

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

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

April 4, 2016

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

STAFF PRESENT: V. Benham, M. Rysavy, C. Williamsen

JOURNAL OF PROCEEDINGS:

The minutes of the Community Development Commission Meeting of March 7, 2016 were presented.

Motion: Commissioner Majeski made a motion to approve the minutes as presented. Commissioner Pisano seconded the motion.

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2016-05

Petitioner: Ryan McHugh

Location: 109 East Wood Street

Request: Variances to Allow a Fence and a Parking Pad within the Corner Side Yard.

Motion: Commissioner Pisano made a motion to open CDC Case No. 2016-05. Commissioner Majeski seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, Pisano, Tellez, Majeski
Absent: Janowiak, Rodriguez, Rowe
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 March 17, 2016. 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 a Notice of Public Hearing sign on the property, visible from the public way on Thursday, March 17, 2016. Mrs. Benham stated on Friday, March 18, 2016 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 applicants/owners Ryan McHugh are desirous of constructing a 4 foot tall wooden fence from the garage south to the property line and a parking pad, both within the corner side yard.

Ryan McHugh, owner of 109 East Wood Street was present and previously sworn in by Chairman Moruzzi. Mr. McHugh stated he would like to install a picket wood fence on his property that would allow for a parking pad for additional parking. Mr. McHugh stated his original plan was to extend the fence to the property line but after meeting with Village Staff, is in agreeance with the proposed design. Mr. McHugh stated the proposed gate on the fence will be a swinging gate that will be opened manually. Mr. McHugh read the findings of fact into the record.

Commissioner Pisano asked what type of material the parking pad will be made of. Mr. McHugh stated the parking pad will be concrete.

Commissioner Majeski asked how many occupants there are living in the house. Mr. McHugh stated he lives at the property with his girlfriend and friend, each of whom have a vehicle.

Public Comment:

Chairman Moruzzi asked if there was any member of the Public that would like to speak in regards to CDC Case No. 2016-05. There was none.

Mrs. Benham reviewed the Village Staff Report and stated Staff recommends the approval of the Findings of Fact and the proposed variances with the following conditions:

1. The southeastern corner of the fence be relocated outside of the Vision Clearance Triangle of the property.
2. The plans and aesthetics of the fence to be in substantial compliance of the plans submitted with this application.
3. The fence be constructed three feet off of the southern property line and five feet off the eastern property line.
4. Final landscaping shall be reviewed at permitting.

There were no questions from the Commissioners.

Motion: Commissioner Pisano made a motion to close CDC Case No. 2016-05. Commissioner Majeski seconded the motion.

ROLL CALL: Ayes: Moruzzi, Pisano, Tellez, Majeski

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the Public Hearing for CDC Case No. 2016-05 at 6:43 p.m.

Motion: Commissioner Pisano made a motion to approve the findings of fact for the proposed variance to allow a fence as presented by Staff consisting of:

1. **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it reasonable and practical to provide a general amendment to this Title to cover them.

Fence and Parking Pad: Special circumstances exist that are peculiar to the property in that the layout of the properties on the block has the rear yard of the subject property adjacent to the side yard of the property directly to the south thus eliminating any backyard. Due to the garage opening directly into the alley the number of vehicles that can be kept on the property is negatively affected compared to surrounding homes.

2. **Hardship Or Practical Difficulties:** For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience.

Fence and Parking Pad: The literal application of the provisions of prohibiting a fence and the parking pad in the corner side yard would result in unnecessary and undue hardship based on the unique layout of the subject property/building(s).

3. **Circumstances Relate To Property:** The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions. They do not concern any business or activity of present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property.

Fence and Parking Pad: The special circumstances relate only to the physical character of the land due to the layout of the property and the buildings in question.

4. **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.

Fence and Parking Pad: The special circumstances have not resulted from any act of the applicant.

5. **Preserve Rights Conferred By District:** A variance is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties.

Fence and Parking Pad: The variances are necessary for the applicant to enjoy substantial property rights possessed by other properties and does not confer a special privilege.

6. **Necessary For Use Of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property.

Fence and Parking Pad: The grant of the variance is necessary because without the requested variances, the applicant will be deprived of reasonable use from their property limiting their privacy, safety and use of the yard.

7. **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity.

Fence and Parking Pad: The granting of the variances will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity.

8. **Consistent With Title And Plan:** The granting of a variance will be in harmony with the general purpose and intent of this Title and of the general development plan and other applicable adopted plans of the Village, as viewed in light of any changed conditions since their adoption, and will not serve in effect to substantially invalidate or nullify any part thereof.

Fence and Parking Pad: The erection of the requested fencing is consistent with the Village Plan's intent.

9. **Minimum Variance Needed:** The variance approved is the minimum required to provide the applicant with relief from undue hardship or practical difficulties and with reasonable use and enjoyment of the property.

Fence and Parking Pad: The minimum variance has not been requested by the applicant in terms of fence construction. The request has been to extend the fence 16 additional feet into the corner side yard. Staff believes the minimum fence variance would be 6' into the corner side yard.

Commissioner Majeski seconded the motion.

ROLL CALL: Ayes: Moruzzi, Pisano, Tellez, Majeski

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Pisano made a motion to approve the findings of fact for the proposed variance to allow a parking pad as presented by Staff consisting of:

1. **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it reasonable and practical to provide a general amendment to this Title to cover them.

Fence and Parking Pad: Special circumstances exist that are peculiar to the property in that the layout of the properties on the block has the rear yard of the subject property adjacent to the side yard of the property directly to the south thus eliminating any backyard. Due to the garage opening directly into the alley the number of vehicles that can be kept on the property is negatively affected compared to surrounding homes.

2. **Hardship Or Practical Difficulties:** For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience.

Fence and Parking Pad: The literal application of the provisions of prohibiting a fence and the parking pad in the corner side yard would result in unnecessary and undue hardship based on the unique layout of the subject property/building(s).

