

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

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

October 28, 2013

CALL TO ORDER: The meeting was called to order by Chairman Moruzzi at 6:31p.m.

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

STAFF PRESENT: Village Attorney, Mary Dickson, V. Kosman, Rysavy, Viger, Williamsen

Commissioner Rodriguez entered the meeting at 6:32p.m.

JOURNAL OF PROCEEDINGS:

The minutes of the Community Development Commission Meeting of October 14, 2013 were presented.

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

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2013-06
Petitioner: Speedway, LLC
Location: 1120 W. Irving Park Road
Request: Service Stations, Electronic Message Center and Outdoor Sales and Display and Variances

Motion: Commissioner Pisano made a motion to open CDC Case No. 2013-06. Commissioner Rowe seconded the motion.

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

Chairman Moruzzi opened the Public Hearing at 6:34 p.m.

Village Attorney, Mary Dickson, held a mass swearing in for members of the audience who intended to make comments related to CDC Case No. 2013-06

Village Planner, Victoria Kosman, stated a legal notice was published in the Daily Herald on October 12, 2013 and that a certified copy of the legal notice is maintained in the CDC file and available for viewing. Ms. Kosman also stated that Village Staff posted a notice of the Public Hearing sign on the property on October 11, 2013. Ms. Kosman stated on October 11, 2013 Village Staff mailed first class notice of the Public Hearing to taxpayers of record within 500 feet of the property in question.

Ms. Kosman stated Speedway held a neighborhood meeting regarding their proposal on October 10, 2013.

Richard Yost of Speedway made a power point presentation to the Commission and members of the audience. The power point presentation has been attached to the minutes as "Exhibit A."

Mr. Yost stated Speedway is proposing a 4,600 square foot retail fuel and c-store that will be constructed on a 3.56 acre site. Mr. Yost stated Speedway will offer a state of the art c-store with high volume fast food, merchandise and convenience items. Mr. Yost stated Speedway has proposed 24 gasoline retail fueling position (12 pumps) along with three high flow commercial fueling lanes behind the store. Mr. Yost indicated there will be 26 auto parking spots and the proposed Speedway would operate 24 hours. Mr. Yost stated the proposed site will not permit truck parking on site. Mr. Yost stated Speedway has chosen Bensenville as a future location due to the proximity to O'Hare Airport along with attractive demographics and tax advantages to Cook County and the City of Chicago. Mr. Yost stated Speedway has 20,000 employees nationwide and offers all employees, even part-time, options for health, dental and retirement. Mr. Yost stated Speedway trains their employees twice a year. Mr. Yost stated it is Speedway's policy to card under 30 years old for tobacco products. Mr. Yost stated Speedway only operates out of the Midwest. Mr. Yost stated Speedway is very involved in charities and Children's Hospitals and looks forward to working with Bensenville. Mr. Yost stated the proposed operation is a \$6.7 million dollar investment into Bensenville and will be constructed within four months if approved before the end of the year. Mr. Yost stated construction would be complete by July 2014.

Mr. Yost stated Speedway estimates \$500,000 in tax revenue for the Village per year. Mr. Yost stated there would be \$700,000 improvements made to Irving Park Road and Marshall Road as well.

Christen Kalischefski, design engineer for Speedway, presented to the Committee the overall lay out of the proposed property. Mr. Kalischefski stated there are over 20,000 vehicles passing the proposed site per day with 2,000 vehicles passing the proposed site during peak hours. Mr. Kalischefski stated Speedway does not anticipate trucks traveling along Route 83 to detour to their site with the future Thornton's Gas Station on Route 83 and Foster Avenue. Mr. Kalischefski reviewed the requested conditional use permits and variances with the Commission. Mr. Kalischefski stated Speedway is currently working with Staff in regards to stacking of vehicles on site. Mr. Kalischefski stated he does not see truck stacking on site as an issue based off the traffic study that was conducted at the site. Mr. Kalischefski stated Speedway has proposed a sixty seven foot wide drive isle to allow for trucks to enter property without issues. Mr. Kalischefski stated 41% of the proposed property will be landscaping. Mr. Kalischefski stated Speedway will offer cross easement to both properties on the east and west. Mr. Kalischefski stated the intersection at Irving Park Road and Marshall will be fully signaled for safety. Mr. Kalischefski stated the proposed signage is lower than the Village's required signage. Mr. Kalischefski stated Speedway is seeking a larger monument sign for visibility to traveling customers. Mr. Kalischefski stated the monument sign meets the Village's height requirements. Mr. Kalischefski stated Speedway has proposed a right in / right out curbcut on the northwest corner of the property for customers traveling east on Irving Park Road. Mr. Kalischefski Speedway has proposed above ground detention on the south part of the property.

Thomas R. Burney of Schain, Burney, Banks & Kenny Ltd reviewed the findings of facts and approval criteria for the proposed conditional use permits and variance requests with the Commission and members of the audience. Mr. Burney stated there will be a six foot fence behind the property to prevent Students from accessing Speedway from the South. Mr. Burney stated with the proposed detention on Speedway's site, it would allow the property to the west to still be developed. Mr. Burney stated the current property taxes for the site are \$27,000 annually and Speedway is predicting property taxes to increase to \$72,000 annually.

Mr. Yost stated Speedway estimates \$500,000 in tax revenue for the Village per year. Mr. Yost stated there would be \$700,000 improvements made to Irving Park Road and Marshall Road as well.

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Commissioner Rodriguez asked for clarification with the Village Engineer's concerns with the proposed right-of-way and access to the property to the west. Mr. Kalischefski stated an easement to the property to the west is not required because the isle width is larger than needed however, Speedway has reached out to the property owner and provided them with site plans and proposed building designs so they can develop their site. Mr. Barney stated Speedway has not made direct contact with the property owner but has made contact with brokers of the property.

Commissioner Rodriguez asked if there were future development plans from IDOT that would affect Speedway's property. Mr. Louis Abonna, Traffic Engineer, stated he has not been informed of any future project from IDOT. Mr. Abonna stated Speedway is currently awaiting approval from IDOT for their proposed curbcuts.

Commissioner Weldon asked if Speedway would ever consider allowing trucks to park on site. Mr. Yost stated it is Speedway's policy to not allow truck parking on site.

Commissioner Weldon asked where trucks park if they want to visit the store. Mr. Yost stated after the trucks fuel, they can pull up and allow other trucks to fuel as they visit the store.

Commissioner Weldon asked if the Village allows outdoor storage of firewood and mulch. Mr. Viger stated the Village will allow with a conditional use permit.

Chairman Moruzzi asked if the signage light can be dimmed and adjusted based on the time of day to protect Residents in the area. Mr. Kalischefski stated the proposed landscaping and position of the signage should have no direct impact to Residents in the area. Mr. Kalischefski stated the proposed signage is also backlit.

Commissioner Weldon asked if parking lot lights will shine on apartments to the east. Mr. Kalischefski stated the parking lot lights will not shine on the apartments to the east and are LED laminated.

Commissioner Weldon asked if Speedway was seeking tax rebates and TIF relief from the Village. Chairman Moruzzi stated it was not the Commission's responsibility to ask Speedway for financial decisions nor base their decision on it.

Chairman Moruzzi asked if there will be State signage posted alerting travelers of upcoming turns. Mr. Abonna stated he did not see the purpose of the signs but would explore the possibility for the Commission.

Commissioner Pisano asked if the proposed landscaping will be tall enough to protect Residents to the east from truck lights shining on their property. Mr. Kalischefski stated there will be full size trees along the eastern part of the property and does not see any issues with headlights affecting properties.

Commissioner Rowe asked if there will be a time limit for trucks to sit idle while they visit the store to prevent noise and pollution in the area. Mr. Yost stated Speedway has not experienced problems at their other sites and does not feel there will be any issues.

Public Comment

Bill McCloskey – 3340 South Harlem Road, Riverside, Illinois

Mr. McCloskey stated he was the owner and operator of the Citgo gas station on Irving Park Road a block west of York Road. Mr. McCloskey stated the proposed site would held redevelop Irving Park Road and was impressed with the proposed design by Speedway. Mr. McCloskey provided the Commission with his past situation with the previous administration and asked the Commission to realize that if he were to bring a similar design and concept forth, that he would be treated just as equal as Speedway. Mr. McCloskey stated he believes the majority of the traffic will be coming from the east rather than Speedway's prediction of the west. Mr. McCloskey stated he would not like to see economic hardship from the Commission to other businesses in the area seeking EMC signage.

Anthony Liossis – 4 West Irving Park Road

Mr. Liossis stated he was representing his father, Stamos A. Liossis. Mr. Liossis stated he agrees with the comments made by Mr. McCloskey. Mr. Liossis also believes the proposed Speedway is too close to other gas stations and would prefer to see another type of development to the property.

Joshua Love – 6N262 Robert Court, Medinah, Illinois

Mr. Love raised concern with the proximity to the school and stated high school students would find a way to bypass the proposed six foot fence and purchase tobacco products.

Armando Rodriguez – 208 Marshall Road

Mr. Rodriguez stated he lives across the street from the proposed site and stated traffic in the area is terrible and will increase if the site is developed into a gas station.

Emil Moreno – 1133 West Irving Park Road

Mr. Moreno stated he lives across the street from the proposed site and stated he would prefer to see a hotel, restaurant or casino built on the property.

Ms. Kosman read an email into the record from Ms. Teri Wood, Director of Community Relations and Community Service for Fenton High School, indicating Fenton High School has no issues with the proposed site. The email has been attached to the minutes as “Exhibit B”.

Ms. Kosman reviewed the Village Staff report and stated Staff recommends approval of the request with the following conditions:

1. The Conditional Use Permit be granted solely to the Speedway and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit;
2. A copy of the Conditional Use Permit ordinance must be kept on the premises of the establishment;
3. The construction be in substantial compliance of the plans submitted on 10.02.13 by Corporate Design and Development Group, LLC.
4. The access agreement be reviewed and approved by the Village Attorney prior to the certificate of occupancy being issued.
5. No temporary signs to be erected once the subject development has been completed.

6. There shall be no amplified exterior music.
7. Roof ladder shall have a locking cover to prevent unapproved access to the roof.
8. Streetscaping to be reviewed and approved upon permitting with standards set forth by the Village.
9. The final landscape plan shall be subject to staff review upon final permitting.
10. Overnight truck parking be prohibited.
11. Staff recommends the applicant work with staff in the future to provide community news occasionally on the EMC.

There were no questions asked by the Commissioners.

Motion: Commissioner Rowe made a motion to close CDC Case No. 2013-06. Commissioner Weldon seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed CDC Case No. 2013-06 at 8:04 p.m.

Motion: Commissioner Pisano made a motion to approve the Findings of Fact for the Conditional Use Permit to Allow a Service Station for CDC Case No. 2013-06 consisting of:

- **Traffic:** The proposed use will not create any adverse impact of types or volumes of traffic flow not otherwise typical of permitted uses in the zoning district has been minimized.

Service Station: No significant adverse effects are anticipated by the proposed development. The October 2013 traffic study submitted with the application indicates the majority of the customers will be composed of traffic already existing along Irving Park Road. The increase in traffic projected will mitigate negative effects with the proposed off-site improvements such as the installation of an additional traffic signal and the widening of Marshall Road.

EMC: The EMC will be consistent with Village standards set forth in the Municipal Code and not generate any adverse impacts of traffic flow not otherwise typical of permitted uses in the zoning district.

Outdoor Sales and Display: The outdoor sales and display will be screened and will not create an adverse impact on the types or volume of traffic flow.

- **Environmental Nuisance:** The proposed use will not have negative effects of noise, glare, odor, dust, waste disposal, blockage of light or air or other adverse environmental effects of a type or degree not characteristic of the historic use of the property or permitted uses in the district.

Service Station: The proposed service station has provided various methods in reducing the negative effects characteristic of such a use. The landscape plan provides screening in the form of both shade trees as well as a six foot fence, from the residential properties to the east and the south of the property in question. The dumpster has been adequately screened with fencing and is located in the rear of the property. LED lighting has been incorporated with caps to prevent the spillage of light outside of the property.

EMC: The EMC will be consistent with Village standards set forth in the Municipal Code and not generate adverse environmental effects of a type or degree not characteristic of permitted uses in the district.

Outdoor Sales and Display: The outdoor sales and display area will be screened adequately.

- **Neighborhood Character:** The proposed use will fit harmoniously with the existing character of existing permitted uses in its environs. Any adverse effects on environmental quality, property values or neighborhood character beyond those normally associated with permitted uses in the district have been minimized.

Service Station: The proposed service station will fit harmoniously with the established uses along the Irving Park Road corridor. The proposed landscape plan minimizes impacts to neighboring properties and character associated with the zoning district.

EMC: The EMC will be consistent with Village standards set forth in the Municipal Code and not generate any adverse impacts of traffic flow not otherwise typical of permitted uses in the zoning district.

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EMC: The EMC will be consistent with Village standards set forth in the Municipal Code and not generate adverse environmental effects of a type or degree not characteristic of permitted uses in the district.

Outdoor Sales and Display: The outdoor sales and display area will be screened adequately.

- **Neighborhood Character:** The proposed use will fit harmoniously with the existing character of existing permitted uses in its environs. Any adverse effects on environmental quality, property values or neighborhood character beyond those normally associated with permitted uses in the district have been minimized.

Service Station: The proposed service station will fit harmoniously with the established uses along the Irving Park Road corridor. The proposed landscape plan minimizes impacts to neighboring properties and character associated with the zoning district.

EMC: The EMC sign as proposed will not negatively impact the neighborhood character as the construction will exist within Village EMC standards and similar uses have been granted along the Irving Park Road corridor.

Outdoor Sales and Display: The proposed items to be displayed for sale are to be screened and aligned with the convenience store. The use will not impact neighborhood character as the items will themselves not be visible from Irving Park Road.

- **Use Of Public Services And Facilities:** The proposed use will not require existing community facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Service Station: The proposed use will not require a disproportionate degree of existing community facilities or services normally expected of permitted uses in the district. The proposed development includes detention facilities for storm water detention greater than what is required by the Village or DuPage County.

EMC: The proposed EMC will not negatively impact the Village's Public services and facilities.

Outdoor Sales and Display: No impact on public services or facilities is anticipated from the proposed outdoor sales and display.

- **Public Necessity:** The proposed use at the particular location requested is necessary to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community.

Service Station: The subject development provides a convenience to existing demand by the public traveling along the Irving Park Road Corridor. This corridor passes along through approximately ten towns and is a major arterial for the Village. The proposed development includes the installation of a signalized intersection contributing to the general welfare of the over 27,000 vehicles passing along the corridor daily.

EMC: The EMC will provide a public convenience for those traveling along the Irving Park Road corridor.

Outdoor Sales and Display: The outdoor items are necessary to provide an additional public convenience.

- **Other Factors:** The use is in harmony with any other elements of compatibility pertinent in the judgment of the commission to the conditional use in its proposed location.

Commissioner Janowiak seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Weldon made a motion to approve the Findings of Fact for the Conditional Use Permit to Allow an Electronic Message Center for CDC Case No. 2013-06 consisting of:

- **Traffic:** The proposed use will not create any adverse impact of types or volumes of traffic flow not otherwise typical of permitted uses in the zoning district has been minimized.

Service Station: No significant adverse effects are anticipated by the proposed development. The October 2013 traffic study submitted with the application indicates the majority of the customers will be composed of traffic already existing along Irving Park Road. The increase in traffic projected will mitigate negative effects with the proposed off-site improvements such as the installation of an additional traffic signal and the widening of Marshall Road.

