

Community Development Commission Meeting Minutes

June 4, 2024

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

**MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION**

June 4, 2024

**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, King, Rott, Wasowicz  
Absent: Ciula, Chambers, Marcotte  
A quorum was present.

**STAFF PRESENT:** K. Pozsgay, K. Quinn, C. Williamsen

**JOURNAL OF PROCEEDINGS:** The minutes of the Community Development Commission Meeting of the April 2, 2024 were presented.

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

All were in favor. Motion carried.

Director of Community and Economic Development, Kurtis Pozsgay and Village Planner, Kevin Quinn were present and sworn in by Chairman Rowe.

**PUBLIC COMMENT:** There was no Public Comment.

**Public Hearing:** CDC Case Number 2024-11  
**Petitioner:** Oscar Higreda  
**Location:** 621 Grove Avenue  
**Request:** Variation, Fence in the Corner Side Yard  
*Municipal Code Section 10 – 7 – 4C – 7a*

**Motion:** Commissioner Rott made a motion to re-open CDC Case No. 2024-11. Commissioner Wasowicz seconded the motion.

**ROLL CALL :** Upon roll call the following Commissioners were present:

Rowe, King, Rott, Wasowicz

Absent: Ciula, Chambers, Marcotte

A quorum was present.

Chairman Rowe opened CDC Case No. 2024-11 at 6:32 p.m.

Village Planner, Kevin Quinn, was present and sworn in by Chairman Rowe. Mr. Quinn stated a Legal Notice was published in the Bensenville Independent on May 16, 2024. Mr. Quinn 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. Quinn stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on May 15, 2024. Mr. Quinn stated on May 15, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Quinn 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. Quinn stated the Petitioner, Oscar Higreda, is seeking approval of a variation in order to construct a fence in the corner side yard of their property. Mr. Quinn stated the proposed fence is six-foot white vinyl. Mr. Quinn stated approval standards will mandate that it is 5 feet of solid vinyl with an additional foot of lattice. Mr. Quinn stated the proposed fence will run roughly 36 feet west from the house to the property line. Mr. Quinn stated it will run parallel to N Church Rd for roughly 81 feet before turning east towards the house. Mr. Quinn stated there is 33 feet between the center point of Church Rd and the property line- there is no sidewalk in between them. Mr. Quinn stated the proposed fence location does not impact the north adjacent property's driveway sight vision triangle.

Oscar Higreda, property owner, was present and sworn in by Chairman Rowe. Mr. Higreda stated he is requesting a fence for the safety of his children. Mr. Higreda stated Church Road is a busy street; two years ago a car lost control and almost hit one of his children. Mr. Higreda stated drivers also litter in the area and he is constantly cleaning his backyard of litter. Mr. Higreda stated he would like privacy for his family as well. Mr. Higreda stated he understands the requirements set by Staff and has no objections.

Commissioner Rott questioned why a variance was needed for the petitioner to constructed a fence. Mr. Quinn explained the Village Code does not allow for a fence in the corner side yard by right.

Commissioner Wasowicz entered into the record that according to the Insurance Institute for Highway Safety (IIHS), 51% of pedestrian deaths in 2022 occurred on roads with speed limits of 40 miles per hour or less.

Commissioner Wasowicz stated the numbers from the AAA Foundation for Traffic Safety;  
source: <https://aaafoundation.org/impact-speed-pedestrians-risk-severe-injury-death/>

- average risk of severe injury is 25% at 23 mph
- 50% at 31 mph
- 75% at 39 mph
  
- risk of pedestrian death:
- 10% at 23 mph at point of impact
- 25% at 32 mph
- 50% at 42 mph

### **Public Comment**

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

Mr. Quinn reviewed the approval standards for proposed variance:

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

**Applicant's Response: No, the proposed variation will not endanger the health, safety, comfort, convenience, and 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: Yes, the proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.**

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

**Applicant's Response: Yes, the proposed variation alleviates an undue hardship created by the literal enforcement of this title.**

**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: Yes, the proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the application.**

**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: Yes, the proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the property.**

**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, the proposed variation is consistent with the intent of the Comprehensive Plan, the title, and the other land use policies of the Village.**

Mr. Quinn stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Variation, Fence in the Corner Side Yard at 621 Grove Dr with the following conditions:
  - a. Fence shall be 5-foot solid vinyl panels with an additional foot of lattice, for a total of 6 feet.

