

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

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

August 4, 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, Janowiak, Rodriguez, Rowe Pisano, Weldon
Absent: Caira
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 21, 2014 were presented.

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

All were in favor. Motion carried.

**Continued
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 continue CDC Case No. 2014-01 until August 18, 2014. Commissioner Janowiak seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2014-22
Petitioner: La Sol-Adela, LLC
Location: 1217 West Irving Park Road
Request: Conditional Use Permit to allow a Currency Exchange

Motion: Commissioner Pisano made a motion to open CDC Case No. 2014-22. Commissioner Rowe seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, Janowiak, Rodriguez, Pisano, Rowe, Weldon
Absent: Caira
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 19, 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 18, 2014. Mrs. Benham stated on July 18, 2014 Village Staff mailed first class notice of the Public Hearing to taxpayers of record within 250 feet of the property in question. Mrs. Benham stated the proposed property is located within Plaza 83 and is zoned C-2 Highway Commercial.

Commissioner Caira entered the meeting at 6:34 p.m.

William Melo, representing La Sol-Adela, LLC was present and previously sworn in by Chairman Moruzzi. Mr. Melo read the findings of facts into the record. Mr. Melo stated the currency exchange would be opened along with two partners. Mr. Melo stated the unit will be leased, not owned. Mr. Melo stated there will be no additional construction of the unit. Mr. Melo stated traffic in the area will not be impacted by allowing a currency exchange at the proposed location. Mr. Melo stated there will be no environmental impact as a result of the proposed currency exchange. Mr. Melo stated the closest currency exchange to the proposed location is 3.3 miles away.

Commissioner Rodriguez asked what La-Sol-Adela, LLC's plans are for signage on site. Mr. Melo stated they will meet the requirements set forth in the Mast Sign Plan. Mr. Melo added the sign above the store front will follow suite with the other signs in the complex. Mr. Melo stated a "Western Union" sign and "Cash Checks" sign will be added to the windows.

Commissioner Pisano asked if there are any security plans. Mr. Melo stated three security cameras will be installed. Mr. Melo stated there would be a security camera in the back of the store, showing the alley; a camera placed in the store and a third camera outside the front of the building. Mr. Melo stated it would be the same set up as MJ Food & Beer located next door. Mr. Melo added owl mirrors would be installed as well.

Commissioner Pisano asked what the hours of operation would be. Mr. Melo stated the current plans are to be open Monday, Tuesday and Wednesday from 8:00 a.m. to 6:00 p.m.; Thursday and Friday from 8:00 a.m. to 8:00 p.m.; Saturday from 8:00 a.m. to 1:00 p.m./2:00 p.m.; closed Sundays.

Chairman Moruzzi suggested the petitioner work with the Police Department regarding the placement of security cameras on site. Mr. Melo stated he would be willing to work with the Police Department.

Public Comment:

Chairman Moruzzi asked if there was any member of the Public that would like to comment on CDC Case No. 2014-22. There were none.

Mrs. Benham reviewed the current Village Code requirements to operate a currency exchange. Mrs. Benham stated the following requirements must be met to operate a currency exchange:

- The use shall be located a minimum of one thousand feet (1,000') as measured from all property lines from any existing currency exchanges, payday loan agencies and/or title loan agencies.
- The window and door area of the first floor of the facility that faces a public street or sidewalk shall not reduce, nor shall changes be made to such windows or doors that block, views into the building at eye level.

- All transactions occur entirely inside the facility at a service counter with no transactions permitted through an exterior walk-up or drive-up window.
- Hours of operation for the currency exchange shall be limited to between eight o'clock (8:00) A.M. and eight o'clock (8:00) P.M.
- The operator has a valid license issued by the state of Illinois department of consumer credit.

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 La Sol-Adela, LLC. and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit; and
2. A copy of the ordinance be kept on file at the subject property; and,
3. The applicant submits a copy of the currency exchange license issued by the state of Illinois Department of Financial and Professional Regulation yearly with the Village business license renewal.

There were no questions from the Commission.

Motion: Commissioner Weldon made a motion to close CDC Case No. 2014-22. Commissioner Pisano 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 6:50 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 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. Operating this facility as a currency exchange will provide a service to 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 Weldon seconded the motion.

ROLL CALL:

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

Nays: None

All were in favor. Motion carried.

Motion:

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

1. The Conditional Use Permit Amendment be granted solely to La Sol-Adela, LLC. and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit; and
2. A copy of the ordinance be kept on file at the subject property; and,
3. The applicant submits a copy of the currency exchange license issued by the state of Illinois Department of Financial and Professional Regulation yearly with the Village business license renewal.

Commissioner Weldon 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. Mrs. Benham announced the draft Comprehensive Plan was available for the Commissions review. Mrs. Benham announced CMAP is scheduled for the August 18, 2014 meeting to give a formal presentation of the draft and garner to Commissions input. Mrs. Benham stated she would contact CMAP for a request to hold the presentation on August 25, 2014.

Chairman Moruzzi suggested a combined meeting with the Community and Economic Development Committee.

ADJOURNMENT:

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

All were in favor

Motion carried.

The meeting was adjourned at 7:32 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