# COMMUNITY DEVELOPMENT COMMISSION <br> Village of Bensenville <br> VILLAGE HALL <br> July 6, 2021 6:30 PM 

I. Call Meeting to Order
II. Roll Call and Quorum
III. Pledge of Allegiance
IV. Public Comment
V. Approval of Minutes

June 1, 2021 Community Development Commission Minutes
VI. Action Items:

1. CDC Case 2021-13: Consideration of Variations to Increase Driveway Width and Parking Pad Depth at 138 N Addison Street
2. CDC Case 2021-14: Consideration of a Variation to Allow a Paved Parking Area in the Corner Side Yard at 243 Spruce Avenue
3. CDC Case 2021-18: Consideration of Variations to Increase Driveway Width and Parking Pad at 213 S York Road
4. CDC Case 2021-16: Consideration of Site Plan Review, an Amendment to a Planned Unit Development, and a Final Plat of Subdivision for the Properties Located in the Mohawk Terrace Subdivision
5. CDC Case 2021-17: Consideration of a Planned Unit Development and Zoning Map Amendment to Rezone the Site from C-2 Commercial to R-5 Residential at 1131-39 Center Street
6. Consideration of a Plat of Consolidation at 1000 N IL Rte. 83
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: | SUBMITTED BY: | DEPARTMENT: | DATE: |
| :--- | :--- | :--- | :--- |
| Minutes | Corey Williamsen | Village Clerk's Office | July 6.2021 |

## DESCRIPTION:

June 1, 2021 Community Development Commission Minutes

## SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

## REQUEST:

SUMMARY:

## RECOMMENDATION:

ATTACHMENTS:

| Description | Upload Date | Type |
| :--- | :--- | :--- |
| DRAFT_210601_CDC | $\mathbf{6 / 2 2 / 2 0 2 1}$ | Cover Memo |

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

## MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

June 1, 2021
CALL TO ORDER: The meeting was called to order by Chairman Rowe at 6:30p.m.
ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, King, Marcotte, Wasowicz
Absent: Ciula, Czarnecki
A quorum was present.
STAFF PRESENT: K. Fawell, K. Pozsgay, C. Williamsen

## JOURNAL OF

PROCEEDINGS: The minutes of the Community Development Commission Meeting of the May 4, 2021 were presented.

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

All were in favor. Motion carried.
Senior Village Planner, Kurtis Pozsgay and Village Planner, Kelsey Fawell, were present and sworn in by Chairman Rowe.

## PUBLIC

COMMENT: There was no Public Comment.
Continued
Public Hearing: CDC Case Number 2021-07
Petitioner:
Location:
Jatin Patel
213 West Grand Avenue
Request:
Special Use Permit, Tobacco Shop
Municipal Code Section 10-7-2-1
Motion: Commissioner Marcotte made a motion to re-open CDC Case No. 2021-07. Commissioner Chambers seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, King, Marcotte, Wasowicz
Absent: Ciula, Czarnecki
A quorum was present.
Chairman Rowe re-opened CDC Case No. 2021-07 at 6:33 p.m.
Village Planner, Kelsey Fawell was present and sworn in by Chairman Rowe. Ms. Fawell stated a Legal Notice was published in the Bensenville Independent on April 15, 2021. Ms. Fawell stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community \& Economic Development Department during regular business hours. Ms. Fawell stated Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on April 12, 2021. Ms. Fawell stated on April 12, 2021 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within $250^{\prime}$ of the property in question. Ms. Fawell stated an affidavit of mailing executed by C \& ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community \& Economic Development department during regular business hours.

Ms. Fawell stated the Petitioner is seeking a Special Use Permit to allow a tobacco shop at 213 W Grand Avenue, which is located in a multi-tenant commercial building. Ms. Fawell stated the proposed shop will occupy a $1,300 \mathrm{SF}$ unit and will operate from 9AM - 9PM daily with one employee.

Emin Tuluce, property owner, was present and sworn in by Chairman Rowe. Mr. Tuluce stated he was present on behalf of the petitioner who had a health issues. Mr. Tuluce stated the petitioner operated eighteen other locations and he supports the proposed business moving into his complex.

Chairman Rowe stated he was concerned allowing one employee to operate the space. Mr. Tuluce stated since he has been the property owner, there has been no issues of safety. Mr. Tuluce also stated that should business become overwhelming for one employee, he would assume the petitioner would increase the amount of employees that operate the space at one time.

Commissioner Wasowicz stated the case was continued so that the petitioner could provide additional information to the Commission and that he had failed to do so.

Ms. Fawell shared a map with the Commission detailing other establishments in the area that have a tobacco license.

Commissioner Wasowicz stated he feels the Village of Bensenville has enough tobaccos stores in the area and that nothing new was provided from the last meeting. Commissioner Wasowicz also added that across the street is the City of Elmhurst which also has plenty of opportunities for tobacco sales as well.

## Public Comment

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

Ms. Fawell reviewed the Findings of Fact for the proposed Special Use Permit as presented in the Staff Report consisting of:

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

## Applicant's Response: No, this will be a retail business.

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

## Applicant's Response: Yes, it is compatible with the neighborhood.

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

## Applicant's Response: No, this will not impede any development.

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

## Applicant's Response: No, this business will not require any special facilities.

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

## Applicant's Response: Yes, it is.

Ms. Fawell stated Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Special Use Permit at 213 West Grand Avenue with the following conditions:

1) The Special Use Permit be granted solely to Jatin Patel and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit.

There were no questions from the Commission.
Motion:
Commissioner Chambers made a motion to close CDC Case No. 2021-07. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz
Nays: None
All were in favor. Motion carried.
Chairman Rowe closed CDC Case No. 2021-07 at 6:41p.m.

Motion: Commissioner Chambers made a combined motion to approve the Findings of Fact and Approval a Special Use Permit, Tobacco Shop; Municipal Code Section 10-7-2-1. Chairman Rowe seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte
Nays: Wasowicz
Motion carried.

Public Hearing: Petitioner:

CDC Case Number 2021-12
Adrian Cazares
Location:
386 East Red Oak Street
Request:
Variation, Maximum Driveway Width
Municipal Code Section 10-8-8-1
Variation, Driveway Parking Pad
Municipal Code Section $10-8-8-\mathrm{G} .3$
Motion: Commissioner Marcotte made a motion to open CDC Case No. 2021-12. Commissioner Wasowicz seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, King, Marcotte, Wasowicz
Absent: Ciula, Czarnecki
A quorum was present.
Chairman Rowe opened CDC Case No. 2021-12 at 6:43 p.m.
Village Planner, Kelsey Fawell was present and sworn in by Chairman Rowe. Ms. Fawell stated a Legal Notice was published in the Bensenville Independent on May 13, 2021. Ms. Fawell stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community \& Economic Development Department during regular business hours. Ms. Fawell stated Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on May 12, 2021. Ms. Fawell stated on May 12, 2021 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within $250^{\prime}$ of the property in question. Ms. Fawell stated an affidavit of mailing executed by C \& ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community \& Economic Development department during regular business hours.

Ms. Fawell stated the Petitioner is seeking to expand their existing 9 ft -wide driveway to 20 ft , with a length of approximately 80 ft . Ms. Fawell stated the existing driveway leads up to a concrete pad, on which previously sat a garage that has since been razed. Ms. Fawell stated the area between the existing 528SF garage and the concrete pad is unimproved with grass and gravel. Ms. Fawell stated the Petitioner hopes the Variation will alleviate parking availability concerns, as well as prevent future Code violations for parking on unimproved surfaces.

Ms. Fawell stated the Village Zoning Ordinance implements a maximum driveway width of 10 ft for residential uses. Ms. Fawell stated a parking pad the width of the garage served by the driveway is permitted to extend up to 20 ft in depth from the garage doors before tapering back down to the maximum 10 ft width.

Adrian Cazares, property owner, was present and sown in by Chairman Rowe. Mr. Cazares stated he is requesting to expand his driveway from 10 feet to 20 feet. Mr. Cazares stated he has a five bedroom home with drivers in each room. Mr. Cazares stated his neighbors both have wide driveways.

Commissioner Wasowicz asked if the Village is aware of the neighboring properties and if they were provided variances.

Ms. Fawell stated that Staff is unaware of the neighboring properties and that variances are handled on a case by case basis and decisions should not be made on precedence.

Commissioner Marcotte indicated she feels the proposed plans from the petitioner makes the most sense.

## Public Comment

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

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

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

Applicant's Response: It will not endanger the health, safety, comfort, convenience, and general welfare of the public. It's just convenient for the size of household.
2. Compatible with Surrounding Character: The proposed Variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed Variation.

Applicant's Response: It is compatible with the character of adjacent properties to the east and west of the residence. They both have 20' driveways to the street from their garages.
3. Undue Hardship: The proposed Variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: The proposed Variation does indeed alleviate an undue hardship created by the literal enforcement of this title. By the convenience of multiple cars that reside in the address above at 386 E Red Oak Street.
4. Unique Physical Attributes: The proposed Variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: It is necessary since my garage is at the back of the property, the garage is 24 ' wide by 22 , deep. I was not allowed to build a garage adjacent to the house therefore creating a longer driveway. It is very inconvenient to pull cars in and out due to different work schedules.
5. Minimum Deviation Needed: The proposed Variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: 20' from start of garage tapering off to 10 ' is just not feasible for the daily usage of this Variation.
6. Consistent with Ordinance and Plan: The proposed Variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: I've seen similar properties in Bensenville with my proposal. I greatly appreciate your consideration to create a more feasible access to our daily usage and it will look aesthetically better as well.

Ms. Fawell stated Staff recommends the Denial of the above Findings of Fact as they pertain to a Variation for an increase in maximum driveway width, and therefore the Denial of the Variation.

Ms. Fawell stated Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variation for an increase in the area of a driveway parking pad at 386 E Red Oak with the following conditions:

1) The draining pattern shall remain unchanged and the property shall drain toward the rear of the lot. Any alteration in the proposed grading is subject to Village review and approval; and
2) The applicant may pave a pad the width of the garage which connects to the existing concrete slab before tapering back down to the existing driveway width.

There were no further questions from the Commission.
Commissioner Wasowicz made a motion to close CDC Case No. 2021-12. Chairman Rowe seconded the motion.

Ayes: Rowe, Chambers, King, Marcotte, Wasowicz
Nays: None
All were in favor. Motion carried.
Chairman Rowe closed CDC Case No. 2021-12 at 6:57 p.m.
Motion: Commissioner Chambers made a combined motion to approve the Findings of Fact and Approval of a Variation, Maximum Driveway Width; Municipal Code Section 10-8-8-1. Charmian Rowe seconded the motion.

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

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz
Nays: None
All were in favor. Motion carried.
Public Hearing: CDC Case Number 2021-11

Motion: Commissioner Wasowicz made a motion to open CDC Case No.

Petitioner:
Location:
Request:

ML Realty
Mohawk Terrace Subdivision

## Site Plan Review

Municipal Code Section 10-3-2
Final Planned Unit Development
Municipal Code Section 10-4
Plat of Subdivision
Municipal Code Section 11-3
With the following code departures:
Industrial District Parking Location
Municipal Code Section 10 - 6 - 19.B. 4
Outdoor Storage Area
Municipal Code Section 10-7-2-1
Maximum Number of Parking Spaces
Municipal Code Section 10-8-2-B. 6
Maximum Driveway Width
Municipal Code Section 10-8-8-1
Driveway Apron Width
Municipal Code Section $10-8-8-\mathrm{F}$
Tree Replacement Standards
Municipal Code Section 10 - 9 - 2 - B 2021-11. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, King, Marcotte, Wasowicz
Absent: Ciula, Czarnecki
A quorum was present.
Chairman Rowe opened CDC Case No. 2021-11 at 7:01 p.m.
Village Planner, Kelsey Fawell was present and sworn in by Chairman Rowe. Ms. Fawell stated a Legal Notice was published in the Bensenville Independent on May 13, 2021. Ms. Fawell stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community \& Economic Development Department during regular business hours. Ms. Fawell stated Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on May 12, 2021. Ms. Fawell stated on May 12, 2021 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within $250^{\prime}$ of the property in question. Ms. Fawell stated an affidavit of mailing executed by C \& ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community \& Economic Development department during regular business hours.

Ms. Fawell stated in November of 2020, the Owners appeared before the Community Development Commission and Village Board of Trustees, seeking approval of the following requests: Preliminary Plat of Subdivision, rezoning from residential to industrial, Site Plan Review, and a Preliminary Planned Unit Development with code departures. Ms. Fawell stated these requests, which were conditionally approved by the Village Board, were sought in order to assemble the previously residentiallyzoned properties in the Mohawk Terrace Subdivision (southwest corner of Devon Avenue and Illinois Route 83) into an industrial use business park. Ms. Fawell stated the site plan features four industrial buildings with parking for both trucks and passenger vehicles. Ms. Fawell stated in conjunction with the Preliminary Planned Unit Development that was granted, the Petitioners sought code departures, as certain aspects of the site do not meet the following Village Zoning Ordinance requirements.

Ms. Fawell stated the Owners are now seeking approval of a Final Planned Unit Development. Ms. Fawell stated a new code departure is being sought with the Final PUD: Outdoor Storage Area. Zoning Code considers truck and trailer parking as outdoor storage, and the area is restricted to a certain size, which this development exceeds.

Ms. Fawell stated this Final PUD request is simply for site improvement work, and the Owners will come back through the Public Hearing process for PUD Amendments when they have final plans for each proposed building and that lot's respective landscaping.

Timothy J. Geisler and Jamie Putnam of ML Realty were both present and sown in by Chairman Rowe. Mr. Geisler stated they were both present to answer any questions from the Commission.

There were no questions from the Commission.

## Public Comment

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

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

1. Surrounding Character: The site plan for the proposed development is consistent with the existing character and zoning of adjacent properties and other property within the immediate vicinity of the proposed development.
Applicant's Response: The site is a natural fit for an industrial park and will be consistent with the existing surroundings, which is comprised of industrial, commercial or data centers. The property is surrounded by Devon Avenue to the north, commercial properties and Route 83 to the east, and industrial properties to the west and south. It should be noted that ML Realty Partners and Prologis own most of the industrial buildings adjacent to the property lines on the west and south.
2. Neighborhood Impact: The site plan for the proposed development will not adversely impact adjacent properties and other properties within the immediate vicinity of the proposed development.

Applicant's Response: As the proposed use of the site is harmonious with surrounding properties, the site plan for the proposed development will not adversely impact adjacent properties and other properties within the immediate vicinity of the proposed development. Including the potential to add new jobs to the community, this project will have other direct financial gains to the Village of Bensenville. Currently, Mohawk Terrace generates approximately $\$ 670,000$ in property taxes annually. Once completed and stabilized this park could generate upwards of $\$ 2,000,000$ in property taxes. Additionally, by vacating the streets and right of ways, the Village will also save on road maintenance and snow plowing costs.
3. Public Facilities: The site plan for the proposed development will be provided with adequate utilities, access roads, parking, loading, drainage, stormwater flow paths, exterior lighting, and/or other necessary facilities.

Applicant's Response: All buildings will have ample parking for cars and adequate trailer parking for trucks. The existing subdivision is currently on well and septic systems so the redevelopment will include bringing water and sanitary sewers from the southeast corner of the site. All stormwater will be accounted for and contained on site via underground detention and water feature and released at the required rate. All new franchise utilities (ComEd, Nicor, AT\&T, etc.) will be installed underground for the new park. The curb cuts have been designed by a traffic engineer to account for traffic flow, separation of cars and trucks, adjacent driveways, and existing grades. The final locations of the curb-cuts will ultimately be up to the County on Devon Avenue and IDOT on Route 83.
4. Environmental Preservation: The site plan for the proposed development is designed to preserve the environmental resources of the zoning lot.

Applicant's Response: To enhance the aesthetics and create some amenities within the park we have increased green space areas from the I-2 zoning requirements. While we do fall short for the total number of trees required to be replaced for the large established residential subdivision, our landscape plan will exceed the code required plantings for any typical industrial developments. We have come to a fee-in-lieu agreement
with the Village. A water feature has been included at the park entry on Route 83 to showcase this first-class industrial park.
5. On-site Pedestrian Circulation System: The site plan shall accommodate on-site pedestrian circulation from parking areas, plazas, open space, and public rights-of-way. Pedestrian and vehicular circulation shall be separated to the greatest extent possible.

Applicant's Response: We have included public sidewalks along both Devon Avenue and Route 83 to provide safe access to the Pace Bus Stop which is located at the southeast corner of the site. Additionally, we have included walking paths and sidewalks west of building 1 , in the center median between buildings 2 and 3 , and along the access drive south of buildings 3 and 4 to tie into all public walks. A water feature has been included at the park entry on Route 83 to showcase this first-class industrial park.
6. Vehicle Ingress and Egress: The site plan shall locate curb cuts for safe and efficient ingress and egress of vehicles. The use of shared curb cuts and cross-access easements shall be provided when appropriate.

Applicant's Response: The curb cuts have been designed by a traffic engineer to account for traffic flow, separation of cars and trucks, adjacent driveways, and existing grades.
7. Architectural Design: The site plan for the proposed development includes architectural design that contributes positively to the Village's aesthetic appearance.

