

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



BENSENVILLE
GATEWAY TO OPPORTUNITY

Village of Bensenville, Illinois VILLAGE BOARD COMMITTEE OF THE WHOLE AGENDA 6:30 PM August 17, 2021

- 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 17, 2020 Committee of the Whole Meeting Minutes*
 2. *July 20, 2021 Special Committee of the Whole Workshop Minutes*
 3. *October 20, 2020 Special Committee of the Whole - Budget Workshop Minutes*
- VI. **REPORTS OF VILLAGE DEPARTMENTS**
 - A. Administration – No Report
 - B. Community and Economic Development
 1. *Consideration of an Ordinance Granting a Special Use Permit to Operate a Restaurant at 410 E Green Street*
 2. *Consideration of an Ordinance Granting Approval of a Site Plan, Preliminary Plat of Consolidation, and Variations to Allow for Building and Parking Lot Expansions at 430 N Meyer Road*
 3. *Consideration of an Ordinance Granting a Variation to Allow a 20' by 20' Paved Parking Area at 449 S Center Street*
 4. *Consideration of an Ordinance Granting a PUD Amendment at 525, 533, 549, 557, and 573 N Meyer Road*
 5. *Consideration of an Ordinance Granting a Planned Unit Development Amendment to Allow an EMC Sign at 904-910 W Irving Park Road (Gem Car Wash)*
 6. *Consideration of an Ordinance Denying Variations to Increase Driveway Width and Parking Pad Depth at 138 N Addison Street*

7. *Consideration of an Ordinance Denying a Variation to Allow a Paved Parking Area in the Corner Side Yard at 301 S Judson Street*

- C. Finance – No Report
- D. Police Department – No Report
- E. Public Works – No Report
- F. Recreation – No Report

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:**August 17, 2021**DESCRIPTION:**March 17, 2020 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_200317_COW

Upload Date

8/10/2021

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 17, 2020**

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:

Carmona*, Franz*, Lomax, Panicola, Perez

Absent: Frey

A quorum was present.

Staff Present: E. Summers, J. Caracci, T. Finner, J. McManus, S. Viger, C. Williamsen

**Trustee Carmona and Trustee Franz attended the meeting via electronic means.*

Public Comment: There was no Public Comment.

Approval of Minutes: The February 18, 2020 Committee of the Whole Meeting minutes were presented.

Motion: Trustee Lomax made a motion to approve the minutes as presented. Trustee Panicola seconded the motion.

All were in favor. Motion carried.

249 S. Church Rd.: Village Manager, Evan Summer, presented an Ordinance Denying a Variation to Allow Recreational Vehicle Parking in the Front Yard at 249 S. Church Road.

Mr. Summers asked to table this item due to Village Staff receiving a letter from the petitioner's Attorney and not having the time to review the letter.

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.

No action was taken on the above motion.

Motion: Trustee Perez made a motion to table this item. Trustee Carmona seconded the motion.

All were in favor. Motion Carried.

Net Assets: Village Manager, Evan Summers, presented a Resolution to Authorize the Village Manager to Enter into an Agreement with Net Assets Corporation for Rental Registrar Services Beginning with the 2021 Registration Year.

There were no questions from the Committee.

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

All were in favor. Motion Carried.

2001B Bond: Village Manager, Evan Summers, presented an Ordinance Abating the Tax Heretofore Levied for the Year 2019 to Pay Debt Service on \$1,500,000 series 2001B General Obligation Bonds (Alternate Revenue Source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois.

There were no questions from the Committee.

Motion: Trustee Lomax 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.

**E-1 Liquor License
Reduction:**

Village Manager, Evan Summers, presented an Ordinance Amending Title 3, Chapter 3, Section 5 of the Bensenville Village Code to Reduce the Number of Class E-1 Liquor Licenses Outstanding at Any One Time from Ten to Nine.

There were no questions from the Committee.

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

All were in favor. Motion Carried.

**Hancock
Engineering:**

Village Manager, Evan Summers, presented a Resolution Authorizing the Execution of a Construction Engineering Services Agreement for the 2020 Watermain Improvements Project with Hancock Engineering Company in the Not to Exceed Amount of \$108,856.00.

There were no questions from the Committee.

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

All were in favor. Motion Carried.

**Swallow
Construction:**

Village Manager, Evan Summers, presented a Resolution Authorizing the Award of a Construction Contract for the 2020 Village Watermain Replacement Project to Swallow Construction Corporation in the Amount of \$2,062,407.18.

There were no questions from the Committee.

Motion: Trustee Panicola 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.

**2020 Senior
Grass Cutting
Guidelines:**

Village Manager, Evan Summers, presented a Resolution Establishing Guidelines and Procedures for 2020 Senior/Disabled Grass Cutting Program.

Motion: Trustee Lomax 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.

LAR Lawn & Grounds:

Village Manager, Evan Summers, presented a Resolution Authorizing the Execution of a Contract with L.A.R. Lawn & Ground Corp. for the 2020 Senior/Disabled Grass Cutting Program.

There were no questions from the Committee.

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

All were in favor. Motion Carried.

Panoramic Landscaping:

Village Manager, Evan Summers, presented a Resolution Authorizing the Execution of a Contract with Panoramic Landscaping for the 2020 Senior/Disabled Grass Cutting Program.

There were no questions from the Committee.

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

All were in favor. Motion Carried.

Thomas Herrera Landscaping:

Village Manager, Evan Summers, presented a Resolution Authorizing the Execution of a Contract with Tomas Herrera Landscaping for the 2020 Senior/Disabled Grass Cutting Program.

There were no questions from the Committee.

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

All were in favor. Motion Carried.

**Roosevelt
University:**

Village Manager, Evan Summers, presented a Resolution Authorizing the Approval of an Estoppel Certificate for Roosevelt University and the Assignment and Assumption of Lease Between Robert Morris University Illinois (Assignor) and Roosevelt University (Assignee).

There were no questions from the Committee.

Motion: Trustee Panicola 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.

**Informational
Items:**

Village Manager, Evan Summers, provided the Committee with the Village's latest efforts with the COVID-19 pandemic.

**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 Panicola seconded the motion.

All were in favor. Motion carried.

President DeSimone adjourned the meeting at 6:43 p.m.

Corey Williamsen
Deputy Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this ____ day, August, 2021

TYPE:Minutes**SUBMITTED BY:**Corey Williamsen**DEPARTMENT:**Village Clerk's Office**DATE:**August 17, 2021**DESCRIPTION:**July 20, 2021 Special Committee of the Whole Workshop Minutes**SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:****COMMITTEE ACTION:****DATE:****BACKGROUND:****KEY ISSUES:****ALTERNATIVES:****RECOMMENDATION:****BUDGET IMPACT:****ACTION REQUIRED:****ATTACHMENTS:****Description**

Draft_ 210720_Special_Governance

Upload Date

8/12/2021

Type

Cover Memo

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

MINUTES OF THE SPECIAL COMMITTEE OF THE WHOLE
WORKSHOP
July 20, 2021

CALL TO ORDER: The workshop was called to order at 6:30 p.m.

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

Carmona, Franz, Frey, Lomax, Panicola, Perez

Absent: President DeSimone

A quorum was present.

Staff Present: M. Ribando, D. Schultz

Workshop: A discussion and review of basic government protocols and procedures that also included Emergency Management procedure during local disasters.

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

All were in favor. Motion carried.

The workshop was adjourned at 7:28 p.m.

Corey Williamsen
Deputy Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this ____ day, August 2021

TYPE:Minutes**SUBMITTED BY:**Corey Williamsen**DEPARTMENT:**Village Clerk's Office**DATE:**August 17, 2021**DESCRIPTION:**October 20, 2020 Special Committee of the Whole - Budget Workshop Minutes**SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:****COMMITTEE ACTION:****DATE:****BACKGROUND:****KEY ISSUES:****ALTERNATIVES:****RECOMMENDATION:****BUDGET IMPACT:****ACTION REQUIRED:****ATTACHMENTS:****Description**

DRAFT_201020_Special_COW

Upload Date

8/10/2021

Type

Cover Memo

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

MINUTES OF THE SPECIAL COMMITTEE OF THE WHOLE
BUDGET WORKSHOP
October 28, 2020

CALL TO ORDER: President DeSimone called the meeting to order at 7:00 p.m.

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

Carmona, Franz, Frey, Lomax, Perez

Absent: Panicola

A quorum was present.

Staff Present: E. Summers, J. Caracci, G. Ferguson, S. Flynn, T. Finner, J. McManus, D. Schultz, D. Schulze, A. Sumner, S. Viger

2021 Proposed Budget:

Village Manager, Evan Summers and Director of Finance, Julie McManus, presented to the Village Board the 2021 proposed budget. General discussion was held.

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

All were in favor. Motion carried.

President DeSimone adjourned the meeting at 8:32 p.m.

Corey Williamsen
Deputy Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this ____ day, August 2021

TYPE:Ordinance**SUBMITTED BY:**K. Fawell**DEPARTMENT:**CED**DATE:**08.17.21**DESCRIPTION:**Consideration of an Ordinance Granting a Special Use Permit to Operate a Restaurant at 410 E Green Street***SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:***

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

COMMITTEE ACTION:

Committee of the Whole

DATE:

08.17.21

BACKGROUND:

1. The Petitioner is seeking approval of a Special Use Permit to operate a restaurant in the vacant 3,000 SF building at 410 E Green Street.
2. The site is intended to be home to the second location of Tacos Puebla, a fast casual Mexican restaurant located in Addison.

KEY ISSUES:

1. Albeit the existing building on the site was previously used as a restaurant, it has been unoccupied for more than six consecutive months, which is the minimum time period for a use to be considered abandoned per Village Zoning Ordinance. Granting of a Special Use Permit is subsequently required in the event of an abandonment.

ALTERNATIVES:

Discretion of the Committee of the Whole.

RECOMMENDATION:

1. Staff respectfully recommends the approval of the Special Use Permit.
2. At their 08.03.21 Public Hearing, the Community Development Commission voted unanimously (4-0) to recommend approval of the request.

BUDGET IMPACT:

N/A

ACTION REQUIRED:

Approval of an Ordinance Granting a Special Use Permit to Operate a Restaurant at 410 E Green Street.

ATTACHMENTS:**Description****Upload Date****Type**

Aerial & Zoning Exhibits

8/10/2021

Backup Material

Legal Notice

8/10/2021

Backup Material

Application

8/10/2021

Backup Material

Staff Report

8/10/2021

Executive Summary

Plat of Survey	8/10/2021	Backup Material
Floor Plan	8/10/2021	Backup Material
Draft CDC Minutes	8/10/2021	Backup Material
Draft Ordinance	8/10/2021	Ordinance

410 E Green Street
Olivia Acuahuitl
Special Use Permit, Restaurant
Municipal Code Section 10 – 7 – 2 – 1



**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, August 3, 2021 at 6:30 P.M., at which a Public Hearing will be held to review case No. 2021 - 15 to consider a request for:

Special Use Permit, Restaurant
Municipal Code Section 10 – 7 – 2 – 1

at 410 E Green Street in 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:

LOTS 1 AND 2 IN DUNTEMAN’S GREEN STREET ADDITION TO BENSENVILLS, A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 14, 1918 AS DOCUMENT 134988, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 410 E Green Street, Bensenville, IL 60106.

Tacos Puebla Property LLC of 632 W Saint Aubin Dr, Addison, IL 60101 is the owner of and Olivia Acuahuitl of applicant 632 W Saint Aubin Dr, Addison, IL 60101 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. Directions for electronic attendance and participation 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 August 3, 2021 until 5:00 P.M

Office of the Village Clerk
Village of Bensenville

**TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT
July 15, 2021**

For Office Use Only		
Date of Submission: <u>6.1.21</u>	MUNIS Account #: <u>11042</u>	CDC Case #: <u>2021-15</u>

COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: 410 E Green St. Bensenville Illinois 60106

Property Index Number(s) (PIN): 03-13-321-001 & 03-13-321-002

A. PROPERTY OWNER:

Tacos Queba Property LLC
 Name Corporation (if applicable)
632 W. Saint Aubin Dr. Addison IL 60101
 Street
 City State Zip Code
Olivia Acuahuitl (347) 510-7454 TacosP511@gmail.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

Olivia Acuahuitl
 Name Corporation (if applicable)
632 W. Saint Aubin Dr.
 Street
Addison IL 60101
 City State Zip Code
Olivia Acuahuitl (347) 510-7454 tacosp511@gmail.com
 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)

Re open For Mexican Restaurant

C. PROJECT DATA:

1. General description of the site: Mexican Restaurant
2. Acreage of the site: 0.45 AC Building Size (if applicable): ≈ 3,000 SF
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.)

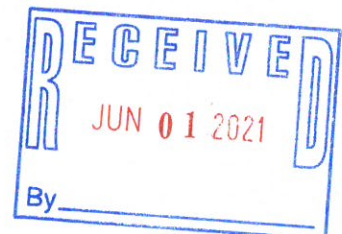
N/A

5. Character of the site and surrounding area:

	Zoning	Existing Land Use	Jurisdiction
Site:	<u>I-1</u>	<u>Commercial (Restaurant)</u>	<u>Bensenville</u>
North:	<u>I-2</u>	<u>Railroad Yard</u>	<u>Bensenville</u>
South:	<u>I-1</u>	<u>Industrial</u>	<u>Bensenville</u>
East:	<u>I-1</u>	<u>Industrial</u>	<u>Bensenville</u>
West:	<u>C-2</u>	<u>Commercial</u>	<u>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."





COMMUNITY DEVELOPMENT COMMISSION

STAFF REPORT

HEARING DATE: August 3, 2021
CASE #: 2021 – 15
PROPERTY: 410 E Green Street
PROPERTY OWNER: Tacos Puebla Property LLC
APPLICANT: Olivia Acuahuitl
SITE SIZE: 0.45 AC
BUILDING SIZE: 3,000 SF
PIN NUMBER: 03-13-321-001, 03-13-321-002
ZONING: I-1 Light Industrial District
REQUEST: Special Use Permit, Restaurant
Municipal Code Section 10 – 7 – 2 – 1

PUBLIC NOTICE:

1. A Legal Notice was published in the Bensenville Independent on Thursday, July 15, 2021. 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 a Notice of Public Hearing sign on the property, visible from the public way on Thursday, July 15, 2021.
3. On Monday, July 12, 2021, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' 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 is seeking approval of a Special Use Permit to operate a restaurant in the vacant 3,000 SF building at 410 E Green Street. The site is intended to be home to the second location of Tacos Puebla, a fast casual Mexican restaurant located in Addison.

Albeit the existing building on the site was previously used as a restaurant, it has been unoccupied for more than six consecutive months, which is the minimum time period for a use to be considered abandoned per Village Zoning Ordinance. Granting of a Special Use Permit is subsequently required in the event of an abandonment.

SURROUNDING LAND USES:

	Zoning	Land Use	Comprehensive Plan	Jurisdiction
Site	I – 1	Commercial	Commercial/Industrial Flex	Village of Bensenville
North	I – 2	Railroad Yard	Transportation	Village of Bensenville
South	I – 1	Industrial	Commercial/Industrial Flex	Village of Bensenville
East	I – 1	Industrial	Commercial/Industrial Flex	Village of Bensenville
West	C – 2	Commercial	Local Commercial	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) Account is up to date.

Police:

- 1) No objections.

Engineering and Public Works:

Public Works:

- 1) A working grease trap basin is required.

Engineering:

- 1) No comments.

Community & Economic Development:

Economic Development:

- 1) Fills a vacancy in a non-traditional retail/commercial space.
- 2) This property received a partial property tax exemption for vacancy this past year. Taxes will be expected to go up to at least the previous amount, although staff predicts an increase.
 - a. 2019 Taxes: \$17,408.70
 - b. 2020 Taxes: \$12,868.28
- 3) The restaurant will produce sales tax. Projected sales were not provided. Bensenville receives 1% of this amount.

Fire Safety:

- 1) Fire alarm system shall be on a separate plan review.
- 2) A key box shall be installed on the address side of the building.
- 3) Emergency and exit lights require 90-minute battery backup.
- 4) Exit and emergency lights must be installed above all exit doors.
- 5) Additional emergency lights are required in the dining on the south wall. Emergency light is required above the bar counter on the east wall.
- 6) Emergency lights are required in the cooler/freezers.
- 7) A mechanical plan has not included in this submittal. This will needed for additional review.

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.
- 3) In the I-1 District, operation of a restaurant requires a Special Use Permit.
 - a. The Village Zoning Ordinance does not mandate any specific use standards for a restaurant use.
- 4) This property has historically been utilized as a restaurant. Since the building has been left vacant for longer than six months, Village Code deems the use abandoned, therefore requiring the approval of a new Special Use Permit to operate a restaurant at this location.
- 5) The Petitioner is seeking to open a second location of their existing business located in Addison, Tacos Puebla, in this existing building.
- 6) Please note that signage requires a separate permit application.

APPROVAL STANDARDS FOR SPECIAL USES:

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

Applicant’s Response: No, we 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: Yes, this restaurant is compatible with the character of adjacent properties and was for many years.

- 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: We will not impede the normal and orderly development and improvement of adjacent properties and other properties within the immediate vicinity.

- 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: We will not require utilities, access roads, drainage, and/or other facilities or services to a degree disproportionate to that normally expected, nor generate disproportionate demand for new services or 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: Yes, we will be consistent with the intent of the comprehensive plan, this title, and the other land use policies of the village.

Special Use Permit Approval Standards	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:

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Special Use Permit to operate a restaurant at 410 E Green Street.

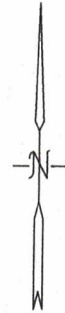
Respectfully Submitted,

Department of Community & Economic Development

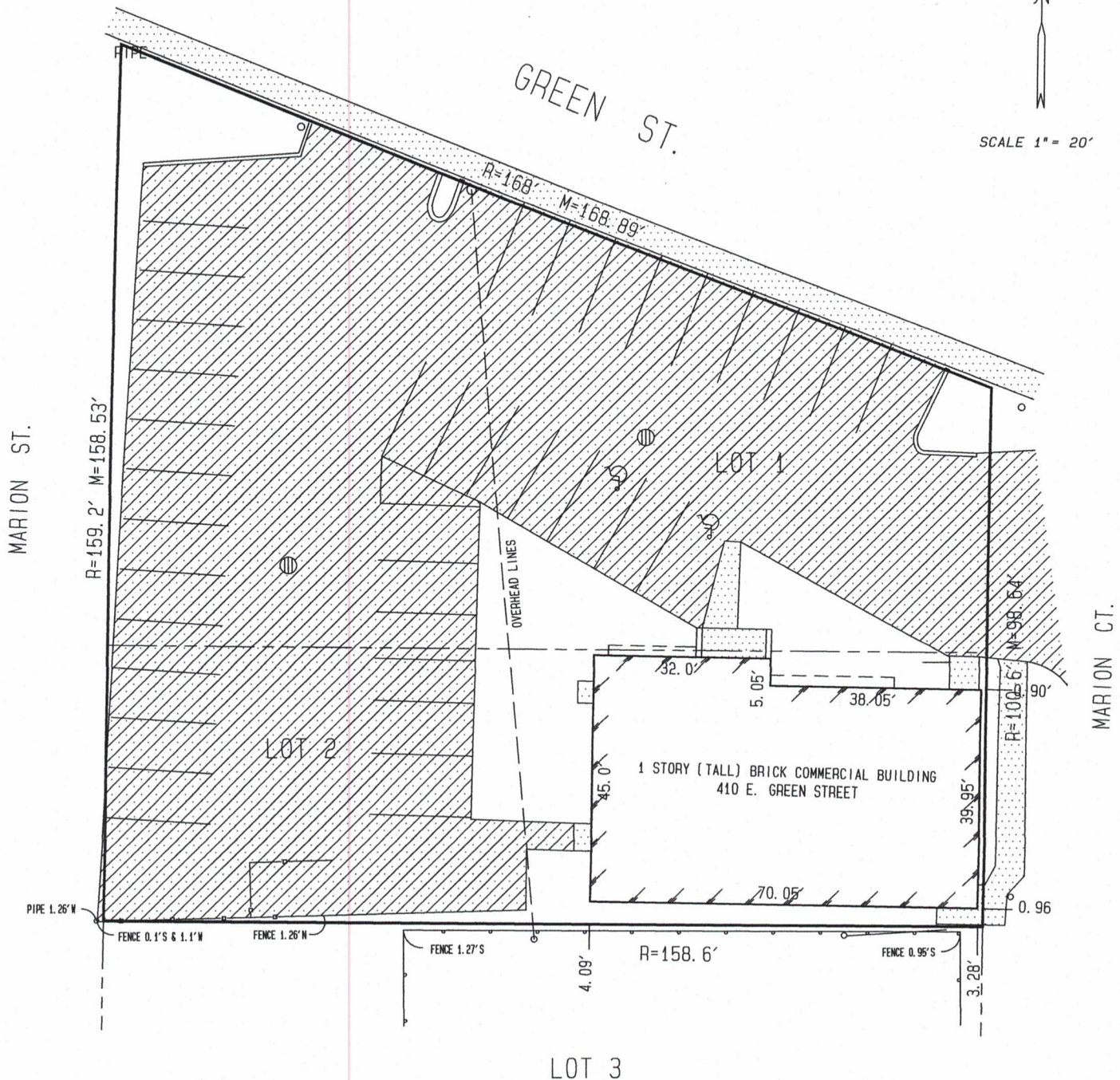
PLAT OF SURVEY

Order No. 2115885

LOTS 1 AND 2 IN DUNTEMAN'S GREEN STREET ADDITION TO BENSENVILLE, A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 14, 1918 AS DOCUMENT 134988, IN DUPAGE COUNTY, ILLINOIS.



SCALE 1" = 20'



LEGEND	
LIMITS OF BUILDING =	CONCRETE =
R = RECORD	PAVERS =
M = MEASURED	ASPHALT =
D = DEED	
● = FOUND IRON PIPE	
○ = SET IRON PIPE	
⊙ = HYDRANT	
⊛ = LIGHT	

STATE of ILLINOIS
COUNTY of KANE

WE, LAND DIVISIONS INC., CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY AND THAT THIS PROFESSIONAL SERVICE REPRESENTS A TESTED OPINION OF THE BOUNDARY OF THE ABOVE CAPTIONED PROPERTY.
DATE OF SURVEY: MAY, 2021.

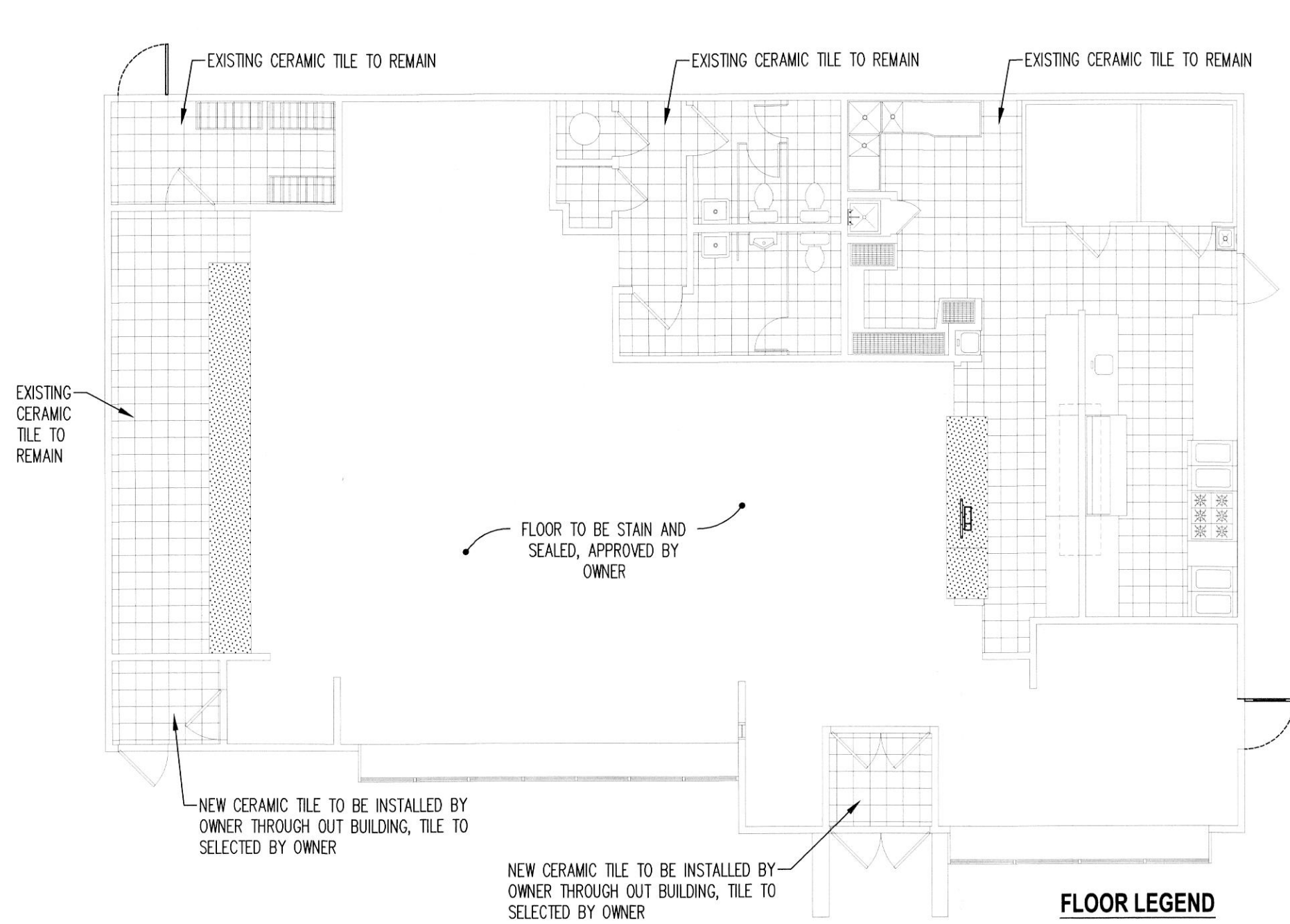
LDI LAND DIVISIONS, Inc.

Professional Surveying Services

P.O. Box 835
West Dundee, Illinois 60118
(847) 841-8305 (847) 551-9171
fax (841) 551-9193
EMAIL LANDDIVISIONS@AOL.COM

LICENSE NO. 2783 EXPIRES ON NOVEMBER 30, 2022.

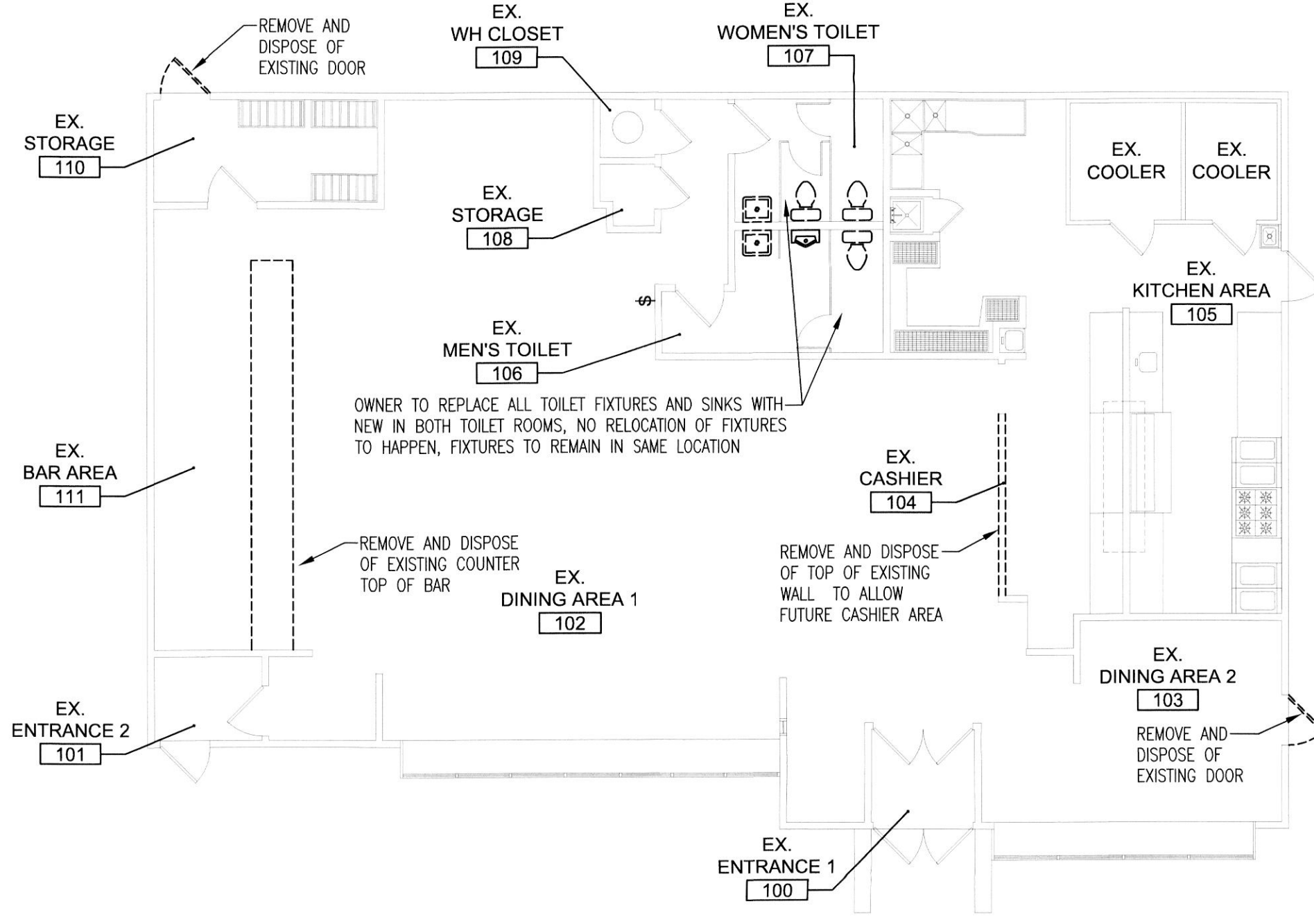
THIS PLAT CONFORMS WITH THE CURRENT ILLINOIS PROFESSIONAL LAND SURVEYORS ASSOCIATION MINIMUM STANDARDS FOR A BOUNDARY SURVEY. BUILDING LINE RESTRICTIONS AND EASEMENTS SHOWN ARE THOSE IDENTIFIED ON THE RECORD SUBDIVISION PLAT, UNLESS OTHERWISE NOTED. REFER TO TITLE INSURANCE POLICY AND LOCAL ZONING ORDINANCES FOR RESTRICTIONS NOT SHOWN. COMPARE DEED DESCRIPTION AND SITE CONDITIONS WITH THE DATA GIVEN ON THIS PLAT. IMMEDIATELY REPORT ANY DISCREPANCIES FOUND. ALL DISTANCES ARE IN FEET AND DECIMAL PARTS THEREOF. THIS PLAT HAS BEEN PREPARED FOR VALENTY TRUST AND CUAZITIL.



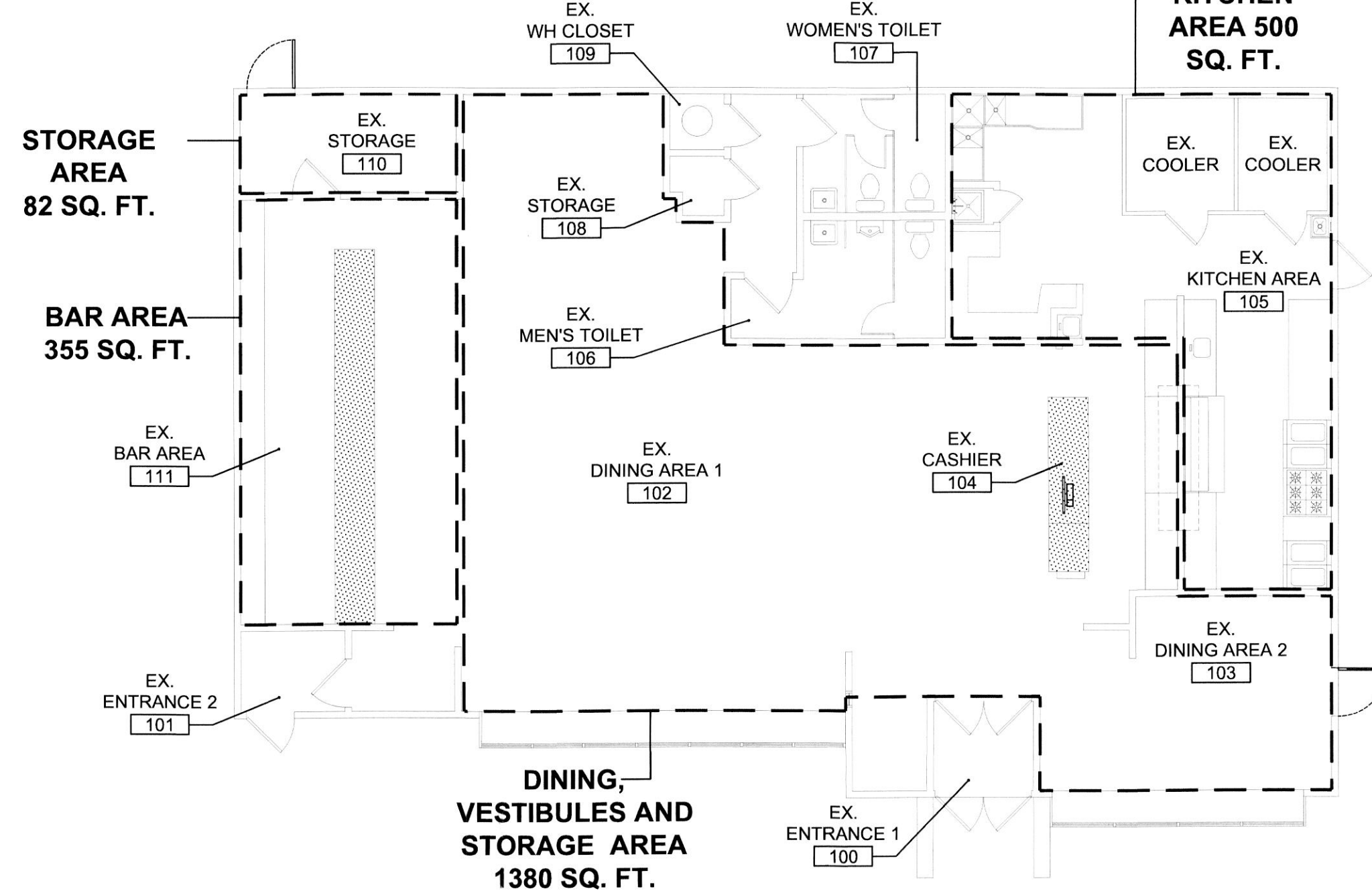
3 NEW FLOOR FINISH PLAN
SCALE: 1/8" = 1'-0"

FLOOR LEGEND

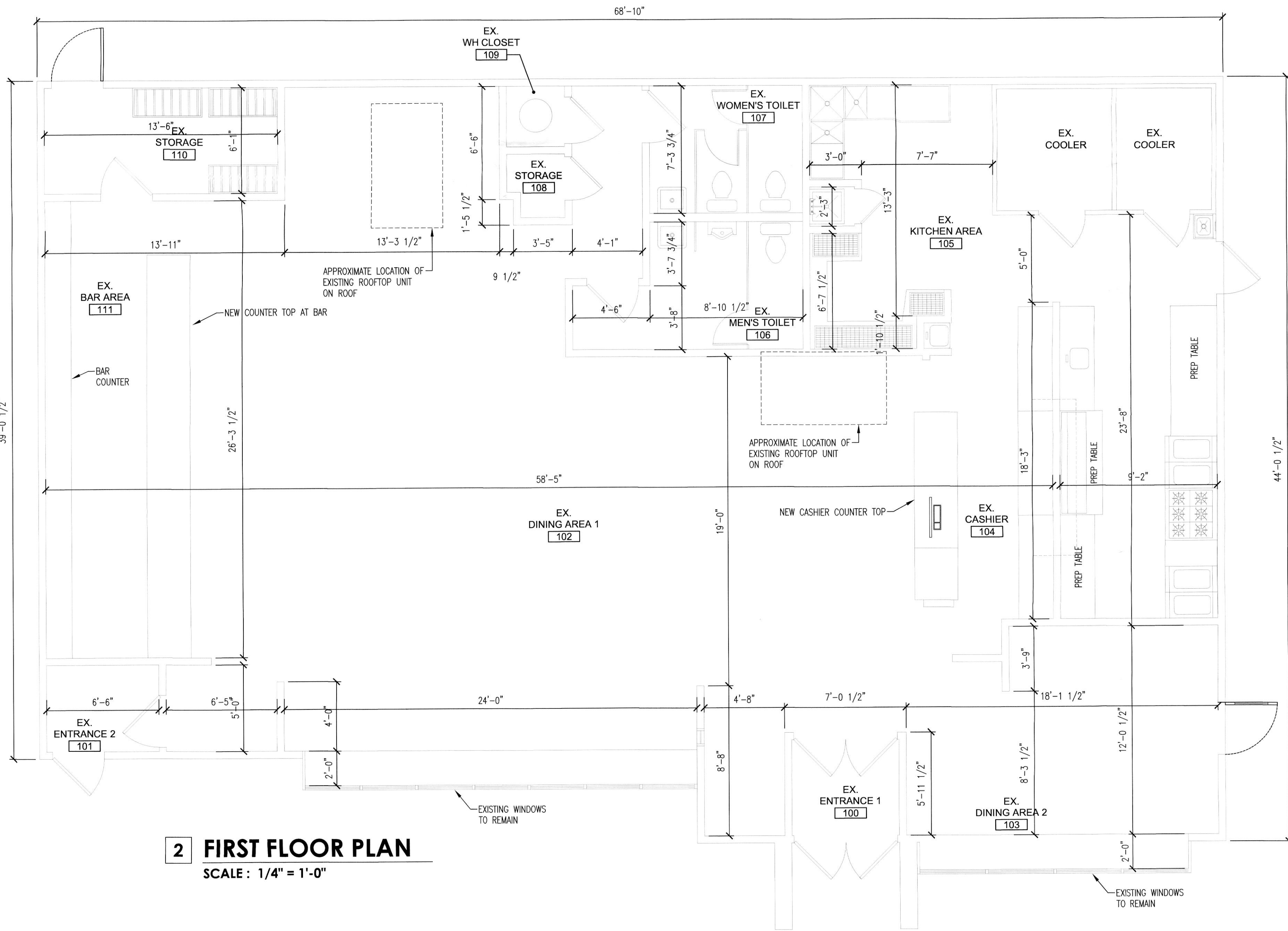
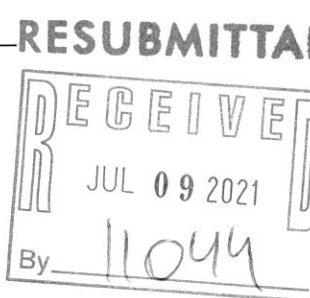
- AREA OF FLOOR TILE TO REMAIN
- AREA OF FLOOR TILE BE REPLACED WITH NEW
- AREA OF FLOOR TILE TO BE REMOVED AND CONCRETE TO BE SEALED



4 DEMOLITION FLOOR PLAN
SCALE: 1/8" = 1'-0"



5 OCCUPANCY AREAS FLOOR PLAN
SCALE: 1/8" = 1'-0"



2 FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

2015 IBC OCCUPANCY

KITCHEN 500 / 200	2.5 OCC	BAR AREA 355 SF / 5 NET	71 OCC
DINING AREA 1380/155F NET	92 OCC	STORAGE 82 SF/400 SF	1 OCC

SHEET INDEX

NO.	SHEET TITLE
A1	NEW AND DEMOLITION PLANS
A2	FURNITURE/FIXTURE, POWER AND LIGHTING PLAN
FA	FIRE ALARM PLAN

BUILDING CODES

- ZONING: CITY OF VILLAGE OF BENSENVILLE ZONING ORDINANCE
- BUILDING: 2015 INTERNATIONAL BUILDING CODE WITH LOCAL AMENDMENTS
- 2014 NATIONAL ELECTRIC CODE WITH LOCAL AMENDMENTS
- 2018 INTERNATIONAL ENERGY CONSERVATION CODE WITH LOCAL AMENDMENTS
- 2014 ILLINOIS PLUMBING CODE WITH LOCAL AMENDMENTS
- ACCESSIBILITY: AMERICANS WITH DISABILITIES ACT OF 1990
- ILLINOIS ACCESSIBILITY CODE 2018

ADMINISTRATIVE NOTES

- THESE DRAWINGS ARE INTENDED ONLY AS AN OUTLINE FOR CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR ALL DESIGN NOT SPECIFICALLY & COMPLETELY SHOWN AND SPECIFIED. ALL ASSUMPTIONS REACHED FROM REVIEW OF THESE DRAWINGS SHALL BE TOTALLY THE RESPONSIBILITY OF THE PARTY MAKING THE ASSUMPTIONS.
- ALL FEDERAL, STATE, AND LOCAL CODES, ORDINANCES, REGULATIONS, ETC. SHALL BE CONSIDERED AS PART OF THE SPECIFICATIONS FOR THIS BUILDING AND SHALL TAKE PRECEDENCE OVER ANYTHING SHOWN, DESCRIBED OR IMPLIED WHEN SOME ARE AT VARIANCE.
- OWNER SHALL VERIFY ALL DIMENSIONS & EXISTING CONDITIONS AT THE SITE. ANY DISCREPANCIES BETWEEN THE PLANS AND ACTUAL JOB CONDITIONS ARE TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT FOR CLARIFICATION PRIOR TO START OF CONSTRUCTION OR DURING CONSTRUCTION.
- OWNER IS TO OBTAIN ALL NECESSARY PERMITS PRIOR TO START OF CONSTRUCTION.
- THIS ARCHITECT HAS NOT BEEN RETAINED TO SUPERVISE OR OBSERVE CONSTRUCTION OF THIS PROJECT.

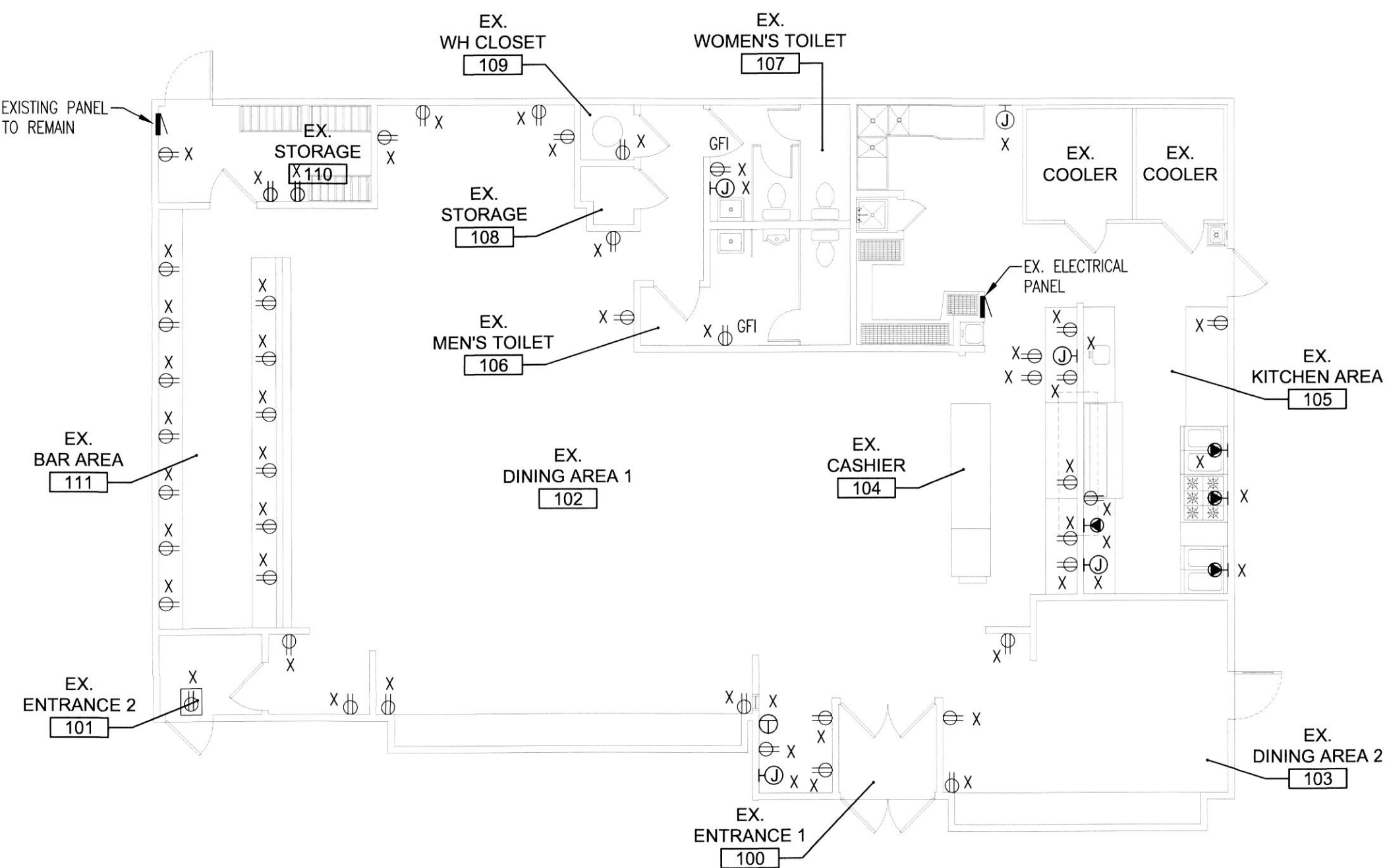
GENERAL NOTES

- DO NOT SCALE DRAWINGS.
- OWNER SHALL VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS AND SHALL NOTIFY THE ARCHITECT OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH THE WORK.
- NOTES WHICH APPLY AT ALL SIMILAR CONDITIONS SHALL GOVERN WHETHER REPEATED OR NOT.
- ALL WORK TO BE PERFORMED TO BE IN COMPLIANCE WITH ALL APPLICABLE CODES, REGULATORY AGENCIES, STATUTES AND RECOGNIZED INDUSTRY STANDARDS.
- ALL WORK SHALL BE PERFORMED IN A TRADESMAN-LIKE MANNER AND SHALL CONFORM TO THE BEST STANDARD PRACTICES OF THE TRADE INVOLVED.
- OWNER TO REPLACE LIGHTING FIXTURES AT SAME LOCATION OF EXISTING WITH NEW LED LIGHT FIXTURES.
- ALL EXISTING CONDITION SHALL REMAIN THE SAME UNLESS OTHERWISE NOTED.
- OWNER TO MAKE ADJUSTMENTS IN FIELD DUE TO FIELD DISCREPANCIES.
- ALL EXISTING KITCHEN EQUIPMENT ARE EXISTING TO REMAIN, TO BE NSF APPROVED.

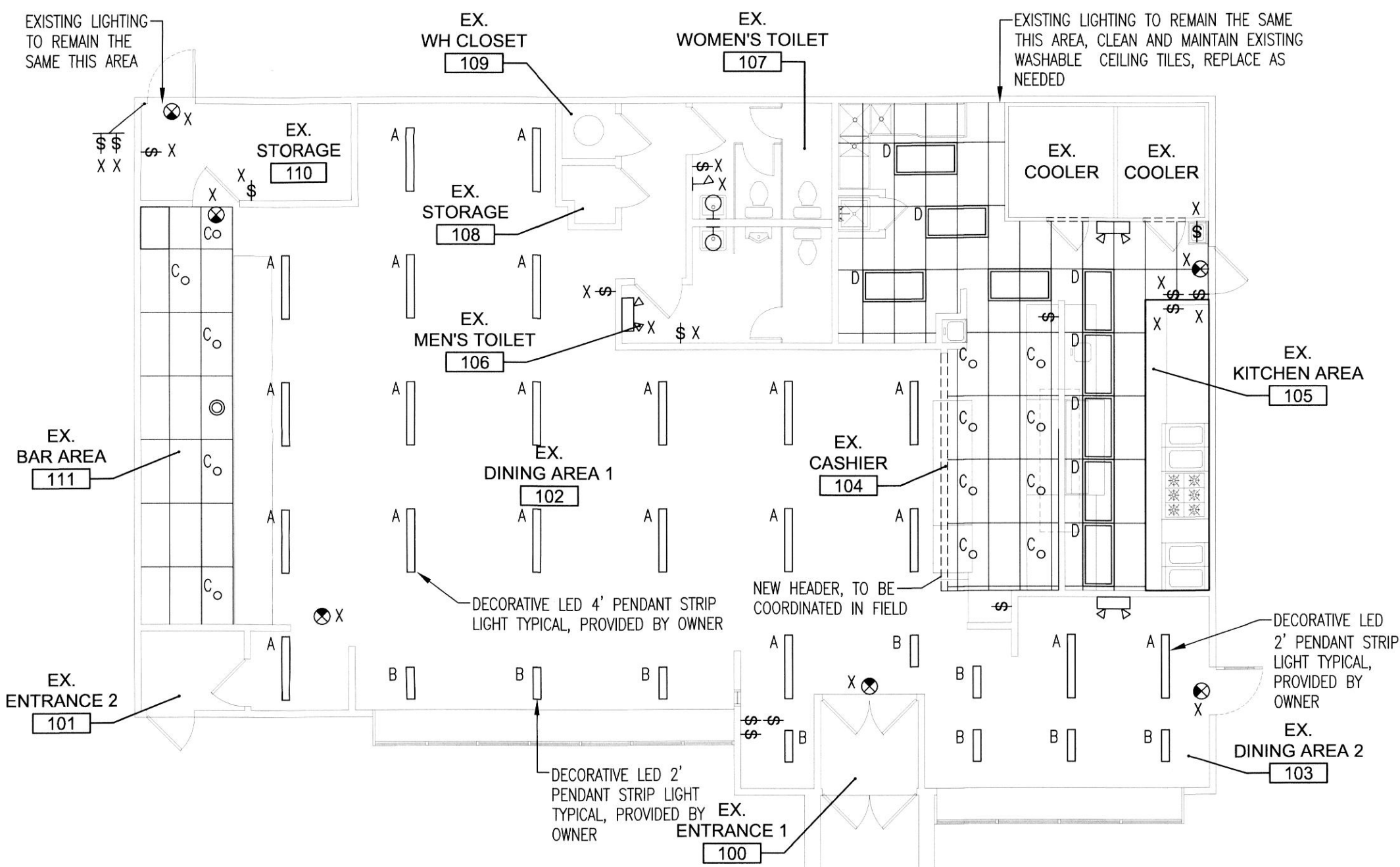
I HEREBY CERTIFY THAT THESE DRAWINGS WERE PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLY WITH THE CODES AND ORDINANCES OF THE VILLAGE OF BENSENVILLE AND THE STATE OF ILLINOIS

ENRIQUE CASTEL, LICENSED ARCHITECT - NO. 001-020515
DATE: 07.07.2021

LICENSE EXPIRES 11-30-2021

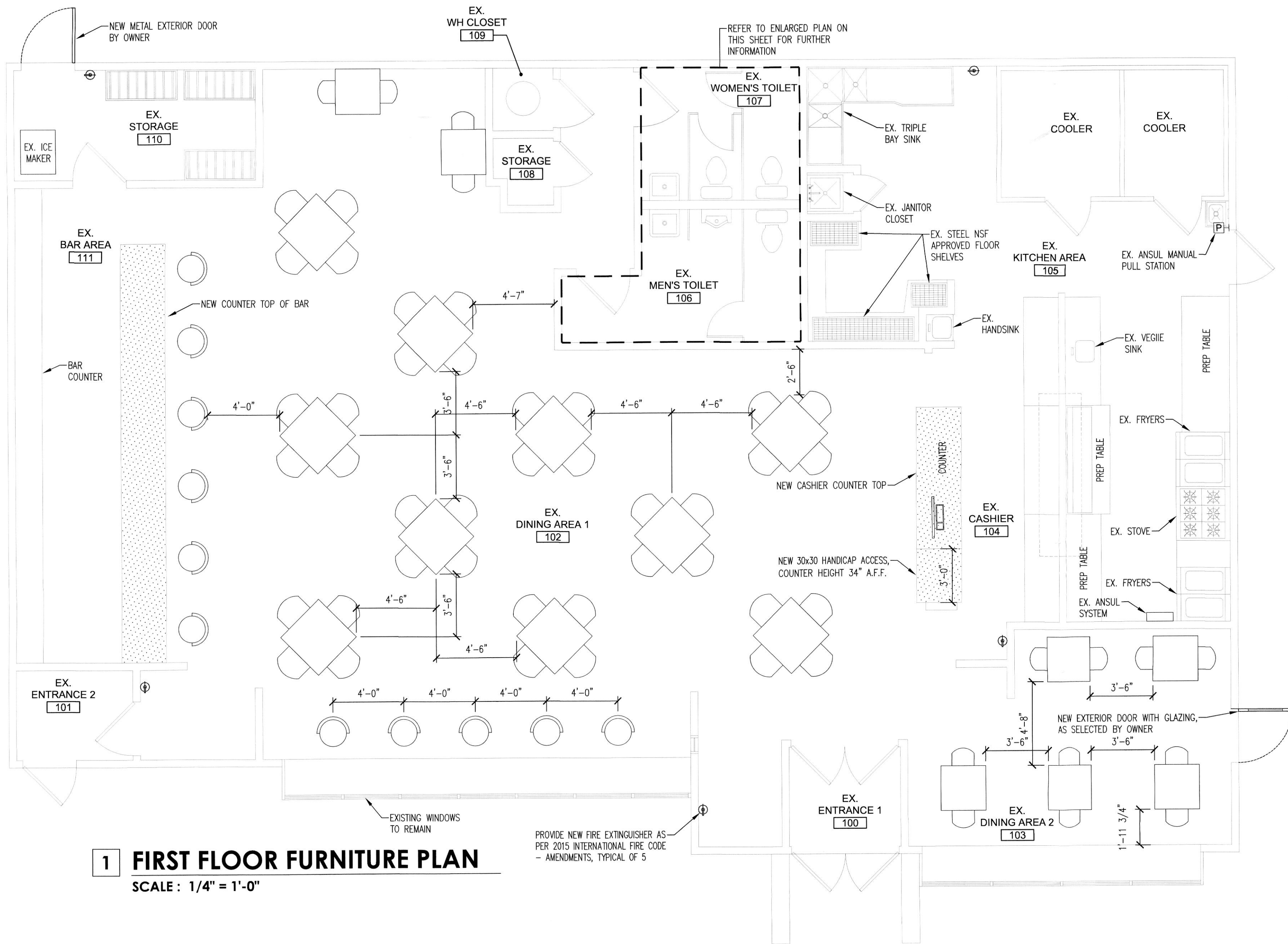


2 POWER FLOOR PLAN
SCALE: 1/8" = 1'-0"

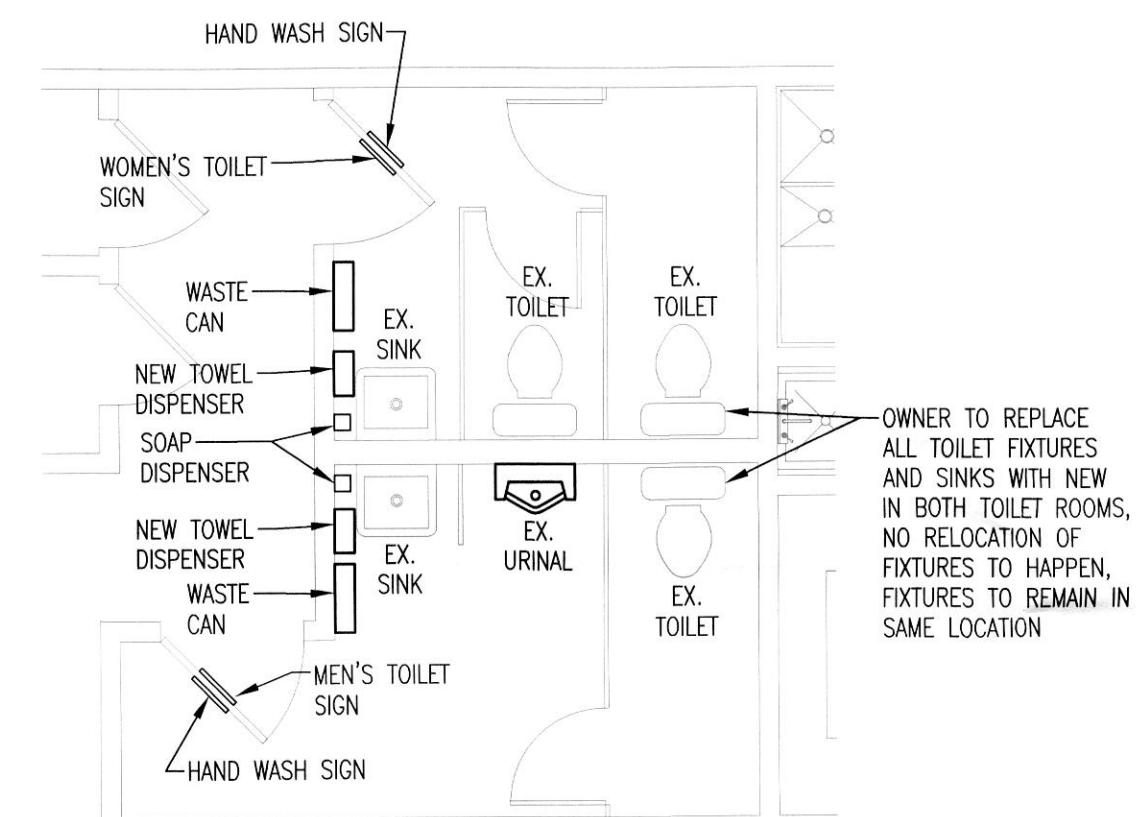


3 LIGHTING FLOOR PLAN
SCALE: 1/8" = 1'-0"

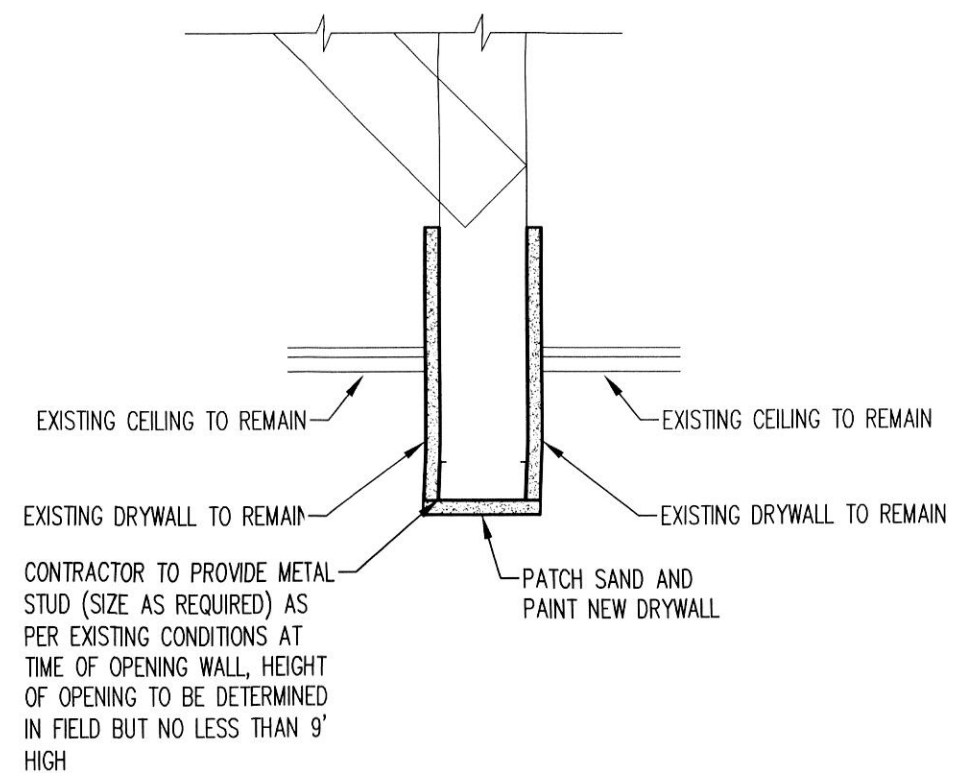
SYMBOL LIST	
SYMBOL	DESCRIPTION
	WALL MOUNTED SELF CONTAINED EMERGENCY FIXTURE WITH BATTERY BACKUP AND SOLID STATE CHARGER.
	WALL MOUNTED SELF CONTAINED EMERGENCY FIXTURE WITH FACE, WITH OR WITHOUT DIRECTIONAL ARROWS.
	SINGLE POLE 20 AMP 120 VOLT TOGGLE SWITCH WALL MOUNTED.
	STANDARD DUPLEX RECEPTACLE.
	SAME AS ABOVE EXCEPT WITH GROUND FAULT INTERRUPTER.
	ELECTRICAL PANEL.
	AUDIO/VISUAL ALARM DEVICE.
	VISUAL ALARM DEVICE.
	PULL STATION.
	WALL MOUNTED SMOKE DETECTOR.
	CEILING MOUNTED SMOKE DETECTOR.
	CEILING MOUNTED HEAT DETECTOR.
	THERMOSTAT.
X	EXISTING ELECTRICAL DEVICE TO REMAIN
R	EXISTING ELECTRICAL DEVICE TO BE REMOVED
	PROVIDE NEW FIRE EXTINGUISHER AS PER 2015 INTERNATIONAL FIRE CODE - AMENDMENTS, TYPICAL OF 5



1 FIRST FLOOR FURNITURE PLAN
SCALE: 1/4" = 1'-0"



4 HEADER DETAIL
NO SCALE



5 HEADER DETAIL
NO SCALE

PLUMBING NOTE:
ALL SANITARY LINES, CLEAN OUTS, FLOOR DRAINS AND OPEN SITE DRAINS, HOT AND COLD WATER LINES TO REMAIN THE SAME. CLEAN AND PLUMBING FIXTURES AS REQUIRED IN FIELD. TOILET FIXTURES WILL BE REPLACED AS NEEDED.

VENTILATION NOTE:
MAIN DUCT VENTILATION LINES AND VENTILATION BRANCHES TO REMAIN IN PLACE, OWNER TO CLEAN OR REPLACE SUPPLY OR RETURN GILLES AS REQUIRED IN FIELD.

LIGHTING PLAN GENERAL NOTES:
THE MINIMUM WIRE SIZE SHALL BE 12 AWG, EXCEPT FOR NEUTRAL CONDUCTORS WHICH THE MINIMUM SIZE SHALL BE 10 AWG. THE MINIMUM CONDUIT SIZE FOR HOMERUNS SHALL BE 3/4" UNLESS OTHERWISE INDICATED LARGER. 1/2" CONDUIT SHALL BE ACCEPTABLE FOR BRANCH WIRING TO LIGHTING FIXTURES WHERE APPLICABLE. ALL LIGHTING BRANCH CIRCUITS SHALL TERMINATE AT 20A, 1-POLE CIRCUIT BREAKERS IN PANELBOARD INDICATED UNLESS OTHERWISE NOTED. PROVIDE LOCK-ON CIRCUIT BREAKER DEVICE FOR ALL EMERGENCY LIGHTING & EXIT SIGN BRANCH CIRCUITS. REFER TO ARCHITECTURAL REFLECTED CEILING PLANS FOR EXACT LIGHTING FIXTURE LOCATIONS.

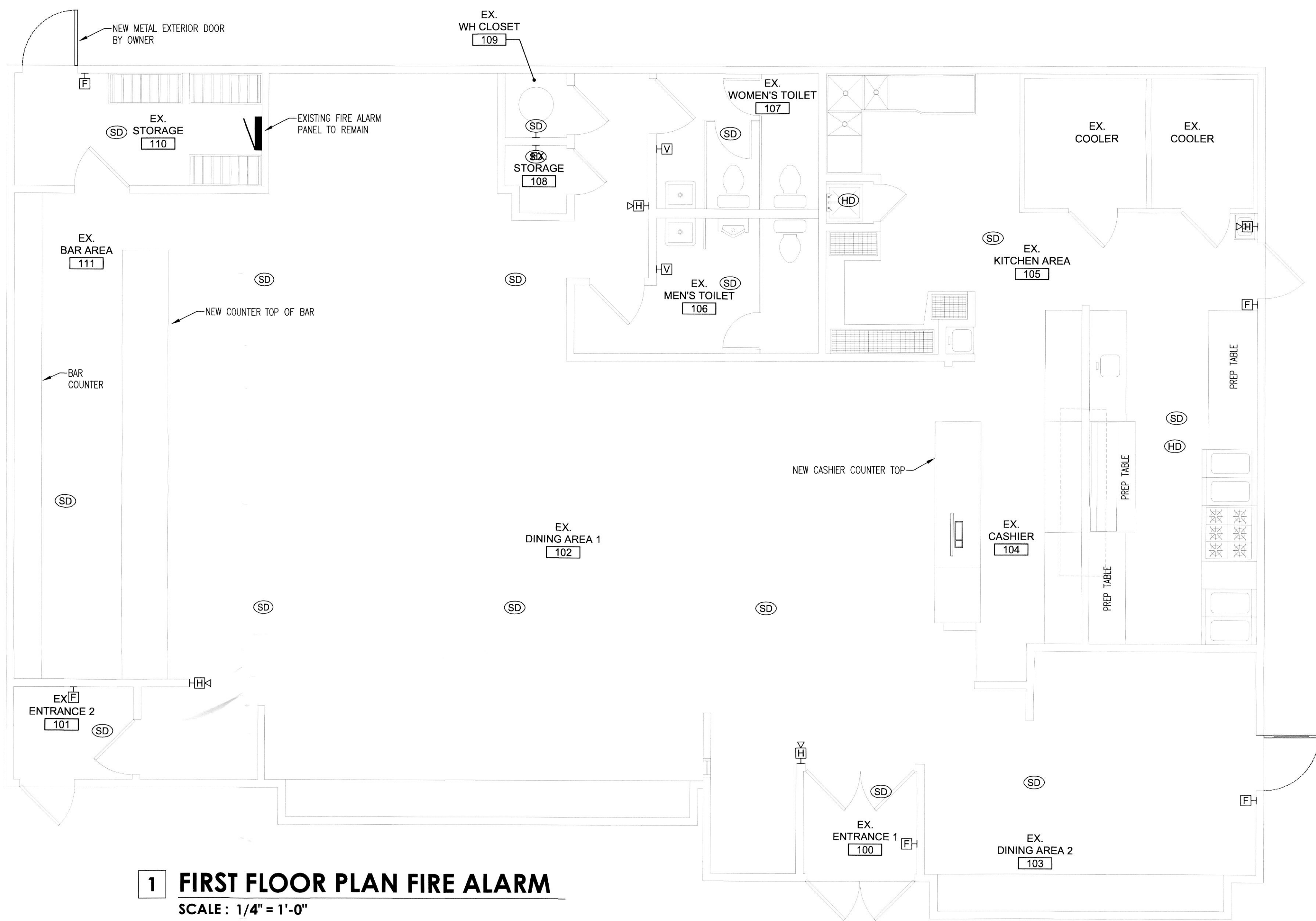
GENERAL CONTRACTOR NOTE:
THE OWNER SHALL BE RESPONSIBLE TO REMOVE, RESTORE, CUT, PATCH, PAINT, ETC. ANY WALLS OR CEILINGS AS REQUIRED TO PERFORM THIS CONTRACTORS WORK. THIS INCLUDES REPLACEMENT OF ANY CEILING GRID AND TILES DAMAGED DURING CONSTRUCTION/DEMOLITION. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO DOCUMENT ANY DAMAGED CEILING TILES OR COMPONENTS PRIOR TO CONSTRUCTION/DEMOLITION AND NOTIFY OWNER.

RECEPTACLE NOTE:
ALL OUTLETS IN FOOD SERVICE AREAS (KITCHEN, SERVING) SHALL BE GFI TYPE. THIS WILL INCLUDE ALL 15 AND 20-AMPERE, 125-VOLT RECEPTACLES AS PER NEC 210.8(B)(2). PROVIDE FOR WIRING CONTINUITY WHERE RECEPTACLES ARE REMOVED.

EXISTING ELECTRICAL PANEL NOTES:
ELECTRICAL PANEL LOCATION INDICATED ON PLAN IS FOR REFERENCE/CONVENIENCE PURPOSES ONLY. THE ELECTRICAL CONTRACTOR SHALL VERIFY ALL AS REQUIRED FOR THIS PROJECT'S WORK. PROVIDE NEW CIRCUITS/CIRCUIT BREAKERS (MATCH EXISTING TYPE) WHERE REQUIRED. VERIFY SPARES AND SPACES IN RESPECTIVE EXISTING ELECTRICAL PANEL AND CIRCUIT ACCORDINGLY. VERIFY PANEL LOADING PRIOR TO FINAL CONNECTIONS.

ELECTRICAL NOTES:
1. OWNER TO FIELD VERIFY EXISTING CONDITIONS, UPDATE PANEL SCHEDULE WITH EXISTING AND ABANDONED OUTLETS AS PER EXISTING CONDITIONS, UPDATE PANEL SCHEDULE CIRCUIT INFORMATION AT PANEL DIRECTORY LIST ON EXISTING PANEL DOOR.
2. ALL ELECTRICAL IS EXISTING TO REMAIN UNLESS NOTED OTHERWISE.
3. REMOVE ABANDONED EXISTING ELECTRICAL DEVICES AND CONDUIT BACK TO FLUSH WITH WALL. REMOVE CONDUCTORS IN ENTIRETY BACK TO PANEL.
4. OWNER TO CHECK ALL EXISTING ELECTRICAL DEVICES, CLEAN OR REPLACE AS NEEDED PER CONDITIONS OF EXISTING DEVICES.
5. OWNER TO REINSTALL NEW LED PENDANT LIGHT FIXTURES IN EX. DINING AREA 1 102, LIGHTING IN THE REST OF BUILDING TO REMAIN THE SAME.
6. ALL ABANDONED AND NOT USED CONDUIT BOXES AND WIRING NOT USED TO BE REMOVED COMPLETE BACK TO SOURCE OF ORIGIN, JUNCTION BOXES OR BACK TO MAIN PANEL.

EXISTING ELECTRICAL PANEL NOTES:
ELECTRICAL PANEL LOCATION INDICATED ON PLAN IS FOR REFERENCE/CONVENIENCE PURPOSES ONLY. THE ELECTRICAL CONTRACTOR SHALL VERIFY ALL AS REQUIRED FOR THIS PROJECT'S WORK. PROVIDE NEW CIRCUITS/CIRCUIT BREAKERS (MATCH EXISTING TYPE) WHERE REQUIRED. VERIFY SPARES AND SPACES IN RESPECTIVE EXISTING ELECTRICAL PANEL AND CIRCUIT ACCORDINGLY. VERIFY PANEL LOADING PRIOR TO FINAL CONNECTIONS.



1 FIRST FLOOR PLAN FIRE ALARM
SCALE : 1/4" = 1'-0"

DETAIL NOTES

- ALL NEW FIRE ALARM WIRING SHALL BE ROUTED IN CONDUIT OR CONCEALED ABOVE ACCESSIBLE CEILINGS IN PLENUM RATED, "RED" FIRE ALARM CABLE. ALL FIRE ALARM CABLING SHALL BE CONCEALED.
- ALL WORK INDICATED THIS SHEET IS DIAGRAMMATIC FOR REFERENCE ONLY. REFER DRAWINGS PROVIDED BY FIRE ALARM CONTRACTOR FOR FINAL QUANTITIES AND LOCATIONS.
- FIRE ALARM MANUFACTURER REPRESENTATIVE TO PROVIDE SHOP DRAWINGS, WIRING DIAGRAMS AND BATTERY CALCULATIONS TO THE VILLAGE FOR REVIEW AND PERMIT.
- FIELD VERIFY EXACT REQUIREMENTS, QUANTITY, AND LOCATION OF DUCT SMOKE DETECTOR AND HOOD ANSUL SYSTEM.

ISSUED FOR PERMIT		Revisions / Submissions	
No.	Date	No.	Date
1	07.07.21		

Motion: Commissioner Chambers made a motion to close CDC Case No. 2021-13. Commissioner King seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2021-13 at 6:54 p.m.

Motion: Commissioner King made a combined motion to approve the Findings of Fact and Approval a Variation, Maximum Driveway Width, Municipal Code Section 10 – 8 – 8 – 1. Chairman Rowe seconded the motion.

ROLL CALL: Ayes: None

Nays: Rowe, Chambers, King, Wasowicz

Motion Failed.

Motion: Commissioner Chambers made a combined motion to approve the Findings of Fact and Approval a Variation, Driveway Parking Pad Depth, Municipal Code Section 10 – 8 – 8 – G.3. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: None

Nays: Rowe, Chambers, King, Wasowicz

Motion failed.

Public Hearing: CDC Case Number 2021-15

Petitioner: Olivia Acuahuatl

Location: 410 East Green Street

Request: Special Use Permit, Restaurant

Municipal Code Section 10 – 7 – 2 – 1

Motion: Commissioner Wasowicz made a motion to open CDC Case No. 2021-15. Commissioner Chambers seconded the motion.

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

Chairman Rowe opened CDC Case No. 2021-15 at 6:57 p.m.

Village Planner, Kelsey Fawell was present and sworn in by Chairman Rowe. Ms. Fawell stated a Legal Notice was published in the Bensenville Independent on July 15, 2021. Ms. Fawell 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. Ms. Fawell stated Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on July 15, 2021. Ms. Fawell stated on July 12, 2021 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. Ms. Fawell 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.

Ms. Fawell stated the Petitioner is seeking approval of a Special Use Permit to operate a restaurant in the vacant 3,000 SF building at 410 E Green Street. Ms. Fawell stated the site is intended to be home to the second location of Tacos Puebla, a fast casual Mexican restaurant located in Addison.

Ms. Fawell stated albeit the existing building on the site was previously used as a restaurant, it has been unoccupied for more than six consecutive months, which is the minimum time period for a use to be considered abandoned per Village Zoning Ordinance. Ms. Fawell stated granting of a Special Use Permit is subsequently required in the event of an abandonment.

Olivia Acuahuatl, property owner, was present and sworn in by Chairman Rowe. Ms. Acuahuatl stated they purchased the property in May and would like to open their second location. Ms. Acuahuatl stated they are currently remodeling the building.

Commissioner King asked what their hours of operation would be. Ms. Acuahuatl stated they currently don't know as they want to see how they market in Bensenville is. Ms. Acuahuatl stated the plan is to be open for lunch and dinner but would be open to the idea of breakfast if the market is right.

Public Comment

Chairman Rowe asked if there was any member of the Public that would like to comment of the CDC Case. There were none.

Ms. Fawell reviewed the Findings of Fact for the proposed special use permit as presented in the Staff Report 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: No, we 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: Yes, this restaurant is compatible with the character of adjacent properties and was for many years.

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: We will not impede the normal and orderly development and improvement of adjacent properties and other properties within the immediate vicinity.

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: We will not require utilities, access roads, drainage, and/or other facilities or services to a degree disproportionate to that normally expected, nor generate disproportionate demand for new services or 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: Yes, we will be consistent with the intent of the comprehensive plan, this title, and the other land use policies of the village.

Ms. Fawell stated Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Special Use Permit to operate a restaurant at 410 E Green Street.

There were no further questions from the Commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2021-15. Chairman Wasowicz seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2021-15 at 7:03 p.m.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of a Special Use Permit, Restaurant Municipal Code Section 10 – 7 – 2 – 1. Commissioner Chambers seconded the motion.

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

Nays: None

All were in favor. Motion Carried.

Public Hearing: CDC Case Number 2021-19
Petitioner: Century Metal Spinning Co.
Location: 430 Meyer Road
Request: Preliminary Plat of Consolidation
Municipal Code Section 11 – 3
Site Plan Review
Municipal Code Section 10 – 3 – 2
Variation, Off-Street Parking Requirements
Municipal Code Section 10 – 8 – 2 – 1
Variation, Pedestrian Circulation Systems
Municipal Code Section 10 – 8 – 7
Variation, Tree Preservation Replacement Standards
Municipal Code Section 10 – 9 – 2.B
Variation, Parking Lot Landscaping Tree Canopy Coverage
Municipal Code Section 10 – 9 – 5.A
Variation, Parking Lot Interior Landscape Islands
Municipal Code Section 10 – 9 – 5.C

Motion: Commissioner Chambers made a motion to open CDC Case No. 2021-19. Commissioner Wasowicz seconded the motion.

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

Chairman Rowe opened CDC Case No. 2021-19 at 7:05 p.m.

Village Planner, Kelsey Fawell was present and sworn in by Chairman Rowe. Ms. Fawell stated a Legal Notice was published in the Bensenville Independent on July 15, 2021. Ms. Fawell 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. Ms. Fawell stated Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on July 15, 2021. Ms. Fawell stated on July 12, 2021 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. Ms. Fawell stated an affidavit of mailing

ORDINANCE # _____

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO OPERATE A
RESTAURANT AT 410 E GREEN STREET, BENSENVILLE, ILLINOIS**

WHEREAS, Tacos Puebla Property LLC (“Owner”) of 632 W Saint Aubin Dr, Addison, IL 60101 and Olivia Acuahuitl (“Applicant”) of 632 W Saint Aubin Dr, Addison, IL 60101, filed an application for Special Use Permit, Restaurant, Municipal Code Section 10-7-2-1 of the Bensenville Village Zoning Ordinance (“Zoning Ordinance”), for the property located at 410 E Green Street, 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 sought by the Applicant was published in the Bensenville Independent on Thursday, July 15, 2021 by the Village of Bensenville, and notice was also given via posting of a Public Hearing Sign on the Subject Property on Thursday, July 15, 2021, and via First Class mail to taxpayers of record within 250 feet of the Subject Property on Monday, July 12, 2021, 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 August 3, 2021, as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, after hearing the application, the Community Development Commission agreed with the findings of fact submitted by the Applicant, and thereafter, voted unanimously (4-0) to recommend approval of the Special Use Permit, Restaurant, Municipal Code Section 10-7-2-1, and forwarded its recommendations, including the Staff Report and findings relative to the

Special Use Permit, to the Village Board Committee of the Whole, which concurred with the recommendations made therein, as are attached hereto and incorporated herein by reference as Exhibit "B"; and

WHEREAS, on August 17, 2021, the Village Board Committee of the Whole then forwarded its recommendation, along with that of the Community Development Commission, to the President and Board of Trustees; and

WHEREAS, the President and Board of Village Trustees have reviewed the matter herein and have determined that approval of the Special Use Permit, Restaurant, Municipal Code Section 10-7-2-1, as recommended by the Community Development Commission to approve the Special Use Permit, is consistent with the Zoning Ordinance.

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 under the Zoning Ordinance as I-1 Light Industrial District, which zoning classification shall remain in effect subject to the Variations approved herein.

Section 3. That the Staff Report and Recommendations to approve the Special Use Permit, sought by the Applicant, as allowed by the Zoning Ordinance, Section 10-7-2-1, as adopted by the Community Development Commission as shown in Exhibit "B", is hereby adopted by the President and Board of Trustees, the Board of Trustees finding that said Special Use Permit is proper and necessary.

Section 4. That the Special Use Permit, Restaurant, Municipal Code Section 10-7-2-1, as sought by the Applicant of the Subject Property, is hereby approved.

Section 5. That all requirements of the Zoning Ordinance shall be applicable except as allowed by the Special Use Permit approved herein.

Section 6. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 7. 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 14th day of September 2021, pursuant to a roll call vote, as follows:

APPROVED:

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

Ordinance # ____ - 2021
Exhibit “A”

The Legal Description is as follows:

LOTS 1 AND 2 IN DUNTEMAN’S GREEN STREET ADDITION TO BENSENVILLS, A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 14, 1918 AS DOCUMENT 134988, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 410 E Green Street, Bensenville, IL 60106.

Ordinance # ____ - 2021
Exhibit “B”
Findings of Fact

Ms. Fawell reviewed the Findings of Fact for the proposed special use permit as presented in the Staff Report 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: No, we 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: Yes, this restaurant is compatible with the character of adjacent properties and was for many years.

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: We will not impede the normal and orderly development and improvement of adjacent properties and other properties within the immediate vicinity.

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: We will not require utilities, access roads, drainage, and/or other facilities or services to a degree disproportionate to that normally expected, nor generate disproportionate demand for new services or 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: Yes, we will be consistent with the intent of the comprehensive plan, this title, and the other land use policies of the village.

