B. CHANEY JR.

FIBER OPTIC
CROWN CASTLE FIBER
TEL: (847) 370-7617
EMAIL: MICHAEL.KYRIAZAKOS@CROWNCastle.COM
CONTACT: MICHAEL KYRIAZAKOS

PROJECT TEAM

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CHARLES VINCENT GEORGE ARCHITECTS
1245 E. DIEHL ROAD, SUITE 101
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G2 CONSULTING
1186 HEATHER DRIVE
LAKE ZURICH, IL 60047
TEL: (847) 353-8740
FAX: (847) 353-8742
CONTACT: ANTHONY L. POISSON, P.E.

TRAFFIC ENGINEER
RORY FANCIER-SPLITT, AICP, PTP
KIMLEY-HORN | 4201 WINFIELD ROAD, STE. 600
WARRENVILLE, IL 60555
TEL: (630) 487-3395
WWW.KIMLEY-HORN.COM

CIVIL ENGINEER
KIMLEY-HORN AND ASSOCIATES, INC.
4201 WINFIELD RD, SUITE 600
WARRENVILLE, IL 60555
TEL: (630) 487-5550
EMAIL: JOHN.GROSS@KIMLEY-HORN.COM
CONTACT: JOHN GROSS, P.E. LEED AP BD+C

LANDSCAPE ARCHITECT
JOSEPH COGSWELL, PLA (CA6303,IL,MI) ISA
CERTIFIED ARBORIST
KIMLEY-HORN | 4201 WINFIELD ROAD, STE. 600
WARRENVILLE, IL 60555
TEL: (331) 684-8940
WWW.KIMLEY-HORN.COM

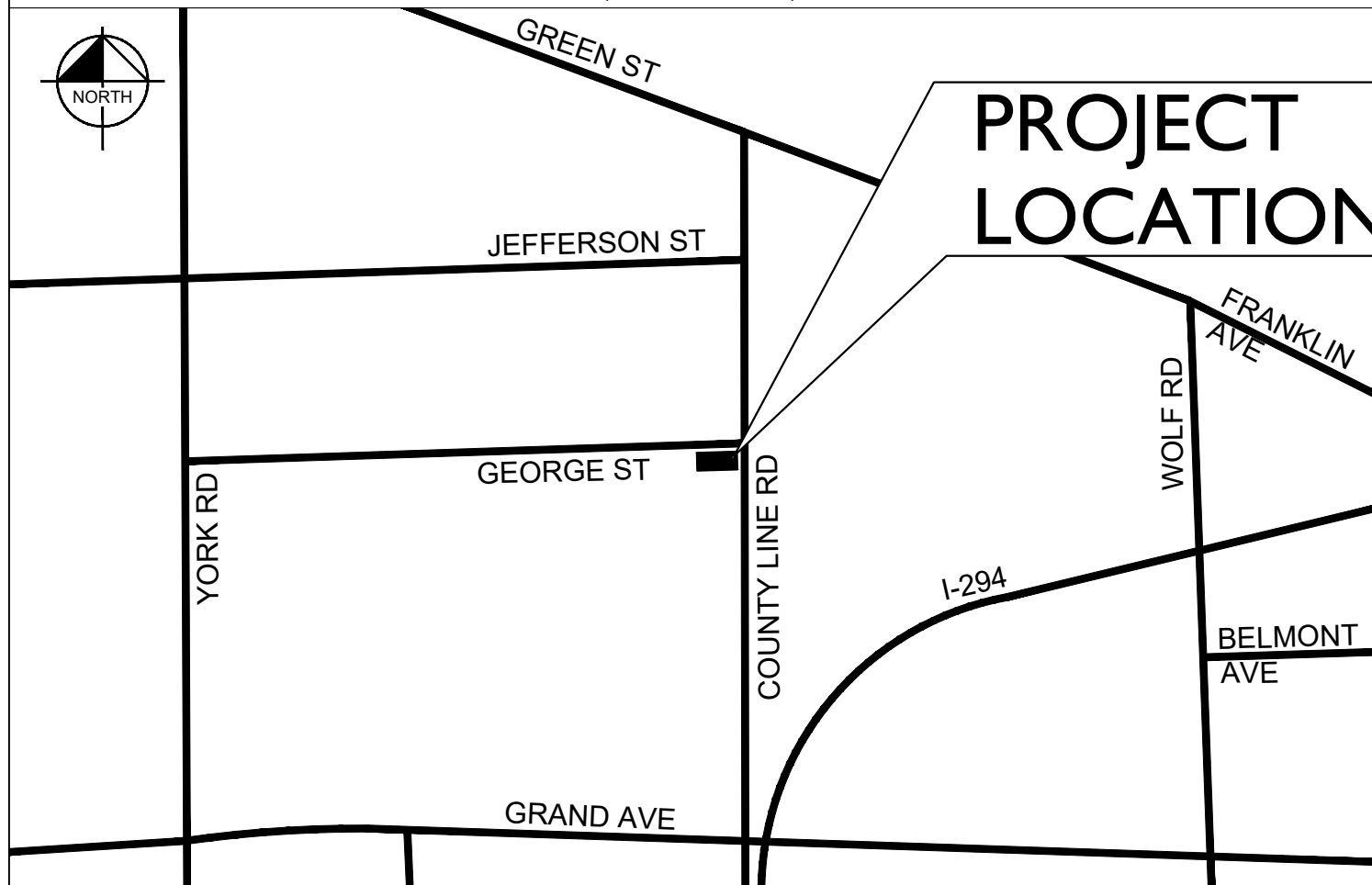
SURVEYOR
SCOTT C. KREBS, P.L.S.
VICE PRESIDENT
COMPASS SURVEYING, LTD.
2631 GINGER WOODS PKWY, SUITE 100
AURORA, ILLINOIS 60502
TEL: (630) 820-9100
FAX: (630) 820-7030
WWW.CLSURVEYING.COM

LEGAL DESCRIPTION

PART OF THE SOUTHEAST QUARTER OF SECTION 24,
TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD
PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

LOCATION MAP

(NOT TO SCALE)



PROJECT
LOCATION

BENCHMARKS

REFERENCE BENCHMARK #1
DUPAGE COUNTY BENCHMARK PID:DK3300
STATION IS LOCATED AT THE NORTHWEST CORNER OF
THE INTERSECTION OF ILLINOIS HIGHWAY 83 AND 3RD
AVENUE TO THE EAST AND OAK MEADOWS DRIVE TO
THE WEST. STATION IS 46.4 FEET NORTH OF TRAFFIC
SIGNAL POST, 28.0 FEET EAST OF A POWER POLE, AND
13.0 FEET WEST OF THE WEST EDGE OF THE PAVED
SHOULDER OF HIGHWAY 83. MONUMENT IS A BRASS
DISK 1.0 FEET BELOW GRADE ON THE CENTER OF A
HEADWALL.

DATUM: NAVD 88
ELEVATION = 685.93

REFERENCE BENCHMARK #2
DUPAGE COUNTY BENCHMARK PID:ME1695
STATION IS LOCATED AT THE SOUTHWEST CORNER OF
THE INTERSECTION OF STATE HIGHWAY 83 AND
SHERWOOD DRIVE. STATION IS 33.5 FEET SOUTH OF
THE CENTERLINE OF SHERWOOD DRIVE, 108.0 FEET WEST
OF THE CENTERLINE OF STATE HIGHWAY 83, AND 1.0
FEET SOUTH OF THE SOUTH BRICK WALL FOR THE
ENTRANCE TO THE ROYAL OAK SUBDIVISION.
MONUMENT IS FLUSH WITH THE GROUND.

ELEVATION = 694.5

SITE BENCHMARKS:
(LOCATIONS SHOWN ON SURVEY)

SITE BENCHMARK #1
CROSS CUT ON ARROW BOLT ON FIRE HYDRANT AT THE
NORTHEAST CORNER OF SUBJECT SITE.

ELEVATION = 663.03

SITE BENCHMARK #2
CROSS CUT ON ARROW BOLT ON HYDRANT NORTH SIDE
OF GEORGE STREET NORTHWEST CORNER OF SUBJECT
SITE.
ELEVATION = 663.43

Sheet List Table

Sheet Number	Sheet Title
C0.0	TITLE SHEET
C1.0	GENERAL NOTES
C2.0	EXISTING CONDITIONS & DEMO PLAN
C3.0	SITE PLAN
C4.2	EROSION CONTROL DETAILS
C5.0	GRADING PLAN
C6.0	UTILITY PLAN
L0.0	TREE PRESERVATION & REMOVAL PLAN
L1.0	LANDSCAPE PLAN
L2.0	LANDSCAPE NOTES & DETAILS

PROFESSIONAL ENGINEER'S CERTIFICATION

I, JOHN GROSS, A LICENSED PROFESSIONAL ENGINEER OF IL, HEREBY CERTIFY
THAT THIS SUBMISSION, PERTAINING ONLY TO THE "C" SERIES CIVIL SHEETS
LISTED ABOVE BUT EXCLUDING DETAILS PREPARED BY OTHERS, WAS PREPARED
ON BEHALF OF CVG ARCHITECTS, INC. BY KIMLEY-HORN AND ASSOCIATES, INC.
UNDER MY PERSONAL DIRECTION. THIS TECHNICAL SUBMISSION IS INTENDED TO
BE USED AS AN INTEGRAL PART OF AND IN CONJUNCTION WITH THE PROJECT
SPECIFICATIONS AND CONTRACT DOCUMENTS.

DATED THIS 12TH DAY OF FEBRUARY, A.D., 2024.

IL LICENSED PROFESSIONAL ENGINEER 062-072176
MY LICENSE EXPIRES ON NOVEMBER 30, 2025
DESIGN FIRM REGISTRATION NUMBER: 184002012-0006



Kimley»Horn
© 2024 KIMLEY-HORN AND ASSOCIATES, INC.
4201 WINFIELD ROAD, SUITE 600
WARRENVILLE, IL 60555
PHONE: 630-487-5550
WWW.KIMLEY-HORN.COM

SCALE:
AS NOTED
DESIGNED BY: JMD
DRAWN BY: EC
CHECKED BY: JWG

charles vincent george
ARCHITECTS

TITLE SHEET

AUTO-CHLOR

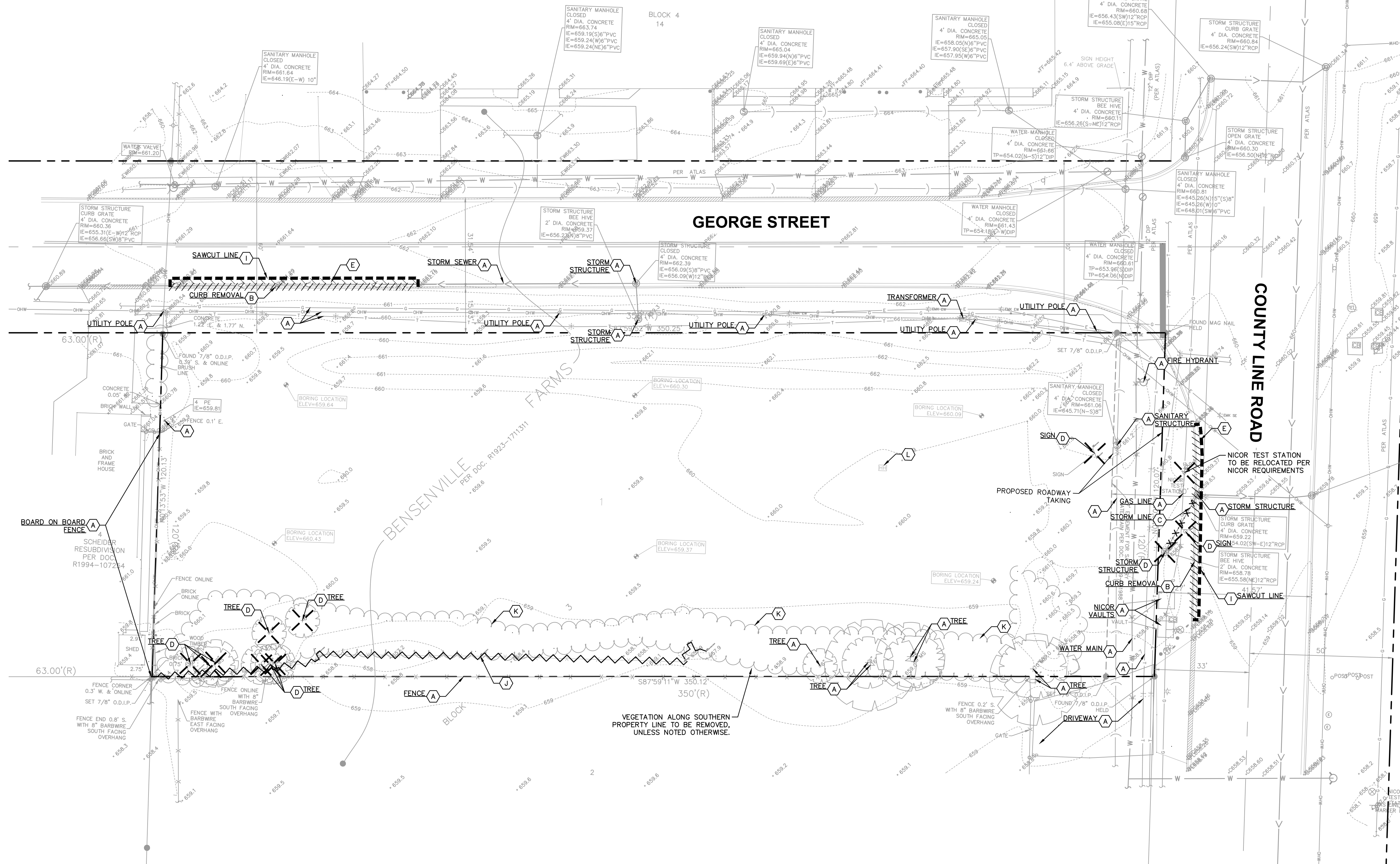
740 COUNTY LINE ROAD
BENSENVILLE, IL 60106

ORIGINAL ISSUE:
01-04-2024

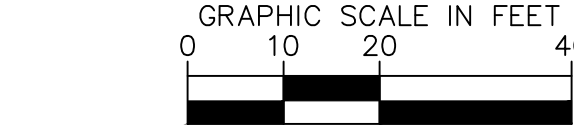
KHA PROJECT NO.
268230004

SHEET NUMBER

C0.0



**WARNING: CONTRACTOR TO
VERIFY PRESENCE AND EXACT
LOCATION OF ALL UTILITIES
PRIOR TO CONSTRUCTION.**



Call
Before
You Dig
JULIE
1-800-892-0123

DEMOLITION NOTES

1. CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL OF THE EXISTING STRUCTURES, RELATED UTILITIES, PAVING, AND ANY OTHER EXISTING IMPROVEMENTS AS NOTED.
2. CONTRACTOR IS TO REMOVE AND DISPOSE OF ALL DEBRIS, RUBBISH AND OTHER MATERIALS RESULTING FROM PREVIOUS AND CURRENT DEMOLITION OPERATIONS. DISPOSAL WILL BE IN ACCORDANCE WITH ALL LOCAL, STATE AND/OR FEDERAL REGULATIONS GOVERNING SUCH OPERATIONS.
3. THE GENERAL CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASES OF THIS PROJECT. THE CONTRACTOR WILL BE HELD SOLELY RESPONSIBLE FOR ANY DAMAGES TO THE ADJACENT PROPERTIES OCCURRING DURING THE CONSTRUCTION PHASES OF THIS PROJECT. CONTRACTOR SHALL NOT DEMOLISH ANYTHING OUTSIDE THE OWNERS LEASE/PROPERTY LINE UNLESS SPECIFICALLY MENTIONED ON THIS SHEET.
4. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, SURVEY MEASUREMENTS. CONTRACTOR SHALL BE ADVISED THAT CONTRACTOR IS RELIED UPON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES.
5. IF DEMOLITION OR CONSTRUCTION ON SITE WILL INTERFERE WITH THE ADJACENT PROPERTY OWNER'S TRAFFIC FLOW, THE CONTRACTOR SHALL COORDINATE WITH ADJACENT PROPERTY OWNER, TO MINIMIZE THE IMPACT ON TRAFFIC FLOW. TEMPORARY RE-ROUTING OF TRAFFIC IS TO BE ACCOMPLISHED BY USING IDOT APPROVED TRAFFIC BARRICADES, BARRELS, AND/OR CONES. TEMPORARY SIGNAGE AND FLAGMEN MAY BE ALSO NECESSARY.
6. QUANTITIES DEPICTED ON THIS SHEET SHALL SERVE AS A GUIDE ONLY. CONTRACTOR TO VERIFY ALL DEMOLITION QUANTITIES.
7. REFER TO GEOTECHNICAL REPORT PROVIDED BY OTHERS FOR ALL SUBSURFACE INFORMATION.
8. CONTRACTOR SHALL BEGIN CONSTRUCTION OF A LIGHT POLE BASES FOR RELOCATED LIGHT FIXTURES AND RELOCATION OF ELECTRICAL SYSTEM AS SOON AS DEMOLITION BEGINS. CONTRACTOR SHALL BE AWARE THAT INTERRUPTION OF POWER TO ANY LIGHT POLES OR SIGNS SHALL NOT EXCEED 24 HOURS.
9. EROSION CONTROL MUST BE ESTABLISHED PRIOR TO ANY WORK ON SITE INCLUDING DEMOLITION.
10. THE EXTENT OF SITE DEMOLITION WORK IS AS SHOWN ON THE CONTRACT DOCUMENTS AND AS SPECIFIED HEREIN.
11. CONTRACTOR MUST RECEIVE APPROVAL FROM CIVIL ENGINEER AND GEOTECHNICAL ENGINEER FOR THE MATERIAL TYPE AND USE IF CONTRACTOR DESIRES TO REUSE DEMOLISHED SITE PAVEMENT AS STRUCTURAL FILL.
12. EXISTING UTILITIES, WHICH DO NOT SERVICE STRUCTURES BEING DEMOLISHED, ARE TO BE KEPT IN SERVICE AND PROTECTED AGAINST DAMAGE DURING CONSTRUCTION OPERATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR OFF OF UTILITIES SERVING STRUCTURES TO BE DEMOLISHED. CONTRACTOR IS RESPONSIBLE FOR TURNING OFF, DISCONNECTING, AND SEALING INDICATED UTILITIES BEFORE STARTING CONSTRUCTION. UTILITIES TO BE ABANDONED ARE TO BE CAPPED AT BOTH ENDS AND FILLED WITH FA-1 OR APPROVED EQUAL. ALL UNDERGROUND UTILITIES TO BE REMOVED ARE TO BE BACKFILLED WITH ENGINEERED FILL OR SELECT EXCAVATED MATERIAL, AS REQUIRED BY THE DESIGNER. OWNER OF ANY DISCREPANCIES IMMEDIATELY REPORT DENSITY WITHIN PAVED AREAS AND TO 90% OF MODIFIED PROCTOR DENSITY FOR GREEN SPACE AREAS, IN ACCORDANCE WITH THE EARTHWORK CONSTRUCTIONS. UTILITIES TO BE REMOVED ARE GAS, WATER, FIBER OPTIC, GAS) SHALL BE REMOVED AND RELOCATED PER THE UTILITY OWNER AND THE LOCAL MUNICIPALITY'S REQUIREMENTS.
13. UNDERGROUND UTILITIES SHOWN ARE BASED ON ATLASES AND AVAILABLE INFORMATION PRESENTED AT THE TIME OF SURVEY. CONTRACTOR SHOULD CALL "JULIE" (1-800-892-0123) TO COORDINATE FIELD LOCATIONS OF EXISTING UNDERGROUND UTILITIES BEFORE ORDERING MATERIALS OR COMMENCING CONSTRUCTION. NOTIFY OWNER OF ANY DISCREPANCIES IMMEDIATELY. CONTRACTOR SHALL LOCATE AND PROTECT EXISTING UNDERGROUND AND OVERHEAD UTILITIES DURING CONSTRUCTION. UTILITY PROTECTION SHALL BE COORDINATED WITH THE DESIGNER. CONTRACTOR SHALL BE RESPONSIBLE FOR THE GOVERNING MUNICIPALITY. DAMAGED CABLES/CONDUITS SHALL BE REPLACED IMMEDIATELY. ALL EXISTING STRUCTURES TO REMAIN SHALL BE PROTECTED THROUGHOUT THE CONSTRUCTION PROCESS. ALL DAMAGED STRUCTURES SHALL BE REPAIRED IN-KIND BEFORE THEIR ENGINEER OR COS SHALL BE CONSIDERED INCIDENTAL TO THE CONTRACT. PROPER NOTIFICATION TO THE OWNERS OF THE EXISTING UTILITIES SHALL BE MADE AT LEAST 48 HOURS BEFORE CONSTRUCTION COMMENCES.
14. USE WATER SPRINKLING, TEMPORARY ENCLOSURES, AND OTHER SUITABLE METHODS TO LIMIT DUST AND DIRT RISING AND SCATTERING IN THE AIR TO THE NEAREST FEASIBLE LEVEL. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING TO ENVIRONMENTAL PROTECTION. SEE EROSION CONTROL SHEETS FOR FURTHER EROSION CONTROL REQUIREMENTS.
15. COMPLETELY FILL BELOW-GRADE AREAS AND VOIDS RESULTING FROM DEMOLITION OF STRUCTURES TO THE FINAL LINES AND GRADES SHOWN ON THE CONTRACT DOCUMENTS. BACKFILL MATERIAL SHALL BE IDOT APPROVED CRUSHED LIMESTONE (CRUSHED LIMESTONE) OR EQUAL. USE SATISFACTORY SOIL MATERIALS CONSISTING OF STONE, GRAVEL, SAND, FREE FROM DEBRIS, TRASH, FROZEN MATERIALS, ROOTS AND OTHER ORGANIC MATTER. PRIOR TO BACKFILLING OF EXCAVATIONS, CONTRACTOR SHALL REMOVE ALL REMAINS OF STANDING WATER, FROST, FROZEN MATERIAL, TRASH AND DEBRIS. PLACE FILL MATERIALS IN HORIZONTAL LAYERS NOT EXCEEDING 9" IN LOOSE DEPTH. COMPACT EACH LAYER AT OPTIMUM MOISTURE CONTENT OF FILL MATERIAL TO MEET A MODIFIED PROCTOR DENSITY UNLESS SUBSEQUENT EXCAVATION FOR NEW WORK IS REQUIRED.

DEMOLITION LEGEND

- | | | |
|-----|---------|--|
| (A) | | ITEM TO REMAIN, PROTECT DURING CONSTRUCTION |
| (B) | //// | CURB REMOVAL |
| (C) | X · X · | UTILITY REMOVAL |
| (D) | | ITEM TO BE REMOVED |
| (E) | | FULL-DEPTH ASPHALT PAVEMENT REMOVAL |
| (F) | | CONCRETE REMOVAL |
| (G) | | BUILDING REMOVAL |
| (H) | | ASPHALT 1.5" MILL |
| (I) | | SAWCUT LINE |
| (J) | | FENCE REMOVAL |
| (K) | | VEGETATION ALONG SOUTHERN PROPERTY LINE TO BE REMOVED, UNLESS OTHERWISE NOTED. |
| (L) | | CONTRACTOR TO COORDINATE HANDHOLE REMOVAL PER PROVIDER REQUIREMENTS |

EXISTING CONDITIONS & DEMO PLAN

AUTO-CHLOR

740 COUNTY LINE ROAD
BENSEVILLE, IL 60106

ORIGINAL ISSUE:
01-04-2024
KHA PROJECT NO
268230004

C2.0

SCALE:

AS NOTED

DESIGNED BY: JMD

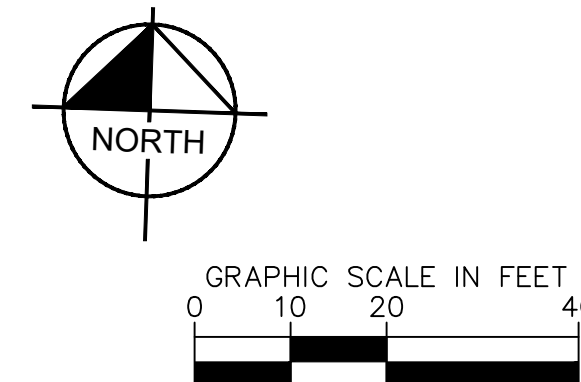
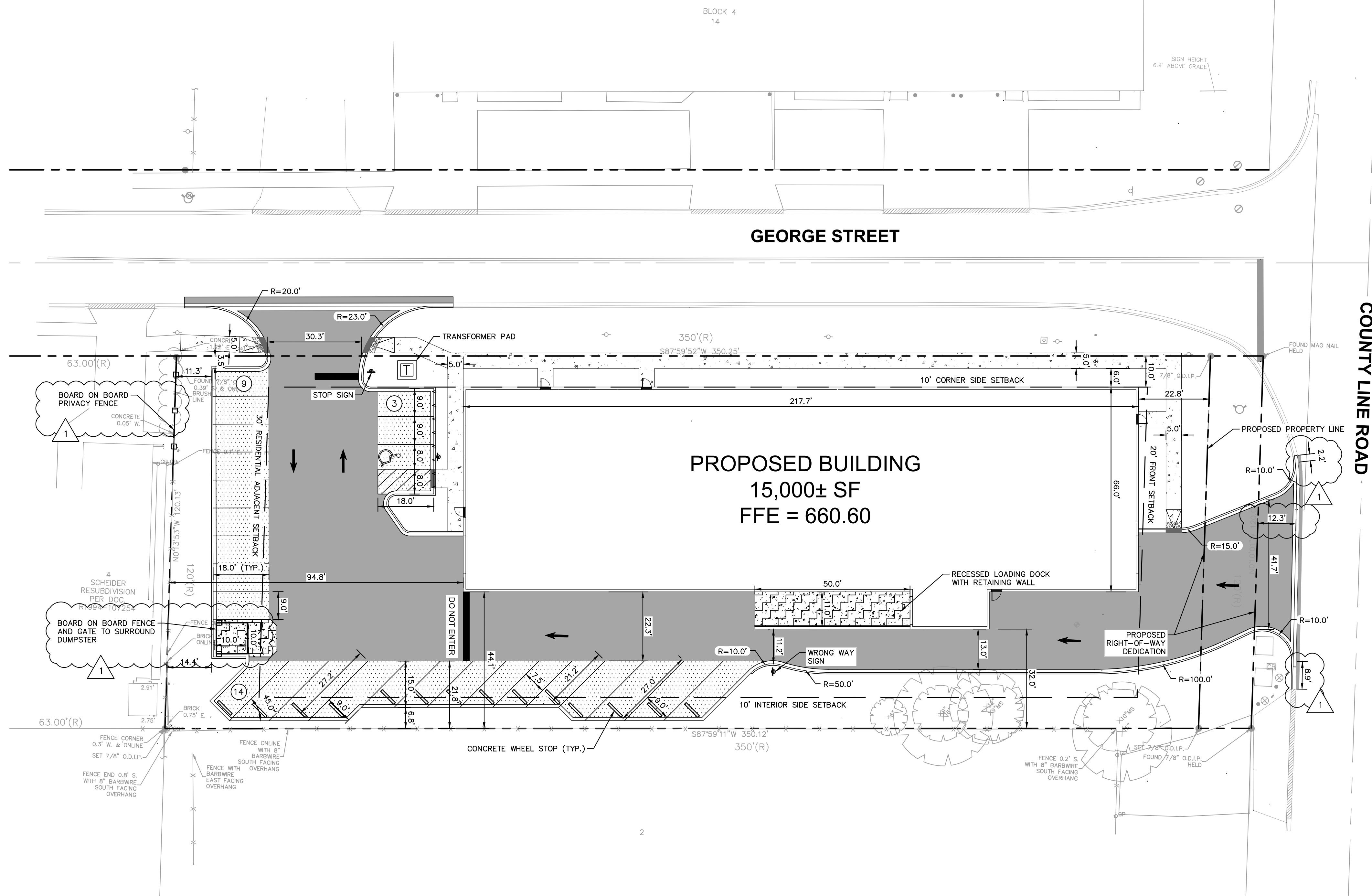
Kimley»Horn

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4301 WINFIELD ROAD SUITE 600

4201 HINFIELD ROAD, JUNE 000
WARRENVILLE, IL 60555

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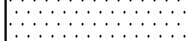

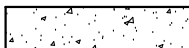
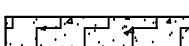
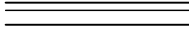
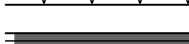



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JULIE
1-800-892-0123

GENERAL NOTES

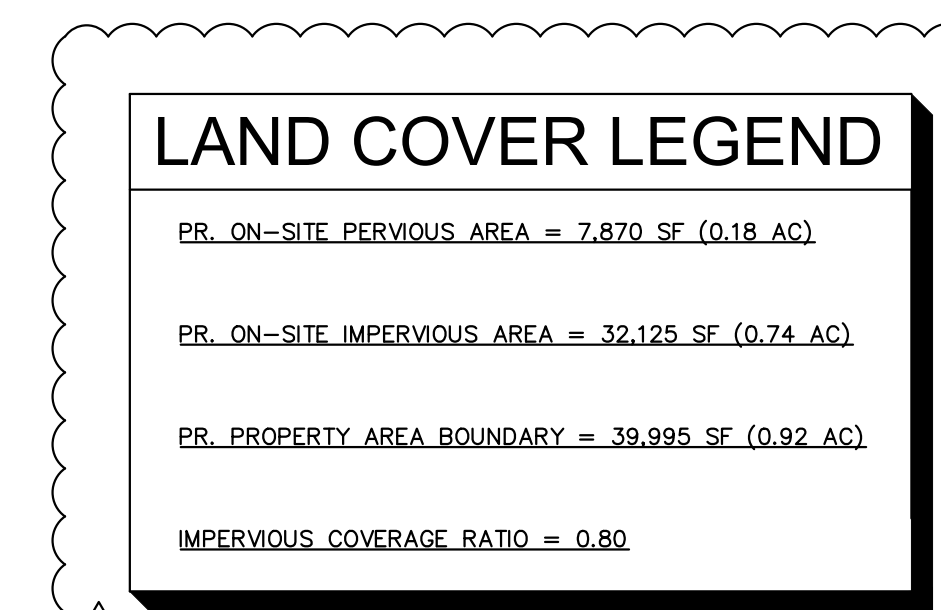
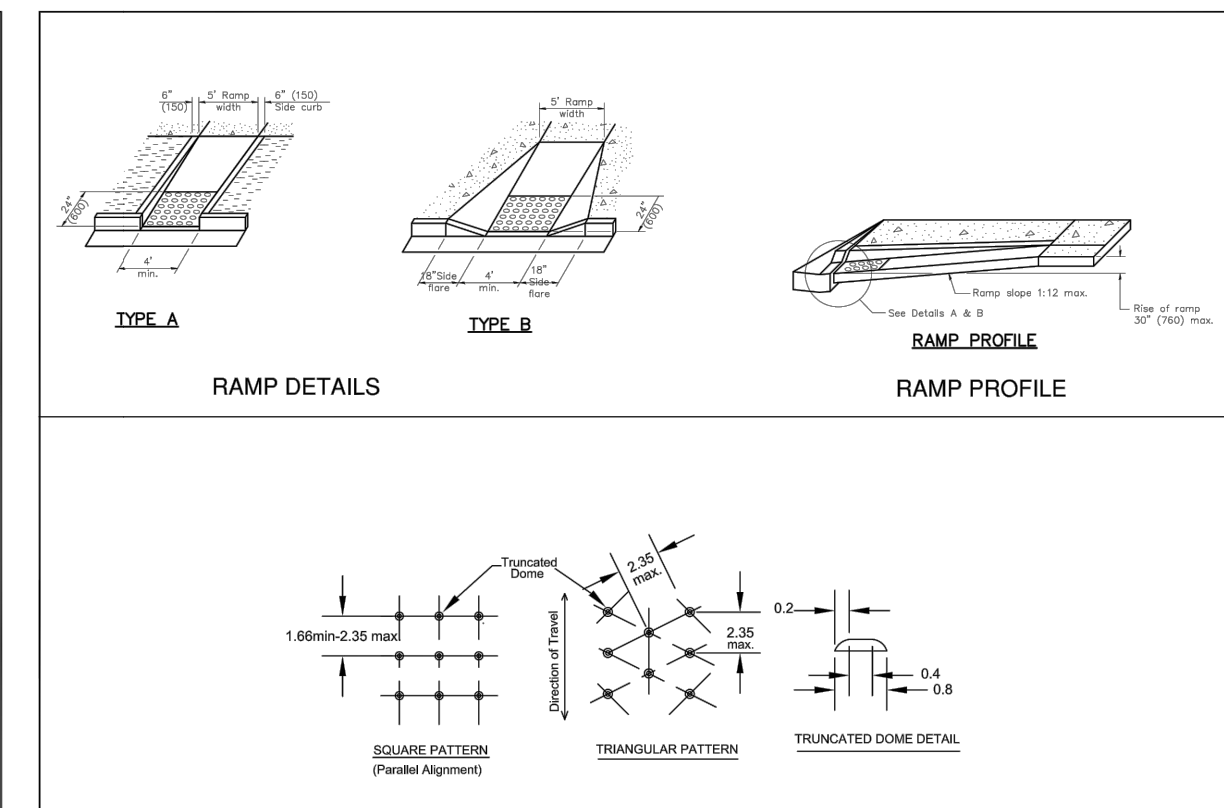
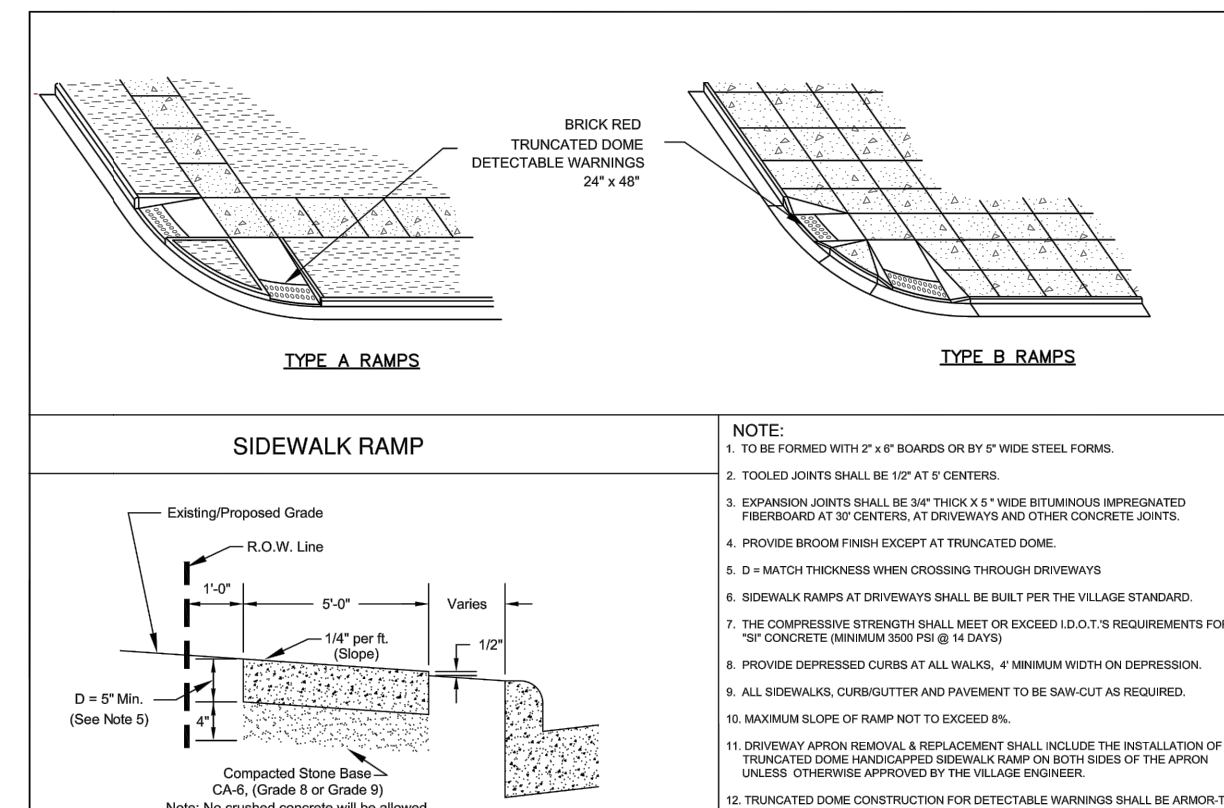
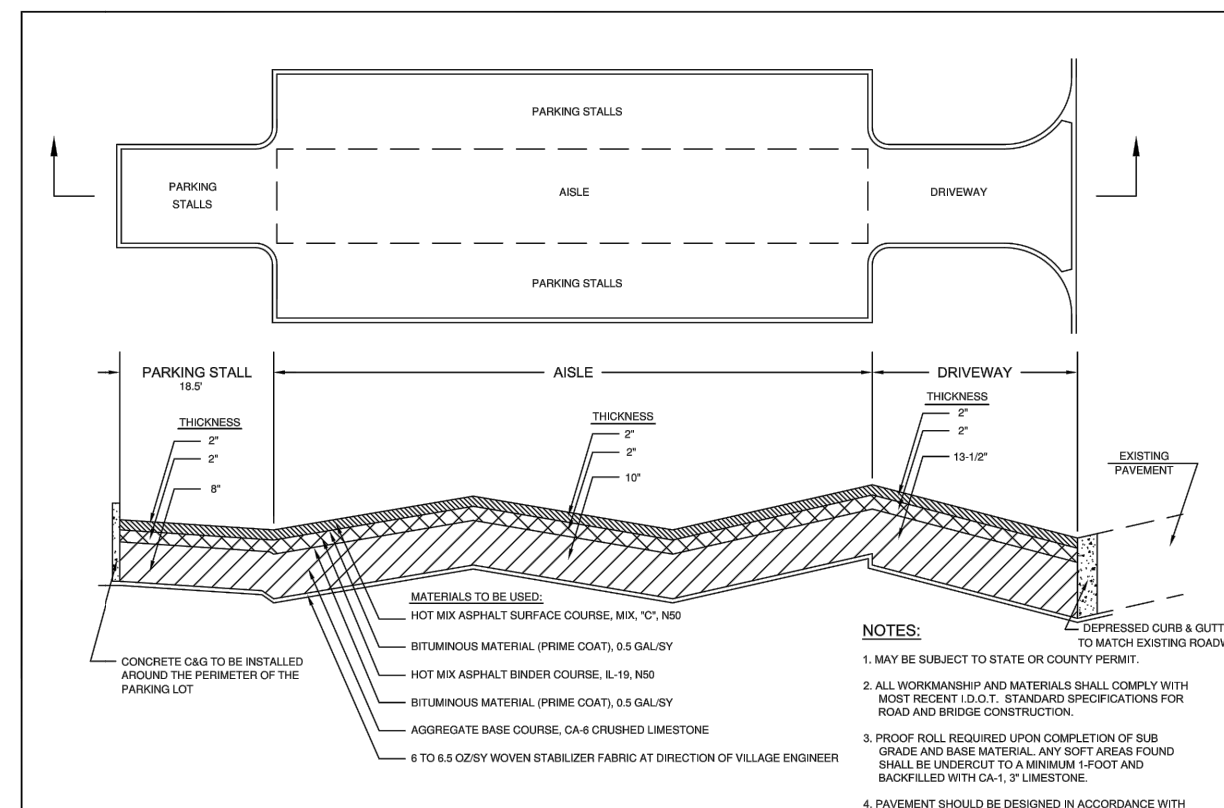
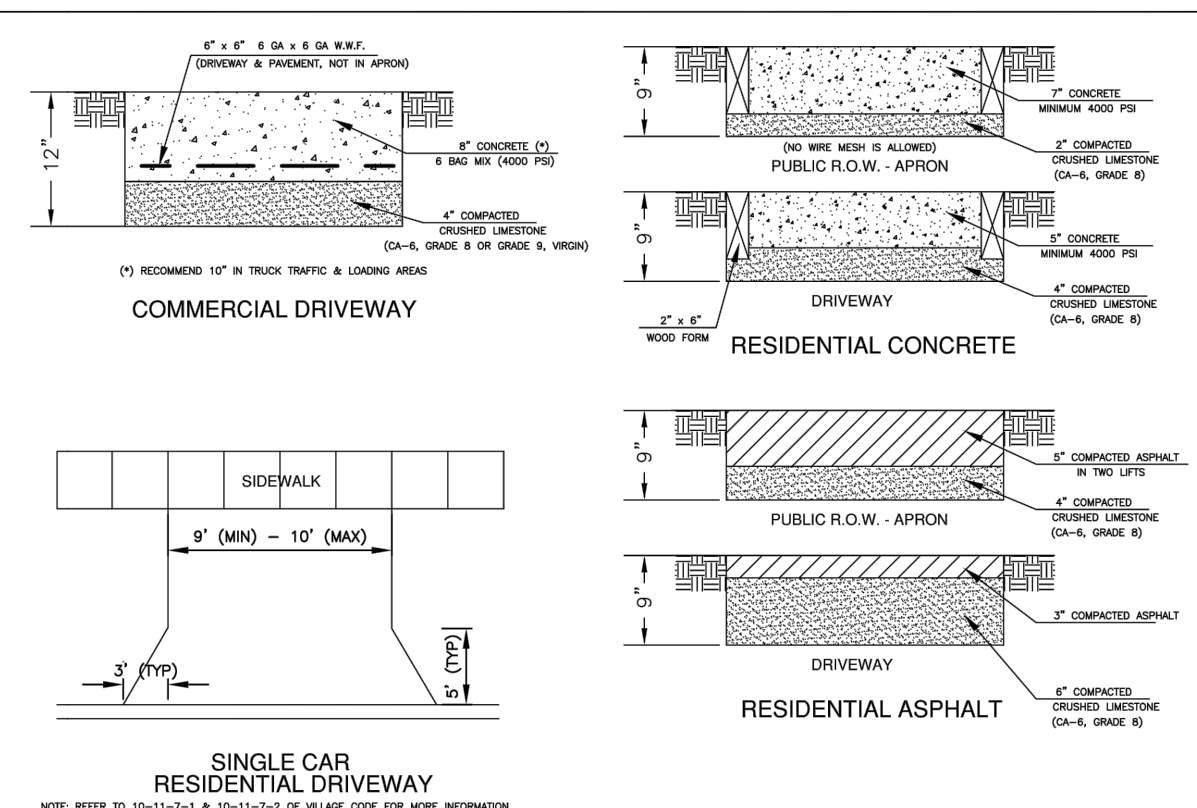
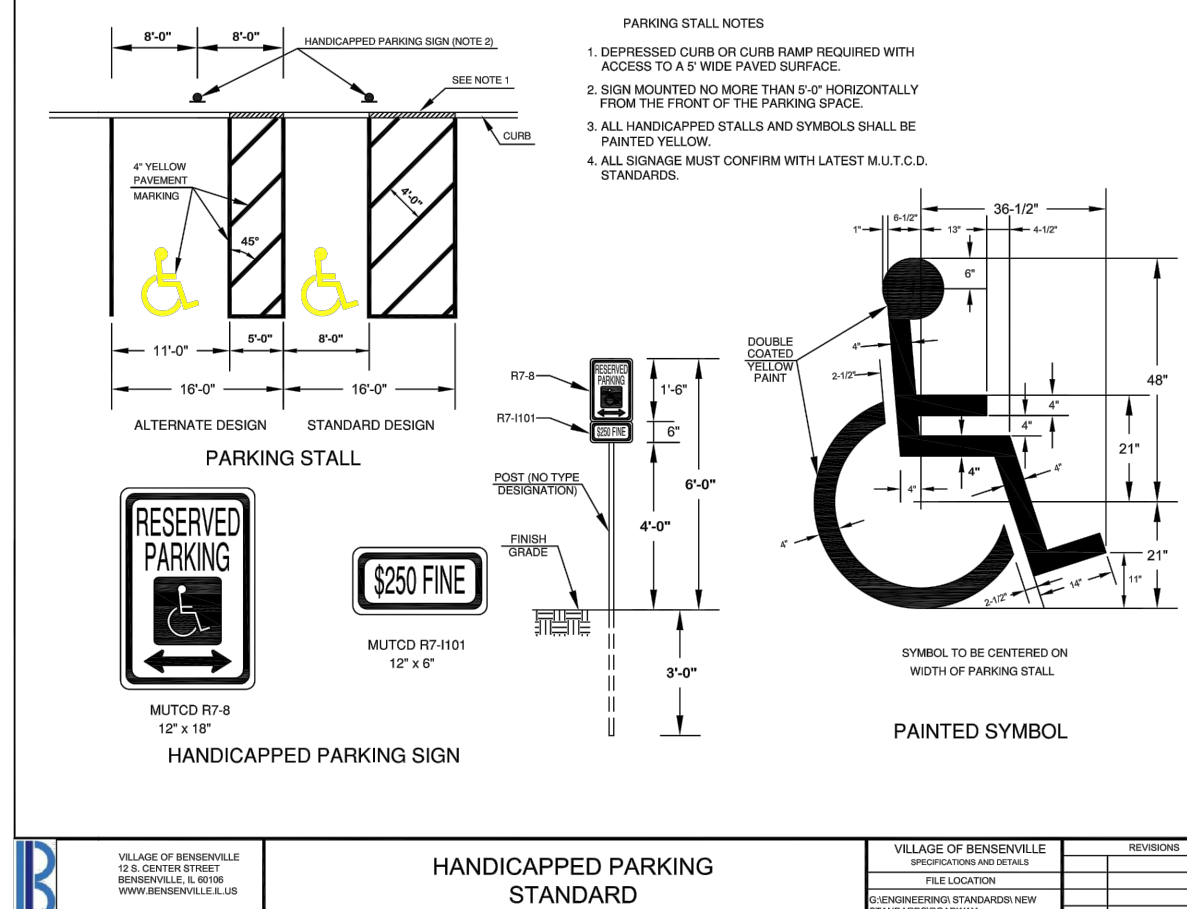
1. ALL DIMENSIONS REFER TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
2. BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF BUILDING UNLESS OTHERWISE NOTED.
3. REFER TO ARCHITECTURAL AND STRUCTURAL PLANS TO VERIFY ALL BUILDING DIMENSIONS.
4. RADII ADJACENT TO PARKING STALL AND NOT DIMENSIONED ON THIS PLAN SHALL BE 3- FEET, TYPICAL.
5. REFER TO ARCHITECTURAL PLANS FOR MONUMENT SIGN DETAILS. SEE MEP PLANS FOR SITE ELECTRICAL DRAWINGS.
6. ALL PROPOSED ON-SITE STRIPING SHALL BE PAINTED UNLESS OTHERWISE NOTED.

PAVING AND CURB LEGEND

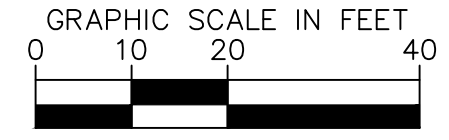
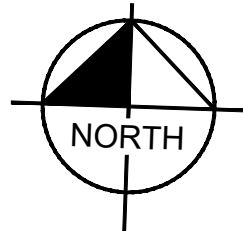
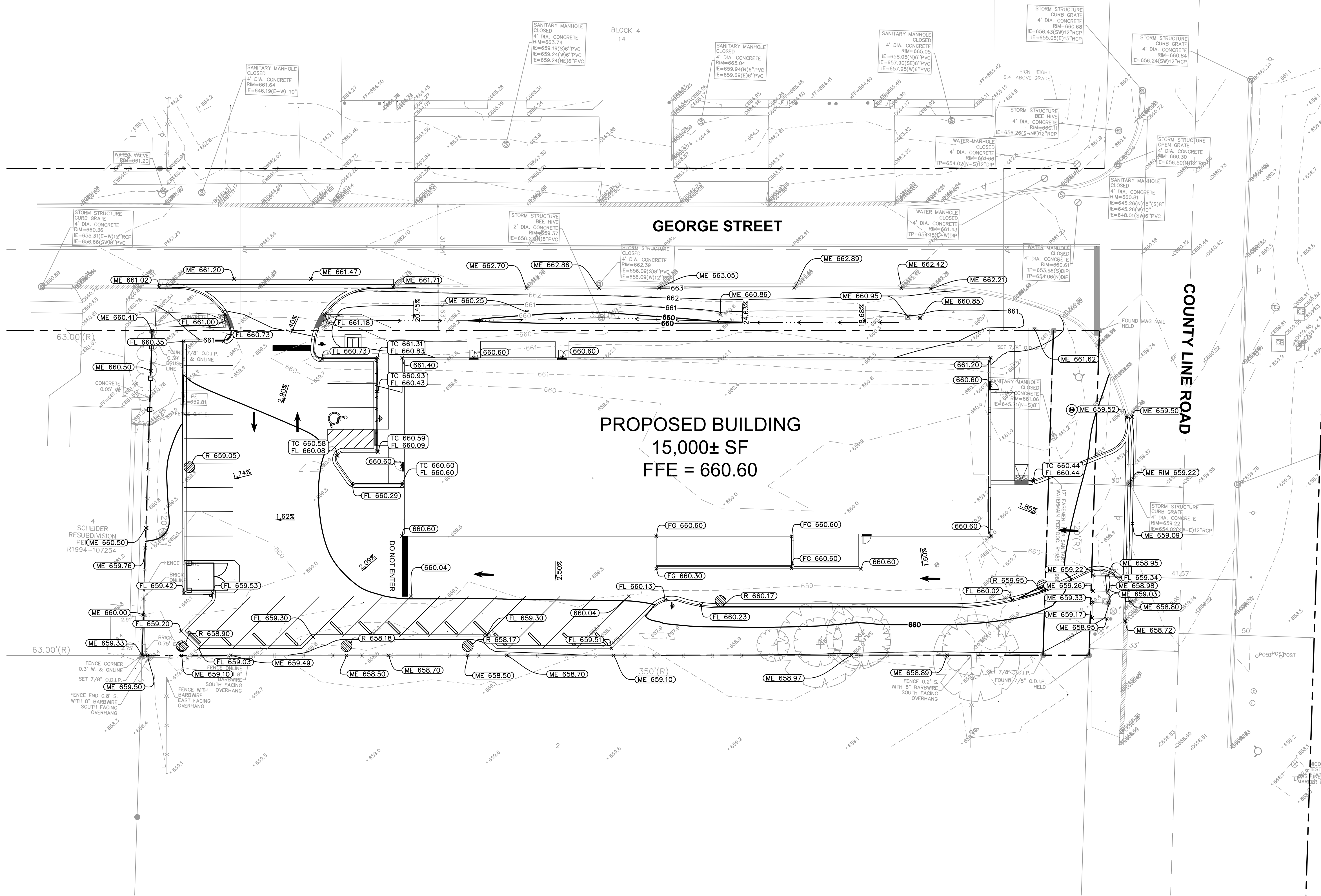
	<p>STANDARD DUTY ASPHALT PAVEMENT SEE CONSTRUCTION DETAILS FOR PAVEMENT SECTION</p>
	<p>HEAVY DUTY ASPHALT PAVEMENT SEE CONSTRUCTION DETAILS FOR PAVEMENT SECTION</p>
	<p>CONCRETE SIDEWALK SEE CONSTRUCTION DETAILS FOR PAVEMENT SECTION</p>
	<p>HEAVY DUTY CONCRETE PAVEMENT SEE CONSTRUCTION DETAILS FOR PAVEMENT SECTION</p>
	<p>STANDARD PITCH CONCRETE CURB AND GUTTER</p>
	<p>REVERSE PITCH CONCRETE CURB AND GUTTER</p>
	<p>CONCRETE DEPRESSED CURB AND GUTTER</p>

PARKING SUMMARY

PARKING SPACES REQUIRED (CITY STANDARD)	=	15 SPACES
PARKING SPACES PROVIDED	=	19 SPACES
COMPACT PARKING SPACES REQUIRED	=	6 SPACES
ACCESSIBLE PARKING SPACES REQUIRED	=	1 SPACES
ACCESSIBLE PARKING SPACES PROVIDED	=	1 SPACES
TOTAL PARKING SPACES PROVIDED	=	26 SPACES



Drawing name: K:\GIS\DEV\268230004_CVC_AutoChlor Benseville\2 Design\CAD\PlanSheets\C5.0 - GRADING PLAN.dwg Feb 06, 2024 4:43pm by Joseph.D.Moia C5.0 GRADING PLAN This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



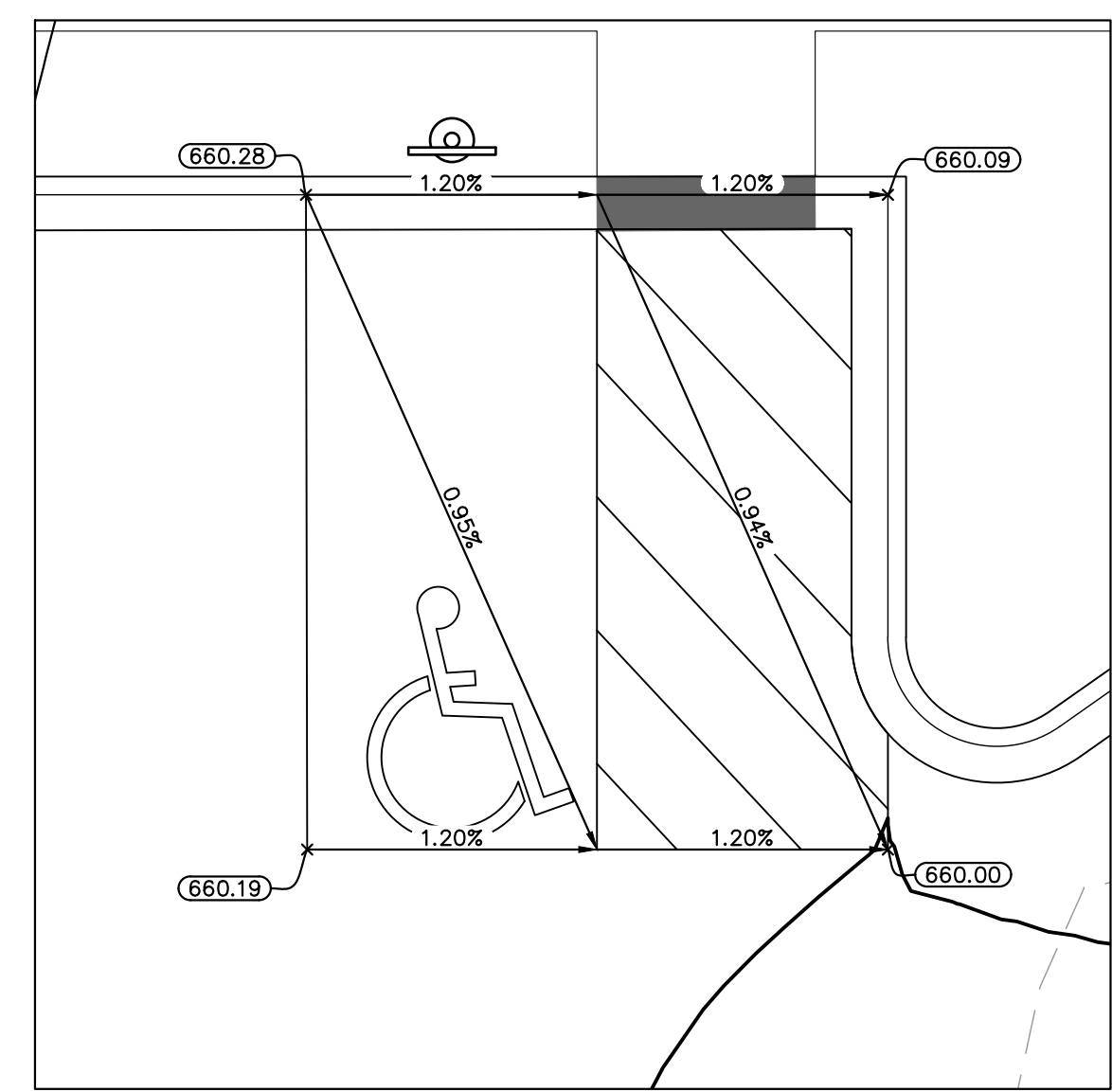
Call Before You Dig
TOLIE
1-800-892-0123

GRADING NOTES

- CONTRACTOR TO VERIFY ALL EXISTING TOPOGRAPHY AND STRUCTURES ON THE SITE AND IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES PRIOR TO STARTING WORK.
- ALL PAVEMENT SPOT GRADE ELEVATIONS AND RIM ELEVATIONS WITHIN OR ALONG CURB AND GUTTER REFER TO FLOW LINE ELEVATIONS UNLESS OTHERWISE NOTED.
- ALL ELEVATIONS SHOWN DEPICT FINISHED GRADE UNLESS OTHERWISE NOTED. GENERAL CONTRACTOR TO COORDINATE WITH EXCAVATION, LANDSCAPE AND PAVING SUBCONTRACTORS REGARDING TOPSOIL THICKNESS FOR LANDSCAPE AREAS AND PAYMENT SECTION THICKNESS FOR PAVED AREAS TO PROPERLY ENSURE ADEQUATE CUT TO ESTABLISH SUBGRADE ELEVATIONS.
- NO EARTHEN SLOPE SHALL BE GREATER THAN 3:1, UNLESS OTHERWISE NOTED.
- MAXIMUM SLOPE IN ACCESSIBLE PARKING SPACES AND LOADING ZONES SHALL NOT EXCEED 2.0% IN ALL DIRECTIONS.
- MAXIMUM RUNNING SLOPE SHALL NOT EXCEED 5% AND CROSS SLOPE SHALL NOT EXCEED 2% ON ALL SIDEWALKS AND ACCESSIBLE ROUTES.
- WHEN NATURAL FLOW OF DRAINAGE IS AWAY FROM CURB, CONTRACTOR TO INSTALL REVERSE GUTTER PITCH.
- MATCH EXISTING ELEVATIONS AT THE PROPERTY LIMITS.

GRADING LEGEND

- TP = TOP OF PAVEMENT
EP = EDGE OF PAVEMENT
FL = FLOW LINE
TC = TOP OF CURB
ME = MATCH ELEVATION
TF = TOP OF FOUNDATION
R = RIM ELEVATION
TW = TOP OF WALL
FG = FINISHED GRADE
TS = TOP OF STAIRS
BS = BOTTOM OF STAIRS
- XXX--- PROPOSED CONTOUR
---XXX--- EXISTING CONTOUR
---RIDGE--- RIDGE LINE
SLOPE AND FLOW DIRECTION
100-YEAR OVERLAND OVERFLOW ROUTE
DETENTION BASIN 100-YEAR EMERGENCY OVERLAND OVERFLOW ROUTE
--- PROPOSED SWALE
--- PROPOSED RETAINING WALL
--- REVERSED PITCH CURB AND GUTTER
--- ACCESSIBLE ROUTE
--- RIP RAP (SEE DETAILS)



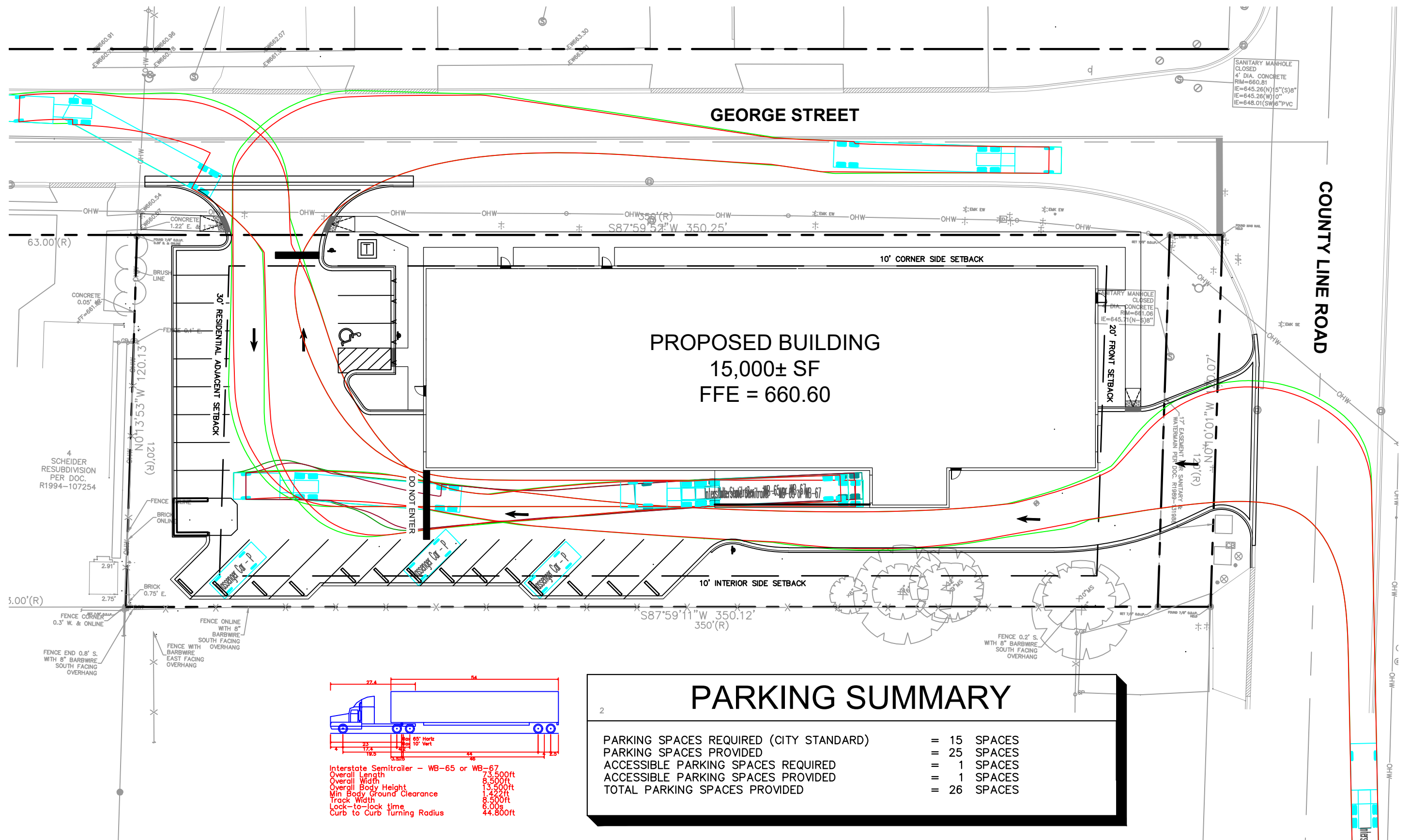
ADA PARKING DETAIL
1" = 5'

JMD		DATE	
2/12/24			
VILLAGE PLANNING COMMENTS #1		REVISIONS	
No.			
Kimley»Horn © 2024 KIMLEY-HORN AND ASSOCIATES, INC. 4201 WINFIELD ROAD, SUITE 600 BENSEVILLE, IL 60106 PHONE: 630-487-2550 WWW.KIMLEY-HORN.COM			
SCALE: AS NOTED	DESIGNED BY: JMD	DRAWN BY: EC	CHECKED BY: JWG
charles vincent george ARCHITECTS			
GRADING PLAN			
AUTO-CHLOR 740 COUNTY LINE ROAD BENSEVILLE, IL 60106			
ORIGINAL ISSUE: 01-04-2024			
KHA PROJECT NO. 268230004			
SHEET NUMBER C5.0			



C6.0

[illegible]





charles vincent george
ARCHITECTS

February 28, 2024

Village of Bensenville
Community Development Commission
12 S. Center Street
Bensenville, IL 60106

Re: Auto Chlor System – Office and Warehouse Facility
740 County Line Road, Bensenville, IL 60106
CVG project # 2023-176

Dear Community Development Commission,

The following letter provides an overview of our response to the review comments received February 26, 2024 for the proposed development located at 740 County Line Road. Only items which require a written response have been included in order to limit the length of this response. The numbering below matches the numbering of the draft staff report received February 26, 2024. We understand that additional comments will need to be addressed during the special use and/or permitting processes.

Engineering and Public Works

3. Is there a plan sheet or details for containment and drainage system for the factory floor, whereby there is enough containment capacity to handle the largest possible batch material spill.

All drains (sinks, floor, washdown, etc.) in the H4 room collect in a sewage ejector sump, which is then pumped into a stainless steel tank dedicated to waste holding. Holding tank contents are sampled and tested for pH prior to discharge into the sanitary sewer. Collected wastewater is neutralized as necessary to pH range 7-9. Treatment and discharge is validated and recorded. There is only one sanitary sewer inlet in the H4 room, which is elevated above the overflow rim of the secondary containment elevation.

Pop-up barriers will be provided at all overhead doors, and man doors will be elevated as required to provide containment of the largest possible batch material spill, plus the code required amount of sprinkler water, within the space. Information on a sample pop-up barrier which has been utilized on other projects has been provided with this response, labeled "Attachment A". The details associated with this will be developed for the Bensenville project and included with our permit submittal.

Sample wastewater discharge procedures have been provided with the response, labeled "Attachment B".

4. Is there a washdown system that allows the spilled material to be gradually diluted into the sanitary sewer.

As indicated in the response to item 3, all floor and equipment washdowns are collected and neutralized as needed to pH range 7-9 prior to discharge. Please refer to the response to item 3, including the indicated attachments for additional information.