3. **Circumstances Relate To Property:** The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions. They do not concern any business or activity of present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property.

Fence and Parking Pad: The special circumstances relate only to the physical character of the land due to the layout of the property and the buildings in question.

4. **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.

Fence and Parking Pad: The special circumstances have not resulted from any act of the applicant.

5. **Preserve Rights Conferred By District:** A variance is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties.

Fence and Parking Pad: The variances are necessary for the applicant to enjoy substantial property rights possessed by other properties and does not confer a special privilege.

6. **Necessary For Use Of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property.

Fence and Parking Pad: The grant of the variance is necessary because without the requested variances, the applicant will be deprived of reasonable use from their property limiting their privacy, safety and use of the yard.

7. **Not Alter Local Character:** The granting of the variances will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity.

Fence and Parking Pad: The granting of the variances will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity.

8. **Consistent With Title And Plan:** The granting of a variance will be in harmony with the general purpose and intent of this Title and of the general development plan and other applicable adopted plans of the Village, as viewed in light of any changed conditions since their adoption, and will not serve in effect to substantially invalidate or nullify any part thereof.

Fence and Parking Pad: The erection of the requested fencing is consistent with the Village Plan's intent.

9. **Minimum Variance Needed:** The variance approved is the minimum required to provide the applicant with relief from undue hardship or practical difficulties and with reasonable use and enjoyment of the property.

Fence and Parking Pad: The minimum variance has not been requested by the applicant in terms of fence construction. The request has been to extend the fence 16 additional feet into the corner side yard. Staff believes the minimum fence variance would be 6' into the corner side yard.

Commissioner Majeski seconded the motion.

ROLL CALL: Ayes: Moruzzi, Pisano, Tellez, Majeski

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Tellez made a motion to approve the proposed Variance for a Fence with Staff's recommendations consisting of:

1. The southeastern corner of the fence be relocated outside of the Vision Clearance Triangle of the property.
2. The plans and aesthetics of the fence to be in substantial compliance of the plans submitted with this application.
3. The fence be constructed three feet off of the southern property line and five feet off the eastern property line.
4. Final landscaping shall be reviewed at permitting.

Commissioner Majeski seconded the motion.

ROLL CALL: Ayes: Moruzzi, Pisano, Tellez, Majeski

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Pisano made a motion to approve the proposed Variance to allow a Parking Pad with Staff's recommendations consisting of:

1. The southeastern corner of the fence be relocated outside of the Vision Clearance Triangle of the property.
2. The plans and aesthetics of the fence to be in substantial compliance of the plans submitted with this application.
3. The fence be constructed three feet off of the southern property line and five feet off the eastern property line.
4. Final landscaping shall be reviewed at permitting.

Commissioner Majeski seconded the motion.

ROLL CALL: Ayes: Moruzzi, Pisano, Tellez, Majeski

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2016-06
Petitioner: Global CFS, Inc.
Location: 525-573 Meyer Road
Request: Planned Unit Development Amendment and Conditional Use Permit Amendment to Ordinances #9-2013 and 42-2014 to Allow Construction of a Parking Lot

Motion: Commissioner Majeski made a motion to open CDC Case No. 2016-06. Commissioner Tellez seconded the motion.

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

Chairman Moruzzi opened the Public Hearing at 6:41 p.m.

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 March 17, 2016. 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 a Notice of Public Hearing sign on the property, visible from the public way on Thursday, March 17, 2016. Mrs. Benham stated on Friday, March 18, 2016 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 property in question, 525 – 573 Meyer Road is located on the southeastern corner of Foster Avenue and Meyer Road within an existing C-4 Regional PUD Commercial Zoning District. Mrs. Benham stated the site is approximately 2 acres in size and has been developed as a Planned Unit Development with Ordinance #9-2013 and amended with Ordinance #42-2014 to construct a storage building. Mrs. Benham stated the request at hand is to construct a 22 stall parking lot for employees for the applicant's facility located at 860 Foster Avenue.

Joe Petrungaro of Petrungaro Associates was present and previously sworn in by Chairman Moruzzi. Mr. Petrungaro stated he was present on behalf of the petitioner, CFS Global, Inc. Mr. Petrungaro stated CFS Global, Inc. is currently limited with parking because of the perimeters set in place by US Customs for their operations. Mr. Petrungaro stated since the property is required to be screened, no one is allowed to park within the fenced area per US Customs. Mr. Petrungaro stated CFS Global, Inc. also is visited frequently by US Customs inspectors who have issues parking on site as well. Mr. Petrungaro stated the proposed parking lot will be paved and have retention on site per the Village Engineer's request and approval. Mr. Petrungaro stated read the findings of fact into the record.

Commissioner Tellez asked what type of vehicles will be parked within the proposed parking lot. Mr. Petrungaro stated employee vehicles and US Custom Inspector vehicles only, no trucks.

Commissioner Tellez asked how many parking spaces will there be on the proposed parking lot. Mr. Petrungaro stated the original plans allowed for twenty-two but after review with the Village Engineers, a few spaces may be lost due to the requirement to have retention on site.

Commissioner Majeski asked if there was residential property behind the building. Mr. Petrungaro stated there is no residential behind the property, it is all industrial property.

Commissioner Majeski asked how many employees are on site at CFS Global, Inc. Mr. Petrungaro stated there are ten to fifteen employees on site at one time plus US Custom Inspectors from time to time.

Public Comment:

Chairman Moruzzi asked if there was any member of the Public that would like to speak in regards to CDC Case No. 2015-32.

Shari Nickens – Liberty Fastener Company

Mrs. Benham stated Ms. Nickens was unable to attend the meeting and had submitted Public Comment via e-mail. Mrs. Benham read the email into the record. A copy of Ms. Nickens' email is attached to the minutes as "Exhibit A".

