

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

**MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION**

March 16, 2015

**CALL TO ORDER:** The meeting was called to order by Chairman Moruzzi at 6:45p.m.

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

**STAFF PRESENT:** M. Rysavy, S. Viger

**JOURNAL OF PROCEEDINGS:**

The minutes of the Community Development Commission Meeting of March 2, 2015 were presented.

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

All were in favor. Motion carried.

**Public Hearing:** CDC Case Number 2015-04  
**Petitioner:** A & E Luxury Homes  
**Location:** 213 North Walnut Street  
**Request:** Planned Unit Development (PUD) to Construct an Apartment Complex

**Motion:** Commissioner Pisano made a motion to call CDC Case No. 2015-04. Commissioner Weldon seconded the motion.

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

Chairman Moruzzi opened the Public Hearing at 6:48 p.m.

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

Director of Community, Scott Viger, stated a legal notice was published in the Bensenville Independent on February 26, 2015 and that a certified copy of the legal notice is maintained in the CDC file and available for viewing. Mr. Viger also stated that Village Staff posted a notice of the Public Hearing sign on the property on February 27, 2015. Mr. Viger stated on February 27, 2015 Village Staff mailed first class notice of the Public Hearing to taxpayers of record within 250 feet of the property in question. Mr. Viger stated the property in question is located on the east side of North Walnut Street, just north of Irving Park Road. The subject property is zoned RM-1 Low Density Multiple Family approximately 1.4 acres in size and has been vacant for a number of years. Mr. Viger stated the applicant; A & E Luxury Homes is desirous of constructing high-end yet competitively priced apartment building with 29 units.

Jim Koziol of Koziol Engineering – 1621 Ogden Road, Lisle Illinois – was present a previously sworn in. Mr. Koziol stated the subject property is currently vacant. Mr. Koziol stated the proposed apartment building will feature 20 one bedroom apartments and 9 to bedroom apartments. Mr. Koziol stated he read through the Village's Comprehensive Plan and feels this addresses the plan to what the Village is seeking. Mr. Koziol stated the proposed apartments will be luxurious and will be comparably priced. Mr. Koziol reviewed the proposed site plan with the Commission. Mr. Koziol stated the project will consist of masonry construction. Mr. Koziol stated there will be detention in the rear of the property and a parking lot in the front. Mr. Koziol stated each unit will have an indoor parking space. Mr. Koziol stated there would be a 1,000 square foot patio in the rear of the building with tables. Mr. Koziol stated the lobby will have a fireplace and a coffee bar. Mr. Koziol read the findings of fact into the record.

Commissioner Weldon asked if there were plans for a grease trap. Mr. Koziol stated he is aware that the Village is requesting a grease trap be installed however the project would need to split out the plumbing system into two kinds and the plumbing system would not allow such.

Commissioner Pisano asked for clarification regarding parking. Mr. Viger stated there would be 29 parking spots inside and 30 exterior parking spots which is six more spots than the code requires.

Chairman Moruzzi asked if there would be any more parking options available. Mr. Koziol stated if more parking were to be required, it would eliminate green space.

Chairman Moruzzi asked if street parking could be reserved for the apartment complex. Mr. Viger stated that would not be Staff's recommendation.

Chairman Moruzzi asked if there would be security cameras installed on site. Mr. Koziol stated there would be.

**Public Comment:**

Chairman Moruzzi asked if there was any member of the Public that would like to speak in regards to CDC Case No. 2015-04.

**Tom Overlin – 227 West Irving Park Road**

Mr. Overlin was present to inquire information pertaining to water drainage on site. Mr. Koziol stated their plan is to pump water to the street to the storm water. Mr. Koziol stated they would look at the existing pipe to Irving Park Road. Mr. Koziol stated he would contact Mr. Overlin after he had a chance to review the plans. Mr. Koziol stated he would also meet with Staff.

**Allan Starks – 217 D. North Walnut Street**

Mr. Starks stated he was the President of the Walnut Court Townhomes. Mr. Starks stated the area has storm water issued from the north and the proposed project may worsen the issue. Mr. Stark also stated traffic at Walnut is bad and this may make things worse.

Mr. Viger reviewed staff's report and indicated staff recommends approval of the requested variance with the following conditions:

1. The Planned Unit Development be granted solely to A & E Luxury Homes, 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 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.
2. The property be developed in substantial compliance with the plans prepared by Koziol Engineering Services dated 01.15.15 and Agama Designs Architecture dated 01.15.15.
3. The property shall be developed with an exterior grease trap or other approved drain blockage mitigation efforts associated with grease to be approved by staff.
4. The Plat of PUD be recorded at the DuPage County Recorder's Office.

Motion: Commissioner Rowe made a motion to close CDC Case No. 2015-04. Commissioner Pisano seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the public hearing at 7:38 p.m.

