



VILLAGE OF BENSENVILLE

Village Board

President

Frank Soto

Trustees

Morris Bartlett

Robert "Bob" Jarecki

Martin O'Connell III

Oronzo Peconio

JoEllen Ridder

Henry Wesseler

Village Clerk

Susan Janowiak

Village Manager

Michael Cassidy

Village of Bensenville, Illinois

BOARD OF TRUSTEES

MEETING AGENDA

6:30 P.M. Tuesday, October 23, 2012

Bensenville Village Hall, 12 S. Center Street, Bensenville IL 60106

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. PUBLIC COMMENT (3 minutes per person with a 30 minute meeting limitation)
- V. APPROVAL OF MINUTES
 - October 9, 2012 Board of Trustees
 - October 13, 2012 Budget Workshop
 - October 16, 2012 Special Board of Trustees
- VI. WARRANT – October 23, 2012 #12/19 \$662,303.46

STUDENT GOVERNMENT DAY:

Introduction of Lucia Suchan who attends Blackhawk Middle School
Introduction of Stephanie Medina who attends Fenton High School
Anti-Texting While Driving Pledge Discussion

- VII. **CONSENT AGENDA – CONSIDERATION OF AN “OMNIBUS VOTE”**
 1. *Ordinance Amending Village Code Title 5, Traffic and Motor Vehicles Chapter 2, Stopping, Standing or Parking Section 5-2-13E No Truck Parking at 760 Foster Avenue, Bensenville, Illinois*
 2. *Ordinance Amending the Bensenville Village Code Title 3- Chapter 3- Liquor Regulations, 438 South York Road, Mama Maria's Restaurant*
 3. *Motion Accepting the Report from FMG Architects, Inc. for the Completed Feasibility Study on the New Shared Service Police Facility and Approval of the First Site Location, 345 E. Green Street, Bensenville*
 4. *Resolution Authorizing the Emergency Purchase of a Backup Generator for the York Road Lift Station from Aaron Equipment Company, Inc. in the Amount of \$19,500.*
 5. *Resolution Authorizing the Execution of a Contract to Utility Services Inc. for Purchase and Installation of Water Distribution System Tank Mixer in*

the Amount of \$47,425.

6. *Resolution Authorizing the Execution of Amendment#1 to an Engineering Services Agreement with Baxter & Woodman, Inc. for the Green Street and York Road Water Main Replacement and Green Street LAPP Project in the Amount of \$81,800 for a Revised Contract Total of \$129,800.*
7. *Resolution Concerning the Determination of the Bensenville Village Board that Change Order Number Two (Final) with Stark and Son Trenching for a Decrease of \$75,312.78 is Required for the Jefferson Street Corridor Water Main Replacement – Phase I for a Revised and Final Contract Cost of \$896,387.22*
8. *Resolution Authorizing the Execution of a Design Engineering Contract for the Wood Avenue Water and Street Improvement Project with James J. Benes and Associates in the Amount of \$44,950.*
9. *Resolution Authorizing the Execution of a Contract to Communications Direct Inc. for the Purchase and Installation of Narrowband Radios in the Amount of \$16,354.00*
10. *Ordinance Granting an Amendment to the Planned Unit Development Approved by Ordinance #43-2011 for the Property Known as 333 West Grand Ave, Bensenville, Illinois, BCR Automotive Group, LLC*
11. *Resolution Determining an Estimate of Real Property Taxes to be Levied by the Village of Bensenville, DuPage and Cook Counties, Illinois, for that Portion of the Fiscal Year Commencing January 1, 2012, and Ending December 31, 2012*
12. *Ordinance Approving the Grant of Conditional Use Permits for a Service Station (Gas and Diesel Fuel) and Electronic Message Center Sign with Associated Variances at 154 S. York Road, Ambrose Design Group*

VIII. **REPORTS OF STANDING COMMITTEES**

A. Community and Economic Development Committee

1. *Ordinance Concerning the Grant of a Conditional Use Permit and Parking Variance to Allow Motor Vehicle Repair (Major and Minor) at 211 Beeline Drive Unit #3, Bensenville, Illinois, Janjic Trucking, Inc.*
2. *Ordinances Related to Road Ranger Expansion Request:*
 - A. *Ordinance Denying the Rezoning of Three Lots Located at 523 N. Route 83 and 524 North Marshall Road from RS-5 High Density Single Family Residential District to C-2 Highway Commercial District*
 - B. *Ordinance Denying Two Conditional Use Permits for Expansion of an Existing Service Station and Electronic Message Center Sign with Associated Variances at 1188 West Foster Avenue, 523 N. Route 83, and 522 & 524 N. Marshall Road*

- B. Infrastructure and Environment Committee – No Report
- C. Administration, Finance and Legislation Committee – No Report
- D. Public Safety Committee
- I. Ordinance Amending the Bensenville village Code Title 3- Chapter 3- Liquor Regulations, 229 West Grand Avenue #2W, El Tereo Market*
- E. Recreation and Community Building Committee – No Report
- F. Technology Committee – No Report

IX. REPORTS OF VILLAGE OFFICERS:

A. PRESIDENT'S REMARKS:

A Proclamation in Recognition of Latino Health Week

B. VILLAGE MANAGER'S REPORT:

C. VILLAGE ATTORNEY'S REPORT:

X. UNFINISHED BUSINESS

XI. NEW BUSINESS

XII. EXECUTIVE SESSION

- A. Review of Executive Session Minutes [5 ILCS 120/2 (C)(21)]
- B. Personnel [5 ILCS 120/2(C)(1)]
- C. Collective Bargaining [5 ILCS 120/2 (C)(2)]
- D. Property Acquisition [5 ILCS 120/2(C)(5)]
- E. Litigation [5 ILCS 120/2(C)(11)]

XIII. MATTERS REFERRED FROM EXECUTIVE SESSION

XIV. ADJOURNMENT

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

MINUTES OF THE VILLAGE BOARD OF TRUSTEES MEETING

October 9, 2012

CALL TO ORDER: 1. President Soto called the meeting to order at 6:33 p.m.

ROLL CALL: 2. Upon roll call by Deputy Village Clerk, Corey Williamsen, the following Board Members were present:

Bartlett, Jarecki, O'Connell, Peconio, Ridder, Wessler

Absent: Village Clerk, Susan Janowiak

A quorum was present.

President Soto requested to move President's Remarks to this portion of the meeting. There were no objections from the Village Board.

**PRESIDENTIAL
REMARKS:**

President Soto read a proclamation of appreciation to Foresters Insurance for the generous support and contribution given to the Kaboom Community Service Playground Project into the record.

President Soto read a proclamation of appreciation to President Tom Early, on behalf of the Bensenville Community Foundation for his dedication and efforts given on the Kaboom Community Service Playground Project into the record.

President Soto read a proclamation of accommodation to Mario's Deli II for twenty years of service into the record.

PUBLIC COMMENT:

Chris Awaya – 573 N. Marshall Rd.

Ms. Awaya addressed the Village Board in regards to the proposed Thornton's Gas Station. Ms. Awaya stated she is opposed to the project but thanks Thornton's for their outreach to the Residents in the area. Ms. Awaya asked that the Village Board consider a look back provision so the Residents in the affected area are protected.

Diane Burda – 581 N. Marshall Road

Ms. Burda addressed the Village Board in regards to the proposed Thornton's Gas Station and asked that the Village Board consider a look back provision so the Residents in the affected area are protected.

Rich Claes & Tom Byrney – Thornton's Gas Station

Mr. Claes and Mr. Byrney thanked the Resident's for their input in the proposed project and stated that Thornton's was open to the look back prevision.

**APPROVAL OF
MINUTES:**

3. The September 25, 2012 Village Board Meeting minutes were presented.

Motion:

Trustee Ridder made a motion to approve the minutes as presented. Trustee O'Connell seconded the motion.

All were in favor. Motion carried.

**WARRANT NO.
12/18:**

4. President Soto presented **Warrant No. 12/18** in the amount of \$883,110.28.

Motion:

Trustee O'Connell made a motion to approve the warrant as presented. Trustee Bartlett seconded the motion.

ROLL CALL:

AYES: Bartlett, Jarecki, O'Connell, Peconio, Ridder, Wesseler

NAYS: None

All were in favor. Motion carried.

Motion:

5. Trustee Ridder made a motion to set the Consent Agenda as presented. Trustee Jarecki seconded the motion.

All were in favor. Motion carried.

**Resolution No.
R-88-2012:**

Resolution Authorizing the Execution of a Multi-Year Contract (With Automatic Renewals) to Winkler's Tree Service Inc. for the 2012 – 2015 Tree Pruning Program in the Amount of \$114,493. (Consent Agenda)

Motion: Trustee Ridder made a motion to approve the Consent Agenda as presented. Trustee Jarecki seconded the motion.

ROLL CALL: AYES: Bartlett, Jarecki, O'Connell, Peconio, Ridder, Wessler

NAYS: None

All were in favor. Motion carried.

**Ordinance No
53-2012:**

6. President Soto gave the summarization of the action contemplated in **Ordinance No. 53-2012** entitled **An Ordinance Concerning an Application for Two Conditional Use Permits to Allow a Gasoline and Diesel Fuel Service Station and Associated Electronic Message Center Sign with Associated Variances at 601 N. Route 82, Bensenville, Illinois, Thornton's Inc.**

Trustee Wessler asked if the ordinance dealt with any financials. President Soto stated the ordinance was to approve the land use.

Village Attorney, Pat Bond, suggested approving the ordinance under Attorney Review to add the look back provision.

Motion: Trustee O'Connell made a motion to adopt the ordinance as presented with Attorney Review. Trustee Bartlett seconded the motion.

ROLL CALL: AYES: Bartlett, Jarecki, O'Connell, Peconio, Ridder, Wessler

NAYS: None

All were in favor. Motion carried.

**Resolution No
_____:**

7. President Soto gave the summarization of the action contemplated in **Resolution No. _____** entitled **A Resolution Approving the Execution of a License Agreement with Sidera Networks, LLC Pursuant to Title 12 – Telecommunications of the Village of Bensenville Code.**

President Soto stated the petitioner has requested this matter be continued until the October 23, 2012 Village Board Meeting.

There were no objections from the Village Board.

**MANAGERS
REPORT:**

Assistant Village Manager, Dan DiSanto, reminded the Village Board of the Budget Meeting being held on Saturday, October 13, 2012.

**UNFINISHED
BUSINESS:**

There was no unfinished business.

NEW BUSINESS:

There was no new business.

**EXECUTIVE
SESSION:**

Village Attorney, Pat Bond, stated there was no need for Executive Session.

ADJOURNMENT:

Trustee Ridder made a motion to adjourn the meeting. Trustee Bartlett seconded the motion.

All were in favor. Motion carried.

President Soto adjourned the meeting at 7:12 p.m.

Susan Janowiak
Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this ____ day, October, 2012

Village of Bensenville
CDC Room
12 South Center Street
Bensenville, Illinois 60106
Counties of DuPage and Cook

MINUTES OF THE BUDGET WORKSHOP
October 13, 2012

CALL TO ORDER: President Soto called the meeting to order at 9:11 a.m.

PRESENT: Upon roll call by Village Clerk, Susan Janowiak, the following Board Members were present:

Bartlett, Jarecki, O'Connell, Peconio, Ridder, Wessler

Absent: None

A quorum was present.

Staff Present: Caracci, Cassady, DiSanto, Kosman, Lustro, Schultz, Sloth, Thorsen, Viger, Williamsen

Village Manager, Michael Cassady, Assistant Village Manager, Dan DiSanto, and Director of Finance, Tim Sloth, presented to the Village Board the 2013 proposed budget. General discussion was held.

ADJOURNMENT: Trustee Ridder made a motion to adjourn the meeting. Trustee O'Connell seconded the motion.

All were in favor. Motion carried.

President Soto adjourned the meeting at 12:46 p.m.

Susan Janowiak
Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this _____ day, October 2012

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

MINUTES OF THE SPECIAL VILLAGE BOARD OF TRUSTEES
MEETING

October 16, 2012

CALL TO ORDER: 1. Village Clerk, Susan Janowiak, called the meeting to order at 6:00 p.m.

ROLL CALL: 2. Upon roll call by Village Clerk, Susan Janowiak, the following Board Members were present:

Bartlett, Jarecki, O'Connell, Peconio, Ridder, Wessler

Absent: President Soto

A quorum was present.

**EXECUTIVE
SESSION:**

Village Attorney, Mary Dickson, called for an Executive Session for the purpose of discussing pending, probable, or imminent litigation, acquisition of real estate property, personnel, and collective negotiating matters. No action will take place as a result of the discussions.

Motion: Trustee Ridder made a motion to adjourn the meeting and go into Executive Session. Trustee Wessler seconded the motion.

All were in favor. Motion carried.

Village Clerk, Susan Janowiak adjourned the meeting at 6:02 p.m.

Susan Janowiak
Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this ____ day, October, 2012

TYPE: Ordinance Amendment **SUBMITTED BY:** Chief Kosman **DATE:** 10-18-12

DESCRIPTION: Ordinance Amending the Village Code Creating a No Truck Parking Zone on the South Side of Foster Avenue from 766 to 768 West Foster Avenue.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input type="checkbox"/>	<i>Financially Sound Village</i>	<input type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input type="checkbox"/>	<i>Quality Customer Oriented Services</i>	<input type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input checked="" type="checkbox"/>	<i>Safe and Beautiful Village</i>	<input type="checkbox"/>	<i>Vibrant Major Corridors</i>

COMMITTEE ACTION: Public Safety passed 6-0

DATE: 10-9-12

BACKGROUND

Currently, there is 2 hour parking allowed on the north side of the 700 block of Foster Avenue. The interior of the complex on the south side of the 700 block of Foster has one driveway on the west side that is marked as the entrance and one driveway on the east side that is marked as the exit. The use of the driveways in this manner facilitates the parking and traffic flow in the complex. As depicted in the attached photos, semi-trucks sometimes park on the south side of Foster just west of the exit driveway. This blocks the view of the vehicles exiting from the driveway and causes a traffic hazard. Although no crashes have occurred because of the problem, tenants of the complex have complained about the difficulty pulling out especially when making a left hand turn. After reviewing the matter, staff recommends that truck parking be prohibited for 40 feet west of the exit driveway on the south side of the street. This will eliminate the sight problem for those vehicles exiting from the drive to Foster Avenue.

KEY ISSUES:

The area in question is designated a two hour parking zone except for the area just east of the complex in front of the fire district station just to the east. Because of the driveways for the complex and because of the businesses in the complex, trucks often park for short periods of time in the 140 foot wide area between the driveways in front of the complex. With the 40 feet of no truck parking, the safety of the motoring public would improve while trucks would still be able to park within the still available 100 feet of two hour parking zone in front of the complex.

ALTERNATIVES:

Discretion of the Board

RECOMMENDATION:

Staff recommends the ordinance amendment. At their October 16, 2012 meeting, the Public Safety Committee also recommended approval (unanimous).

BUDGET IMPACT:

None

ACTION REQUIRED:

Committee and Board pass the proposed amendment.

NO TRUCK PARKING ZONE

South Side of Foster Avenue from 766 to 768 West Foster Avenue.





ONE WAY
↓





TWO
HOUR
PARKING

ONE
WAY
↑



ORDINANCE NO.

AMENDING VILLAGE CODE
TITLE 5, TRAFFIC AND MOTOR VEHICLES
CHAPTER 2, STOPPING, STANDING OR PARKING
SECTION 5-2-13E No Truck Parking

BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of Du Page and Cook, Illinois, as follows:

SECTION ONE: Title 5, Chapter 2, Section 13E of the Village Code is hereby amended to the following (adding the underlined language):

5-2-13E: No Truck Parking:

Foster Avenue, south side, 175 feet east from centerline of Marshall Road.

Foster Avenue, south side, 230 feet to 270 feet west from the west rail of the railroad crossing.

SECTION TWO: All ordinances in conflict herewith are repealed to the extent of said conflict. This ordinance is in full force and effect from and after passage and publication according to law.

PASSED AND APPROVED BY THE President and Board of Trustees at the Village of Bensenville, this _____ day of _____, 2012.

APPROVED:

Frank Soto
Village President

ATTEST:

Susan Janowiak
Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Ordinance **SUBMITTED BY:** Corey Williamsen **DATE:** October 23, 2012

DESCRIPTION: Ordinance Amending Section 3-3-5 of the Bensenville Village Code – Liquor Regulations – to increase the number of Class E-1 liquor licenses from 4 to 5 and reduce the number of Class E-2 liquor licenses from 2 to 1.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input type="checkbox"/>	Financially Sound Village	<input type="checkbox"/>	Enrich the lives of Residents
<input checked="" type="checkbox"/>	Quality Customer Oriented Services	<input type="checkbox"/>	Major Business/Corporate Center
<input checked="" type="checkbox"/>	Safe and Beautiful Village	<input type="checkbox"/>	Vibrant Major Corridors

COMMITTEE ACTION: Public Safety (unanimous approval) DATE: 10/16/12

BACKGROUND:

Section 3-3-5-E.3 of the Bensenville Village Code limits the number of Class E-1 liquor licenses issued and outstanding to 4. Class E-1 licenses authorize the retail sale of liquor for consumption on the premises when food is offered. Mamma Maria’s, located at 438 South York Road, applied for a Class E-1 Liquor License in September 2012.

Mamma Maria’s currently has a Class E-2 license authorizing the sale of beer and wine for consumption on premise when food is offered. Mamma Maria’s was approved in December 2011 for the renewal license with no issues from the Community Development Department or the Bensenville Police Department. Mamma Maria’s currently has the same manager approved in 2011, therefore a background check and finger prints are not necessary. If approved for a Class E-1 liquor licenses, Walgreens will forfeit its current Class E-2 liquor license.

KEY ISSUES:

The current Village Code allows for no more than four (4) Class E-1 liquor licenses to be issued. Currently all four licenses are issued to the following: Jade Dragon, Two Chef’s, Cancun Mexican Restaurant, and Bella Vista Banquets. In order to issue a Class E-1 liquor licenses to Mamma Maria’s, the Village Board would have to increase the number of total licenses from 4 to 5. As a result of Mamma Maria’s forfeiting their current license, this Ordinance also reduces the number of Class E-2 licenses from 2 to 1.

ALTERNATIVES:

- Approve the Ordinance
- Deny the Ordinance
- Discretion of the Board

RECOMMENDATION:

Staff recommends approval of the Ordinance increasing the number of Class E-1 liquor licenses from 4 to 5 and reducing the number of Class E-2 liquor licenses from 2 to 1. At their October 16, 2012 meeting, the Public Safety Committee also recommended approval (unanimous).

BUDGET IMPACT:

None.

ACTION REQUIRED:

Board approval of the Ordinance increasing the number of Class E-1 liquor licenses from 4 to 5 and reducing the number of Class E2 liquor licenses from 2 to 1.

Ordinance _____

AN ORDINANCE AMENDING THE BENSENVILLE VILLAGE CODE
TITLE 3 – CHAPTER 3 – LIQUOR REGULATIONS

BE IT AND IT IS HEREBY ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, as follows:

SECTION ONE: That Section 3-3-5 of the Bensenville Village Code, entitled “License classifications; fee; number” is hereby amended by the addition of one (1) class E-1 licenses and the deletion of one (1) class E-2 license; the following language shall be inserted in lieu thereof:

“E. Classes E-1 and E-2:

- 3. There shall be no more than five (5) class E-1 licenses issued and outstanding at any one time.”

“E. Classes E-1 and E-2:

- 4. There shall be no more than one (1) class E-2 licenses issued and outstanding at any one time.”

SECTION TWO: All Resolutions and Ordinances in conflict herewith are replaced to the extent of said conflict.

SECTION THREE: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees at the Village of Bensenville, this 23rd day October, 2011.

Frank Soto, Village President

ATTEST:

Susan V. Janowiak, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Motion **SUBMITTED BY:** S. Viger **DATE:** 10.18.12

DESCRIPTION: Motion to accept the completed feasibility study for a new shared service police facility as prepared by FGM Architects, Inc., with the recommended site location of 345 E. Green Street and secondary location of the southwest corner of Jefferson Street and County Line Road

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Sound Village</i>	<input checked="" type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input checked="" type="checkbox"/>	<i>Quality Customer Oriented Services</i>	<input type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input checked="" type="checkbox"/>	<i>Safe and Beautiful Village</i>	<input checked="" type="checkbox"/>	<i>Vibrant Major Corridors</i>

COMMITTEE ACTION: Public Safety (approval 7-0)

DATE: 10.16.12

BACKGROUND:

The Village Board approved a contract with FGM Architects on 06.26.2012 to complete a feasibility study for a new shared space facility to house Bensenville Police, Emergency Management (EMA), and CP Rail Police in one location. An update of its status was presented to this Committee on 08.28.12. The study includes an evaluation of the current police facility and the ability to expand as required for the current uses, plus the addition of CP Rail Police. Along with the current facility evaluation, FGM was tasked with evaluating an alternate site within the Village for an adaptive reuse project, along with two vacant sites for a completely new building.

The second part of the study is to evaluate the specific space needs of each Department to create a list of required spaces for each. FGM has met with Bensenville Police Staff, EMA, CP Rail Police Staff (from the U.S. and Canada), Village IT Staff, and the Village internal project team, which includes the Village Manager's Office, CED, and Public Works.

With the evaluation of the current facility, multiple new locations, and space needs analysis completed, FGM has compiled all the information into one final report. Preliminary budgets have been identified for each potential site, with details of positives and negatives for each included. This study will serve as the basis for a new shared services facility in the future, if one is to be designed and constructed.

KEY ISSUES:

FGM has evaluated the following:

- Current facility size, growth potential, accessibility and safety issues, parking, etc.;
- Needs of Bensenville PD, CP Rail Police, and EMA; and
- Viability of 345 E. Green Street as an adaptive reuse project, along with two vacant sites for completely new buildings; and
- Preliminary budgets for each of the three sites.

FGM presented their findings to the Committee on 10.16.12 with the recommendation of 345 E. Green Street being the best location for the new facility. Their second preferred location was Jefferson Street and County Line Road, with the last location to construct a new facility being Main Street and Church Roads.

ALTERNATIVES:

1. Motion to accept the feasibility study and the recommendations on site locations
2. Discretion of the Board

RECOMMENDATION:

Staff respectfully requests the Board accept this feasibility study.

BUDGET IMPACT:

N/A – Any further action toward designing and constructing a new facility would come before the Board after proper budgeting and prior to commencement.

ACTION REQUIRED:

Motion to accept the feasibility study as completed by FGM Architects, Inc. with the recommendation of 345 E. Green Street being the best location for a new shared services police facility, and the southwest corner of Jefferson Street and County Line Road as the second option.

Village of Bensenville

Shared Police Facility Study

Preliminary Budget for New shared Facility with EMA and Canadian Pacific Railway Police

	Construction Cost Only		Total Base Project Budget (Construction Cost + Soft Costs)		Total Project Budget (Construction Cost + + Site Acquisition)	
	Low	High	Low	High	Low	High
345 E. Green Street Site						
New and Renovated Construction (46,000 SF)	\$11,174,100	\$12,152,800	\$13,170,899	\$14,336,617	\$13,170,899	\$14,336,617
Add EMA Garage	Included above	Included above	Included above	Included above	Included above	Included above
Add Police Squad Parking	Included above	Included above	Included above	Included above	Included above	Included above
Site Acquisition					\$1,700,000	\$1,900,000
Totals	Included above	Included above	Included above	Included above	\$14,870,899	\$16,236,617

Church Road Site

New Construction (36,000 SF)	\$10,431,750	\$11,385,000	\$12,334,070	\$13,470,775	\$12,334,070	\$13,470,775
Add EMA Garage	\$612,500	\$665,000	\$704,375	\$764,750	\$704,375	\$764,750
Add Police Squad Parking	\$1,386,000	\$1,504,800	\$1,593,900	\$1,730,520	\$1,593,900	\$1,730,520
Site Acquisition					\$750,000	\$750,000
Totals	\$12,430,250	\$13,554,800	\$14,632,345	\$15,966,045	\$15,382,345	\$16,716,045

Jefferson Street Site

New Construction (36,000 SF)	\$10,458,000	\$11,410,000	\$12,363,995	\$13,499,275	\$12,363,995	\$13,499,275
Add EMA Garage	\$612,500	\$665,000	\$704,375	\$764,750	\$704,375	\$764,750
Add Police Squad Parking	\$1,386,000	\$1,504,800	\$1,593,900	\$1,730,520	\$1,593,900	\$1,730,520
Site Acquisition					\$200,000	\$200,000
Totals	\$12,456,500	\$13,579,800	\$14,662,270	\$15,994,545	\$14,862,270	\$16,194,545

Village of Bensenville

Shared Police Facility Study-345 E. Green Street

Preliminary Budget for New shared Facility with EMA and Canadian Pacific Railway

Item	Description	SF Req'd	Unit	\$ / Unit Low Range	\$ / Unit High Range	Low Range	High Range
1.0	SHARED NEW POLICE/EMA/CP POLICE STATION						
1.1	New Construction (Includes 28' wide range)	34,560	SF	250	275	8,640,000	9,504,000
1.2	New Construction Garage Area	11,440	SF	175	190	2,002,000	2,173,600
1.3	Demolition/site clearing/remediation	1	allowance			75,000	100,000
1.4	Subtotal	46,000	SF			\$10,642,000	\$11,677,600
2.0	CONTINGENCIES, FEES AND EXPENSES						
2.3	Design/Bidding Contingency			5.0%		532,100	475,200
2.4	Subtotal					\$532,100	\$475,200
3.0	CONSTRUCTION TOTAL					\$11,174,100	\$12,152,800
4.0	OWNER'S OTHER EXPENSES (SOFT COSTS)						
4.1	Items Purchased by Owner						
4.2	Furniture and Furnishings		allowance			225,000	250,000
4.3	Equipment (Computers, Radio Boosters, Fitness, Copiers)		allowance			125,000	150,000
4.4	Fees and Soft Costs						
4.5	Architectural/Engineering Compensation		estimated			1,005,669	1,093,752
4.6	Surveys and Soils Investigations		allowance			5,000	5,000
4.6	Soil / Material Testing (Code Required)		allowance			8,000	8,000
4.7	Printing & Misc. Expenses		allowance			3,500	3,500
4.8	Permits		allowance			12,000	12,000
4.9	Utility Company Charge (Electric, gas)		allowance			25,000	25,000
4.11	Moving Costs		allowance			10,000	10,000
4.12	Utility Costs During Construction		allowance			15,000	15,000
4.13	Contingency for additional Owner's Expenses		5.0%			3,925	3,925
4.14	Owner's Construction Change Order Contingency		5.0%			558,705	607,640
4.15	Subtotal					\$1,996,799	\$2,183,817
5.0	TOTAL BASE PROJECT BUDGET					\$13,170,899	\$14,336,617
6.0	Additional Space Considerations						
6.1	EMA Indoor Parking Garage					Included in building	Included in building
6.2	Indoor Squad Parking Area					Included in building	Included in building
	Additional Soft Costs					0	0
6.3	Subtotal					\$0	\$0
7.0	Site Acquisition Costs						
7.1	Site Acquisition	1	allowance			1,700,000	1,900,000
7.2	Subtotal					\$1,700,000	\$1,900,000
8.0	TOTAL PROJECT + SITE + ADDITIONAL SPACES BUDGET					\$14,870,899	\$16,236,617

The budget for this project is based on historical information. Many assumptions were made in order to establish pricing for the work as shown. These costs may vary significantly as the design is more fully developed. Also, market conditions, including labor and material cost escalation, at the time the project is bid will impact the pricing.

Village of Bensenville

Shared Police Facility Study-Jefferson & County Line Road Site

October 16, 2012

Preliminary Budget for New shared Facility with EMA and Canadian Pacific Railway

FGM #: 12-1498.01

Item	Description	SF Req'd	Unit	\$ / Unit Low Range	\$ / Unit High Range	Low Range	High Range
1.0	SHARED NEW POLICE/EMA/CP POLICE STATION						
1.1	New Construction (Includes 28' wide range)	36,000	SF	275	300	9,900,000	10,800,000
1.2	Demolition/Site clearing/remediation	1	allowance			60,000	70,000
1.3	Subtotal					\$9,960,000	\$10,870,000
2.0	CONTINGENCIES, FEES AND EXPENSES						
2.3	Design/Bidding Contingency			5.0%		498,000	540,000
2.4	Subtotal					\$498,000	\$540,000
3.0	CONSTRUCTION TOTAL					\$10,458,000	\$11,410,000
4.0	OWNER'S OTHER EXPENSES (SOFT COSTS)						
4.1	Items Purchased by Owner						
4.2	Furniture and Furnishings		allowance			225,000	250,000
4.3	Equipment (Computers, Radio Boosters, Fitness, Copiers)		allowance			125,000	150,000
4.4	Fees and Soft Costs						
4.5	Architectural/Engineering Compensation		estimated			941,220	1,026,900
4.6	Surveys and Soils Investigations		allowance			10,000	10,000
4.6	Soil / Material Testing (Code Required)		allowance			12,000	12,000
4.7	Printing & Misc. Expenses		allowance			3,500	3,500
4.8	Permits		allowance			12,000	12,000
4.9	Utility Company Charge (Electric, gas)		allowance			25,000	25,000
4.11	Moving Costs		allowance			10,000	10,000
4.12	Utility Costs During Construction		allowance			15,000	15,000
4.13	Contingency for additional Owner's Expenses			5.0%		4,375	4,375
4.14	Owner's Construction Change Order Contingency			5.0%		522,900	570,500
4.15	Subtotal					\$1,905,995	\$2,089,275
5.0	TOTAL BASE PROJECT BUDGET					\$12,363,995	\$13,499,275
6.0	Additional Space Considerations						
6.1	EMA Indoor Parking Garage	3,500	sf	175	190	612,500	665,000
6.2	Indoor Squad Parking Area	7,920	sf	175	190	1,386,000	1,504,800
	Additional Soft Costs	1	allowance			299,775	325,470
6.3	Subtotal					\$2,298,275	\$2,495,270
7.0	Site Acquisition Costs						
7.1	Site Acquisition	1	allowance			200,000	200,000
7.2	Subtotal					\$200,000	\$200,000
8.0	TOTAL PROJECT BUDGET					\$14,862,270	\$16,194,545

The budget for this project is based on historical information. Many assumptions were made in order to establish pricing for the work as shown. These costs may vary significantly as the design is more fully developed. Also, market conditions, including labor and material cost escalation, at the time the project is bid will impact the pricing.

Village of Bensenville

Shared Police Facility Study-Church Road & Main St. Site

Preliminary Budget for New shared Facility with EMA and Canadian Pacific Railway

Item	Description	SF Req'd	Unit	\$ / Unit Low Range	\$ / Unit High Range	Low Range	High Range
1.0	SHARED NEW POLICE/EMA/CP POLICE STATION						
1.1	New Construction (Includes 28' wide range)	36,000	SF	275	300	9,900,000	10,800,000
1.2	Demolition/site clearing/remediation	1	allowance			35,000	45,000
1.3	Subtotal					\$9,935,000	\$10,845,000
2.0	CONTINGENCIES, FEES AND EXPENSES						
2.3	Design/Bidding Contingency			5.0%		496,750	540,000
2.4	Subtotal					\$496,750	\$540,000
3.0	CONSTRUCTION TOTAL					\$10,431,750	\$11,385,000
4.0	OWNER'S OTHER EXPENSES (SOFT COSTS)						
4.1	Items Purchased by Owner						
4.2	Furniture and Furnishings		allowance			225,000	250,000
4.3	Equipment (Computers, Radio Boosters, Fitness, Copiers)		allowance			125,000	150,000
4.4	Fees and Soft Costs						
4.5	Architectural/Engineering Compensation		estimated			938,858	1,024,650
4.6	Surveys and Soils Investigations		allowance			10,000	10,000
4.6	Soil / Material Testing (Code Required)		allowance			12,000	12,000
4.7	Printing & Misc. Expenses		allowance			3,500	3,500
4.8	Permits		allowance			12,000	12,000
4.9	Utility Company Charge (Electric, gas)		allowance			25,000	25,000
4.11	Moving Costs		allowance			10,000	10,000
4.12	Utility Costs During Construction		allowance			15,000	15,000
4.13	Contingency for additional Owner's Expenses			5.0%		4,375	4,375
4.14	Owner's Construction Change Order Contingency			5.0%		521,588	569,250
4.15	Subtotal					\$1,902,320	\$2,085,775
5.0	TOTAL BASE PROJECT BUDGET					\$12,334,070	\$13,470,775
6.0	Additional Space Considerations						
6.1	EMA Indoor Parking Garage	3,500	sf	175	190	612,500	665,000
6.2	Indoor Squad Parking Area	7,920	sf	175	190	1,386,000	1,504,800
	Additional Soft Costs	1	allowance			299,775	325,470
6.3	Subtotal					\$2,298,275	\$2,495,270
7.0	Site Acquisition Costs						
7.1	Site Acquisition	1	allowance			750,000	750,000
7.2	Subtotal					\$750,000	\$750,000
8.0	TOTAL PROJECT BUDGET					\$15,382,345	\$16,716,045

The budget for this project is based on historical information. Many assumptions were made in order to establish pricing for the work as shown. These costs may vary significantly as the design is more fully developed. Also, market conditions, including labor and material cost escalation, at the time the project is bid will impact the pricing.

BENSENVILLE / CP RAILWAY POLICE SPACE NEEDS AND FEASIBILITY STUDY FOR A SHARED FACILITY



Village of Bensenville

Space Needs and Feasibility Study

SUBMITTED TO:

Village of Bensenville
12 S. Center Street
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FGM # 12-1498.01

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SECTION A
Executive Summary
And Process

Introduction

In July 2012, FGM Architects was commissioned to provide a Space Needs and Feasibility Study for the Bensenville Police Department, Canadian Pacific Railway Police (CP) and the Village's Emergency Management Agency (EMA) shared services facility.

The purpose of the study includes the following:

- Identify the best solution for a new shared police facility that will meet the needs and financial capabilities of the Village and CP.
- Provide the necessary information required to design and obtain funding for construction for the police facility.
- Offer a recommendation based on the information that the Village has shared with FGM.

Overview of Study Process

FGM obtained data for the space needs analysis through a series of interviews and discussions with the Bensenville Police Department, CP and EMA to gain insight into specific needs of each department. For the Police Department, interviews were conducted with Chief Kosman, Deputy Chief Lustro and many staff members. For CP and EMA, Deputy Chief Ray Holman of the CP Railway Police and Don Shultz of the EMA Department provided information for their respective departments. Prior to the interviews, FGM provided a Program Questionnaires as an aid to identify potential needs. FGM toured the existing facilities of each department to gain further insight into the space needs requirements. All information was gathered and then summarized into a projection of space requirements, called a Program Statement. The Program Statements were then reviewed with the Village Building Committee Team and revised as necessary. The attached Program Statements of this report is the final product of the space needs analysis portion of the study.

Space Needs Summary

The following is a summary of space needs for each of the departments studied.

Stand alone facility Space Needs:

Bensenville Police Base Building: (no range, no indoor parking)	26,151 sq.ft.
20' wide firing range	3,750 sq.ft.
28' wide firing range	4,500 sq.ft.
Indoor Parking	7,920 sq.ft.
 CP Railway Police:	 5,200 sq.ft.
 EMA Base Building: (no vehicle storage)	 3,860 sq.ft.
EMA Vehicle Storage	<u>4,070 sq.ft.</u>
Total	7,930 sq.ft.

In a combined building, there are significant space savings that can occur if areas can be shared. For example, if we assume that a shared facility consists of the following components individually:

Bensenville Police Station with 28' Wide Firing Range	30,651 sq.ft.
CP Railway Police	5,200 sq.ft.
EMA including vehicle storage	<u>7,930 sq.ft.</u>
Total Space Required for Combined Facility:	41,494 sq.ft.

This represents a reduction of 2,287 sq.ft. or a space reduction of over 5% than if the all the departments were built individually.

See Section D – Space Needs Programs for detailed information.

While this study was performed in a very collaborative manner with the staff of each department, FGM consistently challenged space requests and operating assumptions to ensure that the recommended space size allotments reflect accurate and realistic operating necessities.

Existing Conditions Analysis/Test Fit Summary

As part of this study, FGM provided existing conditions analysis, reviewed sites to see if a joint facility could fit, and provided test fits for sites with potential.

Existing Bensenville Police Station

As part of this study, FGM is to review the existing Bensenville Police Station to see if the building can be utilized for the shared facility. Our findings show the site cannot support the expanding Police Department's needs, nor can it support the shared facilities needs. The site already cannot accommodate the parking needs of the Police Department and placing a larger building with greater parking needs in the future simply will not fit.

345 E. Green Street site

For this site, FGM reviewed the existing building for the feasibility to potentially convert/renovate the building into the shared police facility. Our findings are as follows:

- The building is approximately 46,000 sq.ft in size which will accommodate for the programmatic functions of each department
- The site can support the needs of each department in a shared facility.
- The building can be converted for use into a Police station with the understanding that it cannot withstand seismic forces required by modern building codes.
- There are potential environmental issues.
- This property has the highest acquisition costs.

Jefferson and County Line Road site

For this site, FGM performed a "Test Fit" to see if a joint facility can be accommodated on this site. The following are our findings:

- The site can support the needs of each department in a new shared facility.
- The community would be losing park space and a skate park.
- This property has the lowest site acquisition costs as the Village owns most of the necessary property.

Church and Main St. site

This is another site that FGM performed a "Test Fit" to see if a joint facility can be accommodated on this site. The following are our findings:

- The site can support the needs of each department in a new shared facility.
- The community would be losing a baseball field and open space
- Property acquisition will be through the Park District who is the current Owner.

It is apparent through this study that the Village has several viable options for providing a shared facility for the Bensenville Police Department, CP and EMA. Each site has unique pros and cons. Refer to Section F for more information.

Budget Summary

As part of this study, FGM has provided conceptual budgets for each of the three viable sites for consideration.

The budgets include:

- Cost of Construction
- Furnishings and Equipment costs
- Fees and other soft costs
- Anticipated site acquisition costs for each option.

For more details, see section H

Site	Low	High
345 E. Green Street	\$14,870,899	\$16,236,617
Jefferson and County Line Road	\$14,862,270	\$16,194,545
Church and Main St.	\$15,382,345	\$16,716,045

Recommendation

FGM is offering a recommendation based on the information that the Village has shared through various discussions. Of prime consideration is the question of "which is the best solution for a new shared police facility that will meet the needs and financial capabilities of the Village and CP?"

We recommend the Village pursue the 345 E Green Street site option. The reasons for this are as follows:

- The solution costs about the same as a new building at Jefferson and

- County Line Road, but incorporates 10,000 more square feet of space.
- New building solutions at Jefferson and County Line Road and Church and Main Street do not provide indoor parking space for the Bensenville Police Department or EMA. Utilizing 345 E. Green Street will allow for indoor parking.
 - The site location works the best for both Bensenville Police and CP Railway Police. It is very centrally located within the Village and new the CP Rail Yards.
 - Utilizing the existing building at 345 E Green will remove a "blighted" building and help to spur development along Green Street.

If the Village decides to proceed with this project and with a starting date for design beginning in February 2013, the project can be completed and open for service in July of 2015.

This needs assessment is to be utilized as a starting point and is intended to provide the Village of Bensenville with the necessary data to make an informed decision on which direction they should take to best provide for their long-term facility needs. It is in no way intended to finalize the design or budget of the final facility.

Once a direction is selected and the space needs approved, FGM Architects is prepared to assist with the implementation process.

SECTION B
Project Understanding

FGM was commissioned by the Village of Bensenville to perform a space needs and feasibility study for a shared facility for the Bensenville Police Department, Canadian Pacific Railway Police (CP) and the Village's Emergency Management Agency (EMA).

The purpose of the study includes the following:

- Identify the best solution for a new shared police facility that will meet the needs and financial capabilities of the Village and CP.
- Provide the necessary information required to design and obtain funding for construction for the police facility.
- Offer a recommendation based on the information that the Village has shared with FGM.

The study includes:

- Reviewing the operations of the Bensenville Police Department, CP and EMA; project their space needs into the future (20 – 30 years).
- Review the existing Bensenville Police Station to see if the building can be utilized for the shared facility.
- Review an existing building in Bensenville for the feasibility for a potential conversion/renovation into the shared facility.
- Analyze two potential sites and perform a "Test Fit" to see if a joint facility can be accommodated on the sites.
- Develop project budgets for each feasible option.

Methodology**Analysis of Space Needs**

FGM obtained data for the space needs analysis through a series of interviews and discussions with the Bensenville Police Department, CP and EMA to gain insight into specific needs of each department. For the Police Department, interviews were conducted with Chief Kosman, Deputy Chief Lusto and many staff members. For CP and EMA, Deputy Chief Ray Holman of the CP Railway Police and Don Shultz of the EMA Department provided information for their respective departments. Prior to the interviews, FGM provided a Program Questionnaire as an aid to identify potential needs. FGM toured the existing facilities of each department to gain further insight into the space needs requirements. All information was gathered and then summarized into a projection of space requirements, called a Program Statement. The Program Statements were then reviewed with the Village Building Committee Team and revised as necessary. The attached Program Statements of this report is the final product of the space needs analysis portion of the study.

Analysis of Existing Police Station

As part of this study, FGM reviewed the existing Police Station for possible re-use/conversion into a joint facility. FGM team members toured the existing building in-depth, reviewed existing site conditions, and reviewed existing drawings. The FGM design team then made an assessment of the feasibility of re-using the existing building.

SECTION B

Project Understanding

Analysis of Existing Building for Potential Conversion

FGM and our structural engineering consultant reviewed condition of the existing building located at 345 E. Green Street. Any existing documentation was reviewed, including environmental reports. Limited field measurements were made and the FGM design team then made an assessment of the feasibility of converting the existing building to a shared use facility.

Budgeting Methodology

For budgeting methodology, FGM has an extensive database of cost information and used cost per square foot estimates for the conceptual budgets. As no actual design work has been performed, a budget range is provided for construction costs as well as a Total Project Budget.

SECTION C
Analysis of Space Needs**Summary of Analysis****Preface**

The Village of Bensenville commissioned FGM Architects to provide a space needs and feasibility study to identify long-term needs and cost estimates to solve long term needs for the Bensenville Police Department, CP Railway Police and EMA. The intent is to provide enough data to the Village so it can plan for future needs.

For over 20 years, FGM Architects has provided consulting and architectural design services to police department and has worked with over 45 police agencies, often on multiple projects. FGM brings a vast amount of knowledge and understanding to this project through previous experience but understands that each agency brings its own unique challenges and goals. Therefore, there is no cookie-cutter project or client.

FGM strives to research and understand the challenges the Village of Bensenville and CP faces in services and operations. The potential implications of growth, demographics, and financial resources all have to all be considered.

Bensenville Police Department

The total staff of the Bensenville Police Department is currently consists of 41 full time employees and 1 part time employee which is supplemented by 1,385 part time Police Officer hours and 2,796 part time Police Assistant hours. Potential growth of the department may be experienced in the future with the redevelopment of areas due to the O'Hare Airport expansion and redevelopment of downtown areas. The potential growth of the department includes an additional 8 Patrol Officers, 2 Investigators and 2-3 Crime Prevention/Analyst positions. This growth represents approximately 32% growth potential for the department. This growth has been factored into the space need analysis.

The potential grown is consistent with projected population projections for growth by the Village which has the Village's population growing from 18,352 to 25,000. The projections indicate an approximate 36% growth for the Village.

The space needs analysis identifies that 26,151 square feet of space is required for the Police Station building, not including a firing range or any indoor parking. The current Police Station occupies approximately 14,000 square feet which is also shared shared with EMA. In comparing the required needs versus the current space provided, there is a severe shortage of space, as the space needs show that over 87% more space is required. If a range were factored in, the increase would be even greater.

When comparing the new space needs requirements to the existing

building's size, the question that must be answered is, "Why the additional space?" Many factors contribute to the need for additional space and the major points are as follows:

- The Village has grown significantly since the Police Department first moved into the building in 1971.
- Key spaces were not designed well, are inadequate, or not provided.
- Police operations have changed since the original 1971 and now require more space.

Each of these topics will be explored briefly in the following section.

The Village has grown significantly since the Police Department first moved into the building in 1971.

When the Bensenville Police Department first moved into the current Police Station in 1971, the total staff was approximately 25. The current total staff is 42 (full and part time employees). That represents approximately a 70% increase in staff over the last 41 years. While it was likely that the station at that time met the needs of the Police Department, it no longer does.

Examples of key spaces were not designed well, are inadequate, or currently do not exist:

Sallyport/Prisoner Transfer

There are several examples of where spaces were not designed well, but the most significant would be how prisoners are brought into the building. In a simplified manner, the typical sequence would be for the arresting officer to drive the prisoner into a secure garage, called a Sallyport, place their gun in a secure locker, then have the prisoner exit the vehicle and escort the prisoner into a secure prisoner processing area. From there, the prisoner would be processed, interviewed, released or locked up.

The current police station does not have a Sallyport. An officer transfers a prisoner from their vehicle, up two sets of stairs, and then down a common corridor to the processing area. The current procedure is dangerous for the arresting officer, the prisoner and potentially other employees in the building as there are fall, tripping and security hazards. The processing area itself is very small and does not allow sufficient room for an officer to maneuver if a prisoner becomes unruly. The entries into the processing area are barred doors. While very secure, they provide a place a prisoner can grip onto. In modern lockup design, the door would be a smooth solid door free of gripping areas except for the door handle.

Holding Cells

The Cell do not meet current standards. Modern cells have wide access corridors to prevent prisoners outstretching their arms and "pinning" themselves against the walls making it difficult to place prisoners into a cell. The cells also have barred doors. While very secure, they provide a

place a prisoner can grip onto or potentially harm themselves. In modern lockup design, the door would be a smooth solid door free of gripping areas. We have also been informed by Police staff that the current number of cells is inadequate are full frequently causing officers to decide at a crime scene "who to arrest".

Report Rooms

Report Rooms are inadequate in location, design and quantity. The location of the rooms allows visitors to gain access into areas of the Police Station that should be secure. The design of the interview rooms allows for little privacy. The quantity often forces officers to take reports in other office areas, sometimes talking about sensitive information within earshot of others.

Locker Rooms

The locker rooms are inadequate in size and number of lockers provided. The female locker room is a converted toilet room. Modern police lockers provide adequate storage for weapon, duty equipment and also include outlets for charging electronic equipment.

Workspace Size

There are many examples throughout the building of workspaces being very small and congested. A good example of a group workspace that is cramped would be in investigations. The general investigators work area has desks that are very small and the overall space is tight and cramped.

Necessary Police Spaces That Do Not Currently Exist

During the space needs study, it became apparent that many typical and necessary police spaces currently are not provided in the building. These spaces are very typical of a modern police station and some of them can be considered essential to police operations. Examples include:

A **Sallyport** is a very important space that allows an officer to securely transfer a prisoner from a vehicle to the prisoner processing area.

A separated **Bond-Out Room** is an important and typical space that should be provided. Locating the Bond Out area with a separate outside access adjacent to the lock up area and away from public spaces reduces the chance for conflicts between victims or witnesses and detainees or the persons bonding them out. This arrangement is safer for the public and the Police staff.

An **Evidence Garage** should be provided for processing vehicles during a criminal investigation. This space is a secure space to allow evidence technicians to properly go through a vehicle and secure it as evidence.

Police operations have changed since 1971 and now require more space. The changes to evidence and record keeping requirements are examples

of how changes in police operations now require more space. The regulations for evidence and record keeping are constantly being refined and revised by Federal and State governments. In general these changes typically have been to require more extensive and demanding maintenance of both evidence and records. For instance, in 2004, the Federal Government changed the statutes to require any evidence from a murder case to be kept "forever". Likewise it is now required to keep copies of video recordings from dash mounted cameras of squad cars as well as recordings of any interrogations or questioning of persons during an investigation. While digital recording technology has changed storage needs, it has created new ones too. We now provide video rooms for the housing the recording equipment and also to allow for an operator to monitor the recordings. Of course other aspects of police operations have changed as well with patrol officers now carrying an array of equipment that would have never been dreamed of in 1971. This would include items such as laptop computers, defibrillators and tactical gear.

In the future, we expect to see further changes in evidence technician work and computer investigations and forensics. While many changes are still evolving, we do see the need to provide space for potential new functions. In the case of evidence technician work, the courts are relying more heavily on scientific evidence. For computer investigations and forensics, we can assume more and more computer crime will take place.

Police Department Summary

To summarize the findings of the space needs analysis, the existing portions of the building the Police Department occupies is significantly short of space compared to what would be expected for a police department operation of Bensenville's size. Many of the existing spaces were not designed well or inadequate causing them to be functionally unproductive. In addition, many typical and necessary spaces are not provided. The current shortage in space affects the operational efficiency of the entire department. At this time, the building is dictating the way many police functions are performed instead of enhancing their operations.

Canadian Pacific Railway Police

The total staff of the CP Railway Police located in Bensenville is currently consists of 8 full time employees. Potential growth of the department will increase the staff size to 15 full time employees. CP Railway Police is modeling their space needs from a similar shared facility in Port Moody, British Columbia, Canada and their total space needs is 5,200 square feet in size.

While the needs of the CP are relatively modest, their operations will be enhanced by the potential use of Bensenville Police Department spaces such as the training room, interview rooms and firing range.

Bensenville Emergency Management Agency (EMA)

EMA has a relatively new organizational structure. The Department at this time consists of a full time Director and between 8 volunteers. It is expected that over time, 1-2 additional staff members may be required and the number of volunteers may grow up to 30.

The Department is currently located in the Police Station and utilizes the existing Training Room as an EOC (emergency operations center). EMA also has a vehicle/equipment storage building located on Jefferson Street that is approximately 4,000 square feet in size. The Department has added more equipment to support the services they provide and additional storage space will be necessary. Some of the equipment may be able to be stored outdoors, but much will require secure, heated space.

The needs of EMA have been identified and will require 3,869 square feet of office, emergency operations space, and equipment storage and 4,070 square feet of indoor vehicle/equipment trailer storage.

Shared Facility

There are many areas that can be shared between the Bensenville Police Department, CP and EMA. The spaces range from public spaces to building support rooms. Spaces include:

Public Access Rooms

- Lobby
- Vestibule
- Public Restrooms
- Report Writing Rooms
- Meeting Room/EOC/Multi-Purpose Room

Shared Common Area Spaces:

- Copy Room
- Library
- Lunch/Break Room
- Fitness Room

Shared Police Function Areas:

- Firing Range and Support Spaces
- Lockup/Detention Spaces
- Sallyport

Shared Building Support Areas

- Mechanical Room
- Electrical Room

In a combined building, there are significant space savings that can occur if areas can be shared. For example, if we assume that a shared facility consists of the following components individually:

Bensenville Police Station with 28' Wide Firing Range	30,651 sq.ft.
CP Railway Police	5,200 sq.ft.
EMA including vehicle storage	<u>7,930 sq.ft.</u>
Total Space Required if Built Individually:	43,781 sq.ft.
Total Space Required if Combined Facility:	41,494 sq.ft.

This represents a reduction of 2,287 sq.ft. or a space reduction of over 5% than if the all the departments were built individually.

See Section D – Space Needs Programs for detailed information.

SECTION D
Space Needs Programs

Space Needs Programs

The following is a summary of space needs for each of the options studied. There are versions for the stand alone Bensenville Police Station, stand alone Canadian Pacific Rail Police, Bensenville EMA, as well as the combined facility. In addition, there are options for different size ranges and indoor parking.

For more detailed information, see the Space Needs Program Statements for each option in the Appendix.

Space Needs Summary

The following is a summary of space needs for each of the departments studied.

Stand alone facility Space Needs:

Bensenville Police Base Building: (no range, no indoor parking)	26,151 sq.ft.
20' wide firing range	3,750 sq.ft.
28' wide firing range	4,500 sq.ft.
Indoor Parking	7,920 sq.ft.
CP Railway Police:	5,200 sq.ft.
EMA Base Building: (no vehicle storage)	3,860 sq.ft.
EMA Vehicle Storage	<u>4,070 sq.ft.</u>
Total	7,930 sq.ft.

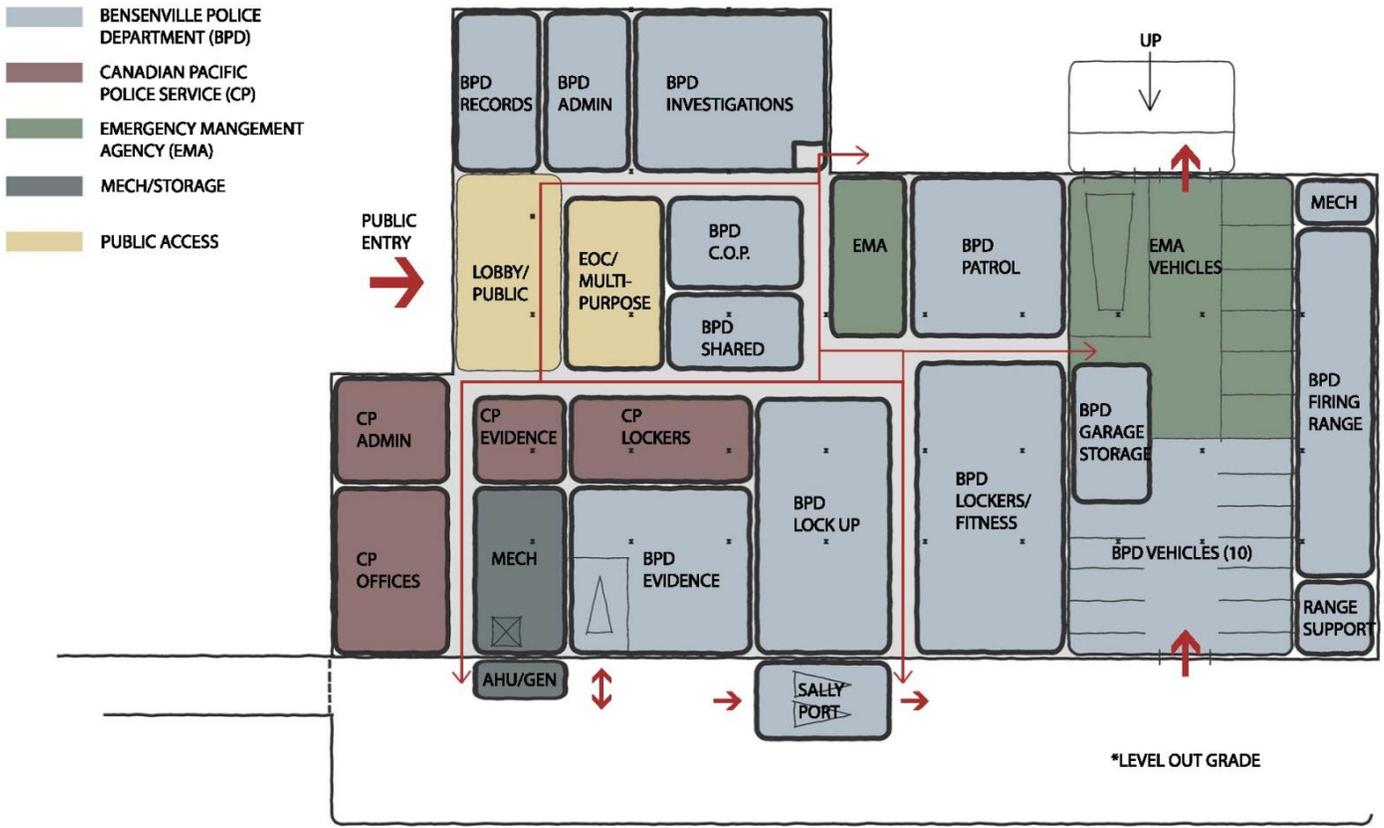
In a combined building, there are significant space savings that can occur if areas can be shared. For example, if we assume that a shared facility consists of the following components:

Bensenville Police Station with 28' Wide Firing Range CP Railway Police EMA including vehicle storage	
Total Space Required for Combined Facility:	41,494 sq.ft.

SECTION E

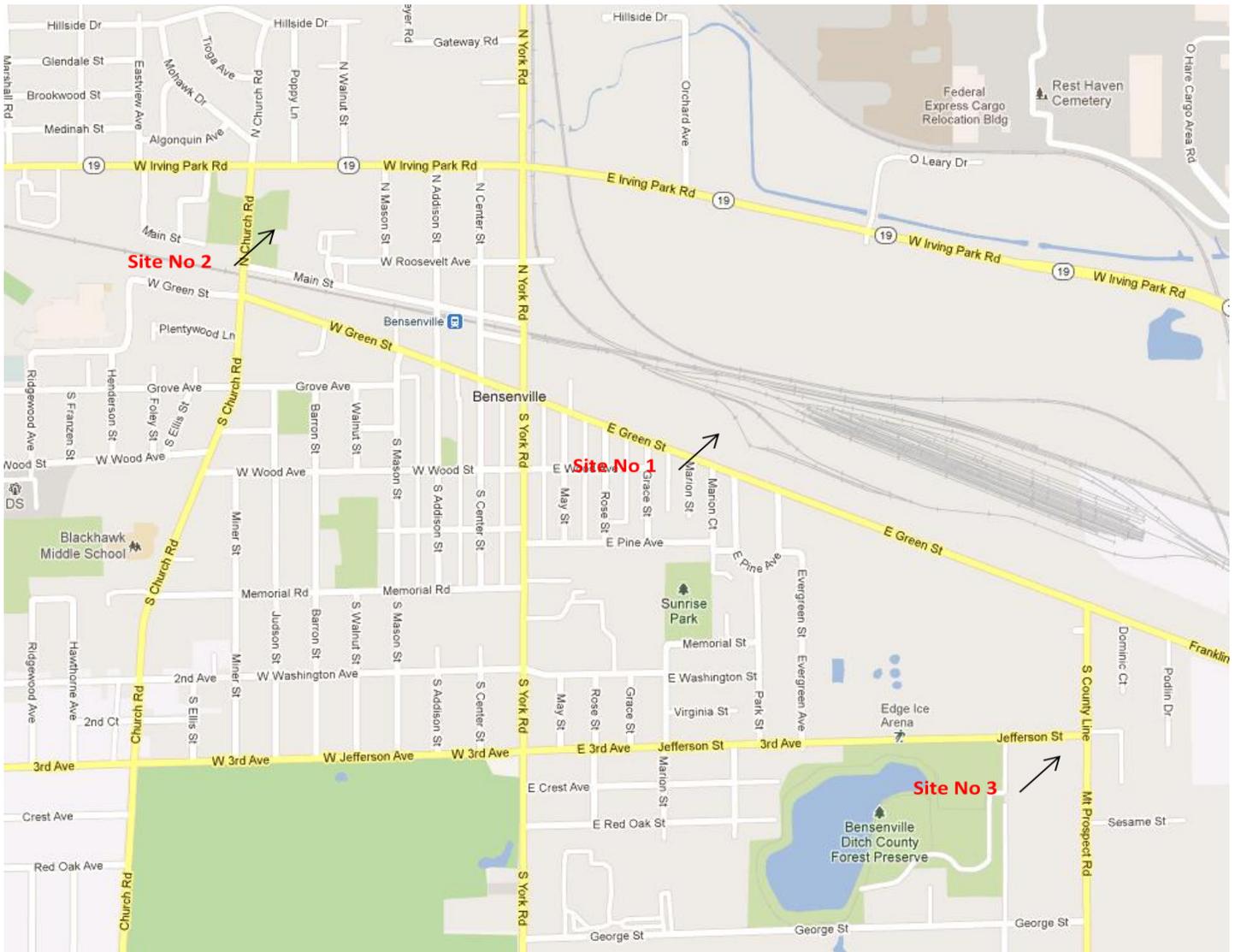
Space Relationships
& Adjacency Diagrams

Shared Facility Design



SECTION F
Existing Conditions Analysis
& Test Fit

Map of Bensenville indicating the three site locations reviewed:



SECTION F

Existing Conditions Analysis & Test Fit



Existing Conditions of Bensenville Police Station:

The existing Bensenville Police Department building and site were analyzed to verify the condition of the building and the ability of that site to accommodate the shared facility with EMA and Canadian Pacific Railway Police.

The site cannot support the expanding Police Department's needs, nor can it support the shared facilities needs.

The Pros of the existing facility are:

- The Village owns the facility
- Good location in the Village
- Residents are familiar with the location.

The Cons of the facility are:

- The current building is only 14,000 square feet. The needs of the Department and shared facilities needs far exceed this square footage.
- Limited Space on site. The site has no room for a building expansion and a parking expansion, nor stormwater detention.
- Close proximity to railroad tracks pose safety and disruption in operations concern.
- Officer safety and prisoner transfer issues. The building does not have secure parking lot, has prisoner movement within officer zones and most important, has stairs by which the officers transport prisoners in the building.
- The evidence processing area is not efficient and doubles as a storage room due to lack of space.
- The lockup requires significant upgrades, such as IDOC compliant doors, proper sight and sound separation.
- ADA issues. The lift at the main entry provides minimal access to the building. The staff does not have adequate access to their areas. The existing toilets and door handles to not all meet ADA.
- These issues would increase the difficulty achieving CALEA certification.

SECTION F

Existing Conditions Analysis & Test Fit



Analysis of 345 E. Green Street:

The existing 345 E. Green Street building and site were analyzed to verify the condition of the building and the ability of that site to accommodate the shared facility with EMA and Canadian Pacific Railway Police. The site can support the expanding Police Department's needs and shared facilities needs. The site was visited several times, including a visit with our structural engineer, who determined that the shell was in good condition. There are locations where the roofing is in bad decay, and must be replaced.

The Pros of the existing building are:

- Good location in the Village
- Good access to site from Green Street
- Site is large enough for space and parking needs
- Adjacent to Canadian Pacific site
- Building shell is in good condition
- Addresses 'blighted' building in the Village



The Cons of the building are:

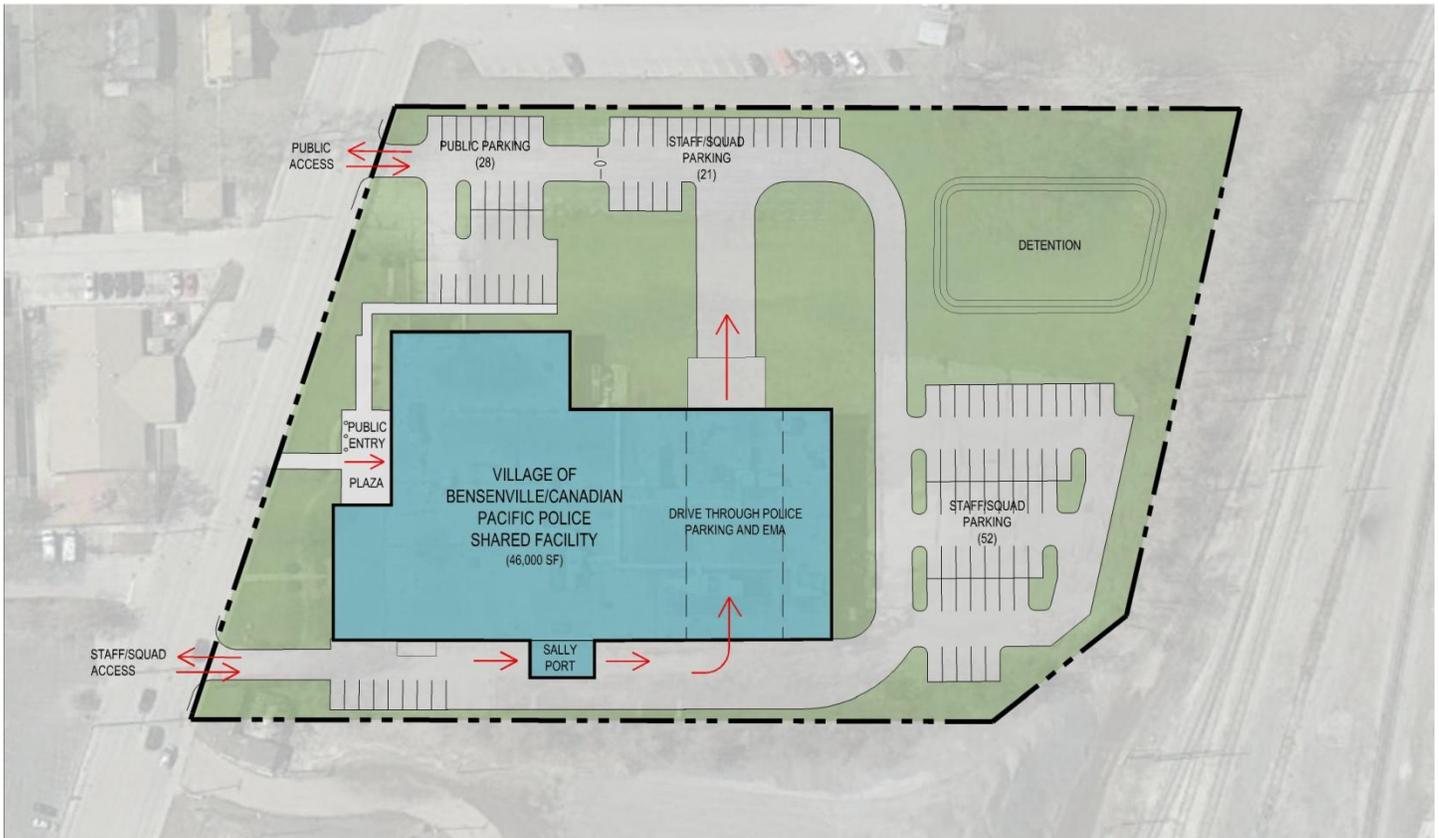
- Village does not own the building
- There is a change in grade across the site
- East drive is very narrow
- Close proximity to train tracks and expressway extension
- Takes a property off the tax rolls
- Building is not seismic rated
- Need to replace structural roof deck



SECTION F

Test Fit

345 E. Green Site-Scheme A



SECTION F

**Existing Conditions Analysis
& Test Fit**



Analysis of Church and Main Site:

The Church and Main Street site was reviewed and analyzed for the ability of that site to accommodate the shared facility with EMA and Canadian Pacific Railway Police.

The site can support the expanding Police Department's needs and shared facilities base building needs. There would not be enough room on the site for the building to accommodate indoor parking area for the Police or EMA. The site offers an existing parking lot that is in good condition as well as an established detention pond. The building would need to take these items into consideration.

The Pros of the Site are:

- Good location in the Village
- Good access to streets
- Site is large enough for space and parking needs
- Location familiar to residents



The Cons of the Site are:

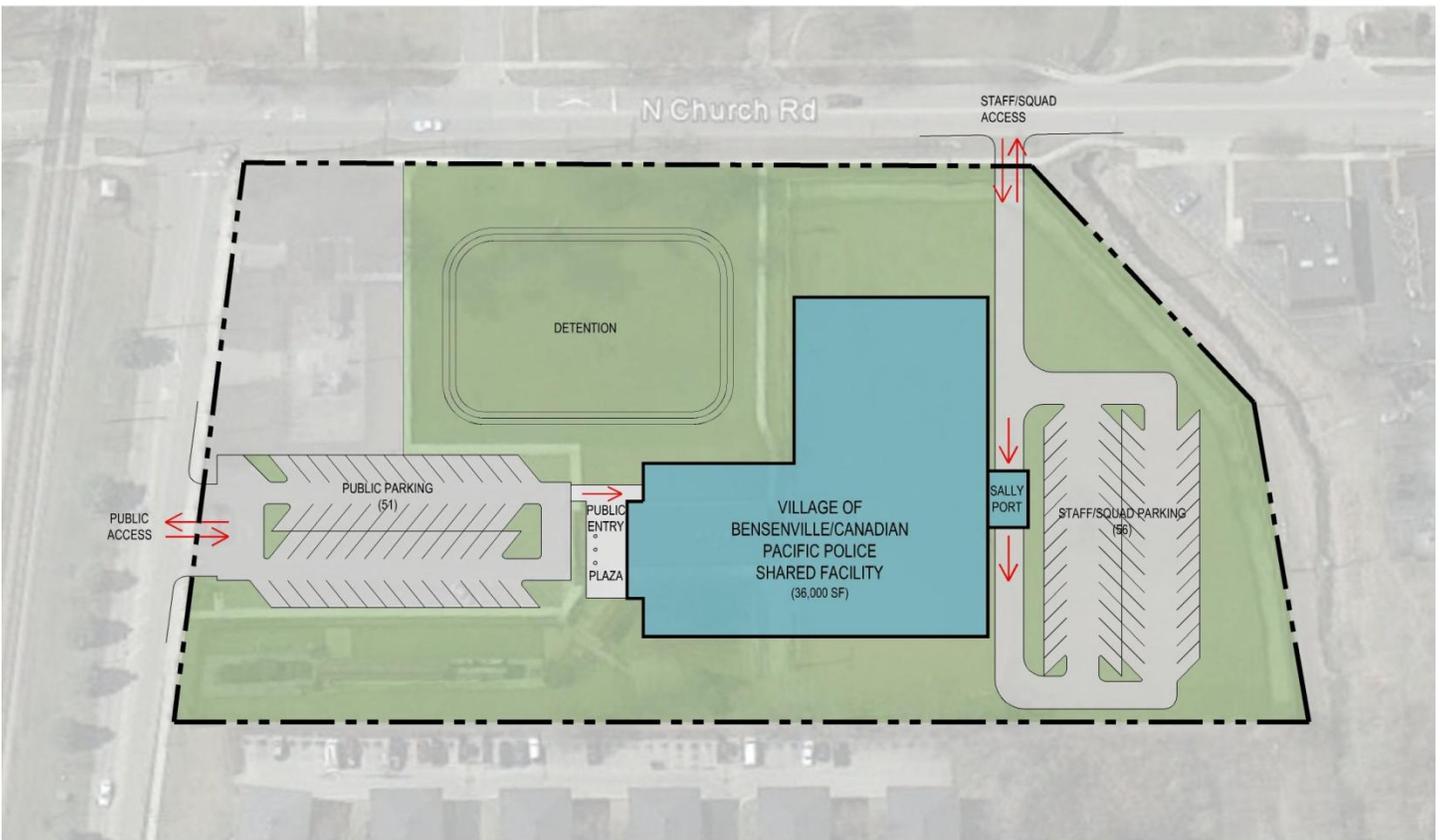
- Two buildings to demolish
- Need to relocate existing train display
- Loss of park and recreation space



SECTION F

Test Fit

Church Road and Main St. Site



SECTION F

Existing Conditions Analysis & Test Fit

Analysis of Jefferson and County Line Site:



The Jefferson and County Line Road site was reviewed and analyzed for the ability of that site to accommodate the shared facility with EMA and Canadian Pacific Railway Police.

The site can support the expanding Police Department's needs and shared facilities needs. There is an existing detention pond that can be expanded to meet the needs for the site. There are some site costs that would be factored in, such as removal of many larger caliper trees and removal of the concrete skate park. This site is on a residential street, and therefore, there is some concern about the quantity and pace of squad cars on that road.