Applicant's Response: We will formally apply for a final approval of each individual building, however, this application is for the construction of site infrastructure and mass grading. The previously approved Preliminary PUD included the four proposed buildings. All will have rear loading and will be constructed on a speculative basis meaning they do not have any specific tenants at this time. The buildings are designed for maximum flexibility and could be leased to tenants from 40,000 SF to $350,000 \mathrm{SF}$. We have included architectural elements constructed from glass, aluminum and precast at the corner entries and at
the center entry of the buildings. All buildings will have ample parking for cars and adequate trailer parking for trucks.
8. Consistent with Title and Plan: The site plan for the proposed development is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The site plan for the proposed development is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Ms. Fawell reviewed the Findings of Fact for Planned Unit Developments as presented in the Staff Report consisting of:

1) Comprehensive Plan: The proposed planned unit development fulfills the objectives of the Comprehensive Plan, and other land use policies of the Village, through an innovative and creative approach to the development of land.
Applicant's Response: The site plan for the proposed development is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village. Below responses should reflect the innovative and creatives approaches our team has taken in our proposal. The site is a natural fit for an industrial park and will be consistent with the existing surroundings, which is comprised of industrial, commercial or data centers. The property is surrounded by Devon Avenue to the north, commercial properties and Route 83 to the east, and industrial properties to the west and south. It should be noted that ML Realty Partners and Prologis own most of the industrial buildings adjacent to the property lines on the west and south.
2) Public Facilities: The proposed planned unit development will provide walkways, driveways, streets, parking facilities, loading facilities, exterior lighting, and traffic control devices that adequately serve the uses within the development, promote improved access to public transportation, and provide for safe motor vehicle, bicycle, and pedestrian traffic to and from the site.

Applicant's Response: We have included public sidewalks along both Devon Avenue and Route 83 to provide safe access to the Pace Bus Stop which is located at the southeast corner of the site. Additionally, we have included walking paths and sidewalks west of building 1 , in the center median between buildings 2 and 3 , and along the access drive south of buildings 3 and 4 to tie into all public walks. We are requesting that we relocate the existing full access curb-cuts and add new full access curb cuts along Devon Avenue and plan on utilizing the existing full access at Route 83. The curb cuts have been designed by a traffic engineer to account for traffic flow, separation of cars and trucks, adjacent driveways, and existing grades. The final locations of the curb-cuts will ultimately be up to the County on Devon Avenue and IDOT on Route 83.
3) Landscaping and Screening: The proposed planned unit development will provide landscaping and screening that enhances the Village's character and livability, improves air and water quality, reduces noise, provides buffers, and facilitates transitions between different types of uses.

Applicant's Response: To enhance the aesthetics and create some amenities within the park we have increased green space areas from the $\mathbf{I}-2$ zoning requirements. While we do fall short for the total number of trees required to be replaced for the large established residential subdivision, our landscape plan will exceed the code required plantings for any typical industrial developments. A separate Memorandum of Understanding was agreed to between the Village and the Petitioner providing a payment of $\$ 200,000$ into the Villages Tree Fund in lieu of providing all of the required trees. We have included public sidewalks along both Devon Avenue and Route 83 to provide safe access to the Pace Bus Stop which is located at the southeast corner of the site. Additionally, we have included walking paths and sidewalks west of building 1 , in the center median between buildings 2 and 3, and along the access drive south of buildings 3 and 4 to tie into all public walks. A water feature has been included at the park entry on Route 83 to showcase this first-class industrial park.
4) Site Design: The proposed planned unit development will incorporate sustainable and low impact site design and development principles.

Applicant's Response: We will formally apply for a final approval of each individual building, however, this application is for the construction of site infrastructure and mass grading. The previously approved Preliminary PUD included the four proposed buildings. All will have rear loading and will be constructed on a speculative basis meaning they do not have any specific tenants at this time. The buildings are designed for maximum flexibility and could be leased to tenants from $\mathbf{4 0 , 0 0 0} \mathrm{SF}$ to $\mathbf{3 5 0 , 0 0 0} \mathrm{SF}$. We have included architectural elements constructed from glass, aluminum and precast at the corner entries and at the center entry of the buildings. All buildings will have ample parking for cars and adequate trailer parking for trucks.
5) Natural Environment: The proposed planned unit development will protect the community's natural environment to the greatest extent practical, including existing natural features, water courses, trees, and native vegetation.

Applicant's Response:. To enhance the aesthetics and create some amenities within the park we have increased green space areas from the I-2 zoning requirements. While we do fall short for the total number of trees required to be replaced for the large established residential subdivision, our landscape plan will exceed the code required plantings for any typical industrial developments. A water feature has been included at the park entry on Route 83 to showcase this first-class industrial park.
6) Utilities: The proposed planned unit development will be provided with underground installation of utilities when feasible, including electricity, cable, and telephone, as well as appropriate facilities for storm sewers, stormwater retention, and stormwater detention.

Applicant's Response: The existing subdivision is currently on well and septic systems so the redevelopment will include bringing water and sanitary sewers from the southeast corner of the site. All stormwater will be accounted for and contained on site via underground detention and water feature and released at the required rate. All new franchise utilities
(ComEd, Nicor, AT\&T, etc.) will be installed underground for the new park.

Ms. Fawell stated Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Site Plan Review.

Ms. Fawell stated Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Final Planned Unit Development with the following conditions:

1. All conditions of approval required of the Preliminary Planned Unit Development (Ord. No. 66-2020) are consequently conditions of approval of the Final Planned Unit Development; and
2. No grading work shall commence until a Plat of Vacation, subject to Village review and approval, is recorded; and
3. The water main infrastructure is subject to Village review and approval; and
4. The code departure for Outdoor Storage, Municipal Code Section 10-7-2-1 is granted; and
5. The center landscape spine between buildings 2 and 3 be increased from 21 feet to 26 feet; and
6. To the fullest extent possible of the Owners/Petitioner, the Wood Dale Park District Property shall feature infrastructure improvements to promote the use of the future employees of the subject site; and
7. The Owners/Petitioner are required to seek approval of Amendments to the Planned Unit Development for building plans and their respective landscape plans.

There were no further questions from the Commission.
Motion:
Commissioner Wasowicz made a motion to close CDC Case No. 2021-11. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz
Nays: None
All were in favor. Motion carried.
Chairman Rowe closed CDC Case No. 2021-11 at 7:10 p.m.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of the Site Plan Review.
Commissioner Marcotte seconded the motion.
ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz
Nays: None
All were in favor. Motion carried.
Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of the Final Planned Unit Development with Staff Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz
Nays: None
All were in favor. Motion carried.

## Report from

 Community Development:Ms. Fawell reviewed both recent CDC cases along with upcoming cases.

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

All were in favor. Motion carried.
The meeting was adjourned at 7:13 p.m.

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## DESCRIPTION:

CDC Case 2021-13: Consideration of Variations to Increase Driveway Width and Parking Pad Depth at 138 N Addison Street

## SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:



Financially Sound Village
Quality Customer Oriented Services
Safe and Beautiful Village
$\square$
X
Enrich the Lives of Residents Major Business/Corporate Center Vibrant Major Corridors

## REQUEST:

1. Variation, Maximum Driveway Width

Municipal Code Section 10-8-8-1
2. Variation, Driveway Parking Pad

Municipal Code Section 10-8-8-G. 3

## SUMMARY:

1. The Petitioner is seeking Variations in order to pave an existing gravel area in the rear of their lot, increasing the depth of the existing driveway parking pad and the width of the existing 8' driveway.
2. The Village Zoning Ordinance implements a maximum driveway width of 10 ft for residential uses. A parking pad the width of the garage served by the driveway is permitted to extend up to 20 ft in depth from the garage doors before tapering back down to the required 10 ft width.

## RECOMMENDATION:

Staff recommends the Denial of the Findings of Fact and therefore the Denial of the Variations for Maximum Driveway Width and Driveway Parking Pad Depth.

## ATTACHMENTS:

| Description | Upload Date | Type |
| :--- | :--- | :--- |
| Case Cover Page | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Cover Memo |
| Aerial \& Zoning Exhibits | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Backup Material |
| Legal Notice | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Backup Material |
| Application | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Backup Material |
| Staff Report | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Executive Summary |
| Plat of Survey | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Backup Material |
| Driveway Extension Plans | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Backup Material |
| Driveway Extension Plans Zoomed | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Backup Material |

# Community Development Commission <br> Public Hearing 07.06.21 

CDC Case \#2021-13
Ricardo Lopez 138 N Addison Street

Variation, Maximum Driveway Width
Municipal Code Section 10-8-8-1
Variation, Driveway Parking Pad Depth
Municipal Code Section 10-8-8-G. 3

1. Aerial Photograph \& Zoning Map of Subject Property
2. Legal Notice
3. Application
4. Staff Report \& Exhibits
5. Plans


Variation, Maximum Driveway Width Municipal Code Section 10-8-8-1 Variation, Driveway Parking Pad Depth Municipal Code Section 10-8-8-G. 3


## LEGAL NOTICE/PUBLIC NOTICE NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Meeting of the Community Development Commission of the Village of Bensenville, DuPage and Cook Counties, will be held on Tuesday, July 6, 2021 at 6:30 P.M., at which a Public Hearing will be held to review case No. 2021-13 to consider a request for:

> Variation, Maximum Driveway Width
> Municipal Code Section $10-8-8-1$;
> Variation, Driveway Parking Pad
> Municipal Code Section $10-8-8-$ G. 3
at 138 N Addison Street in an existing R - 3 Single-Unit Dwelling District. The Public Hearing will be held in the Village Board Room at Village Hall, 12 S. Center Street, Bensenville.

The Legal Description is as follows:
LOT 7 IN BLOCK 3 IN HOMESTEAD, BENSENVILLE, A SUBDIVISION OF PART OF THE S.E. $1 / 4$ OF THE N.E. $1 / 4$ OF SECTION 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 138 N Addison Street, Bensenville, IL 60106.
Ricardo Lopez of 138 N Addison Street, Bensenville, IL 60106 is the owner and applicant for the subject property.

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

Applicant's application and supporting documentation may be examined by any interested parties in the office of the Community and Economic Development Department, Monday through Friday, in the Village Hall, 12 South Center Street, Bensenville, IL 60106. All interested parties may attend the Public Hearing and be heard. Directions for electronic attendance and participation will be posted on the Village website at least 48 hours prior to the meeting date. Written comments mailed to Village Hall, and online comments submitted on the Village website, will be accepted by the Community and Economic Development Department through July 6, 2021 until 5:00 P.M

Office of the Village Clerk
Village of Bensenville

## TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT <br> June 17, 2021



## COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: $\qquad$

Property Index Numbers) (PIN): $\qquad$
$03-14-211-021$
A. PROPERTY OWNER:

B. ACTION REQUESTED (Check applicable):
$\square$ Site Plan Review
$\square$ Special Use Permit
$\square$ Variation
$\square$ Administrative Adjustment
$\square$ Zoning Text or Map Amendment
$\square$ Zoning Appeal
$\square$ Plat of Subdivision
$\square$ Annexation
$\square$ Planned Unit Development*
*See Staff for additional information on PUD requests

SUBMITTAL REQUIREMENTS:
$\square$ Affidavit of Ownership** (signed/notarized)
Application**
Approval Standards**
Plat of Survey/Legal Description
( Site Plan
$\square$ Building Plans \& Elevations
$\square$ Engineering Plans
$\square$ Landscape Plan
$\square$ Tree Preservation and Removal Plan
$\square$ Application Fees
$\square$ Fees agreement**
${ }^{* *}$ Item located within this application packet.

## Brief Description of Requests): (Submit separate sheet if necessary)

To Remove the exsisting gravel and add Asphalt in its place to improve the appearance of the

## driveway.

## C. PROJECT DATA:

1. General description of the site: lot $w /$ single-family home \&
2. Acreage of the site: $0.21 \quad$ Building Size (if applicable): $N / A$
3. Is this property within the Village limits? (Check applicable below)

区 Yes
$\square$ No, requesting annexation
$\square$ No, it is under review by another governmental agency and requires review due to 1.5 mile jurisdiction requirements.
4. List any controlling agreements (annexation agreements, Village Ordinances, site plans, etc.)

Site plans
NA
5. Character of the site and surrounding area:

|  | Zoning | Existing Land Use | Jurisdiction |
| :---: | :---: | :---: | :---: |
| Site: | R-3 | Single-family residential | Bensenville |
| North: | R-3 | single-family residential |  |
| South: | R-3 | single-family residential |  |
| East: | R-3 | single-family residential |  |
| West: | R-5 | vacant, unimproved land | $\downarrow$ |

## D. APPROVAL STANDARDS:

The applicant must compose a letter describing how the requests) specifically meets the individual criteria from the appropriate Approval Standards, found in Village Code and on the following pages. The CDC will be unable to recommend approval of a request without a response to the pertinent "Approval Standards."


## COMMUNITY DEVELOPMENT COMMISSION

STAFF REPORT
HEARING DATE:
CASE \#:
PROPERTY:
PROPERTY OWNER:
APPLICANT:
SITE SIZE:
BUILDING SIZE:
PIN NUMBER:
ZONING:
REQUEST:

July 6, 2021
2021-13
138 N Addison Street
Ricardo Lopez
Same as Above
0.21 AC

N/A
03-14-211-021
R-3 Single-Unit Dwelling District
Variation, Maximum Driveway Width
Municipal Code Section 10-8-8-1
Variation, Driveway Parking Pad Depth
Municipal Code Section 10-8-8-G. 3

## PUBLIC NOTICE:

1. A Legal Notice was published in the Bensenville Independent on Thursday, June 17, 2021. A Certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community \& Economic Development Department during regular business hours.
2. Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on Thursday, June 17, 2021.
3. On Friday, June 18, 2021, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. An Affidavit of Mailing executed by C \& ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community \& Economic Development department during regular business hours.

## SUMMARY:

The Petitioner is seeking Variations in order to pave an existing gravel area in the rear of their lot, increasing the depth of the existing driveway parking pad and the width of the existing 8 ' driveway. The Village Zoning Ordinance implements a maximum driveway width of 10 ft for residential uses. A parking pad the width of the garage served by the driveway is permitted to extend up to 20 ft in depth from the garage doors before tapering back down to the required 10 ft width.

SURROUNDING LAND USES:

|  | Zoning | Land Use | Comprehensive Plan | Jurisdiction |
| :---: | :---: | :---: | :---: | :---: |
| Site | $\mathrm{R}-3$ | Residential | Single Family Residential | Village of Bensenville |
| North | $\mathrm{R}-3$ | Residential | Single Family Residential | Village of Bensenville |
| South | $\mathrm{R}-3$ | Residential | Single Family Residential | Village of Bensenville |
| East | $\mathrm{R}-3$ | Residential | Single Family Residential | Village of Bensenville |
| West | $\mathrm{R}-5$ | Residential | Multi Family Residential | Village of Bensenville |

## DEPARTMENT COMMENTS:

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

|  |
| :--- |
|  |
| X |
|  |
|  |

Financially Sound Village
Quality Customer Oriented Services
Safe and Beautiful Village
X Enrich the Lives of Residents
Major Business/Corporate Center
Vibrant Major Corridors

Finance:

1) Account is up to date and has no liens.

## Police:

1) No objections.

## Engineering and Public Works:

1) The current drainage pattern shall not be altered and the project shall not cause any adverse drainage impacts on neighboring properties.

## Community \& Economic Development:

Economic Development:

1) No comments.

Fire Safety:

1) No comments.

Building:

1) No comments.

Planning:

1) The 2015 Comprehensive Plan indicates "Single Family Residential" for this property.
2) The current zoning is R-3 Single-Unit Dwelling District.
3) The Petitioner is seeking two Variations, one for maximum driveway width and one for driveway parking pad depth, in order to pave an existing gravel area in the rear of the lot, increasing the depth of the driveway parking area and the driveway width in the rear yard behind the single-family home.
4) Per Section 10-8-8 of the Village Zoning Ordinance, a maximum driveway width of 10 feet is permitted for residential uses. A parking pad the width of the garage served by the driveway is permitted to extend up to 20 feet in depth from the garage doors before tapering back to the required maximum driveway width of 10 feet.
a. The existing driveway parking pad already extends 20 feet in depth from the garage before tapering down to the existing 8 -foot wide driveway.
5) Variations seeking relief from maximum driveway width and parking pad depth code requirements are a common request via the Community Development Commission.
6) In the event these requests are approved, the property's impervious coverage will remain under the maximum allowable of $4,240 \mathrm{SF}$, albeit only by a couple of hundred square feet of green space.
7) Staff does not recommend the Variations for driveway width and parking pad be granted due to the ample availability of existing parking areas for vehicles on the lot. There is a two-car garage with a parking pad that extends 20 feet in depth (Code's maximum depth), which, together, allow for four vehicle parking spaces. Additionally, the garage is set back approximately 120 feet from the front lot line. The driveway, prior to its extension in order to connect to the parking pad which it serves, has an approximated length of 75 feet.
8) It should be noted that the Petitioner has the ability to apply for a permit to extend the existing driveway by an additional two feet in order to meet Code's maximum width of 10 feet.
9) Public Welfare: The proposed Variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: The Driveway variation does not endanger the health, safety, comfort, convenience and general public in any way, the area is not near the public but towards the rear.
2) Compatible with Surrounding Character: The proposed Variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed Variation.