EMC: The EMC will be consistent with Village standards set forth in the Municipal Code and not generate any adverse impacts of traffic flow not otherwise typical of permitted uses in the zoning district.

Outdoor Sales and Display: The outdoor sales and display will be screened and will not create an adverse impact on the types or volume of traffic flow.

- **Environmental Nuisance:** The proposed use will not have negative effects of noise, glare, odor, dust, waste disposal, blockage of light or air or other adverse environmental effects of a type or degree not characteristic of the historic use of the property or permitted uses in the district.

Service Station: The proposed service station has provided various methods in reducing the negative effects characteristic of such a use. The landscape plan provides screening in the form of both shade trees as well as a six foot fence, from the residential properties to the east and the south of the property in question. The dumpster has been adequately screened with fencing and is located in the rear of the property. LED lighting has been incorporated with caps to prevent the spillage of light outside of the property.

EMC: The EMC will be consistent with Village standards set forth in the Municipal Code and not generate adverse environmental effects of a type or degree not characteristic of permitted uses in the district.

Outdoor Sales and Display: The outdoor sales and display area will be screened adequately.

- **Neighborhood Character:** The proposed use will fit harmoniously with the existing character of existing permitted uses in its environs. Any adverse effects on environmental quality, property values or neighborhood character beyond those normally associated with permitted uses in the district have been minimized.

Service Station: The proposed service station will fit harmoniously with the established uses along the Irving Park Road corridor. The proposed landscape plan minimizes impacts to neighboring properties and character associated with the zoning district.

EMC: The EMC sign as proposed will not negatively impact the neighborhood character as the construction will exist within Village EMC standards and similar uses have been granted along the Irving Park Road corridor.

Outdoor Sales and Display: The proposed items to be displayed for sale are to be screened and aligned with the convenience store. The use will not impact neighborhood character as the items will themselves not be visible from Irving Park Road.

- **Use Of Public Services And Facilities:** The proposed use will not require existing community facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Service Station: The proposed use will not require a disproportionate degree of existing community facilities or services normally expected of permitted uses in the district. The proposed development includes detention facilities for storm water detention greater than what is required by the Village or DuPage County.

EMC: The proposed EMC will not negatively impact the Village's Public services and facilities.

Outdoor Sales and Display: No impact on public services or facilities is anticipated from the proposed outdoor sales and display.

- **Public Necessity:** The proposed use at the particular location requested is necessary to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community.

Service Station: The subject development provides a convenience to existing demand by the public traveling along the Irving Park Road Corridor. This corridor passes along through approximately ten towns and is a major arterial for the Village. The proposed development includes the installation of a signalized intersection contributing to the general welfare of the over 27,000 vehicles passing along the corridor daily.

EMC: The EMC will provide a public convenience for those traveling along the Irving Park Road corridor.

Outdoor Sales and Display: The outdoor items are necessary to provide an additional public convenience.

- **Other Factors:** The use is in harmony with any other elements of compatibility pertinent in the judgment of the commission to the conditional use in its proposed location.

Commissioner Janowiak seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Rowe made a motion to approve the Findings of Fact for the Conditional Use Permit to Allow Outdoor Sales and Display for CDC Case No. 2013-06 consisting of:

- **Traffic:** The proposed use will not create any adverse impact of types or volumes of traffic flow not otherwise typical of permitted uses in the zoning district has been minimized.

Service Station: No significant adverse effects are anticipated by the proposed development. The October 2013 traffic study submitted with the application indicates the majority of the customers will be composed of traffic already existing along Irving Park Road. The increase in traffic projected will mitigate negative effects with the proposed off-site improvements such as the installation of an additional traffic signal and the widening of Marshall Road.

EMC: The EMC will be consistent with Village standards set forth in the Municipal Code and not generate any adverse impacts of traffic flow not otherwise typical of permitted uses in the zoning district.

Outdoor Sales and Display: The outdoor sales and display will be screened and will not create an adverse impact on the types or volume of traffic flow.

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Service Station: The proposed service station has provided various methods in reducing the negative effects characteristic of such a use. The landscape plan provides screening in the form of both shade trees as well as a six foot fence, from the residential properties to the east and the south of the property in question. The dumpster has been adequately screened with fencing and is located in the rear of the property. LED lighting has been incorporated with caps to prevent the spillage of light outside of the property.

EMC: The EMC will be consistent with Village standards set forth in the Municipal Code and not generate adverse environmental effects of a type or degree not characteristic of permitted uses in the district.

Outdoor Sales and Display: The outdoor sales and display area will be screened adequately.

- **Neighborhood Character:** The proposed use will fit harmoniously with the existing character of existing permitted uses in its environs. Any adverse effects on environmental quality, property values or neighborhood character beyond those normally associated with permitted uses in the district have been minimized.

Service Station: The proposed service station will fit harmoniously with the established uses along the Irving Park Road corridor. The proposed landscape plan minimizes impacts to neighboring properties and character associated with the zoning district.

EMC: The EMC sign as proposed will not negatively impact the neighborhood character as the construction will exist within Village EMC standards and similar uses have been granted along the Irving Park Road corridor.

Outdoor Sales and Display: The proposed items to be displayed for sale are to be screened and aligned with the convenience store. The use will not impact neighborhood character as the items will themselves not be visible from Irving Park Road.

- **Use Of Public Services And Facilities:** The proposed use will not require existing community facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Service Station: The proposed use will not require a disproportionate degree of existing community facilities or services normally expected of permitted uses in the district. The proposed development includes detention facilities for storm water detention greater than what is required by the Village or DuPage County.

EMC: The proposed EMC will not negatively impact the Village's Public services and facilities.

Outdoor Sales and Display: No impact on public services or facilities is anticipated from the proposed outdoor sales and display.

- **Public Necessity:** The proposed use at the particular location requested is necessary to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community.

Service Station: The subject development provides a convenience to existing demand by the public traveling along the Irving Park Road Corridor. This corridor passes along through approximately ten towns and is a major arterial for the Village. The proposed development includes the installation of a signalized intersection contributing to the general welfare of the over 27,000 vehicles passing along the corridor daily.

EMC: The EMC will provide a public convenience for those traveling along the Irving Park Road corridor.

Outdoor Sales and Display: The outdoor items are necessary to provide an additional public convenience.

- **Other Factors:** The use is in harmony with any other elements of compatibility pertinent in the judgment of the commission to the conditional use in its proposed location.

Commissioner Weldon seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Rowe made a motion to approve the Findings of Fact for the Variance to Reduce the number of required stacking spaces from 30 to 15 for CDC Case No. 2013-06 consisting of:

- **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it reasonable and practical to provide a general amendment to this Title to cover them. Special circumstances exist that are peculiar to the property in that the Irving Park Road and Mason Street intersection are within the jurisdiction of the Illinois Department of Transportation (IDOT). Limitations have been set on the access to the subject property requiring various parking, stacking and signage variance requests.
- **Hardship Or Practical Difficulties:** For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience. The literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties. The establishment of functional on and off-site traffic flow creates the need of variances for parking, curb cut size, landscape requirements. Due to the setback of the proposed convenience store, a wall sign would be blocked if it was placed on the building. Practical difficulties would exist for the applicant as the sign variance allows for the property to be identified.

- **Circumstances Relate To Property:** The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions. They do not concern any business or activity of present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property. The circumstances relate to the property in that the frontage exists along Irving Park Road. The special circumstances and hardship relate only to the physical character of the land or buildings. They do not concern any business or activity. The property development requires strict traffic access agreements. The adjacent property to the east creates the necessity for variances in signage.
- **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act. The special circumstances have not resulted from any act of the applicant or of any other party with a present interest in the property.
- **Preserve Rights Conferred By District:** A variance is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties. These proposed variances would allow the applicant to enjoy substantial property rights possessed by properties within the same zoning district.
- **Necessary For Use Of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property. The variances requested are necessary for the use of property in that the signage, landscape, stacking spaces, and site design provide the reasonable use of the property with safe and efficient development utilization.

- **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity. The proposed variances will not alter local character. The applicant proposed plans do not substantially impair environmental quality, property values or public safety within the vicinity.
- **Consistent With Title And Plan:** The granting of a variance will be in harmony with the general purpose and intent of this Title and of the general development plan and other applicable adopted plans of the Village, as viewed in light of any changed conditions since their adoption, and will not serve in effect to substantially invalidate or nullify any part thereof. The property in question is in harmony with the general purpose and intent of the general development plans.
- **Minimum Variance Needed:** The variance approved is the minimum required to provide the applicant with relief from undue hardship or practical difficulties and with reasonable use and enjoyment of the property. The minimum variances have been requested for signage, parking, site plan and landscape.

Commissioner Pisano seconded the motion.

Roll Call:

Ayes: Moruzzi, Janowiak, Pisano, Rodriguez Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Pisano made a motion to approve the Findings of Fact for the Variance to increase the number of permitted canopy signs from 1 to 4 CDC Case No. 2013-06 consisting of:

- **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it reasonable and practical to provide a general amendment to this Title to cover them. Special circumstances exist that are peculiar to the property in that the Irving Park Road and Mason Street intersection are within the jurisdiction of the Illinois Department of Transportation (IDOT). Limitations have been set on the access to the subject property requiring various parking, stacking and signage variance requests.
- **Hardship Or Practical Difficulties:** For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience. The literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties. The establishment of functional on and off-site traffic flow creates the need of variances for parking, curb cut size, landscape requirements. Due to the setback of the proposed convenience store, a wall sign would be blocked if it was placed on the building. Practical difficulties would exist for the applicant as the sign variance allows for the property to be identified.
- **Circumstances Relate To Property:** The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions. They do not concern any business or activity of present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property. The circumstances relate to the property in that the frontage exists along Irving Park Road. The special circumstances and hardship relate only to the physical character of the land or buildings. They do not concern any business or activity. The property development requires strict traffic access agreements. The adjacent property to the east creates the necessity for variances in signage.

- **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act. The special circumstances have not resulted from any act of the applicant or of any other party with a present interest in the property.
- **Preserve Rights Conferred By District:** A variance is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties. These proposed variances would allow the applicant to enjoy substantial property rights possessed by properties within the same zoning district.
- **Necessary For Use Of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property. The variances requested are necessary for the use of property in that the signage, landscape, stacking spaces, and site design provide the reasonable use of the property with safe and efficient development utilization.
- **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity. The proposed variances will not alter local character. The applicant proposed plans do not substantially impair environmental quality, property values or public safety within the vicinity.

- **Consistent With Title And Plan:** The granting of a variance will be in harmony with the general purpose and intent of this Title and of the general development plan and other applicable adopted plans of the Village, as viewed in light of any changed conditions since their adoption, and will not serve in effect to substantially invalidate or nullify any part thereof. The property in question is in harmony with the general purpose and intent of the general development plans.
- **Minimum Variance Needed:** The variance approved is the minimum required to provide the applicant with relief from undue hardship or practical difficulties and with reasonable use and enjoyment of the property. The minimum variances have been requested for signage, parking, site plan and landscape.

Chairman Moruzzi seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Weldon made a motion to approve the Findings of Fact for the Variance to Increase the allowable sign face for a monument sign from 50 square feet to approximately 60.25 square feet CDC Case No. 2013-06 consisting of:

- **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it reasonable and practical to provide a general amendment to this Title to cover them. Special circumstances exist that are peculiar to the property in that the Irving Park Road and Mason Street intersection are within the jurisdiction of the Illinois Department of Transportation (IDOT). Limitations have been set on the access to the subject property requiring various parking, stacking and signage variance requests.

- **Hardship Or Practical Difficulties:** For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience. The literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties. The establishment of functional on and off-site traffic flow creates the need of variances for parking, curb cut size, landscape requirements. Due to the setback of the proposed convenience store, a wall sign would be blocked if it was placed on the building. Practical difficulties would exist for the applicant as the sign variance allows for the property to be identified.
- **Circumstances Relate To Property:** The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions. They do not concern any business or activity of present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property. The circumstances relate to the property in that the frontage exists along Irving Park Road. The special circumstances and hardship relate only to the physical character of the land or buildings. They do not concern any business or activity. The property development requires strict traffic access agreements. The adjacent property to the east creates the necessity for variances in signage.
- **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act. The special circumstances have not resulted from any act of the applicant or of any other party with a present interest in the property.

- **Preserve Rights Conferred By District:** A variance is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties. These proposed variances would allow the applicant to enjoy substantial property rights possessed by properties within the same zoning district.
- **Necessary For Use Of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property. The variances requested are necessary for the use of property in that the signage, landscape, stacking spaces, and site design provide the reasonable use of the property with safe and efficient development utilization.
- **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity. The proposed variances will not alter local character. The applicant proposed plans do not substantially impair environmental quality, property values or public safety within the vicinity.
- **Consistent With Title And Plan:** The granting of a variance will be in harmony with the general purpose and intent of this Title and of the general development plan and other applicable adopted plans of the Village, as viewed in light of any changed conditions since their adoption, and will not serve in effect to substantially invalidate or nullify any part thereof. The property in question is in harmony with the general purpose and intent of the general development plans.
- **Minimum Variance Needed:** The variance approved is the minimum required to provide the applicant with relief from undue hardship or practical difficulties and with reasonable use and enjoyment of the property. The minimum variances have been requested for signage, parking, site plan and landscape.

Commissioner Pisano seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Rowe made a motion to approve the Findings of Fact for the Variance to Increase the maximum allowed curb cut from 35 feet to 67 feet for CDC Case No. 2013-06 consisting of:

- **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it reasonable and practical to provide a general amendment to this Title to cover them. Special circumstances exist that are peculiar to the property in that the Irving Park Road and Mason Street intersection are within the jurisdiction of the Illinois Department of Transportation (IDOT). Limitations have been set on the access to the subject property requiring various parking, stacking and signage variance requests.
- **Hardship Or Practical Difficulties:** For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience. The literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties. The establishment of functional on and off-site traffic flow creates the need of variances for parking, curb cut size, landscape requirements. Due to the setback of the proposed convenience store, a wall sign would be blocked if it was placed on the building. Practical difficulties would exist for the applicant as the sign variance allows for the property to be identified.

- **Circumstances Relate To Property:** The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions. They do not concern any business or activity of present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property. The circumstances relate to the property in that the frontage exists along Irving Park Road. The special circumstances and hardship relate only to the physical character of the land or buildings. They do not concern any business or activity. The property development requires strict traffic access agreements. The adjacent property to the east creates the necessity for variances in signage.
- **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act. The special circumstances have not resulted from any act of the applicant or of any other party with a present interest in the property.
- **Preserve Rights Conferred By District:** A variance is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties. These proposed variances would allow the applicant to enjoy substantial property rights possessed by properties within the same zoning district.
- **Necessary For Use Of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property. The variances requested are necessary for the use of property in that the signage, landscape, stacking spaces, and site design provide the reasonable use of the property with safe and efficient development utilization.

- **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity. The proposed variances will not alter local character. The applicant proposed plans do not substantially impair environmental quality, property values or public safety within the vicinity.
- **Consistent With Title And Plan:** The granting of a variance will be in harmony with the general purpose and intent of this Title and of the general development plan and other applicable adopted plans of the Village, as viewed in light of any changed conditions since their adoption, and will not serve in effect to substantially invalidate or nullify any part thereof. The property in question is in harmony with the general purpose and intent of the general development plans.
- **Minimum Variance Needed:** The variance approved is the minimum required to provide the applicant with relief from undue hardship or practical difficulties and with reasonable use and enjoyment of the property. The minimum variances have been requested for signage, parking, site plan and landscape.

