

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

**MINUTES OF THE SPECIAL COMMUNITY DEVELOPMENT COMMISSION**

October 12, 2015

**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, Rodriguez, Rowe  
Absent: Tellez  
A quorum was present.

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

**JOURNAL OF PROCEEDINGS:**

The minutes of the Community Development Commission Meeting of October 5, 2015 were presented.

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

All were in favor. Motion carried.

*Commissioner Tellez entered the meeting at 6:33 p.m.*

**Public Hearing:** CDC Case Number 2015-25  
**Petitioner:** KMS Investment, LLC  
**Location:** 777 & 811 East Grand Avenue  
**Request:** Resubdivision and Planned Unit Development Amendment to Ordinances #23-2001 and #34-2002 to Alter the Existing Site Plan for Construction of a Hotel with Code Deviations.

**Motion:** Commissioner Rowe made a motion to open CDC Case No. 2015-25. Commissioner Janowiak seconded the motion.

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

Chairman Moruzzi opened the Public Hearing at 6:36 p.m.

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

Village Planner, Victoria Benham, was present and previously sworn in by Chairman Moruzzi. Mrs. Benham stated a Legal Notice was published in the Bensenville Independent on Thursday September 24, 2015. Mrs. Benham stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mrs. Benham stated Village personnel posted two Notice of Public Hearing signs on the property, visible from the public way on Friday, September 25, 2015. Mrs. Benham stated on Friday, September 25, 2015 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. Mrs. Benham stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours. Mrs. Benham stated the applicant, KMS Investment LLC has submitted a proposal with two requests including a Planned Unit Development Amendment and Resubdivision from 2 to 5 lots. Mrs. Benham stated the applicant is desirous of constructing a hotel on the southwest corner of the subject property, Mrs. Benham stated 777 & 811 East Grand Avenue, fronting along Grand Avenue. Mrs. Benham stated the proposed Hotel is a Holiday Inn Express & Suites.

Jay Patel, President of SSC Construction who has been hired by KMS Investment, LLC, was present and previously sworn in by Chairman Moruzzi. Mr. Patel stated KMS Investment, LLC is seeking to construct a Holiday Inn Express & Suites that will have 102 rooms. Mr. Patel stated KMS Investment, LLC is familiar with the site and the issues that are presented as they are the current owners of the County Inn & Suites Hotel that is currently on site. Mr. Patel stated he has met with Staff several times and believes the proposed plans are their best options. Mr. Patel read the findings of fact into the record.

Commissioner Rodriguez raised concern with the proposed setback from 30 feet to 14 feet and how the building would look from Grand Avenue. Commissioner Rodriguez asked if the petitioner was willing to increase the requested variance from 14 feet to 19 feet. Mr. Patel stated KMS Investment, LLC was open to the idea but if the additional 5 feet were required, KMS Investment, LLC would lose their option for landscaping and the sidewalk would be adjacent to the building.

Commissioner Pisano asked how close the proposed hotel will be built to the existing creek on site. Mr. Patel stated the proposed building will be nowhere close to the existing creek and that a retention pond will be constructed by KMS Investment, LLC on site of the proposed hotel.

Commissioner Pisano asked if the proposed retention pond would be dry. Mr. Patel stated he did not know the answer to Commissioner Pisano's question. Mr. Patel stated if there is standing water in the retention pond, a fence will be built to keep patrons from entering.

**Public Comment:**

Chairman Moruzzi asked if there was any member of the Public that would like to speak in regards to CDC Case No. 2015-25.

**Paul De Michele – 17W275 Rodeck Lane**

Mr. De Michele was present and previously sworn in by Chairman Moruzzi. Mr. De Michele questioned the verbiage that was posted in the Bensenville Independent Newspaper. Mr. De Michele stated he felt the notice was published in error and asked for clarification. Mr. De Michele asked for clarification regarding the request to reduce the landscape foundation strip, Municipal Code Section 10 – 12 – 2; the request to reduce the landscape frontage strip, Municipal Code Section 10 – 12 – 2; the request to reducing the number of parking landscape islands as required per Municipal Code Section 10 – 12 – 2C; the request to increase the height of the building to approximately 46 feet, Municipal Code Section 10 – 5A – 4; the request to increase monument sign height and sign area, Municipal Code Section 10 – 18; and the request to increase the number of wall signs from 0 to 5, height and sign Area, Municipal Code Section 10 – 18.