Applicant's Response: The driveway variation is compatible with the character of the adjacent properties and other property within the immediate vicinity since the driveway will consist to some of the other properties near mine.
3) Undue Hardship: The proposed Variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: The Driveway variation alleviates an undue hardship created by the literal enforcement of this title. The winter season affects this the most when shoveling snow the gravel gets thrown with the snow to the yard at times, and when summer comes and the grass is mowed some of the gravel is caught and thrown. This is a high risk since our next door neighbors have smaller children that come out and play during the summer. Also this space is needed for my children to have room to park their vehicles in the rear and not towards the front of driveway, since it will help to enter and leave the driveway more freely without having to disturb the traffic from having to pull out more than one vehicle at a time to exchange a vehicle. Occasions have happened where public traffic is waiting while we exchange vehicles and its dangerous since Addison ST connects to one of the busiest streets, Irving Park Rd. Another is that for the past year my 14 year old daughter has been playing badminton and to avoid parking the vehicles on the street, they are parked where the gravel is so she can play in front of the garage which is wider and has more space available.
4) Unique Physical Attributes: The proposed Variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: The Driveway variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant. The entire driveway will be renewed and the section that will be recreated by removing the gravel and adding pavement will not only become more safe but the appearance will improve. This section of pavement is needed so the vehicles aren't backing out and disturbing the traffic, Neighbors also park their vehicles on the street making it difficult to be backing up and changing vehicles. This way the vehicles would be parked on the gravel section that will turn into pavement to avoid disturbing the public and creating an accident.
5) Minimum Deviation Needed: The proposed Variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

## Applicant's Response: The proposed variation represents the minimum

 deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property. I consider that the pavement variation is not going beyond the regulations of the village since some of the properties near me consist of the similar driveway variations that I'd like to add.6) Consistent with Ordinance and Plan: The proposed Variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed variation is consistent with the intent of the comprehensive plan, this title, and the other land use policies of the village. Most of the Driveway variations meet this standard.

| Maximum Driveway Width | Meets Standard |  |
| :--- | :---: | :---: |
| Variation Approval Standards | Yes | No |
| 1. Public Welfare | X |  |
| 2. Compatible with Surrounding Character | X |  |
| 3. Undue Hardship |  | X |
| 4. Unique Physical Attributes |  | X |
| 5. Minimum Deviation Needed |  | X |
| 6. Consistent with Ordinance and Plan | X |  |


| Driveway Parking Pad | Meets Standard |  |
| :--- | :---: | :---: |
| Variation Approval Standards | $Y e s$ | No |
| 7. Public Welfare | X |  |
| 8. Compatible with Surrounding Character | X |  |
| 9. Undue Hardship |  | X |
| 10. Unique Physical Attributes |  | X |
| 11. Minimum Deviation Needed |  | X |
| 12. Consistent with Ordinance and Plan | X |  |

## RECOMMENDATIONS:

Staff recommends the Denial of the above Findings of Fact and therefore the Denial of the Variations for Maximum Driveway Width and Driveway Parking Pad Depth.

Respectfully Submitted,
Department of Community \& Economic Development




## DESCRIPTION:

CDC Case 2021-14: Consideration of a Variation to Allow a Paved Parking Area in the Corner Side Yard at 243 Spruce Avenue

## SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:



Financially Sound Village
Quality Customer Oriented Services
Safe and Beautiful Village

| X |
| :---: |
|  |
|  |

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

## REQUEST:

1. Variation, Paved Parking Area

Municipal Code Section 10-8-8-G.4

## SUMMARY:

1. The Petitioner is seeking a Variation to allow a paved parking area adjacent to their existing driveway in the hopes of alleviating parking concerns.
2. The proposed 10' by $22^{\prime}$ (approximate) area is currently unimproved with gravel. The eastern 3 ' of the paved area will be separated from the remaining $20^{\prime}$ by a wooden fence and is intended to be used for trash receptacle storage.
3. The Petitioner is also requesting to widen the apron by 2 ' where it intersects with the sidewalk- there are no plans to widen the curb cut.
4. Paved parking areas are regulated by Section 10-8-8.G. 4 of the Village Code, which requires they be located in the rear yard adjacent to the entrance of a detached garage and accessed from an alley. The area shall be 10 ' by 20 ' per vehicle space, with a maximum of two spaces per zoning lot, and must be located 1' from an interior lot line and 3' or less from the rear lot line. The Petitioner's proposed parking area is located in the corner side yard, requires street access, and is adjacent to a driveway that serves an attached garage.

## RECOMMENDATION:

Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for a Paved Parking Area at 243 Spruce Avenue with the following conditions:

1. The paved parking area shall be constructed in accordance with submitted application plans, dated 05.28.21;
2. The pavement shall be pitched in accordance with the recommendations of the Village Engineer; and
3. No vehicles shall be parked behind the fence.

## ATTACHMENTS:

| Description | Upload Date | Type |
| :--- | :--- | :--- |
| Case Cover Page | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Cover Memo |
| Aerial \& Zoning Exhibits | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Backup Material |
| Legal Notice | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Backup Material |
| Application | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Backup Material |
| Staff Report | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Executive Summary |
| Plat of Survey | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Backup Material |
| Plans | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Backup Material |
| Images Submitted by Petitioner | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Backup Material |

Community Development Commission
Public Hearing 07.06.21

CDC Case \#2021 - 14
Joseph Kiaulakis
243 Spruce Avenue

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

1. Aerial Photograph \& Zoning Map of Subject Property
2. Legal Notice
3. Application
4. Staff Report \& Exhibits
5. Plans



Village of Bensenville
Zoning Map


## LEGAL NOTICE/PUBLIC NOTICE NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Meeting of the Community Development Commission of the Village of Bensenville, DuPage and Cook Counties, will be held on Tuesday, July 6, 2021 at 6:30 P.M., at which a Public Hearing will be held to review case No. 2021-14 to consider a request for:

> Variation, Paved Parking Area
> Municipal Code Section $10-8-8-$ G. 4
at 243 Spruce Avenue Street in an existing R - 3 Single-Unit Dwelling District. The Public Hearing will be held in the Village Board Room at Village Hall, 12 S. Center Street, Bensenville.

The Legal Description is as follows:
LOT SIX (6) (EXCEPT THE EASTERLY ONE HUNDRED SIXTY (160) FEET THEREOF) IN BLOCK THIRTY ONE (31), ALSO THAT PORTION OF THE VACATED ALLEY ADJACENT TO SAID PROPERTY, IN FIRST ADDITION TO PERCY WILSON'S IRVING PARK MANOR, A SUBDIVISION IN SECTION TEN (10), ELEVEN (11), FOURTREEN (14) AND FIFTEEN (15), TOWNSHIP FORTY (40) NORTH, RANGE ELEVEN (11), EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 1926 AS DOCUMENT 213044 IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 243 Spruce Avenue, Bensenville, IL 60106.
Joseph Kiaulakis of 243 Spruce Avenue, Bensenville, IL 60106 is the owner of and applicant for the subject property.

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

Applicant's application and supporting documentation may be examined by any interested parties in the office of the Community and Economic Development Department, Monday through Friday, in the Village Hall, 12 South Center Street, Bensenville, IL 60106. All interested parties may attend the Public Hearing and be heard. Directions for electronic attendance and participation will be posted on the Village website at least 48 hours prior to the meeting date. Written comments mailed to Village Hall, and online comments submitted on the Village website, will be accepted by the Community and Economic Development Department through July 6, 2021 until 5:00 P.M

Office of the Village Clerk
Village of Bensenville

## TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT June 17, 2021

## COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: 243 SPRUCE AVE BENSENVILLE

Property Index Numbers) (PIN):


## A. PROPERTY OWNER:


*If Owner is a Land Trust, attach a list of the names and addresses of the beneficiaries of the Trust.
B. APPLICANT:

Check box if same as owner


Street

| City | State | Zip Code |
| :--- | :--- | :--- |
| Contact Person | Telephone Number | Email Address |

B. ACTION REQUESTED (Check applicable):
$\square$ Site Plan Review
Special Use Permit
$\square$ Variation
$\square$ Administrative Adjustment
$\square$ Zoning Text or Map Amendment
$\square$ Zoning Appeal
$\square$ Plat of Subdivision
$\square$ Annexation
Planned Unit Development*
*See Staff for additional information on PUD requests

SUBMITTAL REQUIREMENTS:
[1. Affidavit of Ownership** (signed/notarized)
(1) Application**
$\square$ Approval Standards**
$\square$ Plat of Survey/Legal Description

- Site Plan
$\square$ Building Plans \& Elevations
$\square$ Engineering Plans
$\square$ Landscape Plan
$\square$ Tree Preservation and Removal Plan
$\square$ Application Fees
Fees agreement**
**Item located within this application packet.


## Brief Description of Request(s): (submit separate sheet if necessary)

ADDED SEPARATE SHEET

## C. PROJECT DATA:

1. General description of the site: Single-family home w/ attached garage
2. Acreage of the site:_ $0.19 \mathrm{AC} \quad$ Building Size (if applicable): $\quad 2,000 \mathrm{SF}$
3. Is this property within the Village limits? (Check applicable below)
( Yes
$\square$ No, requesting annexation
$\square$ No, it is under review by another governmental agency and requires review due to 1.5 mile jurisdiction requirements.
4. List any controlling agreements (annexation agreements, Village Ordinances, site plans, etc.)
5. Character of the site and surrounding area:

|  | Zoning | Existing Land Use | Jurisdiction |
| :---: | :---: | :---: | :---: |
| Site: | R-3 | Single-Unit residential | Bensenville |
| North: | R-3 |  |  |
| South: | $R-3$ |  |  |
| East: | R-3 |  |  |
| West: | $R-3$ | $\downarrow$ |  |

## D. APPROVAL STANDARDS:

The applicant must compose a letter describing how the request(s) specifically meets the individual criteria from the appropriate Approval Standards, found in Village Code and on the following pages. The CDC will be unable to recommend approval of a request without a response to the pertinent "Approval Standards."


Our goal is to replace our existing broken sidewalk and driveway along with our garage apron ( $2^{\prime}$ approximate ). Also mesh and new pad under our shed to detour animals from taking up residence. But most of all need to extend driveway due to work injury's and one day will need a wheelchair van. Our garage entrance is so small you can only fit a small car in with a $1^{\prime \prime}$ clearance on each side of mirrors and they are all banged up from that. We will have an extra vehicle and can not park on street overnight without tickets and apron is so tight to open doors on all sides of vehicle. We are doing everything possible to keep up the look of our neighborhood and really want to make our beautiful Bensenville home to be efficient and look good. It will give us parking for 3 vehicles out side of garage and room to open doors on both sides of our transportation.

Thanks for your time, sincerely;


BENSENVILLE
GATEWAY TO OPPORTUNITY

## COMMUNITY DEVELOPMENT COMMISSION

STAFF REPORT
HEARING DATE:
CASE \#:
PROPERTY:
PROPERTY OWNER:
APPLICANT:
SITE SIZE:
BUILDING SIZE:
PIN NUMBER:
ZONING:
REQUEST:

July 6, 2021
2021-14
243 Spruce Avenue
Joseph Kiaulakis
Same as Above
0.19 AC

N/A
03-15-228-005
R-3 Single-Unit Dwelling District
Variation, Paved Parking Area
Municipal Code Section 10-8-8-G. 4

## PUBLIC NOTICE:

1. A Legal Notice was published in the Bensenville Independent on Thursday, June 17, 2021. A Certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community \& Economic Development Department during regular business hours.
2. Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on Thursday, June 17, 2021.
3. On Friday, June 18, 2021, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. An Affidavit of Mailing executed by C \& ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community \& Economic Development department during regular business hours.

## SUMMARY:

The Petitioner is seeking a Variation to allow a paved parking area adjacent to their existing driveway in the hopes of alleviating parking concerns. The proposed 10' by 22' (approximate) area is currently unimproved with gravel. The eastern $3^{\prime}$ of the paved area will be separated from the remaining 20 ' by a wooden fence and is intended to be used for trash receptacle storage. The Petitioner is also requesting to widen the apron by 2' where it intersects with the sidewalk- there are no plans to widen the curb cut.

Paved parking areas are regulated by Section 10-8-8.G. 4 of the Village Code, which requires they be located in the rear yard adjacent to the entrance of a detached garage and accessed from an alley. The area shall be $10^{\prime}$ by $20^{\prime}$ per vehicle space, with a maximum of two spaces per zoning lot, and must be located $1^{\prime}$ from an interior lot line and 3 ' or less from the rear lot line. The Petitioner's proposed parking area is located in the corner side yard, requires street access, and is adjacent to a driveway that serves an attached garage.

SURROUNDING LAND USES:

|  | Zoning | Land Use | Comprehensive Plan | Jurisdiction |
| :---: | :---: | :---: | :---: | :---: |
| Site | $\mathrm{R}-3$ | Residential | Single Family Residential | Village of Bensenville |
| North | $\mathrm{R}-3$ | Residential | Single Family Residential | Village of Bensenville |
| South | $\mathrm{R}-3$ | Residential | Single Family Residential | Village of Bensenville |
| East | $\mathrm{R}-3$ | Residential | Single Family Residential | Village of Bensenville |
| West | $\mathrm{R}-3$ | Residential | Single Family Residential | Village of Bensenville |

## DEPARTMENT COMMENTS:

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

|  |
| :--- |
|  |
| X |
|  |
|  |

Financially Sound Village
Quality Customer Oriented Services
Safe and Beautiful Village
X Enrich the Lives of Residents
Major Business/Corporate Center
Vibrant Major Corridors
Finance:

1) Account is up to date.

Police:

1) No objections.

Engineering and Public Works:

1) The proposed parking area should pitch to the south into the existing driveway, and then west into the street. If pitched north or east, it will exacerbate existing interior block
flooding issues. So long as it pitches into the street, water will enter the nearby inlet and drainage impact will be mitigated.

## Community \& Economic Development:

Economic Development:

1) No comments.

Fire Safety:

1) No comments.

Building:

1) No comments.
2) The 2015 Comprehensive Plan indicates "Single Family Residential" for this property.
3) The current zoning is R-3 Single-Unit Dwelling District.
4) The Petitioner is requesting a Variation to allow a $10^{\prime} \times 22^{\prime}$ paved parking area for one vehicle adjacent to an existing driveway and a 3 ' concrete walkway. There is a request to widen the apron by 2 ' where it intersects with the sidewalk- there are no plans to widen the curb cut.
5) A paved parking area Variation is a common request.
6) Per Section 10-8-8.G. 4 of the Village Zoning Ordinance, paved parking areas shall be 10 ’ by 20 ' per vehicle space, with a maximum of two spaces per zoning lot. The area shall be accessed from the alley, and located a minimum of $1^{\prime}$ from the interior lot line and a maximum of $3^{\prime}$ from the rear lot line.
a. The proposed parking area does not meet the above requirements, as it is located in the corner side yard, adjacent to an existing driveway that serves an attached two-car garage, and requires access from Spruce Avenue.
b. The garage is set back 21.94 ' from the corner side lot line. A 20 ' wide driveway from the lot line provides access to the garage, and also allows for two vehicle parking spaces.
7) The single-family home on the site is in line with the neighboring property to the north's (1216 Hillside Drive) corner side façade. Below is an image of the existing parking area that serves the one-car garage at 1216 Hillside Drive.

8) The property to the northeast of the subject property, 248 Spruce Avenue, has a 20 ' wide driveway, which serves a two-car garage that is set back approximately $30^{\prime}$ from the front lot line and approximately 50 ' from roadway.
9) Staff feels this request is compatible with the character of surrounding properties.
10) The existing fence on the property features a two-door gate that abuts the proposed parking area large enough for a motor vehicle to pull through. No vehicles shall be parked behind the fence.

## APPROVAL STANDARDS FOR VARIATIONS:

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

Applicant's Response: The variation will in no way endanger the welfare of the public and will be a comfortable convenience for me and others living here.
2) Compatible with Surrounding Character: The proposed Variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed Variation.

Applicant's Response: There are many properties in the area with much larger garages and driveways and making our drive larger will be a big help and convenience especially with a disability to be able to open doors on both sides of vehicle.
3) Undue Hardship: The proposed Variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: I have a disability with my back and legs due to a work injury and one day will need a wheelchair and will need more room for entering and exiting a vehicle.
4) Unique Physical Attributes: The proposed Variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: This proposed variation is necessary due to lack of space for my disability and was not my deliberate doing.
5) Minimum Deviation Needed: The proposed Variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: This variation is minimal due to the size of our property especially being on a large corner lot and is going to improve the beauty and value of our property and just adding a 10' x 20' parking spot to existing driveway.
6) Consistent with Ordinance and Plan: The proposed Variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

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

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

## RECOMMENDATIONS:

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variation for a Paved Parking Area at 243 Spruce Avenue with the following conditions:

1) The paved parking area shall be constructed in accordance with submitted application plans, dated 05.28.21;
2) The pavement shall be pitched in accordance with the recommendations of the Village Engineer; and
3) No vehicles shall be parked behind the fence.

Respectfully Submitted,
Department of Community \& Economic Development





## DESCRIPTION:

CDC Case 2021-18: Consideration of Variations to Increase Driveway Width and Parking Pad at 213 S York Road

## SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:



Financially Sound Village
Quality Customer Oriented Services
Safe and Beautiful Village
$\square$ Enrich the Lives of Residents Major Business/Corporate Center Vibrant Major Corridors

## REQUEST:

1. Variation, Maximum Driveway Width

Municipal Code Section 10-8-8-1
2. Variation, Driveway Parking Pad

Municipal Code Section 10-8-8-G. 3

## SUM MARY:

1. The Petitioner is seeking a Variation to allow a 20 ' by 30 ' driveway parking pad at 213 S. York Road.
2. The existing driveway is in disrepair, and the unimproved area on either side of the concrete has been used to park vehicles.
3. The proposed pavement is intended to connect to an existing 20 ' wide concrete area abutting the public sidewalk. There are no plans to include the existing curb cut in this project.
4. The Village Zoning Ordinance implements a maximum driveway width of 10 ft for residential uses. A parking pad the width of the garage served by the driveway is permitted to extend up to 20 ft in depth from the garage doors before tapering back down to the required 10 ft width.