5. We see a depressed dock, so they'll need a sump pump to handle the stormwater. But if a large spill occurs at the dock, it's going to have to be contained within the dock and can't get to the rest of the paved area. Again, the containment volume should exceed the amount of the largest possible spill. Is there a pump system for that dock discharge to the sanitary sewer.

Secondary containment is provided at the loading dock by installing an in-ground manual shutoff valve in the truck well drain basin outlet plumbing. The largest container (package delivery) is 330 gallons, while the largest bulk tank delivery is 2,000 gallons. This would require approximately 270 cubic feet of containment volume, the proposed ramp provides well over 1,000 cubic feet of containment.

If required, a sump pump can be provided in the truck well basin. Alternatively, in the event of a spill, a non-permanent pump would be utilized to address the spilled liquid as outlined in item 3 above.

A sample bulk chemical transfer procedure has been included with this response, labeled "Attachment C".

6. There should be a company policy, plan, and equipment to handle any spill that might occur in the parking lot.

A specific policy will need to be developed for this location based on the site conditions. Sample policies and procedures have been provided for reference in Attachment B.

Fire Safety

2. The rear drive around the building narrows down to 11.2 feet. Minimum requirements for fire department access is 20'. 2021 ICC IFC Appendix D.

It is our interpretation that per Section 503 of the IFC, fire apparatus access roads shall be provided for every building. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building.

Further, section 3206.6 requires that fire apparatus access roads in accordance with Section 503 shall be provided within 150 feet of all portions of the exterior walls of buildings used for high-piled storage.

Based on these sections of the IFC, the area to the south of the building is not required to be a fire access road since there is a fire apparatus access road within 150 feet of all points of the building. If specifically required, this area can be revised to provide the referenced width of 20 feet but will result in the loss of existing trees currently shown to remain, as well as several parking stalls. We believe our current design is in compliance with the International Fire Code.

Planning

7. Staff heard from neighbors who were concerned about possible environmental impacts including, but not limited to: air and water quality, including the impact of larger commercial vehicles making deliveries.

Safety data sheets have been provided for all chemicals used on site. These have been included with this response, labeled "Attachment D".

The Owner has provided an additional business description letter outlining the primary business functions, as well as the manufacturing operations that will occur on site. This has been included with this response, labeled "Attachment E". An Owner representative will also be present for the public hearing on March 5th.

8. Staff would like a better explanation of the site layout and functionality, including but not limited to:

1) How deliveries are made

Deliveries are made to the depressed dock. Bulk liquid deliveries will be pumped from the depressed dock into the H4 manufacturing area. Other materials will be unloaded via forklift into the building. Additional deliveries (UPS, FedEx, USPS, etc.) will be delivered to the office area.

2) Explanation of the logistics of the drive in door and depressed dock

The drive in doors are for use of the Owner's fleet only. AutoChlor delivery vehicles will be parked inside the building overnight. Each morning these vehicles will be loaded within the building and will leave via the west door. At the end of the day these vehicles will return to the site and enter the building via the east door. These overhead drive in doors will not be utilized for deliveries. All deliveries will be made to the depressed dock.

3) Time of deliveries

Deliveries will be made Monday through Friday during normal business hours (7 am – 5 pm). On average there will be 2-3 deliveries per day.

A revised truck turn exhibit demonstrating entry from County Line Road to the depressed dock and exiting from the dock via eastbound George Street has been provided as part of this response, labeled "Attachment F". The revisions to the truck turn exhibit include breaking it into two separate exhibits (entry and exit), and removing the turning radius for trucks to proceed westbound on George Street, as this is restricted.

9. Per Village Code Section 10-8-8B: Driveways shall be located at least sixty feet (60') from a signalized intersection, and thirty feet (30') from all other intersections, measured from edge of pavement.

Additional dimensions have been added to the revised site plan included with this response, labeled "Attachment G". The proposed driveways on both County Line Road and George Street are greater than 30' from the adjacent un-signalized intersection and appear to be in compliance with the Village requirements.

10. Plans indicate a proposed right-of-way dedication along County Line Rd. Staff is requesting more information on the proposed dedication.

A right-of-way dedication is expected to be necessary as part of this project. The existing property line extends into the County Line Road and George Street intersection. ROW dedication limits have been based upon adjacent properties' CCDOTH dedication areas. It will make way for future right-of-way expansion of the multi-use path that is located further south along County Line Road. Additional coordination with CCDOTH will be ongoing following zoning approval.

13. Staff is concerned about the George St driveway. Truck movement is prohibited west of the site on George St. Staff recommends modifying the driveway to discourage trucks from turning left out of the site. It's possible to then reduce the driveway width to meet code.

The proposed driveway on George Street has been reduced to 30 feet as requested. Signage will be provided to indicate truck movement is prohibited going westbound on George Street, and that all trucks must proceed east to County Line Road. The revised site plan included with this response, labeled "Attachment G", has been updated to reflect this.

14. Staff is concerned with the size and layout of the proposed driveway on County Line Rd. The applicant noted that there is a vault in the County Line Rd right of way that they were attempting to avoid. Staff would like more information on the vault and recommends working with Village staff on final driveway design during permitting.

The requested driveway width variance is to accommodate WB-67 truck navigation into the site and prevent disturbance of two existing Nicor Gas vaults located within the County Line Road right-of-way. The design team will work with Village Staff on the final driveway design during permitting.

Nicor vaults are a critical asset necessary to regulate gas distribution pressures upstream of customer service lines. The process to move vaults such as these may require an extensive timeline, often six to nine months (durations vary case by case). Additionally, expenses related to moving vaults may range between \$250,000 and \$750,000, or more (expenses vary case by case). The intent of the proposed driveway orientation is to limit disturbances and mitigate the need for the critical facility to be relocated. Following zoning approval, Nicor Gas will complete a full analysis of the site/entrance improvements along County Line Road and review potential construction phase, final condition, and emergency conflicts.

16. Plans do not indicate street trees. If street trees are not feasible for whatever reason, the Zoning Administrator can include the loss of trees in the fee-in-lieu payment consideration.

Per the code analysis table provided on Sheet L1.0, zero street trees are provided due to existing utility conflicts. The parkway along George Street includes existing overhead power lines, telephone line, gas line, and storm drain line that would conflict with street trees. The parkway along County Line Road includes existing sanitary line, water line, telephone line, overhead power lines, and gas lines that would conflict with street trees.

17. Based on initial concept plans, it is likely that one (1) long term bicycle parking space will be required.

An area within the building has been designated for long term bicycle parking as required. The details associated with this requirement will be worked out during the design process and included in the permit submittal.

19. Per Village Code Section 10-7-4C-13, the following specific use standards apply to Mechanical equipment: screening requirements from section 10-9-7 of the Village Code (these have not been included here due to length).

Mechanical equipment screening meeting the requirements of the Village Code will be provided. The details associated with this screening will be worked out during the design process and included in the permit submittal.

21. Per Village Code Section 10-9-7 Screening Requirements refuse must be screened with an opaque masonry wall on three (3) sides and an opaque gate on the fourth side (specific requirements have not been included here due to length).

Refuse area screening meeting the requirements of the Village Code will be provided. The details associated with this screening will be worked out during the design process and included in the permit submittal.

Please do not hesitate to contact us if you have any questions, or if any additional information should be necessary.

Sincerely,



Matthew D. Cronin, AIA
Charles Vincent George Architects, Inc.

Attachment "A"
Pop-up Spill Containment Barrier

POP-UP BARRIERS

1

SPILL BARRIER

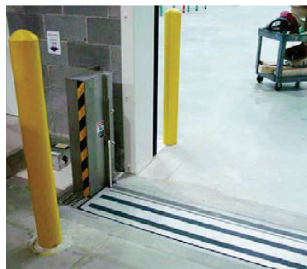
With DENIOS Pop-Up Spill barriers you can have the protection you need in a completely self contained, passively powered and self closing barrier that could save money or even lives.

- Constructed with a built in sump that sits below ground level and houses the barrier during normal operations.
- A chemical-resistant gasket runs the entire length of the sump from pier to pier, providing a liquid-tight seal.
- With no berms or ramps, normal foot or vehicle traffic is completely unencumbered.



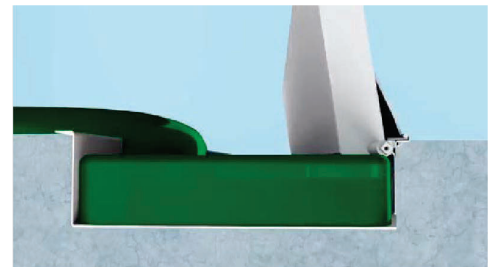
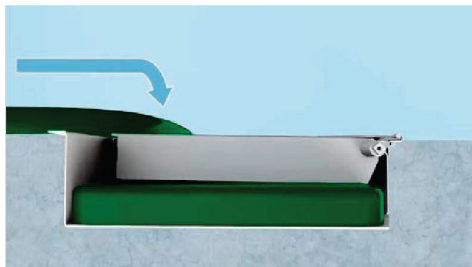
FEATURES INCLUDE:

- Stainless steel - High chemical resistance
- Self-contained
- Passively powered
- Fully Automatic
- Self closing
- Designed to fit in doorways between 3 and 16 feet



HOW DOES IT WORK?

When a flow of liquid reaches the barrier, it's collected into the sump that houses the barrier wall. As the volume of liquid increases, it displaces the wall from its horizontal position. The built in mechanisms then bring the barrier to its full locked and upright position, containing or holding back the impending liquid.



See more information: [WWW.DENIOS-US.COM/SPILL-BARRIERS](https://www.denios-us.com/spill-barriers)

SPILL BARRIER

ANHAMM SPILL BARRIER - FM APPROVED

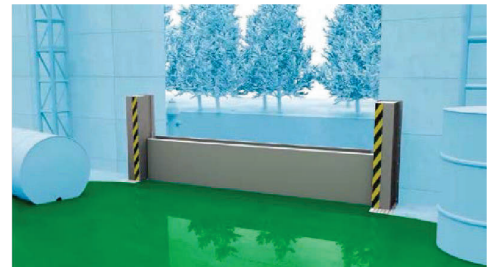
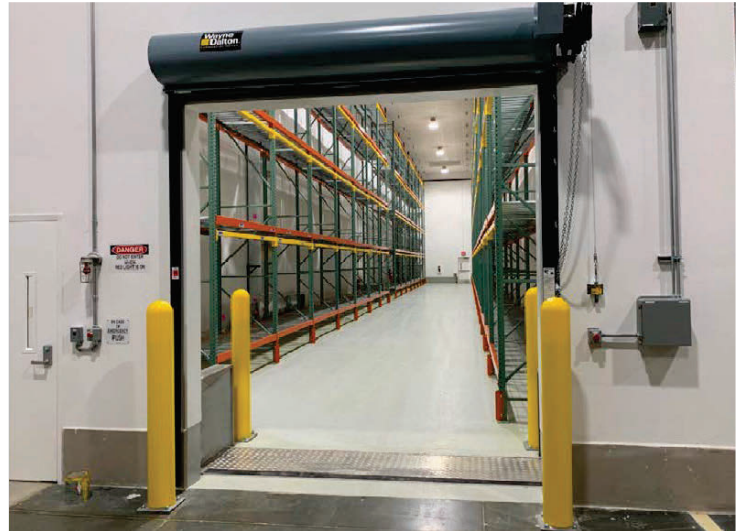
- The Anhamm Automatic Doorway Spill Barrier is tested and approved for retaining/containing flammable chemicals.
- They provide the protection to contain those large spills by closing off any doorway or opening in the affected room at the first sign of flowing liquids.

FM APPROVAL CLASS 4985



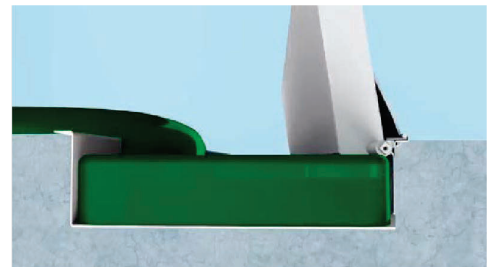
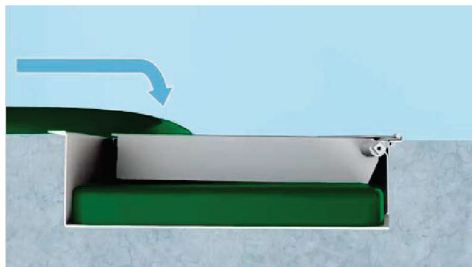
FEATURES INCLUDE:

- Stainless steel - High chemical resistance
- Self-closing
- Self-contained
- Designed to fit in doorways between 3 and 16 feet
- Passively powered
- Fully Automatic



HOW DOES IT WORK?

When a flow of liquid reaches the barrier, it's collected into the sump that houses the barrier wall. As the volume of liquid increases, it displaces the wall from its horizontal position. The built in mechanisms then bring the barrier to its full locked and upright position, containing or holding back the impending liquid. Watch our video to see how barriers work.



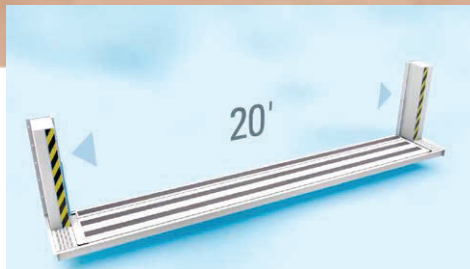
Watch video: WWW.DENIOS-US.COM/SPILL-BARRIERS-VIDEO

FLOOD BARRIER

With DENIOS Pop-Up Flood barriers you can have the protection you need in a completely self contained, passively powered and self closing barrier that could save money or even lives.



FM APPROVAL CLASS 2510



Piers mounted on either side of the opening allow for a barrier as wide as twenty feet for flood barriers.

FEATURES INCLUDE:

- Stainless steel - High chemical resistance
- Self-contained
- Passively powered
- Fully Automatic
- Self closing



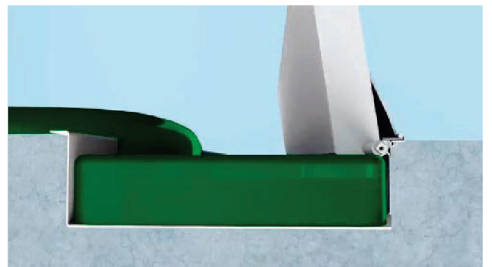
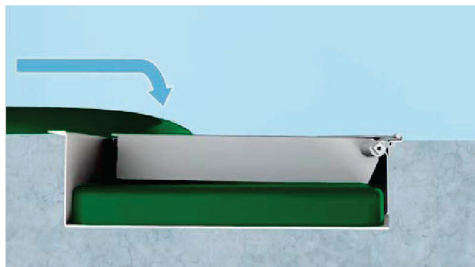
No utilities required for operation



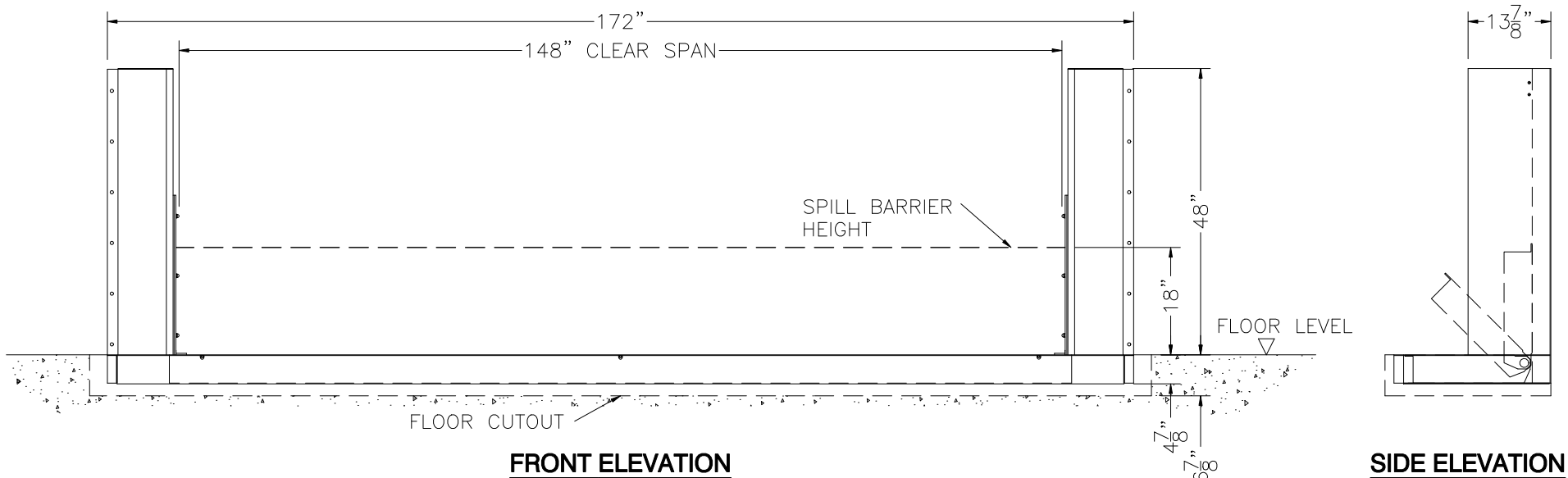
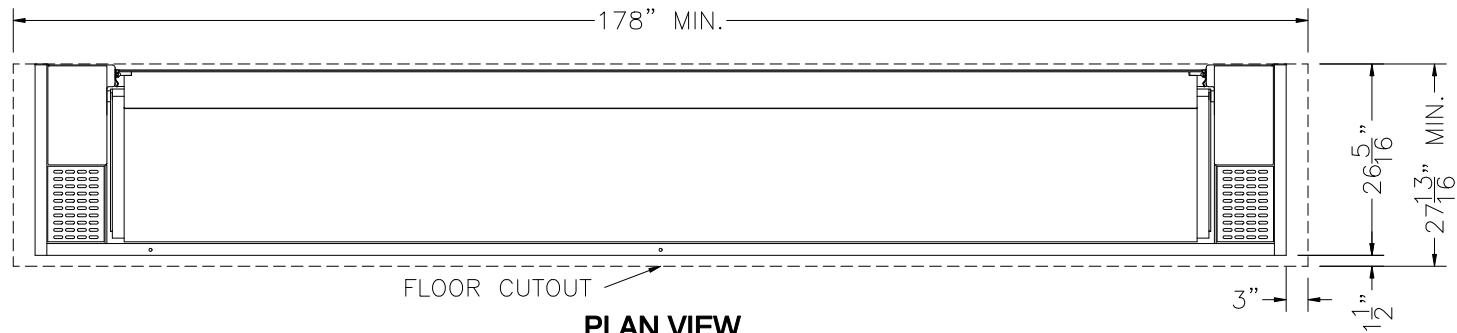
Can be reset and reused after a flood event

HOW DOES IT WORK?

When a flow of liquid reaches the barrier, it's collected into the sump that houses the barrier wall. As the volume of liquid increases, it displaces the wall from its horizontal position. The built in mechanisms then bring the barrier to its full locked and upright position, containing or holding back the impending liquid.



Learn more: WWW.DENIOS-US.COM/FLOOD-BARRIERS



CUSTOMER MEASURED SPAN : 144"

MODEL: R14-1218

DESCR.: AUTOMATIC DOORWAY SPILL BARRIER

DWG NUMBER: **REVISION:** 00

CUSTOMER:

DRAWN BY: PVH **DATE:** 8/20/09

ORDER NO.: **SHEET:** 1 OF 1

APPROVAL SIGNATURE

DATE:

DENIOS
"Compliant Storage Systems for Hazardous Material"

Attachment "B"
Sample Wastewater Discharge Procedures

The following is a list of procedures **that must be followed** to ensure that the wastewater generated at Auto-Chlor facilities does not exceed the **acceptable levels of COD** (Chemical Oxygen Demand) **and BOD** (Biological Oxygen Demand).

PROCEDURES

Increased levels of chemical and biological agents in wastewater cause high COD/BOD levels. The main areas of our operations where the wastewater is produced is in our production and rebuild departments.



PRODUCTION

- Prior to pouring each morning **all floors in the pouring area should be swept** clean and any debris deposited into the trash.
- All chemicals **must be poured on a pouring cart**. This allows us to capture and reuse any chemical that is spilled. After all chemical bottles for one particular product have been filled, drain the spill cart's reservoir and capture the chemical for re-use.
- The pouring cart **must be thoroughly cleaned** before pouring a new product. The cart should be cleaned using warm water; **flushing the capture area multiple times** to ensure there will be no residual chemical mixed into the next product being poured. This ensures that all product captured during the pouring process is uncontaminated.

REBUILD

- Prior to starting each morning the area should be **swept clean** and all debris deposited into the trash.
- The wash-down area should only be used for the cleaning of equipment with **non-hazmat, or heavily diluted degreaser and water**. At no time should drilling, sanding or any **other rebuilding steps** be conducted in the wash-down area.
- All chemicals used in the rebuild area should be mixed with water to the manufacturers specifications. **Undiluted chemicals should never be used to clean equipment.**

Signed policy should be filed in each employees DQF – Section 6.

Signature: _____ Date: _____

Print Name: _____

STEPS TO NEUTRALIZE WASTE WATER TANK PRIOR TO DISCHARGE

Branch:	Location:
Date:	Completed By:

Instructions: Wear safety gloves and goggles. Add sufficient clean water to your holding tank to bring level to within 12" of top (for ease of sampling). Follow steps 1 - 6 below. Retain this completed form as record of discharge to your sanitary sewer system.

1) What is the approximate quantity of material in tank?	<input style="width: 90%;" type="text"/>				
2) Test the Ph of material in tank, record here:	<input style="width: 90%;" type="text"/>				
3) Test chlorine level of material in tank, record here: <i>(if chlorine is present go to step 4. If not skip to step 5.)</i>	<input style="width: 90%;" type="text"/> ppm				
4) Add Sodium Thiosulfate, allow to mix for 5 minutes and re-test chlorine level. When chlorine level is reduced to 0 ppm initial and proceed to step 5.	<input style="width: 90%;" type="text"/>				
5) Based on Ph reading in step 2 above, determine appropriate neutralizing agent. Material with a Ph less than 7 can be neutralized by the addition of Bicarbonate of Soda. Ph greater than 8 can be neutralized by adding Citric Acid. Allow to mix 5 minutes after addition. Material Added:	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center; padding: 5px;">CITRIC</td> <td style="width: 50%; text-align: center; padding: 5px;">BI-CARB.</td> </tr> <tr> <td style="height: 20px;"></td> <td style="height: 20px;"></td> </tr> </table>	CITRIC	BI-CARB.		
CITRIC	BI-CARB.				
6) Retest the Ph level following initial application. Repeat as necessary until Ph of 7 to 9 has been achieved. Record Final Ph before release here:	<input style="width: 90%;" type="text"/>				
Verification: I _____ verify that I have followed the steps indicated above prior to releasing this material to the sanitary sewer system. Upon completion I released approximately _____ gallons of material with a Ph reading of _____.					

AUTO-CHLOR SYSTEM WASTEWATER DISCHARGE PROCEDURES

STEP

1	Add fresh water as needed to the 250 Gallon mark (12" below test port).
2	Circulate tank contents for 5 minutes.
3	Remove sampling port cap from top of tank and test contents for pH. . * If pH is between 7 (minimum) – 9 (maximum) skip step 4 and proceed to step 5.
pH Adjustment:	
4A	pH BELOW 7 must be adjusted by the addition of Bicarbonate of Soda powder: Add 2 cups of Bicarbonate of Soda powder to tank and circulate for 5 minutes. Re-test solution and repeat until pH is between 7-9.
(or)	
4B	pH ABOVE 9 must be adjusted by the addition of Citric Acid powder: Add 2 cups of Citric Acid powder to tank and circulate contents for 5 minutes. Re-test solution and repeat until pH is between 7-9.
5	Drain tank completely and close valve.

THE FOLLOWING MUST BE COMPLETED FOR EVERY DISCHARGE TO SANITARY SEWER:

	VALUE:
DISCHARGE QUANTITY (GALLONS):	
STARTING pH:	
QUANTITY BICARBONATE OF SODA USED (CUPS):	
QUANTITY OF CITRIC ACID USED (CUPS):	
ENDING pH: (Minimum 7 / Maximum 9)	
TANK DRAINED & VALVE CLOSED (INITIALS):	
RECORD IN WASTEWATER DISCHARGE LOG (INITIALS):	

NAME:	
SIGNATURE:	
DATE:	

Attachment "C"
Sample Bulk Chemical Transfer Procedure

Auto-Chlor System BULK CHEMICAL CARGO TANK TRANSFER Procedure

Conduct facility orientation with driver and review hazardous chemical PPE requirements for ALL deliveries:

- a) Safety Goggles *or* Foam Surround Safety Glasses
 - b) Face Shield
 - c) Chemical-resistant PVC Jacket
 - d) Chemical-resistant PVC Overalls *or* Pants
 - e) Chemical-resistant boots & gloves
1. Set PPE SAFETY PERIMETER for all workers – Minimum of 25 feet from ALL unloading connections.
 2. Review Bill of Lading information with driver:
 - Product Name & UN Number (shipping papers and cargo tank placards match storage tank placards).
 - Verify product quantity to be delivered (gallons).
 3. Confirm the sum of expected delivery and current contents not to exceed tank capacity – (Sodium Hypochlorite 12.5% not to exceed **60%** of tank capacity to allow for 9% target dilution.
 4. Locate and test safety shower/eyewash operation with driver.
 5. Validate unloading connection point with driver.

X_____ (Signature of Auto-Chlor System representative)

Vendor Delivery Driver Transfer Procedure:

1. Inspect all unloading hoses and connections for integrity and cleanliness.
2. Position drip buckets under tank inlet and cargo tank outlet connections.
3. Unlock & remove cap/plug from storage tank inlet coupling, inspect connection for cracks, corrosion, or wear – inspect and/or replace gaskets as needed.
4. Connect unloading hose to storage tank inlet fitting and truck outlet fitting and ensure that camlock ears are strapped or secured.
5. Open storage tank inlet valve.
6. Open cargo tank outlet valves; internal and external.
7. Check for leaks, use absorbent or drip buckets as needed to contain all residues.
8. Open cargo tank dome lid or other vent to prevent cargo tank collapse
9. Start unloading pump to begin transfer of product to tank.
10. Remain within close proximity to tank to observe all connections and tank liquid level indicator changes throughout the unloading cycle.
11. Prior to disconnection, ensure hose is cleared of product, pressure, and residual liquids.
12. Once depressurized, close all valves including tank inlet and cargo tank internal & external valves.
13. Disconnect product hoses; cap, stow and secure hoses-capture all residue in drip buckets
14. Secure storage tank inlet line (replace cap/plug/lock).
15. Triple-rinse drip buckets in sanitary sewer sink.
16. Remove, decontaminate, and properly stow PPE.
17. Review delivery receipt and obtain signature from Auto-Chlor System representative.

X_____ (Signature of supplier representative)

Upon completion of every delivery:

- 1) Verify all connections have been rinsed of residue and are secured with safety locks
- 2) Turn off water connection and disconnect safety shower (if applicable)

X_____ (Signature of Auto-Chlor System representative)

Attachment "E"
Business Description Letter



RE: 740 COUNTY LINE ROAD

AUTO-CHLOR SYSTEM BUSINESS DESCRIPTION

Auto-Chlor System's primary business function is the sale, distribution, and service of commercial dishwashing machinery and cleaning supplies to restaurants and other hospitality institutions. Our branch facility consists of a business administrative office, a section of the warehouse designated for the blending and packaging of institutional cleaning and sanitization supplies, and general warehouse for equipment, supplies and parts storage. There are no retail counter sales, will-call, or walk-in services on site. The general warehouse is equipped with racking for the storage of palletized goods, areas for parts shelving, and a work area set aside for mechanical maintenance, equipment service, repair, and testing.

This location will employ approximately 2 administrative/supervisor, 4 manufacturing/warehouse, and 10 service personnel. Business hours are 7am-5pm M-F. Service personnel depart the location in the morning to our visit our accounts and return in the afternoon. Equipment and supply deliveries occur at a designated truck loading dock via common carrier and/or parcel service approximately 2-3 times per day. Periodic bulk deliveries occur twice monthly, also at the designated truck loading dock.

Manufacturing Operations

To support its field-service operations, Auto-Chlor System formulates and packages various liquid chemical cleaning & housekeeping solutions for delivery to its customers, including:

- Automatic & Manual Dishwashing liquid detergents, rinse additives, & sanitizing solutions
- Kitchen & housekeeping general purpose cleansers, degreasers, floor cleaners, & glass cleaners

AUTO-CHLOR SYSTEM BUSINESS DESCRIPTION (CONTINUED)

Manufacturing Operations (cont.)

The types of cleaning solutions manufactured at Auto-Chlor System locations are similar in nature to those found at a restaurant supply house, grocery or hardware store. Auto-Chlor System does not use or store any EPA Chemicals of Concern or toxic substances.

All liquid solution blending and packaging operations occur within a designated portion of the warehouse located at the Northeast corner of the property. Constituent ingredients are primarily received in 55 gallon drums, 5 gallon pails, and 330 gallon IBC "totes". There is one 3,000 gallon bulk tank located within the warehouse manufacturing area which contains 9% bleach (sanitizer) solution. Liquid solutions are blended in 450 gallon & 1250 gallon tanks, then pumped into finished polyethylene containers in pack sizes ranging from 2.5L bottles to 5 gallon pails (largest finished container size).

Jeff Hamilton, Project Manager

Auto-Chlor System

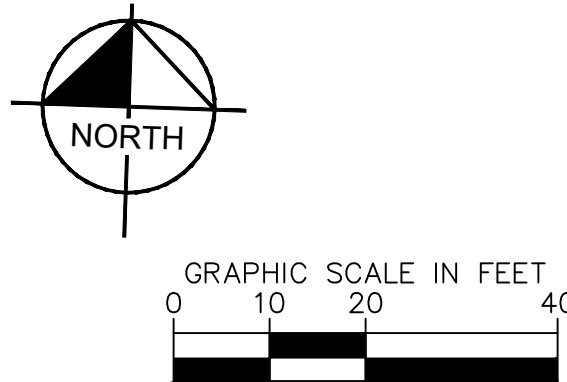
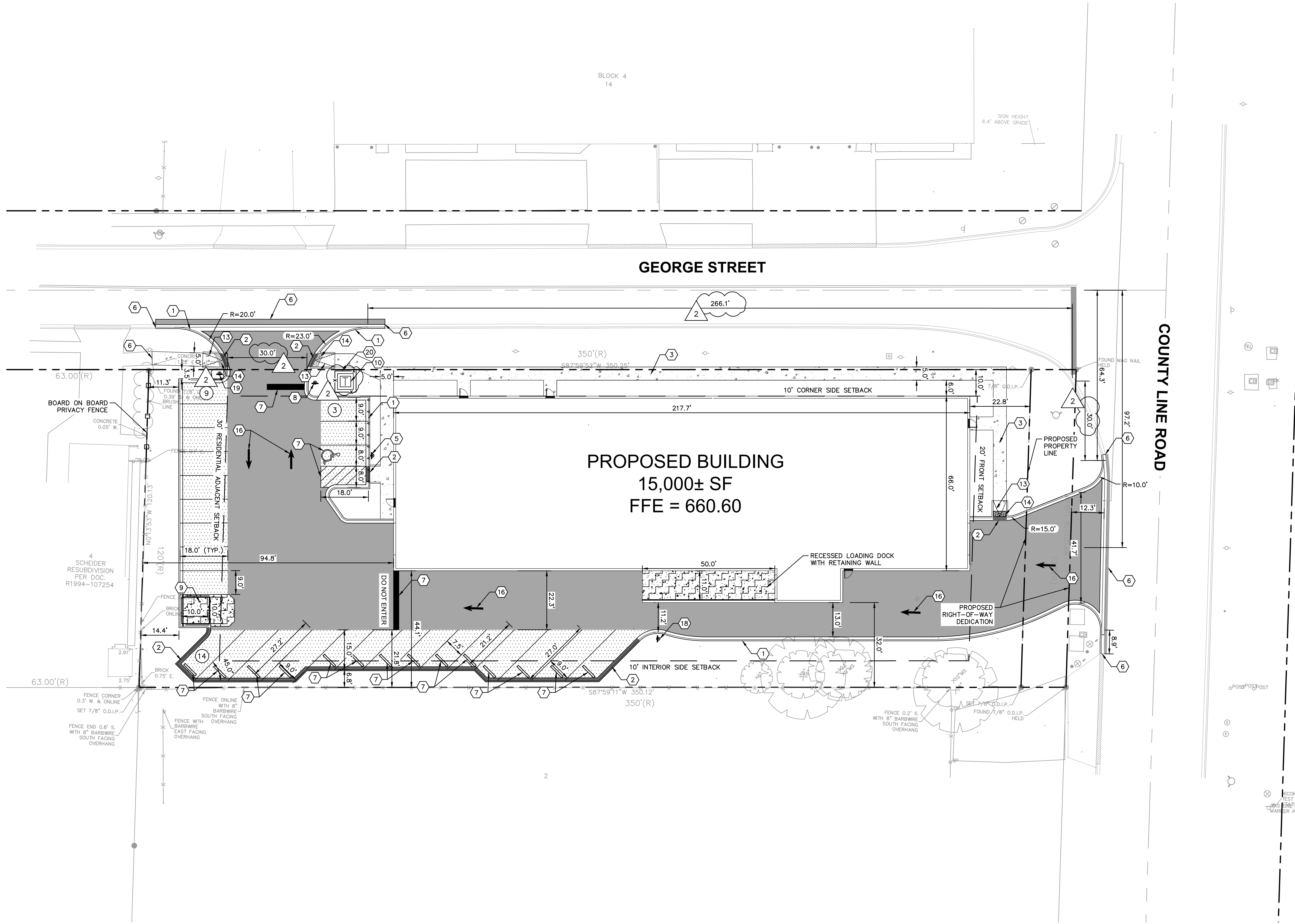
450 Ferguson Rd. Mountain View, CA 94043

(503) 572-6377

Attachment "F"
Truck Turning Exhibit

Attachment "G"
Revised Site Plan

Drawing name: K:\GIS\DEV\268230004_CVC_AutoChlor Bensenville\2 Design\CAD\PlanSheets\C3.0 - SITE PLAN.dwg C3.0 Feb 28, 2024 3:35pm by emanuelcorrea
This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



Call Before You Dig
JULIE
1-800-892-0123

GENERAL NOTES

- ALL DIMENSIONS REFER TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
- BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF BUILDING UNLESS OTHERWISE NOTED.
- REFER TO ARCHITECTURAL AND STRUCTURAL PLANS TO VERIFY ALL BUILDING DIMENSIONS.
- RADIi ADJACENT TO PARKING STALL AND NOT DIMENSIONED ON THIS PLAN SHALL BE 3- FEET, TYPICAL.
- REFER TO ARCHITECTURAL PLANS FOR MONUMENT SIGN DETAILS. SEE MEP PLANS FOR SITE ELECTRICAL DRAWINGS.
- ALL PROPOSED ON-SITE STRIPING SHALL BE PAINTED UNLESS OTHERWISE NOTED.

PAVING AND CURB LEGEND

- STANDARD DUTY ASPHALT PAVEMENT
SEE CONSTRUCTION DETAILS FOR PAVEMENT SECTION
- HEAVY DUTY ASPHALT PAVEMENT
SEE CONSTRUCTION DETAILS FOR PAVEMENT SECTION
- CONCRETE SIDEWALK
SEE CONSTRUCTION DETAILS FOR PAVEMENT SECTION
- HEAVY DUTY CONCRETE PAVEMENT
SEE CONSTRUCTION DETAILS FOR PAVEMENT SECTION
- STANDARD PITCH CONCRETE CURB AND GUTTER
- REVERSE PITCH CONCRETE CURB AND GUTTER
- CONCRETE DEPRESSED CURB AND GUTTER

PARKING SUMMARY

PARKING SPACES REQUIRED (CITY STANDARD)	=	15	SPACES
PARKING SPACES PROVIDED	=	19	SPACES
COMPACT PARKING SPACES REQUIRED	=	6	SPACES
ACCESSIBLE PARKING SPACES REQUIRED	=	1	SPACES
ACCESSIBLE PARKING SPACES PROVIDED	=	1	SPACES
TOTAL PARKING SPACES PROVIDED	=	26	SPACES

KEY NOTES

- B6.12 CONCRETE CURB AND GUTTER, TYP. (SEE DETAILS)
- DEPRESSED CURB AND GUTTER
- CONCRETE SIDEWALK, TYP. (SEE DETAILS)
- ACCESSIBLE PAVEMENT MARKINGS, TYP. (SEE DETAILS)
- ACCESSIBLE PARKING SIGN, TYP. (MUTCD R7-8, SEE DETAILS)
- CONNECT TO EXISTING PAVEMENT, SIDEWALK, CURB, TYP.
- 24" WIDE STOP BAR, TYP. (SEE DETAILS)
- STOP SIGN, TYP. (MUTCD R1-1, SEE DETAILS)
- DUMPSTER AREA (SEE ARCHITECTURAL PLANS FOR DETAILS)
- TRANSFORMER PAD (FOR REFERENCE ONLY)
- MONUMENT OR PYLON SIGN (SEE ARCHITECTURAL PLANS FOR DETAILS)
- LIGHT POLES SHOWN FOR COORDINATION ONLY (SEE SITE LIGHTING PLANS)
- ACCESSIBLE RAMP (SEE DETAILS)
- 2' WIDE TACTILE WARNING STRIP
- BOLLARD, TYP. (SEE DETAILS)
- DIRECTIONAL PAVEMENT MARKINGS (SEE DETAILS)
- CONCRETE WHEEL STOPS (SEE DETAILS)
- MUTCD R5-1A "WRONG WAY" SIGN (SEE DETAILS)
- "TRUCKS: NO LEFT TURN SIGN" SIGN
- OPAQUE SCREENING PER VILLAGE CODE SECTION 10-9-7

SITE DATA

PR. ON-SITE PERVIOUS AREA = 7,870 SF (0.18 AC)
PR. ON-SITE IMPERVIOUS AREA = 32,125 SF (0.74 AC)
PR. PROPERTY AREA BOUNDARY = 39,995 SF (0.92 AC)
IMPERVIOUS COVERAGE RATIO = 0.80
BUILDING HEIGHT = 28'

Kimley»Horn
© 2024 KIMLEY-HORN AND ASSOCIATES, INC.
4201 WINFIELD ROAD, SUITE 600
WINFIELD, IL 60190
PHONE: 630-487-5550
WWW.KIMLEY-HORN.COM

SCALE: AS NOTED
DESIGNED BY: JMD
DRAWN BY: EC
CHECKED BY: JWG

charles vincent george
ARCHITECTS

SITE PLAN

AUTO-CHLOR

740 COUNTY LINE ROAD
BENSENVILLE, IL 60106

ORIGINAL ISSUE:
01/04/2024
KHA PROJECT NO.
268230004

SHEET NUMBER

C3.0

Attachment "D"
Safety Data Sheets

AUTO-CHLOR SYSTEM --BENSENVILLE, IL Hazardous Materials Information Survey 20200616

LOC. REF. #: TRADE NAME	CAS #	CHEMICAL NAME	Largest Container UOM	Average Daily Amount	Maximum Daily Amount	CLASS # CLASS DESCRIPTION	SUB-CLASS	TYPE (Storage/ Open/Closed)**	Whse. Location (Control Area #)
CORROSIVES:									
1 746 Cleanser	1336-21-6	Ammonium Hydroxide	1 Gallons	2	5	5 Corrosive Liquid	Ammoniated	Storage	TBD
2 DC33	68931-01-5	Benzalkonium Chloride	1 Gallons	5	10	5 Corrosive Liquid	Ammoniated	Storage	TBD
3 D-Grease	1310-73-2	Sodium Hydroxide	5 Gallons	750	1500	5 Corrosive Liquid	Alkaline	Storage	TBD
4 D-Scale			1 Gallons	2	5	Corrosive Liquid	Acidic	Storage	TBD
5 Fabra Kleen Eliminator	1310-73-2	Sodium Hydroxide	5 Gallons	5	10	Corrosive Liquid	Alkaline	Storage	TBD
6 Fabra Kleen Maximizer	1310-73-2	Sodium Hydroxide	5 Gallons	5	10	Corrosive Liquid	Alkaline	Storage	TBD
7 Fabra Kleen Soft & Sour	16961-83-4	Fluorosilicic Acid	5 Gallons	5	10	5 Corrosive Liquid	Acidic	Storage	TBD
8 Fabra Kleen Sour	16961-83-4	Fluorosilicic Acid	5 Gallons	5	10	Corrosive Liquid	Acidic	Storage	TBD
9 Fabra Kleen Terminator	1310-73-2	Sodium Hydroxide	5 Gallons	5	10	5 Corrosive Liquid	Alkaline	Storage	TBD
10 Floor Break	1310-58-3	Potassium hydroxide	1 Gallons	10	15	5 Corrosive Liquid	Alkaline	Storage	TBD
11 G.O.K.	1310-58-3	Potassium hydroxide	1 Gallons	60	90	5 Corrosive Liquid	Alkaline	Storage	TBD
12 Institutional Machine Detergent	1310-58-3	Potassium hydroxide	5 Gallons	5	10	Corrosive Liquid	Alkaline	Storage	TBD
13 Kitchen & Concrete Degreaser	1310-58-3	Potassium hydroxide	5 Gallons	15	25	5 Corrosive Liquid	Alkaline	Storage	TBD
14 Kleen Duty Supreme*	1310-73-2	Sodium Hydroxide	32 LBS*	25	35	5 Corrosive Solid	Alkaline	Storage	TBD
15 MACH Detergent MS	1310-73-2	Sodium Hydroxide	1 Gallons	2	5	Corrosive Liquid	Alkaline	Storage	TBD
16 MACH Turbo	1310-73-2	Sodium Hydroxide	1 Gallons	40	60	Corrosive Liquid	Alkaline	Storage	TBD
17 Mach Washmate NP	1310-73-2	Sodium Hydroxide	1 Gallons	100	200	5 Corrosive Liquid	Alkaline	Storage	TBD
18 Machine Detergent No. 3x	1310-73-2	Sodium Hydroxide	5 Gallons	1000	1500	5 Corrosive Liquid	Alkaline	Storage	TBD
19 Machine Detergent No. 4x	1310-73-2	Sodium Hydroxide	5 Gallons	1000	1500	5 Corrosive Liquid	Alkaline	Storage	TBD
20 Machine Detergent 2	1310-73-2	Sodium Hydroxide	5 Gallons	20	30	Corrosive Liquid	Alkaline	Storage	TBD
21 Room Sense 400	5329-14-6	Sulfamic Acid	1 Gallons	4	8	5 Corrosive Liquid	Acidic	Storage	TBD
22 Room Sense Urinal & Bowl	5329-14-6	Sulfamic Acid	1 Gallons	10	15	Corrosive Liquid	Acidic	Storage	TBD
23 Scale Kleen	7732-18-5	Phosphoric Acid	1 Gallons	15	25	5 Corrosive Liquid	Acidic	Storage	TBD
24 Silver Tech 3X	1310-73-2	Sodium Hydroxide	5 Gallons	5	10	Corrosive Liquid	Alkaline	Storage	TBD
25 Solution QA	68424-85-1	Benzalkonium Chloride	5 Gallons	500	750	5 Corrosive Liquid	Ammoniated	Storage	TBD
26 Super 8	7681-52-9	Sodium Hypochlorite	5 Gallons	2000	3500	5 Corrosive Liquid	Chlorinated	Storage	TBD
27 Ultra D-Grease Supreme	1310-73-2	Sodium Hydroxide	1.32 Gallons	20	30	5 Corrosive Liquid	Alkaline	Storage	TBD
28 Solution QA Ultra	68931-01-5	Benzalkonium Chloride	1.32 Gallons	300	450	5 Corrosive Liquid	Ammoniated	Storage	TBD
29 Xpress Degreaser	1310-73-2	Sodium Hydroxide	1 Gallons	25	35	5 Corrosive Liquid	Alkaline	Storage	TBD
30 Xpress Oven & Grill Cleaner	1310-73-2	Sodium Hydroxide	1 Gallons	5	8	5 Corrosive Liquid	Alkaline	Storage	TBD
31 Xpress White N Brite	1310-73-2	Sodium Hydroxide	1 Gallons	2	5	5 Corrosive Liquid	Alkaline	Storage	TBD
TOTAL (Gallons):				5947	9876				

*Powder/solid quantities recorded in equivalent gallons (10lbs/Gal)

MAQ PER
CONTROL
AREA:
1000 GAL

746 CLEANSER**1. PRODUCT AND COMPANY IDENTIFICATION**

Product Name: 746 Cleanser
Product Code: A0056
Recommended Use: Heavy Duty General Purpose Cleanser

Company

Auto-Chlor System
746 Poplar Avenue
Memphis, TN 38105
Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION**OSHA Hazard Classification**

Signal Word: WARNING

Acute Toxicity: category 4 (oral)

Acute Toxicity: category 4 (dermal)

Skin Corrosion: Category 2

Eye Irritation: Category 2

Flammable Liquid: category 3

**HAZARD STATEMENTS**

H302: Harmful if swallowed
H312: Harmful in contact with skin
H315: Causes skin irritation
H320: Causes eye irritation
H226: Flammable liquid and vapor

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling
P270: Do not eat, drink or smoke when using this product
P280: Wear eye protection and protective gloves
P301/312: If swallowed, call a poison center/doctor if you feel unwell.
P330: Rinse mouth.
P302/P352: If on skin, wash with plenty soap and water.
P210: Keep away from heat, sparks, open flames and hot surfaces. No smoking
P362/P364: Take off contaminated clothing and wash it before reuse..
P242: Use only non sparking tools.

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CAS NO.	% COMPOSITION
Water	7732-18-5	85.0-90.0
Ethylene Glycol Monobutyl Ether	111-76-2	5.0-10.0
Linear Alcohol Ethoxylate	68987-81-5	1.0-5.0
Ammonium Hydroxide	1336-21-6	1.0-5.0
Acrylic Polymer	Proprietary	1.0-5.0
Fragrance	119-36-8, 118-61-6, 15356-70-4, 91-64-5, 78-70-6, 121-33-5, 8015-91-6	1.0-2.0
Dye	Proprietary	<1.0

4. FIRST AID MEASURES

Ingestion: If swallowed, call a poison center if you feel unwell. Rinse mouth.

Skin Contact: If on skin, wash with plenty of water. If skin irritation occurs, get medical advice. Take off contaminated clothing and wash it before reuse.

Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. If eye irritation persists, get medical advice.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class A/B/C fire extinguisher, dry chemical, carbon dioxide, or foam

Specific Hazards: None known

Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.

Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.

Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.

Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.

Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.

Personal Protective Equipment

Eye Protection: Wear protective glasses, goggles or eye shield.

Skin Protection: Wear impervious protective clothing, including gloves and apron.

Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:

Clear green liquid

Odor:

Wintermint scent

pH:

9.5-10.5

Specific Gravity:

0.98 - 1.02 g/ml

Solubility:

Soluble in water

Flash Point:

133°F

Boiling Point:

No information available

VOE:

0.21%

Viscosity:

No information available

Odor Threshold:

No information available

Evaporation Rate:

No information available

Odor Threshold:

No information available

Vapor Density:

No information available

Vapor Pressure:

No information available

Partition Coefficient:

No information available

Auto-Ignition Temperature:

No information available

Decomposition Temperature:

No information available

Melting/Freezing Point:

No information available

Flammability:

No information available

Lower Explosive/ Upper Explosive:

No information available

10. STABILITY AND REACTIVITY

Stability: Stable under normal conditions

Hazardous Polymerization: Will not occur

Incompatibility: Strong acids, oxidizers, alkalies, hypochlorites and halogens

Hazardous Decomposition Products: Oxides of carbon

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure: Inhalation, eye and skin contact
Acute Symptoms
Eye and Skin Contact: May cause eye and skin irritation.
Ingestion: May be harmful if swallowed.
Inhalation: None known.

Chronic Effects: None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available. Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number: Not classified
Proper Shipping Name: Not classified
Hazard Class: Not classified
Packing Group: Not classified

15. REGULATORY INFORMATION

This product contains a component subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Ammonium Hydroxide, CAS No.: 1336-21-6

CERCLA: Final RQ = 1,000 lbs

SARA 313: Listed

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CAS NO.	FUNCTION
Water	7732-18-5	Solvent
Ethylene Glycol Monobutyl Ether	111-76-2	Solvent

746 CLEANSER

Linear Alcohol Ethoxylate	68987-81-5	Surfactant
Ammonium Hydroxide	1336-21-6	pH adjuster
Acrylic Polymer	Proprietary	Polymer
Fragrance*	119-36-8, 118-61-6, 15356-70-4, 91-64-5, 78-70-6, 121-33-5, 8015-91-6	Fragrance
Dye	Proprietary	Colorant

*Contains the following fragrance allergens:

FRAGRANCE ALLERGEN	CASNO.	PERCENTAGE
Coumarin	91-64-5	0.01%

16. OTHER INFORMATION

Revision Date: 01/09/2020

Supersedes: 08/10/2018

Reason for Revision: Updated Section 15

Notice to Reader: This document has been prepared using data from sources considered technically reliable. It does not constitute a warranty, express or implied, as to the accuracy of the information contained within. Actual conditions of use and handling are beyond seller's control. User is responsible to evaluate all available information when using product for any particular use and to comply with all Federal, State, Provincial and Local laws and regulations.

1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: DC33
Product Code: A0151
Recommended Use: Disinfectant/Detergent Cleaner

Company

Auto-Chlor System

746 Poplar Avenue

Memphis, TN 38105

Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION

GHS Hazard Classification

Signal Word: DANGER

Acute Toxicity: category 4 (oral)

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Acute Toxicity: category 4 (dermal)

Skin Corrosion: Category 1B

Eye Irritation: Category 1

HAZARD STATEMENTS

H314: Causes severe skin burns and eye
H302: Harmful if swallowed
H312: Harmful in contact with skin

PRECAUTIONARY STATEMENTS

P260: Do not breathe mist/vapors or spray
P264: Wash hands thoroughly after handling
P280: Wear eye protection and protective gloves
P301-306: See Section 4 for information
P405: Store locked up
P501: Dispose of contents and container in
accordance with local, state and federal
regulations
P301/312: If swallowed, call a poison
center/doctor
if you feel unwell.
P330: Rinse mouth.
P302/P352: If on skin, wash with plenty soap and
water.
P362/P364: Take off contaminated clothing and
wash it before reuse.

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CAS NO.	% COMPOSITION*
n-alkyl dimethyl benzyl ammonium chloride	68931-01-5	1-5
n-alkyl dimethyl ethylbenzyl ammonium chloride	68956-79-6	1-5
Sodium Carbonate	497-19-5	1-5
Tetrasodium ethylenediaminetetraacetate	64-02-8	1-5
Fragrance	Mixture	<1.0

* Specific chemical identity and/or exact percentage of composition has been withheld as a trade secret.

4. FIRST AID MEASURES

IF SWALLOWED: Rinse mouth. Do NOT induce vomiting.

IF INHALED: Remove person to fresh air and keep comfortable for breathing.

IF ON SKIN: Remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.

IF IN EYES: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing.

Immediately call a poison center if you feel unwell.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class A/B/C fire extinguisher, dry chemical, carbon dioxide, or foam

Specific Hazards: None known

Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.

Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.

Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. Do not taste or swallow. Wash thoroughly after handling and before eating. Avoid breathing vapors or mists. Remove and wash contaminated clothing and footwear before re-use. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.

Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits:	No occupational exposure limits established for this product.
Appropriate Engineering Controls:	Good general ventilation should be sufficient to control airborne levels.
Personal Protective Equipment	
Eye Protection:	Wear protective glasses, goggles or eye shield.
Skin Protection:	Wear impervious protective clothing, including gloves and apron.
Respiratory Protection:	In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance: Clear yellow liquid	Evaporation Rate: No information available
Odor: Citrus fragrance	Vapor Density: No information available
pH: 11.7	Vapor Pressure: No information available
Specific Gravity: 1.038 g/ml	Partition Coefficient: No information available
Solubility: Soluble in water	Auto-Ignition Temperature: No information available
Flash Point: >200°F	Decomposition Temperature: No information available
Boiling Point: 212°F	Melting/Freezing Point: No information available
Viscosity: No information available	Flammability: No information available
Odor Threshold: No information available	Lower Explosive/ Upper Explosive: No information available

10. STABILITY AND REACTIVITY

Stability:	Stable under normal conditions
Hazardous Polymerization:	Not expected to occur with normal handling and storage
Incompatibility:	Strong oxidizing agents and strong acids
Hazardous Decomposition Products:	May include carbon monoxide, carbon dioxide and nitrogen oxides

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:	Inhalation, ingestion, eye and skin contact
Acute Symptoms	

Eye and Skin Contact:	Corrosive. May cause severe burns.
Ingestion:	Corrosive. May cause burns to mouth, throat and stomach.
Inhalation:	May cause irritation and corrosive effects to nose, throat and respiratory tract.
Chronic Effects:	None known

12. ECOLOGICAL INFORMATION

This product is toxic to fish and aquatic invertebrates.

13. DISPOSAL CONSIDERATIONS

Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

14. TRANSPORT INFORMATION

UN Number:	Not classified
Proper Shipping Name:	Not classified
Hazard Class:	Not classified
Packing Group:	Not classified

15. REGULATORY INFORMATION

EPA REGISTRATION NUMBER: 1839-95-6243

EPA Statement

This chemical is a pesticide product registered by the Environmental Protection Agency and is subject to certain labeling requirements under federal pesticide law. These requirements differ from the classification criteria and hazard information required for safety data sheets, and for workplace labels of non-pesticide chemicals. The pesticide label also includes other important information, including directions for use, pesticide storage and container handling. Following is the hazard information as required on the pesticide label:

DANGER. KEEP OUT OF REACH OF CHILDREN. CORROSIVE. Causes irreversible eye damage and skin burns. Do not get in eyes, on skin or on clothing. Wear goggles or face shield, rubber gloves, and protective clothing. Harmful if swallowed. Remove contaminated clothing and wash before reuse. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CAS NO.	FUNCTION
n-alkyl dimethyl benzyl ammonium chloride	68931-01-5	Antimicrobial
n-alkyl dimethyl ethylbenzyl ammonium chloride	68956-79-6	Antimicrobial
Sodium Carbonate	497-19-5	Builder
Tetrasodium ethylenediaminetetraacetate	64-02-8	Chelant
Fragrance*	Mixture	Fragrance

*Contains the following fragrance allergens:

FRAGRANCE ALLERGEN	CASNO.	PERCENTAGE
d-Limonene	5989-27-5	0.04%
Citral	5392-40-5	0.01%

16.OTHER INFORMATION

Revision Date: 01/10/20
Supersedes: 08/21/18
Reason for Revision: Updated Section 15

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D-GREASE**1. PRODUCT AND COMPANY IDENTIFICATION**

Product Name: D-Grease
Product Code: A0057
Recommended Use: Concentrated Alkaline Degreaser

Company

Auto-Chlor System
746 Poplar Avenue
Memphis, TN 38105
Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION**OSHA Hazard Classification**

Signal Word: DANGER

Acute Toxicity: category 4 (oral)

Acute Toxicity: category 4 (dermal)

Skin Corrosion: Category 1

Eye Irritation: Category 1

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HAZARD STATEMENTS

H302: Harmful if **swallowed**
H312: Harmful in contact with skin
H314: causes severe skin burns and eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling
P270: Do not eat, drink or smoke when using this product
P280: Wear eye protection and protective gloves
P301/312: If swallowed, call a poison center/doctor if you feel unwell.
P330: Rinse mouth.
P302/P352: If on skin, wash with plenty soap and water.
P362/P364: Take off contaminated clothing and wash it before reuse.

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CASNO.	% COMPOSITION
Water	7732-18-5	68.0-73.0
Ethylene Glycol Monobutyl Ether	111-76-2	5.0-10.0
Sodium Xylene Sulfonate	1300-72-7	5.0-10.0
Sodium Hydroxide	1310-73-2	1.0-5.0
Linear Alcohol Ethoxylate	68987-81-5	1.0-5.0
Sodium Laureth Sulfate	9004-82-4	1.0-5.0
Dye	633-96-5	<1.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.

Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.

Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.

Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class A/B/C fire extinguisher, dry chemical, carbon dioxide, or foam

Specific Hazards: None known

Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.

Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.

Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.

Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.
Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.

Personal Protective Equipment

Eye Protection: Wear protective glasses, goggles or eye shield.
Skin Protection: Wear impervious protective clothing, including gloves and apron.
Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance: Clear orange liquid	Evaporation Rate: No information available
Odor: Aromatic odor	Odor Threshold: No information available
pH: 11.6-12.2	Vapor Density: No information available
Specific Gravity: 1.04 - 1.08 g/ml	Vapor Pressure: No information available
Solubility: Soluble in water	Partition Coefficient: No information available
Flash Point: No information available	Auto-Ignition Temperature: No information available
Boiling Point: No information available	Decomposition Temperature: No information available
VOE: No information available	Melting/Freezing Point: No information available
Viscosity: No information available	Flammability: No information available
Odor Threshold: No information available	Lower Explosive / Upper Explosive: No information available

10. STABILITY AND REACTIVITY

Stability: Stable under normal conditions
Hazardous Polymerization: Will not occur
Incompatibility: Strong acids, strong oxidizers and chlorine
Hazardous Decomposition Products: Oxides of carbon

11. TOXICOLOGY INFORMATION

The product itself has not been tested. Information given is based on data obtained from components of the mixture. The acute toxicity estimates are:

Oral LD₅₀
3629 mg/kg

Dermal LD₅₀
>5000 mg/kg

Inhalation LC₅₀
2.69 mg/l

Likely Routes of Exposure: Inhalation, eye and skin contact

Acute Symptoms

Eye and Skin Contact: May cause severe burns.

Ingestion: May cause burns to mouth, throat and stomach.

Inhalation: May cause irritation and corrosive effects to nose, throat and respiratory tract.

Chronic Effects: None known

12. ECOLOGICAL INFORMATION

The ecological evaluation of this product is based on data from the components of the mixture. The acute toxicity estimate:

Fish LC₅₀: 26.85 mg/l

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available. Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number: UN3266

Proper Shipping Name: Corrosive Liquid, Basic, Inorganic, N.O.S., (Sodium Hydroxide)

Hazard Class: 8

Packing Group: II

15. REGULATORY INFORMATION

This product contains the following component which is subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Sodium Hydroxide, CAS No.: 1310-73-2

CERCLA: Final RQ = 1,000 lbs

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CASNO.	FUNCTION
Water	7732-18-5	Solvent
Ethylene Glycol Monobutyl Ether	111-76-2	Solvent
Sodium Xylene Sulfonate	1300-72-7	Surfactant
Sodium Hydroxide	1310-73-2	Builder
Linear Alcohol Ethoxylate	68987-81-5	Surfactant
Sodium Laureth Sulfate	9004-82-4	Surfactant
Dye	633-96-5	Colorant

16.OTHER INFORMATION

Revision Date: 01/10/20
Supersedes: 08/15/18
Reason for Revision: Update Section 15

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D-SCALE

1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: D-Scale
Product Code: A0220
Recommended Use: Scale and Lime Deposits Removal

Company

Auto-Chlor System
 746 Poplar Avenue
 Memphis, TN 38105
 Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR) **SPILLS:** 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION

OSHA Hazard Classification

Signal Word: DANGER
Acute Toxicity: category 4
Skin Corrosion: Category 2
Eye Irritation: Category 1



HAZARD STATEMENTS

H302: Harmful if swallowed
 H312: Harmful in contact with skin
 H315: causes skin irritation
 H318: Causes serious eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling
 P270: Do not eat, drink or smoke when using this product
 P280: Wear eye protection and protective gloves

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CASNO.	" COMPOSITION
Water	7732-18-5	50.0-55.0
Phosphoric Acid	7664-38-2	42.0-47.0
Sodium Butoxyethoxy Acetate	67990-17-4	1.0-5.0
Dye	3734-67-6	<1.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.
Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.
Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.
Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class A/B/C fire extinguisher, dry chemical, carbon dioxide, or foam
Specific Hazards: None known
Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.
Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.
Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.
Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.
Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.
Personal Protective Equipment
Eye Protection: Wear protective glasses, goggles or eye shield.
Skin Protection: Wear impervious protective clothing, including gloves and apron.
Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:

Clear pink liquid

Odor:

No characteristic odor

pH:

No information available

Specific Gravity:

1.2-1.22 g/ml

Solubility:

Soluble in water

Flash Point:

No information available

Boiling Point:

No information available

VOE:

No information available

Viscosity:

No information available

Odor Threshold:

No information available

Evaporation Rate:

No information available

Odor Threshold:

No information available

Vapor Density:

No information available

Vapor Pressure:

No information available

Partition Coefficient:

No information available

Auto-Ignition Temperature:

No information available

Decomposition Temperature:

No information available

Melting/Freezing Point:

No information available

Flammability:

No information available

Lower Explosive/ Upper Explosive:

No information available

10. STABILITY AND REACTIVITY

Stability:

Stable under normal conditions

Hazardous Polymerization:

Will not occur

Incompatibility:

Incompatible with strong alkalis

Hazardous Decomposition Products:

Oxides of phosphorous

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:

Inhalation, eye and skin contact

Acute Symptoms**Eye and Skin Contact:**

May cause serious eye damage and skin irritation.

Ingestion:

May cause irritation to mouth, throat and stomach.

Inhalation:

May cause irritation to nose, throat and respiratory tract.

Chronic Effects:

None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available.
Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number: UN1805
Proper Shipping Name: Phosphoric Acid Solution
Hazard Class: 8
Packing Group: 111

15. REGULATORY INFORMATION

This product contains a component subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Phosphoric Acid, CAS No. 7664-38-2

CERCLA: Final RQ = 5,000 lbs

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CAS NO.	FUNCTION
Water	7732-18-5	Solvent
Phosphoric Acid	7664-38-2	Cleaning Enhancer
Sodium Butoxyethoxy Acetate	67990-17-4	Cleaning Enhancer
Dye	3734-67-6	Colorant

16. OTHER INFORMATION

Revision Date: 01/10/20
Supersedes: 01/30/15
Reason for Revision: Updated Section 15

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FABRA KLEEN ELIMINATOR
1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: Fabra Kleen Eliminator
Product Code: A0303
Recommended Use: Concentrated Alkaline Laundry Detergent

Company

Auto-Chlor System
 746 Poplar Avenue
 Memphis, TN 38105
 Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION
OSHA Hazard Classification

Signal Word: DANGER

Acute Toxicity: Category 4

Skin Corrosion: Category 1

Eye Irritation: Category 1


HAZARD STATEMENTS

H302: Harmful if swallowed
 H312: Harmful in contact with skin
 H314: Causes severe skin burns and eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling
 P270: Do not eat, drink or smoke when using this product
 P280: Wear eye protection and protective gloves

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CAS NO.	" COMPOSITION
Water	7732-18-5	40.0-45.0
Sodium Xylene Sulfonate	1300-72-7	15.0-20.0
Potassium Hydroxide	1310-58-3	10.0-15.0
Sodium Silicate	1344-09-8	5.0-10.0
Alcohols, C10-16, ethoxylated	6802-97-1	5.0-10.0
Dodecylbenzenesulfonic Acid	68584-22-5	5.0-10.0
Isopropanol	67-63-0	1.0-5.0
linear Alcohol Ethoxylate	68987-81-5	1.0-5.0
Citric Acid	77-92-9	1.0-5.0
2-aminoethanol	141-43-5	1.0-5.0
Benzenesulfonic acid, 2,2'-([1,1'-biphenyl]-4,4'-diyl-di-2,1-ethenediyl)bis-, disodium salt	27344-41-8	<1.0
Dye	4474-24-2	<1.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.
Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.
Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.
Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class NB/C fire extinguisher, dry chemical, carbon dioxide, or foam
Specific Hazards: None known
Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.
Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.
Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.
Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.
Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.
Personal Protective Equipment
Eye Protection: Wear protective glasses, goggles or eye shield.
Skin Protection: Wear impervious protective clothing, including gloves and apron.
Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:	Evaporation Rate:
Clear blue liquid	No information available
Odor:	Odor Threshold:
No information available	No information available
pH:	Vapor Density:
11.0-12.0	No information available
Specific Gravity:	Vapor Pressure:
1.10 - 1.13 g/ml	No information available
Solubility:	Partition Coefficient:
Soluble in water	No information available
Flash Point:	Auto-Ignition Temperature:
No information available	No information available
Boiling Point:	Decomposition Temperature:
No information available	No information available
VOE:	Melting/Freezing Point:
No information available	No information available
Viscosity:	Flammability:
No information available	No information available
Odor Threshold:	Lower Explosive/ Upper Explosive:
No information available	No information available

10. STABILITY AND REACTIVITY

Stability:	Stable under normal conditions
Hazardous Polymerization:	Will not occur
Incompatibility:	None known
Hazardous Decomposition Products:	None reasonably foreseeable

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:	Inhalation, eye and skin contact
Acute Symptoms	
Eye and Skin Contact:	May cause severe burns.
Ingestion:	May cause burns to mouth, throat and stomach.
Inhalation:	May cause irritation and corrosive effects to nose, throat and respiratory tract.
Chronic Effects:	None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available. Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number: UN3266
Proper Shipping Name: Corrosive Liquid, Basic, Inorganic, N.O.S., (Potassium Hydroxide)
Hazard Class: 8
Packing Group: II

15. REGULATORY INFORMATION

This product contains the following component subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Potassium Hydroxide, CAS No. 1310-58-3

CERCLA: Final RQ = 1,000 lbs

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CAS NO.	FUNCTION
Water	7732-18-5	Solvent
Sodium Xylene Sulfonate	1300-72-7	Surfactant
Potassium Hydroxide	1310-58-3	Builder
Sodium Silicate	1344-09-8	Builder
Alcohols, C10-16, ethoxylated	6802-97-1	Surfactant
Dodecylbenzenesulfonic Acid	68584-22-5	Surfactant
Isopropanol	67-63-0	Solvent
Linear Alcohol Ethoxylate	68987-81-5	Surfactant
Citric Acid	77-92-9	pH Adjuster
2-aminoethanol	141-43-5	Builder
Benzenesulfonic acid, 2,2'-{[1,1'-biphenyl]-4,4'-diyldi-2,1-ethenediyl}bis-, disodium salt	27344-41-8	Cleaning Enhancer
Dye	4474-24-2	Colorant

16.OTHER INFORMATION

Revision Date: 11/20/19
Supersedes: 11/20/19
Reason for Revision: Updated per California SB 256

Notice to Reader: This document has been prepared using data from sources considered technically reliable. It does not constitute a warranty, express or implied, as to the accuracy of the information contained within. Actual conditions of use and handling are beyond seller's control. User is responsible to evaluate all available information when using product for any particular use and to comply with all Federal, State, Provincial and Local laws and regulations.

