

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

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

July 21, 2014

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, Caira, Janowiak, Rodriguez, Rowe Pisano, Weldon
Absent: None
A quorum was present.

STAFF PRESENT: V. Benham, S. Viger, C. Williamsen,

JOURNAL OF PROCEEDINGS:

The minutes of the Community Development Commission
Meeting of July 7, 2014 were presented.

Motion: Commissioner Janowiak 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 2014-01
Petitioner: Ambrose Design Group, LLC
Location: 801 North Illinois Route 83
Request: Conditional Use Permits to Allow a Service Station and EMC with
associated Variances

Motion: Commissioner Weldon made a motion to open CDC Case No.
2014-01. Commissioner Caira seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, Caira, Janowiak, Rodriguez, Rowe Pisano, Weldon
Absent: None
A quorum was present.

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

Chairman Moruzzi held a mass swearing in for those who planned
to speak during the Public Hearing.

Village Planner, Victoria Benham, stated a legal notice was published in the Daily Herald on July 5, 2014 and that a certified copy of the legal notice is maintained in the CDC file and available for viewing. Mrs. Benham also stated that Village Staff posted a notice of the Public Hearing sign on the property on July 3, 2014. Mrs. Benham stated on July 3, 2014 Village Staff mailed first class notice of the Public Hearing to taxpayers of record within 250 feet of the property in question.

Ron Ambrose of Ambrose Design Group, LLC was present and previously sworn in by Chairman Moruzzi. Mr. Ambrose identified the proposed use of the site to the Commission and audience. Mr. Ambrose stated the plans allow for a 3,000 square foot retail shop, twelve gasoline pumps for vehicles and five diesel pumps for trucks. Mr. Ambrose stated the requested variance for curbcuts along Route 83 have been reviewed and approved by IDOT. Mr. Ambrose stated the current plan allows for sixteen parking spaces on site for store use. Mr. Ambrose stated all materials used will match those of the store. Mr. Ambrose stated landscaping will be placed around the site and will meet the Village's requirements. Mr. Ambrose stated the petitioner has requested a variance to reduce the required foundation landscape strip from six to zero feet. Mr. Ambrose stated the material used on the proposed EMC sign will match the materials used for the store and accessory building. Mr. Ambrose stated the proposed use will be privately owned and operated. Mr. Ambrose stated the petitioners are still working on a name and logo for the company. Mr. Ambrose stated as a result, the canopy design is on hold until a logo has been chosen. Mr. Ambrose addressed Village Staff's concerns with traffic circulation on site. Mr. Ambrose stated after review of Staff's concerns, the petitioner has amended the original plans to allow for directional traffic flow. Mr. Ambrose stated the original plans are designed for 53 foot trucks. Mr. Ambrose stated the revised plan would allow for a designated lane for smaller trucks and four lanes for the 53 foot trucks. Mr. Ambrose stated trucks would enter from Route 83, fuel and then exit onto Bryn Mawr. Mr. Ambrose stated the petitioner would prefer a counter directional lane that would allow trucks to enter from Bryn Mawr and exit onto Route 83, however; the petitioner is willing to work with Village Staff to accommodate any and all concerns.

Joan Berg of Harrison & Held, LLP located at 333 West Wacker Drive, Suite 1700, Chicago, Illinois 60606 was present and previously sworn in by Chairman Moruzzi. Ms. Berg read the findings of facts into the record in regards to the conditional use permit requests for a service station and an EMC. Ms. Berg also read the approval criteria for the requested variances into the record. Ms. Berg stated the petitioner is willing to work with Village Staff regarding traffic flow on site. Ms. Berg stated the petitioner would prefer a counter directional lane be allowed on site but is willing to work with Staff on a final traffic flow design.

Commissioner Rodriguez asked if the petitioner has discussed the utility pipes along Route 83 with DuPage County. Commissioner Rodriguez stated the current plans submitted by Mr. Ambrose shows drainage drawings that would affect the current utility pipes on site. Commissioner Rodriguez stated if the utility pipes needed to be relocated at the expense of the petitioner; it could add a significant cost to the proposed project. Mr. Ambrose stated he was aware of Commissioner Rodriguez's concerns. Mr. Ambrose stated they have not met with DuPage County yet. Mr. Ambrose stated they have been meeting with IDOT regarding the curbcuts and plan to meet with DuPage County next regarding drainage on site.

Commissioner Rodriguez asked if there will be an elevation change on site. Mr. Ambrose stated there will not be an elevation change on site.

