

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

**MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION**

August 1, 2023

**CALL TO ORDER:** The meeting was called to order at 6:30p.m.

**ROLL CALL :** Upon roll call the following Commissioners were present:  
Ciula, Chambers, King, Rott, Wasowicz  
Absent: Chairman Rowe, Marcotte  
A quorum was present.

**MOTION:** Commissioner Rott made a motion to appoint Commissioner King as Chairman Pro-Tem Commissioner Wasowicz seconded the motion.

**ROLL CALL:** Ayes: Ciula, Chambers, King, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

**STAFF PRESENT:** N. Arquette, K. Pozsgay, C. Williamsen

**JOURNAL OF**

**PROCEEDINGS:** The minutes of the Community Development Commission Meeting of the June 6, 2023 were presented.

**Motion:** Commissioner Wasowicz made a motion to approve the minutes as presented. Commissioner Rott seconded the motion.

All were in favor. Motion carried.

Director of Community & Economic Development, Kurtis Pozsgay and Village Planner, Nick Arquette were present and sworn in by Chairman Pro-Tem King.

**PUBLIC**

**COMMENT:**

**Christopher McCullough – 829 Brentwood Dr., Bensenville, Illinois**

Mr. McCullough addressed the Village Board with his opposition against the proposed project for CDC Case 2023-22.

**Valarie Special – 120 Forestview Dr., Bensenville, Illinois**

Ms. Special addressed the Village Board with her opposition against the proposed project for CDC Case 2023-22.

**Linda Bratland – 915 John Street, Bensenville, Illinois**

Ms. Bratland addressed the Village Board with her opposition against the proposed project for CDC Case 2023-22.

**Paul DeMichele – 17W275 Rodeck Lane, Bensenville, Illinois**

Mr. DeMichele asked why there was no paperwork available for CDC Case 2023-22. Director of Community and Economic Development, Kurtis Pozsgay, stated the case is going to be continued.

**Public Meeting:**

CDC Case Number 2023-19

**Petitioner:**

856 County Line, LLC

**Location:**

838-856 County Line Road

**Request:**

Preliminary and Final Plat of Consolidation  
*Municipal Code Section 11 – 3*

**Motion:**

Commissioner Rott made a motion to open CDC Case No. 2023-19. Commissioner Chambers seconded the motion.

**ROLL CALL :**

Upon roll call the following Commissioners were present:

Ciula, Chambers, King, Rott, Wasowicz

Absent: Rowe, Marcotte

A quorum was present.

Chairman Pro-Tem King opened CDC Case No. 2023-19 at 6:40 p.m.

Village Planner, Nick Arquette, was present and sworn in by Chairman Pro-Tem King. Mr. Arquette stated the Petitioner, 856 County Line Road, LLC, is requesting approval of a final plat of subdivision (Consolidation) for the consolidation of two adjacent parcels with the combined area of 83,915 square feet. Mr. Arquette stated the petitioner received approval for a new industrial development project in 2022 at the property, and a condition of approval of the development required that the petitioner complete a plat of consolidation for the two adjacent parcels.

Mr. Arquette stated Village departments have reviewed the submitted Plat and deemed it satisfactory to our standards.

**Public Comment**

Chairman Pro-Tem King asked if there were any members of the Public that would like to make comment. There were none.

Mr. Arquette stated Staff recommends the Approval of the Findings of Fact and therefore the approval of the Preliminary and Final Plat of Subdivision (Consolidation) at 838-856 County Line Road.

There were no questions from the Commission.

Motion: Commissioner Rott made a motion to close CDC Case No. 2023-19. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: Ciula, Chambers, King, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Pro-Tem King closed CDC Case No. 2023-19 at 6:43 p.m.

Motion: Commissioner Rott made a motion to approve the Preliminary and Final Plat of Consolidation, Municipal Code Section 11-3 with Staff's Recommendations. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: Ciula, Chambers, King, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

**Public Meeting:** CDC Case Number 2023-20  
**Petitioner:** Sam Fakhouri (Cilantro Taco Grill)  
**Location:** 1301 W Irving Park Road  
**Request:** Façade Improvement Grant Application  
Municipal Code Section 9 – 2 – 10

Motion: Commissioner Chambers made a motion to open CDC Case No. 2023-20. Commissioner Wasowicz seconded the motion.

