

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

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

November 7, 2023

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

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

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

JOURNAL OF PROCEEDINGS: The minutes of the Community Development Commission Meeting of the October 3, 2023 were presented.

Motion: Commissioner King made a motion to approve the minutes as presented. Commissioner Chambers seconded the motion.

All were in favor. Motion carried.

Director of Community & Economic Development, Kurtis Pozsgay and Village Planner, Nick Arquette present and sworn in by Chairman Rowe.

PUBLIC COMMENT: There was no Public Comment.

Commissioner King recused himself from the meeting at 6:31 p.m.

Public Hearing: CDC Case Number 2023-29
Petitioner: St. Alexis Catholic Church
Location: 400 West Wood Street
Request: Variation, Monument Sign Setback (Proposed 4', Required 5')
Municipal Code Section 10 – 10 – 5B – 8a – 2
Variation, Electronic Message Sign Location (Located within 1 Mile of existing electronic message sign)
Municipal Code Section 10 – 10 – 5B – 4a – 3
Variation, Electronic Message Sign Area (Proposed 75%, Permitted 50%)

Municipal Code Section 10 – 10 – 5B – 4c

Motion: Commissioner Chambers made a motion to open CDC Case No. 2023-29. Commissioner Marcotte seconded the motion.

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

Chairman Rowe opened CDC Case No. 2023-29 at 6:32 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 October 19, 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 October 19, 2023. Mr. Arquette stated on October 19, 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, Olympik Signs Inc., is requesting variations in order to alter an existing monument sign at 400 W Wood Avenue for St. Alexis Church to include a portion of electronic message signage within the existing monument sign. Mr. Arquette stated the petitioner is proposing to remove the existing manually changeable copy sign within the framing and replace it with an electronic message sign. Mr. Arquette stated the total area of the existing manually changeable copy sign is approximately 20 SF. Mr. Arquette stated the proposed new sign, at 4' high and 5' wide, is a total of 20 SF. Approximately 5 SF of that sign area is a standard illuminated header cabinet, and the electronic message sign is 15 SF total. Mr. Arquette stated based on sign measurement standards, this area is 75% of the total sign area (sign area does not include framework), and code allows for a total of 50% of sign area. Mr. Arquette stated the existing monument sign also falls within 4' of the existing front and corner side property line, which does not meet the required 5' setback. Mr. Arquette stated the

proposed monument sign also falls within one mile of the electronic message sign located at 200 S Church Road, which requires a variation request.

Robert Whitehead of Olympik Signs, Inc., was present and sworn in by Chairman Rowe. Mr. Whitehead reviewed the plans for the proposed sign with the Commission.

There were no questions from the Commission.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Arquette reviewed the Approval Standards for the proposed Variations 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: In no way will the new proposed electronic message center endanger the health, safety, comfort, convenience, and general welfare of the public. The proposed message center, although digital, will not have any flashing, blinking, strobes, travels, chases, rotates, or changes in intensity, brightness, or color and therefore will not cause any unsafe distractions to motorists.

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 message center will be installed within the existing monument sign that has been here for years and has to our knowledge never posed any negative impacts on any surrounding properties.

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

Applicant's Response: In order to relocate the sign to accommodate the 5-ft setback, St. Alexis Parish will need to totally remove the beautiful mature evergreen landscaping.

Along with the beautiful brick monument ground sign structure with the terracotta roof designed to match the aesthetics of the Church.

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 existing beautiful brick monument ground sign structure with a terracotta roof designed to match the aesthetics of the Church is currently existing. As a result, the proposed electronic message center is designed to be installed onto the existing monument ground sign. Replacing the existing static message sign that I am sure many of you have noticed is kind of hard to read from any distance.

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 proposed plan would have the minimum deviation from the regulations to accomplish the desired improvement for St. Alexis Parish other than setback for the sign will conform with all other aspects of your code.

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 sign package is consistent with the intent of the Village. The electronic message center will be a component of the existing monument ground sign and will be set up/controlled in conformance with the standards imposed by the Village of Bensenville. Additionally, the updated sign will better help your community members to clearly read messages posted by St. Alexis Parish.

Mr. Arquette stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation, Monument Sign Setback;
2. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation, Electronic Message Sign Location;

3. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation, Electronic Message Sign Area, with the following conditions:
 - a. The electronic message portion of the sign may not exceed 75% of total sign area, as proposed in concept plans;
 - b. Monument sign shall be in accordance with submitted plans dated 09.06.23, except as amended herein;
 - c. A landscape plan shall be submitted during permitting;
 - d. Electronic Message sign shall be turned off from 9:30 PM (30 minutes after close of business), until 7:00 AM daily; and
 - e. Applicant must adhere to all illumination standards outlined in Village Code Section 10-10-5B-4d.