Chairman Moruzzi seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Rowe made a motion to approve the Findings of Fact for the Variance to Reduce the required foundation strip from 6 feet to 0 feet for CDC Case No. 2013-06 consisting of:

- **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it reasonable and practical to provide a general amendment to this Title to cover them. Special circumstances exist that are peculiar to the property in that the Irving Park Road and Mason Street intersection are within the jurisdiction of the Illinois Department of Transportation (IDOT). Limitations have been set on the access to the subject property requiring various parking, stacking and signage variance requests.
- **Hardship Or Practical Difficulties:** For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience. The literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties. The establishment of functional on and off-site traffic flow creates the need of variances for parking, curb cut size, landscape requirements. Due to the setback of the proposed convenience store, a wall sign would be blocked if it was placed on the building. Practical difficulties would exist for the applicant as the sign variance allows for the property to be identified.
- **Circumstances Relate To Property:** The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions. They do not concern any business or activity of present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property. The circumstances relate to the property in that the frontage exists along Irving Park Road. The special circumstances and hardship relate only to the physical character of the land or buildings. They do not concern any business or activity. The property development requires strict traffic access agreements. The adjacent property to the east creates the necessity for variances in signage.

- **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act. The special circumstances have not resulted from any act of the applicant or of any other party with a present interest in the property.
- **Preserve Rights Conferred By District:** A variance is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties. These proposed variances would allow the applicant to enjoy substantial property rights possessed by properties within the same zoning district.
- **Necessary For Use Of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property. The variances requested are necessary for the use of property in that the signage, landscape, stacking spaces, and site design provide the reasonable use of the property with safe and efficient development utilization.
- **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity. The proposed variances will not alter local character. The applicant proposed plans do not substantially impair environmental quality, property values or public safety within the vicinity.

- **Consistent With Title And Plan:** The granting of a variance will be in harmony with the general purpose and intent of this Title and of the general development plan and other applicable adopted plans of the Village, as viewed in light of any changed conditions since their adoption, and will not serve in effect to substantially invalidate or nullify any part thereof. The property in question is in harmony with the general purpose and intent of the general development plans.
- **Minimum Variance Needed:** The variance approved is the minimum required to provide the applicant with relief from undue hardship or practical difficulties and with reasonable use and enjoyment of the property. The minimum variances have been requested for signage, parking, site plan and landscape.

Commissioner Janowiak seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Janowiak made a motion to approve the Plat of Consolidation for CDC Case No. 2013-06. Chairman Moruzzi seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Rowe made a motion to approve the Conditional Use Permit for a Service Station with the conditions recommended by the Village Staff for CDC Case No. 2013-06 consisting of:

- The Conditional Use Permit be granted solely to the Speedway and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit;
- A copy of the Conditional Use Permit ordinance must be kept on the premises of the establishment;
- The construction be in substantial compliance of the plans submitted on 10.02.13 by Corporate Design and Development Group, LLC.
- The access agreement be reviewed and approved by the Village Attorney prior to the certificate of occupancy being issued.
- No temporary signs to be erected once the subject development has been completed.
- There shall be no amplified exterior music.
- Roof ladder shall have a locking cover to prevent unapproved access to the roof.
- Streetscaping to be reviewed and approved upon permitting with standards set forth by the Village.
- The final landscape plan shall be subject to staff review upon final permitting.
- Overnight truck parking be prohibited.
- Staff recommends the applicant work with staff in the future to provide community news occasionally on the EMC.

Commissioner Pisano seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Rowe made a motion to approve the Conditional Use Permit for an Electronic Message Center (EMC) with the conditions recommended by the Village Staff for CDC Case No. 2013-06 consisting of:

- The Conditional Use Permit be granted solely to the Speedway and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit;
- A copy of the Conditional Use Permit ordinance must be kept on the premises of the establishment;
- The construction be in substantial compliance of the plans submitted on 10.02.13 by Corporate Design and Development Group, LLC.
- The access agreement be reviewed and approved by the Village Attorney prior to the certificate of occupancy being issued.
- No temporary signs to be erected once the subject development has been completed.
- There shall be no amplified exterior music.
- Roof ladder shall have a locking cover to prevent unapproved access to the roof.
- Streetscaping to be reviewed and approved upon permitting with standards set forth by the Village.

- The final landscape plan shall be subject to staff review upon final permitting.
- Overnight truck parking be prohibited.
- Staff recommends the applicant work with staff in the future to provide community news occasionally on the EMC.

Chairman Moruzzi seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Rowe made a motion to approve the Conditional Use Permit for Outdoor Sales and Display with the conditions recommended by the Village Staff for CDC Case No. 2013-06 consisting of:

- The Conditional Use Permit be granted solely to the Speedway and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit;
- A copy of the Conditional Use Permit ordinance must be kept on the premises of the establishment;
- The construction be in substantial compliance of the plans submitted on 10.02.13 by Corporate Design and Development Group, LLC.
- The access agreement be reviewed and approved by the Village Attorney prior to the certificate of occupancy being issued.

- No temporary signs to be erected once the subject development has been completed.
- There shall be no amplified exterior music.
- Roof ladder shall have a locking cover to prevent unapproved access to the roof.
- Streetscaping to be reviewed and approved upon permitting with standards set forth by the Village.
- The final landscape plan shall be subject to staff review upon final permitting.
- Overnight truck parking be prohibited.
- Staff recommends the applicant work with staff in the future to provide community news occasionally on the EMC.

Chairman Moruzzi seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Pisano made a motion to approve the Variance to reduce the number of required stacking spaces from 30 to 15 with the conditions recommended by the Village Staff for CDC Case No. 2013-06 consisting of:

- The Conditional Use Permit be granted solely to the Speedway and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit;

- A copy of the Conditional Use Permit ordinance must be kept on the premises of the establishment;
- The construction be in substantial compliance of the plans submitted on 10.02.13 by Corporate Design and Development Group, LLC.
- The access agreement be reviewed and approved by the Village Attorney prior to the certificate of occupancy being issued.
- No temporary signs to be erected once the subject development has been completed.
- There shall be no amplified exterior music.
- Roof ladder shall have a locking cover to prevent unapproved access to the roof.
- Streetscaping to be reviewed and approved upon permitting with standards set forth by the Village.
- The final landscape plan shall be subject to staff review upon final permitting.
- Overnight truck parking be prohibited.
- Staff recommends the applicant work with staff in the future to provide community news occasionally on the EMC.

Commissioner Weldon seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Rowe made a motion to approve the Variance to increase the number of permitted canopy signs from 1 to 4 with the conditions recommended by the Village Staff for CDC Case No. 2013-06 consisting of:

- The Conditional Use Permit be granted solely to the Speedway and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit;
- A copy of the Conditional Use Permit ordinance must be kept on the premises of the establishment;
- The construction be in substantial compliance of the plans submitted on 10.02.13 by Corporate Design and Development Group, LLC.
- The access agreement be reviewed and approved by the Village Attorney prior to the certificate of occupancy being issued.
- No temporary signs to be erected once the subject development has been completed.
- There shall be no amplified exterior music.
- Roof ladder shall have a locking cover to prevent unapproved access to the roof.
- Streetscaping to be reviewed and approved upon permitting with standards set forth by the Village.
- The final landscape plan shall be subject to staff review upon final permitting.
- Overnight truck parking be prohibited.
- Staff recommends the applicant work with staff in the future to provide community news occasionally on the EMC.

Commissioner Pisano seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Pisano made a motion to approve the Variance to increase the allowable sign face for a monument sign from 50 square feet to 60.25 square feet with the conditions recommended by the Village Staff for CDC Case No. 2013-06 consisting of:

- The Conditional Use Permit be granted solely to the Speedway and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit;
- A copy of the Conditional Use Permit ordinance must be kept on the premises of the establishment;
- The construction be in substantial compliance of the plans submitted on 10.02.13 by Corporate Design and Development Group, LLC.
- The access agreement be reviewed and approved by the Village Attorney prior to the certificate of occupancy being issued.
- No temporary signs to be erected once the subject development has been completed.
- There shall be no amplified exterior music.
- Roof ladder shall have a locking cover to prevent unapproved access to the roof.
- Streetscaping to be reviewed and approved upon permitting with standards set forth by the Village.

- The final landscape plan shall be subject to staff review upon final permitting.
- Overnight truck parking be prohibited.
- Staff recommends the applicant work with staff in the future to provide community news occasionally on the EMC.

Commissioner Weldon seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Weldon made a motion to approve the Variance to increase the maximum allowed curb cut from 35 feet to 67 feet with the conditions recommended by the Village Staff for CDC Case No. 2013-06 consisting of:

- The Conditional Use Permit be granted solely to the Speedway and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit;
- A copy of the Conditional Use Permit ordinance must be kept on the premises of the establishment;
- The construction be in substantial compliance of the plans submitted on 10.02.13 by Corporate Design and Development Group, LLC.
- The access agreement be reviewed and approved by the Village Attorney prior to the certificate of occupancy being issued.

- No temporary signs to be erected once the subject development has been completed.
- There shall be no amplified exterior music.
- Roof ladder shall have a locking cover to prevent unapproved access to the roof.
- Streetscaping to be reviewed and approved upon permitting with standards set forth by the Village.
- The final landscape plan shall be subject to staff review upon final permitting.
- Overnight truck parking be prohibited.
- Staff recommends the applicant work with staff in the future to provide community news occasionally on the EMC.

Commissioner Rowe seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Rowe made a motion to approve the Variance to reduce the required foundation landscape strip from 6 feet to 0 feet conditions recommended by the Village Staff for CDC Case No. 2013-06 consisting of:

- The Conditional Use Permit be granted solely to the Speedway and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit;
- A copy of the Conditional Use Permit ordinance must be kept on the premises of the establishment;
- The construction be in substantial compliance of the plans submitted on 10.02.13 by Corporate Design and Development Group, LLC.
- The access agreement be reviewed and approved by the Village Attorney prior to the certificate of occupancy being issued.
- No temporary signs to be erected once the subject development has been completed.
- There shall be no amplified exterior music.
- Roof ladder shall have a locking cover to prevent unapproved access to the roof.
- Streetscaping to be reviewed and approved upon permitting with standards set forth by the Village.
- The final landscape plan shall be subject to staff review upon final permitting.
- Overnight truck parking be prohibited.
- Staff recommends the applicant work with staff in the future to provide community news occasionally on the EMC.

Commissioner Rowe seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Report from Community Development

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

ADJOURNMENT:

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

All were in favor

Motion carried.

The meeting was adjourned at 8:19 p.m.

A handwritten signature in black ink, appearing to read 'Mike Moruzzi', is written over a horizontal line.

Mike Moruzzi, Chairman
Community Development Commission



Proud to Be a Part of the
Communities We Serve

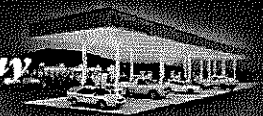


We look forward to
growing together
with your community

Proposed Speedway 1120 Irving Park Road, Bensenville, IL



- **4600 Square Foot Retail Fuel and C-Store**
- **3.56 Acres**
- **State of the art C-Store will be high volume fast food, merchandise, and convenience items.**
- **Modern technology outside for fueling needs**
- **24 Gasoline Retail Fueling Positions (12 pumps)**
- **3 High Flow Commercial Fueling Lanes behind store (ability to fuel from both sides of truck)**
- **Not a truck stop, will cater to local commercial driver, and will prohibit overnight truck parking**
- **24 Hour operation with 26 auto parking spots**
- **A new Speedway at 1120 W Irving Park Road will be a beautiful development with high end architectural materials including with new streetscape requirements while improving the Irving Park and Marshall intersection**

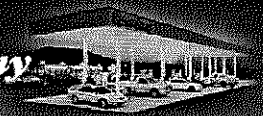
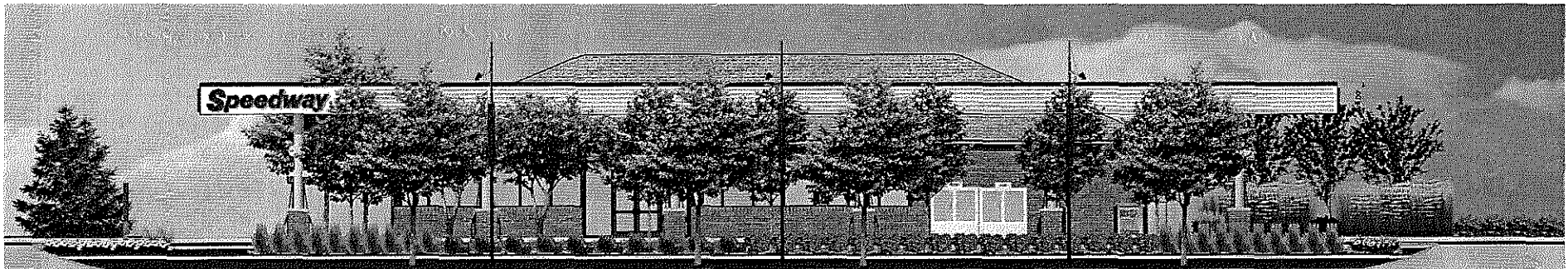


1120 Irving Park Road, Bensenville, IL

Proposed Speedway



- Street view incorporating Bensenville streetscape concept



Why Bensenville?



- Chicago Market is one of the priority growth markets for Speedway
- Be the #1 destination for Bensenville and surrounding communities for retail fuel, fast food, and convenience merchandise
- Attractive demographics
 - ~60K residents and ~64K employees within 3 mile radius of Irving Park and Marshall
- Proximity to O'Hare
 - Need for commercial fueling to cater to the local driver
- Tax Advantaged to Cook County and Chicago
- Heavily travelled Irving Park Road leading to O'Hare Corridor with more anticipated redevelopment along Irving Park Rd



Why Bensenville?



- We believe Bensenville is an underserved market for high quality retail fuel and convenience store customers
- 352M gas gallons available in DuPage County annually*
- 79M annual gasoline demand in 5 mi radius*
- 23M annual gasoline demand in 3 mi radius*

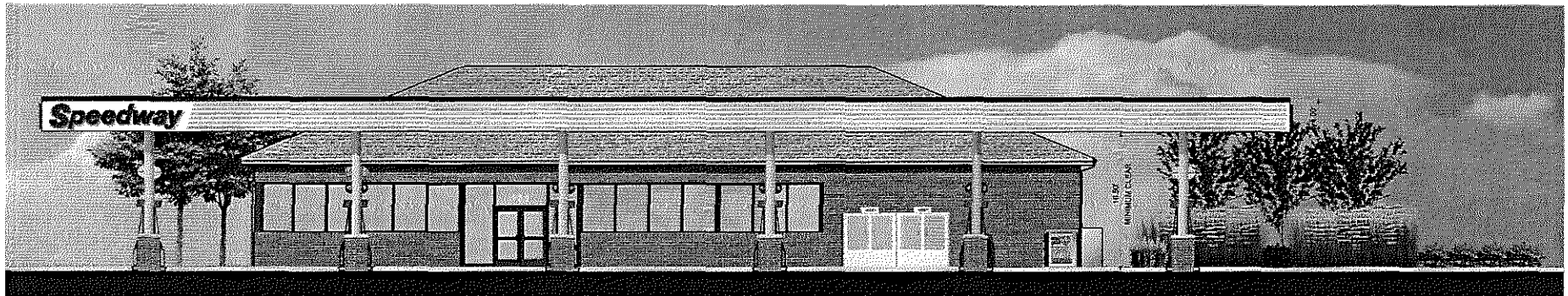
*demand doesn't include Cook County residents who cross over to buy tax advantaged fuel



Why Bensenville?