Mrs. Benham stated Staff recommends the approval of the Findings of Fact for the Planned Unit Development Amendment and Conditional Use Permit Amendment subject to the following conditions:

1. The Conditional Use Permit for Outdoor Storage be granted solely to Global CFS/PC Properties, 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 submitted Petrungaro & Associates, Inc. dated 03.03.16 and revised by recommendations by staff to remove the southern curbcut.
3. All outstanding inspections for previous work be completed prior to permits being issued for the proposed updates.

Chairman Moruzzi suggested adding a landscaping condition to the conditions for approval to address the concerns of Ms. Nickens. There were no questions from the Commission. There were no objections from the Commission and Mr. Petrungaro stated he had no objections either.

Motion: Commissioner Pisano made a motion to close CDC Case No. 2016-06. Commissioner Tellez seconded the motion.

ROLL CALL: Ayes: Moruzzi, Pisano, Tellez, Majeski

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the Public Hearing for CDC Case No. 2016-06 at 6:59 p.m.

Motion: Commissioner Pisano made a motion to approve the findings of fact for the Planned Unit Development (PUD) Amendment to Ordinance #9-2013 and Conditional Use Permit Amendment to Ordinance #42-2014 to allow the construction of a parking lot 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. The proposed site plan as revised in accordance with providing a unified planning of development.
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 proposed PUD Amendment meets the requirements set forth 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 proposal is In compliance with the spirit of the Comprehensive Plan. The proposed plan will not hinder that longer term vision while providing an economically viable use for the property.
4. **Public Welfare:** The PUD will not be detrimental to the public health, safety or general welfare. Staff believes this to be accurate.
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 land uses to the east of the property include a self-storage facility and industrial type uses, smaller industrial uses are present west of the property and larger industrial uses are located to the north. Therefore the proposed Amendment is compatible with the environs.
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 Amendment is designed consistently with the preservation of environmental character.
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. Staff believes that the vehicular circulation is acceptable.
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. Staff finds this to be accurate.

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.

No covenants are necessary.

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. There are adequate public services to adequately service the property. The approval of the PUD will not increase the demand or stress the Village's public services.

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. There is no phasing proposed.

Commissioner Tellez second the motion

ROLL CALL: Ayes: Moruzzi, Pisano, Tellez, Majeski

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Majeski made a motion to approve the Planned Unit Development (PUD) Amendment to Ordinance #9-2013 and Conditional Use Permit Amendment to Ordinance #42-2014 to allow the construction of a parking lot with Staff's recommendation consisting of:

1. The Conditional Use Permit for Outdoor Storage be granted solely to Global CFS/PC Properties, 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 submitted Petrungaro & Associates, Inc. dated 03.03.16 and revised by recommendations by staff to remove the southern curbcut.
3. All outstanding inspections for previous work be completed prior to permits being issued for the proposed updates.

and the addition of:

4. A landscape plan shall be submitted for the entire site for staff review and approval prior to the Committee meeting.

Commissioner Pisano seconded the motion.

ROLL CALL: Ayes: Moruzzi, Pisano, Tellez, Majeski

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2016-07
Petitioner: Noah's Station, LLC
Location: 101 West Main Street
Request: Planned unit Development to Allow for the Construction of a Mixed-Use Commercial and Residential Building with Code Deviation of the Location of a Fence within the Corner Side Yard, Reduction in Parking Stalls from 92 to 33 Spaced and the Location of Residential on the First Floor

Motion: Commissioner Majeski made a motion to open CDC Case No. 2016-07. Commissioner Pisano seconded the motion.

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

Chairman Moruzzi opened the Public Hearing at 7:03 p.m.

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 March 17, 2016. 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 Thursday, March 17, 2016. Mrs. Benham stated on Friday, March 18, 2016 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 property in question is owned by the Village of Bensenville and has been vacant for a number of years. Mrs. Benham stated it is approximately 0.75 acres in size and located within the C-3 Downtown Mixed Use Zoning District. Mrs. Benham stated the proposed Planned Unit Development includes 35 residential units, 1 commercial unit and 35 parking spaces (including 2 accessible spaces) with access off of the alley. Mrs. Benham stated Residential entry points are located both off of the parking lot and off of Center Street.

Bill Kokalias of Axios Architects & Consultants Ltd. was present and previously sworn in by Chairman Moruzzi. Mr. Kokalias submitted renderings of the proposed building and floor plans to the Commission for reference during his presentation. The renderings and floor plans have been attached to the minutes as "Exhibit B". Mr. Kokalias stated the proposed building will be mixed use with commercial and residential on the first floor and all residential on floors two, three and four. Mr. Kokalias stated there will be parking on site, one spot per unit. Mr. Kokalias stated energy star appliances would be installed throughout the building and security cameras would be installed. Mr. Kokalias presented the layout of units to the Commission. Mr. Kokalias read the findings of fact into the record.

Commissioner Tellez asked if there would be room on site for delivery trucks. Mr. Kokalias stated there is an area that allows delivery trucks to back into a dock to be unloaded and loaded.

Commissioner Pisano raised concern that there are 33 parking spaces for 35 units and asked where overflow parking would be. Mr. Kokalias stated Noah's Station, LLC faces similar issues at other locations, however; their target audience for the property are those who use the train on a daily basis. Mrs. Benham stated there is a Village owned parking lot along Center Street that Residents can use at a cost to park their vehicles in.

Commissioner Pisano asked where patrons would park for the commercial use portion of the property. Mrs. Benham stated there is currently four hour parking across the street from the proposed building along with four hour parking within the Village's Center Street parking lot.

Commissioner Majeski asked what the success rate was at other properties constructed by Noah's Station LLC. Mr. Kokalias stated they are confident the proposed project will be rented out for residential use and will be marketing the commercial portion soon.

Public Comment:

Chairman Moruzzi asked if there was any member of the Public that would like to speak in regards to CDC Case No. 2016-01.