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- b. The fence shall not infringe upon the 10-foot easement at the northern end of the property.
- c. The portion of the vacated alley that falls within the property lines must be maintained.

There were no questions from the commission.

**Motion:** Commissioner Wasowicz made a motion to close CDC Case No. 2024-11. Commissioner Rott seconded the motion.

**ROLL CALL:** Ayes: Rowe, King, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-11 at 6:40 p.m.

**Motion:** Commissioner King made a motion to approve Variation, Fence in the Corner Side Yard; Municipal Code Section 10-7-4C-7a with Staff's Recommendations. Commissioner Rott seconded the motion.

**ROLL CALL:** Ayes: Rowe, King, Rott, Wasowicz

Nays:

All were in favor. Motion carried.

**Public Hearing:** CDC Case Number 2024-13

**Petitioner:** Joshua and Laura Berngard

**Location:** 807 Dennis Drive

**Request:** Variation, Fence in the Corner Side Yard

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

**Motion:** Commissioner Wasowicz made a motion to re-open CDC Case No. 2024-13. Commissioner Rott seconded the motion.

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

Chairman Rowe opened CDC Case No. 2024-13 at 6:41 p.m.

Village Planner, Kevin Quinn, was present and sworn in by Chairman Rowe. Mr. Quinn stated a Legal Notice was published in the Bensenville Independent on May 16, 2024. Mr. Quinn 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. Quinn stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on May 15, 2024. Mr. Quinn stated on May 15, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Quinn 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. Quinn stated the Petitioner, Joshua Berngard, is seeking approval of a variation in order to construct a fence in the corner side yard of their property. Mr. Quinn stated the proposed fence is four-foot black aluminum. Mr. Quinn stated the proposed fence will run 46 feet from the house to the property line. Mr. Quinn stated it will run parallel to Dennis Drive for 78.5 feet before turning east towards the house. Mr. Quinn stated the Petitioner has agreed to a request for the fence to be set back 1 foot from the Dennis Drive property line. Mr. Quinn stated the proposed fence location does not impact the north adjacent property's driveway sight vision triangle.

Joshua Berngard, property owner, was present and sworn in by Chairman Rowe. Mr. Berngard stated his wife and him purchased the property in March. Mr. Berngard stated between the dog, cat and soon to be baby, he is requesting the fence to allow them to be contained in their yard.

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. Quinn reviewed the approval standards for proposed variance:

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

**Applicant's Response: Our proposed variation will not endanger the health, safety, comfort, convenience 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: Our proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.**

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

**Applicant's Response: Our proposed variation alleviates an undue hardship created by the literal enforcement of this title.**

**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: Our proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the application.**

**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: Our proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the property.**

**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: Our proposed variation is consistent with the intent of the Comprehensive Plan, the title, and the other land use policies of the Village.**

Mr. Quinn stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Variation, Fence in the Corner Side Yard at 807 Dennis Dr with the following conditions:
  - a. Fence shall be 4 foot black aluminum similar to sample provided by Ultra Fencing.
  - b. Fence shall be setback 1 foot from the west (Dennis Dr) property line, as shown in plans.

There were no questions from the commission.

**Motion:** Commissioner King made a motion to close CDC Case No. 2024-13. Commissioner Rott seconded the motion.

**ROLL CALL:** Ayes: Rowe, King, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-13 at 6:47 p.m.

**Motion:** Commissioner Wasowicz made a motion to approve Variation, Fence in the Corner Side Yard; Municipal Code Section 10-7-4C-7a with Staff's Recommendations. Commissioner Rott seconded the motion.

**ROLL CALL:** Ayes: Rowe, King, Rott, Wasowicz

Nays:

All were in favor. Motion carried.

**Public Hearing:** CDC Case Number 2024-14  
**Petitioner:** Grand County Line LLC  
**Location:** 1005 Commerce Court  
**Request:** Amendment to a Planned Unit Development  
*Municipal Code Section 10-4-4*

*\*With the following code departures*

C-2 District Requirements, Maximum Front Setback  
*Municipal Code Section 10-6-18-1*  
C-2 District Requirements, Minimum Transparency  
*Municipal Code Section 10-6-18-1*  
Maximum Driveway Width  
*Municipal Code 10-8-8-1*  
Parking Design Standards: C-2 District Standards  
*Municipal Code 10-8-6L*  
Parking Lot Perimeter Landscaping  
*Municipal Code 10-9-5B-1C-2*  
Parking Lot Interior Landscape Island Spacing  
*Municipal Code 10-9-5C-1*  
Refuse Area Location  
*Municipal Code 10-9-7B-1*

**Motion:** Commissioner King made a motion to re-open CDC Case No. 2024-14. Commissioner Wasowicz seconded the motion.

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

Chairman Rowe opened CDC Case No. 2024-14 at 6:49 p.m.