The Pros of the Site are:

- Good location in the Village
- Site is large enough for space and parking needs
- Close to existing EMA garage
- Close to Village Public Works
- Removes vacant blighted lot in Village
- Easy access to rail yards



The Cons of the Site are:

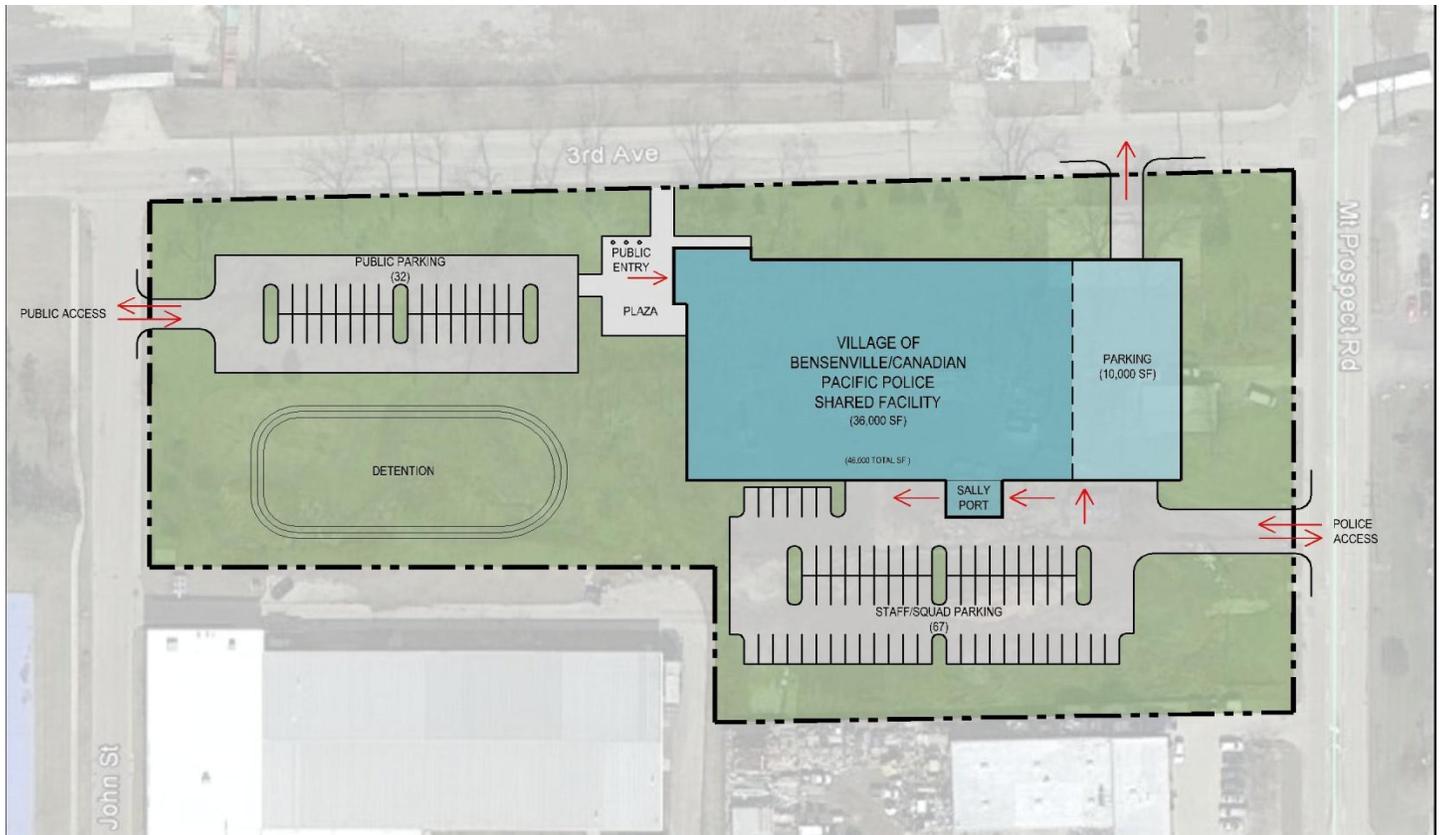
- Large concrete skatepark and other items to demolish
- Many trees to remove on site
- Existing detention pond to relocate
- Takes away a redevelopment opportunity
- Impact to residential neighborhood
- Existing water main to coordinate



SECTION F

Test Fit

Jefferson St. and County Line Road Site



SECTION G
Project Timeline

Project Timeline

Based upon our experience designing similar Police Station projects, we feel the appropriate amount of time to allow for the process is as follows:

Project Milestone	Dates	Duration
Land Acquisition/ Canadian Pacific Negotiations	November 2012- January 2013	Assume 3-4 Months
Board Approval of Architectural Contract	Assume February 2013	
Schematic Design Phase	February 2013	3 Months
SD Board Approval	Mid-April 2013	
Design Development Phase	May 2013	3 Months
DD Board Approval	Mid-July 2013	
Construction Documents Phase	August 2013	4 Months
CD Board Approval	Mid-October 2013	
Bidding Phase Board Contract Award	November 2013 December 2013	1 Month
Groundbreaking	March 2013	
Construction Administration Phase		
Demolition Start	February 2014	2 Months
Construction Start	April 2014	14 Months
Construction Substantial Completion	June 2015	
Construction Final Completion	July 2015	
Open House Ceremony	July 2015	

SECTION H
Budgets Summary

Budgets Summary

As part of this study, FGM has provided conceptual budgets for each of the three sites for consideration. For the attached summaries, the Total Project Budget includes the Cost of Construction, fees and soft costs for each of the test fit site options.

For more details, see the Budgets in the Appendix.

Summary:

Site	Low	High
345 E. Green Street	\$14,870,899	\$16,236,617
Jefferson and County Line Road	\$14,862,270	\$16,194,545
Church and Main St.	\$15,382,345	\$16,716,045

SECTION I

Typical Room Layouts

Typical Room Layouts

Buildings consist of square feet which provide space to accommodate activities and people. The type of activity, the number of people participating in the activity, and the equipment needed to perform the activity determine the net square footage required. In order to move from activity area to activity area within the space, circulation space is added to the net square footage. Additional space is required to enclose the building structure and to accommodate the various building systems, such as mechanical, electrical and plumbing. The following definitions explain these three types of square footages.

Definitions of Net Departmental Gross and Gross Square Feet

Net Square Feet (NSF) - measured from the surface of partition to surface of partition (usable space)

Departmental Gross Square Feet (DGSF) - a factor (percentage) of the net square footage which allows for partitions and circulation within the department/function. The more open the space, the lower the factor, i.e. 20%. As the number of partitions increases so does the factor, with separate offices requiring between 25% and 30%. Detention areas have a 40% factor due to the use of masonry walls which are thicker and the large number of small spaces which require more circulation space. Also, public areas and garage areas, which consist of larger open areas that require less circulation and have minimal interior walls, receive a smaller factor that ranges between 10% and 20%.

Building Gross Square Feet (GSF) - a factor (percentage) added to the total of the Department Gross Square Feet which allows for the circulation between departments/functions, vertical circulation, partitions not included in programmed spaces, mechanical shafts, exterior cladding. Depending on the type of construction, this factor ranges from 25% to 40%.

Unit Sizing

The unit net square feet which are used in this program are the result of architectural standards developed by the profession, manufacturers and FGM throughout the experiences with these types of activities and staffing positions. Some spaces, such as jail cells and barrier-free toilet stalls, are determined by city, state, or federal building codes. The room and/or area sizes used in this program are generic and can vary in the final design from 5% to 10% up or down depending on the layout of the departments and the circulation.

Workstations and Offices

The workstation and office types are designated by size and enclosure. A clerical workstation, either singularly or grouped in an open office, is named an Open Workstation and is typically 64 NSF or 96 NSF. Whether or not the open workstation has enclosure panels is determined by the client, during the design development phase of the project.

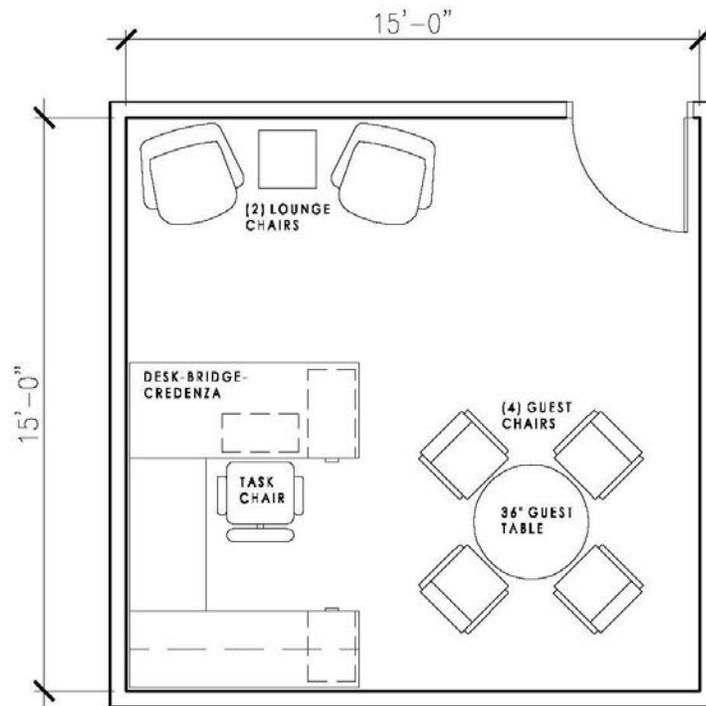
There are various sizes of private or shared offices in this section. An office of 250 NSF provides the occupant with space for a desk, credenza walls/ for file storage and a conference area for four people plus an informal seating area. An office at 150 NSF is a slightly smaller version of the 250 NSF office. An office of 120 NSF has a desk, file cabinets, and two side chairs. An office of 150 NSF has a "U" shaped workstation, file cabinets and a small conference table with two chairs. Offices of 180 NSF can be shared with two workstations with files or have one workstation, files and a conference table with four chairs.

The diagrams which follow illustrate a generic layout for the various sizes and types of offices and workstations. These diagrams show the space/room size in net square feet (wall surface to wall surface). They use nominally dimensioned furnishings.

FGM developed the following typical workspaces. Proposed square footage for each workspace type is based on job task and equipment needs as well as industry average sizes per job title.

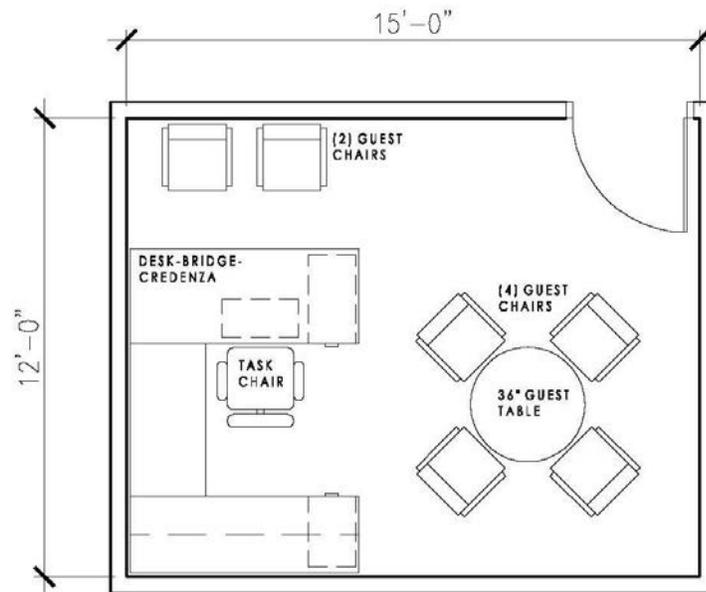
The following pages show a plan view of each workspace type accompanied by a description of job tasks suited to that typical.

Actual workspace components, such as storage units and workspace sizes, can be modified to accommodate various job functions. Type and heights of enclosure; be it panels, partial screens, or walls are to be determined.



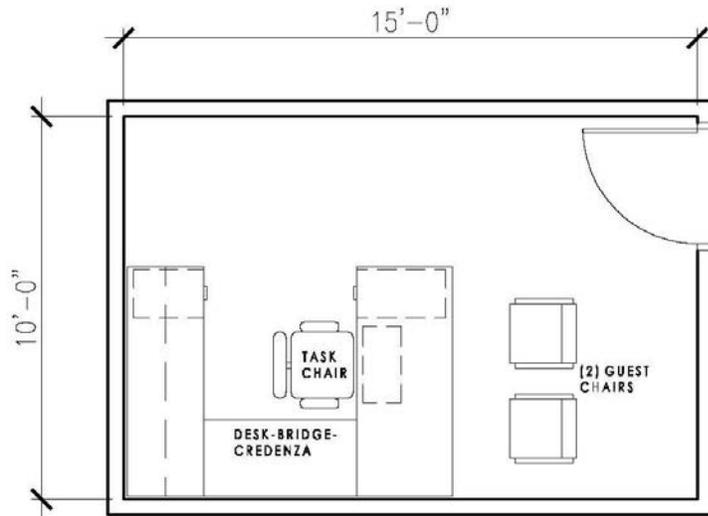
Job Function: A 225 square foot workspace. Square footage is allocated due to job level, reporting structure, confidentiality of information handled and meeting needs in the individual workspace. Conference table and lounge seating arrangement can be accommodated. This space is shown as a private office for a job function that requires maximum privacy.

The “U” shaped desk configuration is the person's private workspace. The conference table allows for private/formal meeting space while the lounge seating functions as private/informal meeting space for those who have a high volume of meetings for 4-6 guests. Various storage units are added to meet individual requirements.

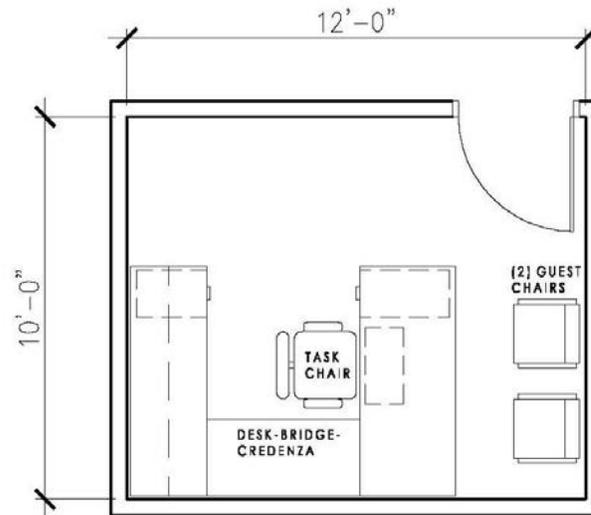


Job Function: A 180 square foot workspace. Square footage is allocated due to job level, reporting structure, confidentiality of information handled and meeting needs in the individual workspace. Conference table and lounge seating arrangement can be accommodated. This space is shown as a private office for a job function that requires maximum privacy.

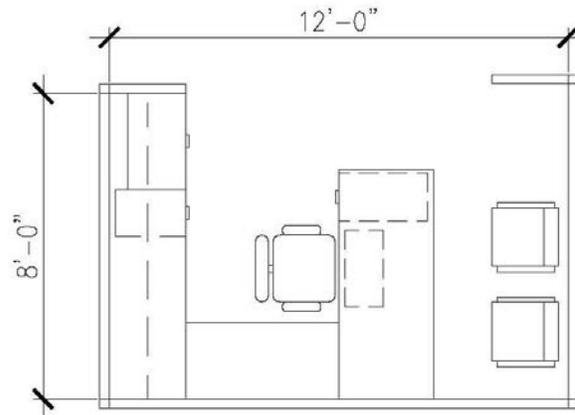
The “U” shaped desk configuration is the person’s private workspace. The conference table allows for private/formal meeting space or could be substituted for lounge seating to create as private/informal meeting space for those who have a high volume of meetings for 4-6 guests. Various storage units are added to meet individual requirements.



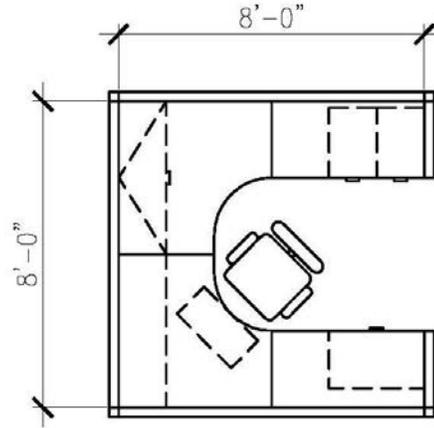
Job Function: A 150 square foot workspace. Square footage is allocated due to job level, reporting structure, confidentiality of information handled and conferencing needs in the individual workspace. This space is shown as a private office for a job function that requires maximum privacy. The "U" shaped desk configuration is the person's private workspace. The conference table allows for private/formal meeting space for those who have a high volume of meetings for 2-3 guests. Various storage units are added to meet individual requirements.



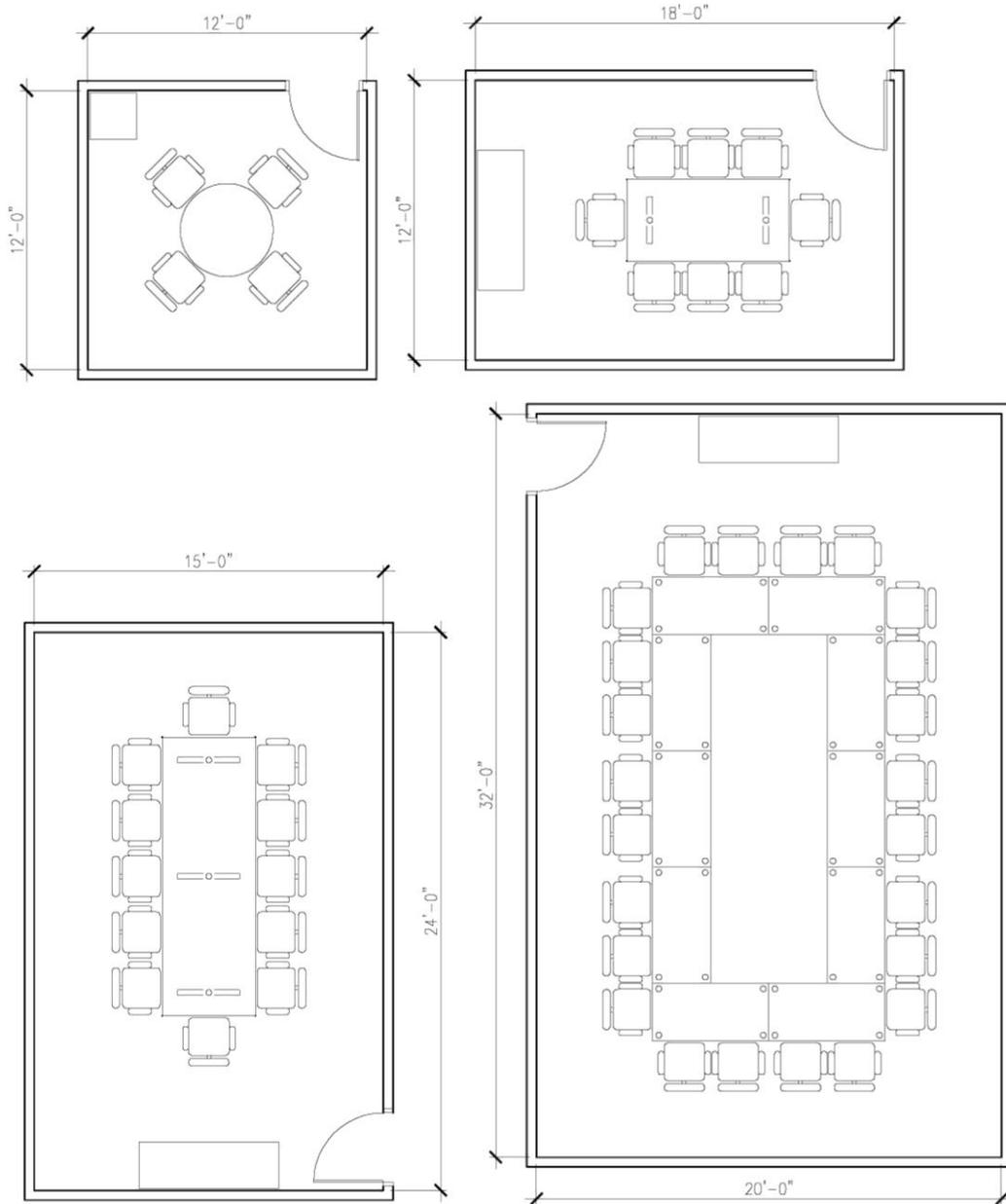
Job Function: A 120 square foot workspace. Square footage is allocated due to job level, reporting structure, confidentiality of information handled and equipment needs in the individual workspace. This space is shown as a private office for a job function that requires maximum privacy. The “U” shaped desk configuration is the person’s private workspace with 2 side chairs for guests and small meetings. Various storage units are added to meet individual requirements. A distance of 42” between front and back work surfaces is optimum for easy access to all storage units and work surfaces.



Job Function: A 96 square foot workspace. Square footage is allocated due to the functional needs of staff who require minimal privacy to interact with up to two people within their individual workspace surrounded by moveable office panel system. Maximum workspace supports several pieces of equipment, provides primary and secondary writing/reference surfaces and a conferencing need. Various storage units are added to meet individual requirements. A distance of 42" between front and back work surfaces is optimum for easy access to all storage units and work surfaces.



Job Function: A 64 square foot workspace. Square footage is allocated due to the functional needs of staff who require minimal privacy surrounded by moveable office panel system. Maximum workspace supports several pieces of equipment and provides primary and secondary writing/reference surfaces. Various storage units are added to meet individual requirements. A distance of 42" between front and back work surfaces is optimum for easy access to all storage units and work surfaces. No guest seating is required.



Job Function: Conference Rooms. Shown are examples of 144, 216, 360, & 640 sq.ft. conference room configurations. Conference rooms are typically sized to not only accommodate the table and chairs, but also provide ample egress around, so occupants are not constantly bumping into each other trying to get in and out of room. Space should be factored into layout to accommodate a buffet or credenza to allow snacks or beverages. Egress should be considered if there is going to be a screen or teaching wall within the room. Access to the room should be considered, since it tends to require additional egress. The common need found conference rooms having a variety of sizes available is the best solution. This way smaller group meetings can occur without locking down the entire function.

APPENDIX

**Budgets and
Space Needs Programs**

Village of Bensenville Shared Facility

Space Needs Program

FGM ARCHITECTS

October 16, 2012

FGM #: 12-1498.01

Room/Area/Space	Sq. Ft.	Notes
BENSENVILLE POLICE DEPARTMENT		
Administration		
Chief of Police Office	225	Desk credenza, conference table for (4), bookcases, closet
Deputy Chief Office-Administrative Operations	200	Desk, credenza, table for (4)
Deputy Chief Office-Patrol (Future Position)	200	Desk, credenza, table for (4)
Administrative Assistant Office	120	"U" shaped workstation, (2) 42" lateral files,
Waiting Area	80	Adjacent to Administrative Assistant (4) guest chairs
Conference Room	300	Conference Room for (10)
Confidential Files	40	Closet located off a corridor
Supply closet	20	Closet
Coat Closet	16	Coat closet
Copier/Printer	80	Includes work area and storage
Administration restroom	60	
Coffee Area	25	Located in copy area
Administration Sub-Total	1,366	
Records		
Records Supervisor	80	"U" shaped workstation at end of row
Records Clerk Workstations (5)	425	"L" Shaped workstations, open office area. "U" shaped workstation at end of row, shelf for handheld ticket writer
Copy Station with Coffee Area	150	Under counter fridge, sink, cabinets
Supplies Storage	80	Storage room for office supplies
Immediate Need Storage	80	3 years of files for immediate access. (12) 42" lateral files next to Records Workstations
Intermediate Need Storage	115	(8) 42" lateral files in Storage Room
Archive Storage	220	Archival storage of (200) bankers boxes. Could be located elsewhere in building
Records Sub-Total	1,150	
Patrol		
Patrol Sergeant Office	425	Shared office for (6)
Roll Call	450	Roll Call for (15) people
Conference Room	250	Conference Room for (8)
Duty Bag Storage	80	Storage for (30) equipment bags, locate by Garage. BPD only.
Report Writing	180	(6) Report writing stations
Juvenile Watch Room	120	(1) Adjacent to Report Writing, visual connection
Weapons Storage/Armory	120	Secure room to store weapons and ammunition. In Garage on path out.

Village of Bensenville Shared Facility

Space Needs Program

FGM ARCHITECTS

October 16, 2012

FGM #: 12-1498.01

Room/Area/Space	Sq. Ft.	Notes
Equipment Storage	90	Equipment room, locate near roll call.
FOP Pension file storage	70	Located in Storage Room
Radio Area	-	Chargers located in individual lockers
Mail Area	50	Located by Roll Call
Patrol Sub-Total	1,835	
Investigations		
Investigative Sergeant	150	
Investigators Office	450	(6) workstations in shared space
Investigations Aide	60	
Interview Room (2) Required	200	(2) Hard interview rooms in Investigations
Soft Interview Room (1) Required	140	Includes couch, TV, toys for children
Social Worker Office	180	
File Storage	50	
Conference Room	300	Conference Room for (10), also used for major case work. Shared with COP
Computer Investigation Office (Cybercrime)	-	Secure room for computer investigations work, located in Evidence Area
Special Equipment Storage	25	Secure storage for investigations equipment
Property Lockers	20	Temporary lockers for securing evidence
Video Room	80	Room with monitoring and recording equipment
Coffee Area	25	
Investigations Sub-Total	1,680	
Community Oriented Policing Division (COP)		
TAC Sergeant	150	"U" shaped workstation, (2) 42" lateral files,
TAC Staff	175	(2) "L" Shaped workstations, open office area
TAC Locker Area	80	
Crime Prevention Open Office Area	450	(6) "L" shaped workstations in Open office area. 5 current positions, 1 future for DuMeg
Crime Prevention Coordinator	-	Included in Crime Prevention Open Office area
Code Enforcement Officer	-	Included in Crime Prevention Open Office area; Scale in parking lot
Storage	20	Storage room in COP Area
Storage by Garage	-	Storage Room by Garage
Crime Analyst	-	Included in Crime Prevention Open Office area
School Liaison	-	(2) School Liaisons located in the schools
Community Oriented Policing Division Sub-Total	875	

Village of Bensenville Shared Facility

Space Needs Program

FGM ARCHITECTS

October 16, 2012

FGM #: 12-1498.01

Room/Area/Space	Sq. Ft.	Notes
Lockup/Detention Area		
Booking	375	Booking station, cuff bench area
Holding Room (1) required	225	Mass arrest cell
Breath/Photo	120	Separate areas for breathalyzer and live scan
Prisoner Property	20	Personnel Effects Lockers
Storage	25	
Adult Cells	600	(6) cells, in groups of (2), include shower area. Includes (1) padded cell
Juvenile Holding Rooms	-	Juvenile Watch located at Patrol Report Writing Area
Interview Rooms	200	(2) at 100 each
Bond Out	120	
Line Up	-	No line up. Will take to County facility if necessary
Attorney Room	-	No Attorney Room, can use interview room
Sally Port	900	Assume two car (ambulance length), drive through
Lockup/Detention Area Sub-Total	2,585	
Lockers and Washrooms		
Male Officer Locker Room	1,500	(60) 24" wide lockers with integral bench and power in lockers.
Female Officer Locker Room	525	(15) 24" wide lockers with integral bench and power in lockers.
Fitness Room	600	5-8 people
Staff Toilets	120	M/F toilet rooms located by Lunch Room
Lockers and Washrooms Sub-Total	2,745	
Shared Spaces		
Copy Station	120	Locate centrally.
Library Room	120	Quiet room location for court officer
Lunch Room	250	Provide outdoor patio area
Storage	150	General Building Storage Area
Shared Spaces Sub-Total	640	
Public Access Areas		
Vestibule	100	
Public Lobby	200	
Report Taking Room	200	assume (2) report writing rooms off Lobby

Village of Bensenville Shared Facility

Space Needs Program

FGM ARCHITECTS

October 16, 2012

FGM #: 12-1498.01

Room/Area/Space	Sq. Ft.	Notes
Public Washroom	400	
Multi-purpose Room	1,400	Seats 50 persons in Training setting
Coat Racks	50	Coat rack alcove
Kitchenette	80	
Meeting Room Storage	180	Table and chair storage
Audio Visual Storage	50	A/V equipment room
Vending Machine Area	50	Area for vending machines
Public Access Area Sub-Total	2,710	
Evidence		
Evidence Packaging Area	110	Area to package evidence with computer station
Evidence Lockers	80	How many lockers required?
Lab/Evidence Processing	180	Area to process evidence, fume hood, counter work area
Evidence Processing Supply Closet	20	Secure storage for evidence processing supplies
Evidence Storage	1,000	High density storage
Guns, Drugs, Money Room	150	50 sf each, drug room vented
Large Evidence Storage	200	Storage for large evidence items
Evidence Manager/Technician Office	200	Space for (2) workstations; area for small desktop printer/copier
Cybercrime workstation	150	Workstation with layout space and additional power
Court Locker Area	-	Locate locker in Packaging Area to transfer evidence to court officer
Bike Storage	-	Located outside in fenced enclosure
Evidence Garage	450	Secure Garage for processing one vehicle
Evidence Sub-Total	2,540	
Police Garage		
Garage Bays	-	See SF at end of spreadsheet. Garage space for (24) cars. Include air compressor.
Patrol Equipment Storage	120	Patrol squad check items
Duty Bag Storage	-	Included in Patrol above
Equipment Storage	120	Misc. Storage items
COP Storage Room	80	COP brochures, etc.
NIPAS Storage	80	NIPAS Equipment
Bicycle Storage	120	For Police Patrol bikes. Impound bikes are outside
Kennel Space	100	(2) kennel spaces. Include flushable drain and hose
Paper Ream Bulk Storage	80	One pallet of paper reams
Arson Investigation Equipment Storage	80	Vented space

Village of Bensenville Shared Facility

Space Needs Program

FGM ARCHITECTS

October 16, 2012

FGM #: 12-1498.01

Room/Area/Space	Sq. Ft.	Notes
Police Garage Sub-Total	780	
BENSENVILLE POLICE SUB-TOTAL	18,906	
CANADIAN PACIFIC POLICE SERVICE		
Administration		
Waiting Area	80	Adjacent to Administrative Assistant (4) guest chairs
Administrative Assistant	80	"U" shaped workstation, (2) 42" lateral files,
Confidential Files	40	Located off a corridor
Deputy Chief Police-U.S. Operations Office	225	Desk credenza, conference table for (4), bookcases, closet
District Inspector Office	180	"U" shaped workstation, (2) 42" lateral files,
Toilets	80	Single User Guest Toilet
Administration Sub-Total	685	
Office Area		
Staff Open Office Area	720	(8) workstations in shared space
Sergeants Office Area	200	Open office with "L" Shaped workstations overlooking Staff Open Office Area
Conference Room	250	Conference Room for (8)
Interview Room (1) Required	-	
Large Storage Room	200	File Storage and General Storage
Server Room	25	Small ventilated room
Property Lockers	20	Temporary lockers for securing evidence
Copy Area	150	By Administration
Mail Area	-	
Kitchen Area	-	
Office Area Sub-Total	1,565	
Evidence Storage		
Evidence Packaging Area	80	Within Evidence Room
Evidence Storage	225	High density storage
Weapons Storage	30	Located within Evidence Storage Room
Evidence Storage Sub-Total	335	

Village of Bensenville Shared Facility

Space Needs Program

FGM ARCHITECTS

October 16, 2012

FGM #: 12-1498.01

Room/Area/Space	Sq. Ft.	Notes
Lockers and Washrooms		
Male Officer Locker Room	700	Space for (20) lockers
Female Officer Locker Room	225	Space for (5) lockers
First Aid Room	100	Storage cabinets with sink, cot
Mothers/Nursing Room	-	Share with Library
Lockers and Washrooms Sub-Total	1,025	
CP POLICE SUB-TOTAL	3,610	
Emergency Management Agency		
EMA Coordinator Office	180	Desk, credenza
Future Office	150	Office for future growth
EMA File Storage	100	(3) 4 drawer 42" lateral files
EMA Communications Room	180	Space for communications equipment
Emergency Operations Center	-	Share with Police Training Room
EOC Break Out Rooms (2 required)	-	Share with Police Report Writing Rooms
EMA Storage in Garage	300	Equipment storage, provide (3) separate areas
Locker Area for Volunteers	250	Lockers for 25 people, including (1) toilet/changing room
Vehicle Storage	-	48'x75' is current space at Jefferson Street
EMA SUB-TOTAL	1,160	
Service & Storage Areas		
Generator	-	locate outside
Mechanical Room	650	Assume air handlers are located inside
Electrical Room	200	
Telephone Service Room	120	Telephone d-mark room and equipment room
Computer Server Room	180	
Computer Office	180	Room for 3 persons to work on computers
CCTV Camera Server and Monitors	20	Secure room
IDF Closets	100	(2) 50sf IDF closets located in building
Building Storage	120	For storage of building maintenance supplies
Janitors Closets	80	(2) rooms
Service & Storage Areas Sub-Total	1,650	

Village of Bensenville Shared Facility

Space Needs Program

FGM ARCHITECTS

October 16, 2012

FGM #: 12-1498.01

Room/Area/Space	Sq. Ft.	Notes
Shared Building Sub-Total	25,326	
Circulation, Wall, and Mechanical Shaft Space	7,598	
TOTAL SHARED BUILDING AREA REQUIRED	32,924	
OTHER SPACES NOT IN BASE BUILDING		
Firing Range and Associated Spaces		
Firing Range	2,800	28' wide; verify (x) # of booths if any. Total Containment Trap preferred
Prop Storage	80	Storage for targets, props, etc.
Range Mechanical Room	500	Range Supply and Exhaust
Rangemaster Room	120	Range Control Room
Range Ready Room/Gun Cleaning	120	Area for training outside range. (2) gun cleaning stations w/ storage cabinets
Armory	50	Ammunition Storage, separate from rifles
Rifle Storage	80	Rifle Storage
Firing Range Sub-Total	3,750	
Circulation, Wall, and Mechanical Shaft Space	750	
Total to add Firing Range	4,500	(If 20' wide range, space needs = 3,540 sq. ft.)
Police Garage	7,200	Parking for 24 Squad Cars
Circulation, Wall, and Mechanical Shaft Space	720	
Total to add Police Garage	7,920	
EMA Vehicle Storage	3,700	(8) Vehicles
Circulation, Wall, and Mechanical Shaft Space	370	
Total to add EMA Vehicle Storage	4,070	

Village of Bensenville Shared Facility

Space Needs Program

FGM ARCHITECTS

October 16, 2012

FGM #: 12-1498.01

Room/Area/Space	Sq. Ft.	Notes
Parking Requirements		
Department Vehicles	31	Bensenville PD(24), CP (7)
Employee Vehicles	36	Bensenville PD(28), CP (6), EMA (2)
Guest Parking	50	Assuming 30 - 50 for training, 20 spaces are existing
Truck Scales	-	Provide Weight Scale in Parking Lot for trucks
Total Parking Required	117	
Miscellaneous		
Plaza Entrance		
Trash Enclosure		
Generator Enclosure		
Chiller Enclosure		
Storage Shed		
Impound Vehicles		Space for 6 Vehicles
Impound Bicycles		Fenced area for 50 bikes
Summary		
Shared Facility	32,924	
Shared Facility with 28' Wide Range	37,424	
Shared Facility with 20' Wide Range	36,464	
Shared Facility with 28' Wide Range and EMA Vehicle Storage	41,494	
Shared Facility with 20' Wide Range and EMA Vehicle Storage	40,534	
Shared Facility with Indoor Parking for Police and EMA	44,914	Does not include Range
Shared Facility with Indoor Parking and 28' Wide Range	49,414	Includes indoor parking for Police and EMA
Shared Facility with Indoor Parking and 20' Wide Range	48,454	Includes indoor parking for Police and EMA

Village of Bensenville Police Department

Space Needs Program

FGM ARCHITECTS

October 16, 2012

FGM #: 12-1498.01

Room/Area/Space	Sq. Ft.	Notes
Administration		
Chief of Police Office	225	Desk credenza, conference table for (4), bookcases, closet
Deputy Chief Office-Administrative Operations	200	Desk, credenza, table for (4)
Deputy Chief Office-Patrol (Future Position)	200	Desk, credenza, table for (4)
Administrative Assistant Office	120	"U" shaped workstation, (2) 42" lateral files,
Waiting Area	80	Adjacent to Administrative Assistant (4) guest chairs
Conference Room	300	Conference Room for (10)
Confidential Files	40	Closet located off a corridor
Supply closet	20	Closet
Copier/Printer	80	Includes work area and storage
Administration restroom	60	
Coffee Area	25	Located in copy area
Administration Sub-Total	1,350	
Records		
Records Supervisor	80	"U" shaped workstation at end of row
Records Clerk Workstations (5)	425	"L" Shaped workstations, open office area. "U" shaped workstation at end of row, shelf for handheld ticket writer
Copy Station with Coffee Area	150	Under counter fridge, sink, cabinets
Supplies Storage	80	Storage room for office supplies
Coat Closet	16	Coat closet
Immediate Need Storage	80	3 years of files for immediate access. (12) 42" lateral files next to Records Workstations
Intermediate Need Storage	115	(8) 42" lateral files in Storage Room
Archive Storage	220	Archival storage of (200) bankers boxes. Could be located elsewhere in building
Records Sub-Total	1,166	
Patrol		
Patrol Sergeant Office	425	Shared office for (6)
Roll Call	450	Roll Call for (15) people
Conference Room	250	Conference Room for (8)
Duty Bag Storage	80	Storage for (30) equipment bags, locate by Garage. BPD only.
Report Writing	180	(6) Report writing stations
Juvenile Watch Room	120	(1) Adjacent to Report Writing, visual connection
Weapons Storage/Armory	120	Secure room to store weapons and ammunition. In Garage on path out.
Equipment Storage	90	Equipment room, locate near roll call.

Village of Bensenville Police Department

Space Needs Program

FGM ARCHITECTS

October 16, 2012

FGM #: 12-1498.01

Room/Area/Space	Sq. Ft.	Notes
FOP Pension file storage	70	Located in Storage Room
Radio Area	-	Chargers located in individual lockers
Mail Area	50	Located by Roll Call
Patrol Sub-Total	1,835	
Investigations		
Investigative Sergeant	150	
Investigators Office	450	(6) workstations in shared space
Investigations Aide	60	
Interview Room (2) Required	200	(2) Hard interview rooms in Investigations
Soft Interview Room (1) Required	140	Includes couch, TV, toys for children
Social Worker Office	180	
File Storage	50	
Conference Room	300	Conference Room for (10), also used for major case work. Shared with COP
Computer Investigation Office (Cybercrime)	-	Secure room for computer investigations work, located in Evidence Area
Special Equipment Storage	25	Secure storage for investigations equipment
Property Lockers	20	Temporary lockers for securing evidence
Video Room	80	Room with monitoring and recording equipment
Coffee Area	25	
Investigations Sub-Total	1,680	
Community Oriented Policing Division (COP)		
TAC Sergeant	150	"U" shaped workstation, (2) 42" lateral files,
TAC Staff	175	(2) "L" Shaped workstations, open office area
TAC Locker Area	80	
Crime Prevention Open Office Area	450	(6) "L" shaped workstations in Open office area. 5 current positions, 1 future for DuMeg
Crime Prevention Coordinator	-	Included in Crime Prevention Open Office area
Code Enforcement Officer	-	Included in Crime Prevention Open Office area; Scale in parking lot
Storage	20	Storage room in COP Area
Storage by Garage	-	Storage Room by Garage
Crime Analyst	-	Included in Crime Prevention Open Office area
School Liaison	-	(2) School Liaisons located in the schools
Community Oriented Policing Division Sub-Total	875	

Village of Bensenville Police Department

Space Needs Program

FGM ARCHITECTS

October 16, 2012

FGM #: 12-1498.01

Room/Area/Space	Sq. Ft.	Notes
Lockup/Detention Area		
Booking	375	Booking station, cuff bench area
Holding Room (1) required	225	Mass arrest cell
Breath/Photo	120	Separate areas for breathalyzer and live scan
Prisoner Property	20	Personnel Effects Lockers
Storage	25	
Adult Cells	600	(6) cells, in groups of (2), include shower area. Includes (1) padded cell
Juvenile Holding Rooms	-	Juvenile Watch located at Patrol Report Writing Area
Interview Rooms	200	(2) at 100 each
Bond Out	120	
Line Up	-	No line up. Will take to County facility if necessary
Attorney Room	-	No Attorney Room, can use interview room
Sally Port	900	Assume two car (ambulance length), drive through
Lockup/Detention Area Sub-Total	2,585	
Lockers and Washrooms		
Male Officer Locker Room	1,500	(60) 24" wide lockers w/ integral bench and power in lockers, toilets, urinals and showers
Female Officer Locker Room	525	(15) 24" wide lockers w/ integral bench and power in lockers, toilets, and showers
Fitness Room	600	5-8 people
Staff Toilets	120	M/F toilet rooms located by Lunch Room
Lockers and Washrooms Sub-Total	2,745	
Shared Spaces		
Copy Station	120	Locate centrally.
Library Room	120	Quiet room location for court officer
Lunch Room	250	Provide outdoor patio area
Storage	150	General Building Storage Area
Shared Spaces Sub-Total	640	
Public Access Areas		
Vestibule	100	
Public Lobby	200	
Report Taking Room	200	assume (2) report writing rooms off Lobby
Public Washroom	400	

Village of Bensenville Police Department

Space Needs Program

FGM ARCHITECTS

October 16, 2012

FGM #: 12-1498.01

Room/Area/Space	Sq. Ft.	Notes
Multi-purpose Room	1,400	Seats 50 persons in Training setting
Coat Racks	50	Coat rack alcove
Kitchenette	80	
Meeting Room Storage	180	Table and chair storage
Audio Visual Storage	50	A/V equipment room
Vending Machine Area	50	Area for vending machines
Public Access Area Sub-Total	2,710	
Evidence		
Evidence Packaging Area	110	Area to package evidence with computer station
Evidence Lockers	80	How many lockers required?
Lab/Evidence Processing	180	Area to process evidence, fume hood, counter work area
Evidence Processing Supply Closet	20	Secure storage for evidence processing supplies
Evidence Storage	1,000	High density storage
Guns, Drugs, Money Room	150	50 sf each, drug room vented
Large Evidence Storage	200	Storage for large evidence items
Evidence Manager/Technician Office	200	Space for (2) workstations; area for small desktop printer/copier
Cybercrime workstation	150	Workstation with layout space and additional power
Court Locker Area	-	Locate locker in Packaging Area to transfer evidence to court officer
Bike Storage	-	Located outside in fenced enclosure
Evidence Garage	450	Secure Garage for processing one vehicle
Evidence Sub-Total	2,540	
Police Garage		
Garage Bays	-	See SF at end of spreadsheet. Garage space for (24) cars. Include air compressor.
Patrol Equipment Storage	120	Patrol squad check items
Duty Bag Storage	-	Included in Patrol above
Equipment Storage	120	Misc. Storage items
COP Storage Room	80	COP brochures, etc.
NIPAS Storage	80	NIPAS Equipment
Bicycle Storage	120	For Police Patrol bikes. Impound bikes are outside
Kennel Space	100	(2) kennel spaces. Include flushable drain and hose
Paper Ream Bulk Storage	80	One pallet of paper reams
Arson Investigation Equipment Storage	80	Vented space
Police Garage Sub-Total	780	

Village of Bensenville Police Department

Space Needs Program

FGM ARCHITECTS

October 16, 2012

FGM #: 12-1498.01

Room/Area/Space	Sq. Ft.	Notes
Service & Storage Areas		
Generator	-	locate outside
Mechanical Room	500	Assume air handlers are located inside
Electrical Room	150	
Telephone Service Room	120	Telephone d-mark room and equipment room
Computer Server Room	120	
CCTV Camera Server and Monitors	20	Secure room
IDF Closets	100	(2) 50sf IDF closets located in building
Building Storage	120	For storage of building maintenance supplies
Janitors Closets	80	(2) rooms
Service & Storage Areas Sub-Total	1,210	
POLICE STATION SUB-TOTAL		
	20,116	
Circulation, Wall, and Mechanical Shaft Space	6,035	
TOTAL BASE BUILDING AREA REQUIRED	26,151	
OTHER SPACES NOT IN BASE BUILDING		
Firing Range and Associated Spaces		
Firing Range	2,800	28' wide; verify (x) # of booths if any. Total Containment Trap preferred
Prop Storage	80	Storage for targets, props, etc.
Range Mechanical Room	500	Range Supply and Exhaust
Rangemaster Room	120	Range Control Room
Range Ready Room/Gun Cleaning	120	Area for training outside range. (2) gun cleaning stations w/ storage cabinets
Armory	50	Ammunition Storage, separate from rifles
Rifle Storage	80	Rifle Storage
Firing Range Sub-Total	3,750	
Circulation, Wall, and Mechanical Shaft Space	750	

Village of Bensenville Police Department

Space Needs Program

FGM ARCHITECTS

October 16, 2012

FGM #: 12-1498.01

Room/Area/Space	Sq. Ft.	Notes
Total to add Firing Range	4,500	(If 20' wide range, space needs = 3,540 sq. ft.)
Police Garage	7,200	Parking for 24 Squad Cars
Circulation, Wall, and Mechanical Shaft Space	720	
Total to add Police Garage	7,920	
Parking Requirements		
Department Vehicles	24	Currently (x) are take home, future, (x) will be take home
Employee Vehicles	28	Total Employees
Guest Parking	50	Assuming 30 - 50 for training, 20 spaces are existing
Truck Scales	-	Provide Weight Scale in Parking Lot for trucks
Total Parking Required	102	
Miscellaneous		
Plaza Entrance		
Trash Enclosure		
Generator Enclosure		
Chiller Enclosure		
Storage Shed		
Impound Vehicles		Space for 6 Vehicles
Impound Bicycles		Fenced area for 50 bikes
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Canadian Pacific Police Service

Space Needs Program

FGM ARCHITECTS

October 16, 2012

FGM #: 12-1498.01

Room/Area/Space	Sq. Ft.	Notes
Administration		
Waiting Area	80	Adjacent to Administrative Assistant (4) guest chairs
Administrative Assistant	80	"U" shaped workstation, (2) 42" lateral files,
Confidential Files	40	Located off a corridor
Deputy Chief Police-U.S. Operations Office	225	Desk credenza, conference table for (4), bookcases, closet
District Inspector Office	180	"U" shaped workstation, (2) 42" lateral files,
Toilets	80	Single User Guest Toilet
Administration Sub-Total	685	
Office Area		
Staff Open Office Area	720	(8) workstations in shared space
Sergeants Office Area	200	Open office with "L" Shaped workstations overlooking Staff Open Office Area
Conference Room	250	Conference Room for (8)
Interview Room (1) Required	120	
Large Storage Room	200	File Storage and General Storage
Server Room	25	Small ventilated room
Property Lockers	20	Temporary lockers for securing evidence
Copy Area	150	By Administration
Mail Area	20	
Kitchen Area	150	
Office Area Sub-Total	1,855	
Evidence Storage		
Evidence Packaging Area	80	Within Evidence Room
Evidence Storage	225	High density storage
Weapons Storage	30	Located within Evidence Storage Room
Evidence Storage Sub-Total	335	
Lockers and Washrooms		
Male Officer Locker Room	700	Space for (20) lockers
Female Officer Locker Room	225	Space for (5) lockers
First Aid Room	100	Storage cabinets with sink, cot
Mothers/Nursing Room	100	
Lockers and Washrooms Sub-Total	1,125	

Village of Bensenville Emergency Management

Space Needs Program

Room/Area/Space	Sq. Ft.	Notes
Emergency Management Agency		
EMA Coordinator Office	180	Desk, credenza
Future Office	150	Office for future growth
EMA File Storage	100	(3) 4 drawer 42" lateral files
EMA Communications Room	180	Space for (3 - 4) people to work, communications equipment
Emergency Operations Center	1,000	EOC operations room
EOC Break Out Rooms (2 required)	240	Breakout rooms conferencing
EMA Storage in Garage	300	Equipment storage, provide (3) separate areas
Locker Area for Volunteers	250	Lockers for 25 people, including (1) toilet/changing room
Vehicle Storage	3,700	48'x75' is current space at Jefferson Street. 8 vehicles (can trailers be outside?)
EMA SUB-TOTAL	6,100	
Circulation, Wall, and Mechanical Shaft Space	1,830	
TOTAL BUILDING AREA REQUIRED	7,930	
Parking Requirements		
Employee Vehicles	2	
Volunteer Vehicles	12	
Total Parking Required	14	
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TYPE: Resolution **SUBMITTED BY:** Joe Caracci **DATE:** 10/17/2012

DESCRIPTION: Resolution to approve the emergency purchase of a 205 kW backup diesel generator for the York Road Sanitary Sewer Lift Station from Aaron Equipment Company, Inc. in the amount of \$19,500

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Sound Village</i>	<input checked="" type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input checked="" type="checkbox"/>	<i>Quality Customer Oriented Services</i>	<input type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input checked="" type="checkbox"/>	<i>Safe and Beautiful Village</i>	<input type="checkbox"/>	<i>Vibrant Major Corridors</i>

COMMITTEE ACTION: I & E (unanimous approval)

DATE: 10/16/2012

BACKGROUND: The York Road Lift Station provides a vital component to our overall sanitary sewer collection system. As one of our largest lift stations in the system, the York Road Lift Station pumps approximately one million gallons per day of wastewater from the northern part of the Village to the WWTP located on Jefferson Street. Each of our major lift stations are equipped with backup generation in order to continue service during power outages.

During a routine inspection of the existing generator, it was determined that major damage has occurred to the generator. At least one of the internal components of the motor failed and caused severe damage to the generator.

KEY ISSUES: Due to the significance and importance of having a backup generator operational at all times, staff proceeded to investigate options for providing this service. Repair of the existing generator looked to be on the magnitude of \$20,000. A new generator would cost nearly \$45,000. Staff then looked into the possibility of purchasing a slightly used generator from Aaron Equipment here in Bensenville. Aaron Equipment had in stock an 11 year old generator with 198 hours of use (practically new). The cost of the unit was \$19,500. Staff hired Patton Industries, an independent firm to load test the unit to make sure it was in top working order – the generator passed the load test and Patton Industries recommended the purchase.

Due to the urgency of having the generator operational, we proceeded to secure the unit and our in house staff started to make the necessary steps to install the unit. We are able to save nearly \$7,500 on installation costs by utilizing our in house staff.

ALTERNATIVES: Discretion of the Village Board

RECOMMENDATION: Staff recommends approval of the emergency purchase of a backup generator from Aaron Equipment. The I&E Committee unanimously recommended approval of this purchase at their October 16, 2012 meeting.

BUDGET IMPACT: Total cost of the generator is \$19,500. Funding would come from the Wastewater Capital Construction Budget (Account Number 51080870 596000).

ACTION REQUIRED: Approval of a Resolution authorizing the emergency purchase of a 205 kW Diesel Backup Generator for the York Road Lift Station from Aaron Equipment in the amount of \$19,500.



SPECTRUM™

DETROIT DIESEL

SHEBOYGAN, WI 53083 U.S.A.



MODEL 200DSE

SERIAL 0661638

SPEC. PA-192927

SERVICE DUTY: STANDBY

HZ: 60 RPM: 1800 FUEL: DIESEL

			KW	KVA	P.F.
SINGLE PHASE					
THREE PHASE			205.00	256.00	0.8
VOLTAGE (CODE)	120/240 (61) 1p	139/240 (51)	127/220 (51)	120/240 (01)	
AMPS					
277/480 (71)	220/380 (71)	120/208 (81)	347/600 (91)	110/220 (01)	110/190 (51)
		711.00			
110/220 (51) 1p	230/400 (71)	240/416 (71)			

GEN. MODEL: 4M4011

BATT. 24 V

INSULATION: NEMA CLASS

F



Terms Acknowledgement



P.O. Box 80 • 735 E. Green St. • Bensenville, Illinois 60106
Phone: 630.350.2200 • Fax: 630.350.9047 • www.aaronequipment.com

9/25/2012

Village of Bensenville
Vince English
12 S. Center Street
Bensenville, IL 60106

P.O. Verbal

REF: SAE00010559

Dear Vince English :

Thank you for your recent purchase order.

This letter along with our acknowledgement is to notify you that the referenced equipment is sold subject to Aaron's terms and conditions. No other terms shall apply to this order without written confirmation.

Our terms conditions contain important safety information. It is your responsibility to heed these warnings and to provide your employees with safe machine and work environment.

If you have any questions, Please do not hesitate to call us.

Sincerely,

AARON EQUIPMENT CO.

John Hickey
jhickey@aaronequipemt.com



P.O. Box 80 • 735 E. Green St. • Bensenville, Illinois 60106
 Phone: 630.350.2200 • Fax: 630.350.9047 • www.aaronequipment.com

Sales Person:Patrick Paden
 Contact Person ..:Vince English
 Account:65613

Bill To :
 Village of Bensenville
 12 S. Center Street
 Bensenville, IL 60106

Sales Confirmation

Number: SAE00010559-1
 Date: 9/25/2012
 Page: 1
 Sales order ...: SAE00010559
 Cust PO Num :
 Terms of Pay : Net Due 30 Days from Invoice
 Terms of Div : Collect;FOB Shipper

Ship To :
 Village of Bensenville
 Vince English
 630-670-1747
 venglish@bensenville.il.us
 12 S. Center Street
 Bensenville, IL 60106

Stock/Item	Description	Qty	Unit	Price	Amount
42768001	Used- Detroit Diesel / Spectrum 205 kW diesel generator set, model 200DSE; SN-661638. Detroit Diesel Series 40, 4-cycle Turbocharged and air-to air charge cooled, International engine family DTA 530E rated 325HP @ 1800 RPM SN-WS4646N1230720. 3/60/277-480V currently set up 120/208 reconnectable. Wall mounted control panel, wall mounted 800Amp breaker. Block heater. Muffler (loose). 198 hours. Built 2000. Load test pending. Unit to be re-connected to 480V and load tested. FOB Aaron's Yard Bensenville IL	1.00	EA	19,500.00	19,500.00

The terms and conditions of sale appearing on the reverse side hereof are not modified, amended or extended by any work noted above done by Aaron Equipment Company. Price does not include any state or local taxes. Buyer assumes responsibility for payment of such taxes.

Misc. charges: 0.00
 Sales tax: 0.00
 Total: 19,500.00

Equipment is sold subject to Aaron's terms and conditions. No other terms shall apply to this order without written confirmation.

Our terms and conditions contain important safety information. It is your responsibility to heed these warnings and to provide your employees with a safe machine and work environment.

TERMS AND CONDITIONS

1. **TERMS AND CONDITIONS CONTROL.** The following terms and conditions (these "Terms and Conditions"), are agreed to by Aaron Equipment Company Inc. ("Seller") and the purchaser ("Purchaser"). Seller's acceptance of any order is subject to these Terms and Conditions. No contrary, additional or different terms, provisions or conditions shall be binding on Seller unless accepted by Seller in writing.
2. **COMPLETE AGREEMENT.** This document represents the full and final agreement of the parties regarding these Terms and Conditions.
3. **MODIFICATION.** Purchaser understands and agrees that (a) no modification or waiver of these Terms and Conditions shall be effective unless made by an authorized representative of Seller in writing addressed to Purchaser and specifically referring to these Terms and Conditions; (b) no course of action on the part of Seller shall be deemed to modify these Terms and Conditions; and (c) Seller's acknowledgment or acceptance of anything in writing from Purchaser which is in conflict with these Terms and Conditions (including any purchase order forms containing different terms or conditions) and any subsequent delivery of Goods shall not constitute a modification or waiver of these Terms and Conditions.
4. **GOODS SOLD.** The final invoice shall cover the specific quantities of items listed on the face thereof (the "Goods").
5. **ACCEPTANCE BY PURCHASER.** Purchaser shall accept or reject Seller's sales proposal within ten (10) days from the date thereof. Purchaser's acceptance of any proposal, however, shall not result in a contract of sale, and Seller shall not be bound by any invoice, until such invoice has been approved by a duly authorized representative of Seller.
6. **TERMS OF PAYMENT.** The purchase price for the goods sold shall be as shown on the face of the invoice, F.O.B. Seller's place of business, unless otherwise agreed to in writing by the parties. The purchase price shall be payable in United States currency in accordance with the terms outlined in the invoice. All invoices rendered in accordance with the agreed terms which are not paid within 30 days shall be subject to interest at the rate of 1.5% per month from the date of the invoice until it is paid.
7. **DELIVERY.** Seller shall deliver all Goods to a carrier for transport to Purchaser's place of business or as directed in writing, with all costs of transport borne by Purchaser. Purchaser shall bear all risk of loss with respect to the Goods from the moment the Goods are delivered to the carrier.
8. **DISCLAIMER OF WARRANTIES**
 - A. ALL GOODS ARE PURCHASED BY THE PURCHASER "AS IS" AND "WITH ALL FAULTS", AND SELLER MAKES NO REPRESENTATION OR WARRANTY, EXPRESS, OR IMPLIED, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER MATTER WITH RESPECT TO THE GOODS.
 - B. Any affirmation of fact or promises made by Seller shall not be deemed to create an express warranty that the Goods shall conform to such affirmation or promise. Any descriptions, samples and specifications with respect to goods offered for sale herein are not warranted by Seller to be accurate or complete. If a model or sample was shown to Purchaser, such model or sample was used merely to illustrate the general type and quality of goods sold by Seller and not to represent that the Goods would necessarily conform to such model or sample. Any description is for the sole purpose of identifying the Goods and no affirmation, promise, description, sample or model shall be deemed part of the basis of the bargain. SELLER STRONGLY RECOMMENDS THAT PURCHASER CONDUCT AN ON-SITE INSPECTION OF THE GOODS SOLD HEREUNDER. SELLER SHALL NOT BE RESPONSIBLE FOR THE CONSEQUENCES OF PURCHASER'S FAILURE TO INSPECT THE GOODS OR FOR ANY INACCURACIES, INSUFFICIENCIES, OR OMISSIONS IN SUCH DESCRIPTIONS, SAMPLES AND/OR SPECIFICATIONS.
 - C. The employees or representatives of Seller are not authorized to make any statement or representation as to the quality, character, size, condition, quantity, etc. of the goods offered for sale inconsistent with these Terms and Conditions. Any such statements made will not be binding on Seller or be grounds for any subsequent claim.
9. **SALES - USED EQUIPMENT.** Purchaser understands that the Goods described herein have been used by persons other than Seller. Purchaser is warned and acknowledges that such Goods may bear or contain hazardous chemicals or other hazardous materials which may be or may become, by chemical reaction or otherwise, directly or indirectly hazardous to life, to health, or to property (by reason of toxicity, flammability, explosiveness or for other similar or different reasons during use, handling, cleaning, reconditioning, disposal or at any other time after the article leaves the possession and control of Seller). Purchaser does hereby discharge Seller from any and all liability directly or indirectly resulting from the presence of the aforesaid chemicals or materials, including and not limited to any and all liability directly or indirectly resulting from the failure of Seller to give more specific warning with respect to individual articles or substances or from the inadequacy of any warning.
10. **DISCLAIMER OF LIABILITY.** Purchaser acknowledges that the Goods sold herein may be dangerous if improperly used. Purchaser acknowledges that it must contact the original manufacturer to obtain up-to-date installation and operation manuals and other information to insure the safe operation of Goods. Seller will not be responsible for any loss or injury resulting from defects or alleged defects in the Goods sold or from the subsequent use of the items. Purchaser agrees to defend any suit, action or cause of action brought against Seller, its directors, officers, employees and other agents and representatives by any person based on any such alleged injury, illness, or damage and to pay all damages, costs and expenses including, but not limited to, attorney's fees or legal expenses in connection therewith or resulting therefrom.
11. **INDEMNIFICATION.** Purchaser hereby agrees to defend, indemnify and hold harmless Seller its directors, officers, employees and other agents and representatives from and against any and all liabilities, judgments, claims, settlements, losses, damages, penalties, obligations and expenses, including attorney's fees and expenses and other professional fees and expenses, incurred or suffered by such person arising from, by reason of, or in connection with any loss, damage or injury to person or property arising from, by reason of or in connection with the Goods sold hereunder. This indemnification shall survive delivery of the Goods to Purchaser and any subsequent sale or other transfer of the Goods to a third party.
12. **INSURANCE AND SAFETY RULES.** Purchaser shall not move, load, transport or otherwise handle the Goods on Seller's premises without first having obtained insurance coverage satisfactory to Seller. Such insurance shall include "Workers Compensation", employer's liability, public liability (bodily injury, property damage and contractual liability) and automobile liability (bodily injury and property damage) insurance. Certificates of insurance evidencing the aforementioned insurance coverages shall be furnished to and shall be approved by Seller. Purchaser shall comply with Seller's plant safety rules and regulations.
13. **FORCE MAJEURE.** Seller's ability to ship the Goods may be affected in case of an act of force majeure, such as an act of God, war, sabotage, accidents, riots, fire, explosion, flood, strike, lockout, injunction, inability to obtain fuel, power, raw materials, labor, containers or transportation facilities, accident, breakage of machinery or apparatus, national defense requirements, or any other cause beyond the control of Seller. Seller shall have no liability for the failure to ship or deliver goods in the event of such force majeure and Seller's obligation to complete the delivery of Goods shall be suspended during such force majeure event and for a reasonable period of time thereafter; provided, however, that these Terms and Conditions shall otherwise remain in effect.
14. **PURCHASERS' CREDIT.** In the event Purchaser fails to remit payment for any one shipment when same becomes due, Seller reserves the right, among other remedies, either to terminate the contract or to suspend further deliveries. Should Purchaser's financial responsibility become unsatisfactory to Seller, in Seller's sole and absolute discretion, cash payments or security satisfactory to Seller, in its sole and absolute discretion, may be required by Seller before future deliveries of Goods are made by Seller.
15. **INSPECTION.** Purchaser has inspected the Goods or hereby acknowledges that Seller invited, urged and cautioned Purchaser to inspect the Goods and Purchaser declined to examine the same.
16. **LIMITATION OF DAMAGES.** Seller's liability with respect to Goods sold to Purchaser shall be limited to refunding any payments made by Purchaser (i) with respect to Goods returned to and accepted by Seller or (ii) with respect to Goods ordered but not shipped by Seller upon Seller's cancellation of the invoice. In no event shall Seller be liable for incidental, special, or consequential damages, lost profits, or any expenses of Purchaser, including, but not limited to, shipping costs.
17. **ASSIGNMENT.** Purchaser may not assign its rights or delegate its performance in whole or in part under any invoice without the prior written consent of Seller and any attempted assignment or delegation without such consent shall be void.
18. **GOVERNING LAW.** All invoices and these Terms and Conditions shall be construed according to the laws of the State of Illinois. The parties agree that venue for any claim or controversy arising from or relating to invoices, these Terms and Conditions or the performance or breach thereof shall be exclusively laid and limited to the state circuit court of the Eighteenth Judicial District of Du Page County, Illinois.
9. **TAXES.** All taxes assessed to any order are the responsibility of Purchaser, including, but not limited to, local and regional sales taxes and personal property tax, or if applicable, Purchaser is to provide Seller with a valid tax exemption certificate. In the event that Purchaser either fails to pay the tax or other charges as agreed above or fails to provide a valid exemption certificate, Purchaser agrees to indemnify and hold Seller harmless from any liability and expense by reason of Purchaser's failure. Such indemnification shall include, but not be limited to, attorneys' fees and/or other legal expenses relating to such failure.
10. **REPAIR.** Seller is not obligated to do any repair work or modifications upon the Goods prior to sale or delivery. Any repair work or modifications performed by Seller on the Goods prior to sale shall be performed as a result of the sole request of Purchaser using designs and instructions provided by Purchaser. Accordingly, Seller shall not be liable for any alleged damages caused by or resulting from the repairs or modifications. SELLER GIVES NO WARRANTY, EXPRESS OR IMPLIED, AS TO THE QUALITY, MERCHANTABILITY, WORKMANSHIP OR ANY OTHER MATTER WITH RESPECT TO ANY SUCH REPAIRS OR MODIFICATIONS.
11. **SEVERABILITY.** If any provision of the invoice or these Terms and Conditions is determined illegal or unenforceable, it shall not affect the enforceability of any other provision or paragraph of the invoice or these Terms and Conditions.
12. **FEES AND COSTS.** In the event any party institutes legal proceedings to enforce its respective rights arising out of the invoice and these Terms and Conditions, the prevailing party shall be entitled to the award of attorney's fees and court costs, plus cost of executing, enforcing and/or collecting any judgment at all trial and appellate levels.

RESOLUTION NO.

AUTHORIZING THE EMERGENCY PURCHASE OF A BACKUP GENERATOR FOR THE YORK ROAD LIFT STATION FROM AARON EQUIPMENT COMPANY, INC. IN THE AMOUNT OF \$19,500

WHEREAS The Village of Bensenville owns and operates a wastewater collection system that provides conveyance of wastewater to our treatment plant, and

WHEREAS the York Road Lift Station provides a vital component to our overall sanitary sewer collection system - pumping approximately one million gallons per day of wastewater from the northern part of the Village to the WWTP, and

WHEREAS each of our major lift stations are equipped with backup generation in order to continue service during power outages, and

WHEREAS during a routine inspection of the existing generator, it was determined that major damage has occurred to the generator in which at least one of the internal components of the motor failed and caused severe damage to the generator, and

WHEREAS staff has determined that the best and most economical method of securing backup generation is the purchase of a used replacement generator, and

WHEREAS Aaron Equipment Company, Inc. of Bensenville, IL had an appropriately sized, slightly used generator in stock, and

WHEREAS staff roceeded to have the generator inspected by an outside contractor, and

WHEREAS staff has determined the generator is in good working order, and

WHEREAS Aaron Equipment has offered the generator to the Village at a price of \$19,500.

BE IT RESOLVED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois as follows:

THAT the Village Board authorizes the Village Manager to execute a purchase order and other associated documents to Aaron Equipment Company, Inc. of Bensenville, IL for the purchase and installation of a used generator for the York Road Lift Station in the amount of \$19,500.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois, _____, 2012.

APPROVED:

Frank Soto
Village President

ATTEST:

Susan Janowiak
Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Resolution **SUBMITTED BY:** Joe Caracci **DATE:** 10/17/2012

DESCRIPTION: Resolution authorizing the execution of a contract to Utility Services Inc. for the purchase and installation of Water Distribution System Tank Mixer in the amount of \$47,425.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input type="checkbox"/>	<i>Financially Sound Village</i>	<input checked="" type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input checked="" type="checkbox"/>	<i>Quality Customer Oriented Services</i>	<input type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input checked="" type="checkbox"/>	<i>Safe and Beautiful Village</i>	<input type="checkbox"/>	<i>Vibrant Major Corridors</i>

ASSIGNED COMMITTEE: I&E (unanimous approval)

DATE: 10/16/2012

BACKGROUND: The Village of Bensenville owns and operates a water distribution system that provides potable water and fire protection water throughout the Village limits. Unusual warmer temperatures this past summer have created the rapid decrease of chlorine residuals in our distribution system. This decrease in chlorine residuals was noticed when new chlorine analyzers were being installed to connect with our water SCADA system. Staff has been able to maintain these lower residuals to a point where we are still above State standards, but further work is needed to insure that we don't fall below the standards, thereby causing a violation.

One way to insure that we maintain healthy chlorine residuals in our system is by adding mixers in the storage tanks. Mixers will insure that the water that is in our storage tanks never experiences low chemical or thermal stratification (old, stale water). Mixing the water as it enters the tanks will ensure that the water will be the same temperature and maintain the same quality as enters our system from the Dupage County Water Commission. Another benefit of these mixers is that they will prevent the formation of ice that typically occurs during the winter months. Ice build-up on the inside of water storage tanks can be catastrophic to our tanks if it is not controlled.

KEY ISSUES: PAX Water Technologies is the manufacturer of a mixer that can control both of the issues stated above. PAX mixers have the data and reputation behind them that make them far more superior than other manufacturers. Because costs associated with the purchase of these mixers is substantial, and they need to be placed within the tanks themselves, it is beneficial to have a proven product that will provide years of service free interruptions that could lead to higher costs in the future. The PAX mixer system has been installed in dozens of tanks nearby and is an industry standard.

Also included in the scope of work, the Contractor will conduct a full tank inspection and completely clean all the interior walls and floor, to insure complete removal of any bio-films and sediments. By removing these bio-films and sediments prior to the installation of the mixers, it will guarantee that once the mixers are installed we are seeing results immediately in our chlorine residual tests.

We feel that the Foster Avenue storage tank should be our starting point, but eventually each of our tanks should have these units installed. Utility Services Co., Inc. is the local vendor that sells the PAX System. They have sized the system accordingly for the 750 million gallon reservoir. The cost of the unit is \$42,425 while the cost of the chemical cleaning is \$5,000, making the total cost \$47,425.

ALTERNATIVES: Discretion of the Village Board

RECOMMENDATION: Staff recommends approval of this Resolution to purchase water tank mixers. At their October 16, 2012 meeting the I&E Committee unanimously approved this purchase.

BUDGET IMPACT: Sufficient funds are available in the Water Capital fund to support this purchase (Account Number 510080860 596000)

ACTION REQUIRED: Approval of Resolution Authorizing the Execution of a Contract to Utility Services Co., Inc. for the Purchase and Installation of Water Distribution System Tank Mixer in the Amount of \$47,425.

Proposal From:



Utility Service Co.

I N C O R P O R A T E D



535 Courtney Hodges Blvd.

P.O. Box 1350, Perry, Georgia 31069

Phone: 800-223-3695

FAX SIGNED COPY TO:
478-987-2991

www.utilityservice.com

Date October 15th, 2012		SFID: 29170		CN:		SO: 35364		Page No. <u>1</u> of <u>1</u>	
Proposal Submitted to Village of Bensenville				Attn Mr. Rick Radde		Phone			
Address 12 S. Center Street				Job Name Washout, Chemical Cleaning, Disinfection, PAX					
City Bensenville		State IL	Zip Code 60106	Job Location 700 Foster Avenue			County / Parish Cook		
Tank Name Foster Avenue Tank		Tank Size & Style 750,000 gallon- Ground Tank		Est. Start Date Upon Approval		Submitted by Bill Murfree			

Utility Service Co., Inc. agrees to provide all labor, equipment, and materials needed to complete the following:

1. A date shall be coordinated by both parties for the Owner to drain the tank.
2. Interior floor and lower walls of the tank will be cleaned using a pressure washer to remove all mud, silt, and foreign sediment. The tank is not to be rigged to pressure wash the upper walls and roof unless specified by this agreement.
3. Apply NSF 60 approved patented chemical cleaning agent to the interior walls up to the high water line and floor surfaces.
4. Fresh water rinse all interior surfaces to remove cleaning agent and dilute/neutralize residual concentrations. Pricing assumes that neutralized wash-water and sediment can be disposed of through on-site drainage.
5. Utility Service Co, Inc shall furnish and install (1) NSF Approved PAX Submersible Active Mixing system, together with all drives, motors, controls, and accessories necessary for a complete and operable active mixing system. PAX Submersible Active Mixing system shall consist of a low-voltage, water-filled submersible motor, an impeller, mounting tripod, float switch and a non-submersible control center that houses all control electronics.
6. Village will be required to provide 120 VAC, 15 AMP GFCI - Protected, 15 Amp Circuit power supply at the tank, and will be required to supply a certified electrician to make the final connection between the PAX Mixer and the power supply during the installation.
7. Village will be responsible for all trenching, conduit and electrical connections outside the tank, unless otherwise stated in this proposal.
8. Upon completion of installation, Utility Service Co, Inc will power up the PAX Active Mixing system and complete electrical system check/IAR on PAX Control Center to verify proper operation.

Please sign and date this proposal and return one copy to our office.

Forty seven thousand, four hundred and twenty five dollars _____ dollars (\$47,425.00).

Payment to be made as follows: **Payment in Full Upon Completion of Work – plus all applicable taxes**

Remittance Address: Utility Service Company, Inc., P. O. Box 116554, Atlanta, GA 30368-6554

All material is guaranteed to be as specified. All work to be completed in a substantial workmanlike manner according to specifications submitted, per standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

USCI
Signature _____

Note: This proposal may be withdrawn by us if not accepted within Sixty (60) days

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

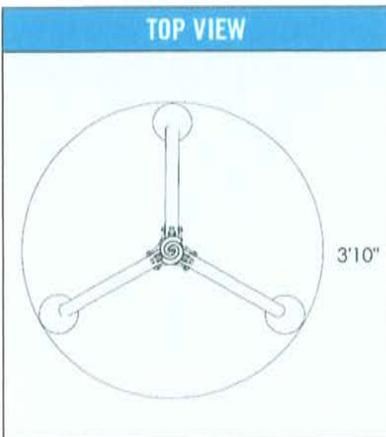
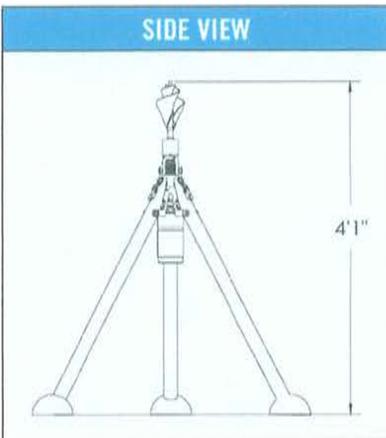
Signature _____

Printed Name _____

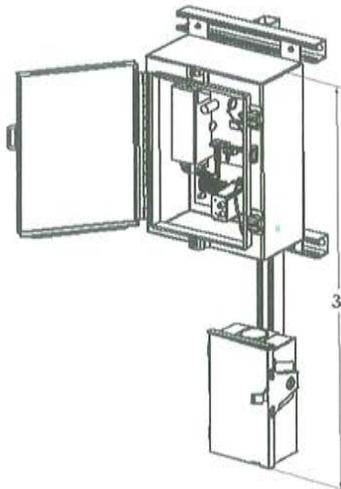
Date of Acceptance _____

Product Specifications

The PAX Water Mixer is an active, submersible mixing system for cost effective management of drinking water quality in storage tanks and reservoirs. The mixer easily installs without service disruptions or tank modifications, and mixes on-demand to rapidly eliminate stratification, uniformly distribute disinfectants and prevent conditions favorable to nitrification. Efficient and effective mixing of large volumes is made possible by the patented impeller's characteristic axial jet which establishes a stable flow structure throughout the storage volume.



MIXER SPECIFICATIONS	
Power supply requirement	120 VAC, GFCI-protected, 15 Amp circuit
Customer supplied power switch	NEMA 3R, fused, safety disconnect switch
Motor Type	48VDC, Water-filled, water-lubricated, brushless motor
RPM	1200
Nominal power draw	280 Watts @ 1200 RPM
Impeller specifications	8.25" Tall x 4.5" Diameter, SS 316, balanced to 0.4 gram-inches
Footprint diameter	3' 10" (1.17m)
Height	4' 1" (1.24m)
Weight: Mixer Assembly	62 lbs (28.2 kg)
Weight: Control Center	24 lbs (10.9 kg)
Material: Control Center	Stainless Steel NEMA 3R Enclosure
Material: Stand	316 Stainless Steel
Material: Motor Housing	316 Stainless Steel
Material: Motor Seals	Chlorine/chloramine-resistant NBR rubber
Material: Feet	Chlorine/chloramine-resistant EPDM rubber
Wiring	UL-listed Submersible Pump Cable 14 AWG XLPE



PAX Mixer Control Center Power Requirements (grid power):

120 VAC, GFCI-protected, 5mA trip, 15 Amp circuit located within 75 ft of load

Safety Switch Requirements:

A NEMA 3R or better, Safety Disconnect Switch installed by customer and located within 10 ft of the mixer Control Center

Standards, Environmental & Temperature Specifications:

Control Center Temperature Ranges:

Operating temperature*: -40°F to 115°F (-40°C to 46°C)

Storage temperature: -40°F to 155°F (-40°C to 70°C)

*outside ambient temperature

Figure 3: PAX Control Center (upper box) and example of Safety Disconnect Switch (lower box)

Motor Specifications

Water-filled, water-lubricated, maintenance-free brushless DC motor, carbon/ceramic thrust bearing construction. No electronics inside motor housing.