- Average size of C-store currently in Bensenville is ~2,400 square feet
- Average size of gas station lot in Bensenville is ~3/4 acre
- Speedway is proposing a new 4,600 square feet state-of-the-art retail fuel and C-store on a 3.56 acre lot



FRONT ELEVATION



Why Speedway?



- **Speedway has grown into one of the nation's largest company-owned and operated convenience store chains through a continued commitment to sound and ethical business practices**
 - Backed by the financial strength and reputation of a Fortune 50 company
- **Provides strong employment base for the community**
 - Wide range of job opportunities within the organization
 - Very focused on training and development of employees
- **Highest standards of operation in the retail fuel and convenience store industry**
- **We continually reinvest capital into our facilities and the markets we have a privilege to serve**
- **Responsible Retailer of age restricted products**
 - 2x per year mandatory training on responsible sale of tobacco



Speedway at a Glance



- 3rd largest company owned and operated Convenience store chain in the US.
- We are a wholly owned subsidiary of Marathon Petroleum Company
- Largest in the Midwest. Speedway would rank #153 in Fortune 500 if we were a stand-alone company



Speedway Stores in Operation



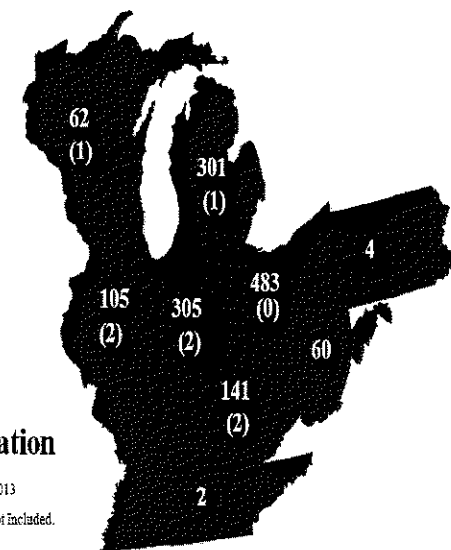
- Speedway Serves more than 2 Million Customers a Day

1,463* Stores In Operation



***Speedway's Corporate Office in
Enon, Ohio***

speedway



1463*

Stores In Operation

*As of October 3, 2013

* 8 Temp Closed Stores not included.



2009- 2012 Best Brand Retail Gas and Convenience Store

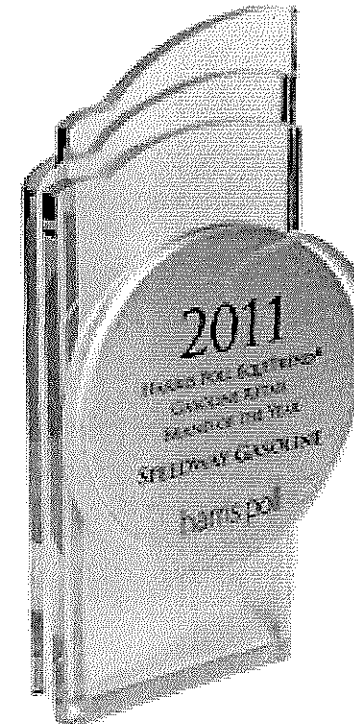


2009-2011

Best Retail Gasoline

2012

***Won newly created
Convenience Store
Award***



**Retail Gasoline
Brand of the Year**



Connecting to a Local Cause

“Living our Values”



- We encourage volunteerism to develop strong ties to the communities we serve which creates a powerful partnership with our employees and customers
- Largest convenience store contributor (top 5 on any business type) to Children's Miracle Network Hospitals -which includes the new Lurie Children's Hospital in Chicago.
- Speedway raised \$671,000 for Lurie's Hospital in 2012! In total we have raised \$53 million in 22 years with CMNH, thanks to our customers, vendors, and employees.
- At Lurie Children's, Speedway's support has been recognized with the naming of the Speedway Family Kitchen on the Pediatric Intensive Care Unit floor

 Ann & Robert H. Lurie
Children's Hospital of Chicago™



Economic Benefit to Bensenville



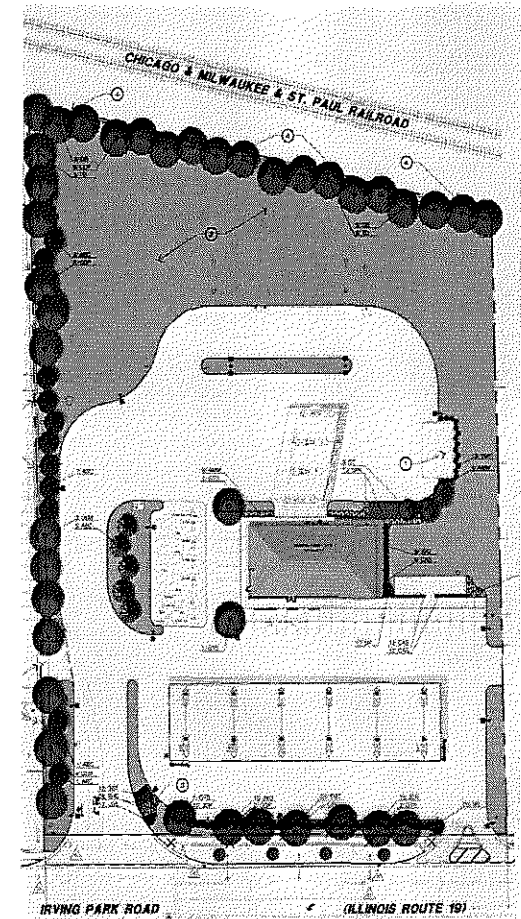
- **\$6.7 Million investment will get local union trades people to work**
- **Once completed we anticipate generating 15-20 new jobs (up to 40 within 5 years)**
 - **Avg \$15 per hour per employee including high quality benefit package**
- **We estimate we will generate \$500,000 annually in tax revenue for the Village of Bensenville**
- **Bensenville may be losing tax revenue to surrounding communities such as Wood Dale, Elmhurst, Elk Grove Village, with potential to capture more revenue with additional modern retail fuel and convenience stores.**



Economic Benefit to Bensenville



- A new Speedway location will provide strong, long-lasting return to Bensenville and DuPage County
- A new Speedway will have an impact on the local economy with job creation both direct and indirect
- Creating excess storm water capacity on our 3.56 acre development
- ~\$700K improvement to the Irving Park and Marshall intersection
- A new Speedway 1120 West Irving Park Rd in Bensenville will spur more redevelopment in the area which will lead to an improved economy, higher tax revenue, and higher real estate values.





County Line Aerial



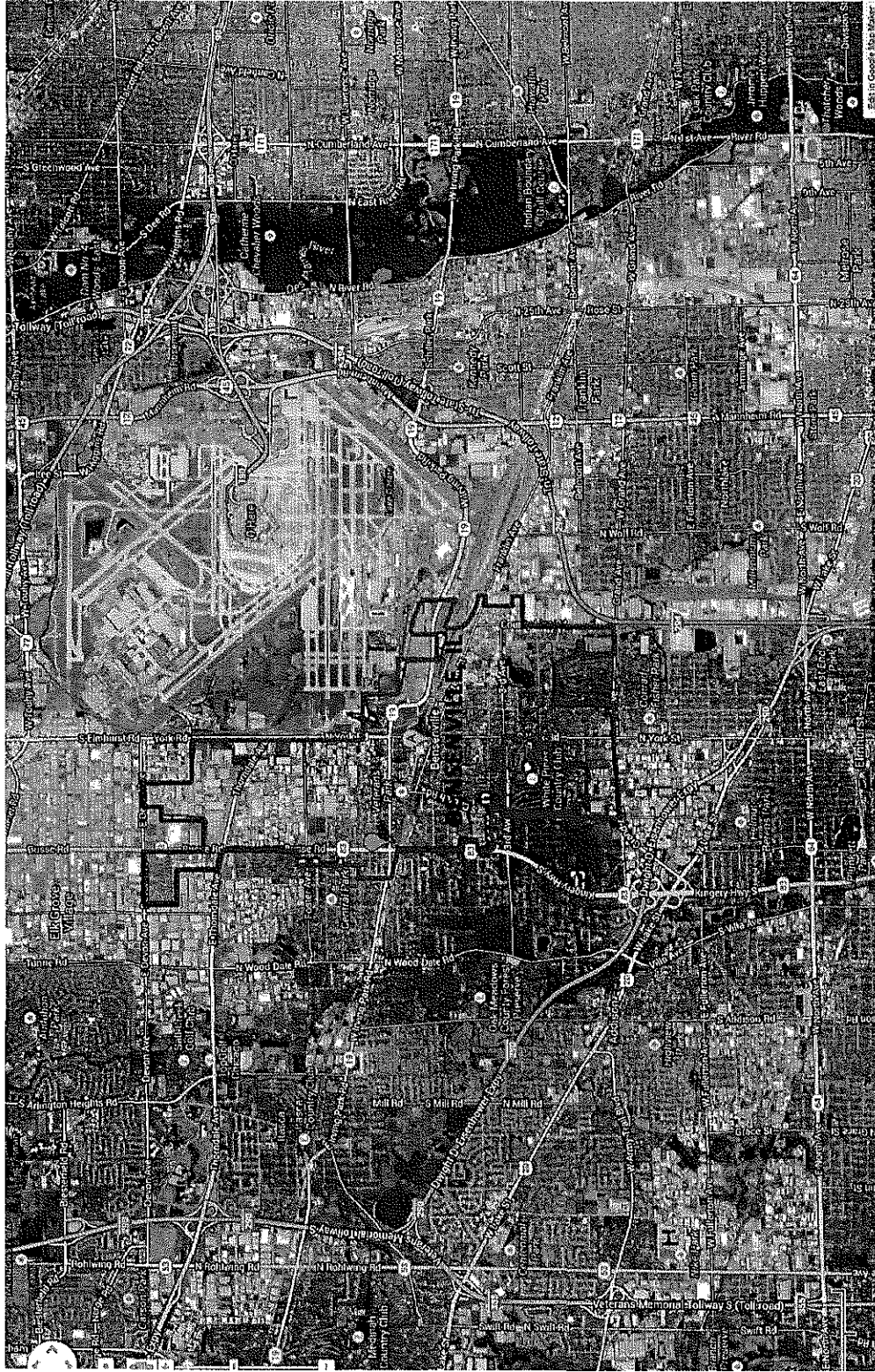
14

The Convenience Stores of Speedway

A stylized illustration of a Speedway Convenience Store building, showing its modern architecture and signage.



Bensenville, IL Aerial



The Convenience Stores of Speedway



The Convenience Stores of Speedway.

Zoning Map



Village of Bensenville



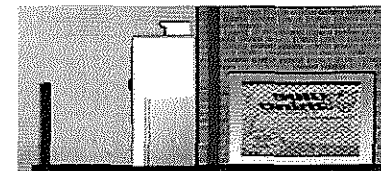
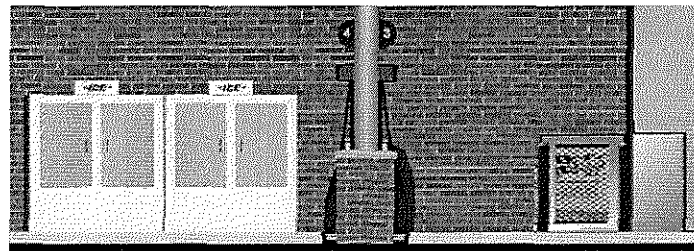
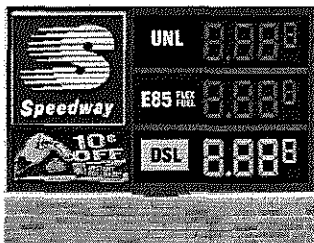
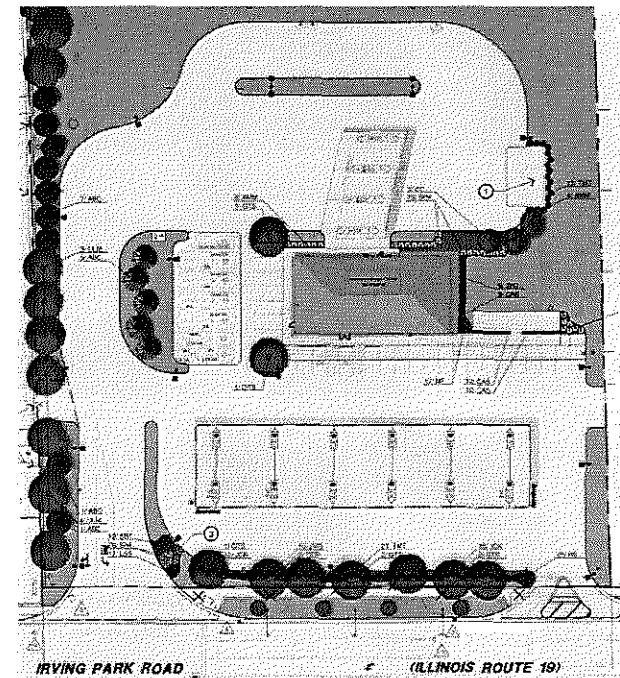
Legend	
	RS-1 Low Density Single Family
	RS-2 Medium Low Density Single Family
	RS-3 Medium Density Single Family
	RS-4 Medium High Density Single Family
	RS-5 High Density Single Family
	RS-6 High Density Traditional Single Family
	RA-1 Mixed Single Family
	RM-1 Low Density Multi-Family
	RM-2 Medium Density Multi-Family
	RM-3 High Density Multi-Family
	C-2 Highway Commercial
	C-3 Downtown Mixed Use
	C-4 Regional Destination PUD Commercial
	O-1 Neighborhood Office
	O-2 Office Center
	I-1 Office/Research/Assembly/Industrial
	I-2 Light Industrial
	I-3 Heavy Industrial
	I-4 General Industrial