**ROLL CALL :** Upon roll call the following Commissioners were present:  
Ciula, Chambers, King, Rott, Wasowicz  
Absent: Rowe, Marcotte  
A quorum was present.

Chairman Pro-Tem King opened CDC Case No. 2023-20 at 6:45 p.m.

Village Planner, Nick Arquette, was present and sworn in by Chairman Pro-Tem King. Mr. Arquette stated the Petitioner, Sam Fakhouri (Cilantro Taco Grill), is applying for a Façade Improvement grant to renovate the existing façade of a property proposed to be a Cilantro Taco Grill located at 1301 W Irving Park Road. Mr. Arquette stated the applicant has provided project proposal including but not limited to exterior lighting, façade elements, signs, and windows. Mr. Arquette stated the grant request is for 50% of the eligible façade elements, not to exceed a total amount of \$10,000. Mr. Arquette stated the cost estimates for the improvements far exceed the threshold of \$20,000, the amount required to receive a maximum of \$10,000 (50%) of the project costs.

#### **Public Comment**

Chairman Pro-Tem King asked if there were any members of the Public that would like to make comment. There were none.

Mr. Arquette stated Staff recommends the Approval for up to 50% costs, not to exceed the maximum amount of \$10,000, for façade improvements at 1301 W Irving Park Road.

There were no questions from the Commission.

**Motion:** Commissioner Rott made a motion to close CDC Case No. 2023-20. Commissioner Wasowicz seconded the motion.

**ROLL CALL:** Ayes: Ciula, Chambers, King, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Pro-Tem King closed CDC Case No. 2023-20 at 6:48 p.m.

**Motion:** Commissioner Wasowicz made a motion to approve the Façade Improvement Grant Application, Municipal Code Section 9-5-10 with Staff's Recommendations. Commissioner Rott seconded the motion.

**ROLL CALL:** Ayes: Ciula, Chambers, King, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

**Public Hearing:** CDC Case Number 2023-21  
**Petitioner:** Begzudin Livadic  
**Location:** 796 Fairway Drive  
**Request:** Site Plan Review  
*Municipal Code Section 10 – 3 – 2*  
Special Use Permit, Truck Repair  
*Municipal Code Section 10 – 7 – 2 – 1*  
Variation, Outdoor Storage Area Screening  
*Municipal Code Section 10 – 7 – 3X – 4*  
Variation, Off-Street Parking Dimensions  
*Municipal Code Section 10 – 8 – 6 – 1*  
Variation, Street Tree Requirements  
*Municipal Code Section 10 – 9 – 4*

**Motion:** Commissioner Rott made a motion to open CDC Case No. 2023-21. Commissioner Wasowicz seconded the motion.

**ROLL CALL :** Upon roll call the following Commissioners were present:  
Ciula, Chambers, King, Rott, Wasowicz  
Absent: Rowe, Marcotte  
A quorum was present.

Chairman Pro-Tem King opened CDC Case No. 2023-21 at 6:50 p.m.

Village Planner, Nick Arquette, was present and sworn in by Chairman Rowe. Mr. Arquette stated the petition has requested this case be continued until September 5, 2023.

**Motion:** Commissioner Chambers made a motion to continued CDC Case No. 2023-21 until September 5, 2023. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Ciula, Chambers, King, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

**Public Hearing:** CDC Case Number 2023-22  
**Petitioner:** QuikTrip Corporation  
**Location:** Sexton Property Redevelopment Subdivision  
**Request:** Site Plan Review

*Municipal Code Section 10 – 3 – 2*  
Amendment to a Planned Unit Development  
*Municipal Code Section 10 – 4 – 4*