Ms. Fawell stated Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Special Use Permit to operate a restaurant at 410 E Green Street.

There were no further questions from the Commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2021-15. Chairman Wasowicz seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2021-15 at 7:03 p.m.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of a Special Use Permit, Restaurant Municipal Code Section 10 – 7 – 2 – 1. Commissioner Chambers seconded the motion.

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

Nays: None

All were in favor. Motion Carried.

Ronald Rowe, Chairman
Community Development Commission

TYPE:Ordinance**SUBMITTED BY:**K. Fawell**DEPARTMENT:**CED**DATE:**08.17.21**DESCRIPTION:**

Consideration of an Ordinance Granting Approval of a Site Plan, Preliminary Plat of Consolidation, and Variations to Allow for Building and Parking Lot Expansions at 430 N Meyer Road

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Financially Sound Village

Quality Customer Oriented Services

Safe and Beautiful Village

<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

Enrich the Lives of Residents

Major Business/Corporate Center

Vibrant Major Corridors

COMMITTEE ACTION:

Committee of the Whole

DATE:

08.17.21

BACKGROUND:

1. Century Metal Spinning, located at 430 Meyer Road, is looking to consolidate the subject lot with the parcel immediately to the south in order to construct a 17,475 SF building addition with an adjacent parking lot. This development requires the approval of a Preliminary Plat of Consolidation and various Variations.
 1. Please note that the original set of plans submitted for this development have a typo in them: the plans incorrectly state that the building addition is 14,475 SF, which was reflected in the staff report. The Petitioner has since provided an updated site plan with the correct square footage.
2. Century Metal Spinning is a global supplier of spun metal components for Aerospace, Defense, Industrial and Commercial Manufacturers.

KEY ISSUES:

1. 5 Variations are needed due to the following:
 1. Off-Street Parking Requirements: The proposed industrial building requires a minimum of 31 parking spaces to be provided on the site; 27 are proposed, with 1 ADA space included.
 2. Pedestrian Circulation Systems: Code requires an on-site pedestrian circulation system for this development, which requires connectivity from parking facilities to the building, as well as a 7' sidewalk along the full length of the building. A 7' sidewalk, connecting to an existing 5' sidewalk, along the street frontage of the building into the parking lot is being proposed.
 3. Tree Preservation Replacement Standards: 17 existing trees are proposed to be removed from the site, meaning approximately 85 replacement trees are required. The attached landscape plan indicates 12 ornamental and 4 shade trees being proposed on the site. Additionally, 5 parkway trees (required by Section 10-9-4) are proposed.
 4. Parking Lot Landscaping Tree Canopy Coverage: A tree canopy coverage of 40% is required for all parking hardscapes; proposed landscape plan indicates a coverage of approximately 11%.
 5. Parking Lot Interior Landscape Islands: A landscape island with an area of 100 SF, complete with a shade tree, is required for every 10 contiguous parking spaces as well as to terminate all rows. No landscape islands are proposed, albeit a landscape area does terminate the two rows of parking on the eastern side of the lot.

ALTERNATIVES:

Discretion of the Committee.

RECOMMENDATION:

1. Staff respectfully recommends the approval of the Site Plan, Preliminary Plat of Consolidation, and Variations with the below conditions:

1. The development shall be in accordance with the plans by Bloom Companies, LLC dated 06.16.21;
 2. The existing 10-foot Public Utility Easement from Lot 1 should be extended south into Lot 2;
 3. A 5-foot wide ADA compliant public sidewalk will be required along the Meyer Rd frontage of the site. The sidewalk shall be located within the public right-of-way;
 4. A perimeter curb and gutter will be required along the proposed parking lot per the Village parking lot standard;
 5. A final landscape plan with plant detail and quantity shall be approved by the Zoning Administrator;
 6. Final architecture plans shall be approved by the Zoning Administrator; and
 7. Petitioner shall coordinate with CED Staff to determine an appropriate tree replacement agreement, final approval subject to Zoning Administrator.
2. At their 08.03.21 Public Hearing, the Community Development Commission voted unanimously (4-0) to recommend approval of the requests with the above staff-recommended conditions.

BUDGET IMPACT:

N/A

ACTION REQUIRED:

Approval of an Ordinance Granting a Site Plan, Preliminary Plat of Consolidation, and Variations to Allow for Building and Parking Lot Expansions at 430 N Meyer Road.

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
Aerial & Zoning Exhibits	8/10/2021	Backup Material
Application	8/10/2021	Backup Material
Approval Standards Letter	8/10/2021	Backup Material
Staff Report	8/10/2021	Executive Summary
Plat of Consolidation	8/10/2021	Backup Material
Engineering Plans	8/10/2021	Backup Material
Updated Site Plan 07.28.21	8/10/2021	Backup Material
Draft CDC Minutes	8/10/2021	Backup Material
Draft Ordinance	8/10/2021	Ordinance

CDC#2021 – 19

430 Meyer Road
Century Metal Spinning Co.
Site Plan Review
Municipal Code Section 10 – 3 – 2
Variations, Misc.



Village of Bensenville

430 N. Meyer

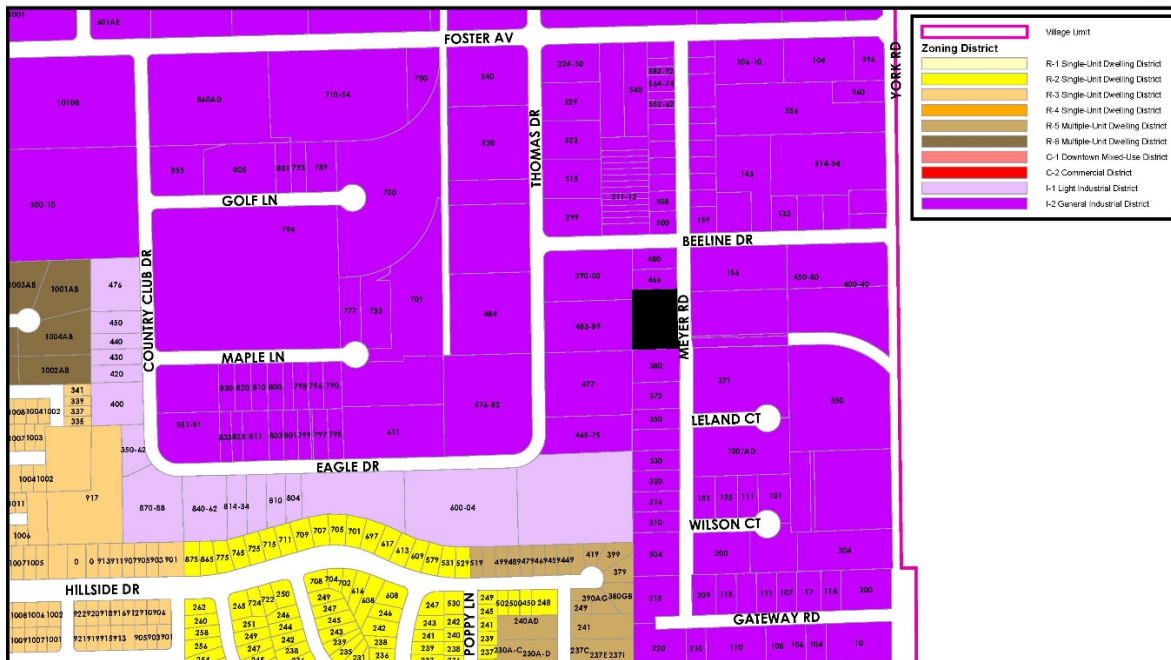


Date: 6/25/2021



Village of Bensenville

Zoning Map



Date: 6/25/2021

For Office Use Only

Date of Submission: _____ MUNIS Account #: _____ CDC Case #: _____

COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: 430 Meyer Road

Property Index Number(s) (PIN): 03-11-403-006 & 01-11-402-007

A. PROPERTY OWNER:

Century Metal Spinning Co. Kaiser Family Ltd. Partnership

Name Corporation (if applicable)

430 Meyer Road

Street

Bensenville IL 60106

City State Zip Code

Janet Kaiser 630-595-3900 jkaiser@centurymetalspinning.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)

Variances are requested for the following: 1. Parking spaces required reduced from 30 spaces to 27 spaces;
2. Reduce to 0 feet the walking area between the building addition and the parking area; 3. Reduce the tree canopy coverage
for parking lot from 40%(3226 s.f.) to 11% (900 s.f.) 4. Reduce tree replacements for trees in poor condition or invasive species .

C. PROJECT DATA:

1. General description of the site: Full developed north portion of the site, the south 60 feet is currently vacant.
2. Acreage of the site: 1.5249 ac Building Size (if applicable): 22,307 + 14,475 = 36,782 SF
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.)

Title 10- Chapter 8: Section 10-8-2 Offstreet Parking and Loading

Chapter 8: Section 10-8-7 Pedestrian Circulation

Chapter 9 Section 10-9-2 Tree Preservation

5. Character of the site and surrounding area:

	Zoning	Existing Land Use	Jurisdiction
Site:	I-2	Developed Industrial/ vacant	Bensenville
North:	I-2	Developed Industrial	Bensenville
South:	I-2	Developed Industrial	Bensenville
East:	I-2	Developed Industrial	Bensenville
West:	I-2	Developed 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."



June 16, 2021

Community Development Commission
Village of Bensenville
12 South Center Street
Bensenville, IL 60106

Subject Request for Variances and Approval for Administrative Adjustment
For Proposed Expansion of Century Metal Spinning – 430 Meyer Road

Dear Commission Members:

Century Metal Spinning Co. has been in business at their current location, 430 Meyer Road for over 15 years. As the business has grown over the years we must substantially increase the size of our existing 22,307 square foot building to 36,782 square feet to accommodate new machinery and equipment and expanded office space for our business to continue to grow at our current location. A 60 foot undeveloped lot immediately south of our current property has been purchased and a consolidation plat is being submitted for approval to join our existing property and the 60 foot wide lot.

The size, configuration, and required spacing of the machinery and equipment (current and new) have been taken into consideration on the sizing of the build addition. Decreasing the size of the building, by even a few feet, would not allow for the expansion to be viable. The 60 foot lot is the only land that is available adjacent to the site which is bordered on all sides by I-2 businesses. Immediately south of the 60 foot lot is a 5.8' strip of land that currently is indicated to be a Village of Bensenville owned parcel left over from a from a right of way. It is requested that this parcel be vacated with 2.9 feet of it to be vacated to Century Metal and the remaining 2.9' to the south to be vacated to the 380 Meyer property owner.

"Title 10 – Chapter 8 Section 10-8-2 Off Street Parking and Loading" ordinance requires parking spaces to be 18 feet long and 9 feet wide and have a center aisle width of 24 feet. When applying those requirements to the site with the proposed building expansion, the total parking requirement for the 40,000 square foot expanded building is 30 spaces. Due to the size of the property available and the required square footage of expansion of the building, only 27 spaces can be accommodated on the site.

The variation to allow for 10% less spaces will:

1. Not endanger the health, safety, comfort convenience and general welfare of public. The property is located in an established industrial park and is consistent with other properties that have been in the park for years.
2. Is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation. 13 existing parking spaces on the north portion of the 430 Meyer Road property are within an easement for parking for 466 Meyer Road since 466 Meyer Road did not have sufficient room to have their required parking spaces on their property. All properties adjacent to 430 Meyer and in the vicinity have variations on parking and due to the overall development of the industrial park would find it very difficult to expand buildings and parking.
3. Since land for expansion is extremely limited in the industrial park, an undue hardship is created by the literal enforcement of this title, while complying with other set back and parking requirements.
4. The only land available is the 60 foot lot adjacent to the current development. This is a platted lot and is being combined by a consolidation plat to allow for the side yard setback for the building to meet requirements.
5. The number of parking spaces proposed (27) is the maximum number of spaces that can be created along with the building expansion. Therefore the deviation from the ordinance requirement is 3 spaces, which is the minimum deviation requested.
6. The variation is consistent with the intent of the Comprehensive Plan, Title 10 and other land use policies.

"Title 10 – Chapter 8 Section 10-7 – Pedestrian Circulation – Requires a 7 foot wide sidewalk along the frontage of the building. A new 7 sidewalk along the frontage of the building addition is being added, The existing sidewalk (ramp) along the frontage of the existing portion of the building is 5 feet wide and will remain as is. This section also requires a pedestrian walking area in parking lots that is not in conflict with the aisle. Due to the size of the property and the required building expansion, there is not sufficient room to accommodate a separate walking path along the parking lot.

1. The proposed variation to allow for no walking aisle in the parking lot will not endanger the health, safety, comfort convenience and general welfare of public. The only pedestrian activity that will be in the parking lot other than employees of the business would be in the visitor space next to the ADA space. The visitor and ADA space have access to the sidewalk that leads to the front door of the business without having to cross the entire parking lot. Employees are familiar the operations of trucks backing it to the existing parking lot and the new lot will be essentially the same as the existing lot, but all unloading of trucks will take place at the western end of the lot. The current lot has a ramp into the build and that ramp is being relocate to the area adjacent to an existing loading dock at the north eastern corner of the existing building.
2. The variation is consistent with many other businesses in the industrial park where employees need to walk across an through parking lots to access the buildings.

3. Due to the size of the lot available and requirements related to the size of parking spaces there is not sufficient room to create a separated walking path through the parking lot.
4. The proposed variation is due to the physical attributes of the property and were not created by the applicant. The applicant bought all of the available land and met the requirements of Title 10 related to parking space and aisle sizes.
5. The variation is the minimum deviation from the regulations of Title 10 that are necessary to accomplish the desired improvement. If a walk way were added to the parking lot up to 11 more spaces would have to be eliminated from the proposed parking lot.
6. The variation is consistent with the intent of the Comprehensive Plan, Title 10 and other land use policies of the Village related to industrial park developments.

"Title 10 – Chapter 9 Section 10-9-2 Tree Preservation" ordinance requires replacement of trees that are removed as part of a development to be replaced according to the requirements of the ordinance. Also trees are to be planted that create a canopy coverage of 40% of the square footage of the parking area. When applying those requirements to the site with the proposed building expansion and new parking lot there is physically enough land available to comply with the tree preservation requirements. Administrative relief is requested for reduction of the number of replacement trees for the 17 trees greater than or equal to 8" in diameter that need to be removed to be replaced with 12 ornamental trees and 2 shade trees and additionally no replacement of trees 4" to under 8" in diameter trees. An administrative waiver of the requirements for fee in lieu of replacement for trees to be removed that are not replaced is also requested. The existing trees are invasive species and many are in poor condition. Parkway trees are proposed for the entire frontage of the building and building expansion per ordinance requirements. The physical limitations of the site make it impossible to meet the requirements for tree replacement and the sheer number of trees on the 60 parcel that has stood vacant and unmaintained for over 20 years would make the fee in lieu of replacement option prohibitively costly.

A variance is requested to reduce the canopy coverage of the parking lot from 40% of the parking lot area to 10% of the parking lot area. The canopy coverage of the parking lot can only be partially met by existing trees along the south edge of the property with a 3 foot strip of land that is currently half of a dedicated right of way controlled by the Village. There is not sufficient area available to plant additional trees for canopy coverage within the property limits. The canopy coverage provided by the existing trees will be over 10% of the parking lot square footage.

1. The proposed administrative relief and variation to reduce the number of replacement trees and decrease the canopy coverage of trees over the parking lot from 40% to 11% will not endanger the health, safety, comfort convenience and general welfare of public.
2. Adjacent properties and properties within the area of the industrial park have varying amounts of landscaping. The existing 430 Meyer development could not meet current requirement for tree preservation and that is true of many of the developments within the same industrial park if they were to expand.

3. In order to fully comply with the requirements of the ordinance for tree canopy coverage and total tree replacement would be an undue hardship created by the literal enforcement of Title 10, causing the parking lot and building expansion to be substantially reduced in size. The reduction in size to the parking and building would eliminate the viability of the proposed expansion.
4. As with the parking and pedestrian access variations the variations for this title are due to the physical sizes of the property and the required size of expansion of the building.
5. The proposed variation represent the minimum deviation from the regulations of Title 10 Tree Preservation, that are necessary to accomplish the proposed development of the property. There is physically not enough square footage to plant additional trees on the property as a whole.
6. The proposed administrative relief and variation is consistent with the intent of the Comprehensive Plan, this title and other land use policies of the Village for industrial development.

Respectfully submitted,



Janet Kaiser
Century Metal Spinning Co.
President

General Manager
Kaiser Family Ltd. Partnership

Approval Standards for Review of the Site Plan

The proposed site plan provides for an expansion of the existing industrial business, Century Metal Spinning. The site plan provides for expansion of the existing building and a new parking lot.

1. The surrounding properties and in properties in the immediate vicinity of the proposed development are developed as industrial businesses. The proposed site plan is consistent with the existing zoning and character of the properties that are adjacent and in the vicinity the site.
2. The proposed improvements will not interfere with the operations or future development of adjacent and properties within the vicinity of the proposed site plan improvements. The proposed improvements do not encroach on adjacent properties or interfere with access or operations of other properties.
3. The development is located in the established industrial park and the proposed expansion will utilize the existing utility services and access road. A new parking is provided, a new loading dock is included with the building expansion in addition to the existing loading dock and one bay of the existing loading dock is being converted to a ramp. The proposed improvements shown on the site plan will not alter the existing storm flow paths of the storm sewer in Meyer Road. Wall Pack lights will be installed on the building expansion to provide lighting for the loading dock and parking lot.
4. There are no identified environmental resources other than trees with in the development area. The proposed site plan preserves as many trees as possible.
5. The proposed site plan accommodates the public rights-of-way. The proposed expansion of the building and the associated parking lot utilize the vast portion of the available area. Pedestrian and vehicular circulation has been separated as much as possible.
6. A new curb cut to provide safe and efficient ingress and egress of vehicles is proposed for access to the new parking lot and to the new loading dock. Trucks using the new loading dock will be complete off the street while at the dock.
7. The architectural design of building elevations have been prepared and are compatible with the existing building by matching the facades and will contribute to the aesthetic appearance of the area.
8. The site plan for the expansion of the Century Metal Spinning building is consistent with the Comprehensive Plan that designates the area as an industrial park and is consistent with Site Plan requirements for this zoning area and other land use policies of the Village.

Approval Standards for Variations (Landscape Islands)

A variance is request to eliminate the requirements for landscaping islands for the new parking lot associated with the building expansion.

“Title 10 – Chapter 9 Section 10-9-5-C requires landscape islands with an area of 100sf for every 10 spaces as well as terminating each row. When applying those requirements to the site with the proposed building expansion and new parking lot there is physically not enough land available to comply with the landscaping island requirements. Landscape islands are not provided due to the site size constraints.

1. The proposed variation to allow for elimination of landscaping islands for the parking lot 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. None of the properties adjacent to the site have landscape islands in the existing parking lots.
3. The proposed variation alleviates an undue hardship created by the literal enforcement of this title. If the requirements were met it would require the parking lot to be reduced by up to 4 additional spaces and would not provide enough parking for employees and visitors to the business. The land area is limited and additional land area cannot be acquired, due to existing adjacent developments.
4. The variation to eliminate islands is created by the limitations of available land to expand the business and is not deliberately created by the applicant. The proposed number of parking spaces is less than the required and a variation for reduction of the number of spaces is being sought. No additional land is available for the expansion of the building and associated parking.
5. The variation to eliminate landscape islands for the parking lot is the minimum necessary to accomplish the desired improvement. Addition of islands to the parking lot would further reduce parking and make the proposed expansion not feasible.
6. The proposed variation is consistent with the intent of the Comprehensive Plan, this title and other land use policies of the Village for expansion of an industrial business within the existing industrial park.

COMMUNITY DEVELOPMENT COMMISSION

STAFF REPORT

HEARING DATE: August 3, 2021
CASE #: 2021 – 19
PROPERTY: 430 Meyer Road
PROPERTY OWNER: Kaiser Family Ltd. Partnership
APPLICANT: Century Metal Spinning Co.
SITE SIZE: 1.52 AC
BUILDING SIZE: 36,782 SF
PIN NUMBER: 03-11-403-006 & 03-11-403-007
ZONING: I-2 General Industrial District
REQUEST: Preliminary Plat of Consolidation
Municipal Code Section 11 – 3
Site Plan Review
Municipal Code Section 10 – 3 – 2
Variation, Off-Street Parking Requirements
Municipal Code Section 10 – 8 – 2 – 1
Variation, Pedestrian Circulation Systems
Municipal Code Section 10 – 8 – 7
Variation, Tree Preservation Replacement Standards
Municipal Code Section 10 – 9 – 2.B
Variation, Parking Lot Landscaping Tree Canopy Coverage
Municipal Code Section 10 – 9 – 5.A
Variation, Parking Lot Interior Landscape Islands
Municipal Code Section 10 – 9 – 5.C

PUBLIC NOTICE:

1. A Legal Notice was published in the Bensenville Independent on Thursday, July 15, 2021. 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 a Notice of Public Hearing sign on the property, visible from the public way on Thursday, July 15, 2021.
3. On Monday, July 12, 2021, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250’ 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:

Century Metal Spinning, located at 430 Meyer Road, is looking to consolidate the subject lot with the parcel immediately to the south in order to construct a 14,475 SF building addition with an adjacent parking lot. This development requires the approval of the Variations.

SURROUNDING LAND USES:

	Zoning	Land Use	Comprehensive Plan	Jurisdiction
Site	I – 2	Industrial	Industrial	Village of Bensenville
North	I – 2	Industrial	Industrial	Village of Bensenville
South	I – 2	Industrial	Industrial	Village of Bensenville
East	I – 2	Industrial	Industrial	Village of Bensenville
West	I – 2	Industrial	Industrial	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 up to date and has no liens.

Police:

- 1) No objections.

Engineering and Public Works:Engineering:

- 1) This development consists of extension of an existing building (14,775 SF addition) and parking lot to the south. Lot 1 consists of a 22,307 SF existing building and associated parking lot on a 1.51 acre (52,656 SF) site. Lot 2 is currently vacant and 0.016 acre (13,772 SF) in size.
- 2) It appears there is already public utilities located on the westerly 10-feet of the Lot 2. The existing 10-foot Public Utility Easement from Lot 1 should be extended south into Lot 2.
- 3) A DuPage County Stormwater Management Certification will be required for this project as the total land disturbing activity exceeds 5,000 SF. The developer must meet all other applicable DuPage County Floodplain and Stormwater Ordinance (DCFSO) requirements.
- 4) The existing building and associated parking lot appears to be constructed prior to Feb 1992. The proposed impervious area appears to be under the detention requirement threshold of 25,000 SF. The applicant should provide existing and proposed impervious area calculations as well as a statement stating the development meets all applicable requirements of the DCFSO on final engineering plans.
- 5) It appears the site will breach the PCBMP (2,500 SF) threshold set forth in the DuPage County Floodplain and Stormwater Ordinance. Therefore, PCBMP will be required.

- 6) The site doesn't appear to contain any floodplain and/or wetlands. However, it is the developer's responsibility to properly identify and mitigate and special management areas in accordance with applicable rules and regulations.
- 7) The site is under 1-acre; therefore, IEPA-NOI permit is not required.
- 8) The site doesn't appear to be in need of utility extensions; therefore, at this time water and sanitary permits are not anticipated.
- 9) The preliminary site plans doesn't contain utility and grading plans. Therefore, no comments are being offered on those aspects of the plans.
- 10) A 5-foot wide ADA compliant public sidewalk will be required along the Meyer Rd frontage of the site. The sidewalk shall be located within the public right-of-way.
- 11) A perimeter curb and gutter will be required along the proposed parking lot per the Village parking lot standard.
- 12) There are issues with the proposed plans and plat of subdivision that can be resolved during final engineering. In general, staff does not see any major problems that would hinder this concept plan from proceeding.

Public Works:

- 1) No comments.

Community & Economic Development:

Economic Development:

- 1) Current vacant lot south of property produces just over \$1,281 in property taxes.
- 2) Existing property with 22,307 SF building produces over \$20,963 in property taxes.
- 3) The new development will add 14,475 SF while reducing the overall remaining unimproved area significantly.
- 4) Staff predicts property taxes to increase to around \$30,000.

Fire Safety:

- 1) Fire Alarm system will need to be updated and possibly upgraded.
- 2) Fire Sprinkler system will need to be updated. Engineer will need to re-calculate new space to existing system for proper water flow and sprinkler operation.
- 3) Existing Back flow device will need to be evaluated for proper size.

Building:

- 1) No comments.

Planning:

- 1) The 2015 Comprehensive Plan indicates "Industrial" for this property.
- 2) The current zoning is I-2 General Industrial District.
- 3) The Petitioner are seeking to expand their existing 22,307 SF building to 36,782 SF by consolidating their property with the vacant lot to the south.
- 4) The proposed building and parking facilities meet the bulk requirements required of lots located in the I-2 District.
- 5) A Variation is being requested as the proposed expansion requires parking facilities of 30 passenger vehicles stalls, while the proposed parking lot consists of 27 spaces.
- 6) Section 10-8-7 of the Village Zoning Ordinance mandates a requirement of an on-site pedestrian circulation system for this development, which requires connectivity from parking facilities to the building, as well as a 7' sidewalk along the full length of the building.

- a. A Variation granting relief from this requirement is a typical request of industrial developments.
 - b. The Petitioner is proposing a 7' wide sidewalk to connect to the existing 5' sidewalk located along the street frontage of the building into the parking lot.
- 7) The Petitioner intends to remove 17 trees from the southern lot (currently vacant), as they impede the project. The removal of these trees requires approximately 85 replacement trees to be provided. The included landscape plan indicates 12 ornamental and 4 shade trees proposed on the site. Additionally, 5 parkway trees (required by Section 10-9-4 of the Zoning Ordinance) have been provided.
- 8) A tree canopy coverage of 40% is required for all parking hardscapes; proposed landscape plan indicates a coverage of approximately 11%. A landscape island with an area of 100 SF, complete with a shade tree, is required for every 10 contiguous parking spaces, as well as to terminate all rows. No landscape islands are proposed, albeit a landscape area does terminate the two rows of parking on the eastern side of the lot.
 - a. Variations deviating from these requirements are typical of industrial and commercial developments that go through the CDC process. The applicant has stated they feel there is not adequate space to add islands, as they are already requesting a Variation to allow a parking lot with 3 less spaces than what it is required by Code.
 - b. Please note that the majority of trees proposed are not included in the calculations for tree canopy coverage, as most do not provide any canopy coverage over the parking facilities.
- 9) The proposed landscape elements for the parking lot's perimeter adequately screen the facilities from right-of-way.
- 10) The proposed architecture features a two-tone masonry color scheme (match existing to the existing structure height with second color above) is appropriate and will provide streetscape interest.
 - a. Applicant shall provide color renderings for staff review. Additional windows shall be added to the façade.
- 11) It shall be noted that the Petitioners have been working with staff on their plans prior to application submittal. Staff is generally supportive of the site plan and approval of the requests.

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 surrounding properties and in properties in the immediate vicinity of the proposed development are developed as industrial businesses. The proposed site plan is consistent with the existing zoning and character of the properties that are adjacent and in the vicinity the site.

- 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 improvements will not interfere with the operations or future development of adjacent and properties within the vicinity of the proposed site plan improvements. The proposed improvements do not encroach on adjacent properties or interfere with access or operations of other properties.

- 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: The development is located in the established industrial park and the proposed expansion will utilize the existing utility services and access road. A new parking is provided, a new loading dock is included with the building expansion in addition to the existing loading dock and one bay of the existing loading dock is being converted to a ramp. The proposed improvements shown on the site plan will not alter the existing storm flow paths of the storm sewer in Meyer Road. Wall Pack lights will be installed on the building expansion to provide lighting for the loading dock and parking lot.

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

Applicant's Response: There are no identified environmental resources other than trees with in the development area. The proposed site plan preserves as many trees as possible.

- 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 accommodates the public rights-of-way. The proposed expansion of the building and the associated parking lot utilize the vast portion of the available area. Pedestrian and vehicular circulation has been separated as much as possible.

- 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: A new curb cut to provide safe and efficient ingress and egress of vehicles is proposed for access to the new parking lot and to the new loading dock. Trucks using the new loading dock will be complete off the street while at the dock.

- 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 architectural design of building elevations have been prepared and are compatible with the existing building by matching the facades and will contribute to the aesthetic appearance of the area.

- 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 plan for the expansion of the Century Metal Spinning building is consistent with the Comprehensive Plan that designates the area as an industrial park and is consistent with Site Plan requirements for this zoning area and other land use policies of the Village.

Site Plan Review Approval Standards	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 VARIATIONS:

Off-Street Parking Requirements, Municipal Code Section 10-8-2-1

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

Applicant's Response: Not endanger the health, safety, comfort convenience and general welfare of public. The property is located in an established industrial park and is consistent with other properties that have been in the park for years.

- 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: Is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation. 13 existing parking spaces on the north portion of the 430 Meyer Road property are within an easement for parking for 466 Meyer Road since 466 Meyer Road did not have sufficient room to have their required parking spaces on their property. All properties adjacent to 430 Meyer and in the vicinity have variations on parking and due to the overall development of the industrial park would find it very difficult to expand buildings and parking.

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

Applicant's Response: Since land for expansion is extremely limited in the industrial park, an undue hardship is created by the literal enforcement of this title, while complying with other set back and parking requirements.

- 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 only land available is the 60 foot lot adjacent to the current development. This is a platted lot and is being combined by a consolidation plat to allow for the side yard setback for the building to meet requirements.

- 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 number of parking spaces proposed (27) is the maximum number of spaces that can be created along with the building expansion. Therefore the deviation from the ordinance requirement is 3 spaces, which is the minimum deviation requested.

- 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 variation is consistent with the intent of the Comprehensive Plan, Title 10 and other land use policies.

Off-Street Parking Requirements	Meets Standard	
Variation Approval Standards	Yes	No
9. Public Welfare	X	
10. Compatible with Surrounding Character	X	
11. Undue Hardship	X	
12. Unique Physical Attributes	X	
13. Minimum Deviation Needed	X	
14. Consistent with Ordinance and Plan	X	

APPROVAL STANDARDS FOR VARIATIONS:

Pedestrian Circulation Systems, Municipal Code Section 10-8-7

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

Applicant's Response: The proposed variation to allow for no walking aisle in the parking lot will not endanger the health, safety, comfort convenience and general welfare of public. The only pedestrian activity that will be in the parking lot other than employees of the business would be in the visitor space next to the ADA space. The visitor and ADA space have access to the sidewalk that leads to the front door of the business without having to cross the entire parking lot. Employees are familiar the operations of trucks backing it to the existing parking lot and the new lot will be essentially the same as the existing lot, but all unloading of trucks will take place at the western end of the lot. The current lot has a ramp into the build and that ramp is being relocate to the area adjacent to an existing loading dock at the north eastern corner of the existing building.

- 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 variation is consistent with many other businesses in the industrial park where employees need to walk across an through parking lots to access the buildings.

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

Applicant's Response: Due to the size of the lot available and requirements related to the size of parking spaces there is not sufficient room to create a separated walking path through the parking lot.

- 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 due to the physical attributes of the property and were not created by the applicant. The applicant bought all of the available land and met the requirements of Title 10 related to parking space and aisle sizes.

- 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 variation is the minimum deviation from the regulations of Title 10 that are necessary to accomplish the desired improvement. If a walk way were added to the parking lot up to 11 more spaces would have to be eliminated from the proposed parking lot.

- 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 variation is consistent with the intent of the Comprehensive Plan, Title 10 and other land use policies of the Village related to industrial park developments.

Pedestrian Circulation Systems	Meets Standard	
Variation Approval Standards	Yes	No
15. Public Welfare	X	
16. Compatible with Surrounding Character	X	
17. Undue Hardship	X	
18. Unique Physical Attributes	X	
19. Minimum Deviation Needed	X	
20. Consistent with Ordinance and Plan	X	

APPROVAL STANDARDS FOR VARIATIONS:

Tree Preservation Replacement Standards, Municipal Code Section 10-9-2.B

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

Applicant's Response: The proposed administrative relief and variation to reduce the number of replacement trees and decrease the canopy coverage of trees over the parking lot from 40% to 11% will not endanger the health, safety, comfort convenience and general welfare of 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: Adjacent properties and properties within the area of the industrial park have varying amounts of landscaping. The existing 430 Meyer development could not meet current requirement for tree preservation and that is true of many of the developments within the same industrial park if they were to expand.

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

Applicant's Response: In order to fully comply with the requirements of the ordinance for tree canopy coverage and total tree replacement would be an undue hardship created by the literal enforcement of Title 10, causing the parking lot and building expansion to be substantially reduced in size. The reduction in size to the parking and building would eliminate the viability of the proposed expansion.

- 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: As with the parking and pedestrian access variations the variations for this title are due to the physical sizes of the property and the required size of expansion of the building.

- 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 represent the minimum deviation from the regulations of Title 10 Tree Preservation, that are necessary to accomplish the proposed development of the property. There is physically not enough square footage to plant additional trees on the property as a whole.

- 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 administrative relief and variation is consistent with the intent of the Comprehensive Plan, this title and other land use policies of the Village for industrial development.

Tree Preservation Replacement Standards	Meets Standard	
Variation Approval Standards	Yes	No
21. Public Welfare	X	
22. Compatible with Surrounding Character	X	
23. Undue Hardship	X	
24. Unique Physical Attributes	X	
25. Minimum Deviation Needed	X	
26. Consistent with Ordinance and Plan	X	

APPROVAL STANDARDS FOR VARIATIONS:

Parking Lot Landscaping Tree Canopy Coverage, Municipal Code Section 10-9-5.A

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

Applicant's Response: The proposed administrative relief and variation to reduce the number of replacement trees and decrease the canopy coverage of trees over the parking lot from 40% to 11% will not endanger the health, safety, comfort convenience and general welfare of 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: Adjacent properties and properties within the area of the industrial park have varying amounts of landscaping. The existing 430 Meyer development could not meet current requirement for tree preservation and that is true of many of the developments within the same industrial park if they were to expand.

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

Applicant's Response: In order to fully comply with the requirements of the ordinance for tree canopy coverage and total tree replacement would be an undue hardship created by the literal enforcement of Title 10, causing the parking lot and building expansion to be substantially reduced in size. The reduction in size to the parking and building would eliminate the viability of the proposed expansion.

- 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: As with the parking and pedestrian access variations the variations for this title are due to the physical sizes of the property and the required size of expansion of the building.

- 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 represent the minimum deviation from the regulations of Title 10 Tree Preservation, that are necessary to accomplish the proposed development of the property. There is physically not enough square footage to plant additional trees on the property as a whole.

- 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 administrative relief and variation is consistent with the intent of the Comprehensive Plan, this title and other land use policies of the Village for industrial development.

Tree Canopy Coverage	Meets Standard	
Variation Approval Standards	Yes	No
27. Public Welfare	X	
28. Compatible with Surrounding Character	X	
29. Undue Hardship	X	
30. Unique Physical Attributes	X	
31. Minimum Deviation Needed	X	
32. Consistent with Ordinance and Plan	X	

APPROVAL STANDARDS FOR VARIATIONS:

Parking Lot Interior Landscape Islands, Municipal Code Section 10-9-5.C

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

Applicant's Response: The proposed variation to allow for elimination of landscaping islands for the parking lot 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: The proposed variation is compatible with the character of adjacent properties. None of the properties adjacent to the site have landscape islands in the existing parking lots.

- 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 an undue hardship created by the literal enforcement of this title. If the requirements were met it would require the parking lot to be reduced by up to 4 additional spaces and would not provide enough parking for employees and visitors to the business. The land area is limited and additional land area cannot be acquired, due to existing adjacent developments.

- 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 variation to eliminate islands is created by the limitations of available land to expand the business and is not deliberately created by the applicant. The proposed number of parking spaces is less than the required and a variation for reduction of the number of spaces is being sought. No additional land is available for the expansion of the building and associated parking.

- 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 variation to eliminate landscape islands for the parking lot is the minimum necessary to accomplish the desired improvement. Addition of islands to the parking lot would further reduce parking and make the proposed expansion not feasible.

- 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 is consistent with the intent of the Comprehensive Plan, this title and other land use policies of the Village for expansion of an industrial business within the existing industrial park.

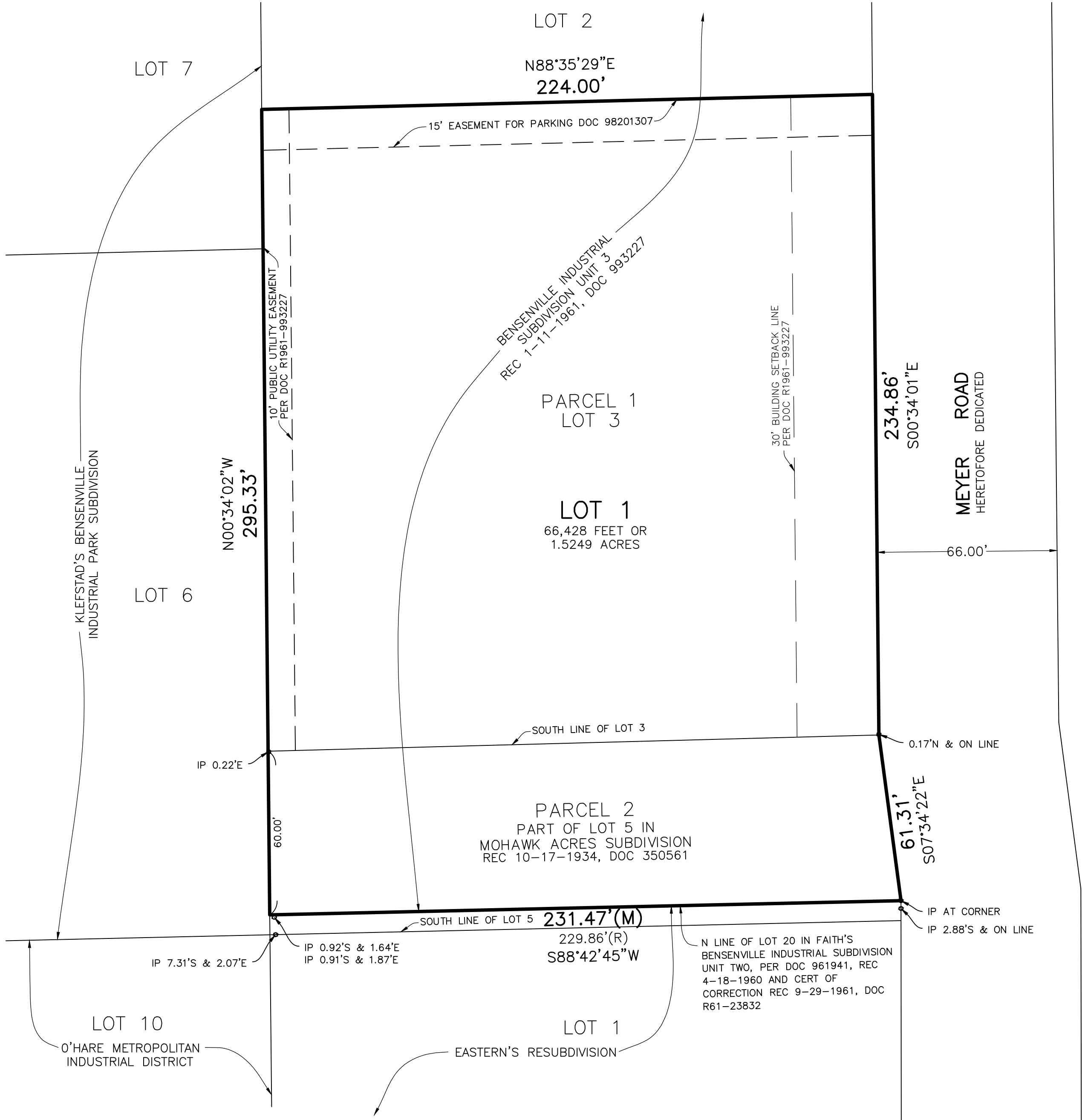
Landscape Islands	Meets Standard	
Variation Approval Standards	Yes	No
33. Public Welfare	X	
34. Compatible with Surrounding Character	X	
35. Undue Hardship	X	
36. Unique Physical Attributes	X	
37. Minimum Deviation Needed	X	
38. Consistent with Ordinance and Plan	X	

RECOMMENDATIONS:

- 1) Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Site Plan at 430 Meyer Road with the following conditions:
 - a. The development shall be in accordance with the plans by Bloom Companies, LLC dated 06.16.21;
 - b. The existing 10-foot Public Utility Easement from Lot 1 should be extended south into Lot 2;
 - c. A 5-foot wide ADA compliant public sidewalk will be required along the Meyer Rd frontage of the site. The sidewalk shall be located within the public right-of-way;
 - d. A perimeter curb and gutter will be required along the proposed parking lot per the Village parking lot standard;
 - e. A final landscape plan with plant detail and quantity shall be approved by the Zoning Administrator; and
 - f. Final architecture plans shall be approved by the Zoning Administrator.
- 2) Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variation for Off-Street Parking Requirements.
- 3) Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variation for Pedestrian Circulation Systems.
- 4) Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variation for Tree Preservation Replacement Standards with the following condition:
 - a. Petitioner shall coordinate with CED Staff to determine an appropriate tree replacement agreement, final approval subject to Zoning Administrator.
- 5) Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variation for Parking Lot Landscaping Tree Canopy Coverage.
- 6) Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variation for Parking Lot Interior Landscape Islands.
- 7) Staff recommends the Approval of the Preliminary Plat of Consolidation.

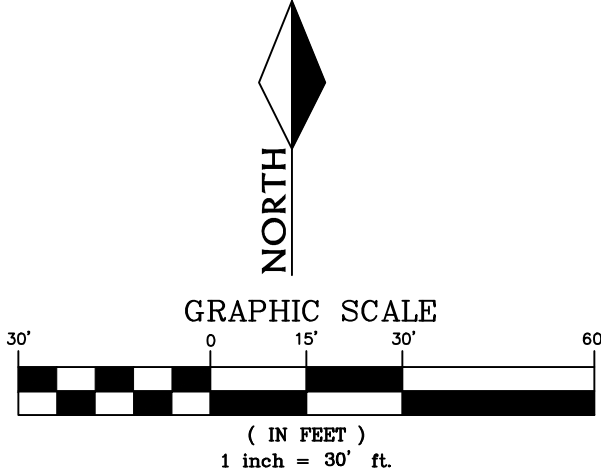
Respectfully Submitted,

Department of Community & Economic Development



KAISER FAMILY LTD. PARTNERSHIP SUBDIVISION

BEING A SUBDIVISION OF LOT 3 IN BENSENVILLE INDUSTRIAL SUBDIVISION
UNIT 3 AND PART OF LOT 5 OF MOHAWK ACRES, ALL BEING IN THE
SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 40 NORTH, RANGE 11
EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.



EASEMENT PROVISIONS

NO NEW EASEMENTS GRANTED PER THIS SUBDIVISION

DRAINAGE CERTIFICATE

STATE OF ILLINOIS) SS
COUNTY OF DUPAGE)

TO THE BEST OF OUR KNOWLEDGE AND BELIEF, REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATER AND PUBLIC AREAS, OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE CONSOLIDATION, FURTHER, AS ENGINEER, I HEREBY CERTIFY THAT THE PROPERTY WHICH IS THE SUBJECT OF THIS CONSOLIDATION OR ANY PART THEREOF IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

DATED THIS ____ DAY OF _____, 20 ____.

ILLINOIS REGISTERED PROFESSIONAL ENGINEER

STATE REGISTRATION NUMBER _____ REGISTRATION EXPIRATION DATE _____

PROPERTY OWNER'S SIGNATURE

BY: _____ BY: _____
OWNER OR ATTORNEY OWNER OR ATTORNEY

PRINT NAME PRINT NAME

COMMUNITY DEVELOPMENT DEPARTMENT COMMISSION CERTIFICATE

STATE OF ILLINOIS) SS
COUNTY OF DUPAGE)

APPROVED THIS ____ DAY OF _____, 20 ____.
VILLAGE OF BENSENVILLE COMMUNITY DEVELOPMENT COMMISSION.

BY: _____
CHAIRMAN OF DEVELOPMENT COMMISSION

VILLAGE TREASURER CERTIFICATE

STATE OF ILLINOIS) SS
COUNTY OF DUPAGE)

I DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE NOT BEEN APPORTIONED AGAINST THE TRACT, INCLUDED IN THE PLAT.

DATED AT BENSENVILLE, ILLINOIS THIS ____ DAY OF _____, 20 ____.

BY: _____
VILLAGE TREASURER
VILLAGE CLERK

SURVEYOR'S DESIGNATION OF RECORDING

STATE OF ILLINOIS) SS
COUNTY OF LAKE)

I, JAMES P. MEIER, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ILLINOIS, HEREBY DESIGNATE TO RECORD THIS CONSOLIDATION PLAT WITH THE COOK COUNTY RECORDER OF DEEDS. THIS DESIGNATION IS GRANTED UNDER THE RIGHT TO DESIGNATE SUCH RECORDING UNDER CHAPTER 109, SECTION 2 OF THE ILLINOIS REVISED STATUTES. AS A CONDITION OF THIS GRANT, SAID DESIGNEE IS HEREBY REQUIRED TO PROVIDE TO THIS SURVEYOR, A CERTIFIED COPY OF SAID PLAT, IMMEDIATELY UPON RECORDING OF SAME. RECEIPT OF SAID CERTIFIED COPY WILL SERVE AS NOTICE TO THE SURVEYOR THAT THE PLAT HEREON DRAWN HAS BEEN RECORDED.

DATED THIS 10th DAY OF MAY, A.D. 2021.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3295

SURVEYOR CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF LAKE)

I, JAMES P. MEIER, ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE SURVEYED AND CONSOLIDATED THE FOLLOWING DESCRIBED PROPERTY TO-WIT:

PARCEL 1: LOT 3 IN BENSENVILLE INDUSTRIAL SUBDIVISION UNIT 3, A SUBDIVISION OF PART OF LOT 5 OF MOHAWK ACRES, A SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 11, 1961 AS DOCUMENT 993227, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF LOT 5 IN MOHAWK ACRES, A SUBDIVISION OF THE SOUTHEAST 1/4 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, LYING WEST OF THE CENTERLINE OF MEYER ROAD EXTENDED SOUTHERLY (AS DEDICATED IN BENSENVILLE INDUSTRIAL SUBDIVISION UNIT THREE ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 11, 1961 AS DOCUMENT 993227); LYING SOUTHERLY OF THE SOUTH LINE OF LOT 3 IN SAID BENSENVILLE INDUSTRIAL SUBDIVISION UNIT THREE; LYING NORTHERLY OF THE NORTH LINE OF LOT 20 IN FAITH'S BENSENVILLE INDUSTRIAL SUBDIVISION UNIT TWO (ACCORDING TO THE PLAT THEREOF RECORDED APRIL 18, 1960 AS DOCUMENT 961941 AND CERTIFICATE OF CORRECTION RECORDED SEPTEMBER 29, 1961 AS DOCUMENT R61-23832); AND LYING EASTERLY OF THE EAST LINE OF LOT 6 IN KLEFSTAD'S BENSENVILLE INDUSTRIAL PARK (ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 20, 1967 AS DOCUMENT R67-2065), IN DUPAGE COUNTY, ILLINOIS.

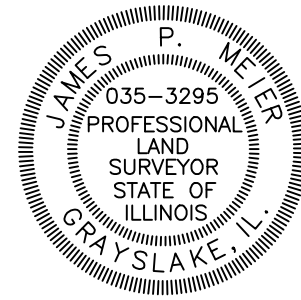
AND THAT THE PLAT HEREON DRAWN IS A REPRESENTATION OF SAID SURVEY AND SUBDIVISION. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF. I FURTHER CERTIFY THAT THE LAND INCLUDED BY SAID SURVEY IS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF BENSENVILLE, ILLINOIS.

I FURTHER CERTIFIES THAT THE PROPERTY SHOWN HEREON FALLS WITHIN ZONE "X" AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), AS DESIGNATED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AS PER FIRM, MAP NUMBER 17043C0077J, DATED AUGUST 1, 2019.

CERTIFIED AT GRAYSLAKE, ILLINOIS THIS 10th DAY OF MAY, A.D. 2021.

PRELIMINARY

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3295
LICENSE EXPIRES NOVEMBER 30, 2022



OWNER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF _____) SS

KAISER FAMILY LIMITED PARTNERSHIP, HEREBY CERTIFIES THAT IT IS THE OWNER OF THE ABOVE DESCRIBED PROPERTY AND HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS SHOWN ON THE PLAT HEREON DRAWN.

DATED THIS ____ DAY OF _____, 20 ____.

BY: _____ PRINTED NAME: _____

BY: _____ PRINTED NAME: _____

OF: _____

NOTARY'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF _____) SS

I, _____, A NOTARY PUBLIC, IN AND FOR SAID COUNTY, IN THE STATE OF _____, DO HEREBY CERTIFY THAT _____, OF SAID COMPANY, PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH _____ AND _____, RESPECTIVELY, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT, AND AS THE FREE AND VOLUNTARY ACT OF SAID COMPANY, NOT INDIVIDUALLY, BUT SOLELY AS TRUSTEE, AS AFORESAID, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND THE _____ DID ALSO THEN AND THERE ACKNOWLEDGED THAT _____ HE, AS CUSTODIAN OF THE CORPORATE SEAL OF SAID COMPANY, DID AFFIX THE SAID CORPORATE SEAL TO THE SAID INSTRUMENT AS HIS OWN FREE AND VOLUNTARY ACT, AND AS THE FREE AND VOLUNTARY ACT OF SAID COMPANY, AS TRUSTEE, AS AFORESAID, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL, THIS ____ DAY OF _____, A.D., 20____.

NOTARY PUBLIC

MY COMMISSION EXPIRES

SCHOOL DISTRICT CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS

_____, AND _____ AS OWNERS, HEREBY CERTIFY THAT TO THE BEST OF OUR KNOWLEDGE THE ABOVE DESCRIBED PROPERTY IS LOCATED IN BENSENVILLE K-8 SCHOOL DISTRICT 2 AND HIGH SCHOOL DISTRICT 100.

DATED THIS ____ DAY OF _____, 20 ____.

BY: _____
OWNER

BY: _____
OWNER

COMMUNITY DEVELOPMENT DEPARTMENT CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS

APPROVED THIS ____ DAY OF _____, 20 ____.
VILLAGE OF BENSENVILLE COMMUNITY DEVELOPMENT DEPARTMENT.

BY: _____
DIRECTOR OF COMMUNITY DEVELOPMENT

VILLAGE PRESIDENT CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS

APPROVED THIS ____ DAY OF _____, 20 ____.
BY THE PRESIDENT OF THE VILLAGE OF BENSENVILLE, ILLINOIS.

BY: _____
VILLAGE PRESIDENT

ATTEST: _____
VILLAGE CLERK

PREPARED BY:

TFW

SURVEYING & MAPPING

INC

LAND SURVEYING • TOPOGRAPHIC MAPPING • CONSTRUCTION LAYOUT
888 EAST BELVIDERE ROAD • SUITE 413 • GRAYSLAKE, ILLINOIS 60030
847-548-6600 FAX 548-6699
info@tfwsurvey.com www.tfwsurvey.com



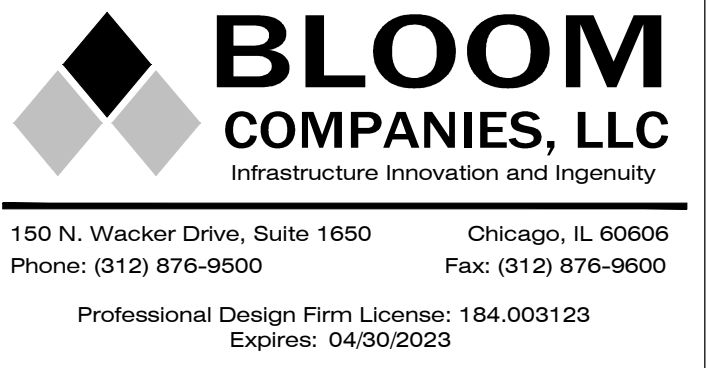
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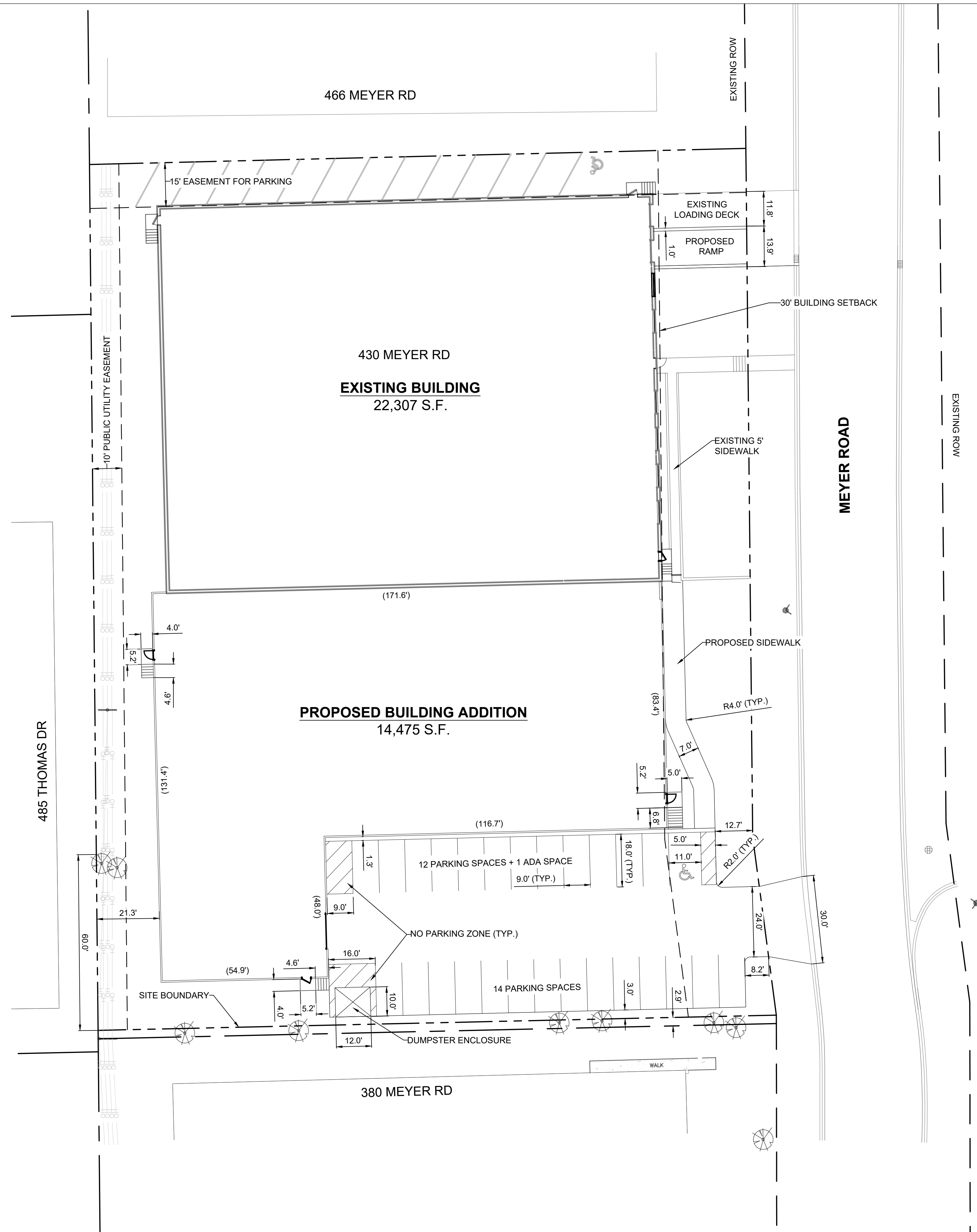
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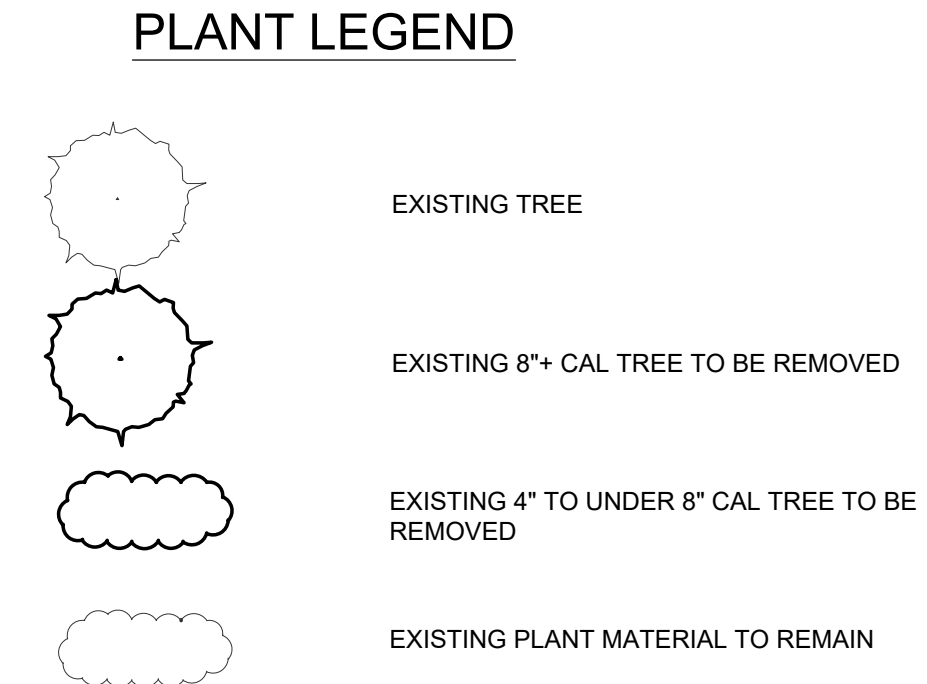
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6/15/2021 11:00:00 AM



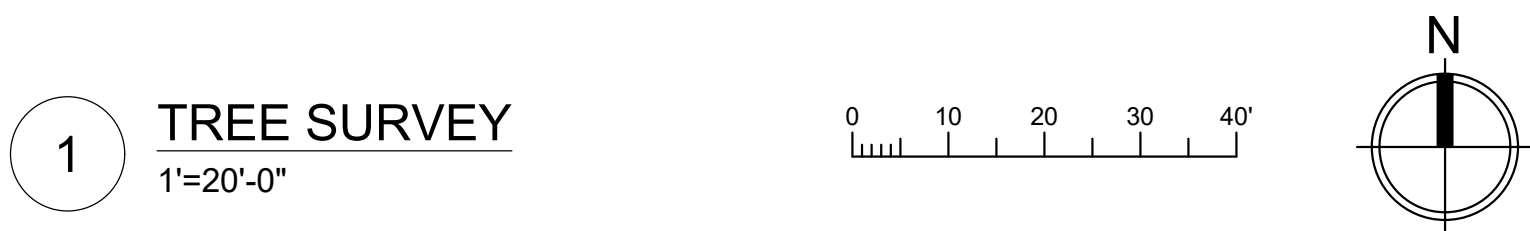
VARIANCE REQUEST FOR TOTAL PARKING TO REDUCE
PARKING REQUIRED FROM 30 SPACES TO 27 SPACES.

[illegible]

SCALE 1" = 20'



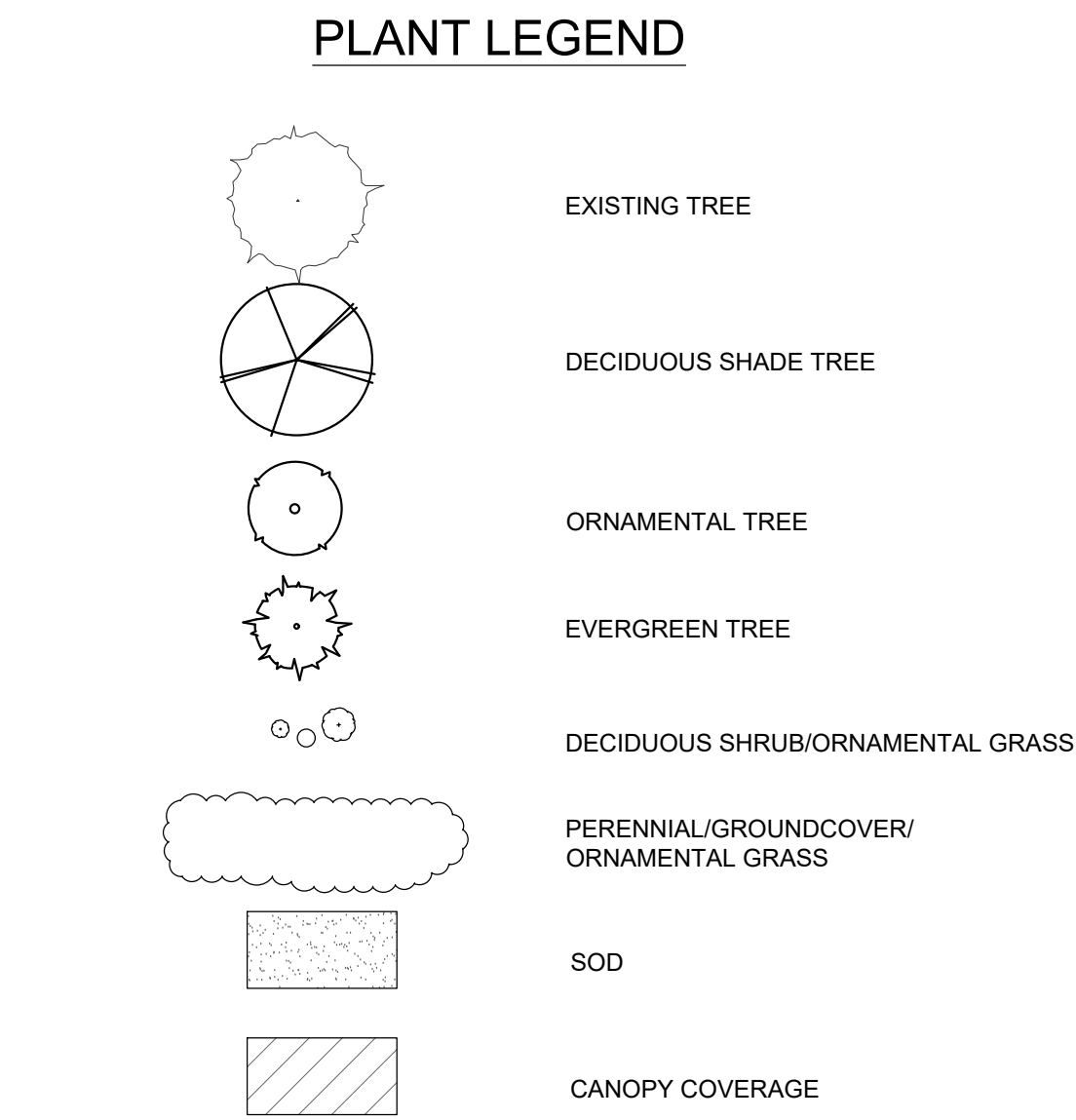
1. TREES TO BE REMOVED ARE OF POOR VALUE, POOR QUALITY, DEAD OR INVASIVE. SPECIES INCLUDE BUCKTHORN, SIBERIAN ELM, COTTONWOOD AND JUNIPER. ALL TREES ARE IN CONFLICT WITH BUILDING AND PARKING LOT IMPROVEMENTS. THE NUMBER OF REPLACEMENT TREES IS LIMITED BY THE AVAILABLE TOTAL PARCEL AREA, FULL REPLACEMENT PER THE ORDINANCE CANNOT BE ACHIEVED.
2. FOR LANDSCAPE PLAN, SEE SHEET L-200

[illegible]

430 MEYER ROAD
BENSENVILLE, IL 60106

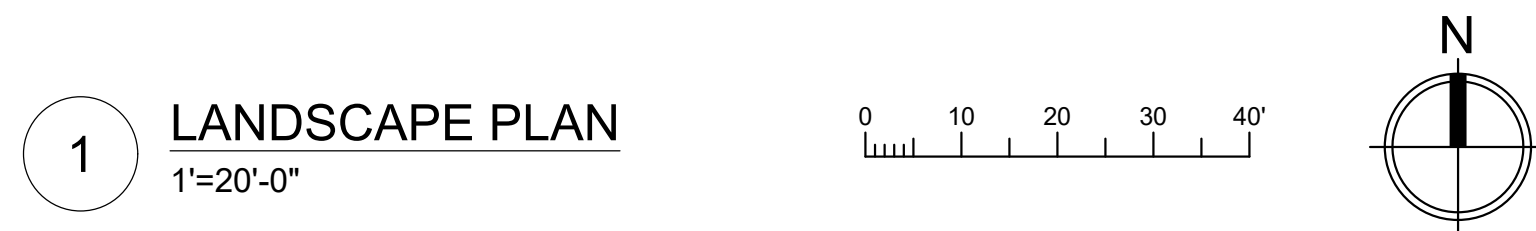
PROJECT NUMBER	BM3-1560
DATE	06.01.2021
DRAWN BY	JO
CHECKED BY	JO

SCALE 1" = 20'-0"



1. COMPLY WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL CODES AND ORDINANCES FOR ALL WORK AND OPERATIONS.
2. KEEP ALL AREAS CLEAN, NEAT AND ORDERLY AT ALL TIMES, CLEAR OF RUBBISH AND DEBRIS. LEGALLY DISPOSE OF ALL MATERIALS REMOVED FROM THE SITE.
3. DO NOT INTERFERE WITH USE OF ADJACENT PROPERTIES INCLUDING BUT NOT LIMITED TO BUILDINGS, PARKING LOTS, STREETS OR ALLEYS.
4. PROTECT STRUCTURES, UTILITIES, SIDEWALKS, PAVEMENTS, FENCING, FURNISHINGS AND PLANTINGS, TREES AND LAWNS FROM DAMAGE CAUSED BY SETTLEMENT, LATERAL MOVEMENT, UNDERMINING, WASHOUTS, AND OTHER HAZARDS CREATED BY SITE IMPROVEMENTS. IF ANY DAMAGE OCCURS, REPAIR TO ORIGINAL CONDITION AT NO ADDITIONAL COST.
5. PROTECT AND/OR RESTORE EXISTING PARKWAY GRASS TO EXCELLENT CONDITION WITH TOPSOIL AND SOD.
6. VERIFY SITE CONDITIONS BEFORE PROCEEDING WITH WORK AND REPORT ANY CONFLICT TO AOR.
7. VERIFY DIMENSIONS IN FIELD.
8. COORDINATE WORK WITH ALL OTHER TRADES.

1. FOR TREE SURVEY, SEE SHEET L-100.
2. CANOPY COVERAGE REQUIRED - 40% OF 8065 SF = 3226 SF. CANOPY COVERAGE PROVIDED - 900 SF.

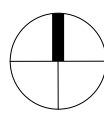
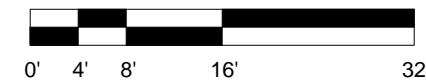


1	CDC SUBMITTAL	06.16.2021
NO.	DESCRIPTION	DATE

430 MEYER ROAD
BENSENVILLE, IL 60106

PROJECT NUMBER	BM3-1560
DATE	06.01.2021
DRAWN BY	JO
CHECKED BY	JO

SCALE	1" = 20'-0"
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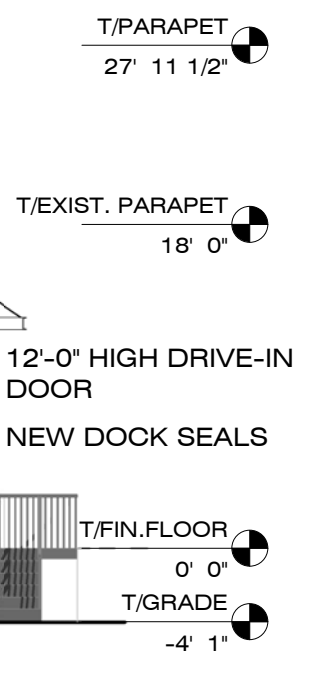
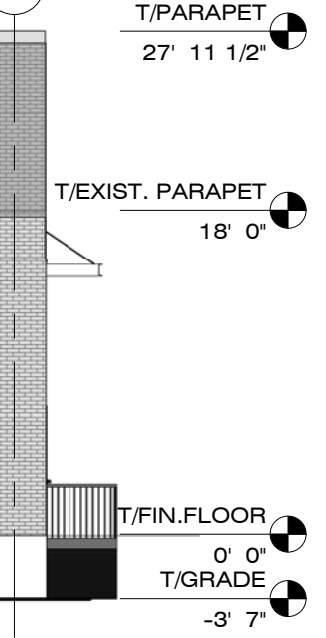
[illegible]

FLOOR PLAN

PROJECT NUMBER	BM3-1560
DATE	06/04/2021
DRAWN BY	AP
CHECKED BY	SK

A100

SCALE	1/16" = 1'-0"
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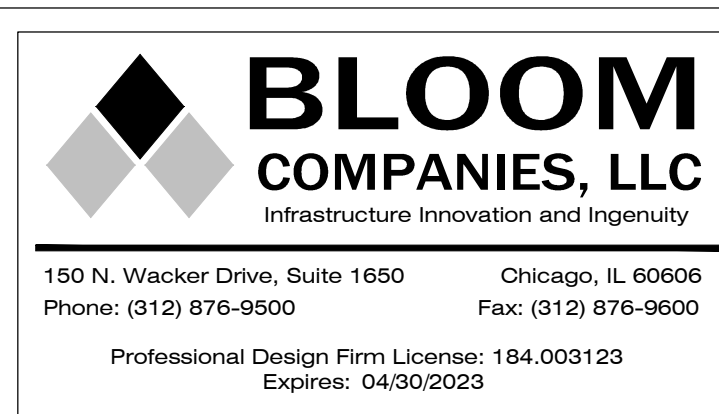
CDC SUBMITTAL		06.16.2021
NO.	DESCRIPTION	DATE

EXTERIOR ELEVATIONS

PROJECT NUMBER	BM3-1560
DATE	06/04/2021
DRAWN BY	RZ
CHECKED BY	SK

A300

SCALE $3/32" = 1'-0"$



VARIANCE REQUEST FOR TOTAL PARKING TO REDUCE
PARKING REQUIRED FROM 31 SPACES TO 27 SPACES.

[illegible]

SCALE	1" = 20'
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ROLL CALL: Ayes: Rowe, Chambers, King, Wasowicz

Nays: None

All were in favor. Motion Carried.

Public Hearing: CDC Case Number 2021-19
Petitioner: Century Metal Spinning Co.
Location: 430 Meyer Road
Request: Preliminary Plat of Consolidation
Municipal Code Section 11 – 3
Site Plan Review
Municipal Code Section 10 – 3 – 2
Variation, Off-Street Parking Requirements
Municipal Code Section 10 – 8 – 2 – 1
Variation, Pedestrian Circulation Systems
Municipal Code Section 10 – 8 – 7
Variation, Tree Preservation Replacement Standards
Municipal Code Section 10 – 9 – 2.B
Variation, Parking Lot Landscaping Tree Canopy Coverage
Municipal Code Section 10 – 9 – 5.A
Variation, Parking Lot Interior Landscape Islands
Municipal Code Section 10 – 9 – 5.C

Motion: Commissioner Chambers made a motion to open CDC Case No. 2021-19. Commissioner Wasowicz seconded the motion.

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

Chairman Rowe opened CDC Case No. 2021-19 at 7:05 p.m.

Village Planner, Kelsey Fawell was present and sworn in by Chairman Rowe. Ms. Fawell stated a Legal Notice was published in the Bensenville Independent on July 15, 2021. Ms. Fawell 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. Ms. Fawell stated Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on July 15, 2021. Ms. Fawell stated on July 12, 2021 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. Ms. Fawell 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.

Ms. Fawell stated Century Metal Spinning, located at 430 Meyer Road, is looking to consolidate the subject lot with the parcel immediately to the south in order to construct a 17,475 SF building addition with an adjacent parking lot. Ms. Fawell stated this development requires the approval of the above Variations.

Lee Austin, Architect for the property owner, was present and shown in by Chairman Rowe. Mr. Austin provided an overview of the proposed expansion. Mr. Austin stated Century Metal Spinning want to remain in Bensenville, thus the reason for the expansion. Mr. Austin stated the space is limited and several variances are requested to allow for the expansion.

Chairman Rowe asked how many employees were there. Mr. Austin stated twenty with the potential to expand.

Public Comment

Chairman Rowe asked if there was any member of the Public that would like to comment of the CDC Case. There were none.

Ms. Fawell reviewed the Findings of Fact for the proposed Site Plan Review as presented in the Staff Report consisting of:

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 surrounding properties and in properties in the immediate vicinity of the proposed development are developed as industrial businesses. The proposed site plan is consistent with the existing zoning and character of the properties that are adjacent and in the vicinity the site.

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 improvements will not interfere with the operations or future development of adjacent and properties within the vicinity of the proposed site plan improvements. The proposed improvements do not encroach on adjacent properties or interfere with access or operations of other properties.

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: The development is located in the established industrial park and the proposed expansion will utilize the existing utility services and access road. A new parking is provided, a new loading dock is included with the building expansion in addition to the existing loading dock and one bay of the existing loading dock is being converted to a ramp. The proposed improvements shown on the site plan will not alter the existing storm flow paths of the storm sewer in Meyer Road. Wall Pack lights will be installed on the building expansion to provide lighting for the loading dock and parking lot.

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

Applicant's Response: There are no identified environmental resources other than trees with in the development area. The proposed site plan preserves as many trees as possible.

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 accommodates the public rights-of-way. The proposed expansion of the building and the associated parking lot utilize the vast portion of the available area. Pedestrian and vehicular circulation has been separated as much as possible.

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: A new curb cut to provide safe and efficient ingress and egress of vehicles is proposed for access to the new parking lot and to the new loading dock. Trucks using the new loading dock will be complete off the street while at the dock.

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 architectural design of building elevations have been prepared and are compatible with the existing building by matching the facades and will contribute to the aesthetic appearance of the area.

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 plan for the expansion of the Century Metal Spinning building is consistent with the Comprehensive Plan that designates the area as an industrial park and is consistent with Site Plan requirements for this zoning area and other land use policies of the Village.

Ms. Fawell reviewed the Findings of Fact for the proposed Variance Off-Street Parking Requirements, Municipal Code Section 10-8-2-1 as presented in the Staff Report 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: Not endanger the health, safety, comfort convenience and general welfare of public. The property is located in an established industrial park and is consistent with other properties that have been in the park for years.

- 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: Is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation. 13 existing parking spaces on the north portion of the 430 Meyer Road property are within an easement for parking for 466 Meyer Road since 466 Meyer Road did not have sufficient room to have their required parking spaces on their property. All properties adjacent to 430 Meyer and in the vicinity have variations on parking and due to the overall development of the industrial park would find it very difficult to expand buildings and parking.

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

Applicant's Response: Since land for expansion is extremely limited in the industrial park, an undue hardship is created by the literal enforcement of this title, while complying with other set back and parking requirements.

- 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 only land available is the 60 foot lot adjacent to the current development. This is a platted lot and is being combined by a consolidation plat to allow for the side yard setback for the building to meet requirements.

- 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 number of parking spaces proposed (27) is the maximum number of spaces that can be created along with the building expansion.

Therefore the deviation from the ordinance requirement is 3 spaces, which is the minimum deviation requested.

- 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 variation is consistent with the intent of the Comprehensive Plan, Title 10 and other land use policies.

Ms. Fawell reviewed the Findings of Fact for the proposed Variance *Pedestrian Circulation Systems, Municipal Code Section 10-8-7* as presented in the Staff Report 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: The proposed variation to allow for no walking aisle in the parking lot will not endanger the health, safety, comfort convenience and general welfare of public. The only pedestrian activity that will be in the parking lot other than employees of the business would be in the visitor space next to the ADA space. The visitor and ADA space have access to the sidewalk that leads to the front door of the business without having to cross the entire parking lot. Employees are familiar the operations of trucks backing it to the existing parking lot and the new lot will be essentially the same as the existing lot, but all unloading of trucks will take place at the western end of the lot. The current lot has a ramp into the build and that ramp is being relocate to the area adjacent to an existing loading dock at the north eastern corner of the existing building.

- 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 variation is consistent with many other businesses in the industrial park where employees need to walk across an through parking lots to access the buildings.

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

Applicant's Response: Due to the size of the lot available and requirements related to the size of parking spaces there is not sufficient room to create a separated walking path through the parking lot.

- 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 due to the physical attributes of the property and were not created by the applicant. The applicant bought all of the available land and met the requirements of Title 10 related to parking space and aisle sizes.

- 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 variation is the minimum deviation from the regulations of Title 10 that are necessary to accomplish the desired improvement. If a walk way were added to the parking lot up to 11 more spaces would have to be eliminated from the proposed parking lot.

- 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 variation is consistent with the intent of the Comprehensive Plan, Title 10 and other land use policies of the Village related to industrial park developments.

Ms. Fawell reviewed the Findings of Fact for the proposed Variance Tree Preservation Replacement Standards, Municipal Code Section 10-9-2.B as presented in the Staff Report 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: The proposed administrative relief and variation to reduce the number of replacement trees and decrease the canopy coverage of trees over the parking lot from 40% to 11% will not endanger the health, safety, comfort convenience and general welfare of 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: Adjacent properties and properties within the area of the industrial park have varying amounts of landscaping. The existing 430 Meyer development could not meet current requirement for tree preservation and that is true of many of the developments within the same industrial park if they were to expand.

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

Applicant's Response: In order to fully comply with the requirements of the ordinance for tree canopy coverage and total tree replacement would be an undue hardship created by the literal enforcement of Title 10, causing the parking lot and building expansion to be substantially reduced in size. The reduction in size to the parking and building would eliminate the viability of the proposed expansion.

- 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: As with the parking and pedestrian access variations the variations for this title are due to the physical sizes of the property and the required size of expansion of the building.

- 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 represent the minimum deviation from the regulations of Title 10 Tree Preservation, that are necessary to accomplish the proposed development of the property. There is physically not enough square footage to plant additional trees on the property as a whole.

- 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 administrative relief and variation is consistent with the intent of the Comprehensive Plan, this title and other land use policies of the Village for industrial development.

Ms. Fawell reviewed the Findings of Fact for the proposed Variance *Parking Lot Landscaping Tree Canopy Coverage, Municipal Code Section 10-9-5.A* as presented in the Staff Report 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: The proposed administrative relief and variation to reduce the number of replacement trees and decrease the canopy coverage of trees over the parking lot from 40% to 11% will not endanger the health, safety, comfort convenience and general welfare of 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: Adjacent properties and properties within the area of the industrial park have varying amounts of landscaping. The existing 430 Meyer development could not meet current requirement for tree preservation and that is true of many of the developments within the same industrial park if they were to expand.

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

Applicant's Response: In order to fully comply with the requirements of the ordinance for tree canopy coverage and total tree replacement would be an undue hardship created by the literal enforcement of Title 10, causing the parking lot and building expansion to be substantially reduced in size. The reduction in size to the parking and building would eliminate the viability of the proposed expansion.

- 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: As with the parking and pedestrian access variations the variations for this title are due to the physical sizes of the property and the required size of expansion of the building.

- 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 represent the minimum deviation from the regulations of Title 10 Tree Preservation, that are necessary to accomplish the proposed development of the property. There is physically not enough square footage to plant additional trees on the property as a whole.

- 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 administrative relief and variation is consistent with the intent of the Comprehensive Plan, this title and other land use policies of the Village for industrial development.

Ms. Fawell reviewed the Findings of Fact for the proposed Variance Parking Lot Interior Landscape Islands, Municipal Code Section 10-9-5.C as presented in the Staff Report 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: The proposed variation to allow for elimination of landscaping islands for the parking lot 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: The proposed variation is compatible with the character of adjacent properties. None of the properties adjacent to the site have landscape islands in the existing parking lots.

- 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 an undue hardship created by the literal enforcement of this title. If the requirements were met it would require the parking lot to be reduced by up to 4 additional spaces and would not provide enough parking for employees and visitors to the business. The land area is limited and additional land area cannot be acquired, due to existing adjacent developments.

- 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 variation to eliminate islands is created by the limitations of available land to expand the business and is not deliberately created by the applicant. The proposed number of parking spaces is less than the required and a variation for reduction of the number of spaces is being sought. No additional land is available for the expansion of the building and associated parking.

- 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 variation to eliminate landscape islands for the parking lot is the minimum necessary to accomplish the desired improvement. Addition of islands to the parking lot would further reduce parking and make the proposed expansion not feasible.