Terry Wilson – 100 West Roosevelt Road

Mrs. Wilson was present and sworn in by Chairman Moruzzi. Mrs. Wilson stated she currently resides across the street from the proposed building. Mrs. Wilson stated she has no objections with the proposed building, however she asked Staff to take into consideration that their building sometimes has projects that do not allow them to park on site and asked where they would be able to park. Mrs. Benham stated Staff can address these situations on a case by case basis and sees no issues for parking in the area. Mrs. Wilson also informed the petitioners of airplane noise in the area.

Paul De Michele – 17W275 Rodeck Lane

Mr. De Michele was present and sworn in by Chairman Moruzzi. Mr. De Michele asked if the proposed residential building would be sold as condo or rented out. Mr. De Michele asked if the parking spaces will be conveyed to the owners of the condos or assigned to the renters. Mr. De Michele stated he believes there is no adequate parking for the retail customers in the area of the proposed building.

Wayne Wozniak – 100 West Roosevelt Road

Mr. Wozniak was present and sworn in by Chairman Moruzzi. Mr. Wozniak addressed the Commission with his concerns for limited parking in the area and also stated he has no objections to the proposed building.

Perry Wilson – 100 West Roosevelt Road

Mr. Wilson was present and sworn in by Chairman Moruzzi. Mr. Wilson suggested making the east side of Center Street between Roosevelt Road and Main Street no parking and installing angled parking on the west side. Mrs. Benham stated that idea had been visited by Staff and would reiterate the idea at the Committee Meeting.

Mrs. Benham stated Staff recommends the approval of the Planned Unit Development with Code Deviations consisting of the following conditions:

1. The Planned Unit Development be granted solely to Noah's Station, 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 Axios Architects and Consultants received 03.30.16 being subject to final municipal staff review and permit approvals.
3. Staff final review and approval of the landscape plan, building materials and their colors.
4. The Plat of PUD be recorded at the DuPage County Recorder's Office.
5. Curbs and gutters shall be installed around the parking area.
6. An additional handicapped stall be incorporated into the parking lot layout.
7. A wrought iron fence shall be installed 3 feet off of the property line along the first floor residential units along the eastern frontage.

Commissioner Pisano asked if the units would be sold or rented. Mr. Kokalias stated in order to obtain financing for the project, 50% of the units need to be purchased. Mr. Kokalias stated he does not believe that will happen so for now, the units will be rented with the possibility of being sold in the future. Mr. Kokalias stated there would not be any mixed units, either they are all sold as condos or they will all be rented out.

Motion: Commissioner Majeski made a motion to close CDC Case No. 2016-07. Commissioner Pisano seconded the motion.

ROLL CALL: Ayes: Moruzzi, Pisano, Tellez, Majeski

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the Public Hearing for CDC Case No. 2016-07 at 7:54 p.m.

Motion: Commissioner Tellez made a motion to approve the findings of fact for the proposed Planned Unit Development with Code Deviations 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 and brick) to interior designs (large lobby 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 for Planned Unit Developments set forth in this Title for new mixed-use (commercial and residential units) within the C-3 Zoning District.**
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 Downtown Mixed-Use and is consistent with the Village Plan of the conversion of vacant land downtown.**
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 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 PUD will not be injurious to properties in its vicinity and will lend itself to the revitalization of downtown as a result of its superior design and maintenance.**
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 in the landscape 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 parking lot design off of the alley serves as an asset to the PUD; its superior design is reflected by 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 plaza on the southeastern 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.**
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 Pisano seconded the motion.

ROLL CALL: Ayes: Moruzzi, Pisano, Tellez, Majeski

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Majeski made a motion to approve Planned Unit Development with Code Deviation with Staff's recommendations consisting of:

1. The Planned Unit Development be granted solely to Noah's Station, 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 Axios Architects and Consultants received 03.30.16 being subject to final municipal staff review and permit approvals.
3. Staff final review and approval of the landscape plan, building materials and their colors.
4. The Plat of PUD be recorded at the DuPage County Recorder's Office.
5. Curbs and gutters shall be installed around the parking area.
6. An additional handicapped stall be incorporated into the parking lot layout.
7. A wrought iron fence shall be installed 3 feet off of the property line along the first floor residential units along the eastern frontage.

Commissioner Tellez seconded the motion.

ROLL CALL: Ayes: Moruzzi, Pisano, Tellez, Majeski

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 Majeski made a motion to adjourn the meeting. Commissioner Pisano seconded the motion.

All were in favor. Motion carried.

The meeting was adjourned at 8:00 p.m.



Mike Moruzzi, Chairman
Community Development Commission

EXHIBIT A

(1 Page)

Victoria Benham

From: Shari Nickens <Shari@libertyfastener.com>
Sent: Wednesday, March 30, 2016 12:53 PM
To: Scott Viger; Victoria Benham
Subject: 525 N Meyer 04.04.16 CDC Public Hearing

Scott/Victoria,

I am unable to attend the Public Hearing on April 4, 2016 but wanted to share a few concerns regarding the proposed parking lot.

1. The previous work that was conducted to install the current building and fenced parking area included a fair amount of landscaping that was never completed. We would appreciate it if the village would mandate that this work be completed prior to any new construction beginning. In addition, the area surrounding the fenced parking lot has been poorly maintained. In specific, trucks have been allowed to deposit trash in the grassy area along Meyer Rd. which has created a negative environment for our company.
2. The proposed parking lot has two access points. We believe the south access drive will interfere with trucks entering and exiting our docks. Please eliminate the south drive and have one entrance/exit to the parking lot via the north access drive.
3. Please clarify what the plans are for landscaping around the proposed new parking lot and retention basin.

