

# **COMMUNITY DEVELOPMENT COMMISSION**

**Village of Bensenville**

**VILLAGE HALL**

**December 5, 2017 6:30 PM**

I. Call Meeting to Order

II. Roll Call and Quorum

III. Pledge of Allegiance

IV. Public Comment

V. Approval of Minutes

November 7, 2017 Community Development Commission Minutes

VI. Action Items:

1. Consideration of Rezoning, Variance, Plat of Consolidation and Site Plan for the applicant ARCO/Murray, located at 220 N York Road.
2. Consideration of Conditional Use Permit, Currency Exchange for the applicant Conexion Latina BV Corp, located at 229 W Grand Ave Ste E.

VII. Report from Community and Economic Development

VIII. Adjournment

Any individual with a disability requiring a reasonable accommodation in order to participate in a Community Development Commission Meeting should contact the Village Clerk, Village of Bensenville, 12 S. Center Street, Bensenville, Illinois, 60106 (630-350-3404)

**TYPE:**Minutes**SUBMITTED BY:**Corey Williamsen**DEPARTMENT:**Village Clerk's Office**DATE:**December 5, 2017**DESCRIPTION:**November 7, 2017 Community Development Commission Minutes**SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:****REQUEST:****SUMMARY:****RECOMMENDATION:****ATTACHMENTS:**

Description

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Type

**DRAFT\_171107\_CDC\_Minutes****11/30/2017****Cover Memo**

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

**MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION**

November 7, 2017

**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, Moruzzi, Marcotte, Rodriguez, King  
Absent: Ciula, Czarnecki  
A quorum was present.

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

**JOURNAL OF PROCEEDINGS:** The minutes of the Community Development Commission Meeting of October 3, 2017 were presented.

**Motion:** Commissioner King made a motion to approve the minutes as presented. Commissioner Marcotte seconded the motion.  
All were in favor. Motion carried.

**PUBLIC COMMENT:** There was no Public Comment

**Public Hearing:** CDC Case Number 2017-23  
**Petitioner:** Enbioexpress Illinois, LLC  
**Location:** 469 W. Irving Park Road  
**Request:** Conditional Use Permit, Currency Exchange, Municipal Code Section 10 7B – 3

**Motion:** Commissioner Marcotte made a motion to open CDC Case No. 2017-23. Commissioner Moruzzi seconded the motion.

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

Chairman Rowe opened the Public Hearing at 6:32 p.m.

Chairman Rowe swore in Village Planner, Kurtis Pozsgay.

Village Planner, Kurtis Pozsgay, was present and previously sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on October 19, 2017. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on October 17, 2017. Mr. Pozsgay stated on October 20, 2017 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. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours. Mr. Pozsgay stated the Petitioner is seeking a Conditional Use Permit to open a Currency Exchange at this new location in Walnut Park Plaza. Mr. Pozsgay stated they previously had a location at 229 West Grand Avenue in Plaza de Campana. Mr. Pozsgay stated they are moving to this 1,000 SF space, located next to the corner unit of the Walnut Park Plaza.

Mr. Yusef Florian, Supervisor for Enbioexpress Illinois, LLC was present and sworn in by Chairman Rowe. Mr. Florian stated they have operated in Bensenville for seven years. Mr. Florian stated the reason for their move was to be in a better location for their customers.

There were no questions from the Commissioners.

**Public Comment:**

Chairman Rowe asked if there was any member of the Public that would like to speak on behalf of the case. There were none.

Mr. Pozsgay reviewed the approval criteria for the proposed 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.



***Applicant's Response: We are not going to cause an adverse impact of types or volume of traffic not otherwise typical of Allowed Uses in the zoning district has been minimized because most of our costumer will arrive by public transportation.***

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.

***Applicant's Response: We are not going to cause any effects of noise, glare, odor, dust, wasted disposal, blockage of light or air or other adverse environmental effects of a type or degree because our type of business does not produce this kind of effects because is an office environment.***

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.

***Applicant's Response: Our business use will fit harmoniously with the existing character of Allowed Uses in its environs. Any adverse effects on environmental quality, property values, or neighborhood character beyond those normally associated with Allowed Uses in the district have been minimized.***

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.

***Applicant's Response: We will not require use of existing community facilities or services to a degree disproportionate to that normally expected of Allowed 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. **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.

***Applicant's Response: Our business 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.***

**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.

***Applicant's Response: Our business use is in harmony with any other elements of compatibility pertinent in the judgment of the Board to the Conditional Use in its proposed location.***

Mr. Pozsgay stated Staff recommends the approval of the findings of fact as they appear above and therefor recommend approval of the request.

Commissioner Rodriguez asked if the proposed site was within a 1,000 feet of a similar business. Mr. Pozsgay stated Staff can confirm the proposed location meets all requirements.

Motion: Commissioner King made a motion to close CDC Case No. 2017-23. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Moruzzi, Marcotte, Rodriguez, King

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed the Public Hearing at 6:41 p.m.

Motion: Commissioner King made a combined motion to approve the Findings of Fact for CDC Case no. 2017-23 as presented by Staff and to approve the Conditional Use Permit. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Moruzzi, Marcotte, Rodriguez, King

Nays: None

All were in favor. Motion carried.

**Public Hearing:** CDC Case Number 2017-24  
**Petitioner:** A+C Architects  
**Location:** 400 Country Club Drive  
**Request:** Variance, Parking (number of spaces),  
Municipal Code Section 10 – 11 – 11; and  
Variance, Transition strip,  
Municipal Code Section 10 – 12 – 2A; and  
Variance, Parking stall dimensions,  
Municipal Code Section 10 – 11 – 8 – 2C.

**Motion:** Commissioner Moruzzi made a motion to open CDC Case No. 2017-24. Commissioner Marcotte seconded the motion.

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

Chairman Rowe opened the Public Hearing at 6:43 p.m.

Village Planner, Kurtis Pozsgay, was present and previously sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on October 19, 2017. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on October 17, 2017. Mr. Pozsgay stated on October 20, 2017 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. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours. Mr. Pozsgay stated the Petitioner is seeking variances to number of parking spaces required, the required landscape transition strip between the rear of the property and residential to the west, and parking stall dimensions. Mr. Pozsgay stated the current building is composed of 4,904 SF of office space and 15,178 SF of warehouse. Mr. Pozsgay stated the tenant is proposing to build an additional story of office space, creating a new space with 13,652 SF of office space and 13,703 warehouse. Mr. Pozsgay stated the owner is also proposing to pave all the area around the building. Mr. Pozsgay stated the rear is currently unpaved.

Mr. Pozsgay stated even with the new parking and circulation, the property still won't meet the parking requirements in our code for office space (5 per 1,000 SF) plus the additional warehouse space (.5 per 1,000 SF) and loading requirements. Mr. Pozsgay stated they are providing 45 spaces. Mr. Pozsgay stated Staff calculates 77 required by code plus 2 loading. Mr. Pozsgay stated the applicant will discontinue use of rear loading dock. Mr. Pozsgay stated the applicant is also proposing stormwater management on site.

Mr. Raffi Arzoumanian of A + C Architects was present and sworn in by Chairman Rowe. Mr. Arzoumanian stated they have operated in Bensenville for 17 years. Mr. Arzoumanian stated they are seeking to relocate their business to the proposed location and increase their employees from 14 to 21. Mr. Arzoumanian stated of the 21 employees; a 1/3 of them will be in the building full time. Mr. Arzoumanian stated the warehouse will be used for storage of materials and tools. Mr. Arzoumanian stated one loading dock in the front of the building will be eliminated. Mr. Arzoumanian stated the new parking lot design will allow for one way traffic. Mr. Arzoumanian stated they will be installing a new stormwater management system on site. Mr. Arzoumanian stated they have no objections to the proposed six foot privacy fence on the property and they agree with Staff's recommendations.

Commissioner Rodriguez asked if there are currently any drainage issues on site. Mr. Arzoumanian stated he was unaware of any.

Commissioner Rodriguez suggested eliminating the eight-foot overhead door in the back of the building to eliminate the potential of deliveries to that door. Mr. Arzoumanian stated he was not in a position to make that decision but reinsured the Commission that they do not receive deliveries often and if they do, it would be to the front of the building.

Commissioner Rodriguez suggested an eight-foot privacy fence rather than the proposed six-foot fence. Mr. Arzoumanian stated he had no objections with the request.

Commissioner Moruzzi asked what the hours of operation would be, Mr. Arzoumanian stated M-F 8:00am – 4:30pm.

Chairman Rowe suggested a "No Parking" sign be put on the eight-foot overhead doors in the rear of the building to eliminate confusion. Mr. Arzoumanian stated he would make the suggestion to his peers.

**Public Comment:**

Chairman Rowe asked if there was any member of the Public that would like to speak on behalf of the case. There were none.

Mr. Pozsgay reviewed the approval criteria for the proposed request consisting of:

1. **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it reasonable and practical to provide a general amendment to this Title to cover them.

*Response: The current building has 27 parking spaces where 33 are required. The rear of the site is not used and therefore, the circulation of the vehicles is extremely cumbersome. As mentioned in the above description the staff is rarely in the office and under no circumstances are all of the staff in the office at the same time. This is a unique condition of the use that applies to this owner. The lack of vehicular access to the rear of the site is also a unique condition of the site which makes proper parking and access a challenge. The new proposal addresses the access and properly locates parking spaces that allow for efficient and safe use of the site.*

2. **Hardship or Practical Difficulties:** For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience.

*Response: The proposed areas for the warehouse and office are required by the owner to conduct their business. As mentioned above, the staff spend only limited amount of time in the office on random days. Therefore, the need for parking spaces is significantly less than the code required. The owner is providing significantly more parking spaces (45space) than what is currently available on site (27 spaces) and in the process is improving the conditions of the site including the installation of storm water management system.*

3. **Circumstances Relate to Property:** The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions. They do not concern any business or activity of present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property.

*Response: The existing size of the building in relation to side yards and unused rear of the site makes proper parking lay out and circulation a challenge. The owner's improvements of the rear of the site will significantly improve the safety and use of the site.*

4. **Not Resulting from Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.

*Response: The owner proposed use is an allowed use under the current zoning designation; however, the direct calculation of the required parking will make the building unusable to the owner by not allowing the staff to have adequate office spaces for their limited use of the facility.*

5. **Preserve Rights Conferred by District:** A variance is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties.

*Response: This request does not change the nature of the use, it is the specific circumstances and nature of the owner's business that makes this request necessary. The requested variance is a necessary step in the owner's ability to conduct their business from this location.*

6. **Necessary for Use of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property.

*Response: The granting of the variance is necessary for the owner to be able to conduct their business from this location as described in detail above. The outcome of granting or denying this of variance determines whether the owner can use the site for their business or not. Without a variance the owner will be deprived of reasonable use of the property.*

7. **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity.

*Response: The granting of the variance will not alter the character of the area. It will, in reality, improve the character and have a positive impact on the values of the properties in the area. In addition, the proposal will eliminate one of street loading dock use which contributes to the safety.*

8. **Consistent with Title and Plan:** The granting of a variance will be in harmony with the general purpose and intent of this Title and of the general development plan and other applicable adopted plans of the Village, as viewed in light of any changed conditions since their adoption, and will not serve in effect to substantially invalidate or nullify any part thereof.

*Response: The granting of this variance does not have a negative impact on the purpose and intent of the ordinance. As a matter of fact, by improving the rear of site, improving the vehicular circulation on site, eliminating one off street loading accommodates the intent of general development.*

9. **Minimum Variance Needed:** The variance approved is the minimum required to provide the applicant with relief from undue hardship or practical difficulties and with reasonable use and enjoyment of the property.

***Response: The owner has taken every step to maximize the number of parking spaces on the site. Please keep in mind that the proposed use does not require as many parking spaces as proposed. The requested variance is the minimum required to provide the owner with the relief from undue hardship.***

Mr. Pozsgay stated Staff recommends the approval of the findings of fact as they appear above and therefor recommend approval of the request with the following conditions:

1. The plans and aesthetics to be in substantial compliance with the plans submitted with this application.
2. A DuPage County Stormwater Management Certification will be required
3. The applicant should maintain existing drainage pattern. The proposed development should not adversely impact any neighboring properties.
4. The fence should also wrap around to include the residential area to the southwest of the property.

There were no questions from the Commissioners.

Motion: Commissioner King made a motion to close CDC Case No. 2017-24. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Moruzzi, Marcotte, Rodriguez, King

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed the Public Hearing at 7:08 p.m.

Motion: Commissioner King made a combined motion to approve the Findings of Fact for CDC Case no. 2017-24 as presented by Staff and to approve the Variance request for parking. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Moruzzi, Marcotte, Rodriguez, King

Nays: None

All were in favor. Motion carried.



**Motion:** Commissioner King made a combined motion to approve the Findings of Fact for CDC Case no. 2017-24 as presented by Staff and to approve the Variance request for transition strip. Commissioner Marcotte seconded the motion.

**ROLL CALL:** Ayes: Rowe, Moruzzi, Marcotte, Rodriguez, King

Nays: None

All were in favor. Motion carried.

**Motion:** Commissioner King made a combined motion to approve the Findings of Fact for CDC Case no. 2017-24 as presented by Staff and to approve the Variance request for parking stall dimensions. Commissioner Marcotte seconded the motion.

**ROLL CALL:** Ayes: Rowe, Moruzzi, Marcotte, Rodriguez, King

Nays: None

All were in favor. Motion carried.

**Public Hearing:** CDC Case Number 2017-25  
**Petitioner:** Aries Logistics  
**Location:** 950 Industrial Drive  
**Request:** Conditional Use Permit, Motor Vehicle Repair, Municipal Code Section 10 9B – 3

**Motion:** Commissioner Moruzzi made a motion to open CDC Case No. 2017-25. Commissioner Marcotte seconded the motion.

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

Chairman Rowe opened the Public Hearing at 7:10 p.m.

**Motion:** Commissioner Moruzzi made a motion to continue CDC Case No. 2017-25 until December 5, 2017. Commissioner King seconded the motion.

**ROLL CALL:** Ayes: Rowe, Moruzzi, Marcotte, Rodriguez, King

Nays: None

All were in favor. Motion carried.

**Public Hearing:** CDC Case Number 2017-26  
**Petitioner:** Second City Vapes DBA Wise guys Vapes  
**Location:** 229 West Grand Avenue, Suite B  
**Request:** Conditional Use Permit, Smoke shops Municipal Code Section 10 – 7B – 3

**Motion:** Commissioner Moruzzi made a motion to open CDC Case No. 2017-26. Commissioner Marcotte seconded the motion.

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

Chairman Rowe opened the Public Hearing at 7:11 p.m.

Village Planner, Kurtis Pozsgay, was present and previously sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on October 19, 2017. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on October 17, 2017. Mr. Pozsgay stated on October 20, 2017 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. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours. Mr. Pozsgay stated the Petitioner is seeking a Conditional Use Permit to open a smoke shop. Mr. Pozsgay stated they sell electronic cigarettes and accessories. Mr. Pozsgay stated also known as Wise Guys Vapes, they have several units, including in Des Plaines, Fox River Grove, Bartlett, Roselle, and Lombard. Mr. Pozsgay stated the ordinance states that there cannot be any other smoke shops or schools within 1,000 feet. Mr. Pozsgay stated the closest smoke shop is at on Grand Avenue just east of York Road in Brentwood Commons, which is greater than 1,000 feet away.

Mr. Pozsgay stated the closest school is Zion Concord Lutheran just north on Church Road, which is greater than 1,000 feet away.

Mr. Fahad Danish, owner was present and sworn in by Chairman Rowe. Mr. Danish stated they have been in business since 2013 and are looking to open up their 9<sup>th</sup> store in Bensenville.

There were no questions from the Commissioners.

**Public Comment:**

Chairman Rowe asked if there was any member of the Public that would like to speak on behalf of the case. There were none.

Mr. Pozsgay reviewed the approval criteria for the proposed 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.

***Applicant's Response: There will be no adverse impact on traffic flow.***

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.

***Applicant's Response: There will be no environmental impact.***

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.

***Applicant's Response: Yes, we will fit with the existing character.***

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.

***Applicant's Response: We will not require any disproportionate use.***

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.

***Applicant's Response: Yes, our main goal is to get people healthier and off of traditional cigarettes.***

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.

***Applicant's Response: Yes.***

Mr. Pozsgay stated Staff recommends the approval of the findings of fact as they appear above and therefor recommend approval of the request.

There were no questions from the Commissioners.

Motion: Commissioner King made a motion to close CDC Case No. 2017-26. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Moruzzi, Marcotte, Rodriguez, King

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed the Public Hearing at 7:19 p.m.

Motion: Commissioner King made a combined motion to approve the Findings of Fact for CDC Case no. 2017-26 as presented by Staff and to approve the Conditional Use Permit. Commissioner Marcotte seconded the motion.

**ROLL CALL:** Ayes: Rowe, Moruzzi, Marcotte, Rodriguez, King

Nays: None

All were in favor. Motion carried.

**Public Hearing:** CDC Case Number 2017-27  
**Petitioner:** Los Buenos Dias  
**Location:** 224 West Grand Avenue  
**Request:** Variance, Signage (number permitted), Municipal Code Section 10 – 18  
10A – 2b.

**Motion:** Commissioner Marcotte made a motion to open CDC Case No. 2017-27. Commissioner King seconded the motion.

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

Chairman Rowe opened the Public Hearing at 7:21 p.m.

Village Planner, Kurtis Pozsgay, was present and previously sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on October 19, 2017. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on October 17, 2017. Mr. Pozsgay stated on October 20, 2017 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. Mr. Pozsgay stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours. Mr. Pozsgay stated the Petitioner is seeking a variance to install signage on his new restaurant. Mr. Pozsgay stated the new operation is in the same building as the existing grocery store, the newly built section on the south. Mr. Pozsgay stated the building already has two wall signs for the grocery store. Mr. Pozsgay stated Village Code allows a maximum of two (2) wall signs.

Ms. Leslie Razo-Diaz, owner of Los Buenos Diaz was present and sworn in by Chairman Rowe. Ms. Diaz stated they are seeking signage for the new restaurant that is ready to open.

Commissioner Moruzzi asked if the proposed signage could be turned off. Ms. Diaz stated they plan to have the signage light up the same they currently have.

Commissioner Moruzzi suggested a six-month review of the signage being lit up at nighttime. There were no objections from the Commissioners.

**Public Comment:**

Chairman Rowe asked if there was any member of the Public that would like to speak on behalf of the case. There were none.

Mr. Pozsgay reviewed the approval criteria for the proposed request consisting of:

1. **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it reasonable and practical to provide a general amendment to this Title to cover them.

*Response: Plans for the restaurant were originally drawn up to have 2 signs, one on the entrance to the building (east side) and one facing Mason St. (west side). This was drawn up this way in order for potential customers to see the signage for the new restaurant. Since the building is facing an empty lot the sign on the entrance just differentiates the two different businesses (La Huerta Grocery #2 and Los Buenos Diaz Mexican Grill). The sign on the west side of the building is so oncoming traffic from both Mason St and (eastbound) Green st are able to see the signage for the business, which would in turn bring more potential customers to the business.*

2. **Hardship or Practical Difficulties:** For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience.

***Response: Since the plans included both signs the contractor for the signage was instructed that 2 signs were to be needed and a deposit for both signs was made already. Also both signs have already been made, so if the variance is not approved we would lose the money that has already been invested.***

3. **Circumstances Relate to Property:** The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions. They do not concern any business or activity of present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property.

***Response: We are applying for this variance because we believe both signs are very necessary for our business. This signs would not only let our potential customers distinguish our business from the grocery store next door but would also bring more customers to our business.***

4. **Not Resulting from Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.

***Response: We were not aware that a variance was needed for the signs to our business so the signage contractor was already given a deposit for both of the signs.***

5. **Preserve Rights Conferred by District:** A variance is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties.

***Response: We would like to reserve the right to identify our business just like many other businesses in the area.***

6. **Necessary for Use of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property.

***Response: Without this variance we will not be able to distinguish our business and our sales will be harshly impacted.***

7. **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity.

***Response: By granting us this variance there will not be any local character altered and we will have the popper maintenance kept on these signs in order to not affect the public safety.***

8. **Consistent with Title and Plan:** The granting of a variance will be in harmony with the general purpose and intent of this Title and of the general development plan and other applicable adopted plans of the Village, as viewed in light of any changed conditions since their adoption, and will not serve in effect to substantially invalidate or nullify any part thereof.

***Response: If this variance is granted to us it will not interfere, invalidate or nullify any part of the general development plan.***

9. **Minimum Variance Needed:** The variance approved is the minimum required to provide the applicant with relief from undue hardship or practical difficulties and with reasonable use and enjoyment of the property.

***Response: If our variance is approved, we will be able to display our signs and this will in turn properly distinguish our business and bring more revenue to the village as well.***

Mr. Pozsgay stated Staff recommends the approval of the findings of fact as they appear above and therefor recommend approval of the request with the following conditions:



1. The plans and aesthetics of the sign to be in substantial compliance with the plans submitted with this application.
2. Six-Month review of the brightness of the signage.

There were no questions from the Commissioners.

**Motion:** Commissioner Moruzzi made a motion to close CDC Case No. 2017-27. Commissioner Marcotte seconded the motion.

**ROLL CALL:** Ayes: Rowe, Moruzzi, Marcotte, Rodriguez, King

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed the Public Hearing at 7:30 p.m.

**Motion:** Commissioner Marcotte made a combined motion to approve the Findings of Fact for CDC Case no. 2017-24 as presented by Staff and to approve the Variance request for signage. Commissioner King seconded the motion.

**ROLL CALL:** Ayes: Rowe, Moruzzi, Marcotte, Rodriguez, King

Nays: None

All were in favor. Motion carried.

**Public Hearing:** CDC Case Number 2017-28  
**Petitioner:** Village of Bensenville  
**Request:** A Text Amendment to the Village Code to amend the definitions of "Truck Stop" and "Motor Vehicle Service Station".

**Motion:** Commissioner Marcotte made a motion to open CDC Case No. 2017-28. Commissioner Moruzzi seconded the motion.

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

Chairman Rowe opened the Public Hearing at 7:31 p.m.

Village Planner, Kurtis Pozsgay, was present and previously sworn in by Chairman Rowe. Mr. Pozsgay stated a Legal Notice was published in the Bensenville Independent on October 19, 2017. Mr. Pozsgay stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Pozsgay stated The Village of Bensenville seeks to refine the definitions of “Truck Stop” and “Motor Vehicle Service Station”. Mr. Pozsgay stated Illinois’ Video Gaming Act broadly defines what constitutes a “licensed truck stop establishment”. Mr. Pozsgay stated to reduce the likelihood of a Village gas station meeting this low bar, we propose text amendments to the Village’s Zoning Ordinance. Mr. Pozsgay stated the proposed changes would amend the definitions of “Truck Stop” to include “licensed truck stop establishments” as defined in the Video Gaming Act, and “Motor Vehicle Service Station” to explicitly exclude this new definition of “Truck Stop.”

There were no questions from the Commissioners.

**Public Comment:**

Chairman Rowe asked if there was any member of the Public that would like to speak on behalf of the case. There were none.

Mr. Pozsgay stated Staff recommends the approval of the proposed text amendment.

There were no questions from the Commissioners.