*\*with the following code departures*

Maximum Front Setback  
*Municipal Code Section 10 – 6 – 18 – 1*  
Maximum Corner Side Setback  
*Municipal Code Section 10 – 6 – 18 – 1*  
Maximum Off-Street Parking Requirements  
*Municipal Code Section 10 – 8 – 2B – 6*  
Off-Street Parking Aisle Width  
*Municipal Code Section 10 – 8 – 6 – 1*  
C-2 District Parking Standards  
*Municipal Code Section 10 – 8 – 6L*  
Driveway Quantity Requirements  
*Municipal Code Section 10 – 8 – 8B*  
Maximum Driveway Width  
*Municipal Code Section 10 – 8 – 8 – 1*  
Vehicular Stacking Requirements  
*Municipal Code Section 10 – 8 – 9*  
Street Tree Requirements  
*Municipal Code Section 10 – 9 – 4*  
Tree Canopy Coverage  
*Municipal Code Section 10 – 9 – 5A*  
Parking Lot Signs  
*Municipal Code Section 10 – 10 – 5A – 7*

Motion: Commissioner Rott made a motion to open CDC Case No. 2023-22. Commissioner Wasowicz seconded the motion.

**ROLL CALL :** Upon roll call the following Commissioners were present:  
Ciula, Chambers, King, Rott, Wasowicz  
Absent: Rowe, Marcotte  
A quorum was present.

Chairman Pro-Tem King opened CDC Case No. 2023-22 at 6:53 p.m.

Village Planner, Nick Arquette, was present and sworn in by Chairman Rowe. Mr. Arquette stated the petition has requested this case be continued until September 5, 2023.

**Motion:** Commissioner Rott made a motion to continued CDC Case No. 2023-22 until September 5, 2023. Commissioner Wasowicz seconded the motion.

**ROLL CALL:** Ayes: Ciula, Chambers, King, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

**Public Hearing:** CDC Case Number 2023-23  
**Petitioner:** Bensenville Community Public Library District  
**Location:** 200 S Church Road  
**Request:** Variation, Shed Location  
*Municipal Code Section 10 – 7 – 4C – 21a*

**Motion:** Commissioner Rott made a motion to open CDC Case No. 2023-23. Commissioner Chambers seconded the motion.

**ROLL CALL :** Upon roll call the following Commissioners were present:  
Ciula, Chambers, King, Rott, Wasowicz  
Absent: Rowe, Marcotte  
A quorum was present.

Chairman Pro-Tem King opened CDC Case No. 2023-23 at 6:55 p.m.

Village Planner, Nick Arquette, was present and sworn in by Chairman Rowe. Mr. Arquette stated a Legal Notice was published in the Bensenville Independent on July 13, 2023. Mr. Arquette 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. Mr. Arquette stated Village personnel posted two Notice of Public Hearing signs on the property, visible from the public way on July 14, 2023. Mr. Arquette stated on July 14, 2023 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. Mr. Arquette 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.

Mr. Arquette stated the Petitioner, Bensenville Community Public Library District, is requesting approval of a Variation to allow a shed to be located outside of the rear yard of the property. Mr. Arquette stated the property includes two separate frontages, with one along S Church Road and one along W Wood Avenue. Mr. Arquette stated the proposed shed location is on an existing patio slab located adjacent to the library in the northwest corner. Mr. Arquette stated the Shed would be screened by vegetation and the existing parking lot on the north and east sides, as well as the principal structure on the west and south sides. Mr. Arquette stated the shed meets the maximum requirements for shed height and area. Mr. Arquette stated the primary purpose of the shed is to store maintenance equipment for the property.

Chris Sloan, Director of the Bensenville Public Library, was present and sworn in by Chairman Pro-Tem King. Mr. Sloan stated the main reason for the requested shed is for overflow of needed storage. Mr. Sloan explained that the Library is currently storing its snow plow and salt inside the Library.

There were no questions from the Commission.

### **Public Comment**

Chairman Pro-Tem King asked if there was any member of the Public that would like to address the Commission regarding this matter. There were none.

Mr. Arquette reviewed the Approval Standards for the proposed variance consisting of:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

**Applicant's Response:** The variation will be a storage shed, used to house items which are primarily used for grounds maintenance. No danger to health, safety, comfort convenience, or general welfare can result from it.



**2. Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

**Applicant's Response:** The chosen storage shed is similar in color and aesthetic to our existing building so as to maintain this character.

