

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

**MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION**

November 2, 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, Rowe, Pisano, Tellez, Majeski  
Absent: Rodriguez  
A quorum was present.

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

**JOURNAL OF PROCEEDINGS:**

The minutes of the Community Development Commission Meeting of October 19, 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.

**Public Hearing:** CDC Case Number 2015-21

**Petitioner:** Highway Xpress, Inc.

**Location:** 100 Leland Court, Unit C

**Request:** Conditional Use Permits to Allow Motor Vehicle Repair Major & Minor and Outdoor Storage

**Motion:** Commissioner Rowe made a motion to open CDC Case No. 2015-21. Commissioner Majeski seconded the motion.

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

Chairman Moruzzi opened the Public Hearing at 6:33 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 October 1, 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 one Notice of Public Hearing sign on the property, visible from the public way on Friday, October 2, 2015. Mrs. Benham stated on Friday, October 2, 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, Highway Xpress, Inc. is requesting a Conditional Use Permit to allow Motor Vehicle Repair, Major and Minor to repair their trucks for their business located at 100 Leland Court Unit C, which is approximately 17,300 Sq. Ft. Mrs. Benham stated the property in question is zoned I-2 Light Industrial and C-4 Regional PUD Commercial and is located at the southeast corner of Leland Court and Meyer Road. Mrs. Benham stated the subject property is 3.53 acres in size and is improved with a 73,910 square foot multiple tenant building.

Antea Wolski from Highway Xpress was present and previously sworn in by Chairman Moruzzi. Ms. Wolski stated the proposed conditional use permit would permit Highway Xpress to perform work on their own trucks. Ms. Wolski stated no outside repairs of other trucks would take place. Ms. Wolski stated there would be one bay indoors designated to repair Highway Xpress trucks. Ms. Wolski read the approval criteria into the record for the proposed conditional use permit.

*Commissioner Rodriguez entered the meeting at 6:36 p.m.*

Commissioner Rowe asked if engine work would be taking place if the proposed conditional use permit was granted. Mr. Maciej Kosowicz of Highway Xpress was present and previously sworn in by Chairman Moruzzi. Mr. Kosowicz stated engine work would take place if the proposed conditional use permit was granted.

Commissioner Rowe asked what type of vehicles would be worked on by Highway Xpress. Mr. Kosowicz stated semi-trucks would be worked out, indoors, without the trailer.

Commissioner Pisano asked how many trucks were currently owned by Highway Xpress. Mr. Kosowicz stated Highway Xpress currently owns twenty trucks.

Commissioner Pisano asked if multiple trucks would be repaired at the same time. Mr. Kosowicz stated trucks would be repaired one at a time as the proposed conditional use permit only allows for one bay for maintenance to be done.

Commissioner Majeski asked if Highway Xpress was conducting motor vehicle work at their establishment prior to their conditional use permit request. Mr. Kosowicz stated Highway Xpress has been conducting motor vehicle repairing since May of 2015 at their establishment.

Commissioner Majeski asked how oils and fluids would be dispensed. Mr. Kosowicz stated the oils and fluids are collected in containers and taken away by a company when new oils and fluids are delivered.

Chairman Moruzzi asked if other trucks, not owned by Highway Xpress, would be worked on. Mr. Kosowicz stated only Highway Xpress owned vehicles would be worked on if the proposed conditional use permit was granted.

**Public Comment:**

Chairman Moruzzi asked if there was any member of the Public that would like to speak in regards to CDC Case No. 2015-21. There were none.

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 be granted solely to Highway Xpress, 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 proposed screening be opaque with final design and coloration to be approved by Village staff at permitting.
3. The additional 34 parking spaces shall be incorporated into the overall parking plan for the building to meet Village Code with a revised site plan submitted and shall be subject to approval by staff at permitting.
4. The approval is granted only for the repair of vehicles in the Highway Xpress, Inc. fleet.
5. The outdoor storage of the trucks of the eastern property shall cease on July 1, 2021 and the 2 truck parking stalls shall be relocated elsewhere on the I-2 site to meet the Code or the proposed Conditional Use for Motor Vehicle Repair, Major and Minor shall cease.
6. The eastern parking lot utilized shall be at the sole discretion of engineering staff removed, replaced and striped appropriately within 6 months of the approval of the Conditional Use Permit.
7. Dolly pads shall be added to the designated truck parking spaces.
8. The applicant shall install a triple catch basin as depicted in the plans attached to the application.

Commissioner Rodriguez asked Staff if the petitioners were fully aware of Staff's recommendations. Mrs. Benham stated Staff and Highway Xpress have met several times and that they are fully aware of Staff's recommendations.

Motion: Commissioner Majeski made a motion to close CDC Case No. 2015-21. Commissioner Rowe seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the Public Hearing for CDC Case No. 2015-21 at 6:49 p.m.

Motion: Commissioner Rowe made a motion to approve the findings of fact for the proposed 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 not otherwise typical of permitted uses in the I-2 Zoning District. The utilization of a single service bay on the applicant's own trucks will not generate unusual traffic.
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 environmental effects in that the repair of the vehicles will be conducted within the building and a triple catch basin will be installed to capture any motor fluids.
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 character of the neighborhood. The adverse effects on environmental quality, property values or neighborhood character have been minimized with the installation of adequate screening.

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. The proposed use will not require existing community facilities or services to a degree disproportionate to those normally expected uses within the district. The work being conducted indoors with adequate ventilation and drainage will not generate a disproportionate demand for new services.
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. The proposed use will contribute to the general welfare of the industrial community in that the proposed use allows for a business which contributes to the general welfare of the neighborhood and meet the needs of the areas logistics market.
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. Other factors to be considered at the Community Development Commission's discretion.

Commissioner Majeski seconded the motion.

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

Nays: None

All were in favor. Motion carried.

**Motion:** Commissioner Rowe made a motion to approve the proposed conditional use permit with Staff's recommendations consisting of:

1. The Conditional Use Permit be granted solely to Highway Xpress, 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 proposed screening be opaque with final design and coloration to be approved by Village staff at permitting.
3. The additional 34 parking spaces shall be incorporated into the overall parking plan for the building to meet Village Code with a revised site plan submitted and shall be subject to approval by staff at permitting.
4. The approval is granted only for the repair of vehicles in the Highway Xpress, Inc. fleet.
5. The outdoor storage of the trucks of the eastern property shall cease on July 1, 2021 and the 2 truck parking stalls shall be relocated elsewhere on the I-2 site to meet the Code or the proposed Conditional Use for Motor Vehicle Repair, Major and Minor shall cease.
6. The eastern parking lot utilized shall be at the sole discretion of engineering staff removed, replaced and striped appropriately within 6 months of the approval of the Conditional Use Permit.
7. Dolly pads shall be added to the designated truck parking spaces.
8. The applicant shall install a triple catch basin as depicted in the plans attached to the application.

Commissioner Janowiak seconded the motion.

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

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 presented the Commissioners the proposed 2016 meeting schedule. Mrs. Benham asked the Commissioners to review the proposed schedule and contact Staff with any concerns. Mrs. Benham stated the proposed schedule will come fourth for approval at the next CDC Meeting.

**Chairman Pro Tem:** Chairman Moruzzi made a motion to appoint Commissioner Rowe as President Pro Tem in the event the Chairman is absent from a meeting. Commissioner Pisano seconded the motion.

All were in favor. Motion carried.

### **ADJOURNMENT:**

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

All were in favor.

Motion carried.

The meeting was adjourned at 6:58 p.m.



Mike Moruzzi, Chairman  
Community Development Commission