Conditional Use Permit



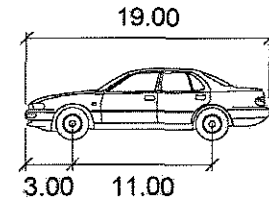
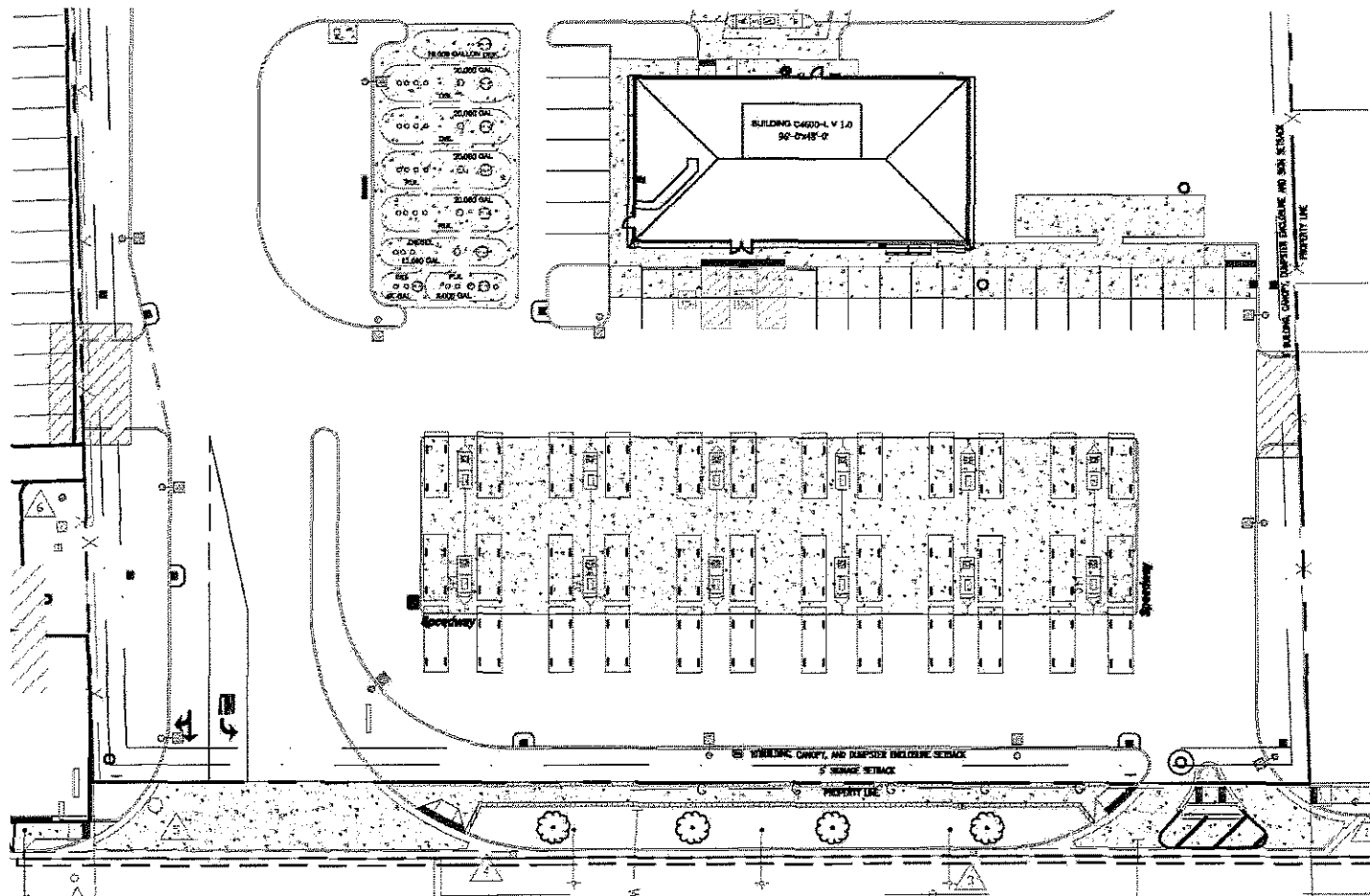
- Request a Conditional Use Permit
 - To allow a “Service Station” with 12 gasoline pump islands, three diesel truck high speed islands and a 4,600 square foot convenience store
 - (Section 10-7B-2) Service Station
 - (Section 10-18-6-1) Electronic Message Center (EMC)
 - (Section 10-7B-2) Outdoor Sales and display



Requested Variances



1. (Section 10-11-11); to reduce the number of "stacking spaces" required for a Service Station.



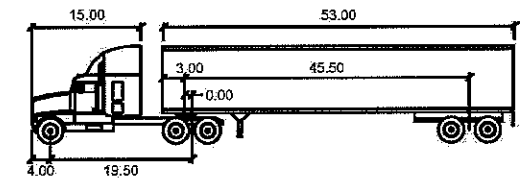
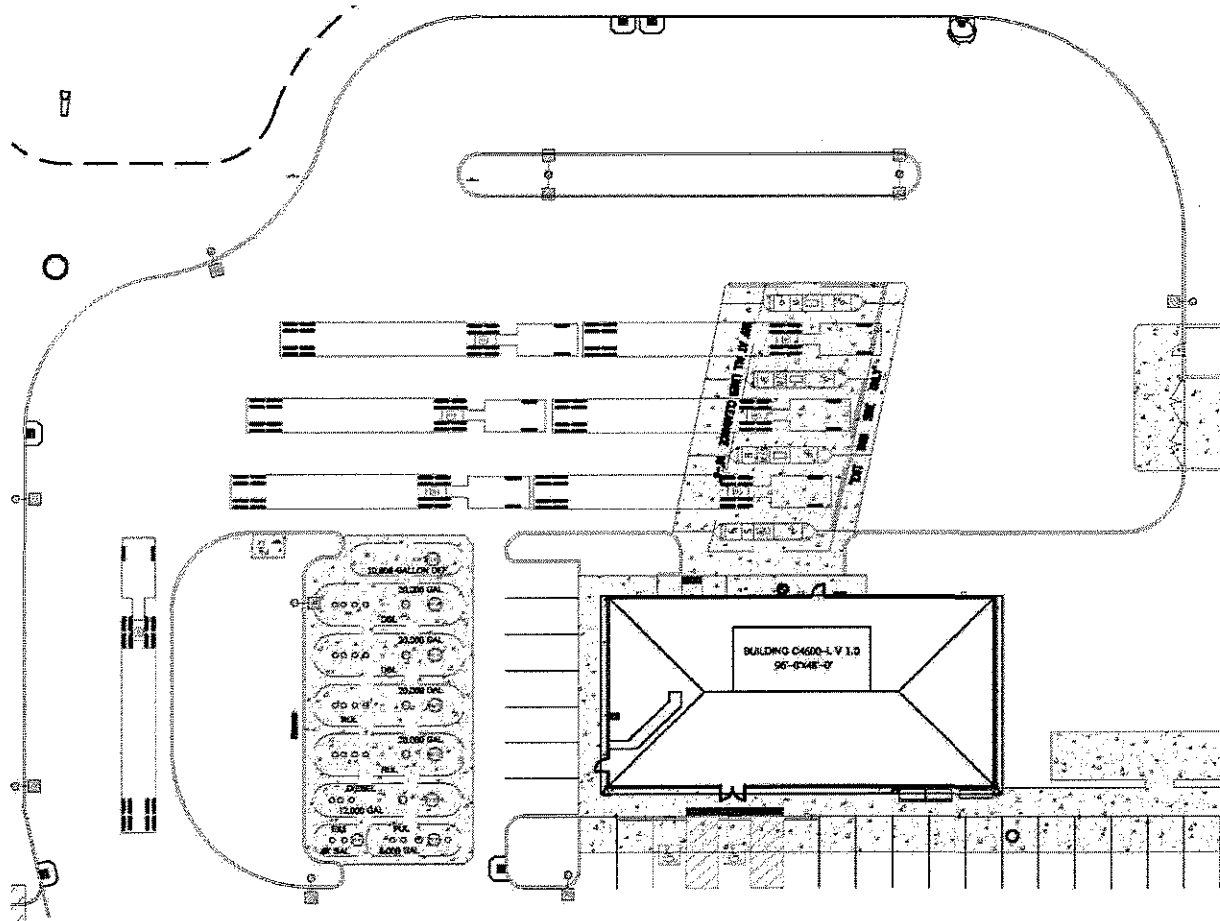
Large Car	feet
Width	: 7.00
Track	: 6.00
Lock to Lock Time	: 6.0
Steering Angle	: 31.6



Requested Variances Cont.



1. (Section 10-11-11); to reduce the number of "stacking spaces" required for a Service Station.



WB-67

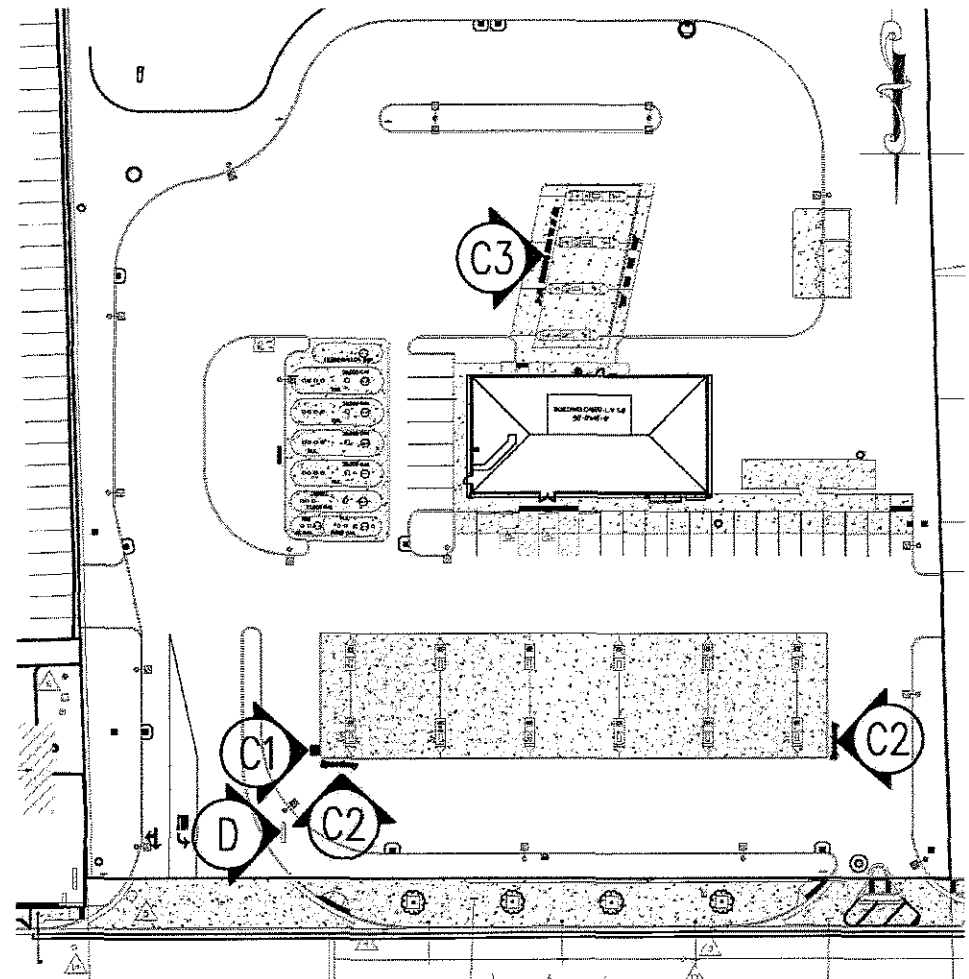
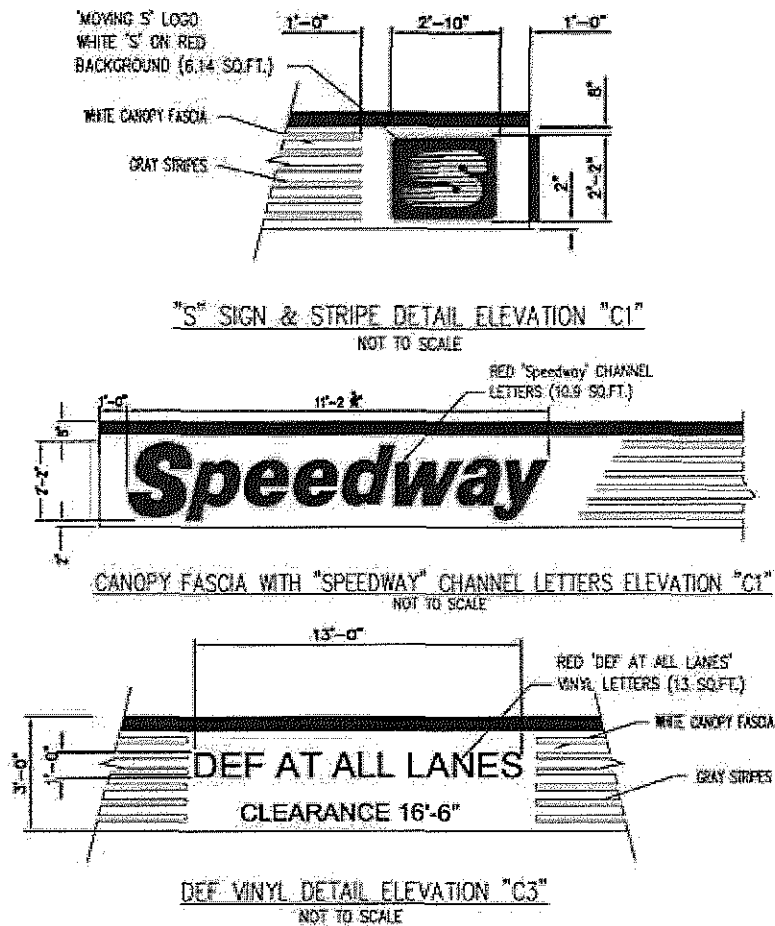
	feet		
Tractor Width	: 8.00	Lock to Lock Time	: 6.0
Trailer Width	: 8.50	Steering Angle	: 28.4
Tractor Track	: 8.00	Articulating Angle	: 75.0
Trailer Track	: 8.50		



Requested Variances Cont.



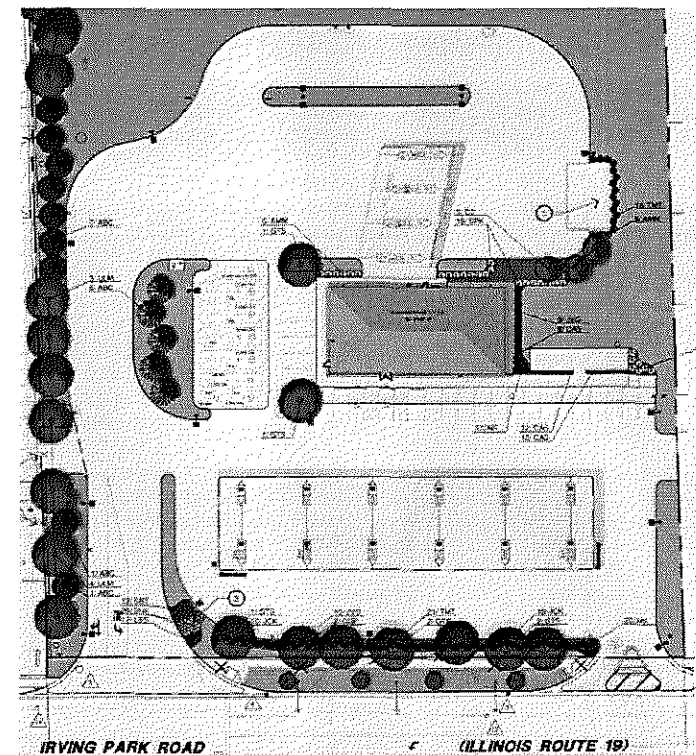
2. (Section 10-18-11A-2b-2&3) to increase the number of permitted canopy signs from 1 to 4.