**3. Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

**Applicant's Response:** We are currently without an outdoor storage option for grounds maintenance tools- such as snowblower, lawn tools, etc- leaving them to be stored within the building. The slab on which the shed is to be located is in a staff-only area close to the areas in which the tools will be used.

**4. Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

**Applicant's Response:** The staff-only patio slab where shed will be located would not generally be considered the "front" of our building, since it is separated from our main entryway by a large meeting room and is not visible to people coming and going, but because of the angle on which our building sits, this area is slightly visible from Church Rd, and more prominently from our parking lot.

**5. Minimum Deviation Needed:** The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

**Applicant's Response:** We would not located the storage shed here if there was anywhere else it could be easily placed. We will also erect a wooden fence to obscure view of the shed even further.

**6. Consistent with Ordinance and Plan:** The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

**Applicant's Response:** Yes, we feel that the addition of a storage shed, even one that is slightly visible from the streets, is

**consistent with the objectives laid forth in the Village's most recent Comprehensive Plan for institutional spaces.**

Mr. Arquette stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Variation, Shed Location at 200 S Church Road.

Motion: Commissioner Rott made a motion to close CDC Case No. 2023-23. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: Ciula, Chambers, King, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Pro-Tem King closed CDC Case No. 2023-23 at 7:01 p.m.

Motion: Commissioner Wasowicz made a motion to approve the Variation, Shed Location, Municipal Code Section 10-7-4C-21a with Staff's Recommendations. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Ciula, Chambers, King, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

**Public Hearing:** CDC Case Number 2023-24  
**Petitioner:** Morgan Harbour Construction, LLC  
**Location:** 1100-1138 Tower Lane  
**Request:** Site Plan Review

*Municipal Code Section 10 – 3 – 2*  
Variation, Maximum Off-Street Parking Requirements  
*Municipal Code Section 10 – 8 – 2B – 6*

Motion: Commissioner Chambers made a motion to open CDC Case No. 2023-24. Commissioner Wasowicz seconded the motion.

**ROLL CALL :** Upon roll call the following Commissioners were present:  
Ciula, Chambers, King, Rott, Wasowicz  
Absent: Rowe, Marcotte  
A quorum was present.

Chairman Pro-Tem King opened CDC Case No. 2023-24 at 7:03 p.m.

Village Planner, Nick Arquette, was present and sworn in by Chairman Rowe. Mr. Arquette stated a Legal Notice was published in the Bensenville Independent on July 13, 2023. Mr. Arquette 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. Mr. Arquette stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on July 14, 2023. Mr. Arquette stated on July 14, 2023 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. Mr. Arquette 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.

Mr. Arquette stated the Petitioner, Morgan Harbour Construction LLC, is requesting approval of Site Plan Review and variations to redevelop a property with a new 59,000 square foot industrial building. Mr. Arquette stated the proposed development includes a proposed office area in the northwest corner of the building, parking along the north side of the property, and loading docks on the south side of the building. In total, there are 60 vehicle parking spaces and 13 loading docks. Mr. Arquette stated a drive-in door is also provided on the south façade of the structure at the southwest corner of the building. Mr. Arquette stated access to the site will be available via two driveways leading from Tower Lane, one on the north side of the property and one on the south. Mr. Arquette stated the property is adjacent to the newly developed 1000 N IL Route 83 building to the south, Elk Grove Village industrial properties to the west, and Village of Bensenville industrial zoned properties to the north and east. Mr. Arquette stated the south driveway curb cut is shared with the development adjacent to the south, and the entrance is proposed to serve primarily for trucks accessing the loading docks.

Mike Wauterlek of Hamilton Partners, was present and sworn in by Chairman Pro-Tem King. Mr. Wauterlek stated they have recently developed the property to the south and the proposed building will be designed the same way.

Commissioner Chambers asked if the proposed building would have the same concept as the property to the south. Mr. Wauterlek stated it was the same concept.

Commissioner Chambers asked if the entrances to the property would change. Mr. Wauterlek stated the entrances would remain as they are today.

Commissioner Rott asked how many spaces are being sought. Mr. Arquette stated the petitioner is seeking sixty parking spaces; the Village Code allows for nineteen.

Commissioner Wasowicz asked if there is a tenant lined up to operate the proposed site. Mr. Wauterlek stated there currently is not a tenant for the proposed site.