FABRA KLEEN MAXIMIZER

1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: Fabra Kleen Maximizer
Product Code: A0301
Recommended Use: Alkali Booster

Company

Auto-Chlor System
746 Poplar Avenue
Memphis, TN 38105
Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION

OSHA Hazard Classification

Signal Word: DANGER

Acute Toxicity: Category 4

Skin Corrosion: Category 1

Eye Irritation: Category 1



HAZARD STATEMENTS

H302: Harmful if swallowed
H312: Harmful in contact with skin
H314: causes severe skin burns and eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling
P270: Do not eat, drink or smoke when using this product
P280: Wear eye protection and protective gloves

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CAS NO.	" COMPOSITION
Sodium Hydroxide	1310-73-2	32.0-37.0
Water	7732-18-5	18.0-23.0
Polyacrylic Acid	66019-18-9	1.0-5.0
Amino tris (methylenephosphonic acid)	6419-19-8	1.0-5.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.
Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.
Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.
Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class NB/C fire extinguisher, dry chemical, carbon dioxide, or foam
Specific Hazards: None known
Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.
Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.
Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.
Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.
Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.
Personal Protective Equipment
Eye Protection: Wear protective glasses, goggles or eye shield.
Skin Protection: Wear impervious protective clothing, including gloves and apron.
Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:	Evaporation Rate:
Clear colorless to light straw liquid	No information available
Odor:	Odor Threshold:
No information available	No information available
pH:	Vapor Density:
No information available	No information available
Specific Gravity:	Vapor Pressure:
1.38-1.44	No information available
Solubility:	Partition Coefficient:
Soluble in water	No information available
Flash Point:	Auto-Ignition Temperature:
No information available	No information available
Boiling Point:	Decomposition Temperature:
No information available	No information available
VOE:	Melting/Freezing Point:
0.00%	No information available
Viscosity:	Flammability:
No information available	No information available
Odor Threshold:	Lower Explosive/ Upper Explosive:
No information available	No information available

10. STABILITY AND REACTIVITY

Stability:	Stable under normal conditions
Hazardous Polymerization:	Will not occur
Incompatibility:	None known
Hazardous Decomposition Products:	None reasonably foreseeable

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:	Inhalation, eye and skin contact
Acute Symptoms	
Eye and Skin Contact:	May cause severe burns.
Ingestion:	May cause burns to mouth, throat and stomach.
Inhalation:	May cause irritation and corrosive effects to nose, throat and respiratory tract.
Chronic Effects:	None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available. Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number: UN1824
Proper Shipping Name: Sodium Hydroxide Solutions
Hazard Class: 8
Packing Group: II

15. REGULATORY INFORMATION

This product contains the following component which is subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Sodium Hydroxide, CAS No.: 1310-73-2
CERCLA Final RQ: 1,000 lbs

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CAS NO.	FUNCTION
Sodium Hydroxide	1310-73-2	Builder
Water	7732-18-5	Solvent
Polyacrylic Acid	66019-18-9	Chelant
Amino tris (methylenephosphonic acid}	6419-19-8	Chelant

16. OTHER INFORMATION

Revision Date: 01/01/20
Supersedes: 01/19/17
Reason for Revision: Updated per California SB 256

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FABRA KLEEN SOFT & SOUR
1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: Fabra Kleen Soft & Sour
Product Code: **A0313**
Recommended Use: Concentrated Fabric Softener with Neutralizer

Company

Auto-Chlor System
 746 Poplar Avenue
 Memphis, TN 38105
 Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR) **SPILLS:** 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION
OSHA Hazard Classification

Signal Word: DANGER

Acute Toxicity: category 4

Skin Corrosion: Category 1

Eye Irritation: Category 1

Skin Sensitization: Category 1


HAZARD STATEMENTS

H302: Harmful if swallowed
 H312: Harmful in contact with skin
 H314: causes severe skin burns and eye Damage
 H317: **Make** cause an allergic skin reaction

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling
 P270: Do not eat, drink or smoke when using this product
 P280: Wear eye protection and protective gloves

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CAS NO.	" COMPOSITION
Water	7732-18-5	62.0-66.0
Fluorosilicic Acid 23%	16961-83-4	20.0-25.0
Methyl Bis(Tallow Amido Ethyl) 2-Hydroxyethyl Ammonium Methyl Sulfate, Ethoxylated	68410-69-5	8.0-12.0
Linear Alcohol Ethoxylate	68987-81-5	1.0-5.0
Dipropylene Glycol Methyl Ether	34590-94-8	1.0-5.0

Fragrance	Mixture	< 1.0
Dye	4474-24-2	< 1.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.

Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.

Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.

Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class A/B/C fire extinguisher, dry chemical, carbon dioxide, or foam

Specific Hazards: None known

Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.

Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.

Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.

Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.

Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.

Personal Protective Equipment

Eye Protection: Wear protective glasses, goggles or eye shield.

Skin Protection: Wear impervious protective clothing, including gloves and apron.

Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:

Opaque blue liquid

Odor:

Slight floral odor

pH:

2.0-3.0

Specific Gravity:

1.03- 1.07 g/ml

Solubility:

Soluble in water

Flash Point:

No information available

Boiling Point:

No information available

VOE:

No information available

Viscosity:

No information available

Odor Threshold:

No information available

Evaporation Rate:

No information available

Odor Threshold:

No information available

Vapor Density:

No information available

Vapor Pressure:

No information available

Partition Coefficient:

No information available

Auto-Ignition Temperature:

No information available

Decomposition Temperature:

No information available

Melting/Freezing Point:

No information available

Flammability:

No information available

Lower Explosive/ Upper Explosive:

No information available

10. STABILITY AND REACTIVITY

Stability:

Stable under normal conditions

Hazardous Polymerization:

Will not occur

Incompatibility:

None known

Hazardous Decomposition Products:

None reasonably foreseeable

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:

Inhalation, eye and skin contact

Acute Symptoms**Eye and Skin Contact:**

May cause severe burns.

Ingestion:

May cause burns to mouth, throat and stomach.

Inhalation:

May cause irritation and corrosive effects to nose, throat and respiratory tract.

Chronic Effects:

None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available.
Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number: UN1778
Proper Shipping Name: Fluorosilicic Acid
Hazard Class: 8
Packing Group: II

15. REGULATORY INFORMATION

This product does not contain any component subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA.

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CAS NO.	FUNCTION
Water	7732-18-5	Solvent
Fluorosilicic Acid 23%	16961-83-4	pH Adjuster
Methyl Bis(Tallow Amide Ethyl) 2-Hydroxyethyl Ammonium Methyl Sulfate, Ethoxylated	68410-69-5	Surfactant
Linear Alcohol Ethoxylate	68987-81-5	Surfactant
Dipropylene Glycol Methyl Ether	34590-94-8	Solvent
Fragrance*	Mixture	Fragrance
Dye	4474-24-2	Colorant

*Contains the following fragrance allergens:

FRAGRANCE ALLERGEN	CASNO.	PERCENTAGE
Hexyl Cinnamal	101-86-0	0.03%
Butylphenyl Methylpropional	80-54-6	0.02%
Amyl Cinnamal	122-40-7	0.01%

16. OTHER INFORMATION

Revision Date: 01/01/20
Supersedes: 10/10/19
Reason for Revision: Updated per California SB 256

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FABRA KLEEN SOUR
1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: Fabra Kleen Sour
Product Code: A0312
Recommended Use: Neutralizing Rinse Additive

Company

Auto-Chlor System
 746 Poplar Avenue
 Memphis, TN 38105
 Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION
OSHA Hazard Classification

Signal Word: DANGER

Acute Toxicity: Category 4

Skin Corrosion: Category 1

Eye Irritation: Category 1


HAZARD STATEMENTS

H302: Harmful if swallowed
 H312: Harmful in contact with skin
 H314: causes severe skin burns and eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling
 P270: Do not eat, drink or smoke when using this product
 P280: Wear eye protection and protective gloves

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CAS NO.	" COMPOSITION
Water	7732-18-5	50.0-55.0
Fluorosilicic Acid 23"	16961-83-4	42.0-47.0
Dye	3734-67-6	< 1.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.

Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.

- Skin Contact:** If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.
- Eye Contact:** If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

- Extinguishing Media:** Class A/B/C fire extinguisher, dry chemical, carbon dioxide, or foam
- Specific Hazards:** None known
- Protective Equipment:** Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

- Personal Precautions:** Isolate spill or leak area immediately. Adequately ventilate area.
- Protective Equipment:** Wear appropriate personal protective equipment as specified in Section 8.
- Cleanup Procedures:** Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

- Handling Precautions:** Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.
- Storage:** Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

- Occupational Exposure Limits:** No occupational exposure limits established for this product.
- Appropriate Engineering Controls:** Good general ventilation should be sufficient to control airborne levels.
- Personal Protective Equipment**
- Eye Protection:** Wear protective glasses, goggles or eye shield.
- Skin Protection:** Wear impervious protective clothing, including gloves and apron.
- Respiratory Protection:** In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:	Evaporation Rate:
Clear pink liquid	No information available
Odor:	Odor Threshold:
No information available	No information available
pH:	Vapor Density:
No information available	No information available
Specific Gravity:	Vapor Pressure:
1.08-1.10	No information available
Solubility:	Partition Coefficient:
Soluble in water	No information available
Flash Point:	Auto-Ignition Temperature:
No information available	No information available
Boiling Point:	Decomposition Temperature:
No information available	No information available
VOE:	Melting/Freezing Point:
No information available	No information available
Viscosity:	Flammability:
No information available	No information available
Odor Threshold:	Lower Explosive/ Upper Explosive:
No information available	No information available

10. STABILITY AND REACTIVITY

Stability:	Stable under normal conditions
Hazardous Polymerization:	Will not occur
Incompatibility:	None known
Hazardous Decomposition Products:	None reasonably foreseeable

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:	Inhalation, eye and skin contact
Acute Symptoms	
Eye and Skin Contact:	May cause severe burns.
Ingestion:	May cause burns to mouth, throat and stomach.
Inhalation:	May cause irritation and corrosive effects to nose, throat and respiratory tract.
Chronic Effects:	None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available. Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number: UN1778
Proper Shipping Name: Fluorosilicic Acid
Hazard Class: 8
Packing Group: II

15. REGULATORY INFORMATION

This product does not contain components subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA.

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CAS NO.	FUNCTION
Water	7732-18-5	Solvent
Fluorosilicic Acid 23%	16961-83-4	pH Adjuster
Dye	3734-67-6	Colorant

16. OTHER INFORMATION

Revision Date: 01/01/20
Supersedes: 04/06/15
Reason for Revision: Updated per California SB 256

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**FABRA KLEEN TERMINATOR****1. PRODUCT AND COMPANY IDENTIFICATION**

Product Name: Fabra Kleen Terminator

Product Code: **A0304**

Recommended Use: Built Detergent

Company

Auto-Chlor System

746 Poplar Avenue

Memphis, TN 38105

Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION**OSHA Hazard Classification**

Signal Word: DANGER

Acute Toxicity: Category 4

Skin Corrosion: Category 1

Eye Irritation: Category 1

carcinogenicity (oral): category 2

HAZARD STATEMENTS

H302: Harmful if swallowed

H312: Harmful in contact with skin

H314: Causes severe skin burns and eye damage

H351: Suspected of causing cancer if swallowed

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling

P270: Do not eat, drink or smoke when using this product

P280: Wear eye protection and protective gloves

P308: If exposed or concerned, get medical advice or attention.

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CAS NO.	% COMPOSITION
Water	7732-18-5	50.0-55.0
Sodium Hydroxide	1310-73-2	17.0-22.0
Sodium Nitrilo-triacetate, monohydrate	18662-53-8	5.0-8.0
Alcohols, C12-16, Ethoxylated	68551-12-2	1.0-5.0
Alcohols, C10-16 Ethoxylated	68002-97-1	1.0-5.0
Linear Alkylbenzene Sulfonate	Mixture	1.0-5.0
Benzenesulfonic acid, 2,2'-([1,1'-biphenyl]-4,4'-diyl-di-2,1-ethenediyl)bis, disodium salt	27344-41-8	< 1.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting. Seek medical advice.

Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.

Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.

Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class NB/C fire extinguisher, dry chemical, carbon dioxide, or foam

Specific Hazards: None known

Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.

Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.

Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.

Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits:

Hazardous Component	CAS-No.	OSHA Final PEL TWA	OSHA Final PEL STEL	OSHA Final PEL Ceiling
Sodium hydroxide	1310-73-2	2 mg/m.,	-----	-----

Appropriate Engineering Controls:

Good general ventilation should be sufficient to control airborne levels.

Personal Protective Equipment

Eye Protection:

Wear protective glasses, goggles or eye shield.

Skin Protection:

Wear impervious protective clothing, including gloves and apron.

Respiratory Protection:

In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:

White emulsion liquid

Odor:

No information available

pH:

No information available

Specific Gravity:

1.268 - 1.280 g/ml

Solubility:

Soluble in water

Flash Point:

No information available

Boiling Point:

No information available

VOE:

No information available

Viscosity:

50-100 cps

Odor Threshold:

No information available

Evaporation Rate:

No information available

Odor Threshold:

No information available

Vapor Density:

No information available

Vapor Pressure:

No information available

Partition Coefficient:

No information available

Auto-Ignition Temperature:

No information available

Decomposition Temperature:

No information available

Melting/Freezing Point:

No information available

Flammability:

No information available

Lower Explosive/ Upper Explosive:

No information available

10. STABILITY AND REACTIVITY

Stability:	Stable under normal conditions
Hazardous Polymerization:	Will not occur
Incompatibility:	None known
Hazardous Decomposition Products:	None reasonably foreseeable

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:	Inhalation, eye and skin contact
Acute Symptoms	
Eye and Skin Contact:	May cause severe burns.
Ingestion:	May cause burns to mouth, throat and stomach.
Inhalation:	May cause irritation and corrosive effects to nose, throat and respiratory tract.
Chronic Effects:	None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available. Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number:	UN1824
Proper Shipping Name:	Sodium Hydroxide Solutions
Hazard Class:	8
Packing Group:	II

15. REGULATORY INFORMATION

This product contains the following component which is subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Sodium Hydroxide, CAS No.: 1310-73-2
CERCLA Final RQ: 1,000 lbs

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CAS NO.	FUNCTION
Water	7732-18-5	Solvent
Sodium Hydroxide	1310-73-2	Builder
Sodium Nitrilo-triacetate, monohydrate	18662-53-8	Chelant
Alcohols, C12-16, Ethoxylated	68551-12-2	Surfactant
Alcohols, C10-16 Ethoxylated	68002-97-1	Surfactant
Linear Alkylbenzene Sulfonate	Mixture	Surfactant
Benzenesulfonic acid, 2,2'-([1,1'-biphenyl]-4,4'-diyl-di-2,1-ethenediyl)bis, disodium salt	27344-41-8	Cleaning Enhancer

16. OTHER INFORMATION

Revision Date: 01/01/20
Supersedes: 03/21/18
Reason for Revision: Updated per California SB 256

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FLOOR BREAK

1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: Floor Break
Product Code: A0210
Recommended Use: Concentrated Alkaline Floor Cleaner

Company

Auto-Chlor System
 746 Poplar Avenue
 Memphis, TN 38105
 Questions/Comments: 901-579-2300

Emergency Telephone Numbers
MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION

OSHA Hazard Classification
Signal Word: DANGER
Acute Toxicity: category 4

Skin Corrosion: Category 1

Eye Irritation: Category 1


HAZARD STATEMENTS

H302: Harmful if swallowed

H312: Harmful in contact with skin

H314: Causes severe skin burns and eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling

P270: Do not eat, drink or smoke when using this product

P280: Wear eye protection and protective gloves

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CASNO.	% COMPOSITION
Water	7732-18-5	58.0-63.0
Sodium Tripolyphosphate	7758-29-4	8.0-13.0
Sodium Xylene Sulfonate	1300-72-7	5.0-10.0
Potassium Hydroxide	1310-58-3	5.0-10.0
Linear Alcohol Ethoxylate	68987-81-5	1.0-5.0
Alcohol Ethoxy Sulfate	Mixture	<1.0
Sodium Silicate	1344-09-8	<1.0
Fragrance	Mixture	<1.0
Dye	Mixture	<1.0

4. FIRST AID MEASURES

Ingestion:	If swallowed, rinse mouth. Do NOT induce vomiting.
Inhalation:	If inhaled, remove person to fresh air and keep comfortable for breathing.
Skin Contact:	If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.
Eye Contact:	If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media:	Class A/B/C fire extinguisher, dry chemical, carbon dioxide, or foam
Specific Hazards:	None known
Protective Equipment:	Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions:	Isolate spill or leak area immediately. Adequately ventilate area.
Protective Equipment:	Wear appropriate personal protective equipment as specified in Section 8.
Cleanup Procedures:	Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions:	Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.
Storage:	Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits:	No occupational exposure limits established for this product.
Appropriate Engineering Controls:	Good general ventilation should be sufficient to control airborne levels.
Personal Protective Equipment	
Eye Protection:	Wear protective glasses, goggles or eye shield.
Skin Protection:	Wear impervious protective clothing, including gloves and apron.
Respiratory Protection:	In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:

Clear green liquid

Odor:

Lemon fragrance

pH:

13.2-13.4

Specific Gravity:

1.17-1.19 g/mL

Solubility:

Soluble in water

Flash Point:

No information available

Boiling Point:

212°F

VOE:

No information available

Viscosity:

No information available

Odor Threshold:

No information available

Evaporation Rate:

No information available

Odor Threshold:

No information available

Vapor Density:

No information available

Vapor Pressure:

No information available

Partition Coefficient:

No information available

Auto-Ignition Temperature:

No information available

Decomposition Temperature:

No information available

Melting/Freezing Point:

No information available

Flammability:

No information available

Lower Explosive/ Upper Explosive:

No information available

10. STABILITY AND REACTIVITY

Stability:

Stable under normal conditions

Hazardous Polymerization:

Will not occur

Incompatibility:

Strong acids and strong oxidizers

Hazardous Decomposition Products: May yield oxides of carbon and hydrogen

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:

Inhalation, eye and skin contact

Acute Symptoms**Eye and Skin Contact:**

May cause severe burns.

Ingestion:

May cause burns to mouth, throat and stomach.

Inhalation:

May cause irritation and corrosive effects to nose, throat and respiratory tract.

Chronic Effects:

None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available. Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number: UN3266
Proper Shipping Name: Corrosive Liquid, Basic, Inorganic, N.O.S., (Potassium Hydroxide)
Hazard Class: 8
Packing Group: II

15. REGULATORY INFORMATION

This product contains the following components which are subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Sodium Tripolyphosphate, CAS No.: 7758-29-4
 CERCLA: Final RQ = 5,000 lbs

Potassium Hydroxide, CAS No.: 1310-58-3
 CERCLA: Final RQ = 1,000 lbs

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CASNO.	FUNCTION
Water	7732-18-5	Solvent
Sodium Tripolyphosphate	7758-29-4	Builder
Sodium Xylene Sulfonate	1300-72-7	Surfactant
Potassium Hydroxide	1310-58-3	pH Adjuster
Linear Alcohol Ethoxylate	68987-81-5	Surfactant
Alcohol Ethoxy Sulfate	Mixture	Surfactant
Sodium Silicate	1344-09-8	Builder
Fragrance*	Mixture	Fragrance
Dye	Mixture	Colorant

*Contains the following fragrance allergens:

FRAGRANCE ALLERGEN	CASNO.	PERCENTAGE
Citral	5392-40-5	0.01%

16.OTHER INFORMATION

Revision Date: 01/01/2020

Supersedes: 02/10/2015

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GOK
1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: GOK
Product Code: A0054
Recommended Use: Concentrated Alkaline Degreaser

Company

Auto-Chlor System
 746 Poplar Avenue
 Memphis, TN 38105
 Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION
OSHA Hazard Classification

Signal Word: DANGER

Acute Toxicity: category 4 (oral)

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Acute Toxicity: category 4 (dermal)

Skin Corrosion: Category 1

Eye Irritation: Category 1

HAZARD STATEMENTS

H302: Harmful if **swallowed**

H312: Harmful in contact **with** skin

H314: causes severe skin burns and eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling

P270: Do not eat, drink or smoke when using this product

P280: Wear eye protection and protective gloves

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CASNO.	% COMPOSITION
Water	7732-18-5	73.0-75.0
Potassium Hydroxide	1310-58-3	10.0-12.0
Propylene Glycol	57-55-6	2.0-5.0
Alkylpolyglucoside	68515-73-1, 110615-47-9	3.0-5.0
Alcohol ethoxy sulfate	9004-82-4 , 64-17-5, 68131-39-5	1.0-3.0
Surfactant Blend	110615-47-9, 68585-34-2, 1310-73-2, 77-92-9	1.0-3.0

Sodium Silicate	1344-09-8	1.0-2.0
Styrene/Acrylamide	24981-13-3	<1.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.

Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.

Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.

Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class A/B/C fire extinguisher, dry chemical, carbon dioxide, or foam

Specific Hazards: None known

Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.

Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.

Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.

Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.

Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.

Personal Protective Equipment

Eye Protection: Wear protective glasses, goggles or eye shield.

Skin Protection: Wear impervious protective clothing, including gloves and apron.

Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:

White opaque liquid

Odor:

No information available

pH:

13.0-13.2

Specific Gravity:

1.10-1.20 g/ml

Solubility:

Miscible in water

Flash Point:

No information available

Boiling Point:

No information available

VOE:

No information available

Viscosity:

No information available

Odor Threshold:

No information available

Evaporation Rate:

No information available

Odor Threshold:

No information available

Vapor Density:

No information available

Vapor Pressure:

No information available

Partition Coefficient:

No information available

Auto-Ignition Temperature:

No information available

Decomposition Temperature:

No information available

Melting/Freezing Point:

No information available

Flammability:

No information available

Lower Explosive/ Upper Explosive:

No information available

10. STABILITY AND REACTIVITY

Stability: Stable under normal conditions

Hazardous Polymerization: Will not occur

Incompatibility: Strong acids and strong oxidizers

Hazardous Decomposition Products: Oxides of carbon or nitrogen

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure: Inhalation, eye and skin contact

Acute Symptoms

Eye and Skin Contact: May cause severe burns.

Ingestion: May cause burns to mouth, throat and stomach.

Inhalation:	May cause irritation and corrosive effects to nose, throat and respiratory tract.
Chronic Effects:	None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available. Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number:	UN3266
Proper Shipping Name:	Corrosive Liquid, Basic, Inorganic, N.O.S., (Potassium Hydroxide)
Hazard Class:	8
Packing Group:	II

15. REGULATORY INFORMATION

This product contains the following component which is subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Potassium Hydroxide, CAS No.: 1310-58-3
CERCLA: Final RQ = 1,000 lbs

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CAS NO.	FUNCTION
Water	7732-18-5	Solvent
Potassium Hydroxide	1310-58-3	pH Adjuster
Propylene Glycol	57-55-6	Solvent
Alkylpolyglucoside	68515-73-1, 110615-47-9	Surfactant
Alcohol ethoxy sulfate	9004-82-4, 64-17-5, 68131-39-5	Surfactant
Surfactant Blend	110615-47-9, 68585-34-2, 1310-73-2, 77-92-9	Surfactant
Sodium Silicate	1344-09-8	Builder
Styrene/Acrylamide	24981-13-3	Polymer

16. OTHER INFORMATION

Revision Date: 01/01/2020

Supersedes: 08/01/2018

Reason for Revision: Added California Right to Know Act regulations.

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INSTITUTIONAL MACHINE DETERGENT

1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: Institutional Machine Detergent
Product Code: A0022
Recommended Use: Mechanical **Warewashing** Detergent

Company

Auto-Chlor System

746 Poplar Avenue

Memphis, TN 38105

Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION

OSHA Hazard Classification

Signal Word: DANGER

Acute Toxicity: category 4

Skin Corrosion: Category 1

Eye Irritation: Category 1



HAZARD STATEMENTS

H302: Harmful if swallowed

H312: Harmful in contact with skin

H314: causes severe skin burns and eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling

P270: Do not eat, drink or smoke when using this product

P280: Wear eye protection and protective gloves

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CAS NO.	% COMPOSITION
Water	7732-18-5	60.0-65.0
Tetrapotassium Pyrophosphate	7320-34-5	5.0-10.0
Potassium Hydroxide	1310-58-3	1.0-5.0
Sodium Hypochlorite	7681-52-9	1.0-5.0
Polyacrylic Acid	66019-18-9	1.0-5.0
Sodium Hydroxide	1310-73-2	< 1.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.
Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.
Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.
Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class A/B/C fire extinguisher, dry chemical, carbon dioxide, or foam
Specific Hazards: None known
Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.
Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.
Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.
Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.
Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.
Personal Protective Equipment
Eye Protection: Wear protective glasses, goggles or eye shield.
Skin Protection: Wear impervious protective clothing, including gloves and apron.
Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance: Clear yellow liquid	Evaporation Rate: No information available
Odor: Chlorine odor	Odor Threshold: No information available
pH: No information available	Vapor Density: No information available
Specific Gravity: 1.14 g/ml	Vapor Pressure: No information available
Solubility: Soluble in water	Partition Coefficient: No information available
Flash Point: No information available	Auto-Ignition Temperature: No information available
Boiling Point: No information available	Decomposition Temperature: No information available
VOE: No information available	Melting/Freezing Point: No information available
Viscosity: No information available	Flammability: No information available
Odor Threshold: No information available	Lower Explosive/ Upper Explosive: No information available

10. STABILITY AND REACTIVITY

Stability:	Stable under normal conditions
Hazardous Polymerization:	Will not occur
Incompatibility:	None known
Hazardous Decomposition Products:	None reasonably foreseeable

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:	Inhalation, eye and skin contact
Acute Symptoms	
Eye and Skin Contact:	May cause severe burns.
Ingestion:	May cause burns to mouth, throat and stomach.
Inhalation:	May cause irritation and corrosive effects to nose, throat and respiratory tract.
Chronic Effects:	None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available.
Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number: UN3266
Proper Shipping Name: Corrosive Liquid, Basic, Inorganic, N.O.S., (Potassium Hydroxide)
Hazard Class: 8
Packing Group: PGII

15. REGULATORY INFORMATION

This product contains the following component which is subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Potassium Hydroxide, CAS No.: 1310-58-3
CERCLA Final RQ: 1,000 lbs

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CASNO.	FUNCTION
Water	7732-18-5	Solvent
Tetrapotassium Pyrophosphate	7320-34-5	Builder
Potassium Hydroxide	1310-58-3	pH Adjuster
Sodium Hypochlorite	7681-52-9	Cleaning Enhancer
Polyacrylic Acid	66019-18-9	Polymer
Sodium Hydroxide	1310-73-2	pH Adjuster

16. OTHER INFORMATION

Revision Date: 01/01/2020
Supersedes: 12/03/2014
Reason for Revision: Added California Right to Know Act regulations.

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KITCHEN AND CONCRETE DEGREASER

1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: Kitchen and Concrete Degreaser
Product Code: A0178
Recommended Use: Heavy Duty Degreaser

Company

Auto-Chlor System
746 Poplar Avenue
Memphis, TN 38105
Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION

OSHA Hazard Classification

Signal Word: DANGER

Acute Toxicity: Category 4

Skin Corrosion: Category 2

Eye Irritation: Category 1



HAZARD STATEMENTS

H302: Harmful if swallowed

H312: Harmful in contact with skin

H315: Causes skin irritation

H318: Causes serious eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling

P270: Do not eat, drink or smoke when using this product

P280: Wear eye protection and protective gloves

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CAS NO.	" COMPOSITION
Water	7732-18-5	65.0-70.0
Sodium Xylene Sulfonate	1300-72-7	5.0-10.0
Dodecyl Benzenesulfonic Acid	68584-22-S	3.0-8.0
Sodium Tripolyphosphate	1300-72-7	3.0-8.0
Dipropylene Glycol Monomethyl Ether	34590-94-8	1.0-5.0
Sodium Silicate	1344-09-8	1.0-5.0
Linear Alcohol Ethoxylate	68987-81-S	1.0-5.0
Potassium Hydroxide	1310-58-3	1.0-5.0
Dye	Mixture	<1.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.
Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.
Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.
Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class A/B/C fire extinguisher, dry chemical, carbon dioxide, or foam
Specific Hazards: None known
Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.
Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.
Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.
Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.
Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.
Personal Protective Equipment
Eye Protection: Wear protective glasses, goggles or eye shield.
Skin Protection: Wear impervious protective clothing, including gloves and apron.
Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance: Clear liquid (light red or green in color)	Evaporation Rate: No information available
Odor: No information available	Odor Threshold: No information available
pH: 11.0-12.0	Vapor Density: No information available
Specific Gravity: 1.08 - 1.11g/ml	Vapor Pressure: No information available
Solubility: Soluble in water	Partition Coefficient: No information available
Flash Point: No information available	Auto-Ignition Temperature: No information available
Boiling Point: 212°F	Decomposition Temperature: No information available
VOE: No information available	Melting/Freezing Point: No information available
Viscosity: No information available	Flammability: No information available
Odor Threshold: No information available	Lower Explosive/ Upper Explosive: No information available

10. STABILITY AND REACTIVITY

Stability:	Stable under normal conditions
Hazardous Polymerization:	Will not occur
Incompatibility:	Incompatible with acids
Hazardous Decomposition Products:	Oxides of carbon

11. TOXICOLOGY INFORMATION

The product itself has not been tested. Information given is based on data obtained from components of the mixture. The acute toxicity estimates are:

Oral LDso >5000 mg/kg	Dermal LDso 4937 mg/kg	Inhalation LCso 2.89 mg/l
Likely Routes of Exposure:	Inhalation, eye and skin contact	
Acute Symptoms		
Eye and Skin Contact:	May cause serious eye damage and skin irritation.	
Ingestion:	May cause irritation to mouth, throat and stomach.	
Inhalation:	May cause irritation to nose, throat and respiratory tract.	
Chronic Effects:	None known	

12. ECOLOGICAL INFORMATION

The ecological evaluation of this product is based on data from the components of the mixture. The acute toxicity estimate:

Fish LC₅₀: 11.41 mg/l

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available. Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number: Not classified
Proper Shipping Name: Not classified
Hazard Class: Not classified
Packing Group: Not classified

15. REGULATORY INFORMATION

This product contains components subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Sodium Tripolyphosphate, CAS No. 7758-29-4

CERCLA: Final RQ = 5,000 lbs

Potassium Hydroxide, CAS No. 1310-58-3

CERCLA: Final RQ = 1,000 lbs

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CAS NO.	FUNCTION
Water	7732-18-5	Solvent
Sodium Xylene Sulfonate	1300-72-7	Surfactant
Dodecyl Benzenesulfonic Acid	68584-22-5	Surfactant
Sodium Tripolyphosphate	1300-72-7	Builder
Dipropylene Glycol Monomethyl Ether	34590-94-8	Surfactant
Sodium Silicate	1344-09-8	Builder
Linear Alcohol Ethoxylate	68987-81-5	Surfactant
Potassium Hydroxide	1310-58-3	pH Adjuster
Dye	Mixture	Colorant

16.0OTHER INFORMATION

Revision Date: 01/01/2020

Supersedes: 05/18/2016

Reason for Revision: Added California Right to Know Act regulations.

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KLEEN DUTY SUPREME
1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: Kleen Duty Supreme
Product Code: A0202
Recommended Use: High Performance Machine Detergent

Company

Auto-Chlor System
 746 Poplar Avenue

Memphis, TN 38105

Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION
OSHA Hazard Classification

Signal Word: DANGER

Acute Toxicity: category 4

Skin Corrosion: Category 1

Eye Irritation: Category 1


HAZARD STATEMENTS

H302: Harmful if swallowed

H312: Harmful in contact with skin

H314: Causes severe skin burns and eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling

P270: Do not eat, drink, or smoke when using this product

P280: Wear eye protection and protective gloves

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CAS NO.	% COMPOSITION
Sodium Hydroxide	1310-73-2	41.0-47.0
Sodium Tripolyphosphate	7758-29-4	30.0-36.0
Sodium Carbonate	497-19-8	16.0-22.0
Polyacrylic Acid	68479-09-4	1.0-5.0
Poloxalene	9003-11-6	1.0-5.0
Sodium Dichloroisocyanurate Dihydrate	51580-86-0	<1.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.
Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.
Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.
Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class A/B/C fire extinguisher, dry chemical, carbon dioxide, or foam
Specific Hazards: None known
Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.
Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.
Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.
Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.
Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.
Personal Protective Equipment
Eye Protection: Wear protective glasses, goggles or eye shield.
Skin Protection: Wear impervious protective clothing, including gloves and apron.
Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:

White free flowing powder

Odor:

Mild odor

pH:

No information available

Bulk Density:1.1 g/cm³ (packed)**Solubility:**

Soluble in water

Flash Point:

No information available

Boiling Point:

No information available

VOE:

No information available

Viscosity:

No information available

Odor Threshold:

No information available

Evaporation Rate:

No information available

Odor Threshold:

No information available

Vapor Density:

No information available

Vapor Pressure:

No information available

Partition Coefficient:

No information available

Auto-Ignition Temperature:

No information available

Decomposition Temperature:

No information available

Melting/Freezing Point:

No information available

Flammability:

No information available

Lower Explosive/ Upper Explosive:

No information available

10. STABILITY AND REACTIVITY

Stability:

Stable under normal conditions

Hazardous Polymerization:

Will not occur

Incompatibility:

Flammable liquids, active metals, organic halogen compounds and strong acids

Hazardous Decomposition Products: Chlorine gas if heated above 250°F

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:

Inhalation, eye and skin contact

Acute Symptoms**Eye and Skin Contact:**

May cause severe burns.

Ingestion:

May cause burns to mouth, throat and stomach.

Inhalation:

May cause irritation and corrosive effects to nose, throat and respiratory tract.

Chronic Effects:

None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available. Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number: UN3262
Proper Shipping Name: Corrosive Solid, Basic, Inorganic, N.O.S., (Sodium Hydroxide}
Hazard Class: 8
Packing Group: PGII

15. REGULATORY INFORMATION

This product contains the following component which is subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Sodium Hydroxide, CAS No.: 1310-73-2
CERCLA Final RQ: 1,000 lbs

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CASNO.	FUNCTION
Sodium Hydroxide	1310-73-2	pH Adjuster
Sodium Tripolyphosphate	7758-29-4	Builder
Sodium Carbonate	497-19-8	Builder
Polyacrylic Acid	68479-09-4	Polymer
Poloxalene	9003-11-6	Surfactant
Sodium Dichloroisocyanurate Dihydrate	51580-86-0	Preservative

16. OTHER INFORMATION

Revision Date: 01/01/2020
Supersedes: 10/31/2014
Reason for Revision: Added California Right to **Know** Act regulations.

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MACH DETERGENT MS
1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: MACH Detergent MS
Product Code: A1120
Recommended Use: Mechanical Warewashing Detergent

Company

Auto-Chlor System
 746 Poplar Avenue
 Memphis, TN 38105
 Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION
OSHA Hazard Classification

Signal Word: DANGER

Acute Toxicity: category 4

Skin Corrosion: Category IC

Eye Irritation: Category 1


HAZARD STATEMENTS

H302: Harmful if swallowed

H312: Harmful in contact with skin

H314: Causes severe skin burns and eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling

P270: Do not eat, drink, or smoke when using this product

P280: Wear eye protection and protective gloves

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CAS NO.	% COMPOSITION
Water	7732-18-5	28.0-32.0
Sodium Silicate	1344-09-8	28.0-32.0
Potassium Hydroxide	1310-58-3	10.0-15.0
Triphosphoric Acid, sodium salt	7758-29-4	5.0-10.0
Polyacrylic Acid	Mixture	1.0-5.0
Sodium Tolyltriazole	64665-57-2	<1.0
Dye	3734-67-6	<1.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.
Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.
Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.
Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class A/B/C fire extinguisher, dry chemical, carbon dioxide, or foam
Specific Hazards: None known
Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.
Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.
Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.
Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.
Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.
Personal Protective Equipment
Eye Protection: Wear protective glasses, goggles or eye shield.
Skin Protection: Wear impervious protective clothing, including gloves and apron.
Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:	Evaporation Rate:
Clear red liquid	No information available
Odor:	Odor Threshold:
No characteristic odor	No information available
pH:	Vapor Density:
>13	No information available
Specific Gravity:	Vapor Pressure:
1.34 g/ml	No information available
Solubility:	Partition Coefficient:
Soluble in water	No information available
Flash Point:	Auto-Ignition Temperature:
No information available	No information available
Boiling Point:	Decomposition Temperature:
No information available	No information available
VOE:	Melting/Freezing Point:
No information available	No information available
Viscosity:	Flammability:
No information available	No information available

10. STABILITY AND REACTIVITY

Stability:	Stable under normal conditions
Hazardous Polymerization:	Will not occur
Incompatibility:	None known
Hazardous Decomposition Products:	None reasonably foreseeable

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:	Inhalation, eye and skin contact
Acute Symptoms	
Eye and Skin Contact:	May cause severe burns.
Ingestion:	May cause burns to mouth, throat and stomach.
Inhalation:	May cause irritation and corrosive effects to nose, throat and respiratory tract.
Chronic Effects:	None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available. Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number: UN3266
Proper Shipping Name: Corrosive Liquid, Basic, Inorganic, n.o.s., (Potassium Hydroxide, Sodium Silicate)
Hazard Class: 8
Packing Group: II

15. REGULATORY INFORMATION

This product contains the following component which is subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Triphosphoric Acid, sodium salt, CAS No. 7758-29-4
CERCLA Final RQ: 5,000 lbs

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CASNO.	FUNCTION
Water	7732-18-5	Solvent
Sodium Silicate	1344-09-8	Builder
Potassium Hydroxide	1310-58-3	pH Adjuster
Triphosphoric Acid, sodium salt	7758-29-4	Builder
Polyacrylic Acid	Mixture	Polymer
Sodium Tolyltriazole	64665-57-2	Cleaning Enhancer
Dye	3734-67-6	Colorant

16. OTHER INFORMATION

Revision Date: 01/01/2020
Supersedes: 08/25/2013
Reason for Revision: Added California Right to Know Act regulations.

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MACH TURBO
1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: Mach Turbo
Product Code: A1721
Recommended Use: Mechanical Warewashing Detergent

Company

Auto-Chlor System
 746 Poplar Avenue
 Memphis, TN 38105
 Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION
OSHA Hazard Classification

Signal Word: DANGER

Acute Toxicity: category 4

Skin Corrosion: Category 1

Eye Irritation: Category 1


HAZARD STATEMENTS

H302: Harmful if swallowed

H312: Harmful in contact with skin

H314: causes severe skin burns and eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling

P270: Do not eat, drink or smoke when using this product

P280: Wear eye protection and protective gloves

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CASNO.	% COMPOSITION
Water	7732-18-5	50.0-60.0
Sodium Hydroxide	1310-73-2	15.0-20.0
2-propenoic acid, telomer with sodium hydrogen sulfite	60019-18-9	5.0-10.0
2-propenoic acid, homopolymer sodium salt	9003-04-7	3.0-6.0
Sodium Citrate	6132-04-3	3.0-6.0
Sodium iminodisuccinate	Mixture	1.0-3.0
Potassium hydroxide	1310-58-3	1.0-3.0
Dye	3734-67-6	<1.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.
Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.
Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.
Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class A/B/C fire extinguisher, dry chemical, carbon dioxide, or foam
Specific Hazards: None known
Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.
Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.
Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.
Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.
Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.
Personal Protective Equipment
Eye Protection: Wear protective glasses, goggles or eye shield.
Skin Protection: Wear impervious protective clothing, including gloves and apron.
Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:

Clear red liquid

Odor:

No characteristic odor

pH:

>14

Specific Gravity:

1.33 g/ml

Solubility:

Soluble in water

Flash Point:

No information available

Boiling Point:

No information available

VOE:

No information available

Viscosity:

No information available

Evaporation Rate:

No information available

Odor Threshold:

No information available

Vapor Density:

No information available

Vapor Pressure:

No information available

Partition Coefficient:

No information available

Auto-Ignition Temperature:

No information available

Decomposition Temperature:

No information available

Melting/Freezing Point:

No information available

Flammability:

No information available

10. STABILITY AND REACTIVITY

Stability:

Stable under normal conditions

Hazardous Polymerization:

Will not occur

Incompatibility:

Incompatible with acids

Hazardous Decomposition Products:

None reasonably foreseeable

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:

Inhalation, eye and skin contact

Acute Symptoms**Eye and Skin Contact:**

May cause severe burns.

Ingestion:

May cause burns to mouth, throat and stomach.

Inhalation:

May cause irritation and corrosive effects to nose, throat and respiratory tract.

Chronic Effects:

None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available.
Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number: UN3266
Proper Shipping Name: Corrosive Liquid, Basic, Inorganic, N.O.S., {Sodium Hydroxide, Potassium Hydroxide)
Hazard Class: 8
Packing Group: PG II

15. REGULATORY INFORMATION

This product contains the following components subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Sodium Hydroxide, CAS No.: 1310-73-2
CERCLA Final RQ = 1,000 lbs

Potassium Hydroxide, CAS No.: 1310-58-3
CERCLA Final RQ: 1,000 lbs

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CASNO.	FUNCTION
Water	7732-18-5	Solvent
Sodium Hydroxide	1310-73-2	pH Adjuster
2-propenoic acid, telomer with sodium hydrogen sulfite	60019-18-9	Polymer
2-propenoic acid, homopolymer sodium salt	9003-04-7	Polymer
Sodium Citrate	6132-04-3	Chelant
Sodium iminodisuccinate	Mixture	Chelant
Potassium hydroxide	1310-58-3	Builder
Dye	3734-67-6	Colorant

16.0THER INFORMATION

Revision Date: 01/01/2020

Supersedes: 08/13/2019

Reason for Revision: Added California Right to Know Act regulations.

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contained within. Actual conditions of use and handling are beyond seller's control. User is responsible to evaluate all available information when using product for any particular use and to comply with all Federal, State, Provincial and Local laws and regulations.



MACH WASHMATE NP

1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: MACH Washmate NP
Product Code: A1122
Recommended Use: Mechanical Warewashing Detergent

Company

Auto-Chlor System
746 Poplar Avenue
Memphis, TN 38105
Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION**OSHA Hazard Classification**

Signal Word: DANGER

Acute Toxicity: category 4

Skin Corrosion: Category 1

Eye Irritation: Category 1

Carcinogenicity (oral): Category 2

HAZARD STATEMENTS

H302: Harmful if swallowed

H312: Harmful in contact with skin

H314: Causes severe skin burns and eye damage

H351: Suspected of causing cancer if swallowed.

PRECAUTIONARY STATEMENTS

P202: Do not handle until all safety precautions have been read and understood.

P264: Wash hands thoroughly after handling

P270: Do not eat, drink, or smoke when using this product

P280: Wear eye protection and protective gloves.

P308: If exposed or concerned, get medical advice or attention.

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CASNO.	% COMPOSITION
Sodium Hydroxide	1310-73-2	32.0-36.0
Water	7732-18-5	32.0-36.0
Sodium Nitrilo-triacetate, monohydrate	18662-53-8	17.0-21.0
Methyl-Oxirane polymer with Oxirane	9003-11-6	1.0-3.0
Polyacrylic Acid	Mixture	1.0-3.0
Neutralized polycarboxylic acid	Mixture	1.0-3.0
Alkylpolyglucoside	110615-47-9	<1.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting. Get medical attention.

Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.

Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.

Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class ABC fire extinguisher, dry chemical, carbon dioxide, or foam

Specific Hazards: None known

Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.

Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.

Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.

Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

OSHA Regulatory Exposure limit(s):

Hazardous Component	CAS-No.	OSHA Final PEL TWA	OSHA Final PEL STEL	OSHA Final PEL Ceiling
Sodium hydroxide	1310-73-2	2 mg/m ³	-----	-----

Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.

Personal Protective Equipment

Eye Protection: Wear protective glasses, goggles or eye shield.

Skin Protection: Wear impervious protective clothing, including gloves and apron.

Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:

White slurry

Odor:

No characteristic odor

pH:

13.5

Specific Gravity:

No information available

Solubility:

Soluble in water

Flash Point:

>200°F

Boiling Point:

No information available

VOE:

No information available

Viscosity:

No information available

Evaporation Rate:

No information available

Odor Threshold:

No information available

Vapor Density:

No information available

Vapor Pressure:

No information available

Partition Coefficient:

No information available

Auto-Ignition Temperature:

No information available

Decomposition Temperature:

No information available

Melting/Freezing Point:

No information available

Flammability:

No information available

10. STABILITY AND REACTIVITY

Stability:	Stable under normal conditions
Hazardous Polymerization:	Will not occur
Incompatibility:	Incompatible with reducing agents, acids and ammonia
Hazardous Decomposition Products:	Hydrogen chloride, chlorine and chlorinated compounds

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:	Inhalation, eye and skin contact
Acute Symptoms	
Eye and Skin Contact:	May cause severe burns.
Ingestion:	May cause burns to mouth, throat and stomach.
Inhalation:	May cause irritation and corrosive effects to nose, throat and respiratory tract.
Chronic Effects:	None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available. Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number:	UN3266
Proper Shipping Name:	Corrosive Liquid, Basic, Inorganic, N.O.S., {Sodium Hydroxide}
Hazard Class:	8
Packing Group:	II

15. REGULATORY INFORMATION

This product contains the following component which is subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Sodium Hydroxide, CAS No. 1310-73-2
CERCLA Final RQ = 1,000 lbs

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CASNO.	FUNCTION
Sodium Hydroxide	1310-73-2	pH Adjuster
Water	7732-18-5	Solvent
Sodium Nitrilo-triacetate, monohydrate	18662-53-8	Chelant
Methyl-Oxirane polymer with Oxirane	9003-11-6	Polymer
Polyacrylic Acid	Mixture	Polymer
Neutralized polycarboxylic acid	Mixture	Polymer
Alkylpolyglucoside	110615-47-9	Surfactant

16.OTHER INFORMATION

Revision Date: 01/01/2020

Supersedes: 03/13/2018

Reason for Revision: Added California Right to Know Act regulations.

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MACHINE DETERGENT 3X
1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: Machine Detergent 3X
Product Code: A0036
Recommended Use: Mechanical Dishwashing Detergent

Company

Auto-Chlor System

746 Poplar Avenue

Memphis, TN 38105

Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION
OSHA Hazard Classification

Signal Word: DANGER

Acute Toxicity: category 4

Skin Corrosion: Category 1

Eye Irritation: Category 1


HAZARD STATEMENTS

H302: Harmful if swallowed

H312: Harmful in contact with skin

H314: Causes severe skin burns and eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling

P270: Do not eat, drink, or smoke when using this product

P280: Wear eye protection and protective gloves

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CA5 NO.	% COMPOSITION
Water	7732-18-5	45.0-50.0
Sodium Hydroxide	1310-73-2	15.0-20.0
Sodium Nitrilo-triacetate, monohydrate	18662-53-8	10.0-15.0
Polyacrylic Acid	Mixture	1.0-5.0
Amino tris (methylenephosphonic acid)	6419-19-8	1.0-5.0
Dye	3734-67-6	<1.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.
Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.
Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.
Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class A/B/C fire extinguisher, dry chemical, carbon dioxide, or foam
Specific Hazards: None known
Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.
Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.
Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.
Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.
Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.
Personal Protective Equipment
Eye Protection: Wear protective glasses, goggles or eye shield.
Skin Protection: Wear impervious protective clothing, including gloves and apron.
Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:

Clear red liquid

Odor:

No characteristic odor

pH:

No information available

Specific Gravity:

1.29 g/ml

Solubility:

Soluble in water

Flash Point:

No information available

Boiling Point:

212°F

VOE:

No information available

Viscosity:

No information available

Lower Explosive / Upper Explosive:

No information available

Evaporation Rate:

No information available

Odor Threshold:

No information available

Vapor Density:

No information available

Vapor Pressure:

No information available

Partition Coefficient:

No information available

Auto-Ignition Temperature:

No information available

Decomposition Temperature:

No information available

Melting/Freezing Point:

No information available

Flammability:

No information available

10. STABILITY AND REACTIVITY

Stability:

Stable under normal conditions

Hazardous Polymerization:

Will not occur

Incompatibility:

Acids

Hazardous Decomposition Products:

Oxides of carbon or nitrogen

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:

Inhalation, eye and skin contact

Acute Symptoms

Eye and Skin Contact:

May cause severe burns.

Ingestion:

May cause burns to mouth, throat and stomach.

Inhalation:

May cause irritation and corrosive effects to nose, throat and respiratory tract.

Chronic Effects:

None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available.
Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number: UN3266
Proper Shipping Name: Corrosive Liquid, Basic, Inorganic, N.O.S., {Sodium Hydroxide}
Hazard Class: 8
Packing Group: II

15. REGULATORY INFORMATION

This product contains the following component which is subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Sodium Hydroxide, CAS No.: 1310-73-2
CERCLA Final RQ: 1,000 lbs

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CASNO.	FUNCTION
Water	7732-18-5	Solvent
Sodium Hydroxide	1310-73-2	pH Adjuster
Sodium Nitrilo-triacetate, monohydrate	18662-53-8	Chelant
Polyacrylic Acid	Mixture	Polymer
Amino tris {methylenephosphonic acid}	6419-19-8	Chelant
Dye	3734-67-6	Colorant

16. OTHER INFORMATION

Revision Date: 01/01/2020
Supersedes: 12/05/2014
Reason for Revision: Added California Right to Know Act regulations.

Notice to Reader: This document has been prepared using data from sources considered technically reliable. It does not constitute a warranty, express or implied, as to the accuracy of the information contained within. Actual conditions of use and handling are beyond seller's control. User is responsible to evaluate all available information when using product for any particular use and to comply with all Federal, State, Provincial and Local laws and regulations.

MACHINE DETERGENT 4X
1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: Machine Detergent 4X
Product Code: A1038
Recommended Use: Mechanical Dishwashing Detergent

Company

Auto-Chlor System

746 Poplar Avenue

Memphis, TN 38105

Questions/Comments: 901-579-2300

Emergency Telephone Numbers
MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION
OSHA Hazard Classification
Signal Word: DANGER

Acute Toxicity: category 4

Skin Corrosion: Category 1

Eye Irritation: Category 1

HAZARD STATEMENTS

H302: Harmful if swallowed

H312: Harmful in contact with skin

H314: Causes severe skin burns and eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling

P270: Do not eat, drink, or smoke when using this product

P280: Wear eye protection and protective gloves

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CA5 NO.	% COMPOSITION
Water	7732-18-5	40.0-45.0
Sodium Hydroxide	1310-73-2	15.0-20.0
Sodium Nitrilo-triacetate, monohydrate	18662-53-8	10.0-15.0
Polyacrylic Acid	Mixture	1.0-5.0
Amino tris (methylenephosphonic acid)	6419-19-8	1.0-5.0
Dye	3734-67-6	<1.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.
Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.
Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.
Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class A/B/C fire extinguisher, dry chemical, carbon dioxide, or foam
Specific Hazards: None known
Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.
Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.
Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.
Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.
Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.
Personal Protective Equipment
Eye Protection: Wear protective glasses, goggles or eye shield.
Skin Protection: Wear impervious protective clothing, including gloves and apron.
Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:

Clear red liquid

Odor:

No characteristic odor

pH:

No information available

Specific Gravity:

1.32 g/ml

Solubility:

Soluble in water

Flash Point:

No information available

Boiling Point:

No information available

VOE:

No information available

Viscosity:

No information available

Odor Threshold:

No information available

Evaporation Rate:

No information available

Odor Threshold:

No information available

Vapor Density:

No information available

Vapor Pressure:

No information available

Partition Coefficient:

No information available

Auto-Ignition Temperature:

No information available

Decomposition Temperature:

No information available

Melting/Freezing Point:

No information available

Flammability:

No information available

Lower Explosive/ Upper Explosive:

No information available

10. STABILITY AND REACTIVITY

Stability:

Stable under normal conditions

Hazardous Polymerization:

Will not occur

Incompatibility:

Acids

Hazardous Decomposition Products:

Oxides of carbon or nitrogen

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:

Inhalation, eye and skin contact

Acute Symptoms

Eye and Skin Contact:

May cause severe burns.

Ingestion:

May cause burns to mouth, throat and stomach.

Inhalation:

May cause irritation and corrosive effects to nose, throat and respiratory tract.

Chronic Effects:

None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available. Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number: UN3266
Proper Shipping Name: Corrosive Liquid, Basic, Inorganic, N.O.S., {Sodium Hydroxide}
Hazard Class: 8
Packing Group: PGII

15. REGULATORY INFORMATION

This product contains the following component which is subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Sodium Hydroxide, CAS No.: 1310-73-2
CERCLA Final RQ: 1,000 lbs

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CASNO.	FUNCTION
Water	7732-18-5	Solvent
Sodium Hydroxide	1310-73-2	pH Adjuster
Sodium Nitrilo-triacetate, monohydrate	18662-53-8	Chelant
Polyacrylic Acid	Mixture	Polymer
Amino tris {methylenephosphonic acid}	6419-19-8	Chelant
Dye	3734-67-6	Colorant

16. OTHER INFORMATION

Revision Date: 01/01/2020
Supersedes: 12/12/2014
Reason for Revision: Added California Right to **Know** Act regulations.

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MACHINE DETERGENT 2
1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: Machine Detergent 2
Product Code: A0025
Recommended Use: Concentrated Hard Water Machine Dishwashing Detergent

Company

Auto-Chlor System

746 Poplar Avenue

Memphis, TN 38105

Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION
OSHA Hazard Classification

Signal Word: DANGER

Acute Toxicity: category 4

Skin Corrosion: Category 1

Eye Irritation: Category I


HAZARD STATEMENTS

H302: Harmful if swallowed

H312: Harmful in contact with skin

H314: Causes severe skin burns and eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling

P270: Do not eat, drink, or smoke when using this product

P280: Wear eye protection and protective gloves

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CAS NO.	% COMPOSITION
Water	7732-18-S	70.0-75.0
Sodium Nitrilo-triacetate, monohydrate	18662-53-8	13.0-16.0
Sodium Hydroxide	1310-73-2	2.0-4.0
Polyacrylic Acid	66019-18-9	3.0-5.0
Sodium Silicate	1344-09-8	1.0-3.0
1-hydroxyethylidene-1,1-diphosphonic acid	2809-21-4	1.0-3.0
Dye	3734-67-6	< 1.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.
Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.
Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.
Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class A/B/C fire extinguisher, dry chemical, carbon dioxide, or foam
Specific Hazards: None known
Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.
Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.
Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.
Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.
Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.
Personal Protective Equipment
Eye Protection: Wear protective glasses, goggles or eye shield.
Skin Protection: Wear impervious protective clothing, including gloves and apron.
Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:	Evaporation Rate:
Clear red liquid	No information available
Odor:	Odor Threshold:
No information available	No information available
pH:	Vapor Density:
12.1	No information available
Specific Gravity:	Vapor Pressure:
1.20 g/ml	No information available
Solubility:	Partition Coefficient:
Soluble in water	No information available
Flash Point:	Auto-Ignition Temperature:
No information available	No information available
Boiling Point:	Decomposition Temperature:
No information available	No information available
VOE:	Melting/Freezing Point:
No information available	No information available
Viscosity:	Flammability:
No information available	No information available
Odor Threshold:	Lower Explosive/ Upper Explosive:
No information available	No information available

10. STABILITY AND REACTIVITY

Stability:	Stable under normal conditions
Hazardous Polymerization:	Will not occur
Incompatibility:	Acids
Hazardous Decomposition Products:	Oxides of carbon

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:	Inhalation, eye and skin contact
Acute Symptoms	
Eye and Skin Contact:	May cause severe burns.
Ingestion:	May cause burns to mouth, throat and stomach.
Inhalation:	May cause irritation and corrosive effects to nose, throat and respiratory tract.
Chronic Effects:	None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available. Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number: Not classified
Proper Shipping Name: Not classified
Hazard Class: Not classified
Packing Group: Not classified

15. REGULATORY INFORMATION

This product contains the following component which is subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Potassium Hydroxide, CAS No.: 1310-58-3
CERCLA Final RQ: 1,000 lbs

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CAS NO.	FUNCTION
Water	7732-18-5	Solvent
Sodium Nitrilo -triacetate, monohydrate	18662-53-8	Chelant
Sodium Hydroxide	1310-73-2	pH Adjuster
Polyacrylic Acid	66019-18-9	Polymer
Sodium Silicate	1344-09-8	Builder
1-hydroxyethylidene-1,1-diphosphonic acid	2809-21-4	Surfactant
Dye	3734-67-6	Colorant

16. OTHER INFORMATION

Revision Date: 01/01/2020
Supersedes: 02/09/2018
Reason for Revision: Added California Right to Know Act regulations.

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ROOMSENSE 400 CLEANER
1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: RoomSense 400 Cleaner

Product Code: A0188

Recommended Use: Tub & Tile Cleaner

Company

Auto-Chlor System

746 Poplar Avenue

Memphis, TN 38105

Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (**PROSAR**)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION

OSHA Hazard Classification

Signal Word: DANGER

Acute Toxicity: Category 4

Skin Corrosion: Category 1

Eye Irritation: Category 1



HAZARD STATEMENTS

H302: Harmful if swallowed

H312: Harmful in contact with skin

H314: Causes severe skin burns and eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling

P270: Do not eat, drink or smoke when using this product

P280: Wear eye protection and protective gloves

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CASNO.	% COMPOSITION
Water	7732-18-5	48.0-52.0
Dodecylbenzenesulfonic Acid	68584-22-5	10.0-15.0
1- hydroxyethylidene-1,1-diphosphonic acid	2809-21-4	5.0-10.0
Sodium Xylene Sulfonate	1300-72-7	s.0-10.0
atricAcid	77-92-9	5.0-10.0
Ethylene Glycol Monobutyl Ether	111-76-2	5.0-10.0
Sodium Hydroxide	1310-73-2	1.0-5.0
Alkylpolyglucoside C10-16	110615-47-9	1.0-5.0
Diethylene Glycol Monobutyl Ether	112-34-5	1.0-5.0
Fragrance	Mixture	<LO
Dye	3734-67-6	<1.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.
Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.
Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.
Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class A/B/C fire extinguisher, dry chemical, carbon dioxide, or foam
Specific Hazards: None known
Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.
Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.
Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Do not eat, drink or smoke when using this product. Wash hands thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.
Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.
Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.
Personal Protective Equipment
Eye Protection: Wear protective glasses, goggles or eye shield.
Skin Protection: Wear impervious protective clothing, including gloves and apron.
Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:

Clear red liquid

Odor:

Fragrant odor

pH:

2.0-3.0

Specific Gravity:

1.06-1.12

Solubility:

Soluble in water

Flash Point:

No information available

Boiling Point:

No information available

VOE:

No information available

Viscosity:

No information available

Odor Threshold:

No information available

Evaporation Rate:

No information available

Odor Threshold:

No information available

Vapor Density:

No information available

Vapor Pressure:

No information available

Partition Coefficient:

No information available

Auto-Ignition Temperature:

No information available

Decomposition Temperature:

No information available

Melting/Freezing Point:

No information available

Flammability:

No information available

Lower Explosive/ Upper Explosive:

No information available

10. STABILITY AND REACTIVITY

Stability: Stable under normal conditions**Hazardous Polymerization:** Will not occur**Incompatibility:** None known**Hazardous Decomposition Products:** None reasonably foreseeable

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure: Inhalation, eye and skin contact**Acute Symptoms****Eye and Skin Contact:** May cause severe burns.**Ingestion:** May cause burns to mouth, throat and stomach.**Inhalation:** May cause irritation and corrosive effects to nose, throat and respiratory tract.**Chronic Effects:** None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available.
Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number: Not classified
Proper Shipping Name: Not classified
Hazard Class: Not classified
Packing Group: Not classified

15. REGULATORY INFORMATION

This product contains the following component which is subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Sodium Hydroxide, CAS No.: 1310-73-2
 CERCLA Final RQ: 1,000 lbs

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CAS NO.	Function
Water	7732-18-5	Solvent
Dodecylbenzenesulfonic Acid	68584-22-5	Surfactant
1- hydroxyethylidene-1,1-diphosphonic acid	2809-21-4	Chelant
Sodium Xylene Sulfonate	1300-72-7	Surfactant
Citric Acid	77-92-9	Ph Adjuster
Ethylene Glycol Monobutyl Ether	111-76-2	Solvent
Sodium Hydroxide	1310-73-2	Builder
Alkylpolyglucoside C10-16	110615-47-9	Surfactant
Diethylene Glycol Monobutyl Ether	112-34-5	Solvent
Fragrance*	Mixture	Fragrance
Dye	3734-67-6	Colorant

*Contains the following fragrance allergens:

FRAGRANCE ALLERGEN	CAS NO.	PERCENTAGE
d-Limonene	5989-27-5	0.07%
Hexyl Cinnamic Aldehyde	101-86-0	0.05%
Linalool	78-70-6	0.03%
Benzyl Benzoate	120-51-4	0.02%

16.OTHER INFORMATION

Revision Date: 01/01/2020
Supersedes: 03/20/2015
Reason for Revision: Updated Section 15

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ROOMSENSE URINAL & BOWL CLEANER

1. PRODUCT AND COMPANY IDENTIFICATION

Product **Name:** RoomSense Urinal & Bowl Cleaner
Product Code: A0368
Recommended Use: Toilet **Bowl Cleaner**

Company

Auto-Chlor System
746 Poplar Avenue
Memphis, TN 38105
Questions/Comments: 901-579-2300

Emerperncy Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR) **SPILLS:** 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION

OSHA Hazard aasstftc:atlon

Slpal Word: DANGER
Tcnddly; c.at:egory 4 (oral) -4
Acute Toxicity: Category 4 (dermal)
Skin Corrosion: Category 2
Eye Irritation: Category 1

HAZARD STATEMENTS

H302: Harmful if swallowed
H312: Harmful in contact with **skin**
H315: Causes skin irritation
H318: Causes serious eye **dama1e**

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling
P270: Do not eat, drink or smoke when using this product
P280: Wear eye protection and protective gloves

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CAS NO.	" COMPOSITION
Water	7732-18-5	72.0-76.0
atricAcid	77..lj2-9	8.0-12.0
Sodium laureth Sulfate	68585-34-2	5.0-7.0
Sulfamic Acid	5329-14-6	4.0-6.0
Xanthan Gum	11138-66-2	3.0-5.0
Sodium Hydroxide	1310-73-2	2.0-4.0
Alcohols, C12-16, Ethoxylated	68551-12-2	1.0-3.0
Fragrance	Proprietary	< 1.0

ROOMSENSE URINAL & BOWL CLEANER

Dye	1934-21-0	:	:
Dye	3844-45-9	:	:

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.

Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.

Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.

Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class A/B/C fire extinguisher, dry chemical, carbon dioxide, or foam

Specific Hazards: None known

Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.

Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.

Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.

Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.

Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.

Personal Protective Equipment

Eye Protection: Wear protective glasses, goggles or eye shield.

Skin Protection: Wear impervious protective clothing, including gloves and apron.

Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:

Dark green liquid

Odor:

Citrus odor

pH:

2.0-2.75

Specific Gravity:

1.05 - 1.15 g/ml

Solubility:

Soluble in water

Flash Point:

No information available

Boiling Point:

No information available

VOE:

No information available

Viscosity:

No information available

Lower Explosive / Upper Explosive:

No information available

Evaporation Rate:

No information available

Odor Threshold:

No information available

Vapor Density:

No information available

Vapor Pressure:

No information available

Partition Coefficient:

No information available

Auto-Ignition Temperature:

No information available

Decomposition Temperature:

No information available

Melting/Freezing Point:

No information available

Flammability:

No information available

10. STABILITY AND REACTIVITY

Stability:

Stable under normal conditions

Hazardous Polymerization:

Will not occur

Incompatibility:

None known

Hazardous Decomposition Products: None reasonably foreseeable

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:

Inhalation, eye and skin contact

Acute Symptoms**Eye and Skin Contact:**

May cause serious eye damage and skin irritation.