Motion: Commissioner Moruzzi made a motion to close CDC Case No. 2017-2. Commissioner King seconded the motion.

ROLL CALL: Ayes: Rowe, Moruzzi, Marcotte, Rodriguez, King

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed the Public Hearing at 7:39 p.m.

Motion: Commissioner Marcotte made a motion to approve the proposed text amendment. Commissioner Rodriguez seconded the motion.

ROLL CALL: Ayes: Rowe, Moruzzi, Marcotte, Rodriguez, King

Nays: None

All were in favor. Motion carried.

**Report from Community**

**Development:** Mr. Pozsgay reviewed both recent CDC cases along with upcoming cases.

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

All were in favor. Motion carried.

The meeting was adjourned at 7:40 p.m.

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Ronald Rowe, Chairman  
Community Development Commission

**TYPE:**Public Hearing**SUBMITTED BY:**K. Pozsgay**DEPARTMENT:**CED**DATE:**12.05.17**DESCRIPTION:**

Consideration of Rezoning, Variance, Plat of Consolidation and Site Plan for the applicant ARCO/Murray, located at 220 N York Road.

**SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:****SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:**

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

**REQUEST:**

Rezoning from C – 4 Regional PUD Commercial District to I – 2 Light Industrial District, Municipal Code Sections 10 – 7D and 10 – 9B; and  
 Variation, Truck Loading Dock Width, Municipal Code Section 10 – 11 – 12D – 1a; and  
 Preliminary & Final Plat of Consolidation and Site Plan Review.

**SUMMARY:**

1. The applicant ARCO/Murray, an architecture firm representing Distribution Realty Group (DRG), is seeking to rezone these properties, consolidate into one Lot, and construct an 188,945 SF industrial building, which will require a variance to loading dock width.
2. Staff predicts the new development to lead to an increase in EAV and thus an increase to increment in TIF 12.
3. There is precedent for the rezoning request, including 350 and 610 N York Road.
4. Dock Width variation from 14' to 12' is a standard request with precedent.

**RECOMMENDATION:**

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Rezoning, Variance, Plat of Consolidation and Site Plan for ARCO/Murray and DRG with the following conditions:

1. The site plan, floor plan and elevations be in substantial compliance of the plans dated 10.30.17 by GMA Architects; and
2. Final detention calculations shall be prepared as required by the DuPage County Stormwater and Floodplain Ordinance (DCSFO effective April 2013) and submitted to the Village for approval; and
3. Applicant to install a 10-feet wide ADA complaint HMA bike path along the York Road frontage of this site as part of this development; and
4. Applicant to work with staff on the design of the York Road façade; and
5. The final signage plan shall be subject to staff review upon final permitting; and
6. The final landscape plan shall be subject to staff review upon final permitting.

**ATTACHMENTS:**

Description	Upload Date	Type
<b>Aerial &amp; Zoning Maps</b>	<b>11/29/2017</b>	<b>Backup Material</b>
<b>Legal Notice</b>	<b>11/29/2017</b>	<b>Backup Material</b>
<b>Application</b>	<b>11/29/2017</b>	<b>Backup Material</b>

<b>Staff Report</b>	<b>11/29/2017</b>	<b>Executive Summary</b>
<b>Comprehensive Plan Mid Town map</b>	<b>11/29/2017</b>	<b>Backup Material</b>
<b>Comprehensive Plan NBD map</b>	<b>11/29/2017</b>	<b>Backup Material</b>
<b>IDOT letter</b>	<b>11/29/2017</b>	<b>Backup Material</b>
<b>Plans</b>	<b>11/29/2017</b>	<b>Backup Material</b>

CDC#2017 – 29

220 N York Rd  
Village of Bensenville

Rezoning, Site Plan Review, Plat of Consolidation,  
and Variance, Truck dock Width from 14' to 12'

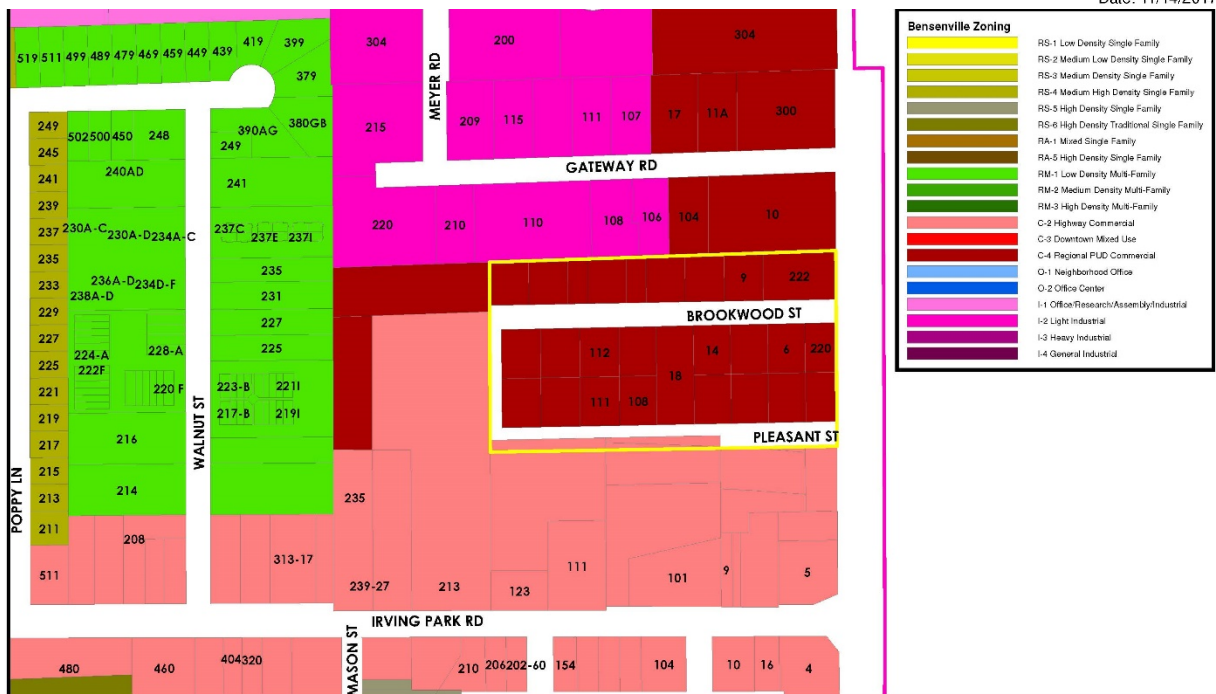


# Village of Bensenville

220 N York



Date: 11/14/2017



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

NOTICE IS HEREBY GIVEN that on Tuesday, December 5, 2017 at 6:30 P.M., the Community Development Commission of the Village of Bensenville, Du Page and Cook Counties, will hold a Public Hearing to review Case No. 2017 – 29 to consider requests for:

Rezoning from C – 4 Regional PUD Commercial District to I – 2 Light Industrial District, Municipal Code Sections 10 – 7D and 10 – 9B; and

Variance, Truck Loading Dock Width, Municipal Code Section 10 – 11 – 12D – 1a; and

Preliminary & Final Plat of Consolidation; and Site Plan Review.

220 North York Road is in a C – 4 Regional PUD Commercial District. The Public Hearing will be held in the Village Board Room at Village Hall, 12 S. Center Street, Bensenville, IL.

The Legal Description is as follows:

LOT 1, (EXCEPT THE EAST 17 FEET THEREOF), LOTS 2 THRU 17, (INCLUSIVE), LOTS 18 AND 19 (EXCEPT THE EAST 17 FEET THEREOF), LOTS 20 THRU 27, (INCLUSIVE), IN BENSENVILLE GARDENS, BEING A RESUBDIVISION OF LOT 1 IN C.A. FRANZEN'S SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 10, 1924 AS DOCUMENT NUMBER 178806, IN DUPAGE COUNTY, ILLINOIS, TOGETHER WITH ALL OF THE 60 FEET ROADWAY KNOWN AS BROOKWOOD STREET, LYING WEST OF THE WEST LINE OF THE EAST 17 FEET OF THE SAID LOTS 1 AND 18 AND EAST OF THE WEST LINE OF SAID LOT 9 AS EXTENDED SOUTH;

ALSO, ALL OF THE 30 FEET ROADWAY RECORDED AS ADDISON STREET, LYING SOUTH OF THE NORTH LINE OF SAID LOT 10 AS EXTENDED WEST AND NORTH OF THE SOUTH LINE OF SAID LOT 27 AS EXTENDED WEST;

ALSO, ALL OF THE 30 FEET ROADWAY KNOWN AS PLEASANT STREET LYING WEST OF THE WEST LINE OF THE EAST 17 FEET OF LOT 19 AS EXTENDED SOUTH AND EAST OF THE WEST LINE OF BENSENVILLE GARDENS, BEING A RESUBDIVISION OF LOT 1 IN C.A. FRANZEN'S SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 10, 1924 AS DOCUMENT NUMBER 178806, IN DUPAGE COUNTY, ILLINOIS;

ALSO, ALL OF THE 33 FEET ROADWAY KNOWN AS PLEASANT STREET, LYING WEST OF THE WEST LINE OF THE EAST 17 FEET OF LOT 1, AS EXTENDED NORTH, AND EAST OF THE WEST LINE OF LOT 4, AS EXTENDED NORTH, IN LANDMEIR'S DIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 10, 1950 AS DOCUMENT NUMBER 600863, IN DUPAGE COUNTY, ILLINOIS;

ALSO, THE NORTH 33 FEET OF LOTS 3 AND 4 IN C.A. FRANZEN'S SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 11, 1919 AS DOCUMENT NUMBER 139197, ALL IN DUPAGE COUNTY, ILLINOIS

**PROPERTY INDEX NUMBERS:**

0314208004, 0314208019, 0314208007, 0314208008, 0314205067, 0314207020, 0314207013, 0314207014, 0314207015, 0314207011, 0314207012, 0314208010, 0314208001, 0314207009, 0314207010, 0314207008, 0314208017, 0314208018, 0314208009, 0314208015, 0314208016, 0314205032, 0314208006, 0314208003, 0314208002, 0314208011, 0314208012, 0314208013, 0314209006, AND 0314209033.

Commonly known as 220 North York Road, Bensenville, IL 60106.

Distribution Realty Group, 1817 Patterson Street, Suite 200, Nashville, TN 37203 is the owner and ARCO/Murray, 3110 Woodcreek Drive, Downers Grove, IL 60515 the applicant for the subject property.

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

Applicant's application and supporting documentation may be examined by any interested parties in the office of the Community and Economic Development Department, Monday through Friday, in the Village Hall, 12 South Center Street, Bensenville, IL 60106. All interested parties may attend and will be heard at the Public Hearing. Written comments will be accepted by the Community and Economic Development Department through December 5, 2017 until 5:00 P.M.

Office of the Village Clerk  
Village of Bensenville

**TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT  
November 16, 2017**



For Office Use Only

Date of Submission: \_\_\_\_\_ MUNIS Account #: \_\_\_\_\_ CDC Case #: \_\_\_\_\_

COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: 220 North York Road, Bensenville, IL

Property Index Number(s) (PIN): Multiple, see attached legal description w/ applicable PINs

A. OWNER:

James Love

Distribution Realty Group

Name

Corporation (if applicable)

1817 Patterson Street, Suite 200

Street

Nashville

TN

37203

City

State

Zip Code

James Love

312.765.3456

Contact Person

Telephone Number & Email Address

If Owner is a Land Trust, list the names and addresses of the beneficiaries of the Trust.

Owner Signature: \_\_\_\_\_

Date: 11-6-17

B. APPLICANT:

☐ Check box if same as owner

Andrew Glover

ARCO/Murray

Name

Corporation (if applicable)

3110 Woodcreek Drive

Street

Downers Grove

IL

60515

City

State

Zip Code

Andrew Glover

331.903.2249 aglover@arcomurray.com

Contact Person

Telephone Number & Email Address

General Contractor

Relationship of Applicant to subject property

Applicant Signature: \_\_\_\_\_

Date: 11-6-17

C. ACTION REQUESTED (Check applicable):

- ☐ Annexation
- ☐ Conditional 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

\*\*Item located within this application packet.

SUBMITTAL REQUIREMENTS (1 original & 1 copy of each):

- ☐ Affidavit of Ownership\*\* (signed/notarized)
- ☒ Application\*\*
- ☒ Approval Criteria
- ☒ Legal Description of Property
- ☐ Plat of Survey
- ☒ Site Plan
- ☒ Building Plans & Elevations
- ☐ Engineering Plans
- ☐ Landscape Plan
- ☒ Review Fee (Application Fee + Escrow)
- ☒ Escrow agreement and deposit\*\*
- ☒ Digital Submission of all application materials (CD)

**Brief Description of Request(s): (Submit separate sheet if necessary)**

Rezoning and consolidation of properties from C-4 to I-2 located at or near Brookwood Street, Pleasant Street, and York Road.

Variance for width of tractor-trailer loading space width from 14' to 12'.

**Site plan review of proposed building.**

**D. PROJECT DATA:**

1. General description of the site: Properties located at or near Brookwood Street, Pleasant Street, and York Road.
2. Acreage of the site: 9.85 Building Size (if applicable): 188,945 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.)  
Site plan, building elevations, architectural renderings.

**5. Character of the site and surrounding area:**

	Zoning	Existing Land Use	Jurisdiction
Site:	C-4	Mix of residential and commercial	Bensenville
North:	C-4/I-2	Light industrial	Bensenville
East:	N/A	York Rd/O'Hare Airport	N/A
South:	C-2	Commercial	Bensenville
West:	C-2	Agricultural	Bensenville

**E. DEVELOPER'S STAFF (if applicable):**

**ARCHITECT**

Name: GMA Architects  
Telephone: 331.251.2726  
Email: \_\_\_\_\_

**ENGINEER:**

Name: Jacob & Hefner  
Telephone: 630.652.4620  
Email: \_\_\_\_\_

**ATTORNEY**

Name: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email: \_\_\_\_\_

**OTHER General Contractor**

Name: ARCO/Murray  
Telephone: 331.251.2726  
Email: aglover@arcomurray.com

**F. APPROVAL CRITERIA:**

1. Select the "Approval Criteria" from the list(s) found on the pg. 6 – 7 pertaining to the applicant's request(s).
2. The applicant must compose a letter describing how the request(s) specifically meets the individual criteria from the list. The CDC will be unable to recommend approval of a request without a response to the pertinent "Approval Criteria."



### **STAFF REPORT**

**HEARING DATE:** December 5, 2017  
**CASE #:** 2017 – 29  
**PROPERTY:** 220 N York Road  
**PROPERTY OWNER:** Distribution Realty Group  
**APPLICANT:** ARCO/Murray  
**SITE SIZE:** 9.85 acres  
**BUILDING SIZE:** 188,945 SF  
**PIN NUMBERS:** (see legal description)  
**ZONING:** C – 4 PUD Regional Commercial  
**REQUEST:** Rezoning from C – 4 Regional PUD Commercial District to I – 2 Light Industrial District, Municipal Code Sections 10 – 7D and 10 – 9B; and  
Variance, Truck Loading Dock Width, Municipal Code Section 10 – 11 – 12D – 1a; and  
Preliminary & Final Plat of Consolidation; and Site Plan Review.

### **PUBLIC NOTICE:**

1. A Legal Notice was published in the Bensenville Independent on Thursday November 16, 2017. A Certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.
2. Village personnel posted two Notice of Public Hearing signs on the property, visible from the public way on Thursday November 16, 2017.
3. On Thursday November 16, 2017, 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 applicant ARCO/Murray, an architecture firm representing Distribution Realty Group (DRG), is seeking to rezone these properties, consolidate into one parcel, and construct an 188,945 SF industrial building, which will require a variance to loading dock width. DRG recently put the properties under contract including several properties owned by the Village along Brookwood and Pleasant Streets, just west of York Road. Along with Village right of way, they intend to clear the site and erect a new industrial building.

**SURROUNDING LAND USES:**

	<b>Zoning</b>	<b>Land Use</b>	<b>Comprehensive Plan</b>	<b>Jurisdiction</b>
<b>Site</b>	C – 4	Vacant/Commercial/Industrial	Regional Commercial	Village of Bensenville
<b>North</b>	C – 4	Industrial	Commercial/Industrial Flex	Village of Bensenville
<b>South</b>	C – 2	Commercial	Regional Commercial	Village of Bensenville
<b>East</b>	n/a	O'Hare	O'Hare	City of Chicago
<b>West</b>	C – 2	Vacant	Regional Commercial	Village of Bensenville

**DEPARTMENT COMMENTS:*****SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:***

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

**Finance:**

No issues from Finance.

**Police:**

No Police issues.

**Engineering and Public Works:**

Upon review of the preliminary site plans, the Engineering Division offers the following comments at this time.

- 1) A DuPage County Stormwater Management Certification will be required for this project as the total land disturbing activity exceeds 5,000 SF.
- 2) Stormwater detention will be required in the case the development is exceeding 25,000 square feet of impervious area. The detention will need to be provided for the entire site. Offsite tributary flows must be maintained and accounted for in the design. Final detention calculations shall be prepared as required by the DuPage County Stormwater and Floodplain Ordinance (DCSFO effective April 2013) and submitted to the Village for approval. The preliminary plans include stormwater detention to be provided onsite.
- 3) All other applicable requirements of the DCSFO shall also be met including Best Management Practices (BMP).
- 4) National Pollution Discharge Elimination System (NPDES) permit will be required due to more than one acre of disturbance.
- 5) A DuPage County Highway Department permit will be required for the work in the York Road ROW.
- 6) After reviewing the FIRM, it appears that there isn't any presence floodplain on the site; however, the site is near Silver Creek. Bensenville being a partial waiver community, any proposed work within the special management areas will have to be reviewed (or provide letter of no objection) by DuPage County Stormwater Department.

- 7) Per the National Wetland Inventory website, the site also does not contain any wetland or riparian areas; however, it is the responsibility of the applicant to identify any existing special management areas on site and properly mitigate them. It is my understanding during a previous development plans on this site some emerging wetlands were discovered.
- 8) Depending on the height of the building, an FAA permit may be required due to its close proximity to the RPZ.
- 9) Per village code, the existing foundations must be completely removed.
- 10) All existing watermain/sanitary service taps must be disconnected at the main.
- 11) Site utilities aren't shown on this plan but a detail review will be performed during final engineering.
- 12) A plat of consolidation will be required.
- 13) The Village recently installed a bike path along the EOWA corridor which stops at York Rd. It is my understanding that DuPage County desires to continue this bike path south along York Rd. The Village will be in support of this extension. My recommendation would be to install a 10-foot wide ADA complaint HMA bike path along the York Rd frontage of this site as part of this development.

#### Community & Economic Development:

##### Economic Development:

- 1) Construction of a new building will lead to the attraction of new businesses to the Village, creating job opportunities for Village residents.
- 2) The consolidation, rezoning, and construction of a new building improves upon existing structures, places four Village-owned parcels back on the tax rolls, and significantly increases the site's EAV.
- 3) The increase in EAV also translates to generated increment for TIF 12.

New Parcel EAV	Old Parcel EAV	\$ Change	% Change	EAV Increment Generated	Tax Generated	TIF Increment Generated
\$2,546,954	\$997,170	\$1,549,784	155.42%	\$1,098,834	\$141,344	\$107,252

- 4) Bensenville industrial vacancy rate is 5.7% as of May 2017.
- 5) Industrial properties in the Village have seen a recent resurgence. Examples include 340 County Line Road, 300 Evergreen, and 350 N York Road.
- 6) This plan does not include properties to the west including Thompson and Overlin. Staff does not believe this proposed development will affect the ability to redevelopment those properties in the future, and may actually make those properties more desirable as a redevelopment opportunity.
- 7) There are a few businesses and residential uses that will be displaced as a result of this development including Seng Trucking and Pallet Services.

##### Fire Safety:

No comments.

##### Building:

No comments at this time.



Planning:

- 1) The 2013 Comprehensive Economic Development Strategy (CEDS) has these properties located in the Mid-Town – Irving Park Corridor, although the properties border the Northern Business District.
- 2) In the CEDS, the design approach to this site features a “Large Format Retail/Office/Showroom of 222,000 SF.”



- 3) The 2015 Comprehensive Plan indicates “Regional Commercial” for this property on the Future Land Use map.
- 4) The properties directly to the north on York are “Commercial/Industrial Flex” on the Future Land Use map.
- 5) In the Comprehensive Plan, the properties are shown in both the Mid-Town and Northern Business districts (see attached maps).
- 6) A major theme throughout the Comprehensive Plan is lot consolidation.
- 7) The Village had acquired properties along Pleasant and Brookwood Streets in order to facilitate this type of redevelopment. The Village properties and right-of-way are included in this assemblage and development petition.
- 8) Due to the recent upgrades to York Road at Riving Park Road, the proposed property will only include right in, right out accessibility. DRG is exploring all options to help facilitate additional entry and exit.
- 9) In a letter dating April 11, 2013 (included), IDOT states in Item #4 they will be willing to study the entrance at Brookwood following the construction of a western bypass and new interchange at Illinois Route 83 as part of the Elgin O’Hare project.

- 10) 2012 traffic counts from IDOT for York Road north of Irving Park Road are 24,500 ADT.
- 11) We have a few precedents for the rezoning request, including 350 and 610 N York Road.
- 12) Dock Width variation from 14 feet to 12 feet is a standard request.
- 13) Building height at parapet is 40 feet. The PRZ is not an issue.
- 14) Parking
  - a. The proposed plan includes 138 parking spaces (4 handicap).
  - b. Assuming 5% office buildout, 137 spaces would be required by code.
  - c. 31 truck dock positions.
  - d. 2 truck doors.
- 15) Detention are along York Road should create a nice setback with attractive green space.
- 16) Staff would like to see the York Road façade made more attractive. The glass on the corner is nice but the remaining façade to the north is blank wall. Architectural review is mandated; however, final design aesthetics can be determined at the Building Permit stage.
- 17) The site plan includes parking lot landscaping that meets or exceeds Municipal Code.
- 18) No signage plan was submitted. All signage should meet the Municipal Code.
- 19) No landscape plan was submitted. All landscape and screening shall meet or exceed the Municipal Code standards.

#### **APPROVAL CRITERIA FOR REZONING:**

The Community Development Commission shall not recommend nor shall the Village Board grant a rezoning unless it shall make findings based upon the evidence presented to it in each specific case that:

##### **1. Support for Classification**

###### **a. Compatible with Use or Zoning**

The uses permitted under the proposed district are compatible with existing uses or existing Zoning of property in the environs.

###### **b. Supported by the Trend of Development**

The trend of development in the general area since the original zoning was established supports the proposed classification.

###### **c. Consistent with Village Plans**

The proposed classification is in harmony with objectives of the General Development Plan and other applicable Village plans as reviewed in light of any changed conditions since their adoption.

***Response: The sites immediately to the north of the proposed development are zoned I-2, the same as the proposed classification of this site. The rezoning of this site would result in contiguous I-2 zoning through this site.***

##### **2. Furthers the Public Interest**

The proposed zoning classification promotes the public interest. It does not solely further the interest of the applicant.

***Response: The proposed zoning promotes public interest. The current state of the site is a conglomerate of run-down residential and commercial properties. The proposed development will have an aesthetically pleasing façade facing York Road to the east.***

### **3. Public Services Available**

Adequate public services – such as water supply, sewage disposal, fire protection, and street capacity are anticipated to be available to support the proposed classification by anticipated date of issuance of a Certificate of Occupancy.