Commissioner Wasowicz made a comment that she would hate to approve too much parking that would possibly go unused.

### **Public Comment**

Chairman Pro-Tem King asked if there was any member of the Public that would like to address the Commission regarding this matter. There were none.

Mr. Arquette reviewed the Approval Standards for the proposed site plan consisting of:

- 1) **Surrounding Character:** The site plan for the proposed development is consistent with the existing character and zoning of adjacent properties and other property within the immediate vicinity of the proposed development.

**Applicant's Response:** The site plan is indeed consistent with the surrounding buildings character and zoning, and it coordinates well with the new industrial building to the south which was built last year.

- 2) **Neighborhood Impact:** The site plan for the proposed development will not adversely impact adjacent properties and other properties within the immediate vicinity of the proposed development.

**Applicant's Response:** There will be no negative impacts on any surrounding property.

- 3) **Public Facilities:** The site plan for the proposed development will be provided with adequate utilities, access roads, parking, loading, drainage, stormwater flow paths, exterior lighting, and/or other necessary facilities.

**Applicant's Response:** The included engineering plans illustrate how this proposed development has adequate access to utilities, roadway corridors, etc, and is well within the stormwater management requirements.

- 4) **Environmental Preservation:** The site plan for the proposed development is designed to preserve the environmental resources of the zoning lot.

**Applicant's Response:** The proposed project is actually a redevelopment of the property, designed to fit well within the available space.

- 5) **On-Site Pedestrian Circulation System:** The site plan shall accommodate on-site pedestrian circulation from parking areas, plazas, open space, and public rights-of-way. Pedestrian and vehicular circulation shall be separated to the greatest extent possible.

**Applicant's Response:** Pedestrian and vehicle circulation is well served with the proposed carriage walks and parking fields, and this use is well separated from the industrial loading dock zone on the south side of the building.

- 6) **Vehicle Ingress and Egress:** The site plan shall locate curb cuts for safe and efficient ingress and egress of vehicles. The use of shared curb cuts and cross-access easements shall be provided when appropriate.

**Applicant's Response:** A shared (existing) curb cut at the southeast corner serves the truck dock for this building and the existing building to the south. The car parking lot utilizes the existing curb cut at the northeast corner of the site.

- 7) **Architectural Design:** The site plan for the proposed development includes architectural design that contributes positively to the Village's aesthetic appearance.

**Applicant's Response: The proposed building blends into surrounding improvements while it portrays current architectural amenities.**

- 8) **Consistent with Title and Plan:** The site plan for the proposed development is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

**Applicant's Response: The use of this site as an industrial facility is consistent with surrounding development.**

Mr. Arquette reviewed the Approval Standards for the proposed variance consisting of:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

**Applicant's Response: The requested variation deals with providing more parking onsite and will have no impact on any health, safety, comfort, convenience or general welfare of the public.**

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

**Applicant's Response: The requested parking variation will have zero impact on neighbor lots and as a BMP brick paving design it is superior to parking character on adjacent property.**

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

**Applicant's Response: The owner needs to market a building that provides ample parking for a yet to be determined tenant.**

4. **Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

**Applicant's Response: The proposed variation is necessary to allow for an attractive site well suited for multiple tenant types.**

**5. Minimum Deviation Needed:** The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

**Applicant's Response: The requested variation provides the needed flexibility to market this site to prospective tenants.**

**6. Consistent with Ordinance and Plan:** The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

**Applicant's Response: The proposed variation allows for all potential parking needs to remain onsite in conformance with village policy.**

Mr. Arquette stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Site Plan Review at 1100-1138 Tower Lane with the following conditions:
  - a. Final architectural design of the principal structure to be approved by Zoning Administrator prior to permit approval;
  - b. Final Landscape plan to be approved by zoning administrator prior to permit approval;
  - c. The property be developed in general compliance, except as amended herein, with the plans submitted by Ware Malcomb dated 06/20/2023, RWG Engineering dated 06/23/2023, Dowden Design Group dated 06/23/2023, and all other Village Code Requirements;
  - d. Water service shall be metered prior to any fire hydrants or a domestic water service being on the line and the 6" water service shall replaced back to the Village watermain;
  - e. Upon determination of tenant, applicant shall coordinate with Public Works regarding required pretreatment program accommodations;
  - f. All fire safety requirements shall be addressed as outlined in the Village of Bensenville staff report;



- g. Applicant shall develop a shared maintenance agreement for the south access driveway and submit to the Village of Bensenville prior to permit approval;
- 2. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Off-Street Parking Requirements.