Commissioner Wasowicz asked if there can be a condition added to prevent the sign from displaying the color white. Commissioner Wasowicz stated she lives close to the Fenton High School sign and its too bright and hard to read at times.

Mr. Pozsgay stated the sign will need to meet the Village's illumination standards and if an issue were to arise, he advised anyone to contact the Department to have it addressed.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2023-29. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2023-29 at 6:39 p.m.

Motion: Commissioner Chambers made a motion to approve the Variation, Monument Sign Setback (Proposed 4', Required 5'); Municipal Code Section 10-10-5B-8a-2 with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Chambers made a motion to approve the Variation, Electronic Message Sign Location (Located within 1 mile of existing electronic message sign); Municipal Code Section 10-10-5B-4a-3 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Marcotte made a motion to approve the Variation, Electronic Message Sign Area Proposed 75%, Permitted 50%); Municipal Code Section 10-10-5B-4c with Staff's Recommendations. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Commissioner King rejoined the meeting at 6:41 p.m.

Public Hearing: CDC Case Number 2023-31
Petitioner: Helget Gas Products, Inc.
Location: 1151 North Ellis Street
Request: Variation, Accessory Structure Height (Proposed 37'6", 35', and 33', Permitted 12')

Municipal Code Section 10 – 7 – 4A – 4

Variation, Mechanical Equipment Location (Proposed Interior Side Yard, Permitted Rear Yard)

Municipal Code Section 10 – 7 – 4C – 13a

Variation, Mechanical Equipment Screening (Proposed Non-opaque fencing, Required Opaque Fencing)

Municipal Code Section 10 – 7 – 4C – 13b

Motion: Commissioner Chambers made a motion to open CDC Case No. 2023-31. Commissioner Marcotte seconded the motion.

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

Chairman Rowe opened CDC Case No. 2023-31 at 6:42 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 October 19, 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 October 19, 2023. Mr. Arquette stated on October 19, 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, Helget Gas Products, Inc., is requesting variations in order to allow five large tanks (four vertical tanks and one horizontal) to be moved to the exterior of a prospective tenant space for their operations at a unit in the northeast corner of 1141-1161 N Ellis (Tenant space is 1151 N Ellis). Mr. Arquette stated Helget Gas Products fills and distributes compressed gas cylinders and liquid bulk CO₂, Oxygen, Helium, and Nitrogen to medical customers, as well as food and beverage customers in the Illinois, Wisconsin, Michigan, and Indiana areas. Mr. Arquette stated the unit is located at the northeast corner of the property, and the proposed tanks are located along the far east side of the existing north parking lot. Mr. Arquette stated there are no tenant spaces east of the unit in question. Mr. Arquette stated the tanks are adjacent to the rear of the industrial property to the north, and are separated by the existing creek from the rear of the properties to the east. Mr. Arquette stated the petitioner is seeking variations for Mechanical Equipment Height, Location, and Screening Requirements. Mechanical equipment is required to be within the rear yard of the property, and the proposed is within the interior side yard. Mr. Arquette stated opaque fence or wall screening is required for the equipment, and the applicant is proposing chain link fencing to allow for proper ventilation around the structures. Accessory structures are subject to a maximum height of 12', and the four vertical proposed tank heights are 37'6" (2), 35', and 33'.

Mike Salgado, Branch Manager of Helget Gas Products, Inc., was present and sworn in by Chairman Rowe. Mr. Salgado provided an overview of the current operations in Elk Grove Village. Mr. Salgado stated they have fourteen branches nationwide.

Commissioner Chambers asked if there were any concerns with leakage from the outdoor storage area. Mr. Salgado provided an explanation on the types of tanks being used for storage and if there was a leaks, it would evaporate into the air without causing any harm.

Commissioner King asked if there was leak detection. Mr. Salgado stated it was manual.

Chairman Rowe asked how many employees would be on site at once. Mr. Salgado stated no more than thirty.