***Response: Per conversations with Village Engineering and Public Works, there are adequate utilities (sewer/water) available on the west side of York Road.***

<b>Variances Approval Rezoning</b>	<b>Meets Criteria</b>	
	<i>Yes</i>	<i>No</i>
1. Compatible with Use or Zoning	X	
2. Supported by Trend of Development	X	
3. Consistent with Village Plans	X	
4. Furthers the Public Interest	X	
5. Public Services Available	X	

### **APPROVAL CRITERIA FOR VARIANCES:**

The Community Development Commission shall not recommend nor shall the Village Board grant a variance unless it shall make findings based upon the evidence presented to it in each specific case that:

- 1. Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it reasonable and practical to provide a general amendment to this Title to cover them.

***Response: Two (2) similar industrial buildings have recently been developed in Bensenville that were granted variances on the loading dock stall width. One building is the Geib Industries building at 901 E Jefferson Street, and the other is the Liberty building currently being developed at 350 N York Road. Both of these buildings are conventional warehouse/distribution centers, similar to our proposed building, with 12' wide truck dock stall widths.***

- 2. Hardship or Practical Difficulties:** For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience.

***Response: A 14' wide truck loading stall is not practical for a couple of different reasons. First, the maximum width of a precast panel is 12'. If a panel is over 12' wide, the truck transporting that panel must apply for and receive special road permits to transport the panel to the site. If the loading stall width were to be 14', our precast***



*panels along the dock side of the building would have to be 14' wide, and thus cause issues with permitting the panel transportation. Second, the Chicagoland industry standard truck stall width is 12'. This allows for the maximization of the number of dock positions that will fit along the length of the building, and provides the most flexibility for the tenant's dock position needs.*

3. **Circumstances Relate to Property:** The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions. They do not concern any business or activity of present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property.

*Response: This variance relates directly to the dimensions of the truck stall width on the building.*

4. **Not Resulting from Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.

*Response: The applicant has not yet taken any action as it relates to the matter at hand. Construction of the facility has not begun.*

5. **Preserve Rights Conferred by District:** A variance is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties.

*Response: As stated above, the (2) other industrial developments above have 12' wide truck stalls. As such, the granting of this variance will not result in this property having a special privilege.*

6. **Necessary for Use of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property.

*Response: This variance is necessary because an industrial building containing truck dock stalls that are 14' wide is not marketable. All industrial facilities in the Chicagoland area have truck stall widths of 12'.*

7. **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity.

*Response: This variance has no impact on environmental quality, property values, public safety, or public welfare.*

8. **Consistent with Title and Plan:** The granting of a variance will be in harmony with the general purpose and intent of this Title and of the general development plan and other applicable adopted plans of the Village, as viewed in light of any changed conditions since their adoption, and will not serve in effect to substantially invalidate or nullify any part thereof.

*Response: Granting this variance will not disrupt the intent of the Village Ordinance in any way, as no other section of the code relates to the truck stall width.*

9. **Minimum Variance Needed:** The variance approved is the minimum required to provide the applicant with relief from undue hardship or practical difficulties and with reasonable use and enjoyment of the property.

*Response: Since a 12' wide truck stall is industry standard, it is the minimum required variance in order to provide this property with relief from undue hardship and/or practical difficulties.*

Variances Approval Criteria	Meets Criteria	
	Yes	No
6. Special Circumstances	X	
7. Hardship	X	
8. Circumstances relate to the Property	X	
9. Not Resulting from Applicant Actions	X	
10. Preserve Rights Conferred By District	X	
11. Necessary for the Use of the Property	X	
12. Not Alter Local Character	X	
13. Consistent with Title and Plan	X	
14. Minimum Variance Needed	X	

#### **RECOMMENDATIONS:**

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Rezoning, Variance, Plat of Consolidation and Site Plan for ARCO/Murray and DRG with the following conditions:

1. The site plan, floor plan and elevations be in substantial compliance of the plans dated 10.30.17 by GMA Architects; and
2. Final detention calculations shall be prepared as required by the DuPage County Stormwater and Floodplain Ordinance (DCSFO effective April 2013) and submitted to the Village for approval; and
3. Applicant to install a 10-feet wide ADA complaint HMA bike path along the York Rd frontage of this site as part of this development; and
4. Applicant to work with staff on the design of the York Road façade; and
5. The final signage plan shall be subject to staff review upon final permitting; and
6. The final landscape plan shall be subject to staff review upon final permitting.

Respectfully Submitted,  
Department of Community  
& Economic Development



Figure 6.3. Northern business district map  
Source: Chicago Metropolitan Agency for Planning, 2014.

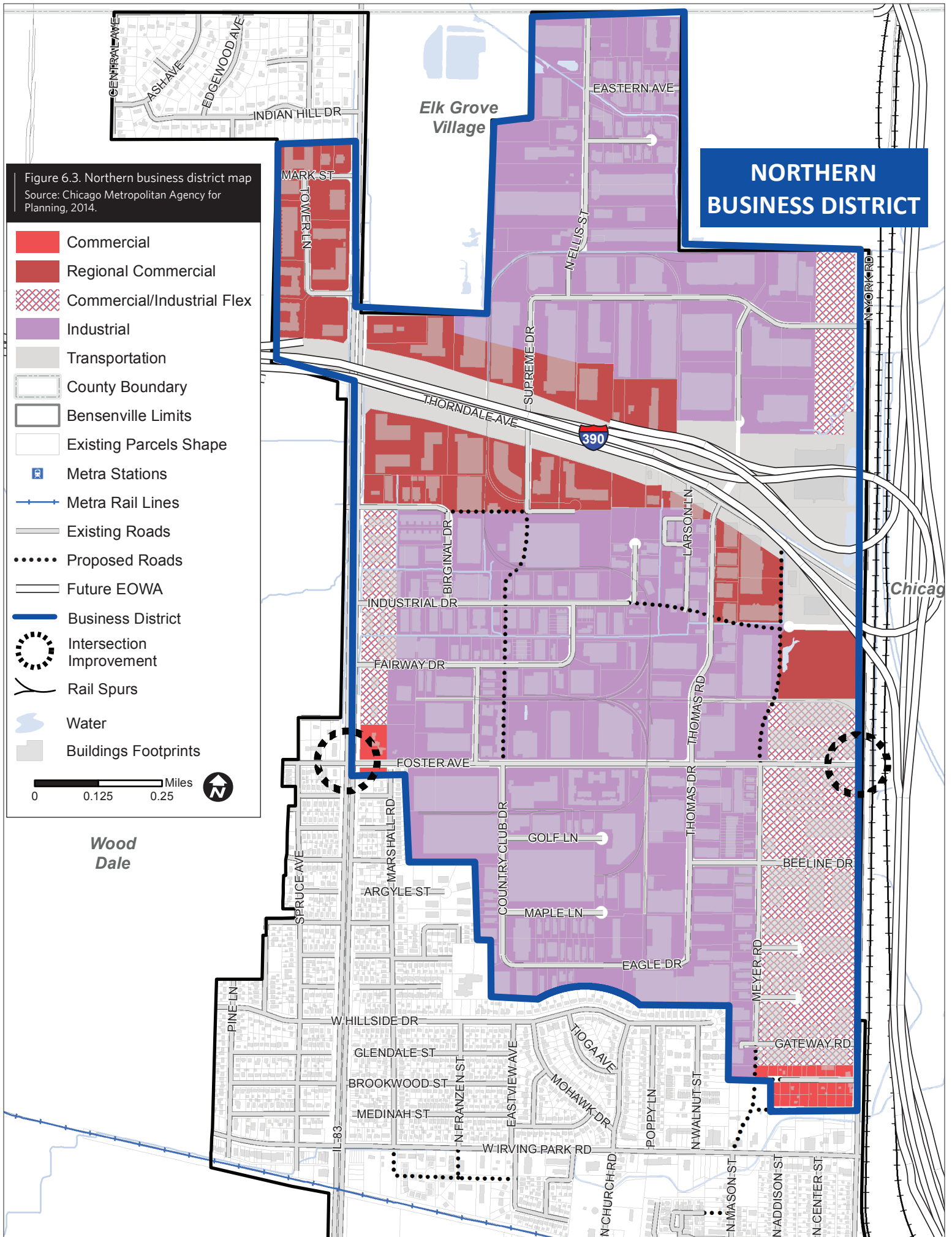
- Commercial
  - Regional Commercial
  - Commercial/Industrial Flex
  - Industrial
  - Transportation
  - County Boundary
  - Bensenville Limits
  - Existing Parcels Shape
  - Metra Stations
  - Metra Rail Lines
  - Existing Roads
  - Proposed Roads
  - Future EOWA
  - Business District
  - Intersection Improvement
  - Rail Spurs
  - Water
  - Buildings Footprints
- 0 0.125 0.25 Miles
- 

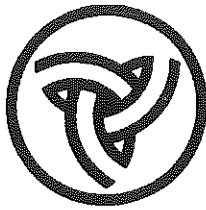
**Wood Dale**

**Elk Grove Village**

**NORTHERN BUSINESS DISTRICT**

**Chicago**





# Illinois Department of Transportation

Division of Highways / Region 1 / District 1  
201 West Center Court / Schaumburg, Illinois / 60196-1096  
Telephone 847/705-4000

April 11, 2013

Mr. Joseph Caracci  
Director of Public Works  
Village of Bensenville  
717 East Jefferson Street  
Bensenville, IL 60106

Dear Mr. Caracci:

The Illinois Department of Transportation (Department) is working on the proposed improvement of the intersection of Illinois Route 19 (Irving Park Road) at York Road in the Village of Bensenville (Village). The project had been scheduled for a June 14, 2013 letting. All projects are advertised for bids only if plans are ready, funds have been budgeted and all property has been acquired. At this time, the project has been moved to the August 2, 2013 letting due to Land Acquisition issues. A meeting was held at the District One office in Schaumburg on January 24, 2013, at which representatives from the Village and the Department were present. The Department sent a letter to the Village on February 25, 2013, summarizing the items that were discussed and providing additional information that was needed. The purpose of this letter is to respond to items in the Village's letter dated March 12, 2013 that have not been closed out.

## **Item #1 - Combination poles**

The Department has reviewed the Village's proposed mast arm and lighting fixture for the combination pole. The Department cannot accept anything that uses a specialty fixture on the light. Since the Department would be responsible for the maintenance of the combination pole, the proposed decorative mast arm and lighting fixture would utilize non-standard parts. Although, the Village has indicated willingness to keep inventory of the non-standard parts through an agreement, the Department would then be relinquishing maintenance of the lighting. Should this action be taken, the Department would be setting a precedence opening a door to other local agencies to make similar requests to install non-standard parts. There are over 300 local agencies within the District One boundaries and if this were allowed for the Village, there would surely be many more requests and no reason to follow Department policy. The Department is in no position to manage multiple varying maintenance arrangements. If the Village is able to find a decorative mast arm that would accept a cobra head light fixture, the Department would be open to that option. If one is not available, the Department would also be open to a decorative traffic signal mast arm with a standard cobra head light fixture that was used at Lake Street and Bloomingdale Road in the Village of Bloomingdale. Please refer to Exhibit A.

Mr. Joseph Caracci  
April 11, 2013  
Page two

**Item #2 – Enhanced Streetscape**

The Department will be able to accommodate the Village's request to use stamped and colored concrete for the sidewalks along Illinois Route 19 (Irving Park Road) and York Road including the northwest and southwest corners of the intersection. Also, widening the sidewalk along York Road from 5 ft. to 7 ft. will not create any issues. The additional cost above the standard sidewalk is estimated at \$83,500.

**Item #3 – Intergovernmental Agreement**

Subsequent to the receipt of this letter, the Village informed the Department that the revised Intergovernmental Agreement (IGA) was approved at their March 2013 Board meeting. The Village will be sending the Department the signed revised IGA for the Department's signature. The Department appreciates the continued cooperation given by the Village in regards to this project. Any changes for the enhanced streetscape items will be covered in an amended agreement.

**Item #4 – Local Redevelopment**

DuPage County reviewed the Village's proposal to modify the southbound dual left turn lanes near Brookwood Street and denied the request in an email to which the Village was a recipient. DuPage County noted that they would be supportive of considering a future Village initiated improvement to modify the channelization at Illinois Route 19 (Irving Park Road)/median opening opposite Brookwood Street following the construction of a western bypass and new interchange at Illinois Route 19 (Irving Park Road) as part of the Elgin O'Hare.

**Item #5 – Resurfacing Project**

The Village is correct in stating that the Department agreed to add additional resurfacing along York Road south of the intersection improvement limit near Roosevelt Avenue to Green Street to tie into the Village's improvement along Green Street. The Department apologizes for not stating this in the previous letter dated February 25, 2013. The Department will include that additional resurfacing along York Road in the intersection improvement contract plans.

If you have any questions or need additional information, please contact me or Ms. Serin Keller, Project Manager, at (847) 705-4556.

Very truly yours,



John Fortmann, P.E.  
Acting Deputy Director of Highways,  
Region One Engineer

Enclosure:     Exhibit A



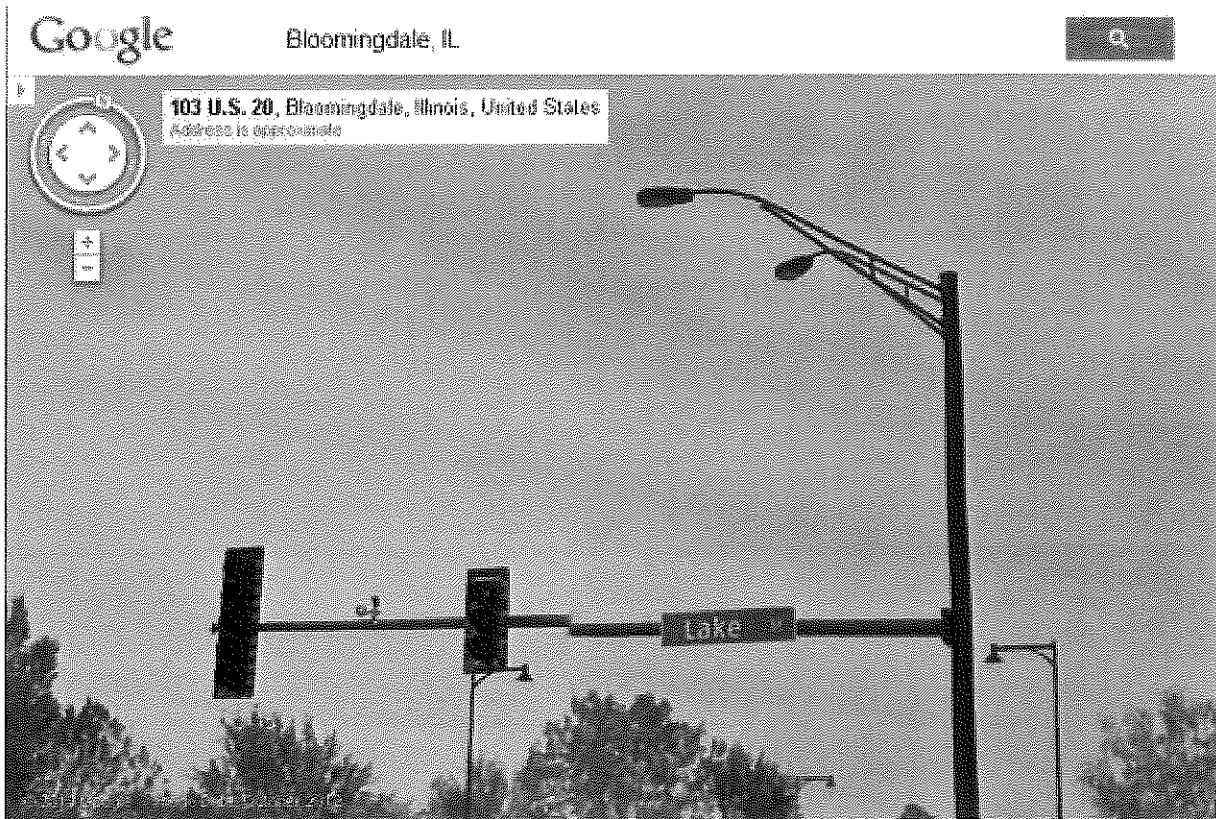


EXHIBIT A

## EXHIBIT A

### LEGAL DESCRIPTION AND PROPERTY INDEX NUMBERS

#### LEGAL DESCRIPTION: (220 NORTH YORK ROAD PARCELS)

LOT 1, (EXCEPT THE EAST 17 FEET THEREOF), LOTS 2 THRU 17, (INCLUSIVE), LOTS 18 AND 19 (EXCEPT THE EAST 17 FEET THEREOF), LOTS 20 THRU 27, (INCLUSIVE), IN BENSENVILLE GARDENS, BEING A RESUBDIVISION OF LOT 1 IN C.A. FRANZEN'S SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 10, 1924 AS DOCUMENT NUMBER 178806, IN DUPAGE COUNTY, ILLINOIS, TOGETHER WITH ALL OF THE 60 FEET ROADWAY KNOWN AS BROOKWOOD STREET, LYING WEST OF THE WEST LINE OF THE EAST 17 FEET OF THE SAID LOTS 1 AND 18 AND EAST OF THE WEST LINE OF SAID LOT 9 AS EXTENDED SOUTH;

ALSO, ALL OF THE 30 FEET ROADWAY RECORDED AS ADDISON STREET, LYING SOUTH OF THE NORTH LINE OF SAID LOT 10 AS EXTENDED WEST AND NORTH OF THE SOUTH LINE OF SAID LOT 27 AS EXTENDED WEST;

ALSO, ALL OF THE 30 FEET ROADWAY KNOWN AS PLEASANT STREET LYING WEST OF THE WEST LINE OF THE EAST 17 FEET OF LOT 19 AS EXTENDED SOUTH AND EAST OF THE WEST LINE OF BENSENVILLE GARDENS, BEING A RESUBDIVISION OF LOT 1 IN C.A. FRANZEN'S SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 10, 1924 AS DOCUMENT NUMBER 178806, IN DUPAGE COUNTY, ILLINOIS;

ALSO, ALL OF THE 33 FEET ROADWAY KNOWN AS PLEASANT STREET, LYING WEST OF THE WEST LINE OF THE EAST 17 FEET OF LOT 1, AS EXTENDED NORTH, AND EAST OF THE WEST LINE OF LOT 4, AS EXTENDED NORTH, IN LANDMEIR'S DIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 10, 1950 AS DOCUMENT NUMBER 600863, IN DUPAGE COUNTY, ILLINOIS;

ALSO, THE NORTH 33 FEET OF LOTS 3 AND 4 IN C.A. FRANZEN'S SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 11, 1919 AS DOCUMENT NUMBER 139197, ALL IN DUPAGE COUNTY, ILLINOIS

#### PROPERTY INDEX NUMBERS:

0314208004	0314207012	0314208016
0314208019	0314208010	0314205032
0314208007	0314208001	0314208006
0314208008	0314207009	0314208003
0314205067	0314207010	0314208002
0314207020	0314207008	0314208011
0314207013	0314208017	0314208012
0314207014	0314208018	0314208013
0314207015	0314208009	0314209006
0314207011	0314208015	0314209033



November 6, 2017

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

RE: DRG York Road Zoning Map Amendment Approval Criteria

To Whom it May Concern,

The following are responses to each of the (3) approval criteria for a Zoning Map Amendment from C-4 to I-2 classification.

**1. Support for Classification:**

The sites immediately to the north of the proposed development are zoned I-2, the same as the proposed classification of this site. The rezoning of this site would result in contiguous I-2 zoning through this site.

**2. Further Public Interest:**

The proposed zoning promotes public interest. The current state of the site is a conglomerate of run-down residential and commercial properties. The proposed development will have an aesthetically pleasing façade facing York Road to the east.

**3. Public Services Available:**

Per conversations with Village Engineering and Public Works, there are adequate utilities (sewer/water) available on the west side of York Road.

Respectfully,



Andrew Glover  
Project Manager, ARCO Murray

cc: Jimmy Love, Distribution Realty Group  
Michael Augustine, Distribution Realty Group

Curran Darling, Distribution Realty Group  
Lee Stellakis, ARCO Murray

November 6, 2017

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

RE: DRG York Road Variance Request Approval Criteria

To Whom it May Concern,

The following are responses to each of the (9) approval criteria for a variance to allow a 12' wide tractor-trailer loading stall in lieu of a 14' wide stall as the Village Code states.

**1. Special Circumstances:**

Two (2) similar industrial buildings have recently been developed in Bensenville that were granted variances on the loading dock stall width. One building is the Geib Industries building at 901 E Jefferson Street, and the other is the Liberty building currently being developed at 350 N York Road. Both of these buildings are conventional warehouse/distribution centers, similar to our proposed building, with 12' wide truck dock stall widths.

**2. Hardship or Practical Difficulties:**

A 14' wide truck loading stall is not practical for a couple of different reasons. First, the maximum width of a precast panel is 12'. If a panel is over 12' wide, the truck transporting that panel must apply for and receive special road permits to transport the panel to the site. If the loading stall width were to be 14', our precast panels along the dock side of the building would have to be 14' wide, and thus cause issues with permitting the panel transportation. Second, the Chicagoland industry standard truck stall width is 12'. This allows for the maximization of the number of dock positions that will fit along the length of the building, and provides the most flexibility for the tenant's dock position needs.

**3. Circumstances Relate to Property:**

This variance relates directly to the dimensions of the truck stall width on the building.

**4. Not Resulting from Applicant Action:**

The applicant has not yet taken any action as it relates to the matter at hand. Construction of the facility has not begun.

**5. Preserves Rights Conferred by District:**

As stated above, the (2) other industrial developments above have 12' wide truck stalls. As such, the granting of this variance will not result in this property having a special privilege.

**6. Necessary for Use of Property:**

This variance is necessary because an industrial building containing truck dock stalls that are 14' wide is not marketable. All industrial facilities in the Chicagoland area have truck stall widths of 12'.

**7. Not Alter Local Character:**

This variance has no impact on environmental quality, property values, public safety, or public welfare.

**8. Consistent with Ordinance and Plan:**

Granting this variance will not disrupt the intent of the Village Ordinance in any way, as no other section of the code relates to the truck stall width.

**9. Minimum Variance Needed:**

Since a 12' wide truck stall is industry standard, it is the minimum required variance in order to provide this property with relief from undue hardship and/or practical difficulties.