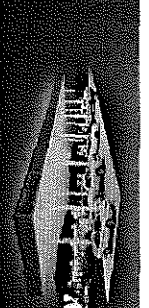
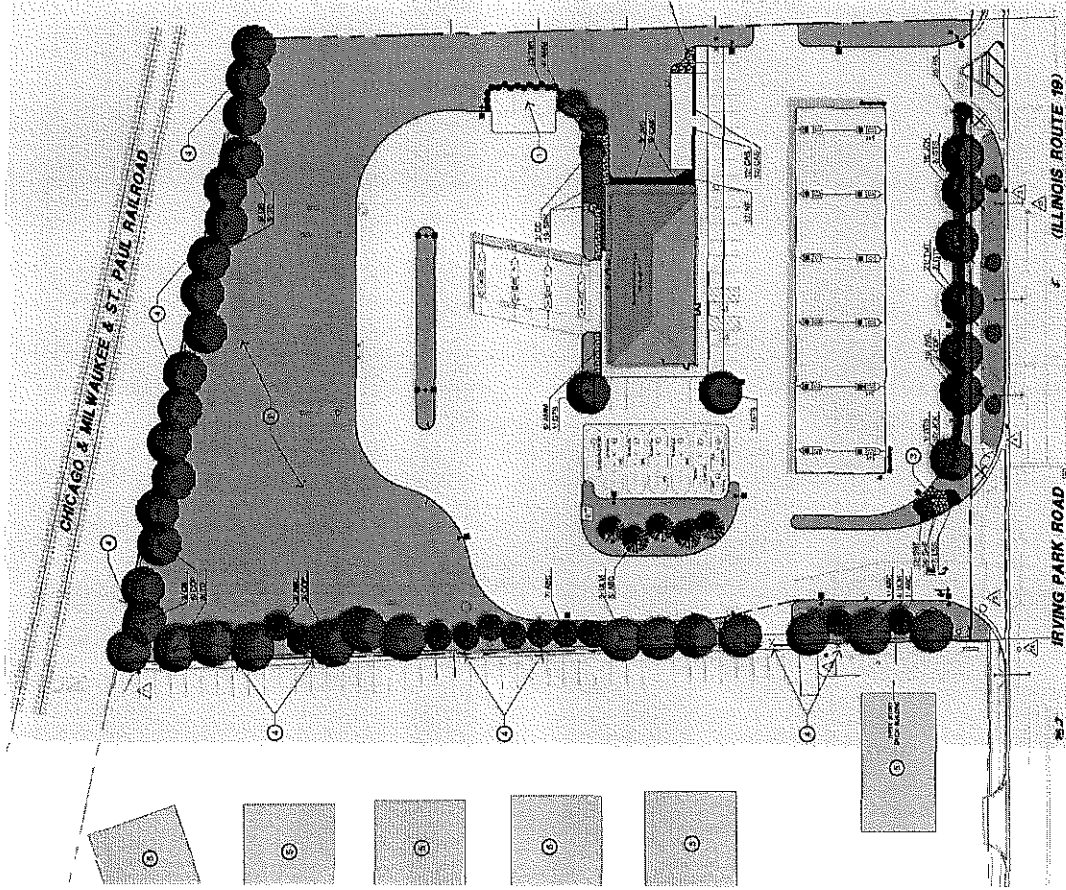
Requested Variances Cont.



3. (Section 10-18-11A-2c) to allow for a monument sign face of 60.25 sq. ft. instead of the allowed 50 sq. ft. (Please note allowable site signage is 185 sf, requested is only 127.89 sf)
4. (Section 10-11-8-2E) To increase the maximum allowed curb cut from 35' to 67'
5. (Section 10-12-2E) To decrease the required foundation landscaping strip from 6' to 0'

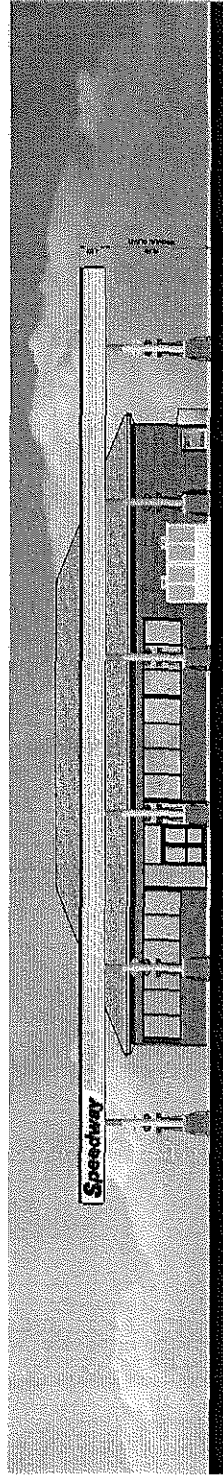


Site Plan

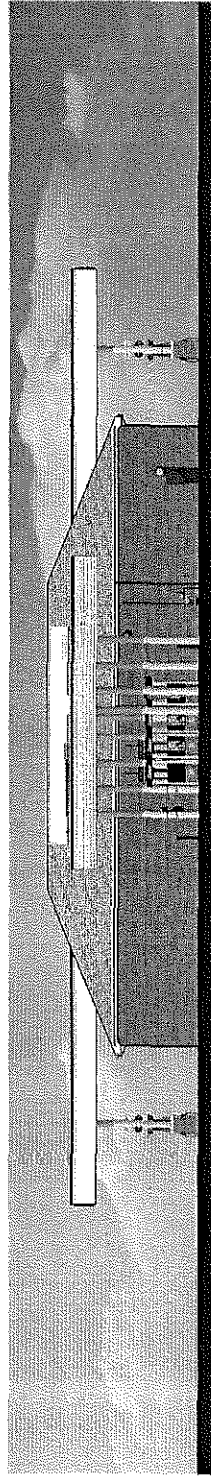




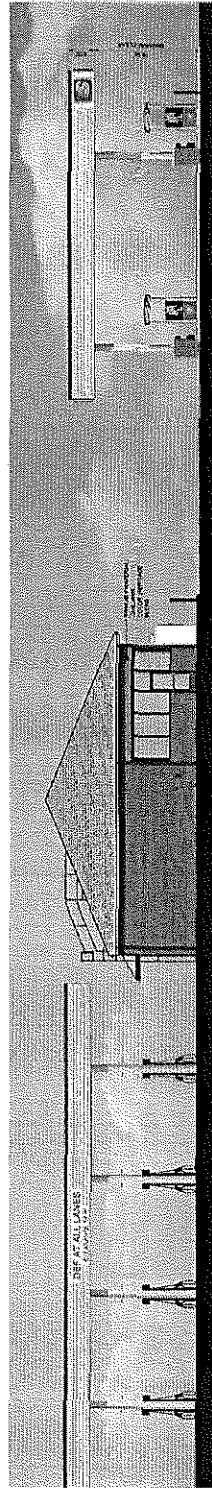
Elevations



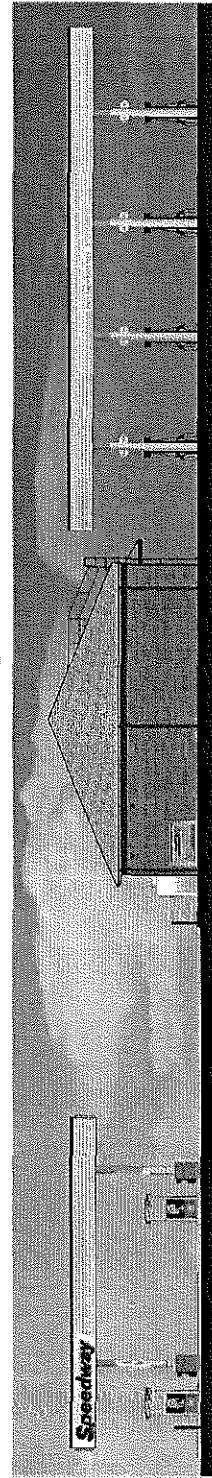
FRONT ELEVATION



REAR ELEVATION



LEFT ELEVATION

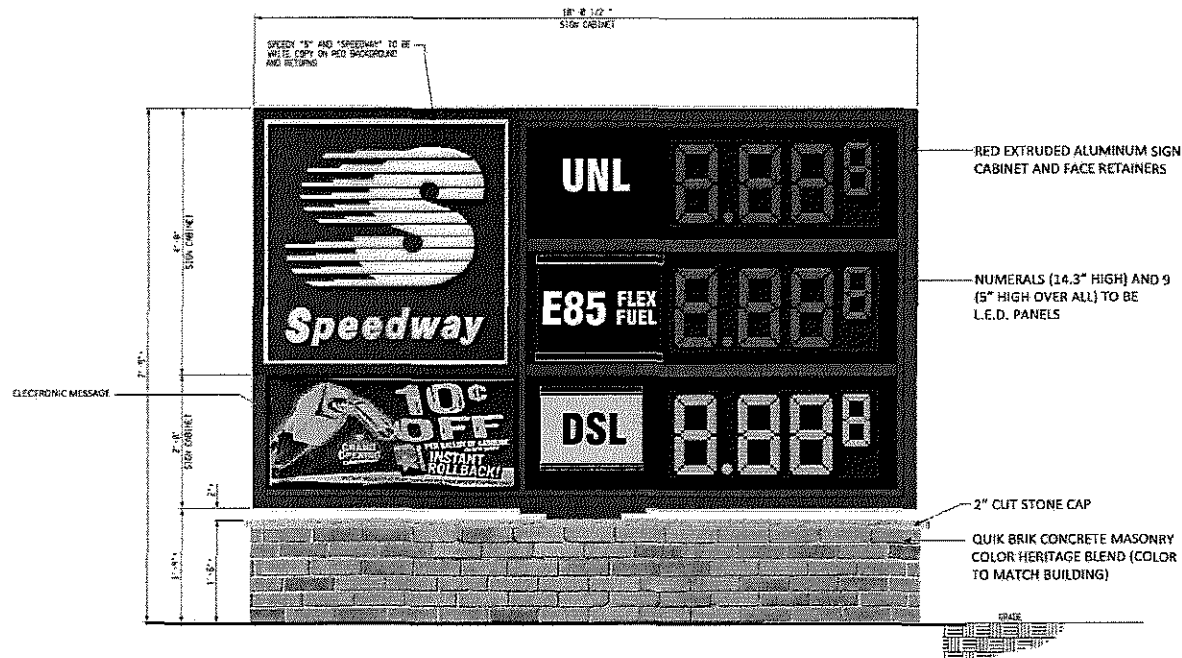


RIGHT ELEVATION



The Convenience Stores of Speedway

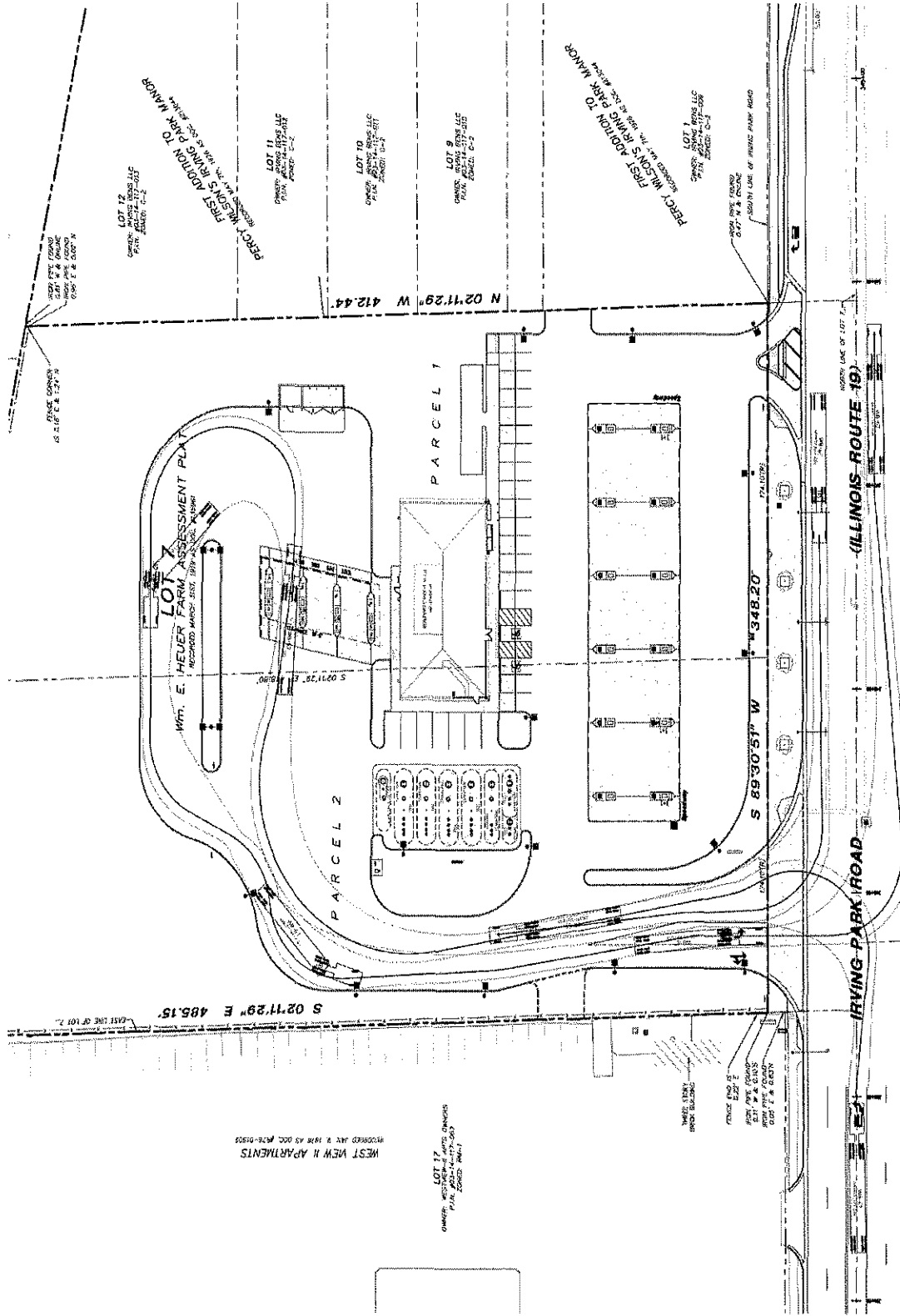
Ground Mount Sign



60.25 SQ. FT. SPEEDWAY GROUND MOUNT SIGN (FRONT ELEVATION)

NOT TO SCALE (RENDERING ONLY)

