

**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**
February 16, 2016

CALL TO ORDER: Chairman O'Connell called the meeting to order at 7:27 p.m.

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

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

Absent: None

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

A quorum was present.

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

Public Comment: **Rudy Fan – 774 Castleton Court, Carol Stream, Illinois**
Mr. Fan stated he was presented to the meeting and would like to address the Committee during the action item concerning the revoking of a conditional use permit at 229 West Grand Avenue, Unit J.

Approval of Minutes: The January 19, 2016 Community & Economic Development Committee minutes were presented.

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

All were in favor. Motion carried.

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229 W. Grand Ave.

Unit J:

Director of Community and Economic Development, Scott Viger, presented to the Committee an Ordinance Revoking the Grant of a Conditional Use Permit to Allow a Massage Therapy Salon at 229 West Grand Avenue Unit "J".

Mr. Viger stated in 2013 the Village amended the Zoning Ordinance to loosen the regulations governing Massage Therapy Salons. Mr. Viger stated the concept was to allow Massage Therapy Salons as part of full service Hair Salons and Spas. Mr. Viger stated previously such a use was required to be associated with a medical office or health club. Mr. Viger stated two salons applied and were granted Conditional Use Permits. Mr. Viger stated one being the Lavenda Spa at the Plaza de Campana retail center approved by Ordinance #66 - 2013. Mr. Viger stated the Conditional Use was transferred by Ordinance # 22 -2014. Mr. Viger stated the current business owner does not and has not operated in compliance with the Zoning Ordinance requirements, or the conditions of approval in the Conditional Use Permits. Mr. Viger stated the only services available at the business are massage therapy services. Mr. Viger stated Staff notified both the business and property owners of the non-compliance. Staff has received several telephone calls from the business owner and has spoken with the landlord. Mr. Viger stated to date no official response has been received nor has the operation come into compliance.

Mr. Fan addressed the Committee and asked for more time to allow his sister's business to come in to complaisance. Mr. Fan stated his sister was not told of these requirements when she purchased the business and is currently locked into a two year lease at the premise.

There were no questions from the Committee.

Consensus from the Committee directed Staff to work with the business owner to attempt to bring the business into compliance for thirty days; if such requirements are not met, this item will be place on a future Village Board meeting agenda for action.

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349 S. Walnut St.: Director of Community and Economic Development, Scott Viger, presented to the Committee an Ordinance to Grant a Variance to allow a Fence within the Corner Side Yard of 349 South Walnut Street requested by James and Aretta Baker.

Mr. Viger stated key issues in the evaluation of the request include the approval criteria associated with variance requests, the potential impacts of granting such a variance to the surrounding neighborhood, pedestrian safety and function of the public way. Mr. Viger stated staff believes that the applicant has not met the approval criteria under including that the site contains any special circumstances or hardship, that the situation is not due to their actions or that the variance is necessary for the use of the property. Mr. Viger stated this corner side yard fence would be across Washington Street from the front elevation of another home. Mr. Viger stated recent approvals of similar requests (806 W. Grove, 618 W. Green) have included a five foot setback. The construction of the fence as a chain-link fence minimizes the impact of the vision clearance triangle at the intersection of the alley and Washington Street. Mr. Viger stated the existing split rail fence was not constructed in accordance to the code and would also impede the construction of the fence with the three foot setback as recommended by the CDC. Mr. Viger stated the split rail fence has been recommended for removal. Mr. Viger stated the recommended setback of 3 feet off of the property line is tied to future installation of a sidewalk along Washington Street and to allow space not only for the construction, but the upkeep in the future.

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 DeSimone seconded the motion.

All were in favor. Motion carried.

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11 Gateway Rd.: Director or Community and Economic Development, Scott Viger, presented to the Committee an Ordinance Granting Approval of a Conditional Use Permit to Allow a Contractor's and Construction Office and Denial of a Parking Variance to Reduce the Parking From 8 to 4 spaces at the Property Commonly Identified as at 11 Gateway Road.

Mr. Viger stated the business operates largely as a dispatch center in which the plumbers are dispatched from their homes and would not generate traffic unusual for the neighborhood. Mr. Viger stated there is adequate space on site to accommodate the 8 parking stalls including raising the depressed dock and reconfiguring the parking located on the north end of the site.

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

All were in favor. Motion failed.

Building Code Amendment: Director or Community and Economic Development, Scott Viger, presented to the Committee an Ordinance Amending the Building Code Regulations in Title 9 of the Village Code.

Mr. Viger stated the Village Board approved a major overhaul of the Village's adopted building codes in October 2015. Mr. Viger stated several sections were either overlooked or mistakenly removed from the previous code versions. Mr. Viger stated this ordinance seeks to correct those code sections to properly reflect the intentions of the Village.

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

All were in favor. Motion failed.

INFORMATIONAL

ITEMS: Trustee Wesseler asked for an update regarding 120 West Green Street. Mr. Viger stated that would be a discussion item in a future executive session.

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 8:00 p.m.

Corey Williamson
Deputy Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this 15th day March 2016.