Respectfully,



Andrew Glover  
Project Manager, ARCO Murray

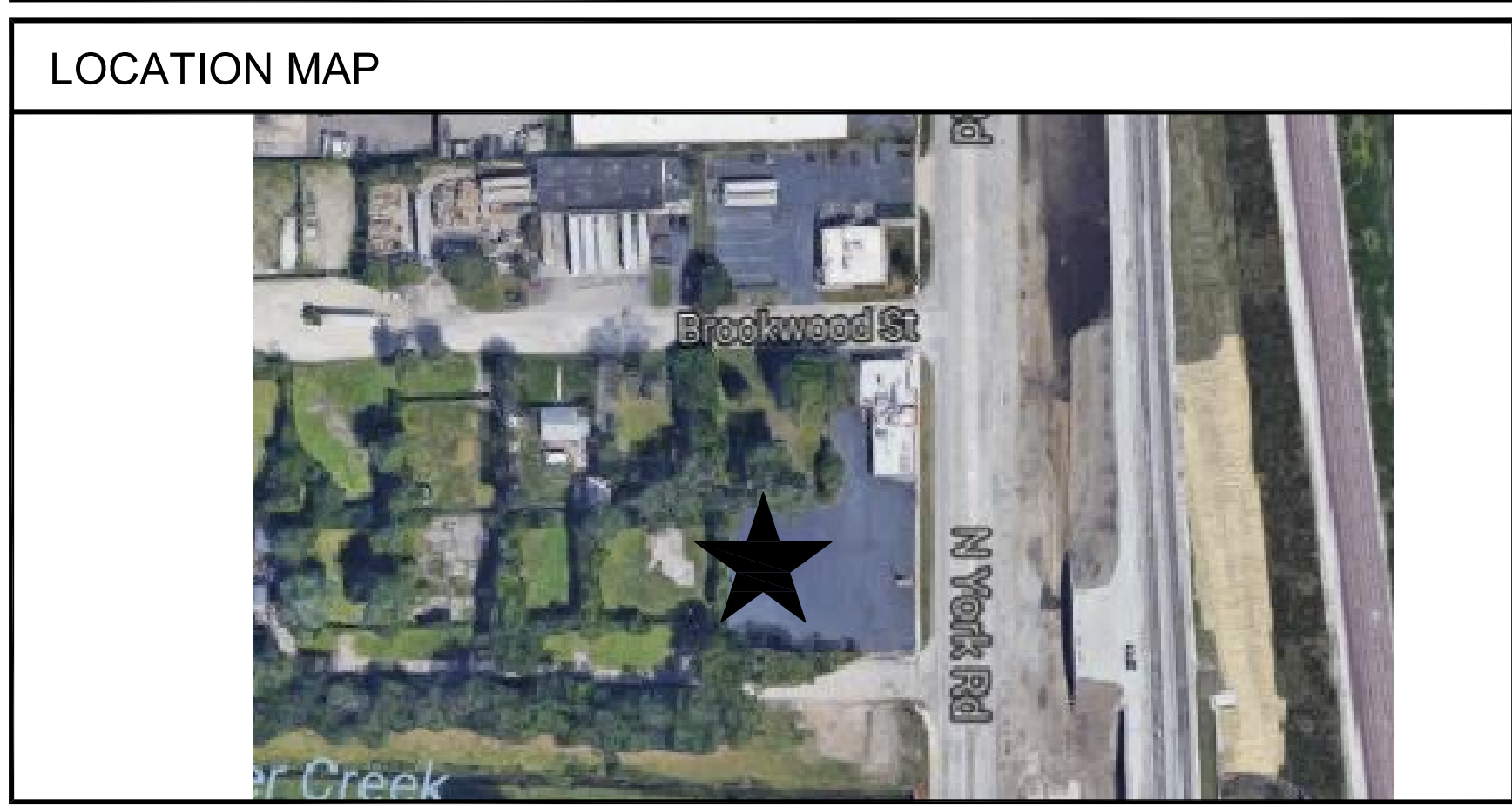
cc: Jimmy Love, Distribution Realty Group  
Michael Augustine, Distribution Realty Group

Curran Darling, Distribution Realty Group  
Lee Stellakis, ARCO Murray

ABBREVIATIONS LEGEND			
AFF	ABOVE FINISHED FLOOR	HM	HOLLOW METAL
ACOU	ACOUSTICAL	IMP	INSULATED METAL PANEL
ADJ	ADJACENT	INT	INTERIOR
ALUM	ALUMINUM	INT	INTERIOR
ALT	ALTERNATE	JAN	JANITOR
APPR	APPROVE, APPROVED	MAINT	MAINTENANCE
APPROX	APPROXIMATE	MAT'L	MATERIAL
ARCH	ARCHITECT, ARCHITECTURAL	MAX	MAXIMUM
AE	ARCHITECT/ENGINEER	MECH	MECHANIC, MECHANICAL
AVG	AVERAGE	MTL	METAL
BD	BOARD	MEZZ	MEZZANINE
BLVD	BOULEVARD	MIN	MINIMUM
BLKG	BLOCKING	MISC	MISCELLANEOUS
BLDG	BUILDING	MTD	MOUNTED
BMD	BOTTOM OF METAL DECK	NA	NOT APPLICABLE
CFT	CARPET	NTS	NOT TO SCALE
CLG	CEILING	OC	ON CENTER
CT	CERAMIC TILE	OPP	OPPOSITE
COL	COLUMN	OH	OVERHEAD
CONC	CONCRETE	PLAM	PLASTIC LAMINATE
CMU	CONCRETE MASONRY UNIT	PLBG	PLUMBING
CONT	CONTINUOUS, CONTINUE	PREFAB	PREFABRICATE, PREFABRICATED
CJ	CONTROL JOINT, CONSTRUCTION JOINT	PREFIN	PREFINISH, PREFINISHED
CORR	CORRIDOR	PT	PRESSURE TREATED
DTL	DETAIL	QTY	QUANTITY
DIM	DIMENSION	REF	REFERENCE
DR	DOOR	REINF	REINFORCE, REINFORCED,
DN	DOWN	REQ'D	REINFORCING REQUIRED
DS	DOWNSPOUT	RD	ROOF DRAIN
DWG	DRAWING	SCH	SCHEDULE
ELEC	ELECTRIC, ELECTRICAL	SIM	SIMILAR
ELEV	ELEVATION	SHT	SHEET
EMER	EMERGENCY	SC	SOLID CORE
EQ	EQUAL	STC	SOUND TRANSMISSION COEFFICIENT
EQUIP	EQUIPMENT	SPEC	SPECIFICATION
EXIST	EXISTING	SF	SQUARE FOOT, SQUARE FEET
EJ	EXPANSION JOINT	S5	STAINLESS STEEL
EXT	EXTERIOR	STD	STANDARD
EIFS	EXTERIOR INSULATION FINISH SYSTEM	STL	STEEL
FIN	FINISH, FINISHED	STR	STRUCTURE, STRUCTURAL
FE	FIRE EXTINGUISHER	TEMP	TEMPORARY
FE	FIRE EXTINGUISHER CABINET	TH	THICK, THICKNESS
FL	FLOOR, FLOORING	TYP	TYPICAL
FT	FEET, FOOT	UNO	UNLESS NOTED OTHERWISE
FTG	FOOTING	VERT	VERTICAL
GA	GAGE, GAUGE	VEST	VESTIBULE
GALV	GALVANIZED	VCT	VINYL COMPOSITION TILE
GC	GENERAL CONTRACTOR	VWC	VINYL WALL COVERING
GL	GLASS, GLAZING	WH	WATER HEATER
GYP	GYPSUM	W	WITH
HT	HEIGHT	W/O	WITHOUT
		WD	WOOD

BEST MANAGEMENT PRACTICES	
THE CONTRACTOR/OWNER SHALL IMPLEMENT BEST MANAGEMENT PRACTICES AS FOLLOWS:	
SOLID WASTE MANAGEMENT : PROVIDE DESIGNATED WASTE COLLECTION AREAS AND CONTAINERS. CLEAR SITE OF TRASH.	PAINT & PAINTING SUPPLIES PROVIDE PROPER STORAGE, USE AND CLEANUP OF MATERIALS.
MATERIAL DELIVERY AND STORAGE : PROVIDE A DESIGNATED MATERIAL STORAGE AREA; IF NEEDED, PROVIDE A SECOND CONTAINER	VEHICLE FUELING, MAINT. AND CLEANING : PROVIDE A DESIGNATED FUELING AREA WITH A SECOND CONTAINER.
CONCRETE WASTE : PROVIDE A DESIGNATED AREA TO BE USED FOR CONCRETE TRUCK WASH-OUT IF NEEDED.AT NO TIME SHALL RUN-OFF ENTER THE STORM DRAINS.	HAZARDOUS WASTE MANAGEMENT: PREVENT THE DISCHARGE OF HAZARDOUS WASTE POLLUTANTS INTO THE STORM DRAIN SYSTEM.

SYMBOLS LEGEND			
REVISION MARK		REVISION NUMBER	2
PLAN TITLE		PLAN TITLE	SCALE: 1/4" = 1'-0"
SECTION		SECTION NUMBER	5
FRAME / OPENING DESIGNATION		FRAME / OPENING LETTER OR NUMBER	101
GLAZING DESIGNATION		GLAZING LETTER	
ROOM DESIGNATION		ROOM NAME	ROOM NUMBER
		WALL TYPE	



PROJECT DATA	
PROJECT DESCRIPTION	
NEW 188,930 SQ.FT. SPEC FACILITY OF S-I (STORAGE) USE.	
BUILDING CODE INFORMATION	
BUILDING CODE:	2015 INTERNATIONAL BUILDING CODE WITH LOCAL AMENDMENTS
ELECTRICAL CODE:	2014 NATIONAL ELECTRIC CODE WITH LOCAL AMENDMENTS
PLUMBING CODE:	2014 STATE OF ILLINOIS PLUMBING CODE
MECHANICAL CODE:	2015 INTERNATIONAL MECHANICAL CODE WITH LOCAL AMENDMENTS
FIRE CODE:	2015 INTERNATIONAL FIRE CODE WITH LOCAL AMENDMENTS
ACCESSIBILITY:	1997 ILLINOIS ACCESSIBILITY CODE
ENERGY CODE:	2015 STATE OF ILLINOIS ENERGY CONSERVATION CODE
FUEL GAS CODE:	2015 INTERNATIONAL FUEL GAS CODE WITH LOCAL AMENDMENTS
PROJECT CODE DATA	
<u>SEPARATION - CHAPTER 5, SECTION 508 &amp; USE GROUPS - CHAPTER 3</u>	
SEPARATION:	NONE REQUIRED - NON SEPARATED
USE GROUPS:	S-I (MODERATE HAZARD STORAGE)
<u>ALLOWABLE AREA - CHAPTER 5</u>	
ALLOWABLE AREA:	UNLIMITED AREA (PER SECTION 507)
<u>ACTUAL AREA CALC</u>	
PRIMARY USE GROUP (S-I):	188,930 SQ.FT.
<u>ALLOWABLE HEIGHT - CHAPTER 5, TABLE 504.3 &amp; 504.4</u>	
ALLOWABLE BUILDING HEIGHT:	75'-0", 3 STORIES
BUILDING HEIGHT:	40'-0" TOP OF PARAPET, 1 STORY
<u>CONSTRUCTION TYPE - CHAPTER 6, TABLE 601</u>	
PROPOSED:	TYPE IIB
STRUCTURAL FRAME :	0 HOURS
BEARING WALLS (EXTERIOR) :	0 HOURS
BEARING WALLS (INTERIOR)	0 HOURS
NON-BEARING WALLS :	0 HOURS
FLOOR CONSTRUCTION :	0 HOURS
ROOF CONSTRUCTION :	0 HOURS
<u>FIRE PROTECTION SYSTEM - CHAPTER 9</u>	
FULLY SPRINKLED - YES	

EGRESS DATA - CHAPTER 10			
REQUIRED DOOR WIDTH : 378 X 0.2" = 75.6"			
PROVIDED DOOR WIDTH : 16 EXITS AT 36" EA = 576"			
PROVIDED DOOR WIDTH : 4 EXITS AT 72" EA = 288"			
TOTAL PROVIDED DOOR WIDTH : 864"			
COMMON PATH OF TRAVEL REQUIREMENT : 100'			
MAXIMUM TRAVEL DISTANCE : 250' FEET (S-I OCCUPANCY)			

ZONING REVIEW

DRG

DISTRIBUTION  
REALTY GROUP

220 NORTH YORK ROAD  
BENSENVILLE, IL 60106

LIST OF DRAWINGS

SHEET #	DESCRIPTION
T1.1	TITLE SHEET

ARCHITECTURAL

LS1.1	OVERALL LIFE SAFETY PLAN
AS1.1	ARCHITECTURAL SITE PLAN
A0.1	LINE OF SIGHT DIAGRAM
A0.2	RENDERING
A2.1	ENLARGED FLOOR PLAN
A2.2	ENLARGED FLOOR PLAN
A5.1	EXTERIOR ELEVATIONS
A5.2	EXTERIOR ELEVATIONS
A6.1	WALL SECTIONS
A6.2	WALL SECTIONS
A6.3	WALL SECTIONS

CONSULTING ENGINEERS

DESIGN / BUILDER

ARCHITECT

PROJECT:

JACOB AND REEFER  
1333 BUTTERFIELD ROAD, SUITE 300  
NORWICH, ILLINOIS 61557  
JACOBANDREEFER.COM

STRUCTURAL  
SRI  
JACOBANDREEFER.COM  
DOWNERS GROVE / IL 60115  
TWOCD@BENSENVILLE.COM  
WWW.BENSENVILLE.COM

ARCHITECTS  
GMA  
ARCHITECTS  
3110 WOODCREEK DRIVE  
DOWNERS GROVE, ILLINOIS 60115  
WWW.GMA-ARCHITECTS.COM

DRG  
DISTRIBUTION  
REALTY GROUP  
DRG - BENSENVILLE SPECULATIVE FACILITY  
220 NORTH YORK ROAD  
BENSENVILLE, ILLINOIS 60106

JOB NO : SJ1817

PA : ZUK

DATE : 10.30.2017

REVISIONS

11-08-2017 - ISSUED FOR  
ZONING BOARD REVIEW

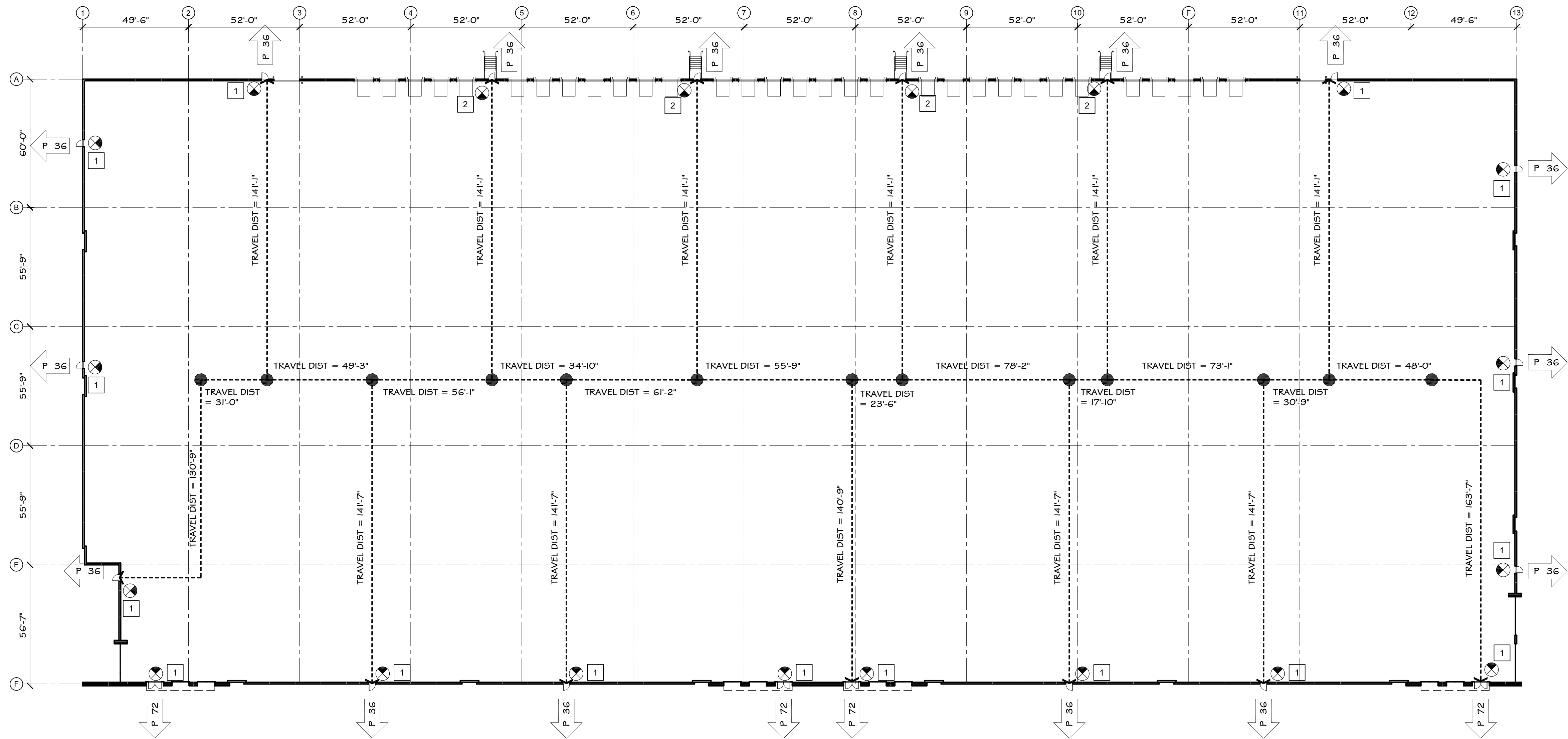
TWO DESIGN AND THESE DRAWINGS AND THE PROPERTY OF  
GMA-ARCHITECTS, INC. NO PART OF THIS DESIGN MAY BE  
REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS  
WITHOUT WRITTEN PERMISSION FROM  
GMA-ARCHITECTS, INC.

SHEET NUMBER

T1.1

TITLE SHEET



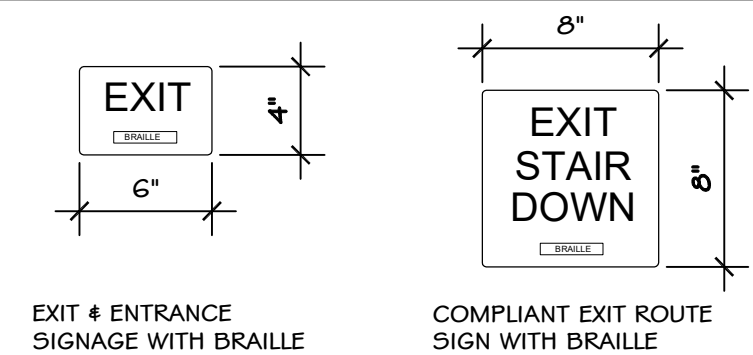


1 LIFE SAFETY PLAN  
LS1.1 SCALE: 1" = 30'-0"

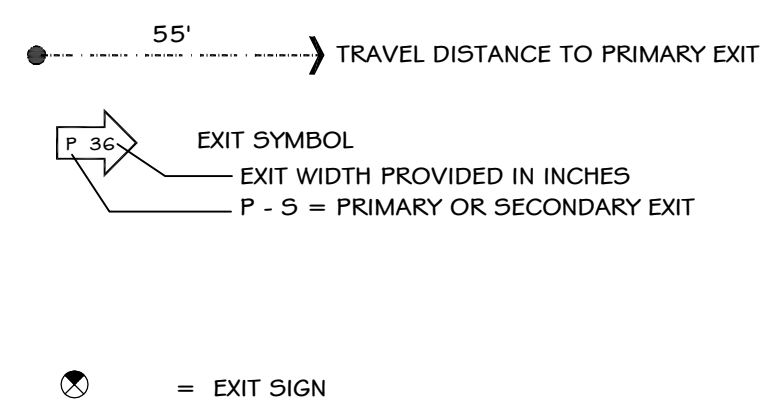
#### SIGNAGE KEYNOTES

- TACTILE EXIT SIGN: "EXIT".
- TACTILE EXIT SIGNS: "EXIT STAIR DOWN" AND "AREA OF REFUGE".

#### EGRESS WALL SIGNS



#### LIFE SAFETY LEGEND



#### GENERAL NOTES

- FINAL LAYOUT OF WAREHOUSE EXIT SIGNS & FIRE EXTINGUISHERS TO BE COORDINATED W/ LOCAL FIRE MARSHALL.
- ALL EGRESS ILLUMINATION SHALL COMPLY WITH THE CURRENT APPLICABLE CODE. THE MEANS OF EGRESS ILLUMINATION LEVEL SHALL NOT BE LESS THAN 1 FOOT-CANDLE AT THE WALKING SURFACE LEVEL. SEE ELEC. DWGS. FOR EGRESS ILLUMINATION COMPLIANCE.
- PROVIDE TACTILE EXIT SIGNS IN COMPLIANCE WITH THE CURRENT APPLICABLE CODE.
- EXIT DOORS SHALL BE OPERABLE FROM THE INSIDE WITHOUT THE USE OF A KEY OR SPECIAL KNOWLEDGE OF EFFORT.
- ADDITIONAL EXIT SIGNS AND/OR EMERGENCY LIGHTING MAY BE REQUIRED, SUBJECT TO FIELD INSPECTION & DETERMINATION OF THE AUTHORITY HAVING JURISDICTION.

#### OTHER WALL SIGNS

- NOTE 1: THE INTERNATIONAL SYMBOL OF ACCESSIBILITY SHALL BE THE STANDARD USED TO IDENTIFY FACILITIES THAT ARE ACCESSIBLE TO AND USABLE BY PHYSICALLY DISABLED PERSONS AS SET FORTH IN THE AMERICAN WITH DISABILITIES ACT (ADA).
- NOTE 2: WHERE PERMANENT IDENTIFICATION IS PROVIDED FOR ROOMS AND SPACES, SIGNS SHALL BE INSTALLED ON THE WALL ADJACENT TO THE LATCH SIDE OF THE DOOR. WHERE THERE IS NO WALL SPACE TO THE LATCH SIDE OF THE DOOR, INCLUDING AT DOUBLE LEAF DOORS, SIGNS SHALL BE PLACED ON THE NEAREST ADJACENT WALL. MOUNTING HEIGHT SHALL BE 60" TO THE CENTERLINE OF THE SIGN ABOVE FINISHED FLOOR.