- 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 is consistent with the intent of the Comprehensive Plan, this title and other land use policies of the Village for expansion of an industrial business within the existing industrial park.

Ms. Fawell stated Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Site Plan at 430 Meyer Road with the following conditions:

- a. The development shall be in accordance with the plans by Bloom Companies, LLC dated 06.16.21;
- b. The existing 10-foot Public Utility Easement from Lot 1 should be extended south into Lot 2;
- c. A 5-foot wide ADA compliant public sidewalk will be required along the Meyer Rd frontage of the site. The sidewalk shall be located within the public right-of-way;
- d. A perimeter curb and gutter will be required along the proposed parking lot per the Village parking lot standard;
- e. A final landscape plan with plant detail and quantity shall be approved by the Zoning Administrator; and

f. Final architecture plans shall be approved by the Zoning Administrator.

- 2) Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variation for Off-Street Parking Requirements.
- 3) Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variation for Pedestrian Circulation Systems.
- 4) Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variation for Tree Preservation Replacement Standards with the following condition:
 - a. Petitioner shall coordinate with CED Staff to determine an appropriate tree replacement agreement, final approval subject to Zoning Administrator.
- 5) Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variation for Parking Lot Landscaping Tree Canopy Coverage.
- 6) Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variation for Parking Lot Interior Landscape Islands.
- 7) Staff recommends the Approval of the Preliminary Plat of Consolidation.

There were no further questions from the Commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2021-19. Commissioner Wasowicz seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2021-19 at 7:17 p.m.

Motion: Commissioner Chambers made a combined motion to approve the Findings of Fact and Approval of a Site Plan Review, Municipal Code Section 10-3-2. Commissioner Wasowicz seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of a Preliminary Plat of Consolidation, Municipal Code Section 11-3. Commissioner Chambers seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of a Variation, Off-Street Parking Requirements, Municipal Code Section 10-8-2-1. Commissioner Chambers seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of a Variation, Pedestrian Circulations Systems, Municipal Code Section 10-8-7. Commissioner Chambers seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Chambers made a combined motion to approve the Findings of Fact and Approval of a Variation, Tree Preservation Replacement Standards, Municipal Code Section 10-9-2.B. Charmian Rowe seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of a Variation, Parking Lot Tree Canopy Coverage, Municipal Code Section 10-9-5.A. Commissioner Chambers seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Chambers made a combined motion to approve the Findings of Fact and Approval of a Variation, Parking Lot Interior Landscape Islands, Municipal Code Section 10-9-5.C. Commissioner Wasowicz seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2021-20
Petitioner: Aaron & Debra White
Location: 449 South Center Street
Request: Variation, Paved Parking Area
Municipal Code Section 10 – 8 – 8.G – 4

Motion: Commissioner Wasowicz made a motion to open CDC Case No. 2021-20. Commissioner Chambers seconded the motion.

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

ORDINANCE # _____

**AN ORDINANCE GRANTING APPROVAL OF A SITE PLAN, PRELIMINARY PLAT
OF CONSOLIDATION, AND VARIATIONS TO ALLOW FOR BUILDING AND
PARKING LOT EXPANSTIONS AT 430 N MEYER ROAD, BENSENVILLE, ILLINOIS**

WHEREAS, Century Metal Spinning Co. and Kaiser Family Ltd. Partnership (“Owner“/”Applicant”) of 430 Meyer Road, Bensenville, IL 60106 filed an application for Site Plan Review, Municipal Code Section 10-3-2 of the Bensenville Village Zoning Ordinance (“Zoning Ordinance”), Variation, Off-Street Parking Requirements, Municipal Code Section 10-8-2-1, Variation, Pedestrian Circulation Systems, Municipal Code Section 10-8-7, Variation, Tree Preservation Replacement Standards, Municipal Code Section 10-9-2.B, Variation, Parking Lot Landscaping Tree Canopy Coverage, Municipal Code Section 10-9-5.A, Variation, Parking Lot Interior Landscape Islands, Municipal Code Section 10-9-5.C, and a Preliminary Plat of Consolidation, Municipal Code Section 11-3, for the property located at 430 Meyer 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 Site Plan Review, Variations, and Preliminary Plat of Consolidation sought by the Applicant was published in the Bensenville Independent on Thursday, July 15, 2021 by the Village of Bensenville, and notice was also given via posting of a Public Hearing Sign on the Subject Property on Thursday, July 15, 2021, and via First Class mail to taxpayers of record within 250 feet of the Subject Property on Monday, July 12, 2021, 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 August 3, 2021 as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, after hearing the application, the Community Development Commission agreed with the findings of facts submitted by Applicant, and, thereafter, voted unanimously (4-0) to recommend approval with conditions of the Site Plan Review, Municipal Code Section 10-3-2, Variation, Off-Street Parking Requirements, Municipal Code Section 10-8-2-1, Variation, Pedestrian Circulation Systems, Municipal Code Section 10-8-7, Variation, Tree Preservation Replacement Standards, Municipal Code Section 10-9-2.B, Variation, Parking Lot Landscaping Tree Canopy Coverage, Municipal Code Section 10-9-5.A, Variation, Parking Lot Interior Landscape Islands, Municipal Code Section 10-9-5.C, and a Preliminary Plat of Consolidation, Municipal Code Section 11-3, and forwarded its recommendations, including the Staff Report and findings relative to the aforementioned requests, to the Village Board Committee of the Whole, which concurred in the recommendations made therein, as are attached hereto and incorporated herein by reference as Exhibit "B"; and

WHEREAS, on August 17, 2021, the Village Board Committee of the Whole then forwarded its recommendations, along with that of the Community Development Commission, to the President and Board of Village Trustees; and

WHEREAS, the President and Board of Village Trustees have reviewed the matter herein and have determined that approval with conditions of the requested Site Plan, Variations, and Preliminary Plat of Consolidation, as recommended by the Community Development Commission, is consistent with the Zoning Ordinance.

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 under the Zoning Ordinance as I-2 General Industrial District, which zoning classification shall remain in effect subject to the Site Plan, Variations, and Preliminary Plat of Consolidation approved herein.

Section 3. That the Staff Report and Recommendations to approve the Site Plan, Variations, and Preliminary Plat of Consolidation as allowed by the Zoning Ordinance, Sections 10-3-2, 10-8-2-1, 10-8-7, 10-9-2.B, 10-9-5.A, 10-9-5.C, and 11-3, as adopted by the Community Development Commission as shown in Exhibit “B” is hereby adopted by the President and Board of Village Trustees, the Board of Village Trustees finding that said Site Plan, Variations, and Preliminary Plat of Consolidation are proper and necessary.

Section 4. That the Site Plan, Municipal Code Section 10-3-2, as sought by the Applicant of the Subject Property, is hereby approved with the following conditions:

1. The development shall be in accordance with the plans by Bloom Companies, LLC dated 06.16.21;
2. The existing 10-feet Public Utility Easement from Lot 1 should be extended south into Lot 2;
3. A 5-feet wide ADA compliant public sidewalk will be required along the Meyer Rd frontage of the site. The sidewalk shall be located within the public right-of-way;
4. A perimeter curb and gutter will be required along the proposed parking lot per the Village parking lot standard;
5. A final landscape plan with plant detail and quantity shall be approved by the Zoning Administrator; and
6. Final architecture plans shall be approved by the Zoning Administrator.

Section 5. That the Variation, Off-Street Parking Requirements, Municipal Code Section 10-8-2-1, as sought by the Applicant of the Subject Property, is hereby approved.

Section 6. That the Variation, Pedestrian Circulation Systems, Municipal Code Section 10-8-7, as sought by the Applicant of the Subject Property, is hereby approved.

Section 7. That the Variation, Tree Preservation Replacement Standards, Municipal Code Section 10-9-2.B, as sought by the Applicant of the Subject Property, is hereby approved with the following condition:

1. Applicant shall coordinate with CED Staff to determine an appropriate tree replacement agreement, final approval subject to Zoning Administrator.

Section 8. That the Variation, Parking Lot Landscaping Tree Canopy Coverage, Municipal Code Section 10-9-5.A, as sought by the Applicant of the Subject Property, is hereby approved.

Section 9. That the Variation, Parking Lot Interior Landscape Islands, Municipal Code Section 10-9-5.C, as sought by the Applicant of the Subject Property, is hereby approved.

Section 10. That the Preliminary Plat of Consolidation, Municipal Code Section 11-3, as sought by the Applicant of the Subject Property, is hereby approved.

Section 11. That all requirements of the Zoning Ordinance shall be applicable except as allowed by the Site Plan, Variations, and Preliminary Plat of Consolidation granted herein.

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.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois, this 14th day of September 2021, pursuant to a roll call vote, as follows:

APPROVED:

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

Ordinance # ____ - 2021
Exhibit “A”

The Legal Description is as follows:

PARCEL 1: LOT 3 IN BENSENVILLE INDUSTRIAL SUBDIVISION UNIT 3, A SUBDIVISION OF PART OF LOT 5 OF MOHAWK ACRES, A SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 11, 1961 AS DOCUMENT 993227, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF LOT 5 IN MOHAWK ACRES, A SUBDIVISION OF THE SOUTHEAST ¼ 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, LYING WEST OF THE CENTERLINE OF MEYER ROAD EXTENDED SOUTHERLY (AS DEDICATED IN BENSENVILLE INDUSTRIAL SUBDIVISION UNIT THREE ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 11, 1961 AS DOCUMENT 993227); LYING SOUTHERLY OF THE SOUTH LINE OF LOT 3 IN SAID BENSENVILLE INDUSTRIAL SUBDIVISION UNIT THREE; LYING NORTHERLY OF THE NORTH LINE OF LOT 20 IN FAITH'S BENSENVILLE INDUSTRIAL SUBDIVISION UNIT TWO (ACCORDING TO THE PLAT THEREOF RECORDED APRIL 18, 1960 AS DOCUMENT 961941 AND CERTIFICATE OF CORRECTION RECORDED SEPTEMBER 29, 1961 AS DOCUMENT R61-23832); AND LYING EASTERLY OF THE EAST LINE OF LOT 6 IN KLEFSTAD'S BENSENVILLE INDUSTRIAL PARK (ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 20, 1967 AS DOCUMENT R67-2065), IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 430 Meyer Road, Bensenville, IL 60106.

Ordinance # ____ - 2021
Exhibit “B”
Findings of Fact

Ms. Fawell reviewed the Findings of Fact for the proposed Site Plan Review as presented in the Staff Report consisting of:

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 surrounding properties and in properties in the immediate vicinity of the proposed development are developed as industrial businesses. The proposed site plan is consistent with the existing zoning and character of the properties that are adjacent and in the vicinity the site.

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 improvements will not interfere with the operations or future development of adjacent and properties within the vicinity of the proposed site plan improvements. The proposed improvements do not encroach on adjacent properties or interfere with access or operations of other properties.

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: The development is located in the established industrial park and the proposed expansion will utilize the existing utility services and access road. A new parking is provided, a new loading dock is included with the building expansion in addition to the existing loading dock and one bay of the existing loading dock is being converted to a ramp. The proposed improvements shown on the site plan will not alter the existing storm flow paths of the storm sewer in Meyer Road. Wall Pack lights will be installed on the building expansion to provide lighting for the loading dock and parking lot.

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

Applicant's Response: There are no identified environmental resources other than trees with in the development area. The proposed site plan preserves as many trees as possible.

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 accommodates the public rights-of-way. The proposed expansion of the building and the associated parking lot utilize the vast portion of the available area. Pedestrian and vehicular circulation has been separated as much as possible.

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: A new curb cut to provide safe and efficient ingress and egress of vehicles is proposed for access to the new parking lot and to the new loading dock. Trucks using the new loading dock will be complete off the street while at the dock.

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 architectural design of building elevations have been prepared and are compatible with the existing building by matching the facades and will contribute to the aesthetic appearance of the area.

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 plan for the expansion of the Century Metal Spinning building is consistent with the Comprehensive Plan that designates the area as an industrial park and is consistent with Site Plan requirements for this zoning area and other land use policies of the Village.

Ms. Fawell reviewed the Findings of Fact for the proposed Variance Off-Street Parking Requirements, Municipal Code Section 10-8-2-1 as presented in the Staff Report 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: Not endanger the health, safety, comfort convenience and general welfare of public. The property is located in an established industrial park and is consistent with other properties that have been in the park for years.

- 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: Is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation. 13 existing parking spaces on the north portion of the 430 Meyer Road property are within an easement for parking for 466 Meyer Road since 466 Meyer Road did not have sufficient room to have their required parking spaces on their property. All properties adjacent to 430 Meyer and in the vicinity have variations on parking and due to the overall development of the industrial park would find it very difficult to expand buildings and parking.

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

Applicant's Response: Since land for expansion is extremely limited in the industrial park, an undue hardship is created by the literal enforcement of this title, while complying with other set back and parking requirements.

- 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 only land available is the 60 foot lot adjacent to the current development. This is a platted lot and is being combined by a consolidation plat to allow for the side yard setback for the building to meet requirements.

- 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 number of parking spaces proposed (27) is the maximum number of spaces that can be created along with the building expansion. Therefore the deviation from the ordinance requirement is 3 spaces, which is the minimum deviation requested.

- 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 variation is consistent with the intent of the Comprehensive Plan, Title 10 and other land use policies.

Ms. Fawell reviewed the Findings of Fact for the proposed Variance *Pedestrian Circulation Systems, Municipal Code Section 10-8-7* as presented in the Staff Report 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: The proposed variation to allow for no walking aisle in the parking lot will not endanger the health, safety, comfort convenience and general welfare of public. The only pedestrian activity that will be in the parking lot other than employees of the business would be in the visitor space next to the ADA space. The visitor and ADA space have access to the sidewalk that leads to the front door of the business without having to cross the entire parking lot. Employees are familiar the operations of trucks backing it to the existing parking lot and the new lot will be essentially the same as the existing lot, but all unloading of trucks will take place at the western end of the lot. The current lot has a ramp into the build and that ramp is being relocate to the area adjacent to an existing loading dock at the north eastern corner of the existing building.

- 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 variation is consistent with many other businesses in the industrial park where employees need to walk across an through parking lots to access the buildings.

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

Applicant's Response: Due to the size of the lot available and requirements related to the size of parking spaces there is not sufficient room to create a separated walking path through the parking lot.

- 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 due to the physical attributes of the property and were not created by the applicant. The applicant bought all of the available land and met the requirements of Title 10 related to parking space and aisle sizes.

- 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 variation is the minimum deviation from the regulations of Title 10 that are necessary to accomplish the desired improvement. If a walk way were added to the parking lot up to 11 more spaces would have to be eliminated from the proposed parking lot.

- 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 variation is consistent with the intent of the Comprehensive Plan, Title 10 and other land use policies of the Village related to industrial park developments.

Ms. Fawell reviewed the Findings of Fact for the proposed Variance Tree Preservation Replacement Standards, Municipal Code Section 10-9-2.B as presented in the Staff Report 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: The proposed administrative relief and variation to reduce the number of replacement trees and decrease the canopy coverage of trees over the parking lot from 40% to 11% will not endanger the health, safety, comfort convenience and general welfare of 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: Adjacent properties and properties within the area of the industrial park have varying amounts of landscaping. The existing 430 Meyer development could not meet current requirement for tree preservation and that is true of many of the developments within the same industrial park if they were to expand.

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

Applicant's Response: In order to fully comply with the requirements of the ordinance for tree canopy coverage and total tree replacement would be an undue hardship created by the literal enforcement of Title 10, causing the parking lot and building expansion to be substantially reduced in size. The reduction in size to the parking and building would eliminate the viability of the proposed expansion.

- 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: As with the parking and pedestrian access variations the variations for this title are due to the physical sizes of the property and the required size of expansion of the building.

- 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 represent the minimum deviation from the regulations of Title 10 Tree Preservation, that are necessary to accomplish the proposed development of the property. There is physically not enough square footage to plant additional trees on the property as a whole.

- 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 administrative relief and variation is consistent with the intent of the Comprehensive Plan,

this title and other land use policies of the Village for industrial development.

Ms. Fawell reviewed the Findings of Fact for the proposed Variance *Parking Lot Landscaping Tree Canopy Coverage, Municipal Code Section 10-9-5.A* as presented in the Staff Report 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: The proposed administrative relief and variation to reduce the number of replacement trees and decrease the canopy coverage of trees over the parking lot from 40% to 11% will not endanger the health, safety, comfort convenience and general welfare of 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: Adjacent properties and properties within the area of the industrial park have varying amounts of landscaping. The existing 430 Meyer development could not meet current requirement for tree preservation and that is true of many of the developments within the same industrial park if they were to expand.

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

Applicant's Response: In order to fully comply with the requirements of the ordinance for tree canopy coverage and total tree replacement would be an undue hardship created by the literal enforcement of Title 10, causing the parking lot and building expansion to be substantially reduced in size. The reduction in size to the parking and building would eliminate the viability of the proposed expansion.

- 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: As with the parking and pedestrian access variations the variations for this title are due to the physical sizes of the property and the required size of expansion of the building.

- 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 represent the minimum deviation from the regulations of Title 10 Tree Preservation, that are necessary to accomplish the proposed development of the property. There is physically not enough square footage to plant additional trees on the property as a whole.

- 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 administrative relief and variation is consistent with the intent of the Comprehensive Plan, this title and other land use policies of the Village for industrial development.

Ms. Fawell reviewed the Findings of Fact for the proposed Variance Parking Lot Interior Landscape Islands, Municipal Code Section 10-9-5.C as presented in the Staff Report 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: The proposed variation to allow for elimination of landscaping islands for the parking lot 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: The proposed variation is compatible with the character of adjacent properties. None of the properties adjacent to the site have landscape islands in the existing parking lots.

- 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 an undue hardship created by the literal enforcement of this title. If the requirements were met it would require the parking lot to be reduced by up to 4 additional spaces and would not provide enough parking for employees and visitors to the business. The

land area is limited and additional land area cannot be acquired, due to existing adjacent developments.

- 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 variation to eliminate islands is created by the limitations of available land to expand the business and is not deliberately created by the applicant. The proposed number of parking spaces is less than the required and a variation for reduction of the number of spaces is being sought. No additional land is available for the expansion of the building and associated parking.

- 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 variation to eliminate landscape islands for the parking lot is the minimum necessary to accomplish the desired improvement. Addition of islands to the parking lot would further reduce parking and make the proposed expansion not feasible.

- 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 is consistent with the intent of the Comprehensive Plan, this title and other land use policies of the Village for expansion of an industrial business within the existing industrial park.

Ms. Fawell stated Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Site Plan at 430 Meyer Road with the following conditions:

- a. The development shall be in accordance with the plans by Bloom Companies, LLC dated 06.16.21;
- b. The existing 10-foot Public Utility Easement from Lot 1 should be extended south into Lot 2;
- c. A 5-foot wide ADA compliant public sidewalk will be required along the Meyer Rd frontage of the site. The sidewalk shall be located within the public right-of-way;

- d. A perimeter curb and gutter will be required along the proposed parking lot per the Village parking lot standard;
 - e. A final landscape plan with plant detail and quantity shall be approved by the Zoning Administrator; and
 - f. Final architecture plans shall be approved by the Zoning Administrator.
- 2) Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variation for Off-Street Parking Requirements.
 - 3) Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variation for Pedestrian Circulation Systems.
 - 4) Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variation for Tree Preservation Replacement Standards with the following condition:
 - a. Petitioner shall coordinate with CED Staff to determine an appropriate tree replacement agreement, final approval subject to Zoning Administrator.
 - 5) Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variation for Parking Lot Landscaping Tree Canopy Coverage.
 - 6) Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variation for Parking Lot Interior Landscape Islands.
 - 7) Staff recommends the Approval of the Preliminary Plat of Consolidation.

There were no further questions from the Commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2021-19. Commissioner Wasowicz seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2021-19 at 7:17 p.m.

Motion: Commissioner Chambers made a combined motion to approve the Findings of Fact and Approval of a Site Plan Review, Municipal Code Section 10-3-2. Commissioner Wasowicz seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of a Preliminary Plat of Consolidation, Municipal Code Section 11-3. Commissioner Chambers seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of a Variation, Off-Street Parking Requirements, Municipal Code Section 10-8-2-1. Commissioner Chambers seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of a Variation, Pedestrian Circulations Systems, Municipal Code Section 10-8-7. Commissioner Chambers seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Chambers made a combined motion to approve the Findings of Fact and Approval of a Variation, Tre Preservation Replacement Standards, Municipal Code Section 10-9-2.B. Charmian Rowe seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of a Variation, Parking Lot Tree Canopy Coverage, Municipal Code Section 10-9-5.A. Commissioner Chambers seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Chambers made a combined motion to approve the Findings of Fact and Approval of a Variation, Parking Lot Interior Landscape Islands, Municipal Code Section 10-9-5.C. Commissioner Wasowicz seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Ronald Rowe, Chairman
Community Development Commission

TYPE:Ordinance**SUBMITTED BY:**K. Fawell**DEPARTMENT:**CED**DATE:**08.17.21**DESCRIPTION:**

Consideration of an Ordinance Granting a Variation to Allow a 20' by 20' Paved Parking Area at 449 S Center 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 type="checkbox"/>	Safe and Beautiful Village	<input type="checkbox"/>	Vibrant Major Corridors

COMMITTEE ACTION:

Committee of the Whole

DATE:

08.17.21

BACKGROUND:

1. The Petitioner is seeking a Variation to allow a 34' by 25' paved parking area in the rear yard to be accessed from the alley.
2. The existing gravel area has been used for vehicle parking, for which the property has received four correction notices since 2018.

KEY ISSUES:

1. Any gravel areas abutting pavement – in the event the request is approved – must be reverted to green space.
2. Paved parking areas are permitted in the rear yard adjacent to the entrance of a detached garage, and shall be 10' by 20' per vehicle parking space, with a maximum of 2 spaces allowed. The area shall be accessed from an alley at the rear of the lot and shall be located one foot or more from an interior lot line and three feet or less from the rear lot line.
3. The applicant's representative stated there were three adult drivers residing in the home and that two parking spaces would not be sufficient.

ALTERNATIVES:

Discretion of the Committee of the Whole.

RECOMMENDATION:

1. Staff respectfully recommends the approval of the Variation request with the following conditions:
 1. The pavement shall be pitched in accordance with the recommendations of the Village Engineer;
 2. The paved parking area shall be 20 feet by 20 feet; and
 3. Any remaining gravel area shall be reverted to green space, subject to review and approval by the Zoning Administrator.
2. At their 08.03.21 Public Hearing, the Community Development Commission voted (3-0-1) to recommend approval of the request with the above staff-recommended conditions.
 1. One CDC Commissioner abstained from the vote.

BUDGET IMPACT:

N/A

ACTION REQUIRED:

Approval of an Ordinance Granting a Variation to Allow a 20' by 20' Paved Parking Area at 449 S Center Street.

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
Aerial & Zoning Exhibits	8/10/2021	Backup Material
Legal Notice	8/10/2021	Backup Material
Application	8/10/2021	Backup Material
Approval Standards Letter	8/10/2021	Backup Material
Staff Report	8/10/2021	Executive Summary
Plat of Survey w/ Plans	8/10/2021	Backup Material
Draft CDC Minutes	8/10/2021	Backup Material
Draft Ordinance	8/10/2021	Ordinance

CDC#2021 – 20

449 S Center Street
Aaron & Debra White
Variation, Paved Parking Area
Municipal Code Section 10 – 8 – 8.G.4



Village of Bensenville

449 S Center St.



Village of Bensenville

Zoning Map



**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, August 3, 2021 at 6:30 P.M., at which a Public Hearing will be held to review case No. 2021 - 20 to consider a request for:

Variation, Paved Parking Area
Municipal Code Section 10 – 8 – 8 – G.4

at 449 S Center Street in an existing R – 2 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:

OF PROPERTY DESCRIBED AS LOT 31 IN VOLK BROTHERS' EDGEWOOD SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 22 AND THE NORTH HALF 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 NO. 213084, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 449 S Center Street, Bensenville, IL 60106.

Aaron & Debra White of 449 S Center Street, Bensenville, IL 60106 are the owners of and applicants 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. Directions for electronic attendance and participation 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 August 3, 2021 until 5:00 P.M

Office of the Village Clerk
Village of Bensenville

**TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT
July 15, 2021**

For Office Use Only

Date of Submission: APR 7/7/21 MUNIS Account #: 11216 CDC Case #: 2021-20

COMMUNITY DEVELOPMENT COMMISSION APPLICATION

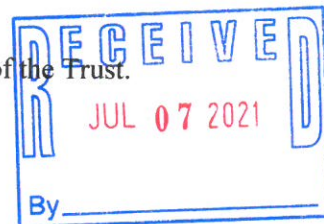
Address: 449 S. Center St., Bensenville, IL 60106Property Index Number(s) (PIN): 03-23-213-009-0000

A. PROPERTY OWNER:

Aaron White & Debra White

Name	Corporation (if applicable)	
<u>449 S. Center St., Bensenville, IL 60106</u>		
Street		
<u>Bensenville</u>	<u>IL</u>	<u>60106</u>
City	State	Zip Code
<u>Aaron D. White, Jr. (Attorney)</u>	<u>312-855-6414</u>	<u>awhite@chuhak.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)

Owners are seeking a variation to pave their 4-spot parking area at the rear of their property, off the alley. A variation is required because the parking area is not adjacent to a garage.

C. PROJECT DATA:

1. General description of the site: Single-family home with gravel parking area located behind fence.
2. Acreage of the site: 0.22 Building Size (if applicable): N/A
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.)

Village Code Section 10-8-8-4 (regarding paved parking area)

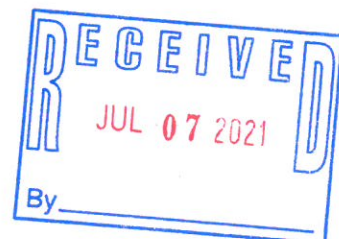
IPMC Section 302.3 of the Village Code (regarding parking and driveway areas)

5. Character of the site and surrounding area:

	Zoning	Existing Land Use	Jurisdiction
Site:	R-2	Single-Unit Dwelling	Bensenville
North:	R-2	Single-Unit Dwelling	Bensenville
South:	R-2	Single-Unit Dwelling	Bensenville
East:	C-2	Commercial	Bensenville
West:	R-2	Single-Unit Dwelling	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."

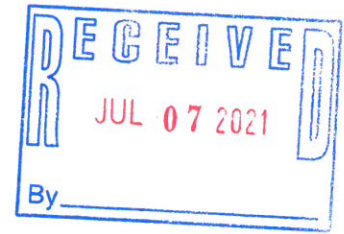


Aaron D. White, Jr.

Writer's Direct Line
(312) 855-6414

Writer's Email
awhite@chuhak.com

July 3, 2021



Re: Variance Application - 449 S. Center St. (the "Property")

To Whom It May Concern,

I represent the owners of the Property, Aaron D. White and Debra M. White (collectively, "Owners"), regarding their request for a zoning variance from the Village of Bensenville ("Village") and submit this letter in support thereof. For the reasons discussed below, the requested variance satisfies the approval standards set forth in the Village Code.

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

As discussed in further detail below, the proposed variation will enable the Owners to comply with Section 302.3 of the International Property Maintenance Code, as adopted and incorporated into the Village Code, which provision is aimed at protecting the health, safety, comfort, convenience, and general welfare of the public. By granting the variance request, the Village will enable the Owners to pave what is now a gravel parking area.

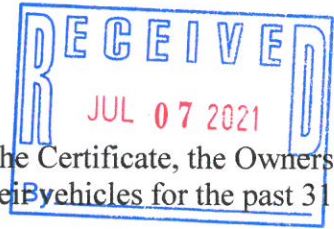
2. The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Directly east of the Property, is the paved, commercial parking area of the Mamma Maria's Restaurant. Permitting the Owners to pave their gravel parking area without having to build a garage will result in a parking area that matches the Mamma Maria's parking area. Additionally, other properties on the same alley have cars parked behind the fences separating the residences, so the proposed variation is consistent with the area.

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

Currently, the Owners have a four-spot gravel parking area adjacent to the alley at the rear of the Property, which is separated from the main yard and house by a fence. The gravel parking area existed at the time the Owners purchased the Property in 1990. At the time of purchase, the Owners received a Real Estate Transfer Inspection Certificate of Occupancy dated May 11, 1990 from the Director of Building & Zoning of the Village ("Certificate"). The Certificate indicated that the Property had been inspected on March 27, 1990 and May 10, 1990 and was "found to conform to the requirements of the Real Estate Transfer Ordinance and the Zoning Ordinance of

July 3, 2021
Page 2



the Village of Bensenville.” Based on the Village’s representations in the Certificate, the Owners purchased the Property and have used the gravel parking area to park their vehicles for the past 31 years.

In 2015, the Village Code was amended to incorporate the International Property Maintenance Code, specifically Section 302.3. As adopted by the Village, that section provides, “All parking and driveway areas shall be paved with asphalt, concrete or approved paver stone or brick, shall be kept free from dirt and other litter or debris, and shall be kept in good repair.” Based on this ordinance, the Village is now requiring the Owners to pave their parking area, which had consisted of gravel for 25 years at the time the ordinance was adopted and was approved by the Village at the time of purchase.

When the Owners applied for a permit to pave their parking area, in an effort to comply with Section 302.3, they were denied a permit on June 2, 2021 on the basis that the Village’s zoning ordinances only permit a gravel parking area to exist adjacent to a garage; they do not permit a stand-alone gravel parking area. Section 10-8-8-4 of the Village Code provides that “Paved parking areas are permitted in the rear yard adjacent to the entrance of a detached garage.”

These two provisions of the Village Code appear to be at odds with one another. Their practical effect is to require an owner to pave any gravel parking area, but that parking area has to be adjacent to a garage. In order to comply with these provisions of the Village Code without the granting of a variance, the Owners will either have to build a garage and then pave their gravel parking area, which they are financially unable to do—and shouldn’t have to do, based on the Village’s prior certification of the Property—or they will have to make arrangements to park their vehicles elsewhere, not on the Property. Thus, the proposed variation alleviates an undue hardship caused by a literal enforcement of Section 10-8-8-4.

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

As discussed above, the gravel parking area existed at the time the Owners purchased the Property and was not created by them. Further, the Village approved the gravel parking area when it inspected the Property twice in 1990 and issued the Certificate. Had there been any indication from the Village to the Owners at that time that they would not be able to park their vehicles on the gravel parking area, they would not have purchased the Property.

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

Currently, the Owner’s parking area consists of a 4-spot gravel area adjacent to the alley at the rear of the Property. Allowing the Owners to simply pave the existing parking area without building a garage represents a minimal deviation because it will allow the Owners to comply with

July 3, 2021
Page 3

Section 302.3, thereby improving and enhancing the parking area while achieving the Village's goals of safety and proper maintenance.

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

As discussed above, the proposed variation is consistent with the land use policies of the Village because it will allow the Owners to comply with Section 302.3 of the Village Code. Moreover, it will give the Owners the equivalent parking area—a 4-spot paved parking area—as if they had a two-car garage and then two paved spaces adjacent. Thus, the request is consistent with what the Village Code otherwise would allow.

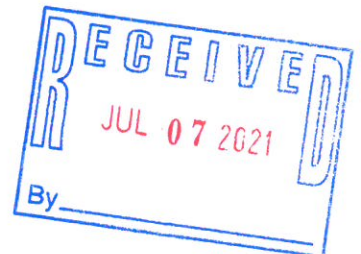
Please contact the undersigned with questions regarding any of the matters addressed herein.

Sincerely,



Aaron D. White, Jr.

ADW:





COMMUNITY DEVELOPMENT COMMISSION
STAFF REPORT

HEARING DATE: August 3, 2021
CASE #: 2021 – 20
PROPERTY: 449 S Center Street
PROPERTY OWNER: Aaron & Debra White
APPLICANT: Same as Above
SITE SIZE: 0.22 AC
BUILDING SIZE: N/A
PIN NUMBER: 03-23-213-009
ZONING: R-2 Single-Unit Dwelling District
REQUEST: Variation, Paved Parking Area
Municipal Code Section 10 – 8 – 8.G – 4

PUBLIC NOTICE:

1. A Legal Notice was published in the Bensenville Independent on Thursday, July 15, 2021. 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 a Notice of Public Hearing sign on the property, visible from the public way on Thursday, July 15 2021.
3. On Monday, July 12, 2021, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250’ 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 is seeking a Variation to allow a 34’ by 25’ paved parking area in the rear yard to be accessed from the alley. The existing gravel area has been used for vehicle parking, for which the property has received four correction notices since 2018. Any gravel areas abutting pavement – in the event the request is approved – must be reverted to green space.

Paved parking areas are permitted in the rear yard adjacent to the entrance of a detached garage, and shall be 10’ by 20’ per vehicle parking space, with a maximum of 2 spaces allowed. The area shall be accessed from an alley at the rear of the lot and shall be located one foot or more from an interior lot line and three feet or less from the rear lot line.

SURROUNDING LAND USES:

	Zoning	Land Use	Comprehensive Plan	Jurisdiction
Site	R – 2	Residential	Single Family Residential	Village of Bensenville
North	R – 2	Residential	Single Family Residential	Village of Bensenville
South	R – 2	Residential	Single Family Residential	Village of Bensenville
East	C – 2	Commercial	Local Commercial	Village of Bensenville
West	R – 2	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 checked="" type="checkbox"/>	Enrich the Lives of Residents
<input type="checkbox"/>	Major Business/Corporate Center
<input type="checkbox"/>	Vibrant Major Corridors

Finance:

- 1) Account is up to date.

Police:

- 1) No objections.

Engineering and Public Works:

- 1) The proposed drainage pattern should follow the existing pattern and pitch into the alley. Basins are located behind each of the next-door neighbors. It should not adversely impact the neighboring properties. The proposed elevations should remain similar to the existing.

Community & Economic Development:Economic Development:

- 1) No comments.

Fire Safety:

- 1) No comments.

Building:

- 1) Please note that a paved parking area is built differently than that of a garage slab. Should this request be approved and the proposed parking area is built, constructing a garage on this area will not be permitted as the foundation will not have the required footings for that of a garage. If the applicants desires to build the slab with the intention of building a garage at some point they will need frost protected footings.

Planning:

- 1) The 2015 Comprehensive Plan indicates “Single Family Residential” for this property.
- 2) The current zoning is R-2 Single-Unit Dwelling District.
- 3) A Variation is needed as the proposed paving parking area does not meet the Village Zoning Ordinance due to the following: these areas are required to be adjacent to a detached garage and have a maximum area of 20’ by 20’ (10’ by 20’ per vehicle space). The subject property currently has no garage, and the proposed pad is 34’ by 25’.
- 4) A paved parking area Variation is a common request, and is typically approved; however, most approved meet the dimension standards. The most recently approved paved parking area Variation for at 243 Spruce Avenue with a size of 10’ by 20’. In December 2020, a 20’ by 20’ paved parking area, nonadjacent to a garage, was approved at 146 S Mason.
- 5) The paved parking area shall be in accordance with other requirements of Section 10 – 8 – 8.G – 4, which state that are shall be located one foot or more from the interior lot line and three feet or less from the rear lot line.



Existing Site Conditions

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: As discussed in further detail below, the proposed variation will enable the Owners to comply with Section 302.3 of the International Property Maintenance Code, as adopted and incorporated into the Village Code, which provision is aimed at protecting the health, safety, comfort, convenience, and general welfare of the public. By granting the variance request, the Village will enable the Owners to pave what is now a gravel parking area.

- 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: Directly east of the Property, is the paved, commercial parking area of the Mamma Maria's Restaurant. Permitting the Owners to pave their gravel parking area without having to build a garage will result in a parking area that matches the Mamma Maria's parking area. Additionally, other properties on the same alley have cars parked behind the fences separating the residences, so the proposed variation is consistent with the area.

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

Applicant's Response: Currently, the Owners have a four-spot gravel parking area adjacent to the alley at the rear of the Property, which is separated from the main yard and house by a fence. The gravel parking area existed at the time the Owners purchased the Property in 1990. At the time of purchase, the Owners received a Real Estate Transfer Inspection Certificate of Occupancy dated May 11, 1990 from the Director of Building & Zoning of the Village ("Certificate"). The Certificate indicated that the Property had been inspected on March 27, 1990 and May 10, 1990 and was "found to conform to the requirements of the Real Estate Transfer Ordinance and the Zoning Ordinance of the Village of Bensenville." Based on the Village's representations in the Certificate, the Owners purchased the Property and have used the gravel parking area to park the vehicles for the past 31 years.

In 2015, the Village Code was amended to incorporate the International Property Maintenance Code, specifically Section 302.3. As adopted by the Village, that section provides, "All parking and driveway areas shall be paved with asphalt, concrete, or approved paver stone or brick, shall be kept free from dirt and other litter or debris, and shall be kept in good repair." Based on this ordinance, the Village is now requiring the Owners to pave their parking area, which had consisted of gravel for 25 years at the time the ordinance was adopted and was approved by the Village at the time of purchase.

When the Owners applied for a permit to pave their parking area, in an effort to comply with Section 302.3, they were denied a permit on June 2, 2021 on the basis that the Village's zoning ordinances only permit a gravel parking area to exist

adjacent to a garage; they do not permit a stand-alone gravel parking area. Section 10-8-8-4 of the Village Code provides that “Paved parking areas are permitted in the rear yard adjacent to the entrance of a detached garage.”

These two provisions of the Village Code appear to be at odds with one another. Their practical effect is to require an owner to pave and gravel parking area, but that parking area has to be adjacent to a garage. In order to comply with these provisions of the Village Code without the granting of a variance, the Owners will either have to build a garage and then pave their gravel parking area, which they are financially unable to do – and shouldn’t have to do, based on the Village’s prior certification of the Property – or they will have to make arrangements to park their vehicles elsewhere, not on the Property. Thus, the proposed variations alleviates an undue hardship caused by a literal enforcement of Section 10-8-8-4.

- 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: As discussed above, the gravel parking area existed at the time the Owners purchased the Property and was not created by them. Further, the Village approved the gravel parking area when it inspected the Property twice in 1990 and issued the Certificate. Had there been any indication from the Village to the Owners at that time that they would not be able to park their vehicles on the gravel parking area, they would not have purchased the 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: Currently, the Owner’s parking area consists of a 4-spot gravel area adjacent to the alley at the rear of the Property. Allowing the Owners to simply pave the existing parking area without building a garage represents a minimal deviation because it will allow the Owners to comply with Section 302.3, thereby improving and enhancing the parking area while achieving the Village’s goals of safety and proper maintenance.

- 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: As discussed above, the proposed variation is consistent with the land use policies of the Village because it will allow the Owners to comply with Section 302.3 of the Village Code. Moreover, it will give the Owners the equivalent parking area – a 4-spot paved parking area – as if they had a two-car garage and then two paved spaces adjacent. Thus, the request is consistent with what the Village Code otherwise would allow.

Variation Approval Standards	Meets Standard	
	<i>Yes</i>	<i>No</i>
1. Public Welfare	X	
2. Compatible with Surrounding Character	X	
3. Undue Hardship	X	
4. Unique Physical Attributes	X	
5. Minimum Deviation Needed		X
6. Consistent with Ordinance and Plan	X	

RECOMMENDATIONS:

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variation for a Paved Parking Area at 449 S Center Street with the following conditions:

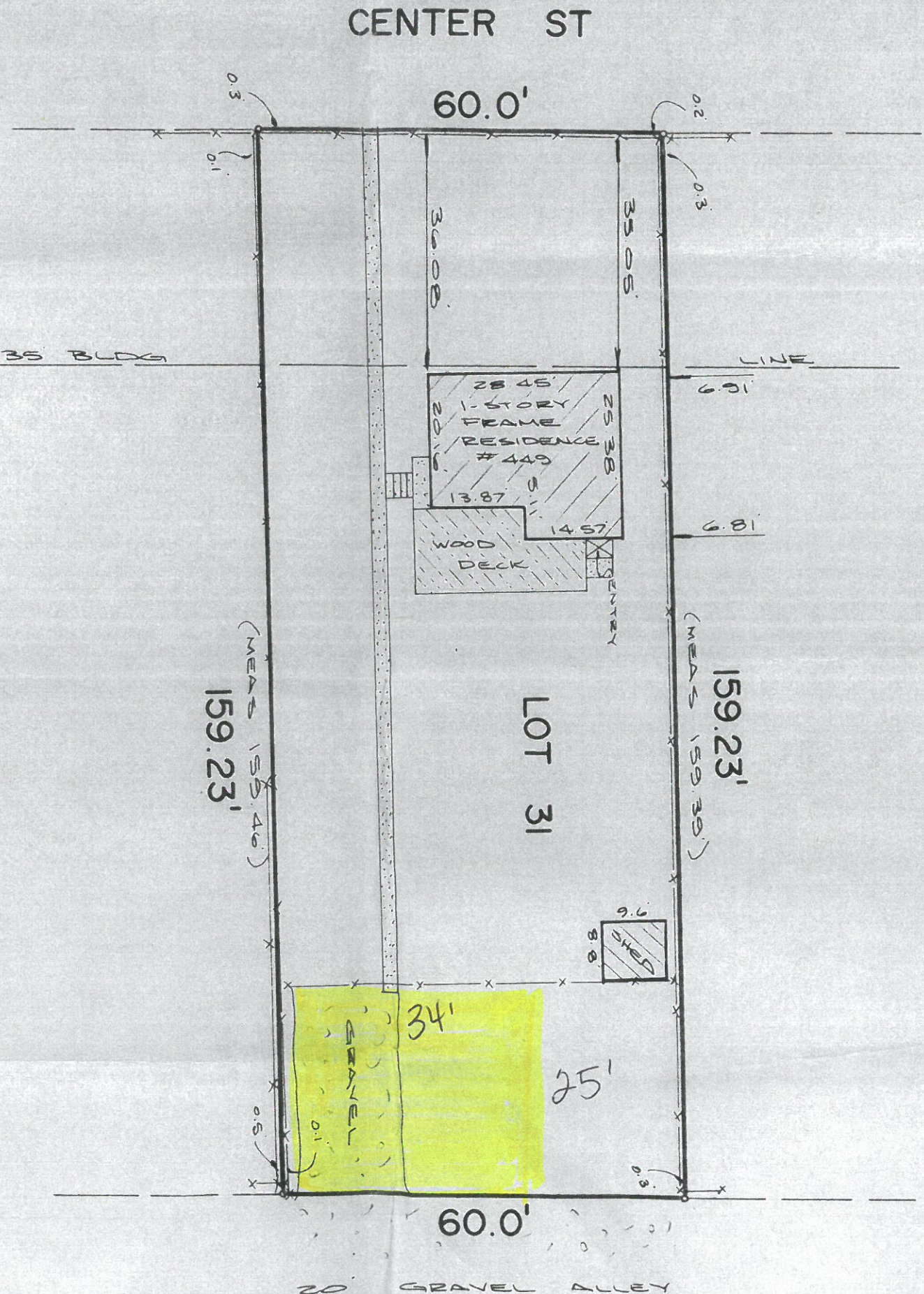
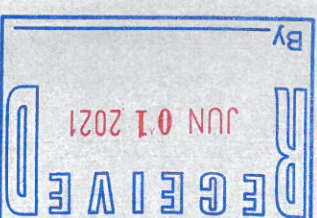
- 1) The pavement shall be pitched in accordance with the recommendations of the Village Engineer;
- 2) The paved parking area shall be 20 feet by 20 feet; and
- 3) Any remaining gravel area shall be reverted to green space, subject to review and approval by the Zoning Administrator.

Respectfully Submitted,

Department of Community & Economic Development

Plat of Survey

OF PROPERTY DESCRIBED AS LOT 31 IN VOLK BROTHERS' EDGEWOOD SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 22 AND AND THE NORTH HALF 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 NO. 213084, IN DEPAGE COUNTY, ILLINOIS.



Order # 88033 (Dziadloweic)
Ordered by Kupisch & Hunt, Ltd.
Prop. address 449 Center St.
 Bensenville, IL

Distances are given in feet and decimal parts thereof

- indicates iron stake found
- indicates iron stake set
- X—X— indicates fencing
- indicates concrete

State of Illinois) SS
County of DuPage)

I, William M. TenBusch, an Illinois Registered Land Surveyor, do hereby certify that I have located the above shown buildings as of this 9th day of FEBRUARY, 19 88

William M. TenBusch
Registered Land Surveyor # 2767

Refer to deed or title policy for any building lines or easements not shown. No dimension shall be assumed by scale.

State of Illinois) SS
County of DuPage)

I, William M. TenBusch, an Illinois Registered Land Surveyor, do hereby certify that I have located the above described property and that this is a representation of said survey as of this 8th day of MAY, 2022

William M. TenBusch
Registered Land Surveyor # 2767

Plat not valid without embossed seal

Motion: Commissioner Chambers made a combined motion to approve the Findings of Fact and Approval of a Variation, Tre Preservation Replacement Standards, Municipal Code Section 10-9-2.B. Charmian Rowe seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of a Variation, Parking Lot Tree Canopy Coverage, Municipal Code Section 10-9-5.A. Commissioner Chambers seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Chambers made a combined motion to approve the Findings of Fact and Approval of a Variation, Parking Lot Interior Landscape Islands, Municipal Code Section 10-9-5.C. Commissioner Wasowicz seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2021-20
Petitioner: Aaron & Debra White
Location: 449 South Center Street
Request: Variation, Paved Parking Area
Municipal Code Section 10 – 8 – 8.G – 4

Motion: Commissioner Wasowicz made a motion to open CDC Case No. 2021-20. Commissioner Chambers seconded the motion.

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

Chairman Rowe opened CDC Case No. 2021-20 at 7:22 p.m.

Village Planner, Kelsey Fawell was present and sworn in by Chairman Rowe. Ms. Fawell stated a Legal Notice was published in the Bensenville Independent on July 15, 2021. Ms. Fawell 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. Ms. Fawell stated Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on July 15, 2021. Ms. Fawell stated on July 12, 2021 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. Ms. Fawell 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.

Ms. Fawell stated the Petitioner is seeking a Variation to allow a 34' by 25' paved parking area in the rear yard to be accessed from the alley. Ms. Fawell stated the existing gravel area has been used for vehicle parking, for which the property has received four correction notices since 2018. Ms. Fawell stated any gravel areas abutting pavement – in the event the request is approved – must be reverted to green space.

Ms. Fawell stated paved parking areas are permitted in the rear yard adjacent to the entrance of a detached garage, and shall be 10' by 20' per vehicle parking space, with a maximum of 2 spaces allowed. Ms. Fawell stated the area shall be accessed from an alley at the rear of the lot and shall be located one foot or more from an interior lot line and three feet or less from the rear lot line.

Aaron White, Attorney and son of the Petitioners, was present and sworn in by Chairman Rowe. Mr. White stated there are currently three adults living in the home and all three drive their own vehicles. Mr. White stated there is no garage on site and the cost to construct one is too much. Mr. White stated his clients are trying to comply with the Village's ordinance. Mr. White stated they are requesting a 34' X 25' parking pad; not the Staff recommendation of 20' X 20'

Commissioner King questioned how this matter can be resolved. Ms. Falwell stated the current Village Code permits a garage on site; should the Applicants construct a garage, which would allow for four vehicles to be parked on the site.

Commissioner Wasowicz asked if parking was available in the front of the home, on the street. Mr. White stated there is parking on the street, however not overnight.

Public Comment

Chairman Rowe asked if there was any member of the Public that would like to comment of the CDC Case. There were none.

Ms. Fawell reviewed the Findings of Fact for the proposed variance as presented in the Staff Report 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: As discussed in further detail below, the proposed variation will enable the Owners to comply with Section 302.3 of the International Property Maintenance Code, as adopted and incorporated into the Village Code, which provision is aimed at protecting the health, safety, comfort, convenience, and general welfare of the public. By granting the variance request, the Village will enable the Owners to pave what is now a gravel parking area.

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: Directly east of the Property, is the paved, commercial parking area of the Mamma Maria's Restaurant. Permitting the Owners to pave their gravel parking area without having to build a garage will result in a parking area that matches the Mamma Maria's parking area. Additionally, other properties on the same alley have cars parked behind the fences separating the residences, so the proposed variation is consistent with the area.

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Applicant's Response: Currently, the Owners have a four-spot gravel parking area adjacent to the alley at the rear of the Property, which is separated from the main yard and house by a fence. The gravel parking area existed at the time the Owners purchased the Property in 1990. At the time of purchase, the Owners received a Real Estate Transfer Inspection Certificate of Occupancy dated May 11, 1990 from the Director of Building & Zoning of the Village ("Certificate"). The Certificate indicated that the Property had been inspected on March 27, 1990 and May 10, 1990 and was "found to conform to the requirements of the Real Estate Transfer Ordinance and the Zoning Ordinance of the Village of Bensenville." Based on the Village's representations in the Certificate, the Owners purchased the Property and have used the gravel parking area to park the vehicles for the past 31 years.

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These two provisions of the Village Code appear to be at odds with one another. Their practical effect is to require an owner to pave and gravel parking area, but that parking area has to be adjacent to a garage. In order to

comply with these provisions of the Village Code without the granting of a variance, the Owners will either have to build a garage and then pave their gravel parking area, which they are financially unable to do – and shouldn't have to do, based on the Village's prior certification of the Property – or they will have to make arrangements to park their vehicles elsewhere, not on the Property. Thus, the proposed variations alleviates an undue hardship caused by a literal enforcement of Section 10-8-8-4.

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: As discussed above, the gravel parking area existed at the time the Owners purchased the Property and was not created by them. Further, the Village approved the gravel parking area when it inspected the Property twice in 1990 and issued the Certificate. Had there been any indication from the Village to the Owners at that time that they would not be able to park their vehicles on the gravel parking area, they would not have purchased the 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: Currently, the Owner's parking area consists of a 4-spot gravel area adjacent to the alley at the rear of the Property. Allowing the Owners to simply pave the existing parking area without building a garage represents a minimal deviation because it will allow the Owners to comply with Section 302.3, thereby improving and enhancing the parking area while achieving the Village's goals of safety and proper maintenance.

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: As discussed above, the proposed variation is consistent with the land use policies of the Village because it will allow the Owners to comply with Section 302.3 of the Village Code. Moreover, it will give the Owners the equivalent parking area – a 4-spot paved parking area – as if they had a two-car garage and then two paved spaces adjacent. Thus, the request is consistent with what the Village Code otherwise would allow.

Ms. Fawell stated Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variation for a Paved Parking Area at 449 S Center Street with the following conditions:

- 1) The pavement shall be pitched in accordance with the recommendations of the Village Engineer;
- 2) The paved parking area shall be 20 feet by 20 feet; and
- 3) Any remaining gravel area shall be reverted to green space, subject to review and approval by the Zoning Administrator.

There were no further questions from the Commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2021-20. Commissioner Wasowicz seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2021-20 at 7:38 p.m.

Motion: Commissioner Chambers made a combined motion to approve the Findings of Fact and approval of a Variation Paved Parking Area, Municipal Code Section 10-8-8.G-4 with Staff's Recommendations as presented. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Wasowicz

Nays: None

Abstained: King

Motion carried.

ORDINANCE # _____

**AN ORDINANCE GRANTING A VARIATION
FOR A 20' BY 20' PAVED PARKING AREA
AT 449 S CENTER STREET, BENSENVILLE, ILLINOIS**

WHEREAS, Aaron & Debra White (“Owner/Applicant”) of 449 S Center Street, Bensenville, IL 60106, filed an application for Variation, Paved Parking Area, Municipal Code Section 10-8-8.G-4 of the Bensenville Village Zoning Ordinance (“Zoning Ordinance”), for the property located at 449 S Center Street, 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 Variation sought by the Applicant was published in the Bensenville Independent on Thursday, July 15, 2021 by the Village of Bensenville, and notice was also given via posting of a Public Hearing Sign on the Subject Property on Thursday, July 15, 2021, and via First Class mail to taxpayers of record within 250 feet of the Subject Property on Monday, July 12, 2021, 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 August 3, 2021, as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, after hearing the application, the Community Development Commission agreed with the findings of fact submitted by the Applicant, and thereafter, voted (3-0-1) to recommend approval with conditions of the Variation, Paved Parking Area, Municipal Code Section 10-8-8.G-4, and forwarded its recommendations, including the Staff Report and findings

relative to the Variation, to the Village Board Committee of the Whole, which concurred with the recommendations made therein, as are attached hereto and incorporated herein by reference as Exhibit "B"; and

WHEREAS, on August 17, 2021, the Village Board Committee of the Whole then forwarded its recommendation, along with that of the Community Development Commission, to the President and Board of Village Trustees; and

WHEREAS, the President and Board of Village Trustees have reviewed the matter herein and have determined that approval with conditions of the Variation, Paved Parking Area, Municipal Code Section 10-8-8.G-4, as recommended by the Community Development Commission to approve the Variation, is consistent with the Zoning Ordinance.

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 under the Zoning Ordinance as R-2 Single-Unit Dwelling District, which zoning classification shall remain in effect subject to the Variation approved herein.

Section 3. That the Staff Report and Recommendations to approve with conditions the Variation, sought by the Applicant, as allowed by the Zoning Ordinance, Section 10-8-8.G-4, as adopted by the Community Development Commission as shown in Exhibit "B", is hereby adopted by the President and Board of Trustees, the Board of Trustees finding that said Variation is proper and necessary.

Section 4. That the Variation, Paved Parking Area, Municipal Code Section 10-8-8.G-4, as sought by the Applicant of the Subject Property, is hereby approved with the following conditions:

1. The pavement shall be pitched in accordance with the recommendations of the Village Engineer;
2. The paved parking area shall be 20 feet by 20 feet; and
3. Any remaining gravel area shall be reverted to green space, subject to review and approval by the Zoning Administrator.

Section 5. That all requirements of the Zoning Ordinance shall be applicable except as allowed by the Variation approved herein.

Section 6. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

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

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PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois, this 14th day of September 2021, pursuant to a roll call vote, as follows:

APPROVED:

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

Ordinance # ____ - 2021
Exhibit “A”

The Legal Description is as follows:

OF PROPERTY DESCRIBED AS LOT 31 IN VOLK BROTHERS' EDGEWOOD
SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 22 AND THE NORTH
HALF 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 NO. 213084, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 449 S Center Street, Bensenville, IL 60106.

Ordinance # ____ - 2021
Exhibit “B”
Findings of Fact

Ms. Fawell reviewed the Findings of Fact for the proposed variance as presented in the Staff Report 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: As discussed in further detail below, the proposed variation will enable the Owners to comply with Section 302.3 of the International Property Maintenance Code, as adopted and incorporated into the Village Code, which provision is aimed at protecting the health, safety, comfort, convenience, and general welfare of the public. By granting the variance request, the Village will enable the Owners to pave what is now a gravel parking area.

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: Directly east of the Property, is the paved, commercial parking area of the Mamma Maria’s Restaurant. Permitting the Owners to pave their gravel parking area without having to build a garage will result in a parking area that matches the Mamma Maria’s parking area. Additionally, other properties on the same alley have cars parked behind the fences separating the residences, so the proposed variation is consistent with the area.

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

Applicant’s Response: Currently, the Owners have a four-spot gravel parking area adjacent to the alley at the rear of the Property, which is separated from the main yard and house by a fence. The gravel parking area existed at the time the Owners purchased the Property in 1990. At the time of purchase, the Owners received a Real Estate Transfer Inspection Certificate of Occupancy dated May 11, 1990 from the Director of Building & Zoning of the Village (“Certificate”). The Certificate indicated that the Property had been inspected on March 27, 1990 and May 10, 1990 and was “found to conform to the requirements of the Real Estate Transfer Ordinance and the Zoning Ordinance of the Village of Bensenville.” Based on the Village’s representations in the Certificate, the Owners purchased the Property and have

used the gravel parking area to park the vehicles for the past 31 years.

In 2015, the Village Code was amended to incorporate the International Property Maintenance Code, specifically Section 302.3. As adopted by the Village, that section provides, “All parking and driveway areas shall be paved with asphalt, concrete, or approved paver stone or brick, shall be kept free from dirt and other litter or debris, and shall be kept in good repair.” Based on this ordinance, the Village is now requiring the Owners to pave their parking area, which had consisted of gravel for 25 years at the time the ordinance was adopted and was approved by the Village at the time of purchase.

When the Owners applied for a permit to pave their parking area, in an effort to comply with Section 302.3, they were denied a permit on June 2, 2021 on the basis that the Village’s zoning ordinances only permit a gravel parking area to exist adjacent to a garage; they do not permit a stand-alone gravel parking area. Section 10-8-8-4 of the Village Code provides that “Paved parking areas are permitted in the rear yard adjacent to the entrance of a detached garage.”

These two provisions of the Village Code appear to be at odds with one another. Their practical effect is to require an owner to pave and gravel parking area, but that parking area has to be adjacent to a garage. In order to comply with these provisions of the Village Code without the granting of a variance, the Owners will either have to build a garage and then pave their gravel parking area, which they are financially unable to do – and shouldn’t have to do, based on the Village’s prior certification of the Property – or they will have to make arrangements to park their vehicles elsewhere, not on the Property. Thus, the proposed variations alleviates an undue hardship caused by a literal enforcement of Section 10-8-8-4.

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: As discussed above, the gravel parking area existed at the time the Owners purchased the Property and was not created by them. Further, the Village approved the gravel parking area when it inspected the Property twice in 1990 and issued the Certificate. Had there been any indication from the Village to the Owners at that time that they would not be able

to park their vehicles on the gravel parking area, they would not have purchased the 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: Currently, the Owner's parking area consists of a 4-spot gravel area adjacent to the alley at the rear of the Property. Allowing the Owners to simply pave the existing parking area without building a garage represents a minimal deviation because it will allow the Owners to comply with Section 302.3, thereby improving and enhancing the parking area while achieving the Village's goals of safety and proper maintenance.

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: As discussed above, the proposed variation is consistent with the land use policies of the Village because it will allow the Owners to comply with Section 302.3 of the Village Code. Moreover, it will give the Owners the equivalent parking area – a 4-spot paved parking area – as if they had a two-car garage and then two paved spaces adjacent. Thus, the request is consistent with what the Village Code otherwise would allow.

Ms. Fawell stated Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variation for a Paved Parking Area at 449 S Center Street with the following conditions:

- 1) The pavement shall be pitched in accordance with the recommendations of the Village Engineer;
- 2) The paved parking area shall be 20 feet by 20 feet; and
- 3) Any remaining gravel area shall be reverted to green space, subject to review and approval by the Zoning Administrator.

There were no further questions from the Commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2021-20. Commissioner Wasowicz seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2021-20 at 7:38 p.m.

Motion: Commissioner Chambers made a combined motion to approve the Findings of Fact and approval of a Variation Paved Parking Area, Municipal Code Section 10-8-8.G-4 with Staff's Recommendations as presented. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Wasowicz

Nays: None

Abstained: King

Motion carried.

Ronald Rowe, Chairman
Community Development Commission

TYPE:Ordinance**SUBMITTED BY:**K. Fawell**DEPARTMENT:**CED**DATE:**08.17.21**DESCRIPTION:**Consideration of an Ordinance Granting a PUD Amendment at 525, 533, 549, 557, and 573 N Meyer Road**SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:**

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Financially Sound Village
 Quality Customer Oriented Services
 Safe and Beautiful Village

<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

Enrich the Lives of Residents
 Major Business/Corporate Center
 Vibrant Major Corridors

COMMITTEE ACTION:

Committee of the Whole

DATE:

08.17.21

BACKGROUND:

1. Located at 525, 533, 549, 557, and 573 N Meyer Road is a U.S. Customs Field Operation Facility, which includes onsite inspection of cargo and freight, and trailer parking and storage containers awaiting inspection and consequent removal.
2. In 2013, the subject property was granted a Planned Unit Development (Ord. #9-2013), when it was zoned C-4 Regional Destination Commercial.
3. The property was rezoned in 2019 when all the C -4 sites were reclassified to the I - 2 General Industrial District.
4. This PUD has previously been amended three times, once to allow the construction of the existing customs clearance center building (Ord. #42-2014), a second time to allow a parking lot at the 557 parcel (Ord. #13-2016), and a final time to allow a parking lot at the 573 parcels (Ord. #18-2018).

KEY ISSUES:

1. The original PUD was mainly sought to allow outdoor storage on the site, which was prohibited under the previous Zoning Ordinance, but is now allowed with a Special Use Permit. A condition of this PUD mandated that the SUP granted for outdoor storage in the corner side yard shall expire on July 1, 2021.
2. The Petitioner is therefore seeking an Amendment to remove this condition from the original Planned Unit Development.

ALTERNATIVES:

Discretion of the Committee of the Whole.

RECOMMENDATION:

1. Staff respectfully recommends approval of the Amendment to the PUD with the following conditions:
 1. The following condition shall be stricken from Ordinance No. 9-2013, granting approval of a Planned Unit Development and Conditional (Special) Use Permit for properties commonly known as 525, 533, 549, 557, and 573 N. Meyer Road:
 1. "5. The Conditional Use Permit shall be null and void as of 07.01.2021."
 2. All conditions of approval set forth in previous ordinances granting approval of a PUD and PUD Amendments (Ordinances #9-2013, #42-2014, #13-2016, #18-2018) are consequently conditions of approval of the Planned Unit Development Amendment granted herein; and
 3. A landscape plan for the entire site shall be submitted for Zoning Administrator review and approval within one year of the approval of the Amendment granted herein, or said approval shall be revoked.
2. At their 08.03.21 Public Hearing, the Community Development Commission voted unanimously (4-0) to recommend approval of the requests with the above staff-recommended conditions.

BUDGET IMPACT:

N/A

ACTION REQUIRED:

Approval of an Ordinance Granting a PUD Amendment at 525, 533, 549, 557, and 573 N Meyer Road.

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
Aerial & Zoning Exhibits	8/11/2021	Backup Material
Legal Notice	8/11/2021	Backup Material
Application	8/11/2021	Backup Material
Approval Standards Letter	8/11/2021	Backup Material
Staff Report	8/11/2021	Executive Summary
Original PUD Ordinance	8/11/2021	Backup Material
Plat of Survey	8/11/2021	Backup Material
Outdoor Storage Area	8/11/2021	Backup Material
CDC Minutes for Original PUD	8/11/2021	Backup Material
Draft CDC Minutes	8/11/2021	Backup Material
Draft Ordinance	8/11/2021	Ordinance



Village of Bensenville

525 N. Meyer

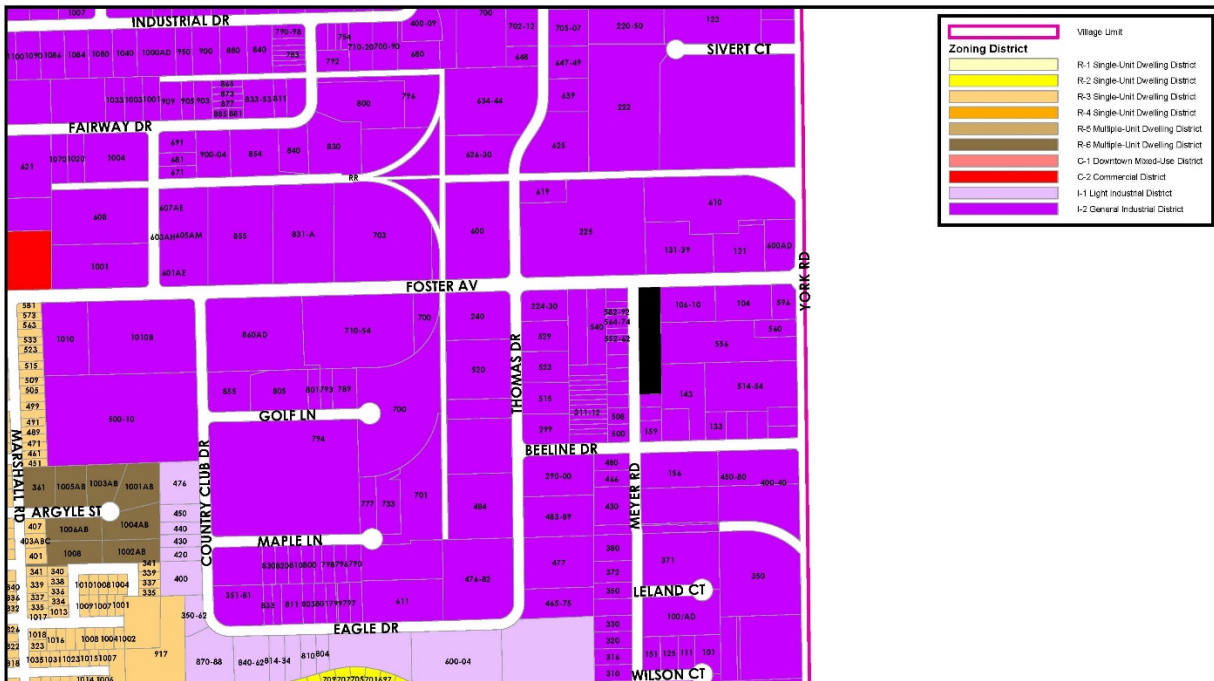


Date: 7/2/2021



Village of Bensenville

Zoning Map



Date: 7/2/2021

**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, August 3, 2021 at 6:30 P.M., at which a Public Hearing will be held to review case No. 2021 - 23 to consider a request for:

Amendment to an Approved Planned Unit Development
Municipal Code Section 10 – 4 – 4

at 525, 533, 549, 557, and 573 N Meyer Road in 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:

LOTS 1, 2, 3, 4, 5, 6, 7, AND 8 IN MEYER BROS' RESUBDIVISION OF PART OF LOT 3 OF MOHAWK ACRES, A SUBDIVISION IN THE SOUTHEAST ¼ OF SECTION 11, TOWNSHIP 40, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID MEYER BROS; RESUBDIVISION RECORDED OCTOBER 11, 1949 AS DOCUMENT 587082, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 525, 533, 549, 557, and 573 N Meyer Road, Bensenville, IL 60106.

P.C. Properties, LLC of 216 W Higgins Road, Park Ridge, IL 60068 is the owner of 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.

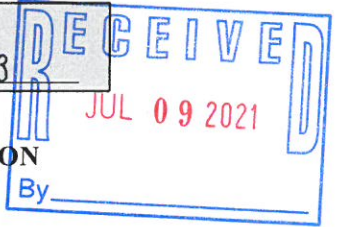
Applicant's application and supporting documentation may be examined by any interested parties in the office of the Community and Economic Development Department, Monday through Friday, in the Village Hall, 12 South Center Street, Bensenville, IL 60106. All interested parties may attend the Public Hearing and be heard. Directions for electronic attendance and participation 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 August 3, 2021 until 5:00 P.M

Office of the Village Clerk
Village of Bensenville

**TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT
July 15, 2021**

For Office Use Only

Date of Submission: 7/9/21 MUNIS Account #: 1173 CDC Case #: 2021-23



COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: 525 Meyer Road, Bensenville, IL

Property Index Number(s) (PIN): 03-11-402-032

A. PROPERTY OWNER:

P.C. Properties (Illinois) LLC c/o Richard Laubenstein

Name Corporation (if applicable)

216 W. Higgins Road

Street

Park Ridge

IL

60068

City

State

Zip Code

Richard Laubenstein

847 698 9600

rlaubenstein@dimontelaw.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

same as above

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* *Amendment*

*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)

Owner respectfully requests an amendment to the PUD in order to strike the sunset provision regarding the outdoor storage used in connection with operations of the existing customs clearance activities.

C. PROJECT DATA:

1. General description of the site: eight contiguous lots fronting Meyer Road south of Foster
2. Acreage of the site: 2 acres 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.)

Village ordinances 9-2013; 42-2014;13-2016 and 18-2018

5. Character of the site and surrounding area:

	Zoning	Existing Land Use	Jurisdiction
Site:	I-2	paved parking and customs clearance	Bensenville
North:	I-2	vacant and commercial/industrial	Bensenville
South:	I-2	public storage and trailer parking	Bensenville
East:	I-2	warehouse and truck parking	Bensenville
West:	I-2	warehouse	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."

RICCARDO A. DI MONTE
PATRICK D. OWENS
ABRAHAM E. BRUSTEIN
DENNIS S. NUDO
LEE T. POTERACKI
JAMES J. RIEBANDT
MARGHERITA M. ALBARELLO
RICHARD W. LAUBENSTEIN
JEFFREY S. MC DONALD
ANTHONY B. FERRARO
PAUL A. GRECO
JULIA JENSEN SMOLKA

EUGENE A. DI MONTE - Retired
CHESTER A. LIZAK - Retired
ALAN L. STEFANIAK - Retired
JOHN E. OWENS - Retired
DENIS J. OWENS - Retired
ROBERT S. CLEMENTI 1925 - 2004
LINSCOTT R. HANSON 1937 - 2013

DI MONTE & LIZAK, LLC
ATTORNEYS AT LAW
216 Higgins Road
Park Ridge, Illinois 60068
(847) 698-9600
FAX (847) 698-9624
rlaubenstein@dimontelaw.com

ADAM J. POTERACKI*
ANASTAS SHKURTI
OANA L. MILITARU
TAYLOR H. WACHAL
KARUNA S. BRUNK
JONATHAN R. KSIAZEK
ROBERT E. HARIG
THOMAS J. CASSADY*
PAUL S. MOTIN**

* ALSO LICENSED IN WI
**ALSO LICENSED IN MN

WRITER'S EXT.

July 8, 2021

Village of Bensenville
Community Development Commission
12 South Center Street
Bensenville, Illinois 60106

RE: PC Properties, LLC., request for Amendment of PUD at 525 Meyer Road Property, Bensenville, Illinois

Letter regarding Approval Standards for PUD s and Special Use

Dear Commissioners:

PC Properties (Illinois), LLC owns the property commonly referred to as 525 Meyer Road in the Village of Bensenville (hereinafter "Subject Property"). The current use for the Subject Property is a U.S. Customs Field Operation Facility, which include onsite inspection of cargo and freight, parking of trailers awaiting inspection and awaiting removal from the site after inspection and temporary storage of containers awaiting inspection and awaiting removal from the site after inspection. The Subject Property is currently part parking lot and a Customs Clearance Center building.

The Subject Property is within the Village of Bensenville (hereinafter "Village") and at the time its PUD was approved by the Village in February 2013, it was zoned C-4 Regional Destination PUD Commercial District. Outdoor storage was not permitted in such a district, and accordingly, part of the process of seeking the approval of the PUD included a request for a Conditional Use Permit.

At the time the PUD was approved, the Village had not yet decided the fate of the C-4 district and so accordingly, per the provisions of the ordinance which approved of the PUD, the conditional use permit was given a through date of July 1, 2021. Over the past few years, the Village has determined that the area including the Subject Property should be part of an industrial

Village of Bensenville Community Development Commission

June 25, 2021

Page 2 of 3

park, and the zoning of the Subject Property and the adjacent lands were all changed from C-4 to I-2. In an I-2 district, outdoor storage as an accessory use is allowed under a Special Use Permit. The Subject Property has been greatly improved since the PUD was approved and continues to be used for a customs facility. To operate effectively, applicant requests that the Village Amend the PUD and strike the sunset provision regarding the outdoor storage from the PUD, to allow it to continue to have ancillary outdoor storage to effectively operate the customs facility.

Approval Standards for Planned Unit Developments:

- A. The proposed amendment to the planned unit development fulfills the objectives of the Comprehensive Plan and other land use policies of the Village by allowing the site to be used in connection with the U.S. Customs services needed by the Village and neighboring communities.
- B. As there is no request to alter the present use or add any additional buildings, the proposed amendment will not alter the existing walkways, driveways, streets, parking facilities, loading facilities, exterior lighting and traffic control devices that presently serve the uses within the development and adjoining properties.
- C. The proposed amendment will not alter the existing landscaping and screening which have previously been approved by the Village, and the continued use of the Subject Property for customs clearance will maintain the current noise reduction and buffers between different types of uses in the area.
- D. The proposed amendment to the PUD will not require any modifications to the Subject Property and therefor will not have any impact on site design and development principles.
- E. The proposed amendment to the PUD will not alter the Subject Property in any way, and therefore will continue to protect the community's natural environment to the greatest extent practical, including existing natural features, water courses, trees, and native vegetation.
- F. The proposed amendment to the PUD requires no additional utilities, storm sewers, storm water retention or detention

Approval Standards for Special Uses:

- A. The proposed continued outdoor storage will not endanger the health, safety, comfort, convenience and general wellbeing of the public. The U.S. Customs Field Operation Facility is fenced, secured and lighted. The street system in and around the Subject Property is more than adequate to facilitate the continued use. The trailers that will be moved onto the Subject Property for inspection will not create an unusual amount of traffic and will be similar to the truck traffic that is currently in and about the area of the Subject Property. the parking area has been screened and landscaped. Accordingly, the special use will not overload existing streets nor create any traffic hazards, and as such, the continued use will not be detrimental to the public, health, safety, comfort, convenience, or general welfare.

Village of Bensenville Community Development Commission

June 25, 2021

Page 3 of 3

- B. The continuation of the special use will be a benefit to the area by maintaining the landscaping and keeping the parking lot in good repair. The proposed special use is consistent with existing uses of adjoining properties regarding outdoor storage, parking trucks, trailers, etc.
- C. The continued use is low intensity and will not impair property value or environmental quality in the neighborhood nor impede the orderly development of surrounding property, all of which is also zoned I-2.
- D. The current use is a low intensity use. No new buildings are contemplated and existing Village services such as police and fire protection as well as water and sanitary sewer are more than adequate to serve the continued use.
- E. A U.S. Customs Field Operation Facility is needed to assist in enhancing commerce within the Chicago Metropolitan Area. Allowing this service at the Subject Property to continue is in the interest of public convenience and will contribute to the general welfare of the Chicago Metropolitan Area. The continued use is consistent with the intent of the Comprehensive Plan based on current market conditions for the area in which the Subject Property is located.
- F. Other Factors: It does not appear that the continued use will generate any adverse effects and it does not appear that there are any other factors that need to be considered in order to allow the proposed use of the Subject Property as a PUD and outside storage as a Special Use related thereto.

The undersigned and representatives of my client look forward to being before the Commission at the Public Hearing to be held on this request.

Sincerely,

DI MONTE & LIZAK, LLC

By:


Richard W. Laubenstein

RWL/gt



COMMUNITY DEVELOPMENT COMMISSION
STAFF REPORT

HEARING DATE: August 3, 2021
CASE #: 2021 – 23
PROPERTY: 525 N Meyer Road
PROPERTY OWNER: P.C. Properties (Illinois) LLC
APPLICANT: Same as Above
SITE SIZE: 2.0 AC
BUILDING SIZE: N/A
PIN NUMBER: 03-11-402-032
ZONING: I-2 General Industrial District
REQUEST: Amendment to an Approved Planned Unit Development
Municipal Code Section 10 – 4 – 4

PUBLIC NOTICE:

1. A Legal Notice was published in the Bensenville Independent on Thursday, July 15, 2021. 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 a Notice of Public Hearing sign on the property, visible from the public way on Thursday, July 15, 2021.
3. On Monday, July 12, 2021, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' 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:

Located at 525, 533, 549, 557, and 573 N Meyer Road is a U.S. Customs Field Operation Facility, which includes onsite inspection of cargo and freight, and trailer parking and storage containers awaiting inspection and consequent removal.

In 2013, the subject property was granted a Planned Unit Development (Ord. #9-2013). This was mainly sought to allow outdoor storage on the site, which was prohibited under the previous Zoning Ordinance, but is now allowed with a Special Use Permit. A condition of this PUD mandated that the SUP granted for outdoor storage in the corner side yard shall expire on July 1, 2021. The Petitioner is therefore seeking an Amendment to remove this condition from the original Planned Unit Development.

This PUD has previously been amended three times, once to allow the construction of the existing customs clearance center building (Ord. #42-2014), a second time to allow a parking lot at the 557 parcel (Ord. #13-2016), and a final time to allow a parking lot at the 573 parcels (Ord. #18-2018).

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) No comments.

Police:

- 1) No objections.

Engineering and Public Works:Engineering:

- 1) No comments.

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 “Commercial/Industrial Flex” for this property.
- 2) The current zoning is I-2 General Industrial District.
- 3) The Petitioner is seeking approval of an Amendment to the property’s Planned Unit Development. The PUD was approved in 2013, with a condition of approval that the Special Use Permit granted for outdoor storage shall expire on July 1, 2021. The Petitioner requests this sunset provision be removed.
- 4) At the time of the original PUD request, outdoor storage was prohibited in the property’s C-4 Regional PUD Commercial District. In 2019, the property was rezoned to I-2 General Industrial.
- 5) Outdoor storage – not to exceed 25% of the gross lot area – is now allowed as an accessory use in the I-2 District under the current Village Zoning Ordinance. A storage area that exceeds 25% of the site requires the approval of a Special Use Permit, which has already been approved for this site, as has been for other portions of the 8 lots that offer parking for trailers and storage containers.
- 6) The Petitioner is not proposing to make any alterations to the existing layout of the site, including the buildings and storage areas. The site is to remain as it is currently, regardless of approval of the requested Amendment.

APPROVAL STANDARDS FOR SPECIAL USES:

- 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 continued outdoor storage will not endanger the health, safety, comfort, convenience, and general wellbeing of the public. The U.S. Customs Field Operation Facility is fenced, secured and lighted. The street system in and around the Subject Property is more than adequate to facilitate the continued use. The trailers that will be moved onto the Subject Property for inspection will not create an unusual amount of traffic and will be similar to the truck traffic that is currently in and about the area of the Subject Property. the parking area has been screened and landscaped. Accordingly, the special use will not overload existing streets nor create any traffic hazards, and as such, the continued use will not be detrimental to the public, health, safety, comfort, convenience, or general welfare.

- 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 continuation of the special use will be a benefit to the area by maintaining the landscaping and keeping the parking lot in good repair. The proposed special use is consistent with existing uses of adjoining properties regarding outdoor storage, parking trucks, trailers, etc.

- 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 continued use is low intensity and will not impair property value or environmental quality in the neighborhood nor impede the orderly development of surrounding property, all of which is also zoned I-2.

- 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 current use is a low intensity use. No new buildings are contemplated and existing Village services such as police and fire protection as well as water and sanitary sewer are more than adequate to serve the continued use.

- 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: A U.S. Customs Field Operation Facility is needed to assist in enhancing commerce within the Chicago Metropolitan Area. Allowing this service at the Subject Property to continue is in the interest of public convenience and will contribute to the general welfare of the Chicago Metropolitan Area. The continued use is consistent with the intent of the Comprehensive Plan based on current market conditions for the area in which the Subject Property is located. It does not appear that the continued use will generate any adverse effects and it does not appear that there are any other factors that need to be considered in order to allow the proposed use of the Subject Property as a PUD and outside storage as a Special Use related thereto.

Special Use Permit Approval Standards	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 PLANNED UNIT DEVELOPMENTS:

- 1) **Comprehensive Plan:** 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.

Applicant's Response: The proposed amendment to the planned unit development fulfills the objectives of the Comprehensive Plan and other land use policies of the Village by allowing the site to be used in connection with the U.S. Customs services needed by the Village and neighboring communities.

- 2) **Public Facilities:** 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.

Applicant's Response: As there is no request to alter the present use or add any additional buildings, the proposed amendment will not alter the existing walkways, driveways, streets, parking facilities, loading facilities, exterior lighting and traffic control devices that presently serve the uses within the development and adjoining properties.

- 3) **Landscaping and Screening:** 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.

Applicant's Response: The proposed amendment will not alter the existing landscaping and screening which have previously been approved by the Village, and the continued use of the Subject Property for customs clearance will maintain the current noise reduction and buffers between different types of uses in the area.

- 4) **Site Design:** The proposed planned unit development will incorporate sustainable and low impact site design and development principles.

Applicant's Response: The proposed amendment to the PUD will not require any modifications to the Subject Property and therefor will not have any impact on site design and development principles.

- 5) **Natural Environment:** 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.

Applicant's Response: The proposed amendment to the PUD will not alter the Subject Property in any way, and therefore will continue to protect the community's natural environment to the greatest extent practical, including existing natural features, water courses, trees, and native vegetation.

- 6) **Utilities:** 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.

Applicant's Response: The proposed amendment to the PUD requires no additional utilities, storm sewers, storm water retention or detention.