Village Planner, Kevin Quinn, was present and sworn in by Chairman Rowe. Mr. Quinn stated a Legal Notice was published in the Bensenville Independent on May 16, 2024. Mr. Quinn 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. Quinn stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on May 15, 2024. Mr. Quinn stated on May 15, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Quinn 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. Quinn stated the Petitioner, Grand County LLC, is seeking approval of a PUD amendment for the construction of an 84,000 square foot sports dome for the hosting of volleyball tournaments. Mr. Quinn stated the existing PUD was approved in 2018, under Ordinance No. 41-2018. Mr. Quinn stated the proposed development has 181 parking stalls over the 8.4-acre site. Mr. Quinn stated proposed deviations from the code include maximum driveway width, parking lot perimeter landscaping, landscape island spacing, refuse area location, and refuse area screening. Mr. Quinn stated in the original PUD ordinance, this land was proposed as two turf soccer fields.

Jeff Provenza of Grand County Line LLC, was present and sworn in by Chairman Rowe. Mr. Provenza stated Grand County Line LLC purchased the entire site from the Village and entered into a Redevelopment Agreement; the proposed dome is a part of said agreement. Mr. Provenza stated the proposed dome will be home to 10-12 volleyball courts the would be hosting tournaments. Mr. Provenza stated it is a smaller dome to what is currently on site.

Directory of Community and Economic Development, Kurtis Pozsgay was present and previously sworn in by Chairman Rowe; Mr. Pozsgay asked the applicant to address Staff's concerns with onsite parking. Mr. Provenza stated they have already spoken to the hotel ownership about shared parking for the use of the facility on nights and weekends; Mr. Provenza stated he hopes that the majority of the attendees are already staying on site at the hotels.

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. Quinn reviewed the approval standards for proposed variance:

- 1. Comprehensive Plan:** The proposed planned unit development fulfills the objectives of the Comprehensive Plan, and other land use policies of the Village, through an innovative and creative approach to the development of land.

**Applicant's Response:** The proposed PUD fulfills the objectives of the comprehensive plan and the redevelopment agreed to between the developer and the Village by creatively and efficiently designing a facility that overcomes the challenges of the overall site.

**2. Public Facilities:** The proposed planned unit development will provide walkways, driveways, streets, parking facilities, loading facilities, exterior lighting, and traffic control devices that adequately serve the uses within the development, promote improved access to public transportation, and provide for safe motor vehicle, bicycle, and pedestrian traffic to and from the site.

**Applicant's Response:** The PUD's driveways, streets, exterior lighting, etc will improve the overall accessibility of the immediate area.

**3. Landscaping and Screening:** The proposed planned unit development will provide landscaping and screening that enhances the Village's character and livability, improves air and water quality, reduces noise, provides buffers, and facilitates transitions between different types of use.

**Applicant's Response:** The landscape plan of the sports facility will enhance the Village's overall aesthetics and improve air quality and act as a buffer to the residential to the north.

**4. Site Design:** The proposed planned unit development will incorporate sustainable and low impact site design and development principles.

**Applicant's Response:** The plan has little impact on the surrounding community and will be sustainable due to its low maintenance characteristics.

**5. Natural Environment:** The proposed planned unit development will protect the community's natural environment to the great extent practical, including existing natural features, water courses, trees, and native vegetation.

**Applicant's Response:** Proper buffers, etc. are in place to ensure the integrity of Addison Creek and other natural features.

**6. Utilities:** The proposed planned unit development will be provided with underground installation of utilities when feasible, including electricity, cable, and telephone, as well as appropriate facilities for storm sewers, stormwater retention, and stormwater detention.