CONSULTING ENGINEERS  
JACOB AND REIFER  
1333 BUTTERFIELD ROAD, SUITE 300  
DOWNERS GROVE, ILL. 60155  
SRI JACOB@JACOBANDREIFER.COM  
JACOB@JACOBANDREIFER.COM  
STRUCTURAL  
DOWNERS GROVE, ILL. 60155  
TWO@JACOBANDREIFER.COM

DESIGN / BUILDER  
ARCO MURRAY  
3110 WOODCREEK DRIVE  
DOWNERS GROVE, ILL. 60155  
DOWNERS GROVE, ILL. 60155  
WWW.ARCOMURRAY.COM

ARCHITECT  
GMA  
ARCHITECTS  
3110 WOODCREEK DRIVE  
DOWNERS GROVE, ILL. 60155  
DOWNERS GROVE, ILL. 60155  
WWW.GMA-ARCHITECTS.COM

PROJECT:  
DRG  
DISTRIBUTION  
DRG BENSENVILLE SPECULATIVE FACILITY  
220 NORTH YORK ROAD  
BENSENVILLE, ILLINOIS 60106

JOB NO : SJ1817  
PA : ZUK  
DATE : 10.30.2017

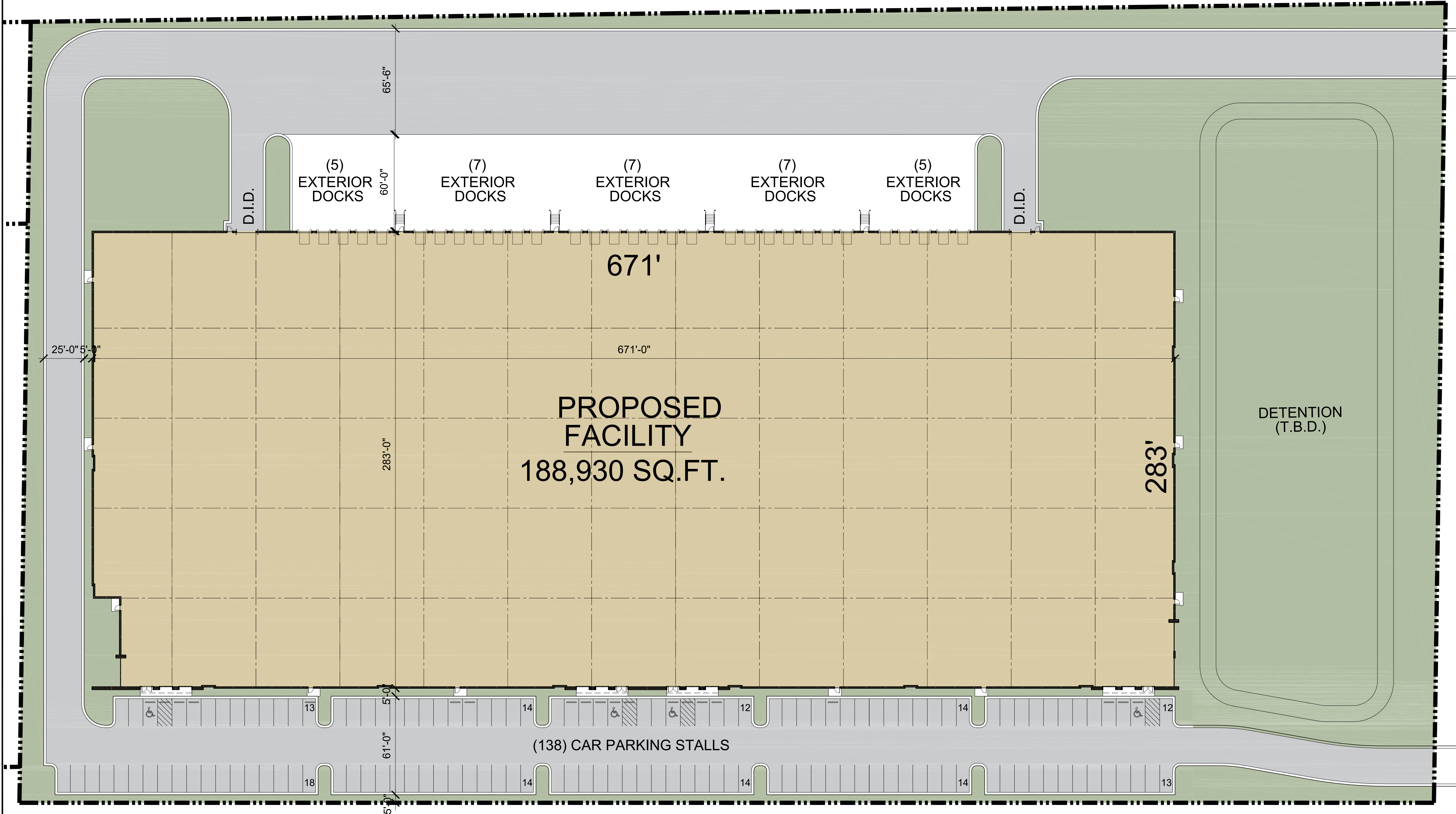
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SHEET NUMBER  
LS1.1  
LIFE SAFETY PLAN

PROJECT SUMMARY:

BUILDING SUMMARY: ALL AREAS ARE GROSS SQ.FT.	
BUILDING	= 188,930 SQ.FT.
TOTAL :	= 188,930 SQ.FT.
SITE AREA :	= 429,055 SQ.FT.
	9.85 ACRES +/-
GREEN SPACE:	= 112,088 SQ.FT.
F.A.R.	= 0.44
CLEAR HEIGHT	= 32'
CAR PARKING	= 138 STALLS
TRUCK DOCKS	= 31 POSITIONS
D.I.D.	= 2 DOORS



PROJECT:

DRG  
DISTRIBUTION  
DRG BENSENVILLE SPECULATIVE FACILITY  
220 NORTH YORK ROAD  
BENSENVILLE, ILLINOIS 60106

ARCHITECT

GMA  
ARCHITECTS  
3110 WOODCREEK DRIVE  
DOWNERS GROVE, IL 60515  
(708) 334-3343 FAX (708) 331-2525  
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DESIGN / BUILDER

ARCO  
MURRAY  
DESIGN BUILD  
3110 WOODCREEK DRIVE  
DOWNERS GROVE, IL 60515  
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CONSULTING ENGINEERS

JACOB AND REIFER  
1333 BUTTERFIELD ROAD, SUITE 300  
DOWNERS GROVE, IL 60515  
JACOBANDREIFER.COM  
SRI  
3110 WOODCREEK DRIVE  
DOWNERS GROVE, IL 60515  
TWOCHANGENGINEERS.COM  
WWW.TWOCHANGENGINEERS.COM

JOB NO :

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PA :

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DATE :

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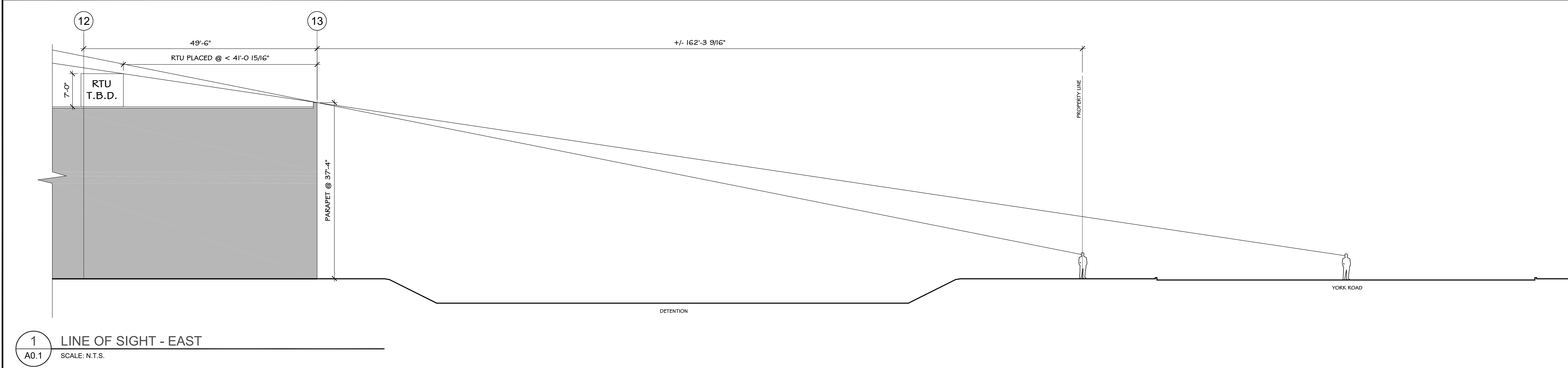
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SHEET NUMBER

AS1.1

ARCHITECTURAL SITE PLAN



1 LINE OF SIGHT - EAST  
A0.1 SCALE: N.T.S.

PROJECT:

**DRG**

DISTRIBUTION  
RETIRO  
DRG BENSENVILLE SPECULATIVE FACILITY  
220 NORTH YORK ROAD  
BENSENVILLE, ILLINOIS 60106

ARCHITECT

**GMA**

ARCHITECTS  
3110 WOODCREEK DRIVE  
DOWNERS GROVE, ILL. 60515  
(708) 324-1345 FAX: (708) 324-1327  
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DESIGN / BUILDER

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**MURRAY**

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DOWNERS GROVE, ILL. 60515  
(708) 324-1345 FAX: (708) 324-1327  
WWW.ARCOMURRAY.COM

CONSULTING ENGINEERS

SEAL: \_\_\_\_\_  
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DOWNERS GROVE, ILL. 60515  
JACOB@JACOBANDJEFFER.COM  
SRI  
JACOB@JACOBANDJEFFER.COM  
3110 WOODCREEK DRIVE  
DOWNERS GROVE, ILL. 60515  
TJACOB@JACOBANDJEFFER.COM

STRUTURAL

JOB NO : SJ1817  
PA : ZUK  
DATE : 10.30.2017

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SHEET NUMBER

A0.1

LINE OF SIGHT





PROJECT:

DRG  
DISTRIBUTION  
REGION  
DRG BENSenville SPECULATIVE FACILITY  
220 NORTH YORK ROAD  
BENSenville, ILLINOIS 60106

JOB NO :

SJ1817

PA :

ZUK

DATE :

10.30.2017

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SHEET NUMBER

A0.2

RENDERING

ARCHITECT

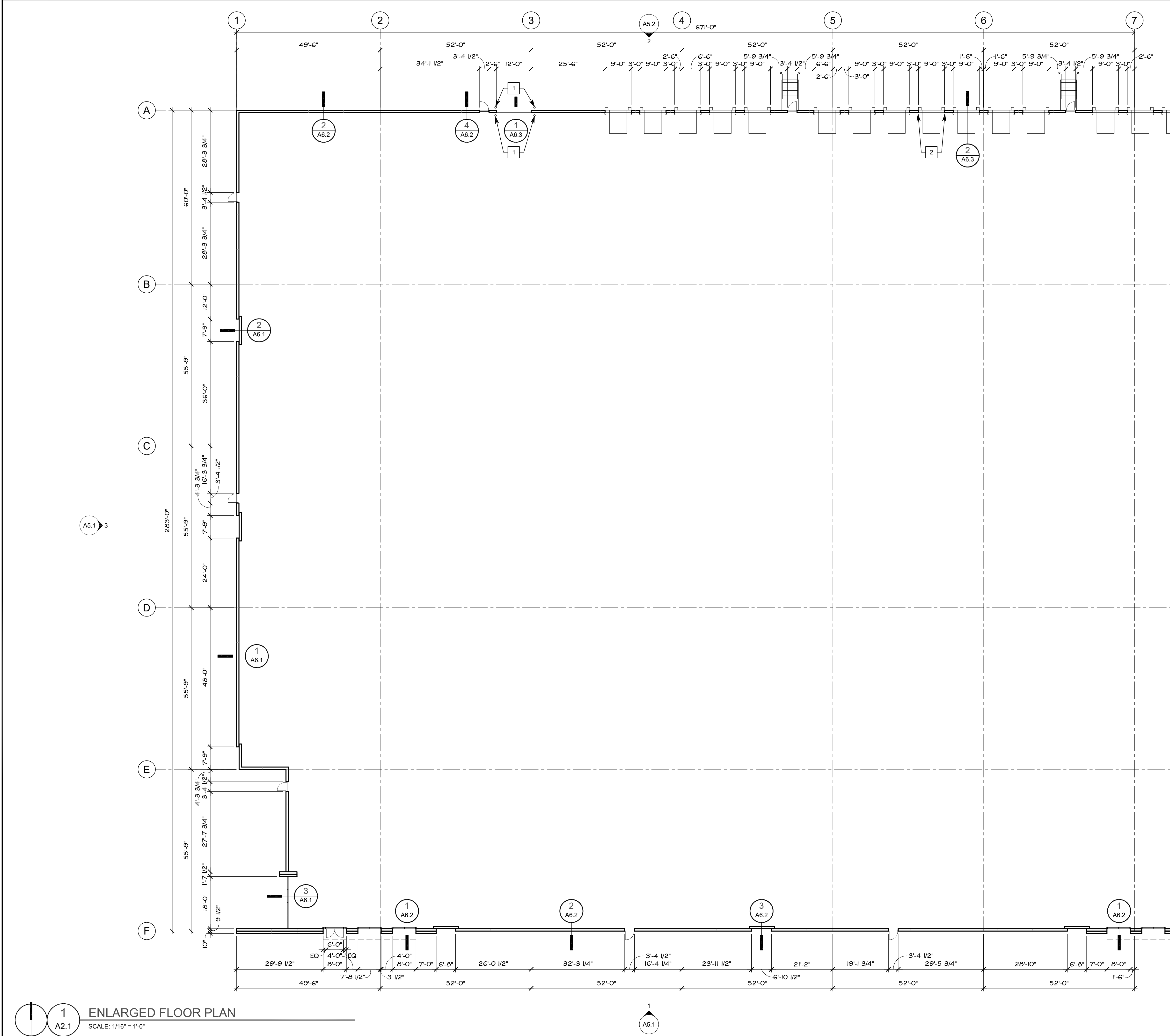
GMA  
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3110 WOODCREEK DRIVE  
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(708) 331-2525  
WWW.GMA-ARCHITECTS.COM

DESIGN / BUILDER

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DESIGN BUILD  
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WWW.ARCOMURRAY.COM

CONSULTING ENGINEERS

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JEFF@JACOBANDJEFFER.COM  
STRUCTURAL: SRI  
3110 WOODCREEK DRIVE  
DOWNERS GROVE, IL 60515  
TJATCO@GSEENGINEERS.COM  
WWW.GSEENGINEERS.COM



### GENERAL FLOOR PLAN NOTES

- CONTRACTOR TO VERIFY ALL DIMENSIONS AND CONDITIONS SHOWN ON THE DRAWINGS AT THE JOB SITE AND NOTIFY ARCHITECT OF ANY OMISSIONS, DISCREPANCIES, AND/OR CONFLICTS BEFORE PROCEEDING WITH THE WORK.
- GLAZING, CASEWORK, MILLWORK AND EQUIPMENT SUPPLIERS SHALL FIELD VERIFY ALL DIMENSIONS PRIOR TO FABRICATION.
- DOORS SHOWN ADJACENT TO WALLS ARE TYPICALLY 4" FROM ADJACENT UNLESS NOTED OTHERWISE.
- ALL DIMENSIONS ARE TO FACE OF PARTITIONS.
- FIRE RETARDANT BLOCKING SHALL BE PROVIDED IN ALL WALLS AS REQUIRED BY CODE AND AS REQUIRED / RECOMMENDED FOR THE SUPPORT OF MILLWORK, TOILET PARTITIONS AND ACCESSORIES, ETC.
- ALL EXTERIOR AND EXPOSED INTERIOR PRECAST CONCRETE AND MASONRY WALL JOINTS SHALL BE CAULKED USING A TWO (2) PART TREMCO DYMERIC POLYURETHANE OR EQUAL. THE JOINTS SHALL ALSO HAVE A BACKER ROD BEHIND THE CAULK.
- PROVIDE FLOOR MATERIAL TRANSITIONAL STRIPS WHERE REQUIRED BY CHANGE IN MATERIAL.
- PROVIDE ACCESS PANELS AS REQUIRED, COORDINATE WITH M.E.P. & F.P.
- COORDINATE FIRE EXTINGUISHERS LOCATIONS WITH ARCHITECT AND LOCAL FIRE MARSHALL. LOCATIONS SHALL FOLLOW NFPA 472, FM STANDARDS, AND ADA GUIDELINES. SEE SHEET LSI.1
- BULLNOSE ALL PRECAST PANEL AND MASONRY CORNERS INCLUDING DOOR FRAMES AND HEADERS, TYPICAL.
- NO CEILINGS ARE TO BE PROVIDED - ENTIRE FACILITY IS OPEN TO DECK ABOVE.

### FLOOR PLAN KEY NOTES

1	PIPE BOLLARDS
2	Z-GUARDS @ DOCK DOOR, TYP.

1

A2.1

ENLARGED FLOOR PLAN

SCALE: 1/16" = 1'-0"

CONSULTING ENGINEERS

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1333 BUTTERFIELD ROAD, SUITE 300  
DOWNERS GROVE, ILL. 60515  
JACOBANDJEFFERSON.COM  
SRI JACOBANDJEFFERSON.COM  
WOODCREEK DRIVE  
DOWNERS GROVE, ILL. 60515  
TWOCHANGERSENGINEERS.COM  
WWW.TWOCHANGERSENGINEERS.COM

DESIGN / BUILDER

ARCO MURRAY  
DESIGN BUILD  
3110 WOODCREEK DRIVE  
DOWNERS GROVE, ILL. 60515  
WWW.ARCOMURRAY.COM

ARCHITECT

GMAA  
ARCHITECTS  
3110 WOODCREEK DRIVE  
DOWNERS GROVE, ILL. 60515  
WWW.GMAA-ARCHITECTS.COM

PROJECT:

DRG  
DISTRIBUTION  
DRG BENSENVILLE SPECULATIVE FACILITY  
220 NORTH YORK ROAD  
BENSENVILLE, ILLINOIS 60106

JOB NO :

SJ1817

PA :

ZUK

DATE :

10.30.2017

REVISIONS

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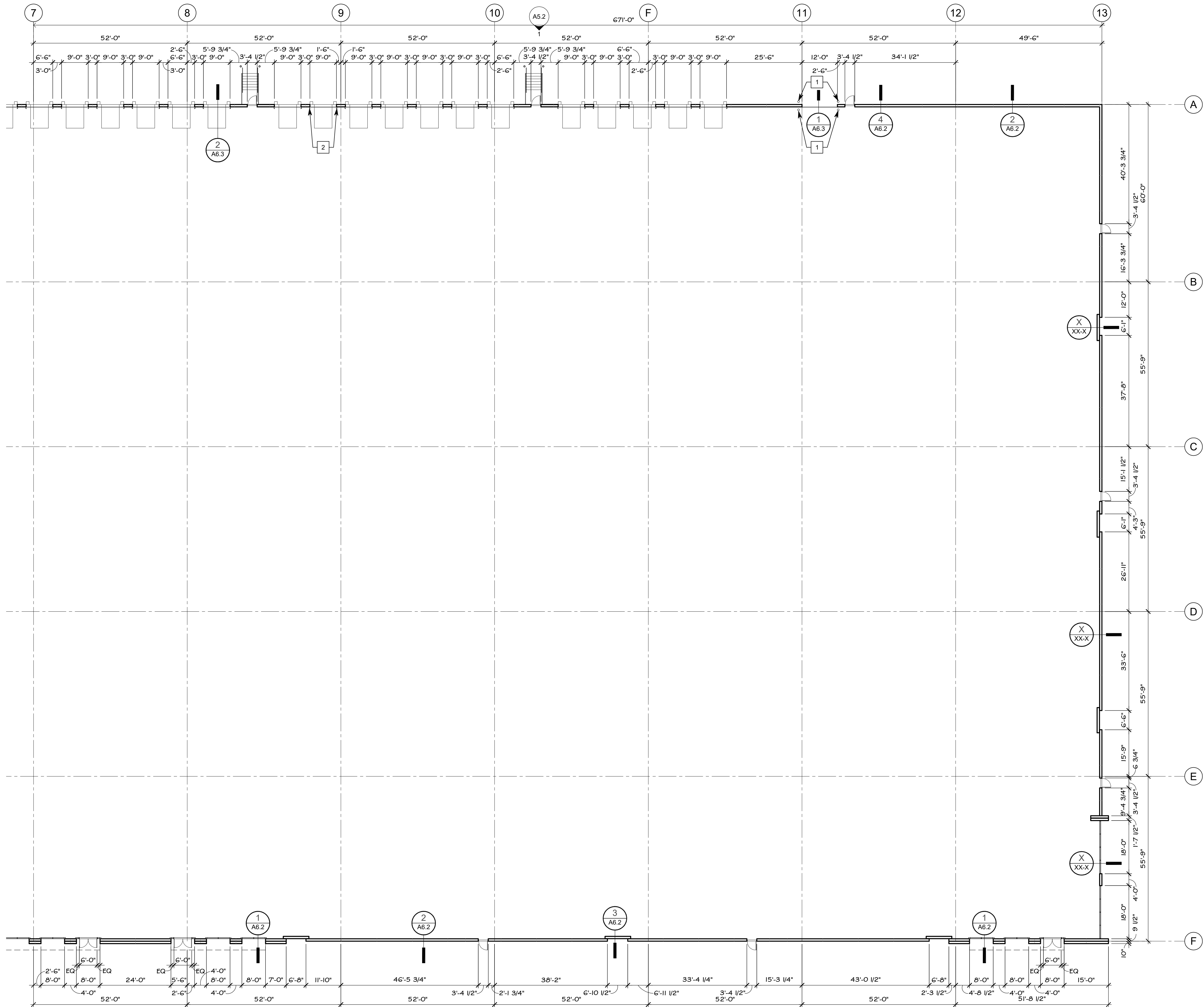
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SHEET NUMBER

A2.1

OVERALL FLOOR PLAN





GENERAL FLOOR PLAN NOTES

1. CONTRACTOR TO VERIFY ALL DIMENSIONS AND CONDITIONS SHOWN ON THE DRAWINGS AT THE JOB SITE AND NOTIFY ARCHITECT OF ANY OMISSIONS, DISCREPANCIES, AND/OR CONFLICTS BEFORE PROCEEDING WITH THE WORK.
2. GLAZING, CASEWORK, MILLWORK AND EQUIPMENT SUPPLIERS SHALL FIELD VERIFY ALL DIMENSIONS PRIOR TO FABRICATION.
3. DOORS SHOWN ADJACENT TO WALLS ARE TYPICALLY 4" FROM ADJACENT UNLESS NOTED OTHERWISE.
4. ALL DIMENSIONS ARE TO FACE OF PARTITIONS.
5. FIRE RETARDANT BLOCKING SHALL BE PROVIDED IN ALL WALLS AS REQUIRED BY CODE AND AS REQUIRED / RECOMMENDED FOR THE SUPPORT OF MILLWORK, TOILET PARTITIONS AND ACCESSORIES, ETC.
6. ALL EXTERIOR AND EXPOSED INTERIOR PRECAST CONCRETE AND MASONRY WALL JOINTS SHALL BE CAULKED USING A TWO (2) PART TREMCO DYMERIC POLYURETHANE OR EQUAL. THE JOINTS SHALL ALSO HAVE A BACKER ROD BEHIND THE CAULK.
7. PROVIDE FLOOR MATERIAL TRANSITIONAL STRIPS WHERE REQUIRED BY CHANGE IN MATERIAL.
8. PROVIDE ACCESS PANELS AS REQUIRED, COORDINATE WITH M.E.P. & F.P.
9. COORDINATE FIRE EXTINGUISHERS LOCATIONS WITH ARCHITECT AND LOCAL FIRE MARSHALL. LOCATIONS SHALL FOLLOW NFPA 472, FM STANDARDS, AND ADA GUIDELINES. SEE SHEET LSI.1
10. BULLNOSE ALL PRECAST PANEL AND MASONRY CORNERS INCLUDING DOOR FRAMES AND HEADERS, TYPICAL.
11. NO CEILINGS ARE TO BE PROVIDED - ENTIRE FACILITY IS OPEN TO DECK ABOVE.