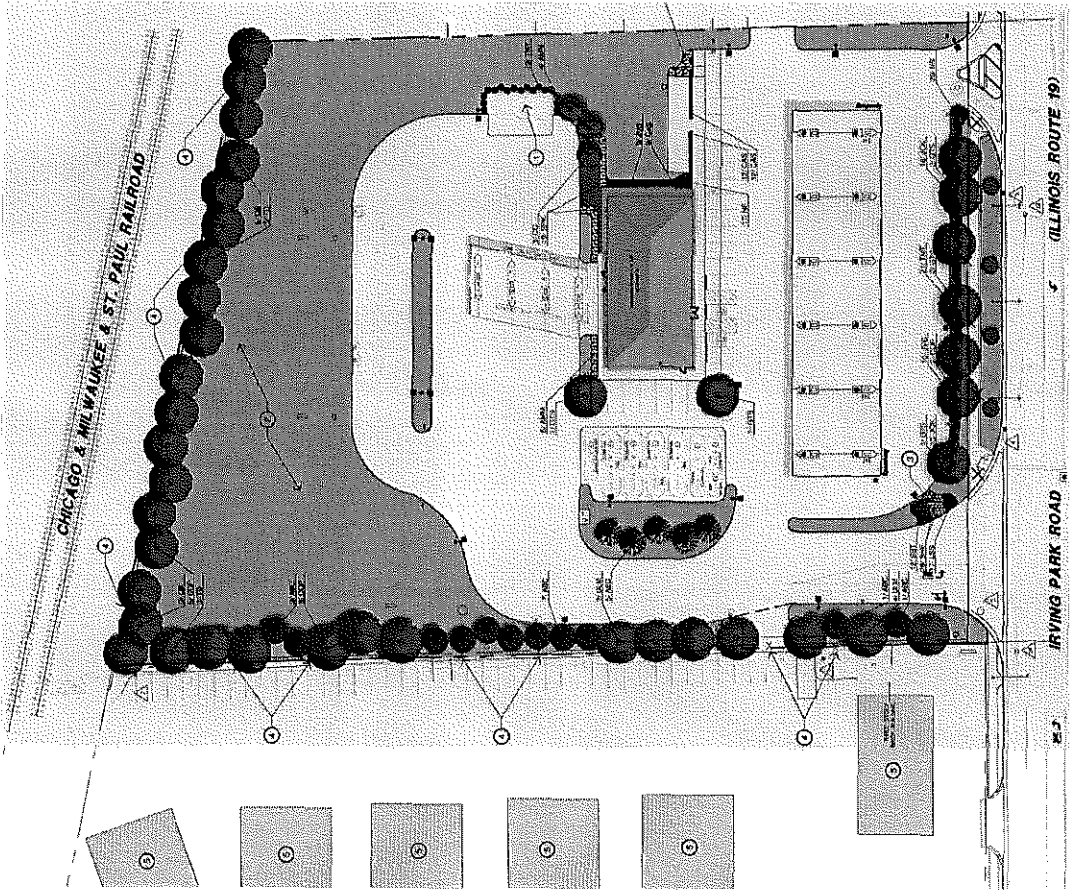




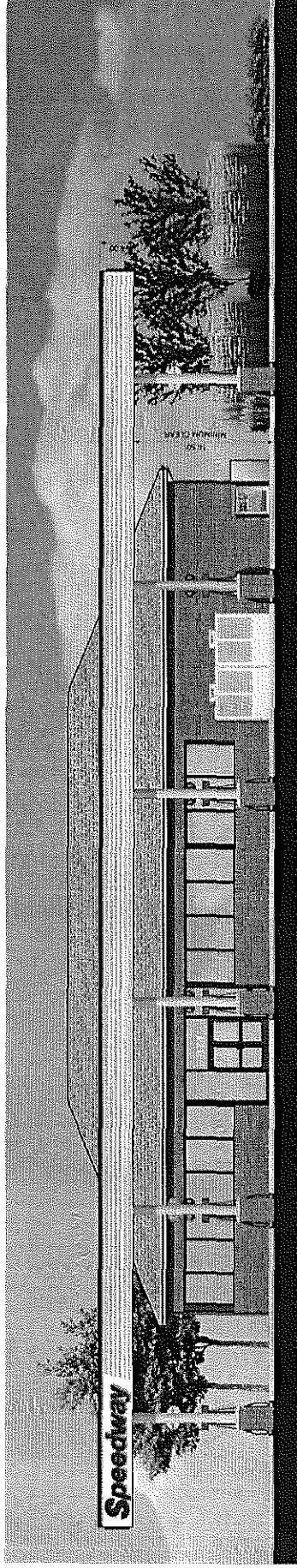
The Convenience Stores of Speedway



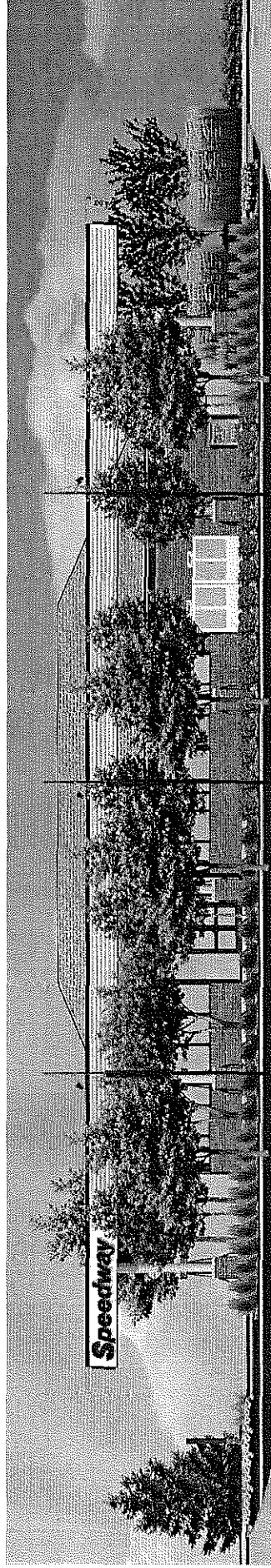
Landscape Plan



Landscape Elevations



FRONT ELEVATION

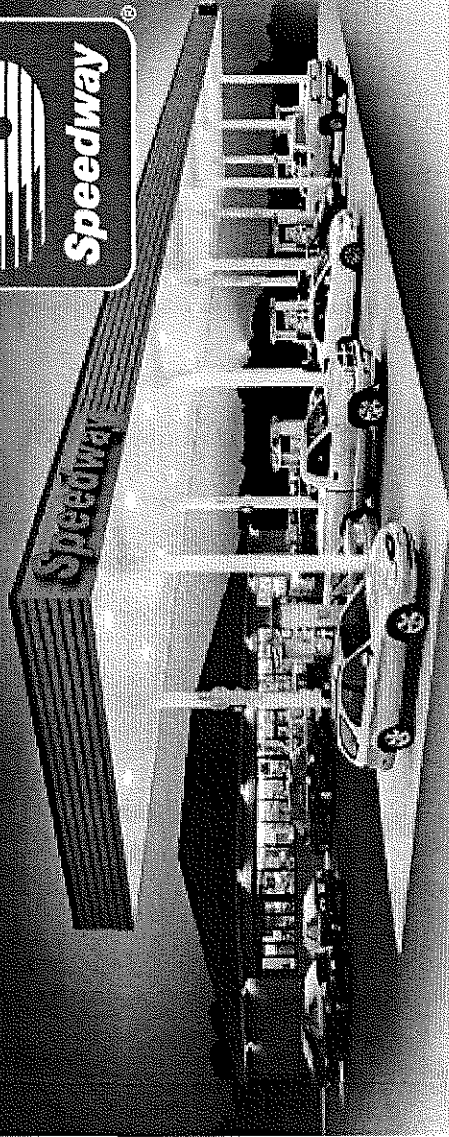


STREETSCAPE



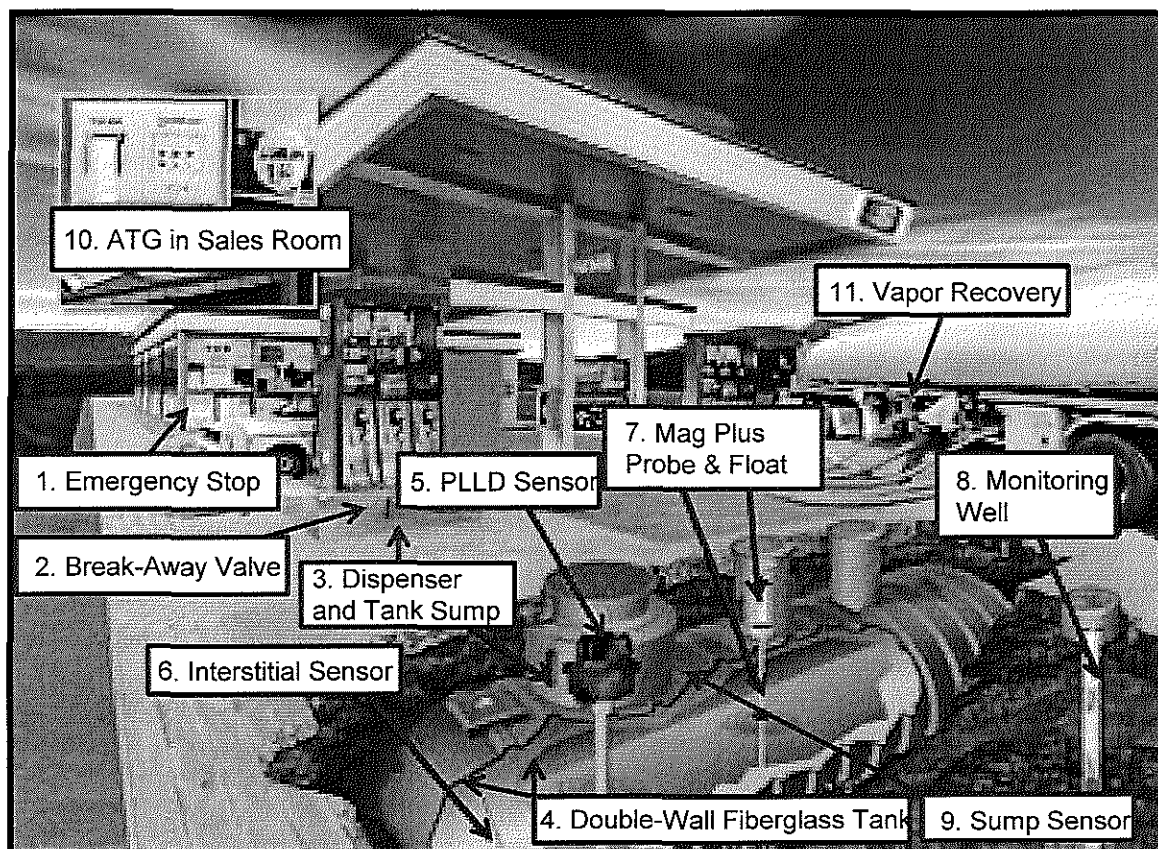


*The Convenience
Stores of Speedway*

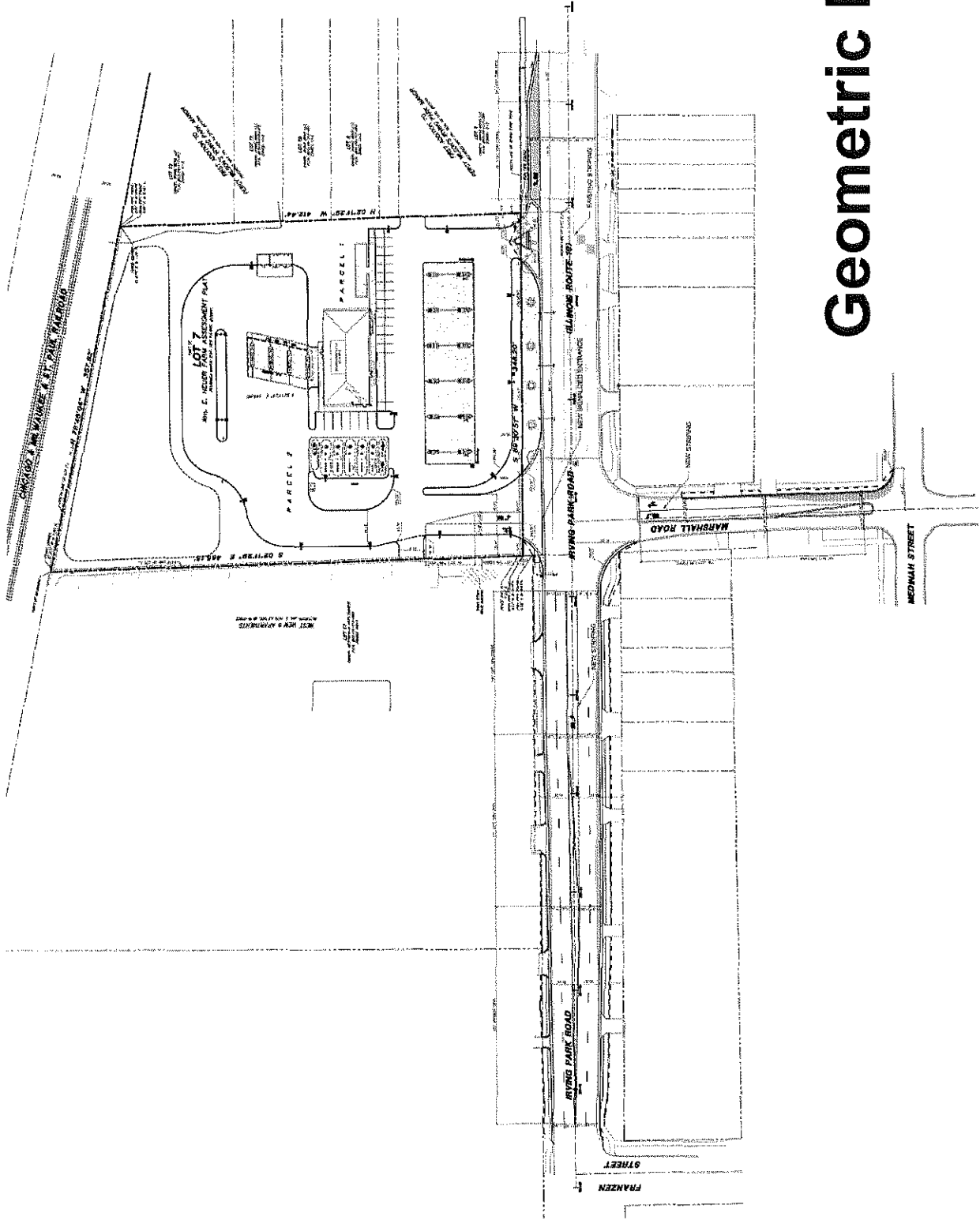


Thank You!

SPEEDWAY FUEL SAFETY MEASURES

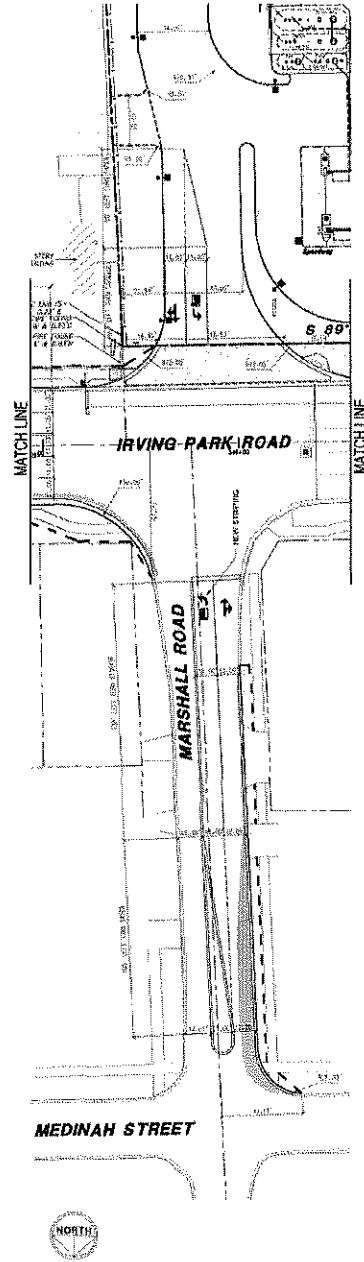
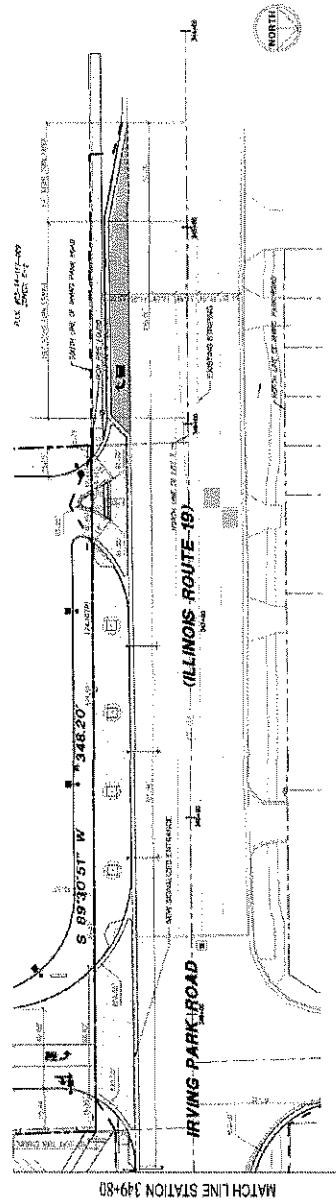
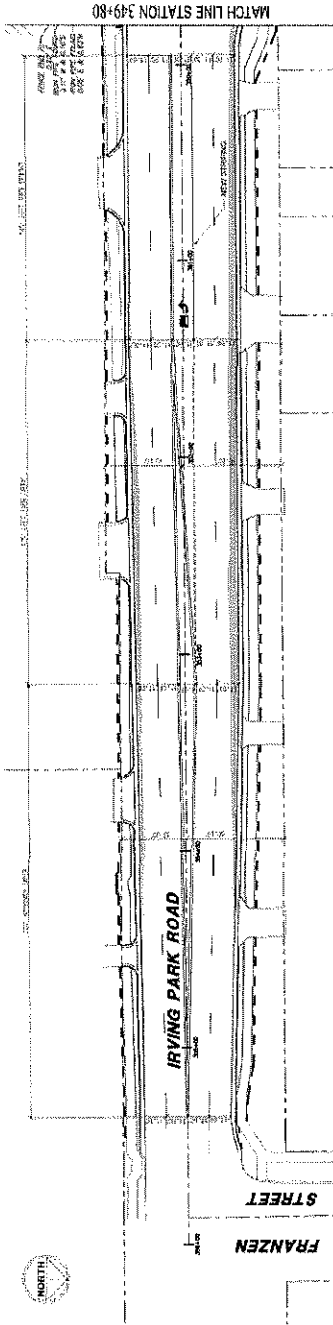






