

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

**MINUTES OF THE COMMUNITY & ECONOMIC DEVELOPMENT
COMMITTEE MEETING
October 20, 2015**

CALL TO ORDER: Chairman O'Connell called the meeting to order at 8:35 p.m.

PRESENT: Upon roll call by Deputy Village Clerk, Corey Williamsen, the following Board Members were present:

Chairman O'Connell, President Soto, DeSimone, Jaworska, Carmona, Wesseler, Janowiak

Absent: None

Village Clerk, Ilsa Rivera-Trujillo, was also present.

A quorum was present.

Staff Present: V. Benham, J. Caracci, T. Finner, B. Flood, K. Katz, F. Kosman, , M. Patel, M. Rysavy, A. Thakkar, S. Viger, C. Williamsen

Approval of Minutes: The September 15, 2015 Community & Economic Development Committee minutes were presented.

Motion: Chairman O'Connell made a motion to approve the minutes as presented. Trustee Janowiak seconded the motion.

All were in favor. Motion carried.

Building Code Regulations: Director of Community and Economic Development, Scott Viger, presented to the Committee an Ordinance Amending the Building Code Regulations in Title 9 of the Village Code and Reserving Chapters 2 and 3 of Title 7 of the Village Code.

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Mr. Viger stated as the Village's Strategic Plan includes a line item for the adoption of new and current building codes, this item addresses this goal. Mr. Viger stated the new 2015 ICC Codes to be adopted are:

- International Residential Code w/ local amendments
- International Building Code w/ local amendments
- International Fire Code w/ local amendments
- International Mechanical Code w/ local amendments
- International Fuel Gas Code w/ local amendments
- International Property Maintenance Code w/ local amendments
- International Swimming Pool and Spa Code w/ local amendments

Mr. Viger stated along with the 2015 ICC Codes above, the 2014 National Electric Code is included in the planned adoptions. Mr. Viger stated the State of Illinois has also been busy mandating codes in the last couple years. Mr. Viger stated the Village is mandated to follow the 2012 Illinois Energy Conservation Code, which was adopted in the past, along with a new 2014 Illinois Plumbing Code. Mr. Viger stated the Plumbing Code has been the topic of much discussion throughout the State and was put on hold several times. Mr. Viger stated in regards to local amendments, the State has required IDPH approval prior to the adoption of any local amendments, so Staff is not recommending any approvals for the plumbing code at this time.

Chairman O'Connell asked if the proposed codes were used in other Communities. Mr. Viger stated they were used in almost every Community.

Motion: Trustee Wesseler made a motion to approve this item for placement on a future Village Board Meeting Agenda for action along with the addition of a lookback provision in the ordinance. President Soto seconded the motion.

All were in favor. Motion carried.

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True North: Director or Community and Economic Development, Scott Viger, presented to the Committee a Resolution Authorizing a Contract with True North Consultants, Inc. for Environmental Phase II investigations at 100 N. Church Road in the amount of \$15,825.00.

Mr. Viger stated the Village intends to demolition the former Police Headquarters at 100 N. Church Road for redevelopment purposes. Mr. Viger stated a Phase I environmental study performed by True North Consultants, Inc. warrants a Phase II due to the findings. Mr. Viger stated phase II looks at the possible environmental issues identified in the Phase I and performs hard testing to determine if the site is clean of issues, or if some special remediation is necessary prior to redevelopment. Mr. Viger stated the site had a leaking underground storage tank (LUST) removed and it is still monitored. Mr. Viger stated there is also an underground storage tank (UST) for diesel fuel to run the building generator. Mr. Viger stated True North Consultants, Inc. will perform soil, underground water, and soil gas testing to verify compliance with all EPA standards for the historic LUST incident, the current UST removal, and the lead abatement of the old gun range. Mr. Viger stated the goal of all this work is to be able to hand this property off to a potential developer free of environmental issues, or at least with a good path to making the site clean..

Chairman O'Connell asked what the cost of Phase I was. Mr. Viger stated he did not know the exact number but remembers it being around \$9,000.

Motion: Trustee Wesseler made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Chairman O'Connell seconded the motion.

All were in favor. Motion carried.

