

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

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

June 6, 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, Rowe, Rodriguez, Majeski
Absent: Janowiak, Tellez
A quorum was present.

STAFF PRESENT: V. Benham, C. Williamsen

JOURNAL OF PROCEEDINGS:

The minutes of the Community Development Commission Meeting of May 2, 2016 were presented.

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

All were in favor. Motion carried.

Chairman Moruzzi had a mass swearing in for those who planned to speak during the meeting.

Public Hearing: CDC Case Number 2016-02
Petitioner: AST Fleet Care, Inc.
Location: 745 Birginal Drive, Unit E
Request: Conditional Use Permit for Major & Minor and Parking Variance to Reduce Required Spaces from 15 to 5.

Motion: Commissioner Pisano made a motion to continue CDC Case No. 2016-02 until June 20, 2016. Commissioner Rowe seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2016-10
Petitioner: Bethany Ciepley
Location: 197 South Mason Street
Request: Variance to Allow a Fence Within the Corner Side Yard

Motion: Commissioner Rowe made a motion to open CDC Case No. 2016-10. Commissioner Majeski seconded the motion.

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

Chairman Moruzzi opened the Public Hearing at 6:32 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 May 19, 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 May 20, 2016. Mrs. Benham stated on May 20, 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 applicant/owner Bethany Ciepley is desirous of constructing a 6 foot tall wooden fence approximately 10' into the corner side yard along Wood Street.

Bethany Ciepley, owner of 197 South Mason Street was present and previously sworn in by Chairman Moruzzi. Ms. Ciepley stated she was seeking the variance because she would like to extend the proposed fence as far as she can. Ms. Ciepley stated she does not see any vision issues with the proposed fence as the streets around her home are four way stops. Ms. Ciepley read the findings of fact into the record.

Commissioner Rodriguez asked for clarification for the fence distance. Ms. Ciepley stated the proposed fence would be six feet off the sidewalk.

Commissioner Majeski asked when the petitioner moved into the property. Ms. Ciepley stated she moved in on January 29, 2016.

Commissioner Majeski asked if the petitioner had an issued with Staff's recommendations of removing the bushes on the property. Ms. Ciepley stated she has no issued with removing the bushes on site.

Public Comment:

Chairman Moruzzi asked if there was any member of the Public that would like to speak in regards to CDC Case No. 2016-10. There was none.

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

1. The landscape materials located at the southwestern corner of the driveway be removed within the 5' vision clearance triangle.
2. The plans and aesthetics of the fence to be in substantial compliance of the plans submitted with this application.
3. Final landscaping shall be reviewed and approved by Village Staff at permitting.

There were no questions from the Commissioners.

Motion: Commissioner Majeski made a motion to close CDC Case No. 2016-10. Commissioner Rowe seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the Public Hearing for CDC Case No. 2016-10 at 6:47 p.m.

Motion: Commissioner Rowe made a motion to approve the findings of fact for the proposed variance 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. Special circumstances exist that are peculiar to the property are due to the layout of the property and existing landscape.
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. The literal application of the provisions of prohibiting a fence in the corner side yard would result in unnecessary and undue hardship based on the 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. 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. 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. The variance is 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. The grant of the variance is necessary because without the requested variance, 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. 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.
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. 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. The minimum variance has been requested by the applicant in terms of fence construction.

Commissioner Pisano seconded the motion.

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

Nays: None

All were in favor. Motion carried.

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

1. The landscape materials located at the southwestern corner of the driveway be removed within the 5' vision clearance triangle.
2. The plans and aesthetics of the fence to be in substantial compliance of the plans submitted with this application.
3. Final landscaping shall be reviewed and approved by Village Staff at permitting.

Chairman Moruzzi seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Public Meeting: CDC Case Number 2016-11

Petitioner: Bensenville School District #2

Location: 212 Memorial Drive (Tioga Elementary School)

Request: Site Plan Review for Addition of Early Learning Center

Motion: Commissioner Rowe made a motion to open CDC Case No. 2016-11. Commissioner Majeski seconded the motion.

ROLL CALL :

Upon roll call the following Commissioners were present:

Moruzzi, Pisano, Rowe, Rodriguez, Majeski

Absent: Janowiak, Tellez

A quorum was present.

Chairman Moruzzi opened the Public Meeting at 6:49 p.m.

Village Planner, Victoria Benham, stated the applicant/owner Bensenville School District #2 is desirous of constructing an approximately 11,700 Sq. Ft. addition to accommodate an Early Learning Center at Tioga Elementary School located at 212 Memorial.

Paul Novak of School District No. 2 and Colby Lewis of STR Partners, LLC were both present and previously sworn in by Chairman Moruzzi. Mr. Novak stated the proposed addition was for six classrooms; two of which would be used by School District No. 2 and the other four would be used for an early development program.

Mr. Lewis reviewed the existing site along with the proposed addition to the current building. Mr. Lewis stated the addition will match what is currently on site at Tioga.

Chairman Moruzzi asked how many students will occupy the new space on site. Mr. Novak stated there would be roughly 85 students occupying the proposed space.

Commissioner Rodriguez asked how the head-start program geographically selects the students. Mr. Novak stated the program currently ongoing at Johnson is Bensenville residents and believed the addition at Tioga will be the same.

Commissioner Rowe asked if there was a finish date for the proposed project. Mr. Novak stated construction should start at the end of September and be completed by the end of March 2017.

Commissioner Majeski asked if the proposed building will cause any changes to the retention pond on site. Mr. Novak stated he has a conversation earlier in the day with a civil engineer. Mr. Novak stated the District and the Village agreed in 2013 to allow the Village to use some of the retention for the area. Mr. Novak stated after review with the engineer, there does not appear to be any issues.

