

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

MINUTES OF THE SPECIAL COMMUNITY DEVELOPMENT COMMISSION

December 16, 2013

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

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

STAFF PRESENT: V. Kosman, Rysavy, Viger, Williamsen

JOURNAL OF PROCEEDINGS:

The minutes of the Community Development Commission Meeting of November 11, 2013 were presented.

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

All were in favor. Motion carried.

Commissioner Rodriguez entered the meeting at 6:31p.m.

Public Hearing: CDC Case Number 2013-34
Petitioner: Richard Rebmann
Location: C-4 Regional Destination PUD Commercial District
Request: Text Amendment to allow Residential Use in the C-4 District

Motion: Commissioner Rowe made a motion to continue CDC Case No. 2013-34 until January 6, 2014. Commissioner Weldon seconded the motion.

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2013-35
Petitioner: Art Greenstein
Location: 480-500 W. Irving Park Road
Request: Conditional Use Permit to Allow Motor Vehicle Repair, minor and Variances

Motion: Commissioner Weldon made a motion to open CDC Case No. 2013-35. 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.

Chairman Moruzzi held a mass swearing in for members of the audience who intended to make comments related to CDC Case No. 2013-35

Village Planner, Victoria Kosman, stated a legal notice was published in the Daily Herald on November 30, 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 November 26, 2013. Ms. Kosman stated on November 26, 2013 Village Staff mailed first class notice of the Public Hearing to taxpayers of record within 250 feet of the property in question.

Art Greenstein, owner of 480-500 West Irving Park Road was present and previously sworn in by Chairman Moruzzi. Mr. Greenstein stated he has been the owner of the building since 1960. Mr. Greenstein stated the proposed requests are identical to those that were granted to a previous tenant in 2012. Mr. Greenstein stated his previous tenants that were awarded several variances and a conditional use permit in 2012 had stopped paying rent and had also tampered with the Village's water meter. Mr. Greenstein stated his previous tenants are currently in court in regards to the matters. Mr. Greenstein stated he does not foresee a similar case with his proposed tenants of the building. Mr. Greenstein stated he was seeking a conditional use permit for minor motor vehicle repair, a variance to reduce the required parking from 52 to 44 spaces, a variance to reduce front yard (parking) set back from 10 feet to approximately 4 feet and a variance to reduce frontage (landscaping) strip from 6 set to approximately 4 feet.

Mr. Greenstein read the findings of facts for the conditional use permit and variance requests into the record.

Commissioner Ciara entered the meeting at 6:43 p.m.

Commissioner Weldon asked what had happened with the previous tenant that was granted to same conditional use permit and variances in 2012. Mr. Greenstein stated they had stopped paying rent and they were tampering with the Village's water meter.

Commissioner Weldon stated part of the conditional use permit in 2012 required Mr. Greenstein to pave the parking lot.

Commissioner Weldon stated he was unaware if Mr. Greenstein had completed the work. Mr. Greenstein stated he had the parking lot re-stripped and that a heavy rain storm has washed to work away. Mr. Greenstein stated he is currently in court with the contractor that performed the work. Mr. Greenstein stated he has a contract signed with a new contractor to perform the work in the spring of 2014.

Public Comment:

Bob Vick – Forest Preserve District of DuPage County

Mr. Vick, Deputy Director of Natural Resources for the Forest Preserve District of DuPage County, provided a written statement to Village Staff indicating the Forest Preserve District of DuPage County had no objections to the requested conditional use permit or variances from 480-500 West Irving Park Road. Mr. Vick's letter has been attached to the minutes as "Exhibit A".

Ms. Kosman reviewed the Village Staff Report and stated Staff recommends approval of the conditional use permit request and variances with the following conditions:

- The Conditional Use Permit be granted solely to B & C Truck and Auto Repair and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of change in tenancy of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit, and
- The property shall be developed and utilized in conformance to the plans submitted as part of this application prepared for Art Greenstein dated 08.08.12 produced by W. Lloyd Christoph Architects as submitted on 08.09.12, and
- The space shall not be occupied until the conditional use permit is approved by the Village Board, and
- The property owner be agreeable in requests set forth by the Village for easements required for public services in for future Mid-Town/Irving Park Road corridor streetscape requirements, and
- The parking lot must be repaired or replaced within 6 months of the date of approval of the conditional use permit, and
- A triple basin separator is required inside the building prior to occupancy, and
- Petroleum waste plans shall be submitted for review and approval with the building permit, and
- All unused electrical conduits shall be removed back to the source prior to occupancy, and
- A permit must be applied for in order to install the proposed lifts, and
- Keys need to be provided for key box at 480 W. Irving Park Road address, and

- Front and rear doors be installed per building code standards, and
- Plastic air lines be removed from the premises.

Chairman Moruzzi asked where the DuPage Forest Preserve property was located. Ms. Kosman stated the property was located between the creek and Mr. Greenstein's property. Mr. Viger stated the Village is currently in negotiations with DuPage to consume the land.

Chairman Moruzzi asked if there will be tractor trailers on the property. George Siek, proposed tenant at 480-500 W. Irving Park Road, was present and previously sworn in by Chairman Moruzzi. Mr. Siek stated his company does not perform work on semi-trucks and that there will be no tractor trailers on site. Mr. Siek stated his company conducts basic mechanic work.

Commissioner Rodriguez asked if there were any issues with outdoor storage at the property. Ms. Kosman stated the previous conditional use permit in 2012 did not allow for outdoor storage. Commissioner Rodriguez stated he did not see a condition in Staff's report addressing outdoor storage.

Commissioner Pisano asked if the Village could require a bond from Mr. Greenstein regarding the parking lot improvement. Mr. Viger stated it is protected in the conditional use permit requirements and would be easier for the Village to enforce.

Motion: Commissioner Rowe made a motion to close CDC Case No. 2013-35. Commissioner Weldon seconded the motion.

ROLL CALL: Ayes: Moruzzi, Caira, Janowiak, Pisano, Rodriguez, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the Public Hearing at 6:57 p.m.

Motion: Commissioner Weldon made a motion to approval the Finding of Fact for the Conditional Use Permit request 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. Staff does not foresee any negative impacts on traffic flow associated with the approval of this Conditional Use as the use has been present historically, not only on-site, but also along the Irving Park Road corridor.
- **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. As all the work done will be indoors, the proposed use will not have negative effects on the environment. The installation of the triple basin will alleviate any concerns of adverse environmental effects of oil spillage.
- **Neighborhood Character:** The proposed use will fit harmoniously with the existing character of existing permitted uses in its environs. Any adverse effects on environmental quality, property values or neighborhood character beyond those normally associated with permitted uses in the district have been minimized. The proposed use would fit harmoniously with the existing character of the commercial Mid-town/Irving Park Road Corridor. The use is consistent with the previous use found on the subject property for over 40 years.
- **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. No significant increase in the utilization of the public utility systems is anticipated.
- **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. Staff finds the proposed use to contribute to the general welfare of the Village community by providing a 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. At CDC's discretion to include and discuss other factors.

Commissioner Rowe seconded the motion.

ROLL CALL: Ayes: Moruzzi, Caira, Janowiak, Pisano, Rodriguez, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Weldon made a motion to approval the Finding of Fact for the variance request to reduce front yard (parking) setback from 10 feet to approximately 4 feet 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.

Parking Stall Requirement: Special circumstances exist in granting the parking variance as the property historically has excess parking available and on the side of the proposed new use, an excess of parking exists for the tenant's use exceeding the required 4 spaces.

Parking Setback: Special circumstances exist in granting the parking variance and design due to the underutilized parking area found along the east side of the site.

Frontage Strip Setback: The subject location along Irving Park Road is a special circumstance in that improvements are to be made in the future along the corridor so the extension of the frontage strip would be unnecessary.

- **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.

Parking Stall Requirement: Even without the proposed new use, the site's current parking allowance is inadequate according to the literal application of the provisions. Unnecessary hardship exists in expanding the parking to meet current Village requirements let alone four additional spaces.

Parking Setback: The requested variance is an existing condition.

Frontage Strip Setback: The requested variance is an existing condition.

- **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.

Parking Stall Requirement: The circumstances relate to the property in that the property has additional parking adjacent to the proposed tenant.

Parking Setback: The parking allowance and setback requirements for the property in question relate to the property in that the minimum requirement for the parking allowance can only be met while including the parking setback variance. The variance request is due to an existing condition.

Frontage Strip Setback: The parking design and frontage strip setback do relate only to the subject property as it is an existing condition.

- **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.

Parking Stall Requirement: The request set forth is not resultant of applicant action.

Frontage Strip Setback: The request set forth is not resultant of applicant action.

Parking Allowance: The request set forth is not resultant of applicant action.

- **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.

Parking Stall Requirement: The variance is necessary for the applicant to enjoy a substantial property right because parking stalls on the site currently meet the needs of the subject tenant. It does not confer special privilege.

Parking Setback: The variance is necessary for the applicant to enjoy a substantial property right because parking stalls on the site currently meet the needs of the subject tenant. It does not confer a special privilege.

Frontage Strip Setback: The reduced setback requested is necessary for the applicant to enjoy a substantial property right possessed by other properties within the C-2 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.

Parking Stall Requirement: The variance requested is necessary for the reasonable use of the property.

Parking Setback: The variances are necessary for use of property because otherwise the site will be deprived of reasonable use or enjoyment of the property.

Frontage Strip Setback: The variance is necessary for the use of property.

- **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.

Parking Stall Requirement: Granting the requested variances will not alter the essential retail/commercial character of the locality.

Parking Setback: The parking setback variance is resultant of an existing condition.

Frontage Strip Setback: The parking setback variance is resultant of an existing condition.

- **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.

Parking Stall Requirement: Granting the variance to reduce the required parking is in harmony with the general purpose and intent of a commercial corridor along Irving Park Road.

Parking Setback: The requested variance is consistent with the Comprehensive Development Plan from 2004 and the Comprehensive Economic Strategy approved in 2013.

Frontage Strip Setback: The requested variance is consistent with the Comprehensive Development Plan from 2004 and the Comprehensive Economic Strategy accepted in 2013.

- **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.

Parking Stall Requirement: The minimum variance has been requested.

Parking Setback: The minimum variances have currently been requested.

Frontage Strip Setback: The minimum variances have been requested.

Commissioner Pisano seconded the motion.

ROLL CALL:

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

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Rowe made a motion to approval the Finding of Fact for the variance request to reduce frontage (landscaping) strip from 10 feet to approximately 4 feet 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.

Parking Stall Requirement: Special circumstances exist in granting the parking variance as the property historically has excess parking available and on the side of the proposed new use, an excess of parking exists for the tenant's use exceeding the required 4 spaces.