777-811 E. Grand

Avenue PUD

Amendment:

Director or Community and Economic Development, Scott Viger, presented to the Committee an Ordinance Granting Approval Of A Planned Unit Development Amendment To Ordinances #23 – 2001 And #34 – 2002 To Alter The Existing Site Plan For Development With Code Deviations And A Plat Of Resubdivision To Construct A Hotel For The Property Commonly Identified As 777 – 811 East Grand Avenue, Bensenville, Illinois.

Mr. Viger stated the site at the northwest corner of Grand Avenue and County Line Road commonly known as Tax Increment Finance District (TIF) 4. Mr. Viger stated a Planned Unit Development (PUD) has previously been approved for the site comprised of two Lots; Lot One is the Country Inn & Suites hotel and Lot Two was the site of the former Legends of Bensenville Golf Course. Mr. Viger stated the Village owns Lot Two. Mr. Viger stated as proposed, the entirety of Lots One and Two would be Subdivided into a total of five Lots with the existing hotel and the second proposed hotel occupying new Lots One and Four with parking on new Lot Two. Mr. Viger stated new Lot 3 is shown as vacant but will be home to an additional hotel and free standing restaurant in a second development phase.

There were no questions from the Committee.

Motion:

President Soto made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Janowiak seconded the motion.

All were in favor. Motion carried.

777-811 E. Grand

Avenue Redevelopment

Agreement:

Director or Community and Economic Development, Scott Viger, presented to the Committee an Ordinance Authorizing A Redevelopment Agreement With KMS Investment Inc. For The Redevelopment Of Certain Village Property Comprising A Part Of The Grand Avenue Tax Increment Financing District (TIF #4) Of The Village Of Bensenville, Illinois.

Mr. Viger stated the RDA is necessary for the redevelopment of this property. Mr. Viger stated terms of the RDA are relatively simple; the Village will convey the land to KMS Investments without cost. Mr. Viger stated in turn KMS Investments will construct the 102 room Holiday Inn Express & Suites hotel and then in a second phase, a third hotel and free standing restaurant. Mr. Viger stated KMS Investments will bear the extraordinary cost of construction due to the site's geotechnical issues stemming from its former use as a construction landfill up to \$2.7M. As a safety net, the Village will allocate \$200,000.00 to cover costs over and above the \$2.7M figure. Mr. Viger stated the Village will then retain the TIF increment from the development. Mr. Viger stated the RDA has a ten year term from the completion of each new hotel, and will establish a timeframe for the second phase to begin.

Chairman O'Connell asked if the proposed hotel will assist in getting TIF 4 in the positive. Mr. Viger stated it alone will not but this will help drive development in the area and long term assist in creating a positive for the TIF.

Motion: President Soto made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Chairman O'Connell seconded the motion.

All were in favor. Motion carried.

1001 Medinah St.: Director of Community and Economic Development, Scott Viger, presented to the Committee an Ordinance Granting Approval of a Variance to Allow a Reduction in Front Yard Lot Line Setback for a Front Porch for the Property Commonly Identified as 1001 Medinah Street, Bensenville, Illinois.

Mr. Viger stated the property in question, 1001 Medinah Street is improved with a single family detached residence with a small existing front porch. Mr. Viger stated the request is to construct a new, larger front porch. Mr. Viger stated Staff and the CDC found that the location of the home, topography of the homesite and the presence of the existing porch meet the standards established by these criteria.

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Mr. Viger stated the circumstances are not the result from the applicant's actions and that should the variance be granted it would not alter the local character of the neighborhood and would not confer a special privilege to the applicant.

There were no questions from the Committee.

Motion: Trustee Wesseler made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Chairman O'Connell seconded the motion.

All were in favor. Motion carried.

625 Thomas Dr.: Director of Community and Economic Development, Scott Viger, presented to the Committee an Ordinance Granting Approval of a Variance to Allow a Reduction Parking Setback and Frontage Strip for the Property Commonly Identified as 625 Thomas Drive, Bensenville, Illinois.