Motion: Commissioner Rott made a motion to close CDC Case No. 2023-24. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: Ciula, Chambers, King, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Pro-Tem King closed CDC Case No. 2023-24 at 7:13 p.m.

Motion: Commissioner Chambers made a motion to approve the Site Plan Review, Municipal Code Section 10-3-2 with Staff's Recommendations. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Ciula, Chambers, King, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Chambers made a motion to approve the Variation, Maximum Off-Street Parking Requirements, Municipal Code Section 10-8-2B-6 with Staff's Recommendations. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Ciula, Chambers, King, Rott

Nays: None

Abstained: Wasowicz

Motion carried.



**Public Hearing:** CDC Case Number 2023-25  
**Petitioner:** Morgan Harbour Construction, LLC  
**Location:** 710-754 Foster Avenue  
**Request:** Site Plan Review  
*Municipal Code Section 10 – 3 – 2*  
Variation, Parking Location  
*Municipal Code Section 10 – 6 – 19B – 4*  
Variation, Maximum Off-Street Parking Requirements  
*Municipal Code Section 10 – 8 – 2B – 6*  
Variation, Off-Street Parking Aisle Width  
*Municipal Code Section 10 – 8 – 6 – 1*  
Variation, Maximum Driveway Width  
*Municipal Code Section 10 – 8 – 8C*  
Variation, Driveway Apron Width  
*Municipal Code Section 10 – 8 – 8F – 2*

**Motion:** Commissioner Wasowicz made a motion to open CDC Case No. 2023-25. Commissioner Chambers seconded the motion.

**ROLL CALL :** Upon roll call the following Commissioners were present:  
Ciula, Chambers, King, Rott, Wasowicz  
Absent: Rowe, Marcotte  
A quorum was present.  
Chairman Pro-Tem King opened CDC Case No. 2023-25 at 7:16 p.m.

Village Planner, Nick Arquette, was present and sworn in by Chairman Rowe. Mr. Arquette stated a Legal Notice was published in the Bensenville Independent on July 13, 2023. Mr. Arquette 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. Mr. Arquette stated Village personnel posted two Notice of Public Hearing signs on the property, visible from the public way on July 14, 2023. Mr. Arquette stated on July 14, 2023 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. Mr. Arquette 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.

Mr. Arquette stated the Petitioner, Morgan Harbour Construction LLC, is requesting approval of Site Plan Review and variations to redevelop an existing office/warehouse property with a new 134,000 square foot industrial building. Mr. Arquette stated the proposed development includes two proposed office areas in the northwest and northeast corners of the building, parking along the north and east sides of the property, and loading docks on the south side of the building. Mr. Arquette stated in total, there are 109 vehicle parking spaces and 26 loading docks. Mr. Arquette stated two drive-in doors are provided on the south façade of the structure at the southwest and southeast corners of the building. Mr. Arquette stated access to the site will be available via two driveways leading from Foster Avenue, one on the west side of the property and one on the east. Mr. Arquette stated the property is adjacent to rail lines to the south, Village of Bensenville industrial zoned properties to the north and west, and Bensenville Fire Station 1 to the east. Mr. Arquette stated the west driveway entrance is proposed to serve primarily for trucks accessing the loading docks.

Mike Wauterlek of Foster Avenue Holdings LLC was present and sworn in by Chairman Pro-Tem King. Mr. Wauterlek stated the current property is obsolete to current industrial uses. Mr. Wauterlek stated the proposed building will be very similar to the properties they are constructing on Tower Lane.

Commissioner Rott asked if the proposed office spaces would be occupied as the same tenants using the proposed warehouse spaces. Mr. Wauterlek stated that is the idea proposed but would have no way of knowing without current tenants.