Maintenance

Recommended maintenance is to replace motor proactively every 8-10 years depending on tank draining and scheduled tank service. Also recommend checking filter on control center once per year.

SCADA addition – Product Specifications

The PAX SCADA system can connect to existing systems through hard-wire connections, or a robust line of sight wireless connection if trenching and conduit runs are undesired.

SCADA Specifications	
Input to board (dry contact)	Mixer On/Off
Output 1 (dry contact)	Mixer operating at required RPM
Output 2 (dry contact)	Mixer requires attention
Nominal power draw:	~2 Watts

Control Center Temperature Ranges: *outside ambient temperature

Operating temperature*: -13°F to 158°F (-25°C to 70°C),

Storage temperature: -13°F to 160°F (-25°C to 71°C)

Warranty

For the period of time beginning with shipment to Buyer and ending on the time periods listed below, the Product is warranted to be substantially free from defects in material and workmanship and to conform to Seller's specifications applicable to the Product –

- Two (2) years on all supplied parts

Warranty does not cover damage due to: (i) lightning, flood or other acts of nature, or failure of or inappropriate application of peripheral devices including lightning or surge protectors; (ii) negligence of Buyer or any third party; (iii) vandalism or any other misuse or mistreatment of the product; or (iv) installation by non-licensed contractor. Lightning protection is recommended in areas historically prone to lightning AND is the responsibility of the Buyer for proper installation in accordance with local, state, and national code requirements.

RESOLUTION NO.

**AUTHORIZING THE EXECUTION OF A CONTRACT TO
UTILITY SERVICES INC. FOR
PURCHASE AND INSTALLATION OF WATER DISTRIBUTION SYSTEM
TANK MIXER
IN THE AMOUNT OF \$47,425**

WHEREAS The Village of Bensenville owns and operates a water distribution system that provides potable water and fire protection water throughout the Village limits, and

WHEREAS unusual warmer temperatures this past summer have created the rapid decrease of chlorine residuals in our distribution system, and

WHEREAS staff has been able to maintain these lower residuals to a point where we are still above State standards, but further work is needed to insure that we do not fall below the standards, and

WHEREAS one way to insure that we maintain healthy chlorine residuals in our system is by adding mixers in the storage tanks, and

WHEREAS mixers will insure that the water that is in our storage tanks never experiences low chemical or thermal stratification, and

WHEREAS staff recommends the immediate installation of a mixing system at the Foster Avenue storage tank, and

WHEREAS PAX Water Technologies is the manufacturer of a mixer that has the data and reputation behind them that make them far more superior than other manufacturers, and

WHEREAS Utility Services, Inc. is the local vendor that sells and installs these mixing systems, and

WHEREAS Utility Services provided a proposal in the amount of \$47,425 to purchase and install the mixing system as well as perform a thorough cleaning and investigation of the Foster Avenue Storage Tank.

BE IT RESOLVED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois as follows:

THAT the Village Board authorizes the Village Manager to execute a purchase order and other associated documents to Utility Services Inc. of Perry, GA for the

purchase and installation of the mixing system at the Foster Avenue storage tank in the amount of \$47,425.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois, _____, 2012.

APPROVED:

Frank Soto
Village President

ATTEST:

Susan Janowiak
Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Resolution **SUBMITTED BY:** Joe Caracci **DATE:** 10/17/2012

DESCRIPTION: Resolution authorizing Amendment 1 to an engineering services agreement with Baxter & Woodman Inc. for the Green Street and York Road Water Main Replacement and Green Street LAPP Project for \$81,800 for a revised contract total of \$129,800

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Sound Village</i>	<input checked="" type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input type="checkbox"/>	<i>Quality Customer Oriented Services</i>	<input type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input checked="" type="checkbox"/>	<i>Safe and Beautiful Village</i>	<input checked="" type="checkbox"/>	<i>Vibrant Major Corridors</i>

ASSIGNED COMMITTEE: I&E (unanimous approval)

DATE: 10/16/2012

BACKGROUND: The Village applied and was awarded Federal Surface Transportation Program (STP) funding in the amount of \$770,000 (70% of estimated \$1,100,000 project) for the resurfacing of Green Street from York Road to the eastern Village limits. Before performing this resurfacing, a water main project should be performed to upgrade our distribution system along Green Street (between May and Center) as well as new main on York Road (Green to Roosevelt). Staff was successful in convincing IDOT to combine these two projects. Plans were submitted to IDOT in anticipation of a January 2013 letting (by IDOT).

During our recent review of the plans and investigations in the field, staff has determined additional water main work is necessary along Green Street to improve the water distribution system as well as the water quality. An opportunity exists to transfer services and hydrants from a smaller main onto an existing 12" main east of May, thus allowing us to abandon a redundant main and reduce maintenance. Minor design changes have resulted in the LAPP project due to additional water main work.

KEY ISSUES: Baxter & Woodman performed the initial design work on the project. Due to the changes in scope, they have prepared a request to amend the existing engineering services agreement. Additional scope items include: revisions to the water main plans, revisions to the roadway (LAPP) plans, combining the two project plans into one bidding set, submittal of a construction permit to Cook County (for the portion east of County Line Road, and two new items mandated by changes in environmental mandates. The new environmental mandates include an item for special waste screening (CCDD requirement) that will include pre-testing of the soils on the project corridor for the presence of any "special waste". This item is substantial (\$18,840) and will need to be added to all future construction contracts in the future. The second item included in the amendment is a not to exceed contingency of \$30,000 in the event special waste is identified in the soil investigation and a Preliminary Site Investigation (PSI) is required. This item will only be used if needed and required. The engineer will need permission from the Director of Public Works to proceed with this work.

The original engineering services agreement (R-11-2012) was approved for \$78,000. The additional required work would add \$51,800 to the total. With the contingency of \$30,000, the total amendment is \$81,800. Total cost of the agreement would be \$129,800 (\$80,776 for the watermain project and \$49,024 for the LAPP project). This equates to ~6.5% of the estimated construction cost of \$2 million.

ALTERNATIVES: Discretion of the Village Board

RECOMMENDATION: Staff recommends approval of the service agreement. At their October 16, 2012 meeting the I&E Committee unanimously recommended approval of this Amendment.

BUDGET IMPACT: Additional \$81,800 for a revised contract total of \$129,800. Funding for the design of the LAPP project was included in the 2012 Streets CIP (\$85,000) and funding for the design of the water project was included in the 2012 Water CIP (\$42,000).

ACTION REQUIRED: Approval of Resolution Authorizing the Execution of an Amendment 1 to an Engineering Services Agreement with Baxter & Woodman, Inc. for the Green Street and York Road Water Main Replacement and Green Street LAPP Project.

VILLAGE OF BENSENVILLE, ILLINOIS
GREEN STREET AND YORK ROAD WATER MAIN REPLACEMENT
AND GREEN STREET LAPP

***ENGINEERING SERVICES AGREEMENT
AMENDMENT NO. 1***

THIS AGREEMENT AMENDMENT is made this ____ day of _____, 2012, by and between the Village of Bensenville, Illinois, hereinafter referred to as the Village, and Baxter & Woodman, Inc., Consulting Engineers, hereinafter referred to as the Engineers, for the purpose of amending the Engineering Services Agreement between these parties dated February 28, 2012 hereinafter referred to as the Agreement to include the following items:

- Revised water main improvements Project limits to include Green Street from May Street to Evergreen Avenue.
- Combining the water main improvements and roadway resurfacing improvements under one set of contract documents in accordance with the guidelines set by the Illinois Department of Transportation (IDOT) for preparation of contract documents for federally funded projects.
- Special Waste Screening and Preliminary Environmental Site Assessment (PESA).
- Revised roadway resurfacing improvements to include Green Street from Center Street to the east Village limits (at the railroad bridge).
- Submittal for a Construction Permit from the Cook County Highway Department.

WITNESSETH that in consideration of the covenants herein, these parties agree as follows:

SECTION 2 of the AGREEMENT is hereby deleted in its entirety and replaced with the following:

“The Village shall compensate the Engineers for the professional services enumerated in Exhibit B hereof as follows:

2.1 The Engineers’ fee for the final design services for the water main on York Road and Green Street described in Exhibit B Sections 1 through 20 shall be a lump sum amount of \$80,776; Engineers’ Project No. 120058.40.

2.2 The Engineers’ fee for the final design services for the roadway improvements on Green Street described in Exhibit B Sections 21 through 25 shall be a lump sum amount of \$49,024; Engineers’ Project No. 120058.41.

2.3 The Engineers' fee for the engineering services for the Preliminary Site Investigation, as part of the water main on York Road and Green Street described in Section 26 shall be a not to exceed amount of \$30,000; Engineers' Project No. 120058.41. This work will be initiated if the PESA determines its necessity and only with written authorization by the Director of Public Works. "

EXHIBITS A and B of the Agreement are hereby deleted in their entirety and replaced with the attached revised Exhibits A and B.

All other provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused the execution of this Agreement by their duly authorized officers as of the day and year first above written.

BAXTER & WOODMAN, INC.

VILLAGE OF BENSENVILLE, ILLINOIS

By _____
Vice President

By _____
President

Date of Signature

Date of Signature

(SEAL)

ATTEST:

ATTEST:

Deputy Secretary

Clerk

Attachments

I:\DeKalb\BENVL\120058-York WM gree\120058.41\ESA Amend 1\ESA AMENDMENT 1_120058.docx



VILLAGE OF BENSENVILLE, ILLINOIS
GREEN STREET AND YORK ROAD WATER MAIN REPLACEMENT
AND GREEN STREET LAPP

AMENDMENT NO. 1

EXHIBIT A

PROJECT DESCRIPTION

The Green Street and York Road Water Main Replacement Project includes replacing approximately 1,200 lineal feet of existing 8-inch water main with new 10-inch diameter water main on York Road from Green Street to Roosevelt Avenue and approximately 900 lineal feet of 6-inch and 8-inch water main on Green Street from Center Street to May Street. The proposed route includes installing the new water main in the west parkway of York Road to align with the proposed water main to the north. All fire hydrants and valves will be replaced and new water services will be installed to the property line. Surface restoration will consist of parkway and driveway restoration and trench patching in the roadway. The Project also includes coordination with Metra for permitting and surface restoration. The Project does not include sanitary sewer condition assessment or improvements.

The amended scope of the Green Street and York Road Water Main Replacement Project includes replacing all water main appurtenances to move all existing appurtenances from the existing 8-inch water main onto the existing 12-inch water main. All fire hydrants and valves will be replaced, and new water services will be installed to the property line along Green Street from approximately May Street to Evergreen Avenue, approximately 2,100 feet. Surface restoration will consist of parkway and driveway restoration and trench patching in the roadway. The amended Project scope does not include sanitary sewer condition assessment or improvements.

The Green Street LAPP Project consists of the engineering services required to prepare Final Contract Documents for the hot-mix asphalt removal and resurfacing on Green Street from Center Street to the east Village Limits (at the railroad bridge). The work includes hot-mix asphalt surface removal, pavement patching, spot curb and gutter removal and replacement, hot-mix asphalt resurfacing, and pavement markings. The Project length is approximately 1.434 miles (7,570-feet).

The Green Street and York Road Water Main Replacement Project and Green Street LAPP Project will be combined under one contract (under one set of plans, specifications, and estimate of cost) for letting. Contract documents will be submitted to Illinois Department of Transportation for review and approval for a spring 2013 Letting.

I:\DeKalb\BENVL\120058-York WM gree\120058.41\ESA Amend 1\ESA AMENDMENT 1_120058 - Exhibit A.doc

VILLAGE OF BENSENVILLE, ILLINOIS
GREEN STREET AND YORK ROAD WATER MAIN REPLACEMENT
AND GREEN STREET LAPP

AMENDMENT NO. 1

EXHIBIT B

SCOPE OF SERVICES

GREEN STREET AND YORK ROAD WATER MAIN REPLACEMENT

PRELIMINARY DESIGN

1. PROJECT MANAGEMENT – Plan, schedule and control the activities that must be performed to complete the Project. These activities include, but are not limited to, budget, schedule, and scope. Submit a regular status report via email that describes the tasks completed and outlines goals for the following period.
2. CONDUCT PROJECT KICK-OFF MEETING – A Project kick-off meeting with Village staff and the Project team will be held for the Project. The purposes of the meeting are to establish clear lines of communication, introduce the Village staff to the team members, and establish the Village's detailed needs, objectives, and goals for the Project. The meeting will also be utilized to obtain information, plans, atlases, and other data to be supplied by the Village, and set schedules and guidelines for future design meetings.
3. EXISTING CONDITIONS/IN-HOUSE REVIEW
 - Review existing plans, atlases, plats, and reports.
 - Create lists of missing or conflicting data.
 - Collect Soil Borings as further outlined in Section 24 - GEOTECHNICAL REPORT
4. TOPOGRAPHIC SURVEY
 - Perform a field evaluation of the Project limits of natural and manmade features along the water main route in order to develop base sheets for PROJECT plan drawings.
5. CADD FOR TOPO SHEETS
 - Develop base sheets of natural and manmade features from topographic survey data, including creating lists of deficient items for clarification at future site visits.

6. SITE VISITS FOR DESIGNERS
 - Conduct site visits by designer(s) of water main during the design phase to clarify any discrepancies on the plans, select routes for pipe, and investigate pipe installation methods.
7. MEETINGS WITH VILLAGE STAFF
 - Conduct meetings with staff at times during the design of the Project to clarify staff wishes, design questions, and/or construction methods.
 - Design meetings will normally consist of one preliminary “red” line meeting, where the initial layout of the water main is approved prior to insertion in to the plans and one final meeting at 95 percent completion
8. UTILITIES – CONTACTS AND COORDINATION
 - Conduct a Design Locate with JULIE, which consists of obtaining names and phone numbers of all utilities located within the work area.
 - Contact utilities, obtain atlases where available, and provide preliminary plan sheets to utility companies for their markup and return.

DETAILED DESIGN

9. PROJECT MANAGEMENT - Plan, schedule and control the activities that must be performed to complete the Project. These activities include, but are not limited to, budget, schedule, and scope. Submit a regular status report via email that describes the tasks completed and outlines goals for the following period.
10. CADD FOR DETAILED DESIGN
 - Provide detailed computer-aided drafting of water main and appurtenances locations and construction requirements.
 - Indicate location of all utilities that can be obtained from utility company atlases.
 - Create all legends, general notes, and designer instructions to contractors, to create a final set of construction drawings.
11. PLANS
 - Prepare Design Documents consisting of Drawings showing the general scope, extent and character of construction work to be furnished and performed by the Contractor(s).
12. SPECIFICATIONS
 - Prepare for review and approval by the Village and its legal counsel the forms of Construction Contract Documents in accordance with the Illinois Department of Transportation’s *Standard Specifications for Road and Bridge Construction*, latest edition.

13. PEER AND CONSTRUCTABILITY REVIEWS
 - Conduct QA/QC peer reviews of drawings and specifications.
 - Utilize Construction Department personnel to provide a review of drawings and specifications.
 - Make corrections based upon comments from both engineering and construction department comments.
14. ENGINEER'S OPINION OF PROBABLE COST
 - Prepare a final opinion of the probable total Project cost including construction cost, construction engineering services, and contingencies.

AGENCY PERMIT SUBMITTALS

15. IEPA/DPWS
 - Submit the design documents to the agency for permit to construct, own, and operate the Project.
16. RAILROAD
 - Submit drawings and specifications to Metra for review and approval, and obtain necessary permit.
17. COUNTY HIGHWAY
 - Submit drawings and specifications to DuPage County Division of Transportation for review and approval, and obtain necessary permit.

PROJECT BID

18. ASSISTANCE TO BIDDERS
 - Answer bidders' questions during bid period.
19. ADDENDA
 - Issue necessary addenda to all plan holders as necessary.

SPECIAL WASTE SCREENING AND PRELIMINARY ENVIRONMENTAL SITE ASSESSMENT (PESA)

20. Perform a Special Waste Screening and Preliminary Environmental Site Assessment (PESA), including the following:
 - Review available regulatory information published by federal, state, local, health, and/or environmental agencies pertaining to the Project area.

- Review historical data sources for the Project area, including aerial photographs, topographic maps, fire insurance maps, Village directories, and other readily available development data.
- Conduct an area reconnaissance and environmental review, including a visual inspection of adjoining properties along the roadway corridor, with a focus on indications of hazardous substances, petroleum products, polychlorinated biphenyls (PCBs), wells, storage tanks, solid waste disposal pits and sumps, and utilities.
- Interview current owners and occupants of businesses that are located near the Project area and are likely to use hazardous materials in their occupations, and interview other persons with knowledge of the development history of the Project area.
- Prepare a written report of the methods, findings, and conclusions in general conformance with the scope and limitations of *A Manual for Preliminary Environmental Site Assessments for Illinois Department of Transportation Projects*.
- Identify recognized environmental conditions (RECs) in the Project corridor that may adversely affect the roadway improvements.
- Specify in the Phase I Submittal that the application of screening criteria does or does not indicate potential for special waste or other regulated substance contamination warranting further investigation.
- Include exhibits as necessary in the Phase I Submittal.

If application of the Special Waste Assessment screening procedure leads to a determination that further action is required, a PESA will be necessary. The purpose of a PESA is to determine the environmental condition of a site prior to the acquisition of right-of-way or improvements to existing right-of-way. If the final PESA report indicates that the project is “No Risk” or “Low Risk” for sites potentially impacted with regulated substances, this finding shall be documented in the environment document or Phase I Submittal for the project. If the PESA results in a determination that the project is “moderate risk” or “high risk” for special waste or other sites potentially impacted with regulated substances, determine conditions for reducing the risk to an acceptable level through means of avoidance. If it is determined that the project can avoid the contaminated site, it shall be indicated in the environmental document or Phase I Submittal. If it is determined that the project cannot conform to the avoidance of the contaminated site, a Preliminary Site Investigation (PSI) shall be prepared.

GREEN STREET LAPP

21. **MANAGE PROJECT** - Plan, schedule, and control the activities that must be performed to complete the Project including budget, schedule, and scope. Confer with Village staff, from time to time, to clarify and define the general scope, extent and character of the Project and to review available data. Attend one kick-off meeting with the Village to review the Project, establish Project criteria and clear lines of communication, and one progress meeting to review the Plans, Contract Proposal, and Estimate of Cost prior to submittal to the Department.
22. **AGENCY COORDINATION** - Coordinate the proposed improvements with the Department. Notify and coordinate the proposed improvements with utility companies.
23. **PRELIMINARY PLANS, SPECIFICATIONS, AND ESTIMATE OF COST**
 - **DATA COLLECTION** - Collect photographs of the existing conditions along the Project route to assist with preparation of design drawings and exhibits. Obtain data of record, including utility plans and atlas pages, to assist with the preparation of design drawings.
 - **FIELD EVALUATION** – Perform a field evaluation of the existing pavement and curb and gutter to determine the limits of resurfacing, pavement patching and curb and gutter removal and replacement.
 - **GEOTECHNICAL REPORT** - Employ the services of a geotechnical subconsultant to collect soil borings along Green Street and York Road for the water main replacement project and collect pavement cores along Green Street for the LAPP project. The geotechnical consultant will provide an analysis of the soil borings and pavement cores and a report in accordance with the requirements of the Department.
 - **PRELIMINARY GEOMETRIC PLANS** - Prepare the preliminary geometric plan sheets for the proposed improvements.
 - **PROJECT DETAILS AND STANDARDS** – Prepare a Cover Sheet, Typical Sections, Design Details, Summary of Quantities, and Department Standard Detail sheets.
 - **ESTIMATE OF COST** - Prepare a preliminary engineer’s estimate of cost.
 - **PHASE ONE DOCUMENTATION** - Prepare and submit Phase I documentation as required for a Local Agency Pavement Preservation Project (LAPP) in accordance with the Department’s Bureau of Design

and Environment Manual and the Bureau of Local Roads and Streets Manual. Maintain an updated Project Application with the DuPage Mayors and Managers Conference.

- PRE-FINAL SUBMITTAL - Prepare Plans and Engineer's Estimate of Probable Construction Cost and submit these documents to the Village for review. Make any necessary changes to the Plans and Engineer's Estimate of Probable Construction Cost as requested by the Village.

24. **FINAL PLANS, SPECIFICATIONS, AND ESTIMATE OF COST**

- SPECIAL PROVISIONS – Prepare special provisions in accordance with Department guidelines.
- QC/QA – Perform an in-house peer review of the pre-final plans, specifications, and estimates of cost for the Project.
- FINAL CONTRACT PLANS AND CONTRACT PROPOSAL - Prepare contract documents consisting of Plans, Special Provisions, Contract Proposal, and Engineer's Estimate of Probable Construction Cost and submit these documents to the Department for the Village to receive construction bids. Make any necessary changes to the documents as required by the Department in order to secure approval.

25. **COOK COUNTY HIGHWAY PERMIT**

- Submit Permit Application, plans and special provisions to the Cook County Highway Department.
- Incorporate Cook County Highway Standards and Special Provisions into the Plans and Specifications as required by the County.

PRELIMINARY SITE INVESTIGATION

26. The PSI will determine the nature and extent of contamination (i.e., above or below the clean-up objectives). This work includes contracting with a subconsultant from the Bureau of Design and Environments list of approved qualified consultants for PSIs. The PSI will include the following:
- A location map with the areas impacted by special waste or regulated substances identified on the map;
 - A list of recommended actions to be taken;
 - Cost estimates to excavate, transport, and dispose of the contaminated material;

- Results of field investigations of each affected site, including boring logs, a summary of analytical results, and laboratory data, if applicable; and a special provision for managing the contamination including pay items and quantities.

This work includes up to 50 sampling/boring locations.

\\corp.baxwood.com\Projects\Mokena\BENVL\120058-York WM gree\Contract\120058.40 Exhibit B.doc

RESOLUTION NO.

**AUTHORIZING THE EXECUTION OF AMENDMENT#1 TO AN
ENGINEERING SERVICES AGREEMENT WITH
BAXTER & WOODMAN, INC. FOR THE GREEN STREET AND YORK ROAD
WATER MAIN REPLACEMENT AND GREEN STREET LAPP PROJECT
IN THE AMOUNT OF \$81,800
FOR A REVISED CONTRACT TOTAL OF \$129,800**

WHEREAS the Village of Bensenville applied and was awarded Federal Surface Transportation Program funding in the amount of \$770,000 (70% of the estimated \$1,100,000 project) for the Green Street LAPP project; and

WHEREAS the funding has been extended for two years through 2014; and

WHEREAS prior to performing the LAPP project, the Village should perform a water main upgrade project along Green Street and York Road to provide adequate pipe size for fire flow protection and distribution system looping; and

WHEREAS "Engineering Services Agreement Amendment 1" defines the scope of work necessary to complete design of both projects is attached to this Resolution; and

WHEREAS, the staff has determined the need of additional scope of work to be included in the Green Street and York Road Water Main project and Green Street LAPP; and

WHEREAS, the additional scope of work is necessary to improve functionality of the distribution system as well as improve the water quality; and

WHEREAS the Village Board authorized an Engineering Services Agreement with Baxter & Woodman on February 28, 2012 in the amount of \$78,000, and

WHEREAS the cost associated with the additional scope is \$81,800, and

WHEREAS, \$30,000 of the \$81,800 are allocated for Preliminary Site Investigation (PSI) which will only be spent in the case contaminated soils are discovered on the site; and

WHEREAS the total modified agreement cost is \$129,800.

NOW THEREFORE BE IT RESOLVED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois as follows:

THAT the Village Board authorizes the Village Manager to execute the necessary documents to Baxter & Woodman, Inc. of Itasca, IL for an engineering services

agreement for the Green Street and York Road Water Main Replacement and Green Street LAPP Project in an amount of \$81,800, resulting in a new modified contract cost of \$129,800.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois, on this ___ day of _____, 2012.

APPROVED:

Frank Soto
Village President

ATTEST:

Susan Janowiak
Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Resolution **SUBMITTED BY:** Joe Caracci **DATE:** 10/17/2012

DESCRIPTION: Resolution to approve Final Balancing Change Order No. 2 with Stark and Son Trenching for a decrease of \$75,312.78 on the Jefferson Street Water Main – Phase I Project for a final contract cost of \$896,387.22

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Sound Village</i>	<input checked="" type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input checked="" type="checkbox"/>	<i>Quality Customer Oriented Services</i>	<input type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input checked="" type="checkbox"/>	<i>Safe and Beautiful Village</i>	<input type="checkbox"/>	<i>Vibrant Major Corridors</i>

ASSIGNED COMMITTEE: I & E (unanimous approval)

DATE: 10/16/2012

BACKGROUND: The Jefferson Street Corridor Water Main Replacement Project is a three year, three Phase project aimed at upgrading one of the Village's most problematic areas of town as it relates to frequent water main breaks and repairs. Phase I included the installation of nearly 4,000 linear feet of new 6", 8" and 12" PVC water main, ten new fire hydrants, and 12 new valves. Six new 1 1/2" copper water services were also be installed for residents with domestic water coming off Jefferson Street. The roadway was patched with a ten foot wide pavement patch that abuts the existing north curb. On April 24, 2012, the Village Board approved a contract with Stark and Sons Trenching in the amount of \$849,214 to complete the Phase I project.

On June 26, 2012, the Village Board approved Change Order No. 1 in the amount of \$122,486 for additional water system improvements along Center and Addison. The new contract amount was increased to \$971,700.

The project went very smoothly, reaching substantial completion prior to Labor Day. Due to landscape restrictions in the specifications, the project did not reach final completion until September 24, 2012.

KEY ISSUES: The Project team has reached agreement on all contract items and quantities. Change Order No. 2 (FINAL) reflects changes in bid quantities (some items were over quantity while others were under quantities) and additional items deemed necessary by the project team. Change Order No. 2 (FINAL) results in a deduction of \$75,312.78, resulting in a final construction cost of \$896,387.22.

Upon approval of this final and balancing change order, the project may be closed.

ALTERNATIVES: Discretion of the Village Board

RECOMMENDATION: Staff recommends approval of Change Order No. 2 (FINAL). The I&E Committee unanimously recommended approval of Change Order No. 2 at their October 16, 2012 meeting.

BUDGET IMPACT: \$75,312 in savings in the Capital – Utilities Fund.

ACTION REQUIRED: A motion to approve a Resolution concerning the determination of the Bensenville Village Board that Change Order Number Two (Final) with Stark and Son Trenching for a decrease of \$75,312.78 is required for the Jefferson Street Corridor Water Main Replacement– Phase I for a revised and final contract cost of \$896,387.22

Village of Bensenville
 Department of Public Works
 Jefferson Street Corridor Watermain Improvements - Phase I

ITEM NUMBER	ITEM DESCRIPTION	UNIT	Bid Quantity	Approved Change Order #1	Total Quantity	UNIT PRICE	Total Price	Added Quantity	Deducted Quantity	Total Completed Quantity	Final Pay Estimate			Cutoff Date	10/1/2012	Sent Date	10/15/2012
											QTY to Date	Payment to Date	% Complete to Date	QTY This Period	Payment This Period	Final Quantity	
1	Prop. 6" PVC WM (AWWA C-900)	LF	191		191.00	\$ 37.00	\$ 7,067.00	92.00		283.00	283.00	\$ 10,471.00	48.2%		\$ -	YES	
2	Prop. 8" PVC WM (AWWA C-900)	LF	337	408	745.00	\$ 40.00	\$ 29,800.00		(81.00)	664.00	664.00	\$ 26,560.00	-10.9%		\$ -	YES	
3	Prop. 12" PVC WM (AWWA C-900)	LF	3644		3644.00	\$ 52.00	\$ 189,488.00		(62.00)	3,582.00	3,582.00	\$ 186,264.00	-1.7%		\$ -	YES	
4	Water Service Reconnection Short - 1 1/2" Service Line and Curb Stop	EA	5	6	11.00	\$ 1,410.00	\$ 15,510.00	8.00		19.00	19.00	\$ 26,790.00	72.7%		\$ -	YES	
5	Water Service Reconnection Long - 1 1/2" Service Line and Curb Stop	EA	1	6	7.00	\$ 2,900.00	\$ 20,300.00			7.00	7.00	\$ 20,300.00			\$ -	YES	
6	Remove Existing Valve Box	EA	10		10.00	\$ 150.00	\$ 1,500.00			10.00	10.00	\$ 1,500.00			\$ -	YES	
7	Remove Existing Valve Vault	EA	3		3.00	\$ 350.00	\$ 1,050.00		(1.00)	2.00	2.00	\$ 700.00	-33.3%		\$ -	YES	
8	Abandon Existing Watermain	LS	1		1.00	\$ 15,000.00	\$ 15,000.00			1.00	1.00	\$ 15,000.00			\$ -	YES	
9	8" PVC (AWWA C-900) Sanitary Sewer	LF	23		23.00	\$ 40.00	\$ 920.00		(6.00)	17.00	17.00	\$ 680.00	-26.1%		\$ -	YES	
10	Remove 8" Sanitary Sewer	LF	23		23.00	\$ 10.00	\$ 230.00		(6.00)	17.00	17.00	\$ 170.00	-26.1%		\$ -	YES	
11	Watermain Testing/ Chlorination	LS	1	1	2.00	\$ 8,500.00	\$ 17,000.00			2.00	2.00	\$ 17,000.00			\$ -	YES	
12	12" 45° Bend	EA	28		28.00	\$ 545.00	\$ 15,260.00		(22.00)	6.00	6.00	\$ 3,270.00	-78.6%		\$ -	YES	
13	12" 22 1/2° Bend	EA	6		6.00	\$ 495.00	\$ 2,970.00		(6.00)			\$ -	-100.0%		\$ -	YES	
14	12" 11 1/4° Bend	EA	8		8.00	\$ 490.00	\$ 3,920.00		(8.00)			\$ -	-100.0%		\$ -	YES	
15	6" 45° Bend	EA	22		22.00	\$ 180.00	\$ 3,960.00	4.00		26.00	26.00	\$ 4,680.00	18.2%		\$ -	YES	
16	6" 22 1/2° Bend	EA	1		1.00	\$ 175.00	\$ 175.00		(1.00)			\$ -	-100.0%		\$ -	YES	
17	8" 45° Bend	EA	2		2.00	\$ 255.00	\$ 510.00			2.00	2.00	\$ 510.00			\$ -	YES	
18	Miscellaneous Fittings	LS	1		1.00	\$ 11,000.00	\$ 11,000.00	0.20		1.20	1.20	\$ 13,200.00	20.0%		\$ -	YES	
19	12" Cutting-In Sleeve	EA	3		3.00	\$ 1,160.00	\$ 3,480.00	1.00		4.00	4.00	\$ 4,640.00	33.3%		\$ -	YES	
20	8" Cutting-In Sleeve	EA	1		1.00	\$ 708.00	\$ 708.00		(1.00)			\$ -	-100.0%		\$ -	YES	
21	6" Cutting-In Sleeve	EA	9		9.00	\$ 550.00	\$ 4,950.00		(8.00)	1.00	1.00	\$ 550.00	-88.9%		\$ -	YES	
22	12" Non-Pressure Connection	EA	2	2	4.00	\$ 2,450.00	\$ 9,800.00			4.00	4.00	\$ 9,800.00			\$ -	YES	
23	8" Non-Pressure Connection	EA	1		1.00	\$ 1,200.00	\$ 1,200.00		(1.00)			\$ -	-100.0%		\$ -	YES	
24	6" Non-Pressure Connection	EA	8		8.00	\$ 1,100.00	\$ 8,800.00	1.00		9.00	9.00	\$ 9,900.00	12.5%		\$ -	YES	
25	12"x12" Cross	EA	1		1.00	\$ 1,080.00	\$ 1,080.00	2.00		3.00	3.00	\$ 3,240.00	200.0%		\$ -	YES	
26	12"x8" Tee	EA	8		8.00	\$ 700.00	\$ 5,600.00			8.00	8.00	\$ 5,600.00			\$ -	YES	
27	12"x6" Tee	EA	9		9.00	\$ 650.00	\$ 5,850.00	(6.00)		3.00	3.00	\$ 1,950.00	-66.7%		\$ -	YES	
28	12" x 6" Cross	EA	1		1.00	\$ 750.00	\$ 750.00		(1.00)			\$ -	-100.0%		\$ -	YES	
29	8"x12" Reducer	EA	1		1.00	\$ 350.00	\$ 350.00	2.00		3.00	3.00	\$ 1,050.00	200.0%		\$ -	YES	
30	Non-Pressure Connection 8"x8" Tee	EA	1		1.00	\$ 1,030.00	\$ 1,030.00		(1.00)			\$ -	-100.0%		\$ -	YES	
31	8"x6" Tee	EA	8	2	10.00	\$ 370.00	\$ 3,700.00			10.00	10.00	\$ 3,700.00			\$ -	YES	
32	8" Watermain Plug	EA	8		8.00	\$ 130.00	\$ 1,040.00		(5.00)	3.00	3.00	\$ 390.00	-62.5%		\$ -	YES	
33	Temporary Plug for Main Testing	EA	1		1.00	\$ 130.00	\$ 130.00			1.00	1.00	\$ 130.00			\$ -	YES	
34	6" Fire Hydrant and Aux Valve & Box	EA	10	2	12.00	\$ 3,950.00	\$ 47,400.00			12.00	12.00	\$ 47,400.00			\$ -	YES	
35	Remove Existing Hydrant	EA	8		8.00	\$ 610.00	\$ 4,880.00			8.00	8.00	\$ 4,880.00			\$ -	YES	
36	Remove Ex 6" Watermain	LF	63		63.00	\$ 10.00	\$ 630.00		(63.00)			\$ -	-100.0%		\$ -	YES	
37	6" Gate Valve and Vault (4" Dia)	EA	1		1.00	\$ 2,500.00	\$ 2,500.00			1.00	1.00	\$ 2,500.00			\$ -	YES	
38	8" Gate Valve and Vault (4" Dia)	EA	7	2	9.00	\$ 3,310.00	\$ 29,790.00	1.00		10.00	10.00	\$ 33,100.00	11.1%		\$ -	YES	
39	12" Gate Valve and Vault (5" Dia)	EA	4		4.00	\$ 4,765.00	\$ 19,060.00			4.00	4.00	\$ 19,060.00			\$ -	YES	
40	12" Watermain Protection	LF	601		601.00	\$ 70.00	\$ 42,070.00		(56.00)	545.00	545.00	\$ 38,150.00	-9.3%		\$ -	YES	
41	8" Watermain Protection	LF	75		75.00	\$ 59.00	\$ 4,425.00		(37.00)	38.00	38.00	\$ 2,242.00	-49.3%		\$ -	YES	
42	Water Service Protection	LF	60		60.00	\$ 55.00	\$ 3,300.00		(60.00)			\$ -	-100.0%		\$ -	YES	
43	Trench Backfill	CY	2993	285	3278.00	\$ 27.00	\$ 88,506.00		(381.20)	2,896.80	2,896.80	\$ 78,213.60	-11.6%		\$ -	YES	
44	Furnish and Place Topsoil, 4", Seeding IDOT Class I and Excelsior Blanket	SY	677	361	1038.00	\$ 10.00	\$ 10,380.00			208.00	1,246.00	\$ 12,460.00	20.0%	1246.00	\$ 12,460.00	YES	
45	HMA Pavement Removal & Replacement Full Depth (Heavy Duty)	SY	660		660.00	\$ 67.00	\$ 44,220.00		(139.80)	520.20	520.20	\$ 34,853.40	-21.2%		\$ -	YES	
46	HMA Pavement Removal & Replacement Full Depth	SY	5158	749	5907.00	\$ 40.00	\$ 236,280.00		(793.70)	5,113.30	5,113.30	\$ 204,532.00	-13.4%		\$ -	YES	
47	Remove & Replace Concrete Driveway	SY	95		95.00	\$ 71.00	\$ 6,745.00		(25.00)	70.00	70.00	\$ 4,970.00	-26.3%		\$ -	YES	
48	Remove & Replace Concrete Curb and Gutter	LF	379	190	569.00	\$ 45.00	\$ 25,605.00		(534.00)	35.00	35.00	\$ 1,575.00	-93.8%		\$ -	YES	
49	Remove & Reset Street Sign	EA	10		10.00	\$ 100.00	\$ 1,000.00		(7.00)	3.00	3.00	\$ 300.00	-70.0%		\$ -	YES	
50	Remove & Reset Ex Mailbox	EA	1	5	6.00	\$ 250.00	\$ 1,500.00		(3.00)	3.00	3.00	\$ 750.00	-50.0%		\$ -	YES	
51	Remove and Replace Landscape Timbers & Wood Fence	LF	16		16.00	\$ 100.00	\$ 1,600.00		(16.00)			\$ -	-100.0%		\$ -	YES	
52	Remove and Reinstall Landscape Block Planter Wall	LF	33		33.00	\$ 100.00	\$ 3,300.00		(33.00)			\$ -	-100.0%		\$ -	YES	
53	Tree Protection	EA	2		2.00	\$ 50.00	\$ 100.00		(2.00)			\$ -	-100.0%		\$ -	YES	
54	Protection for Ex Bushes	EA	1		1.00	\$ 200.00	\$ 200.00		(1.00)			\$ -	-100.0%		\$ -	YES	
55	Exploratory Trenching	LS	1		1.00	\$ 5,000.00	\$ 5,000.00			1.00	1.00	\$ 5,000.00			\$ -	YES	
56	Traffic Control	LS	1		1.00	\$ 8,500.00	\$ 8,500.00			1.00	1.00	\$ 8,500.00			\$ -	YES	
57	Remove & Replace Concrete Sidewalk	SY		11.612	11.61	\$ 50.00	\$ 580.56		(11.61)			\$ -	-100.0%		\$ -	YES	

**Village of Bensenville
Department of Public Works
Jefferson Street Corridor Watermain Improvements - Phase I**

ITEM NUMBER	ITEM DESCRIPTION	UNIT	Bid Quantity	Approved Change Order #1	Total Quantity	UNIT PRICE	Total Price	Added Quantity	Deducted Quantity	Total Completed Quantity	Final Pay Estimate		Cutoff Date	10/1/2012	Sent Date	10/15/2012
											QTY to Date	Payment to Date	% Complete to Date	QTY This Period	Payment This Period	Final Quantity
CONTRACT ADJUSTMENTS																
2	Change Order - Dust Control T&M		Estimate 2				\$ 11,385.00					\$ 11,385.00	100.0%			YES
3	Change Order - Encasement Removal T&M		Estimate 2				\$ 5,558.89					\$ 5,558.89	100.0%			YES
4	Change Order - Inlet Repairs and Extra Long Water Service Install T&M		Estimate 2				\$ 3,852.01					\$ 3,852.01	100.0%			YES
5	Change Order - Cut/Cap Extensions & Install Meter Pit T&M		Estimate 3				\$ 5,211.32					\$ 5,211.32	100.0%			YES
6	Change Order - Pavement Markings T&M		Estimate 4				\$ 532.00					\$ 532.00	100.0%			YES
7	Add Line Item 57X - Additional Cost for Sod (Salt Tolerant)		Estimate 4				\$ 4,298.70									YES
8	Line Item Change - Final Balancing of Quantities		Estimate 4		\$ (75,312.34)											
9	Credit- RAP Binder Course for HMA Paving & Contaminated Soils Disposal		Estimate 4				\$ (981.70)					\$ (981.70)				
							\$ 29,856.22				Line Items to Date	\$ 866,531.00		Line Items this Period	\$ 12,460.00	
											Contract Adj. to Date	\$ 29,856.22		Contract Adj. this Period	\$ (449.70)	
											Complete to Date	\$ 896,387.22		Amount Complete this Period	\$ 12,010.30	
							Total Approved Contract									

Work Completed to Date : \$ 896,387.22
 Less Retainage (0%) : \$ -
 Amount Earned: \$ 896,387.22
 Amount Paid Previously : \$ 836,121.81
Final Payment : \$ 60,265.41

Signed: _____ Date: _____
Stark & Son Trenching, Inc.

Signed: _____ Date: _____
Ardmore Associates, LLC

Approved: _____ Date: _____
Village of Bensenville - Dept. of Public Works

RESOLUTION NO. _____

A RESOLUTION CONCERNING THE DETERMINATION OF THE BENSENVILLE VILLAGE BOARD THAT CHANGE ORDER NUMBER TWO (FINAL) WITH STARK AND SON TRENCHING FOR A DECREASE OF \$75,312.78 IS REQUIRED FOR THE JEFFERSON STREET CORRIDOR WATER MAIN REPLACEMENT- PHASE I FOR A REVISED AND FINAL CONTRACT COST OF \$896,387.22

WHEREAS, Chapter 720, Section 5/33-E-9 of the Illinois Compiled Statutes 2002 requires change orders on public contracts involving total cumulative changes of more than Ten Thousand Dollars (\$10,000) in value or a cumulative total of thirty (30) days in time to be made by written determination; and

WHEREAS, it has been determined that it would be beneficial to the Village to revise original contract quantities to match actual as-constructed amounts, to compensate the contractor for additional work performed as directed and approved by the project engineer and Village staff, and to deduct monies for various violations and Village costs;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BENSENVILLE, DUPAGE COUNTY, ILLINOIS, as follows:

SECTION ONE: The Corporate Authorities of the Village make the written determination that the circumstances necessitating the change were not within the contemplation of the contract as signed and that this change order is in the best interest of the Village.

SECTION TWO: The change order which this determination involves relates to the following contract: Jefferson Street Corridor Water Main Replacement Project – Phase I, Stark and Son Trenching. The nature of Change Order Number Two (FINAL) and the amount of change is as follows – the contractor and engineer worked together to make necessary field changes which resulted in decrease of the revised plan quantities. The above changes resulted in a net cost decrease of seventy-five thousand three hundred twelve dollars and seventy-eight cents (\$75,312.78), for a revised contract price

of eight hundred ninety-six thousand three hundred eighty-seven dollars and twenty-two cents (\$896,387.22) with no extension in time.

SECTION THREE: This Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois, _____, 2012.

APPROVED:

Frank Soto
Village President

ATTEST:

Susan Janowiak
Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Resolution **SUBMITTED BY:** Joe Caracci **DATE:** 10/17/2012

DESCRIPTION: Resolution to approve a contract with James J. Benes and Associates, Inc. to perform engineering design services for the Wood Ave Watermain and Street Improvements Project in the amount of \$44,950.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Sound Village</i>	<input checked="" type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input type="checkbox"/>	<i>Quality Customer Oriented Services</i>	<input type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input checked="" type="checkbox"/>	<i>Safe and Beautiful Village</i>	<input type="checkbox"/>	<i>Vibrant Major Corridors</i>

COMMITTEE ACTION: I & E (unanimous approval)

DATE: 10/16/2012

BACKGROUND: The Village has made an application for obtaining DuPage County Community Development Block Grant (CDBG) funds to continue improvements in the Volk Brothers Subdivision. Phase I was completed in 2009 and included the reconstruction of Wood Avenue from Church Road to Foley Street and Ellis Street from Wood Avenue to Grove Avenue. Phase II was completed in 2012 including Wood Avenue from Foley Street to Henderson Street, Foley Street from Wood Avenue to Grove Avenue, and Henderson Street from Wood Avenue to Grove Avenue.

Wood Ave from Henderson Street to Route 83 is in disrepair and improvements need to be made relatively soon. Infrastructure improvements will include roadway reconstruction, curb and gutter, sidewalks, storm sewer, sanitary sewer repairs, watermain installation and parkway restoration. Estimated cost of construction is \$1.6 million.

25% of the construction costs (or \$400,000) has been requested through the CDBG program. The CDBG Program is a reimbursable program in which the Village fronts the initial costs and is reimbursed by DuPage County. In order to get this project moving and constructed in 2013, we must act swiftly in securing a design engineer.

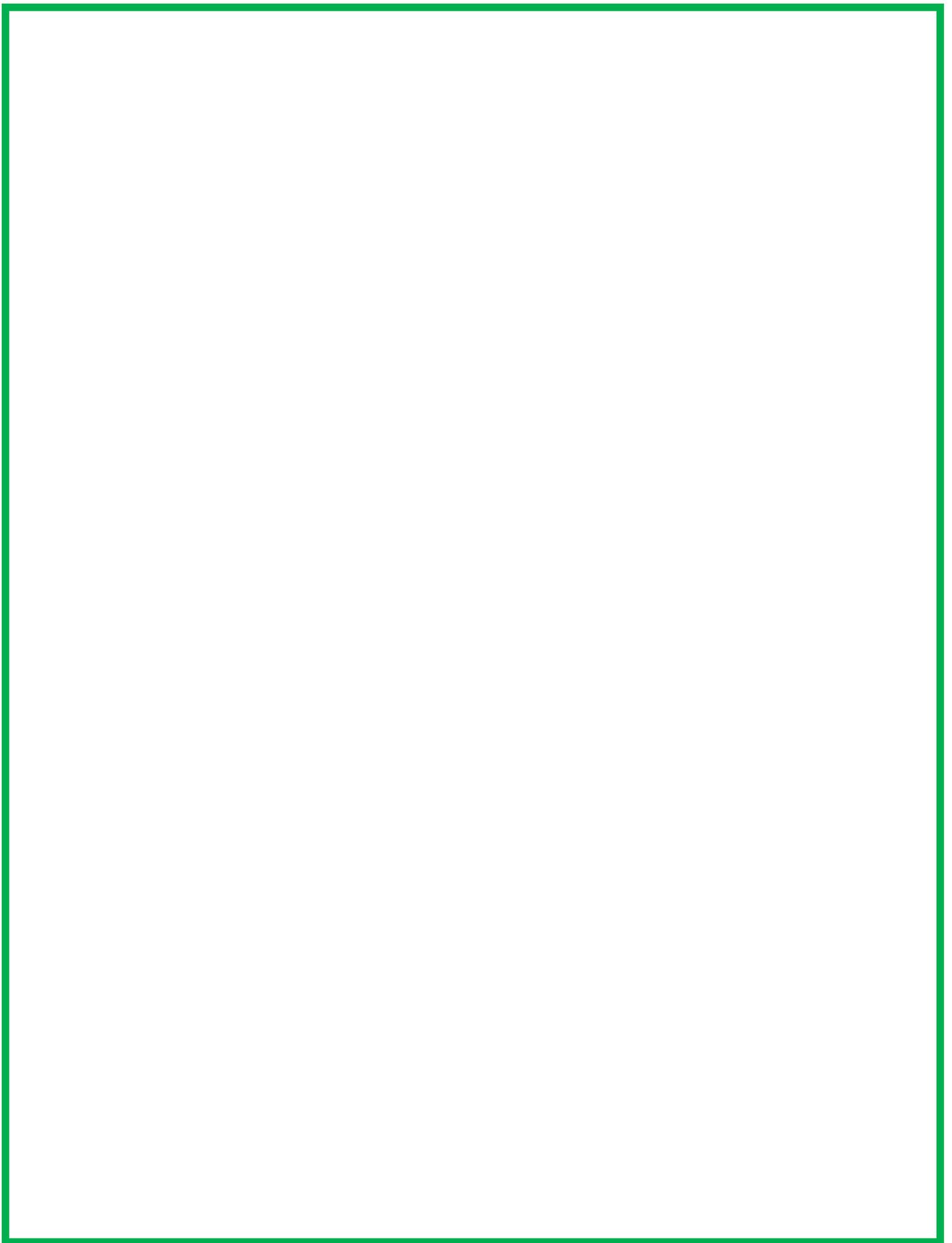
KEY ISSUES: James J. Benes and Associates, Inc. provided design and construction engineering services for Volk Brothers Phase I. They also provided design engineering for Phase II. During their initial design, they performed a number of field surveys and preliminary storm sewer design on the entire subdivision in order to properly size the roadways and storm sewer pipe. The extent of their data collected to date for Wood Ave work includes field survey, base sheet preparation, and preliminary storm sewer design. The level of design is such that they should be able to provide 60% drawings in a matter of weeks. James J. Benes and Associates proposes to perform the necessary design work to complete the detailed design for Wood Ave for a not-to-exceed fee of \$44,950. This cost equates to only 2.8% of the estimated construction cost and is commensurate with having much of the preliminary design already completed.

ALTERNATIVES: Discretion of the Village Board

RECOMMENDATION: Approval of the contract proposed by James J. Benes and Associates of Lisle, IL to perform the detailed design for the Wood Ave Watermain and Street Improvements. The I&E Committee unanimously recommended approval of this contract at their October 16, 2012 meeting.

BUDGET IMPACT: Wood Avenue was a portion of the proposed 2013 Street Program and thus funding has been set aside in the CY2012 budget to provide design engineering. Funds will be utilized in Capital Accounts 31080810 536513 (General Fund - \$35,000) and 51080810 536513 (Utility Fund - \$14,950).

ACTION REQUIRED: Approval of a Resolution authorizing the execution of a design engineering contract for the Wood Avenue Water Main and Street Improvements Project with James J. Benes and Associates in the amount of 44,950.

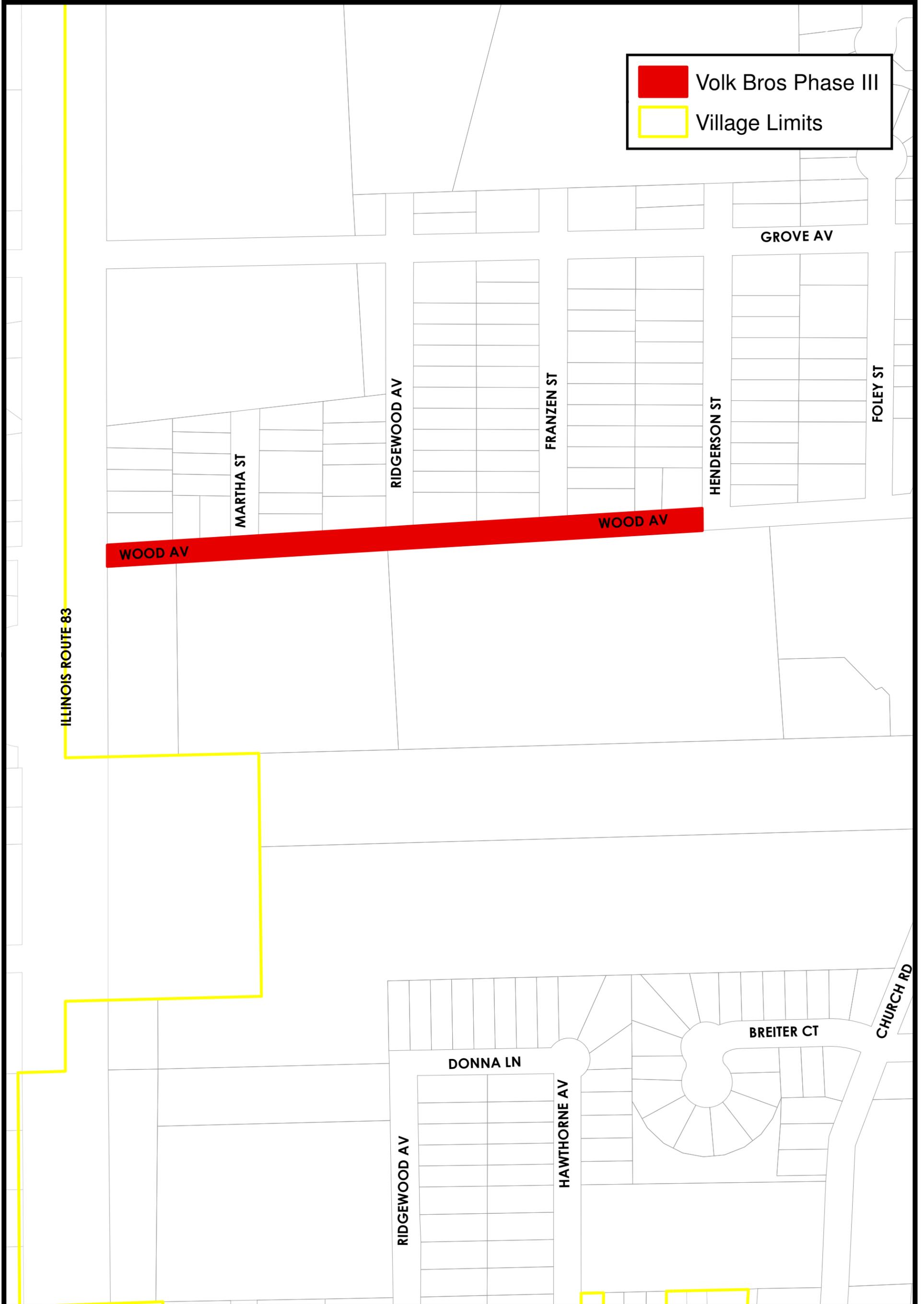




Village of Bensenville



Volk Bros Phase III



Proposal for Engineering Services

Volk Brothers Phase III Improvements



Submitted to:
*The Village of
Bensenville, Illinois*

*September 14, 2012
Revised 21, 2012*

Submitted by:



JAMES J. BENES AND ASSOCIATES, INC.
950 Warrenville Road ▪ Suite 101 ▪ Lisle, Illinois ▪ 60532
Tel. (630) 719-7570 ▪ Fax (630) 719-7589
Contact: *Bradley Hargett, P.E., P.L.S., CFM*



JAMES J. BENES AND ASSOCIATES, INC.
CONSULTING ENGINEERS

September 21, 2012 (Revised)

Mr. Joseph Caracci, P.E.
Director of Public Works
Village of Bensenville
717 E. Jefferson Street
Bensenville, IL 60106

Re: Engineering Proposal
Volk Brothers Phase III Improvements

Dear Mr. Caracci:

We appreciate the opportunity to submit two (2) copies of our proposal to furnish design engineering services for the Volk Brothers Phase III Improvements project. We trust that the proposal provides all the needed information.

The "Scope of Services" sections of the proposal outline the anticipated services to be provided. As indicated in the "Cost of Services" sections, our not-to-exceed cost is in the amounts \$44,950 that includes the optional CDBG cost. Our not-exceed cost without the CDBG is \$43,252. Please note that the not-to-exceed costs include a direct cost of \$3,000 for soil borings. This work will be subcontracted to Testing Services Corporation and will be invoiced to the Village at our actual cost.

Should the Village of Bensenville request engineering services for environmental testing and reports to completed the IEPA LPC-663 form for uncontaminated soil, an additional not-to-exceed direct cost of \$1,650 shall apply. This work will be subcontracted to Testing Services Corporation and will be invoiced to the Village at our actual cost.

If you have any questions or comments concerning our proposal, please contact me.

Respectfully Submitted,
JAMES J. BENES AND ASSOCIATES, INC.

A handwritten signature in blue ink, appearing to read "Bradley Hargett", is written over a white background.

by: Bradley Hargett, P.E., P.L.S., CFM
Vice President

UNDERSTANDING OF PROJECT

The Village of Bensenville proposes to reconstruct approximately 1,400 feet of roadway along Wood Avenue between IL Route 83 and Henderson Street within the Volk Brothers Subdivision. Reconstruction will include removal of the existing pavement, aggregate base course, hot mix asphalt binder and surface courses, and curb and gutter. The improvement will also include sidewalk, driveway reconstruction, storm sewers, sanitary sewer repairs (if required), and parkway restoration.

Additionally, the Village proposes to replace approximately 1,900 feet of 8" water mains along Wood Avenue between IL Route 83 and Ellis Street. The existing water main will be replaced with 10" ductile iron water main pipe. The installation of the new water main is expected to be located within the south parkway of Wood Avenue and to be installed using open cut trench methods. Gate valves and vaults and fire hydrants will be installed on the new water main as required. Existing water services will be replaced up to and including the buffalo boxes. Far side domestic services are intended to be bored where practical.

It is anticipated that the improvement will be solely funded by the Village of Bensenville. However, the Village is pursuing an option to partially fund the project with a Community Development Block Grant (CDBG). Construction of the project will be in 2013.

Our firm completed the field survey and preliminary design for this improvement in 2004. The field survey and preliminary design will be used in final design.

SCOPE OF SERVICES

The following design services are proposed for the Volk Brothers Improvements – Phase III.

I. PRELIMINARY ENGINEERING PHASE

- A. **Kick Off Meeting:**
We will attend a coordination meeting with the Village Staff at the onset of our work for the purpose of confirming the scope of the project and the anticipated schedule; review preliminary design that was completed in 2004; and to discuss any specific needs of the Village.
- B. **Utility Information:**
The utility information that was obtained from utility companies (gas, electric, telephone, cable, etc.) previously will be used.
- C. **Field Survey:**
We will perform a field check of the areas of the proposed construction to verify the existing conditions as shown on the engineering plans that were prepared in 2004. A field survey will be performed to pickup deviations from the 2004 field survey. In particular, Wood Avenue has been modified between Henderson Street to Ellis Street as part of the Village's Volk Brothers Phase I and Phase II Improvements project.
- D. **Geotechnical Investigations:**
Soil borings will be performed to explore soil and water table conditions within the area of the proposed roadway reconstruction. Pavement cores that were performed in 2004 will be used to determine the existing pavement thickness and composition. The soil boring work will be subcontracted to Testing Service Corporation.

As an alternate, additional services to perform environmental testing and reports to completed the IEPA LPC-663 form for uncontaminated soil will be performed if requested by

the Village of Bensenville. Costs associated with additional services are specified in the Cost of Services section of this proposal.

E. Base Plan Sheets:

The plan base sheets that were prepared in 2004 will be used. The 2004 base plan will be updated to incorporate the field survey changes.

F. Design Parameters and Standards :

The following established design parameters and recommended standards will be confirmed or established:

- Horizontal and vertical alignments that were established in 2004 will be confirmed.
- Stormwater detention analysis to determine if and the quantity of detention required by the DuPage Countywide Stormwater and Flood Plain Ordinance (Stormwater Ordinance) will be performed. The method of providing the required detention, including fee-in-lieu, will be established.
- The required Best Management Practices (BMPs), per the Stormwater Ordinance will be developed. The method of providing the required PCBMP's and VCBMP's, including fee-in-lieu, will be established.
- The construction staging to maintain traffic and access to residences will be developed.
- The design standards (i.e. Village, Illinois Standards for Water and Sewer, IDOT, CBDG) will be confirmed.
- A preliminary design that shows the planned horizontal alignment at critical locations will be developed for the proposed water main improvements.

G. Project Development Report:

A Project Development Report (PDR) will be prepared. A preliminary draft of the PDR will be submitted to the Village for review and comment. A final PDR will be prepared that incorporates all Village comments. The final PDR will include:

- Roadway vertical and horizontal alignments, drainage improvements, BMPs, and maintenance of traffic.
- Preliminary estimate of construction cost.
- Identification of potential conflicts with existing utilities.

II. DESIGN ENGINEERING

A. CDBG Kick-Off Meeting (Optional):

We will attend a kick-off meeting with the Village and representatives of the DuPage Community Development Commission to review requirements associated with the CDBG should the Village be granted a CDBG.

B. Sanitary Sewer Video:

We will review video taped inspections of the existing sanitary sewers within the limits of the proposed construction to determine locations and extent of needed repairs.

C. Final Design:

We will finalize the elements of the proposed improvement based on the recommendations of the PDR and the design that was completed in 2004. The water main horizontal alignment, vertical alignment, and design elements will be finalized.

D. Final Plans:

We will prepare final engineering plans in CADD format consisting of the following plan sheets:

- Title Sheet
- General Notes/Schedule of Quantities
- Summary of Quantities
- Alignment and Benchmarks
- Typical Sections
- Traffic Control Plan
- Plan and Profile Sheets
- Drainage and Utility Plans
- Cross Sections
- Construction Details
- IDOT District One Details
- Standard Details

E. Specifications:

We will prepare contract documents in the Village format. If the Village is granted a CDBG, the contract documents will additionally follow CDBG format. The cost to prepare the contract documents in CDBG format is an optional cost. The documents will consist of references to applicable standard specifications, CDBG provisions (optional), special provisions, bid forms, instruction to bidders, Village General Conditions, Contract Bid Form, Bond Forms, Insurance Requirements, and applicable compliance requirements.

F. Estimates of Cost:

We will prepare cost estimates at 65%(preliminary), 95%(pre-final) and final plan completion.

G. Permitting:

We will prepare a Stormwater Management Permit application and supporting documentation and submit to the Village for processing.

Water main construction permit application documents will be prepared and submitted with copies of the plans and specifications to the Illinois Environmental Protection Agency and the DuPage County Division of Transportation for review and approval.

H. Submittals:

We will submit plans, contract documents, and cost estimates at the 65%(preliminary), 95%(pre-final), and final completion stages. We will meet with the Village staff as needed to discuss review comments.

We will submit plans to the utility companies at the 95%(pre-final) completion stage, and will coordinate any conflicts.

I. Public Involvement:

We will attend a public informational meeting for the purpose of presenting the scope and scheduling of the proposed project to elected officials and impacted residents.

J. CDBG Coordination (Optional):

We will submit the construction contract documents and CDC Grant Recipient Bid Manual Checklist to the DuPage Community Development Commission for approval.

K. Bidding:

We will assist the Village as needed in receiving bids for the construction.

PROJECT TEAM

The following personnel will be assigned to perform the design engineering services for the Volk Brothers Improvements – Phase III. Each member of our project is knowledgeable in roadway projects and is experienced with working with Village staffs and residents.

Bradley Hargett, P.E., P.L.S., CFM will serve as the Project Manager. He will be a primary contact person for the Village staff and will be involved in the project on a daily basis. He will direct the activities of project team members and will review all materials before submittal to ensure compliance with Village design procedures.

Steve Gidley, P.E. and Josh Strait, P.E. will be the Project Engineers for the design and contract plan and document preparation. Both will perform the design and prepare the plans and documents under the guidance of Mr. Hargett and will direct the operations of the engineering technicians and clerical staff. Mr. Strait was the project engineer for the Volk Brothers – Phase II improvements.

Testing Services Corporation will be the sub-consultant responsible for the required geotechnical and environmental services.

SCHEDULE

Authorization to Proceed	October 31, 2012
Submit Project Development Report	December 14, 2012
Submit Preliminary Plans	December 21, 2012
Submit Pre-Final Plans and Documents	January 25, 2013
Submit Final Plans and Documents	February 15, 2013
Bid Opening	March 6, 2013

COST OF SERVICES

Compensation for all services will be on an hourly rate basis. Invoices will be prepared monthly and will document the direct payroll and direct costs expended. **The not-to-exceed cost including direct payroll, expansion for overhead and payroll burden, professional fee, and direct costs is \$44,950 that includes the optional CDBG cost. Our not-to-exceed cost without the CDBG is \$43,252.** The not-to-exceed cost is based on the “Estimate of Manhours and Costs” that is attached to and made part of the proposal.

Should the Client request Engineering Services for environmental testing and reports described under Preliminary Engineering Phase-Section “D”, **the not-to-exceed cost for the subject environmental testing and reports including direct payroll, expansion for overhead and payroll burden, professional fee, and direct costs is \$1,650.** The not-to-exceed cost is based on the Testing Service Corporation’s proposal that is attached to and made part of the proposal.

ACCEPTANCE

If this proposal is agreeable please sign and return one copy for our records.

Accepted for: _____

by: _____ Date: _____

**ESTIMATE OF MANHOURS AND COSTS
VILLAGE OF BENSENVILLE
VOLK BROTHERS IMPROVEMENTS - PHASE III**

CATEGORY OF SERVICE	PRINC.	SR. ENG.	PROJ. ENG.	TECH	TOTAL HOURS	DIRECT PAYROLL	TOTAL PAYROLL COST	DIRECT COSTS	SERVICES BY OTHERS	TOTAL COST
I. PRELIMINARY ENGINEERING										
A. Kick-Off Meeting	2	0	2	0	4	\$185	\$511	\$0	\$0	\$511
B. Utility Coordination	0	0	0	0	0	\$0	\$0	\$0	\$0	\$0
C. Field Survey	0	0	4	24	28	\$676	\$1,866	\$0	\$0	\$1,866
D. Geotechnical Investigations	0	2	0	0	2	\$86	\$237	\$0	\$3,000	\$3,237
E. Base Plan Sheets	0	0	0	6	6	\$136	\$375	\$0	\$0	\$375
F. Design Parameter and Standards										
1. Alignments	0	0	0	0	0	\$0	\$0	\$0	\$0	\$0
2. Stormwater Detention	2	12	0	0	14	\$634	\$1,750	\$0	\$0	\$1,750
3. Best Management Practices	0	6	0	0	6	\$258	\$712	\$0	\$0	\$712
4. Construction Staging	0	0	0	0	0	\$0	\$0	\$0	\$0	\$0
5. Design Standards	0	0	0	0	0	\$0	\$0	\$0	\$0	\$0
6. Preliminary Water Main Design	0	2	8	16	26	\$716	\$1,976	\$0	\$0	\$1,976
G Project Development Report	2	4	0	0	6	\$290	\$800	\$0	\$0	\$800
SUB TOTAL - PRELIMINARY ENGINEERING	6	26	14	46	92	\$2,981	\$8,228	\$0	\$3,000	\$11,228
II. DESIGN ENGINEERING										
A. CDBG Kick-Off Meeting (Optional)	2	0	2	0	4	\$185	\$511	\$0	\$0	\$511
B. Sanitary Sewer Video	0	0	4	8	12	\$315	\$869	\$0	\$0	\$869
C. Final Design	2	12	8	0	22	\$902	\$2,490	\$0	\$0	\$2,490
D. Final Plans	6	12	77	140	235	\$6,614	\$18,255	\$0	\$0	\$18,255
E. Specificaitons	2	18	0	0	20	\$892	\$2,462	\$0	\$0	\$2,462
1. CDGB Specifications (Optional)	0	6	0	0	6	\$258	\$712	\$0	\$0	\$712
F. Estimate of Cost	0	0	8	0	8	\$268	\$740	\$0	\$0	\$740
G. Permitting	2	24	0	4	30	\$1,240	\$3,422	\$0	\$0	\$3,422
H. Submittals										
1. Preliminary Plans	0	0	6	0	6	\$201	\$555	\$100	\$0	\$655
2. Pre-Final Plans	0	0	6	0	6	\$201	\$555	\$300	\$0	\$855
3. Final Plans	0	0	6	0	6	\$201	\$555	\$120	\$0	\$675
I. Public Involment	2	4	0	2	8	\$335	\$925	\$0	\$0	\$925
J. CDBG Coordination (Optional)	0	4	0	0	4	\$172	\$475	\$0	\$0	\$475
K. Bidding	0	0	6	2	8	\$246	\$679	\$0	\$0	\$679
SUB TOTAL - DESIGN ENGINEERING	16	80	123	156	375	12,030	\$33,203	\$520	\$0	\$33,723
TOTAL ALL PHASE I & II ITEMS	22	106	137	202	467	15,011	41,430	520	3,000	44,950



TESTING SERVICE CORPORATION

Corporate Office

360 South Main Place, Carol Stream, IL 60188-2404
630.462.2600 • Fax 630.653.2988

September 13, 2012

Mr. Bradley D. Hargett, P.E.
James J. Benes and Associates, Inc.
950 Warrenville Road, Suite 101
Corporetum Office Campus
Lisle, IL 60532

RE: P.N. 49,677
Geotechnical Exploration
Wood Avenue Water Main and Street Improvements
Bensenville, IL

Dear Mr. Hargett:

Testing Service Corporation (TSC) is pleased to submit this proposal to provide Geotechnical Engineering Services for the above captioned project. It responds to your email dated September 12, 2012. The objectives of the Geotechnical Study are to explore soil conditions and provide recommendations for pavement and water main design and construction

Project Description:

Our understanding of existing site conditions and the proposed construction are as follow:

- Wood Avenue will be reconstructed from IL Rt 83 to Henderson Street, \pm 1400'.
- \pm 1900 lineal feet of water main will be replaced. Limits of work are Wood Avenue from IL. Rt. 83 to Ellis Street.
- TSC performed pavement cores on Wood Avenue in September 2004. The data in report number L-60,108 for Wood Avenue will be incorporated in the report for this project.

If the location or type of the proposed structure(s) are changed, TSC should be promptly contacted to determine the relevance of our proposed boring program to the new project configuration.

Boring Program:

As directed in your email we are proposing to drill five (5) soil borings extended to a depth of 10 feet as part of our Geotechnical Exploration. Total drilling footage on this basis is estimated to be about 50 lineal feet.

For the purposes of this proposal we have assumed that the boring locations will be accessible to conventional drilling equipment. In this regard, they should not be located in standing water, within wooded or landscaped areas, or on steeply sloping ground. No provisions have been made for tree/brush clearing or other obstruction removal should borehole access be impeded. Landscape restoration or crop damage (if required) are also not included in the project budget.

TSC will utilize personnel who are trained in layout procedures to stake the borings in the field. Ground surface elevations for each borehole will be determined by level survey methods (benchmark to be provided). Utility clearance for the borings will be obtained by contacting JULIE (Joint Utility Locating Information for Excavators). Secondary and /or private underground utility lines will have to be marked by the property owner or their agents; a private locator can be hired (at an added cost) if necessary.

Soil samples will be obtained by split-spoon or thin-walled tube methods. Sampling will be performed at 2½-foot intervals for the entire depth of the boring. A representative portion of the split-spoon samples will be placed in a glass jar with screw-type lid for transportation to our laboratory. Groundwater observations will also be made during and following completion of drilling operations, with any boreholes in pavement areas to be backfilled immediately and patched at the surface.

Laboratory Testing:

Samples obtained from the borings will be examined by experienced laboratory personnel in order to verify field descriptions as well as to visually classify in accordance with the Unified Soil Classification System. Laboratory testing will include moisture content and dry unit weight determinations as well as measurements of unconfined compressive strength by direct or indirect methods, as appropriate. Other tests deemed to be necessary by TSC's Project Engineer may also be recommended for your approval.

Engineering Report:

Upon completion of sampling and testing, you will receive an engineering report summarizing field and laboratory test data, including a boring location plan and computer generated boring logs. The report will address anticipated soil and groundwater conditions impacting site development, based upon the information obtained from the borings. It will also provide recommendations to guide design and specification preparation pertaining to geotechnical issues relevant to the structure or purpose described in this proposal. These may include the following:

- General earthwork and construction considerations.
- Remedial work and/or treatment of unstable or unsuitable soil types.
- Fill placement and compaction for pavement and water main.
- Methods of Excavation
- Anticipation of and management of groundwater.

Fees and Scope:

In accordance with the Cost Estimate attached, TSC is proposing a not-to-exceed budget amount of Three Thousand Hundred Dollars (\$3000.00) to provide the Geotechnical Exploration outlined above. If Environmental Soil Sampling and Analytical Laboratory Analyses for Form LPC-663 is requested for this project please add One Thousand Six Hundred Fifty Dollars (\$1,650.00) to the budgeted amount.

Our proposal is based on the understanding that: the boring locations are accessible to a conventional truck or All-Terrain Vehicle (ATV) mounted drill; none of the borings will be located in standing water; and that the work can be performed during standard business hours. Our fee is further subject to this proposal being accepted by you on or before October 31, 2012.

Should the study reveal unexpected subsurface conditions requiring a change in the scope of work, you will be contacted before we proceed with additional work. Our invoice would then be based on the unit rates given in the attached Cost Estimate or as otherwise agreed upon. While our quoted fee does not include excavation, fill, earthwork, footing or foundation observations during construction phase, the project budget should include a provision for these services. Plan review, preconstruction meetings and/or other consulting and professional services that are provided subsequent to delivery of TSC's report would be covered by separate invoice.

ALTERNATE: TSC to sign IEPA Form LPC-663, Uncontaminated Soil Certification by Licensed Professional Engineer.

Uncontaminated soil including uncontaminated soil mixed with clean construction or demolition debris (CCDD) accepted at a CCDD fill operation must be certified to be uncontaminated soil in accordance with Section 22.51(f)(2)(B) of the Environmental Protection Act [415 ILCS 5/22.51(f)(2)(B)]. Uncontaminated soil accepted at an uncontaminated soil fill operation must be certified to be uncontaminated soil in accordance with Section 22.51a(d)(2)(B) of the Environmental Protection Act [415 ILCS 5/22.51a(d)(2)(B)]. These certifications must be made by a licensed professional engineer or geologist using the attached Form LPC-663 when the soil is removed from a site where commercial or industrial activities have taken place (interpreted to include roadway projects adjacent to commercial/industrial property). Uncontaminated soil from a site where commercial or industrial activities have not taken place may be certified by either the site owner or operator using LPC-662 or as above by a licensed professional engineer or geologist.

Analytical Testing:

Two (2) samples will be analyzed for volatile organic compounds (VOCs), Polynuclear Aromatics (PNAs), RCRA Metals and pH. This list incorporates the analytical parameters required by the majority of local CCDD facilities. We recommend if the CCDD facility destination to be used for a particular project is known, it be contacted to verify the analytical parameters proposed will be sufficient. The results will be compared to cleanup criteria presented in 35 IAC 742 Tiered Approach to Corrective Action Objectives used by the Illinois Environmental Protection Agency to evaluate soil.