Ingestion:

May cause irritation to mouth, throat and stomach.

Inhalation:

May cause irritation to nose, throat and respiratory tract.

Chronic Effects:

None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available.
Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number: Not classified
Proper Shipping Name: Not classified
Hazard Class: Not classified
Packing Group: Not classified

15. REGULATORY INFORMATION

This product contains the following component which is subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Sodium Hydroxide, CAS No. 1310-73-2
CERCLA Final RQ = 1,000 lbs

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CAS NO.	Function
Water	7732-18-5	Solvent
Citric Acid	77-92-9	pH Adjuster
Sodium Laureth Sulfate	68585-34-2	Surfactant
Sulfamic Acid	5329-14-6	pH Adjuster
Xanthan Gum	11138-66-2	Thickener
Sodium Hydroxide	1310-73-2	Builder
Alcohols, C12-16, Ethoxylated	68551-12-2	Surfactant
Fragrance*	Proprietary	Fragrance
Dye	1934-21-0	Colorant
Dye	3844-45-9	Colorant

*Contains no fragrance allergens.

16. OTHER INFORMATION

Preparation Date: 01/01/20
Supersedes: 03/25/19
Reason for Revision: Updated per California SB 256

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ROOMSENSE URINAL & BOWL CLEANER

contained within. Actual conditions of use and handling are beyond seller's control. User is
responsible to evaluate all available information when using product for any particular use and to
comply with all Federal, State, Provincial and Local laws and regulations.

**SCALE KLEEN****1. PRODUCT AND COMPANY IDENTIFICATION**

Product Name: Scale Kleen
Product Code: A0362
Recommended Use: Scale and lime Deposits Removal

Company

Auto-Chlor System
746 Poplar Avenue
Memphis, TN 38105
Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION**OSHA Hazard Classification**

Signal Word: DANGER

Acute Toxicity: Category 4 (oral)

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Acute Toxicity: Category 4 (dermal)

Skin Corrosion: Category 1

Eye Irritation: Category 1

HAZARD STATEMENTS

H302: Harmful if swallowed

H312: Harmful in contact with skin

H314: causes severe skin burns and eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling

P270: Do not eat, drink or smoke when using this product

P280: Wear eye protection and protective gloves

P301/312: If swallowed, call a poison center/doctor if you feel unwell.

P330: Rinse mouth.

P302/P352: If on skin, wash with plenty soap and water.

P362/P364: Take off contaminated clothing and wash it before reuse.

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CAS NO.	% COMPOSITION
Water	7732-18-5	40.0-45.0
Phosphoric Acid	7664-38-2	22.0-28.0
Nitric Acid	7697-37-2	18.0-23.0
Poloxalene	9003-11-6	<1.0
Urea	57-13-6	<1.0
Dye	25956-17-6	<1.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.
Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.
Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.
Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class NB/C fire extinguisher, dry chemical, carbon dioxide, or foam
Specific Hazards: None known
Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.
Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.
Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.
Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits:	No occupational exposure limits established for this product.
Appropriate Engineering Controls:	Good general ventilation should be sufficient to control airborne levels.
Personal Protective Equipment	
Eye Protection:	Wear protective glasses, goggles or eye shield.
Skin Protection:	Wear impervious protective clothing, including gloves and apron.
Respiratory Protection:	In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:	Evaporation Rate:
Clear red liquid	No information available
Odor:	Weight % Solids:
No characteristic odor	40.5%
pH:	Vapor Density:
No information available	17.3
Specific Gravity:	Vapor Pressure:
1.24 - 1.26 g/ml	17.5 at 20°C
Solubility:	Partition Coefficient:
Soluble in water	No information available
Flash Point:	Auto-Ignition Temperature:
No information available	No information available
Boiling Point:	Decomposition Temperature:
215°F	No information available
Volatile by Volume:	Melting/Freezing Point:
59.5	No information available
Viscosity:	Flammability:
No information available	No information available
Freezing Point:	Lower Explosive / Upper Explosive:
<40	No information available

10. STABILITY AND REACTIVITY

Stability:	Stable under normal conditions
Hazardous Polymerization:	Will not occur
Incompatibility:	Sodium hypochlorite, strong alkalis and soft metals
Hazardous Decomposition Products:	None reasonably foreseeable

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:	Inhalation, eye and skin contact
Acute Symptoms	
Eye and Skin Contact:	May cause severe burns.
Ingestion:	May cause burns to mouth, throat and stomach.
Inhalation:	May cause irritation and corrosive effects to nose, throat and respiratory tract.
Chronic Effects:	None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available. Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number:	UN3264
Proper Shipping Name:	Corrosive Liquid, Acidic, Inorganic, N.O.S. , (Phosphoric Acid, Nitric Acid)
Hazard Class:	8
Packing Group:	II

15.REGULATORY INFORMATION

This product contains the following components which are subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Phosphoric Acid, CAS No.: 7664-38-2
CERCLA: Final RQ = 5,000 lbs

Nitric Acid, CAS No.: 7697-37-2
CERCLA: Final RQ = 1,000 lbs
Section 302: Listed
Section 313: Listed

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CAS NO.	Function
Water	7732-18-5	Solvent
Phosphoric Acid	7664-38-2	pH Adjuster
Nitric Acid	7697-37-2	pH Adjuster
Poloxalene	9003-11-6	Surfactant
Urea	57-13-6	Stabilizer
Dye	25956-17-6	Colorant

16.OTHER INFORMATION

Revision Date: 01/01/20
Supersedes: 08/08/18
Reason for Revision: Updated Section 2 (route of exposure and precautionary statements)

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SILVERTECH 3X
1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: Silverttech 3X
Product Code: A1094
Recommended Use: Mechanical Dishwashing Detergent

Company

Auto-Chlor System

746 Poplar Avenue

Memphis, TN 38105

Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION
OSHA Hazard Classification

Signal Word: DANGER

Acute Toxicity: Category 4

Skin Corrosion: Category 1

Eye Irritation: Category 1


HAZARD STATEMENTS

H302: Harmful if swallowed

H312: Harmful in contact with skin

H314: causes severe skin burns and eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling

P270: Do not eat, drink or smoke when using this product

P280: Wear eye protection and protective gloves

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CAS NO.	" COMPOSITION
Water	7732-18-5	45.0-50.0
Sodium Hydroxide	1310-73-2	15.0-20.0
Sodium Nitrilo-triacetate, monohydrate	18662-53-8	10.0-15.0
Polyacrylic Acid	Mixture	1.0-5.0
Amino tris (methylenephosphonic acid)	6419-19-8	1.0-S.O
Sodium Tolytrazole	6466S-57-2	< 1.0
Dye	3734-67-6	<1.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.
Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.
Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.
Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class NB/C fire extinguisher, dry chemical, carbon dioxide, or foam
Specific Hazards: None known
Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.
Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.
Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.
Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.
Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.
Personal Protective Equipment
Eye Protection: Wear protective glasses, goggles or eye shield.
Skin Protection: Wear impervious protective clothing, including gloves and apron.
Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:	Evaporation Rate:
Clear red liquid	No information available
Odor:	Odor Threshold:
No information available	No information available
pH:	Vapor Density:
> 14	No information available
Specific Gravity:	Vapor Pressure:
1.29 g/ml	No information available
Solubility:	Partition Coefficient:
Soluble in water	No information available
Flash Point:	Auto-Ignition Temperature:
No information available	No information available
Boiling Point:	Decomposition Temperature:
No information available	No information available
VOE:	Melting/Freezing Point:
No information available	No information available
Viscosity:	Flammability:
No information available	No information available
Odor Threshold:	Lower Explosive/ Upper Explosive:
No information available	No information available

10. STABILITY AND REACTIVITY

Stability:	Stable under normal conditions
Hazardous Polymerization:	Will not occur
Incompatibility:	Acids
Hazardous Decomposition Products:	Oxides of carbon or nitrogen

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:	Inhalation, eye and skin contact
Acute Symptoms	
Eye and Skin Contact:	May cause severe burns.
Ingestion:	May cause burns to mouth, throat and stomach.
Inhalation:	May cause irritation and corrosive effects to nose, throat and respiratory tract.
Chronic Effects:	None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available. Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number: UN3266
Proper Shipping Name: Corrosive Liquid, Basic, Inorganic, N.O.S., {Sodium Hydroxide}
Hazard Class: 8
Packing Group: II

15. REGULATORY INFORMATION

This product contains the following component which is subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Sodium Hydroxide, CAS No.: 1310-73-2
CERCLA Final RQ: 1,000 lbs

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CAS NO.	Function
Water	7732-18-5	Solvent
Sodium Hydroxide	1310-73-2	Builder
Sodium Nitrilo-triacetate, monohydrate	18662-53-8	Chelant
Polyacrylic Acid	Mixture	Polymer
Amino tris (methylenephosphonic acid)	6419-19-8	Builder
Sodium Tolytrazole	64665-57-2	Stabilizer
Dye	3734-67-6	Colorant

16. OTHER INFORMATION

Revision Date: 01/01/20
Supersedes: 04/24/15
Reason for Revision: Updated per GHS Format

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SOLUTION QA

1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: Solution QA
Product Code: A0035
Recommended Use: Sanitizer

Company

AuterChlor System
746 Poplar Avenue
Memphis, TN 38105
Questions/Comments: 901-579-2300

Emergency Telephone Numbers**MEDICAL:** 1-866-923-4946 (PROSAR)**SPILLS:** 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION

GHS Hazard Classification**Signal Word:** DANGER**Acute Toxicity:** Category 4 (oral) 4F**Acute Toxicity:** Category 4 (dermal)**Skin Corrosion:** Category 1**Eye Irritation:** Category 1**HAZARD STATEMENTS**

H302: Harmful if swallowed

H312: Harmful in contact with skin

H314: causes severe skin burns and eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling

P270: Do not eat, drink or smoke when using this product

P280: Wear eye protection and protective gloves

P301/312: If swallowed, call a poison center/doctor if you feel unwell.

P330: Rinse mouth.

P302/P352: If on skin, wash with plenty soap and water.

P362/P364: Take off contaminated clothing and wash it before reuse.

3. COMPOSITION/INFORMATION ON INGREDIENTS

HAZARDOUS INGREDIENT	CAS NO.	% COMPOSITION
n-alkyl (C1450%, C1240%, C1510%) dimethyl benzyl ammonium chloride	68424-85-1	4.5 - 5.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.

Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.

Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.

Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class A/B/C fire extinguisher, dry chemical, carbon dioxide, or foam

Specific Hazards: None known

Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.

Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.

Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.

Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.

Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.

Personal Protective Equipment

Eye Protection: Wear protective glasses, goggles or eye shield.

Skin Protection:	Wear impervious protective clothing, including gloves and apron.
Respiratory Protection:	In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance: Blue liquid	Evaporation Rate: No information available
Odor: No characteristic odor	Odor Threshold: No information available
pH: 6.5- 9.0	Vapor Density: No information available
Specific Gravity: 1.04 g/ml	Vapor Pressure: No information available
Solubility: Soluble in water	Partition Coefficient: No information available
Flash Point: No information available	Auto-Ignition Temperature: No information available
Boiling Point: No information available	Decomposition Temperature: No information available
VOE: 0.60%	Melting/Freezing Point: No information available
Viscosity: No information available	Flammability: No information available
Odor Threshold: No information available	Lower Explosive/ Upper Explosive: No information available

10. STABILITY AND REACTIVITY

Stability:	Stable under normal conditions
Hazardous Polymerization:	Will not occur
Incompatibility:	Strong oxidizing agents
Hazardous Decomposition Products:	Oxides of nitrogen

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:	Inhalation, eye and skin contact
Acute Symptoms	
Eye and Skin Contact:	May cause severe burns.
Ingestion:	May cause burns to mouth, throat and stomach.
Inhalation:	May cause irritation and corrosive effects to nose, throat and respiratory tract.

Assessment of acute toxicity:

Oral LD₅₀

>5000 mg/kg

Dermal LD₅₀

>5000 mg/kg

Inhalation LC₅₀

2.14 mg/l

12. ECOLOGICAL INFORMATION

The ecological evaluation of this product is based on data from the components of the mixture. The acute toxicity estimate:

Fish LC₅₀: 2.32 mg/l

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

Pesticide wastes are acutely hazardous. Improper disposal of all excess pesticide spray mixture or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label directions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste Representatives at the nearest EPA Regional Office for guidance.

14. TRANSPORT INFORMATION

UN Number: Not classified**Proper Shipping Name:** Not classified**Hazard Class:** Not classified**Packing Group:** Not classified

15. REGULATORY INFORMATION

This chemical is a pesticide product registered by the Environmental Protection Agency and is subject to certain labeling requirements under federal pesticide law. These requirements differ from the classification criteria and hazard information required for safety data sheets, and for Workplace labels of non-pesticide chemicals. The pesticide label also includes other important information, including directions for use, pesticide storage and container handling.

EPA REGISTRATION NUMBER: 6243-1

Following is the hazard information as required on the pesticide label: DANGER

Harmful if swallowed or absorbed through the skin. Causes irreversible eye damage and skin irritation.

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENT	CAS NO.	FUNCTION
Water	7732-18-5	Solvent
n-alkyl (C1450%, C1240%, C1510%) dimethyl benzyl ammonium chloride	68424-85-1	Antimicrobial
FD&C Blue #1	3844-45-9	Colorant

16. OTHER INFORMATION

Revision Date: 01/01/20
Supersedes: 08/23/18
Reason for Revision: Updated per California SB 256

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Supers

1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: Super 8
Product Code: A0034
Recommended Use: Sanitizer

Company

Auto-Chlor System
 746 Poplar Avenue
 Memphis, TN 38105
 Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION

GHS Hazard Classification

Signal Word: DANGER

Acute Toxicity: Category 4

Skin Corrosion: Category 1

Eye Irritation: Category 1



HAZARD STATEMENTS

H302: Harmful if swallowed

H312: Harmful in contact with skin

H314: Causes severe skin burns and eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling

P270: Do not eat, drink or smoke when using this product

P280: Wear eye protection and protective gloves

3. COMPOSITION/INFORMATION ON INGREDIENTS

HAZARDOUS INGREDIENT	CAS NO.	% COMPOSITION
Sodium Hypochlorite	7681-52-9	8.0-10.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.
Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.
Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.
Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class NB/C fire extinguisher, dry chemical, carbon dioxide, or foam
Specific Hazards: None known
Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.
Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.
Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.
Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.
Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.
Personal Protective Equipment
Eye Protection: Wear protective glasses, goggles or eye shield.
Skin Protection: Wear impervious protective clothing, including gloves and apron.
Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:	Evaporation Rate:
Clear yellow liquid	No information available
Odor:	Odor Threshold:
Chlorine odor	No information available
pH:	Vapor Density:
12.7	No information available
Specific Gravity:	Vapor Pressure:
1.15 g/ml	No information available
Solubility:	Partition Coefficient:
Soluble in water	No information available
Flash Point:	Auto-Ignition Temperature:
No information available	No information available
Boiling Point:	Decomposition Temperature:
No information available	No information available
VOE:	Melting/Freezing Point:
0.00%	No information available
Viscosity:	Flammability:
No information available	No information available
Odor Threshold:	Lower Explosive/ Upper Explosive:
No information available	No information available

10. STABILITY AND REACTIVITY

Stability:	This product is stable but degrades quickly
Hazardous Polymerization:	Will not occur
Incompatibility:	Strong acids, nitrogen and oxidizers
Hazardous Decomposition Products:	Oxides of chlorine

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:	Inhalation, eye and skin contact
Acute Symptoms	
Eye and Skin Contact:	May cause severe burns.
Ingestion:	May cause burns to mouth, throat and stomach.
Inhalation:	May cause irritation and corrosive effects to nose, throat and respiratory tract.
Chronic Effects:	None known

12. ECOLOGICAL INFORMATION

ENVIRONMENTAL HAZARDS *(For products in containers 5 gallons or more)*

This product is toxic to fish. See product label for more information.

13. DISPOSAL CONSIDERATIONS

Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

14. TRANSPORT INFORMATION

UN Number: UN1791
Proper Shipping Name: Hypochlorite Solutions
Hazard Class: 8
Packing Group: PG II

*Only for containers greater than 1 Gallon

15. REGULATORY INFORMATION

This chemical is a pesticide product registered by the Environmental Protection Agency and is subject to certain labeling requirements under federal pesticide law. These requirements differ from the classification criteria and hazard information required for safety data sheets, and for workplace labels of non-pesticide chemicals. The pesticide label also includes other important information, including directions for use, pesticide storage and container handling.

EPA REGISTRATION NUMBER: 6243-7

Following is the hazard information as required on the pesticide label:

DANGER

Harmful if swallowed or absorbed through the skin.

Causes irreversible eye damage and skin irritation.

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENT	CAS NO.	FUNCTION
Water	7732-18-5	Solvent
Sodium Hypochlorite	7681-52-9	Antimicrobial

16. OTHER INFORMATION

Revision Date: 01/01/20
Supersedes: 04/15/15
Reason for Revision: Updated per California SB 256

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ULTRA D-GREASE SUPREME

1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: Ultra D Grease Supreme

Part Number: A4603

Manufacturer: Ultra D Grease Supreme

Company

Auto-Chlor System

746 Poplar Avenue

Memphis, TN 38105

Customer Service: 901-579-2300

Emergency Phone Numbers

MEDICAL: 1-866-923-4900 (PROSA)

SPIW: 1-800-424-0000 (GHEMTRET)

2. HAZARDS IDENTIFICATION

OSHA Hazard Classification

Signal Word: DANGER

Hazard Statement: H302

Signal Word: DANGER

Hazard Statement: H311



HAZARD STATEMENTS

H302: Harmful if swallowed

H311: Harmful in contact with skin

H314: Causes severe skin burns and eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling

P273: Do not release into the environment

P280: Wear eye protection and gloves

INGREDIENT	CAS NO.	COMPOSITION
Water	7732-18-5	30.0-40.0
Sodium Myristate	1310-73-Z	15.0-20.0
Sodium Laureth Sulfate	9004-82-4	10.0-115.0
Sodium Xylenesulfonate	1300-72-7	1.0-10.0
Allyl Alcohol	107-11-9	1.0-5.0
Lauramine Oxide	1643-20-5	1.0-S.O
-	Miscellaneous	<1.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.
Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.
Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.
Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class ABC fire extinguisher, dry chemical, carbon dioxide, or foam
Specific Hazards: None known
Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.
Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.
Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.
Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.
Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.
Personal Protective Equipment
Eye Protection: Wear protective glasses, goggles or eye shield.
Skin Protection: Wear impervious protective clothing, including gloves and apron.
Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:

Clear orange liquid

Odor:

Characteristic

pH:

12.5

Specific Gravity:

1.18-1.25 g/ml

Solubility:

Soluble in water

Flash Point:

No information available

Boiling Point:

>212°F

VOE:

0.23%

Viscosity:

No information available

Evaporation Rate:

No information available

Odor Threshold:

No information available

Vapor Density:

No information available

Vapor Pressure:

No information available

Partition Coefficient:

No information available

Auto-Ignition Temperature:

No information available

Decomposition Temperature:

No information available

Melting/Freezing Point:

No information available

Flammability:

No information available

10. STABILITY AND REACTIVITY

Stability:

Stable under normal conditions

Hazardous Polymerization:

Will not occur

Incompatibility:

None known

Hazardous Decomposition Products: None reasonably foreseeable

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:

Inhalation, eye and skin contact

Acute Symptoms**Eye and Skin Contact:**

May cause severe burns.

Ingestion:

May cause burns to mouth, throat and stomach.

Inhalation:

May cause irritation and corrosive effects to nose, throat and respiratory tract.

Chronic Effects:

None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available. Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number:	3266
Proper Shipping Name:	Corrosive Liquid, Basic, Inorganic, N.O.S., (Sodium Hydroxide)
Hazard Class:	8
Packing Group:	II

15. REGULATORY INFORMATION

This product contains the following component which is subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Sodium Hydroxide, CAS **No.:** 1310-73-2
CERCLA: Final RQ = 1,000 lbs

16. OTHER INFORMATION

Revision Date:	05/08/14
Supersedes:	04/02/14
Reason for Revision:	Updated per GHS Format

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SOLUTION QA ULTRA
1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: Solution QA Ultra
Product Code: A0389
Recommended Use: Sanitizer

Company

Auto-Chlor System
 746 Poplar Avenue
 Memphis, TN 38105
 Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION
GHS Hazard Classification

Signal Word: DANGER

Acute Toxicity: Category 4

Skin Corrosion: Category 1

Eye Irritation: Category 1


HAZARD STATEMENTS

H302: Harmful if swallowed
 H312: Harmful in contact with skin
 H314: causes severe skin burns and eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling
 P270: Do not eat, drink or smoke when using this product
 P280: Wear eye protection and protective gloves

3. COMPOSITION/INFORMATION ON INGREDIENTS

HAZARDOUS INGREDIENT	CAS NO.	" COMPOSITION
Quaternary ammonium compounds, benzyl-C12-18-alkyldimethyl, chlorides	68391-01-5 68956-79-6	9.0-11.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.
Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.
Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.
Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Dry chemical, foam carbon dioxide, water fog. Use water to cool fire-exposed containers and to protect personnel.
Specific Hazards: This product contains a flammable solvent. Vapors may be released that travel long distances, ignite and flash back.
Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.
Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.
Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.
Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.
Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.
Personal Protective Equipment
Eye Protection: Wear protective glasses, goggles or eye shield.
Skin Protection: Wear impervious protective clothing, including gloves and apron.
Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:

Red liquid

Odor:

No characteristic odor

pH:

7.2

Specific Gravity:

0.990 g/ml

Solubility:

Soluble in water

Flash Point:

{S0.6°C}, 123°F PMCC

Boiling Point:

No information available

VOE:

0.6% by weight

Viscosity:

No information available

Odor Threshold:

No information available

Evaporation Rate:

No information available

Odor Threshold:

No information available

Vapor Density:

No information available

Vapor Pressure:

No information available

Partition Coefficient:

No information available

Auto-Ignition Temperature:

No information available

Decomposition Temperature:

No information available

Melting/Freezing Point:

No information available

Flammability:

No information available

Lower Explosive/ Upper Explosive:

No information available

10. STABILITY AND REACTIVITY

Stability:

Stable under normal conditions

Hazardous Polymerization:

Will not occur

Incompatibility:

Strong acids

Hazardous Decomposition Products:

Oxides of carbon or nitrogen

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:

Inhalation, eye and skin contact

Acute Symptoms**Eye and Skin Contact:**

May cause severe burns.

Ingestion:

May cause burns to mouth, throat and stomach.

Inhalation:

May cause irritation and corrosive effects to nose, throat and respiratory tract.

Chronic Effects:

None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

Pesticide wastes are acutely hazardous. Improper disposal of all excess pesticide spray mixture or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label directions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste Representatives at the nearest EPA Regional Office for guidance.

14. TRANSPORT INFORMATION

UN Number: Not classified
Proper Shipping Name: Not classified
Hazard Class: Not classified
Packing Group: Not classified

15. REGULATORY INFORMATION

This chemical is a pesticide product registered by the Environmental Protection Agency and is subject to certain labeling requirements under federal pesticide law. These requirements differ from the classification criteria and hazard information required for safety data sheets, and for workplace labels of non-pesticide chemicals. The pesticide label also includes other important information, including directions for use, pesticide storage and container handling.

EPA REGISTRATION NUMBER: 1839-86-6243

Following is the hazard information as required on the pesticide label:

DANGER

Harmful if swallowed or absorbed through the skin.

Causes irreversible eye damage and skin irritation.

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENT	CAS NO.	FUNCTION
Water	7732-18-5	Solvent
Quaternary ammonium compounds, benzyl-C12-18-alkyldimethyl, chlorides	68391-01-5 68956-79-6	Antimicrobial
Dye	25956-17-6	Colorant

16.OTHER INFORMATION

Revision Date: 01/01/20
Supersedes: 04/24/15
Reason for Revision: Updated per California SB 256

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XPRESS DEGREASER

1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: Xpress Degreaser

Product Code: A0350032

Recommended Use: Degreaser

Company

Auto-Chlor System

746 Poplar Avenue

Memphis, TN 38105

Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION

OSHA Hazard Classification

Signal Word: DANGER

Acute Toxicity: Category 4

Skin Corrosion: Category 1

Eye Irritation: Category 1



HAZARD STATEMENTS

H302: Harmful if swallowed

H312: Harmful in contact with skin

H314: causes severe skin burns and eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling

P270: Do not eat, drink or smoke when using this product

P280: Wear eye protection and protective gloves

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CAS NO.	" COMPOSITION
Water	7732-18-5	70.0-75.0
Sodium Hydroxide	1310-73-2	12.0-18.0
Sodium Xylene Sulfonate	1300-72	4.0-8.0
Tetrasodium EDTA	64-02-8	1.0-4.0
Alkylpolyglucoside	Mixture	0.5-3.0
Butyl carbitol	112-34-5	0.5-3.0
Alkyl (C10-15) Benzenesulfonic Acid	68584-22-5	0.5-3.0
Sodium Nitrilo-triacetate, monohydrate	18662-53-8	< 1.0
Fragrance	Proprietary	< 1.0
Dye	Proprietary	< 1.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.
Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.
Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.
Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class ABC fire extinguisher, dry chemical, carbon dioxide, or foam
Specific Hazards: None known
Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.
Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.
Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.
Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.
Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.
Personal Protective Equipment
Eye Protection: Wear protective glasses, goggles or eye shield.
Skin Protection: Wear impervious protective clothing, including gloves and apron.
Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:

Translucent orange liquid

Odor:

Citrus

pH:

13.0

Specific Gravity:

1.109 g/ml

Solubility:

Soluble in water

Flash Point:

No information available

Boiling Point:

No information available

VOE:

No information available

Viscosity:

No information available

Evaporation Rate:

No information available

Odor Threshold:

No information available

Vapor Density:

No information available

Vapor Pressure:

No information available

Partition Coefficient:

No information available

Auto-Ignition Temperature:

No information available

Decomposition Temperature:

No information available

Melting/Freezing Point:

No information available

Flammability:

No information available

10. STABILITY AND REACTIVITY

Stability:

Stable under normal conditions

Hazardous Polymerization:

Will not occur

Incompatibility:

None known

Hazardous Decomposition Products: None reasonably foreseeable

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:

Inhalation, eye and skin contact

Acute Symptoms**Eye and Skin Contact:**

May cause severe burns.

Ingestion:

May cause burns to mouth, throat and stomach.

Inhalation:

May cause irritation and corrosive effects to nose, throat and respiratory tract.

Chronic Effects:

None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available.
Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number: Not classified
Proper Shipping Name: Consumer Commodity, ORM-D
Hazard Class: Not classified
Packing Group: Not classified

15. REGULATORY INFORMATION

This product contains the following component which is subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Sodium Hydroxide, CAS No.: 1310-73-2
CERCLA: Final RQ = 1,000 lbs

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CAS NO.	FUNCTION
Water	7732-18-5	Solvent
Sodium Hydroxide	1310-73-2	Builder
Sodium Xylene Sulfonate	1300-72	Surfactant
Tetrasodium EDTA	64-02-8	Chelant
Alkylpolyglucoside	Mixture	Surfactant
Butyl Carbitol	112-34-5	Solvent
Alkyl (C10-15) Benzenesulfonic Acid	68584-22-5	Surfactant
Sodium Nitrilo-triacetate, monohydrate	18662-53-8	Chelant
Fragrance*	Proprietary	Fragrance
Dye	Proprietary	Colorant

*Contains no fragrance allergens.

16.OTHER INFORMATION

Revision Date: 01/01/20

Supersedes: 06/11/14

Reason for Revision: Updated per California SB 256

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XPRESS OVEN GRILL CLEANER
1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: Xpress Oven Grill Cleaner
Product Code: A0348
Recommended Use: Removes baked on and carbonized grease soil

Company

Auto-Chlor System
 746 Poplar Avenue
 Memphis, TN 38105
 Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION
OSHA Hazard Classification

Signal Word: DANGER

Acute Toxicity: Category 4

Skin Corrosion: Category 1

Eye Irritation: Category 1


HAZARD STATEMENTS

H302: Harmful if swallowed

H312: Harmful in contact with skin

H314: Causes severe skin burns and eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling

P270: Do not eat, drink or smoke when using this product

P280: Wear eye protection and protective gloves

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CAS NO.	% COMPOSITION
Water	7732-18-5	70.0-75.0
Sodium Hydroxide	1310-73-2	8.0-13.0
Propylene Glycol	57-55-6	1.0-5.0
Sodium Silicate	1344-09-8	1.0-5.0
Acrylic Polymer	Proprietary	1.0-5.0
Anionic Surfactant	119345-04-9	1.0-5.0
Alkylpolyglucoside	110615-47-9	< 1.0
Sodium Gluconate	527-07-1	< 1.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.
Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.
Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.
Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class NB/C fire extinguisher, dry chemical, carbon dioxide, or foam
Specific Hazards: None known
Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.
Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.
Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.
Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.
Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.
Personal Protective Equipment
Eye Protection: Wear protective glasses, goggles or eye shield.
Skin Protection: Wear impervious protective clothing, including gloves and apron.
Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:	Evaporation Rate:
Clear liquid with slight haze	No information available
Odor:	Odor Threshold:
Odorless	No information available
pH:	Vapor Density:
11.6-12.0	No information available
Specific Gravity:	Vapor Pressure:
1.10 - 1.15 g/ml	No information available
Solubility:	Partition Coefficient:
Soluble in water	No information available
Flash Point:	Auto-Ignition Temperature:
No information available	No information available
Boiling Point:	Decomposition Temperature:
No information available	No information available
VOE:	Melting/Freezing Point:
No information available	No information available
Viscosity:	Flammability:
No information available	No information available
Odor Threshold:	Lower Explosive/ Upper Explosive:
No information available	No information available

10. STABILITY AND REACTIVITY

Stability:	Stable under normal conditions
Hazardous Polymerization:	Will not occur
Incompatibility:	None known
Hazardous Decomposition Products:	None reasonably foreseeable

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:	Inhalation, eye and skin contact
Acute Symptoms	
Eye and Skin Contact:	May cause severe burns.
Ingestion:	May cause burns to mouth, throat and stomach.
Inhalation:	May cause irritation and corrosive effects to nose, throat and respiratory tract.
Chronic Effects:	None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available.
Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number: Not classified
Proper Shipping Name: Not classified
Hazard Class: Not classified
Packing Group: Not classified

15. REGULATORY INFORMATION

This product contains the following component which is subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Sodium Hydroxide, CAS No.: 1310-73-2
CERCLA Final RQ: 1,000 lbs

California Cleaning Product Right to Know Act of 2017 (SB 258)

This regulation applies to this product.

INGREDIENTS	CAS NO.	FUNCTION
Water	7732-18-5	Solvent
Sodium Hydroxide	1310-73-2	Builder
Propylene Glycol	57-55-6	Solvent
Sodium Silicate	1344-09-8	Builder
Acrylic Polymer	Proprietary	Polymer
Anionic Surfactant	119345-04-9	Surfactant
Alkylpolyglucoside	110615-47-9	Surfactant
Sodium Gluconate	527-07-1	Chelant

16.OTHER INFORMATION

Revision Date: 01/01/20
Supersedes: 07/18/16
Reason for Revision: Updated per California SB 256

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XPRESS WHITE 'N BRITE
1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: Xpress White 'N Brite
Product Code: A0559
Recommended Use: Chlorinated Hard Surface Cleaner

Company

Auto-Chlor System
 746 Poplar Avenue
 Memphis, TN 38105
 Questions/Comments: 901-579-2300

Emergency Telephone Numbers

MEDICAL: 1-866-923-4946 (PROSAR)

SPILLS: 1-800-424-9300 (CHEMTREC)

2. HAZARDS IDENTIFICATION
OSHA Hazard Classification

Signal Word: DANGER

Acute Toxicity: Category 4

Skin Corrosion: Category 1

Eye Irritation: Category 1


HAZARD STATEMENTS

H302: Harmful if swallowed

H312: Harmful in contact with skin

H314: Causes severe skin burns and eye damage

PRECAUTIONARY STATEMENTS

P264: Wash hands thoroughly after handling

P270: Do not eat, drink or smoke when using this product

P280: Wear eye protection and protective gloves

3. COMPOSITION/INFORMATION ON INGREDIENTS

INGREDIENTS	CAS NO.	% COMPOSITION
Water	7732-18-5	80.0-85.0
Dodecyldimethylamine Oxide	1643-20-5	5.0-10.0
Sodium Hypochlorite	7681-52-9	1.0-5.0
Sodium Hydroxide	1310-73-2	1.0-5.0

4. FIRST AID MEASURES

Ingestion: If swallowed, rinse mouth. Do NOT induce vomiting.
Inhalation: If inhaled, remove person to fresh air and keep comfortable for breathing.
Skin Contact: If on skin, remove immediately all contaminated clothing. Rinse skin with water. Wash contaminated clothing before reuse.
Eye Contact: If in eyes, rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center.

5. FIREFIGHTING MEASURES

Extinguishing Media: Class NB/C fire extinguisher, dry chemical, carbon dioxide, or foam
Specific Hazards: None known
Protective Equipment: Wear full protective clothing and self-contained breathing apparatus

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions: Isolate spill or leak area immediately. Adequately ventilate area.
Protective Equipment: Wear appropriate personal protective equipment as specified in Section 8.
Cleanup Procedures: Absorb with earth, sand or other non-combustible material and transfer to containers for later disposal.

7. HANDLING AND STORAGE

Handling Precautions: Avoid contact with skin, eyes and clothing. DO not taste or swallow. Wash thoroughly after handling and before eating. FOR INDUSTRIAL AND INSTITUTIONAL USE ONLY.
Storage: Protect from freezing. Store locked up. Keep tightly closed in a dry, cool and well ventilated place.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Occupational Exposure Limits: No occupational exposure limits established for this product.
Appropriate Engineering Controls: Good general ventilation should be sufficient to control airborne levels.
Personal Protective Equipment
Eye Protection: Wear protective glasses, goggles or eye shield.
Skin Protection: Wear impervious protective clothing, including gloves and apron.
Respiratory Protection: In case of insufficient ventilation, wear suitable respiratory equipment.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance:	Evaporation Rate:
Clear translucent liquid	No information available
Odor:	Odor Threshold:
Bleach odor	No information available
pH:	Vapor Density:
12.2-13.5	No information available
Specific Gravity:	Vapor Pressure:
1.00 - 1.10 g/ml	No information available
Solubility:	Partition Coefficient:
Soluble in water	No information available
Flash Point:	Auto-Ignition Temperature:
No information available	No information available
Boiling Point:	Decomposition Temperature:
No information available	No information available
VOE:	Melting/Freezing Point:
No information available	No information available
Viscosity:	Flammability:
No information available	No information available
Odor Threshold:	Lower Explosive/ Upper Explosive:
No information available	No information available

10. STABILITY AND REACTIVITY

Stability:	Stable under normal conditions
Hazardous Polymerization:	Will not occur
Incompatibility:	None known
Hazardous Decomposition Products:	None reasonably foreseeable

11. TOXICOLOGY INFORMATION

Likely Routes of Exposure:	Inhalation, eye and skin contact
Acute Symptoms	
Eye and Skin Contact:	May cause severe burns.
Ingestion:	May cause burns to mouth, throat and stomach.
Inhalation:	May cause irritation and corrosive effects to nose, throat and respiratory tract.
Chronic Effects:	None known

12. ECOLOGICAL INFORMATION

When used for its intended purpose this product should not cause adverse effects in the environment.

13. DISPOSAL CONSIDERATIONS

No special precautions. Triple rinse empty container with water. Offer for recycling if available. Dispose of according to all local and federal regulations.

14. TRANSPORT INFORMATION

UN Number: Not classified
Proper Shipping Name: Not classified
Hazard Class: Not classified
Packing Group: Not classified

15. REGULATORY INFORMATION

This product contains the following components subject to the reporting requirements of SARA Section 302, SARA Section 313 and/or CERCLA:

Sodium Hydroxide, CAS No.: 1310-73-2

CERCLA Final RQ: 1,000 lbs

Sodium Hypochlorite, CAS No.: 7681-52-9

CERCLA Final RQ: 1,000 lbs

INGREDIENTS	CAS NO.	FUNCTION
Water	7732-18-5	Solvent
Dodecyltrimethylamine Oxide	1643-20-5	Surfactant
Sodium Hypochlorite	7681-52-9	Oxidizer
Sodium Hydroxide	1310-73-2	Builder

16. OTHER INFORMATION

Revision Date: 01/01/20
Supersedes: 02/03/16
Reason for Revision: Updated per California SB 256

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charles vincent george
ARCHITECTS

March 26, 2024

Village of Bensenville
Community Development Commission
12 S. Center Street
Bensenville, IL 60106

Re: Auto Chlor System – Office and Warehouse Facility
740 County Line Road, Bensenville, IL 60106
CVG project # 2023-176

Dear Community Development Commission,

The following letter provides an overview of the additional information being provided prior to the continuation hearing scheduled for April 2, 2024 for the proposed development located at 740 County Line Road. We understand that additional comments will need to be addressed during the special use and/or permitting processes and will come prepared to discuss at the meeting.

While we have remained in contact with Village Staff, there were no additional comments from Village Staff provided to us following the March 5, 2024 meeting. The material provided with this letter is additional information we feel can assist the Commission in their review of our application and is not in direct response to any comments received.

Through various conversations with Village Staff, as well as the previous Commission meeting, we are confident that any concerns associated with the variances for driveway width and/or tree replacement can be addressed. We are happy to comply with any conditions of the special use permit and will continue to work with Village Staff through the permitting process to ensure we're meeting all requirements.

Approximately 50% of AutoChlor's 76 locations across the country are located immediately adjacent to neighborhoods and/or within a half mile of a school, as is the case with the proposed Bensenville site. These facilities pose very little threat to the neighboring communities and environments in which they operate. The company's policies, small container sizes that most of the materials are being stored in, the engineering safeguards that are present in facilities, and the training that is provided to staff have a strong record of not having accidental releases at their facilities.

To help ensure safe storage and handling of any hazardous materials, routine inspections are conducted of each site every 28 days to check for hazardous communication labeling, incompatible segregation, storage container integrity, container closures, and emergency response readiness. AutoChlor has been fortunate to not have any substantial spills at any of their branch locations. They have no history of accidental releases during bulk deliveries, and once inside of the building there are secondary containment systems, spill response equipment, and most containers are under 5 gallons. The threat of a large release of chemicals within the facility is nearly nonexistent.

As requested, Wastewater User Surveys have been provided for both the existing Elk Grove Village facility, and the proposed Bensenville facility.

Prior to the April 2, 2024 meeting AutoChlor will be holding open houses at their Elk Grove Village facility to allow the public to better understand what occurs on site. Attendees will have access to the entire facility and representatives will be available on site to address any questions about the building, processes, items stored on site, and any other items that may arise. Information regarding the open house has been posted on the proposed site.

AutoChlor representatives will once again be available during the Community Development Commission meeting to provide a brief presentation and answer any questions. We hope to demonstrate to both the Commission and any public attendees that the work proposed to be performed on this site is in fact safe and does not present a danger to the community.

We look forward to continuing to work with the Village of Bensenville. Please do not hesitate to contact us if you have any questions, or if any additional information should be necessary.

Sincerely,

A handwritten signature in blue ink, appearing to read 'AGC', is positioned above the printed name.

Matthew D. Cronin, AIA
Charles Vincent George Architects, Inc.

Wastewater User Survey

Business Name: AUTO-CHLOR SYSTEM
 Address: 2540 UNITED LN.
 City, State, Zip: ELK GROVE VILLAGE, IL 60007
 Site Representative: CHRIS RICHARDSON
 Title: BRANCH MANAGER
 Site Phone: (847) 803-1402
 Email: CRICHARDSON@AUTOCHLOR.COM

Number of units in building occupied by this company: Stand-alone building ☐ Multiple Units: ☒ # of Units: 2

Number of Employees: 20 1st Shift 2nd Shift 3rd Shift

Operating Days: ☒ Mon ☒ Tues ☒ Wed ☒ Thurs ☒ Fri ☐ Sat ☐ Sun

Operating Hours per Day (Mon-Fri): 7 AM - 6 PM (Sat-Sun):

What services are performed, or products produced at this site (types of products, services, or processes)?

COMMERCIAL DISHWASHING MACHINE LEASING SERVICES + PACKAGING

What types of raw materials are used on site?

8% LIQUID SODIUM HYPOCHLORITE

LIQUID 8% SODIUM HYPOCHLORITE

Select all processes performed on site:

- | | | |
|---|---|--|
| <input type="checkbox"/> Wholesale Distribution | <input type="checkbox"/> Auto / Truck Repair | <input type="checkbox"/> Retail |
| <input checked="" type="checkbox"/> Manufacturing | <input type="checkbox"/> Fabricating | <input checked="" type="checkbox"/> Assembling |
| <input checked="" type="checkbox"/> Warehouse | <input type="checkbox"/> Food Establishment | <input checked="" type="checkbox"/> Office |
| <input checked="" type="checkbox"/> Packaging | <input type="checkbox"/> Other: <u> </u> | |

Does your business use water in *any* of your business activities, excluding domestic waste (restrooms, lunchroom) and landscape watering? ☒ Yes ☐ No

Is any of that wastewater discharged to the sewer?

☒ Yes ☐ No

Is any of that wastewater hauled offsite?

☐ Yes ☒ No

Description of business activities that generate wastewater, such as rinsing, filtering, cleaning, etc:

CLEANING + RINSING EXTERIOR OF RETURNABLE PLASTIC BOTTLES 1 GAL - 5 GAL SIZES

Does your business treat your wastewater discharge at any point within your process?

☒ Yes ☐ No

Does your business store liquids in drums (typically 55 gal.)?

☒ Yes ☐ No

If yes, how many drums:

Less Than 5: ☒

5 or more: ☐

Drum general substance: SODIUM HYPOCHLORITE

Does your business store liquids in totes or bulk tanks?

☒ Yes ☐ No

If yes, how many totes: 5

How many bulk tanks:

Tote or bulk tank general substance and number of gallons: SODIUM HYPOCHLORITE / 300 GALLONS

Does your facility use any materials which include, but are not limited to, cleaning products, raw materials or chemicals in a process which contain PHOSPHORUS in the ingredients?

☐ Yes ☒ No

Are any inks or dyes used:

☐ Yes ☒ No

If yes, are any inks or dyes washed down the drain?

☐ Yes ☐ No

Questions regarding this survey? Contact Lisa Lucht, Pretreatment Coordinator at LLucht@Bensenville.il.us or 630-594-1014

Wastewater User Survey

Business Name: AUTO-CHLOR SYSTEM

Address: 740 COUNTY LINE RD.

City, State, Zip: BENSENVILLE, IL 60106

Site Representative: JEFF HAMILTON

Title: DEVELOPMENT PROJECT MANAGER

MOBILE Site Phone: (503) 572-6377

Email: JHAMILTON@AUTOCHLOR.COM

Number of units in building occupied by this company: Stand-alone building ☒ Multiple Units: ☐ # of Units:

Number of Employees: 20 1st Shift 2nd Shift 3rd Shift

Operating Days: ☒ Mon ☒ Tues ☒ Wed ☒ Thurs ☒ Fri ☐ Sat ☐ Sun

Operating Hours per Day (Mon-Fri): 7 AM - 5 PM (Sat-Sun):

What services are performed, or products produced at this site (types of products, services, or processes)?

COMMERCIAL DISHWASHING MACHINE LEASING / SERVICES, LIQUID CLEANING SUPPLIES
MANUFACTURING + PACKAGING

What types of raw materials are used on site?

ALKALINE + CHLORINATED CORROSIVE LIQUIDS, ACIDIC CORROSIVE LIQUIDS, QUATERNARY
AMMONIUM LIQUID

Select all processes performed on site:

- | | | |
|---|---|--|
| <input type="checkbox"/> Wholesale Distribution | <input type="checkbox"/> Auto / Truck Repair | <input type="checkbox"/> Retail |
| <input checked="" type="checkbox"/> Manufacturing | <input type="checkbox"/> Fabricating | <input checked="" type="checkbox"/> Assembling |
| <input checked="" type="checkbox"/> Warehouse | <input type="checkbox"/> Food Establishment | <input checked="" type="checkbox"/> Office |
| <input checked="" type="checkbox"/> Packaging | <input type="checkbox"/> Other: <u> </u> | |

Does your business use water in *any* of your business activities, excluding domestic waste (restrooms, lunchroom) and landscape watering? ☒ Yes ☐ No

Is any of that wastewater discharged to the sewer? ☒ Yes ☐ No

Is any of that wastewater hauled offsite? ☐ Yes ☒ No

Description of business activities that generate wastewater, such as rinsing, filtering, cleaning, etc:

PROCESS TANK RINSATES, GENERAL CLEANING, RINSING PACKAGE EXTERIOR

Does your business treat your wastewater discharge at any point within your process? ☒ Yes ☐ No

Does your business store liquids in drums (typically 55 gal.)? ☐ Yes ☐ No

If yes, how many drums: Less Than 5: ☐ 5 or more: ☒

Drum general substance: ALKALINE, ACIDIC, + CHLORINATED LIQUIDS

Does your business store liquids in totes or bulk tanks? ☒ Yes ☐ No

If yes, how many totes: ~50 How many bulk tanks: 8

Tote or bulk tank general substance and number of gallons: ALKALINE, ACIDIC, + CHLORINATED LIQUIDS

Does your facility use any materials which include, but are not limited to, cleaning products, raw materials or chemicals in a process which contain PHOSPHORUS in the ingredients? ☒ Yes ☐ No

Are any inks or dyes used: ☒ Yes ☐ No

If yes, are any inks or dyes washed down the drain? ☐ Yes ☒ No

Questions regarding this survey? Contact Lisa Lucht, Pretreatment Coordinator at LLucht@Bensenville.il.us or 630-594-1014



STAFF REPORT

HEARING DATE: March 5, 2024
CONTINUED DATE: April 2, 2024
CASE #: 2024 – 03
PROPERTY: 740 County Line Road
PROPERTY OWNER: 2540 Flournoy LLC
APPLICANT: 2540 Flournoy LLC & Auto-Chlor System
SITE SIZE: .965 Acres
BUILDING SIZE: +/- 16,000 square feet
PIN NUMBER: 0324406027
ZONING: I – 1 Light Industrial District
REQUEST: Site Plan Review
Municipal Code Section 10 – 3 – 2
Special Use Permit, Medium Industrial
Municipal Code Section 10 – 7 – 2 – 1
Variation, Driveway Width Requirements
Municipal Code Section 10 – 8 – 8c
Variation, Tree Replacement Rate Requirements
Municipal Code Section 10 – 9 – 2B – 1

PUBLIC NOTICE:

1. A Legal Notice was published in the Bensenville Independent on Thursday February 15, 2024. A Certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.
2. Village personnel posted two Notice of Public Hearing sign on the property, visible from the public way on February 15, 2024.
3. On February 15, 2024, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 300’ of the property in question. An Affidavit of Mailing executed by CED personnel, and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

SUMMARY:

The Petitioner, 2540 Flournoy LLC, is seeking approval of a site plan review, special use permit and two variances. The special use permit is to allow a medium industrial use (chemicals will be mixed on site) in a light industrial district. The first variance seeks to extend the driveway width beyond the 30 feet maximum, as stated in Municipal Code 10 – 8 – 8c. The proposed driveway exiting onto George Street would be 30.3 feet and the proposed driveway width exiting onto County Line Road would be 41.7 feet. The second variance is due to not being able to meet the tree replacement standards. They believe that meeting the Village Requirements stated in Municipal Code Section 10 – 9 – 2B1 would result in overplanting.

SURROUNDING LAND USES:

	Zoning	Land Use	Comprehensive Plan	Jurisdiction
Site	I-1	Vacant	Commercial/Industrial Flex	Village of Bensenville
North	I-1	Industrial/Commercial	Commercial/Industrial Flex	Village of Bensenville
South	I-1	Industrial/Commercial	Commercial/Industrial Flex	Village of Bensenville
East	I-2	Industrial	Industrial	Village of Franklin Park
West	R-2	Single Family Home	Single-Family Residential	Village of Bensenville

DEPARTMENT COMMENTS:

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input type="checkbox"/>	Financially Sound Village
<input type="checkbox"/>	Quality Customer Oriented Services
<input type="checkbox"/>	Safe and Beautiful Village
<input type="checkbox"/>	Enrich the lives of Residents
<input checked="" type="checkbox"/>	Major Business/Corporate Center
<input checked="" type="checkbox"/>	Vibrant Major Corridors

Finance:

- 1) No existing account in Utility Billing.

Police:

- 1) No Objections.

Engineering and Public Works:

- 1) The attached Wastewater User Survey must be completed.
- 2) If the company of the petitioner currently has a location at 2540 United Lane, Elk Grove Village, a Wastewater User Survey is required for that location as well.
- 3) Is there a plan sheet or details for containment and drainage system for the factory floor, whereby there is enough containment capacity to handle the largest possible batch material spill?

All drains (sinks, floor, washdown, etc.) in the H4 room collect in a sewage ejector sump, which is then pumped into a stainless steel tank dedicated to waste holding. Holding tank contents are sampled and tested for pH prior to discharge into the sanitary sewer. Collected wastewater is neutralized as necessary to pH range 7-9. Treatment and discharge is validated and recorded. There is only one sanitary sewer inlet in the H4 room, which is elevated above the overflow rim of the secondary containment elevation.

Pop-up barriers will be provided at all overhead doors, and man doors will be elevated as required to provide containment of the largest possible batch material spill, plus the code required amount of sprinkler water, within the space. Information on a sample pop-up barrier which has been utilized on other projects has been provided with this response, labeled "Attachment A". The details associated with this will be developed for the Bensenville project and included with our permit submittal.

Sample wastewater discharge procedures have been provided with the response, labeled "Attachment B".

- 4) Is there a washdown system that allows the spilled material to be gradually diluted into the sanitary sewer?

As indicated in the response to item 3, all floor and equipment washdowns are collected and neutralized as needed to pH range 7-9 prior to discharge. Please refer to the response to item 3, including the indicated attachments for additional information.

- 5) We see a depressed dock, so they'll need a sump pump to handle the stormwater. But if a large spill occurs at the dock, it's going to have to be contained within the dock and can't get to the rest of the paved area. Again, the containment volume should exceed the amount of the largest possible spill. Is there a pump system for that dock discharge to the sanitary sewer?

Secondary containment is provided at the loading dock by installing an in-ground manual shutoff valve in the truck well drain basin outlet plumbing. The largest container (package delivery) is 330 gallons, while the largest bulk tank delivery is 2,000 gallons. This would require approximately 270 cubic feet of containment volume, the proposed ramp provides well over 1,000 cubic feet of containment.

If required, a sump pump can be provided in the truck well basin. Alternatively, in the event of a spill, a non-permanent pump would be utilized to address the spilled liquid as outlined in item 3 above.

A sample bulk chemical transfer procedure has been included with this response, labeled "Attachment C".

- 6) There should be a company policy, plan, and equipment to handle any spill that might occur in the parking lot.

A specific policy will need to be developed for this location based on the site conditions. Sample policies and procedures have been provided for reference in Attachment B.

Community & Economic Development:

Economic Development:

- 1) The property is currently vacant land.
- 2) Taxes for 2022 amounted to \$6,746.14. The Village received 8.934% of that amount totaling \$662.54.
- 3) Staff projects industrial taxes for the new 15,000 square foot development at \$1.30 per square foot, which is an average taken from CoStar data of similar industrial space in DuPage County. This would come out to \$19,500 in total taxes. The Village, using the same tax rate in 2022, would see \$1,742.13. That's more than a 162% increase in value.
- 4) The new development will bring a new business and new jobs into Bensenville.

Fire Safety:

- 1) 15,000 square foot building will need to have a sprinkler system and a fire alarm system.
- 2) The rear drive around the building narrows down to 11.2 feet. Minimum requirement for fire department access is 20'. 2021 ICC IFC Appendix D.

It is our interpretation that per Section 503 of the IFC, fire apparatus access roads shall be provided for every building. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building.

Further, section 3206.6 requires that fire apparatus access roads in accordance with Section 503 shall be provided within 150 feet of all portions of the exterior walls of buildings used for high-piled storage.

Based on these sections of the IFC, the area to the south of the building is not required to be a fire access road since there is a fire apparatus access road within 150 feet of all points of the building. If specifically required, this area can be revised to provide the referenced width of 20 feet but will result in the loss of existing trees currently shown to remain, as well as several parking stalls. We believe our current design is in compliance with the International Fire Code.

Building:

- 1) No Comments.

Planning:

- 1) The 2015 Comprehensive Plan indicates “Commercial/Industrial Flex” for this property.
- 2) The current zoning is I-1 Light Industrial District.
- 3) The applicant is seeking a special use permit to allow a medium industrial facility in a I-1 Light Industrial District.
- 4) Per Village code 10 – 11 – 2, Medium Industrial is defined as “a use engaged in manufacturing, assembly, fabrication, packaging, storage, handling, or other industrial processing of products from both unprocessed and prepared materials, which does not include the use of highly flammable material, or toxic matter. "Medium industrial" uses may be engaged in processes that are likely to have a moderate impact on the environment or on adjacent properties. Typical "medium industrial" uses include, but shall not be limited to, bottling, food processing, machine shops, or freight handling.”
- 5) The applicant plans to take concentrated liquids and dilute them and bottle them in consumer-sized packaging.
- 6) Per the applicant:
 - a. Chemical storage of all flammable liquids is below the maximum allowable quantity for an S-1 Warehouse Occupancy and consists of shop supplies such as spray paint cans and a forklift propane tank. There are no EPA Chemicals of Concern or Toxic substances stored, used, or kept on site at any time. We have no machinery that generates emissions or excessive noise. Deliveries/shipments occur intermittently throughout the week, approx. 2-3X /day.
 - b. Hazardous materials used in processing are limited to Corrosive Liquids such as automatic dishwashing detergents and sanitizers. Storage and Processing of these liquid solutions is accomplished within a special Group H4 designated occupancy section of the building. Construction of the H4 section requires and includes all applicable ventilation, fire suppression, secondary containment and other life-safety systems as specified by the building code. The processing activity can be described as diluting commodity Corrosive Liquids, as listed above, in stainless steel tanks for transfer into consumer-sized bottles approximately 1qt-5 gallons in size.

- 7) Staff heard from neighbors who were concerned about possible environmental impacts, including, but not limited to: air and water quality, including the impact of larger commercial vehicles making deliveries.
 - a. Staff has asked the applicant for safety data sheets on all the chemicals to be used. As of the writing of this staff report, it has not been provided.

Safety data sheets have been provided for all chemicals used on site. These have been included with this response, labeled "Attachment D".

The Owner has provided an additional business description letter outlining the primary business functions, as well as the manufacturing operations that will occur on site. This has been included with this response, labeled "Attachment E". An Owner representative will also be present for the public hearing on March 5th.

- 8) Staff would like a better explanation of the site layout and functionality, including but not limited to:
 - a. How deliveries are made.

Deliveries are made to the depressed dock. Bulk liquid deliveries will be pumped from the depressed dock into the H4 manufacturing area. Other materials will be unloaded via forklift into the building. Additional deliveries (UPS, FedEx, USPS, etc.) will be delivered to the office area.

- b. Explanation of the logistics of the drive in door and depressed dock.

The drive in doors are for use of the Owner's fleet only. AutoChlor delivery vehicles will be parked inside the building overnight. Each morning these vehicles will be loaded within the building and will leave via the west door. At the end of the day these vehicles will return to the site and enter the building via the east door. These overhead drive in doors will not be utilized for deliveries. All deliveries will be made to the depressed dock.

- c. Time of deliveries.

Deliveries will be made Monday through Friday during normal business hours (7 am – 5 pm). On average there will be 2-3 deliveries per day.

A revised truck turn exhibit demonstrating entry from County Line Road to the depressed dock and exiting from the dock via eastbound George Street has been provided as part of this response, labeled "Attachment F". The revisions to the truck turn exhibit include breaking it into two separate exhibits (entry and exit), and removing the turning radius for trucks to proceed westbound on George Street, as this is restricted.

- 9) Per Village Code Section 10 – 8 – 8B:
 - a. Driveways shall be located at least sixty feet (60') from a signalized intersection, and thirty feet (30') from all other intersections, measured from edge of pavement.
 - i. Applicant to note distance of County Line Rd driveway from intersection on plans.

Additional dimensions have been added to the revised site plan included with this response, labeled "Attachment G". The proposed driveways on both County Line Road and George Street are greater than 30' from the adjacent un-signalized intersection and appear to be in compliance with the Village requirements.

- 10) Plans indicate a proposed right-of-way dedication along County Line Rd. Staff is requesting more information on the proposed dedication.

A right-of-way dedication is expected to be necessary as part of this project. The existing property line extends into the County Line Road and George Street intersection. ROW dedication limits have been based upon adjacent properties' CCDOTH dedication areas. It will make way for future right-of-way expansion of the multi-use path that is located further south along County Line Road. Additional coordination with CCDOTH will be ongoing following zoning approval.

- 11) The applicant is seeking approval of two variations. The first is to increase the driveway width beyond the 30-foot maximum. The proposed driveway exiting onto George Street would be 30.3 feet and the proposed driveway width exiting onto County Line Road would be 41.7 feet. The second variance to allow a fee-in lieu for the Tree Removal Replacement Rate. They believe that meeting the Village Requirements stated in Municipal Code Section 10 – 9 – 2B1 would result in overplanting.
- 12) Per Village Code Section 10 – 8 – 8C, the following driveway width requirements apply:
- a. The maximum driveway width is 30 feet.
 - b. Per the proposed plans, the George St driveway would be 30.3 feet and the County Lind Rd driveway would be 41.7 feet.
- 13) Staff is concerned about the George St driveway. Truck movement is prohibited west of the site on George St. Staff recommends modifying the driveway to discourage trucks from turning left out of the site. It's possible to then reduce the driveway width to meet code.

The proposed driveway on George Street has been reduced to 30 feet as requested. Signage will be provided to indicate truck movement is prohibited going westbound on George Street, and that all trucks must proceed east to County Line Road. The revised site plan included with this response, labeled "Attachment G", has been updated to reflect this.

- 14) Staff is concerned with the size and layout of the proposed driveway on County Line Rd. The applicant noted that there is a vault in the County Line Rd right of way that they were attempting to avoid. Staff would like more information on the vault and recommends working with Village staff on final driveway design during permitting.

The requested driveway width variance is to accommodate WB-67 truck navigation into the site and prevent disturbance of two existing Nicor Gas vaults located within the County Line Road right-of-way. The design team will work with Village Staff on the final driveway design during permitting.

Nicor vaults are a critical asset necessary to regulate gas distribution pressures upstream of customer service lines. The process to move vaults such as these may require an extensive timeline, often six to nine months (durations vary case by case). Additionally, expenses related to moving vaults may range between \$250,000 and \$750,000, or more (expenses vary case by case). The intent of the proposed driveway orientation is to limit disturbances and mitigate the need for the critical facility to be relocated. Following zoning approval, Nicor Gas will complete

a full analysis of the site/entrance improvements along County Line Road and review potential construction phase, final condition, and emergency conflicts.

15) Per Village Code Section 10 – 9 – 2B1, the following Tree Removal Rates apply:

- a. The size of a mature tree is measured using its diameter at breast height (refer to figure 10 – 9 – 2 – 1, “Tree Measurement”, of this subsection). The tree to be removed shall be replaced within one year of the date of approval, or the applicant shall immediately pay the Village an amount equal to the full value of the tree to be removed.
- b. Per the proposed plans, planting the required amount of trees would result in overplanting, and the applicant believes it would be better to pay a fee.

16) Per Section 10-9-4-B.1 of the Village Zoning Ordinance, street trees shall be installed at a minimum rate of one large shade tree per forty (40) Linear feet. Trees shall be spaced on center, or at a rate that matches the existing tree spacing pattern on adjacent parkways, whichever results in a greater density of tree plantings. Spacing may be adjusted to ensure adequate room for streetlights and utilities, with prior written Zoning Administrator approval.

- a. Plans do not indicate street trees. If street trees are not feasible for whatever reason, the Zoning Administrator can include the loss of trees in the fee-in-lieu payment consideration.

Per the code analysis table provided on Sheet L1.0, zero street trees are provided due to existing utility conflicts. The parkway along George Street includes existing overhead power lines, telephone line, gas line, and storm drain line that would conflict with street trees. The parkway along County Line Road includes existing sanitary line, water line, telephone line, overhead power lines, and gas lines that would conflict with street trees.

17) Based on initial concept plans, it is likely that one (1) long term bicycle parking space will be required.

An area within the building has been designated for long term bicycle parking as required. The details associated with this requirement will be worked out during the design process and included in the permit submittal.

18) Outdoor Lighting not shown on plans. All outdoor lighting shall meet Village Code Section 10-9-8: Outdoor Lighting requirements.

- a. Applicant notes that they will meet all Village code outdoor lighting requirements.

19) Per Village Code Section 10-7-4C-13, the following specific use standards apply to Mechanical equipment:

- i. Screening: Roof-mounted mechanical equipment screening must equal the height of the tallest mechanical equipment installed on the roof of the building. The requirements of section 10-9-7, "Screening Requirements", of this title shall apply to ground- mounted mechanical equipment.
- ii. 10-9-7: Screening Requirements: Applicability: The requirements of this section apply to refuse areas, ground-mounted mechanical equipment, ground-mounted utilities, outdoor storage areas, and off-street loading areas to screen them from view of the street and adjacent properties.

1. Opaque Fence or Wall: The refuse area or outdoor storage area shall be completely screened by an opaque masonry wall or fence on three (3) sides, and an opaque gate on the fourth side. The wall of a principal structure may serve as a screening wall.
 - a. Height: The fence or wall shall not exceed eight feet (8') in height.
 - b. Complementary Design: Screening elements should complement the architectural style of the primary building on-site and use building materials similar to those used for the primary building.
 - c. Gate: The enclosure of the refuse area or outdoor storage area shall be gated and remain locked except during times of refuse deposit or collection.
- iii. The proposed plans include a pad mounted transformer. Applicant notes screening for the pad mounted transformer. Screening shall be completely opaque and must meet all code requirements during permitting.

Mechanical equipment screening meeting the requirements of the Village Code will be provided. The details associated with this screening will be worked out during the design process and included in the permit submittal.

20) Per Village Code Section 10-8-6K Snow Storage: Snow storage areas shall be provided on or adjacent to all off-street parking facilities.

- a. Applicant to note on plans during permitting.

21) Per Village Code Section 10 – 9 – 7 Screening Requirements:

- a. Opaque Fence Or Wall: The refuse area or outdoor storage area shall be completely screened by an opaque masonry wall or fence on three (3) sides, and an opaque gate on the fourth side. The wall of a principal structure may serve as a screening wall.
 - i. Height: The fence or wall shall not exceed eight feet (8') in height.
 - ii. Complementary Design: Screening elements should complement the architectural style of the primary building on-site and use building materials similar to those used for the primary building.
 - iii. Gate: The enclosure of the refuse area or outdoor storage area shall be gated, and remain locked except during times of refuse deposit or collection.

Refuse area screening meeting the requirements of the Village Code will be provided. The details associated with this screening will be worked out during the design process and included in the permit submittal.

APPROVAL STANDARDS FOR SITE PLAN REVIEW

1. **Surrounding Character:** The site plan for the proposed development is consistent with the existing character and zoning of adjacent properties and other property within the immediate vicinity of the proposed development.

Applicant's Response: The subject parcel is zoned I-1. This aligns with the other adjacent properties to the north and south along County Line Road. The properties along the west side of County Line Road are primarily smaller industrial uses, and the uses on the east side are larger industrial. The parcel to the west is zoning R-2, a Single-Unit Dwelling District.

2. **Neighborhood Impact:** The site plan for the proposed development will not adversely impact adjacent properties and other properties within the immediate vicinity of the proposed development.

Applicant's Response: The proposed site plan will contain proposed truck movements within the site limits. While additional vehicular traffic is expected on-site compared to its existing vacant condition, adequate landscape screening is proposed along the western and southern property lines for neighboring properties. Additional landscape is also proposed along the northern property line to provide screening to George Street. Proposed lighting will follow Village of Bensenville requirements and will limit the footcandles along the property lines.

3. **Public Facilities:** The site plan for the proposed development will be provided with adequate utilities, access roads, parking, loading, drainage, stormwater flow paths, exterior lighting, and/or other necessary facilities.

Applicant's Response: Associated utilities for the proposed building include gas, electric, telecommunications, storm, sanitary, and water. Please refer to the included utility plan for details.

4. **Environmental Preservation:** The site plan for the proposed development is designed to preserve the environmental resources of the zoning lot.

Applicant's Response: The existing site is currently open space with an existing curb cut to County Line Road. While the site will be paved as needed to accommodate vehicular movements on-site, additional plantings will be installed per Village of Bensenville requirements.

5. **On-Site Pedestrian Circulation System:** The site plan shall accommodate on-site pedestrian circulation from parking areas, plazas, open space, and public rights-of-way. Pedestrian and vehicular circulation shall be separated to the greatest extent possible.

Applicant's Response: The proposed site plan includes sidewalk for pedestrian traffic from public ROW and proposed ADA parking stalls. The site also accounts for a future right-of-way dedication along County Line Road.

6. **Vehicle Ingress and Egress:** The site plan shall locate curb cuts for safe and efficient ingress and egress of vehicles. The use of shared curb cuts and cross-access easements shall be provided when appropriate.