Chairman Pro-Tem King asked how long ago the current property was constructed. Mr. Wauterlek stated he believes the early 1980's.

### **Public Comment**

Chairman Pro-Tem King asked if there was any member of the Public that would like to address the Commission regarding this matter.

**Linda Bratland – 915 John St., Bensenville, IL**

Ms. Bratland was present and sworn in by Chairman Pro-Tem King. Ms. Bratland asked if there would be enough trees planted to ensure pollution is controlled on site. Mr. Arquette stated landscaping will be addressed and must meet Village requirements during permitting.

Mr. Arquette reviewed the Approval Standards for the proposed site plan consisting of:

1. **Surrounding Character:** The site plan for the proposed development is consistent with the existing character and zoning of adjacent properties and other property within the immediate vicinity of the proposed development.

**Applicant's Response:** The site plan is consistent with the existing character and zoning of adjacent properties that are also the same zoning district and of a similar office/warehouse uses, with the small exception of the fire station use to the immediate east of the site.

2. **Neighborhood Impact:** The site plan for the proposed development will not adversely impact adjacent properties and other properties within the immediate vicinity of the proposed development.

**Applicant's Response:** There will be no negative impacts on adjacent properties.

3. **Public Facilities:** The site plan for the proposed development will be provided with adequate utilities, access roads, parking, loading, drainage, stormwater flow paths, exterior lighting, and/or other necessary facilities.

**Applicant's Response:** The preliminary engineering plans show that the proposed development will provide and has access to adequate utilities, access roads, parking, loading drainage, stormwater flow paths and other necessary facilities.

4. **Environmental Preservation:** The site plan for the proposed development is designed to preserve the environmental resources of the zoning lot.

**Applicant's Response: The proposed development is a redevelopment of 5 single office/warehouse buildings and designed to preserve the environmental resources of the lot.**

5. **On-Site Pedestrian Circulation System:** The site plan shall accommodate on-site pedestrian circulation from parking areas, plazas, open space, and public rights-of-way. Pedestrian and vehicular circulation shall be separated to the greatest extent possible.

**Applicant's Response: The site plan shows pedestrian circulation from parking areas to the building entrances and public rights-of-way. Truck and auto circulation has been separated to the best extent possible to minimize conflicts. Auto circulation is similar to many office/warehouse uses.**

6. **Vehicle Ingress and Egress:** The site plan shall locate curb cuts for safe and efficient ingress and egress of vehicles. The use of shared curb cuts and cross-access easements shall be provided when appropriate.

**Applicant's Response: Due to the existing uses to both sides of the property and lack of existing cross access between the properties, shared curb cuts are not feasible for this redevelopment.**

7. **Architectural Design:** The site plan for the proposed development includes architectural design that contributes positively to the Village's aesthetic appearance.

**Applicant's Response: The proposed building blends into the general characteristic of the surrounding properties and the updating of the architectural design will bring a more updated aesthetic appearance to the property.**

8. **Consistent with Title and Plan:** The site plan for the proposed development is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

**Applicant's Response: The site plan and use for this redevelopment is consistent with the intent of the Comprehensive Plan, and the I-2 zoning district.**

Mr. Arquette reviewed the Approval Standards for the proposed variances consisting of:

**1. Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

**Applicant's Response:** The proposed variances are regarding providing additional parking above the amount the Village code currently allows and a variance for the driveway apron for the western driveway. These proposed variances will not endanger the health, safety, comfort, convenience, or general warfare of the public.

**2. Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

**Applicant's Response:** The proposed variations are within the character of adjacent properties in the area. There appear to be a number of properties along Foster that exceed the driveway aprons exceeding the 3-foot dimension on each side of the driveway. Part of the parking lot is being proposed as a permeable paver parking lot to help offset the additional parking spaces impervious impact from the redevelopment.

**3. Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

**Applicant's Response:** The proposed variations assists the owner in marketing the building in order to provide adequate parking for a tenant that has yet to be determined. The driveway apron variance will help with traffic in and out of the property to allow additional space for the turning movements for the semis.

**4. Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

**Applicant's Response:** The proposed variations are necessary in order to provide a property and parking that will meet the needs of multiple types of tenants.