Please note that our signing of Form LPC-663 is contingent upon all constituents meeting their respective MACs. If any constituent exceeds the MACs, the Licensed Professional Engineer or Geologist will not be able to certify the soil as uncontaminated. In that event, additional analysis may be required in connection with disposal at a Subtitle D landfill, at additional cost for consulting, analytical testing and completion of the waste profile.

Closure:

The geotechnical services being performed are subject to TSC's attached General Conditions. Unless stated otherwise, TSC fees include all state and federal taxes and permits that may be required. However, they do not include any license, permit or bond fees that local governments may impose. The local fees, if any, will be added to the invoice. Unless we receive written instructions to the contrary, invoices will be sent to:

Mr. Bradley D. Hargett, P.E.
James J. Benes and Associates, Inc.
950 Warrenville Road Suite 101
Corporetum Office Campus
Lisle, IL 60532
Tel: (630) 719-7570
Fax: (630) 719-7589
email: bhargett@jjbenes.com

If this proposal meets with your approval, please indicate your acceptance by signing one copy and returning it to our Carol Stream, Illinois office. When also completing the attached Project Data form, kindly indicate who is to receive copies of TSC's report and other related information.

Your consideration of our proposal is appreciated. We look forward to being of service to you on this project.

Respectfully submitted,

TESTING SERVICE CORPORATION



Michael V. Machalinski, P.E.
Vice President

Prepared by,



Michael D. Billings
Director of Business Development

MVM:MDB:kw

Enc: Cost Estimate
General Conditions
Project Data Sheet

Approved and accepted for _____ by:

(NAME)

(TITLE)

(DATE)

COST ESTIMATE
Wood Avenue Water Main and Street Improvements
Bensenville, IL
TSC P.N. 49,677

ITEM	UNITS	QTY	RATE	COST	
STAKING AND UTILITY CLEARANCE					
1.1	Layout Crew Chief to Stake and/or Arrange for Clearance of Underground Utilities	Hour	2.0	90.00	\$ 180.00
DRILLING AND SAMPLING					
	DRILL RIG WITH 2-MAN CREW (Travel, Standby or Obstruction Time)				
2.1	Regular Time (Up to 8.0 Hours per Day)	Hour	6.0	305.00	\$ 1,830.00
LABORATORY TESTING					
3.1	Examine Samples to Describe by Textural System and Classify Using the Unified Soil Classification System	Each	20	4.00	\$ 80.00
3.2	Water Content Determination (Includes Pocket Penetrometer Reading on Cohesive Samples)	Each	18	6.50	\$ 117.00
3.3	Unconfined Compressive or Torvane Shear Strength of Cohesive Soils	Each	5	13.00	\$ 65.00
3.4	Dry Unit Weight Determination	Each	5	6.50	\$ 32.50
ENGINEERING SERVICES					
4.1	Prepare Geotechnical Report with Boring Logs and Location Plan	Lump Sum	1	700.00	\$ 700.00
	ESTIMATED TOTAL:			\$ 3,004.50	
	RECOMMENDED BUDGET:			\$ 3,000.00	

COST ESTIMATE
P.N. 49,677
Environmental Soil Sampling and
Analytical Laboratory Analyses for Form LPC-663

ITEM		UNITS	QTY	RATE	COST
ANALYTICAL TESTING					
1.1	VOCs - Standard 9 to 11 Day Turnaround	Each	2	196.00	\$ 392.00
1.2	PNA's, RCRA Metals and pH - Standard 9 to 11 Day Turnaround	Each	2	288.00	\$ 576.00
1.3	Environmental Personnel to Screen & Prepare Samples	Each	1	120.00	\$ 120.00
1.4	Use of Photoionization Detector	Day	0.5	100.00	\$ 50.00
1.5	Environmental Data Review, Project Management, Prepare Summary Report with Form LPC-663 signed by PE if uncontaminated	Lump Sum	1	500.00	\$ 500.00
ESTIMATED TOTAL:					\$ 1,638.00
RECOMMENDED BUDGET:					\$ 1,650.00



TESTING SERVICE CORPORATION

GENERAL CONDITIONS

Geotechnical and Construction Services

1. PARTIES AND SCOPE OF WORK: If Client is ordering the services on behalf of another, Client represents and warrants that Client is the duly authorized agent of said party for the purpose of ordering and directing said services, and in such case the term "Client" shall also include the principal for whom the services are being performed. Prices quoted and charged by TSC for its services are predicated on the conditions and the allocations of risks and obligations expressed in these General Conditions. Unless otherwise stated in writing, Client assumes sole responsibility for determining whether the quantity and the nature of the services ordered by Client are adequate and sufficient for Client's intended purpose. Unless otherwise expressly assumed in writing, TSC's services are provided exclusively for Client. TSC shall have no duty or obligation other than those duties and obligations expressly set forth in this Agreement. TSC shall have no duty to any third party. Client shall communicate these General Conditions to each and every party to whom the Client transmits any report prepared by TSC. Ordering services from TSC shall constitute acceptance of TSC's proposal and these General Conditions.

2. SCHEDULING OF SERVICES: The services set forth in this Agreement will be accomplished in a timely and workmanlike manner. If TSC is required to delay any part of its services to accommodate the requests or requirements of Client, regulatory agencies, or third parties, or due to any cause beyond its reasonable control, Client agrees to pay such additional charges, if any, as may be applicable.

3. ACCESS TO SITE: TSC shall take reasonable measures and precautions to minimize damage to the site and any improvements located thereon as a result of its services or the use of its equipment; however, TSC has not included in its fee the cost of restoration of damage which may occur. If Client desires or requires TSC to restore the site to its former condition, TSC will, upon written request, perform such additional work as is necessary to do so and Client agrees to pay to TSC the cost thereof plus TSC's normal markup for overhead and profit.

4. CLIENT'S DUTY TO NOTIFY ENGINEER: Client represents and warrants that Client has advised TSC of any known or suspected hazardous materials, utility lines and underground structures at any site at which TSC is to perform services under this agreement.

5. DISCOVERY OF POLLUTANTS: TSC's services shall not include investigation for hazardous materials as defined by the Resource Conservation Recovery Act, 42 U.S.C. § 6901, et seq., as amended ("RCRA") or by any state or Federal statute or regulation. In the event that hazardous materials are discovered and identified by TSC, TSC's sole duty shall be to notify Client.

6. MONITORING: If this Agreement includes testing construction materials or observing any aspect of construction of improvements, Client's construction personnel will verify that the pad is properly located and sized to meet Client's projected building loads. Client shall cause all tests and inspections of the site, materials and work to be timely and properly performed in accordance with the plans, specifications, contract documents, and TSC's recommendations. No claims for loss, damage or injury shall be brought against TSC unless all tests and inspections have been so performed and unless TSC's recommendations have been followed.

TSC's services shall not include determining or implementing the means, methods, techniques or procedures of work done by the contractor(s) being monitored or whose work is being tested. TSC's services shall not include the authority to accept or reject work or to in any manner supervise the work of any contractor. TSC's services or failure to perform same shall not in any way operate or excuse any contractor from the performance of its work in accordance

with its contract. "Contractor" as used herein shall include subcontractors, suppliers, architects, engineers and construction managers.

Information obtained from borings, observations and analyses of sample materials shall be reported in formats considered appropriate by TSC unless directed otherwise by Client. Such information is considered evidence, but any inference or conclusion based thereon is, necessarily, an opinion also based on engineering judgment and shall not be construed as a representation of fact. Subsurface conditions may not be uniform throughout an entire site and ground water levels may fluctuate due to climatic and other variations. Construction materials may vary from the samples taken. Unless otherwise agreed in writing, the procedures employed by TSC are not designed to detect intentional concealment or misrepresentation of facts by others.

7. DOCUMENTS AND SAMPLES: Client is granted an exclusive license to use findings and reports prepared and issued by TSC and any sub-consultants pursuant to this Agreement for the purpose set forth in TSC's proposal provided that TSC has received payment in full for its services. TSC and, if applicable, its sub-consultant, retain all copyright and ownership interests in the reports, boring logs, maps, field data, field notes, laboratory test data and similar documents, and the ownership and freedom to use all data generated by it for any purpose. Unless otherwise agreed in writing, test specimens or samples will be disposed immediately upon completion of the test. All drilling samples or specimens will be disposed sixty (60) days after submission of TSC's report.

8. TERMINATION: TSC's obligation to provide services may be terminated by either party upon (7) seven days prior written notice. In the event of termination of TSC's services, TSC shall be compensated by Client for all services performed up to and including the termination date, including reimbursable expenses. The terms and conditions of these General Conditions shall survive the termination of TSC's obligation to provide services.

9. PAYMENT: Client shall be invoiced periodically for services performed. Client agrees to pay each invoice within thirty (30) days of its receipt. Client further agrees to pay interest on all amounts invoiced and not paid or objected to in writing for valid cause within sixty (60) days at the rate of twelve (12%) per annum (or the maximum interest rate permitted by applicable law, whichever is the lesser) until paid and TSC's costs of collection of such accounts, including court costs and reasonable attorney's fees.

10. WARRANTY: TSC's professional services will be performed, its findings obtained and its reports prepared in accordance with these General Conditions and with generally accepted principles and practices. In performing its professional services, TSC will use that degree of care and skill ordinarily exercised under similar circumstances by members of its profession. In performing physical work in pursuit of its professional services, TSC will use that degree of care and skill ordinarily used under similar circumstances. This warranty is in lieu of all other warranties or representations, either express or implied. Statements made in TSC reports are opinions based upon engineering judgment and are not to be construed as representations of fact.

Should TSC or any of its employees be found to have been negligent in performing professional services or to have made and breached any express or implied warranty, representation or contract, Client, all parties claiming through Client and all parties claiming to have in any way relied upon TSC's services or work agree that the maximum aggregate amount of damages for which TSC, its officers, employees and agents shall be liable is limited to \$50,000 or the total amount of the fee paid to TSC for its services performed with respect to the project, whichever amount is greater.

In the event Client is unwilling or unable to limit the damages for which TSC may be liable in accordance with the provisions set forth in the preceding paragraph, upon written request of Client received within five days of Client's acceptance of TSC's proposal together with payment of an additional fee in the amount of 5% of TSC's estimated cost for its services (to be adjusted to 5% of the amount actually billed by TSC for its services on the project at time of completion), the limit on damages shall be increased to \$500,000 or the amount of TSC's fee, whichever is the greater. This charge is not to be construed as being a charge for insurance of any type, but is increased consideration for the exposure to an award of greater damages.

11. INDEMNITY: Subject to the provisions set forth herein, TSC and Client hereby agree to indemnify and hold harmless each other and their respective shareholders, directors, officers, partners, employees, agents, subsidiaries and division (and each of their heirs, successors, and assigns) from any and all claims, demands, liabilities, suits, causes of action, judgments, costs and expenses, including reasonable attorneys' fees, arising, or allegedly arising, from personal injury, including death, property damage, including loss of use thereof, due in any manner to the negligence of either of them or their agents or employees or independent contractors. In the event both TSC and Client are found to be negligent or at fault, then any liability shall be apportioned between them pursuant to their pro rata share of negligence or fault. TSC and Client further agree that their liability to any third party shall, to the extent permitted by law, be several and not joint. The liability of TSC under this provision shall not exceed the policy limits of insurance carried by TSC. Neither TSC nor Client shall be bound under this indemnity agreement to liability determined in a proceeding in which it did not participate represented by its own independent counsel. The indemnities provided hereunder shall not terminate upon the termination or expiration of this Agreement, but may be modified to the extent of any waiver of subrogation agreed to by TSC and paid for by Client.

12. SUBPOENAS: TSC's employees shall not be retained as expert witnesses except by separate, written agreement. Client agrees to pay TSC pursuant to TSC's then current fee schedule for any TSC employee(s) subpoenaed by any party as an occurrence witness as a result of TSC's services.

13. OTHER AGREEMENTS: TSC shall not be bound by any provision or agreement (i) requiring or providing for arbitration of disputes or controversies arising out of this Agreement or its performance, (ii) wherein TSC waives any rights to a mechanics lien or surety bond claim; (iii) that conditions TSC's right to receive payment for its services upon payment to Client by any third party or (iv) that requires TSC to indemnify any party beyond its own negligence. These General Conditions are notice, where required, that TSC shall file a lien whenever necessary to collect past due amounts. This Agreement contains the entire understanding between the parties. Unless expressly accepted by TSC in writing prior to delivery of TSC's services, Client shall not add any conditions or impose conditions which are in conflict with those contained herein, and no such additional or conflicting terms shall be binding upon TSC. The unenforceability or invalidity of any provision or provisions shall not render any other provision or provisions unenforceable or invalid. This Agreement shall be construed and enforced in accordance with the laws of the State of Illinois. In the event of a dispute arising out of or relating to the performance of this Agreement, the breach thereof or TSC's services, the parties agree to try in good faith to settle the dispute by mediation under the Construction Industry Mediation Rules of the American Arbitration Association as a condition precedent to filing any demand for arbitration, or any petition or complaint with any court. Paragraph headings are for convenience only and shall not be construed as limiting the meaning of the provisions contained in these General Conditions.



TESTING SERVICE CORPORATION

Project Data Sheet

General Information:

Project Name: _____

Project Address: _____

City / State / Zip: _____

Project Manager: _____

E-Mail: _____

Telephone: _____

Fax: _____

Site Contact: _____

E-Mail: _____

Telephone: _____

Fax: _____

Send Invoice To:

Purchase Order Number: _____

Attention: _____

Company: _____

Address: _____

City / State / Zip: _____

E-Mail: _____

Telephone: _____

Fax: _____

Important Notes:

Completed By:

Signature: _____

Name: _____

Date: _____

Distribute Reports as Follows:

Name: _____

Company: _____

Address: _____

City / State / Zip: _____

E-Mail: _____

Telephone: _____

Fax: _____

Name: _____

Company: _____

Address: _____

City / State / Zip: _____

E-Mail: _____

Telephone: _____

Fax: _____

Name: _____

Company: _____

Address: _____

City / State / Zip: _____

E-Mail: _____

Telephone: _____

Fax: _____

Name: _____

Company: _____

Address: _____

City / State / Zip: _____

E-Mail: _____

Telephone: _____

Fax: _____



Bureau of Land • 1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276

Uncontaminated Soil Certification by Licensed Professional Engineer or Licensed Professional Geologist for Use of Uncontaminated Soil as Fill in a CCDD or Uncontaminated Soil Fill Operation LPC-663

Revised in accordance with 35 Ill. Adm. Code 1100, as amended by PCB R2012-009 (eff. Aug. 27, 2012)

This certification form is to be used by professional engineers and professional geologists to certify, pursuant to 35 Ill. Adm. Code 1100.205(a)(1)(B), that soil (i) is uncontaminated soil and (ii) is within a pH range of 6.26 to 9.0. If you have questions about this form, please telephone the Bureau of Land Permit Section at 217/524-3300.

This form may be completed online, saved locally, printed and signed, and submitted to prospective clean construction or demolition debris (CCDD) fill operations or uncontaminated soil fill operations.

I. Source Location Information

(Describe the location of the source of the uncontaminated soil)

Project Name: _____ Office Phone Number, if available: _____

Physical Site Location (address, including number and street): _____

City: _____ State: _____ Zip Code: _____

County: _____ Township: _____

Lat/Long of approximate center of site in decimal degrees (DD.ddddd) to five decimal places (e.g., 40.67890, -90.12345):

Latitude: _____ Longitude: - _____
(Decimal Degrees) (-Decimal Degrees)

Identify how the lat/long data were determined:

- GPS Map Interpolation Photo Interpolation Survey Other

IEPA Site Number(s), if assigned: _____ BOL: _____ BOW: _____ BOA: _____

II. Owner/Operator Information for Source Site

Site Owner	Site Operator
Name: _____	Name: _____
Street Address: _____	Street Address: _____
PO Box: _____	PO Box: _____
City: _____ State: _____	City: _____ State: _____
Zip Code: _____ Phone: _____	Zip Code: _____ Phone: _____
Contact: _____	Contact: _____
Email, if available: _____	Email, if available: _____

This Agency is authorized to require this information under Section 4 and Title X of the Environmental Protection Act (415 ILCS 5/4, 5/39). Failure to disclose this information may result in: a civil penalty of not to exceed \$50,000 for the violation and an additional civil penalty of not to exceed \$10,000 for each day during which the violation continues (415 ILCS 5/42). This form has been approved by the Forms

Project Name: _____

Latitude: _____ Longitude: - _____

Uncontaminated Site Certification

III. Basis for Certification and Attachments

For each item listed below, reference the attachments to this form that provide the required information.

- a. A Description of the soil sample points and how they were determined to be sufficient in number and appropriately located 35 Ill. Adm. Code 1100.610(a);

- b. Analytical soil testing results to show that soil chemical constituents comply with the maximum allowable concentrations established pursuant to 35 Ill. Adm. Code Part 1100, Subpart F and that the soil pH is within the range of 6.25 to 9.0, including the documentation of chain of custody control, a copy of the lab analysis; the accreditation status of the laboratory performing the analysis; and certification by an authorized agent of the laboratory that the analysis has been performed in accordance with the Agency's rules for the accreditation of environmental and the scope of the accreditation [35 Ill. Adm. Code 1100.201(g), 1100.205(a), 1100.610];

IV. Certification Statement, Signature and Seal of Licensed Professional Engineer or Licensed Professional Geologist

I, _____ (name of licensed professional engineer or geologist) certify under penalty of law that the information submitted, including but not limited to, all attachments and other information, is to the best of my knowledge and belief, true, accurate and complete. In accordance with the Environmental Protection Act [415 ILCS 5/22.51 or 22.51a] and 35 Ill. Adm. Code 1100.205(a), I certify that the soil from this site is uncontaminated soil. I also certify that the soil pH is within the range of 6.25 to 9.0. In addition, I certify that the soil has not been removed from the site as part of a cleanup or removal of contaminants. All necessary documentation is attached.

Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony. (415 ILCS 5/44(h))

Company Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____

Printed Name:

Licensed Professional Engineer or
Licensed Professional Geologist Signature:

Date:

P.E. or L.P.G. Seal:

RESOLUTION NO.

**AUTHORIZING THE EXECUTION OF A
DESIGN ENGINEERING CONTRACT FOR THE
WOOD AVE WATER AND STREET IMPROVEMENTS PROJECT
WITH JAMES J. BENES AND ASSOCIATES IN THE AMOUNT OF \$44,950**

WHEREAS the Village has identified the Wood Ave as an area in need of water distribution and street infrastructure improvements, and

WHEREAS the Village of Bensenville has applied for Community Development Block Grant funding through the DuPage County Department of Development, and

WHEREAS James J. Benes and Associates, Inc. of Lisle, IL has performed design engineering for Volk Bros Phase I & II, and

WHEREAS James J. Benes and Associates, Inc. of Lisle, IL has submitted a proposal to perform the work on a not to exceed cost,

BE IT RESOLVED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois as follows:

THAT the Village Board authorizes the Village Manager to execute a purchase order and other associated documents to James J. Benes and Associates, Inc. of Lisle, IL for engineering designs services for the Wood Ave Water and Street Improvements Project for an amount of \$44,950.00.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois, _____, 2012.

APPROVED:

Frank Soto
Village President

ATTEST:

Susan Janowiak
Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Resolution **SUBMITTED BY:** Joe Caracci **DATE:** 10/17/2012

DESCRIPTION: Resolution authorizing the execution of a contract to Communications Direct Inc. to purchase and install Narrowband capable radios for the Public Works Fleet in the amount of \$16,354

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input type="checkbox"/>	<i>Financially Sound Village</i>	<input checked="" type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input checked="" type="checkbox"/>	<i>Quality Customer Oriented Services</i>	<input type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input checked="" type="checkbox"/>	<i>Safe and Beautiful Village</i>	<input type="checkbox"/>	<i>Vibrant Major Corridors</i>

ASSIGNED COMMITTEE: **I & E (unanimous approval)**

DATE: **10/16/2012**

BACKGROUND: As part of an FCC mandate nationwide licensees operating on 25 kHz radios systems will need to operate using 12.5 kHz efficiency channels by January 1, 2013. 45 out of 50 radios currently used by the Public Works Department are over a decade old and not capable of being reprogrammed to work on the new narrowband channels and as such must be replaced. 4 new radios will be installed into vehicles that currently do not have radios and 8 existing radios (including 3 handhelds) will be reprogrammed to work on the new channels.

KEY ISSUES: Bids were solicited for the project and were opened on October 9th produced the following results:

Company	Bid Total
Communications Direct Inc.- Batavia, IL	\$16,354.00
Portable Communications Specialists, Inc.- Addison, IL	\$18,890.00

ALTERNATIVES: Discretion of the Village Board

RECOMMENDATION: Staff recommends approval of the radio purchase and installation contract with Communications Direct Inc. of Batavia, IL as the lowest responsible bidder. At their October 16, 2012 meeting, the I&E Committee unanimously recommended approval of this purchase.

BUDGET IMPACT: Total cost of \$16,354. Funds have been allocated in FY12 (\$25,000.00) for radio replacement. Account Number 31080800-594000.

ACTION REQUIRED: Motion to approve a Resolution authorizing the execution of a contract to Communications Direct Inc. for the purchase and installation of narrowband capable radios for the Public Works fleet in the amount of \$16,354.00



VILLAGE OF BENSENVILLE

Contract Document Number
PW-2012-19

Narrowband Mobile Radio Upgrades

Conformed Agreement

Village Board Approval on

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Initial: R-I

INVITATION TO BID

Narrowband Mobile Radio Upgrades

The Village of Bensenville will accept bids for “**Narrowband Mobile Radio Upgrades**”
The bids shall be sent to the Office of the Village Clerk located at 12 S. Center St.
Bensenville, IL 60106.

The bids shall be publicly opened at **10:00AM on Tuesday, October 9th, 2012** at
Bensenville Village Hall 12 S. Center St. The Bid must be in a sealed opaque envelope
plainly marked **Narrowband Mobile Radio Upgrades -BID**

Detailed specifications may be obtained by contacting Ken Rubach, Public Works
Supervisor at 630-350-3435, or via email at krubach@bensenville.il.us

The Village Board reserves the right to reject any and all bids or portions thereof

Susan Janowiak
Village Clerk

Initial: R-J

BID SPECIFICATIONS

Village of Bensenville, Illinois

Narrowband Mobile Radio Upgrades

PART I GENERAL SPECIFICATIONS

1. LOCATION OF THE WORK

The work will be performed at vehicles located at the Public Works Facility (717 E. Jefferson St.) unless otherwise authorized by the Director of Public Works or his designee.

2. DESCRIPTION OF THE WORK

The work included in this contract consist of furnishing all labor, materials, equipment, and other incidentals necessary for the completion of installing new radios, reprogramming existing radios, or upgrading radios as well as any other incidental and miscellaneous items of work in accordance with the Standard Specifications and these special provisions.

3. CONDITIONS

Bidders are advised to become familiar with all conditions, instructions and specifications governing their proposal. Once the award has been made, failure to have read all the conditions, instructions and specifications of their contract shall not be cause to alter the original contract or to request additional compensation.

4. BID SECURITY

4.1 Each Bid must be accompanied by Bid security made payable to the Village in an amount of five percent (5%) of the Bidder's maximum Bid price and in the form of a certified or bank check or a Bid Bond.

4.2 Bid Bonds shall be duly executed by the Bidder as principal and having as surety thereon a surety company approved by the OWNER, having the minimum equivalent of a Best and Co. 5A Rating.

Initial: ZZ

5. ADJUSTMENTS TO THE CONTRACT

Prospective Bidders are forewarned that the Village of Bensenville reserves the right to adjust the quantities of work to be accomplished, either up or down, dependent on the current budget or until budgeted funds are depleted without prejudice to the Contract. Payment will be based on measured quantities and accepted unit prices.

6. DAMAGES TO PROPERTY

The CONTRACTOR shall be responsible for any damage to properties caused by the acts of their work in the course of performance of this contract and shall replace or restore to its original condition any such damaged property at no cost to the occupant or owner or the Village. The Village shall be held harmless for all liability under the Scope of Work of this contract.

7. TIME OF COMPLETION, PENALTY, AND LIQUIDATED DAMAGES

7.1 The CONTRACTOR understands that all contract times are of the essence. Penalties will be imposed for non-completion of the set dates.

7.2 Should the CONTRACTOR fail to complete the work by **DECEMBER 9TH, 2012** or within such extended time as may have been allowed, the CONTRACTOR shall be liable to the OWNER in the amount of Two hundred Fifty dollars (\$250.00), as liquidated damages, for each day of overrun in the contract time or such extended time as may have been allowed. The daily charge shall be made for every day shown on the calendar beyond the specified completion date.

7.3 Any penalty or liquidated damages owed the Village may be deducted from any payments to the CONTRACTOR. If the deduction does not satisfy the full extent of the CONTRACTOR'S penalty obligation, then the CONTRACTOR shall pay the difference to the OWNER. The parties further agree that the liquidated damages represent the minimum damage the Village will sustain for each calendar day of the delay in final completion of the work.

8. REFERENCE SUBMITTALS

The CONTRACTOR shall provide four (4) references for like work performed; at least two (2) references shall be from a municipality or similar government entity.

Initial: R. F

Part II TECHNICAL SPECIFICATIONS/PROVISIONS

1. SCOPE OF THE WORK

1.1 Radio Type- Radios specified for this bid are as follows, no substitutions will be permitted. The cost of the new radios shall include a 2 year warranty, standard mounting hardware, and handheld microphone.

A) Motorola CDM-1250 Mobile Radio VHF 45W

B) Motorola CM-200 Mobile Radio VHF 45 W

C) Motorola CDM-750 Mobile Radio VHF 45W (Option in Lieu of CM-200)

1.2 Replacement of Existing Radios- The contractor shall remove existing radio and replace with a new programmed radio. Existing wiring and antenna shall be kept in place. (Please note the Village reserves the right to purchase radios and perform some or all of the installations using in-house personnel). This shall be referred to as "REPLACEMENT"

1.3 Installation of New Radios- The contractor shall provide all wiring, harnesses, antenna, & ignition cables as required for installation of new radios. This shall be referred to in the bid sheet as "NEW INSTALLATION"

1.4 Reprogramming of Existing Radios- The contractor shall reprogram the narrowband capable radios (mobile and handheld) that are already present at the Public Works facility. This would consist of 3 Motorola HT1250 Handheld Radios, 2 Motorola CDM1250 Mobile Radios, 1 Motorola CDM750 Radio & 2 Kenwood TK780H-1 Mobile Radios

2. INSPECTION

All phases of the radio upgrades performed under this contract will be subject to inspection by and with the approval of the Director of Public Works or his designee.

3. WORKING HOURS

3.1 Hours of work will be approved by the Director of Public Works or his designee. While every attempt will be made to schedule this work during "normal hours" (Monday-Friday 7am-330pm) **the CONTRACTOR should be aware that weekend work may be necessary.**

Initial: R. J

BIDDER INFORMATION SHEET

NAME: (PRINT) Roger Folkerts

SIGNATURE: Roger Folkerts

COMPANY NAME: (PRINT)
Communications Direct

ADDRESS: 735 Hunter Drive
Batavia, IL 60510

TELEPHONE: 630/406-5406

FACSIMILE: 630/406-5405

EMAIL: RogerF@CommDirect.com

Please Return to:

Corey Williamsen
Deputy Village Clerk
Village of Bensenville
12 S Center St.
Bensenville, IL 60106

The bid must be in a **sealed opaque** envelope **plainly marked:**
Narrowband Mobile Radio Upgrades- Bid

The bids must be received by **10:00am on October 9th, 2012**. They will be publicly opened and read on **October 9th, 2012 at 10:00am** in the Village Hall Board Room.

It shall be the responsibility of the bidder to deliver its bid to the designated person at the appointed place, prior to the announced time for the opening of the bids. Late delivery of a bid for any reason, including faulty or late delivery by United States Mail or other carrier will disqualify the bid.

Initial: R.F.

PRICE SHEET

Narrowband Mobile Radio Upgrades

Quantity	Description	Unit Cost	Total
47	Motorola CM-200	\$ 282 ⁰⁰	\$ 13,254 ⁰⁰
2	Motorola CDM-1250	\$ 470 ⁰⁰	\$ 940 ⁰⁰
47	Motorola CDM-750 (In lieu of CM-200)	\$ 397 ⁰⁰	\$ 18,659 ⁰⁰
44	Replacement- CM-200/CDM-750	\$ 40 ⁰⁰	\$ 1,760 ⁰⁰
3	New Installation of CM-200 /CDM-750	\$ 100 ⁰⁰	\$ 300 ⁰⁰
1	New Installation of CDM-1250	\$ 100 ⁰⁰	\$ 100 ⁰⁰
8	Reprogramming of Existing Radios	n/c	n/c
TOTAL			\$ 35,013 ⁰⁰

* Receive \$185⁰⁰ for every CM200 purchased through Motorola ReSube.
 TOTAL SAVINGS = \$1,295⁰⁰

Options/Alterations: * Price includes \$10⁰⁰ TRADE IN Credit
 for existing old Radios.

* Price includes ignition sense cables on all CDM Radios

* Price includes 45 WATTS of Radio Power on all Radios.

Authorized Signature Roger Salbeck

Title: Sales Date: 10-8-2012

Initial: R.S.

**GENERAL CONDITIONS AND INSTRUCTIONS TO BIDDERS FOR
PROCUREMENT OF MATERIALS**

The following conditions apply to all purchases/services and become a definite part of each invitation to bid. Failure to comply may disqualify your bid.

ELIGIBILITY TO BID

Non-Discrimination in Employment - Contractor, in performing under this contract, shall not discriminate against any worker, employee or applicant, or any member of the public because of race, creed, color, age, sex or national origin, or otherwise commit an unfair employment practice. The bidder, his sub-contractors, or labor organizations furnishing skilled or unskilled workers, craft union skilled labor, or anyone who may perform any labor or service, shall commit within the State of Illinois, under this contract, any unfair employment practices as defined in the act of the 72nd General Assembly entitled "Fair Employment Practices Act". Contractor is referred to Ill. Rev. Stat. 1961) ch. 48, paragraph 851 et seq. The contractor in all contracts entered into with suppliers of materials or services, and subcontractors and all labor organizations, furnishing skilled, unskilled and craft union skilled labor, or who may perform any such labor or services in connection with this contract.

- 1) Prevailing Wages (if applicable) - The bidder shall pay not less than the prevailing rate of wages as found by the Department of Labor or determined by the court to all laborers, workmen and mechanics performing work under this contract. Bidder must adhere at all times to Federal Wage Determination #1189-11, Rev.Stat.Section 39 S-2 (Modification #3).

- 2) Removal or Suspension of Bidders - The Village of Bensenville may remove or suspend any bidder from the bidder's list for a specified period not to exceed two (2) years. The Vendor will be given notice of such removal or suspension if:
 - a) Services performed do not comply with specifications of contract with the vendor;
 - b) Work is not done within the contract's specified in the contract;
 - c) An offer is not kept firm for the length of time specified in the contract;
 - d) Contractor fails to provide performance bond when required by invitation to bid;
 - e) Contractor is found guilty of collusion;
 - f) Bankruptcy or other evidence of insolvency is found;
 - g) An employee currently serves as a Board member or employee of Bensenville and is financially involved in proposed work.

- 3) Compliance to Law -
 - a) The bidder shall at all times observe and comply with all laws, ordinances, regulations and codes of federal, state, county, and village governments and/or

Initial: R.F.

any other local governing agencies which may in any manner affect the preparation of proposal or the performance of this contract.

- b) All merchandise or commodities must conform to all standards and regulations as set forth under the Occupation Safety Health Administration (O.S.H.A.)

CONDITIONS FOR BIDDING

- 1) Bid Definitions -
 - a) Bidding documents include the advertisement of invitation to bid, terms and conditions, scope of work / specifications, the bid price form and the proposed contract documents including addenda issued prior to receipt of bids.
 - b) Addenda are written or graphic instruments issued prior to the execution of the contract that modify or interpret the bidding documents, including drawings and specifications, by additions, deletions, clarifications, or corrections. Addenda will become part of the contract documents when the contract is executed.
- 2) Bid Price Form - Shall be submitted on the Bid Price Form provided, completed properly and signed in ink. Bid form shall be submitted in a sealed envelope plainly marked "Narrowband Mobile Radio Upgrades- BID".
- 3) Late Bids - Formal bids received after specified bid opening time will not be considered and will be returned unopened.
- 4) Withdrawal of Bids - A written request for withdrawal is required and must be received before bid opening. After bid opening, bids become a legal document and an integral part of the bid and shall not be withdrawn. Such requests are to be directed to the attention of the Deputy Village Clerk, telephone number (630) 350-3404.
- 5) Examination of Bidding Documents - Each bidder shall carefully examine all contract documents and all addenda thereto and shall thoroughly familiarize himself with the detailed requirements thereof prior to submitting a proposal. Should a bidder find discrepancies or ambiguities in, or omissions from documents, or should he/she be in doubt as to their meaning, he/she shall at once, and in any event not later than ten (10) days prior to bid due date, notify the Village Clerk who will, if necessary, send written addenda to all bidders. The Village will not be responsible for any oral instructions. All inquiries shall be directed to the Village Clerk. After the bids are received, no allowance will be made for oversight by the bidder.
- 6) Mistake in Bid and Bid Changes - No bid may be modified after submittal. However, if an error is made in extending a total price, the unit price will govern. The bidder must initial erasures on the bid form.

Initial: 27

- 7) Bid Binding - Unless otherwise specified, all bids shall be binding for Ninety (90) days following the bid opening date.
- 8) Changes in Contract Documents - Changes or corrections may be made by the Village in contract documents after they have been issued by the Village to all bidders of record. Such addendum or addenda shall take precedence over that portion of the documents concerned, and shall become part of the contract documents. Except in unusual cases, addenda will be issued to each of the bidders at least four (4) days prior to date established for receipt of bids.
- 9) Response to Invitations - Contractors who are unable to bid or do not desire will provide a letter of explanation and return the bid form. Contractors who fail to respond on two (2) successive bids will be removed from the qualified bidder's list.
- 10) Bid Attachments - Bidders shall attach to the bid form any descriptive material necessary to fully describe the merchandise he/she proposes to furnish.
- 11) Bidder's Competence - The Village may require proof of facilities or equipment, insurance coverage and financial resources to perform the work. If required, the bidder shall submit to the Village a properly executed Contractor's Qualification statement, AIA Document A305. The Village reserves the right to require specific references of communities or companies that have purchased like materials.
- 12) Bid Opening - At the precise time set for bid opening, bids will legally be made public. Bidders or their representatives are encouraged to attend the bid opening.
- 13) Bid Award - The bidder acknowledges the right of the Village to reject any or all bids and to waive informality or irregularity in any bid received and to award each item to different bidders or all items to a single bidder (to accept, split, and or reject part(s) of any of all bids). In addition, the bidder recognizes the right of the Village to reject a bid if the bidder failed to furnish any required bid security or to submit the data required by the bidding documents, or if the bid is in any way incomplete or irregular.

AWARD OR REJECTION OF BIDS

- 1) Award or Rejection - Contracts are awarded to the lowest, most responsible bidder. In determining the responsibility of a bidder, the following are taken into consideration:
 - a) The character, integrity, reputation, judgment, experience and efficiency of the bidder;
 - b) The current, uncompleted work in which a contractor is involved, which might hinder or prevent prompt delivery of the Merchandise;
 - c) The financial resources of the bidder;
 - d) Cash discounts offered;
 - e) Quality, utility, suitability of work or material: the quality of the commodity to be furnished, as well as the price therefore, is to be taken into consideration, and a

Initial: R. G.

bid which is low in point of price may be rejected if the material to be furnished is not the best;

f) Direct, indirect and incidental costs to the Village;

2) Notice of Award - A delivered executed contract shall be the binding contract.

CONTRACT PROVISION

- 1) Material, Equipment, and Workmanship: - Unless otherwise specified, the materials and equipment incorporated in the Goods will be new and of good quality. All workmanship will be of good quality and free from defects. CONTRACTOR shall, if required to furnish satisfactory evidence as to the source, kind and quality of the materials and equipment incorporated in the GOODS.
- 2) Equipment and Shop Drawings - When the contract requires detailed shop drawings and layouts, bidder shall submit them to the Village Manager, or his/her designee, for his/her approval. Drawings shall show the characteristics of equipment and operation details.
- 3) Village Supervision - The Village Manager, or his/her designee, shall have full authority over the contracted work. He/she will interpret specifications in the event of a dispute. He/she may order minor changes in a specification if it becomes obvious to do so. Major changes will be treated as "additions".
- 4) Village Insurance Requirement – Contractors shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the CONTRACTOR, his agents, representatives, employees, or subcontractors.

A) Minimum Scope of Insurance Coverage shall be at least as broad as:

- (1) Insurance Services Office Commercial General Liability occurrence form CG 0001 (Ed. 11/85) with the Village of Bensenville named as additional insured; and
- (2) Owners and Contractors Protective Liability (OCP) policy (if required) with the Village of Bensenville as insured; and
- (3) Insurance Service Office Business Auto Liability coverage form number CA 0001 (ED. 10/90 or newer), Symbol 01 "Any Auto."
- (4) Workers' Compensation as required by the Labor Code of the State of Illinois and Employers' Liability Insurance.

B) Minimum Limits of Insurance Contractor shall maintain limits no less than:

- (1) Commercial General Liability \$1,000,000 combined single limit per occurrence for bodily injury, personal injury, and property damage. The general aggregate shall be twice the required occurrence limit. Minimum

Initial: R.F.

General Aggregate shall be no less than \$2,000,000 or a project/contract specific aggregate of \$1,000,000.

- (2) Business Automobile Liability: \$1,000,000 combined single limit per accident for bodily injury and property damage.
- (3) Worker's Compensation and Employers' Liability: Workers' Compensation coverage with statutory limits and Employers' Liability limits of \$1,000,000 per accident.

C) Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the Village of Bensenville. At the option of the Village of Bensenville, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the Village of Bensenville, its officials, agents, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

D) Other Insurance Provisions

The policies are to contain, or be endorsed to contain, the following provisions:

(1) General Liability and Automobile Liability Coverages

- (a) The Village of Bensenville, its officials, agents, employees, and volunteers are to be covered as insured's as respects: liability arising out of activities performed by or on behalf of the Contractor; premises owned, leased or used by the Contractor; or automobiles owned, leased, hired or borrowed by the Contractor. The coverage shall contain no special limitations on the scope of protection afforded to the Village of Bensenville, its officials, agents, employees, and volunteers.
- (b) The Contractor's insurance coverage shall be primary as respects the Village of Bensenville, its officials, agents, employees, and volunteers. Any insurance maintained by the Village of Bensenville, its officials, agents, employees, and volunteers shall be excess of Contractor's insurance and shall not contribute with it.
- (c) Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the Village of Bensenville, its officials, agents, employees, and volunteers.
- (d) The Contractor's insurance shall contain a Severability of Interests/Cross Liability clause or language stating that Contractor's insurance shall apply separately to each insured against who claim is made or suit is brought, except with respect to the limits of the insurer's liability.

(2) Workers' Compensation and Employers' Liability Coverage

The insurer shall agree to waive all rights of subrogation against the Village of Bensenville, its officials, agents, employees, and volunteers for losses arising from work performed by Contractor for the municipality.

Initial: R.F.

(3) All Coverages

Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, cancelled, reduced in coverage or in limits except after thirty (30) days prior to written notice by certified mail, return receipt requested, has been given to the Village of Bensenville.

E) Acceptability of Insurers

Insurance is to be placed with insurers with a Best's rating of no less than A-, VII, and licensed to do business in the State of Illinois

F) Verification of Coverage

Contractor shall furnish the Village of Bensenville with certificates of insurance naming the Village of Bensenville, its officials, agents, employees, and volunteers as additional insured's, and with original endorsements affecting coverage require by this clause. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The certificates and endorsements may be on forms provided by the Village of Bensenville and are to be received and approved by the Village of Bensenville before any work commences. The attached Additional Insured Endorsement (Exhibit A) shall be provided to the insurer for their use in providing coverage to the additional insured. Other additional insured endorsements may be utilized, if they provide a scope of coverage at least as broad as the coverage stated on the attached endorsement (Exhibit A). The Village of Bensenville reserves the right to request full certified copies of the insurance policies and endorsements.

G) Subcontractors

Contractor shall include all subcontractors as insured's under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverage's for subcontractors shall be subject to all of the requirements stated herein.

H) Assumption of Liability

The Contractor assumes liability for all injury to or death of any person or persons including employees of the Contractor, any sub-contractor, any supplier or any other person and assumes liability for all damage to property sustained by any person or persons occasioned by or in any way arising out of any work performed pursuant to this agreement

I) Indemnity/Hold Harmless Provision

To the fullest extent permitted by law, the Contractor hereby agrees to defend, indemnify, and hold harmless the Village of Bensenville, its officials, agents, and employees against all injuries, deaths, loss, damages, claims, patent claims, suits, liabilities, judgments, cost and expenses, which may in anywise accrue against the Village of Bensenville, its officials, agents, and employees, arising in whole or in part or in consequence of the performance of this work by the Contractor, its employees, or subcontractors, or which may in anywise result therefore, except that arising out of

Initial: R. J.

the sole legal cause of the Village of Bensenville, its agents, or employees, the Contractor shall, at its own expense, appear, defend, and pay all charges of attorney and all costs and other expenses arising therefore or incurred in connections therewith, and if any judgment shall be rendered against the Village of Bensenville, its officials, agents, and employees, in any such action, the Contractor shall at its own expense, satisfy and discharge the same. Contractor expressly understand and agrees that any performance bond or insurance policies required by this contract, or otherwise provided by the Contractor, shall in no way limit the responsibility to indemnify, keep and save harmless and defend the Village of Bensenville, its officials, agents, and employees as herein provided.

The Contractor further agrees that to the extent that money is due the Contractor by virtue of this contract as shall be considered necessary in the judgment of the Village of Bensenville, may be retained by the Village of Bensenville to protect itself against said loss until such claims, suits, or judgments shall have been settled or discharged and/or evidence to that effect shall have been furnished to the satisfaction of the Village of Bensenville.

- 5) F.O.B. - All prices must be quoted F.O.B. Bensenville Illinois. Shipments shall become the property of the Village after delivery and acceptance.
 - a) CONTRACTOR shall assume all risk of loss or damage to the Goods prior to acceptance of delivery by OWNER at the point of delivery; and shall purchase and maintain insurance on the Goods during the process of fabrication and while in transit to insure against the perils of fire and extended coverage including "all risk" insurance for physical loss and damage including theft, vandalism and malicious, mischief, collapse, water damage and such other perils, as CONTRACTOR deems appropriate.
- 6) Delivery Schedule - Bid items must be delivered within sixty (60) days from the date of execution of the contract unless a specific delivery date is stated on the bid. The Village may cancel contract without obligation if Delivery requirements are not met. If said contract is not canceled by the Village, liquidated damages may be due and owing to the Village pursuant to the liquidated damage provision enumerated herein. All deliveries must be made on Monday - Friday, excluding Village holidays, between the hours of 7:00 a.m. and 3:30 p.m. Contractor is expected to ship in full truckload quantities within said sixty (60) day period unless prior approval has been granted by the Village in advance for circumstances beyond the control of the contractor.
- 7) Delivery - Bid price shall include delivery as indicated herein.

Initial: R.F.

- 8) Default - The Village may, subject to the provisions specified herein, by written notice of default to the contractor, terminate the whole or any part of this contract in any one of the following circumstances:

If the contractor fails to make delivery or to perform the services within the time specified herein or any extension hereof.

In the event the board terminates this contract in whole or in part as provided above, the Village may procure, upon such terms and in such manner as the Village may deem appropriate, supplies or services similar to those terminated, and the contractor shall be liable to the Village for any excess costs for such similar supplies for services; PROVIDED that the contractor shall continue the performance of this contract to the extent not terminated under the provisions of this clause.

- 9) Alternate Materials and Equipment - Where specifications read "or approved equal", contractor shall direct a written description to the Public Works Director for approval, as set forth herein below. Generally, where specifications indicate a particular brand or manufacturer's catalog number, it shall be understood to mean that specification or equal, or item that will perform a comparable function and be equal thereto to fill the needs of the Village, unless "No Substitutes" is specified. When offering alternatives, they must be identified by brand name and catalog number; in addition, the manufacturer's literature shall be included with the bid. However, bidders will be required to furnish samples upon request and without charge to the Village.
- 10) Bidder's Access to Procurement Information - All procurement information concerning this bid shall be a public record to the extent provided in the Illinois Freedom of Information Act and Public Act #85-1295 and shall be available to all bidders as provided by such acts.
- 11) Acceptance - Contracted work will be considered accepted when final payment is made.
- 12) Payment -
- a) For services of merchandise ordered by purchase order, payment will be made to a vendor provided and service or merchandise has been properly tendered to and accepted by the Village. Payment by check to a vendor is mailed the week approval of payouts is made by the Board. Payout requests are considered at the regular Village Board meetings on the 2nd and 4th Tuesdays of the month.
 - b) For construction, partial payouts will be made each month as the work progresses, provided the work has been properly completed and accepted by the Village. Payment by check to a contractor is mailed the week approval of payouts is made by the Board. Payout requests are considered at the regular Village Board meetings on the 2nd and 4th Tuesdays of the month.

Initial: RF

- 13) Reorders - Reorders for the same item(s) shall be furnished at the base contract price or shall be reorders pursuant to a schedule of prices attached hereto by the contractor. Reordering shall be within the sole discretion of the Village.
- 14) Guarantees and Warranties -
- a) All material, workmanship, services, and purchased commodities will be guaranteed from defects for a period of at least one (1) year, or for the period of time specified in the bid documents, based on the date of completion. Upon notice of defect, bidder shall make necessary repairs, without delay, at no extra charge to the Village. Said time period shall be based on date of completion. Upon written notice of defect, contractor shall make all necessary repairs, without delay, at no extra charge to the Village.
 - b) All warranties for materials or equipment must be received with title before payment for same is recommended.
- 15) Changes/Additional Services/Deletions - Any requests for changes or modifications to this contract must be submitted in writing and approved by the Village Manager, or his/her designee, prior to such changes or modifications being made. Any additional service desired from the contractor under this contract will be requested in writing and the additional charges for these services will be in accordance with the rate submitted on the proposal page and will be agreed to with the contractor prior to additional work commencing. In the event that charges for additional services cannot be agreed upon, bids will be requested. The Village reserves the right to negotiate additional services based upon the contractor's price and performance, within all legal constraints.
- 16) Change Order Authorization - Pursuant to Public Act 85-1295 (Ill.Rev.Stat.ch.38, paragraph 33E-1 et seq.), no change order may be made in this contract which would authorize or necessitate an increase or decrease in either the cost of the contract by \$10,000.00 or more, or the time of completion by 30 days or more unless one of the following certifications is made by either the Village Board or its designee that:
- a) Circumstances said to necessitate the change in performance were not reasonably foreseeable at the time the contract was signed; or
 - b) The circumstances said to necessitate the Change were not within the contemplation of the contract as signed; or
 - c) The change is in the best interest of the Village;

The party authorized to execute the above certification is the Village of Bensenville.

Initial: R. E

VENDOR:

Rosa Talento

Signature

Sales

Title

10.8-2012

Date

Village of Bensenville:

Signature

Title

Date

Initial: *R-Z*

PUBLIC WORKS RADIO EQUIPMENT LIST

Dept.Division & Vehicle No.	Service Date	Vehicle Description		New 1250	Replace	New 200/750	Reprogram
PW ADMIN/ENGINEERING							
200 - NEW	2012	2012 Ford Expedition	Director ERV	1			
202 - 515	2001	2001 Ford Ranger	Pool Vehicle			1	
PW OPERATIONS/SMALL							
210 - 727	1997	1997 Ford F250	Pickup truck		1		
211 - 730	2008	2008 Ford F250	Pickup truck				1
212 - 731	2008	2008 Ford F250	Pickup truck		1		
213 - 775	1994	1994 Ford F240	Pickup truck		1		
214 - 776	2012	2012 Ford F450 Ext Cab	Pickup truck		1		
213 - 777	1996	1996 Ford F350	Pickup truck		1		
216 - 795	2005	2005 Ford F250 Ext Cab	Pickup truck		1		
217 - 796	2001	2001 Ford F250 Ext Cab	Pickup truck		1		
218 - 827	2008	2008 Ford F250	Pickup truck		1		
219 - 828	2008	2008 Ford F250	Pickup truck		1		
220 - 815	1997	1997 Ford F150 SC	pickup truck		1		
221 - 822	1997	1997 Ford Ranger	pickup truck				
222 - 880	2003	2003 Ford F250	pickup truck				1
223 - 885	1997	1997 Ford F150	pickup truck		1		
224 - 832	2011	2011 Ford F250	Pickup truck				1
225 - 733	1997	1997 Ford E150	Van			1	
226 - 826	2003	2003 Ford E250	van		1		
227 - 829	1997	1997 Ford E150	van		1		
228 - 830	1997	1997 Ford E150	van		1		
229 - 886	1997	1997 Chevy P30	step van		1		
230 - 887	1999	1999 Ford F350	pickup truck		1		
231 - 737	2011	2011 Ford F250 Crew	Pickup truck				1
232 - 816	1997	1997 Ford F150 SC	Pickup truck		1		
233 - 824	2001	2001 Ford F250 SD	pickup truck		1		

RESOLUTION NO.

**AUTHORIZING THE EXECUTION OF A CONTRACT TO
COMMUNICATIONS DIRECT INC. FOR
PURCHASE AND INSTALLATION OF NARROWBAND RADIOS
IN THE AMOUNT OF \$16,354.00**

WHEREAS the Village of Bensenville, in order to comply with the FCC narrowband mandate must upgrade its Public Works radios in order to continue an efficient means of communication among Public Works staff.

WHEREAS Communications Direct Inc. provided the lowest responsive bid at the October 9, 2012 public bid opening.

BE IT RESOLVED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois as follows:

THAT the Village Board authorizes the Village Manager to execute a purchase order and other associated documents to Communications Direct Inc. of Batavia, IL for the purchase and installation of narrowband radios in the amount of \$16,354.00.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois, _____, 2012.

APPROVED:

Frank Soto
Village President

ATTEST:

Susan Janowiak
Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Ordinance **SUBMITTED BY:** S. Viger **DATE:** 10.17.12

DESCRIPTION: Pass the Ordinance granting the request from BCR Automotive Group, LLC dba Roesch Ford for an amendment to a Planned Unit Development (PUD) approved by Ordinance #43-2011 to allow an demolition and renovation of the showroom and façade as well as an addition along the west side of the building located at 333 W. Grand Avenue.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	Financially Sound Village	<input checked="" type="checkbox"/>	Enrich the lives of Residents
<input type="checkbox"/>	Quality Customer Oriented Services	<input checked="" type="checkbox"/>	Major Business/Corporate Center
<input type="checkbox"/>	Safe and Beautiful Village	<input checked="" type="checkbox"/>	Vibrant Major Corridors

COMMITTEE ACTION: Community & Economic Development – APPROVE (7-0)

DATE: 10.16.12

BACKGROUND: The property in question is located on the northeast corner of Grand Avenue and Church Road. In June of 2011, the applicant was granted a Planned Unit Development (PUD) to facilitate the installation of three pole signs. Earlier this year the Village amended an existing Economic Incentive Agreement with the applicant that requires the building improvements the applicant is now requesting. The PUD Amendment will alter the Site Plan and includes a building renovation to meet current Ford Motor Company requirements as a "Ford Trustmark Building". The renovation will consist of the demolition and replacement of the existing showroom with an update to the façade and building signage. The proposed plans create a more spacious showroom with a tall perimeter glass curtain wall system. A 990 square foot addition is also proposed along the western portion of the existing building as an enclosed new car delivery area.

KEY ISSUES: The staff believes that the request meets all the Approval Criteria for a PUD as the façade, signage and addition are all proposed to be constructed at a high standard of design including Commercial Energy Efficiency based construction of the proposed remodel and addition. Additionally, the proposed amendment is consistent with the current development trends of the surrounding area. Staff finds negative impacts will be mitigated for natural features, circulation, open spaces and landscaping as well as public services by the plans set forth.

ALTERNATIVES:

1. Committee discretion.
2. Deny the amendment to the PUD.
3. Remand the request back to the Community Development Commission.

RECOMMENDATION: Staff respectfully recommends approval of the PUD Amendment with the following conditions:

1. The Conditional Use Permit be granted solely to the applicant and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board;
2. A copy of the Conditional Use Permit and associated variance be kept on the premises of the subject property;
3. The property shall be develop and utilized in substantial conformance to the plans submitted as part of this application prepared by DePalma Group dated 09.14.12;
4. A landscape plan shall be submitted and approved as part of the sign/building permit.

At the 10.08.12 Public Hearing the Community Development Commission voted unanimously (4 - 0) to recommend approval of the PUD amendment. No public comment was received.

On 10.16.12 the CEDC voted unanimously (7-0) to recommend approval of the PUD amendment as recommended.

BUDGET IMPACT: N/A

ACTION REQUIRED: Approve the Ordinance requested for the PUD amendment as recommended by the Staff, CDC and CEDC.

CDC#2012 – 34

Roesch Ford

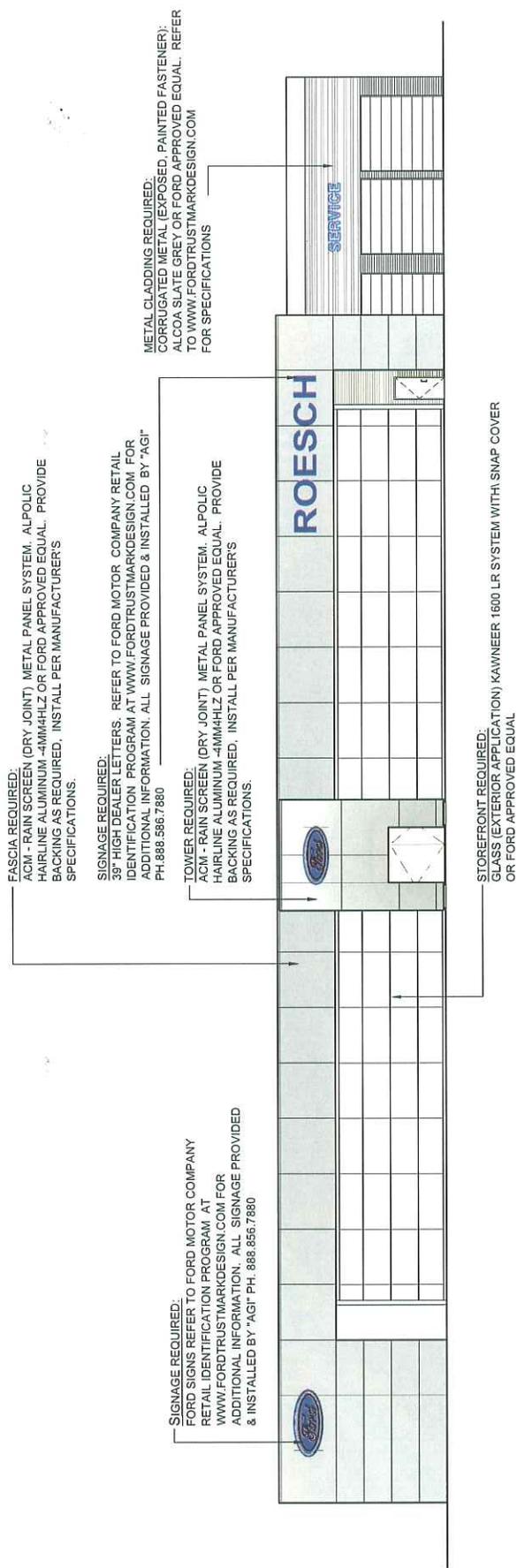
PUD Amendment—333 W. Grand Avenue



Village of Bensenville

333 W. Grand Av. Zoning Map





LOCAL ARCHITECT TO V.I.F. ALL BUILDING CONDITIONS.



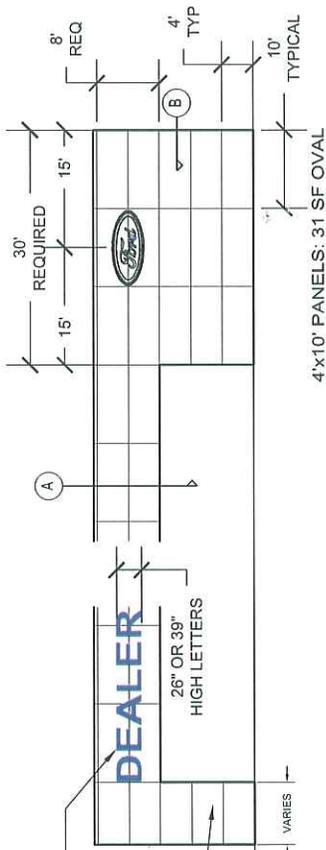
ROESCH FORD

BENSONVILLE, IL
 ELEVATION - 01.30.12

DATE AND REVISIONS	DATE
REVISIONS	



FORDLAND
 Dealership Facility Design

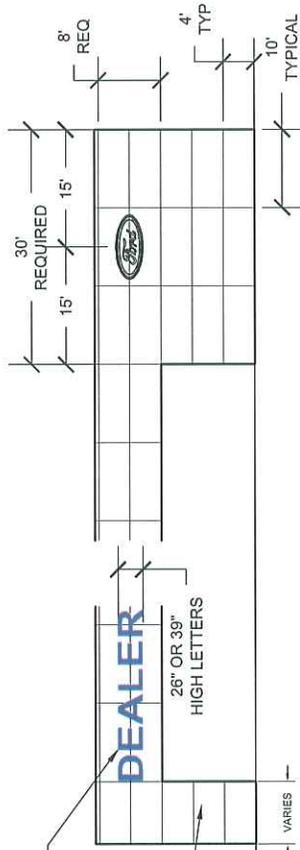


4'x10' PANELS: 31 SF OVAL

ALL SIGNAGE PROVIDED BY AND INSTALLED BY "AGI" PH: 800.427.1900

ACM - RAIN SCREEN (DRY JOINT) METAL PANEL SYSTEM. ALPOLIC - HAIRLINE ALUMINUM 4MM4HLZ OR FORD APPROVED EQUAL. PROVIDE BACKING AS REQUIRED. INSTALL PER MANUFACTURER'S SPECIFICATIONS

VERIFY EXISTING WALL STRUCTURE. REFER TO ARCHITECTURAL DRAWINGS FOR WALL CONSTRUCTION.

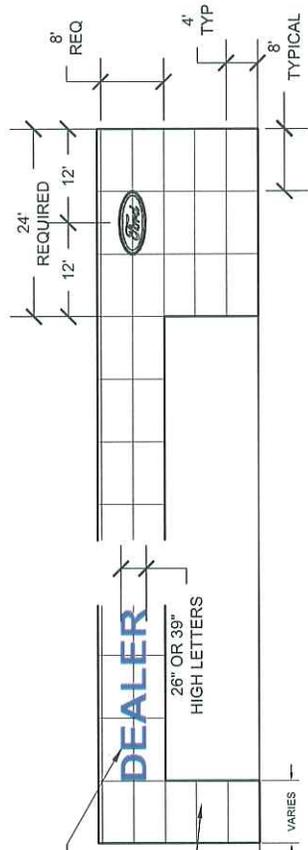


4'x10' PANELS: 21 SF OVAL

ALL SIGNAGE PROVIDED BY AND INSTALLED BY "AGI" PH: 800.427.1900

ACM - RAIN SCREEN (DRY JOINT) METAL PANEL SYSTEM. ALPOLIC - HAIRLINE ALUMINUM 4MM4HLZ OR FORD APPROVED EQUAL. PROVIDE BACKING AS REQUIRED. INSTALL PER MANUFACTURER'S SPECIFICATIONS

VERIFY EXISTING WALL STRUCTURE. REFER TO ARCHITECTURAL DRAWINGS FOR WALL CONSTRUCTION.



4'x8' PANELS: 21 SF OVAL

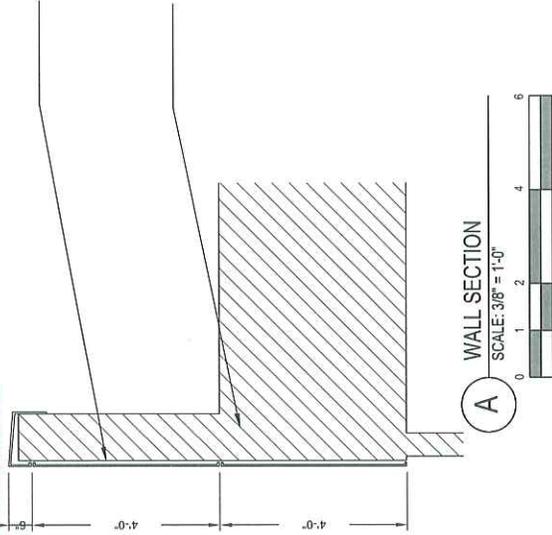
ALL SIGNAGE PROVIDED BY AND INSTALLED BY "AGI" PH: 800.427.1900

ACM - RAIN SCREEN (DRY JOINT) METAL PANEL SYSTEM. ALPOLIC - HAIRLINE ALUMINUM 4MM4HLZ OR FORD APPROVED EQUAL. PROVIDE BACKING AS REQUIRED. INSTALL PER MANUFACTURER'S SPECIFICATIONS

VERIFY EXISTING WALL STRUCTURE. REFER TO ARCHITECTURAL DRAWINGS FOR WALL CONSTRUCTION.

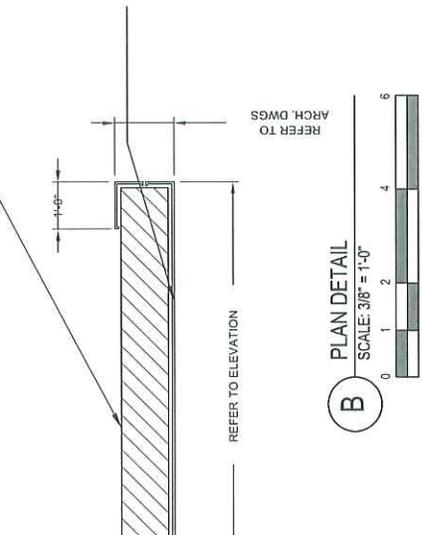
BRAND WALL TYPICAL ELEVATIONS

SCALE: 1/8" = 1'-0"



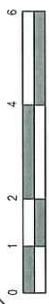
A WALL SECTION

SCALE: 3/8" = 1'-0"



B PLAN DETAIL

SCALE: 3/8" = 1'-0"

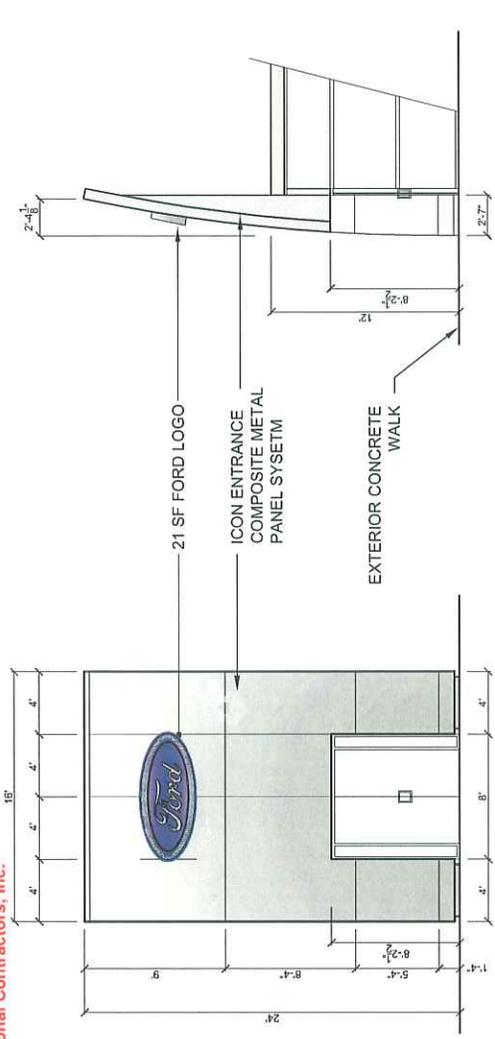


BRAND WALL REQUIREMENTS

REVISIONS	DATE



DIX B
 ed May 17, 2012
 ional Contractors, Inc.

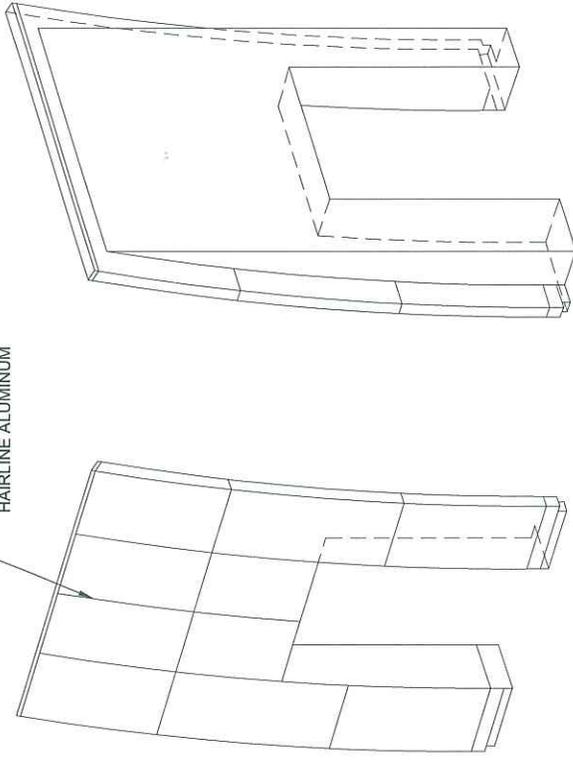


TOWER ELEVATION

SCALE: 1/8" = 1'-0"



ALPOLIC
 4MM4HLZ
 HAIRLINE ALUMINUM

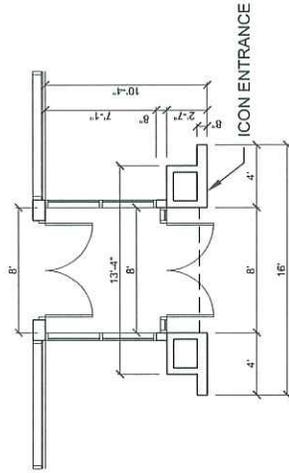


TOWER ISOMETRIC (FRONT)

SCALE: NOT TO SCALE

TOWER ISOMETRIC (BACK)

SCALE: NOT TO SCALE



TOWER PLAN

SCALE: 1/8" = 1'-0"



24' ENTRY TOWER



DATE AND REVISIONS

REVISIONS

DATE

DATE



NOTES
 EACH ILLUMINATED LOGO AND EACH ILLUMINATED LETTER WILL REQUIRE AN ELECTRICAL CONDUIT THROUGH THE WALL (BY SIGN INSTALLER)

CONTRACTOR TO PROVIDE A DEDICATED 20 AMP 1120V CIRCUIT. CIRCUIT SHALL CARRY NO MORE THAN 16 AMPS. CIRCUIT SHOULD NOT BE CONNECTED TO ANY ENERGY MANAGEMENT SYSTEM. SIGN VENDOR TO BE RESPONSIBLE FOR WIRING & CONDUIT FROM ELECTRICAL PANEL TO FINAL POINT OF CONNECTION AT SIGN.

BUILDING OWNER SHALL PROVIDE SUFFICIENT ACCESS AND WORKING SPACE BEHIND ALL SIGN ELEMENTS TO ALLOW READY AND SAFE INSTALLATION, OPERATION, AND MAINTENANCE OF SIGNS AND ELECTRICAL CONNECTIONS.

REFER TO ARCHITECTURAL & STRUCTURAL DRAWINGS FOR ACTUAL WALL CONSTRUCTION

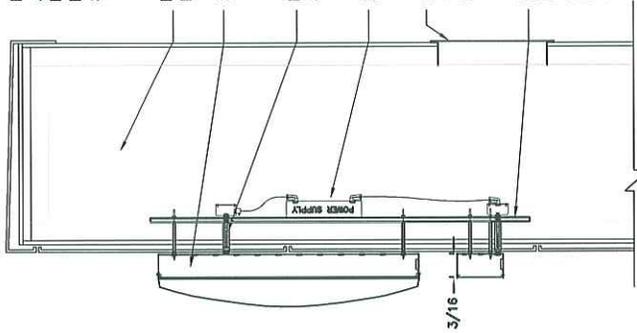
SIGN

ELECTRICAL CONDUIT THROUGH WALL - BY SIGN INSTALLER (TYP)

PROVIDED BY SIGN INSTALLER

30" x 24" (MINIMUM) ACCESS PANEL OPENING REQUIRED FOR ALL SIGN ELEMENTS

5/8" OF 3/4" SOLID PLYWOOD BACKING REQUIRED. BACK OF WALL MUST BE ACCESSIBLE BEHIND SIGNS. WALL SHALL HAVE SUFFICIENT STRUCTURE TO SUPPORT SIGN.



SIGN REQUIREMENTS - CROSS SECTION

SCALE: 1/2" = 1'-0"



DATE AND REVISIONS	
REVISIONS	DATE



SIGNAGE STANDARDS



SITE PLAN NOTES

1. ALL DIMENSIONS UNLESS OTHERWISE NOTED.
2. ALL CITY/COUNTY REGULATIONS AND CODES AND O.S.H.A. STANDARDS.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FOR EXACT LOCATIONS AND DIMENSIONS OF ALL UTILITIES, SIGNAGE, AND EXACT BUILDING ENTRY/EXIT LOCATIONS.
4. ALL DISTURBED AREAS ARE TO RECEIVE FERTILIZER AND WATER UNTIL A HEALTHY STAND OF GRASS IS ESTABLISHED.
5. ALL UTILITIES AND MAINS ARE TO FACE OF CURBS UNLESS OTHERWISE NOTED.
6. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL UTILITIES, STORM DRAINAGE, SIGNS, TRAFFIC CONTROL, AND ALL OTHER NECESSARY WORK SHALL BE IN ACCORDANCE WITH GOVERNING JURISDICTION'S SPECIFICATIONS AND SHALL BE APPROVED BY CDOT. ALL COSTS SHALL BE INCLUDED IN BASE BID.
7. SITE SIGNAGE SHALL BE DESIGNED TO BE VISIBLE FROM ALL APPROXIMATE TRAVEL DIRECTIONS AND ROAD OTHERS.
8. REFER TO ARCH. PLANS FOR SITE LIGHTING AND SIGNAGE.
9. PROPOSED SIGNAGE SHALL BE DOWNLAP WITH EXPANSION TO THE BUILDING FOUNDATION.