**Applicant's Response: All utilities at the PUD will be underground to improve the overall visual experience/aesthetics.**

Mr. Quinn stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Amendment to a Planned Unit Development with the following conditions:
  - a. Developed in accordance with the plans prepared by SpaceCo dated 1.30.24.
  - b. The Amendment to a Planned Unit Development be granted solely to Grand County LLC and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC.
  - c. A full landscaping plan to be submitted and approved by staff to include increased parking lot landscaping, additional perimeter landscaping, and street trees.
  - d. A shared parking agreement with the hotel properties to the south must be presented to the Zoning Administrator prior to the issuance of the Certificate of Occupancy.
  - e. Grand County LLC shall coordinate regarding a parking enforcement agreement with the Bensenville Police Department prior to the issuance of the Certificate of Occupancy.
  - f. A parking lot lighting plan should be submitted for review, to include no bleeding of light onto neighboring properties.
  - g. Sidewalks will be installed connecting to the sites to the south.
  - h. A path connecting the owner's property to the east should include bike considerations that tie into the County Line Road bike path. Bike parking shall be included on site.

- i. The necessary number of short-term bicycle parking spaces shall be determined during the permitting process.
- j. There shall be no overnight parking in the parking area.
- k. No tailgating or alcoholic beverages allowed in the parking area.
- l. IEPA NOI and IEPA NOT permits are required.
- m. DuPage County Stormwater Management Certification is required.

Commissioner Rott asked for clarification regarding landscaping. Mr. Pozsgay stated Staff will have final approval for landscaping on site.

Commissioner Rott expressed concern regarding Bensenville being known for towing vehicles. Mr. Pozsgay stated enforcement would only take place should there be issues and there has not been since the property opened.

Commissioner Wasowicz raised concerns with simultaneous tournaments taking place at the Edge and attendees also using the same hotels as the volleyball tournament.

Commissioner King welcomed the new development to Bensenville.

**Motion:** Commissioner King made a motion to close CDC Case No. 2024-14. Commissioner Wasowicz seconded the motion.

**ROLL CALL:** Ayes: Rowe, King, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-14 at 7:07 p.m.

**Motion:** Commissioner Wasowicz made a motion to approve Amendment to a Planned Unit Development; Municipal Code Section 10-4-4 (with code departures) and with Staff's Recommendations. Commissioner Rott seconded the motion.

**ROLL CALL:** Ayes: Rowe, King, Rott, Wasowicz

Nays:

All were in favor. Motion carried.

**Public Hearing:** CDC Case Number 2024-16  
**Petitioner:** Mario's Trucking Services, Inc.  
**Location:** 500 Eastern Avenue  
**Request:** Special Use Permit, Motor Vehicle Repair and/or Service  
*Municipal Code 10 – 7 – 2 – I*

**Motion:** Commissioner King made a motion to re-open CDC Case No. 2024-16. Commissioner Wasowicz seconded the motion.

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

Chairman Rowe opened CDC Case No. 2024-16 at 7:09 p.m.

Village Planner, Kevin Quinn, was present and sworn in by Chairman Rowe. Mr. Quinn stated a Legal Notice was published in the Bensenville Independent on May 16, 2024. Mr. Quinn 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. Quinn stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on May 15, 2024. Mr. Quinn stated on May 15, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Quinn 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. Quinn stated the Petitioner, Mario's Trucking Services Inc, is seeking approval of a special use permit for motor vehicle repair and/or service. Mr. Quinn stated they wish to service and repair the vehicles within their private fleet. Mr. Quinn stated the property is 1.03 acres, with a building size of 19,546.00 square feet. Mr. Quinn stated the property is currently located within an I-2 General

Industrial District, where motor vehicle repair and/or service is allowed with a special use permit.

Magdalena Zolzichowski, of Mario's Trucking Services, Inc., was present and sworn in by Chairman Rowe. Ms. Zolzichowski stated they are a small trucking company that has been in Bensenville for a number of years. Ms. Zolzichowski stated the company is looking to bring services of their trucks in house due to rising costs in the economy. Ms. Zolzichowski stated they will install a triple basin. Ms. Zolzichowski stated this will not cause an increase of vehicle storage on site.

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. Quinn reviewed the approval standards for proposed variance:

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

**Applicant's Response: Yes, the proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.**

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: Yes, the proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.**

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: Yes, 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.**

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.
5. **Applicant's Response: Yes, 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.**
6. **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: Yes, the proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.**

Mr. Quinn stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit with the following conditions:
  - a. The Special Use Permit be granted solely to Mario's Trucking and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a 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. Tucks can only utilize truck parking in the southeast portion of the property.
- c. A triple catch basin must be installed.