Parking Setback: Special circumstances exist in granting the parking variance and design due to the underutilized parking area found along the east side of the site.

Frontage Strip Setback: The subject location along Irving Park Road is a special circumstance in that improvements are to be made in the future along the corridor so the extension of the frontage strip would be unnecessary.

- **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.

Parking Stall Requirement: Even without the proposed new use, the site's current parking allowance is inadequate according to the literal application of the provisions. Unnecessary hardship exists in expanding the parking to meet current Village requirements let alone four additional spaces.

Parking Setback: The requested variance is an existing condition.

Frontage Strip Setback: The requested variance is an existing condition.

- **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.

Parking Stall Requirement: The circumstances relate to the property in that the property has additional parking adjacent to the proposed tenant.

Parking Setback: The parking allowance and setback requirements for the property in question relate to the property in that the minimum requirement for the parking allowance can only be met while including the parking setback variance. The variance request is due to an existing condition.

Frontage Strip Setback: The parking design and frontage strip setback do relate only to the subject property as it is an existing condition.

- **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.

Parking Stall Requirement: The request set forth is not resultant of applicant action.

Frontage Strip Setback: The request set forth is not resultant of applicant action.

Parking Allowance: The request set forth is not resultant of applicant action.

- **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.

Parking Stall Requirement: The variance is necessary for the applicant to enjoy a substantial property right because parking stalls on the site currently meet the needs of the subject tenant. It does not confer special privilege.

Parking Setback: The variance is necessary for the applicant to enjoy a substantial property right because parking stalls on the site currently meet the needs of the subject tenant. It does not confer a special privilege.

Frontage Strip Setback: The reduced setback requested is necessary for the applicant to enjoy a substantial property right possessed by other properties within the C-2 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.

Parking Stall Requirement: The variance requested is necessary for the reasonable use of the property.

Parking Setback: The variances are necessary for use of property because otherwise the site will be deprived of reasonable use or enjoyment of the property.

Frontage Strip Setback: The variance is necessary for the use of property.

- **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.

Parking Stall Requirement: Granting the requested variances will not alter the essential retail/commercial character of the locality.

Parking Setback: The parking setback variance is resultant of an existing condition.

Frontage Strip Setback: The parking setback variance is resultant of an existing condition.

- **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.

Parking Stall Requirement: Granting the variance to reduce the required parking is in harmony with the general purpose and intent of a commercial corridor along Irving Park Road.

Parking Setback: The requested variance is consistent with the Comprehensive Development Plan from 2004 and the Comprehensive Economic Strategy approved in 2013.

Frontage Strip Setback: The requested variance is consistent with the Comprehensive Development Plan from 2004 and the Comprehensive Economic Strategy accepted in 2013.

- **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.

Parking Stall Requirement: The minimum variance has been requested.

Parking Setback: The minimum variances have currently been requested.

Frontage Strip Setback: The minimum variances have been requested.

Commissioner Pisano seconded the motion.

ROLL CALL:

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

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Weldon made a motion to approval the Finding of Fact for the variance request to reduce required parking from 52 to 44 spaces 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.

Parking Stall Requirement: Special circumstances exist in granting the parking variance as the property historically has excess parking available and on the side of the proposed new use, an excess of parking exists for the tenant's use exceeding the required 4 spaces.

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- **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.

Parking Stall Requirement: Even without the proposed new use, the site's current parking allowance is inadequate according to the literal application of the provisions. Unnecessary hardship exists in expanding the parking to meet current Village requirements let alone four additional spaces.

Parking Setback: The requested variance is an existing condition.

Frontage Strip Setback: The requested variance is an existing condition.

- **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.

Parking Stall Requirement: The circumstances relate to the property in that the property has additional parking adjacent to the proposed tenant.

Parking Setback: The parking allowance and setback requirements for the property in question relate to the property in that the minimum requirement for the parking allowance can only be met while including the parking setback variance. The variance request is due to an existing condition.

Frontage Strip Setback: The parking design and frontage strip setback do relate only to the subject property as it is an existing condition.

- **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.

Parking Stall Requirement: The request set forth is not resultant of applicant action.

Frontage Strip Setback: The request set forth is not resultant of applicant action.

Parking Allowance: The request set forth is not resultant of applicant action.

- **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.

Parking Stall Requirement: The variance is necessary for the applicant to enjoy a substantial property right because parking stalls on the site currently meet the needs of the subject tenant. It does not confer special privilege.

Parking Setback: The variance is necessary for the applicant to enjoy a substantial property right because parking stalls on the site currently meet the needs of the subject tenant. It does not confer a special privilege.

Frontage Strip Setback: The reduced setback requested is necessary for the applicant to enjoy a substantial property right possessed by other properties within the C-2 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.

Parking Stall Requirement: The variance requested is necessary for the reasonable use of the property.

Parking Setback: The variances are necessary for use of property because otherwise the site will be deprived of reasonable use or enjoyment of the property.

Frontage Strip Setback: The variance is necessary for the use of property.

- **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.

Parking Stall Requirement: Granting the requested variances will not alter the essential retail/commercial character of the locality.

Parking Setback: The parking setback variance is resultant of an existing condition.

Frontage Strip Setback: The parking setback variance is resultant of an existing condition.

- **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.

Parking Stall Requirement: Granting the variance to reduce the required parking is in harmony with the general purpose and intent of a commercial corridor along Irving Park Road.

Parking Setback: The requested variance is consistent with the Comprehensive Development Plan from 2004 and the Comprehensive Economic Strategy approved in 2013.

Frontage Strip Setback: The requested variance is consistent with the Comprehensive Development Plan from 2004 and the Comprehensive Economic Strategy accepted in 2013.

- **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.

Parking Stall Requirement: The minimum variance has been requested.

Parking Setback: The minimum variances have currently been requested.

Frontage Strip Setback: The minimum variances have been requested.

Commissioner Rowe seconded the motion.

ROLL CALL: Ayes: Moruzzi, Caira, Janowiak, Pisano, Rodriguez, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Weldon made a motion to approve the conditional use permit for CDC Case No. 2013-35 with Staff's recommendations consisting of:

- The Conditional Use Permit be granted solely to B & C Truck and Auto Repair and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of change in tenancy of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit, and
- The property shall be developed and utilized in conformance to the plans submitted as part of this application prepared for Art Greenstein dated 08.08.12 produced by W. Lloyd Christoph Architects as submitted on 08.09.12, and
- The space shall not be occupied until the conditional use permit is approved by the Village Board, and
- The property owner be agreeable in requests set forth by the Village for easements required for public services in for future Mid-Town/Irving Park Road corridor streetscape requirements, and
- The parking lot must be repaired or replaced within 6 months of the date of approval of the conditional use permit, and

- A triple basin separator is required inside the building prior to occupancy, and
- Petroleum waste plans shall be submitted for review and approval with the building permit, and
- All unused electrical conduits shall be removed back to the source prior to occupancy, and
- A permit must be applied for in order to install the proposed lifts, and
- Keys need to be provided for key box at 480 W. Irving Park Road address, and
- Front and rear doors be installed per building code standards, and
- Plastic air lines be removed from the premises.

Commissioner Rowe seconded the motion.

ROLL CALL:

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

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Weldon made a motion to approve the variance to reduce parking from 52 to 44 spaces for CDC Case No. 2013-35 with Staff's recommendations consisting of:

- The Conditional Use Permit be granted solely to B & C Truck and Auto Repair and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of change in tenancy of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit, and
- The property shall be developed and utilized in conformance to the plans submitted as part of this application prepared for Art Greenstein dated 08.08.12 produced by W. Lloyd Christoph Architects as submitted on 08.09.12, and
- The space shall not be occupied until the conditional use permit is approved by the Village Board, and
- The property owner be agreeable in requests set forth by the Village for easements required for public services in for future Mid-Town/Irving Park Road corridor streetscape requirements, and
- The parking lot must be repaired or replaced within 6 months of the date of approval of the conditional use permit, and
- A triple basin separator is required inside the building prior to occupancy, and
- Petroleum waste plans shall be submitted for review and approval with the building permit, and
- All unused electrical conduits shall be removed back to the source prior to occupancy, and
- A permit must be applied for in order to install the proposed lifts, and
- Keys need to be provided for key box at 480 W. Irving Park Road address, and

- Front and rear doors be installed per building code standards, and
- Plastic air lines be removed from the premises.

Commissioner Pisano seconded the motion.

ROLL CALL:

Ayes: Moruzzi, Caira, 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 front yard (parking) setback from 10 feet to approximately 4 feet for CDC Case No. 2013-35 with Staff's recommendations consisting of:

- The Conditional Use Permit be granted solely to B & C Truck and Auto Repair and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of change in tenancy of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit, and
- The property shall be developed and utilized in conformance to the plans submitted as part of this application prepared for Art Greenstein dated 08.08.12 produced by W. Lloyd Christoph Architects as submitted on 08.09.12, and
- The space shall not be occupied until the conditional use permit is approved by the Village Board, and
- The property owner be agreeable in requests set forth by the Village for easements required for public services in for future Mid-Town/Irving Park Road corridor streetscape requirements, and

- The parking lot must be repaired or replaced within 6 months of the date of approval of the conditional use permit, and
- A triple basin separator is required inside the building prior to occupancy, and
- Petroleum waste plans shall be submitted for review and approval with the building permit, and
- All unused electrical conduits shall be removed back to the source prior to occupancy, and
- A permit must be applied for in order to install the proposed lifts, and
- Keys need to be provided for key box at 480 W. Irving Park Road address, and
- Front and rear doors be installed per building code standards, and
- Plastic air lines be removed from the premises.

Commissioner Weldon seconded the motion.

ROLL CALL:

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

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Weldon made a motion to approve the variance to reduce frontage (landscaping) strip from 6 feet to approximately 4 feet for CDC Case No. 2013-35 with Staff's recommendations consisting of:

- The Conditional Use Permit be granted solely to B & C Truck and Auto Repair and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of change in tenancy of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit, and
- The property shall be developed and utilized in conformance to the plans submitted as part of this application prepared for Art Greenstein dated 08.08.12 produced by W. Lloyd Christoph Architects as submitted on 08.09.12, and
- The space shall not be occupied until the conditional use permit is approved by the Village Board, and
- The property owner be agreeable in requests set forth by the Village for easements required for public services in for future Mid-Town/Irving Park Road corridor streetscape requirements, and
- The parking lot must be repaired or replaced within 6 months of the date of approval of the conditional use permit, and
- A triple basin separator is required inside the building prior to occupancy, and
- Petroleum waste plans shall be submitted for review and approval with the building permit, and
- All unused electrical conduits shall be removed back to the source prior to occupancy, and
- A permit must be applied for in order to install the proposed lifts, and
- Keys need to be provided for key box at 480 W. Irving Park Road address, and

- Front and rear doors be installed per building code standards, and
- Plastic air lines be removed from the premises.