LEGEND:

- PROPOSED CONCRETE PAVEMENT
- PROPOSED LANDSCAPE AREA (SEE LANDSCAPE PLAN FOR DETAILS)
- PROPOSED PAVEMENT AREA
- PROPOSED SIDEWALK
- CURB & GUTTER (R/L) (R/L) (R/L)
- FOLLOWUP SURVEY

SITE PLAN

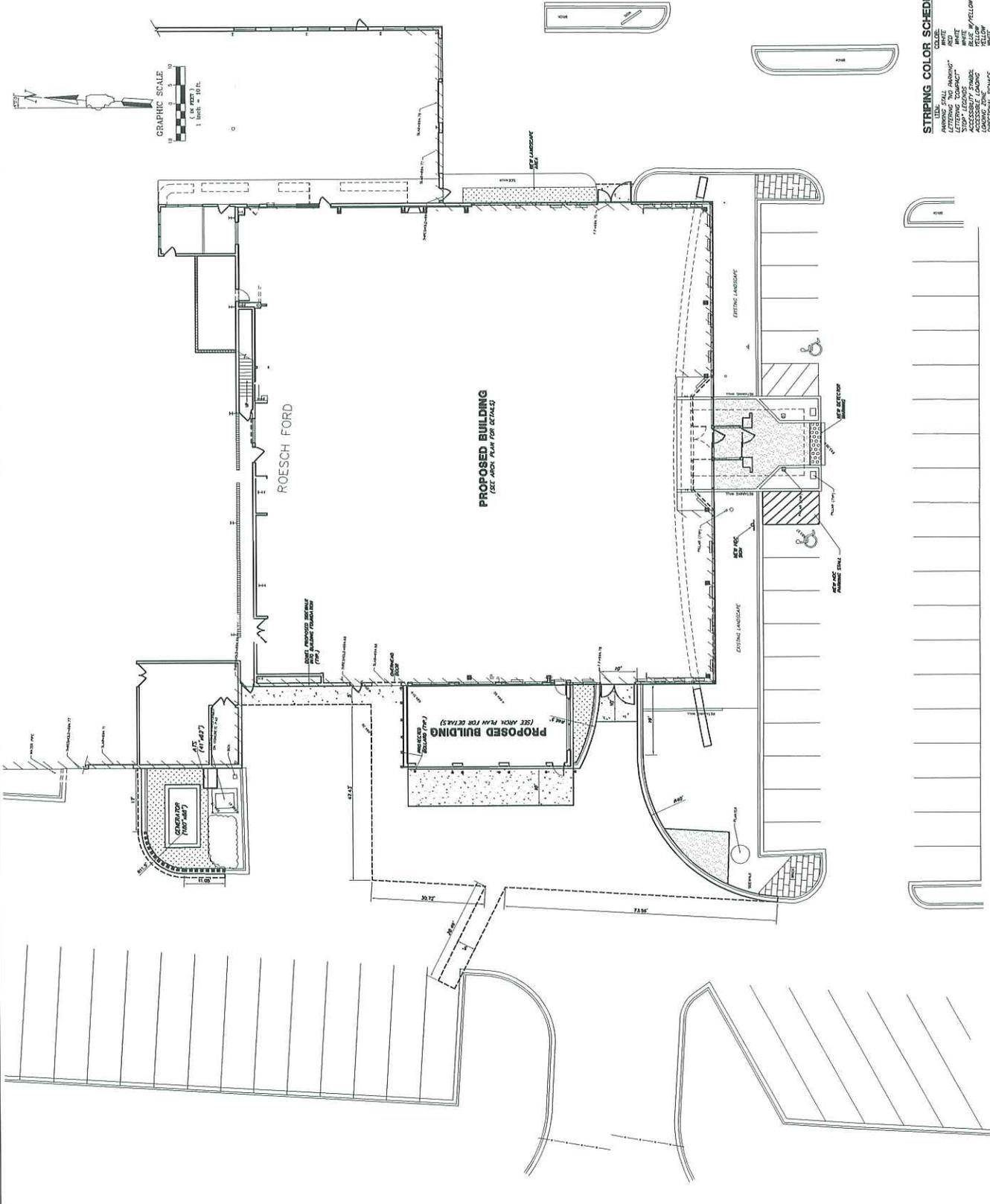
PROJECT: ROESCH FORD

PROJECT: ROESCH FORD

111 ROESCH FORD
 WEST GRANVILLE
 BESSERVILLE, ILLINOIS 60106

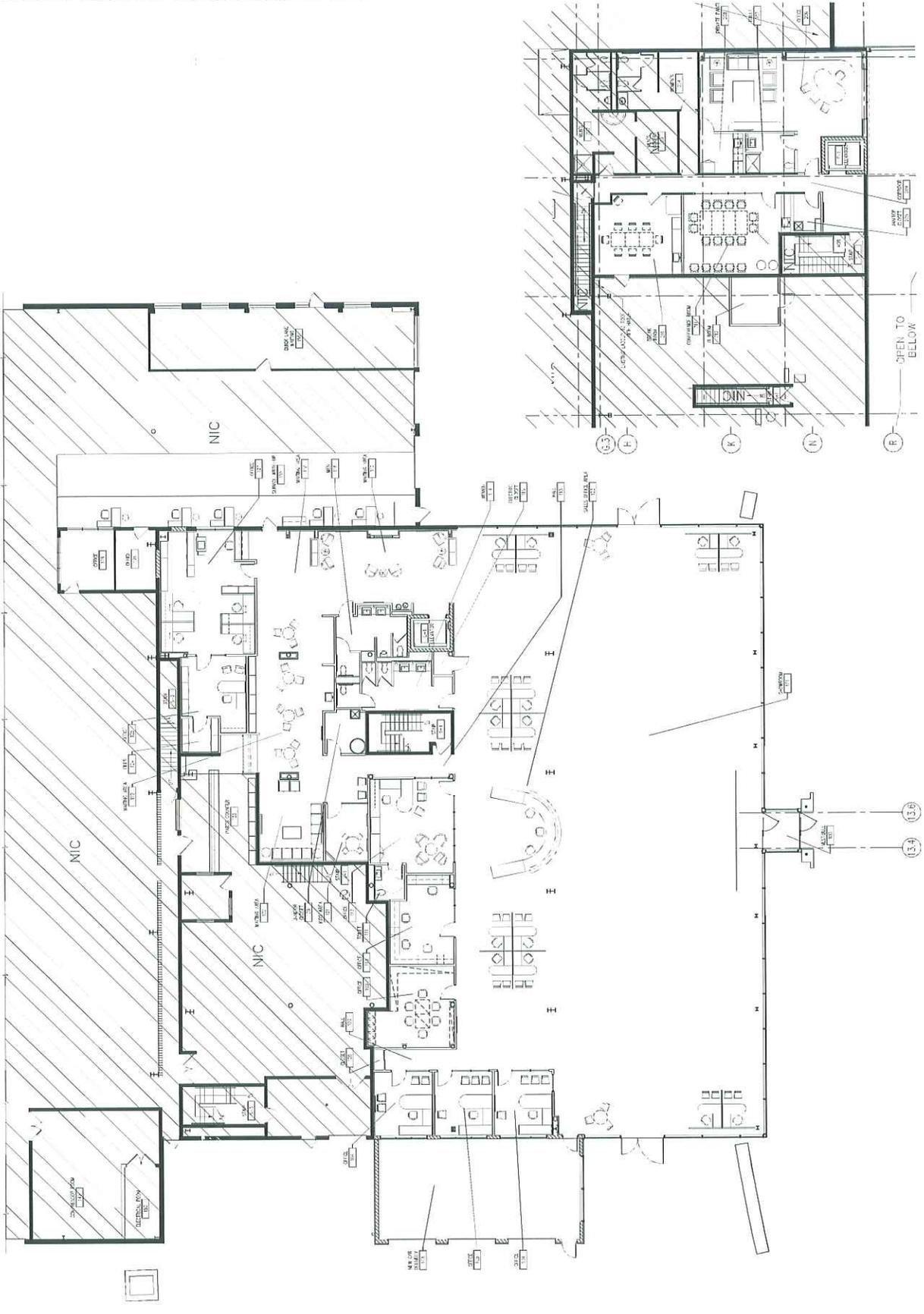
NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	08/24/2018
2	ISSUED FOR PERMIT	08/24/2018
3	ISSUED FOR PERMIT	08/24/2018
4	ISSUED FOR PERMIT	08/24/2018
5	ISSUED FOR PERMIT	08/24/2018
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46	ISSUED FOR PERMIT	08/24/2018
47	ISSUED FOR PERMIT	08/24/2018
48	ISSUED FOR PERMIT	08/24/2018
49	ISSUED FOR PERMIT	08/24/2018
50	ISSUED FOR PERMIT	08/24/2018

C-2



STRIPING COLOR SCHEDULE

ITEM	DESCRIPTION	COLOR
1	PAVEMENT	WHITE
2	PAVEMENT	WHITE
3	PAVEMENT	WHITE
4	PAVEMENT	WHITE
5	PAVEMENT	WHITE
6	PAVEMENT	WHITE
7	PAVEMENT	WHITE
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46	PAVEMENT	WHITE
47	PAVEMENT	WHITE
48	PAVEMENT	WHITE
49	PAVEMENT	WHITE
50	PAVEMENT	WHITE



2 MEZZANINE — FURNITURE PLAN
 SCALE: 1/8" = 1'-0"

1 FLOOR 01 — FURNITURE PLAN
 SCALE: 1/8" = 1'-0"

OPEN TO BELOW

X B
May 17, 2012
General Contractors, Inc.



ROESCH FORD
BENSONVILLE, IL
EXISTING FACILITY

REVISIONS	DATE





ROESCH FORD
BENSONVILLE, IL
RENDERING - 01.30.12

DATE AND REVISIONS
REVISIONS

DATE

REVISIONS	DATE



ORDINANCE NO. _____

**AN ORDINANCE GRANTING AN AMENDMENT
TO THE PLANNED UNIT DEVELOPMENT APPROVED BY
ORDINANCE #43-2011 FOR PROPERTY
KNOWN AS 333 WEST GRAND AVENUE, BENSENVILLE, ILLINOIS**

WHEREAS, Grand and Church, LLC and BCR Automotive Group, LLC, d.b.a. Roesch Ford (“Applicant”), have filed an application (“Application”) seeking to amend the planned unit development (“PUD”) approved by Ordinance #43-2011, pursuant to Chapter 10 of *The Village of Bensenville Zoning Ordinance* (“Zoning Ordinance”) to allow the remodeling of the existing automobile dealership and for an addition to the approved site plan at properties commonly known as 333 West Grand Avenue, Bensenville, Illinois, and legally described in Exhibit "A," attached hereto and incorporated herein by reference (the “Subject Properties”), a copy of said application being on file in the Community and Economic Development Department; and

WHEREAS, Notice of Public Hearing with respect to the requested amendment to the PUD sought by Applicant was published in the Daily Herald, a newspaper of general circulation in the Village, on September 22, 2012 as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, pursuant to said Notice, the Community Development Commission of the Village of Bensenville conducted a Public Hearing on October 8, 2012, all as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, the Community Development Commission, pursuant to said Public Hearing, made Findings of Fact that the amendment to the PUD sought by the Applicant meets the requirements and approval criteria under Chapter 10 of the Zoning Ordinance,

as set out in the Staff Report, and adopted the Application with conditions suggested by staff; a copy of the Findings being attached hereto and incorporated herein by reference as Exhibit "B;" and

WHEREAS, the Community Development Commission forwarded its recommendation, including its Findings of Facts, to the Village Board's Community and Economic Development Committee, which voted 7 to 0 to concur in the recommendation made therein; and

WHEREAS, the Community and Economic Development Committee forwarded its recommendation, along with that of the Community Development Commission, to the President and Board of Trustees on October 23, 2012; and

WHEREAS, the President and Board of Village Trustees have considered the matter herein and have determined that the record established at the Public Hearing before the Community Development Commission supports the approval of the requested amendment to the Plan of PUD adopted by Ordinance #43-2011 which will allow for the demolition and replacement of the existing show room, to include:

- a. A new 990 square foot addition on the western side of the building for an enclosed new car delivery area;
- b. The expansion of the southern entryway by 72 square feet to create a total building expansion of 1,062 square feet;
- c. An additional handicapped parking space to replace a standard parking space in the 53 car parking lot;
- d. The existing parking lot is to be patched and restriped as needed;

- e. Ford Trustmark Building standards, including the construction of a “Ford Brand Wall” necessitating the current façade to be reconstructed to accommodate a new entrance area;
- f. The “brand wall” and “entry tower” are to be constructed with gray metal plates;
- g. An entry tower which is 24’ in height, and 16’ wide, in conjunction with the approximately 30’ tall concave “Brand Wall;” and
- h. Three new wall signs along the south side of the building, in addition to two existing “service” and “quick lane” signs

all as shown on the plans submitted as part of the Application.

WHEREAS, with respect thereto, the President and Board of Trustees of the Village adopt the Findings of Facts approved and adopted by the Community Development Commission and approves the Application for amendment as shown on the plans submitted as part of the Application on the following conditions:

1. The original PUD granted in Ordinance #43-2011 and conditions set forth therein remain in effect except as varied by the amendment granted herein;
2. A copy of the PUD Amendment Ordinance must be kept on the premises of the establishment and be presented to any authorized Village official upon request;
3. The Subject Property shall be developed and utilized in substantial conformance to the plans submitted as part of this application, prepared by DePalma Group for Roesch Ford on 09.12.2012; and
4. A landscape plan shall be submitted and approved as part of the sign/building permit.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, duly assembled at a regular meeting, as follows:

SECTION ONE: That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

SECTION TWO: That the proposed amendment to the Final Plan of PUD be approved as the Final Plan of PUD for the Subject Properties.

SECTION THREE: That the Subject Properties shall be developed in accordance with the said amended Final Plan of PUD.

SECTION FOUR: That all requirements of the Zoning Ordinance shall be applicable to the Subject Properties, except as modified by the amended Final Plan of PUD.

SECTION FIVE: That the amended Final Plan of PUD shall be applicable only during occupancy of the Subject Properties by the Applicant or any successor-in-interest who shall occupy and operate the Subject Properties as an automotive vehicle dealership selling new automobiles and/or trucks and the servicing of such pursuant to a dealership franchise agreement with a motor vehicle manufacturing business or businesses, together with subsidiary sales and servicing of used motor vehicles.

SECTION SIX: That all other ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are, to the extent of such conflict, expressly repealed.

SECTION SEVEN: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the
Village of Bensenville, this 23rd day of October, 2012.

Frank Soto, Village President

ATTEST:

Susan Janowiak, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

Ordinance # ____-2012

Exhibit "A"

Legal Description

The Legal Description of the property is as follows:

PARCEL 1:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF GRAND AVENUE WITH THE CENTERLINE OF CHURCH ROAD; THENCE NORTH 00 DEGREES 36 MINUTES 42 SECONDS WEST, ON THE CENTER LINE OF CHURCH ROAD, A DISTANCE OF 839.32 FEET (AS MEASURED ALONG THE CENTER LINE OF CHURCH ROAD) SOUTH OF THE NORTH LINE OF SAID SECTION 26; THENCE NORTH 88 DEGREES 06 MINUTES 20 SECONDS EAST, PARALLEL WITH THE NORTH LINE OF SAID SECTION 26, A DISTANCE OF 183 FEET; THENCE NORTH 00 DEGREES 36 MINUTES 42 SECONDS WEST, PARALLEL WITH THE CENTERLINE OF CHURCH ROAD, A DISTANCE OF 618.82 FEET TO A POINT WHICH IS 168.5 FEET (AS MEASURED WITH THE CENTER LINE OF CHURCH ROAD) SOUTH OF THE NORTH LINE OF SAID SECTION 26; THENCE NORTH 88 DEGREES 06 MINUTES 20 SECONDS EAST, PARALLEL WITH THE NORTH LINE OF SECTION 26, A DISTANCE OF 345.7 FEET; THENCE NORTH 00 DEGREES 36 MINUTES 42 SECONDS WEST, A DISTANCE OF 168.5 FEET TO THE NORTH LINE OF SAID SECTION 26; THENCE NORTH 88 DEGREES 06 MINUTES 20 SECONDS EAST, ALONG THE NORTH LINE OF SECTION 26, A DISTANCE OF 324.42 FEET TO THE NORTHWEST CORNER OF WHITE PINES CENTER FOR BUSINESS AND INDUSTRY; THENCE SOUTH 00 DEGREES 36 MINUTES 14 SECONDS EAST, ALONG THE WEST LINE OF WHITE PINES CENTER FOR BUSINESS AND INDUSTRY, A DISTANCE OF 1595.13 FEET TO THE CENTER LINE OF GRAND AVENUE; THENCE SOUTH 85 DEGREES 58 MINUTES 15 SECONDS WEST, ON THE CENTERLINE OF GRAND AVENUE, A DISTANCE OF 854.21 FEET TO THE POINT OF BEGINNING, EXCEPT THAT PART FALLING IN GRAND-CHURCH SUBDIVISION RECORDED DECEMBER 26, 1989 AS DOCUMENT R89-161527 AND ALSO EXCEPTING THAT PART TAKEN BY THE DEPARTMENT OF PUBLIC WORKS AND BUILDING OF THE STATE OF ILLINOIS IN CONDEMNATION CASE NO. C68-820, AND ALSO EXCEPTING THAT PART THEREOF DESCRIBED AS BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF GRAND AVENUE AS DESCRIBED BY CONDEMNATION CASE NO. C68-820, WITH A LINE 33.0 FEET EAST OF AND PARALLEL WITH THE CENTER LINE OF CHURCH ROAD; THENCE NORTH ON SAID LINE BEING 33.0 FEET EAST OF AND PARALLEL WITH THE CENTER LINE OF CHURCH ROAD, A DISTANCE OF 65.0 FEET, THENCE SOUTHEASTERLY TO A POINT ON THE SAID NORTH LINE OF GRAND AVENUE, SAID POINT BEING A DISTANCE OF 65.0 FEET EAST OF THE POINT OF BEGINNING; THENCE WEST 65.0 FEET TO THE POINT OF BEGINNING, IN DU PAGE COUNTY, ILLINOIS.

PARCEL 2:

LOTS 5 THROUGH 2 (BOTH INCLUSIVE) OF GRAND-CHURCH SUBDIVISION, BEING A SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS.

PARCEL 3:

LOT 4 (EXCEPT THE EAST 955.63 FEET THEREOF) IN WHITE PINES CENTER FOR BUSINESS AND INDUSTRY, BEING A SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS.

Commonly known as 333 W. Grand Avenue, Bensenville, Illinois.

**Ordinance # ____-2012
Exhibit "B"**

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

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

October 8, 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, Pisano, Weldon
Absent: James, Rowe, Ventura
A quorum was present.

Motion: Commissioner Weldon made a motion to approve the Finding of Facts for CDC Case Number 2012-34 consisting of:

1. **Superior Design:** The PUD represents a more creative approach to the unified planning of development and incorporates a higher standard of integrated design and amenity than could be achieved under otherwise applicable regulations, and solely on this basis modifications to such regulations are warranted. A high standard of design and energy efficiency will be achieved through the use of high efficiency roof top units and light fixtures, use of natural sunlight, and increased thermal envelope properties.
2. **Meet PUD Requirements:** The PUD meets the requirements for planned unit developments set forth in this Title, and no modifications to the use and design standards otherwise applicable are allowed other than those permitted herein. Staff believes this to be accurate.
3. **Consistent With Village Plan:** The PUD is generally consistent with the objectives of the Village general development plan as viewed in light of any changed conditions

since its adoption. The Comprehensive Plan Update (2004) indicates the location should remain a general commercial district, establishing a consistent land use.

4. **Public Welfare:** The PUD will not be detrimental to the public health, safety or general welfare. Staff believes this to be accurate.
5. **Compatible With Environs:** Neither the PUD nor any portion thereof will be injurious to the use and enjoyment of other properties in its vicinity, seriously impair property values or environmental quality in the neighborhood, nor impede the orderly development of surrounding property. The proposed PUD amendment is consistent with the current development trends of the surrounding area as it is part of the “Dealership Row” along Grand Avenue.
6. **Natural Features:** The design of the PUD is as consistent as practical with preservation of any natural features such as flood plains, wooded areas, natural drainageways or other areas of sensitive or valuable environmental character. There are no natural drainage ways or sensitive environmental areas affected by the proposed renovation.
7. **Circulation:** Streets, sidewalks, pedestrianways, bicycle paths and off-street parking and loading are provided as appropriate to planned land uses. They are adequate in location, size, capacity and design to ensure safe and efficient circulation of automobiles, trucks, bicycles, pedestrians, fire trucks, garbage trucks and snow plows, as appropriate, without blocking traffic, creating unnecessary pedestrian-vehicular conflict, creating unnecessary through traffic within the PUD or unduly interfering with the safety or capacity of adjacent streets. The existing circulation with the PUD will not be negatively affected by the proposed renovation. The proposed renovations do not reduce the amount of drivable area.
8. **Open Spaces And Landscaping:** The quality and quantity of common open spaces or landscaping provided are consistent with the higher standards of design and amenity required of a PUD. Open space between all buildings is adequate to allow for light and air, access by fire-fighting equipment, and for privacy. Open space along the perimeter of the PUD is sufficient to protect existing and permitted future uses of the adjacent property from adverse effects from the development.

9. **Covenants:** Adequate provision has been made in the form of deed restrictions, homeowners or condominium associations or the like for:
- a. The presentation and regular maintenance of any open spaces, thoroughfares, utilities, water retention or detention areas and other common elements not to be dedicated to the Village or to another public body.
 - b. Such control of the use and exterior design of individual structures, if any, as is necessary for continuing conformance to the PUD plan, such provision to be binding on all future ownerships. No covenants are necessary.
10. **Public Services:** The land uses, intensities and phasing of the PUD are consistent with the anticipated ability of the Village, the school system and other public bodies to provide and economically support police and fire protection, water supply, sewage disposal, schools and other public facilities and services without placing undue burden on existing residents and businesses. There are adequate public services to service the property. The approval of the PUD will not increase the demand or stress the Village's public services.
11. **Phasing:** Each development phase of the PUD can, together with any phases that preceded it, exist as an independent unit that meets all of the foregoing criteria and all other applicable regulations herein even if no subsequent phase should ever be completed. There is no phasing necessary for the proposed project aside from the temporary dealership sales out of the neighboring building during the six month duration of the project.

Commissioner Janowiak seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Mike Moruzzi, Chairman
Community Development Commission

ORDINANCE NO. _____

**AN ORDINANCE GRANTING AN AMENDMENT
TO THE PLANNED UNIT DEVELOPMENT APPROVED BY
ORDINANCE #43-2011 FOR PROPERTY
KNOWN AS 333 WEST GRAND AVENUE, BENSENVILLE, ILLINOIS**

WHEREAS, Grand and Church, LLC and BCR Automotive Group, LLC, d.b.a. Roesch Ford (“Applicant”), have filed an application (“Application”) seeking to amend the planned unit development (“PUD”) approved by Ordinance #43-2011, pursuant to Chapter 10 of *The Village of Bensenville Zoning Ordinance* (“Zoning Ordinance”) to allow the remodeling of the existing automobile dealership and for an addition to the approved site plan at properties commonly known as 333 West Grand Avenue, Bensenville, Illinois, and legally described in Exhibit "A," attached hereto and incorporated herein by reference (the “Subject Properties”), a copy of said application being on file in the Community and Economic Development Department; and

WHEREAS, Notice of Public Hearing with respect to the requested amendment to the PUD sought by Applicant was published in the Daily Herald, a newspaper of general circulation in the Village, on September 22, 2012 as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, pursuant to said Notice, the Community Development Commission of the Village of Bensenville conducted a Public Hearing on October 8, 2012, all as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, the Community Development Commission, pursuant to said Public Hearing, made Findings of Fact that the amendment to the PUD sought by the Applicant meets the requirements and approval criteria under Chapter 10 of the Zoning Ordinance,

as set out in the Staff Report, and adopted the Application with conditions suggested by staff; a copy of the Findings being attached hereto and incorporated herein by reference as Exhibit "B;" and

WHEREAS, the Community Development Commission forwarded its recommendation, including its Findings of Facts, to the Village Board's Community and Economic Development Committee, which voted 7 to 0 to concur in the recommendation made therein; and

WHEREAS, the Community and Economic Development Committee forwarded its recommendation, along with that of the Community Development Commission, to the President and Board of Trustees on October 23, 2012; and

WHEREAS, the President and Board of Village Trustees have considered the matter herein and have determined that the record established at the Public Hearing before the Community Development Commission supports the approval of the requested amendment to the Plan of PUD adopted by Ordinance #43-2011 which will allow for the demolition and replacement of the existing show room, to include:

- a. A new 990 square foot addition on the western side of the building for an enclosed new car delivery area;
- b. The expansion of the southern entryway by 72 square feet to create a total building expansion of 1,062 square feet;
- c. An additional handicapped parking space to replace a standard parking space in the 53 car parking lot;
- d. The existing parking lot is to be patched and restriped as needed;

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- f. The “brand wall” and “entry tower” are to be constructed with gray metal plates;
- g. An entry tower which is 24’ in height, and 16’ wide, in conjunction with the approximately 30’ tall concave “Brand Wall;” and
- h. Three new wall signs along the south side of the building, in addition to two existing “service” and “quick lane” signs

all as shown on the plans submitted as part of the Application.

WHEREAS, with respect thereto, the President and Board of Trustees of the Village adopt the Findings of Facts approved and adopted by the Community Development Commission and approves the Application for amendment as shown on the plans submitted as part of the Application on the following conditions:

1. The original PUD granted in Ordinance #43-2011 and conditions set forth therein remain in effect except as varied by the amendment granted herein;
2. A copy of the PUD Amendment Ordinance must be kept on the premises of the establishment and be presented to any authorized Village official upon request;
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4. A landscape plan shall be submitted and approved as part of the sign/building permit.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, duly assembled at a regular meeting, as follows:

SECTION ONE: That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

SECTION TWO: That the proposed amendment to the Final Plan of PUD be approved as the Final Plan of PUD for the Subject Properties.

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SECTION FOUR: That all requirements of the Zoning Ordinance shall be applicable to the Subject Properties, except as modified by the amended Final Plan of PUD.

SECTION FIVE: That the amended Final Plan of PUD shall be applicable only during occupancy of the Subject Properties by the Applicant or any successor-in-interest who shall occupy and operate the Subject Properties as an automotive vehicle dealership selling new automobiles and/or trucks and the servicing of such pursuant to a dealership franchise agreement with a motor vehicle manufacturing business or businesses, together with subsidiary sales and servicing of used motor vehicles.

SECTION SIX: That all other ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are, to the extent of such conflict, expressly repealed.

SECTION SEVEN: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, this 23rd day of October, 2012.

Frank Soto, Village President

ATTEST: .

Susan Janowiak, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

Ordinance # ____-2012
Exhibit "A"
Legal Description

The Legal Description of the property is as follows:

PARCEL 1:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF GRAND AVENUE WITH THE CENTERLINE OF CHURCH ROAD; THENCE NORTH 00 DEGREES 36 MINUTES 42 SECONDS WEST, ON THE CENTER LINE OF CHURCH ROAD, A DISTANCE OF 839.32 FEET (AS MEASURED ALONG THE CENTER LINE OF CHURCH ROAD) SOUTH OF THE NORTH LINE OF SAID SECTION 26; THENCE NORTH 88 DEGREES 06 MINUTES 20 SECONDS EAST, PARALLEL WITH THE NORTH LINE OF SAID SECTION 26, A DISTANCE OF 183 FEET; THENCE NORTH 00 DEGREES 36 MINUTES 42 SECONDS WEST, PARALLEL WITH THE CENTERLINE OF CHURCH ROAD, A DISTANCE OF 618.82 FEET TO A POINT WHICH IS 168.5 FEET (AS MEASURED WITH THE CENTER LINE OF CHURCH ROAD) SOUTH OF THE NORTH LINE OF SAID SECTION 26; THENCE NORTH 88 DEGREES 06 MINUTES 20 SECONDS EAST, PARALLEL WITH THE NORTH LINE OF SECTION 26, A DISTANCE OF 345.7 FEET; THENCE NORTH 00 DEGREES 36 MINUTES 42 SECONDS WEST, A DISTANCE OF 168.5 FEET TO THE NORTH LINE OF SAID SECTION 26; THENCE NORTH 88 DEGREES 06 MINUTES 20 SECONDS EAST, ALONG THE NORTH LINE OF SECTION 26, A DISTANCE OF 324.42 FEET TO THE NORTHWEST CORNER OF WHITE PINES CENTER FOR BUSINESS AND INDUSTRY; THENCE SOUTH 00 DEGREES 36 MINUTES 14 SECONDS EAST, ALONG THE WEST LINE OF WHITE PINES CENTER FOR BUSINESS AND INDUSTRY, A DISTANCE OF 1595.13 FEET TO THE CENTER LINE OF GRAND AVENUE; THENCE SOUTH 85 DEGREES 58 MINUTES 15 SECONDS WEST, ON THE CENTERLINE OF GRAND AVENUE, A DISTANCE OF 854.21 FEET TO THE POINT OF BEGINNING, EXCEPT THAT PART FALLING IN GRAND-CHURCH SUBDIVISION RECORDED DECEMBER 26, 1989 AS DOCUMENT R89-161527 AND ALSO EXCEPTING THAT PART TAKEN BY THE DEPARTMENT OF PUBLIC WORKS AND BUILDING OF THE STATE OF ILLINOIS IN CONDEMNATION CASE NO. C68-820, AND ALSO EXCEPTING THAT PART THEREOF DESCRIBED AS BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF GRAND AVENUE AS DESCRIBED BY CONDEMNATION CASE NO. C68-820, WITH A LINE 33.0 FEET EAST OF AND PARALLEL WITH THE CENTER LINE OF CHURCH ROAD; THENCE NORTH ON SAID LINE BEING 33.0 FEET EAST OF AND PARALLEL WITH THE CENTER LINE OF CHURCH ROAD, A DISTANCE OF 65.0 FEET, THENCE SOUTHEASTERLY TO A POINT ON THE SAID NORTH LINE OF GRAND AVENUE, SAID POINT BEING A DISTANCE OF 65.0 FEET EAST OF THE POINT OF BEGINNING; THENCE WEST 65.0 FEET TO THE POINT OF BEGINNING, IN DU PAGE COUNTY, ILLINOIS.

PARCEL 2:

LOTS 5 THROUGH 2 (BOTH INCLUSIVE) OF GRAND-CHURCH SUBDIVISION, BEING A SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS.

PARCEL 3:

LOT 4 (EXCEPT THE EAST 955.63 FEET THEREOF) IN WHITE PINES CENTER FOR BUSINESS AND INDUSTRY, BEING A SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS.

Commonly known as 333 W. Grand Avenue, Bensenville, Illinois.

Ordinance # ____-2012
Exhibit "B"

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

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

October 8, 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, Pisano, Weldon
Absent: James, Rowe, Ventura
A quorum was present.

Motion: Commissioner Weldon made a motion to approve the Finding of Facts for CDC Case Number 2012-34 consisting of:

1. **Superior Design:** The PUD represents a more creative approach to the unified planning of development and incorporates a higher standard of integrated design and amenity than could be achieved under otherwise applicable regulations, and solely on this basis modifications to such regulations are warranted. A high standard of design and energy efficiency will be achieved through the use of high efficiency roof top units and light fixtures, use of natural sunlight, and increased thermal envelope properties.
2. **Meet PUD Requirements:** The PUD meets the requirements for planned unit developments set forth in this Title, and no modifications to the use and design standards otherwise applicable are allowed other than those permitted herein. Staff believes this to be accurate.
3. **Consistent With Village Plan:** The PUD is generally consistent with the objectives of the Village general development plan as viewed in light of any changed conditions

since its adoption. The Comprehensive Plan Update (2004) indicates the location should remain a general commercial district, establishing a consistent land use.

4. **Public Welfare:** The PUD will not be detrimental to the public health, safety or general welfare. Staff believes this to be accurate.
5. **Compatible With Environs:** Neither the PUD nor any portion thereof will be injurious to the use and enjoyment of other properties in its vicinity, seriously impair property values or environmental quality in the neighborhood, nor impede the orderly development of surrounding property. The proposed PUD amendment is consistent with the current development trends of the surrounding area as it is part of the “Dealership Row” along Grand Avenue.
6. **Natural Features:** The design of the PUD is as consistent as practical with preservation of any natural features such as flood plains, wooded areas, natural drainageways or other areas of sensitive or valuable environmental character. There are no natural drainage ways or sensitive environmental areas affected by the proposed renovation.
7. **Circulation:** Streets, sidewalks, pedestrianways, bicycle paths and off-street parking and loading are provided as appropriate to planned land uses. They are adequate in location, size, capacity and design to ensure safe and efficient circulation of automobiles, trucks, bicycles, pedestrians, fire trucks, garbage trucks and snow plows, as appropriate, without blocking traffic, creating unnecessary pedestrian-vehicular conflict, creating unnecessary through traffic within the PUD or unduly interfering with the safety or capacity of adjacent streets. The existing circulation with the PUD will not be negatively affected by the proposed renovation. The proposed renovations do not reduce the amount of drivable area.
8. **Open Spaces And Landscaping:** The quality and quantity of common open spaces or landscaping provided are consistent with the higher standards of design and amenity required of a PUD. Open space between all buildings is adequate to allow for light and air, access by fire-fighting equipment, and for privacy. Open space along the perimeter of the PUD is sufficient to protect existing and permitted future uses of the adjacent property from adverse effects from the development.

9. **Covenants:** Adequate provision has been made in the form of deed restrictions, homeowners or condominium associations or the like for:
- a. The presentation and regular maintenance of any open spaces, thoroughfares, utilities, water retention or detention areas and other common elements not to be dedicated to the Village or to another public body.
 - b. Such control of the use and exterior design of individual structures, if any, as is necessary for continuing conformance to the PUD plan, such provision to be binding on all future ownerships. No covenants are necessary.
10. **Public Services:** The land uses, intensities and phasing of the PUD are consistent with the anticipated ability of the Village, the school system and other public bodies to provide and economically support police and fire protection, water supply, sewage disposal, schools and other public facilities and services without placing undue burden on existing residents and businesses. There are adequate public services to service the property. The approval of the PUD will not increase the demand or stress the Village's public services.
11. **Phasing:** Each development phase of the PUD can, together with any phases that preceded it, exist as an independent unit that meets all of the foregoing criteria and all other applicable regulations herein even if no subsequent phase should ever be completed. There is no phasing necessary for the proposed project aside from the temporary dealership sales out of the neighboring building during the six month duration of the project.

Commissioner Janowiak seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Mike Moruzzi, Chairman
Community Development Commission

TYPE: Resolution **SUBMITTED BY:** Tim Sloth **DATE:** October 18, 2012

DESCRIPTION: Resolution establishing the Tax Levy Estimate for 2012 per the Truth in Taxation Act.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Sound Village</i>	<input type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input type="checkbox"/>	<i>Quality Customer Oriented Services</i>	<input type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input type="checkbox"/>	<i>Safe and Beautiful Village</i>	<input type="checkbox"/>	<i>Vibrant Major Corridors</i>

COMMITTEE ACTION: Approved AFL 7-0

DATE: October 16, 2012

BACKGROUND: The Truth in Taxation Act provides that not less than 20 days before any taxing body approves the property tax levy, it must prepare an estimate (also referred to as the “determination”) as to how many dollars in aggregate property tax extensions may be necessary. If this estimate (determination) is more than 5% greater than the previous year’s extensions, an additional notice published in the newspaper and a public hearing is required before the levy can be adopted. We have prepared a Levy Estimate which is only 2.71% greater than last year’s extension and less than the 5% threshold that triggers a Truth in Taxation hearing. This levy is sufficient to capture the 3% CPI increase as well as any new construction / property improvements which is estimated to be \$500,000 per the Addison Township Assessor’s Office. Attached, please find an updated timeline for approval of the Levy.

KEY ISSUES: It is important to prepare an estimate that ensures the Village will capture the maximum amount in property taxes subject to the Property Tax Extension Limitation Law (PTELL) “Tax Cap” provisions of the statute. This estimated Levy achieves that without requiring a Truth in Taxation Hearing. The Ordinance approving the Levy will be presented to the Board on November 20, 2012. Additional details on the various components of the levy will be prepared and presented at the time of the consideration of the final Levy Ordinance.

A resident with a 2011 market value of \$150,000 will likely see their market value drop approximately 15% to \$127,500. For the 2011 tax year they would have paid \$420.55 in property taxes to the Village of Bensenville. For the 2012 tax year they will likely pay \$431.93 to the Village for an increased tax burden of \$11.38.

ALTERNATIVES:

- Adjust the amounts reflected in the estimate (determination)

RECOMMENDATION: Recommend approval of a resolution approving the 2012 Tax Levy Estimate. At their October 16, 2012 meeting, the AF&L Committee unanimously recommended approval of the Tax Levy Estimate.

BUDGET IMPACT: Approval at the recommended level will ensure that the levy can be set at an amount that will capture new construction and CPI growth without exceeding the (PTELL) Tax Cap legislation.

ACTION REQUIRED: Board consideration of a recommendation regarding the 2012 Tax Levy Estimate. If approved, the actual Tax Levy Ordinance will appear on the November 13, 2012 Village Board Agenda.

2012 TAX LEVY TIMELINE

- | | |
|--------------------|--|
| October 16, 2012: | Determine Truth-in-Taxation hearing is not needed and present Estimate to the Administration Finance & Legislation Committee |
| October 23, 2012: | Present Tax Levy Estimate / Determination of Truth in Taxation Levy to the Board (20 days prior to the consideration of the Ordinance approving the Levy). |
| November 20, 2012: | Pass Tax Levy Ordinance |
| November 21, 2012: | File Tax Levy Ordinance with the County Clerks |

THE DEADLINE TO FILE THE TAX LEVY ORDINANCE WITH THE COUNTY CLERK IS DECEMBER 21, 2012

Village of Bensenville 2012 Tax Levy Estimates

General Tax Levies	2011 Extension	2012 Estimate	% Change
Corporate	2,145,838.11	2,212,250	
Police Protection	1,053,710.79	1,085,000	
Police Pension	299,405.09	308,000	
Liability Insurance	273,794.06	282,000	
Workers Compensation	195,741.41	201,000	
IMRF	214,644.79	221,000	
Social Security (FICA)	250,622.18	259,000	
Subtotal	<u>4,433,756.43</u>	<u>4,568,250</u>	<u>3.03%</u>
 Bonds			
Bonds & Interest	536,611.97	536,612	
Subtotal	<u>536,611.97</u>	<u>536,612</u>	<u>0.00%</u>
Total	<u>4,970,368.40</u>	<u>5,104,862</u>	<u>2.71%</u>

NOTES:

The Consumer Price Index amount for 2011 used in calculating the 2012 estimate is 3.0%

The Equalized Assessed Valuation (EAV) for DuPage County is estimated to be \$488,897,277.

In 2011 there was \$500,000 of estimated new construction added to the Village.

A resident with a market value in 2011 of \$150,000 will likely see their value drop approximately 15% to \$127,500. For 2011 they would have paid \$420.55 in property taxes to the Village of Bensenville. For **2012 they will likely pay \$431.93 to the Village for an increased tax burden of \$11.38.**

The General Tax Levies are estimated at a 3.03% increase with a total increase including debt service of 2.71%. This levy captures CPI and new construction.

The projected increase will NOT require a Truth in Taxation Hearing.

RESOLUTION NO. _____

**A RESOLUTION DETERMINING AN ESTIMATE OF REAL PROPERTY TAXES TO
BE LEVIED BY THE VILLAGE OF BENSENVILLE, DUPAGE AND COOK
COUNTIES, ILLINOIS, FOR THAT PORTION OF
THE FISCAL YEAR
COMMENCING JANUARY 1, 2012, AND ENDING DECEMBER 31, 2012**

WHEREAS, a proposed estimate of real property taxes to be levied by the Village of Bensenville, DuPage and Cook Counties, Illinois (“Village”), for a portion of the fiscal year commencing January 1, 2012, and ending December 31, 2012 (“Proposed 2012 Tax Levy Estimates”) has been prepared as set forth in Exhibit “A”; and

WHEREAS, the President and the Board of Trustees of the Village are proposing to adopt the Proposed 2012 Tax Levy Estimates as the estimated amount of money, exclusive of any portion thereof attributable to the cost of conducting an election required by general election law, to be raised by taxation for that portion of the Village’s fiscal year commencing January 1, 2012, and ending December 31, 2012 (“Village’s Fiscal Year”), upon taxable real property in the Village; and

WHEREAS, the Proposed 2012 Tax Levy Estimates would be an increase of 2.71 percent in the “aggregate levy,” as defined in Section 18-55(b) of the “Truth in Taxation” Law, 35 ILCS 200/18-55, over the final aggregate levy of the preceding year; and

WHEREAS, accordingly, there is no hearing required prior to notice being given of the Village’s intent to adopt said Proposed 2012 Tax Levy Estimates.

WHEREAS, accordingly, it is proper that the President and the Board of Trustees of the Village determine the Proposed 2012 Tax Levy Estimates to be the amount of money estimated to be raised by taxation for the Village’s 2012 Fiscal Year.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF BENSENVILLE, DUPAGE AND COOK COUNTIES, ILLINOIS, at a Regular Meeting duly assembled:

SECTION 1. That foregoing recitals be and hereby are incorporated herein by reference as if fully set forth.

SECTION 2. That the “Village of Bensenville 2012 Tax Levy Estimates,” for that portion of the fiscal year referenced herein, attached hereto as Exhibit “A” and incorporated herein by reference, are determined to be the estimated amount of money, exclusive of any portion thereof attributable to the cost of conducting an election required by general election law, to be raised by taxation for that portion of the Village’s 2012 Fiscal Year as set forth herein upon taxable real property in the Village.

SECTION 3. That, if any part or parts of this Resolution shall be held to be unconstitutional, void, or otherwise invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining parts of this Resolution.

SECTION 4. That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois, this ____ day of November 2012.

APPROVED:

Frank Soto, Village President

ATTEST:

Corey Williamsen, Acting Village Clerk

Ayes: _____

Nays: _____

Absent: _____

TYPE: Ordinance SUBMITTED BY: S. Viger DATE: 10.17.12

DESCRIPTION: Pass the Ordinance granting the request from Bala Gogineni for Conditional Use Permits for a service station and electronic message center sign with associated variances at 154 S. York Road.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	Financially Sound Village	<input type="checkbox"/>	Enrich the lives of Residents
<input checked="" type="checkbox"/>	Quality Customer Oriented Services	<input checked="" type="checkbox"/>	Major Business/Corporate Center
<input checked="" type="checkbox"/>	Safe and Beautiful Village	<input checked="" type="checkbox"/>	Vibrant Major Corridors

COMMITTEE ACTION: Community & Economic Development –
APPROVED (voted 7-0)

DATE: 10.16.12

BACKGROUND: The property in question is the Clark Station located at the southwest corner of Green Street and York Road. The applicant seeks to remodel the existing building to increase the size by approximately 430 square feet. The site plan additionally proposes to close a curbcut on the northeast corner of the subject property to improve overall traffic flow of both the site and the intersection. The applicant requests two Conditional Use Permits (CUP) and eight Variances: the CUPs are required meet the specifications of the code in use as a gas service station and to construct an EMC, whereas the variances are necessary to comply with parking, landscape and signage stipulations.

KEY ISSUES: The staff believes that the requests for Conditional Use Permits do meet all the Approval Criteria for Conditional Use Permits. All of the criteria have been met by the service station as the use is existing. Staff finds the request for the EMC also meets the approval criteria as the plans indicated will mitigate negative environmental and traffic impacts, maintaining the neighborhood character, as well as sufficient market demand to support such use. If approved, the proposed improvements will improve the image of this property.

The variances requested are to eliminate the 2 stacking space requirement, reduce the required parking from 15 to 7 spaces, reduce the parking aisle from 24' to 23', to allow parking in the front and corner side yards, to reduce the landscape strip less than 6', to increase the height of the EMC from 8' to 18' and the square footage of the sign from 50 square feet to 75 square feet and allow the EMC to be built in the vision triangle.

Staff believes the requested Variances do satisfy the Approval Criteria because of the circumstances which directly relate to the property as the sign cannot be placed elsewhere on the site and hardship potentially created if the parking variance is not granted preventing the feasible flow of traffic. The variances will allow an improvement of the existing condition of the subject property.

ALTERNATIVES:

1. Committee discretion.
2. Deny the Conditional Use Permits and variance requests.
3. Remand the request back to the Community Development Commission.

RECOMMENDATION: Staff respectfully recommended approval of the Conditional Use Permits and Variances with several conditions:

1. The Conditional Use Permit be granted solely to the applicant;
2. A copy of the Conditional Use Permit and associated variances must be kept on the premises;
3. The property shall be developed in substantial conformance to the plans as submitted;
4. Landscape materials be added to the frontage strips to meet the Village requirements;
5. Revised architectural plans clearly identifying materials and colors of the proposed store;
6. No window displays/banners that will restrict the cashier's view or the view of passing police patrol;
7. A sign shall be posted on site per Village Code 4-3-18(b) 2, Criminal Trespass, to discourage loitering.

At the 09.10.12 Public Hearing the Community Development Commission voted unanimously (5 - 0) to recommend approval of the Conditional Use Permits and Variances with the conditions recommended by staff. There was no public comment at the Hearing.

On 10.16.12, the CEDC Voted to approve the Conditional Use Permits and Variances with the elimination of the parking space along the eastern portion of the building and with the updated site plan, changing the parking variance from 15 to 9.

BUDGET IMPACT: N/A

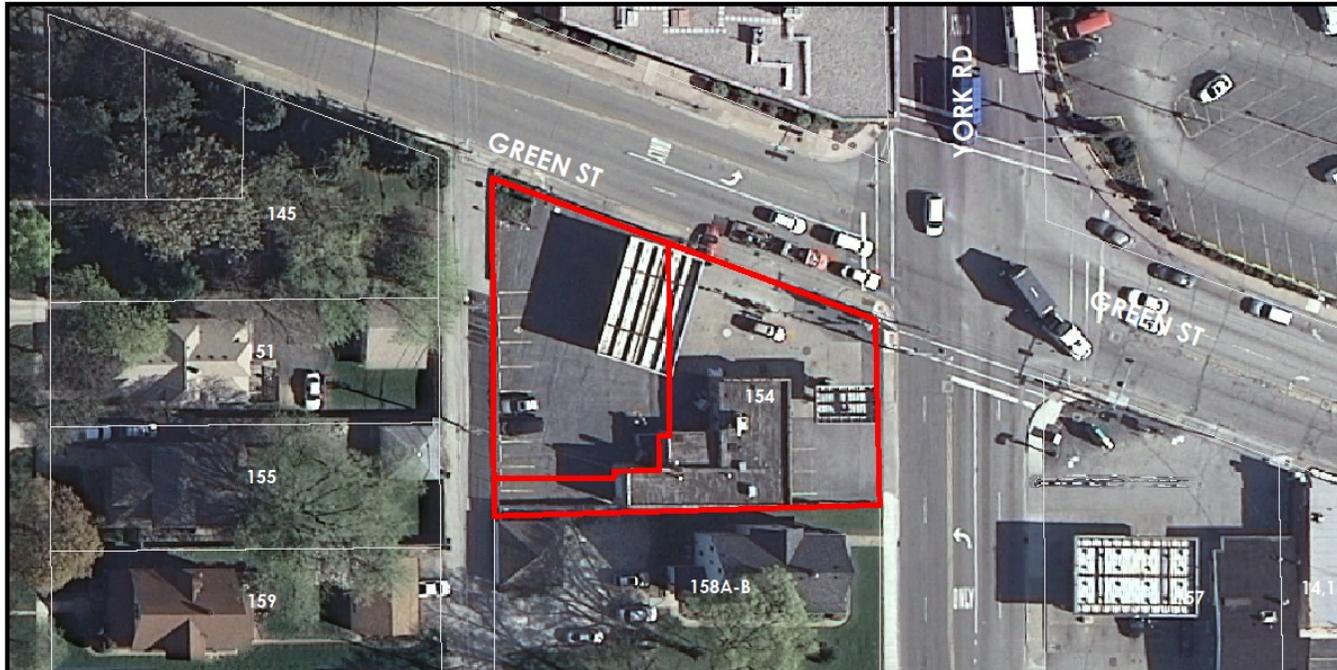
ACTION REQUIRED: Pass the Ordinance.

Bala Gogineni – 154 S. York Road

Conditional Use Permit for Service Station and EMC with Associated Variances

Village of Bensenville

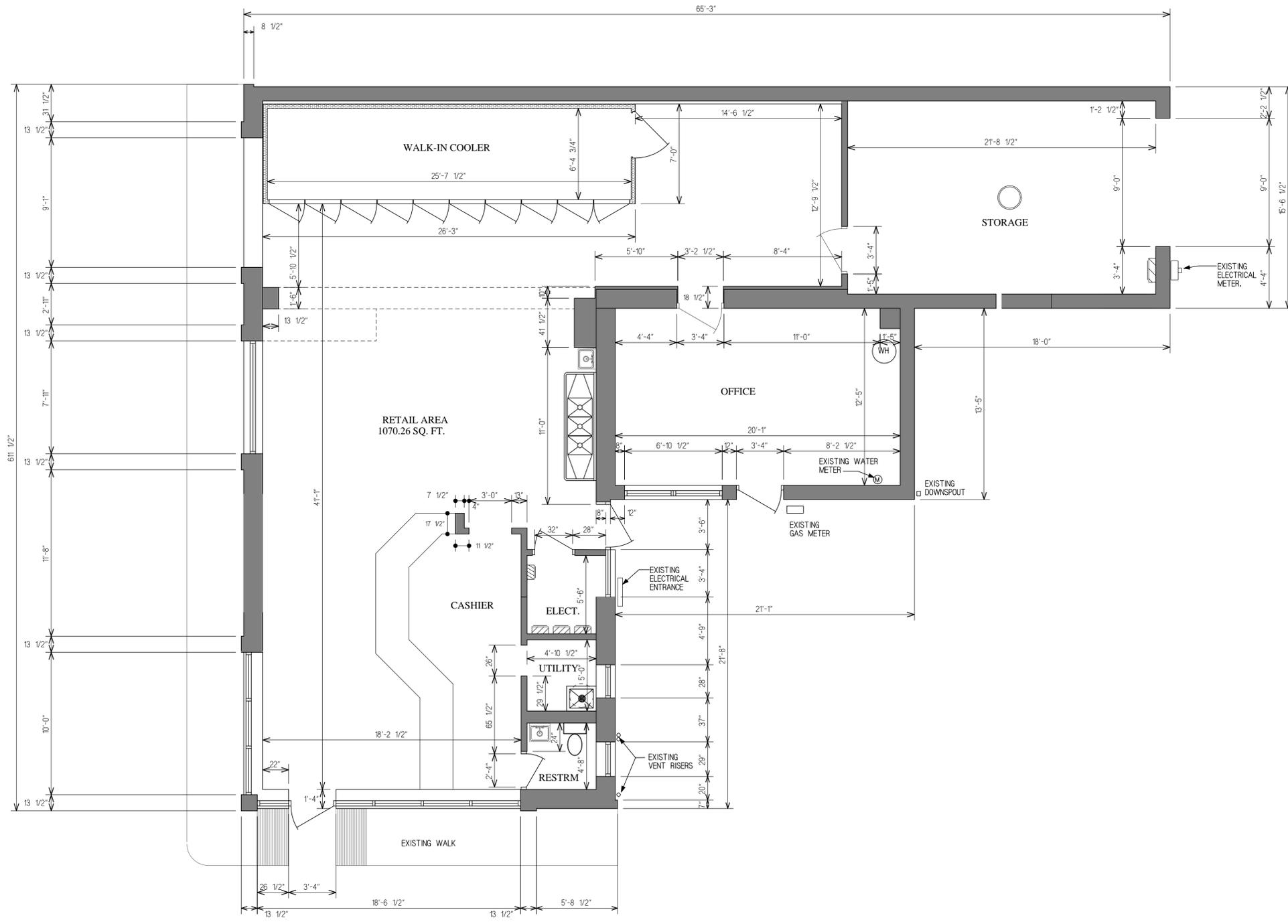
154 S York Rd



Village of Bensenville

2011 Zoning Map





EXISTING CONDITIONS PLAN

SCALE: 1/4" = 1'-0"
 GROSS BUILDING AREA = 2215.35 SQ. FT.



Paul R. Glenn Architects Inc.
 14618 Hebron Rd. Harvard, IL 60033
 P: 815-382-3737 Fax: 815-648-4657
 Pglennarchitects.net

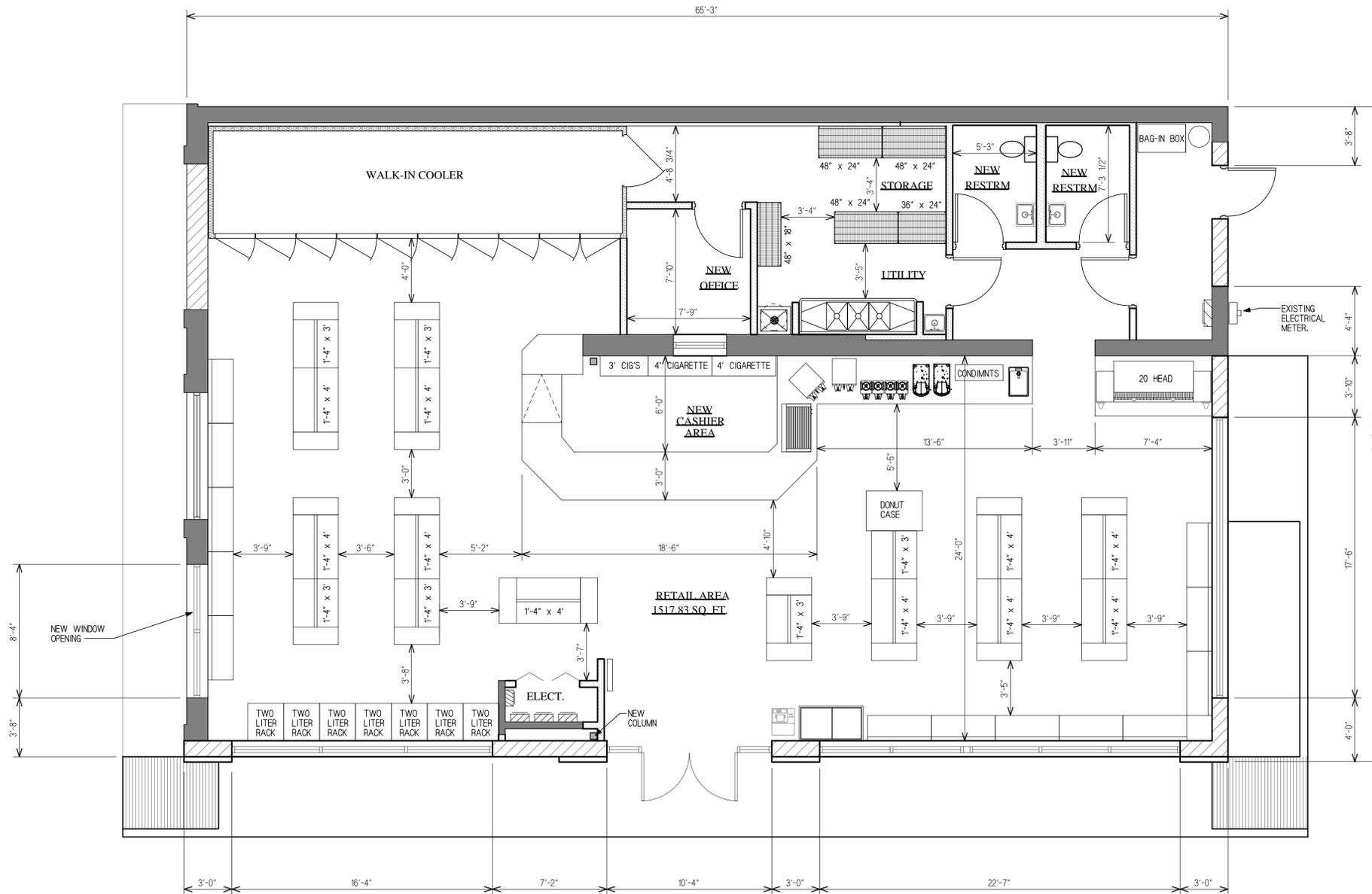
A Design Group, LLC
 PO BOX 1870
 CRYSTAL LAKE, ILLINOIS
 60039-1870
 (847) 347-3721

NO	DESCRIPTION	DATE	REVISIONS
1	UPDATE ELEVATIONS	6-21-12	
2	RELOCATE RESTROOMS AND OFFICE	5-24-12	

PROJECT NAME AND LOCATION:
 PARENT PETROLEUM - BUILDING AND SITE REMODEL
 154 S. YORK ROAD AND GREEN STREET (SWC)
 BENSENVILLE, ILLINOIS
 PIN: 00-000-000-0000
 CLIENT:
 BALA GOGINENI

SHEET TITLE:
 EXISTING CONDITIONS PLAN

SCALE: 1/4" = 1'-0"	DATE: 4-10-12
DRAWN BY: RJA	SHEET A-2
PROJECT NO.: 110804	OF FIVE



NEW FLOOR PLAN LAYOUT

SCALE: 1/4" = 1'-0"
 GROSS BUILDING AREA = 2215.35 SQ. FT.



PROJECT NAME AND LOCATION:
 PARENT PETROLEUM - BUILDING AND SITE REMODEL
 154 S. YORK ROAD AND GREEN STREET (SWC)
 BENSENVILLE, ILLINOIS
 PIN: 00-000-000-0000

CLIENT:
 BALA GOGINENI

SCALE:
 1/4" = 1'-0"

DATE:
 4-10-12

DRAWN BY:
 RJA

SHEET

PROJECT NO.:

A-4

110804

OF FIVE

NO	DESCRIPTION	DATE	REVISIONS
1	UPDATE ELEVATIONS	6-21-12	
2	RELOCATE RESTROOMS AND OFFICE	5-24-12	

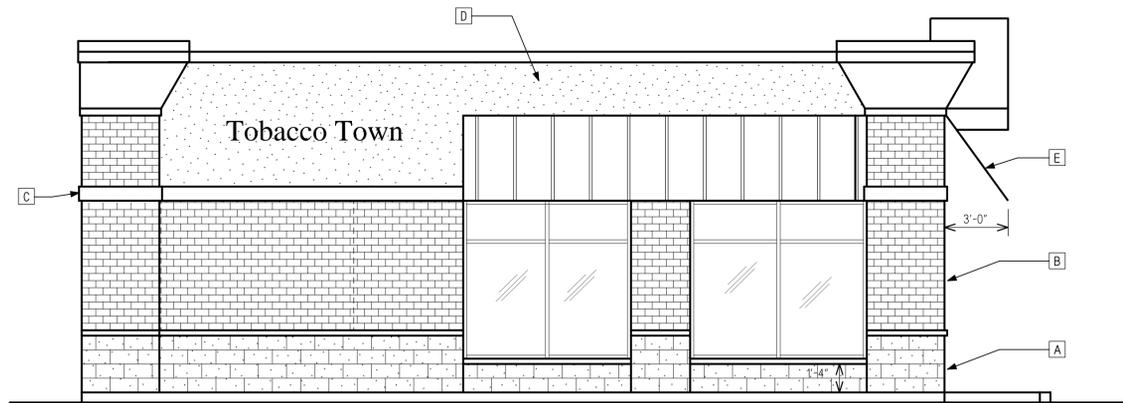
A Design Group, LLC
 PO BOX 1870
 CRYSTAL LAKE, ILLINOIS
 60039-1870
 (847) 347-3721

Paul R. Glenn Architects Inc.
 14618 Hebron Rd. Harvard, IL 60033
 P: 815-382-3737 Fax: 815-648-4657
 Pglenn@charters.net



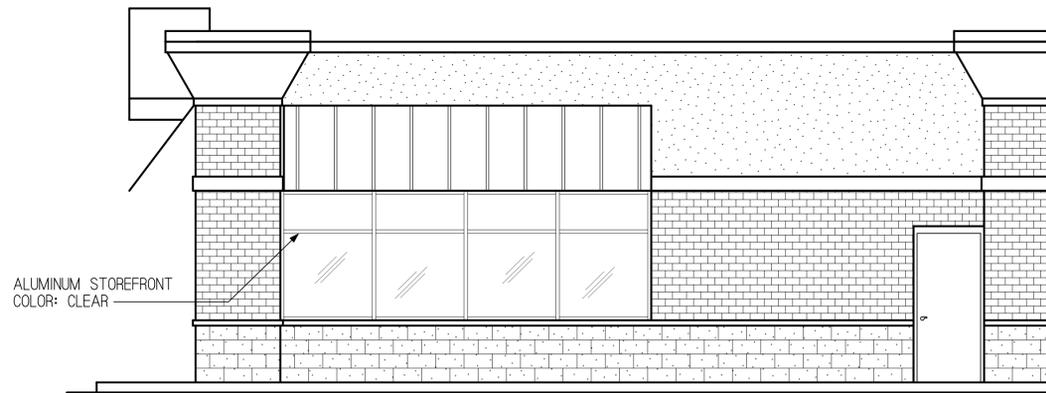
FRONT (NORTH) ELEVATION

SCALE: 1/4" = 1'-0"



LEFT SIDE (EAST) ELEVATION

SCALE: 1/4" = 1'-0"



RIGHT SIDE (WEST) ELEVATION

SCALE: 1/4" = 1'-0"

EXTERIOR ELEVATION KEY NOTES			
TAG	MANUFACTURER	COLOR	COMMENTS
A	NICHIHA - BLOCK	MOCHA	
B	NICHIHA - BRICK	ROSE-RED	
C	STONE PANEL	WHITE	
D	EIFS	MOCHA	
E	STANDING SEAM	BY OWNER	
F	ACM		COLOR TO MATCH STANDING SEAM AWNINGS.
G			
H			



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NO	DESCRIPTION	DATE	REVISIONS
	UPDATE ELEVATIONS	6-21-12	
	RELOCATE RESTROOMS AND OFFICE	5-24-12	

PROJECT NAME AND LOCATION:
 PARENT PETROLEUM - BUILDING AND SITE REMODEL
 154 S. YORK ROAD AND GREEN STREET (SWC)
 BENSENVILLE, ILLINOIS
 PIN: 00-000-000-0000
 CLIENT: BALA GOGINENI

SHEET TITLE:
 EXTERIOR BUILDING ELEVATIONS

SCALE:
 1/4" = 1'-0"

DATE:
 4-10-12

DRAWN BY:
 RJA

SHEET
A-1

PROJECT NO.:
 110804

OF FIVE

ORDINANCE NO. _____

**AN ORDINANCE APPROVING THE GRANT OF CONDITIONAL USE PERMITS
FOR A SERVICE STATION (GAS AND DIESEL FUEL) AND
ELECTRONIC MESSAGE CENTER SIGN WITH ASSOCIATED VARIANCES
AT 154 S. YORK ROAD, BENSENVILLE, ILLINOIS**

WHEREAS, Bala Gogineni (“Owner”) and Ambrose Design Group, LLC (“Applicant”), filed an application seeking a conditional use permit to allow Bala Gogineni, to operate a Service Station (Gas and Diesel Fuel) and erect and Electronic Message Center Sign in the C-3 Downtown Mixed Use District pursuant to Section 10-7C-3 and 10-18-7.1 of *The Village of Bensenville Zoning Ordinance* (“Zoning Ordinance”), with associated variances to parking requirements, pursuant to Sections 10-11-11; 10-11-8-2D; 10-7C-4B; and for a variance to required foundation (landscape strip), Section 10-12-2E; and for sign variances pursuant to Sections 10-18-14; 10-18-10A-2D; 10-18-10A-2C and 10-14-10, at property commonly known as 154 S. York Road, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the “Subject Property”), a copy of said application being on file in the Community and Economic Development Department; and

WHEREAS, a Service Station (Gas and Diesel Fuel) and Electronic Message Center Sign are allowed as conditional uses in the C-3 Downtown Mixed Use District; and

WHEREAS, Notice of Public Hearing with respect to the application for zoning relief sought by the Owner and Applicant was published in the Daily Herald on August 25, 2012 in the Village of Bensenville, and notice was also given via posting of a Public Hearing Sign on the property and via personal mail, all as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, pursuant to said Notice, the Community Development Commission of the Village of Bensenville conducted a Public Hearing commencing on September 10, 2012 as required by the statutes of the State of Illinois and the ordinances of the Village, and after hearing the application, made the findings of facts as set forth in Exhibit “B,” attached hereto and incorporated herein by reference; and

WHEREAS, upon said findings of facts, the Community Development Commission voted 6 – 0 to approve the application for conditional use permit to allow the Service Station

(Gas and Diesel Fuel) and Electronic Message Center Sign and associated variances as requested at the Subject Property, subject to the conditions as recommended in the staff report; and

WHEREAS, the Community Development Commission forwarded its recommendation to approve the application to the Village Board's Community and Economic Development Committee which concurred in the recommendation to approve the application with the revision to the site plan dated 09.10.12 to eliminate the parking stall found along the easternmost portion of the site; and

WHEREAS, the Community and Economic Development Committee then forwarded its recommendation, along with that of the Community Development Commission, to the President and Board of Trustees on October 23, 2012; and

WHEREAS, the President and Board of Village Trustees considered the matter and determined, based on its consideration, that the two conditional use permits and associated variances should be granted with the conditions as set forth herein, allowing the relief requested, finding that it is consistent with the Zoning Ordinance and the orderly and harmonious development of the Village.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, duly assembled at a regular meeting, as follows:

SECTION ONE: That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

SECTION TWO: That the application for a conditional use permit to allow Bala Gogineni to operate a Service Station (Gas and Diesel Fuel) and erect and Electronic Message Center Sign at the Subject Property, in conjunction with its use of the Subject Property, and associated variances, as follows, (1) to reduce the number of stacking spaces from 2 per end to end row to zero per end to end row of pump islands; (2) to reduce the required parking from 15 to 9 spaces; (3) to reduce the parking aisle width from the required 24 feet to 23 feet; (4) to allow parking in the required front and corner side yards; (5) to reduce the required foundation (landscape) strip to less than 6 feet; (6) to allow for the erection of a monument sign that is 18 feet in height, exceeding the maximum height of 8 feet; (7) to allow for a monument sign area of 72 square feet exceeding the maximum allowable sign area of 32 square feet; and (8) to allow construction of a sign within the vision of clearance triangle, subject to the following conditions: (1) the conditional use permits granted herein shall only be granted only to Bala Gogineni and

shall be transferred only after a review by the Community Development Commission (“CDC”) and approval of the Village Board. In the event the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC, which 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 Permits, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permits, the new proprietor shall be required to petition for a new public hearing before the CDC for new Conditional Use Permits; (2) a copy of the Conditional Use Permits and associated variances must be kept on the premises of the establishment and be presented to any authorized Village official upon request; (3) the Subject Property shall be developed and utilized in substantial conformance to the plans submitted as part of this application. Site and engineering plans prepared by Paul R. Glenn Architects, Inc., dated 09.10.12 with revisions requested by staff and the CEDC to remove the parking stall on the easternmost portion of the site; (4) landscape materials shall be added to the Green Street and York Road frontage strips to meet the Village requirements. The landscape plan is subject to the review and approval of Village staff; (5) revised architectural plans clearly identifying materials and colors of the proposed convenience store are submitted reviewed and approved by the Village staff; (6) there shall be no window displays or advertising banners in the area of the cashier that will restrict the cashier’s view or the view of passing police patrol; and (7) the site shall be conspicuously sign posted per Village Code 4-3-18(b) 2, Criminal Trespass, to discourage loitering.

SECTION THREE: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of
Bensenville, this 23rd day of October, 2012.

Frank Soto, Village President

ATTEST:

Susan Janowiak, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

f:\pkb\bensenville\ordinances\zoning\conditionaluse\154 s. york rd.doc

Ordinance # ____-2012
Exhibit "A"
Legal Description

The Legal Description of the property is as follows:

PARCEL 1:

LOT 2 OF PLAT OF SURVEY OF WESTBY'S DIVISION OF LOT 1 IN SCHWERDTFEGER'S RESUBDIVISION OF BLOCK 12 OF BRETTMAN'S ADDITION TO BENSENVILLE, A SUBDIVISION IN SECTION 13 AND 14, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID SURVEY RECORDED MAY 12, 1948 AS DOCUMENT 548895, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF LOT 1 DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 1; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 1, 13.1 FEET MORE OR LESS, TO A POINT 1.0 FEET SOUTH OF THE SOUTHWEST CORNER OF LOT 2 (MEASURED ALONG THE WEST LINE OF LOT 1) FOR A POINT OF BEGINNING; THENCE NORTH ALONG THE WEST LINE OF LOT 1, 1.0 FEET TO THE SOUTHWEST CORNER OF LOT 2; THENCE EAST ALONG THE SOUTH LINE OF LOT 2, 48.69 FEET TO A CORNER IN THE SOUTH LINE OF SAID LOT 2; THENCE SOUTH PARALLEL TO THE WEST LINE AND SAID LOTS 1 AND 2, 1.0 FEET; THENCE WEST PARALLEL TO THE SOUTH LINE OF SAID LOT 2, TO THE POINT OF BEGINNING, IN A PLAT OF SURVEY OF WESTBY'S DIVISION OF LOT 1 IN SCHWERDTFEGER'S RESUBDIVISION OF BLOCK 12 IN BRETTMAN'S ADDITION TO BENSENVILLE, A SUBDIVISION IN SECTIONS 13 AND 14, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID SURVEY RECORDED MAY 12, 1948 AS DOCUMENT 544895, IN DUPAGE COUNTY, ILLINOIS.

ALSO: ALL OF LOT 1 (EXCEPT THAT PART OF LOT 1 DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 1; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 1, 13.10 FEET, MORE OR LESS TO A POINT 1.0 FEET SOUTH OF THE SOUTHWEST CORNER OF LOT 2 (MEASURED ALONG THE WEST LINE OF LOT 1) FOR A POINT OF BEGINNING; THENCE NORTH ALONG THE WEST LINE OF LOT 1, 1.0 FEET TO THE SOUTHWEST CORNER OF LOT 2; THENCE EAST ALONG THE SOUTH LINE OF LOT 2, 48.69 FEET TO A CORNER IN THE SOUTH LINE OF SAID LOT 2; THENCE SOUTH PARALLEL TO THE WEST LINE OF SAID LOTS 1 AND 2, 1.0 FEET; THENCE WEST PARALLEL TO THE SOUTH LINE OF SAID LOT 2, TO THE POINT OF BEGINNING) IN PLAT OF SURVEY OF WESTBY'S DIVISION OF LOT 1 IN SCHWERDTFEGER'S RESUBDIVISION OF BLOCK 12 IN BRETTMAN'S ADDITION TO BENSENVILLE, A SUBDIVISION IN SECTIONS 13 AND 14, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID SURVEY RECORDED MAY 12, 1948 AS DOCUMENT 544895, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 154 S. York Road, Bensenville, IL 60106

Ordinance # ____-2012
Exhibit "B"

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

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

September 10, 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, Pisano, Weldon
Absent: James, Ventura
A quorum was present.

Motion: Commissioner Weldon made a motion to approve the Findings of Facts for the variance request for parking consisting of:

1. **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it reasonable and practical to provide a general amendment to this Title to cover them. The variances sought are special circumstances that are peculiar to this property in the size and location as an entryway into the Village's downtown district.
2. **Hardship Or Practical Difficulties:** For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience. Hardship would exist in providing feasible traffic flow and maneuverability if variances are not granted. The applicant contends there is no other practical location with high visibility to place the sign.
3. **Circumstances Relate To Property:** The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions. They do not concern any business or activity of present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property. The circumstances that relate to the property are the subject property's location

on a corner lot, limiting the location and amount of parking, signage and landscaping.

4. **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act. The variances are the result of the traffic flow and physical site design dictated by the property itself and the surrounding uses, not the specific actions of the applicant.
5. **Preserve Rights Conferred By District:** A variance is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties. Staff believes no special privilege is conferred by the applicant in the subject variance requests. These requests are typically found within service station renovations.
6. **Necessary For Use Of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property. The variances are necessary for the use of property to bring the site to the highest conforming level.
7. **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity. Local character is not altered in that another service station exists just east of the subject property.
8. **Consistent With Title And Plan:** The granting of a variance will be in harmony with the general purpose and intent of this Title and of the general development plan and other applicable adopted plans of the Village, as viewed in light of any changed conditions since their adoption, and will not serve in effect to substantially invalidate or nullify any part thereof. The property's location as a commercial entrance to the downtown area is consistent with the comprehensive plan. The granting of the aforementioned variances will allow for a harmonious improvement to the surrounding area.
9. **Minimum Variance Needed:** The variance approved is the minimum required to provide the applicant with relief from undue hardship or practical difficulties and with reasonable use and enjoyment of the property. Staff finds the minimum variances have been requested.

Chairman Moruzzi seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Weldon made a motion to approve the Findings of Facts for the variance request for landscaping consisting of:

1. **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it reasonable and practical to provide a general amendment to this Title to cover them. The variances sought are special circumstances that are peculiar to this property in the size and location as an entryway into the Village's downtown district.
2. **Hardship Or Practical Difficulties:** For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience. Hardship would exist in providing feasible traffic flow and maneuverability if variances are not granted. The applicant contends there is no other practical location with high visibility to place the sign.
3. **Circumstances Relate To Property:** The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions. They do not concern any business or activity of present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property. The circumstances that relate to the property are the subject property's location on a corner lot, limiting the location and amount of parking, signage and landscaping.
4. **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act. The variances are the result of the traffic flow and physical site design dictated by the property itself and the surrounding uses, not the specific actions of the applicant.
5. **Preserve Rights Conferred By District:** A variance is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special

privilege ordinarily denied to such other properties. Staff believes no special privilege is conferred by the applicant in the subject variance requests. These requests are typically found within service station renovations.

6. **Necessary For Use Of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property. The variances are necessary for the use of property to bring the site to the highest conforming level.
7. **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity. Local character is not altered in that another service station exists just east of the subject property.
8. **Consistent With Title And Plan:** The granting of a variance will be in harmony with the general purpose and intent of this Title and of the general development plan and other applicable adopted plans of the Village, as viewed in light of any changed conditions since their adoption, and will not serve in effect to substantially invalidate or nullify any part thereof. The property's location as a commercial entrance to the downtown area is consistent with the comprehensive plan. The granting of the aforementioned variances will allow for a harmonious improvement to the surrounding area.
9. **Minimum Variance Needed:** The variance approved is the minimum required to provide the applicant with relief from undue hardship or practical difficulties and with reasonable use and enjoyment of the property. Staff finds the minimum variances have been requested.

Chairman Moruzzi seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Weldon made a motion to approve the Findings of Facts for the variance request for the sign consisting of:

1. **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it reasonable and practical to provide a general amendment to this Title to cover them. The variances sought are special circumstances that are

peculiar to this property in the size and location as an entryway into the Village's downtown district.

2. **Hardship Or Practical Difficulties:** For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience. Hardship would exist in providing feasible traffic flow and maneuverability if variances are not granted. The applicant contends there is no other practical location with high visibility to place the sign.
3. **Circumstances Relate To Property:** The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions. They do not concern any business or activity of present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property. The circumstances that relate to the property are the subject property's location on a corner lot, limiting the location and amount of parking, signage and landscaping.
4. **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act. The variances are the result of the traffic flow and physical site design dictated by the property itself and the surrounding uses, not the specific actions of the applicant.
5. **Preserve Rights Conferred By District:** A variance is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties. Staff believes no special privilege is conferred by the applicant in the subject variance requests. These requests are typically found within service station renovations.
6. **Necessary For Use Of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property. The variances are necessary for the use of property to bring the site to the highest conforming level.
7. **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity. Local character is not altered in that another service station exists just east of the subject property.