Commissioner Pisano raised concern with the proposed traffic flow on site. Commissioner Pisano stated the new traffic flow pattern proposed by the applicant would create a crossover issue between vehicles and trucks entering and exiting the property.

Commissioner Pisano asked if the applicant had planned on installing curb lanes on site to prevent trucks from switching lanes once on site. Mr. Ambrose stated that has not been a concern but is willing to work with Staff regarding the issue.

Commissioner Rowe stated he agrees with Commissioner Pisano's concerns with traffic flow on site.

Commissioner Weldon asked for clarification on the submitted traffic study. Bill Griene of 850 Forest Edge Drive, Vernon Hills, Illinois 60061 was present and previously sworn in by Chairman Moruzzi. Mr. Griene stated he conducted the traffic study and does not believe trucks exiting onto Brawn Mawr and attempting to turn left onto Route 83 will cause any delays. Mr. Griene stated he predicts three trucks an hour will attempt to make a left turn onto Route 83.

Commissioner Caira suggested having trucks enter the site from Bryn Mawr and exit onto Route 83. Commissioner Caira stated this scenario would assist in truck stacking on site and also address the concerns of cross traffic on site raised by the Commission. Mr. Ambrose stated he would meet with Staff regarding the idea.

Public Comment:

Harvey Hoyer – 840 Fairway Drive, Bensenville, Illinois 60106

Mr. Hoyer was present and previously sworn in by Chairman Moruzzi. Mr. Hoyer stated he was a business owner in Bensenville with roughly twenty trucks that require diesel fuel. Mr. Hoyer spoke in favor of the proposed design and stated the proposed site would help reduce the overflow of trucks from the currently constructed Thorntons.

Michelle Milewski – Bensenville Chamber of Commerce and ABC Bank

Ms. Milewski was previously sworn in by Chairman Moruzzi. Ms. Milewski spoke in favor of the prosed usage.

Chairman Moruzzi suggested continuing the Public Hearing until August 4, 2014 to allow Village Staff and the petitioner to meet regarding the amended traffic flow plan on site. There was no objection from the petitioners.

Motion:

Chairman Moruzzi made a motion to continue CDC Case No. 2014-01 until August 4, 2014. Commissioner Caira seconded the motion.

ROLL CALL:

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

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi recessed the meeting at 7:46 p.m.

Chairman Moruzzi called the meeting back to order at 7:51 p.m.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, Caira, Janowiak, Rodriguez, Rowe Pisano, Weldon
Absent: None
A quorum was present.

Public Hearing: CDC Case Number 2014-18
Petitioner: Irving Park Investments, Inc.
Location: 1032 West Irving Park Road
Request: Conditional Use Permit to allow an Animal Hospital

Motion: Commissioner Rowe made a motion to open CDC Case No. 2014-18. Commissioner Pisano seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, Caira, Janowiak, Rodriguez, Pisano, Rowe, Weldon
Absent: None
A quorum was present.

Chairman Moruzzi opened the Public Hearing at 7:52 p.m.

Village Planner, Victoria Benham, stated a legal notice was published in the Daily Herald on July 5, 2014 and that a certified copy of the legal notice is maintained in the CDC file and available for viewing. Mrs. Benham also stated that Village Staff posted a notice of the Public Hearing sign on the property on July 3, 2014. Mrs. Benham stated on July 3, 2014 Village Staff mailed first class notice of the Public Hearing to taxpayers of record within 250 feet of the property in question.

Robert Friedman of Jameson Realty and Vic Dhillon, applicant, were both present and previously sworn in by Chairman Moruzzi. Mr. Friedman submitted detailed drawings of the proposed usage of the facility to the Commission. The drawings have been attached to the minutes as "Exhibit A". Mr. Friedman stated the use of the building would remain the same. Mr. Friedman stated the outdoor canals will be removed and new air conditioning units will be installed on the roof of the property. Mr. Friedman stated the interior building be remodeled to accommodate better flow within and allow for five to ten examination rooms. Mr. Friedman read the findings of facts into the record for the proposed conditional use permit.

Commissioner Rodriguez asked if there are plans for new entrances and additional windows on the property. Mr. Friedman stated they plan to replace door and windows but will not be addition additional entrances/exits or windows.

Commissioner Rodriguez asked if there will be additional lighting on site. Mr. Friedman stated lighting will be provided as required by the Village.