Chairman Moruzzi asked how the water from the proposed addition will make its way to the retention pond. Mr. Novak stated there are pipes in place where the proposed addition would be placed.

Mr. Novak read the findings of fact into the record.

Public Comment:

Chairman Moruzzi asked if there was any member of the Public that would like to speak in regards to CDC Case No. 2016-11. There was none.

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

1. The site be developed in substantial compliance of the plans submitted by STR Partners, LLC dated May 23, 2016.
2. Final landscaping shall be subject to Village Staff review and approval at permitting.

Commissioner Rodriguez asked if there were any provision that could be added for the construction storage and entrances since this is occurring in a residential area. Mrs. Benham stated those matters would be dealt with during permitting. Mr. Novak stated he would meet with the contractor once select to see if the parking lot could be built first so materials can be stored there, like they were when Tioga was renovated.

Motion: Commissioner Rowe made a motion to close CDC Case No. 2016-11. Chairman Moruzzi seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the Public Meeting for CDC Case No. 2016-11 at 7:27 p.m.

Motion: Commissioner Majeski made a motion to approve the findings of fact for the proposed variance consisting of:

1. Integration And Compatibility: The overall design shall integrate neighborhood and site characteristics into a compatible expression of building mass, scale, color and circulation. The plan as presented is compatible with its environs. The addition will be for institutional use, which has been present at this location for many years. The existing school and new addition will continue the institutional use as well as maintain the neighborhood focal point.

2. Minimization Of Impacts: Spatial designs should minimize the impacts of traffic, noise, reflected light, debris and other undesirable effects of development upon abutting properties and the neighborhood as a whole. The addition is being added to the existing elementary school, which is centrally located and therefore offsite impacts are kept to a minimum. The new faculty parking area and parent drop off will be located along Memorial Road and will be screened. Minor changes will be made to the existing parking area and drive along Memorial Road to connect the new drive with the existing drive. The existing faculty parking lot and parent drop off on the southwest corner of the site will remain unchanged.

3. Architectural Innovation: Developers should seek to provide innovative design of structures which are compatible with the general character of the area. The building shall be in scale with the ultimate development planned for the area, and shall be compatible with the permanent neighboring developments. The building shall have good architectural character and be in harmony with nearby buildings, be durable and suitable for the type of building and design in which they are used. Colors shall be harmonious and use compatible accents. The architecture of the addition will maintain the clean lines and open feeling of the existing elementary school. Materials are light colored fiber cement siding, simulated wood siding accents, natural stone accents, and glass with colored glass accents. The addition is one story tall and the addition's massing is in compatible scale to the existing elementary school.

4. Loading/Refuse Area: Design of loading and refuse areas should be sensitive to aesthetic concerns and provide for screening compatible with abutting properties. When possible such loading and refuse areas should be located so as not to be visible from public roads. The existing elementary school loading/refuse area is located to the rear of the building, and will remain unchanged. The addition will not add additional loading/refuse areas.

5. Parking Lots: Parking lots and driveways shall be designed to safely and effectively circulate vehicles throughout the site. The addition will add a new parking lot and drive along Memorial Road. The new lot and drive will connect to the existing lot and drive along Memorial Road. The bus drop off area will remain along Memorial Road and parent drop off for the existing school will remain on the southwest corner of the site. Parent drop off for the addition will be located in the new drive along Memorial Road.

6. Curb Cuts: Curb cuts shall be located to safely and efficiently allow vehicle ingress and egress to the site. The use of shared curb cuts and cross-access easements shall be provided when appropriate. The curb cut at the entry of the new parking lot will be along Mason Street, and the curb cut of the east end of the new parking lot will tie into the existing curb cut along Memorial Road.

7. Pedestrian Circulation: Site and building design shall accommodate pedestrian circulation on-site from parking areas plazas, open space and public rights-of-way. Pedestrian and vehicular circulation shall be separated to the greatest extent possible. Pedestrian circulation is a priority for the school. The pedestrian design allows children to exit the buses or cars and enter the school without experiencing a vehicle conflict.

8. Open Space And Landscape Plan: Design of any development shall provide for a maximum use of open space particularly along the perimeter of the site, in parking lots and near the building foundation. The addition will be located at the northwest corner of the existing school, providing ample open space on the west side of the site. The drop-off and parking areas will be landscaped in accordance with Village requirements.

9. Detention Basins/Retention Ponds: When appropriate, detention basins and retention ponds should be designed to provide for shared storage between properties. Ideally, such shared storage should include the greatest land area possible. Detention is provided in the northeast corner of the property.

10. Lighting: On-site lighting standards shall be compatible with architectural and spatial designs, and shall provide for safe illumination of the site for vehicles and pedestrians. The lighting shall not affect adjacent properties. Site lighting for the addition will be similar to the site lighting of the existing school, and there will be no “spillage” of light off site. Shields will be placed on luminaires to mitigate glare or and will not inconvenience residents or vehicles traveling in the area.

11. Other Applicable Standards: Other characteristics of the proposed site plan pertinent in the judgment of the Commission to an assessment of the impact of the development on the area. The CDC may discuss other items as they desire.

Commissioner Pisano seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Majeski made a motion to approve the proposed Site plan with Staff's recommendations consisting of:

1. The site be developed in substantial compliance of the plans submitted by STR Partners, LLC dated May 23, 2016.
2. Final landscaping shall be subject to Village Staff review and approval at permitting.

Commissioner Rowe seconded the motion.

ROLL CALL: Ayes: Moruzzi, Pisano, Rowe, Rodriguez, 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 Rowe made a motion to adjourn the meeting. Commissioner Pisano seconded the motion.

All were in favor. Motion carried.

The meeting was adjourned at 7:31 p.m.



Mike Moruzzi, Chairman
Community Development Commission