**5. Minimum Deviation Needed:** The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

**Applicant's Response: The requested variations provides the marketability of the site for a wide range of tenants.**

**6. Consistent with Ordinance and Plan:** The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

**Applicant's Response: The site plan and use for this redevelopment is consistent with the intent of the Comprehensive Plan, and the I-2 zoning district.**

Mr. Arquette stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Site Plan Review at 710-854 Foster Avenue with the following conditions:
  - a. Final architectural design of the principal structure to be approved by Zoning Administrator prior to permit approval;
  - b. Final Landscape plan to be approved by zoning administrator prior to permit approval;
  - c. The property be developed in general compliance, except as amended herein, with the plans submitted by Pinnacle Engineering Group dated 05/05/2023, Ware Malcomb dated 06/20/2023, Dowden Design Group dated 06/23/2023, and all other Village Code Requirements;
  - d. A 5' sidewalk shall be installed within the Foster Avenue right-of-way, sidewalk shall be approved by Public Works/Engineering during permitting;
  - e. Water service shall be metered prior to any fire hydrants or a domestic water service being on the line and the 6" water service shall be replaced back to the Village watermain;
  - f. Applicant shall coordinate with Public Works/Pretreatment regarding requirements of pretreatment program and to meet all requirements of the Source Water Protection Plan, where applicable;
  - g. All fire safety requirements shall be addressed as outlined in the Village of Bensenville staff report;
2. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Parking Location.
3. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Maximum Off-Street Parking Requirements.

4. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Off-Street Parking Aisle Width.
5. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Maximum Driveway Width.
6. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Driveway Apron Width.

Motion: Commissioner Chambers made a motion to close CDC Case No. 2023-25. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Ciula, Chambers, King, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Pro-Tem King closed CDC Case No. 2023-25 at 7:26 p.m.

Motion: Commissioner Rott made a motion to approve the Site Plan Review, Municipal Code Section 10-3-2 with Staff's Recommendations. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: Ciula, Chambers, King, Rott

Nays: None

Abstained: Wasowicz

Motion carried.

Motion: Commissioner Rott made a motion to approve the Variation, Parking Location, Municipal Code Section 10-6-19B-4 with Staff's Recommendations. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: Ciula, Chambers, King, Rott

Nays: None

Abstained: Wasowicz

Motion carried.



Motion: Commissioner Rott made a motion to approve the Variation, Maximum Off-Street Parking Requirements, Municipal Code Section 10-8-2B-6 with Staff's Recommendations. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: Ciula, Chambers, King, Rott

Nays: None

Abstained: Wasowicz

Motion carried.

Motion: Commissioner Rott made a motion to approve the Variation, Off-Street Parking Aisle Width, Municipal Code Section 10-8-6-1 with Staff's Recommendations. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: Ciula, Chambers, King, Rott

Nays: None

Abstained: Wasowicz

Motion carried.

Motion: Commissioner Chambers made a motion to approve the Variation, Maximum Driveway Width, Municipal Code Section 10-8-8C with Staff's Recommendations. Commissioner Rott seconded the motion.

ROLL CALL: Ayes: Ciula, Chambers, King, Rott

Nays: None

Abstained: Wasowicz

Motion carried.

Motion: Commissioner Chambers made a motion to approve the Variation, Driveway Apron Width, Municipal Code Section 10-8-8F-2 with Staff's Recommendations. Commissioner Wasowicz seconded the motion.



**ROLL CALL:** Ayes: Ciula, Chambers, King, Rott

Nays: None

Abstained: Wasowicz

Motion carried.

**Report from  
Community  
Development:**

Mr. Arquette reviewed both recent CDC cases along with upcoming cases.

**New Business:**

Former Commissioner, Marc Wasowicz thanked the members of the Commission for their services and wanted to provide a formal goodbye for his years on the Commission.

**ADJOURNMENT:** There being no further business before the Community Development Commission, Commissioner Rott made a motion to adjourn the meeting. Commissioner Wasowicz seconded the motion.

All were in favor. Motion carried.

The meeting was adjourned at 7:32 p.m.

  

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Ronald Rowe, Chairman  
Community Development Commission