

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

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

December 5, 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, Ciula, King, Marcotte, Rott, Wasowicz
Absent: None
A quorum was present.

STAFF PRESENT: N. Arquette, E. Summers

JOURNAL OF PROCEEDINGS: The minutes of the Community Development Commission Meeting of the November 7, 2023 were presented.

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

All were in favor. Motion carried.

Village Planner, Nick Arquette was present and sworn in by Chairman Rowe.

PUBLIC COMMENT: There was no Public Comment.

Public Hearing: CDC Case Number 2023-32
Petitioner: Perfect Express Corp.
Location: 611 N IL Route 83
Request: Special Use Permit, Professional Office
Municipal Code Section 10 – 7 – 2 – 1

Motion: Commissioner Wasowicz made a motion to open CDC Case No. 2023-32. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, Ciula, King, Marcotte, Rott, Wasowicz
Absent: None
A quorum was present.

Chairman Rowe opened CDC Case No. 2023-32 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 November 16, 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 November 17, 2023. Mr. Arquette stated on November 16, 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, Perfect Express Corp., is requesting approval of a special use permit to occupy an existing office space for their air-freight brokerage, U.S. customs brokerage, and other related businesses. Mr. Arquette stated Professional Office uses require approval of a special use permit in the I-2 General Industrial District. Mr. Arquette stated the applicant is proposing to occupy 8,000 square feet of office space on the first floor of the existing 3-story office building. Mr. Arquette stated the building is bounded by Thornton's Gas to the south, a trucking company to the east, a similar office building under the same ownership to the north, and IL Route 83 to the west. Mr. Arquette stated the petitioner notes that there will be approximately 15 staff within the office, and that they intend to utilize approximately 15 parking spaces. Mr. Arquette stated per Code requirements, a professional office must provide 1 space per 400 SF of gross floor area. Mr. Arquette stated a minimum of 20 parking spaces must be provided for this use, and these requirements have been met. Mr. Arquette stated per the plat of survey for the property, there are an existing 112 total parking spaces, with 2 of those being accessible parking spaces. Mr. Arquette stated office improvements are expected to be necessary for occupancy of the space. Mr. Arquette stated the applicant has stated that this property will be solely used as office space, and that no delivery or pick-up will be completed within the property.

Mark Baumhart, Patrick Chen and Andrew Shell, were present and sworn in by Chairman Rowe. Mr. Baumhart stated the property recently went through upgrades. Mr. Baumhart stated the property is unique and the owner wants to bring it back to operational.

Commissioner Chambers asked if there were additional plans for landscaping on site. Mr. Baumhart stated just clean-up but they would be open to suggestions.

Commissioner Wasowicz asked if the business will be asset based or solely brokerage. Mr. Chen stated just the office building.

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 Special Use consisting of:

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

Applicant's Response: The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public. This is an office use.

- 2) **Neighborhood Character:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use. The property to the North at 631 Route 83 is the same size, type and was built at the same time by the same builder.

- 3) **Orderly Development:** The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use. The surrounding area is fully developed.

- 4) **Use of Public Services and Facilities:** The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Applicant's Response: The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

- 5) **Consistent with Title and Plan:** The proposed special use 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 special use is consistent with the intent of the Comprehensive Plan, this title 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 Special Use Permit, Professional Office, with the following conditions:
 - a. The Special Use Permit be granted solely to Perfect Express Corp. and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of re-occupancy of this property, the new occupants 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 occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;

- b. Applicant shall submit permits to make necessary repairs to parking lot and to restripe parking to ensure compliance with Illinois Accessibility Code requirements;
- c. No trucks may be stored or utilized on the site for any operations in relation to the proposed professional office use. The professional office use shall be the sole use of the tenant space in connection with the requested special use permit. No other truck related uses may be permitted on the property separate from the proposed special use;
- d. Any incidents or violations relating to truck use on the property shall cause the revocation of the special use permit, and the petitioner will be required to re-apply at a public hearing of the CDC to allow for the reinstatement of the special use permit on the property;
- e. The building shall be updated and repaired as necessary to meet all current code requirements;
- f. Building shall not be occupied until all improvements as required by the Fire Marshall and Building Official have been satisfactorily completed as noted in staff report.

There were no questions from the commission.

Motion: Commissioner Rott made a motion to close CDC Case No. 2023-32. Commissioner Marcotte seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2023-32 at 6:39 p.m.

Motion: Commissioner Rott made a motion to approve the Special Use Permit, Professional Office; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, Ciula, King, Marcotte, Rott, 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 6:42 p.m.



Ronald Rowe, Chairman
Community Development Commission