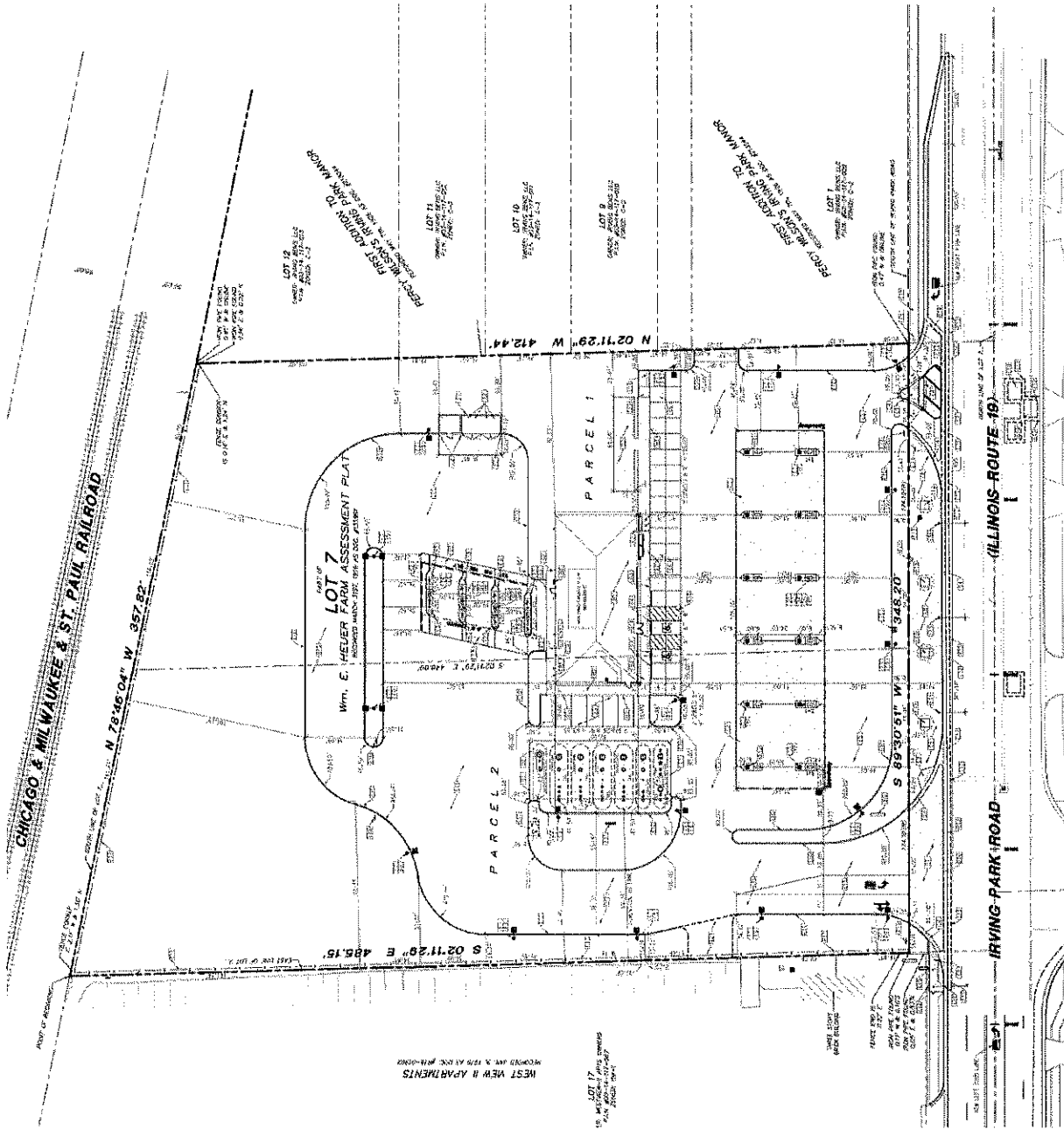
Geometric Plan





Geometric Plan

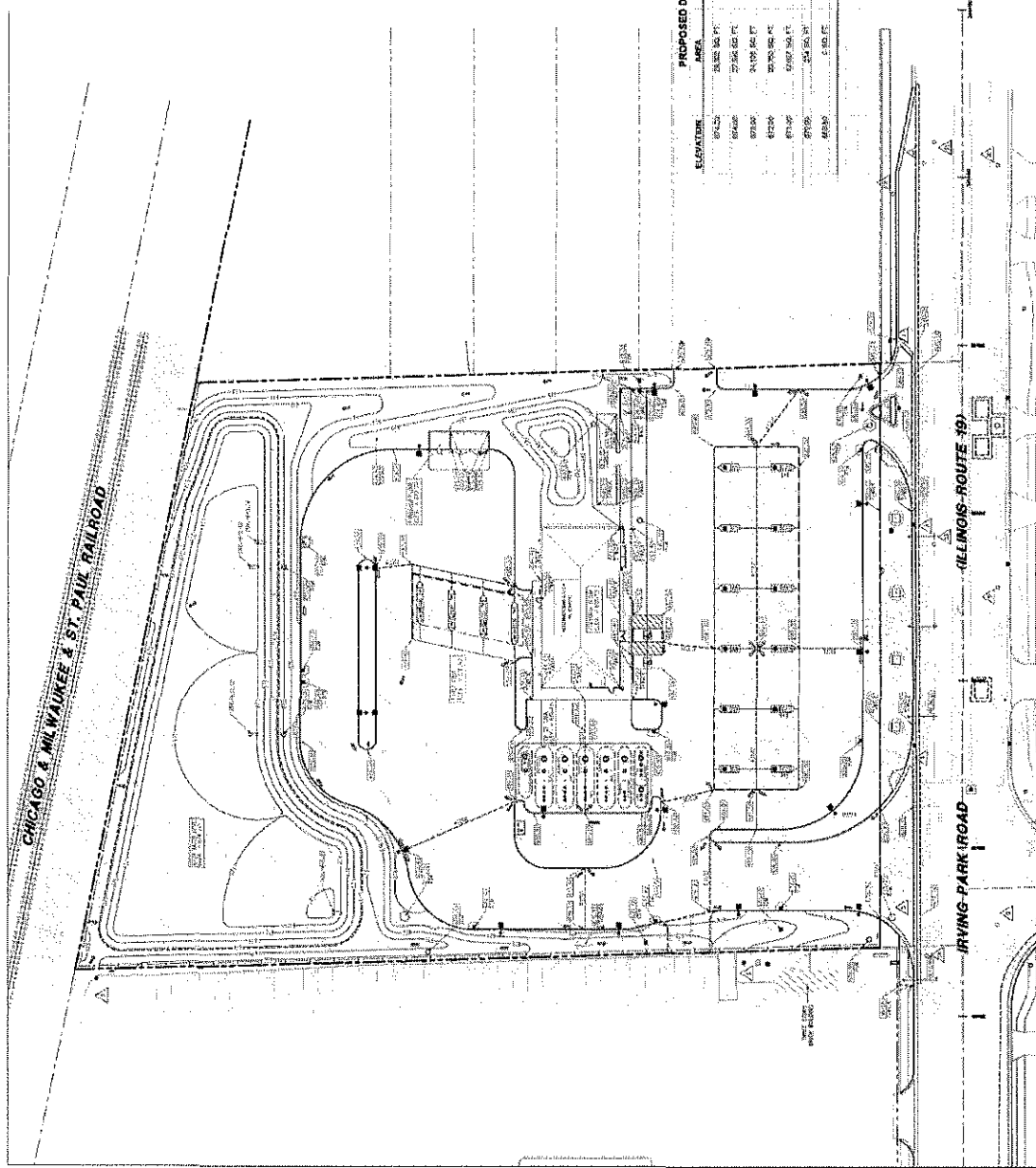
The Convenience Stores of Speedway



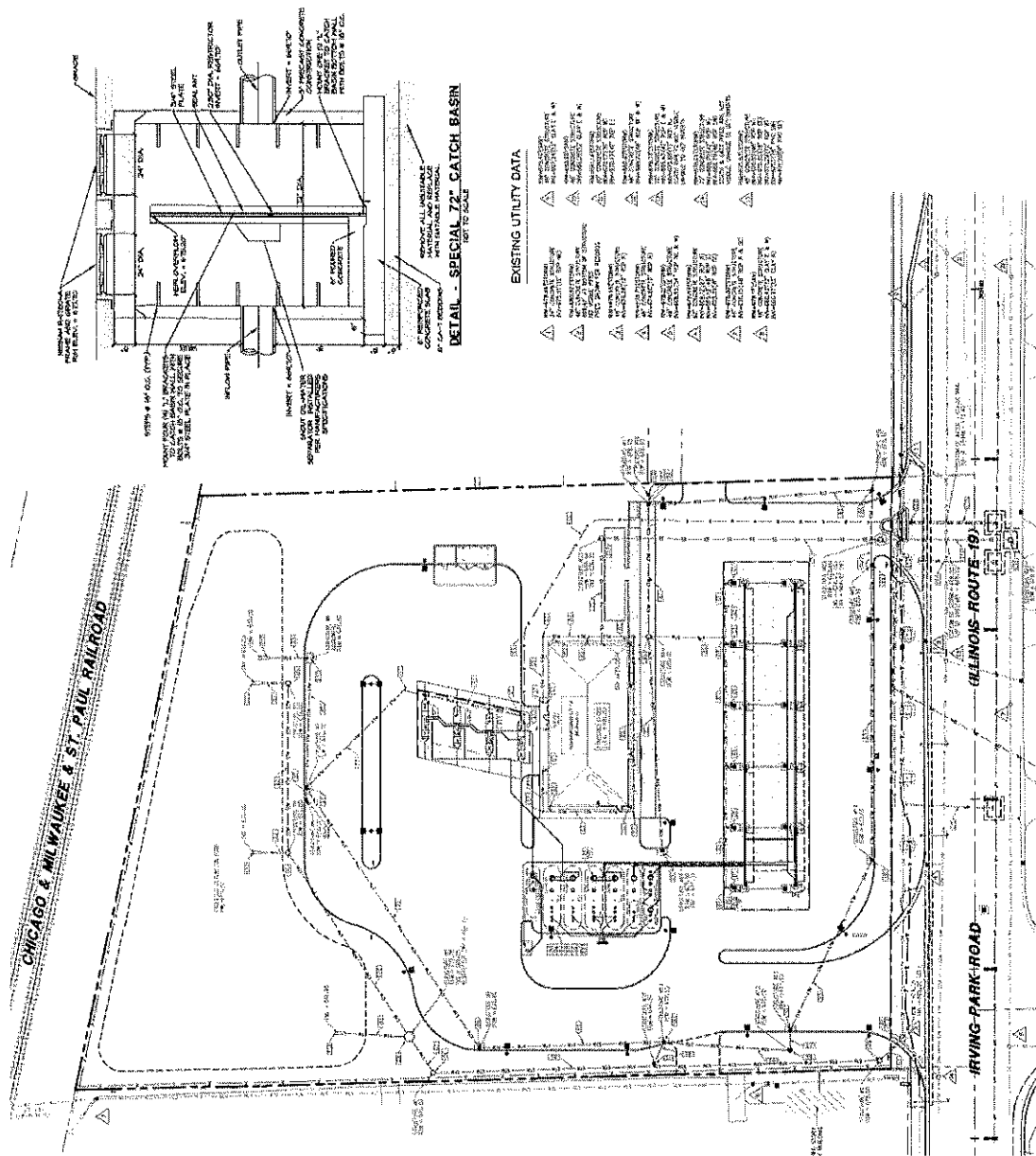
The Convenience Stores of Speedway



Grading Plan



Piping & Utilities Plan



The Convenience Stores of Speedway



The Convenience Stores of Speedway

Existing Survey



Corey Williamsen

From: Scott Viger
Sent: Tuesday, October 15, 2013 4:29 PM
To: Victoria Kosman
Subject: FW: Speedway

FHS see below

From: Wood, Teri [<mailto:wood@fenton100.org>]
Sent: Tuesday, October 15, 2013 3:53 PM
To: Scott Viger
Subject: Re: Speedway

Scott-
After discussing it with the FHS Deans and police liaison, we've heard of no issues regarding this.

With Bison pride,

Teri Wood
Director of Community Relations and Community Service
Fenton High School
1000 West Green Street, Bensenville Illinois 60106
Office: 630-860-8621
Fax: 630-860-8343

Visit the Fenton website at www.fenton100.org to follow us on Twitter (@FentonHS) and Facebook

On Fri, Oct 11, 2013 at 8:48 AM, Scott Viger <SViger@bensenville.il.us> wrote:
Great
Thanks

Scott R. Viger
Sent from my iPhone

On Oct 11, 2013, at 8:44 AM, "Teri Wood" <wood@fenton100.org> wrote:

I'll look into this.

Sent from my iPhone

On Oct 11, 2013, at 7:54 AM, Scott Viger <SViger@bensenville.il.us> wrote:

Good morning Teri –

I wanted to touch base with you on a Zoning/development petition for a new Speedway gas/diesel and convenience store. on the site of the former Kroschel Nursery.

We held an informal neighborhood meeting last night and a number of residents expressed concern that FHS students will cross the railroad tracks to get to the Convenience store.

We were wondering if the District had an opinion on the proposal and/or the specific safety concern raised by the attendees at the Neighborhood meeting?

The formal Public hearing before the Community development Commission will be held Monday 10.28.13 at 6:30 PM here at Village Hall.

Scott R. Viger, AICP

Village of Bensenville

Director/Community & Economic Development

12 S. Center Street

Bensenville, IL 60106

630.350.3411 Direct

630.670.3206 Mobile

<image001.png>