Commissioner Janowiak seconded the motion.

ROLL CALL: Ayes: Moruzzi, Caira, Janowiak, Pisano, Rodriguez, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Ms. Kendra Smith – Associate, Outreach & Community Engagement, Chicago Metropolitan Agency for Planning and Allison Milld Clements – Director of Housing Initiatives, Metropolitan Mayors Caucus held a presentation with the Commission regarding Homes for Changing Region. The presentation has been attached to the minutes as “Exhibit B”.

Report from Community Development

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

Motion: Commissioner Rowe made a motion to approve the 2014 Community Development Commission Meeting Schedule as presented. Commissioner Weldon seconded the motion.

All were in favor. Motion carried.

ADJOURNMENT:

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

All were in favor
Motion carried.

The meeting was adjourned at 8:14 p.m.

Mike Moruzzi, Chairman
Community Development Commission

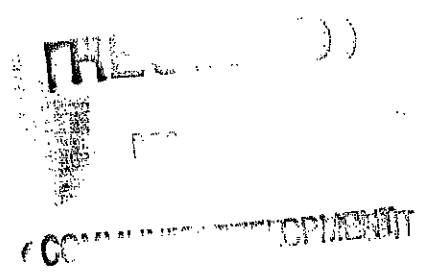


Forest Preserve District of DuPage County

35580 Naperville Road • Wheaton, IL 60189-8761 • 630.933.7200 • Fax 630.933.7204 • TTY 800.526.0857

December 12, 2013

Mr. Scott R. Viger, A.I.C.P.
Director, Community & Economic Development
Village of Bensenville
12 South Center Street
Bensenville, Illinois 60106



Re: Public Hearing Notice on Greenstein property
Case CDC #2013-35

Dear Mr. Viger:

The Forest Preserve District of DuPage County recently received notice of a requested Conditional Use and Variances on the Greenstein property located at 480-500 West Irving Park Road. We appreciate receiving timely notification of such projects that may have an impact on our adjacent property, and thank you for the opportunity to comment.

District Staff has reviewed the public hearing notice and the requested Conditional Use and Variances, and does not have any comments at this time. Please call me at (630) 933-7245 if you have any questions.

Sincerely,

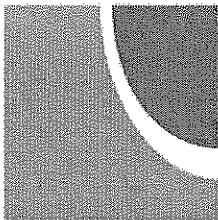
Bob Vick
Deputy Director of Natural Resources

cc: D. "Dewey" Pierotti, President
Marsha Murphy, District 1 Commissioner
Mike Palazzetti, Deputy Director of Operations
Kevin Stough, Director of Land Preservation

RECEIVED

DEC 16 2013

COMMUNITY DEVELOPMENT



Chicago Metropolitan Agency for Planning

Metropolitan**Planning**Council

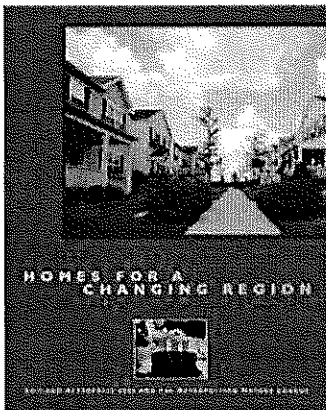
 Metropolitan
Mayors
Caucus

Northeastern DuPage County
Homes for a Changing Region
December 2013

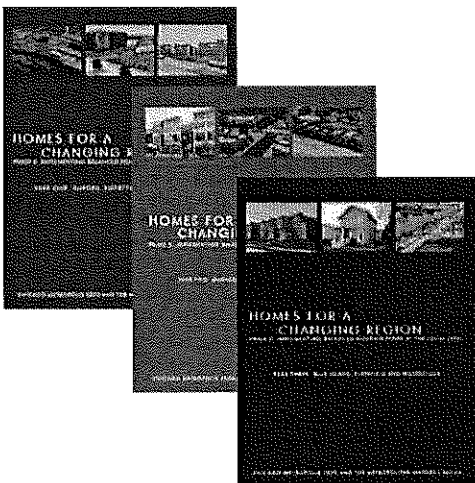
Overview

- Overview of the *Homes for a Changing Region* project
- National and regional housing trends
- Initial analysis for your community
- Next steps

Overview of Homes for a Changing Region

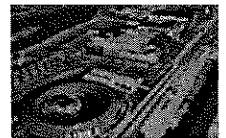


- A new approach to housing planning:
 - People-focused
 - Forward-looking
 - Market-based
 - Subregional
- Process, deliverables, free-of-charge collaborative through funding from the HUD Sustainable Communities Initiative, The Chicago Community Trust, Illinois Housing Development Authority (IHDA), and the Harris Family Foundation.
- A partnership between the Metropolitan Mayors Caucus, CMAP and the Metropolitan Planning Council.



Interjurisdictional (IJ) *Homes* Plans are making an impact

- Chicago Southland Housing and CD Collaborative
 - Moving forward with implementing and expanding its land bank initiative
- West Cook County Housing Collaborative
 - Raised over \$10M in public funds for single family rehabilitation and a revolving loan fund for TOD
- Northwest Suburban Housing Collaborative
 - Hired a consultant to create a senior housing implementation strategy
 - Arlington Heights approved a housing trust fund



The Changing Market Today

- The coming decades will be a time of urbanization (ULI 2010)
- The American home of the future will be smaller and more energy efficient (NAHB 2011)
- Multi-family has rebounded first (JCHS 2012)
 - Largest decade-long increase of the post-war era
 - Across races, ages, incomes
 - Growth expected to increase

COMMUNITY PROFILE:

Bensenville, IL

Population Information

2010 Census Data

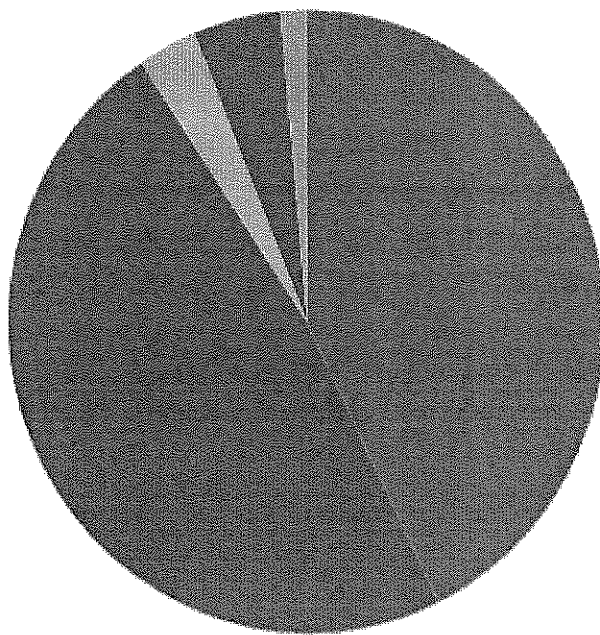
2010 Population: 18,352 (-11.36% since 2000)