Thank you,

Shari Nickens
President
Liberty Fastener Company

An ISO 9001:2008 Registered Company
540 Meyer Road
Bensenville, IL 60106
(847)750-9300
(847)750-9333 Fax
Shari@libertyfastener.com
Visit us on the web www.libertyfastener.com

Bensenville Condominiums

Bensenville



SOUTH PERSPECTIVE RENDERING - MAIN AND CENTER STREET DEVELOPMENT

SCALE: 3/32" = 1'-0"

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Bensenville

Illinois



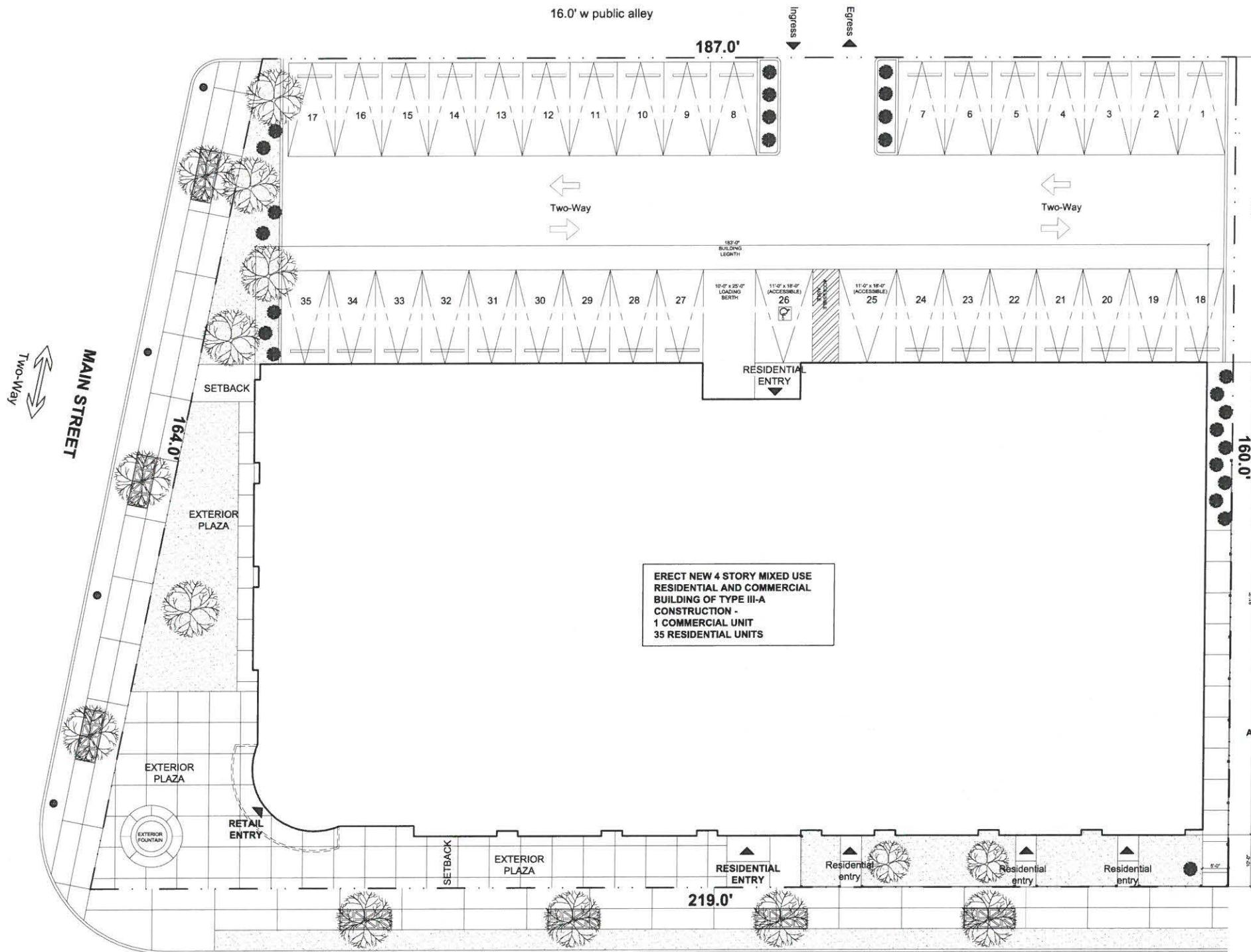
EAST PERSPECTIVE RENDERING - MAIN AND CENTER STREET DEVELOPMENT

SCALE: 3'02" = 1'0"

Bensenville Condominiums

Bensenville

Illinois



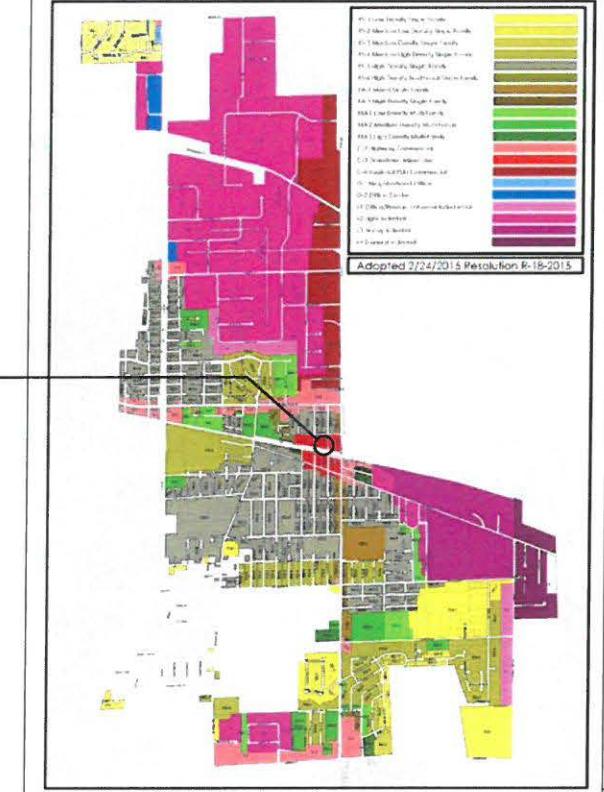
BUILDING DATA - MAIN ST AND CENTER STREET