FLOOR PLAN KEY NOTES

- |   |                            |
|---|----------------------------|
| 1 | PIPE BOLLARDS              |
| 2 | Z-GUARDS @ DOCK DOOR, TYP. |

1  
A2.2  
ENLARGED FLOOR PLAN  
SCALE: 1/16" = 1'-0"

2  
A5.1

CONSULTING ENGINEERS  
JACOB AND REPER  
1333 BUTTERFIELD ROAD, SUITE 300  
DOWNERS GROVE, ILL. 60515  
SRI JACOB@JACOBANDREPER.COM  
WWW.JACOBANDREPER.COM

DESIGN / BUILDER  
ARCO MURRAY  
3110 WOODCREEK DRIVE  
DOWNERS GROVE, ILL. 60515  
WWW.ARCOMURRAY.COM

ARCHITECT  
GMA  
ARCHITECTS  
3110 WOODCREEK DRIVE  
DOWNERS GROVE, ILL. 60515  
WWW.GMA-ARCHITECTS.COM

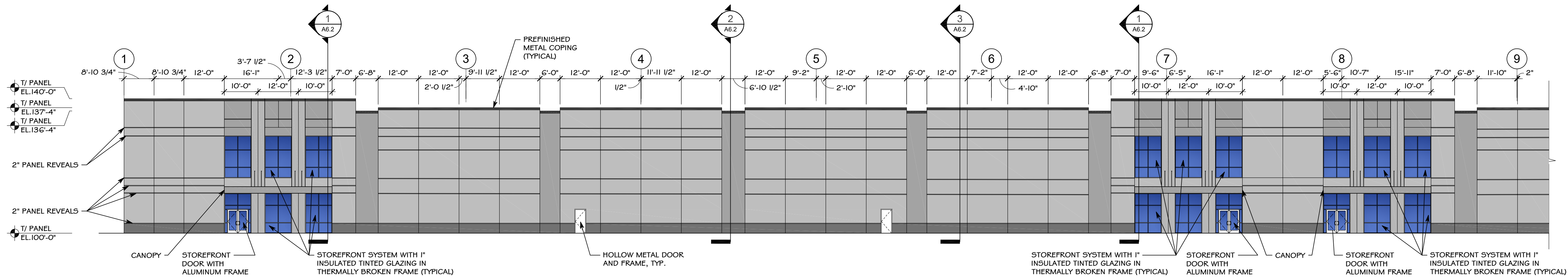
PROJECT:  
DRG  
DISTRIBUTION  
DRG BENSenville SPECULATIVE FACILITY  
220 NORTH YORK ROAD  
BENSenville, ILLINOIS 60106

JOB NO : SJ1817  
PA : ZUK  
DATE : 10.30.2017

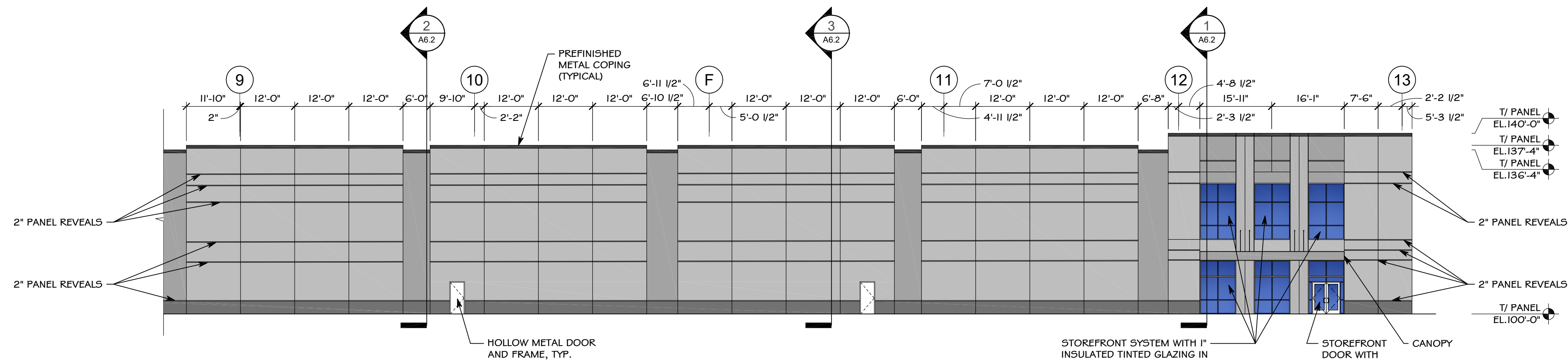
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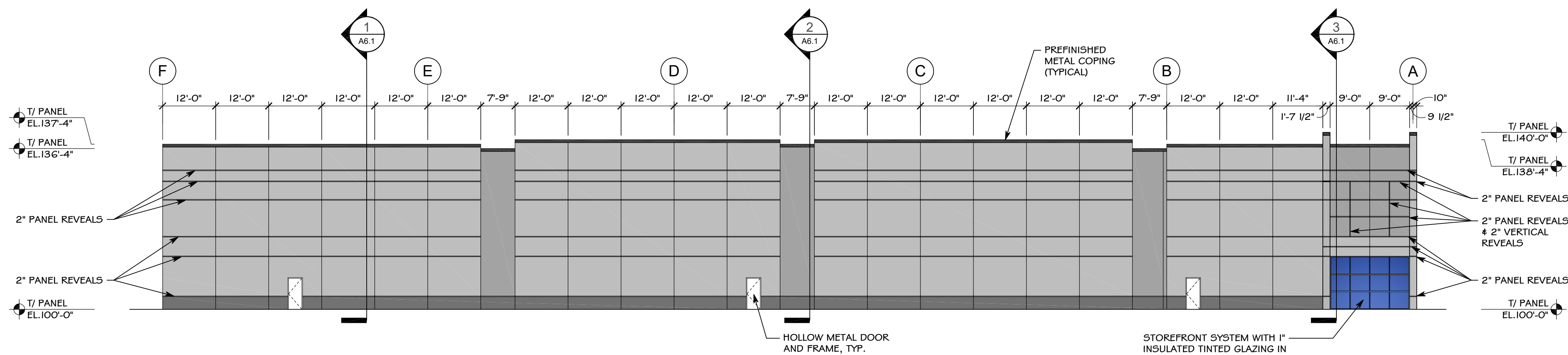
SHEET NUMBER  
A2.2  
OVERALL FLOOR PLAN



1 SOUTH ELEVATION  
A5.1 SCALE: 1/16" = 1'-0"



2 SOUTH ELEVATION (CONTINUED)  
A5.1 SCALE: 1/16" = 1'-0"



3 WEST ELEVATION  
A5.1 SCALE: 1/16" = 1'-0"

CONSULTING ENGINEERS  
JACOB AND REIFER  
1333 BUTTERFIELD ROAD, SUITE 300  
DOWNERS GROVE, ILL. 60155  
JACOBANDREIFER.COM  
SRI  
JACOBANDREIFER.COM  
DOWNERS GROVE, ILL. 60155  
TWOCHANGERSENGINEERS.COM  
TWOCHANGERSENGINEERS.COM

DESIGN / BUILDER  
ARCO  
MURRAY  
3110 WOODCREEK DRIVE  
DOWNERS GROVE, ILL. 60155  
WWW.ARCOMURRAY.COM  
ARCHITECTS  
GMA  
ARCHITECTS  
3110 WOODCREEK DRIVE  
DOWNERS GROVE, ILL. 60155  
WWW.GMA-ARCHITECTS.COM

PROJECT:  
DRG  
DISTRIBUTION  
REPLACEMENT  
DRG BENSENVILLE SPECULATIVE FACILITY  
220 NORTH YORK ROAD  
BENSENVILLE, ILLINOIS 60106

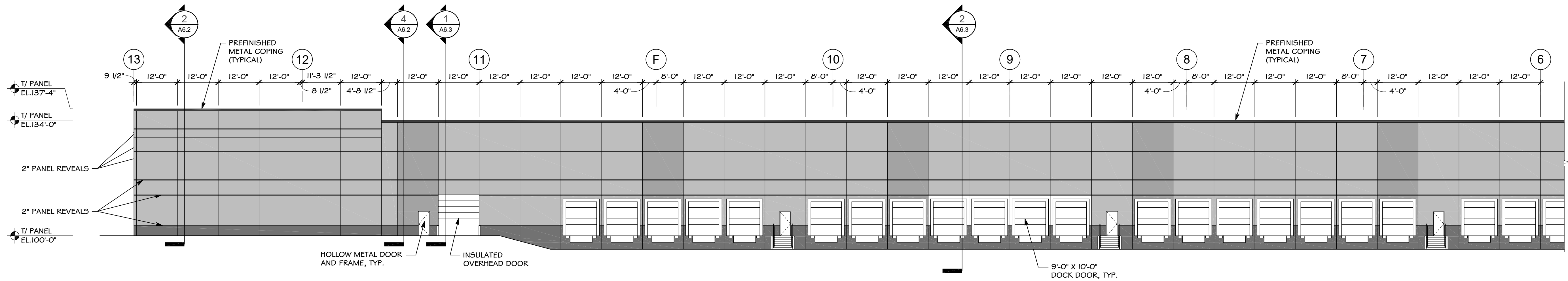
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DATE : 10.30.2017

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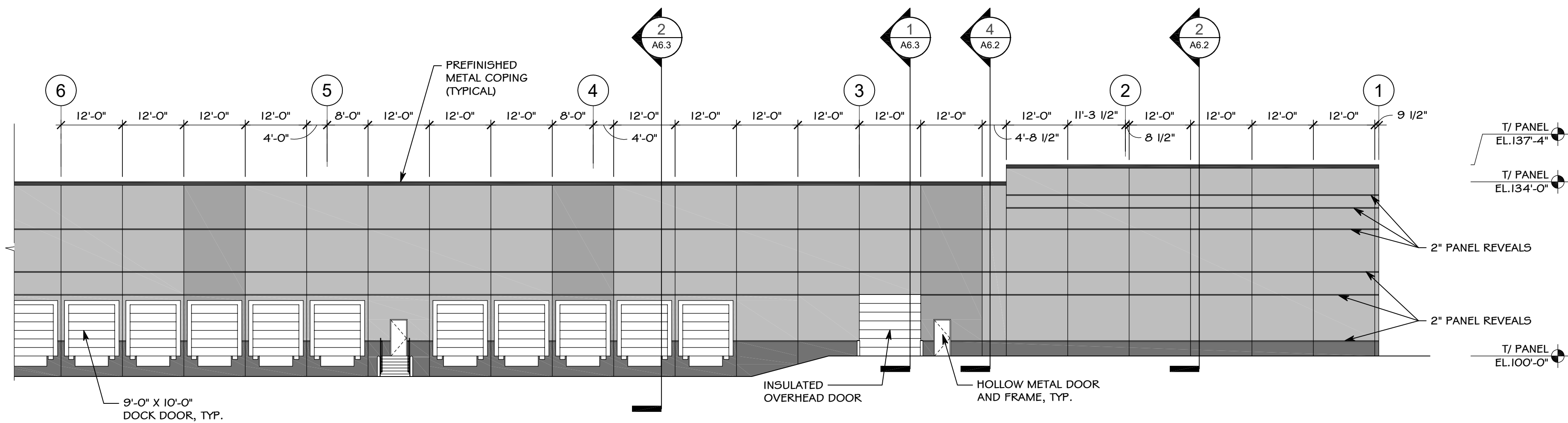
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SHEET NUMBER  
A5.1  
EXTERIOR ELEVATIONS

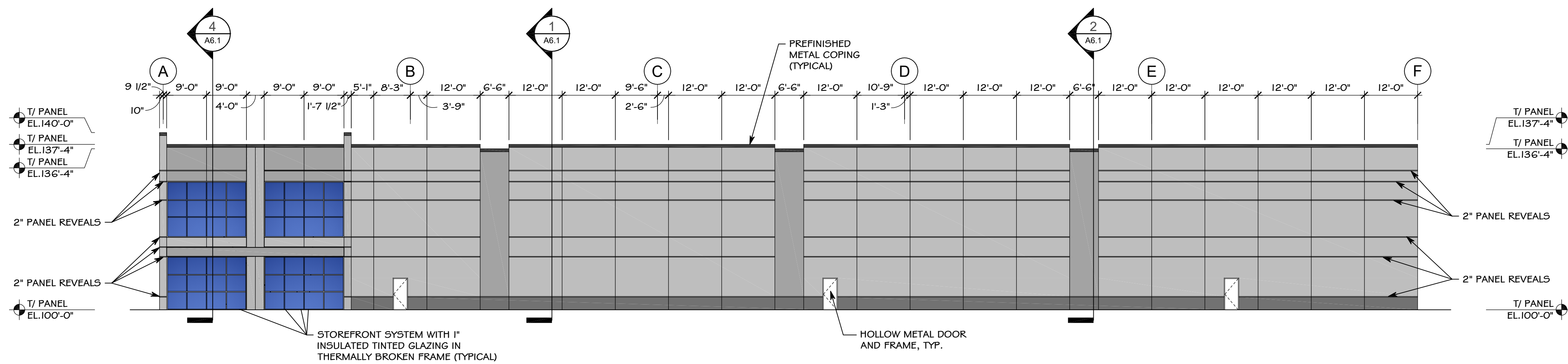




1 NORTH ELEVATION  
A5.2 SCALE: 1/16" = 1'-0"



2 NORTH ELEVATION (CONTINUED)  
A5.2 SCALE: 1/16" = 1'-0"



3 EAST ELEVATION  
A5.2 SCALE: 1/16" = 1'-0"

CONSULTING ENGINEERS  
JACOB AND REIFER  
1333 BUTTERFIELD ROAD, SUITE 300  
DOWNERS GROVE, ILL. 60155  
JACOBANDREIFER.COM  
STRUCTURAL  
SRI  
3110 WOODCREEK DRIVE  
DOWNERS GROVE, ILL. 60155  
TWOCHARGENGINEERS.COM

DESIGN / BUILDER  
ARCO  
MURRAY  
3110 WOODCREEK DRIVE  
DOWNERS GROVE, ILL. 60155  
TWOCHARGENGINEERS.COM  
WWW.ARCOMURRAY.COM

ARCHITECT  
GMA  
ARCHITECTS  
3110 WOODCREEK DRIVE  
DOWNERS GROVE, ILL. 60155  
TWOCHARGENGINEERS.COM  
WWW.GMA-ARCHITECTS.COM

PROJECT:  
DRG  
DISTRIBUTION  
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220 NORTH YORK ROAD  
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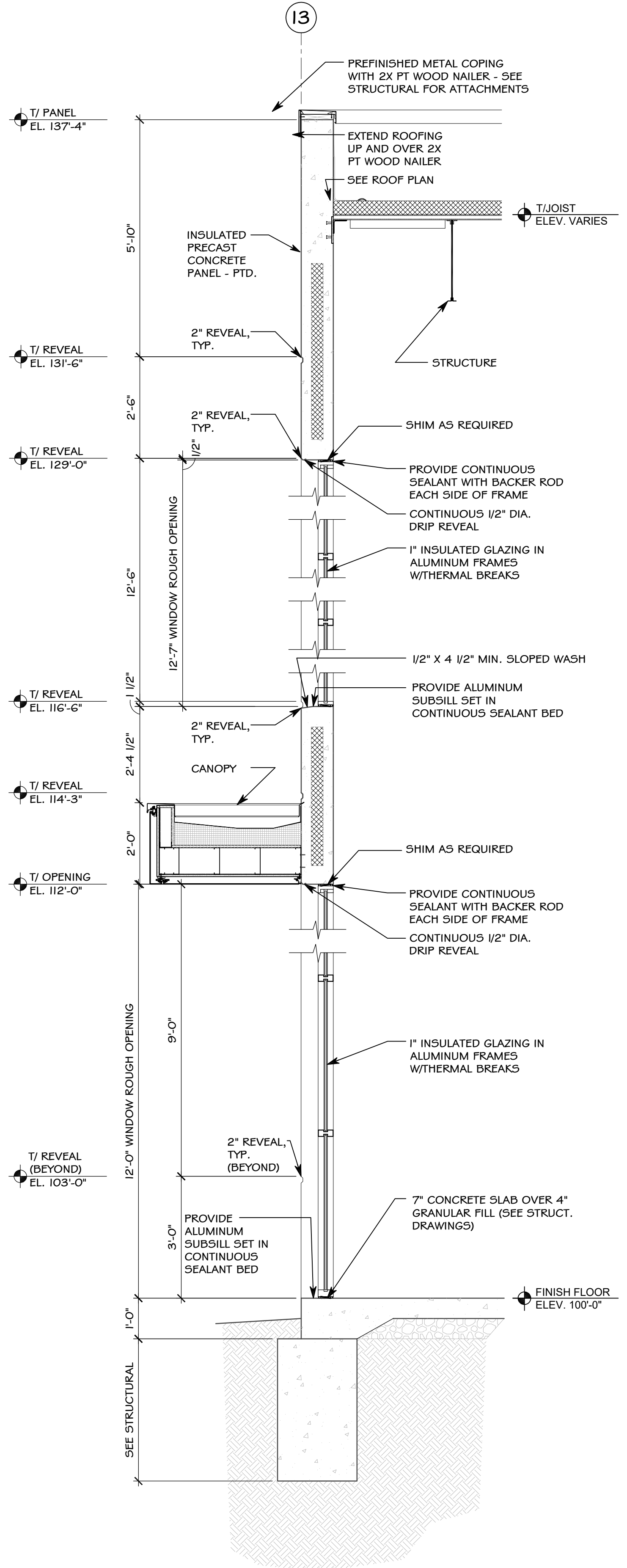
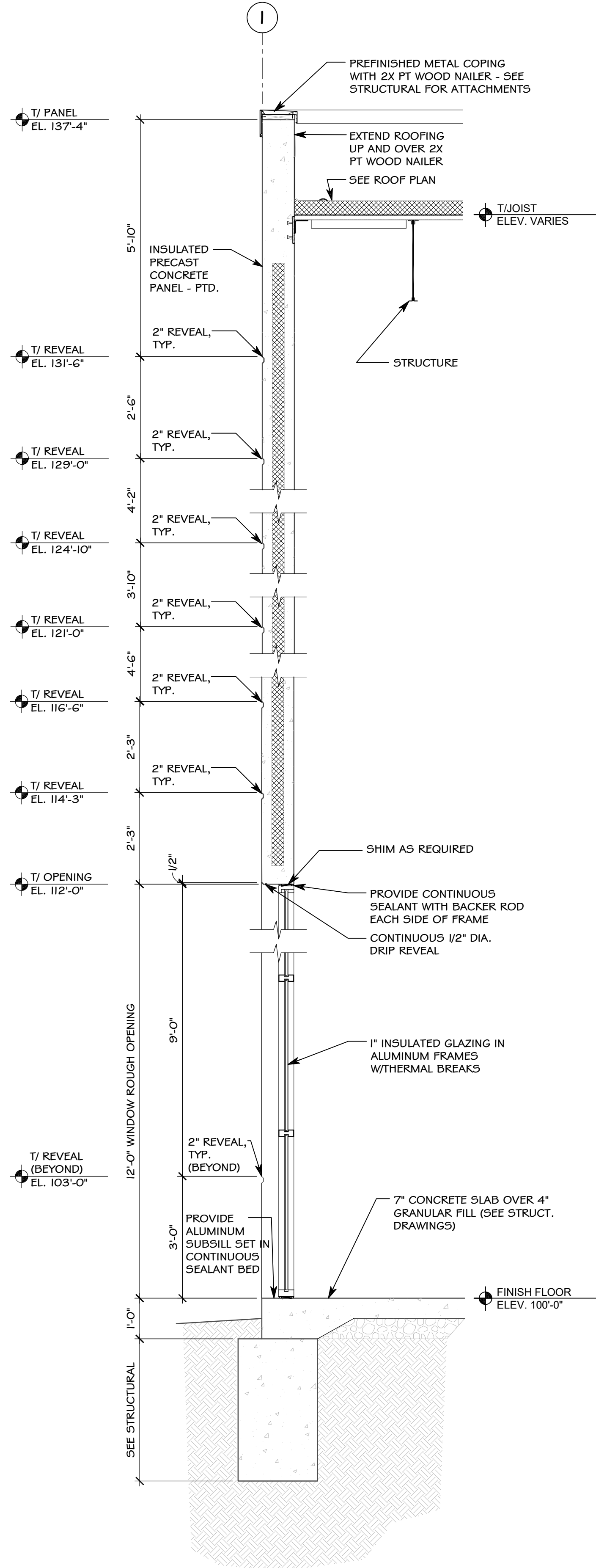
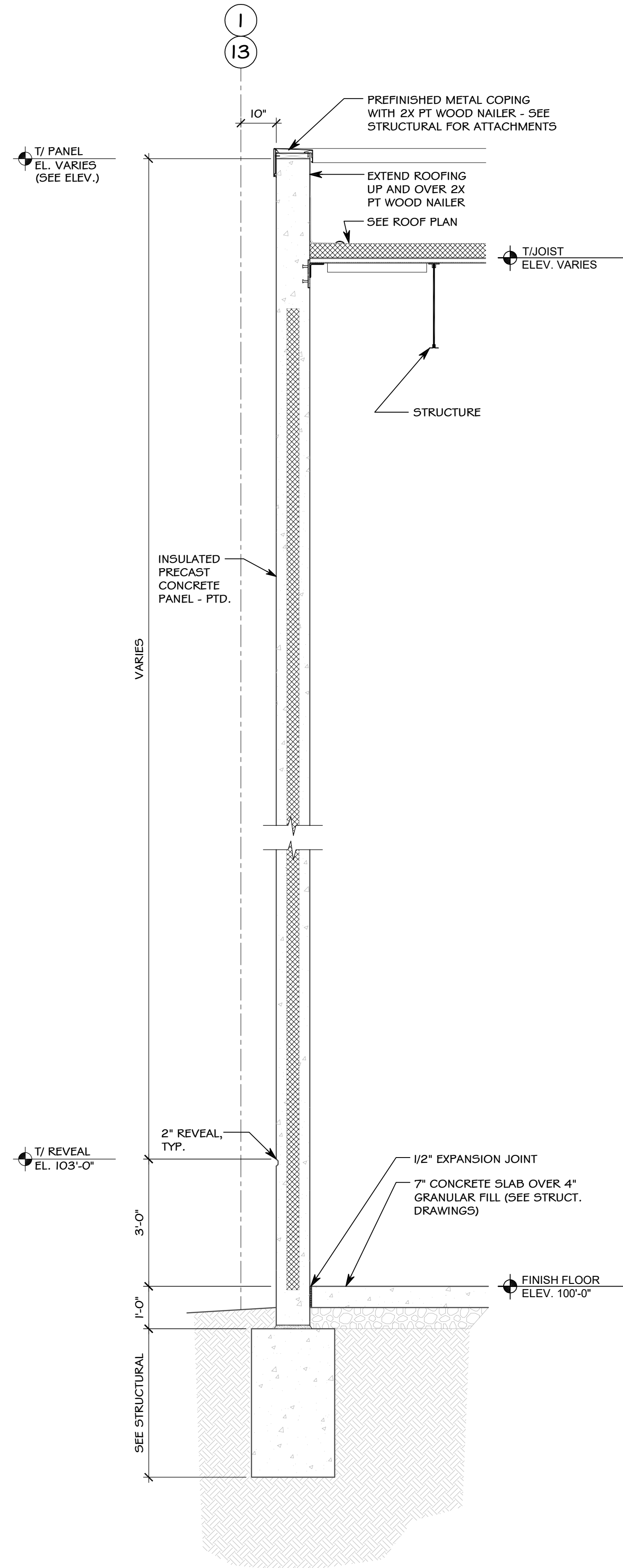
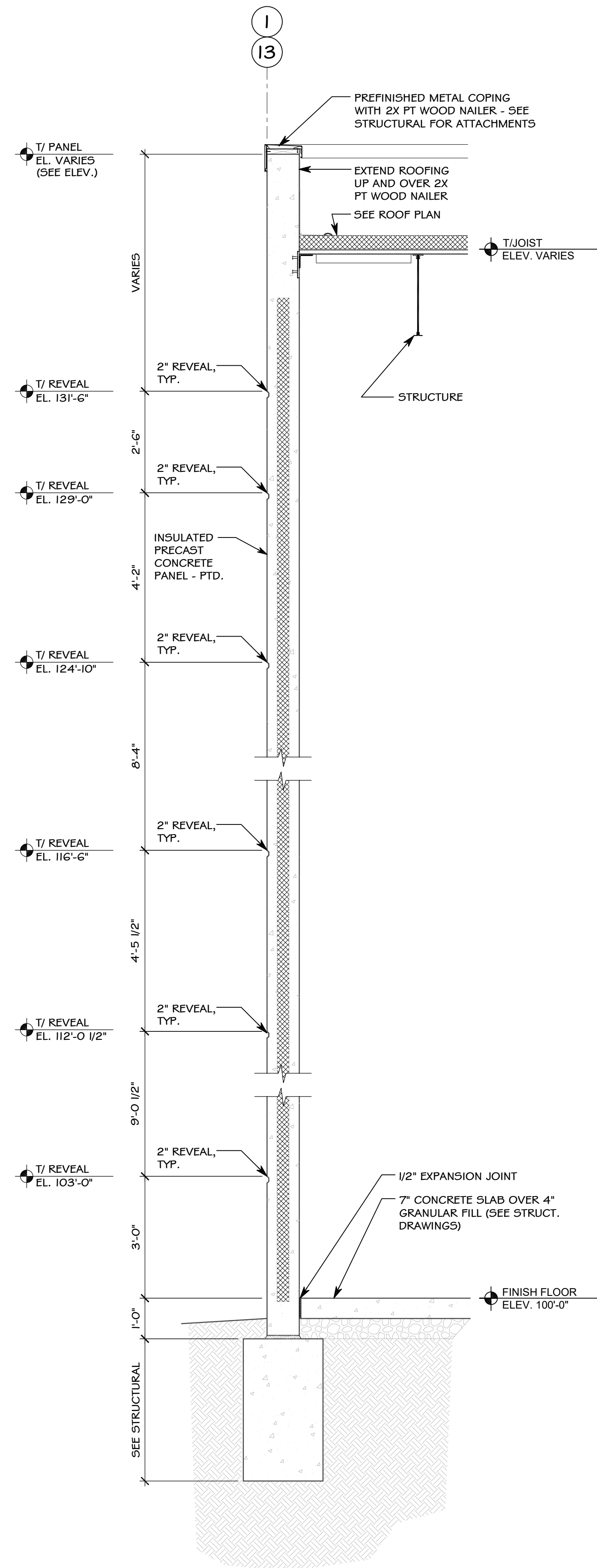
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A5.2