There were no questions from the commission.

**Motion:** Commissioner King made a motion to close CDC Case No. 2024-16. Commissioner Rott seconded the motion.

**ROLL CALL:** Ayes: Rowe, King, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-16 at 7:15 p.m.

**Motion:** Commissioner King made a motion to approve Special Use Permit, Motor Vehicle Repair and/or Service; Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Rott seconded the motion.

**ROLL CALL:** Ayes: Rowe, King, Rott, Wasowicz

Nays:

All were in favor. Motion carried.

**Public Hearing:** CDC Case Number 2024-15

**Petitioner:** Village of Bensenville

**Location:** 1100 N Route 83

**Request:** Zoning Map Amendment, I-2 General Industrial District to C 2 Commercial District

*Municipal Code 10 – 3 – 6*

**Motion:** Commissioner Rott made a motion to re-open CDC Case No. 2024-15. Commissioner Wasowicz seconded the motion.

**ROLL CALL :** Upon roll call the following Commissioners were present:

Rowe, King, Rott, Wasowicz

Absent: Ciula, Chambers, Marcotte

A quorum was present.

Chairman Rowe opened CDC Case No. 2024-15 at 7:17 p.m.

Village Planner, Kevin Quinn, was present and sworn in by Chairman Rowe. Mr. Quinn stated a Legal Notice was published in the Bensenville Independent on May 16, 2024. Mr. Quinn 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. Quinn stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on May 15, 2024. Mr. Quinn stated on May 15, 2024 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 3000' of the property in question. Mr. Quinn 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. Quinn stated the Village of Bensenville is seeking the aforementioned zoning map amendment in order to refine the 2023 Zoning Map. Mr. Quinn stated since the introduction of the current Map, Staff have been able to identify certain shortcomings while enforcing the regulations and implementing the refurbished zoning application procedures. Mr. Quinn stated the proposed amendments are summarized as follows:

- The Future Land Use Map deems this property as "Regional Commercial". Rezoning from I-2 to C-2 will enable this property to operate and exist in accordance with stated Village goals.

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. Quinn reviewed the approval standards for proposed variance:

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

**Applicant's Response:** Yes, The proposed amendment will not endanger the health, safety, comfort, convenience, and general welfare of the public.

- 2) **Neighborhood Character:** The proposed amendment is compatible with the existing uses, character, and zoning of adjacent properties and other property within the vicinity of the proposed amendment.

**Applicant's Response:** Yes, the proposed amendment is compatible with the existing uses, character, and zoning of adjacent properties and other property within the vicinity of the proposed amendment.

- 3) **Public Gain:** The proposed amendment provides a relative gain to the public, as compared to any hardship imposed upon an individual property owner.

**Applicant's Response:** Yes, the proposed amendment provides a relative gain to the public, as compared to any hardship imposed upon an individual property owner.

- 4) **Community Need:** The proposed amendment addresses the community need for a specific use.

**Applicant's Response:** Yes, the proposed amendment addresses the community need for a specific use.

- 5) **Amendment Objective:** The proposed amendment corrects an error, adds clarification, or reflects a change in policy.

**Applicant's Response:** Yes, the proposed amendment corrects an error, adds clarification, or reflects a change in policy.

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

**Applicant's Response:** Yes, the proposed amendment is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Quinn stated:

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Zoning Map Amendment, I-2 General Industrial District to C-2 Commercial District, for the Property at 1100 N Route 83.

There were no questions from the commission.

**Motion:** Commissioner Rott made a motion to close CDC Case No. 2024-15. Commissioner Wasowicz seconded the motion.

**ROLL CALL:** Ayes: Rowe, King, Rott, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2024-15 at 7:21 p.m.

**Motion:** Commissioner King made a motion to approve Zoning Map Amendment, I-2 General Industrial District to C-2 Commercial District; Municipal Code Section 10-3-6 with Staff's Recommendations. Commissioner Rott seconded the motion.

**ROLL CALL:** Ayes: Rowe, King, Rott, Wasowicz

Nays:

All were in favor. Motion carried.

**Report from  
Community  
Development:**

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

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

All were in favor. Motion carried.

The meeting was adjourned at 7:23 p.m.