8. **Consistent With Title And Plan:** The granting of a variance will be in harmony with the general purpose and intent of this Title and of the general development plan and other applicable adopted plans of the Village, as viewed in light of any changed conditions since their adoption, and will not serve in effect to substantially invalidate or nullify any part thereof. The property's location as a commercial entrance to the downtown area is consistent with the comprehensive plan. The granting of the aforementioned variances will allow for a harmonious improvement to the surrounding area.
9. **Minimum Variance Needed:** The variance approved is the minimum required to provide the applicant with relief from undue hardship or practical difficulties and with reasonable use and enjoyment of the property. Staff finds the minimum variances have been requested.

Chairman Moruzzi seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Mike Moruzzi, Chairman
Community Development Commission

TYPE: Ordinance SUBMITTED BY: S. Viger DATE: 10.17.12

DESCRIPTION: Pass the Ordinance denying a request from Janjic Trucking, Inc. for a Conditional Use Permit and Parking Variance to allow Motor Vehicle Repair (Major & Minor) at 211 Beeline Drive Unit #3.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input type="checkbox"/>	Financially Sound Village	<input type="checkbox"/>	Enrich the lives of Residents
<input type="checkbox"/>	Quality Customer Oriented Services	<input checked="" type="checkbox"/>	Major Business/Corporate Center
<input type="checkbox"/>	Safe and Beautiful Village	<input type="checkbox"/>	Vibrant Major Corridors

COMMITTEE ACTION: Community & Economic Development –
FAILED (0-6-1)

DATE: 10.16.12

BACKGROUND: The applicant seeks a Conditional Use Permit for motor vehicle repair (Major & Minor) and parking variance to open a truck repair business within the 211 Beeline building. The property in question is a unit within a 14 unit multiple-tenant and multiple-owner single story building. The unit is currently vacant and was previously utilized as a truck repair business although a Conditional Use Permit and Business License were never obtained. The parking variance is necessary to reduce the required parking from ten (10) to three (3) spaces based on the parking calculations for the proposed five (5) "service bays." Five other motor vehicle repair businesses are licensed within the 211 Beeline building. Existing traffic congestion issues associated with parking have been made apparent by tenant complaints.

KEY ISSUES: The staff believes that the request does not meet all the Approval Criteria for a Conditional Use Permit. Although the use is consistent with other industrial uses in the area, granting the Conditional Use Permit will negatively impact traffic on-site with an influx of truck traffic and storage subsequently creating an environmental nuisance for neighboring tenants. Currently, traffic maneuverability on-site is limited by the existing tractor and trailer parking and staff finds that the approval of an additional truck repair business will further inhibit traffic flow.

Staff believes the requested Variance does not satisfy the Approval Criteria because the minimum variance was not requested, it is not necessary for the use of property as many other uses could be implemented without requiring a parking variance and hardship does not exist.

ALTERNATIVES:

1. Committee discretion.
2. Approve the Conditional Use Permit and variance requests.
3. Remand the request back to the Community Development Commission.

RECOMMENDATION: Staff respectfully recommended denial of the Conditional Use Permit and Variance.

At the 09.10.12 Public Hearing the Community Development Commission failed the motion to approve the Conditional Use Permit and Parking Variance with a vote of 0 - 6. There was no public comment at the Hearing.

On 10.16.12 CEDC meeting, the vote to approve this request failed with one abstention (0-6-1). Therefore, as neither staff, CDC, nor the CEDC support the request, the attached Ordinance is written for denial.

BUDGET IMPACT: N/A

ACTION REQUIRED: Pass the Ordinance denying the Ordinance for the Conditional Use Permit for Motor Vehicle Repair (Major & Minor) and Parking Variance as recommended by the Staff, CDC and CEDC.

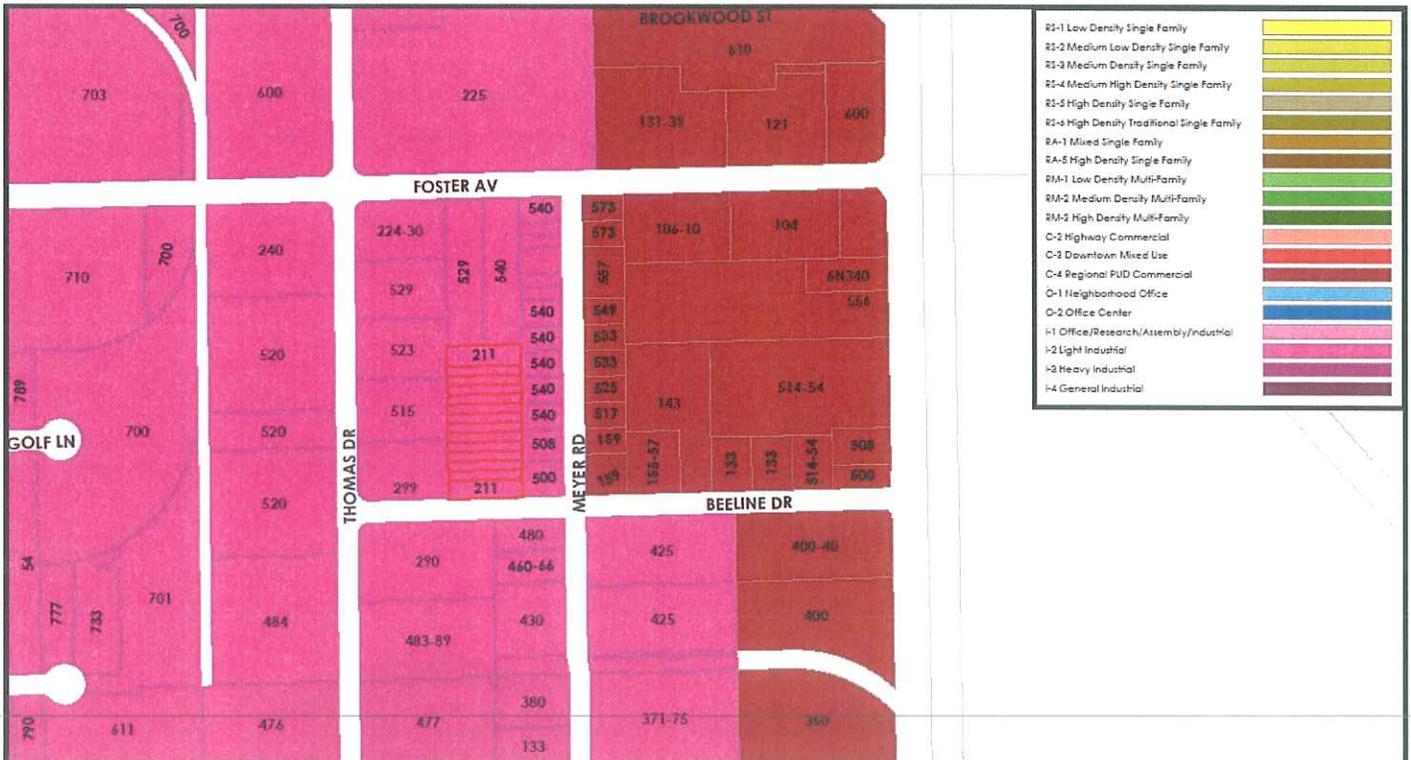
Village of Bensenville

211 Beeline Dr.

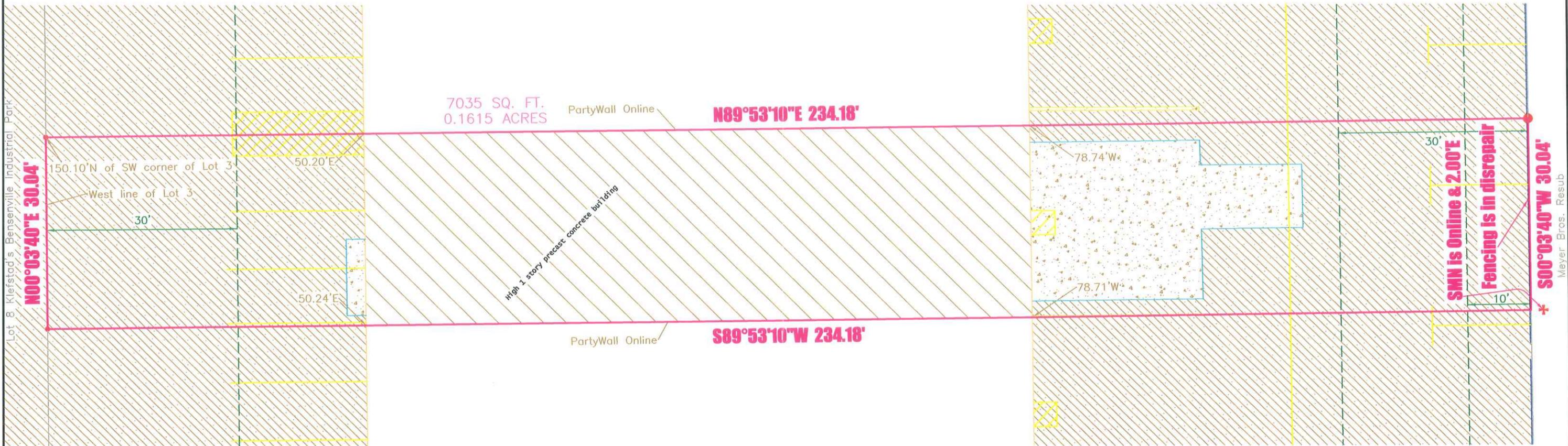


Village of Bensenville

2011 Zoning Map



PLAT OF SURVEY



Surveyors Notes:

- 1.) This survey does not constitute a title search by the surveyor. All information shown regarding record easements, adjoiners, and other documents which might affect the quality of title to the tract shown hereon was gained from the client and/or plat of subdivision. The location of the boundary lines shown hereon are based upon the description provided by the client. These boundary lines reflect what was surveyed. For ownership issues consult your title company and/or attorney.
- 2.) This is a boundary survey; our understanding is it is being used to obtain a permit.
- 3.) The location and/or existence of utility service lines and/or facilities to the property surveyed are unknown and are not shown. **No utility structures of any kind are shown. Including overhead wires.**
- 4.) Dimensions shown thus 50.25' are feet and decimal parts thereof. Examples of feet to inches 1.0'=12"|0.5'=6"|0.25'=3"|0.71'=8 1/2". Angular data shown thus 90°00'00" indicates degrees, minutes and seconds.
- 5.) 50.25' N90°00'00"E indicates measured dimension/bearing.
 (50.25' N90°00'00"E) indicates record dimension/bearing where differs from measure.
 [50.25' N90°00'00"E] indicates Deed/Description dimension/bearing where differs from measure.
- 6.) Bearings shown hereon are assumed.
- 7.) Check legal description with deed or title policy and report any discrepancy immediately. Building lines and easements, if any, shown hereon are as shown on the recorded subdivision or as indicated.
- 8.) **Report any discrepancies at once.**



Scale 1" = 15'

Legend

- N,S,E,W = North, South, East, West
- + =Set Cross Notch=SCN
- =Set Iron Pipe=SIP
- =Set MAG Nail=SMN
- [Hatched Box] = Bituminous Pavement
- [Dotted Box] = Concrete/Cement
- [Diagonal Line Box] = Structure
- = Easement
- - - - - = Fence
- (Yellow) — = Yellow Stripping

PROPERTY DESCRIPTION

PARCEL 1: THE NORTH 30.04 FEET OF THAT PART OF THE WEST 234.18 FEET OF LOT 3, LYING SOUTH OF A LINE DRAWN AT RIGHT ANGLES TO THE WEST LINE THEREOF, THROUGH A POINT 150.10 FEET NORTH OF THE SOUTHWEST CORNER THEREOF, IN MOHAWK ACRES, A SUBDIVISION IN THE SOUTHEAST 1/4 OF SECTION II. TOWNSHIP 40 NORTH, RANGE II EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 17, 1934 AS DOCUMENT 350561 IN DU PAGE COUNTY, ILLINOIS.
 PARCEL 2: EASEMENT FOR THE BENEFIT OF PARCEL I, FOR PURPOSES OF INGRESS AND EGRESS AS CREATED IN DECLARATION OF EASEMENTS RECORDED DECEMBER 5, 1972 AS DOCUMENT R72-74496.

STATE OF ILLINOIS)
 COUNTY OF DUPAGE) SS

WE, PREMIER LAND SURVEYING L.L.C, PROFESSIONAL DESIGN FIRM NO. 184-004378, DO HEREBY CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. WE HAVE MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE CONVENTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY DISCLOSE.
 DATED AT ITASCA, ILLINOIS ON August 21st, 2012.

Brian C. Plautz
 BRIAN C. PLAUTZ, I.P.L.S. NO. 035-3167, EXPIRES 11/30/12
 PREMIER LAND SURVEYING L.L.C.
 PROFESSIONAL DESIGN FIRM NO. 184-004378, EXPIRES 04/30/2013
 131 SCHILLER PLACE | ITASCA, IL. 60143 | 630-875-1417
 Survey is valid only if original seal and signature is shown in purple.

Premier Land Surveying L.L.C.

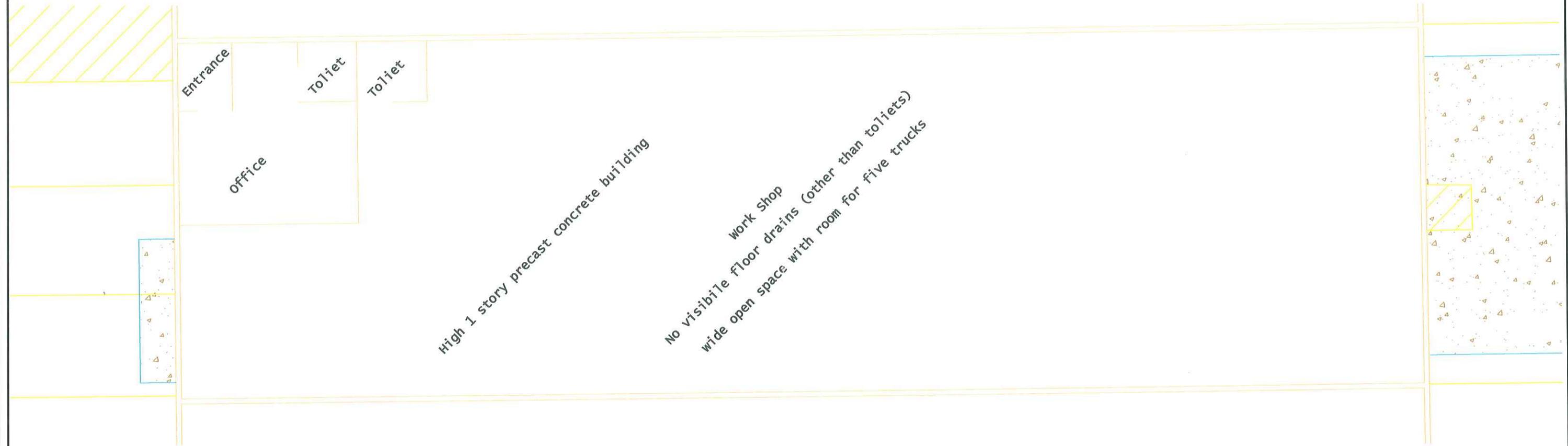
131 Schiller Place
 Itasca, IL 60143
 (630) 875-1417

Rev. Date	Rev. Description
Field Work Completed: 08/21/2012	
Job #: 2012-0030_PS	Sheet 1 of 1
Location: 211 Beeline Dr, Unit #3 Bensenville, IL 60106	

Client: Kevin Cox, Beeline Truck
 133 Beeline Dr
 Bensenville, IL 60106

Meyer Bros. Resub

Interior Building As-Built/Plan



Scale 1" = 8'

Legend

- N,S,E,W = North, South, East, West
- + = Set Cross Notch=SCN
- = Set Iron Pipe=SIP
- = Bituminous Pavement
- = Concrete/Cement
- = Structure
- = Easement
- = Fence
- = Yellow Stripping

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS

WE, PREMIER LAND SURVEYING L.L.C., PROFESSIONAL DESIGN FIRM NO. 184-004378, DO HEREBY CERTIFY THAT THIS PROFESSIONAL SERVICE DOES NOT CONFORM TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. WE HAVE ACCURATELY SHOWN THE INTERIOR DIVIDING WALLS AND PROPOSED EQUIPMENT IN RELATIONSHIP TO THE UNIT #3 BUILDING ONLY. SEE ASSOCIATED JOB SIGNED THE SAME DAY FOR BOUNDARY INFORMATION.
DATED AT ITASCA, ILLINOIS ON August 21st, 2012

BRIAN C. PLAUTZ

BRIAN C. PLAUTZ; I.P.L.S. NO. 035-3167, EXPIRES 11/30/12
PREMIER LAND SURVEYING L.L.C.
PROFESSIONAL DESIGN FIRM NO. 184-004378, EXPIRES 04/30/2013
131 SCHILLER PLACE | ITASCA, IL 60143 | 630-875-1417
Survey is valid only if original seal and signature is shown in purple.

Premier Land Surveying L.L.C.

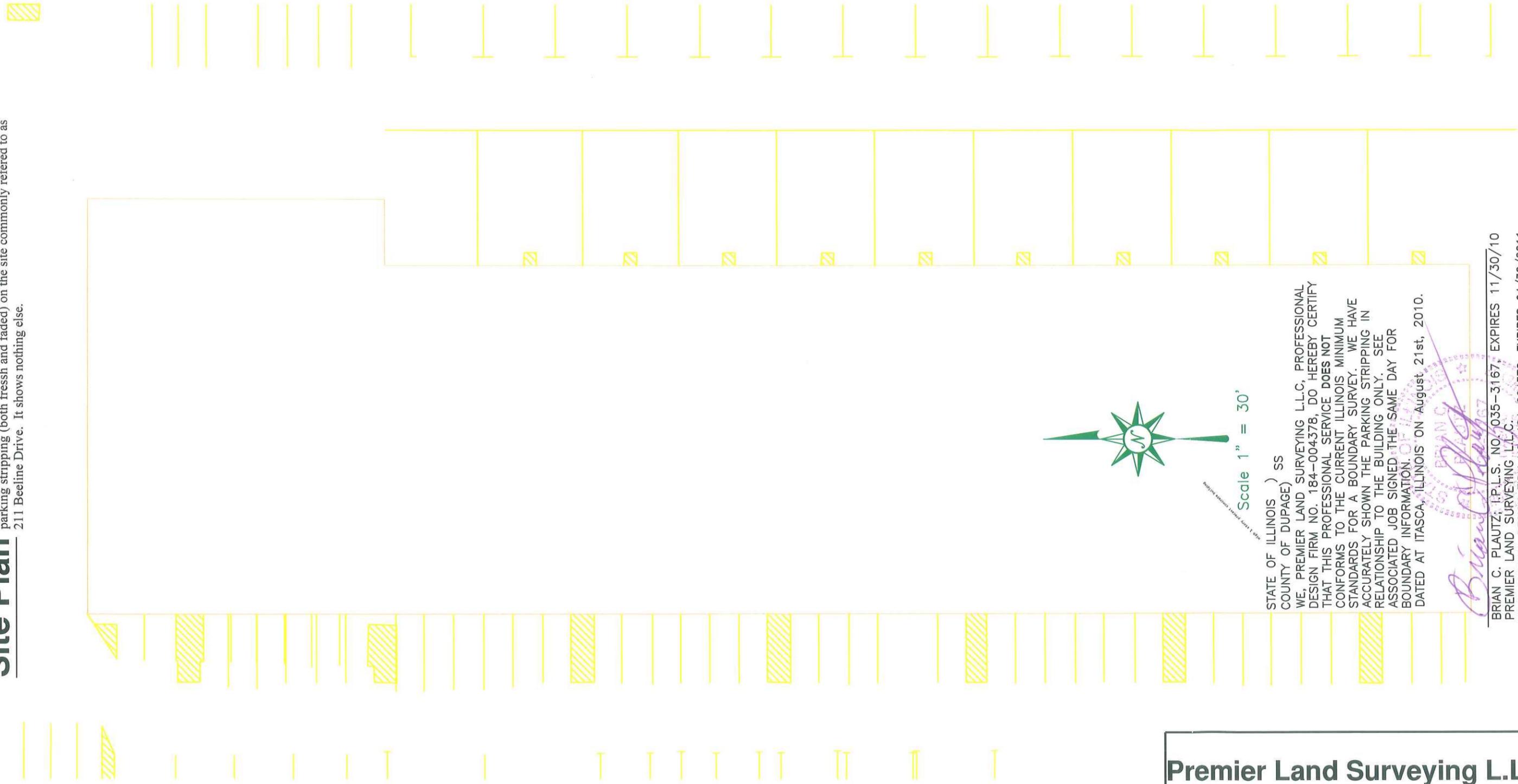
131 Schiller Place
Itasca, IL 60143
(630) 875-1417

Rev. Date	Rev. Description
Field Work Completed: 08/17/2012	
Job #: 2012-0030_IBab/p Sheet 1 of 1	
Location: 211 Beeline Dr, Unit #3 Bensenville, IL 60106	

Client: Kevin Cox, Beeline Truck
133 Beeline Dr
Bensenville, IL 60106

Site Plan

This site plan is limited to showing the building and the painted yellow parking stripping (both fresh and faded) on the site commonly referred to as 211 Beeline Drive. It shows nothing else.



Field Work Completed: 08/17/2012
Job #: 2012-0030_SP | Sheet 1 of 1
Location:
211 Beeline Dr, Unit #3
Bensenville, IL 60106



Scale 1" = 30'

STATE OF ILLINOIS) SS
COUNTY OF DUPAGE)
WE, PREMIER LAND SURVEYING L.L.C., PROFESSIONAL
DESIGN FIRM NO. 184-004378, DO HEREBY CERTIFY
THAT THIS PROFESSIONAL SERVICE DOES NOT
CONFORM TO THE CURRENT ILLINOIS MINIMUM
STANDARDS FOR A BOUNDARY SURVEY. WE HAVE
ACCURATELY SHOWN THE PARKING STRIPPING IN
RELATIONSHIP TO THE BUILDING ONLY. SEE
ASSOCIATED JOB SIGNED THE SAME DAY FOR
BOUNDARY INFORMATION. OF ILLINOIS
DATED AT ITASCA, ILLINOIS ON August 21st, 2010.

Brian C. Plautz
BRIAN C. PLAUTZ, I.P.L.S. NO. 035-3167, EXPIRES 11/30/10
PREMIER LAND SURVEYING L.L.C.
PROFESSIONAL DESIGN FIRM NO. 184-004378, EXPIRES 04/30/2011
131 SCHILLER PLACE | ITASCA, IL 60143 | 630-875-1417

Premier Land Surveying L.L.C.

131 Schiller Place
Itasca, IL 60143
(630) 875-1417

Client: Kevin Cox, Beeline Truck
133 Beeline Dr
Bensenville, IL 60106

Survey is valid only if original seal and signature is shown in purple.

ORDINANCE NO. _____

**AN ORDINANCE CONCERNING THE GRANT
OF A CONDITIONAL USE PERMIT AND PARKING VARIANCE
TO ALLOW MOTOR VEHICLE REPAIR (MAJOR AND MINOR)
AT 211 BEELINE DRIVE UNIT #3, BENSENVILLE, ILLINOIS**

WHEREAS, Kevin Cox (“Owner”) and Janjic Trucking Lines, Inc. (“Applicant”), filed an application seeking a conditional use permit to allow Janjic Trucking Lines, Inc. to conduct Motor Vehicle Repair (Major and Minor) in the I-2 Light Industrial District pursuant to Section 10-9B-3, and for a variance to parking requirements, pursuant to Section 10-11-11, of *The Village of Bensenville Zoning Ordinance* (“Zoning Ordinance”) at property commonly known as 211 Beeline Drive Unit #3, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the “Subject Property”), a copy of said application being on file in the Community and Economic Development Department; and

WHEREAS, Motor Vehicle Repair (Major and Minor) is allowed as a conditional use in the I-2 Light Industrial District; and

WHEREAS, Notice of Public Hearing with respect to the conditional use permit and variance sought by the Owner for the tenant was published in the Daily Herald on August 25, 2012 in the Village of Bensenville, and notice was also given via posting of a Public Hearing Sign on the property and via personal mail, all as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, pursuant to said Notice, the Community Development Commission of the Village of Bensenville conducted a Public Hearing commencing on September 10, 2012 as required by the statutes of the State of Illinois and the ordinances of the Village, and after hearing the application, made the findings of facts submitted by staff recommending denial of the application as set forth in Exhibit “B,” attached hereto and incorporated herein by reference; and

WHEREAS, upon said findings of facts, the Community Development Commission voted to deny the application for conditional use permit to allow Motor Vehicle Repair (Major and Minor) and variance as requested at the Subject Property.

WHEREAS, the Community Development Commission forwarded its recommendation to deny the application to the Village Board’s Community and Economic Development Committee which concurred in the recommendation to deny the application; and

WHEREAS, the Community and Economic Development Committee then forwarded its recommendation, along with that of the Community Development Commission, to the President and Board of Trustees on September 25, 2012; and

WHEREAS, the President and Board of Village Trustees considered the matter and determined, based on its consideration, that the permit and variance should be denied, finding that it is consistent with the Zoning Ordinance and the orderly and harmonious development of the Village.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, duly assembled at a regular meeting, as follows:

SECTION ONE: That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

SECTION TWO: That the application for a conditional use permit to allow Janjic Trucking Lines, Inc. to conduct Motor Vehicle Repair (Major and Minor) at the Subject Property, with associated parking variance, in conjunction with its use of the Subject Property, is hereby denied.

SECTION THREE: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, this 23rd day of day of October, 2012.

Frank Soto, Village President

ATTEST:

Susan Janowiak, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

Ordinance # ____-2012
Exhibit "A"
Legal Description

The legal description is as follows:

PARCEL 1:

THE NORTH 30.04 FEET OF THAT PART OF THE WEST 234.18 FEET OF LOT 3, LYING SOUTH OF A LINE DRAWN AT RIGHT ANGLES TO THE WEST LINE THEREOF, THROUGH A POINT 150.10 FEET NORTH OF THE SOUTHWEST CORNER THEREOF, IN MOHAWK ACRES, A SUBDIVISION IN THE SOUTHEAST ¼ OF SECTION II. TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 17, 1934 AS DOCUMENT 350561 IN DU PAGE COUNTY, ILLINOIS.

PARCEL 2:

EASEMENT FOR THE BENEFIT OF PARCEL 1, FOR PURPOSES OF INGRESS AND EGRESS AS CREATED IN DECLARATION OF EASEMENTS RECORDED DECEMBER 5, 1972 AS DOCUMENT R72-74496.

The common address is 211 Beeline Drive Unit #3.

Ordinance # ____-2012
Exhibit "B"

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

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

September 10, 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, Pisano, Weldon
Absent: James, Ventura
A quorum was present.

Motion: Commissioner Rowe made a motion to approve the findings of facts for the conditional use permit request for CDC Case Number 2012-29 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 addition of another truck repair business will increase the current traffic congestion found on-site due to the reduced parking available for the applicant.
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 should not be environmental nuisances uncharacteristic of other I -2 uses and as work will be done indoors negative air and waste disposal nuisances are mitigated; however, the influx in truck traffic and storage would be an environmental nuisance to the surrounding tenants.
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 property in question is zoned I -2 Light Industrial. The proposed use should be in harmony with the businesses in the area.
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. No significant increase in the utilization of the public utility systems is anticipated.

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. Staff believes that as the business is located in an industrial area, there is sufficient market demand for the proposed service.
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. Janjic Trucking Lines, Inc. repair will be in harmony with the surrounding business and industrial uses.

Commissioner Janowiak seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Rowe made a motion to approve the findings of facts for the variance request for CDC Case Number 2012-29 consisting of:

1. **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it reasonable and practical to provide a general amendment to this Title to cover them. The parking variance sought is not a special circumstance that is peculiar to this property.
2. **Hardship Or Practical Difficulties:** For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience. Hardship does not exist in providing feasible traffic flow and maneuverability if variances are not granted. The parking requirements are based on the number of service bays available within the building to account for both the motor vehicles to be repaired as well as customer and employee parking. The applicant and site plans indicate up to five truck tractors will fit within the property in question requiring the equivalent parking standard of five service bays.
3. **Circumstances Relate To Property:** The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions. They do not concern any

business or activity of present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property. Staff finds that circumstances relate to the property.

4. **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act. The variance requests are resulting from applicant action in the proposed five service bays to be utilized. If fewer bays were requested, the parking variance would be minimized and potentially unnecessary.
5. **Preserve Rights Conferred By District:** A variance is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties. Staff believes no special privilege is conferred by the applicant in the subject variance requests.
6. **Necessary For Use Of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property. Staff finds the variance is not necessary for the use of property. As the subject property is zoned I-2, a multitude of uses are allowed and could be implemented without a parking variance.
7. **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity. Local character is not altered as many other motor vehicle repair facilities exist nearby.
8. **Consistent With Title And Plan:** The granting of a variance will be in harmony with the general purpose and intent of this Title and of the general development plan and other applicable adopted plans of the Village, as viewed in light of any changed conditions since their adoption, and will not serve in effect to substantially invalidate or nullify any part thereof. Staff believes the parking variance is consistent with the Title and plan.
9. **Minimum Variance Needed:** The variance approved is the minimum required to provide the applicant with relief from undue hardship or practical difficulties and with reasonable use and enjoyment of the

property. Staff finds the minimum variance was not requested in that fewer service bays could have been requested, thereby reducing the parking stalls required.

Commissioner Weldon seconded the motion.

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

Nays: None

All were in favor. Motion carried.

Mike Moruzzi, Chairman
Community Development Commission

TYPE: Ordinance SUBMITTED BY: S. Viger DATE: 10.18.12

DESCRIPTION: Road Ranger Expansion Request:

- A) Pass the Ordinance denying the rezoning of three lots located at 523 N. Route 83, 522 N. Marshall Road, and 524 N. Marshall Road from RS-5 High Density Single-Family Residential District to C-2 Highway Commercial District; and
- B) Pass the Ordinance denying two Conditional Use Permits for expansion of an existing service station and electronic message center sign with associated variances at 1188 W. Foster Avenue, 523 N. Route 83 and 522 & 524 N. Marshall Road

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	Financially Sound Village	<input type="checkbox"/>	Enrich the lives of Residents
<input type="checkbox"/>	Quality Customer Oriented Services	<input checked="" type="checkbox"/>	Major Business/Corporate Center
<input checked="" type="checkbox"/>	Safe and Beautiful Village	<input checked="" type="checkbox"/>	Vibrant Major Corridors

COMMITTEE ACTION: Community & Economic Development

Motions to approve the rezoning, Conditional Use Permits & Variances DATE: 09.18.12 failed (0 – 7)

BACKGROUND:

The existing Road Ranger facility is zoned C-2 Highway Commercial District and Road Ranger is proposing to expand their existing facility on to three RS-5 High Density Single Family Residential lots that they acquired in 2011. This action would require a Rezoning of the three residential lots and Conditional Use Permits for the Service Station and an Electronic Message Center (EMC) sign. In addition, the plan requires several variances allowing wall mounted signage, a free standing sign (location, height and area), fencing and reduction of required parking.

KEY ISSUES:

The staff does not believe that the requested rezoning of the three residential lots meets the required Approval Criteria. The rezoning is not in compliance with the Village’s approved Comprehensive Plan that indicates the three lots should remain residential use. The petitioner does not make a compelling case to rezone the three residential lots, which amounts to an encroachment of an intensive commercial use into an established residential neighborhood.

Likewise, the staff does not believe that the requested “Service Station” Conditional Use Permit meets the required Approval Criteria because the expansion of the use would create an environmental nuisance and not fit harmoniously into the neighborhood character.

Conversely, the staff does believe that the Electronic Message Center (EMC) sign meets the Conditional Use Permit requirements. However, there are six variances requested that can be grouped as dealing with the Wall Signs, the Free standing sign, the fence and the number of parking spaces that staff does not support.

The staff does not believe that the requested variances meet the required Approval Criteria because the wall signs variances are not necessary for the “Use of the Property” and are not the “Minimum Variance Needed”, the Free Standing Sign is not a “Special Circumstance” there is not a “Hardship” it is not “Necessary for the Use of the Property”, it would “Alter the Local Character” and it is not the “Minimum Variance Needed”. The Fence variance is not necessary for the “Use of the Property”. The Parking variance is not necessary for the “Use of the Property”.

ALTERNATIVES:

- 1. Discretion of the Board.

RECOMMENDATION:

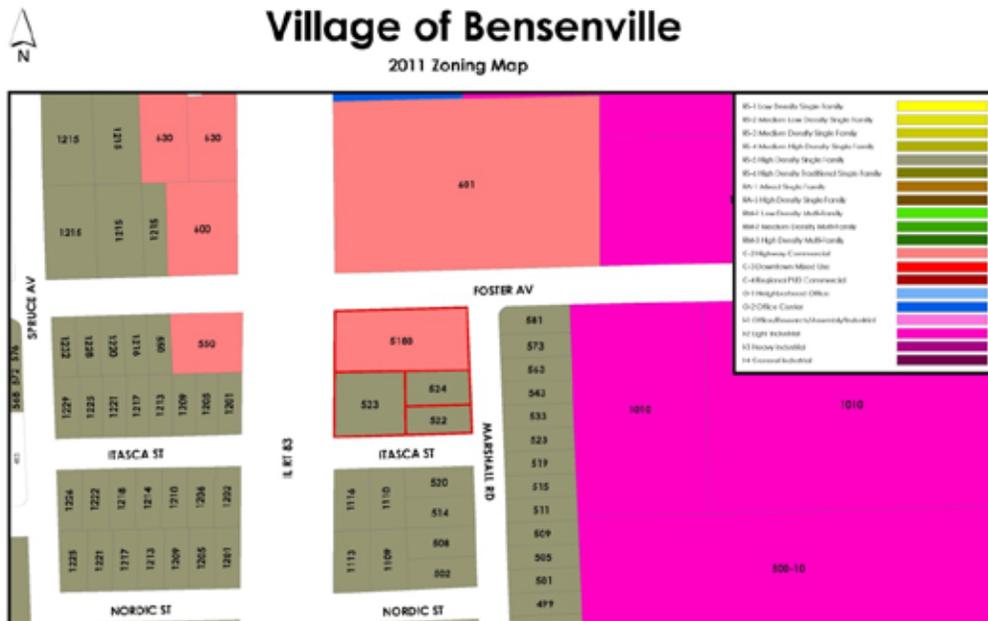
The staff respectfully recommended denial of the request. On 06.11.12 the Community Development Commission unanimously recommended denial of the request. On 09.18.12 the CEDC voted unanimously to deny the requests for rezoning, CUPs and variances. This item appeared on the 09.25.12 Village Board agenda and was tabled until 10.23.12 at the applicant’s request.

BUDGET IMPACT: N/A

ACTION REQUIRED:

Pass the Ordinances denying the Road Ranger expansion.

CDC#2012 – 08
1188 W. Foster Avenue,
523 N. Rte. 83
522 N. Marshall Road & 524 N. Marshall Road
Road Ranger
Rezoning, Conditional Use Permits, Service Station & Electronic
Message Center Sign and Variances



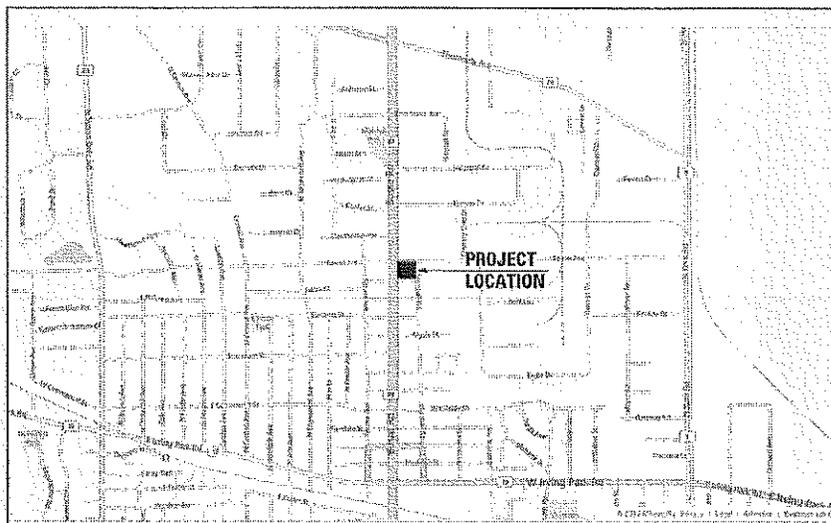
INDEX OF SHEETS

- 1 COVER SHEET
- 2 GENERAL NOTES
- 3 SURVEY PLAN (PROVIDED BY OTHERS) & DEMOLITION PLAN
- 4 PAVEMENT AND CURB PLAN
- 5 SITE AND GEOMETRICS PLAN
- 6 GRADING AND DRAINAGE PLAN
- 7 DETENTION PLAN
- 8 EROSION CONTROL PLAN
- 9 PAVEMENT DETAILS
- 10 DETENTION & DRAINAGE DETAILS

ROAD RANGER LLC SITE DEVELOPMENT PLANS BENSENVILLE, ILLINOIS



*** PROJECT LOCATION**



VICINITY MAP
NOT TO SCALE

OWNER / SUBDIVIDER

ROAD RANGER, LLC
4830 EAST STATE STREET
ROCKFORD, IL 61108

ENGINEER

QUIGG ENGINEERING, INC.
3600 S. 6TH STREET RD.
SPRINGFIELD, IL 62703
PHONE (217) 670-0963
KEVIN KLK, P.E.

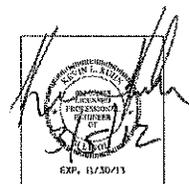
CONTACT PERSON

JOHN R. CARABELLI
VICE PRESIDENT OF CONSTRUCTION
PHONE (815) 387-1408
FAX (815) 387-1395

LAND SURVEYOR

TKO LAND SURVEYORS, INC.
P.O. BOX 1483
ARLINGTON HEIGHTS, IL 60006
PHONE (847) 702-1845

"UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS AND RECORDS. THEREFORE, THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. THERE MAY BE OTHERS, THE EXISTENCE OF WHICH IS NOT PRESENTLY KNOWN."



FILE NAME: \\S:\Projects\11-14\11-14-Road Ranger\11-14-Road Ranger.dwg
 PLOT DATE: 11/21/13
 PLOT SCALE: 1/8"=1'-0"
 PLOT SHEET: 1 OF 1



3900 SOUTH 6TH STREET RD
SPRINGFIELD, ILLINOIS 62703
217-670-0563 (PH) / 217-670-2294 (FX)
www.quiggengineering.com

USER NAME: kklk
FILE NAME: 11-14-Road Ranger.dwg
PLOT SCALE: 1/8"=1'-0"
PLOT DATE: 11/21/13

DESIGNED: KLK
DRAWN: MDS
CHECKED: KLK
DATE: 11/21/13

NO.	DATE	BY	DESCRIPTION



ROAD RANGER, LLC
SITE DEVELOPMENT PLANS
BENSENVILLE, ILLINOIS

COVER SHEET

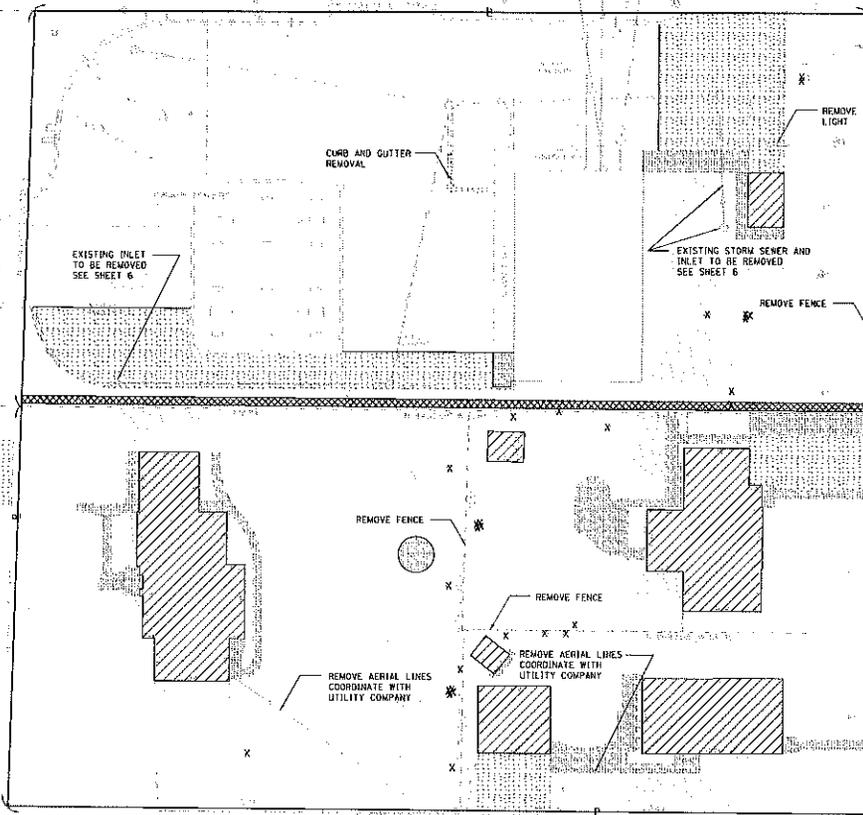
SCALE: 1"=50' SHEET NO. 1 OF SHEETS STA. TO STA.

PROJECT NO.
11-14
TOTAL SHEETS
10
SHEET NO.
1

FUSTER AVENUE

ILLINOIS STATE ROUTE 25

MARSHALL ROAD



NOTES:

ALL EXISTING PAVEMENT, DRAINAGE STRUCTURES, BUILDINGS AND APPURTENANCES TO BE REMOVED AS INDICATED.

ALL EXISTING UTILITIES SHALL BE RELOCATED AT OWNER EXPENSE. THIS WORK SHALL BE COORDINATED WITH EACH UTILITY COMPANY.

THE DEMOLITION PLAN IS FOR ILLUSTRATION OF THE GENERAL DEMOLITION ANTICIPATED FOR THIS PARTICULAR SITE. THE DEMOLITION PLAN DOES NOT REPRESENT ALL CONDITIONS WHICH MAY BE ENCOUNTERED DURING DEMOLITION/CONSTRUCTION. THE CONTRACTOR SHALL MAKE HIMSELF THOROUGHLY FAMILIAR WITH THE SITE AND THE DEMOLITION/CONSTRUCTION REQUIREMENTS PRIOR TO BIDDING. THE INTENT OF THE DEMOLITION IS TO PROVIDE A CLEAN, STABLE SITE, READY FOR CONSTRUCTION OF THE PROJECT IN CONFORMANCE WITH THE CONSTRUCTION PLANS. NO ADDITIONAL COMPENSATION WILL BE ALLOWED FOR CONDITIONS WHICH ARE IN KEEPING WITH THIS INTENT.

THE OWNER WILL PROCURE ALL CONSTRUCTION PERMITS. THE CONTRACTOR SHALL GIVE ALL NOTICES NECESSARY AND INCIDENTAL TO THE DUE AND LAWFUL PROSECUTION OF THE WORK.

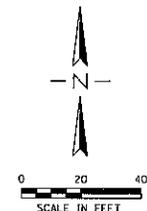
ALL DEMOLITION AND DISPOSAL SHALL BE IN ACCORDANCE WITH LOCAL, STATE AND FEDERAL ENVIRONMENTAL CODES AND REGULATIONS.

SEE EROSION CONTROL SHEET FOR EROSION CONTROL MEASURES.

COORDINATE WITH LANDSCAPE PLANS FOR REMOVAL OF ANY LANDSCAPING.

DEMOLITION LEGEND

-  STRUCTURE REMOVAL
-  PAVEMENT REMOVAL (FULL DEPTH) (INCLUDES CURB AND GUTTER)
-  SIDEWALK REMOVAL
-  CONCRETE REMOVAL (RETAINING WALL)
-  TREE / SHRUB REMOVAL



BENCHMARK
FIRE HYDRANT ARROW BOLT
ELEVATION = 636.05

BENCHMARK
FIRE HYDRANT ARROW BOLT
ELEVATION = 606.19

FILE NAME: I:\Projects\3111_1880\14_Road Ranger - Bensenville, IL\1400-000_1880\14_Road Ranger.dwg
USER: jmc
DATE: 11/17/2017 10:57:57 AM



3600 SOUTH 6TH STREET RD.
SPRINGFIELD, ILLINOIS 62703
217-670-8563 (P) / 217-479-2204 (F)
www.qiegengineering.com

USER NAME: jmc
FILE NAME: I:\174_1400-000_1880\14_Road Ranger.dwg
PLOT SCALE: 48.0000 1/8" = 1'-0"
PLOT DATE: 11/17/2017

DESIGNED - RLK
DRAWN -
CHECKED - RLK
DATE -

NO.	DATE	BY	DESCRIPTION



ROAD RANGER, LLC
SITE DEVELOPMENT PLANS
BENSENVILLE, ILLINOIS

DEMOLITION PLAN				PROJECT NO.
SCALE: 1"=20'	SHEET NO. 07	SHEETS 17A	STA.	11-74
				TOTAL SHEETS 17B
				10 3



ILLINOIS STATE ROUTE 83

FOSTER AVENUE

CONTRACTOR SHALL INSTALL SIDEWALK ALONG FOSTER AVE.

TRUNCATED DOWNS PER DOT STANDARD 424001-06 (TYP FOR 4)

CONTRACTOR SHALL MATCH EXISTING AND PROPOSED SIDEWALK

MARSHALL ROAD

TRUNCATED DOWNS PER DOT STANDARD 424001-06 (TYP)

SIDEWALK WITH THICKENED EDGE (SEE DETAIL ON SHEET 9)

6" BARRIER CURB (SEE DETAIL ON SHEET 9)

HEAVY DUTY CONCRETE CURB & CUTTER (SEE DETAIL ON SHEET 9)

GUTTER/OUTLET TYP FOR 2 (SEE DETAIL ON SHEET 9)

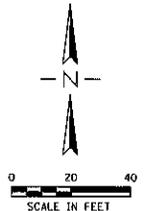
ITASCA STREET

NOTES

1. ALL UTILITIES TO BE COORDINATED BY CONTRACTOR.
2. FINAL LOCATION OF UTILITIES SHALL BE FIELD ADJUSTED.
3. SEE SHEET 9 FOR PAVEMENT SECTION DETAILS.
4. SIDEWALK SHALL HAVE MAX 2% CROSS SLOPE.

LEGEND

-  TRUCK PAVEMENT
-  AUTO PAVEMENT
-  TRASH ENCLOSURE CONCRETE PAD
-  ENTRANCE PAVEMENT
-  SIDEWALK WITH THICKENED EDGE
-  4" SIDEWALK ON 4" COMPACTED AGGREGATE BASE
-  GRASS
-  EXISTING AERIAL ELECTRIC LINE
-  EXISTING UNDERGROUND ELECTRIC LINE
-  EXISTING WATER LINE
-  EXISTING GAS LINE



"UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS AND RECORDS. THEREFORE, THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. THERE MAY BE OTHERS, THE EXISTENCE OF WHICH IS NOT PRESENTLY KNOWN."

FILE NAME: I:\WHEELING\PROJECTS\217-678-2204\217-678-2204.dwg
PLOT DATE: 5/25/2012



QEI
QUIGG ENGINEERING INC.

3600 SOUTH 6TH STREET RD.
SPRINGFIELD, ILLINOIS 62703
217-678-4563 (P) / 217-678-2204 (F)
www.quiggeengineering.com

USER NAME: jmorris
FILE NAME: 217-678-2204-Plan.dwg
PLOT SCALE: 1/8"=1'-0"
PLOT DATE: 5/25/2012

DESIGNED	DATE	BY	DESCRIPTION
MLK			
DRAWN	DATE	BY	DESCRIPTION
MLK			
CHECKED	DATE	BY	DESCRIPTION
MLK			
DATE	BY	DESCRIPTION	



ROAD RANGER, LLC
SITE DEVELOPMENT PLANS
BENSENVILLE, ILLINOIS

PAVEMENT AND CURB PLAN				PROJECT NO.
SCALE: 1"=20'	SHEET NO.	OF SHEETS	STA.	TO STA.
				TOTAL SHEET SHEETS
				10
				4

NOTES:

ALL DIMENSIONS ARE TO TOP BACK CURB UNLESS OTHERWISE NOTED.

CONTRACTOR TO VERIFY CANOPY DIMENSIONS WITH ARCHITECTURAL PLANS.

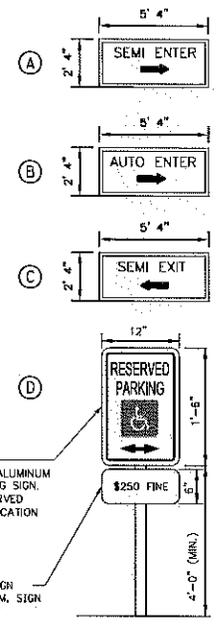
THIS SHEET SHALL SERVE AS STRIPING PLAN. ALL STRIPES SHALL BE 4" YELLOW.

CONTRACTOR SHALL VERIFY VEHICLE SIGN TYPE AND PLACEMENT WITH ROAD RANGER.

DUMPSTER ENCLOSURE SHALL BE COORDINATED WITH THE ARCHITECTURAL PLANS.

COORDINATE WITH LANDSCAPE PLANS FOR 6" SOLID WOOD FENCE.

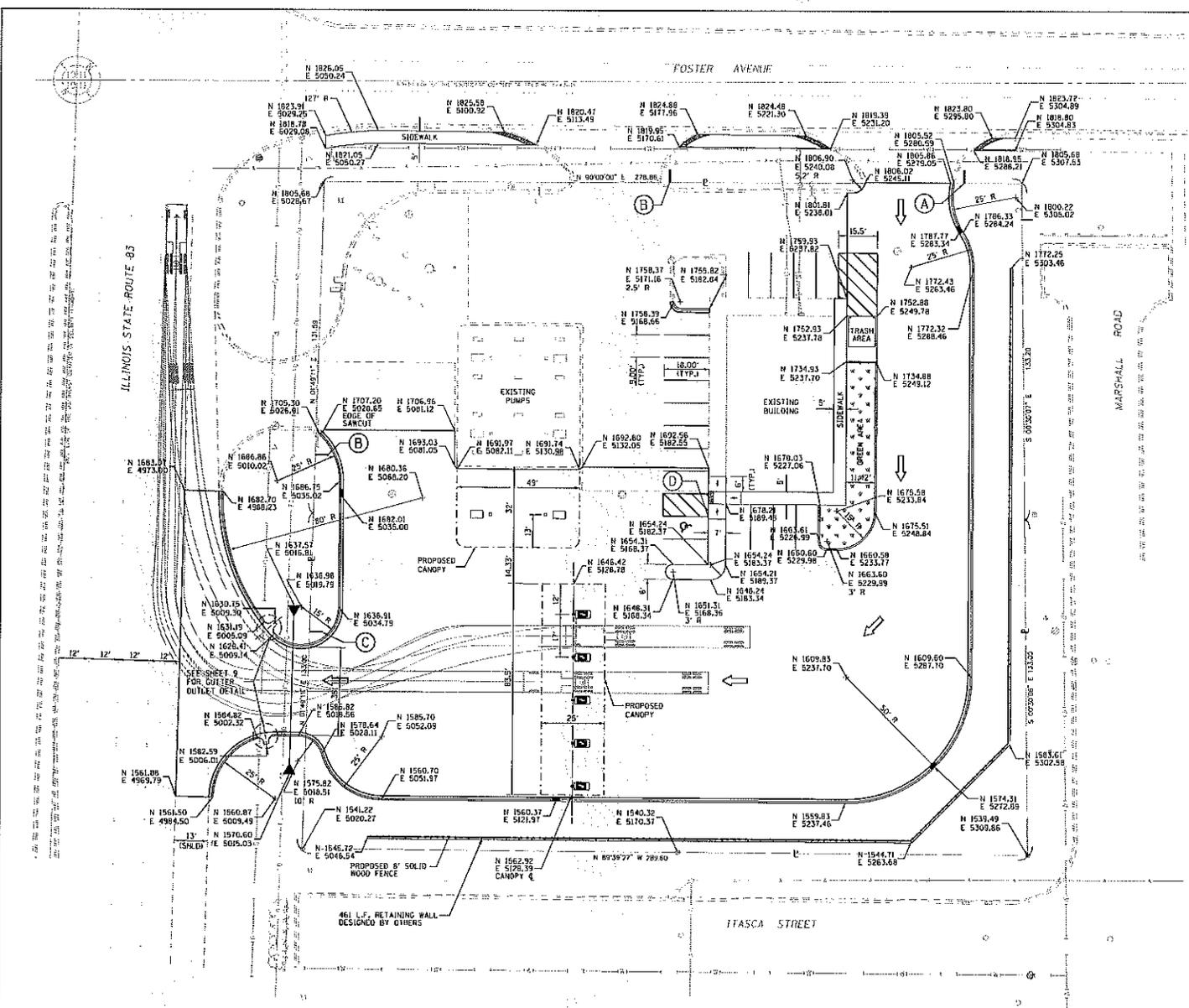
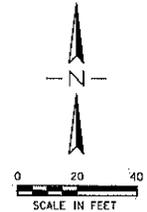
ENTRANCE AND EXIT SIGNS SHALL BE PROVIDED BY ROAD RANGER.



ILL. STD. R7-8 SIGN
1'0" x 1'-6" x 0.80 ALUMINUM
HANDICAPPED PARKING SIGN.
SIGN TO READ "RESERVED
PARKING" W/ IDENTIFICATION
SYMBOL.

ILL. STD. R7-1 101 SIGN
6" x 12" x 0.80 ALUM. SIGN
TO READ "\$250 FINE"

SIGN DETAIL
N.T.S.



3600 SOUTH 6TH STREET RD.
SPRINGFIELD, ILLINOIS 62703
217-479-0563 (P) / 217-479-2204 (F)
www.quiggengineering.com

USER NAME: cmm
FILE NAME: 30-74_ssd202401.usg
PLOT SCALE: 40.00000 / 1 in.
PLOT DATE: 3/5/2024

DESIGNED	RLR	DATE	BY	DESCRIPTION
DRAWN				
CHECKED	RLR			
DATE				

ROAD RANGER
ROAD RANGER, LLC
SITE DEVELOPMENT PLANS
BENSENVILLE, ILLINOIS

SITE AND GEOMETRICS PLAN
SCALE: 1"=20'
SHEET NO. 05 OF SHEETS STA. 10 STA.

PROJECT NO.	11-74
TOTAL SHEETS	10
SHEET NO.	5

FILE NAME: 30-74_SSD202401.usg
PLOT DATE: 3/5/2024



NOTES:

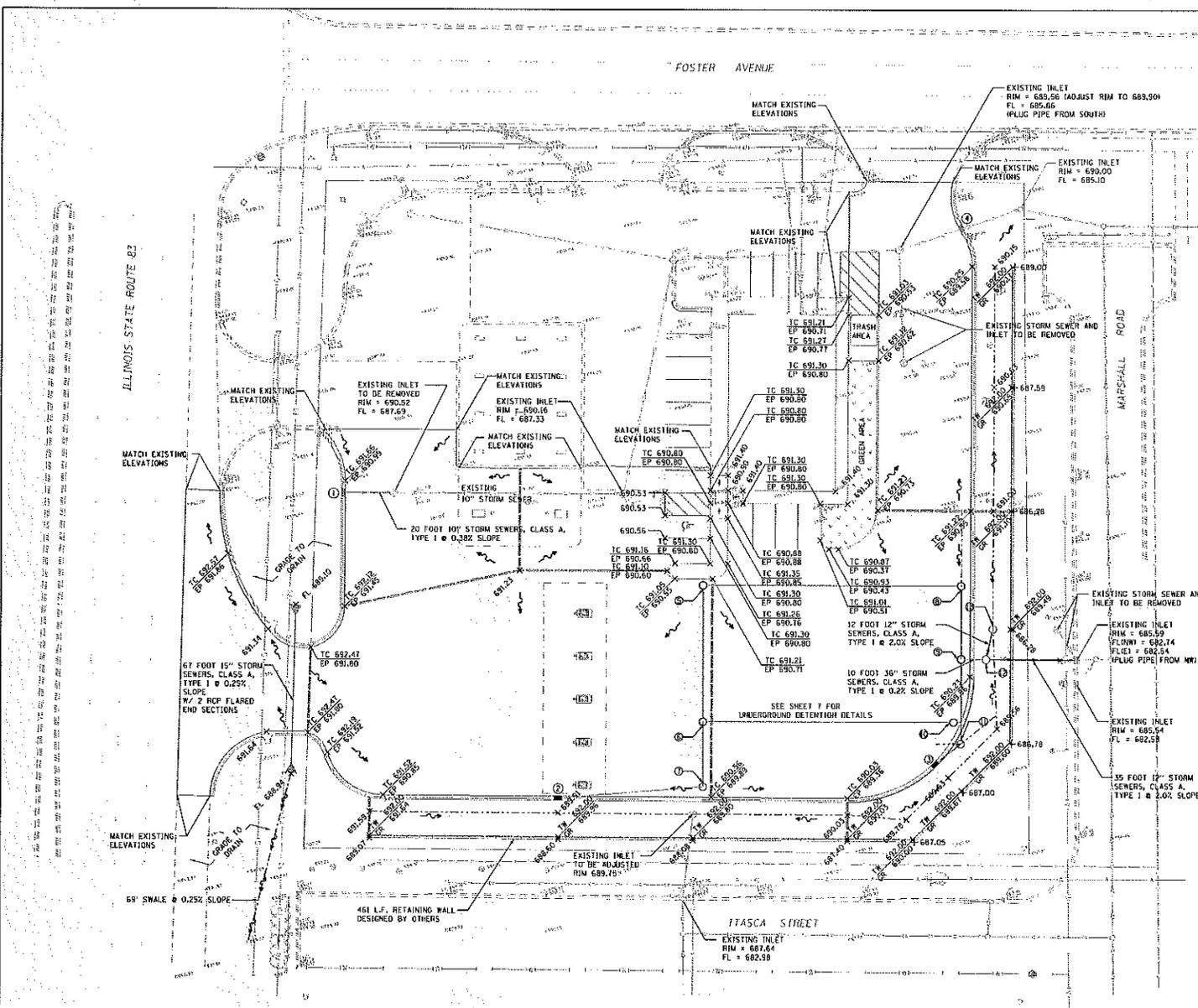
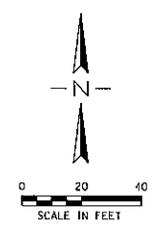
- ALL GRADE SHOTS ARE FINISHED GRADE UNLESS CALLED OUT OTHERWISE.
- ALL CURB AND GUTTER SHALL BE HEAVY DUTY CONCRETE CURB AND GUTTER. SEE SHEET 10 FOR DETAILS.
- USE A 10' TRANSITION WHERE PROPOSED CURB AND GUTTER MEETS EXISTING CURB AND GUTTER.
- HANDICAP PARKING STALLS SHALL HAVE NO MORE THAN 2% SLOPE IN ANY DIRECTION.
- ALL EXISTING DOWN SPOUTS SHALL BE ADJUSTED TO MAINTAIN DRAINAGE.
- CONTRACTOR SHALL STRAIGHT GRADE FROM RETAINING WALL TO EXISTING TOP OF CURB.

STORM SEWER & DETENTION SCHEDULE

- | | | |
|---|---|---|
| ① N = 1682.01
E = 5039.00
INLET TYPE A W/ TYPE 3 FRAME AND GRATE
EP = 690.81
FL = 687.77 | ② N = 1560.37
E = 5121.97
CONCRETE - CBS 3025 PRECAST CONCRETE WATER QUALITY SYSTEM OR APPROVED EQUAL W/ TYPE 3 FRAME AND GRATE
EP = 689.27
FL = 685.10 | |
| ③ N = 1574.31
E = 5272.69
CONCRETE - CBS 3030 PRECAST CONCRETE WATER QUALITY SYSTEM OR APPROVED EQUAL W/ TYPE 3 FRAME AND GRATE
EP = 686.36
FL = 683.76 | ④ N = 1786.33
E = 5284.24
INLET TYPE A W/ TYPE 3 FRAME AND GRATE
EP = 689.33
FL = 685.46 | |
| ⑤ N = 1645.61
E = 5179.64
36" CMP RISER W/ CAP W/ 24" OPENING TYPE 1, FRAME AND GRATE CLOSED LID
RIM = 690.64 | ⑥ N = 1591.61
E = 5125.84
36" CMP RISER W/ CAP W/ 24" OPENING TYPE 1, FRAME AND GRATE CLOSED LID
RIM = 690.13 | |
| ⑦ N = 1565.90
E = 5179.64
MANHOLE TYPE A, 4' DIA. TYPE 1, FRAME AND GRATE CLOSED LID
RIM = 689.30 | ⑧ N = 1645.61
E = 5282.54
36" CMP RISER W/ CAP W/ 24" OPENING TYPE 1, FRAME AND GRATE CLOSED LID
RIM = 689.11 | |
| ⑨ N = 1616.56
E = 5292.64
36" CMP RISER W/ CAP W/ 24" OPENING TYPE 1, FRAME AND GRATE CLOSED LID
RIM = 689.64 | ⑩ N = 1591.61
E = 5282.54
MANHOLE TYPE A, 5' DIA. WITH DRIFICE/W/NER, TYPE 1, FRAME AND GRATE
RIM = 689.78
FL (E1) = 683.24
FL (E2) = 683.24
FL (E3) = 683.24
FL (E4) = 683.24
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MANHOLE TYPE A, 5' DIA. WITH DRIFICE/W/NER, TYPE 1, FRAME AND GRATE
RIM = 689.78
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E = 5292.64
INLET TYPE A W/ TYPE 1 FRAME AND GRATE, CLOSED LID
RIM = 689.60 | |

LEGEND

- EP = EDGE OF PAVEMENT
- TC = TOP OF CURB
- TR = TOP OF RETAINING WALL
- GR = GROUND
- ☉ = TRUNCATED DOMES PER DOT STANDARD 42401-05
- = GRADE BREAK



FILE NAME: S:\PROJECTS\2014\11-74_Site-Development\Drawings\11-74_Site-Development.dwg
USER: jk
DATE: 11/17/14
SCALE: 1/8"=1'-0"
PLOT DATE: 3/15/2015

QEI
QUIGG ENGINEERING INC.

3600 SOUTH 6TH STREET RD.
SPRINGFIELD, ILLINOIS 62703
217-670-0563 (PH) / 217-679-2204 (F)
www.quiggeengineering.com

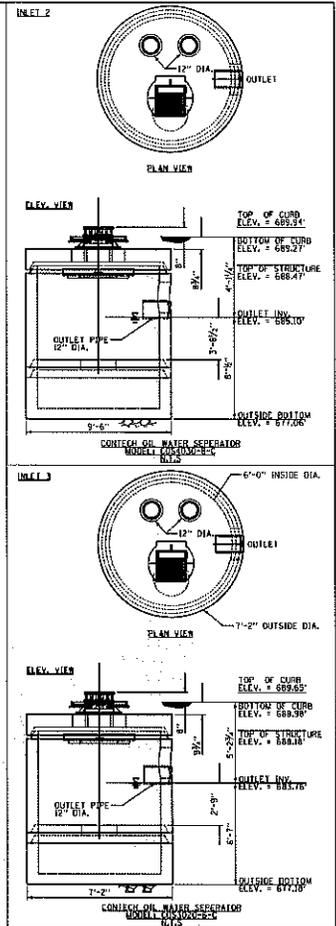
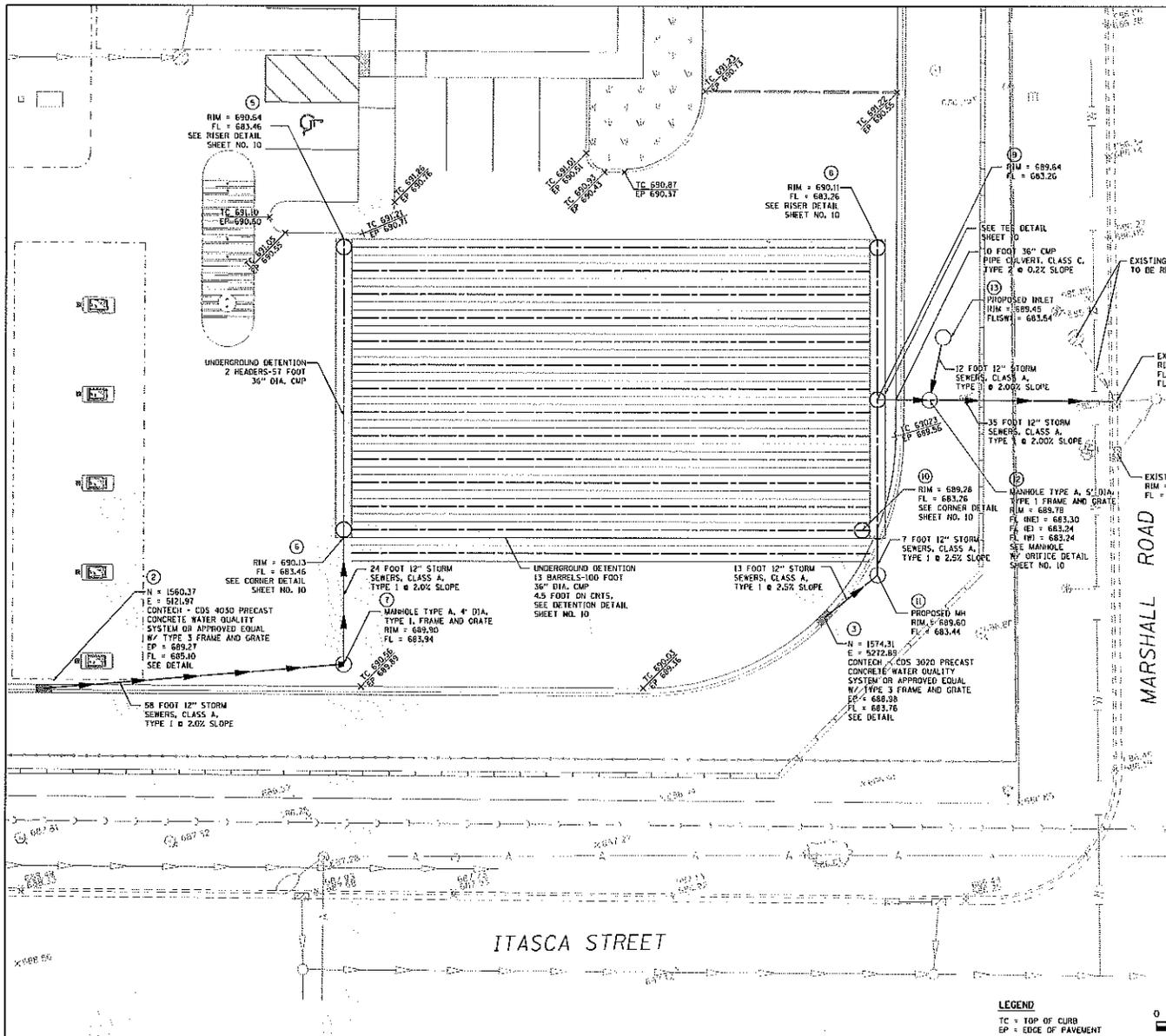
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PLOT DATE: 3/15/2015	DATE:

NO.	DATE	BY	DESCRIPTION

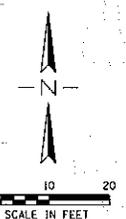
ROAD RANGER

ROAD RANGER, LLC
SITE DEVELOPMENT PLANS
BENSENVILLE, ILLINOIS

SCALE: 1"=20'	SHEET NO. OF SHEETS	STA.	10 STA.	PROJECT NO. 11-74
				TOTAL SHEETS 10
				NO. 6



- NOTES**
- PIPE SHALL BE INSTALLED PER THE MANUFACTURER RECOMMENDATION.
 - 12" MIN. FROM BOTTOM OF PAVEMENT TO TOP OF PIPE.
 - SELECT GRANULAR FILL PER AASHTO M145 AL, A2, OR A3, APPROVED EQUAL. PLACED IN 6" LIFT & COMPACTED TO MIN. 90% STANDARD DENSITY PER AASHTO T99.
 - GRANULAR BEDDING SHALL BE ROUGHLY SHAPED TO FIT THE BOTTOM OF PIPE. 4" TO 6" IN DEPTH.
 - PRIOR TO PLACING THE BEDDING, THE FOUNDATION MUST BE CONSTRUCTED TO A UNIFORM AND STABLE GRADE. IN THE EVENT THAT UNDESIRABLE FOUNDATION MATERIALS ARE ENCOUNTERED DURING EXCAVATION, THEY SHALL BE REMOVED AND BROUGHT BACK TO THE GRADE WITH A FILL MATERIAL AS APPROVED BY THE ENGINEER. ONCE THE FOUNDATION PREPARATION IS COMPLETE, 4"-6" OF WELL-GRADED GRANULAR MATERIAL SHALL BE PLACED AS THE BEDDING.
 - THE BACKFILL SHALL BE M1, A2, OR A3 GRANULAR FILL PER AASHTO M145, OR A WELL-GRADED GRANULAR FILL AS APPROVED BY THE SITE ENGINEER. THE MATERIAL SHALL BE PLACED IN 6" LOOKS LIFTS AND COMPACTED TO 90% AASHTO T99 STANDARD PROCTOR DENSITY. BACKFILL SHALL BE PLACED SUCH THAT THERE IS NO MORE THAN A TWO (2) INCH DIFFERENTIAL BETWEEN ANY OF THE PIPES AT ANY TIME DURING THE BACKFILL PROCESS. THE BACKFILL SHALL BE ADVANCED ALONG THE LENGTH OF THE DETENTION SYSTEM AT THE SAME RATE TO AVOID DIFFERENTIAL LOADING ON THE PIPE.



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 PLOT BY: JLD

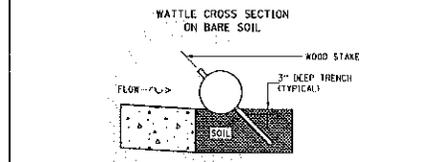
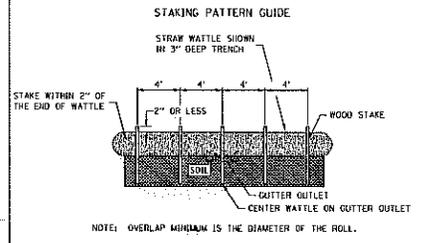
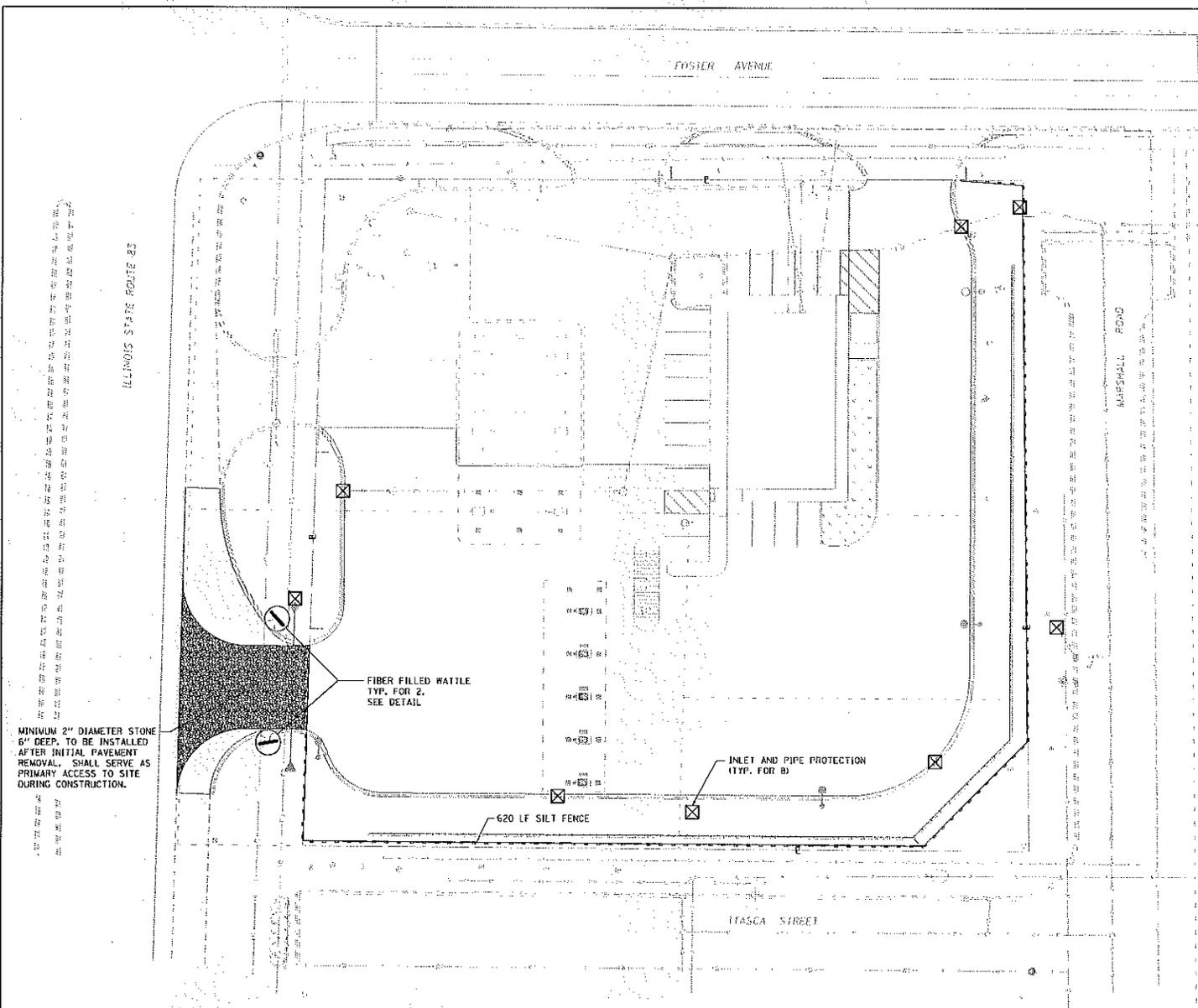
QEI
QUIGG ENGINEERING INC
 3600 SOUTH 6TH STREET RD.
 SPRINGFIELD, ILLINOIS 62703
 217-478-4563 (P) / 217-479-2204 (F)
 www.quiggeengineering.com

USER NAME: jld
 FILE NAME: I:\18-0001\Drawings\18-0001.dwg
 PLOT SCALE: 20.0000
 PLOT DATE: 11/14/2018

DESIGNED	DATE	BY	DESCRIPTION
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DRAWN			
CHECKED			
DATE			

ROAD RANGER
ROAD RANGER, LLC
SITE DEVELOPMENT PLANS
BENSENVILLE, ILLINOIS

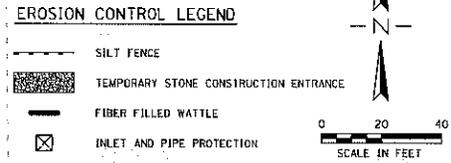
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SCALE: 1"=10'					18-0001
					11-74
					TOTAL SHEET
					10
					7



NOTES:
 1. DRAWINGS ARE NOT TO SCALE.
 2. RECOMMENDED STAKES ARE 1 1/4\"/>

FIBER FILLED WATTLE DETAIL

NOTES:
 SILT FENCE SHALL REMAIN IN PLACE UNTIL GRASS OR SOD IS ESTABLISHED.
 FIBER FILLED WATTLES SHALL BE INSTALLED AT ALL CURB CUTS.
 INSPECTION AND MAINTENANCE OF EROSION CONTROL MEASURES SHALL BE PERFORMED ON A REGULAR BASIS AND AFTER EVERY RAIN EVENT PER THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP).
 THE CONTRACTOR SHALL TAKE PRECAUTIONS TO NOT ALLOW OFFSITE SEDIMENT TRANSPORT OF ANY KIND FROM THE PROJECT AREA.
 THE CONTRACTOR SHALL REMOVE TEMPORARY STONE CONSTRUCTION ENTRANCE AFTER CURB HAS BEEN INSTALLED.



