

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

MINUTES OF THE SPECIAL COMMUNITY DEVELOPMENT COMMISSION

October 29, 2012

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

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, Janowiak, Rowe, Weldon
Absent: James, Pisano, Ventura
A quorum was present.

JOURNAL OF PROCEEDINGS:

The minutes of the Community Development Commission of October 8, 2012 were presented.

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

Roll Call: Ayes: Moruzzi, Rowe, Janowiak, Weldon.

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi swore in members of the staff and audience under oath that planned to give testimony.

Public Hearing: CDC Case Number 2012-36
Petitioner: Village of Bensenville
Request: Text amendment to allow Food Processing as a Conditional Use in the I-1 District and an Allowable Use in the I-4 District.

Motion: Commissioner Janowiak made a motion to open CDC Case No. 2012-36. Commissioner Rowe seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, Rowe, Janowiak, Weldon
Absent: James, Pisano, Ventura
A quorum was present.

Chairman Moruzzi opened the Public Hearing for CDC Case Number 2012-36 at 6:34 p.m.

Assistant Director of Community & Economic Development, Mark Rysavy, stated a legal notice was published in the Daily Herald on October 13, 2012 and that a certified copy of the legal notice is maintained in the CDC file and available for viewing.

Assistant Director of Community & Economic Development, Mark Rysavy, stated the text amendment requests are due to demand by food processing businesses looking to open in the I-1 and I-4 Zoning Districts. Mr. Rysavy stated food processing is not listed as an allowable or conditional use in either I-1 or I-4 Zoning Districts, thereby currently prohibited. Mr. Rysavy stated food processing is an allowable use in the I-2 and I-3 Zoning Districts. Mr. Rysavy stated that since I-4 is a less restrictive District than I-2 or I-3, staff believes food processing would be best suited as an allowable use in the I-4 Zoning District. Mr. Rysavy stated food processing in the I-1 should be a conditional use due to the district abutting residential districts in the Village. Mr. Rysavy stated that as food processing can generate undesirable odors, it is best to review cases on an individual basis in the I-1 Zoning District as it could affect neighboring residents. Mr. Rysavy stated staff recommended approval of the requested text amendments.

There were no questions from the Commissioners.

Chairman Moruzzi asked if there was any member of the Public that would like to give testimony on the CDC Case. There was none.

Motion: Commissioner Rowe made a motion to close CDC Case Number 2012-36. Commissioner Weldon seconded the motion.

Roll Call: Ayes: Moruzzi, Rowe, Janowiak, Weldon

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the Public Hearing for CDC Case Number 2012-36 at 6:43 p.m.

Motion: Commissioner Weldon made a motion to approve the requested Text Amendment for CDC Case Number 2012-36. Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, Rowe, Janowiak, Weldon

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2012-37
Petitioner: Martino D'Addosio
Location: 570 County Line Road Unit 2B
Request: Conditional Use Permit for Food Processing in the I-1 District

Motion: Commissioner Rowe made a motion to open the Public Hearing for CDC Case Number 2012-37. Commissioner Janowiak seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, Janowiak, Rowe, Weldon
Absent: James, Pisano, Ventura
A quorum was present.

Chairman Moruzzi opened the Public Hearing for CDC Case Number 2012-37 at 6:45 p.m.

Assistant Director of Community & Economic Development, Mark Rysavy, stated a legal notice was published in the Daily Herald on October 13, 2012 and that a certified copy of the legal notice is maintained in the CDC file and available for viewing. Mr. Rysavy also stated that Village Staff posted a notice of the Public Hearing sign on the property on October 12, 2012. Mr. Rysavy stated on October 12, 2012 Village Staff mailed first class notice of the public hearing to taxpayers of record within 250 feet of the property in question.

Assistant Director of Community & Economic Development, Mark Rysavy stated the subject property was previously used for dessert manufacturing and is arranged to suit the needs of future food processing uses.