	Meets Standard	
Planned Unit Development Approval Standards	<i>Yes</i>	<i>No</i>
1. Comprehensive Plan	X	
2. Public Facilities	X	
3. Landscaping and Screening	X	
4. Site Design	X	
5. Natural Environment	X	
6. Utilities	X	

RECOMMENDATIONS:

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Amendment to an approved Planned Unit Development at 525 Meyer Road with the following conditions:

- 1) The following condition shall be stricken from Ordinance No. 9-2013, granting approval of a Planned Unit Development and Conditional Use Permit for properties commonly known as 525, 533, 549, 557, and 573 N. Meyer Road:
 - a. “5. The Conditional Use Permit shall be null and void as of 07.01.2021.”
- 2) All conditions of approval set forth in previous ordinances granting approval of a PUD and PUD Amendments (Ordinances #9-2013, #42-2014, #13-2016, #18-2018) are consequently conditions of approval of the Planned Unit Development Amendment granted herein; and
- 3) A landscape plan for the entire site shall be submitted for Zoning Administrator review and approval within one year of the approval of the Amendment granted herein, or said approval shall be revoked.

Respectfully Submitted,

Department of Community & Economic Development

**VILLAGE OF BENSENVILLE
12 S. CENTER STREET
BENSENVILLE, ILLINOIS 60106**

Ordinance No. 9-2013

**An Ordinance Granting Approval of a Planned Unit Development and
Conditional Use Permit for Properties Commonly Known as
525, 533, 549, 557 and 573 N. Meyer Road, Bensenville, Illinois**

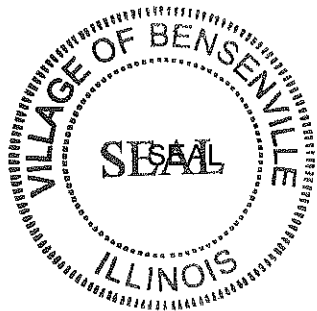
**ADOPTED BY THE
VILLAGE BOARD OF TRUSTEES
OF THE
VILLAGE OF BENSENVILLE
THIS 26th DAY OF February, 2013**

Published in pamphlet form by authority of the President and Board of Trustees of the Village of
Bensenville, DuPage and Cook Counties, Illinois this 27th day of February 2013

STATE OF ILLINOIS)
COUNTIES OF COOK)
SS AND DUPAGE)

I, Corey Williamsen, do hereby certify that I am the duly appointed Deputy Village Clerk of the Village of Bensenville, DuPage and Cook Counties, Illinois, and as such officer, I am the keeper of the records and files of said Village; I do further certify that the foregoing constitutes a full, true and correct copy of Ordinance No. 9-2013 entitled An Ordinance Granting Approval of a Planned Unit Development and Conditional Use Permit for Properties Commonly Known as 525, 533, 549, 557 and 573 N. Meyer Road, Bensenville, Illinois.

INWITNESS WHEREOF, I have hereunto affixed my official hand and seal on this 27th day of February, 2013.





Corey Williamsen
Deputy Village Clerk

ORDINANCE NO. 9-2013

AN ORDINANCE GRANTING APPROVAL OF A PLANNED UNIT DEVELOPMENT AND CONDITIONAL USE PERMIT FOR PROPERTIES COMMONLY KNOWN AS 525, 533, 549, 557 AND 573 N. MEYER ROAD, BENSENVILLE, ILLINOIS

WHEREAS, Keco Leasing, LLC, the beneficiary of Itasca Bank & Trust, Land Trust # 12515 ("Owner"), and Stephen Panzarella and PC Properties, LLC ("Applicant") have filed an application seeking the approval of a Planned Unit Development pursuant to Chapter 10 of *The Village of Bensenville Zoning Ordinance* ("Zoning Ordinance") to allow for a departure from the strict application of the Zoning Ordinance to permit in excess of 50% lot coverage, outdoor storage in the corner side yard and to allow barbed wire atop a six foot fence in the C-4 Regional Destination PUD Commercial District relative to the properties commonly known as 525, 533, 549, 557 and 573 N. Meyer Road, Bensenville, Illinois, and legally described in Exhibit "A," attached hereto and incorporated herein by reference (the "Subject Property"); and

WHEREAS, the Owner and the Applicant have also filed an application for zoning relief under the Zoning Ordinance seeking approval of a Conditional Use Permit (the application for the Planned Unit Development and the Conditional Use Permit are hereinafter collectively referred to as the "Application") to permit outdoor storage on to the Subject Property, a copy of said Application being on file in the Community and Economic Development Department; and

WHEREAS, Notice of Public Hearing with respect to the Planned Unit Development and the Conditional Use Permit sought by Owner and Applicant was published in The Daily Herald Newspaper, the Subject Property was posted, and personal notice of the Hearing was provided, 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 January 28, 2013 and February 11, 2013, all as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, The Applicant has withdrawn their requests for departures from the strict application of the Zoning Ordinance to permit in excess of 50% lot coverage and to allow barbed wire atop a six foot fence; and

WHEREAS, the Community Development Commission, after the Public Hearing was conducted, made Findings of Fact that the Planned Unit Development and the Conditional Use Permit sought by the Owner and Applicant meets the requirements and approval criteria under

the Zoning Ordinance, as set out in the Staff Report, and voted 5 to 0 to approve the Application, subject to conditions as recommended by Staff, said findings of fact being attached hereto and incorporated herein by reference as Exhibit "B;" and

WHEREAS, the Community Development Commission forwarded its recommendation, including its Findings of Fact, to the Village Board's Community and Economic Development Committee which heard the matter on February 26, 2013 and approved the Application for a Planned Unit Development and a Conditional Use Permit; and

WHEREAS, the Community and Economic Development Committee forwarded its recommendation to the President and Board of Trustees on February 26, 2013; and

WHEREAS, the President and Board of Village Trustees have considered the matter herein and have determined that the record established at the Public Hearing before the Community Development Commission supports the approval of the Application for the Planned Unit Development and the Conditional Use Permit.

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 ONE: That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

SECTION TWO: That the application for a Planned Unit Development to allow in excess of 50% lot coverage, outdoor storage in the corner side yard and to allow barbed wire atop a six foot fence in a C-4 Regional Destination PUD District, and the Conditional Use Permit, as applied for, is hereby granted with the following conditions as recommended by Staff and approved by the Community Development Commission:

1. The property be developed in substantial compliance with the plans submitted with this petition.
2. A Planned Unit Development Plat be submitted to the Village for recordation at Du Page County.
3. The Conditional Use Permit for Outdoor Storage be granted solely to Stephen Panzarella/PC Properties, LLC and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of change in tenancy of this property, the proprietors 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 proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new

proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit.

4. The property shall be developed and utilized in substantial conformance to the plans submitted as part of this application prepared by Dolan Engineering, LLC., dated 12.06.12 last revised 01.28.13 with revisions requested by staff below:
 - a. Details on the fence and slat/screening to be submitted to and approved by the Village staff.
 - b. A Landscape Plan providing the required screening be submitted to and approved by staff as part of the development permit.
 - c. Street trees and sidewalks shall be installed on both street frontages as directed by the Director of Public Works.
5. The Conditional Use Permit shall be null and void as of 07.01.2021.

SECTION THREE: That all requirements of the Zoning Ordinance shall be applicable to the Subject Property except as modified by the Planned Unit Development and the Conditional Use Permit granted herein.

SECTION FOUR: 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 FIVE: That 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, this 26th day of February, 2013.



Frank Soto, Village President

ATTEST:



Susan Janowiak, Village Clerk

AYES: BARTLETT, JARECKI, PECONIO, RIDDER, WESSELER

NAYES: NONE

ABSENT: O'CONNELL

Ordinance # 9 - 2013
Exhibit "A"
Legal Description

The Legal Description of the property is as follows:

LOTS 1, 2, 3, 4, 5, 6, 7 AND 8 IN MEYER BROS' RESUBDIVISION OF PART OF LOT 3 OF MOHAWK ACRES, A SUBDIVISION IN THE SOUTHEAST ¼ OF SECTION 11, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID MEYER BROS' RESUBDIVISION RECORDED OCTOBER 11, 1949 AS DOCUMENT 578082, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 525, 533, 549, 557 and 573 Meyer Road, Bensenville, Illinois.

Ordinance # 9 - 2013
Exhibit "B"
Findings of Fact

Commissioner Pisano made a motion to approve the findings of fact for the Planned Unit Development request consisting of:

1. **Superior Design**: The PUD represents a more creative approach to the unified planning of development and incorporates a higher standard of integrated design and amenity than could be achieved under otherwise applicable regulations, and solely on this basis modifications to such regulations are warranted.
2. **Meet PUD Requirements**: The PUD meets the requirements for planned unit developments set forth in this Title, and no modifications to the use and design standards otherwise applicable are allowed other than those permitted herein. Staff believes this to be accurate.
3. **Consistent With Village Plan**: The PUD is generally consistent with the objectives of the Village general development plan as viewed in light of any changed conditions since its adoption. The proposal is in compliance with the spirit of the Comprehensive Plan which envisions eventual commercial/mixed-use redevelopment of the property. The proposed plan will not hinder that longer term vision while providing an economically viable use for the property.
4. **Public Welfare**: The PUD will not be detrimental to the public health, safety or general welfare. Staff believes this to be accurate.
5. **Compatible With Environs**: Neither the PUD nor any portion thereof will be injurious to the use and enjoyment of other properties in its vicinity, seriously impair property values or environmental quality in the neighborhood, nor impede the orderly development of surrounding property. The land uses to the east of the property include a self-storage facility and industrial type uses, smaller industrial uses are present west of the property and larger industrial uses are located to the north. Staff believes that a properly landscaped plan is compatible with the environs.
6. **Natural Features**: The design of the PUD is as consistent as practical with preservation of any natural features such as flood plains, wooded areas, natural drainageways or other areas of sensitive or valuable environmental character. There are no natural drainage ways or sensitive environmental areas on the subject property.

7. **Circulation**: Streets, sidewalks, pedestrianways, bicycle paths and off-street parking and loading are provided as appropriate to planned land uses. They are adequate in location, size, capacity and design to ensure safe and efficient circulation of automobiles, trucks, bicycles, pedestrians, fire trucks, garbage trucks and snow plows, as appropriate, without blocking traffic, creating unnecessary pedestrian-vehicular conflict, creating unnecessary through traffic within the PUD or unduly interfering with the safety or capacity of adjacent streets. Staff believes that the vehicular circulation is acceptable and can be accommodated by the proposed SSA #9 improvements.
8. **Open Spaces And Landscaping**: The quality and quantity of common open spaces or landscaping provided are consistent with the higher standards of design and amenity required of a PUD.
9. **Covenants**: Adequate provision has been made in the form of deed restrictions, homeowners or condominium associations or the like for:
 - a. The presentation and regular maintenance of any open spaces, thoroughfares, utilities, water retention or detention areas and other common elements not to be dedicated to the Village or to another public body.
 - b. Such control of the use and exterior design of individual structures, if any, as is necessary for continuing conformance to the PUD plan, such provision to be binding on all future ownerships. No covenants are necessary.
10. **Public Services**: The land uses, intensities and phasing of the PUD are consistent with the anticipated ability of the Village, the school system and other public bodies to provide and economically support police and fire protection, water supply, sewage disposal, schools and other public facilities and services without placing undue burden on existing residents and businesses. There are adequate public services to adequately service the property. The approval of the PUD will not increase the demand or stress the Village's public services.
11. **Phasing**: Each development phase of the PUD can, together with any phases that preceded it, exist as an independent unit that meets all of the foregoing criteria and all other applicable regulations herein even if no subsequent phase should ever be completed. There is no phasing proposed.

Roll Call:

Commissioner Weldon seconded the motion.

Ayes: Moruzzi, Janowiak, Rowe, Pisano, Weldon

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Weldon made a motion to approve the findings of fact for the Conditional Use request consisting of:

1. **Traffic**: The proposed use will not create any adverse impact of types or volumes of traffic flow not otherwise typical of permitted uses in the zoning district has been minimized. Staff believes this standard to be met.
2. **Environmental Nuisance**: The proposed use will not have negative effects of noise, glare, odor, dust, waste disposal, blockage of light or air or other adverse environmental effects of a type or degree not characteristic of the historic use of the property or permitted uses in the district. Staff believes this standard to be met as there will be no manufacturing or processing on the site.
3. **Neighborhood Character**: The proposed use will fit harmoniously with the existing character of existing permitted uses in its environs. Any adverse effects on environmental quality, property values or neighborhood character beyond those normally associated with permitted uses in the district have been minimized. The proposed use as a storage and testing facility is deemed to be in character with the surrounding neighborhood that is comprised of industrial and commercial type structures and uses.
4. **Use Of Public Services And Facilities**: The proposed use will not require existing community 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 use as proposed will not create an extraordinary demand for public services or facilities.
5. **Public Necessity**: The proposed use at the particular location requested is necessary to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community. Bensenville and our business community thrive in part due to our location at the Gateway to North America. Providing services for the TSA is deemed to be a service necessary by the public.
6. **Other Factors**: The use is in harmony with any other elements of compatibility pertinent in the judgment of the commission to the conditional use in its proposed location. Any other factors are under the discretion of the Community Development Commission.

Roll Call:

Commissioner Rowe seconded the motion.

Ayes: Moruzzi, Janowiak, Rowe, Pisano, Weldon

Nays: None

All were in favor. Motion carried.

LOTS 1, 2, 3, 4, 5, 6, 7 AND 8 IN WETER BROS' RESUBDIVISION OF PART OF LOT 3 OF 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 OF SAID WETER BROS' RESUBDIVISION RECORDED OCTOBER 11, 1948 AS DOCUMENT 570022, IN DU PAGE COUNTY, MINNESOTA.

- UTILITY LEGEND
- MANHOLE / CATCHBASIN
- CURB INLET
- FLARED END SECTION
- WATER VALVE VENT
- FIRE HYDRANT
- UTILITY MANHOLE
- UTILITY STRUCTURE
- TRAFFIC SIGNAL
- SDN
- POWER POLE



ANGLE ON THE SOUTHWEST CORNER
OF THE SITE IS 89°16'48"

[illegible]

Ordered By:
Joe Patungaro
426 B. North Rand Road
North Barrington, Illinois 60010
(847) 304-1441

[illegible]

Untitled Map

Write a description for your map.

Legend

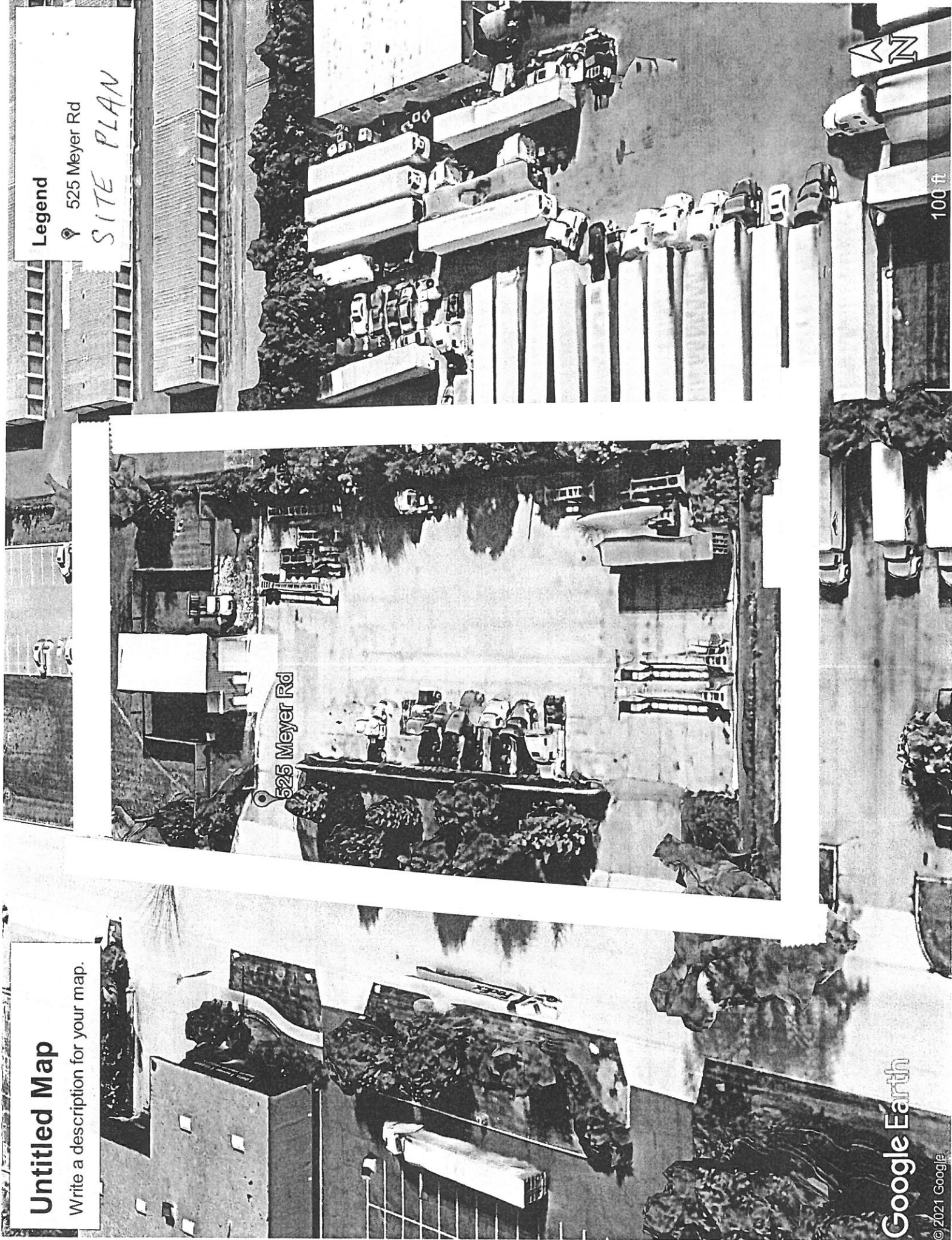
525 Meyer Rd

SITE PLAN

Google Earth

© 2021 Google

100 ft



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

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

February 11, 2013

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

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, Janowiak, Pisano, Rowe, Weldon
Absent: Ventura
A quorum was present.

JOURNAL OF PROCEEDINGS:

The minutes of the Community Development Commission Meeting of January 28, 2013 were presented.

Motion: Commissioner Pisano made a motion to approve the minutes as presented. Commissioner Weldon seconded the motion.

All were in favor. Motion carried.

Continued

Public Meeting: CDC Case Number 2012-42
Petitioner: PC Properties LLC
Location: 525 – 573 N. Meyer Road
Request: Conditional Use Permit to allow Outdoor Storage in a C-4 Regional Destination Commercial District

Motion: Commissioner Rowe made a motion to re-open CDC Case No. 2012-42. Commissioner Weldon seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, Janowiak, Pisano, Rowe, Weldon
Absent: Ventura
A quorum was present.

Chairman Moruzzi re-opened the Public Hearing for CDC Case Number 2012-42 at 6:33 p.m.

The applicants, members of the Public and Staff that planned to provide testimony were sworn in by Chairman Moruzzi.



Director of Community & Economic Development, Scott Viger, stated a legal notice was published in the Daily Herald on January 12, 2013 and that a certified copy of the legal notice is maintained in the CDC file and available for viewing. Mr. Viger also stated that Village Staff posted a notice of the Public Hearing sign on the property on January 11, 2013. Mr. Viger stated on January 11, 2013 Village Staff mailed first class notice of the Public Hearing to taxpayers of record within 250 feet of the property in question.

Stephen Panzarella and Joseph Petrungaro were both present and previously sworn in by Chairman Moruzzi. Mr. Panzarella stated the original plans had changed and PC Properties LLC had amended their request. Mr. Panzarella stated PC Properties LLC will keep the existing parking lot as is and is requesting to build an eight foot fence with screening around it. Mr. Panzarella stated the company own twelve trucks, so therefore, there will be a maximum of twelve empty trailers stored on the site at one time. Mr. Panzarella stated the office hours of the business are from 9:00am to 5:00pm however, truck trailer pickups and drop-offs are a twenty four – seven operation. Mr. Petrungaro stated the infrastructure will remain the same to help relive flooding in the area. Mr. Petrungaro stated PC Properties LLC are requesting the curb cuts be extended by five feet to allow the trucks a better turning radius. Mr. Petrungaro stated the site will remain the same with the addition of a fence. Mr. Panzarella read the applicants response to the approval criteria into the record for the Planned Unit Development and the Conditional Use Permit requests. The letter read has been submitted to the record as "Exhibit A."

Commissioner Pisano asked for clarification on the fence request. Mr. Panzarella stated the original request was for a six foot fence with barbwire. Mr. Panzarella stated the requested has been modified to allow an eight foot fence with no barbwire.

Commissioner Weldon asked how much traffic is anticipated from the operation. Mr. Panzarella stated the operation is ongoing and will not change. Mr. Panzarella stated he is unaware of any traffic issues at this time.

Chairman Moruzzi asked what the landscape plan was. Mr. Panzarella stated that PC Properties LLC would maintain the landscaping for the property as they currently exists.

Chairman Moruzzi asked if PC Properties LLC was planning to change the lighting in the area. Mr. Petrungaro stated that PC Properties LLC would use the existing lighting and will alter the direction of the lighting with shields to direct the light to the parking lot ground.

Public Comment:

Nikola Skulic – 159 Beeline Drive

Mr. Skulic asked the Community Development Commission to continue the hearing until a future date so concerned property owners could have time to review the amended request. Mr. Viger stated concerned property owners would have the opportunity to address the Community & Economic Development Committee if this matter was recommended for approval by the Community Development Commission. Mr. Skulic stated he would like the matter continued due to the concerned property owners not being able to attend the meeting. Mr. Skulic stated he has several concerns with the materials being stored in the trailers and believes there are open TSA issues with the company.

Shari Nickens – 540 Meyer Road

Ms. Nickens read a letter into the record from her parents, owners of Liberty Fastener Company, in regards to their objection to the requests. The letter has been attached to the minutes as "Exhibit B".

Chairman Moruzzi asked Village Staff to notify concerned property owners in the area of future meeting dates.

Chairman Moruzzi asked how many trucks would be entering and exiting the facility. Mr. Panzarella stated the company only owns twelve trucks so no more than that.

Commissioner Pisano asked if the parking lot will be required to be striped. Mr. Viger stated the parking lot will require parking lot stripping, as part of the landscape plan submitted.

Mr. Viger presented the Staff Report. Mr. Viger stated Staff recommends approval of the request with the following conditions:

1. The property be developed in substantial compliance with the plans submitted with this petition.
2. A Planned Unit Development Plat be submitted to the Village for recordation at Du Page County.

3. The Conditional Use Permit for Outdoor Storage be granted solely to Stephen Panzarella/PC Properties, LLC and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of change in tenancy of this property, the proprietors 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 proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit.
4. The property shall be developed and utilized in substantial conformance to the plans submitted as part of this application prepared by Dolan Engineering, LLC., dated 12.06.12 revised 12.12.12 with revisions requested by staff below:
 - a. The seven spaces along Meyer Road be eliminated and additional landscape be installed.
 - b. Details on the fence and slat/screening to be submitted to and approved by the Village staff.
 - c. Street trees and sidewalks shall be installed on both street frontages as directed by the Director of Public Works.
5. The Conditional Use Permit shall be null and void as of 07.01.2021.

Commissioner Pisano suggested adding a "4d" to require the parking lot to be striped. There were no objections from the Commission.

Commissioner Weldon asked what the facility was used for in the past. Mr. Viger states he had no official knowledge of prior operations.

Commissioner Weldon asked if Staff anticipates any wear on the roads. Mr. Viger stated the property is in SSA #9 and believes the roads will be improved in the near future.

Ms. Nickens objected to Mr. Viger's statement regarding SSA #9 and stated the matter was still in litigation and that the Community Development Commission cannot base their decision on the matter.

Chairman Moruzzi asked Staff to review the storm water management.

Motion: Commissioner Rowe made a motion to close CDC Case Number 2012-42. Commissioner Pisano seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Rowe, Pisano, Weldon

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the Public Hearing at 7:25p.m.

Motion: Commissioner Pisano made a motion to approve the findings of fact for the Planned Unit Development request consisting of:

1. **Superior Design:** The PUD represents a more creative approach to the unified planning of development and incorporates a higher standard of integrated design and amenity than could be achieved under otherwise applicable regulations, and solely on this basis modifications to such regulations are warranted. The proposed site plan as revised in accordance with Planning comment #15 regarding the elimination of seven truck parking spaces.
2. **Meet PUD Requirements:** The PUD meets the requirements for planned unit developments set forth in this Title, and no modifications to the use and design standards otherwise applicable are allowed other than those permitted herein. Staff believes this to be accurate.
3. **Consistent With Village Plan:** The PUD is generally consistent with the objectives of the Village general development plan as viewed in light of any changed conditions since its adoption. The proposal is In compliance with the spirit of the Comprehensive Plan which envisions eventual commercial/mixed-use redevelopment of the property. The proposed plan will not hinder that longer term vision while providing an economically viable use for the property.
4. **Public Welfare:** The PUD will not be detrimental to the public health, safety or general welfare. Staff believes this to be accurate.

5. **Compatible With Environs:** Neither the PUD nor any portion thereof will be injurious to the use and enjoyment of other properties in its vicinity, seriously impair property values or environmental quality in the neighborhood, nor impede the orderly development of surrounding property. The land uses to the east of the property include a self-storage facility and industrial type uses, smaller industrial uses are present west of the property and larger industrial uses are located to the north. Staff believes that a properly landscaped plan is compatible with the environs.
6. **Natural Features:** The design of the PUD is as consistent as practical with preservation of any natural features such as flood plains, wooded areas, natural drainageways or other areas of sensitive or valuable environmental character. There are no natural drainage ways or sensitive environmental areas on the subject property.
7. **Circulation:** Streets, sidewalks, pedestrianways, bicycle paths and off-street parking and loading are provided as appropriate to planned land uses. They are adequate in location, size, capacity and design to ensure safe and efficient circulation of automobiles, trucks, bicycles, pedestrians, fire trucks, garbage trucks and snow plows, as appropriate, without blocking traffic, creating unnecessary pedestrian-vehicular conflict, creating unnecessary through traffic within the PUD or unduly interfering with the safety or capacity of adjacent streets. Staff believes that the vehicular circulation is acceptable and can be accommodated by the proposed SSA #9 improvements.
8. **Open Spaces And Landscaping:** The quality and quantity of common open spaces or landscaping provided are consistent with the higher standards of design and amenity required of a PUD. The plan as revised in accordance with Planning comments #14 – 17 above will meet this criterion.
9. **Covenants:** Adequate provision has been made in the form of deed restrictions, homeowners or condominium associations or the like for:
 - a. The presentation and regular maintenance of any open spaces, thoroughfares, utilities, water retention or detention areas and other common elements not to be dedicated to the Village or to another public body.

- b. Such control of the use and exterior design of individual structures, if any, as is necessary for continuing conformance to the PUD plan, such provision to be binding on all future ownerships. No covenants are necessary.

10. **Public Services:** The land uses, intensities and phasing of the PUD are consistent with the anticipated ability of the Village, the school system and other public bodies to provide and economically support police and fire protection, water supply, sewage disposal, schools and other public facilities and services without placing undue burden on existing residents and businesses. There are adequate public services to adequately service the property. The approval of the PUD will not increase the demand or stress the Village's public services.
11. **Phasing:** Each development phase of the PUD can, together with any phases that preceded it, exist as an independent unit that meets all of the foregoing criteria and all other applicable regulations herein even if no subsequent phase should ever be completed. There is no phasing proposed.

Commissioner Weldon seconded the motion.

Roll Call:

Ayes: Moruzzi, Janowiak, Rowe, Pisano, Weldon

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Weldon made a motion to approve the findings of fact for the Conditional Use request consisting of:

1. **Traffic:** The proposed use will not create any adverse impact of types or volumes of traffic flow not otherwise typical of permitted uses in the zoning district has been minimized. Staff believes this standard to be met.
2. **Environmental Nuisance:** The proposed use will not have negative effects of noise, glare, odor, dust, waste disposal, blockage of light or air or other adverse environmental effects of a type or degree not characteristic of the historic use of the property or permitted uses in the district. Staff believes this standard to be met as there will be no manufacturing or processing on the site. Hours of operation are said to be twenty four hours.

3. **Neighborhood Character:** The proposed use will fit harmoniously with the existing character of existing permitted uses in its environs. Any adverse effects on environmental quality, property values or neighborhood character beyond those normally associated with permitted uses in the district have been minimized. The proposed use as a storage and testing facility is deemed to be in character with the surrounding neighborhood that is comprised of industrial and commercial type structures and uses.
4. **Use Of Public Services And Facilities:** The proposed use will not require existing community 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 use as proposed will not create an extraordinary demand for public services or facilities.
5. **Public Necessity:** The proposed use at the particular location requested is necessary to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community. Bensenville and our business community thrive in part due to our location at the Gateway to North America. Providing services for the TSA is deemed to be a service necessary by the public.
6. **Other Factors:** The use is in harmony with any other elements of compatibility pertinent in the judgment of the commission to the conditional use in its proposed location. Any other factors are under the discretion of the Community Development Commission.

Commissioner Rowe seconded the motion.

Roll Call:

Ayes: Moruzzi, Janowiak, Rowe, Pisano, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Janowiak made a motion to approve the f Planned Unit Development request with Staff recommendations consisting of:

1. The property be developed in substantial compliance with the plans submitted with this petition.
2. A Planned Unit Development Plat be submitted to the Village for recordation at Du Page County.
3. The Conditional Use Permit for Outdoor Storage be granted solely to Stephen Panzarella/PC Properties, LLC and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of change in tenancy of this property, the proprietors 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 proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit.
4. The property shall be developed and utilized in substantial conformance to the plans submitted as part of this application prepared by Dolan Engineering, LLC., dated 12.06.12 revised 12.12.12 with revisions requested by staff below:
 - a. The seven spaces along Meyer Road be eliminated and additional landscape be installed.
 - b. Details on the fence and slat/screening to be submitted to and approved by the Village staff.
 - c. Street trees and sidewalks shall be installed on both street frontages as directed by the Director of Public Works.
5. The Conditional Use Permit shall be null and void as of 07.01.2021.

and the addition of:

- "4.D" Stripping Plan for the parking lot.
- Eight foot; non barbwire fence.
- Notification is sent to the concerned property owners of upcoming meetings regarding the property.
- Parking spaces are limited to fourteen.
- Curb cuts are widened by five feet.
- Lighting on the property be adjusted and approved by Village Staff.

Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Rowe, Pisano, Weldon

Nays: None

Motion: All were in favor. Motion carried.
Commissioner Weldon made a motion to approve the Planned Unit Development request with the same conditions approved in the Conditional Use Permit request. Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Rowe, Pisano, Weldon

Nays: None

All were in favor. Motion carried.

Report from Community Development

Mr. Viger reviewed both recent CDC cases along with upcoming cases.

ADJOURNMENT:

There being no further business before the Community Development Commission, Commissioner Pisano made a motion to adjourn the meeting. Commissioner Weldon seconded the motion.

All were in favor
Motion carried.

The meeting was adjourned at 7:49p.m.

Mike Moruzzi, Chairman
Community Development Commission

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of a Amendment to an Approved Planned unit Development, Municipal Code Section 10-4-4 *to grant a Code Departure from: Electronic Message Sign Location, 10-10-5B-4a3. Commissioner Chambers seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2021-23
Petitioner: P.C. Properties (Illinois) LLC
Location: 525 North Meyer Road
Request: Amendment to an Approved Planned Unit Development
Municipal Code Section 10 – 4 – 4

Motion: Commissioner Wasowicz made a motion to open CDC Case No. 2021-23. Commissioner Chambers seconded the motion.

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

Chairman Rowe opened CDC Case No. 2021-23 at 8:15 p.m.

Village Planner, Kelsey Fawell was present and sworn in by Chairman Rowe. Ms. Fawell stated a Legal Notice was published in the Bensenville Independent on July 15, 2021. Ms. Fawell 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. Ms. Fawell stated Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on July 15, 2021. Ms. Fawell stated on July 12, 2021 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. Ms. Fawell 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.

Ms. Fawell stated located at 525, 533, 549, 557, and 573 N Meyer Road is a U.S. Customs Field Operation Facility, which includes onsite inspection of cargo and freight, and trailer parking and storage containers awaiting inspection and consequent removal.

Ms. Fawell stated in 2013, the subject property was granted a Planned Unit Development (Ord. #9-2013). Ms. Fawell stated this was mainly sought to allow outdoor storage on the site, which was prohibited under the previous Zoning Ordinance, but is now allowed with a Special Use Permit. Ms. Fawell stated a condition of this PUD mandated that the SUP granted for outdoor storage in the corner side yard shall expire on July 1, 2021. Ms. Fawell stated the Petitioner is therefore seeking an Amendment to remove this condition from the original Planned Unit Development.

Ms. Fawell stated this PUD has previously been amended three times, once to allow the construction of the existing customs clearance center building (Ord. #42-2014), a second time to allow a parking lot at the 557 parcel (Ord. #13-2016), and a final time to allow a parking lot at the 573 parcels (Ord. #18-2018).

Richard Laubenstein, Attorney for property owner, was present and sworn in by Chairman Rowe. Mr. Laubenstein stated Staff covered his client's request and was there for any questions.

There were no questions from the Commissioners.

Public Comment

Chairman Rowe asked if there was any member of the Public that would like to comment of the CDC Case. There were none.

Ms. Fawell reviewed the Findings of Fact for the proposed special use as presented in the Staff Report 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 continued outdoor storage will not endanger the health, safety, comfort, convenience, and general wellbeing of the public. The U.S. Customs Field Operation Facility is fenced, secured and lighted. The street system in and around the Subject Property is more than adequate to facilitate the continued use. The trailers that will be moved onto the Subject

Property for inspection will not create an unusual amount of traffic and will be similar to the truck traffic that is currently in and about the area of the Subject Property. the parking area has been screened and landscaped.

Accordingly, the special use will not overload existing streets nor create any traffic hazards, and as such, the continued use will not be detrimental to the public, health, safety, comfort, convenience, or general welfare.

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 continuation of the special use will be a benefit to the area by maintaining the landscaping and keeping the parking lot in good repair. The proposed special use is consistent with existing uses of adjoining properties regarding outdoor storage, parking trucks, trailers, etc.

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 continued use is low intensity and will not impair property value or environmental quality in the neighborhood nor impede the orderly development of surrounding property, all of which is also zoned I-2.

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 current use is a low intensity use. No new buildings are contemplated and existing Village services such as police and fire protection as well as water and sanitary sewer are more than adequate to serve the continued use.

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: A U.S. Customs Field Operation Facility is needed to assist in enhancing commerce within the Chicago Metropolitan Area. Allowing this service at the Subject Property to continue is in the interest of public convenience and will contribute to the general welfare of the Chicago Metropolitan Area. The continued use is consistent with the intent of the Comprehensive Plan based on current market conditions for the area in which the Subject Property is located. It does not appear that the continued use will generate any adverse effects and it does not appear that there are any other factors that need to be considered in order to allow the proposed use of the Subject Property as a PUD and outside storage as a Special Use related thereto.

Ms. Fawell reviewed the Findings of Fact for the proposed planned unit development in the Staff Report consisting of:

1. **Comprehensive Plan:** 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.

Applicant's Response: The proposed amendment to the planned unit development fulfills the objectives of the Comprehensive Plan and other land use policies of the Village by allowing the site to be used in connection with the U.S. Customs services needed by the Village and neighboring communities.

2. **Public Facilities:** 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.

Applicant's Response: As there is no request to alter the present use or add any additional buildings, the proposed amendment will not alter the existing walkways, driveways,

streets, parking facilities, loading facilities, exterior lighting and traffic control devices that presently serve the uses within the development and adjoining properties.

3. **Landscaping and Screening:** 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.

Applicant's Response: The proposed amendment will not alter the existing landscaping and screening which have previously been approved by the Village, and the continued use of the Subject Property for customs clearance will maintain the current noise reduction and buffers between different types of uses in the area.

4. **Site Design:** The proposed planned unit development will incorporate sustainable and low impact site design and development principles.

Applicant's Response: The proposed amendment to the PUD will not require any modifications to the Subject Property and therefor will not have any impact on site design and development principles.

5. **Natural Environment:** 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.

Applicant's Response: The proposed amendment to the PUD will not alter the Subject Property in any way, and therefore will continue to protect the community's natural environment to the greatest extent practical, including existing natural features, water courses, trees, and native vegetation.

6. **Utilities:** 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.

Applicant's Response: The proposed amendment to the PUD requires no additional utilities, storm sewers, storm water retention or detention.

Ms. Fawell stated Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Amendment to an approved Planned Unit Development at 525 Meyer Road with the following conditions:

- 1) The following condition shall be stricken from Ordinance No. 9-2013, granting approval of a Planned Unit Development and Conditional Use Permit for properties commonly known as 525, 533, 549, 557, and 573 N. Meyer Road:
 - a. "5. The Conditional Use Permit shall be null and void as of 07.01.2021."
- 2) All conditions of approval set forth in previous ordinances granting approval of a PUD and PUD Amendments (Ordinances #9-2013, #42-2014, #13-2016, #18-2018) are consequently conditions of approval of the Planned Unit Development Amendment granted herein; and
- 3) A landscape plan for the entire site shall be submitted for Zoning Administrator review and approval within one year of the approval of the Amendment granted herein, or said approval shall be revoked.

There were no further questions from the Commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2021-23. Commissioner Chambers seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2021-23 at 8:21 p.m.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of an Amendment to an Approved Planned unit Development, Municipal Code Section 10-4-4. Commissioner Chambers seconded the motion.

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

Nays: None

All were in favor. Motion carried.

**Report from
Community
Development:**

Ms. Fawell reviewed both recent CDC cases along with upcoming cases.

ADJOURNMENT: There being no further business before the Community Development Commission, Commissioner Chambers made a motion to adjourn the meeting. Commissioner King seconded the motion.

All were in favor. Motion carried.

The meeting was adjourned at 8:23 p.m.

ORDINANCE # _____

**AN ORDINANCE GRANTING AN AMENDMENT TO A PLANNED UNIT
DEVELOPMENT AT 525, 533, 549, 557, AND 573 N MEYER ROAD,
BENSENVILLE, ILLINOIS**

WHEREAS, P.C. Properties LLC, (“Owner/Applicant”) 216 W Higgins Road, Park Ridge, IL 60068, filed an application for Amendment to Approved Planned Unit Development, Municipal Code Section 10-4-4 of the Bensenville Village Zoning Ordinance (“Zoning Ordinance”), for the properties located at 525, 533, 549, 557, and 573 N Meyer Road, Bensenville, IL 60106 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 Planned Unit Development Amendment sought by the Applicant was published in the Bensenville Independent on Thursday, July 15, 2021 by the Village of Bensenville, and notice was also given via posting of a Public Hearing Sign on the Subject Property on Thursday, July 15, 2021, and via First Class mail to taxpayers of record within 250 feet of the Subject Property on Monday, July 12, 2021, 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 August 3, 2021, as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, after hearing the application, the Community Development Commission agreed with the findings of fact submitted by the Applicant, and thereafter, voted unanimously (4-0) to recommend approval with conditions of the Amendment to Approved Planned Unit

Development, Municipal Code Section 10-4-4, and forwarded its recommendations, including the Staff Report and findings relative to the Amendment, to the Village Board Committee of the Whole, which concurred with the recommendations made therein, as are attached hereto and incorporated herein by reference as Exhibit "B"; and

WHEREAS, on August 17, 2021, the Village Board Committee of the Whole then forwarded its recommendation, along with that of the Community Development Commission, to the President and Board of Village Trustees; and

WHEREAS, the President and Board of Village Trustees have reviewed the matter herein and have determined that approval with conditions of the Amendment to Approved Planned Unit Development, Municipal Code Section 10-4-4, as recommended by the Community Development Commission to approve the Amendment, is consistent with the Zoning Ordinance.

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 under the Zoning Ordinance as I-2 General Industrial District, which zoning classification shall remain in effect subject to the Amendment approved herein.

Section 3. That the Staff Report and Recommendations to approve with conditions the Amendment to Approved Planned Unit Development, sought by the Applicant, as allowed by the Zoning Ordinance, Section 10-4-4, as adopted by the Community Development Commission as

shown in Exhibit “B”, is hereby adopted by the President and Board of Trustees, the Board of Trustees finding that said Amendment is proper and necessary.

Section 4. That the Amendment to Approved Planned Unit Development, Municipal Code Section 10-4-4, as sought by the Applicant of the Subject Property, is hereby approved with the following conditions:

1. The following condition shall be stricken from Ordinance No. 9-2013, granting approval of a Planned Unit Development and Conditional Use Permit for properties commonly known as 525, 533, 549, 557, and 573 N. Meyer Road:
 - a. “5. The Conditional Use Permit shall be null and void as of 07.01.2021.”
2. All conditions of approval set forth in previous ordinances granting approval of a PUD and PUD Amendments (Ordinances #9-2013, #42-2014, #13-2016, #18-2018) are consequently conditions of approval of the Planned Unit Development Amendment granted herein; and
3. A landscape plan for the entire site shall be submitted for Zoning Administrator review and approval within one year of the approval of the Amendment granted herein, or said approval shall be revoked.

Section 5. That all requirements of the Zoning Ordinance shall be applicable except as allowed by the Amendment approved herein.

Section 6. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 7. 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 14th day of September 2021, pursuant to a roll call vote, as follows:

APPROVED:

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

Ordinance # ____ - 2021
Exhibit “A”

The Legal Description is as follows:

LOTS 1, 2, 3, 4, 5, 6, 7, AND 8 IN MEYER BROS’ RESUBDIVISION OF PART OF LOT 3 OF MOHAWK ACRES, A SUBDIVISION IN THE SOUTHEAST ¼ OF SECTION 11, TOWNSHIP 40, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID MEYER BROS; RESUBDIVISION RECORDED OCTOBER 11, 1949 AS DOCUMENT 587082, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 525, 533, 549, 557, and 573 N Meyer Road, Bensenville, IL 60106.

Ordinance # ____ - 2021
Exhibit "B"
Findings of Fact

Ms. Fawell reviewed the Findings of Fact for the proposed special use as presented in the Staff Report 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 continued outdoor storage will not endanger the health, safety, comfort, convenience, and general wellbeing of the public. The U.S. Customs Field Operation Facility is fenced, secured and lighted. The street system in and around the Subject Property is more than adequate to facilitate the continued use. The trailers that will be moved onto the Subject Property for inspection will not create an unusual amount of traffic and will be similar to the truck traffic that is currently in and about the area of the Subject Property. the parking area has been screened and landscaped. Accordingly, the special use will not overload existing streets nor create any traffic hazards, and as such, the continued use will not be detrimental to the public, health, safety, comfort, convenience, or general welfare.

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 continuation of the special use will be a benefit to the area by maintaining the landscaping and keeping the parking lot in good repair. The proposed special use is consistent with existing uses of adjoining properties regarding outdoor storage, parking trucks, trailers, etc.

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 continued use is low intensity and will not impair property value or environmental quality in the neighborhood nor impede the orderly development of surrounding property, all of which is also zoned I-2.

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 current use is a low intensity use. No new buildings are contemplated and existing Village services such as police and fire protection as well as water and sanitary sewer are more than adequate to serve the continued use.

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: A U.S. Customs Field Operation Facility is needed to assist in enhancing commerce within the Chicago Metropolitan Area. Allowing this service at the Subject Property to continue is in the interest of public convenience and will contribute to the general welfare of the Chicago Metropolitan Area. The continued use is consistent with the intent of the Comprehensive Plan based on current market conditions for the area in which the Subject Property is located. It does not appear that the continued use will generate any adverse effects and it does not appear that there are any other factors that need to be considered in order to allow the proposed use of the Subject Property as a PUD and outside storage as a Special Use related thereto.

Ms. Fawell reviewed the Findings of Fact for the proposed planned unit development in the Staff Report consisting of:

1. **Comprehensive Plan:** 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.

Applicant's Response: The proposed amendment to the planned unit development fulfills the objectives of the Comprehensive Plan and other land use policies of the Village by allowing the site to be used in connection with the U.S. Customs services needed by the Village and neighboring communities.

2. **Public Facilities:** 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.

Applicant's Response: As there is no request to alter the present use or add any additional buildings, the proposed amendment will not alter the existing walkways, driveways, streets, parking facilities, loading facilities, exterior lighting and traffic control devices that presently serve the uses within the development and adjoining properties.

3. **Landscaping and Screening:** 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.

Applicant's Response: The proposed amendment will not alter the existing landscaping and screening which have previously been approved by the Village, and the continued use of the Subject Property for customs clearance will maintain the current noise reduction and buffers between different types of uses in the area.

4. **Site Design:** The proposed planned unit development will incorporate sustainable and low impact site design and development principles.

Applicant's Response: The proposed amendment to the PUD will not require any modifications to the Subject Property and therefore will not have any impact on site design and development principles.

5. **Natural Environment:** 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.

Applicant's Response: The proposed amendment to the PUD will not alter the Subject Property in any way, and therefore will continue to protect the community's natural environment to the greatest extent practical, including existing natural features, water courses, trees, and native vegetation.

6. **Utilities:** 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.

Applicant's Response: The proposed amendment to the PUD requires no additional utilities, storm sewers, storm water retention or detention.

Ms. Fawell stated Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Amendment to an approved Planned Unit Development at 525 Meyer Road with the following conditions:

- 1) The following condition shall be stricken from Ordinance No. 9-2013, granting approval of a Planned Unit Development and Conditional Use Permit for properties commonly known as 525, 533, 549, 557, and 573 N. Meyer Road:
 - a. "5. The Conditional Use Permit shall be null and void as of 07.01.2021."
- 2) All conditions of approval set forth in previous ordinances granting approval of a PUD and PUD Amendments (Ordinances #9-2013, #42-2014, #13-2016, #18-2018) are consequently conditions of approval of the Planned Unit Development Amendment granted herein; and
- 3) A landscape plan for the entire site shall be submitted for Zoning Administrator review and approval within one year of the approval of the Amendment granted herein, or said approval shall be revoked.

There were no further questions from the Commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2021-23. Commissioner Chambers seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2021-23 at 8:21 p.m.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of an Amendment to an Approved Planned unit Development, Municipal Code Section 10-4-4. Commissioner Chambers seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Ronald Rowe, Chairman
Community Development Commission

TYPE:Ordinance**SUBMITTED BY:**K. Fawell**DEPARTMENT:**CED**DATE:**08.17.21**DESCRIPTION:**

Consideration of an Ordinance Granting a Planned Unit Development Amendment to Allow an EMC Sign at 904-910 W Irving Park Road (Gem Car Wash)

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Financially Sound Village

Quality Customer Oriented Services

Safe and Beautiful Village

<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>

Enrich the Lives of Residents

Major Business/Corporate Center

Vibrant Major Corridors

COMMITTEE ACTION:

Committee of the Whole

DATE:

08.17.21

BACKGROUND:

1. In 2020, the Petitioner was granted a PUD to construct a car wash at 904-910 W Irving Park Road.
2. Gem Car Wash is now seeking an Amendment to that PUD, requesting a Code Departure to allow an electronic message sign as a component of a monument sign at a previously approved location on the property.
3. The submittal features additional plans for 3 wall signs. No features of this signage require any special approvals, but the plans have been included as they are part of the overall project.

KEY ISSUES:

1. The Zoning Ordinance prohibits EMCs to be located within one mile of the property line of a lot on which an existing EMC is located.
2. There are 8 existing EMCs on Irving Park Road, all of which are within a mile of the subject property.

ALTERNATIVES:

Discretion of the Committee of the Whole.

RECOMMENDATION:

1. Staff respectfully recommends approval of the PUD Amendment to allow an EMC on the property with the following conditions:
 1. All conditions of approval set forth in Ordinance #35-2020 granting approval of the original Planned Unit Development are consequently conditions of approval of the Planned Unit Development Amendment granted herein;
 2. Freestanding sign shall be in accordance with submitted plans dated 06.18.2021;
 3. Illuminated signs shall be turned off by no later than 30 minutes after close of business, which is 9:30PM;
 4. A landscape plan indicating plant material and quantity, subject to Zoning Administrator review and approval, shall be submitted with a building permit application; and
 5. Temporary signage shall no longer be permitted at this property.
2. At their 08.03.21 Public Hearing, the Community Development Commission voted unanimously (4-0) to recommend approval of the request with the above staff-recommended conditions.

BUDGET IMPACT:

N/A

ACTION REQUIRED:

Approval of an Ordinance Granting a Planned Unit Development Amendment to allow an EMC sign at 904-

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
Aerial & Zoning Exhibits	8/11/2021	Backup Material
Legal Notice	8/11/2021	Backup Material
Application	8/11/2021	Backup Material
Staff Report	8/11/2021	Executive Summary
PUD Ordinance	8/11/2021	Backup Material
Figure: Existing EMCs Nearby	8/11/2021	Backup Material
Freestanding Sign Plans	8/11/2021	Backup Material
Wall Sign Plans	8/11/2021	Backup Material
Plat of Survey	8/11/2021	Backup Material
Draft CDC Minutes	8/11/2021	Backup Material
Draft Ordinance	8/11/2021	Ordinance

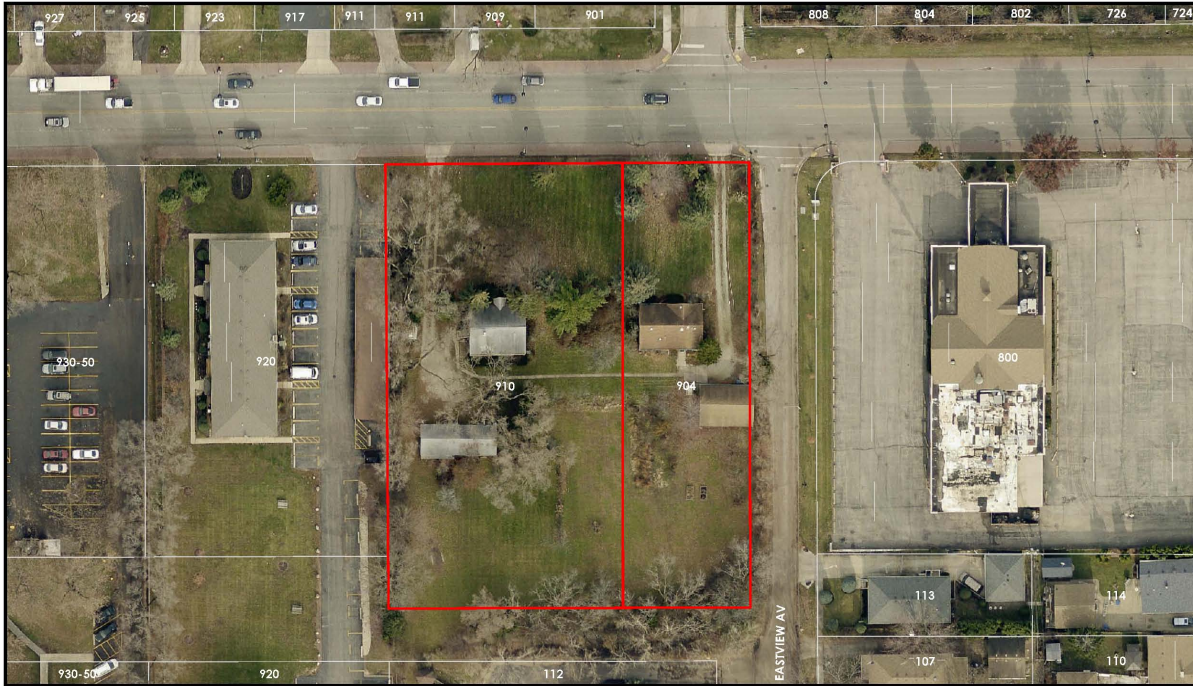
CDC#2021 – 22

904-910 W Irving Park Road
Mirjan Sadik, Gem Car Was II LLC
Amendment to a Planned Unit Development
Municipal Code Section 10 – 4 – 4



Village of Bensenville

904-910 W Irving Park Rd



Village of Bensenville

Zoning Map



**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, August 3, 2021 at 6:30 P.M., at which a Public Hearing will be held to review case No. 2021 - 22 to consider a request for:

Amendment to Approved Planned Unit Development
Municipal Code Section 10 – 4 – 4

*TO GRANT A CODE DEPARTURE FOR:

Electronic Message Sign Location
Municipal Code Section 10 – 10 – 5B – 4a3

at 904-910 W Irving Park Road in 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:

PARCEL 1:

THE EAST 229 FEET (EXCEPT THE EAST 80 FEET THEREOF) AND (EXCEPT EASTVIEW APARTMENT PER DOCUMENT R72-70911) OF LOT 5 IN OWNER'S ASSESSMENT PLAT OF PART OF SECTION 11 AND 14 TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 1917 AS DOCUMENT 129399 IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

THE NORTH 250 FEET OF THE EAST 80 FEET (EXCEPT EASTVIEW APARTMENTS PER DOCUMENT R72-70911) (MEASURED ALONG THE NORTH LINE) OF LOT 5 OF THE OWNER'S ASSESSMENT PLAT OF PART OF SECTIONS 11 AND 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 1917 AS DOCUMENT 129399 IN DUPAGE COUNTY, ILLINOIS.

PARCEL 3:

THE EAST 80 FEET (EXCEPT THE NORTH 250 FEET AND EXCEPT EASTVIEW APARTMENTS PER DOCUMENT R72-70911) OF LOT 5 OF THE OWNER'S ASSESSMENT PLAT OF PART OF SECTIONS 11 AND 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 1917 AS DOCUMENT 129399, IN DUPAGE COUNTY, ILLINOIS.

AND:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 5; THENCE SOUTH 00

DEGREES 19 MINUTES 47 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 5, A DISTANCE OF 313.39 FEET TO THE NORTH LINE OF MAIN STREET DEDICATED BY DOCUMENT R72-70911; THENCE SOUTH 89 DEGREES 31 MINUTES 28 SECONDS EAST ALONG SAID NORTH LINE, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 19 SECONDS 47 MINUTES EAST ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF EASTVIEW AVENUE AS DEDICATED BY DOCUMENT R72-70911, A DISTANCE OF 33.00 FEET TO THE NORTHEAST CORNER OF LOT 1 OF EASTVIEW APARTMENTS RECORDED NOVEMBER 17, 1972 AS DOCUMENT R72-70911; THENCE SOUTH 89 DEGREES 31 MINUTES 28 SECONDS WEST ALONG THE SOUTH LINE OF SAID MAIN STREET, A DISTANCE OF 203.35 FEET TO THE WEST LINE OF THE EAST 229.0 FEET OF SAID LOT 5; THENCE NORTH 00 DEGREES 21 MINUTES 31 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 33.00 FEET; THENCE NORTH 89 DEGREES 31 MINUTES 28 SECONDS EAST ALONG SAID NORTH LINE, A DISTANCE OF 203.37 FEET TO THE POINT OF BEGINNING.

Commonly known as 904-910 W Irving Park Road, Bensenville, IL 60106.

Mirjan Sadik, Gem Car Was II LLC, of 904-910 W Irving Park Road, Bensenville, IL 60106 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. Directions for electronic attendance and participation 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 August 3, 2021 until 5:00 P.M

Office of the Village Clerk
Village of Bensenville

TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT
July 15, 2021

For Office Use Only

Date of Submission: 7/6/21 MUNIS Account #: 1199 CDC Case #: 2021-22

COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: 904-910 W. IRVING PARK RD., BENSENVILLE, IL. 60106

Property Index Number(s) (PIN): 03-14-117-030 / 03-14-117-029

A. PROPERTY OWNER:

Mirjan Sadik Gem Car Wash II LLC

Name Corporation (if applicable)

904-910 W Irving Park Rd

Street

Bensenville

IL

60106

City

State

Zip Code

Mirjan Sadik

630-235-7765

Johnnyorkys@yahoo.com

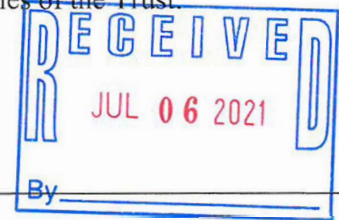
Contact Person

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)

Allow LED Message Board on Monument Sign

C. PROJECT DATA:

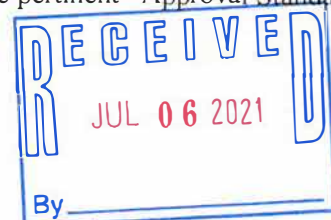
1. General description of the site: Car Wash
2. Acreage of the site: 1.65 Building Size (if applicable): 5,635 SF
3. Is this property within the Village limits? (Check applicable below)
☒ Yes
☐ No, requesting annexation
☐ No, it is under review by another governmental agency and requires review due to 1.5 mile jurisdiction requirements.
4. List any controlling agreements (annexation agreements, Village Ordinances, site plans, etc.)
Ordinance # 35-2020, granting a PUD for a car wash at the
site.

5. Character of the site and surrounding area:

	Zoning	Existing Land Use	Jurisdiction
Site:	C - 2	Commercial	Village of Bensenville
North:	R - 3	Single-unit residential	Village of Bensenville
South:	R - 5	Multiple-unit residential	Village of Bensenville
East:	C - 2	Commercial	Village of Bensenville
West:	R - 5	Multiple-Unit 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."





COMMUNITY DEVELOPMENT COMMISSION
STAFF REPORT

HEARING DATE: August 3, 2021
CASE #: 2021 – 22
PROPERTY: 904-910 W Irving Park Road
PROPERTY OWNER: Mirjan Sadik, Gem Car Wash II LLC
APPLICANT: Same as Above
SITE SIZE: 1.65 AC
BUILDING SIZE: 5,635 SF
PIN NUMBER: 03-14-117-029, 03-14-117-030
ZONING: C-2 Commercial District
REQUEST: Amendment to an Approved Planned Unit Development
Municipal Code Section 10 – 4 – 4
**To grant a Code Departure from:*
Electronic Message Sign Location, 10 – 10 – 5B – 4a3

PUBLIC NOTICE:

1. A Legal Notice was published in the Bensenville Independent on Thursday, July 15, 2021. 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 a Notice of Public Hearing sign on the property, visible from the public way on Thursday, July 15, 2021.
3. On Monday, July 12, 2021, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' 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:

In 2020, the Petitioner was granted a PUD to construct a car wash at 904-910 W Irving Park Road. Gem Car Wash is now seeking an Amendment to that PUD, requesting a Code Departure to allow an electronic message sign, as a component of a monument sign, on the property. The Zoning Ordinance prohibits EMCs to be located within one mile of the property line of a lot on which an existing EMC is located. There are 8 existing EMCs on Irving Park Road, all under a mile from the subject property.

The submittal features additional plans for 3 wall signs. These do not require any code departures, but have been included as they are part of the overall signage project.

SURROUNDING LAND USES:

	Zoning	Land Use	Comprehensive Plan	Jurisdiction
Site	C – 2	Commercial	Multi Family Residential	Village of Bensenville
North	R – 3	Residential	Single Family Residential	Village of Bensenville
South	R – 5	Residential	Medium Density Residential	Village of Bensenville
East	C – 2	Commercial	Local Commercial	Village of Bensenville
West	R – 5	Residential	Medium Density 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) Account up to date and has no liens.

Police:

- 1) No objections.

Engineering and Public Works:Engineering:

- 1) Sign must be outside of the vision triangle for motorists pulling out of the car wash.

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 “Multi Family Residential” for this property.
- 2) The current zoning is C-2 Commercial.
- 3) In 2020, the subject property was granted a Planned Unit Development to allow the construction of a car wash. Car washes are permitted by right in the C-2 Commercial District, but a PUD was requested as aspects of the site did not meet regulations set forth in the Village Zoning Ordinance, particularly standards for landscape and parking lots.
- 4) The Petitioner is now seeking an amendment to the PUD in order to allow an electronic message sign. The Zoning Ordinance prohibits EMCs to be located within one mile of the property line of a lot on which an existing EMC is located. There are 8 existing EMCs on Irving Park Road, all under a mile from the subject property.
- 5) The proposed EMC meets other Code standards, particularly § 10-10-5.B-4.c, which states the component shall not occupy more than 50% of the total sign area of the monument sign on which it is displayed. The EMC component is 50% of the total area.
- 6) Internally illuminated electronic message signs are allowed only in accordance with § 10-10-2.D (Illumination), particularly the following requirements:
 - a. LED Light Level. The light level of an illuminated sign lit with LED bulbs shall be no greater than 5,000 nits of luminance from dawn to dusk, and no greater than 150 nits of luminance from dusk to dawn.
 - b. 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.
 - c. Steady Illumination. Signs shall be illuminated by steady, stationary, fully shielded light sources concentrated on the face of the sign so as not to cause glare.
 - d. Hours of Operation. Illuminated signs shall be turned off from 11:00 p.m. until 7:00 a.m., or 30 minutes after close of business, whichever is later.
- 7) The hours of operation for the car wash have been set forth in Ordinance 35-2020, granting approval of the PUD, which states the hours shall be limited to 8AM-9PM daily.
- 8) Proposed EMC must also be in accordance with § 10-10-5.B-4.d (Illumination):
 - a. Electronic message signs are allowed to change their message once every 10 seconds, and the transitions between messages shall be instantaneous.
 - b. EMCs 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.
 - c. Electronic message signs shall be designed to default to a static display in the event of mechanical failure.
- 9) The proposed monument sign does not impede the driveway sight vision triangle.
 - a. Please note that the proposed shrubbery that does fall into this area is prohibited from having a height between 2.5 feet and 8 feet.
- 10) All other aspects of the proposed freestanding sign adhere to Zoning Ordinance requirements.
 - a. The sign is 7’ in height and 32 SF in area, whereas Code permits a maximum height of 8’ and an area of 50 SF.
 - b. Code requires that freestanding signs be located 5’ from the front lot line and 10’ from the interior lot line. The proposed meets those setback standards exactly.
- 11) A typical condition of approval for EMC Variations is that temporary signage shall no longer be permitted at the subject property, as an EMC replaces the need for such.

APPROVAL STANDARDS FOR SPECIAL USES:

- 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 car wash is permitted use by right and will be developed in accordance with screening and engineering standards so as to minimize the consequential impacts of the development.

- 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: While the majority of surrounding properties are currently zoned residential, the subject property in question is zoned C-2 Commercial District. In the C-2 District, car washes are a permitted use by right. The property to the east, Cascade Banquets, is also zoned C-2.

- 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 development will not impede the normal and orderly development as it is a permitted use by right. The use will be landscaped and developed in a way to as to have any adverse impacts on neighboring properties. Monument sign will include shrubbery around the base as per village regulations.

- 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 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) **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: As the use is permitted in the subject property's designated zoning district and will meet the use standards indicated in the Village's Zoning Ordinance.

Special Use Permit Approval Standards	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 PLANNED UNIT DEVELOPMENTS:

- 1) **Comprehensive Plan:** 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.

Applicant's Response: The proposed PUD fulfills the objective of the current Zoning Map and Ordinance, albeit the Comprehensive Plan indicates "Multi-Family Residential" for this property. The proposed PUD will fill the much needed car wash vacancy in the Village.

- 2) **Public Facilities:** 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.

Applicant's Response: The proposed PUD will provide driveways, parking stalls, pedestrian walkways, and exterior lighting that will serve the uses within this development.

- 3) **Landscaping and Screening:** 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.

Applicant's Response: The proposed PUD will provide the necessary screening and landscape requirements that will enhance the character and livability of the subject property as well as providing buffer yards between the adjacent residentially-zoned properties. Monument sign will include shrubbery around the base as per village regulations.

- 4) **Site Design:** The proposed planned unit development will incorporate sustainable and low impact site design and development principles.

Applicant's Response: The proposed planned unit development will incorporate sustainable and low impact site design and development principles.

- 5) **Natural Environment:** 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.

Applicant's Response: The proposed PUD will protect the community's natural environment, providing landscaping and stormwater detention.

- 6) **Utilities:** 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.

Applicant's Response: 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.

	Meets Standard	
Planned Unit Development Approval Standards	<i>Yes</i>	<i>No</i>
1. Comprehensive Plan	X	
2. Public Facilities	X	
3. Landscaping and Screening	X	
4. Site Design	X	
5. Natural Environment	X	
6. Utilities	X	

RECOMMENDATIONS:

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Amendment to a Planned Unit Development at 904-910 W Irving Park Road with the following conditions:

- 1) All conditions of approval set forth in Ordinance #35-2020 granting approval of a Planned Unit Development are consequently conditions of approval of the Planned Unit Development Amendment granted herein;
- 2) Freestanding sign shall be accordance with submitted plans dated 06.18.2021;
- 3) Illuminated signs shall be turned off 30 minutes after close of business, which is 9:30PM;
- 4) A landscape plan indicating plant material and quantity, subject to Zoning Administrator review and approval, shall be submitted with a building permit application; and
- 5) Temporary signage shall no longer be permitted at this property.

Respectfully Submitted,

Department of Community & Economic Development

**VILLAGE OF BENSENVILLE
12 S. CENTER STREET
BENSENVILLE, ILLINOIS 60106**

Ordinance No. 35-2020

**An Ordinance Granting Approval of a Preliminary and Final Planned Unit
Development to Construct a Car Wash at 904-910 West Irving Park Road,
Bensenville, Illinois**

**ADOPTED BY THE
VILLAGE BOARD OF TRUSTEES
OF THE
VILLAGE OF BENSENVILLE
THIS 14th DAY OF JULY 2020**

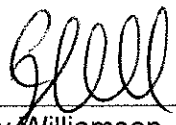
Published in pamphlet form by authority of the President and Board of Trustees of the Village of
Bensenville, DuPage and Cook Counties, Illinois this 15th day of July, 2020

STATE OF ILLINOIS)
COUNTIES OF COOK)
SS AND DUPAGE)

I, Corey Williamsen, do hereby certify that I am the duly appointed Deputy Village Clerk of the Village of Bensenville, DuPage and Cook Counties, Illinois, and as such officer, I am the keeper of the records and files of said Village; I do further certify that the foregoing constitutes a full, true and correct copy of Ordinance No. 35-2020 entitled an Ordinance Granting Approval of a Preliminary and Final Planned Unit Development to Construct a Car Wash at 904-910 West Irving Park Road, Bensenville, Illinois.

IN WITNESS WHEREOF, I have hereunto affixed my official hand and seal on this 15th day of July, 2020.





Corey Williamsen
Deputy Village Clerk

ORDINANCE # 35-2020

**AN ORDINANCE GRANTING APPROVAL OF A PRELIMINARY AND FINAL
PLANNED UNIT DEVELOPMENT TO CONSTRUCT A CAR WASH
AT 904-910 WEST IRVING PARK ROAD, BENSENVILLE, ILLINOIS**

WHEREAS, Mary Kreiger and Harris Seltzer (“Owners”) and Mirjan Sadik of Gem Car Wash, LLC (“Applicant”) filed an application for Preliminary and Final Planned Unit Development, Municipal Code Section 10 – 4 of the Village of Bensenville Zoning Ordinance (“Zoning Ordinance”) with the following Code Departures: Maximum Driveway Width, Municipal Code Section 10 – 8 – 8 – 1 of the Zoning Ordinance; Driveway Apron Width, Municipal Code Section 10 – 8 – 8 – F of the Zoning Ordinance; Bailout Lane, Municipal Code Section 10 – 8 – 9 – D of the Zoning Ordinance; Tree Replacement Standards, Municipal Code Section 10 – 9 – 2 – B of the Zoning Ordinance; Tree Canopy Coverage, Municipal Code Section 10 – 9 – 5 – A of the Zoning Ordinance; Parking Lot Interior Landscape Islands, Municipal Code Section 10 – 9 – 5 – C of the Zoning Ordinance; Buffer Yard Requirements, Municipal Code Section 10 – 9 – 6 of the Zoning Ordinance; and Outdoor Lighting Illumination Standards, Municipal Code Section 10 – 9 – 8 – C – 1.a of the Zoning Ordinance for the property located at 904-910 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, Notice of Public Hearing with respect to the Preliminary and Final Planned Unit Development sought by the Applicant was published in the Bensenville Independent on Thursday, June 18, 2020 by the Village of Bensenville, and notice was also given via posting of a Public Hearing Sign on the Subject Property and via First Class mail to taxpayers of record within 250 feet of the Subject Property, 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 July 7, 2020 as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, after hearing the application, the Community Development Commission agreed with the findings of fact submitted by the Applicant recommending approval of the Preliminary and Final Planned Unit Development, and thereafter, voted unanimously (5-0) to

recommend approval of the Preliminary and Final Planned Unit Development with conditions and forwarded its recommendations, including the Staff Report and findings relative to the Preliminary and Final Planned Unit Development to the President and Board of Village Trustees, which concurred in the recommendation made therein, as are attached hereto and incorporated herein by reference as Exhibit "B"; and

WHEREAS, the President and Board of Village Trustees have reviewed the matter herein and have determined that approval of the requested Preliminary and Final Planned Unit Development as recommended by the Community Development Commission to allow the Preliminary and Final Planned Unit Development is consistent with the Zoning Ordinance.

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 ONE: That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

SECTION TWO: That the Staff Report and Recommendation to approve the Preliminary and Final Planned Unit Development sought, as allowed by the Zoning Ordinance, Section 10 – 4, Section 10 – 8 – 8 – 1, Section 10 – 8 – 8 – F, Section 10 – 8 – 9 – D, Section 10 – 9 – 2 – B, and Section 10 – 9 – 5 – C as adopted by the Community Development Commission as shown in Exhibit “B” is hereby adopted by the President and Board of Trustees, the Board of Trustees finding that said Preliminary and Final Planned Unit Development is proper and necessary.

SECTION THREE: That the Preliminary and Final Planned Unit Development as sought by the Applicant of the Subject Property is hereby granted with the following conditions:

1. The requested code departure from Section 10 – 8 – 8 – 1 Maximum Driveway Width be approved;
2. The requested code departure from Section 10 – 8 – 8 – F Maximum Driveway Apron Width be approved;
3. The requested code departure from Section 10 – 8 – 9 – D Bailout Lane be approved;
4. The requested code departure from Section 10 – 9 – 2 – B Tree Replacement Standards be approved;
5. The requested code departure from Section 10 – 9 – 5A Tree Canopy Coverage be denied;

6. The requested code departure from Section 10 – 9 – 5 – C Parking Lot Interior Landscape Islands be approved;
7. The requested code departure from Section 10 – 9 – 6 Buffer Yards be denied;
8. The requested code departure from Section 10 – 9 – 8 – C – 1a Outdoor Lighting Illumination Standards be denied;
9. The development be limited to only one driveway providing access onto Eastview Avenue, specifically the southern driveway designated for emergency exit only on Eastview Avenue, in accordance with submitted site plan dated 04.30.2020;
10. A sanitary inspection manhole is required along with a triple basin;
11. A 5-foot wide ADA compliant public sidewalk is required along the Eastview Ave frontage of the site;
12. A 7-foot wide stamped concrete ADA compliant public sidewalk exists along the IL-19 frontage of the site. Any disturbed sidewalk will need to be replaced in kind;
13. A plat of consolidation shall be required to combine the two existing lots. The applicant must dedicate 25-feet of public rights-of-way to the Village along Eastview Ave for the purpose of widening the existing Eastview Ave to meet the Village's local roads standard. The plat of consolidation can include the ROW dedication on the same plat. A 24-foot dedication is being proposed on the plans which must be revised to 25-feet;
14. The property shall be in accordance with Section 10 – 7 – 3 – C, use standards for a car wash;
15. The property shall be in accordance with Section 10 – 9 – 5 – A Parking Lot Landscaping: Tree Canopy Coverage, Section 10 – 9 – 5 – B Parking Lot Perimeter Landscape, and Section 10 – 9 – 6 Buffer Yards;
16. The Petitioner shall submit a landscape plan to be approved by the Zoning Administrator;
17. A 6' privacy fence shall be erected on the west and south property lines in conjunction with the required buffer yards;
18. A left-turn only sign shall be erected at the emergency use driveway on Eastview Avenue; and
19. The hours of operation shall be limited to 8AM-9PM daily.

SECTION FIVE: That all requirements of the Zoning Ordinance shall be applicable except as allowed by the Preliminary and Final Planned Unit Development granted herein.

SECTION SIX: 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.

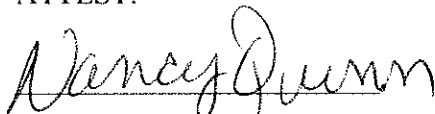
SECTION SEVEN: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, this 14th day of July 2020.



Frank DeSimone, Village President

ATTEST:



Nancy Quinn, Village Clerk

AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYES: None

ABSENT: None

Ordinance # 35 - 2020
Exhibit "A"

The Legal Description is as follows:

PARCEL 1:

THE EAST 229 FEET (EXCEPT THE EAST 80 FEET THEREOF) AND (EXCEPT EASTVIEW APARTMENT PER DOCUMENT R72-70911) OF LOT 5 IN OWNER'S ASSESSMENT PLAT OF PART OF SECTION 11 AND 14 TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 1917 AS DOCUMENT 129399 IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

THE NORTH 250 FEET OF THE EAST 80 FEET (EXCEPT EASTVIEW APARTMENTS PER DOCUMENT R72-70911) (MEASURED ALONG THE NORTH LINE) OF LOT 5 OF THE OWNER'S ASSESSMENT PLAT OF PART OF SECTIONS 11 AND 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 1917 AS DOCUMENT 129399 IN DUPAGE COUNTY, ILLINOIS.

PARCEL 3:

THE EAST 80 FEET (EXCEPT THE NORTH 250 FEET AND EXCEPT EASTVIEW APARTMENTS PER DOCUMENT R72-70911) OF LOT 5 OF THE OWNER'S ASSESSMENT PLAT OF PART OF SECTIONS 11 AND 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 1917 AS DOCUMENT 129399, IN DUPAGE COUNTY, ILLINOIS.

COMMONLY KNOWN AS 904-910 W. IRVING PARK ROAD, BENSENVILLE, IL 60106.

AND

THE NORTH 33.00 FEET (EXCEPT THE EAST 25.00 FEET THEREOF) OF EASTVIEW APARTMENTS SUBDIVISION, BEING A SUBDIVISION OF THE EAST 229.00 FEET, AS MEASURED ALONG THE NORTH LINE THEREOF, OF LOT 5, EXCEPT THE NORTH 314.00 FEET THEREOF IN OWNER'S ASSESSMENT PLAT OF PART OF SECTIONS 11 AND 14, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 1917, AS DOCUMENT 129399, IN DUPAGE COUNTY, ILLINOIS.

COMMONLY KNOWN AS THE 33 FEET WIDE RIGHT-OF-WAY STARTING AT THE INTERSECTION OF MAIN STREET AND EASTVIEW AVENUE, AND RUNNING WEST 229 FEET.

Ordinance # 35 - 2020
Exhibit "B"
Findings of Fact

Ms. Fawell reviewed the Findings of Fact as presented in the Staff Report 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 car wash is permitted use by right and will be developed in accordance with screening and engineering standards so as to minimize the consequential impacts of the development.

- 2) **Neighboring 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: While the majority of surrounding properties are currently zoned residential, the subject property in question is zoned C-2 Commercial District. In the C-2 District, car washes are a permitted use by right. The property to the east, Cascade Banquets, is also zoned C-2.

- 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 development will not impede the normal and orderly development as it is a permitted use by right. The use will be landscaped and developed in a way to as to have any adverse impacts on neighboring 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 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) **Consistent with Ordinance 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: As the use is permitted in the subject property's designated zoning district and will meet the use standards indicated in the Village's Zoning Ordinance.

- 1) **Fulfills Objectives of Comprehensive Plan:** 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.

Applicant's Response: The proposed PUD fulfills the objective of the current Zoning Map and Ordinance, albeit the Comprehensive Plan indicates "Multi-Family Residential" for this property. The proposed PUD will fill the much needed car wash vacancy in the Village.

- 2) **Public Facilities:** 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.

Applicant's Response: The proposed PUD will provide driveways, parking stalls, pedestrian walkways, and exterior lighting that will serve the uses within this development.

- 3) **Landscaping:** 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.

Applicant's Response: The proposed PUD will provide the necessary screening and landscape requirements that will enhance the character and livability of the subject property as well as providing buffer yards between the adjacent residentially-zoned properties.

- 4) **Site Design:** The proposed planned unit development will incorporate sustainable and low impact site design and development principles.

Applicant's Response: The proposed planned unit development will incorporate sustainable and low impact site design and development principles.

- 5) **Natural Environment:** 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.

Applicant's Response: The proposed PUD will protect the community's natural environment, providing landscaping and stormwater detention.

- 6) **Utilities:** 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.

Applicant's Response: 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.

Public Comment:

Ray Dominguez – 114 Parkside Street

Mr. Dominguez was present and sworn in by Chairman Rowe. Mr. Dominguez stated he still has traffic concerns for the proposed project with the amount of traffic that travels along Irving Park Road. Mr. Dominguez stated he was not opposed to the project and wanted to ensure traffic would not increase in his neighborhood.

John "Jeff" Wronkiewicz – 926 West Irving Park Road #208

Mr. Wronkiewicz was present and sworn in by Chairman Rowe. Mr. Wronkiewicz raised concerns with the proposed hours of operation and asked just because they close at 9:00 p.m. when the machines would be shutdown?

Mr. Sadik stated the machines would be shutdown no later than 9:15 p.m. to allow customers that arrive close to closing to vacuum their vehicles should they choose to.

Mr. Wronkiewicz asked what kind of fence would be installed.

Ms. Fawell stated the applicant will be required to install a six foot privacy fence and a ten foot buffer of landscaping.

Mr. Wronkiewicz asked if there are plans for detention on the property.

Ms. Fawell stated there is a detention area on back of the property and it will have to meet DuPage Stormwater requirements.

Ms. Fawell stated Staff recommends the Approval of the Preliminary and Final Planned Unit Development with the following conditions:

1. The requested code departure from Section 10 – 8 – 8 – 1 Maximum Driveway Width be approved;
2. The requested code departure from Section 10 – 8 – 8 – F Maximum Driveway Apron Width be approved;
3. The requested code departure from Section 10 – 8 – 9 – D Bailout Lane be approved;
4. The requested code departure from Section 10 – 9 – 2 – B Tree Replacement Standards be approved;
5. The requested code departure from Section 10 – 9 – 5A Tree Canopy Coverage be denied;
6. The requested code departure from Section 10 – 9 – 5 – C Parking Lot Interior Landscape Islands be approved;
7. The requested code departure from Section 10 – 9 – 6 Buffer Yards be denied;
8. The requested code departure from Section 10 – 9 – 8 – C – 1a Outdoor Lighting Illumination Standards be denied;
9. The development be limited to only one driveway providing access onto Eastview Avenue, specifically the southern driveway designated for emergency exit only on Eastview Avenue, in accordance with submitted site plan dated 04.30.2020;
10. A sanitary inspection manhole will be required along with a triple basin;
11. A 5-feet wide ADA compliant public sidewalk will be required along the Eastview Ave frontage of the site;
12. A 7-feet wide stamped concrete ADA compliant public sidewalk exists along the IL-19 frontage of the site. Any disturbed sidewalk will need to be replaced in kind;
13. A plat of consolidation shall be required to combine the two existing lots. The applicant must dedicate 25-feet of public rights-of-way to the Village along Eastview Ave for the purpose of widening the existing Eastview Ave to meet the Village's local roads standard. The plat of consolidation can include the ROW dedication on the same plat. A 24-feet dedication is being proposed on the plans which needs to be revised to 25-feet;
14. The property shall be in accordance with Section 10 – 7 – 3 – C, use standards for a car wash;

15. The property shall be in accordance with Section 10 – 9 – 5 – A Parking Lot Landscaping: Tree Canopy Coverage, Section 10 – 9 – 5 – B Parking Lot Perimeter Landscape, and Section 10 – 9 – 6 Buffer Yards;
16. The Petitioner shall submit a landscape plan to be approved by the Zoning Administrator;
17. A 6' privacy fence shall be erected on the west and south property lines in conjunction with the required buffer yards;
18. A left-turn only sign shall be erected at the emergency use driveway on Eastview Avenue; and
19. The hours of operation shall be limited to 8AM-9PM daily.

Chairman Rowe asked if the petitioner was in agreeance with Staff's recommendations. Mr. Sadik stated he had no objections.

Motion: Commissioner Marcotte made a motion to close CDC Case No. 2020-09. Commissioner Ciula seconded the motion.

ROLL CALL: Ayes: Rowe, Ciula, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2020-09 at 7:01 p.m.