Chairman Rowe asked if they meet parking requirements. Mr. Arquette stated parking would be addressed at permitting.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Arquette reviewed the Approval Standards for the proposed variations 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: Helget's request for a variation will not endanger the health, safety, comfort, convenience, and general welfare of the public. Products stored in the above ground tanks cannot remain liquid at ambient temperature and with proper ventilation will dissipate to atmosphere very quickly. In gas state with ventilation (outdoors) these products are naturally occurring in the air we breathe. Opaque fencing would trap and concentrate our products when venting lines, and converting the liquid product to gas as this process uses Ambient Vaporizers that must have natural airflow to operate.

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: Helget's request for a variation compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation. The area in which we are proposing to locate is currently Industrial, our day to day operations will not interfere with adjacent properties or any property within the immediate vicinity. The tanks will be located as far as possible toward the Rear Yard and view will be obscured by other tenant's normal business activities, and existing natural screening.

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

Applicant's Response: Helget's request for a proposed variation alleviates an undue hardship created by the literal enforcement of this title. The 12' height restriction would require considerably more space to store a fraction of the products required for our business to provide products to our customers which include Nursing Homes and Medical Home Care customers. Moving our facility farther outside of the Chicago area with more open area and no height restrictions would result in displacing many of our current employees that live in the Bensenville area and surrounding Villages. As stated previously opaque fencing would block natural airflow needed for efficient equipment operation, and safety.

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: Helget's request for the proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant. The rear yard of this location cannot be built on due to several issues. Willow Creek flows through this area, there is an Easement running along the east end of the building between the building and the creek, and the area up to the east side of our proposed tank location is considered a flood zone.

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: Helget's variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property. Other than the variations requested our improvements will meet or exceed all required Municipal, Fire, and Building Codes.

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: Helget's proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies for the Village. Proposed tank positions are as far East as possible and generally screened from street view.

Mr. Arquette reviewed the Approval Standards for the proposed Site Plan Review 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 proposed site plan and use is consistent with neighboring properties and is surrounded by industrial properties.

- 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 adverse impact on any adjacent properties within the immediate vicinity of 1151 Ellis.

- 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 building has utility services in place, ample parking, properly designed for stormwater, exterior lighting in place.

- 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 site plan will not have any impact on any environmental resources.

- 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 proposed site plan will not impede any pedestrian circulation in the parking area, or impact any open spaces, etc. There is no public right of way in the proposed area at 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: This proposed site plan is at the furthest east end of the building, there are curb cuts in place off Ellis Avenue.

- 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 site plan and proposed use has no adverse impact on the architectural design of the building.

- 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 proposed site plan and use of the building is consistent with the Comprehensive Plan, and other land use policies of the Village.

Mr. Arquette stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation, Accessory Structure Height, with the following conditions:
 - a. If the event that the business, Helget Gas Products, Inc., is to vacate the property, the proposed tanks must be removed and taken off of the site prior to expiration of tenure within the building;
2. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation, Mechanical Equipment Location, with the following conditions:
 - a. No work beyond the existing parking lot footprint will be allowed due to flood plain and wetland buffers along the east end of the property, adjacent to Willow Creek;
 - b. Applicant shall coordinate with Village & State Fire Marshalls during permitting to ensure compliance with all fire safety requirements prior to permit issuance;
3. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation, Mechanical Equipment Screening, with the following conditions:
 - a. Area surrounding tanks shall be completely enclosed with a fence, and fence design shall be approved by the Zoning Administrator during permitting;
4. In tandem with the CDC Recommendations above, the Zoning Administrator adopts and accepts the Findings of Fact and therefore the approval of the Site Plan Review with the following conditions:
 - a. Applicant to provide a striping plan during permitting to ensure accessible space requirements are met for the unit on the property; and
 - b. The mechanical equipment be developed in general compliance, except as amended herein; with the plans submitted with the application for this case.

Motion: Commissioner King made a motion to close CDC Case No. 2023-31. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2023-31 at 6:55 p.m.

Motion: Commissioner Chambers made a motion to approve the Variation, Accessory Structure Height (Proposed 37'6", 35', and 33', Permitted 12'), Municipal Code Section 10-7-4A-4 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner King made a motion to approve the Variation, Mechanical Equipment Location (Proposed Interior Side Yard, Permitted Rear Yard), Municipal Code Section 10-7-4C-13a with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner King made a motion to approve the Variation, Mechanical Equipment Screening (Proposed Non-Opaque Fencing, Required Opaque Fencing), Municipal Code Section 10-7-4C-13b with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

**Report from
Community
Development:**

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

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

All were in favor. Motion carried.

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

A handwritten signature in black ink, appearing to read 'R. Rowe', is written over a horizontal line.

Ronald Rowe, Chairman
Community Development Commission