Applicant's Response: Two curb cuts are proposed as part of the development. One is located at the southeast corner of the site, connecting to County Line Road, and

one is at the northwest corner of the site, connecting to George Street. The curb cuts are located as far from the existing intersection as possible to limit vehicular conflicts. Truck movements have been analyzed using Vehicle Tracking software. A WB-67 truck has been modeled to enter the site from County Line Road and leave the site via George Street.

7. **Architectural Design:** The site plan for the proposed development includes architectural design that contributes positively to the Village's aesthetic appearance.

Applicant's Response: The proposed development will adhere to the Village's design requirements for the industrial district including façade articulation and material standards. The proposed design includes a primarily natural colored stone or brick façade with accents of precast concrete wall panels. The building will follow suit with the architectural character of the Eastern Business District.

8. **Consistent with Title and Plan:** The site plan for the proposed development is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The site falls within the Eastern Business District of the Comprehensive Plan. The future use is proposed to be commercial/industrial flex. As part of the proposed improvements, stormwater drainage will be designed in accordance with the Village of Bensenville standards, and the DuPage County Countywide Stormwater & Floodplain Ordinance.

Approval Standards for Site Plan Review	Meets Standard	
	<i>Yes</i>	<i>No</i>
1. Surrounding Character		X
2. Neighborhood Impact		X
3. Public Facilities	X	
4. Environmental Preservation		X
5. On-site Pedestrian Circulation	X	
6. Vehicle Ingress & Egress		X
7. Architectural Design	X	
8. Consistent with Title and Plan	X	

APPROVAL STANDARDS FOR SPECIAL USE

1. **Public Welfare:** The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: The proposed medium industrial use will not pose any health, safety, comfort, convenience, or general welfare concerns. This facility will manufacture and distribute dishwashing detergents and sanitizers for commercial dishwashing. The manufacturing activity on site can be described as diluting commodity corrosive liquids in stainless steel tanks for transfer into consumer-sized

bottles. All life safety systems required by the building code will be provided, including secondary containment.

2. **Neighborhood Character:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed medium industrial use is compatible with the adjacent properties within the industrial zone of Bensenville and the adjacent industrial area of Franklin Park. It does not represent a significant change in use from the neighboring properties.

3. **Orderly Development:** The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed medium industrial use will not impede the development and improvement of adjacent properties within the immediate vicinity. This use is similar to the existing adjacent properties in the area.

4. **Use of Public Services and Facilities:** The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: The proposed special use will not require any disproportionate needs or demand that would place an undue burden upon the existing development in the area. These items are expected to be typical for a facility of this size.

5. **Consistent with Title and Plan:** The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed special use does not represent a significant change in use from the neighboring properties, or allowable uses under the Village's Zoning Ordinance. The Village's Comprehensive Plan identified several vacant and underutilized properties available for redevelopment in the Eastern Business District, which would include the proposed site for this special use. The medium industrial use is consistent with the surrounding character of the Village.

Approval Standards for Special Use Permits	Meets Standard	
	<i>Yes</i>	<i>No</i>
1. Public Welfare		X
2. Neighborhood Character		X
3. Orderly Development	X	
4. Use of Public Services and Facilities	X	
5. Consistent with Title and Plan	X	

APPROVAL STANDARDS FOR VARIATIONS:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response:

Tree Removal: In discussions with the Village Forestry Division, overplanting on site is a concern. The amount of trees required may affect the chances of survival of the proposed trees. The Owner is open to a discussion as to what the best route forward is. Paying the applicable fee to reduce the number of trees does not endanger the health, safety, comfort, convenience, and general welfare of the public.

Driveway: Due to the trucks that will enter the site, wider driveways are required on the east and north sides of the site. Truck turning movement diagrams have been included as part of this submittal, showing the truck path to the loading dock, and leaving the site. Driveways have been sized as efficiently as possible to meet the needs of the site. The larger driveways do not represent a danger to the health, safety, comfort, convenience, and general welfare of the public.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response:

Tree Removal: The proposed planting plan will improve the landscape of the current site, and will align with the adjacent uses.

Driveway: The proposed driveway is compatible with the character of the adjacent properties to the north, east, and south. The area is predominantly industrial, as is the proposed use. Various driveways along County Line Road appear to be similar widths, also exceeding the Village of Bensenville allowable widths.

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response:

Tree Removal: As noted above, the hardship is dependent on the Village Forestry Division's interpretation of how close trees can be to survive and overcrowding on site. Paying the fee in lieu of replacement will still provide benefit to the Village for

the trees being removed, while ensuring success of the replacement trees planted on site.

Driveway: Without a variance for the driveway width, the end user will not be able to conduct the required business operations on site. The end user requires a WB-67 truck to pass through the site for deliveries critical to the functionality of the business.

4. **Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response:

Tree Removal: Due to the necessary truck movements through the site, width of the parcel, building size, required parking, and setbacks, the open space available to provide replacement trees is limited. This creates a challenge fitting the required number of tree replacement per Village code.

Driveway: Due to the width of the property, it is not feasible to achieve the standard driveway width per Village code. Different vehicle movement patterns have been analyzed to understand alternatives, and the presented site plan results in the least chance of truck movements into George Street or County Line Road.

5. **Minimum Deviation Needed:** The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response:

Tree Removal: The design team has provided tree spacing which provides enough space to ensure growing success. As noted above, the landscape design will defer to the Village Forestry Department as to what is the best long-term approach for tree locations. Additional trees which are not being replaced will be accounted for via the fee in lieu.

Driveway: Driveway widths have been made only as wide as necessary to accommodate the incoming and outgoing truck movements.

6. **Consistent with Ordinance and Plan:** The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response:

Tree Removal: The planting and tree selection will follow Village Code and the Commercial / Industrial flex use within the Eastern Business District requirements in the Comprehensive Plan.

Driveway: The proposed use and driveway width align with the uses listed in the Eastern Business District within the Comprehensive Plan.

Driveway Width	Meets Standard	
Approval Standards for Variations	Yes	No
Public Welfare	X	
Compatible with Surrounding Character	X	
Undue Hardship	X	
Unique Physical Attributes	X	
Minimum Deviation Needed	X	
Consistent with Ordinance and Plan	X	

Tree Replacement Rate	Meets Standard	
Approval Standards for Variations	Yes	No
Public Welfare	X	
Compatible with Surrounding Character	X	
Undue Hardship	X	
Unique Physical Attributes	X	
Minimum Deviation Needed	X	
Consistent with Ordinance and Plan	X	

RECOMMENDATIONS:

1. Staff recommends the Denial of the Findings and therefore the denial of the Special Use Permit.
 - i. Should the CDC or Village Board recommend approval, staff recommends the following conditions:
 1. Site Plan Review:
 - a. The property be developed in general compliance, except as amended herein, with the plans submitted by Charles Vincent George Architects, G2 Consulting, and Kimley-Horn dated 01/04/2024 revised 02/28/24, and all other Village Code Requirements;
 - b. Applicant shall provide a sidewalk along the property within the George Street right-of-way and a 10' multi-use path along the property within the County Line Road right-of-way to be approved by Public Works/Engineering during permitting;
 - c. Final architectural design of the principal structure and parking blocks/bollards to be approved by Zoning Administrator prior to permit approval;
 - d. Final mechanical equipment screening (rooftop and ground) to be approved by Zoning Administrator prior to permit approval;
 - e. Applicant shall coordinate with staff during permitting to provide street trees when feasible within portions of the right-of-way where adequate spacing is present;
 - f. All landscape requirements outside of received variations shall be met during permitting. Final Landscape plan to be approved by zoning administrator prior to permit approval;

- g. All illumination standards as outlined in Village Code section 10-9-8 Outdoor Lighting shall be met at permitting;
 - h. Applicant shall coordinate with staff to ensure proper striping and directional signage for the site during the permitting process.
- 2. Special Use Permit:
 - a. The Special Use Permit be granted solely to Auto Chlor System and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit.
- 2. Staff recommends the Approval of the Findings and therefore the approval of the Findings for the Variation for Driveway Width.
 - i. Applicant to work with staff on eliminating turning movements for trucks going west on George St.
 - ii. Applicant to work with staff on design and placement of the County Line Rd driveway.
- 3. Staff recommends the Approval of the Findings and therefore the approval of the Findings for the Variation for Tree Replacement Rate.
 - i. Additional trees shall be added to the site on the final landscape plan where feasible. If tree replacement rates cannot be fully met on the final landscape plan for the property, then applicant shall coordinate with staff to determine an appropriate fee-in-lieu for the remaining required tree replacement, to be approved by the Zoning Administrator.

Respectfully Submitted,
Department of Community & Economic Development

The CDC recommendation will be forwarded to the Village Board Committee of the Whole meeting on Tuesday, April 16, 2024, at 6:30pm in the Village Hall Board Room. A representative must be present for this meeting. Final decision on the case will be made at this Village Board of Trustees meeting on Tuesday, April 23, 2024, at 6:30pm in the Village Hall Board Room. A representative is not required to be present for this meeting.

Village of Bensenville
Board Room
12 South Center Street
DuPage and Cook Counties
Bensenville, IL, 60106

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

April 2, 2024

CALL TO ORDER: The meeting was called to order by Chairman Rowe at 6:30p.m.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

STAFF PRESENT: K. Pozsgay, K. Quinn, C. Williamsen

JOURNAL OF

PROCEEDINGS: The minutes of the Community Development Commission Meeting of the March 5, 2024 were presented.

Motion: Commissioner Chambers made a motion to approve the minutes as presented. Commissioner Marcotte seconded the motion.

All were in favor. Motion carried.

Director of Community and Economic Development, Kurtis Pozsgay and Village Planner, Kevin Quinn were present and sworn in by Chairman Rowe.

PUBLIC

COMMENT: There was no Public Comment.

Continued

Public Hearing: CDC Case Number 2024-03

Petitioner: 2540 Flournoy LLC

Location: 740 County Line Road

Request: Site Plan Review

Municipal Code Section 10-3-2

Special Use Permit, Medium Industrial

Municipal Code Section 10-7-2-1

Variation, Driveway Width Requirements

Municipal Code Section 10 – 8 – 8c

Variation, Tree Replacement Rate Requirements

Municipal Code Section 10 – 9 – 2B1

Motion: Commissioner Rott made a motion to re-open CDC Case No. 2024-03. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe re-opened CDC Case No. 2024-03 at 6:32 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on February 15, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on February 15, 2024. Mr. Pozsgay stated on February 15, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, 2540 Flournoy LLC, is seeking approval of a site plan review, special use permit and two variances. Mr. Pozsgay stated the special use permit is to allow a medium industrial use (chemicals will be mixed on site) in a light industrial district. Mr. Pozsgay stated the first variance seeks to extend the driveway width beyond the 30 feet maximum, as stated in Municipal Code 10 – 8 – 8c. Mr. Pozsgay stated the proposed driveway exiting onto George Street would be 30.3 feet and the proposed driveway width exiting onto County Line Road would be 41.7 feet. Mr. Pozsgay stated the second variance is due to not being able to meet the tree replacement standards. Mr. Pozsgay stated they believe that meeting the Village Requirements stated in Municipal Code Section 10 – 9 – 2B1 would result in overplanting.

Jeff Hamilton of 2540 Flournoy LLC, were present and sworn in by Chairman Rowe. Mr. Hamilton stated 2540 Flournoy LLC attempted to host an open house to help educate the Public with their production in Elk Grove Village that they plan to move to Bensenville. Mr. Hamilton stated one neighbor showed up and they had a great conversation. Mr. Hamilton stated there is no steam, vapors or odors as a result of their operations. Mr. Hamilton stated in the past year, 2540 Flournoy LLC has one reported issue to OSHA from their Elk Grove Village location. Mr. Hamilton stated daily inspections occur at their facilities.

John Gross, Design Engineering hired by 2540 Flournoy, LLC was present and sworn in by Chairman Rowe. Mr. Gross stated he was aware of the concerns of trucks exiting the property and traveling west on George Street. Mr. Gross stated best practices would be to place signage on the property directing trucks to only exit the property traveling east on George Street and to educate staff on site to direct trucks when they leave the premise.

Commissioner Rowe asked how the well trap operated. Mr. Hamilton stated it's a pump that will drain into the sanitary sewer line.

Commissioner Wasowicz asked how the open house was promoted. Mr. Hamilton stated they placed signage outside on the property.

Matt Cronin, Architect, was present and sworn in by Chairman Rowe. Mr. Cronin stated they attempted to get a list of Commissioners and Village Board members from Staff to invite for the open house but were told because of conflicts, they could not obtain the list. Mr. Cronin stated shortly after they placed signage on the property, it was removed by someone.

Mr. Pozsgay stated Staff received direction from Legal that Commissions and Village Board members attending an open house would be in violation of the Open Meetings Act and that the place for discussion was in this meeting.

Commissioner Wasowicz asked for clarification on the size of tanks being proposed on site vs what is currently at the Elk Grove Location. Mr. Hamilton confirmed the proposed size tanks are going to be larger than what is currently in Elk Grove Village.

Commissioner Marcotte asked if there was a different site in Bensenville that would meet their needs. Mr. Hamilton stated he was unable to answer that question.

Commissioner Marcotte stated she was against the proposed operations moving into Bensenville being this close to Residential. Commissioner Marcotte raised concerns that it only takes one accident to affect the neighborhood.

Public Comment

Anna Lysy – 751 John Street, Bensenville, Illinois 60106

Mr. Lysy was present and sworn in by Chairman Rowe. Ms. Lysy stated the property behind her house dumps plastic containers behind their property and she fears the same would happen here. Mr. Pozsgay stated he will direct Staff to address the issue occurring behind Ms. Lysy's property.

Jennifer Yoo – 751 John Street, Bensenville, Illinois 60106

Mr. Yoo was present and sworn in by Chairman Rowe. Ms. Yoo raised concern with safety protocols should a event occur. Ms. Yoo shared a story of a chemical plant explosion in Texas in 2019. Ms. Yoo shared that the explosion caused the evacuation of properties within a two mile radius and a shelter in place order within a five mile radius. Ms. Yoo shared a list of Village properties that would be effect should a two mile radius evacuation occur. Ms. Yoo asked what protocols would be put into place by the company should a explosion occur and evacuations are needed; how will the Public be notified and where will they go?

Linda Bratland – 915 John Street, Bensenville, Illinois 60106

Ms. Bratland was present and sworn in by Chairman Rowe. Ms. Bratland stated the proposed operation belongs in an industrial park, not a residential area. Ms. Bratland stated the proposed site is too small for their operation.

Mr. Hamilton shared a list of chemicals that would be stored and mixed on the property. The list has been attached to the minutes as "Exhibit A".

Mr. Pozsgay reviewed the approval standards for site plan review:

1. **Surrounding Character:** The site plan for the proposed development is consistent with the existing character and

zoning of adjacent properties and other property within the immediate vicinity of the proposed development.

Applicant's Response: The subject parcel is zoned I-1. This aligns with the other adjacent properties to the north and south along County Line Road. The properties along the west side of County Line Road are primarily smaller industrial uses, and the uses on the east side are larger industrial. The parcel to the west is zoning R-2, a Single-Unit Dwelling District.

2. **Neighborhood Impact:** The site plan for the proposed development will not adversely impact adjacent properties and other properties within the immediate vicinity of the proposed development.

Applicant's Response: The proposed site plan will contain proposed truck movements within the site limits. While additional vehicular traffic is expected on-site compared to its existing vacant condition, adequate landscape screening is proposed along the western and southern property lines for neighboring properties. Additional landscape is also proposed along the northern property line to provide screening to George Street. Proposed lighting will follow Village of Bensenville requirements and will limit the footcandles along the property lines.

3. **Public Facilities:** The site plan for the proposed development will be provided with adequate utilities, access roads, parking, loading, drainage, stormwater flow paths, exterior lighting, and/or other necessary facilities.

Applicant's Response: Associated utilities for the proposed building include gas, electric, telecommunications, storm, sanitary, and water. Please refer to the included utility plan for details.

4. **Environmental Preservation:** The site plan for the proposed development is designed to preserve the environmental resources of the zoning lot.

Applicant's Response: The existing site is currently open space with an existing curb cut to County Line Road. While the site will be paved as needed to accommodate vehicular

movements on-site, additional plantings will be installed per Village of Bensenville requirements.

5. **On-Site Pedestrian Circulation System:** The site plan shall accommodate on-site pedestrian circulation from parking areas, plazas, open space, and public rights-of-way. Pedestrian and vehicular circulation shall be separated to the greatest extent possible.

Applicant's Response: The proposed site plan includes sidewalk for pedestrian traffic from public ROW and proposed ADA parking stalls. The site also accounts for a future right-of-way dedication along County Line Road.

6. **Vehicle Ingress and Egress:** The site plan shall locate curb cuts for safe and efficient ingress and egress of vehicles. The use of shared curb cuts and cross-access easements shall be provided when appropriate.

Applicant's Response: Two curb cuts are proposed as part of the development. One is located at the southeast corner of the site, connecting to County Line Road, and one is at the northwest corner of the site, connecting to George Street. The curb cuts are located as far from the existing intersection as possible to limit vehicular conflicts. Truck movements have been analyzed using Vehicle Tracking software. A WB-67 truck has been modeled to enter the site from County Line Road and leave the site via George Street.

7. **Architectural Design:** The site plan for the proposed development includes architectural design that contributes positively to the Village's aesthetic appearance.

Applicant's Response: The proposed development will adhere to the Village's design requirements for the industrial district including façade articulation and material standards. The proposed design includes a primarily natural colored stone or brick façade with accents of precast concrete wall panels. The building will follow suit with the architectural character of the Eastern Business District.

8. **Consistent with Title and Plan:** The site plan for the proposed development is consistent with the intent of the

Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The site falls within the Eastern Business District of the Comprehensive Plan. The future use is proposed to be commercial/industrial flex. As part of the proposed improvements, stormwater drainage will be designed in accordance with the Village of Bensenville standards, and the DuPage County Countywide Stormwater & Floodplain Ordinance.

Mr. Pozsgay reviewed the approval standards for the special use:

1. **Public Welfare:** The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: The proposed medium industrial use will not pose any health, safety, comfort, convenience, or general welfare concerns. This facility will manufacture and distribute dishwashing detergents and sanitizers for commercial dishwashing. The manufacturing activity on site can be described as diluting commodity corrosive liquids in stainless steel tanks for transfer into consumer-sized bottles. All life safety systems required by the building code will be provided, including secondary containment.

2. **Neighborhood Character:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed medium industrial use is compatible with the adjacent properties within the industrial zone of Bensenville and the adjacent industrial area of Franklin Park. It does not represent a significant change in use from the neighboring properties.

3. **Orderly Development:** The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed medium industrial use will not impede the development and improvement of adjacent properties within the immediate vicinity. This use is similar to the existing adjacent properties in the area.

4. **Use of Public Services and Facilities:** The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: The proposed special use will not require any disproportionate needs or demand that would place an undue burden upon the existing development in the area. These items are expected to be typical for a facility of this size.

5. **Consistent with Title and Plan:** The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed special use does not represent a significant change in use from the neighboring properties, or allowable uses under the Village's Zoning Ordinance. The Village's Comprehensive Plan identified several vacant and underutilized properties available for redevelopment in the Eastern Business District, which would include the proposed site for this special use. The medium industrial use is consistent with the surrounding character of the Village.

Mr. Pozsgay reviewed the approval standards for variations:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response:

Tree Removal: In discussions with the Village Forestry Division, overplanting on site is a concern. The amount of trees required may affect the chances of survival of the proposed trees. The Owner is open to a discussion as to

what the best route forward is. Paying the applicable fee to reduce the number of trees does not endanger the health, safety, comfort, convenience, and general welfare of the public.

Driveway: Due to the trucks that will enter the site, wider driveways are required on the east and north sides of the site. Truck turning movement diagrams have been included as part of this submittal, showing the truck path to the loading dock, and leaving the site. Driveways have been sized as efficiently as possible to meet the needs of the site. The larger driveways do not represent a danger to the health, safety, comfort, convenience, and general welfare of the public.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response:

Tree Removal: The proposed planting plan will improve the landscape of the current site, and will align with the adjacent uses.

Driveway: The proposed driveway is compatible with the character of the adjacent properties to the north, east, and south. The area is predominantly industrial, as is the proposed use. Various driveways along County Line Road appear to be similar widths, also exceeding the Village of Bensenville allowable widths.

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response:

Tree Removal: As noted above, the hardship is dependent on the Village Forestry Division's interpretation of how close trees can be to survive and overcrowding on site. Paying the fee in lieu of replacement will still provide benefit to the Village for the trees being removed, while ensuring success of the replacement trees planted on site.

Driveway: Without a variance for the driveway width, the end user will not be able to conduct the required business operations on site. The end user requires a WB-67 truck to

pass through the site for deliveries critical to the functionality of the business.

4. **Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response:

Tree Removal: Due to the necessary truck movements through the site, width of the parcel, building size, required parking, and setbacks, the open space available to provide replacement trees is limited. This creates a challenge fitting the required number of tree replacement per Village code.

Driveway: Due to the width of the property, it is not feasible to achieve the standard driveway width per Village code. Different vehicle movement patterns have been analyzed to understand alternatives, and the presented site plan results in the least chance of truck movements into George Street or County Line Road.

5. **Minimum Deviation Needed:** The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response:

Tree Removal: The design team has provided tree spacing which provides enough space to ensure growing success. As noted above, the landscape design will defer to the Village Forestry Department as to what is the best long-term approach for tree locations. Additional trees which are not being replaced will be accounted for via the fee in lieu.

Driveway: Driveway widths have been made only as wide as necessary to accommodate the incoming and outgoing truck movements.

6. **Consistent with Ordinance and Plan:** The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response:

Tree Removal: The planting and tree selection will follow Village Code and the Commercial / Industrial flex use

within the Eastern Business District requirements in the Comprehensive Plan.

Driveway: The proposed use and driveway width align with the uses listed in the Eastern Business District within the Comprehensive Plan.

Mr. Pozsgay stated:

1. Staff recommends the Denial of the Findings and therefore the denial of the Special Use Permit.
 - a. Should the CDC or Village Board recommend approval, staff recommends the following conditions:
 - i. Site Plan Review:
 1. The property be developed in general compliance, except as amended herein, with the plans submitted by Charles Vincent George Architects, G2 Consulting, and Kimley-Horn dated 01/04/2024 revised 02/28/24, and all other Village Code Requirements;
 2. Applicant shall provide a sidewalk along the property within the George Street right-of-way and a 10' multi-use path along the property within the County Line Road right-of-way to be approved by Public Works/Engineering during permitting;
 3. Final architectural design of the principal structure and parking blocks/bollards to be approved by Zoning Administrator prior to permit approval;
 4. Final mechanical equipment screening (rooftop and ground) to be approved by Zoning Administrator prior to permit approval;
 5. Applicant shall coordinate with staff during permitting to provide street trees when feasible within portions of the right-of-way where adequate spacing is present;

6. All landscape requirements outside of received variations shall be met during permitting. Final Landscape plan to be approved by zoning administrator prior to permit approval;
 7. All illumination standards as outlined in Village Code section 10-9-8 Outdoor Lighting shall be met at permitting;
 8. Applicant shall coordinate with staff to ensure proper striping and directional signage for the site during the permitting process.
 - ii. Special Use Permit:
 1. The Special Use Permit be granted solely to Auto Chlor System and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit.
2. Staff recommends the Approval of the Findings and therefore the approval of the Findings for the Variation for Driveway Width.
 - a. Applicant to work with staff on eliminating turning movements for trucks going west on George St.
 - b. Applicant to work with staff on design and placement of the County Line Rd driveway.

3. Staff recommends the Approval of the Findings and therefore the approval of the Findings for the Variation for Tree Replacement Rate.
 - a. Additional trees shall be added to the site on the final landscape plan where feasible. If tree replacement rates cannot be fully met on the final landscape plan for the property, then applicant shall coordinate with staff to determine an appropriate fee-in-lieu for the remaining required tree replacement, to be approved by the Zoning Administrator.

There were no questions from the commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-03. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-03 at 7:30 p.m.

Motion: Commissioner Marcotte made a motion to approve Special Use Permit, Medium Industrial; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: None

Nays: Rowe, Chambers, Marcotte, Rott, Wasowicz

Motion failed.

Motion: Commissioner Marcotte made a motion to approve Variation, Driveway Width Requirements; Municipal Code Section 10-8-8c with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte

Nays: Rott, Wasowicz

Motion carried.

Motion: Commissioner Chambers made a motion to approve Variation, Tree Replacement Rate Requirements; Municipal Code Section 10-9-2B-1 with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Wasowicz

Nays: Rott

Motion carried.

Continued

Public Hearing: CDC Case Number 2024-04
Petitioner: Bensenville Park District
Location: 500 West Jefferson Street
Request: Variation, Electronic Message Sign Location
Municipal Code Section 10 – 10 – 5 – 4A3
Variation, Monument Sign Height
Municipal Code Section 10 – 10 – 5 – 8c

Motion: Commissioner Marcotte made a motion to re-open CDC Case No. 2024-04. Commissioner Rott seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe re-opened CDC Case No. 2024-04 at 7:36 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on February 15, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on February 15, 2024. Mr. Pozsgay stated on February 15, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for

viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Bensenville Park District, is seeking approval of two variations. Mr. Pozsgay stated the first variation seeks to allow an electronic message sign within one mile of an established electronic message sign. Mr. Pozsgay stated the sign is located within one mile of an electronic message sign located at 1047 S York Road, thus requiring a variation from the requirements of the existing code. Mr. Pozsgay stated the proposed sign will be placed in the same location as the existing monument sign along Jefferson Road. Mr. Pozsgay stated the second variation seeks to allow the monument sign upon which the electronic message sign is based to exceed the maximum height allowed for monument signs- 8 feet. Mr. Pozsgay stated the proposed monument sign would be 8.75 feet. Mr. Pozsgay stated the total sign area for the electronic message sign is approximately 23.08 SF. Mr. Pozsgay stated this covers less than 50% of the total monument sign area.

Jospeh Vallez, Bensenville Park District Director, was present and sworn in by Chairman Rowe. Mr. Vallez stated he was present to answer any questions the Commission has.

Commissioner Marcotte asked what took so long for the Park District to update the signage. Mr. Vallez explained that at the Park District Board's direction, they explored the possibility of selling the property. Mr. Vallez stated after it was determined they would not sell the property, the Park District is no investing a lot of money into revamping the golf course.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the approval standards for variations:

1. Public Welfare: The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: Yes, the proposed variation will not endanger the health, safety, convenience, and general welfare of the public.

2. Compatible with Surrounding Character: The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response: The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

3. Undue Hardship: The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: Yes, the proposed variation alleviates an undue hardship created by the literal enforcement of this title.

4. Unique Physical Attributes: The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: Yes, the proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

5. Minimum Deviation Needed: The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: Yes, the proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvements of the subject property.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Yes, the proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Variation for Electronic Message Sign Location with the following conditions:

- a. Applicant must adhere to all illumination standards outlined in Village Code Section 10-10-5B-4d.
2. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Monument Sign Height with the following conditions:
 - a. Applicant must adhere to all landscaping standards outlined in Village Code Section 10-10-5B-8c.

There were no questions from the commission.

Motion: Commissioner Marcotte made a motion to close CDC Case No. 2024-04. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-04 at 7:45 p.m.

Motion: Commissioner Chambers made a motion to approve Variation, Electronic Message Sign Location; Municipal Code Section 10-10-5-4A-3 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Marcotte made a motion to approve Variation, Monument Sign Height; Municipal Code Section 10-10-5-8c with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-06
Petitioner: Partner Carries, Inc.
Location: 211 Beeline Drive, Unit 1
Request: Special Use Permit, Motor Vehicle Repair and/or Service
Municipal Code 10 – 7 – 2 – 1

Motion: Commissioner Rott made a motion to open CDC Case No. 2024-06. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-06 at 7:47 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Northside Automotive, is seeking approval of a special use permit for motor vehicle repair and/or service. Mr. Pozsgay stated they wish to "complete body work on higher end vehicles without the need to store vehicles outside." Mr. Pozsgay stated the property is currently within an I – 2 General Industrial District, where motor vehicle repair and/or service are allowed with a special use permit. Mr. Pozsgay stated the site is .31 acres.

Marshall Subach, Attorney, was present and sworn in by Chairman Rowe. Mr. Subach stated his client did not own the building under the previous user. Mr. Subach stated the property has been cleaned up by his client. Mr. Subach shared that his client has been operating in Chicago for twelve years and will remain there as well. Mr. Subach stated there is already a paint booth on site.

Sair Arapovic, owner of Northside Automotive was present and sworn in by Chairman Rowe. Mr. Arapovic provided an overview of his operations and the need for a closer location to the suburbs. Mr. Arapovic stated he works on high end vehicles; all body repair.

Commissioner Chambers asked what the maximum storage of vehicles inside would be. Mr. Arapovic stated eight vehicles.

Commissioner Rott asked why the petitioner shared that he only works on high end vehicles. Mr. Arapovic explained that with the vehicles being high end, there would be no need for the vehicles to be stored outside.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the Approval Standards for the proposed special use consisting of:

1. **Public Welfare:** The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: The proposed Special Use will not endanger the health, safety, comfort, convenience and general welfare of the public. The proposed use for automotive repair is Special Use in the I-2 District. The proposed tenant will complete all body work on the interior of the building in compliance with all existing codes.

2. **Neighborhood Character:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Automotive repair is compatible with all of the existing industrial users within the 211 Beeline development and is consistent with the general character of the adjacent properties which are all industrial users. There is existing truck repair and auto repair located within the 211 Beeline building within other units.

3. **Orderly Development:** The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: All of the adjacent properties are improved with existing industrial users. The granting of the Special Use will have no effect on and future redevelopment, if any, of adjacent properties.

4. **Use of Public Services and Facilities:** The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: The proposed use will not require any expansion or strain on community facilities or services to a degree that is disproportionate to normal activities in the I2 district. The granting of the Special Use Permit will also not require any new utilities, access roads, drainage or other facilities.

5. **Consistent with Title and Plan:** The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Under the Comprehensive Plan, the Subject Property falls under the Northern Business District. The proposed development fulfills the objective of the Bensenville Comprehensive Plan to support regional growth of existing industrial properties and the rehabilitation of the existing industrial sites. Approval of the Special Use Permit will also fulfill a goal of supporting

existing property owners and wanting to fill existing vacant units with viable businesses to support the residents and tax base.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit with the following conditions:
 - a. The Special Use Permit be granted solely to Northside Automotive and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit.
 - b. A triple catch basin must be installed.
 - c. No outdoor storage of motor vehicles is permitted.

There were no questions from the commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-06. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-06 at 8:03 p.m.

Motion: Commissioner Marcotte made a motion to approve the Special Use Permit, Motor Vehicle Repair and/or Service; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-07
Petitioner: Jay Adkins
Location: 352 South Church Road
Request: Variation, Fence in the Corner Side Yard
Municipal Code Section 10 – 7 – 4C – 7a

Motion: Commissioner Marcotte made a motion to open CDC Case No. 2024-07. Commissioner Chambers seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-07 at 8:04 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Jay Adkins, is seeking approval of a variation in order to construct a fence in the corner side yard of their property. Mr. Pozsgay stated the proposed fence is a 5-foot solid vinyl fence with an additional foot of lattice. Mr. Pozsgay stated the proposed fence will extend 24' south towards 2nd Avenue, running 70' parallel to 2nd Avenue.

Mr. Pozsgay stated the proposed fence does not impact the west adjacent property driveway sight vision triangle.

Jay Adkins, property owner, was present and sworn in by Chairman Rowe. Mr. Adkins reviewed the proposed fence. Mr. Adkins stated the need for the fence is for his children and dogs.

There were no questions from the Commission.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the Approval Standards for the proposed variation consisting of:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: This proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response: This proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: The proposed variation alleviates the hardship of containing small children and pets from venturing towards the street into harm's way.

4. **Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: The proposed variation is necessary due to the unique physical attributes of our property, being the busy vehicular traffic on the cross street that border our property.

5. Minimum Deviation Needed: The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: The proposed variation represents the minimum deviation from the regulations of this title necessary to extend our backyard fence further south into the corner side yard.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed variation has proven to be consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Variation, Fence in the Corner Side Yard at 352 S Church Rd with the following conditions:
 - a. Fence shall be setback 1 foot from the south (2nd Avenue) property line, as shown in plans;
 - b. Fence shall be 5 feet high with an additional 1 foot of lattice, as proposed by the applicant.

There were no questions from the commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2024-07. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-07 at 8:09 p.m.

Motion: Commissioner Marcotte made a motion to approve the Variation, Fence in the Corner Side Yard; Municipal Code Section 10-7-4C-7a with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-08
Petitioner: Rocio Olvera
Location: 1347 West Irving Park Road
Request: Special Use Permit, Day Care Center
Municipal Code Section 10 – 7 – 2 – 1

Motion: Commissioner Chambers made a motion to open CDC Case No. 2024-08. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-08 at 8:10 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Primavera School, represented by Rocio Olvera, is requesting approval of a Special Use Permit for a day care center at 1347 W Irving Park Rd. Mr. Pozsgay stated the site is currently a vacant lot of roughly .45 acres. Mr. Pozsgay stated the building size is projected to be 8,000 square feet. Mr. Pozsgay stated no variances are sought at this time.

Rocio Olvera, business owner, was present and sworn in by Chairman Rowe. Ms. Olvera shared a power point presentation of the proposed operations. The power point has been attached to the minutes as “Exhibit B”. Ms. Olvera stated her mother has successfully operated a daycare location in Stone Park for the past twenty five years and this would be their second location.

Commissioner Rott asked what the proposed hours would be. Ms. Olvera stated the daycare would operate from 5:00am – 7:00pm.

Commission Rott asked what type of certifications are needed for the teachers. Ms. Olvera explained the requirements.

Public Comment

Nancy Ingold – 10 South Meadow Court, South Barrington, Illinois

Ms. Ingold was present and sworn in by Chairman Rowe. Ms. Ingold raised concern with parking on the proposed site and concerns with a long line of traffic trying to exit the property during pickup time.

Linda Bratland – 915 John Street, Bensenville, Illinois 60106

Ms. Bratland was present and sworn in by Chairman Rowe. Ms. Bratland stated she fully supports daycares, however, she feels that the applicant would have a difficult time filling spots with the other options available to Residents in town. Ms. Bratland also raised concern with the hours of operation.

Commissioner Chambers shared that his family is currently on a waitlist for after school programs for his children and supports the need for more daycare options in town.

Mr. Pozsgay reviewed the Approval Standards for the proposed special use permit consisting of:

1. Public Welfare: The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: Our childcare center (Primavera School) will not endanger the health, safety, comfort, convenience, and general welfare of the public.

2. Neighborhood Character: The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Our childcare center (Primavera School) is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

3. Orderly Development: The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Our childcare center (Primavera School) will not impeded the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

4. Use of Public Services and Facilities: The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: Our childcare center (Primavera School) will not require utilities, access roads, drainage, and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Our childcare center (Primavera School) is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit, Day Care Center at 1347 W. Irving Park Rd with the following conditions:
 - a. The Special Use Permit be granted solely to Primavera School and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
 - b. Before a Certificate of Occupancy can be issued, the Village needs to receive documentation of such State and County approvals and licenses.

Mr. Pozsgay stated Staff would also like to add the following condition:

Application must work with Staff on a Parking and Traffic management plan.

There were no objections from the Commission.

Commissioner Wasowicz asked why the application was seeking the special use before the property is even developed. Ms. Olvera explained they want to ensure their operation would be allowed before they close on the property.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-08. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-08 at 8:30 p.m.

Motion: Commissioner Marcotte made a motion to approve the Special User Permit, Day Care Center; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-09
Petitioner: Playful Minds Therapy of Bensenville
Location: 2 South Addison Road
Request: Special Use Permit, Day Care Center
Municipal Code Section 10 – 7 – 2 – 1

Motion: Commissioner Rott made a motion to open CDC Case No. 2024-09. Commissioner Wasowicz seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-09 at 8:31 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on March 15, 2024. Mr. Pozsgay stated on March 14, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and

inspection at the Community & Economic Development department during regular business hours.

Mr. Pozsgay stated the Petitioner, Playful Minds Therapy of Bensenville, represented by Wajahat Macci and Maliha Khan, is seeking approval of a Special Use Permit at 2 S Addison St. Mr. Pozsgay stated Playful Minds Therapy wishes to operate a specialized day care center at this location. Mr. Pozsgay stated it is a standalone building with two storefronts, roughly 5,400 square feet. Mr. Pozsgay stated this day care center will offer occupational therapy and other forms of therapy centered at aiding individuals with autism. Mr. Pozsgay stated in the past, there was previously a day care center at this location.

Wajahat Macci, business owner, was present and sworn in by Chairman Rowe. Mr. Macci provide an overview of their operations. Mr. Macci stated they offer therapy to autistic children from the ages of two to sixteen years old. Mr. Macci stated the majority of their operation is done digitally but there is a need for in person meetings.

Commissioner Rott asked how drop off and pickups would work with the limited space. Mr. Macci stated the operation is similar to a doctors appointment where the child will be dropped off and pick up; all are done via appointments.

Commission Rott asked how many people would be on site at once. Mr. Macci stated the occupancy would be thirty but feels they would never reach that amount.

Public Comment

Linda Bratland – 915 John Street, Bensenville, Illinois 60106

Ms. Bratland was present and sworn in by Chairman Rowe. Ms. Bratland asked if the operation would also include weekends. Ms. Bratland raised concern with limited downtown parking for the proposed operations.

Mr. Macci stated they will offer weekend appointments.

Mr. Pozsgay stated Staff feels there is enough downtown parking for the proposed operations. Ms. Bratland stated she disagrees.

Mr. Pozsgay reviewed the Approval Standards for the proposed special use permit consisting of:

1. Public Welfare: The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: Yes, it will not do the following.

2. Neighborhood Character: The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Yes, it is compatible within the vicinity.

3. Orderly Development: The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Yes, it will not impede the normal and orderly development of adjacent.

4. Use of Public Services and Facilities: The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: Yes, it will not require such a need.

5. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Yes, it is consistent with the comprehensive plan and land use policies.

Mr. Pozsgay stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit, Day Care Center at 2 S. Addison with the following conditions:
 - a. The Special Use Permit be granted solely to Playful Minds Therapy of Bensenville and shall be transferred only after a review by the Community Development

- Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
- b. Before a Certificate of Occupancy can be issued, the Village needs to receive documentation of such State and/or County approvals and licenses.
 - c. The two parking spaces along Addison St will remain short term temporary parking for loading and unloading only.
 - d. The area currently blocked off next to the railroad tracks will remain so. This is not to be accessed by any vehicles at any time.

There were no questions from the Commission.

Motion: Commissioner Marcotte made a motion to close CDC Case No. 2024-09. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-09 at 8:48 p.m.

Motion: Commissioner Chambers made a motion to approve the Special User Permit, Day Care Center; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2024-10
Petitioner: Village of Bensenville
Location: Village of Bensenville
Request: Text Amendments, Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses) Chapter 11 (Definitions)

Motion: Commissioner Wasowicz made a motion to open CDC Case No. 2024-10. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Marcotte, Rott, Wasowicz
Absent: Ciula, King
A quorum was present.

Chairman Rowe opened CDC Case No. 2024-10 at 8:49 p.m.

Director of Community and Economic Development, Kurtis Pozsgay, was present and sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on March 14, 2024. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.

Mr. Pozsgay stated The Village of Bensenville is seeking the aforementioned text amendments in order to refine the 2019 Village Zoning Ordinance. Mr. Pozsgay stated in late 2018, the Village underwent a complete overhaul of its current Zoning Ordinance, which had been adopted in 1999. Mr. Pozsgay stated since the introduction of the current Ordinance, Staff has been able to identify certain shortcomings while enforcing the regulations and implementing the refurbished zoning application procedures. Mr. Pozsgay stated the proposed amendments are summarized as follows:

- Designation of a Definition for Electric Vehicles (EVs) and associated terms
- Establishment of Use standards for Electric Vehicle Charging Stations

There were no questions from the Commission.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Pozsgay reviewed the Approval Standards for the proposed text amendments consisting of:

- 1) **Public Welfare:** The proposed amendments will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: Since the adoption of the 2019 Zoning Ordinance, a complete overhaul of the previous Code, Staff has been able to find areas for improvement within the code.

The amendment to the code requirements for Electric Vehicles and Electric Vehicle Charging Stations will not endanger the health, safety, comfort, convenience, and general welfares of the public. The proposed amendments for Electric Vehicle definitions clarify aspects of the installation process for Electric Vehicles and make the process more accessible for village residents. The proposed amendments for Use standards allow Electric Vehicle Charging Standards to have a cohesive appearance and level of safety across the village. The proposed amendments keep in consideration and ensure that the general welfare of the public is not impacted.

- 2) **Amendment Objective:** The proposed amendments correct an error, add clarification, or reflect a change in policy.

Applicant's Response: The proposed amendments are requested to improve and refine the Zoning Ordinance to allow for orderly development in accordance with modern development techniques and add clarification and flexibility for common residential and commercial property zoning considerations.

- 3) **Consistent with Ordinance and Plan:** The proposed amendments are consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed amendments are consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village. Amendments do not contrast Village goals and guidelines, as the amendments are focused on maintaining and promoting orderly land use patterns and development,

protect the Village's quality of life and the character of its neighborhoods by ensuring that development is compatible and cohesive, and to promote development that sustainably manages environmentally sensitive issues.

Mr. Pozsgay stated:

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Text Amendments to the Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses), and Chapter 11 (Definitions).

There were no questions from the Commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2024-10. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-10 at 8:53 p.m.

Motion: Commissioner Wasowicz made a motion to approve the Text Amendments; Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses), Chapter 11 (Definitions) with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

**Report from
Community
Development:**

Mr. Quinn reviewed both recent CDC cases along with upcoming cases.

ADJOURNMENT: There being no further business before the Community Development Commission, Commissioner Marcotte made a motion to adjourn the meeting. Commissioner Rott seconded the motion.

All were in favor. Motion carried.

The meeting was adjourned at 8:55 p.m.

Substance Name	Approved Uses	Common Examples	Auto-Chlor Examples
Ammonium Hydroxide	FDA GRAS* : Safe for use as a food ingredient	Bread-Leavening Windex	Glass & All-Purpose Cleaners
Phosphoric Acid	FDA GRAS : Safe for use as a food ingredient	Coca-Cola Lime-Away Vegetable Wash	Lime Remover Tub & Tile Cleaner
Potassium Hydroxide	FDA GRAS : Safe for use as a food ingredient	Ice Cream Liquid Hand Soaps	Dishwashing Soaps Multi-Purpose Cleaners
Sodium Hydroxide	FDA GRAS : Safe for use as a food ingredient	Cured Olives Bar Soaps Dishwasher Gel	Dish Machine Soaps Handwashing Soaps
Sulfamic Acid	FDA GRAS : Safe for use in direct food-contact packages (fiberboard)	Coffee Maker Cleaner	Bathroom Cleaners
Fluorosilicic Acid (Flouride)	Drinking Water Treatment	Oral Care Products	Laundry Conditioner
Benzalkonium Chloride	Used in Antibacterial Hand Soaps & Hand Sanitizers	Antibacterial Hand Wash Bactine Antiseptic Cold Sore Treatment	Dishware Sanitizers Antibacterial Hand Soaps Disinfectants

*GRAS = Affirmed as *Generally Recognized As Safe* by the U.S. Food and Drug Administration for use in food or food manufacturing when used according to good manufacturing practice.



PRIMAERA SCHOOL

Bilingual Early Childhood Education



Rocio Olvera & Belen Olvera

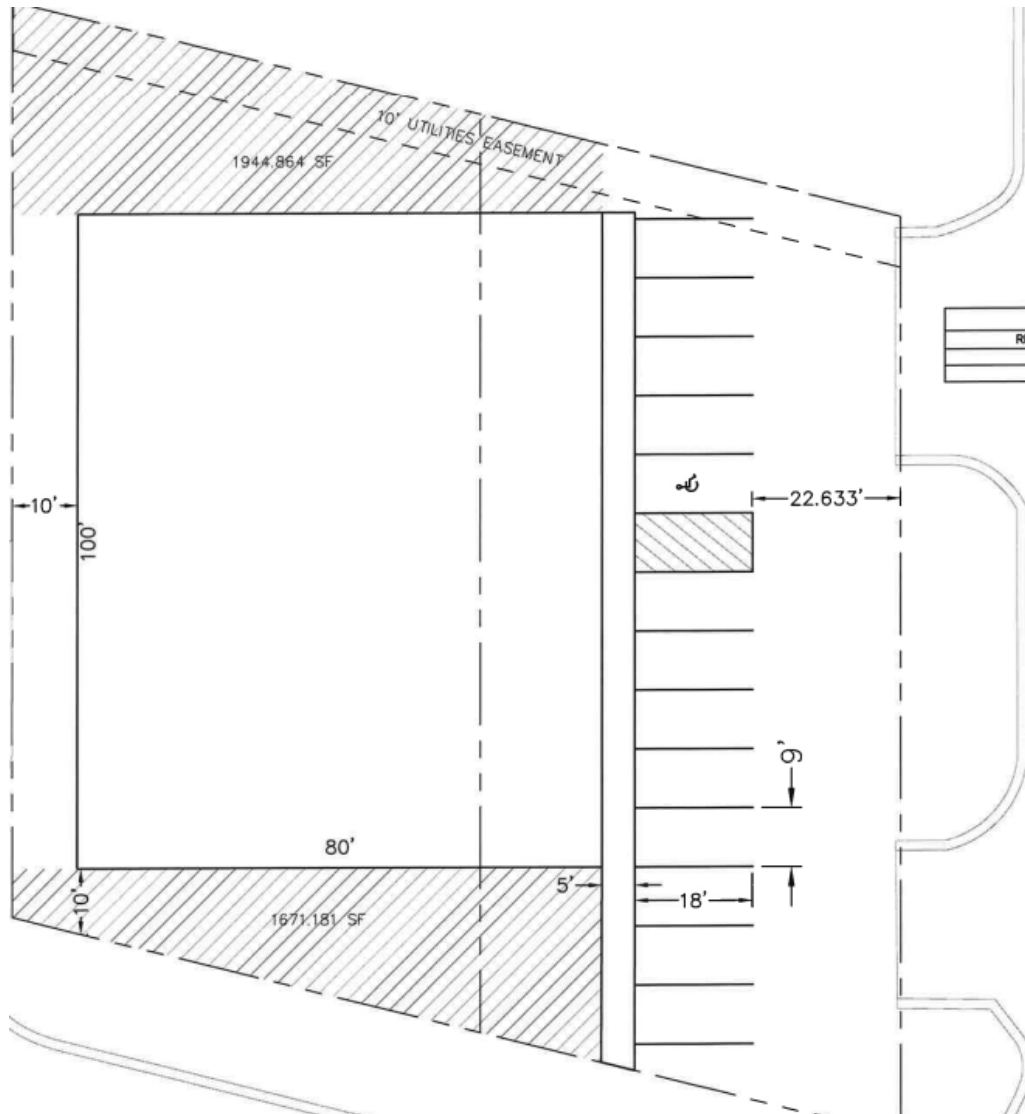
HISTORY: THE SHEPHERD'S LEARNING ACADEMY





Vision

- At Primavera School, our vision is to create a nurturing and inclusive environment where children thrive academically, socially, and spiritually. We strive to promote bilingualism and Christian values, fostering a strong foundation for their future success.



1347 Irving Park Road, Bensenville, IL



Classrooms

- Primavera School will be licensed for children as young as 3 months to 11 years of age.
- We will build 8 classrooms total; each classroom will be designated for a specific age of children:
- 1. Infants (2 classrooms)
- 2. Toddlers (2 classrooms)
- 3. Threes
- 4. Fours
- 5. Junior Kindergarten/Kindergarten
- 6. School Age
- License Capacity: 134 children

Operation Details

1

Hours of Operation:
5am-7pm

2

We plan to have 20
staff members

3

We will be licensed
by the Department
of Children and
Family Services,
DCFS.

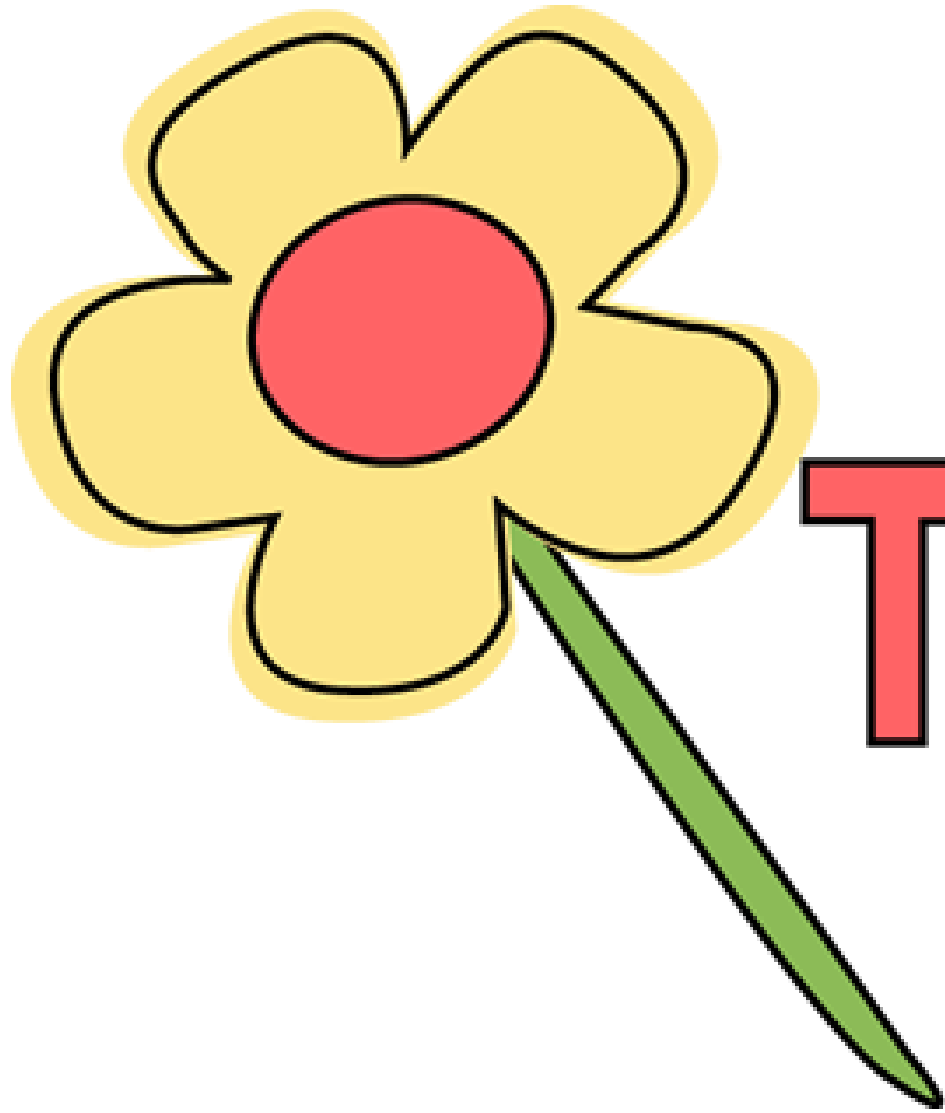
Community Impact

Strong and quality childcare services.

Opportunities for Bilingualism.

Job opportunities

Community partnerships



Thank
You

ORDINANCE # _____

**AN ORDINANCE DENYING A SPECIAL USE PERMIT FOR MEDIUM INDUSTRIAL
AND APPROVING VARIATIONS FOR DRIVEWAY WIDTH AND TREE REMOVAL
REPLACEMENT RATE AT 740 COUNTY LINE ROAD, BENSENVILLE, ILLINOIS**

WHEREAS, the Village of Bensenville, DuPage and Cook Counties, Illinois (the “*Village*”) is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the President and the Board of Trustees of the Village of Bensenville (the “*Corporate Authorities*”) have heretofore exercised the power conferred on them pursuant to Chapter 11-13-1, *et seq.*, of the Illinois Municipal Code by adopting the Village of Bensenville Zoning Ordinance (Ord. 07-99), as amended from time to time (the “*Zoning Ordinance*”); and

WHEREAS, 2540 Flournoy LLC (“Owner”) and (“Applicant”) of 450 Ferguson Drive, Mountain View, CA 94043, filed an application for Special Use Permit, Medium Industrial Municipal Code Section 10-7-2-1, Variation, Driveway Width, Municipal Code 10-8-8C, and Variation, Tree Removal Replacement Rate, Municipal Code 10-9-2B-1 of the Bensenville Village Zoning Ordinance (“Zoning Ordinance”) for the property located at 740 County Line Road, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the “Subject Property”), a copy of said application being contained on file in the Community and Economic Development Department; and

WHEREAS, Notice of Public Hearing with respect to the Special Use Permit and Variations sought by the Applicant was published in the Bensenville Independent on Thursday, February 15, 2024 by the Village of Bensenville, and notice was also given via posting of two Public Hearing Signs on the Subject Property on Friday, February 16, 2024, and via First Class mail to

taxpayers of record within 250 feet of the Subject Property on Friday, February 16, 2024, all as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, pursuant to said Notice, the Community Development Commission of the Village of Bensenville conducted a Public Hearing on March 5, 2024, continued on April 2, 2024 (the “Public Hearing”), as required by the statutes of the State of Illinois and the ordinances of the Village, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, at the conclusion of the Public Hearing, the Community Development Commission agreed with the findings of fact submitted by the Applicant, and thereafter, voted (0-5) to recommend approval of the Special Use Permit, Medium Industrial, and forwarded its recommendations, including the Staff Report and findings relative to the requests, which are attached hereto and incorporated herein by reference as Exhibit C, to the Corporate Authorities; and

WHEREAS, at the conclusion of the Public Hearing, the Community Development Commission agreed with the findings of fact submitted by the Applicant, and thereafter, voted (3-2) to recommend approval of the Variation, Driveway Width, with certain conditions, and forwarded its recommendations, including the Staff Report and findings relative to the requests, which are attached hereto and incorporated herein by reference as Exhibit C, to the Corporate Authorities; and

WHEREAS, at the conclusion of the Public Hearing, the Community Development Commission agreed with the findings of fact submitted by the Applicant, and thereafter, voted (4-1) to recommend approval of the Variation, Tree Removal Replacement Rate, with certain conditions, and forwarded its recommendations, including the Staff Report and findings relative to

the requests, which are attached hereto and incorporated herein by reference as Exhibit C, to the Corporate Authorities; and

WHEREAS, the Corporate Authorities have duly considered the Community Development Commission's recommendation and findings of fact, and have determined that denial of the Special Use Permit, Medium Industrial, as recommended by the Community Development Commission, is consistent with the Zoning Ordinance; and

WHEREAS, the Corporate Authorities have duly considered the Community Development Commission's recommendation and findings of fact, and have determined that approval of the Variations, Driveway Width and Tree Removal Replacement Rate, as recommended by the Community Development Commission, with conditions, are consistent with the Zoning Ordinance; and

WHEREAS, the Corporate Authorities deem it advisable and in the best interest of the health, safety, and welfare of the residents of the Village to deny the Special Use Permit requested; and

WHEREAS, the Corporate Authorities deem it advisable and in the best interest of the health, safety, and welfare of the residents of the Village to approve the Variations requested and subject to the conditions identified herein.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, duly assembled at a regular meeting, as follows:

Section 1. That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

Section 2. That the Subject Property is currently zoned within the I-1 Light Industrial District, which zoning classification shall remain in effect subject to the Special Use Permit, Medium Industrial and Variations approved herein.

Section 3. That the Corporate Authorities hereby adopt by reference the findings of fact of the Community Development Commission as findings of the Village President and the Board of Trustees as if completely set forth herein, and find that the Variations are proper and necessary, with certain modifications and additional conditions contained herein.

Section 4. That in addition to the findings set forth in Sections 3 hereof, the Corporate Authorities find as to the standards of variation in relation to the requests:

- i. The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.
- ii. The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.
- iii. The proposed variation alleviates an undue hardship created by the literal enforcement of this title.
- iv. The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.
- v. The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.
- vi. The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Section 5. That the Variations at 740 County Line Rd in Bensenville, Illinois as legally described in Exhibit A, is hereby approved, provided that the project is constructed in substantial conformance with the following plans and specifications (collectively, the “Plans and Specifications”), except as may be amended pursuant to Section 6 of this Ordinance:

- i. Application: submitted by Applicant on February 2, 2024 (Exhibit B; the “*Application*”);

- ii. Overall Site Plan: Submitted by Charles Vincent George Architects in tandem with Application;
- iii. ALTA/NSPS Land Title Survey: prepared by the Compass Surveying Ltd on December 28, 2023 (Exhibit B; the “*Survey*”).

The Plans and Specifications are hereby approved by this Ordinance.

Section 6. That the Site Plan Review is subject to the following conditions and restrictions which the Corporate Authorities deem necessary to protect the public interest:

- i. The property be developed in general compliance, except as amended herein, with the plans submitted by Charles Vincent George Architects, G2 Consulting, and Kimley-Horn dated 01/04/2024 revised 02/28/24, and all other Village Code Requirements;
- ii. Applicant shall provide a sidewalk along the property within the George Street right-of-way and a 10’ multi-use path along the property within the County Line Road right-of-way to be approved by Public Works/Engineering during permitting;
- iii. Final architectural design of the principal structure and parking blocks/bollards to be approved by Zoning Administrator prior to permit approval;
- iv. Final mechanical equipment screening (rooftop and ground) to be approved by Zoning Administrator prior to permit approval;
- v. Applicant shall coordinate with staff during permitting to provide street trees when feasible within portions of the right-of-way where adequate spacing is present;
- vi. All landscape requirements outside of received variations shall be met during permitting. Final Landscape plan to be approved by zoning administrator prior to permit approval;

- vii. All illumination standards as outlined in Village Code section 10-9-8 Outdoor Lighting shall be met at permitting;
- viii. Applicant shall coordinate with staff to ensure proper striping and directional signage for the site during the permitting process.

Section 7. That the Variation, Driveway Width, granted herein are further subject to the following conditions and restrictions which the Corporate Authorities deem necessary to protect the public interest:

- i. Applicant to work with staff on eliminating turning movements for trucks going west on George Street;
- ii. Applicant to work with staff on design and placement of the County Line Rd driveway.

Section 8. That the Variation, Tree Replacement Rate, granted herein are further subject to the following conditions and restrictions which the Corporate Authorities deem necessary to protect the public interest:

- i. Additional trees shall be added to the site on the final landscape plan where feasible. If tree replacement rates cannot be fully met on the final landscape plan for the property, then applicant shall coordinate with staff to determine an appropriate fee-in-lieu for the remaining required tree replacement, to be approved by the Zoning Administrator.

Section 9. No building permits shall be issued for construction related to the Variations unless the plans submitted in conjunction with the building permits are in substantial conformance with the Plans and Specifications and conditions, as approved herein.

Section 10. The Applicant hereunder shall at all times comply with the terms and conditions of the Ordinance and, in the event of non-compliance, said Ordinance shall be subject to revocation.

Section 11. All sections of the Zoning Ordinance not addressed in this Ordinance or another amending ordinance shall remain in full force and effect.

Section 12. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 13. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 14. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville,
DuPage and Cook Counties, Illinois, this 23rd day of April 2024, pursuant to a roll call vote, as
follows:

APPROVED:

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

Ordinance # ____ - 2024
Exhibit “A”

The Legal Description is as follows:

LOT 1 IN BLOCK 3 IN BENSENVILLE FARMS, BEING A SUBDIVISION IN SECTION 24,
TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN,
ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 7, 1923 AS
DOCUMENT 171311, IN DUPAGE COUNTY ILLINOIS.

Ordinance # ____ - 2024
Exhibit “B”
Plans and Specifications

On file in the Community and Economic Development Department.

DRAFT

Ordinance # ____ - 2024
Exhibit “C”
Findings of Fact

Mr. Pozsgay reviewed the approval standards for site plan review:

1. **Surrounding Character:** The site plan for the proposed development is consistent with the existing character and zoning of adjacent properties and other property within the immediate vicinity of the proposed development.

Applicant’s Response: The subject parcel is zoned I-1. This aligns with the other adjacent properties to the north and south along County Line Road. The properties along the west side of County Line Road are primarily smaller industrial uses, and the uses on the east side are larger industrial. The parcel to the west is zoning R-2, a Single-Unit Dwelling District.

2. **Neighborhood Impact:** The site plan for the proposed development will not adversely impact adjacent properties and other properties within the immediate vicinity of the proposed development.

Applicant’s Response: The proposed site plan will contain proposed truck movements within the site limits. While additional vehicular traffic is expected on-site compared to its existing vacant condition, adequate landscape screening is proposed along the western and southern property lines for neighboring properties. Additional landscape is also proposed along the northern property line to provide screening to George Street. Proposed lighting will follow Village of Bensenville requirements and will limit the footcandles along the property lines.

3. **Public Facilities:** The site plan for the proposed development will be provided with adequate utilities, access roads, parking, loading, drainage, stormwater flow paths, exterior lighting, and/or other necessary facilities.

Applicant’s Response: Associated utilities for the proposed building include gas, electric, telecommunications, storm, sanitary, and water. Please refer to the included utility plan for details.

4. **Environmental Preservation:** The site plan for the proposed development is designed to preserve the environmental resources of the zoning lot.

Applicant's Response: The existing site is currently open space with an existing curb cut to County Line Road. While the site will be paved as needed to accommodate vehicular movements on-site, additional plantings will be installed per Village of Bensenville requirements.

5. **On-Site Pedestrian Circulation System:** The site plan shall accommodate on-site pedestrian circulation from parking areas, plazas, open space, and public rights-of-way. Pedestrian and vehicular circulation shall be separated to the greatest extent possible.

Applicant's Response: The proposed site plan includes sidewalk for pedestrian traffic from public ROW and proposed ADA parking stalls. The site also accounts for a future right-of-way dedication along County Line Road.

6. **Vehicle Ingress and Egress:** The site plan shall locate curb cuts for safe and efficient ingress and egress of vehicles. The use of shared curb cuts and cross-access easements shall be provided when appropriate.

Applicant's Response: Two curb cuts are proposed as part of the development. One is located at the southeast corner of the site, connecting to County Line Road, and one is at the northwest corner of the site, connecting to George Street. The curb cuts are located as far from the existing intersection as possible to limit vehicular conflicts. Truck movements have been analyzed using Vehicle Tracking software. A WB-67 truck has been modeled to enter the site from County Line Road and leave the site via George Street.

7. **Architectural Design:** The site plan for the proposed development includes architectural design that contributes positively to the Village's aesthetic appearance.

Applicant's Response: The proposed development will adhere to the Village's design requirements for the industrial district including façade articulation and material standards. The proposed design includes a primarily natural colored stone or brick façade with accents of precast concrete wall panels. The building will follow suit with the architectural character of the Eastern Business District.

8. **Consistent with Title and Plan:** The site plan for the proposed development is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The site falls within the Eastern Business District of the Comprehensive Plan. The future use is proposed to be commercial/industrial flex. As part of the proposed improvements, stormwater drainage will be designed in accordance with the Village of Bensenville standards, and the DuPage County Countywide Stormwater & Floodplain Ordinance.

Mr. Pozsgay reviewed the approval standards for the special use:

1. **Public Welfare:** The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: The proposed medium industrial use will not pose any health, safety, comfort, convenience, or general welfare concerns. This facility will manufacture and distribute dishwashing detergents and sanitizers for commercial dishwashing. The manufacturing activity on site can be described as diluting commodity corrosive liquids in stainless steel tanks for transfer into consumer-sized bottles. All life safety systems required by the building code will be provided, including secondary containment.

2. **Neighborhood Character:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed medium industrial use is compatible with the adjacent properties within the industrial zone of Bensenville and the adjacent industrial area of Franklin Park. It does not represent a significant change in use from the neighboring properties.

3. **Orderly Development:** The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed medium industrial use will not impede the development and improvement of adjacent properties within the immediate vicinity. This use is similar to the existing adjacent properties in the area.

4. **Use of Public Services and Facilities:** The proposed special use will not require utilities, access roads, drainage and/or other facilities or

services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: The proposed special use will not require any disproportionate needs or demand that would place an undue burden upon the existing development in the area. These items are expected to be typical for a facility of this size.

5. **Consistent with Title and Plan:** The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed special use does not represent a significant change in use from the neighboring properties, or allowable uses under the Village's Zoning Ordinance. The Village's Comprehensive Plan identified several vacant and underutilized properties available for redevelopment in the Eastern Business District, which would include the proposed site for this special use. The medium industrial use is consistent with the surrounding character of the Village.

Mr. Pozsgay reviewed the approval standards for variations:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response:

Tree Removal: In discussions with the Village Forestry Division, overplanting on site is a concern. The amount of trees required may affect the chances of survival of the proposed trees. The Owner is open to a discussion as to what the best route forward is. Paying the applicable fee to reduce the number of trees does not endanger the health, safety, comfort, convenience, and general welfare of the public.