EXTERIOR ELEVATIONS





1 WALL SECTION  
A6.1 SCALE: 1/2" = 1'-0"

2 WALL SECTION  
A6.1 SCALE: 1/2" = 1'-0"

3 WALL SECTION  
A6.1 SCALE: 1/2" = 1'-0"

4 WALL SECTION  
A6.1 SCALE: 1/2" = 1'-0"

CONSULTING ENGINEERS  
JACOB AND REIFER  
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SRI JACOBANDREIFER.COM  
DOWNERS GROVE, ILL. 60155  
TWOCHANGENGINEERS.COM  
WWW.TWOCHANGENGINEERS.COM

DESIGN / BUILDER  
ARCO MURRAY  
3110 WOODCREEK DRIVE  
DOWNERS GROVE, ILL. 60155  
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PROJECT:  
DRG  
DISTRIBUTION  
DRG BENSenville SPECULATIVE FACILITY  
220 NORTH YORK ROAD  
BENSenville, ILLINOIS 60106

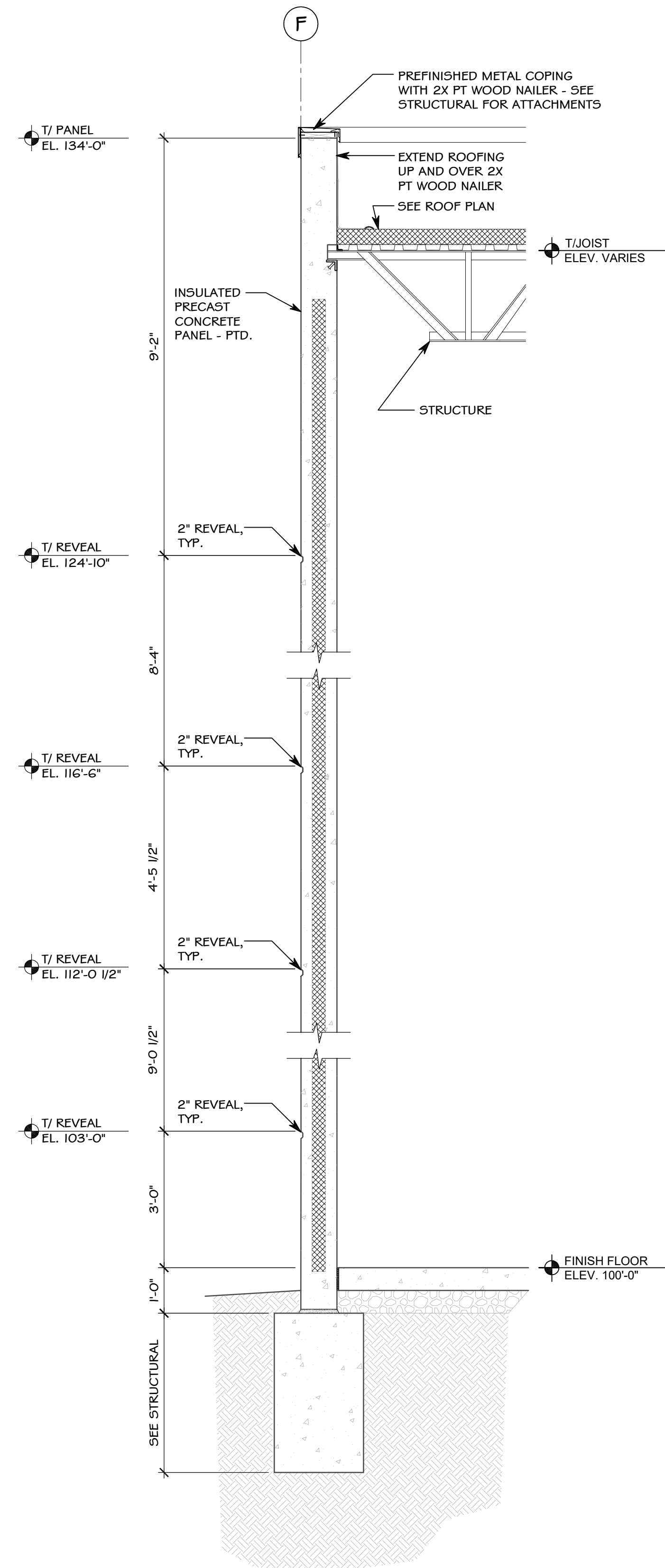
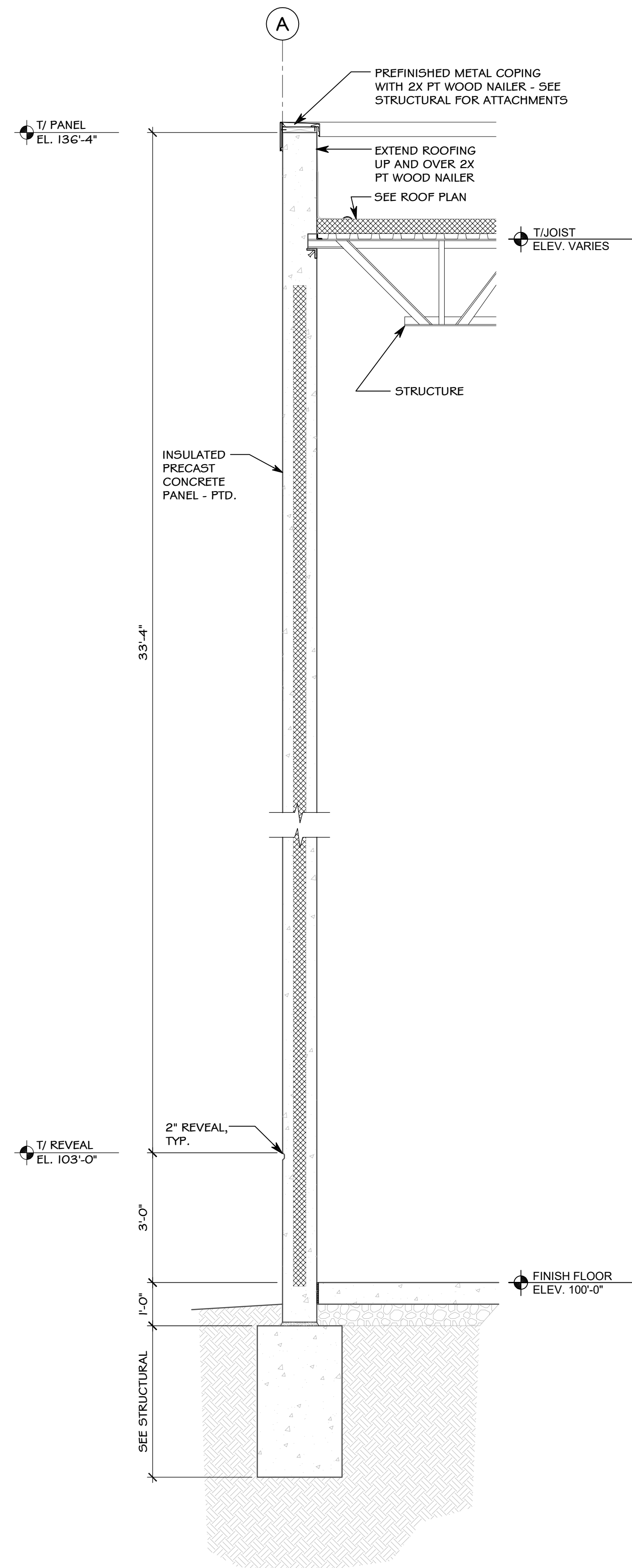
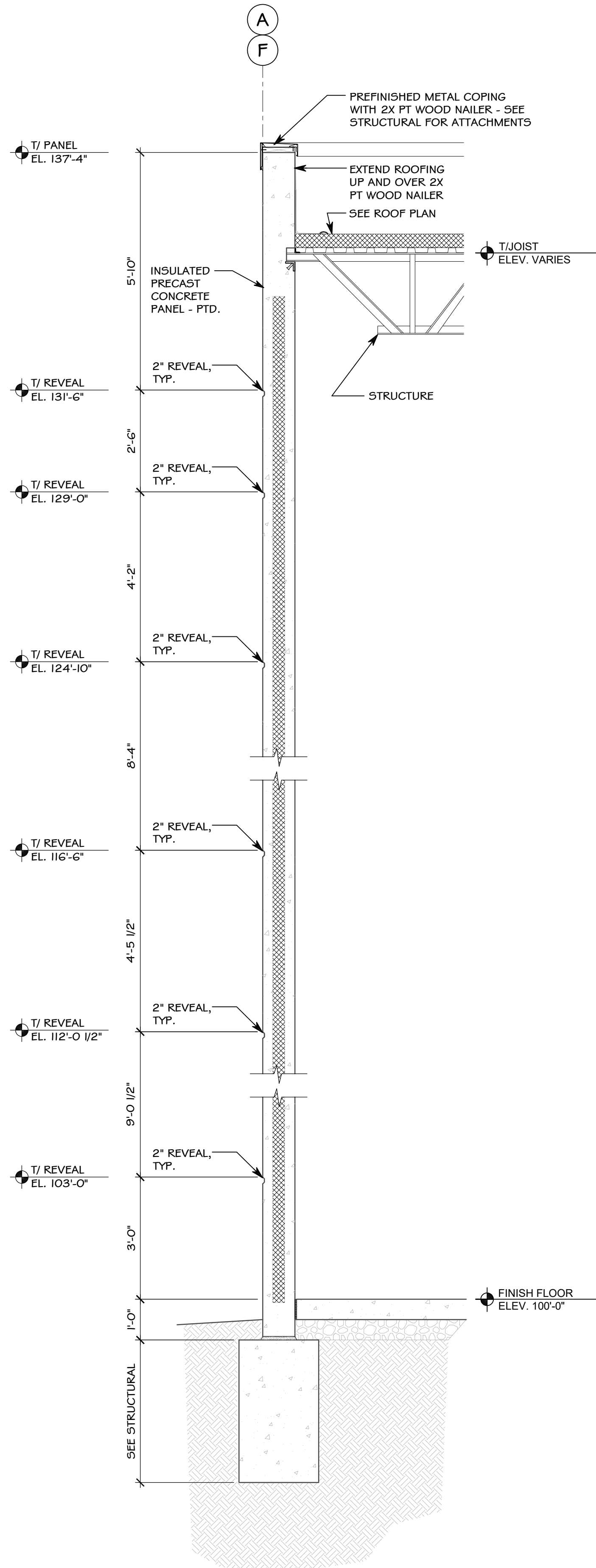
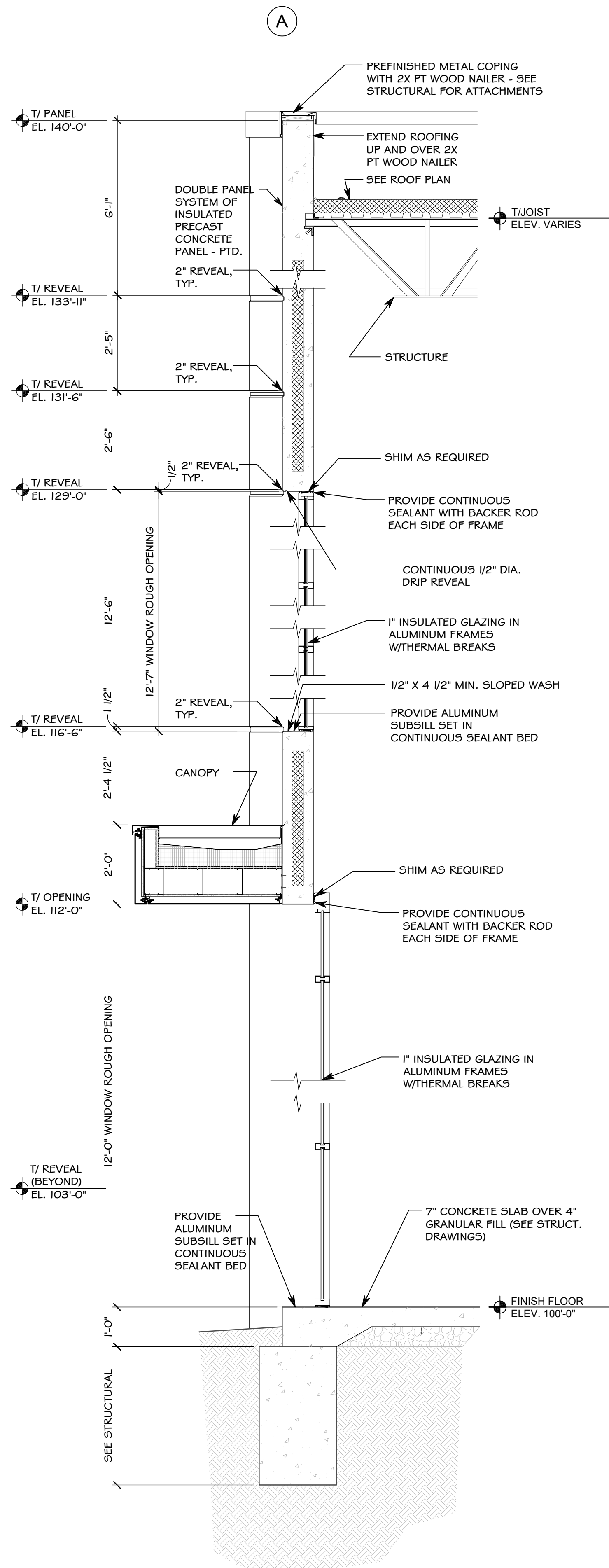
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SHEET NUMBER  
A6.1  
WALL SECTIONS





PROJECT: DRG DISTRIBUTION  
DRG BENSENVILLE SPECULATIVE FACILITY  
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BENSENVILLE, ILLINOIS 60106

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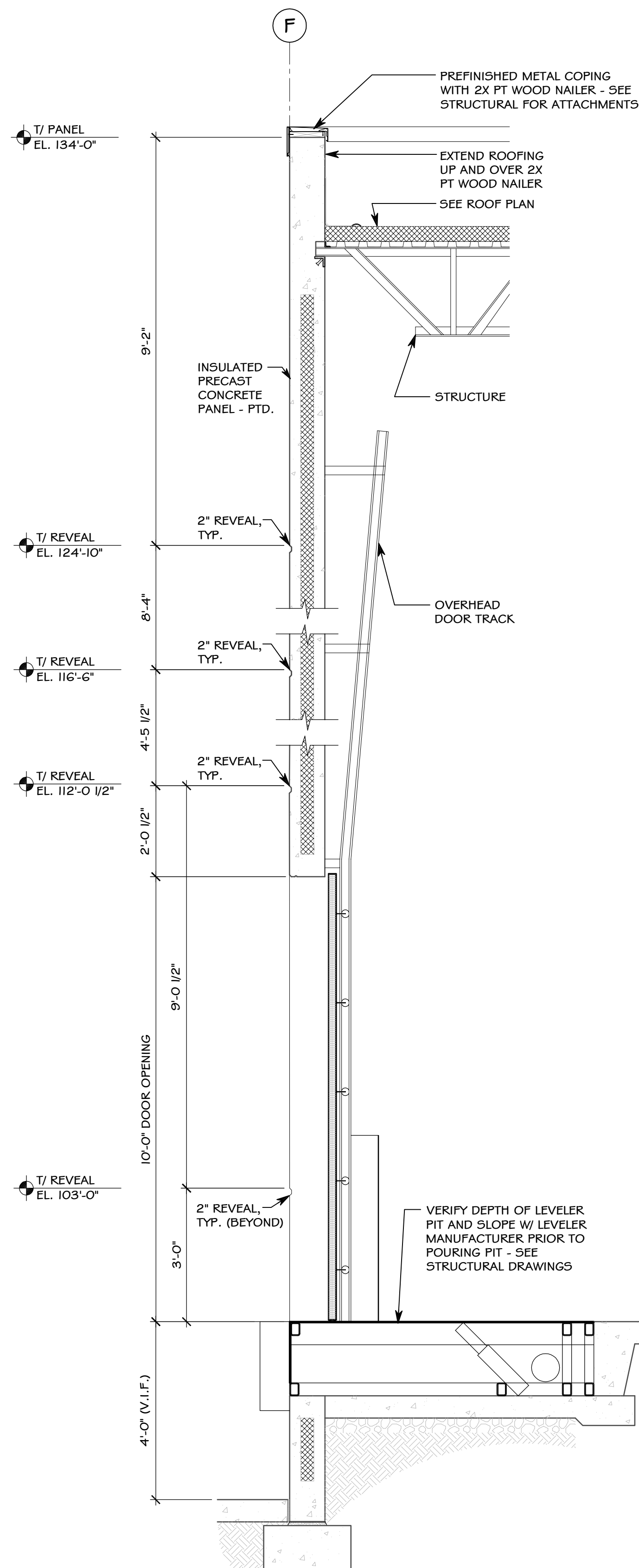
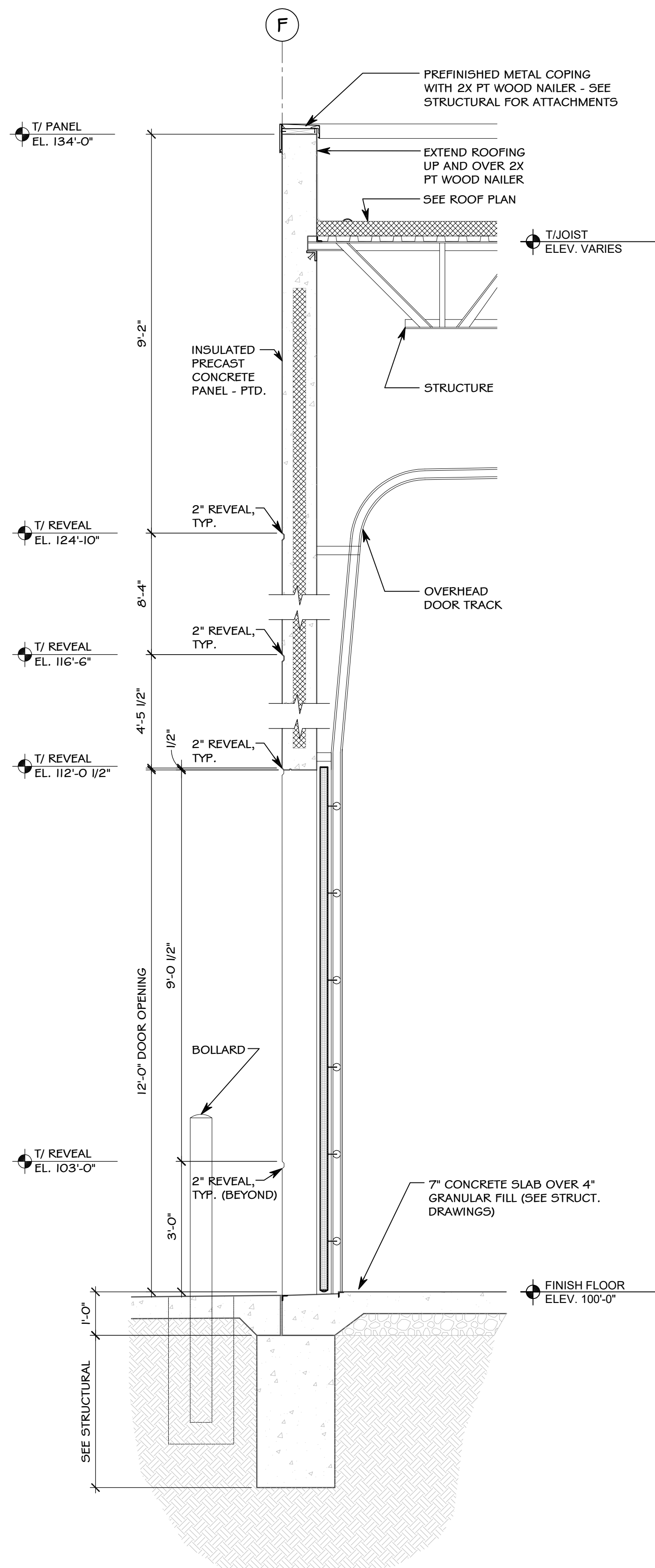
SHEET NUMBER  
A6.2  
WALL SECTIONS

ARCHITECT: GMA ARCHITECTS  
3110 WOODCREEK DRIVE  
DOWNERS GROVE, IL 60515  
(708) 334-3344 FAX: (708) 334-3344  
WWW.GMA-ARCHITECTS.COM

DESIGN / BUILDER: ARCO MURRAY  
3110 WOODCREEK DRIVE  
DOWNERS GROVE, IL 60515  
(708) 334-3344 FAX: (708) 334-3344  
WWW.ARCOMURRAY.COM

CONSULTING ENGINEERS: JACOB AND REIFER  
1333 BUTTERFIELD ROAD, SUITE 300  
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(708) 334-3344 FAX: (708) 334-3344  
WWW.JACOBANDREIFER.COM





CONSULTING ENGINEERS

JACOB AND JEFFER

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DOWNERS GROVE, ILL. 60155

TEL: 630.255.1277

WWW.JACOBANDJEFFER.COM

STRUCTURAL

DESIGN / BUILDER

ARCO MURRAY

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DOWNERS GROVE, ILL. 60155

TEL: 630.255.1277

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ARCHITECT

GMA ARCHITECTS

3110 WOODCREEK DRIVE

DOWNERS GROVE, ILL. 60155

TEL: 630.255.1277

WWW.GMA-ARCHITECTS.COM

PROJECT:

DRG DISTRIBUTION

DRG BENSENVILLE SPECULATIVE FACILITY

220 NORTH YORK ROAD

BENSENVILLE, ILLINOIS 60106

JOB NO : SJ1817

PA : ZUK

DATE : 10.30.2017

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11-08-2017 - ISSUED FOR ZONING BOARD REVIEW

SHEET NUMBER

A6.3

WALL SECTIONS

**TYPE:**Public Hearing**SUBMITTED BY:**K. Pozsgay**DEPARTMENT:**CED**DATE:**12.05.17**DESCRIPTION:**

Consideration of Conditional Use Permit, Currency Exchange for the applicant Conexion Latina BV Corp. located at 229 W Grand Ave Ste E.