Mrs. Benham stated at the time of publication, the requests were uncertain and after Staff met with the Applicant, it was determined the published requests were not needed anymore and were met within the current Village Code. Mrs. Benham stated any future requests, not presented this evening, would need to come forth in front of the Community Development Commission, for direction.

Mrs. Benham reviewed the Village Staff Report and stated Staff recommends approval of the Resubdivision and PUD amendments with the following conditions:

1. The property shall be developed in substantial compliance with the plans submitted with the application consisting of:
  - A. Preliminary Plat of Resubdivision prepared by DJA and Associates, Ltd. Dated 09.08.15;
  - B. Engineering Plans prepared by Dave Johnson and Associates dated 08.10.15
  - C. Site Plan prepared by Maust Architectural Services dated 09.25.15
  - D. Architectural Plans prepared by Maust Architectural Services dated 08.08.14 last revised 10.07.15
2. A final Landscape Plan shall be submitted to and approved by Village staff.
3. Landscaped islands shall be located every 15 parking stalls per Village Code in the new parking lots.
4. A photometric plan shall be submitted to and approved by the Village staff as part of the Building permit process.
5. Petitioner shall work with the Village staff to provide “special paving” at the parking lot entries and the new Public street.
6. The village shall have final authority for the naming of the new public street.
7. The Site and Landscape Plans shall be revised to include an enclosed trash enclosure.
8. The 15 parking spaces proposed on the east and west sides of the new public street shall be eliminated and the area returned to green space and landscaping.
9. The parking lot on Proposed Lot 2 can be extended to the east to accommodate additional spaces.

Commissioner Rodriguez asked Staff for their input regarding his request to increase the proposed setback by five feet from 14 feet to 19 feet. Mrs. Benham stated Staff and KMS Investment, LLC have met several times and believes the proposed design is the best option. Mrs. Benham stated if the Commission desires to, Staff will meet with KMS Investment, LLC again to see if they can manage the additional five feet of setback.

Consensus from the Commission was to add the following condition to the approval of the proposed Resubdivision and PUD amendment:

- 10 Staff and the applicant evaluate the potential redesigning the site to increase the front yard setback.

Commissioner Pisano asked if Staff has considered requiring the Grand Avenue frontage to be “dressed up”. Mrs. Benham stated it has been internally discussed between Staff but the applicant would not be held responsible to design the frontage; it would be a Village responsibility.

Commissioner Pisano raised concern with the petitioner’s uncertainty regarding his questions asked regarding the proposed retention pond. Mrs. Benham stated the proposed retention pond will need approval from DuPage County Storm Water and the Village Engineers will work with the applicant to assure all requirements are met. Mrs. Benham stated Staff is fully aware of flooding in the area as the retention pond has been a crucial part of the overall discussion between Staff and the applicant.

Motion: Commissioner Pisano made a motion to close CDC Case No. 2015-25, Commissioner Rowe seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the Public Hearing for CDC Case No. 2015-25 at 7:12 p.m.

Motion: Commissioner Rowe made a motion to approve the findings of fact for the proposed PUD Amendment 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. **Bringing a cohesive “hospitality campus” with a singular vision and shared-access, parking, etc. to the Village rather than a series of uncoordinated separate uses exemplifies the creativity of this PUD application. Enhanced landscaping, parking setbacks and paving detailing will demonstrate the development and developers’ commitment to Superior Design.**
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. **As designed and submitted, the proposed Planned Unit Development is compliant with the requirements found in the Zoning Ordinance.**
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 request is in compliance with the Village Comprehensive Plan as well as the Comprehensive Economic Development Strategy (CEDS) both of which indicate “Regional Commercial” uses for the property.**
4. **Public Welfare:** The PUD will not be detrimental to the public health, safety or general welfare. **The development as proposed would not be detrimental to the public health, safety or general welfare. The use as a hotel will not create any negative impacts.**

5. **Compatible With Environ:** 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 development of the property in question as a hotel is compatible with and complimentary to nearby and adjacent uses; cemetery, country club, golf course and planned mixed-use industrial.**
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 development will not adversely impact existing natural features. Care has been taken to avoid the wetlands, flood plain and floodway areas.**
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.  
**Access to the site is via the existing curbcut on Grand Avenue. In accordance with Village staff's request, the drive has been identified as a publicly dedicated Right Of Way of 60' in width. Likewise a sidewalk will be constructed along Grand Avenue. Internal vehicular movements have been designed to be efficient and to provide pedestrian routes from the parking areas to the hotels. At the time of application, the municipal staff has not recommended a bikeway be installed.**
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 a hospitality use, aesthetics are important and the site has been designed to be attractive to the users and passersby alike. The natural areas near the waterway along the eastern side of the site are preserved. Care has been taken to provide sufficient space between the existing and proposed hotel structures.**

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.