Driveway: Due to the trucks that will enter the site, wider driveways are required on the east and north sides of the site. Truck turning movement diagrams have been included as part of this submittal, showing the truck path to the loading dock, and leaving the site. Driveways have been sized as efficiently as possible to meet the needs of the site. The larger driveways do not represent a danger to the health, safety, comfort, convenience, and general welfare of the public.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response:

Tree Removal: The proposed planting plan will improve the landscape of the current site, and will align with the adjacent uses.

Driveway: The proposed driveway is compatible with the character of the adjacent properties to the north, east, and south. The area is predominantly industrial, as is the proposed use. Various driveways along County Line Road appear to be similar widths, also exceeding the Village of Bensenville allowable widths.

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response:

Tree Removal: As noted above, the hardship is dependent on the Village Forestry Division's interpretation of how close trees can be to survive and overcrowding on site. Paying the fee in lieu of replacement will still provide benefit to the Village for the trees being removed, while ensuring success of the replacement trees planted on site.

Driveway: Without a variance for the driveway width, the end user will not be able to conduct the required business operations on site. The end user requires a WB-67 truck to pass through the site for deliveries critical to the functionality of the business.

4. **Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response:

Tree Removal: Due to the necessary truck movements through the site, width of the parcel, building size, required parking, and setbacks, the open space available to provide replacement trees is limited. This creates a challenge fitting the required number of tree replacement per Village code.

Driveway: Due to the width of the property, it is not feasible to achieve the standard driveway width per Village code. Different vehicle movement patterns have been analyzed to understand alternatives, and the presented site plan results in the least chance of truck movements into George Street or County Line Road.

5. **Minimum Deviation Needed:** The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response:

Tree Removal: The design team has provided tree spacing which provides enough space to ensure growing success. As noted above, the landscape design will defer to the Village Forestry Department as to what is the best long-term approach for tree locations.

Additional trees which are not being replaced will be accounted for via the fee in lieu.

Driveway: Driveway widths have been made only as wide as necessary to accommodate the incoming and outgoing truck movements.

6. **Consistent with Ordinance and Plan:** The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response:

Tree Removal: The planting and tree selection will follow Village Code and the Commercial / Industrial flex use within the Eastern Business District requirements in the Comprehensive Plan.

Driveway: The proposed use and driveway width align with the uses listed in the Eastern Business District within the Comprehensive Plan.

Mr. Pozsgay stated:

1. Staff recommends the Denial of the Findings and therefore the denial of the Special Use Permit.
 - a. Should the CDC or Village Board recommend approval, staff recommends the following conditions:
 - i. Site Plan Review:
 1. The property be developed in general compliance, except as amended herein, with the plans submitted by Charles Vincent George Architects, G2 Consulting, and Kimley-Horn dated 01/04/2024 revised 02/28/24, and all other Village Code Requirements;
 2. Applicant shall provide a sidewalk along the property within the George Street right-of-way and a 10' multi-use path along the

property within the County Line Road right-of-way to be approved by Public Works/Engineering during permitting;

3. Final architectural design of the principal structure and parking blocks/bollards to be approved by Zoning Administrator prior to permit approval;
4. Final mechanical equipment screening (rooftop and ground) to be approved by Zoning Administrator prior to permit approval;
5. Applicant shall coordinate with staff during permitting to provide street trees when feasible within portions of the right-of-way where adequate spacing is present;
6. All landscape requirements outside of received variations shall be met during permitting. Final Landscape plan to be approved by zoning administrator prior to permit approval;
7. All illumination standards as outlined in Village Code section 10-9-8 Outdoor Lighting shall be met at permitting;
8. Applicant shall coordinate with staff to ensure proper striping and directional signage for the site during the permitting process.

ii. Special Use Permit:

1. The Special Use Permit be granted solely to Auto Chlor System and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition

for a new Public Hearing before the CDC
for a new Special Use Permit.

2. Staff recommends the Approval of the Findings and therefore the approval of the Findings for the Variation for Driveway Width.
 - a. Applicant to work with staff on eliminating turning movements for trucks going west on George St.
 - b. Applicant to work with staff on design and placement of the County Line Rd driveway.
3. Staff recommends the Approval of the Findings and therefore the approval of the Findings for the Variation for Tree Replacement Rate.
 - a. Additional trees shall be added to the site on the final landscape plan where feasible. If tree replacement rates cannot be fully met on the final landscape plan for the property, then applicant shall coordinate with staff to determine an appropriate fee-in-lieu for the remaining required tree replacement, to be approved by the Zoning Administrator.

There were no questions from the commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2024-03. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-03 at 7:30 p.m.

Motion: Commissioner Marcotte made a motion to approve Special Use Permit, Medium Industrial; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: None

Nays: Rowe, Chambers, Marcotte, Rott, Wasowicz

Motion failed.

Motion: Commissioner Marcotte made a motion to approve Variation, Driveway Width Requirements; Municipal Code Section 10-8-8c with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte

Nays: Rott, Wasowicz

Motion carried.

Motion: Commissioner Chambers made a motion to approve Variation, Tree Replacement Rate Requirements; Municipal Code Section 10-9-2B-1 with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Wasowicz

Nays: Rott

Motion carried.

DRAFT

TYPE:Resolution**SUBMITTED BY:**Erik Lanphier**DEPARTMENT:**Public Works**DATE:**April 16, 2024**DESCRIPTION:**

Consideration of a Resolution Waiving Competitive Bidding and Authorizing the Execution of a Purchase Order to Polydyne Inc. for Purchase & Delivery of Polymer in the Not-to-Exceed Amount of \$24,515

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

X	<i>Financially Sound Village</i>		<i>Enrich the lives of Residents</i>
X	<i>Quality Customer Oriented Services</i>		<i>Major Business/Corporate Center</i>
	<i>Safe and Beautiful Village</i>		<i>Vibrant Major Corridors</i>

COMMITTEE ACTION:

Committee of the Whole

DATE:

April 16, 2024

BACKGROUND:

Polymer is a very large organic molecule used in waste water treatment process to coagulate suspended solids and produce large curds of solid materials (floc). It de-waters the sludge so it can be used in a land application. Polymer is a vital component to the overall success and efficiency of waste water treatment process. Small amounts of polymer can be used to treat excess storm water flows by coagulating the solids and help them settle out in the excess-flow clarifier.

Testing parameters included cake dryness (ideally, we want the driest cake possible because it directly impacts the cost of hauling), percent capture which directly affects how much pass-through sludge recycles into the plant for reprocessing and the amount of dollars per ton of sludge which directly affects the annual expense of polymer.

KEY ISSUES:

Village staff extensively tests different types of polymers each year. Staff finished testing the complimentary tote of Polyblend Clarifloc C-1015 polymer from Polydyne Inc. and found it was a superior product compared to the Solenis 8847FSB polymer. The Polyblend polymer utilization is approximately 25% better than the Solenis. It is also a more stable product when continuously batching polymer. Polyblend has agreed to match pricing with Solenis until December 31st, 2024.

Staff requests closing the PO for Solenis and opening a new PO for Polyblend with the remaining budget balance of \$24,515. Currently, there is one full tote on standby, and one-half tote in service of the Solenis polymer. This will last approximately 90 days at the current feed rates. Staff plans to order the first tote of the Polyblend C-1015 sometime in late April early May.

Please see costs & quantity below.

PRODUCT	PRICE	Quantity	Cost:
CLARIFLOC CE-2567	\$1.62 / lb. Delivered	2,300 lbs totes	Up to: \$24,515
TOTAL:			\$24,515

ALTERNATIVES:

Discretion of the Committee of the Whole

RECOMMENDATION:

Staff Recommends Approval of the Resolution Waiving Competitive Bidding and Authorizing the Execution of a Purchase Order to Polydyne Inc. for Purchase & Delivery of Polymer in the Not-to-Exceed Amount of \$24,515.

BUDGET IMPACT:

Funds are available in CY2024 budget under Wastewater Treatment - Chemicals (Account Number 51050570-554120. \$24,515 is remaining in the budget for Polymer).

ACTION REQUIRED:

Approval of a Resolution Waiving Competitive Bidding and Authorizing the Execution of a Purchase Order to Polydyne Inc. for Purchase & Delivery of Polymer in the Not-to-Exceed Amount of \$24,515.

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
RES - POLYMER POLYDYNE INC	4/11/2024	Resolution Letter
QUOTE - POLYMER POLYDYNE INC	4/3/2024	Backup Material

RESOLUTION NO.

**RESOLUTION WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE
EXECUTION OF A PURCHASE ORDER TO POLYDYNE INC. FOR PURCHASE AND
DELIVERY OF POLYMER IN THE NOT-TO-EXCEED AMOUNT OF \$24,515**

WHEREAS, the VILLAGE OF BENSENVILLE (hereinafter "VILLAGE") is a municipal corporation established and existing under the laws of the State of Illinois pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, the VILLAGE is empowered to make all agreements, contracts, and engagements and to undertake other acts as necessary in the exercise of its statutory powers; and

WHEREAS, the VILLAGE is responsible for providing the necessary wastewater treatment to its residents, and

WHEREAS, the VILLAGE own a Wastewater Treatment Facility ("WWTP") located at 711 E. Jefferson Street, Bensenville, IL, and

WHEREAS, polymer is used in the treatment of our sludge to control the thickness of our sludge byproduct so it may be used as a land applied biosolid, and

WHEREAS, the VILLAGE tested the Polyblend polymer from Polydyne, Inc. and found it to be most effective, and

WHEREAS, Polydyne Inc. agreed to match pricing with the current polymer until December 31, 2024.

NOW THEREFORE BE IT RESOLVED by the Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois as follows:

SECTION ONE: The recitals set forth above are incorporated herein and made a part hereof.

SECTION TWO: The Village Board authorizes and approves the attached Resolution Authorizing Waiving Competitive Bidding and Authorizing a Purchase Order to Polydyne, Inc. for Purchase and Delivery of Polymer in the not-to-exceed amount of 24,515.

SECTION THREE: The Village Manager is hereby authorized and directed to execute on behalf of the Village of Bensenville, and the Deputy Clerk is hereby authorized to attest thereto the necessary paperwork.

SECTION FOUR: This Resolution shall take effect immediately upon its passage and approval as provided by law.

SECTION FIVE: This Resolution is passed and approved by the President and Board of Trustees of the Village of Bensenville, Illinois, dated April 23, 2024.

APPROVED:

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

Emailed to: elanphier@bensenville.il.us

March 12, 2024

March 13, 2024 - Revised

Mr. Erik Lanphier
Wastewater Supervisor
Village of Bensenville WWTP
711 E Jefferson St.
Bensenville, IL 60106

RE: Polymer Price Quote

Dear Mr. Lanphier,

Polydyne Inc. is pleased to offer the Village of Bensenville the following price quotation:

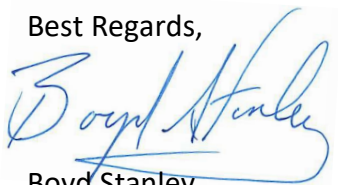
PRODUCT	UNIT PRICE	PACKAGE
CLARIFLOC CE-2567	\$1.62/LB. DELIVERED	2300 LB. TOTES

Polydyne Inc. proposes to supply CLARIFLOC CE-2567 at \$1.62/LB. DELIVERED through December 31, 2024.

Payment Terms: Net 30 Days – No Discounts.

We thank you for your business. If you have any questions or need additional information, please feel free to contact Sam Smith, Sr. Technical Sales Representative, at (708) 860-686 or by email at sasmith@polydyneinc.com. Orders may be placed online at: www.polydyneinc.com or through our Customer Service Department. Your Customer Service Representative is LaTonia “Chonte” Wright. You can reach Ms. Wright by calling 1-800-848-7659, Ext. 2030 or via email at lwright@snf.com.

Best Regards,



Boyd Stanley
Senior Vice-President

TYPE:Resolution**SUBMITTED BY:**Christopher Dusza**DEPARTMENT:**Public Works**DATE:**April 16, 2024**DESCRIPTION:**

Consideration of a Resolution Authorizing the Execution of a Contract with Midwest Mechanical for Removal and Installation of Village-Supplied Pump Package for the Cooling Tower at the Edge 2 in the Not-to-Exceed Amount of \$11,252

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

X	<i>Financially Sound Village</i>		<i>Enrich the lives of Residents</i>
	<i>Quality Customer Oriented Services</i>		<i>Major Business/Corporate Center</i>
X	<i>Safe and Beautiful Village</i>		<i>Vibrant Major Corridors</i>

COMMITTEE ACTION:

Committee of the Whole

DATE:

April 16, 2024

BACKGROUND:

The Village owns and maintains the Edge 2 facility including the mechanical systems within the building.

KEY ISSUES:

The current cooling tower pump package is original to the building and parts are no longer available for it. Staff purchased a complete pump package. The original pump package needs to be removed and the new one installed. The scope of the project is more than what can be accomplished in-house.

Staff sought proposals from three qualified vendors. Midwest Mechanical submitted the lowest proposal in the amount of \$11,252.

Removal and Installation of New Cooling Tower Pump Package	
Midwest Mechanical	\$11,252
FE Moran Mechanical	\$15,465
PremiStar Mechanical	\$19,800

Staff recommends approval of a contract with Midwest Mechanical.

ALTERNATIVES:

Discretion of the Committee of the Whole

RECOMMENDATION:

Staff recommends an approval of the Resolution Authorizing the Execution of a Contract with Midwest Mechanical for Removal and Installation of Village-Supplied Pump Package for the Cooling Tower at the Edge 2 in the Not-to-Exceed Amount of \$11,252

BUDGET IMPACT:

The lowest bid was \$11,252 by Midwest Mechanical. Funds are available in the 2024 CIP budget.

The CY24 Capital budget included funds in the amount of \$50,000 in Account Number 31080800-591000-24607 for mechanical room improvements.

ACTION REQUIRED:

Approval of a Resolution Authorizing the Execution of a Contract with Midwest Mechanical for Removal and Installation of Village-Supplied Pump Package for the Cooling Tower at the Edge 2 in the Not-to-Exceed Amount of \$11,252

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
RES - EDGE 2 COOLING TOWER PUMP PACKAGE	4/5/2024	Resolution Letter
PROPOSAL - MIDWEST MECHANIC	4/4/2024	Backup Material

RESOLUTION NO.

**AUTHORIZING AND EXECUTION OF A CONTRACT WITH MIDWEST MECHANICAL
FOR THE REMOVAL AND INSTALLATION OF VILLAGE-SUPPLIED PUMP PACKAGE
FOR THE COOLING TOWER AT THE EDGE 2 IN THE NOT-TO-EXCEED AMOUNT OF
\$11,252**

WHEREAS the VILLAGE OF BENSENVILLE (hereinafter "VILLAGE") is a municipal corporation established and existing under the laws of the State of Illinois pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS the VILLAGE is empowered to make all agreements, contracts, and engagements and to undertake other acts as necessary in the exercise of its statutory powers; and

WHEREAS the VILLAGE owns and operates an ice rink facility commonly known as The Edge 2, and

WHEREAS the VILLAGE maintains all mechanical equipment, and

WHEREAS the current cooling tower pump package is original to the building and parts are no longer available for it.

WHEREAS staff purchased a complete pump package, the original pump package needs to be removed and the new one installed.

WHEREAS the scope of the project is more than what staff can be accomplished in-house.

WHEREAS, staff received three competitive Proposals, and

WHEREAS Midwest Mechanical provided the lowest proposal in the amount of \$11,252.

NOW THEREFORE BE IT RESOLVED by the Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois as follows:

SECTION ONE: The recitals set forth above are incorporated herein and made a part hereof.

SECTION TWO: The Village Board authorizes and approves the attached Resolution Authorizing the Execution of a Contract with Midwest Mechanical for the Removal and Installation of Village-Supplied Pump Package for the Cooling Tower at the Edge 2 in the not-to-exceed amount of \$11,252.

SECTION THREE: The Village Manager is hereby authorized and directed to execute on behalf of the Village of Bensenville, and the Deputy Clerk is hereby authorized to attest thereto the necessary paperwork.

SECTION FOUR: This Resolution shall take effect immediately upon its passage and approval as provided by law.

SECTION FIVE: This Resolution is passed and approved by the President and Board of Trustees of the Village of Bensenville, Illinois, dated April 23, 2024.

APPROVED:

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____



March 8th, 2024

Chris Dusza
Fleet and Facilities Supervisor
Village of Bensenville
717 E Jefferson St
Bensenville, Illinois 60106

Re: Edge II CHW Pump

Dear Chris,

Thank you for placing your confidence with Midwest Mechanical for a solution to Village of Bensenville's mechanical system needs. This proposal lays out the scope, pricing, terms, and conditions for the services Midwest Mechanical will provide.

General

- Project Billing will include a 50% mobilization billing at the time of project booking and progress payments thereafter.
- Provide necessary Project and Construction Management and coordinate all site activities associated with the project.
- We will use the customers' dumpster for any debris, packaging materials and/or demolished piping.
- Provide necessary technical check-out, start-up, commissioning and testing of new equipment to ensure proper operation.
- Moving, storage, floor protection, equipment protection, and security of existing building furnishings, equipment, as needed to accommodate project, will be the responsibility of the Village.
- This project includes a one-year warranty on the labor only. No warranty on the pump.

Scope of Work

- Prefab as much piping as possible.
- Isolate and drain the system with the assistance of Village.
- Disconnect electrical and piping.
- Remove the existing pump and place in the owner's possession.
- Install the pump provided by the owner



- Reconnect electrical and piping.
- Start and check operation.

Total Base Price..... \$11,252.00

The proposed scope of work does not include the following:

- Any permits or associated fees.
- Any HVAC related work in the Village facilities or on equipment not listed above.
- Test and Balance
- Painting
- Any work or modification to the draining of the pit
- Tax
- Chemical Treatment

Midwest Mechanical greatly appreciates our opportunity to work with the Village of Bensenville and look forward to exceeding your expectations throughout the project. Please contact me if you have any questions or concerns.

Thank you for your consideration.
Sincerely,

Chad W. Powell

Accepted By:_____

Project Sales Engineer

Date:_____



Terms and Conditions

1. Midwest Mechanical Group warrants that the workmanship, equipment and materials furnished and installed under this agreement shall be free from defects for one year (365 days) from date of installation.
2. Customer shall permit Midwest Mechanical Group free and timely access to areas and equipment and allow Midwest Mechanical Group to start and stop the equipment as necessary to perform required services. All planned work under this Agreement will be performed during Midwest Mechanical Group's normal working hours.
3. Customer will promptly pay invoices within thirty (30) days of receipt. Should a payment become thirty (30) days or more delinquent, Midwest Mechanical Group may stop all work under this Agreement without notice and/or cancel this Agreement, and the entire Agreement amount shall become due and payable immediately upon demand.
4. Customer shall be responsible for all taxes applicable to the services and/or materials hereunder.
5. Any alteration to, or deviation from, this Agreement involving extra work, cost of material or labor will become an extra charge (fixed-price amount to be negotiated or on a time-and material basis at Midwest Mechanical Group's rates then in effect) over the sum stated in this Agreement.
6. In the event Midwest Mechanical Group must commence legal action in order to recover any amount payable under this Agreement, Customer shall pay Midwest Mechanical Group all court costs and attorneys' fees incurred by Midwest Mechanical Group.
7. Any legal action relating to this Agreement, or the breach thereof, shall be commenced with one (1) year from the date of the work.
8. Midwest Mechanical Group shall not be liable for any delay, loss, damage or detention caused by unavailability of machinery, equipment or materials, delay of carriers, strikes, including those by Midwest Mechanical Group's employees, lockouts, civil or military authority, priority regulations, insurrection or riot, action of the elements, forces of nature, or by any cause beyond its control.
9. To the fullest extent permitted by law, Customer shall indemnify and hold harmless Midwest Mechanical Group, its agents and employees from and against all claims, damages, losses and expenses, including but not limited to reasonable attorneys' fees, arising out of or resulting from the performance of work hereunder, provided that such claim, damage, loss or expense is caused in whole or in part by any active or passive act or omission of Customer, anyone directly or indirectly employed by Customer, or anyone for whose acts Customer may be liable, regardless of whether it is caused in part by the negligence of Contractor.
10. Customer shall make available to Midwest Mechanical Group's personnel all pertinent Material Safety Data Sheets (MSDS) pursuant to OSHA's Hazard Communication Standard Regulations.
11. Midwest Mechanical Group expressly disclaims any and all responsibility and liability for the indoor air quality of the customer's facility.
12. Midwest Mechanical Group's obligation under this proposal and any subsequent Agreement does not include the identification, abatement or removal of any asbestos products or other hazardous substances. In the event such products or substances are encountered Midwest Mechanical group's sole obligation will be to notify the Customer of the existence of such products and materials. Midwest Mechanical Group shall have the right thereafter to suspend its work until such products or materials and the resultant hazards are removed. The time for completion of the work shall be extended to the extent caused by the suspension and the Agreement price equitably adjusted.
13. Under no circumstances, whether arising in contract, tort (including negligence), equity or otherwise, will Midwest Mechanical Group be responsible for loss of use, loss of profit, increased operating or maintenance expenses, claims or customer's tenants or clients, or any special, indirect or consequential damages.

TYPE:Resolution**SUBMITTED BY:**Christopher Dusza**DEPARTMENT:**Public Works**DATE:**April 16, 2024**DESCRIPTION:**

Consideration of a Resolution Authorizing the Execution of a Contract with Murphy Construction Services, LLC for Parking Lot Improvements at the Police Station at 345 E Green Street in the Not-to-Exceed Amount of \$11,000

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

X	<i>Financially Sound Village</i>		<i>Enrich the lives of Residents</i>
	<i>Quality Customer Oriented Services</i>		<i>Major Business/Corporate Center</i>
X	<i>Safe and Beautiful Village</i>		<i>Vibrant Major Corridors</i>

COMMITTEE ACTION:

Committee of the Whole

DATE:

April 16, 2024

BACKGROUND:

The Village owns and maintains the Police Station facility and parking lot at 345 E. Green Street.

KEY ISSUES:

Since the construction of the Police Station approximately seven years ago, the parking lot has not been crack-filled or sealcoating and needs restriping of the parking stalls. Staff plans to crack-fill, sealcoat and restripe the parking stalls.

Staff sought proposals from three qualified vendors. Murphy Construction Services, LLC submitted the lowest proposal in the amount of \$11,000.

Police Station Parking Lot Improvements	
Murphy Construction Services, LLC	\$11,000
MML Premier Services LLC	\$13,470
PaveStar	\$14,940

Staff recommends approval of a contract with Murphy Construction Services, LLC for \$11,000.

ALTERNATIVES:

Discretion of the Committee of the Whole

RECOMMENDATION:

Staff recommends an approval of the Resolution Authorizing the Execution of a Contract with Murphy Construction Services, LLC for Parking Lot Improvements at the Police Station at 345 E Green Street in the Not-to-Exceed Amount of \$11,000

BUDGET IMPACT:

The lowest bid was \$11,000 by Murphy Construction Services, LLC. Funds are available in the 2024 CIP budget.

The CY24 Capital budget included funds in the amount of \$20,000 in Account Number 31080800-591000-24623 for Police Station parking lot improvements.

ACTION REQUIRED:

Approval of a Resolution Authorizing the Execution of a Contract with Murphy Construction Services, LLC for Parking Lot Improvements at the Police Station at 345 E Green Street in the Not-to-Exceed Amount of \$11,000

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
RES - POLICE PARKING LOT IMPROVEMENTS	4/5/2024	Resolution Letter
PROPOSAL - MURPHY CONSTRUCTION SERVICES	4/5/2024	Backup Material

RESOLUTION NO.

**AUTHORIZING AND EXECUTION OF A CONTRACT WITH
MURPHY CONSTRUCTION SERVICES, LLC FOR
PARKING LOT IMPROVEMENTS AT THE POLICE STATION
AT 345 E GREEN STREET IN THE NOT-TO-EXCEED AMOUNT OF \$11,000**

WHEREAS, the VILLAGE OF BENSENVILLE (hereinafter "VILLAGE") is a municipal corporation established and existing under the laws of the State of Illinois pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, the VILLAGE is empowered to make all agreements, contracts, and engagements and to undertake other acts as necessary in the exercise of its statutory powers; and

WHEREAS, the VILLAGE owns and maintains the Police Station facility and parking lot at 345 E. Green Street, and

WHEREAS, since the construction of the Police Station approximately seven years ago, the parking lot has not been crack-filled or sealcoating and needs restriping of the parking stalls. Staff plans to crack-fill, sealcoat and restripe the parking stalls, and

WHEREAS, the VILLAGE plans to crack-fill, sealcoat and restripe the parking stalls, and

WHEREAS, Staff received three competitive Proposals, and

WHEREAS, Murphy Construction Services, LLC. provided the lowest proposal in the amount of \$11,000.

NOW THEREFORE BE IT RESOLVED by the Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois as follows:

SECTION ONE: The recitals set forth above are incorporated herein and made a part hereof.

SECTION TWO: The Village Board authorizes and approves the attached Resolution Authorizing the Execution of a Contract with Murphy Construction Services, LLC. for Police Station parking lot improvements in the not-to-exceed amount of \$11,000.

SECTION THREE: The Village Manager is hereby authorized and directed to execute on behalf of the Village of Bensenville, and the Deputy Clerk is hereby authorized to attest thereto the necessary paperwork.

SECTION FOUR: This Resolution shall take effect immediately upon its passage and approval as provided by law.

SECTION FIVE: This Resolution is passed and approved by the President and Board of Trustees of the Village of Bensenville, Illinois, dated April 23, 2024.

APPROVED:

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

Proposal

Submitted to:	Village of Bensenville Chris Dusza	Date:	29 March 2024
Address:	717 E Jefferson St, Bensenville, IL 60106	Job Details:	Crack Seal, Seal, Stripe
Phone:	630-594-1196	Job Location:	345 E Green St, Bensenville
Fax:			
Email:	cdusza@bensenville.il.us		

Specifications:

- | | | |
|-----------|---|-------------------|
| 1) | Crack Sealing: | \$1,600.00 |
| | <ul style="list-style-type: none">• Remove all dirt and debris from ¼” to ½” singular cracks in the pavement.• Apply hot pour rubberized crack sealant meeting the ASTM 3405 specification.• Allow ample time to dry before sealing over. | |
| 2) | Sealcoating: | \$7,900.00 |
| | <ul style="list-style-type: none">• Apply Sealmaster Ultrablend sealer meeting all state and federal specifications.• Sealer to be applied at a rate of 60 sq. ft. per gallon, according to manufacturer’s recommendations, with 3-5 lbs. sand load and 1% polymer additive.• Barricade freshly sealed area to direct traffic to stay off area.
(Approx. 51,499 Ft²) | |
| 3) | Striping: | \$1,500.00 |
| | <ul style="list-style-type: none">• Re-stripe lot according to current configuration.• The material used meets OSHA and Illinois State Specifications.• The material will be applied with a Graco 3900 Line Lazer Airless Striper. | |

MCS
MURPHY CONSTRUCTION
— SERVICES, LLC —





Total Bid Price: \$11,000.00

Special Notes:

- Payment Terms: Net 15 days.
- Bid is good for 30 days from the date on the estimate or until the end of the season (usually November).
- Bid is based on the current material prices at the date of this proposal. Should price of material change bid will change accordingly.
- All permits to be provided by others
- Murphy Construction Services, LLC is not responsible for delays in work due to weather, acts of God, governmental restrictions or regulations, local labor shortages, shortages of raw material, supplies, transportation, fuel, or any other result out of the control of Murphy Construction Services, LLC.
- Payments not made within the terms of this contract shall bear interest at two percent (2%) per month for a true A.P.R. of twenty four percent (24%). Cost of collections of any unpaid balance including attorney fees and court costs of any type shall be the responsibility of the owner and/or agent and/or management co. and shall be paid along with the unpaid balance by the owner and/or agent and/or management co.
- All material and work is guaranteed to be as specified and warrantied for 1 year. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. All work is covered by workman's compensation, general liability insurance, and bonded.

Authorized Signature: _____
Murphy Construction Services, LLC

Acceptance of Proposal: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature: _____ Date: _____

TYPE:Resolution**SUBMITTED BY:**Christopher Dusza**DEPARTMENT:**Public Works**DATE:**April 16, 2024**DESCRIPTION:**

Consideration of a Resolution Authorizing the Execution of a Purchase Order with Rovelocity for Two Utility Vehicles in the Not-to-Exceed Amount of \$31,616

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

X	<i>Financially Sound Village</i>		<i>Enrich the lives of Residents</i>
	<i>Quality Customer Oriented Services</i>		<i>Major Business/Corporate Center</i>
X	<i>Safe and Beautiful Village</i>		<i>Vibrant Major Corridors</i>

COMMITTEE ACTION:

Committee of the Whole

DATE:

April 16, 2024

BACKGROUND:

The Recreation Department is seeking replacement of a utility vehicle used to maintain Redmond Recreation Facility.

The Public Works Department is seeking replacement of a utility vehicle used within the Public Works and Wastewater Facility.

KEY ISSUES:

Staff has evaluated different equipment and the best options resulted between Club Car Carryall 1500 AWD Gas and John Deere Gator HPX615E. Both products met our needs.

Staff recommends purchasing the Club Car Carryall 1500 AWD Gas due to it's aluminum body versus the Gator's steel body. The Aluminum body will not be subject to rust when left outdoors.

Both products are available from Sourcewell pricing through local distributors.

Pricing Two (2) Vehicles	
Rovelocity (Club Car)	\$31,616
John Deere (Gator)	\$33,284

Staff recommends approval of a purchase order with Rovelocity.

ALTERNATIVES:

Discretion of the Committee of the Whole.

RECOMMENDATION:

Staff recommends an approval of the Resolution Authorizing the Execution of a Purchase Order with Rovelocity for Two Club Car Carryall Utility Vehicles in the Not-to-Exceed Amount of \$31,616

BUDGET IMPACT:

The CY24 Capital budget included funds in the amount of \$39,000 in Account Number 31580490-595000 for both vehicles.

ACTION REQUIRED:

Approval of a Resolution Authorizing the Execution of a Purchase Order with Rovelocity for Two Club Car Carryall Utility Vehicles in the Not-to-Exceed Amount of \$31,616

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
RES - CLUB CARS (2) PURCHASE	4/5/2024	Resolution Letter
PROPOSAL - SOURCEWELL LOWEST BID CLUB CAR	4/4/2024	Backup Material
PROPOSAL - SOURCEWELL LOWEST BID GATOR	4/4/2024	Backup Material

RESOLUTION NO.

**AUTHORIZING AND EXECUTION OF A PURCHASE ORDER WITH ROVELOCITY FOR
TWO UTILITY VEHICLES IN THE NOT-TO-EXCEED AMOUNT OF \$31,616**

WHEREAS, the VILLAGE OF BENSENVILLE (hereinafter "VILLAGE") is a municipal corporation established and existing under the laws of the State of Illinois pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, the VILLAGE is empowered to make all agreements, contracts, and engagements and to undertake other acts as necessary in the exercise of its statutory powers; and

WHEREAS, the VILLAGE owns and operates the Edge 2 Ice rink & Wastewater Treatment Plant, and

WHEREAS, the VILLAGE maintains all equipment that supports both sites, and

WHEREAS, the VILLAGE seeks to provide reliable and safe equipment, and

WHEREAS, Staff reviewed two different types of off-road club cars, and

WHEREAS, Rovelocity is a Sourcewell authorized Club Car vendor and provided the lowest proposal for two club cars in the amount of \$31,616.

NOW THEREFORE BE IT RESOLVED by the Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois as follows:

SECTION ONE: The recitals set forth above are incorporated herein and made a part hereof.

SECTION TWO: The Village Board authorizes and approves the attached Resolution Authorizing the Execution of a Purchase Order with Rovelocity for two Utility Vehicles in the Not-to-Exceed amount of \$31,616.

SECTION THREE: The Village Manager is hereby authorized and directed to execute on behalf of the Village of Bensenville, and the Deputy Clerk is hereby authorized to attest thereto the necessary paperwork.

SECTION FOUR: This Resolution shall take effect immediately upon its passage and approval as provided by law.

SECTION FIVE: This Resolution is passed and approved by the President and Board of Trustees of the Village of Bensenville, Illinois, dated April 23, 2024.

APPROVED:

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

Name: **Village of Bensenville/Chris Dusza**
Address: **12 South Center Street**
City, State, Zip: **Bensenville, IL 60126**
Phone: **630-816-0176**
E-mail: cDusza@Bensenville.IL.US

Date: **4/3/2024**
Quotation valid until: **5/3/2024**
Prepared by: **Rob**
Payment Terms: **Due Upon Delivery**
Estimated Delivery Date: **4 weeks from order date**

Comments or Special Instructions

Discounts used per Sourcewell Contract No: 122220-CCR

Model	Year	Body Color	Seat Color	Vehicle Base Price
CARRYALL 1500 AWD Gas	2024	Gray	Gray	\$15,686.00

Options/Accessories		Summary	
Description	Amount	Description	Amount
Back up alarm	\$50.00	Vehicle Base Price	\$15,686.00
Electric bed lift	\$578.00	Options/Accessories	\$1,303.00
Canopy	\$247.00	Club Car Freight	\$710.00
Hinged windshield	\$220.00	Dealer Preparation	\$500.00
Tail lights, brake lights and horn	\$208.00	Delivery	\$0.00
Hitch (2" receiver) included	\$0.00		
		Sales Tax %	0.00%
		Vehicle Discount %	14.00%
		Accessories Discount %	15.00%
		Total Discount \$	-\$2,391.49
		Vehicle Subtotal	\$14,597.51
		Sales Tax	\$0.00
		Transport & Fees	\$1,210.00
		Quantity	1
		Grand Total	\$15,807.51

Accepted By (Print): _____

Date: _____

Accepted By (Signature): _____

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

 AHW LLC
 14N937 US Highway 20
 Hampshire, IL 60140
 US

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

 AHW LLC
 14n937 Us Highway 20
 Hampshire, IL 60140
 847-683-4440
 dlhampshire@ahwllc.com

Quote Summary
Prepared For:

 VILLAGE OF BENSENVILLE
 717 E JEFFERSON ST
 BENSENVILLE, IL 60106
 Business: 630-350-3486
 ELANPHIER@BENSENVILLE.IL.US

Delivering Dealer:
AHW LLC
 Scott Mann
 14n937 Us Highway 20
 Hampshire, IL 60140
 Phone: 847-683-4440
 Mobile: 847-774-8771
 smann@ahwllc.com

Quote ID: 30649072
Created On: 01 April 2024
Last Modified On: 01 April 2024
Expiration Date: 01 May 2024

Equipment Summary	Suggested List	Selling Price	Qty	Extended
JOHN DEERE GATOR™HPX615E (Model Year 2024)	\$ 19,325.42	\$ 16,641.56 X	1 =	\$ 16,641.56
Contract: Sourcewell Grounds Maint 031121-DAC (PG BT CG 76)				
Price Effective Date: March 31, 2024				

Equipment Total **\$ 16,641.56**

* Includes Fees and Non-contract items

Quote Summary

Equipment Total	\$ 16,641.56
Trade In	
SubTotal	\$ 16,641.56
Est. Service Agreement Tax	\$ 0.00
Total	\$ 16,641.56
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 16,641.56

Salesperson : X _____

Accepted By : X _____

Selling Equipment

Quote Id: 30649072 **Customer Name:** VILLAGE OF BENSENVILLE

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

AHW LLC
14N937 US Highway 20
Hampshire, IL 60140
US

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

AHW LLC
14n937 Us Highway 20
Hampshire, IL 60140
847-683-4440
dlhampshire@ahwllc.com

JOHN DEERE GATOR™HPX615E (Model Year 2024)

Hours:

Suggested List *

Stock Number:

\$ 19,325.42

Contract: Sourcewell Grounds Maint 031121-DAC (PG BT CG 76)

Selling Price *

\$ 16,641.56

Price Effective Date: March 31, 2024

* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
57GAM	GATOR™HPX615E (Model Year 2024)	1	\$ 14,899.00	14.00	\$ 2,085.86	\$ 12,813.14	\$ 12,813.14
Standard Options - Per Unit							
0202	United States	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
0505	Build To Order	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
1011	High-Performance All-Purpose (HPAP) Tires	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
2007	Standard Bench Seat - Black	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
2350	Park Position in Transmission	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
3003	Cargo Box with Spray In Liner, Brake and Tail Lights	1	\$ 573.00	14.00	\$ 80.22	\$ 492.78	\$ 492.78
3100	Cargo Box Power Lift	1	\$ 1,100.00	14.00	\$ 154.00	\$ 946.00	\$ 946.00
4004	Deluxe Cab Frame/Including Glass Windshield with Wiper, Electrical Kit, Rear Window and Nets	1	\$ 1,849.00	14.00	\$ 258.86	\$ 1,590.14	\$ 1,590.14
4049	Less Black Poly Roof	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
4201	Front Brush Guard	1	\$ 330.00	14.00	\$ 46.20	\$ 283.80	\$ 283.80
Standard Options Total			\$ 3,852.00		\$ 539.28	\$ 3,312.72	\$ 3,312.72
Dealer Attachments/Non-Contract/Open Market							
BUC11245	Turn Signal Light Harness Kit	1	\$ 177.61	14.00	\$ 24.87	\$ 152.74	\$ 152.74
BUC10608	Front Turn Signal Light Kit	1	\$ 107.00	14.00	\$ 14.98	\$ 92.02	\$ 92.02
BUC10804	Backup Alarm	1	\$ 134.81	14.00	\$ 18.87	\$ 115.94	\$ 115.94
UV Fee	Open Market Doc Fee	1	\$ 125.00	0.00	\$ 0.00	\$ 125.00	\$ 125.00
UV Fee	Open Market Title Fee	1	\$ 30.00	0.00	\$ 0.00	\$ 30.00	\$ 30.00

Selling Equipment

Quote Id: 30649072 **Customer Name:** VILLAGE OF BENSENVILLE

**ALL PURCHASE ORDERS MUST BE MADE OUT
TO (VENDOR):**

AHW LLC
14N937 US Highway 20
Hampshire, IL 60140
US

**ALL PURCHASE ORDERS MUST BE SENT
TO DELIVERING DEALER:**

AHW LLC
14n937 Us Highway 20
Hampshire, IL 60140
847-683-4440
dlhampshire@ahwllc.com

Dealer Attachments Total	\$ 574.42	\$ 58.72	\$ 515.70	\$ 515.70
Value Added Services	\$ 0.00		\$ 0.00	\$ 0.00
Total				
Total Selling Price	\$ 19,325.42	\$ 2,683.86	\$ 16,641.56	\$ 16,641.56



Extended Repair Plan Proposal

PowerGard™ Protection Plan Residential

Date : April 1, 2024

Machine/Use Information		Plan Description	Price	
Manufacturer	JOHN DEERE	Plan Type:	Deductible:	
Equipment Type	GATOR, HPX615E	Coverage:	Quoted Price	\$ 0.00
Model	GATOR, HPX615E	Total Months:		
		Total Hours:		

THIS PROPOSAL IS VALID FOR 30-DAYS FROM DATE ISSUED. GRACE pricing is offered only early during the Deere basic warranty period and has no surcharges. After this period, DELAYED PURCHASE pricing (surcharged) is offered later during the John Deere Basic Warranty. Many PowerGard quotes presented in the Delayed Purchase Period will require inspection/certification process and must also pass fluid testing. The Total Months and Total Hours listed above include the John Deere Basic Warranty terms (24 months / 2000 hours on Tractors, 24 months on Golf & Turf Products, 12 months for all AG Harvesting and Sprayer equipment, and 12 months/1000 hours on most Gator Utility Vehicles). "Limited" Plan coverage = Engine & Powertrain only. "Comprehensive" Plan coverage = Full Machine.

Proposal Prepared for:

I have been offered this coverage and

Customer Name - Please Print

☐ I ACCEPT the Residential plan

☒ I DECLINE the Residential plan

Customer Signature

If declined, I fully understand that my equipment listed above is not covered for repair expenses due to component failures beyond the original basic warranty period provided by John Deere.

Note : This is **not** a contract. For specific PowerGard™ Protection plan Residential coverage, please refer to the terms and conditions on John Deere's public website(www.JohnDeere.com) under Services & Support >Warranty > Extended Warranties > PowerGard protection plan Residential.

PowerGard™ Protection Plan Residential (Residential plan) is:

The PowerGard™ Protection Plan Residential is an extended repair plan that provides parts and labor coverage up to four years beyond the manufacturer's warranty. It is available on all riding lawn equipment, zero-turn radius mowers, utility vehicles, utility tractors and compact utility tractors. Your John Deere equipment will be in the hands of qualified, certified technicians from John Deere dealers using Genuine John Deere Parts.

Not covered under a Residential plan:

Residential plans do not cover routine maintenance services or items normally designed to be replaced by the purchaser due to normal wear and tear. They do not cover any product used for commercial or rental applications. They also do not cover repairs for damage from accident, misuse, fire, theft, or exposure to weather conditions such as lightning, hail, flood or water. See the actual PowerGard™ Protection Plan Residential Terms and Conditions for a complete listing of coverage, and limitations and conditions under the program.

Benefits of a Residential plan:

- Offer the choice of adding up to 4 years of repair coverage beyond the machine's factory warranty.
- Do not require preapproval before repairs are made by the authorized John Deere dealership.
- Is transferable by the original purchaser for the balance of the original agreement period.
- Ensures higher resale value and makes equipment more marketable during sale or trade-in.
- Comprehensive Plans:
 - No deductibles and no out-of-pocket costs on covered repairs.
 - Free transportation for factory warranty and extended repair plan repairs for the term of the plan(Note:A surcharge may apply for machines located outside of the dealership's normal service area).
- Limited Powertrain Plans:
 - Low deductibles on covered repairs
 - Do not provide transportation coverage

TYPE:Resolution**SUBMITTED BY:**Jeff Maczko**DEPARTMENT:**Public Works**DATE:**April 16, 2024**DESCRIPTION:**

Consideration of a Resolution Authorizing the Execution of a Contract with Corrective Asphalt Materials, LLC of Sugar Grove, IL for the 2024 Pavement Preventative Maintenance Program in the Amount of \$89,865.60

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

X	<i>Financially Sound Village</i>	X	<i>Enrich the lives of Residents</i>
X	<i>Quality Customer Oriented Services</i>		<i>Major Business/Corporate Center</i>
X	<i>Safe and Beautiful Village</i>		<i>Vibrant Major Corridors</i>

COMMITTEE ACTION:

Committee of the Whole

DATE:

April 16, 2024

BACKGROUND:

Preventative maintenance is an essential part to prolonging the life of a roadway, which delays the need for costlier repairs in the future. Part of that maintenance process is the use of an asphalt rejuvenator on roads that have been recently paved (within 2-3 years). This treatment refreshes the surface layer of pavement to bring it back to a state of freshly paved asphalt. This helps to delay breakdown of the asphalt, which leads to costlier repairs such as resurfacing or reconstruction.

Reclamite is an emulsion made up of specific petroleum oils and resins. It is formulated to suspend the life cycle of asphalt pavement by restoring and preserving the asphalt's surface. When Reclamite combines with asphalt pavement, it is able to restore the pavement's original properties hence extending the life of the pavement. By extending the life cycle of the asphalt pavement, we are ultimately delaying other treatments and most importantly keeping a "good" road looking "good."

This Village semi-annual program utilized this product in 2012, 2014, 2016, 2018, 2020, and 2022. The Village has paved many streets since 2022 as part of the Capital Investment projects, which would benefit from an application of Reclamite.

KEY ISSUES:

The Village of Winnetka lead a Municipal Partnering Initiative (MPI) Joint Bid for Pavement Rejuvenation in February of 2024. An MPI allows communities to join forces to procure a wide range of public works and construction services, by taking smaller amounts of work and combining them into larger projects. These larger projects typically receive better pricing. The Village has been part of numerous MPI groups in the six county area in the past, including sanitary sewer lining, sidewalk cutting, and pavement patching.

Reclamite is sold through regional distributor and thus is considered a sole source item. Corrective Asphalt Materials (CAM) LLC is the local distributor of the product CAM has provided a quote based on their 2024 MPI Bid price and the pavement areas provide by the Village in 2024, for the MPI price of \$1.20 per square yard, based on the quantity of work the Village is needing to complete this year. CAM is offering to extend those bid prices to other communities in the Chicagoland area who wish to utilize their product to rejuvenate asphalt pavements.

Company	BID TOTAL
Corrective Asphalt Materials, LLC Sugar Grove, IL	\$ 89,865.60 (\$1.20/Sy)

ALTERNATIVES:

Discretion of the Committee of the Whole

RECOMMENDATION:

Staff recommends approval of the Resolution Authorizing the Execution of a Contract with Corrective Asphalt Materials, LLC of Sugar Grove, IL for the 2024 Pavement Preventative Maintenance Program in the amount of \$89,865.60

BUDGET IMPACT:

In FY2024, \$100,000 is budgeted for this project in the Capital Improvements Fund (account # 31080810-596000-24803). There are sufficient funds budgeted to cover this program.

ACTION REQUIRED:

Approval of a Resolution Authorizing the Execution of a Contract with Corrective Asphalt Materials, LLC of Sugar Grove, IL for the 2024 Pavement Preventative Maintenance Program in the amount of \$89,865.60

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
Resolution	4/10/2024	Resolution Letter
Proposal	4/9/2024	Backup Material
Location Map	4/9/2024	Backup Material
2024 MPI Bid - CAM	4/9/2024	Backup Material
MPI Bond - CAM	4/9/2024	Backup Material

RESOLUTION NO.

**AUTHORIZING THE EXECUTION OF A CONTRACT WITH
CORRECTIVE ASPHALT MATERIALS, LLC OF SUGAR GROVE, IL FOR
THE 2024 PAVEMENT PREVENTATIVE MAINTENANCE PROGRAM
IN THE AMOUNT OF \$89,865.60**

WHEREAS the Village of Bensenville, in an effort to preserve its infrastructure, and maintain beautiful roadways for all those who pass through our Village performs preventative maintenance to achieve these goals, and

WHEREAS Reclamite is an emulsion made up of specific petroleum oils and resins which are formulated to suspend the life cycle of asphalt pavement by restoring and preserving the asphalt's surface, and

WHEREAS when Reclamite combines with asphalt pavement, it is able to restore the pavement's original properties, hence extending the life and current condition of the pavement, and

WHEREAS Corrective Asphalt Materials (CAM), LLC is the sole source provider of Reclamite for the Midwest Region, and

WHEREAS CAM has provided a quotation to a Municipal Partnering Initiative Bid lead by the Village of Winnetka for supplying and applying the material; and

WHEREAS CAM is willing to extend those bid prices to other communities in the Chicagoland area who wish to utilize their product to rejuvenate asphalt pavements.

NOW THEREFORE BE IT RESOLVED by the Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois as follows:

SECTION ONE: The recitals set forth above are incorporated herein and made a part hereof.

SECTION TWO: The Village President and Board of Trustees authorizes to execute a contract with Corrective Asphalt Materials, LLC of Sugar Grove, IL for the 2024 Pavement Preventative Maintenance Program in the amount of \$89,865.60.

SECTION THREE: The Village Manager is hereby authorized and directed to execute on behalf of the Village of Bensenville, and the Deputy Clerk is hereby authorized to attest thereto, the necessary paperwork.

SECTION FOUR: This Resolution shall take effect immediately upon its passage and approval as provided by law.

SECTION FIVE: This Resolution is passed and approved by the President and Board of Trustees of the Village of Bensenville, Illinois, dated April 23, 2024.

APPROVED:

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____



Mailing Address:
300 Daniel Boone Trail
South Roxana, IL 62087
Phone: 618-254-3855
Fax: 618-254-2200

Locations:
300 Daniel Boone Trail, South Roxana, IL 62087
43W630 Wheeler Road, Sugar Grove, IL 60554

April 6, 2024

Jeffrey Maczko
Village of Bensenville
717 E. Jefferson St., Bensenville, IL 60106
Office: (630)-350-3435
Email: jmaczko@bensenville.il.us

Corrective Asphalt Materials, LLC, (CAM) thanks you for the opportunity to bid the Village of Bensenville pavement preservation program. Please accept the following as our formal proposal to apply Reclamite Maltene Based Rejuvenating Agent to selected asphalt pavement.

- **Apply Reclamite to approximately 74,888 SY of selected asphalt pavement in accordance with Option 1 of The Village of Winnetka MPI Joint Bid #024-006 for Pavement Rejuvenation.**
- **CAM's responsibilities:**
 - **Furnish and apply Reclamite**
 - **Resident Notification**
 - **Furnish and apply lime screenings**
 - **All traffic control and signs related to project**
 - **Street sweeping post application**
 - **Handle any complaints or issues that may arise from application**
- **Unit Price Reclamite: \$1.20 SY**

Total Price \$89,865.60

Mike Sumrall, Operations Manager will be contacting you to schedule the project.
Info: mike@cammidwest.com, Cell: 630-465-4142

Billing Information (please fill out upon acceptance)

Name: _____ Address: _____
Phone Number: _____

Thank you again for the opportunity. We look forward to providing our professional services.

Sincerely,

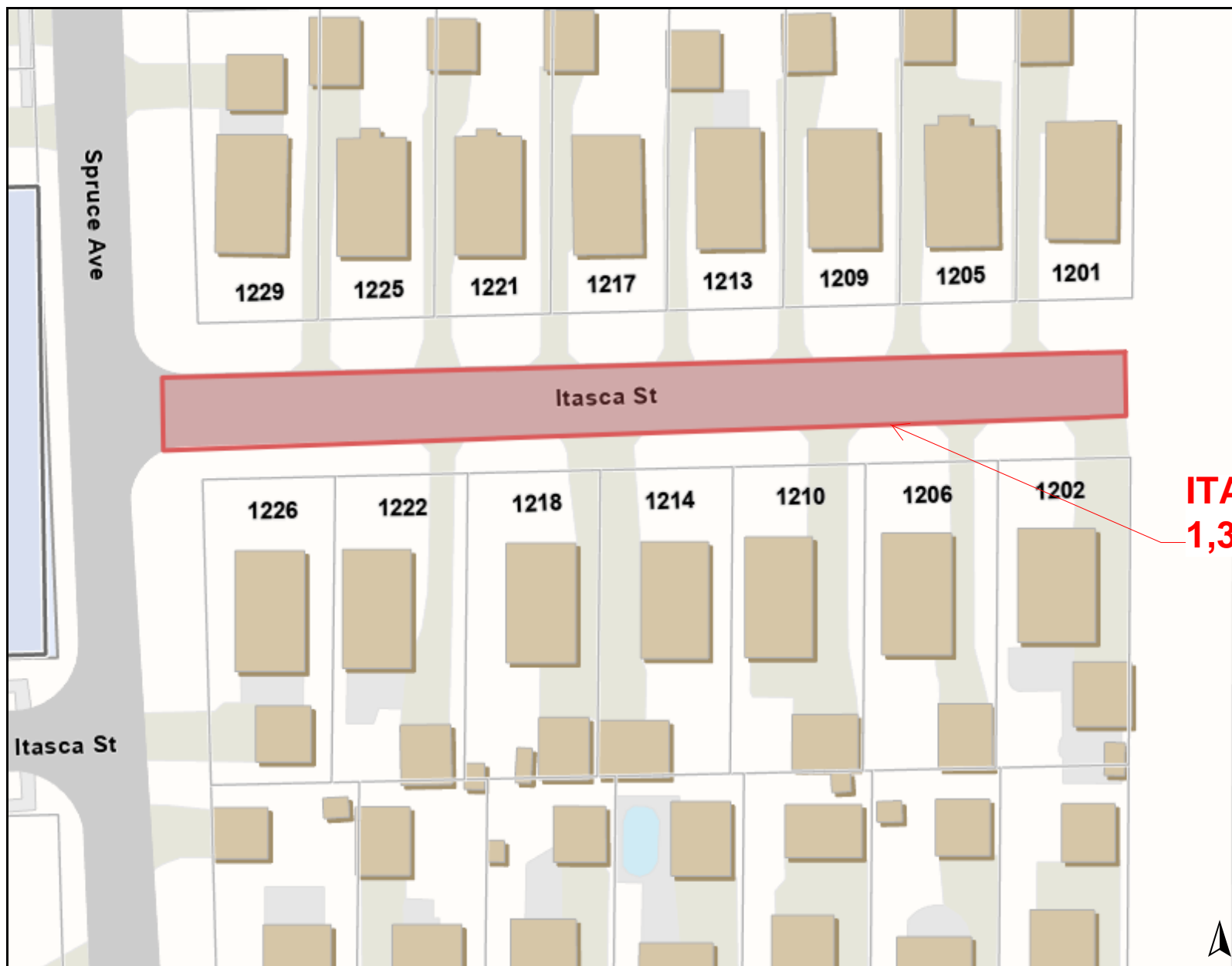
Rachel Lang
Business Development
Corrective Asphalt Materials, LLC

Mike Sumrall
Operations Manager
Corrective Asphalt Materials, LLC

APPROVED BY:

Signature

Date

Legend

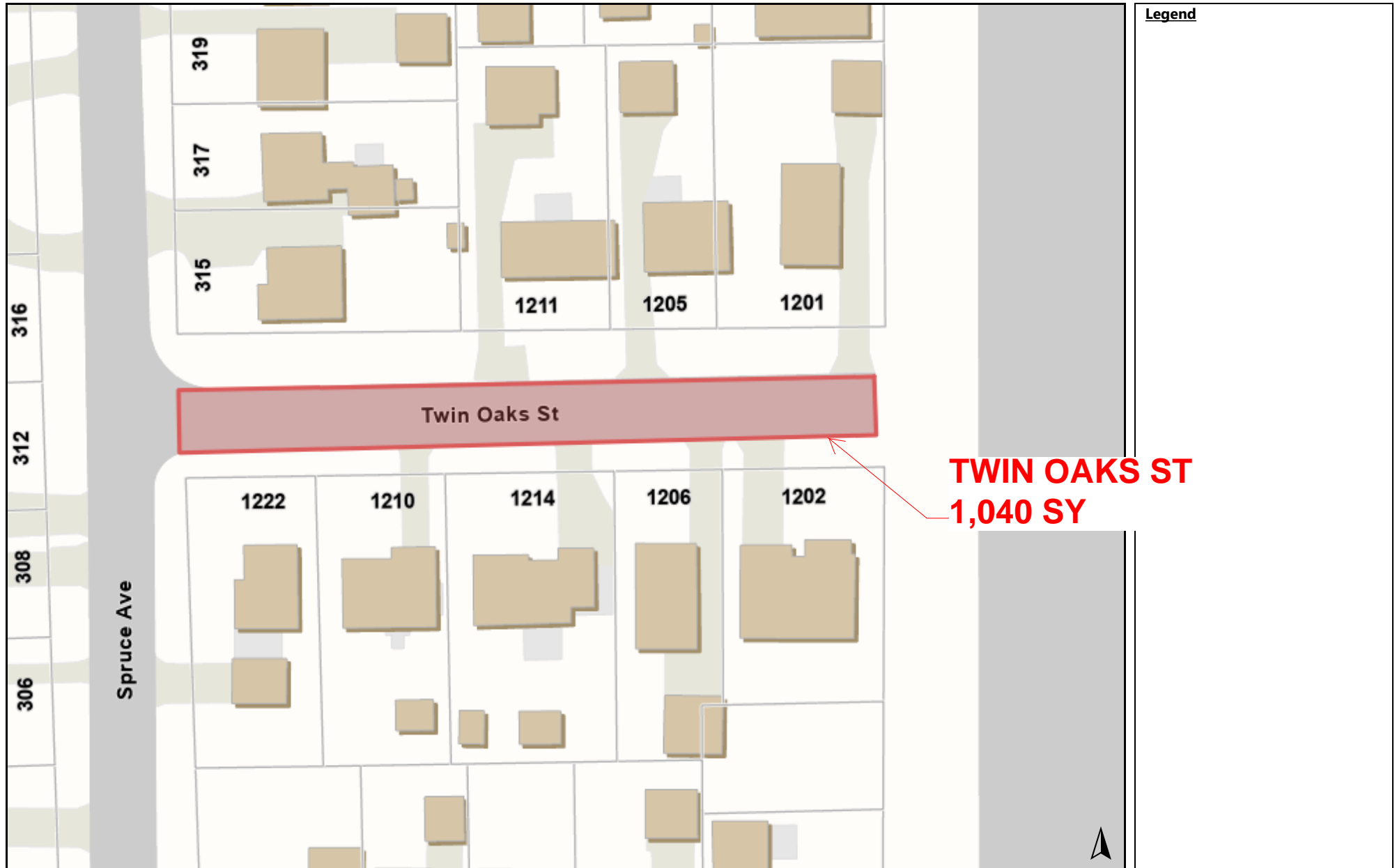
ITASCA ST
1,336 SY

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ft

Print Date: 3/12/2024

Notes

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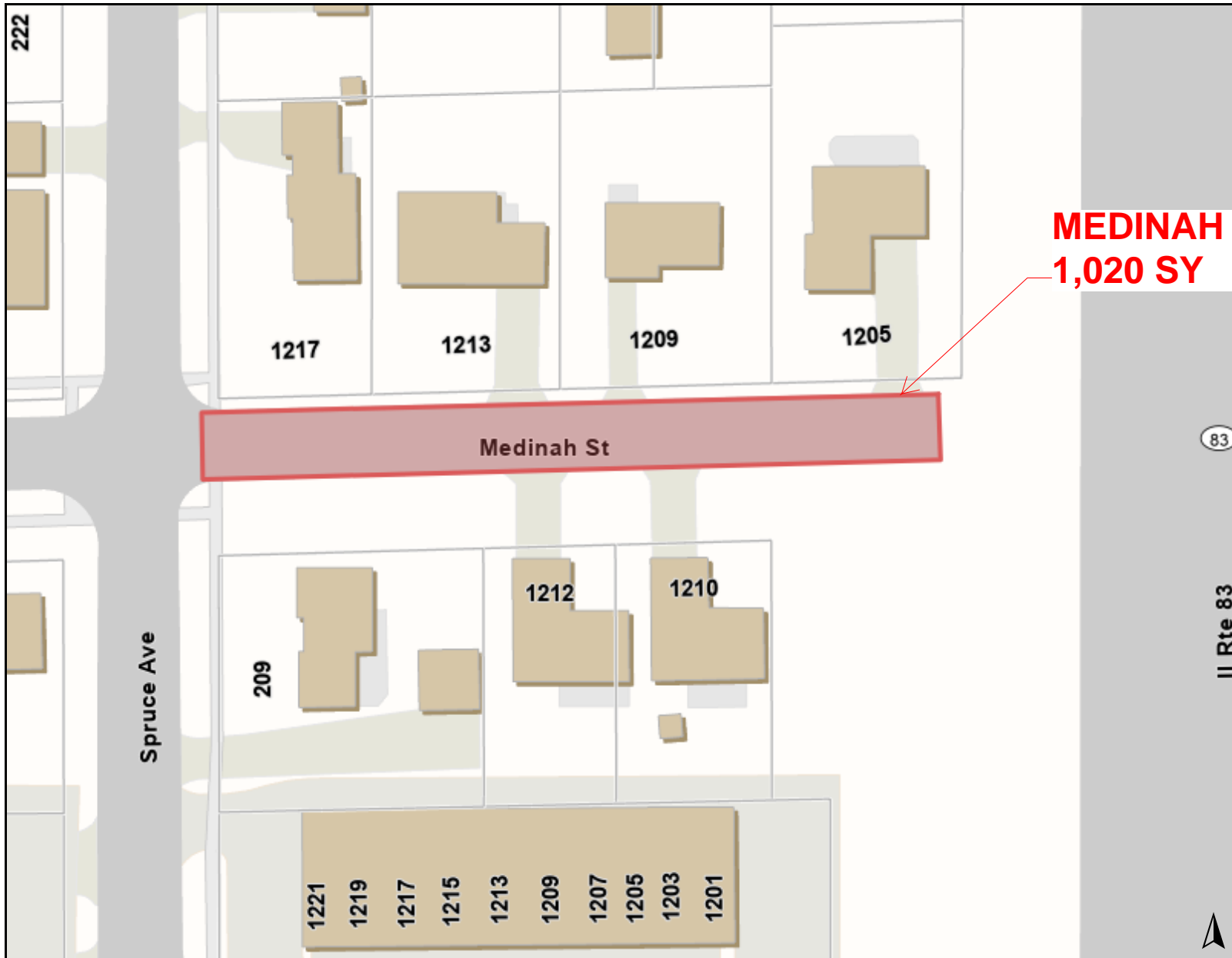


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Print Date: 3/12/2024

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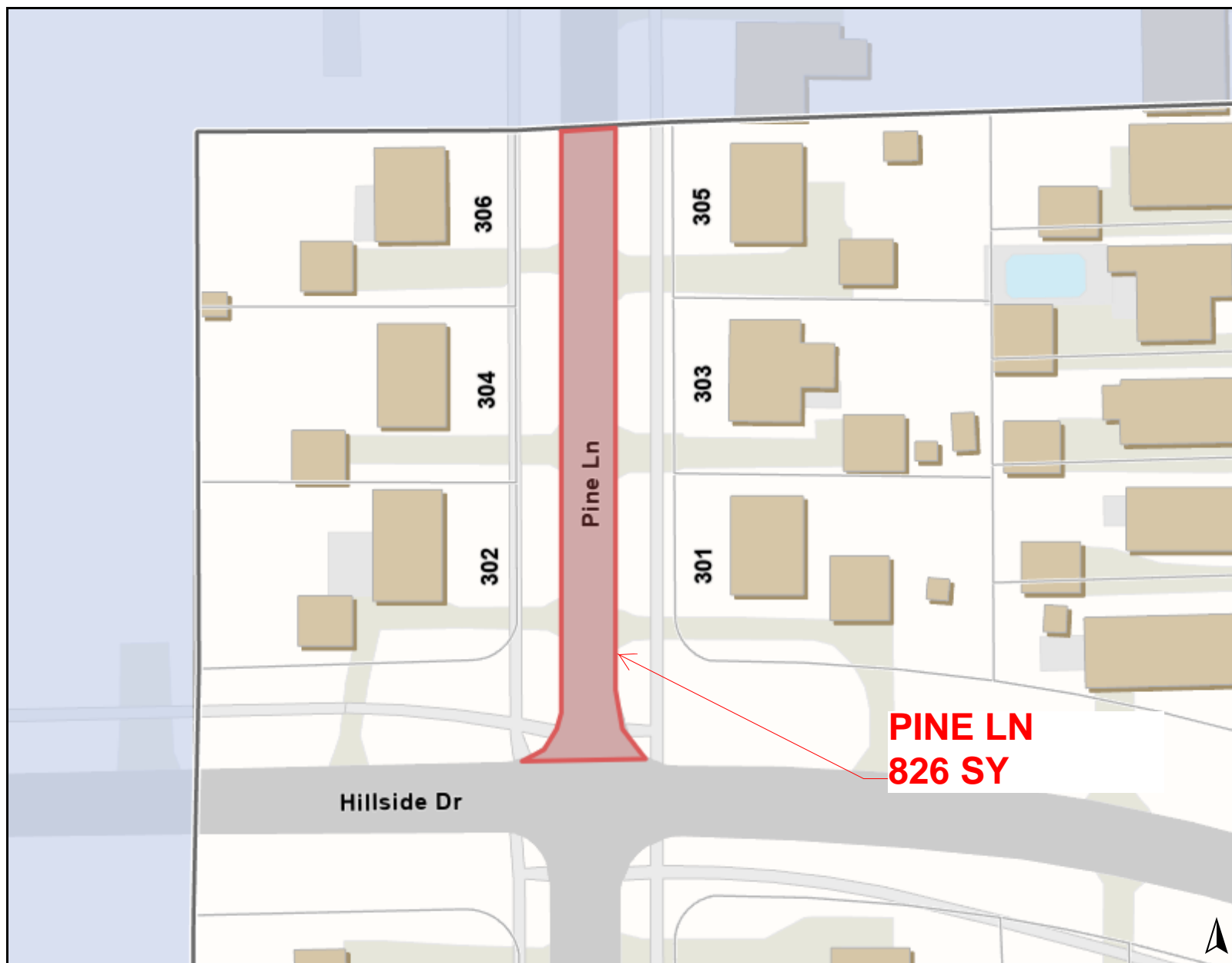
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Print Date: 3/12/2024