2010 Households: 6,312 (-8.32% since 2000)

Median HH income: \$53,140

15.3% of the population below the poverty line

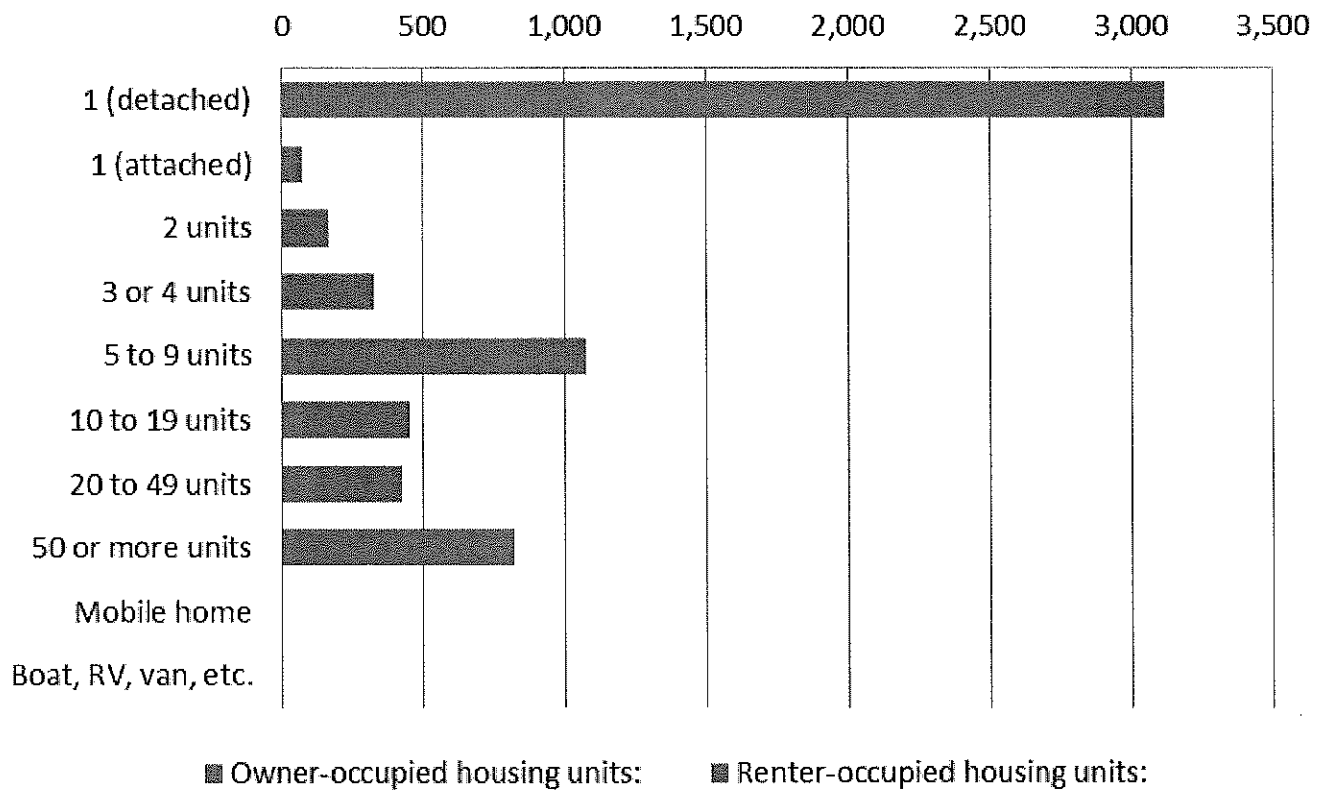
Race/Ethnicity



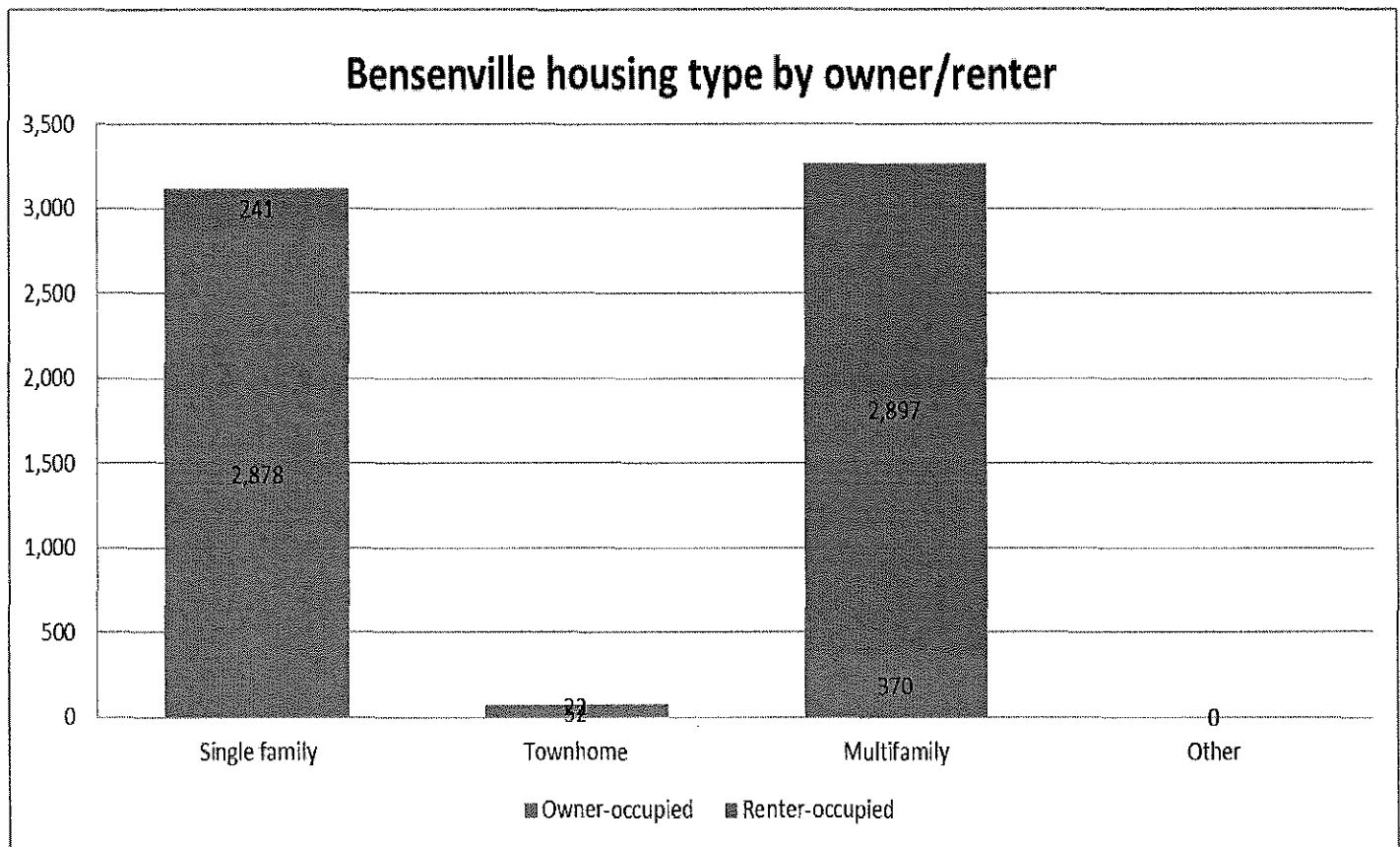
- White alone
- Hispanic or Latino:
- Black or African American alone
- Asian alone
- Other

Source: 2007-11 American Community Survey

Bensenville owner/renter by units in structure

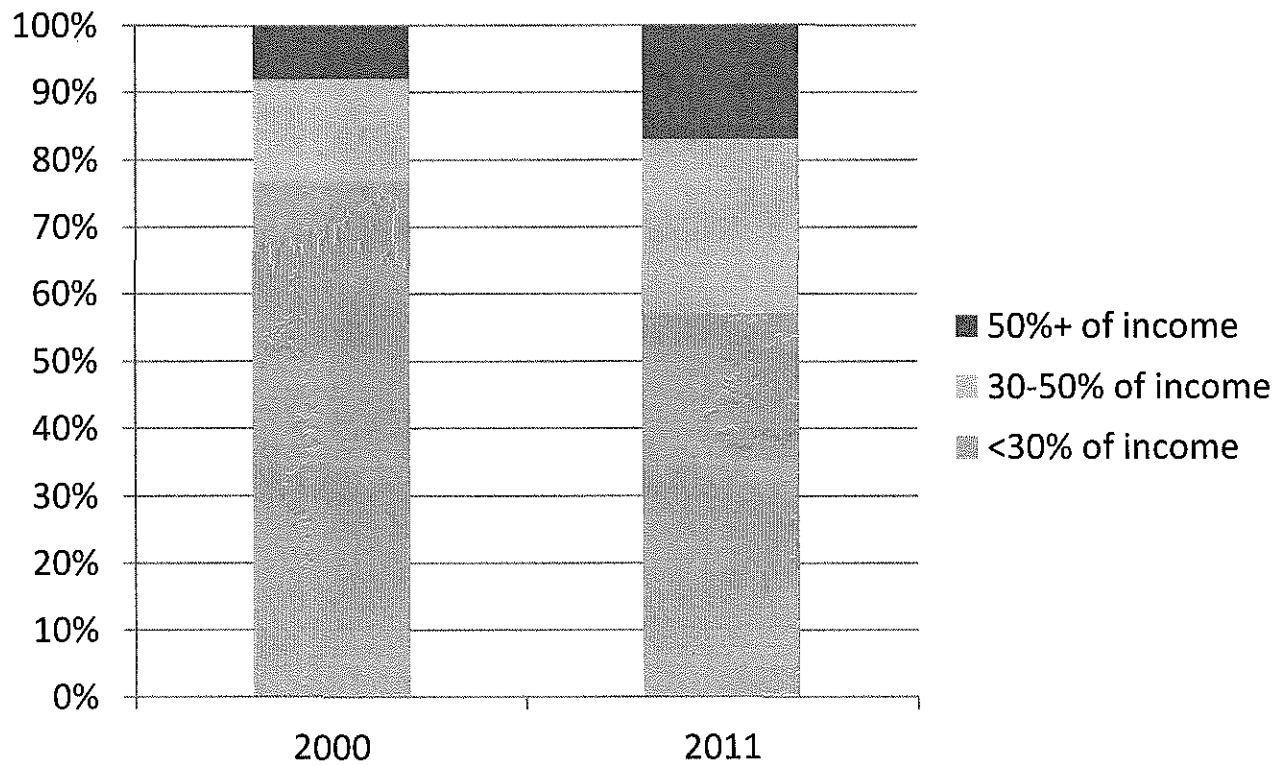


Source: 2007-11 American Community Survey



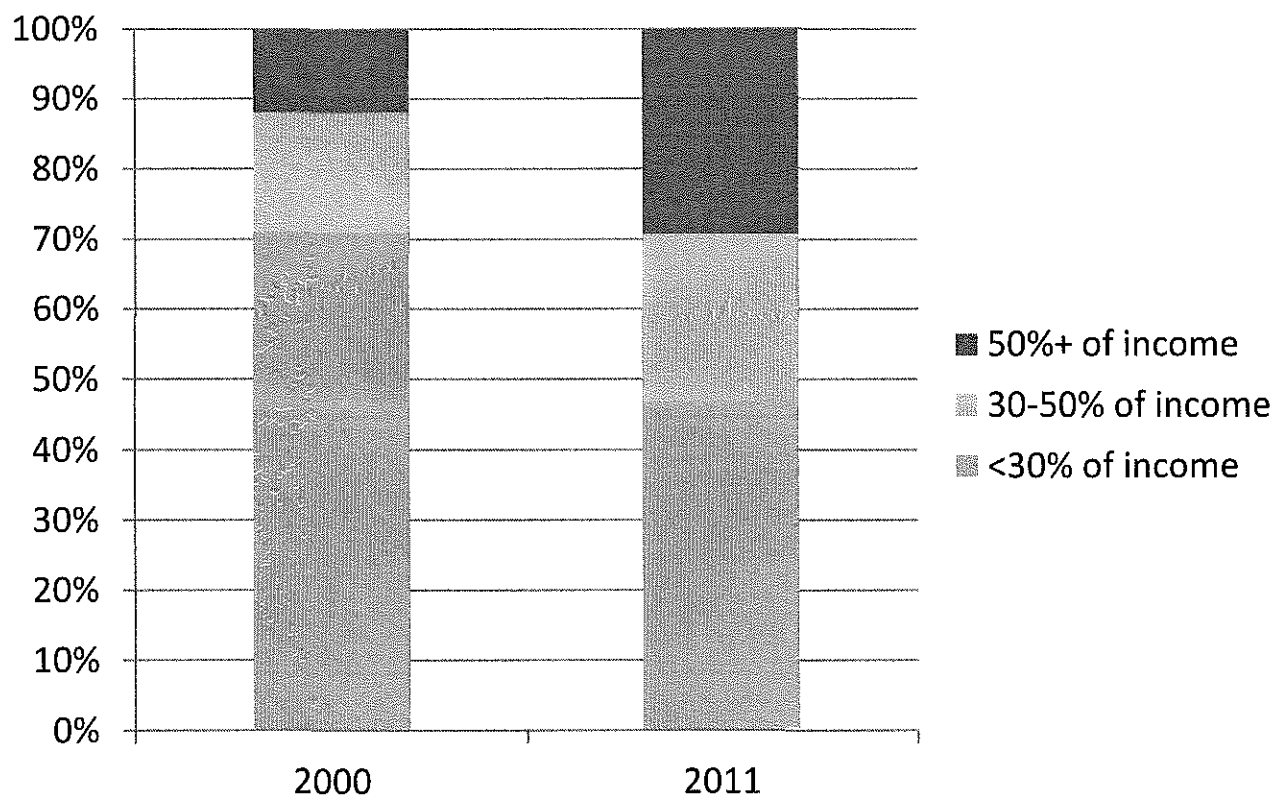
Source: 2007-11 American Community Survey