Motion: Commissioner Marcotte made a combined motion to approve the Findings of Fact and Preliminary and Final Planned Unit Development. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Ciula, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Ronald Rowe, Chairman
Community Development Commission



BENSENVILLE

COMMUNITY DEVELOPMENT COMMISSION

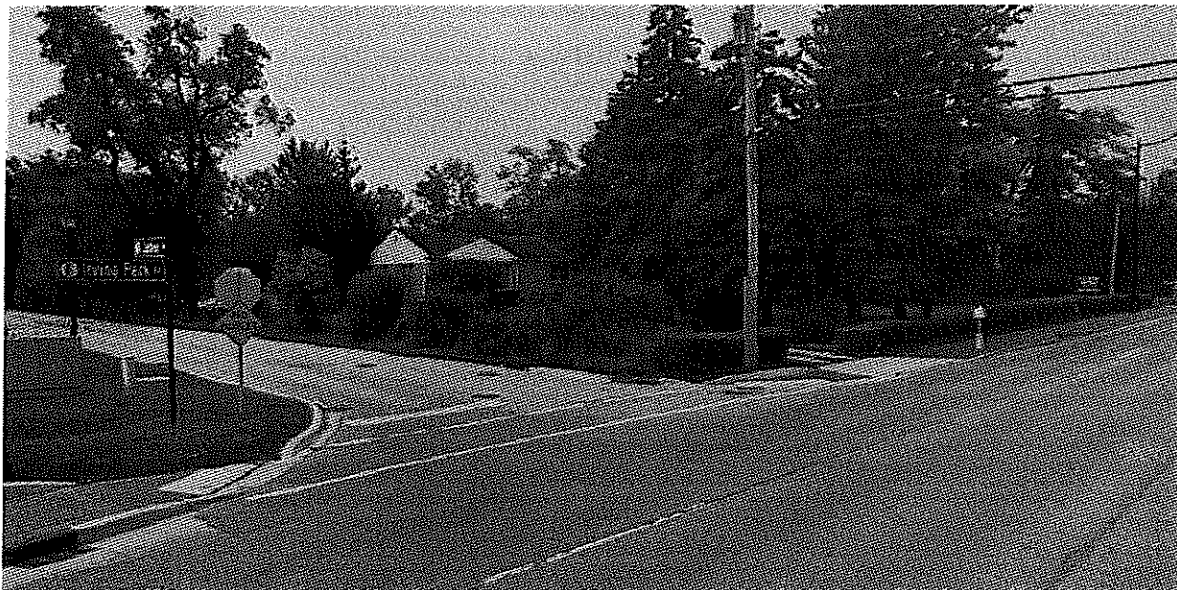
Public Hearing 07.07.20 CDC

Case #2020 – 09

Gem Car Wash, LLC

904-910 W. Irving Park Road

1. Aerial Photograph & Zoning Map of Subject Property
2. Legal Notice
3. Application
4. Staff Report & Exhibits
5. Plans





Village of Bensenville

904-910 W Irving Park Rd.

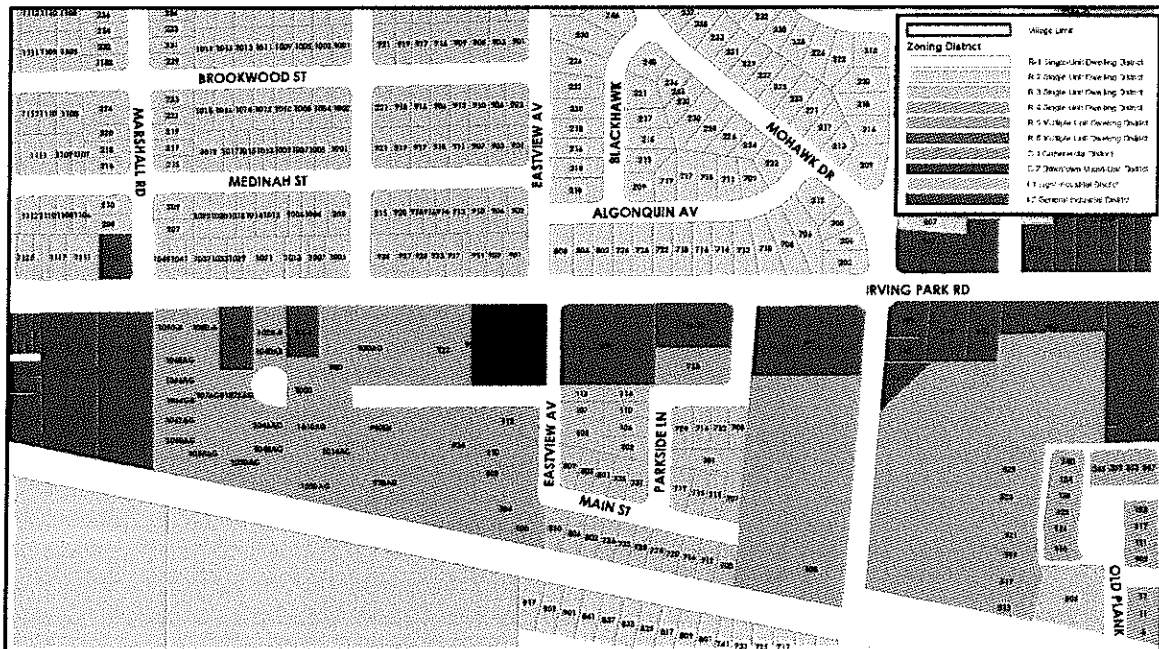


Date: 4/16/2020



Village of Bensenville

Zoning Map



Date: 4/16/2020

**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, July 7, 2020 at 6:30 P.M., at which a Public Hearing will be held to review case No. 2020 - 09 to consider a request for:

Preliminary and Final Planned Unit Development
Municipal Code Section 10 – 4

In conjunction with the requested Planned Unit Development, the Petitioner is asking the Community Development Commission consider a request for the following code departures:

Maximum Driveway Width
Municipal Code Section 10 – 8 – 8 – 1

Driveway Apron Width
Municipal Code Section 10 – 8 – 8 – F

Bailout Lane
Municipal Code Section 10 – 8 – 9 – D

Tree Replacement Standards
Municipal Code Section 10 – 9 – 2 – B

Tree Canopy Coverage
Municipal Code Section 10 – 9 – 5 A

Parking Lot Interior Landscape Islands
Municipal Code Section 10 – 9 – 5 – C

Buffer Yards
Municipal Code Section 10 – 9 – 6

Outdoor Lighting Illumination Standards
Municipal Code Section 10 – 9 – 8 – C – 1.a

at 904-910 W. Irving Park Road , including the 33' wide right-of-way abutting the property to the south, in the 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:

PARCEL 1:

THE EAST 229 FEET (EXCEPT THE EAST 80 FEET THEREOF) AND (EXCEPT EASTVIEW APARTMENT PER DOCUMENT R72-70911) OF LOT 5 IN OWNER'S ASSESSMENT PLAT OF PART OF SECTION 11 AND 14 TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 1917 AS DOCUMENT 129399 IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

THE NORTH 250 FEET OF THE EAST 80 FEET (EXCEPT EASTVIEW APARTMENTS PER DOCUMENT R72-70911) (MEASURED ALONG THE NORTH LINE) OF LOT 5 OF THE OWNER'S ASSESSMENT PLAT OF PART OF SECTIONS 11 AND 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 1917 AS DOCUMENT 129399 IN DUPAGE COUNTY, ILLINOIS.

PARCEL 3:

THE EAST 80 FEET (EXCEPT THE NORTH 250 FEET AND EXCEPT EASTVIEW APARTMENTS PER DOCUMENT R72-70911) OF LOT 5 OF THE OWNER'S ASSESSMENT PLAT OF PART OF SECTIONS 11 AND 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 1917 AS DOCUMENT 129399, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 904-910 W. Irving Park Road, Bensenville, IL 60106.

AND

THE NORTH 33.00 FEET (EXCEPT THE EAST 25.00 FEET THEREOF) OF EASTVIEW APARTMENTS SUBDIVISION, BEING A SUBDIVISION OF THE EAST 229.00 FEET, AS MEASURED ALONG THE NORTH LINE THEREOF, OF LOT 5, EXCEPT THE NORTH 314.00 FEET THEREOF IN OWNER'S ASSESSMENT PLAT OF PART OF SECTIONS 11 AND 14, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 1917, AS DOCUMENT 129399, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as the 33 feet wide right-of-way starting at the intersection of Main Street and Eastview Avenue, and running west 229 feet.

Mary Krieger of 904 W. Irving Park Road, Bensenville, IL, 60106 is the owner of 904 W. Irving Park Road, Bensenville, IL, 60106 and Harris A. Seltzer of 910 W. Irving Park Road, Bensenville, IL 60106 is the owner of 910 W. Irving Park Road, Bensenville, IL 60106. Mirjan Sadik of 841 N. York Road, Elmhurst, IL 60126 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, (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 on the Village website. Please call Community and Economic Development, (630) 350-3413, for other options.

All interested parties may attend the Public Hearing and be heard. Interested parties are encouraged to attend the Public Hearing via electronic means. Directions for electronic attendance and participation 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 July 7 2020 until 5:00 P.M.

Office of the Village Clerk
Village of Bensenville

TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT
June 18, 2020

For Office Use Only		
Date of Submission	MUNIS Account #	CDC Case #
6520		2020-09

COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: 904-910 W. Irving Park Road

Property Index Number(s) (PIN): 03-14-117-029; 03-14-117-030

A. PROPERTY OWNER:

<u>Miriam Sadik</u>		<u>Sam Car Wash, LLC</u>
Name	Corporation (if applicable)	
<u>341 N York Rd</u>		
Street		
<u>Elmhurst</u>	<u>IL</u>	<u>60126</u>
City	State	Zip Code
<u>John</u>	<u>(630) 235-7765</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

<u></u>		<u></u>
Name	Corporation (if applicable)	
<u></u>		
Street		
<u></u>	<u></u>	<u></u>
City	State	Zip Code
<u></u>	<u></u>	
Contact Person	Telephone Number & Email Address	

C. ACTION REQUESTED (Check applicable):

- ☐ Annexation
- ☐ Special Use Permit
- ☐ Master Sign Plan
- ☒ Planned Unit Development*
- ☐ Plat of Subdivision
- ☐ Rezoning (Map Amendment)
- ☐ Site Plan Review
- ☐ Variance

*See staff for additional information on PUD requests

SUBMITTAL REQUIREMENTS:

- ☒ Affidavit of Ownership** (signed/notarized)
- ☒ Application**
- ☒ Approval Criteria**
- ☒ Plat of Survey/Legal Description
- ☒ Site Plan
- ☒ Building Plans & Elevations
- ☒ Engineering Plans
- ☒ Landscape Plan
- ☒ Application Fees
- ☒ Fees agreement**

**Item located within this application packet.

Brief Description of Request(s): (Submit separate sheet if necessary)

PUD w/ requested code departures

D. PROJECT DATA:

1. General description of the site: 2 sites w/ SFD
2. Acreage of the site: 1.5 Building Size (if applicable): 8000 SF
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-2	Residential	Sensenville
North:	R-3	"	
South:	R-5	"	
East:	C-2	Commercial	
West:	R-5	Residential	✓

E. APPROVAL CRITERIA:

The applicant must compose a letter describing how the request(s) specifically meets the individual criteria from the appropriate Approval Criteria, found on the following pages. The CDC will be unable to recommend approval of a request without a response to the pertinent "Approval Criteria."



BENSENVILLE
COMMUNITY DEVELOPMENT COMMISSION

STAFF REPORT

HEARING DATE: July 7, 2020
CASE #: 2020 – 09
PROPERTY: 904-910 W. Irving Park Road
PROPERTY OWNER: Mary Krieger & Harris Seltzer
APPLICANT: Mirjan Sadik, Gem Car Wash LLC
SITE SIZE: 71,863 SF
BUILDING SIZE: 5,635 SF (Proposed)
PIN NUMBER: 03-14-117-029, 03-14-117-030
ZONING: C-2 Commercial District
REQUEST: Preliminary and Final Planned Unit Development
Municipal Code Section 10 – 4

With the following Code Departures:

Maximum Driveway Width
Municipal Code Section 10 – 8 – 8 – 1
Driveway Apron Width
Municipal Code Section 10 – 8 – 8 – F
Bailout Lane
Municipal Code Section 10 – 8 – 9 – D
Tree Replacement Standards
Municipal Code Section 10 – 9 – 2 – B
Tree Canopy Coverage
Municipal Code Section 10 – 9 – 5 A
Parking Lot Interior Landscape Islands
Municipal Code Section 10 – 9 – 5 – C
Buffer Yard Requirements
Municipal Code Section 10 – 9 – 6
Outdoor Lighting Illumination Standards
Municipal Code Section 10 – 9 – 8 – C – 1.a

PUBLIC NOTICE:

1. A Legal Notice was published in the Bensenville Independent on Thursday, June 18, 2020. 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 a Notice of Public Hearing sign on the property, visible from the public way on Friday, June 19, 2020.
3. On Friday, June 19, 2020, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' 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 is requesting a Preliminary and Final Planned Unit Development, with the above Zoning Ordinance departures, in order to construct a car wash with a detailing garage at 904-910 W. Irving Park Road. The Petitioner originally petitioned the CDC with a request for Variations, now referred to as code departures in conjunction with the Preliminary and Final Planned Unit Development request. This is a 1.6-acre site on which currently sit two single-family homes. The plan would require the vacation of the 33' ROW to the south. The Petitioner intends to dedicate 24' of right-of-way to the Village in order to bring Eastview Avenue up to current standards. The Petitioner currently operates a car wash on York Road in Elmhurst.

SURROUNDING LAND USES:

	Zoning	Land Use	Comprehensive Plan	Jurisdiction
Site	C – 2	Residential	Multi Family Residential	Village of Bensenville
North	R – 3	Residential	Single Family Residential	Village of Bensenville
South	R – 5	Residential	Medium Density Residential	Village of Bensenville
West	R – 5	Residential	Medium Density Residential	Village of Bensenville
East	C – 2	Commercial	Local Commercial	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) Both accounts for the two properties are up to date with billing.

Police:

- 1) No objections.

Engineering and Public Works:

- 1) A DuPage County Stormwater Management Certification will be required for this project as the total land disturbing activity exceeds 5,000 SF. The developer must meet all other DuPage County Floodplain and Stormwater Ordinance requirements including submittal of a stormwater report.
- 2) An Illinois Department of Transportation (IDOT) permit will be required for the proposed entrance within IL-19 right-of-way.
- 3) An IEPA-Sanitary, IEPA-NOI and IEPA-NOT permit will be required for this development.
- 4) A DuPage County Health Department permit may be required for abandonment of the existing septic tanks onsite.

- 5) It appears the site will breach the detention (25,000 SF) and PCBMP (2,500 SF) threshold set forth in the DuPage County Floodplain and Stormwater Ordinance. Therefore, site detention and PCBMP will be required. The proposed plan depicts a wetland-bottom detention basin to meet these criteria.
- 6) The detention basin is proposed with retaining wall around the perimeter. Any wall extending more than 3-feet in height will require structural engineering calculations and drawings signed and sealed by licensed structural engineer.
- 7) All existing utilities must be disconnected and capped at the main.
- 8) A sanitary inspection manhole will be required along with a triple basin.
- 9) A 7-foot wide stamped concrete ADA compliant public sidewalk exists along the IL-19 frontage of the site. Any disturbed sidewalk will need to be replaced in kind.
- 10) A plat of consolidation may be required to combine the two existing lots. The applicant must dedicate 25-feet of public rights-of-way to the Village along Eastview Ave for the purpose of widening Eastview Ave to meet the Village's local roads standard. The plat of consolidation can include the ROW dedication on the same plat. A 24-foot dedication is being proposed on the plans, which needs to be revised to 25-feet.
- 11) The developer will be required to construct a 5-foot wide ADA compliant public sidewalk along Eastview Ave frontage of the site. The developer shall bare all financial costs associated with such improvements.
- 12) There are issues with the proposed plans that can be resolved during final engineering. In general, staff does not see any major problems that would hinder this concept plan from proceeding.

Community & Economic Development:

Fire Safety:

- 1) No comments.

Building:

- 1) Concerns regarding the approval of the Departure for outdoor lighting due to light pollution affecting nearby properties.

Economic Development:

- 1) The commercial use along Irving Park is appropriate.
- 2) The existing residential uses provide roughly \$1,200 to the Village of an approximately \$6,336 tax bill.
- 3) The new commercial use should provide a significant bump in tax. For comparison, the Gem Car Wash on York Rd in Elmhurst paid over \$24,000 in property taxes.
- 4) A modern car wash is missing on Bensenville's portion of Irving Park Rd. There exists a market gap.

Planning:

- 1) The 2015 Comprehensive Plan indicates "Multi Family Residential" for this property.
- 2) The current zoning is C-2 Commercial District.
- 3) Per Section 10 – 7 – 2 – 1, car washes are permitted by right in the C-2 District provided they meet the following requirements:
 - a. Stacking Spaces. Stacking spaces associated with a car wash must comply with the requirements of § 10-8-9 (Vehicular Stacking Requirements).
 - b. Screening. The street frontage adjacent to any outdoor car wash area shall be screened in accordance with the requirements of § 10-9-5.B (Parking Lot Perimeter Landscape).

- i. Proposed landscape plan does not meet the requirements of Section 10 – 9 – 5.B. Petitioner will need to submit a revised landscape plan to be approved by the Zoning Administrator.
- c. On-Site Attendant. An attendant shall be present on the site during hours of operation.
- d. Hours of Operation. Car washes shall be limited to hours of operation between 6:00 AM and 12:00 AM.
- e. Overhead Doors. All wash bays shall be secured with overhead doors when the establishment is closed.
- f. Drainage. Drainage from a car wash shall not drain onto adjacent properties, into the right-of-way, or into stormwater catchments.
- g. Traffic Study. The Village may require a traffic study to ensure that a proposed development does not adversely affect safe and efficient traffic circulation for motorists, bicyclists, or pedestrians.
 - i. The Petitioner has submitted a traffic impact analysis that indicates the car wash will not have any adverse impacts on traffic.
- 4) Submitted plans indicate the construction of 5,635 car wash building, a second building for detailing area, and a parking lot for patrons to access vacuum stations following their use of the car wash.
- 5) A Per Section 10 – 8 – 8 – 1 of the Village Zoning Ordinance, the maximum widths for a one-way driveway and a two-way driveway are 12 feet and 26 feet, respectively. Plans indicate a two-way driveway of 35 feet off Irving Park Road and two one-way driveways, 15 feet and 11.5 feet, off Eastview Avenue.
 - a. Plans indicate a two-way driveway of 35 feet off Irving Park Road and two one-way driveways, 15 feet and 11.5 feet, off of Eastview Avenue. The driveway on Irving Park Road and the north driveway on Eastview Avenue exceed those requirements.
- 6) Per Section 10 – 8 – 8 – F of the Village Zoning Ordinance, driveway aprons shall not exceed the width of a driveway by 3 feet on each side of the driveway.
 - a. The proposed apron for the Irving Park Road driveway exceeds the width of the driveway by approximately 8 feet on each side of the driveway.
 - b. The proposed aprons for the two driveways on Eastview Avenue both exceed the width of the driveways by approximately 4 feet on each side of the driveway.
- 7) Neighboring property owners have expressed concerns with Staff regarding the northern driveway on Eastview Avenue creating an adverse impact on traffic in the surrounding residential district. Village Staff has since held interdepartmental meetings to discuss said concerns and is in agreement with the residents.
- 8) Per Section 10 – 8 – 9 – D of the Village Zoning Ordinance, drive-through lanes shall include a bailout lane, which shall run parallel to the drive-through and provide unobstructed exit capability to all vehicles.
 - a. Petitioner is proposing a bailout lane and two driveways on Eastview Avenue as a way for vehicles to exit in the event of an emergency. The code departure is needed due to the bailout not running parallel to the entire length of the drive-through lanes, therefore not providing unobstructed access.
- 9) Per Section 10 – 9 – 2 – B of the Village Zoning Ordinance, mature trees to be removed from a property shall be replaced in accordance with standards set forth in the section.
 - a. The Petitioner has stated that they will not be able to replace the required number of trees they will be removing from the lots during construction.
- 10) Per Section 10 – 9 – 5 – A of the Village Zoning Ordinance, shade canopy shall be required for a minimum of 40% of parking area hardscape.

- a. Proposed landscape plans do not meet this requirement. Staff calculates that approximately 14,000 SF of the parking area hardscape shall be covered by shade canopy. Staff recommends the Petitioner submit a new landscape plan with more shade trees throughout the parking area, as there looks to be room on the island that separates the drive-through lanes from the vacuum station area.
- 11) Per Section 10 – 9 – 5 – C of the Village Zoning Ordinance, one landscape island shall be provided for every 10 contiguous parking spaces.
 - a. Proposed plans indicate only 2 landscape islands. Staff recognizes that the Petitioner does not wish to impede patron access to vacuum stations.
- 12) Per Section 10 – 9 – 6 of the Village Zoning Ordinance, a buffer yard is required when a property located in the C-2 District is directly adjacent to a Residential District.
 - a. The subject property is directly adjacent to properties located in the R-5 District, to the south and the west.
 - b. The buffer yard requirements are as follows:
 - 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. The buffer yard shall have a minimum depth of 10 feet and 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 24 inches, spaced 36 inches on center.
 - 2. One evergreen tree for every 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 42 inches.
 - c. Staff has spoken with representatives of the Board of the condominiums located to the west in the R-5 District, who have expressed concerns regarding the potential noise impact of the development. They have requested that the CDC consider required a 6' privacy fence, in addition to the buffer yard, along the west side of the lot to be included as a condition of approval.
- 13) Per Section 10 – 9 – 8 – C – 1.a of the Village Zoning Ordinance, outdoor lighting shall not exceed one foot-candle at any point on the lot line for a lot containing a non-residential use.
 - a. Photometric plan indicates outdoor lighting will exceed one foot-candle on the north, east, and west lot lines.
 - b. Staff has concerns regarding potential light pollution adversely impacting the surrounding residential properties.

APPROVAL STANDARDS FOR SPECIAL USES:

- 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 car wash is permitted use by right and will be developed in accordance with screening and engineering standards so as to minimize the consequential impacts of the development.

- 2) **Neighboring 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: While the majority of surrounding properties are currently zoned residential, the subject property in question is zoned C-2 Commercial District. In the C-2 District, car washes are a permitted use by right. The property to the east, Cascade Banquets, is also zoned C-2.

- 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 development will not impede the normal and orderly development as it is a permitted use by right. The use will be landscaped and developed in a way to as to have any adverse impacts on neighboring 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 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) **Consistent with Ordinance 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: As the use is permitted in the subject property's designated zoning district and will meet the use standards indicated in the Village's Zoning Ordinance.

Special Use Approval Standards	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 Ordinance and Plan	X	

APPROVAL STANDARDS FOR PLANNED UNIT DEVELOPMENTS:

- 1) **Fulfills Objectives of Comprehensive Plan:** 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.

Applicant's Response: The proposed PUD fulfills the objective of the current Zoning Map and Ordinance, albeit the Comprehensive Plan indicates "Multi-Family Residential" for this property. The proposed PUD will fill the much needed car wash vacancy in the Village.

- 2) **Public Facilities:** 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.

Applicant's Response: The proposed PUD will provide driveways, parking stalls, pedestrian walkways, and exterior lighting that will serve the uses within this development.

- 3) **Landscaping:** 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.

Applicant's Response: The proposed PUD will provide the necessary screening and landscape requirements that will enhance the character and livability of the subject property as well as providing buffer yards between the adjacent residentially-zoned properties.

- 4) **Site Design:** The proposed planned unit development will incorporate sustainable and low impact site design and development principles.

Applicant's Response: The proposed planned unit development will incorporate sustainable and low impact site design and development principles.

- 5) **Natural Environment:** 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.

Applicant's Response: The proposed PUD will protect the community's natural environment, providing landscaping and stormwater detention.

- 6) **Utilities:** 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.

Applicant's Response: 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.

Planned Unit Development Approval Standards	Meets Standard	
	Yes	No
1. Fulfills Objectives of Comprehensive Plan	X	
2. Public Facilities	X	
3. Landscaping	X	
4. Site Design	X	
5. Natural Environment	X	
6. Utilities	X	

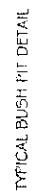
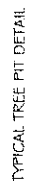
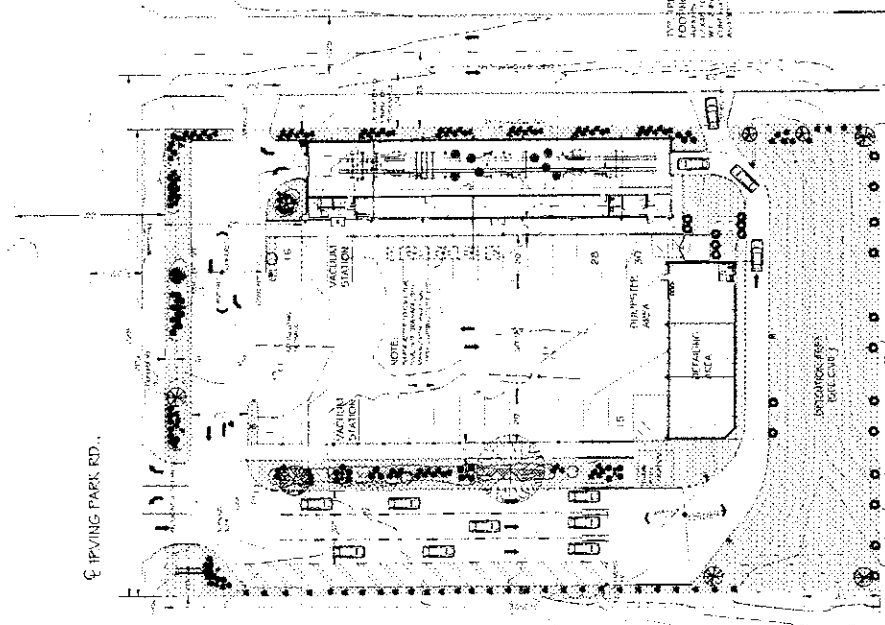
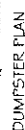
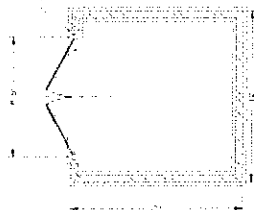
RECOMMENDATIONS:

Staff recommends the Approval of the Preliminary and Final Planned Unit Development with the following conditions:



1. The requested code departure from Section 10 – 8 – 8 – 1 Maximum Driveway Width be approved;
2. The requested code departure from Section 10 – 8 – 8 – F Maximum Driveway Apron Width be approved;
3. The requested code departure from Section 10 – 8 – 9 – D Bailout Lane be approved;
4. The requested code departure from Section 10 – 9 – 2 – B Tree Replacement Standards be approved;
5. The requested code departure from Section 10 – 9 – 5A Tree Canopy Coverage be denied;
6. The requested code departure from Section 10 – 9 – 5 – C Parking Lot Interior Landscape Islands be approved;
7. The requested code departure from Section 10 – 9 – 6 Buffer Yards be denied;
8. The requested code departure from Section 10 – 9 – 8 – C – 1a Outdoor Lighting Illumination Standards be denied;
9. The development be limited to only one driveway providing access onto Eastview Avenue, specifically the southern driveway designated for emergency exit only on Eastview Avenue, in accordance with submitted site plan dated 04.30.2020;
10. A sanitary inspection manhole will be required along with a triple basin;
11. A 5-foot wide ADA compliant public sidewalk will be required along the Eastview Ave frontage of the site;

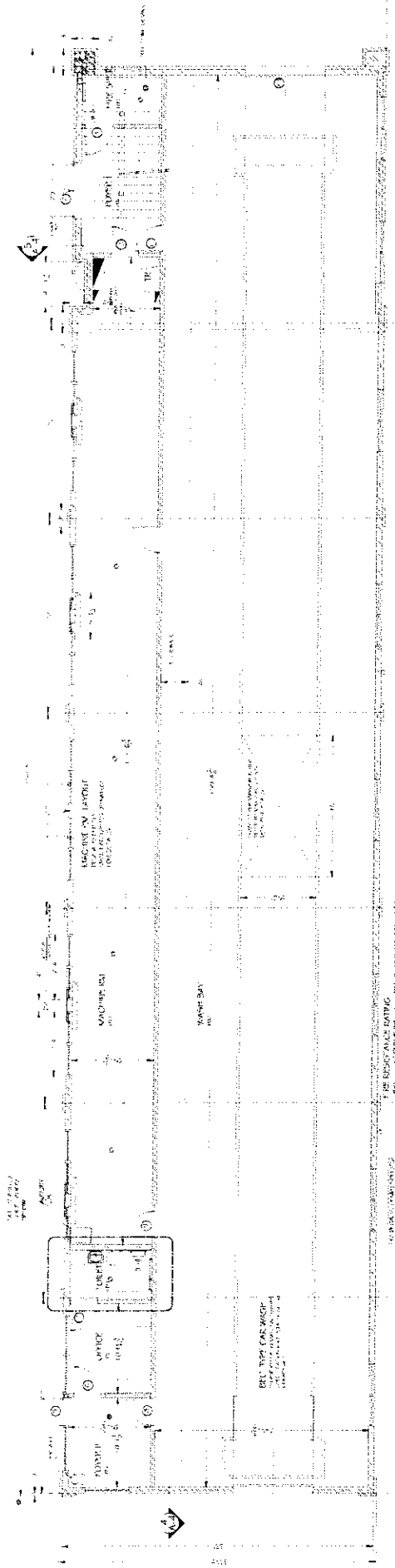
12. A 7-feet wide stamped concrete ADA compliant public sidewalk exists along the IL-19 frontage of the site. Any disturbed sidewalk will need to be replaced in kind;
13. A plat of consolidation shall be required to combine the two existing lots. The applicant must dedicate 25-feet of public rights-of-way to the Village along Eastview Ave for the purpose of widening the existing Eastview Ave to meet the Village's local roads standard. The plat of consolidation can include the ROW dedication on the same plat. A 24-feet dedication is being proposed on the plans which needs to be revised to 25-feet;
14. The property shall be in accordance with Section 10 – 7 – 3 – C, use standards for a car wash;
15. The property shall be in accordance with Section 10 – 9 – 5 – A Parking Lot Landscaping: Tree Canopy Coverage, Section 10 – 9 – 5 – B Parking Lot Perimeter Landscape, and Section 10 – 9 – 6 Buffer Yards;
16. The Petitioner shall submit a landscape plan to be approved by the Zoning Administrator;
17. A 6' privacy fence shall be erected on the west and south property lines in conjunction with the required buffer yards;
18. A left-turn only sign shall be erected at the emergency use driveway on Eastview Avenue; and
19. The hours of operation shall be limited to 8AM-9PM daily.

Respectfully Submitted,
Department of Community & Economic Development

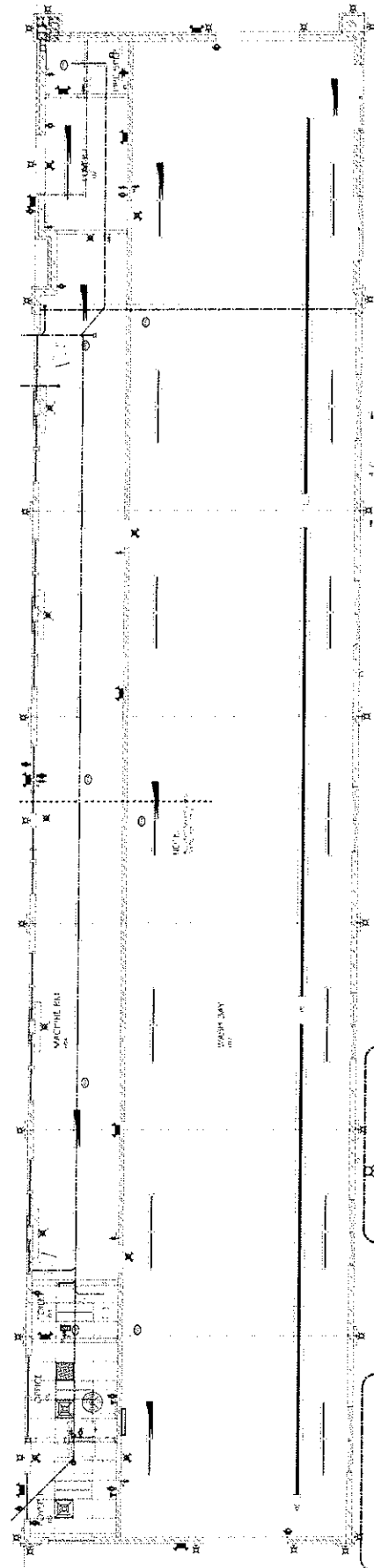
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SITE PLAN

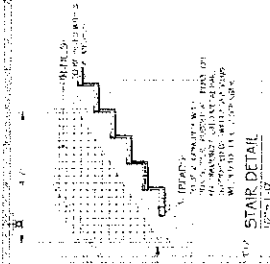
RAY FANG & ASSOCIATES RAY FANG & ASSOCIATES, INC. 1000 W. 10TH AVE. SUITE 100 DENVER, CO 80202-1500 TEL: 303.733.1111 FAX: 303.733.1112	GEM CAR, WASH.	LANDSCAPING PLAN, DUMPSTER DETAIL		DATE: 12-10-2014 BY: AS 51004		
JOHN SADIQU JOHN SADIQU, INC. 1000 W. 10TH AVE. SUITE 100 DENVER, CO 80202-1500 TEL: 303.733.1111 FAX: 303.733.1112	904-910 W. IRVING PARK, RD. BENSHUVEILLE, IL 60614					



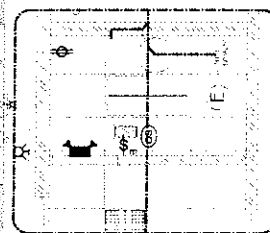
FLOOR PLAN
SCALE: 1/8" = 1'-0"



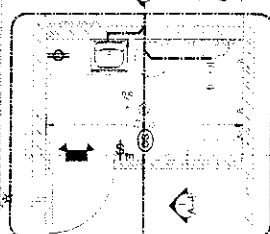
CEILING PLAN
SCALE: 1/8" = 1'-0"



STAIR DETAIL
SCALE: 1/4" = 1'-0"

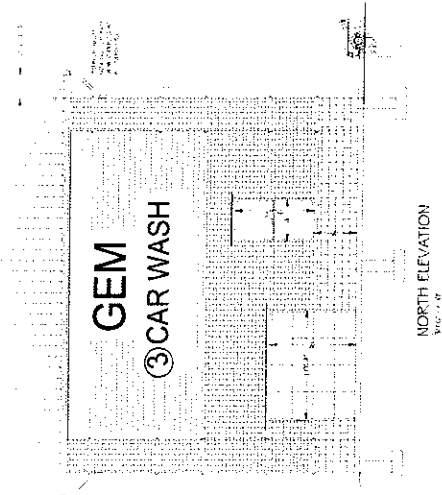


TOILET DETAIL
SCALE: 1/4" = 1'-0"

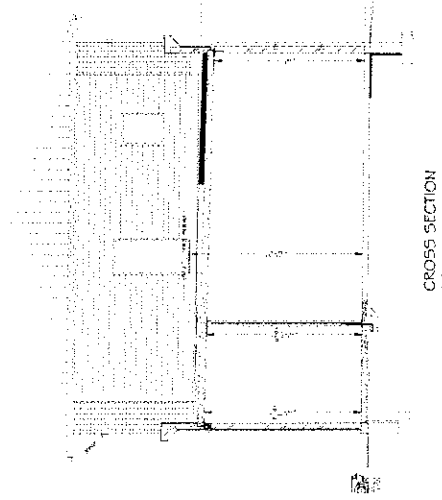


TOILET DETAIL
SCALE: 1/4" = 1'-0"

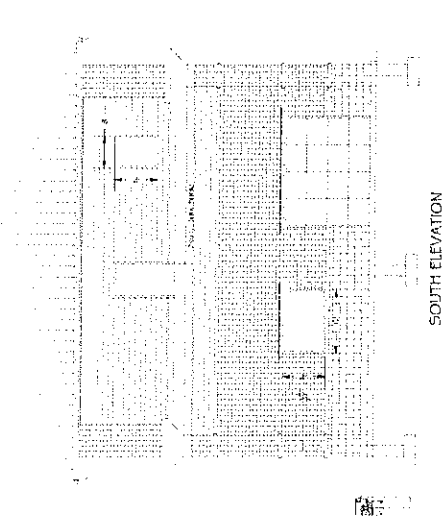
RAY FANG & ASSOCIATES ARCHITECTS 1000 N. LAKE ST. CHICAGO, IL 60611	GEM CAR WASH	NEW FL. & CEILG. PLANS; ENLARGED TOILET ROOM, STAIR DETAILS	REVISION LOG	DATE: 10-20-14 BY: JSD CHECKED: JSD	A-1
JOHN SADIKU ARCHITECT 1000 N. LAKE ST. CHICAGO, IL 60611	804-910 W. IRVING PARK RD., BENSenville, IL 60614				



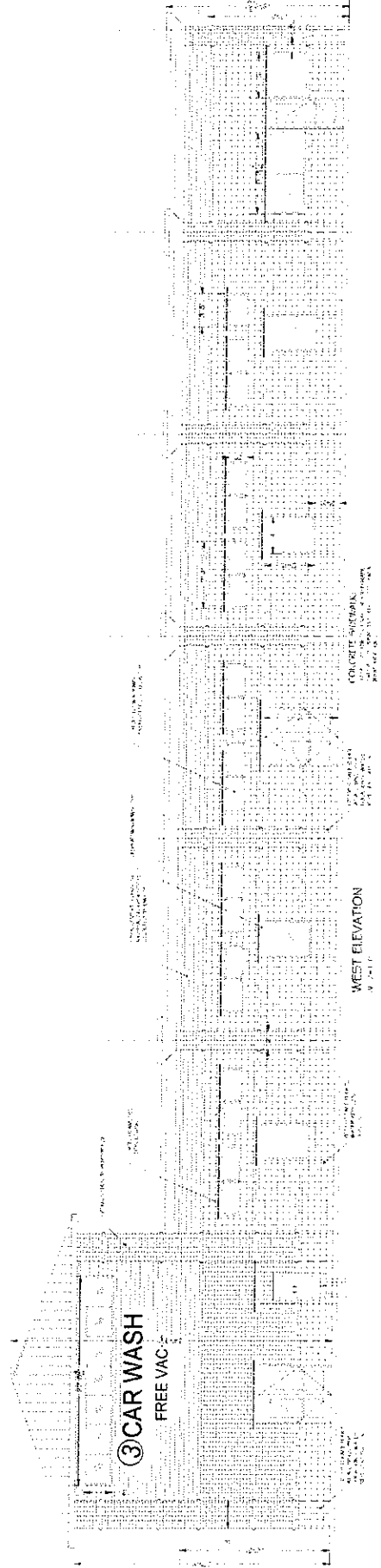
NORTH ELEVATION
S.C. 1/2"




CROSS SECTION
S.C. 1/2"

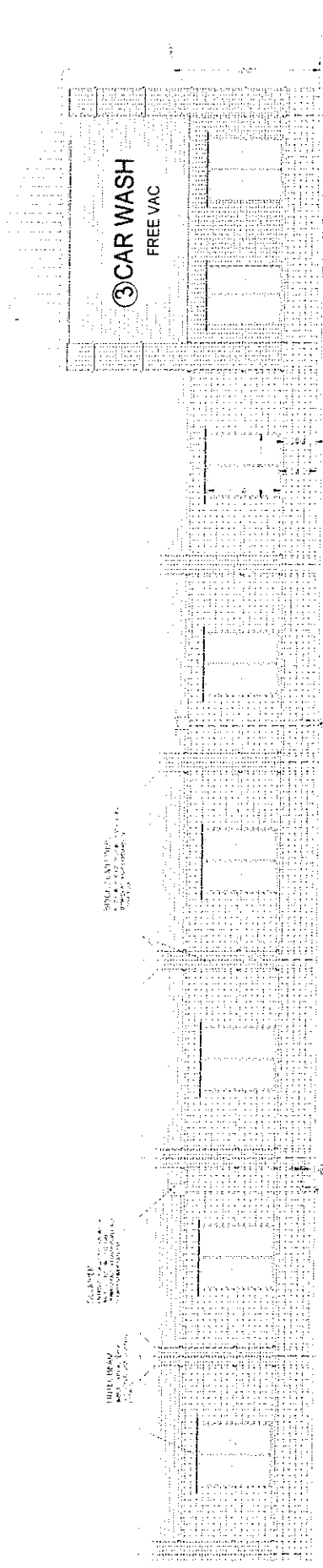


SOUTH ELEVATION
S.C. 1/2"

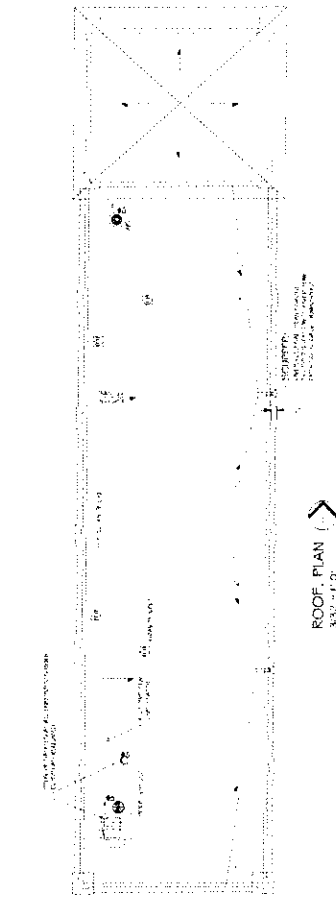


WEST ELEVATION
S.C. 1/2"

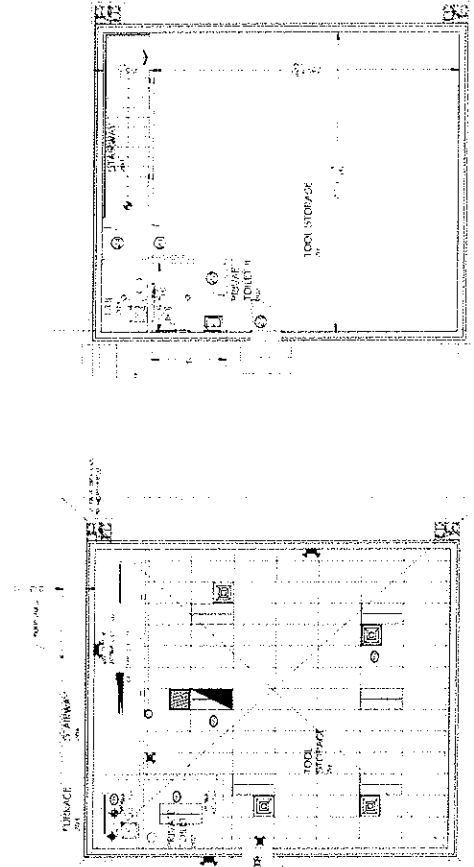
RAY FANG & ASSOCIATES ARCHITECTS 504-910 W. IRVING PARK RD. BURNING WOOD, IL 60614	GEM CAR WASH	ELEVATIONS	REVISION: 009 1. 12-10-2019 AS SHOWN	 A-2
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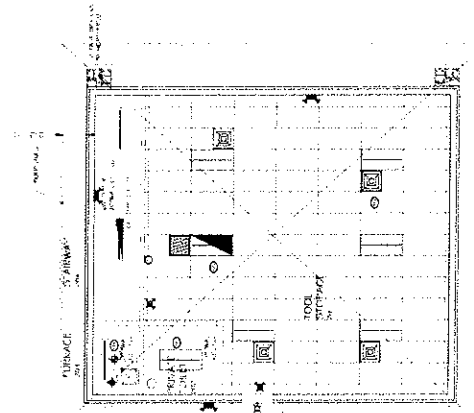
EAST ELEVATION
3/12/10



ROOF PLAN
3/12/10



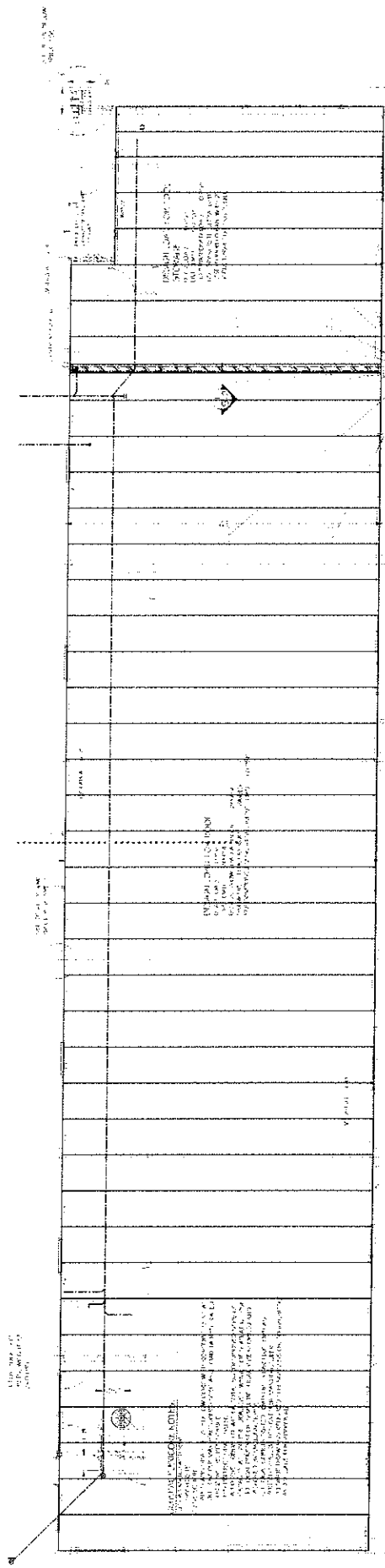
2ND FL. PLAN
3/12/10



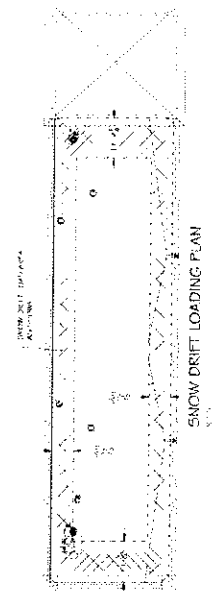
2ND FL. CELG. PLAN
3/12/10

<p>RAY FANG & ASSOCIATES ARCHITECTS 1000 N. 10TH AVE. SUITE 100 DENVER, CO 80202 303.733.1100</p>	<p>GEM CAR WASH 904 310 W. IRVING PARK RD. BENSenville, IL 60514 312.345.1234</p>
<p>2ND FL. & CELG. PLANS; EAST ELEVATION, ROOF PLAN</p>	<p>3001 N. 10TH AVE. SUITE 100 DENVER, CO 80202 303.733.1100</p>
<p>DATE: 3/12/10 DRAWN: J. FANG CHECKED: J. FANG SCALE: AS SHOWN</p>	<p>3/12/10 3/12/10 3/12/10 AS SHOWN</p>
<p>A-3</p>	<p>A-3</p>

RAY FANG & ASSOCIATES <small>INCORPORATED, 1000 N. STATE ST. 12TH FL. CHICAGO, ILL. 60610-4000 (312) 467-1000, FAX (312) 467-1001 WWW.RFANDASSOCIATES.COM</small>	GEM CAR WASH <small>INCORPORATED</small>	904-910-AC, RIVINGTON PARK, RD., BENSenville, IL 60614	NEW DETAIL GARAGE FL. & CELG. PLANS, ELEV5, ROOF PLAN	600140050625	12-10-2015	MAY 2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015	12-10-2015
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SPANCRETE SLAB PLAN
WALLS

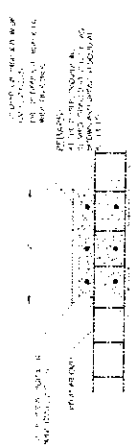


METAL FRAMINGS

AREA AND CAPACITY

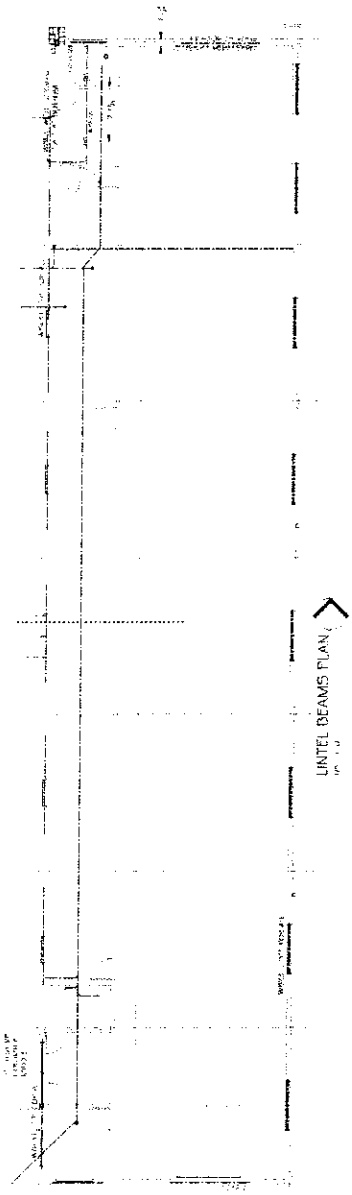
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BRICK PIER 1 DETAIL

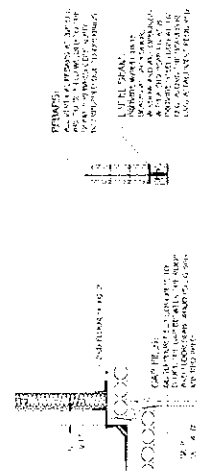


BRICK PIER 2 DETAIL

RAY FANG & ASSOCIATES		GEM CAR WASH		SPANCRETE SLAB PLAN, BRICKCMU PIER5, 2ND FL. FRAMING WALL FRAMING CONCEPT		REVISION LOG		DATE		S-2	
JOHN SADIKU		504-910 W. IRVING PARK RD. BENSLEMILE, IL 60614									

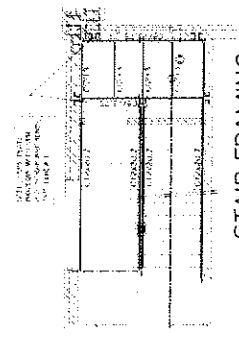


LINTEL BEAM PLAN
 1/4" = 1'-0"



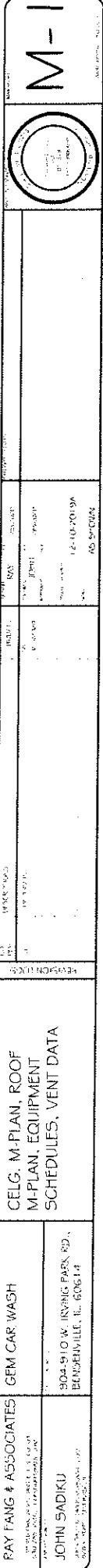
LINTEL BEAM
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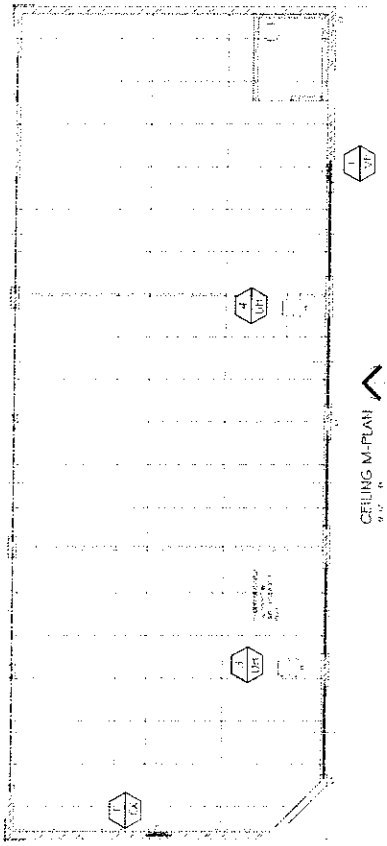
STAIR ELEV. FRAMING
 1/4" = 1'-0"



STAIR FRAMING
 1/4" = 1'-0"

RAY FANG & ASSOCIATES ARCHITECTS 1000 N. MICHIGAN AVE. SUITE 1000 CHICAGO, IL 60611	GEM CAR, WASH 304 SIOX, IRVING PARK RD. BENSenville, IL 60014	LINTEL BEAM PLAN AND DETAILS, STAIRWAY DETAILS	REVISION LOG NO. 1 10/10/2019 AS SHOWN		S-3
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CEILING M-PLAN
SHEET 10

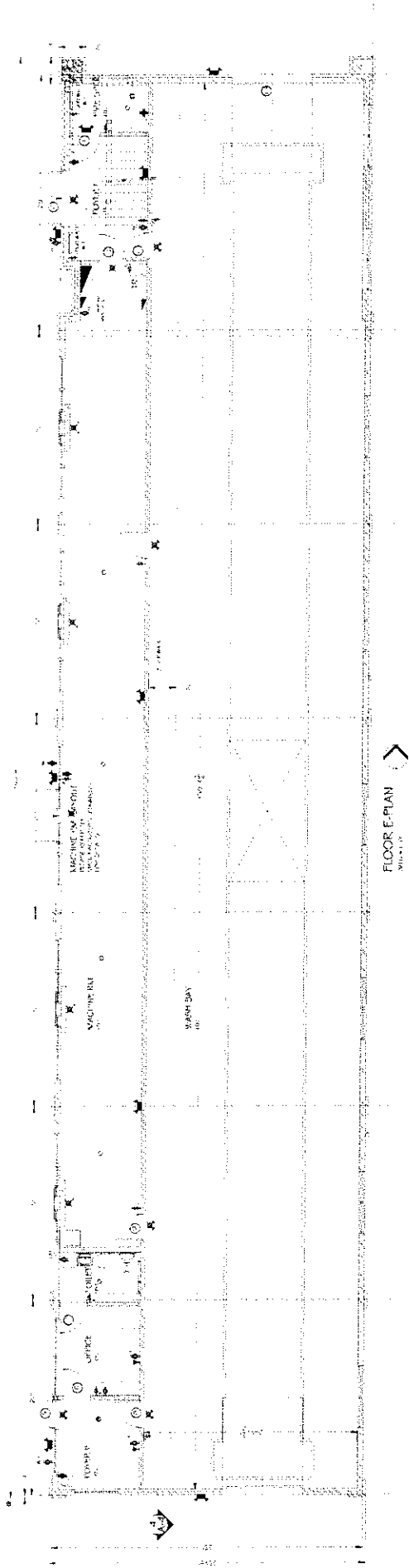


ROOF M-PLAN
SHEET 11

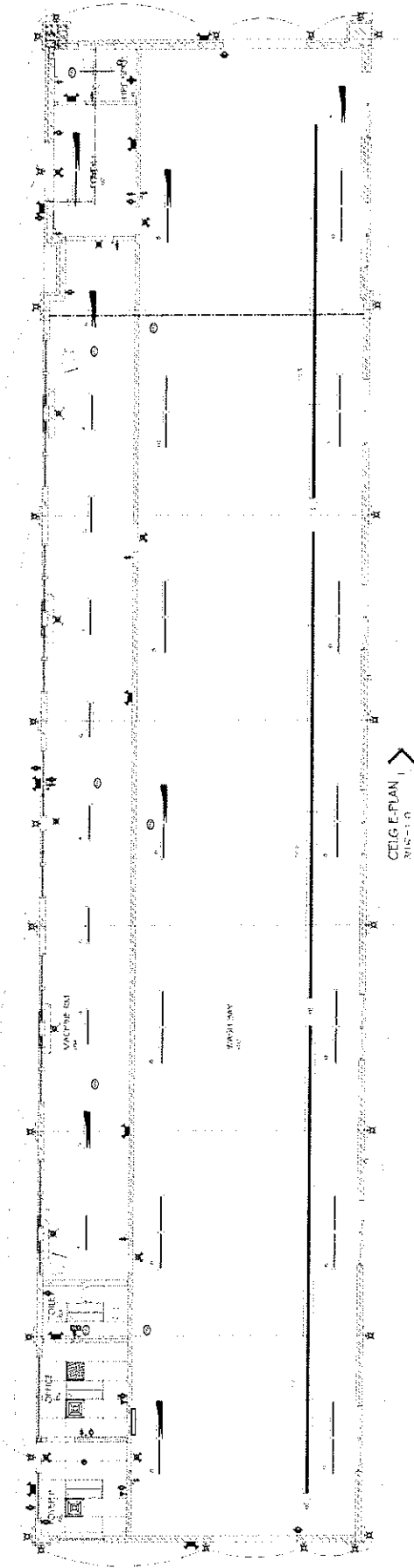


EXHAUST SCHEDULE			
UNIT	EXHAUST	EXHAUST	EXHAUST
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3	3	3	3
4	4	4	4
UNIT REPAIR SCHEDULE			
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3	3	3	3
4	4	4	4
VENTILATION SCHEDULE FOR ALL UNITS			
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3	3	3	3
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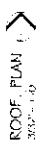
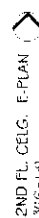
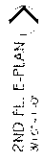
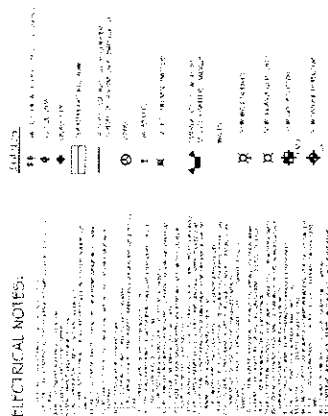
RAY FANG & ASSOCIATES		GEM CAR WASH		DETAIL SHOP CELG. M-PLAN, ROOF M-PLAN, EQUIPMENT SCHEDULES, VENT DATA			M-2
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1/8" = 1'-0"



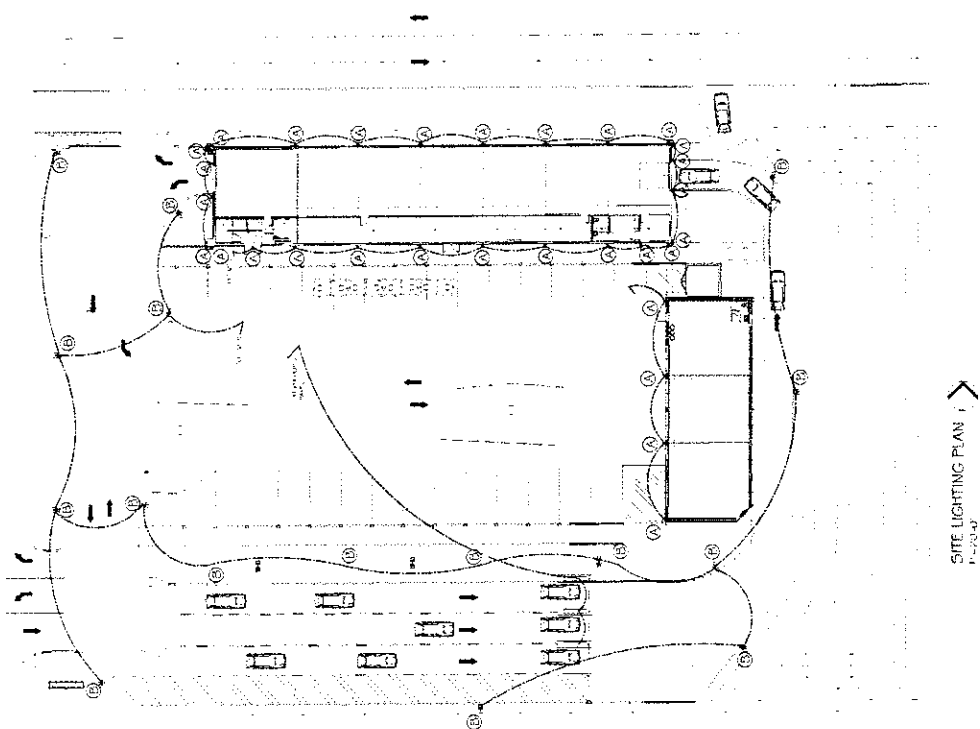
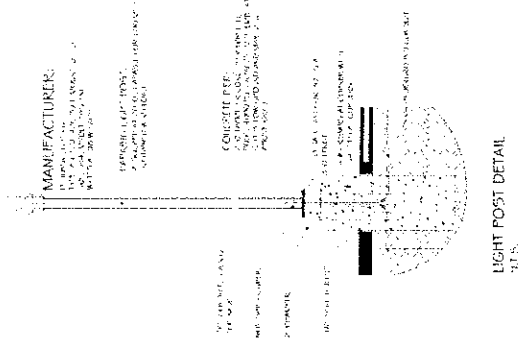
RAY FANG & ASSOCIATES ARCHITECTS 904-910 W. IRVING PARK RD., DEERFIELD, IL 60015	GEM CAR WASH	NEW FL. & CELG. E-PLANS			REVISION LOG			SCALE: 1/8" = 1'-0"			DATE: 12-10-2019 BY: JF CHECKED: JF APPROVED: JF			E-1
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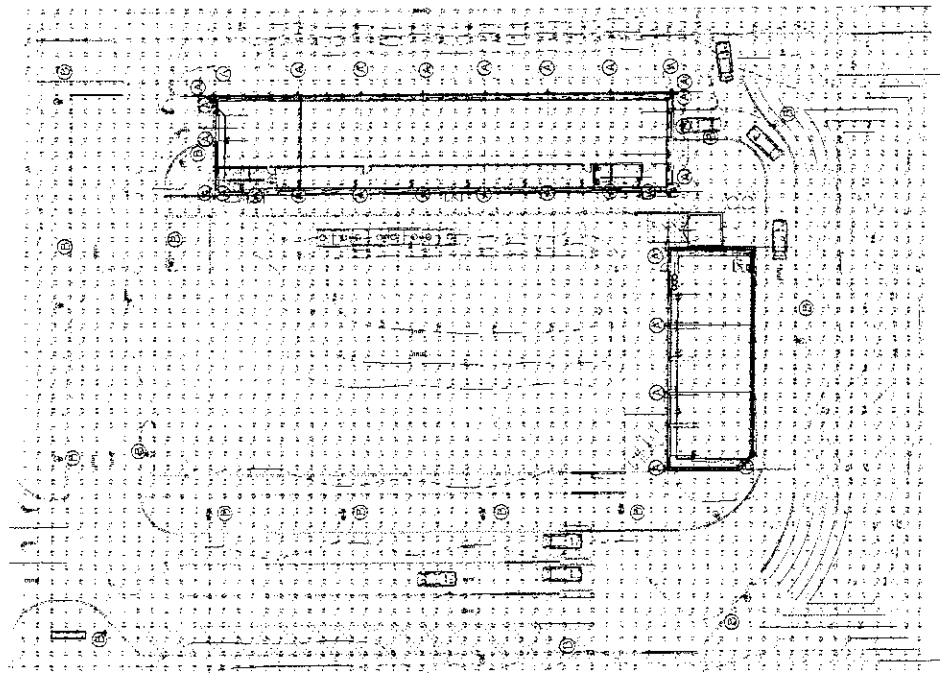
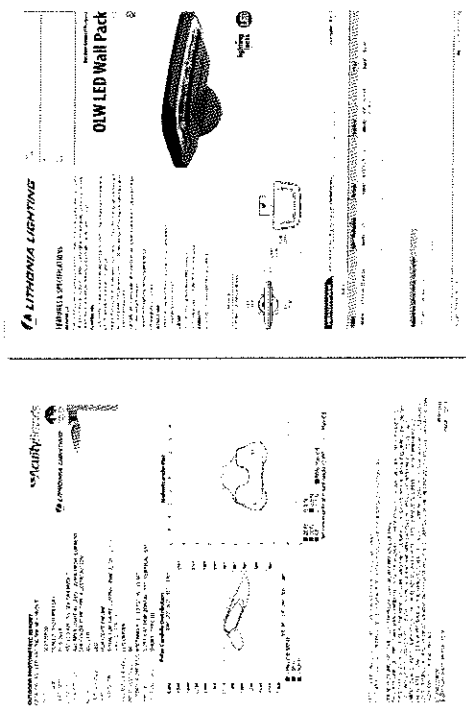
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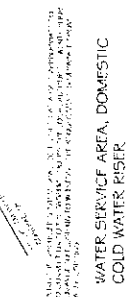
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RAY FANG & ASSOCIATES <small>STRUCTURAL CONSULTANTS, INC.</small> <small>1000 N. MICHIGAN AVE., SUITE 1000</small> <small>CHICAGO, ILL. 60611</small>		GEM CAR WASH <small>904 SIO W. ARLING PARK RD.,</small> <small>DEERFIELD, ILL. 60014</small>		2ND FL. & CELG. E-PLANS; ROOF E-PLAN, PANEL SCHEDULES, E-RISERS		PLANS ROOMS 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 	
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<div> <div>RAY FANG & ASSOCIATES</div> <div> <div>3004-910 W. INVERC PARK RD.,</div> <div>DENVER, CO 80214</div> </div> </div>	<div> <div>GEM CAR WASH</div> <div>3004-910 W. INVERC PARK RD.,</div> <div>DENVER, CO 80214</div> </div>	<div>SITE LIGHTINGS</div>	<div> <div>12' TALL</div> <div>4' DIA</div> <div>12' TALL</div> <div>4' DIA</div> </div>	<div> <div>12' TALL</div> <div>4' DIA</div> <div>12' TALL</div> <div>4' DIA</div> </div>	<div> <div>12' TALL</div> <div>4' DIA</div> <div>12' TALL</div> <div>4' DIA</div> </div>	<div> <div>E-3</div> <div> <div>12' TALL</div> <div>4' DIA</div> <div>12' TALL</div> <div>4' DIA</div> </div> </div>
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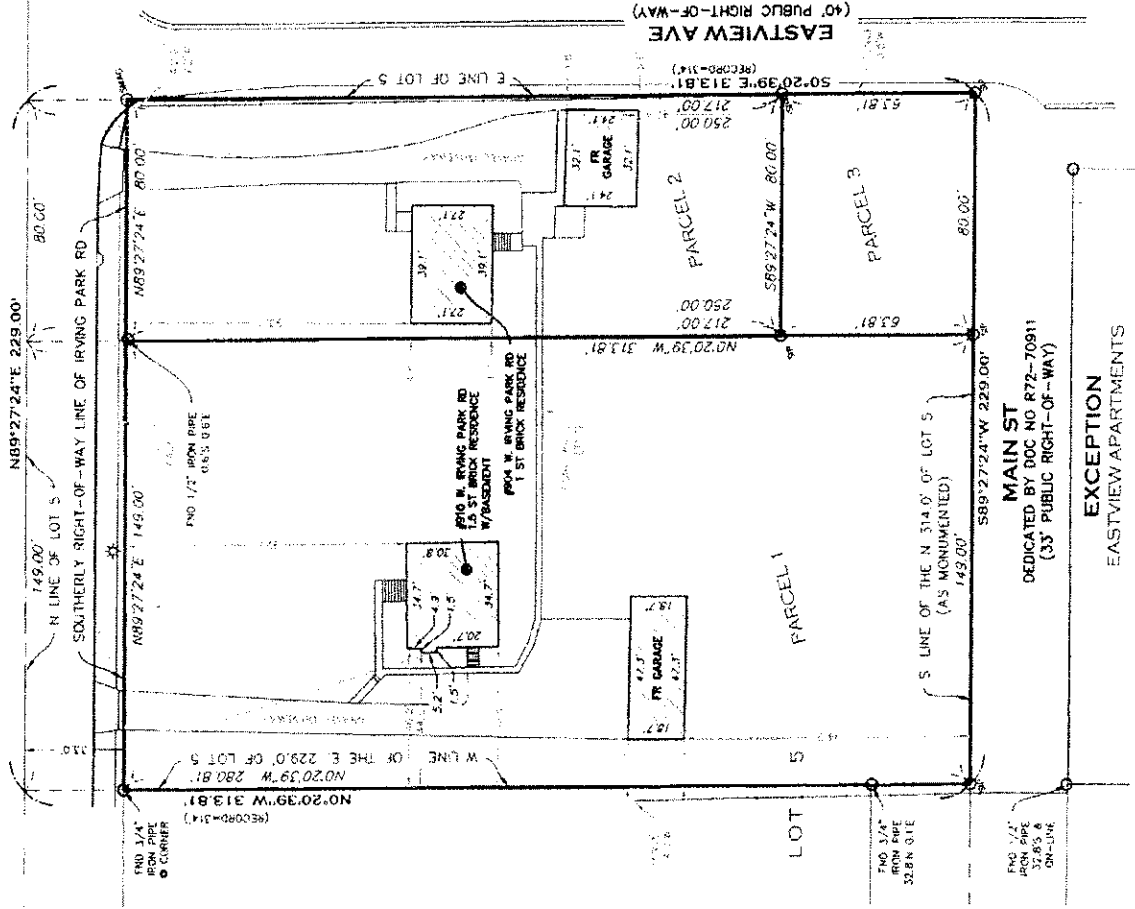
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P. 230[illegible]

[illegible]

PLAT OF SURVEY

904 & 910 W. IRVING PARK RD
(83' PUBLIC RIGHT-OF-WAY)

SHEET NO. 1/1



SURVEYOR'S NOTES

1. THIS SURVEY IS SUBJECT TO MATTERS OF TITLE WHICH MAY BE REVEALED BY A CURRENT TITLE REPORT.
2. SURVEY IS BASED ON FIELD WORK COMPLETED ON OCTOBER 25, 2018.
3. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.
4. EASEMENTS WHICH ARE SHOWN ON THE RECORDED PLAT OF SUBDIVISIONS ARE SHOWN HEREON, RETICULATED TO THE DEED, TITLE INSURANCE POLICY AND LOCAL ORDINANCES FOR OTHER RESTRICTIONS.
5. COMPARE DEED DESCRIPTION AND SITE CONDITIONS WITH THE DATA GIVEN ON THIS PLAT AND REPORT ANY DISCREPANCIES TO THE SURVEYOR AT ONCE.
6. SURVEY COMPLETED FOR MR. HARRIS SELLER, 910 W. IRVING PARK RD, BENSENVILLE, IL 60006.
7. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
8. BASIS OF BEARING: GRID NORTH - ILLINOIS EAST ZONE, STATE PLANE COORDINATE SYSTEM NAD 83.
9. PARCEL 1 AND 3 SHOWN PER QUIT CLAIM DEED DOC NO R2006-22787, PARCELS 1, 2, AND 3 SHOWN PER CHICAGO TITLE INSURANCE COMPANY COMMITMENT NO. 1906MM35500HM.
10. PARCEL 2 AND 3 ARE COMBINED PER TRUSTEES DEED DOC NO R2006-127477. CLIENT NOTIFIED SURVEYOR THAT THE DESCRIPTION FURNISHED IN R2006-127477 WAS IN ERROR.

LEGAL DESCRIPTION

- PARCEL 1**
THE EAST 229 FEET (EXCEPT THE LAST 80 FEET THEREOF) AND EXCEPT EASTVIEW APARTMENT PER DOCUMENT R22-70911 OF LOT 5 OF THE OWNER'S ASSESSMENT PLAT OF PART OF SECTION 11 AND 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 1917 AS DOCUMENT 123399 IN DUPAGE COUNTY, ILLINOIS.
- PARCEL 2**
THE NORTH 250 FEET OF THE EAST 80 FEET (EXCEPT EASTVIEW APARTMENTS PER DOCUMENT R22-70911) (MEASURED ALONG THE NORTH LINE) OF LOT 5 OF THE OWNER'S ASSESSMENT PLAT OF PART OF SECTION 11 AND 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 1917 AS DOCUMENT 123399 IN DUPAGE COUNTY, ILLINOIS.
- PARCEL 3**
THE EAST 80 FEET (EXCEPT THE NORTH 250 FEET AND EXCEPT EASTVIEW APARTMENTS PER DOCUMENT R22-70911) OF LOT 5 OF THE OWNER'S ASSESSMENT PLAT OF PART OF SECTION 11 AND 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 1917 AS DOCUMENT 123399 IN DUPAGE COUNTY, ILLINOIS.

NORTH



EXCEPTION
EASTVIEW APARTMENTS

MAIN ST
DEDICATED BY DOC NO R72-70911
(33' PUBLIC RIGHT-OF-WAY)

LEGEND

- PROPERTY BOUNDARY
- OTC/ATE PROPERTY LINE
- EASEMENT LINE
- BUILDING SETBACK LINE
- FOUND BOUNDARY
- SET 3/4" IRON PIPE
- FOUND IRON NAIL
- OVERHEAD UTILITY LINE
- FENCE LINE
- POWER POLE
- UTILITY POLE

SURVEYOR'S CERTIFICATE

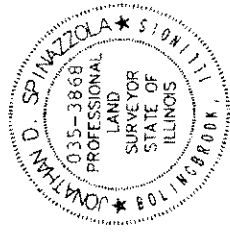
STATE OF ILLINOIS)
COUNTY OF DUPAGE)

I, JONATHAN D. SPINA, A PROFESSIONAL LAND SURVEYOR FOR MERITCORP, LLC, HEREBY CERTIFY THAT I HAVE PERSONALLY EXAMINED THE PROPERTY AND THAT THIS PLAT REPRESENTS THE CONDITIONS FOUND AT THE TIME OF SAID SURVEY.

SIGNED UNDER MY HAND AND SEAL ON THIS 25TH DAY OF OCTOBER 2018.

Jonathan D. Spina
Jonathan D. Spina
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3868

CURRENT LICENSE EXPIRES NOVEMBER 30, 2019



MeritCorp

50 North Broadway, Suite 3-B 3697 Danville Ct
Palatine, IL 60067
Office 847.496.4170
Lic. No. 184-005880
www.meritcorp.com

DATE	DESCRIPTION
10-25-2018	ISSUED TO CLIENT
PLAT OF SURVEY	
904 & 910 W. IRVING PARK RD BENSENVILLE, IL 60006	
PROJECT NO. M18152	CHECKED BY JDS
COPYRIGHT © 2018 MeritCorp	



SCALE
1" = 20'



LAMBERT & ASSOCIATES
1833 N. LIBERTY DR
WHEATON, IL 60157
P: (630) 453-4331
F: (630) 453-4394
E: INFO@LAMBERT-ASSOCIATES.COM

LAND
CIVIL ENGINEERING AND
LAND SURVEYING SERVICES

TECHNOLOGY
3822 N. MAIN STREET
WHEATON, IL 60157
P: (630) 343-2200
F: (630) 343-2223
E: LAMTECH@T-COM

CLAYTON S. GORDON, P.E.
NO. 194-007280

SITE GRADING PLAN:
PART OF LOT 5 OWNER'S ASSASSMENT PLAN OF PART 8F
904 & 810 IRVING PARK RD, BENSENVILLE
CLIENT: CEN CARMASH
PINS: 03-14-117-028 & 03-14-117-030

DATE: 11/20
DRAWN BY: SP

DATE: 11/20

PAGE 3 OF 5

200012ST

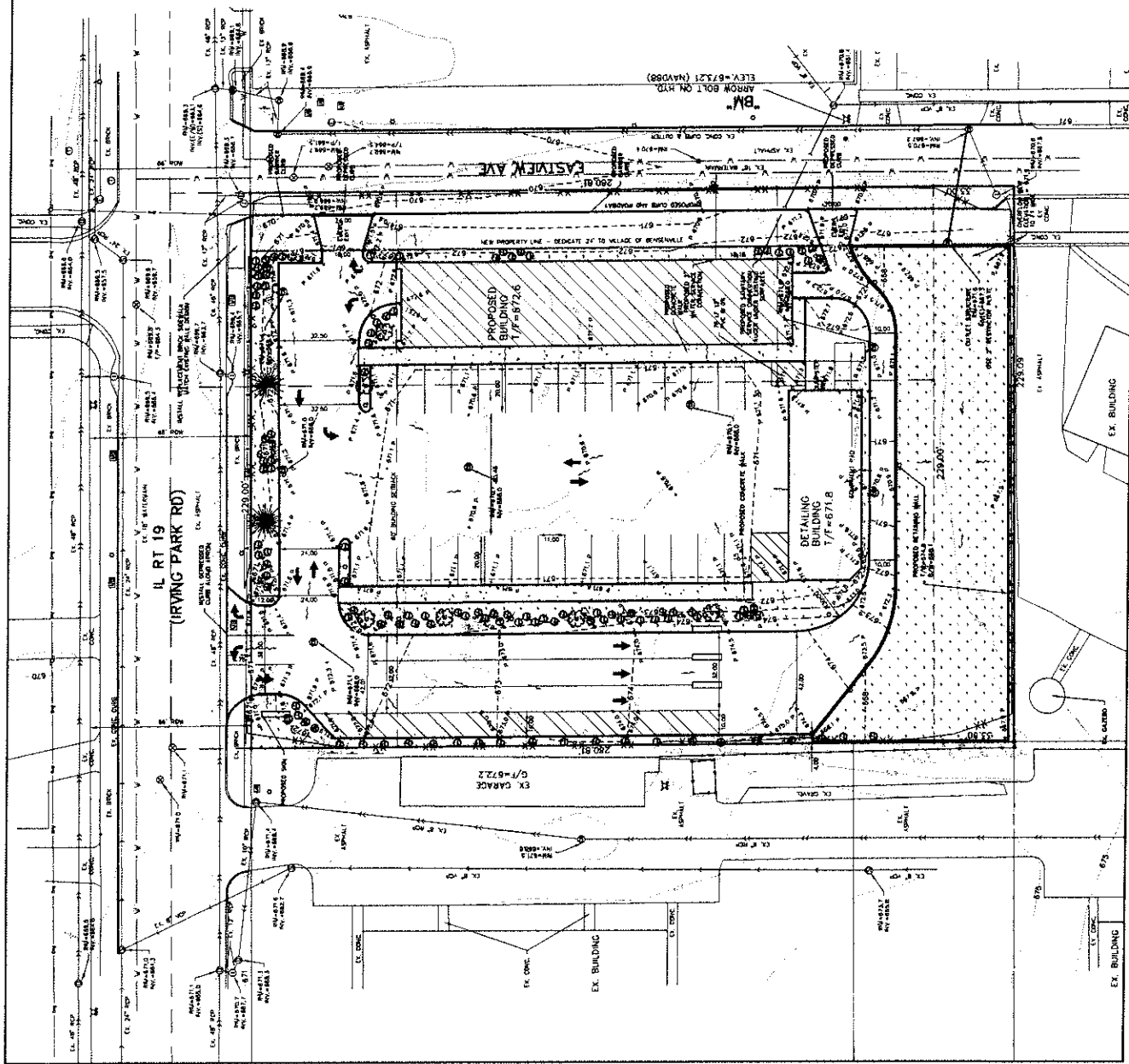
SPECIAL NOTE:
THIS DESIGN IS NOT FOR CONSTRUCTION UNLESS
APPROVAL STAMP FROM COUNTY, VILLAGE, OR CITY
REGULATORY DEPARTMENT IS AFFIXED HERE TO.