Motion: Commissioner Weldon made a motion to approve the findings of facts for the requested PUD consisting of:

1. **Superior Design:** The PUD represents a more creative approach to the unified planning of development and incorporates a higher standard of integrated design and amenity than could be achieved under otherwise applicable regulations, and solely on this basis modifications to such regulations are warranted. **A superior design is reflected throughout the PUD. From exterior building materials (stone, brick and stucco) to interior designs (large lobby, indoor garage, and spacious floor plans significantly above market standards), the PUD exemplifies its modern luxury appeal.**
2. **Meet PUD Requirements:** The PUD meets the requirements for planned unit developments set forth in this Title, and no modifications to the use and design standards otherwise applicable are allowed other than those permitted herein. **The PUD meets all the requirements and no variances or rezoning are required as well as meeting density requirements.**
3. **Consistent With Village Plan:** The PUD is generally consistent with the objectives of the Village general development plan as viewed in light of any changed conditions since its adoption. **The PUD is an example of the execution of the Village Plan. The PUD location is on land zoned for multifamily use and is consistent with the Village Plan of revitalizing the Walnut Street corridor.**
4. **Public Welfare:** The PUD will not be detrimental to the public health, safety or general welfare. **The PUD will not be detrimental to public health, safety or general welfare in any way.**
5. **Compatible With Environs:** Neither the PUD nor any portion thereof will be injurious to the use and enjoyment of other properties in its vicinity, seriously impair property values or environmental quality in the neighborhood, nor impede the orderly development of surrounding property. **The PUD will not be injurious to properties in its vicinity and will likely increase property values as a result of its superior design and maintenance in revitalizing the Walnut Street corridor.**

6. **Natural Features:** The design of the PUD is as consistent as practical with preservation of any natural features such as flood plains, wooded areas, natural drainageways or other areas of sensitive or valuable environmental character. **The PUD is consistent as practical with preservation of any natural features and is designed to reflect these needs as evidenced by engineering plans.**
7. **Circulation:** Streets, sidewalks, pedestrianways, bicycle paths and off-street parking and loading are provided as appropriate to planned land uses. They are adequate in location, size, capacity and design to ensure safe and efficient circulation of automobiles, trucks, bicycles, pedestrians, fire trucks, garbage trucks and snow plows, as appropriate, without blocking traffic, creating unnecessary pedestrian-vehicular conflict, creating unnecessary through traffic within the PUD or unduly interfering with the safety or capacity of adjacent streets. **An efficient and effective circulation design serves as an asset to the PUD; its superior design is reflected by the significant parking locations available. Underground garages with two lanes for entry and exit, exterior parking spaces, sidewalk designs and walkways will ensure that circulation is effective and efficient.**
8. **Open Spaces And Landscaping:** The quality and quantity of common open spaces or landscaping provided are consistent with the higher standards of design and amenity required of a PUD. **As with the architectural design, and circulation plans, landscaping will be utilized to distinguish the PUD. The landscape design reflects significant utilization of plants, trees, and shrubbery throughout the property as a key distinguishing element. The common open spaces include amenities like an exterior patio on the eastern side of the proposed building.**
9. **Covenants:** Adequate provision has been made in the form of deed restrictions, homeowners or condominium associations or the like for:
  - a. The presentation and regular maintenance of any open spaces, thoroughfares, utilities, water retention or detention areas and other common elements not to be dedicated to the Village or to another public body.

b. Such control of the use and exterior design of individual structures, if any, as is necessary for continuing conformance to the PUD plan, such provision to be binding on all future ownerships. **The PUD will have a single owner.**

10. **Public Services:** The land uses, intensities and phasing of the PUD are consistent with the anticipated ability of the Village, the school system and other public bodies to provide and economically support police and fire protection, water supply, sewage disposal, schools and other public facilities and services without placing undue burden on existing residents and businesses. **The PUD is consistent with the anticipated ability of the Village, School system and other public bodies. A sidewalk is proposed to connect to the existing one along the western frontage of the property.**

11. **Phasing:** Each development phase of the PUD can, together with any phases that preceded it, exist as an independent unit that meets all of the foregoing criteria and all other applicable regulations herein even if no subsequent phase should ever be completed. **The PUD phasing is consistent with requirements and foregoing criteria.**

Commissioner Rowe seconded the motion.

ROLL CALL:

Ayes: Moruzzi, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Weldon made a motion to approve the requested PUD with the following conditions:



1. The Planned Unit Development be granted solely to A & E Luxury Homes, 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 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.
2. The property be developed in substantial compliance with the plans prepared by Koziol Engineering Services dated 01.15.15 and Agama Designs Architecture dated 01.15.15.
3. The property shall be developed with an exterior grease trap or other approved drain blockage mitigation efforts associated with grease to be approved by staff.
4. The Plat of PUD be recorded at the DuPage County Recorder's Office.

Commissioner Pisano seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Rowe made a motion to recess the meeting.  
Commissioner Pisano seconded the motion.

All were in favor. Motion carried.

Chairman Moruzzi recessed the meeting at 7:42 p.m.

Chairman Moruzzi called the meeting back to order at 7:44 p.m.

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



**Report from Community Development**

Mr. Viger reviewed both recent CDC cases along with upcoming cases.

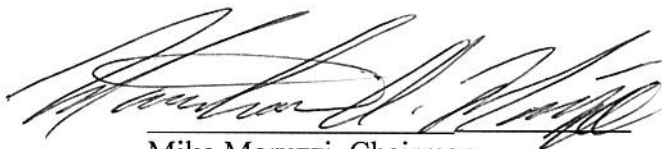
**ADJOURNMENT:**

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

All were in favor.

Motion carried.

The meeting was adjourned at 8:00 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