**Appropriate Codes, Covenants & Restrictions will be prepared, reviewed and approved by the Village staff and attorneys prior to recordation.**

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. **Preliminary discussions with the Village's Public Works team indicate that the existing public utilities can accommodate the proposed hotel. The site is currently served by the municipal water supply. The site has been designed to meet or exceed the requirements of the applicable stormwater management ordinances. The development team does not envision any burden on existing residents or businesses from bringing this new hotel use to the community.**
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. **This is the first of a multiple phase hospitality campus development that is planned to feature a total of three hotels; existing Country Inn & Suites, proposed Holiday Inn Express & Suites and future proposed third hotel and a freestanding full service restaurant. All phases will be stand alone in regards to the applicable approval criteria. A Redevelopment Agreement between the Village and the Development Team will memorialize all necessary commitments.**

Commissioner Pisano seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Rodriguez made a motion to approve the proposed Resubdivision with Staff's recommendations consisting of:

1. The property shall be developed in substantial compliance with the plans submitted with the application consisting of:
  - a. Preliminary Plat of Resubdivision prepared by DJA and Associates, Ltd. Dated 09.08.15;
  - b. Engineering Plans prepared by Dave Johnson and Associates dated 08.10.15
  - c. Site Plan prepared by Maust Architectural Services dated 09.25.15
  - d. Architectural Plans prepared by Maust Architectural Services dated 08.08.14 last revised 10.07.15
2. A final Landscape Plan shall be submitted to and approved by Village staff.
3. Landscaped islands shall be located every 15 parking stalls per Village Code in the new parking lots.
4. A photometric plan shall be submitted to and approved by the Village staff as part of the Building permit process.
5. Petitioner shall work with the Village staff to provide "special paving" at the parking lot entries and the new Public street.
6. The village shall have final authority for the naming of the new public street.
7. The Site and Landscape Plans shall be revised to include an enclosed trash enclosure.
8. The 15 parking spaces proposed on the east and west sides of the new public street shall be eliminated and the area returned to green space and landscaping.
9. The parking lot on Proposed Lot 2 can be extended to the east to accommodate additional spaces.

and the addition of:

10. Staff and the applicant evaluate the potential redesigning the site to increase the front yard setback.

Commissioner Rowe seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Janowiak made a motion to approve the proposed PUD Amendment with Staff's recommendations consisting of:

1. The property shall be developed in substantial compliance with the plans submitted with the application consisting of:
  - A. Preliminary Plat of Resubdivision prepared by DJA and Associates, Ltd. Dated 09.08.15;
  - B. Engineering Plans prepared by Dave Johnson and Associates dated 08.10.15
  - C. Site Plan prepared by Maust Architectural Services dated 09.25.15
  - D. Architectural Plans prepared by Maust Architectural Services dated 08.08.14 last revised 10.07.15
2. A final Landscape Plan shall be submitted to and approved by Village staff.
3. Landscaped islands shall be located every 15 parking stalls per Village Code in the new parking lots.
4. A photometric plan shall be submitted to and approved by the Village staff as part of the Building permit process.
5. Petitioner shall work with the Village staff to provide "special paving" at the parking lot entries and the new Public street.
6. The village shall have final authority for the naming of the new public street.
7. The Site and Landscape Plans shall be revised to include an enclosed trash enclosure.
8. The 15 parking spaces proposed on the east and west sides of the new public street shall be eliminated and the area returned to green space and landscaping.
9. The parking lot on Proposed Lot 2 can be extended to the east to accommodate additional spaces.

and the addition of:

10. Staff and the applicant evaluate the potential redesigning the site to increase the front yard setback.

Commissioner Rodriguez seconded the motion.

Community Development Commission Special Meeting Minutes

October 12, 2015

Page 11

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

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 7:18 p.m.



Mike Moruzzi, Chairman  
Community Development Commission