## RECOMMENDATION:

Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variations for Maximum Driveway Width and Driveway Parking Pad Depth at 213 S York Road with the following condition:

1. The pavement shall be pitched in accordance with the recommendations of the Village Engineer.

## ATTACHMENTS:

| Description | Upload Date | Type |
| :--- | :--- | :--- |
| Case Cover Page | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Cover Memo |
| Aerial \& Zoning Exhibits | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Backup Material |
| Legal Notice | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Backup Material |
| Application | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Backup Material |
| Approval Standards Letter | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Backup Material |
| Staff Report | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Executive Summary |
| Plat of Survey w/ Plans | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Backup Material |
| Images Submitted by Petitioner | $\mathbf{6 / 2 9 / 2 0 2 1}$ | Backup Material |

Community Development Commission<br>Public Hearing 07.06.21<br>CDC Case \#2021-18<br>Richard R. Rebmann<br>213 S York Road<br>Variation, Maximum Driveway Width<br>Municipal Code Section 10-8-8-1<br>Variation, Driveway Parking Pad Depth<br>Municipal Code Section 10-8-8-G. 3

1. Aerial Photograph \& Zoning Map of Subject Property
2. Legal Notice
3. Application
4. Staff Report \& Exhibits
5. Plans



## LEGAL NOTICE/PUBLIC NOTICE NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Meeting of the Community Development Commission of the Village of Bensenville, DuPage and Cook Counties, will be held on Tuesday, July 6, 2021 at 6:30 P.M., at which a Public Hearing will be held to review case No. 2021-18 to consider a request for:

> Variation, Maximum Driveway Width
> Municipal Code Section $10-8-8-1$;
> Variation, Driveway Parking Pad
> Municipal Code Section $10-8-8-$ G. 3
at 213 S York Road in an existing R - 3 Single-Unit Dwelling District. The Public Hearing will be held in the Village Board Room at Village Hall, 12 S. Center Street, Bensenville.

The Legal Description is as follows:
LOT 2 IN B.L. FRANZEN'S SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 213 S York Road, Bensenville, IL 60106.
Richard R. Rebmann of 19 S Center Street, Bensenville, IL 60106 is the owner and applicant for the subject property.

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

Applicant's application and supporting documentation may be examined by any interested parties in the office of the Community and Economic Development Department, Monday through Friday, in the Village Hall, 12 South Center Street, Bensenville, IL 60106. All interested parties may attend the Public Hearing and be heard. Directions for electronic attendance and participation will be posted on the Village website at least 48 hours prior to the meeting date. Written comments mailed to Village Hall, and online comments submitted on the Village website, will be accepted by the Community and Economic Development Department through July 6, 2021 until 5:00 P.M

Office of the Village Clerk
Village of Bensenville

## TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT June 17, 2021



## COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: $\qquad$ 213 S . YORK

Property Index Numbers) (PIN): $\quad 03-13-317-002$
A. PROPERTY OWNER:

*If Owner is a Land Trust, attach a list of the names and addresses of the beneficiaries of the Trust.
B. APPLICANT: $\triangle$ Check box if same as owner

| Name | Corporation (if applicable) |  |
| :--- | :--- | :--- |
| Street |  |  |
| City | State | Zip Code |
| Contact Person | Telephone Number | Email Address |

B. ACTION REQUESTED (Check applicable):
$\square$ Site Plan Review
$\square$ Special Use Permit
$\square$ Administrative Adjustment
$\square$ Zoning Text or Map Amendment
$\square$ Zoning Appeal
$\square$ Plat of Subdivision
$\square$ Annexation
$\square$ Planned Unit Development*
*See Staff for additional information on PUD requests

SUBMITTAL REQUIREMENTS:
$\square$ Affidavit of Ownership** (signed/notarized)
Application**
$\square$ Approval Standards**
$\square$ Plat of Survey/Legal Description
v. Site Plan
$\square$ Building Plans \& Elevations
$\square$ Engineering Plans
$\square$ Landscape Plan
$\square$ Tree Preservation and Removal
$\square$ /Application Fees
$\square$ Fees agreement**

**Item located within this application packet.

## Brief Description of Requests): (submit separate sheet if necessary)


sidewalk
C. PROJECT DATA:

1. General description of the site:
$\qquad$
2. Acreage of the site:_ 25 Building Size (if applicable):
3. Is this property within the Village limits? (Check applicable below)
$\boxed{Y} \mathrm{Yes}$
$\square$ No, requesting annexation
$\square \mathrm{No}$, it is under review by another governmental agency and requires review due to 1.5 mile jurisdiction requirements.
4. List any controlling agreements (annexation agreements, Village Ordinances, site plans, etc.)
None
5. Character of the site and surrounding area:


## D. APPROVAL STANDARDS:

The applicant must compose a letter describing how the requests) specifically meets the individual criteria from the appropriate Approval Standards, found in Village Code and on the following pages. The CDC will be unable to recommend approval of a request without a response to the pertinent "Approval Standards."


## KELSEY FAWELL

THE FOLLOWING INFORMATION IS THE REQUIRED APPLICANTS LETTER DESCRIBING HOW THE REQUEST MEETS INDIVIDUAL APPROVAL STANDARDS PER THE VILLAGE CODE.

1) THE PROPOSED VARIATION WILL NOT ENDANGER THE HEALTH, SAFETY, COMFORT, CONVENIENCE AND GENERAL WELFARE OF THE PUBLIC, AS IT WILL ACTUALLY ENHANCE THE SAFETY, CONSIDERING THAT THE CURB CUT VILLAGE INSTALLED APRON IS ALREADY 42 FEET WIDE, 24 FEET ON THE PROPERTY INVOLVED AND 18 FEET ON THE PROPERTY TO THE SOUTH.

YORK ROAD IS A BUSY ROADWAY AND HAVING TO BACK INTO OR BACK OUT OF THE DRIVE IS DANGEROUS. THERE HAS BEEN 3 DEATHS ON THIS BLOCK ALONE IN THE LAST COUPLE YEARS. THE EXISTING GARAGE IS TWO DOORS WITH BRICK CENTER WALL, THE EXACT DOORS MEASURE 7'10 WIDE AND REQUIRE THAT THE VEHICLES DRIVE IN, BACKING IN IS IMPOSSIBLE EVEN WITH THE $20 \times 20$ ALLOWED AREA OFF THE GARAGE. IF TWO CARS WERE PARKED IN FRONT ON THIS 20 X 20 THEY COULD NOT BACK OUT, WITHOUT DRIVING OVER A GRASSY AREA.ON EACH SIDE. IF THE $20 \times 20$ AREA WAS INSTALLED PER CODE AND IT REQUIRED A PHASE IN TO THE 10 FOOT WIDTH, AT THE EXISTING 20 FOOT WIDTH AREA ALREADY INSTALLED BY THE VILLAGE, WHICH IS ONLY 12 FEET APART, IT WOULD CAUSE 2 TRIANGLES ON EACH SIDE, THE DRIVEWAY WOULD RESEMBLE A HOURGLASS, AND BEING OF CONCRETE, LOOK RIDICULOUS FROM THE STREET
2) THE PROPOSED REPLACEMENT WOULD REMAIN THE SAME, ITS THE ADDITIONAL LENGTH OF 12 FEET THAT IS THE REQUESTED VARIANCE, AS IT WOULD BE 20 FEET WIDE TO MATCH THE EXISTING DRIVEWAY ENTRANCE AND THE INSTALLATION OF THE CONFORMING $20 \times 20$ AREA BY THE GARAGE. THE OTHER HOMES ON THE BLOCK, BOTH SIDES, CONSIST OF NO DRIVEWAYS, SHARED DRIVEWAY AND SINGLE CAR DRIVEWAY. THE SHARED DRIVEWAY HAS A STREET CUT CURB 26 FEET WIDE, WITH AN 11 FOOT AND 9 FOOT INDIVIDUAL DRIVEWAYS, SEPARATED BY 3 FEET OF GRASS. TWO DRIVEWAYS ARE 8 FEET WIDE WITH 16 \& 20 FOOT STREET CUTS, THE OTHER SINGLE DRIVE IS $111 / 2$ FEET WIDE WITH A 21 FOOT CURB CUT. NEEDLESS TO SAY, VERY LITTLE OVERALL UNIFORMITY.
3) THE PROPOSED VARIANCE ALLEVIATES THE UNSAFE/UNSIGHTLY HOURGLASS BACKING UP SITUATION. IF THE 20 FOOT WIDTH WAS ALLOWED TO MATCH THE 20 FOOT EXISTING WIDTH OF THE VILLAGE INSTALLED APRON WHICH CONTINUES 5 FEET BEYOND THE VILLAGE SIDEWALK, IT WOULD BE A MAJOR IMPROVEMENT. AT THAT POINT ITS BROKEN CONCRETE AND GRAVEL THAT HAS BEEN THERE FOR FORTY YEARS.
4) THE UNIQUE PHYSICAL ATTRIBUTES OF THE PROPERTY IS A BRICK NARROW GARAGE, WITH (2) 7'10 FOOT DOORS, REQUIRING DIRECT ENTRY, AND A 24 FOOT STREET APRON THAT ALREADY EXISTS.AND NARROWS DOWN TO 20 FEET WIDE
5) THE PROPOSED VARIATION REPRESENTS THE MINIMUM DEVIATION FROM REGULATION AS IT IS ONLY 2 TRIANGLES OF ADDITIONAL DRIVEWAY ON EACH SIDE OF THE REQUIRED PHASING IN FROM 20 TO 10 OVER A 12 FOOT LENGTH.
6) THE PROPOSED VARIATION IS CONSISTENT WITH THE VILLAGE OVERALL PLAN IN THAT IT REMOVES AN EXISTING COMBINATION CONCRETE/GRAVEL DRIVEWAY WITH AN HOURGLASS FOOT PRINT AND PROVIDES A SMOOTH, APPEALING STRAIGHT LINE CONCRETE DRIVEWAY FROM STREET TO GARAGE. AFTER WHICH TREE STUMP REMOVAL, LANDSCAPING AND DECORATIVE TIMBER BOARDERS WILL BE INSTALLED. IT WASN'T UNTIL THIS PROPERTY WAS RECENTLY CLEANED UP THAT ANY OF THE $\$ 400,000.00$ CONDO'S TO THE SOUTH WERE EVEN REVIEWED LET ALONE SOLD.
 AND ENCOURAGE A PHYSICAL REVIEW OF THE AREA.

THANK YOU
RICH REBMANN630-362-9199


BENSENVILLE
GATEWAY TO OPPORTUNITY

## COMMUNITY DEVELOPMENT COMMISSION

## STAFF REPORT

HEARING DATE:
CASE \#:
PROPERTY:
PROPERTY OWNER:
APPLICANT:
SITE SIZE:
BUILDING SIZE:
PIN NUMBER:
ZONING:
REQUEST:

July 6, 2021
2021-18
213 S York Road
Richard R. Rebmann
Same as Above
0.21 AC

N/A
03-13-317-002
R-3 Single-Unit Dwelling District
Variation, Maximum Driveway Width
Municipal Code Section 10-8-8-1
Variation, Driveway Parking Pad Depth
Municipal Code Section 10-8-8-G. 3

## PUBLIC NOTICE:

1. A Legal Notice was published in the Bensenville Independent on Thursday, June 17, 2021. A Certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community \& Economic Development Department during regular business hours.
2. Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on Thursday, June 17, 2021.
3. On Friday, June 18, 2021, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. An Affidavit of Mailing executed by C \& ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community \& Economic Development department during regular business hours.

## SUMMARY:

The Petitioner is seeking a Variation to allow a 20' by $30^{\prime}$ driveway parking pad at 213 S. York Road. The existing driveway is in disrepair, and the unimproved area on either side of the concrete has been used to park vehicles. The proposed pavement is intended to connect to an existing 20' wide concrete area abutting the public sidewalk. There are no plans to include the existing curb cut in this project.

The Village Zoning Ordinance implements a maximum driveway width of 10 ft for residential uses. A parking pad the width of the garage served by the driveway is permitted to extend up to 20 ft in depth from the garage doors before tapering back down to the required 10 ft width.

SURROUNDING LAND USES:

|  | Zoning | Land Use | Comprehensive Plan | Jurisdiction |
| :---: | :---: | :---: | :---: | :---: |
| Site | $\mathrm{R}-3$ | Residential | Medium Family Residential | Village of Bensenville |
| North | $\mathrm{R}-3$ | Residential | Medium Family Residential | Village of Bensenville |
| South | $\mathrm{R}-3$ | Residential | Medium Family Residential | Village of Bensenville |
| East | $\mathrm{R}-3$ | Residential | Single Family Residential | Village of Bensenville |
| West | $\mathrm{R}-3$ | Residential | Medium Family Residential | Village of Bensenville |

## DEPARTMENT COMMENTS:

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

| $\square$ |
| :--- |
| $\square$ |
| X |
|  |
|  |

Financially Sound Village
Quality Customer Oriented Services
Safe and Beautiful Village
X Enrich the Lives of Residents
Major Business/Corporate Center
Vibrant Major Corridors

Finance:

1) Account is up to date and has no liens.

Police:

1) No objections.

## Engineering and Public Works:

1) Pavement shall be pitched towards York Road so as not to adversely impact neighboring properties.

## Community \& Economic Development:

Economic Development:

1) No comments.

Fire Safety:

1) No comments.

Building:

1) No comments.
2) The 2015 Comprehensive Plan indicates "Medium Family Residential" for this property.
3) The current zoning is R-3 Single-Unit Dwelling District.
4) The Applicant is requesting a Variation in order to construct a $20 \times 30$ ' driveway, accessed from York Road, to serve an existing two-car garage.
5) Variations seeking relief from maximum driveway width and parking pad depth code requirements are a common request via the Community Development Commission.
6) The Village Zoning Ordinance (Section 10-8-8) implements a maximum driveway width of 10 feet for residential uses. A parking pad the width of the garage served by the driveway is permitted to extend up to 20 feet in depth from the garage doors before tapering back to the required maximum driveway width of 10 feet. If the driveway were to meet these standards, there would only be 10 feet of remaining lineal space to allow for the tapering.
7) As shown in the images provided by the Applicant (included in the attached plans), a portion of the area they are looking to pave is in disrepair and is unimproved with grass and gravel. Correction notices have been issued due to the lack of maintenance and parking vehicles on this area.
8) Along the subject property's front lot line, there is an approximately $5 \times 20$ ' sidewalk area (which abuts the Village's sidewalk in the right-of-way). Should this Variation be denied, the sidewalk pavement on the Applicant's property would need to be removed. The Applicant is proposing paving the driveway to connect with their existing $5 \times 20^{\prime}$ concrete area.
9) The driveway is served by an existing curb cut, which is shared between the subject property and the neighboring property to the south. This Applicant does not intend to alter the curb cut in this project.
10) Public Welfare: The proposed Variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: The proposed variation will not endanger the health, safety, comfort, convenience and general welfare of the public, as it will actually enhance the safety, considering that the curb cut village installed apron is already 42 feet wide, 24 feet on the property involved and 18 feet on the property to the south. York road is a busy roadway and having to back into or back out of the drive is dangerous. There has been 3 deaths on this block alone in the last couple years. The existing garage is two doors with brick center wall, the exact doors measure 7'10 wide and require that the vehicles drive in, backing in is impossible even with the $20 \times 20$ allowed area off the garage. If two cars were parked in front on this $20 \times 20$ they could not back out, without driving over a grassy area on each side. If the $20 \times 20$ area was installed per code and it required a phase in to the $\mathbf{1 0}$ foot width, at the existing $\mathbf{2 0}$ foot width area already installed by the village, which is only 12 feet apart, it would cause 2 triangles on each side, the driveway would resemble a hourglass, and being of concrete, look ridiculous from the street.
2) Compatible with Surrounding Character: The proposed Variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed Variation.