Mr. Viger stated the applicant, Transparent Container Co. wants to add approximately 12 new parking spaces to their existing parking lot located at 625 Thomas Drive. Mr. Viger stated the variances requested are relative to the expansion of the proposed parking lot to the property line. Mr. Viger stated Village Code prohibits parking within the required front yard setback being 25'. Mr. Viger stated the applicant is requesting the setback be reduced to 4' in the northern most stall and the landscape strip be reduced to from 8' to approximately 4' in one space along the frontage. Mr. Viger stated Staff and the CDC found that the property's shape due to the curvature of Thomas Drive as well as the older industrial building siting on the property are Special Circumstances, create a practical difficulty that are not the result of actions by the applicant. Mr. Viger stated it was found that the granting of the variances requested would not adversely affect the environs or neighborhood character.

There were no questions from the Committee.

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Motion: Trustee Wesseler made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee DeSimone seconded the motion.

All were in favor. Motion carried.

466 Meyer Road: Director of Community and Economic Development, Scott Viger, presented to the Committee an Ordinance Granting Approval of Conditional Use Permit to Allow a Recycling Center at the Property Commonly Identified as 466 Meyer Road Unit C, Bensenville, Illinois.

Mr. Viger stated the applicant, A-1 Industrial Metals is requesting a Conditional Use Permit to allow the operation of the business as Recycling Center for scrap metal. Mr. Viger stated the proposed operations includes the collection, sorting and processing of various metal products. Mr. Viger stated key issues include the atypical parking arrangement between the subject property and the property to the south. Mr. Viger stated the subject property has no parking within the property lines; however, has an easement established with the property owner to the south that allows the use of the 14 parking stalls. Mr. Viger stated with the easement remaining in good standing, there is an excess of parking available. Mr. Viger stated in regards to the externalities associated with metal recycling, staff included conditions to prohibit the outdoor storage of any materials and for all work to be conducted indoors. Mr. Viger stated a condition was also included at the Public Hearing relative to the applicant working with Code Enforcement and Public Works staff for the proper maintenance of waste oils and chemical storage.

Trustee Janowiak asked what would happen if there was a hazardous situation on the proposed site. Mr. Viger stated necessary actions would be taken and the IEPA would be contacted immediately.

Motion: Chairman O'Connell made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. President Soto seconded the motion.

All were in favor. Motion carried.

**460 W. Irving
Park Road:**

Director or Community and Economic Development, Scott Viger, presented to the Committee an Ordinance Granting Approval of a Planned Unit Development Amendment to Ordinance #8-2013 to Alter the Existing Site Plan for Phase II of Development with Code Deviations to Construct a Commercial/Retail Building for the Property Commonly Identified as 460 West Irving Park Road, Bensenville, Illinois.

Mr. Viger stated the property at 460 West Irving Park Road is located on the south side of Irving Park Road, just west of Mason Street and is approximately 2 acres in size. The applicant, Xhemal "Jimmy" Sadiku of Jim's Plaza, LLC is desirous of constructing Phase II of a Planned Unit Development which requires an amendment to the original Planned Unit Development Granted in Ordinance #8 - 2013 and code deviations. Mr. Viger stated key issues to consider in the request include the externalities of the proposed development ranging from design, to consistency with the Comprehensive Plan as well as public welfare and compatibility with its environs. Mr. Viger stated engineering and stormwater management have been a large component of the evaluation and layout of the site because as proposed, the development is only approximately 75 square feet below the threshold to require detention. Mr. Viger stated the proposed development aligns with goals of the Comprehensive Plan in the aesthetic improvement and reinvestment along the Irving Park Road/Mid-Town Corridor. Mr. Viger stated expounding upon the recommendations in the Comprehensive Plan, conditions have been recommended to improve possibilities for shared parking and limiting the over parking of new developments including a cross-access easement to the property to the west and eliminating 7 parking stalls and replacing them with a landscaped area. In accommodation to the environs, a condition has been included to provide cooperation with the Village in the future with the development of a multi-use path to the south of the subject property along the creek. Mr. Viger stated the proposed monument sign meets code standards although at this time no wall signage has been proposed for the building for review. Mr. Viger stated a condition was included in the recommendation maintaining the final approval of the elements of design including materials and colors upon permitting.

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Mr. Viger stated the developer maintains that without TIF assistance or Sales Tax rebates, the project cannot move forward. Mr. Viger stated staff is awaiting the requisite pro forma and documentation of the financial gap before continuing the financial discussions. Mr. Viger stated upon the developer's request, the Village has provided several qualified consultants that could assist the developer. Mr. Viger stated Staff recommends that the zoning approvals go ahead so that if and when any financial agreement is reached this important project can begin in earnest.