Bensenville Owner-Occupied Affordability Trends 2000-2011



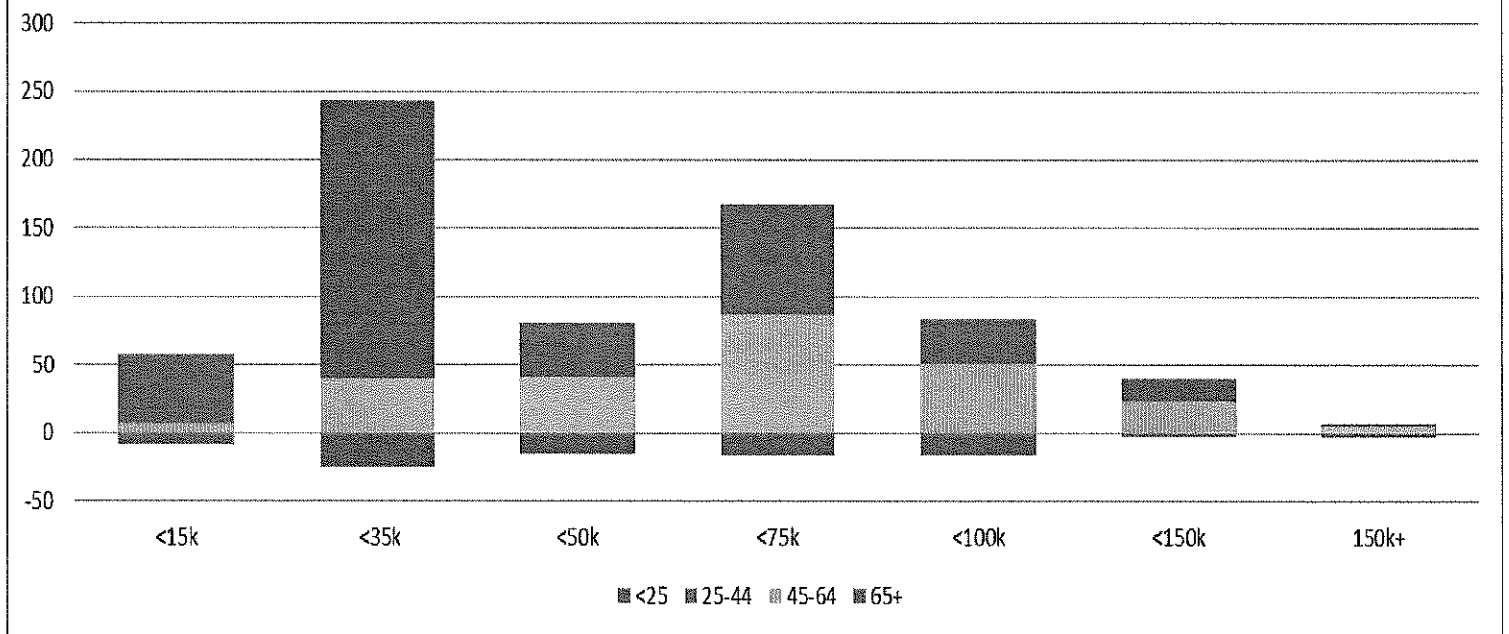
Source: 2000 Census and 2007-11 American Community Survey

Bensenville Renter-Occupied Affordability Trends 2000-2011



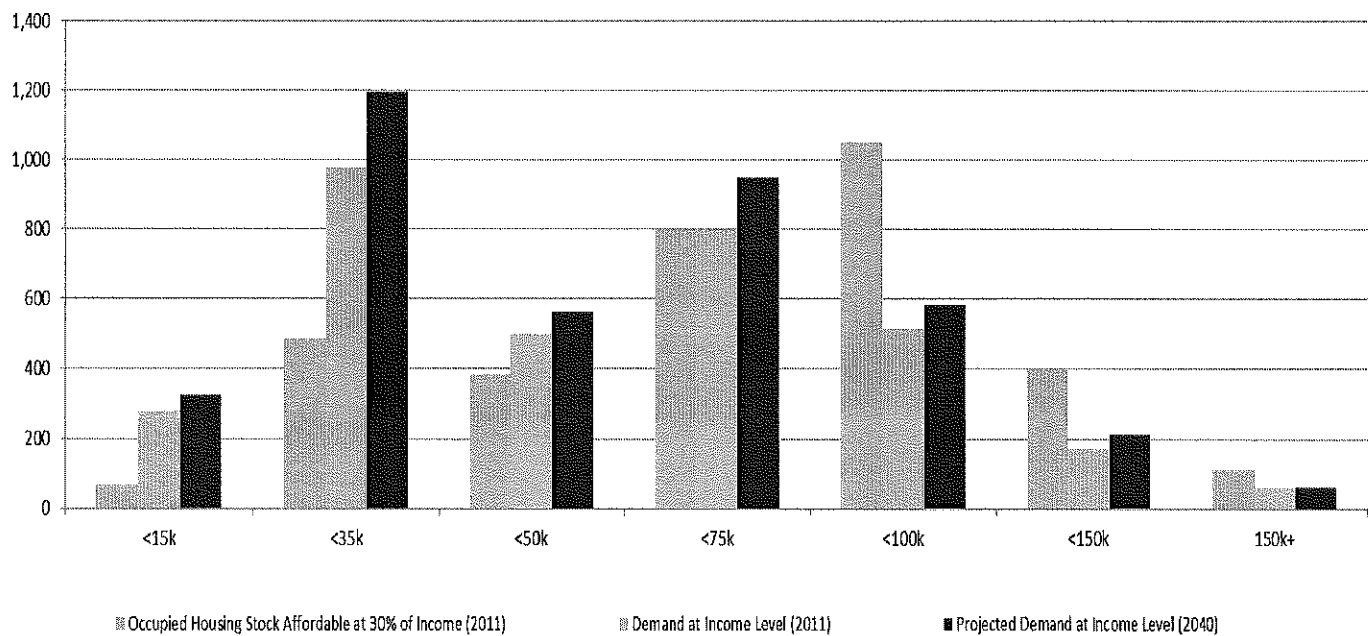
Source: 2000 Census and 2007-11 American Community Survey

2011-2040 change in owner demand

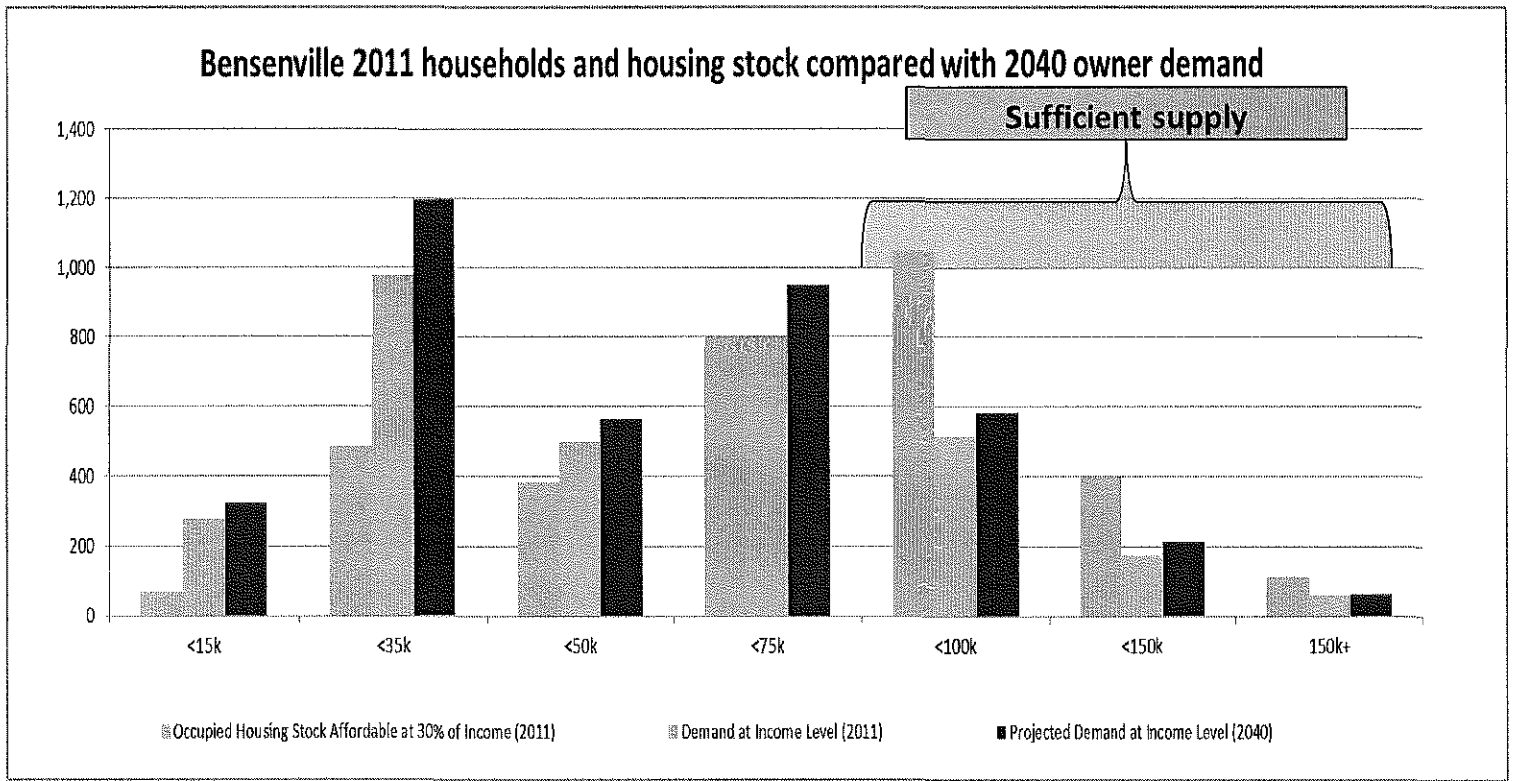


Source: CMAP analysis of Fregonese Envision Tomorrow Balanced Housing Model using ACS 2007-11 and CMAP GO TO 2040 household forecast inputs.