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

Conditional Use Permit, Currency Exchange

Municipal Code Section 10 – 7B – 3

**SUMMARY:**

1. The current business is a Boost Mobile store which would like to provide money transfers/international remittance services at his exiting business in Plaza de Campana.
2. The ordinance states that there cannot be any other currency exchange within 1,000 feet. The closest currency exchange is Illinois Currency Exchange at 101 W Grand Avenue just west of York Road, which is greater than 1,000 feet away.
3. There were two previous Conditional Use Permits approved for currency exchanges at this plaza, neither of which still exist. The most recent, Enbioxpress Illinois was recently approved for their new location at 469 W Irving Park Road.

**RECOMMENDATION:**

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Conditional Use Permit for Conexion Latina BV Corp with the following condition:

1. The Conditional Use Permit be granted solely to the Conexion Latina BV Corp and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease 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.

**ATTACHMENTS:**

Description	Upload Date	Type
<b>Aerial &amp; Zoning Maps</b>	<b>11/29/2017</b>	<b>Backup Material</b>
<b>Legal Notice</b>	<b>11/29/2017</b>	<b>Backup Material</b>
<b>Application</b>	<b>11/29/2017</b>	<b>Backup Material</b>
<b>Staff Report</b>	<b>11/29/2017</b>	<b>Executive Summary</b>
<b>Survey</b>	<b>11/29/2017</b>	<b>Backup Material</b>

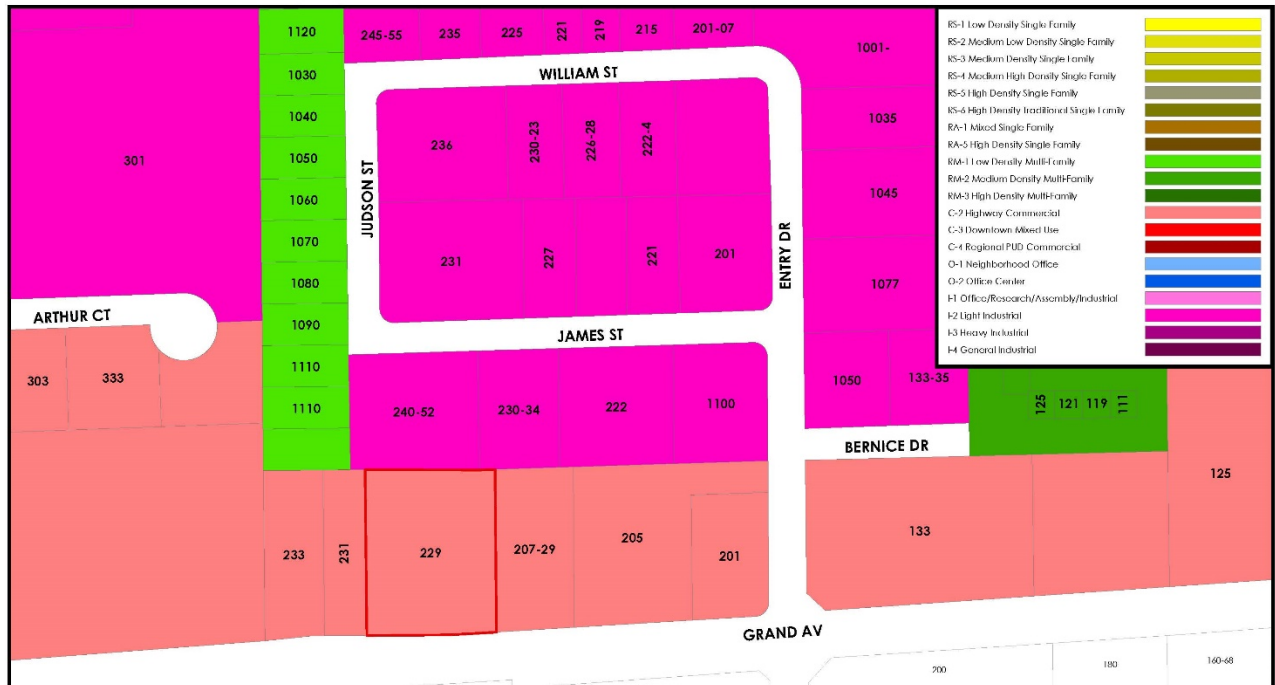
CDC#2017 - 30

229 W Grand Ave Ste E  
Conexion Latina BV Corp  
Conditional Use Permit; Currency Exchange



## Village of Bensenville

229 W Grand Av.





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

NOTICE IS HEREBY GIVEN that on Tuesday, December 5, 2017 at 6:30 P.M., the Community Development Commission of the Village of Bensenville, Du Page and Cook Counties, will hold a Public Hearing to review Case No. 2017 – 30 to consider a request for:

Conditional Use Permit, Currency Exchange,  
Municipal Code Section 10 – 7B – 3;

229 West Grand Avenue Suite E is in a C – 2 Highway Commercial District. The Public Hearing will be held in the Village Board Room at Village Hall, 12 S. Center Street, Bensenville, IL.

The Legal Description is as follows:

THE EASTERLY 855.83 FEET AS MEASURED ON THE NORTHERLY LINE (EXCEPT THE EASTERLY 579.00 FEET AS MEASURED ON THE NORTHERLY LINE THEREOF) OF LOT 4 IN WHITE PINES CENTER FOR BUSINESS AND INDUSTRY BEING A SUBDIVISION OF PART OF THE NORTH 1/2 OF SECTION 26. TOWNSHIP 40 NORTH RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 7, 1977 AS DOCUMENT R77-102033. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 4.

THENCE SOUTH 88°48'23" WEST. A DISTANCE OF 579.00 FEET ALONG THE NORTHERLY LINE OF SAID LOT 4 TO THE POINT OF BEGINNING.

THENCE SOUTH 00°06'25" EAST. A DISTANCE OF 354.75 FEET.

THENCE SOUTH 86°43'32" WEST. A DISTANCE OF 102.81 FEET.

THENCE SOUTH 88°38'05" WEST. A DISTANCE OF 173.97 FEET.

THENCE NORTH 00°06'23" WEST. A DISTANCE OF 359.00 FEET ALONG THE WESTERLY LINE OF THE EASTERLY 855.63 FEET OF SAID LOT 4.

THENCE NORTH 88°48'23" EAST. A DISTANCE OF 276.63 TO THE POINT OF BEGINNING IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 229 West Grand Avenue, Bensenville, IL 60106.

Mid Northern Holdings is the owner and Conexion Latina BV Corp the applicant for the subject property.

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

Applicant's application and supporting documentation may be examined by any interested parties in the office of the Community and Economic Development Department, Monday through Friday, in the Village Hall, 12 South Center Street, Bensenville, IL 60106. All interested parties may attend and will be heard at the Public Hearing. Written comments will be accepted by the Community and Economic Development Department through December 5, 2017 until 5:00 P.M.

Office of the Village Clerk  
Village of Bensenville

**TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT**  
**November 16, 2017**

For Office Use Only		
Date of Submission: <u>11-10-17</u>	MUNIS Account #: _____	CDC Case #: <u>2017-30</u>

### COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: 229 W. Grand Ave. Unit E Bensenville, IL

Property Index Number(s) (PIN): \_\_\_\_\_

**A. PROPERTY OWNER:**

MID-NORTHERN HOLDINGS, LLC  
Name Corporation (if applicable)

977 N. Oaklawn Ave. Suite 62  
Street

E/mburst, IL 60126  
City State Zip Code

EMIN TULUCE 773-983-8552  
Contact Person Telephone Number & Email Address

If Owner is a Land Trust, list the names and addresses of the beneficiaries of the Trust.

Property Owner Signature:  Date: Sep. 3<sup>rd</sup>, 2017

**B. APPLICANT:** ☐ Check box if same as owner

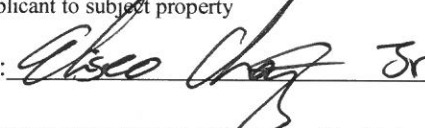
Conexion Latina BV Corp  
Name Corporation (if applicable)

229 W Grand Ave Suite 2  
Street

Bensenville IL 60106  
City State Zip Code

Eliseo Chavez 224-600-9394 eliseolatinasmusical@gmail.com  
Contact Person Telephone Number & Email Address

Tenant  
Relationship of Applicant to subject property

Applicant Signature:  Date: 9-3-17

**C. ACTION REQUESTED (Check applicable):**

- ☐ Annexation
- ☒ Conditional Use Permit
- ☐ Master Sign Plan
- ☐ Planned Unit Development\*\*
- ☐ Plat of Subdivision
- ☐ Rezoning (Map Amendment)
- ☐ Site Plan Review
- ☐ Variance

\*Item located within this application packet.

\*\*See staff for additional information on PUD requests

**SUBMITTAL REQUIREMENTS (1 original & 1 copy of each):**

- ☐ Affidavit of Ownership\* (signed/notarized)
- ☐ Application\*
- ☐ Approval Criteria
- ☐ Legal Description of Property
- ☐ Plat of Survey
- ☐ Site Plan
- ☐ Building Plans & Elevations
- ☐ Engineering Plans
- ☐ Landscape Plan
- ☐ Review Fee (Application Fee + Escrow)
- ☐ Escrow agreement and deposit\*
- ☐ Digital Submission of all application materials (CD)

**Brief Description of Request(s):** (Submit separate sheet if necessary)

Requesting permit to do Money Transfers (International Remittance)

**D. PROJECT DATA:**

1. General description of the site: Neighborhood Retail Center
2. Acreage of the site: \_\_\_\_\_ Building Size (if applicable): 39,000 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.)  
\_\_\_\_\_
5. Character of the site and surrounding area:

	Zoning	Existing Land Use	Jurisdiction
Site:	<u>C-2</u>		<u>Bensenville</u>
North:	<u>I-2</u>		<u>Bensenville</u>
South:			<u>Elmhurst</u>
East:	<u>C-2</u>		<u>Bensenville</u>
West:	<u>C-2</u>		<u>Bensenville</u>

**E. DEVELOPER'S STAFF** (if applicable):

**ARCHITECT**

Name: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Email: \_\_\_\_\_

**ENGINEER:**

Name: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Email: \_\_\_\_\_

**ATTORNEY**

Name: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Email: \_\_\_\_\_

**OTHER**

Name: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Email: \_\_\_\_\_

**F. APPROVAL CRITERIA:**

The applicant must compose a letter describing how the request(s) specifically meets the individual criteria from the Approval Criteria. The CDC will be unable to recommend approval of a request without a response to the pertinent "Approval Criteria."



### **STAFF REPORT**

**HEARING DATE:** December 5, 2017  
**CASE #:** 2017 – 30  
**PROPERTY:** 229 West Grand Avenue Suite E  
**PROPERTY OWNER:** Mid Northern Holdings  
**APPLICANT:** Conexion Latina BV Corp  
**SITE SIZE:** 98,000 SF  
**BUILDING SIZE:** 32,500 SF  
**PIN NUMBERS:** 03-26-208-014  
**ZONING:** C – 2 Highway Commercial District  
**REQUEST:** Conditional Use Permit, Currency Exchange  
Municipal Code Section 10 – 7B – 3

### **PUBLIC NOTICE:**

1. A Legal Notice was published in the Bensenville Independent on Thursday November 16, 2017. A Certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.
2. Village personnel posted two Notice of Public Hearing signs on the property, visible from the public way on Thursday November 16, 2017.
3. On Thursday November 16, 2017, 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 Conditional Use Permit to include Currency Exchange services (money transfers/international remittance) at his exiting business in Plaza de Campana. The current business is a Boost Mobile store. The ordinance states that there cannot be any other currency exchange within 1,000 feet. The closest currency exchange is Illinois Currency Exchange at 101 W Grand Avenue just west of York Road, which is greater than 1,000 feet away. There were two previous Conditional Use Permits approved for currency exchanges at this plaza, neither of which still exist. The most recent, Enbioxpress Illinois was recently approved for their new location at 469 W Irving Park Road.

**SURROUNDING LAND USES:**

	<b>Zoning</b>	<b>Land Use</b>	<b>Comprehensive Plan</b>	<b>Jurisdiction</b>
<b>Site</b>	C – 2	Commercial	Local Commercial	Village of Bensenville
<b>North</b>	I – 2	Industrial	Industrial	Village of Bensenville
<b>South</b>	C – 3	Commercial	General Commercial	City of Elmhurst
<b>East</b>	C – 2	Commercial	Local Commercial	Village of Bensenville
<b>West</b>	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 type="checkbox"/>	Major Business/Corporate Center
<input checked="" type="checkbox"/>	Vibrant Major Corridors

Finance:

Past due by one billing cycle \$48.14 as of 11.15.17.

Police:

No police issues.

Engineering and Public Works:

No comments.

Community & Economic Development:

Economic Development:

No comment.

Fire Safety:

No comments.

Building:

Building has no comments at this time.

Planning:

- 1) The 2015 Comprehensive Plan indicates “Local Commercial” for this property.
- 2) Code requires that smoke shops are 1,000 feet from another currency exchange. The nearest school and smoke shop are greater than 1,000 feet from this location.
- 3) The closest currency exchange is Illinois Currency Exchange at 101 W Grand Avenue just west of York Road, which is greater than 1,000 feet away.
- 4) There were two previous Conditional Use Permits approved for currency exchanges at this plaza, neither of which still exist. The most recent, Enbioxpress Illinois was recently approved for their new location at 469 W Irving Park Road.

### **APPROVAL CRITERIA FOR CONDITIONAL USES:**

The Community Development Commission shall not recommend approval of the Conditional Use Permit without determining that the request meets the following approval criteria and making certain findings of fact. The Applicant has provided the following Findings of Fact:

- 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.

*Applicant's Response: There will be no adverse impact on traffic. There are already several retail spaces and there was a prior business doing this but have moved out of plaza.*

- 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.

*Applicant's Response: There will not be any environmental nuisance that is different or more than any other tenant in shopping center nor surrounding area.*

- 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.

*Applicant's Response: The proposed use will fit harmoniously with the existing character of the shopping center and contribute to all business in area.*

- 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.

*Applicant's Response: The proposed use will not put a strain or disproportionate strain on public services beyond what is normally provided.*

- 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.

*Applicant's Response: The people in the Village of Bensenville need this type of services, they were already provided by a prior business that relocated.*

- 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.

*Applicant's Response: We are already invested in two business in Bensenville, both location would make any city proud as far as look, ambient and service. We will remodel this space into a worth business for the people of Bensenville.*

	<b>Meets Criteria</b>	
<b>Conditional Use Approval Criteria</b>	Yes	No
1. Traffic	X	
2. Environmental Nuisance	X	
3. Neighborhood Character	X	
4. Public Services and Facilities	X	
5. Public Necessity	X	
6. Other Factors	X	

### **RECOMMENDATIONS:**

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Conditional Use Permit for Conexion Latina BV Corp with the following condition:

1. The Conditional Use Permit be granted solely to the Conexion Latina BV Corp and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease 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.

Respectfully Submitted,  
Department of Community  
& Economic Development





PART OF  
LOT 9

PART OF  
LOT 9

**UNITED SURVEY SERVICE, LLC**  
CONSTRUCTION AND LAND SURVEYORS  
9581 ELMS TERRACE, DES PLAINES, IL 60016  
TEL: (847) 299-1010 FAX: (847) 299-5887  
E-MAIL: USURVEY@IX.NETCOM.COM

# ALTA / ACSM LAND TITLE SURVEY

THIS SURVEY IS MADE FOR THE BENEFIT OF:

FIRST AMERICAN TITLE INSURANCE COMPANY  
COMMITMENT NO. 1229360  
EFFECTIVE DATE: APRIL 27, 2006

COLUMB FINANCIAL, INC., AS COLLATERAL AGENT (AND ITS SUCCESSORS AND ASSIGNS) FOR THE BENEFIT OF THE HOLDER OR HOLDERS OF THE A NOTE AND THE B NOTE AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS

DAVID L. ARGUILLA

THE UNDERSIGNED, ROY G. LAWNCZAK, PROFESSIONAL LAND SURVEYOR NO. 35-2290 DOES HEREBY CERTIFY TO THE AFORESAID PARTIES AS OF THE DATE SET FORTH BELOW THAT I HAVE MADE A CAREFUL SURVEY OF A TRACT OF LAND DESCRIBED AS FOLLOWS:

THE EASTERLY 855.83 FEET AS MEASURED ON THE NORTHERLY LINE (EXCEPT THE EASTERLY 579.00 FEET AS MEASURED ON THE NORTHERLY LINE THEREOF) OF LOT 4 IN WHITE PINES CENTER FOR BUSINESS AND INDUSTRY, BEING A SUBDIVISION OF PART OF THE NORTH 1/2 OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 7, 1977 AS DOCUMENT R77-102033. MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 4;  
THENCE SOUTH 88°48'23" WEST, A DISTANCE OF 579.00 FEET ALONG THE NORTHERLY LINE OF SAID LOT 4, TO THE POINT OF BEGINNING;  
THENCE SOUTH 00°30'25" EAST, A DISTANCE OF 354.75 FEET;  
THENCE SOUTH 88°43'33" WEST, A DISTANCE OF 102.81 FEET;  
THENCE SOUTH 88°38'05" WEST, A DISTANCE OF 173.97 FEET;  
THENCE NORTH 00°00'00" WEST, A DISTANCE OF 359.00 FEET ALONG THE WESTERLY LINE OF THE EASTERLY 855.83 FEET OF SAID LOT 4;  
THENCE NORTH 88°48'23" EAST, A DISTANCE OF 276.63, TO THE POINT OF BEGINNING IN DUPAGE COUNTY, ILLINOIS.

KNOWN AS: 229 W. GRAND AVENUE, BENSENVILLE, ILLINOIS

PERMANENT INDEX NUMBER: 03 - 26 - 208 - 014

AREA: 99,002 SQ. FT. OR 2.273 ACRES

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH ALL APPLICABLE LAWS REGULATING SURVEYING IN THE STATE OF ILLINOIS AND WITH THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA / ACSM LAND TITLE SURVEYS JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 7(a)(1)&(2), 8, 9, 10, 11a, 13 AND 14 OF TABLE THEREOF PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION. THE UNDERSIGNED FURTHER CERTIFIES THAT, IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF ILLINOIS, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

THE ACCOMPANYING SURVEY WAS MADE ON THE GROUND AND CORRECTLY SHOWS THE LOCATION OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE SUBJECT PROPERTY. THERE ARE NO VISIBLE ENCROACHMENTS ON THE SUBJECT PROPERTY OR UPON ADJACENT LAND ABUTTING SUBJECT PROPERTY EXCEPT AS SHOWN HEREON, AND THERE ARE NO PARTY WALLS.

THE SUBJECT PROPERTY IS THE SAME AS THE PROPERTY DESCRIBED IN THAT CERTAIN TITLE COMMITMENT NO. 1229360 ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY WITH AN EFFECTIVE DATE OF SEPTEMBER 14, 2005 AND THAT ALL EASEMENTS, COVENANTS AND RESTRICTIONS REFERENCED IN SAID TITLE COMMITMENT OR APPARENT FROM PHYSICAL INSPECTION OF THE SUBJECT PROPERTY OR OTHERWISE KNOWN TO ME HAVE BEEN PLOTTED HEREON OR OTHERWISE NOTED AS TO THEIR EFFECT ON THE SUBJECT PROPERTY. THE SUBJECT PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THE SUBJECT PROPERTY IS LOCATED WITHIN AN AREA HAVING A FLOOD ZONE DESIGNATION OF ZONE X: AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ON FLOOD INSURANCE RATE MAP NO. 170200003C, WITH A DATE OF IDENTIFICATION OF MARCH 2, 1993, FOR COMMUNITY OF BENSENVILLE, PANEL 3 OF 3, IN DUPAGE COUNTY, STATE OF ILLINOIS, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH THE SUBJECT PROPERTY IS SITUATED. THE ADDRESS OF THE SUBJECT PROPERTY IS 229 W. GRAND AVENUE, BENSENVILLE, ILLINOIS.

THE SUBJECT PROPERTY HAS DIRECT ACCESS TO GRAND AVENUE, A DEDICATED PUBLIC STREET OR HIGHWAY. THE WIDTHS OF ALL ADJACENT RIGHTS-OF-WAY ARE INDICATED BY PERPENDICULAR ARROWS ON THE SURVEY DRAWING TO CONFIRM THAT THE SUBJECT PROPERTY IS TIED TO SAME. THE TOTAL NUMBER OF STRIPED PARKING SPACES ON THE SUBJECT PROPERTY IS 144, INCLUDING 6 DESIGNATED HANDICAP SPACES.

DES PLAINES, ILLINOIS, APRIL 28, AD 2006

BY: *Roy G. Lawnczak*  
ROY G. LAWNCZAK, REGISTERED ILLINOIS LAND SURVEYOR NO. 35-2290  
PROFESSIONAL DESIGN FIRM LICENSE NO. 184-004576

PART OF  
LOT 4

PART OF  
LOT 4

INDUSTRIAL DRIVE  
BY ROW HERETOFORE DEDICATED

W. GRAND AVENUE  
HERETOFORE DEDICATED FOR PUBLIC STREET  
(ROW VARIES)

LOCATION MAP



LEGEND

- SANITARY MANHOLE
- CATCH BASIN / INLET
- INLET
- MANHOLE
- WATER VALVE VAULT
- LIGHT POLE
- WIND TURBINE POLE
- ELECTRIC METER
- GAS METER
- CALIB. BOX
- GUARD POST (80" SP)
- TRAFFIC SIGN

ORDERED BY: JOHN T. GONNELLA ATTORNEY AT LAW	DATE: MARCH 28, 2006	FILE NO.: 2006-15572
SCALE: 1" = 30'	DATE: APRIL 28, 2006	REVISION:
	DATE:	REVISION:

