

# **COMMUNITY DEVELOPMENT COMMISSION**

## **Village of Bensenville**

### **VILLAGE HALL**

**February 6, 2018 6:30 PM**

I. Call Meeting to Order

II. Roll Call and Quorum

III. Pledge of Allegiance

IV. Public Comment

V. Approval of Minutes

January 30, 2018 Special Community Development Commission Minutes

VI. Action Items:

1. Consideration of Variances, Signage for the applicant Amita Health, located at 1240 N Route 83.
2. Consideration of Variances, Corner Side Yard, Parking in the required yard, and Parking lot landscaping/screening for the applicant Nicholson Porter & List, located at 300-330 County Line Road.
3. Consideration of a Conditional Use Permit (Cultural Center) and Variances (Lot Width and Parking in Required Front Yard) for the Ramallah School Cultural Center, located at 640 County Line Road.
4. Consideration of Variances (Porch in Front Yard and Attached Structures) for the Karolina Morawiec, located at 210 Miner Street.
5. Consideration of Variance, Plat of Consolidation and Site Plan for the applicant DSP Acquisitions, located at 1055-65 Sesame St. /491 Podlin Dr.

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:**February 6, 2018**DESCRIPTION:**January 30, 2018 Special Community Development Commission Minutes**SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:****REQUEST:****SUMMARY:****RECOMMENDATION:****ATTACHMENTS:**

Description

**DRAFT\_180130\_Special\_CDC**

Upload Date

**1/31/2018**

Type

**Cover Memo**

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

**MINUTES OF THE SPECIAL COMMUNITY DEVELOPMENT COMMISSION**

January 30, 2018

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

**STAFF PRESENT:** S. Viger, C. Williamsen,

**JOURNAL OF**

**PROCEEDINGS:** The minutes of the Community Development Commission Meeting of December 5, 2017 were presented.

Motion: Commissioner King made a motion to approve the minutes as presented. Commissioner Moruzzi seconded the motion.

All were in favor. Motion carried.

**PUBLIC**

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

**Review Zoning  
Ordinance Module**

**Two:** Jacob Seid, Senior Planner for Chicago Metropolitan Agency for Planning (CMAP) and his team presented a review of the Zoning Ordinance Module Two to the Commission. General discussion was held.

**Report from Community**

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

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

All were in favor. Motion carried.

The meeting was adjourned at 8:35 p.m.

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Ronald Rowe, Chairman  
Community Development Commission



**TYPE:**Public Hearing**SUBMITTED BY:**K. Pozsgay**DEPARTMENT:**CED**DATE:**02.06.08**DESCRIPTION:**Consideration of Variances, Signage for the applicant Amita Health, located at 1240 N Route 83.**SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:****SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:**

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

**REQUEST:**

Variance, Signage (Number permitted),  
Municipal Code Section 10 – 18 – 12A – 3b – 2; and  
Variance, Signage (Maximum sign area),  
Municipal Code Section 10 – 18 – 12A – 3c – 2.

**SUMMARY:**

- 1) The office has a new name and is replacing old signage for Alexian Brothers Medical Group.
- 2) Code allows one (1)-wall signs maximum per business, while they are proposing two.
- 3) They are also over the allowed maximum sign area of 1.5 sq. ft. per one linear foot of building frontage. They would be allowed 57 sq. ft. and are proposing 68.5 sq. ft.

**RECOMMENDATION:**

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variances for Professional Permits (Amita Health), with the following condition:

1. The plans and aesthetics of the sign to be in substantial compliance with the plans submitted with this application.

**ATTACHMENTS:**

Description	Upload Date	Type
<b>Aerial &amp; Zoning Maps</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Legal Notice</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Application</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Staff Report</b>	<b>2/1/2018</b>	<b>Executive Summary</b>
<b>Plans</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Site Plan/Survey</b>	<b>2/1/2018</b>	<b>Backup Material</b>

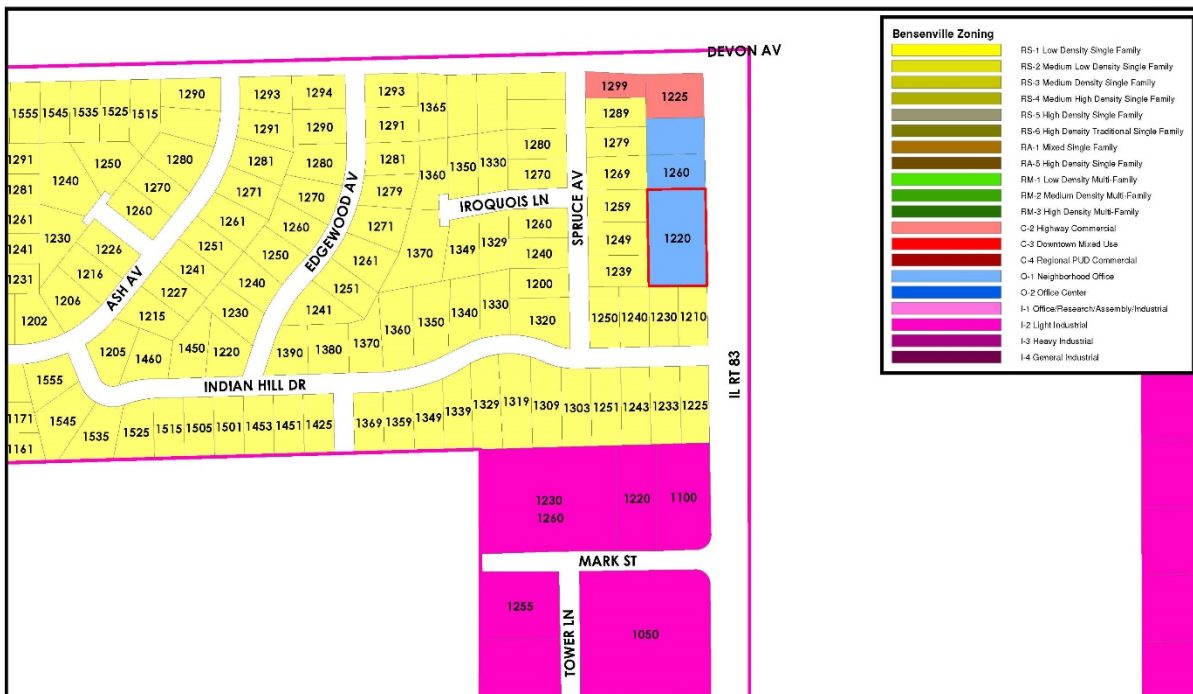


# Village of Bensenville

1240 N Rt 83



Date: 1/11/2018



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

NOTICE IS HEREBY GIVEN that on Tuesday, February 6, 2018 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 – 31 to consider a request for:

Variance, Signage (Number permitted),  
Municipal Code Section 10 – 18 – 12A – 3b – 2; and

Variance, Signage (Maximum sign area),  
Municipal Code Section 10 – 18 – 12A – 3c – 2.

1240 N IL Route 83 is in an O – 1 Neighborhood Office 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:

LOTS 52, 53 AND 54 IN BRANIGAR’S MOHAWK TERRACE, BEING A SUBDIVISION IN SECTION 3, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 17, 1956, AS DOCUMENT 786620, AND CERTIFICATE OF CORRECTION FILED JANUARY 24, 1956, AS DOCUMENT 787250, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 1240 N IL Route 83, Bensenville, IL 60106.

Masa Corp of 414 W Harding Road, Lombard IL 60148 is the owner and Professional Permits of 58171 Dragonfly Court, Osceola IN 46561 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 February 6, 2018 until 5:00 P.M.

Office of the Village Clerk  
Village of Bensenville

**TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT  
January 18, 2018**



**For Office Use Only**

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

**COMMUNITY DEVELOPMENT COMMISSION APPLICATION**

Address: 1240 Busse Rd Bensenville IL 60106

Property Index Number(s) (PIN): 03-03-203-020-0000

**A. PROPERTY OWNER:**

SHOEB & REHANA KHAN MASA CORP.  
Name Corporation (if applicable)

414 W. HARDING RD.  
Street

LOMBARD IL. 60148  
City State Zip Code

Shoeb Khan Cell 630-484-0815 Khanfamily2@yahoo.com  
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: [Signature] Date: 11-7-17

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

Garry Potts Professional Permits  
Name Corporation (if applicable)

58171 Dragonfly Court  
Street

Osceola IN 46561  
City State Zip Code

574-229-0635 gpotts@professionalpermits.com  
Contact Person Telephone Number & Email Address

Agent  
Relationship of Applicant to subject property

Applicant Signature: [Signature] Date: 11/16/2017

**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)

Petitioner is requesting a variance to allow a second wall sign on the building where one (1) is

allowed by code and an additional variance for 68.5 sq ft in total wall sign square footage where

57 sq ft is allowed by code.

**D. PROJECT DATA:**

1. General description of the site: 1.45 AC property w/one commercial building and assoc parking

2. Acreage of the site: 1.45 Building Size (if applicable): 105' x 38'

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:	O-1	C	Bensenville, Village
North:	O-1	C	Bensenville, Village
South:	RS-1	R	Bensenville, Village
East:	I-2	I	Elk Grove Village
West:	RS-1	R	Bensenville, Village

**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:** February 6, 2018  
**CASE #:** 2017 – 31  
**PROPERTY:** 1240 IL Route 83  
**PROPERTY OWNER:** Masa Corp  
**APPLICANT:** Professional Permits (Amita Health)  
**SITE SIZE:** 1.45 acres  
**BUILDING SIZE:** 3,990 SF  
**PIN NUMBERS:** 03-03-203-020  
**ZONING:** O – 1 Neighborhood Office  
**REQUEST:** Variances, Signage (number permitted and maximum sign area)  
Municipal Code Sections 10 – 18 – 12A – 3b – 2 and  
10 – 18 – 12A – 3c – 2

### **PUBLIC NOTICE:**

1. A Legal Notice was published in the Bensenville Independent on Thursday January 18, 2018. A Certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.
2. Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on Thursday January 18, 2018.
3. On Thursday January 18, 2018, 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 variances to install signage on their office building. The office has a new name and is replacing old signage for Alexian Brothers Medical Group. Code allows one (1)-wall signs maximum per business, while they are proposing two. They are also over the allowed maximum sign area of 1.5 sq. ft. per one linear foot of building frontage. They would be allowed 57 sq. ft. and are proposing 68.5 sq. ft.

### **SURROUNDING LAND USES:**

	<b>Zoning</b>	<b>Land Use</b>	<b>Comprehensive Plan</b>	<b>Jurisdiction</b>
<b>Site</b>	O – 1	Professional Office	Local Commercial	Village of Bensenville
<b>North</b>	O – 1	Professional Office	Local Commercial	Village of Bensenville
<b>South</b>	RS – 1	Residential	Single Family Residential	Village of Bensenville
<b>East</b>	I – 2	Industrial	Industrial	Elk Grove Village
<b>West</b>	RS – 1	Residential	Single Family Residential	Village of Bensenville

**DEPARTMENT COMMENTS:**

**SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:**

<input type="checkbox"/>	Financially Sound Village
<input type="checkbox"/>	Quality Customer Oriented Services
<input checked="" 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:

No issues.

Police:

No comments.

Engineering and Public Works:

No comments.

Community & Economic Development:

Economic Development:

No comments.

Fire Safety:

No comments.

Building:

No comments at this time.

Planning:

- 1) The 2015 Comprehensive Plan indicates “Local Commercial” for this property.
- 2) Code only allows one wall sign per business. They are proposing two.
- 3) Code allows a total area per business establishment not to exceed one and one half square feet of sign area per one linear foot of frontage. The proposed signs are for the east facade of the building. The proposed signs are roughly 68.5 square feet. Code would allow 57 square feet.

**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: Special circumstances, fully described in the written findings, exist that are peculiar to the property for which the Variance is sought and that do not apply***

*generally to other properties in the same zoning district. And these circumstances are not of so general or recurrent a nature as to make it reasonably practical to provide a general amendment to this Ordinance to cover them. This is due to the fact that the wall signage is obscured by median landscaping for Northbound traffic.*

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: For reasons set forth in the findings, the literal application of the provisions of this Ordinance would result in unnecessary and undue hardship or practical difficulties for the applicant, as distinguished from mere inconvenience. The literal application of this Ordinance would cause an undue hardship because the facility is an Immediate Care facility providing quick and immediate access to healthcare and the signage needs to be legible to be effective.*

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 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 the 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. The special circumstance is due to the topography of Busse Road and the landscaping in the median.*

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 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 Ordinance 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. Amita Health did not install the landscaping in the median and therefore did not create the motorist issues with sign visibility.*



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: 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. The sign size and location is the effective size and placement to provide effective motorist wayfinding.*

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 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. The variance is necessary not only for the property owner but also for those motorists who are in need of immediate care for medical issues.*

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 essential character of the locality nor substantially impair environmental quality, property values, or public safety or welfare in the vicinity. The variance will not impair environmental quality or property values and will increase public safety and welfare in the vicinity by providing legible signage.*

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 a Variance will be in harmony with the general purpose and intent of this Ordinance and of the General Development Plan and other applicable adopted plans of the Village of Bensenville, 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. The granting of the variance will be in harmony with the general purpose and intent of this ordinance, as there are certain situations that require variances to provide for safe and effective motorist wayfinding and provide timely and potentially life-saving information to the citizens within the Village.*

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 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. The requested relief is the minimum variance needed to provide for safe and effective motorist wayfinding in the Village for those traveling Busse Rd.***

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

**RECOMMENDATIONS:**

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variances for Professional Permits (Amita Health), with the following condition:

1. The plans and aesthetics of the sign to be in substantial compliance with the plans submitted with this application.

Respectfully Submitted,  
Department of Community  
& Economic Development



**Loc#: 41**

1240 Busse Rd,  
Bensenville, IL 60106



We Brand Your  
Places & Spaces

Site Plan

Sign #	Qty.	Description	Sq. Ft.
1	2	<b>CUSTOM</b> Acrylic Replacement Face	17.7
2	1	<b>IL-H-30</b> Face Lit LED Illuminated Channel Letters Flush Mount	46.1
3	1	<b>IC-24-H</b> Illuminated Wall sign	22.4
4	1	<b>DOOR VINYL</b>	N/A
Total Proposed			86.2



Drawing prepared by:



Location: 1240 Busse Rd,  
Bensenville, IL 60106  
File Path: Active\ACCOUNTS\Amita Health\Project 4400\Locations Ambulatory\4400\_0041\_Bensenville\_IL\_R5  
Proj #: 4400  
Loc #: 41

Drawing prepared for:



Revision #:	Req. #:	Date:	Artist	Revision #:	Req. #:	Date:	Artist	Revision #:	Req. #:	Date:	Artist
Original	251630	05/24/17	ABP	Rev 5	260790	11/03/17	ABP	Original	000000	00/00/00	XXX
-	251885	06/02/17	ABP	Rev 6	000000	00/00/00	XXX	Rev 11	000000	00/00/00	XXX
Rev 1	252704	06/19/17	SDB	Rev 7	000000	00/00/00	XXX	Rev 12	000000	00/00/00	XXX
Rev 2	253844	07/21/17	ABP	Rev 8	000000	00/00/00	XXX	Rev 13	000000	00/00/00	XXX
Rev 3	255400	08/02/17	ABP	Rev 9	000000	00/00/00	XXX	Rev 14	000000	00/00/00	XXX
Rev 4	256229	08/15/17	KWK	Rev 10	000000	00/00/00	XXX	Rev 15	000000	00/00/00	XXX

Drawings are the exclusive property of ICON,. Any unauthorized use or duplication is not permitted.

Overview Photos



Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6

Drawing prepared by:



Location: 1240 Busse Rd,  
Bensenville, IL 60106  
Loc #: 41  
File Path: Active\ACCOUNTS\Amita Health\Project 4400\Locations Ambulatory\4400\_0041\_Bensenville\_IL\_R5

Drawing prepared for:



Revision #:	Req. #:	Date:	Artist	Revision #:	Req. #:	Date:	Artist	Revision #:	Req. #:	Date:	Artist
Original	251630	05/24/17	ABP	Rev 5	260790	11/03/17	ABP	Original	000000	00/00/00	XXX
-	251885	06/02/17	ABP	Rev 6	000000	00/00/00	XXX	Rev 11	000000	00/00/00	XXX
Rev 1	252704	06/19/17	SDB	Rev 7	000000	00/00/00	XXX	Rev 12	000000	00/00/00	XXX
Rev 2	253844	07/21/17	ABP	Rev 8	000000	00/00/00	XXX	Rev 13	000000	00/00/00	XXX
Rev 3	255400	08/02/17	ABP	Rev 9	000000	00/00/00	XXX	Rev 14	000000	00/00/00	XXX
Rev 4	256229	08/15/17	KWK	Rev 10	000000	00/00/00	XXX	Rev 15	000000	00/00/00	XXX

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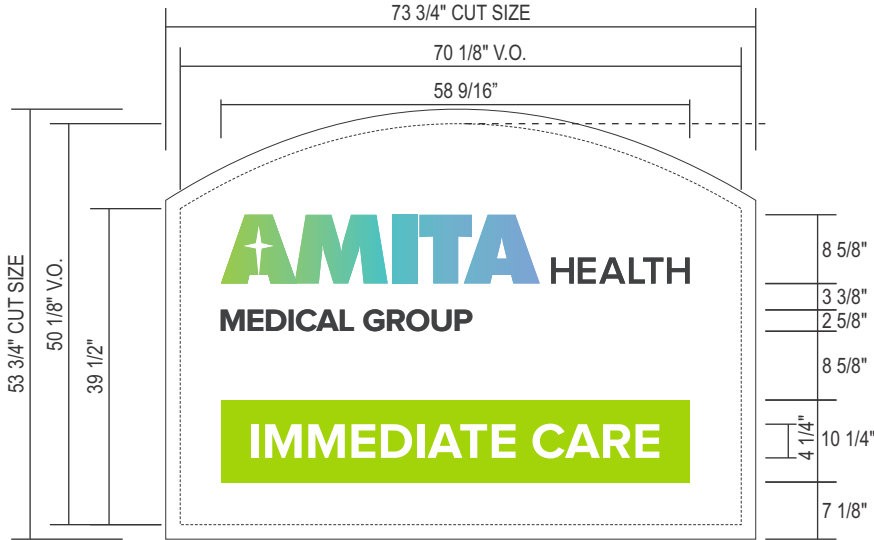
Proposed Signage

Sign #	Qty.	Description	Sq. Ft.
1	2 Faces	CUSTOM Acrylic Replacement Face	17.7

NOTES:  
Cut size: 53 3/4"H x 73 3/4"W, Paint Cabinet White.  
Note: "If applicable, replace ballasts and lamps if needed"  
Service existing electrical component as needed



Existing



SCALE: 1/2"=1'-0"



Proposed

Drawing prepared by:



Location:  
1240 Busse Rd,  
Bensenville, IL 60106

File Path:  
Active\ACCOUNTS\Amita Health\Project 4400\Locations Ambulatory\4400\_0041\_Bensenville\_IL\_R5

Proj #:  
4400  
Loc #:  
41

Drawing prepared for:



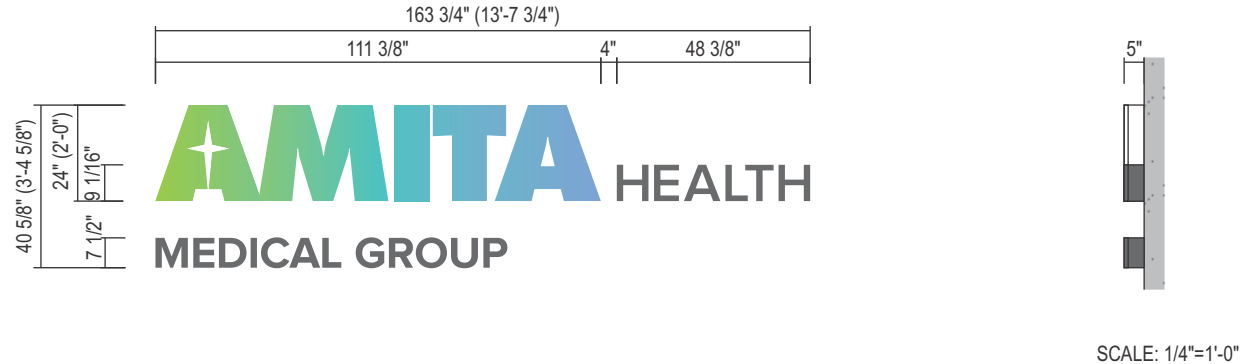
Revision #:	Req. #:	Date:	Artist	Revision #:	Req. #:	Date:	Artist	Revision #:	Req. #:	Date:	Artist
Original	251630	05/24/17	ABP	Rev 5	260790	11/03/17	ABP	Original	000000	00/00/00	XXX
-	251885	06/02/17	ABP	Rev 6	000000	00/00/00	XXX	Rev 11	000000	00/00/00	XXX
Rev 1	252704	06/19/17	SDB	Rev 7	000000	00/00/00	XXX	Rev 12	000000	00/00/00	XXX
Rev 2	253844	07/21/17	ABP	Rev 8	000000	00/00/00	XXX	Rev 13	000000	00/00/00	XXX
Rev 3	255400	08/02/17	ABP	Rev 9	000000	00/00/00	XXX	Rev 14	000000	00/00/00	XXX
Rev 4	256229	08/15/17	KWK	Rev 10	000000	00/00/00	XXX	Rev 15	000000	00/00/00	XXX

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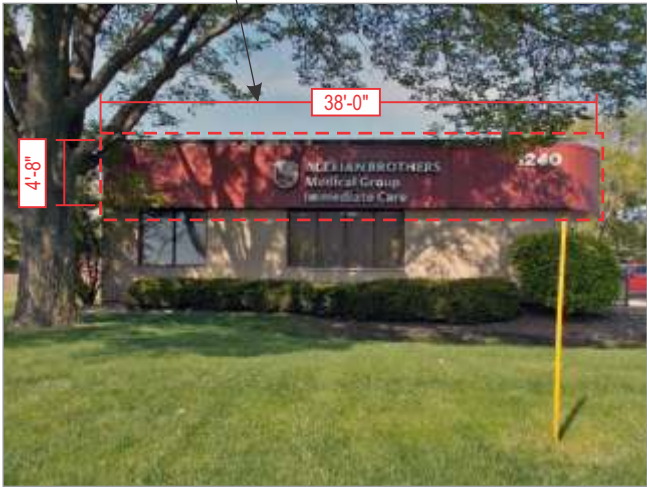
Proposed Signage

Sign #	Qty.	Description	Sq. Ft.
2	1	IL-H-24 Face Lit LED Illuminated Channel Letters Flush Mount	46.1

**NOTES:**  
Remove existing sign, patch penetrated holes w/ like building materials and paint break to break (150 sq.ft.) , Paint color to be White.  
Use existing electric.



RESTORATION AREA



Existing



Proposed

Drawing prepared by:



Location: 1240 Busse Rd,  
Bensenville, IL 60106  
File Path: Active\ACCOUNTS\Amita Health\Project 4400\Locations Ambulatory\4400\_0041\_Bensenville\_IL\_R5  
Proj #: 4400  
Loc #: 41

Drawing prepared for:



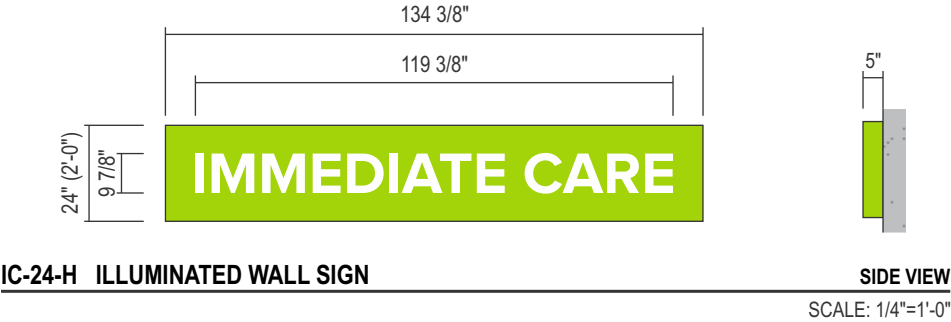
Revision #:	Req. #:	Date:	Artist	Revision #:	Req. #:	Date:	Artist	Revision #:	Req. #:	Date:	Artist
Original	251630	05/24/17	ABP	Rev 5	260790	11/03/17	ABP	Original	000000	00/00/00	XXX
-	251885	06/02/17	ABP	Rev 6	000000	00/00/00	XXX	Rev 11	000000	00/00/00	XXX
Rev 1	252704	06/19/17	SDB	Rev 7	000000	00/00/00	XXX	Rev 12	000000	00/00/00	XXX
Rev 2	253844	07/21/17	ABP	Rev 8	000000	00/00/00	XXX	Rev 13	000000	00/00/00	XXX
Rev 3	255400	08/02/17	ABP	Rev 9	000000	00/00/00	XXX	Rev 14	000000	00/00/00	XXX
Rev 4	256229	08/15/17	KWK	Rev 10	000000	00/00/00	XXX	Rev 15	000000	00/00/00	XXX

Drawings are the exclusive property of ICON. Any unauthorized use or duplication is not permitted.

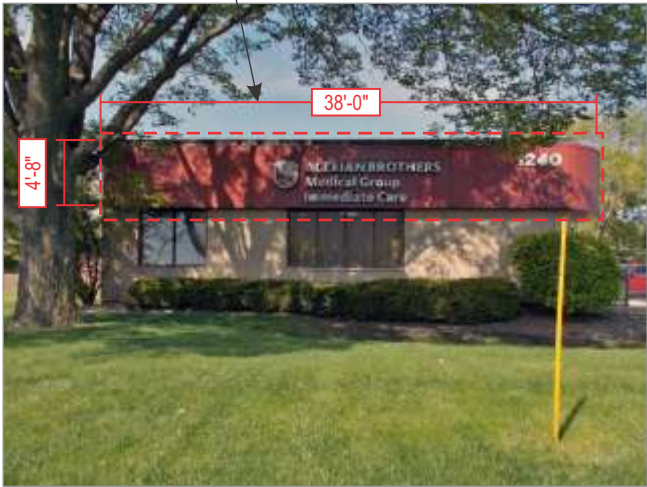
Proposed Signage

Sign #	Qty.	Description	Sq. Ft.
3	1	IC-24-H Illuminated Wall sign	22.4

**NOTES:**  
Remove existing sign, patch penetrated holes w/ like building materials and paint break to break (150 sq.ft.) , Paint color to be White.  
Use existing electric.



RESTORATION AREA



Existing



Proposed

Drawing prepared by:



**Location:**  
1240 Busse Rd,  
Bensenville, IL 60106

**Proj #:**  
4400

**Loc #:**  
41

**File Path:**  
Active\ACCOUNTS\Amita Health\Project 4400\Locations Ambulatory\4400\_0041\_Bensenville\_IL\_R5

Drawing prepared for:



Revision #:	Req. #:	Date:	Artist	Revision #:	Req. #:	Date:	Artist	Revision #:	Req. #:	Date:	Artist
Original	251630	05/24/17	ABP	Rev 5	260790	11/03/17	ABP	Original	000000	00/00/00	XXX
-	251885	06/02/17	ABP	Rev 6	000000	00/00/00	XXX	Rev 11	000000	00/00/00	XXX
Rev 1	252704	06/19/17	SDB	Rev 7	000000	00/00/00	XXX	Rev 12	000000	00/00/00	XXX
Rev 2	253844	07/21/17	ABP	Rev 8	000000	00/00/00	XXX	Rev 13	000000	00/00/00	XXX
Rev 3	255400	08/02/17	ABP	Rev 9	000000	00/00/00	XXX	Rev 14	000000	00/00/00	XXX
Rev 4	256229	08/15/17	KWK	Rev 10	000000	00/00/00	XXX	Rev 15	000000	00/00/00	XXX

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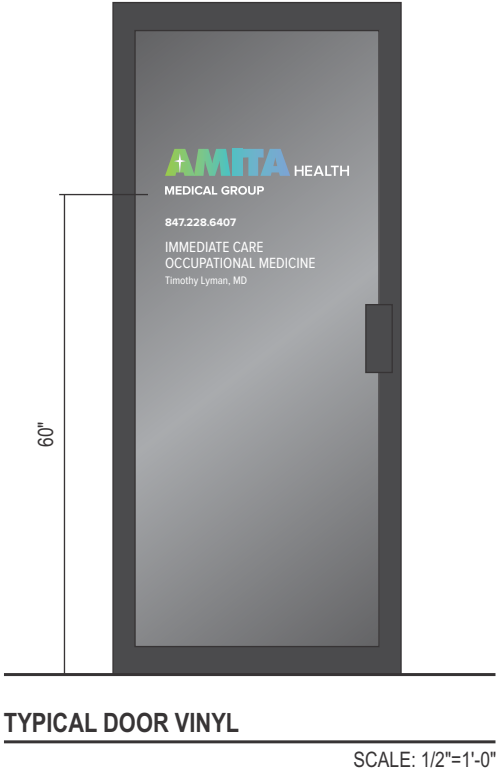
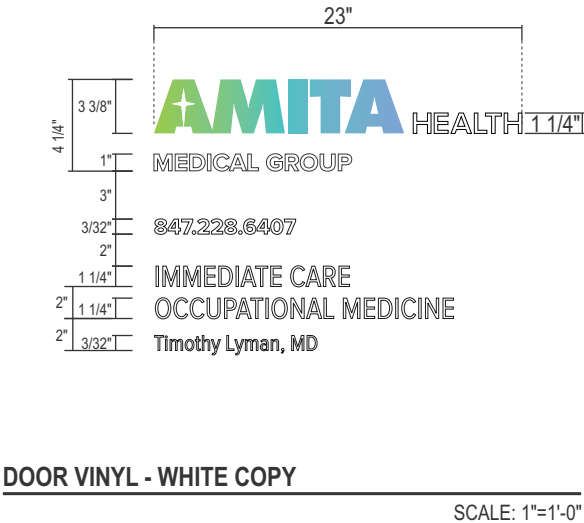


Proposed Signage

Sign #	Qty.	Description	Sq. Ft.
4	1	DOOR VINYL	N/A

NOTES:  
Remove and Replace existing door vinyl,

(DRAFT) To be determined by client.



Existing



Proposed

Drawing prepared by:



Location: 1240 Busse Rd,  
Bensenville, IL 60106

File Path: Active\ACCOUNTS\Amita Health\Project 4400\Locations Ambulatory\4400\_0041\_Bensenville\_IL\_R5

Proj #: 4400

Loc #: 41

Drawing prepared for:



Revision #:	Req. #:	Date:	Artist	Revision #:	Req. #:	Date:	Artist	Revision #:	Req. #:	Date:	Artist
Original	251630	05/24/17	ABP	Rev 5	260790	11/03/17	ABP	Original	000000	00/00/00	XXX
-	251885	06/02/17	ABP	Rev 6	000000	00/00/00	XXX	Rev 11	000000	00/00/00	XXX
Rev 1	252704	06/19/17	SDB	Rev 7	000000	00/00/00	XXX	Rev 12	000000	00/00/00	XXX
Rev 2	253844	07/21/17	ABP	Rev 8	000000	00/00/00	XXX	Rev 13	000000	00/00/00	XXX
Rev 3	255400	08/02/17	ABP	Rev 9	000000	00/00/00	XXX	Rev 14	000000	00/00/00	XXX
Rev 4	256229	08/15/17	KWK	Rev 10	000000	00/00/00	XXX	Rev 15	000000	00/00/00	XXX

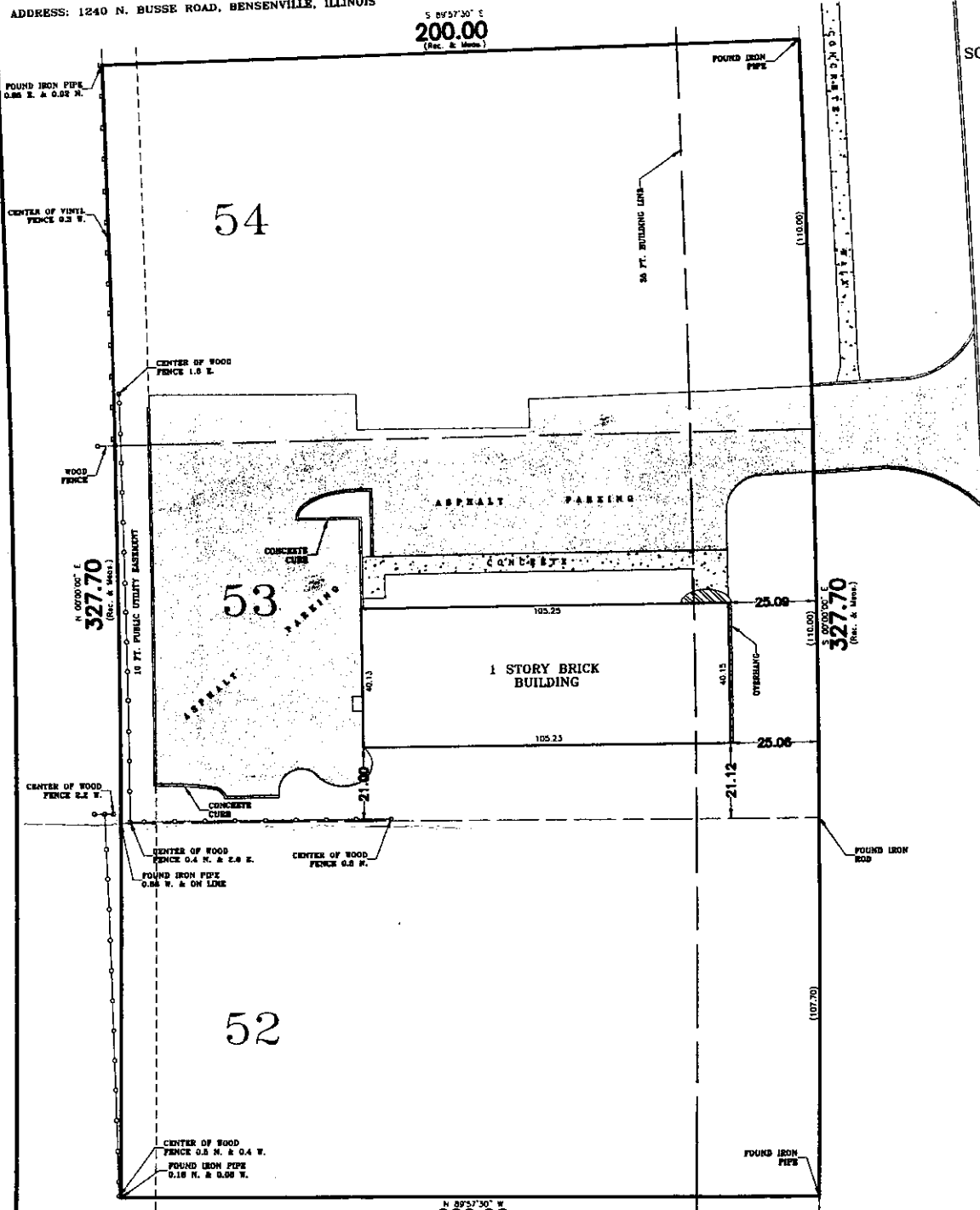
# PLAT OF SURVEY of

LOTS 52, 53 AND 54 IN BRANIGAR'S MOHAWK TERRACE, BEING A SUBDIVISION IN SECTION 3, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 17, 1958, AS DOCUMENT 786620, AND CERTIFICATE OF CORRECTION FILED JANUARY 24, 1958, AS DOCUMENT 787250, IN DUPAGE COUNTY, ILLINOIS.

ADDRESS: 1240 N. BUSSE ROAD, BENSENVILLE, ILLINOIS



SCALE: 1"=30'



BUSSE ROAD (ILLINOIS ROUTE 83)

## GENERAL NOTES:

- 1) THE LEGAL DESCRIPTION HAS BEEN PROVIDED BY THE CLIENT OR THEIR AGENT.
- 2) THIS SURVEY SHOWS THE BUILDING LINES AND EASEMENTS AS INDICATED BY THE RECORDED PLAT. THIS PLAT DOES NOT SHOW ANY RESTRICTIONS ESTABLISHED BY LOCAL ORDINANCES UNLESS SUPPLIED BY THE CLIENT.
- 3) BASIS OF BEARING FOR THIS SURVEY IS AS THE NORTH ARROW INDICATES, AND IS SHOWN TO INDICATE THE ANGULAR RELATIONSHIP OF THE BOUNDARY LINES.
- 4) MONUMENTS, IF SET, DURING THIS SURVEY, REPRESENT THE TRUE CORNERS OF THIS DESCRIPTION AS SURVEYED.
- 5) LOCATION OF SOME FEATURES MAY BE EXAGGERATED FOR CLARITY. NO EXTRAPOLATIONS MAY BE MADE FROM THE INFORMATION SHOWN HEREON.
- 6) ONLY COPIES WITH AN ORIGINAL SIGNATURE AND SEAL ARE OFFICIAL LEGAL DOCUMENTS. ALL SURVEYS ARE COPYRIGHTED MATERIALS WITH ALL RIGHTS RESERVED.

STATE OF ILLINOIS )  
COUNTY OF COOK )

SURVEY ORDERED BY: SHOEB KHAN  
PREFERRED SURVEY, INC., DOES HEREBY STATE THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARD FOR A BOUNDARY SURVEY. PROPERTY CORNERS HAVE BEEN SET OR NOT IN ACCORDANCE WITH CLIENT AGREEMENT. DIMENSIONS ARE SHOWN IN FEET

**TYPE:**Public Hearing**SUBMITTED BY:**K. Pozsgay**DEPARTMENT:**CED**DATE:**02.06.08**DESCRIPTION:**

Consideration of Variances, Corner Side Yard, Parking in the required yard, and Parking lot landscaping/screening for the applicant Nicholson Porter & List, located at 300-330 County Line Road.

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

Variance, Corner Side Yard,  
Municipal Code Section 10 – 9C – 4B; and  
Variance, Parking in Required Front and Corner Side Yard,  
Municipal Code Section 10 – 9C – 4B; and  
Variance, Parking Lot Screening,  
Municipal Code Section 10 – 12 – 2B – 2.

**SUMMARY:**

- 1) The Petitioner is seeking variances to reduce the required Corner side yard (East Green Street), Parking in the required yard and parking lot screening/landscaping along County Line Road due to the property taking for the Elgin - O'Hare Western Access Tollway.
- 2) The Corner Side yard will go from 30' to 12'.
- 3) A variance is needed for Parking in the Required Front Yard.
- 4) Parking Lot Screening (along County Line Road) will go from 8' to 0'.

**RECOMMENDATION:**

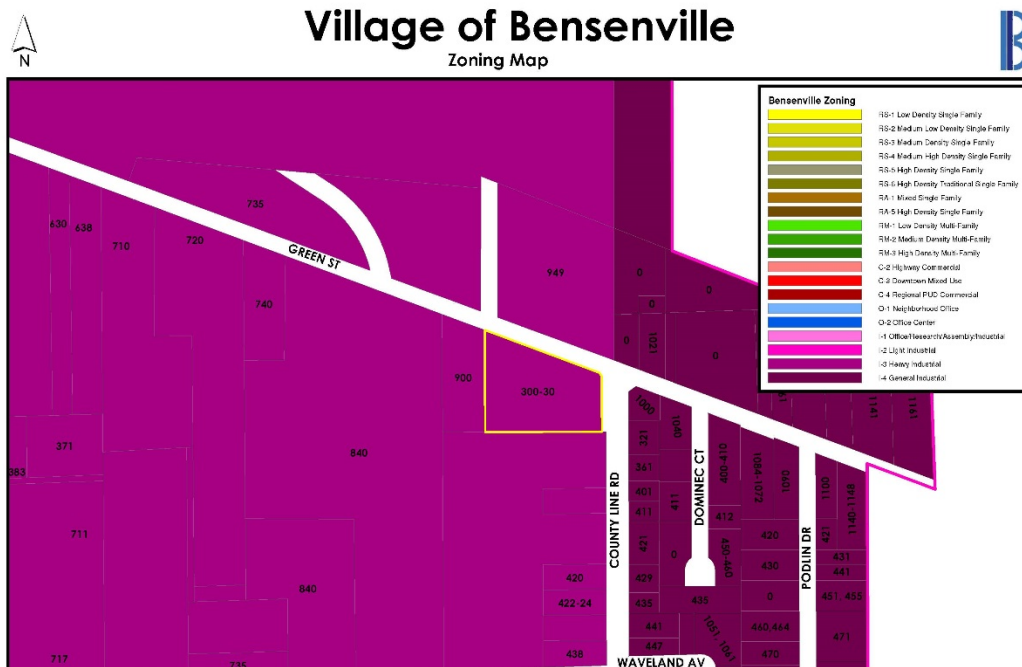
Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variances for the property at 300-330 County Line Road.

**ATTACHMENTS:**

Description	Upload Date	Type
<b>Aerial &amp; Zoning Maps</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Legal Notice</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Application</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Staff Report</b>	<b>2/1/2018</b>	<b>Executive Summary</b>
<b>Survey</b>	<b>2/1/2018</b>	<b>Backup Material</b>

CDC#2017 - 32

300 – 330 County Line Road  
Chicago Land Trust #132475 / Adam C. Stokes (Agent)  
Variances; Front and Corner Side Yard Reductions



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

NOTICE IS HEREBY GIVEN that on Tuesday, February 6, 2018 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 – 32 to consider a request for:

Variance, Corner Side Yard,  
Municipal Code Section 10 – 9C – 4B; and

Variance, Parking in Required Front and Corner Side Yard,  
Municipal Code Section 10 – 9C – 4B; and

Variance, Parking Lot Screening,  
Municipal Code Section 10 – 12 – 2B – 2.

300-330 County Line Road is in an I – 3 Heavy Industrial 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:

THAT PART OF LOTS 1, 2 AND 12, TAKEN AS A TRACT, IN GREEN AVENUE ACRES, A SUBDIVISION IN SECTIONS 13 AND 24, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES EAST OF A LINE 213.8 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID LOT 12, AND WHICH LIES NORTH OF A LINE DRAWN PERPENDICULARLY TO THE EAST LINE OF SAID TRACT THROUGH A POINT ON SAID EAST LINE, 224.90 FEET SOUTH OF THE NORTHEAST CORNER THEREOF, EXCEPTING THEREFROM THE EAST 17 FEET CONVEYED TO THE COOK COUNTY HIGHWAY DEPARTMENT IN TRUSTEE'S DEED RECORDED JULY 28, 1992 AS DOCUMENT R92-143109 IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 300-330 County Line Road, Bensenville, IL 60106.

Chicago Title Land Trust #132475 is the owner and Nicolson Porter & List, Inc. the applicant, both of 1300 W Higgins Rd, Ste 104, Park Ridge, IL 60068 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 February 6, 2018 until 5:00 P.M.

Office of the Village Clerk  
Village of Bensenville

**TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT  
January 18, 2018**



For Office Use Only		
Date of Submission: <u>12.14.17</u>	MUNIS Account #: <u>7819</u>	CDC Case #: <u>2017.32</u>

## COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: 300-330 County Line Rd, Bensenville, IL 60106

Property Index Number(s) (PIN): 03-24-201-020

**A. PROPERTY OWNER:**

CHICAGO LAND TRUST #132475

Name	Corporation (if applicable)	
<u>1300 W Higgins Rd, Suite 104</u>		
Street		
<u>Park Ridge</u>	<u>IL</u>	<u>60068</u>
City	State	Zip Code
<u>Adam C. Stokes</u>	<u>847-698-7401; astokes@nplchicago.com</u>	
Contact Person	Telephone Number & Email Address	
<u>ADDFA Property Limited Partnership c/o Nicolson Porter &amp; List, Inc. 1300 W. Higgins #104, Park Ridge, IL 60068</u>		

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

Property Owner Signature:  Date: \_\_\_\_\_

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

Adam C. Stokes

Nicolson Porter & List, Inc.

Name	Corporation (if applicable)	
<u>1300 W Higgins Rd, Suite 104</u>		
Street		
<u>Park Ridge</u>	<u>IL</u>	<u>60068</u>
City	State	Zip Code
<u>Adam C. Stokes</u>	<u>847-698-7401; astokes@nplchicago.com</u>	
Contact Person	Telephone Number & Email Address	
<u>Agent</u>		

Relationship of Applicant to subject property

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

**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)

See attached sheet for brief description of request

**D. PROJECT DATA:**

1. General description of the site: Existing industrial building

2. Acreage of the site: 3.026 Acres Building Size (if applicable): 66,961 S.F.

3. Is this property within the Village limits? (Check applicable below)

☒ Yes

☐ No, requesting annexation

☐ No, it is under review by another governmental agency and requires review due to 1.5 mile jurisdiction requirements.

4. List any controlling agreements (annexation agreements, Village Ordinances, site plans, etc.)

5. Character of the site and surrounding area:

	Zoning	Existing Land Use	Jurisdiction
Site:	I-3	Industrial	Village of Bensenville
North:	I-3	Industrial	Village of Bensenville
South:	I-3	Industrial	Village of Bensenville
East:	I-4	Industrial	Village of Bensenville
West:	I-3	Industrial	Village of Bensenville

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

**ARCHITECT**

Name: N/A

Telephone: N/A

Email: N/A

**ENGINEER:**

Name: Brian C. Ratajczak, P.E., C.F.M., SPACECO, Inc.

Telephone: 847-696-4060

Email: bratajczak@spacecoinc.com

**ATTORNEY**

Name: Jonathan E. Rothschild

Telephone: 312-580-3355

Email: rothj@rbmchicago.com

**OTHER**

Name: N/A

Telephone: N/A

Email: N/A

**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:** February 6, 2018  
**CASE #:** 2017 – 32  
**PROPERTY:** 300-330 County Line Road  
**PROPERTY OWNER:** Chicago Land Trust #132475  
**APPLICANT:** Nicholson Porter & List, Inc.  
**SITE SIZE:** 3.026 acres  
**BUILDING SIZE:** 66,961 SF  
**PIN NUMBERS:** 03-24-201-020  
**ZONING:** I – 3 Heavy Industrial  
**REQUEST:** Variance, Corner Side Yard,  
Municipal Code Section 10 – 9C – 4B; and  
Variance, Parking in Required Front and Corner Side Yard,  
Municipal Code Section 10 – 9C – 4B; and  
Variance, Parking Lot Screening,  
Municipal Code Section 10 – 12 – 2B – 2.

### **PUBLIC NOTICE:**

1. A Legal Notice was published in the Bensenville Independent on Thursday January 18, 2018. A Certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.
2. Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on Thursday January 18, 2018.
3. On Thursday January 18, 2018, 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 variances to reduce the required Corner side yard (East Green Street), Parking in the required yard and parking lot screening/landscaping along County Line Road due to the property taking for the Elgin - O'Hare Western Access Tollway. The Corner Side yard will go from 30' to 12'. A variance is needed for Parking in the Required Front Yard. Parking Lot Screening (along County Line Road) will go from 8' to 0'.



**SURROUNDING LAND USES:**

	<b>Zoning</b>	<b>Land Use</b>	<b>Comprehensive Plan</b>	<b>Jurisdiction</b>
<b>Site</b>	I – 3	Industrial	Local Commercial	Village of Bensenville
<b>North</b>	I – 3	Vacant/Railyard	Tollway	Village of Bensenville
<b>South</b>	I – 3	Industrial	Local Commercial	Village of Bensenville
<b>East</b>	I – 4	Industrial	Industrial	Elk Grove Village
<b>West</b>	I – 3	Industrial	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:

No issues.

Police:

No issues.

Engineering and Public Works:

No comments.

Community & Economic Development:

Economic Development:

No comments.

## Fire Safety:

No comments.

## Building:

No comments at this time.

## Planning:

- 1) The 2015 Comprehensive Plan indicates “Local Commercial” for this property.
- 2) No parking spaces are being lost as a result of the taking.
- 3) The Corner Side yard will go from 30’ to 12’.
- 4) Parking will now take place in the Required Front Yard.
- 5) Parking Lot Screening along County Line Road will go from 8’ to 0’.
- 6) The taking is a result of the ongoing tollway work along E. Green St. and has not been brought about by anything the applicant did.

## **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: and corner side yards of this property along County Line Rd and Green St, respectively. This fee simple property take results in the existing building being over the 30-foot corner side yard setback along Green St and the existing parking being within the 30-foot corner side yard setback along Green St and the 30-foot front yard setback along County Line Rd.*

- 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 building would need to be reconstructed in order to meet the 30-foot corner side yard setback from Green St. There would be over a 50% reduction in existing parking provided on the east side of the existing building in order to meet the 30-foot corner side yard setback along Green Street and the 30-foot front yard setback from County Line Rd.*

- 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 building would need to be reconstructed in order to meet the 30-foot corner side yard setback from Green St. There would be over a 50% reduction in existing parking provided on the east side of the existing building in order to meet the 30-foot corner side yard setback along Green Street and the 30-foot front yard setback from County Line Rd.*

- 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 Elgin-O'Hare Expressway project required a fee simple property take from the front and corner side yards of this property along County Line Rd and Green St, respectively. This fee simple property take results in the existing building being over*

*the 30-foot corner side yard setback along Green St and the existing parking being within the 30-foot corner side yard setback along Green Street and the 30-foot front yard setback along County Line Rd.*

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: The existing industrial use of the property is being maintained and the existing zoning of the property is I-3 Heavy Industrial District.*

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 building would need to be reconstructed in order to meet the 30-foot corner side yard setback from Green St. There would be over a 50% reduction in existing parking provided on the east side of the existing building in order to meet the 30-foot corner side yard setback along Green Street and the 30-foot front yard setback from County Line Rd.*

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 existing industrial use of the property is being maintained and the existing zoning of the property is I-3 Heavy Industrial District.*

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 existing industrial use of the property is being maintained and the existing zoning of the property is I-3 Heavy Industrial District.*

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 30-foot corner side yard setback along Green St needs to be reduced to 12-feet to maintain the existing building location. The 30-foot corner side yard setback along Green Street and 30-foot front yard setback along County Line Rd needs to be reduced to 0-feet to maintain the existing parking.*

<b>Variances Approval Criteria</b>	<b>Meets Criteria</b>	
	<i>Yes</i>	<i>No</i>
1. Special Circumstances	X	
2. Hardship	X	
3. Circumstances relate to the Property	X	
4. Not Resulting from Applicant Actions	X	
5. Preserve Rights Conferred By District	X	
6. Necessary for the Use of the Property	X	
7. Not Alter Local Character	X	
8. Consistent with Title and Plan	X	
9. Minimum Variance Needed	X	

**RECOMMENDATIONS:**

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variances for the property at 300-330 County Line Road.

Respectfully Submitted,  
Department of Community  
& Economic Development







**TYPE:**Public Hearing**SUBMITTED BY:**K. Pozsgay**DEPARTMENT:**CED**DATE:**02.06.08**DESCRIPTION:**

Consideration of a Conditional Use Permit (Cultural Center) and Variances (Lot Width and Parking in Required Front Yard) for the Ramallah School Cultural Center, located at 640 County Line Road.

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

Conditional Use Permit, Cultural Center  
Municipal Code Section 10 – 9A – 3; and  
Variance, Lot Width  
Municipal Code Section 10 – 9A – 4A – 2; and  
Variance, Parking in Required Front Yard  
Municipal Code Section 10 – 9A – 4B.

**SUMMARY:**

- 1) The Petitioner is seeking a Conditional Use Permit to erect a "Cultural Center" in the I – 1 Office /Research/Assembly District.
- 2) The Ramallah Community will use this property for providing educational classes, including teaching their children to speak, read and write in Arabic, as well as tutoring for children that need assistance in core curriculum classes at their school. They will host meetings, graduation celebrations, baptisms, luncheons for their elderly, Halloween, Christmas and Easter parties for the children. It will also allow them to continue their successful youth initiative of teaching traditional line dance classes, which is an enjoyable way of preserving their culture with their youth.
- 3) Minimum lot width for an I – 1 property is 150 feet. This property is 120 feet wide.
- 4) The proposed development also puts 6 parking spaces within the required front yard.

**RECOMMENDATION:**

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Conditional Use Permit and Variances for Ramallah School Cultural Center with the following conditions:

1. The Conditional Use Permit be granted solely to the Ramallah School Cultural Center 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, and
2. A 10-foot wide ADA complaint HMA bike path will be required along the County Line Road frontage of this development, and
3. Applicant will work with staff on final landscaping plan.

ATTACHMENTS:

Description	Upload Date	Type
<b>Aerial &amp; Zoning</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Legal Notice</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Application</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Applicant Letter</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Staff Report</b>	<b>2/1/2018</b>	<b>Executive Summary</b>
<b>Pages from Active Transportation Plan</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Plans</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Plat of Survey</b>	<b>2/1/2018</b>	<b>Backup Material</b>



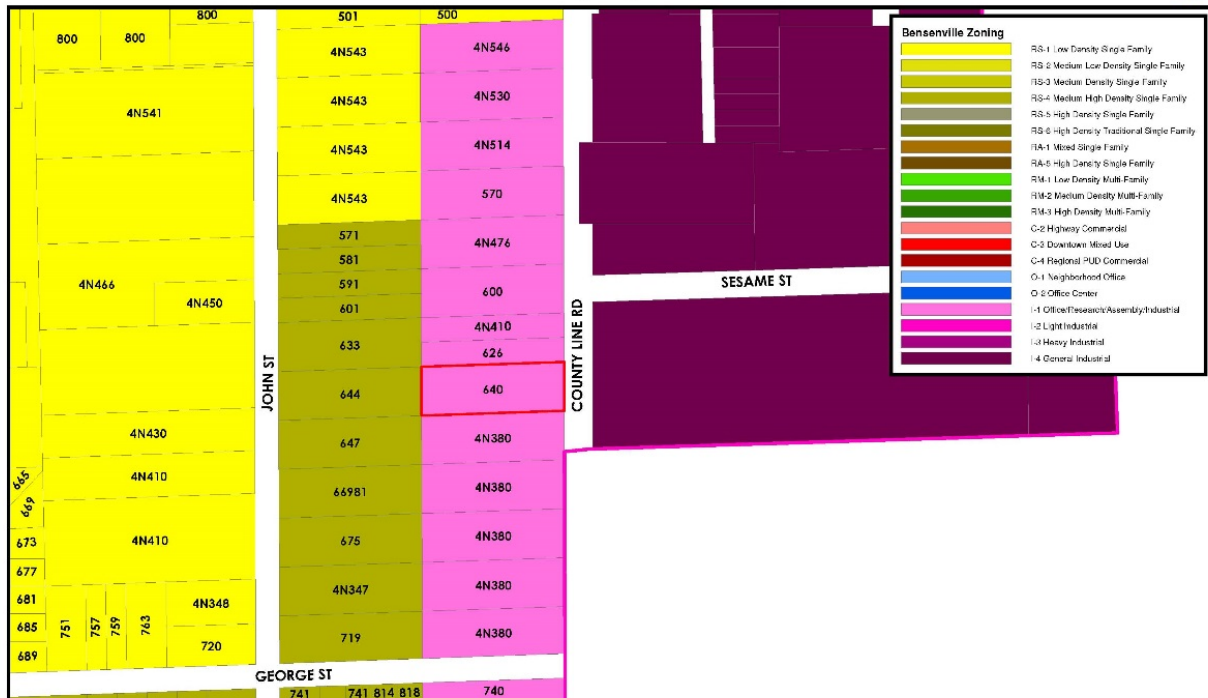
# Village of Bensenville

640 S County Line Rd



# Village of Bensenville

Zoning Map





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

NOTICE IS HEREBY GIVEN that on Tuesday, February 6, 2018 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 – 33 to consider a request for:

Conditional Use Permit, Cultural Center  
Municipal Code Section 10 – 9A – 3; and

Variance, Lot Width  
Municipal Code Section 10 – 9A – 4A – 2; and

Variance, Parking in Required Front Yard  
Municipal Code Section 10 – 9A – 4B.

640 County Line Road is in an I – 1 Office/Research/Assembly/Industrial 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:

OF LOT 9 IN BLOCK 4 IN BENSENVILLE FARMS, BEING A SUBDIVISION IN SECTION 24, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 7, 1923 AS DOCUMENT 171311, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 640 County Line Road, Bensenville, IL 60106.

Rosemary Gerardi of 4520 N Osage Avenue, Norridge, IL 60706 is the owner and Ramallah School Cultural Center of 1524 Willow Creek Lane, Darien, IL 60561 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 February 6, 2018 until 5:00 P.M.

Office of the Village Clerk  
Village of Bensenville

**TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT  
January 18, 2018**

12-28-17 2017-33 7814

COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: 640 COUNTY LINE RD. BENSENVILLE

Property Index Number(s) (PIN): #03-24-209-020-0000

A. OWNER:

Name: ROSEMARY GERARD  
 Corporation (if applicable):  
 Street: 4520 N. OZARKE  
 City: NOZZICK State: ILLINOIS Zip Code: 60706  
 Contact Person: Frank Gerard Telephone Number & Email Address: 708-774-4004 GERARD, FRANK - frank@rs6global.net

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

Owner Signature: Date: 11/22/17

B. APPLICANT: ☒ Check box if same as owner

X Name: RAMALLAH SCHOOL CULTURAL CENTER  
 Corporation (if applicable):  
 Street: 1524 WILLOW CREEK LANE  
 City: DARIEN State: IL Zip Code: 60561  
 Contact Person: RANDA KANDAH Telephone Number & Email Address: 630-910-3495 RK1524@AOL.COM  
 Relationship of Applicant to subject property: PRESIDENT

Applicant Signature: Randa Kandah Date: 11-22-17

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)

NARRATIVE ATTACHED

**D. PROJECT DATA:**

1. General description of the site: VACANT INDUSTRIAL USE.
2. Acreage of the site: .99 ACRE Building Size (if applicable): NONE
3. Is this property within the Village limits? (Check applicable below)  
☒ Yes  
☐ No, requesting annexation  
☐ No, it is under review by another governmental agency and requires review due to 1.5 mile jurisdiction requirements.
4. List any controlling agreements (annexation agreements, Village Ordinances, site plans, etc.)  
N/A

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

	Zoning	Existing Land Use	Jurisdiction
Site:	<u>I-1</u>	<u>VACANT</u>	<u>BENSENVILLE</u>
North:	<u>I-1</u>	<u>INDUSTRIAL</u>	<u>"</u>
East:		<u>VACANT</u>	<u>COOK COUNTY</u>
South:	<u>I-1</u>	<u>INDUSTRIAL</u>	<u>BENSENVILLE</u>
West:	<u>RS-4</u>	<u>CHURCH</u>	<u>BENSENVILLE</u>

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

**ARCHITECT**

Name: ALLIED DESIGN  
Telephone: 847-471-9567  
Email: SMB@AGSSI.COM

**ENGINEER:**

Name: SAME  
Telephone:  
Email:

**ATTORNEY**

Name: ADAM KANDAH  
Telephone: 708-237-9000  
Email: ZANAVEDLAW@GMAIL.COM

**OTHER**

ZONING CONSULTANT  
Name: ANTHONY A. BONAVOLONTA  
Telephone: 630-980-0602  
Email: AABXXI@AOL.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."

November 1, 2017

Village of Bensenville  
12 South Center Street  
Bensenville, IL 60106

Dear Members of the Board,

The Ramallah Community of Chicago was established in 1959 when our founding fathers immigrated to the United States from Ramallah, a small village located north of Jerusalem.

The mission of our club is to perpetuate the Ramallah family by means of providing educational, humanitarian, charitable, and cultural programs as well as social interaction; to promote our culture and preserve our heritage.

To make adjusting to life in a new country easier, the small community of families would meet and socialize at the St. George Orthodox Church or at the YMCA. In 1972, we needed more room to accommodate our growing families and additional immigrant families and purchased our own building located at 2850 W. Montrose, in Chicago. We gathered there until we outgrew it again and sold it in 1988. We found a new home in 1990, located at 2700 North Central, also in Chicago, that served us well until we sold it in 2014.

As our community grew larger, our members started to leave Chicago, moving to suburbs surrounding the city in all different directions. Therefore, the building on Central was no longer convenient for its members and the need to relocate became a priority. The community members formed a building committee to research areas that would be centrally located for our members and the Bensenville area met the guidelines.

Our members, consists of professionals and business owners, including doctors, lawyers, police officers, accountants, business owners, homemakers, youth, young adults, etc. We promote humanitarian measures by encouraging the community to help other areas in need after natural disasters occur in other areas in the U.S or abroad. We host toy drives and other charitable events to help others who are in need. The community strongly encourages its youth to take part in these worthwhile causes.

The Ramallah Community would use this property for providing educational classes, including teaching our children to speak, read and write in Arabic, as well as tutoring for children that need assistance in core curriculum classes at their school. We will host meetings, graduation celebrations, baptisms, luncheons for our elderly, Halloween and Christmas and Easter parties for the children.

Our new cultural center at 640 County Line Road in Bensenville will allow us to continue our successful youth initiative of teaching traditional line dance classes, which is an enjoyable way of preserving our culture with our youth. We have two groups for beginners and advanced. The ages range from 7 to 18. They meet once a week and perform at several events throughout the year, locally and nationally and this group was a large reason for needing more space. We are very proud of our youth involvement.

If you have any questions about our organization or would like to see pictures of our events or meet with us in person, we would be happy to do so. We thank you in advance for your consideration.





### **STAFF REPORT**

**HEARING DATE:** February 6, 2018  
**CASE #:** 2017 – 33  
**PROPERTY:** 640 County Line Road  
**PROPERTY OWNER:** Rosemary Gerardi  
**APPLICANT:** Ramallah School Cultural Center  
**SITE SIZE:** 0.99 acres  
**BUILDING SIZE:** N/A  
**PIN NUMBERS:** 03-24-209-020  
**ZONING:** I – 1 Office/Research/Assembly/Industrial  
**REQUEST:** Conditional Use Permit, Cultural Center  
Municipal Code Section 10 – 9A – 3; and  
Variance, Lot Width  
Municipal Code Section 10 – 9A – 4A – 2; and  
Variance, Parking in Required Front Yard  
Municipal Code Section 10 – 9A – 4B.

### **PUBLIC NOTICE:**

1. A Legal Notice was published in the Bensenville Independent on Thursday January 18, 2018. A Certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.
2. Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on Thursday January 18, 2018.
3. On Thursday January 18, 2018, 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 erect a “Cultural Center” in the I – 1 Office /Research/Assembly District. The Ramallah Community will use this property for providing educational classes, including teaching their children to speak, read and write in Arabic, as well as tutoring for children that need assistance in core curriculum classes at their school. They will host meetings, graduation celebrations, baptisms, luncheons for their elderly, Halloween, Christmas and Easter parties for the children. It will also allow them to continue their successful youth initiative of teaching traditional line dance classes, which is an enjoyable way of preserving their culture with their youth. The new development will require two variances. Minimum lot width for an I – 1 property is 150 feet. This property is 120 feet wide. The proposed development also puts 6 parking spaces within the required front yard.



**SURROUNDING LAND USES:**

	<b>Zoning</b>	<b>Land Use</b>	<b>Comprehensive Plan</b>	<b>Jurisdiction</b>
<b>Site</b>	I – 1	Vacant	Commercial/Industrial Flex	Village of Bensenville
<b>North</b>	I – 1	Industrial	Commercial/Industrial Flex	Village of Bensenville
<b>South</b>	I – 1	Industrial	Commercial/Industrial Flex	Village of Bensenville
<b>East</b>	I – 4	Industrial	Industrial	Village of Bensenville
<b>West</b>	RS – 4	Church	Single Family Residential	Village of Bensenville

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

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

Finance:

No issues.

Police:

Parking concerns. There is no on-street parking should they have a large event.

Engineering and Public Works:Public Works:

No comments.

Engineering:

- 1) A DuPage County Stormwater Management Certification will be required for this project as the total land disturbing activity exceeds 5,000 SF.
- 2) IEPA NOI permit will NOT be required since disturbance is under 1-acre.
- 3) IEPA-Sanitary permit will be required for the new sanitary service for the proposed building. A doghouse manhole will be required to be built over the existing sanitary sewer where proposed service connects to the main.
- 4) Onsite stormwater detention will be required according to the DuPage County Stormwater and Floodplain Ordinance (DCSFO). The applicant is proposing an onsite permeable paver parking lot, which may or may not meet the volume requirement. Detailed review will be performed during final engineering.
- 5) All other DCSFO requirements will need to be satisfied including PCBMP/VCBMP. The applicant is proposing a permeable paver parking lot, which may or may not meet the volume requirement. Detailed review will be performed during final engineering.
- 6) Cook County Highway Department (CCHD) permit is required due to disturbance within the County Line Road Right-of-way.
- 7) After reviewing the FIRM, it appears there aren't floodplains on site. 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.

- 8) In line with the Village's comprehensive bike plan, a 10-foot wide ADA complaint HMA bike path will be required along the County Line Road frontage of this development.
- 9) A detailed review of site engineering will be performed during final engineering process.

#### Community & Economic Development:

##### Economic Development:

- 1) Generally supportive of the project, contingent on the fact that the property remains on the tax roll.
- 2) This is a relatively small site and challenging to build on, so any construction is better than the parcel remaining vacant.
- 3) The proposed project would bring new visitors to the community, supporting Bensenville restaurants and retail.

##### Fire Safety:

No comments.

##### Building:

No comments at this time.

##### Planning:

- 1) The 2015 Comprehensive Plan indicates "Commercial/Industrial Flex" for this property.
- 2) The property is in the Eastern Business District as described in the CEDS and Comprehensive Plan.
- 3) A cultural center meets the definition of a flex use in this district. Of note, the rear of this property abuts a church in a residential district.
- 4) The size of the parcel makes it unbuildable without the appropriate width variance. Minimum width in the I – 1 district is 150 feet.
- 5) Staff used the parking standard for "Dance or meeting hall" of 0.25 space per person design capacity when calculating parking. The provided floor plans show a 200 person capacity. A minimum of 50 parking spaces must be provided. They show 56 stalls.
- 6) The applicant shows 6 stalls in the required front yard. Although they could eliminate those stalls and still meet the minimum requirements for this use, many comments from staff showed concerns about parking. Staff recommends leaving the 6 stalls in the plans and requesting the variance for parking in required front yard.
- 7) A 10-foot side bike path is planned for County Line Road. The landscaping plans show street trees in the right of way. Staff recommends that no trees be planted in that area. Trees should be moved to the 8 feet of area in front of the parking with the smaller landscaping as shown in the plan can and should remain as a buffer.
- 8) No signage plans were submitted with this application. A monument sign and canopy are shown in the site plan.
- 9) On architectural rendering, the canopy shows a diagonal support from the ground up on the middle image. Staff would like to confirm this is an error.

#### **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.

*Response: Traffic will not have much impact on County Line Road because we generally meet on weekends. And if we meet during the week it will be evenings after 6 o'clock.*

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.

*Response: No effect on Environment relating to Noise, Glare, Odor, Dust or Disposal. We are not industrial building, we are Cultural Center.*

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.

*Response: Our building will enhance the area. The development of the new building will improve the quality of the existing industrial 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.

*Response: We will have very little impact on the existing utilities since we are there once or twice a week weekends or evenings.*

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.

*Response: We selected the site because of the location and it is easy access to our members that live in the village and the surrounding suburbs.*

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.

*Response: Our building use is in harmony and is compatible with other buildings and uses in the area. We will be paying our taxes just like any other building.*

Conditional Use Approval Criteria	Meets Criteria	
	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	

### 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: The site is 120' wide and the minimum site width is 150'. The site cannot be enlarged and we have designed a structure that we believe fits well on the site. We have added more parking stalls than the required number to ensure that there are no issues in the parking. By doing this we encroached into the front yard setback. We have left 8.5' of landscape area between the parking & the property line so that adequate landscaping can be provided between parking & property line.*

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: We cannot change the size of the site and we would like to have a few more parking stalls than what is required. Ownership feels this is an ideal location for their center. There are no other sites in the area that meets the requirements of both cost & location so if not approved they would abandon this much anticipated center.*

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 restraints to the size of the site, which is fixed and not alterable is the reason these 2 variations are needed to make the site usable.*

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 know these variances are required to proceed any further in the development of this site.***

- 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 the site stands, it cannot be developed without these variations. We feel that development of this site adds to the surrounded sites and it will not change nor lessens the appearance of this 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: This property cannot be developed without these variations and the site will remain vacant.***

- 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: Development of this site will not diminish the character of the area but will help improve the area.***

- 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 these variances are approved it will not in any way interfere or change the intended use adopted by the Village of Bensenville in their 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 these variances are approved this development can move ahead for approval and construction.***



<b>Variances Approval Criteria</b>	<b>Meets Criteria</b>	
	<i>Yes</i>	<i>No</i>
1. Special Circumstances	X	
2. Hardship	X	
3. Circumstances relate to the Property	X	
4. Not Resulting from Applicant Actions	X	
5. Preserve Rights Conferred By District	X	
6. Necessary for the Use of the Property	X	
7. Not Alter Local Character	X	
8. Consistent with Title and Plan	X	
9. Minimum Variance Needed	X	

### **RECOMMENDATIONS:**

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Conditional Use Permit and Variances for Ramallah School Cultural Center with the following conditions:

1. The Conditional Use Permit be granted solely to the Ramallah School Cultural Center 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, and
2. A 10-feet wide ADA complaint HMA bike path will be required along the County Line Road frontage of this development, and
3. Applicant will work with staff on final landscaping plan.

Respectfully Submitted,  
Department of Community  
& Economic Development

## SHARED USE PATHS

Shared use paths provide a dedicated, off-street space for both pedestrians and cyclists. They are a good solution for corridors that have higher traffic counts, higher vehicle speeds, and few driveway entrances and curb cuts. They can provide a pleasant riding experience for a wide range of cyclists, including those with a low tolerance for sharing the road with motorized traffic, and they tie in well with regional trail networks. Driveway entrances and street intersections are particularly dangerous conflict points for cyclists; shared use path applications should minimize both, where possible. For paths with a high volume of pedestrians and cyclists, the Village should educate users about etiquette, rights, and responsibilities.

**THORNDALE AVENUE:** Presently, the Village of Bensenville is partnering with DuPage County, the Chicago Metropolitan Agency for Planning, and the Tollway Authority to expand the Elgin O'Hare Western Access (EOWA) project along Thorndale Avenue. This represents an opportunity for the communities along the corridor to develop a dedicated bicycle and pedestrian path parallel to the corridor. For Bensenville, the trail could ultimately provide a dedicated connection to the Salt Creek Trail and other regional destinations. At the writing of this plan, the designs for the expressway are still underway. The Village should continue to work with its partner agencies to ensure that a dedicated bicycle and pedestrian path be included in the final project plans. A shared use path is proposed along the south side of existing Thorndale Ave from IL-83 to York Rd as part of the EOWA construction in upcoming years.

**YORK ROAD:** There are sidewalks along one side of York Road for most of its reach across Bensenville. However, there are some gaps in the sidewalk network, and many of the existing sidewalks are too narrow to safely accommodate pedestrians and cyclists. The Village of Bensenville should install a shared use path on York Road to provide better north/south connectivity. Some of the work may be done in conjunction with the EOWA expansion.

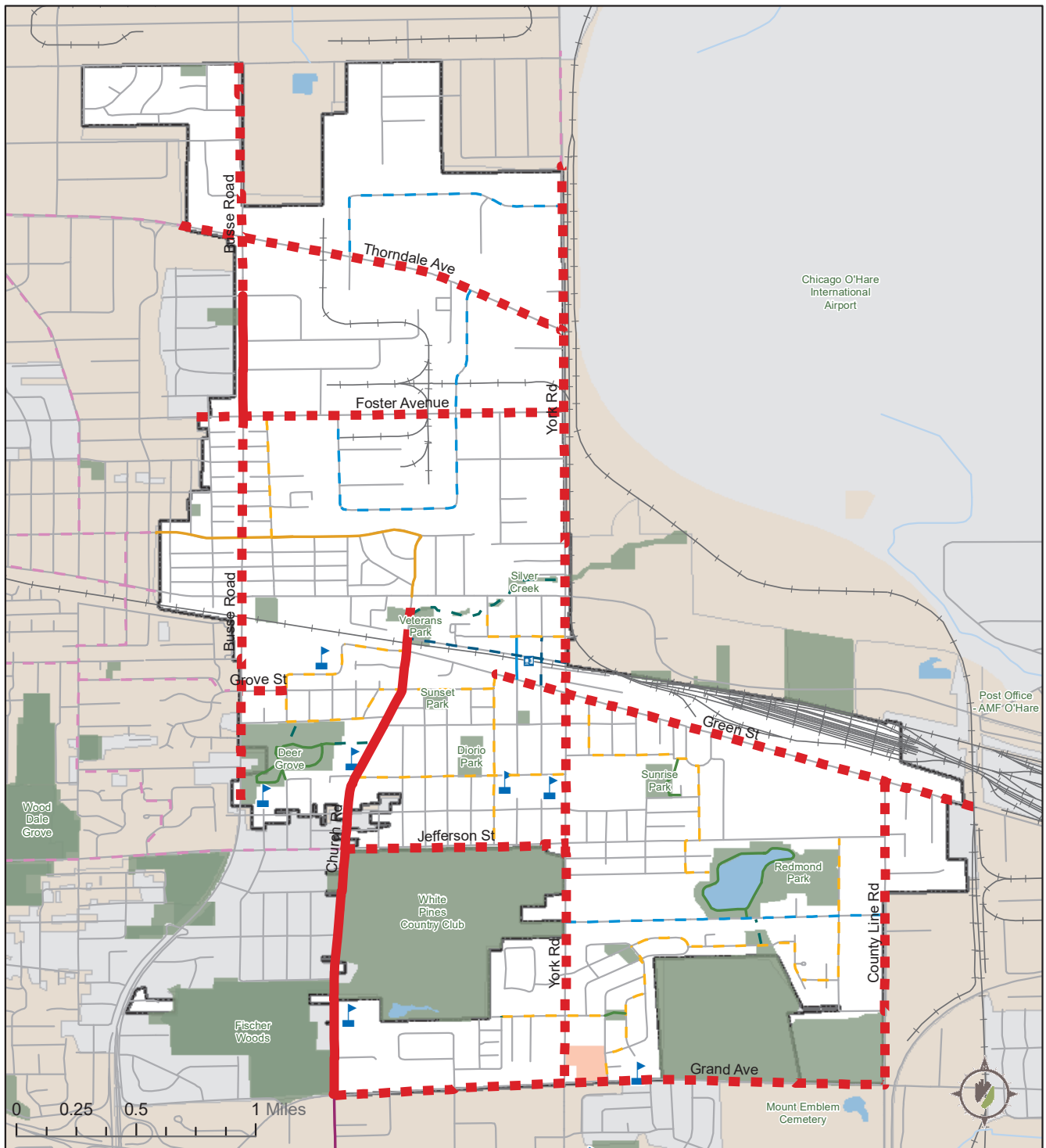
**GRAND AVENUE:** Grand Avenue lies on the border of Bensenville and Elmhurst. A sidewalk was recently installed on the north side of Grand Avenue within Bensenville's boundaries. It provides good connectivity to the stores and services along the corridor, however, it is narrow and may not accommodate large numbers of pedestrians and cyclists if rates of active transportation rise in the future. Bensenville may want to coordinate with the City of Elmhurst in the future to install a shared use path on the south side of Grand Avenue.

**CHURCH ROAD:** The Village is working to install a shared use path along Church Road from Grand Avenue to Jefferson Street and has funding to continue the shared use path to Irving Park Road in 2017.

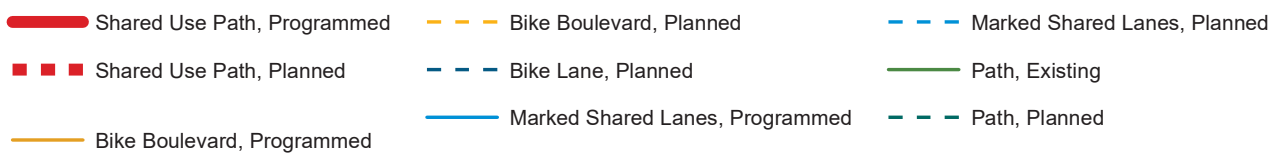
**JEFFERSON STREET/THIRD AVENUE:** This route provides a good east/west connection through the southern half of Bensenville, linking cyclists to Redmond Park and the Ice Arena. Like Church Road, there is currently insufficient right-of-way for both bike lanes and parking lanes, and the traffic volume along the road are too high for bike boulevard treatments. The Village may want to consider purchasing ROW on the north side of the street between Church and York to construct a shared use path.

**COUNTY LINE ROAD:** County Line Road is a regional connector and connects to a new hotel that is being developed in Bensenville. The Village should coordinate with Cook County to develop a shared use path along County Line Road.

**GREEN STREET:** Green Street is the most suitable route to connect Bensenville to Franklin Park and eventually on to the City of Chicago. Additional analysis will need to be conducted to determine which segments can be constructed in conjunction with the EOWA project.

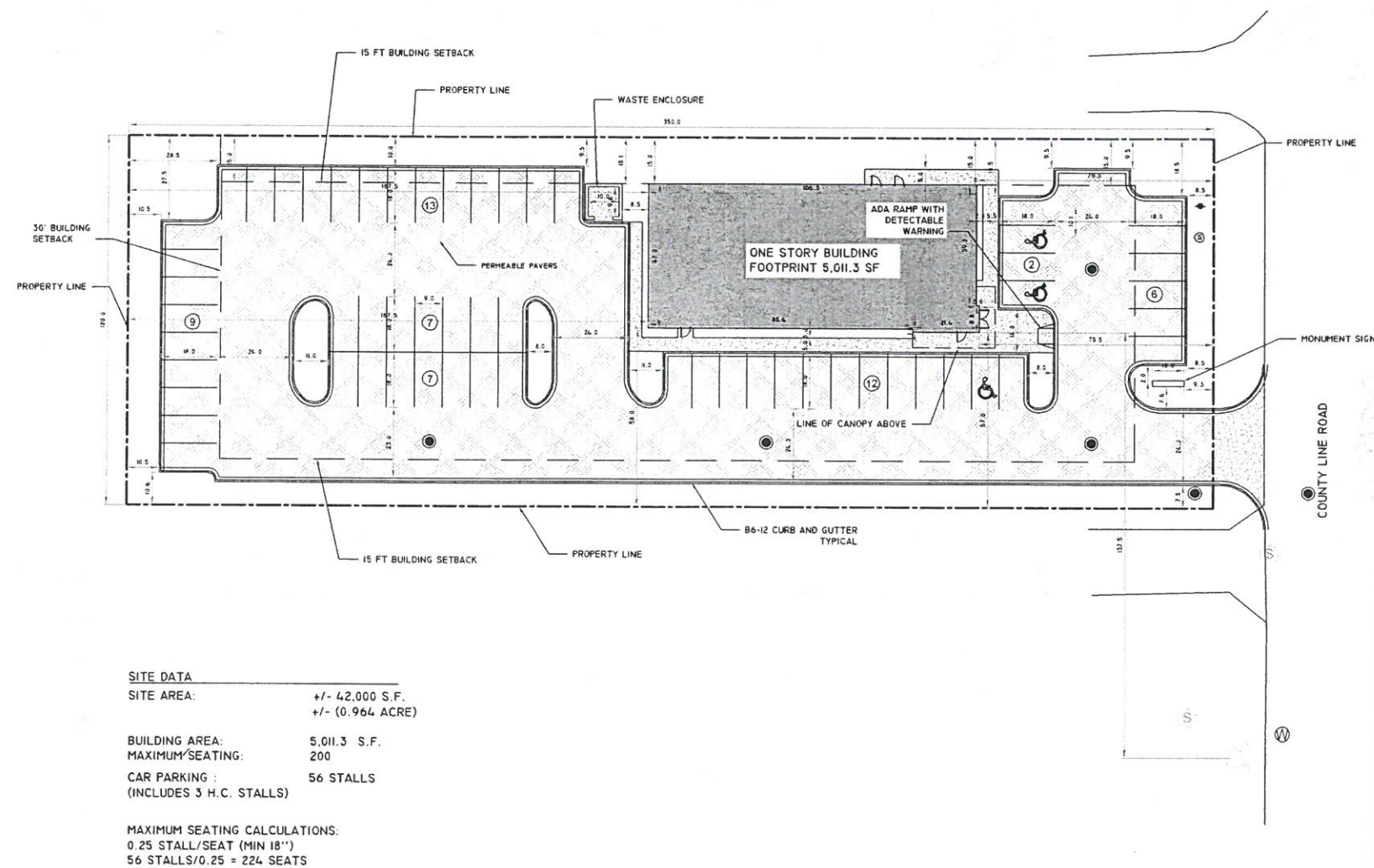


## Proposed Shared Use Paths





**Damas Consulting Group**  
**5625 MIDDLEDAUGH AVE**  
**Downers Grove, IL. 60516**  
**Ph 630-991-3299 FAX 630-541-2382**



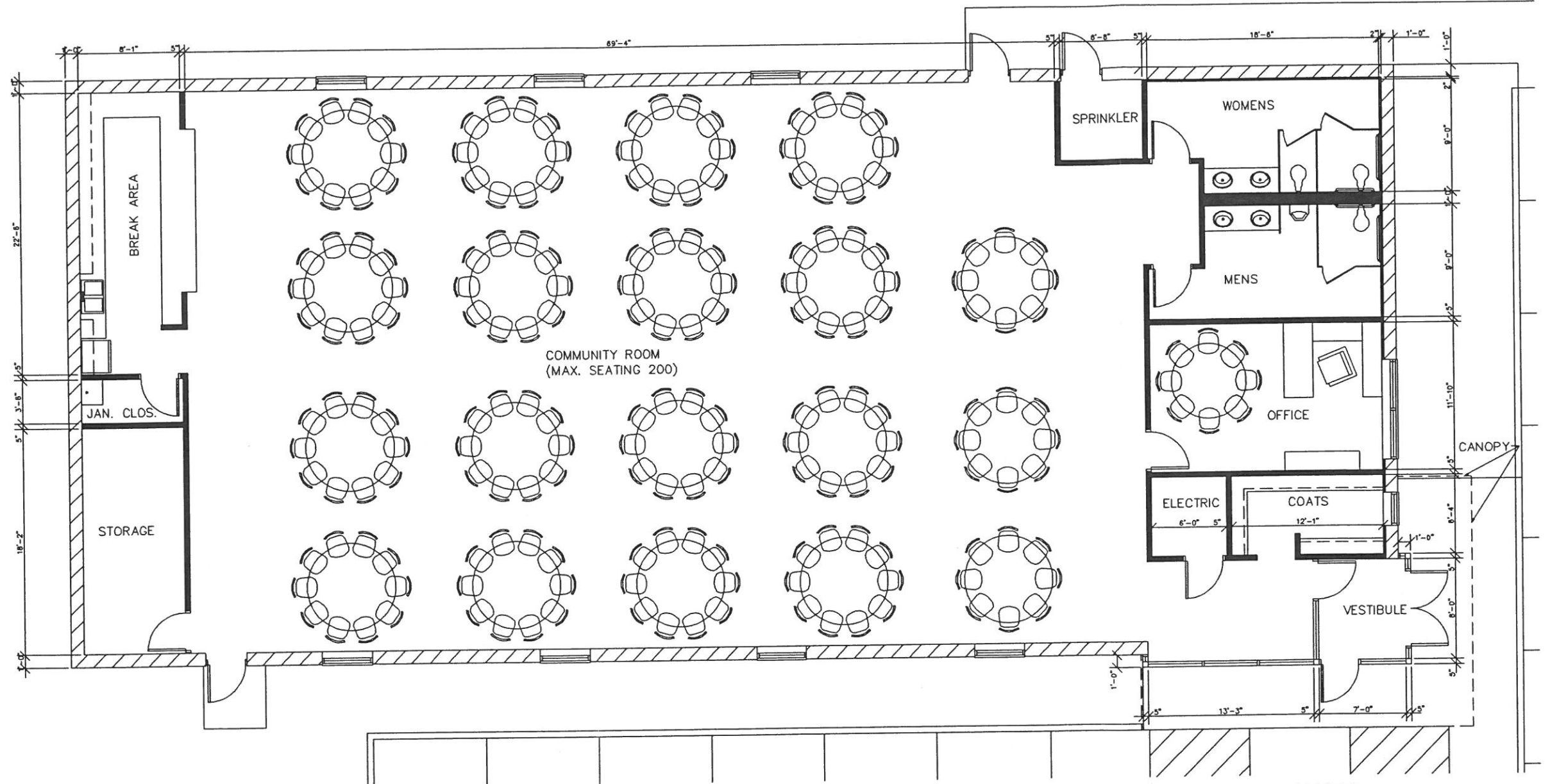
SITE PLAN  
SCALE 1:20

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PROJECT NAME: CULTURAL CENTER  
640 COUNTY LINE ROAD  
BENSENVILLE, IL 60126

DATE STARTED:	DRAWN BY:
12-14-17	KM
JOB NO:	FILE NO:

SHEET NO: A-1.0  
TITLE :  
SITE PLAN



**Floor Plan**

1/8" = 1'-0"

## CULTURAL CENTER

640 COUNTYLINE ROAD  
BENSENVILLE, ILLINOIS

**ALLIED  
DESIGN-BUILD, INC.**  
TRUST + QUALITY + VALUE  
BURR RIDGE, ILLINOIS

PROJECT NO. 1722

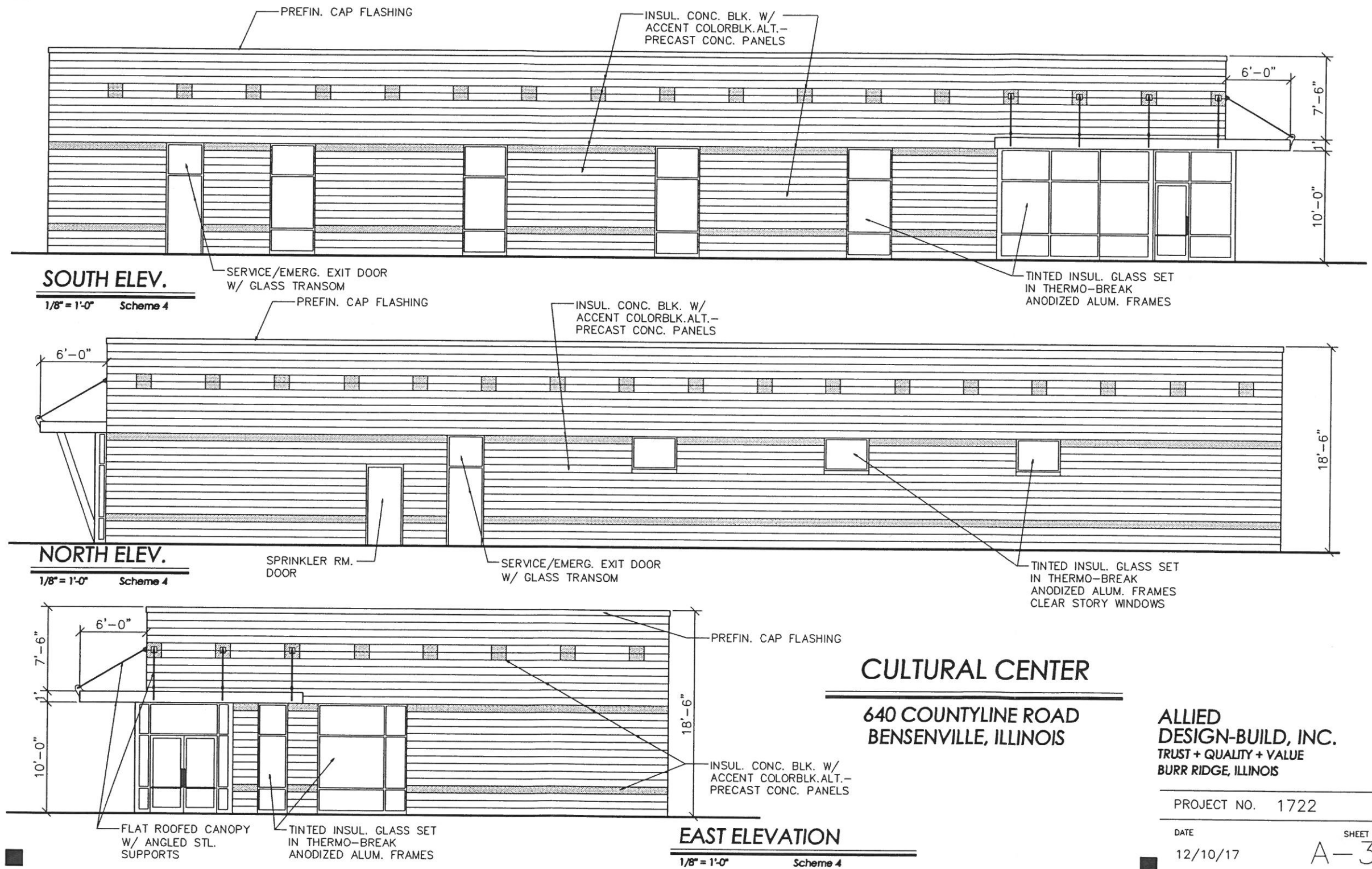
DATE  
12/22/17

SHEET

A-2







## CULTURAL CENTER

640 COUNTYLINE ROAD  
BENSENVILLE, ILLINOIS

**ALLIED  
DESIGN-BUILD, INC.**  
TRUST + QUALITY + VALUE  
BURR RIDGE, ILLINOIS

PROJECT NO. 1722

DATE  
12/10/17

SHEET  
A-3



**Damas Consulting Group**  
5625 MIDDLEDAUGH AVE  
Downers Grove, IL. 60516  
Ph 630-991-3299 FAX 630-541-2382

[illegible]

PROJECT NAME: CULTURAL CENTER  
640 COUNTY LINE ROAD  
BENSENVILLE, IL 60126

DATE STARTED:	DRAWN BY:
12-14-17	KM
JOB NO:	FILE NO:

SHEET NO: C-1.0  
TITLE :  
CIVIL PLAN

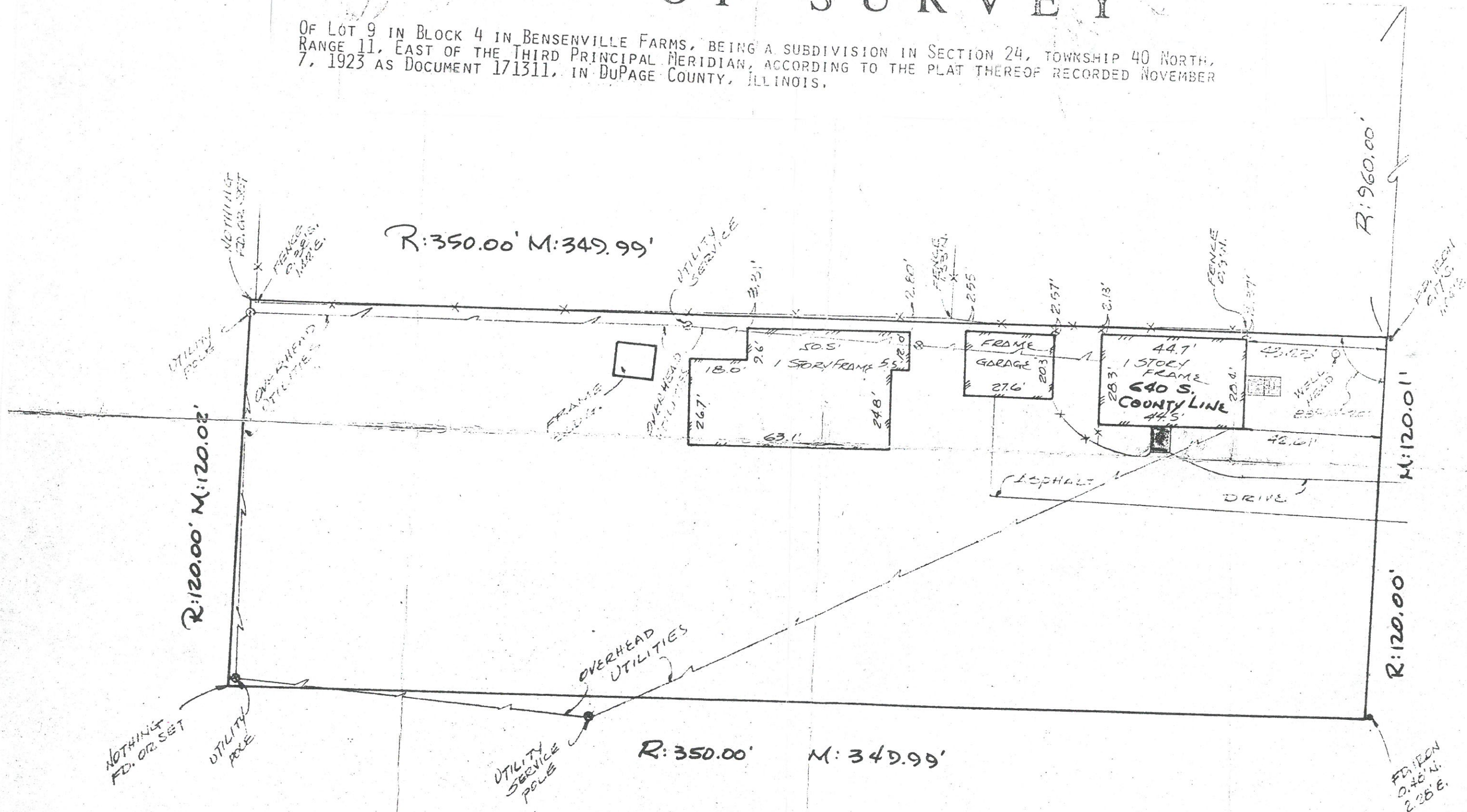


4N15W

JN 60371

# PLAT OF SURVEY

OF LOT 9 IN BLOCK 4 IN BENSENVILLE FARMS, BEING A SUBDIVISION IN SECTION 24, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 7, 1923 AS DOCUMENT 171311, IN DUPAGE COUNTY, ILLINOIS.



COUNTY LINE R.D.  
1" = 30'-0"

**TYPE:**Public Hearing**SUBMITTED BY:**K. Pozsgay**DEPARTMENT:**CED**DATE:**02.06.08**DESCRIPTION:**

Consideration of Variances (Porch in Front Yard and Attached Structures) for the Karolina Morawiec, located at 210 Miner Street.

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

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

**REQUEST:**

Variance, Porch in Front Yard setback  
Municipal Code Section 10 – 5E – 4B; and  
Variance, Attached Structures  
Municipal Code Section 10 – 14 – 13 – 2a.

**SUMMARY:**

- 1) The Petitioner is seeking a Variation to reduce the required front yard.
- 2) Petitioner obtained a Building Permit to re-roof the single-family residence but also erected a roofed front porch that was not permitted.
- 3) Upon inspection, the roofed front porch was detected and the need for the variation determined. In the RS – 5 District a 30' front yard is required.
- 4) The unpermitted covered porch reduces the front yard to approximately 25'.

**RECOMMENDATION:**

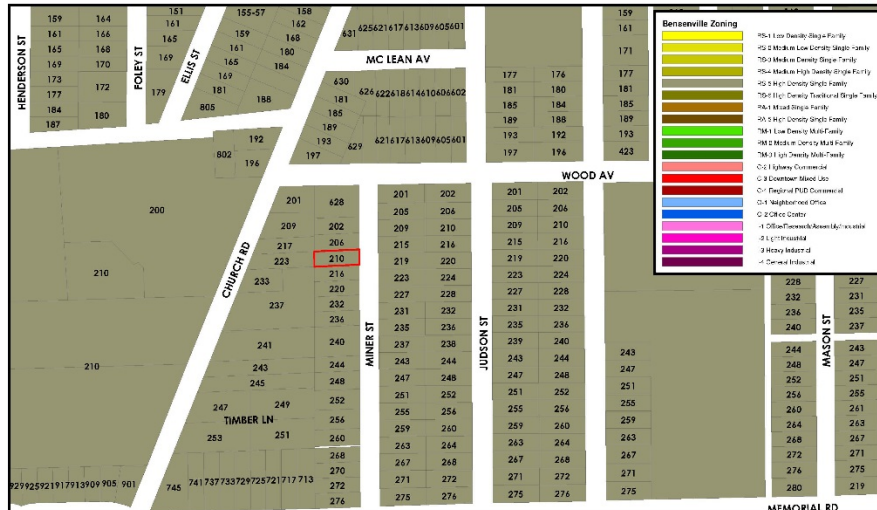
Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variances for Karolina Morawiec, with the following conditions:

1. Applicant must apply for, and receive, all appropriate building permits.
2. Applicant must fill out APPLICATION FOR WATER/SEWER/RUBBISH SERVICE and return signed.

**ATTACHMENTS:**

Description	Upload Date	Type
<b>Aerial &amp; Zoning Maps</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Legal Notice</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Application</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Staff Report</b>	<b>2/1/2018</b>	<b>Executive Summary</b>
<b>Plans</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Plat of Survey</b>	<b>2/1/2018</b>	<b>Backup Material</b>





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

NOTICE IS HEREBY GIVEN that on Tuesday, February 6, 2018 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. 2018 – 01 to consider a request for:

Variance, Porch in Front Yard setback  
Municipal Code Section 10 – 5E – 4B; and

Variance, Attached Structures  
Municipal Code Section 10 – 14 – 13 – 2a.

210 S Miner Street is in a RS – 5 High Density Single Family 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 3 IN BLOCK 1 IN FRANCIS E. SUTER'S SUBDIVISION, BEING A SUBDIVISION IN THE SOUTH 1/2 OF SECTION 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 210 S Miner Street, Bensenville, IL 60106.

Karolina Morawiec of 210 S Miner St is the owner and applicant for the subject property.

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

Applicant's application and supporting documentation may be examined by any interested parties in the office of the Community and Economic Development Department, Monday through Friday, in the Village Hall, 12 South Center Street, Bensenville, IL 60106. All interested parties may attend and will be heard at the Public Hearing. Written comments will be accepted by the Community and Economic Development Department through February 6, 2018 until 5:00 P.M.

Office of the Village Clerk  
Village of Bensenville

**TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT  
January 18, 2018**

For Office Use Only

Date of Submission: 1-3-18 MUNIS Account #: 7822 CDC Case #: 2018-01

COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: 210 MINER ST., BENSENVILLE, IL 60106

Property Index Number(s) (PIN): 03-14-318-023

A. PROPERTY OWNER:

KAROLINA KRUPA MORAWIEC N/A  
 Name Corporation (if applicable)  
210 MINER ST.  
 Street  
BENSENVILLE IL 60106  
 City State Zip Code  
KAROLINA MORAWIEC 773-563-2767 maxmorawiec@gmail.com  
 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: [Signature] Date: 12/27/17

B. APPLICANT: ☒ Check box if same as owner

\_\_\_\_\_  
 Name Corporation (if applicable)  
 \_\_\_\_\_  
 Street  
 \_\_\_\_\_  
 City State Zip Code  
 \_\_\_\_\_  
 Contact Person Telephone Number & Email Address

Relationship of Applicant to subject property

Applicant Signature: [Signature] Date: 12/27/17

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)

The principal structure (including the front porch) is at 29.93 feet on the front yard set back. Village ordinance does not allow anything to be built within the 30 foot building line. Therefore, we kindly ask for approval of the front porch.

**D. PROJECT DATA:**

1. General description of the site: SINGLE FAMILY RESIDENCE

2. Acreage of the site: 7,500 sq. ft. Building Size (if applicable): —

3. Is this property within the Village limits? (Check applicable below)

☒ Yes

☐ No, requesting annexation

☐ No, it is under review by another governmental agency and requires review due to 1.5 mile jurisdiction requirements.

4. List any controlling agreements (annexation agreements, Village Ordinances, site plans, etc.)

N/A

5. Character of the site and surrounding area:

	Zoning	Existing Land Use	Jurisdiction
Site:	RS-5	Single Family Residence	Bonsenville
North:	RS-5		
South:	RS-5		
East:	RS-5		
West:	RS-5		

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

**ARCHITECT**

Name: \_\_\_\_\_

Telephone: N/A

Email: \_\_\_\_\_

**ENGINEER:**

Name: \_\_\_\_\_

Telephone: N/A

Email: \_\_\_\_\_

**ATTORNEY**

Name: \_\_\_\_\_

Telephone: N/A

Email: \_\_\_\_\_

**OTHER**

Name: \_\_\_\_\_

Telephone: N/A

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:** February 6, 2018  
**CASE #:** 2018 – 01  
**PROPERTY:** 210 Miner Street  
**PROPERTY OWNER:** Karolina Morawiec  
**APPLICANT** same  
**SITE SIZE:** 7,500 SF  
**BUILDING SIZE:** 1,500 SF  
**PIN NUMBERS:** 03-14-318-023  
**ZONING:** RS – 5 High Density Single Family  
**REQUEST:** Variance, Porch in Front Yard setback  
Municipal Code Section 10 – 5E – 4B; and  
Variance, Attached Structures  
Municipal Code Section 10 – 14 – 13 – 2a.

### **PUBLIC NOTICE:**

1. A Legal Notice was published in the Bensenville Independent on Thursday January 18, 2018. A Certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.
2. Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on Thursday January 18, 2018.
3. On Thursday January 18, 2018, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. An Affidavit of Mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

### **SUMMARY:**

The Petitioner is seeking a Variation to reduce the required front yard. Petitioner obtained a Building Permit to reroof the single-family residence but also erected a roofed front porch that was not permitted. Upon inspection, the roofed front porch was detected and the need for the variation determined. In the RS – 5 District a 30' front yard is required. The unpermitted covered porch reduces the front yard to approximately 25'.



**SURROUNDING LAND USES:**

	<b>Zoning</b>	<b>Land Use</b>	<b>Comprehensive Plan</b>	<b>Jurisdiction</b>
<b>Site</b>	RS – 5	Residential	Single Family Residential	Village of Bensenville
<b>North</b>	RS – 5	Residential	Single Family Residential	Village of Bensenville
<b>South</b>	RS – 5	Residential	Single Family Residential	Village of Bensenville
<b>East</b>	RS – 5	Residential	Single Family Residential	Village of Bensenville
<b>West</b>	RS – 5	Residential	Single Family Residential	Village of Bensenville

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

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

**Finance:**

The account is up to date but we never received a service application for this location.

**Police:**

No issues.

**Engineering and Public Works:**

No comments.

**Community & Economic Development:**

Economic Development:

No comments.

**Fire Safety:**

No comments.

**Building:**

Building has no issues with the setback variance; however, there may be issues with the existing construction. Since the porch was built without permit and inspections, field verifications of the construction will be required. This will require providing access to any concealed work especially the frost protected footing and the support of the roof header at the building wall. Building will be unable to approve any concealed structural work.

**Planning:**

- 1) The 2015 Comprehensive Plan indicates “Single Family Residential” for this property.
- 2) The applicants built a roof over their entry stoop. While a stoop can encroach into the required front yard, once a roof is installed it becomes a structure and must adhere to setback requirements.
- 3) The required front yard setback in the RS – 5 district is 30 feet.

- 4) The built porch encroaches into the required yard approximately 5 feet.
- 5) Staff is generally supportive of allowing front porch variations.
  - a. They increase “eyes on the street”, which leads to increased safety.
  - b. They encourage interaction with neighbors.

#### **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: Property is few inches from property line and variance is needed for front porch that is attached to the principal structure. Due to the safety and esthetical issues, we built a wooden front porch over the concrete. The concrete part was completed and approved by the Village in 2016. Pictures attached.*

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: During the rainy and snowy days, concrete part right outside the front door will get wet. The front porch will provide a convenient dry area for kicking off muddy boots, and closing umbrellas. It is better to stomp the snow and dirt off your shoes on the porch than on the interior floor.*

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 variance because front porch attached to the principal structure is encroaching the required front yard 30 feet that is allowed by the Village Ordinance.*

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: Unfortunately, the front porch is already completed due to the misunderstanding with the Village. When we called, we were advised that the permit is*

*not needed. Therefore, we only took the permit for re-roofing, gutters, soffit and fascia at that time.*

- 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: There are many other properties (including our street) in Bensenville with front porch and we would like to reserve the same right to improve our living while residing in Bensenville. The porch also adds stunning curb appeal and charm to our home.*

- 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 approving the variance, we would have to take the front porch down. In addition, we would not have a convenient dry area in front of the main door and the house will lose stunning curb appeal.*

- 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: Front porch will not impair environmental quality, property values, or public safety or welfare in the vicinity.*

- 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 the Variance is granted, it will not interfere with the General Development Plan and other applicable adopted plans of the Village of Bensenville.*

- 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: Despite that the porch is already completed due to the misunderstanding, we will proceed with obtaining a permit.*

<b>Variances Approval Criteria</b>	<b>Meets Criteria</b>	
	<i>Yes</i>	<i>No</i>
1. Special Circumstances	X	
2. Hardship	X	
3. Circumstances relate to the Property	X	
4. Not Resulting from Applicant Actions	X	
5. Preserve Rights Conferred By District	X	
6. Necessary for the Use of the Property	X	
7. Not Alter Local Character	X	
8. Consistent with Title and Plan	X	
9. Minimum Variance Needed	X	

**RECOMMENDATIONS:**

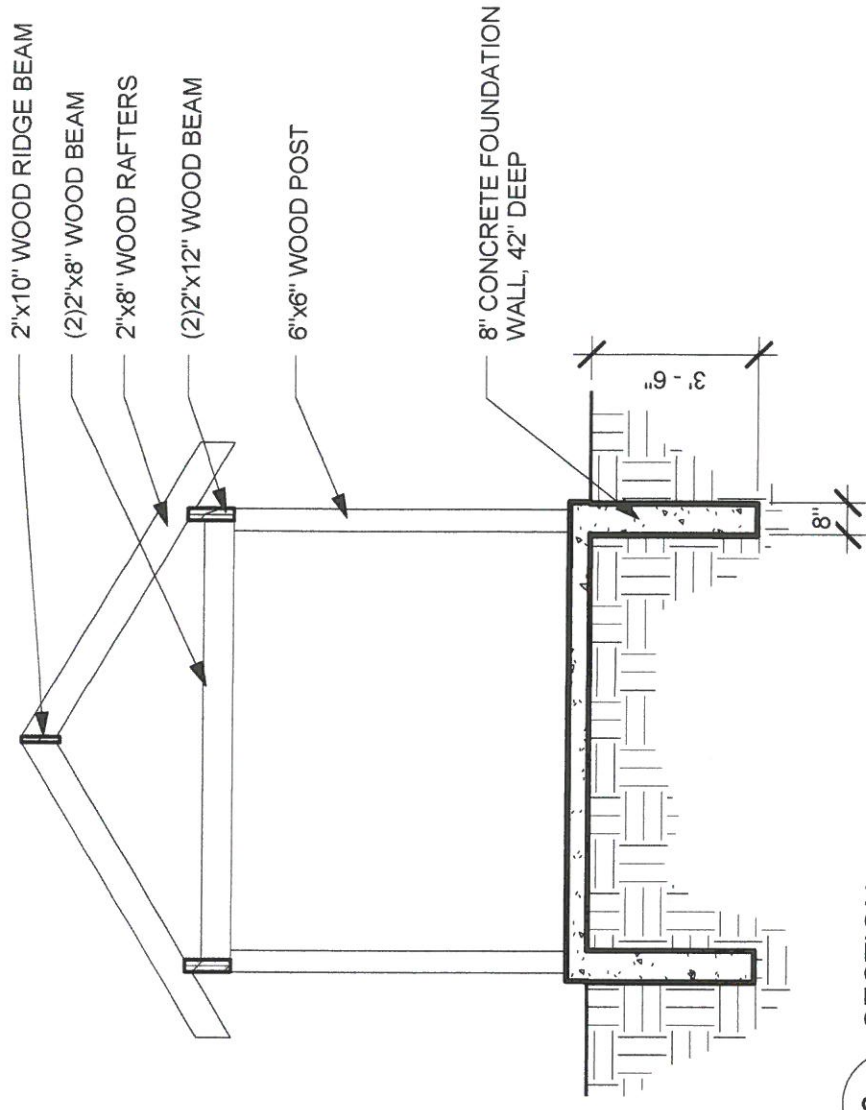
Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variances for Karolina Morawiec, with the following conditions:

1. Applicant must apply for, and receive, all appropriate building permits.
2. Applicant must fill out **APPLICATION FOR WATER/SEWER/RUBBISH SERVICE** and return signed.

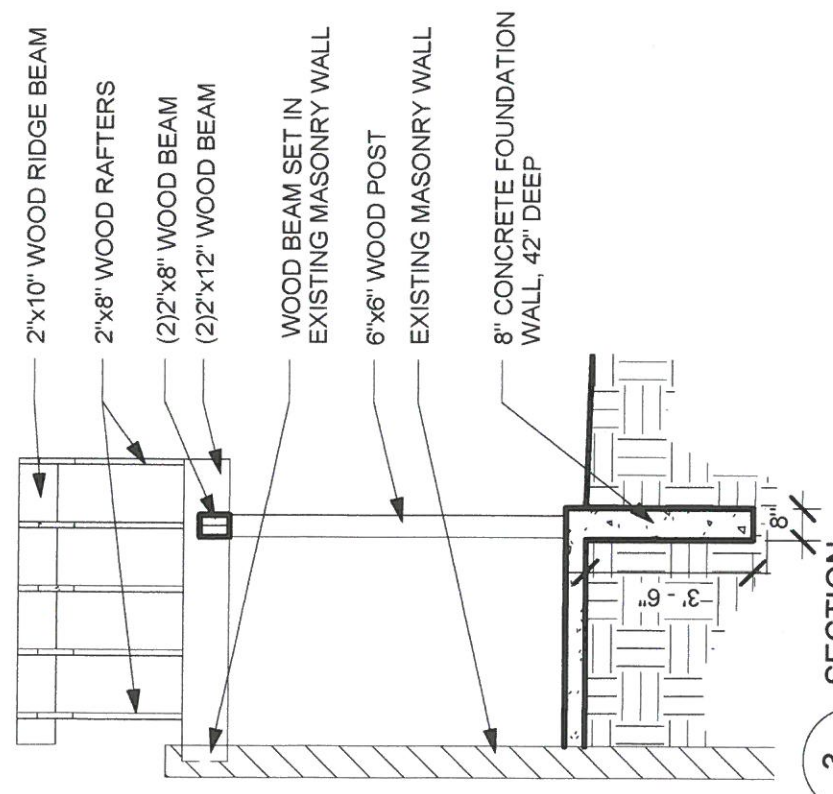
Respectfully Submitted,  
Department of Community  
& Economic Development



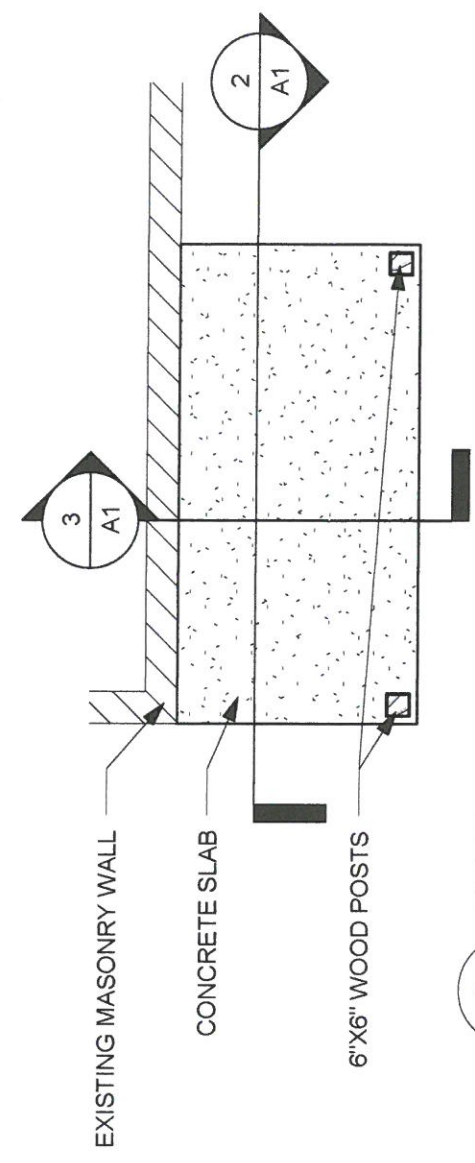
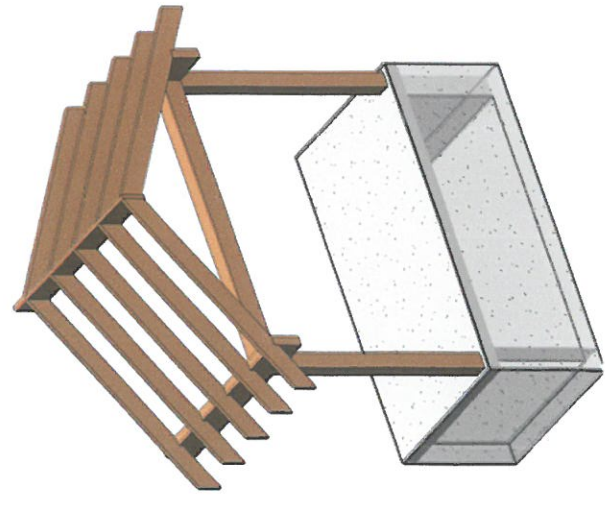




2 SECTION  
A1 SCALE: 1/4" = 1'-0"

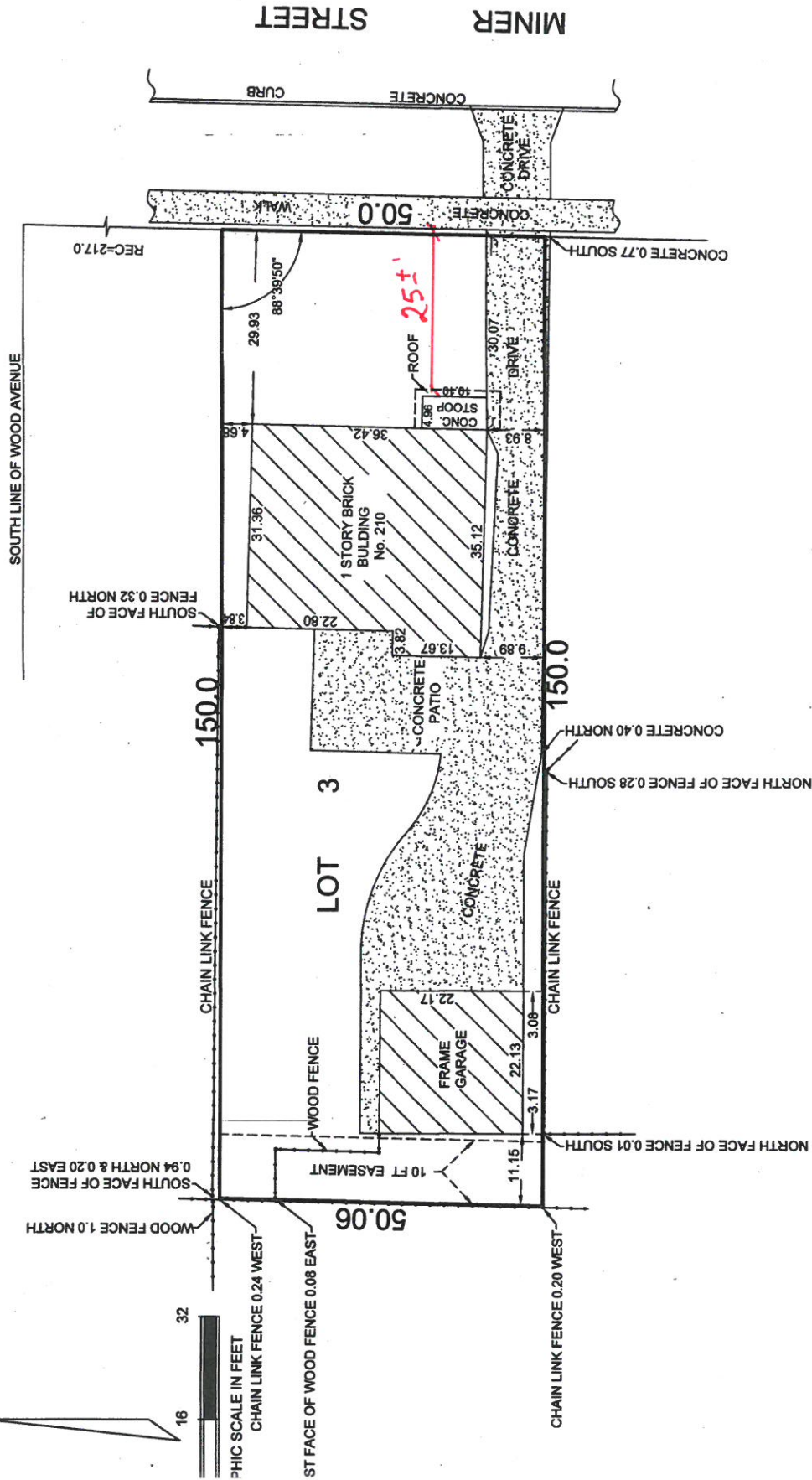


3 SECTION  
A1 SCALE: 1/4" = 1'-0"



1 FLOOR PLAN  
A1 SCALE: 1/4" = 1'-0"

LOT 3 IN BLOCK 1 IN FRANCIS E. SUTER'S SUBDIVISION, BEING A SUBDIVISION IN THE SOUTH 1/2 OF SECTION 14, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.



COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE  
 REPORT ANY DIFFERENCE

THIS PROFESSIONAL SERVICE CONFORMS TO  
 THE CURRENT ILLINOIS MINIMUM STANDARDS  
 FOR A BOUNDARY SURVEY. MONUMENTS  
 NOT SET PER REQUEST OF CLIENT.

WE CERTIFIED SURVEY, INC DO HEREBY CERTIFY THAT WE HAVE  
 SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT

BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO  
 RECORDED IN THE MAPS OTHERWISE REFER TO YOUR DEED OR ABSTRACT.

DECIMALS OF FOOT AND THEIR EQUIVALENT  
 IN INCHES AND FRACTIONS THEREOF.

.01"=1/8" .07"=7/8" .50"=6"

ON'S ARE NOT TO BE ASSUMED FROM SCALING

**DER No. 150190**  
**: DECEMBER 5, 2017**

**TYPE:**Public Hearing**SUBMITTED BY:**K. Pozsgay**DEPARTMENT:**CED**DATE:**02.06.08**DESCRIPTION:**

Consideration of Variance, Plat of Consolidation and Site Plan for the applicant DSP Acquisitions, located at 1055-65 Sesame St. /491 Podlin Dr.

**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*

X

*Major Business/Corporate Center**Vibrant Major Corridors***REQUEST:**

Variance, Truck Loading Dock Width,  
Municipal Code Section 10 – 11 – 12D – 1a; and  
Preliminary & Final Plat of Consolidation; and  
Site Plan Review.

**SUMMARY:**

- 1) The Petitioner is proposing to purchase the vacant lots at the end of Podlin Dr. and consolidate with 1055-65 Sesame St.
- 2) They will demolish the existing building and construct an 116,294 SF industrial facility.
- 3) They need a Variation to reduce the loading dock width from 14 ft. to 12 ft.
- 4) A Plat of Consolidation and Site Plan Review including architecture is also sought.

**RECOMMENDATION:**

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variance, Plat of Consolidation and Site Plan Review for DSP Acquisitions, 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. Work with Village engineers on plan for water and sewer connections; and
4. An ADA compliant public sidewalk will be required along the entire frontage of the site on Sesame St. The kink in the sidewalk will need to be straightened; 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.
7. Work with staff on the final architecture plan.

**ATTACHMENTS:**

Description	Upload Date	Type
<b>Aerial &amp; Zoning Maps</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Legal Notice</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Application</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Applicant Letter</b>	<b>2/1/2018</b>	<b>Backup Material</b>

<b>Staff Report</b>	<b>2/1/2018</b>	<b>Executive Summary</b>
<b>Rendering</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Elevations</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Site Plan</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Preliminary Plat</b>	<b>2/1/2018</b>	<b>Backup Material</b>
<b>Preliminary Engineering</b>	<b>2/1/2018</b>	<b>Backup Material</b>



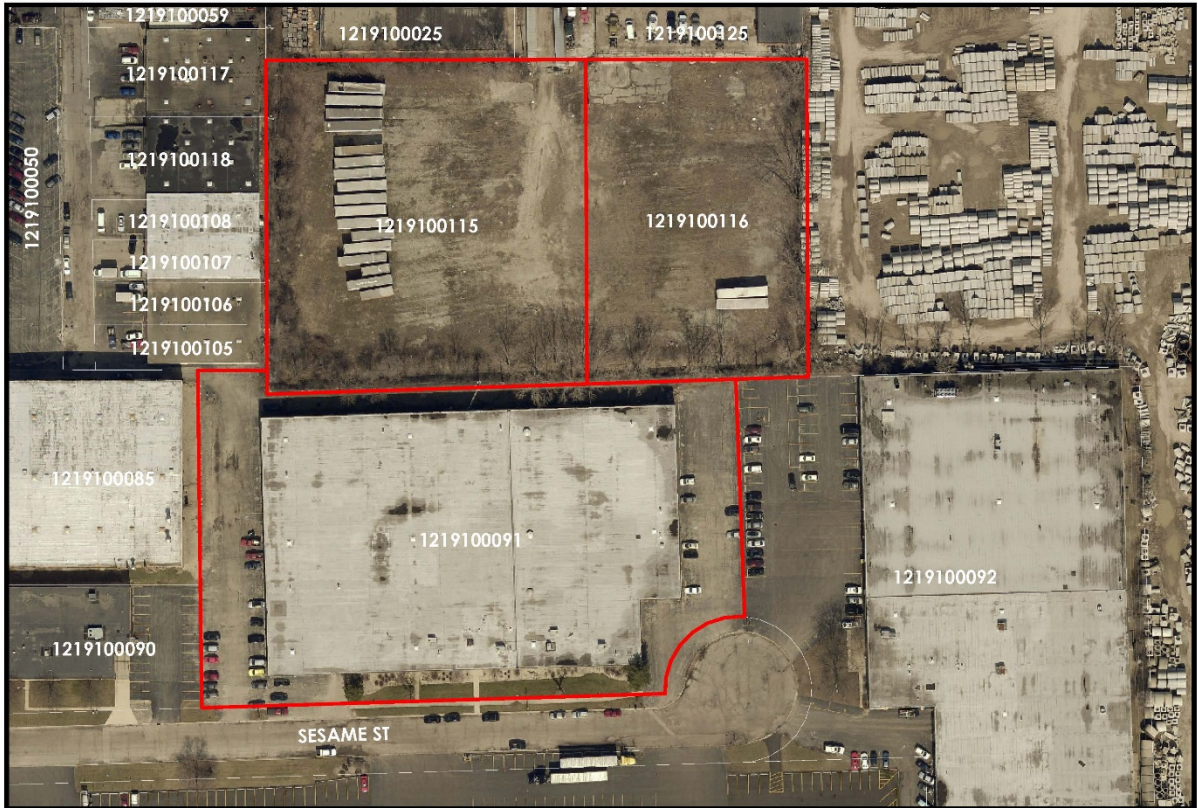
CDC#2018 – 02

1055 Sesame Street/491 Podlin Drive  
DSP Acquisitions  
Variation; Truck Dock Width  
Plat of Consolidation and Site Plan Review



## Village of Bensenville

Parcels 12-19-100-091, 12-19-100-115, & 12-19-100-116

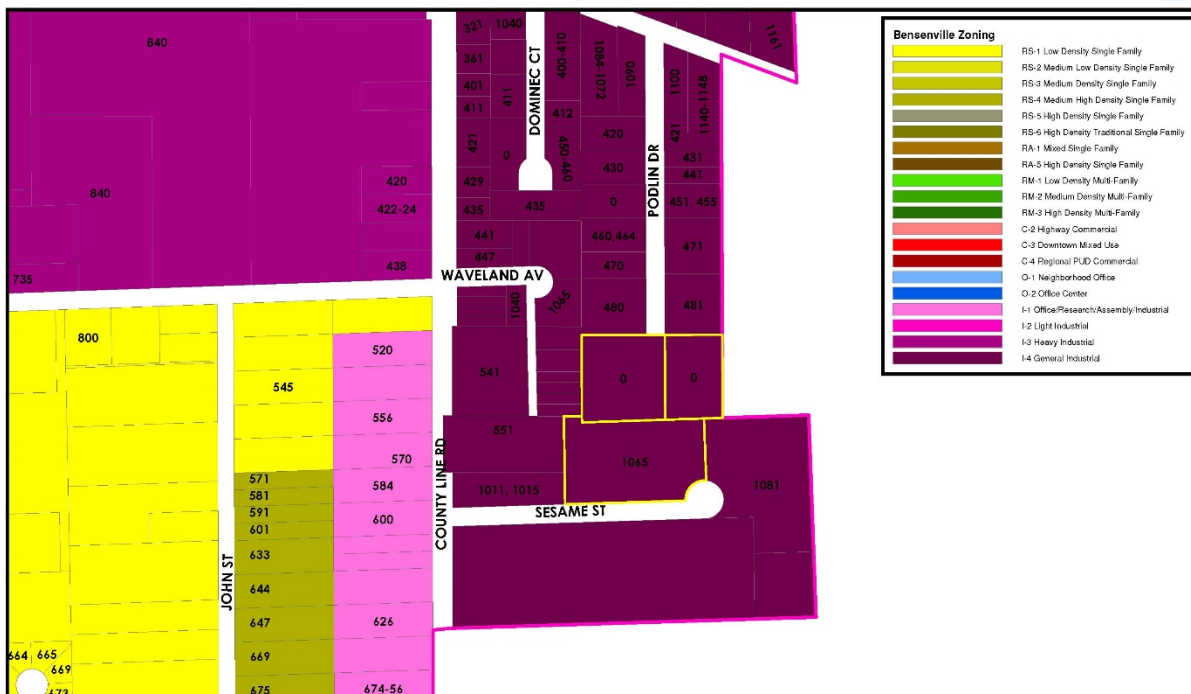


Date: 1/18/2018



## Village of Bensenville

Zoning Map





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

NOTICE IS HEREBY GIVEN that on Tuesday, February 6, 2018 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. 2018 – 02 to consider a request for:

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

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

1055 Sesame Street is in an I – 4 General Industrial 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:

THAT PART OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 19, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE CENTER LINE OF FRANKLIN AVENUE WITH A LINE 500 FEET EAST OF (MEASURED AT RIGHT ANGLES) AND PARALLEL WITH THE WEST LINE OF SAID SECTION; THENCE SOUTH ALONG SAID PARALLEL LINE 1496.53 FEET TO THE POINT OF BEGINNING OF LAND HEREIN DESCRIBED; THENCE EAST ALONG A LINE WHICH INTERSECTS THE WEST RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY AT A POINT 1185.10 FEET SOUTH (AS MEASURED ALONG SAID WEST RIGHT OF WAY LINE) OF THE SAID CENTER LINE OF FRANKLIN AVENUE, A DISTANCE OF 503.05 FEET, MORE OR LESS, TO ITS INTERSECTION WITH A LINE 1002.90 FEET EAST OF (MEASURED AT RIGHT ANGLES) AND PARALLEL WITH THE WEST LINE OF SECTION 19 AFORESAID; THENCE NORTH ALONG SAID PARALLEL LINE 294.60 FEET, THENCE WEST ALONG A LINE DRAWN AT RIGHT ANGLES TO LAST DESCRIBED LINE 502.90 FEET TO A POINT ON THE FIRST DESCRIBED PARALLEL LINE, THENCE SOUTH 309.60 FEET, MORE OR LESS, TO THE POINT BEGINNING IN COOK COUNTY, ILLINOIS.

LOT 3 IN HAWTHORN CENTER FOR INDUSTRY, A SUBDIVISION OF PART OF THE NORTHWEST FRACTIONAL  $\frac{1}{4}$  OF SECTION 19, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 11, 1974 AS DOCUMENT 22682660, IN COOK COUNTY, ILLINOIS.

PROPERTY INDEX NUMBERS: 12-19-100-115 AND 12-19-100-116

Commonly known as 1055 Sesame Street, Bensenville, IL 60106.

Heartland Bank and Trust Company of 401 N. Hershey Road, Bloomington, IL 61702 is the owner and DSP Acquisitions LLC of 3350 W Hubbard Street Ste 222 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 February 6, 2018 until 5:00 P.M.

Office of the Village Clerk  
Village of Bensenville

**TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT  
January 18, 2018**

For Office Use Only

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

COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: 1055 Sesame Street

Property Index Number(s) (PIN): 12-19-100-115, 12-19-100-116

A. OWNER:

Heartland Bank and Trust Company

Name

Corporation (if applicable)

as Successor Trustee to Western Springs National Bank and Trust, Trust # 3860

Street

(and undisclosed beneficiaries thereunder)

City

State

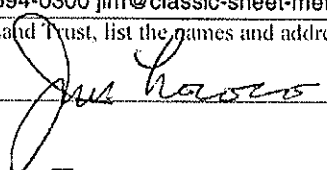
Zip Code

Contact Person

Telephone Number & Email Address

Jim Lococo 630-694-0300 jim@classic-sheet-metal.com

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

Owner Signature: 

Date: 1-5-2018

B. APPLICANT: ☐ Check box if same as owner

Howard Wedren

DSP Acquisitions LLC

Name

Corporation (if applicable)

3350 West Hubbard Street Suite 222

Street

Chicago

IL

60515

City

State

Zip Code

Howard Wedren

312-322-0704 howard@daytonstreetllc.com

Contact Person

Telephone Number & Email Address

Contract Purchaser

Relationship of Applicant to subject property

Applicant Signature: Howard Wedren

Digitally signed by Howard Wedren  
Date: 2018.01.04 17:28:30 -06'00'

Date: 1/8/18

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)**

Application for consolidation of the subject properties into one property, site plan/elevation/rendering approval, preliminary engineering, variance for 12' truck stall

widths

**D. PROJECT DATA:**

1. General description of the site: Properties located at 1055 Sesame Street and the property to the immediate north off of Podlin Drive

2. Acreage of the site: 6.75 Building Size (if applicable): 116,294

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, elevations, rendering

5. Character of the site and surrounding area:

	Zoning	Existing Land Use	Jurisdiction
Site:	<u>I-4</u>	<u>Manufacturing/Distribution</u>	<u>Bensenville</u>
North:	<u>I-4</u>	<u>Manufacturing/Distribution</u>	<u>Bensenville</u>
East:	<u>I-4</u>	<u>Manufacturing/Distribution</u>	<u>Bensenville</u>
South:	<u>I-4</u>	<u>Manufacturing/Distribution</u>	<u>Bensenville</u>
West:	<u>I-4</u>	<u>Manufacturing/Distribution</u>	<u>Bensenville</u>

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

**ARCHITECT**

Name: Cornerstone Architects

Telephone: 630.773.8363

Email: mjb@cstonearchitects.com

**ENGINEER:**

Name: CAGE Engineering

Telephone: 630.598.0007

Email: mschumacher@cagecivil.ca

**ATTORNEY**

Name: Brett Feinberg Barrack Ferrazza

Telephone: 312-629-5168

Email: brett.feinberg@bkfn.com

**OTHER**

Name: ARCO/Murray GC

Telephone: 331.903.2249

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."

January 8, 2018

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

RE: Dayton Street Partners 1055 Sesame Street 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: Howard Wedren, Dayton Street Partners  
Michael Schack, Dayton Street Partners





### STAFF REPORT

**HEARING DATE:** February 6, 2018  
**CASE #:** 2018 – 02  
**PROPERTY:** 1055-65 Sesame St. /491 Podlin Dr.  
**PROPERTY OWNER:** Heartland Bank and Trust Company  
**APPLICANT:** DSP Acquisitions  
**SITE SIZE:** 6.75 acres  
**BUILDING SIZE:** 116,294 SF  
**PIN NUMBERS:** 12-19-100-091, 12-19-100-115, and 12-19-100-116  
**ZONING:** I – 4 General Industrial  
**REQUEST:** 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 January 18, 2018. A Certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.
2. Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on Thursday January 18, 2018.
3. On Thursday January 18, 2018, 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 proposing to purchase the vacant lots at the end of Podlin Dr. and consolidate with 1055-65 Sesame St. They will demolish the existing building and construct an 116,294 SF industrial facility. They need a Variation to reduce the loading dock width from 14 ft. to 12 ft. A Plat of Consolidation and Site Plan Review including architecture is also sought.

### **SURROUNDING LAND USES:**

	<b>Zoning</b>	<b>Land Use</b>	<b>Comprehensive Plan</b>	<b>Jurisdiction</b>
<b>Site</b>	I – 4	Industrial/Vacant	Industrial	Village of Bensenville
<b>North</b>	I – 4	Industrial	Industrial	Village of Bensenville
<b>South</b>	I – 4	Industrial	Industrial	Village of Bensenville
<b>East</b>	I – 4	Industrial	Industrial	Village of Bensenville
<b>West</b>	I – 4	Industrial	Industrial	Village of Bensenville

**DEPARTMENT COMMENTS:**

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

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

Finance:

No issues.

Police:

No issues.

Engineering and Public Works:

Engineering

- 1) Although the parcel is located within Cook County portion of the Village limits, the project will be reviewed under the DuPage County Stormwater and Floodplain Ordinance (DCSFO) since the Village is concurrently working on opting out of the MWRD WMO. Village is hopeful of executing an inter-governmental agreement with MWRD prior to approval of final engineering.
- 2) A DuPage County Stormwater Management Certification will be required for this project as the total land disturbing activity exceeds 5,000 SF.
- 3) Stormwater detention is required per the DCSFO for this development. The southern parcel was impervious prior to the existence of the DCSFO; therefore, the detention is not required for this portion of the site. The preliminary plans depict two detention basins on site. The proposed plan also takes into account of offsite drainage flows that are currently passing through the site.
- 4) All other applicable requirements of the DCSFO shall be met including Best Management Practices (BMP).
- 5) IEPA-NPDES permit will be required due to site disturbance exceeding over 1-acre.
- 6) Per the preliminary stormwater report, the site does not contains floodplains or wetlands.
- 7) Per village code, entirely remove the existing foundations.
- 8) The preliminary plan identifies re-use of the existing water service. Given the age of the existing building, it is my recommendation to disconnect all existing watermain/sanitary service taps at the main and install new water and sewer taps.
- 9) A sanitary inspection manhole will be required on the proposed sanitary service. An exterior drop connection may be necessary depending on the proposed inverts.
- 10) More detail utility review will be done during final design engineering stage.
- 11) All driveway aprons to be constructed using Portland Cement Concrete per Village standard.
- 12) ADA compliant public sidewalk will be required along the entire frontage of the site on Sesame St. The kink in the sidewalk will need to be straightened.
- 13) Per previous discussions with the applicant, the Village has expressed its desire to improve Podlin Drive (northern entrance to proposed building) to industrial roadway

standards. The funding for the roadway improvements may be established via Special Service Area (SSA) in the future.

- 14) A plat of consolidation will be required. Stormwater management easements will be necessary over proposed detention basins as well as any parking/dock areas designated to hold stormwater detention.
- 15) The offsite drainage area that is being routed into pipes through the site will require a 10-foot storm sewer easement through the site. The easement shall be granted to the Village of Bensenville. The proposed storm sewer will remain a privately maintained storm sewer by the applicant, if and until the Village constructs roadway improvements on Podlin Dr.

The Village's stormwater consultant provides the following comments regarding stormwater management on the site.

- 1) The proposed improvements include more than 25,000 square feet of new impervious area; therefore, stormwater detention will be required. The preliminary plans include stormwater detention to be provided onsite. The volume of detention provided appears to meet the ordinance requirements; however, additional information regarding the discharge and volume provided in each pond shall be provided as part of the final engineering submittal.
- 2) Offsite tributary flows must be maintained and accounted for in the design. The DuPage County ordinance (Section 15-73.A.2) requires an overflow conveyance system be designed to convey a minimum design rate of 1-cfs/acre multiplied by the entire upstream drainage area. Please revise the overflow conveyance system to comply with this requirement and confirm the downstream conveyance system has sufficient capacity to accept these flows.
- 3) All other applicable requirements of the DCSFO shall also be met including Best Management Practices (BMP). The Stormwater Management Summary indicates that native plantings will be provided within the proposed detention basins. Please show the native planting area and details for the BMP on the final engineering plans.
- 4) Please include contour information on the "Regional Drainage Exhibit – Existing Conditions" and confirm the off-site tributary area. We note that the east side of Podlin Drive and portions of the properties on County Line Road appear to drain towards the proposed project site. The Village intends to improve Podlin Drive and direct the roadway drainage to the proposed storm sewer carrying offsite flows. Additionally, please verify the time of concentration calculations account for any existing channel flow.
- 5) As part of the final engineering stormwater submittal, please include exhibits showing the tributary area to each outfall in the existing and proposed conditions.
- 6) We note that a wetland determination was performed for the proposed project. Based on the exhibits provided, it appears that only the south parcel was evaluated. Please verify the limits of the wetland determination included the entire project area. Additionally we note that the wetland determination was performed outside the growing season. An updated determination will be required for the entire project site during the growing season prior to approval of the final engineering plans, which should include the three criteria for evaluating wetlands/Waters (Hydrophytic vegetation, hydric soils, and hydrology).
- 7) The wetland Consultant for the project should verify whether DuPage County wetland staff will field verify wetlands/Waters in Cook County.

#### Public Works

No comments.

#### Community & Economic Development:

##### Economic Development:

- 1) Economic development is generally supportive of the project.
- 2) This will remove an older property and create approximately 115,000 square feet of new construction, increasing the property's EAV.
- 3) Bensenville industrial vacancy rate is 5.7% as of May 2017.
- 4) Although the building is speculative, we can safely assume that the building will quickly attract tenants, providing prospective jobs for Bensenville residents.
- 5) This proposed redevelopment could spur additional redevelopment/investment in the Eastern Business District generally and in its Cook County portion in particular.

##### Fire Safety:

No comments.

##### Building:

No comments at this time.

##### Planning:

- 1) The 2015 Comprehensive Plan indicates "Industrial" for this property.
- 2) The property is in the Eastern Business District as described in the CEDS and Comprehensive Plan.
- 3) A major theme throughout the Comprehensive Plan is lot consolidation.
- 4) Dock Width variation from 14 feet to 12 feet is a standard request. Staff has recommended a 12' width in the draft Zoning Ordinance currently under staff review.
- 5) No signage plan was submitted. All signage should meet the Municipal Code.
- 6) No landscape plan was submitted. All landscape and screening shall meet or exceed the Municipal Code standards.

##### Site Plan

- 1) The building is set up to be divisible, most likely up to four separate units.
- 2) The two offset parcels, once combined, leave two nice spaces to create detention areas.
- 3) There are 97 standards parking stalls and five ADA stalls provided.

##### Architecture

- 1) The building is precast concrete with varying different shades of grey to break up façade.
- 2) The northwest and southwest elevations have glass features on the corner. Staff would like consideration to increase the glass areas to cover the "second" story.

#### **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.*

<b>Variances Approval Criteria</b>	<b>Meets Criteria</b>	
	<i>Yes</i>	<i>No</i>
1. Special Circumstances	X	
2. Hardship	X	
3. Circumstances relate to the Property	X	
4. Not Resulting from Applicant Actions	X	
5. Preserve Rights Conferred By District	X	
6. Necessary for the Use of the Property	X	
7. Not Alter Local Character	X	
8. Consistent with Title and Plan	X	
9. Minimum Variance Needed	X	

### **RECOMMENDATIONS:**

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variance, Plat of Consolidation and Site Plan Review for DSP Acquisitions, 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. Work with Village engineers on plan for water and sewer connections; and
4. An ADA compliant public sidewalk will be required along the entire frontage of the site on Sesame St. The kink in the sidewalk will need to be straightened; 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.
7. Work with staff on the final architecture plan.

Respectfully Submitted,  
Department of Community  
& Economic Development





DSP

**ARCO** DAYTON STREET  
MURRAY PARTNERS  
| DESIGN BUILD

©CORNERSTONE ARCHITECTS LTD. 2018

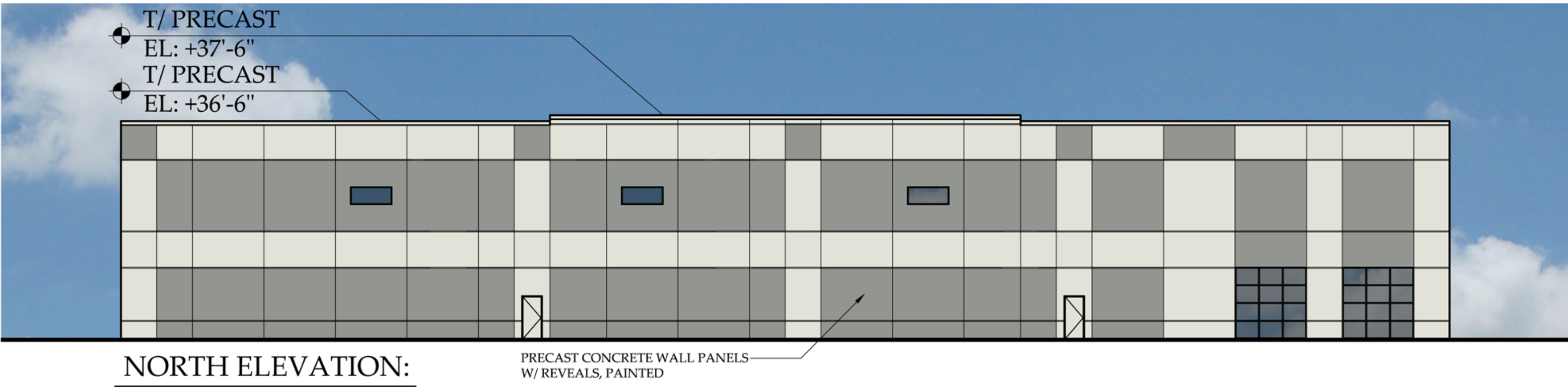
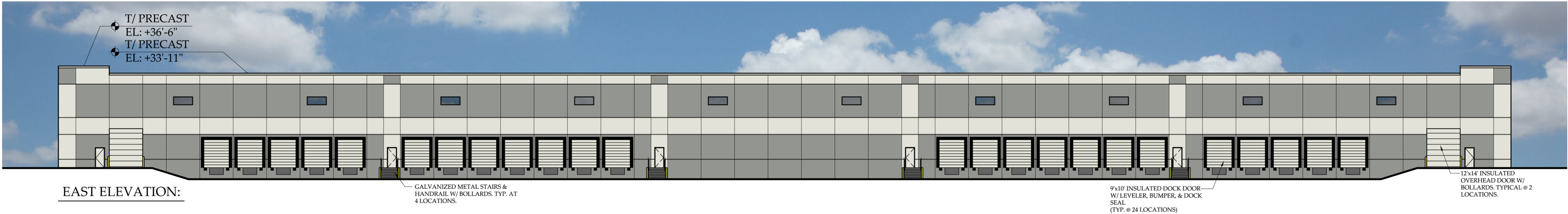
## PROPOSED FACILITY


1055-1065 SESAME STREET -- BENSENVILLE, ILLINOIS

JANUARY 3, 2018 #17022

 **Cornerstone**  
Architects Ltd.





ELEVATIONS:   
SCALE: 1/16" = 1'-0" 0 8 16 32 FEET

# PROPOSED FACILITY

1055-1065 SESAME STREET -- BENSENVILLE, ILLINOIS

JANUARY 3, 2018 #17022



DAYTON STREET  
PARTNERS

**ARCO**  
MURRAY

DESIGN BUILD

©CORNERSTONE ARCHITECTS LTD. 2018



**Cornerstone**  
Architects Ltd.



INGRESS/EGRESS EASEMENTS  
PER DOCUMENT 1621421  
(ROW 66')





PLAT OF RESUBDIVISION  
DSP REDEVELOPMENT SUBDIVISION, BENSENVILLE, ILLINOIS  
BEING A RESUBDIVISION OF PARTS OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 19,  
TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

PARCEL 1:

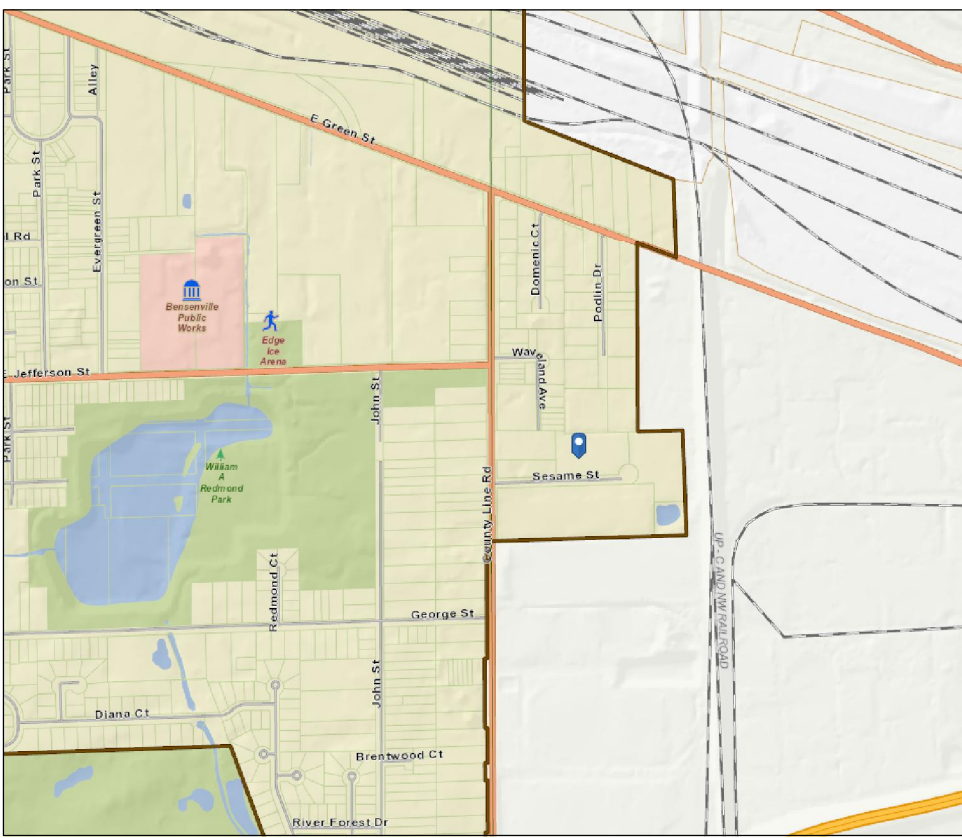
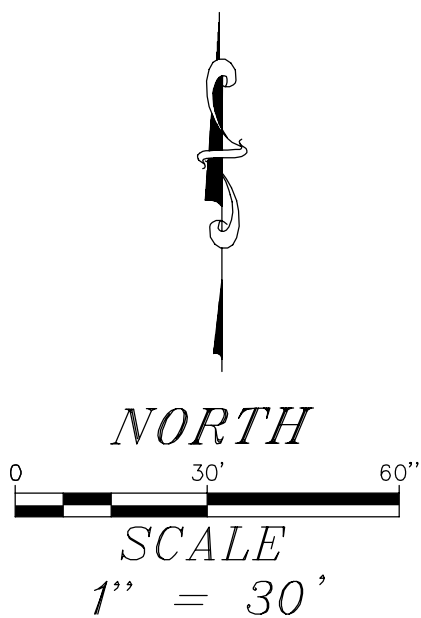
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THENCE SOUTH 309.60 FEET, MORE OR LESS, TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOT 3 IN HAWTHORN CENTER FOR INDUSTRY, A SUBDIVISION OF PART OF THE NORTHWEST FRACTIONAL 1/4 OF SECTION 19, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE  
THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 11, 1974 AS DOCUMENT 22682660, IN COOK COUNTY, ILLINOIS.