Applicant's Response: The proposed replacement would remain the same, it's the additional length of $\mathbf{1 2}$ feet that is the requested variance, as it would be 20 feet wide to match the existing driveway entrance and the installation of the conforming $\mathbf{2 0 \times 2 0}$ area by the garage. The other homes on the block, both sides, consist of no driveways, shared driveway and single car driveway. The shared driveway has a street cut curb 26 feet wide, with an 11 foot and 9 foot individual driveways, separated by 3 feet of grass. Two driveways are 8 feet wide with 16 \& 20 foot street cuts, the other single drive is $111 / 2$ feet wide with a 21 foot curb cut. Needless to say, very little overall uniformity.
3) Undue Hardship: The proposed Variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: The proposed variance alleviates the unsafe/unsightly hourglass backing up situation. If the 20 foot width was allowed to match the 20 foot existing width of the village installed apron which continues 5 feet beyond the village sidewalk, it would be a major improvement. At that point its broken concrete and gravel that has been there for forty years.
4) Unique Physical Attributes: The proposed Variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: The unique physical attributes of the property is a brick narrow garage, with (2) 7'10 foot doors, requiring direct entry, and a 24 foot street apron that already exists and narrows down to 20 feet wide
5) Minimum Deviation Needed: The proposed Variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: The proposed variation represents the minimum deviation from regulation as it is only 2 triangles of additional driveway on each side of the required phasing in from 20 to 20 over a 12' length.
6) Consistent with Ordinance and Plan: The proposed Variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed variation is consistent with the village overall plan in that it removes an existing combination concrete/gravel driveway with an hourglass foot print and provides a smooth, appealing straight line concrete driveway from street to garage. After which tree stump removal, landscaping and decorative timber boarders will be installed. It wasn't until this property was recently cleaned up that any of the $\$ 400,000.00$ condo's to the south were even reviewed let alone sold.

| Maximum Driveway Width | Meets Standard |  |
| :--- | :---: | :---: |
| Variation Approval Standards | Yes | No |
| 1. Public Welfare | X |  |
| 2. Compatible with Surrounding Character | X |  |
| 3. Undue Hardship | X |  |
| 4. Unique Physical Attributes | X |  |
| 5. Minimum Deviation Needed | X |  |
| 6. Consistent with Ordinance and Plan | X |  |


| Driveway Parking Pad | Meets Standard |  |
| :--- | :---: | :---: |
| Variation Approval Standards | $Y e s$ | No |
| 7. Public Welfare | X |  |
| 8. Compatible with Surrounding Character | X |  |
| 9. Undue Hardship | X |  |
| 10. Unique Physical Attributes | X |  |
| 11. Minimum Deviation Needed | X |  |
| 12. Consistent with Ordinance and Plan | X |  |

## RECOMMENDATIONS:

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variations for Maximum Driveway Width and Driveway Parking Pad Depth at 213 S York Road with the following condition:

1) The pavement shall be pitched in accordance with the recommendations of the Village Engineer.

Respectfully Submitted,
Department of Community \& Economic Development











| TYPE: | SUBMITTED BY: | DEPARTMENT: | DATE: |
| :--- | :--- | :--- | :--- |
| Public Hearing | $\underline{K .}$ Fawell | $\underline{\text { CED }}$ | $\underline{07.06 .21}$ |

## DESCRIPTION:

CDC Case 2021-16: Consideration of Site Plan Review, an Amendment to a Planned Unit Development, and a Final Plat of Subdivision for the Properties Located in the Mohawk Terrace Subdivision

## SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

| $X$ |
| :---: |
|  |

Financially Sound Village
Quality Customer Oriented Services
Safe and Beautiful Village

$\square$ Enrich the Lives of Residents<br>Major Business/Corporate Center<br>Vibrant Major Corridors

## REQUEST:

1. Site Plan Review Municipal Code Section 10-3-2
2. Amendment to a Planned Unit Development Municipal Code Section 10-4-4
3. Code Departure, Outdoor Lighting Illumination Standards

Municipal Code Section 10-9-8.C
3. Final Plat of Subdivision Municipal Code Section 11-3

## SUM M ARY:

1. In November of 2020, the Owners appeared before the Community Development Commission and Village Board of Trustees, seeking approval of the following requests: Preliminary Plat of Subdivision, rezoning from residential to industrial, Site Plan Review, and a Preliminary Planned Unit Development with code departures. These requests, which were conditionally approved by the Village Board, were sought with the goal of assembling the previously residentially-zoned properties in the Mohawk Terrace Subdivision (southwest corner of Devon Avenue and Illinois Route 83) into an industrial use business park.
2. The site plan features four industrial buildings with parking for both trucks and passenger vehicles.
3. In conjunction with the Preliminary Planned Unit Development that was granted, the Petitioners sought code departures, as aspects of the site do not meet certain Village Zoning Ordinance requirements.
4. The Petitioner is currently in the process of seeking approval of a Final Planned Unit Development, which appeared before the CDC on June 1, 2021. It is tentatively scheduled to be on the agenda for the July 27, 2021 Village Board meeting. Approval of the requested amendment - if granted by the Village Board - is contingent upon approval of the Final PUD.
5. The Petitioner is now requesting an amendment to the Final PUD, as the Final PUD was strictly for site improvement work and grading, while this amendment regards the construction of two buildings, with available vehicle parking and landscape improvements, on the eastern portion of the site. The owners are required to seek an additional amendment to their PUD for the remaining western portion of the site.

## RECOMMENDATION:

1. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Site Plan Review.
2. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Planned Unit Development Amendment with the following conditions:
3. Proposed development of the eastern portion of the subject site shall be in accordance with submitted plans from Kimley-Horn dated 05.28.21, except as amended herein;
4. All conditions of approval required of the Preliminary Planned Unit Development (Ord. No. 662020) and the Final Planned Unit Development (Ord. No. $\qquad$ ) are consequently conditions of approval of the Planned Unit Development Amendment;
5. The code departure for Outdoor Lighting Illumination Standards is approved. Light fixtures shall be in accordance with plans submitted by Harris Architects Inc. and Kornacki \& Associates Inc dated 05.26.21; and
6. The Zoning Administrator has final review authority over the architectural design of the buildings.
7. Staff recommends the Approval of the Final Plat of Subdivision with the following condition:
8. The Petitioner shall revise the Plat in accordance with comments from the Village Engineering Department prior to appearing before the Village Board of Trustees.

## ATTACHMENTS:

## Description <br> Case Cover Page

Aerial \& Zoning Exhibits
Legal Notice
Application
Staff Report
Plat of Subdivision
Color Site Plan
Building A Site Plan, Floor Plan, Elevations
Building B Site Plan, Floor Plan, Elevations
Building Renderings
Engineering Plans
Photometric Plan
Landscape Plan
Center Landscape Area Rendering and Details

Upload Date Type
6/29/2021
6/29/2021
6/29/2021
6/29/2021
6/29/2021
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6/29/2021
6/29/2021

Cover Memo
Backup Material
Backup Material
Backup Material
Executive Summary
Backup Material
Backup Material
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Backup Material
Backup Material
Backup Material
Backup Material
Backup Material

## Community Development Commission

Public Hearing 07.06.21

CDC Case \#2021-16

ML Realty
Mohawk Terrace Subdivision

## Site Plan Review

Municipal Code Section 10-3-2
Amendment to a Planned Unit Development
Municipal Code Section 10-4-4
*With the following code departure:
Outdoor Lighting Illumination Standards, Section 10-9-8.C
Final Plat of Subdivision
Municipal Code Section 11-3

1. Aerial Photograph \& Zoning Map of Subject Property
2. Legal Notice
3. Application
4. Staff Report \& Exhibits
5. Plans


## $\Delta_{N}$

Village of Bensenville
Mohawk Terrace Subdivision

$N$
Village of Bensenville
Zoning Map


## LEGAL NOTICE/PUBLIC NOTICE NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Meeting of the Community Development Commission of the Village of Bensenville, DuPage and Cook Counties, will be held on Tuesday, July 6, 2021 at 6:30 P.M., at which a Public Hearing will be held to review case No. 2021-16 to consider a request for:

Site Plan Review<br>Municipal Code Section 10-3-2<br>Final Plat of Subdivision<br>Municipal Code Section 11-3

Amendment to a Planned Unit Development
Municipal Code Section 10-4-4
In conjunction with the requested Planned Unit Development Amendment, the Petitioner is asking the Community Development Commission consider a request of the following code departure:

Outdoor Lighting Illumination Standards
Municipal Code Section 10-9-8-C
at Mohawk Terrace Subdivision in the I-2 General Industrial District. The Public Hearing will be held in the Village Board Room at Village Hall, 12 S. Center Street, Bensenville.

The Legal Description is as follows:
THAT PART OF 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 NUMBER R1956-786620, IIN DU PAGE COUNTY, ILLINOIS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SUBDIVISION, SAID POINT ALSO LYING ON THE SOUTH RIGHT OF WAY LINE OF DEVON AVENUE; THENCE ALONG SAID SOUTH RIGHT OF WAY FOR THE FOLLOWING TWO (2) TRACTS: (1) THENCE NORTH 88 DEGREES 38 MINUTES 21 SECONDS EAST, A DISTRANCE OF 1506.24 FEET TO THE NORTHWEST CORNER OF LOT 77 IN SAID SUBDIVISION; (2) THENCE SOUTH 85 DEGREES 37 MINUTES 55 SECONDS EAST, A DISTANCE OF 100.18 FEET TO A POINT ON THE EAST LINE OF SAID LOT 77, SAID POINT BEING 10.00 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT 77; THENCE SOUTH 00 DEGREES 35 MINUTES 16 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 77, A DISTANCE OF 209.71 FEET TO THE COMMON CORNER OF LOTS 76, 77, 82 AND 83 IN SAID SUBDIVISION; THENCE NORTH 82 DEGREES 47 MINUTES 07 SECONDS EAST ALONG THE NORTH LINE OF LOTS 83 AND 84 IN SAID SUBDIVISION, A DISTANCE OF 201.14 FEET TO THE NORTHWEST CORNER OF LOT 72 IN SAID SUBDIVISION; THENCE NORTH 89 DEGREES 35 MINUTES 04 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 72, A DISTRANCE OF 200.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 72, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 73 THENCE NORTH 00 DEGREES 34 MINUTES 40 SECONDS WEST ALONG THE EAST LINE OF LOTS 73 AND

74 OF SAID SUBDIVISION, A DISTANCE OF 103.84 FEET TO THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 59 IN SAID SUBDIVISION; THENCE NORTH 89 DEGREES 31 MINUTES 35 SECONDS EAST ALONG SAID WESTERLY EXTENSION AND ALONG THE NORTH LINE OF SAID LOT 59, A DISTANCE OF 266.03 FEET TO THE NORTHEAST CORNER OF SAID LOT 59; THENCE SOUTH 00 DEGREES 35 MINUTES 04 SECONDS EAST, A DISTANCE OF 637.50 FEET TO THE SOUTHWEST CORNER OF LOT 52 IN SAID SUBDIVISION; THENCE NORTH 89 DEGREES 27 MINUTES 31 SECONDS EAST ALONG THE SOUTH LINE OF SAID LOT 52, A DISTANCE OF 199.52 FEET TO THE SOUTHEAST CORNER OF SAID LOT 52, SAID POINT ALSO LYING ON THE WEST RIGHT OF WAY LINE OF ILLINOIS ROUTE 83; THENCE SOUTH 00 DEGREES 32 MINUTES 46 SECONDS EAST ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 526.22 FEET TO THE SOUTHEAST CORNER OF SAID SUBDIVISION; THENCE SOUTH 88 DEGREES 38 MINUTES 54 SECONDS WEST ALONG THE SOUTH LINE OF SAID SUBDIVISION, A DISTANCE OF 2488.17 FEET TO THE SOUTHWEST CORNER OF SAID SUBDIVISION; THENCE NORTH 00 DEGREES 11 MINUTES 02 SECONDS EAST ALONG THE WEST LINE OF SAID SUBDIVISION, A DISTANCE OF 1269.29 FEET TO THE POINT OF BEGINNING.
P.I.N. 03-03-200-001 THROUGH 03-03-200-019; P.I.N. 03-03-200-0022 THROUGH 03-03-200026; P.I.N. 03-03-201-001 THROUGH 03-03-201-021; P.I.N. 03-03-202-001 THROUGH 03-03-202-008; P.I.N. 03-03-202-012; P.I.N. 03-03-202-015 THROUGH 03-03-202-017; P.I.N. 03-03-202-021 THROUGH 03-03-202-036; P.I.N. 03-03-203-003 THROUGH 03-03-203-008; P.I.N. 03-03-203-016 THROUGH 03-03-203-020; P.I.N. 03-03-204-001 THROUGH 03-03-204-013; P.I.N. 03-03-205-001 THROUGH 03-03-205-012;

Commonly known as the Mohawk Terrace Subdivision, Bensenville, IL 60106.
ML Realty Partners of 1 Pierce Place, Itasca, IL 60143 and Prologis of 321 N. Clark St, Suite 2625, Chicago, IL 60654 are the owners and ML Realty Partners of 1 Pierce Place, Itasca, IL 60143 is the applicant for the subject property.

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

Applicant's application and supporting documentation may be examined by any interested parties in the office of the Community and Economic Development Department, Monday through Friday, in the Village Hall, 12 South Center Street, Bensenville, IL 60106. All interested parties may attend the Public Hearing and be heard. Directions for electronic attendance and participation will be posted on the Village website at least 48 hours prior to the meeting date. Written comments mailed to Village Hall, and online comments submitted on the Village website, will be accepted by the Community and Economic Development Department through July 6, 2021 until 5:00 P.M

Office of the Village Clerk
Village of Bensenville

## TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT <br> June 17, 2021

## COMMUNITY DEVELOPMENT COMMISSION APPLICATION

## Address: Mohawk Terrace Subdivision

Property Index Number(s) (PIN): Various

## A. PROPERTY OWNER:

MLRP Busse and Devon LLC ML Realty Partners
Name Corporation (if applicable)

1 Pierce Place - Suite 450

| Street |  |  |
| :--- | :--- | :--- |
| Itasca | IL | 60143 |
| City | State | Zip Code |
| Timothy J Geisler | $630-250-2903$ | tgeisler@mlrealtypartners.com |
| Contact Person | Telephone Number | Email Address |

*If Owner is a Land Trust, attach a list of the names and addresses of the beneficiaries of the Trust.
B. APPLICANT: $\square$ Check box if same as owner

| Name | Corporation (if applicable) |  |
| :--- | :--- | :--- |
| Street |  |  |
| City | State | Zip Code |
| Contact Person | Telephone Number | Email Address |

B. ACTION REQUESTED (Check applicable):


## Site Plan Review

$\square$ Special Use Permit

## $\square$ Variation

$\square$ Administrative AdjustmentZoning Text or Map Amendment
$\square$ Zoning Appeal
$\square$ Plat of Subdivision
$\square$ Annexation
Planned Unit Development*
*See Staff for additional information on PUD requests

SUBMITTAL REQUIREMENTS:
$\square$ Affidavit of Ownership** (signed/notarized)
$\square$ Application**
$\square$ Approval Standards**
$\square$ Plat of Survey/Legal Description
$\square$ Site Plan
B Building Plans \& Elevations
$\square$ Engineering Plans
$\square$ Landscape Plan
$\square$ Tree Preservation and Removal Plan
$\square$ Application Fees
$\square$ Fees agreement**
**Item located within this application packet.

## C. PROJECT DATA:

1. General description of the site: East half - subdivision at the corner of Devon and Rt 83
2. Acreage of the site: $+/-34 \mathrm{AC}$ Building Size (if applicable): 2 totaling $+/-600 \mathrm{ksf}$
3. Is this property within the Village limits? (Check applicable below)
$\square$ Yes
$\square$ No, requesting annexation
$\square$ 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 | Exising Land Use | Jurisdiction |
| :---: | :---: | :---: | :---: |
| Site: | $\mathrm{I}-2$ | Industrial | Bensenville |
| Norl: | $\mathrm{I}-2$ | Industrial | Elk Grove |
| South: | $\mathrm{I}-1$ and $\mathrm{I}-2$ | Industrial | Bensenville \& EG |
| East: | $\mathrm{I}-2$ | Industrial | EIk Grove |
| West: | $\mathrm{I}-2$ | Industrial | Bensenville |

## D. APPROVAL STANDARDS:

The applicant must compose a letter describing how the request(s) specifically meets the individual criteria from the appropriate Approval Standards, found in Village Code and on the following pages. The CDC will be unable to recommend approval of a request without a response to the pertinent "Approval Standards."

## COMMUNITY DEVELOPMENT COMMISSION

## STAFF REPORT

HEARING DATE: July 6, 2021
CDC CASE \#:
PROPERTY:
PROPERTY OWNER:
APPLICANT:
SITE SIZE:
BUILDING SIZE:
ZONING:
REQUEST:
2021-16
Mohawk Terrace Subdivision
ML Realty \& Prologis
ML Realty
$\pm 32.1$ AC
$\pm 604,616 \mathrm{SF}$
I-2 General Industrial District
Site Plan Review
Municipal Code Section 10-3-2
Amendment to a Planned Unit Development
Municipal Code Section 10-4-4
Final Plat of Subdivision
Municipal Code Section 11-3
With the following code departures:

## Outdoor Lighting Illumination Standards

Municipal Code Section 10-6-8-C

## PUBLIC NOTICE:

1. A Legal Notice was published in the Bensenville Independent on Thursday, June 17, 2021. A Certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community \& Economic Development Department during regular business hours.
2. Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on Thursday, June 17, 2021.
3. On Friday, June 18, 2021, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. An Affidavit of Mailing executed by C \& ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community \& Economic Development department during regular business hours.

## SUMMARY:

In November of 2020, the Owners appeared before the Community Development Commission and Village Board of Trustees, seeking approval of the following requests: Preliminary Plat of Subdivision, rezoning from residential to industrial, Site Plan Review, and a Preliminary Planned Unit Development with code departures. These requests, which were conditionally approved by the Village Board, were sought with the goal of assembling the previously residentially-zoned properties in the Mohawk Terrace Subdivision (southwest corner of Devon Avenue and Illinois Route 83) into an industrial use business park. The site plan features four industrial buildings with parking for both trucks and passenger vehicles. In conjunction with the Preliminary Planned Unit Development that was granted, the Petitioners sought code departures, as aspects of the site do not meet certain Village Zoning Ordinance requirements.

The Petitioner is currently in the process of seeking approval of a Final Planned Unit Development, which appeared before the CDC on June 1, 2021. It is tentatively scheduled to be on the agenda for the July 27, 2021 Village Board meeting. Approval of the requested amendment - if granted by the Village Board - is contingent upon approval of the Final PUD.