MINIMUM 2" DIAMETER STONE 6" DEEP, TO BE INSTALLED AFTER INITIAL PAVEMENT REMOVAL. SHALL SERVE AS PRIMARY ACCESS TO SITE DURING CONSTRUCTION.

FIBER FILLED WATTLE TYP. FOR 2, SEE DETAIL

INLET AND PIPE PROTECTION (TYP. FOR B)

620 LF SILT FENCE

FILE NAME: I:\PROJECTS\18-035-1107\210.dwg
 MODEL: 18-035-1107.dwg
 PLOT DATE: 11/14/2018 10:58:18 AM

QEI
 QUIGG ENGINEERING INC.
 3400 SOUTH 4TH STREET RD.
 SPRINGFIELD, ILLINOIS 62703
 217-678-6563 (F) / 217-675-2204 (T)
 www.quiggeengineering.com

USER NAME: rstanan
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 PLOT DATE: 11/14/2018

DESIGNED	CHK	DATE	BY	DESCRIPTION
KLK				
DRAWN				
CHECKED	KLK			
DATE				



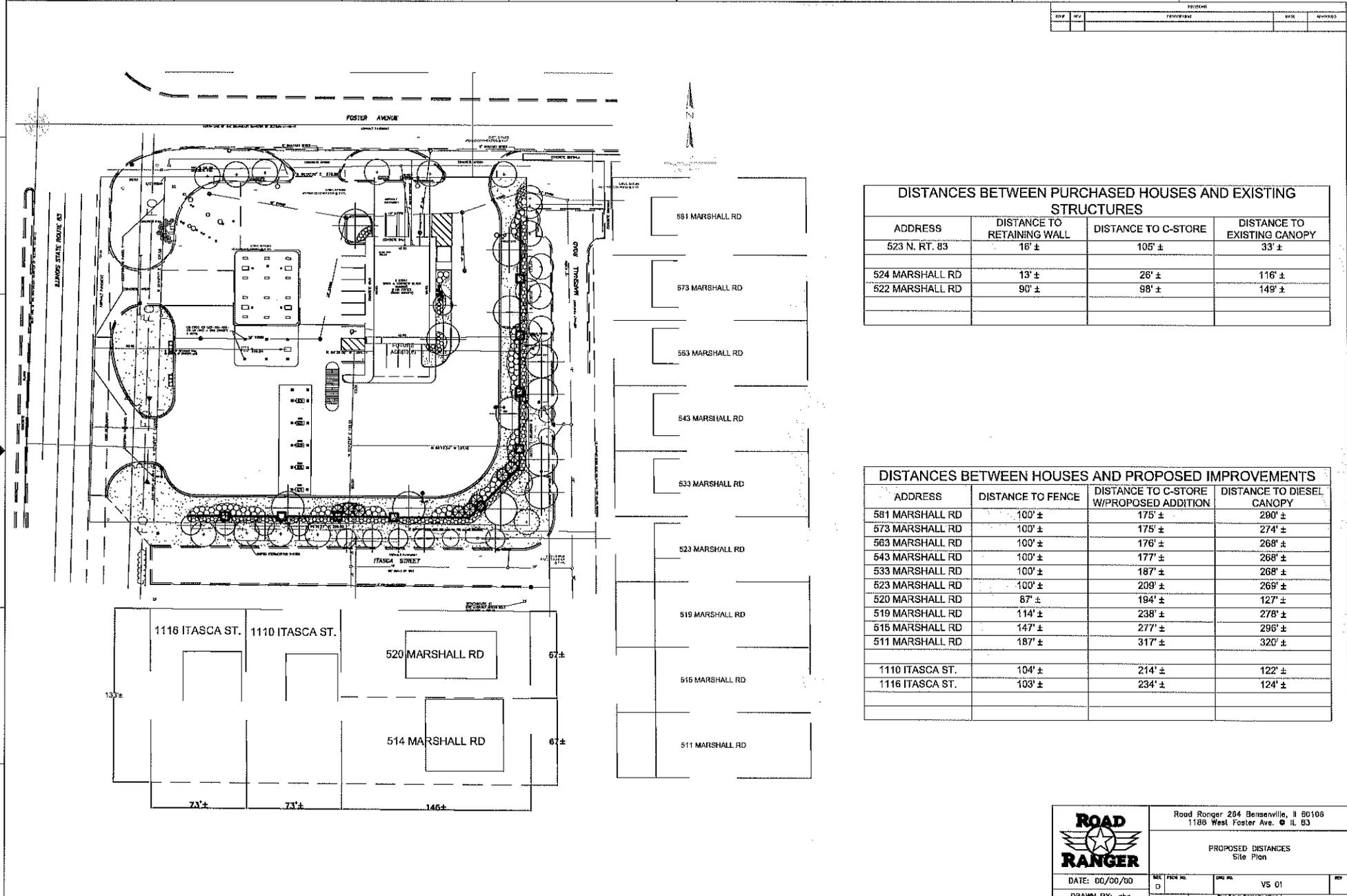
ROAD RANGER, LLC
 SITE DEVELOPMENT PLANS
 BENSENVILLE, ILLINOIS

EROSION CONTROL PLAN				PROJECT NO.
SCALE: 1"=20'	SHEET NO.	OF	SHEETS	11-74
			STA.	TOTAL SHEET NO.
			10 STA.	10
				8

REV		DESCRIPTION	DATE	APPROVED

F
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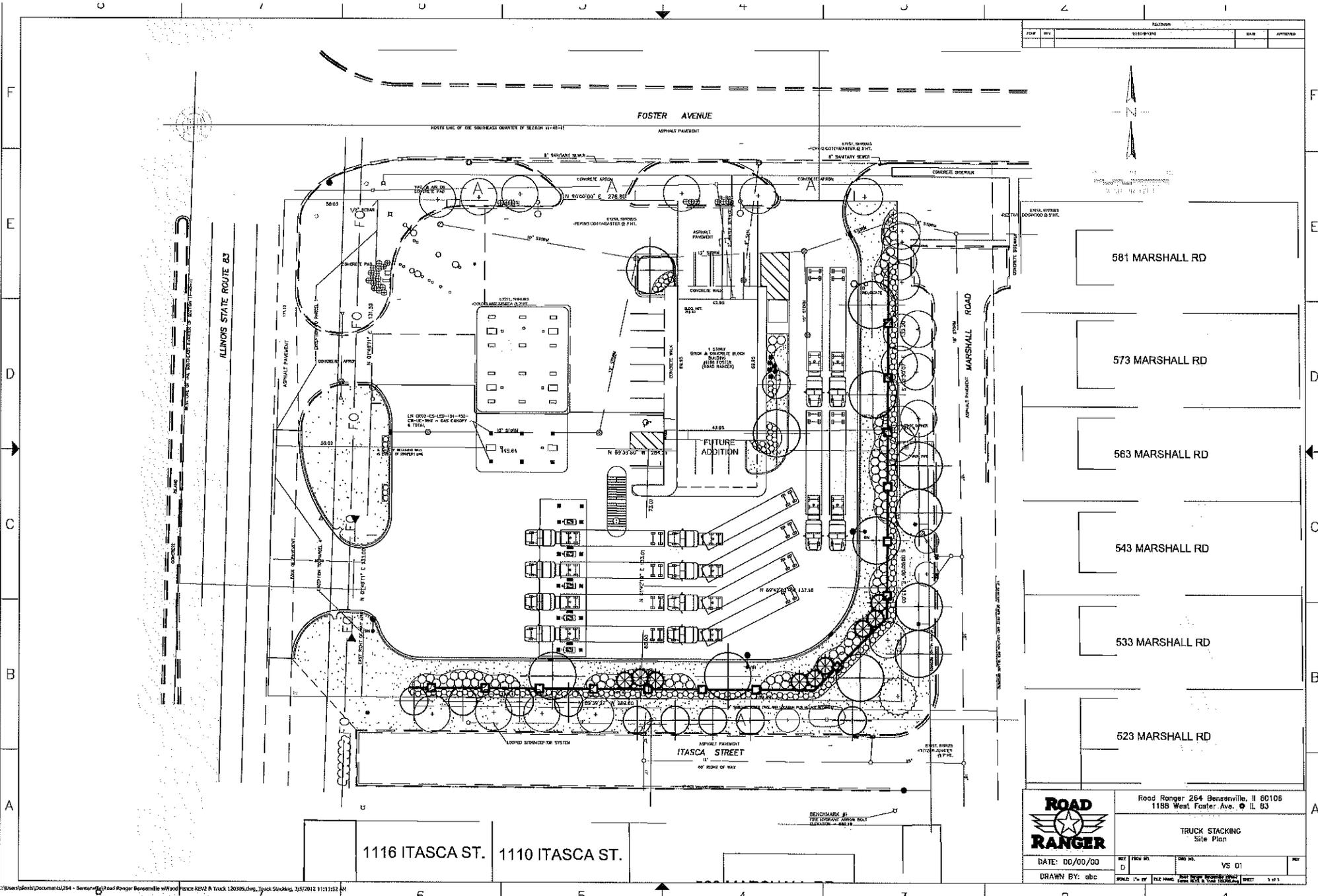
F
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A



DISTANCES BETWEEN PURCHASED HOUSES AND EXISTING STRUCTURES			
ADDRESS	DISTANCE TO RETAINING WALL	DISTANCE TO C-STORE	DISTANCE TO EXISTING CANOPY
523 N. RT. 83	16' ±	105' ±	33' ±
524 MARSHALL RD	13' ±	26' ±	116' ±
522 MARSHALL RD	90' ±	98' ±	149' ±

DISTANCES BETWEEN HOUSES AND PROPOSED IMPROVEMENTS			
ADDRESS	DISTANCE TO FENCE	DISTANCE TO C-STORE W/PROPOSED ADDITION	DISTANCE TO DIESEL CANOPY
581 MARSHALL RD	100' ±	175' ±	290' ±
573 MARSHALL RD	100' ±	175' ±	274' ±
563 MARSHALL RD	100' ±	176' ±	268' ±
543 MARSHALL RD	100' ±	177' ±	268' ±
533 MARSHALL RD	100' ±	187' ±	268' ±
523 MARSHALL RD	100' ±	209' ±	269' ±
520 MARSHALL RD	87' ±	194' ±	127' ±
519 MARSHALL RD	114' ±	238' ±	278' ±
515 MARSHALL RD	147' ±	277' ±	296' ±
511 MARSHALL RD	187' ±	317' ±	320' ±
1110 ITASCA ST.	104' ±	214' ±	122' ±
1116 ITASCA ST.	103' ±	234' ±	124' ±

	Road Ranger 284 Bensenville, IL 60109 1188 West Foster Ave. • IL 83		
	PROPOSED DISTANCES Site Plan		
DATE: 00/00/00	SHEET NO. 01	DWG NO. VS 01	REV
DRAWN BY: abc	SCALE: 1"=50'	PLOT DATE: 3/2/2012	SHEET 1 OF 1



DATE		APPROVED	
DATE	APPROVED	DATE	APPROVED



581 MARSHALL RD

573 MARSHALL RD

563 MARSHALL RD

543 MARSHALL RD

533 MARSHALL RD

523 MARSHALL RD

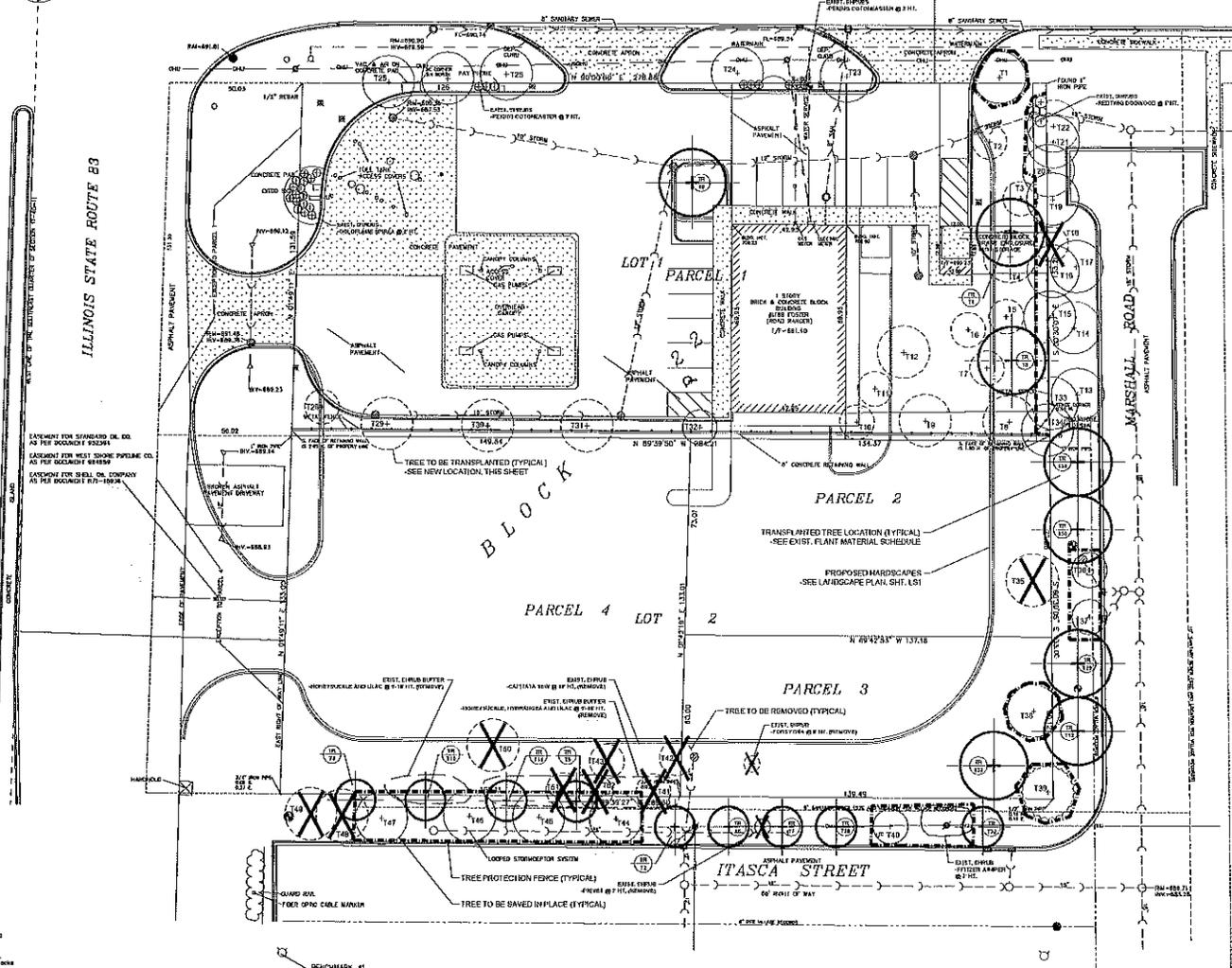
1116 ITASCA ST. 1110 ITASCA ST.

	Road Ranger 264 Bensenville, IL 60105 1188 West Foster Ave. • IL 63		
	TRUCK STACKING Site Plan		
DATE: 00/00/00	REV: 0	DESIGN: VS 01	REV:
DRAWN BY: abc	SCALE: 1" = 40'	FILE NAME: ROAD RANGER 264 TRUCK STACKING	SHEET: 1 of 1



FOSTER AVENUE
APPROXIMATE

ILLINOIS STATE ROUTE 83

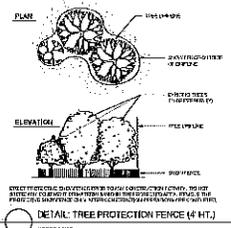


EXISTING PLANT MATERIAL SCHEDULE:

KEY	COMMON PLANT NAME	SIZE	REMARKS
1	MAHOGANY LEAFY BRANCH AMERICAN	4" CAL.	
2	JAPANESE TREE LARCH BYRSHIA RETICULATA	3" DB.	TRANSPLANT (TREE SPACING)
3	JAPANESE TREE LARCH BYRSHIA RETICULATA	4" CAL.	TRANSPLANT (TREE SPACING)
4	REDWOOD LEAFY BRANCH AMERICAN	4" CAL.	TRANSPLANT (TREE SPACING)
5	JAPANESE TREE LARCH BYRSHIA RETICULATA	4" CAL.	TRANSPLANT (TREE SPACING)
6	JAPANESE TREE LARCH BYRSHIA RETICULATA	4" CAL.	TRANSPLANT (TREE SPACING)
7	JAPANESE TREE LARCH BYRSHIA RETICULATA	4" CAL.	TRANSPLANT (TREE SPACING)
8	WHITE ASH / FRAXINUS AMERICANA	4" CAL.	TRANSPLANT (TREE SPACING)
9	WHITE ASH / FRAXINUS AMERICANA	4" CAL.	TRANSPLANT (TREE SPACING)
10	JAPANESE TREE LARCH BYRSHIA RETICULATA	4" CAL.	TRANSPLANT (TREE SPACING)
11	JAPANESE TREE LARCH BYRSHIA RETICULATA	4" CAL.	TRANSPLANT (TREE SPACING)
12	WHITE ASH / FRAXINUS AMERICANA	4" CAL.	TRANSPLANT (TREE SPACING)
13	OSAGE HAWK FRAXINUS PERMISSIVANICA	4" CAL.	TRANSPLANT (TREE SPACING)
14	SAWTOOTH Ostrya VIRGINICA	4" CAL.	TRANSPLANT (TREE SPACING)
15	ELM / ULMUS SPECIES	4" CAL.	
16	ELM / ULMUS SPECIES	4" CAL.	
17	WHITE BARK / FRAXINUS AMERICANA	4" CAL.	
18	WHITE BARK / FRAXINUS AMERICANA	4" CAL.	
19	WHITE BARK / FRAXINUS AMERICANA	4" CAL.	
20	WHITE ASH / FRAXINUS AMERICANA	4" CAL.	
21	WHITE ASH / FRAXINUS AMERICANA	4" CAL.	
22	WHITE ASH / FRAXINUS AMERICANA	4" CAL.	
23	WHITE ASH / FRAXINUS AMERICANA	4" CAL.	
24	WHITE ASH / FRAXINUS AMERICANA	4" CAL.	
25	WHITE ASH / FRAXINUS AMERICANA	4" CAL.	
26	WHITE ASH / FRAXINUS AMERICANA	4" CAL.	
27	WHITE ASH / FRAXINUS AMERICANA	4" CAL.	
28	JAPANESE TREE LARCH BYRSHIA RETICULATA	4" CAL.	TRANSPLANT (TREE SPACING)
29	WHITE ASH / FRAXINUS AMERICANA	4" CAL.	TRANSPLANT (TREE SPACING)
30	WHITE ASH / FRAXINUS AMERICANA	4" CAL.	TRANSPLANT (TREE SPACING)
31	WHITE ASH / FRAXINUS AMERICANA	4" CAL.	TRANSPLANT (TREE SPACING)
32	ELM / ULMUS SPECIES	4" CAL.	
33	ELM / ULMUS SPECIES	4" CAL.	
34	JAPANESE TREE LARCH BYRSHIA RETICULATA	4" CAL.	
35	JAPANESE TREE LARCH BYRSHIA RETICULATA	4" CAL.	
36	ELM / ULMUS SPECIES	4" CAL.	
37	ELM / ULMUS SPECIES	4" CAL.	
38	ELM / ULMUS SPECIES	4" CAL.	
39	ELM / ULMUS SPECIES	4" CAL.	
40	ELM / ULMUS SPECIES	4" CAL.	
41	WHITE BARK / FRAXINUS AMERICANA	4" CAL.	
42	WHITE BARK / FRAXINUS AMERICANA	4" CAL.	
43	WHITE BARK / FRAXINUS AMERICANA	4" CAL.	
44	WHITE BARK / FRAXINUS AMERICANA	4" CAL.	
45	WHITE BARK / FRAXINUS AMERICANA	4" CAL.	
46	WHITE BARK / FRAXINUS AMERICANA	4" CAL.	
47	WHITE BARK / FRAXINUS AMERICANA	4" CAL.	
48	WHITE BARK / FRAXINUS AMERICANA	4" CAL.	
49	WHITE BARK / FRAXINUS AMERICANA	4" CAL.	
50	WHITE BARK / FRAXINUS AMERICANA	4" CAL.	
51	OSAGE HAWK FRAXINUS PERMISSIVANICA	4" CAL.	
52	OSAGE HAWK FRAXINUS PERMISSIVANICA	4" CAL.	

TREE PRES. PLAN NOTES:

- ALL DRAWING TREE SYMBOLS TO BE IDENTIFIED FROM THE SCHEDULE. TREE SYMBOLS TO BE IDENTIFIED FROM THE SCHEDULE. TREE SYMBOLS TO BE IDENTIFIED FROM THE SCHEDULE.
- CRIMED LIMBS (TOP HYDROBROMIDE AND OTHER MATERIALS) TO BE REMOVED FROM THE TREE. CRIMED LIMBS (TOP HYDROBROMIDE AND OTHER MATERIALS) TO BE REMOVED FROM THE TREE.
- APPROPRIATE TREE PROTECTION SHALL BE INSTALLED AT THE PERIMETER OF THE ROOT ZONE OF EACH TREE TO BE PRESERVED AS SHOWN ON THIS PLAN.
- ALL REMOVED TREES SHALL BE REPLACED TO COMPENSATE FOR THE LOSS OF THE TREE. ALL REMOVED TREES SHALL BE REPLACED TO COMPENSATE FOR THE LOSS OF THE TREE.
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TREE PRESERVATION PLAN

NOTE: SITE PLAN BASE INFORMATION FROM ALTAGISM LAND TITLE SURVEY DATED 11/11/11, PREPARED BY TLD LAND SURVEYORS (847) 702-1846.

REVISIONS	
DATE	DESCRIPTION

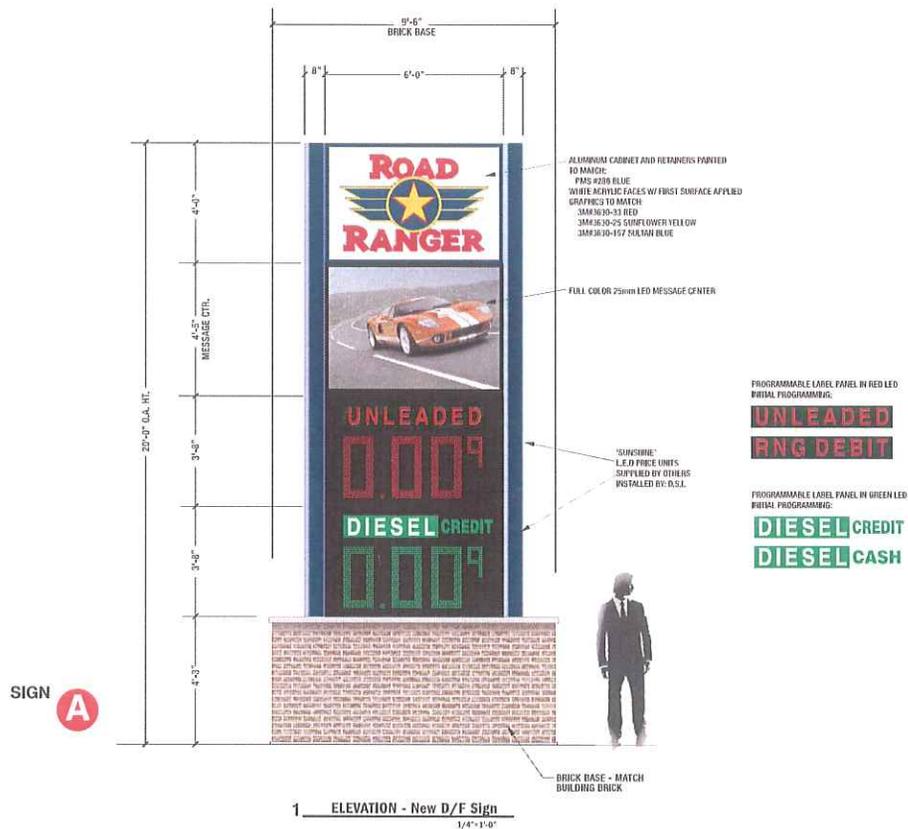
ROAD RANGER LLC
SITE REDEVELOPMENT
 SE CORNER OF ROUTE 83 AND FOSTER AVENUE
 BENSENVILLE, ILLINOIS

TREE PRESERVATION PLAN
 SCALE: 1" = 20'-0"
 DATE: FEBRUARY 29, 2012
 DESIGN: J. DAVITO, CLARE
 DRAFTING: J. DAVITO, CLARE



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 PROJ. NO. 11-046
LS2





DOYLE

GENERAL SIGN CONTRACTORS
232 INTERSTATE RD. P.O. BOX 1068
ADDISON, IL. 60101

630-543-9490
FAX 630-543-9493

DATE	REVISION
5.27.11	REV CHANNEL LTFRS - L.E.D. ON ARCHES
6.2.11	REV TO PROGRAM S/F; ADD L.E.D. STRIP TO FASCIA

CUSTOMER APPROVAL _____ **DATE** _____

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CLIENT Road Ranger

ADDRESS 1188 West Foster Avenue

CITY Bensenville **STATE** IL **DESIGNER** JRS **SALESPERSON** RC

DRWG. NO. 12173 **SCALE:** Noted **DATE:** 05.19.2011 **SHEET NO.** 1 of 9

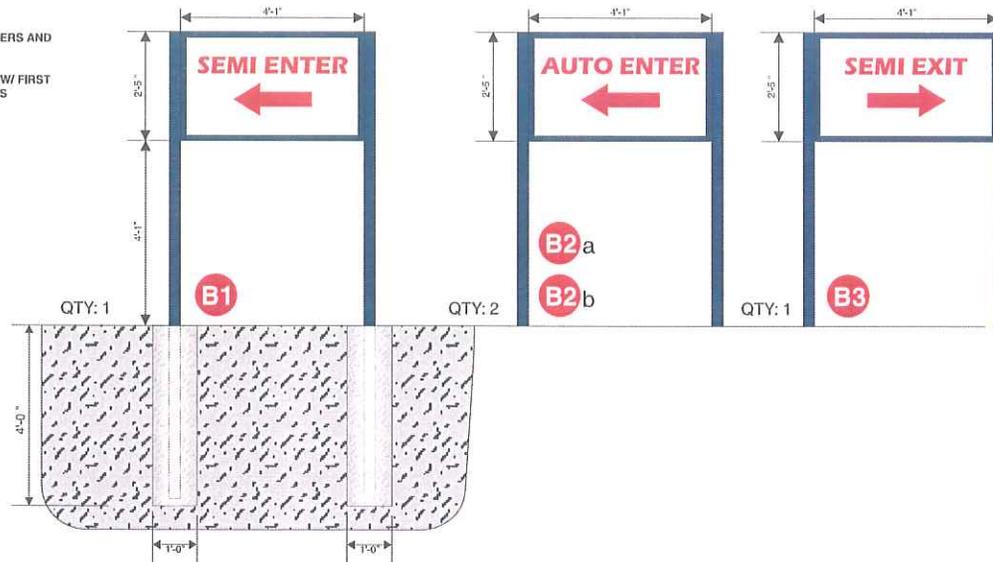
(4) D/F L.E.D. Int. Illuminated Directional Displays

3/8" = 1"

SIGN

B1 B2 B3

ALUMINUM CABINET, RETAINERS AND
POSTS FINISHED TO MATCH:
PMS #288 BLUE
FLAT WHITE ACRYLIC FACES W/ FIRST
SURFACE APPLIED GRAPHICS
TO MATCH:
3M#3630-33 RED



GENERAL SIGN CONTRACTORS
232 INTERSTATE RD. P.O. BOX 1068 630-543-9480
ADDISON, IL. 60101 FAX 630-543-9493

DATE	REVISION
5.27.11	REV CHANNEL LTRS - L.E.D. ON ARCHES
6.2.11	REV TO PROGRAM S/F; ADD L.E.D. STRIP TO FASCIA

CUSTOMER APPROVAL DATE

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CLIENT **Road Ranger**

ADDRESS 1188 West Foster Avenue

CITY Bensenville

STATE IL

DESIGNER JRS

SALESPERSON RC

DRWG. NO. 12173

SCALE: Noted

DATE: 05.19.2011

SHEET NO. 2 of 9

EXISTING S/F H.O. FLUORESCENT INT. ILLUMINATED BUILDING DISPLAY
1/4" = 1'



ALUMINUM CABINET, RETAINERS AND FINISHED BACK
PAINTED TO MATCH:
PMS #288 BLUE
EMBOSSD WHITE ACRYLIC FACES W/ FIRST
SURFACE APPLIED GRAPHICS TO MATCH:
3M#3630-33 RED
3M#3630-25 SUNFLOWER YELLOW
3M#3630-157 SULTAN BLUE

RED SLOAN
L.E.D. STRIP

RED SLOAN
L.E.D. STRIP



Front Elevation

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FAX 630-543-9493

DATE	REVISION
5.27.11	REV CHANNEL LTRS - L.E.D. ON ARCHES
6.2.11	REV TO PROGRAM S/F, ADD L.E.D. STRIP TO FASCIA

CUSTOMER APPROVAL _____ **DATE** _____

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CLIENT Road Ranger

ADDRESS 1188 West Foster Avenue

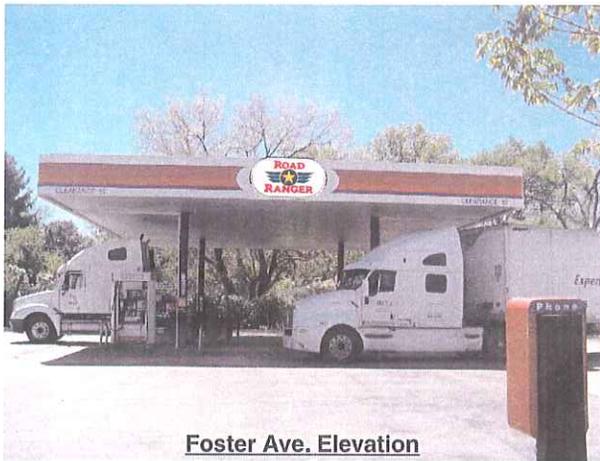
CITY Bensenville **STATE** IL **DESIGNER** JRS **SALESPERSON** RC

DRWG. NO. 12173 **SCALE:** Noted **DATE:** 05.19.2011 **SHEET NO.** 3 of 9



EXISTING S/F INT. H.O. FLO. ILLUMINATED CANOPY DISPLAY 3/4" = 1'-0"

PAN TYPE IMPLEX FACES W/ EMBOSSED GRAPHICS ON A WHITE BACKGROUND.
 COLORS: #33 RED, #25 SUNFLOWER & #157 SULTAN BLUE.
 ALUMINUM CABINET & RETAINERS, WHITE ENAMEL FINISH.



Foster Ave. Elevation



Side Elevation

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DATE	REVISION

CUSTOMER APPROVAL _____ **DATE** _____

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CLIENT Road Ranger

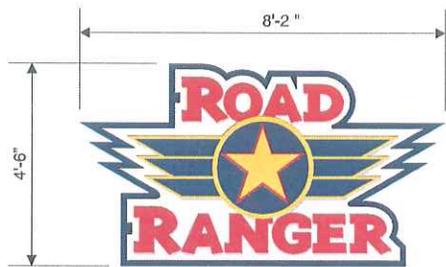
ADDRESS 1188 West Foster Avenue

CITY Bensenville **STATE** IL **DESIGNER** JRS **SALESPERSON** RC

DRWG. NO. 12173 **SCALE:** Noted **DATE:** 05.19.2011 **SHEET NO.** 4 of 9

EXISTING S/F H.O. FLUORESCENT INT. ILLUMINATED BUILDING DISPLAY

3/8" = 1"



ALUMINUM CABINET, RETAINERS AND FINISHED BACK
 PAINTED TO MATCH:
 PMS #288 BLUE
 EMBOSSED WHITE ACRYLIC FACES W/ FIRST
 SURFACE APPLIED GRAPHICS TO MATCH:
 3M#3630-33 RED
 3M#3630-25 SUNFLOWER YELLOW
 3M#3630-157 SULTAN BLUE



Foster Ave.

DOYLE
 GENERAL SIGN CONTRACTORS
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 630-543-9490
 FAX 630-543-9493

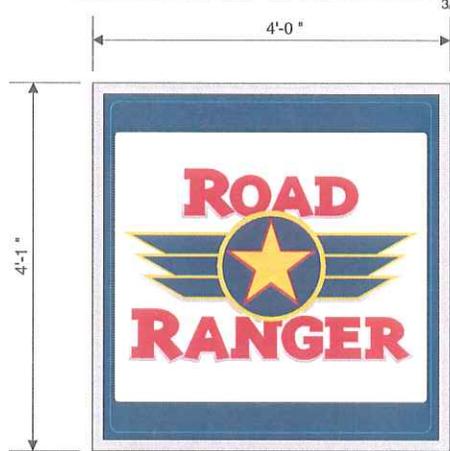
DATE	REVISION
5.30.11	REV TO 8'-2" PROGRAM

CUSTOMER APPROVAL _____ **DATE** _____

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CLIENT Road Ranger
ADDRESS 1188 West Foster Avenue
CITY Bensenville **STATE** IL **DESIGNER** JRS **SALESPERSON** RC
DRWG. NO. 12173 **SCALE:** Noted **DATE:** 05.19.2011 **SHEET NO.** 5 of 9

EXISTING PAN-FORMED LEXAN REPLACEMENT FACES

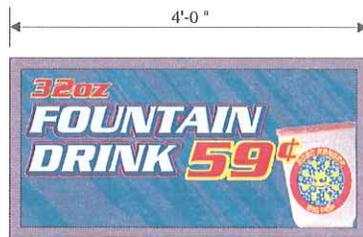


1 1/2" EXISTING
RETAINER

WHITE PAN-FORMED LEXAN FACES W/FIRST
SURFACE APPLIED GRAPHICS TO MATCH:
3M#3630-33 RED
3M#3630-25 SUNFLOWER YELLOW
3M#3630-157 SULTAN BLUE



(1) ACRYLIC FACE W/ APPLIED GRAPHICS TO
MATCH:
3M#3630-157 SULTAN BLUE
3M#3630-25 SUNFLOWER YELLOW
3M#3630-22 BLACK
DIGITALLY PRINTED LOGO
INSTALLED INTO EXISTING CABINET ON
OPPOSING SIDE OF "FOUNTAIN DRINK" FACE.



(1) ACRYLIC FACE W/ APPLIED
DIGITALLY PRINTED GRAPHICS
INSTALLED INTO EXISTING CABINET ON
OPPOSING SIDE OF "RANGER FUELS" FACE.



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DATE	REVISION
5.27.11	ADD BORDER TO PYLON MAIN ID GRAPHICS
6.2.11	ADD OPPOSING SIDE VIEW

CUSTOMER APPROVAL _____ **DATE** _____

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CLIENT Road Ranger

ADDRESS 1188 West Foster Avenue

CITY Bensenville **STATE** IL **DESIGNER** JRS **SALESPERSON** RC

DRWG. NO. 12173 **SCALE:** Noted **DATE:** 05.19.2011 **SHEET NO.** 6 of 9



C1 C2 C3

NEW S/F INT. H.O. FLO. ILLUMINATED CANOPY DISPLAY 3/4" = 1'-0"

PAN TYPE IMPLEX FACES W/ EMBOSSED GRAPHICS ON A WHITE BACKGROUND.
 COLORS; #33 RED, #25 SUNFLOWER & #157 SULTAN BLUE.
 ALUMINUM CABINET & RETAINERS, WHITE ENAMEL FINISH.



3 REQUIRED- 1 CENTERED ON EACH ELEVATION (SOUTH, WEST, NORTH) OF NEW DIESEL CANOPY

NOTE: CANOPY DECORATION FOR ILLUSTRATION ONLY.



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DATE	REVISION
2.28.12	ADD SITE PLANS

CUSTOMER APPROVAL _____ **DATE** _____

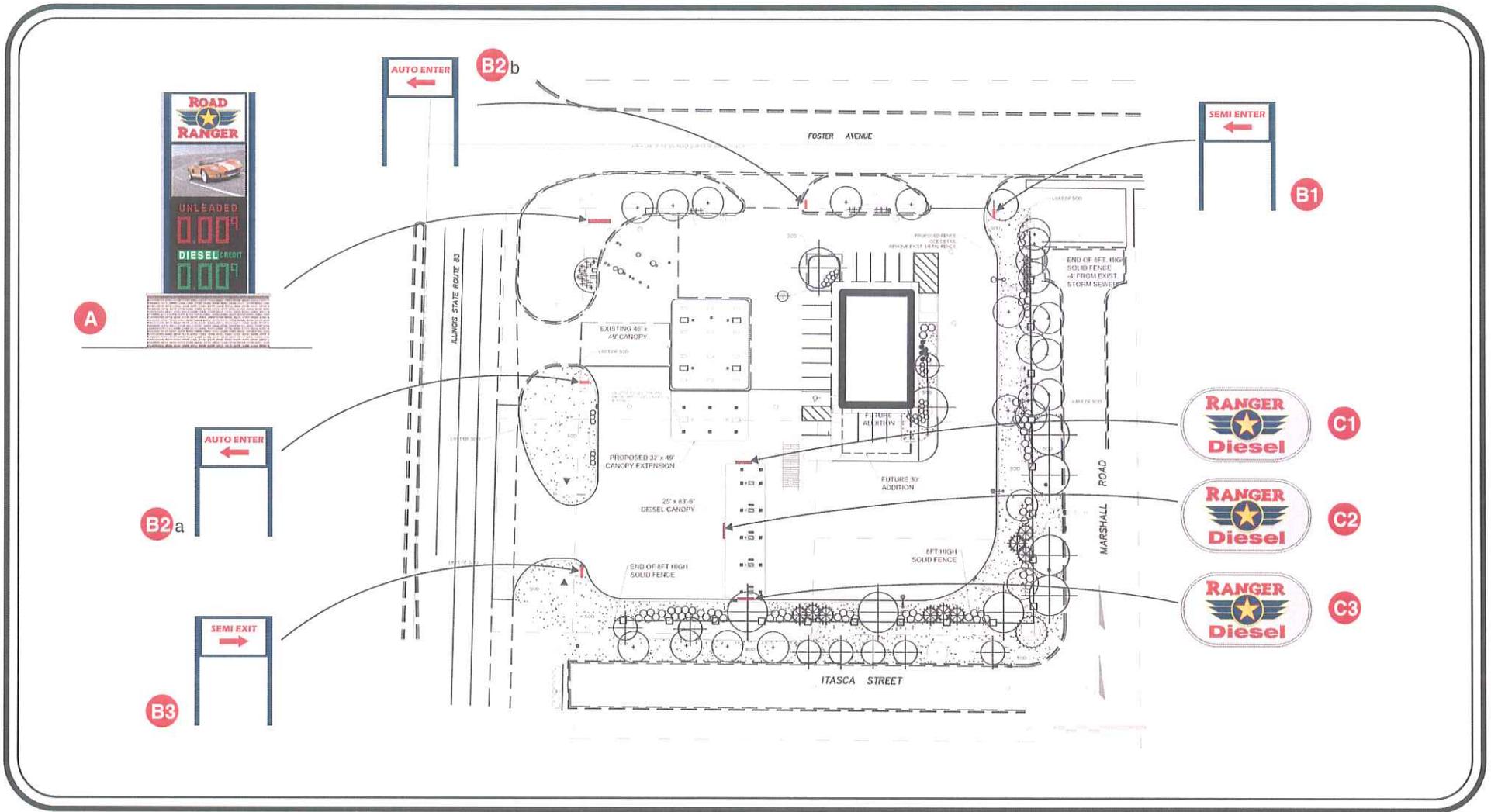
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CLIENT Road Ranger

ADDRESS 1188 West Foster Avenue

CITY Bensenville	STATE IL	DESIGNER DMM	SALESPERSON RC
-------------------------	-----------------	---------------------	-----------------------

DRWG. NO. 12173 **SCALE:** Noted **DATE:** 03.05.2012 **SHEET NO.** 7 of 9



DOYLE
 GENERAL SIGN CONTRACTORS
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DATE	REVISION
2.29.12	ADD SITE PLANS

CUSTOMER APPROVAL _____ **DATE** _____

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CLIENT Road Ranger			
ADDRESS 1188 West Foster Avenue			
CITY Bensenville	STATE IL	DESIGNER JRS	SALESPERSON RC
DRWG. NO. 12173	SCALE: Noted	DATE: 05.19.2011	SHEET NO. 8 of 9

**COMMUNITY AND ECONOMIC DEVELOPMENT COMMISSION APPLICATION
(AMENDED)**

Effective Date: May 18, 2012

CDC# 2012-08

Development Name: ROAD RANGER

1. Location: 1188 W. Foster Avenue (Route 83 and Foster Avenue)(hereinafter referred to as the "Existing Service Station Property"); and 523 N. Route 83; 522 N. Marshall Road and 524 N. Marshall Road (hereinafter collectively referred to as the "Vacant Properties"). The Existing Service Station Property and the Vacant Properties are hereinafter collectively referred to as the "Subject Property").
2. Property Index Numbers (PINs): 03-11-300-001-0000 (Existing Service Station Property); 03-11-300-002-0000, 03-11-300-003-0000, and 03-11-300-004-0000 (Vacant Properties)

A. OWNER:

Road Ranger, L.L.C., an Illinois limited liability company

Name	Corporation (if applicable)
4930 East State Street	

Rockford IL 61108

City	State	Zip Code
------	-------	----------

Steve Brooks, General Counsel	(815) 387-1427, sbrooks@roadrangerusa.com	
-------------------------------	---	--

Contact Person	Telephone Number & email address
----------------	----------------------------------

N/A

If Owner is a Land Trust, list the names and addresses of the beneficiaries of the Trust.

B. APPLICANT:

Owner

Name	Corporation (if applicable)
------	-----------------------------

Street

City	State	Zip Code
------	-------	----------

Contact Person	Telephone Number & email address
----------------	----------------------------------

C. ACTION REQUESTED (Check applicable):

- Annexation
- Variance
- Site Plan
- Master Sign Plan
- Preliminary Planned Unit Development*
- Final Planned Unit Development*
- Preliminary Plat of Subdivision
- Final Plat of Subdivision
- Conditional Use Permit
- Rezoning (Map Amendment)

*See staff for additional information on PUD requests

SUBMITTAL REQUIREMENTS:

- Affidavit of Ownership (original, signed)
- Application (10 initial copies)
- Approval Criteria (10 initial copies)
- Review Fee
- Escrow agreement and deposit
- Legal Description
- Plat of Survey (10 initial copies)
- Site Plan (10 initial copies)
- Building Plans & Elevations (10 initial copies)
- Landscape Plan (10 initial copies)
- Digital Submission of all application materials (CD)

Brief Description of Request(s): Owner seeks (1) to rezone the Vacant Properties from the RS-5 High Density Single-Family Residential District to the C-2 Highway Commercial District, (2) to obtain approval of conditional use permits for a service station and an electronic message center, and (3) to obtain approval of variances to: (a) increase the number of permitted wall signs on the subject property; (b) reduce the required setback for a monument sign; (c) allow for the erection of monument sign that is 20 feet in height; (d) allow for a sign face that is 94.5 square feet in size; (5) allow for the construction of a fence that is 8 feet in height or more in the front and corner side yards; and (d) reduced the number of required parking spaces. Owner also seeks to eliminate hours of operation restriction provided for in Settlement Agreement described below.

D. PROJECT TEAM:

ARCHITECT:

Name Roger Perry, David L. Jenkins & Associates, P.C.
 Telephone: (815) 965-3611
 Email: roger@dljenkinsarchitects.com

ENGINEER:

Name Kevin Kuhn,
 Quigg Engineering, Inc.
 Telephone: 217-670-0563
 Email: kuhn@quiggengineering.com

ATTORNEY

Name: Harold W. Francke, DLA Piper
 Telephone: (312) 368-4047
 Email: harold.francke@dlapiper.com

LANDSCAPE ARCHITECT

Name: Joe Davito, Countryside Industries, Inc.
 Telephone: (847) 526-1909
 Email: jdavito@countrysideindustries.com

SIGN CONTRACTOR

Name: Rick Campbell, Doyle General Sign Contractors
 Telephone: (630)543-9490
 Email: rcampbell@doylesigns.com

NOISE CONSULTANT

Name: Tim Kelly, Huff & Huff, Inc.
 Telephone: (630) 684-4423
 Email: tkelly@huffnhuff.com

E. PROJECT DATA:

1. General description of the site: The Existing Service Station Property is situated at the southeast corner of Route 83 and Foster Avenue. It is improved with a gas service station that was approved by an Agreed Judgment Order dated November 27, 2001 and a Settlement Agreement dated November 6, 2001. The Vacant Properties abut the Existing Service Station Property on its southern boundary and are vacant. Service stations also exist on the northwest and southwest corners of the Route 83/Foster Avenue intersection. The property to the north of the Subject Property is presently improved with a church but Applicant understands that an application for a conditional use to construct a service station on this property has recently been filed with the Village.
2. Acreage of the site: 1.732 acres
3. Is this property within the Village limits? (Check applicable below)
 - Yes
 - No, requesting annexation
 - No, it is under review by another governmental agency and requires review due to 1.5 mile jurisdiction requirements.

4. List any controlling agreements (annexation agreements, Village Ordinances, site plans) The Settlement Agreement described above.

5. Character of the site and surrounding area:

	Zoning	Existing Land Use	Jurisdiction
Site:	C-2 and RS-5	Service Station and vacant	Village of Bensenville
North:	C-2 and I-2	Church and industrial park	Village of Bensenville
East:	RS-5 and I-2	Single family residential and industrial park	Village of Bensenville
South:	RS-5	Single family residential	Village of Bensenville
West:	C-2 and RS-5	Service Station and single family residential	Village of Bensenville

F. APPROVAL CRITERIA:

1. Select the "Approval Criteria" list(s) pertaining to the applicant's request(s).
2. The applicant must compose a letter describing the specific request(s) and how the request(s) specifically meets the individual criteria from the list. The CDC will be unable to approve a request without a comprehensive response for the "Approval Criteria."

10-3-3.B Approval Criteria for Variances

1. **Special Circumstances**
Special circumstances, fully described in the written findings, exist that are peculiar to the property for which the Variance is sought and that do not apply generally to other properties in the same zoning district. And these circumstances are not of so general or recurrent a nature as to make it reasonably practical to provide a general amendment to this Ordinance to cover them.
2. **Hardship or practical Difficulties**
For reasons set forth in the findings, the literal application of the provisions of this Ordinance would result in unnecessary and undue hardship or practical difficulties for the applicant, as distinguished from mere inconvenience.
3. **Circumstances Relate to Property**
The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography, or soil conditions. They do not concern any business or activity the present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business, or financial circumstances of any party with interest in the property.
4. **Not Resulting from Applicant Action**
The special circumstances and practical difficulties or hardship that are the basis for the Variance have not resulted from any act, undertaken subsequent to the adoption of this Ordinance or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any Variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.

5. **Preserves Rights Conferred by District**
A Variance is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties.
6. **Necessary for Use of Property**
The granting of a Variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a Variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property.
7. **Not Alter Local Character**
The granting of the Variance will not alter the essential character of the locality nor Substantially impair environmental quality, property values, or public safety or welfare in the vicinity.
8. **Consistent with Ordinance and Plan**
The granting of a Variance will be in harmony with the general purpose and intent of this Ordinance and of the General Development Plan and other applicable adopted plans of the Village of Bensenville, as viewed in light of any changed conditions since their adoption, and will not serve in effect to substantially invalidate or nullify any part thereof.
9. **Minimum Variance Needed**
The Variance approved is the minimum required to provide the applicant with relief from undue hardship or practical difficulties and with reasonable use and enjoyment of the property.

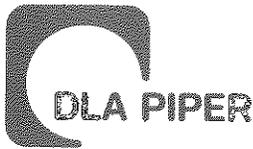
10-3-4:C Approval Criteria for Conditional Uses

1. **Traffic**
Any adverse impact of types or volumes of traffic flow not otherwise typical of Allowed Uses in the zoning district has been minimized.
2. **Environmental Nuisance**
Any 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 Allowed Uses in the district, have been minimized.
3. **Neighborhood Character**
The proposed use will fit harmoniously with the existing character of existing Allowed Uses in its environs. Any adverse effects on environmental quality, property values, or neighborhood character beyond those normally associated with Allowed Uses in the district have been minimized.
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 Allowed 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. 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.
- 6. Other Factors**
The use is in harmony with any other elements of compatibility pertinent in the judgment of the Board to the Conditional Use in its proposed location.

Section 10-3-5: Approval Criteria for Zoning Map Amendments

- 1. Support for Classification:**
 - a. Compatible with Use or Zoning**
The uses permitted under the proposed district are compatible with existing uses or existing Zoning of property in the environs, or
 - b. Supported by Trend of Development**
The trend of development in the general area since the original zoning was established supports the proposed classification, or
 - c. Consistent with Village Plans**
The proposed classification is in harmony with objectives of the General Development Plan and other applicable Village plans as reviewed in light of any changed conditions since their adoption.
- 2. Furthers Public Interest**
The proposed zoning classification promotes the public interest. It does not solely further the interest of the applicant.
- 3. Public Services Available**
Adequate public services---such as water supply, sewage disposal, fire protection, and street capacity---are anticipated to be available to support the proposed classification by the anticipated date of issuance of a Certificate of Occupancy.



RECEIVED

JUN - 5 2012

COMMUNITY DEVELOPMENT

DLA Piper LLP (US)
203 North LaSalle Street, Suite 1900
Chicago, Illinois 60601-1293
www.dlapiper.com

Harold W. Francke
harold.francke@dlapiper.com
T 312.368.4047
F 312.630.5380

June 1, 2012

Community and Economic Development Commission
Village of Bensenville
12 South Center Street
Bensenville, IL 60106

**Re: Road Ranger / Approval Criteria for Requests for Zoning Map Amendment,
Conditional Use Approvals and Variances
1188 West Foster Avenue / CDC Application # 2012-08 (Amended)**

Dear Members of the Community and Economic Development Commission:

As stated in our letter to you dated April 23, 2012, our firm represents Road Ranger L.L.C. ("Applicant"), the owner of the property situated at 1188 West Foster Avenue (the "Existing Service Station Property") and the properties located at 523 N. Route 83, 522 N. Marshall Road and 524 N. Marshall Road (the "Vacant Properties"). The Existing Service Station Property and the Vacant Properties are hereinafter collectively referred to as the "Subject Property."

We submit this letter to you in support of Applicant's amended application to the Village which seeks: (1) the rezoning of the Vacant Properties from the RS-5 High Density Single-Family Residential District (the "RS-5 District") to the C-2 Highway Commercial District (the "C-2 District"); (2) the approval of conditional use permits for a service station and electronic message center; and (3) the approval of variances to: (a) increase the number of permitted wall signs on the Subject Property; (b) reduce the required setback for a monument sign; (c) allow for the construction of a monument sign that is 20 feet in height; (d) allow for a sign face that is 94.5 square feet in size; (5) allow for the construction of a fence in the front and corner side yards that is 8 or more feet in height; and (d) reduce the number of required parking spaces provided on the Subject Property. As you know, Road Ranger currently operates a service station on the Existing Service Station Property.

In support of its amended application, Applicant hereby states as follows:

1. **Section 10-3-5: Approval Criteria for Zoning Map Amendments**

1.1 Support for Classification

- (a) Compatible with Use or Zoning. *The uses permitted under the proposed district are compatible with existing uses or existing zoning of property in the environs.*

Response: Applicant's proposal is compatible with both the existing uses and zoning of property in the environs. There are multiple properties in the vicinity of the Subject Property



Community & Economic Development Commission/CDC Application No. 2012-08 (Amended)
June 1, 2012
Page Two

which are zoned in the C-2 District and the I-2 Light Industrial District (the “I-2 District”). The Existing Service Station Property, situated on the southeast corner of Route 83 and West Foster Avenue, is itself classified in the C-2 District. The properties situated on the northwest and southwest corners of the intersection are similarly zoned in the C-2 District. The property to the north of the Subject Property is zoned in the C-2 District and the I-2 District.

The properties situated on the northwest and southwest corners of the Route 83/Foster Avenue intersection are similarly improved with a service station. The property on the northeast corner of the intersection is improved with a church. We understand, however, that an application for a conditional use permit to construct a service station on this property has recently been filed with the Village.

The Bensenville Airport Compatibility Study (“Airport Compatibility Study”), recently prepared by the Village’s consultant AECOM, further supports the notion that Applicant’s proposal is compatible with the existing uses and zoning of property in the environs. The Airport Compatibility Study highlights that Foster Avenue is a key east-west industrial road with large industrial buildings on either side until the block just east of Route 83, where a church is situated to the north and a gas station and residential uses are situated to the south. The Airport Compatibility Study also describes Route 83 as one of the main north-south arterials in the Village and explains that Route 83’s roadway design does not change as it transitions from industrial to residential areas. According to the Airport Compatibility Study, Route 83 maintains an industrial character throughout, and the residential areas are designed with their “backs” to the arterial.

Although there are residentially-zoned properties and single-family homes in the vicinity of the Subject Property, most of the land in the vicinity of the Subject Property is situated in non-residential zoning districts and most of it is devoted to non-residential uses. Thus, Applicant’s proposal is compatible with the existing uses and existing zoning of properties in the environs.

(b) *Supported by Trend of Development: The trend of development in the general area since the original zoning was established supports the proposed classification.*

Response: The trend of development in the area supports Applicant’s request for rezoning. Construction of a service station on the Existing Service Station Property was approved by an Agreed Judgment Order in 2001. Since then the trend of development has been commercial and industrial in nature which is reflective of the area’s proximity to O’Hare airport and major arterial roadways. As noted above, the property north of the Subject Property is improved with a church but an application for a conditional use to construct a service station on this property has recently been filed with the Village. The Airport Compatibility Study also



Community & Economic Development Commission/CDC Application No. 2012-08 (Amended)
June 1, 2012
Page Three

supports the notion that Applicant's rezoning request is consistent with the trend of development in the area surrounding the Subject Property.

- (c) *Consistent with Village Plans: The proposed classification is in harmony with objectives of the General Development Plan and other applicable Village plans as reviewed in light of any changed conditions since their adoption.*

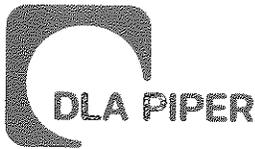
Response: Applicant's proposal to rezone the Vacant Properties is in harmony with the objectives of the Village's General Development Plan Update, adopted in April 2004. Bensenville offers a desirable location for residents and businesses alike because the Village is 30 minutes from downtown Chicago and one mile from O'Hare airport. As such, the Village attracts and promotes businesses of varying sizes, which in turn seek a variety of commercial and industrial uses to meet and support the demands of the Village's residents, employees, and visitors. The Subject Property is situated at the highly visible and heavily trafficked intersection of Route 83 and West Foster Avenue, an arterial roadway that maintains an industrial character, as noted in the Airport Compatibility Study.

Applicant's proposal supports the Village's General Development Plan by enhancing the Village's economic stability, attracting additional commerce to the Village, providing a valuable service to Village businesses, and generating new and additional tax revenues. Applicant's construction of an oversized fence on a two-foot high masonry wall and of a significant landscaped buffer, together with the fact that vehicular access to Marshall Road and Itasca Street from the Subject Property will be precluded, will minimize the impact of the Road Ranger service station on adjacent residential properties, which properties were originally designed with their "backs" to Route 83. Lastly, Applicant's proposal furthers Bensenville's General Development Plan by providing an integrated design that will enhance the Village's image, attracting new investment to the community and improving the circulation of traffic both on the Subject Property and on the surrounding roadway network.

1.2 Furthers Public Interest

- (a) *The proposed zoning classification promotes the public interest. It does not solely further the interest of the applicant.*

Response: The proposed zoning classification promotes the public interest in many respects. First, rezoning the Vacant Properties will lead to Applicant's improvement of parcels which have remained vacant since November 2011. Second, rezoning the Vacant Properties will make it possible for Applicant to generate additional commerce and tax revenue for the Village. Third, as explained in greater detail in the Traffic Impact Evaluation prepared by Quigg Engineering Inc. on February 14, 2012 ("Traffic Impact Evaluation"), if the Village approves the



Community & Economic Development Commission/CDC Application No. 2012-08 (Amended)
June 1, 2012
Page Four

request for rezoning Applicant will construct a separate canopy for semi-trucks, which will: (i) improve the internal circulation at the Existing Service Station Property; (ii) reduce conflicts between automobile and truck traffic; and (iii) facilitate the installation of new high efficiency fueling pumps which will decrease the amount of time each truck spends on the Existing Service Station Property. Fourth, if the requested rezoning is approved Applicant will construct a retaining wall two feet in height on the southern and eastern boundaries of the property, on top of which a solid fence which is eight feet in height will rest. This 10-foot high screen, together with the significant landscaping improvements Applicant will be constructing along the south and east portions of the Subject Property (which landscaping will include a wide variety of trees and shrubs, including Colorado Spruces, Japanese Lilacs, Red Twig Dogwoods, and Green Sargent Junipers), will restore the privacy and neighborhood characteristic of the area for residents living along Marshall Road and Itasca Street.

1.3 Public Services Available

- (a) *Adequate public services---such as water supply, sewage disposal, fire protection, and street capacity---are anticipated to be available to support the proposed classification by the anticipated date of issuance of a Certificate of Occupancy.*

Response: Adequate public services are presently available to the Subject Property and will remain available to support the proposed zoning classification.

2. 10-3-4:B Approval Criteria for Variances

- 2.1 *Special Circumstances: Special circumstances, fully described in the written findings, exist that are peculiar to the property for which the Variance is sought and that do not apply generally to other properties in the same zoning district. And these circumstances are not of so general or recurrent a nature as to make it reasonably practical to provide a general amendment to this Ordinance to cover them.*

Response: The Existing Service Station Property is already improved with an operating service station on Route 83, a regional arterial highway carrying thousands of vehicles per day at a high rate of speed. That parcel, however, is much smaller than the C-2 properties situated on the northeast and northwest corners of the Route 83/Foster Avenue intersection, which properties are also improved, or in the case of the northeast corner proposed to be improved, with a service station. Extensive fencing and landscaping to screen nearby residents from the existing service station use and from Route 83 traffic do not presently exist on the Subject Property. To the east and south of the Subject Property are residential properties which will benefit from both the



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extensive screening and landscaping Applicant is proposing and the improved traffic circulation patterns that will result from the improvement of the Subject Property. All of the foregoing circumstances are unique to the Subject Property and not of a general or recurrent nature within the Village.

- 2.2 *Hardship or Practical Difficulties: For reasons set forth in the findings, the literal application of the provisions of this Ordinance would result in unnecessary and undue hardship or practical difficulties for the applicant, as distinguished from mere inconvenience.*

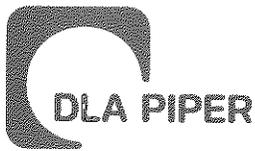
Response: The conditions described above create hardships for Applicant. The Village, neighbors and Applicant will all be detrimentally affected if the variances are not approved--the Village because it will realize reduced tax revenues, the neighbors because they will not be afforded the significant screening and buffering Applicant is proposing, and Applicant because it will not be able to achieve its site planning goals (most notably, improving on-site traffic circulation and improving site visibility and site access).

- 2.3 *Circumstances Relate to Property: The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography, or soil conditions. They do not concern any business or activity the present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business, or financial circumstances of an party with interest in the property.*

Response: The size and location of the Existing Service Station Property and the neighboring residential properties and the other circumstances described above are what are driving the request for the requested variances.

- 2.4 *Not Resulting from Applicant Action: The special circumstances and practical difficulties or hardship that are the basis for the Variance have not resulted from any act, undertaken subsequent to the adoption of this Ordinance or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any Variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.*

Response: Applicant only acquired the Existing Service Station Property in June, 2011. It acquired the Vacant Properties later that same year. All of the circumstances described above already existed. None has resulted from any act undertaken by Applicant.



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3. **10-3-4:C Approval Criteria for Conditional Uses**

3.1 *Traffic: Any adverse impact of types or volumes of traffic flow not otherwise typical of Allowed Uses in the zoning district has been minimized.*

Response: For the reasons stated above and as noted in the Traffic Impact Evaluation, neither the service station nor the electronic message center will adversely impact the types or volumes of traffic flow in the area.

3.2 *Environmental Nuisance: Any 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 Allowed Uses in the district, have been minimized.*

Response: For the reasons stated above, and as noted in the Noise Study Applicant submitted to the Village, neither the service station nor the electronic message center will create an environmental nuisance for the surrounding area.

3.3 *Neighborhood Character: The proposed use will fit harmoniously with the existing character of existing Allowed Uses in its environs. Any adverse effects on environmental quality, property values, or neighborhood character beyond those normally associated with Allowed Uses in the district have been minimized.*

Response: For the reasons stated above, and as noted in the Traffic Impact Evaluation and Noise Study Applicant submitted to the Village, both the service station and the electronic message center will fit harmoniously with the existing character of existing allowed uses in the area and any adverse effects on environmental quality, property values, or neighborhood character beyond those normally associated with residential uses have been minimized.

3.4 *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 Allowed 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.*

Response: The proposed expanded service station and convenience store uses and the electronic message center will not require existing community facilities or services to a degree disproportionate to that normally expected of residential uses, nor generate disproportionate demand for new services or facilities, in such a way as to place undue burdens upon existing development in the area.



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3.5 *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.*

Response: Improving the Vacant Properties, expanding and improving the existing service station, and erecting a sign with an electronic message center on the Subject Property are appropriate given the location of the Subject Property on Route 83 and its close proximity to large industrial parks and O'Hare airport. The fact that another party has recently submitted to the Village an application to construct an additional service station on the parcel situated at the northeast corner of the intersection of Route 83 and Foster Avenue is evidence of the continued demand and need for these uses in this location. Applicant's proposal will provide a valuable service to Bensenville businesses, generate additional tax revenues for the Village and local school districts, result in new economic development in the Village, and otherwise advance the general welfare of the community.

For the foregoing reasons we respectfully ask that you recommend approval of Road Ranger's requests for relief at the June 11th continuation of the Road Ranger public hearing. We look forward to attending that hearing and to answering any additional questions you might have.

Very truly yours,

DLA Piper LLP (US)

A handwritten signature in cursive script, appearing to read 'H. Francke'.

Harold W. Francke

cc: Scott Viger, Village of Bensenville
Mark Rysavy, Village of Bensenville
Mary Dickson, Bond Dickson & Associates, PC
Steve Brooks, Road Ranger
John Carabelli, Road Ranger



COMMUNITY DEVELOPMENT COMMISSION

AMENDED STAFF REPORT

06.08.12

HEARING DATE: May 14, 2012
June 11, 2012

CASE #: 2012 - 08

PROPERTY: 1188 W. Foster Avenue,
523 N. Route 83,
522 and 524 N. Marshall Road

**PROPERTY OWNER &
APPLICANT:** Road Ranger, LLC

ACREAGE: 1.732 Acres (75,445.92 SQFT)

PIN NUMBERS: 03 - 11 - 300 - 001, 03 - 11 - 300 - 002,
03 - 11 - 300 - 003 and 03 - 11 - 300 - 004

REQUESTS:

1. Rezone Parcels 523 N. Route 83, 522 N. Marshall Road and 524 N. Marshall Road from RS-5 High Density Residential District to C-2 Highway Commercial District
2. Planned Unit Development (PUD) Withdrawn
3. Approval of Conditional Use Permits (CUP) for Service Station and Electronic Message Center
4. Variances to increase the number of wall and canopy signs, to reduce the monument sign setback, to increase the monument sign height and area, to allow a fence/wall in the front and corner side yard, to reduce the vision clearance triangle and to reduce the number of required parking spaces.

SURROUNDING LAND USE:

	Zoning	Land Use	Comprehensive Plan	Jurisdiction
Site	C – 2 & RS-5	Commercial & Vacant	Commercial & Residential	Village of Bensenville
North	C – 2	Commercial	Quasi-Public	Village of Bensenville
South	RS-5	Residential	Residential	Village of Bensenville
East	RS-5	Residential	Residential	Village of Bensenville
West	C – 2 & RS-5	Commercial & Residential	Residential	Village of Bensenville

SUMMARY:

The property in question is generally situated on the southeastern corner of Foster Avenue and Route 83. Of the four (4) parcels, 1188 W. Foster (hereinafter referred to as the "Existing Service Station Property") is zoned C – 2 Highway Commercial and the remaining three (3) parcels (hereinafter collectively referred to as the "Vacant Properties") are zoned RS-5 High Density Single-Family Residential. The Existing Service Station Property is improved with a one story convenience store and gas station building approved in November of 2001 and currently owned by Road Ranger. Of the Vacant Properties, only 523 N. Route 83 fronts on Route 83 and can access it directly.

The Applicant seeks approval to rezone these vacant parcels from RS-5 to C-2 in order to expand the business of the service station to function also as a diesel fueling location. Subsequent to an approval, the applicant further requests approval of a preliminary plat of planned unit development (PUD) /preliminary plat of subdivision for the Subject Property. Additionally, Conditional Use Permits (CUP) for a service station in a C-2 district and the use of an Electronic Message Center (EMC) are requested.

Road Ranger acquired the "vacant properties" in 2011 which at the time were improved with Single Family detached homes, comparable to other homes in the area. In November of 2011 Road Ranger applied for and was issued a demolition permit to raze the three homes, according to Village Code and practice. The three single family homes were then demolished, creating the so called "vacant parcels".

The Village asked Road Ranger to present their concept at a neighborhood meeting which was held at Village Hall on November 11, 2011. A second neighborhood meeting was held before the Village Board Infrastructure and Environment Committee on Tuesday March 20, 2012.

PUBLIC NOTICE:

1. A Legal Notice was published in the Daily Herald on Saturday April 28, 2012 and on Saturday May 26, 2012. Certified copies of the Legal Notice are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.
2. Village personnel posted a Notice of Public Hearing signs on the property, visible from the public way on Friday April 27, 2012 and on Thursday May 24, 2012.
3. On Friday April 27, 2012 and Thursday May 24, 2012 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. 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. In addition to the required 250' mailing, staff in the same mailing included taxpayers of record up to 500' from the property in question.

DEPARTMENT COMMENTS:

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	Financially Sound Village
<input type="checkbox"/>	Quality Customer Oriented Services
<input type="checkbox"/>	Safe and Beautiful Village
<input type="checkbox"/>	Enrich the lives of Residents
<input checked="" type="checkbox"/>	Major Business/Corporate Center
<input type="checkbox"/>	Vibrant Major Corridors

Finance: 1. No comments or concerns.

Police: The purpose of this memo is to provide considerations and recommendations that the police department has for the proposed expansion of the Road Ranger gas station and new Thornton Gas Station. There have been 57 calls for service, at the Road Ranger gas station from 1/1/2009 until the present. The most serious crimes have been the thefts, 7, that were reported during that time period.

1. If approved, there should be the following requirements should be incorporated into the conditional permits:
 - A. There should be no window displays or advertising banner in the area of the cashier that will restrict the cashier's view or the view of passing police patrols.
 - B. Any exterior restrooms should be locked and under the control of the cashier.
 - C. The lighting devices shall be protected with weather and vandal resistant covers.
 - D. The exterior architectural features to the building shall not be designed in a manner which allows access to the roof areas.
 - E. Pallets and other objects should not be allowed to be left outside to allow roof access.
 - F. The site shall be conspicuously sign posted per Village Code 4-3-18(b) 2, Criminal Trespass, to discourage loitering.
 - G. The operator shall ensure that the property is kept clean of litter associated with the store.
 - H. Any ATMs should be located within the primary retail building.
 - I. The Village has the right to add or modify conditions should problems develop which are not readily apparent at this time or if the applicant fails to adequately manage public safety or security issues.
 - J. A copy of the conditions of approval for the Conditional Use Permit must be kept on the premises of the establishment and be presented to any police officer or any authorized Village official upon request.

2. Another public safety consideration is the projects impact on traffic in the area. The traffic at the intersection of IL83 and Foster Avenue is often very heavy and has contributed too many more crashes at or near that intersection as compared to IL83 and Hillside. From 1/1/2009 until 3/29/12, there have been 62 crashes at or near IL83 and Foster and only 1 at IL83 and Hillside. The summary of the type of crashes is as follows:
 - o 21 rear end crashes on IL83
 - o 2 rear end crashes on Foster
 - o 1 rear end crash in a gas station
 - o 12 left turn crashes on IL83 turning to Foster
 - o 6 Improper lane usage on IL83
 - o 5 left turn crashes on Foster turning to IL83 (1 was a 1 vehicle crash with it flipping over)
 - o 1 right turn crash on Foster turning to IL83 (1 vehicle crash with it flipping over)
 - o 2 failure to yield exiting gas station onto IL83

- 4 failure to yield exiting gas station onto Foster
 - 1 improper driving on shoulder entering gas station from 83
 - 2 improper backing in gas station
 - 2 improper lane usage entering gas station from Foster
 - 1 failure to yield at red light Foster and IL83
 - 2 improper backing of Foster (1 making room for other semi to turn and 1 deciding to turn in other direction on IL 83)
3. If the projects are approved, the roadway improvements such as described in the Thornton Traffic Analysis, striping a two way left turn lane on Foster, creating a right turn lane on northbound IL 83, and posting do not block the Thornton entrances on Foster, would be minimally necessary to mediate the further traffic congestion that occurs in the area. The adjustment of the traffic lights that would allow more time for Foster may create more of the prevalent rear end crashes on IL83.

Engineering:

1. Sanitary Sewer on proposed property shall be new to the Village Main.
2. Appropriate Fats, Oil, and Grease Trap Systems must be installed and approved by the Village.
3. All storm sewer inlets shall abide by Illinois Fire Marshal Standards as they relate to distance from dispensing apparatus.
4. Project shall abide by all DuPage County Storm Water Ordinance requirements.
5. Proposed underground storm water detention shall be designed to accommodate full requirement based on DuPage County Storm Water Ordinance.
6. Sidewalk shall be installed along all public frontage of the development.
7. Trees shall be planted along public frontage according to the Comprehensive Tree Management Ordinance.
8. The Village requests any overhead utility lines be buried on the development.
9. The Village requests the installation of new LED street lights along the public right of way.

Public Works:

See Engineering comments above.