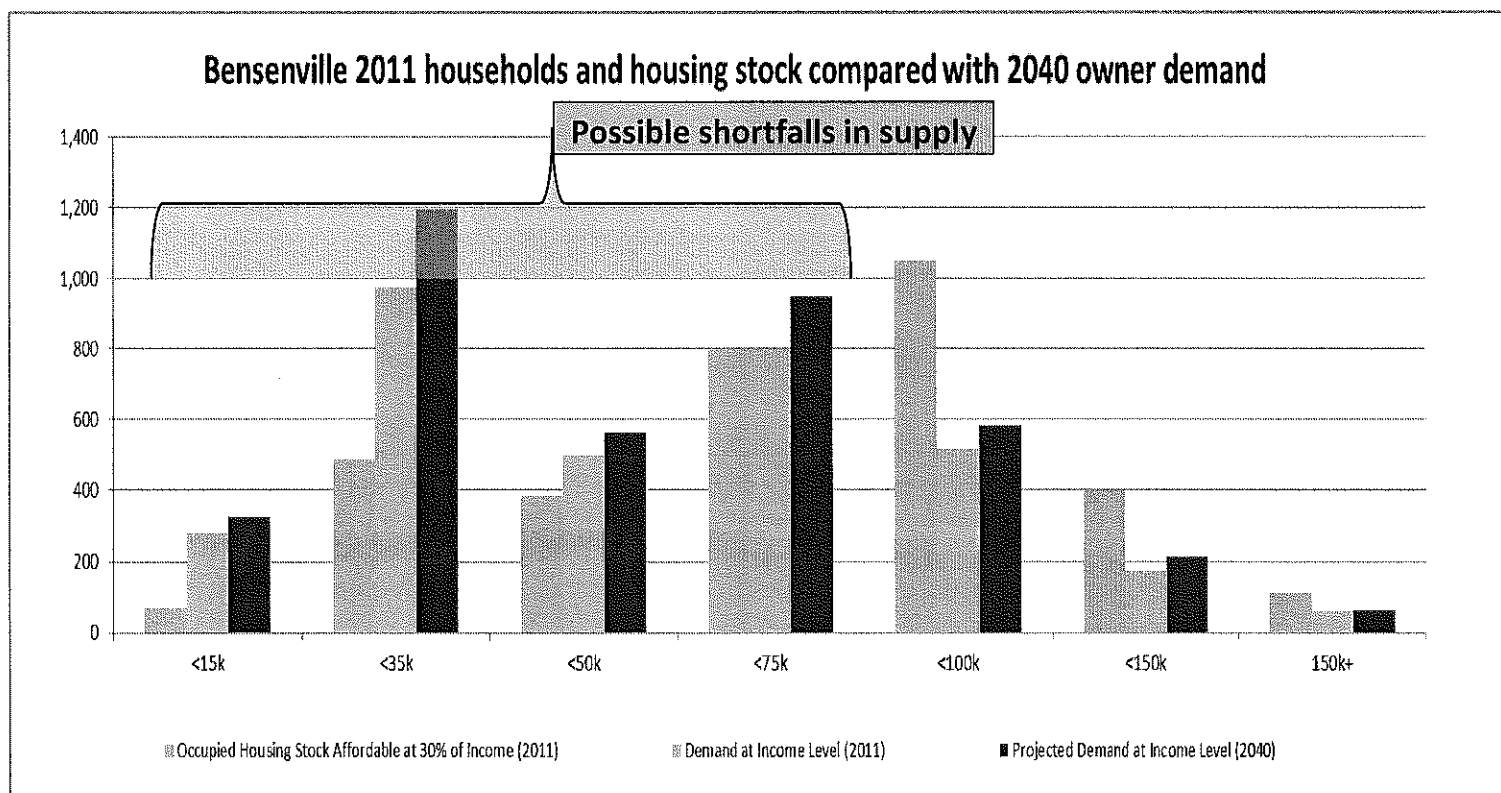
Bensenville 2011 households and housing stock compared with 2040 owner demand



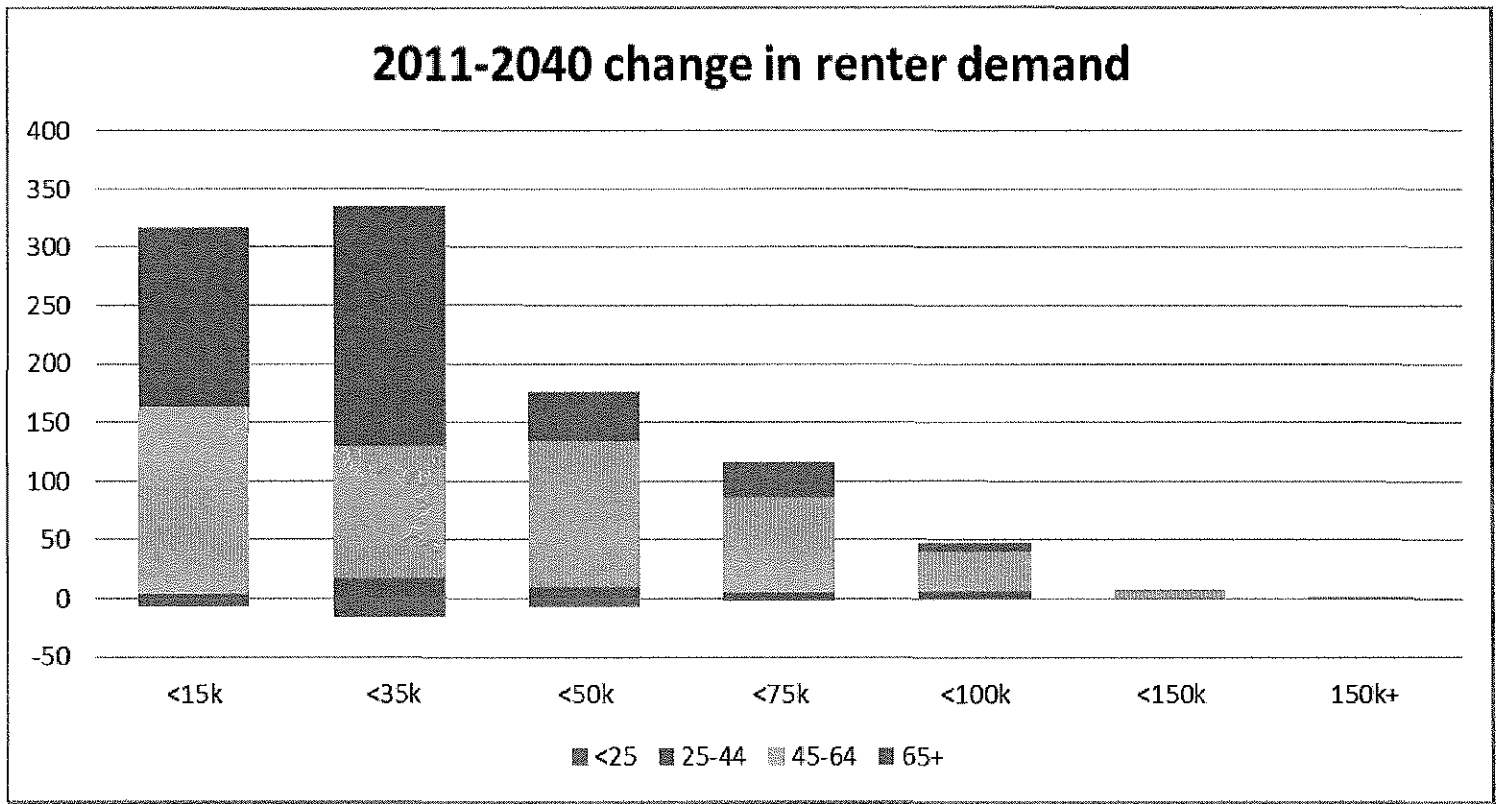
Source: CMAP analysis of Fregonese Envision Tomorrow Balanced Housing Model using ACS 2007-11 and CMAP GO TO 2040 household forecast inputs.



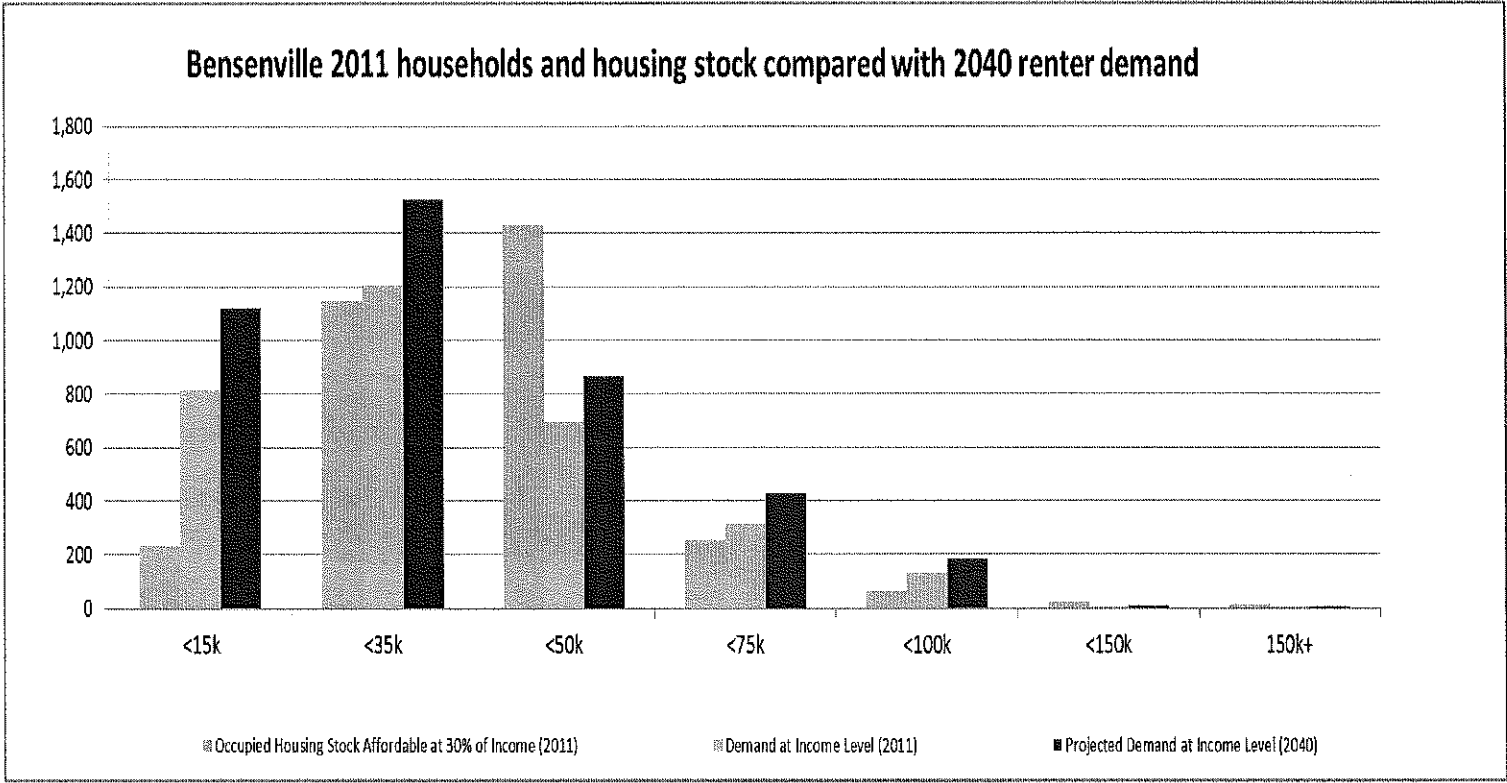
Source: CMAP analysis of Fregonese Envision Tomorrow Balanced Housing Model using ACS 2007-11 and CMAP GO TO 2040 household forecast inputs.