Public Comment:

Avry Dickinis – West View Apartments

Mr. Dickinis was present and previously sworn in by Chairman Moruzzi. Mr. Dickinis stated he was present on behalf of the Residents and Home Owners Association of the adjacent properties. Mr. Dickinis stated the Residents would like to see a fence installed on the site to separate the commercial use from the residential use.

Mrs. Benham reviewed the Village Staff report and stated Staff recommends approval of the proposed conditional use permit with the following conditions:

1. The Conditional Use Permit Amendment be granted solely to Dr. Vic Dhillon of Irving Park Investments, Inc. 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. The property owner be agreeable in requests set forth by the Village for easements required for public services for future Mid-Town/Irving Park Road corridor streetscape requirements including the removal of the western curbcut;
3. Animals are not to be left outside between the hours of 10PM and 6AM;
4. Increase the drive aisle width from 23' 6" to 24' as required by Village Code;

5. Final landscape and screening plans be reviewed and approved by the Village upon permitting; and
6. Paved area be removed and replaced within 6 months of the date of the Ordinance approval.

Commissioner Rodriguez asked if Staff had addressed the Resident's concerns of a fence on site. Mrs. Benham stated Staff will work with the petitioner regarding the required fence on site.

Motion: Commissioner Pisano made a motion to close CDC Case No. 2014-18. Commissioner Weldon seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the Public Hearing at 8:17 p.m.

Motion: Commissioner Rowe made a motion to approve the findings of facts for the conditional use permit consisting of:

1. **Traffic:** The proposed use will not create any adverse impact of types or volumes of traffic flow not otherwise typical of permitted uses in the zoning district has been minimized. The proposed use will not create any adverse impact of types or volume of flow of traffic outside of normal uses allowed within the C-2 Highway Commercial District.
2. **Environmental Nuisance:** The proposed use will not have negative effects of noise, glare, odor, dust, waste disposal, blockage of light or air or other adverse environmental effects of a type or degree not characteristic of the historic use of the property or permitted uses in the district. The proposed use will not have negative effects of a type or degree not characteristic of the historic use of the property.

3. **Neighborhood Character:** The proposed use will fit harmoniously with the existing character of existing permitted uses in its environs. Any adverse effects on environmental quality, property values or neighborhood character beyond those normally associated with permitted uses in the district have been minimized. The proposed use will fit harmoniously with the existing commercial character of the existing permitted uses in its environs.
4. **Use Of Public Services And Facilities:** The proposed use will not require existing community facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area. There would not be any additional needs for public services beyond those already provided to their businesses along the Irving Park Road corridor.
5. **Public Necessity:** The proposed use at the particular location requested is necessary to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community. Re-opening this facility as an animal hospital will provide a service to pet owners within the community.
6. **Other Factors:** The use is in harmony with any other elements of compatibility pertinent in the judgment of the commission to the conditional use in its proposed location. At CDC's discretion to include and discuss other factors.

Commissioner Pisano seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Weldon made a motion to approve the conditional use permit with the following conditions:

1. The Conditional Use Permit Amendment be granted solely to Dr. Vic Dhillon of Irving Park Investments, Inc. 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. The property owner be agreeable in requests set forth by the Village for easements required for public services for future Mid-Town/Irving Park Road corridor streetscape requirements including the removal of the western curbcut;
3. Animals are not to be left outside between the hours of 10PM and 6AM;
4. Increase the drive aisle width from 23' 6" to 24' as required by Village Code;
5. Final landscape and screening plans be reviewed and approved by the Village upon permitting; and
6. Paved area be removed and replaced within 6 months of the date of the Ordinance approval.

Commissioner Caira seconded the motion.

ROLL CALL:

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

Nays: None

All were in favor. Motion carried.

Report from Community Development

Mrs. Benham reviewed both recent CDC cases along with upcoming cases.

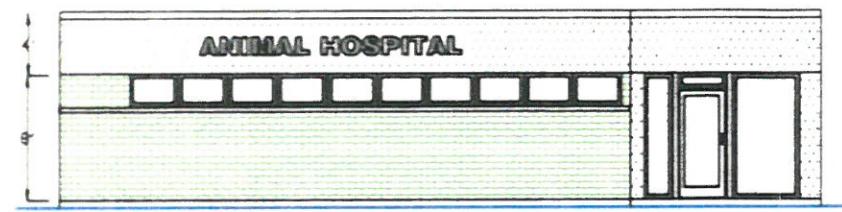
ADJOURNMENT:

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

All were in favor
Motion carried.
The meeting was adjourned at 8:21 p.m.