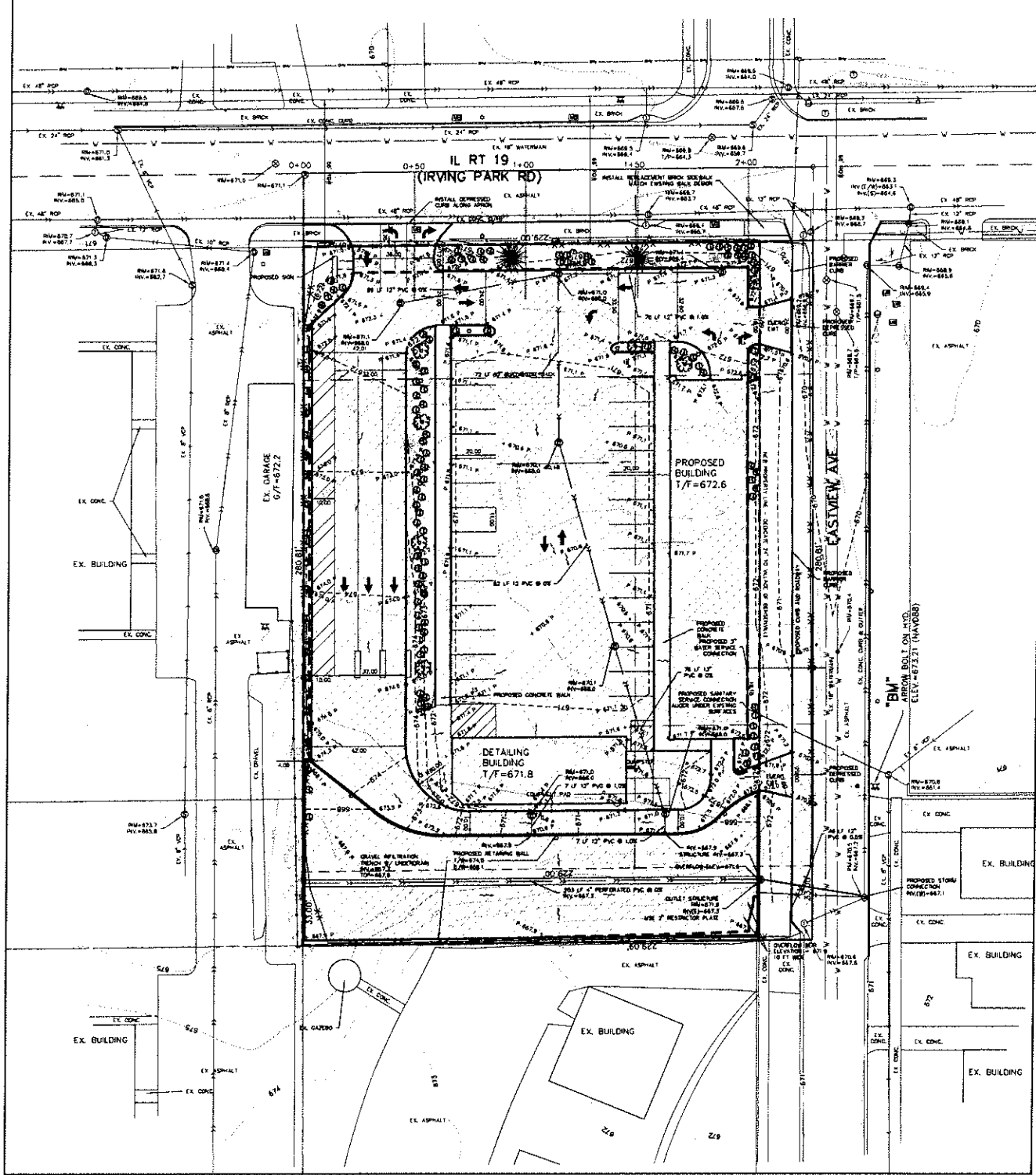
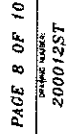
THE GRADING SHALL BE CONFORMED TO THE
APPROVED 200012ST FOR THE CITY OF BENSENVILLE
AND THE VILLAGE OF BENSENVILLE. ALL LOCAL ORDINANCES
SHALL BE FOLLOWED.

SITE DATA
TOTAL EXISTING SITE AREA = 1.48 ACRES
TOTAL EXISTING IMPERVIOUS = 0.22 ACRES
TOTAL PROPOSED IMPERVIOUS = 1.07 ACRES
TOTAL DISTURBED AREA = 1.63 ACRES
POST-CONSTRUCTION COVERAGE = 67.7%

SYMBOL LEGEND	
PROPOSED IMPROVEMENTS	EX - EXISTING
1. CATCH BASIN	2. SLOPE MARKER
3. MANHOLE	4. CATCH BASIN
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99. EX. SIDE WALK	100. EX. SIDE WALK





THE DRAWING IS PREPARED BY
 CIVIL ENGINEERING AND
 SURVEYING SERVICES, INC.
 1000 N. W. 10TH AVE., SUITE 100
 MIAMI, FL 33136
 PHONE: (305) 571-1177
 FAX: (305) 571-1178
 WWW.CESV.COM

DATE: 1/1/00
 DRAWING NUMBER:
 200012ST

PROJECT: 904 & 910 INYING PARK RD. BENSENVILLE
 PART OF LOT 5 GRADERS ASSESSMENT PLAT OF PART 9P
 PINS: 03-14-117-028 & 03-14-117-030
 CLIENT: CEM CARWASH

PROPOSED DRAINAGE PLAN:

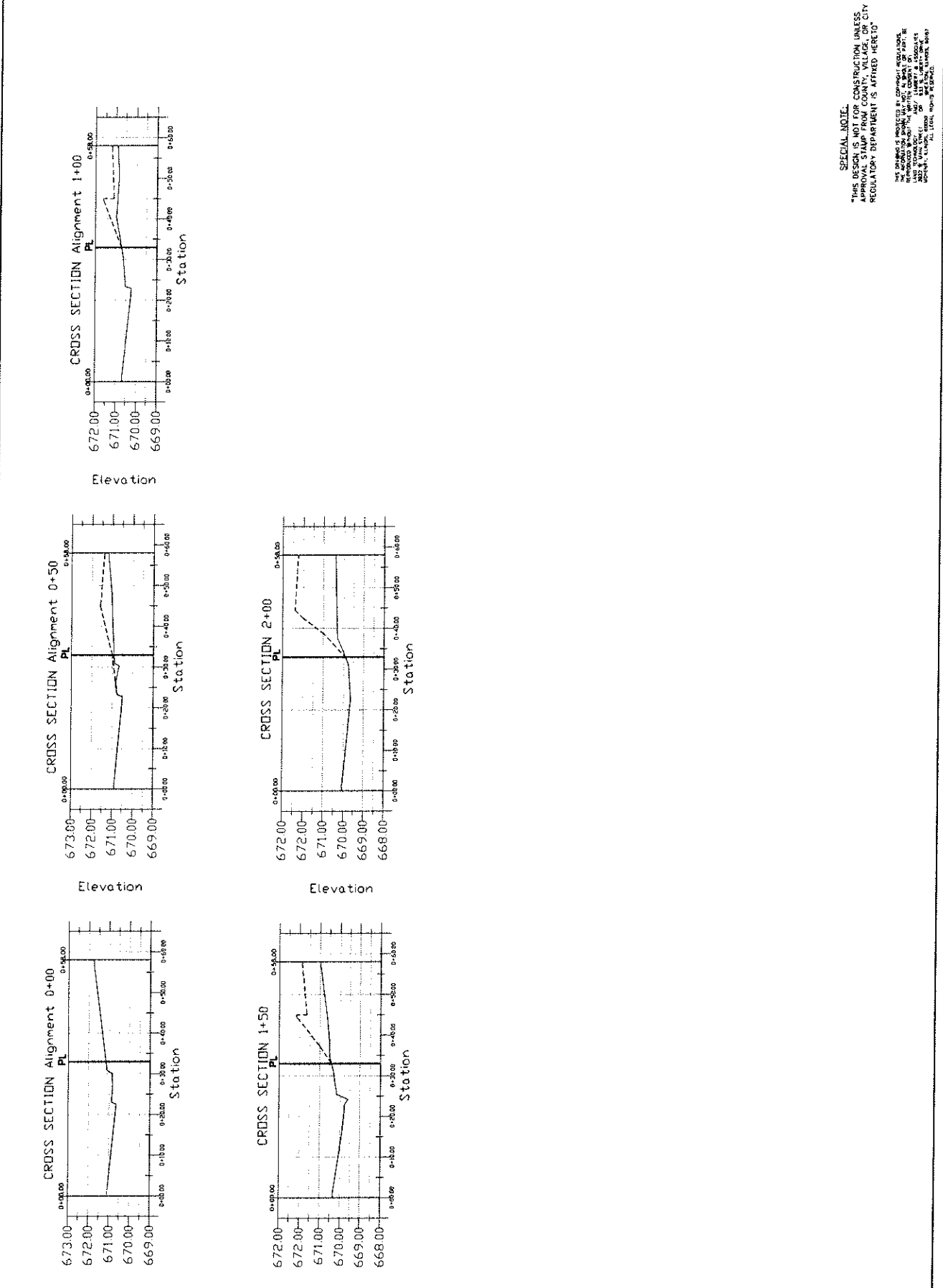
LAND
 TECHNOLOGY
 3800 N. MAIN STREET
 SUITE 100
 P: (813) 983-8200
 F: (813) 983-8223
 E: LANDTECH@LT-FL.COM

CIVIL ENGINEERING AND
 SURVEYING SERVICES
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 F: (305) 571-1178
 WWW.CESV.COM

LAMBERT &
 ASSOCIATES
 800 N. UNIVERSITY DR
 WILMINGTON, IL 60481
 P: (815) 463-6331
 F: (815) 463-6336
 E: INFO@LAMBERT-ASSOCIATES.COM

SCALE
 HORIZONTAL: 1"=10'
 VERTICAL: 1"=2'

7 JULIE
 Call Before You Dig
 800-4-A-DIG
 1-800-4-A-DIG

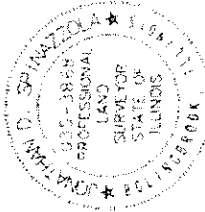


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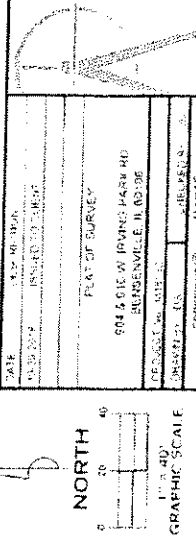
Sheet No. 17

Jonathan D. Bryant



MeritCorp

50 North Broadway Suite 300
 Baltimore, MD 21201
 Office 847.436.4179
 Fax No. 847.925.666



Motion: Commissioner Wasowicz made a motion to deviate from the agenda and move action item no. 3 to this portion of the meeting. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Ciula, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2020-09
Petitioner: Mirjan Sadik, Gem Car Wash, LLC
Location: 904-910 West Irving Park Road
Request: Preliminary and Final Planned Unit Development
Municipal Code Section 10 – 4

With the following Code Departures:

Maximum Driveway Width
Municipal Code Section 10 – 8 – 8 – 1
Driveway Apron Width
Municipal Code Section 10 – 8 – 8 – F
Bailout Lane
Municipal Code Section 10 – 8 – 9 – D
Tree Replacement Standards
Municipal Code Section 10 – 9 – 2 – B
Tree Canopy Coverage
Municipal Code Section 10 – 9 – 5 A
Parking Lot Interior Landscape Islands
Municipal Code Section 10 – 9 – 5 – C
Buffer Yard Requirements
Municipal Code Section 10 – 9 – 6
Outdoor Lighting Illumination Standards
Municipal Code Section 10 – 9 – 8 – C – 1.a

Motion: Commissioner Marcotte made a motion to open CDC Case No. 2020-09. Chairman Rowe seconded the motion.

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

Chairman Rowe opened CDC Case No. 2020-09 at 6:36 p.m.

Village Planner, Kelsey Fawell was present and previously sworn in by Chairman Rowe. Ms. Fawell stated a Legal Notice was published in the Bensenville Independent on June 18, 2020. Ms. Fawell 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. Ms. Fawell stated Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on June 19, 2020. Ms. Fawell stated on June 19, 2020 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. Ms. Fawell 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.

Ms. Fawell stated the Petitioner is requesting a Preliminary and Final Planned Unit Development, with the above Zoning Ordinance departures, in order to construct a car wash with a detailing garage at 904-910 W. Irving Park Road. Ms. Fawell stated the Petitioner originally petitioned the CDC with a request for Variations, now referred to as code departures in conjunction with the Preliminary and Final Planned Unit Development request. Ms. Fawell stated this is a 1.6-acre site on which currently sit two single-family homes. Ms. Fawell stated the plan would require the vacation of the 33' ROW to the south. Ms. Fawell stated the Petitioner intends to dedicate 24' of right-of-way to the Village in order to bring Eastview Avenue up to current standards. Ms. Fawell stated the Petitioner currently operates a car wash on York Road in Elmhurst.

Mirjan Sadik, of Gem Car Wash was present and sworn in by Chairman Rowe. Mr. Sadik stated they are proposing a car wash on the site similar to the one they own on York Road in Elmhurst. Mr. Sadik stated he misspoke at the previous meeting and that the property is scheduled for closing on July 9th. Mr. Sadik asked the commission to reconsider the exits along Eastview stating he does not believe customers will exit the property and drive through the neighborhood. Mr. Sadik stated he was willing to make a curb cut to only allow left turns out of the property onto Eastview if needed.

Commissioner Wasowicz stated he was in favor of Staff's recommendation to close Eastview to emergency exiting only to prevent traffic traveling to the neighborhood by the property.

Ms. Fawell reviewed the Findings of Fact as presented in the Staff Report 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 car wash is permitted use by right and will be developed in accordance with screening and engineering standards so as to minimize the consequential impacts of the development.

- 2) **Neighboring 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: While the majority of surrounding properties are currently zoned residential, the subject property in question is zoned C-2 Commercial District. In the C-2 District, car washes are a permitted use by right. The property to the east, Cascade Banquets, is also zoned C-2.

- 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 development will not impede the normal and orderly development as it is a permitted use by right. The use will be landscaped and developed in a way as to have any adverse impacts on neighboring 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 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) **Consistent with Ordinance 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: As the use is permitted in the subject property's designated zoning district and will meet the use standards indicated in the Village's Zoning Ordinance.

- 1) **Fulfills Objectives of Comprehensive Plan:** 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.

Applicant's Response: The proposed PUD fulfills the objective of the current Zoning Map and Ordinance, albeit the Comprehensive Plan indicates "Multi-Family Residential" for this property. The proposed PUD will fill the much needed car wash vacancy in the Village.

- 2) **Public Facilities:** 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.

Applicant's Response: The proposed PUD will provide driveways, parking stalls, pedestrian walkways, and exterior lighting that will serve the uses within this development.

- 3) **Landscaping:** 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.

Applicant's Response: The proposed PUD will provide the necessary screening and landscape requirements that will enhance the character and livability of the subject property as well as providing buffer yards between the adjacent residentially-zoned properties.

- 4) **Site Design:** The proposed planned unit development will incorporate sustainable and low impact site design and development principles.

Applicant's Response: The proposed planned unit development will incorporate sustainable and low impact site design and development principles.

- 5) **Natural Environment:** 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.

Applicant's Response: The proposed PUD will protect the community's natural environment, providing landscaping and stormwater detention.

- 6) **Utilities:** 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.

Applicant's Response: 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.

Public Comment:

Ray Dominguez – 114 Parkside Street

Mr. Dominguez was present and sworn in by Chairman Rowe. Mr. Dominguez stated he still has traffic concerns for the proposed project with the amount of traffic that travels along Irving Park Road. Mr. Dominguez stated he was not opposed to the project and wanted to ensure traffic would not increase in his neighborhood.

John "Jeff" Wronkiewicz – 926 West Irving Park Road #208

Mr. Wronkiewicz was present and sworn in by Chairman Rowe. Mr. Wronkiewicz raised concerns with the proposed hours of operation and asked just because they close at 9:00 p.m. when the machines would be shutdown?

Mr. Sadik stated the machines would be shutdown no later than 9:15 p.m. to allow customers that arrive close to closing to vacuum their vehicles should they choose to.

Mr. Wronkiewicz asked what kind of fence would be installed.

Ms. Fawell stated the applicant will be required to install a six foot privacy fence and a ten foot buffer of landscaping.

Mr. Wronkiewicz asked if there are plans for detention on the property.

Ms. Fawell stated there is a detention area on back of the property and it will have to meet DuPage Stormwater requirements.

Ms. Fawell stated Staff recommends the Approval of the Preliminary and Final Planned Unit Development with the following conditions:

1. The requested code departure from Section 10 – 8 – 8 – 1 Maximum Driveway Width be approved;
2. The requested code departure from Section 10 – 8 – 8 – F Maximum Driveway Apron Width be approved;
3. The requested code departure from Section 10 – 8 – 9 – D Bailout Lane be approved;
4. The requested code departure from Section 10 – 9 – 2 – B Tree Replacement Standards be approved;
5. The requested code departure from Section 10 – 9 – 5A Tree Canopy Coverage be denied;
6. The requested code departure from Section 10 – 9 – 5 – C Parking Lot Interior Landscape Islands be approved;
7. The requested code departure from Section 10 – 9 – 6 Buffer Yards be denied;
8. The requested code departure from Section 10 – 9 – 8 – C – 1a Outdoor Lighting Illumination Standards be denied;
9. The development be limited to only one driveway providing access onto Eastview Avenue, specifically the southern driveway designated for emergency exit only on Eastview Avenue, in accordance with submitted site plan dated 04.30.2020;
10. A sanitary inspection manhole will be required along with a triple basin;
11. A 5-foot wide ADA compliant public sidewalk will be required along the Eastview Ave frontage of the site;
12. A 7-foot wide stamped concrete ADA compliant public sidewalk exists along the IL-19 frontage of the site. Any disturbed sidewalk will need to be replaced in kind;

13. A plat of consolidation shall be required to combine the two existing lots. The applicant must dedicate 25-feet of public rights-of-way to the Village along Eastview Ave for the purpose of widening the existing Eastview Ave to meet the Village's local roads standard. The plat of consolidation can include the ROW dedication on the same plat. A 24-foot dedication is being proposed on the plans which needs to be revised to 25-feet;
14. The property shall be in accordance with Section 10 – 7 – 3 – C, use standards for a car wash;
15. The property shall be in accordance with Section 10 – 9 – 5 – A Parking Lot Landscaping: Tree Canopy Coverage, Section 10 – 9 – 5 – B Parking Lot Perimeter Landscape, and Section 10 – 9 – 6 Buffer Yards;
16. The Petitioner shall submit a landscape plan to be approved by the Zoning Administrator;
17. A 6' privacy fence shall be erected on the west and south property lines in conjunction with the required buffer yards;
18. A left-turn only sign shall be erected at the emergency use driveway on Eastview Avenue; and
19. The hours of operation shall be limited to 8AM-9PM daily.

Chairman Rowe asked if the petitioner was in agreeance with Staff's recommendations. Mr. Sadik stated he had no objections.

Motion: Commissioner Marcotte made a motion to close CDC Case No. 2020-09. Commissioner Ciula seconded the motion.

ROLL CALL: Ayes: Rowe, Ciula, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2020-09 at 7:01 p.m.

Motion: Commissioner Marcotte made a combined motion to approve the Findings of Fact and Preliminary and Final Planned Unit Development. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Ciula, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Traffic Impact Study Proposed Gem Car Wash

Bensenville, Illinois



Prepared For:

Gem Car Wash

Prepared By:



January 29, 2020

1. Introduction

This report summarizes the methodologies, results, and findings of a traffic impact study conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) for a proposed car wash to be located in Bensenville, Illinois. The site, which is currently occupied by two single family homes, is located in the southwest quadrant of the intersection of Irving Park Road (IL 19) with Eastview Avenue. As proposed, the site will be developed to contain an approximately 5,796 square-foot automatic car wash tunnel with stacking provided for 27 before the pay stations and 31 parking spaces, of which 28 will be for the use of vacuums and three spaces designated for employee parking. Furthermore, six additional spaces will be provided for detailing vehicles. Access to the proposed facility will be provided via a full access drive off Irving Park Road.

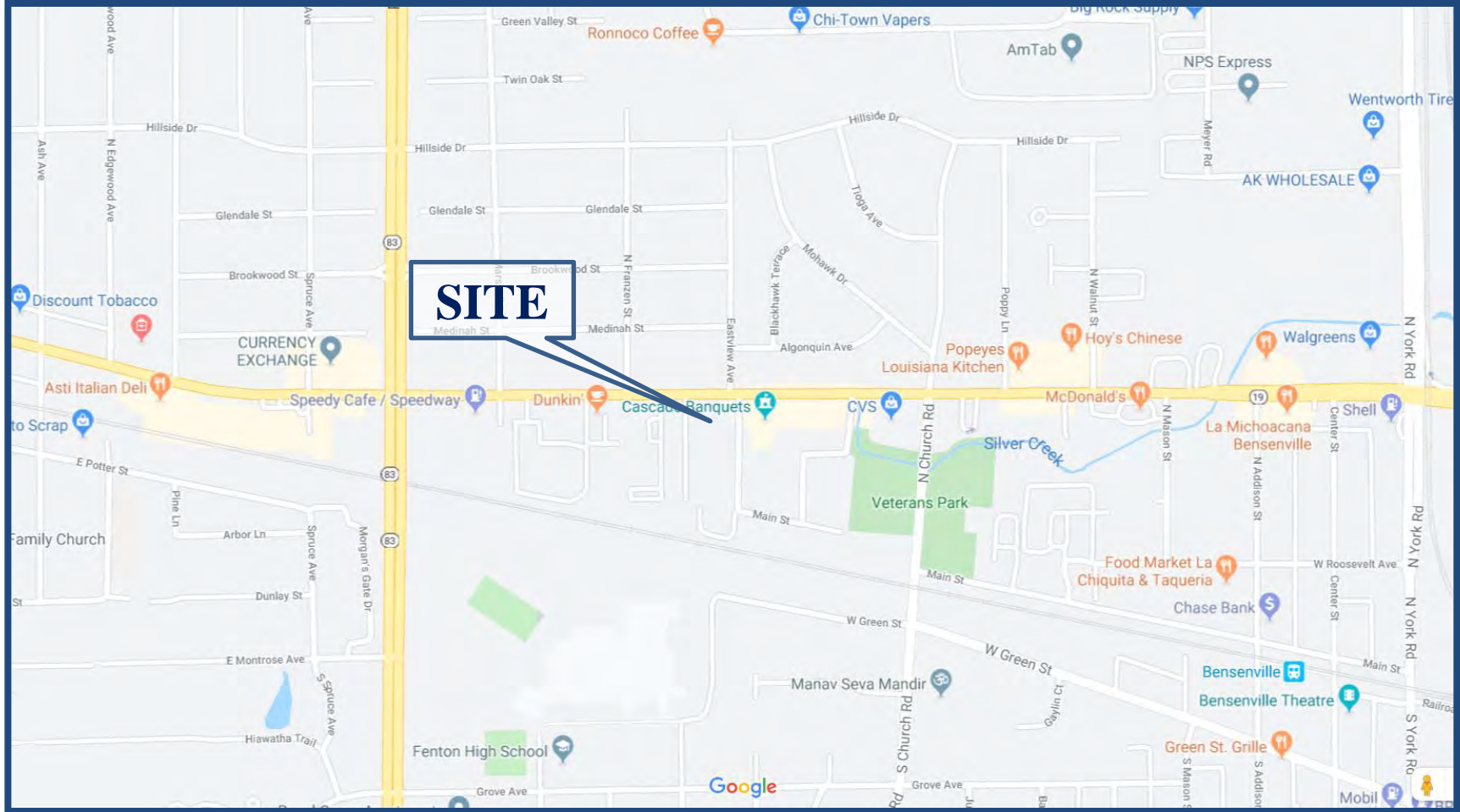
The purpose of this study was to examine background traffic conditions, assess the impact that the proposed facility will have on traffic conditions in the area, and determine if any roadway or access improvements are necessary to accommodate traffic generated by the proposed facility. **Figure 1** shows the location of the site in relation to the area roadway system. **Figure 2** shows an aerial view of the site.

The sections of this report present the following:

- Existing roadway conditions
- A description of the proposed facility
- Directional distribution of the facility traffic
- Vehicle trip generation for the facility
- Future traffic conditions including access to the facility
- Traffic analyses for the weekday morning, evening, and Saturday midday peak hours
- Recommendations with respect to adequacy of the site access and adjacent roadway system

Traffic capacity analyses were conducted for the weekday morning, weekday evening, and Saturday midday peak hours for the following conditions:

1. Existing Conditions - Analyzes the capacity of the existing roadway system using existing peak hour traffic volumes in the surrounding area.
2. Projected Conditions – Analyzes the capacity of the future roadway system using the projected traffic volumes that include the existing traffic volumes, ambient area growth not attributable to any particular development, and the traffic estimated to be generated by the full buildout of the proposed facility.



Site Location

Figure 1



Aerial View of Site

Figure 2

2. Existing Conditions

Existing transportation conditions in the vicinity of the site were documented based on field visits conducted by KLOA, Inc. in order to obtain a database for projecting future conditions. The following provides a description of the geographical location of the site, physical characteristics of the area roadway system including lane usage and traffic control devices, and existing peak hour traffic volumes.

Site Location

The site is located in the southwest quadrant of the intersection of Irving Park Road with Eastview Drive. The site currently contains two single-family homes with access to Irvin Park Road. Land uses within the vicinity of the site include single-family homes to the north, the Cascade Banquets to the east, the Bensenville Terrace Condominium to the west and multi-family housing to the south.

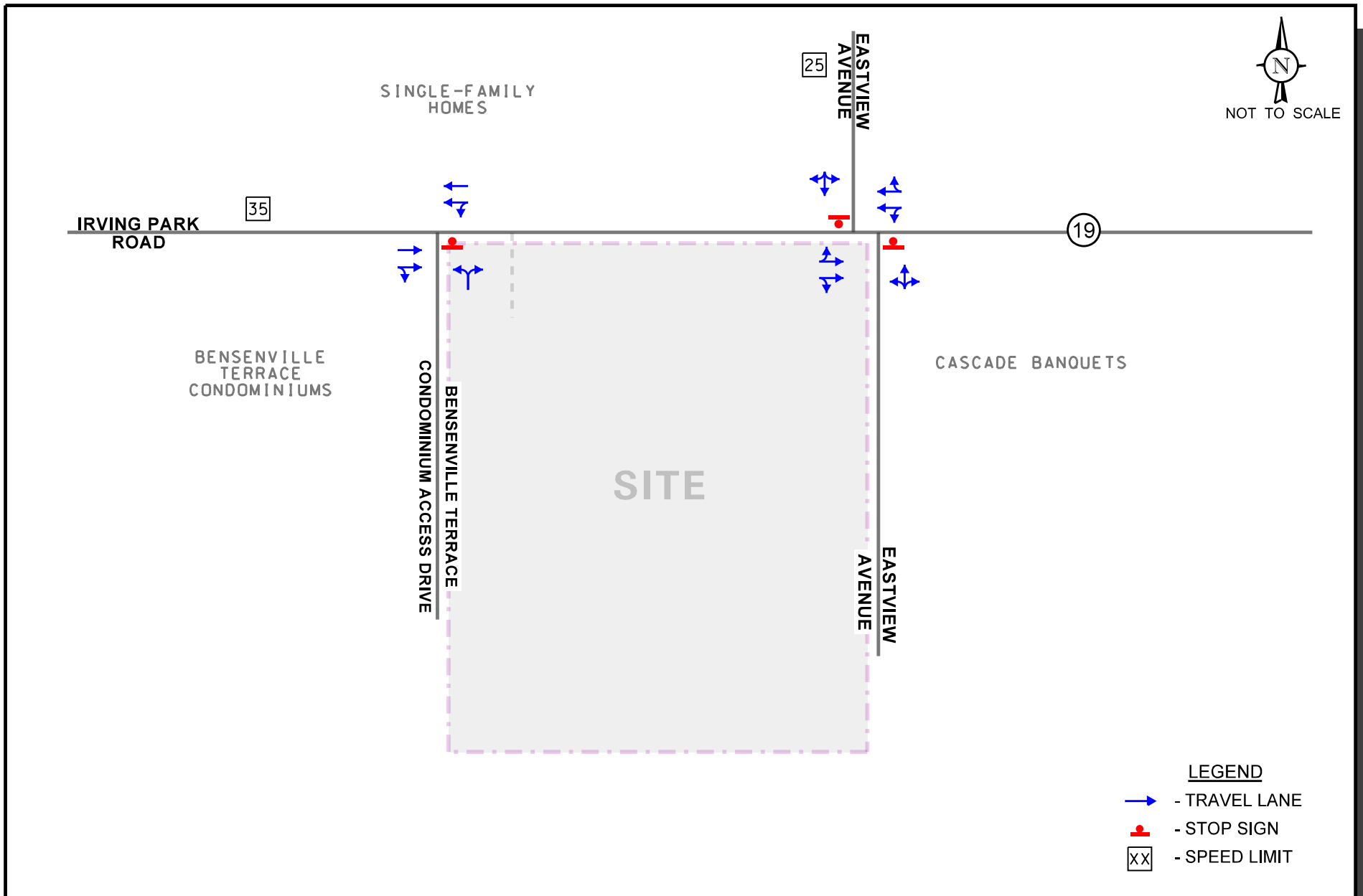
Existing Roadway System Characteristics

The characteristics of the existing roadways near the facility are described below and illustrated in **Figure 3**.

Irving Park Road (IL 19) is an east-west minor arterial that in the vicinity of the site provides two through lanes in each direction. No exclusive turn lanes are provided at its unsignalized intersections with Eastview Drive and the Bensenville Terrace Condominium access drive. Irving Park Road is under the jurisdiction of the Illinois Department of Transportation (IDOT), is classified as a Strategic Regional Arteria (SRA), carries an Annual Average Daily Traffic (AADT) of 22,500 vehicles (IDOT AADT 2017) and has a posted speed limit of 30 mph.

Eastview Avenue is a north-south local roadway that provides one lane in each direction. At its unsignalized intersection with Irving Park Road, Eastview Avenue north leg is offset from the south leg by approximately 40 feet. Outbound movements from both approaches are under stop sign control at its unsignalized intersection with Irving Park Road. Eastview Avenue has a posted speed limit of 25 mph and is under the jurisdiction of the Village of Bensenville. south of 159th Street and one lane in each direction north of 159th Street. At is signalized intersection with 159th Street, 76th Avenue provides an exclusive left-turn lane and a shared through/right-turn lane on both approaches. 76th Avenue is under the jurisdiction of the Village of Orland Park north of 156th Street and the Village of Tinley Park south of 159th Street and has a posted speed limit of 20 miles per hour.

Bensenville Terrace Condominium Access Drive is a private access drive that provides one inbound land and one outbound lane with outbound movements under stop sign control.



Proposed Gem
Car Wash
Bensenville, Illinois

Existing Roadway Characteristics

Existing Traffic Volumes

In order to determine current traffic conditions in the vicinity of the site, KLOA, Inc. conducted peak period traffic counts on Tuesday January 21, 2020 during the weekday morning (7:00 to 9:00 A.M.) and weekday evening (4:00 to 6:00 P.M.) peak periods and on Saturday, January 25, 2020 during the midday (12:00 P.M. to 2:00 P.M.) peak period at the intersections of Irving Park Road with Eastview Drive and the Bensenville Terrace Condominium access drive. The results of the traffic counts showed that the weekday morning peak hour of traffic occurs from 7:15 to 8:15 A.M., the weekday evening peak hour occurs from 4:45 to 5:45 P.M., and the Saturday midday peak hour occurs from 1:00 P.M. to 2:00 P.M. **Figure 4** illustrates the existing peak hour traffic volumes for the peak periods that the counts were performed. Copies of the traffic count summary sheets are included in the Appendix.

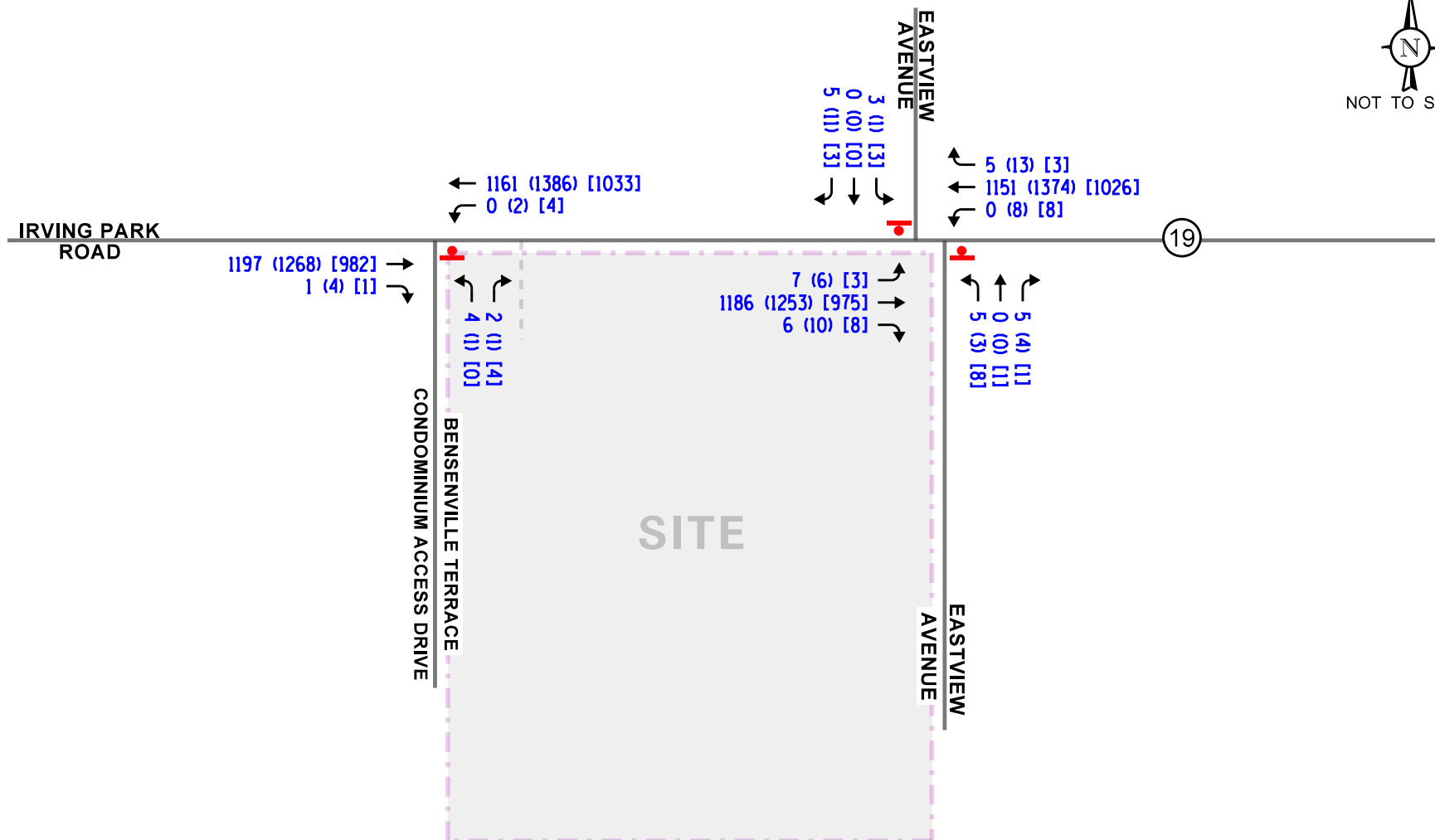
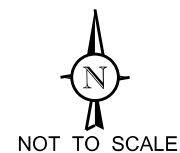
Crash Analysis

KLOA, Inc. obtained accident data¹ for the most recent available past five years (2014 to 2018) for the intersections of Irving Park Road with the Bensenville Terrace Condominium access drive and Eastview Avenue. The crash data for the intersection of Irving Park Road with Eastview Avenue is summarized in **Table 1**. A review of the crash data indicated that the intersection of Irving Park Road with the Bensenville Terrace Condominium access drive experienced one crash during the review period. Additionally, no fatalities were reported at either of the study area intersections.

Table 1
IRVING PARK ROAD WITH EASTVIEW AVENUE - CRASH SUMMARY

Year	Type of Accident Frequency						Total
	Angle	Object	Rear End	Sideswipe	Turning	Other	
2014	0	0	0	0	2	0	2
2015	1	0	0	0	2	0	3
2016	0	0	1	0	0	0	1
2017	0	0	0	0	0	0	0
2018	0	0	0	0	1	0	1
Total	1	0	1	0	5	0	7
Average/Year	<1	0	<1	0	1	0	1.4

¹ IDOT DISCLAIMER: The motor vehicle crash data referenced herein was provided by the Illinois Department of Transportation. The author is responsible for any data analyses and conclusions drawn.



Proposed Gem
Car Wash
Bensenville, Illinois

Existing Traffic Volumes



Job No: 20-022

Figure: 4

3. Traffic Characteristics of the Proposed Facility

In order to properly evaluate future traffic conditions in the surrounding area, it was necessary to determine the traffic characteristics of the proposed facility, including the directional distribution and volumes of traffic that it will generate.

Proposed Site and Development Plan

As proposed, the site will be developed to contain an approximately 5,796 square-foot automatic car wash tunnel with stacking provided for 27 before the pay stations and 31 parking spaces, of which 28 will be for the use of vacuums and three spaces designated for employee parking. Furthermore, six additional spaces will be provided for detailing vehicles. Access to the proposed facility will be provided via a full access drive off Irving Park Road. The access drive will provide one inbound lane and two outbound lanes striped for an exclusive left-turn lane and an exclusive right-turn lane with outbound movements under stop sign control. A site plan illustrating the proposed development and site access is included in the Appendix. It should be noted that the proposed access system will reduce the number of curb cuts provided on Irving Park Road from two to one.

Car Wash Operations

The proposed car wash will be an exterior-only car wash with three drive-up pay stations. The car wash will generally operate 14 hours per day from 7:00 A.M. to 9:00 P.M. and will have at least three employees on site. Customers will not be required to leave their vehicles before or during the wash. Customers may use only the car wash or also utilize the vacuum stations that are located on the west side of the car wash tunnel. Based on observations at another car wash located on York Road in Elmhurst, Illinois, approximately 30 to 40 percent of customers use both the vacuums and the car wash.

Proposed On-Site Circulation

The single-lane automatic car wash tunnel will be an exterior-only car wash system and will have a counterclockwise rotation. The entrance to the car wash drive-through system is located at the southwest end of the site. Vehicles will proceed along the west side of the site in three lanes to approach the three individually gated, automatic pay stations to select and pay for their car wash options. The gates meter the traffic flow proceeding to the car wash tunnel entrance and will open in sequence based on the order of vehicle payment. Once the gate is lifted for the respective lane, the individual vehicle will proceed south and then east to the entrance to the tunnel. Vehicles also have the option to exit the car wash queue after paying for a car wash and proceed north to the vacuum positions. At the entrance to the car wash tunnel, the driver will remain in the vehicle and the car wash will automatically pull the vehicle through the tunnel. Based on information provided to KLOA, Inc. by the operator of the car wash, the proposed car wash will have a service rate of 180 vehicles per hour which minimizes the amount of time a vehicle spends in the tunnel, thus reducing internal queues.

After exiting the tunnel, the vehicles will proceed west and can either turn left to access the vacuum positions or continue straight to the full-movement access drive. Approximately 10 vehicles can be accommodated between the car wash exit and the proposed access drive. If the vehicle is delayed in exiting the tunnel, the pulling system will shut down so that vehicles in the tunnel that are following will not rear-end the exiting vehicle.

Car Wash Stacking

According to the site plan, there is storage for approximately 27 vehicles to queue while advancing to one of the three pay stations. In addition, there is storage for approximately 12 vehicles between the pay stations and the entrance to the tunnel. As such, the plan provides a total stacking of approximately 39 vehicles from the entrance to the car wash to the entrance of the car wash drive-through system (located at the southeast corner of the site). Further, the car wash tunnel itself can hold approximately seven vehicles at the same time.

Car Wash Wayfinding and Traffic Control Signage

The following wayfinding and traffic control signage is recommended:

- Wayfinding signage should be posted to guide vehicles to the respective car wash stacking area to minimize vehicle turning movements within the internal site circulation area.
- Wayfinding signage should be posted at the exit of the car wash tunnel to direct vehicles exiting the car wash to either Irving Park Road or to the vacuum positions.
- A “DO NOT ENTER” sign should be posted at the exit of the car wash tunnel to deter opposing traffic from entering the car wash tunnel from the one-way exit direction.
- A stop sign should be provided for outbound vehicles from the vacuum station drive aisle in order to promote free flow movement for vehicles entering the site or exiting the car wash.

Vacuum Positions

The 28 vacuum positions will be located on the west side of the car wash tunnel. A north-south, two-way drive aisle will be provided allowing flexibility for vehicles to access the vacuum area. Vehicles exiting the vacuum stations will proceed west and either exit the facility at the full access drive or enter the car wash drive-through system.

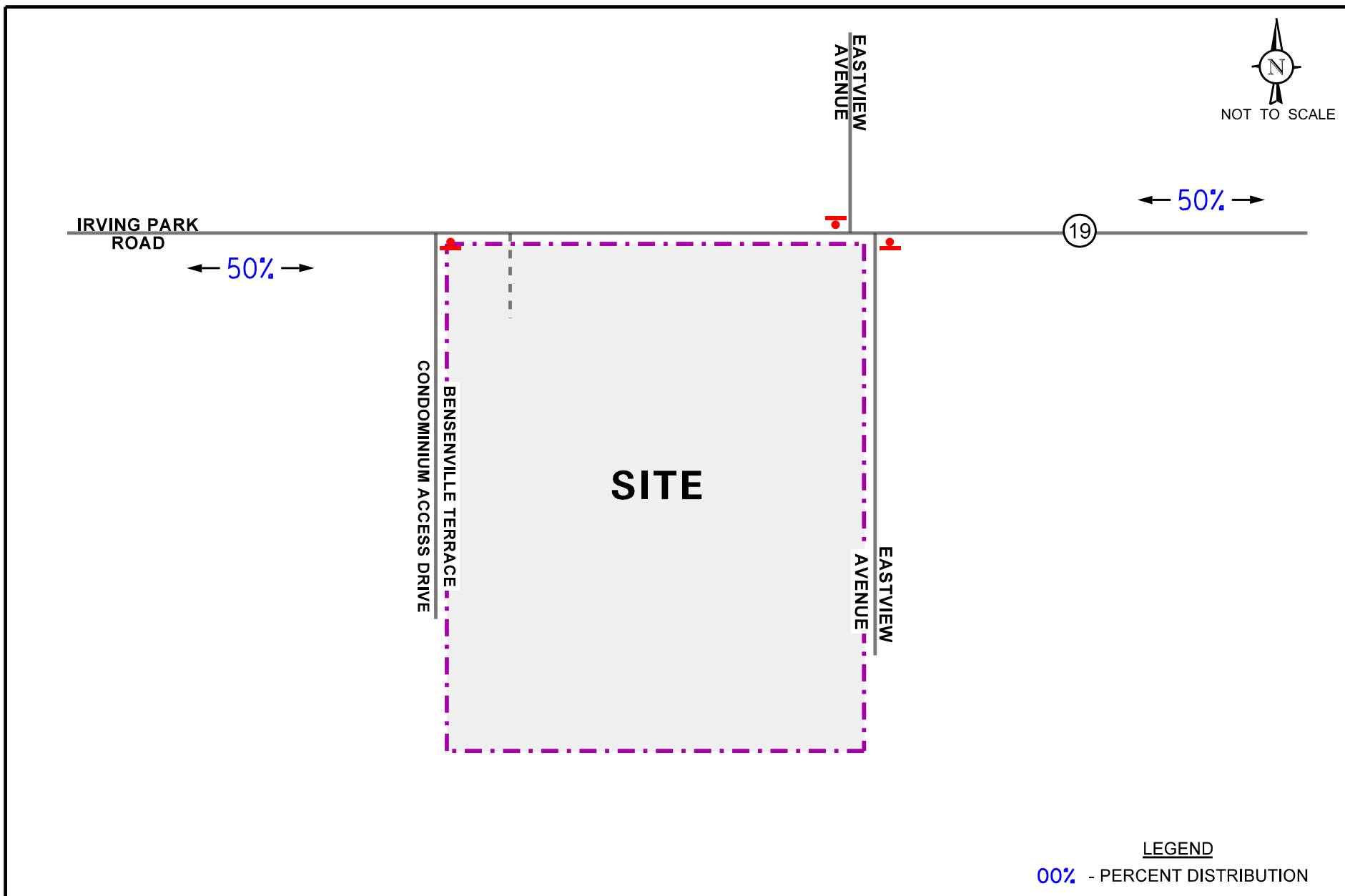
Directional Distribution of Site Traffic

The directional distribution of future site-generated trips on the roadway system is a function of several variables, including the operational characteristics of the roadway system and the ease with which drivers can travel over various sections of the roadway system without encountering congestion. The directions from which customers and employees of the proposed car wash will approach and depart the site were estimated based on existing travel patterns as determined from the traffic counts. **Figure 5** illustrates the directional distribution of future site-generated traffic volumes.

Estimated Site Traffic Generation

The volume of traffic estimated to be generated by the proposed car wash was determined based on surveys conducted at a similarly sized car wash and a review of trip generation data published by the Institute of Transportation Engineers (ITE) in the *Trip Generation Manual*, 10th Edition. It should be noted that surveys conducted by ITE have shown that a considerable number of trips made to car washes are diverted from the existing traffic on the area roadways. This is particularly true during the weekday morning and evening peak hours when traffic is diverted from the home-to-work and work-to-home trips. Such diverted trips are referred to as pass-by traffic. However, in order to present a worst-case scenario, no reductions in the site-generated traffic were taken into account.

The ITE manual does not provide data for the morning peak hour for an automated car wash. For the purposes of the analysis, it was assumed that approximately ten vehicles would be generated by the proposed car wash during the weekday morning peak hour. **Table 2** summarizes the estimated trips using the ITE rates. Copies of the ITE trip generation graphs are included in the Appendix.



Proposed Gem
Car Wash
Bensenville, Illinois

Estimated Directional Distribution



Job No: 20-022

Figure: 5

Table 2

PEAK HOUR SITE-GENERATED TRAFFIC VOLUMES

ITE Land- Use Code	Type/Size	Weekday Morning Peak Hour			Weekday Evening Peak Hour			Saturday Midday Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
948	Car Wash (5,796 s.f)	5	5	10	41	41	82	88	88	176

4. Projected Traffic Conditions

The total projected traffic volumes include the existing traffic volumes, increase in background traffic due to growth, and the traffic estimated to be generated by the proposed facility.

Development Traffic Assignment

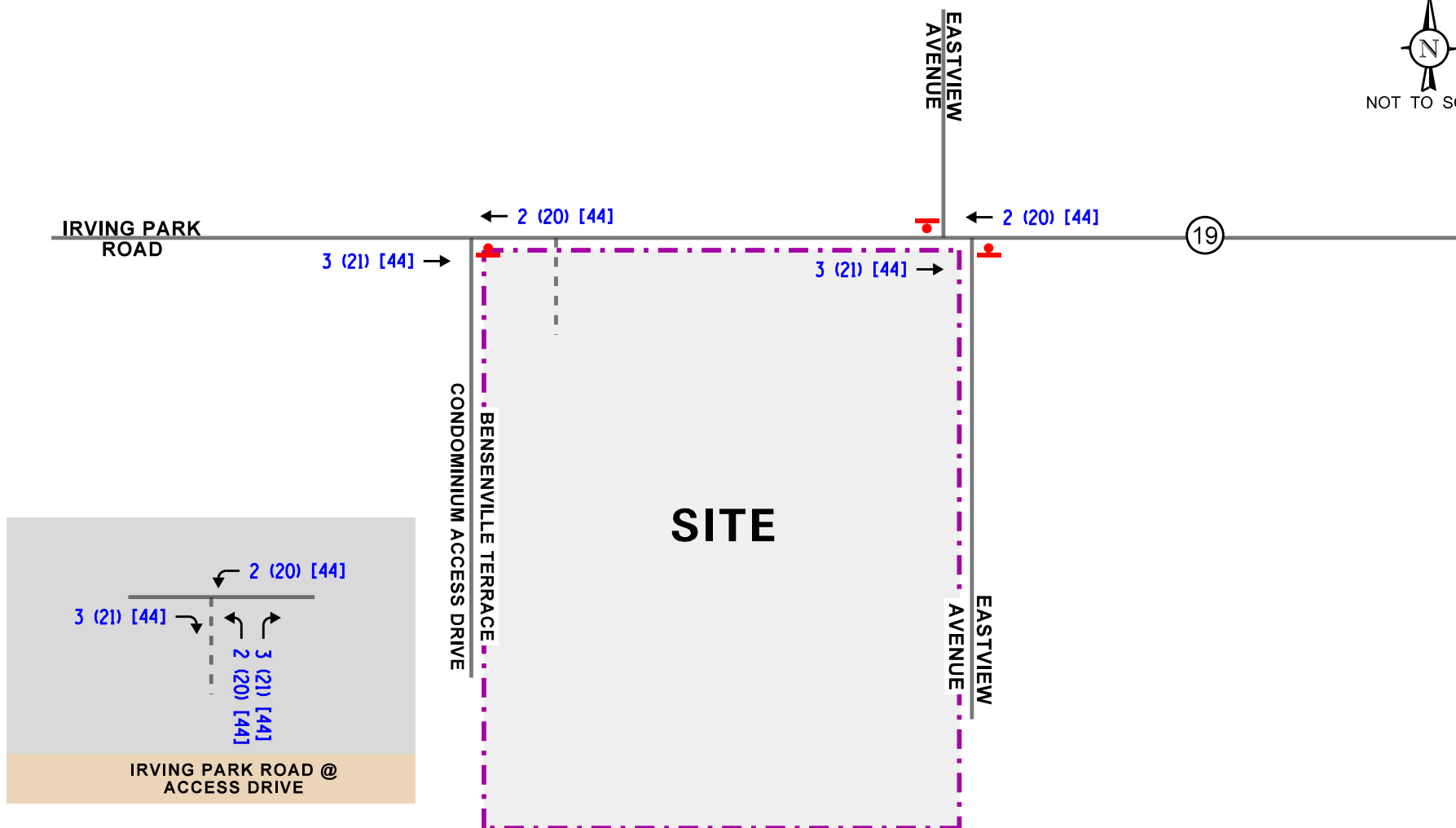
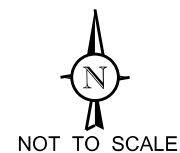
The estimated weekday morning, weekday evening, and Saturday midday peak hour traffic volumes that will be generated by the proposed facility were assigned to the roadway system in accordance with the previously described directional distribution (Figure 5). The traffic assignment for the development is illustrated in **Figure 6**.

Background Traffic Conditions

The existing traffic volumes (Figure 4) were increased by a regional growth factor to account for the increase in existing traffic related to regional growth in the area (i.e., not attributable to any particular planned development). Based on ADT projections provided by the Chicago Metropolitan Agency for Planning (CMAP) in a letter dated January 24, 2020, the existing traffic volumes on Irving Park Road are projected to decrease by approximately three percent by the Year 2050 due to the anticipated traffic diversion to the nearby completed West O'Hare Bypass and Elgin O'Hare East Extension. As such, the existing traffic volumes were not increased. A copy of the CMAP projections letter is included in the Appendix.

Total Projected Traffic Volumes

The car wash-generated traffic was added to the existing traffic volumes to determine the total projected traffic volumes, as illustrated in **Figure 7**.



LEGEND

- 00 - AM PEAK HOUR (7:15-8:15 AM)
- (00) - PM PEAK HOUR (4:45-5:45 PM)
- [00] - SATURDAY MIDDAY PEAK HOUR (12:00-1:00 PM)

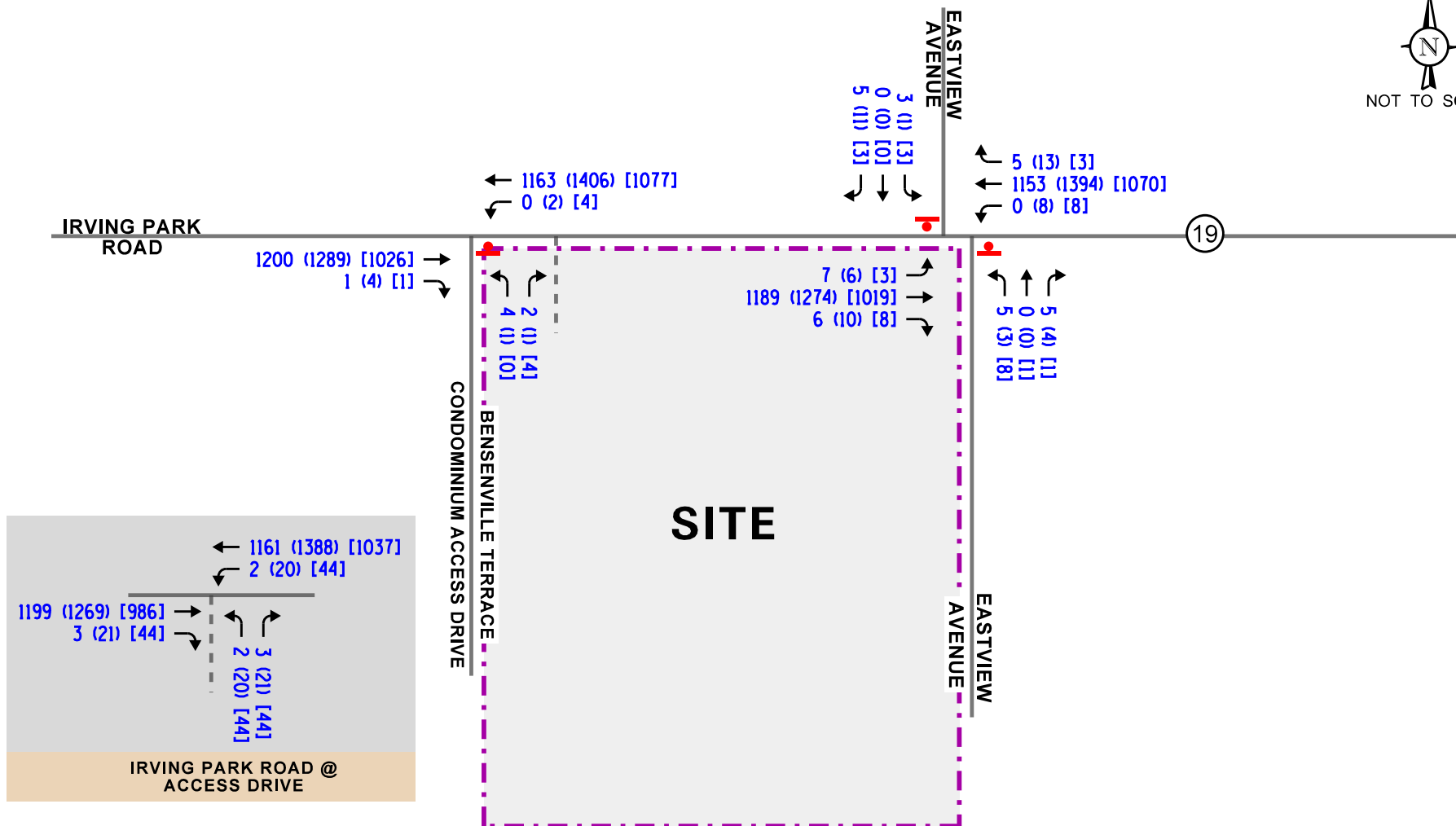
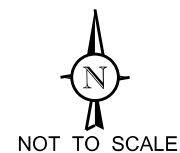
Proposed Gem
Car Wash
Bensenville, Illinois

Estimated Site-Generated Traffic Volumes



Job No: 20-022

Figure: 6



Proposed Gem
Car Wash
Bensenville, Illinois

Total Projected Traffic Volumes

5. Traffic Analysis and Recommendations

The following provides an evaluation conducted for the weekday morning, weekday evening, and Saturday midday peak hours. The analysis includes conducting capacity analyses to determine how well the roadway system and access drives are projected to operate and whether any roadway improvements or modifications are required.

Traffic Analyses

Roadway and adjacent or nearby intersection analyses were performed for the weekday morning, weekday evening, and Saturday midday peak hours for the existing (Year 2020) as well as future projected traffic volumes.

The traffic analyses were performed using the methodologies outlined in the Transportation Research Board's *Highway Capacity Manual (HCM)*, 6th Edition and analyzed using the Synchro/SimTraffic 10 software.

The analyses for the unsignalized intersections determine the average control delay to vehicles at an intersection. Control delay is the elapsed time from a vehicle joining the queue at a stop sign (includes the time required to decelerate to a stop) until its departure from the stop sign and resumption of free flow speed. The methodology analyzes each intersection approach controlled by a stop sign and considers traffic volumes on all approaches and lane characteristics.

The ability of an intersection to accommodate traffic flow is expressed in terms of level of service, which is assigned a letter from A to F based on the average control delay experienced by vehicles passing through the intersection. The *Highway Capacity Manual* definitions for levels of service and the corresponding control delay for signalized intersections and unsignalized intersections are included in the Appendix of this report.

Summaries of the traffic analysis results showing the level of service and overall intersection delay (measured in seconds) for the existing and total projected conditions are presented in **Tables 3** and **4**. A discussion of the intersections follows. Summary sheets for the capacity analyses are included in the Appendix.

Table 3

CAPACITY ANALYSIS RESULTS – EXISTING CONDITIONS - UNSIGNALIZED

Intersection	Weekday Morning Peak Hour		Weekday Evening Peak Hour		Saturday Midday Peak Hour	
	LOS	Delay	LOS	Delay	LOS	Delay
Irving Park Road with Condominium Drive						
• Northbound Approach	E	47.5	E	49.0	B	12.1
• Westbound Left Turns	A	0.0	B	11.9	B	10.3
Irving Park Road with Eastview Avenue						
• Northbound Approach	F	58.2	F	73.2	F	62.5
• Southbound Approach	E	43.0	D	27.6	E	37.2
• Eastbound Left Turns	B	11.3	B	12.8	B	10.5
• Westbound Left Turns	A	0.0	B	12.0	B	10.4
LOS = Level of Service Delay is measured in seconds.						

Table 4

CAPACITY ANALYSIS RESULTS – PROJECTED CONDITIONS – UNSIGNALIZED

Intersection	Weekday Morning Peak Hour		Weekday Evening Peak Hour		Saturday Midday Peak Hour	
	LOS	Delay	LOS	Delay	LOS	Delay
Irving Park Road with Condominium Drive						
• Northbound Approach	E	47.5	F	51.8	B	12.4
• Westbound Left Turns	A	0.0	B	12.1	B	10.5
Irving Park Road with Eastview Avenue						
• Northbound Approach	F	58.2	F	78.8	F	70.8
• Southbound Approach	E	43.9	D	28.3	E	41.5
• Eastbound Left Turns	B	11.3	B	12.9	B	10.8
• Westbound Left Turns	A	0.0	B	12.1	B	10.6
Irving Park Road with Access Drive						
• Northbound Left Turn	F	64.1	F	217.1	F	125.6
• Northbound Right Turn	B	13.5	B	14.6	B	13.1
• Westbound Left Turn	B	11.5	B	12.3	B	11.0
LOS = Level of Service Delay is measured in seconds.						

Discussion and Recommendations

The following summarizes how the intersections are projected to operate and identifies any roadway and traffic control improvements necessary to accommodate the facility-generated traffic.

Irving Park Road with Bensenville Terrace Condominium Access Drive

The results of the capacity analyses indicate that the westbound left-turn movement at this intersection currently operate at an acceptable Levels of Service (LOS) B or better and that the northbound approach operates at a LOS E during the weekday morning and evening peak hours and LOS B during the Saturday midday peak hour. The operation of the northbound approach is normal and expected when a minor approach intersects a major road such as Irving Park Road. This traffic can exit onto Irving Park Road but may experience additional delay during the peak periods. Additionally, it is important to note that the analyses do not take into account the gaps that are created in the through traffic stream by the traffic signals to the east at Church Road (approximately 0.25 miles) and to the west at Marshall Road (approximately 0.18 miles).

Under projected conditions, the westbound left-turn movement will continue operating at an acceptable LOS and the northbound approach delay during the evening peak hour will increase by less than three seconds. As such, this intersection generally has sufficient reserve capacity to accommodate the traffic projected to be generated by the proposed car wash and no roadway improvements or traffic control modifications will be necessary in conjunction with the proposed development.

Irving Park Road with Eastview Avenue

The results of the capacity analyses indicate that all of the turning movements at this intersection operate at an acceptable LOS with the exception of the northbound and southbound movements. The operation of these approaches is normal and expected when a minor approach intersects a major road such as Irving Park Road. Outbound traffic can exit onto Irving Park Road but may experience additional delay during the peak periods. Furthermore, and as previously indicated, the analyses do not take into account the gaps that are created in the through traffic stream by the traffic signals to the east at Church Road (approximately 0.25 miles) and to the west at Marshall Road (approximately 0.18 miles).

Under projected conditions, all of the turning movements will continue operating at an acceptable LOS and the northbound and southbound approaches average delay will increase by less than ten seconds. Further, inspection of the capacity analyses indicate that the queues on the northbound and southbound approaches will be less than 50 feet. As such, this intersection generally has sufficient reserve capacity to accommodate the traffic projected to be generated by the proposed car wash and no roadway improvements or traffic control modifications will be necessary in conjunction with the proposed development.

Irving Park Road with the Full-Movement Access Drive

The results of the capacity analysis indicate that the northbound left-turn movement is projected to operate at LOS F during all three peak hours while the northbound right-turn movement and the westbound left-turn movement is projected to operate at a LOS B during all three peak hours. Similar to the other stop sign control approaches along Irving Park Road, the operation of the outbound left-turn movement is normal and typical when an access drive or road intersects a major road like Irving Park Road. As the traffic simulation model has shown, this traffic will be able to exit onto Irving Park Road but may experience some additional delays. Additionally and as previously indicated, the analyses do not take into account the gaps that are created in the through traffic stream by the traffic signals to the east and west of the site. Further inspection of the capacity analyses and the results of the traffic simulation runs indicate that the outbound left-turn queue will not exceed 75 feet (approximately three vehicle length). This queue can be easily accommodated internally by the available stacking distance of approximately 250 feet before reaching the car wash tunnel's exit. Additionally and as previously indicated, approximately 30 to 40 percent of car wash users also utilize the provided vacuums. Therefore, not all the outbound vehicles will exit from the car wash tunnel. It is recommended that the access drive be monitored to determine how the outbound left-turn movement is operating. If necessary, the left-turn movement could be restricted via signage during the weekday peak periods and during the Saturday midday peak period.

6. Conclusion

Based on the preceding analyses and recommendations, the following conclusions have been made:

- The number of new trips expected to be generated by the proposed car wash will be reduced given that the majority of the trips will be diverted from the existing traffic on Irving Park Road.
- The study area intersections will continue operating at the same LOS as under existing conditions.
- The proposed access drive will be adequate in accommodating the traffic projected to be generated by the proposed facility.
- The proposed site layout will provide adequate stacking and will provide efficient internal circulation for traffic entering and exiting and on-site queueing.

Appendix

Traffic Count Summary Sheets
ITE Trip Generation Rates
Preliminary Site Plan
CMAP Projections Letter
Level of Service Criteria
Capacity Analysis Summary Sheets

Traffic Count Summary Sheets

Bensenville, IL Weather: Cold and Dry
 Irving Park Rd and East View Ave
 Tuesday January 21, 2020

01/22/20
 14:34:32

URNS/TEAPAC[Ver 3.61.12] - 15-Minute Counts: All Vehicles - by Mvmt

Intersection # 6 irvingpark/eastview													
Begin Time	N-Approach			E-Approach			S-Approach			W-Approach			Int Total
	RT	TH	LT	RT	TH	LT	RT	TH	LT	RT	TH	LT	
700	0	0	2	0	0	0	1	0	0	2	0	0	5
715	0	0	1	3	0	0	1	0	0	1	0	0	6
730	3	0	1	2	0	0	2	0	2	0	0	1	11
745	1	0	1	0	0	0	0	0	1	3	0	3	9
800	1	0	0	0	0	0	2	0	2	2	0	3	10
815	1	0	0	1	0	0	1	0	0	1	0	1	5
830	6	0	0	2	0	0	2	0	2	0	0	0	12
845	1	0	0	0	0	2	0	0	1	1	0	0	5

1600	1	0	1	3	0	4	3	0	1	3	0	3	19
1615	0	0	1	4	0	2	2	0	2	2	0	2	15
1630	4	0	0	4	0	0	0	0	3	0	0	2	13
1645	3	0	0	6	0	2	3	0	1	0	0	2	17
1700	4	0	0	1	0	5	0	0	0	1	0	2	13
1715	0	0	0	4	0	0	0	0	0	4	0	1	9
1730	4	0	1	2	0	1	1	0	2	5	0	1	17
1745	1	0	1	2	0	0	1	0	1	2	0	5	13
=====	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====
Total	30	0	9	34	0	16	19	0	18	27	0	26	179

URNS/TEAPAC[Ver 3.61.12] - 15-Minute Counts: All Vehicles - Totals

Intersection # 6 irvingpark/eastview									
Begin Time	Approach Totals				Exit Totals				Int Total
	N	E	S	W	N	E	S	W	
700	2	0	1	2	0	3	2	0	5
715	1	3	1	1	3	2	1	0	6
730	4	2	4	1	3	3	0	5	11
745	2	0	1	6	3	1	3	2	9
800	1	0	4	5	3	2	2	3	10
815	1	1	1	2	2	1	1	1	5
830	6	2	4	0	2	2	0	8	12
845	1	2	1	1	0	0	3	2	5

1600	2	7	4	6	6	4	7	2	19
1615	1	6	4	4	6	3	4	2	15
1630	4	4	3	2	6	0	0	7	13
1645	3	8	4	2	8	3	2	4	17
1700	4	6	0	3	3	0	6	4	13
1715	0	4	0	5	5	0	4	0	9
1730	5	3	3	6	3	2	6	6	17
1745	2	2	2	7	7	2	2	2	13
=====	=====	=====	=====	=====	=====	=====	=====	=====	=====
Total	39	50	37	53	60	28	43	48	179

Bensenville, IL Weather: Cold and Dry
 Irving Park Rd and East View Ave
 Tuesday January 21, 2020

01/22/20
 14:34:32

URNS/TEAPAC[Ver 3.61.12] - 15-Minute Flow Rates: by Movement

Intersection # 6 irvingpark/eastview													
Begin Time	N-Approach			E-Approach			S-Approach			W-Approach			Int Total
	RT	TH	LT	RT	TH	LT	RT	TH	LT	RT	TH	LT	
700	0	0	8	0	0	0	4	0	0	8	0	0	20
715	0	0	4	12	0	0	4	0	0	4	0	0	24
730	12	0	4	8	0	0	8	0	8	0	0	4	44
745	4	0	4	0	0	0	0	0	4	12	0	12	36
800	4	0	0	0	0	0	8	0	8	8	0	12	40
815	4	0	0	4	0	0	4	0	0	4	0	4	20
830	24	0	0	8	0	0	8	0	8	0	0	0	48
845	4	0	0	0	0	8	0	0	4	4	0	0	20
1600	4	0	4	12	0	16	12	0	4	12	0	12	76
1615	0	0	4	16	0	8	8	0	8	8	0	8	60
1630	16	0	0	16	0	0	0	0	12	0	0	8	52
1645	12	0	0	24	0	8	12	0	4	0	0	8	68
1700	16	0	0	4	0	20	0	0	0	4	0	8	52
1715	0	0	0	16	0	0	0	0	0	16	0	4	36
1730	16	0	4	8	0	4	4	0	8	20	0	4	68
1745	4	0	4	8	0	0	4	0	4	8	0	20	52

URNS/TEAPAC[Ver 3.61.12] - 15-Minute Flow Rates: Appr/Exit Totals

Intersection # 6 irvingpark/eastview									
Begin Time	Approach Totals				Exit Totals				Int Total
	N	E	S	W	N	E	S	W	
700	8	0	4	8	0	12	8	0	20
715	4	12	4	4	12	8	4	0	24
730	16	8	16	4	12	12	0	20	44
745	8	0	4	24	12	4	12	8	36
800	4	0	16	20	12	8	8	12	40
815	4	4	4	8	8	4	4	4	20
830	24	8	16	0	8	8	0	32	48
845	4	8	4	4	0	0	12	8	20
1600	8	28	16	24	24	16	28	8	76
1615	4	24	16	16	24	12	16	8	60
1630	16	16	12	8	24	0	0	28	52
1645	12	32	16	8	32	12	8	16	68
1700	16	24	0	12	12	0	24	16	52
1715	0	16	0	20	20	0	16	0	36
1730	20	12	12	24	12	8	24	24	68
1745	8	8	8	28	28	8	8	8	52

Bensenville, IL Weather: Cold and Dry
 Irving Park Rd and East View Ave
 Tuesday January 21, 2020

01/22/20
 14:34:32

URNS/TEAPAC[Ver 3.61.12] - 60-Minute Volumes: by Movement

Intersection # 6 irvingpark/eastview													
Begin Time	N-Approach			E-Approach			S-Approach			W-Approach			Int Total
	RT	TH	LT	RT	TH	LT	RT	TH	LT	RT	TH	LT	
700	4	0	5	5	0	0	4	0	3	6	0	4	31
715	5	0	3	5	0	0	5	0	5	6	0	7	36
730	6	0	2	3	0	0	5	0	5	6	0	8	35
745	9	0	1	3	0	0	5	0	5	6	0	7	36
800	9	0	0	3	0	2	5	0	5	4	0	4	32
815	8	0	0	3	0	2	3	0	3	2	0	1	22*
830	7	0	0	2	0	2	2	0	3	1	0	0	17*
845	1	0	0	0	0	2	0	0	1	1	0	0	5*
1600	8	0	2	17	0	8	8	0	7	5	0	9	64
1615	11	0	1	15	0	9	5	0	6	3	0	8	58
1630	11	0	0	15	0	7	3	0	4	5	0	7	52
1645	11	0	1	13	0	8	4	0	3	10	0	6	56
1700	9	0	2	9	0	6	2	0	3	12	0	9	52
1715	5	0	2	8	0	1	2	0	3	11	0	7	39*
1730	5	0	2	4	0	1	2	0	3	7	0	6	30*
1745	1	0	1	2	0	0	1	0	1	2	0	5	13*

URNS/TEAPAC[Ver 3.61.12] - 60-Minute Volumes: Appr/Exit Totals

Intersection # 6 irvingpark/eastview									
Begin Time	Approach Totals				Exit Totals				Int Total
	N	E	S	W	N	E	S	W	
700	9	5	7	10	9	9	6	7	31
715	8	5	10	13	12	8	6	10	36
730	8	3	10	14	11	7	6	11	35
745	10	3	10	13	10	6	6	14	36
800	9	5	10	8	7	5	6	14	32
815	8	5	6	3	4	3	4	11	22*
830	7	4	5	1	2	2	3	10	17*
845	1	2	1	1	0	0	3	2	5*
1600	10	25	15	14	26	10	13	15	64
1615	12	24	11	11	23	6	12	17	58
1630	11	22	7	12	22	3	12	15	52
1645	12	21	7	16	19	5	18	14	56
1700	11	15	5	21	18	4	18	12	52
1715	7	9	5	18	15	4	12	8	39*
1730	7	5	5	13	10	4	8	8	30*
1745	2	2	2	7	7	2	2	2	13*

Bensenville, IL Weather: Cold and Dry
 Irving Park Rd and Condo Access Drive
 Tuesday January 21, 2020

01/22/20
 14:43:39

URNS/TEAPAC[Ver 3.61.12] - 15-Minute Counts: All Vehicles - by Mvmt

Intersection # 7 irving/condoacc													
Begin Time	N-Approach			E-Approach			S-Approach			W-Approach			Int Total
	RT	TH	LT	RT	TH	LT	RT	TH	LT	RT	TH	LT	
700	0	0	0	0	266	0	0	0	1	0	255	0	522
715	0	0	0	0	282	0	1	0	2	1	281	0	567
730	0	0	0	0	281	0	0	0	1	0	349	0	631
745	0	0	0	0	348	0	1	0	0	0	292	0	641
800	0	0	0	0	250	0	0	0	1	0	275	0	526
815	0	0	0	0	274	0	1	0	0	0	248	0	523
830	0	0	0	0	216	0	2	0	0	1	244	0	463
845	0	0	0	0	220	2	1	0	0	0	240	0	463
1600	0	0	0	0	306	0	0	0	0	2	267	0	575
1615	0	0	0	0	318	1	0	0	0	4	265	0	588
1630	0	0	0	0	288	1	3	0	2	2	301	0	597
1645	0	0	0	0	314	1	0	0	0	0	367	0	682
1700	0	0	0	0	389	0	0	0	0	1	317	0	707
1715	0	0	0	0	344	0	0	0	0	3	307	0	654
1730	0	0	0	0	339	1	1	0	1	0	277	0	619
1745	0	0	0	0	288	2	1	0	0	2	244	0	537
Total	0	0	0	0	4723	8	11	0	8	16	4529	0	9295

URNS/TEAPAC[Ver 3.61.12] - 15-Minute Counts: All Vehicles - Totals

Intersection # 7 irving/condoacc									
Begin Time	Approach Totals				Exit Totals				Int Total
	N	E	S	W	N	E	S	W	
700	0	266	1	255	0	255	0	267	522
715	0	282	3	282	0	282	1	284	567
730	0	281	1	349	0	349	0	282	631
745	0	348	1	292	0	293	0	348	641
800	0	250	1	275	0	275	0	251	526
815	0	274	1	248	0	249	0	274	523
830	0	216	2	245	0	246	1	216	463
845	0	222	1	240	0	241	2	220	463
1600	0	306	0	269	0	267	2	306	575
1615	0	319	0	269	0	265	5	318	588
1630	0	289	5	303	0	304	3	290	597
1645	0	315	0	367	0	367	1	314	682
1700	0	389	0	318	0	317	1	389	707
1715	0	344	0	310	0	307	3	344	654
1730	0	340	2	277	0	278	1	340	619
1745	0	290	1	246	0	245	4	288	537
Total	0	4731	19	4545	0	4540	24	4731	9295

Bensenville, IL Weather: Cold and Dry
 Irving Park Rd and Condo Access Drive
 Tuesday January 21, 2020

01/22/20
 14:43:39

URNS/TEAPAC[Ver 3.61.12] - 15-Minute Flow Rates: by Movement

Intersection # 7 irving/condoacc													
Begin Time	N-Approach			E-Approach			S-Approach			W-Approach			Int Total
	RT	TH	LT	RT	TH	LT	RT	TH	LT	RT	TH	LT	
700	0	0	0	0	1064	0	0	0	4	0	1020	0	2088
715	0	0	0	0	1128	0	4	0	8	4	1124	0	2268
730	0	0	0	0	1124	0	0	0	4	0	1396	0	2524
745	0	0	0	0	1392	0	4	0	0	0	1168	0	2564
800	0	0	0	0	1000	0	0	0	4	0	1100	0	2104
815	0	0	0	0	1096	0	4	0	0	0	992	0	2092
830	0	0	0	0	864	0	8	0	0	4	976	0	1852
845	0	0	0	0	880	8	4	0	0	0	960	0	1852
1600	0	0	0	0	1224	0	0	0	0	8	1068	0	2300
1615	0	0	0	0	1272	4	0	0	0	16	1060	0	2352
1630	0	0	0	0	1152	4	12	0	8	8	1204	0	2388
1645	0	0	0	0	1256	4	0	0	0	0	1468	0	2728
1700	0	0	0	0	1556	0	0	0	0	4	1268	0	2828
1715	0	0	0	0	1376	0	0	0	0	12	1228	0	2616
1730	0	0	0	0	1356	4	4	0	4	0	1108	0	2476
1745	0	0	0	0	1152	8	4	0	0	8	976	0	2148

URNS/TEAPAC[Ver 3.61.12] - 15-Minute Flow Rates: Appr/Exit Totals

Intersection # 7 irving/condoacc									
Begin Time	Approach Totals				Exit Totals				Int Total
	N	E	S	W	N	E	S	W	
700	0	1064	4	1020	0	1020	0	1068	2088
715	0	1128	12	1128	0	1128	4	1136	2268
730	0	1124	4	1396	0	1396	0	1128	2524
745	0	1392	4	1168	0	1172	0	1392	2564
800	0	1000	4	1100	0	1100	0	1004	2104
815	0	1096	4	992	0	996	0	1096	2092
830	0	864	8	980	0	984	4	864	1852
845	0	888	4	960	0	964	8	880	1852
1600	0	1224	0	1076	0	1068	8	1224	2300
1615	0	1276	0	1076	0	1060	20	1272	2352
1630	0	1156	20	1212	0	1216	12	1160	2388
1645	0	1260	0	1468	0	1468	4	1256	2728
1700	0	1556	0	1272	0	1268	4	1556	2828
1715	0	1376	0	1240	0	1228	12	1376	2616
1730	0	1360	8	1108	0	1112	4	1360	2476
1745	0	1160	4	984	0	980	16	1152	2148

Bensenville, IL Weather: Cold and Dry
 Irving Park Rd and Condo Access Drive
 Tuesday January 21, 2020

01/22/20
 14:43:39

URNS/TEAPAC[Ver 3.61.12] - 60-Minute Volumes: by Movement

Intersection # 7 irving/condoacc													
Begin Time	N-Approach			E-Approach			S-Approach			W-Approach			Int Total
	RT	TH	LT	RT	TH	LT	RT	TH	LT	RT	TH	LT	
700	0	0	0	0	1177	0	2	0	4	1	1177	0	2361
715	0	0	0	0	1161	0	2	0	4	1	1197	0	2365
730	0	0	0	0	1153	0	2	0	2	0	1164	0	2321
745	0	0	0	0	1088	0	4	0	1	1	1059	0	2153
800	0	0	0	0	960	2	4	0	1	1	1007	0	1975
815	0	0	0	0	710	2	4	0	0	1	732	0	1449*
830	0	0	0	0	436	2	3	0	0	1	484	0	926*
845	0	0	0	0	220	2	1	0	0	0	240	0	463*
1600	0	0	0	0	1226	3	3	0	2	8	1200	0	2442
1615	0	0	0	0	1309	3	3	0	2	7	1250	0	2574
1630	0	0	0	0	1335	2	3	0	2	6	1292	0	2640
1645	0	0	0	0	1386	2	1	0	1	4	1268	0	2662
1700	0	0	0	0	1360	3	2	0	1	6	1145	0	2517
1715	0	0	0	0	971	3	2	0	1	5	828	0	1810*
1730	0	0	0	0	627	3	2	0	1	2	521	0	1156*
1745	0	0	0	0	288	2	1	0	0	2	244	0	537*

URNS/TEAPAC[Ver 3.61.12] - 60-Minute Volumes: Appr/Exit Totals

Intersection # 7 irving/condoacc									
Begin Time	Approach Totals				Exit Totals				Int Total
	N	E	S	W	N	E	S	W	
700	0	1177	6	1178	0	1179	1	1181	2361
715	0	1161	6	1198	0	1199	1	1165	2365
730	0	1153	4	1164	0	1166	0	1155	2321
745	0	1088	5	1060	0	1063	1	1089	2153
800	0	962	5	1008	0	1011	3	961	1975
815	0	712	4	733	0	736	3	710	1449*
830	0	438	3	485	0	487	3	436	926*
845	0	222	1	240	0	241	2	220	463*
1600	0	1229	5	1208	0	1203	11	1228	2442
1615	0	1312	5	1257	0	1253	10	1311	2574
1630	0	1337	5	1298	0	1295	8	1337	2640
1645	0	1388	2	1272	0	1269	6	1387	2662
1700	0	1363	3	1151	0	1147	9	1361	2517
1715	0	974	3	833	0	830	8	972	1810*
1730	0	630	3	523	0	523	5	628	1156*
1745	0	290	1	246	0	245	4	288	537*

ITE Trip Generation Rates

Land Use: 948

Automated Car Wash

Description

An automated car wash is a facility that allows for the mechanical cleaning of the exterior of vehicles. Manual cleaning services may also be available at these facilities. Self-service car wash (Land Use 947) and car wash and detail center (Land Use 949) are related uses.

Additional Data

The sites were surveyed in the 1990s and the 2000s in New Jersey, New York, and Washington.