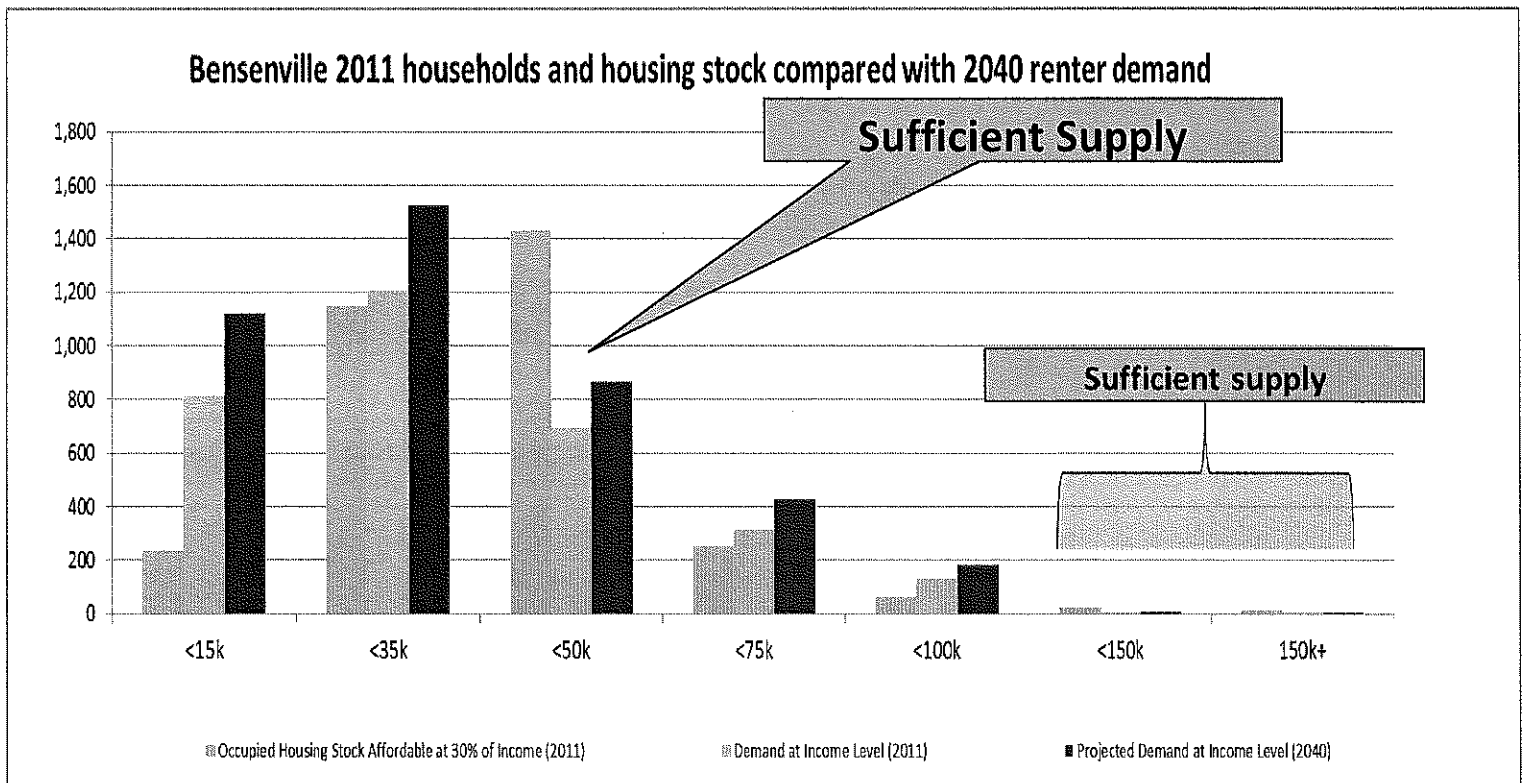
Source: CMAP analysis of Fregonese Envision Tomorrow Balanced Housing Model using ACS 2007-11 and CMAP GO TO 2040 household forecast inputs.



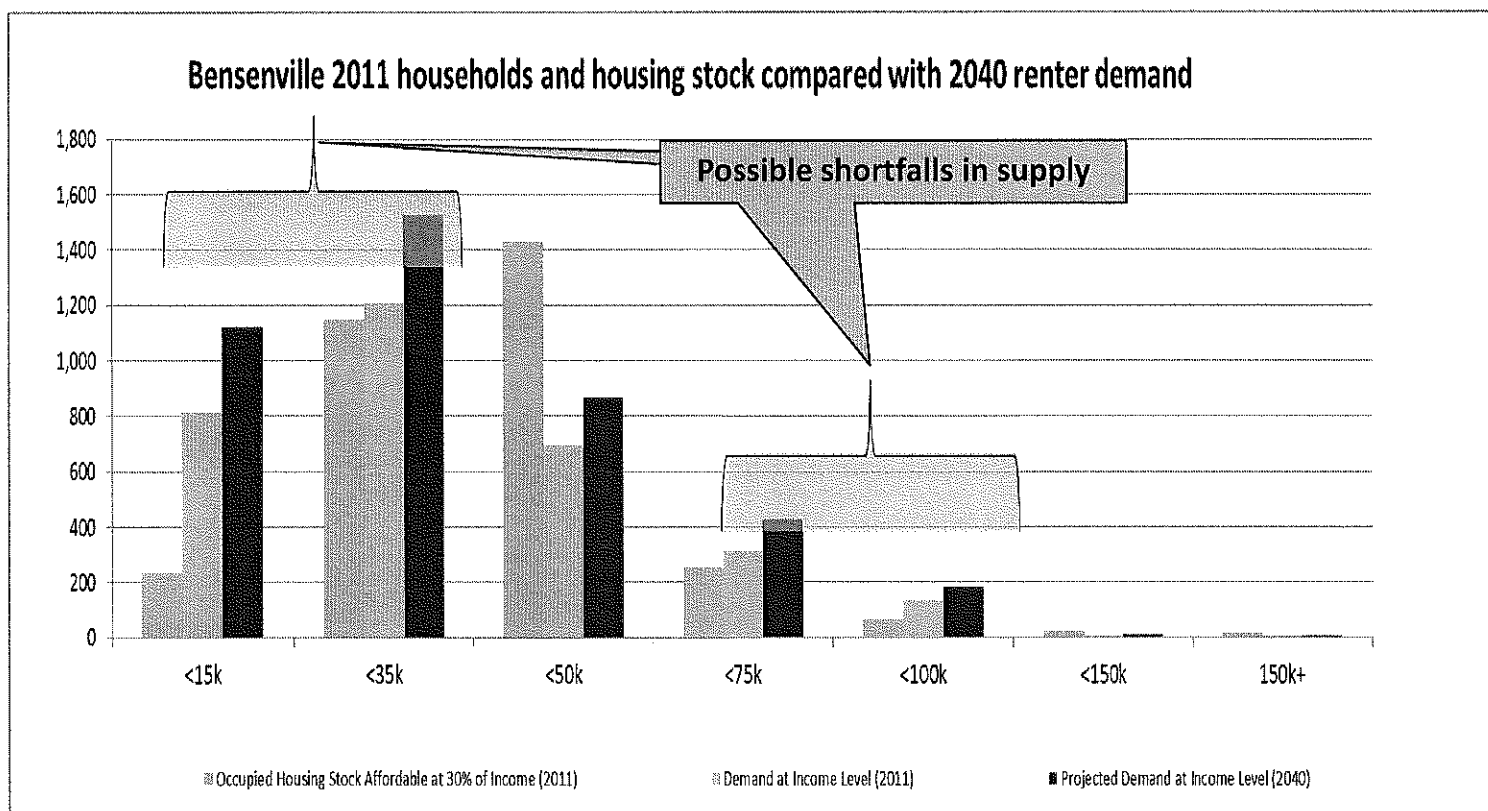
Source: CMAP analysis of Fregonese Envision Tomorrow Balanced Housing Model using ACS 2007-11 and CMAP GO TO 2040 household forecast inputs.