Mike Moruzzi, Chairman
Community Development Commission



FRONT ELEVATION



DESIGN FIRM LIC. NO. 184.004407

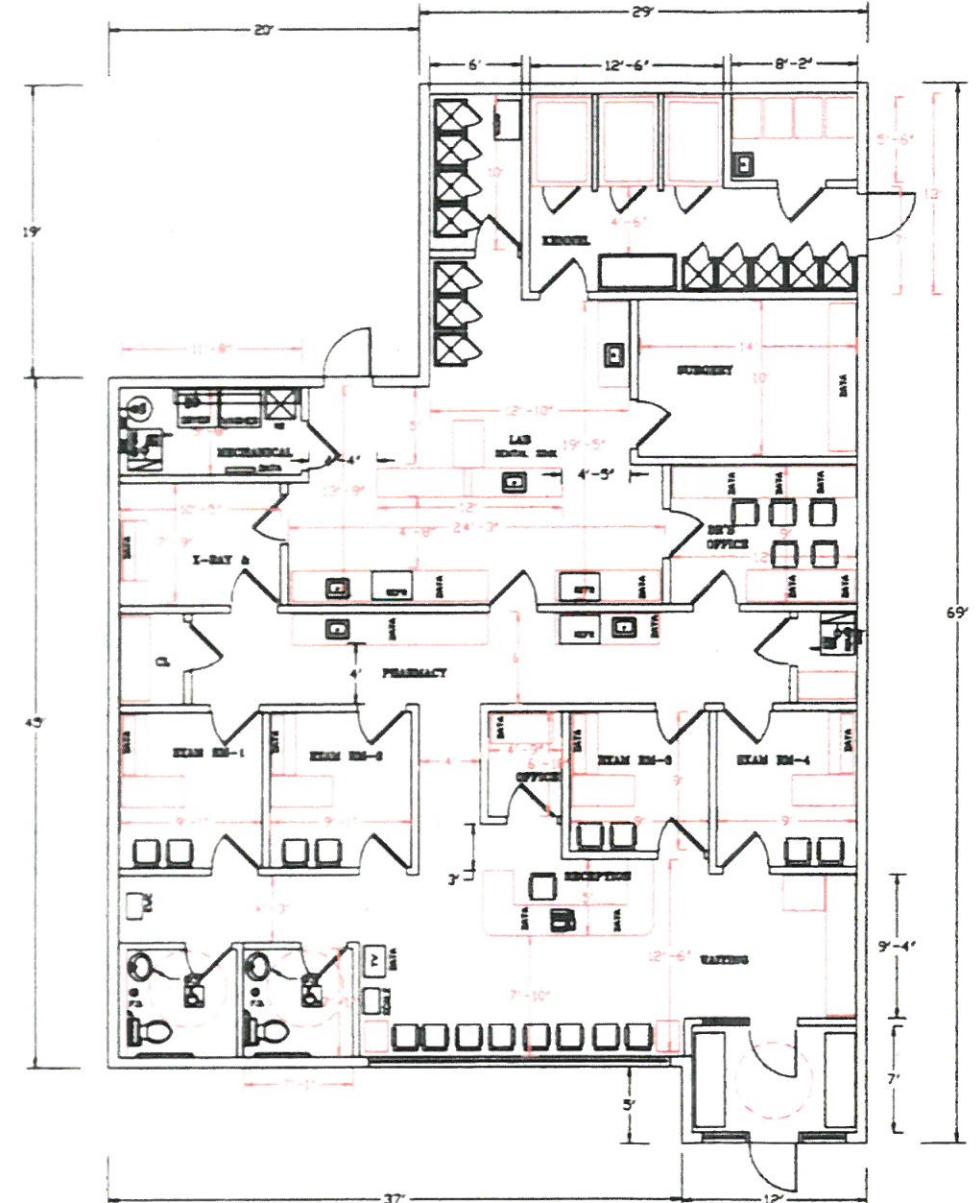
2816 SF

USE GROUP - B-1 BUSINESS
CONSTRUCTION TYPE - 2A
OCCUPANCY LOAD - LESS THAN 10



FLOOR PLAN

NORTH



DESIGN FIRM LIC. NO. 184.004407

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Bailey Y. Zimmerman & Associates
Architects • Engineers • Interior Designers
1032 W. IRVING PARK RD
BENSONVILLE, ILLINOIS

ANIMAL HOSPITAL
1032 W. IRVING PARK RD
BENSONVILLE, ILLINOIS

REV. DATE
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