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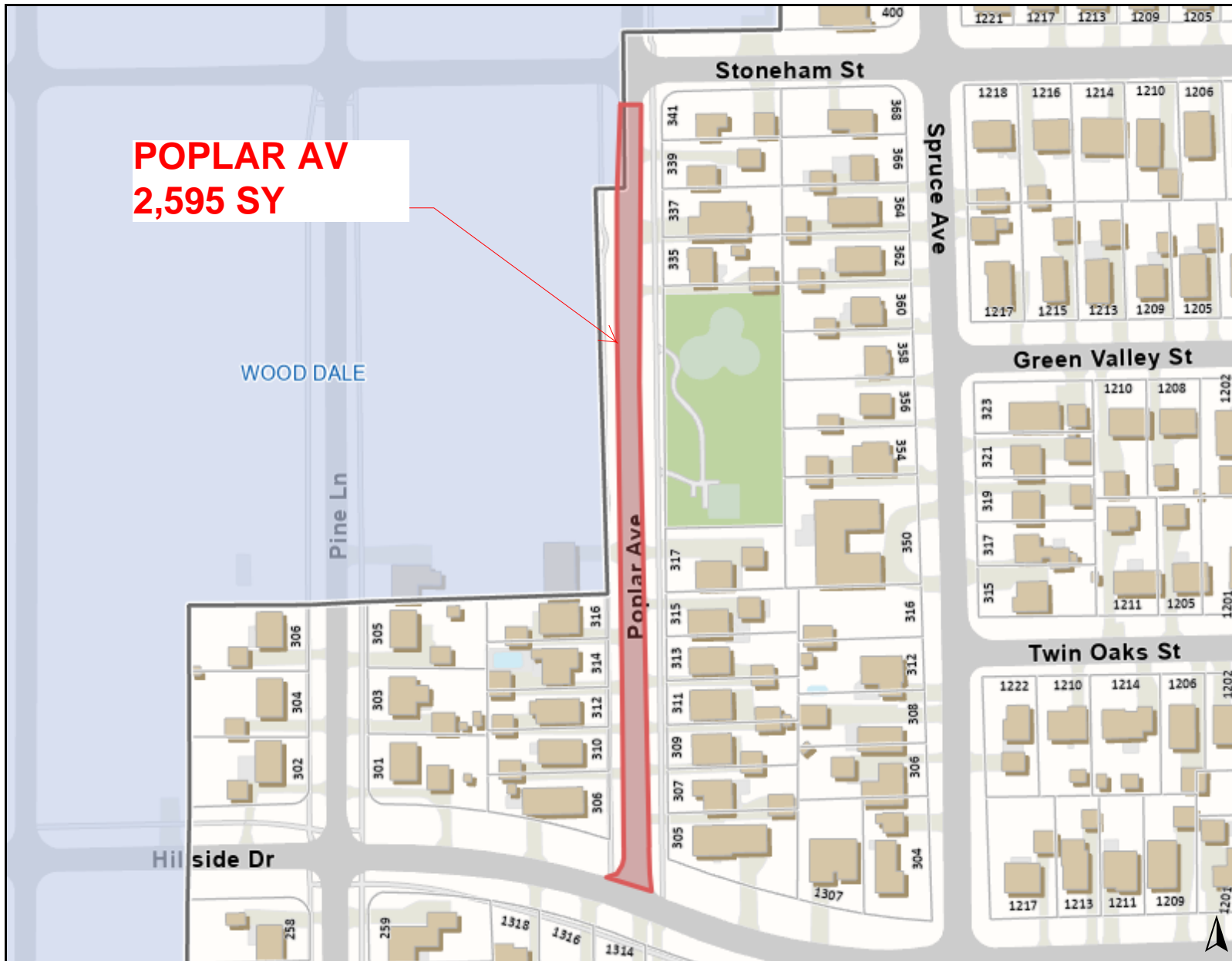
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Print Date: 3/12/2024

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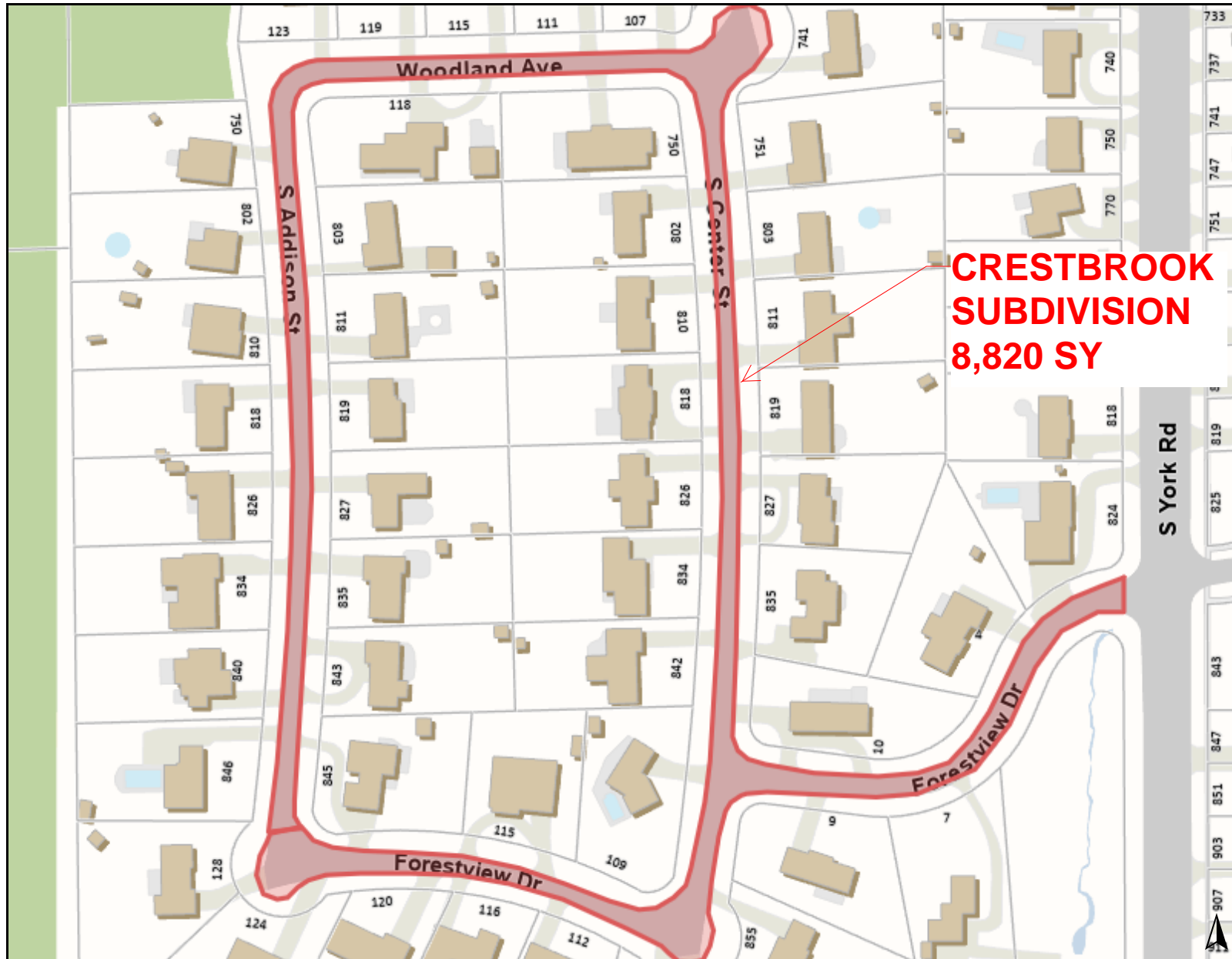
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Print Date: 3/12/2024

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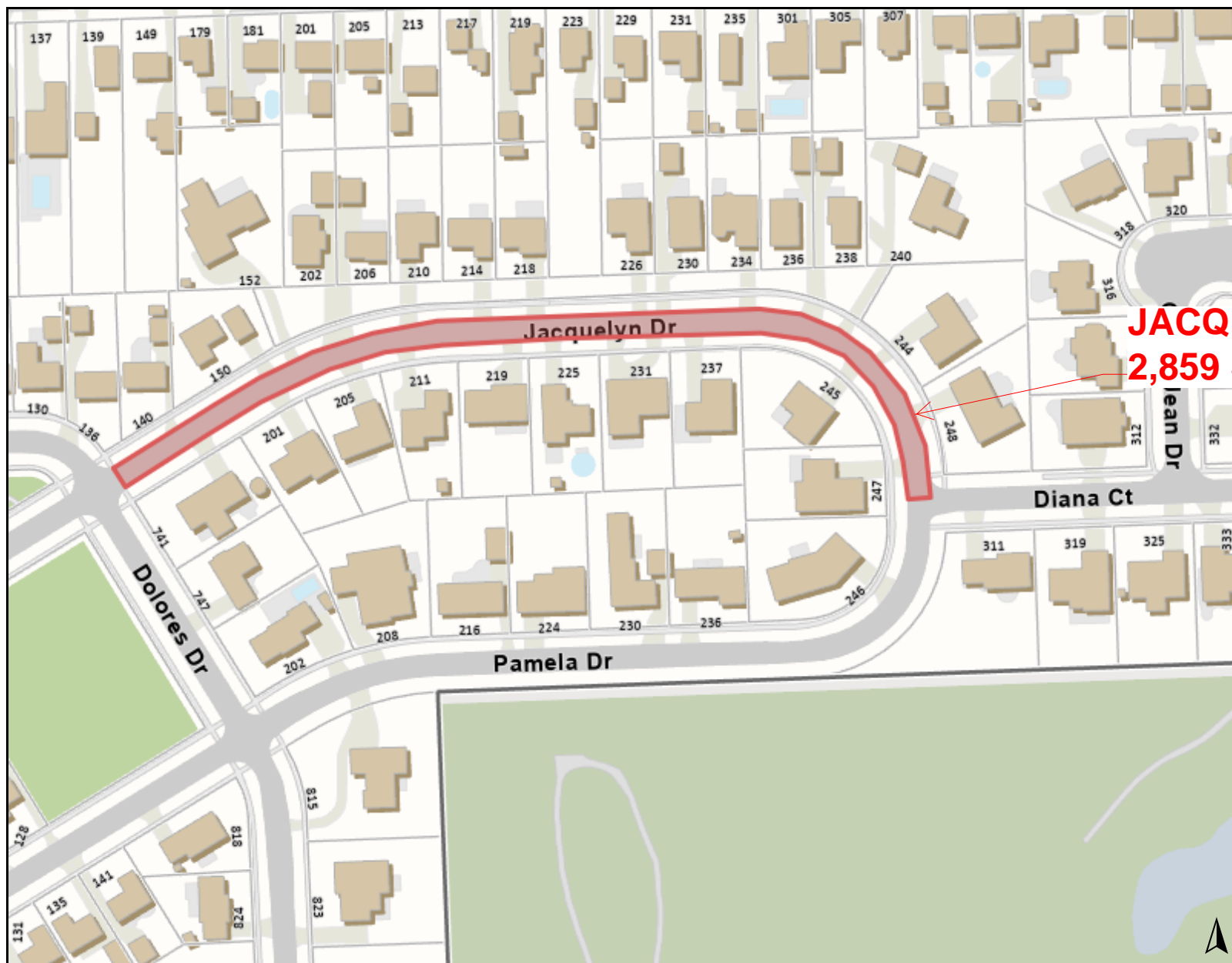
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Print Date: 3/12/2024

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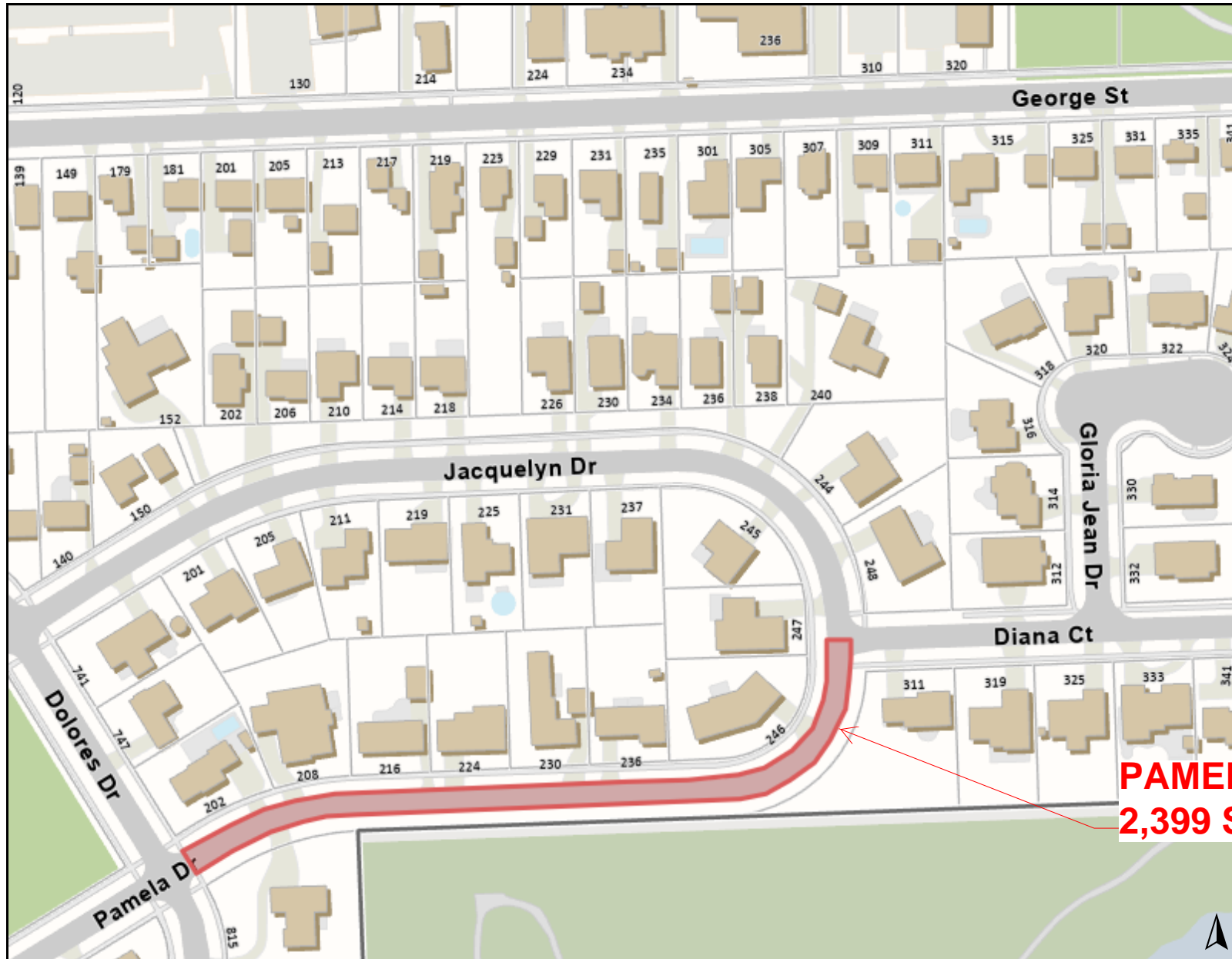
**Legend**

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Print Date: 3/12/2024

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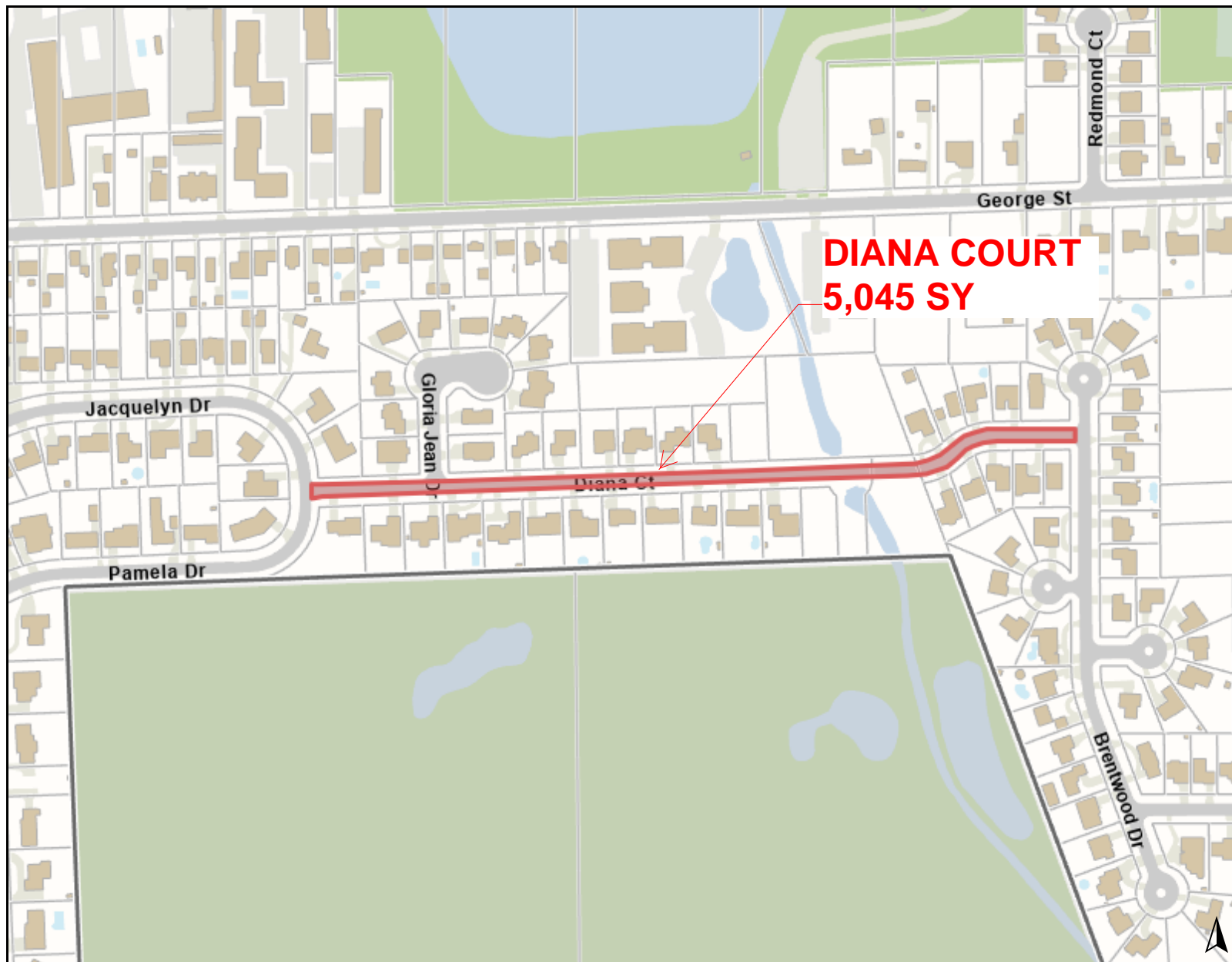
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Print Date: 3/12/2024

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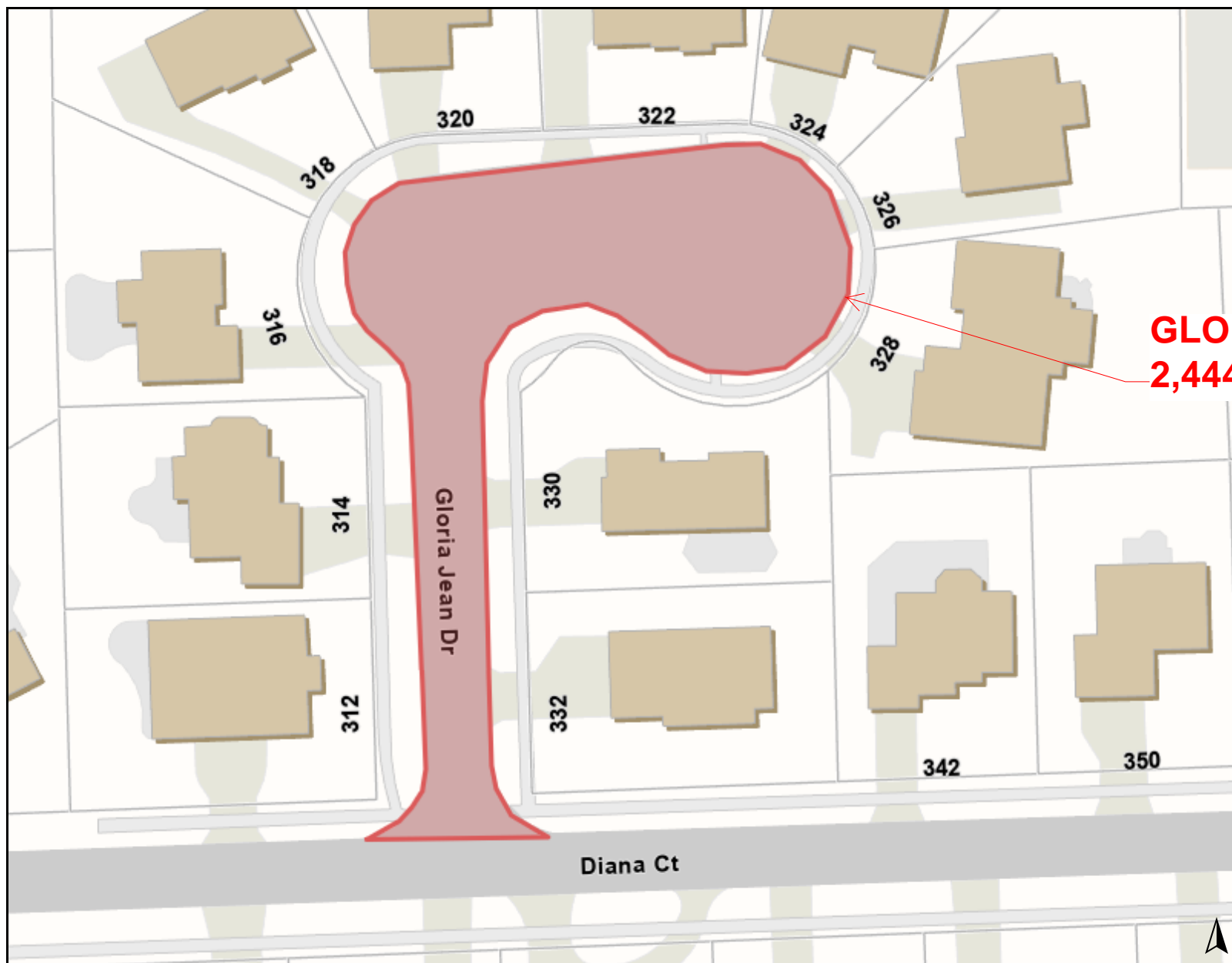
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ft

Print Date: 3/12/2024

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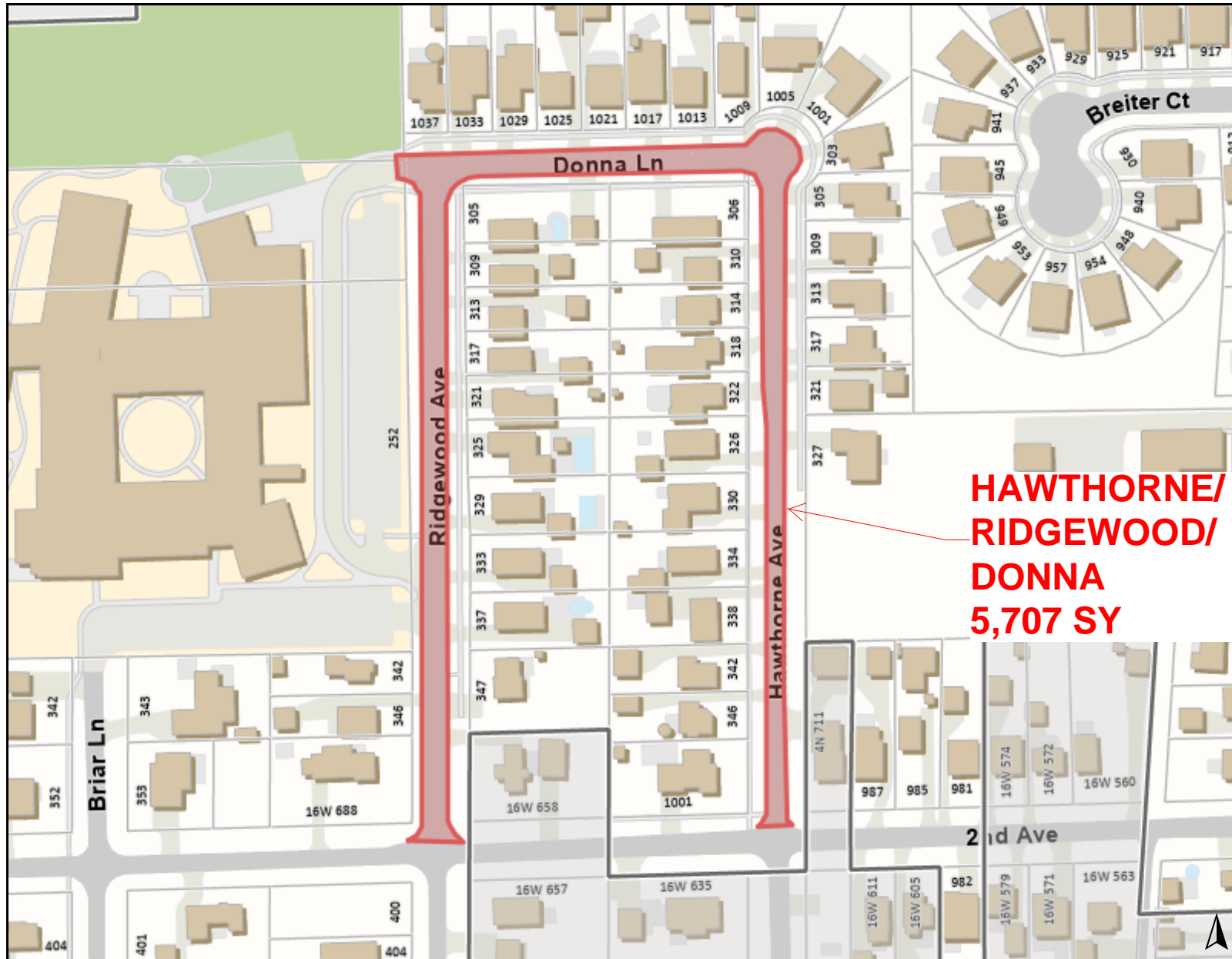
GLORIA JEAN DR
2,444 SY

0 100 200
ft

Print Date: 3/12/2024

Notes

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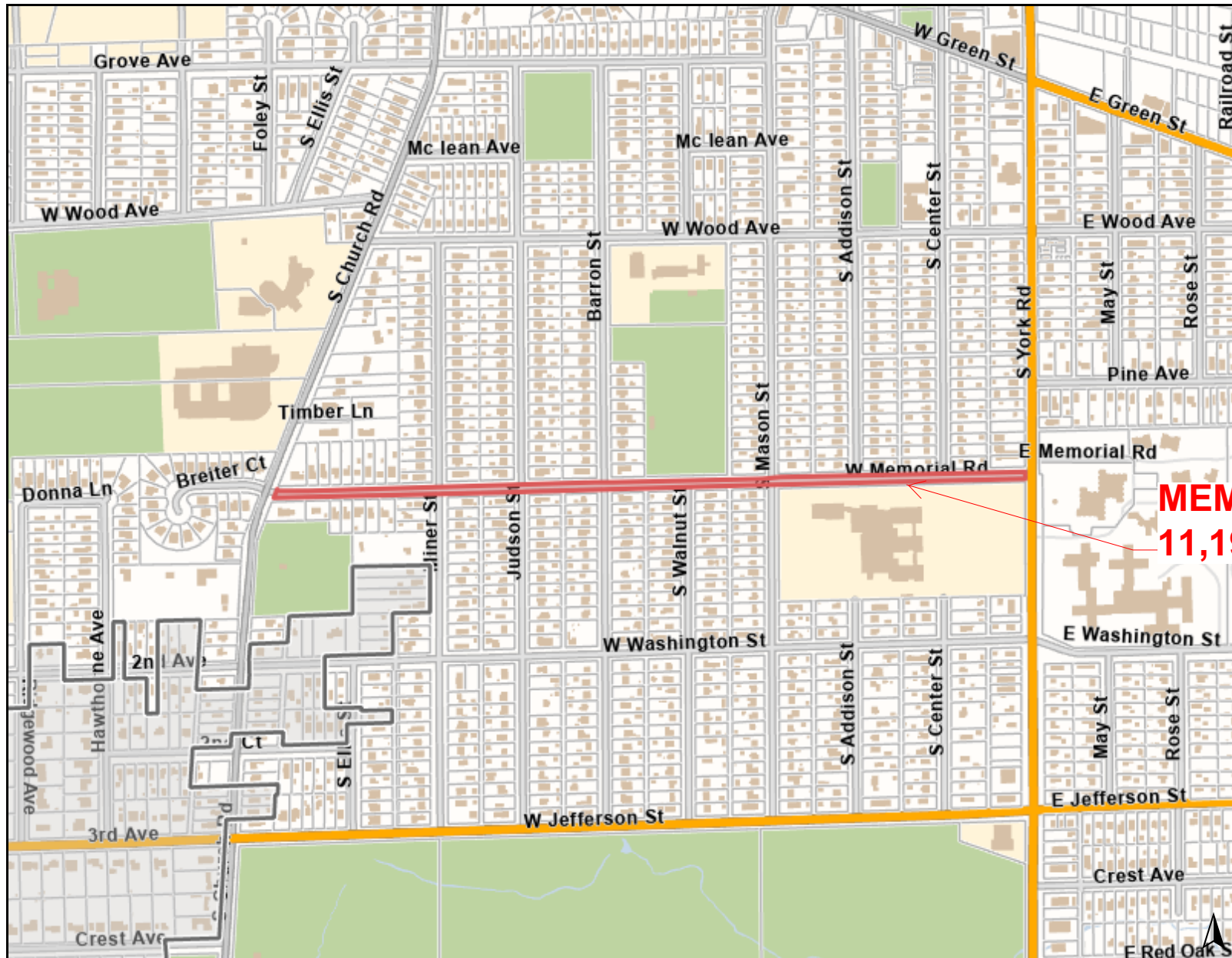
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Print Date: 3/13/2024

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**Legend**

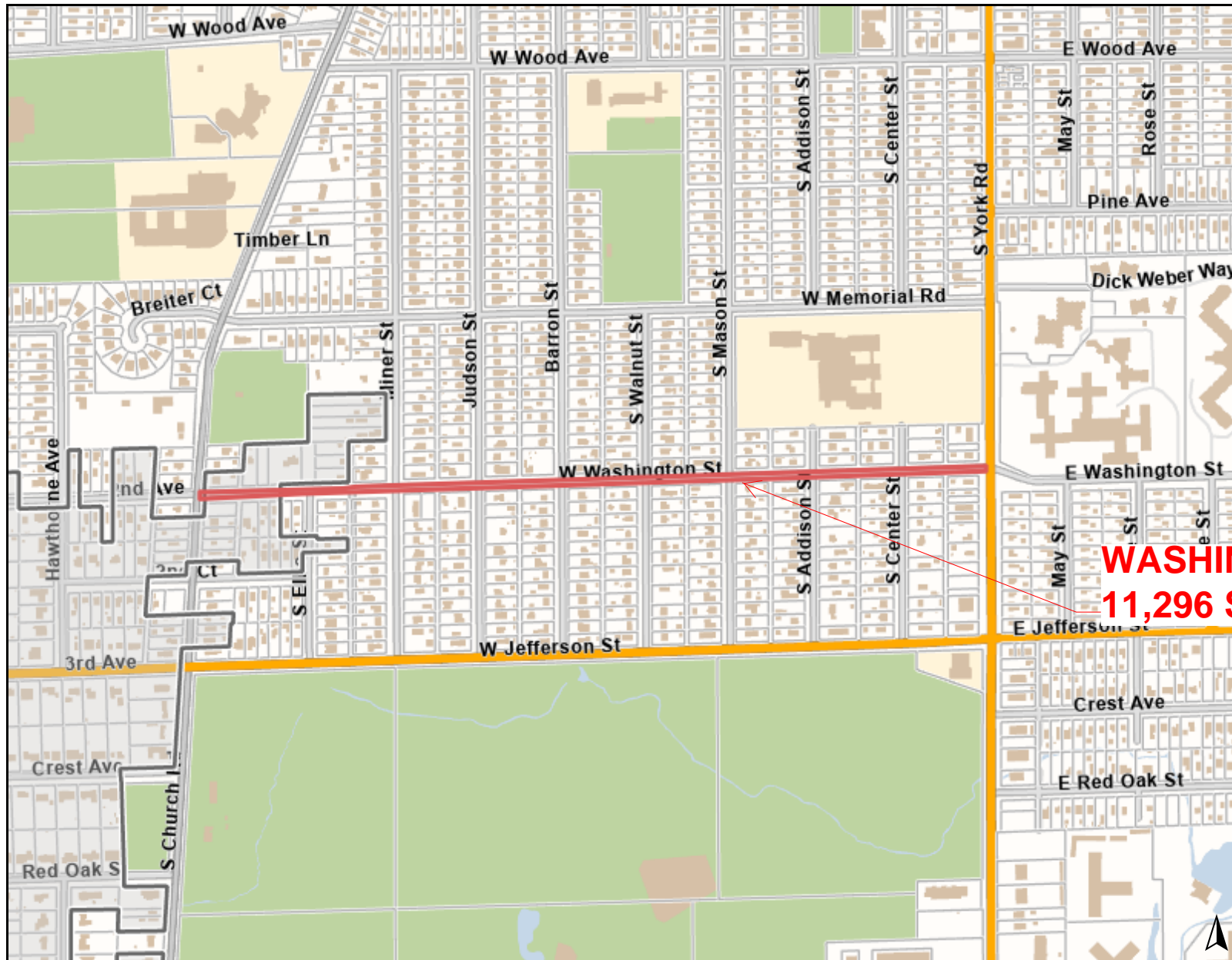
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11,196 SY

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Print Date: 3/13/2024

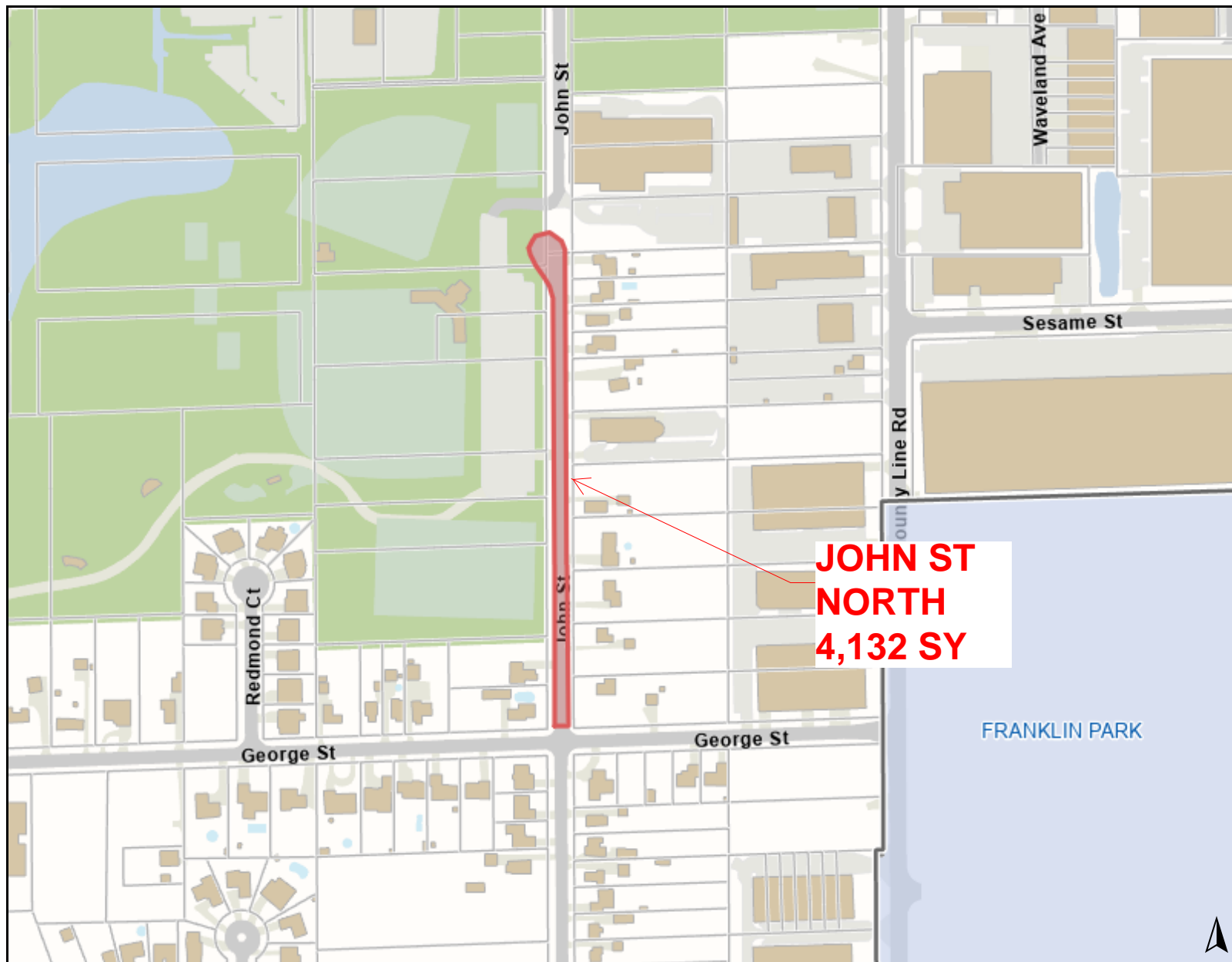
Notes

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**Legend**

WASHINGTON ST
11,296 SY

Notes



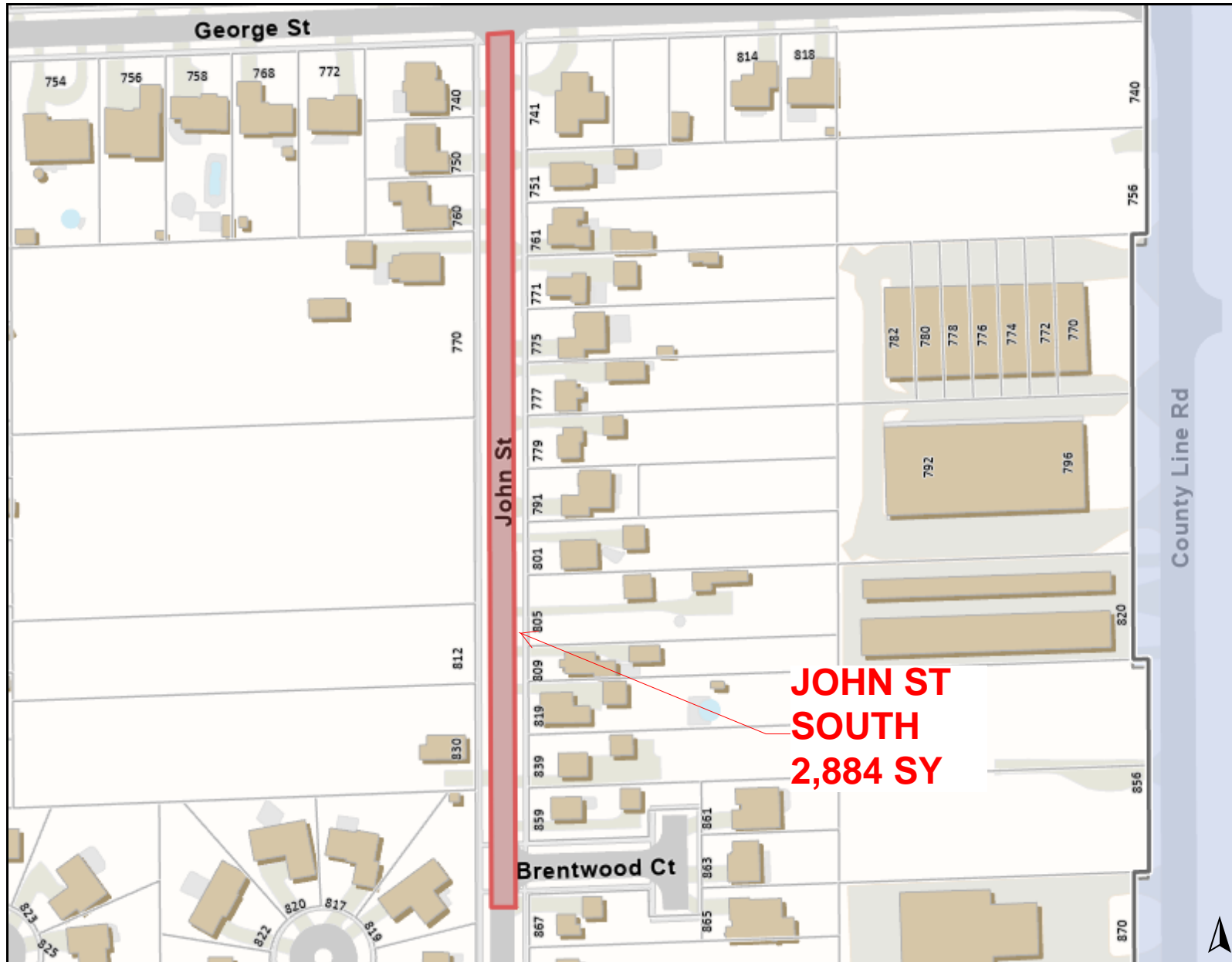
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Print Date: 4/5/2024

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**Legend**

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Print Date: 3/12/2024

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Village of Winnetka, Illinois

510 Green Bay Road
Winnetka, IL 60093

Phone: (847) 501-6000 Fax: (847) 446-1139
General Email: tsloth@winnetka.org

REQUEST FOR BIDS:	#024-006	BID ISSUE DATE: 2/08/2024
BID DESCRIPTION:	MPI JOINT BID: PAVEMENT REJUVENATION CONTRACT	
BID OPENING DATE:	2/28/2024	BID OPENING TIME: 10:00AM
SUBMIT 1 ORIGINAL BID PACKAGE PLUS 2 COPIES		

BID RESPONSES MUST BE RECEIVED AND TIME STAMPED NO LATER THAN THE PUBLIC BID OPENING DATE AND TIME (LOCAL TIME) SPECIFIED ABOVE. BIDS WILL BE OPENED AND READ ALOUD AT THAT TIME AT THE LOCATION INDICATED ON PAGE 2. LATE BIDS WILL NOT BE CONSIDERED.

TO ALL PROSPECTIVE BIDDERS:

You are hereby requested to submit your bid for the item(s) or service(s) to be furnished and delivered, shipped F.O.B. delivered, to the address specified herein.

The original bid package and the required number of copies must be received in a sealed envelope that has your name and address in the upper left corner and the bid number on the lower left corner.

All bids are subject to staff analysis. The Village of Winnetka reserves the right to accept or reject any and all bids received and waive any and all technicalities.

Bids must be delivered and time stamped, prior to the public bid opening date and time to:	VILLAGE OF WINNETKA FINANCE DEPARTMENT 510 GREEN BAY ROAD WINNETKA, ILLINOIS 60093
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Any communication regarding this request between the date of issue and date of award is required to go through the Bid Coordinator or the Buyer listed below (or, in the Buyers absence, the Assistant Finance Director).

Unauthorized contact with other Village of Winnetka staff or officers is strictly forbidden.

BUYER:	Tim Sloth	PHONE:	(847)716-3513
EMAIL:	tsloth@winnetka.org		

FULL NAME OF BIDDER	Corrective Asphalt Materials, LLC
BID CONTACT PERSON	Mike Sumrall
TELEPHONE NUMBER	618-254-3855 / Direct 630-465-4142

FACSIMILE AND/OR E-MAIL TRANSMITTED BIDS WILL NOT BE ACCEPTED

PLEASE NOTE: Our bid documents have changed; please review carefully.

VILLAGE OF WINNETKA, ILLINOIS

PROJECT INFORMATION

PROJECT NAME:	MPI JOINT BID: PAVEMENT REJUVENATION CONTRACT
USER DEPARTMENT:	PUBLIC WORKS

EVENT:	LOCATION:	DATE:	TIME:
Mandatory Pre-Bid Meeting	NONE	N/A	N/A
Deadline for Specification Inquiries	MUST BE SUBMITTED IN WRITING TO: TSLOTH@WINNETKA.ORG	2/22/2024	11:00am
Bidder's Response Due and Public Opening	WINNETKA VILLAGE HALL ATTN: DIRECTOR OF FINANCE 510 GREEN BAY ROAD WINNETKA, IL 60093	2/28/2024	10:00AM

Written questions regarding the substance of the bid or scope of services must be submitted via e-mail to tsloth@winnetka.org no later than the Pre-Bid Specification Inquiry Deadline indicated above.

**VILLAGE OF WINNETKA
REQUEST FOR BIDS
MPI JOINT BID: PAVEMENT REJUVENATION CONTRACT

BID PACKAGE**

1. Invitation for Bidder's Proposals
2. General Instructions to Bidders
3. Bidder's Proposal
4. Bidder's Sworn Acknowledgement
5. Bidder's Sworn Work History Statement

Attachment A: Specifications

**VILLAGE OF WINNETKA
REQUEST FOR BIDS
MPI JOINT BID: PAVEMENT REJUVENATION CONTRACT

BID PACKAGE**

INVITATION FOR BIDDER'S PROPOSALS

OWNER: Village of Winnetka
510 Green Bay Road
Winnetka, IL, 60093

1. Invitation to Bid

Owner invites sealed Bidder's Proposals for the Work described in detail in Attachment A and generally described as follows:

The Village of Winnetka, on behalf of the Municipal Partnering Initiative, is accepting bids relating to the application of pavement rejuvenation agents. This work shall consist of furnishing all labor, material and equipment necessary to perform all operations for the application of an Emulsified Maltene-Based Asphalt Rejuvenating Agent and CRF Maltene-Based Asphalt Restorative Seal to bituminous asphaltic concrete surface courses. The rejuvenation of surface courses shall be by spray application of a cationic Maltene-Based Rejuvenating Agent and Maltene-Based Restorative Seal composed of petroleum oils and resins emulsified with water. The base used for the emulsion shall be naphthenic. All work shall be pricing in accordance with this bid proposal. **Members of the MPI will enter into contracts individually with Contractors and member awards are not bound to one-another.**

The Work shall be performed at the following Work Sites:

To be determined in each member's Contract with the Contractor.

2. **The Bid Package**

The Bid Package consists of the following documents, all of which are by this reference made a part of this Invitation for Bidder's Proposals as though fully set forth herein:

- A. Invitation for Bidder's Proposals;
- B. General Instructions to Bidders;
- C. Addenda, if any are issued during the bidding process;
- D. Bidder's Proposal;
- E. Bidder's Sworn Acknowledgement;
- F. Bidder's Sworn Work History Statement;
- G. Other information submitted by Bidder, if requested during the bidding process;

4. **Inspection and Examination**

Bid Documents may be obtained as follows:

- 1. On-line: This document is available over the Internet at www.DemandStar.com, as well as from the contact listed in this document. Adobe Acrobat Reader is required to view electronic documents on-line. If you do not have Adobe Acrobat Reader, you may download it for free from Adobe at www.adobe.com/products/acrobat/readstep.html.

Businesses without Internet access may contact the Finance Director at (847)716-3513 or tsloth@winnetka.org for these documents.

Companies interested in doing business with the Village of Winnetka are able to register and maintain their registration via the Internet at www.DemandStar.com. Registration is not required but if you choose to register you will receive automatic initial notification from DemandStar of relevant opportunities with the Village of Winnetka.

The Village of Winnetka is not responsible for errors and omissions occurring in the transmission or downloading of any specifications from this website. In the event of any discrepancy between information on this website and the hard copy specifications, the terms of the hard copy specification will control.

On-line Provider Disclaimer. DemandStar.com has no affiliation with the Village of Winnetka other than as a service that facilitates communication between the Village and its vendors. DemandStar.com is an independent entity and is not an agent or representative of the Village. Communications to DemandStar.com do not constitute communications to the Village.

INVITATION

Each prospective Bidder shall, before submitting its Bidder's Proposal, carefully examine the Bid Package. Each prospective Bidder shall inspect in detail the Work Sites and the surrounding area and shall familiarize itself with all local conditions, including subsurface, underground and other concealed conditions, affecting the Contract, the Work and the Work Site. The Bidder whose Bidder's Proposal is accepted will be responsible for all errors in its Bidder's Proposal including those resulting from its failure or neglect to make a thorough examination and investigation of the Bid Package and the conditions of the Work Site and the surrounding area.

The specifications may include the Illinois Department of Transportation's General Conditions of the Contract, "State of Illinois Standard Specifications for Road and Bridge Construction" (SSRB); "Standard Specifications for Water and Sewer Main Construction in Illinois" (SSWS); "Illinois Manual on Uniform Traffic Control Devices for Streets and Highways" (MUTCD). The specifications also may include Owners' Village Code and Building Code. References to any of these manuals, codes, and specifications means the latest editions effective on the date of the bid opening.

5. Pre-Bid Meeting

None.

6. Bid Opening

The owner will receive sealed Bidder's Proposals for the Work by *10 o'clock, a.m., local time, February 28th, 2024, at the Village of Winnetka Finance Department, Village of Winnetka, 510 Green Bay Road, Winnetka, IL 60093*. Bid will be opened and read aloud on February 28, 2024, at 10:00 AM. Bidders or their agents are invited to be present.

7. Bid Security, Bonds and Insurance

A. Bid Security. Each Bidder's Proposal shall be accompanied by a security deposit of \$25,000 in the form of (1) a Cashier's Check or Certified Check drawn on a solvent bank insured by the Federal Deposit Insurance Corporation and payable without condition to Owner or (2) a Bid Bond in a form satisfactory to Owner from a surety company licensed to do business in the State of Illinois with a general rating of A minus and a financial size category of Class X or better in Best's Insurance Guide.

B. Performance and Payment Bonds. The successful Bidder will be required to furnish a Performance Bond and a Labor and Material Payment Bond on award of each individual Contract, each in the penal sum of the full amount of the Contract Price, on forms provided by, or otherwise acceptable to, Owner, from a surety company meeting the requirements set forth above. Each Bidder's Proposal must be accompanied by a letter from such a surety company stating that it will execute Bonds on forms provided by, or otherwise acceptable to, Owner, on award of the Contract to Bidder.

INVITATION

C. Insurance. The successful Bidder will be required to furnish certificates and policies of insurance as required by Section 4.2 of the Contract on award of the Contract. Each Bidder's Proposal must be accompanied by a letter from Bidder's insurance carrier or its agent certifying that said insurer has read the requirements set forth in the Contract and will issue the required certificates and policies of insurance on award of the Contract to Bidder.

DATED: February 8, 2024

VILLAGE OF WINNETKA

By: Tim Sloth
Name

Finance Director
Title

**VILLAGE OF WINNETKA
REQUEST FOR BIDS
MPI JOINT BID: PAVEMENT REJUVENATION CONTRACT**

BID PACKAGE

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**VILLAGE OF WINNETKA
REQUEST FOR BIDS
MPI JOINT BID: PAVEMENT REJUVENATION CONTRACT**

BID PACKAGE

GENERAL INSTRUCTIONS TO BIDDERS

1. Interpretation of Documents Included in Bid Package

A. Defined Terms. All terms capitalized in these General Instructions to Bidders and in the other documents included in the Bid Package are defined in the documents included in the Bid Package and shall have such defined meanings wherever used.

B. Implied Terms. If any personnel, equipment, materials, or supplies that are not directly or indirectly set forth in the Contract are nevertheless necessary to the proper provision, performance, and completion of the whole of the Work in accordance with the intent of the Contract, each prospective Bidder shall understand such personnel, equipment, materials, or supplies to be implied and shall provide for such personnel, equipment, materials, or supplies in its Bidder's Proposal as fully as if it were particularly described.

C. Information Provided by Owner. When information pertaining to subsurface, underground or other concealed conditions, soils analysis, borings, test pits, utility locations or conditions, buried structures, condition of existing structures, and other preliminary investigations is distributed with the Bid Package, or such information is otherwise made available to any prospective Bidder by Owner, such information is distributed or made available solely for the convenience of such prospective Bidder and is not part of the Bid Package. Owner assumes no responsibility whatever in respect to the sufficiency or accuracy of any such information, and there is no guaranty or warranty, either expressed or implied, that the conditions indicated are representative of those existing throughout the Work or the Work Site, or that the conditions indicated are representative of those existing at any particular location, or that unanticipated conditions may not be present.

D. Addenda. No interpretation of the documents included within the Bid Package will be made except by written addendum duly issued by Owner ("Addendum"). No interpretation not contained in an Addendum shall be valid or have any force or effect whatever, nor entitle any Bidder to assert any claim or demand against Owner on account thereof.

All Addenda issued prior to the opening of Bidder's Proposals shall become a part of the Bid Package. Each prospective Bidder shall be responsible for inquiring from time to time as to the availability of Addenda.

If any prospective Bidder is in doubt as to the true meaning of any part of the Bid Package, such prospective Bidder shall submit to Owner a written request for an interpretation thereof as far in advance of the scheduled opening of Bidder's Proposals as possible.

INSTRUCTIONS

Owner shall use its best efforts to issue Addenda in response to all valid, appropriate, and timely inquiries, but accepts no responsibility for doing so. Inquiries not answered by Addenda shall be considered invalid, inappropriate, or untimely inquiries.

2. Calculation of Unit Price Proposals

On all items for which Bidder's Proposals are to be received on a unit price basis, the approximate quantities stated in the Schedule of Prices are Owner's estimate only for Owner's convenience in comparing Bidder's Proposals and shall not be relied on by Prospective Bidders. Each prospective Bidder shall, before submitting its Bidder's Proposal, make its own estimate of the quantities of Unit Price Items required to complete the Work.

3. Prevailing Wages

In accordance with the Prevailing Wage Act, 820 ILCS 130/0.01 et seq., not less than the prevailing rate of wages for similar work in the locality in which the Work is to be performed shall be paid to all laborers. Specific provisions relating to the Prevailing Wage Act, and required of the Contractor, are included in the Contract. If the Illinois Department of Labor revises the prevailing rate of hourly wages to be paid, the revised rate shall apply to the Contract.

4. Taxes and Benefits

Owner is exempt from state and local sales, use, and excise taxes. Bidder's Price Proposal shall not include any such taxes. A letter of exemption will be provided to the successful Bidder, if necessary. Owner will not reimburse, nor assist the successful Bidder in obtaining reimbursement for, any state or local sales, use or excise taxes paid by the successful Bidder.

Bidder's Price Proposal shall include all other applicable federal, state, and local taxes of every kind or nature applicable to the Work as well as all taxes, contributions, and premiums for unemployment insurance, old age or retirement benefits, pensions, annuities or other similar benefits.

5. Permits and Licenses

Except as otherwise expressly provided in the Contracts awarded by the various MPI agencies, Bidder's Price Proposal shall include the cost of obtaining all permits, licenses, and other approvals and authorizations required by law for performance of the Work. It shall be the sole responsibility of each prospective Bidder to determine the applicable permits, licenses, and other approvals and authorizations and no extra compensation shall be paid by Owner for the successful Bidder's failure to include these costs in its Bidder's Proposal.

6. Preparation of Bidder's Proposal

Bidder's Proposals to enter into the Contract for the Work shall be made only on the blank Bidder's Proposal form furnished by Owner and included in the Bid Package. The Bidder's

INSTRUCTIONS

Proposal form included in the Bid Package shall be removed from the Bid Package prior to preparation for submission.

The Village typically provides an electronic spreadsheet for submitting schedules of prices. If the Village requests handwritten proposals, then entries on the those proposal form shall be entered or written legibly written in ink. In case of any conflict between words and numbers, words shall prevail. In case of any error in adding or multiplying individual items, the prices listed for individual items shall control over any incorrect total of such items. A Bidder's Proposal may be rejected if it does not contain a requested price for each and every item named in the Bidder's Proposal form or may be interpreted as bidding "no charge" to Owner for any item left blank.

Prospective Bidders are warned against making alterations of any kind to the Bidder's Proposal form or to any entry thereon. Bidder's Proposals that contain omissions, conditions, alterations, or additions not called for may be rejected or interpreted so as to be most favorable to Owner.

Each Bidder shall securely staple into its Bidder's Proposal a copy of each Addendum issued and shall include in the place provided therefor in the Bidder's Proposal form a listing of all such Addenda.

Each Bidder shall complete and securely staple into its Bidder's Proposal the Bidder's Sworn Acknowledgement and the Bidder's Sworn Work History Statement included in the Bid Package, and shall staple into its Bidder's Proposal the Bid Security and the surety and insurance commitment letters as specified in the Invitation for Bidder's Proposals.

Every Bidder submitting a Bidder's Proposal shall be conclusively deemed to have evidenced an intention to be bound thereby whether or not the requirements for signing Bidder's Proposals found in Section 7 of these General Instructions to Bidders are satisfied. However, any Bidder's Proposal that fails to comply with Section 7 of these General Instructions to Bidders may nevertheless be rejected.

Bidder's Proposals that are not submitted on the Bidder's Proposal form furnished by Owner or that are not prepared in accordance with these General Instructions to Bidders may be rejected. If a deficiently prepared Bidder's Proposal is not rejected, Owner may demand correction of any deficiency and award the Contract to Bidder on satisfactory compliance with these General Instructions to Bidders.

7. Signature Requirements

A. Bidder's Proposals. The following requirements shall be observed in the signing of each Bidder's Proposal:

- (1) Corporations. Each Bidder's Proposal submitted by a corporation shall be signed by the President or other authorized officer of the corporation and shall also bear the attesting signature of the Secretary or Assistant Secretary of the corporation.

INSTRUCTIONS

- (2) Partnerships. Each Bidder's Proposal submitted by a partnership shall be signed by all of its general partners or by an attorney-in-fact.
- (3) Individuals. Each Bidder's Proposal submitted by an individual shall be signed by such individual or by an attorney-in-fact.
- (4) Joint Ventures. Each Bidder's Proposal submitted by a joint venture shall be signed by each signatory of the joint venture agreement by which such joint venture was formed in accordance with the applicable provisions of (1), (2), and (3) above or by an attorney-in-fact.

When requested by Owner, satisfactory evidence of the authority of the person or persons signing on behalf of Bidder shall be furnished.

B. Other Documents. The signature requirements set forth in Subsection 7A shall apply to all other documents in the Bid Package required to be executed by Bidder, Bidder's sureties and Bidder's insurance representatives as well as to the Contract, the Contractor's Certification, and all other required documentation related to the Contract.

8. Bid Security

A. Required Bid Security. Every Bidder's Proposal shall be accompanied by bid security in the form of a Cashier's Check, Certified Check or Bid Bond as specified in the Invitation for Bidder's Proposals ("*Bid Security*"), which Bid Security shall stand as a guaranty that (1) Bidder will submit all additional information requested by Owner; (2) if such Bidder's Proposal is accepted, Bidder will timely file the Bonds and the certificates and policies of insurance required by the Contract; and (3) if such Bidder's Proposal is accepted, Bidder will timely execute the Contract, the Contractor's Certification, and all other required documentation related to the Contract.

B. Return of Bid Security. Bid Security submitted in the form of Cashier's Checks or Certified Checks will be returned within five days after execution of the Contract by Owner. Bid Bonds will not be returned unless otherwise requested by Bidder.

C. Liquidated Damages. If a Bidder fails to timely submit all additional information requested by Owner, or if the successful Bidder fails to timely and properly submit all required Bonds, certificates and policies of insurance, or if the successful Bidder fails to timely and properly execute the Contract, the Contractor's Certification, and all other required documentation related to the Contract, it will be difficult and impracticable to ascertain and determine the amount of damage that Owner will sustain by reason of any such failure. For such reason, every Bidder shall, by submitting its Bidder's Proposal, be deemed to agree that Owner shall have the right, at its option in the event of any such default, to retain or recover as reasonably estimated liquidated damages, and not as a penalty, the entire amount of the Bid Security or ten percent of the Bidder's Price Proposal, whichever is greater, or to exercise any and all equitable remedies it may have against the defaulting Bidder.

9. Submission of Bidder's Proposal

One original and two copies of each Bidder's Proposal, properly signed, together with all other required documents, shall be enclosed in a sealed envelope or package and shall be addressed and delivered to the place, before the time, and in the manner designated in the Invitation for Bidder's Proposals. All Bidder's Proposals received after the time for the opening of bids specified in the Invitation for Bidder's Proposals will be returned unopened.

Each sealed envelope or package containing a Bidder's Proposal shall be identified as such and shall be marked with the title of the Contract and Bidder's full legal name. All Addenda will be considered part of each Bidder's Proposal whether attached or not.

10. Withdrawal of Bidder's Proposal

Any Bidder's Proposal may be withdrawn at any time prior to the opening of any Bidder's Proposal, provided that a request in writing, executed by Bidder in the manner specified in Section 7 of these General Instructions to Bidders, for the withdrawal of such Bidder's Proposal is filed with Owner prior to the opening of any Bidder's Proposal. The withdrawal of a Bidder's Proposal prior to opening of any Bidder's Proposal will not prejudice the right of Bidder to file a new Bidder's Proposal.

No Bidder's Proposal shall be withdrawn without the consent of Owner for a period of 60 days after the opening of any Bidder's Proposal. Any Bidder's Proposal may be withdrawn at any time following the expiration of said 60 day period, provided that a request in writing, executed by Bidder in the manner specified in Section 7 of these General Instructions to Bidders, for the withdrawal of such Bidder's Proposal is filed with Owner after said 60 day period. If no such request is filed, the date for acceptance of such Bidder's Proposal shall be deemed to be extended until such a request is filed or until Owner executes a Contract pursuant to the Invitation for Bidder's Proposals or until Owner affirmatively and in writing rejects such Bidder's Proposal.

11. Qualification of Bidders

A. Factors. Owner intends to award the Contract only to a Bidder that furnishes satisfactory evidence that it has the requisite experience, ability, capital, facilities, plant, organization and staffing to enable it to perform the Work successfully and promptly and to complete the Work for the Contract Price and within the Contract Time.

B. Additional Information. Owner reserves the right to require from any Bidder, prior to award of the Contract, a detailed statement regarding the business and technical organizations and plant of Bidder that is available for the Work. Information pertaining to financial resources, experience of personnel, contract defaults, litigation history, and pending construction projects may also be requested.

C. Final Determination. The final selection of the successful Bidder shall be made on the basis of the amount of the Bidder's Price Proposals, Owner's prior experience with the Bidders,

INSTRUCTIONS

Owner's knowledge of the Bidders' performance on other relevant projects, any additional information submitted by Bidders to satisfy Owner that Bidders are adequately prepared to fulfill the Contract, and all other relevant facts or matters mentioned in the Bid Package or that Owner may legally consider in making its determination. **Members of the MPI will enter into contracts individually with Contractors and member awards are not bound to one-another.**

12. Disqualification of Bidders

A. More Than One Bidder's Proposal. No more than one Bidder's Proposal for the Work described in the Contract shall be considered from any single corporation, partnership, individual or joint venture, whether under the same or different names and whether or not in conjunction with any other corporation, partnership, individual or joint venture. Reasonable grounds for believing that any corporation, partnership, individual or joint venture is interested in more than one Bidder's Proposal for the Work may cause the rejection of all Bidder's Proposals in which such corporation, partnership, individual or joint venture is interested. Nothing contained in this Subsection 12A shall prohibit any single corporation, partnership, individual or joint venture, whether under the same or different names and whether or not in conjunction with any other corporation, partnership, individual or joint venture, from submitting a bid or quoting prices to more than one Bidder for equipment, materials and supplies or labor to be furnished as a subcontractor or supplier.

B. Collusion. If there are reasonable grounds for believing that collusion exists among any Bidders, all Bidder's Proposals of the participants in such collusion will not be considered.

C. Default. If a Bidder is or has been in default on a contract with Owner or in the payment of monies due Owner, its Bidder's Proposal will not be considered.

13. Award of Contract

A. Reservation of Rights. Owner reserves the right to accept the Bidder's Proposal that is, in its judgment, the best and most favorable to the interests of Owner and the public; to reject the low Price Proposal; to accept any item of any Bidder's Proposal; to reject any and all Bidder's Proposals; to accept and incorporate corrections, clarifications or modifications following the opening of the Bidder's Proposals when to do so would not, in Owner's opinion, prejudice the bidding process or create any improper advantage to any Bidder; and to waive irregularities and informalities in the bidding process or in any Bidder's Proposal submitted; provided, however, that the waiver of any prior defect or informality shall not be considered a waiver of any future or similar defects or informalities, and Bidders should not rely on, or anticipate, such waivers in submitting their Bidder's Proposals.

B. Firm Offers. All Bidder's Proposals are firm offers to enter into the Contract and no Bidder's Proposals shall be deemed rejected, notwithstanding acceptance of any other Bidder's Proposal, until the Contract has been executed by both Owner and the successful Bidder or until Owner affirmatively and in writing rejects such Bidder's Proposal.

INSTRUCTIONS

C. Time of Award. It is expected that the award of the Contract, if it is awarded, will be made within 45 days following the opening of the Bidder's Proposals. Should administrative difficulties be encountered after the opening of the Bidder's Proposals, including the annulment of any award, that may delay an award or subsequent award beyond such 45 day period, Owner may accept any Bidder's Proposal for which the date for acceptance has been extended as provided in Section 10 of these General Instructions to Bidders in order to avoid the need for re-advertisement. No Bidder shall be under any obligation to extend the date for acceptance of its Bidder's Proposal. Failure of one or more of the Bidders or their sureties to extend the date for acceptance of its Bidder's Proposal shall not prejudice the right of Owner to accept any Bidder's Proposal for which the date for acceptance has been extended. **Members of the MPI will enter into contracts individually with Contractors and member awards are not bound to one-another.**

14. Notice of Award; Effective Date of Award

If the Contract is awarded by Owner, such award shall be effective when a Notice of Award in the form included in the Bid Package has been delivered to the successful Bidder ("Effective Date of Award"). Owner will prepare two copies of the Contract based on Bidder's Proposal and will submit them to the successful Bidder with the Notice of Award. **Members of the MPI will enter into contracts individually with Contractors and member awards are not bound to one-another.**

15. Finalization of Contract

A. Finalization Date. Unless otherwise stated in the Notice of Award, the successful Bidder shall satisfactorily complete all conditions precedent to signing the Contract before the 10th day after the Effective Date of Award or within such extended period as Owner may, in the exercise of its sole discretion, authorize in writing after issuance of the Notice of Award ("*Finalization Date*").