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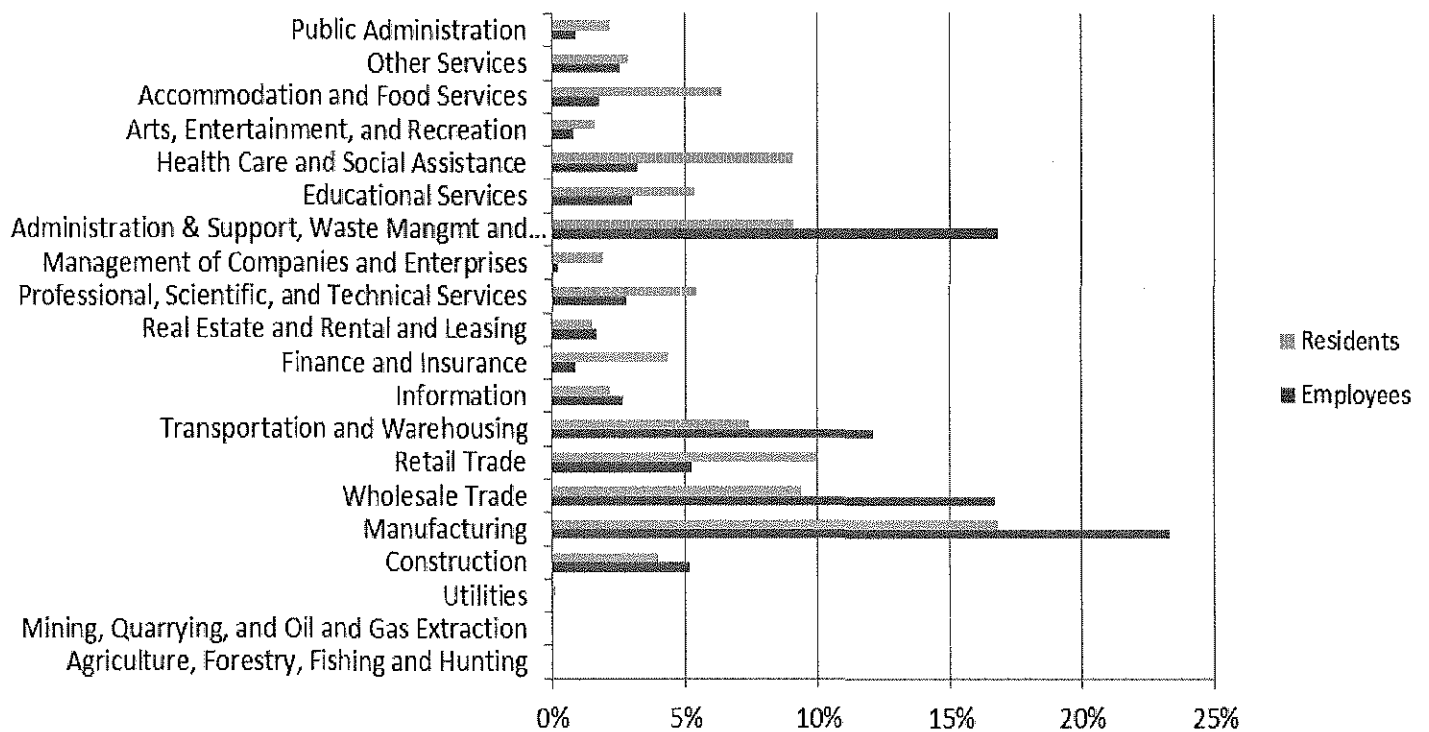


Source: CMAP analysis of Fregonese Envision Tomorrow Balanced Housing Model using ACS 2007-11 and CMAP GO TO 2040 household forecast inputs.



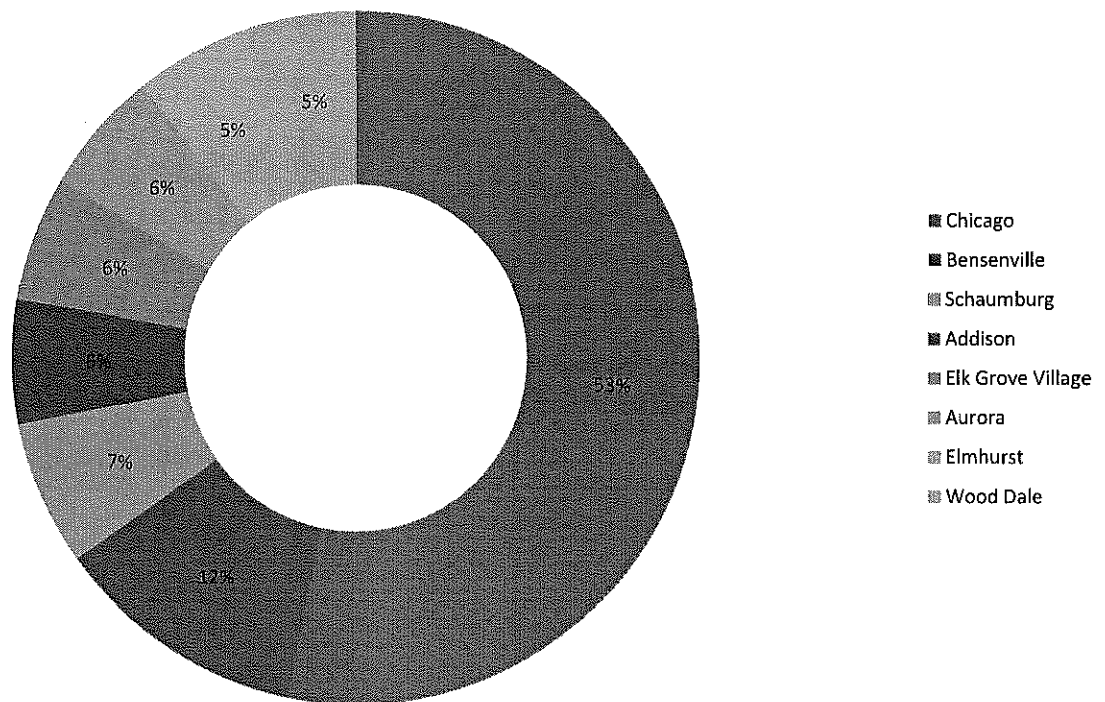
Source: CMAP analysis of Fregonese Envision Tomorrow Balanced Housing Model using ACS 2007-11 and CMAP GO TO 2040 household forecast inputs.

Bensenville jobs, residents, and employees, 2011



Source: U.S. Census, LED Data, On-the-Map

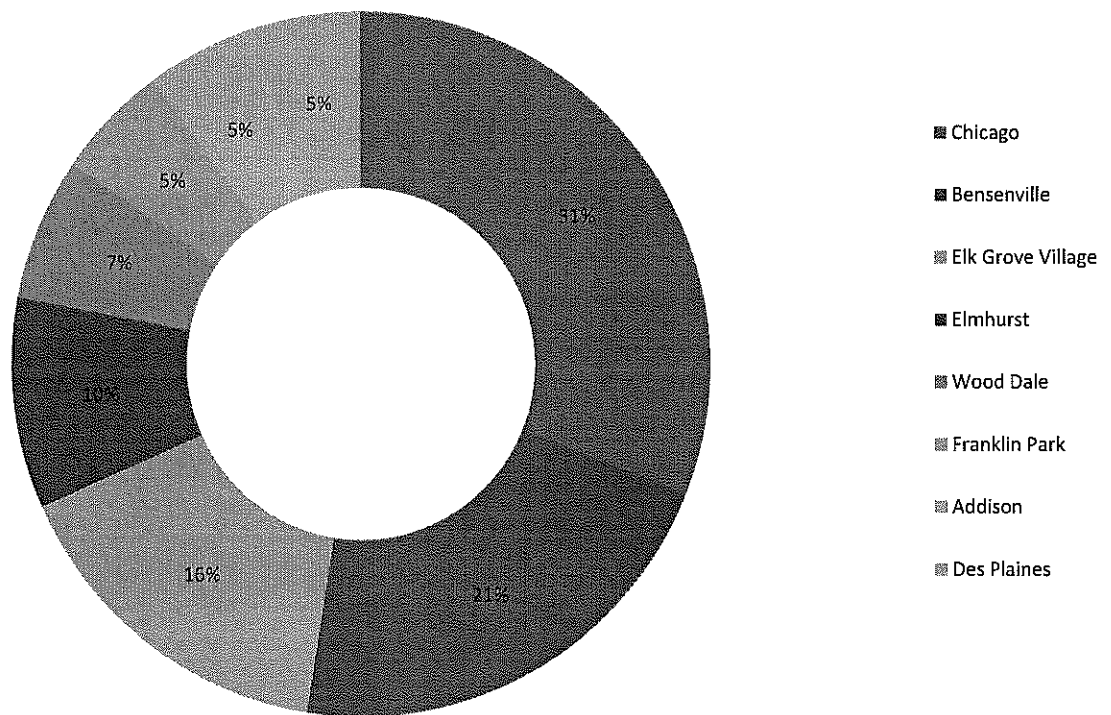
Where do Bensenville workers live?



*represents 35.5% of the total population

Source: U.S. Census, LED Data, On-the-Map

Where do Bensenville residents work?



*represents 51.6% of the total population

Source: U.S. Census, LED Data, On-the-Map

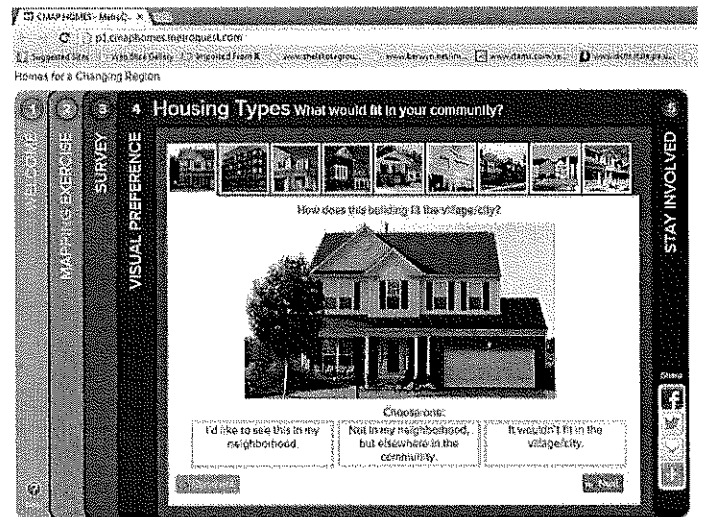
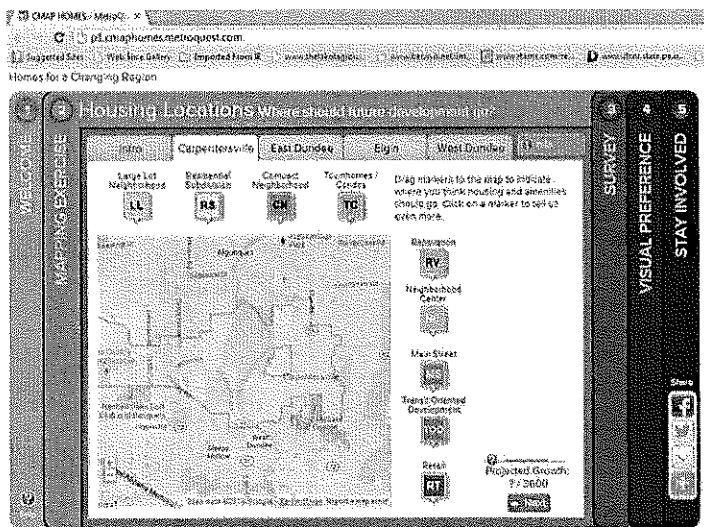
Bensenville Capacity Analysis

	2010 Census	2040 Forecast (CMAP Revised)	Change
Population	18,352	23,824	+5,472
Households	6,312	7,708	+1,396

HOUSING CAPACITY BY TYPE	
Type	Units
Large Lot SF (>8,000 s.f)	152
Small Lot SF (<8,000 s.f)	152
Townhome	21
Multifamily	1,182
Mobile Home/Other	-
TOTAL	1,507

Next Steps

- Public Engagement
 - January 2014 and February 2014



- Municipal Recommendations
 - Late February 2014

Optional focus area visualizations