The Petitioner is now requesting an amendment to the Final PUD, as the Final PUD was strictly for site improvement work and grading, while this amendment regards the construction of two buildings, with available vehicle parking and landscape improvements, on the eastern portion of the site. The owners are required to seek an additional amendment to their PUD for the remaining western portion of the site.

## SURROUNDING LAND USES:

|  | Zoning | Land Use | Comprehensive Plan | Jurisdiction |
| :---: | :---: | :---: | :---: | :---: |
| Site | $\mathrm{I}-2$ | Industrial | Single-Family Residential | Village of Bensenville |
| North | $\mathrm{I}-2$ | Industrial | N/A | Elk Grove Village |
| South | $\mathrm{I}-1$ | Industrial | N/A | Elk Grove Village |
|  | I - 2 | Industrial | Regional Commercial | Village of Bensenville |
| West | $\mathrm{I}-1$ | Industrial | N/A | Elk Grove Village |
| East | I -2 | Industrial | N/A | Elk Grove Village |
|  | Commercial | Local Commercial | Village of Bensenville |  |

## DEPARTMENT COMMENTS:

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

| X | Financially Sound Village |
| :--- | :--- |
|  | Quality Customer Oriented Services |
|  | Safe and Beautiful Village |
|  | Enrich the Lives of Residents |
| X | Major Business/Corporate Center |
|  | Vibrant Major Corridors |

## Finance:

1) No comments.

## Police:

1) No objections.

## Engineering and Public Works:

## Public Works:

1) No comments.

Engineering:

1) This development consists demolishing all existing single family homes on this 67.712 acre site and proposing a four lot sub-division consisting of four industrial buildings with associated parking lot, utilities and underground detention. This plan proposes to build the two industrial buildings on eastern half of the site.
2) All existing public right-of-way maintained by the Village of Bensenville will be vacated for this proposed development. It appears a small segment of Spruce Ave just south of Devon Ave is still shown as public right-of-way in the plat.
3) It appears there is a small cross access easement shown on the plat of subdivision on lot 3 and 4 ; however, it is unclear who this is granted to as there is no declaration language on the plat. Please clarify and revise the plat as necessary.
4) A DuPage County Stormwater Management Certification will be required for this project as the total land disturbing activity exceeds $5,000 \mathrm{SF}$. The developer must meet all other DuPage County Floodplain and Stormwater Ordinance requirements including submittal of a stormwater report. A stormwater report has been furnished and will be reviewed in details.
5) An Illinois Department of Transportation (IDOT) permit will be required for the proposed entrance within IL-83 right-of-way.
6) An IEPA-Sanitary, IEPA-Water, IHPA, IEPA-NOI and IEPA-NOT permit will be required for this development.
7) A Cook County Department of Transportation and Highways (CCDOTH) permit will be required for the proposed work in the Devon Ave rights-of-way.
8) The site doesn't appear to contain any floodplain and/or wetlands. However, it is the developer's responsibility to property identify and mitigate and special management areas in accordance with applicable rules and regulations.
9) It appears the site will breach the detention ( $25,000 \mathrm{SF}$ ) and PCBMP ( $2,500 \mathrm{SF}$ ) threshold set forth in the DuPage County Floodplain and Stormwater Ordinance. Therefore, site detention and PCBMP will be required. The proposed plan depict an underground detention basins to meet these criteria.
10) A 5 -feet wide ADA compliant public sidewalk will be required along the Devon Ave frontage of the site and shall connect to existing sidewalk.
11) A 10 -feet wide ADA compliant public shared use path will be required along the IL- 83 frontage of the site and shall connect to existing sidewalk/path.
12) The driveway openings along Devon Ave shall line up as best as possible with curb opening on opposite side of Devon Ave. This will likely be dictated by CCDOTH. It is my understanding the designer is working through this comment with CCDOTH.
13) Sanitary Manholes will be required every 300 -feet.
14) Individual water services for the building shall be equipped with a shut-off valve outside of the building (valve vault inside 60 -inch diameter vault).
15) The proposed detention basins are discharging to the existing storm sewer under Devon Ave. The CCDOTH will have the final say on permitting these connections. It is my understanding the designer is working through this comment with CCDOTH.
16) All proposed retaining walls over 3-feet in height will need to be accompanied with structural calculations signed and sealed by licensed structural engineering in the State of Illinois.
17) The Village owned public water supply mains currently dead ends at the intersection of IL-83/Devon Ave. My recommendation will be to build a secondary source of water, either by expanding the Village watermain along Devon Ave to Ellis St. This will be beneficial to the development in the long run for both domestic water supply and fire safety reasons.
18) The current plans show the proposed watermain being installed along the southern property line and temporarily dead-end at the western limits of the phased development. It is my understanding the utilities will be extended further west with future development phases. The designer will need to ensure all fire suppression requirements are met in accordance with applicable codes.
19) There are issues with the proposed plans and plat of subdivision that can be resolved during final engineering. In general, staff does not see any major problems that would hinder this concept plan from proceeding.

## Community \& Economic Development:

Fire Safety:

1) The developer will be required to meet the minimum water flow rates shown in the 2015 International Fire Code Appendix B. See table B105.1(2)
2) Village ordinance 40-2015 adopted on October 27, 2015- sections 903.7 and 903.8 - Fire Hydrant location and water flow rates.
3) It appears that the existing water main system will not be adequate for this project. The existing water main infrastructure will need to be updated.

Building:

1) No comments.

Economic Development:

1) Industrial property is, generally speaking, valued much higher than residential property.
2) Residential taxes for 2019 in this subdivision amounted to $\$ 670,288$. The Village received $12.224 \%$ of that amount totaling $\$ 81,936.05$ for 2019.
3) Staff projects industrial taxes for buildings $A$ and $B$, a 604,616 square foot development, at $\$ 1.34$ per square foot, which is an average taken from CoStar data of Class A industrial space of similar size in DuPage County. This would come out to approximately $\$ 810,185.44$ in total taxes. The Village, using the same tax rate in 2019, would see approximately $\$ 99,037$. This is only half of the proposed total project to be completed.
4) The new development will bring new businesses and new jobs into Bensenville.
5) As a direct result of this development, staff estimates that additional investment will happen in and around the proposed development area, again increasing the tax base.

Planning:

1) The 2015 Comprehensive Plan indicates "Single Family Residential" for the large majority of the properties in the subject site.
2) The current zoning of the subject properties are is I-2 General Industrial District. The site was previously zoned R-1 Single-Unit Dwelling District.
3) This development project was granted code departures upon approval of the Preliminary PUD for the following:
a. Industrial District Parking Location
i. In industrial districts, parking areas in the front and corner side yards shall not be the dominant point of view from the right-of-way and shall consist of less than 50 parking stalls.
b. Maximum Number of Parking Spaces
i. Parking facilities exceed the maximum required of parking spaces required by code, which states that the number of parking stall shall not exceed the minimum required amount by $125 \%$.
c. Maximum Driveway Width and Driveway Apron Width
i. The proposed driveways for the development exceed Code's maximum requirement for industrial uses of 30 feet. The driveways' aprons exceed the width of the driveways by more than three feet on either side, which is prohibited by the Zoning Ordinance.
d. Tree Replacement Standards
i. In order to construct this proposed site plan, 408 existing trees will need to be removed. The proposed tree replacement plan does not meet the amount of replacement trees as required by Code; however, the Village and the Owners have executed a fee-in-lieu agreement for the replacement trees, as was requested by ML Realty and Prologis.
4) An additional code departure is being requested in conjunction with approval of the Final PUD for outdoor storage area. The site exceeds the allowed maximum outdoor storage area of $25 \%$ of the gross lot area and it does not meet screening requirements of such areas.
a. The total area of the site is approximately $2,895,692 \mathrm{SF}$. The proposed outdoor storage area is $\pm 800,000 \mathrm{SF}$, or $27.62 \%$ of the gross lot area.
5) The following minor change has been made to the site plan from that of the one submitted for the Final Planned Unit Development (CDC Case 2021-11):
a. The landscape spine running north to south along the west of the subject site has been increased from 21 feet to 26 feet. The spine is comprised of a $5^{\prime}$ sidewalk with 10.5 ' of landscape island on either side. The area will be landscaped with perennials, shrubs, trees, and benches.
6) The parking facilities designated to Building A offer 250 passenger vehicle spaces and 67 trailer spaces. Building $B$ will be served by 321 passenger vehicles spaces and 67 spaces for trailer parking. This site also features land-banked parking to the north Building A consisting of 38 additional parking stalls.
a. In the event the landscape area is converted to vehicle parking, the area is still required to meet the perimeter parking lot landscape requirements of Section 10-$9-5 . B$ of the Village Zoning Ordinance, which states there must be a landscape area of $8^{\prime}$ in depth in order to screen the parking facilities.
7) In concert with the requested amendment to the Planned Unit Development, the Petitioner is seeking a departure for outdoor lighting as the proposed light poles ( $33^{\prime}$ and $40^{\prime}$ ) exceed the maximum required height of $24^{\prime}$, as well as the foot-candles exceed the maximum of one on lot lines, specifically along the eastern lot line.
a. The areas where the foot-candles exceed Code's maximum abut the rear of commercial lots along IL. RTE-83.
8) Building A has a square footage of 307,378 and Building $B$ has a square footage of 297,238. These footprints have been altered from the plans that were approved for the Preliminary PUD: Building A was 328,910 SF and Building B was 280,050 SF.
9) Both proposed buildings, which will consist of warehouse and office spaces, have a height of 48 feet. The façade has architectural features such as red trim and two-story window corner-accents by the main entrances to the office areas.
10) Staff believes the submitted plans are in accordance with those submitted for both the Preliminary and Final Planned Unit Development requests.
11) Surrounding Character: The site plan for the proposed development is consistent with the existing character and zoning of adjacent properties and other property within the immediate vicinity of the proposed development.

Applicant's Response: The site is a natural fit for an industrial park and will be consistent with the existing surroundings, which is comprised of industrial, commercial or data centers. The property is surrounded by Devon Avenue to the north, commercial properties and Route 83 to the east, and industrial properties to the west and south. It should be noted that ML Realty Partners and Prologis own most of the industrial buildings adjacent to the property lines on the west and south.
2) Neighborhood Impact: The site plan for the proposed development will not adversely impact adjacent properties and other properties within the immediate vicinity of the proposed development.

Applicant's Response: As the proposed use of the site is harmonious with surrounding properties, the site plan for the proposed development will not adversely impact adjacent properties and other properties within the immediate vicinity of the proposed development. Including the potential to add new jobs to the community, this project will have other direct financial gains to the Village of Bensenville. Currently, Mohawk Terrace generates approximately $\$ 670,000$ in property taxes annually. Once completed and stabilized this park could generate upwards of $\$ 2,000,000$ in property taxes. Additionally, by vacating the streets and right of ways, the Village will also save on road maintenance and snow plowing costs.
3) Public Facilities: The site plan for the proposed development will be provided with adequate utilities, access roads, parking, loading, drainage, stormwater flow paths, exterior lighting, and/or other necessary facilities.

Applicant's Response: All buildings will have ample parking for cars and adequate trailer parking for trucks. The existing subdivision is currently on well and septic systems so the redevelopment will include bringing water and sanitary sewers from the southeast corner of the site. All stormwater will be accounted for and contained on site via underground detention and water feature and released at the required rate. All new franchise utilities (ComEd, Nicor, AT\&T, etc.) will be installed underground for the new park. The curb cuts have been designed by a traffic engineer to account for traffic flow, separation of cars and trucks, adjacent driveways, and existing grades. The final locations of the curb-cuts will ultimately be up to the County on Devon Avenue and IDOT on Route 83.
4) Environmental Preservation: The site plan for the proposed development is designed to preserve the environmental resources of the zoning lot.

Applicant's Response: To enhance the aesthetics and create some amenities within the park we have increased green space areas from the I-2 zoning requirements. While we do fall short for the total number of trees required to be replaced for the large established residential subdivision, our landscape plan will exceed the code required plantings for any typical industrial developments. We have come to a fee-in-lieu agreement with the Village. A water feature has been included at the park entry on Route $\mathbf{8 3}$ to showcase this first-class industrial park.
5) On-site Pedestrian Circulation System: The site plan shall accommodate on-site pedestrian circulation from parking areas, plazas, open space, and public rights-of-way. Pedestrian and vehicular circulation shall be separated to the greatest extent possible.

Applicant's Response: We have included public sidewalks along both Devon Avenue and Route 83 to provide safe access to the Pace Bus Stop which is located at the southeast corner of the site. Additionally, we have included walking paths and sidewalks west of building 1 , in the center median between buildings 2 and 3, and along the access drive south of buildings 3 and 4 to tie into all public walks. A water feature has been included at the park entry on Route 83 to showcase this first-class industrial park.
6) Vehicle Ingress and Egress: The site plan shall locate curb cuts for safe and efficient ingress and egress of vehicles. The use of shared curb cuts and cross-access easements shall be provided when appropriate.

Applicant's Response: The curb cuts have been designed by a traffic engineer to account for traffic flow, separation of cars and trucks, adjacent driveways, and existing grades.
7) Architectural Design: The site plan for the proposed development includes architectural design that contributes positively to the Village's aesthetic appearance.

Applicant's Response: We will formally apply for a final approval of each individual building, however, this application is for the construction of site infrastructure and mass grading. The previously approved Preliminary PUD included the four proposed buildings. All will have rear loading and will be constructed on a speculative basis meaning they do not have any specific tenants at this time. The buildings are designed for maximum flexibility and could be leased to tenants from $40,000 \mathrm{SF}$ to $\mathbf{3 0 0 , 0 0 0} \mathrm{SF}$. We have included architectural elements constructed from glass, aluminum and precast at the corner entries and at the center entry of the buildings. All buildings will have ample parking for cars and adequate trailer parking for trucks.
8) Consistent with Title and Plan: The site plan for the proposed development is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The site plan for the proposed development is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

|  | Meets Standard |  |
| :--- | :---: | :---: |
| Site Plan Review Approval Standards | Yes | No |
| 1. Surrounding Character | X |  |
| 2. Neighborhood Impact | X |  |
| 3. Public Facilities | X |  |
| 4. Environmental Preservation | X |  |
| 5. On-site Pedestrian Circulation | X |  |
| 6. Vehicle Ingress \& Egress | X |  |
| 7. Architectural Design | X |  |
| 8. Consistent with Title and Plan | X |  |

## APPROVAL STANDARDS FOR PLANNED UNIT DEVELOPMENTS:

1) Comprehensive Plan: The proposed planned unit development fulfills the objectives of the Comprehensive Plan, and other land use policies of the Village, through an innovative and creative approach to the development of land.

Applicant's Response: The site plan for the proposed development is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village. Below responses should reflect the innovative and creatives approaches our team has taken in our proposal. The site is a natural fit for an industrial park and will be consistent with the existing surroundings, which is comprised of industrial, commercial or data centers. The property is surrounded by Devon Avenue to the north, commercial properties and Route 83 to the east, and industrial properties to the west and south. It should be noted that ML Realty Partners and Prologis own most of the industrial buildings adjacent to the property lines on the west and south.
2) Public Facilities: The proposed planned unit development will provide walkways, driveways, streets, parking facilities, loading facilities, exterior lighting, and traffic control devices that adequately serve the uses within the development, promote improved access to public transportation, and provide for safe motor vehicle, bicycle, and pedestrian traffic to and from the site.

Applicant's Response: We have included public sidewalks along both Devon Avenue and Route 83 to provide safe access to the Pace Bus Stop which is located at the southeast corner of the site. Additionally, we have included walking paths and sidewalks west of building 1 , in the center median between buildings 2 and 3 , and along the access drive south of buildings 3 and 4 to tie into all public walks. We are requesting that we relocate the existing full access curb-cuts and add new full access curb cuts along Devon Avenue and plan on utilizing the existing full access at Route 83. The curb cuts have been designed by a traffic engineer to account for traffic flow, separation of cars and trucks, adjacent driveways, and existing grades. The final locations of the curb-cuts will ultimately be up to the County on Devon Avenue and IDOT on Route 83.
3) Landscaping and Screening: The proposed planned unit development will provide landscaping and screening that enhances the Village's character and livability, improves air and water quality, reduces noise, provides buffers, and facilitates transitions between different types of uses.

Applicant's Response: To enhance the aesthetics and create some amenities within the park we have increased green space areas from the I-2 zoning requirements. While we do fall short for the total number of trees required to be replaced for the large established residential subdivision, our landscape plan will exceed the code required plantings for any typical industrial developments. A separate Memorandum of Understanding was agreed to between the Village and the Petitioner providing a payment of $\$ 200,000$ into the Villages Tree Fund in lieu of providing all of the required trees. We have included public sidewalks along both Devon Avenue and Route 83 to provide safe access to the Pace Bus Stop which is located at the southeast corner of the site. Additionally, we have included walking
paths and sidewalks west of building 1 , in the center median between buildings 2 and 3, and along the access drive south of buildings 3 and 4 to tie into all public walks. A water feature has been included at the park entry on Route 83 to showcase this first-class industrial park.
4) Site Design: The proposed planned unit development will incorporate sustainable and low impact site design and development principles.