LOT AREA =	32,480.00 SQ. FT.
EXISTING ZONING =	C-3
TOTAL NO. OF COMMERCIAL UNITS =	1 UNIT
TOTAL NO. OF RESIDENTIAL UNITS =	35 UNITS
FLOOR AREA: (PROPOSED)	
FIRST FLOOR:	16,427.88 SQ. FT.
SECOND FLOOR:	15,427.90 SQ. FT.
THIRD FLOOR:	15,427.90 SQ. FT.
FOURTH FLOOR:	15,427.90 SQ. FT.
TOTAL:	62,711.38 SQ. FT.
PROPOSED BUILDING HEIGHT =	49'-0"
PROPOSED NO. OF ON-SITE PARKING =	35 SPACES

Village of Bensenville

2015 Zoning Map

B



noah
properties

3009 W. Montrose
Chicago Illinois
60618

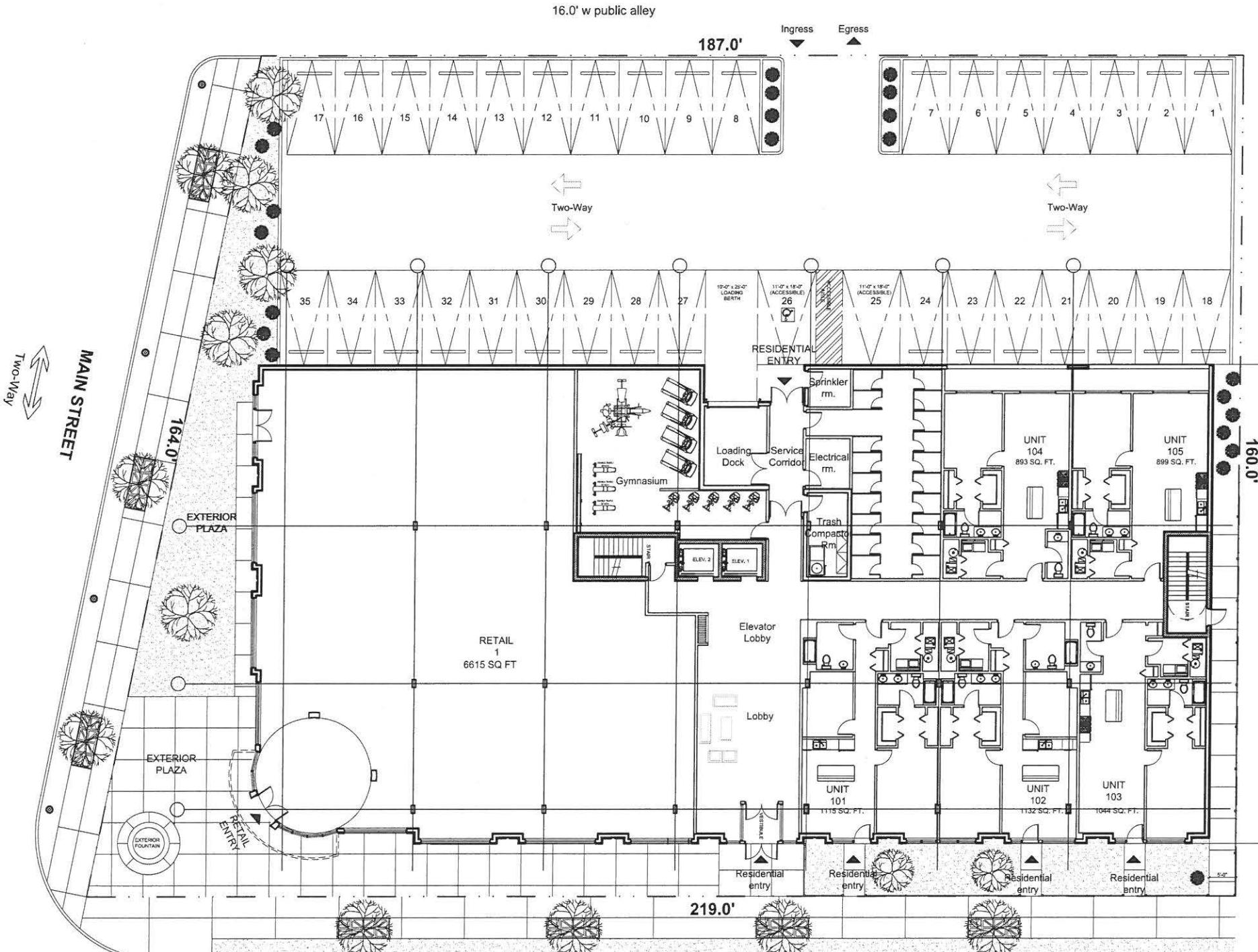


XIOS ARCHITECTS & CONSULTANTS

Bensenville Condominiums

Bensenville

Illinois



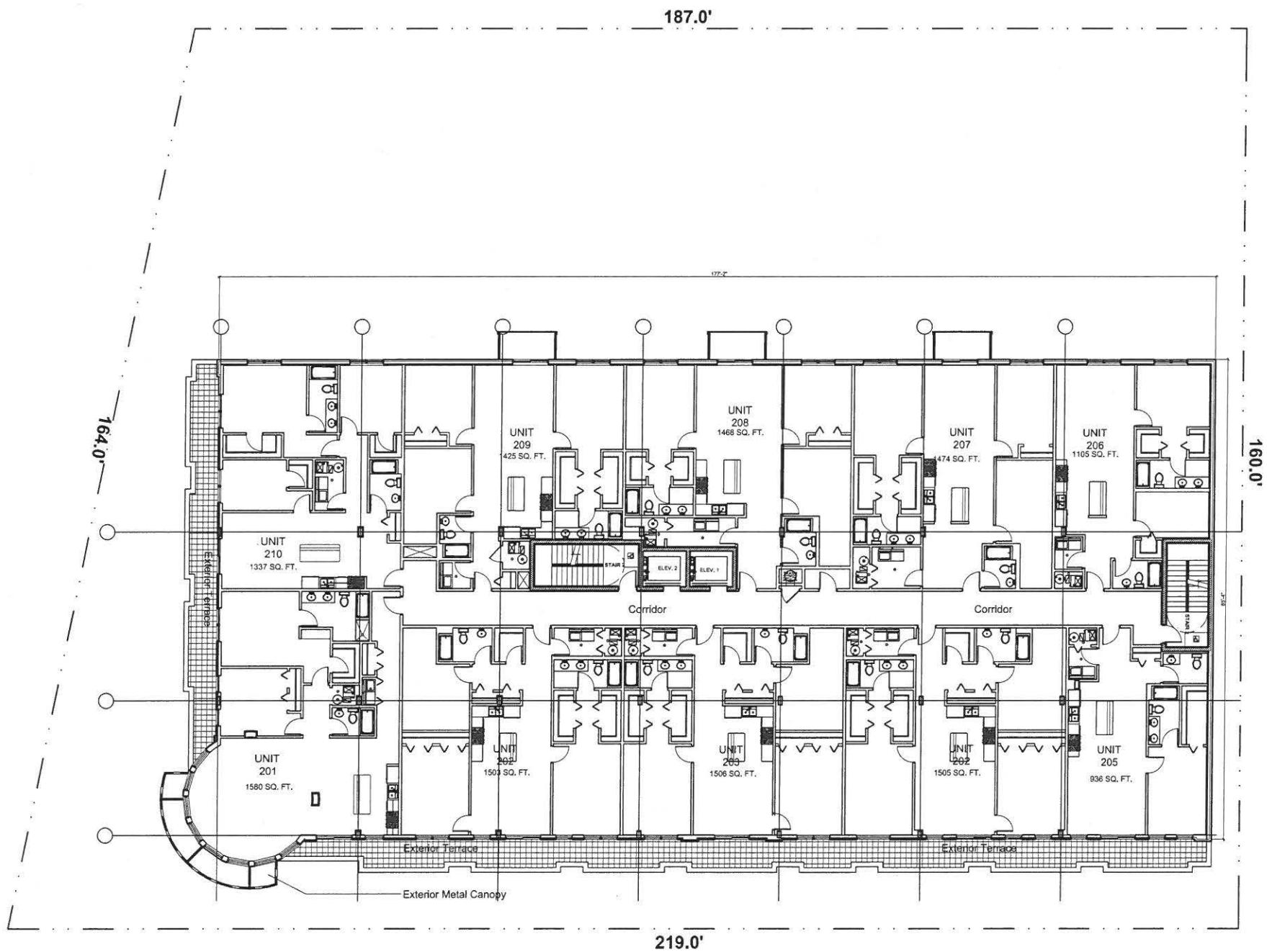
XIOS ARCHITECTS & CONSULTANTS

188 N. WELLS
SUITE 300
CHICAGO, ILLINOIS 60606
PH. 312.750.1333
FAX. 312.750.1335

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SECOND FLOOR PLAN

SCALE: 3/32" = 1'-0"