Community & Economic Development:

Economic Development

1. The subject property is located at the intersection of two major corridors making it a prime location to shape the economic development of the Village. Foster Avenue is the sole public street that provides direct access through the Northern Business District from Illinois Route 83 on the west to York Road on the east, with traffic signals at each of the two end point intersections.
2. The applicant is seeking an Electronic Message Center (EMC) sign which is available through the recent Municipal Code Text Amendment allowing EMCs as Conditional Use Permits.
3. The proposed plan suggests an increase in sales tax revenue for the Village as it will be capturing a portion of the diesel fuel market from the trucks in the Village's Northern Business Park as well as trucks traversing through the Village on Rte. 83.

Inspectional Services

4. Staff recommends the addition of a fire hydrant on the southwest corner of subject property. This hydrant should be tied into the twelve (12) inch main at Foster and Route 83 and connect to the six (6) inch main on Itasca Street.
5. Itasca Street and Marshall Road hydrants are not accessible from Route 83 or Foster. The proposed eight (8) foot fence also would support the addition of aforementioned fire hydrant.

Building

6. The fence and landscaping should extend north to the Foster Avenue's sidewalk and west to the Route 83 right of way.
7. Both canopy heights should be the same.
8. Building comments will follow upon the building permit submittal.

Community Development

Comprehensive Plan

The Village's 2004 Update to the Comprehensive Plan is in place to guide policy for rezoning. The following quotations are taken from aforementioned Plan.

9. The rezoning of the currently vacant parcels is significant in that the Comprehensive Plan states that the Village should "Continue to support single-family development that does not have direct access on Route 83" (pg. 26).

This statement applies in particular to the Marshall Road parcels.

10. "While there are gas stations located at the intersection of Route 83 and Foster, south of Foster to Irving Park Road are single-family residential dwellings that take access from side streets that are blocked off at Route 83. Generally, this land use pattern 'works' with the exception that in the future the Village may consider permitting commercial and larger-scale office uses, rather than additional industrial uses on the Route 83 frontage, especially at the intersection with Thorndale." (pg. 9)

The proposed rezoning of the "vacant parcels" does not meet this item.

11. "Require buffering between residential and nonresidential uses as sites are newly developed or redeveloped." (pg. 22)

The proposal adheres to this item along the property's east and south sides.

Site

12. The site is located on the southeast corner of Route 83 and Foster Avenue.
13. The vacant parcels were created when Road Ranger demolished the single family houses that previously existed.
14. Gas service stations currently operate on the northwest, southwest and southeast corners.
15. The area is considered an important corridor due to the high-volume of traffic, both industrial and otherwise.
16. Existing single family detached homes are adjacent to the property in question to the east across N. Marshall Road and to the south across Itasca Street.
17. If requests are approved, Staff recommends a Plat of Consolidation of the four lots into a single lot.

Site Plan

18. The "Existing Service Station Property" remains virtually unchanged except for the diesel truck access, east of the existing building and the addition of the screening fence/wall, landscaping and the new sign with an Electronic Message center

19. The "Existing Service Station" site has two curbcuts on Foster Avenue and one on Rte. 83.
20. The proposed plan includes a third curbcut on the existing 523 N. Rte. 83 "Vacant Parcel". This parcel has a small residential driveway/curbcut onto Rte. 83 that served the home that formerly occupied the parcel. Staff received a letter from IDOT denying the owner/applicant's request for the new curbcut. As of this writing the owner/applicant is working to resolve the issue with IDOT.
21. Staff finds this third curbcut to be mandatory for the progression to the proposed plan to execute the desired segregation of the diesel and gasoline traffic.
22. The curbcut in question is a "right out" only egress to northbound Rte. 83 and is identified for diesel pump traffic only.
23. There are some discrepancies between some of the engineering site plans and the landscape and signage site plans.
24. Diesel trucks access the property from Foster Avenue and precede south behind/east of the existing building parallel to Marshall Road and then east parallel to Itasca Street to the pump location. This alignment necessitates extensive screening (see Landscape Section below).
25. Traffic flow within the proposed site should be separated on the current 523 N. Rte. 83 between general traffic and truck traffic. A division should be made with a curb barrier in the area between the two fueling stations. Staff suggests the proposed curb barrier that originates at the western frontage strip and continues east to the sidewalk found on the southwestern portion of the main building. This construction will prevent commingling of cars and semi tractor-trailers. Additionally, creating an exit-only for trucks on the south western curb cut will maintain the correct traffic flow for the site. As submitted it appears that trucks once refueled could pass through the car portion of the property and access Foster Avenue.
26. The barrier should be landscaped to ensure motorists and truckers alike could not overrun the barrier. Landscaping would also provide an additional aesthetic accent in the center of an otherwise hardscaped interior portion of the site.
27. Stacking spaces as proposed meet the Village's Code requirements. However the stacking for the diesel trucks

would parallel the residential street Marshall Road and is unfavorable.

28. The proposed masonry wall on Marshall Road and Itasca Street should be extended both north and west to near the property / rights of way lines, but so not to impede vision and safety.
29. Landscaping meets appropriate screening standards along the east and south property lines.
30. The transition strips (landscaped areas along the public rights of way) on Foster Avenue and Rte. 83 should be landscaped in accordance with Village Code.
31. Sidewalks should be installed along all four public rights of way.
32. The base of the freestanding sign shall be landscaped.

Signage

33. The proposed monument sign height is twenty (20) feet which exceeds the current code maximum of eight (8) feet. The proposed sign is 94.5 square feet which exceeds the Code requirement of 50 square feet. The proposed sign is slightly taller but has a smaller area than the recently approved freestanding monument sign with EMC at 801 N. Rte. 83 Perk's Bar & Grill which is 17' – 3" tall and 119 square feet.
34. The two existing service stations on the northwest and southwest corners of Foster Avenue and Rte. 83 have monument signs that range between eight (8) and ten (10) feet. The proposed sign is over twice the height.
35. The proposed EMC meets the size requirements of the Village Ordinance, (50% or less of the sign area).
36. Wall signs are on the north, south and west façades of the existing convenience store.
37. Staff recommends the removal of the "Road Ranger Diesel" wall sign located on the south side of the diesel fueling station canopy. It appears to be unnecessary as the southern canopy sign fronts on a residential district.
38. Should the EMC sign be approved the changeable copy wall sign on the western façade should be eliminated, and under the Code all temporary signs will be prohibited.

Other Considerations

39. The Settlement Agreement requires that the service station close between the hours of 10:00 PM and 4:00 AM. The Owner/Applicant is requesting the elimination of this

constraint to allow operations 24 hours a day. Staff is opposed to granting an extension on the hours of operation.

40. The application indicates the owner/applicant's desire to sell beer and wine in the convenience shop to the extent such right exists or is granted to other Service Stations in the vicinity of the Subject property. The Zoning Ordinance in the C – 2 Highway Commercial District Section allows for Service Stations to sell ancillary convenience items including “non-alcoholic beverages”. As interpreted by the Zoning Administrator, the sales of “alcoholic beverages” would not be allowed.

Departures

41. Although the proposed fence creates an adequate light and sound buffer to the adjacent residential properties, it would exist in the front and corner side yards of the subject property. The proposed fence will require zoning relief.
42. The proposed plan would be a deviation from code requirements in reducing twenty-two (22) spaces to fifteen (15). Plans also indicate that two (2) more standard fuel pumps will increase the need for parking. At a later date, relief from Zoning Ordinance is required to meet parking standards after the proposed expansion of the existing service station building removes four (4) existing parking spaces.
43. The plan approved through the Settlement Agreement included landscaping along Marshall Road presently, the landscaping obligations have not been met, apparently due to lack of attention, maintenance and municipal enforcement.

SUPPORT FOR CLASSIFICATION (REZONING):

1. Compatible With Use Or Zoning: The uses permitted under the proposed district are compatible with existing uses or existing zoning of property in the environs.

Two service stations exist across Rte. 83 and single family homes are adjacent across Marshall Road and Itasca Street with a House of Worship (Zoned C – 2 Highway Commercial) adjacent across Foster Avenue from the property in question.. Staff has concerns with the compatibility of the rezoning of 522 and 524 N. Marshall Road. To

the best of our knowledge, the only other location in the Village in which a single-family dwelling fronts a C-2 site across a residential street is on the 1300 block of Medinah Street.

2. Supported By Trend Of Development: The trend of development in the general area since the original zoning was established supports the proposed classification.

There have been no recently rezoned parcels in the immediate vicinity. The current trend of development is the status quo.

3. Consistent with Village Plans: The proposed classification is in harmony with objectives of the general development plan and other applicable Village plans as viewed in light of any changed conditions since their adoption.

The Village's Comprehensive Plan indicates that Residential use for all three of the "vacant properties", therefore the requested rezoning is not consistent with the Village's Land Use Planning. The Update to the Comprehensive Plan was prepared and approved in 2004; conditions have not changed significantly since its adoption.

4. Furthers Public Interest: The proposed zoning classification promotes the public interest. It does not solely further the interest of the applicant.

The owner/applicant asserts that the rezoning will further the Public Interest by means of developing the parcels that have "remained vacant since November 2010" staff believes this should read November 2011 when the owner/applicant created the vacant properties through their demolition of the three single family residences. Additionally, to improve on-site vehicular flow, the truck access and stacking area are parallel to Marshall Road does not promote public interest.

5. Public Services Available: Adequate public services, such as water supply, sewage disposal, fire protection and street capacity, are anticipated to be available to support the proposed classification by the anticipated date of issuance of a certificate of occupancy.

The Village has adequate public services to support the rezoning to Highway Commercial and the expanded service station.

APPROVAL PROCESS AND CRITERIA:

The Community Development Commission shall review the Planned Unit Development using the following criteria:

1. Superior Design: The PUD represents a more creative approach to the unified planning of development and incorporates a higher standard of integrated design and amenity than could be achieved under otherwise applicable regulations, and solely on this basis modifications to such regulations are warranted.

The proposed site plan does not exhibit superior design. The large tractor-trailer traffic and stacking adjacent to the single-family residences is problematic.

2. Meet PUD Requirements: The PUD meets the requirements for planned unit developments set forth in this Title, and no modifications to the use and design standards otherwise applicable are allowed other than those permitted herein.

Staff believes this to be accurate.

3. Consistent With Village Plan: The PUD is generally consistent with the objectives of the Village general development plan as viewed in light of any changed conditions since its adoption.

The proposal is not consistent with the Village's Comprehensive Plan and its objective in supporting single-family residences along the Route 83 corridor.

4. Public Welfare: The PUD will not be detrimental to the public health, safety or general welfare.

The increase in exhaust fumes from idling engines could be detrimental to the public health.

5. Compatible With Environs: Neither the PUD nor any portion thereof will be injurious to the use and enjoyment of other properties in its vicinity, seriously impair property values or environmental quality in the neighborhood, nor impede the orderly development of surrounding property.

Diesel fuel distribution adjacent to a single-family neighborhood will be a nuisance to residents and to the enjoyment of their properties.

6. Natural Features: The design of the PUD is as consistent as practical with preservation of any natural features such as flood plains, wooded areas, natural drainageways or other areas of sensitive or valuable environmental character.

There are no natural drainage ways or sensitive environmental areas on the subject property.

7. Circulation: Streets, sidewalks, pedestrianways, bicycle paths and off-street parking and loading are provided as appropriate to planned land uses. They are adequate in location, size, capacity and design to ensure safe and efficient circulation of automobiles, trucks, bicycles, pedestrians, fire trucks, garbage trucks and snow plows, as appropriate, without blocking traffic, creating unnecessary pedestrian-vehicular conflict, creating unnecessary through traffic within the PUD or unduly interfering with the safety or capacity of adjacent streets.

The proposed plan does not depict sidewalks at the subject property's perimeter. The diesel truck drivers will be unable to navigate site safely and efficiently without the proposed third curbcut located on Route 83.

8. Open Spaces And Landscaping: The quality and quantity of common open spaces or landscaping provided are consistent with the higher standards of design and amenity required of a PUD.

There is sufficient landscaping along the east and south property lines. Providing the landscaped barrier between the two fueling areas will improve the site aesthetically as well as functionally.

9. Covenants: Adequate provision has been made in the form of deed restrictions, homeowners or condominium associations or the like for:

- a. The presentation and regular maintenance of any open spaces, thoroughfares, utilities, water retention or detention areas and other common elements not to be dedicated to the Village or to another public body.

- b. Such control of the use and exterior design of individual structures, if any, as is necessary for continuing conformance to the PUD plan, such provision to be binding on all future ownerships.

No covenants are necessary.

10. Public Services: The land uses, intensities and phasing of the PUD are consistent with the anticipated ability of the Village, the school system and other public bodies to provide and economically support police and fire protection, water supply, sewage disposal, schools and other public facilities and services without placing undue burden on existing residents and businesses.

There are adequate public services to adequately service the property. The approval of the PUD will not increase the demand or stress the Village's public services.

11. Phasing: Each development phase of the PUD can, together with any phases that preceded it, exist as an independent unit that meets all of the foregoing criteria and all other applicable regulations herein even if no subsequent phase should ever be completed.

There is no phasing proposed.

APPROVAL CRITERIA FOR CONDITIONAL USES:

The Community Development Commission shall not recommend approval of the Conditional Use Permit without determining that the request meets the following approval criteria and making certain findings of fact. Staff has reviewed the request and recommends the following Findings of Fact:

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.

Service Station - Only if the proposed third curbcut and curb barrier are constructed according to Staff recommendation, will the traffic flow function properly. The traffic study indicated no significant adverse effects associated with traffic flow.

EMC – If the EMC meets the Village's Ordinance requirements it should not have a negative effect on traffic in the area.

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.

Service Station - The Staff harbors continued concerns in regards to the associated engine noises as well as exhaust odor from idling trucks.

EMC - If the EMC meets the Village's Ordinance requirements it should not have a negative effect on traffic in the area.

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.

Service Station - The proposed use violates the Comprehensive Plan for the Village in converting single-family residential parcels into commercial districts. The Plan specifically supports the protection of subject residential properties on the Route 83 corridor.

EMC – If approved this would be the second EMC along Rte. 83 (the first has been approved at 801 N. Rte. 83 for Perk's Bar & Grill but has yet to be erected).

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.

Service Station - The expansion of the existing service station as proposed will not require existing community facilities or services to a degree disproportionate to that normally expected of uses permitted in the District. The use as proposed will not generate disproportionate demand for new Village services.

EMC – The proposed EMC will not impact the Village's Public services and facilities.

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.

Staff believes that there is sufficient market demand for the proposed service.

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.

Any other factors are under the discretion of the Community Development Commission.

RECOMMENDATIONS:

Staff recommends the approval of the above Findings of Fact.

Staff respectfully recommends that the Community Development Commission recommend denial of the rezoning, Planned Unit Development and Conditional Use Permit(s).

Any recommendation to approve the Rezoning, Planned Unit Development and Conditional Use Permit(s) should be subject to the following conditions:

1. The property shall be developed and utilized in substantial conformance to the plans submitted as part of this application prepared by Quigg Engineering, Inc., dated 04.05.12. with revisions requested by staff below.
2. IDOT approval of curbcut on Rte. 83.
3. Extension of a landscaped island to segregate the diesel and gasoline pump traffic.
4. A revised landscape plan shall be submitted and approved by the Village staff as part of the sign/building permit, including the sign base landscape and landscape materials in the transition strips along both Foster Avenue and Rte. 83.
5. Sidewalks shall be provided along all street frontages.
6. A Plat of Consolidation for the four lots into one.
7. Burial of overhead utility lines.
8. Installation of LED streetlights.
9. The addition of a fire hydrant on the southwest corner of subject property. This hydrant should be tied into the twelve (12) inch main at Foster and Route 83 and connect to the six (6) inch main on Itasca Street.
10. Screening along Marshall Road and Itasca Street be installed prior to issuance of the building permit to construct the diesel fueling facility.

11. Extension of the current restricted hours of operation (4 AM to 10 PM) over the whole of the property.
12. There should be no window displays or advertising banner in the area of the cashier that will restrict the cashier's view or the view of passing police patrols.
13. Any exterior restrooms should be locked and under the control of the cashier.
14. The lighting devices shall be protected with weather and vandal resistant covers.
15. The exterior architectural features to the building shall not be designed in a manner which allows access to the roof areas.
16. Pallets and other objects should not be allowed to be left outside to allow roof access.
17. The site shall be conspicuously sign posted per Village Code 4-3-18(b) 2, Criminal Trespass, to discourage loitering.
18. The operator shall ensure that the property is kept clean of litter associated with the store.
19. Any ATMs should be located within the primary retail building.
20. The Village has the right to add or modify conditions should problems develop which are not readily apparent at this time or if the applicant fails to adequately manage public safety or security issues.
21. A copy of the conditions of approval for the Conditional Use Permit must be kept on the premises of the establishment and be presented to any police officer or any authorized Village official upon request.

Respectfully Submitted,

Department of Community
& Economic Development

AMENDMENT TO REQUEST

The aforementioned requests have been amended on May 23, 2012 to remove the request for a Planned Unit Development (PUD) and subsequently to include requests for the following Variances:

1. A variance to increase the number of permitted wall signs from 1 to 2 (Municipal Code Section 10 – 18 – 11A – 2B - 2), and
2. A variance to increase the number of permitted canopy signs from 2 to 5 (Municipal Code Section 10 – 18 – 11A – 2B - 3), and
3. A variance to reduce the required sign setback from 5 feet to 1.5 feet (Municipal Code Section 10 – 18 – 11A), and
4. A variance to allow for the erection of a monument sign that is 20 feet in height (Municipal Code Section 10 – 18 – 14 and Section 10 - 18 -11 -2D), and
5. A variance to allow for a sign face of 94.5 square feet (Municipal Code Section 10 – 18 – 14 and Section 10 – 18 – 11 – 2C), and
6. A variance to allow the construction of a fence that is eight (8) feet in height or greater in the front and corner side yards (Municipal Code Section 10 – 14 – 11E - 2), and
7. A variance to reduce the vision clearance triangle in the front and corner side yard from a distance of 10' to 0' (Municipal Code Section 10 – 14 – 10 – 4A), and
8. A variance to reduce the required number of parking spaces from 34 to 14 (Municipal Code Section 10 – 11 – 11).

AMENDED/SUPPLEMENTAL DEPARTMENT COMMENTS:

Staff met with the applicant on Friday 05.18.12 and Public Works Director Caracci and Village Engineer Patel performed subsequent site visit/review on 06.01.12 resulting in the following amended comments.

Engineering:

Sidewalk / Tree Removal Issue

- A. Sidewalks should be considered along Foster, Marshall, Itasca, and Rte. 83

- B. I would allow a waiver to allow no sidewalks going in on Marshall, Itasca, and Rte. 83 as long as a fee-in-lieu is established. The fee-in-lieu would allow the Village to install sidewalks at a later date in the vicinity of the project if necessary.
- C. If no sidewalks go in along Itasca and Marshall, there would be need to modify some of the crosswalks to allow pedestrian access in the area (i.e. southwest and southeast corners of Itasca and Marshall)
- D. Fee-in-lieu would be established at \$20 per linear foot of sidewalk.

Water Main Looping

- E. Water main does not exist along Rte. 83 frontage. The system is looped along Itasca, Marshall, and Foster to our existing system
- F. No requirement to loop along Rte. 83
- G. VOB would be open to looping if it helps the development.

Utility Undergrounding Issue

- H. Utility undergrounding in this area is not feasible.
- I. No requirement to bury recommended

Other Items

- J. Two LED street lights meeting the Village standards should be installed along Foster. (VOB to provide standard details)
- K. Have the water and sanitary sewer services been permanently disconnected for the teardowns along Itasca? Village requirement to permanently disconnect at the mains must be done.
- L. The mast arm traffic signal over Foster is not long enough to relocate.

Community & Economic Development

- M. The additional variances are due to the withdrawal of the Planned Unit Development (PUD) request. Under a PUD specific variances are not required to be enumerated. The PUD was withdrawn therefore the staff republished Legal Notices that included the "new" variances. It is important to point to that these variances were present in the applicant's original plans.

APPROVAL CRITERIA FOR VARIANCES:

The Community Development Commission shall not recommend nor shall the Village Board grant a variance unless it shall make findings based upon the evidence presented to it in each specific case that:

- 1. Special Circumstances: Special circumstances exist that are peculiar to the property for which the variances are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it

reasonable and practical to provide a general amendment to this Title to cover them.

Wall Signs – Staff interprets the signs on the canopies as wall signs, meaning that there would be seven wall signs. Signs on the canopy at service stations are common in Bensenville. The main building setback from Rte. 83 provides a special circumstance.

Free Standing Sign – The text amendment CD #2012 -21 allows for the applicant to seek a larger sign without a PUD. Traffic speed on Rte. 83 is cited by the applicant as a reason for the larger sign. As two existing service stations at the intersection have signs significantly smaller than the proposed sign, staff does not believe that there are special circumstances warranting the variances for height and area.

Fence & Vision Clearance – This request is to allow the screening wall/fence to mitigate any possible negative effects from the proposed use to the adjacent single family residents. The site design of the property in question and the location of the homes create a special circumstance. Also as the Marshall Road pavement terminates the extended wall/fence would not create a vehicular traffic hazard.

Parking – The site design and the overall size of the property limit the space available to provide the necessary parking.

2. Hardship Or Practical Difficulties: For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience.

Wall Signs - Signs on the canopy at service stations are common in Bensenville. The main building setback from Rte. 83 provides a special circumstance.

Free Standing Sign – Traffic speed on Rte. 83 is cited by the applicant as a reason for the larger sign. As two existing service stations at the intersection have signs significantly smaller than the proposed sign, staff does not believe that there are special circumstances warranting the variances for height and area.

Fence & Vision Clearance – The wall/fence are proposed to provide additional screening above the minimum Code requirements for the benefit of the neighborhood and nearby families.

Parking – The size of the site and the setbacks from streets on four sides create a practical difficulty.

3. Circumstances Relate To Property: The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions. They do not concern any business or activity of present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property.

The circumstances relate to the property in that it exists on the corner lot of two major corridors in the Village, street rights –of-way on all four sides as well as the proximity of single family homes.

4. Not Resulting From Applicant Action: The special circumstances and practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.

The special circumstances have not occurred because of applicant action, rather the applicant is responding to the existing site and environs.. With the setbacks on all four sides, the site is small for the number of parking spaces required by Code. There has been concern expressed with the parking of vehicles on site.

5. Preserve Rights Conferred By District: A variance is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties.

The right to construct a service and diesel fueling station on a C-2 commercial highway district with the variances requested does not confer special privilege in that three other gas stations already exist on the same intersection as the proposed.

6. Necessary For Use Of Property: The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be

deprived of reasonable use or enjoyment of, or reasonable economic return from, the property.

Staff believes that the applicant can enjoy a reasonable use of the property without the variances.

7. Not Alter Local Character: The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity.

The variances would not alter the local character as the signs and parking variances relate to the Rte. 83 and the fence variance relates to the Itasca Avenue and Marshall Road property lines. The local character will not be altered in that three other gas-service stations exist on the same intersection as the proposed. Foster Avenue is also an industrial corridor typically accommodating diesel fuel traffic.

Wall Signs – Similar signs are present at the two existing service stations as well as the proposed service station on the northeast corner of the intersection of Foster Avenue and Rte. 83.

Free Standing Sign – The two existing service stations as well as the service station proposed on the northeast corner of Foster Avenue and Rte. 83 have signs smaller than the one proposed.

Fence & Vision Clearance – The proposed wall/fence seeks to help maintain the character of the single family area along Marshall Road and Itasca Street.

Parking – The reduction in parking would not alter the local character.

8. Consistent With Title And Plan: The granting of a variance will be in harmony with the general purpose and intent of this Title and of the general development plan and other applicable adopted plans of the Village, as viewed in light of any changed conditions since their adoption, and will not serve in effect to substantially invalidate or nullify any part thereof.

The variances requested will be in harmony with the general purpose of the gas and diesel service station. The variances improve the on-site maneuverability and overall function.

9. Minimum Variance Needed: The variance approved is the minimum required to provide the applicant with relief from undue hardship or

practical difficulties and with reasonable use and enjoyment of the property.

The minimum variance is not requested as the variance for number and area of signs can be reduced without negative impact.

ADDITIONAL/SUPPLEMENTAL RECOMMENDATIONS:

Staff recommends the approval of the above Findings of Fact.

Staff respectfully recommends that the Community Development Commission recommend denial of the rezoning, Conditional Use Permit(s) and variances.

Any recommendation to approve the Rezoning, Conditional Use Permit(s) and Variances should be subject to the following conditions:

1. The property shall be developed and utilized in substantial conformance to the plans submitted as part of this application prepared by Quigg Engineering, Inc., dated 04.05.12. with revisions requested by staff below.
2. IDOT approval of curbcut on Rte. 83.
3. Extension of a landscaped island to segregate the diesel and gasoline pump traffic.
4. A revised landscape plan shall be submitted and approved by the Village staff as part of the sign/building permit, including the sign base landscape and landscape materials in the transition strips along both Foster Avenue and Rte. 83.
5. Sidewalks shall be provided along all street frontages or a fee in lieu payment shall be made at the discretion of the Director of Public Works.
6. A Plat of Consolidation for the four lots into one.
7. Installation of two LED streetlights on Foster Avenue.
8. The addition of a fire hydrant on the southwest corner of subject property. This hydrant should be tied into the twelve (12) inch main at Foster and Route 83 and connect to the six (6) inch main on Itasca Street.
9. Screening along Marshall Road and Itasca Street be installed prior to issuance of the building permit to construct the diesel fueling facility.
10. Extension of the current restricted hours of operation (4 AM to 10 PM) over the whole of the property.

11. There should be no window displays or advertising banner in the area of the cashier that will restrict the cashier's view or the view of passing police patrols.
12. The lighting devices shall be protected with weather and vandal resistant covers.
13. The exterior architectural features to the building shall not be designed in a manner which allows access to the roof areas.
14. Pallets and other objects should not be allowed to be left outside to allow roof access.
15. The site shall be conspicuously sign posted per Village Code 4-3-18(b) 2, Criminal Trespass, to discourage loitering.
16. The operator shall ensure that the property is kept clean of litter associated with the store.
17. Any ATMs should be located within the primary retail building.
18. The Village has the right to add or modify conditions should problems develop which are not readily apparent at this time or if the applicant fails to adequately manage public safety or security issues.
19. A copy of the conditions of approval for the Conditional Use Permit must be kept on the premises of the establishment and be presented to any police officer or any authorized Village official upon request.

Respectfully Submitted,

Department of Community
& Economic Development

June 1, 2012

Dear Honorable Members of the Community Development Commission for the Village of Bensenville:

As concerned residents, citizens and good neighbors in the Village of Bensenville, we are writing this letter to officially voice our opposition to the proposed expansion of the Road Ranger gas station located on the south east corner of Foster Ave. and Illinois State Route 83.

As the evidence has shown, the scope of the project is not proportional to the land involved. Road Ranger on May 14, 2012 presented their case in which they showed that there will be adverse effects to the neighborhood should the project proceed. The sound consultant testified that there were no sound level tests conducted above ten feet from grade, which we feel is the entire point of a sound test, since our bedrooms and upper floor windows are in that range.

In addition, under questioning from a Commission Member, Road Ranger's traffic consultant under oath admitted to the serious safety concerns and liability that would arise when a 53 foot long truck finishes fueling and gradually proceeds west on the property to exit onto Route 83 which would completely obstruct the view of any other vehicle exiting simultaneously from the driveway to the north. With a speed limit of forty five miles per hour on Route 83, the potential for a serious accident and conflagration are as the traffic consultant stated " very logical ".

Although the development meets the stacking requirements currently in place, the trucks would be idling parallel to our homes, which we feel breaks the spirit of the ordinance and would be ruinous to our quality of life. The twenty four hours of operation request is also opposite of the order the eighteenth judicial court signed to the benefit of the Village of Bensenville on November 27, 2001. Judicial orders should never be taken lightly and we feel should never be overridden by the Defendant, in this instance the Village of Bensenville, at a later date.

Road Ranger has consistently claimed that the purpose of this expansion is to create a safe environment on their parking lot. This claim can be readily refuted

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JUN - 6 2012

COMMUNITY DEVELOPMENT

by researching with the Villages' police department the number of actual tickets or citation issued on the property for safety violations. We believe that this is a red herring created to tug on our concern for safety.

Finally, the Villages' staff who are highly trained professionals and are instructed to review and recommend to approve or not approve this project have recommended not to approve. Again, the project does not meet the conditions as set forth by the Village of Bensenville for approval.

Road Ranger took a risk purchasing the property and the homes to their south with the intent of expanding. They should not be rewarded if they did not complete their due diligence. The Village is on the correct path with a comprehensive plan to develop areas to complement the O'Hare expansion. This project, however, does not call for commercial zoning on the comprehensive plan and we feel the Village has an obligation to protect its voting citizens' property rights and interest.

We respectfully therefore request you not approve the proposed plan.

Cordially,

Jeanne C. Jablonski
Deborah Jablonski
Lisa Kirk
Paul M. Kirk
Jerry Whase
Beri Whase
Judy L. O'Connell
John Ford
John Ford
John Swanson
William O'Connell
Diana Burda

Raylene Aguilera
Kenneth P. Lestina
Susanne Lestina
Jack Bush
Christine Frayne
Eddie Dale

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COMMUNITY DEVELOPMENT

1188 W. Foster Avenue

Settlement Agreement

11.27.2001

IN THE EIGHTEENTH JUDICIAL CIRCUIT
DUPAGE COUNTY, ILLINOIS

WESTERN SPRINGS NATIONAL BANK as Trustee
under Trust #3251,

Plaintiff,

-Vs-

VILLAGE OF BENSENVILLE, an Illinois Municipal
Corporation,

Defendant.

FILED
01/29/27 PM 12:57
DUPAGE COUNTY CLERK
J. M. [Signature]

No. 00 MR 745

AGREED JUDGMENT ORDER

This cause coming on to be heard on the Complaint of the Plaintiff, the Answer of the Defendant, Village of Bensenville, a Municipal Corporation and the Court being advised that the parties have reached an agreement and have advised the Court of the terms thereof; now therefore,

THE COURT DOETH FIND:

- A. The Court has jurisdiction of the parties and the subject matter of this action.
- B. An actual controversy exists between the parties and the parties are entitled to a declaration of their rights with respect to the controversy pursuant to the provisions of 735 ILCS 5/2-701 et. seq.
- C. Western Springs National Bank and Trust, as Trustee under Trust Agreement dated July 31, 1990 and known as Trust #3251 (hereinafter "Western Springs Bank") owns .92 acres of land located at the Southeast corner of Illinois State Highway Route 83 and Foster Avenue in the Village of Bensenville, Illinois. The subject property is zoned C-2 and is currently improved with a building that houses a restaurant facility. The C-2 zoning permits the operation of a convenience market with limited food preparation on the premises.

1290
1160

D. One June 10, 1999, Western Springs National Bank filed an application with the Village for a conditional use permit seeking to operate a retail gas station.

E. Thereafter, on July 26, 1999 the community development commission of the Village of Bensenville reviewed the application, thereafter on April 10, 2000, the community development commission voted to recommend approval of the application of conditional use permit. Thereafter on July 11, 2000, the Village Board of Trustees of Bensenville voted to deny the application for conditional use permit. On July 18, 2000, Western Springs National Bank through its attorneys requested that the Village reconsider its motion, but said request was refused. The Plaintiff has therefore exhausted all administrative remedies in connection with this attempt to obtain a conditional use permit. This litigation followed:

F. The parties of this litigation have entered into an agreement resolving their issues and said agreement is attached as an Exhibit hereto and is incorporated and merged into this Agreed Final Judgment and each and every provision therein is binding on the parties.

Now therefore,

IT IS HEREBY ORDERED ADJUDGED AND DECREED

1. The Court further finds and declares that Western Springs Bank is entitled to a conditional use permit to operate, and the Village shall allow the operation of, a facility that sells automotive fuel at its site located at the south east corner of Foster Avenue and Route 83 in the Village of Bensenville, DuPage County, Illinois. All in accordance with the Settlement Agreement approved herein.

2. That upon the filing of proper applications and compliance by the Plaintiff with the Village's building code and all other codes pertaining to the construction of and maintenance of the building, the Village shall issue all necessary permits for the development and use of said property

allowing Plaintiff to carry out its purpose of vending automotive fuel as set forth in the parties Settlement Agreement which is incorporated herein and made a part hereof.

3. The parties shall bear their own costs incurred in this litigation.

4. The Court reserves jurisdiction of this cause for the purpose of the enforcing this judgment.

DATE: November 27, 2001

BY

JUDGE

SAUL HEISLER
DEPUTY CLERK

Peter G. Frezados, Esq.
Regas, Frezados & Harp
111 West Washington, Suite 1525
Chicago, Illinois 60602
(312) 236-4400
DuPage No. 69830

1 of 2 originals

IN THE EIGHTEENTH JUDICIAL CIRCUIT
DUPAGE COUNTY, ILLINOIS

WESTERN SPRINGS NATIONAL BANK as Trustee
under Trust #3251, and TRUST /

Plaintiff,

-Vs-

No. 00 MR 745

VILLAGE OF BENSENVILLE, an Illinois Municipal
Corporation,

Defendant.

SETTLEMENT AGREEMENT

This Agreement is made and entered into this 6TH day of ~~October~~ ^{NOVEMBER}, 2001 by and
between Western Springs National Bank, ^{and Trust} as Trustee under Trust #3251 (hereinafter referred to
as "WSNB") and the Village of Bensenville, an Illinois Municipal Corporation (hereinafter referred to
as "Village").

WITNESSETH

WHEREAS, WSNB is the owner of .92 acres of land located at 1188 West Foster (southeast
corner of Illinois Route 83 and Foster Avenue) in the Village of Bensenville and legally described as
follows:

**Lot 1 in Block 22 (except the west 50 feet thereof), in the First Addition to Percy
Wilson's Irving Manor, being a subdivision in Section 10, 11, 14, and 15,
Township 40 North, Range 11, East of the Third Principal Meridian, according
to the plat thereof recorded May 6, 1926 as document 213044, in DuPage
County, Illinois.**

WHEREAS, WSNB submitted an application for conditional use permit to the Village of
Bensenville seeking to remove the existing structure and erect a quick mart style retail food store and
gasoline station. While the C-2 zoning permits the operation of a convenience market with limited

food preparation on the premises, a conditional use permit is required for service stations.

WHEREAS, the Village has refused to issue a conditional use permit pursuant to the application submitted; and

WHEREAS, WSNB filed a Complaint for Declaratory Judgment and Injunctive Relief on August 28, 2000 in the Eighteenth Judicial Circuit of DuPage County, Illinois and said action remains pending and undetermined; and

WHEREAS, WSNB and the Village consider it in their best interest to settle this dispute.

NOW, THEREFORE, in consideration of the mutual and several promises and conditions hereinafter expressed, the receipt and sufficiency of which is hereby acknowledged, WSNB and the Village hereto agree by and between themselves to each and every term and provision set forth in this settlement agreement as follows:

1. RECITALS: The recitals set forth in the Preamble hereof are incorporated herein and made a part hereof by this reference.

2. MUTUAL RELEASE: Except for the provisions and obligations set forth in this agreement, the parties hereby mutually release each other from any and all claims.

3. VILLAGE UNDERTAKING: Western Springs National Bank ^{and Trust} is entitled to a conditional use permit to operate and the Village shall allow the operation of a facility that sells automotive fuel at the site identified herein, all in accordance with the provisions of this Settlement Agreement. Further, that upon the filing of proper applications and compliance by Western Springs National Bank and Trust with the Village's building code and all other codes pertaining to the construction of and maintenance of the building. The Village shall issue all necessary permits for the development and use of said

property allowing Western Springs National Bank ^{/ and Trust} to construct and operate a Quik Mart style retail food store and automotive fuel facility at the site as identified hereinabove.

4. **WSNB UNDERTAKING:** WSNB shall erect the facility in accordance with plans heretofore submitted to the Village which set forth the lighting, fencing and landscape to be applied to the site. It is agreed that said hours of operation shall be from 4:00 a.m. to 10:00 p.m. A set of the relevant drawings are attached to copies of this agreement and made a part hereof, with the exception that copies of same are attached to a copy of the agreement that is made a part of the Court's Order.

5. **DISMISSAL OF DECLARATORY JUDGMENT ACTION:** The parties agree to submit this Settlement Agreement to the presiding Circuit Court Judge of DuPage County to whom this action is assigned, where the complaint shall be dismissed with prejudice and without costs, each party being responsible for its own costs and attorneys fees. Notwithstanding the language of this paragraph the parties acknowledge that the Court shall retain jurisdiction to enforce the terms of this Settlement Agreement.

6. **BINDING EFFECT:** This Settlement Agreement shall be binding upon and shall insure to the benefit of the parties, as well as their respective successors in interest including subsequent purchasers of the site and their heirs or assigns.

7. **FUTURE ENFORCEMENT:** Nothing in the Settlement Agreement precludes or restricts the Village from enacting or enforcing any laws, ordinances, or codes as currently exist or as hereinafter may be enacted by the Village or the County of DuPage or the State of Illinois, except that no such action may prohibit the lawful use or operation of the site as a Quik Mart style retail food store and/or automotive fuel business in accordance with the provisions of this Settlement

Agreement. In addition this Settlement Agreement in no way precludes WSNB from exercising its rights to apply for zoning variances or permits that it may deem appropriate from time to time in the use and enjoyment of the site.

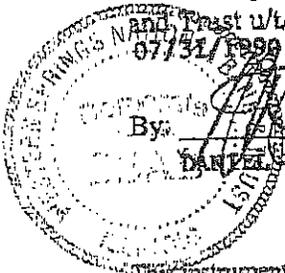
8. NO ASSIGNMENT OF CLAIM: The parties warrant that they have not transferred or assigned any claim or cause of action that they may have and that they are the owner and holder of any such claims.

9. HEADINGS: The headings set forth herein are for the convenience of referenced only and shall not be deemed to impair, enlarge, or otherwise affect the substantive meaning of any provisions to which such heading may relate.

IN WITNESS WHEREOF the parties have signed this Settlement Agreement on the date and year first written above.

Dated this 6TH NOVEMBER day of October, 2001.

Western Springs National Bank
and Trust u/a 3251 u/a dtd.
07/31/1990, and not personally,



By: [Signature]
DANIEL W. WLODEK - Trust Officer

Village of Bensenville

By: [Signature]
Its President

This instrument is executed by WESTERN SPRINGS NATIONAL BANK AND TRUST, not personally but solely as Trustee, as aforesaid. All the covenants and conditions to be performed hereunder by WESTERN SPRINGS NATIONAL BANK AND TRUST, are undertaken by it solely as Trustee, as aforesaid, and not individually and no personal liability shall be asserted or be enforceable against WESTERN SPRINGS NATIONAL BANK AND TRUST, by reason of any of the covenants, statements, representations or warranties contained in the instrument.

This statement is based solely upon information and belief, upon information furnished by the beneficiary or beneficiaries of the aforesaid Trust. The undersigned Trustee has no personal knowledge of the facts or statements herein contained.

Peter G. Frezados, Esq.
Regas, Frezados & Harp
111 West Washington, Suite 1525
Chicago, Illinois 60602
(312) 236-4400
DuPage No. 69830



PLACE
ASSOCIATES, INC.

PLANNERS • ARCHITECTS • CONSULTANTS

September 23, 2001

Village of Bensenville
700 W. Irving Park Road
Bensenville, IL 60106

Attn: Mr. Peter Ostling

Re: Preliminary Plan Clarifications
Demakis Citgo Facility
Bensenville, Illinois

Dear Mr. Ostling,

The following is a clarification of the building materials, which are included in the preliminary plans submitted on July 6, 2001, for the proposed Bensenville Citgo Facility located at Route 83 & Foster Ave.

Structure:

- The entire structure will include non-combustible materials consisting of steel roof trusses and solid masonry bearing walls.

Front Elevation (West):

- The masonry will be gray split face concrete block at the base, brown face brick above and separated by a blue glazed masonry accent course.
- All parapets will be finished with a blue preformed aluminum metal cap.
- The storefront and entrance doors will be white aluminum with insulated clear glazing throughout.
- The fascia above the storefront will consist of a white pre-finished aluminum frame with illuminated Citgo logo stripes within.

Side Elevations (North & South):

- The masonry will be gray split face concrete block at the base, brown face brick above and separated by a blue glazed masonry accent course.
- All parapets will be finished with a blue preformed aluminum metal cap.
- The North elevation includes decorative wall mounted lights, which illuminate the sidewalk below.

Rear Elevation (East):

- The masonry will consist of standard gray concrete block with a blue pre-finished top cap and gutter/downspout system.

I have also reviewed Mr. Paul Bourke's comments dated August 6, 2001 to the preliminary plans. All of his comments, 1 through 9, refer to the necessary compliance with Bensenville's Village Code requirements.

In response to these comments, the final construction documents will be based on the preliminary plans dated July 6, 2001 and prepared to meet or exceed all current Village and National Building Codes required by the Bensenville permitting process. We understand that a building permit will not be released until we have submitted the final construction documents along with a permit application required for the standard review and approval process.

Please feel free to call me at 708-485-1517 with any questions or if you require any further clarifications.

Sincerely,



John Kouchoukos, AIA

Cc: Dino Demakis, Peter Frezados, File

TRUCK FILLING STATION NOISE STUDY

for

ROAD RANGER, L.L.C.

DuPage County, Illinois

Prepared by:

Huff & Huff, Inc.

March 2012

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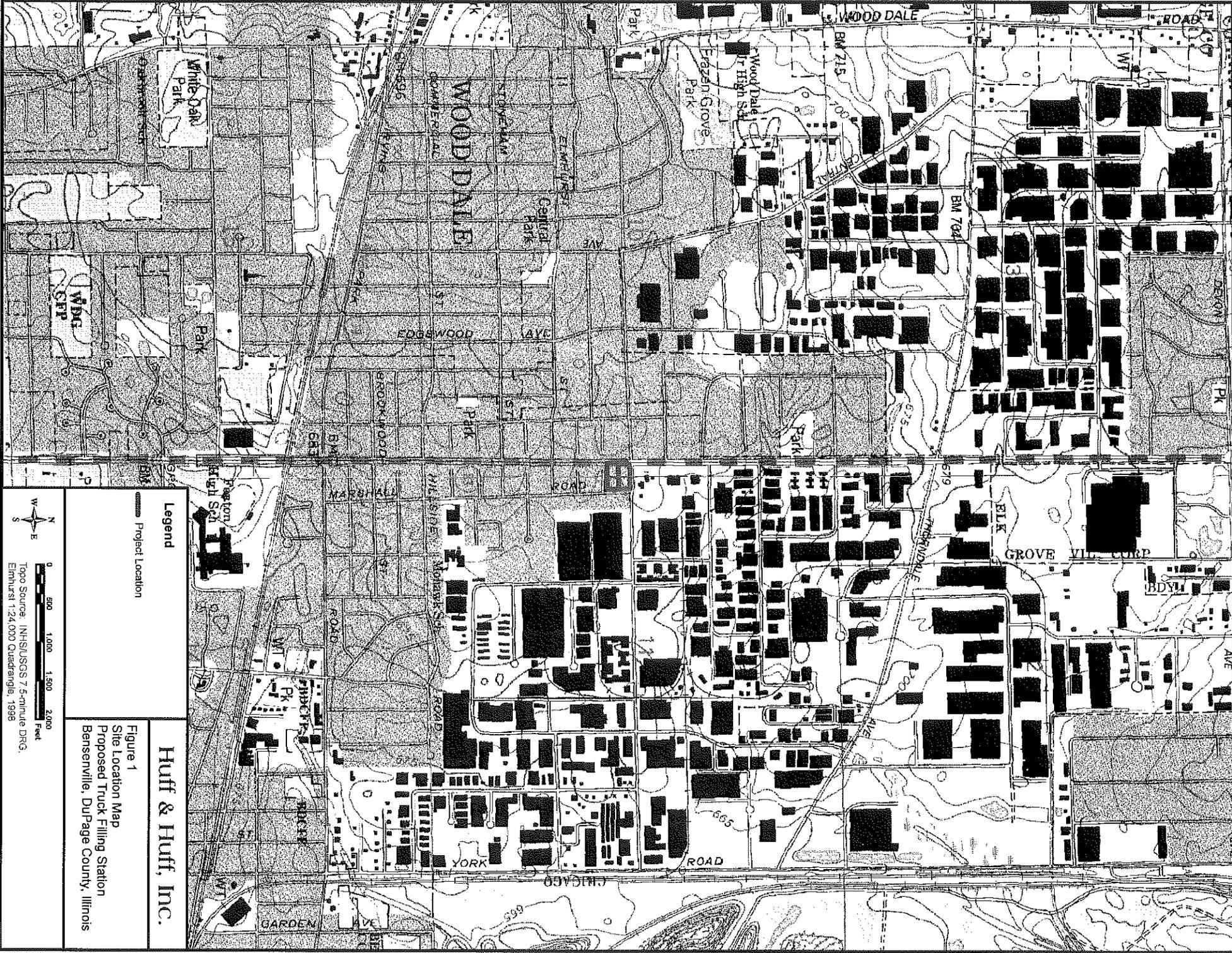
1. INTRODUCTION

Road Ranger, L.L.C. proposes an addition to their existing truck filling station at the southeast corner of the IL Route 83 and Foster Avenue intersection in Bensenville, DuPage County, Illinois. The existing facility and proposed addition are shown in Figure 1. The proposed expansion includes extending the property limits approximately 150 feet south and adding a truck filling station with a five truck capacity. The proposed truck filling station includes an 8-foot solid fence along the south and east sides of the property located on top of a 2-foot high retaining wall relative the facility curb. This configuration results in an effective 10-foot tall solid fence located between the proposed station and the adjacent residential areas.

This report summarizes the evaluation of future noise levels of the proposed expansion and the effects of noise reduction measures. This analysis is based upon the assessment of background noise levels and anticipated project noise levels in accordance with Title 10, Chapter 13, Section 5(10-13-5) of the village ordinance. The evaluation analyzed noise levels at outdoor locations at the residential property lines, as required by the village ordinance, which represents a worst-case noise level. The indoor noise levels at the residential locations would be lower than those calculated at the property line. Additionally, the residences adjacent to the proposed truck filling station are sound insulated¹ as part of The Midway and O'Hare Noise Compatibility Commission's Residential Sound Insulation Program². The sound insulation further minimizes the potential for interior noise impacts associated with the proposed truck filling station.

¹ Sound insulation measures may include noise-attenuating windows, improved doors, new heating and air conditioning, and wall insulation. Sound insulation provides a quieter interior thereby enhancing indoor activities and may also provide increased efficiency in home heating and cooling.

² City of Chicago Residential Sound Insulation Program Website:
<http://www.ohare.com/cnrc/ohare/oharesidential.htm>



Huff & Huff, Inc.

Figure 1
 Site Location Map
 Proposed Truck Filling Station
 Bensenville, DuPage County, Illinois

Legend
 Project Location

0 500 1000 1500 2000
 Feet

Topo Source: INR/SUSGS 7.5-minute DRG,
 Elmhurst 1:24,000 Quadrangle, 1998

2. NOISE BACKGROUND AND LOCAL ORDINANCE

2.1 Noise Background

Sound is caused by the vibration of air molecules, and is measured on a logarithmic scale using units of decibels (dB). Sound is composed of a wide range of frequencies; however, the human ear is not uniformly sensitive to all frequencies. Therefore, the "A" weighted scale was devised to correspond with the ear's sensitivity. Noise levels reported using the A-weighted scale are identified using "dB(A)".

The equivalent sound level is the steady-state, A-weighted sound level, which contains the same amount of acoustic energy as the actual time-varying, A-weighted sound level over a specified period of time. The A-weighted unit is used because:

- 1) it is easily measured,
- 2) it approximates the human ear's sensitivity to sounds of different frequencies,
- 3) it matches attitudinal surveys of noise annoyance better than other noise measurements, and
- 4) has been adopted as the basic unit of environmental noise by many agencies around the world in dealing with community noise issues.

Noise Perceptions

The use of the logarithmic scale provides a convenient scale to evaluate noise. A change of one dB is the same relative change everywhere on the decibel scale. A change of three dB(A) is a barely perceptible change in noise, while an increase of 10 dB(A) is perceived as being twice as loud. Table 1 shows the perceived changes in noise levels relative to the decibel scale.

Table 1
NOISE PERCEPTIONS

Sound Level Change	Relative Loudness
+ / - 3 dB(A)	Barely perceptible change
+ / - 5 dB(A)	Readily perceptible change
+ / - 10 dB(A)	Twice / Half as loud

2.2 Local Ordinance

The Village of Bensenville maintains a Village Ordinance covering noise controls. The noise control regulations are covered in Title 10, Chapter 13, Section 5 (10-13-5) of the Village Ordinance. The noise control allowable noise limit for a property is that the property shall not cause or create sound above the greater of:

1. The sound pressure levels in subsection 10-13-5D1³ of this Section at the locations specified; *or*

³ Subsection 10-13-5D1 lists maximum permitted sound pressure level in decibels for octave bands

2. 5 dB over the background noise and as measured on the subject property over a period of eight (8) minutes.

The general approach will be to demonstrate that Option 2 will be achieved at the nearest residential locations.

Noise data were collected from an existing Road Ranger truck filling station with similar truck capacity to determine the proposed truck filling station noise. Additionally, the noise monitoring conducted for determination of compliance with the Village Ordinance is based on an eight-minute monitoring period. This indicates that the noise code is enforced on a time-weighted average over a period not shorter than eight minutes and not on a maximum or peak noise level.

3. NOISE SENSITIVE ADJACENT AREAS

The immediately adjacent land use south and east of the proposed truck filling station is residential. The nearest residential property lines in proximity to the proposed truck filling station noise sources are between 90 feet and 100 feet away. All residential areas in direct proximity to the proposed truck filling station will be separated from the parcel by the proposed solid fence.

Table 2 lists the residential areas, the general location relative to the proposed truck filling station, and the approximate distance to the proposed truck filling station. Selected representative areas for this project are identified as Residential Areas 1 through 4. Two residences are south of the filling station and two residences are to the east. Figure 2 depicts these residential areas. The specific noise monitoring locations are also depicted. These locations represent the worse-case noise effects due to their proximity to the proposed facility expansion and are located at the residential property line, as specified in the local ordinance.

**TABLE 2
SUMMARY OF NOISE SENSITIVE AREAS**

Residential Area	Location Relative Proposed Truck Filling Station	Type	Distance from Residential Property Line to Proposed Truck Noise Source*, ft.
1	South	Residence	90
2	South	Residence	90
3	East	Residence	100
4	East	Residence	90

* Proposed truck noise source refers to the nearest path that the trucks would follow while approaching, utilizing, and departing the proposed filling station.

4. FIELD NOISE MEASUREMENTS

Field noise measurements were conducted for two purposes: first, to determine the existing background noise levels at the residential areas and second, to determine the typical noise levels of an existing truck filling station with similar capacity. The procedures utilized to conduct the monitoring were consistent with FHWA guidance regarding instrumentation, setup, and monitoring technique. A Brüel & Kjær Type 2236 sound level meter was used for monitoring the actual noise level. The L_{eq} was recorded for the "A" weighted scale. The instrument was set up approximately five feet from the ground and calibrated prior to use. The following summarizes the monitoring methodology and results for both monitoring sessions.

4.1 Residential Area Noise Monitoring

Existing background noise levels measured during monitoring events are representative of the conditions for the period of time measured. Noise monitoring was conducted at all four residential locations, 1 through 4. Measurements were conducted for 12 minutes, which is greater than the minimum 8 minutes specified in the ordinance. The greater time period was needed to reach a steady-state noise level for the periodic nature of the intersection roadway noise. The noise meter was placed in a location where human outdoor activity typically occurs or in a location representative of that location. No noise monitoring occurred inside buildings.

Noise Sources

Several noise sources were characteristic of the residential areas:

- 1) Vehicle free-flow (during green light cycle)
- 2) Vehicle deceleration (stopping at red lights)
- 3) Vehicle idling (when stopped at red lights)
- 4) Truck exhaust (generally when stopping at red lights/departing from red lights)
- 5) Vehicle acceleration (departing from red lights)
- 6) Aircraft flight (departing/arriving at O'Hare International Airport)

Time and Day for Measurements

Noise monitoring was conducted during the period representing the typical noise levels for the represented areas during the normal hours of operation of the truck filling station. Noise monitoring was conducted at all residential areas on Friday, January 27, 2012 between the hours of 2:00 pm and 4:00 pm.

Weather Conditions

Weather conditions can have some effect on the noise measurement readings. Noise measurements cannot be taken if the wind speed exceeds 12 m.p.h. A wind screen was used at all times during the monitoring to reduce wind noise. The conditions during the monitoring are summarized as follows:

WEATHER CONDITIONS DURING THE NOISE MONITORING

Condition	Required	Actual
Humidity	Less than 90%	66%
Temperature	14 to 112 degrees F.	40 degrees F.
Wind Speed	Less than 12 m.p.h.	9 m.p.h.

The weather conditions during the noise monitoring were within the recommended ranges for all parameters listed.

Field Noise Monitoring Results

Table 3 summarizes the noise monitoring results each of the four residential locations and their distance from the truck filling station. Noise monitored levels ranged from 59.2 dB(A) to 66.6 dB(A). The variation in noise levels is attributed to the proximity to Foster Avenue and Illinois Route 83.

**TABLE 3
NOISE MONITORING RESULTS FOR RESIDENTIAL AREAS**

Residential Area	Distance from Residential Property Line to Proposed Truck Noise Source, ft.	Noise Level Monitored, L_{eq}	Time Monitored, Minutes
1	90	66.6	12
2	90	60.8	12
3	100	59.2	12
4	90	61.5	12

4.2 Existing Truck Filling Station Noise Monitoring

Noise level measurements taken at an existing truck filling station were used to estimate the future noise levels from the proposed truck filling station. The existing truck filling station has a seven truck capacity and is located in Hampshire, Illinois. Noise monitoring was conducted 70 feet from the nearest truck filling station, which is representative of the nearest residential locations from the proposed truck filling station. Figure 3 details the monitoring location at the existing truck filling station. The following methodology was used to collect noise level measurements.

Noise Sources

Noise monitoring of the existing facility was conducted for four 15-minute periods, at the point where a steady-state noise level was reached. Several noise sources were characteristic of the existing truck filling station:

- 1) Truck free-flow (approaching the pump)
- 2) Trucks deceleration (stopping the pump)
- 3) Truck idling (filling at the pump if truck was not turned off/truck waiting for open pump)
- 4) Truck exhaust (generally when stopping at pump)

- 5) Truck start-up (after filling at the pump if truck was turned off)
- 6) Truck acceleration (departing from the pump)

Each monitoring period included activities typical for the filling station. The characteristic noise sources from the existing truck filling station are similar to that at the residential areas adjacent to the proposed truck filling station, with the exception of truck start-up noise. Truck start-up noise was a relatively minor noise contributor for the existing filling station as the noise generated by a start-up lasts for a relatively short duration, occurred relatively infrequently, and the noise measurement is time-weighted.

Time and Day for Measurements

Noise monitoring was conducted on Friday, January 27, 2012 between the hours of 10:00 am and 1:00 pm.

Weather Conditions

Weather conditions during the existing truck filling station noise monitoring are summarized below. The weather conditions during the noise monitoring were within the recommended ranges for all parameters listed.

WEATHER CONDITIONS DURING THE NOISE MONITORING

Condition	Required	Actual
Humidity	Less than 90%	72%
Temperature	14 to 112 degrees F.	23degrees F.
Wind Speed	Less than 12 m.p.h.	9 m.p.h.

Field Noise Monitoring Results

Table 4 summarizes the noise monitoring results for the existing truck filling station. Monitored noise levels ranged from 65.6 dB(A) to 66.8 dB(A).

**TABLE 4
NOISE MONITORING RESULTS FOR EXISTING TRUCK FILLING STATION**

Distance to Closest Pump, ft.	Time Monitored, Minutes	Noise Level Monitored, Leq
70	15	65.6
70	15	66.2
70	15	66.8
70	15	66.1
Average	15	66.2

Based on the average of the four monitoring results, the noise level of the existing truck filling station is approximately 66.2 dB(A). The variation in the noise levels for the four monitoring periods is 1.2 dB(A). This low variability in the readings indicates a steady-state level was determined.

5. NOISE ANALYSIS RESULTS

The existing truck filling station monitoring data were used to predict the proposed truck filling station noise levels at the adjacent residential areas. These projected values were compared to the monitored values at the residential areas to determine if the proposed truck filling station would cause or create sound 5 dB over the background noise.

5.1 Comparison of Projected Noise Levels to Existing Noise Levels - Unobstructed

The projected truck filling station noise levels (shown in Table 4) were compared to the existing background noise levels at the corresponding residential areas. This calculation determines if the proposed truck filling station creates or causes sound 5 dB over the background noise level. Table 5 presents this comparison assuming the proposed truck filling station is unobstructed, without giving consideration to the sound-dampening or reflective effects of the proposed 10-foot effective height solid fence.

**TABLE 5
PROJECTED DIFFERENCE IN NOISE LEVELS AT RESIDENTIAL LOCATIONS**

Residential Area	Distance from Residential Property Line to Proposed Truck Noise Source, ft.	Existing Background Noise, dB(A)	Unobstructed Proposed Truck Filling Station Noise, dB(A)	Unobstructed Proposed Truck Filling Station Noise over Existing Background Noise, dB(A)
1	90	66.6	66.2	-0.4
2	90	60.8	66.2	5.4
3	100	59.2	66.2	7.0
4	90	61.5	66.2	4.7

Based on the unobstructed noise levels, residential areas 1 and 4 would comply with the local ordinance, as the proposed truck filling station noise would generate noise less than 5 dB above the existing background noise at these locations. Residential areas 2 and 3 are projected to be subject to noise greater than 5 dB above the existing background noise, and such noise levels would not comply with the local ordinance. This does not account for noise abatement as described in Section 5.2, and compliance is based upon implementation of noise abatement.

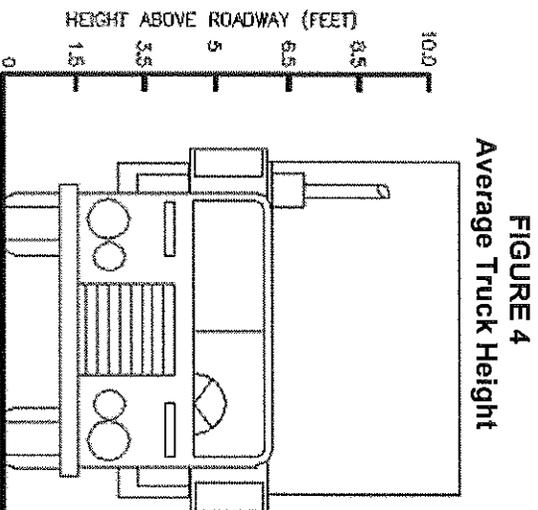
5.2 Comparison of Projected Noise Levels to Existing Noise Levels - Obstructed

The proposed 10-foot effective height solid fence⁴ along the south and east property limits would reduce noise levels from the proposed truck filling station. A 5 dB(A)⁵ reduction is generally achieved at the point where the line-of-sight between the receiver and the noise source is broken.⁶ The truck noise source that is most difficult to break the line-of-sight as the exhaust stack noise is the highest noise-generating point on a truck. The exhaust stack is generally between 8 feet and 10 feet above the roadway, as detailed in Figure 4.

⁴ The 10-foot effective height includes an 8-foot solid fence along the south and east sides of the property located on top of a 2-foot high retaining wall relative the facility curb

⁵ This assumes a solid fence density of at least four pounds per square foot to be able to effectively reduce sound transmission through the barrier.

⁶ The line-of-sight refers to the line of vision from a person (noise receiver) to the noise source. In this case, it would be the line of vision between a person standing in the yard of the residences to the top of the truck exhaust.



Source: Highway Traffic Noise Sources
U.S. Dept. of Transportation

Based on an assumed level geometry between the site and the adjacent residential locations, the 10-foot effective height solid fence would block the line-of-sight for the nearest pump station up to a height of 13 feet. This would fully block the line-of-sight of the nearest potential truck, and would successfully reduce the projected noise at least 5 dB(A) from 66.2 dB(A) to 61.2 dB(A). Table 6 presents the comparison of the projected noise and the existing background noise assuming the proposed truck filling station is obstructed, giving consideration to the effects of the proposed 10-foot effective height solid fence.

TABLE 6
PROJECTED DIFFERENCE IN NOISE LEVELS
AT RESIDENTIAL LOCATIONS – WITH FENCE

Residential Area	Distance from Residential Property Line to Proposed Truck Noise Source, ft.	Existing Background Noise, dB(A)	Proposed Truck Filling Station Noise with Fence, dB(A)	Proposed Truck Filling Station Noise with Fence over Existing Background Noise, dB(A)
1	90	66.6	61.2	-5.4
2	90	60.8	61.2	0.4
3	100	59.2	61.2	2.0
4	90	61.5	61.2	-0.3

Based on the noise levels associated with the proposed 10-foot effective height solid fence, the proposed truck filling station would comply with the local ordinance at any of the four residential locations. The proposed truck filling station would generate noise less than 5 dB above the existing background noise at these locations. Only two residential areas are exposed to greater noise levels than background. The proposed truck filling station noise levels are less than 3 dB(A) greater than the background noise at all residential locations, which is less than a barely perceivable change in noise levels.

ORDINANCE NO. _____

**AN ORDINANCE CONCERNING THE REZONING OF
THREE LOTS LOCATED AT 523 N. ROUTE 83, 522 N. MARSHALL ROAD,
AND 524 N. MARSHALL ROAD FROM RS-5 HIGH DENSITY SINGLE FAMILY
RESIDENTIAL DISTRICT TO C-2 HIGHWAY COMMERCIAL DISTRICT**

WHEREAS, Road Ranger, LLC (“Owner”) filed an application for zoning relief under the *the Village of Bensenville Zoning Ordinance* (“Zoning Ordinance”) for property commonly known as 523 N. Route 83, 522 N. Marshall Road and 524 N. Marshall Road, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the “Subject Property”), a copy of said application being on file in the Community and Economic Development Department; and

WHEREAS, the zoning relief requested was to grant the rezoning of the Subject Property from RS-5 High Density Single Family Residential to C-2 Highway Commercial (Section 10-3-5A), in conjunction with an associated request for the grant of conditional use permits and variances to allow expansion of an existing Service Station on adjacent property; and

WHEREAS, two separate Notices of Public Hearing with respect to the rezoning and associated zoning relief sought by the Owner were published in the Daily Herald Newspaper in the Village of Bensenville, and notice of the hearings was provided , all as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, pursuant to said Notices, the Community Development Commission of the Village of Bensenville conducted a Public Hearing on May 14, 2012 and on June 11, 2012 as required by the statutes of the State of Illinois and the ordinances of the Village, and after full hearing on the application, adopted the findings of facts as to the requested rezoning as proposed by Village staff set forth in Exhibit “B,” attached hereto and incorporated herein by reference; and

WHEREAS, upon said findings of facts, the Community Development Commission voted 0-6, with 1 abstention, to approve the application for rezoning resulting a recommendation to deny the application for rezoning of the Subject Property; and

WHEREAS, the Community Development Commission forwarded its recommendation to deny the application for rezoning to the Village Board’s Community and Economic Development Committee which concurred in the recommendation to deny the application for rezoning of the Subject Property; and

WHEREAS, the Community and Economic Development Committee then forwarded its recommendation, along with that of the Community Development Commission, to the President and Board of Trustees on September 25, 2012; and

WHEREAS, the President and Board of Village Trustees considered the matter and determined, based on its consideration, that the requested rezoning should be denied.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, duly assembled at a regular meeting, as follows:

SECTION ONE: That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

SECTION TWO: That the findings of fact concerning the rezoning of the Subject Property having been made and adopted by the Community Development Commission, they are now hereby adopted by the President and Board of Trustees for denial of the rezoning relief requested by the Applicant.

SECTION THREE: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, this 25th day of day of September, 2012.

Frank Soto, Village President

ATTEST:

Susan Janowiak, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

ORDINANCE NO. _____

**AN ORDINANCE CONCERNING AN APPLICATION FOR
TWO CONDITIONAL USE PERMITS FOR EXPANSION OF AN
EXISTING SERVICE STATION AND ELECTRONIC MESSAGE CENTER SIGN
WITH ASSOCIATED VARIANCES AT 1188 W. FOSTER AVENUE,
523 N. ROUTE 83, AND 522 AND 524 N. MARSHALL ROAD, BENSENVILLE, ILLINOIS**

WHEREAS, Road Ranger, LLC (“Owner”) filed an application for zoning relief under the *the Village of Bensenville Zoning Ordinance* (“Zoning Ordinance”) for property commonly known as 1188 W. Foster Avenue, 523 N. Route 83, 522 N. Marshall Road and 524 N. Marshall Road, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the “Subject Property”), a copy of said application being on file in the Community and Economic Development Department; and

WHEREAS, the zoning relief requested is to grant, in association with the rezoning of the property located at 523 N. Route 83, 522 N. Marshall Road and 524 N. Marshall Road, which is the subject of an Ordinance under consideration on this same date, to provide a conditional use permit to allow gasoline and diesel fuel Service Station at the Subject Property (Section 10-3-4); to provide a conditional use permit for an Electronic Message Center Sign at the Subject Property (Sections 10-3-4, 10-18-4); and for the following variances: (1) to increase the number of permitted wall signs from one to two (Section 10-18-11A-2B-2), (2) to increase the number of permitted canopy signs from two to five (Section 10-18-11A-2B-3), (3) to reduce the required sign setback from five feet to one and one-half feet (Section 10-18-11A), (4) to allow for the erection of a monument sign twenty feet in height (Sections 10-18-14 and 10-18-11-2D), (5) to allow for a sign face of ninety-four and one-half square feet (Sections 10-18-14 and 10-18-11-2C), to allow construction of a fence eight feet in height or greater in the front and corner side yards (Section 10-14-10--4A) and to reduce the required number of parking spaces from thirty four to fourteen (Section 10-11-11); and

WHEREAS, two separate Notices of Public Hearing with respect to the rezoning and conditional use permits as well as variances sought by the Owner were published in the Daily Herald Newspaper in the Village of Bensenville, and notice of the hearings was provided, all as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, pursuant to said Notices, the Community Development Commission of the Village of Bensenville conducted a Public Hearing on May 14, 2012 and on June 11, 2012 as required by the statutes of the State of Illinois and the ordinances of the Village, and after full

hearing on the application, adopted the findings of facts as to the requested rezoning, conditional use permits and variances as proposed by Village staff set forth in Exhibit "B," attached hereto and incorporated herein by reference; and

WHEREAS, upon said findings of facts, the Community Development Commission voted 0-6, with 1 abstention, to approve the application for conditional use permits, and 0-7 to approve the requested variances, resulting in a recommendation to deny the application for zoning relief; and

WHEREAS, the Community Development Commission forwarded its recommendation to deny the application to the Village Board's Community and Economic Development Committee which concurred in the recommendation to deny the application as recommended; and

WHEREAS, the Community and Economic Development Committee then forwarded its recommendation, along with that of the Community Development Commission, to the President and Board of Trustees on September 25, 2012; and

WHEREAS, the President and Board of Village Trustees considered the matter and determined, based on its consideration, that the requested conditional use permits and associated variances should be denied.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, duly assembled at a regular meeting, as follows:

SECTION ONE: That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

SECTION TWO: That the zoning relief requested by the Owner is hereby denied.

SECTION THREE: That the findings of fact for denial of the conditional use permits and associated variances having been made and adopted by the Community Development Commission, they are now hereby adopted by the President and Board of Trustees for denial of the conditional use permits and variances referenced herein.

SECTION FOUR: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, this 25th day of day of September, 2012.

Frank Soto, Village President

ATTEST:

Susan Janowiak, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

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TYPE: Ordinance **SUBMITTED BY:** Corey Williamsen **DATE:** October 23, 2012

DESCRIPTION: Ordinance Amending Section 3-3-5 of the Bensenville Village Code – Liquor Regulations – to increase the number of Class B liquor licenses from 7 to 8 and reduce the number of Class F liquor licenses from 5 to 4.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input type="checkbox"/>	Financially Sound Village	<input type="checkbox"/>	Enrich the lives of Residents
<input checked="" type="checkbox"/>	Quality Customer Oriented Services	<input type="checkbox"/>	Major Business/Corporate Center
<input checked="" type="checkbox"/>	Safe and Beautiful Village	<input type="checkbox"/>	Vibrant Major Corridors

COMMITTEE ACTION: Public Safety 6 to 1 (Wessler Nay) DATE: 10/16/12

BACKGROUND:

Section 3-3-5B.3 of the Bensenville Village Code limits the number of Class B liquor licenses issued and outstanding to 7. Class B licenses authorize the retail sale of liquor not for consumption on the premises. El Toreo, located at 229 W. Grand Avenue, Unit ZW, applied for a Class B Liquor License in August 2012.

El Toreo currently has a Class F license authorizing the sale of packaged beer and wine not for consumption on premise. El Toreo was approved in October 2012 for their renewal license with no issues from the Community Development Department or the Bensenville Police Department. El Toreo currently has the same store manager approved in 2011, therefore a background check and finger prints are not necessary. If approved for a Class B liquor licenses, El Toreo will forfeit its current Class F liquor license.

KEY ISSUES:

The current Village Code allows for no more than seven (7) Class B liquor licenses to be issued. Currently all seven licenses are issued to the following: Foremost Liquors, Brentwood Liquors, IS Discount Liquors, Dominicks, Forest Liquors, Walgreens, and CVS. In order to issue Class B liquor licenses to El Toreo, the Village Board would have to increase the number of total licenses from 7 to 8. As a result of El Toreo forfeiting their current license, this Ordinance also reduces the number of Class F licenses from 5 to 4.

ALTERNATIVES:

- Approve the Ordinance
- Deny the Ordinance
- Discretion of the Board

RECOMMENDATION:

Staff recommends approval of the Ordinance increasing the number of Class B liquor licenses from 7 to 8 and reducing the number of Class F liquor licenses from 5 to 4.

At their October 16, 2012 meeting, the Public Safety Committee also recommended approval (vote 6-1). Explanation given for the dissenting vote was the increasing number of licenses being given over the past few years to sell package liquor.

BUDGET IMPACT:

\$350 of net revenue for the Village. El Toreo currently has a Class F liquor licenses that costs \$1,950.

ACTION REQUIRED:

Board approval of the Ordinance increasing the number of Class B liquor licenses from 7 to 8 and reducing the number of Class F liquor licenses from 5 to 4.

Ordinance _____

AN ORDINANCE AMENDING THE BENSENVILLE VILLAGE CODE
TITLE 3 – CHAPTER 3 – LIQUOR REGULATIONS

BE IT AND IT IS HEREBY ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, as follows:

SECTION ONE: That Section 3-3-5 of the Bensenville Village Code, entitled “License classifications; fee; number” is hereby amended by the addition of one (1) class B license and the deletion of one (1) class F license; the following language shall be inserted in lieu thereof:

“B. Class B:

3. There shall be no more than eight (8) class B licenses issued and outstanding at any one time.”

“ F. Class F:

3. There shall be no more than four (4) class F licenses issued and outstanding at any one time.”

SECTION TWO: All Resolutions and Ordinances in conflict herewith are replaced to the extent of said conflict.

SECTION THREE: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees at the Village of Bensenville, this 23rd day October, 2012.

Frank Soto, Village President

ATTEST:

Susan Janowiak, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Proclamation **SUBMITTED BY:** Village President **DATE:** October 23, 2012

DESCRIPTION: Proclamation recognizing the health concerns of our Latino Population & promoting health awareness.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input type="checkbox"/>	<i>Financially Sound Village</i>	<input type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input type="checkbox"/>	<i>Quality Customer Oriented Services</i>	<input checked="" type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input type="checkbox"/>	<i>Safe and Beautiful Village</i>	<input type="checkbox"/>	<i>Vibrant Major Corridors</i>

COMMITTEE ACTION: N/A

DATE: N/A

This proclamation recognizes Bensenville residents with Latino origin and welcomes opportunities to promote and provide health awareness and services. Recently, the Village of Bensenville participated in a Health and Resource Fair along with the Bensenville Chamber of Commerce. The fair offered services and information to this specific local population.

VNA Healthcare has recently opened a location in Bensenville to further supply healthcare services to our residents.

**PROCLAMATION
LATINO HEALTH WEEK**

WHEREAS, the health and well-being of our Bensenville residents is of prime concern; and

WHEREAS, the Village promotes bringing together resources to increase access to quality healthcare for all; and,

WHEREAS, the Village recently participated in a Health and Resource fair with the Consulate of Mexico, the Consulate of Guatemala and the Bensenville Chamber of Commerce; and,

WHEREAS the Village has welcomed VNA Healthcare into our Village as the first federally qualified healthcare facility in DuPage County; and,

WHEREAS, VNA will supply critical health resources to our population; and,

WHEREAS, nearly 50% of our population is of Latino origin; and,

WHEREAS, we encourage collaboration between community, government and private sector health agencies to conduct on-going health screenings, health promotion and health education activities and workshops, now,

THEREFORE, the Village of Bensenville declares October 22- October 29 Latino Health Awareness Week and asks all citizens to assist in promoting health awareness among our Latino population.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois this 23rd day of October 2012.

APPROVED:

Frank Soto, Village President

ATTEST:

Susan Janowiak, Village Clerk