Applicant's Response: We will formally apply for a final approval of each individual building, however, this application is for the construction of site infrastructure and mass grading. The previously approved Preliminary PUD included the four proposed buildings. All will have rear loading and will be constructed on a speculative basis meaning they do not have any specific tenants at this time. The buildings are designed for maximum flexibility and could be leased to tenants from $\mathbf{4 0 , 0 0 0} \mathbf{S F}$ to $\mathbf{3 5 0 , 0 0 0} \mathrm{SF}$. We have included architectural elements constructed from glass, aluminum and precast at the corner entries and at the center entry of the buildings. All buildings will have ample parking for cars and adequate trailer parking for trucks.
5) Natural Environment: The proposed planned unit development will protect the community's natural environment to the greatest extent practical, including existing natural features, water courses, trees, and native vegetation.

Applicant's Response:. To enhance the aesthetics and create some amenities within the park we have increased green space areas from the I-2 zoning requirements. While we do fall short for the total number of trees required to be replaced for the large established residential subdivision, our landscape plan will exceed the code required plantings for any typical industrial developments. A water feature has been included at the park entry on Route 83 to showcase this first-class industrial park.
6) Utilities: The proposed planned unit development will be provided with underground installation of utilities when feasible, including electricity, cable, and telephone, as well as appropriate facilities for storm sewers, stormwater retention, and stormwater detention.

Applicant's Response: The existing subdivision is currently on well and septic systems so the redevelopment will include bringing water and sanitary sewers from the southeast corner of the site. All stormwater will be accounted for and contained on site via underground detention and water feature and released at the required rate. All new franchise utilities (ComEd, Nicor, AT\&T, etc.) will be installed underground for the new park.

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

## RECOMMENDATIONS:

1) Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Site Plan Review.
2) Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Planned Unit Development Amendment with the following conditions:
1. Proposed development of the eastern portion of the subject site shall be in accordance with submitted plans from Kimley-Horn dated 05.28 .21 , except as amended herein;
2. All conditions of approval required of the Preliminary Planned Unit Development (Ord. No. 66-2020) and the Final Planned Unit Development (Ord. No. $\qquad$ are consequently conditions of approval of the Planned Unit Development Amendment;
3. The code departure for Outdoor Lighting Illumination Standards is approved. Light fixtures shall be in accordance with plans submitted by Harris Architects Inc. and Kornacki \& Associates Inc dated 05.26.21; and
4. The Zoning Administrator has final review authority over the architectural design of the buildings.
3) Staff recommends the Approval of the Final Plat of Subdivision with the following condition:
a. The Petitioner shall revise the Plat in accordance with comments from the Village Engineering Department prior to appearing before the Village Board of Trustees.

Respectfully Submitted,
Department of Community \& Economic Development

FINAL PLAT OF SUBDIVISION BENSENVILLE INDUSTRIAL PARK

P.I.N. 03-03-2000-001 THROUGH 03-03-200-019;
PIN 03-03-200-022 THROUGH $03-03-200-026$, P.I.N. 03-03-2000-022 THROUGH 033-03-200-026;
P.IN. $03-03-201-001$ THROUGH $03-03-201-021$ P.IN. $03-03-202-001$ THROUGH 03-03-03-202--028; P.I.N. 03-03-202-001
P.I.N. . 3 -03-202-012;
PIN



 P.I.N. 03-03-204-001 THROUGH 033-03-204-013;
P.I.N. $03-03-205-001$ THROUGH 03-03-205-012; $--\frac{}{16611^{1}(\mathrm{R})}$

## OWNER'S CERTIFICATE

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## village board

STATE OF LLLNOIS, SS
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dated at ------------ , llunols,

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## SURVEYOR'S CERTIFICATE

STATE OF LLLNOIS
countr Of KANE )ss






SIDEWALK EASEMENT PROVOSIONS





$\frac{\text { WEST ELEVATION }}{\text { CCAE }}$

$\frac{\text { NORTH ELEVATION }}{\text { SCAE: }}$

$\frac{\text { EAST ELEVATION }}{\text { SCAE }}$


SOUTH ELEVATION



$\frac{\text { NORTH }}{\text { CCAE: }}$ ELEVATION

$\frac{\text { SOUTH ELEVATION }}{\text { SCAE: }}$
(A2.1)


# FINAL ENGINEERING PLANS ML REALTY PARTNERS BENSENVILLE INDUSTRIAL PARK 

IL RTE 83 (BUSSE ROAD) \& DEVON AVENUE

| Sheet List Table |  |
| :--- | :--- |
| Sheet Number | Sheet Title |
| C0.0 | TITLE SHEET |
| C1.0 | GENERAL NOTES |
| C2.0 | OVERALL EXISTING CONDITIONS \& DEMOLITION PLAN |
| C3.0 | OVERALL SITE LAYOUT AND PAVING PLAN |
| C3.1 | SITE PLAN - NORTHWEST |
| C3.2 | SITE PLAN - NORTHEAST |
| C3.3 | SITE PLAN - SOUTHWEST |
| C3.4 | SITE PLAN - SOUTHEAST |
| C4.0 | EROSION CONTROL PLAN |
| C4.1 | EROSION CONTROL NOTES AND DETAILS |
| C5.0 | OVERALL GRADING PLAN |
| C5.1 | GRADING PLAN - NORTHWEST |
| C5.2 | GRADING PLAN - NORTHEAST |
| C5.3 | GRADING PLAN - SOUTHWEST |
| C5.4 | GRADING PLAN - SOUTHEAST |
| C5.5 | ADA GRADING DETAILS |
| C6.0 | OVERALL UTILITY PLAN |
| C6.1 | UTILITY PLAN - NORTHWEST |
| C6.2 | UTILITY PLAN - NORTHEAST |
| C6.3 | UTILITY PLAN - SOUTHWEST |
| C6.4 | UTILITY PLAN - SOUTHEAST |
| C6.5 | STRUCTURE TABLES |
| C6.6 | SANITARY PROFILES |
| C6.7 | SANITARY PROFILES |
| C6.8 | SANITARY PROFILES |
| C7.0 | CONSTRUCTION DETAILS |
| C7.1 | CONSTRUCTION DETAILS |
| C7.2 | CONSTRUCTION DETAILS |
| C7.3 | CONSTRUCTION DETAILS |
| C7.4 | CONSTRUCTION DETAILS |
| L1.0 | OVERALL LANDSCAPE PLAN |
| L1.1 | DETAILED LANDSCAPE PLAN |
| L1.2 | DETAILED LANDSCAPE PLAN |
| L1.3 | DETAILED LANDSCAPE PLAN |
| L1.4 | DETAILED LANDSCAPE PLAN |
| L2.0 | LANDSCAPE NOTES AND DETAILS |
|  |  |

## BENSENVILLE, ILLINOIS 60106






## UTILITY AND GOVERNING AGENCY CONTACTS

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## L, P.E.


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ROADWY AUTHORTYY | LINOIS SEPPRPTMENT OF TRANSPORTATION |
| :--- | ELL: (84) 7 P5-4000

ONTACT: JoSE RIOS
Cook COUNTY DEPARTMENT OF TRANSPORTATION
69 WEST WASHMGTON ST, 24TH FLLOOR

## 

## PROJECT TEAM

## 









NATURAL GAS COMPANY ELL. (847) $598-4011$
EAMLASHAHOOTHRNco.con
CONTACT: FORAM SHAH POWER COMPANY ConED (866) 639-3532 $\frac{\text { TELEPHONE }}{\text { AT\&T }}$



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CINLENINEER AND ASOCIATES, INC
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CONACT: AEME PPTNMM, P.EGOR.COM
ANDSCAPE ARCHTECT
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MARRENILLE, ,L LO555
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PROFESSIONAL ENGINEER'S CERTIFICATION


## GENERAL NOTES







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## EARTHWORK NOTES






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## Signage and pavement marking notes









## SANITARY SEWER NOTES



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## EROSION CONTROL NOTES






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EROSION CONTROL LEGEND
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| $\begin{aligned} & 0 \\ & 0 \\ & 0 \end{aligned}$ |  | ML REALTY PARTNERS BENSENVILLE INDUSTRIAL PARK IL-83 \& DEVON AVENUE BENSENVILLE, IL 60106 | OVERALL GRADING PLAN |  | SCALE: <br>  <br> AS NOTED <br> DESIGNED BY: JWG <br> DRAWN BY: AES <br> CHECKED BY: NJG | Kimley»)Horn <br>  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
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|  |  |  |  | $\frac{\text { ML REALTY }}{\text { PARTNERS }}$ |  |  |  |  |  |
|  |  |  |  |  |  |  | ISSUED For Bio | $\frac{5 / 8 / 21}{\text { DATE }}$ | Jwc |















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ML REALTY - BENSENVILLE INDUSTRIAL PARK \| LANDSCAPE PLAN RENDERING


ML REALTY - BENSENVILLE INDUSTRIAL PARK \| LANDSCAPE PLAN RENDERING

## DESCRIPTION:

CDC Case 2021-17: Consideration of a Planned Unit Development and Zoning Map Amendment to Rezone the Site from C-2 Commercial to R-5 Residential at 1131-39 Center Street

## SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:



Financially Sound Village Quality Customer Oriented Services
Safe and Beautiful Village

| X |
| :---: |
|  |
|  |

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

## REQUEST:

1. Zoning Map Amendment, C-2 Commercial -> R-5 Residential Municipal Code Section 10-3-6
2. Preliminary and Final Planned Unit Development Municipal Code Section 10-4

## SUM MARY:

1. The Petitioner is seeking a Zoning Map Amendment in order to rezone the subject property, an apartment complex consisting of 5 buildings, from its current classification as C-2 Commercial to R-5 Multiple-Unit Dwelling Residential.
2. This property was zoned as C-2 in 2019 during the comprehensive update to the Village's Zoning Ordinance and District Map.
3. The Petitioner is also requesting approval of a Planned Unit Development designation for the property.

## RECOMMENDATION:

1. Staff recommends the Denial of the Findings of Fact as they pertain to a Zoning Map Amendment and therefore the Denial of the request to rezone 1131-1139 Center Street from C-2 Commercial District to R-5 Multiple-Unit Dwelling District.
2. Staff recommends the Approval of the Findings of Fact as they pertain to a Special Use Permit and therefore the Approval of the Special Use Permit.
3. Staff recommends the Approval of the Findings of Fact as they pertain to a Planned Unit Development and therefore the Approval of the Preliminary and Final Planned Unit Development

ATTACHMENTS:
Description
Case Cover Page
Aerial \& Zoning Exhibits
Legal Notice
Application
Approval Standards Letter
Staff Report
Plat of Survey

Upload Date
6/29/2021
6/29/2021
6/29/2021
6/29/2021
6/29/2021
6/29/2021
6/29/2021

Type
Cover Memo
Backup Material
Backup Material
Backup Material
Backup Material
Executive Summary
Backup Material

GATEWAY TO OPPORTUNITY

Community Development Commission
Public Hearing 07.06.21
CDC Case \#2021-17

Brook Forest, LP
1131-39 Center Street

Zoning Map Amendment, C-2 Commercial $\rightarrow$ R-5 Residential
Municipal Code Section 10-3-6

Preliminary and Final Planned Unit Development
Municipal Code Section 10-4

1. Aerial Photograph \& Zoning Map of Subject Property
2. Legal Notice
3. Application
4. Staff Report \& Exhibits
5. Plans



## LEGAL NOTICE/PUBLIC NOTICE NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Meeting of the Community Development Commission of the Village of Bensenville, DuPage and Cook Counties, will be held on Tuesday, July 6, 2021 at 6:30 P.M., at which a Public Hearing will be held to review case No. 2021-17 to consider a request for:

Zoning Map Amendment, C-2 Commercial District to R-5 Multiple-Unit Dwelling District Municipal Code Section 10-3-6

Planned Unit Development
Municipal Code Section 10-4
at 1131-1139 Center Street in the C - 2 Commercial District. The Public Hearing will be held in the Village Board Room at Village Hall, 12 S. Center Street, Bensenville.

The Legal Description is as follows:
PARCEL 1: THE NORTH 68.37 FEET OF LOT 24, AS MEASURED ON THE WEST LINE, THE SOUTH LINE OF SOME BEING RIGHT ANGLES TO THE WEST LINE OF SAID LOT, TOGETHER WITH THE SOUTH 14 FEET OF THAT PART LOT 23 LYING EAST OF THE PROLONGATION NORTH OF THE WEST LINE OF LOT 24, IN CANTRELL'S RESUBDIVISION CORRECTED PLAT OF PART OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 31, 1959 AS DOCUMENT 951826, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: THE SOUTH 115 FEET OF THE NORTH 181.37 FEET OF THE WEST 133.5 FEET OF LOT 24 (MEASURED ON THE WEST LINE AND PERPENDICULAR TO THE WEST LINE OF SAID LOT) IN CANTRELL'S RESUBDIVISION CORRECT PLAT AS PART OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 31, 1959 AS DOCUMENT 951826, IN DUPAGE COUNTY, ILLINOIS.

PARECEL 3: THE SOUTH 115 FEET OF THE NORTH 181.37 FEET (EXCEPT THE WEST 133.5 FEET) OF THE WEST 133.5 FEET OF LOT 24 (MEASURED ON THE WEST LINE AND PERPENDICULAR TO THE WEST LINE OF SAID LOT) IN CANTRELL'S RESUBDIVISION CORRECTED PLAT AS PART OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 31, 1959 AS DOCUMENT 951826, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 4: THE WEST 133.5 FEET OF LOT 24 LYING SOUTH OF THE NORTH 181.37 FEET (MEASURED ON THE WEST LINE AND PERPENDICULAR TO THE WEST LINE THEREOF AND WHICH LIES 145 FEET NORTHLY OF AND PARALLEL TO THE SOUTHERLY LINE OF SAID LOT) IN CANTELL'S RESUBDIVISION CORRECTED PLAT AS PART OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT

THEREOF RECORDED DECEMBER 31, 1959 AS DOCUMENT 951826, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 5: THAT PART OF LOT 24 LYING SOUTH OF THE NORTH 181.37 FEET (MEASURED ON THE WEST LINE AND PERPENDICULAR TO THE WEST LINE THEREOF) AND WHICH LIES 145 FEET NORTHERLY AND PAEALLEL TO THE SOUTHERLY LINE OF SAID LOT, EXCEPT THE WEST 133.5 FEET THEREOF) IN CANTELL'S RESUBDIVISION CORRECTED PLAT AS PART OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 31, 1959 AS DOCUMENT 951826, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 6: EASEMENTS FOR THE INGRESS AND EGRESS AND FOR THE INSTALLATION, USE AND MAINTENANCE OF PUBLIC UTILITIES IN FACOR OF PARCELS 1 TO 5, BOTH INCLUSIVE AS DISCLOSED BY DECLARATION MADE BY ELMHURST NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 27, 1960 AND KNOWN AS TRSUT NUMBER 1434, RECORDED OCTOBER 27, 1960 AS DOCUMENT 985195, OVER THE FOLLOWING PROPERTY:

THAT PART OF LOT 24 IN CANTRELL'S RESUBDIVISION CORRECTED PLAT DESCRIBED BY: BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID LOT FOR A POINT OF BEGINNING; THEREOF NORTH ON THE EAST LINE THEREOF 98.78 FEET; THENCE NORTHWESTERLY ON A LINE TO A POINT THAT IS 145 FEET NORTHERLY OF AND AT RIGHT ANGLES TO THE SOUTHERLY LINE OF SAID LOT AND 9.71 FEET WESTERLY OF THE EAST LINE OF SAID LOT (AS MEASURED ON A LINE THAT IS 145 FEET NORTHERLY OF AND PARALLEL TO AND AT RIGHT ANGLES TO THE SOUTHERLY LINE OF SAID LOT) THENCE CONTINUING WESTERLY ON SAID LINE THAT IS 145 FEET NORTHERLY OF AND PARALLEL TO THE SOUTHERLY LINE OF SAID LOT 19.77 FEET; THENCE SOUTHEASTERLY ON A LINE 35.32 FEET TO A POINT THAT IS 22.42 FEET WEST OF SAID EAST LINE; THENCE SOUTHERLY 32.97 FEET TO A POINT THAT IS 20 FEET WEST OF SAID EAST LINE; THENCE SOUTHERLY 7 FEET TO A POINT THAT IS 19.48 WEST OF SAID EAST LINE; THENCE WESTERLY 0.52 FEET PARALLEL TO SAID SOUTHERLY LINE AND 70.22 FEET NORTH OF THE SOUTHERLY LINE OF SAID LOT; THENCE SOUTH PARALLEL TO SAID EAST LINE 70.22 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT THAT IS 20.05 FEET WESTERLY FROM THE EAST LINE OF SAID LOT (AS MEASURED ALONG SAID SOUTH LINE_; THENCE EASTERLY ON SAID SOUTHERLY LINE 20.02 FEET TO A POINT OF BEGINNING IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 31, 1959 AS DOCUMENT 951826, IN DUPAGE COUNTY, ILLINOIS.

THE WEST 33 FEET OF THE SOUTHERLY 145 FEET (MEASURED PARALLEL TO AND AT RIGHT ANGLES TO THE SOUTHERLY LINE THEREOF) OF LOT 24 IN CANTRELL'S RESUBDIVISION CORRECTED PLAT, IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 31, 1959 AS DOCUMENT 951826, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 1131-39 Center Street, Bensenville, IL 60106.

Brook Forest LP of 7330 Fairmont, Downers Grove, IL 60516 is the owner and applicant for the subject property.