B. Conditions Precedent to Finalization. On or before the Finalization Date, the successful Bidder shall: (1) sign (see Section 7), date as of the Finalization Date, and submit to Owner both copies of the Contract, the Contractor's Certification, and all other required documentation related to the Contract on or before the Finalization Date; and (2) submit two executed copies of all required Bonds dated as of the Finalization Date and all certificates and policies of insurance.

Failure to timely execute or submit any of the aforesaid documents shall be grounds for the imposition of liquidated damages as more specifically set forth in Section 8 above. If the submitted documents or any of them fail to comply with these General Instructions to Bidders or the Contract or are not timely executed and submitted, Owner may, in its sole discretion, annul the award or allow the successful Bidder an opportunity to correct the deficiencies.

In no event will Owner execute the Contract until any and all such deficiencies have been cured or Owner has received adequate assurances, as determined by Owner, of complete and prompt performance.

INSTRUCTIONS

C. Finalization. On the Finalization Date, and provided that all documents required to be submitted prior to or on the Finalization Date have been reviewed and determined by Owner to be in compliance with these General Instructions to Bidders and the Contract, or assurances of complete and prompt performance satisfactory to Owner have been received, Owner shall execute all copies of the Contract and tender one copy to the successful Bidder at the Finalization. The successful Bidder shall tender a copy to its surety company or companies.

16. Failure to Execute

A. Annulment of Award; Liquidated Damages. The failure or refusal of a successful Bidder to comply with the conditions precedent to finalization or to properly finalize and execute the Contract shall be just cause for the annulment of the award and the imposition of liquidated damages or the exercise of equitable remedies, both as more specifically set forth in Section 8 above.

B. Subsequent Awards. On annulment of an award, Owner may accept, and award a Contract based on, any other Bidder's Proposal as Owner, in its sole judgment, deems to be the best or may invite new Proposals or may abandon the bidding process or the Work.

17. Proprietary Information

Under the Illinois Freedom of Information Act, all records in the possession of the Village are presumed to be open to inspection or copying, unless a specific exception applies. 5 ILCS 140/1.2. One exemption is "[t]rade secrets and commercial or financial information obtained from a person or business where the trade secrets or commercial or financial information are furnished under a claim that they are proprietary, privileged or confidential, and that disclosure of the trade secrets or commercial or financial information would cause competitive harm to the person or business, and only insofar as the claim directly applies to the records requested." 5 ILCS 140/7(1)(g). The Village will assume that all information provided to us in a bid or proposal is open to inspection or copying by the public unless clearly marked with the appropriate exception that applies under the Freedom of Information Act. Additionally, if providing documents that you believe fall under an exception to the Freedom of Information Act, please submit both an unredacted copy along with a redacted copy which has all portions redacted that you deem to fall under a Freedom of Information Act exception. The Village FOIA Officer is the final authority on judging proposed document redactions.

**VILLAGE OF WINNETKA
REQUEST FOR BIDS
MPI JOINT BID: PAVEMENT REJUVENATION CONTRACT
BID PACKAGE**

BIDDER'S PROPOSAL

Full Name of Bidder Corrective Asphalt Materials, LLC ("Bidder")
Principal Office Address 300 Daniel Boone Trail, South Roxana, IL 62087
Local Office Address 43W630 Wheeler Road, Sugar Grove, IL 60554
Contact Person Mike Sumrall Telephone 618-254-3855 / direct 630-465-4142
TO: Village of Winnetka ("Owner")
510 Green Bay Road
Winnetka, IL 60093
Attention: Village Clerk

Bidder warrants and represents that Bidder has carefully examined the Work Site described below and its environs and has reviewed and understood all documents included, referred to, or mentioned in this bound set of documents, including Addenda Nos. _____, which are securely stapled to the end of this Bidder's Proposal [if none, write "NONE"] ("Bid Package").

Bidder acknowledges and agrees that all terms capitalized in this Bidder's Proposal shall have the meaning given to them in the documents included in the Bid Package.

1. Work Proposal

A. Contract and Work. If this Bidder's Proposal is accepted, Bidder proposes, and agrees, that Bidder will contract with Owner, in the form of the Contract included in the Bid Package: (1) to provide, perform and complete at the site or sites described in the Bid Package ("Work Site") and in the manner described and specified in the Bid Package all necessary work, labor, services, transportation, equipment, materials, apparatus, machinery, tools, fuels, gas, electric, water, waste disposal, information, data and other means and items for utility line clearance. (2) to procure and furnish all permits, licenses and other governmental approvals and authorizations necessary in connection therewith except as otherwise expressly provided in Attachment A to the Contract included in the Bid Package; (3) to procure and furnish all Bonds and all certificates and policies of insurance specified in the Bid Package; (4) to pay all applicable federal, state and local taxes; (5) to do all other things required of Contractor by the Contract; and (6) to provide, perform and complete all of the foregoing in a proper and workmanlike manner and

PROPOSAL

in full compliance with, and as required by or pursuant to, the Contract; all of which is herein referred to as the "Work."

B. Manner and Time of Performance. If this Bidder's Proposal is accepted, Bidder proposes, and agrees, that Bidder will perform the Work in the manner and time prescribed in the Bid Package and according to the requirements of Owner pursuant thereto.

C. General. If this Bidder's Proposal is accepted, Bidder proposes, and agrees, that Bidder will do all other things required of Bidder or Contractor, as the case may be, by the Bid Package.

2. Contract Price Proposal

If this Bidder's Proposal is accepted, Bidder will, except as otherwise provided in Section 2.1 of the Contract, take in full payment for all Work and other matters set forth under Section 1 above, including overhead and profit; taxes, contributions, and premiums; and compensation to all subcontractors and suppliers, the compensation set forth on the following "Schedule of Prices" ("Price Proposal"), which Schedule of Prices Bidder understands and agrees will be made a part of the Contract:

SCHEDULE OF PRICES

A. BASIS FOR DETERMINING PRICES

It is expressly understood and agreed that:

1. Owner is not subject to state or local sales, use and excise taxes and no such taxes are included in this Schedule of Prices;
2. All other applicable federal, state, and local taxes of every kind and nature applicable to the Work as well as all taxes, contributions, and premiums for unemployment insurance, old age or retirement benefits, pensions, annuities, or other similar benefits are included in this Schedule of Prices; and
3. All costs, royalties, and fees arising from the use on, or the incorporation into, the Work of patented equipment, materials, supplies, tools, appliances, devices, processes, or inventions are included in this Schedule of Prices.

All claim or right to claim any additional compensation by reason of the payment of any such tax, contribution, or premium or any such cost, royalty or fee is hereby waived and released.

Option 1: Reclamite Turn Key Application - Contractor handles all responsibilities below:

1. Furnish and apply Reclamite
2. Furnish and apply lime screenings
3. All Traffic control and signs related to project
4. Handle any complaints or issues that may arise from application
5. Resident notification
6. Pre-street sweeping, if field conditions require
7. Post street sweeping/material disposal

Amount (Square Yards)	Price/SY Year 1	Price/SY Year 2	Price/SY Year 3
Less than or equal to 14,999 SY	\$1.34	\$1.39	\$1.45
15,000 SY – 29,999 SY	\$1.26	\$1.31	\$1.36
30,000 SY – 99,999 SY	\$1.20	\$1.25	\$1.30
Greater than or equal to 100,000 SY	\$1.14	\$1.19	\$1.24

Option 2: Reclamite CONTRACTOR Handles items 1,2,3,4 & Agency handles items 5,6,7

Amount (Square Yards)	Price/SY Year 1	Price/SY Year 2	Price/SY Year 3
Less than or equal to 14,999 SY	\$1.24	\$1.29	\$1.34
15,000 SY – 29,999 SY	\$1.18	\$1.23	\$1.28
30,000 SY – 99,999 SY	\$1.14	\$1.19	\$1.23
Greater than or equal to 100,000 SY	\$1.08	\$1.12	\$1.17

Option 3: CRF Turn Key Application - Contractor handles all responsibilities below:

1. Furnish and apply CRF
2. Furnish and apply lime screenings
3. All Traffic control and signs related to project
4. Handle any complaints or issues that may arise from application
5. Resident notification
6. Pre-street sweeping, if field conditions require
7. Post street sweeping/material disposal

Amount (Square Yards)	Price/SY Year 1	Price/SY Year 2	Price/SY Year 3
Less than or equal to 14,999 SY	\$1.82	\$1.89	\$1.97
15,000 SY – 29,999 SY	\$1.70	\$1.77	\$1.84
30,000 SY – 99,999 SY	\$1.64	\$1.71	\$1.77
Greater than or equal to 100,000 SY	\$1.59	\$1.65	\$1.72

Option 2: CRF CONTRACTOR Handles items 1,2,3,4 & Agency handles items 5,6,7

Amount (Square Yards)	Price/SY Year 1	Price/SY Year 2	Price/SY Year 3
Less than or equal to 14,999 SY	\$1.66	\$1.73	\$1.80
15,000 SY – 29,999 SY	\$1.56	\$1.62	\$1.69
30,000 SY – 99,999 SY	\$1.52	\$1.58	\$1.64
Greater than or equal to 100,000 SY	\$1.47	\$1.53	\$1.59

3. Contract Time Proposal

If this Bidder's Proposal is accepted, Bidder will commence the Work not later than the "Commencement Date" set forth in each member's Contract.

4. Firm Proposal

All prices and other terms stated in this Bidder's Proposal are firm and shall not be subject to withdrawal, escalation, or change for a period of 60 days after the date on which any Bidder's Proposal is opened or such extended acceptance date for Bidder's Proposals as may be established pursuant to Sections 10 and 13 of the General Instructions to Bidders.

5. Bidder Representations

A. No Collusion. Bidder warrants and represents that the only persons, firms, or corporations interested in this Bidder's Proposal as principals are those named in Bidder's Sworn Acknowledgment attached hereto and that this Bidder's Proposal is made without collusion with any other person, firm or corporation.

B. Not Barred. Bidder warrants, represents and certifies that it is not barred by law from contracting with Owner or with any unit of state or local government.

C. Qualified. Bidder warrants and represents that it has met and will meet all required standards set forth in Owner's Responsible Bidder Ordinance M-66-11 and that Bidder has the requisite experience, ability, capital, facilities, plant, organization and staff to enable Bidder to perform the Work successfully and promptly and to commence and complete the Work within the Contract Price and Contract Time Proposals set forth above. In support thereof, Bidder submits the attached Sworn Work History Statement. In the event Bidder is preliminarily deemed to be one of the most favorable to the interests of Owner, Bidder hereby agrees to furnish on request, within two business days or such longer period as may be set forth in the request, such additional information as may be necessary to satisfy Owner that Bidder is adequately prepared to fulfill the Contract.

D. Owner's Reliance. Bidder acknowledges that Owner is relying on all warranties, representations and statements made by Bidder in this Bidder's Proposal.

6. Surety and Insurance

Bidder herewith tenders surety and insurance commitment letters as specified in Section 6 of the Invitation for Bidder's Proposals.

7. Bid Security

Bidder herewith tenders a Cashier's Check, Certified Check, or Bid Bond as specified in Section 6 of the Invitation for Bidder's Proposals for \$25,000 ("*Bid Security*").

8. Owner's Remedies

Bidder acknowledges and agrees that should Bidder fail to timely submit all additional information that is requested of it; or should Bidder, if Owner awards Bidder the Contract, fail to timely submit all the Bonds and all the certificates and policies of insurance required of it; or should Bidder, if Owner awards Bidder the Contract, fail to timely execute the Contract, Contractor's Certification and all other required documentation related to the Contract, it will be difficult and impracticable to ascertain and determine the amount of damage that Owner will sustain by reason of any such failure and, for such reason, Owner shall have the right, at its option in the event of any such default by Bidder, to retain or recover as reasonably estimated liquidated damages, and not as a penalty, the entire amount of the Bid Security or five percent of Bidder's Price Proposal, whichever is greater, or to exercise any and all equitable remedies it may have against Bidder.

9. Owner's Rights

Bidder acknowledges and agrees that Owner reserves the right to reject any and all Bidder's Proposals, reserves the right to accept or reject any item of any Bidder's Proposal and reserves such other rights as are set forth in Section 13 of the General Instructions to Bidders.

10. Bidder's Obligations

In submitting this Bidder's Proposal, Bidder understands and agrees that it shall be bound by each and every term, condition or provision contained in the Bid Package, which are by this reference incorporated herein and made a part hereof.

11. Terms of the Contract

The prices will be in effect for a minimum of thirty-six (36) months. Upon mutual agreement, each community may extend the contract at any time, (automatically renewed annually) but may be canceled by either party at any time by giving sixty (60) days written notice sent by registered mail, prior to date of termination.

DATED: 2-26, 2024.

Bidder

By: 

Title: Member

Attest

By: 

Title: Operations Coordinator

**SEE GENERAL INSTRUCTIONS TO BIDDERS, SECTION 7,
FOR SIGNATURE REQUIREMENTS**

**VILLAGE OF WINNETKA
REQUEST FOR BIDS
MPI JOINT BID: PAVEMENT REJUVENATION CONTRACT

BID PACKAGE**

BIDDER'S SWORN ACKNOWLEDGEMENT

Corrective Asphalt Materials, LLC ("Deponent"), being first duly sworn on oath, deposes and states that the undersigned Bidder is organized as indicated below and that all statements herein made are made on behalf of such Bidder in support of its Bidder's Proposal for the above Contract and that Deponent is authorized to make them.

Deponent also deposes and states that Bidder has carefully prepared, reviewed and checked its Bidder's Proposal and that the statements contained in its Bidder's Proposal and in this Acknowledgement are true and correct.

COMPLETE APPLICABLE SECTION ONLY

1. Corporation

Bidder is a corporation that is organized and existing under the laws of the State of _____, that is qualified to do business in the State of Illinois, and that is operating under the legal name of _____.

The officers of the corporation are as follows:

<u>TITLE</u>	<u>NAME</u>	<u>ADDRESS</u>
President	_____	_____
Vice President	_____	_____
Secretary	_____	_____
Treasurer	_____	_____

2. Partnership

Bidder is a partnership that is organized, existing and registered under the laws of the State of Illinois pursuant to that certain Partnership Agreement dated as of 01/01/2018, that is qualified to do business in the State of Illinois, and that is operating under the legal name of Corrective Asphalt Materials, LLC

ACKNOWLEDGEMENT

The general partners of the partnership are as follows:

NAMEADDRESS

Anthony J. Witte, Jr.

300 Daniel Boone Trail, South Roxana, IL 62087

Marc Taillon

300 Daniel Boone Trail, South Roxana, IL 62087

3. Individual

Bidder is an individual as follows:

Full name:

Residence address:

Business address:

If operating under a trade or assumed name that name is:

4. Joint Venture

Bidder is a joint venture that is organized and existing under the laws of the State of _____ pursuant to that certain Joint Venture Agreement dated as of _____, that is qualified to do business in the State of Illinois, and that is operating under the legal name of _____

The signatories to the aforesaid Joint Venture Agreement are as follows:

NAME (and ENTITY TYPE)

ADDRESS

_____ ()

_____ ()

_____ ()

ACKNOWLEDGEMENT

[For each signatory, indicate type of entity (Corporation = "C"; Partnership = "P"; and Individual = "I") and provide, on separate sheets, the information required in Paragraph 1, 2, or 3 above, as applicable]

DATED: 2-26, 2024.

Bidder

Attest

By: [Signature]

By: [Signature]

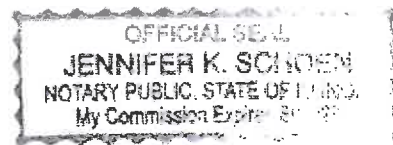
Title: Member

Title: Operations Coordinator

Subscribed and Sworn to before me on 2-26th, 2024.

[Signature]
Notary Public

My commission expires: 8-15, 2026



**SEE GENERAL INSTRUCTIONS TO BIDDERS, SECTION 7,
FOR SIGNATURE REQUIREMENTS**

**VILLAGE OF WINNETKA
REQUEST FOR BIDS
MPI JOINT BID: PAVEMENT REJUVENATION CONTRACT**

BID PACKAGE

BIDDER'S SWORN WORK HISTORY STATEMENT

Marc Taillon ("Deponent"), being first duly sworn on oath, deposes and states that all statements made in this Sworn Work History Statement are made on behalf of the undersigned Bidder in support of its Bidder's Proposal for the above Contract and that Deponent is authorized to make them.

Deponent also deposes and states that Bidder has carefully prepared, reviewed and checked this Sworn Work History Statement and that the statements contained in this Sworn Work History Statement are true and correct.

IF NECESSARY FOR FULL DISCLOSURE, ADD SEPARATE SHEETS

**JOINT VENTURES MUST SUBMIT SEPARATE
SWORN WORK HISTORY STATEMENTS FOR THE JOINT VENTURE
AND FOR EACH SIGNATORY TO THE JOINT VENTURE AGREEMENT**

1. Nature of Business

State the nature of Bidder's business: Manufacture and apply asphalt
maintenance products

2. Composition of Work

During the past three years, Bidder's work has consisted of:

<u>0.00</u> % Federal	<u>93.1</u> % As Contractor	<u>80</u> % Bidder's Forces
<u>98.2</u> % Other Public	<u>6.9</u> % As Subcontractor	<u>10</u> % Subcontractors
<u>1.8</u> % Private		<u>10</u> % Materials

3. Years in Business

State the number of years that Bidder, under its current name and organization, has been continuously engaged in the aforesaid business: 20 years

WORK HISTORY STATEMENT

4. Predecessor Organizations

If Bidder has been in business under its current name and organization for less than five years, list any predecessor organizations:

<u>NAME</u>	<u>ADDRESS</u>	<u>YEARS</u>
_____	_____	_____
_____	_____	_____

5. Business Licenses

List all business licenses currently held by Bidder:

<u>ISSUING AGENCY</u>	<u>TYPE</u>	<u>NUMBER</u>	<u>EXPIRATION</u>
See Attached	_____	_____	_____
_____	_____	_____	_____

6. Related Experience

List three projects most comparable to the Work completed by Bidder, or its predecessors, in the past five years:

	<u>PROJECT ONE</u>	<u>PROJECT TWO</u>	<u>PROJECT THREE</u>
Owner Name	<u>Kane County</u>	<u>Lake County</u>	<u>DeKalb County</u>
Owner Address	<u>14W011 Burlington Rd.</u>	<u>600 W. Winchester Rd.</u>	<u>1826 Barber Green Rd.</u>
	<u>St. Charles, IL 60175</u>	<u>Libertyville, IL</u>	<u>DeKalb, IL</u>
Reference	<u>David Sitko</u>	<u>Julian Rozwadowski</u>	<u>Nathan Schwartz</u>
Telephone Number	<u>(630) 313-0754</u>	<u>(847) 377-7506</u>	<u>(815) 756-9513</u>
Type of Work	<u>Furnish & Apply</u>	<u>Furnish & Apply</u>	<u>Furnish & Apply</u>
	<u>Reclamite</u>	<u>Reclamite</u>	<u>Reclamite</u>

WORK HISTORY STATEMENT

	<u>PROJECT ONE</u>	<u>PROJECT TWO</u>	<u>PROJECT THREE</u>
Contractor (If Bidder was) (Subcontractor)	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
Amount of Contract	<u>\$465,078.99</u>	<u>\$779,535.52</u>	<u>\$94,765.52</u>
Date Completed	<u>08/28/2023</u>	<u>7/23/2019</u>	<u>7/9/2020</u>

DATED: 2-26, 2024.

Bidder

By: _____

Title: Member

Attest

By: _____

Title: Operations Coordinator

Subscribed and Sworn to before me on 2-26th, 2024.

Notary Public

My commission expires: 8-15, 2026



**SEE GENERAL INSTRUCTIONS TO BIDDERS, SECTION 7,
FOR SIGNATURE REQUIREMENTS**

Corrective Asphalt Materials, LLC**Business/Contractor License List**

Issuing Agency	State	Type	Number
State of Alabama	Alabama	Contractor License	49050
State of Arkansas Commercial Contractors Licensing Board	Arkansas	Contractor License	10262
Arkansas Dept of Finance	Arkansas	Franchise Tax/Annual Report	65770632-FRN
IDOT	Illinois	Certificate of Eligibility	668C
IDOT	Illinois	Subcontractor Registration	14679
Village of Arlington Heights	Illinois	Contractor License	24-00023014
Village of Lake Barrington	Illinois	Contractor's License	943
Village of Lake in the Hills	Illinois	Contractor License	L012058-052623
City of North Chicago	Illinois	Speciality (Contractor) License	LIC2023-0151
City of Orland Park	Illinois	Contractor License	CL-24-26762
Village of Schaumburg	Illinois	Contractor License	70808
Village of Skokie	Illinois	Contractor's License	
City of Urbana	Illinois	EEO Certification	23-A265
Village of Wilmette	Illinois	Contractor Business License	13328
SIUE Prequal	Illinois	Prequalification	
Iowa Secretary of State	Iowa	Certificate of Authority	411104
Louisiana Secretary of State	Louisiana	Certificate of Authority	43898011Q
Louisiana, Board of Contractors	Louisiana	Contractors License	70187
Minnesota Secretary of State	Minnesota	Certificate of Authority	8802136700028
New Brighton	Minnesota	Contractor License	202376101
City of Ramsey	Minnesota	Contractor License	2023118
State of Mississippi Board of Contractors	Mississippi	Contractor License	22254-SC
Mississippi Secretary of State	Mississippi	Certificate of Authority	1104746
Missouri Secretary of State	Missouri	Certificate of Authority	FL0010522
MODOT	Missouri	Contractor Questionnaire	28080
City of Columbia	Missouri	Business License	BL012311
City of Crestwood	Missouri	Contractor's Business License	4210
City of Hermann	Missouri	Business License	49
city of Jackson	Missouri	Contractor License	23-0010
City of Jefferson	Missouri	Business License	9314
City of Kansas City	Missouri	Business License	lo120988416
City of Kirkwood	Missouri	Contractor License	21-00005859
City of Lake St. Louis,	Missouri	Business License	CL23-0000072
City of Osage Beach	Missouri	Contractor License	3968
City of Washington	Missouri	Business License	17979
City of Springfield	Missouri	Business License	BUS2019-00582
City of St. Charles	Missouri	Contractor License	14953
North Dakota Secretary of State	North Dakota	Certificate of Authority	40887600
North Dakota Secretary of State	North Dakota	Contractor License	55048 Class C
Department of Public Works, Madison WI	Wisconsin	Prequalification	
Wisconsin Department of Financial Institutions	Wisconsin	Certificate of Authority	C093823

VILLAGE OF WINNETKA
MPI JOINT BID: PAVEMENT REJUVENATION CONTRACT

ATTACHMENT A

SPECIFICATIONS

- A. **General Scope:** This work shall consist of furnishing all labor, material and equipment necessary to perform all operations for the application of Emulsified Maltene-Based Asphalt Rejuvenating Agent and CRF Maltene-Based Asphalt Restorative Seal to bituminous asphaltic concrete surface courses. The rejuvenation of surface courses shall be by spray application of a cationic Maltene-Based Rejuvenating Agent or Maltene-Based Restorative Seal composed of petroleum oils and resins emulsified with water. The base used for the emulsion shall be naphthenic. All work shall be in accordance with the specifications, any applicable drawings, and subject to the terms and conditions of this contract.
- B. **Pre-Construction:** The CONTRACTOR shall present samples of materials, laboratory reports, calibration reports, and proof of work experience as required by these specifications to the Resident Engineer at the pre-construction meeting.
- C. **Material Specifications:**

1. Emulsified Maltene-Based Asphalt Rejuvenating Agent

The emulsion will be a naphthenic maltene-based rejuvenating agent composed of four maltene components (listed below) uniformly emulsified with water. Each bidder must submit with his bid a certified statement from the asphalt rejuvenator manufacturer showing that the asphalt rejuvenating emulsion conforms to the required physical and chemical requirements.

NAPHTHENIC MALTENE-BASED ASPHALT REJUVENATOR SPECIFICATIONS

Property	Test Method	Requirements
Viscosity @ 25°C, SFS	ASTM D244	15-40
Residue, w%	ASTM D244 (Mod) ³	60-65
Miscibility Test	ASTM D244 (Mod) ²	Pass
Sieve Test, w%	ASTM D244 (Mod) ¹	0.1 Max.
Particle Charge Test	ASTM D244	Positive
Tests on Distillation Residue:		
Flash Point, COC, C	ASTM D92	196 Min.
Viscosity @ 60°C, C	ASTM D2170	100-200
Asphaltenes, w%	ASTM D2006-70	1.00 Max.

Maltene Dist. Ratio (Polar Compounds)+(First Acidaffins) (Saturates)+(Second Acidaffins)	ASTM D2006-70	0.3-0.6
Polar Compounds/Saturates Ratio	ASTM D2006-70	0.5 Min.
Asphaltenes, w%	ASTM D2006-70	1.0 Max.
Saturated Hydrocarbons, w%	ASTM D2006-70	21-28

¹ Test procedure identical with ASTM D-244 except that distilled water shall be used in place of two (2) percent sodium oleate solution.

² Test procedure identical with ASTM D-244 except that .02 Normal Calcium Chloride solution shall be used in place of distilled water.

³ ASTM D-244 Modified Evaporation Test for percent of residue is made by heating 50 gram sample to 149 C (300 F) until foam ceases, then cool immediately and calculate results.

2. CRF Maltene-Based Asphalt Restorative Seal

The emulsified asphalt restoring agent shall be a naphthenic petroleum maltene-based rejuvenating agent composed of four maltene components (listed below) uniformly emulsified with water. Each bidder must submit with his bid a certified statement from the asphalt restoring agent's manufacturer showing that the emulsified product conforms to the requirements below:

NAPHTHENIC EMULSIFIED ASPHALT RESTORING AGENT REQUIREMENTS

Property	Test Method	Requirements
Viscosity @ 25°C, SFS	ASTM D244	25-150
Residue, w%	ASTM D244 (Mod) ²	64 Min.
1-DAY Settlement, w%	ASTM D244	1.0 Max.
Sieve Test, w%	ASTM D244 (Mod) ¹	0.1 Max.
Particle Charge Test	ASTM D244	Positive
Tests on the Residue:		
Viscosity @ 60°C, cSt	ASTM D2170	1000-4000
Maltene Dist. Ratio (Polar Compounds)+(First Acidaffins) (Saturates)+(Second Acidaffins)	ASTM D2006-70	0.7-1.1
Polar Compounds/Saturates Ratio	ASTM D2006-70	0.5 Min.
Asphaltenes, w%	ASTM D2006-70	14.0 Max.

¹ Test procedure identical with ASTM D-244 except that distilled water shall be used in place

of two (2) percent sodium oleate solution.

² ASTM D-244 Modified Evaporation Test for percent of residue is made by heating 50 gram sample to 149 C (300 F) until foam ceases, then cool immediately and calculate results.

D. Material Performance:

1. Emulsified Maltene-Based Asphalt Rejuvenating Agent

The asphalt rejuvenating agent shall have the capability to penetrate the asphalt pavement surface and performing as follows. The asphalt rejuvenating agent shall be absorbed and incorporated into the asphalt binder. Verification that said incorporation of the asphalt rejuvenating agent into the asphalt binder has been effected shall be by analysis of the chemical properties of said asphalt binder i.e. viscosity shall be reduced by petroleum maltene fraction replacement method to the following extent. For pavements receiving the first or original application of rejuvenating agent the viscosity shall be reduced by an AVERAGE of thirty-five, (35%) percent as determined by dynamic shear rheometer (DSR) method for asphalt testing in accord with AASHTO T315-05. For retreated pavements after an initial treatment with the asphalt rejuvenator the viscosity shall be reduced by petroleum maltene replacement method a minimum of twenty percent (20%) as determined by dynamic shear rheometer (DSR) method for testing in accord with AASHTO T315-05. In addition the phase angle shall be increased. This analysis shall apply to extracted asphalt binder, taken from cores extracted fifteen to thirty days following application, in the upper three eights inch (3/8") of pavement. In addition the treated areas shall be sealed in-depth to the intrusion of air and water.

When directed by the Engineer, the Contractor shall have the following additional testing performed at the cost of the owner. The extracted asphalt binder taken from the treated and untreated cores as heretofore outlined shall be further tested per ASTM D-2006-70 Rostler Analysis. The results of this testing shall indicate a decrease in the percent asphaltene content for the treated samples as compared to the untreated samples.

2. CRF Maltene-Based Asphalt Restorative Seal

The restoring agent shall have a record of satisfactory service as an emulsified asphalt restoring agent and in-depth sealer. Satisfactory service shall be based on the capability of the material to decrease the viscosity and increase the penetration value of the asphalt binder as follows. The viscosity shall be reduced by a minimum of 20 percent and the penetration value shall be increased by a minimum of 15 percent. Testing shall be performed on extracted asphalt cement from a pavement to a depth of three eights inch (3/8"). In addition, the pavement shall be in-depth sealed to the intrusion of air and water.

The bidder must submit with their bid the manufacturer's certification that the material proposed for use is in compliance with the emulsified asphalt restoring agent requirements.

- E. **Product Standards:** The product "Reclamite"® produced by Tricor Refining, LLC is the standard for the naphthenic emulsified maltene-based asphalt rejuvenating agent requirements and the prices quoted on the Bid Sheet Base Bid shall be for one of these standards.

The product "CRF"® as previously manufactured by Witco Corporation-Golden Bear Oil is the standard for the emulsified maltene-based asphalt restoring agent requirements and the prices quoted on the Bid Sheet Base Bid shall be for the "CRF"® standard.

- F. **Applicator Experience:** The asphalt rejuvenating agent and restorative seal shall be applied by an experienced applicator of such material. The bidder shall have a minimum of 5 years' experience in applying the product proposed for use on municipal streets. The Contractor must submit with his bid a list of five (5) projects on which he applied said rejuvenator or restorative seal. They shall indicate the project dates, number of square yards treated in each and the name and phone number of the manager in charge of each project.

A project superintendent knowledgeable and experienced in application of the asphalt rejuvenating agent and restorative seal must be present and in control of each day's work. The bidder shall submit at the preconstruction meeting a written experience outline of the project superintendent.

- G. **Application Temperature and Weather Limitations:** The temperature of the asphalt rejuvenating agent and restorative seal, at the time of application shall be as recommended by the manufacturer. The asphalt rejuvenating agent and restorative seal shall be applied only when the existing surface to be treated is thoroughly dry. The asphalt rejuvenating agent and restorative seal shall not be applied when the ambient temperature is below 35 degrees Fahrenheit. It shall be the discretion of the Resident Engineer to determine when weather conditions are not appropriate for the application to occur. Contractor shall halt the application process when so ordered by the Resident Engineer. The contractor cannot perform the work without the Resident Engineer consent if rain is forecasted between the time aggregates will be placed and when aggregates will be swept up.

- H. **Handling of Materials:** Contents in tank cars or storage tanks shall be circulated at least forty-five minutes before withdrawing any material for application. When loading the distributor, the asphalt rejuvenating agent concentrate or restoring seal concentrate shall be loaded first and then the required amount of water shall be added. The water shall be added into the distributor with enough force to cause agitation and thorough mixing of the two (2) materials. To prevent foaming, the discharge end of the water hose or pipe shall be kept below the surface of the material in the distributor which shall be used as a spreader. The distributor truck will be cleaned of all of its asphalt materials, and washed out to the extent that no discoloration of

the emulsion may be perceptible. Cleanliness of the spreading equipment shall be subject to inspection and the Contractor shall halt the application process when so ordered by the Project Manager.

- I. **Application Equipment:** The distributor for spreading the emulsions shall be self-propelled, and shall have pneumatic tires. The distributor shall be designed and equipped to distribute the asphalt rejuvenating agent or restorative seal uniformly on variable widths of surface at readily determined and controlled rates from 0.05 to 0.5 gallons per square yard of surface, and with an allowable variation from any specified rate not to exceed five (5) percent of the specified rate. Distributor equipment shall include full circulation spray bars, pump tachometer, volume measuring device and a hand hose attachment suitable for application of the emulsion manually to cover areas inaccessible to the distributor. The distributor shall be equipped to circulate and agitate the emulsion within the tank. A check of distributor equipment as well as application rate accuracy and uniformity of distribution shall be made when directed by the Resident Engineer. The truck used for sanding shall be equipped with a spreader that allows the sand to be uniformly distributed onto the pavement. The spreader shall be able to apply 2 pound to 6 pounds of sand per square yard in a single pass. The spreader shall be adjustable so as to not broadcast sand onto driveways or lawns. The sand to be used shall be free flowing, without any leaves, dirt, stones, etc. Any wet sand shall be rejected from the job site. Any equipment which is not maintained in full working order, or is proven inadequate to obtain the results prescribed, shall be repaired or replaced at the direction of the Resident Engineer.
- J. **Application:** The asphalt rejuvenating agent or restorative seal shall be applied by a distributor truck at the temperature recommended by the manufacturer and at the pressure required for the proper distribution. The emulsion shall be so applied that uniform distribution is obtained at all points of the areas to be treated. Distribution shall be commenced with a running start to ensure full rate of spread over the entire area to be treated. Areas inadvertently missed shall receive additional treatment as may be required by a hand sprayer application.

Application of the asphalt rejuvenating agent shall be on one-half width of the pavement at a time. When the second half of the surface is treated, the nozzle nearest the center of the road shall overlap the previous by at least one-half the width of the nozzle spray. In any event the construction joint of the pavement shall be treated in both passes of the distributor truck.

1. Emulsified Maltene-Based Asphalt Rejuvenating Agent

Before spreading, the asphalt rejuvenating agent shall be blended with water at the rate of 60% Maltene based Emulsion to 40% water, or as specified by the manufacturer based on field conditions. The combined mixture of asphalt rejuvenating agent and water shall be spread at the rate of 0.05 to 0.10 gallons per square yard, or as approved by the Resident Engineer following field testing.

2. CRF Maltene-Based Asphalt Restorative Seal

Before spreading, the emulsified asphalt restoring agent shall be blended with water at the rate of 70% emulsified restoring agent to 30% part water, or as specified by the manufacturer based on field conditions. The combined mixture of emulsified asphalt restoring agent and water shall be spread at the rate of 0.06 to 0.30 gallons per square yard, or as approved by the Engineer following field testing.

Where more than one application is to be made, succeeding applications shall be made as soon as penetration of the preceding application has been completed and approval is granted for additional applications by the Resident Engineer. Grades or super elevations of surfaces that may cause excessive runoff in the opinion of the Resident Engineer shall have the required amounts applied in two (2) or more applications as directed. Said treatment shall be uniformly applied by a method acceptable to the Resident Engineer. Care should be taken during all rejuvenator applications to not get excessive material on the curb and gutter. Additional cleaning may be required if this occurs at the contractor's expense.

After the rejuvenating emulsion or restoring seal has penetrated, a coating of dry sand shall be applied to the surface in sufficient amount to protect the traveling public as required by the Resident Engineer. The Contractor shall furnish a quality inspection report showing the source and manufacturer of asphalt rejuvenating agent or restorative seal. When directed by the Resident Engineer, the Contractor shall take representative samples of material for testing.

- K. **Street Sweeping:** The Contractor shall be responsible for sweeping and cleaning of the streets prior to and after treatment. Prior to treatment, the street will be cleaned of all standing water, dirt, leaves, foreign materials, etc. This work shall be accomplished by hand brooming, power blowing or other methods approved by the Resident Engineer. If hand cleaning is not sufficient, then a self-propelled street sweeper shall be used. All sand used during the treatment must be removed no later than forty-eight (48) hours after treatment of the street. This shall be accomplished by a combination of hand and mechanical sweeping. All turnouts, cul-de-sacs, etc. must be cleaned and free of any material that would interfere with the treatment. All debris generated by sweeping shall be picked up and disposed of by the contractor. Street sweeping shall be included in the price bid per square yard for asphalt rejuvenating agent. If after sand is swept and it is determined that a hazardous condition exists on the roadway, the Contractor must apply additional sand and sweep no later than twenty-four (24) hours following reapplication. No additional compensation will be allowed for reapplications and removal of sand.
- L. **Traffic Control and Safety:** The Contractor shall schedule his operations and carry out the work in a manner to cause the least disturbance and/or interference with the normal flow of traffic over the areas to be treated. Treated portions of the pavement surfaces shall be kept closed and free from traffic until penetration has become complete and the area is suitable for

traffic. Cure time shall be no longer than 90 minutes. When traffic must be maintained at all times on a particular street, then the Contractor shall apply asphalt rejuvenating agent or restorative seal to one (1) lane at a time. Traffic shall be maintained in the untreated lane until the traffic may be switched to the completed lane. Access to adjacent properties shall be maintained during the application. The Contractor shall be responsible for all traffic control and signing required to permit safe travel. All signing and barricading of the work zone shall comply with MUTCD guidelines and IDOT standards. The Contractor shall notify the Resident Engineer as to the streets that are to be treated each day. All support vehicles used shall also have flashing beacons that can be seen from all sides of the vehicle, for safety considerations for all work on major arterials. If the Contractor fails to provide the required signing, the Contractor shall stop all operations until safe signing and barricading is achieved.

M. Spreading of Sand or Screenings:

The contractor shall be responsible for protecting all storm sewer inlets before the screening and spreading aggregates.

Sand or lime screenings shall be furnished by the contractor. The contractor shall furnish all equipment, tools, labor and incidentals necessary to perform the sanding operation in accordance with this contract.

Spreading shall consist of applying free flowing sharp sand, FA2 or limestone screenings to insure even distribution of the sand or screenings to be worked into any voids in the pavement surface as directed by customer representative. A twin spinner, rubber belt feed system aggregate distributor shall be used for uniform application. The aggregate distributor shall apply sand or screenings at a rate of two pounds to four pounds per square yard.

Aggregate distributor must be able to carry enough aggregate to cover an applied load of the rejuvenating agent, at least (9) nine tons. Repeated sanding may be required on some areas of pavement and contractor must be available on an as needed basis to provide the required sanding.

- N. **Resident Notification:** The contractor shall distribute by hand, a typed notice to all residences and businesses on the street to be treated. The notice will be delivered no more than 24 hours prior to the treatment of the road. The notice will have a local phone number that residents may call to ask questions. The contractor shall also place the notice on the windshield of any parked cars on the street.

- O. Basis of Payment:** Asphalt rejuvenating agent shall be measured by the square yard of material in place and will be paid for at the contract unit price for Maltene Based Asphalt Rejuvenating Agent per square yard. Asphalt restoring seal shall be measured by the square yard of material in place and will be paid for at the contract unit price for Maltene-Based Asphalt Restoring Seal. Prices shall be full compensation for furnishing all materials, equipment, labor and incidentals to complete the work as specified and required. **Anticipated yardage assumes half of budget is spent on rejuvenating agent and half is spent on restoring seal. Estimated quantities are listed below for reference but are not guaranteed.**

Proposed Three-year Budget for participating agencies.

Note: Proposed budgets may be increased or decreased by each agency if mutually agreed to by both parties in writing.

Community name	Dollars budgeted (2024)	Dollars budgeted (2025)	Dollars budgeted (2026)
Arlington Heights	\$320,000	320,000	320,000
Highland Park	\$40,000	\$75,000	\$75,000
Elk Grove	\$150,000	\$150,000	\$150,000
Evanston	\$30,000	\$30,000	\$30,000
Rolling Meadows	\$70,000	\$70,000	\$70,000
Vernon Hills	\$50,000	\$75,000	\$75,000
Wilmette	\$42,000	\$41,000	\$35,000
Cary	\$25,000	\$25,000	\$25,000
Winnetka	\$25,000	\$25,000	\$25,000

Corrective Asphalt Materials, LLC
MPI Joint Bid: Pavement Rejuvenation Contract
Request for Bids #024-006

<u>Customer</u>		<u>Address</u>		<u>Contact</u>		<u>Date of completion</u>	<u>Product</u>	<u>Sq Yds</u>
Rolling Meadows, IL	3900 Berdnick Street	Rolling Meadows, IL	60008	Brad Valentino	(847) 693-0000	8/29/2023	Reclamite	68,307
Bloomington Township, IL	6N030 Rosedale Ave.	Bloomington, IL	60108	Bob Nogan	(630) 625-2815	10/3/2023	Reclamite	68,500
Montgomery, Village of	PO Box 998	Aurora, IL	60507	Cass Price	(630) 892-4357	7/7/2023	Reclamite	70,020
Geneva Construction Company, Inc.	1485 S. Broadway	Coal City, IL	60416	Eric Rhoda	(815) 634-2555	7/24/2023	Reclamite	75,666
Yorkville, IL	290 Evergreen Drive	Vernon Hills, IL	60061	Steve Maslov	(847) 918-3590	6/27/2023	Reclamite	78,720
D Construction Inc.								
Vernon Hills, IL								

I certify that Corrective Asphalt Materials, LLC and its employees have manufactured and applied Reclamite Rejuvenating Agent and CRF Restorative Seal for over forty years.

- 1) Corrective Asphalt Materials, LLC has not experienced any difficulty in applying rejuvenating agents while performing work within the state of Illinois
- 2) Corrective Asphalt Materials, LLC has never received any complaints regarding the quality of our work with the state of Illinois
- 3) We have never had any contracts which resulted in a lawsuit or defaulted in any contracts



Marc Tallion

Member



Date



Mailing Address:
300 Daniel Boone Trail
South Roxana, IL 62087
Phone: 618-254-3855
Fax: 618-254-2200

Locations:
300 Daniel Boone Trail, South Roxana, IL 62087
43W630 Wheeler Road, Sugar Grove, IL 60554

January 1, 2024

STATEMENT OF EXPERIENCE: JOB SUPERINTENDENT & DISTRIBUTOR DRIVER

DANIEL HESTEKIN – 8 years of experience in the application of CRF & Reclamite using a distributor truck. Over 7 years of supervisory experience in the application of CRF & Reclamite.

1. I have never experienced any difficulty applying CRF or Reclamite to any Municipality roads.
2. I have never received any complaints regarding the quality of my work from any municipality.

EMERGENCY CONTACTS

Daniel Hestekin, Project Supervisor

Cell (331) 251-0032

Mike Sumrall, Operations Manager

Cell (630) 465-4142

Corrective Asphalt Materials, LLC

Office (618) 254-3855

Marc Taillon, Vice President

Cell (314) 477-3995



Mailing Address:
300 Daniel Boone Trail
South Roxana, IL 62087
Phone: 618-254-3855
Fax: 618-254-2200

Locations:
300 Daniel Boone Trail, South Roxana, IL 62087
43W630 Wheeler Road, Sugar Grove, IL 60554

January 1, 2024

STATEMENT OF EXPERENCE: JOB SUPERVISOR & DISTRIBUTOR DRIVER

JOHN HOLLERAN – I have over 29 years' experience in the application of CRF & Reclamite using a distributor truck. I also have over 20 years' supervisory experience in the application of CRF & Reclamite.

1. I have never experienced any difficulty applying CRF or Reclamite to any Municipality roads.
2. I have never received any complaints regarding the quality of my work from any municipality.

EMERGENCY CONTACTS

Mike Sumrall, Operations Manager	Cell (630) 465-4142
Corrective Asphalt Materials, LLC	Office (618) 254-3855
Jeff Krull, General Manger	Cell (618) 484-7659

By: _____
Jeff Krull, General Manager

Date: _____



Mailing Address:
300 Daniel Boone Trail
South Roxana, IL 62087
Phone: 618-254-3855
Fax: 618-254-2200

Locations:
300 Daniel Boone Trail, South Roxana, IL 62087
43W630 Wheeler Road, Sugar Grove, IL 60554

January 1, 2024

STATEMENT OF EXPERIENCE: JOB SUPERINTENDENT & DISTRIBUTOR DRIVER

DANIEL HESTEKIN – 8 years of experience in the application of CRF & Reclamite using a distributor truck. Over 7 years of supervisory experience in the application of CRF & Reclamite.

1. I have never experienced any difficulty applying CRF or Reclamite to any Municipality roads.
2. I have never received any complaints regarding the quality of my work from any municipality.

EMERGENCY CONTACTS

Mike Sumrall, Operations Manager

Cell (630) 465-4142

Corrective Asphalt Materials, LLC

Office (618) 254-3855

Jeff Krull, General Manger

Cell (618) 484-7659



Mailing Address:
300 Daniel Boone Trail
South Roxana, IL 62087
Phone: 618-254-3855
Fax: 618-254-2200

Locations:
300 Daniel Boone Trail, South Roxana, IL 62087
43W630 Wheeler Road, Sugar Grove, IL 60554

January 1, 2024

STATEMENT OF EXPERIENCE: JOB SUPERINTENDENT & DISTRIBUTOR DRIVER

WADE SPARKS – 9 years of experience in the application of CRF & Reclamite using a distributor truck. Over 8 years of supervisory experience in the application of CRF & Reclamite.

1. I have never experienced any difficulty applying CRF or Reclamite to any Municipality roads.
2. I have never received any complaints regarding the quality of my work from any municipality.

EMERGENCY CONTACTS

Mike Sumrall, Operations Manager

Cell (630) 465-4142

Corrective Asphalt Materials, LLC

Office (618) 254-3855

Jeff Krull, General Manger

Cell (618) 484-7659

Document A310™ – 2010

Conforms with The American Institute of Architects AIA Document 310

Bid Bond

CONTRACTOR:

(Name, legal status and address)

Corrective Asphalt Materials, LLC

300 Daniel Boone Trail
S. Roxana, IL 62087

OWNER:

(Name, legal status and address)

Village of Winnetka
510 Green Bay Road
Winnetka, IL 60093

SURETY:

(Name, legal status and principal place of business)

The Cincinnati Insurance Company
P.O. Box 145496
Cincinnati, OH 45250-5496

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

BOND AMOUNT: Twenty Five Thousand (\$25,000.00)

PROJECT:

(Name, location or address, and Project number, if any)

MPI Joint Bid: Pavement Rejuvenation Contract

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 28th day of February, 2024


(Witness)

Corrective Asphalt Materials, LLC

(Principal)

(Seal)


(Title)


(Witness)

The Cincinnati Insurance Company

(Surety)

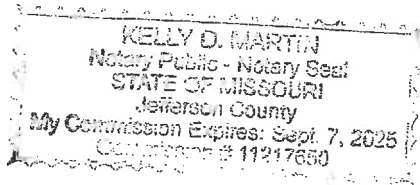
(Seal)


(Title)

Brandi L. Bullock, Attorney-in-Fact

State of Missouri
County of City of St. Louis

On this February 28, 2024, before me personally appeared
Brandi L. Bullock to me known to be an Attorney-in-Fact of
The Cincinnati Insurance Company the corporation described in the
within instrument, and he acknowledged that he executed the within instrument as the act of the said
Company in accordance with authority duly conferred upon him by said Company.



Kelly D Martin
Notary Public

THE CINCINNATI INSURANCE COMPANY

Fairfield, Ohio

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That THE CINCINNATI INSURANCE COMPANY, a corporation organized under the laws of the State of Ohio, and having its principal office in the City of Fairfield, Ohio, does hereby constitute and appoint

Michael T. Reedy; Stephen C. Ruff; Patricia A. Inchistro; Gregory L. Stanley; Theresa A. Hunziker; Barbara M. Johnson; Christopher J. O'Hagan; Brandi L. Bullock; Don K. Ardolino; Kimberly Ann Connell; Timothy E. Griffin; Michael A. Flavin; Debra Baggett; Trudy Whitrock and/or Michelle Wilson

of Chesterfield and St. Louis, Missouri its true and lawful Attorney(s)-in-Fact to sign, execute, seal and deliver on its behalf as Surety, and as its act and deed, any and all bonds, policies, undertakings, or other like instruments, as follows:

Any such obligations in the United States, up to
Forty Million and No/100 Dollars (\$40,000,000.00).

This appointment is made under and by authority of the following resolution passed by the Board of Directors of said Company at a meeting held in the principal office of the Company, a quorum being present and voting, on the 6th day of December, 1958, which resolution is still in effect:

"RESOLVED, that the President or any Vice President be hereby authorized, and empowered to appoint Attorneys-in-Fact of the Company to execute any and all bonds, policies, undertakings, or other like instruments on behalf of the Corporation, and may authorize any officer or any such Attorney-in-Fact to affix the corporate seal; and may with or without cause modify or revoke any such appointment or authority. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company."

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 7th day of December, 1973.

"RESOLVED, that the signature of the President or a Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary or Assistant Secretary and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power of certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company."

IN WITNESS WHEREOF, THE CINCINNATI INSURANCE COMPANY has caused these presents to be sealed with its corporate seal, duly attested by its Senior Vice President this 19th day of December, 2018.



THE CINCINNATI INSURANCE COMPANY

Stephen A. Ventre

STATE OF OHIO) ss:
COUNTY OF BUTLER)

On this 19th day of December, 2018, before me came the above-named Vice President of THE CINCINNATI INSURANCE COMPANY, to me personally known to be the officer described herein, and acknowledged that the seal affixed to the preceding instrument is the corporate seal of said Company and the corporate seal and the signature of the officer were duly affixed and subscribed to said instrument by the authority and direction of said corporation.



Keith Collett

KEITH COLLETT, Attorney at Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration
date. Section 147.03 O.R.C.

I, the undersigned Secretary or Assistant Secretary of THE CINCINNATI INSURANCE COMPANY, hereby certify that the above is a true and correct copy of the Original Power of Attorney issued by said Company, and do hereby further certify that the said Power of Attorney is still in full force and effect.

GIVEN under my hand and seal of said Company at Fairfield, Ohio.
this 28th day of February, 2024

Ed H.



TYPE:Resolution**SUBMITTED BY:**Todd Finner**DEPARTMENT:**Recreation**DATE:**April 16, 2024**DESCRIPTION:**

Consideration of a Resolution Authorizing a Purchase Order for Zamboni Company USA, Inc. for the Purchase of an Ice Resurfacing Machine for the Not-to-Exceed Amount of \$123,300.30

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

X	<i>Financially Sound Village</i>		<i>Enrich the lives of Residents</i>
X	<i>Quality Customer Oriented Services</i>		<i>Major Business/Corporate Center</i>
X	<i>Safe and Beautiful Village</i>		<i>Vibrant Major Corridors</i>

COMMITTEE ACTION:

Committee of the Whole

DATE:

April 16, 2024

BACKGROUND:

The Village currently has four ice resurfacers in its fleet at the Edge Ice Arenas. They were manufactured in 1996, 2003, 2016 and 2019. The two newer machines are used to maintain each of the two ice surfaces at the Edge on Jefferson Street while the 2003 model Olympia resurfacer is used daily to maintain the ice at the Edge on John Street. It is near the end of its useful life as it has become unreliable and does not consistently provide a quality resurfacing of the ice. The 1996 Olympia currently serves as a backup, only to be used in the event of mechanical failure on any of the other three machines.

Using the Village's cooperative purchasing agreement with Sourcewell, the Village is able to save time, money, and valuable resources in capturing competitive solicitations that meet or exceed local and national requirements.

KEY ISSUES:

The Edge is transitioning from Olympia resurfacers to Zamboni resurfacers. In order to accomplish this, minor plumbing and grate reconfiguration will take place over the Edge on Jefferson Street snowpit to accommodate a higher snow bin height. The goal is to provide a better quality resurface while reducing the amount of time the resurfacer spends in the Public Works shop. The 2016 model, which has been a workhorse for the Village but is starting to become unreliable, will rotate into a backup role if a purchase order is approved and when the new vehicle is delivered. The 2003 Olympia will then be considered as surplus and auctioned off.

Staff has concluded that the Zamboni model 546 is the best fit for the Edge Ice Arenas in terms of price, quality of performance, reliability and ease of use.

Zamboni: \$123,300.30

ALTERNATIVES:

Discretion of the Committee of the Whole.

RECOMMENDATION:

Staff recommends waiving the competitive bid process and using the approved Government Cooperative Purchasing agreement with Sourcewell to approve a Purchase Order with Zamboni Company USA, Inc. for a Zamboni model 546 Ice Resurfacer in the not to exceed amount of \$123,300.30

BUDGET IMPACT:

\$135,000 for the purchase of a new ice resurfacer was approved and included in the 2024 annual budget. Therefore, this item is coming in at a minimum of \$11,699.70 under budget.

ACTION REQUIRED:

Approval of a Resolution authorizing a Purchase Order with Zamboni Company USA, Inc. for the acquisition of a Zamboni model 546 in the not to exceed amount of \$123,300.30.

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
Resolution	3/25/2024	Resolution Letter
Proposal	3/25/2024	Presentation
Specifications	3/25/2024	Backup Material

RESOLUTION NO. _____

**A RESOLUTION APPROVING THE PURCHASE OF ONE ICE ARENA
RESURFACING VEHICLE FROM ZAMBONI COMPANY USA, INC FOR THE NOT
TO EXCEED AMOUNT OF \$123,300.30**

WHEREAS, the VILLAGE OF BENSENVILLE (hereinafter the “VILLAGE”) is a municipal corporation established and existing under the laws of the State of Illinois pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, the VILLAGE owns and maintains a fleet of ice resurfacers for the purposes of maintaining quality ice conditions at its ice arenas; and

WHEREAS, from time to time the ice resurfacers are replaced and or purchased for the purpose of better serving the needs of its customers; and

WHEREAS, the VILLAGE has determined that it is necessary and desirable to purchase a new Ice Arena Resurfacer machine to ensure a quality customer service experience for its customers and to ensure safe operation within its facilities; and

WHEREAS, Zamboni Company USA, Inc. will secure the Ice Arena Resurfacing Machine according to agreed upon VILLAGE specifications; and

WHEREAS, the cost of the Ice Arena Resurfacing Machine totals \$123,300.30.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois, as follows:

THAT the Village Board authorizes the Village Manager to execute a purchase order and other associated documents with Zamboni Company USA, Inc. for the purchase of one new Zamboni model 546 Ice Resurfacing Machine for an amount not to exceed \$123,300.30.

SECTION ONE: The recitals set forth above are incorporated herein and made a part hereof.

SECTION TWO: The Village Manager is hereby authorized and directed to execute on behalf of the Village of Bensenville, and the Village Deputy Clerk is hereby authorized to attest thereto, a purchase order for the Proposal attached hereto and incorporated herein by reference as Exhibit A.

SECTION THREE: This Resolution shall take effect immediately upon its passage and approval as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois this 23rd day of April, 2024.

APPROVED:

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

Ayes: _____

Nays: _____

Absent: _____

ZAMBONI COMPANY USA, INC.

15714 Colorado Ave. Paramount, CA 90723 USA ☎ +1 562 633 0751 📠 +1 562 633 9365 zamboni.com

February 16, 2024

Todd B Finner
Village of Bensenville/ Edge Ice Arenas
735 East Jefferson Street
Bensenville, IL 60106



PROPOSAL

“The principal product you have to sell is the ice itself.”

– Frank J. Zamboni

Maintaining an ice surface presents a multitude of challenges. Having efficient and reliable resurfacing equipment should not be one of them. Driven by our founder’s commitment to innovation, we put our product to the test in the harsh environment it will call home. Every feature is deliberately designed to make resurfacing easier and to ensure that the end result is an exceptional sheet of ice. Built by hand. One at a time. The result is an ice resurfacing machine legendary for its quality, durability and superior performance.

MODEL 546:

Proven hydrostatic performance and significant fuel savings provide the industry’s lowest emissions and a cleaner arena environment. An exceptionally efficient 1.6 L engine can be configured for gasoline or propane fuel. On-dash diagnostics with programmed maintenance notifications provide engine performance data on the go. The hydrostatic transmission and powerful double pump for the augers deliver strong conveyor performance at any speed. Our unrivaled down pressure system ensures that all you leave behind is perfect.

INNOVATION:

Our commitment to constant innovation is an investment in the end product. We apply decades of experience working with facility owners and operators into every decision we make. Automated processes provide a consistent end result and reduce the chance for operator error. Opportunities to retrieve and display data from the machine provide a new tool in rink management. The incremental and continued introduction of new and better technologies to our ice resurfacing equipments facilitates savings of time and valuable resources.

QUALITY:

Zamboni sets the standard of quality to which the industry is held. The Zamboni Company holds itself to an even higher standard with ongoing assessment and meticulous quality control, resulting in products which consistently produce the finest sheet of ice even after many years of use. Our rugged four-wheel drive chassis is hand-built using strong all-welded steel tubing. Premium materials and components are

ZAMBONI®

used throughout. We continually collaborate with our customers to ensure the products that will ultimately end up in their facility exceed the high expectations of quality associated with our brand.

VALUE:

Zamboni has a well-deserved reputation as the Industry Leader. One which we don't take for granted. Our products have the lowest cost of operation and maintain the highest residual value. A network of Zamboni Authorized Distributors and our own Customer Service teams provide local service and support for our products. In the world of ice, time is money and unreliable equipment can be a show-stopper. Yet another reason that worldwide, more facility operators choose Zamboni for their ice resurfacing needs. Nothing else is even close.

MACHINE SPECIFICATIONS:

Machine specifications are available online.

MANUFACTURER'S STATEMENT:

This machine is proudly designed and manufactured in Paramount, California by Zamboni Company USA, Inc., a United States company.

WARRANTY:

Twenty-Four (24) months or 2,000 hours, whichever comes first, parts replacement only. Mileage and travel time are not covered under warranty.

SAFETY STANDARDS:

This machine is engineered to meet or exceed OSHA and ANSI safety labeling requirements. In addition to digital safety information, operating instructions and service manuals being provided with the delivery of the machine, all owners/operators have access to all of these materials online at www.zamboni.com to view and download at any time.

FOR ADDITIONAL INFORMATION:

zamboni.com/machines/model-546

zamboni.com/options

Zamboni 546 **\$ 95,600.00**

3 Way Catalytic Converter, Aluminum Wheels, Black Powder Coated Conditioner,
Conditioner Poly Side Plate, Guide Wheel, Lambda Fuel Management System,
LPG Low Fuel Light, Parking Brake

ADDITIONAL EQUIPMENT:

Advanced Water System	\$	5,850.00
Auto Snow Breaker	\$	1,985.00
Back Up Alarm	\$	565
Board Brush	\$	6,495.00
Electronic Water Level Sight Gauge	\$	565
Hydraulic Oil Cooler	\$	1,100.00
Integrated Auger Wash Out System	\$	1,395.00
LPG Carburetion (No tanks)	\$	1,470.00
Snow Tank Light	\$	475
Stainless Steel Water Distribution Pipe	\$	455
Tire Wash System	\$	1,585.00
Wash Water System w/ Poly Tank	\$	5,450.00
Subtotal	\$	122,990.00
Sourcewell Discount	\$	-3,689.70
Transportation	\$	4,000.00
Total	\$	123,300.30

F.O.B:

Paramount, California USA

TERMS:

Net 30 days from date of shipment.
Shipment 475 days or sooner ARO. Pricing firm for 30 days.
Pricing does not include any applicable sales tax.

THANK YOU:



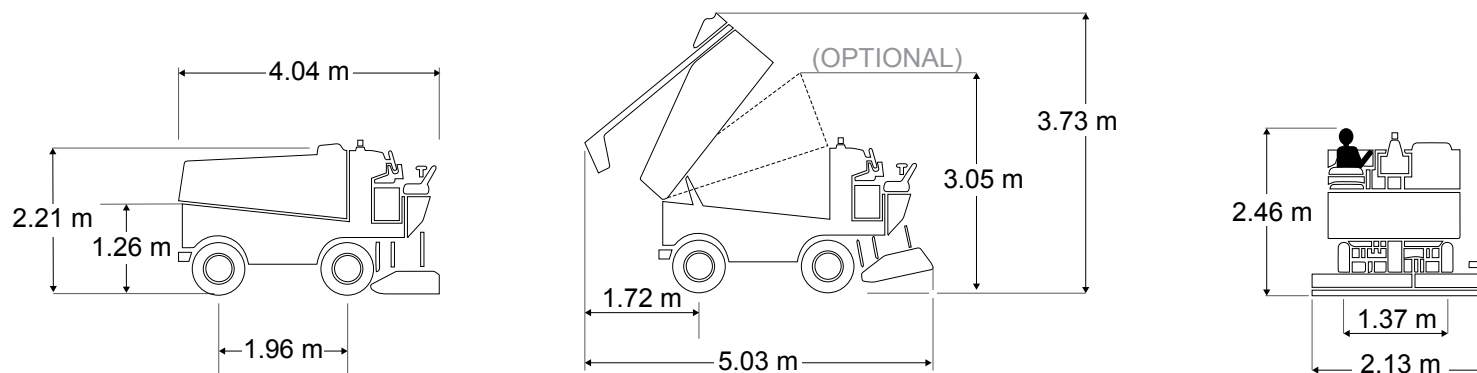
Doug Peters,
Regional Sales Manager

February 16, 2024

Date

Zamboni Company USA, Inc.
15714 Colorado Ave. Paramount, California 90723 USA
Phone: +1 562 633 0751 Fax: +1 562 633 9365

MODEL 546



CAPACITIES

Snow Tank

Actual Volume	2.83 m ³	100 cu. ft.
Compacted	3.54 m ³	125 cu. ft.

Water

Ice Making	738 L	195 gal.
Wash Water	310 L	82 gal.
Total	1048 L	277 gal.

Hydraulic Oil

95 L	25 gal.
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POWERTRAIN

Four-Wheel Drive

Engine Kubota® 1.6 L / 50 HP at 3000 RPM
Four Cylinder Liquid Cooled

Transmission Continuously variable hydrostatic pump and motor are axial-piston type.

Hydraulics Double pump powers the vertical and horizontal augers.
Hydraulic down pressure for optimal resurfacing results.

Axles

Front	1950 kg	4300 lb
Rear	2903 kg	6400 lb

Brakes Full Hydrodynamic Braking

✓ Standard + Option

DIMENSIONS

Overall

	L	W	H	L	W	H
Snow Tank Down	4.04 m	2.13 m	2.21 m	159 in.	84 in.	87 in.
Snow Tank Up	5.03 m	2.13 m	3.73 m	198 in.	84 in.	147 in.

Shaving Blade

L	W	H	L	W	H
195.6 cm	12.7 cm	1.27 cm	77 in.	5 in.	0.5 in.

Clearance

Minimum Operator Height Clearance	246.4 cm	97 in.
Snow Pit Clearance	125.7 cm	49.5 in.

Conveyor System

Horizontal Auger Diameter	25.4 cm	10 in.
Vertical Auger Diameter	25.4 cm	10 in.

Manueverability

Wheelbase	1.96 m	77 in.
Wheel Track	1.37 m	54 in.
Turning Radius at Conditioner	4.87 m	16 ft.

Weight

Empty	2912 kg	6420 lb
with Water	3910 kg	8620 lb

ZAMBONI®

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Advanced Water System — AWS™

Regulates amount of water dispensed onto the ice relative to machine speed for efficient and even application. *optional equipment



Zamboni Power Brush™

Wider brush path reaches higher on the dasher board kick plate for superior cleaning power. *optional equipment



Integrated Auger Washout System

Simplifies the vertical and horizontal auger washout task, from a single point on the conditioner. *optional equipment

MODEL 546

✓ STANDARD FEATURES

2 Year Warranty
400 Micron Wash Water Deep Filter Bag
Aluminum Alloy Wheels
Catalytic Converter
Chassis: Strong All Welded Steel Tubing
Conditioner Safety Guards
Digital Training and Reference Materials
Engine: EPA and CARB Certified
Familiar Automobile-Style Foot Controls
Four-Wheel Drive
Fuel Options: Gasoline, Propane
Full Hydrodynamic Braking
Guide Wheel
High Quality 10 and 20 Micron Filters
High Speed Vertical Auger
Hydraulic Oil Level Sight Gauge
LED Headlights and Tail lights
Load Sensing Engine Governor
Multi-Function Display

On-Dash Diagnostics
Parking Brake
Power Steering
Premium Polyester Felt Spreader Towel
Replaceable Poly Conditioner Side Plate
Rugged Dana Spicer® Axles
Rust-Free Poly Ice Making Water Tank
Snow Tank Safety Stand
Spare Tire and Wheel
Stainless Steel Hardware
Steering Wheel Spinner Knob
Touch-Up Paint Kit
Tungsten Carbide Studded Tires
Under Seat Storage
Wide Spectrum of Premium Automotive Paint Colors

+ OPTIONS

Advanced Water System (AWS™)
Automatic Snow Breaker
Back Up Alarm
[Blade Change System](#)
Cab Enclosure
Conditioner: Galvanized
Electric Water Level Gauge
Engine Diagnostic Computer Interface Tool
[FastICE® Ice Making System](#)
Front Squeegee
Heated Ergonomic Comfort Design Seat
• Armrest
• Seatbelt
Hydraulic Oil Cooler Kit
IceCaps® Wheel Advertising System
Integrated Auger Washout System
[Level-Ice™](#)
Low Fuel Light
Low Guide Wheel

Snow Melting Kit
Snow Tank Dump Height Restriction
Snow Tank Light
Stainless Steel Water Distribution Pipe
Tire Wash System
V-Plow
Wash Water to Ice Making Water Transfer
Wash Water System with Poly Tank
Water Level Sight Gauge
Zamboni Power Brush™ Board Brush System
[Zamboni Connect™ System](#)

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