Trustee Wesseler asked what would occupy the new 9,000 square foot building. Marshall Subach, Attorney for 460 W. Irving Park Road, stated it was unknown at this time.

President Soto asked if it would be wise to add a time requirement to the proposed ordinance to ensure the project is kept on schedule. Mr. Viger stated ordinance such as the proposed have a one year requirement and if nothing is done within a year, the Village has authority to rescind the ordinance. Mr. Subach stated his client was uncertain at this time when the construction of the proposed project would start as his finances are being sorted out and asked the Village not to add a time requirement to the proposed ordinance. Mr. Subach stated he would be meeting with Staff if the ordinance is approved to begin negotiations of a redevelopment agreement with the Village.

Motion: Trustee Wesseler made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. President Soto seconded the motion.

All were in favor. Motion carried.

Safebuilt Illinois, LLC: Director of Community and Economic Development, Scott Viger, presented to the Committee a Resolution Authorizing a Contract with Safebuilt Illinois, LLC for Plan Review and Inspectional Services.

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Mr. Viger stated the Village contracts for building plan review and inspectional services with TPI Building Code Consultants. Mr. Viger stated TPI has held their costs since 2010. Mr. Viger stated recently TPI requested an increase in fees. Mr. Viger stated staff issued an RFP for this service as there have been some changes in the players for this type of contract in the last 5 years, which allowed for more competitive pricing. Mr. Viger stated the Village received two responses to the RFP: 1) TPI Building Code Consultants, Inc. whom the Village has been largely satisfied over the past 5 years as our full time plan review and inspectional service consultant and 2) Safebuilt a nationwide consultant. Mr. Viger stated Staff interviewed the two companies and found both to be equally qualified to satisfy the Village's contract needs. Mr. Viger stated Safebuilt came in with lower costs to the Village. Mr. Viger stated a change to Safebuilt will allow the Village to pass on the lower fees, or savings, to the residents and property owners within the Village. Mr. Viger stated Staff recommends approval of the proposed agreement and services with Safebuilt.

President Soto expressed the importance of professionalism the Village expects from the inspectors of Safebuilt as they are representing the Village and their respected company.

Motion: Chairman O'Connell made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Janowiak seconded the motion.

All were in favor. Motion carried.

Permit Fees: Director or Community and Economic Development, Scott Viger, presented to the Committee an Ordinance Amending Building Permit Fees and Occupancy Requirements.

Mr. Viger stated with the new contract for plan review and inspectional services the fee schedule is being updated to reflect the lower costs to the Village. Mr. Viger stated the new fee schedule is about 20% lower in every category, with Staff rounding contractual values up to the nearest \$5 value to avoid complications in permit fee structure. Mr. Viger stated this allows permit costs to be reduced again, much like they were reduced in the past to reflect consultant pricing.

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Mr. Viger stated this fee schedule may need to be updated each year in the future as the consultant contract includes a maximum 3% contract increase each year to cover increased costs. Mr. Viger stated as the nearest bidder was 20% more expensive than current fees, it would take many years of 3% increases to reach a level close to those prices. Mr. Viger stated in addition there has been an error in the fees for elevator inspections, plan reviews, and annual inspections that has gone unnoticed. Mr. Viger stated they were listed as being too high, but are corrected to the lower, and more importantly accurate, amounts.

There were no questions from the Committee.

Motion: Chairman O'Connell made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Janowiak seconded the motion.

All were in favor. Motion carried.

**INFORMATIONAL
ITEMS:**

Trustee Wesseler asked for an update in a confidential memo to the Village Board regarding the progress of Green Street Tap and Grill located at 120 West Green Street.

Trustee Wesseler asked for an update regarding Jewel/Osco at the old Dominick's location. Mr. Viger stated the EIA has been fully executed and Jewel/Osco has begun work on site. Mr. Viger stated they remain optimistic they will be open by December 2015.

ADJOURNMENT: Chairman O'Connell made a motion to adjourn the meeting. Trustee DeSimone seconded the motion.

All were in favor. Motion carried.

Chairman O'Connell adjourned the meeting at 9:43 p.m.

Corey Williamsen
Deputy Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this 17th day November 2015.