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

Applicant's application and supporting documentation may be examined by any interested parties in the office of the Community and Economic Development Department, Monday through Friday, in the Village Hall, 12 South Center Street, Bensenville, IL 60106. All interested parties may attend the Public Hearing and be heard. Directions for electronic attendance and participation will be posted on the Village website at least 48 hours prior to the meeting date. Written comments mailed to Village Hall, and online comments submitted on the Village website, will be accepted by the Community and Economic Development Department through July 6, 2021 until 5:00 P.M

Office of the Village Clerk
Village of Bensenville

## TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT June 17, 2021



## COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address:


Property Index Numbers) (PIN): $\qquad$ $26-204-007$

## A. PROPERTY OWNER:


*If Owner is a Land Trust, attach a list of the names and addresses of the beneficiaries of the Trust.
B. APPLICANT: $\triangle$ Check box if same as owner

| Name | Corporation (if applicable) |  |
| :--- | :--- | :--- |
| Street | State | Zip Code |
| City | Telephone Number | Email Address |

B. ACTION REQUESTED (Check applicable):
$\square$ Site Plan Review
$\square$ Special Use Permit
$\square$ Variation
$\square$ Administrative Adjustment

- Zoning Text or Map Amendment
$\square$ Plat of Subdivision
Annexation
圈 Planned Unit Development*
*See Staff for additional information on PUD requests

SUBMITTAL REQUIREMENTS:

| $\square$ | Affidavit of Ownership** (signed/notarized) |
| :--- | :--- |
| $\square$ | Application** |
| $\square$ | Approval Standards** |
| $\square$ | Plat of Survey/Legal Description |
| $\square$ | Site Plan |
| $\square$ | Building Plans \& Elevations |
| $\square$ | Engineering Plans |
| $\square$ | Landscape Plan |
| $\square$ | Tree Preservation and Removal Plan |
| $\square$ | Application Fees |
| $\square$ | Fees agreement** |

**Item located within this application packet.

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



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

区 Yes
Z No, requesting annexation
区 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.)

$\qquad$
5. Character of the site and surrounding area:

|  | Zoning | Existing Land Use | Jurisdiction |
| :---: | :---: | :---: | :---: |
| Site: | $C-2$ | Lotal Commerial |  |
| Noith: | $R-2$ | A ingee gamily Reidr commelicial /freluroterial | $0,0$ |
| South: | $c-3$ | Aten. Commertial | Emahurt |
| East: | c-2) | Focal " | Village of kem |
| West: | $C-2+P U D$ | " 1 |  |

## D. APPROVAL STANDARDS:

The applicant must compose a letter describing how the request(s) specifically meets the individual criteria from the appropriate Approval Standards, found in Village Code and on the following pages. The CDC will be unable to recommend approval of a request without a response to the pertinent "Approval Standards."

Scott Viger<br>Re: Brook Forest, LP<br>12 S Center St<br>Bensenville, ILL 60106

The five 12 -flat apartment buildings have been in existence for over 40 years and have never been cited for endangering the health, safety, comfort, convenience, and general welfare of the public by the Village of Bensenville.

The property has proven by the issue of its longevity, 40+ years, that it is compatible with the existing use, character, and zoning of adjacent properties. Many permitted uses exist and some came in afterwards and surrounded the property on 3 sides. The 60 units provide housing for residents and provide approximately $\$ 60,000$ tax receipts to the Village of Bensenville and others.

The property's occupancy since its inception has always been at or above $98 \%$. Moreover, it has or should be designated PUD-R5. The city could not back up with its records why this has changed. Lender was not notified either.

Like any other apartment building in town, it is consistent with the intent of a comprehensive plan and other land policies of the Village.

I believe the comprehensive plan as applied to this property has stood the test of time. Specifically, the decent revenue generated the last 10 years, market acceptance, adequate parking, decent exterior lighting, safe car use, and safe traffic to and from the site describe this property.

The interior landscaping is above average and reveals a high pride of ownership. The existing buffers are maintained and do the job that they are intended to do.


The height of the existing buildings is approximately 15 ft . and is close to the height of most buildings in the immediate area. The flat roof on these buildings emphasizes their low profile.

We have outdoor sculptures, 2 water fountains, and plants that could be used as a benchmark for others that wish to raise their property to another level.

Underground utilities were used, including electric, cable and telephone. The existing storm and sanitary sewers are adequate for the job.

The Grand Subaru car wash will impact this property in a very negative way with its placement 60 ft away from our residents' bedrooms. Good planning will dictate placement further away from this property. Approximately 60 residents made this assessment that live at the property.

Matt Pauga<br>Parz<br>By: White Birch Management Company General Partner<br>President<br>7330 Fairmount Avenue<br>Downers Grove, IL 60516

Attn: Scott Viger
Re: Brook Forest, LP
12 S. Center St
Bensenville, ILL 60106


I am requesting that the property I own at 1131-1139 S Center St. be rezoned to PUD-R5 to reflect the true use of the property. The property as far back as 45+ years has always carried a multiple family R5 designation.

We have never been notified, nor has the lender been notified, of any down zoning on this property. Proper and specific legal notice must be given to the property owner. The city is not exempt from this requirement and cannot do things for the specific benefit of one property owner at the expense of another.

Please advise me if there is anything else you might need in your analysis, especially omissions, of this subject matter so that we can proceed in an expeditious manner.

Again, I want any and all conversations the City has had with anyone on this change in zoning and the minutes of the meeting where this action took place. Additionally, a legal notice must be specific and directed personally to the property owner.

MattPauga Thai Vay<br>By: White Birch Management Company Gen. Partner<br>President<br>7330 Fairmount Avenue<br>Downers Grove, IL 60516

## COMMUNITY DEVELOPMENT COMMISSION

## STAFF REPORT

HEARING DATE:
CASE \#:
PROPERTY:
PROPERTY OWNER:
APPLICANT:
SITE SIZE:
BUILDING SIZE:
PIN NUMBER:
ZONING:
REQUEST:

July 6, 2021
2021-17
1131-39 Center Street
Brook Forest, LP
Same as Above
2.04 AC

19,000 SF
03-26-204-007
C-2 Commercial District
Zoning Map Amendment, C-2 Commercial $\rightarrow$ R-5 Multiple-Unit
Municipal Code Section 10-3-6
Preliminary \& Final Planned Unit Development
Municipal Code Section 10-4

## PUBLIC NOTICE:

1. A Legal Notice was published in the Bensenville Independent on Thursday, June 17, 2021. A Certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community \& Economic Development Department during regular business hours.
2. Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on Thursday, June 17, 2021.
3. On Friday, June 18, 2021, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. An Affidavit of Mailing executed by C \& ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community \& Economic Development department during regular business hours.

## SUMMARY:

The Petitioner is seeking a Zoning Map Amendment in order to rezone the subject property, an apartment complex consisting of 5 buildings, from its current classification as C-2 Commercial to R-5 Multiple-Unit Dwelling Residential. This property was zoned as C-2 in 2019 during the comprehensive update to the Village's Zoning Ordinance and District Map. The Petitioner is also requesting approval of a Planned Unit Development designation for the property.

SURROUNDING LAND USES:

|  | Zoning | Land Use | Comprehensive Plan | Jurisdiction |
| :---: | :---: | :---: | :---: | :---: |
| Site | $\mathrm{C}-2$ | Residential | Local Commercial | Village of Bensenville |
| North | $\mathrm{C}-2$ <br> $\mathrm{R}-2$ | Commercial <br> Residential | Local Commercial <br> Single Family Residential | Village of Bensenville |
| South | $\mathrm{C}-2$ | Commercial | Local Commercial | Village of Bensenville |
| East | $\mathrm{C}-2$ | Commercial | Local Commercial | Village of Bensenville |
| West | $\mathrm{C}-2$ <br> $\mathrm{R}-2$ | Commercial <br> Residential | Local Commercial <br> Single Family Residential | Village of Bensenville |

## DEPARTMENT COMMENTS:

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

| $\square$ |
| :--- |
|  |
| X |
|  |

Financially Sound Village
Quality Customer Oriented Services
Safe and Beautiful Village
X Enrich the Lives of Residents
Major Business/Corporate Center
Vibrant Major Corridors

Finance:

1) Accounts are up to date with billing.

Police:

1) No objections.

Engineering and Public Works:
Engineering:

1) No comments.

Public Works:

1) No comments.

Community \& Economic Development:
Economic Development:

1) No comments.

Fire Safety:

1) No comments.

Building:

1) No comments.

Planning:

1) The 2015 Comprehensive Plan indicates "Local Commercial" for this property.
2) The current zoning is C-2 Commercial District.
3) In 2019, the Village adopted its 2019 Zoning Ordinance and Map, which consisted of a comprehensive overhaul to the previous documents. During this process, the Village reached out to its residents to enlist their feedback. This was done by holding Public Meetings and Hearings, as well notifying residents via mail, e-blasts, newspaper advertisements, and more.
4) When updating the Zoning Map, which included a reduction in the number of districts and the rezoning of properties, the Village looked to recommendations outlined in the 2015 Comprehensive Plan. The Comprehensive Plan was drafted by the Village and the Chicago Metropolitan Agency for Planning (CMAP) with the intent of creating a welldefined framework for development in the Village to reflect our vision of its future over the next 10-20 years. A goal in achieving that vision is the prioritization of the revitalization of the Village's commercial corridors, both in the near- and long-term.
5) The Future Land Use Map included in the Comprehensive Plan (p. 22) was created to reflect planning recommendations set forth in the Plan and to serve as the foundation for an update to the Zoning Ordinance. This map indicates "Local Commercial" for the subject property, making the use harmonious with others along the Grand Avenue Commercial Corridor.
a. Local Commercial Districts are defined as containing "retail, office, and serviceoriented commercial uses that serve the day-to-day needs of households living within a walking or short driving distance."
6) In the Zoning Ordinance, Multiple-Unit Dwellings are a Special Use in the C-2 District. The subject property's current residential use is still allowed under the Code, regardless of the commercial designation, also due to Section 10-5-3, which considers this use as a "legal nonconforming use": a use of land that at one time conformed to applicable zoning regulations, but no longer conforms due to subsequent amendments to this Ordinance.
7) The Petitioner feels that their property's zoning should be reverted back to its previous Multiple-Unit Residential and rezoned to R-5.
8) Staff recommends maintaining the current $\mathrm{C}-2$ Commercial zoning.
9) The Petitioner is also requested a Planned Unit Development designation. Planning Staff recommended this request be made to the Petitioner. If a development such as this apartment complex were proposed to the Village at this current time, the granting of a PUD would be required.
a. As defined in the Zoning Ordinance, Planned Unit Developments are a distinct category of special use permit intended to allow flexibility in the application of the standards of this Ordinance for significant development proposals that provide amenities to the community beyond those required of conventional development applications.
b. In regards to the subject property, the PUD designation would serve to meet the following goals required of such developments:
i. Encourage creativity, flexibility, sustainability, and environmental sensitivity in the development of land and the design of structures.
ii. Provide for the efficient use of land to facilitate a more effective arrangement of land uses, structures, utilities, circulation systems, parking, and other facilities.

## APPROVAL STANDARDS FOR ZONING MAP AMENDMENTS:

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

Applicant's Response: There is no threat to the health, safety, comfort, convenience, and general welfare of the public with this rezoning.
2) Neighborhood Character: The proposed amendment is compatible with the existing uses, character, and zoning of adjacent properties and other property within the immediate vicinity of the proposed amendment.

Applicant's Response: The property was zoned residential until it was recently rezoned by the village to commercial zoning. We are requesting it be amended to its previous correct zoning.
3) Public Gain: The proposed amendment provides a relative gain to the public, as compared to any hardship imposed upon an individual property owner.

Applicant's Response: There is no hardship imposed by this rezoning to an individual property owner.
4) Community Need: The proposed amendment addresses the community need for a specific use.

Applicant's Response: The amendment will zone the property to the correct present usage of the property.
5) Amendment Objective: The proposed amendment corrects an error, adds clarification, or reflects a change in policy.

Applicant's Response: The property was incorrectly zoned as commercial and needs to be rezoned as residential.
6) Consistent with Title and Plan: The proposed amendment is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: This proposed amendment is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village because there is no change in the existing usage of the property.

|  | Meets Standard |  |
| :--- | :---: | :---: |
| Zoning Map Amendment Approval Standards | Yes | No |
| 1. Public Welfare | X |  |
| 2. Neighborhood Character |  |  |
| 3. Public Gain |  | X |
| 4. Community Need |  | X |
| 5. Amendment Objective |  | X |
| 6. Consistent with Title and Plan |  | X |

## APPROVAL STANDARDS FOR SPECIAL USES:

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

Applicant's Response: Brook Forest Apartments does not endanger the health, safety, comfort, convenience and general welfare of the public.
2) Neighborhood Character: The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Brook Forest Apartments has been compatible with the character of adjacent properties and other property within the immediate vicinity.
3) Orderly Development: The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: Brook Forest Apartments does not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity.
4) Use of Public Services and Facilities: The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: Brook Forest Apartments has the required utilities, access roads, drainage, and/or other facilities or services and uses them proportionally to that normally expected of permitted uses in the district, and does not require any new services or facilities.
5) Consistent with Title and Plan: The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Brook Forest Apartments is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the village.

|  | Meets Standard |  |
| :--- | :---: | :---: |
| Special Use Permit Approval Standards | Yes | No |
| 1. Public Welfare | X |  |
| 2. Neighborhood Character | X |  |
| 3. Orderly Development | X |  |
| 4. Use of Public Services and Facilities | X |  |
| 5. Consistent with Title and Plan | X |  |

1) Comprehensive Plan: The proposed planned unit development fulfills the objectives of the Comprehensive Plan, and other land use policies of the Village, through an innovative and creative approach to the development of land.

Applicant's Response: There is no plan for future development of the property at this time, however the property currently fulfills the objectives of the Comprehensive Plan and other land use policies of the Village.
2) Public Facilities: The proposed planned unit development will provide walkways, driveways, streets, parking facilities, loading facilities, exterior lighting, and traffic control devices that adequately serve the uses within the development, promote improved access to public transportation, and provide for safe motor vehicle, bicycle, and pedestrian traffic to and from the site.

Applicant's Response: The property has clear and well maintained walkways. The driveways, entry/exit points, and parking facilities are all clearly marked and safe to use. Safe traffic to and from the site describes this property. Current exterior lighting on the property provides security and visibility for the public.
3) Landscaping and Screening: The proposed planned unit development will provide landscaping and screening that enhances the Village's character and livability, improves air and water quality, reduces noise, provides buffers, and facilitates transitions between different types of uses.

Applicant's Response: The interior landscaping is above average and reveals a high pride of ownership. The existing buffers are maintained and do the job that they are intended to do.
4) Site Design: The proposed planned unit development will incorporate sustainable and low impact site design and development principles.

Applicant's Response: The property consists of 60 apartment homes. Our goal is to create a sustainable and low impact site design to minimize potential disturbance to our residents' peaceful enjoyment of their home and surrounding community.
5) Natural Environment: The proposed planned unit development will protect the community's natural environment to the greatest extent practical, including existing natural features, water courses, trees, and native vegetation.

Applicant's Response: We have outdoor sculptures, 2 water fountains, and plants that could be used as a benchmark for others that wish to raise their property to another level.
6) Utilities: The proposed planned unit development will be provided with underground installation of utilities when feasible, including electricity, cable, and telephone, as well as appropriate facilities for storm sewers, stormwater retention, and stormwater detention.

Applicant's Response: Underground utilities were used, including electric, cable and telephone. The existing storm and sanitary sewers are well maintained and clear of any local blockages near the property.

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

## RECOMMENDATIONS:

Staff recommends the Denial of the above Findings of Fact as they pertain to a Zoning Map Amendment and therefore the Denial of the request to rezone 1131-1139 Center Street from C-2 Commercial District to R-5 Multiple-Unit Dwelling District.

Staff recommends the Approval of the above Findings of Fact as they pertain to a Special Use Permit and therefore the Approval of the Special Use Permit at 1131-1139 Center Street.

Staff recommends the Approval of the above Findings of Fact as they pertain to a Planned Unit Development and therefore the Approval of the Preliminary and Final Planned Unit Development at 1131-1139 Center Street.

Respectfully Submitted,
Department of Community \& Economic Development
KABAL SURVEYING COMPANY
Land Surveying Services
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SURVEY UPDATED DECENERR 9,2010





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TYPE: SUBMITTED BY: DEPARTMENT: DATE:
Public Meetings
K. Fawell CED
07.06 .21

## DESCRIPTION:

Consideration of a Plat of Consolidation at 1000 N IL Rte. 83

## SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

$\square$ Financially Sound Village
Quality Customer Oriented Services
Safe and Beautiful Village


## REQUEST:

1. Plat of Consolidation

Municipal Code Section 11-3

## SUMMARY:

1. The Petitioner, Hamilton Partners, is requesting a Plat of Consolidation at 1000 N IL Rte. 83 , formerly addressed as 1000 Tower Lane.
2. An existing 144,350 SF industrial building is located on the subject property.

## RECOMMENDATION:

1. Staff recommends the approval of the Plat of Consolidation at 1000 N IL Rte. 83.

## ATTACHMENTS:

Description
Case Cover Page
Plat of Consolidation

Upload Date
6/29/2021
6/29/2021

Type
Cover Memo
Backup Material

## Community Development Commission

Public Meeting 07.06.21

## Hamilton Partners

1000 N IL Rte. 83
Plat of Consolidation
Municipal Code Section 11-3





[^0]:    Ronald Rowe, Chairman
    Community Development Commission