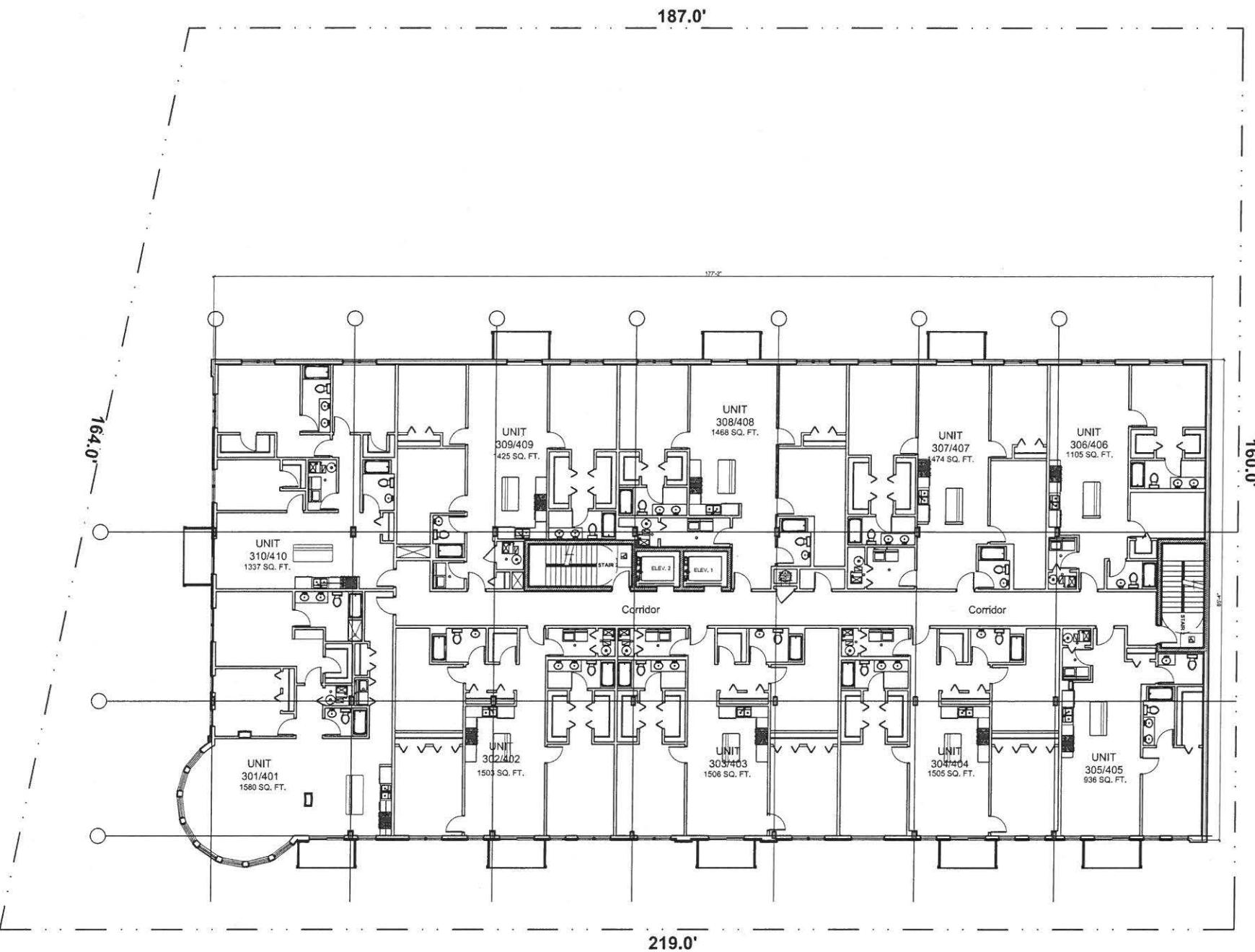


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THIRD / FOURTH FLOOR PLAN

SCALE: 3/32" = 1'-0"



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188 N. WELLS
SUITE 300
CHICAGO, ILLINOIS 60606
PH. 312.750.1333
FAX. 312.750.1335

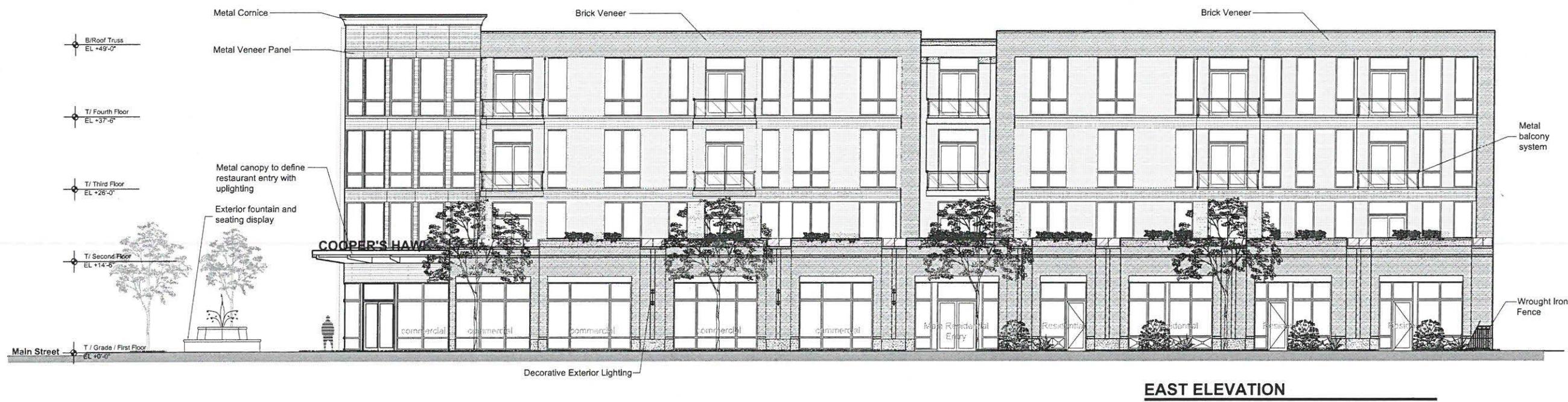
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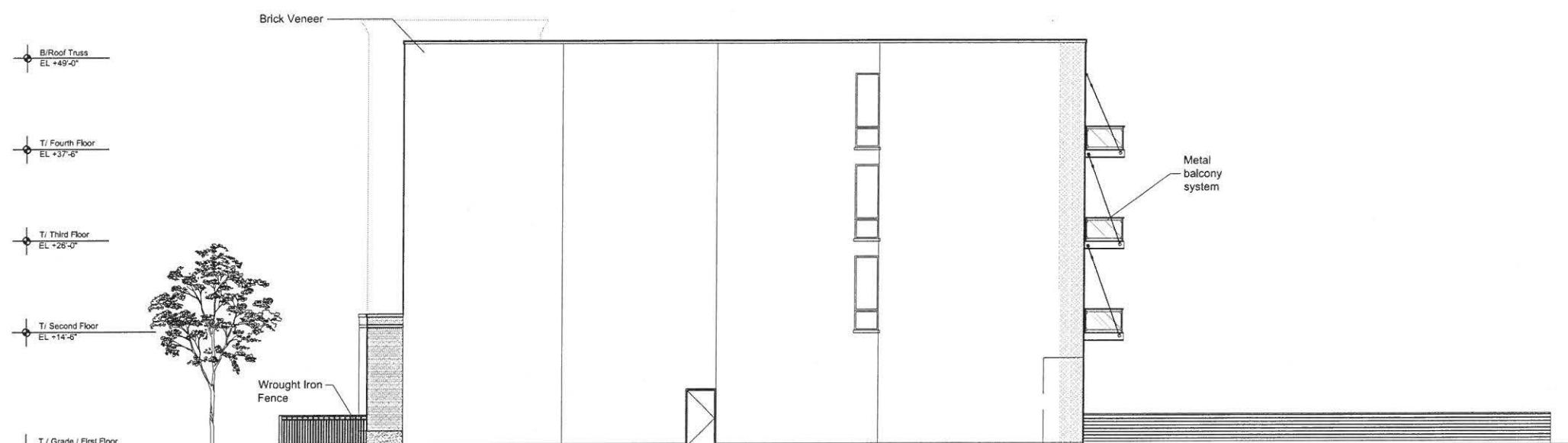
Bensenville

Illinois



WEST ELEVATION

SCALE: 1/8" = 1'-0"



NORTH ELEVATION

SCALE: 1/8" = 1'-0"