Mr. Carlo Calderone of Caldabella Foods, was present and previously sworn in by Chairman Moruzzi. Mr. Calderone stated Caldabella Foods is a five year old company of approximately three to six employees. Mr. Calderone stated that the company produces Italian desserts that do not require baking or cooking. Mr. Calderone stated that the freezers located in the subject property would perfectly suit the needs of the subject company.

Mr. Calderone also stated that no big trucks will be necessary and that he owns a small freezer truck which will be used for the company.

Chairman Moruzzi asked if there was any member of the Public that would like to speak on behalf of CDC Case Number 2012-37. There was none.

Assistant Director of Community & Economic Development, Mark Rysavy, reviewed the Village Staff Report. Stated Staff recommends approval with the following conditions:

1. CDC Case #2012-36 requesting a text amendment to allow Food Processing as a Conditional Use in the I-1 Office/Research/Assembly Industrial District be granted prior to the full approval of the subject case #2012-37;
2. The Conditional Use Permit be granted solely to Caldebella Foods and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors 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 proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit;
3. A copy of the Conditional Use Permit ordinance must be kept on the premises of the establishment;
4. The property shall be developed and utilized in substantial conformance to the plans to be submitted as part of this application on 10.10.12 prepared for Martino D'Addosio;
5. A grease trap is installed per staff recommendations;
6. An accessible parking stall be striped in accordance with current ADA standards as well as parking be striped in the rear as required.

Commissioner Rowe asked if the parking space will comply with ADA standards. Mr. Rysavy stated that it will.

Motion: Commissioner Weldon made a motion to close the Public Hearing for CDC Case Number 2012-37. Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the Public Hearing for CDC Case Number 2012-37 at 6:52 p.m.

Motion: Commissioner Janowiak made a motion to approve the findings of facts for the conditional use permit request for CDC Case Number 2012-37 consisting of:

1. **Traffic:** The proposed use will not create any adverse impact of types or volumes of traffic flow not otherwise typical of permitted uses in the zoning district has been minimized. The proposed use will not create any adverse impact on types or volumes of traffic flow. Adequate parking is found for the uses associated with the subject property. As the subject property is only approximately 900 square feet, minimal amounts of traffic will be created by the small number of employees and delivery trucks.
2. **Environmental Nuisance:** The proposed use will not have negative effects of noise, glare, odor, dust, waste disposal, blockage of light or air or other adverse environmental effects of a type or degree not characteristic of the historic use of the property or permitted uses in the district. There will be not be negative environmental effects based on the internal nature of the food preparation being relatively small scale without the use or production of odiferous foods.
3. **Neighborhood Character:** The proposed use will fit harmoniously with the existing character of existing permitted uses in its environs. Any adverse effects on environmental quality, property values or neighborhood character beyond those normally associated with permitted uses in the district have been minimized. The proposed use will fit harmoniously with the existing character of the office/research/assembly industrial area found along County Line Road.

4. **Use Of Public Services And Facilities:** The proposed use will not require existing community 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. The proposed use will not require existing community facilities or services disproportionate to that normally expected of permitted uses.
5. **Public Necessity:** The proposed use at the particular location requested is necessary to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community. The food processing use suits the subject property in that the unit is configured for food processing. It will contribute to the general welfare of the community by supplying a use which matches the configuration of the site otherwise remaining vacant.
6. **Other Factors:** The use is in harmony with any other elements of compatibility pertinent in the judgment of the commission to the conditional use in its proposed location. Other factors are subject to the Commission's judgment.

Chairman Moruzzi seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Weldon made a motion to approve the conditional use permit requested with Staff recommendations. Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Report from Community Development

Mr. Rysavy reviewed both recent CDC cases along with upcoming cases. Mr. Rysavy discussed the 2013 CDC meeting schedule to be voted on the next meeting.

Chairman Moruzzi stated he would like to elect a Chairman Pro-tem from the Commission.

ADJOURNMENT:

There being no further business before the Community Development Commission, Commissioner Janowiak made a motion to adjourn the meeting. Comissioner Rowe seconded the motion.

All were in favor

Motion carried.

The meeting was adjourned at 7:02 p.m.