PARCEL 3: (NOT SHOWN)

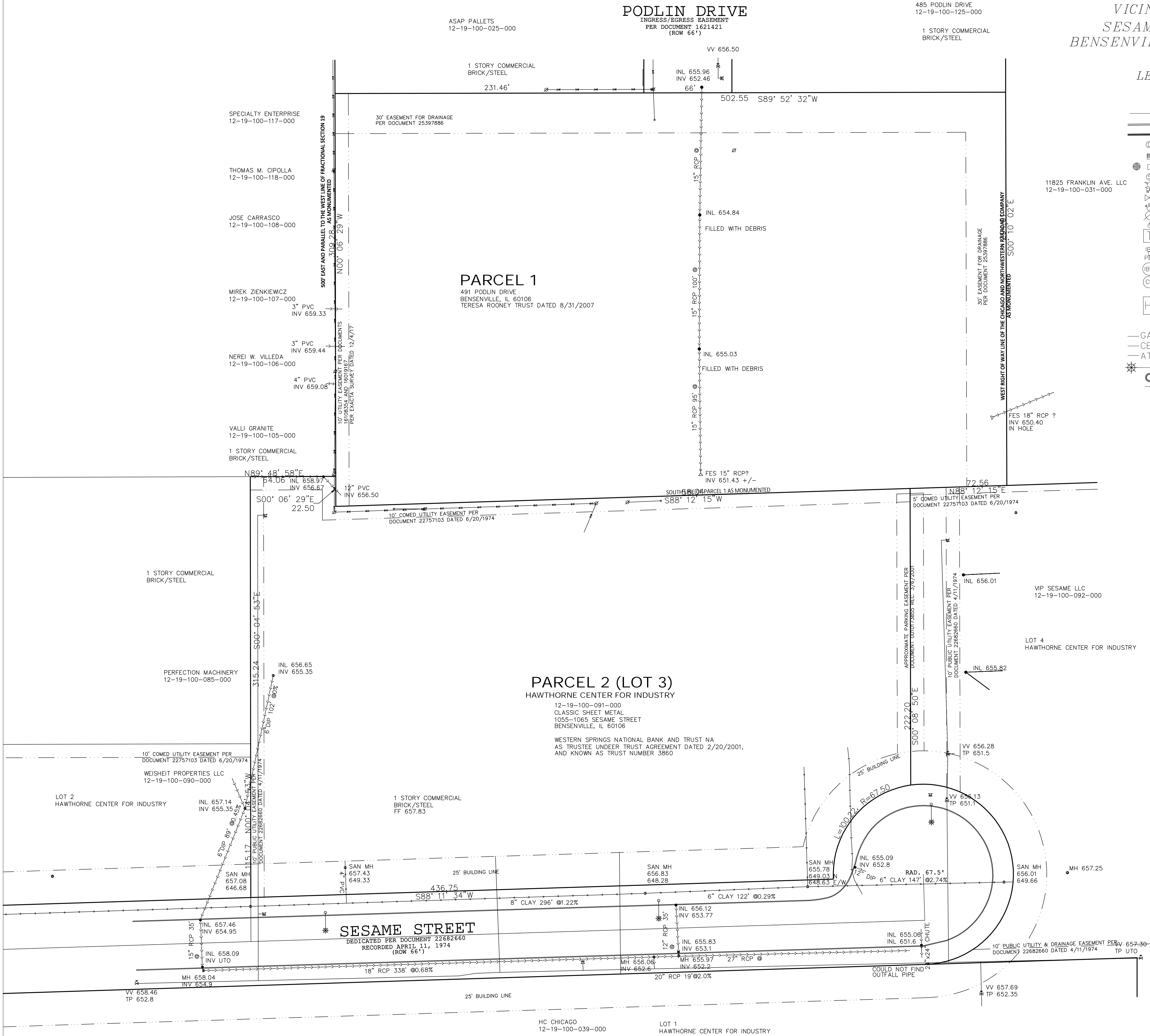
EASEMENTS FOR THE BENEFIT OF PARCEL 1 AS CREATED BY MAINTENANCE AGREEMENT AND GRANT OF EASEMENTS RECORDED DECEMBER 26, 1978 AS DOCUMENT  
24778114 FOR COMMON USAGE FOR RAILROAD SIDE TRACKS AND STORM WATER DETENTION PURPOSES AND INGRESS AND EGRESS TO MAINTAIN SAME OVER LOT 5 IN  
AFORESAID SUBDIVISION.



VICINITY MAP  
SESAME STREET  
BENSENVILLE, IL 60106

LEGEND

- = PROPERTY LINE
- = CURB & GUTTER
- = DEPRESSED CURB
- = STORM MANHOLE
- = INLET
- = CATCH BASIN
- = SANITARY MANHOLE
- = FIRE HYDRANT
- = VALVE VAULT
- = VALVE BOX
- = POWER POLE
- = GUY WIRE
- = TRANSFORMER
- = PHONE PEDESTAL
- = IBT MANHOLE
- = CE MANHOLE
- = HAND HOLE
- GAS — = GAS LINE
- CE — = COMED LINE
- ATT — = ATT LINE
- = LIGHT POLE
- = BOLLARD
- = SIGN
- FPK = FOUND PK
- FIR = FOUND IRON ROD
- FIP = FOUND IRON PIPE
- SIP = SET IRON PIPE



BENCHMARKS (NAVD 88)  
ME1681 NGS - 658.61' 3.5" BRASS DISK IN THE NWX OF THE  
CONCRETE HEADWALL ON SOUTH SIDE GRAND AVENUE, 0.1' MILE WEST  
OF COOK-DUPAGE COUNTY LINE (MT. PROSPECT ROAD)

BM1 - XXXX' TAG BOLT ON FIRE HYDRANT  
LOCATED AT THE

BM2 - XXXX' TAG BOLT ON FIRE HYDRANT  
LOCATED AT THE

BM3 - XXXX' TAG BOLT ON FIRE HYDRANT  
LOCATED AT THE

BASIS OF BEARING IS STATE PLANE COORDINATES

AREA

PARCEL 1 - 151789.3 SQ. FT. 3.485 AC. +/-

PARCEL 2 - 142248.1 SQ. FT. 3.265 AC. +/-

TOTAL - 294037.4 SQ. FT. 6.75 AC. +/-

ZONING - R1 GENERAL INDUSTRIAL

FLOOD CERTIFICATE

IT IS ALSO CERTIFIED THAT BASED UPON EXAMINATION OF THE F.E.M.A  
MAPS, IT HAS BEEN DETERMINED THAT THE LAND SURVEYED LIES  
WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 1% ANNUAL  
CHANCE FLOODPLAIN, ALL AS PORTRAYED ON FLOOD INSURANCE RATE  
MAPS COMMUNITY-PANEL NO. 170100390, EFFECTIVE DATED AUGUST  
19, 2008.

SURVEYOR'S NOTES

EASEMENTS PER DOC. # 22757103 REC. 6/20/1974, NOT SHOWN OFFSITE

EASEMENTS PER DOC. # 24778114 REC. 12/26/1978, NOT SHOWN OFFSITE

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS }  
COUNTY OF LAKE }

THIS IS TO CERTIFY THAT SURVEY SERVICES HAS MADE A SURVEY ON THE GROUND OF THE  
ABOVE DESCRIBED PROPERTY UNDER THE DIRECTION OF AN ILLINOIS PROFESSIONAL LAND  
SURVEYOR AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS  
MINIMUM STANDARDS FOR A BOUNDARY SURVEY.  
ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.  
GIVEN UNDER MY HAND AND SEAL AT CARY, ILLINOIS THIS 4TH DAY  
OF JANUARY A.D., 2018

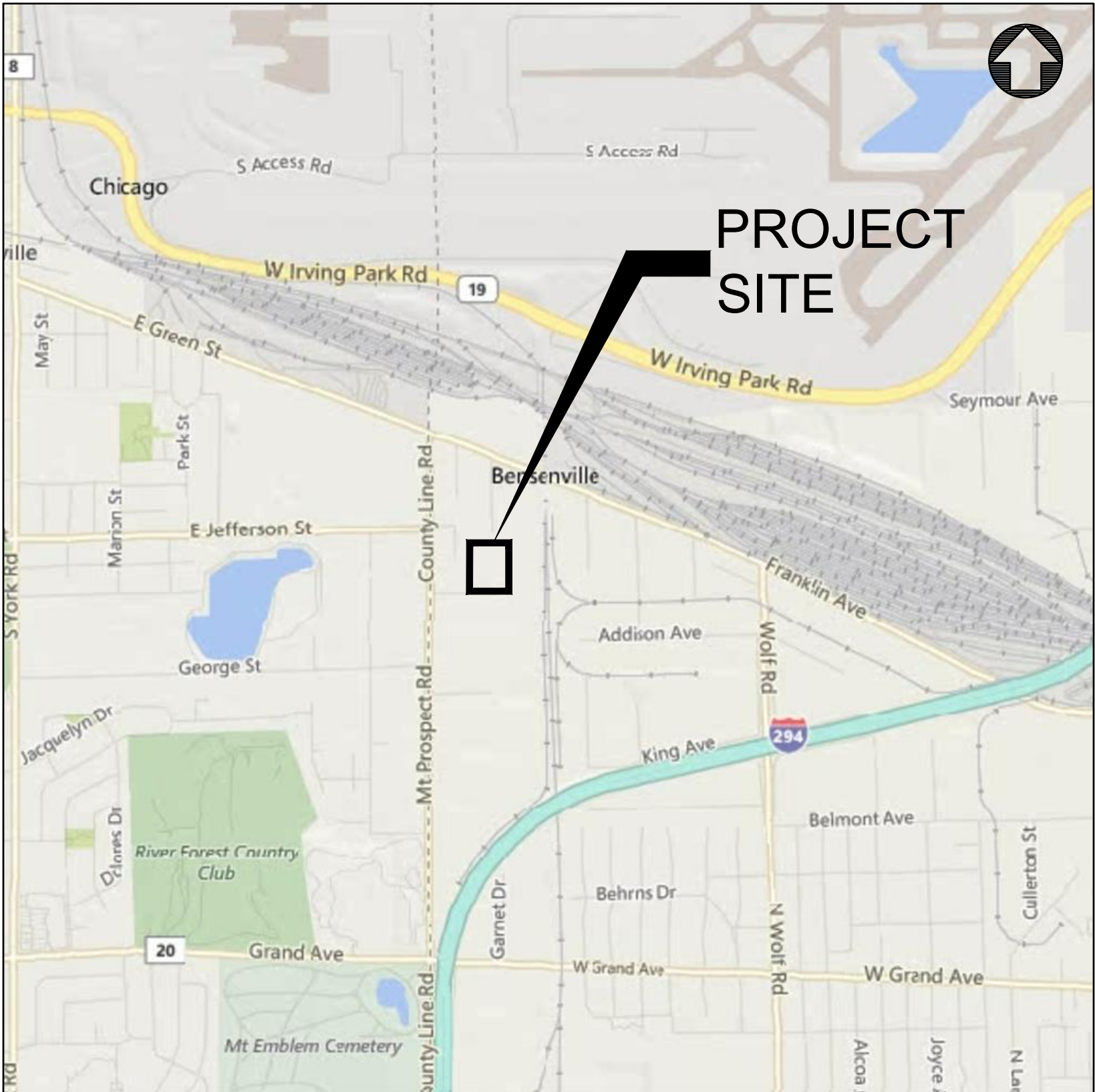
PATRICK D. BANKS  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003171  
LICENSE EXPIRES 11/30/2018

REVISIONS		SURVEY SERVICES 24165 N. RIVERSIDE DR. CARY, ILLINOIS 60013 (847) 462-9830 FAX (847) 462-9831
DATE	DESCRIPTION	
SHEET: 1 OF 2		PROJECT 2017-11
DRAWN BY: PDB	CHECKED BY: PDB	PLAT DATE DATE 1/4/2018



PRELIMINARY ENGINEERING FOR  
**1055 SESAME ST.**  
BENSENVILLE, IL

LOCATION MAP



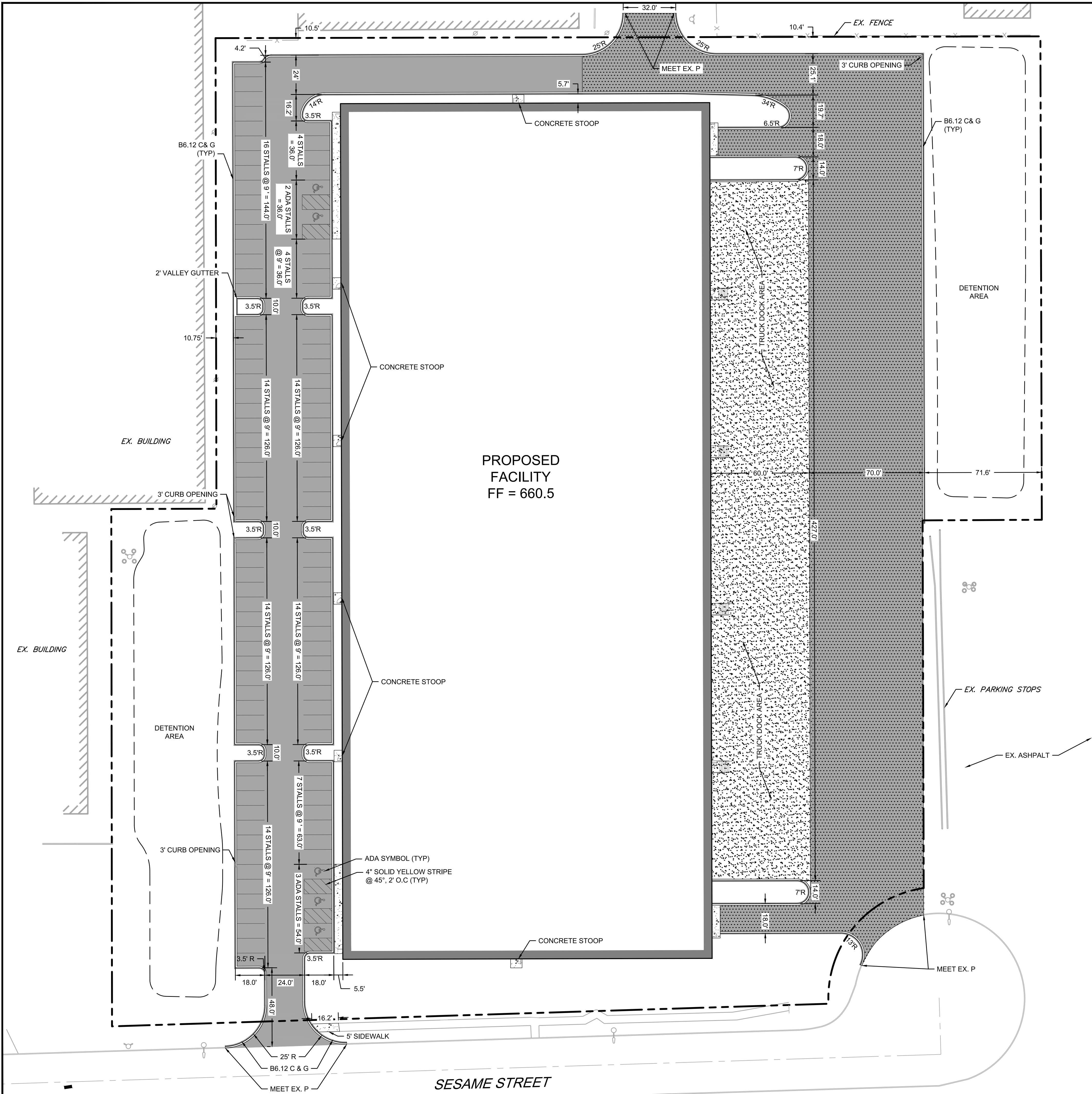
SECTION 19, TOWNSHIP 40N, RANGE 12E

INDEX OF SHEETS

- C0.0 - SITE LOCATION MAP & CIVIL LEGEND
- C1.0 - PRELIMINARY SITE LAYOUT PLAN
- C2.0 - PRELIMINARY GRADING PLAN
- C3.0 - PRELIMINARY UTILITY PLAN

EXISTING LEGEND	PROPOSED LEGEND
EXISTING TREE	CURB & GUTTER
CURB & GUTTER	REVERSE PITCH CURB & GUTTER
EXISTING BUILDING	DEPRESSED CURB & GUTTER
PCC SIDEWALK	PROPOSED BUILDING
GAS SERVICE	PCC SIDEWALK
ELECTRIC SERVICE	STANDARD DUTY BITUMINOUS PAVEMENT
STORM SEWER	HEAVY DUTY BITUMINOUS PAVEMENT
SANITARY SEWER	HEAVY DUTY PCC PAVEMENT
WATER MAIN	GAS SERVICE
CABLE LINE	ELECTRIC SERVICE
OVERHEAD UTILITY LINE	STORM SEWER
COMMUNICATION LINE	SANITARY SEWER
FIBER OPTIC LINE	WATER MAIN
FENCE	FENCE
STORM INLET	STORM INLET
STORM MANHOLE	STORM MANHOLE
STORM CATCH BASIN	STORM CATCH BASIN
SANITARY MANHOLE	SANITARY MANHOLE
CLEANOUT	WATER METER
WATER METER	VALVE VAULT
VALVE VAULT	VALVE BOX
VALVE BOX	HYDRANT
HYDRANT	PARKING LOT LIGHT
PARKING LOT LIGHT	FLOW ARROW
UTILITY POLE	OVERLAND FLOOD ROUTE
GUY WIRE	TOP OF SIDEWALK GRADE
MAJOR CONTOUR	TOP OF CURB GRADE
MINOR CONTOUR	PAVEMENT GRADE
	GROUND GRADE
	MAJOR CONTOUR
	MINOR CONTOUR





PAVEMENT LEGEND	
	PCC SIDEWALK
	STANDARD DUTY BITUMINOUS PAVEMENT
	HEAVY DUTY BITUMINOUS PAVEMENT
	HEAVY DUTY PCC PAVEMENT

PARKING SUMMARY:	
STANDARD STALLS	97
ADA STALLS	5
TOTAL STALLS PROVIDED	102

P: 630.598.0007  
WWW.CACECIVIL.COM

DESIGN BUILD

DAYTON STREET  
PARTNERS

REVISIONS

1055 SESAME ST.

1055 SESAME ST.  
BENSENVILLE, IL

PROJ NO: 170048

ENG : AMS

DATE : 01/03/18

SHEET TITLE

PRELIMINARY  
SITE LAYOUT  
PLAN

SHEET NUMBER

C1.0

OF 4