Source Numbers

552, 555, 585, 599, 954

Automated Car Wash (948)

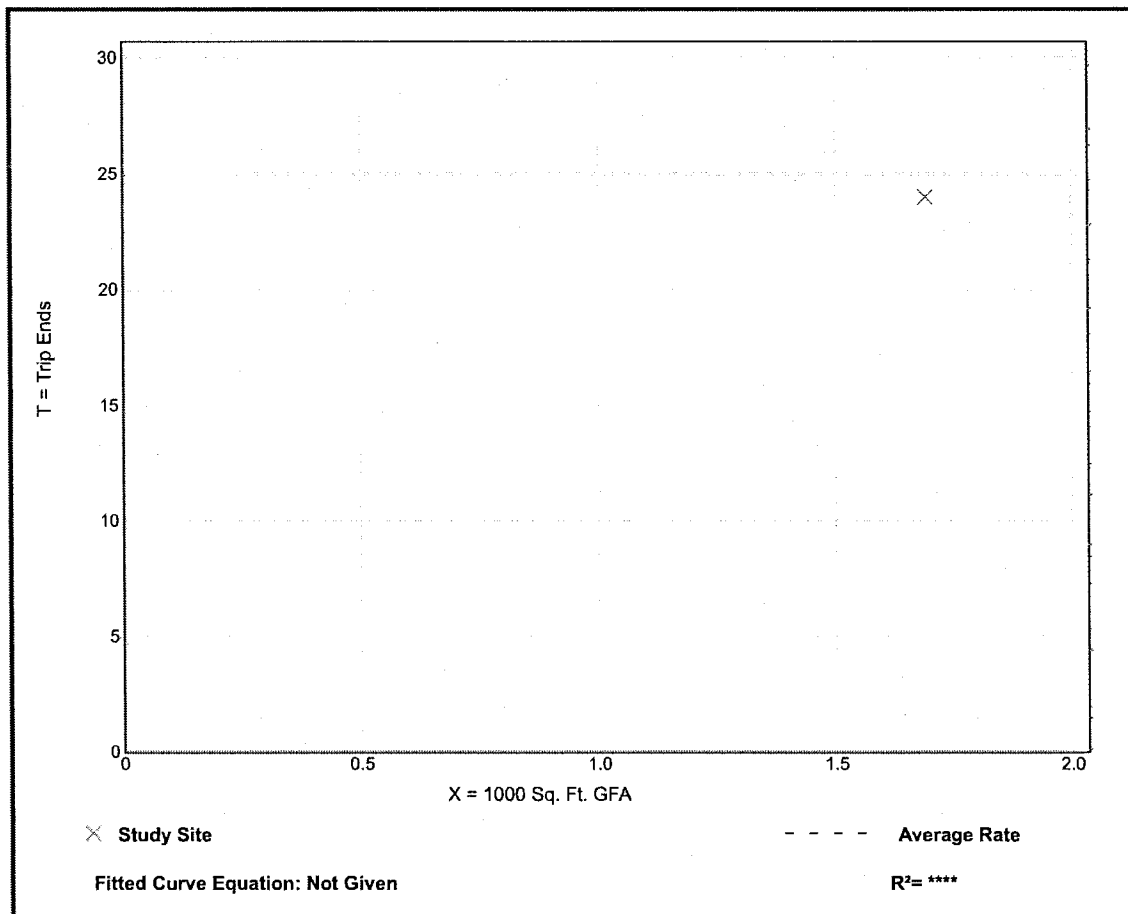
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 4 and 6 p.m.
 Setting/Location: General Urban/Suburban
 Number of Studies: 1
 1000 Sq. Ft. GFA: 2
 Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
14.20	14.20 - 14.20	*

Data Plot and Equation

Caution – Small Sample Size



Automated Car Wash (948)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Saturday, Peak Hour of Generator

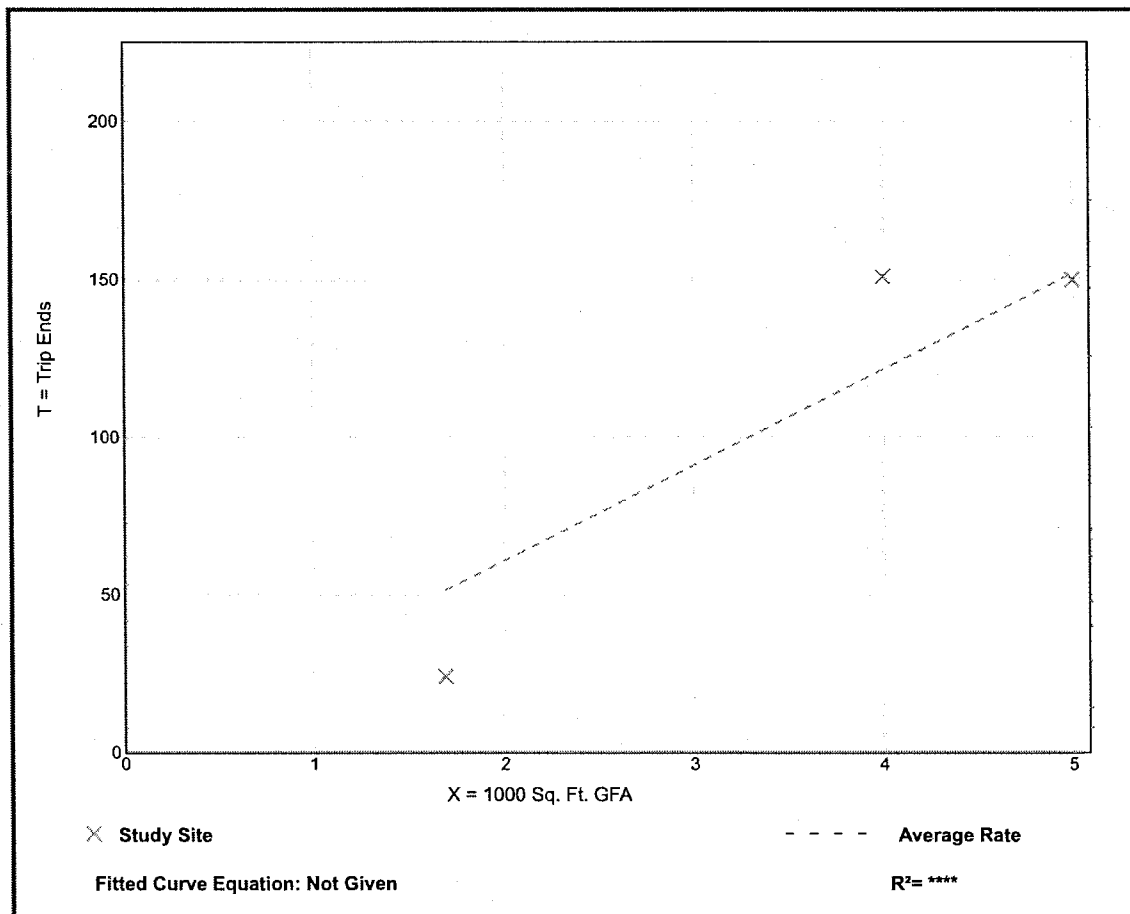
Setting/Location: General Urban/Suburban
Number of Studies: 3
1000 Sq. Ft. GFA: 4
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
30.40	14.20 - 37.75	35.54

Data Plot and Equation

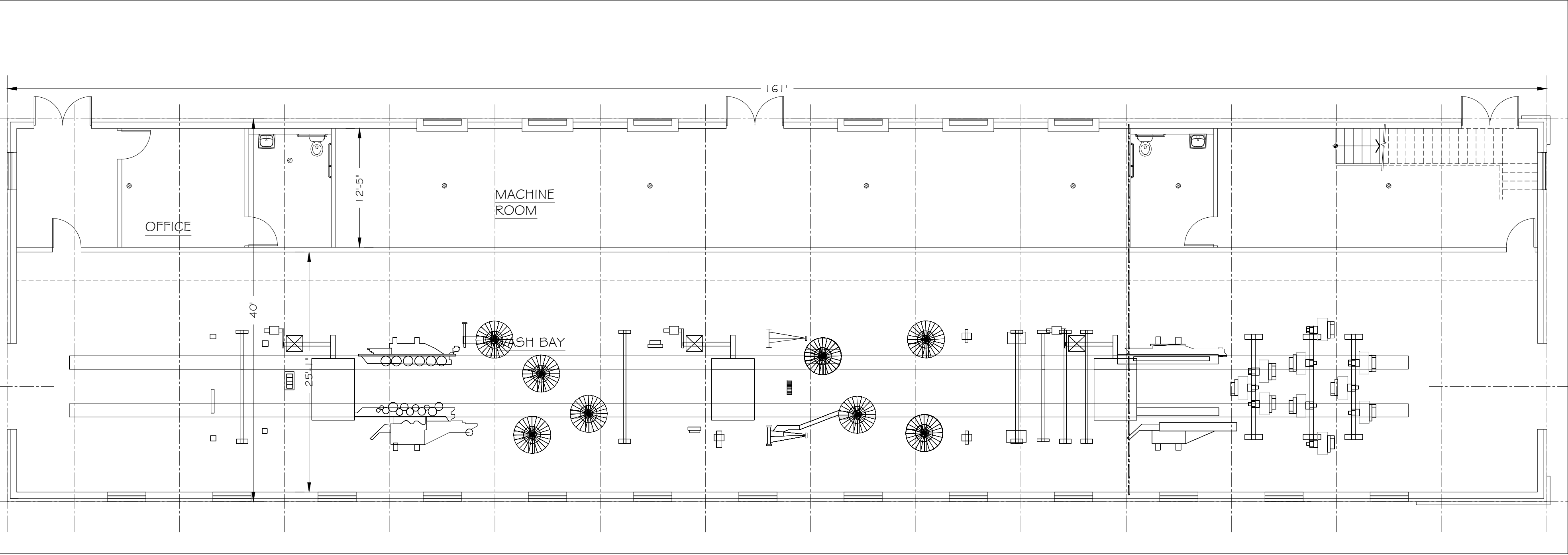
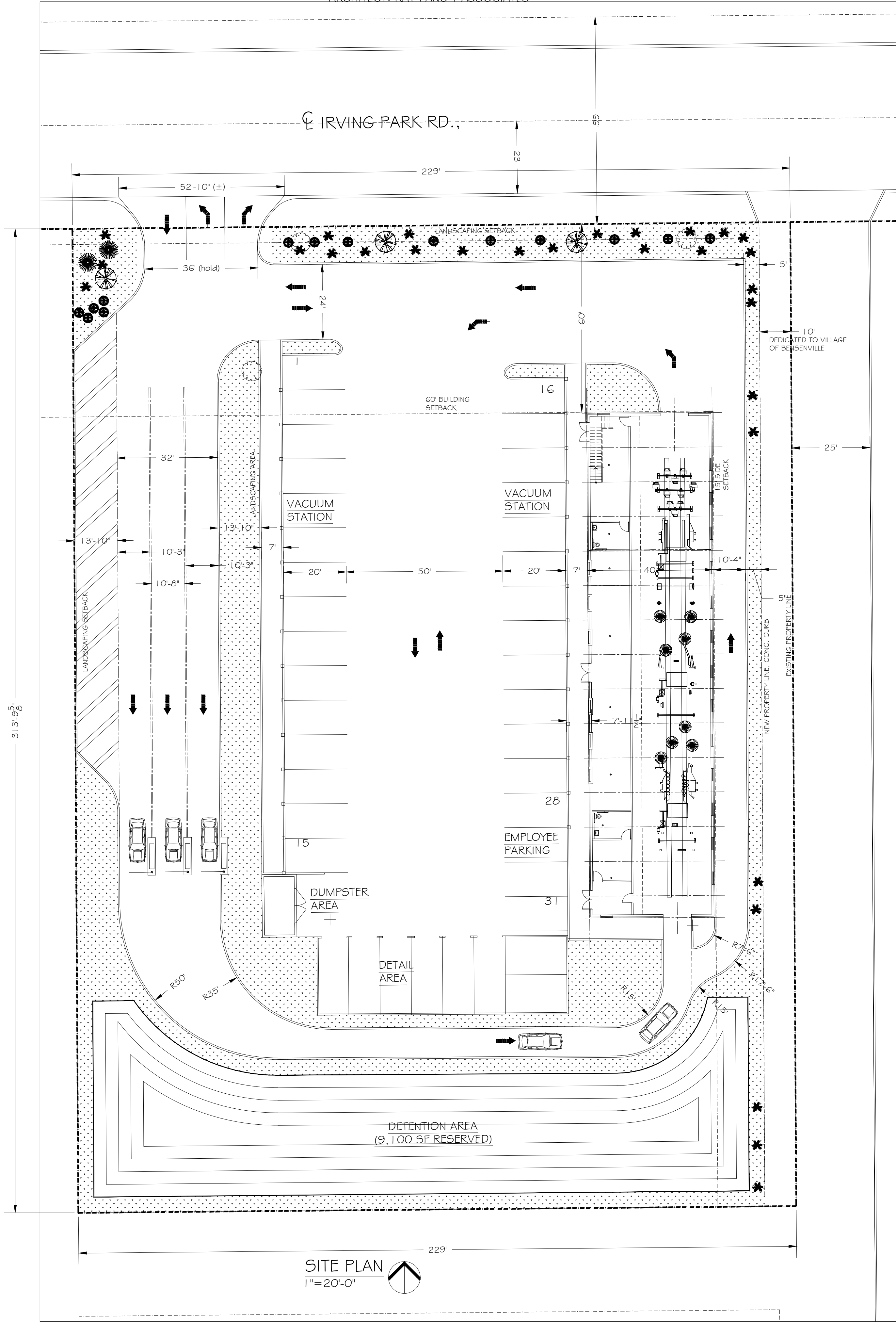
Caution – Small Sample Size



Site Plan

GEM CAR WASH

904-910 W. IRVING PARK RD., BENSENVILLE, IL.
OWNER: JOHN SADIKU
ARCHITECT: RAY FANG & ASSOCIATES



FLOOR PLAN
1/8"=1'-0"

SITE SUMMARY			
ITEM	DESCRIPTIONS	DATA	REMARKS
1	SITE AREA	AREA = 71,863 SF = 1.65 ACRE	
2	BUILDING	AREA = 1,611' X 36' = 5,796 SF	
3	VACUUM STATION	28	
4	DETAILS STATION	6	
5	EMPLOYEE PARKING	3	

PROJECT INFORMATION		
PROJECT NAME	GEM CAR WASH II	REMARKS
PROJECT ADDRESS	904-910 EAST IRVING PARK ROAD, BENSENVILLE	
OWNER	JOHN SADIKU	
PROJECT ARCHITECT	RAY H.C. FANG	
SCALE	AS SHOWN	
DRAWING	SK-1	
REV. LOGS	03	1/5/2020
	04	1/30/2020

CMAP Projections Letter



Chicago Metropolitan Agency for Planning

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Chicago, Illinois 60606

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January 24, 2020

Javier Millan
Senior Consultant
Kenig, Lindgren, O'Hara and Aboona, Inc.
9575 West Higgins Road
Suite 400
Rosemont, IL 60018

Subject: Irving Park Road @ Eastview Avenue
IDOT

Dear Mr. Millan:

In response to a request made on your behalf and dated January 24, 2020, we have developed year 2050 average daily traffic (ADT) projections for the subject location.

ROAD SEGMENT	Current Volumes	Year 2050 ADT
Irving Park Rd, @ Eastview Ave	22,500	21,900

Traffic projections are developed using existing ADT data provided in the request letter and the results from the October 2019 CMAP Travel Demand Analysis. The regional travel model uses CMAP 2050 socioeconomic projections and assumes the implementation of the ON TO 2050 Comprehensive Regional Plan for the Northeastern Illinois area. The provision of this data in support of your request does not constitute a CMAP endorsement of the proposed development or any subsequent developments.

If you have any questions, please call me at (312) 386-8806.

Sincerely,

A handwritten signature in black ink, appearing to read "Jose Rodriguez".

Jose Rodriguez, PTP, AICP
Senior Planner, Research & Analysis

cc: Quigley (IDOT)
2020_TrafficForecast\Bensenville\du-04-20\du-04-20.docx

Level of Service Criteria

LEVEL OF SERVICE CRITERIA

Signalized Intersections		
Level of Service	Interpretation	Average Control Delay (seconds per vehicle)
A	Favorable progression. Most vehicles arrive during the green indication and travel through the intersection without stopping.	≤10
B	Good progression, with more vehicles stopping than for Level of Service A.	>10 - 20
C	Individual cycle failures (i.e., one or more queued vehicles are not able to depart as a result of insufficient capacity during the cycle) may begin to appear. Number of vehicles stopping is significant, although many vehicles still pass through the intersection without stopping.	>20 - 35
D	The volume-to-capacity ratio is high and either progression is ineffective or the cycle length is too long. Many vehicles stop and individual cycle failures are noticeable.	>35 - 55
E	Progression is unfavorable. The volume-to-capacity ratio is high and the cycle length is long. Individual cycle failures are frequent.	>55 - 80
F	The volume-to-capacity ratio is very high, progression is very poor, and the cycle length is long. Most cycles fail to clear the queue.	>80.0
Unsignalized Intersections		
Level of Service	Average Total Delay (SEC/VEH)	
A	0 - 10	
B	> 10 - 15	
C	> 15 - 25	
D	> 25 - 35	
E	> 35 - 50	
F	> 50	

Source: *Highway Capacity Manual*, 2010.

Capacity Analysis Summary Sheets

HCM 6th TWSC

3: Condominium Drive & Irving Park Road

01/27/2020

Intersection

Int Delay, s/veh 0.1

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑			↑↑	↑	
Traffic Vol, veh/h	1197	1	0	1161	4	2
Future Vol, veh/h	1197	1	0	1161	4	2
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	6	0	0	6	0	0
Mvmt Flow	1260	1	0	1222	4	2

Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	1261
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	-	4.1
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	-	2.2
Pot Cap-1 Maneuver	-	-	558
Stage 1	-	-	-
Stage 2	-	-	-
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	-	558
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	47.5
HCM LOS			E

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	91	-	-	558	-
HCM Lane V/C Ratio	0.069	-	-	-	-
HCM Control Delay (s)	47.5	-	-	0	-
HCM Lane LOS	E	-	-	A	-
HCM 95th %tile Q(veh)	0.2	-	-	0	-

HCM 6th TWSC
5: Eastview Avenue & Irving Park Road

01/27/2020

Intersection												
Int Delay, s/veh	0.5											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔↔			↔↔			↔			↔	
Traffic Vol, veh/h	7	1186	6	0	1151	5	5	0	5	3	0	5
Future Vol, veh/h	7	1186	6	0	1151	5	5	0	5	3	0	5
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	95	95	95	95	95	95	95	95	95	95	95	95
Heavy Vehicles, %	0	6	0	0	6	0	0	0	0	0	0	0
Mvmt Flow	7	1248	6	0	1212	5	5	0	5	3	0	5

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	1217	0	0	1254	0	0	1871	2482	627	1853	2483	609
Stage 1	-	-	-	-	-	-	1265	1265	-	1215	1215	-
Stage 2	-	-	-	-	-	-	606	1217	-	638	1268	-
Critical Hdwy	4.1	-	-	4.1	-	-	7.5	6.5	6.9	7.5	6.5	6.9
Critical Hdwy Stg 1	-	-	-	-	-	-	6.5	5.5	-	6.5	5.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.5	5.5	-	6.5	5.5	-
Follow-up Hdwy	2.2	-	-	2.2	-	-	3.5	4	3.3	3.5	4	3.3
Pot Cap-1 Maneuver	580	-	-	562	-	-	45	30	431	47	30	443
Stage 1	-	-	-	-	-	-	182	243	-	195	256	-
Stage 2	-	-	-	-	-	-	456	256	-	436	242	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	580	-	-	562	-	-	43	29	431	45	29	443
Mov Cap-2 Maneuver	-	-	-	-	-	-	43	29	-	45	29	-
Stage 1	-	-	-	-	-	-	175	233	-	187	256	-
Stage 2	-	-	-	-	-	-	451	256	-	413	232	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.3	0	58.2	43
HCM LOS			F	E

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	78	580	-	-	562	-	-	103
HCM Lane V/C Ratio	0.135	0.013	-	-	-	-	-	0.082
HCM Control Delay (s)	58.2	11.3	0.2	-	0	-	-	43
HCM Lane LOS	F	B	A	-	A	-	-	E
HCM 95th %tile Q(veh)	0.4	0	-	-	0	-	-	0.3

HCM 6th TWSC

3: Condominium Drive & Irving Park Road

01/27/2020

Intersection						
Int Delay, s/veh	0.1					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑			↑↑	↑	
Traffic Vol, veh/h	1268	4	2	1386	1	1
Future Vol, veh/h	1268	4	2	1386	1	1
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	6	0	0	6	0	0
Mvmt Flow	1335	4	2	1459	1	1
Major/Minor	Major1	Major2		Minor1		
Conflicting Flow All	0	0	1339	0	2071	670
Stage 1	-	-	-	-	1337	-
Stage 2	-	-	-	-	734	-
Critical Hdwy	-	-	4.1	-	6.8	6.9
Critical Hdwy Stg 1	-	-	-	-	5.8	-
Critical Hdwy Stg 2	-	-	-	-	5.8	-
Follow-up Hdwy	-	-	2.2	-	3.5	3.3
Pot Cap-1 Maneuver	-	-	521	-	48	404
Stage 1	-	-	-	-	213	-
Stage 2	-	-	-	-	441	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	521	-	47	404
Mov Cap-2 Maneuver	-	-	-	-	47	-
Stage 1	-	-	-	-	213	-
Stage 2	-	-	-	-	432	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		0.1		49	
HCM LOS					E	
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	84	-	-	521	-	
HCM Lane V/C Ratio	0.025	-	-	0.004	-	
HCM Control Delay (s)	49	-	-	11.9	0.1	
HCM Lane LOS	E	-	-	B	A	
HCM 95th %tile Q(veh)	0.1	-	-	0	-	

HCM 6th TWSC
5: Eastview Avenue & Irving Park Road

01/27/2020

Intersection												
Int Delay, s/veh	0.8											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↕↕			↕↕			↕			↕		
Traffic Vol, veh/h	6	1253	10	8	1374	13	3	0	4	1	0	11
Future Vol, veh/h	6	1253	10	8	1374	13	3	0	4	1	0	11
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	95	95	95	95	95	95	95	95	95	95	95	95
Heavy Vehicles, %	0	6	0	0	6	0	0	0	0	0	0	0
Mvmt Flow	6	1319	11	8	1446	14	3	0	4	1	0	12
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	1460	0	0	1330	0	0	2076	2813	665	2141	2811	730
Stage 1	-	-	-	-	-	-	1337	1337	-	1469	1469	-
Stage 2	-	-	-	-	-	-	739	1476	-	672	1342	-
Critical Hdwy	4.1	-	-	4.1	-	-	7.5	6.5	6.9	7.5	6.5	6.9
Critical Hdwy Stg 1	-	-	-	-	-	-	6.5	5.5	-	6.5	5.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.5	5.5	-	6.5	5.5	-
Follow-up Hdwy	2.2	-	-	2.2	-	-	3.5	4	3.3	3.5	4	3.3
Pot Cap-1 Maneuver	469	-	-	526	-	-	32	18	407	28	18	369
Stage 1	-	-	-	-	-	-	164	224	-	136	194	-
Stage 2	-	-	-	-	-	-	380	192	-	416	223	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	469	-	-	526	-	-	28	16	407	25	16	369
Mov Cap-2 Maneuver	-	-	-	-	-	-	28	16	-	25	16	-
Stage 1	-	-	-	-	-	-	156	213	-	129	178	-
Stage 2	-	-	-	-	-	-	338	176	-	392	212	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	0.4			0.6			73.2			27.6		
HCM LOS							F			D		
Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1				
Capacity (veh/h)	60	469	-	-	526	-	-	172				
HCM Lane V/C Ratio	0.123	0.013	-	-	0.016	-	-	0.073				
HCM Control Delay (s)	73.2	12.8	0.3	-	12	0.5	-	27.6				
HCM Lane LOS	F	B	A	-	B	A	-	D				
HCM 95th %tile Q(veh)	0.4	0	-	-	0	-	-	0.2				

HCM 6th TWSC

3: Condominium Drive & Irving Park Road

01/27/2020

Intersection						
Int Delay, s/veh	0.1					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑			↑↑	↑	
Traffic Vol, veh/h	982	1	4	1033	0	4
Future Vol, veh/h	982	1	4	1033	0	4
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	4	0	0	4	0	0
Mvmt Flow	1034	1	4	1087	0	4

Major/Minor	Major1	Major2	Minor1			
Conflicting Flow All	0	0	1035	0	1587	518
Stage 1	-	-	-	-	1035	-
Stage 2	-	-	-	-	552	-
Critical Hdwy	-	-	4.1	-	6.8	6.9
Critical Hdwy Stg 1	-	-	-	-	5.8	-
Critical Hdwy Stg 2	-	-	-	-	5.8	-
Follow-up Hdwy	-	-	2.2	-	3.5	3.3
Pot Cap-1 Maneuver	-	-	679	-	101	508
Stage 1	-	-	-	-	308	-
Stage 2	-	-	-	-	546	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	679	-	99	508
Mov Cap-2 Maneuver	-	-	-	-	99	-
Stage 1	-	-	-	-	308	-
Stage 2	-	-	-	-	538	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0.1	12.1
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	508	-	-	679	-
HCM Lane V/C Ratio	0.008	-	-	0.006	-
HCM Control Delay (s)	12.1	-	-	10.3	0.1
HCM Lane LOS	B	-	-	B	A
HCM 95th %tile Q(veh)	0	-	-	0	-

HCM 6th TWSC
5: Eastview Avenue & Irving Park Road

01/27/2020

Intersection												
Int Delay, s/veh	0.6											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔↔			↔↔			↔			↔	
Traffic Vol, veh/h	3	975	8	8	1026	3	8	1	1	3	0	3
Future Vol, veh/h	3	975	8	8	1026	3	8	1	1	3	0	3
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	95	95	95	95	95	95	95	95	95	95	95	95
Heavy Vehicles, %	0	4	0	0	4	0	0	0	0	0	0	0
Mvmt Flow	3	1026	8	8	1080	3	8	1	1	3	0	3
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	1083	0	0	1034	0	0	1592	2135	517	1618	2138	542
Stage 1	-	-	-	-	-	-	1036	1036	-	1098	1098	-
Stage 2	-	-	-	-	-	-	556	1099	-	520	1040	-
Critical Hdwy	4.1	-	-	4.1	-	-	7.5	6.5	6.9	7.5	6.5	6.9
Critical Hdwy Stg 1	-	-	-	-	-	-	6.5	5.5	-	6.5	5.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.5	5.5	-	6.5	5.5	-
Follow-up Hdwy	2.2	-	-	2.2	-	-	3.5	4	3.3	3.5	4	3.3
Pot Cap-1 Maneuver	652	-	-	680	-	-	73	50	509	70	50	490
Stage 1	-	-	-	-	-	-	251	311	-	230	291	-
Stage 2	-	-	-	-	-	-	488	291	-	512	310	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	652	-	-	680	-	-	70	48	509	67	48	490
Mov Cap-2 Maneuver	-	-	-	-	-	-	70	48	-	67	48	-
Stage 1	-	-	-	-	-	-	248	308	-	227	282	-
Stage 2	-	-	-	-	-	-	470	282	-	504	307	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	0.1			0.3			62.5			37.2		
HCM LOS							F			E		
Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1				
Capacity (veh/h)	73	652	-	-	680	-	-	118				
HCM Lane V/C Ratio	0.144	0.005	-	-	0.012	-	-	0.054				
HCM Control Delay (s)	62.5	10.5	0.1	-	10.4	0.2	-	37.2				
HCM Lane LOS	F	B	A	-	B	A	-	E				
HCM 95th %tile Q(veh)	0.5	0	-	-	0	-	-	0.2				

HCM 6th TWSC

3: Condominium Drive & Irving Park Road

01/27/2020

Intersection						
Int Delay, s/veh	0.1					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑			↑↑	↑↑	
Traffic Vol, veh/h	1200	1	0	1163	4	2
Future Vol, veh/h	1200	1	0	1163	4	2
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	6	0	0	6	0	0
Mvmt Flow	1263	1	0	1224	4	2

Major/Minor	Major1	Major2	Minor1			
Conflicting Flow All	0	0	1264	0	1876	632
Stage 1	-	-	-	-	1264	-
Stage 2	-	-	-	-	612	-
Critical Hdwy	-	-	4.1	-	6.8	6.9
Critical Hdwy Stg 1	-	-	-	-	5.8	-
Critical Hdwy Stg 2	-	-	-	-	5.8	-
Follow-up Hdwy	-	-	2.2	-	3.5	3.3
Pot Cap-1 Maneuver	-	-	557	-	65	428
Stage 1	-	-	-	-	233	-
Stage 2	-	-	-	-	509	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	557	-	65	428
Mov Cap-2 Maneuver	-	-	-	-	65	-
Stage 1	-	-	-	-	233	-
Stage 2	-	-	-	-	509	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	47.5
HCM LOS			E

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	91	-	-	557	-
HCM Lane V/C Ratio	0.069	-	-	-	-
HCM Control Delay (s)	47.5	-	-	0	-
HCM Lane LOS	E	-	-	A	-
HCM 95th %tile Q(veh)	0.2	-	-	0	-

HCM 6th TWSC
5: Eastview Avenue & Irving Park Road

01/27/2020

Intersection												
Int Delay, s/veh	0.5											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↔↔				↔↔			↔			↔	
Traffic Vol, veh/h	7	1189	6	0	1153	5	5	0	5	3	0	5
Future Vol, veh/h	7	1189	6	0	1153	5	5	0	5	3	0	5
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	95	95	95	95	95	95	95	95	95	95	95	95
Heavy Vehicles, %	0	6	0	0	6	0	0	0	0	0	0	0
Mvmt Flow	7	1252	6	0	1214	5	5	0	5	3	0	5
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	1219	0	0	1258	0	0	1876	2488	629	1857	2489	610
Stage 1	-	-	-	-	-	-	1269	1269	-	1217	1217	-
Stage 2	-	-	-	-	-	-	607	1219	-	640	1272	-
Critical Hdwy	4.1	-	-	4.1	-	-	7.5	6.5	6.9	7.5	6.5	6.9
Critical Hdwy Stg 1	-	-	-	-	-	-	6.5	5.5	-	6.5	5.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.5	5.5	-	6.5	5.5	-
Follow-up Hdwy	2.2	-	-	2.2	-	-	3.5	4	3.3	3.5	4	3.3
Pot Cap-1 Maneuver	579	-	-	560	-	-	45	30	430	46	30	442
Stage 1	-	-	-	-	-	-	181	242	-	195	256	-
Stage 2	-	-	-	-	-	-	455	255	-	435	241	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	579	-	-	560	-	-	43	29	430	44	29	442
Mov Cap-2 Maneuver	-	-	-	-	-	-	43	29	-	44	29	-
Stage 1	-	-	-	-	-	-	174	232	-	187	256	-
Stage 2	-	-	-	-	-	-	450	255	-	412	231	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	0.3			0			58.2			43.9		
HCM LOS							F			E		
Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1				
Capacity (veh/h)	78	579	-	-	560	-	-	101				
HCM Lane V/C Ratio	0.135	0.013	-	-	-	-	-	0.083				
HCM Control Delay (s)	58.2	11.3	0.2	-	0	-	-	43.9				
HCM Lane LOS	F	B	A	-	A	-	-	E				
HCM 95th %tile Q(veh)	0.4	0	-	-	0	-	-	0.3				

HCM 6th TWSC

8: Access Drive & Irving Park Road

01/27/2020

Intersection								
Int Delay, s/veh	0.1							
Movement	EBT	EBR	WBL	WBT	NBL	NBR		
Lane Configurations	↑↑			↑↑	↑	↑		
Traffic Vol, veh/h	1199	3	2	1161	2	3		
Future Vol, veh/h	1199	3	2	1161	2	3		
Conflicting Peds, #/hr	0	0	0	0	0	0		
Sign Control	Free	Free	Free	Free	Stop	Stop		
RT Channelized	-	None	-	None	-	None		
Storage Length	-	-	-	-	0	0		
Veh in Median Storage, #	0	-	-	0	0	-		
Grade, %	0	-	-	0	0	-		
Peak Hour Factor	95	95	95	95	95	95		
Heavy Vehicles, %	6	0	0	6	0	0		
Mvmt Flow	1262	3	2	1222	2	3		
Major/Minor	Major1		Major2		Minor1			
Conflicting Flow All	0	0	1265	0	1879	633		
Stage 1	-	-	-	-	1264	-		
Stage 2	-	-	-	-	615	-		
Critical Hdwy	-	-	4.1	-	6.8	6.9		
Critical Hdwy Stg 1	-	-	-	-	5.8	-		
Critical Hdwy Stg 2	-	-	-	-	5.8	-		
Follow-up Hdwy	-	-	2.2	-	3.5	3.3		
Pot Cap-1 Maneuver	-	-	556	-	64	427		
Stage 1	-	-	-	-	233	-		
Stage 2	-	-	-	-	507	-		
Platoon blocked, %	-	-		-				
Mov Cap-1 Maneuver	-	-	556	-	63	427		
Mov Cap-2 Maneuver	-	-	-	-	63	-		
Stage 1	-	-	-	-	233	-		
Stage 2	-	-	-	-	501	-		
Approach	EB		WB		NB			
HCM Control Delay, s	0		0.1		33.7			
HCM LOS	D							
Minor Lane/Major Mvmt	NBLn1		NBLn2		EBT	EBR	WBL	WBT
Capacity (veh/h)	63		427		-	-	556	-
HCM Lane V/C Ratio	0.033		0.007		-	-	0.004	-
HCM Control Delay (s)	64.1		13.5		-	-	11.5	0.1
HCM Lane LOS	F		B		-	-	B	A
HCM 95th %tile Q(veh)	0.1		0		-	-	0	-

HCM 6th TWSC

3: Condominium Drive & Irving Park Road

01/27/2020

Intersection						
Int Delay, s/veh	0.1					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑			↑↑	↑↑	
Traffic Vol, veh/h	1289	4	2	1406	1	1
Future Vol, veh/h	1289	4	2	1406	1	1
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	6	0	0	6	0	0
Mvmt Flow	1357	4	2	1480	1	1
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	1361	0	2103	681
Stage 1	-	-	-	-	1359	-
Stage 2	-	-	-	-	744	-
Critical Hdwy	-	-	4.1	-	6.8	6.9
Critical Hdwy Stg 1	-	-	-	-	5.8	-
Critical Hdwy Stg 2	-	-	-	-	5.8	-
Follow-up Hdwy	-	-	2.2	-	3.5	3.3
Pot Cap-1 Maneuver	-	-	512	-	45	398
Stage 1	-	-	-	-	208	-
Stage 2	-	-	-	-	436	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	512	-	44	398
Mov Cap-2 Maneuver	-	-	-	-	44	-
Stage 1	-	-	-	-	208	-
Stage 2	-	-	-	-	426	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		0.1		51.8	
HCM LOS					F	
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	79	-	-	512	-	
HCM Lane V/C Ratio	0.027	-	-	0.004	-	
HCM Control Delay (s)	51.8	-	-	12.1	0.1	
HCM Lane LOS	F	-	-	B	A	
HCM 95th %tile Q(veh)	0.1	-	-	0	-	

HCM 6th TWSC

5: Eastview Avenue & Irving Park Road

01/27/2020

Intersection												
Int Delay, s/veh	0.8											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↕↕			↕↕			↕			↕		
Traffic Vol, veh/h	6	1274	10	8	1394	13	3	0	4	1	0	11
Future Vol, veh/h	6	1274	10	8	1394	13	3	0	4	1	0	11
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	95	95	95	95	95	95	95	95	95	95	95	95
Heavy Vehicles, %	0	6	0	0	6	0	0	0	0	0	0	0
Mvmt Flow	6	1341	11	8	1467	14	3	0	4	1	0	12
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	1481	0	0	1352	0	0	2109	2856	676	2173	2854	741
Stage 1	-	-	-	-	-	-	1359	1359	-	1490	1490	-
Stage 2	-	-	-	-	-	-	750	1497	-	683	1364	-
Critical Hdwy	4.1	-	-	4.1	-	-	7.5	6.5	6.9	7.5	6.5	6.9
Critical Hdwy Stg 1	-	-	-	-	-	-	6.5	5.5	-	6.5	5.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.5	5.5	-	6.5	5.5	-
Follow-up Hdwy	2.2	-	-	2.2	-	-	3.5	4	3.3	3.5	4	3.3
Pot Cap-1 Maneuver	460	-	-	516	-	-	30	17	401	27	17	363
Stage 1	-	-	-	-	-	-	159	219	-	132	189	-
Stage 2	-	-	-	-	-	-	374	188	-	410	218	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	460	-	-	516	-	-	26	15	401	24	15	363
Mov Cap-2 Maneuver	-	-	-	-	-	-	26	15	-	24	15	-
Stage 1	-	-	-	-	-	-	151	207	-	125	172	-
Stage 2	-	-	-	-	-	-	330	171	-	384	206	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	0.4			0.6			78.8			28.3		
HCM LOS							F			D		
Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1				
Capacity (veh/h)	56	460	-	-	516	-	-	167				
HCM Lane V/C Ratio	0.132	0.014	-	-	0.016	-	-	0.076				
HCM Control Delay (s)	78.8	12.9	0.3	-	12.1	0.5	-	28.3				
HCM Lane LOS	F	B	A	-	B	A	-	D				
HCM 95th %tile Q(veh)	0.4	0	-	-	0.1	-	-	0.2				

HCM 6th TWSC

8: Access Drive & Irving Park Road

01/27/2020

Intersection						
Int Delay, s/veh	2.5					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑			↑↑	↑	↑
Traffic Vol, veh/h	1269	21	20	1388	20	21
Future Vol, veh/h	1269	21	20	1388	20	21
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	6	0	0	6	0	0
Mvmt Flow	1336	22	21	1461	21	22
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	1358	0	2120	679
Stage 1	-	-	-	-	1347	-
Stage 2	-	-	-	-	773	-
Critical Hdwy	-	-	4.1	-	6.8	6.9
Critical Hdwy Stg 1	-	-	-	-	5.8	-
Critical Hdwy Stg 2	-	-	-	-	5.8	-
Follow-up Hdwy	-	-	2.2	-	3.5	3.3
Pot Cap-1 Maneuver	-	-	513	-	44	399
Stage 1	-	-	-	-	211	-
Stage 2	-	-	-	-	421	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	513	-	34	399
Mov Cap-2 Maneuver	-	-	-	-	34	-
Stage 1	-	-	-	-	211	-
Stage 2	-	-	-	-	330	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		1.5		113.4	
HCM LOS	F					
Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBL	WBT
Capacity (veh/h)	34	399	-	-	513	-
HCM Lane V/C Ratio	0.619	0.055	-	-	0.041	-
HCM Control Delay (s)	217.1	14.6	-	-	12.3	1.3
HCM Lane LOS	F	B	-	-	B	A
HCM 95th %tile Q(veh)	2.1	0.2	-	-	0.1	-

HCM 6th TWSC

3: Condominium Drive & Irving Park Road

01/27/2020

Intersection

Int Delay, s/veh 0.1

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑			↑↑	↑	
Traffic Vol, veh/h	1026	1	4	1077	0	4
Future Vol, veh/h	1026	1	4	1077	0	4
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	4	0	0	4	0	0
Mvmt Flow	1080	1	4	1134	0	4

Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	1081
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	-	4.1
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	-	2.2
Pot Cap-1 Maneuver	-	-	653
Stage 1	-	-	-
Stage 2	-	-	-
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	-	653
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0.1	12.4
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	491	-	-	653	-
HCM Lane V/C Ratio	0.009	-	-	0.006	-
HCM Control Delay (s)	12.4	-	-	10.5	0.1
HCM Lane LOS	B	-	-	B	A
HCM 95th %tile Q(veh)	0	-	-	0	-

HCM 6th TWSC
5: Eastview Avenue & Irving Park Road

01/27/2020

Intersection												
Int Delay, s/veh	0.7											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↕↕			↕↕			↕			↕		
Traffic Vol, veh/h	3	1019	8	8	1070	3	8	1	1	3	0	3
Future Vol, veh/h	3	1019	8	8	1070	3	8	1	1	3	0	3
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	95	95	95	95	95	95	95	95	95	95	95	95
Heavy Vehicles, %	0	4	0	0	4	0	0	0	0	0	0	0
Mvmt Flow	3	1073	8	8	1126	3	8	1	1	3	0	3
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	1129	0	0	1081	0	0	1662	2228	541	1687	2231	565
Stage 1	-	-	-	-	-	-	1083	1083	-	1144	1144	-
Stage 2	-	-	-	-	-	-	579	1145	-	543	1087	-
Critical Hdwy	4.1	-	-	4.1	-	-	7.5	6.5	6.9	7.5	6.5	6.9
Critical Hdwy Stg 1	-	-	-	-	-	-	6.5	5.5	-	6.5	5.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.5	5.5	-	6.5	5.5	-
Follow-up Hdwy	2.2	-	-	2.2	-	-	3.5	4	3.3	3.5	4	3.3
Pot Cap-1 Maneuver	626	-	-	653	-	-	65	44	491	62	43	473
Stage 1	-	-	-	-	-	-	235	296	-	216	277	-
Stage 2	-	-	-	-	-	-	473	277	-	497	295	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	626	-	-	653	-	-	62	42	491	59	41	473
Mov Cap-2 Maneuver	-	-	-	-	-	-	62	42	-	59	41	-
Stage 1	-	-	-	-	-	-	232	292	-	213	268	-
Stage 2	-	-	-	-	-	-	454	268	-	488	291	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	0.1			0.3			70.8			41.5		
HCM LOS							F			E		
Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1				
Capacity (veh/h)	65	626	-	-	653	-	-	105				
HCM Lane V/C Ratio	0.162	0.005	-	-	0.013	-	-	0.06				
HCM Control Delay (s)	70.8	10.8	0.1	-	10.6	0.2	-	41.5				
HCM Lane LOS	F	B	A	-	B	A	-	E				
HCM 95th %tile Q(veh)	0.5	0	-	-	0	-	-	0.2				

HCM 6th TWSC

8: Access Drive & Irving Park Road

01/27/2020

Intersection

Int Delay, s/veh 3.4

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑			↑↑	↑	↑
Traffic Vol, veh/h	986	44	44	1037	44	44
Future Vol, veh/h	986	44	44	1037	44	44
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	4	0	0	4	0	0
Mvmt Flow	1038	46	46	1092	46	46

Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	1084
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	-	4.1
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	-	2.2
Pot Cap-1 Maneuver	-	-	651
Stage 1	-	-	-
Stage 2	-	-	-
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	-	651
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	1.3	69.4
HCM LOS			F

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBL	WBT
Capacity (veh/h)	70	490	-	-	651	-
HCM Lane V/C Ratio	0.662	0.095	-	-	0.071	-
HCM Control Delay (s)	125.6	13.1	-	-	11	0.9
HCM Lane LOS	F	B	-	-	B	A
HCM 95th %tile Q(veh)	2.9	0.3	-	-	0.2	-

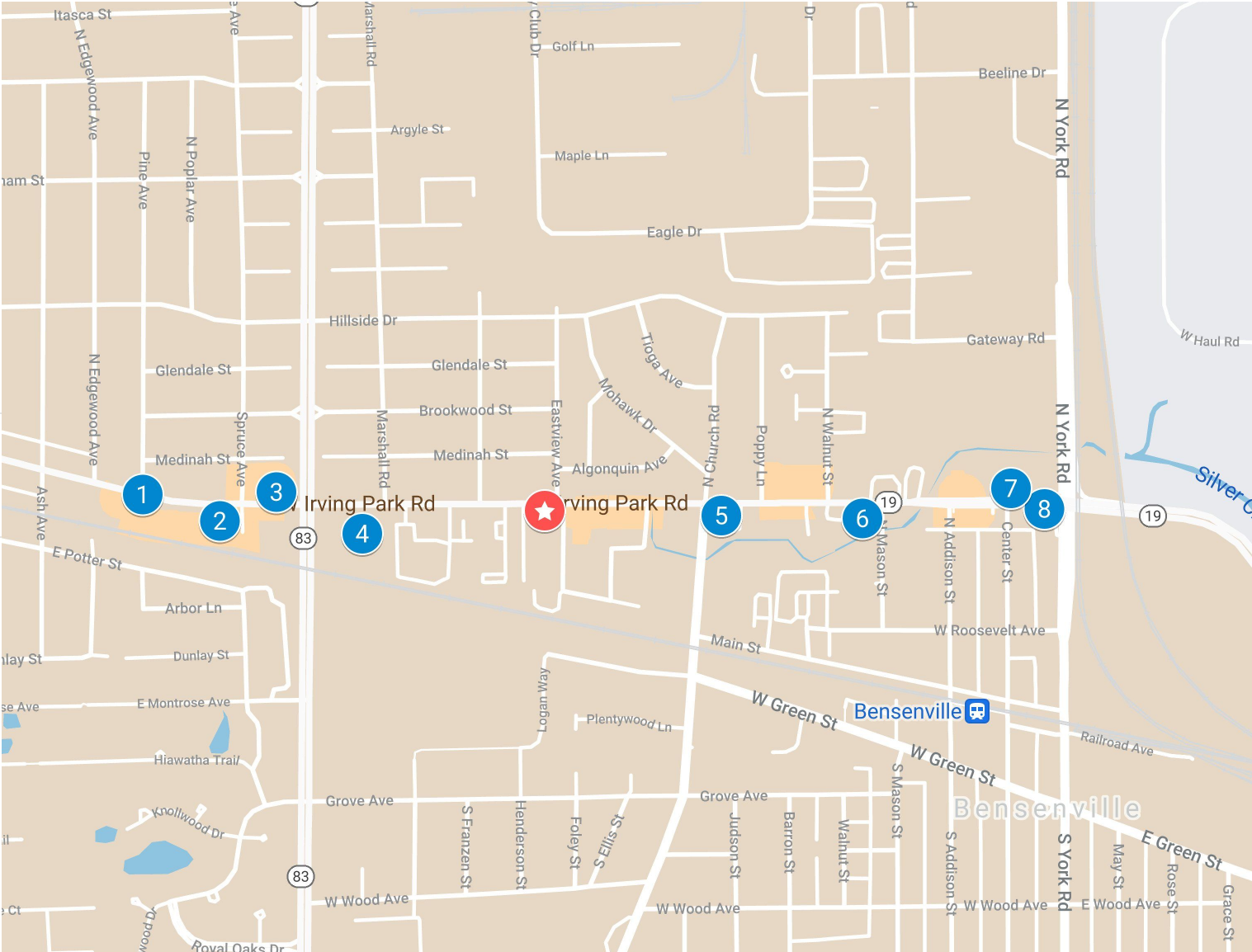
EMCs on Irving Park Road

EMCs on Irving Park Road

- 1 Asti Deli
- 2 O'Hare Auto Body
- 3 Plaza 83
- 4 Speedway
- 5 bp
- 6 McDonald's
- 7 Amoco
- 8 Shell

Petitioner

-  Gem Car Wash





x



Gem Car Wash Signage - Rev. Version 2 | Date: 6-18-2021

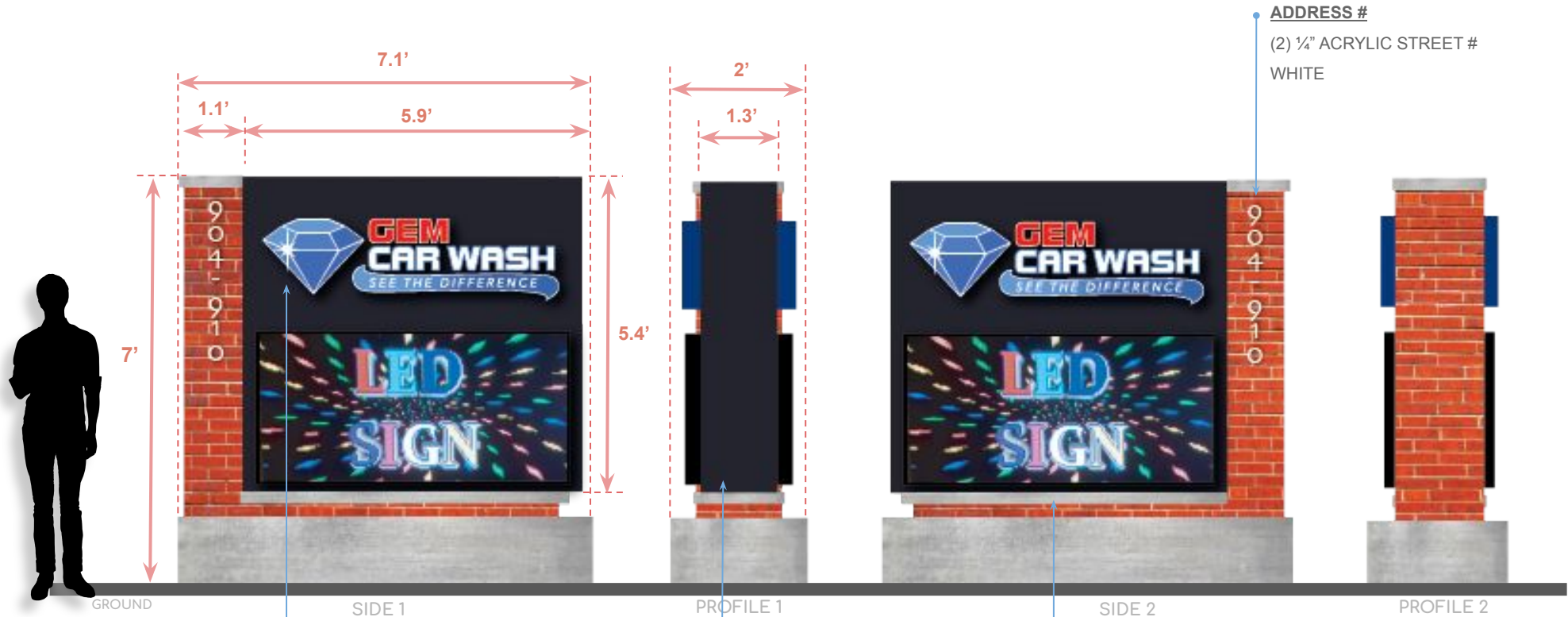
Business Owner: John Sadik

Location: 904-910 W. IRVING PARK RD., BENSENVILLE, IL. 60614

SIGN
PLAN



MONUMENT SIGN - DETAILS

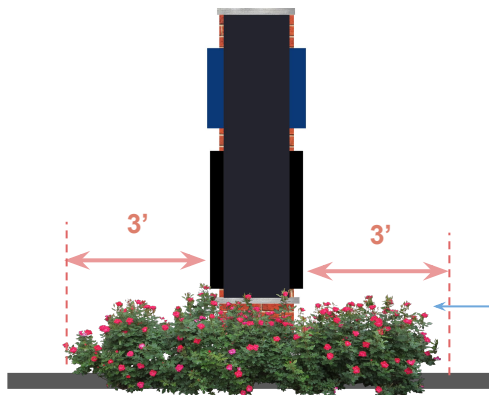


MONUMENT SIGN - Landscape Plan

SIDE 1



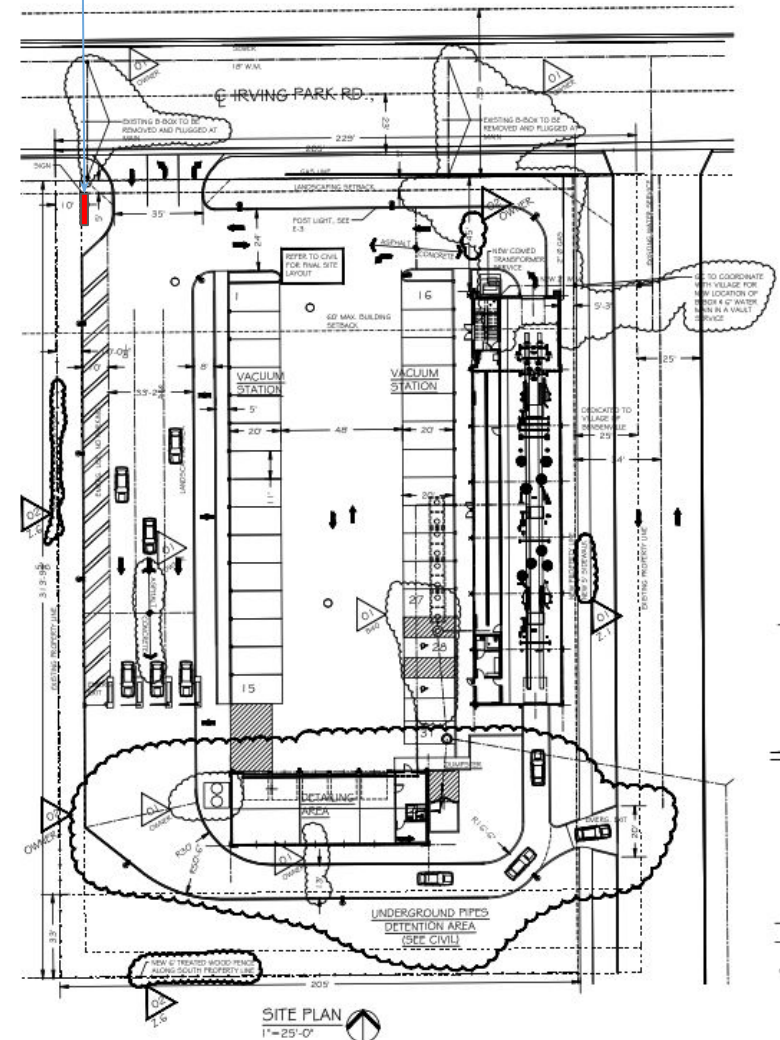
PROFILE 1



Shrubbery planted around the monument sign at 3 feet width all around

MONUMENT SIGN LOCATION

- 5' from north property line
- 10' from west property line





x



Gem Car Wash Signage - Rev: Version 2 | Date: 6-8-2021

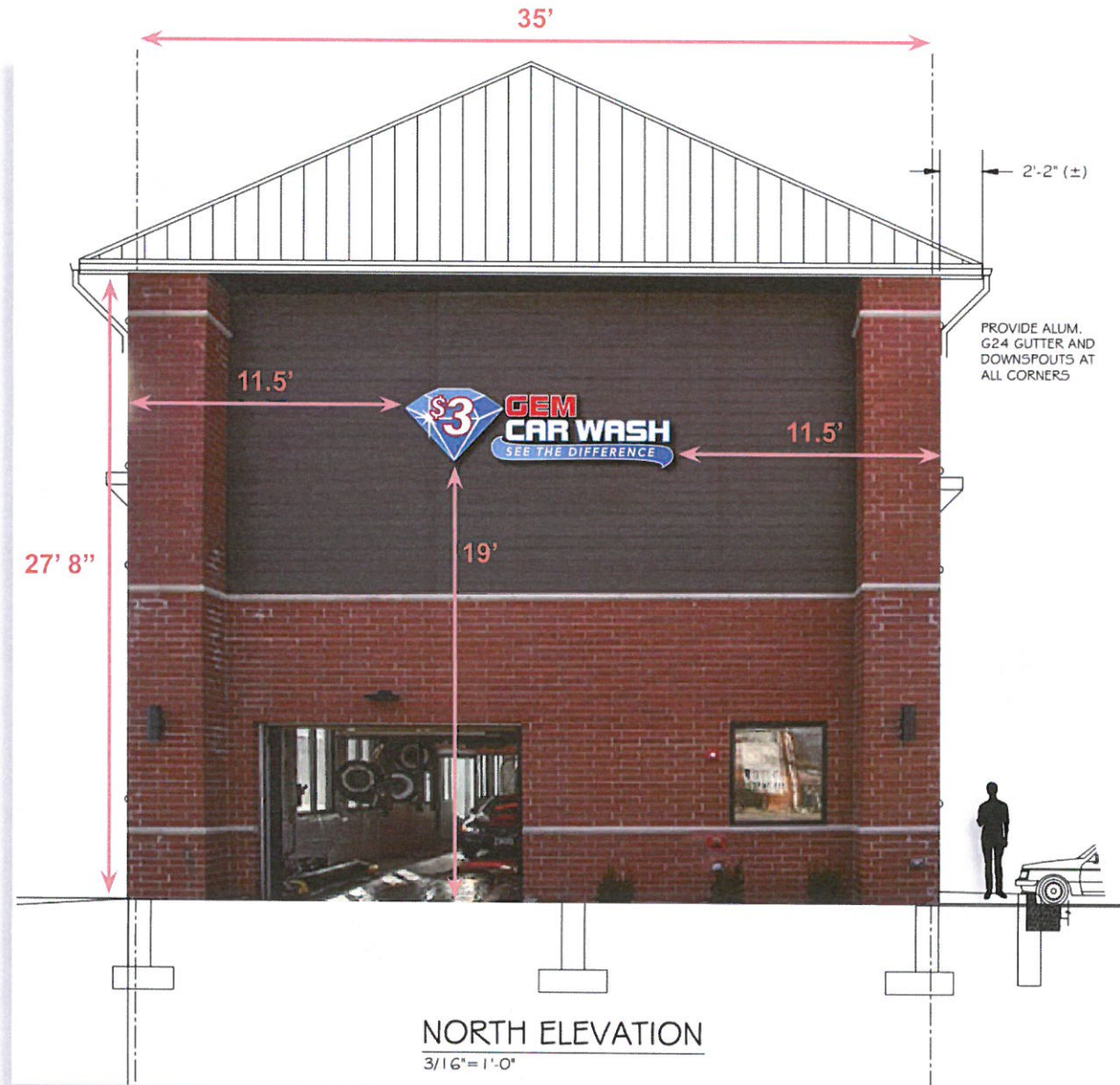
Business Owner: John Sadik

Location: 904-910 W. IRVING PARK RD., BENSENVILLE, IL. 60614

SIGN
PLAN



NORTH WALL SIGN LOCATION



SIGN DETAILS

AREA: 39 SQFT

FRONT LIT

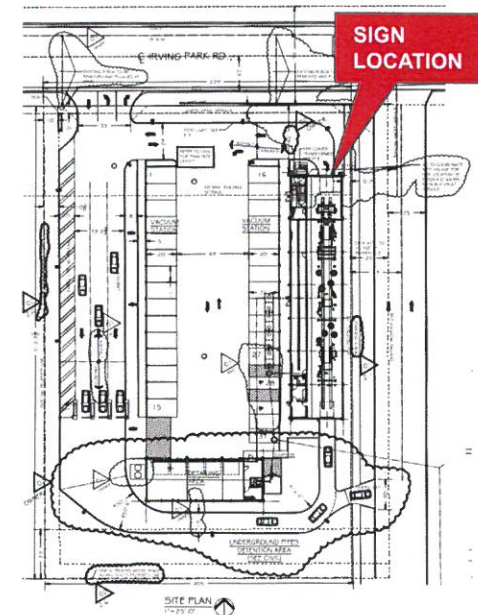
RED ACRYLIC FACE

WHITE ACRYLIC FACE

BLUE ALUMINUM RETURN

BLUE TRIM CAP

APPLIED TRANSLUCENT VINYL
CLOUD SIGNS





x



Gem Car Wash Signage - Rev: Version 2 | Date: 6-8-2021

Business Owner: John Sadik

Location: 904-910 W. IRVING PARK RD., BENSENVILLE, IL. 60614

SIGN
PLAN



NORTH WALL SIGN DESIGN

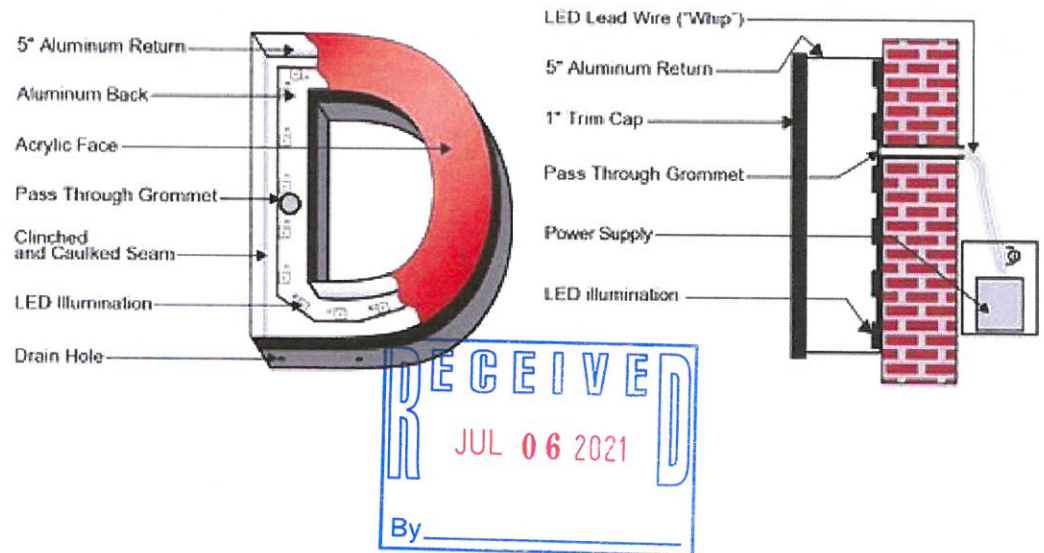


SIGN LOCATION

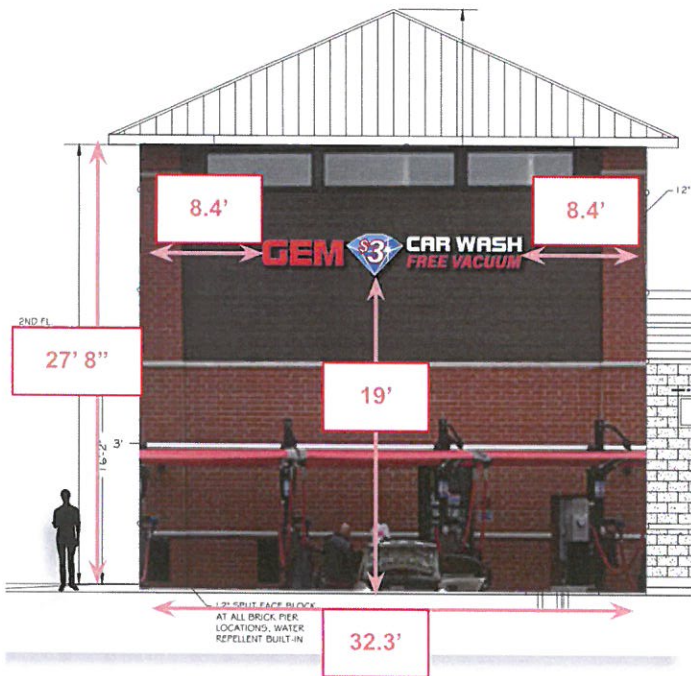


NORTH SIGN
LOCATION

CONSTRUCTION



WEST WALL SIGN LOCATION



EAST WALL SIGN LOCATION



SIGN DETAILS

AREA: 40 SQFT

FRONT LIT

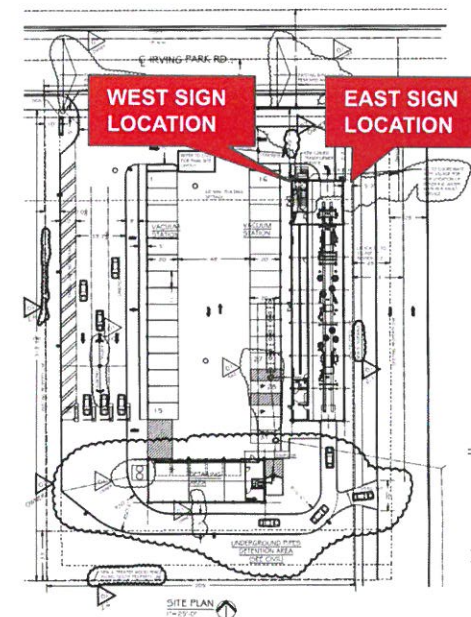
WHITE ACRYLIC FACE

RED ACRYLIC FACE

BLUE ALUMINUM RETURN

BLUE TRIM CAP

APPLIED TRANSLUCENT VINYL
CLOUD SIGN





x



Gem Car Wash Signage - Rev: Version 2 | Date: 6-8-2021

Business Owner: John Sadik

Location: 904-910 W. IRVING PARK RD., BENSENVILLE, IL. 60614

SIGN
PLAN



EAST & WEST WALL SIGN DESIGN



SIGN LOCATION

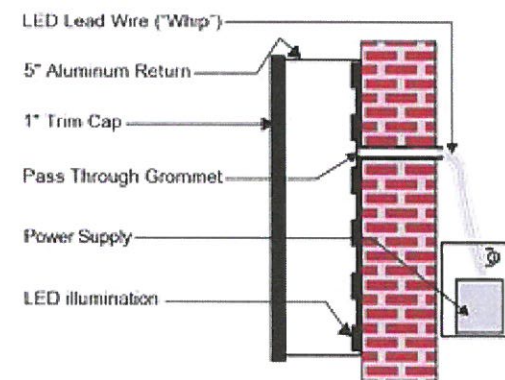
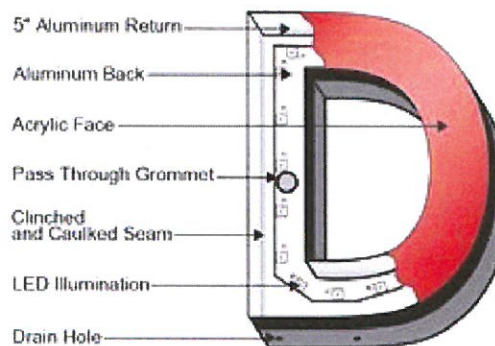


WEST SIGN
LOCATION



EAST SIGN
LOCATION

CONSTRUCTION



PLAT OF SURVEY

904 & 910 W. IRVING PARK RD
BENSENVILLE, ILLINOIS 60106

SHEET No.: 1/1

W. IRVING PARK RD
(83' PUBLIC RIGHT-OF-WAY)

SURVEYOR'S NOTES

- THIS SURVEY IS SUBJECT TO MATTERS OF TITLE WHICH MAY BE REVEALED BY A CURRENT TITLE REPORT.
- SURVEY IS BASED ON FIELD WORK COMPLETED ON OCTOBER 26, 2018.
- ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.
- EASEMENTS WHICH ARE SHOWN ON THE RECORDED PLAT OF SUBDIVISIONS ARE SHOWN HEREON. REFER TO THE DEED, TITLE INSURANCE POLICY AND LOCAL ORDINANCES FOR OTHER RESTRICTIONS.
- COMPARE DEED DESCRIPTION AND SITE CONDITIONS WITH THE DATA GIVEN ON THIS PLAT AND REPORT ANY DISCREPANCIES TO THE SURVEYOR AT ONCE.
- SURVEY COMPLETED FOR
MR. HARRIS SELTZER
910 W. IRVING PARK RD
BENSENVILLE, IL 60106
- THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
- BASIS OF BEARING: GRID NORTH - ILLINOIS EAST ZONE, STATE PLANE COORDINATE SYSTEM NAD 83.
- PARCEL 1 AND 3 SHOWN PER QUIT CLAIM DEED DOC NO R2006-222787, PARCELS 1, 2, AND 3 SHOWN PER CHICAGO TITLE INSURANCE COMPANY COMMITMENT NO. 18GNW535050RM.
- PARCEL 2 AND 3 ARE COMBINED PER TRUSTEE'S DEED DOC NO R2016-127477. CLIENT NOTIFIED SURVEYOR THAT THE DESCRIPTION FURNISHED IN R2016-127477 WAS IN ERROR.

LEGEND

PROPERTY BOUNDARY	—
OFFSITE PROPERTY LINE	- - -
EASEMENT LINE	- - -
BUILDING SETBACK LINE	- - -
FOUND IRON PIPE	O
SET 3/4" IRON PIPE	O _{SP}
FOUND PK NAIL	O _{SMAG}
OVERHEAD UTILITY LINES	- - -
FENCE LINE	- - -
POWER POLE	—
LIGHT POLE	—

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE)

WE, MERITCORP, LLC, HEREBY CERTIFY THAT WE HAVE SURVEYED THE DESCRIBED PROPERTY AND THAT THIS PLAT REPRESENTS THE CONDITIONS FOUND AT THE TIME OF SAID SURVEY.

GIVEN UNDER MY HAND AND SEAL ON THIS 29TH DAY OF OCTOBER 2018.

Jonathan D. Spinazzola
JONATHAN D. SPINAZZOLA
ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3668
CURRENT LICENSE EXPIRES NOVEMBER 30, 2018



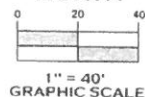
LEGAL DESCRIPTION

PARCEL 1
THE EAST 229 FEET (EXCEPT THE EAST 80 FEET THEREOF) AND (EXCEPT EASTVIEW APARTMENT PER DOCUMENT R72-70911) OF LOT 5 OF THE OWNER'S ASSESSMENT PLAT OF PART OF SECTION 11 AND 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 1917 AS DOCUMENT 129399, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2
THE NORTH 250 FEET OF THE EAST 80 FEET (EXCEPT EASTVIEW APARTMENTS PER DOCUMENT R72-70911) (MEASURED ALONG THE NORTH LINE) OF LOT 5 OF THE OWNER'S ASSESSMENT PLAT OF PART OF SECTIONS 11 AND 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 1917 AS DOCUMENT 129399, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 3
THE EAST 80 FEET (EXCEPT THE NORTH 250 FEET AND EXCEPT EASTVIEW APARTMENTS PER DOCUMENT R72-70911) OF LOT 5 OF THE OWNER'S ASSESSMENT PLAT OF PART OF SECTIONS 11 AND 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 1917 AS DOCUMENT 129399, IN DUPAGE COUNTY, ILLINOIS.

NORTH



DATE	DESCRIPTION
10-29-2018	ISSUED TO CLIENT
PLAT OF SURVEY	
904 & 910 W. IRVING PARK RD BENSENVILLE, IL 60106	
PROJECT No. M18152	
DRAWN BY JDS	CHECKED BY JDS
COPYRIGHT © 2018 MeritCorp	



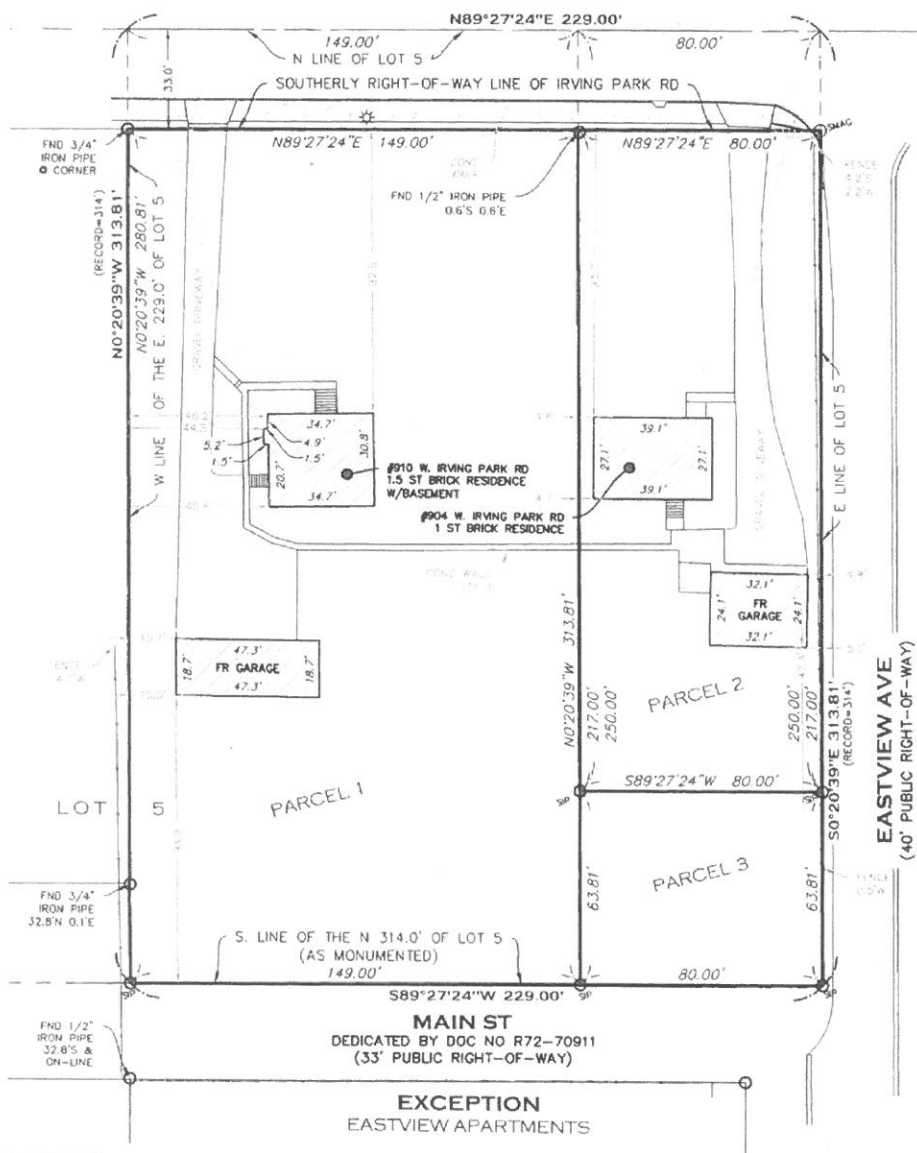
MeritCorp

ENGINEERING PLANNING SURVEYING ENVIRONMENTAL
50 North Broadway, Suite 3-9 3697 Darlene Ct.
Palatine, IL 60067 Aurora, IL 60504
Office 847.496.4170 Office 630.554.6655
Lic. No. 184-005860 www.meritcorp.com

MAIN ST
DEDICATED BY DOC NO R72-70911
(33' PUBLIC RIGHT-OF-WAY)

EXCEPTION
EASTVIEW APARTMENTS

EASTVIEW AVE
(40' PUBLIC RIGHT-OF-WAY)



Public Hearing: CDC Case Number 2021-22
Petitioner: Mirjan Sadik, Gem Car Was II LLC
Location: 904-910 West Irving Park Road
Request: Variation, Paved Parking Area
Amendment to an Approved Planned Unit Development
Municipal Code Section 10 – 4 – 4
**To grant a Code Departure from:*
Electronic Message Sign Location, 10 – 10 – 5B – 4a3

Motion: Commissioner King made a motion to open CDC Case No. 2021-22. Commissioner Chambers seconded the motion.

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

Chairman Rowe opened CDC Case No. 2021-22 at 8:01 p.m.

Village Planner, Kelsey Fawell was present and sworn in by Chairman Rowe. Ms. Fawell stated a Legal Notice was published in the Bensenville Independent on July 15, 2021. Ms. Fawell 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. Ms. Fawell stated Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on July 15, 2021. Ms. Fawell stated on July 12, 2021 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. Ms. Fawell 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.

Ms. Fawell stated in 2020, the Petitioner was granted a PUD to construct a car wash at 904-910 W Irving Park Road. Gem Car Wash is now seeking an Amendment to that PUD, requesting a Code Departure to allow an electronic message sign, as a component of a monument sign, on the property. Ms. Fawell stated the Zoning Ordinance prohibits EMCs to be located within one mile of the property line of a lot on which an existing EMC is located. Ms. Fawell stated there are 8 existing EMCs on Irving Park Road, all under a mile from the subject property.

Ms. Fawell stated the submittal features additional plans for 3 wall signs. Ms. Fawell stated these do not require any code departures, but have been included as they are part of the overall signage project.

Mirjan Sadik, property owner, was present and sworn in by Chairman Rowe. Mr. Sadik provided an overview of the proposed sign.

Commissioner Wasowicz asked why this wasn't done as part of the original PUD. Mr. Sadik stated that was an error on his end as he did not realize the requirements form a EMC sign.

Public Comment

Chairman Rowe asked if there was any member of the Public that would like to comment of the CDC Case. There were none.

Ms. Fawell reviewed the Findings of Fact for the proposed special use as presented in the Staff Report 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 car wash is permitted use by right and will be developed in accordance with screening and engineering standards so as to minimize the consequential impacts of the development.

- 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: While the majority of surrounding properties are currently zoned residential, the subject property in question is zoned C-2 Commercial District. In the C-2 District, car washes are a permitted use by right. The property to the east, Cascade Banquets, is also zoned C-2.

- 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 development will not impede the normal and orderly development as it is a permitted use by right. The use will be landscaped and developed in a way to as to have any adverse impacts on neighboring properties. Monument sign will include shrubbery around the base as per village regulations.

- 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 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) **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: As the use is permitted in the subject property's designated zoning district and will meet the use standards indicated in the Village's Zoning Ordinance.

Ms. Fawell reviewed the Findings of Fact for the proposed planned unit development in the Staff Report consisting of:

- 1) **Comprehensive Plan:** 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.

Applicant's Response: The proposed PUD fulfills the objective of the current Zoning Map and Ordinance, albeit the Comprehensive Plan indicates "Multi-Family Residential" for this property. The proposed PUD will fill the much needed car wash vacancy in the Village.

- 2) **Public Facilities:** 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.

Applicant's Response: The proposed PUD will provide driveways, parking stalls, pedestrian walkways, and exterior lighting that will serve the uses within this development.

- 3) **Landscaping and Screening:** 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.

Applicant's Response: The proposed PUD will provide the necessary screening and landscape requirements that will enhance the character and livability of the subject property as well as providing buffer yards between the adjacent residentially-zoned properties. Monument sign will include shrubbery around the base as per village regulations.

- 4) **Site Design:** The proposed planned unit development will incorporate sustainable and low impact site design and development principles.

Applicant's Response: The proposed planned unit development will incorporate sustainable and low impact site design and development principles.

- 5) **Natural Environment:** 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.

Applicant's Response: The proposed PUD will protect the community's natural environment, providing landscaping and stormwater detention.

- 6) **Utilities:** 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.

Applicant's Response: 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.

Ms. Fawell stated Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Amendment to a Planned Unit Development at 904-910 W Irving Park Road with the following conditions:

- 1) All conditions of approval set forth in Ordinance #35-2020 granting approval of a Planned Unit Development are consequently conditions of approval of the Planned Unit Development Amendment granted herein;
- 2) Freestanding sign shall be accordance with submitted plans dated 06.18.2021;
- 3) Illuminated signs shall be turned off 30 minutes after close of business, which is 9:30PM;
- 4) A landscape plan indicating plant material and quantity, subject to Zoning Administrator review and approval, shall be submitted with a building permit application; and
- 5) Temporary signage shall no longer be permitted at this property.

There were no further questions from the Commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2021-22. Commissioner Chambers seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2021-22 at 8:13 p.m.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of a Amendment to an Approved Planned unit Development, Municipal Code Section 10-4-4 *to grant a Code Departure from: Electronic Message Sign Location, 10-10-5B-4a3. Commissioner Chambers seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2021-23
Petitioner: P.C. Properties (Illinois) LLC
Location: 525 North Meyer Road
Request: Amendment to an Approved Planned Unit Development
Municipal Code Section 10 – 4 – 4

Motion: Commissioner Wasowicz made a motion to open CDC Case No. 2021-23. Commissioner Chambers seconded the motion.

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

Chairman Rowe opened CDC Case No. 2021-23 at 8:15 p.m.

Village Planner, Kelsey Fawell was present and sworn in by Chairman Rowe. Ms. Fawell stated a Legal Notice was published in the Bensenville Independent on July 15, 2021. Ms. Fawell 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. Ms. Fawell stated Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on July 15, 2021. Ms. Fawell stated on July 12, 2021 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. Ms. Fawell 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.

ORDINANCE # _____

**AN ORDINANCE GRANTING AN AMENDMENT TO A PLANNED UNIT
DEVELOPMENT TO ALLOW AN ELETRONIC MESSAGE SIGN
AT 904-910 W IRVING PARK ROAD, BENSENVILLE, ILLINOIS**

WHEREAS, Mirjan Sadik, Gem Car Was II LLC, (“Owner/Applicant”) of 904-910 W Irving Park Road, Bensenville, IL 60106, filed an application for Amendment to Approved Planned Unit Development, Municipal Code Section 10-4-4 of the Bensenville Village Zoning Ordinance (“Zoning Ordinance”) to allow a Code Departure, Electronic Message Sign Location, Municipal Code Section 10-10-5B-4a3, for the property located at 904-910 W Irving Park Road, Bensenville, IL 60106 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 Planned Unit Development Amendment sought by the Applicant was published in the Bensenville Independent on Thursday, July 15, 2021 by the Village of Bensenville, and notice was also given via posting of a Public Hearing Sign on the Subject Property on Thursday, July 15, 2021, and via First Class mail to taxpayers of record within 250 feet of the Subject Property on Monday, July 12, 2021, 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 August 3, 2021, as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, after hearing the application, the Community Development Commission agreed with the findings of fact submitted by the Applicant, and thereafter, voted unanimously

(4-0) to recommend approval with conditions of the Amendment to Approved Planned Unit Development, Municipal Code Section 10-4-4, and forwarded its recommendations, including the Staff Report and findings relative to the Amendment, to the Village Board Committee of the Whole, which concurred with the recommendations made therein, as are attached hereto and incorporated herein by reference as Exhibit "B"; and

WHEREAS, on August 17, 2021, the Village Board Committee of the Whole then forwarded its recommendation, along with that of the Community Development Commission, to the President and Board of Village Trustees; and

WHEREAS, the President and Board of Village Trustees have reviewed the matter herein and have determined that approval with conditions of the Amendment to Approved Planned Unit Development, Municipal Code Section 10-4-4, as recommended by the Community Development Commission to approve the Amendment, is consistent with the Zoning Ordinance.

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 under the Zoning Ordinance as C-2 Commercial District, which zoning classification shall remain in effect subject to the Amendment approved herein.

Section 3. That the Staff Report and Recommendations to approve with conditions the Amendment to Approved Planned Unit Development, sought by the Applicant, as allowed by the

Zoning Ordinance, Section 10-4-4, as adopted by the Community Development Commission as shown in Exhibit “B”, is hereby adopted by the President and Board of Trustees, the Board of Trustees finding that said Amendment is proper and necessary.

Section 4. That the Amendment to Approved Planned Unit Development, Municipal Code Section 10-4-4, as sought by the Applicant of the Subject Property, is hereby approved with the following conditions:

1. All conditions of approval set forth in Ordinance #35-2020 granting approval of a Planned Unit Development are consequently conditions of approval of the Planned Unit Development Amendment granted herein;
2. The Code Departure from Electronic Message Sign Location, Municipal Code Section 10-10-5B-4a3, is hereby approved;
3. Freestanding sign shall be in accordance with submitted plans dated 06.18.2021;
4. Illuminated signs shall be turned off 30 minutes after close of business, which is 9:30PM;
5. A landscape plan indicating plant material and quantity, subject to Zoning Administrator review and approval, shall be submitted with a building permit application; and
6. Temporary signage shall no longer be permitted at this property.

Section 5. That all requirements of the Zoning Ordinance shall be applicable except as allowed by the Amendment approved herein.

Section 6. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 7. 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 14th day of September 2021, pursuant to a roll call vote, as follows:

APPROVED:

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

Ordinance # ____ - 2021
Exhibit "A"

The Legal Description is as follows:

PARCEL 1:

THE EAST 229 FEET (EXCEPT THE EAST 80 FEET THEREOF) AND (EXCEPT EASTVIEW APARTMENT PER DOCUMENT R72-70911) OF LOT 5 IN OWNER'S ASSESSMENT PLAT OF PART OF SECTION 11 AND 14 TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 1917 AS DOCUMENT 129399 IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

THE NORTH 250 FEET OF THE EAST 80 FEET (EXCEPT EASTVIEW APARTMENTS PER DOCUMENT R72-70911) (MEASURED ALONG THE NORTH LINE) OF LOT 5 OF THE OWNER'S ASSESSMENT PLAT OF PART OF SECTIONS 11 AND 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 1917 AS DOCUMENT 129399 IN DUPAGE COUNTY, ILLINOIS.

PARCEL 3:

THE EAST 80 FEET (EXCEPT THE NORTH 250 FEET AND EXCEPT EASTVIEW APARTMENTS PER DOCUMENT R72-70911) OF LOT 5 OF THE OWNER'S ASSESSMENT PLAT OF PART OF SECTIONS 11 AND 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 1917 AS DOCUMENT 129399, IN DUPAGE COUNTY, ILLINOIS.

AND:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 5; THENCE SOUTH 00 DEGREES 19 MINUTES 47 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 5, A DISTANCE OF 313.39 FEET TO THE NORTH LINE OF MAIN STREET DEDICATED BY DOCUMENT R72-70911; THENCE SOUTH 89 DEGREES 31 MINUTES 28 SECONDS EAST ALONG SAID NORTH LINE, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 19 SECONDS 47 MINUTES EAST ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF EASTVIEW AVENUE AS DEDICATED BY DOCUMENT R72-70911, A DISTANCE OF 33.00 FEET TO THE NORTHEAST CORNER OF LOT 1 OF EASTVIEW APARTMENTS RECORDED NOVEMBER 17, 1972 AS DOCUMENT R72-70911; THENCE SOUTH 89 DEGREES 31 MINUTES 28 SECONDS WEST ALONG THE SOUTH LINE OF SAID MAIN STREET, A DISTANCE OF 203.35 FEET TO THE WEST LINE OF THE EAST 229.0 FEET OF SAID LOT 5; THENCE NORTH 00 DEGREES 21 MINUTES 31 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 33.00 FEET; THENCE NORTH 89 DEGREES 31 MINUTES 28 SECONDS EAST ALONG SAID NORTH LINE, A DISTANCE OF 203.37 FEET TO THE POINT OF BEGINNING.

Commonly known as 904-910 W Irving Park Road, Bensenville, IL 60106.

Ordinance # ____ - 2021
Exhibit “B”
Findings of Fact

Ms. Fawell reviewed the Findings of Fact for the proposed special use as presented in the Staff Report 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 car wash is permitted use by right and will be developed in accordance with screening and engineering standards so as to minimize the consequential impacts of the development.

- 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: While the majority of surrounding properties are currently zoned residential, the subject property in question is zoned C-2 Commercial District. In the C-2 District, car washes are a permitted use by right. The property to the east, Cascade Banquets, is also zoned C-2.

- 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 development will not impede the normal and orderly development as it is a permitted use by right. The use will be landscaped and developed in a way to as to have any adverse impacts on neighboring properties. Monument sign will include shrubbery around the base as per village regulations.

- 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 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) **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: As the use is permitted in the subject property's designated zoning district and will meet the use standards indicated in the Village's Zoning Ordinance.

Ms. Fawell reviewed the Findings of Fact for the proposed planned unit development in the Staff Report consisting of:

- 1) **Comprehensive Plan:** 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.

Applicant's Response: The proposed PUD fulfills the objective of the current Zoning Map and Ordinance, albeit the Comprehensive Plan indicates "Multi-Family Residential" for this property. The proposed PUD will fill the much needed car wash vacancy in the Village.

- 2) **Public Facilities:** 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.

Applicant's Response: The proposed PUD will provide driveways, parking stalls, pedestrian walkways, and exterior lighting that will serve the uses within this development.

- 3) **Landscaping and Screening:** 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.

Applicant's Response: The proposed PUD will provide the necessary screening and landscape requirements that will enhance the character and livability of the subject property as well as providing buffer yards between the adjacent residentially-zoned properties. Monument sign will include shrubbery around the base as per village regulations.

- 4) **Site Design:** The proposed planned unit development will incorporate sustainable and low impact site design and development principles.

Applicant's Response: The proposed planned unit development will incorporate sustainable and low impact site design and development principles.

- 5) **Natural Environment:** 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.

Applicant's Response: The proposed PUD will protect the community's natural environment, providing landscaping and stormwater detention.

- 6) **Utilities:** 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.

Applicant's Response: 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.

Ms. Fawell stated Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Amendment to a Planned Unit Development at 904-910 W Irving Park Road with the following conditions:

- 1) All conditions of approval set forth in Ordinance #35-2020 granting approval of a Planned Unit Development are consequently conditions of approval of the Planned Unit Development Amendment granted herein;
- 2) Freestanding sign shall be accordance with submitted plans dated 06.18.2021;
- 3) Illuminated signs shall be turned off 30 minutes after close of business, which is 9:30PM;
- 4) A landscape plan indicating plant material and quantity, subject to Zoning Administrator review and approval, shall be submitted with a building permit application; and
- 5) Temporary signage shall no longer be permitted at this property.

There were no further questions from the Commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2021-22.
Commissioner Chambers seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2021-22 at 8:13 p.m.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of an Amendment to an Approved Planned unit Development, Municipal Code Section 10-4-4 *to grant a Code Departure from: Electronic Message Sign Location, 10-10-5B-4a3.
Commissioner Chambers seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Ronald Rowe, Chairman
Community Development Commission

TYPE:Ordinance**SUBMITTED BY:**K. Fawell**DEPARTMENT:**CED**DATE:**08.17.21**DESCRIPTION:**Consideration of an Ordinance Denying Variations to Increase Driveway Width and Parking Pad Depth at 138 N Addison 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 type="checkbox"/>	Safe and Beautiful Village	<input type="checkbox"/>	Vibrant Major Corridors

COMMITTEE ACTION:

Committee of the Whole

DATE:

08.17.21

BACKGROUND:

1. The Petitioner is seeking Variations in order to pave an existing gravel area in the rear of their lot, increasing the depth of the existing driveway parking pad and the width of the existing 8' driveway.
2. This CDC Case first appeared before the Community Development Commission on 07.06.21, and the requests were recommended for approval.
3. At their 07.27.21 meeting, the Village Board of Trustees remanded the case back to the CDC at the request of Staff.
 1. Staff believed a possible over-occupancy should be investigated as there may be a causal relationship between any over-occupancy and the perceived need for the expanded driveway width and parking pad sought through the Variation request.
 2. The Petitioners stated there are 6 residents currently residing in the home, and 9 cars on the lot.

KEY ISSUES:

1. The Village Zoning Ordinance implements a maximum driveway width of 10ft for residential uses. A parking pad the width of the garage served by the driveway is permitted to extend up to 20ft in depth from the garage doors before tapering back down to the required 10ft width.

ALTERNATIVES:

Discretion of the Committee of the Whole.

RECOMMENDATION:

1. Staff respectfully recommends that the Variations be denied.
2. At the 08.03.21 CDC Public Hearing, motions to recommend approval of the Variations failed (0-4).

BUDGET IMPACT:

N/A

ACTION REQUIRED:

Approval of an Ordinance Denying Variations to increase driveway width and parking pad depth at 138 N Addison Street.

ATTACHMENTS:**Description**

Aerial & Zoning Exhibits

Upload Date

8/10/2021

Type

Backup Material

Legal Notice	8/10/2021	Backup Material
Application	8/10/2021	Backup Material
Staff Report	8/10/2021	Executive Summary
Plat of Survey	8/10/2021	Backup Material
Driveway Extension Plans	8/10/2021	Backup Material
Driveway Extension Plans Zoomed	8/10/2021	Backup Material
Draft CDC Minutes	8/10/2021	Backup Material
Draft Ordinance	8/10/2021	Ordinance

CDC#2021 – 13

138 N Addison St

Ricardo Lopez

Variation, Maximum Driveway Width

Municipal Code Section 10 – 8 – 8 – 1

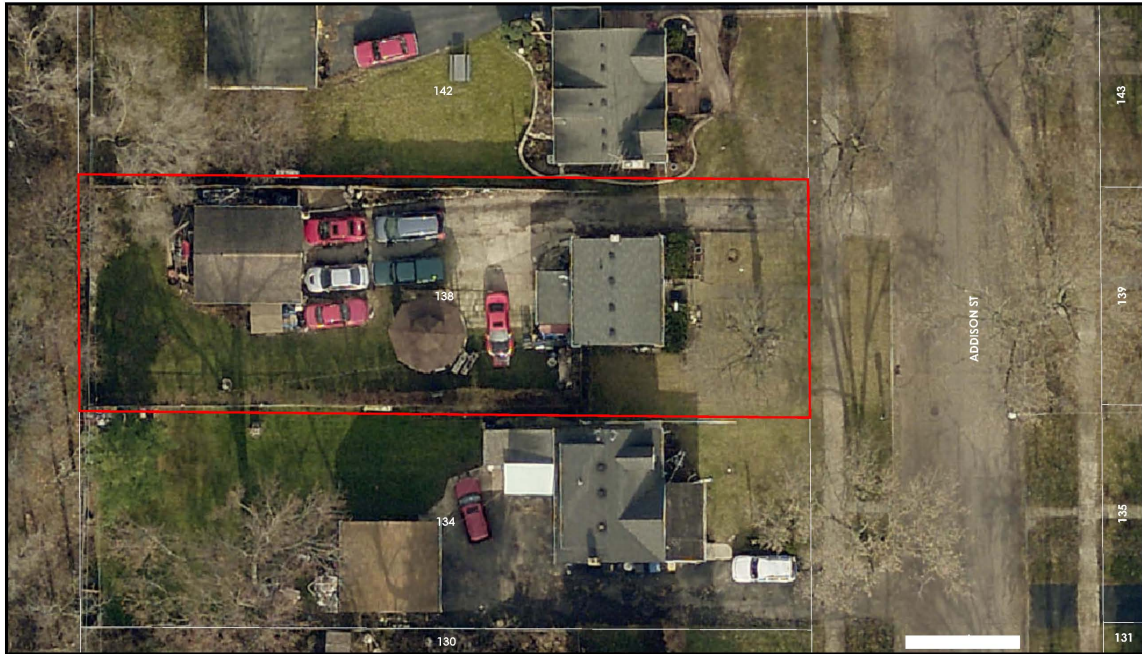
Variation, Driveway Parking Pad Depth

Municipal Code Section 10 – 8 – 8 – G.3



Village of Bensenville

138 N Addison

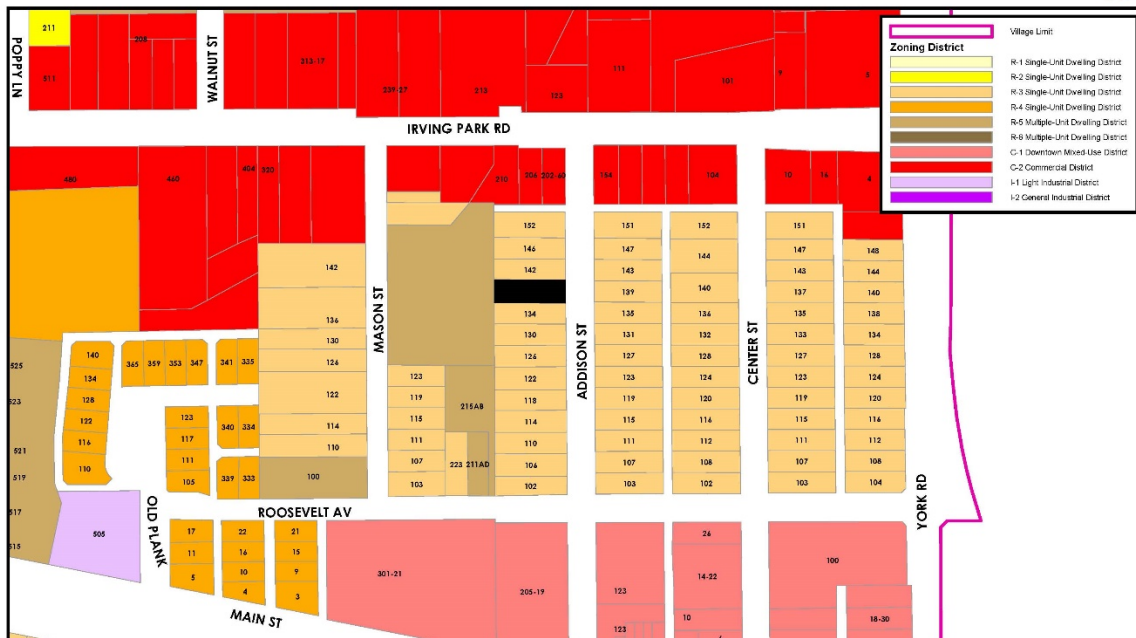


Date: 5/12/2021



Village of Bensenville

Zoning Map



Date: 5/12/2021

**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, July 6, 2021 at 6:30 P.M., at which a Public Hearing will be held to review case No. 2021 - 13 to consider a request for:

Variation, Maximum Driveway Width
Municipal Code Section 10 – 8 – 8 – 1;

Variation, Driveway Parking Pad
Municipal Code Section 10 – 8 – 8 – G.3

at 138 N Addison Street in 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 7 IN BLOCK 3 IN HOMESTEAD, BENSENVILLE, A SUBDIVISION OF PART OF THE S.E. ¼ OF THE N.E. ¼ OF SECTION 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 138 N Addison Street, Bensenville, IL 60106.

Ricardo Lopez of 138 N Addison Street, Bensenville, IL 60106 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. Directions for electronic attendance and participation 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 July 6, 2021 until 5:00 P.M.

Office of the Village Clerk
Village of Bensenville

**TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT
June 17, 2021**

For Office Use Only

Date of Submission: 5/10 MUNIS Account #: 10967 CDC Case #: 2021-13

COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: 138 N Addison ST Bensenville IL 60106

Property Index Number(s) (PIN): 03-14-211-021

A. PROPERTY OWNER:

Ricardo Lopez
 Name Corporation (if applicable)
138 N Addison ST
 Street
Bensenville IL 60106
 City State Zip Code
Brenda Lopez (630) 7650091 25BLOPEZ@gmail.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)

To Remove the existing gravel and add Asphalt
in its place to improve the appearance of the
driveway.

C. PROJECT DATA:

1. General description of the site: lot w/ single-family home &
2. Acreage of the site: 0.21 Building Size (if applicable): N/A
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.)

Site plans

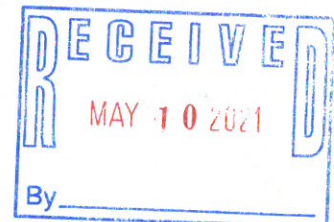
N/A

5. Character of the site and surrounding area:

	Zoning	Existing Land Use	Jurisdiction
Site:	R-3	single-family residential	Bensenville
North:	R-3	single-family residential	↓
South:	R-3	single-family residential	
East:	R-3	single-family residential	
West:	R-5	vacant, unimproved land	

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."



COMMUNITY DEVELOPMENT COMMISSION
STAFF REPORT

HEARING DATE: July 6, 2021 & August 3, 2021
CASE #: 2021 – 13
PROPERTY: 138 N Addison Street
PROPERTY OWNER: Ricardo Lopez
APPLICANT: Same as Above
SITE SIZE: 0.21 AC
BUILDING SIZE: N/A
PIN NUMBER: 03-14-211-021
ZONING: R-3 Single-Unit Dwelling District
REQUEST: Variation, Maximum Driveway Width
Municipal Code Section 10 – 8 – 8 – 1
Variation, Driveway Parking Pad Depth
Municipal Code Section 10 – 8 – 8 – G.3

PUBLIC NOTICE:

1. A Legal Notice was published in the Bensenville Independent on Thursday, June 17, 2021. 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 a Notice of Public Hearing sign on the property, visible from the public way on Thursday, June 17, 2021.
3. On Friday, June 18, 2021, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' 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 is seeking Variations in order to pave an existing gravel area in the rear of their lot, increasing the depth of the existing driveway parking pad and the width of the existing 8' driveway. The Village Zoning Ordinance implements a maximum driveway width of 10ft for residential uses. A parking pad the width of the garage served by the driveway is permitted to extend up to 20ft in depth from the garage doors before tapering back down to the required 10ft width.

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 – 5	Residential	Multi 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 checked="" type="checkbox"/>	Enrich the Lives of Residents
<input type="checkbox"/>	Major Business/Corporate Center
<input type="checkbox"/>	Vibrant Major Corridors

Finance:

- 1) Account is up to date and has no liens.

Police:

- 1) No objections.

Engineering and Public Works:

- 1) The current drainage pattern shall not be altered and the project shall not cause any adverse drainage impacts on neighboring properties.

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 District.
- 3) The Petitioner is seeking two Variations, one for maximum driveway width and one for driveway parking pad depth, in order to pave an existing gravel area in the rear of the lot, increasing the depth of the driveway parking area and the driveway width in the rear yard behind the single-family home.

- 4) Per Section 10-8-8 of the Village Zoning Ordinance, a maximum driveway width of 10 feet is permitted for residential uses. A parking pad the width of the garage served by the driveway is permitted to extend up to 20 feet in depth from the garage doors before tapering back to the required maximum driveway width of 10 feet.
 - a. The existing driveway parking pad already extends 20 feet in depth from the garage before tapering down to the existing 8-foot wide driveway.
- 5) Variations seeking relief from maximum driveway width and parking pad depth code requirements are a common request via the Community Development Commission.
- 6) In the event these requests are approved, the property's impervious coverage will remain under the maximum allowable of 4,240 SF, albeit only by a couple of hundred square feet of green space.
- 7) Staff does not recommend the Variations for driveway width and parking pad be granted due to the ample availability of existing parking areas for vehicles on the lot. There is a two-car garage with a parking pad that extends 20 feet in depth (Code's maximum depth), which, together, allow for four vehicle parking spaces. Additionally, the garage is set back approximately 120 feet from the front lot line. The driveway, prior to its extension in order to connect to the parking pad which it serves, has an approximated length of 75 feet.
- 8) It should be noted that the Petitioner has the ability to apply for a permit to extend the existing driveway by an additional two feet in order to meet Code's maximum width of 10 feet.

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: The Driveway variation does not endanger the health, safety, comfort, convenience and general public in any way, the area is not near the public but towards the rear.

- 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 driveway variation is compatible with the character of the adjacent properties and other property within the immediate vicinity since the driveway will consist to some of the other properties near mine.

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

Applicant's Response: The Driveway variation alleviates an undue hardship created by the literal enforcement of this title. The winter season affects this the most when shoveling snow the gravel gets thrown with the snow to the yard at times, and when summer comes and the grass is mowed some of the gravel is caught and thrown. This is a high risk since our next door neighbors have smaller children that come out and play during the summer. Also this space is needed for my children to have room to park their vehicles in the rear and not towards the front of driveway, since it will help to enter and leave the driveway more freely without having to disturb the traffic from having to pull out more than one vehicle at a time to exchange a vehicle. Occasions have happened where public traffic is waiting while we exchange vehicles and its dangerous since Addison ST connects to one of the busiest streets, Irving Park Rd. Another is that for the past year my 14 year old daughter has been playing badminton and to avoid parking the vehicles on the street, they are parked where the gravel is so she can play in front of the garage which is wider and has more space available.

- 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 Driveway variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant. The entire driveway will be renewed and the section that will be recreated by removing the gravel and adding pavement will not only become more safe but the appearance will improve. This section of pavement is needed so the vehicles aren't backing out and disturbing the traffic, Neighbors also park their vehicles on the street making it difficult to be backing up and changing vehicles. This way the vehicles would be parked on the gravel section that will turn into pavement to avoid disturbing the public and creating an accident.

- 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 accomplish the desired improvement of the subject property. I consider that the pavement variation is not going beyond the regulations of the village since some of the properties near me consist of the similar driveway variations that I'd like to add.

- 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 is consistent with the intent of the comprehensive plan, this title, and the other land use policies of the village. Most of the Driveway variations meet this standard.

Maximum Driveway Width	Meets Standard	
Variation Approval Standards	<i>Yes</i>	<i>No</i>
1. Public Welfare	X	
2. Compatible with Surrounding Character	X	
3. Undue Hardship		X
4. Unique Physical Attributes		X
5. Minimum Deviation Needed		X
6. Consistent with Ordinance and Plan	X	

Driveway Parking Pad	Meets Standard	
Variation Approval Standards	<i>Yes</i>	<i>No</i>
7. Public Welfare	X	
8. Compatible with Surrounding Character	X	
9. Undue Hardship		X
10. Unique Physical Attributes		X
11. Minimum Deviation Needed		X
12. Consistent with Ordinance and Plan	X	

RECOMMENDATIONS:

Staff recommends the Denial of the above Findings of Fact and therefore the Denial of the Variations for Maximum Driveway Width and Driveway Parking Pad Depth.

Respectfully Submitted,

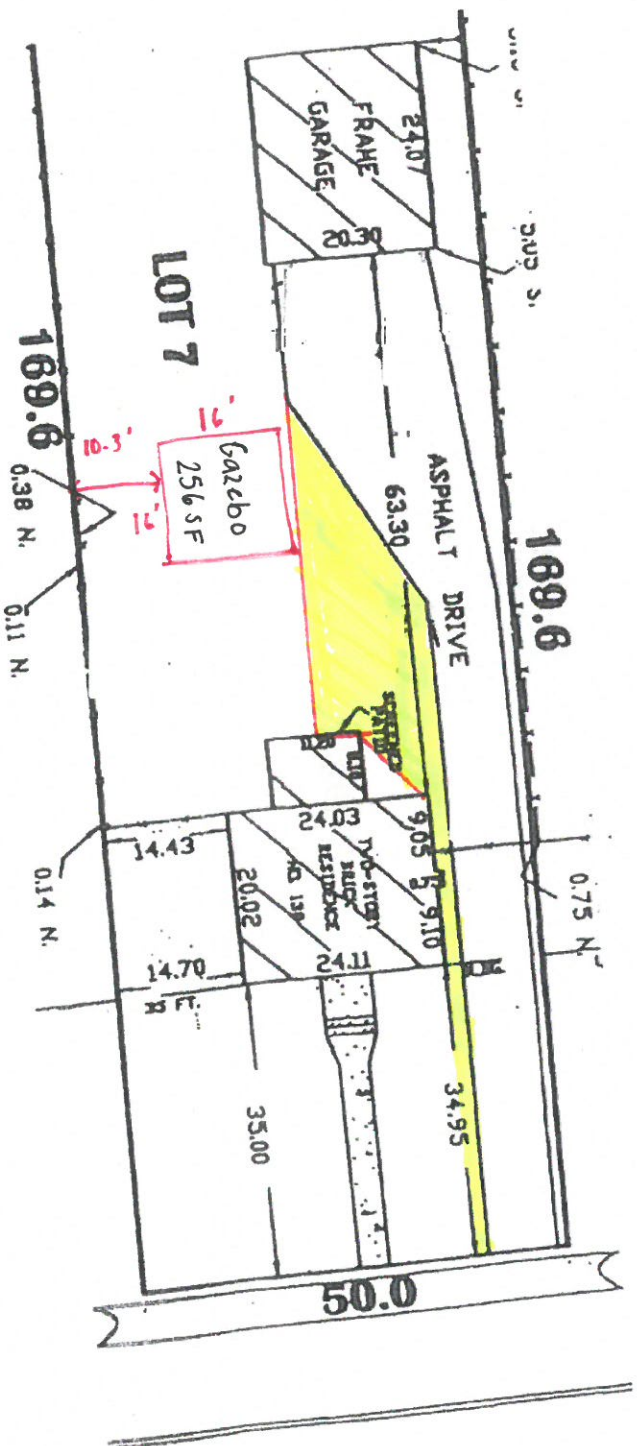
Department of Community & Economic Development

PLAT OF SURVEY

JAMES M. ELLMAN
or
JAMES M. ELLMAN



LOT 7 IN BLOCK 3 IN HOMESTEAD, BENSINVILLE, A SUBDIVISION OF
PART OF THE S.E. 1/4 OF THE NE. 1/4 OF SECTION 14, TOWNSHIP 40
NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE
COUNTY, ILLINOIS.



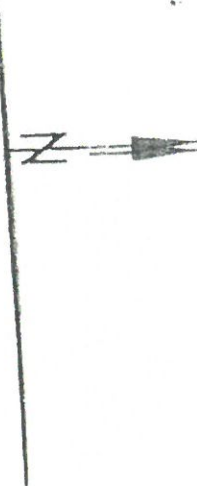
Ordered by: MCKENZIE & ASSOCIATES
Order No: 990130
Base Scale: 1 inch = 20 feet
Date: FEBRUARY 9, 1999

NOT VALID UNLESS EMBOSSED

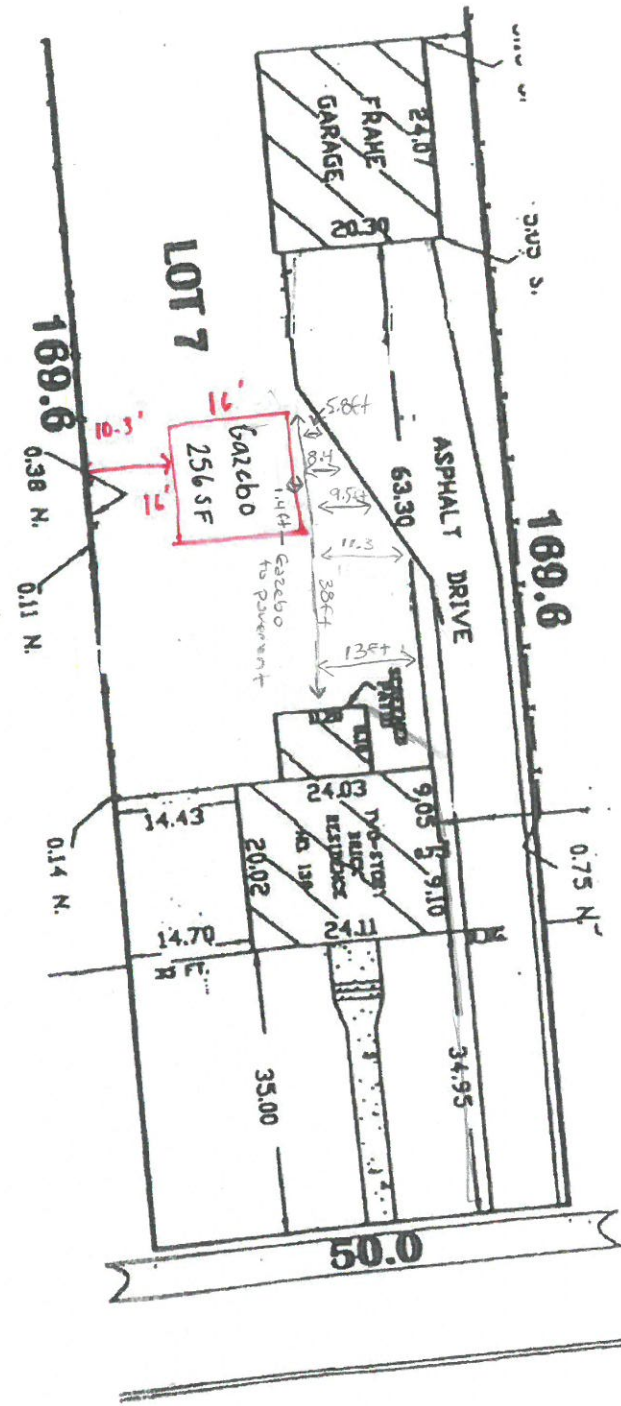
STATE OF ILLINOIS SS
COUNTY OF COOK
I, JAMES M. ELLMAN, DO HEREBY CERTIFY THAT I
DESCRIBED PROPERTY HAS BEEN SURVEYED UNDER MY ST
AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPR
OF SAID SURVEY.

PLAT OF SURVEY

JAMES M. ELLMAN
LVL.
OF



LOT 7 IN BLOCK 3 IN HOMESTEAD, BENSINVILLE, A SUBDIVISION OF
PART OF THE SE. 1/4 OF THE NE. 1/4 OF SECTION 14, TOWNSHIP 40
NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE
COUNTY, ILLINOIS.

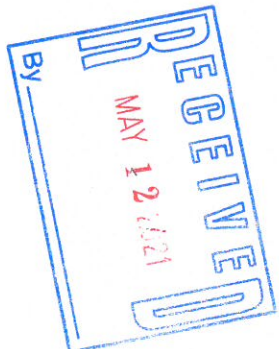


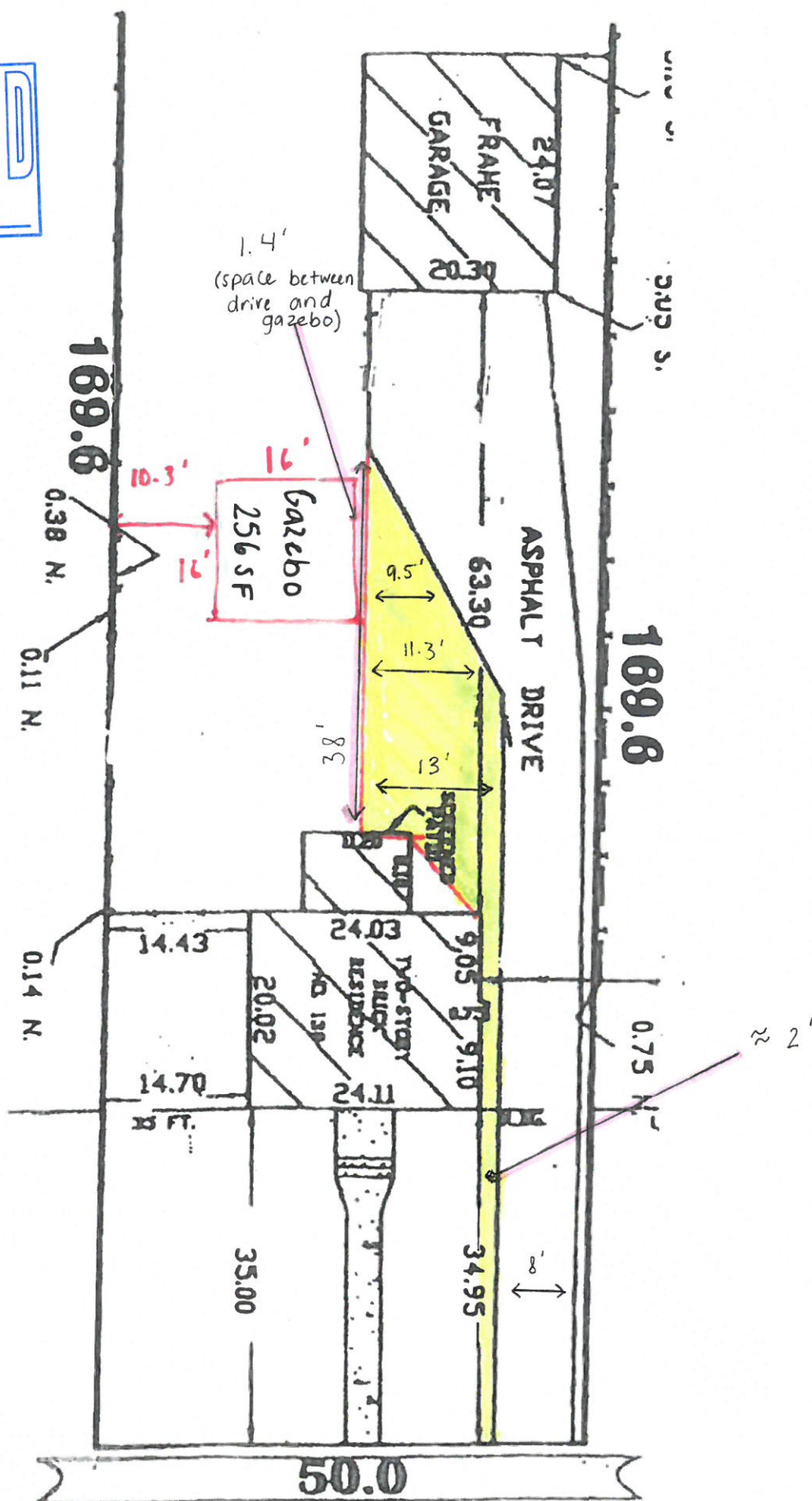
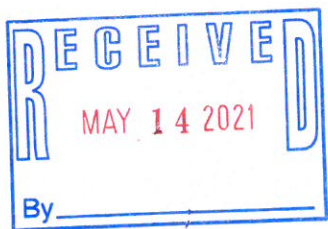
Ordered by: MCKENZIE & ASSOCIATES
Order No: 990130
Base Scale: 1 inch = 20 feet
Date: FEBRUARY 9, 1999

PRINTS BEFORE BUILDING BY SAME AND AT
THE BUILDING LINE AND

NOT VALID UNLESS EMBOSSED

STATE OF ILLINOIS) SS
COUNTY OF COOK)
I, JAMES M. ELLMAN, DO HEREBY CERTIFY THAT I
DESCRIBED PROPERTY HAS BEEN SURVEYED UNDER MY SL
AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION
OF SAID SURVEY.





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

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

August 3, 2021

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, King, Wasowicz
Absent: Ciula, Czarnecki, Marcotte
A quorum was present.

STAFF PRESENT: K. Fawell, K. Pozsgay, S. Viger, C. Williamsen

JOURNAL OF PROCEEDINGS: The minutes of the Community Development Commission Meeting of the July 6, 2021 were presented.

Motion: Commissioner Wasowicz made a motion to approve the minutes as presented. Commissioner King seconded the motion.

All were in favor. Motion carried.

Director of Community Development, Scott Viger, Senior Village Planner, Kurtis Pozsgay and Village Planner, Kelsey Fawell, were present and sworn in by Chairman Rowe.

PUBLIC COMMENT: There was no Public Comment.

Remanded Public Hearing: CDC Case Number 2021-13
Petitioner: Ricardo Lopez
Location: 138 North Addison Street
Request: Variation, Maximum Driveway Width
Municipal Code Section 10 – 8 – 8 – 1
Variation, Driveway Parking Pad Depth
Municipal Code Section 10 – 8 – 8 – G.3

Motion: Commissioner Chambers made a motion to re-open CDC Case No. 2021-13. Commissioner Wasowicz seconded the motion.

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

Chairman Rowe re-opened CDC Case No. 2021-13 at 6:32 p.m.

Village Planner, Kelsey Fawell was present and sworn in by Chairman Rowe. Ms. Fawell this matter was referred back to the Community Development Commission by the Village Board. Ms. Fawell stated during testimony on July 6, 2021 the petitioner stated the homeowners owned and parked nine cars on site. Ms. Fawell stated Staff was under the impression there were five to six cars on site. Ms. Fawell stated Staff requested this matter be referred back to the Commission for further review.

Ricardo Lopez, property owner, and his daughter Brenda Lopez were present and sworn in by Chairman Rowe. Ms. Lopez provided copies of titles for six vehicles along with registration for the other three that are still being financed. Ms. Lopez stated it was a family hobby to work on cars. Ms. Lopez stated her two brothers and herself each own two vehicles; one for the summer and one for the winter. Ms. Lopez stated the family only works on their own vehicles and no one else.

Chairman Rowe asked how many Residents of the household drive. Ms. Lopez stated five; nine cars total.

Chairman Rowe raised concern with three titles that were provided by Ms. Lopez that do not indicate they are the owners. Ms. Lopez stated the three vehicles have been paid for and the family needs to submit the proper paperwork with the State.

Commissioner Wasowicz asked if the gazebo in the pictures was permitted. Ms. Lopez stated they pulled permits to construct the gazebo.

Public Comment

Paul De Michele – 17W275 Rodeck Lane, Bensenville, Illinois

Mr. De Michele was present and sworn in by Chairman Rowe. Mr. De Michele stated he identifies with the petitioners and that he had a collection of eight vehicles and that his sons each had two vehicles when they resided with him.

Ms. Fawell reviewed the Findings of Fact for the proposed Variances as presented in the Staff Report 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: The Driveway variation does not endanger the health, safety, comfort, convenience and general public in any way, the area is not near the public but towards the rear.

- 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 driveway variation is compatible with the character of the adjacent properties and other property within the immediate vicinity since the driveway will consist to some of the other properties near mine.

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

Applicant's Response: The Driveway variation alleviates an undue hardship created by the literal enforcement of this title. The winter season affects this the most when shoveling snow the gravel gets thrown with the snow to the yard at times, and when summer comes and the grass is mowed some of the gravel is caught and thrown. This is a high risk since our next door neighbors have smaller children that come out and play during the summer. Also this space is needed for my children to have room to park their vehicles in the rear and not towards the front of driveway, since it will help to enter and leave the driveway more freely without having to disturb the traffic from having to pull out more than one vehicle at a time to exchange a vehicle. Occasions have happened where public traffic is waiting while we exchange vehicles and its dangerous since Addison ST connects to one of the busiest streets, Irving Park Rd. Another is that for the past year my 14 year old daughter has been playing badminton and to avoid parking the vehicles on the street, they are parked where the gravel is so she can play in front of the garage which is wider and has more space available.

- 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 Driveway variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant. The entire driveway will be renewed and the section that will be recreated by removing the gravel and adding pavement will not only become more safe but the appearance will improve. This section of pavement is needed so the vehicles aren't backing out and disturbing the traffic, Neighbors also park their vehicles on the street making it difficult to be backing up and changing vehicles. This way the vehicles would be parked on the gravel section that will turn into pavement to avoid disturbing the public and creating an accident.

- 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 accomplish the desired improvement of the subject property. I consider that the pavement variation is not going beyond the regulations of the village since some of the properties near me consist of the similar driveway variations that I'd like to add.

- 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 is consistent with the intent of the comprehensive plan, this title, and the other land use policies of the village. Most of the Driveway variations meet this standard.

Ms. Fawell stated Staff recommends the Denial of the above Findings of Fact and therefore the Denial of the Variations for Maximum Driveway Width and Driveway Parking Pad Depth.

There were no questions from the Commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2021-13. Commissioner King seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2021-13 at 6:54 p.m.

Motion: Commissioner King made a combined motion to approve the Findings of Fact and Approval a Variation, Maximum Driveway Width, Municipal Code Section 10 – 8 – 8 – 1. Chairman Rowe seconded the motion.

ROLL CALL: Ayes: None

Nays: Rowe, Chambers, King, Wasowicz

Motion Failed.

Motion: Commissioner Chambers made a combined motion to approve the Findings of Fact and Approval a Variation, Driveway Parking Pad Depth, Municipal Code Section 10 – 8 – 8 – G.3. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: None

Nays: Rowe, Chambers, King, Wasowicz

Motion failed.

Public Hearing: CDC Case Number 2021-15

Petitioner: Olivia Acuahuitl

Location: 410 East Green Street

Request: Special Use Permit, Restaurant

Municipal Code Section 10 – 7 – 2 – 1

Motion: Commissioner Wasowicz made a motion to open CDC Case No. 2021-15. Commissioner Chambers seconded the motion.

ORDINANCE # _____

**AN ORDINANCE DENYING VARIATIONS TO ALLOW
INCREASES IN MAXIMUM DRIVEWAY WIDTH
AND DRIVEWAY PARKING PAD DEPTH
AT 138 N ADDISON STREET, BENSENVILLE, ILLINOIS**

WHEREAS, Ricardo Lopez (“Owner/Applicant”) of 138 N Addison Street, Bensenville, IL 60106, filed an application for Variation, Maximum Driveway Width, Municipal Code Section 10-8-8-1 of the Bensenville Village Zoning Ordinance (“Zoning Ordinance”), and Variation, Driveway Parking Pad, Municipal Code Section 10-8-8.G-3 of the Zoning Ordinance, for the property located at 138 N Addison Street, 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 Variations sought by the Applicant was published in the Bensenville Independent on Thursday, June 17, 2021 by the Village of Bensenville, and notice was also given via posting of a Public Hearing Sign on the Subject Property on Thursday, June 17, 2021, and via First Class mail to taxpayers of record within 250 feet of the Subject Property on Friday, June 18, 2021, 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 July 6, 2021 and August 3, 2021, as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, on July 6, 2021, after hearing the application, the Community Development Commission agreed with the findings of fact submitted by the Applicant, and thereafter, voted unanimously (5-0) to recommend approval of the Variation, Maximum Driveway Width,

Municipal Code Section 10-8-8-1, and Variation, Driveway Parking Pad, Municipal Code Section 10-8-8.G-3, and forwarded its recommendations, including the Staff Report and findings relative to the Variations, to the President and Board of Village Trustees, as are attached hereto and incorporated herein by reference as Exhibit "B"; and

WHEREAS, on July 27, 2021, the President and Board of Village Trustees have reviewed the matter herein and made a motion to remand the requests back to the Community Development to be heard at the next regularly scheduled Public Hearing on August 3, 2021; and

WHEREAS, on August 3, 2021, after hearing the application, the Community Development Commission disagreed with the findings of fact submitted by the Applicant, and thereafter, voted unanimously against (0-4) a motion to recommend approval of the Variation, Maximum Driveway Width, Municipal Code Section 10-8-8-1, and Variation, Driveway Parking Pad, Municipal Code Section 10-8-8.G-3, and forwarded its recommendations, including the Staff Report and findings relative to the Variations, to the Village Board Committee of the Whole, which concurred with the recommendations made therein, as are attached hereto and incorporated herein by reference as Exhibit "C"; and

WHEREAS, on August 17, 2021, the Village Board Committee of the Whole then forwarded its recommendation, along with that of the Community Development Commission, to the President and Board of Trustees; and

WHEREAS, the President and Board of Village Trustees have reviewed the matter herein and have determined that denial of the requested Variations, Maximum Driveway Width, Municipal Code Section 10-8-8-1, and Driveway Parking Pad, Municipal Code Section 10-8-8.G-3, as recommended by the Community Development Commission to deny the Variations, is consistent with the Zoning Ordinance.

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 under the Zoning Ordinance as R-3 Single-Unit Dwelling District, which zoning classification shall remain in effect subject to the Variations denied herein.

Section 3. That the Staff Report and Recommendations to deny the Variations, Maximum Driveway Width and Driveway Parking Pad, sought by the Applicant, as allowed by the Zoning Ordinance, Sections 10-8-8-1 and 10-8-8.G-3, as adopted by the Community Development Commission as shown in Exhibit “C”, is hereby adopted by the President and Board of Trustees, the Board of Trustees finding that said Variations are not proper and necessary.

Section 4. That the Variations, Maximum Driveway Width, Municipal Code Section 10-8-8-1, and Driveway Parking Pad, Municipal Code Section 10-8-8.G-3, as sought by the Applicant of the Subject Property, are hereby denied.

Section 5. That all requirements of the Zoning Ordinance shall be applicable except as allowed by the Variations denied herein.

Section 6. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 7. 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 14th day of September 2021, pursuant to a roll call vote, as follows:

APPROVED:

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

Ordinance # ____ - 2021
Exhibit “A”

The Legal Description is as follows:

LOT 7 IN BLOCK 3 IN HOMESTEAD, BENSENVILLE, A SUBDIVISION OF PART OF THE S.E. $\frac{1}{4}$ OF THE N.E. $\frac{1}{4}$ OF SECTION 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 138 N Addison Street, Bensenville, IL 60106.

Ordinance # ____ - 2021
Exhibit "B"
Findings of Fact

Ms. Fawell reviewed the Findings of Fact for the proposed Variances as presented in the Staff Report 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: The Driveway variation does not endanger the health, safety, comfort, convenience and general public in any way, the area is not near the public but towards the rear.

- 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 driveway variation is compatible with the character of the adjacent properties and other property within the immediate vicinity since the driveway will consist to some of the other properties near mine.

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

Applicant's Response: The Driveway variation alleviates an undue hardship created by the literal enforcement of this title. The winter season affects this the most when shoveling snow the gravel gets thrown with the snow to the yard at times, and when summer comes and the grass is mowed some of the gravel is caught and thrown. This is a high risk since our next door neighbors have smaller children that come out and play during the summer. Also this space is needed for my children to have room to park their vehicles in the rear and not towards the front of driveway, since it will help to enter and leave the driveway more freely without having to disturb the traffic from having to pull out more than one vehicle at a time to exchange a vehicle. Occasions have happened where public traffic is waiting while we exchange vehicles and its dangerous since Addison ST connects to one of the busiest streets, Irving Park Rd. Another is that for the past year my 14 year old daughter has been playing badminton and to avoid parking the vehicles on the street, they are parked where the gravel is so she can play in front of the garage which is wider and has more space available.

- 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 Driveway variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant. The entire driveway will be renewed and the section that will be recreated by removing the gravel and adding pavement will not only become more safe but the appearance will improve. This section of pavement is needed so the vehicles aren't backing out and disturbing the traffic, Neighbors also park their vehicles on the street making it difficult to be backing up and changing vehicles. This way the vehicles would be parked on the gravel section that will turn into pavement to avoid disturbing the public and creating an accident.

- 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 accomplish the desired improvement of the subject property. I consider that the pavement variation is not going beyond the regulations of the village since some of the properties near me consist of the similar driveway variations that I'd like to add.

- 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 is consistent with the intent of the comprehensive plan, this title, and the other land use policies of the village. Most of the Driveway variations meet this standard.

Ms. Fawell stated Staff recommends the Denial of the above Findings of Fact and therefore the Denial of the Variations for Maximum Driveway Width and Driveway Parking Pad Depth.

There were no questions from the Commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2021-13. Commissioner King seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2021-13 at 6:48p.m.

Motion: Commissioner Chambers made a combined motion to approve the Findings of Fact and Approval a Variation, Maximum Driveway Width, Municipal Code Section 10 – 8 – 8 – 1. Commissioner Wasowicz seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner King made a combined motion to approve the Findings of Fact and Approval a Variation, Driveway Parking Pad Depth, Municipal Code Section 10 – 8 – 8 – G.3. Commissioner Marcotte seconded the motion.

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

Nays: None

All were in favor. Motion carried

Ronald Rowe, Chairman
Community Development Commission

Ordinance # ____ - 2021
Exhibit "C"
Findings of Fact

Ms. Fawell reviewed the Findings of Fact for the proposed Variances as presented in the Staff Report consisting of:

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

Applicant's Response: The Driveway variation does not endanger the health, safety, comfort, convenience and general public in any way, the area is not near the public but towards the rear.

- 8) **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 driveway variation is compatible with the character of the adjacent properties and other property within the immediate vicinity since the driveway will consist to some of the other properties near mine.

- 9) **Undue Hardship:** The proposed Variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: The Driveway variation alleviates an undue hardship created by the literal enforcement of this title. The winter season affects this the most when shoveling snow the gravel gets thrown with the snow to the yard at times, and when summer comes and the grass is mowed some of the gravel is caught and thrown. This is a high risk since our next door neighbors have smaller children that come out and play during the summer. Also this space is needed for my children to have room to park their vehicles in the rear and not towards the front of driveway, since it will help to enter and leave the driveway more freely without having to disturb the traffic from having to pull out more than one vehicle at a time to exchange a vehicle. Occasions have happened where public traffic is waiting while we exchange vehicles and its dangerous since Addison ST connects to one of the busiest streets, Irving Park Rd. Another is that for the past year my 14 year old daughter has been playing badminton and to avoid parking the vehicles on the street, they are parked where the gravel is so she can play in front of the garage which is wider and has more space available.

- 10) **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 Driveway variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant. The entire driveway will be renewed and the section that will be recreated by removing the gravel and adding pavement will not only become more safe but the appearance will improve. This section of pavement is needed so the vehicles aren't backing out and disturbing the traffic, Neighbors also park their vehicles on the street making it difficult to be backing up and changing vehicles. This way the vehicles would be parked on the gravel section that will turn into pavement to avoid disturbing the public and creating an accident.

- 11) **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 accomplish the desired improvement of the subject property. I consider that the pavement variation is not going beyond the regulations of the village since some of the properties near me consist of the similar driveway variations that I'd like to add.

- 12) **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 is consistent with the intent of the comprehensive plan, this title, and the other land use policies of the village. Most of the Driveway variations meet this standard.

Ms. Fawell stated Staff recommends the Denial of the above Findings of Fact and therefore the Denial of the Variations for Maximum Driveway Width and Driveway Parking Pad Depth.

There were no questions from the Commission.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2021-13. Commissioner King seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2021-13 at 6:54 p.m.

Motion: Commissioner King made a combined motion to approve the Findings of Fact and Approval a Variation, Maximum Driveway Width, Municipal Code Section 10 – 8 – 8 – 1. Chairman Rowe seconded the motion.

ROLL CALL: Ayes: None

Nays: Rowe, Chambers, King, Wasowicz

Motion Failed.

Motion: Commissioner Chambers made a combined motion to approve the Findings of Fact and Approval a Variation, Driveway Parking Pad Depth, Municipal Code Section 10 – 8 – 8 – G.3. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: None

Nays: Rowe, Chambers, King, Wasowicz

Motion failed.

Ronald Rowe, Chairman
Community Development Commission

TYPE:Ordinance**SUBMITTED BY:**K. Fawell**DEPARTMENT:**CED**DATE:**08.17.21**DESCRIPTION:**

Consideration of an Ordinance Denying a Variation to Allow a Paved Parking Area in the Corner Side Yard at 301 S Judson 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 type="checkbox"/>	Safe and Beautiful Village	<input type="checkbox"/>	Vibrant Major Corridors

COMMITTEE ACTION:

Committee of the Whole

DATE:

08.17.21

BACKGROUND:

1. The Petitioner is seeking a Variation to allow a 21' by 23' paved parking area in the corner side yard.
2. The proposed area is adjacent to the detached garage and will be accessed from the alley.

KEY ISSUES:

1. The Village Zoning Ordinance only permits paved parking areas in the rear yard; the proposed falls into the corner side yard by approximately 5.5 feet.
2. The Zoning Ordinance also mandates that paved parking areas shall be 10' by 20' per vehicle space, with a maximum of two spaces per zoning lot, and must be located 1' from an interior lot line and 3' or less from a rear lot line. The proposed area's depth includes the 3' maximum rear setback, but does exceed Code's maximum width of 20 feet.
3. Staff recommends the paved parking area Variation be denied due to the visibility concerns at the intersection of the alley and the public sidewalk.
4. Denial of the request would still allow the Petitioner to construct a paved parking area that allows for one 10 feet by 20 feet vehicle parking space.
5. At the Community Development Commission's Public Hearing, the Petitioner stated that the additional two parking spaces created by the proposed parking area were imperative to their current living situation, as they have three children, one who will obtain their driver's license in the coming year, and the others set to begin driving in the next few years. Currently, only two parking spaces are available at the property, in the detached garage.

ALTERNATIVES:

Discretion of the Committee of the Whole.

RECOMMENDATION:

1. Staff respectfully recommends denial of the request for a Variation to allow a paved parking area in the corner side yard.
2. At their 08.03.21 Public Hearing, the Community Development Commission voted unanimously (0-4) against a motion to recommend approval of the request. The CDC shared staff's concerns with parked vehicles on the pad impeding visibility for both vehicles and pedestrians.

BUDGET IMPACT:

N/A

ACTION REQUIRED:

Approval of an Ordinance Denying a Variation to allow a paved parking area in the corner side yard at 301 S

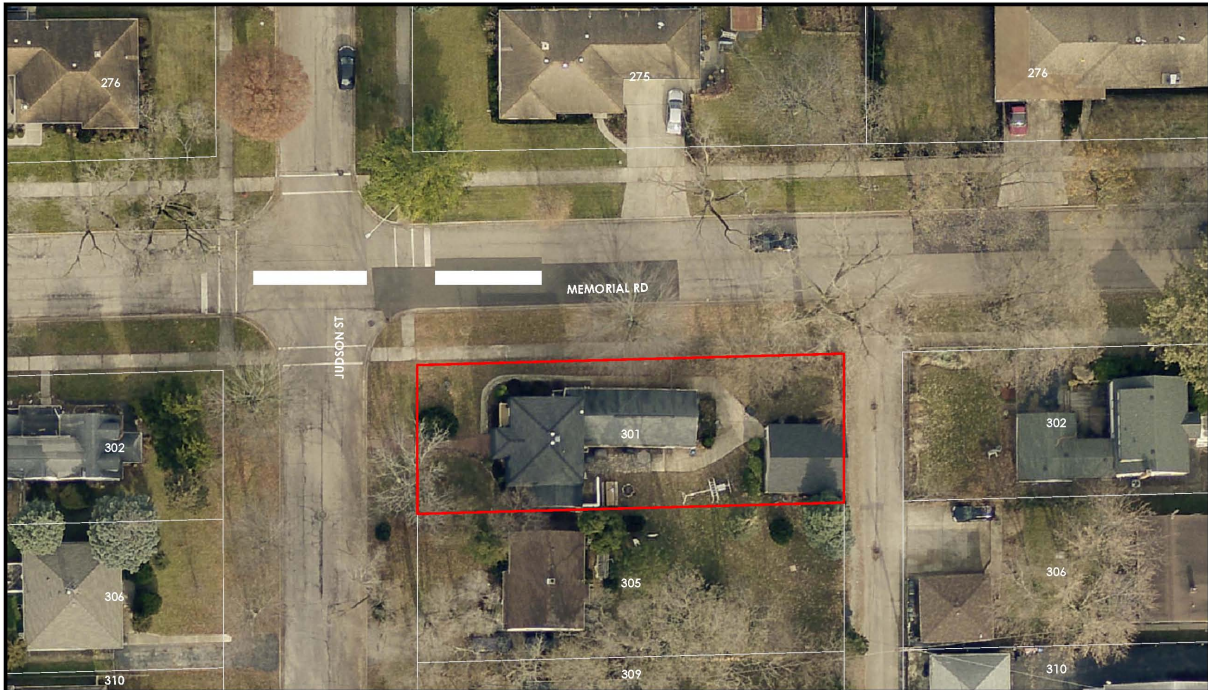
ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
Aerial & Zoning Exhibits	8/11/2021	Backup Material
Legal Notice	8/11/2021	Backup Material
Application	8/11/2021	Backup Material
Staff Report	8/11/2021	Executive Summary
Plat of Survey w/ Plans	8/11/2021	Backup Material
Draft CDC Minutes	8/11/2021	Backup Material
Draft Ordinance	8/11/2021	Ordinance



Village of Bensenville

301 S Judson

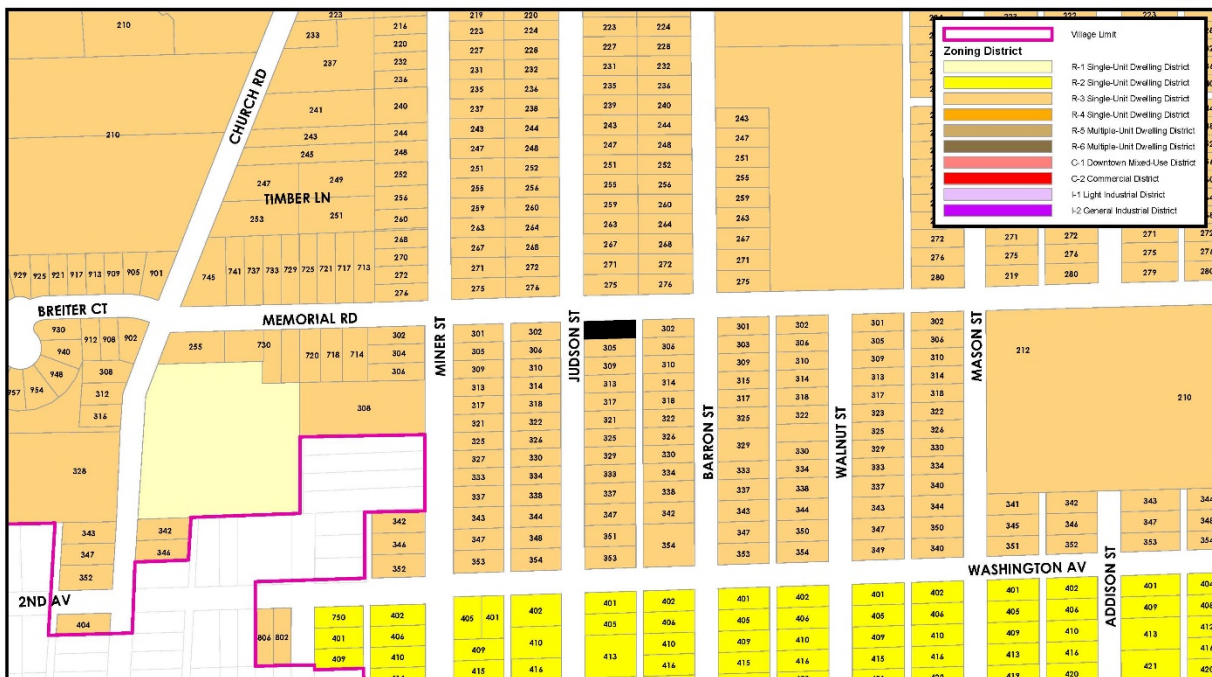


Date: 7/2/2021



Village of Bensenville

Zoning Map



Date: 7/2/2021

**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, August 3, 2021 at 6:30 P.M., at which a Public Hearing will be held to review case No. 2021 - 21 to consider a request for:

Variation, Paved Parking Area
Municipal Code Section 10 – 8 – 8 – G.4

at 301 S Judson Street in 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 60 IN THIRD ADDITION TO EDGEWOOD, BEING A SUBDIVISION IN THE NORTH ½ OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 14, 1933 AS DOCUMENTS 339234, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 301 S Judson Street, Bensenville, IL 60106.

Timothy Hengels of 301 S Judson Street, Bensenville, IL 60106 is the owner of 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. Directions for electronic attendance and participation 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 August 3, 2021 until 5:00 P.M

Office of the Village Clerk
Village of Bensenville

**TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT
July 15, 2021**

For Office Use Only

Date of Submission: 7/2/21 MUNIS Account #: 11196 CDC Case #: 2021-21

COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: 301 Judson St, Bensenville 60106

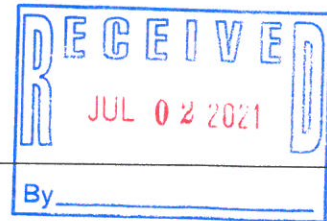
Property Index Number(s) (PIN): 0323201001

A. PROPERTY OWNER:

Name Timothy Hengels Corporation (if applicable)
 Street 301 Judson St.
 City Bensenville State IL Zip Code 60106
 Contact Person Basia Lukaszczuk Telephone Number 630-808-6998 Email Address blukaszczuk@gmail.com

*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)

Add 2 car drive way next to garage on North side. Need parking spaces for teenage Drivers.

C. PROJECT DATA:

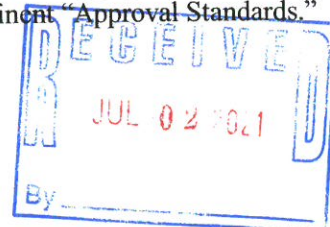
1. General description of the site: SE Corner Lot @ Memorial + Judson AKA 301 Judson St Bensenville, IL 60106
2. Acreage of the site: 7317 sq ft Building Size (if applicable):
3. Is this property within the Village limits? (Check applicable below)
☒ Yes
☐ No, requesting annexation
☐ No, it is under review 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.)

5. Character of the site and surrounding area:

	Zoning	Existing Land Use	Jurisdiction
Site:	R-3	Single-unit residential	Village of Bensenville
North:	R-3		Village of Bensenville
South:	R-3		Village of Bensenville
East:	R-3		Village of Bensenville
West:	R-3		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."





COMMUNITY DEVELOPMENT COMMISSION
STAFF REPORT

HEARING DATE: August 3, 2021
CASE #: 2021 – 21
PROPERTY: 301 S Judson Street
PROPERTY OWNER: Timothy Hengels
APPLICANT: Same as Above
SITE SIZE: 0.17 AC
BUILDING SIZE: N/A
PIN NUMBER: 03-23-201-001
ZONING: R-3 Single-Unit Dwelling District
REQUEST: Variation, Paved Parking Area
Municipal Code Section 10 – 8 – 8.G – 4

PUBLIC NOTICE:

1. A Legal Notice was published in the Bensenville Independent on Thursday, July 15, 2021. 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 a Notice of Public Hearing sign on the property, visible from the public way on Thursday, July 15 2021.
3. On Monday, July 12, 2021, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' 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 is seeking a Variation to allow a 21' by 23' paved parking area in the corner side yard. The proposed area is adjacent to the detached garage and will be accessed from the alley. The Zoning Ordinance only permits paved parking areas in the rear yard- the proposed falls into the corner side yard by approximately 5.5 feet.

The Zoning Ordinance also mandates that paved parking areas shall be 10' by 20' per vehicle space, with a maximum of two spaces per zoning lot, and must be located 1' from an interior lot line and 3' or less from a rear lot line. The proposed area's depth includes the 3' maximum rear setback, but does exceed Code's maximum width of 20 feet.

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 – 3	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 checked="" type="checkbox"/>	Enrich the Lives of Residents
<input type="checkbox"/>	Major Business/Corporate Center
<input type="checkbox"/>	Vibrant Major Corridors

Finance:

- 1) Account up to date.

Police:

- 1) No objections.

Engineering and Public Works:

Engineering:

- 1) Current drainage patterns shall not be altered. Drainage shall not cause any adverse impacts to neighboring properties.

Public Works:

- 1) Paved parking area shall be pitched to the east, so that the runoff goes into the inlet in the alley directly adjacent.

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 District.
- 3) A Variation is needed as the proposed paved parking area falls into the corner side yard by approximately 5.5 feet, while it is only permitted in the rear yard. The area also exceeds the Zoning Ordinance’s maximum size of 20’ by 20’- the proposed is 21’ by 23’.
 - a. Please note that the depth does not exceed the maximum, as the 20’ deep paved parking area is permitted to be located a maximum of 3’ from the rear property line.
- 4) A paved parking area Variation is a common request, and is typically approved; however, most approved meet the dimension standards. A Variation for a paved parking area in the corner side yard, with a size of 10’ by 20’, was recently approved at 243 Spruce Avenue. In December 2020, a 20’ by 20’ paved parking area, nonadjacent to a garage, but located in the rear yard, was approved at 146 S Mason.
- 5) Staff has concerns that vehicles parked on the northern spot on the paved parking area will impede visibility for pedestrians and drivers. Typically, any structure between 2.5 feet and 8 feet in height within a sight triangle area is considered an obstruction. Memorial Road is a highly trafficked area due to the property’s close proximity to Tioga Elementary School.
 - a. A typical sight vision triangle is formed by measuring 10 feet along the lot line along the alley and 10 feet along the right-of-way.
 - b. Staff recommends the paved parking area Variation be denied due to the above visibility concerns. **Denial of the request would still allow the Petitioner to construct a paved parking area that allows for one 10 feet by 20 feet vehicle parking space.**



Sight Triangle Area



Existing Vegetation in Sight Triangle Area

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: The proposed Variation (parking spaces) is very much needed for our family of 5 and our family's living situation. Currently, there are 2 adults that each have a vehicle. As of this year, our son, Vinny has obtained his permit. Within the year, he plans to obtain his driver's license thereby inching closer to a vehicle. We also have 2 additional children who will be driving in the near future, and they will also need parking spaces for their vehicles. Right now, the only parking space on our property is the detached garage which is only big enough for 2 vehicles. It is imperative that we create additional parking spaces for the children. Furthermore, Bensenville does not allow vehicles to be parked on the street between 2am to 6am, so we cannot leave the additional vehicles on the street each night. The proposed Variation to our property will not endanger the health, safety, comfort, convenience, nor 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: Furthermore, it is very compatible with the character of adjacent properties and other properties within immediate vicinity of the proposed Variation. There are some houses that have parking spaces either side by side to the sidewalk or within 2 to 3 feet of the sidewalk on Memorial Street. There are many other properties in Bensenville that exhibit this same Variation. The parking spaces will be facing east and west to the alley and perpendicular to the sidewalk, but we do plan for it to be a few feet away from the sidewalk.

- 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 an undue hardship created by literal enforcement of the 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 very much needed due to the unique physical attributes of the property which was not deliberately created by us, the applicants. When the property was bought, it only had a detached garage with 2 parking spaces. This worked well because only the 2 adults had vehicles, and there was only 1 child (3 years old at the time) in the family. Due to the properties "original physical attributes" it hinders the family's living situation and needs to be modified to the current state of affairs.

- 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 does represent the minimum deviation from the regulations of the title necessary to accomplish the desired improvement to the 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: Lastly, the proposed Variation is consistent with the intent of the Comprehensive Plan, the title, and other land use policies of the Village.

Variation Approval Standards	Meets Standard	
	<i>Yes</i>	<i>No</i>
1. Public Welfare		X
2. Compatible with Surrounding Character	X	
3. Undue Hardship	X	
4. Unique Physical Attributes	X	
5. Minimum Deviation Needed	X	
6. Consistent with Ordinance and Plan	X	

RECOMMENDATIONS:

Staff recommends the Denial of the above Findings of Fact and therefore the Denial of the Variation for a Paved Parking Area at 301 Judson Street.

Respectfully Submitted,

Department of Community & Economic Development

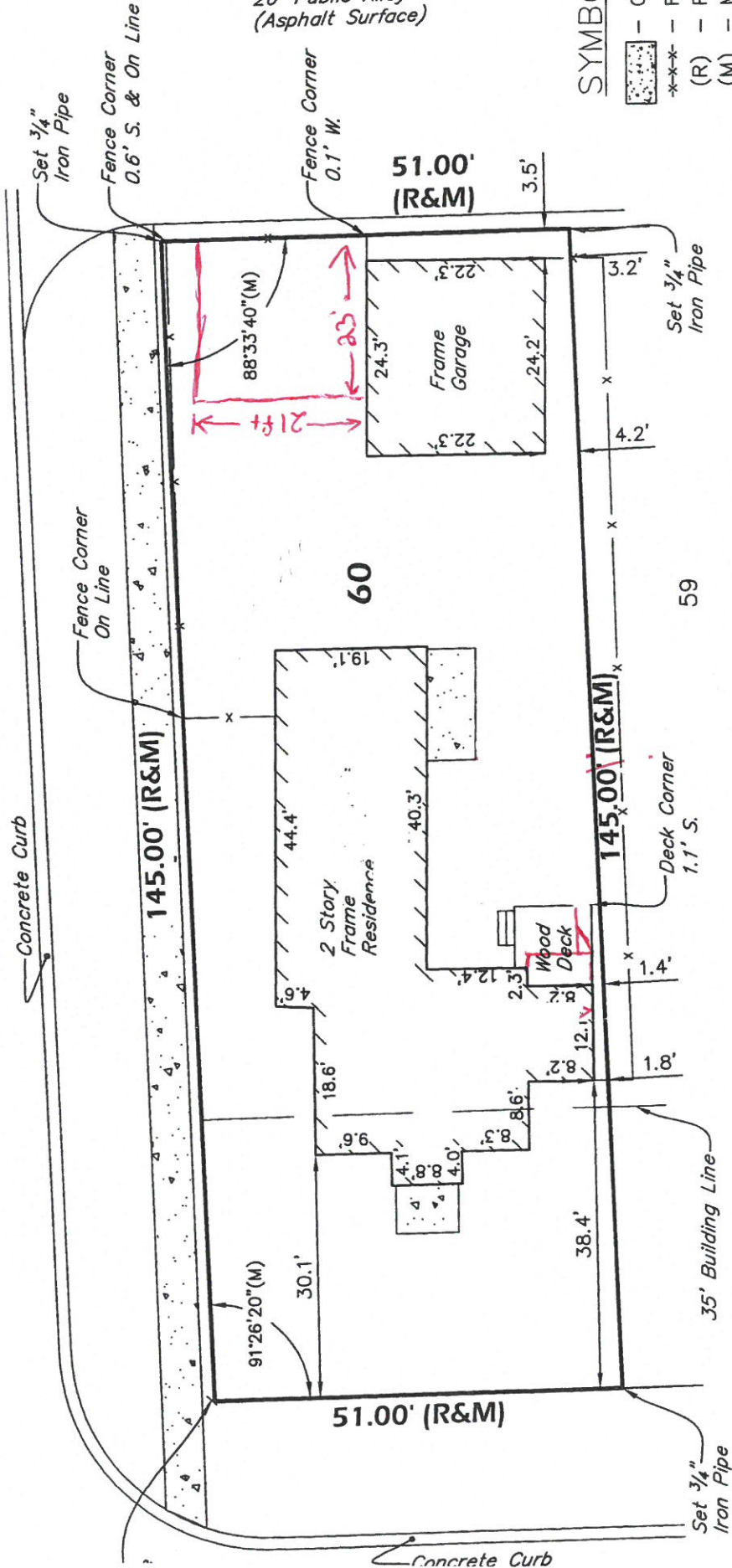
PLAT OF SURVEY

OF

LOT 60 IN THIRD ADDITION TO EDGEWOOD, BEING A SUBDIVISION IN THE NORTH 1/2 OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 14, 1933 AS DOCUMENT 339234, IN DUPAGE COUNTY, ILLINOIS.

MEMORIAL ROAD
(FIRST AVENUE)
(66' R.O.W.)

SCALE: 1" =



SYMBOL LEGEN

- CONCRETE SURF.
- FENCE LINE
- (R) — RECORD DATA
- (M) — MEASURED DATA

PREPARED FOR: BIENEMAN

JOB ADDRESS: 301 SOUTH JUDSON STREET

BENSENVILLE, ILLINOIS

2006



2419
534
200
3402

Public Hearing: CDC Case Number 2021-21
Petitioner: Timothy Hengles
Location: 301 South Judson Street
Request: Variation, Paved Parking Area
Municipal Code Section 10 – 8 – 8.G – 4

Motion: Commissioner Wasowicz made a motion to open CDC Case No. 2021-21. Commissioner Chambers seconded the motion.

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

Chairman Rowe opened CDC Case No. 2021-21 at 7:40 p.m.

Village Planner, Kelsey Fawell was present and sworn in by Chairman Rowe. Ms. Fawell stated a Legal Notice was published in the Bensenville Independent on July 15, 2021. Ms. Fawell 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. Ms. Fawell stated Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on July 15, 2021. Ms. Fawell stated on July 12, 2021 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. Ms. Fawell 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.

Ms. Fawell stated the Petitioner is seeking a Variation to allow a 21' by 23' paved parking area in the corner side yard. Ms. Fawell stated the proposed area is adjacent to the detached garage and will be accessed from the alley. Ms. Fawell stated the Zoning Ordinance only permits paved parking areas in the rear yard- the proposed falls into the corner side yard by approximately 5.5 feet.

Ms. Fawell stated the Zoning Ordinance also mandates that paved parking areas shall be 10' by 20' per vehicle space, with a maximum of two spaces per zoning lot, and must be located 1' from an interior lot line and 3' or less from a rear lot line. Ms. Fawell stated the proposed area's depth includes the 3' maximum rear setback, but does exceed Code's maximum width of 20 feet.

Timothy Hengels and Basia Lukaszczyk, property owners, were present and sworn in by Chairman Rowe. Mr. Hengels stated the reason for the request is due to limited parking and teenagers that are going to be driving. Mr. Hengels stated the current space allows for two parking spaces; he needs there to be four. Mr. Hengels submitted pictures to the Commission of examples of other properties in the area that have been approved for what he wants.

Ms. Lukaszczyk stated they are very involved in Bensenville. Ms. Lukaszczyk stated he is a member of the PTO and works closely with Phyllis Schmidt of the Bensenville Park District. Ms. Lukaszczyk stated if they are not approved, they will be forced to move from Bensenville.

There were no questions from the Commission.

Public Comment

Chairman Rowe asked if there was any member of the Public that would like to comment of the CDC Case. There were none.

Ms. Fawell reviewed the Findings of Fact for the proposed variance as presented in the Staff Report 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: The proposed Variation (parking spaces) is very much needed for our family of 5 and our family's living situation. Currently, there are 2 adults that each have a vehicle. As of this year, our son, Vinny has obtained his permit. Within the year, he plans to obtain his driver's license thereby inching closer to a vehicle. We also have 2 additional children who will be driving in the near future, and they will also need parking spaces for their vehicles. Right now, the only parking space on our property is the detached garage which is only big enough for 2 vehicles. It is imperative that we create additional parking spaces for the children. Furthermore, Bensenville does not allow vehicles to be parked on the street between 2am to 6am, so we cannot leave the additional vehicles on the street each night. The proposed Variation to our property will not endanger the health, safety, comfort, convenience, nor 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: Furthermore, it is very compatible with the character of adjacent properties and other properties within immediate vicinity of the proposed Variation. There are some houses that have parking spaces either side by side to the sidewalk or within 2 to 3 feet of the sidewalk on Memorial Street. There are many other properties in Bensenville that exhibit this same Variation. The parking spaces will be facing east and west to the alley and perpendicular to the sidewalk, but we do plan for it to be a few feet away from the sidewalk.

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 an undue hardship created by literal enforcement of the 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 very much needed due to the unique physical attributes of the property which was not deliberately created by us, the applicants. When the property was bought, it only had a detached garage with 2 parking spaces. This worked well because only the 2 adults had vehicles, and there was only 1 child (3 years old at the time) in the family. Due to the properties "original physical attributes" it hinders the family's living situation and needs to be modified to the current state of affairs.

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 does represent the minimum deviation from the regulations of the title necessary to accomplish the desired improvement to the 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: Lastly, the proposed Variation is consistent with the intent of the Comprehensive Plan, the title, and other land use policies of the Village.

Ms. Fawell stated Staff recommends the Denial of the above Findings of Fact and therefore the Denial of the Variation for a Paved Parking Area at 301 Judson Street.

There were no further questions from the Commission.

Motion: Commissioner King made a motion to close CDC Case No. 2021-21. Commissioner Chambers seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2021-21 at 7:59 p.m.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of a Variance, Paved Parking Area, Municipal Code Section 10-8-8.G-4. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: None

Nays: Rowe, Chambers, King, Wasowicz

Motion Failed.

ORDINANCE # _____

**AN ORDINANCE DENYING A VARIATION TO ALLOW
A PAVED PARKING AREA IN THE CORNER SIDE YARD
AT 301 S JUDSON STREET, BENSENVILLE, ILLINOIS**

WHEREAS, Timothy Hengels (“Owner/Applicant”) of 301 S Judson Street, Bensenville, IL 60106, filed an application for Variation, Paved Parking Area, Municipal Code Section 10-8-8.G-4 of the Bensenville Village Zoning Ordinance (“Zoning Ordinance”), for the property located at 301 S Judson Street, 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 Variation sought by the Applicant was published in the Bensenville Independent on Thursday, July 15, 2021 by the Village of Bensenville, and notice was also given via posting of a Public Hearing Sign on the Subject Property on Thursday, July 15, 2021, and via First Class mail to taxpayers of record within 250 feet of the Subject Property on Monday, July 12, 2021, 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 August 3, 2021, as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, after hearing the application, the Community Development Commission disagreed with the findings of fact submitted by the Applicant, and thereafter, voted unanimously against (0-4) a motion to recommend approval of the Variation, Paved Parking Area, Municipal Code Section 10-8-8.G-4, and forwarded its recommendations, including the Staff Report and

findings relative to the Variation, to the Village Board Committee of the Whole, which concurred with the recommendations made therein, as are attached hereto and incorporated herein by reference as Exhibit "B"; and

WHEREAS, on August 17, 2021, the Village Board Committee of the Whole then forwarded its recommendation, along with that of the Community Development Commission, to the President and Board of Trustees; and

WHEREAS, the President and Board of Village Trustees have reviewed the matter herein and have determined that denial of the requested Variation, Paved Parking Area, Municipal Code Section 10-8-8.G-4, as recommended by the Community Development Commission to deny the Variation, is consistent with the Zoning Ordinance.

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 under the Zoning Ordinance as R-3 Single-Unit Dwelling District, which zoning classification shall remain in effect subject to the Variation denied herein.

Section 3. That the Staff Report and Recommendations to deny the Variation, Paved Parking Area, sought by the Applicant, as allowed by the Zoning Ordinance, Section 10-8-8.G-4, as adopted by the Community Development Commission as shown in Exhibit "B", is hereby adopted by the President and Board of Trustees, the Board of Trustees finding that said Variation is not proper and necessary.

Section 4. That the Variation, Paved Parking Area, Municipal Code Section 10-8-8.G-4, as sought by the Applicant of the Subject Property, is hereby denied.

Section 5. That all requirements of the Zoning Ordinance shall be applicable except as allowed by the Variation denied herein.

Section 6. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 7. 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 14th day of September 2021, pursuant to a roll call vote, as follows:

APPROVED:

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

Ordinance # ____ - 2021
Exhibit “A”

The Legal Description is as follows:

LOT 60 IN THIRD ADDITION TO EDGEWOOD, BEING A SUBDIVISION IN THE NORTH
½ OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD
PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED
SEPTEMBER 14, 1933 AS DOCUMENTS 339234, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 301 S Judson Street, Bensenville, IL 60106.

Ordinance # ____ - 2021
Exhibit "B"
Findings of Fact

Ms. Fawell reviewed the Findings of Fact for the proposed variance as presented in the Staff Report 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: The proposed Variation (parking spaces) is very much needed for our family of 5 and our family's living situation. Currently, there are 2 adults that each have a vehicle. As of this year, our son, Vinny has obtained his permit. Within the year, he plans to obtain his driver's license thereby inching closer to a vehicle. We also have 2 additional children who will be driving in the near future, and they will also need parking spaces for their vehicles. Right now, the only parking space on our property is the detached garage which is only big enough for 2 vehicles. It is imperative that we create additional parking spaces for the children. Furthermore, Bensenville does not allow vehicles to be parked on the street between 2am to 6am, so we cannot leave the additional vehicles on the street each night. The proposed Variation to our property will not endanger the health, safety, comfort, convenience, nor 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: Furthermore, it is very compatible with the character of adjacent properties and other properties within immediate vicinity of the proposed Variation. There are some houses that have parking spaces either side by side to the sidewalk or within 2 to 3 feet of the sidewalk on Memorial Street. There are many other properties in Bensenville that exhibit this same Variation. The parking spaces will be facing east and west to the alley and perpendicular to the sidewalk, but we do plan for it to be a few feet away from the sidewalk.

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Applicant's Response: The proposed Variation alleviates an undue hardship created by literal enforcement of the title.

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Applicant's Response: The proposed Variation does represent the minimum deviation from the regulations of the title necessary to accomplish the desired improvement to the 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: Lastly, the proposed Variation is consistent with the intent of the Comprehensive Plan, the title, and other land use policies of the Village.

Ms. Fawell stated Staff recommends the Denial of the above Findings of Fact and therefore the Denial of the Variation for a Paved Parking Area at 301 Judson Street.

There were no further questions from the Commission.

Motion: Commissioner King made a motion to close CDC Case No. 2021-21. Commissioner Chambers seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2021-21 at 7:59 p.m.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of a Variance, Paved Parking Area, Municipal Code Section 10-8-8.G-4. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: None

Nays: Rowe, Chambers, King, Wasowicz

Motion Failed.

Ronald Rowe, Chairman
Community Development Commission